

**MAUI COUNTY COUNCIL  
REGULAR COUNCIL MEETING  
MINUTES**

**June 27, 2025**

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

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

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

**TIME MEETING CALLED TO ORDER:** 9:04 a.m. June 27, 2025; reconvened 9:02 a.m. June 30, 2025

**ROLL CALL**

<b>Councilmember</b>	<b>Pres.</b>	<b>Abs.</b>	<b>Exc.</b>	<b>Time(s) In/Out (during meeting)</b>
Tasha Kama	√			
Yuki Lei Sugimura	√			
Tamara Paltin	√			
Gabe Johnson	√			
Keani Rawlins-Fernandez	√			Exc: 9:34 a.m. - 9:37 a.m.
Tom Cook	√			
Nohelani U‘u-Hodgins	√			Arr. 9:07 a.m.
Shane Sinenci	√			
Chair Alice L. Lee	√			
<b>TOTAL PRESENT</b>	<b>9</b>			

**CR 24-120** Recommending the following: 1. FIRST READING of **Bill 171, CD1 (2024)**, to amend the Project District ordinance for Kihei-Mākena Project District 9 (Wailea 670) for about 670 acres identified for real property tax purposes as tax map keys (2) 2-1- 008:056 and 071; 2. FIRST READING of **Bill 172, CD1 (2024)**, to amend various Conditions of Zoning in Ordinance 3554, as amended by Ordinance 4849, relating to Kihei-Mākena Project District 9 (Wailea 670) zoning (Conditional Zoning); and 3. RECORDATION of the Unilateral Agreement.

	AYE	NO	EXC	Time Deliberations Began	7:06 p.m. June 27, 2025
Pro Tem Kama	√			Time Motion Made	7:09 p.m.

VC Sugimura	√			Motion	ADOPT recommendations in CR 24-120
CM Paltin		√		Maker	Kama
CM Johnson		√		Secunder	Sugimura
CM Rawlins- Fernandez		√		Time Vote Taken	12:25 a.m. June 28, 2025
CM Cook	√				
CM U‘u- Hodgins	√				
CM Sinenci		√			
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>5</b>	<b>4</b>		<b>MOTION PASSED</b>	

### **Amendments:**

#1

8:10 p.m. Motion by CM Paltin/Sugimura regarding requirements for electric vehicles; vote 9-0 at 8:10 p.m.

#2

8:10 p.m. Motion by CM Paltin/Johnson regarding deed restrictions; vote 9-0 at 8:11 p.m.

#3

8:12 p.m. Motion by CM U‘u-Hodgins/Cook regarding Chair Alice Lee’s distributed amendment summary form regarding Zoning Condition #2; vote 9-0 at 8:53 p.m.

#4

8:53 p.m. Motion by CM U‘u-Hodgins/Paltin regarding Chair Alice Lee’s distributed amendment summary form regarding Zoning Condition #10; vote 9-0 at 9:20 p.m.

#5

9:32 p.m. Motion by CM Kama/Sugimura regarding CM Kama’s distributed amendment summary form regarding Zoning Condition 5(c); vote 9-0 at 9:46 p.m.

NOTE: Clerk called County Communications 24-30, 24-31, 24-32, 24-33 at 9:46 p.m.; motion by CM Rawlins-Fernandez/Sugimura to file all County Communications at 12:23 a.m. June 28, 2025; vote 9-0 at 12:26 a.m.

#6

9:49 p.m. Motion by CM Paltin/Rawlins-Fernandez regarding CC24-31; vote 9-0 at 9:55 p.m.

#7

9:55 p.m. Motion by CM Johnson/Rawlins-Fernandez regarding CC 24-32; vote 10:07 p.m. motion failed 4-5 (yes votes: Paltin, Johnson, Rawlins-Fernandez, Sinenci; no votes: Kama, Sugimura, U'u-Hodgins, Lee; excused: Cook)

#8

10:08 p.m. Motion by CM Sinenci/Rawlins-Fernandez regarding archaeological requirements; vote 9-0 at 10:45 p.m.

#9

10:45 p.m. Motion by CM Rawlins-Fernandez/Paltin adding new section 5(c) to Bill 172 regarding deed restrictions; vote 9-0 at 10:50 p.m.

#10

10:50 p.m. Motion by CM Rawlins-Fernandez/Sinenci regarding CC 24-30; motion failed 4-5 at 11:15 p.m. (no votes: Kama, Sugimura, Cook, U'u-Hodgins, Lee)

#11

11:17 p.m. Motion to amend by CM Paltin/Rawlins-Fernandez regarding housing credits; vote 9-0 at 11:19 p.m.

#12

11:19 p.m. Motion by CM Paltin/Rawlins-Fernandez regarding removal of certain code provisions from Bill 171; vote on motion at 11:28 p.m.; motion failed 4-5 (no votes: Kama, Sugimura, Cook, U'u-Hodgins, Lee)

#13

11:29 a.m. Motion by CM Paltin/Rawlins-Fernandez regarding use of pool covers and enforcement; vote 9-0 at 11:42 p.m.

#14

11:47 p.m. Motion by CM Rawlins-Fernandez/Kama related to adding limited equity housing cooperatives to the first right of refusal on sales; vote 9-0 at 11:49 p.m.

#15

12:25 a.m. June 28, 2025; Motion by CM Kama/U'u-Hodgins related to the energy code; vote 9-0 at 12:25 a.m.

**NOTE:** The date of all action on the agenda items below is June 30, 2025.

**CR 25-32** Recommending FIRST READING of Bill 76, CD1 (2025), to allow mobile food trucks or trailers of 1,000 square feet or less as permitted accessory uses on farms in the County Agricultural District.

	AYE	NO	EXC	Time Deliberations Began	9:09 a.m.
Pro Tem Kama	√			Time Motion Made	9:09 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	Johnson
CM Johnson	√			Second	Cook
CM Rawlins-Fernandez	√			Time Vote Taken	9:24 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	9:12 a.m.
VC Sugimura	√			Motion	AMEND
CM Paltin	√			Maker	Johnson
CM Johnson	√			Second	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	9:23 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	9:14 a.m.
VC Sugimura	√			Motion	AMEND
CM Paltin	√			Maker	Sinenci
CM Johnson	√			Second	Johnson
CM Rawlins-Fernandez	√			Time Vote Taken	9:23 a.m.
CM Cook	√				

CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**CR 25-33** Recommending FIRST READING of Bill 104, CD1 (2024), to: 1) allow for a kitchenette in dwelling units in the County’s Residential and Rural Districts on Maui and Lāna‘i; 2) require a dwelling unit with a kitchenette to be occupied on a long-term residential basis, with one additional off-street parking space to accommodate higher intensity use for the kitchenette; 3) reduce the number of wet bars allowed as a principal use in dwelling units in the County’s Residential and Rural Districts on Maui and Lāna‘i; and 4) make conforming amendments to the definitions of “kitchen” and “wet bar.”

**CC 25-12** DISASTER RECOVERY, INTERNATIONAL AFFAIRS, AND PLANNING COMMITTEE CHAIR, transmitting a proposed amendment to Bill 104, CD1 (2024), entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTERS 19.04, 19.08, 19.29, AND 19.36B, MAUI COUNTY CODE, RELATING TO KITCHENS, KITCHENETTES, AND WET BARS."

	AYE	NO	EXC	Time Deliberations Began	9:25 a.m.
Pro Tem Kama	√			Time Motion Made	9:25 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	Paltin
CM Johnson	√			Second	U‘u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	9:39 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	9:27 a.m.
VC Sugimura	√			Motion	AMEND via CC 25-12; FILE CC 25-12
CM Paltin	√			Maker	Paltin
CM Johnson	√			Second	U‘u-Hodgins

CM Rawlins-Fernandez	√			Time Vote Taken	9:38 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	9:34 a.m.
VC Sugimura	√			Motion	AMEND
CM Paltin	√			Maker	Paltin
CM Johnson	√			Second	U‘u-Hodgins
CM Rawlins-Fernandez			√	Time Vote Taken	9:37 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>8</b>		<b>1</b>	<b>MOTION PASSED</b>	

**CR 25-34** Recommending FIRST READING of Bill 158, CD1 (2024), to authorize the Mayor to execute an intergovernmental agreement for the Department of Police to help the County of Kaua‘i with forensic drug testing.

	AYE	NO	EXC	Time Deliberations Began	9:39 a.m.
Pro Tem Kama	√			Time Motion Made	9:39 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	Paltin
CM Johnson	√			Second	U‘u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	9:41 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**CR 25-35** Recommending ADOPTION of Resolution 25-99, CD1, authorizing settlement of Melissa Magonigle v. County of Maui Police Department, et al.; Civil File 2CCV-23-0000030.

**CR 25-36** Recommending ADOPTION of Resolution 25-109, CD1, authorizing the retention of Marr Jones & Wang, LLP, as special counsel to represent the County of Maui in pre-litigation negotiations and litigation regarding allegations made by Leo Caires, a former County of Maui employee, for a total compensation not to exceed \$350,000.

**CR 25-37** Recommending ADOPTION of Resolution 25-110, CD1, authorizing settlement of JMC Claim 4088770, County of Maui Risk File 2024-0068 of Merc Coimbra and Alisa Coimbra, in the amount of \$45,291.47.

**CR 25-38** Recommending ADOPTION of Resolution 25-116, CD1, authorizing settlement of First Fire and Casualty Insurance of Hawaii, Inc. v. County of Maui, et al.; Civil File 2CCV-24-0001055.

**CR 25-39** Recommending ADOPTION of Resolution 25-120, authorizing the retention of Kobayashi Sugita & Goda, LLP, as special counsel to represent County of Maui Auditor Lance Taguchi, an employee of the Office of the County Auditor, in the matter of Christopher Salem's May 8, 2025 complaint filed with the State of Hawai'i Department of Commerce and Consumer Affairs, not to exceed \$150,000.

**CR 25-40** Recommending ADOPTION of Resolution 25-121, authorizing the retention of Beveridge & Diamond PC as special counsel to assist and represent the Department of Environmental Management, County of Maui, with the permitting process and any legal challenges arising out of the issuance of a National Pollutant Discharge Elimination System permit for the Lahaina Wastewater Facility, not to exceed \$250,000.

	AYE	NO	EXC	Time Deliberations Began	9:41 a.m.
Pro Tem Kama	√			Time Motion Made	9:44 a.m.
VC Sugimura	√			Motion	ADOPT recommendations in CR 25-35 to 40
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Seconder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	9:49 a.m.
CM Cook	√				

CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**Reso 25-134** "APPROVING THE FISCAL YEAR 2026 OPERATING BUDGET FOR THE HAWAII STATE ASSOCIATION OF COUNTIES"

	AYE	NO	EXC	Time Deliberations Began	9:51 a.m.
Pro Tem Kama	√			Time Motion Made	9:51 a.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	Paltin
CM Johnson	√			Seconders	U‘u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	9:52 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

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

	AYE	NO	EXC	Time Deliberations Began	9:52 a.m.
Pro Tem Kama	√			Time Motion Made	9:52 a.m.
VC Sugimura	√			Motion	PASS on first reading
CM Paltin	√			Maker	Paltin
CM Johnson	√			Seconders	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	9:54 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	



**Reso 25-136** "AUTHORIZING ACCEPTANCE OF A DONATION OF A ONE-YEAR SUBSCRIPTION TO WORDRAKE EDITING SOFTWARE FROM WORDRAKE HOLDINGS, LLC, UNDER CHAPTER 3.56, MAUI COUNTY CODE"

	AYE	NO	EXC	Time Deliberations Began	9:54 a.m.
Pro Tem Kama	√			Time Motion Made	9:55 a.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	Rawlins-Fernandez
CM Johnson	√			Second	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	9:56 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**Reso 25-137** "AUTHORIZING ACCEPTANCE OF A DONATION OF \$3,400.90 FROM THE SOCIETY OF TOKYO-TAMA, TO HELP WITH RECOVERY FROM THE AUGUST 2023 MAUI WILDFIRES, UNDER SECTION 3.56.030, MAUI COUNTY CODE"

	AYE	NO	EXC	Time Deliberations Began	9:56 a.m.
Pro Tem Kama	√			Time Motion Made	9:56 a.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	Paltin
CM Johnson	√			Second	U'u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	9:57 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**Reso 25-138** "AUTHORIZING A GRANT OF A SUBLEASE OF A PORTION OF REAL PROPERTY AT 2099 WELLS STREET, WAILUKU, MAUI HAWAII, TO MAUI FAMILY SUPPORT SERVICES, INC."

	AYE	NO	EXC	Time Deliberations Began	9:58 a.m.
Pro Tem Kama	√			Time Motion Made	9:58 a.m.
VC Sugimura	√			Motion	ADOPT, as amended
CM Paltin	√			Maker	Sinenci
CM Johnson	√			Second	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	10:01 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	9:58 a.m.
VC Sugimura	√			Motion	AMEND
CM Paltin	√			Maker	Sinenci
CM Johnson	√			Second	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	9:59 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	10:00 a.m.
VC Sugimura	√			Motion	SUSPEND Rule 19
CM Paltin	√			Maker	Sinenci
CM Johnson	√			Second	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	10:00 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

## **ORDINANCES:**

**Bill 81 (2025)** "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.04, MAUI COUNTY CODE, ON INFORMATION ON COUNTY OPERATIONS"

*10:05 a.m.: Referred to the Budget, Finance, and Economic Development Committee*

**Bill 82 (2025)** "A BILL FOR AN ORDINANCE AMENDING SECTION 10.04.030, MAUI COUNTY CODE, RELATING TO AUTHORIZED EMERGENCY VEHICLES"

*10:05 a.m.: Referred to the Disaster Recovery, International Affairs, and Planning Committee*

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

	AYE	NO	EXC	Time Deliberations Began	10:06 a.m.
Pro Tem Kama	√			Time Motion Made	10:06 a.m.
VC Sugimura	√			Motion	PASS on first reading
CM Paltin	√			Maker	Paltin
CM Johnson	√			Seconder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	10:22 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

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

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

	AYE	NO	EXC	Time Deliberations Began	10:22 a.m.
Pro Tem Kama	√			Time Motion Made	10:23 a.m.

VC Sugimura	√			Motion	PASS Bills 84 & 85 on first reading
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Second	U'u-Hodgins
CM Rawlins- Fernandez	√			Time Vote Taken	10:24 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**Bill 49, CD1, FD1 (2025)** "A BILL FOR AN ORDINANCE AMENDING SECTION 2.08.060, MAUI COUNTY CODE, ON SALARIES IN THE OFFICE OF COUNCIL SERVICES"

	AYE	NO	EXC	Time Deliberations Began	10:25 a.m.
Pro Tem Kama	√			Time Motion Made	10:25 a.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	Rawlins- Fernandez
CM Johnson	√			Second	U'u-Hodgins
CM Rawlins- Fernandez	√			Time Vote Taken	10:27 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**Bill 18, CD2 (2025)** "A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.56, MAUI COUNTY CODE, TO ESTABLISH A PAY RANGE AND PAY SCALES FOR THE BOARD OF ETHICS STAFF"

**Bill 58, CD1 (2025)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, ESTIMATED REVENUES; DEPARTMENT OF FINANCE, COUNTYWIDE COSTS, REIMBURSEMENT TO THE GENERAL FUND FOR PROJECTS DISQUALIFIED FROM TAX-EXEMPT BOND ISSUANCE"

**Bill 63, CD1 (2025)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, ESTIMATED REVENUES; CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF MANAGEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA, GOVERNMENT FACILITIES, BOND FUND, ACQUISITION OF 105 NORTH MARKET STREET BUILDING AND PROPERTY; AND APPENDIX C, DEPARTMENT OF MANAGEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA, ACQUISITION OF 105 NORTH MARKET STREET BUILDING AND PROPERTY"

**Bill 64, CD1 (2025)** "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 5659, BILL NO. 62, CD1 (2024), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI ISSUANCE, SALE AND DELIVERY OF SAID BONDS (DEPARTMENT OF MANAGEMENT)"

**Bill 80 (2025)** "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.36, MAUI COUNTY CODE, RELATING TO THE MAUI COUNTY GRANTS PROGRAM"

	AYE	NO	EXC	Time Deliberations Began	10:28 a.m.
Pro Tem Kama	√			Time Motion Made	10:29 a.m.
VC Sugimura	√			Motion	PASS on second and final reading: Bills 18 CD2, 58 CD1, 63 CD1, 64 CD1, 80
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	Cook
CM Rawlins-Fernandez	√			Time Vote Taken	10:30 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**Bill 39, CD1 (2025)** "A BILL FOR AN ORDINANCE AMENDING SECTION 3.68.030, MAUI COUNTY CODE, ON AUTHORITY FOR FIRE HAZARD REMOVAL CIVIL FINES"

	AYE	NO	EXC	Time Deliberations Began	10:30 a.m.
Pro Tem Kama	√			Time Motion Made	10:30 a.m.

VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	Paltin
CM Johnson	√			Secunder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	10:30 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**Bill 77, FD1 (2025)** "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY TO ALLOW THE USE OF COUNTY PROPERTY ON LUAKINI STREET, LAHAINA, HAWAI'I, FOR A TEMPORARY HOUSING PROJECT"

	AYE	NO	EXC	Time Deliberations Began	10:31 a.m.
Pro Tem Kama	√			Time Motion Made	10:31 a.m.
VC Sugimura	√			Motion	Pass on second and final reading
CM Paltin	√			Maker	Paltin
CM Johnson	√			Secunder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	10:32 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**TIME MEETING ADJOURNED: 10:32 a.m. June 30, 2025**

TRANSCRIPTION

Council of the County of Maui on 2025-06-27 9:00 AM - Regular Meeting

[ GAVEL ] >> WILL THE COUNCIL MEETING OF JUNE 27TH, 2025 PLEASE COME TO ORDER. IT IS NOW 9:03 A.M. AND THE MORNING GREETING, IF YOU WISH TO USE IT IS FROM GREECE, AND IT IS YASSUO WELCOME MEMBERS OF THE PUBLIC WHEREVER YOU ARE. MS. CLERK, PLEASE PROCEED WITH ROLL CALL. >> THANK YOU, CHAIR. PROCEEDING WITH ROLL CALL FOR ANY MEMBERS PARTICIPATING REMOTELY, PLEASE JUST LET US KNOW IF ANYONE OTHER THAN MINORS ARE WITH YOU. COUNCIL MEMBER PRO TEMPORE TASHA KAMA.\r\n\r\n>>> ALOHA KAKAHIKA, CHAIR AND YASSUO TO ALL OF MY COLLEAGUES IN THE CHAMBERS, AND IN AKAKU LAND. >> VICE-CHAIR YUKI LEI SUGIMURA. >> YASSUO TO EVERYBODY AND I WOULD LIKE TO WELCOME THE YOUTH GROUP THAT IS IN THE CHAMBERS TODAY, AND WELCOME TO WATCH THE PROCEEDINGS. >> COULD YOU STAND UP, SO EVERYBODY CAN SEE WHO YOU ARE. [ APPLAUSE ] YASSUO. THANK YOU FOR COMING. >> COUNCIL MEMBER TAMARA PALTIN.\r\n\r\n>>> ALOHA KAKAHIKA, AND YASSUO KAKOU. >> COUNCIL MEMBER GABE JOHNSON? >> ALOHA CHAIR, COUNCIL MEMBERS, COMMUNITY MEMBERS. THERE'S NO TESTIFIERS AT THE LANA'I DISTRICT OFFICE AND YASSUO IS THE WORD. THANK YOU. >> COUNCIL MEMBER KEANI RAWLINS-FERNANDEZ. >> ALOHA KAKAHIKA, CHAIR.\r\n\r\n\r\nTHERE ARE CURRENTLY NO TESTIFIERS AT THE MOLOKA'I DISTRICT OFFICE AND I WILL SAY WHAT EVERYONE IS THINKING BRUTAL TO PUT WAILEA 670 IN THE SAME WEEK WE TOOK UP BILL 9. >> I KNOW, I'M A SLAVE DRIVER, BUT I WANTED TO ASK MEMBER PALTIN, IS YOUR OFFICE READY FOR TESTIFIER OR NOT YESTERDAY? >> NOT YET, BECAUSE KRISTIN IS ESCORTING THE WRESTLERS TO THE CONTINENT. >> JUST CHECKING. >> COUNCIL MEMBER TOM COOK. >> ALOHA FRIDAY, YASSUO, THERE'S CURRENTLY NO TESTIFIERS IN THE KIHEI OFFICE, BUT PEOPLE ARE ON STANDBY AND LOOKING FORWARD TO TODAY'S MEETING AND HOPEFULLY EVERYONE HAS A WONDERFUL DAY. >> THANK YOU. >> COUNCIL MEMBER NOHELANI UU-HODGINS.\r\n\r\n\r\n>>> EXCUSED FOR NOW. >> AND COUNCIL MEMBER SHANE SINENCI. >> ALOHA KAKAHIKA, CHAIR AND YASSUO. THERE ARE NO TESTIFIERS IN HANA, CHAIR. >> THANK YOU. >> CHAIR. >> THERE SHE IS.\r\n\r\n\r\n>>> YES. >> YOU FORGET YOU ARE TIARA. >> COUNCIL MEMBER NOHELANI UU-HODGINS. >> GOOD MORNING, CHAIR, GOOD MORNING EVERYONE. >> AND COUNCIL CHAIR ALICE LEE . >> GOOD MORNING AND YASSUO EVERYONE. >> CHAIR, YOU HAVE NINE MEMBERS PRESENT FOR THE RECORD, I'M THE COUNTY CLERK MOANA LUTEY AND SEATED NEXT TO ME IS THE DEPUTY CLERK RICHELLE THOMSON AND FROM LEGISLATIVE DIVISION STAFF, LAUREN SALDANA, DELL YOSHIDA, CHRIS MINFORD AND RON AND ASSISTING THE COUNCIL WITH MAINTAINING ORDER AND DECORUM IS OUR COUNCIL AMBASSADOR. JOINING THE MEETING FROM THE OFFICE OF COUNCIL SERVICES IS DIRECTOR RAATZ AND RICHELLE KAWASAKI AND WE HAVE THE FIRST DEPUTY MIMI DESJARDINS FROM THE CORPORATION COUNSEL.\r\n\r\n\r\n>>> OPENING REMARKS WILL BE PROVIDED BY COUNCIL MEMBER GABE JOHNSON. >> ALOHA, CHAIR. COUNCIL MEMBERS, COMMUNITY MEMBERS. I'M HAPPY TO START TODAY'S MEETING OFF WITH OPENING REMARKS AND THANK YOU FOR THIS CHANCE TO SPEAK TOT BODY. TODAY I WANT TO SPEAK ABOUT MY OKINAWAN GRANDMA AND SOME OF HER STORIES THAT HOLD A LOT OF WISDOM. YEARS AGO WHEN MY COUSIN WAS STATIONED INTO THE SCAFFOLD BARRACKS MY GRANDMA SAID GABRIEL, SHE COULDN'T PRONOUNCE MY NAME VERY WELL, DON'T MAKE ENEMY ON THE ISLAND, BECAUSE THE WAR WILL NEVER END, AND I THOUGHT ABOUT THAT COMING FROM HER PARTICULAR LIFE EXPERIENCE. SO SURVIVING THE BATTLE OF OKINAWA, KNOWN AS THE TYPHOON OF STEEL, SHE WAS YOUNG THEN, 17-YEAR-OLD AND DAUGHTER OF A NOBLEMAN, SPOILED AND WITH A WICKED SENSE OF HUMOR AND PROUD.\r\n\r\n\r\nSHE HAD A HORSE AND NO ONE IN HER VILLAGE HAD A HORSE. SHE FLAUNTED AND GOT IN TROUBLE RIDING THE HORSE THROUGH -- AND WHEN THE BATTLE STARTED IN APRIL AND BOMBS RAINED DOWN, HER FATHER LED HER VILLAGE TO THE NORTHERN MOUNTAINS WITH ONLY THEIR CLOTHES ON THEIR BACK AND A FEW POSSESSIONS. TAKE HER BELOVED HORSE AND HID IN THE CAVES AND MOUNTAINS AMONG THE JAPANESE SOLDIERS AND

WAR IS HELL. THEY RAN OUT OF FOOD QUICKLY AND SOON THE HORSE WAS LOOKING AS A VIABLE OPTION. SHE FOUGHT THEM, HER HORSE WAS HER BEST FRIEND, HER CONFIDANTE, AND THE ONE THING THAT SET HER APART FROM THE REST. BUT HER PEOPLE WERE STARVING AND EVEN HER FATHER SAID THEY HAD NO CHOICE, SO THEY KILLED AND IT COOKED IT ON THE FIRE. SHE WAS STUBBORN AND REFUSED TO EAT.\r\n\r\nSHE ME THAT SHE HAD A FIERCE INNER BATTLE, HUNGER VS. PRIDE AND HUNGER IT ALWAYS GOING IS TO WIN. BUT PRIDE SLOWED HER DECISION AND BY THE TIME SHE DECIDED TO EAT THE MEAT OF HER BELOVED HORSE IT TURNED ROTTEN AND MAGGOT- RIDDEN. SHE ATE IT ANYWAY AND SHE ATE IT WITH PRIDE. IT DID NOT TASTE GOOD, BUT IT SUSTAINED HER LIFE AND SAVED HER FROM DYING WITH 100,000 OKINAWANS THAT DIED IN THE WAR. WHEN THE AMERICAN DISCOVERED HER FATHER AND MOST OF HER VILLAGE WERE DEAD AN SHE WAS TAKEN BACK TO WITH THE SWISS WATCH INTERNATIONALS AND FOUND COMPANIONSHIP IN THE RUIN. AFTER THE WAR SHE WAS MARRIED TO AN AMERICAN KNOWN AS MR.\r\n\r\nJOHNSON. HER BROTHER HAD BEEN FIGHTING IN CHINA AT THE TIME THE OKINAWAN DURING THE TIME OF THE INVASION AND WAS LATE CAPTURED BY THE RUSSIANS. WITH MR. JOHNSON HELP WAS RETURNED TO OKINAWA SHE TOLD ME THE STORY 100 TIMES OF HOW NERVOUS SHE WAS WHEN AS FORMER SAMURAI SOLDIER BROTHER ARRIVED AT HER HOUSE TO MEET HER NEW AMERICAN HUSBAND AND HOW -- THE TENSION WAS PALPABLE, I ASKED HER, GRANDMA, DID THEY FIGHT AND SHE SAID TO ME BLUNTLY, NAH, THEY LIKED MY FOOD. SHE WAS WISE TO FIND THAT COMMON GROUND. MEMBERS AS MOVE FORWARD TODAY IN TODAY'S MEETING AND THE NEXT MONTHS TO TAKE A FEW MOVEMENTS TO REFLECT AND BE GRATEFUL FOR THE LIVES THAT WE HAVE, REMOVE OUR PRIDE AND MOVE FORWARD. LET'S FIND THAT COMMON GROUND THAT WE ALL SHARE, AND SAY WHEN WE SERVE OUR COMMUNITY, CATA MEANS GOOD JOB, WE DOES.\r\n\r\nMAHALO, CHAIR. I YIELD THE FLOOR. >> THANK YOU FOR THAT BEAUTIFUL STORY. [ APPLAUSE ] >> THANK YOU. NOW EVERYONE, PLEASE JOIN ME IN RECITING THE PLEDGE OF ALLEGIANCE. I PLEDGE ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA, AND TO THE REPUBLIC FOR WHICH IT STANDS, ONE NATION UNDER GOD, INDIVISIBLE, WITH LIBERTY AND JUSTICE FOR ALL. BEFORE WE PROCEED WITH TODAY'S AGENDA, MAY I PLEASE REQUEST EVERYONE KEEP THEIR MICROPHONES MUTED UNLESS IT'S YOUR TURN TO SPEAK AND TESTIMONY MUST PERTAIN TO ITEMS ON THE MEETING AGENDA.\r\n\r\nWHEN TESTIFYING PLEASE DIRECT YOUR REMARKS TO THE COUNCIL AND NOT TO ANY INDIVIDUAL COUNCIL MEMBER OR MEMBER OF THE PUBLIC. EACH TESTIFIER WILL BE ALLOWED TO SPEAK UP TO THREE MINUTES ON EACH ITEM. FOR INDIVIDUALS WISHING TO TESTIFY ON TEAMS PLEASE CLICK THE RAISE YOUR HAND BUTTON TO BE ADDED TO THE TESTIFIER LOG. IF YOU ARE CALLING IN, PLEASE FOLLOW THE PHONE PROMPTS TO BE ADDED TO THE TESTIFIER LOG. IF YOU WISH TO TESTIFY ANONYMOUSLY, PLEASE SIGN IN AS ANONYMOUS. AND YOU WILL BE GIVEN A TESTIFIER NUMBER. DECORUM SHALL BE MAINTAINED AT ALL TIMES, ANY PERSON WHO BEHAVES IN A MANNER THAT DISRUPTS, DISTURBS OR IMPEDES THE ORDERLY CONDUCT OF ANY COUNCIL MEETING CAN AT DISCRETION OF PRESIDING OFFICER OR A MAJORITY OF COUNCIL MEMBERS BE EJECTED OR BANNED FROM COUNCIL MEETING.\r\n\r\nOR IF PARTICIPATING REMOTELY, MUTED OR DROPPED FROM THE MEETING. EXAMPLES OF DISRUPTIVE BEHAVIOR INCLUDE, BUT ARE NOT LIMITED TO HECKLING SHOUTING, USE OF PROFANITY, THREATENING OR SLANDEROUS REMARKS MADE TO ANY MEMBER OF THE COUNCIL, STAFF, OR GENERAL PUBLIC. ALL MEETING ATTENDEES WHETHER ONLINE OR IN-PERSON ARE EXPECTED TO WEAR CLOTHING IN A MANNER THAT IS RESPECTFUL OF OTHERS, AND APPROPRIATE FOR THESE PROCEEDINGS. MS. CLERK, PLEASE PROCEED. >> THANK YOU, CHAIR. PROCEEDING WITH THE PRESENTATION OF ORAL TESTIMONY AT THIS TIME ANYONE WHO WOULD LIKE TO TESTIFY ON ANY MATTER ON THE AGENDA WE'LL START WITH OUR CHIEF OF POLICES CHIEF PELLETIER, TESTIFYING ON CR 24-120. >> ALOHA.\r\n\r\n>> GOOD MORNING, CHAIR. >> YASSUO, I HAVE TO SAY, COUNCIL MEMBER JOHNSON, THAT IS SO POIGNANT AND APPROPRIATE, NOT JUST FOR THE AREA WE ARE IN, BUT FOR A GREATER CAUSE AND PLACE. SO I REALLY COMMEND YOU FOR THE LEADERSHIP ON THAT. I AM SPEAKING ON 24-120 AND JUST NEED TO SAY TO COUNCIL



MAHALO FOR ALL YOUR SUPPORT FOR THIS POLICE DEPARTMENT AND FOR THIS COMMUNITY AND FOR PUBLIC SAFETY. LATER THIS MONTH, I'M SORRY, LATER NEXT MONTH, I BELIEVE THE 24TH, WHICH IS A THURSDAY BY DESIGN, ALTHOUGH DON'T HOLD ME TO THAT EXACTLY, YOU WILL RECEIVE INVITATIONS FOR THE BLESSING OF THE AIR UNIT THAT IS ONLY POSSIBLE BECAUSE OF THE LEADERSHIP THAT YOU GUYS HAVE PROVIDED, AND SOME OF THE FUNCTIONS ON THAT HAVE ACTUALLY EXCEEDED WHAT WE THOUGHT WAS POSSIBLE, AND I LOOK FORWARD TO REALLY SHOWING YOU THAT. NOW TO SPEAK ABOUT 120, AND THE AMENDMENT, SPECIFICALLY WHY WE'RE HERE AND WHY K-9 IS HERE THE AMENDMENT ALLOWS FOR A JOINT POLICE AND FIRE STATION ON TWO ACRES OF LAND THAT WILL HOUSE OUR K-9 AND SOON TO BE S.W.A.T. SECTION. WE'RE BUILDING AND WE ARE READY WITH THE FIRST TWO OF EIGHT CANINES ON MAUI TO BE FULLY FUNCTIONED AND IS DEPLOYED IN THE FALL.\r\n\r\nSOME THE K-9 SECTION IS HERE THEY NEED THEIR OWN FACILITY IN ORDER TO DO SO. BECAUSE OF THE MEMORIAL PARK THAT WILL BE THERE FOR OUR FIRST-RESPONDERS, THE CANINES WILL ACTUALLY HAVE A MAINTAINED FACILITY RIGHT BY THEIR STATION THAT WILL ALLOW THEM THAT ABILITY. THAT FIRST RESPONDER PARK WE LOST A FIREFIGHTER HERE NOT TOO LONG AGO AND WE HAD SEVEN LAW ENFORCEMENT MEMBERS FROM OUR COMMUNITY AND I KNOW THAT PEOPLE FROM THE COUNCIL HAVE BEEN AT OUR MEMORIAL. THE FRONT OF THE POLICE STATION WHERE RECORDS IS THAT EVERYBODY WALKS OUT IS NOT HALLOWED GROUND AND IT'S NOT APPROPRIATE PLACE AND THIS COMMUNITY DOESN'T HAVE ANYTHING FOR THAT. THIS ALLOWS TO US ACTUALLY HAVE THAT FACILITY. IT WILL BE DESIGNED AND PURCHASED FOR THAT ALONG WITH THE AGREEMENT. I RECEIVED AN MOU SAYING THAT IS WHAT THE INTENDED PURPOSE IS.\r\n\r\nI JUST WANTED TO ASK FOR THE SUPPORT OF THAT BY THE COUNCIL. IT'S NOT LOST ON MY THAT THESE THINGS ARE SOMETIMES DIVISIVE AND SOMETIMES WE SEARCH FOR COMMON GROUND, BUT THE GOAL OF THIS AND THE PURPOSE OF MY TESTIMONY IS TO MAKE THIS SAFEST COMMUNITY POSSIBLE WITH THE PROGRESSIVE FORWARD-THINKING AND IMPLEMENTATION OF THE LEADERSHIP OF MY DEPARTMENT, AND SOME OF THE PLANS THAT WE HAVE. WE'LL WITH MAKE THIS COMMUNITY SAFER AND WE'LL HONOR OUR FALLEN HEROES. THANK YOU. >> THANK YOU VERY MUCH. THANK YOU VERY MUCH. ANY QUESTIONS FOR THE CHIEF?\r\n\r\nYES, MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. ALOHA CHIEF, MAHALO FOR YOUR TESTIMONY TODAY. THE PROPOSALS THAT YOU SHARED WITH THE PLANNED TWO ACRES IF THE PROJECT IS APPROVED, OR IF THE CR RECOMMENDATIONS PASS TODAY. COULD THOSE IDEAS OF MEMORIAL CANINE UNIT BE DONE ON TWO ACRES ANYWHERE ELSE? >> YES, THEY CERTAINLY CAN. I WILL NOT SAY THAT THEY CAN'T. THERE'S NO WAY I COULD TELL YOU, THAT COULDN'T HAPPEN ANYWHERE ELSE.\r\n\r\nOF COURSE IT COULD. >> MAHALO, CHIEF. MAHALO CHAIR. >> ANYONE ELSE, MEMBERS? IF NOT, THANK YOU, CHIEF. GOOD TO SEE YOU. >> GOOD TO SEE YOU THANK YOU.\r\n\r\n>> THE NEXT TESTIFIER IS MR. SPELLMAN AND MR. SPELLMAN, IF YOU COULD PLEASE LET US KNOW WHAT MATTER YOU WILL BE TESTIFYING ON AND HE WILL BE FOLLOWED BY KAY ANDERSON. KEVIN SPELLMAN, THIS IS YOUR OPPORTUNITY TO TESTIFY. CHAIR, WE'LL MOVE ON TO KAY ANDERSON, TESTIFYING ON COMMITTEE REPORT 24-120, AND WILL BE FOLLOWED BY MICHAEL HILL. >> ALOHA COUNCIL MEMBERS, AND YASSUO. MY NAME IS KAY ANDERSON, AND I'M HERE REPRESENTING WAILEA 808. I REALLY WISH WE COULD GO BACK TO THE ORIGINAL AGREEMENT, THE COUNTY COUNCIL MADE WITH THIS DEVELOPER, WHERE THEY REQUIRED TO WIDEN BALANI AND SEVEN WORKFORCE HOUSING UNITS, BUT IT SEEMS WHENEVER THE DEVELOPER RETURNS TO THE COUNTY FOR MORE CONCESSIONS, THE COUNTY COUNCIL CAVES AND GRANTS THEM THEIR CONCESSIONS OVER THE 'AINA.\r\n\r\nWHY? WELL, THIS DEVELOPMENT IS ALREADY APPROVED, THE DEVELOPER CONTINUES TO CHIP AWAY AT THE PUBLIC BENEFITS AND REQUESTS WITH CHANGES FROM THE ORIGINAL PLAN APPROVED IN 2008. THESE PROPOSED CHANGES MAKES THE PROJECT WORSE BY REDUCING AFFORDABLE HOUSING, FROM 700 UNITS DOWN TO 288, REMOVING THE COMMUNITY BENEFITS, AND SETTING A DANGEROUS PRECEDENT FOR ALL FUTURE MAUI PROJECTS. THERE IS LEGAL STANDING TO HOLD THEM TO 450 AFFORDABLE HOUSING, BUT NO ONE HAS CALLED THE

DEVELOPER'S BLUFF THAT BUILDING WHAT THEY PROMISED DOESN'T PENCIL OUT. THE HONUA'ULA PARTNERS, LLC. HAS DEMONSTRATED A TROUBLING PATTERN OF BROKEN PROMISES AND INADEQUATE PLANNING AND DISCARD OF COMMUNITY CONCERNS ABOUT THE SERIOUS CONSEQUENCES OF SHORT SIGHTED DEVELOPMENT. MOST RECENT CHANGES THAT THIS LUXURY DEVELOPER CONTINUED TO PLACE MAUI'S ENVIRONMENTAL HISTORY INFRASTRUCTURE SAFETY AND AFFORDABLE HOUSING AT-RISK. IF WE REMOVE THE LEGAL JARGON, COMPLEX PERMITTING PROCESS AND CONFUSING ACRONYMS ULTIMATELY WE MUST ASK WHO DO THESE CHANGES BENEFIT?\r\n\r\nWHO IS THE DEVELOPMENT BEING BUILT FOR? WHAT IS BEING PRIORITIZED IN THESE PLANS IN THE ANSWER SHOULD BE CLEAR EVERY GOVERNMENT OFFICIAL, COMMISSIONERS AND COUNCIL MEMBER PROMISES TO FIGHT FOR THE 'AINA AND SUPPORT LOCAL FAMILIES, AFFORDABLE HOUSING AND YET WHEN WE NEED THESE COMMITMENTS MORE THAN EVER, THIS TURNS OUT YET TO BE ANOTHER LUXURY HOUSING DEVELOPMENT ONE THAT DRIVES UP THE COST OF LIVING AND STRAINS OUR LIMITED RESOURCES ALL IN EXCHANGE FOR A FEW TEMPORARY AFFORDABLE UNITS. I WORKED A LARGE MULTI-MILLION DOLLAR SALES AND ONCE THE CONTRACT WAS SIGNED, THERE WAS NO GOING BACK TO NEGOTIATE THE DEAL. YOU, OUR REPRESENTATIVES, THE MAUI COUNTY COUNCIL MUST ALWAYS KEEP IN MIND WHAT IS IN THE BEST INTEREST OF THE RESIDENTS OF MAUI COUNTY. I CANNOT BELIEVE YOU EVEN PROVIDED A NEW HONO'ULA PARTNERS, LLC. WITH A SECOND, THIRD AND FOURTH BITE OF THE APPLE. JUST SAY NO.\r\n\r\nSTOP THIS GOING BACK OVER AND OVER AGAIN. THANK YOU FOR YOUR TIME. >> NEXT. ARE THERE ANY QUESTIONS? MEMBER PALTIN? >> THANK YOU. MS.\r\n\r\nANDERSON? >> YES. >> I JUST WANTED TO CLARIFY, YOU DON'T HAVE ANY ISSUE WITH THEM TAKING OUT THE GOLF COURSE, AND PUTTING IN THE NATIVE PLANT NURSERY? IT'S JUST THE THINGS THAT THE COMMUNITY NEEDS, LIKE THE HOUSING, THE ROAD WIDENING AND LIKE THAT? >> I THOUGHT WE WERE HERE TALKING ABOUT 670. AND THAT HAS NOTHING TO DO WITH 670. >> IT DOES. IT'S PART OF THE REQUIREMENTS. >> OH, THOSE ARE SOME OF THE CHANGES THAT THEY WANTED TO MAKE, LIKE TAKE OUT OF THE GOLF COURSE, AND ADD SOME THINGS LIKE THAT FIRST-RESPONDER PARK.\r\n\r\nYOU DON'T HAVE ISSUE WITH THOSE CHANGES. IT'S THE CHANGES ON THE AFFORDABLE HOUSING DECREASE, AND THE ROAD WIDENING ISSUES AND THINGS THAT WE NEED, IS THAT CORRECT? >> OR YOU REALLY WANTED THE GOLF COURSE THERE? >> WE HAD SOME CONCERNS IN THAT ASPECT IS CHANGING THE OPEN SPACES THAT WE ARE -- HAVE BEEN -- WE HAVE HAD FOR OVER 50 YEARS. AND I HAVE MET WITH THE PRINCIPAL OF THE GOLF COURSES, AND I BELIEVE THE CHANGES THAT ARE GOING TO BE MADE WILL IMPACT THE RESOURCES NECESSARY TO MAKE THE CHANGES THAT HE IS DOING, AND WE DO NOT HAVE THE INFRASTRUCTURE AND RESOURCES TO DO WHAT HE IS PLANNING TO DO IN THE GOLF COURSE, AND THAT IS OUR BIGGEST CONCERN. WE DO NOT HAVE THE ROAD INFRASTRUCTURE. WE DO NOT HAVE THE WATER TO SUPPORT THAT AND THOSE ARE THE REASONS THAT WE DON'T WANT THAT TO HAPPEN.\r\n\r\nIN FACT, I SPOKE AT THE BUDGET MEETING. YOU WERE THERE AND I TOLD YOU THE COUNTY HAS NOT PAIRED INFRASTRUCTURE WITH GROWTH. SO IF YOU HAVE A REAL LONG DISCUSSION WITH ME, I WOULD LOVE TO SIT DOWN AND HAVE THAT DISCUSSION WITH YOU. RIGHT NOW WE'RE WAY BEHIND THE 8-BALL IN DOING ANY FURTHER DEVELOPMENT, EVEN FOR 670. AND I DIDN'T TALK ABOUT THAT IN HERE. I WOULD LIKE TO GO BACK TO THE ORIGINAL AGREEMENT THAT YOU HAD, WITH 700 AFFORDABLE HOUSING AND PI'ILANI. I HAVE BEEN HERE LONG ENOUGH, IT TOOK 14 YEARS TO GET A STOPLIGHT INSTALLED THAT THE DEVELOPER WAS SUPPOSED TO DO AS SOON AS THE DEVELOPMENT WAS FINISHED, 14 YEARS FOR A SINGLE STOPLIGHT. SO WHY WAS THE PI'ILANI REMOVED FROM THE ORIGINAL AGREEMENT AND PUTTING IN 1100 HOMES WHETHER THEY ARE A MIXTURE OF WORSE FORCE HOUSING AND LUXURY HOMES.\r\n\r\nWE'RE IN WATER RESTRICTION NOW AND NO FURTHER WATER PERMITS ARE BEING ADDED FOR THOSE DEVELOPS DEVELOPERS AN WE'RE TALKING ABOUT LETTING ANOTHER DEVELOPER PUT IN 1100 HOMES IN THE GOLF COURSE AND RESTRUCTURING THE GOLF COURSE. OUR ISSUE THAT WE HAVE PRECIOUS RESOURCES THAT ARE NOT AVAILABLE FOR ANY FURTHER GROWTH, EVEN 670. THE KAMOLE AQUIFER IS ALREADY AT ITS MAX AND WE'RE

DESTROYING THE NATURAL RESOURCES WE HAVE ON MAUI JUST TO BUILD THESE LUXURY HOMES.  
>> THANK YOU. >> DOES THAT ANSWER YOUR QUESTION ? ? >> YES. >> ARE THERE ANY OTHER QUESTIONS? MEMBER SUGIMURA. >> THANK YOU.\r\n\r\nWHAT WAS THE NAME OF YOUR ORGANIZATION? >> WAILEA 800. >> THANK YOU. >> WAILEA 808, REALLY SUPPORTING ALL OF SOUTH MAUI. >> ANYONE ELSE? MEMBER RAWLINS-FERNANDEZ THAT IS THE QUESTION I WAS GOING TO ASK. MAHALO, MS. ANDERSON.\r\n\r\nIS WAILEA 808 A COMMUNITY ORGANIZATION. >> IT'S A NONPROFIT AS OF APRIL 22, 2025. >> MAHALO. MAHALO, CHAIR. >> ANY OTHER QUESTIONS? IF NOT, NEXT TESTIFIER. >> THE NEXT TESTIFIER IS MICHAEL HILL TESTIFYING ON CR 24-120, TO BE FOLLOWED BY JANICE HILL. >> GOOD MORNING, COUNCIL MEMBERS.\r\n\r\nMY NAME IS MICHAEL HILL. I HAVE LIVED ON MAUI FOR ABOUT 30 YEARS. AND I JUST WANTED TO MAKE A COUPLE OF COMMENTS REGARDING BILL 171 AND 172. THAT I SEE WAS ON THE AGENDA FOR TODAY, AND I WAS KIND OF SURPRISED TO SEE IT ON THE AGENDA JUST TACKED ONTO THE END OF SIX PAGES OF OTHER THINGS THAT YOU ARE SUPPOSED TO BE ADDRESSING TODAY. IT WOULD ALMOST SEEM THAT SOMEBODY WAS HOPING IF THEY SHOVED IT IN WITH A BUNCH OF OTHER STUFF, NOT VERY MANY PEOPLE WOULD NOTICE. IN THE PAST THIS HAS DRAWN A LOT OF ATTENTION AND, IN FACT I TESTIFIED AT A MAUI COUNTY MEETING REGARDING THESE BILLS EARLIER. I HAVE BEEN BEFORE THE PLANNING COMMISSION. I TESTIFIED AT THE KIHEI COMMUNITY HEARING, WHICH ALMOST DIDN'T HAPPEN.\r\n\r\nTHIS BILL WAS ALMOST PUSHED THROUGH WITHOUT THE REQUIRED HEARING UNTIL SEVERAL PEOPLE POINTED OUT IT WAS REQUIRED. OVERALL WHAT I CAN SAY FROM ALL OF THAT TESTIMONY, 50 PEOPLE AT THE COUNCIL MEETING, OVER 60 PEOPLE AT THE PUBLIC HEARING, EVEN THOUGH IT WAS SCHEDULED IN THE MORNING IN THE MIDDLE OF THE WEEK, WHICH WOULD HAVE BEEN INCONVENIENT FOR A LOT PEOPLE, BUT SEVERAL DIFFERENT CALCULATIONS THAT I HEARD, 90% OF THE TESTIMONY WAS AGAINST THESE BILLS. THAT SEEMS TO BE A PRETTY LOUD STATEMENT FROM THE MAUI COMMUNITY, AND SO WHAT I WOULD SAY TO THE COUNCIL MEMBERS NOW, WHEN I GET A CHANCE TO VOTE ON THIS, YOU HAVE A CHOICE. YOU CAN VOTE FOR WHAT THE MAJORITY OF THE MAUI COMMUNITY, YOUR CONSTITUENTS THE PEOPLE YOU REPRESENT WANT, OR YOU CAN VOTE FOR WHAT A WEALTHY MAINLAND DEVELOPER WANTS. AND IF YOU CHOOSE TO VOTE FOR THE DEVELOPER, I WOULD HAVE TO QUESTION WHAT YOUR MOTIVE WOULD BE TO DO SO? BECAUSE IT CERTAINLY WOULD NOT BE TO SUPPORT THE COMMUNITY OF MAUI. AND THAT IS REALLY ALL I HAVE TO SAY ON THAT MATTER.\r\n\r\nI WOULD LIKE TO CONCEDE ANY ADDITIONAL TIME I HAVE TO MY WIFE'S TESTIMONY, IF NEEDED. >> MEMBERS, DO YOU HAVE ANY QUESTIONS? OKAY. ACTUALLY, WE DON'T SHARE TIMES. SHE'LL HAVE THREE MINUTES. >> CHAIR, THE NEXT TESTIFIER IS JANICE HILL, TESTIFYING ON CR 24-120, FOLLOWED BY KEVIN SPELLMAN. >> ALOHA KAKAHIKA KAKOU.\r\n\r\nMY NAME IS JANICE HILL. YOU TOUT IN MAUI COUNTY FOR 40 YEARS AND MY STUDENTS KNOW ME AS MS. KA PI'IKOI. I STRONGLY OPPOSE THE FIRST TWO AMENDMENTS IN BILLS 171 AND 172, CR 24-120, WHERE WAILEA 670 WANTS TO REDUCE HOUSING UNITS FROM 288 HISTORICALLY FROM THE 13TH TO 18TH KUPUNA OF THE AHUPUA'A FISHED, GREW YAMS AND KALO. IN 1988 JAPANESE DEVELOPERS PROPOSED A 670-ACRE RESORT WITH A GOLF COURSE, COMMERCIAL SPACES AND 2200 HOMES. IN 1989 A FLAWED EIS APPROVED THE PROJECT CLAIMING THERE WERE NO ARCHAEOLOGICAL SITES. THE SIERRA CLUB AND MAUI UNITED CHALLENGES THE EIS IN 2012. IN 2008 A CONTINENTAL DEVELOPER BRAGGED ABOUT BETTING SUCH A GOOD DEAL ON THE WAILEA 670 PROPERTY THAT THEY COULD BUILD 50% OF THE AFFORDABLE 700 OUT OF 1400. BY 2016 THE DEVELOPER REACHED AN AGREEMENT TO PROTECT OVER 160 ACRES OF ENDANGERED WILDLIFE AND ANCIENT HAWAIIAN VILLAGES BY 2018 PLAN WAS REVISED AGAIN, FORMER MAYOR MIKE VICTORINO THEN' COUNCILMAN INSISTED THAT 450 AFFORDABLE HOUSING WOULD DEFINITELY REMAIN.\r\n\r\nHOWEVER, IN 2022, THE PLANNING COMMISSION APPROVED A PLAN REDUCTION AFFORDABLE HOUSING TO ONLY 288 UNITS WITHOUT A HEARING IN SOUTH MAUI. IN NOVEMBER 2024 I WAS GIVEN TWO MINUTES TO TESTIFY AGAINST THE AMENDMENTS, BUT CAL CHIPCASE, ATTORNEY FOR HONO'ULA PARTNERS TOOK 40 MINUTES TO PROPOSE CHANGES

INCLUDING REDUCING AFFORDABLE UNITS, EXEMPTIONS FROM ROAD IMPROVEMENTS, REMOVING THE GOLF COURSE AND BASEBALL FIELD, BUT ADDING A CULTURAL CENTER, MEMORIAL PARK, DOG PARKING FOR POLICE DOGS AND SMALL POLICE/FIRE STATION WITH NO MENTION OF FUNDING. EXCEPT SAYING IT WOULD BE A WIN-WIN WHEN THE STATE AND FEDS PAID FOR THE ROAD EXPANSION. THE CHIEF OF POLICE WAS ALLOWED LONGER TESTIMONY THAN THE PUBLIC AND EVEN BROUGHT A K-9 UNIT, ONE DOG BARKED DURING HIS TESTIMONY, POSSIBLY IN FAVOR OF THE PLAN. BY MARCH 11TH, 2025, WE FINALLY HAD A HEARING IN SOUTH MAUI, DESPITE 90% OF THE TESTIMONY OPPOSING THE DEVELOPMENTS, THE PLANNING COMMISSION APPROVED IT, EVEN THOUGH THE WATER DEPARTMENT WOULDN'T ON FIRM ENOUGH POTABLE WATER FOR THE PROJECT. CAL CHIPCHASE INSISTED THE 450 AFFORDABLE HOMES WOULD NOT PENCIL OUT. TODAY I'M ASKING YOU TO VOTE FOR WHAT THE MAJORITY OF MAUI RESIDENTS WANT.\r\n\r\nIF YOU VOTE FOR THE DEVELOPER, IT REVEALS YOUR LOYALTY AND SETS A DANGEROUS PRECEDENT FOR FUTURE DEVELOPMENTS TO BYPASS INFRASTRUCTURE IMPROVEMENTS AND PROMISED AFFORDABLE HOMES. >> TIME. >> THANK YOU. MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. MAHALO FOR YOUR WRITTEN TESTIMONY WE RECEIVED THIS MORNING. I SEE ON YOUR TESTIMONY YOU HAD ADDITIONAL COMMENTS ON CC24-30, 31, 32 AND 33, ALL OF WHICH YOU COULD TESTIFY THREE MINUTES ON EACH AGENDA ITEM.\r\n\r\n>> GREAT. I SUPPORT THE FOUR MINUTES PROPOSED BY MS. PALTIN, MS. RAWLINS-FERNANDEZ, AND MR. JOHNSON TO ADD CONDITIONS AND KEEP THE 450 AFFORDABLE UNITS REGARDING THE LOTTERY, KAMA'AINA WORKERS AND LONG-TERM RESIDENTS SHOULD BE PRIORITIZED. WE NEED TO CLARIFY WHAT "AFFORDABLE" MEANS. IN 2006 THE SPENCER FAMILY DEVELOPED WAIKAPU GARDENS AND SOLD 50% AFFORDABLE HOUSING ALONG WITH MARKET VALUE HOMES AND IF DID PENCIL OUT WITHOUT BUILDING LUXURY HOMES.\r\n\r\nPRIORITY WAS GIVEN IF SERVICE PROFESSIONALS LIKE NURSES, TEACHERS, FIREMEN, POLICE OFFICERS, IT CAN BE DONE. THEY PROBABLY MADE A PROFIT, BUT NOT A KILLING. >> ANY QUESTIONS, MEMBERS? MEMBER PALTIN. >> THANK YOU, CHAIR. THANK YOU, MS. HILL.\r\n\r\nSO JUST CLARIFYING YOU THINK THAT MAYBE IF THE SQUARE FOOTAGE WAS A LITTLE BIT MORE MODEST, MAYBE NO GRANITE COUNTERTOPS OR WATER FEATURES AND THE LIKE, THAT THEY COULD FULFILL THEIR COMMITMENTS? >> IT DEPENDS ON DEFINITION OF "AFFORDABLE," AND DEFINITION OF "LUXURY ." THANK YOU. >> ANY MORE QUESTIONS, MEMBERS? DOES THAT COMPLETE YOUR TESTIMONY? >> YES, THANK YOU. >> THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER.\r\n\r\n>> CHAIR, THE NEXT TESTIFIER IS KEVIN SPELLMAN TESTIFYING ON CR24-120 AND HE WILL BE FOLLOWED BY PAULA COLINICKO. >> HELLO. >> MY NAME IS KEVIN SPELLMAN. I AM A POLITICAL ECONOMIST, UNIVERSITY OF VERMONT AND NORWICH UNIVERSITY TRAINED. BILL 171 AND 172 REQUIRE A RETURN TO COMMITTEE FOR THE FOLLOWING REASONS: FIRST, IT IS NECESSARY TO ASSIGN A MEANING TO THE TERM "AFFORDABLE." AFFORDABLE IS OFTEN RELATIVE TO THE TARGET GROUP. FOR WAILEA 670 THE TARGET GROUP MAY BE INHABITANTS TO WHOM \$10 MILLION IS AFFORDABLE; WHEREAS, FOR A MAUI COUNTY STAFF PLANNER, 400,000 IS AFFORDABLE. THE DISPARITY HAS SIGNIFICANT IMPLICATION AND SECOND, TO COUNCIL SHOULD TAKE THE OPPORTUNITY TO ASSIGN EXPLICIT AND DEFINITIVE MEANINGS TO THE TERMS" MUST, SHALL, MAY, APPLICABLE GLOBALLY TO ASSIST MEMBERS OF THE EXECUTIVE AND LEGISLATIVE BRANCHES WHEN INTERPRETING AND ENFORCING CODE FOR WAILEA 670. MUST REPLACE THIS BIKEABLE, WALKABLE, GREEN SPACE, AMENITIES AND CULTURAL RESOURCES REGARDING WORKFORCE HOUSING MAY REPLACE SHALL.\r\n\r\nTHE LACK OF DEFINITIVE NUMBER PRECLUDES THE DETERMINATION OF REQUIRED WORKFORCE HOUSING UNITS. I ANTICIPATE THE DEVELOPER'S FINAL UNIT NUMBER TO BE 1,000 FOR WHICH THE CODE WOULD REQUIRE 25% TO BE WORKFORCE HOUSING. COINCIDENTALLY, AND THIS IS WHAT I FOUND MOST DISINGENUOUS AS A DEVELOPER MAY BUILD 250 WORKFORCE HOUSING UNIT IN THE NORTH KIHEI LIGHT INDUSTRIAL ZONE. ON ONE HANDGUN THE COUNCIL MAY SAY WORKFORCE HOUSING IS IMPORTANT WHILE THE DEVELOPER SENDS THOSE UNITS OVER TO THE CONCRETE JUNGLE. SURE, THEY GET A TWO ACRE PARK, WHICH LACKS DESCRIPTION AND

COULD BE A PLOT OF DIRT IRRIGATION UNLIKELY, FACILITIES DOUBTFUL. THE COUNCIL MILWAUKEE THEN SAY WE'RE NOT RESPONSIBLE FOR THE DEVELOPER'S DECISION TO BUILD THOSE UNITS IN THE LIGHT INDUSTRIAL ZONE. YOU WOULD BE CORRECT.\r\n\r\nHOWEVER, WHAT YOU ARE ACCOUNTABLE FOR IS PROVIDING THE DEVELOPER THE OPPORTUNITY TO MOVE AND BUILD THOSE UNITS IN NORTH KIHEI. SO WILL THE COUNCIL CONTINUE TO EXACERBATE MAUI'S HOUSING CRISIS AND FURTHER SEGREGATE OUR COMMUNITY BASED ON INCOME? OR WILL THEY NOT? I LEAVE IT TO THE COUNCIL TO DETERMINE WHEN OPTION BEST ALIGNS WITH THE PEOPLE'S WILL, IN WHICH WOULD THE MONEY? FURTHERMORE, WHICH OF THOSE INTERESTS DO YOU FIND MOST COMPELLING. >> MEMBERS, ANY QUESTIONS? MEMBER COOK.\r\n\r\n>> THANK YOU, SIR, FOR YOUR TESTIMONY. SO YOU'RE -- YOU ARE UNDER THE UNDERSTANDING THERE IS STILL AN OPTION TO BUILD AFFORDABLE HOUSING IN NORTH KIHEI. >> YEAH. >> OKAY. MY UNDERSTANDING IT'S NOT AN OPTION ANY MORE, BUT THANK YOU FOR POINTING THAT OUT. I THINK IT'S VERY VALID. I THINK IT WAS CHANGED BECAUSE OF EXACTLY WHAT YOU SAID.\r\n\r\nTHANK YOU FOR YOUR TESTIMONY. >> ANY MORE QUESTIONS? MEMBER PALTIN. >> THANK YOU. I JUST HAD A COUPLE CLARIFICATIONS ON THE TESTIMONY THAT YOU GAVE. WHEN YOU SAID THAT THEY ARE REQUIRED TO BUILD 25% OF THE PROJECT AS AFFORDABLE, >> WORKFORCE. >> WORKFORCE.\r\n\r\nTHAT IS JUST BECAUSE OF THE DEVELOPER'S WRONG MATH, BECAUSE MY UNDERSTANDING WHAT THE CODE SAID IS 25% OF THE MARKET VALUE HOMES ARE WORKFORCE, WHICH ISN'T THE SAME MATH. >> I'M NOT SURE. >> AS 25% OF THE ENTIRETY OF THE PROJECT. >> I THINK THE WORKFORCE HOUSING CHAPTER 2, I THINK SPECIFIES 25% OF THE TOTAL NUMBER OF UNITS. I DON'T THINK IT SAYS MARKET. I'M NOT SURE THOUGH. I WOULD HAVE TO REEXAMINE THAT.\r\n\r\n>> I MEAN, IT WOULD BE BETTER, 25% OF THE WHOLE, AND THEN IT WOULD BE LESS CONFUSING BECAUSE I THINK THE FORMER CONSULTANT MADE THAT MISTAKE WITH -- THE OTHER QUESTION I HAD WAS WHEN YOU SAID THAT THIS SHOULD GO BACK TO COMMITTEE, IS THAT IN PART BECAUSE THIS IS A COMMITTEE REPORT FROM LAST TERM? AND THE COMMITTEE THAT DOESN'T EXIST ANY MORE OR NO? >> I THINK MY POINT IS THAT IT NEEDS TO GO BACK TO A DELIBERATIVE BODY THAT CAN MAKE CHANGES, ESPECIALLY A DEFINITION AS I STATED FOR "AFFORDABLE." AND THOSE THREE TERMS TAKE THIS OPPORTUNITY NOW TO DO THAT IN SOME COMMITTEE. I IMAGINE THE COMMITTEE THAT WOULD GO BACK TO WOULD BE LAND USE. >> I GUESS, BECAUSE IT SEEMS LIKE A FOREGONE CONCLUSION, BECAUSE THERE WAS MISTAKE MADE THAT THIS WAS BEFORE US IN DECEMBER, AND THEN IT NEVER WENT TO HAVE A HEARING IN THE COMMUNITY, AND SO NOW INSTEAD OF THE PROCESS OF IT GOING TO COMMITTEE, IT'S COMING RIGHT BACK AS THOUGH THAT PUBLIC HEARING NEVER OCCURRED. INSTEAD OF PUBLIC HEARING, AND THEN COMMITTEE DELIBERATION. >> I THINK THAT IS NOT A CLARIFYING QUESTION.\r\n\r\nI DON'T THINK HE TALKED ABOUT THAT. >> HE DID SAY IT SHOULD GO BACK TO COMMITTEE AND I'M TRYING TO CLARIFY -- OKAY. >> I MEAN, IF YOU WANTED TO TALK ABOUT THE ROUTING OF THIS PARTICULAR LEGISLATION, I MEAN, I DID BRING THAT UP. >> DO YOU WANT TO ANSWER HER QUESTION? >> WAS THERE A QUESTION? IT SEEMS LIKE YOU WERE JUST DESCRIBING THE CURRENT ROUTING FOR THE LEGISLATION. SO DRAW ME A PICTURE.\r\n\r\n>> EXCUSE ME, SHE IS ASKING YOU A QUESTION >> WHAT IS THE QUESTION. >> IS THAT PART OF THE REASON YOU SHOULD IT SHOULD GO BACK TO COMMITTEE, BECAUSE IT DIDN'T FOLLOW THE PROCESS? >> NO, IT'S NOT -- THE PAST PROCESS IS THE PAST PROCESS. WHATEVER OCCURRED, I HAVE NO ISSUES WITH. I JUST THINK THAT IT NEEDS TO GO BACK TO A MORE DELIBERATIVE FOCUSED BODY TO CLARIFY CERTAIN ELEMENTS INCLUDING A DEFINITIVE FINAL NUMBER OF UNITS. >> OKAY, THANK YOU. >> ANY MORE QUESTIONS?\r\n\r\nMEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. IN YOUR TESTIMONY, YOU USED THE WORD "SEGREGATION." THE CONTEXT OF YOUR TESTIMONY, WHY DID YOU CHOOSE -- COULD YOU CLARIFY WHY YOU CHOOSE TO USE THAT WORD AS A DESCRIPTOR? >> WHICH WORD? >> SEGREGATION. >> SO THE LOWER INCOME, THE WORKFORCE HOUSING HAS THREE CATEGORIES OF I BELIEVE THREE OR FIVE CATEGORIES OF INCOME. AND THOSE ARE EXTREMELY LOW.\r\n\r\nAND

THEN WHEN YOU COMPARE THOSE TO THE INCOMES OF, SAY, MAUI MEADOWS, WHICH IS RIGHT NEXT DOOR, THERE'S GOING TO BE QUITE A DISPARITY THERE. SO IT IS, IN FACT, TAKING A POPULATION OF POTENTIAL RESIDENTS THERE TERMS OF GEOGRAPHIC LOCATION, AND THEN SEPARATING THEM BASED ON THEIR INCOME BY MOVING ONE OF THOSE, A PORTION OF THAT LARGER POPULATION TO ANOTHER LOCATION. >> MAHALO FOR THAT CLARIFICATION. MAHALO, CHAIR. >> ANY MORE QUESTIONS? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER, PLEASE.\r\n\r\n>> CHAIR, THE NEXT TESTIFIER IS PAULA KALANI TESTIFYING ON CR24-120 AND SHE WILL BE FOLLOWED BY CAPTAIN JOY MEDEIROS. >> ALOHA. >> ALOHA. >> MY NAME IS PAULA KALANI KA. I COME FROM THE MOKU OF KALIIHIKAI. I LIVED THERE FOR OH, MANY YEARS 1963 TO BE EXACT. AND I HAVE SEEN SO MANY GROWTH THERE AND I'M HERE TODAY NOT FOR MYSELF.\r\n\r\nI'M NOT HERE FOR MYSELF. I AM HERE FOR THE CHILDREN AFTER ME, AND THOSE AFTER ME AND AFTER ME, AND AFTER ME. AND THAT IS MY GREATEST CONCERN TODAY. I AM IN OPPOSITION OF CR24-120. AND IN SUPPORT OF CC24-30. WE ARE IN DIRE NEED OF LOW-INCOME HOUSING AND -- LUXURY HOMES. IN THE PAST WE WERE OFFERED AT ONE TIME 700 HOMES. NOW WE'RE DOWN TO 450 HOMES. AND THEN A PROPOSITION OF 288 HOMES.\r\n\r\nI DON'T THINK SO. I DO NOT THINK SO. GOING FURTHER ON THE STATE WAS ALSO ASKED BY THE PROPOSED DEVELOPERS TO BUILD A STATE HIGHWAY THAT WOULD ALSO COST US TAX-PAYERS MORE MONEY. WHEREAS, THE DEVELOPERS HAD ORIGINALLY SAID THAT THEY WOULD DO THAT AND THAT HAS CHANGED. MANY THINGS HAVE CHANGED THROUGHOUT THE YEARS. WE ARE IN DIRE NEED OF AFFORDABLE HOMES. BUT TO BUILD THE HOUSING BEFORE THE ROADWAY IMPROVEMENTS IS NOT OF A GREAT IDEAS.\r\n\r\nI THINK OUR TRAFFIC CURRENTLY IS IN DIRE NEED OF IMPROVEMENTS. SO WE'RE TALKING ABOUT THE INFRASTRUCTURE, AND THAT IS A PRIORITY. PRIORITY, PRIORITY, I CANNOT SAY ANY MORE THAN WHAT I ALREADY HAVE SAID IN THE PAST. I'M JUST REPEATING MYSELF. SO WATER RESTRICTION IS A PROBLEM AND IT'S ALWAYS GOING TO BE A PROBLEM, IF WE DON'T ADDRESS THIS SYSTEM NOW. I KNOW I LIVED THERE AND I SEE THIS HAPPENING. I AM SORRY.\r\n\r\nI AM TAKING ALL THE TIME, BUT WE SEE OUR REAL PROBLEM HERE BEFORE OUR EYES. YOU GIVE AN INCH, THEY WANT A MILE. THAT IS NOT GOING TO HAPPEN. IT'S ON YOU, COUNCIL MEMBERS. IT IS ON YOU. >> THANK YOU. THANK YOU, MS.\r\n\r\nKALANI KA. >> THANK YOU. >> QUESTIONS, MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. ALOHA, MS. KALANI KA. I BELIEVE SHE WAS TESTIFYING ON CR24-120 AND SUPPORTED CFR C24-30 AND THOSE WERE TWO ITEMS AND SHE WAS GIVEN THREE MINUTES.\r\n\r\n>> CORRECT. >> MS. KALANI KA WERE YOU FINISHED WITH YOUR TESTIMONY OR DID YOU HAVE A LITTLE BIT MORE? BECAUSE YOU RIGHTFULLY SHOULD HAVE BEEN GIVEN ANOTHER THREE MINUTES BECAUSE YOU DID CITE CC24-30. >> MS. KALANI KA, YOU FINISHED WITH THE FIRST ITEM, SO YOU ASK BEGIN ON THE SECOND ITEM. YOU WOULD NOT CONTINUE ON THE FIRST ITEM, OKAY? ? >> WHAT I WAS REALLY TRYING TO CLOSE WITH THAT, I WOULD LIKE TO SEE OUR HOUSING COME TO BE.\r\n\r\nI MAY NOT SEE IT DURING MY TIME, BUT I WOULD LIKE TO SEE IT DURING THE CHILDREN AFTER ME AND THOSE THAT ARE NOW JUST GROWING UP. I PROBABLY CANNOT SEE THIS HAPPEN IMMEDIATELY, BUT I HOPE TO SEE THIS HAPPEN IN THE NEAR-FUTURE FOR OUR CHILDREN. WE CANNOT JUST KEEP PUTTING THIS OFF FOR OUR LOW-INCOME HOUSING PEOPLE AS THEY ARE IN DIRE NEED. WE HAVE A HIGH NUMBER DEALING WITH ALL OVER THE ISLAND, PEOPLE THAT ARE IN NEED, AND I JUST WANT TO LET YOU KNOW MY CONCERN. AND WITH THIS, I WANT YOU TO KNOW THAT THE STATE MODEL IS -- WHICH MEANS "THIS LAND IS PERPETUATED IN RIGHTEOUSNESS," RIGHTEOUSNESS, MAHALO. >> QUESTIONS MEMBERS? COUNCIL MEMBER RAWLINS-FERNANDEZ.\r\n\r\n>> MAHALO AGAIN FOR YOUR TESTIMONY. CC24-30 IS THE AMENDMENT TO KEEP THE 450 UNITS IN THE PROJECT DISTRICT IN THIS BILL. >> YES. >> AND THAT IS WHAT YOU ARE TESTIFYING TO SUPPORT. >> YES. >> TO KEEP THE 450 AFFORDABLE UNITS. >> YES.\r\n\r\n>> AND MAHALO FOR THAT CLARIFICATION BECAUSE YOUR EXPECTATION OF GOVERNMENT IS TO DO THE WILL OF THE COMMUNITY AND THE RESIDENT HAS THERE ARE SAYING. >> CORRECT. >> MAHALO. MAHALO, CHAIR. >> THANK YOU

VERY MUCH. NEXT TESTIFIER. >> THE NEXT TESTIFIER IS CAPTAIN JOY MEDEIROS TESTIFYING ON COMMITTEE REPORT 24-120, TO BE FOLLOWED BY LIEUTENANT CHRIS GANTALA.\r\n\r\n>> GOOD MORNING, CHAIR, COUNCIL MEMBERS. >> GOOD MORNING. >> I'M CAPTAIN JOY MEDEIROS AND I'M HERE TO SPEAK TO SEDANS ITEM CR24-120. SPECIFICALLY ABOUT A MEMORIAL PARK PROPOSED FOR THE DEPARTMENT OF FIRE AND PUBLIC SAFETY, AND THE MAUI POLICE DEPARTMENT. THIS MEMORIAL PARK WOULD STAND AS A TESTAMENT TO THE LEGACY OF OUR FIRST RESPONDERS. IT WOULD REMIND US OF HOW PRECIOUS LIFE IS AND THE COST OF PROTECTING IT. IT WOULD SERVE AS AN ENDURING SYMBOL OF OUR COMMUNITY'S GRATITUDE, RESPECT, UNWAVERING COMPLIMENTED TO THOSE WHO SERVE AND HAVE FALLEN. EVERY U.S. STATE HAS A LAW ENFORCEMENT MEMORIAL OR DEDICATED SPACE TO RECOGNIZE AND REMEMBER ITS FALLEN OFFICERS.\r\n\r\nTHE HAWAII LAW ENFORCEMENT MEMORIAL IS LOCATED IN HONOLULU. HOWEVER, UNLIKE THE CONTINENTAL UNITED STATES, RESIDENTS FROM OUR COUNTY ARE UNABLE TO SIMPLY DRIVE TO THE MEMORIAL, FACING SIGNIFICANT BARRIERS, AIRFARE, TRANSPORTATION AND IN SOME SITUATIONS LODGING JUST TO BE ABLE TO VISIT AND HONOR THEIR LOVED ONES. FOR ME, BEING IN LAW ENFORCEMENT, WE DO NOT DO THIS JOB FOR GLORY. THERE IS NO EXPECTATION OF PRAISE OR RECOGNITION ON ANY LEVEL. RATHER THE EXPECTATION IS ONE OF PREVENTION, BECAUSE EVERY ACTION WE TAKE REGARDLESS OF INTENT HAS A POSSIBILITY OF BEING SCRUTINIZED BY THE MEDIA AND CRITICIZED BY THE PUBLIC. STILL EVERY NEW DAY WE CHOOSE TO SERVE KNOWING FULLY WELL THE ULTIMATE SACRIFICE WE POTENTIALLY RISK MAKING. EVEN THOUGH THAT SACRIFICE IMMENSE AND UNCHANGING AS IT IS CAN BE FORGOTTEN WITH DAY-TO-DAY LIFE.\r\n\r\nAN EMPTY SPACE AT THE TABLE, A VOICE THAT IS SILENCED A PRESENCE THAT IS REDUCED TO ONLY BEING FELT, THOSE IRREVERSIBLE HARSH TRUTHS ARE REALLY ONLY CARRIED BY THE LOVED ONES OF THOSE LOST. FOR PEOPLE THAT HAVE PAID THE ULTIMATE SACRIFICE, AND THOSE THAT THEY LOVE, LIFE HAS BEEN FROZEN IN TIME. THE FACT IS THAT OUR FALLEN HEROES DESERVE MUCH MORE THAN A PARK BEING NAMED FOR THEM. THEY DESERVE MUCH MORE THAN OUR EARTHY POWERS CAN GIVE. THIS PARK IS A SMALL OFFERING OF GRATITUDE. A TRIBUTE OF THEIR BRAVERY TO HONOR THE SACRIFICE THEY HAVE MADE FOR OUR COMMUNITY. THIS PARK SHOULD BE NAMED FOR THEM, BECAUSE THERE SHOULD BE SANCTUARY A PLACE FILLED WITH LAUGHTER, A SPACE FOR FAMILIES FROM WHICH COMMUNITY TO BE REMINDED OF LIFE.\r\n\r\n[ INAUDIBLE ] >> THANK YOU, CHAIR, THANK YOU, CAPTAIN MEDEIROS. I JUST WANTED IT CLARIFY YOUR SUPPORT FOR THE PARK, AND THE LIVES EXTENDS TO HOUSING THEM WHEN THEY ARE ALIVE AND YOUR SUPPORT FOR THE PARK DOESN'T MEAN THAT YOU DON'T ALSO SUPPORT KEEPING THE 450 AFFORDABLE HOUSING IN THE PROJECT AS WELL. >> YOU KNOW, ONE THE UNITS I ACTUALLY COMMAND IS OUR CORE UNIT. SO WE ACTUALLY WORK VERY CLOSELY WITH OUR UNSHELTERED POPULATION, AND THEREFORE, WE DEFINITELY NEED MORE HOUSING. >> THANK YOU >> THANK YOU. >> ANY MORE QUESTIONS? IF NOT, THANK YOU, GOOD TO SEE YOU TO.\r\n\r\n>> CHAIR, THE NEXT TESTIFIER IS LIEUTENANT CHRIS GANTALA, TESTIFYING ON COMMITTEE REPORT 24-120, TO BE FOLLOWED BY GEORGE BURNETT. >> GOOD MORNING, EVERYONE. I APPRECIATE YOUR TIME IN THIS MATTER. I'M LIEUTENANT CHRIS GANTALA, IN CHARGE OF OUR K-9 UNIT AND WE HAVE SOME OF OUR K-9S BACK THERE. I WILL START WITH OUR MISSION OF THE MAUI POLICE DEPARTMENT IS OBVIOUSLY TO SERVE OUR COUNTY, AND OUR COMMUNITY TO THE BEST THAT WE CAN. AND WITH ONE EVER THOSE THINGS IT IS WITH OUR K-9 PROGRAM THAT WE PROVIDE JUST AN UPDATE, WE RECENTLY GOT TWO APPREHENSION CANINES IN TRAINING AND WILL BE IS DEPLOYED SOON AND AN EXPLOSIVE K-9 THAT WE NEVER HAD BEFORE. OUR VISION, LIKE THE CHIEF SAID EARLIER IS TO ADD SIX MORE K-9S AND SO BUILDING THE PROGRAM KIND OF BIG.\r\n\r\nRIGHT NOW TO ENVISION HELPING THE COMMUNITY THE BEST WE CAN, THAT WE DON'T HAVE AN AREA THERE KIHEI PER SE THAT WE HAVE OUR CANINE STORES IS ACTUALLY STORED IN THE CENTRAL AREA. SO WITH THAT PROPOSED AREA FOR THE POLICE DEPARTMENT, WE'LL BE ABLE TO HAVE SOME CANINES THERE THAT WE CAN EASILY IS DEPLOY THAT CAN

ASSISTED ENTIRE AREA IN THEIR COMMUNITY. THAT IS THE MAIN PART THAT I'M TESTIFYING ON TODAY, AND I JUST WANTED TO SAY THANK YOU TO THE COUNTY COUNCIL FOR ALL YOUR SUPPORT THAT YOU PROVIDED THE POLICE DEPARTMENT THROUGHOUT THE YEARS. >> THANK YOU. ANY QUESTIONS, MEMBERS? MEMBER COOK. >> THANK YOU FOR YOUR TESTIMONY.\r\n\r\nWILL THE K-9 UNITS BE ABLE TO HELP WITH THE FIREWORK ISSUE, YOU SAID EXPLOSIVES. >> THEY CAN DETECT, SEVERAL DIFFERENT TYPES OF EXPLOSIVES THAT THEY CAN DETECT AND FLASH POWDER IN THE FIREWORK IS ONE OF THOSE ITEMS. >> THANK YOU FOR YOUR CLARIFICATION. MAHALO. >> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I FORGET YOUR TITLE -- ? >> LIEUTENANT.\r\n\r\n>> ALOHA LIEUTENANT. KALAMAI. MAHALO FOR YOUR TESTIMONY. HOW SOON DO YOU NEED THIS SPACE? BECAUSE THIS PROJECT ISN'T GOING TO BE BUILT ANY TIME SOON, AND THEREFORE, YOU WOULDN'T BE GETTING THIS SPACE, IF IT'S SOMETHING THAT IS URGENT, PERHAPS WE SHOULD DISCUSS HAVING THIS SOONER, WHETHER THIS MAY OR MAY NEVER BE BUILT, BECAUSE IT SOUNDS IMPORTANT YES. >> IF IT'S IMPORTANT, LET'S HAVE THE DISCUSSION AND WE CAN FIND A SPACE FOR YOU. >> I APPRECIATE THAT.\r\n\r\nI WAS GRANTED SOME MONEY TO BUILD A COUPLE KENNELS AT THE WAILUKU STATION. SO WE'LL BE ABLE TO HOUSE THE CANINES THAT WE RECENTLY GOT. IN OUR BUDGET WE'RE ALLOTTED SEVERAL MORE CANINES WE'RE PLANNING TO PURCHASE AND IF IT'S IMMEDIATELY, AND DEPENDING ON THE OUTCOME OF THIS HEARING AND WHAT NOT, WE'LL PROBABLY LOOK FORWARD TO TRYING TO AT LEAST BUILD MORE KENNELS IN THE KIHAI AREA, IF WE'RE ABLE TO. >> BECAUSE THIS IS 17-PLUS YEARS. SO I DON'T KNOW WHEN YOU WOULD EVER GET THAT SPACE. SO AGAIN, IF THAT IS SOMETHING THAT WE NEED TO DO MORE URGENTLY AND WE TAKE IT YOU UP, LET'S TALK ABOUT IT. MAHALO.\r\n\r\n>> APPRECIATE IT. >> MAHALO, CHAIR. >> MEMBER PALTIN THANK YOU, CHAIR. THANK YOU, LIEUTENANT. KIND OF SAME QUESTION, BECAUSE YOU SUPPORT THE K-9 AREA DOESN'T MEAN THAT YOU SUPPORT TAKING OUT OF THE 450 AFFORDABLE HOUSING CONDITION; RIGHT? >> YEAH, I MEAN, PERSONALLY, I'M JUST HERE ON BEHALF OF THE MAUI POLICE DEPARTMENT AND MY FOCUS IS JUST TRYING TO SERVE ON THE COMMUNITY THE BEST THAT I CAN. I DON'T WANT TO TESTIFY AND TRY TO INFLUENCE MY OWN PERSONAL OPINION ABOUT THE MATTER.\r\n\r\nWE APPRECIATE THAT. >> THANK YOU. >> ANYBODY ELSE? THANK YOU, LIEUTENANT. NEXT TESTIFIER, PLEASE. >> CHAIR, THE NEXT TESTIFIER IS GEORGE BURNETT, TESTIFYING ON THE PROPOSED COUNTY COMMUNICATIONS RELATED TO UNFINISHED BUSINESS. >> TO BE FOLLOWED BY?\r\n\r\n>> TO BE FOLLOWED BY LESLEY MILNER. MR. BURNETT, BECAUSE THAT IS ONE SECTION "UNFINISHED BUSINESS" ON THE AGENDA, WE WILL USE THE THREE MINUTE TIME CLOCK. >> I HAVE THREE MINUTES? >> CORRECT. >> OKAY. I THINK THIS IS SLIGHTLY OVER THREE MINUTES.\r\n\r\n>> IS IT FOR MORE THAN ONE ITEM? >> I PUT DOWN CC24-30, 31, 32, 33, BUT BY PRACTICE THIS IS JUST UNDER 4 MINUTES. >> CHAIR, THOSE ITEMS ARE LISTED UNDER UNFINISHED BUSINESS RELATED TO HONUA'ULA WAILEA 670. >> I THINK BECAUSE WE ALLOWED ONE TESTIFIER THE OPPORTUNITY TO GO TO -- TO GO BEYOND THE MAJOR HEADING INTO THE COUNTY COMMUNICATION, WE'LL LET THIS ONE GO, TOO. >> CHAIR? >> OR I COULD MAKE IT 171/172, IF YOU WANT, I GUESS? >> NO, YOU SAID YOU HAVE FOUR MINUTES. >> CHAIR?\r\n\r\n>> I HAVE A QUESTION ABOUT WHAT YOU JUST SAID? >> YES. >> WHAT ARE YOU SAYING ABOUT TESTIMONY, ABOUT LIMITING TESTIMONY? >> MADAM CLERK, CAN YOU REPEAT WHAT YOU JUST SAID? >> THANK YOU, MADAM CHAIR. IN GENERAL, WE HAVE FOLLOWED THE PRACTICE OF THREE MINUTES ON EACH GENERAL CATEGORY. SUCH AS RESOLUTIONS, ORDINANCES, WHETHER THEY ARE FIRST READING OR SECOND AND FINAL, AND UNFINISHED BUSINESS BEING ONE CATEGORY THAT TYPICALLY WOULD HAVE THREE MINUTES.\r\n\r\n>> I THINK THAT VIOLATES WHAT OIPA TELLS US WE'RE ALLOWS FOR EACH AGENDA ITEM. WE HAVE NEVER DONE CATEGORY. >> I DON'T WANT TO ENTERTAIN A -- ? >> IT IS IMPORTANT. >> MEMBER, PLEASE. >> CHAIR. >> OTHERWISE, I'M GOING TO CALL A RECESS. I JUST SAID TO THE TESTIFIER.\r\n\r\n>> THEN CALL A RECESS. CALL A RECESS, BECAUSE YOU ARE CHANGING THE RULES RIGHT NOW. >> PLEASE PROCEED. >> THAT IS NOT RIGHT,



CHAIR. >> PLEASE PROCEED WITH YOUR TESTIMONY. >> THE PROCEDURE BEING SAID RIGHT NOW IS NOT ACCURATE AND VIOLATES SUNSHINE LAW. [ GAVEL ] GO GET YOUR COMPOSURE IN YOUR OFFICE.\r\n\r\n>> EXCUSE ME, I WILL NOT BE TALKED THAT WAY. DON'T TALK TO ME THAT WAY. IT'S CONDESCENDING. >> THIS MEETING IS IN RECESS FOR TEN MINUTES. GO GET YOUR COMPOSURE. [ GAVEL ] [ GAVEL ] >> WILL THE MEETING OF THE COUNCIL MEETING OF JUNE 27TH, PLEASE RECONVENE. I THINK WE LEFT OFF, I APOLOGIZE TO THE PUBLIC AND TO THE PEOPLE HERE FOR THAT EXCHANGE, AND THE DISAGREEMENT THAT SHOULDN'T HAVE BEEN AIRED IN-PERSON.\r\n\r\nI TRIED TO CALL A RECESS, BUT COULDN'T. BUT NOW, WE'RE PROCEEDING, GOING FORWARD. YOU ARE NOT GOING TO HEAR ANY OF THAT ANY MORE, PERIOD. AND SO WE'RE READY FOR THE NEXT TESTIFIER, AND JUST FOR CLARIFICATION, AS I STARTED TO SAY, AND I STARTED TO DO EARLIER, WAS TO GIVE EVERYBODY THAT EXTRA TIME THAT THEY NEEDED FOR MULTIPLE ITEMS ON THE AGENDA. SO MR. BURNETT. >> OKAY. >> GOOD FOR IT.\r\n\r\n>> GOOD MORNING, CHAIR. I COME IN PEACE. [ LAUGHTER ] >> I KNOW YOU DO. I WISH EVERYBODY DID. >> YASSUO. OKAY. I THINK I'M TESTIFYING ON CC24-30, MAYBE SOME OF IT IS IN CC THIS-33. THE 450 UNITS.\r\n\r\n>> IT WILL HELPS US IF YOU DO ONE AT A TIME. >> OKAY. I GLOMMED IT ALL. IF YOU WANT TO STOP ME, JUST STOP ME. I HAVE TO CONFESS, I CHEATED ON MY HOMEWORK. WHAT I'M GOING TO READ WAS CREATED BY ARTIFICIAL INTELLIGENCE. >> THAT IS TINE.\r\n\r\n>> I WAS FASCINATED BY IT TAKING COMPUTER COURSES IN THE '70S, AND I USE CHATTED GUNPOINT AND ENTERED THE SENTENCE SHOULD MORE AFFORDABLE HOUSING OR LUXURY HOMES BE BUILT ON MAUI? I DID THIS TWICE SEVERAL WEEKS APART AND ONE IS AN OUTLINE AND ONE IS A MORE READABLE FORM THAT I WILL READ, THE QUESTION OF WHETHER MORE LUXURY HOMES OR MORE AFFORDABLE HOMES SHOULD BY BUILT ON MAUI IS DEEPLY TIED TO ECONOMIC, SOCIAL AND ENVIRONMENTAL FACTORS. HERE IS A BREAKDOWN OF THE KEY CONSIDERATIONS THE FIRST BULLET POINT SAYS AFFORDABLE HOMES, A STRONG CASE FOR LOCAL NEEDS MAUI LIKE MUCH OF HAWAI'I FACES A SEVERE HOUSING AFFORDABILITY CRISIS, MANY RESIDENTS ESPECIALLY THOSE WORKING IN TOURISM, AGRICULTURAL AND SERVICE INDUSTRIES ARE PRICED OUT OF THE MARKET. BUILDING MORE AFFORDABLE HOMES WOULD HELP LOCAL FAMILIES STAY ON THE ISLAND, SUPPORTING SOCIAL FABRIC AND CULTURAL HERITAGE OF MAUI. AFFORDABLE HOUSING IS CRUCIAL TO RETAINING ESSENTIAL WORKERS SUCH AS TEACHERS, HEALTH CARE WORKERS AND FIRST RESPONDERS. ADDRESSING THE DISPARITY BETWEEN HIGH HOUSING COST AND LOCAL WAGES COULD REDUCE HOMELESSNESS AND ALLEVIATE ECONOMIC STRESS FOR RESIDENTS. THE NEXT BULLET POINT IS LUXURY HOMES ECONOMIC AND ENVIRONMENTAL IMPACTS.\r\n\r\nLUXURY DEVELOPMENTS CAN BRING IN SIGNIFICANT TAX REVENUE AND SUPPORT CONSTRUCTION JOBS, BUT THESE BENEFITS OFTEN DON'T DIRECTLY AID LOCAL COMMUNITIES. MANY LUXURY HOMES ARE BOUGHT AS VACATION PROPERTIES OR INVESTMENTS REMAIN VACANT FOR MUCH OF THE YEAR, WHICH DOESN'T CONTRIBUTE TO ADDRESSING HOUSING NEEDS. LUXURY DEVELOPMENTS OFTEN REQUIRE EXTENSIVE LAND USE, POTENTIALLY COMPACTING MAUI'S DELICATE ECOSYSTEMS AND INCREASING WATER AND ENERGY DEMANDS. THE NEXT BULLET IS ENVIRONMENTAL AND CULTURAL CONSIDERATIONS. MAUI'S LAND IS LIMITED. AND PRIORITIZING AFFORDABLE HOUSING HELPS ENSURE THAT DEVELOPMENTS ALIGN WITH THE NEEDS OF THE COMMUNITY, RATHER THAN EXTERNAL DEMAND. OVERDEVELOPMENT FOR LUXURY MARKETS CAN ERODES THE ISLAND'S CULTURAL IDENTITY, MAKING IT FEEL LESS LIKE HOME FOR LOCALS.\r\n\r\nI THEREBY THAT IS WHAT WE'RE TALKING ABOUT. CONCLUSION, BUILDING MORE AFFORDABLE HOMES ALIGNS BETTER WITH LONG-TERM SUSTAINABILITY AND CULTURAL PRESERVATION OF MAUI. LUXURY HOMES -- WHILE LUXURY HOMES CONTRIBUTE ECONOMICALLY, THEY OFTEN EXACERBATE INEQUALITY AND DISPLACEMENT. FOCUSING ON AFFORDABLE HOUSING CAN FOSTER A MORE RESILIENT AND INCLUSIVE COMMUNITY AND I WOULD LIKE TO READ TWO MORE SENTENCE FROM THE OTHER ONE I DID. >> DISREGARD THE ALARM. >> OKAY, TWO MORE SENTENCES. THANK YOU.\r\n\r\nBUILDING MORE AFFORDABLE HOUSING ON MAUI DIRECTLY ADDRESSES THE ISLAND'S MOST PRESSING NEEDS, KEEPING LOCALS HOUSED, SUPPORTING THE

ECONOMY, PRESERVING THE CULTURE AND ENVIRONMENT, WHERE LUXURY HOMES GENERATE REVENUE, THEY OFTEN DO SO AT THE EXPENSE OF THE COMMUNITY'S LONG-TERM HEALTH. THANK YOU. >> THANK YOU. >> QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH. NEXT TESTIFIER. >> CHAIR, THE NEXT TESTIFIER IS BUDGET DIRECTOR LESLEY MILNER AND MS. \r\n\r\nMILNER, PLEASE LET US KNOW WHAT ITEM OR ITEMS YOU ARE TESTIFYING ON. >> THE STUDENTS ARE LEAVING, JUST WANT TO LET YOU KNOW WHAT YOU SAW, THE OUTBURST YOU SAW, WE DID THAT FOR YOU. [LAUGHTER ]. >> THANK YOU FOR COMING. >> BYE! >> OKAY. ALOHA CHAIR, ALOHA COUNCIL MEMBERS. I'M HERE TO TESTIFY TODAY ON BILLS 84 AND 85 AND PARAPHRASE COUNCIL MEMBER PALTIN COMING TO YOU LIVE AND DIRECT FROM THE NATION'S CAPITAL TO PARTICIPATE IN THE GOVERNMENT FINANCE OFFICERS ASSOCIATION ANNUAL CONFERENCE STARTING TOMORROW, BUT I'M GLAD TO BE HERE WITH YOU TODAY. \r\n\r\nTHE TWO BILLS I'M TESTIFYING ON THIS MORNING ARE ADDITIONAL GRANT FUNDS FOR THE FISCAL YEAR 26 BUDGET, ONE FOR DEM, WHICH WILL UPDATE A PREVIOUS MA'ALAEA WASTEWATER STATUTE, INCLUDING GETTING THE WASTEWATER FROM MA'ALAEA TO THE TREATMENT FACILITY AND ALTERNATIVE OF GETTING THE WASTEWATER FROM MA'ALAEA TO KIHEI. SO WE'RE LOOKING AT MULTIPLE OPTIONS THERE. THE SECOND IS FUNDING FOR VOUCHERS FOR THE ACQUISITION OF TWO ELECTRIC VEHICLES. SO THANK YOU, CHAIR. I JUST ASK FOR FLOOR ACTION TODAY, SO WE CAN ACCESS FUNDS EXPEDITIOUSLY. MAHALO. >> ALL RIGHT. \r\n\r\nQUESTIONS? VICE-CHAIR SUGIMURA. >> CONGRATULATIONS, YOU ARE GOING TO BE A SPEAKER AT THE CONFERENCE, TALKING ABOUT YOUR SUCCESSES WITH THE BUDGET. THANK YOU, MS. MILNER. >> THANK YOU, NOT JUST -- LET ME, THEY ARE YOUR SUCCESSES AS WELL. >> THANK YOU, BUDGET DIRECTOR. \r\n\r\n>> MAHALO, CHAIR. >> NO MORE QUESTIONS. NEXT TESTIFIER. >> CHAIR, THE NEXT TESTIFIER IS JUSTIN KELE, TESTING ON COMMITTEE REPORT 24-120, COUNTY COMMUNICATIONS 24- 30, 24-31, 24-32 AND 24-33. >> ALOHA MAI KAKOU. MY NAME IS JUSTIN KEAHI. THANK YOU FOR BEING HERE. AND HOLDING THIS SPACE. \r\n\r\nI'M OPPOSING CR24-120. I DON'T AGREE WITH THE WAILEA 670 AMENDMENTS AND PROPOSALS. QUICK BACK STORY, I HAVE BEEN INVOLVED WITH THIS PROJECT A LITTLE OVER TEN YEARS NOW. WE CHALLENGED THEM A LOT IN THE BEGINNING STAGES, TRYING TO SHUT IT DOWN FOR ALL KINDS OF REASONS. IT JUST KEPT MOVING FORWARD THROUGH THE PROCESS AND THE GOVERNING BODIS AND IT CAME TO THE POINT THAT SOME OF THE PEOPLE WENT INTO LITIGATION. I DIDN'T WANT TO GO THAT ROUTE WITH THEM, BECAUSE YOU BECOME SILENCED. YOU CAN'T TESTIFY OR SAY THINGS OR GO THINGS. SO I TRIED TALKING AND WORKING WITH SOME OF THEIR LANDS REPS AND STEERING THAT IN A DIFFERENT DIRECTION. \r\n\r\nWE CAN'T LEAD THEM BURKE HELP GUIDE THEM TO A BETTER THING FOR OUR COMMUNITY. IT WAS VERY FRUSTRATING TRYING TO WORK WITH THEM. THEY HAVE MANY DIFFERENT PEOPLE WE HAD TO WORK WITH OVER THE YEARS. EVERYTHING WAS DENIED. EVERYTHING WAS LEFT TO DEAF EARS. SUPER FRUSTRATING. THE ONE THING THEY DID ACKNOWLEDGE WAS THE CULTURAL CENTER, AND THE NATIVE PLANT NURSERY, WHICH I SUPPORT. \r\n\r\nIT'S A GOOD THING. THAT WAS OUR IDEA. IF WE'RE GOING TO HAVE A PRESERVATION THERE, WE HAVE TO GROW HAWAIIANS AND PUT THEM BACK ON THE 'AINA AND CULTURAL CENTER FOR CENTER EDUCATION. I WASN'T UNDER THE IMPRESSION OF HOW THEY ARE GOING TO DO IT. I DIDN'T REALIZE THAT THE PARKS WERE GOING TO LOSE MONEY, JUST THAT WHOLE PROCESS. THEY ARE BASICALLY SAVE A LOT OF MONEY, IF YOU REALLY LOOKED AT WHAT THEY ARE DOING AND HOW THEY ARE DO IT, INSTEAD OF GIVE INTERESTING THAT FIVE MILLION TO THE PARKS. THAT IS ONE OF THE ISSUES. \r\n\r\nSO THE APPLICANT'S REQUEST TO AMEND 3554 IS THE WATER, CONDITION 1 IS THE WATER. WE HAVE TO GO BACK AND PUMP THE BRAKES ON THE WHOLE KAMOLE AQUIFER IS NOT CAPABLE TO GIVE WHAT THEY WANT AND OTHER PEOPLE ARE WANTING TO TAP INTO IT. SO BUILD THIS BIG DEVELOPMENT, AND THEN NOT GOING TO HAVE WATER. ALSO IT DOESN'T MAKE SENSE TO DRAIN THE WATER THAT IS FEEDING THE PRESERVE, YEAH? SO THAT IS ANOTHER ONE. CONDITION 2 WAS THE TRANSPORTATION REQUIREMENTS. THEY ARE GOING TO EXPAND FROM KILOHANA TO WAILUKU. \r\n\r\nYOU HAVE TO

THINK OF A FUNNEL, THERE'S NO OUT LET. THEY ARE NOT EXPANDING THE OUTLETS, SO ALL OF THE TRAFFIC WILL BE STUCK ON THE TOP, ON THE BACK ENDS. THAT IS NOT A SOLUTION. WE HAVE TO MAKE BYPASSES AND WAYS OUT. CONDITION 10 I ALREADY TALKED ABOUT THE CULTURAL CENTER. SO I WILL MOVE ON. I KNOW MY TIME TO THE CCS 24-30-33. THEY ALL KIND OF ADDRESS HOUSING.\r\n\r\nMAHALO, COUNCIL MEMBERS, FOR PROPOSING THOSE I SUPPORTED ALL OF THOSE. THAT SHOWS THAT YOU REALLY LISTEN TO OUR LAST TESTIMONY AND REPRESENTING OUR COMMUNITY. SO THAT HIGHWAY AFFORDABLE UNITS IS SO FOR OUR COMMUNITY AND IF YOU GUYS VOTE AGAINST, THAT JUST SHOWS WHERE YOUR HEART LIES. SO YOU HAVE A HUGE OPPORTUNITY TO GIVE US 162 MORE UNITS. PLEASE, PLEASE DO THAT. THAT IS ALL WE'RE ASKING FOR. WE'RE NOT GETTING THE 700, BUT WE'LL TAKE THE 450, IF THAT IS ALL WE CAN GET.\r\n\r\n\r\nTHE DEED RESTRICTIONS SHOULD BE EXTENDED, AND I LIKE THE IDEA ABOUT THE LOTTERY SELECTION, LOCALS FIRST. YOU KNOW, WE HAVE CATERED TO THE OUTSIDE FOR SO LONG AND WE'RE IN THIS CRISIS. I JUST WANT TO CLOSE WITH KIND OF EMOTIONAL SEEING OUR KUPUNA COME UP HERE AND GIVE TESTIMONY, BECAUSE THEY SHOULDN'T HAVE TO DO THAT. THEY SHOULD BE HOME WITH THEIR PUNA. MAHALO FOR BEING HERE AND MAHALO FOR TESTIFYING FOR OUR COMMUNITY AND OUR KEIKI. I JUST ASK THIS COUNCIL TO MAKE THE RIGHT VOTE. MAHALO.\r\n\r\n\r\n>> THANK YOU. ANY QUESTIONS? MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. ALOHA, MR. KAHEE. I'M SO HAPPY YOU WERE ABLE TO MAKE IT.\r\n\r\n\r\nI HEARD YOUR TESTIMONY THE OTHER DAY AND YOU SAID YOU MIGHT NOT BE ABLE TO. SO MAHALO FOR YOUR TESTIMONY AND BEING HERE IN-PERSON. MY CLARIFYING QUESTION SINCE YOU WERE INVOLVED IN THIS SOME FORM FROM KIND OF THE BEGINNING, IT SOUNDS LIKE INITIALLY WHEN IT WAS GOING TO BE 50%, 700 UNITS, THAT THAT WAS KIND OF THE TRADE-OFF. IS THAT YOUR UNDERSTANDING, WAS THAT WHILE THERE WAS A LOT OF OPPOSITION, THE ATTRACTION OF HAVING THAT MANY WORKFORCE UNITS WAS KIND OF WHAT PUSHED IT OVER THE EDGE AND NOW HERE WE ARE CONSIDERING 288? >> YES, EXACTLY. I MEAN IT WAS A HUGE CONTROVERSY BACK THEN, AND THE ONLY REASON IT GOT VOTED FOR WAS AT 700. WE NEEDED THAT 700 SO DESPERATELY AND NOW THEY JUST KEEP CHIPPING AWAY AT IT. WE CANNOT BELIEVE THE DEVELOPER. THEY ARE NOT SHOWING YOU GUYS THE BUYS.\r\n\r\n\r\nI MEAN THAT IS PRETTY COMMONSENSE. SO YES, WE NEED THE MAX THAT WE CAN GET. >> MAHALO, MANY KIKI, MAHALO CHAIR. >> MEMBER PALTIN. >> THANK YOU, CHAIR. THANK YOU, MR. KAHEE.\r\n\r\n\r\nI JUST WANTED TO CLARIFY THE PART THAT YOU SAID THEY ARE SAVING MONEY. IS THAT THE \$5 MILLION FROM THE LITTLE LEAGUE? OR SOMETHING LIKE THAT? >> YES. SO IT'S MY UNDERSTANDING THEY ARE SUPPOSED TO GIVE THAT AMOUNT TO THE COUNTY PARKS PROGRAM. BUT THE WAY THEY ARE DOING THIS CULTURAL CENTER, THEY WANTED TO APPRAISE THE LAND, AND MINUS THAT OUT OF THE \$5 MILLION AND APPRAISE THE LAND AT WHAT IT IS NOW. NOT AT WHAT THEY BOUGHT IT, YOU KNOW WHAT I MEAN?\r\n\r\n\r\nSO ALREADY, THAT NUMBER IS INCREASING AND THAT POT OF THAT \$5 MILLION IS DECREASING. SO THAT IS NOT FAIR. YOU KNOW WHAT I MEAN? I MEAN, I THINK IF THEY ARE GOING TO DO IT THE CULTURAL CENTER SHOULD BE GIVEN AND DO THE PARKS, AT LEAST DO THAT. >> THE OTHER PART I WANTED TO CLARIFY, WHEN YOU SAID I THINK ABOUT THE KAMOLE AQUIFER AND TAPPING IT OUT, IS IT ONLY THE WAILEA 670 DEVELOPMENT THAT PULLS FROM THAT AQUIFER OR IF THEY TAP OUT THE ENTIRE AQUIFER, IT'S MORE THAN JUST THIS DEVELOPMENT THAT WILL BE WITHOUT WATER? >> TO MY UNDERSTANDING, THERE'S OTHER PEOPLE TAPPING INTO THE SAME AQUIFER, AND OTHER PLANS IN THE FUTURE IT TAP INTO THAT AQUIFER. I DON'T KNOW THE STUDIES AND FLUSHES AND THAT IS WHAT I'M REQUESTING YOU DO, PUMP THE BRAKES.\r\n\r\n\r\nWE STILL HAVE TO BUILD A YELL TOWN. THERE'S NO REASON TO RUSH THIS DEVELOPMENT FORWARD AND GIVE THESE DEVELOPERS WHAT THEY WANT. >> IN YOUR INVOLVEMENT, DID THEY MENTION IF THE AFFORDABLE HOUSING WOULD BE SINGLE-FAMILY, OR MULTIFAMILY, OR ANY OF THAT? >> YEAH, IT WAS BACK AND FORTH, AND THEN I DIDN'T REALIZE. SO EVEN THOUGH THAT WHOLE THING, FOR THE RENTAL UNITS THAT IS ANOTHER THING I DON'T AGREE WITH. WHEN THEY MAX OUT,

THE DEVELOPER CAN CHANGE THAT AND SELL THE UNITS, RAISE THE RENTS COSTS AND EVERYTHING TOO. THAT SHOULD BE KEPT IN PERPETUITY; RIGHT?\r\n\r\nTHAT IS HOW YOU KEEP IT AFFORDABLE, NOT 20-30 YEARS, THAT IS NOT EVEN A WHOLE GENERATION. >>> SO CLARIFY, FOR THE RENTAL UNITS WHEN THE GEED RESTRICTION ANTES THEY CAN SELL AT MARKET-RATE IF THEY SO CHOOSE. >> THAT IS WHAT I UNDERSTAND, AND I DON'T AGREE WITH. >> THANK YOU. >> >> MR. SINENCI. >> MALOOF YES, CHAIR.\r\n\r\nMAHALO FOR YOUR TESTIMONY THIS MORNING. YOU MENTIONED THE CULTURAL PRESERVE, WITH THAT BE POTENTIALLY USED IF THERE IS ANY CULTURAL INVENTORY OR BURIALS THAT ARE FOUND ON THE PROPERTY? IS THAT THE REASON FOR THE PRESERVE? >> SO TO MY UNDERSTANDING THE REASON FOR THE PRESERVE WAS PART OF A CONDITION THAT THEY WERE OBLIGATED TO DO. THE BOUNDARIES, WE WANTED IS IT A LITTLE BIGGER, BECAUSE THEY WERE TRYING TO KNOCK OUT A LOT OF CULTURAL SITES. THEY DID WHAT THEY DID, OF COURSE, KEEPING IT AS SMALL AS POSSIBLE. IT IS A NICE SIZED PRESERVE AND IT'S GOING TO SAVE A LOT OF SITES, BUT IT'S NOT GOING TO SAVE EVERYTHING E. THE ELECTION OF IT COULD BE PUSHED MORE SOUTH TO PREVENT THE PALAWAI RIVER FROM BEING IMPACTED BY IT . >> THANK YOU.\r\n\r\nTHANK YOU, CHAIR. >> THANK YOU VERY MUCH. >> CHAIR, THE NEXT TESTIFIER IS BONNIE NEWMAN TESTIFYINGON COMMITTED REPORT IT 24-120, TO BE FOLLOWED BY THE ROYAL HOUSE OF HAWAI'I. >> HOW MANY MORE AFTER THE ROYAL HOUSE? >> THERE'S APPROXIMATELY 13 AFTER. >> GOOD MORNING. >> GOOD MORNING, ALOHA, AND THANK YOU ALL FOR BEING HERE AND BEING SO KEENLY INTERESTED THAT YOU ARE WILLING TO SERVE. MYNAME IS BONNIE NEWMAN AND I HAVE GRATEFULLY RESIDED FULL-TIME ON MAUI FOR 39-PLUS YEARS.\r\n\r\nI HAVE ALSO LIVED AS A HAPPY RENTER IN MAUI MEADOWS FOR OVER 25 YEARS. AT THE TIME THIS STARTED I WAS ON THE BOARD OF THE MAUI MEADOWS NEIGHBORHOOD ASSOCIATION FOR TEN YEARS AND PRESIDENT OF THAT ASSOCIATION FOR THREE/FOUR YEARS. AND I CERTAINLY IN 2008 I WAS IN ON MANY MEETINGS ABOUT WHAT WAS GOING TO HAPPEN THERE. AND I ALSO, I WOULD SAY I WALKED THE LAND, BUT ACTUALLY I SCRAMBLED OVER THAT ROCKY LAND AT LEAST HALF A DOZEN TIMES LOOKING AT CULTURAL SITES, AND SO FORTH. I WANT TO STATE THERE'S NO NEED FOR THIS AT ALL. I HAVE BEEN A LICENSED REALTOR HERE FOR OVER 35 YEARS. AND WE HAVE ENOUGH VACANT LUXURY HOMES, SECOND HOMES, THIRDS HOMES.\r\n\r\nTHEY ARE USED AT CHRISTMAS TIME AND YES, THEY EMPLOY GARDENERS AND MAIDS THAT IS VERY TRUE. BUT WE DON'T NEED MY MORE OF THEM. AS FAR AS AFFORDABLE, AND WORKFORCE, THEY ARE NOT AFFORDABLE AT ALL. I DOUBT THERE'S ANYBODY MUCH IN THE AUDIENCE THAT COULD AFFORD ANYTHING THAT IS GOING TO BE BUILD THERE. AND YES, I THINK THERE SHOULD BE AT LEAST HIGHWAY OF THOSE HOUSES, BUT I'M NOT GOING TO DWELL ON THAT. WHAT I WOULD REALLY LIKE TO SAY IS THAT FROM THE VERY FIRST, THE CONDITION BEFORE THEY STARTED ANYTHING EXCEPT PERHAPS GRADING ON THE LANDS WAS THAT THE LAST MILE OF THE PI'ILANI HIGHWAY BE WIDENED. I TRAVEL THAT SO OFTEN, I CAN'T FIGURE OUT HOW THEY ARE GOING TO DO IT, BESIDE BLUE ROCK, THERE'S SOME HOUSES THERE, BUT THAT IS BESIDES POINT.\r\n\r\nIT HAS TO BE WIDENED BEFORE THEY START. IT'S ALREADY LIKE A PARKING LOT SO MANY TIMES OF THE DAY. I KNOW THAT SOME RESIDENTS OF MAUI MEADOWS GIVE UP TRYING TO GET OUT AND AT TIMES WHY IT'S SO CROWDED ALREADY. AND THANK GOD, FINALLY, AFTER 14 YEARS, WE GOT ANOTHER STOP LIGHT THERE. WE DON'T REALLY NEED IT. WE DON'T WANT IT, THOSE OF US THAT LIVE THERE AND THAT HIGHWAY HAS TO BE WIDENED BEFORE THEY START DOING ANY SORT OF BUILDING THERE. I CAN'T EMPHASIZE THAT ENOUGH.\r\n\r\nI THINK THAT IS REALLY, REALLY IMPORTANT FOR YOU TO UNDERSTAND. IT'S NOT FAIR FOR US RESIDENTS, OUR LONG-TIME RESIDENTS AND LOTS OF KUPUNA THAT LIVE IN MAUI MEADOWS AND ADJOINING NEIGHBORHOODS. WE CAN'T GET OUT. SO THANK YOU FOR LISTENING TO ME, AND ANYBODY GOT ANY QUESTIONS? MEMBER PALTIN HAS A QUESTION. >> THANK YOU, CHAIR. THANK YOU, MS.\r\n\r\nNEWMAN, JUST WANTING TO CLARIFY YOUR CONCERN WITH THE WIDENING OF PI'ILANI HIGHWAY PRIOR TO THE CONSTRUCTION OF ANY HOMES. THE LAND BEING GIVEN FOR

THE FIRST RESPONDER CAMPUS IS NOT ENOUGH TO MAKE YOU FEEL SAFE IF THERE'S A FIRE AND YOU CAN'T GET OUT? >> IT'S TRUE, WE LIVE IN A BIG CUL-DE-SAC AND WE ALWAYS WORRY ABOUT FIRE AND HOW WE'LL GET OUT? FIRST-RESPONDERS, YES, OKAY, BUT BUILDING ALL OF THESE THINGS WITH ALL OF THE TRUCKS GOING IT'S GOING TO CLOG UP EVEN MORE. YES, I THINK IT'S A GREAT IDEA, BUT BUILDING JUST A FEW, OKAY, WE CAN GET AWAY WITH THAT, BECAUSE THEY HAVE BUILT, I CALL IT "THE RAPE OF MAKENA." AND I HATE TO SEE WAILEA FURTHER "RAPED" BY THINGS THAT ARE NOT NEEDED BY THE PEOPLE WHO LIVE HERE AND PAY TAXES. >> AND TO CLARIFY, WHEN YOU SAID JUST THE FEW, WOULD YOU BE OKAY WITH THE AFFORDABLE HOUSING BEING BUILT FIRST, AND THEN WIDEN THE ROAD, AND THEN THERE BUILD THE REST? >> NO.\r\n\r\n>> OH, NO. >> I DON'T WANT ANYTHING BEING BUILT. >> YOU WANT THE ROAD WIDENED FIRST? >> THE ROAD WIDENED FIRST SO THESE BIG TRUCKS CAN GET THROUGH AND THAT WE CAN GET THROUGH, THAT WE CAN GET HOME, THAT WE CAN GET TO DENTAL AND MEDICAL APPOINTMENTS, YES. AND OUR PRECIOUS BEACHES BECAUSE WE DESERVE TO BE ABLE TO GET DOWN THAT ROAD. >> THANK YOU FOR THAT CLARIFICATION. >> MAHALO FOR YOUR TIME.\r\n\r\n\r\n>> ANY MORE QUESTIONS? IF NOT, MAY WE HAVE THE NEXT TESTIFIER. >> CHAIR, THE NEXT TESTIFIER IS ROYAL HOUSE OF HAWAI'I. IF YOU COULD PLEASE LET US KNOW WHICH ITEM YOU ARE TESTIFYING ON, FOLLOWED BY BILLY KING. >> ALOHA. >> ALOHA. >> I FORGET THE EXACT NUMBERS OF THE TOPICS, BUT I'M JUST WONDERING WOULD I GET MORE THAN THREE MINUTES IF I WAS TO SPEAK ON MORE THAN JUST ONE? >> YES, YOU HAVE THREE MINUTES PER ITEM.\r\n\r\n\r\n>> OKAY. HONORABLE COUNTY COUNCIL MEMBERS I STAND BEFORE YOU ALL TODAY AS AN ALLODIAL LAND ROYAL PATENT HEIR AND ASSERTING THAT ANY ATTEMPTS TO PASS BILLS, PERMITS OR TITLES RELATED TO THE LAND IN HAWAI'I ARE FUNDAMENTAL FLAWED AND POTENTIALLY ILLEGAL. SIMPLE, EVERY PARCEL OF LAND IN HAWAI'I IS HELD UNDER ROYAL PATENT ALLODIAL TITLE, PATENTED BY THE GOVERNMENT OF HAWAI'I -- ROYAL GOVERNMENT OF HAWAI'I. AND THIS TITLE LASTS FOREVER, SAYS IN THE TMK PAPERWORK UNDER LEGAL AND GIVING YOU THE ROYAL PATENT, WHO ARE THE RIGHTFUL OWNER OF THAT LAND, THE BUILD OR HOUSE ILLEGALLY SITS ON AND RECENTLY HAS BEEN CHANGED AND WHY IS IT ERASED FROM THE LEGAL INFORMATION FROM EVERYONE'S TMK? BECAUSE I'M PRETTY SURE YOU HAVE TO SHOW THE ROYAL PATENT SINCE THE STATE MANIPULATED OUR BOUNDARIES TO CREATE THEIR OWN BOUNDARIES ON THE TMK, WHICH AGAIN IS SAY CRIME ON AN INTERNATIONAL LEVEL. AS SUCH ANY EFFORTS TO BUILD LAND TRUST BILLS OR SCHEMES THAT CONTRADICT THE EXISTING ROYAL PATENT ALLODIAL TITLES WOULD BE A CRIME ON THE INTERNATIONAL LEVEL BECAUSE THESE TITLES ARE ROOTED IN THE CONSTITUTION OF KAMEHAMEHA 3RD AND LAWS OF KINGDOM OF HAWAI'I, WHICH SUPERSEDES ANY SUBSEQUENT ATTEMPTS TO ALTER OR UNDERMINE THEM. TO HEAR TESTIMONIES ABOUT WANTING TO CREATE LAND TRUST FOR REGULAR PEOPLE, FOR WHETHER, IN FACT, THE LAND IS ALREADY HELD IN PERPETUITY UNDER ROYAL PATENT, ALLODIAL TITLES FOR SPECIFIC 'OHANA THESE TITLES THAT WERE FOREVER ESTABLISHED THAT LAST FOREVER ESTABLISHED DURING THE PROVIDE A CLEAR FRAMEWORK FOR GOVERNANCE AND DECISION-MAKING REGARDING THE LAND IT DEVELOPED SACRED LANDS THAT WON BE SEEN AGAIN BUILT ON MY 'OHANA'S BURIALS BUILT ABOVE MY GRANDMOTHER'S CAVE THAT PROVIDED FOR ALL OF THE PEOPLE'S WATERS. BUILT ON CULTURAL SITES THAT NEVER -- YOU BRING BACK ILLEGAL EVICTING MANY KANAKA AT GUNPOINT AFTER THE MAHELE.\r\n\r\n\r\nAND NO MORE DEVELOPMENT BECAUSE THIS IS, IN FACT, AN ILLEGAL AND ALL INVALID WITH ALL YOUR CLOUDED CHAINS OF TITLES AND PROVEN TO BE A CRIME ON AN INTERNATIONAL LEVEL BECAUSE OUR ROYAL PATENTS COULD NEVER BE BEATEN WITH ALL BUSINESSES AND CORPORATIONS WITH BIG PLANS THAT NEED TO HIRE AND MANY LARGE LANDOWNERS AND DEVELOPERS TARGET MANY NATIVE HAWAIIAN MEN USING THEM AS PUPPETS FOR THEM, TO THINK THAT IS EASY MONEY AND THEY CONTINUE ON BUSINESS AS USUAL, ALLOWING THE CORRUPTED GOVERNMENT TO MISMANAGE OUR HOME PARTICIPATING IN THE ENDLESS NATURAL RESOURCE EXTRACTION MODEL. THAT IS DESECRATION. THAT IS REAL DEVELOPMENT. KNOWING THAT CONTINUE TO LIE TO THEMSELVES BY INDULGING IN

THE BENEFITS OF SAID BUSINESS THROUGH THE INVASIVE ALCOHOL, DRUGS, SOCIAL MEDIA, AN INFILTRATION WITH MATERIAL ITEMS THAT DISTRACT THEM FROM THE REALITY THAT THESE ISSUES CANNOT BE IGNORED FOR MUCH LONGER OR WE ARE SACRIFICING CULTURE, LIFESTYLE, AND SUBJECTING OUR CHILDREN TO DISCONNECTION FROM OUR 'AINA, BRINGING MORE JOBS THAT DON'T EVEN HELP OR BENEFIT THE COMMUNITY OR OVER HEALTH OF THE PEOPLE WHICH CORPORATE SLAVERY THAT WILL LEAD TO GREATER RELIANCE ON IMPORTS WHICH ONLY LEADS TO ILLNESS AND DISEASE, IMAGINE KNOWING THIS WILL BE THE ONLY REALITY FOR YOUR CHILDREN, IF NOT IS DONE THAN CHOOSING NOT TO DO ANYTHING TO PREVENT ANY OF IT AND PARTICIPATION IN GENOCIDE HAPPENING TO MY PAPA'S KINGDOM. HOW DARE YOU DEVELOP ON HIGHLY SACRED SITES TO BUILD A CAGE WHILE USING OUR NATIVE RIGHTS. TO DEVELOP AND HAVE MANY EXEMPTIONS THERE ARE CULTURAL SITES ALL OVER THE PROPERTY ON WAILEA 670 WITH PROOF WHERE MY INGLE MIKE WAS CALLED IN RECORDS THAT HE IDENTIFIED ALL THE CULTURAL AND SACRED SITES MAPPING THAT OUT. WAS SUPPOSED TO BE IN THE VILLAGE AND WHERE EVERYTHING SUPPOSED TO BE AND THE DEVELOPERS HAD ACCUSED HIM AND PUTTING THOSE SITES UP AND THAT HE MANUFACTURED WITH A TRUCK AND DUMPED IT ALL THE OVER THERE AND WHEN HE WAS NEVER BEEN TO THE SITE I ORDERED PROPERTY BEFORE AND ALL CONTINUED ON AND LABELED IT C-SHAPES PLANTERS AND FEATURES.\r\n\r\nBUT OUR CULTURE IS NOT C-SHAPED OR FEATURES. GIVEN THIS, GIVEN THE HISTORICAL CONTEXT AND EXISTING LEGAL FRAMEWORK IT IS EVIDENCE THAT THE NATIVE HAWAIIAN PEOPLE WITH THEIR ROYAL PATENT ALLODIAL TITLES THE TITLES WOULD BE THE BEST SUITED TO GOVERN AND DECIDE WHAT HAPPENS ON THEIR ANCESTRAL LAND FROM ALREADY ALL THAT THEY LIVED THROUGH FROM CHALLENGES AND PRIORITIZE SUSTAINABLE AND EXPLOITED COMMUNITY. IT'S ALREADY SUPPOSED TO BE DONE BY RIGHT BY LAW. BECAUSE I'M PRETTY SURE THAT THE DESCENDANTS ARE VERY MUCH ALIVE AND HAVEN'T BEEN CONTACTED OR JUST DON'T EVEN KNOW THAT THE BRAINWASHING INJUSTICES CONTINUE TO THIS DAY AND FROM BEING TAUGHT IN THE SCHOOL THAT BUSINESSES ENDED THE ROYALS FOR THE LANDOWNERSHIP WHEN IN REALITY WE'RE THE WALKING ROYALS AND THE ROYAL PATENT ALLODIAL TITLES LANDS THAT FOREVER LAST. NO WHAT MATTER. WHY ARE THESE ROYAL PATENT BEING ERASED AGAIN FROM THE TMK LEGAL INFO? BECAUSE EVERYONE IN HAWAI'I THAT ARE ON THE TMC ARE LEAD HOLDER GRANTORS AND ILLEGAL LANDOWNERS CLOSE HOUSES DON'T EVEN LAST IN THE THEIR OWNERSHIP FOREVER BECAUSE THE ROYAL PATENTS OWN THEM FOREVER.\r\n\r\nSO WHY ARE THE ROYAL PATENTS BEING IGNORED AND FORGOTTEN? BECAUSE I'M PRETTY SURE THAT THE KINGDOM OF HAWAI'I STILL EXISTS AND I URGE AGAIN THAT THE SENATE OR THE COUNTY COUNCIL TO RESPECT THE EXISTING LEGAL FRAMEWORK AND RECOGNIZE THE RIGHTS OF THE NATIVE HAWAIIANS. SO THE LINES ARE ESTABLISHED BY THE ROYAL PATENT AND OF THE TITLES ANY ATTEMPT TO UNDERMINE THESE RIGHTS, A CONTINUATION OF INJUSTICES THAT HAVE PLAGUED OUR ISLANDS SINCE BEFORE 1893. SO THERE'S LAWS AND CONTACTS OF THE ROYAL PATENTS AS NEEDED BECAUSE I'M PRETTY SURE NONE OF THE DESCENDANTS OF KANE OHE HAVE BEEN CONTACTED IN REGARDS TO THIS DEVELOPMENT IN WAILEA 670 BECAUSE THAT IS WHO THE POLICY AKA ROYAL PATENT LANDS. >> THANK YOU, MEMBER PALTIN HAS A QUESTION FOR YOU. >> THANK YOU, CHAIR. THANK YOU, MR. ROYAL HOUSE OF HAWAI'I. I JUST WANTED TO CLARIFY THE PART YOU SAID ABOUT YOUR UNCLE MIKE, IF YOU WERE REFERRING TO THE LATE KUMU MIKE LEE, AND HIS STUDY OF THE ARCHEOASTRONOMY SITES ON THE WAILEA 670 PARCELS.\r\n\r\n>> CORRECT. YES. THE KOHOKU. >> THANK YOU. MAY WE HAVE THE NEXT TESTIFIER, PLEASE. >> THE FLETCH TESTIFIER IS MELY KING, AND PLEASE IDENTIFY WHICH ITEM YOU ARE GOING TO BE TESTIFYING ON, TO BE FOLLOWED BY JANET SIX. >> AGAIN?\r\n\r\n>> MILLY KING, BECAUSE GO AHEAD AND UNMUTE ON YOUR END. >> CHAIR, WE'LL COME BACK TO HER. JANET SIX. PLEASE, GO AHEAD. JANET SIX? CHAIR, WE'LL MOVE ON TO JOSELYN COSTA, TESTIFYING ON COMMITTEE REPORTS 24-120, COUNTY COMMUNICATIONS 24-30 AND 24-33. >> ALOHA, CAN YOU HEAR ME? YES >> THANK YOU, >> GOOD MORNING, MY NAME IS JOSELYN COSTA AND I'M VERY FAMILIAR WITH 24-120, NOT IN ITS CURRENT STATE,

BUT FROM WHETHER IT FIRST BEGAN.\r\n\r\nTHE MAYOR AT THAT TIME WAS MAYOR VICTORINO AND ONE OF OUR CHAMPIONED COUNTY COUNCIL MEMBERS WAS MICHELLE ANDERSON. I WANT TO SPEAK A LITTLE BIT ABOUT WHAT THE LAST TESTIFIER WAS TALKING ABOUT. IF YOU LOOK AT THEIR DESCRIPTIONS, THEY CALL OUT ALL OF THE ROYAL PATENTS. AND FROM THE TIME -- IN THE CHAMBERS, COUNCIL MEMBER MICHELLE ANDERSON HAD ASKED CHARLIE JENKS AT THE TIME, WHO WAS THE MANAGER, IF THEY COULD SEE HIS ACTUAL TITLED? BECAUSE I BROUGHT UP THE WAY THE TITLE WAS WRITTEN SAID THE GUARANTOR WILL GIVE TO THE GUARANTEE ALL THAT THEY OWN, IF ANY. AND THOSE TWO WORDS WERE REALLY SIGNIFICANT. WE JUST WANTED TO KNOW, IF THEY HAD ANYTHING?\r\n\r\nBECAUSE RIGHT FLUE THE PAPERWORK SAYS WHAT THEY HAVE IS ROYAL PATENTS. THIS LAND COMMISSION AWARD, AND THAT IS WHAT THEY ARE CHOPPING UP, YOU KNOW? ONE OF THEM IS MIRIAM KY KALU, IF YOU DON'T KNOW, LOOK HER UP, SHE IS A KAMEHAMEHA. THAT IS WHAT YOU ARE APPROVING OR DELIBERATING ON LANDS FROM OUR - AND I FIND VERY HYPOCRITICAL WHEN THEY TALK ABOUT HOW THEY ARE GOING TO BE DOING THESE THINGS AND THEIR REPORTS IN THE BEGINNING WAS NO IMPACT AND WE HAD TO WALK THAT LAND. PERSONALLY, ESPECIALLY WITH KUMU MIKE LEE, FOR THEM TO SEE THE IMPACTS THAT THEY DIDN'T SEE WITH -- IT SAYS ALSO PLAN SHALL INCLUDE MINIMUM PRESERVATION, MINIMUM PRESERVATION AND MOST OF IT WAS FOR PLANTS, NOT SO MUCH POTENTIAL BURIAL SITES, BECAUSE THEY TRIED TO STEER AWAY FROM IT. THESE ARE ALL JUST FARMLANDS THEY SAID. THE C-SHAPE WAS JUST FOR THEM TO FARM.\r\n\r\nAS WE WALKED THE LANDS, WE FIND OUT DIFFERENT, AND THEIR NEWLY HIRED ARCHAEOLOGIST HAD A HARD TIME EXPLAINING TO US HOW HE CAME UP WITH HIS CONCLUSIONS ON WHAT THOSE THINGS WERE. SO I SIGH MY TIME IS UP FOR THAT PORTION. I WILL MOVE ON TO THE FOLLOWING, WHICH IS KIND OF COMES TOGETHER, 31, 32, 33. >> GO AHEAD. >> IF WE HAD QUESTIONS ON THE FIRST PORTION, DO YOU WANT US TO HOLD IT TO THE END OF THE TESTIMONY? >> IT'S UP TO YOU JOSELYN, ARE YOU TRYING TO COMBINE EVERYTHING OR ARE YOU ARE HANDLING YOUR TESTIMONY SEPARATELY? ARE YOU READY FOR QUESTIONS NOW? >> I CAN.\r\n\r\nI CAN. >> OKAY. MEMBER PALTIN. >> MY FIRST QUESTION IS CLARIFICATION ABOUT WHAT YOU SAID ABOUT THE SIGNIFICANCE OF THE TWO WORDS "IF ANY." AND THESE BEING ALLELE LANDS IF YOU COULD CLARIFY WHAT THE SIGNIFICANCE OF THAT WAS? >> WELL, THE REASON WHY I HAVE LEARNED TO FIND THESE TO BE SIGNIFICANT IS BECAUSE OF MY STUDIES AS FAR AS THE LAND HOLDINGS IN HAWAI'I THROUGH THE LAND USE COMMISSION AWARD AND ROYAL PATENT AND THE RELATIONSHIP WITH THE UNITED STATES, WHICH YOU ARE THE REPRESENTATIVE ARE. BECAUSE WITHIN THE UNITED STATES, THERE'S A THING CALLED THE DOCTRINE OF POLITICAL QUESTION AND IF THESE LANDS COME FROM ANOTHER COUNTRY, THERE'S A BOUNDARY THAT CANNOT BE CROSSED. ALSO, TALKING ABOUT BOUNDARIES, WITHIN THE LAWS OF HAWAI'I BOUNDARIES LAWS OF HAWAI'I, ONCE A BOUNDARY IS ESTABLISHED, IT CANNOT BE QUESTIONED.\r\n\r\nSO NO ONE QUESTIONS THE BOUNDARY REALLY BECAUSE IT'S THE TAX MAP KEY THAT CUTS EVERYTHING UP. AND AGAIN, A VIOLATION. AND SO YOU KNOW, I'M TRYING TO PREVENT LIABILITY DOWN THE ROAD, MAYBE NOT IN YOUR LIFETIME, MAYBE IT IS? BUT I KNOW THIS COUNCIL HAS HAD MANY A LESSON ON WAR CRIMES AND INTERNATIONAL HOLDINGS, AND THAT IS WHAT WE'RE SWIMMING IN RIGHT NOW. IF YOU LOOK AT THE DOCUMENT, AND IT'S PROVIDED IN THAT 24-120, THEY TELL YOU THAT THESE ARE PORTIONS OF LAND USE COMMISSION AWARDS, ROYAL PATENTS AND THEY NAMED THESE PEOPLE. SO WHAT ARE WE REALLY SAYING? SO IF THEY ARE NAMING THOSE PEOPLE, HOW COME IT DOESN'T SAY HONUA'ULA PARTNERS?\r\n\r\nS IN THE TITLE MIGHT SAY HONUA'ULA PARTNERS, BUT WHY I SAW THE ORIGINAL DEED OVER, BECAUSE I THINK I HEARD A TESTIFIER SAY THERE WAS A REALLY GREAT DEAL AND THAT IS WHY THEY GRABBED IT AND THEY WERE GOING TO DO THE PROJECT. WHY I READ IT, GRANTOR, GRANTS TO GRANTEE -- I HAVE IT BACKWARDS. THE PERSON WHO IS GOING TO TRANSFER IT OVER SAYS HE GIVES TO THE PURCHASER ALL THAT HE HAS, IF ANY. AND I JUST NEEDED THAT CLARIFIED WHAT DO THEY HAVE? SO MICHELLE ANDERSON AT THE TIME ASKED IF CHARLIE JENKS GO PRODUCE THE ACTUAL

TITLE? I SAID I DON'T HAVE IT ON ME AND I WILL PROVIDE IT LATER. IT HAS BEEN FORGOTTEN NEVER TO BE BROUGHT UP AGAIN, NEVER TO BE SPOKEN AGAIN.\r\n\r\nAND I WOULD LIKE TO BRING THAT UP AGAIN, BECAUSE THAT IS IF ANY CLAW CLAUSE, PUTS A GRAY AREA ON WHETHER OR NOT YOU SHOULD BE EVEN CONSIDERING TO EVEN BREAK GROUND? BESIDES THAT, EVERYTHING THAT WAS REPORTED INITIALLY BACK AT THE EARLIER STATE OF THAT WAS ALL FOUND TO BE NOT TRUE, NO IMPACTS, NO CULTURAL IMPACTS, NO ECOLOGICAL IMPACTS, I MEAN, JUST NO IMPACTS RIGHT THROUGH. WE'RE JUST GOING TO BE GOOD STEWARDS AND WE'RE GOING TO DO THIS. >> I GUESS THE CLARIFICATION I HAD WAS THE FINDING OF NO SIGNIFICANT IMPACT AT THAT TIME WHEN IT WAS BEING DONE WAS HAWAIIAN ASTRO -- ARCHAEOASTRONOMY WIDELY KNOWN ABOUT AND THAT IS WHY THEY DIDN'T KNOW AND JUST WALKED THE LAND AND SAW ROCKS, BUT THEY DIDN'T HAVE THE KNOWLEDGE TO IDENTIFY THE STRUCTURES. >> THAT IS CORRECT. I WAS THERE. I WAS FORTUNATE TO BE THERE IT WATCH THE WORKS OF KUMU MIKE LEE.\r\n\r\nHE DIDN'T HAVE TO WALK THE LAND TO KNOW THE LAND, BECAUSE OF THE PAKILO HOKU THAT DOES AND HE STUDIED THE SKY AND THE STARS, AND HE KNEW EXACT WHETHER I WHAT THE LANDSCAPE WAS, WHERE EVERYTHING WAS. TO TODAY, IF YOU SAY, IT NOBODY IS GOING TO BELIEVE IT. BUT WHETHER I WAS THERE, THE PROJECT PERSONNEL WAS THERE, AND THE ARCHAEOLOGIST, AND THEY STOPPED AT ONE SITE THEY WERE SO PROUD TO KNOW THAT THEY HAD FOUND AND STOPPED KUMU LEE AND SAID WHAT DOES YOUR STAR MAP SHOW? BECAUSE OUR SAYS THERE'S SOMETHING HERE. AND HE GOES, OH, OKAY. ALIGN MY MAP WITH YOUR MAP AND WHAT WE HAVE HERE IS A HOUSE STRUCTURE. HE SAID NO, IT'S NOT A HOUSES STRUCTURE.\r\n\r\nTHIS IS WHERE THE ALELI, WHEN THEY WALKED WOULD COME TO REST. IN THIS AREA, THERE'S A PLACE WHERE THE CENTURIONS, THE PEOPLE WHO WATCH THE ALLELE WOULD STAND AND HE SAID WHERE IS THAT? HE SAID IT'S OVER THERE. WHEN WE WALKED OVER, THERE WAS A PLACE THAT YOU COULD STAND AND OVERLOOK THE AREA. AND THEN THIS IS WHERE THE MOKU RUNS AND REALLY? WHERE DOES HE RUN? THE STICK WITH NOBODY STANDING NEXT TO IT TILTED AND WE FOUND THE PUKA.\r\n\r\n>> THANK YOU, I DID SEE HIM DO SOMETHING SIMILAR AT HONUA'ULA, WHICH ALREADY HAS A HEIAU WITH THAT NAME. SO I HAVE SEEN THE SAME THING THAT HE DID THERE HONUA'ULA SIDE. >> FOR ME, IT'S JUST -- IT'S JUST A SLAP IN THE FACE FOR THEM TO PRESENT SOMETHING LIKE THIS, AND THINK THAT THEY ARE DOING A WONDERFUL THING, AND YET, THEY PUT IN LANGUAGE PLANS SHALL INCLUDE A MINIMUM PRESERVATION. YOU KNOW? >> THANK YOU. >> I HAVE HEARD ALL OF THE FALSEHOODS THROUGHOUT THE YEARS. >> THANK YOU, JOCELYN, ANY MORE QUESTIONS, MEMBERS?\r\n\r\nIF NOT, THANK YOU. MAY WE HAVE THE NEXT TESTIFIER. >> I JUST INTERRUPTED HER ITEM. >> OH, THAT IS RIGHT. YOU CAN CONTINUE WITH YOUR NEXT ITEM. >> I WILL TRY TO JUST SUM IT UP WITH THE THREE, AND I THINK PRETTY MUCH THE 31,32, 33 IS TRYING TO HOLD THEIR FEET TO THE FIRE. I SUPPORT THAT THEY DON'T REDUCE, BUT I THINK WHAT WE SHOULD ALSO DO IS REVERSE AND BRING IT BACK TO COURSE WHICH WAS 700. HOWEVER, THEIR JUSTIFICATION MAY BE COSTS, YOU KNOW?\r\n\r\nMONEY TO DO ALL OF THESE THINGS. WELL, TIME HAS GONE BY, AND THEREFORE, WE ALSO HAVE A COURSE THAT SHOULD BE ADJUSTED. WE DON'T HAVE THE AMOUNT OF WATER THAT MAY HAVE BEEN AVAILABLE AT THE TIME OF DELIBERATION ORIGINALLY. AND EVEN AT THAT, IT CAME UP WITH SHOW ME THE WATER. SO IF THEY ARE GOING TO BE SAYING PRICE IMPACT FOR JUSTIFICATION, THEN WE SHOULD ALSO BE SAYING WELL YOU WILL NEED TO REDUCE IT ON YOUR MARKET VALUE BECAUSE OF ALSO IMPACTS ON THE ENVIRONMENT, ALSO IMPACT ON CLIMATE CHANGE, ALSO IMPACT ON THE USE OF AFFLUENCE THAT WILL END UP IN THE END IN THE OCEAN YOU KNOW? I JUST SPOKE TO SOMEONE SAYS BECAUSE THEY ARE STARTING TO REALLY BUILD OUT THERE, THEY ARE FINDING MORE AFFLUENCE INTO THE FISHERIES THERE. THE OPELO.\r\n\r\nSO IF WE'RE GOING TO BE FAIR ABOUT IT, AND WE'RE GOING TO BE CUTTING BACK, THEY SHOULD BE CUTTING BACK AND YES, THEY SHOULD NEVER DO A GOLF COURSE THERE. AND YES, THEY SHOULD BE PUTTING IN MORE PRESERVATION ON OUR NATIVE PLANT AND SPECIES. IT WAS ONLY BECAUSE OF THE WORK OF THE



COMMUNITY, AND OTHER PRIVATE SECTORS THAT THEY WERE CALLED OUT TO DO THAT. IF WE HAD LEFT IT UP TO THEM, THEY WOULDN'T HAVE DONE ANY OF THAT. SO I ENCOURAGE ZERO LESS HOUSING, AND I'M AGAINST 120. I THINK MY TIME IS UP. I DON'T KNOW. >> MEMBER PALTIN.\r\n\r\n>> THANK YOU, CHAIR. THANK YOU, MS. COSTA. I JUST WANTED TO CLARIFY THE WORD THAT YOU USED "AFFLUENCE." IS IT IN THE CONTEXT OF LIKE SEWAGE EMISSIONS? >> YES, I THINK SHE MEANT EFFLUENT. >> YES, THAT GROUND IS POROUS. IN THE HISTORY OF HAWAII THERE WERE AREAS OUT THERE WHERE THAT IS WHERE THEY WOULD COLLECT THEIR FRESH WATER IN THE OCEAN.\r\n\r\nIF THE WATER IS REACHING THE OCEAN, CAN YOU IMAGINE WHAT THAT SEWAGE IS GOING TO LOOK LIKE? >> AND THEN IT WOULD HAVE NEGATIVE EFFECT ON THE FISHING AS WELL? >> IT WOULD BE IRREPARABLE HARM, SOMETHING WE COULDN'T GET BACK. >> ANY MORE QUESTIONS? IF NOT THANK YOU VERY MUCH. NEXT TESTIFIER. >> CHAIR, WE'LL RETURN TO JANET SIX FOLLOWED BY PAELE KIA KONA.\r\n\r\n>> PLEASE, GO AHEAD AND UNMUTED ON YOUR END, THE DIRECTIONS TO UNMUTE ARE IN THE CHAT FOR ANYONE WHO IS HAVING POTENTIAL ISSUES ON THAT TO MUTE AND UNMUTE FOR WINDOWS, CONTROL SHIFT M. OR MAC IS CONTROL SHIFT 0 AND YOU CAN ALSO TURN ON AND OFF THE MIC AT THE TOP RIGHT CORNER OF YOUR SCREEN. >> LET'S MOVE ON. >> OKAY. JANET SIX YOU MAY WANT TO CALL IN AND THE INSTRUCTIONS ARE IN THE CHAT MILLIE KING IS ONLINE AND WE'LL RETURN TO IMMEDIATELY AFTER THIS TESTIFIER. >> ALOHA KAKOU. ALOHA CHAIR. >> GOOD MORNING.\r\n\r\n>> ALOHA COUNCIL. MAHALO FOR THE OPPORTUNITY TO SPEAK AGAIN TODAY. I FEEL LIKE I WAS JUST HERE, BECAUSE I WAS JUST HERE LIKE TWO DAYS AGO. I THINK AT THIS POINT, I THINK I SHOULD BRING A BED AND SLEEP OVER HERE. BUT THE POSITIVE IS THAT WE HAVE GOT PLENTY IT TALK ABOUT AND I HAVE MORE THAN THREE MINUTES TO SPEAK. THAT IS PRETTY COOL. ANYWAY, I WILL BE DISCUSSING FIRST CR24-120, AND THE COMPANION BILLS AND COMMUNICATIONS.\r\n\r\nSO I WILL BE WALKING THROUGH EACH ONE. SO WHY SPEAKING ON CR 24-120, SPECIFICALLY BILL 171, THE PROPOSAL TO REMOVE THE CONDITIONS THAT 450 AFFORDABLE UNITS BE BUILT WITHIN THE WAILEA 670 IS KIND OF OUT-OF-POCKET. A FUNDAMENTAL SHIFT IN THE DEAL THAT THE COMMUNITY ACCEPTED YEARS AGO, TO MAKE THIS EVEN MINUTELY PALATABLE TO THE COUNCIL AT THE TIME. THERE IS THE EXACT KIND OF EROSION THAT COUNCIL MEMBER JO-ANN JOHNSON WARNED US ABOUT, YOU KNOW? SHE VOTE AGAINST WAILEA 670 BACK IN 2008, BECAUSE SHE SAW HOW THESE APPROVALS COULD BE USED IS TO BAIT THE PUBLIC AND THEN THERE SLOWLY STRIP AWAY. THAT IS EXACTLY WHAT WE'RE SEEING. SO THE BILL REMOVES THE GOLF COURSE WHICH 100% SUPPORTED BECAUSE THAT 18 HOLES UTILIZES ROUGHLY 1 MILLION GALLON A DAY, WHICH WOULD EQUATE TO ABOUT 1500 TO OVER 3,000 HOMES, BUT THAT IS BEING STRIPPED AWAY AND IS ITSELF BAIT.\r\n\r\nNOW I'M MOVING ON TO 1712. IT IS JUST AS TROUBLING BY REMOVING THE AFFORDABLE UNITS FROM 700 TO 288 AND THE REST OF THE 450 UNITS MAY BE DEED RESTRICTED THERE PERPETUITY, BUT WITHOUT THE ENFORCEABLE LANGUAGE WE'RE BEING LEFT WITH THAT DANGEROUS LOOPHOLE. WHAT IS ASTOUNDING TO ME IS THE LAST PIECE OF BAIT THAT I WITNESSED TODAY. I DO WANT TO ACKNOWLEDGE THE MPD AND THE PEOPLE THAT CAME TODAY, AND I 100% RESPECT AND SUPPORT THEM, AND UNDERSTAND THAT THEY -- THE PUBLIC SAFETY IN SOUTH MAUI IS STRETCHED PRETTY THIN. BUT I HAVE TO BE HONEST THAT THE 550 BEING OFFERED BY THE DEVELOPER FOR FIRE AND POLICE FACILITY IS NOT A SERIOUS INVESTMENT IN WAILEA, THAT BARELY COVERS THE COST OF ONE HOME. SO LET'S BE REAL, THE CONDITION IS USED TO GREEN LIGHTED A PROJECT THAT HAS CUT HUNDREDS OF HOUSING AND WEAKENED ENVIRONMENTAL PROTECTIONS AND ERASED COMMUNITY PLANNING. SO IF WE'RE BEING SERIOUS ABOUT THE PUBLIC SAFETY, WE SHOULD FUND IT THROUGH LONG-TERM PLANNING, NOT AS A CONSOLATION PRIZE IN DEVELOPER GIVEAWAY. SO THAT CONCLUDES CR 24-120. >> QUESTIONS ON THAT?\r\n\r\nOKAY. >> I WILL BE MOVING ON TO COUNTY COMMUNICATION 24-30 IF THE AFFORDABLE 450 AFFORDABLE UNITS TIES TO THIS PROJECT ARE GOING TO BE BUILT OFF-SITE, WHICH ALREADY MOVES US AWAY FROM WHAT WAS ORIGINALLY PROMISED. THEN THERE WITH WE

HAVE IT MAKE SURE THAT WE HAVE TRULY AFFORDABLE FOR G. THAT MEANS STRONG, PERMANENT DEED RESTRICTIONS, NO? LOOPHOLES NO BACKDOORS SO YES, I AM THERE FULL SUPPORT BECAUSE WE HAVE SEEN WHAT HAPPENS WITH THOSE PROTECTIONS ARE WEAK. UNITS ARE FLIPPED, THEY ARE GOING TO RENT OUT, THIS TURN INTO SHORT-TERM RENTALS AND VANISHES FROM OUR HOUSING INVENTORY. SO I'M IN FULL SUPPORT. MOVING ON TO CULTURAL CENTER 24-31, I'M ALSO IN STRONG SUPPORT.\r\n\r\nMAHALO COUNCIL MEMBERS FOR THAT PROPOSAL. WE SEE TOO OFTEN THAT HOUSING BUILT INTENDED FOR LOCAL RESIDENTS, IMMEDIATELY IS SNATCHED UP BY VULTURES LOOMING OVER THE ECONOMIC ARCH THAT FACES US LOCALS DAILY. SO WE DEFINITELY NEED TO ENSURE THAT ACTUAL MAUI RESIDENTS GET FIRST ACCESS TO HOUSING AND NOT THE ONES WHO OWN A SECOND HOME HERE AND JUST SEND A FEW PIECES TOED MAIL TO THE PROPERTY THAT GOES TO THE DMV AND GET A LICENSE THAT SAYS I'M NOW A HAWAIIAN RESIDENT. THAT IS NOT A HAWAIIAN RESIDENT. SO FULL SUPPORT OF THAT. MOVING ON TO CC 24-32, PROPOSE BY COUNCIL MEMBER GABE JOHNSON, ALSO IN FULL SUPPORT, BECAUSE THAT BUILDS ON THE AMENDMENT PROPOSED BY MEMBER TAMARA PALADIN, ADDING THE LENGTH OF RESIDENCY REQUIREMENT AS A SAFEGUARD, SO THE INVESTOR VULTURES CAN'T JUST USE THEIR KAMA'AINA DISCOUNT CARD AS A STANDARD OF RECOGNIZING TRUE LOCALS OF MAUI. SO THESE ARE THE KIND OF POLICY CHANGES THAT WE NEED IF WE'RE GOING TO STOP THE HOLLOWING OUT OF OUR MAUI COMMUNITIES.\r\n\r\n\r\nLASTLY COUNTY OF HAWAI'I 24-33, BY COUNCIL MEMBER RAWLINS-FERNANDEZ MAKING SURE WE REDUCE HOUSING OR AMENITIES BY REDUCING HOUSING OR AMENITIES THAT WE DON'T ALSO LOSE THE INFRASTRUCTURE SAFEGUARDS. WE OWE THIS TO THE LIVES OF LAHAINA THAT WERE LOST TO MAKE SURE THAT WE'RE NOT PUTTING OURSELVES IN A SIMILAR SITUATION OF THE FIRST AND FOREMOST, IF WE'RE SPEAKING ON PUBLIC SAFETY AND THEY WERE HERE TODAY, THE VERY PEOPLE WHO KEEP US SAFE IN THE PUBLIC, IF WE'RE AT ALL GOING TO HONOR THEM, WE ALSO NEED TO MAKE SURE THAT THEY ARE ABLE TO DO THEIR JOBS. SO THE INFRASTRUCTURE PIECES IS PROBABLY ONE OF THE MOST IMPORTANT ONES HERE. SO OBVIOUSLY, RESTORING THE ROBUST REQUIREMENTS FOR ROADS, WATER SYSTEM AND ENVIRONMENTAL PROTECTIONS, BEFORE ANY HOME IS DEVELOPED, THAT IS FIRST AND FOREMOST. ENSURING THAT THE PARKS AND OPEN SPACE FUNDING IS REAL, AND NOT JUST TRANSFERRED INTO UNIDENTIFIED CULTURAL FACILITIES, AND KEEPING THE ENFORCEMENT MECHANISM EFFECTIVE. SO THE COMMUNITY'S PROMISES AREN'T QUIETLY UNDONE. SO THERE'S A LOT THERE.\r\n\r\n\r\nBUT THAT CONCLUDES MY TESTIMONY. MAHALO. >> QUESTIONS? IF NOT, THANK YOU VERY MUCH. NEXT. >> CHAIR, WE'LL RETURN TO MELIE KING. WE CAN SEE YOU ONLINE, GO AHEAD AND UNMUTE.\r\n\r\n\r\n>> CAN YOU HEAR ME? >> YES. >> GREAT. I'M GOING TO BE TALKING ABOUT CR 24-120 AND TOUCH ON 24-30-24-33. SO ALOHA MAI KAKOU. MY NAME IS KING, BORN AND RAISED ON MAUI AND MY 'OHANA AND YOU ARE LONG-TIME RESIDENTS OF HONUA'ULA. I OWNS THE HONUA'ULA WAILEA 670 PROJECT ENTIRELY, HOWEVER IF THIS PROJECT WILL IS GOING TO MOVE FORWARD, I STRONGLY SUPPORT THE AMENDMENTS BY COUNCIL MEMBERS RAWLINS-FERNANDEZ, PALLIN AND JOHNSON. SOUTH MAUI IS IN CRISIS WITH NOT ENOUGH WATER ROADS OR INFRASTRUCTURE TO SUPPORT THE MULTIPLE MASSIVE LUXURY DEVELOPMENTS CURRENTLY IN THE PIPELINE.\r\n\r\n\r\nIT SICKENS THAT THOUSANDS OF LUXURY HOME ARE SCHEDULED TO BE BUILT WITH THE VAST MAJORITY NOT BEING OCCUPIED BY KAMA'AINA WHO CONTINUOUSLY BATTLE FOR HOUSING SECURITY SINCE BEGINNING OF THIS PROJECT THAT RECEIVED APPROVALS BASED SOLELY ON ITS LIES, INACCURACIES AUTHENTIC UNKEPT PROMISES, IT'S NARROWLY PASSED 5-4 BECAUSE OF THE PROMISES WIDENING PI'ILANI MILLIONS FOR PARKS AND HISTORIC PRESERVATION, SINCE THEN, ANYTHING POTENTIALLY BENEFITING LOCALS IS GREATLY REDUCED AND STRIPPED AWAY. YET THIS PROJECT CONTINUES TO BE MOVE FORWARD TODAY, OUR WATER, AFFORDABLE HOUSING YOU AND INFRASTRUCTURE NEEDS ARE FAR GREATER THAN 30 YEARS AGO. WAILEA 670 ALREADY CUT WORKFORCE HOUSING TO 450, NOW IT WANTS TO SLASH TO AGAIN TO 288. ALSO THE FACT THAT APPROXIMATELY HALF OF THOSE ARE TO BE RENTALS IS NOT FIXING THE HOUSING INSTABILITY CRISIS SINCE IT DOESN'T INCREASE LOCAL

HOME HOMEOWNER. IT JUST CONTINUES TO ENRICH THE DEVELOPER WHO OWNS THE LAND AND RECEIVES THE RENTS THAT WORKFORCE HOUSING PROMISES WITH ZERO LOT LINES AND MULTIFAMILY UNITS IS ALREADY SUBPAR COMPARED TO WHAT GOING TO BE OFFERS AT MARGIN PRICE. IT'S INSULTING AND UNACCEPTABLE THAT WAILEA 670 WANTS THE STATE AKA TAXPAYERS TO PAY. THIS IS SLEAZILY, BUT SMART ON THEIR PART SINCE THEY KNOW THAT IT WILL COST THEM LESS TO BUILD A FEW MORE ALREADY. PROMISED UNITS.\r\n\r\nTHEN IT WILL COST THEM TO WIDEN PI'ILANI, OF WHICH COSTS TO BUILD IS UNKNOWN. PI'ILANI IS A NIGHTMARE PROVEN INADEQUATE AND NATURAL DISASTER SUCH AS FIRE, TSUNAMI HAPPENS, WE ARE TRAPPED. A BYPASS MAUKA PI'ILANI MUST BE BUILT BEFORE ALLOWING THAT. WAILEA 670 HASN'T BEEN ABLE TO PROVE THAT THEY ARE THEIR OWN WATER SOURCE AND WILL NOT BE A STRAIN ON OUR ALREADY OVERTAPPED SYSTEM. THESE UNTRUSTWORTHY DEVELOPERS ARE NOT TRANSPARENT AND THEIR PROJECT BECOMES VOID. WHY ARE DEVELOPERS CONSISTENTLY ALLOWED TO MAKE PROMISES THAT THEY HAVE NO INTENTION OF KEEPING TO GET THEIR PLANS PASSED THEY SAY THEIR NUMBERS DON'T PENCIL OUT, NEITHER DOES OUR GIVE UP. IT'S TIME TO SET THE PRECEDENT, EITHER THEY BUILD WHAT THEY SAID OR THEY GO WAY.\r\n\r\nTHANK YOU. >> DID YOU COVER ALL OF THE ITEMS YOU WANTED TO? >> I DID, MAHALO. >> MEMBERS, QUESTIONS? IF NOT, THANK YOU VERY MUCH. >> THANK YOU. >> CHAIR, WE'LL RETURN TO JANET SIX CALLING IN BY PHONE.\r\n\r\n>> CAN YOU HEAR ME NOW? >> YES. >> I'M SO SORRY. I WAS CLICKING EVERYTHING POSSIBLE -- SO I AM TO COMMENT ON CR24-120. COUNTY ARCHAEOLOGIST I FOLLOWED THIS PROJECT SINCE I WAS AT THE UNIVERSITY PROBABLY 2006 OR 2008 IT CAME ON MY RADAR. I KNOW IT WAS ARCHEOLOGICAL INVENTORY SURVEY WAS COMPLETED INTERESTED IN 2012 AND FINALIZED BY SHPD IN 2015. WHICH WAS MORE THAN TEN YEARS AGO. AN ARCHAEOLOGICAL INVENTORY SURVEY AND ITS TESTING STRATEGIES RUN WITH THE PROJECT, NOT THE PARCEL. IT SOUNDS TO ME BASES ON THE NUMEROUS TESTIMONY, AND MY OWN INFORMATION THAT THE PROJECT HAS CHANGED NUMEROUS TIMES INCLUDING GREATLY ENLARGE THE PRESERVE, AND I'M REALLY HAPPY THAT JUSTIN BROUGHT IT UP THAT THE FACT OF THE \$5 MILLION.\r\n\r\nIT WAS DONE, AND ANOTHER ONE WAS DOWN AND THEY FOUND 700, SOME OF THOSE THAT THEY COULDN'T RELOCATE. SO I DON'T HAVE A LOT OF FAITH IN THE ARCHEOLOGICAL INVENTORY SURVEY FOR THERE PARTICULAR PROJECT. I WOULD RECOMMEND SUPPLEMENTAL AIS, WHICH WOULD MEAN TAKING THE AIS ALREADY DONE, AND MODIFYING THE TESTING STRATEGY, A TEST WHERE THERE'S A LOT OF GROUNDED ALTERING ACTIVITY VERY LITTLE SUBSURFACE TESTING WAS DONE FOR THE PROJECT AND MY CONCERNED WHAT HAPPENED WITH THE HOKULE'A DEVELOPMENT IN THE 90S AND ON THE BIG ISLAND AND WHERE YOU STARTED TO POP LAVA TUBES ONCE YOU GET IN THERE. THE SUBTERRANEAN WATER FLOW. WE KNOW THAT FROM THE ECO-INDICATORS SUCH AS WILLY AND THE 30 PLUS FOOT. IN 2018 PATRICK KIRSCH PROBABLY ONE OF THE MOST PUBLISHED ARCHAEOLOGISTS IN OCEANIA DID REMOTE SENSING AND FOUND OVER 70 SHRINES IN AND AMONGST AGRICULTURAL FEATURES. SO YOU CAN'T IT'S IT APART SAYING THIS IS AG, THIS IS CEREMONIAL.\r\n\r\n66 OF THE SHRINES LINE INDIRECTLY WITH THE PLEIADES. SO THERE'S REALLY SOMETHING TO AS ABOVE SO BELOW AND OFTEN TIMES ARCHAEOLOGY DOES A LOT OF QUANTIFY AND PROJECT DESIGN AND ALSO I WOULD HIGHLY RECOMMEND A LIDAR SURVEY. PROJECT DESIGN AND ALSO I WOULD GIVEN THE WIDELY SWINGING FLUSHES OF SITES THAT WERE COUNTED ON THE DIFFERENT THREE DIFFERENT ARCHAEOLOGICAL INVENTORY SURVEYS. I THINK IN AN ENVIRONMENT SUCH AS THIS WHERE WE HAVE COUNTLESS KUPUNA AND OTHER TESTIFYING AS TO SEEING THE SITES AND I HAVE BEEN ON THAT PROPERTY NUMEROUS TIMES LIDAR DOESN'T HAVE AN AGENDA. IS IT DOESN'T GET RID OF HUMAN ERROR. >> THANK YOU. >> MEMBER UU-HODGINS.\r\n\r\n>> THANK YOU, CHAIR. THANK YOU, DR. SIX, TO CLARIFY, ARE YOU SPEAKING ON BEHALF OF THE DEPARTMENT OF 'OIIWI RESOURCES? >> YES, I WORK FOR THE DEPARTMENT OF 'OIIWI RESOURCES AND I HAVE SPOKEN TO BOTH DIRECTOR AND DEPUTY DIRECTOR ABOUT MY CONCERNS WITH THESE PARCELS. SO YES, I'M SPEAKING JUST AS AN ARCHAEOLOGIST. >> THAT WAS MY CLARIFICATION, BECAUSE YOU SAID

YOU WERE THE COUNTY ARCHAEOLOGIST, BUT THEN YOU DIDN'T SAY ANYTHING ABOUT THE DEPARTMENT OF 'OIIWI RESOURCES. >> THANK YOU.\r\n\r\n>> I AM STILL THE COUNTY ARCHAEOLOGIST, I HOLD A PERMIT FOR THE ENTIRE COUNTY OF MAUI EVEN THOUGH SINCE LAST YEAR I'M HOUSED FROM THE DEPARTMENT OF 'OIIWI RESOURCES. >> SO FURTHER CLARIFICATION, DR. SIMPLE, YOU ARE SPEAKING ON BEHALF OF THE MAYOR AND THE ADMINISTRATION. >> I'M SPEAKING AS AN ARCHAEOLOGIST ABOUT FACTS. SO YES, I'M SPEAKING ON BEHALF OF THE DEPARTMENT OF 'OIIWI RESOURCES TO THE RESOURCES ON CULTURAL RESOURCES ON MY KNOWLEDGE AS SUCH AND ALSO AS A LONG-TIME MAUI RESIDENT AND AN ARCHAEOLOGIST. SO I GUESS IF YOU WANT TO TAKE ME OUT OF MAYOR'S OFFICE, I DON'T WANT TO SPEAK FOR THE MAYOR. I'M NOT WITH THE MANAGEMENT ANYMORE, I CAN SPEAK ON BEHALF THE 'OIIWI RESOURCES OR I COULD SIMPLY TESTIFY AS A LONG- TIME MAUI RESIDENT >> MEMBER PALTIN.\r\n\r\n>> THANK YOU. I WANTED TO CLARIFY WHAT YOU SAID ABOUT A SUBSEQUENT AIS AND LIDAR SURVEY, AND I GUESS CLARIFY THE POINT OF IT IF THIS PROJECT MOVES FORWARD, IS IT JUST TO DOCUMENT THE BRILLIANCE OF NATIVE HAWAIIAN CULTURE AND THEIR KNOWLEDGE OF ASTRO ARCHAEOLOGY, OR WE IT BE TO CHANGE WHERE THINGS ARE BUILT, AND NOT DESTROY THEM? LIKE I JUST WASN'T SUPER CLEAR, BECAUSE I MEAN, I CAN BE SUPPORTIVE OF A SUBSEQUENT SUPPLEMENTAL AIS, AND LIDAR SURVEY, BUT I'M NOT SURE WHERE WE GO AFTER THAT WITH WHAT IS THEN THE OUTPUT OF THOSE THINGS SO HAVING AN ACCURATE SURVEY, HAVING AN ACCURATE COUNT OF SITE AND FEATURES AND HOW THEY FUNCTION TOGETHER WOULD ALLOW FOR BEST POSSIBLE USE OF THE LANDS. THERE WAS A LOT OF CATTLE THROUGH CHAINS ACROSS THE AREA AND DESTROYED LOTS OF SITES SO THERE'S SIDES NO LONGER THERE. BUT THERE'S A BIG CHUNK, ONE THAT IS THE LARGEST DRY LAND FIELD SYSTEMS STILL LEFT IN. THAT IS INTACT AND THAT IS WHY THE PRESERVE IS SO LARGE. SO OF COURSE, I ALWAYS EMPHASIZE THE BRILLIANCE OF THE HAWAIIAN PEOPLE, BUT THE DOCUMENT THAT YOU DO BEST PRACTICES AND IN 2012 LIDAR WAS NOT A BEST PRACTICE.\r\n\r\n\r\nIT WASN'T REALLY USED RIGHT. NEITHER WAS ARCHAEOASTRONOMY. SO THE AGE OF THE AIS I'M NOT CRITICIZING AND I'M JUST SAYING THAT WHETHER YOU GO FROM 27 TO 44 SITES, SO AGAIN, FOR ME BEING FAMILIAR WITH THIS SITE, I WOULD LIKE TO SEE A DEFINITIVE MAPPING OF THE AREA, AND UNDERSTANDING OF THE INTERRELATION OF THE SITES. AS WELL AS THE ECO FACTS WHICH ARE THE TREES WHICH ARE SHOWED WATER FLOW, JOCELYN COSTA MENTIONED THE EFFLUENT THAT WOULD BE PROBABLY TRAVELING DOWN TO THE WATERWAYS. SO HAVING A BETTER UNDERSTANDING AND THE CULTURAL LANDSCAPE FOR MOST INFORMED DEVELOPMENT THAT IS MY GOAL. I'M DON'T HAVE A HORSE FROM THE RACE AS A DEVELOPER, HOW WE BEST UNDERSTAND THEM ON THE LANDSCAPE. >> MEMBER SINENCI AND MEMBER RAWLINS-FERNANDEZ.\r\n\r\n\r\n>> MAHALO, CHAIR, MAHALO, DR. SIX. MAHALO FOR YOUR TESTIMONY, AND FOR POINTING OUT THAT THE FACTS THAT THE LIDAR WOULD PICK UP ON HAS NO POLITICAL AGENDA. IT JUST IS WHAT IT IS. SO I WANTED TO DOVETAIL OFF OF WHAT MEMBER PALTIN WAS SPEAKING TO. SO IN DOING A SUPPLEMENTAL AIS, BECAUSE OF THE SIGNIFICANT DISCREPANCIES OVER THE YEARS, I KNOW IT'S OBVIOUS THAT THE FIRST AIS TO HAVE LESS SIGNIFICANT SITES HELPED TO MAKE THE CASE THAT THERE WOULDN'T BE DAMAGE DONE. THERE WOULDN'T BE HARM AND WITH MORE SIGNIFICANT SITES THAN IT BECOMES MORE OBVIOUS AND CLEAR THAT THERE IS SIGNIFICANT HARM THAT WHAT WOULD BE DONE IF THIS PRESIDENT-ELECT IS CONSTRUCTED AND WITH THE RECOMMENDATION OF DOING A SUPPLEMENTAL AIS AND TO HAVE A LIDAR COLLECT ADDITIONAL INFORMATION IS IT TO HELP COUNCIL MEMBERS BE BETTER INFORMED, TO UNDERSTAND BETTER THE SIGNIFICANCE OF THIS AREA AND THE DESTRUCTION THAT WOULD BE CAUSED THAT WOULD CAUSE IRREPARABLE HARM IF THIS PROJECT IS PASSED.\r\n\r\n\r\n>> INFORMATION IS EDUCATION AND GIVES YOU SOMETHING TO MAKE A DECISION BASED ON. AGAIN, I FEEL LIKE THE ARCHAEOLOGICAL INVENTORY SURVEYS WAS A PRODUCT OF THEIR TIME, THE FIRST DONE IN 99 AND SUBSEQUENT NUMEROUS LAWSUITS. SO TO ME, LET'S GET THE MOST ACCURATE DATA AND THERE ARE CEREMONIAL SITES WITH THE HAWAIIAN CULTURE, YOU NEEDED TO KNOW WHAT TO PICK, WHEN TO HARVEST, DO THINGS AND

THAT WAS OFTEN TIED TO SITES ON THE LANDSCAPE. FOR EXAMPLE THAT HEIAU HAS 66TH AZIMUTH. SO THERE'S ARCHAEOASTRONOMY IMBEDDED INTO THAT, AND HAVING THE MOST INFORMATION AND MAKING THE BEST CHOICE AND UNDERSTANDING EVEN IF YOU DON'T SEE IT ABOVE-GROUND, THERE'S VERY LITTLE SUB SURFACE TESTING HERE, NO GEOTECHNICAL BORES TO LOOK FOR LAVA TUBES. WHEN I WAS IN LAND USE COMMISSION WITH THE DEPARTMENT OF 'OIWI RESOURCES, THERE'S WERE JUST LITTLE SQUIGGLINGS ON THE MAPS AND THESE ARE JUST TOPOGRAPHY LINES, AND SOME OF THEM ARE SWALES AND COULD BE COLLAPSED LAVA TUBES GIVEN THE ECO-INDICATORS SUCH AS THE TREES THAT ARE FLOURISHING ALONG THE RIDGE LINE, BECAUSE THEY ARE GETTING WATER FROM SOMEWHERE. SO WE HAVE TO DO LACK THE LANDSCAPE HOLISTICALLY.\r\n\r\n>> MAHALO, DR. SIX FOR THAT CLARIFICATION, BECAUSE REGARDLESS OF WHAT TITLE, WHAT DEPARTMENT, YOU MAY OR MAY NOT BE SPEAKING ON BEHALF OF, THESE ARE THE FACTS THAT NEED TO BE CONSIDERED. AND THAT WE NEED TO KNOW. SO I APPRECIATE YOU TESTIFYING AND PROVIDING ADDITIONAL INFORMATION, AND RECOMMENDATIONS, AND CHAIR, I WOULD LIKE TO REQUEST DR. SIX AS A RESOURCE FOR US WHY THE ITEM COMES UP, IF SHE IS AVAILABLE. >> MEMBERS, ARE THERE ANY OBJECTIONS TO DESIGNATING DR. SIX AS A RESOURCE PERSON?\r\n\r\n>> NO OBJECTIONS. >> CREDENTIALS ARE OBVIOUS. BUT I DO -- DR. SIX, YOU DO NEED TO SPECIFY IF YOU ARE SPEAKING AS AN INDIVIDUAL, OR ON BEHALF OF THE MAYOR. OKAY? THANK YOU. AND I'M NOT SURE WHEN THIS ITEM -- >> I WILL SPEAK AS AN INDIVIDUAL, BECAUSE I'M TALKING FOR THE DEPARTMENT OF 'OIWI RESOURCES, AND I HAVE NEVER MET THE MAYOR.\r\n\r\nSO I WILL SAY I'M TALKING AS AN INDIVIDUAL, I GUESS. I DON'T KNOW. >> ALL RIGHT. I'M ALSO SAYING I'M NOT SURE WHAT TIME THIS WILL COME UP, SOME TIME AFTER LUNCH, MAYBE? I HATE TO SAY, MAYBE 2:00. >> YES, I'M FREE UNTIL 2:00. I WILL BE HERE UNTIL 2:00. >> OKAY. WELL, WE'LL TRY AND GET YOU ON. >> WE CAN CALL DOCTOR SIX WHY THE ITEM COMES UP.\r\n\r\n>> THAT WOULD BE GREAT IF YOU COULD CALL ME, GIVEN MY AUDIO IS HAVING ISSUES WITH MY COUNTY COMPUTER. I WILL BE LISTENING THERE, BUT IN CASE I MISS ANYTHING, BECAUSE OF MY AUDIO SITUATION, JUST GIVE ME A CALL. >> SURE. WE'RE GOING TO TAKE A LUNCH BREAK, SO YOU WILL BE AVAILABLE PRACTICALLY ALL AFTERNOON BY PHONE? >> YES. >> GOOD. NO OTHER QUESTIONS, MEMBERS?\r\n\r\nCLARIFYING QUESTIONS? MEMBER SINENCI. >> CHAIR, THAT WAS MY QUESTION. MAHALO, MEMBER RAWLINS-FERNANDEZ. I HAVE AN ASF THAT MS. JANET SIX MIGHT BE ABLE TO ANSWER. >> NO MORE CLARIFYING QUESTIONS?\r\n\r\nIF NOT, NEXT TESTIFIER. >> CHAIR, THE NEXT TESTIFIER IS MARTIN HAMILTON AND PLEASE LET US KNOW WHAT ITEM YOU ARE TESTIFYING ON, FOLLOWED BY PANA LOPI MACKENZI. >> AND HOW MUCH MORE AFTER THAT? >> WE HAVE A FOLLOW THE PENELOPE -- I'M SORRY. I CHANGED YOUR ETHNICITY, YOU'RE WELCOME. [LAUGHTER ]. >> WHAT IS THAT, I'M SORRY? >> MARTIN HAMILTON.\r\n\r\nIT'S PENELOPE, BUT IT'S SPELLED LIKE PAHNE, SO I MAKE IT SOMETHING ELSE. >> SO WE HAVE PENELOPE, BECAUSE I'M TRYING TO SEE HOW MANY MORE, TO GIVE PEOPLE A HEAD'S UP, WE'RE GOING TO TAKE A BREAK AT 12:00 TO 1:30. >> WE HAVE 16 MORE. >> SO WE'LL PROBABLY ASK HANDLE MAYBE THREE OR FOUR MORE. SO EVERYBODY CAN THINK ABOUT THAT AND COME BACK AFTER LUNCH WE'RE ON MARTIN HAMILTON. MR. HAMILTON, THIS IS YOUR OPPORTUNITY TO TESTIFY. WE'LL MOVE ON TO PENELOPE MAC KENZIE, SO SORRY, TESTIFYING ON CR-24. >> PANA LOPE -- I FIGURED THEY WERE RELATED.\r\n\r\n>> SORRY, WE BUTCHERED YOUR NAME. >> THAT IS OKAY. I TRY TO JUST SPEAK FOR MYSELF WITHOUT WRITING ANYTHING DONE AND I'M NOT VERY GOOD AT THAT. SO I WILL TRY TO BE BETTER AT THIS. THANK YOU FOR HOLDING THIS MEETING. I'M PENELOPE MCKENZIE, ABOUT THE DEVELOPMENT AND THE ISSUE WITH THIS WAILEA PROJECT, I'M IN OPPOSITION OF THIS. THIS IS A COMMUNITY -- THE MEETINGS THAT HAVE HAPPENED, THE ARCHAEOLOGIST, EVERYONE THAT HAS SPOKEN, IT CLEARLY STATES IT'S NOT WANTED BY THE COUNTY OR ACCEPTABLE WITHIN THE STATE OF HAWAI'I OR MAUI FOR THIS TO EXIST.\r\n\r\nDESCENDANT AND ADVOCATES OF THIS AHUPUA'A SHOULD BE THE ALL THE MAT VOICE IN THIS AREA AND THE DEVELOPMENTS OF ANY, THE ISSUE OF WATER IS A CONTINUOUS

CONVERSATION ON THIS ISLAND FOR THE LACK OF WATER, WATER RIGHTS PUBLIC TRUST ON WATER, WETLAND EXISTENCE AND WATER RESTRICTIONS SO LOOKING AT DEVELOPMENT, IT DOESN'T MAKE ANY SENSE THAT THIS WITH BE ABLE TO MOVE FORWARD AT ALL, AN 18-HOLE GOLF COURSE WOULD BE WATERED AND EXTRA MILLIONS GALLONS OF WATER WHERE NATIVE PLANTS ARE REMOVED AND GIVEN LESS SPACE, WHILE INVASIVE SPECIES BECOME THE NORM. NATIVE PEOPLE ARE ACTUALLY THE ENDANGERED SPECIES IN THAT AREA AND SHOULD BE PROTECTED ALONG ALL THINGS ABOVE ALL THINGS. THEY SHOULD NOT HAVE MORE ACCESS, THESE GOLF COURSES AND PEOPLE AND THE DEVELOPMENT OF WAILEA 670 IS THE CITIZENS CONVERSATION THAT HAS NOTHING TO DO WITH MAUI PAST FUTURE OR THE ESSENTIAL WELL-BEING. ABOUT WHAT THE STREAMS, THE PLANTS AND ANIMALS WAITING FOR WATER FLOW AND STANDARDS TO BE EVALUATED AND REINSTATED ALONG WITH THOSE ALREADY IN EXISTENCE? TO THRIVE, PEOPLE UP COUNTRY AND ACTUALLY ALL OVER THIS ISLAND HAS BEEN WAITING FOR WATER PERMITS FOR OVER 30 YEARS AND HOW IS IT POSSIBLE THAT THIS PLAN IN WAILEA WOULD BE EVEN ALLOWED ACCESS TO WATER THAT IS NOT MEANT FOR THEM ALL OF ALL. LAST WEEK WE HEARD OF COLONIZED INVESTORS CONTINUING TO THREATEN LITIGATION TO THE STATE OF HAWAI'I AND COUNTY OF MAUI OVER BILL 9 TO ALLOW WAILEA 670 TO EXIST WILL FURTHER PLACE THE POWER IN THE INVESTORS OF COLONIZING WITH BULLDOZER, AND HAVE POWER OVER MAUI AND EVEN MORE, THEY ARE NOT HERE FOR THIS. AND WITH THE STATEMENTS THAT COUNCIL MEMBERS HAVE PUT INTO THIS, WHO IS ACTUALLY IN CHARGE OF THIS LAND?\r\n\r\nWHO MAKES THESE LAWS? HOW IS MARKET PRICE IN THIS DISTRICT AND AFFORDABLE HOUSING DON'T EVEN MAKE SENSE FROM THE SAME SENTENCE TOGETHER. SO THE CURRENT LONG-TERM RESIDENTS SHOULD HAVE MORE OF A SAY OVER THIS THAN THE DEVELOPERS AND THESE DEVELOPERS DID NOT PLACE THE AFFORDABLE HOUSING -- THEY ARE NOT DOING AFFORDABLE HOUSING BECAUSE THEY CARE, BUT ONLY DOING IT AS A FORMALITY. THESE DEVELOPERS ARE A PIMPS AND THEY ARE USING THE LAND AND THE PEOPLE FOR THEIR OWN EVIL. SO WE JUST -- AFFORDABLE HOUSING NEEDS TO EXIST, YES, BUT WHY CAN'T AFFORDABLE HOUSING EXIST WITHOUT THERE MONSTROSITY DEVELOPMENT? THESE GOLF COURSES ALL THIS MADNESS, LET THEM BUILD AFFORDABLE HOUSING IF THEY ARE ACTUALLY CARE ABOUT PEOPLE BEING HERE? BUT USING IT, AND USING THE PEOPLE AND THE NEEDS OF MAUI TO GET THEIR DEVELOPMENT IS HORRIBLE.\r\n\r\nWE JUST CANNOT ALLOW THIS TO CONTINUE TO HAPPEN. SO AGAIN, I OPPOSE THIS DEVELOPMENT IN ALL CAPACITIES, BUT THE PEOPLE OF THIS AHUPUA'A SHOULD BE THE ULT ULTIMATE ONES TO SAY WHAT SHOULD BE ALLOWED OR NOT. >> THANK YOU, ANY QUESTIONS, MEMBERS? IF NOT, NO QUESTIONS. >> THE NEXT TESTIFIER IS KYLIE ADOLFO, TESTIFYING ON CR 24-120 TO BE FOLLOWED BY AUTUMN NESS. >> HELLO COUNCIL MEMBERS. I WANTED TO SEE IF I COULD EDIT.\r\n\r\nI DIDN'T -- I WOMAN WROTE CR 120, BUT I WANTED TO TALK ABOUT THE OTHER AMENDMENTS FROM PALTIN. >> SURE, GO RIGHT AHEAD. >> I PROMISES IT WON'T BE 12 MINUTES. ALOHA, MY NAME IS KAYLIE ADOLFO AND LIKE PELE, I SHOULD BUNK BED WITH YOU. I WAS HERE FOR THE OTHER TESTIMONY ABOUT THE LAHAINA STR AND ALL OF THAT STUFF. MY MAIN POINT LET'S NOT REPEAT HISTORY, PEOPLE. OH, MAN.\r\n\r\nIT'S GETTING TIRED. WE NEED TO -- SORRY, JUST NERVOUSNESS. WE NEED TO LEARN FROM HISTORY. AND NEAR HISTORY, AS IN LAST WEEK HISTORY. AND WE CAN KEEP GOING ON. YOU KNOW YOU HAVE BEEN SERVING OUR COMMUNITY AND I'M VERY PROUD OF WHAT YOU HAVE DONE. I DON'T AGREE ON EVERYTHING, BUT I KNOW YOUR PURPOSE IS FOR THE PEOPLE.\r\n\r\nAND THERE PROJECT THAT IS HAPPENING, IT NEEDS TO RUN IN TANDEM WITH WHAT IS HAPPENING IN LAHAINA. IT RUNS DEEP FOR ME AS A HAWAIIAN, AND KNOWING AS I TOLD YOU -- WELL, TWO DAYS AGO, I TOLD YOU, I WILL NEVER OWN A HOME. I'M ACTUALLY PART OF THAT WORKFORCE DEVELOPMENT BUT I WOULD RATHER YOU NOT EVEN CONSIDER THAT AND JUST CONSIDER ALL OF THE PEOPLE, NO MATTER WHAT OCCUPATION THEY HAVE, BECAUSE IF WE ARE IN DIRE NEED. FIRST OF ALL, THE WATER. I HOPE YOUR TEACHERS TOLD YOU ABOUT THE HISTORY OF THE LAND AND IF THEY DIDN'T, HERE IS A SMALL THING. THE WATER IS NOT THERE. NATURALLY THE WATER DOES NOT RUN THERE,

OTHER THAN THE WETLANDS.\r\n\r\nTHEY HAVE TO TAP INTO IT. AND LIKE LAHAINA, WHAT HAPPENS IF YOU KEEP BUILDING, THE WELLS ARE GOING TO BE CAPPED AGAIN. THAT IS SO SAD AND WHY? BECAUSE WE'RE BUILDING UP. IF YOU LOOK AT KIHEI, SOUTH KIHEI, IT'S ANOTHER FRONT STREET, AND IT'S GOING TO GET WORSE. LIKE OTHER RESOURCE PEOPLE ARE SAYING THIS IS -- WE'RE IN THAT CUSP WHERE YOU HAVE THE CHANCE TO PROTECT THE LAND, BUT ALSO DEVELOPMENT, YOU KNOW? LIKE MS.\r\n\r\nMACKENZIE SAID, I WOULD RATHER HAVE NO DEVELOPMENT FROM THESE DEVELOPERS. THE FACT THAT THEY KEEP SAYING 700, THEN 600 AND THE NUMBERS KEEP GOODING DOWN. YOU CAN'T TRUST THESE DEVELOPERS. I WOULD RATHER YOU JUST YANK THE PERMITS, RIP UP THE CONTRACT AND WORK WITH THEM THAT ARE ACTUALLY FROM HERE. YOU SAID 700. WHEN YOU LOOKED AT YOUR AMENDMENTS THERE'S NOTHING THAT SAYS YOU WILL FIGHT FOR THE 700. YOU GIVE AN INCH, THEY TAKE THE WHOLE ISLAND AND THE WHOLE STATE. THE WHOLE DEAL WITH THESE DEVELOPERS THEY ARE TELLING YOU ALREADY WHAT KIND OF PEOPLE THEY ARE. WE DON'T WANT THAT KIND OF PEOPLE ON OUR ISLAND AND IN OUR COMMUNITY.\r\n\r\nIN FACT, THEY ARE NOT EVEN FROM THE COMMUNITY. YOU HAVE GOOD, SMART PEOPLE OUT THERE THAT CAN BUILD THAT 700 HOMES THAT WON'T GIVE YOU ALL THESE ISSUES AND WE'LL CONSIDER THE HISTORICAL SITES OVER THERE. I'M SORRY, THAT NATIVE PRESERVATION, WHY IS IT IN A SMALL PLACE? NATIVE PRESERVATION IS THE WHOLE PLACE. IF THEY DON'T HAVE NATIVE PLANTS HOW IS IT GOING TO FUNCTION? EVEN COME UP WITH ANOTHER FLOODING SYSTEM, WE CAN'T EVEN GET THE SMARTEST ENGINEERS NOT FROM HAWAII TO DEAL WITH THE FLOODING ON SOUTH KIHEI. I DON'T EVEN TRUST THEM TO DO THE ENGINEERING UP THERE.\r\n\r\nIT'S SO IMPORTANT. I DO LOVE THE LOTTERY SYSTEM. I DO NOT AGREE WITH THE NON-RESIDENTS HAVING A PART OF THE LOTTERY SYSTEM -- WE HAVE TOO MANY RESIDENTS WHO NEED HOMES. PERPETUITY IS VERY IMPORTANT. I WISH I COULD SAY I AGREE WITH 450, BUT I DON'T. THAT IS TOO SMALL. WHEN YOU TALK ABOUT PRESERVING CULTURE AND TRADITION AND LOOKING AT THE NUMBERS, HOW ARE YOU GOING TO PRESERVE TRADITION AND CULTURE, WHEN THE PEOPLE WHO ARE THE CULTURE, AND THE TRADITION, AND THE EXPERTS THERE'S LESS OF THEM IN THAT HOUSING. I MEAN, 450, THAT MEANS YOU ARE GOING TO BRING IN MORE PEOPLE WHO DOESN'T EVEN KNOW THE TRADITIONS AND CULTURE INTO A SACRED PLACE, AND THEN CALL IT PRESERVING TRADITION AND CULTURE, NO.\r\n\r\nYOU HAVE TO PUT THE REAL EXPERTS IN THERE. I SAID I WASN'T GOING TO TAKE UP 12 MINUTES. THAT IS ALL I HAVE TO SAY. THANK YOU. >> MEMBERS, DO YOU HAVE ANY QUESTIONS? MEMBER PALTIN HAS A QUESTION. >> THANK YOU, CHAIR.\r\n\r\nTHANK YOU, MS. ADOLFO. THE PART I WANTED TO CLARIFY, YOU SAID THAT YOU ARE NOT EVEN FOR THE 450, BECAUSE IT SHOULD BE THE 700. >> YES. >> AS ORIGINALLY PROMISED. I WANTED TO CLARIFY, BECAUSE THE 700 ISN'T REALLY AN OPTION FOR US TODAY, I GUESS THE OPTION IS BETWEEN 450 AND LIKE 288. AND IF THOSE ARE THE CHOICES WE HAVE IN THAT CASE, ARE YOU FOR THE 450? >> OH, THAT IS HARD, BECAUSE YOU ARE PUTTING ME ON RECORD. I KNOW. >> I'M ON RECORD ALL DAY, EVERY DAY.\r\n\r\nIT'S NOT FUN. >> I KNOW. >> BETWEEN 450 AND 288, IF THOSE WERE YOUR TWO CHOICES? >> EXCUSE ME, ONE SECOND, JUST ANSWERS HOW IT MAKES YOU FEEL COMFORTABLE. DON'T WORRY ABOUT HOW ANYBODY IS REACTING TO YOU. JUST SAY HOW YOU FEEL. OKAY?\r\n\r\n>> WELL, YOU ALREADY HEARD THE 700. I WILL SAY I AGREE 450, BECAUSE THAT IS WHERE YOUR HEART IS IN AND WE NEED THE PEOPLE, AND THEN REITERATE, I LIKE THE 700. >> THANK YOU. THANK YOU. >> THANK YOU. >> MEMBER RAWLINS-FERNANDEZ MAHALO, CHAIR >> FURTHER CLARIFICATION, YOUR RESPONSE TO MEMBER PALTIN, YOU DON'T HAVE TO SUPPORT 450, YOU CAN SAY THAT YOU DON'T SUPPORT THE PROJECT AT 450 AND EVEN AT 700, I KNOW FOLKS WEREN'T EVEN HAPPY WITH 700, AND THEY OBJECTED TO THE CONSTRUCTION OF THE THIS PROJECT IN ITS ENTIRETY ANYWAY. >> I DO OBJECT TO THE ENTIRE PROJECT, BUT BEING PART OF THE LAHAINA COMMUNITY, WE'RE DESPERATE AND IF THERE'S ANY WAY YOU CAN DO SOMETHING, I WISH YOU COULD, NOT ONLY FOR 'AINA, BUT FOR MAUI, WE'RE DESPERATE. >> 700. DON'T LET ANYBODY SAY NO CAN. MAHALO.\r\n\r\nMAHALO, CHAIR. >> ANYBODY ELSE? IF

NOT, THANK YOU VERY MUCH. >> THANK YOU. >> MS. CLERK. >> CHAIR, THE NEXT TESTIFIER IS AUTUMN NESS TESTIFYING ON 24 >> 120, 24-30, 31, 32, 33. >> GOOD MORNING, COUNCIL, MY NAME IS AUTUMN NESS TESTIFYING ON CR 24-120, THIS IS REALLY UNCOMFORTABLE.\r\n\r\nI DON'T WANT TO COME HERE AND TALK DISRESPECTFUL TO ANYONE OR THERE WAYS THAT MEANS WE CANNOT WORK TOGETHER ANY MORE, BECAUSE THERE'S THINGS THAT WE AGREE ON AND I DON'T WANT TO JEOPARDIZE THAT. I'M NOT OTHER THAN HONEST AND SOFTER LANGUAGE SEEMS DISINGENUOUS WATCHING MEMBERS ADVOCATING FOR WHAT IS ESSENTIALLY A GIVEAWAY OF WHAT YOU KNOW ARE DESPERATELY NEEDED AFFORDABLE HOUSING, TO A DEVELOPER WHO REFUSES TO SHOW AN AUDIT OR TELL US WHAT THEIR PROFIT MARGIN IS. SO I ALMOST DIDN'T COME TODAY, BUT HOW AM I SUPPOSED TO SIT BACK AND WATCH THIS HAPPEN SO CLOSE TO MY HOUSE? AND SO HERE I AM TO EXPRESS HOW ASHAMED I AM OF THIS ENTIRE PROCESS, THAT HAS BEEN SHADY AT EVERY TURN AND FRANKLY, SOME OF YOU BLATANT WAYS DON TO PEOPLE IN A PLACE THAT I LOVE SO GREAT. HOW AM I EXPECTED TO REMAIN CIVIL? WE TRIED FOR DECADES AND LOOK WHERE WE ARE. AS THIS HAPPENS FOLKS IN THE ROOM ARE HIDING BEHIND PROCEDURES AND DECORUM WHILE THEY STEEL HOUSING UNITS FROM US.\r\n\r\nI CAME HERE TO SUGGESTED THAT YOU DO A LOTTERY FOR THE ORIGINAL 450 AFFORDABLE UNITS AND THEN FOR EVERY UNIT YOU CHOOSE TO GIVE AWAY AND YOU CHOOSE ONE OF FAMILIES TO MOVE AWAY. THESE ARE EFFECTIVELY WHAT YOU ARE DOING HERE, THESE AREN'T JUST NUMBER OF UNITS THERE ARE REAL PEOPLE' S LIVES PEOPLE THAT YOU KNOW, PEOPLE THAT I KNOW, WE SEE WHAT IS HAPPENING HERE AND TEA HARD FOR ME TO EVEN LOOK AT SOME OF YOU GUYS IN THE EYE BECAUSE STANDING HERE TALKING ABOUT HOW ASHAMED I AM OF YOUR BEHAVIOR, IS NOT HOW I WANT CONDUCT MYSELF. MAUI HUB IN LAHAINA CTL BECAUSE WE USE COUNTY FUNDS WE'RE READY FOR OPEN OUR BOOKS AT ANY TIME, WE CAN SHOW YOU, WHAT OUR STAFF MAKE, WHAT OUR OPERATIONS COSTS. IF CTL PROMISED 10 INSURANCE GAP FAMILIES, BUT SUPPOSEDLY CAN ONLY DO 5. SO YOU AND OUR COMMUNITY CAN TRUST US WHEN WE TALK ABOUT THE COST OF DOING BUSINESS. IN FACT, IN 2022, THE PULELEHUA -- IT'S NOT TOO LATE FOR CHANGE COURSE HERE TODAY. TO DECIDE TO KEEP THE 450 UNITS AND START REQUIRING DEVELOPERS TO OPEN THEIR BOOKS WHEN THEY ARE ASKED FOR EXEMPTIONS TO REQUIREMENTS. BECAUSE THEY CAN'T PENCIL IT OUT.\r\n\r\nFOR CC 24-30, AT THE VERY LEAST RESTORE THOSE 450 UNITS. THAT IS ALREADY A COMPROMISE FROM 700. I'M LOOKING FORWARD TO HOW MANY OF YOU ARE IN THIS ROOM THAT HAVE BEEN IN HOUSING CONVERSATIONS FOR SO LONG. I HAVE ONLY BEEN HERE FOR 12 YEARS, AND THAT IS A BLIP COMPARED TO SOME OF YOU CAMPAIGNING PROMISES AND SPEECHES ON THIS FLOOR THAT AFFORDABLE HOUSING IS YOUR MAIN PRIORITY MEANINGS NOTHING. IF YOU CONTINUE TO GIVE AWAY ALREADY COMMITTED AFFORDABLE UNITS THIS COMMUNITY IS LITERALLY DYING FOR. CC 24-31 AFTER MY DECADE IN HOUSING POLICY AND MY DECADES IN SPENDING A LOT OF TIME WITH FOLKS THAT HAVE BROUGHT THEIR COMMUNITIES ACROSS THE CONTINENT HOUSING STABILITY. I HAVE COME TO A POINT IN MY ADVOCACY WHERE I WILL SETTLE FOR NOTHING LESS THAN. AFFORDABLE-HOUSING UNITS THAT ARE PROTECTED THERE PERPETUITY.\r\n\r\nEVERYTHING ELSE IS FRANKLY GASH. YOU CAN ARGUE THAT ALL YOU WANT. BECAUSE WE HAVEN'T FIGURED THAT OUT YES. THE NATIONAL HOUSING JUSTICE TREND IS PERPETUITY. DON'T TAKE MY WORD FOR IT. ASK CHAPTER GUNPOINT MOSTLY BECAUSE THE WAY THAT INVESTMENT CORPORATIONS AND INTERNET INVESTMENT PLATFORMS ARE GETTING INVOLVED IN THE COMMODIFICATION OF OUR HOUSING STOCK HERE AND ACROSS THE NATION. PERPETUITY IS THE ONLY THING THAT WILL ENSURE THAT OUR KIDS ARE NOT HAVING THIS EXACT SAME CONVERSATIONS HERE IN 20 YEARS.\r\n\r\nIF THEY ARE EVEN STILL HERE? WHICH IS UNLIKE, GOSH AS YOU I'M SAYING THIS RIGHT NOW, I'M WONDERING IF WE DON'T DO SOMETHING DRASTIC, ARE THEY GOING TO BE HERE TO FIGHT? OUR KIDS ARE EVEN GOING TO -- THEY ARE NOT GOING TO DO IT FROM WASHINGTON. SORRY, CC 24-32, THE LONG TIME PREFERENCE. I CLEARLY AM IN STRONG SUPPORT OF THIS ESSENTIALLY USING THE LEGALLY SOUND SELECTION CRITERIA THAT THIS BODY APPROVE INTERESTED IN BILL 111



GIVING LONG-TIME RESIDENTS PREFERENCE IN THE HOUSING LOTTERY FOR YEARS. THIS BODY AND HOUSING DEVELOPMENT TOLD US THAT IT'S ILLEGAL TO GIVE OUR PEOPLE PREFERENCE OVER NEW RESIDENTS BECAUSE OF FAIR HOUSING LAW. SORRY, THERE'S NOTHING THAT WE CAN DO ABOUT THAT.

THEY SAID THAT WE WERE WRONG WE WENT ACROSS THE CONTINENT TO FIND LEGAL EXPERTS IN FAIR HOUSING AND ANTI-DISPLACEMENT PROTECTIONS WE LEARNED THAT THE POPULATIONS WHO ARE AT-RISK OF DISPLACEMENT ESPECIALLY THOSE THINGS LIKE RED LINING AND ECONOMIC PRESSURE ARE PROTECTED CLASS OF PEOPLE, WE LEARNED THAT IN D.C., SAN FRANCISCO, SEATTLE, THE LIST IS SO LONG. ALL OF THIS STRONG LOCAL PREFERENCE POLICY ALL UNIQUE THAT WE COULD LEGALLY PUT OUR PEOPLE FIRST, PASSING BILL 111 IS A PIECE OF LEGISLATION THAT I'M MOST PROUD OF IN MY ENTIRE CAREER. THAT WE COULD PASS A BILL THAT FINALLY PUTS PEOPLE OF OUR COMMUNITY FIRST. LITERALLY FOR ONCE, THAT NEVER HAPPENS. AND THEN POOF, IT DISAPPEARED. AFTER THE BOOKS DEADLINE ISSUE THAT SAY I HAVE NEVER SEEN ANYTHING LIKE THIS IN MY ENTIRE LIFE CAREER. WE SEE WHAT IS HAPPENING.

WE SEE THIS BODY. SAY THAT YOU CARE, YOU CANNOT SAY THAT YOU ARE TRYING. YOU CANNOT SAY THAT WHY YOU KNOW THE ANSWERS AND DON'T USE THEM. I AM BEGGING YOU TO PUT THAT LANGUAGE BACK INTOED PROJECT, AND REINTRODUCE THIS BILL THAT PUTS THE LANGUAGE BACK INTO THE KED FOR ALL PROJECTS ASAP. ONLY YOUR ACTIONS WILL SHOW IN A YOU CARE. THANK YOU. >> MEMBERS, DO YOU HAVE ANY QUESTIONS?

MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. YES, THAT WAS VERY THOROUGH. I AGREE WITH MEMBER PALTIN. SHE DID SAY IT ALL, MAHALO, MS. NESS. MY CLARIFYING QUESTION IN THIS PART OF YOUR TESTIMONY, WHERE YOU TALKED ABOUT GOING ACROSS THE COUNTRY TO SEE WHAT OTHER FOLKS ARE DOING IN ORDER TO COMBAT THE LOSS OF HOUSING INVENTORY, BECAUSE SOME OF THE TRENDS THAT I HAVE SEEN IS HOUSING INVENTORY LOST TO PRIVATE EQUITY FIRMS ALL OVER.

SO OWNER OCCUPIED IN PERPETUITY, HAVE YOU SEEN EVIDENCE OF THIS DEED RESTRICTION COMBATING THE GOBBLING UP OF HOUSING INVENTORY ACROSS THE COUNTRY BY PRIVATE EQUITY FIRMS? >> YES, OWNER OCCUPIES AND PEOPLE HERE HAVEN'T CAUGHT UP TO IT, BUT AFFORDABLE IN PERPETUITY AND NOT SOMETHING THAT IS APPRAISE AL-BASED AFFORDABILITY SCALES, CAPPED ANNUAL PERCENT INCREASES THAT ARE IN LINE WITH THE WAGE GROWTH OF THAT AREA, MEANING THAT THE PRICE OF THESE AFFORDABLE UNITS THAT ARE AFFORDABLE IN PERPETUITY WILL NEVER OUTPACE THE GROWTH OF WAGES IN THE AREA. IT'S LITERALLY THE ONLY THING THAT I HAVE SEEN. ASPEN IS NOT PERFECT. THEY BEEN DOING THIS FOR 50 YEARS AND SO THEY FAILED FORWARD A LOT. THEY STARTED WITH DEED RESTRICTIONS THAT WEREN'T AFFORDABLE IN PERPETUITY AND THEY QUICKLY REALIZED THIS ISN'T GOING TO WORK. THEIR MEDIAN HOUSING PRICE FOR MARKET RATED HOUSING WENT FROM A POLITICAL TO \$13.5 MILLION DOLLARS THAT IS THE MEDIAN SALES PRICE FOR A HOME MANY IN ASPEN RIGHT NOW AND BECAUSE THEY HAVE BEEN GOING THIS SO-SO LONG, THEY DECIDED IN THE FIRST COUPLE OF CYCLES FROM THE HOUSING PROGRAM THAT PERPETUITY OR BUST.

NOW 70% OF THEIR FULL-TIME HOUSING STOCK IS PROTECTED IN PERPETUITY. THAT IS THE ONLY REASON THAT THEY HAVE A FUNCTIONING -- THAT IS THE ONLY REASON THE LIFTS IN ASPEN RUN RIGHT NOW IS BECAUSE OF THAT. >> MAHALO, MS. NESS. MAHALO, CHAIR. >> MEMBER JOHNSON. >> THANK YOU, CHAIR.

THANK YOU, MS. NESS FOR COMING AND BRINGING THE FIRE THAT I LOVE YOU SO MUCH TO BRING. YOU KNOW, JUST TO CLARIFY THAT BILL 111 DIDN'T DIE. THE ADMINISTRATION HAS TO WORK ON THE WEBSITE THAT IS TAKING SO LONG. I HATE IT, TOO. FIRST OFF, I WILL SAY THAT. I DON'T LIKE THE FACT IT TAKES SO LONG TO CHANGE A SYSTEM THAT HAS BEEN BROKEN FOR SO MANY YEARS AND WE'RE TRYING TO UNTIE THE KNOTS OF PAST ADMINISTRATIONS IT'S NOT AN EASY GIG.

>> IT'S NOT. >> AND YOU WORKED SO LARDS ON BILL 111, WHEN WE WORKED WHEN YOU WORKED IN MY OFFICE AND YOU KNOW, THIS IS SOMETHING, I TOO, AM PASSIONATE ABOUT. IF THIS ADMINISTRATION CAN'T PUSH IN A PORTAL FORWARD, THIS AMENDMENT HERE CAN FIX THAT TODAY. SO I JUST WANTED TO CLARIFY THAT. IT'S NOT DEAD, BUT WE HAVE TO GET THE ADMINISTRATION TO DO

THE PORTAL. >> IF I MAY? >> PLEASE.\r\n\r\n>> I THINK I'M NOT TRYING TO BE DISRESPECTFUL, BUT WE SEE HOW THE COUNTY USES ANTIQUATED SYSTEMS AND THINGS THAT TAKE LONGER THAN THE PRIVATE SECTOR MIGHT. SO WE'RE NOT GENIUSES, BUT HAVE TOOLS AT OUR DISPOSAL AND THERE'S A SOFTWARE PORTAL NATIONALLY THAT THE COMMUNITY LAND TRUST AND OTHER HOUSING DEPARTMENTS ACTUALLY USE THAT ARE KIND BUILT FOR THAT. SO I HAVE BEEN WANTING TO OFFER THAT TO THE DEPARTMENT. I DON'T KNOW IF THERE'S COUNTY LAWS THAT IS A WE HAVE TO DO THAT IN A CERTAIN WAY, BUT THERE'S WAYS TO STREAMLINE THIS AND MAKE IT FASTER. IT'S SOFTWARE, YOU KNOW? WE SHOULD HAVE BEEN ABLE TO IMPLEMENT THIS IN THE YEAR AFTER WE PASSED THE BILL, HONESTLY. >> I 100% AGREE RIGHT NOW ADMINISTRATION IS OUT OF COMPLIANCE.\r\n\r\n>> SO IF ANYBODY WANTS TO KNOW ABOUT THE SOFTWARE, WE CAN SHOW YOU THE GUY. >> THANK YOU. >> ANY FURTHER QUESTIONS? IF NO., THANK YOU. >> THANK YOU LET'S CALL THE LAST TESTIFIER, AND THEN TAKE THE LUNCH BREAK. >> CHAIR, THE NEXT TESTIFIER IS LES ICZKOVITZ, IF YOU COULD LET US KNOW WHAT ITEMS YOU ARE TESTIFYING ON? >> CAN'T HEAR YOU.\r\n\r\n>> HERE I AM. CAN YOU HEAR ME NOW? >> YES. >> THANK YOU. FOR GIVING ME THE OPPORTUNITY TO SPEAK. I HAVE BEEN A LICENSED ATTORNEY IN HAWAII SINCE 1979. I LIVE IN MAUI MEADOWS. I AM TESTIFYING AGAINST THE AMENDMENTS TO THE LAW, BECAUSE THEY ARE MULTI-MILLION DOLLAR GIFTS TO THE DEVELOPERS WHO DONATED TENS OF THOUSANDS OF DOLLARS TO THE BILL CAMPAIGNS OF FIVE COUNCIL MEMBERS, WHO ARE POISED TO APPROVE THESE MULTI-MILLION DOLLAR GIFTS TO THE DEVELOPERS.\r\n\r\n95% OF THE COMMUNITY TESTIFIERS HAVE TESTIFIED AGAINST THE AMENDMENTS IN BILLS 171 AND 172 IN PRIOR MEETINGS, BUT OBVIOUSLY DOESN'T MATTER TO A MAJORITY OF THE COUNCIL WHO ARE POISED TO PASS THE AMENDMENTS AGAINST COMMUNITY OPPOSITION. NOBODY CAN ARGUE WITH THIS REALITY. THERE IS NO WATER. WATER RESTRICTIONS, WE CAN'T WATER OUR LAWN, WE CAN'T WASH OUR CAR. THE COUNCIL IS WILLING TO GIVE PRECIOUS WATER TO BILLIONAIRES WHO WILL SPEND ONE WEEK PER YEAR ON MAUI FOR THE PAST FIVE MONTHS I SET UP A SYSTEM THAT ALLOWS ME TO LEGALLY WATER MY LANDLORD'S LAWN EVERY DAY, HOW? I TAKE A BADGE EVERY NIGHT AND TAKE THE WATER EVERY DAY AND USE THE WATERED TO WATER MY LANDLORD'S LAWN. I URGE, THIS WATER IS PRECIOUS AND PLEASE SAVE IT FOR THE PEOPLE THAT LIVE HERE AND NOT FOR BILLIONAIRES WHO BUY EXPENSIVE HOMES THAT THEY DON'T USE.\r\n\r\n700 AFFORDABLE HOUSING UNITS WERE PROMISED AS A CONDITION OF APPROVAL FOR THIS PROJECT IN 2008, 450 WERE PROMISED TO BE ON-SITE. THE DEVELOPERS AGREED TO THESE CONDITIONS AND IF THEY HAD NOT APPROVED, THIS PROJECT WOULD NOT HAVE BEEN APPROVED. BY COUNCIL, THE VOTE WAS ON 5-4. IT BARELY GOT THROUGH. NOW THEY ARE DOWN TO WHAT? AS LITTLE AS 288 UNITS. HOW'S AFFORDABLE HOUSING UNITS THAT WON'T BE PERMANENT? I FIND IT DESPICABLE THAT WIDEN PI'ILANI HIGHWAY IS ANOTHER PROMISE THAT DEVELOPERS MADE.\r\n\r\nIT'S SUPPOSED TO BE WIDENED BEFORE ANY CONSTRUCTION TOOK PLACE AT ALL, ANOTHER CLASSIC BAIT-AND-SWITCH. THE DEVELOPERS SAY OH, THE STATE IS GOING TO WIDEN THE HIGHWAY. THEY SAY IT'S JUST NOT TRUE. THE STATE OF HAWAII OFFICIAL POSITION IS THERE IS NO EXISTING CONTRACT FOR THE STATE TO WIDEN THE HIGHWAY. IT'S WISHFUL THINKING. I LIVE IN MAUI MEADOWS SOUTH MAUI AND YOU SHOULD FEEL GUILTY ABOUT BREAKING THIS. NOW IT LOOKS LIKE THE WIDEN SAVE \$100 MILLION THAT CAN DO COST THEM TO WIDEN THE HIGHWAY AND THE MAJORITY OF THIS COUNCIL IS PREPARED TO GIVE THEM THIS AS AN UNDESERVED TWIST.\r\n\r\nTO EMPLOYEE IT LOOKS LIKE PAYBACK FOR EXCHANGE FOR HUGE CAMPAIGN CONTRIBUTIONS THAT APPARENT RAMPANT APPEARANCES OF PROPRIETY I AM INFORMING THE COUNTY COUNCIL THAT OVER AN HOUR AGO THAT CITIZENS OF MAUI I FILED A COMPLAINT WITH THE MAUI BOARD OF ETHICS ASSERTING THAT COUNCIL MEMBER TOM COOK HAS VIOLATED THE CODES OF ETHICS. COMPLAINT IS 7 PAGES LONG AND INCLUDES EXTENSIVE CASE LAW, WHICH STRONGLY SUPPORTS MY COMPLAINT. I MAIL A COPY OF THIS COMPLAINT TO THE COUNTY CLERK, I EMAILED A COPY OF MY COMPLAINT TO ALL COUNCIL MEMBERS. YOU SHOULD HAVE RECEIVED IT BY NOW. THE STATE ETHICS LAW DEFINES HAVING

FINANCIAL INTEREST IN COMPANY WHEN YOU ARE EMPLOYED BY THE COMPANY MR. COOK IS BEING PAID \$96,000 PER YEAR AS A CONSULTANT FOR ELSIE HOLLAND AS A MATTER OF LAW HE HAS FINAL INTEREST IN ELSIE HAMMOND. >> CAN YOU PLEASE CONCLUDE YOUR TESTIMONY.\r\n\r\n>> I AM ARGUING ALL COUNCIL MEMBERS TO PLEASE TAKE THE YOU LUNCH BREAK, PLEASE LOOK AT MY APPLICATION, THERE'S A NEW EXECUTIVE DIRECTOR AT THE MAUI BOARD OF ETHICS, SHE IS A LAWYER. SHE'S AN EXECUTIVE DIRECTOR AS A RESULT OF THE CHARTER AMENDMENT AND THE ISSUE COME DOWNS TO THE ETHICS ALWAYS THE APPEARANCE OF IMPROPRIETY. OVER LUNCH, I INVITE YOU ALL TO READ THE LETTER THAT IS SENT TO EACH OF YOU FROM THE BOARD OF ETHICS AND BELIEVE STRONGLY THAT MR. COOK HAS PROHIBITED FROM VOTING ON THIS MATTER. BEFORE THIS COUNCIL BEFORE UNTIL MY COMPLAINT SUBMITTED TO THE ETHICS BOARD IS RULED UPON BY THE BOARD OF ETHICS. THANK YOU. >> MEMBERS, DO YOU HAVE ANY QUESTIONS?\r\n\r\nIF NOT, THANK YOU VERY MUCH. MEMBERS, IT'S TIME TO TAKE OUR LUNCH BREAK UNTIL 1:30, THIS MEETING IS IN RECESS. [ GAVEL ] [ GAVEL ] >> MEMBERS, WILL THIS COUNCIL MEETING OF JUNE 27TH, PLEASE RECONVENE. WE HAVE APPROXIMATELY HOW MANY? 16 MORE TESTIFIERS. AND FOR THOSE WHO MAY NOT BE AWARE, IT FEELS LIKE PEOPLE THINK THAT THIS IS A PROJECT THAT REQUIRES APPROVAL TO PROCEED. OKAY?\r\n\r\nTHIS PROJECT WAS APPROVED IN 2008. IT COULD PROCEED TOMORROW. THEY DON'T NEED OUR APPROVAL. WHAT THEY ARE HERE BEFORE US ARE FOR SOME CHANGES. SO YOU KNOW, IF PEOPLE WANT TO OPPOSE THOSE CHANGES, FEEL FREE TO TALK ABOUT THAT. BUT THE PROJECT IS A WHOLE HAS BEEN APPROVED SINCE 2008, JUST TO LET EVERYBODY KNOW, OKAY? ALL RIGHT, MAY WE PROCEED WITH THE TESTIFIERS, PLEASE. >> CHAIR, THE NEXT TESTIFIER IS CLARE APANA, TESTIFYING ON CR 25-120, CC 20-30, 24-31, 32 AND 33. >> GOOD AFTERNOON EVERYONE.\r\n\r\nI WILL ACTUALLY BE ONLY SPEAKING TO THE CULTURAL CENTER. THANK YOU. AND I JUST WANT TO BE YEAR THAT I'M NOT GOING TO BE IN SUPPORT, OR NOT IN SUPPORT. BUT I CAME TO GIVE YOU SOME INFORMATION AND THIS INFORMATION IS ABOUT A VERY DEAR FRIEND OF MINE, AND KUMU, KUMU MIKE LEE, WHO YOU HAVE HEARD A FEW PEOPLE SPEAK ABOUT, AND I WANT TO FIRST OF ALL SHOW YOU THAT THERE REALLY IS A MAP. AND I HAVE IT RIGHT HERE. THIS IS -- THIS MAP WAS GENERATED FROM THE SITES THAT WERE IDENTIFIED BEFORE BY THE ARCHAEOLOGY TEAM, SO WHAT YOU SEE HERE ARE ALL OF THE SLIPS OF PAPER WERE HIS INTERPRETATION OF WHAT THE PURPOSE AND FUNCTION OF THOSE SITES ARE. AND SO I BELIEVE IF STARTED WITH ABOUT 40 SITES WHEN IT CAME TO COUNCIL, AND WHAT YOU CAN SEE HERE IS LIKE ABOUT 400 SITES, AND THEN THERE WERE MORE SITES ADDED, INCLUDING FEATURES IT WITHIN UP TO 900 AND THAT IS NOT WHAT IS IN YOUR PRESERVATION NOW.\r\n\r\nSHPD ALWAYS SAID THIS MAP AND HIS WORK WOULD BE INCLUDED SOMEWHERE WITH THIS PROJECT. AND TO-DATE, IT IS NOT, BUT I THINK THAT IT WAS JUST WAITING TO COME TO THE RIGHT BODY AND I'M HOPING THAT YOU ARE THE RIGHT BODY, WHO ARE ACTUALLY MAKE IT SO THAT THE WORK OF KUMU MIKE LEE, AT WAILEA 670 OR THE LANDS OF KAHOE AND KAO WILL BE PRESERVED FOREVER, BECAUSE YOU KNOW, IT IS A CHANCE FOR US AS KANAKA TO HAVE A GREATER UNDERSTANDING BE IMPARTED UPON AN ARCHAEOLOGY INVENTORY SURVEY. ACTUALLY, [ INAUDIBLE ] SOMETHING A FIELD FEATURE, SOMETHING LIKE THIS, ALL ABOUT AGRICULTURE. AND MICHAEL WAS SO UPSET, BECAUSE HE SAID THAT IS NOT WHAT THEY ARE. THOSE ARE ACTUAL SITES. AND SO HE SAID, I AM GOING TO SHOW THEM WHAT -- ? >> TIME. >> I'M AT THREE?\r\n\r\nOKAY YOU CAN TAKE LONGER IF YOU COMBINE. >> IT WILL JUST BE A MINUTE. I'M GOING TO SHOW THEM WHAT THESE SITES ACTUALLY ARE. SO HE COMBINED HIS KNOWLEDGE AS A PAPA KANAKA, A STAR PRIEST AND EXPERT OF OCEAN, TO ACTUALLY SAY WHAT ALL OF THESE SITES ARE. IT WAS REALLY UNCANNY, BUT HE HAD NOT BEEN TO MOST OF THE SITES. WHEN WE WENT TO SOME OF THE SITES THAT HE EXPLAINED WHAT THEY ARE, I JUST REMEMBER THIS ONE, THE CUE STONE SAYS THIS IS THE PLACE OF KU, AND THERE WAS A POHAKU THIS BIG LIKE THIS AND THAT WAS THE SITE. I HAVE NEVER GIVEN THIS MAP TO THE PROJECT, BECAUSE FROM HIS ORIGINAL WORK, 70 SITES HAVE DISAPPEARED, AND THERE ARE SO MANY

SITES THAT ARE IN THE WRONG PLACE.\r\n\r\nI DON'T KNOW HOW THE MAP GOT SO CONVOLUTED. FOR INSTANCE, LIKE 8111 IS LIKE A HALF MILE AWAY FROM WHERE IT ORIGINALLY WAS IDENTIFIED BY SIN OTTO. SO I FELT FOR HIS LEGACY AND HE DID THIS JUST BEFORE HE DIED. AND HE ASKED ME TO BRING -- MAKE SURE THAT IT WAS BROUGHT FORTH THAT WE SHOULD HAVE AN ACCURATE MAP. AND HE STARTED WITH AN ACCURATE MAP. SO WE KNOW THAT IS POSSIBLE. AND I HOPE THAT YOU WILL SEE, ONE, THERE'S AN ACCURATE MAP, AND TWO, MICHAEL LEE MIGHT BE ADDED AS SOMEONE WHO SHOULD AND MUST BE RECOGNIZED IN THE CULTURAL CENTER.\r\n\r\nTHANK YOU SO MUCH FOR LETTING ME SHARE ABOUT HIM. >> YES. QUESTIONS, MEMBERS? MEMBER PALTIN. >> THANK YOU, CHAIR. THANK YOU, MS. APANA.\r\n\r\nI WAS WONDERING IF YOU COULD CLARIFY WHAT YOU MEANT BY SOME OF THE SITES HAVE BEEN -- HAVE DISAPPEARED? >> IN THE PRESERVATION MAP, AND THE FINAL MAPS, WE COULD NOT FIND 70 OF THE SITES THAT MICHAEL HAD WRITTEN ABOUT, AND IDENTIFIED ON THE MAP. I DON'T KNOW WHERE THEY WENT AND I HAVE ASKED OVER AND OVER AGAIN, I HAVE ASKED, BECAUSE I WANT HIS LEGACY TO BE CORRECT. HE WOULD WANT IT TO BE CORRECT. >> SO IT'S MISSING OFF THE MAP, BUT IN -- HAS ANYBODY LIKE VISITED THE SITE TO SEE IF EVERYTHING IS STILL THERE INTACT? >> YES >> IT IS? >> YES.\r\n\r\n>> OH. >> THIS IS ANOTHER THING WE'RE REALLY WORRIED ABOUT IS IF YOU HAVE A FIRE, LIKE YOU KNOW, LIKE THEY HAD THE FIRE AND HAD THE FIRE BREAK AND WENT THROUGH THE SECOND HEIAU, BECAUSE IT WASN'T MARKED OR CLEARLY DEFINED. THEN WHAT HAPPENS TO THE SITES; RIGHT? YOU KNOW? >> OTHER QUESTION I HAD WAS THE MAP THAT YOU SHOWED US IS IT THAT THE ONLY FORM IT'S IN? IS THERE A DIGITAL VERSION, OR ANOTHER COPY OF IT? OR LIKE A LISTING GPS COORDINATES OR ANYTHING?\r\n\r\n>> YES THIS IS HOW HE PUT DOWN HIS UNDERSTANDING OF WHAT THE SITES ARE ONTO THE ACTUAL ARCHAEOLOGIST'S FINDINGS OF THE SITES. SO THEY DO GPS POINTS AND THIS WAS ACTUALLY GENERATED WHAT WE CALL THE KITCHEN SINK MAP. BUT THAT IS NOT THE MAP THAT IS IN THE PRESERVATION PLAN NOW. >> SO THE OTHER MAP ONLY THE DEVELOPER HAS ACCESS TO IT, OR WHO HAS -- DOES ANYONE ELSE HAVE ACCESS TO? >> WE HAVE IT. WE HAVE IT, BECAUSE YOU KNOW, WE HAVE USED IT TO -- WELL, MICHAEL USED IT TO IDENTIFY THE SITES AND THE PLACEMENT RELATED TO WHAT WAS HAPPENING IN THE STARS. >> THAT ONE YOU SAID WAS MOVED, IT'S MOVED ON THE MAP, BUT IT'S NOT MOVED?\r\n\r\n>> NO, THAT IS WHY WE KNOW IT'S MISLOCATED, BECAUSE WE -- WHEN WE STAND THERE, IT'S LIKE, HEY, IT'S NOT HERE, AND IT'S NOT WHERE THIS MAP IS SHOWING IT NOW. >> THANK YOU. >> THANK YOU. >> ANY OTHER QUESTIONS? MEMBER SINENCI. >> THANK YOU, MAHALO FOR COMING TODAY. WAS THE POHAKU STILL THERE?\r\n\r\n>> YES. AS FAR AS I KNOW, EVERYTHING IS STILL THERE. IT'S AN AMAZING PLACE, BECAUSE IT'S KIND OF LIKE, YOU KNOW, EXCEPT FOR THE CATTLE THAT SOMETIMES RUN THERE, THEY USED TO LET RUN IN THERE TO FEED, AND THE DEER, OF COURSE. IT HAS NOT REALLY BEEN CHANGED EXCEPT FOR THE ROAD THAT WAS BUILT TO -- FOR TRANSPORTATION. THE SITES REMAIN THERE. IT IS A TREASURE TROVE FOR OUR KEIKI TO -- AND I HAVE TAKEN SOME KEIKI GROUPS THERE AND LET THEM PLAY ARCHAEOLOGIST AND THEY JUST LOVED IT, BECAUSE THERE ARE, YOU KNOW, THINGS THAT ARE STILL THERE, THAT THEY CAN KIND OF FEEL LIKE THEY DISCOVERED, AND PRETTY MUCH THEY PROBABLY DO, BECAUSE EVERY ONE, WHEN YOU WALK ON THAT LAND, WILL PROBABLY FIND SOMETHING NEW. IT'S AN AMAZING PLACE THAT HAS NOT REALLY BEEN TOUCHED.\r\n\r\nTHANK YOU. >> THANK YOU. ANY MORE QUESTIONS? MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. ALOHA, MS. APANA.\r\n\r\nMAHALO FOR YOUR TESTIMONY. SO I'M SORRY I MISSED IT EARLIER WHEN YOU STATED IF YOU COULD REPEAT YOURSELF, THE MAP IS THAT'S LIKE THE ACREAGE OF THE ENTIRE 670 ACRES? OR IS THAT, LIKE WHERE WOULD THE CULTURAL PRESERVE BE? >> THIS IS PROBABLY THE CULTURAL PRESERVE ON THE SOUTHSIDE IN THE AHUPUA'A OF KEAUHOU AND PU'UWAIA AND YOU DON'T BELIEVE HIS MAP AT THAT TIME WOULD HAVE INCLUDED THE NORTH SIDE, WHICH IS THE CAYO SIDE THAT ABUTS WAILEA 670. BUT HE HAS BEEN TO THAT SIDE, AND HAD MANY COMMENTS TO MAKE ABOUT THE SITES THERE. >> MAHALO. SO I GUESS, I'M

SORRY I'M NOT GETTING IT COMPLETELY. IS THE CULTURAL PRESERVE ON THIS MAP AT ALL OR WHERE THEY ARE PROPOSING OR THERE ISN'T A PROPOSAL WHERE THE CULTURAL PRESERVE WOULD BE?

>> IT'S NOT DEMARCATED ON THIS MAP WHERE THE CULTURAL PRESERVE IS, BECAUSE I DON'T BELIEVE THE BOUNDARIES AT THAT TIME, WHETHER HE MADE THIS WERE IDENTIFIED. FOR SURE, THE THAT IS ALL IN THE PRESERVE, AND DEMARCATED, BUT THE BOUNDARY THAT IS IN THE PALAUEA AHUPUA'A, WHICH IS THE MIDDLE AHUPUA'A, WAS NOT IDENTIFIED YET. BUT YES, THE PRESERVES WOULD BE IN -- WITHIN THIS MAP, BUT IT'S NOT IDENTIFIED. >> OKAY BUT THE PRESERVE, THE ACREAGE THAT IS PROPOSED WOULD IT ENCOMPASS THE DENSITY OF ALL OF THOSE SITES? >> THERE ARE SOME SITES THAT ARE NOT IN THE PRESERVE AREA. MOST OF THOSE SITES ARE, BECAUSE THAT IS WHERE THEY WERE DOING THEIR ARCHAEOLOGY. WE REALIZE THIS MAP IS LIMITED TO WHAT ARCHAEOLOGIST FOUND AS THEIR SITES, NOT ALL OF THE SITES THAT MICHAEL FOUND.

>> IT WAS LIMITED TO THEIR SITES, BECAUSE HE WANTED TO MAKE A POINT TO THEM THAT PERHAPS THEY WERE NOT INTERPRETING WHAT THE SITES ARE CORRECTLY. AND THERE WAS A BETTER WAY TO DO IT. I DON'T KNOW IF I ANSWERED YOUR QUESTION. >> I THINK YOU DID. >> OKAY. >> MAHALO, MS. APANA.

>> MAHALO CHAIR. >> YES, MEMBER UU-HODGINS. >> THANK YOU, CHAIR. MY QUESTION IS GOING TO BE PRETTY SIMILAR TO MEMBER RAWLINS-FERNANDEZ, BECAUSE I THINK I WAS ASKING MYSELF THE SAME QUESTION. BUT ALL OF THOSE SITES, THAT IS A PORTION OF THE PRESERVE, OR IS THAT ALL OF THE PRESERVE? DO YOU KNOW WHERE THAT IS IN THE 670 ACRES? >> YES, IF YOU HAD A DIFFERENT MAP THAT JUST HAD POINTS ON IT, IT WOULD BE EASIER TO SEE, BECAUSE THESE ARE HIS INTERPRETATIONS OF WHAT THOSE SITES ARE.

>> OKAY. >> ALL OF THOSE SITES THAT ARE ON THIS MAP ARE NOT IN THE PRESERVE. >> THEY ARE NOT IN THE PRESERVE? >> THEY ARE NOT IN THE PRESERVE, BUT THEY WERE IDENTIFIED BY THE ARCHAEOLOGIST. >> OKAY. THANK YOU. THAT IS WHAT I WAS WONDERING.

>> I APPRECIATE THAT. >> ANYONE ELSE? IF NOT, THANK YOU VERY MUCH. >> THANK YOU VERY MUCH, CHAIR. >> CHAIR, THE NEXT TESTIFIER IS MARTIN HAMILTON, AND MR. HAMILTON, IF YOU COULD PLEASE LET US KNOW WHAT YOU WILL BE TESTIFYING ON. HE WILL BE FOLLOWED BY STACEY ALAPAI.

>> MARTIN HAMILTON, THIS IS YOUR OPPORTUNITY TO TESTIFY. >> AGAIN? >> MR. HAMILTON? >> DO YOU SEE HIM? WE HEAR YOU. WE HEARD YOU.

>> CAN YOU HEAR ME? >> YES, SO SORRY, IT DIDN'T SHOW UNMUTED. THANK YOU FOR TAKING TIME AND FOR ALL OF YOU, CALLED EARLIER. I'M GOING TO BE TALKING ON CC24-30. THE AMENDMENT TO THE BILL IF THAT IS ALL RIGHT. SO I'M WRITING TO SUPPORT CC24-30 TO MAKE SURE WE HAVE A MINIMUM OF THE 450 WORKFORCE HOUSING HOMES IN THAT DEVELOPMENT. THE REASON FOR IT, I THINK WORKFORCE HOUSING HOMES ARE SO NEEDED AT A TIME WHEN HOUSING IS DESPERATELY NEEDED. THERE ARE TEACHER VACANCIES THAT PERSIST BECAUSE OF THE HIGH COST OF LIVING AND LOCAL FAMILIES ARE BEING PRICED OUT OF THE COMMUNITIES THAT THEY GREW UP IN.

>> I ALREADY FIND A HORRIFIC BETRAYAL OF THE MAUI COMMUNITY TO ALLOW THIS BILL TO MOVE FORWARD AS-IS WITHOUT THIS AMENDMENT. SO THIS IS WHY I SUPPORT THE AMENDMENT 24-30 AND I KNOW BEFORE IN MARCH 11TH, YOU HAD THIS COMMUNITY MEETING AND MOST PEOPLE OPPOSED THIS APPROVING THIS WITHOUT THE AFFORDABLE HOUSING. SO YOUR LOCAL CONSTITUENTS INCLUDING ME DON'T WANT MORE LUXURY HOUSING BUILT. LUXURY HOUSING WILL NOT LOWER THE PRICE OF HOME WHICH ARE NEEDED BY FAMILIES SO THAT IS WHY I'M SUPPORTING THE AMENDMENT TO THE BILL PROPOSED BY COUNCIL MEMBER KEANI RAWLINS-FERNANDEZ THAT WILL CALL FOR THE MINIMUM OF 450 WORKFORCE HOUSING UNITS. YOU KNOW, PERSONALLY I'M A PUSH SCHOOL TEACHER HERE. I TEACH PUBLIC SCHOOL AND I SEE IT FROM TEACHERS. TEACHERS COME AND THEY WANT TO FILL THE WORK FORCES, THEY WANT TO FILL THE WORKFORCE WITH TEACHERS BECAUSE WE HAVE A TEACHER SHORTAGE AND THEY HAVE TO LEAVE SOMETIMES BECAUSE THEY CAN'T AFFORD RENT.

>> I SEE IT FROM MY STUDENTS. YOU KNOW, EVERY YEAR, THIS HAPPENS WHERE STUDENTS, YOU KNOW, THEY COME TO ME THE NEXT DAY AND BE TIRED AND SLEEPY AND WHAT IS GOING ON?

THEY SAY I HAVE TO GO TO AUNTIE'S TO SHOWER AND MY GRANDMAS TO SLEEP AND ON WEEKENDS TO MY UNCLE BECAUSE I DON'T HAVE A PLACE IT STAY. IT'S GOOD TO HAVE A COMMUNITY TO SUPPORT THEM, BUT THEY NEED HOMES. YOU KNOW? MY STUDENTS NEED A HOME THAT THEIR FAMILIES CAN AFFORD. AND IT JUST SO SAD THAT EVERY YEAR THIS HAPPENS.\r\n\r\nOR STUDENTS WILL SAY I WAS UP LATE AT NIGHT, BECAUSE MY FAMILY WAS HAVING AN ARGUMENT ABOUT PAYING RENT OR PAYING FOOD. I SEE IT IN THE COMMUNITY OF MY STUDENTS. I WANT THEM TO ABLE TO GROW UP NOT HAVING TO WORRY ABOUT THESE THINGS AND GROW UP KNOWING THERE IS AFFORDABLE HOUSING, TO KNOW THAT THE COMMUNITY IS THERE FOR THEM AND WANTS TO BUILD AFFORDABLE HOUSING THAT THEY CAN LIVE IN. AS A TEACHER MYSELF, TOO, I WAS LIVING WITH MY FAMILY WHEN I FIRST STARTED TEACHING, I APPRECIATE THAT MY FAMILY WAS THERE BUT IT WAS THE ONLY WAY I COULD BE A TEACHER. I COULDN'T HAVE TAUGHT IF I COULDN'T LIVE WITH MY FAMILY AND NOW I'M LIVING IN WORKFORCE HOUSING. SO I KNOW WORKFORCE HOUSING IS A REAL BENEFIT TO WORKING PEOPLE IN THE COMMUNITIES. AGAIN, PLEASE SUPPORT THE AMENDMENT CC24-30 AND THEN ALSO THE AMENDMENT TO ADD TO HELP WITH THE -- >> TIME.\r\n\r\n>> ALL RIGHT. TO MAKE SURE THAT THE LOTTERY FOCUSES ON WORKING FAMILIES AS WELL. THANK YOU VERY MUCH. >> THANK YOU. MEMBER PALTIN HAS A QUESTION. >> OH, NO, I JUST WANTED TO CLARIFY THE WORKING FAMILY AMENDMENT IS ANOTHER ITEM. SO IF YOU WANTED TO EXPLAIN YOUR TESTIMONY ON THAT, YOU HAVE ANOTHER THREE MINUTES.\r\n\r\nIT'S THREE MINUTES PER ITEM. THAT IS ONE THAT PRIORITIZES LOCAL RESIDENTS. IS IN A WHAT YOU WERE TESTIFYING ON? >> YES, THAT ONE, TOO. THANK YOU FOR THAT EXTRA TIME. I'LL KEEP IT SHORT THOUGH I JUST THINK THAT IT WOULD BE GREAT TO MAKE SURE THAT THE PEOPLE THAT ARE SIGNING UP FOR THESE HOMES ARE PEOPLE THAT WORK HERE IN THE COMMUNITY, THAT CAN CONTINUE TO SUPPORT THE COMMUNITY THAT THEY GREW UP IN AND THAT THEY LIVE IN AND WITHOUT THE AMENDMENT, IT COULD BE POSSIBLE FOR SOME PEOPLE WHO AREN'T WORKING IN THE COMMUNITY OR SUPPORTING THE COMMUNITY SAY OUTSIDE, INFLUENCE TO COME IN AND BUY. SO I THINK THAT JUST BE REALLY GOOD WAY TO PROTECT THE HOUSING FOR THE PEOPLE, WHO I THINK NEED IT THE MOST.\r\n\r\nTHESE COMMUNITIES THAT WORK HERE THAT LIVE HERE AND HAVE FAMILY HERE. SO THANK YOU AGAIN. >> ANYONE ELSE? IF NOT, THANK YOU. >> THANK YOU. >> THE NEXT TESTIFIER IS STACEY ALAPAI TESTIFYING ON COMMITTEE REPORTS. >> ALOHA COUNCIL MEMBERS I'M GOING TO START WITH SOME OF THE MORE BORING ONES THAT NO ONE TALKED ABOUT TODAY.\r\n\r\nTHE MONEY FOR PRE-LITIGATION BETWEEN TWO COUNTY EMPLOYEES I OPPOSE THIS. I THINK IT'S A WASTE OF TAXPAYER MONEY TO HAVE TO PAY FOR LITIGATION BETWEEN TWO PRIVATE SECTOR INDIVIDUALS AND WE SHOULDN'T REALLY BE SAID THING THE PRECEDENT THAT WE ARE THE COUNTY AND THAT TAX-PAYERS ARE GOING TO BE FUNDING PRE-LITIGATION WHETHER THERE ISN'T EVEN A LAWSUIT IN PLACE. IT'S CR25-36 TO APPOINT COUNSEL TO REPRESENT THE COUNTY OF MAUI IN PRE-LITIGATION NEGOTIATIONS, AND LITIGATION REGARDING ALLEGATIONS MADE BY LEO CAIRES, A FORMER COUNTY OF MAUI FOR EXPENSE NOT TO EXCEED \$350,000. UNDER THAT GREAT COMMITTEE HEADER THERE ARE A LOT OF SETTLEMENTS HERE FOR LAWSUITS, AND SO I THINK IF WE NEED -- THERE'S ONE HERE ALSO AGAINST THE MAUI COUNTY POLICE DEPARTMENT AS WELL. SO IF WE NEED TO FIND FUNDS FOR MEMORIAL PARK, MAY WE CAN REDUCE SOME OF THE EXPENSES ON LEGAL FEES FOR OUTSIDE SPECIAL COUNSEL. GENERALLY I JUST OPPOSE WERE ON PRINCIPLE SPENDING TAXPAYER ON LITIGATION AND MAYBE WE SHOULD WAIT BEFORE THEY ACTUALLY SUE BEFORE WE SPEND \$350,000 ON THAT. VERY BRIEFLY, I DON'T REMEMBER WHICH CR 25 THIS IS, BUT ON THE FOOD TRUCK AND AG LAND BILL 32. I SUPPORT THE SENTIMENT OF THIS BILL. I THINK IT'S IMPORTANT TO ALLOW FARMERS AND PEOPLE WHO ARE GROWING OUR FOODS THAT WE SO DESPERATELY NEED ON AN ISLAND TO SUSTAIN THEMSELVES.\r\n\r\nI WANT TO RAISE SOME CONCERNS ABOUT SETTING UP THE GUARDRAILS TO ENSURE THAT WE ARE NOT OPENING UP OUR AG LANDS TO BE UTILIZED FOR COMMERCIAL ACTIVITIES, OR SHORT-TERM RENTALS AS YOU ALL HAVE HEARD PLENTY ABOUT IN

THE PAST FEW WEEKS. SO I JUST WANT TO MAKE SURE AND HOPE THAT YOU MAYBE INCLUDE MORE AMENDMENTS TO STRENGTHEN THAT BILL. BECAUSE I THINK THE SENTIMENT OF IT IS GOOD, BUT I AM VERY CONCERNED ABOUT THE PHASE OUT OF OUR AGRICULTURAL LAND INTO COMMERCIAL ACTIVITIES ESPECIALLY WITH A LOT OF WHISPERS AMONGST COCONUT WIRELESS, WHETHER THEY BE TRUE OR NOT? THAT THERE ARE INTENTIONS FOR LARGE PLOTS OF AG LANDS TO BECOME COMMERCIAL. I THINK WE NEED TO DO OUR WORK TO PROTECT AGRICULTURAL LAND FOR AGRICULTURAL PURPOSES. THINK THERE'S A WAY TO SATISFY BOTH NEEDS SO THEY CAN HAVE THEIR FOOD TRUCKS AND SECURE THAT INCOME TO SUPPORT THE FARM, BUT WE NEED TO PUT LANGUAGE IN THERE TO MAKE SURE THAT THE AGRICULTURAL ACTIVITIES ARE PRIORITIZED, AND THAT ANY KIND OF COMMERCIAL ACTIVITIES RELATES TO AGRICULTURE, IS DIRECTLY RELATED TO AGRICULTURE, BECAUSE IT'S REALLY IMPORTANT THAT WE PROTECT OUR AGRICULTURE. BECAUSE WE CAN SEE BIG CORPORATIONS CAN FIND LOOPHOLES IN THIS IN ORDER TO EXACT AS MUCH PROFIT AS POSSIBLE, AND KIND OF MISCONSTRUE THE INTENT OF WELL-MEANING BILLS LIKE THIS, AND SO I WILL PIVOT TO THE MAIN EVENT, I GUESS, WAILEA 670. THAT IS BASICALLY HOW I INTRODUCED MIX MYSELF TO ALL OF YOU.\r\n\r\nI HAVE TO ADMIT AND APOLOGIZE THAT I CRASHES OUT LAST TIME A LITTLE BIT. BECAUSE THIS IS REALLY PERSONAL AND IT'S REALLY SERIOUS. THE WAILEA 670 DEVELOPMENT OVER THE PAST MONTHS, AFTER IT GOT KICKED BACK TO THE PLANNING COMMISSION BECAUSE OF PROCEDURAL ERRORS, I HAVE LEARNED A LOT MORE ABOUT THIS PROJECT AND I'M EVEN MORE OPPOSED TO IT TODAY. I KNOW THE CHAIR MENTIONED THAT THIS PROJECT IS ALREADY APPROVED. SO NONE OF THESE AMENDMENTS ARE NECESSARY. AND I WANT TO REMIND YOU ALL THAT YOU HAVE THE POWER, NOT THE DEVELOPER, NOT EVEN ME, NONE OF THE TESTIFIERS, THE HUNDREDS OF PEOPLE THAT HAVE SHOWN UP OVER THE PAST YEARS, PAST 10 ALMOST 20 YEARS TO OPPOSE THIS PROJECT AS A WHOLE. I THINK THAT IT'S REALLY IMPORTANT THAT YOU SEND THIS BACK TO COMMITTEE AND CONTINUE TO WORK ON IT.\r\n\r\nBECAUSE IF THEY ARE COMING HERE ASKING US FOR STUFF, WE NEED TO GET A LOT MORE THAN A MEMORIAL PARK. I ALSO WANT TO REMIND YOU THAT THE CONSERVATION AREA THAT AUNTIE CLARE TALKED ABOUT, WE ONLY HAVE THAT EXPANDED CONSERVATION AREA BECAUSE OF LAWSUITS FROM COMMUNITY ORGANIZATIONS LIKE THE SIERRA CLUB. I DON'T LIKE LAST TIME THERE LAWYER WAS HERE THAT THEY REMOVED THE GOLF COURSE AND EXPANDING THE AREA AND GIFTING US A CULTURAL CENTER OUT OF THE KINDNESS OF THEIR HEARTS. WE FORCED THEM TO DO THAT. THEY WERE SUED. AND THEY SETTLED TO PUT A GAG ORDER ON TOP OF A LOT OF PEOPLE WHO KNOW A LOT MORE ABOUT THIS PROJECT THAN I DO, AND THEY ARE NOT ALLOWED TO BE HERE AND TALK AND TELL THE TRUTH ABOUT HOW THEY FEEL ABOUT THIS PROJECT, BECAUSE THEY HAVE BEEN SILENCED. I ALSO THINK THIS IS A DEMONSTRATION OF SACRIFICING HAWAIIAN HISTORY, ONE OF THE LAST PRESERVED PLACES IN MAUI, AND IN WAILEA SPECIFICALLY.\r\n\r\nIT HAS BEEN UNTOUCHED. IT HAS NOT BEEN BULLDOZED OR TURNED INTO A GOLF COURSE OR RESORT. I WALKED THAT LAND WITH THE AUNTIES AND SEEN SOMETHING I HAVEN'T SEEN BEFORE. THERE IS HISTORY THERE THAT THEY WILL BULLDOZE TO BUILD LUXURY HOMES. THIS IS ANOTHER INSTANCE OF ASKING HAWAIIAN PEOPLE TO SACRIFICE OUR HISTORY TO SATISFY THE INSATIABLE NEEDS OF DEVELOPMENT. AND THEY PROMISES US AFFORDABLE HOUSING TO GET THIS. YOU ANOW YOU'RE HERE CONSIDERING REMOVING THE IF YOU THINGS THAT FEW BENEFITS THAT ARE FOR US SO THIS CAN BUILD MORE MARKET-RATE.\r\n\r\nLUXURY LOAMS IN WAILEA AND WE CONTINUE TO BEG FOR SCRAPS. I OPPOSE THE ATTEMPTS TO DELAY, DELAY, DELAY, UNTIL THE DEVELOPER GETS THEIR WAY. THEY MADE ALL OF THESE PROMISE TO GET APPROVAL IN 2008. AND WHAT ARE THOSE PROMISES LEFT? WE DON'T HAVE 700 AFFORDABLE HOUSING THAT ARE LEFT ON THE TABLE? AS I HEARD EARLIER, THAT IS NOT EVEN ON THE TABLE, WE'RE ARGUING ABOUT 450 LESS THAN HALF AND YOU'RE ALREADY THAT HAS BEEN REMOVED FROM THE LANGUAGE. I THINK WE NEED MORE AFFORDABLE HOUSING NOT LESS. YOU HEARD FIVE DAYS' OF TESTIMONY ABOUT THE NEEDS FOR AFFORDABLE HOUSING.\r\n\r\nWE'RE IN A HOUSING CRISIS. IS THIS A CRISIS OR NOT? WHY WOULD YOU

CONSIDER BUILDING ANYTHING LESS THAN WHAT IS PROMISED TO US? I ALSO WANT TO MENTION THAT IF A MEMORIAL PARK TO HONOR OUR FIRST-RESPONDERS IS NECESSARY, WHY WOULD WE PUT THEM ON A DEVELOPMENT THAT IS KNOWN FOR THE BAIT-AND-SWITCH, FOR THE BROKEN PROMISES FOR BULLDOZING ONE OF THE LAST CULTURAL PRESIDENT VEGAS AREAS OF THAT KIND? THAT NOT HONORING ANYONE. I WOULDN'T WANT MY FAMILY MEMBER'S NAME ON ANY PLAQUE THAT RECOMMENDS THIS HAVA PROJECT THAT HAS DONE NOTHING, BUT LIE TO US AND MANIPULATE THIS BODY, MANIPULATE THE PLANNING COMMISSION TO DO THEIR BID AINGE REDUCE THE FLUSH OF AFFORDABLE HOMES IN THE PROJECT WE HAVE SHOWN OUR COMMUNITIES THAT WILL TO CONTINUE TO SHOW UP OVER DECADES TO CONTINUE TO FIGHT THIS PROJECT. DOES THIS DEVELOPER HAVE THE WILL TO BUILD THE AFFORDABLE HOUSING THAT THEY PROMISES US?\r\n\r\nTHE AFFORDABLE HOMES THAT WE SO DESPERATELY NEED? I APPRECIATE YOUR WORK ON THIS AND MANY OTHER WAYS TO SUPPORT OUR COMMUNITY THROUGH THIS HOUSING CRISIS. I'M BEGGING YOU YET AGAIN TO PLEASE NOT ALLOW THIS TO STAND. PUT THE PUBLIC BENEFITS BACK IN THE PROJECT. YOU HAVE THE POWER, AS YOU SAID, THIS PROJECT IS ALREADY APPROVED AS IT IS AND IT'S FINE AS IT IS, LEAVE IT HOW IT IS. MAHALO. >> QUESTIONS MEMBER PALTIN.\r\n\r\n>> THANK YOU, CHAIR. THANK YOU, MS. ALAPAI. I JUST WANTED TO CLARIFY, BECAUSE YOU SAID LEAVE IT AS IT IS THE PART ABOUT THE GOLF COURSE TAKING THAT OUT YOU'RE OKAY WITH THE PART OR DID YOU TAKE IT OUT. >> NO ONE WANTS THE GOLF COURSE. I WANTED TO SPEAK ON A COUPLE OF OTHER AMENDMENTS, } NOW WE'LL HAVE TO TIME YOU. >> I JUST WANTED TO SPEAK VERY QUICKLY ABOUT DEED RESTRICTIONS.\r\n\r\nI THINK WE NEED DEED RESTRICTIONS THERE PERPETUITY. ANYTHING LESS THAN THAT IS JUST KICKING THE CAN DOWN THE LINE FOR ALL OF THIS TO BECOME MORE MARKET RATE HOMES. >> YOU ACTUALLY HAVE THREE MINUTES ON EACH ITEM. >> ALL RIGHT. WELL, I ALSO SUPPORT USING BILL 111 FORMAT FOR WAYS THAT WE DO THE LOTTERY WE NEED TO ENSURE THAT THE LOCAL FAMILIES WHO LIVED HERE THE LONGEST WHO WERE BORN HERE AND HAVE FIRST DIBS ON THIS ESPECIALLY SINCE THERE'S SO FEW OF THEM, AND I THINK IT'S REALLY IMPORTANT THAT WE RECOGNIZE SOME OF THE SHADY TACTICS HERE FROM THE 90S AND 80S AND STUFF USED TO PLY BEFORE. BUT AS I SAID IN MY TESTIMONY FOR BILL THE, I THINK WE WE'RE READY TO TURN A NEW LEAF AND DOING THINGS DIFFERENTLY. SO I HAVE A LOT OF FAITH IN YOU NOW TO THE RIGHT THING AND PUT RESTRICTIONS IN PERPETUITY.\r\n\r\n>> COUNCIL MEMBER PALTIN. >> THANK YOU, CHAIR. THANK YOU, MS. ALAPAI. I WAS REFRESHING MYSELF, I THINK MY AMENDMENT ON DEED RESTRICTIONS WASN'T AFFORDABLE IN PERPETUITY. I THINK THE AFFORDABLE WAS 30-50 YEARS. MINE WAS OWNER-OCCUPIED IN PERPETUITY.\r\n\r\nSO I WAS JUST WANTING TO CLARIFY YOU ARE SUPPORTIVE OF OWNER-OCCUPIED IN PERPETUITY, AND AFFORDABLE IN PERPETUITY? >> I WOULD LOVE IT IF THE PROPERTIES FLAGGED AS AFFORDABLE REMAINED AFFORDABLE AND OWNER-OCCUPIED IN PERPETUITY. >> THANK YOU. >> ANY MORE QUESTIONS? MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. ALOHA, MS.\r\n\r\nALAPAI, MAHALO FOR YOUR TESTIMONY. TRYING TO FORMULATE THE QUESTION, BECAUSE IT CAUGHT ME OFF-GUARD A LITTLE. I WAS KIND OF SURPRISED TO NOT SEE SOME OF THE LONG-TIME ADVOCATES FROM THE BEGINNING AND YOU MENTIONED SOMETHING ABOUT A GAG ORDER. >> WELL, SOME OF THEM HAVE DIED, HONESTLY, THAT IS HOW LONG WE HAVE BEEN FIGHTING THIS PROJECT. BUT SOME ARE NOT HERE BECAUSE THEY HAVE BEEN THREATENED IF THEY SPEAK OUT AGAINST THIS PROJECT, THEY WOULD BE VIOLATING THEIR SETTLEMENT. THAT IS PART OF THEIR SETTLEMENT IS MY UNDERSTANDING. I HAVEN'T ACTUALLY READ IT, BUT MY UNDERSTANDING THERE'S A NUMBER OF PEOPLE THAT ARE NOT ALLOWED TO COME AND TESTIFY TODAY, AS I THINK AUNTIE CLARE IS USUALLY ONE OF THEM.\r\n\r\nTHAT IS WHY SHE WAS VERY CAREFUL NOT TO SAY HER OPINION TO SUPPORT OR OPPOSE, BUT I WON'T SPEAK FOR HER. I JUST THINK THAT IS WHY SHE GAVE COMMENT AND NOT AN OPINION. >> MAHALO FOR THAT CLARIFICATION. THAT MAKES SENSE WHY MS. APANA SAID THAT. MAHALO, CHAIR. >> MS.\r\n\r\nALAPAI ARE YOU SAYING YOU ARE PART OF THE GROUP THAT SUED THIS PROJECT?



>> I AM NOT. >> YOU ARE NOT. >> I KNOW SOME PEOPLE THAT WERE PART OF A GROUP THAT SUED THIS PROJECT AND HAD A SETTLEMENT. I'M ALSO AWARE AFTER AN ACTIVE LAWSUIT AGAINST THIS PROJECT CURRENTLY TO, I BELIEVE UPHOLD THAT ONE SENTENCE IN THERE TO BUILD 450 AFFORDABLE HOMES IN THE PROJECT. SO THE ATTEMPTS TO REMOVE THAT ONE SENTENCE WOULD ACTUALLY BE CIRCUMVENTING THE COURTS AND TRYING IT GET YOU TO DO THE LAWYER'S JOB FOR THEM BECAUSE THERE'S CURRENTLY A LAWSUIT OVER THAT ONE SENTENCE IN PROGRESS OR IN APPEAL OR WHATEVER STAGE IT'S AT CURRENTLY. >> OKAY, THANK YOU.\r\n\r\nMEMBER UU-HODGINS. >> THANK YOU, CHAIR. I WILL SAVE THIS FOR DISCUSSION, BUT SINCE YOU ARE BRINGING IT UP, CAN YOU TELL ME HOW TO FIND THIS LAWSUIT? SO I ASK SEE WHAT IT IS AND WE CAN HAVE THAT DISCUSSION WITH CORP. COUNSELS? >> I BELIEVE MAUI TOMORROW IS INVOLVED. I'M SURE THEY WILL TESTIFY LATER AT SOME POINT.\r\n\r\n>> THANKS. THANKS, CHAIR. >> OKAY, THANK YOU. WE HAVE ONE MORE, MEMBER PALTIN. I JUST WANTED TO CLARIFY, MEMBER UU-HODGINS, THE GAG ORDER ONE WAS SIERRA CLUB AND THE 450 ONE IS MAUI TOMORROW. >> YES. I ACTUALLY JUST HEARD THAT THERE'S ACTUALLY AN ACRONYM FOR WHAT HAPPENED TO SIERRA CLUB AND ANOTHER ORGANIZATION THAT WAS PART OF THAT SETTLEMENT, THE STRATEGIC LAWSUIT AGAINST PUBLIC PARTICIPATION "SLAP." >> OKAY, THANKS.\r\n\r\n>> ANYONE ELSE? IF NOT, THANK YOU. >> MAHALO CHAIR, THE NEXT TESTIFIER IS ELIZABETH RAY TESTIFYING ON COMMUNITY REPORT 24-120 AND SHE WILL BE FOLLOWED BY NOE LECKER. ELIZABETH RAY. WE'LL MOVE ON TO NOE LECKER, IF YOU COULD TELL US WHAT ITEM YOU ARE TESTIFYING ON, PLEASE. >> MAHALO, I WILL BE TESTIFYING ON CR-25-32. ALOHA COMMITTEE CHAIR AND COUNCIL MEMBERS. IT'S NOE LECKER.\r\n\r\nI'M TESTIFYING NOT JUST FOR MYSELF BUT FOR MY CHILDREN, MY GRANDCHILDREN, AND THE GENERATIONS TO COME. I STRONGLY OPPOSE BILL 76 AMENDING THE COMPREHENSIVE ZONING ACCORDANCE ON MOBILE FOOD TRUCKS OR TRAILERS IN AGRICULTURAL DISTRICT. AS A RESIDENT OF EAST MAUI KIPAHULU HANNA, I ASK THE COMMITTEE TO EXEMPT EAST MAUI FROM THIS BILL. WE ARE A SMALL COMMUNITY THAT STILL PRACTICE CULTURE OF SEWING AND REAPING FROM THE 'AINA. THIS BILL MAY LOOK TO WORK FOR LARGER POPULATED AREAS, BUT FOR EAST MAUI, THIS WILL DO MORE HARM THAN GOOD. MY PRAYER IS THAT YOU WILL HEAR THE HEARTS OF THE PEOPLE TO MAKE NO CHANGES TO WHAT IS NOW IN PLACE. TO PROTECT THE 'AINA FOR PLANTING AND HARVESTING, RATHER THAN A PLACE OF MARKETING FOOD TRUCKS OR OTHER FUTURE STRUCTURES WITH NO SAFEGUARD OR ENFORCEMENT IN COMPLIANCE WITH THIS BILL SHOULD IT GET PASSED.\r\n\r\nHAVE YOU CONSIDERED AG LANDS THAT HAVE NO COUNTY WATER RESOURCES FIRE PROTECTION, FIRE HYDRANTS AND ASK IF POSSIBLY HANA COULD EXEMPT FROM THERE? AND I CLOSE WITH WHAT KUMU KALANI KU'AU SAID (SPEAKING HAWAIIAN) THE LIFE OF THE LAND IS PERPETUATED IN RIGHTEOUSNESS, NOT RICHES. MAHALO. >> THANK YOU. QUESTIONS, MEMBERS? MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR.\r\n\r\nALOHA, MS. LECKER, MAHALO FOR YOUR TESTIMONY, JUST TO CLARIFY, INITIALLY YOU SAID TO EXEMPT EAST MAUI AND THEN YOU SAID TO EXEMPT HANA. WHICH? >> EAST MAUI. I MEAN ALL FROM, YES, ALL OF EAST MAUI. >> OKAY, MAHALO. >> THANK YOU VERY MUCH.\r\n\r\n>> MAHALO. >> ANY MORE QUESTIONS? IF NOT, THANK YOU VERY MUCH. >> CHAIR, THE NEXT TESTIFIER IS DESIRAY AUSTIN TESTIFYING ON CR 24-120, FOLLOWED BY AN MOOSE. >> AGAIN? >> ALOHA KAKOU, GOOD AFTERNOON EVERYONE. HONORABLE CHAIR.\r\n\r\n? >> YOU RAISE THE MIC, IF YOU WANT . >> THANKS, I WAS REALLY MOVED BY ALL OF THE TESTIMONY TODAY AND ALL OF THE EVIDENCE AND IKI THAT WAS SHARED, THAT I DON'T THINK I COULD COMPARE TO THE PEOPLE THAT HAVE GONE BEFORE ME, EXCEPT TO SUPPORT THE COMMENTS THAT HAVE BEEN MADE WITH MOVING FORWARD WITH THE PROJECT WAILEA 670. I DID SEND A LETTER AND I DID EMAIL IT THE PROJECT WAILEA 670 IS IN MY BACKYARD I'M FROM KIHEI AND IMPACTS OUR NATIVE DRY LAND HABITATS, AS WELL AS THE POTENTIAL TO CONSUME MUCH-NEEDED WATER AND OVERLOAD LIMITED INFRASTRUCTURE. THE PROJECT HAD GOOD INTENTIONS FROM ITS ORIGINS, BUT IT'S UNDERGOING A THREATENING TRANSFORMATION. THE DOCUMENT WHICH I HAVE SENT THROUGH THE EMAIL, AREAS OF CHANGE

CAME FROM THE WE ARE SOUTH MAUI WEBSITE WHICH IS THE COUNTY WEBSITE. I'M QUOTING FROM THAT DOCUMENT. IT SAYS, "THIS IS THE QUOTE, "THE PROJECT WILL PROVIDE THE OPPORTUNITY FOR 1150 NEW RESIDENTIAL UNITS AND HOWEVER, I PUT THIS IN BOLD, THE MAJORITY ARE NOT GEARED TOWARDS THE LOCAL RESIDENT MARKET." I MEAN, WE'RE FACING OUR OWN FACTS THERE. ALTHOUGH THE AMENDMENTS THAT HAVE BEEN SUGGESTED ARE WELL-INTENTIONED, I ACTUALLY WOULD PREFER IF WE DON'T ABIDE BY ANY CHANGES. I AM HOPEFUL THAT IT'S UNDERSTANDABLE THAT IF THE PROFITABILITY FOR THIS DEVELOPER HAS CHANGED OVER TIME, DUE TO MARKET FLUCTUATIONS, OR HOWEVER HE OR SHE RUNS THEIR BUSINESS, THAT MAKES SENSE.\r\n\r\nBUT IT DOES NOT MAKE SENSE FOR US TO EASE THEIR NEEDS BY REDUCING OUR NEEDS, BECAUSE OVER TIME, THE FACTORS OF HOUSING CRISIS AND INSUFFICIENT INFRASTRUCTURE HAVE ALSO CHANGED. THESE FACTORS HAVE WORSENERED. SO, IN FACT, THE ORIGINAL REQUIREMENTS ACTUALLY FALL BELOW OUR LOCAL NEEDS YET AGAIN. SO THERE'S MORE TO MY EMAIL, BUT AT THIS POINTED, AS I HAVE MENTIONED, I CAN'T TESTIFY BETTER THAN WHAT HAS GONE BEFORE OR TO PROVIDE MORE EVIDENCE, BUT I HAVE A COUPLE OF QUESTIONS. I'M JUST CURIOUS AS A RESIDENT. ACTUALLY AS A KANAKA RESIDENT. IS IT POSSIBLE EVEN THOUGH THIS PROJECT WAS APPROVED IN 2008, CHAIR, COUNCIL, WHOEVER CAN ANSWER IT, IS IT POSSIBLE TO RESCIND THAT APPROVAL?\r\n\r\n>> THIS IS NOT SOMETHING THAT WE'RE ABLE TO ANSWER, BECAUSE WE ARE ASKING YOU THE QUESTIONS. FOR CLARIFICATION. >> OH, I SEE. >> I WILL TELL YOU, IF YOU STAY WITH US A LITTLE LONGER, WE'LL GET THAT ANSWERED FOR YOU. >> ALL RIGHT. BECAUSE I UNDERSTAND YOUR POINT EARLIER ABOUT IT'S BEEN APPROVED. BUT DO WE HAVE TO FOLLOW THROUGH ON THINGS THAT HAVE CHANGED IN NATURE?\r\n\r\n>> OKAY. >> THANK YOU. >> I WILL GET A MORE OFFICIAL ANSWER, BUT THE ANSWER IS NO, THAT IS WHAT WE HAVE BEEN TOLD. >> YOU DON'T HAVE TO FOLLOW THROUGH? >> WE DON'T HAVE TO APPROVE THE CHANGES THAT ARE BEING PROPOSED. BUT WE DO NOT HAVE A RIGHT TO RESCIND THE ZONING THAT WAS APPROVED BY THE PRIOR COUNCIL. WE'RE ONLY DEALING WITH THE CHANGES TO THE PROJECT TODAY.\r\n\r\n>> THANK YOU. >> CHAIR, THE NEXT TESTIFIER IS AN MOOSE, IF YOU COULD PLEASE LET US KNOW WHAT YOU ARE TESTIFYING ON. >> ALOHA. I LIKE HAVING SOME FUN. NANI MOOSE, ANONYMOUS. THIS IS TRINETTE FURTADO AND TESTIFYING ON CR 25-36, CR 25-39, CR 25-40, CR 24-120, AND THE AMENDMENTS CR 24-30 THROUGH CR 20-33. ALOHA, CHAIR AND COUNCIL MEMBERS. MAHALO FOR THE OPPORTUNITY TO TESTIFY.\r\n\r\nTHERE'S LOTS OF IMPACTFUL ITEMS ON TODAY'S AGENDA. RESPECT IS NOT MANDATED BY A GAVEL OR WARNING, BUT IS EARNED AND RIGHT NOW THERE ARE SOME OF YOU WHO HAVEN'T EARNED OR DESERVE MY RESPECT, SORRY NOT SORRY, I'M TIRED OF SEEING THE MAJORITY OF THIS COUNCIL SUPPORTED FOREIGN INTEREST AND NITPICK OUR COMMUNITY TIME AND AGAIN. THE FIRST ITEM I'M TESTIFYING ON IS A GROUP, CR 25-36, CR 25-39 AND CR 25-40 IN TOTAL WE CREST 750,000 FOR OUTSIDE COUNSEL TO REPRESENT THE COUNCIL IN LITIGATION AND PRE-LITIGATION. \$ON TOP OF WHAT THE DEPARTMENT OF CORP. COUNSEL ALREADY RECEIVES FROM THE BUDGET, THE REASON? CONFLICTS OF INTEREST. YET OUR COUNTY CHARTER SECTIONS 8-2 .3.2 AND 8-2.3.3, WHICH OUTLINE THE POWERS DUTIES AND FUNCTIONS STATES THAT THE DEPARTMENT OF CORPORATION COUNSEL, "BE CLEVE LEGAL ADVISOR AND LEGAL ROHNERT PARKED OF THE COUNTY OF MAUI, OF THE COUNCIL, THE MAYOR, ALL DEPARTMENTS AND ALL WARDS AND COMMISSIONS -- BOARDS AND COMMISSIONS." POINT 3 STATES, "THAT IT REPRESENT THE COUNTY HAUL IN LEGAL PROCEEDINGS." SO I WOULD LIKE TO CONSIDER THAT THERE ARE MR.\r\n\r\nCONFLICTS OF INTEREST IN THE SCOPE OF DEPARTMENT'S POWERS, FUNCTIONS AND DUTIES, ESPECIALLY SINCE WE LIVE, WORK AND PLAY ON THE SAME ISLAND. THESE CONFLICTS COST US DEARLY IN FEES TO OUTSIDE COUNSEL, FUNDS THAT COULD BE BETTER USED ASSISTING KUPUNA DIFFERENTLY ABLED FOLK AND OTHER DISPLACED BY THE WILDFIRES WITH A DEPOSITS, RENT, UTILITY BILLS, LEGAL ISSUES, ET CETERA. HOW MANY CORPORATION COUNSEL CONFLICTS OF INTEREST COST US EVERY TERM IS? THE SECOND ITEM I'M TESTIFYING ON IS CR 24-120, I OPPOSE THE BILLS CONTAINED WITHIN

THIS COMMITTEE REPORT. THIS PROJECT WAS APPROVED UNDER AN OLDER ORDINANCE BASES ON THE PROMISES AND AGREES THIS DEVELOP MADE WITH OUR COUNCIL, TO TRY AND CHANGE THE TERMS BECAUSE THE ORDINANCE HAS CHANGED IS SHADY AND GROTESQUE, AND ONLY SHOWS THE GREED OF THOSE PUSHING THIS REQUEST. IF THIS WAS A NEW PROJECT, THE TERMS OF THE NEW CODE WOULD APPLY AND THEY COULD PROVIDE LESS UNITS BASED ON THIS MATH. HOWEVER, THIS IS NOT A NEW PROJECT.\r\n\r\nITS PASSAGE WAS CON TINGENT UPON BUILDING MORE THAN THE 288 AFFORDABLE UNITS THAT THEY ARE NOW PROPOSING. THE EXTENSION OF THE ROAD AND ALL IMPROVEMENTS WERE PART OF THAT AGREEMENT. THE CULTURAL EXPANSION IS SOMETHING THAT WAS OUTLINED IN LAWSUIT AND TO GIFT A CULTURAL CENTER TO IS LAUGHABLE AND STATE THAT THEY ARE GOING TO SWAP A LITTLE LEAGUE FEEL FOR THE CENTER. GROSS. IS THE DEVELOPER TRYING TO PIT 'OHANA AGAINST 'OHANA WITH THIS COMPROMISE? SITING IN AND THROUGH THE DAYS OF TESTIMONY ON BILL 9 AND OFFERING MY OWN, NOBODY IS SURPRISED THAT WE REALIZE WE NEEDING AND WE NEED HOUSING THAT THIS DEVELOPMENTS PROMISED. I HEAR THE DEVELOPERS THREATENED THAT THEY WON'T BUILD ANY UNITS IF THEY DON'T GET THEIR WAY.\r\n\r\n\r\nFINE, IF THAT IS THE CASE, THEY CAN GOOD THROUGH THE PERMITTING AND APPROVAL PROCESS ALL OVER AGAIN A NEW PROJECT WITH THEIR ADJUSTED, MANDATED UNITS BECAUSE THAT IS WHAT WE'RE STARTING TO SEE HERE A NEW PROJECT. IT DOESN'T LOOK LIKE WHAT IT DID WHEN IT WAS FIRST PROPOSED AND APPROVE AND STRONGLY SUPPORT CR 23-30, COUNCIL MEMBER RAWLINS-FERNANDEZ AMENDMENT, CR 24-31 COUNCIL MEMBER PALTIN'S AMENDMENT AND CR 24-32 COUNCIL MEMBER JOHNSON'S AMENDMENT, AND CR 24-30, COUNCIL MEMBER RAWLINS-FERNANDEZ AMENDMENT THAT SEEK IT RETURN THE ORIGINAL AMOUNT OF UNITS OWED TO THE COMMUNITY BY THIS PROJECT, EXTEND DEED RESTRICTIONS ON BOTH RENTAL AND OWNERSHIP UNITS AND PRIORITIZE ACTUAL RESIDENTS OVER PART-TIME VISITORS AND AMEND 2 .96 IF THIS PREDICT IS PASSED IN ITS FRANKEN STEEN STATE AND THEY ARE ALLUDED TO BACK FROM THEIR OBLIGATIONS TO PROVIDE INFRASTRUCTURE AND ORIGINAL AMOUNT OF AFFORDABLE UNITS WHAT IS TO STOP OTHER DEVELOPERS FROM RENEGING ON IT? THEIR OBLIGATIONS ARE THE CHASING THE HIGHEST PROFIT POINTS TO THIS EXAMPLE AS THEIR JUSTIFICATION. THESE AMENDMENTS ARE NECESSARY IF THIS COUNCIL DECIDES TO ALLOW THIS PROJECT TO MOVE FORWARD, AMENDED PLANS AND WE CONTINUE TO SUFFER IN THIS HORRENDOUS HOUSING CRISIS AND WITH MORE AND MORE OF OUR KUPUNA DIFFERENTLY ABLED AND OTHERS GOING HOUSELESS AND UNDER THREAT OF GOVERNMENTAL SWEEPS OF PLEASE VET VOTE NO ON CR 24-120 AND SHOW ALL OF IN THAT YOU CARE ABOUT THE COMMUNITY. THANK YOU VERY MUCH. >> QUESTIONS, MEMBERS? MEMBER PALTIN.\r\n\r\n\r\n>> THANK YOU, CHAIR. THANK YOU, MS. MOOSE. OR FURTADO, I'M NOT SURE WHICH ONE YOU WANTED US TO SAY? BUT I GUESS THE ONE I WANTED TO CLARIFY WHEN YOU SAID RESTORES THE ORIGINAL AMOUNT OF AFFORDABLE UNITS IN 2008 THE AMOUNT WAS 700. I GUESS THEY JUST RELIED ON 2.96 AND WITH 2.96 CHANGING THE ONLY THING THEY HAD WRITTEN IN THE BILL ITSELF WAS 450 AFFORDABLE WOULD BE ON-SITE AND ALSO THAT IS THE AMOUNT THAT WE'RE TRYING TO PRESERVE. SO WHEN YOU SAID WHAT IS BEFORE US NOW PRESERVE WHAT IS IN THE BILL ALREADY IS WHAT YOU ARE TESTIFYING TOWARDS? OR INCREASE IT TO ORIGINAL AMOUNT OF 700? >> I WOULD LIKE IT TO BE BACK TO ITS ORIGINAL AMOUNT OF 700. >> THANKS FOR THE CLARIFICATION.\r\n\r\n\r\n>> ANY OTHER QUESTIONS? IF NOT, THANK YOU. >> CHAIR, THE NEXT TESTIFIER IS CAITLIN MILLER, FOLLOWED BY SHAY CHAN-HODGES. >> ALOHA, CHAIR LEE AND COUNCIL MEMBERS THANK YOU FOR THE OPPORTUNITY TO TESTIFY ON CR 234-120 AND ITS SUBSEQUENT AMENDMENTS. I'M CRATED LIN MILLER HERE ON BEHALF OF THE SHORT-TERM RENTAL ASSOCIATION SUPPORTS EFFORTS TO STRENGTHEN THIS ORDINANCE AND U HOLD THE COMPLIMENTS MADE TO OUR COMMUNITY WHETHER THE WAILEA 670 WAS FIRST APPROVED THE ORIGINAL ZONING AGREEMENT INCLUDED 700 WORKFORCE HOUSING UNITS WE UNDERSTAND THAT CIRCUMSTANCES EVOLVE AND HOPEFULLY IT WILL BE 450, REPRESENTS A SIGNIFICANT SHIFT ONE THAT MUST BE MET WITH EQUALLY STRONG PROTECTIONS TO ENSURE THESE HOMES TRULY SERVE LOCAL RESIDENTS. THAT IS WHY WE

SUPPORT THE AMENDMENTS LIKE THE ONE INTRODUCED BY COUNCIL MEMBER PALTIN, EXTENDING THE DEED RESTRICTION PERIOD TO 350 YEARS AND ENSURING OWNER-OCCUPIED UNITS REMAIN IN LOCAL HANDS IN PERPETUITY. THESE PROVISIONS AREN'T JUST TECHNICAL THEY ARE MEANINGFUL TOOLS TO PRESERVE AFFORDABILITY AND STABILITY FOR GENERATIONS OF MAUI FAMILIES.\r\n\r\nWE BELIEVE THE HOUSING POLICY SHOULD BE FORWARD-THINKING TRANSPARENT AND ROOTED IN FAIRNESS. IF WE'RE GOING TO ADZ JUST LOCK-STANDING LAND USE AGREEMENTS WE HAVE TO DO SO IN A WAY THAT BUILDS TRUST AND ENSURES THE COMMUNITY SEES LASTING BENEFIT, NOT JUST RESHAPE TERMS THAT FAVOR DEVELOPERS. WE ALSO APPRECIATE THAT THE CLAUSE REQUIRING THAT ALL WORKFORCE UNITS BE BUILT AND RECEIVED CERTIFICATES OF OCCUPANCY BEFORE ANY RATE UNITS THIS IS A STRONG ACCOUNTABILITIES MEASURE THAT WE URGE THE COUNCIL TO RELY ON. REPRESENTS A SMALL BUSINESS OWNER AND WORKING FAMILIES AND OUR POSITION IS GROUNDED IN VALUE THAT WE WANT TO SEE OUR LOCAL RESIDENTS HOUSING AND THRIVING. THAT MEANS HOLDING DEVELOPERS TO COMMITMENTS. THANK YOU AGAIN. >> ANY QUESTIONS?\r\n\r\nCHAIR, THE NEXT TESTIFIER IS SHAY CHAN-HODGES, FOLLOWED BY MICKEY BURK. >> SHAY CHAN-HODGES WE CAN SEE YOU CAN UNMUTE ON YOUR END. WE'LL COME BACK TO YOU. MICKEY OR MIKEY BURKE. LOOKS LIKE YOU CAN UNMUTE ON YOUR END. IF YOU UNCLICK THAT YOU SHOULD BE ABLE TO UNMUTE ON YOUR SIDE. IN WINDOWS IT'S CONTROL SHIFT M, AS MARY AND ON A MAC, COMMAND SHIFT O. >> SHE TEXTED IT'S NOT WORKING, MAYBE YOU CAN DIRECT HER TO THE PHONE NUMBER IN THE CHAT.\r\n\r\nWE SEE YOU. THE PHONE NUMBER TO CALL IN IS POSTED IN THE CHAT. IF YOU AREN'T ABLE TO UNMUTE. >> HELLO, CAN YOU HEAR ME? >> YES. >> I WILL TRY ONE MORE TIME ON THE VIDEO. NEVER MIND.\r\n\r\nAT LEAST I GOT HALFWAY THERE. HOLD ON ONE SECOND. LET ME FIND MY NOTES. SO YEAH, I'M GOING TO BE TESTIFYING AGAINST CC 24-120, AND FOR THE AMENDMENTS, CC 24-30 TO 24-33. THIS IS MY TESTIMONY REGARDING CC 24-120. AS THE FORMER CHAIR OF THE MAWK MAK WATER BOARD, SOMEONE WHO IS VERY CONCERNED ABOUT PROVIDING HOUSING FOR RESIDENTS PARTICULARLY THE IU W WORKERS IN THE HOTELS IN THE AREA, I'M CONCERNED ABOUT THE IMPACTS OF PROVIDING WATER FOR A NEW DEVELOPMENT THAT IS PRIMARILY INTENDED FOR NON-RESIDENTS. THERE ARE OBVIOUSLY A LOT OF ISSUE RELATED TO THIS DEVELOPMENT AND OTHER COMMUNITIES HAVE ARTICULATED - DRILLING TWO WELLS ON ITS LANDS. I ALREADY UNDERSTAND THESE WELLS ARE BRACKISH AND NOT DRINKING WATER QUALITY AND FURTHERMORE IN THE KAMOLE AQUIFER, WHICH ALREADY HAS A LOW SUSTAINABLE OF 11 MILLION GALLONS PER DAY, PUMPING LARGE AMOUNTS IS GOING TO PUT STRESS ON THIS AQUIFER. IF THE DEVELOPER IS RELYING ON DWS CENTRAL MAUI SYSTEM OF THAT AQUIFER IS ALSO PROBLEMATIC, SINCE THAT IS PUMPED CLOSE TO ITS SUSTAINABLE YIELD OF 20 MILLION GALLONS PER DAY AND DHHL HAS WATER RESERVATIONS FOR OVER 2.5 MILLION DAILY GALLONS.\r\n\r\nAS STATED BY THE ALL TESTIFIERS ON THE BILL 9 OVER THE LASTED FEW WEEKS REGARDLESS OF THEIR POSITION ON THAT BILL GIVEN THE DIRE NATURE OF HOUSING CRISIS THE COUNTY SHOULD BE PRIORITIZING RESIDENTS FROM ANY NEW DEVELOPMENTS. SIMILARLY AT LAST WEEK'S WATER MEETINGS COMMUNITY MEMBERS BEFORE KENAI TO KULA REPEATED THAT STATED THAT THE COUNTY'S PRIORITY WHEN IT COMES TO WATER ALSO SHOULD BE RESIDENTS. IN FACT, THE PREVAILING SENTIMENT FOR KULA WAS ONE OF BETRAYAL, WHEN FOLKS HAVE BEEN ON THE WATER METER LIST FOR DECADES SEE NEW DEVELOPMENTS THAT SERVE NON-RESIDENTS BEING ABLE TO ACCESS WATER AHEAD OF THEM. IT'S ALSO STRANGE TO ME THAT WE ARE EVEN CONSIDERING ANY DEVELOPMENT THAT DOES NOT SIGNIFICANTLY RELIEVE THE HOUSING CRISIS WHEN 30% OF OUR COUNTY IS CURRENTLY UNDER SERVER DROUGHT AND THE DROUGHT IS EXPECTED TO LAST THROUGH AUGUST. THE MAUI NUI CROP MONITOR WHICH WAS SENT OUT EARLIER THIS MONTH STATES THAT THE TERMS IN RAINFALL WESTERN MOKU ARE AMONG THE DRIEST 21-43% BELOW NORMAL, EVEN WETTER WINDWARD MOKU HANA AND KOLOA ARE SHOWING SHORT STALLS OF 21-30-4% STREETS IN EAST AND EVENT WITH MAUI INCLUDES THE WAILUKU RIVER WERE AT 10% OR BELOW. THE MAINSTREAM FLOWS HISTORICALLY. JUNE 3RD, 2025

DROUGHT MONITOR UPDATE WAS NOTED THAT 100% OF MAUI COUNTY IS SOME STAGE OF DROUGHT WITH OVER 69ED% OF THE MAUI ISLAND EXPERIENCING MODERATE DROUGHT - THE LONGEST STREAK IN THE COUNTY IN THE PAST FOO MONTHS.\r\n\r\nWE NEED TO BE VERY CLEAR WHAT OUR SHORT-TERM AND LONG-TERM OUTLOOK IS WHEN IT COMES TO AVAILABLE WATER IN OUR AQUIFERS AND THE IMPACTS OF CLIMATE CHANGE. WE CONTINUE TO ALLOW TOURISTS AND PART-TIME RESIDENTS TO JUMP AT THE LINE WHETHER OUR WATER AND HOUSING SITUATIONS ARE SO DIRE THEN I HAVE A VERY BRIEF TESTIMONY ABOUT CC 24-30 TO 33. I SUPPORT ALL -- >> MEMBERS, QUESTIONS ON THE FIRST PART OF THE TESTIMONY? MEMBER PALTIN. >> SO CLARIFYING YOU HAVE CONCERNS ABOUT THE WATER THERE BILL 171 ALLOWS FOR SWIMMING POOLS, JUST WANTED TO CLARIFY YOU ARE NOT IN SUPPORT OF THAT? >> I'M NOT IN SUPPORT OF ANY WATER THAT DOESN'T DIRECTLY PROVIDE HOUSING FOR OUR RESIDENTS OR OTHER SUPPORT FOR OUR RESIDENTS AT THIS POINT IN TIME. IT'S JUST TOO DIRE, SITUATION. >> SO YOU BE SUPPORTIVE OF TAKING THAT LETTER OUT?\r\n\r\n>> I BELIEVE SO, YES. >> THANK YOU >> THANK YOU. >> ANY OTHER QUESTIONS ON THE FIRST PART OF HER TESTIMONY? IF NOT, YOU CAN GO ON TO THE NEXT ONE. >> THANK YOU. BASICALLY I SUPPORT ALL OF THE AMENDMENTS CC 24-30 TO 33, AGAIN, NO QUESTION THAT WE NEED HOUSING FOR RESIDENTS AND NEED TO PRIORITIZE AND ENSURE WITH APPROPRIATE LEGISLATION THAT THE NEED OF ACTUAL RESIDENTS INCLUDE HOTEL WORKERS CURRENTLY TRAVELING LONG DISTANCES TO WORK ARE MET. I BELIEVE THAT IF YOU DO PASS CC 24-120, THE AMENDMENTS PROPOSED ARE NECESSARY SO THAT AT LEAST 450 OF THE UNITS ARE AFFORDABLE, THOUGH I WOULD PREFER AS MANY OF THE OTHER TESTIFIERS THAT WE GO BACK TO THE ORIGINAL 700, I BELIEVE IT IS, OR 750. AND THAT DEED RESTRICTIONS ARE STRENGTHENED TO BE PROTECTED IN PERPETUITY.\r\n\r\nI ALSO WANTED TO SAY THAT I'M VERY GLAD THAT AUTUMN NESS BROUGHT UP THE ISSUE OF PRIVATE EQUITY AND HOW DEED RESTRICTIONS CAN COMBATED THE GOBBLING UP OF HOUSING ACROSS THE COUNTRY. I ACTUALLY DID NOT KNOW ABOUT THAT WITH THE DEED RESTRICTIONS BUT I HAVE BEEN VERY CONCERNED BECAUSE PRIVATE EQUITY FIRMS HAVE ACQUIRED 1.4 MILLION APARTMENT UNITS SINCE 2018 AND 930 OF THOSE ACQUIRED SINCE 2021 AND STRONGLY URGE ALL COUNCIL MEMBERS TO READ FROM THE HAWAI'I BUSINESS ARTICLE HIGH EYE BUSINESS MAGAZINE ARTICLE FROM JANUARY 2023 CALLED "WHAT HAPPENS WHEN PRIVATE EQUITY IS YOUR LANDLORD IN HAWAI'I "THE WHICH DETAILS WHAT HAS BEEN HAPPENING IN WEST O'AHU WHEN IT COMES TO PRIVATE EQUITY. OUR EXPERIENCE ON MAUI WITH PRIVATE EQUITY SO FAR HAS BEEN PRIMARILY IN HOTEL AND AGRICULTURAL INVESTMENTS, BUT WE NEED TO BE PREPARED FOR THIS NEXT WAVE. SO THANKS AGAIN TO AUTUMN FOR BRINGING THAT UP. THANK YOU SO MUCH FOR YOUR TIME. PLEASE DO THE RIGHT THING. MAHALO.\r\n\r\n>> QUESTIONS, MEMBERS? MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. ALOHA, MS. CHAN-HODGES. THANK YOU FOR THE INFORMATION ON THE WATER, WHAT WAS THE SITE YOU CITED? >> THE MAUI NUI CROP MONITOR WITH ALL OF THE DROUGHT INFORMATION?\r\n\r\nIS THAT WHAT YOU ARE REFERRING TO? >> YES. GO AHEAD. >> SORRY, THE SCREEN IS FLASHING. THAT IS THE MAUI NUI CROP MONITOR, THAT IS THE ARIZONA STATE SCIENTISTS WHO ARE BEING DOING WORK ON MAUI THE LAST FEW YEARS, HELPING FARMERS, TRACK AND THAT KIND OF THING, UTILIZING SATELLITE IMAGERY AND MACHINE LEARNING. BUT THIS DATA, I BELIEVE COMES FROM THE INFORMATION FROM THE U.S.G.S. DATA BUT THEY HAVE BEEN SENDING OUT MONTHLY AND NOW I THINK IT'S A QUARTERLY NEWSLETTER THAT TALKS ABOUT DROUGHT, EVAPOTRANSPIRATION AND FUEL LOADS OF FIRE RISKS AND THAT KIND OF THING. I CAN FORWARD IT TO YOU.\r\n\r\n>> OH, THAT WOULD BE GREAT. >> AND SO THE MAUI NUI CROP MONITOR MONITORS SURFACE WATER ONLY. >> NOW, THEY COVER A LOT OF DIFFERENT THINGS, BUT YEAH, THAT'S MOSTLY SURFACE WATER IN THAT ISSUE, YOU'RE RIGHT. IT'S NOTHING ABOUT WELLS OR GROUNDWATER. >> MAHALO, MS. CHAN-HODGES. >> MEMBER PALTIN.\r\n\r\n>> THANK YOU, CHAIR. THANK YOU, MS. CHAN-HODGES, IF YOU COULD REPEAT THAT INFORMATION TO LOOK UP. >> JANUARY 2023 HAWAI'I BUSINESS MAGAZINE ARTICLE CALLED "WHAT HAPPENS WHEN PRIVATE EQUITY IS YOUR

LANDLORD IN HAWAI'I"? >> THANK YOU. >> IT'S ONE OF THE BEST ARTICLES I HAVE READ IN HAWAI'I ABOUT PRIVATE EQUITY. >> ANY MORE QUESTIONS? IF NOT, THANK YOU.\r\n\r\nMS. CLERK. >> THANK YOU. >> THANK YOU, CHAIR. THE NEXT TESTIFIER IS MIKEY BURKE, FOLLOWED BY KATY AUSTIN. ? >> IT'S MUTED AGAIN. HER MICROPHONE IS MUTED.\r\n\r\nCAN YOU GIVE HER THE INSTRUCTIONS TO CALL IN. >> THE CALL INSTRUCTIONS ARE IN THE CHAT. >> CAN YOU HEAR ME? I'M ON MY PHONE. >> YES. >> YOU MIGHT HAVE TO MUTE YOUR OTHER DEVICE, SO THERE'S NO FEEDBACK. >> CAN YOU HEAR ME?\r\n\r\n>> YES. >> OKAY. I JUST WANT TO LET YOU KNOW, I OPERATE ON TEAMS ALL DAY FOR MY CAREER, 8-10 HOURS A DAY AND THIS IS THE CRAZIEST I HAVE EVER SEEN TEAMS WORK. I AM TESTIFYING ON AGENDA ITEM CR 24-120, CC 24-30, TO 33. ALOHA MAI KAKOU. MY NAME IS MIKEY BURKE AND AS A MATTER OF PRINCIPLE, I OPPOSE THIS DEVELOPMENT AND ANY DEVELOPMENT OF HUNDREDS OF LUXURY HOMES THAT WILL REMAIN VACANT FOR MONTHS AT A TIME. ANY EASY MLS SEARCH WILL SHOW YOU THAT THEY HAVE ENOUGH LUXURY HOMES AVAILABLE FOR THESE TYPES OF INVESTORS. BUT NOT ENOUGH ATTAINABLE HOME FOR OUR WORKING-CLASS PEOPLE.\r\n\r\nBUT SINCE THIS TRAIN IS PLOUGHING FORWARD REGARDLESS, I'M SPEAKING ON WHAT WE CONTROL IN THE WAILEA 670 HONUA'ULA PROJECT. NOW WE'RE WATCHING THAT PROMISE UNRAVEL. I STRUGGLE IS TO UNDERSTAND HOW THE MAUI PLANNING COMMISSION ALLOWED DEVELOPER TO CUT THE NUMBER OF AFFORDABLE HOMES DOWN FROM 700 TO JUST 288 UNITS, AND ATTEMPT TO DELETE THE LEGAL LANGUAGE REQUIRING 450 OF THOSE HOMES TO BE BUILT ON-SITE. WE NEEDED 700 AND WE STILL DO. THIS VOTE CAME DESPITE OVERWHELMING COMMUNITY OPPOSITE AND IT CAME AT THE WORST POSSIBLE MOMENT WHETHER THE NEED FOR TRULY AFFORDABLE HOUSING ON MAUI HAS NEVER BEEN MORE URGENT. JUST THIS PAST WEEK THE HOUSING AND LAND USE COMMITTEE OF THIS VERY COUNCIL HEARD FIVE DAYS OF TESTIMONY DEEPLY DIVIDED TESTIMONY THE ONLY THING THAT 338 TESTIFIERS COULD AGREE ON WAS THE MAUI NEEDS AFFORDABLE HOMES NOT BROKEN PROMISES. SO FOR THOSE FIVE DAYS' OF TESTIMONY TO END ON WEDNESDAY AND THEN FOR FULL COUNCIL TO BE ASKED TWO DAYS LATER HERE TODAY TO CONSIDER REMOVING THE VERY REQUIREMENT THAT WOULD HAVE DELIVERED THE 450 AFFORDABLE HOMES TO OUR ISLAND FEELS LIKE SOMETHING OUT OF A BAD STREAM.\r\n\r\nWE SHOULDN'T EVEN BE IN THIS POSITION. THE REQUIREMENT IS ALREADY LAW. THE HOMES ARE ALREADY PROMISES AND THE COMMUNITY HAS ALREADY SPOKEN. QUITE CLEARLY THIS IS MORE ABOUT THE ONE DEVELOPMENT. IT'S ABOUT WHETHER WE'RE GOING TO HONOR THE COMMITMENTS MADE TO PEOPLE OF MAUI OR ALLOW THEM TO BE ERASED WITHOUT ANY REAL DATA AND PROOF THAT THE DEVELOPER CAN'T MAKE THE NUMBERS WORK. SO I'M URGING YOU TO REJECT THE DEVELOPER'S REQUEST ELIMINATE THE 450 UNIT REQUIREMENT ADOPT COUNTY COMMUNICATION CC 24-30 THRU 33 SEND THE MESSAGE TO EVERY FUTURE DEVELOPER THAT MAUI WILL NO LONGER TRADE HOUSING PROMISES FOR LUXURY LOOPHOLES IF WE ALLOW THIS ROLLBACK TO MOVE FORWARD, WE'RE NOT JUST BREAKING PROMISE, BUT BUILDING A BLUE PRINT FOR MORE. PLEASE DO THE RIGHT THING, HOLD THE DEVELOPER ACCOUNTABLE.\r\n\r\nRESTORE THE REQUIREMENT AND HELP US BRING OUR HEM POEM. >> MAHALO NUI. >> THANK YOU, QUESTIONS? DID NOT, THANK YOU VERY MUCH. >> CHAIR, THE NEXT TESTIFIER IS KATIE AUSTIN. >> ALOHA, CHAIR, ALOHA COUNCIL, MY NAME IS KATIE AUSTIN TESTIFYING ON CR 24-120, AND THEN CC 24-30 THROUGH 33. I DO WANT TO GO ON RECORD SAYING I'M IN TOTAL OPPOSITION TO THIS DEVELOPMENT. GIVEN THE CURRENT UNDERSTANDING THAT IT IS NOT LEGALLY POSSIBLE TO GO BACK IN TIME, AND JUST TAKE THIS DEVELOPMENT AND HOLD OFF THE TAKING, I'M IN SUPPORT OF THE COUNTY COMMUNICATIONS 30-33, I DO FEEL THAT THE 700 AFFORDABLE HOMES SHOULD BE NON-NEGOTIABLE.\r\n\r\nSO EVEN THE THOUGHT THAT WE'RE GOING TO TAKE THE 450 CURRENTLY IN THERE AND DROP IT EVEN LOWER IS HONESTLY A LITTLE BIT RAGEFUL, ESPECIALLY AFTER GIVEN THE TIME THAT WE HAVE ALL SPENT TOGETHER IN THE PAST FIVE DAYS TESTIFYING ON AFFORDABLE HOUSING. I DO THINK IF THE DEVELOPER IS SAYING THAT HE CANNOT BUILD OR THEY CANNOT BUILD BECAUSE OF THE 450, IT'S NOT FINANCIAL VIABLE, THAT IS ON THE BACKS THE DEVELOPER, AND NOT

THE COUNTY, AND AT THIS POINT WOULD SAY THE DEVELOPER -- I'M FROZEN, >> WE CAN STILL HEAR YOU. >> COOL. IF THE DEVELOPER DOESN'T WANT TO TAKE 450, TELL HIM TO PULL THE ENTIRE PROJECT, BECAUSE HONESTLY I DON'T THINK ANYBODY WANTS IT THE OPPOSITE TESTIMONY TIME AND TIME AGAIN WE'RE AT A POINT THAT WE NEED TO SAY YOU'RE EITHER GOING TO GIVE US THESE AFFORDABLE UNITS OR WE DON'T WANT ANYTHING TO DO WITH YOU HONESTLY. SO MAHALO FOR THE TIME AND LETTING ME TESTIFY. >> MEMBERS, ANY QUESTIONS? IF NOT, THANK YOU.\r\n\r\nMAY WE HAVE THE NEXT TESTIFIER. >> CHAIR, THE NEXT TEMPER IS JOHANN LALL, FOLLOWED BY JOANN JOHNSON. >> JOHANN LALL TESTIFYING ON MY OWN BEHALF OF CR 25-32, CR 25-33, CC24 -30 ET CETERA. I'M GOING TO START WITH CR 25-32 I SUPPORT MOBILE FOOD TRUCKS FOR AG LANDS AND I THINK IT'S A GOOD WAY FOR FARMERS TO BE MORE PROFITABLE AND SMOOTH OUT THE FLUCTUATIONS AND CROP PRICES MAYBE BE MORE SECURE FINANCIALLY, AND BE ABLE TO WEATHER SOME OF THESE STORMS, AND ULTIMATELY IMPROVE FOOD SECURITY FOR HAWAI'I AND ALL OF THE STUFF THAT WE WANT. MOVING ON TO 25-33 I HAVEN'T ACTUALLY READ THE BILL, I JUST READ THE LITTLE SUMMARY, AND I SUPPORT THE IDEA OF ANYTHING THAT WOULD MAKE MORE HOUSING AND ESPECIALLY AFFORDABLE HOUSING POSSIBLE. SO I SUPPORT ALLOWING KITCHENETTES IN DWELLING UNITS. I THOUGHT IT WAS ALREADY ALLOWED, BUT I SUPPORTED THIS.\r\n\r\nTHE ONE CONCERN I HAVE IS THE PARKING REQUIREMENT. AND I UNDERSTAND THE JUSTIFICATION OF NOT WANTING TO CREATED MORE CONGESTION OF STREETS WITH ON-STREET PARKING BUT IT ALSO MIGHT MAKE IT IMPOSSIBLE TO CREATE THOSE UNITS IN PLACES WHERE THEY ARE MOST NEEDED AND ALSO CONTRIBUTE TO IMPERVIOUS COVER THERE SOME CASES IF YOU ARE REQUIRING SOMEONE TO ADD PARKING SPOTS. PROBABLY ALSO RESULTS IN REMOVAL OF TREES, WHICH HAS HAPPENED IN SEVERAL CITIES WHEN THEY TRIES TO INCREASE AFFORDABLE HOUSING BY ADUS AND DIDN'T ANTICIPATE SO MANY TREES WOULD BE LOST. SO THIS WOULD BE A SIMPLE THING THAT I WOULD SUGGESTED AT LEAST DISCUSSING, AND MAYBE LOOKING AT REMOVING, IF POSSIBLE. MOVING TO CC 24-30, THE AMENDMENT TO ADD BACK THE 450 AFFORDABLE OR WORKFORCE UNITS. I SUPPORT THIS STRONGLY. THE AMOUNT OF UNITS HAS BEEN REDUCED OVER THE YEARS AND 450 IS KIND OF LIKE THE LEAST THEY COULD DO.\r\n\r\nAND I CAN'T SEE ANY REASON TO REDUCE THAT. I THINK THAT WITH THE VALUE OF THE VALUE OF MARKET-RATE HOUSES THAT THEY ARE GOING TO SELL, THEY COULD EASILY DO 450, BECAUSE THE MARKET-RATE FOR WAILEA AREA AND I KNOW IT'S NOT ACTUALLY IN WAILEA IN THAT AREA IS PROBABLY 4-5 MILLION DOLLARS AND PROBABLY KEEP GOING UP. SO WHEN THESE UNITS ARE PROBABLY BUILT IT WOULD LIKE \$10 MILLION HOUSES; RIGHT? IT WOULD STILL BE LESS THAN HALF IF MY MATH IS RIGHT THAT THOSE ARE WORKFORCE UNITS AND THE MARKET RATE CAN MORE THAN MAKE UP FOR BUILDING THOSE 450. I THINK THAT IS ON A DIFFERENCE OF 120 SOMETHING VERSUS THE 288. S, BUT THAT IS 120 SOMETHING FAMILIES THAT WOULD POTENTIALLY GET TO REMAIN ON MAUI, OR MOVE BACK. SO I SUPPORT AS MANY UNITS AS POSSIBLE. I'M ALSO GLAD THAT THE SHORT-TERM RENTAL ASSOCIATION TEMPED IN FAVOR AND I THINK THEY HEARD THE CRITICISM THAT THEY ONLY SHOW UP TO TESTIFY ABOUT THEIR OWN ISSUES AND SO I HOPE THAT KIND OF LEADS TO MORE OF THESE ORGANIZATIONS AND FACTIONS AND INTERESTS BE INVOLVED IN THINGS OTHER THAN THEIR SPECIFIC LITTLE NARROW PERSONAL INTERESTS. SO I SUPPORT THAT AMENDMENT.\r\n\r\nMOVING ON TO CC 24-31 OWNER-OCCUPIED IN PERPETUITY. I THINK THAT IS EXTREMELY IMPORTANT AND I THINK IT'S A SIMPLE THING, YOU KNOW? JUST BY HAVING THAT AS A CONDITION, YOU MAKE SURE THAT THAT HOUSING IS NOT GOING TO BE SOLD TO SPECULATORS WHO DON'T LIVE ON MAUI, OR YOU KNOW, MAYBE IT WOULD BE OKAY IF THEY WERE RENTED OUT TO RESIDENTS AS WELL. BUT IF IT'S EITHER OWNER-OCCUPIED IN PERPETUITY OR NO RESTRICTIONS, THEN I SUPPORT THE OWNER OCCUPIED IN PERPETUITY. YOU KNOW, IN GENERAL, WE'RE SUPPOSED TO THINK GENERATIONS AHEAD AND WE'RE ALL KIND OF LIKE CONDITIONED BY WESTERN CULTURE, AND CAPITALISM TO THINK OF OURSELVES AND MAYBE ONE GENERATION AFTER US. BUT THERE'S A COMMON THING WITH NATIVE AMERICANS WHERE THEY TRY

TO THINK SEVEN GENERATIONS AND I THINK REALLY THAT JUST MEANS INFINITE GENERATIONS INTO THE FUTURE. SO THE MORE AHEAD WE CAN THINK, BETTER.\r\n\r\nSO LET'S KEEP THINKING OF CREATING AND CREATING HOMES THAT CONTINUE TO BE ACTUAL HOMES AND NOT INVESTMENTS OR ANYTHING LIKE THAT. MOVING ON TO 24-32. THE LOTTERY. WITH PRIORITIZATION FOR LENGTH OF TIME OF RESIDENCY. I SUPPORT THAT 100%. AND I'M SAYING THIS AS A PERSON WHO HAS LIVED A TOTAL OF LIKE EIGHT YEARS ON MAUI. SO I WOULD NOT BE PRIORITIZED BY THIS. AND THIS IS A PLACE THAT I WOULD ACTUALLY LIKE TO LIVE, BUT I'M SAYING THAT IT'S MORE IMPORTANT TO PRIORITIZE PEOPLE OTHER THAN MYSELF, WHO HAVE BEEN THERE FOR THEIR ENTIRE LIVES, OR GENERATIONS, OR A THOUSAND OR 2,000 YEARS, VERSUS TRANSPLANTS OR PEOPLE WHO ARE LOOKING TO MOVE TO MAUI. AND THAT IS ANOTHER CASE WHERE YOU WANT TO BE LOOKING MULTIPLE GENERATIONS INTO THE PAST AND INTO THE FUTURE AND THINK LONG-TERM AND DO EVERYTHING THAT YOU CAN TO HELP PEOPLE THAT ARE REALLY PART OF THE LAND AND DESERVE TO BE THERE.\r\n\r\nMOVING ON TO THE 24-33, THE 50-YEAR DEED RESTRICTIONS FOR THOSE RENTAL UNITS. I SUPPORT THAT. I ACTUALLY WOULD SAY THAT SHOULD ALSO BE IN PERPETUITY. I CAN'T SEE ANY REASON TO NOT HAVE IT BE FOREVER, IF THOSE RETRO -- LIKE THERE'S A REALLY BAD NEED FOR RENTAL UNITS AND THAT IS THE THING UNIQUE TO MAUI AS OPPOSED TO OTHER PLACES. EVERY CITY IN AMERICA AND PROBABLY THE WORLD HAS PROBABLY PLENTY OF RENTAL UNITS AVAILABLE AND THERE'S A BARRIER TO BEING ABLE TO BUY A HOUSE OR CONDO. SO HAVING THOSE RENTAL UNITS IS SUPER IMPORTANT AND THERE'S PLACES IN KIHEI, LIKE, I THINK IT'S CALLED PI'IKEA OR PI'ILANI GARDENS ACROSS FROM SAFEWAY. AND IF YOU DRIVE AROUND, YOU WILL SEE LOCAL FAMILIES A LOT OF TACOMAS AND FORERUNNERS.\r\n\r\nIT'S IMPORTANT FOR THOSE PEOPLE TO HAVE AFFORDABLE HOUSING, AND IT'S IN A GREAT LOCATION. THIS IS ANOTHER EXAMPLE WHERE YOU WANT TO HAVE PEOPLE BE LIVING IN THAT RENTAL HOUSING AND IT DOESN'T NEED TO CONVERT TO SUPER EXPENSIVE VACATION RENTAL, OR WHATEVER IS PLANNED BY HAVING IT BE MARKET-RATE. SO LET'S KEEP THAT AFFORDABLE AS WELL. AND IN GENERAL, ON CR 24-120, ONE SPECIFIC THING I WANTED TO TALK ABOUT THE ARCHAEOLOGIST AND THE LIDAR. AND THIS HAS BEEN BROUGHT UP BY A COUPLE OF TESTIFIERS, BUT I THINK IT'S IMPORTANT TO DO THE SUPPLEMENTAL AIS, BECAUSE FROM WATCHING ALL OF THE PLANNING COMMISSION MEETINGS, THERE'S A LOT OF ISSUES WITH THE ARCHAEOLOGICAL SITES, THINGS BEING LOST, OR IN SOME CASES DESTROYED. AND YOU KNOW, THERE'S ALSO ARCHEOLOGICAL SITES THAT WERE PROBABLY NEVER FOUND, BECAUSE NO ONE HAPPENED TO LOOK IN THE RIGHT DIRECTION WHEN THEY WERE DOING THEIR FIELD SURVEYS. SO BY DOING SUPPLEMENTAL AIS, I THINK THAT WOULD HELP.\r\n\r\nBUT ALSO, LIDAR HAVING LIDAR FLOWN WOULD CREATE HIGH RESOLUTION DATA AND I BELIEVE THAT DATA SHOULD BE GIVEN TO THE DEPARTMENT OF 'OIIWI RESOURCES, AS WELL AS UNIVERSITY OF HAWAI'I TO ARCHIVE THAT DATA FOR FUTURE GENERATIONS TO BE ABLE TO SEE THAT LANDSCAPE AND CLARE APANA SHOWED THE MAP AND DISCUSSED THE ASTRONOMICAL SIGNIFICANCE OF THAT AND JANET SIX ALSO BROUGHT THAT UP. SO BEING ABLE TO STUDY THAT EVEN AS THINGS ARE YOU CAN HAVE A RECORD IS REALLY IMPORTANT AND IF THERE'S NO RECORD THEN YOU KNOW, YOU CAN'T. YOU CAN'T SEE WHAT WAS THERE. SO FOR POSTERITY, I THINK IT'S IMPORTANT TO HAVE HIGH RESOLUTION LIDAR AND IT'S NOT VERY EXPENSIVE. YOU KNOW IT MIKE BE I BELIEVE '30,000 FOR THAT ENTIRE AREA OR MAYBE JUST A BILL MORE. SO IT'S EASY WITHIN THAT REALM OF WHAT THEY DID DO. I HAVE A WHOLE MINUTE LEFT. LES ICZKOVITZ BROUGHT UP HIS ETHICS COMPLAINT AND JUST TO POINT OUT IF HE IS STILL LISTENING THAT I HAD FILED A COMPLAINT REGARDING COUNCIL MEMBER COOK'S EMPLOYMENT AND THE ETHICS BOARD ALREADY RULED ON THAT.\r\n\r\nI DON'T BELIEVE THEY REQUIRED HIM TO DISCLOSE HIS CLIENTS, BUT THERE IS NOTHING STOPPING COUNCIL MEMBER COOK FROM SAYING WHETHER THIS PROJECT IS ONE HIS CLIENTS AND VOLUNTARILY RECUSING. I WOULD SUGGEST THAT. COUNCIL MEMBER UU-HODGINS WORKED FOR FRAMPTON. >> I DON'T THINK COUNCIL MEMBERS ARE ON THE AGENDA, MR. LALL CAN WE STAY WITH AGENDA ITEMS, PLEASE.



>> I'M JUST SAYING THAT SHOULD BE DISCUSSED WHY THAT WOULD WARRANT RECUSAL. >> THAT IS FOR THE COUNCIL TO DECIDE.\r\n\r\nTHANK YOU. ANY QUESTIONS, MEMBERS? WE HAVE NO QUESTIONS FOR YOU, THANK YOU. >> CHAIR, THE NEXT TESTIFIER IS JOANN JOHNSON, AND PLEASE INDICATE WHAT YOU WILL BE TESTIFYING ON, FOLLOWED BY DESMOND CALEBAS. >> CAN YOU HEAR ME? >> YES. JO ANNE JOHNSON, TESTIFYING ON CR 24-120 AND COMMENTING ON COUNTY COMMUNICATIONS 24-30 THROUGH 24-33. I JUST WANT TO LET ALL OF YOU KNOW BECAUSE I WAS ONE OF THE ORIGINAL PEOPLE GOING ALL THE WAY BACK ON THIS PROJECT TO MY DAYS AS A COUNCIL MEMBER.\r\n\r\nTODAY IS MY 78TH BIRTHDAY AND I REALLY WOULD PREFER DOING SOMETHING PLEASANT THAN REDISCUSSING AND RE-OPENING WAILEA 670, BELIEVE ME, BECAUSE I'M GOING TO MAKE MY COMMENTS BECAUSE ALL OF THE THINGS THAT I HAD RAISED AND I DON'T KNOW IF YOU HAVE MY ORIGINAL COMMENTARY? BUT THIS IS THE DISCUSSION THAT WE HAD. I BELIEVE FROM THE VERY BEGINNING THERE WAS A FLAWED AND INCOMPLETE APPLICATION, BECAUSE IF IT WAS REALLY A WONDERFUL APPLICATION, IT WOULD NOT HAVE NEEDED ALL THE ATTENTION THAT THE COUNTY COUNCIL GAVE IT, ALL THOSE MANY YEARS AGO. WE WOULDN'T HAVE TO HAVE PUT ALL OF THE CONDITIONS IN. AND SADLY, WHAT I WARNED THE COUNCIL ABOUT THEN HAS COME TO PASS. AND NOT JUST ONCE, BUT TWICE. AND PROBABLY WILL BE EVEN MORE TIMES THAN THAT.\r\n\r\nBECAUSE EVERY TIME THE DEVELOPER DOES NOT AGREE WITH A CONDITION THAT A COUNCIL MEMBER PUTS IN, THEY WILL JUST WAIT UNTIL THE ENVIRONMENT CHALLENGES AND THEY WILL COME BACK WHEN THE ATMOSPHERE IS A LITTLE BIT MORE FAVORABLE TO THEM. YOU ARE NEVER GOING TO MAKE THIS PROJECT WORK THE WAY IT WAS ORIGINALLY PROPOSED. THAT IS A VERY SAD FACT. IN MY OPINION, YOU ARE JUST REARRANGING THE DECK CHAIRS ON THE TITANIC, BECAUSE THIS PROJECT WAS ILL-CONCEIVED FROM THE BEGINNING. IF IT HAD BEEN A GOOD BEGINNING THE 450 HOMES WOULD HAVE ALREADY BEEN BUILT. THEY WOULD HAVE BEEN DONE, THEY WOULD HAVE BEEN COMPLETED. EVERYONE WOULD HAVE HOUSING THAT THEY WERE PROMISED.\r\n\r\nBUT THE CONDITIONS THAT YOU INTEND TO PUT IN, IT'S NOBLE, AND YOU WILL PUT THEM IN, AND HOW LONG WILL IT BE BEFORE THE DEVELOPER COMES BACK WHEN THINGS HAVE CHANGED, AND THEN SAYS TO A FUTURE COUNCIL, OH, WELL, THAT WAS THEN, THIS IS NOW. SO EVERYTHING I WARNED ABOUT SADLY HAS COME TO PASS. IT'S NOT JUST THIS DEVELOPER, BUT IT'S EVERY DEVELOPER COULD REALLY WANTS WHAT THEY WANT AND JUST DON'T WANT TO COMPLY WITH THE REQUIREMENTS. SO MY RECOMMENDATION IS THAT YOU LOOKED AT THAT FROM THIS PERSPECTIVE. I WILL ADDRESS THE ISSUES WITH REGARDS TO THE, I GUESSED AMENDMENTS THAT ARE BEING MADE. >> DO YOU HAVE ANY QUESTIONS ON THE FIRST PART OF HER TESTIMONY? MEMBER JOHNSON.\r\n\r\n>> THANK YOU, CHAIR. THANK YOU FORMER MEMBER JOHNSON, NO RELATION. AND HAPPY BIRTHDAY, BY THE WAY. I APOLOGIZE THAT YOU HAD TO WAIT SO LONG TO GET YOUR THREE MINUTES. I WANT TO ASK, SO YOU -- I WAS LISTENING TO YOUR TESTIMONY INTENTLY, BECAUSE I'M LOOKING FOR A SUGGESTION. AND I DON'T ALSO WANTED TO REARRANGE THE CHAIRS ON THE TITANIC, AND SO DO YOU HAVE A SUGGESTION? COMING FROM YOUR BACKGROUND?\r\n\r\n>> JO ANNE, ARE YOU STILL THERE? >> MY SUGGESTION WOULD BE BECAUSE OF, YES, I AM. YES, I'M STILL HERE. CAN YOU HEAR ME? >> YES. >> OKAY. ONE OF THE THINGS THAT I WOULD HAVE -- HAD I KNOWN THEN WHAT I KNOW NOW, AFTER ALL THESE YEARS, I DID AT ONE POINT TRY TO PROPOSE A MORATORIUM ON DEVELOPMENT OF PARTICULAR TYPES OF DEVELOPMENT.\r\n\r\nAND THAT IS ONE OF THE THINGS THAT IF YOU HAVE A COMMUNITY HOUSING ORGANIZATION, YOU HAVE NON-PROFITS IF THE DEVELOPERS WHO WANT TO BUILD LUXURY HOUSING CANNOT MAKE THIS PENCIL OUT, MY RECOMMENDATION WOULD BE TO ALLOW THE COUNCIL, BUY A PORTION OF THE LANDS. MAKE SOME PROVISIONS WHERE THE COUNTY ON EITHER LANDS THAT IT ALREADY OWNS OR HAS ENTITLEMENTS ON, YOU GET ORGANIZATIONS TO EITHER BUILD THAT FOR YOU, OR YOU PARTNER WITH SOMEBODY. I CAN REMEMBER WHEN JESSE SPENCER WAS DOING HOUSING. IT IS REALLY IMPORTANT THAT IF YOU ARE GOING TO TRY TO ACHIEVE A GOAL, WHICH IS AFFORDABLE HOUSING THAT YOU NOT TIE IT IS TO A DEVELOPER THAT IS NEVER GOING TO GIVE YOU WHAT

YOU WANT. THIS IS WHAT I WOULD DO. I WOULD PUT ON A MORATORIUM FOR ANY LUXURY HOMES BECAUSE THERE'S ONLY SO MUCH WATER TO GO AROUND. I WOULD CONCENTRATE INTENTLY ON TRYING TO FIND A WILLING PARTNER TO BUILD AFFORDABLE HOUSING FOR YOU, AND TAKE SOME OF THE MONEY, BECAUSE I KNOW THERE WAS AN INCREASE IN G.E.T. TAXES, TAKE SOME OF THAT MONEY AND PUT IT FORWARD.\r\n\r\nPUT IN WHATEVER AMENDMENTS YOU FEEL ARE NECESSARY AND A COMPLETE HOLD ON ALL LUXURY HOUSING, SO THAT YOU CAN ACTUALLY FOCUS ON AFFORDABLE HOUSING COUNCIL MEMBER PALTIN. >> THE MEETING WHERE YOU VOTED NO, SO MY CLARIFYING QUESTION YOU VOTED NO, BECAUSE YOU WERE AFRAID OF THIS VERY THING HAPPENING WHERE 700 AFFORDABLE HOUSING UNITS WERE PROMISED AND NOW WE'RE BELOW 450, WHICH IS A CONDITION THAT YOUR BODY AT THE TIME PUT IN. ? >> RIGHT I WAS REALLY AFRAID THIS WOULD HAPPEN, BECAUSE IT HAPPENED IN OTHER SITUATIONS, IT HAPPENED IN OTHER PROJECTS AND I COULD SEE THIS WAS GOING TO BE NO DIFFERENT. AND HERE YOU ARE, YOU KNOW? YOU ARE RIGHT BACK, AND EVEN IF YOU PUT IN THE CONDITIONS THAT YOU DO, WHAT IS THE ASSURANCE THAT YOU AS A BODY HAVE THAT THE DEVELOPER WILL NOT COME BACK AGAIN AND TRY TO REMOVE THE VERY CONDITIONS THAT YOU ARE INSERTING. >> THANK YOU. >> MEMBER RAWLINS-FERNANDEZ.\r\n\r\n>> MAHALO, CHAIR. ALOHA, FORMER MEMBER JOHNSON, OTHER JOHNSON, MAHALO FOR BEING WITH US. MAHALO FOR YOUR TESTIMONY. I HAVE TWO QUESTIONS. MY FIRST QUESTION, DO YOU KNOW HOW MANY TIMES THIS PROJECT HAS CHANGED OWNERS? >> THERE WAS AN ORIGINAL ARTICLE WRITTEN BY ALIMA LEWIS, AND IT WAS VERY INTERESTING, BECAUSE THIS WAS SOMETHING AND I WILL JUST READ TO YOU. IT SAYS, "ORIGINALLY THIS PROJECT WAILEA 670 WAS PLANNED AS A LUXURY RESIDENTIAL PROJECT, WITH TWO GOLF COURSES, 6-ACRE PARK AND ONE COUNTY COUNCIL APPROVAL IN 92. SO I ASK TELL YOU THE LAND AT THAT TIME WAS OWNED BY AS LAND ASSOCIATE LEHRMAN BROTHERS, CARGILL GROUP, TRIMARK PACIFIC HOMES MANAGING PARTNER WOODRIDGE CAPITAL AND GOLDEN WAIALAE, THE JAPANESE FIRM THAT PREVIOUSLY OWNED THE LAND AND STILL HOLDS A SMALL PERCENTAGE OF THE COMPANY.\r\n\r\n\r\nSO ORIGINALLY THAT WAS VALUED JUST THE LAND ALONE WAS VALUED AT \$17.2 MILLION. AT THIS WRITING WHICH WAS DONE 1/5/06 BY ALIMA LEWIS, THE LAND WAS VALUED AT \$43 MILLION. SO I KNOW THERE HAS BEEN CHANGES IN OWNERSHIP AND THERE WILL PROBABLY BE CONTINUAL CHANGES IN OWNERSHIP, AND WHAT I WOULD DO AND I DON'T KNOW IF THIS IS EVEN POSSIBLE, BUT WHEN YOU APPROVE OR WHETHER YOU LOOK AT THESE PROJECTS IS THERE A TIME-CERTAIN OR DROP-DEAD DATE BY WHICH THESE REQUIREMENTS HAVE TO BE MADE, OR IF THEY ARE TIED TO A PARTICULAR DEVELOPER, OR AN OWNER? IS THAT, YOU KNOW, DO THEY TRANSFER OVER TO THE NEXT OWNER AND IF THEY ONLY APPLY TO THAT OWNER, CAN'T YOU JUST SIMPLY SAY LOOK, THIS APPLIES TO THIS OWNER IF THIS OWNER CANNOT CARRY FORWARD WITH THE AGREEMENTS AND THE PROMISES THAT ARE MADE, IT'S A DROP-DEAD AND IT BEGINS ALL OVER AGAIN. IF THERE'S ANY WAY YOU ASK MAKE THAT HAPPEN, I THINK IT WOULD FIX YOUR PROBLEM, BECAUSE THIS IS GOING TO CONTINUE TO HAPPEN. AND IT'S JUST VERY DETRIMENTAL TO THE COMMUNITY, AND YOU CANNOT CONTINUE TO PLAN AND PARTICULARLY THE LOCAL PEOPLE, WHO RIGHT NOW COULD NOT EVEN AFFORD A SINGLE HOME IN THIS DEVELOPMENT. EVEN AT AN AFFORDABLE PRICE.\r\n\r\n\r\nTOTALLED NUMBERS OF UNITS BY TIME IT GOT CONSTRUCTED CORRECT? >> CORRECT, AND YOU KNOW, I JUST THOUGHT IT WAS A VERY POOR, ILL-CONCEIVED PROJECT THAT WAS JUST COMING BEFORE US AND I STILL BELIEVE IT WAS AN INCOMPLETE APPLICATION AND YOU KNOW, THEY JUST CONTINUE TO BRING THAT FORWARD. BUT ALL OF THE INDIVIDUALS THEY SUPPORTED AND ON THAT BASES, THAT THOSE HOMES WERE GOING TO BE BUILD, AND WE TOOK IT ON, I KNOW, I DIDN'T. BUT YOU KNOW, THE OTHER MEMBERS WHO SUPPORTED IT TOOK IT ON GOOD FAITH THAT THIS WAS A PROMISE TO MADE TO THE COMMUNITY AND IT'S BEEN BROKEN HOW MANY TIMES YES, THEY LIED. MAHALO, MS. JOHNSON, MAHALO CHAIR . >> ANY MORE QUESTIONS? IF NOT, THANK YOU, JO ANNE, HAPPY BIRTHDAY AGAIN. >> THANK YOU, I'M OFFICIALLY KUPUNA, YOU KNOW?\r\n\r\n\r\nTAKE CARE, ALOHA. >> ALOHA. >> NOW OFFICIALLY -- OFFICIALLY OFFICIAL. >> CHAIR, THE NEXT

TESTIFIER IS DESMOND CALABASAS, TESTING ON COMMITTEE REPORT 24-120, FOLLOWED BY KIAKA KAMAI. >> FOLLOWED BY WHO? >> KIAKA KAMAI? >> L.A.ER COUNCIL MEMBERS, MY NAME IS DESMOND WITH HAWAI'I REGIONAL COUNCIL OF CARPENTERS AND WE'RE IN STRONG SUPPORT FOR WAILEA 670, WE BELIEVE THIS PROJECT HAS A LOT OF OPPORTUNITIES FOR OUR COMMUNITY, WHICH SOME OF THE OPPORTUNITIES ARE WIDENING THE HIGHWAY TO FOUR LANES IN BOTH DIRECTIONS AND ADDITIONAL TRAFFIC IMPROVEMENT AND ADDITIONAL 50 WORK FORCE UNITS IF THE STATE COMPLETES THE HIGHWAY, THAT IS 338 WORKFORCE UNITS AND 812 MARKET UNITS A RATIO OF 41.6%, WHEN THE CODE ONLY REQUIRES 25%. THEY WILL BE PROVIDING A DURATIONAL PREFERENCE IN THE WORKFORCE HOUSING AGREEMENT, PROVIDING ADDITIONAL AMI BRACKETS IN THE WORKFORCE HOUSING AGREEMENT S. THAT HOMES DO NOT ROLL TO MARKET PRICES.\r\n\r\nPROVIDING GATES AT EACH ACCESS POINT TO ULUPUAKA RANCH FOR EMERGENCY ACCESS AND PROVIDING A WATER SYSTEM FOR FIREFIGHTING THAT MEETS OR EXCEEDS COUNTY STANDARDS AT LEAST SIX ACRES WILL BE PARKS, 290 OF THE 670 ACRES OR 43% OF THE PROJECT IN OPEN SPACE, PRESERVING THOUSANDS OF HISTORICAL SITES. TWO ACRES OF LAND AND FINANCIAL CONTRIBUTION FOR CULTURAL CENTER, LAND FOR A JOINT AND POLICE/FIRE STATION. LAND FOR FIRST-RESPONDER MEMORIAL PARK. THEY DIDN'T HAVE OPPORTUNITY AND WHAT DID THEY DO? THEY MOVED. I HAVE ANOTHER SISTER, WITH HER HUSBAND, HER FOUR KIDS, AND MY MOM MOVING AT THE END OF NEXT MONTH. WE NEED HOUSING.\r\n\r\n\r\nTHANK YOU. >> QUESTIONS, MEMBERS? MEMBER PALTIN. ? THANK YOU, CHAIR. THANK YOU, MR. CABELLOS, THIS PROJECT WAS ORIGINALLY APPROVED IN 2008, 17 YEARS AGO WITH BETTER STATS THAN THAT, LIKE 50/50, 700 AFFORDABLE. HAS THE CARPENTERS UNION IN THE LAST 17 YEARS RECEIVED ANY WHAT WAS PROMISED FROM THIS PROJECT WHEN IT WAS ORIGINALLY APPROVED?\r\n\r\n\r\n>> I CAN'T ANSWER THAT QUESTION. I JUST GOT INTO OFFICE. >> OKAY, THANK YOU. >> I WASN'T IN OFFICE 17 YEARS AGO. >> THANK YOU. >> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR.\r\n\r\n\r\nMAHALO FOR YOUR TESTIMONY. I DON'T KNOW THE ANSWER TO THIS, SO I THOUGHT MAYBE YOU DO. DO YOU KNOW HOW MUCH THOSE WORKFORCE UNITS WOULD BE? BECAUSE HALF OF THEM ARE RENTALS AND I KNOW YOU'RE SAYING THAT IT SOUNDED LIKE YOU WANT YOUR FAMILY TO BE ABLE TO BUY. THERE'S A CONSENSUS ABOUT THE NEED FOR HOUSING, BUT THERE'S ALSO A NEED FOR HOUSING THAT'S ATTAINABLE FOR FOLKS TO BE ABLE TO AFFORD, BECAUSE EVEN IF THERE'S HOUSING BUILT, DOESN'T MEAN THAT THE RESIDENTS CAN AFFORD TO BUY THEM. DO YOU KNOW HOW MUCH THESE UNITS WOULD BE? BOTH?\r\n\r\n\r\n>> I'M NOT SURE. BUT THEY HAVE BRACKETS OF 140 AMI, TO 160 TO 180 AND IF IT DOESN'T GO, 200-220, SO IT DOESN'T ROLL OVER TO MARKET. SO IT WILL KEEP GOING TO, AS MUCH AS THEY CAN, IF WE CANNOT FULFILL AT WHAT AMI IT IS AT. I DON'T KNOW EXACTLY THE PRICE, BUT THE AMIS, IF YOU WANT TO DO THE MATH. >> I THOUGHT YOU MIGHT BE A LITTLE MORE KNOWLEDGEABLE. THANK YOU, CHAIR. >> WELL, WE DO HAVE THE - THANK YOU.\r\n\r\n\r\nANY MORE QUESTIONS? IF NOT, WE DO HAVE THE DEVELOPER'S REPRESENTATIVE HERE, WHO COULD ANSWER THE QUESTIONS. BUT LET'S FINISH UP WITH -- THANK YOU. >> THANK YOU, APPRECIATE IT. >> CHAIR, THE NEXT TESTIFIER TESTIFYING ON COMMITTEE REPORT 24-120, FOLLOWED BY MIKE MORAN. >> ALOHA MAI KAKOU, I'M HERE ON BEHALF OF DISTRICT COUNCIL 50 OF FINISHING CRAFTS. >> AND YOUR NAME IS.\r\n\r\n\r\n>> -- ? >> YOU THOUGHT THAT WAS A GREETING. >> SHE REALLY LIKED THE SOUND OF IT AND WANTED YOU TO SAY IT AGAIN. WE'RE ALREADY NERVOUS COMING UP HERE, YOU ARE MAKING IT MOVE. >> RELAX, RELAX, YOU ARE AMONGST FRIENDS MORE OR LESS. >> SO POLISHED COMING UP HERE, OH, BOY, I HOPE MS. RAWLINS-FERNANDEZ DOESN'T TEAR ME UP, YOU KNOW? >> I WILL PROTECT YOU.\r\n\r\n\r\n>> THERE'S ONLY ONE ISSUE NOW THAT WE PROBABLY SIT ON THE OPPOSITE SIDE OF THE TABLE, BUT I'M KANAKA, BORN AND RAISED HAWAIIAN. AND I LOVE MY PEOPLE. SO I THINK IF I CAN OFFER A DIFFERENT PERSPECTIVE TODAY'S, AND I RESPECT EVERYBODY THAT CAME UP TODAY AND GAVE THEIR TESTIMONY, AND EVERYBODY COUNCIL MEMBER THAT SITS HERE TODAY THAT YOU GUYS HAVE A TOUGH JOB, MAN. I SWEAR I DON'T LIKE BEING

IN YOUR SEAT, I DON'T EVEN LIKE BEING HERE RIGHT NOW. [ LAUGHTER ] BUT YOU KNOW, ON BEHALF OF THIS, WITH OUR DISTRICT COUNCIL, FIRST OF ALL THE, MY LEADS COULDN'T BE HERE TODAY, THEY HAD OTHER OBLIGATIONS THAT THEY HAD TO TAKE CARE OF, BUT THEY WANTED TO BE HERE AND SHARE THEIR TESTIMONY. SO I'M HERE JUST TO LET ESSENTIAL FLOW WHERE WE STAND ON THE FINISHING CRAFTS, THE PAINTERS, DRY WALL TAPERS, FLOOR LAYERS, GLAZERS, WE ASK TO HOLE MOE THIS PROJECT FOR THE SIMPLE FACT WE'RE ALWAYS LOOKING FOR OPPORTUNITIES FOR OUR MEMBERS, WHICH WE HAVE ALMOST 2,000 THROUGHOUT THE STATE OF HAWAII. AND THEN HOUSING IS A BIG DEAL; RIGHT? AND YOU HAVE BEEN TALKING ABOUT THIS FOR THE LAST SEVERAL WEEKS AND STUFF, AND WITH THAT BEING SAID, I FIRST OF ALL AS I SIT HERE AND TALK ABOUT AFFORDABLE HOUSING, HOW MUCH WE NEED? \r\n\r\n450, AND WE NEED THIS AND WE NEED THAT, I'M LIKE, I AGREE 100%. BUT ALSO KNOW THAT CHALLENGING MY KANAKAS, I'M AT THE POINT HOW DO I AFFORD AND THAT WE AFFORD TO BUY OUR LAND, NOT JUST AFFORDABLE, BUT ALSO, WE WANT TO BRANCH OUT AND THINK BIG AND ADVOCATE FOR OUR PEOPLE, TOO. THAT NEED AFFORDABLE; RIGHT? SO THAT -- I DON'T HAVE ANSWERS; RIGHT? AS WE SIT HERE, I KNOW I'M GOING TO BE TEARED UP, I HOPE I'M NOT ON SOCIAL MEDIA AND I'M THE BAD GUY; RIGHT? BUT I TRULY KNOW THAT THIS PROJECT STARTED WAY BACK AND WE NEED IT IN THE CONSTRUCTION INDUSTRY AND JUST SHARING MANA'O, MY OWN PERSPECTIVE, AND ASK YOU FOR THE PROJECT MOVE FORWARD. >> QUESTIONS? MEMBER RAWLINS-FERNANDEZ. \r\n\r\n>> I'M NICE. ALOHA, ONE OF MY BEST FRIENDS GROWING UP WAS A KAMAI. >> SHUCKS, I HOPE I GET POINTS. >> PLENTY POINTS, PLENTY POINTS. SO MY QUESTION I ASKED YOUR LEADS, WE'RE ALL SAYING THAT AFFORDABLE AND WORKFORCE HOUSING UNITS ARE NEEDED BY OUR RESIDENTS, AND PARTICULARLY FOR IT TO BE OWNER-OCCUPIED. I'M ASSUMING THAT YOU SUPPORT THAT DEED RESTRICTION, OR I GUESS -- I WILL LET YOU ANSWER THAT QUESTION? >> FOR ME, I GET WHAT YOU ARE SAYING, BUT I SUPPORT MOVING THE PROJECT FORWARD BECAUSE WE NEED NOW. \r\n\r\nI'M SORRY, COULD YOU EXPAND ON THAT QUESTION? >> THAT CC 24-31. >> YES. >> FOR IT TO BE OWNER-OCCUPIED IN PERPETUITY FOR OUR RESIDENTS TO BE ABLE TO LIVE IN, AND IT WOULDN'T JUST BE VACANT HOUSING. >> COULD WE HAVE A LAWYER SPEAK ON THEIR BEHALF? >> IF YOU ARE NOT COMFORTABLE ANSWERING THE QUESTION, JUST TELL HER YOU DON'T KNOW. >> I WILL JUST SAY I DON'T KNOW THEN. >> YOU CAN TELL ME PRIVATELY LATER. \r\n\r\nAND THEN MY SECOND QUESTION THAT I ASKED YOUR LEAD WAS YOUR MEMBERS NEED HOUSING, TOO, AND WE'RE TRYING TO FIGHT FOR MORE HOUSING. >> ABSOLUTELY. >> WOULDN'T YOU FOLKS WANT TO COME HERE AND ASK US TO CONSIDER MORE HOUSING FOR YOUR MEMBERS? >> ABSOLUTELY, I BELIEVE EXACTLY WHAT YOU ARE SAYING WHEN YOU ARE ASKED TO MY LEAD, HE WAS KIND OF SHAKING UP BY THE TIME. YOU ARE INTIMIDATING IN THE CHAIR. >> LOOK AT THE SMILE. >> I BELIEVE WHAT HE WAS TRYING TO SAY AT THAT POINT, IF I CAN SPEAK FOR HIM, HE WAS TRYING TO SAY IF WE DON'T MOVE NOW, IT PHENOMS LIKE -- IT FEELS LIKE WE'RE GOING TO GET LESS AND LESS. \r\n\r\n1994 WHEN THIS PROJECT STARTED WAY BACK. >> 92 WHEN THIS PROJECT STARTED. >> I WAS IN SCHOOL TOO. ? >> TO ANSWERS FOR HIM, IF I MAY, IF MY OPINION, WHAT HE WAS TRYING TO SAY THE LONGER WE WAIT AND PROLONG THIS PROJECT, IT FEELS LIKE WE'LL GET LESS AND LESS, BECAUSE EVERYTHING, EVERYTHING IN THE MARKET, CONSTRUCTION INDUSTRIAL IS JUST, IT'S THE PRICES GO UP ON EVERYTHING. JUST TO BUILD A SHED BEHIND MY HOUSE, THE PRICE OF MATERIALS IS SO HIGH. SO WE FEEL LIKE IF WE DON'T PULL THE TRIGGER NOW, IT IS GOING TO BE LESS. I GET IT THAT WE WANT TO PRESS FOR MORE AND THAT IS WHY YOU ARE SITTING THERE TO ASK THOSE HOT QUESTIONS. \r\n\r\nBUT FOR ME PERSONALLY, I FEEL WE HAVE TO MOVE FORWARD NOW. >> I'M SORRY, I DIDN'T MEAN IT TO BE A HARD QUESTION. DO YOU WANT MORE AFFORDABLE HOUSING FOR OUR RESIDENTS, FOR YOUR MEMBERS? AS YOU SAY, AS WE GO IN THE FUTURE AND THERE'S LESS AND LESS, WITH THESE LUXURY DEVELOPMENTS WOULDN'T THERE BE LESS AND LESS WATER FOR RESIDENTIAL DEVELOPMENTS, BECAUSE LUXURY DEVELOPMENTS DON'T HAVE THE LUXURY LANDSCAPING? >> OKAY, IT'S CLARIFYING QUESTIONS.

>> NO, I GET WHAT YOU ARE SAYING, LESS AND LESS, YOU KNOW, AND I GET IT, AS A TAXPAYER IN THE COUNTY OF MAUI I HOPE THAT YOU REPRESENT ME AS WELL. BECAUSE ALL I GET IS A DIFFERENT SIDE OF THE TABLE AS OPPOSITION RIGHT AND I'M NOT HERE TO HAVE CONFRONTATION TO GO BACK AND FORTH BUT I'M UP HERE JUST ASKING AGAIN MAIN THEREBY WHERE WE STAND, WE'RE ASKING FOR THIS TO MOVE THE PROJECT FORWARD.\r\n\r\n>> MALVO.  
>> COUNCIL MEMBER PALTIN. >> MY QUESTION WAS ANSWERED BY THE QUESTION THAT COUNCIL MEMBER RAWLINS-FERNANDEZ DIDN'T ASK OKAY, GOT IT. MEMBER JOHNSON AND THEN MEMBER COOK, ANYBODY ELSE RAISE THEIR HAND? MEMBER JOHNSON AND MEMBER COOK. >> I THOUGHT YOU SAID PAU. >> SORRY, SHE IS NOT THE ONLY ONE, EVEN THOUGH SHE ACTS LIKE THE ONLY ONE.\r\n\r\nWE HAVE OTHER PEOPLE. MEMBER JOHNSON, ASK YOUR QUESTIONS, PLEASE? >> ALL RIGHT, IF YOU ARE READY? THANK YOU, CHAIR. THANK YOU, MR. KAMAI FOR YOUR TESTIMONY. FIRST OFF I WAS RAISED IN A UNION FAMILY AND MY MOM WOULD CALL THE SHOP AND ASK WHERE SHE WAS GOING ON THAT DAY, AND SHE WOULD GO TO THE JOB SITE.\r\n\r\nTHAT IS THE LIFE THAT I WATCHED HER LEAD; RIGHT? SO I'M A UNION SUPPORTER, FIRST AND FOREMOST. YOU KNOW, THIS PROJECT 1992, MOVED TO 2008, AT THAT TIME, AT THAT DATE MAYBE SO I WOULD SUPPORT IT. BUT RIGHT NOW, THE WHOLE TOWN BURNED DOWN IN WEST MAUI. I WOULD IMAGINE THAT YOU GUYS ARE SHORT ON FOLKS WHO THERE'S SO MUCH WORK TO DO ON BUILDING REBUILDING THE TOWN. I'M CURIOUS IS THIS REALLY NEEDED WHEN YOU HAVE SO MUCH WORK TO DO ON THE WE HAVE HAD SIDE? LET ALONE UP COUNTRY, YOU KNOW?\r\n\r\n>> SO ANSWER THAT, I THINK ALL IS NEEDED FOR US TO SURVIVE. OUR MEMBERS NEED CONSTANT WORK, NOT MAYBE WORK ONE WEEK, STAY HOME TWO WEEKS. >> I KNOW THAT LIFE. >> AS A UNION FAMILY, YOU KNOW THAT. AND IT CAN BE FEAST OR FAMINE. SO THIS IS NOT GOING TO BE THE LASTED TIME I FACE YOU GUYS WITH DIFFERENT PROJECTS. AND I WILL FACE YOU -- NOT FACE YOU, BUT PLEAD WITH YOU FOLKS, THAT I DON'T WANT TO ANSWERS THAT YOU DO, THAT IS WHY WE ELECTED YOU FOLKS; RIGHT?\r\n\r\n>> HAVE YOU HAVING A HARD TIME, HAVING FOLKS GO TO THOSE JOBS RIGHT NOW AS IT IS, AS THE FIRE, THE REBUILD IS KICKING THERE? >> WE WOULD LIKE THE REBUILD TO BE QUICKER, EVERYBODY WOULD, I BELIEVE, ESPECIALLY THE RESIDENTS OF LAHAINA, THAT I LIVED THERE SOME TIME. >> NOW WE'RE GOING OFF TO LAHAINA. WE HAVE TO STICK TO THE WAILEA PROJECT, OKAY?? >> YOU UNDERSTAND MY QUESTION. >> SO WE'RE PAU? NO, I TOTALLY GET IT. LAHAINA NEEDS TO BE REBUILD AND THIS PROJECT IS ONE THAT NEEDS TO MOVE FORWARD BEFORE CONSISTENT -- >> YOU DON'T THINK THAT FOCUSING ON THIS PROJECT IS GOING TO TAKE AWAY FROM ANY LAHAINA?\r\n\r\n>> NOT AT ALL. >> THANK YOU. >> THANK YOU, CHAIR. >> MEMBER COOK. CLARIFICATION QUESTIONS. >> MY CLARIFICATION WHEN WE'RE TALKING ABOUT HOW THINGS BECOME MORE EXPENSIVE WITH TIME. MAY I ASK HOW LONG YOU HAVE BEEN IN THE TRADES?\r\n\r\n>> SO I STARTED IN 2002 AS A DRY WALL TAPER IN LOCAL 1944, TAPERS UNION. >> SO THE REASON I ASK THAT A LOT OF EXPERIENCE HANDS-ON AND SEE PRICES CHANGE AS TIME GOES ON, IT NEVER GETS CHEAPER. >> I PERSONALLY NEVER EXPERIENCED CHEAPER, BUT WHEN IT RISES, ALL? >> I GUESS WHAT I'M GETTING AT, WHAT I UNDERSTAND, I DON'T THINK THERE IS GOING TO BE FINISH WORK ON THIS PARTICULAR PROJECT FOR FOUR YEARS, SITEWORK, MAYBE 2, 3 YEARS AT THE BEST. SO YOU ARE TALKING ABOUT BASICALLY YOU NEED TO KNOW THERE'S A BOOK OF WORK IN THE FUTURE, THAT THEY ARE APPROVING PROJECTS THAT YOU HAVE WORK IN THE FUTURE. >> ULTIMATELY, YES. SO WHY I SPEAK TO MY MEMBERS I LET THEM KNOW THAT THE PROJECT IS NOT GOING TO START TOMORROW, BUT THAT WE HAVE FUTURE WORK.\r\n\r\nTHAT IS THE INTENT. >> THANK YOU VERY MUCH. I AM NOT GOING TO GRILL YOU ANYMORE. >> MEMBER KAMA. >> THANK YOU, CHAIR. THANK YOU FOR BEING HERE, MR. KAMAI.\r\n\r\nYOU KNOW, IN THE D.C. 50, WITHIN ALL OF THE TRADES, WILL THEY BE ABLE TO, IF THEY WANTED TO RENT OR MAYBE PURCHASE A HOME IN THE WAILEA 670? >> I CANNOT ANSWER THAT QUESTION, AUNTIE, TO BE HONEST. BECAUSE WE KIND OF -- I CANNOT REALLY ANSWER THAT QUESTION. COUNCIL MEMBER UU-HODGINS. >> HOW MANY UNION MEMBERS DO

YOU REPRESENT WHEN YOU TESTIFY IN FRONT OF US? >> I HAVE A TOTAL AT THIS POINT FLUCTUATING CLOSE TO 2,000 MEMBERS. >> THROUGHOUT THE STATE. >> AND HOW ABOUT MAUI COUNTY PARTICULARLY?\r\n\r\n>> MAUI COUNTY PARTICULARLY WE GO UP-AND-DOWN AND SO RIGHT BECAUSE OF HOW WE WORK NO MORE GREAT AND CAN RANGE ANYWHERE FROM 150 TO 300 >> THANK YOU. >> THANK YOU SO MUCH FOR TESTIFYING TODAY } THANK YOU. >> I'M TRYING TO GET OUT OF HERE. >> MEMBER SUGIMURA. >> I JUST WANT TO SAY WE'RE ENJOYING YOU A LOT AND IF YOU WERE NERVOUS, WE'RE ENJOYING YOUR NERVOUSNESS, IF YOU ARE. THANK YOU VERY MUCH FOR ADVOCATING FOR YOUR MEMBERS, AND I WAS GOING TO ASK THE QUESTION HOW MANY MEMBERS DID YOU HAVE ON-ISLAND, BECAUSE YOU OPENED WITH THE BIGGER NUMBER STATEWIDE. >> AND THE ONLY REASON WHY I ADVOCATE FOR THE STATEWIDE NUMBER BECAUSE AT TIMES WE HAVE TO BRING THEM INTO MAUI TO HELP OUR WORKERS HERE, AND GO HOME AND BRING THEM IN.\r\n\r\n\r\nIT'S JUST BECAUSE SOMETIMES PROJECTS THEY DON'T NOT CONSISTENT ENOUGH. SO TO BUILD OUR WORKFORCE JUST ON MAUI CAN BE HARD AT TIMES BECAUSE IT GETS SLOW, IT'S SLOW; RIGHT? >> OKAY, ONE MORE. MEMBER PALTIN. >> THANK YOU, CHAIR. THANK YOU, MR. KAMAI.\r\n\r\n\r\nI JUST WANTED TO CLARIFY YOUR ANSWER TO THE QUESTION FROM MEMBER UU-HODGINS, WHEN YOU SAID IT FLUCTUATED, SO YOU ARE MEMBERS ARE NOT ACTIVELY WORKING ARE NOT THEY COUNTED AS MEMBERS? >> I PERSONALLY EXPERIENCE AS MEMBERS NOT WORKING FOR SIX MONTHS OR WHATEVER AT A TIME, THEY END UP FINDING JOBS ELSEWHERE, JUST LIKE OUR HOUSING. >> SO THEY LEAVE THE UNION? >> SO THEY LEAVE THE UNION AND TRY TO WORK ELSEWHERE. THEY COME BACK WHEN WORK GETS GOING AGAIN. THAT TYPE OF THINGS. SO THAT IS WHY WHEN WE ADVOCATE FOR THESE THINGS IT'S CONSTANTLY TRYING TO LET THEM KNOW THAT WE'RE JUST TRYING TO CREATE MORE JOBS FOR THEM.\r\n\r\n\r\n>> AND WHEN THEY LEAVE, THEY DON'T CONTINUE TO PAY UNION DUES OR SOMETHING? DOESN'T MATTER IF THEY'RE WORKING OR NOT, THEY ARE STILL IN THE UNION THEY CANNOT AT TIMES? >> SO LIKE FOR ME, I WAS TO LEAVE UNION BECAUSE I GOT TO GO TO WORK, I GOT MY CDL, STARTING TO DRIVE TRUCK. I'M NOT GOING TO NECESSARILY CONTINUE PAYING UNION DUES TO A UNION THAT I'M NOT WORKING; RIGHT? BECAUSE OBVIOUSLY WE'RE JUST TRYING TO MAKE MONEY TO SURVIVE ELSEWHERE. SO UNIONS HAVE THAT OPTION AT TIMES GOT IT, THANK YOU. >> MEMBER SINENCI.\r\n\r\n\r\nCONSENSUS. >> I'M THE LAST ONE. YOU MENTIONED BRINGING IN THE WORKERS FROM OFF-ISLAND. I KNOW WE HAVE A HOUSING CRISIS. WHERE DO YOU NORMALLY HOUSE THOSE WORKERS IF THEY ARE COMING OFF-ISLAND AT THE HOTELS? >> SOME COMPANIES THAT HAVE WORK HERE THEY HAVE THEIR OWN PLACES THAT THEY PUT THEM IN THE HOTELS. THEY DO HAVE WE TRY TO FIND RATE AS THE HOTELS THAT WE CAN HOUSE THEM AND WHAT NOT.\r\n\r\n\r\nTHAT IS A CHALLENGE; RIGHT? IT'S ALWAYS A CHALLENGE. SO HOUSING IS IMPORTANT. WHEN WE HAVE THE MEMBERS THAT COME UP, IT'S NEVER EASY, IT'S NEVER EASY FIX, YOU KNOW? >> MAHALO. >> THANK YOU. THANK YOU SO MUCH.\r\n\r\n\r\nAPPRECIATE IT. >> MAHALO FOR YOUR TIME. >> CHAIR, NEXT TESTIFIER IS MIKE MORAN, TO BE FOLLOWED BY LAHELA AIWOHI. >> HOW MANY AFTER THAT? >> FIVE. >> COUNCIL MEMBERS, TESTIFYING ON 24-120 AND ALL FOUR COUNTY COMMUNICATIONS. I WOULD LIKE TO START BY SAYING BEFORE I TESTIFY I MENTION THAT THE KANAKA PART OF THEIR CULTURE IS LOOKING AHEAD FOR SEVEN GENERATIONS, AND I REMIND FOLKS OF THAT WHEN I GET BLASTED SOMETIMES FOR YOU ARE GOING TO BE GONE BEFORE THIS HAPPENS, WHAT DO YOU CARE?\r\n\r\n\r\nWELL, THAT IS WHY I CARE, BECAUSE I THINK WE SHOULD BE LOOKING AT THAT, AND SAYING WHY IS THIS GOING TO AFFECT THE FUTURE? AND THE SEVEN GENERATIONS IS GOING AHEAD, WE SOMETIMES SEEM TO BE VERY SHORTSIGHTED AND LOOKING -- SOME FOLKS ARE LOOKING AT THE NEXT ELECTION. SO I TRY TO LOOK IT FROM THAT PERSPECTIVE OF HOW IT AFFECTS FOLKS IN THE FUTURE? AND TO THIS ISSUE, WHETHER WE WANT TO SAY THIS PROJECT IS TWO DECADES, THREE DECADES, BEFORE WE EXPECTED IT'S GOING TO START, IF IT STARTS. WHETHER YOU LOOK AT SITUATION, HOW IT HAS CHANGED OVER TIME, AND I THINK THE MAIN FOCUS IS AFFORDABLE HOUSING. I THINK MOST OF US WOULD AGREE THAT THE NEED FOR TRULY AFFORDABLE HOUSING FOR OUR

RESIDENTS HAS GREATLY INCREASED OVER THOSE DECADES. UNFORTUNATELY, WHAT THE DEVELOPER IS DOING IS OFFERING LESS.\r\n\r\nALL THE TIME, THE NEED IS MORE, AND WE'RE GETTING LESS, AND CONTINUALLY LESS. SO WHATEVER YOU CAN GET TO GET THE MOST OF YOU CAN GET YES, THE 700 MAY BE GONE, BUT AT LEAST WE CAN TRY AND GET THE 450. AND HOPE THAT THEY ARE REALLY ONE OF THE MORE PEOPLE THAT GET TERMS GETS KICKED AROUND ANOTHER ISSUE IS THE SITUATION ORIGINALLY THEY COMMITTED THAT THEY WOULD INCREASE THE WIDTH OF THE HIGHWAY IN THAT AREA BEFORE THEY STARTED DOING ANYTHING AND THEY WOULD PAY FOR IT. WELL, NOW OVER THE YEARS, THE TRAFFIC IS CERTAINLY GREATER THAN WHEN THEY THIS PROJECT WAS FIRST TALKED ABOUT. AND TO BUILD AND INCREASE THE SPACE ON HIGHWAY BEFORE SHE STARTED CONSTRUCTION, NOW THEY ARE ALSO LOOKING TO GET THE TAXPAYERS TO PAY FOR IT. SO AS TIME GOES ON, THAT SITUATION IS GREATER, THEY ARE OFFERING LESS AND LESS SO WHEN IS IT GOING TO BE BUILT? BUILDING IT AFTER THE TRAFFIC IS MADE WORSE AND WORSE MY MORE DEVELOPMENT IS THE LEAST EFFECTIVE THING AND WHY SHOULD THE TAXPAYERS NOW HAVE TO PAY FOR IT? BECAUSE THEY CHANGED THEIR MIND?\r\n\r\nTHE \$5 MILLION THAT WOULD GOING TO GO TO OUR MAUI YOUTH FOR FIELDS. WE HEAR THAT FROM THE LITTLE LEAGUE, HOW FEW FIELDS WE HAVE IN SOUTH MAUI. SO LITTLE LEAGUE, WE KNOW IS A RESTRICTIONS IN OUR COMMUNITY PARK ON THE AGE OF THE KEIKI PLAYING SOCCER BECAUSE THE STRONGER KIDS ARE TOO STRONG. SO THEY CAN'T USE THAT FIELD. SO BOY \$5 MILLION COULD HAVE REALLY HELPED AND NOW IT'S SUPPOSEDLY GOING TO SOMETHING THAT IS GOING TO BE ON THEIR LAND. NOT JUST -- AND THE POPULATION IS GREATER, MORE KEIKI WHO COULD SURE USE THAT. IT SEEMS AS THINGS PROGRESSED AND NEEDS CHANGED, AND THE DEVELOPER IS LOOKING TO GO IN THE OPPOSITE DIRECTION OVER AND OVER.\r\n\r\nAND ON THE HOUSING ISSUE, A COMMUNITY MEMBER VOICED AND SAID, WELL DO THEY REALLY HAVE TO BUILD THE HOUSES OR USE THE CREDITS? I DON'T HAVE THE ANSWER TO THAT AND I KNOW IT'S NOT Q&A, SO I'M NOT DIRECTLY ASKING YOU CAN IT HAPPEN? AND CAN THEY BUILD EVEN FEWER HOMES? BUT MAYBE IN THE DELIBERATIONS, SOMEHOW THAT WOULD BE ADDRESSED WITH THE KNOWLEDGE OF THE COMMUNITY, AT LEAST FOR THIS KNOWLEDGE FOR THIS GUY, BECAUSE I DON'T HAVE THE ANSWER TO THAT. WE HOPE THAT WE CAN DO THE BEST YOU CAN, I'M LOOKING AT THE CLOCK AND HAVEN'T STARTED YOUR MEETING. SO I WILL NOT RAMBLE ON, BUT SAY ON THE FLOOR, COUNTY COMMUNICATION I'M IN FULL SUPPORT OF ALL FOUR. SO IF THE PROJECT GOES FORWARD, HOPEFULLY WE GET THOSE FOUR PASSED TO MAKE IT AS BEST AS WE CAN.\r\n\r\nMAHALO FOR THE OPPORTUNITY AND I HOPE YOU CAN GET THROUGH THIS MEETING MORE QUICKLY. ALOHA >> THANK YOU. QUESTIONS? MEMBER PALTIN. >> THANK YOU, CHAIR. THANK YOU, MR. MORAN.\r\n\r\nI JUST WANTED TO CLARIFY WHAT YOU WERE SAYING ABOUT THE \$5 MILLION FOR THE FIELD AND OLDER KIDS COULDN'T PLAY SOCCER AND CLARIFYING WHAT YOU MEANT. THAT IS BECAUSE THE COUNTY FIELD IS NEAR THE HIGHWAY, AND THEY ARE CONCERNED THAT THE OLDER KIDS KICKING THE BALL WOULD GO INTO TRAFFIC. >> THAT IS MY UNDERSTANDING COUNCIL MEMBER, THAT IS THE REASON GIVEN THAT BIGGER STRONGER CHILDREN COULD KICK THE BALL FURTHER AND COULD -- IT SEEMED LIKE A RIDICULOUS REASON, BUT THAT IS MY UNDERSTANDING. ISN'T THERE SOME WAY OF MITIGATING MOVE THE FIELD OR PUT UP A BARRIER OR SOMETHING RATHER THAN A RESTRICTION? THAT IS MY UNDERSTANDING. >> TO CLARIFY, YOU ARE SAYING THE \$5 MILLION FOR PARKS IS STILL NEEDED FOR THE KIDS TO BE ABLE TO PLAY SPORTS, ALL AGES OF KIDS TO BE ABLE TO PLAY SPORTS IN SOUTH MAUI? >> THAT'S CORRECT, COUNCIL MEMBER.\r\n\r\n>> THANK YOU, MR. MORAN. THANK YOU, CHAIR MORE QUESTIONS? IF NOT, THANK YOU VERY MUCH.. >> THE NEXT TESTIFIER IS LAHELA AIWOHI. >> ALOHA COUNCIL MEMBERS, MAHALO FOR THE OPPORTUNITY TO TESTIFY IN FRONT OF YOU TODAY. MY NAME IS LAHELA AIWOHI, TESTIFYING ON MY BEHALF. I'M TESTIFYING IN SUPPORTED OF BILL 171 AND 172 AGENDA ITEM CR 24-120 FORTUNATELY I GOT TO LISTEN TO SOME OF THE TESTIFIERS, MOST OF THE TESTIFIERS THAT CAME OUT TODAY THERE OPPOSITION OF THE PROJECT.\r\n\r\nAND THROUGHOUT THE -- FROM THIS I JOTTED

DONE SOME THINGS AND NEVER REALLY PAY ATTENTION, BUT SOME OF THE THINGS THAT I GOT OUT OF IT, OR ONE OF THE MOST IMPORTANT THINGS WHICH I THINK I GOT FROM WHEN MOST OF YOU RAN FOR COUNCIL AS WELL THAT WE NEED HOUSING THAT IS ONE OF THE THINGS THAT I CONSTANTLY HEAR FROM WE NEED HOUSING, WE NEED HOUSING , WE NEED HOUSING AND THE TESTIFIERS TESTIFIED THAT WE NEED HOUSING, BUT AND I THAT I THAT WORD "BUT" SOMEHOW NEED TO FIND A WAY TO ELIMINATE THAT AND EVEN HEARD ONE TESTIFIER SAID IF THEY CAN'T FULFILL 450, THEN ZERO. SO IF WE'RE ALL HERE TRYING TO FIGHT FOR SAME CAUSE, WHICH IS FINDING AFFORDABLE HOUSING AND FINDING DEVELOPERS THAT PUT UP HOUSING OR AFFORDABLE HOUSING. I THINK THAT IS WHAT WE REALLY NEED TO TAKE A LOOK AT AND FOCUS ON THAT. SO YES, I GET IT, 450 DOES SOUND BETTER AND 2 .96 HAS CHANGED FOR THE DEVELOPMENT. THE DEVELOPERS DID CHALLENGE HANDS WENT THROUGH A FLUSH OF HANDS AND NOW WE'RE AT THE POINT FROM 288 WE HAVE THE OPPORTUNITY TO INCREASE IT TO 388. AND OF COURSES, THAT IS WHAT THE AMENDMENT IS FRONT OF US TODAY. IF THE STATE, AND I LIKE TO LOOK AT IT REALLY AS A CREATIVITY PUBLIC-PRIVATE PARTNERSHIP WHERE THE STATE CAN TAKE THIS ON TO FULFILL THEIR DUTIES, GETTING THE ROAD DOWN, A LITTLE OVER \$40 MILLION AND IN RETURN, THE DEVELOPER INCREASES THEIR AFFORDABLE HOUSING OR WORKFORCE HOUSING UNITS TO AN ADDITIONAL 50, BRINGING THAT TO 388 AND DOING THE MATH CORRECTLY, DESMOND SAID IT EARLIER, GIVES US 41 .6 OF AFFORDABLE WORKFORCE HOUSING UNITS. I KNOW WE'RE ASKING FOR 50% AND THAT 41.6%ED WITHOUT TAKING ANY COUNTY FUNDING OR ANY STATE FUNDING REALLY GIVES THERE PRIVATE DEVELOPER THE OPPORTUNITY TO SHOW OTHER DEVELOPERS THAT THEY CAN DO WAY MORE THAN 25% IN 2.96 TODAY, TESTIFYING IN SUPPORT OF THIS.\r\n\r\nIT'S A GOOD PROJECT, I THINK IT'S BEEN WAY LONG OVERDUE ON THE BOOKS. 30 YEARS, 30-PLUS YEARS I MEAN I WAS GRADUATING FROM HIGH SCHOOL AND YOU KNOW, I UNFORTUNATELY GREW UP IN HAWAIIAN HOMES, PAKA KALO, AND NOW I'M FORTUNATE TO HAVE 50% HAWAIIAN LIVING HAWAIIAN HOMES AND NOW SIX OF MY SIBLINGS THEY HAVE HOMESTEAD AND MY NIECES AND NEPHEWS UNFORTUNATELY THEY DON'T. SO I HAVE A COUPLE OF NIECES AND NEPHEWS THAT ARE IN MEDICAL SCHOOL, BUT EVEN WHETHER THEY'RE DONE WITH THAT, THEY ARE NOT PLANNING TO RETURN HOME BECAUSE THEY CAN'T AFFORD IT. SO FOR THOSE CHANGES THE AMI RESTRICTIONS AND INCREASING 200 OR HAVING CEILING OF 200 REALLY DOES GIVE OUR KANAKA THE OPPORTUNITY TO BE ABLE TO AFFORD IT. >> THANK YOU. QUESTIONS? MEMBER JOHNSON AND MEMBER PALTIN. >> THANK YOU, CHAIR.\r\n\r\nTHANK YOU, MS. AIWOHI. HAVE YOU HEARD THE VOICE? ARE WHERE WE MISSING THE COMMUNITY HERE SAYING THAT WE'RE SHORT ON LUXURY HOMES? >> I DON'T THINK ANYBODY SAID LUXURY HOUSING. YOU KNOW, AND HE GET WHERE YOU ARE COMING FROM. BUT I THINK IF WE'RE LOOKING AT PRIVATE DEVELOPER COMING IN PROVIDING WHAT IS THIS IS UNDER 2 .96 THAT IT'S 25% THAT YOU HAVE A DEVELOPMENT WITH A PROJECT THAT THE DEVELOPER IS PROVIDING OVER 25%, AND IF THE AMENDMENTS PASS, 41 .6%, SO YOU STILL GOING TO HAVE MARKET PRICE HOMES SO I WOULDN'T CONSIDERED TERM LUXURY, BUT SAY MARKET PRICE HOMES.\r\n\r\n>> OKAY, THAT DISTRICT IS KIND OF KNOWN FOR LUXURY. >> IF I COULD REAL QUICK SORRY JUST BECAUSE YOU JUST SAID THAT, I DO WANT TO SAY IF I HAD THE OPPORTUNITY, AND NOW WITH THE CAP OF 200 TO LIVE IN WAILEA AND WAKE UP EVERY MORNING WAKE UP NEXT DOOR TO MY NEXT DOOR NEIGHBORS WHICH IS MAUI MEADOWS, AND AGITATE THEM BECAUSE OF THE COLOR OF MY SKIN, I WOULD LOVE IT. >> THAT TOOK A TURN I WAS NOT EXPECTING. >> THAT IS NOT CLARIFICATION. >> THIS IS MY CLARIFYING QUESTION AND THIS IS MY LAST ONE, CHAIR. WE KNOW THE PROJECT IS NOT TAKING COUNTY MONEY; RIGHT? IF YOU DID TAKE COUNTY MONEY THEN I WOULD FEEL WE'RE KIND OF THE INVESTORS, WE'RE INVESTING IN OUR COMMUNITY, AND WE WOULD BE HAVING A SEAT AT THE TABLE.\r\n\r\nBECAUSE YOU DON'T TAKE THE MONEY, WE'RE KIND OF OUTSIDE TABLE; RIGHT? I WOULD HOPE THAT MAYBE THERE WOULD BE A PATH, IF WE GOT INVOLVED WHERE WE COULD PUT MONEY DOWN AND BUY SOME OF THAT LAND AND DO THE THINGS THAT OUR COMMUNITY WANTS, BECAUSE OBVIOUSLY, WE'RE



KIND OF AT NOT GOING ANYWHERE. IS THERE ANY OPPOSITION TO TAKING COUNTY FUNDS? >> SO THAT I CANNOT ANSWER. I'M NOT SPEAKING AS A REPRESENTATIVE FOR THE DEVELOPER. BUT WHAT I CAN SAY, AND CORRECT ME IF I'M WRONG, ANY OF YOU THAT SITTING HERE IN OF ME. COUNCIL MEMBER JOHNSON I APPRECIATE THE FACT THAT YOU ACTUALLY PRIORITIZED AND I SHOULD HAVE TESTIFIED ON BEHALF OF THAT AS WELL.\r\n\r\nI APPRECIATE THE FACT THAT YOU FIND THE NEED TO START PRIORITIZING OUR LOCALS WHEN IT COMES TO OUR WORKFORCE HOUSING BECAUSE I SUPPORT THAT. EXACTLY SO I'M NOT SURE ON THIS, BECAUSE I'M NOT A LAWYER. IF THE DEVELOPER WAS IT TAKE ANY COUNTY FUNDING OR ANY FEDERAL FUNDING WOULD THEY THEN BE NOW KIND OF OUT OF THAT -- THEY WOULDN'T BE IN A POSITION TO NOW RUN A LOTTERY. >> THANK YOU. THANK YOU, CHAIR. >> MEMBER PALTIN. >> THANK YOU, CHAIR.\r\n\r\nTHANK YOU, MS. AIWOHI, CLARIFYING TWO POINTS FROM YOUR LAST EXCHANGE WITH MEMBER JOHNSON YOU ARE SUPPORTIVE OF COUNTY COMMUNICATION 24-32 FOR LOCAL PREFERENCE. >> YES. >> AND THEN MY OTHER CLARIFICATION, IT SEEMS SO LONG AGO NOW WHEN YOU TESTIFIED. YOU SAID SOMETHING LIKED DEVELOPER IS PROVIDING 41.6% AFFORDABLE HOUSING AND THAT SHOULD SET THE STANDARD FOR WHAT ALL DEVELOPERS SHOULD BE ABLE TO DO OR SOMETHING? >> ONE, I WOULD LIKE THE PUBLIC-PRIVATE PARTNERSHIP TO SET A STANDARD, SO THAT DEVELOPERS AND THE STATE AND COUNTY CAN KIND OF LOOK AT WAYS TO PARTNER MOVING FORWARD TO TAKE OFF SOME OF THE COSTS THAT THE DEVELOPERS GET STUCK WITH, WHICH IS BASED ON A LOT OF THE CONDITIONS THAT ARE PUT ON THEM. SO WHICH IN RETURN INCREASES THE COST OF THE HOMES.\r\n\r\nSO THAT IS ONE THING AND THE SECOND THING 2.96 IS SET AT 25% AND WE SEE A DEVELOPER LIKE THIS BE ABLE TO ENTERTAIN AND BE ABLE TO FIND SUCCESS IN THIS PUBLIC-PRIVATE PARTNERSHIP AND BE ABLE TO INCREASES FROM THE WORKFORCE HOUSING UNITS THAT THEY ARE PROVIDING TO THAT 41.6% AND I WOULD LIKE TO SEE OTHER DEVELOPERS IN THE FUTURE KIND OF USE THAT EXAMPLE MOVING FORWARD. >> OKAY, GOT IT. HERE IS MY CLARIFICATION, WITHOUT THE PI'ILANI HIGHWAY PIECE, THIS DEVELOPER BECAUSE OF POOR MATH SKILLS IS PROVIDING 25% OF THE PROJECT AFFORDABLE INSTEAD OF 25% OF MARKET. WHY SHOULDN'T THAT BE THE STANDARD GOING FORWARD? >> I THINK YOU COULD GO BOTH WAYS. YOU'RE RIGHT. BECAUSE OF THEIR MATH SKILLS, I KNOW YOU AND YOUR NUMBERS ARE GOOD WITH THAT.\r\n\r\nYOU ARE ABSOLUTELY RIGHT, BEFORE I DO WALK AWAY, I ALSO WANT TO SAY THAT I DO SUPPORT YOUR AMENDMENT AS WELL. >> THANK YOU. JUST FOR THE RECORD, SHE SUPPORTS CC 24-31 AS WELL. >> THANKS. >> SHE HAS ONE VOTE. MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR.\r\n\r\nI'M A SECOND VOTE ON MEMBER PALTIN'S AMENDMENT. ALOHA MS. AIWOHI, MAHALO FOR YOUR TESTIMONY. I'M SORRY IF I MISSED IT, ARE YOU A CONSULTANT OR HAVE ANY FINANCIAL INVOLVEMENT WITH THIS PROJECT? >> I AM. >> MAHALO FOR THAT CLARIFICATION. AND THEN SECOND, YOU TALKED ABOUT THE 41%S AND WHICH INCLUDES 50 UNITS OF WIDENING THE PI'ILANI HIGHWAY.\r\n\r\nBUT YOU SAID NO GOVERNMENT SUBSIDIES, THAT WOULD BE D.O.T. MONEY, WHICH IS TAXPAYER DOLLARS. >> IF YOU REALLY WANT TO BREAK IT DOWN AND HAVE D.O.T. TAKE OVER THE HIGHWAYS IT BECOMES A LITTLE OVER \$40 MILLION, AND IF YOU LOOK AGAIN THIS MIGHT BE SOMETHING THAT YOU TALKED TO THE ATTORNEY CAL CHIPCHASE, IF YOU DID THAT SWITCH, THE 50 ADDITIONAL UNITS WILL COST WAY MORE THAN THAT -- I THINK IT CAME OUT TO \$42 MILLION FOR THE HIGHWAY. SO IF THE DEVELOPER WAS TO KEEP THAT CONDITION, THEN THEY WOULD GO AHEAD AND IT WOULD SAVE THEM ON THE COST SIDE. >> THAT WASN'T MY QUESTION. MY CLARIFYING QUESTION YOU ARE TAKING CREDIT FOR 50 MORE UNITS, BUT THAT IS BEING PAID FOR, AS YOU SAID, BY TAXPAYER DOLLARS. >> EITHER WAY, SO D.O.T. -- RIGHT. SO D.O.T., YOU CANNOT GET BOTH.\r\n\r\nSO YOU WILL GET EITHER ONE OR THE OTHER. SO EITHER THE DEVELOPER PAYS FOR THE ROADS MINUS THE 50, FOR FIND THIS GOOD MARRIAGE, PUBLIC-PRIVATE PARTNERSHIP ALLOW D.O.T. TO DO THE ROADS SINCE IT'S ALREADY IN THE MASTER PLAN AND WILL CONTINUE AND ALLOWING FOR THE DEVELOPER TO THEN BUILD THE ADDITIONAL 50 UNITS, WHICH WILL BE A LOT MORE THAN WHAT ROAD WIDENING WILL COST. >>

AGAIN, YOU CAN'T TAKE CREDIT FOR THE 50 UNITS, GOVERNMENT IS PAYING FOR THAT. NOT THE DEVELOPER. >> YOU KNOW, I'M NOT SURE HOW -- I'M NOT SURE HOW WE'RE MISSING THAT BECAUSE D.O.T. WILL TAKE THE ROADS. >> WE ALREADY EXPLAINED IT. MAYBE WHEN THE REPRESENTATIVE COMES UP.\r\n\r\nWE CAN ASK THAT QUESTION >> MAHALO. >> CHAIR, THE NEXT TESTIFIER IS EMMANUEL BALTHAZAR, ALTHOUGH I DON'T SEE HIM IN THE AUDIENCE AND IS HE NOT ON LINE. >> NEXT. >> WE'LL GO TO KAI NISHIKI, PLEASE INDICATE WHAT YOU ARE TESTIFYING ON, FOLLOWED BY RYAN HURLEY. >> FOLLOWED BY WHO? >> RYAN HURLEY. >> OKAY, AND THEN HOW MANY?\r\n\r\n>> FIVE. THERE HAVE BEEN A FEW MORE SIGN-UPS. KAI NISHIKI. >> KAI, YOU CAN START. YOU HAVE TO UNMUTE YOURSELF. OKAY, GOOD. >> ALOHA, CHAIR, AND COUNCIL MEMBERS.\r\n\r\nKAI NISHIKI, AND PLEASE, I'M SO SORRY, I AM IN THAILAND, AND THE POWER WENT OUT WITH THE STORM COMING IN. SO I COULDN'T GET ALL OF THE ITEM NUMBERS THAT I'M TESTIFYING ON. BUT I'M TESTIFYING ON ALL OF THE WAILEA 670 ITEMS, PLEASE. >> YOU WANT TO TESTIFY ON THEM ALL? GO AHEAD. >> OKAY. THANK YOU SO MUCH.\r\n\r\n\r\nTHIS PROJECT WAS ONLY APPROVED BASED ON THE AMOUNT OF AFFORDABLE HOUSING IT WOULD BE PROVIDING. IT WAS A TRADE-OFF AND THE COUNCIL MEMBERS WERE NOT SOLD ON THE PROJECT OTHERWISE. THEY VOTED IN FAVOR, ONLY TO RECEIVE THE SORELY NEEDED AFFORDABLE UNITS AND THAT IS WHAT THE ESTABLISHMENT MEMBERS AT THAT TIME SAID IN THEIR COMMENTS. AND WE REALLY NEED MORE PERMANENTLY PROTECTED AFFORDABLE HOUSING, LONGER DEEDS RESTRICTIONS, AND NEED TO PRIORITIZE OUR WATER FOR PERMANENTLY PROTECTED AFFORDABLE HOUSING. SO SUPPORT THE AMENDMENT TO NOT ALLOW SWIMMING POOLS. I WAS HAPPY TO HEAR THE DEVELOPER IS CONSIDERING PRIORITIZING BY LENGTH OF RESIDENCY FOR THE SELECTION PROCESS, FOR AFFORDABLE HOMES. I WAS SO FURIOUS, AND KIND OF PUT-OFF THAT THE TRADE UNIONS WERE KIND OF BRAGGING THAT THIS PROJECT IS NOT GOING TO BE TAKING ANY COUNTY SUBSIDY.\r\n\r\n\r\nTHAT JUST, LIKE, DEVELOPERS OVER AND OVER AGAIN SAY HOW PROJECTS DON'T PENCIL OUT AND SO THAT THE COUNTY'S INVESTING AND BECOMING PARTNERS WITH HOUSING PROVIDERS IS ACTUALLY A BENEFIT TO TRADE UNIONS OWN MEMBERSHIP, AND IF A PROJECT IS DECIDING NOT TO PARTNER WITH THE COUNTY, WHAT THAT SAYS TO ME THAT THEY HAVEN'T EVEN EXPLORED WITH THE COUNTY A PATH FORWARD AND A SOLUTION. AND IF A HOUSING PROVIDER AND THE COUNTY HAVE THE SAME GOAL AS WHAT THE GREATEST NEED IN OUR COMMUNITY IS, AFFORDABLE HOUSING, THEN YOU KNOW, THAT CONVERSATIONS SHOULD BE HAD. I REMEMBER TESTIFYING AT THE MAUI PLANNING COMMISSION, AND DURING DELIBERATIONS, A COMMISSIONER ASKED IF THE DEVELOPER HAD ENTERED INTO ANY CONVERSATIONS WITH THE COUNTY REGARDING HOW THEY COULD BUILD THOSE 700 OR 450 HOUSING UNITS? LIKE THESE -- AND THEY SAID THAT THEY HAD NOT HAD CONVERSATIONS WITH THE DEPARTMENT OF HOUSING. SO YOU KNOW, HAVING GONE DOWN THAT PATH AND COUNCIL MEMBERS REPEATEDLY DURING BILL 9 SAID HEY, WHAT IS -- WHAT IS -- WHAT IS THE SOLUTIONS? WHAT IS THE PATH FORWARD TO GET MORE HOUSING BUILT? AND SO I'M REALLY SURPRISED THAT SOME COUNCIL MEMBERS HAVE NOT RALLIED UP WITH THE DEVELOPER FROM THE DEPARTMENT OF HOUSING AND THE MAYOR, AND FOUND THE PATH FORWARD, YOU KNOW?\r\n\r\n\r\nTHERE WAS THIS BIG RUSH TO GET THIS APPROVED. WHY WASN'T THERE A BIG RUSH TO FIND A PATH FORWARD ON BUILDING THE HOUSING THAT WAS PROMISED, AND THAT IS OUR GREATEST NEED? SO THAT'S -- THAT WAS A REALLY ODD THING FOR ME TO HEAR BRAGGING ABOUT THAT PART DURING WITH THE COUNTY TO PROVIDE HOUSING. I SUPPORT COUNCIL MEMBER RAWLINS-FERNANDEZ' AMENDMENTS, AND COUNCIL MEMBER JOHNSON'S, AND ALSO COUNCIL MEMBER PALTIN'S PROPOSED AMENDMENTS, AND SUPPORT THE UPDATED AIS THAT WAS PROPOSED BY DR. SIX. AND I AM GLAD THAT A COUNCIL MEMBER BROUGHT UP ABOUT THE OFF-SITE INFRASTRUCTURE, THE ROADWAYS BEING THAT IS AN INVESTMENT BY OUR TAXPAYERS AND BY OUR GOVERNMENT. SO IF THEY ARE WILLING TO TAKE SUBSIDY, AND INVESTMENT FROM THE STATE, WHY NOT TAKE IT FROM THE COUNTY?\r\n\r\n\r\nTHIS COUNCIL HAS SUPPORTED FUNDING FOR AFFORDABLE HOUSING TIME AND TIME AGAIN. AND SO I DON'T SEE WHY THAT IS NOT ON THE

TABLE, AND AN OPTION. WE DON'T NEED TO HAVE THIS SCARCITY MINDSET AND WE ALSO DON'T NEED TO TAKE THE MINIMUM, AND TO FALL BACK ON LIKE, OH, 2.96 WAS CHANGED, SO THAT IS ALL WE HAVE TO DO, YEAH. THAT IS ALL YOU HAVE TO DO, BUT YOU COULD DO BETTER, AND WE SHOULD DO BETTER, AND WE SHOULD DEMAND BETTER, AND WE SHOULD FIND A PATH FORWARD THAT MAKES THAT HAPPEN. LIKE, IT'S SO EASY TO FALL BACK, ALL THE TIME, ON OH, WELL 2.96 CHANGED. WELL, I WILL TELL YOU FROM EXPERIENCE, THE PULEHU DEVELOPER AFTER THE FIRE COULDN'T FALL BACK ON THAT TOO, BUT WHAT HE DID DO? HE CAME TO THE COUNTY AND SAID I WILL CHALLENGE MY WHOLE PROJECT TO 100% AFFORDABLE, DEED PROTECTED IN PERPETUITY, PRIORITIZING OUR RESIDENTS BY LENGTH OF RESIDENCY.\r\n\r\nSO IF HE CAN DO IT, AND THIS COUNTY WILL SUPPORT THAT, THEN THIS DEVELOPER CAN ALSO DO IT. IT CAN BE DONE. SO LET'S NOT -- LET'S NOT TAKE THE MINIMUMS. LET'S NOT FALL BACK ON OH, THIS IS ALL I CAN DO. WE KNOW WE CAN DO BETTER. SO PLEASE, DO BETTER, AND HOW CAN WE HAVE LISTENED TO HOURS AND HOURS AND DAYS AND DAYS OF OUR COMMUNITY CRYING OUT FOR HOUSING, EVERY SINGLE DAY A LOCAL FAMILY MOVES AWAY. REMEMBER THAT WHEN YOU ARE DELIBERATING HERE.\r\n\r\nAND I KAKOU EVERYTHING THAT AUTUMN NESS SAID IN HER TESTIMONY. PLEASE UTILIZE HER AS A RESOURCE IN YOUR DELIBERATIONS. SHE HAS BEEN WORKING ON THIS ISSUE FOR MANY, MANY YEARS, AND IS A WEALTH OF INFORMATION, AND AN ASSET TO THIS BODY, TO THIS COMMUNITY, AND TO THIS COUNCIL. MAHALO NUI. >> THANK YOU. QUESTIONS, MEMBERS? IF NOT, HAVE FUN, AND BE SAFE IN THAILAND.\r\n\r\nMS. CLERK CHAIR, THE NEXT TESTIFIER IS RYAN HURLEY. AND PLEASE MR. HURLEY, LET US KNOW WHAT YOU ARE TESTIFYING ON, FOLLOWED BY THE TESTIFIER WITH THE FIRST NAME ROB. RYAN HURLEY. YOU CAN UNMUTE ON YOUR END. WE CAN SEE THAT YOU ARE UNMUTED ON OURS.\r\n\r\nCHAIR, WE'LL MOVE ON TO THE TESTIFIER THE FIRST NAME ROB. >> OKAY, WE HAVE ROB. ROB, CAN YOU SAY SOMETHING? >> (SPEAKING HAWAIIAN) ROB SPEAKING FOR KIHAI COMMUNITY ASSOCIATIONS AND I'M JUST SINCE MIKE HAS ALREADY SPOKEN, I'M JUST GOING TO TALK ABOUT THE AFFORDABLE RENTAL PART -- THE AFFORDABLE HOUSING PART OF THE PROJECT OF WAILEA 670. HAS LONG FELT -- HOUSING FOR THOSE WOULD WORK IN OUR HOSPITALITY INDUSTRY THAT CAN'T AFFORD TO LIVE FROM AND EVEN THE FAMILIES THAT LIVE IN SOUTH MAUI FOR GENERATIONS HAVE BEEN FORCED TO LEAVE BECAUSE LUXURY DEVELOPMENTS THAT HAVE BEEN BUILT AND PROPOSES PUSH OUT THE PROPERTY PRICES AND TAXES BEYOND WHAT LOCAL FAMILIES CAN AFFORD. WE HAD CONCERNS ABOUT THE IMPACTS OF WAILEA 670 ON THE CULTURAL AND NATURAL RESOURCES OF THE AREA AND ALSO ON TRAFFIC, BUT THE 2008 COUNTY DECISION TO APPROVE IT HAD ONE ATTRACTIVE ELEMENT, JUST ONE, 700 AFFORDABLE-HOUSING UNITS BUILT AND THE PROJECTED WOULD NOT HAVE BEEN APPROVED WITHOUT THAT SIGNIFICANT CONTRIBUTION TO HOUSING OUR WORKFORCE. SO 17 YEARS LATER, SOUTH MAUI HAS FAR MORE LUXURY HOUSING AND NOT ENOUGH HOMES FOR THOSE WHO WORK OR MAINTAINING THEM SO INSTEAD OF INCREASING THE PROPORTION OF WORKFORCE HOUSING AT WAILEA 670, AND THE COUNTY COUNCIL IS NOW CONSIDERING AMENDMENTS TO CUT IT BACK TO 280 UNITS AT THE REQUEST OF THE CURRENT OWNER AND DEVELOPER. AND THAT WOULD ONLY MAKE THE CURRENT IMBALANCE IN THE AREA WORSE.\r\n\r\nSO WE NEED HOUSING TO SERVE OUR RESIDENTS. NOW AS SOME TESTIFIERS HAVE SAID THAT THE DEVELOPER IS PROPOSING TO ADD TO THE NUMBER OF AFFORDABLE UNITS FROM 288, IF THE STATE DOES THE WIDENING OF PI'ILANI HIGHWAY. BUT I DON'T THINK THAT IS TRUE, BECAUSE I WATCHED THE MPC DISCUSSING THIS AND CAL CHIPCHASE REPRESENTATIVE OF THE VERY MUCH SAID AT THE THAT TIME THAT IS THE NUMBER OF AFFORDABLE HOUSING UNITS THEY WOULD BUILD IF THE STATE BUILDING OUT THE HIGHWAY. OTHERWISE ONLY BUILD 220 UNITS THAT 2.96 REQUIRES. THERE'S NOTHING IN HIS TESTIMONY I COULD FIND OR IN THE PROPOSED AMENDMENT THAT WOULD INCREASE THE PERCENTAGE TO 41.6% AS A COUPLE OF TESTIFIERS HAVE SAID. SO YOU SHOULD DEFINITELY QUESTION THEM AND FIND OUT WHAT THE REAL ANSWER IS. ANOTHER THING THAT IS IMPORTANT, AS EXPLAINS EARLIER TODAY CANCELLING THE PROJECT IS NOT AN OPTION FOR THE COUNCIL

TODAY.\r\n\r\nSO YOU ARE NOT VOTING BETWEEN ALLOWING THE PROJECT TO GO FORWARD AND CANCELLING IT. YOU ARE VOTING ON WHETHER TO HAVE 288 AFFORDABLE UNITS OR TO HAVE 450 UNITS. THAT IS THE CHOICE YOU HAVE TO MAKE. I MEAN, AMONG OTHER CHOICES, BUT THAT IS THE ONE AS FAR AS THE NUMBER OF UNITS. AMENDMENT 24-30 PROPOSES THAT THE MINIMUM NUMBER OF AFFORDABLE UNITS SET TO 450. WELL, THAT DOESN'T GO AS FAR. >> TIME. >> FOR 700 UNITS THAT IS STILL -- AND WE SUPPORT THAT.\r\n\r\n>> ROB, ARE YOU DONE? DO YOU HAVE A FEW SECONDS? >> YES. >> OKAY. QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH FOR YOUR TESTIMONY. >> THANK YOU.\r\n\r\nMAHALO. >> CHAIR, THE NEXT TESTIFIER IS DICK MAYER, IF YOU COULD LET US KNOW THE ITEMS YOU ARE TESTIFYING ON, PLEASE. >> AND THEN WE'LL TAKE A BREAK. ? >> MR. MAYER, IT'S YOUR OPPORTUNITY. >> OKAY. I THINK HE IS LOOKING -- YOU HAVE TO UNMUTE YOURSELF, DICK.\r\n\r\nCAN YOU HELP HIM WITH THAT? MOANA. >> MR. MAYER ON YOUR SCREEN ON THE UPPER RIGHT, THERE WILL BE A MIC, AND IF YOU JUST CLICK THAT, IT SHOULD UNMUTE YOU ON YOUR SIDE. NO LUCK? WE HAVE GOT THE CALL-IN OPTION, IF YOU WANT TO JUST LEAVE YOUR VIDEO ON AND CALL IN TO TESTIFY. IT'S IN OUR CHAT.\r\n\r\n>> WHAT IS HE DOING? >> MR. MAYER, YOU CAN ALSO TRY THIS IF YOU DON'T SEE THE MIC, TO UNMUTE, IF YOU ARE ON WINDOWS PRESS CONTROL THE SHIFT KEY AND THE LETTER M, AS IN MARY. >> CAN YOU HEAR ME? >> YES. >> VERY GOOD. >> OKAY.\r\n\r\nTHERE ARE TWO THINGS THAT I WOULD LIKE TO SPEAK ABOUT, ONE IS BILL 83 AND LATER ON IN THE EVENING WHEN YOU GET TO THE WAILEA 670, I WOULD LIKE JUST BEFORE THAT ITEM COMES UP, I WOULD LIKE TO TESTIFY ON THAT ITEM. CAN YOU DO THAT? >> LET'S SEE, YOU WANT TO TESTIFY ON WHAT FIRST, DID YOU SAY? >> CAN I DO THAT? >> YES, YOU CAN. >> LET ME JUST TESTIFY ON BILL 83 RIGHT NOW. >> OKAY.\r\n\r\n>> BILL 83 IS ASKING FOR THE DISSOLUTION OF RELATIVE ADVISORY COMMITTEE FOR SOUTH MAUI AND THE PA'IA- HAIKU AREA AND I WOULD URGE YOU NOT TO PASS THIS ITEM ON, BECAUSE THESE COMMUNITIES COULD BE EXTREMELY IMPORTANT AND I WILL GIVE A GOOD EXAMPLE. YOU ARE SPENDING HOURS AND HOURS YOU LISTENING TO TESTIMONY FROM MANY SOUTH MAUI RESIDENTS AND THAT ALL COULD HAVE BEEN HANDLED BY THAT ADVISORY COMMITTEE. UNFORTUNATELY THE PLANNING COMMISSION NEVER SENT THIS ITEM TO THE ADVISORY COMMITTEE. SO ONE OF THE ARGUMENTS THAT YOU HAVE IN THE RESOLUTION TO PASS THIS SAYS IT HASN'T MET SINCE 2022. THAT IS NOT THE FAULT OF THE COMMITTEE. THAT IS THE FAULT OF THE PLANNING DIRECTOR AND THE PLANNING COMMISSION FOR NOT SENDING THIS ITEM TO THE SOUTH MAUI ADVISORY COMMITTEE. SO I WOULD USE THAT COMMITTEE AND YOU COULD USE IT WELL TO SUBSTITUTE FOR A LOT OF TIME-CONSUMING THINGS THAT THE COUNCIL HAS TO DEAL WITH. SO PLEASE, DO NOT APPROVE RESOLUTION -- BILL 83 AND LET THAT DIE AT THIS POINT AND LET'S GET THAT COMMITTEE GOING AGAIN AND GIVE IT THE SUPPORT WE NEED.\r\n\r\nI WISH WE HAD THAT COMMITTEE UP COUNTRY AND FOR OTHER AREAS SOUTH MAUI COULD USE THAT THE MANY THINGS HAPPENING THERE, AND THE FACT IT'S NOT WORKING IS NOT THE FAULT OF THE COMMITTEE. IT'S THE FAULT OF THE PLANNING DEPARTMENT AND THE PLANNING COMMISSION FOR NOT SENDING THEM ITEMS TO THE DISTRICTS. THEY SEND THINGS TO HANA, BUT THEY DON'T SEND IT TO THOSE TWO AREAS. THANK YOU VERY MUCH. I WILL SPEAK LATER WHEN THE ITEM COMES UP ON THE WAILEA 670. >> MEMBERS, DO YOU HAVE ANY QUESTIONS? MEMBER PALTIN. >> THANK YOU, CHAIR.\r\n\r\nTHANK YOU, MR. MAYER. TO CLARIFY, THAT WAS MY PROPOSAL, BECAUSE LIKE YOU SAID IT'S THE PLANNING COMMISSION AND THE PLANNING DEPARTMENT THAT HAS THE PURVIEW TO SEND IT THERE, AND THEY HAVE NOT BEEN. AND SO THERE'S NOTHING WE CAN DO TO FORCE THAT, AND IT WAS A REQUEST FROM THE PLANNING DEPARTMENT TO DISSOLVE IT. SO I THINK THAT INDICATES THEIR UNWILLINGNESS TO DO IT GOING FORWARD. SO TO CLARIFY, I MEAN, I THINK THE BILL SAYS RE-EVALUATE THREE YEARS LATER AND IF THREE YEARS LATER THEY ARE IN THE RUT WHERE THEY ARE NOT GOING TO SECOND IT, WE'RE SPENDING TIME, PERSONNEL AND WHAT NOT TO SELECT STAFF A NON-MEETING COMMITTEE AND WE HAVE SO MUCH THINGS TO DO. SO I JUST WANTED TO CLARIFY YOUR SUPPORT FOR IT, IF IT

CONTINUES ON THIS WAY?\r\n\r\nTHIS WAS ASKED FOR BY THE PLANNING DEPARTMENT, INDICATING THEIR UNWILLINGNESS IT UTILIZE THIS TOOL. SO I DON'T SEE THE REASON IS NOT DISSOLVE IT. >> MY ARGUMENT WOULD BE THEY SHOULD HAVE BEEN -- AND IT'S UNFORTUNATE THE COUNCIL SET UP THAT PROVISION. WE GOT IT APPROVED, AND THE PLANNING DEPARTMENT REFUSED TO ACT ON BEHALF OF THE PEOPLE OF SOUTH MAUI AND PA'IA- HAIKU AND IN DOING THIS, I THINK THEY SHOULD BE CALLED TO EXPLAIN WHY THEY ARE NOT UTILIZING WHAT COULD BE AN EXCELLENT INPUT OF INFORMATION TO THE PLANNING PROCESS AND EVENTUALLY EVEN TO THE COUNCIL MANY OF THE ITEMS EVENTUALLY GO TO THE COUNCIL, LIKE THIS ONE, THAT YOU ARE SPENDING THE ENTIRE DAY HEARING TESTIMONY ON. THEY COULD HAVE GIVEN A REPORT. FOR EXAMPLE,, ANOTHER THING, THE PLANNING DEPARTMENT, I DON'T THINK SENDS YOU ANY REPORT ON THE RECENT PLANNING COMMISSION HEARING THAT WAS HELD IN SOUTH MAUI. AT LEAST IT'S NOT ON YOUR GRANICUS RECORD AND THEY GO AHEAD AND DO THINGS AND DON'T MAKE IT EASY FOR THE COUNTY FOR GOOD ACTIONS.\r\n\r\nI THINK THEY SHOULD BE CALLED FOR NOT DOING WHAT THEY SHOULD BE DOING, HELPING COUNCIL MAKE GOOD DECISIONS. >> OKAY. BUT THEY'RE NOT, AND I MEAN, A LOT OF THINGS THAT SHOULD BE DONE AREN'T BEING DONE. >> WELL, WHEN DEPARTMENTS REFUSE TO DO WHAT YOU ASKED, THE PROCESSES -- THEY TESTIFIED THAT THEY WANT THIS COMMITTEE. THE PLANNING DEPARTMENT SHOULD BE HELD ACCOUNTABLE, AND ASKING THEM TO DEFEND THEIR ACT OF INACTION. >> I THINK IT'S THE COMMISSION THAT HAS THE CHOICE ULTIMATELY, AND THAT'S MADE UP OF MEMBERS. I MEAN, EVEN MR.\r\n\r\nSINENCI HAD THE SAME ISSUE WITH HIS FOOD TRUCK. THEY WANTED IT AT HANA ADVISORY COMMITTEE, AND THEY WOULD NOT SEND IT THERE EITHER. I'M NOT PROPOSING TO DISSOLVE THE HANA ADVISORY COMMITTEE AND THAT IS IN THE CHARTER, I BELIEVE. JUST SAYING, I MEAN, IT'S JUST NOT WORKING. WE CAN WISH AND SHOULD AND BULLY AND WHATEVER, BUT IT'S NOT YIELDING ANY RESULTS AND IT'S TAKING UP SO MUCH RESOURCES. SO THAT'S WHY I PROPOSE THAT AND I STAND BEHIND IT. >> OKAY.\r\n\r\nWELL, MY VIEWPOINT AND YOU FOLKS HAVE TO DO WHAT YOU NEED TO DO. >> OKAY. THANK YOU, DICK. >> I WILL BE TESTIFYING LATER ON WAILEA 670. >> OKAY. >> NICE TO SEE YOU, MR. MAYER. THANK YOU FOR TESTIFYING ON THIS.\r\n\r\nI BELIEVE THAT MEMBER PALTIN'S BILL IS REFLECTING WHAT WE'RE RECEIVING FROM THE DEPARTMENT. SO WHEN THIS CAME UP AND WAS BEING DISCUSSED. I DID DOES IF WE COULD ESTABLISH AN UP COUNTRY COMMITTEE. ALSO, AND IT WAS DISCOURAGED BY THE DEPARTMENT, JUST SO YOU KNOW, AND ALSO FOR WAILEA 670, JUNE 24TH THE DEPARTMENT SENT OVER 1200-PAGE DOCUMENT, WHICH INCLUDES THE MARCH 11TH, 2025 SOUTH MAUI DISTRICT PUBLIC HEARING THAT WAS HELD. SO IT IS THERE. MAYBE IT'S A LITTLE HARD TO FIND, IF YOU HAVE TO DIG THROUGH GRANICUS. JUST KIND OF INFORMATION.\r\n\r\n>> THANKS FOR THAT. >> THANK YOU. THANKS FOR WHAT YOU DO, MR. MAYER. >> ANYBODY ELSE? OKAY, MEMBERS, THANK YOU, MR. MAYER.\r\n\r\n>> THANK YOU. >> ARE WE GOING TO TAKE ONE MORE? NO -- OKAY. WE'RE GOING TO TAKE A SHORT BREAK NOW, AND RETURN TO HOW MANY MORE TESTIFIERS? >> SEVEN, CHAIR. >> COME BACK AT 4:30. THIS MEETING IS IN RECESS. [ GAVEL ] >> IT IS 448 P.M. AND MEMBERS, BEFORE WE CONTINUE ON WITH TESTIMONY, IT IS OBVIOUS WE CAN'T COVER EVERYTHING TONIGHT, SO THIS IS ONE SUGGESTION.\r\n\r\nTHAT SUGGESTION IS, WE FINISH THE UNFINISHED BUSINESS TONIGHT. FINISH THE UNFINISHED BUSINESS TONIGHT, AND RECESS THIS MEETING UNTIL-LET'S SEE, MONDAY, JUNE 30 AND WE GO OVER ALL THE REST OF THE ITEMS, WHICH APPEAR TO BE ROUTINE. MEMBER PALTIN. >> I COULD BE OKAY WITH THAT, BUT I THINK WE SHOULD DO-OR BEFORE THAT THE DEPARTMENT OF AG ONE, BECAUSE THEIR FISCAL YEAR WHATEVER DEADLINE, SO THEY ARE NOT COMING BACK ON MONDAY OR WHATEVER. >> OKAY. I THINK THAT WILL BE REALLY FAST. OKAY.\r\n\r\nTHAT SEEMS TO BE ALRIGHT. MEMBER RAWLINGS FERNANDEZ. >> MAHALO CHAIR. I AGREE WITH MEMBER PALTIN AND THINK MAYBE SUGIMURA WAS GOING TO SAY THIS, THE BUDGET BILL TOO. I SUPPORT TAKING THOSE UP AND TAKING UP UNFINISHED BUSINESS 670 AND YOU KNOW, IF WE CAN GET ANYTHING MORE DONE THAT WOULD BE GREAT, IF

NOT I COULD BE AVAILABLE ONLINE MONDAY AND I HAVE A FLIGHT AT 1020. THAT WAS THE EARLIEST FLIGHT I COULD GET OVER HERE IN ORDER TO FINISH WHAT WE DIDN'T FINISH TONIGHT. AND YOU ARE GETTING US DINNER. >> GOOD ONE!\r\n\r\n>> YOU ARE WELCOME, MEMBER KAMA. >> MY STAFF HAS GONE HOME. MEMBER >> THANK YOU. THAT IS WHAT I WAS GOING TO TALK ABOUT. >> OKAY, MEMBER PALTIN. SOMEBODY ELSE RAISE THEIR HAND? MEMBER JOHNSON.\r\n\r\n>> I DIDN'T RAISE MY HAND. >> CHAIR, COULD WE DO THE FOOD TRUCK BILL BECAUSE WE HAVE TO GET READY TO DO THE CR? NO. I HAVE TO BE READY TO DO THE CR TODAY TO BE READY FOR SECOND READING, RIGHT? WHEN IS POSTING DUE FOR- >> SECOND READING? >> YEAH. >> THE NEXT COUNCIL MEETING IS-- >> JULY 8 IS THE NEXT COUNCIL MEETING.\r\n\r\nMAYBE CLERK'S OFFICE CAN TELL US. WHATEVER PASSES OUT TODAY WOULD BE POSTED-- >> OKAY. IT IS FOLLOWING TUESDAY, JULY 8 IS THE NEXT- >> YEAH. THE NEXT COUNCIL IS JULY 8. >> OKAY. >> BUT WE WOULD HAVE A SPECIAL COUNCIL MEETING ON MONDAY THE 30TH. >> I THOUGHT IT WAS A RECESS. >> I MEAN RECESS MEETING.\r\n\r\nRECESS MEETING, BUT IT IS STILL A SPECIAL MEETING. >> OKAY. >> POSTING IS NEXT TUESDAY? >> POSTING-WHEN IS POSTING FOR THE JULY 8 MEETING? >> CHAIR, IT WILL BE TUESDAY. >> TUESDAY. TUESDAY.\r\n\r\nSO- >> BECAUSE THERE IS A HOLIDAY THE 4TH. >> SO, MEMBER JOHNSON IS ASKING IF WE WERE TO PASS SOMETHING TONIGHT, WOULD IT BE IN TIME-COULD YOU POST IN TIME FOR THE JULY 8 MEETING? >> CHAIR, WE WOULD NEED TO BE ABLE TO PROVIDE THIS TO MAUI NEWS BY MONDAY AT NOON AND WE CAN'T PROCESS ANYTHING UNTIL THIS MEETING ADJOURNS. >> THE CHARTER REQUIRES PUBLICATION SO THE DIGEST BE PUBLISHED THREE DAYS PRIOR TO FINAL ACTION SO HAVE TO HAVE THE LEAD TIME, SO MONDAY WE WILL BE-MONDAY BEFORE NOON WE NEED TO GET THINGS TO MAUI NEWS. >> LET ME EXPLAIN ANOTHER THING. ANOTHER WRINKLE. WHATEVER WE PASS TONIGHT, WILL NOT BE-IF WE RECESS THIS MEETING, WILL NOT BE CONSIDERED COMPLETED UNTIL WE END THE MEETING.\r\n\r\nDID YOU JUST SWEAR IN JAPANESE >> DECORUM, CHAIR. >> WHEN I GOT TO SWEAR I HAVE TO SWEAR IN A DIFFERENT LANGUAGE. I PUT A YEN IN THE SWEAR JAR. >> LET PUT OUR THINKING CAPS ON. MEMBER COOK. >> THIS MEETING WOULD END MONDAY? >> YEAH.\r\n\r\nWE COULD PASS SOMETHING TONIGHT KNOWING IT WILL TAKE SO LONG, THAT IS THE REASON WHY. KNOWING IT WILL TAKE A LOT OF TIME. WE PASS SOMETHING TONIGHT, AND WE TAKE UP THE REST OF THE ITEMS MONDAY AND THEN AT THAT TIME WHEN I GAVEL OUT, THAT'S WHEN EVERYTHING IS COMPLETE. THE BUSINESS IS DISPOSED OF. BUT, WE HAVE SOME TIME SENSITIVE ITEMS AND I'M NOT SURE WHY MR. JOHNSON NEEDS HIS STUFF PASSED SECOND READING BY A CERTAIN TIME. IS THERE SOMETHING THAT WE DON'T KNOW?\r\n\r\n>> I HAVE BEEN TRYING TO GET THIS DARN PASSED FOR ALL MOST A YEAR AND A HALF. THE FARMERS HAS BEEN WAITING FOREVER. THE ADMINISTRATION SHUT DOWN THE FOOD TRUCKS. SURE THEY WOULD LOVE TO BE UP AND RUNNING AS SOON AS POSSIBLE. IT IS SOMETHING I LIKE, OH MY GOD THIS BILL WON'T END. THAT IS WHERE I'M BEING-JUST TRYING TO MAKE IT SO WE CAN GET THE FARMERS BACK ON THEIR ROUTINE. >> OKAY.\r\n\r\nIF WE PASS EVERYTHING OUT ON JUNE 30, THE NEXT COUNCIL MEETING IS THE 8 AND THEY CAN'T MEET AND THAT'S TOO SOON TO PASS ANYTHING FROM THE 30TH ON THE 8TH BECAUSE THERE ISN'T ENOUGH POSTING TIME. WHEN WOULD THE NEXT COUNCIL MEETING BE AFTER THE 8TH? WHEN? >> JULY 25. >> JULY 25. HOW IS THAT MR. JOHNSON? THAT IS TOO LONG >> CHAIR. EVEN IF WE TAKE IT UP TODAY AND DON'T ADJOURN TILL MONDAY, IF WE PASS IT TODAY IT ISN'T FINAL UNTIL MONDAY REGARDLESS BECAUSE WE NEED TO ADJOURN BEFORE FINAL ACTION TO BE CONSIDERED.\r\n\r\n>> I THINK IT GOES BACK TO THE IDEA OF WHY WE PUT A HEAVY LIFT LIKE 670 ON TODAY'S AGENDA THAT REALLY KIND OF JAMMED UP THE FLOW. JUST SAYING. >> OKAY. YOU KNOW WHY? BECAUSE THE PLANNING COMMISSION DIDN'T DO THEIR JOB THE FIRST TIME. WE HAD THIS AT FIRST READING BACK IN DECEMBER. WE WERE READY TO PASS THIS.\r\n\r\n>> SOME OF US WERE, BUT OKAY. >> PASS IT UP OR DOWN. VOTE FOR IT UP OR DOWN IN DECEMBER. WHEN WE FOUND OUT THAT WE HAD TO WAIT FOR A PUBLIC HEARING IN THE REGION, AND NOW THAT'S WHY IT FINALLY-THEY FINALLY

FINISHED. OKAY. >> CHAIR. I WANTED TO CORRECT THE RECORD.\r\n\r\nI DON'T THINK IT WAS THE PLANNING COMMISSION. THE COMMISSION IS OUR VOLUNTEER COMMUNITY MEMBERS. I DON'T THINK WE WANT TO BLAME THEM. >> WHO YOU WANT TO BLAME? WE'LL BLAME THE DEPARTMENT, OKAY. MEMBER SINENCI. >> THANK YOU CHAIR.\r\n\r\nI DO HAVE A TIME SENSITIVE IN RESO 25-138, A GRANT FOR A SUBLEASE FOR REAL PROPERTY FOR THE MAUI FAMILY SUPPORT SERVICES. I BELIEVE IF WE DON'T ACT ON IT IT MIGHT BE LIKE THE END OF THEIR FISCAL YEAR. IT MIGHT BE HARDER FOR THEM TO- >> YOU KNOW WHAT, WE CAN ALSO CALL ANOTHER SPECIAL COUNCIL MEETING. MEMBER DAVID. SO, DAVID, WHAT CAN WE DO TO-IF WE PASSED EVERYTHING ON JUNE 30 ON FIRST READING, WHEN CAN WE HAVE SECOND READING FOR THESE ITEMS? >> THANK YOU CHAIR. WE DIFFER TO THE COUNTY CLERK- >> OKAY, COUNTY CLERK.\r\n\r\nACCEPT WE HAVE SOME PEOPLE GOING TO PHILADELPHIA. WHEN ARE YOU COMING BACK? OKAY, SO YOU WANT THE 15 OR 16? >> 16, CHAIR. >> THE 16. WHAT DAY OF THE WEEK IS THAT? >> THURSDAY. >> IS EVERYBODY AVAILABLE ON THE 16TH? THE 16TH.\r\n\r\nTHIS IS-- IS THAT YOURS? [SPEAKING IN THE BACKGROUND] >> CAN'T WE TAKE FINAL ACTION? >> ANY TIME SENSITIVE BILLS, IF WE CLOSE THE MEETING IT WOULD HAVE TO BE MONDAY MORNING FOR EVERYTHING THAT WILL BE ON SECOND READING FOR THE 8TH REALISTICALLY WE ARE LOOKING THE SECOND MEETING IN JULY TO END OF JULY. >> WE ARE NOT TALKING ABOUT JULY 8. WE ARE TALKING JULY 15 OR 16 AS SECOND READING. >> OKAY. >> FOR EVERYTHING. EVERYTHING THAT PASSES OUT ON THE 30 GOES TO THE 16TH.\r\n\r\nFOR SECOND. WHERE ARE YOU GOING? >> WE HAVE THE 25 AS OUR REGULAR COUNCIL MEETING. SO WE WILL HAVE A SPECIAL-- AND NO COUNCIL MEETING ON THE 25? >> WE COULD DO THAT. OKAY. EVERYBODY, DID YOU HEAR THAT? THE PROPOSAL IS, IF WE HAVE A SPECIAL COUNCIL MEETING ON THE 16TH, WE CANCEL THE REGULAR COUNCIL MEETING ON THE 25TH.\r\n\r\nHOW'S THAT? >> I WOULD JUST LIKE TO SEE MY FAMILY AT SOME POINT. >> WE ARE NOT GOING TO PUT THE SECOND READING ON 670 ON THE 16TH ARE WE? BECAUSE THEN IT WILL CONTINUE ON TO THE 25TH. JUST SAYING. >> YOU MEAN MORE TESTIMONY? WELL, NO MATTER WHEN YOU SCHEDULE THAT- >> WE WILL BE JET LAG.\r\n\r\n>> I LIKE TO SEE MY FAMILY. >> OKAY, IT ISN'T ME ASKING, IT IS MEMBER JOHNSON ASKING. YOU CONVINCE HIM, NOT ME. I AM OPEN TO ANY DAY. >> THERE ARE SO MANY MOVING PARTS. I DON'T KNOW WHAT THE QUESTION IS. >> WHO WE BLAME?\r\n\r\n670. >> OKAY. MEMBER JOHNSON, WE HAVE SOME MEMBERS GOING TO PHILADELPHIA FOR NACO CONFERENCE AND COMING BACK THE 15 AND 16 SO THEY ARE CONCERNED THEY WILL BE JET LAGGED ON THE 16 IF WE HELD OUR MEETING ON THE 16. >> MY 16 I'M SEEING IS MY MORNING IS BUSY, MY EVENING IS CLEAR. >> JET LAG NORMALLY LAST A WHOLE DAY. >> 15 IS CLEAR, BUT YOU ARE NOT COMING BACK. IS NOT 15 NOT GOOD FOR PEOPLE? YEAH. THAT'S EVEN WORSE.\r\n\r\n>> I DON'T WANT TO GO PHILADELPHIA- >> HOW BUSY ARE WE TODAY, CAN WE GO TODAY? >> OKAY. THAT'S THE OTHER OPTION. GO TILL WE DROP ON THIS ONE. >> BUT LET'S START WITH THE UNFINISHED BUSINESS, THEN WE CAN DO IT LIKE YOUR WAY YOU SAID ON THE 30 FINISH. RIGHT? >> WELL, ANYTHING ON THE 30 STILL NEEDS SECOND READING YOU KNOW.\r\n\r\nAND WE CAN'T DO IT ON THE 8. WE ARE STILL BACK TO WHEN IS SECOND READING. >> I CAN ONLY CONCENTRATE ON ONE THING AT A TIME. LET'S JUST GET THROUGH THE MEETING AND WORRY ABOUT SECOND READING WHEN SECOND READING COMES UP. >> OKAY, MEMBERS CAN YOU BE THINKING ABOUT THAT. WE CAN MULTITASKS. YOU CAN THINK ABOUT WHAT HAPPENS AT SECOND READING AND ACTUALLY WHEN WOULD SECOND READING TAKE PLACE. VICE CHAIR SUGIMURA.\r\n\r\n>> I THINK WE STARTED THE DISCUSSION WHERE MEMBER RAWLINGS FERNANDEZ TALKING ABOUT THE BUDGET BILLS THAT MAY BE EFFECTED. I HAVE BEEN FOCUSED ON BILL 80 BECAUSE THOSE ARE SOLE PROPRIETORS AND DEPARTMENT OF AG AND WANT TO MAKE SURE THAT PASSES BY THE END OF THIS YEAR, BUT THE OTHER BILLS WHICH IS BILL 18 IS BOARD OF ETHICS. SUPPOSED TO BE A NEW HIRE. >> YEAH, WE PLAN TO PASS AS MANY OF THE EASY ONES AS POSSIBLE. >> TONIGHT? >> TONIGHT. >> OKAY, I DIDN'T REALIZE THAT.\r\n\r\n>> THIS IS NEW PROPOSAL WE GO TILL WE DROP. AS WE ARE DOING THIS, IF

YOU CAN MULTITASK AND FIGURE OUT WHEN WOULD WE HOLD SECOND READING. >> JULY 25. >> IS THAT OKAY WITH YOU MEMBER JOHNSON? MEMBER RAWLINGS FERNANDEZ. >> MAHALO CHAIR. FOR MEMBER JOHNSON AND ANY TIME SENSITIVE ITEMS IF WE HAD A SPECIAL COUNCIL MEETING ON THE 16TH FOR THOSE TIME SENSITIVE ITEMS THEN IT IS FINE-I WOULD BE OKAY JOINING ONLINE, BUT IF WE ARE GOING TO TAKE UP 670 THEN THAT'S WHAT IS GOING TO TAKE THE LONGEST AND I WOULD PREFER TO BE HERE IN PERSON, SO IF WE DO SECOND READING ON THE 16TH FOR ALL THOSE OTHER ITEMS AND THEN 670- >> ON THE 25. >> I THINK THAT MIGHT BE BETTER. >> OKAY.\r\n\r\nIS THAT OKAY EVERYBODY? >> I HAVE A QUESTION? >> IS THAT OKAY 670? >> I THINK--SO, 670 WOULD LIKELY HAVE BEEN SECOND READING MAYBE ON THE 8, BUT THE NEXT COUNCIL MEETING AFTER THAT IS THE 25 AND THAT'S WHAT IS ATTRACTING SO MANY TESTIFIERS. IF WE WERE TO HAVE OUR SECOND READING FOR 670 ON THE 25 AND OTHER ITEMS THAT AREN'T AS CONTROVERSIAL ON THE 16 LIKE MEMBER JOHNSON'S ITEM I THINK EVERYONE IS SAYING THAT ARE OKAY. MY MEETING IS ON THE 24 AND I COULD GIVE UP HALF A DAY THERE. WE ARE AT 5 P.M. IF WE WANTED TO TAKE A PORTION OF MY DAY ON THE 24, JULY 24 AND FINISH ON THE 25 THEN THAT WOULD GIVE US MORE TIME TO--WE JUST FORESEE WHAT HAPPENED TODAY AND PLAN FOR IT FOR TWO DAYS BACK TO BACK. >> WHAT ABOUT JULY 24? WE TAKE THE AFTERNOON SHIFT?\r\n\r\n>> YEAH. >> OKAY. 1:30. ALRIGHT. DID EVERYBODY GET THAT? >> I GOT THAT. >> I WAS GOING TO GIVE UP HALF OF MY 24, THAT IS THURSDAY, SO WE CAN START WITH TESTIMONY OR START WITH SOME ITEMS AND THEN FINISH ON THE 25 SINCE IT HAS TAKEN ALL DAY--WE ARE NOT FINISHED WITH TESTIMONY AT 5 P.M. SO WE CAN ANTICIPATE IT WILL BE LIKE THIS AT SECOND READING FOR 670, SO LET'S PLAN FOR IT TO BE A TWO DAY MEETING. >> OKAY.\r\n\r\n>> THUMBS UP. >> MEMBER SUGIMURA. >> THIS IS A QUESTION, THERE IS NO LESLIE MILLINER AND MICHELE IS TEXTING ME AND SHE SAID, YOU SHOULD ASK HOW MUCH TIME FINANCE NEEDS TO PROCESS THE BUDGET AMENDMENTS BEFORE THE FISCAL YEAR ENDS ON JUNE 30, WHICH IS MONDAY. >> WE ARE NOT WORRIED ABOUT THAT. WE ALREADY SPOKE TO CORP COUNCIL. >> OH. OKAY.\r\n\r\nYOU KNOW THE ANSWER. >> JUST FOR CLARIFICATION, I CAN'T GIVE THE SAME REPRESENTATION ON THE AG BILL AS I CAN ON THE BUDGET AMENDMENTS. SORRY. >> OKAY. >> FINANCE IS OKAY WITH THE BUDGET AMENDMENTS? I KNOW BILL 80, YOU ARE DISCUSSING IT, BUT THE REST OF THE BILLS, THAT'S BILL 18- >> I GUESS FOR CLARIFICATION, THIS WAS FIRST READING ANYWAY SO WOULD NOT HAVE PASSED BY END OF THE YEAR OR SECOND READING? >> SECOND READING.\r\n\r\n>> SO, I CAN'T REPRESENT THE SAME DECISION ABOUT HOW TO PROCEED WITH THE AG GRANTS AS CAN WITH THE BUDGET AMENDMENTS BECAUSE THAT IS THE BUDGET OFFICE. >> AND THEY ARE NOT HERE. WE ARE TAKING A CHANCE THEN. >> IT DOESN'T MATTER BECAUSE WE WOULDN'T HAVE MET THE DEADLINE ANYWAY, THEY GAVE IT TO US TOO LATE BUT AT LEAST WE PASS IT ON FIRST READING. >> IT IS SECOND READING ON THE AGENDA. >> THIS IS SECOND READING? >> THIS IS SECOND.\r\n\r\nTHE BILLS I JUST TALKED ABOUT IS SECOND. >> OKAY, WELL--THAT'S LIFE, YOU KNOW. I HAVE TO KEEP THESE--HAPPY. I CAN'T KEEP FINANCE HAPPY TOO. MEMBER COOK. >> SO, FOR CLARIFICATION, WHAT ARE WE PROPOSING FOR POTENTIAL MONDAY MEETING? >> ALL OF THIS.\r\n\r\n>> OKAY. BECAUSE I HAVE A EYE EXAM FROM 10 TO 12. >> OKAY. WHEN YOU ARE SITTING ON THE TABLE, JUST HOLD UP YOUR PHONE, OKAY? HOLD UP THE PHONE. JUST WE'LL TALK LOUD. OKAY. ALRIGHT.\r\n\r\nOKAY. IS EVERYBODY STRAIGHT? WE'LL GO TILL WE CAN TONIGHT, FINISH UP ON JUNE 30, MONDAY, WHATEVER PASSES ON MONDAY WE'LL PASSES TONIGHT AND MONDAY I SHOULD SAY, WE'LL GO ON TO THE JULY 25 MEETING FOR SECOND READING. OKAY? AND WE WILL KEEP RETAIN THE JULY 8 MEETING AND ALL THE THINGS THAT ARE ON THAT AGENDA. AND THEN WE'LL JUST TAKE IT FROM THERE AND SEE WHAT HAPPENS AFTER THAT. OKAY?\r\n\r\nAND THEN FOR THE JULY 25, ACTUALLY IT IS THE 24 AND THE 25 CLERKS. THE 24 COUNCIL MEETING AND THE 25. OKAY? EVERYBODY GOT EVERYTHING STRAIGHT? OKAY. YEAH, IT IS IMPOSSIBLE FOR US TO PASS ANYTHING ON FIRST AND SECOND READING WHEN YOU--AT TODAY'S MEETING, JUNE 27. FOR JULY 1. IMPOSSIBLE. ALRIGHT.



MS.\r\n\r\nCLERK, CAN YOU CALL THE NEXT TESTIFIER, PLEASE? >> YES, MADAM CHAIR.  
WE'LL GO BACK TO RYAN HURLEY. IF YOU ARE STILL-I CAN SEE YOU ARE STILL ON. THANK YOU  
FOR YOUR PATIENCE. >> CAN YOU HEAR ME? >> YES.\r\n\r\n>> HI. MY NAME IS RYAN HURLEY  
AND TESTIFYING ON MY OWN BEHALF. I'LL KEEP IT BRIEF, BECAUSE I THINK PROBABLY ASIDE  
FROM CAL CHIP CHASE, NO ONE TALKED ABOUT 670 AS MUCH AS ME. AND I PREVIOUSLY HAD ME  
AS ARE RESOURCE AND WAS HERE FOR A ENTIRE DAY AND DIDN'T ASK ME ANY QUESTIONS, SO IF  
YOU HAD QUESTIONS YOU PROBABLY WOULD HAVE ASKED THEM. I WANT TO MAHALO-TAKE-I WILL  
BE TESTIFYING ON THE 670 AND TWO AMENDMENTS AND FOUR AMENDMENTS. FIRST, I WANT TO  
TAKE A FEW MINUTES AND MAHALO THOSE MEMBERS OF THE COUNCIL THAT HAVE THE COURAGE TO  
SPEAK TRUTH TO POWER AND STAND UP FOR BASIC THINGS LIKE DUE PROCESS RIGHTS FOR THE  
COMMUNITY. I REALLY THINK IN A TIME WE ARE FACING RIGHT NOW, A LOT OF US ARE WEARY  
ABOUT THE BASIC EROSIONS OF OUR DUE PROCESS RIGHTS WHETHER MEN TAKING PEOPLE INTO  
VANS OR WHAT NOT, SO MAKING SURE WE HAVE TIME TO SPEAK IS CRITICALLY IMPORTANT SO  
WANT TO MAHALO THE COUNCIL MEMBERS WHO STOOD UP FOR THE COMMUNITY.\r\n\r\nIT BRINGS  
WARMTH TO MY HEART. THINKING RAWLINGS FERNANDEZ [INDISCERNIBLE] THANK YOU FOR DOING  
THAT LADIES AND ALWAYS STANDING UP FOR THE COMMUNITY. I WILL SPEAK ON TWO THINGS  
RELATING TO THE BILLS. AS MANY KNOW, I AM A ATTORNEY FOR MAUI TOMORROW FOUNDATION AS  
IT RELATES TO MANY 670 MATTERS. I SERVED WHEN THIS MATTER CAME BEFORE THE MAUI  
PLANNING COMMISSION. THE FIRST POINT I WILL TALK ABOUT JUST BRIEFLY IS THE PROJECT  
DEVELOPMENT PROCESS. WHEN WE FIRST INTERVENED AT PHASE 2 PROCESS I WAS TOLD VERY  
CLEARLY I DIDN'T KNOW WHAT I WAS TALKING ABOUT.\r\n\r\nI DIDN'T KNOW THE ZONING  
PROCESS WAS DIFFERENT AND SPENT A LOT OF TIME LEARNING ABOUT THAT AND IT IS A  
DIFFERENT PROCESS. PROJECT DISTRICT ZONING ISN'T STANDARD. PERSONALLY IN MY OPINION,  
PROJECT DISTRICT ZONING IS DATED LEGACY FROM THE 1970 DESIGNED FOR HUGE  
DEVELOPMENTS. UNLIKE TYPICAL ZONING THAT RELIES ON PREDEFINED USES AND CATEGORIES,  
PROJECT DISTRICT IS INTENDED TO ACCOMMODATE A LARGE [INDISCERNIBLE] RESIDENTIAL,  
COMMERCIAL, RECREATIONAL ACROSS A BIG PROJECT AREA. MAUI COUNTY PROJECT DISTRICT ARE  
GOVERNED BY MAUI COUNTY CODE 19.45 [INDISCERNIBLE] THE DIFFERENCE FROM TRADITIONAL  
ZONING. PROJECT DISTRICTS REQUIRE THREE PHASES OF APPROVAL. PHASE 1 ESTABLISH THE  
CONCEPT [INDISCERNIBLE] PHASE 2 ADDRESSING THE SITE PLAN AND VERY SPECIFIC  
INFRASTRUCTURE.\r\n\r\nPHASE 3 COVERS VERY SPECIFIC BUILDING PERMITS, CONSTRUCTION  
DETAILS AND PLANS AND THEY HAVE TO- >> TIME ON THE FIRST ITEM. >> THANK YOU. THE KEY  
POINT FOR THE PROJECT DISTRICT ZONING FOLLOWS THE THREE PHASE PROCESS. EACH PHASE IS  
REQUIRED TO BUILD UPON THE REMAINING ONE AND HAS TO BE CONSISTENT. THAT IS WHAT  
MAKES THE ZONING STRUCTURE UNIQUE. A PHASE 2 CANNOT PROCEED IF IT DOESN'T CONFORM TO  
PHASE 1. THIS MATTER IS-FOR THOSE WHO PARTICIPATED, SIGNIFICANT TIME WAS SPENT  
DEBATING WHETHER PHASE ONE NEEDED TO BE AMENDED. THE APPLICANT TOOK THE POSITION  
THAT DIDN'T NEED TO HAPPEN.\r\n\r\nMY CLIENTS AND I STRONGLY DISAGREE. WE FILED  
NUMEROUS MOTIONS PHASE 2 WAS INCONSISTENT WITH PHASE 1, ESPECIALLY WITH RESPECT TO  
KEY ISSUES LIKE AFFORDABLE HOUSING INFRASTRUCTURE AND LAY-OUT. THE CONCERNS WERE  
DISMISSED BUT THE APPLICANT IS BACK ASKING YOU TO AMEND PHASE 1 TO CONFORM WITH  
PHASE 2. THAT IS BACKWARDS AND THIS IS COMPLETELY BACKWARDS AND UNDERMINES INTEGRITY  
OF THE PROCESS. THE PHASE 2 SITE PLAN ALSO AUTHORIZE SUBSTANTIAL-PHASE 1 AMENDMENTS  
MAKE SUBSTANTIAL REVISIONS TO THE ALREADY APPROVED PHASE 2. FOR EXAMPLE, AFFORDABLE  
HOUSING UNITS COULD BE OCCUPIED BEFORE THE WIDENING OF THE HIGHWAY. THIS CONTRADICTS  
WHAT IS IN PHASE 2. BECAUSE THE APPLICANT STATED THEY WILL RELY ON THAT PHASE 2 AND  
ARE THERE IS NOTHING IN THE LAW THAT REQUIRES THEM TO BRING A NEW PHASE 2, THIS WILL  
NEVER BE ANALYZED AND MEANS ISSUES IN LAHAINA WHEN THERE WASN'T EVACUATION ROUTE,  
THOSE WON'T WE ANALYZED AND THE DEVELOPER IS ALLOWED THE BUILD THE UNITS. THIS IS  
SCARY AND YOU FOLKS NEED TO REALIZE THIS. DOING THIS OUT OF ORDER ALLOWS TO SKIP THE

CRITICAL THINGS, THE ANALYSIS.\r\n\r\nIF YOU MAKE A PHASE 1 AMENDMENT IT NEEDS TO GO BACK TO THE MAUI PLANNING COMMISSION. NEXT I WANT TO TALK ABOUT THE AFFORDABLE HOUSING. I SPENT 3 OR 4 YEARS TALKING ABOUT THE 450 UNITS. WHEN THIS-WE HEARD EVERYTHING TODAY ABOUT SUPPOSED TO BE 700 AFFORDABLE AND TALKING ABOUT TAKING OUT 450. I DON'T NEED TO TELL YOU WHAT A SERIOUS DIRE SITUATION MAUI IS IN. ESPECIALLY AFTER THE LAHAINA FIRES. GOVERNOR GREEN ISSUED A NUMBER OF EMERGENCY PROCLAMATIONS DECLARING A HOUSING EMERGENCY IN HAWAII AND YET WE ARE STILL LETTING THEM REMOVE THE LANGUAGE FOR 450 AFFORDABLE HOMES. I KNOW EVEN IF IT 450 OUT OF WHAT IS IT?\r\n\r\n1100, THAT IS 40 PERCENT. THE DEVELOPER IS SAYING HOW AWESOME IF WE GET THE DEPARTMENT HIGHWAY PAYS FOR THE HIGHWAY AND WILL AND ADDITIONAL 30 UNITS AND STILL LESS THEN 50 PERCENT AFFORDABLE HOUSING. WE HAVE A FINITE LIMITED NUMBERS OF RESOURCES ON MAUI. EVERYONE'S LUXURY UNIT YOU BUILD USES MORE WATER AND RESOURCES. IT IS JUST INSANE TO THINK WE TAKE THE 450 AFFORDABLE UNITS OUT AND LET THEM PROCEED FORWARD SO I OPPOSE THE AMENDMENTS AS STATED. I OPPOSE THE APPLICANT AMENDMENTS AND SUPPORT TO ADD THE 450 UNITS. AVAILABLE FOR QUESTIONS IF YOU HAVE ANY, BUT I REALLY JUST WANT TO EMPHASIZE FOLKS, THIS IS YOUR CHANCE TO STAND UP AND DO SOMETHING DIFFERENT.\r\n\r\nYOU GUYS-THIS IS A BIG WEEK FOR US WITH STR BILLS BEFORE YOU FOLKS, A BIG WITH 670 AND DON'T KNOW THE RUSH. THE APPLICANT BROUGHT THIS BACK BEFORE YOU. WE HAVE DONE PHASE 2. THAT IS ON-THEY ARE MOVING FORWARD. THERE IS NO NEED TO BE HERE. ANY DELAY IS ON THE APPLICANT. I ENCOURAGE YOU TO STAND STRONG. KEEP THE 450 AFFORDABLE UNIT REQUIREMENT IN THERE.\r\n\r\nTHANK YOU VERY MUCH. >> ANY QUESTIONS? MEMBER PALTIN. >> I WANT TO CLARIFY WHAT SAID ABOUT THE 450. IS THAT CURRENTLY DECIDED BY THE COURT? I THINK ANOTHER TESTIFIER ALLUDED TO THAT. >> YES, IT IS. WE [INDISCERNIBLE] YES.\r\n\r\n>> SO, IF WE CHANGE THE 450 TO 288 POSSIBLY ANOTHER 50, WHATEVER THAT IS, WHAT HAPPENS TO THE COURT CASE? >> THAT IS A VERY GOOD QUESTION THAT WE HAVE TO DEAL WITH IF THAT HAPPENS. WE PREFER SINCE THIS IS ALREADY AT THE APPELLATE LEVEL, THE ICAIS LOOKING AT THIS NOW. YOU FOLKS SHOULD LEAVE IT IN AND LET THE COURT DECIDE. THE APPLICANT SAID NUMEROUS TIMES THEY DON'T NEED THE AMENDMENT AND IT IS FINE AND LET IT GO THROUGH SO LEAVE IT IN THERE AND LET THE COURTS DECIDE. WE SPENT NUMBER OF YEARS ARGUING ABOUT THIS, THE BRIEFS ARE AND ICA IS LOOKING AT THIS. IT COULD RENDING IT MUTE.\r\n\r\nI DON'T CAN KNOW:WE WILL ARGUE THAT. WE THINK IT IS A ISSUE THAT WOULD GO BEYOND IF YOU CHANGE THE LANGUAGE, BUT IT IS JUST NOT NECESSARY AND MUDDIES THE WATER. WE HAVE COME THIS FAR, LET IT BE AND LET THE COURTS HANDLE IT. >> DO YOU KNOW WHEN THE COURT WOULD RULE ON IT 1234 >> GREAT QUESTION. I KNOW THE ICA IS BACKED UP AND TWO YEARS IN NOW SO COULD BE ANOTHER COUPLE YEARS JUST TO BE REALISTIC. THE ICA IS INCREDIBLY BACKED UP AND DID JUST ADD A NEW JUDGE SO THINKS ARE GOING A LITTLE FASTER BUT IT IS A SLOW PROCESS. >> AND THEN TO CLARIFY ABOUT THE ICA PROCESS, IN THAT PROCESS, BECAUSE IN THIS PROCESS WE ARE NOT ALLOWED OR WE ARE NOT BEING SHOWN THAT IT DOESN'T PENCIL OUT IN THAT PROCESS.\r\n\r\nIS IT BEING SHOWN TO ANYONE THAT IT DOESN'T PENCIL OUT WHY NOT? >> NO. NOT AT ALL. THAT PROCESS IS ALL-ALL THE ICA IS LOOKING AT THE RECORD FROM THE MAUI PLANNING COMMISSION TO CONTEST THE CASE PROCEDURES AND THE ARGUMENT IN THE PROCEDURE WAS VERY CLEAR. THERE WAS A NUMBER OF BRIEFINGS, SO THERE IS EXTENSIVE RECORD AND THINK THEY WILL LOOK AND SAY 450 AFFORDABLE UNITS NEEDED TO BE BUILT. THE PLANNING COMMISSION APPROVED PHASE 2 SITE PLAN THAT DID NOT COMPLY WITH PHASE 1, THE PROJECT DISTRICT ORDINANCE REQUIRE THE PHASE 2 COMPLY WITH PHASE 1 AND SO WE THINK IT WILL COME BACK, BUT WE DON'T HAVE A TIMELINE, BUT IT IS BASED ON THE RECORD ALREADY BEFORE THE COURT AND THERE IS NOTHING IN THE RECORD THAT TALKS ABOUT THE NUMBERS PENCILING OUT, I CAN TELL YOU THAT. >> LAST QUESTION I THINK, IF THIS GETS TAKEN OUT THE 450 COULD THE ICA STILL RULE IT IS LEGAL EVEN IF THIS BODY TAKES OUT

THE 450 FOR 288? WOULD THE COURT CASE STILL GO THROUGH AND LIKE SAY COUPLE YEARS OR WHEN THEY TAKE IT UP, SAY THEY THE 450 WAS LEGAL?\r\n\r\n>> WE WOULD HOPE THEY WOULD, YES. WE WOULD HOPE THEY WOULD STILL. WE DON'T KNOW WHAT THE ICA WILL DO AND IF THE APPLICANT-WE ASSUME AND THINK THAT IS PROBABLY THEIR PLAN IS THE APPLICANT WILL TRY TO GET THIS CHANGED AND FILE SOMETHING SAYING IT IS MUTE. LISTEN, IT IS IMPORTANT TO SAY-WE ARE TRYING UPHOLD YOUR FOLKS LAW. YOU PASSED THE PROJECT DISTRICT ORDINANCE ALL THESE YEARS AGO AND WE BELIEVE THE PHASE 2 DOESN'T COMPLY WITH THAT SO WE ARE ASKING THE ICA TO SAY MAKE SURE IT COMPLIES WITH THE COUNTY COUNCIL AND WHAT THEY APPROVED. >> THANK YOU. I'LL YIELD TO COLLEAGUES.\r\n\r\n\r\nI COULD KEEP GOING, BUT WE GOT TO GO HOME AT SOME POINT. >> MEMBER U'U-HODGINS. >> THANK YOU CHAIR. THANK YOU MR. HURLEY FOR TESTIFYING. YOU ARE PART OF-ASSUMING OTHER PEOPLE HAD SEVERAL LAWSUITS BUT YOU ARE NOT ON GAG ORDER BECAUSE YOU ARE HERE TODAY? >> YEAH, NO I'M NOT ON THAT ORDER AT ALL.\r\n\r\n\r\n>> OKAY. >> BUT [INDISCERNIBLE] ISSUES WITH OTHER LAWSUITS WHERE THERE HAVE BEEN-I WAS SUBPOENAED IN A LAWSUIT FOR MY E-MAIL SO THE APPLICANT HAS BEEN GOING AFTER PEOPLE DOING STUFF LIKE THAT. >> SORRY, I LOST YOUR FIRST TWO SENTENCES CAN YOU SAY THAT AGAIN? >> THERE WAS A SETTLEMENT ISSUE, I WASN'T PART THAT BUT WAS SUBPOENAED IN THE CASE BY THE APPLICANT AND TRIED TO GO AFTER MY E-MAIL SO THE APPLICANT IS PURSUING ISSUES LIKE THAT. >> WERE YOU WITH THE MAUI TOMORROW LAWSUIT? >> I WAS. >> THEN YOU TOOK THEM TO COURT AND THEN NOW YOU ARE APPEALING THE DECISION AND WAITING FOR THE APPELLATE COURT OR WHATEVER THE APPEALS COURT TO DECIDE?\r\n\r\n\r\n>> YES. ACTUALLY IN THE MEAN TIME, WHEN THIS WENT BACK TO MAUI PLANNING COMMISSION WE FILED FOR DIRECT-WE ACTUALLY TRIED TO GET THEM TO ISSUE A ORDER SAYING THEY NEEDED TO ISSUE A NEW PHASE 2 AND THEY DENIED THAT AND WE ALSO APPEALED THAT TO CIRCUIT COURT SO THERE ARE TWO LITIGATIONS, ONE FOR PHASE 2 AND ONE FOR PHASE 1 AMENDMENT. >> THANK YOU. THANK YOU CHAIR. >> ANYONE ELSE? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER?\r\n\r\n\r\n>> THE NEXT TESTIFIER IS SCARLET MARTIN TESTIFIED AND 2433 AND SHE WILL BE FOLLOWED BY MILEY HIM. >> ALOHA. MY MAIM IS SCARLET MARTIN AND BEEN COMING TO 670 MEETINGS SINCE THE 90. I LISTENED AND LISTEN AND LISTEN AND FINALLY LAST YEAR I DECIDED IT IS TIME FOR ME TO SPEAK BECAUSE MANY A DEAD, SOME OF THEM HAVE GAG ORDERS, SO HERE I AM. I HATE PUBLIC SPEAKING, BUT HERE WE GO. ENGLISH IS NOT MY SECOND LANGUAGE, IT IS MY 5TH AND IT IS PROFICIENCY GOT ME THROUGH COLLEGE IN THE COUNTRY BUT SOMEHOW WE DON'T SPEAK THE SAME LANGUAGE. I DON'T UNDERSTAND WHEN YOU HAVE 99 PERCENT OF WRITTEN AND VERBAL TESTIMONIES TELLING YOU HOW YOUR CONSTITUENTS THAT YOU PUT IN THE CHAIRS AND PAY FOR YOUR SALARIES ASKING YOU TO VOTE AND YOU STILL CAN SIDE WITH THE DEVELOPER. WITH MY COMPREHENSION AND LOGIC I DON'T KNOW HOW TO SQUARE THAT SO WILL LEAVE IT UP TO ANYBODY'S CONCLUSION.\r\n\r\n\r\n\r\nHERE WE ARE AND I THINK I AM ASKING YOU TO WHEN YOU KNOW BETTER YOU DO BETTER, SO ALL THE COUNCIL MEMBERS HAVE BEEN HERE AND LISTENED TO ALL THESE TESTIMONIES. CH I BELIEVE THAT YOU HAVE TO BE MOVED. JUST BECAUSE THE ONE PERCENT IS PAID BY THE DEVELOPER AND IT IS USUALLY THE LOBBYIST AND THE UNIONS, THAT ALL MOST DOESN'T COUNT, SO YOUR CONSTITUENTS ARE VOICING THEIR OPINIONS HOW THEY WANT YOU TO REPRESENT THEM, AND THIS IS GOING TO BE A LEGACY VOTE AND I WILL TELL YOU WHY. BECAUSE THIS IS GOING TO BE GENERATIONAL VOTE. IT WILL GO DOWN IN A HISTORY WITH YOUR NAME ATTACHED TO IT ONE WAY OR THE OTHER. I WILL TAKE MAYOR-NOBODY REMEMBERS WHAT MAYOR DID AS A MAYOR, BUT EVERYBODY REMEMBERS HE WAS ON THE 2008 COUNCIL AND ONE OF THE VOTES. HE STILL GETS QUESTIONS ABOUT IT AND HIS DEFENSE IS, BUT WE WERE GETTING 700 UNITS.\r\n\r\n\r\n\r\nNOW WE ARE DOWN TO 450. HERE WE ARE. I SUPPORT THE AMENDMENTS. FIRST OF ALL, I'M CONFUSED EVEN FOR A PERSON WHO FOLLOWED THIS SO CLOSELY HOW WE STILL HAVE THE LANGUAGE IN IT. HOW THERE IS A LAWSUIT OUT THERE. HOW YOU AS A COUNCIL MEMBERS WERE NOT EVEN NOTIFIED ABOUT THE LAWSUIT. HOW MR.

CHIPPENDALE-CHIP CHASE, MY APOLOGIES IS NOT REQUIRED TO NOTIFY YOU ABOUT THE LAWSUIT, AND NOW WE ARE ASKING THEM TO PUT THE LANGUAGE BACK IN OR TAKE IT OUT.\r\n\r\nIT IS REDUNDANT. THE LANGUAGE IS STILL IN THERE. THEY ARE ASKING YOU TO TAKE IT OUT, BUT NOW WE HAVE TO AMEND IT TO PUT IT BACK IN. IT IS YOUR TIME AND YOU KNOW OURS SO WE ALL SHOW UP AND WE JUST GO IN CIRCLES FOR 30 YEARS. SO, THAT'S ON THE 450. ON THE HIGHWAY, I WONDER WHAT YOU THINK WHEN YOU HEAR STATEMENTS BOTTLENECK RECOLLECT PARKING LOT. WE TALK ABOUT YOU ON SOUTH BBQ AND DINNER PARTIES HOW WE WOULD LOVE TO HAVE YOUR MEETINGS ON FRIDAYS IN ONE OF THE RESORTS. I'M SURE ONE OF THE GM'S WILL THROW REFRESHMENTS AND FREE CONFERENCE ROOM JUST TO EXPERIENCE THE LOVELY DRIVE ONCE A WEEK ON THE HIGHWAY, BECAUSE THAT WILL BE THE ONLY PERSPECTIVE YOU UNDERSTAND WHAT WE ARE TALKING ABOUT ON A DAILY BASIS.\r\n\r\nWE ARE HERE ABOUT THE HIGHWAY THAT IF YOU DON'T WIDEN THE ROAD AND FIRST OF ALL, I DON'T KNOW WHERE THAT LOBBYIST LADY CAME WITH THE FIGURE OF \$40 MILLION. YOU HAVE TO BLAST THE ROCK AND TAKE IMMINENT DOMAIN TO WIDEN THE ROAD. IT ISN'T YOU CAN JUST TAKE THE SHOULDER LINE AND MAKE FOUR LANES OUT OF IT. IT WOULD BE HIGHLY UNSAFE BECAUSE THERE IS NO DIVIDER. SO, THAT PART IS A PUZZLE TO ME HOW YOU CAN EVEN COMPREHEND LETTING THEM EVEN TOUCH THE LAND WITHOUT WIDENING THE HIGHWAY, AND IT IS A JOKE TO PUT IT ON THE TAXPAYERS MONEY. THAT DANGLING OF 50 UNITS, 50 UNITS DON'T COST \$40 MILLION AND THE HIGHWAY WILL NOT COST \$40 MILLION WHEN A ROUND ABOUT WAS 10. I ENCOURAGE YOU TO GET SOME REAL NUMBERS FROM THE DEVELOPER, FROM THE DEPARTMENT OF TRANSPORTATION, BECAUSE I DON'T THINK IT IS A GOOD TRADE. I DON'T THINK IT IS A GOOD TRADE FOR YOU CONSIDER IT.\r\n\r\nI LIVE ON MAUI MEADOWS. WE ARE ON WATER RESTRICTION AS IT IS RIGHT NOW, SO WE ALSO CONSIDERED A FIRE HAZARD. WE HAD A COMMUNITY MEETING WITH THE DEPUTY FIRE CHIEF AND HE BASICALLY FLAT OUT SAID, WE CAN EVACUATE YOU IN TIME ON THE TWO EXITS TO THE HIGHWAY, WE JUST CAN'T. I DID SPEAK TO CHIEF VENTURA AND HE SAID HE IS CORRECT. WE ARE WORKING ON THE LAND OWNERS TO ALL THE DIRECTIONS TO BE ABLE TO HAVE SOME EXIT ROUTES THAT WAY. SO, RIGHT NOW WE ARE A MATCH BOX SITTING IN THE MIDDLE OF A FARM LAND AND CONTEMPLATING ADDING ANOTHER THOUSAND HOMES INTO THAT. HOW ARE YOU GOING TO EVACUATE ANYONE? THE 2008 DECISION COUNCIL AND 2020 DECISION COUNCIL WAS BEFORE LAHAINA.\r\n\r\nDONT YOU HAVE A BETTER PERSPECTIVE NOW LIKE WHEN YOU KNOW BETTER YOU DO BETTER? BECAUSE WE HAVE BEEN DECLARED BY COUNTY, BY STATE, BY FEDERAL, BY FEMA, EVEN BY INSURANCE AS A DISASTER ZONE. YOU SHOULD BE DEMANDING AND THROWING A KITCHEN SINK AT THIS DEVELOPER, NOT GIVING THEM THE KITCHEN SINK. I DON'T GET IT. LIKE, WE ARE DISASTER ZONE BY ANY ACCOUNTS. WHY ARE WE CONSTANTLY CUTTING DOWN AND GIVING UP? I DON'T HAVE THE POWER.\r\n\r\nTHE DEVELOPER DOESN'T HAVE THE POWER, YOU HAVE THE POWER. AND ALL WE ASKING YOU IS TO VOTE IN OUR FAVOR AND AS I SAID, THIS WILL BE LEGACY VOTE. IT IS GOING TO GO DOWN IN HISTORY. YOUR NAMES WILL BE ATTACHED TO IT. I DO HAVE ONE QUESTION AND I AM NOBODY TO ASK THE CHIEF, SO ASKING ONE OF THE COUNCIL MEMBERS TO PLEASE TAKE THIS UP. I DO NOT UNDERSTAND THE NOTION WHY CHIEF OF POLICE IS HUNG UP ON THE K-9 UNIT AND FIRST IT WAS A HALF ACRE FROM THE DEVELOPER, NOW IT IS TWO ACRES, SOME MIRACLE. WHY IS HE ASKING FOR THIS LAND WHEN HE ALREADY HAS FIVE ACRES AND \$40 MILLION BUILDING THAT SITS EMPTY.\r\n\r\nTHE PARKING LOT IS DESERTED. I DROVE BY IT THREE TIMES A DAY TO JUST GO AND LOOK AND COUNT THE CARS. >> THANK YOU. >> GO DO IT TOMORROW. YOU HAVE 5 ACRES. >> THAT IS DIFFERENT SUBJECT. MEMBER U'U-HODGINS.\r\n\r\n>> THANK YOU CHAIR. THANK YOU FOR YOUR TESTIMONY. CAN YOU PLEASE CLARIFY WHAT YOU MEAN WHEN YOU SAY UNION VOICES DON'T MATTER? BECAUSE THAT IS WHAT YOU SAID. >> CORRECT. LET ME CORRECT MYSELF. >> PLEASE.\r\n\r\n>> OKAY. UNION VOICES DO MATTER BUT THEY ARE PAID BY THE DEVELOPER TO SHOW UP HERE AND- >> DO YOU HAVE RECORD THAT PAYMENT? BECAUSE PRETTY SURE THAT IS JUST THEIR JOB TO BE THE VOICE OF THEIR UNION. THEY ARE NOT HIRED CONSULTANTS. >> OKAY. I THINK WE ALSO CAN AGREE

THAT FOR THE NEXT 20 YEARS BY ANY STANDARD AND EVERY ECONOMIST THERE WILL BE A SHORTAGE OF CONSTRUCTION WORKERS, NOT LACK OF IT. I THINK THAT HAS BEEN PUT TO REST BY JUST OUR SITUATION THAT WE WILL NOT HAVE ENOUGH CONSTRUCTION WORKERS.\r\n\r\n>> WE DON'T HAVE ENOUGH CONSTRUCTION WORKERS TO- >> TO SUPPLY FOR THE DEMAND FOR NEXT 20 YEARS FOR LAHAINA. >> THEN I GUESS THEIR VOICES DO MATTER BECAUSE WE WILL NEED MORE OF THEM TO BUILD OUR HOMES. YOU LIVE IN MAUI MEADOWS. I THINK YOU ARE THE THIRD OR FOURTH PERSON TO TESTIFY DISCUSSING FIRE CONCERNS YOU HAVE IN THE AREA AND AGREE. MY HUSBAND FIRE STATION IS ACROSS THE STREET FROM YOUR SECOND OR FIRST ENTRANCE. DO YOU GUYS HAVE A HOA AND HAVE A PLAN TO GET YOU GUYS OUT OF THE AREA ARE PUTTING THAT ON SOMEBODY ELSE? >> WE DO HAVE COMMUNITY MEETING AND THAT IS WHEN THE ASSISTANT TO THE CHIEF CAME AND HE BASICALLY PROVIDED US WITH THE PLAN AND HE ALSO SAID IT IS VERY REALISTIC PICTURE THAT WITH THE TWO EXITS OUT OF MAUI MEADOWS THERE IS NO WAY THEY CAN EVACUATE.\r\n\r\n>> OKAY. AND YOU HAVE A PLAN TO GO UP MAYBE? >> I THINK CHIEF VENTURA IS IN DISCUSSION WITH THE LAND OWNERS, SO HE'S TRYING TO GET THE PERMISSION TO CUT THE CHAIN AND OPEN THE DOOR WHEN NECESSARY. >> OKAY. THANK YOU. THANK YOU CHAIR. >> ANYMORE QUESTIONS?\r\n\r\n\r\nMEMBER PALTIN AND THEN MEMBER SUGIMURA. >> THANK YOU CHAIR. SHOOT, I FORGOT YOUR LAST NAME >> MY LAST NAME, MARTIN. >> OKAY, THANK YOU MRS. MARTIN. I JUST WANTED TO ALSO CLARIFY THE UNION STATEMENT THAT YOU SAID IN RELATION TO THE REST OF THE TESTIFIERS. IS IT THAT THE UNIONS THAT WILL WORK THESE JOBS GET A FINANCIAL BENEFIT FROM THIS PASSING WHEREAS, THE REST OF THE COMMUNITY TESTIFYING DOESN'T GET THE SAME FINANCIAL BENEFIT OF SECURING JOBS?\r\n\r\n\r\n>> I THINK IT IS MORE OF THE OPTICS WHEN THEY ARE HUGGING AND HIGH FIVEING WITH CHIP CHASE AND ALL THE REPRESENTATIVES OF THE DEVELOPER THEN IT JUST GIVES IT A VERY BAD PICTURE. I DON'T HAVE A PROBLEM WITH CONSTRUCTION. I HAD A CONSTRUCTION MY COMPANY MYSELF. WE HAD AMAZING CONTRACTORS ON THIS ISLAND. [INDISCERNIBLE] LIKE WE HAD A GREAT DEVELOPERS WHO CARED ABOUT THE ISLAND AND CARED ABOUT THE PEOPLE, SO I HAVE NOTHING AGAINST CONSTRUCTION OR UNIONS OR ANYTHING LIKE THAT, IT JUST GIVES A VERY BAD PICTURE WHEN THEY SHOW UP AND ARE VERY COZY WITH THE DEVELOPER. IT KIND OF MUDDIES THE WATER IS LIKE, WE UNDERSTAND YOU WANT JOBS, BUT BY EVERY ECONOMIST FOR NEXT 20 YEARS YOU WILL HAVE PLENTY JOBS. >> THANK YOU.\r\n\r\n\r\n>> ANYONE ELSE? VICE CHAIR SUGIMURA. >> THANK YOU CHAIR. SO, WITH MAUI MEADOWS, WHEN THE DEVELOPER DOES COME FORWARD, I WILL ASK THEM ABOUT THE EMERGENCY EXIT BECAUSE THIS QUESTION CAME UP AND I DID HAVE A CONVERSATION AND THEY HAVE WORKED WITH THE FIRE DEPARTMENT TO FIGURE OUT A EMERGENCY EXIT WITH MAUI MEADOWS. >> IF I MAY ASK KINDLY, I ALSO SPOKE DIRECTLY TO CHIEF VENTURA AND I SAID MR. CHIP CHASE ALWAYS PRESENTED A LETTER THAT WAS SIGNED BY YOU, IS THAT STILL ACCURATE AND HE SAYS, WAIT A MINUTE, WAS IT BEFORE THE FIRES OR AFTER THE FIRES? SO, YOU MAY WANT TO CLARIFY IF HE HAS A LETTER FROM THE CHIEF PRIOR TO THE FIRES IN LAHAINA.\r\n\r\n\r\n>> THANK YOU. >> ANYBODY ELSE? MEMBER COOK. >> THANK YOU MRS. MARTIN FOR YOUR TESTIMONY. FOR CLARIFYING QUESTION, ARE YOU AWARE THAT THE 670 DEVELOPMENT WILL BE A PRIVATE WATER SYSTEM? >> YES, BUT IT TOUCHES THE AQUIFER, CORRECT?\r\n\r\n\r\n>> SO, IT WILL BE-IT POTENTIALLY FROM MY UNDERSTANDING IS GOING TO BE SIGNIFICANTLY INCREASED THE FIRE PROTECTION FOR THE AREA, BECAUSE THEY WILL HAVE SUBSTANTIAL AMOUNTS OF WATER WITH TANKS AND THAT IS ONE OF THE CHALLENGES OF MAUI MEADOWS NOW IS THE BOTTOM HAS FIRE HYDRANT AND THE STOP STAND PIPES. I'M-ARE YOU AWARE THAT ASPECT OF THE FIRE MITIGATION BENEFITS OF THE PROJECT? >> I'M AWARE AND ALSO AWARE THEY WILL DRILL THE WATER AND THE AQUIFERS ARE DRYING AND THEY ALSO GETTING MORE MUDDIED, SO THAT MAY BE A ISSUE THAT THE POTENTIAL INITIAL ASSESSMENT MAY NOT BE CORRECT ANYMORE. THAT WAS DONE 20 YEARS AGO. >> THANK YOU. I HAVEN'T HEARD THEY ARE DRYING AND GETTING MUDDY. THANK YOU FOR YOUR TESTIMONY.\r\n\r\n\r\n>> THANK YOU MR. COOK. >> ANYBODY ELSE? MEMBER

RAWLINGS FERNANDEZ. >> MAHALO CHAIR. SINCE THE LANDS ARE SO OLD AND CLIMATE CHANGE WASN'T A THING BACK THEN ARE YOU RECOMMENDING THOSE ALSO BE UPDATED AND CONSIDERED MOVING FORWARD? >> 100 PERCENT.\r\n\r\nWE HEAR IT FROM OTHER PRIVATE DRILLERS DRILLING THE WATER. IT IS NOT AS PRETTY PICTURE AS THEY ARE PAINTING. AND I'M NOT EXPERT ON THE WATER. >> MAHALO MRS. MARTIN. >> ANYBODY ELSE? IF NOT, THANK YOU.\r\n\r\n>> THANK YOU SO MUCH. >> CHAIR, THE NEXT TESTIFIER IS [INDISCERNIBLE] ONLINE. IF YOU CAN TELL US WHAT ITEM YOU ARE TESTIFYING ON. >> HOW MANY MORE? >> AFTER THAT WE'LL HAVE FIVE MORE TESTIFIERS. >> OKAY. >> ALOHA.\r\n\r\nMY NAME IS MILEY. SORRY IT IS IT THE END OF THE DAY. I MISPLACED MY TESTIMONY WITH MY GROCERY LIST AND I KNOW I WANTED TO TESTIFY ON ALL OF THE ITEMS RELATED TO 670. THIS FEELS LIKE A VERY EMOTIONAL AND MENTAL ABUSIVE SITUATIONSHIP BETWEEN US COMMUNITY MEMBERS AND THOSE WHO ARE FOR THE DEVELOPERS AND WHO INITIATED THE DECREASE IN AFFORDABLE UNITS. CRAZY THAT WE ARE NOT EVEN IN A RELATIONSHIP YET. THE FUTURE OF MY CHILDRENS LIVES ARE IN YOUR HANDS. I FEEL THAT YOU ARE GIVING US CRUMBS WHEN WE DESERVE VERY MUCH MORE. I THINK THAT IF THERE IS A WAY WE COULD APPEAL THE 2008 APPROVAL OF THIS PROJECT I WOULD LIKE TO APPEAL THAT DECISION.\r\n\r\nTHE ECONOMY IS NOT AS IT WAS BACK THEN. AFTER LEARNING OF THE ARCHAEOLOGICAL SITES IN THE AREA, I THINK YOU ARE NOT ONLY ROBBING MY CHILDREN OF AFFORDABLE HOUSING, YOU ARE ROBBING THEM OF THE OPPORTUNITY TO LEARN. BESIDES THAT, WHY DON'T WE TRY GROWING PLANTS INSTEAD OF GROWING HOUSES? I THINK THE COMMUNITY MIGHT BACK THIS PROJECT IF IT WAS NOT JUST A NATIVE NURSERY, THAT IS A GOOD START, BUT MAYBE JUST GROW THE FOREST BACK TO REVITALIZE THE CLOUD THAT MIGHT BRING RAIN WATER BACK TO THE AREA. BESIDES THE PLANTS, THERE IS A ENDANGERED HAWAIIAN MOTH WHO HABITAT IS IN THAT AREA. I THINK THAT YOU MIGHT WANT TO REASSESS ALL THAT. I'M SORRY, IT IS ALL OVER THE PLACE.\r\n\r\nI THINK THAT MIGHT CONCLUDE MY TESTIMONY. NO, NO. IT DOES NOT. MAYBE LET'S TRY AND DO THAT 100 PERCENT AFFORDABLE LOW INCOME WORKFORCE HOUSING AND JUST TRY IT MR. DEVELOPER. YOU OWE IT TO US. YOU DON'T ALWAYS HAVE TO MAKE A PROFIT ON THESE THINGS.\r\n\r\nGIVE BACK TO THE COMMUNITY. THOSE COUNCILMEMBERS WHO MIGHT MAKE A PENNY OFF THIS, THAT IS NOT--I DON'T KNOW HOW YOU SLEEP AT NIGHT. YOU ARE NOT SHAME. I DO COMMEND COUNCIL MEMBERS [INDISCERNIBLE] MAHALO. >> QUESTIONS MEMBERS? MEMBER PALTIN. >> THANK YOU CHAIR.\r\n\r\nTHANK YOU. JUST CLARIFYING THAT YOU ARE SUPPORTING THE AMENDMENTS THAT WOULD MAKE IT OWNER OCCUPIED IN PERPETUITY FOR THE THING--THE KEEPING IT AT 450 AFFORDABLE AS WELL AS LOCAL PREFERENCE ON SELECTION FOR THE LOTTERY AS WELL AS EXTENDING THE DEED RESTRICTIONS IS WHAT YOU MEANT BY YOU SUPPORTING SPECIFIC NAMED COUNCILMEMBERS? >> YES! I SUPPORT SO MUCH OF ALL THAT. I DID FAIL TO MENTION THOUGH THAT, IF THESE DEVELOPERS WITH THE NATIVE PLANTING AND BECAUSE THEY HAVE MONEY I'M WILLING TO NEGOTIATE A FAIR PRICE FOR MY HUSBAND'S WORK CONTRIBUTING TO THE NATIVE PLANTING. THE COUNTY DID NOT PURCHASE LIGHTHOUSE WHEN THEY HAD THE CHANCE, THAT IS FOR ANOTHER DAY. I DO SUPPORT YOU YES.\r\n\r\n>> THANK YOU. I CAN'T WAIT TO MEET YOUR HUSBAND. FOR ALL THE WORK HE'LL BE DOING. >> MAHALO. >> ANYMORE QUESTIONS MEMBERS? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER?\r\n\r\n>> THE NEXT TESTIFIER IS [INDISCERNIBLE] TESTIFYING ON REPORTS 24120, 2430, 2031. 2432 AND 2433 FOLLOWED BY JORDAN. LANA ALBRIGHT, THIS IS YOUR OPPORTUNITY TO TESTIFY. CHAIR, I HAVE BEEN INFORMED SHE IS NO LONGER PRESENT. THE NEXT TESTIFIER IS JORDAN AND PLEASE LET US KNOW WHAT ITEM YOU ARE TESTIFYING ON AND FOLLOWED BY ELIZABETH RAY. >> I SEE JORDAN. >> I WILL BE TESTIFYING ON-HI. ALOHA EVERYBODY.\r\n\r\nI WILL TESTIFY ON PRETTY MUCH EVERYTHING 670. I WANT TO MAHALO ALL FOR A MARATHON DAY AND DEDICATION TO THE VERY IMPORTANT ISSUES. I DIDN'T PREPARE A WRITTEN THING. JUST GOING TO KEEP IT SHORT, SIMPLE AND SWEET. HOLY SMOKES, COMING TO MEETINGS SINCE THE 90. I'M MIND BLOWN AND HOPE I WILL NOT BE SHOWING UP TO MEETINGS

THE SAME MEETINGS FOR THE SAME THING THAT LONG, BECAUSE THAT IS ABSOLUTELY RIDICULOUS. WE KNOW THE PROJECT ISN'T PONO. IT WASN'T IN THE 90 AND 2008 AND NOT NOW. I KNOW SOME KNOW IT IS NOT PONO.\r\n\r\nIF IT WAS PONO, WE WOULD HAVE ALREADY-IT WOULD HAVE BEEN BUILT AND ALREADY HAD THE HOUSING. BUT THIS HAS TAKEN TOO MUCH TIME AND TOO MUCH MANNA AND ENERGY. I DO NOT SUPPORT THIS MOVING FORWARD, BUT I DO SUPPORT THE AMENDMENTS. IF LIKE YOU SAID, THIS WILL GO THROUGH, WE NEED THE MOST AMOUNT OF HOUSING WE CAN GET OUT OF THESE GUYS. YOU GUYS CANNOT VOTE AND SET THIS PRECEDENT THAT WE ARE JUST GOING TO ACCEPT CRUMBS FROM THE DEVELOPERS, NO. WE SAW A WHOLE TOWN BURN DOWN. YOU KNOW PEOPLE NEED HOUSING.\r\n\r\nYOU HEARD OVER 300 VERBAL TESTIMONIES FOR BILL 9. WE NEED HOUSING AND YOU GUYS HAVE A OPPORTUNITY TO VOTE FOR MORE HOUSING FOR THE PEOPLE. I REALLY REALLY HOPE THAT YOU GUYS VOTE FOR THAT, BECAUSE WE NEED IT. AND ONE MORE THING BEFORE I GO, IT WAS REALLY DISAPPOINTING I WAS ONLINE ALL DAY LISTENING, VERY DISAPPOINTED MANY ALL MOST ALL PEOPLE WHO VOTED OR WHO TESTIFIED IN OPPOSITION OF BILL 9 BUT SAID MAUI COUNCIL NEEDS TO DO MORE AFFORDABLE HOUSING. I DID HEAR OR SEE THOSE FOLKS SHOW UP AND TESTIFY FOR THAT AND ANY MANY ASKED THE QUESTIONS. DO YOU KNOW WE TRIED THIS AND BEEN DOING THAT. I DIDN'T KNOW. THEY DID NOT COME SO VERY DISAPPOINTED IN ONE MEETING THEY CAN SAY, WE SUPPORT MORE FOR THE HOUSING, BUT WHEN YOU COME AND HAVE A MEETING FOR THAT VERY SPECIFIC REASON THEY ARE NOT THERE.\r\n\r\nSO, I REALLY ASK YOU GUYS TO REMEMBER WHEN THEY SAY THAT ARE A PART OF THE COMMUNITY AND THEY LOVE THIS COMMUNITY, WHERE WERE THEY WHEN THEY HAD A CHANCE TO WEIGH IN ON SOMETHING VERY IMPORTANT, HOUSING? MAHALO, I APPRECIATE ALL YOU GUYS AND SEE YOU WEDNESDAY HOPEFULLY FOR A VOTE FOR BILL 9. MAHALO. >> WE HAVE A QUESTION FOR YOU. MEMBER PALTIN. >> THANK YOU. AND JUST WANTED TO CLARIFY. HER NAME WAS KAITLYN MILLER.\r\n\r\nSHE CAME AND- >> OKAY. >> REMEMBER THAT MAIM NAME. >> I WILL TRY TO FIND KAITLYN MILLER AND MAHALO HER BECAUSE THAT IS HUGE AND REALLY WISH MORE OF THE FOLKS COULD COME OUT. >> I MEAN, YEAH. I AGREE. IT SHOULD HAVE BEEN MORE, JUST CLARIFYING. IF THEY COME, GIVE THEM CREDIT.\r\n\r\nTHE ONE LADY. >> DEFINITELY. KAITLYN MILLER. I WILL FIND HER. >> THANK YOU. >> MAHALO. >> ELIZABETH RAY IS NEXT AND FOLLOWED BY MAVIS.\r\n\r\nTESTIFYING ON 24120. >> ALOHA. I'M FRUSTRATED. BEEN HERE SINCE 10. KIDS ARE NOT HAPPY. HERE TO ADVOCATE FOR OUR LOCAL COMMUNITY. APPARENTLY THE CONTRACTED BUILD WOULD BRING 700 AFFORDABLE HOMES, NO 450 HOMES, NO, 280 HOMES. BRING BACK THE OG700. I KNOW WE ALL KNOW WE ARE IN A HOUSING CRISIS PROCLAIMED BY THE GOVERNOR SINCE BEFORE THE FIRES AND PANDEMIC AND ONE OF THE WORST NATURAL DISASTER TO THE ISLAND. NOW IS NOT THE TIME FOR GENTRIFICATION AND NOT THE TIME FOR LUXURY BUILDS IT IS NOT THE TIME FOR GREED, IT IS TIME TO HOUSE OUR HAWAIIAN PEOPLE AND LOCAL FAMILIES, BECAUSE THERE IS NO MORE AFFORDABLE HOUSING HERE.\r\n\r\nPEOPLE ARE ON WAIT LIST FOR AFFORDABLE HOMES FOR UP TO 10 YEARS NOW. THERE IS ONLY ONE FAMILY SHELTER LEFT ON THE ISLAND. DID YOU KNOW THAT? JUST ONE. JUST ONE. BIG WAIT LIST. I HAVE LIVED ON EVERY PART OF THE ISLAND THIS 15 YEARS STARTING IN LAHAINA AS A TEACHER AND BEEN HOMELESS TWICE, ONCE AFTER COVID AND NOW AFTER THE FIRES AND SEE GENTRIFICATION PRICED US OUT ALL OVER THE ISLAND.\r\n\r\nWHAT AFFORDABLE RENTALS ARE FEW. WE ARE [INDISCERNIBLE] HIGH CRIME AND LET ME TELL YOU HOW THE PEOPLE BEHIND THE BUILD FOR LITTLE COMPASSION FOR OUR STRUGGLES. THE IN HUMAN STAIRS AND DEGRADATION TRYING TO SHELTER IN CARS, THE RUDE BEHAVIOR, THE COP CALLS, COUNTY HARASSMENT, DANGEROUS LOCATION AND DANGEROUS PEOPLE, THE HUNT FOR WATER, THE HUNT FOR ELECTRICITY AND SHOWERS. NOT TO MENTION THE SHAME WE FEEL NOT ABLE TO AFFORD RENT WORKING TWO JOBS OR DEGREE FROM UC BERKELEY OR BEING A TENURED TEACHER. NO WONDER SO MANY GIVE UP AND SUICIDE RATES ARE SO HIGH AND MENTAL HEALTH IS SO BAD AND PEOPLE WHO HAVE NOT SUFFERED JUDGE. THEY CANNOT FATHOM THE FEELINGS TRYING TO SURVIVE FOR

YOUR FAMILY AND YOUR CHILDREN. SO, PLEASE EARLIER, DON'T SAY YOU GET IT, YOU DON'T GET IT.\r\n\r\nPLEASE HAVE A HEART FOR YOUR LOCAL COMMUNITY AND STICK TO THE OCCASIONAL-ORIGINAL CONTRACT AND BUILD THESE 700 UNITS OR IF YOU HAVE TO, 450 UNITS SO WE MAY HOUSE OUR PEOPLE, HOUSE OUR COMMUNITY AND NOT SELECT THIS BEAUTIFUL PIECE OF LAND TO BE OWNED AND OCCUPIED BY RICH FOREIGNERS. KEEP IT IN PROPRIETY. QUIT PLAYING MONOPOLY. MENT MAHALO. >> THANK YOU. MEMBERS. NO QUESTIONS.\r\n\r\nTHANK YOU. >> THE NEXT TESTIFIER IS MAVIS. IF YOU CAN LET US KNOW WHAT YOU WILL BE TESTIFYING ON TO BE FOLLOWED BY-- >> ALOHA, THIS IS MAVIS AT THE HANA DISTRICT OFFICE AND I HAVE A TESTIFIER. HAVEN'T DONE THIS IN A LONG TIME. I HAVE-- [INDISCERNIBLE] COOK TESTIFYING ON BILL 76. CD1, CR25-32. >> ALOHA EVERYONE. GOOD EVENING. >> ALOHA.\r\n\r\n>> ALOHA. MY NAME IS-- COOK. AND I WILL THANK YOU FOR THE OPPORTUNITY TO TESTIFY. I AM A RESIDENT. HERE TO EXPRESS CONCERNS ABOUT THE PROPOSED BILL MAVIS MENTIONED THAT WOULD EXPAND COMMERCIAL USES IN AG DISTRICT AND REMOVE THE REQUIREMENT FOR SPECIAL USE PERMIT. THIS BILL MAY BENEFIT SOME FARMERS BUT WITHOUT CLEAR GUARDRAILS IT OPENS THE DOOR TO BACKDOOR COMMERCIAL DEVELOPMENT [INDISCERNIBLE] INCONSISTENT SANITATION AND OVERSIGHT, DISPROPORTIONATE IMPACT ON REMOTE COMMUNITIES. EVEN SUPPORT OF THE VALUE ADDED AG PROCESS SHOULD BE CAUTIOUS.\r\n\r\nINSURE ACTIVITIES SUPPORT AGRICULTURE, NOT JUST PRIVATE PROFITS. FOR EXAMPLE, WE HAVE NO COUNTY WATER. IF FOOD TRUCKS ARE ALLOWED WITHOUT REVIEW, HOW DO THEY MEET HEALTH AND SANITATION STANDARDS AND WHO WILL MONITOR THE REST, RESTROOMS OR RUN-OFF? FURTHERMORE, THE COMMUNITY PLAN PRESERVE AGRICULTURE, RURAL [INDISCERNIBLE] LIMITED INFRASTRUCTURE. THIS BILL CONFLICTS WITH THE GOALS AND REMOVES THE PROCESS, SUP REVIEW THAT ALLOWS COMMUNITY VOICES TO BE HEARD. I ALSO WANT TO HIGHLIGHT HANA HAS NO REPRESENTATION ON THE WORKING GROUP. STANDING COMMISSION RECOMMENDED THEIR ISLAND BE EXEMPT FROM THIS BILL.\r\n\r\nDESERVE THE SAME CONSIDERATIONS. I RECOMMEND THAT THIS BILL BE REFERRED TO THE ADVISORY COMMITTEE FOR REVIEW AND DO NOT REMOVE THE SPECIAL USE PERMIT PROCESS, EXEMPT AGRICULTURAL LANDS AS REQUESTED, REQUIRE INFRASTRUCTURE AND HEALTH ASSESSMENT BEFORE COMMERCIAL USES MOVE FORWARD, PROVIDE FLEXIBILITY SO IT REFLECTS THE NEEDS AND CAPACITY OF EACH DISTRICT. WE MUST NOT REPEAT THE MISTAKES OF THE PAST AS OTHER PEOPLE SAID BEFORE. 30 YEARS AGO NO ONE THOUGHT THE [INDISCERNIBLE] WOULD BE A PROBLEM. TODAY IT IS IMPACTING OUR SOCIAL FABRIC. LET'S NOT RUSH ANOTHER BILL THAT COULD DO THE SAME. MAHALO FOR YOUR TIME AND YOUR CAREFUL CONSIDERATION.\r\n\r\nMAHALO. >> THANK YOU. QUESTIONS? NO QUESTIONS. THANK YOU. >> CHAIR, THE NEXT TESTIFIER IS [INDISCERNIBLE] IF YOU CAN LET US KNOW WHAT YOU WILL BE TESTIFYING ON AND HE IS FOLLOWED BY JIM LANGFORD. >> PRETTY MUCH ANYTHING TO DO WITH 670. FIRST-YOU CAN HEAR ME?\r\n\r\nOKAY. OKAY. FIRST OF ALL, I AM TOTALLY AGAINST LUXURY MARKET HOMES RIGHT NOW. I HAVE BEEN SAYING THAT FOR YEARS. BEEN SAYING THAT THING FOR YEARS. NOW, I HAVE BEEN TESTIFYING AGAINST THIS PROJECT EVERYTHING SINCE THE BEGINNING. THEN WHEN IT CAME BACK UP AGAIN, I HEARD SOME POSITIVE THINGS ABOUT THIS THING, BUT INSTEAD OF ME SITTING AND DON'T DO NOTHING, I GET OFF AND DO MY DUE DILIGENCE.\r\n\r\nI GO CALL UP THE PLANNING DEPARTMENT RIGHT AFTER THE PLANNING COMMISSION MEETING AND ASK THEM. THE GUY WHO KIND OF WAS INVOLVED WITH THIS 670 FROM THE BEGINNING IS WHO I TALKED WITH. AGAIN, THAT IS THE GUYS WHO SHOULD KNOW ABOUT THESE THINGS, PLANNING DEPARTMENT. I ASK THEM, WHAT IS REALLY GOING TO HAPPEN? BECAUSE I THOUGHT THIS WAS ALREADY DONE. HE TOLD ME, THEY CAME BACK AND I TOLD HIM OKAY, WHAT IF WE DO NOT SUPPORT THE AMENDMENTS THAT THE DEVELOPER IS DOING? HE SAID--HOW MUCH HOUSES WE GOING TO GET, THE PEOPLE?\r\n\r\nHE TOLD ME 288. IF THE AMENDMENT GO THROUGH, THEY WILL ADD 50. I SAID OKAY. 338. ME, HEARING THAT FROM THE PLANNING DEPARTMENT GUY, PLANNING DEPARTMENT, I DID MY DUE DILIGENCE AND NOW THEY



SIT DOWN AND WE-- [INDISCERNIBLE] I REACH OUT TO THE GUY CHIP CHASE. [INDISCERNIBLE] HE GAVE ME FACTS AND NON FACTS BUT WE FIGURED IT OUT. A LOT OF THE-- [INDISCERNIBLE] HE WOULD TALK ABOUT MAKING SOME CHANGES LIKE TO THE IN PERPETUITY, THE DEED RESTRICTION. THE RESIDENCY BEING ONE OF THEM. ALL THESE KIND OF STUFF. I TOLD HIM, ONE OF THE MAIN ONES I REALLY HATE IS HOUSING CREDITS.\r\n\r\nI SAID THAT IN THE MEETING. HOUSING CREDIT IS A ANOTHER WAY TO RIP US OFF. I TOLD HIM ABOUT THE 50 EXTRA HOMES HE GET BACK. NO CREDIT-NOW HOSING CREDIT FOR THE TEAM BECAUSE YOU ARE DOUBLE DIPPING. >> TIME ON THE FIRST-- >> HE DON'T KNOW IF HE CAN STICK WITH THAT. SO, THAT WAS THE FIRST MEETING. THEN WE TALK MORE AND HE CAME BACK, HE TALKED TO ANOTHER DEPARTMENT IN THE COUNTY AND TALKED ABOUT THE DEPARTMENT IN THE COUNTRY AND GOING WITH SOME STUFF AND TO SAY WHAT HE CAN DO.\r\n\r\nI KNOW I SIT ON MY ASS AGAIN. LIKE I SAID, I REACH OUT TO THE COMMUNITY. NOT THE-SORRY, BUT GOING TO OFFEND ANYBODY, BUT NOT THE [INDISCERNIBLE] THE COACHES I COACH AGAINST IN LITTLE LEAGUE TO GET THEIR OPINION ON THE 670 THING. NOBODY CAME OUT. I WAS READY IT TALK. ANYWHERE. BUT I NEVER GET A CHANCE TO DO.\r\n\r\nNOBODY CAME OUT. I CALL PEOPLE-- I'M TRYING. INSTEAD OF GETTING INTO FIGHTING THE DEVELOPERS FROM THE OUTSIDE, I TRY TO DO SOMETHING STUPID OR OUT OF THE BOX. IF I CATCH [INDISCERNIBLE] HE IS OUT TRYING. ONLY THING THE MAIN QUESTION AND ANSWER YOU WOULD GIVE YOU GUYS, ASK THE PLANNING DEPARTMENT WHAT IS THE ACTUAL TRUTH BECAUSE DON'T GET ME WRONG, I WILL TAKE 700 HOMES ANY TIME. I WOULD TAKE 450 HOMES JUST AS GOOD, BUT IF WE DO NOT PASS THIS AND WE STUCK WITH 288, I WILL FEEL LIKE--COULD HAVE 50 MORE HOMES. THAT'S ME.\r\n\r\nTHAT IS JUST MY OPINION. BEEN TRYING TO DO THE AFFORDABLE HOME THING FOR A LONG LONG TIME. I HATE [INDISCERNIBLE] PART OF THIS DEVELOPMENT. BIG TIME. BIG TIME. I'M NOT SUPPORTING THAT PART, HECK NO. BUT I AM MAKING SURE WE ARE NOT GIVING UP 50 HOMES FOR THE AFFORDABLE PART AND ALSO I HEARD THEY ARE GOING TO TAKE AWAY 50 HOMES FROM THE MARKET, SO 50 LESS DUMMIES TO DEAL WITH.\r\n\r\nJUST SAYING, THAT IS WHAT I DID. THAT IS WHAT I HAVE DONE AND WHY I TESTIFYING THIS WAY. I HOPE YOU GO DELIBERATIONS. YOU GO ASK THE PEOPLE WHO KNOW WHAT IS REALLY GOING TO HAPPEN, NOT US GUYS OUT HERE GUESSING. WHAT WILL HAPPEN IF THE AMENDMENTS DONT GO THROUGH? I THINK A LOT OF THE AMENDMENTS THE COUNCIL PEOPLE PUT ON THE AGENDA, I THINK-I DON'T KNOW [INDISCERNIBLE] I THINK YOU ARE GOING IN THE RIGHT DIRECTION. QUESTION ABOUT-- ASK THEM THE HARD QUESTIONS.\r\n\r\nDO THE SAME WITH THE PLANNING DEPARTMENT SO US THE PEOPLE KNOW WHAT REALLY REALLY REALLY REALLY HAPPENED. SORRY, I-- [INDISCERNIBLE] THANKS. >> THANK YOU. MEMBER PALTIN. >> THANK YOU CHAIR. THANK YOU. I WANTED TO CLARIFY WHAT YOU SAID ABOUT THE CREDIT PART.\r\n\r\nSO, IF THEY GIVE THE ADDITIONAL 50 THEY DON'T NEED CREDITS FOR THAT, BUT IS THAT PART A OR PART 1, IS THAT WHAT YOU SAID? >> THAT IS WHAT PRETTY MUCH I TALKED WITH YOU. I TELL THEM NO [INDISCERNIBLE] YOU KNOW ME, I HATE HOUSING CREDITS. >> DID THEY AGREE TO THAT? >> YES. >> OKAY. AND THEN WHAT ABOUT THE OTHER PART THAT, THE WRONG MATH?\r\n\r\nI THINK MIGHT HAVE GOT 59 UNITS MORE OR SOMETHING MORE BECAUSE IT IS 25 PERCENT OF MARKET NOT 25 PERCENT OF THE WHOLE PROJECT. DID THEY AGREE NOT TO TAKE CREDITS FOR THE WRONG MATH? >> NO, I ONLY TALKED TO HIM--I CAN ASK HIM AGAIN. ALL WE TALKED ABOUT WAS THE 50, SORRY. >> OKAY. AND THE OWNER OCCUPIED IN PERPETUITY AGREED TO THAT? >> HE GET NUMBERS HE WILL SHARE WITH YOU.\r\n\r\nTELL YOU SOME NUMBERS. HE KIND OF AGREED TO THEM. GOOD MEMORY, BUT ONLY FOR THIS LONG THEN WE COME TO NUMBERS. LETTING YOU KNOW THAT I WISH I KNEW THE NUMBERS, BUT--BUSY TWO WEEKS. WE HAD LITTLE LEAGUE BASEBALL AGAIN THIS WEEKEND. [INDISCERNIBLE] WE GET BY TOMORROW FOR BASEBALL. >> THANK YOU.\r\n\r\n>> WHAT YOU MEAN LUCKY YOU LOSE? I GOING TO TELL THE KIDS. MEMBER RAWLINGS FERNANDEZ. >> THEY BENCH ME. WHY THEY BENCH ME? >> WATCH OUT. OKAY.\r\n\r\nALOHA, MAHALO FOR YOUR TESTIMONY. SO, THE CONSTRUCTION OF THE ROADWAY WAS A CONDITION ALWAYS THERE AND

SO THEY'RE PUTTING IT ON DOT TO DO IT INSTEAD AND THEN IN EXCHANGE WOULD BUILD 50 ADDITIONAL UNITS. SINCE YOU DID ALL THAT WORK THAT YOU TESTIFIED ON, DID YOU FIND OUT THE BREAKDOWN OF THE 50 UNITS LIKE WHAT AFFORDABILITY WOULD BE AND IF IT'S SOMETHING THAT YOU ACTUALLY SUPPORT AND NOT YOU KNOW, DETAILS ARE IMPORTANT. >> I GET THEM. YEAH. YEAH. THE THING IS, HE ALSO ADD A COUPLE AMI BRACKETS.\r\n\r\nHE DID THAT TOO. THERE IS A LOT OF THINGS. HE CHANGE THE AMI. TIRING TO HEAR-EVEN HAPPENING WITH THE-THAT IS A PROBLEM. PEOPLE CAN NOT AFFORD THEM BECAUSE THEY ARE MAKING TOO MUCH. [INDISCERNIBLE] I THINK I DID. AGAIN, I DON'T GET PAID FOR THIS.\r\n\r\nI JUST DID IT BECAUSE [INDISCERNIBLE] I THINK I DID. AGAIN, YOU GUYS GOING TO DELIBERATE. GOING TO DELIBERATIONS. CRACK THEM. DO WHATEVER. ME, I'M JUST GOING TO ACCORDING WHAT I AM FEELING AND AGAIN, I SUPPORTING THE [INDISCERNIBLE] I DON'T SUPPORT THE LUXURY HOMES, BUT I THINKING WHAT IF WE GOT TO GO BACK TO WHATEVER EVERYBODY IS SAYING AND DONT PASS THEM THEN WE STUCK. WE ARE 288 INSTEAD OF 338. >> OKAY.\r\n\r\nI WAS ASKING BECAUSE I DONT KNOW IT MATTERS IF IT WAS 80 PERCENT AMI OR 140 PERCENT IF YOU FEEL THE SAME REGARDLESS AND WHY I WAS ASKING. >> MY BAD. AGAIN, SOME PEOPLE CAN ONLY QUALIFY FOR 80, SOME 140. SOME GO UP TO 160, SOME UP TO 200. THAT IS WHERE FIREMAN AND DOCTORS AND ALL THAT QUALIFY. I SUPPORT FOR ALL BRACKETS. [INDISCERNIBLE] I MAKE LOTS. YOU GET THE LOT. WHAT IS YOUR AMI?\r\n\r\nSOME PEOPLE ARE DIFFERENT. EVERYBODY IS DIFFERENT. >> OKAY, MAHALO. MAHALO CHAIR. >> ANYBODY ELSE? IF NOT, THANK YOU VERY MUCH FOR YOUR TESTIMONY.>> [INDISCERNIBLE] >> CHAIR, THE NEXT TESTIFIER IS JIM LANGFORD, FOLLOWED BY THE NUMBER ENDING IN 0695. MR.\r\n\r\nLANGFORD. HE'S NO LONGER ONLINE SO MOVE TO THE PHONE NUMBER ENDING IN LAST 4 DIGITS, 0695 FOLLOWED BY AMY RAMOS. 0695. >> HELLO. HI, THIS IS LANA ALBRIGHT. I JUST PULLED OVER. ALOHA COUNCIL AND CHAIR. YOU KNOW, LAST YEAR AT THE SCHOOL THERE WAS A HUGE PUBLIC SHOW-OUT TALKING ABOUT 670 AND MOST VOICES WERE COMPLETELY OPPOSED TO THE WHOLE THING.\r\n\r\nHERE WE ARE 700, 450, 288 AND HEARING THE UNION WORKERS EARLIER, IT IS LIKE THE UNION WILL BE THE ONE THAT BENEFITS ALSO WITH THE BUILDINGS COMPANY, SO IT IS LIKE THEY WILL GET-ONCE THEY BREAK GROUND, THEY WILL MAKE MONEY. THEY ARE GOING TO HAVE JOBS. SO, IT WOULD BE NICE IF THE UNION WORKERS IF THEY ARE ONLY WORKING ON AFFORDABLE HOUSING AND OF COURSE THEY WOULD BE UPSET IF 700 UNITS GO TO 288. THEY WOULD BE UP IN ARMS. THAT IS A HUGE LOSS, BUT BECAUSE THE UNIONS ARE GOING TO BE WORKING ON IT THE ENTIRE PROJECT OF WHATEVER, A THOUSAND UNITS, THEN THEY WILL BE FINE. SO, LIFE IS IN THE DETAILS. MAHALO TO THE MEMBERS FOR THE AMENDMENTS. I AGREE WITH ALL OF THEM.\r\n\r\nGETTING 450 UNITS HAVING TO BRING THAT BACK IS HUGE AND GLAD THEY ARE BACK AND HOPEFULLY THEY STAY. AGAIN, BUT IT IS SETTLING. SETTLING FOR 450 UNITS [INDISCERNIBLE] ABSOLUTELY, LOCAL PREFERENCE, PERPETUITY WOULD BE THE BEST BUT GOING FROM 30 TO 50 YEAR, DEED RESTRICTION IS HUGE SO MAHALO IN ALL THE AMENDMENTS. THOSE AMENDMENTS MAKE THIS WHOLE THING TOLERABLE AT BEST. I WORK-FOR A YEAR, COMMUTED FOR 4 YEARS. THE RAIN. THE ROADS ALREADY SO BAD THE LAST WINTER WAS AWFUL.\r\n\r\nSUGAR BEACH CLOSED FOR WEEKS. THE ROAD CAVED IN, CLOSED FOR OVER A MONTH. THE CONSTRUCTION BY SAFEWAY FROM THE LOWER UPPER ROADS IS CLOSED, SO HEARING FROM THE COMMUNITY EVERY DAY HOW MUCH THAT TRAFFIC EFFECTS THEM. CANCELING APPOINTMENTS, RESERVATIONS. COMMUNITY MEMBERS AND ALSO TOURIST, IT IS HUGE. IT IS A SUBSTANTIAL WHEN EVERYTHING GETS-WHEN THE TRAFFIC IS THAT BAD. MY CONCERN FOR THE SAFETY OF THE COMMUNITY THAT THAT HIGHWAY OR THAT ROAD CHANGES ABSOLUTELY NEED TO HAPPEN BEFORE ANYTHING IS BUILT FOR THE SAFETY OF THE COMMUNITY IS JUST A BIG CONCERN OF MINE.\r\n\r\nMAHALO. >> QUESTIONS MEMBERS? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER? >> THE LAST TESTIFIER IS AMY RAMOS AND MRS. RAMOS, IF YOU CAN LET US KNOW WHAT MATTER YOU WILL BE TESTIFYING ON. >> CAN'T HEAR YOU.\r\n\r\n>> YOU CAN? >> NOW WE CAN, YES. >> OKAY,

GREAT. HI. I AM NOT SURE OF THE SPECIFIC BILL NUMBERS BUT IT IS BASICALLY ON 670. BEFORE I HAD [INDISCERNIBLE] I USED TO SEE A POOL SERVICE PERSON AND HAD MY OWN BUSINESS AND WOULD SERVICE 85 POOLS A WEEK FROM 2002 TO 2020 AND THE TRAFFIC WAS [DIFFICULTY HEARING SPEAKER] WOULD STACK UP. NOTHING IS REALLY CHANGED WITH THE HIGHWAY AND I'M JUST WITH ALL THE ADDED THINGS WITH [INDISCERNIBLE] WHEN YOU GO DOWN FROM [INDISCERNIBLE] ALL THOSE HAVE BEEN FAIRLY RECENTLY BUILT, SO THE FACT THAT THIS NEW POPULATION OF HOUSES WILL BE-I CAN'T EVEN BELIEVE WHAT THE TRAFFIC WILL BE LIKE NUMBER ONE. IT IS A SHOCKER TO ME.\r\n\r\nALSO, YOU HAVE TO PUSH FOR AS MUCH AFFORDABLE UNITS AS YOU CAN. IF THAT IS WHAT IT STARTED IT SHOULD BE PUSHED. I'M IN AGREEMENT WITH ALL THE THINGS ABOUT LOCAL PREFERENCE, THE TITLE IN PERPETUITY, THE DEED RESTRICTIONS, ALL OF IT. I HEARD MR. COOK STATE THAT THERE WAS GOING TO BE WATER-THERE IS A PRIVATE WATER WELL AND I AM IN AGREEMENT WITH A FEW OTHER TESTIFIERS TALKING ABOUT THE WATER IS DIFFERENT NOW THEN 20 OR 30 YEARS AGO WHEN THIS WAS STARTED, SO JUST WONDERING IS IT GOING TO BE A REQUIREMENT THAT EVERYTHING IS ON DRIP LINES AND PEOPLE ARE WATCHING THE WATER USAGE WITH THIS NEW BUILD? AND I JUST THINK REVISITING ALL THE RESORTS AND EVERYTHING COMMUNITIES WHERE THEY ACTUALLY DO THEIR CCNR THEY ARE REQUIRED TO WATER THEIR GRASS, THEY ARE REQUIRED TO WATER EVERYTHING. MAYBE THAT NEEDS TO BE REVISITED.\r\n\r\n\r\nANYWAY, THOSE ARE MY BIG THINGS. I ALSO THINK THE EVACUATION ROUTE IS A HUGE THING. BETWEEN THE FIRES AND TSUNAMIS, IT IS GRID-LOCK. WITH THE HIGHWAY IS MUST DO AND INTERESTING TO SEE HOW MUCH THAT IS COSTING BECAUSE EVERYTHING SEEMS TO COST 10 TIMES MORE THEN WHAT THEY SAY FROM THE BEGINNING. ANYWAY, THAT'S IT. THANK YOU FOR WORKING SO HARD ON THIS ONE AND DEFINITELY [INDISCERNIBLE] NOT AT THE EXPENSE OF EVERYBODY WHO ALREADY LIVES IN THE AREA. THAT'S ALL.\r\n\r\n\r\nTHANK YOU FOR LISTENING. >> THANK YOU. MEMBERS, ANY QUESTIONS? IF NOT, THANK YOU VERY MUCH. MRS. CLERK. >> CHAIR, THE NEXT TESTIFIER IS STEVEN WEST.\r\n\r\n\r\nMR. WEST, DID YOU WANT TO TESTIFY BEGINNING OF THE MEETING OR DID YOU WANT TO WAIT UNTIL THE MATTER IS CALLED UP? STEVEN WEST? >> I DON'T SEE HIM. >> I SEE HIM ONLINE. >> YOU DO? >> I CAN SEE HE'S LOGGED IN.\r\n\r\n\r\nTOM CROWLY IS ALSO RAISING HIS HAND. AND THERE'S LOOKS LIKE MR. LANGFORD. MR. WEST? >> LET'S MOVE ON. >> LET'S MOVE ON THEM.\r\n\r\n\r\nCHAIR, THE NEXT TESTIFIER IS JIM LANGFORD, IF YOU CAN PLEASE LET US KNOW WHAT ITEM YOU WILL BE TESTIFYING ON. >> HI. I'M TESTIFYING ON ALL OF THE AGENDA ITEMS, BUT I DON'T NEED MUCH TIME. WE HEARD A LOT OF WHAT'S GOING ON FROM PEOPLE WHO CAN'T REALLY SPEAK DIRECTLY TO THE PROBLEM. I CAN. I FILED PAPERWORK ABOUT THIS 670 PROJECT AND A LOT OF PEOPLE WHO VOTED TODAY AGAINST THE PEOPLE AND FOR THEMSELVES. I COME FROM A UNION FAMILY FOR HUNDREDS GENERATIONS SO MY FAMILY WAS ON THE FIRST PRINTING PRESS THAT [DIFFICULTY HEARING SPEAKER] YEAH, SO WHAT IS HAPPENING WITH THE FINANCIAL'S IS THESE GUYS GOT LEVERAGE AND THEY OWE A LOT OF MONEY TO A LOT OF PEOPLE AND THEY CAN'T PAY IT AND THEY ARE ASKING OUR TAXPAYERS AND OUR COMMUNITY TO COVER THEM WHILE--I'M ON THE STREET AFTER HAVING ATTEMPTED MURDER IGNORED BY THESE PEOPLE THAT WERE TESTIFYING TODAY.\r\n\r\n\r\nTHAT'S NOT GOOD AND THAT'S WHAT YOU GUYS WITH YOUR SHENANIGANS ARE PUTTING THROUGH. IT IS LIKE HORRIBLE. SO, I HAD TO GO ALL THE WAY TO THE HOLY SEED COUNCIL IN WASHINGTON DC, WHICH IS THE SAME OF THE EMBASSY FOR THE VATICAN IN ORDER TO BRING IN URSA TO THE INNOCENT LIVES LOST FOR MURDER. WHAT WE WILL DO IS, YOU GUYS ARE GOING TO TELL THE TRUTH BEFORE THE MONDAY MEETING TO THE MSA AND FBI GUYS I HAD TO CALL SO I CAN MAKE A FULL REPORT TO THE VATICAN AND THEN ALL THOSE UNION GUYS ARE GOING TO TAKE WHOEVER IS ON COCAINE OF ALL THREE OF THEM, WE'LL TAKE ALL THEIR FRIENDS HOUSES AND START GIVING THEM TO THE WILD FIRE SURVIVORS. THAT'S HOW YOU LEAD WHEN PEOPLE IN-INNOCENT PEOPLE ARE DEAD, THE PEOPLE THAT DID IT AND TOOK THE BAD MONEY AND THE BAD DRUGS AND GAVE IT TO PEOPLE AND DIDN'T WANT TO GET IN TROUBLE, YOU SAY, DON'T DO THAT. SO,

THAT'S WHY THIS IS HAPPENING. YOU ALL GO TELL THE TRUTH.\r\n\r\nNO QUESTIONS.  
THANKS. >> THANK YOU. ANY QUESTIONS? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE  
NEXT TESTIFIER? >> CHAIR, THE LAST TESTIFIER CURRENTLY IS STEVEN WEST.\r\n\r\nWE  
DON'T SEE HIM ON. WAIT, MR. CREWLY. TOM CREWLY, YOU ARE UP. CAN YOU LET US KNOW WHAT  
YOU WILL BE TESTIFYING ON? >> YES, I SIGNED UP FOR EACH ITEM BUT I WANT TO SAVE YOU  
TIME AND I WILL TRY TO BE AS BRIEF AS I CAN. I LIKE TO TESTIFY ON CC25-12 REGARDING  
THE KITCHENETTES, CR25-33, THE KITCHENETTES, CR25-32, THE MOBILE FOOD TRUCKS AND  
BILL 83 AND I'LL WAIT FOR THE ITEM TO COME UP FOR THE 670 STUFF WHICH MIGHT NOT BE  
TILL TOMORROW OR MONDAY.\r\n\r\nSTARTING WITH CR25-33, THE KITCHENETTE BILL. I  
APOLOGIZE TO COUNCIL HAVING MISSED THE COMMITTEE MEETING WHERE THE KITCHENETTE BILL  
WAS HEARD. I WAS OFF ISLANDS AT THE TIME. [INDISCERNIBLE] SINGLE FAMILY DWELLING IN  
THE RESIDENTIAL RURAL DISTRICTS. I WONDER WHY OTHER DISTRICTS LIKE THE INTERIM  
DISTRICT, BUSINESS AND APARTMENT DISTRICTS WERE NOT INCLUDED IN THE BILL AND I DO  
BELIEVE THIS BILL COULD HAVE ITS GREATEST IMPACT IF IT WERE ALLOWED IN THE  
AGRICULTURAL DISTRICT BUT THERE MAY BE TECHNICAL REASONS FOR THAT, NOT SURE. I AM  
STRONGLY AGAINST THE PROHIBITION LANGUAGE THAT WOULD REMOVE A LOT OF RESIDENT  
HOUSING OPPORTUNITIES AND WOULD MAKE ENFORCEMENT OF THIS BILL VERY DIFFICULT. I  
THINK THERE ARE OPPORTUNITIES FOR MANY ON-SITE CARETAKERS IN HOUSES THAT ARE SECOND  
HOMES, STRH AND B & B. IF THE PURPOSE OF THE PROHIBITION AS STATED IN THE COMMITTEE  
REPORT WAS TO KEEP THESE UNITS THAT WOULD BE CREATED BY THE KITCHENETTES FROM BEING  
USED FOR SHORT-TERM RENTAL OR BED AND BREAKFAST PURPOSES, THAT IS FINE, BUT LET'S  
STATE THAT VERY CLEARLY, BECAUSE THE WAY IT IS STATED WITH THIS IDEA OF IT CAN'T BE  
IN A DWELLING THAT IS NOT USED AS A LONG-TERM RESIDENTIAL HOUSING WE GOT A PROBLEM  
THERE WHERE THE SECOND HOMES CAN'T PUT A CARETAKER IN ONE OF THE UNITS.\r\n\r\nI  
REALLY THINK THAT YOU ARE MISSING A HUGE OPPORTUNITY HERE WITH THE PROHIBITION THAT  
YOU PUT IN THERE. EARLIER YOU HEARD FROM A PLANNER WHO WAS COMMENTING ON THE 670  
BILL. HE SHOWED HE DIDN'T FULLY UNDERSTAND IT. I DEAL WITH THE PLANNERS ALL THE TIME  
AND THEY TRY TO INTERPRET THE LAW YOU PUT THROUGH AND OFTEN TIMES DO NOT UNDERSTAND  
THE INTENT AND THEN FOR THINGS LIKE WET BARS AND KITCHENETTES THEY INTERPRET THEM  
WRONG AND MAKE IT DIFFICULT FOR THE PLANNING DEPARTMENT AND VERY DIFFICULT FOR THE  
OWNERS. I WOULD HIGHLY RECOMMEND CHANGING THAT. THERE IS A AMENDMENT THAT IS OFFERED  
BY COUNCILMEMBER PALTIN ON THE SIZE OF THE REFRIGERATOR. I FULLY SUPPORT GETTING RID  
OF THE SIZE OF THE FRIDGE FULLY.\r\n\r\nTHERE IS NO DIFFERENCE BETWEEN A 17 SQUARE  
FOOT REFRIGERATOR AND 22 CUBIC FOOT FRIDGE AND DONT WANT PLANNING TO HAVE TO RUN  
AROUND SAYING YOUR FRIDGE IS TOO BIG AND HAVE TO GET ANOTHER ONE. WHAT IS DIFFERENCE  
IF WE MAKE IT A KITCHENETTE? JUST TAKE OUT THE BIT ABOUT THE REFRIGERATORS. THE  
OTHER PART OF THE BILL I THINK COULD BE IMPROVED IS WET BARS WHEN WE CREATED THE WET  
BAR DEFINITION WE SAID THE WET BAR CANT BE IN A BEDROOM. M THE REASON FOR THAT IS WE  
DIDN'T WANT THEM CREATING STUDIOS OUT OF A BEDROOM BY PUTTING WET BAR. THAT IS  
EXACTLY WHAT WE ARE DOING WITH THE KITCHENETTE BILL AND THERE IS A REASON WET BARS  
CAN BE IN BEDROOMS. PEOPLE WANT TO MAKE COFFEE AND THERE ARE MANY WET BARS THAT ARE  
ALREADY IN BEDROOMS AND THEN THE PLANNERS HAVE TO SAY TO THE PERSON, CAN YOU SHOW ME  
YOUR ORIGINAL BUILDING PLANS FROM 1971 WHERE THIS WET BAR WAS LEGAL?\r\n\r\nAGAIN, I  
WOULD GET RID OF THIS NO WET BARS IN A BEDROOM PART BECAUSE AGAIN, WE ARE ADDRESSING  
THAT WHOLE ASPECT WITH THE KITCHENETTE. THOSE ARE COMMENTS ON THAT BILL AND HAPPY TO  
MOVE TO MOBILE FOOD TRUCKS. >> QUESTIONS? MEMBER PALTIN HAS A QUESTION. >> THANK YOU  
CHAIR. IT IS LATE AND BEEN A LONG YEAR, BUT I JUST WANTED TO CLARIFY, I DON'T  
REMEMBER US BEING THE ONE MAKING IT LONG-TERM RESIDENTIAL. IS THAT NOT HOW IT CAME  
OUT THE PLANNING COMMISSION?\r\n\r\nWE DIDN'T GENERATE A BILL AS PART OF TRIO  
PACKAGE FROM THE ADMINISTRATION, SO DO YOU RECALL IT WAS NOT LIKE THAT WHEN IT CAME

TO US FROM THE ADMINISTRATION? >> I DON'T- >> IT WAS LAST JULY. I THINK [INDISCERNIBLE] I JUST WAS WALKING THROUGH COSTCO AND SEEN-YOUR DOG IS SO CUTE. AND SEEN A REFRIGERATOR AND THOUGHT ABOUT THE CUBIC FEET THING SO I CHANGED IT. HE IS SMILING OR SHE. BUT I DON'T THINK IT WAS US THAT PUT THAT LONG-TERM RESIDENTIAL. I THINK IT CAME TO US THAT WAY.\r\n\r\n>> IT VERY MUCH MAY HAVE COME FROM THE PLANNING DEPARTMENT. IT MAY HAVE BEEN PROPOSED THAT WAY. I WISH I HAD BEEN AT THE MEETING. IF WE THINK BROADER ABOUT THIS AND WHERE WE CAN USE THESE THINGS, WE HAVE 5 OR 10 THOUSAND SECOND HOMES. WE COULD CREATE A LAW DOWN THE ROAD THAT SAYS THESE THINGS CANNOT BE VACANT AND USE THE KITCHENETTE AS A WAY TO PUT A LONG-TERM RESIDENT INTO THE SECOND HOMES. I JUST DON'T LIKE THE WAY IT IS PROPOSED IN THE LANGUAGE USED. I HAVE LANGUAGE THAT I WOULD PROPOSE THAT ADDRESSES EXACTLY WHAT YOU WANT IT TO BE AND THAT IS, WE WOULD SAY-I LOST WHAT I HAVE.\r\n\r\n\r\nBASICALLY WE WOULD SAY THAT THE AUTONOMOUS UNIT CREATED BY THE KITCHENETTE MAY ONLY BE OCCUPIED BY A FULL TIME RESIDENT OF MAUI. IT ISN'T A BNB OR PART OF SHORT-TERM RENTAL BUT COULD BE IN A HOUSE THAT ALSO HAS A BNB BECAUSE I KNOW SOME THAT ALSO HAVE A LONG-TERM TENANT LIVING IN THAT UNIT. BUT I KNOW THE WAY THE PLANNING DEPARTMENT WOULD- >> [INDISCERNIBLE] ONLY OCCUPIED ON A LONG-TERM RESIDENTIAL BASIS? >> LONG-TERM RESIDENTIAL BASIS OR OCCUPIED BY A RESIDENT-FULL TIME RESIDENT OF MAUI. I DON'T LIKE LONG TIME RESIDENTIAL BASIS THING BECAUSE WHAT I TOLD YOU BEFORE AND WILL BRING IT UP LATER WHICH IS WE ARE NOT ENFORCING THE LONG TIME RESIDENTIAL BASIS FOR WHAT IT IS SUPPOSED TO BE, RIGHT? WE ARE LETTING SECOND HOMES BE LONG TIME RESIDENTIAL BASIS. >> THANK YOU.\r\n\r\n\r\n>> YES. >> ANY OTHER QUESTIONS? >> I WILL MOVE TO- >> SURE, MOVE TO THE NEXT ONE. >> YES. MOVE TO THE MOBILE FOOD TRUCKS AND I RECOGNIZE THIS IS WE ARE PROBABLY GETTING THIS PASSED SO WON'T SPEND A LOT OF TIME ON IT BUT I SUPPORT THE MEASURE. I DONT SUPPORT CARVE-OUTS. THERE WAS A LOT OF TESTIMONY SIMILAR TO WHAT YOU HEARD TODAY WHEN THEY PROPOSED THE AGRICULTURAL FOOD ESTABLISHMENT.\r\n\r\n\r\nTHESE ARE ON EVERY CORNER AND IT NEVER HAPPENED. I APPRECIATE COUNCILMEMBER JOHNSON'S BILL AND HOPE YOU DO MOVE THIS ALONG AS QUICKLY AS POSSIBLE. MOVING TO BILL 83, AND I THANK COUNCILMEMBER PALTIN FOR THIS. I KNOW SOMETIMES FOLKS THINK THAT I PROVIDE TESTIMONY ONLY AS A ADVOCATE FOR BNB, BUT THAT'S NOT REALLY TRUE. I HAVE BEEN PAYING ATTENTION TO THINGS IN THE COUNTY FOR MORE THEN 20S YEARS AND HAVE FIRST HAND EXPERIENCE OF HOW THE PLANNING DEPARTMENT AND PLANNING COMMISSIONS WORK AND ONE THING I SAW ABOUT THE BILL WHEN FIRST PROPOSED,B IT WAS NOT GOING TO WORK. IT WAS JUST GOING TO DRAG THINGS OUT AND MAKE THE PROCESS TOO LONG. SOME MIGHT NOT KNOW WHAT I'M TALKING ABOUT.\r\n\r\n\r\nTHE SOUTH MAUI ADVISORY GROUP AND THE-IT JUST DOESN'T WORK. THERE ARE SO MANY NOTICE REQUIREMENTS AND PROBLEMS WITH THAT, WHEN SOMETHING HAS TO GO TO THE GROUP IT TAKES TOO LONG. NOW AS YOU CAN SEE, EVERYONE IN THE COUNTY CAN PARTICIPATE ONLINE AND DON'T HAVE TO NECESSARILY COME TO DOWNTOWN TO DO IT, SO I FULLY SUPPORT GETTING RID OF THESE PLANNING ADVISORY GROUPS IN THE TWO AREAS PROPOSED TO BE ABANDONED. THOSE ARE MY COMMENTS ON THE SUBJECT. WHEN YOU GET TO 670 THING I WILL HAVE COMMENTS ON THAT. >> [INDISCERNIBLE] >> IT ISN'T A QUESTION FOR MR. CROWLEY OR I GUESS IT IS.\r\n\r\n\r\nYOU HEARD IT DISCUSSION WE ARE DOING UNFINISHED BUSINESS PART FIRST, SO DON'T GO FAR FOR YOUR- >> THANK YOU. I DIDN'T HEAR THE DISCUSSION. THANK YOU VERY MUCH. >> OKAY. DON'T GO FAR BECAUSE I THINK WE ARE DOING TIME SENSITIVE STUFF AND THEN TAKE UP THE UNFINISHED BUSINESS TONIGHT AND THEN MOVE TO THE REST OF THE AGENDA MONDAY. >> I'LL JUST GO INTO THAT NOW. THAT BEING THE CASE.\r\n\r\n\r\nI WANT TO MAKE THE MOST OF YOUR TIME. I DON'T WANT TO HOLD YOU UP. IF YOU ARE GOING TO GO INTO THAT, THEN LET ME JUST ROLL INTO UNFINISHED BUSINESS. 670, 23 YEARS AGO I MET A GUY NAMED CHARLEY JINKS MANNING A BOOTH AT THE MAUI COUNTY FAIR AND TELLING PEOPLE ABOUT THIS NEW HOUSING DEVELOPMENT

670. I HAD KEEN INTEREST TO LEARN MORE BECAUSE I MOVED TO MAUI MEADOWS AT THE TIME AND LOOKED AT THE CONCEPT AND COULD PICTURE I MIGHT WANT TO LIVE THERE AND IN GENERAL BEEN SUPPORTIVE ALONG THE WAY. I ASKED CHARLEY WHEN DID HE THINK IT WOULD BE BUILT AND SAID 2 OR 3 YEARS. AT THE TIME I DIDN'T KNOW A THING ABOUT WATER AVAILABILITY OR AFFORDABLE HOUSING, ABOUT TRAFFIC, ABOUT WASTEWATER AND I ASSUMED ALL THESE THINGS WOULD BE TAKEN CARE OF BY THE STATE, COUNTY GOVERNMENT OR WHOEVER ELSE ELSE WAS RESPONSIBLE. I FOLLOWED THIS THING AS YOU HAVE THROUGH ALL THOSE YEARS AND I ARE RECOGNIZE THAT, THERE WERE A LOT OF QUESTIONS.\r\n\r\nTHROUGH THE YEARS THOSE QUESTIONS SOME WERE ANSWERED, MAYBE NOT TO EVERYONE'S SATISFACTION, BUT THEY WENT ALONG AND OWNERSHIP OF THE PROPERTY CHANGED OVER AND OVER AGAIN AND IT DIED THEN CAME BACK AND THEN IT WAS UNDER LAWSUITS AND MOTHS WE WERE TRYING TO PROTECT AND A LOT OF STUFF. HERE WE ARE AND WE ARE MAKING CHANGES. I CANNOT SAY I AM FULLY SUPPORTIVE OF THE CONCESSIONS TO THE PROJECT BUT THIS IS DIFFERENT TIMES AND THINGS CHANGE. I REALLY DONT LIKE THE IDEA ASSIGNING MARKET VALUE TO THE LAND THEY GIVE IN PLACE OF CASH CONTRIBUTIONS. THE LANDS THEY ARE TALKING ABOUT HAVE ZERO VALUE IF THEY CAN'T BUILD ON IT. WHETHER THEY GIVE 3, 5 OR 10 ACRES IT ISN'T WORTH \$5 MILLION. WHAT I SUPPORT IS THEM PUTTING THE INFRASTRUCTURE IN WHETHER WALKWAYS THROUGH THE LAND OR WHETHER PARKING LOTS IN ORDER FOR PEOPLE TO ACCESS THAT LAND AND GIVING THOSE THINGS, BUT THE IDEA YOU GET A LAND AND ASSIGN VALUE TO THE LAND WHETHER FOR THAT OR THE POLICE THING, I JUST THINK THAT'S A SHAM.\r\n\r\nTHAT SHOULDN'T BE THE WAY THAT IS HANDLED. AND THEN I ALWAYS EXPECTED, I UNDERSTOOD THEY ARE RESPONSIBLE FOR THE ROADWAY IMPROVEMENT WITH THE PEOPLE AND ALL THAT HAD TO BE DONE BEFORE THEY WOULD BE ABLE TO TURN THE FIRST PIECE OF DIRT. NOW WE ARE TALKING HAVING STATE DO IT AND WE ALL KNOW THAT WHEN WE ASK THE STATE TO DO SOMETHING THAT CAN TAKE FOREVER. IF THEY ARE GOING TO TURN IT OVER TO THE STATE FINE, LET IT TURN OVER TO THE STATE AND IF FOR DOING THAT THEY WILL CREATE 50 MORE AFFORDABLE, GREAT, BUT DO NOT GIVE THEM ANY CREDITS FOR THE AFFORDABLE'S. T THEY ARE ALREADY GETTING \$50 MILLION IN CREDIT BY LETTING THE STATE DO IT. THAT'S ANOTHER THING THAT I JUST THINK IS WRONG ABOUT THE CHANGES. IF THE STATE WILL DO THE ROAD, LET THE STATE DO THE ROAD BUT AGAIN WE NEED TO ABIDE BY WHAT WAS AGREED TO AND THEY CAN'T START BUILDING ANYTHING AND IT SHOULDN'T MOVE DIRT AROUND UNTIL THE ROAD IS DONE BECAUSE AS MANY OF MAY NEIGHBORS TOLD YOU, WE KNOW HOW MUCH TRAFFIC COMES ONCE ALL THOSE CONSTRUCTION VEHICLES ARE COMING UP AND DOWN THE ROADS. THERE YOU GO.\r\n\r\nAND THEN FINALLY, THIS IS A PROJECT DISTRICT AND MUCH OF THE LAND IN IT IS ZONED APARTMENT AND I DO WONDER, THESE APARTMENTS THIS APARTMENT ZONING IN THERE, IS THAT SUBJECT TO THE SAME ZONING THE APARTMENTS ARE SUBJECT WHICH IS IT MUST BE OCCUPIED ON FULL TIME RESIDENTIAL BASIS, BECAUSE I KIND OF COME TO LEARN WHEN I FIRST TALKED TO CHARLEY, I DID THINK IT WAS RESIDENTS LIVING THERE, BUT I'M LEARNING NOW IT IS NOT GEARED TOWARDS RESIDENTS. NOT TALKING AFFORDABLE, TALKING I GOT \$2 MILLION CAN I MOVE IN THERE? I DON'T THINK WE SHOULD DO THAT ON APARTMENT ZONED PROPERTY. AS A SIDE NOTE TO THAT, YOU GAVE A VERY VERY LOW TAX RATE TO APARTMENT. REMEMBER YOU ARE GIVING THIS VACANT LAND IN THERE THAT VERY VERY LOW TAX RATE, SO WE CAN TALK LATER ABOUT HOW TO PROPERLY TAX VACANT LAND IN THAT WAY. SO, THOSE ARE MY THOUGHTS ON THE THING IN GENERAL. THERE ARE FOUR AMENDMENTS THAT ARE PROPOSED.\r\n\r\nI AM SUPPORTIVE OF THE AMENDMENTS TO CREATE DEED RESTRICTIONS FOR OWNER OCCUPIED IN PERPETUITY. I'M SUPPORTIVE OF- >> ONE SECOND. SOMEBODY JUST TEXTED ME THE FEED IS LOST. THEY ARE WATCHING THIS AND THEY WERE WATCHING TOM- >> I SEE IT IS ON TV NOW. IT WAS GONE FOR A WHILE. IS IT BACK ON? >> IT WAS GONE WHILE I WAS TALKING EARLIER.\r\n\r\n>> PROCEED. GO AHEAD. >> I AM SUPPORTIVE OF THE KEEPING THE OWNER OCCUPANCY IN PERPETUITY. I'M SUPPORTIVE OF CHANGING FROM 25 TO 50 YEARS AND IF I

EVER SAID OTHER TO THAT WHY I WANT TO CHANGE MY MIND-A WHOLE LOT OF THOSE AFFORDABLE UNITS NOW ARE OWNED BY OFF ISLAND AS SECOND HOMES. A LOT OF THE ORIGINAL BUYERS FLIP THEM FOR DOUBLE AND SOMETIMES TRIPLE WHAT THEY PAID FOR IT. THAT WHOLE COMPLEX THERE, I LOVE IT, IT WAS A GOOD COMPLEX BUT ISN'T DOING A THING TO HELP AFFORDABLE HOUSING SO I DON'T WANT TO SEE THAT HAPPEN AGAIN. IN THE BIG PICTURE I RATHER SEE THE REQUIREMENTS GOING TO A LAND TRUST SITUATION SO YOU DON'T HAVE TO MAKE THESE REQUIREMENTS.\r\n\r\nWE KNOW ONCE IT GOES TO THE LAND TRUST THEN IT IS GOING TO SERVE THE PURPOSE THAT IT WAS FOR. CAN'T DO ANYTHING RIGHT NOW ABOUT THAT. I ALSO AM VERY SUPPORTIVE OF COUNCILMEMBER JOHNSON'S AMENDMENT TO GIVE PREFERENCE TO LOCAL BUYERS BASED ON THE TERM THEY WERE THERE. I HOPE THAT IF THIS THING MOVES FORWARD THAT YOU ARE ABLE TO MAKE THOSE THREE AMENDMENTS THAT I SUPPORT AND THAT YOU CONSIDER THE NOT GIVING OUT HOUSE CREDIT FOR THE EXTRA THINGS AND WE REALLY MAKE IT VERY TIGHT THAT THEY CANT START CONSTRUCTION UNTIL THE ROAD IS WIDENED. THANK YOU. >> THANK YOU. MEMBERS QUESTIONS?\r\n\r\nMEMBER PALTIN. >> THANK YOU CHAIR. THANK YOU MR. CRAWLY. ZERO CREDIT FOR THE ENTIRE THING IS WHAT YOU SAID? NO CREDITS. ZERO CREDIT?\r\n\r\n>> THEY ARE USING WHAT THEY BUILDING FOR THE THINGS ALREADY BUILDING SO THEY GET THE CREDIT. THEY ARE SAYING WE ARE BUILDING MORE THEN WHAT WE ARE REQUIRED SO GIVE MORE CREDIT. DON'T. >> AND THEN THE PART THAT YOU SAID ABOUT APARTMENT ZONING, I THINK YOU SAID FULL TIME RESIDENCY, BUT IT'S 19.12.06C IS LONG-TERM RESIDENTIAL BASIS SO MINIMUM OF 180 DAYS FOR YEAR CLARIFYING THAT IS WHAT YOU MEANT. >> THAT IS WHAT I MEANT. THAT IS IN CODE NOW AND WHAT I MEANT, BUT YOU NEED TO ASK THE PLANNING DEPARTMENT HOW ARE YOU GOING TO ENFORCE THIS AND INSURE PEOPLE ARE USING THEM FOR 180 DAYS OF THE YEAR? MY UNDERSTANDING HOW THEY DO IT TODAY IS THEY SAY THE OWNER ISN'T THERE BUT WE CONSIDER IT OCCUPIED IF THEY ARE NOT USING FOR SHORT-TERM RENTAL OR SOMETHING LIKE THAT. I'M LIKE NO, THIS IS CLEAR AND IT NEEDS TO BE OCCUPIED FOR 180 DAYS A YEAR.\r\n\r\nAGAIN, NOT TO GET OFF TOPIC BUT BEFORE YOU GO AFTER THE GUYS WHO ALREADY HAVE A LEGAL RIGHT TO USE THEIR PLACES AS SHORT-TERM RENTAL IN THE APARTMENT DISTRICT, DON'T LET NEW PLACES BE BUILT WHERE WE ARE NOT GOING TO ENFORCE THESE ARE USED FOR THE PURPOSE YOU WANT THEM USED FOR? >> THANK YOU. THAT'S MY CLARIFICATION. >> COOK. >> THANK YOU. MY CLARIFYING QUESTION IS, YOU FEEL DELAYING THE AFFORDABLE WORKFORCE HOUSING PROJECT UNTIL THE ROAD IS COMPLETED IS--I DON'T KNOW. IS THAT YOUR STRONG FEELING?\r\n\r\nI UNDERSTAND ABOUT THE TRAFFIC BUT ALSO THAT MIGHT DELAY THE AFFORDABLE HOUSING FOR A PERIOD OF TIME. >> AGAIN, BECAUSE THEY ARE NOW ASKING THE STATE TO DO IT, I HAVE A FEELING THE WHOLE PROJECT IS PUT INTO HOLD BECAUSE THE STATE ISN'T GOING TO DO THE ROAD TOMORROW. WE ALL KNOW THAT. IT WILL TAKE A WHILE FOR THE STATE TO DO THE ROAD, BUT ON BEHALF OF MY NEIGHBORS IN MAUI MEADOWS, I DON'T WANT TO SEE THE ROADS FILLED WITH CONSTRUCTION EQUIPMENT GOING BACK AND FORTH UNTIL THE ROAD IS PREPARED TO HANDLE THAT TRAFFIC, SO YEAH, UNFORTUNATELY I GUESS I AM SAYING THAT. >> THANK YOU FOR YOUR CLARIFYING. >> ANYMORE QUESTIONS? IF NOT, THANK YOU TOM.\r\n\r\n>> ALOHA. >> NEXT TESTIFIER. >> THAT IS OUR LAST TESTIFIER BEGINNING WITH-- IF ANYONE WHO WOULD LIKE TO TESTIFY AT BEGINNING OF THE MEETING THIS IS YOUR OPPORTUNITY. SORRY, FINAL CALL. THE COUNT DOWN IS 3, 2, 1. CHAIR, NO ONE INDICATING. >> MEMBERS ANY OBJECTION CLOSING PUBLIC TESTIFY FOR BEGINNING OF THE MEETING AND SAFETY WRITTEN TESTIMONY? >> NO OBJECTIONS.\r\n\r\n>> SO ORDERED. >> DO YOU WANT TO MOVE TO UNFINISHED BUSINESS? >> WAIT. MEMBERS, WHAT DO YOU-WANT TO--? BEFORE DINNER IS READY, YOU KNOW. I SEE, I SEE. I SEE. >> I THOUGHT MAYBE YOU GOT US [INDISCERNIBLE] >> SURE.\r\n\r\nLET ME CHECK THE E-MAIL. OKAY. EVERYBODY, YOU WANT TO TAKE UNFINISHED BUSINESS NOW, TAKE TESTIMONY AND THEN RECESS? AFTER DISCUSSION. MS. CLERK. >> CHAIR, WE CURRENTLY HAVE ONE TESTIFIER SIGNED UP AND THAT IS DICK MAHER.\r\n\r\n>> OKAY. >> MR. MAHER. I SEE

ALBERT PEREZ SIGNED UP AT WELL, BUT MR. MAHER, ARE YOU ON? >> MAYBE CHAIR- >> TAKE PEREZ THEN. >> MR. PEREZ, YOU CAN GO AHEAD AND PROCEED WITH YOUR TESTIMONY. >> ASK HIM WHAT HE IS TESTIFYING ON. >> ALBERT PEREZ. WHICH ITEMS WILL YOU BE TESTIFYING ON MR. PEREZ? >> GOOD EVENING. I WILL TESTIFY ON ALL OF THE 670 ITEMS. ALL 5 OF THEM. WAIT, THERE IS ONLY ONE IN UNFINISHED BUSINESS. IT ISN'T UNFINISHED BUSINESS, IT IS COMMITTEE REPORT. >> IT IS ONE IN UNFINISHED BUSINESS AND FOUR AMENDMENTS OR SOMETHING SO THAT IS 12 MINUTES TOTAL IF YOU TESTIFY ON EVERYTHING. >> HAPPY TO TESTIFY WHERE YOU WANT ME TO. >> WE ARE CLOCKING YOU FOR 12 MINUTES. YOU WANT TO BEGIN? >> HELLO CHAIR LEE, MEMBERS OF THE COUNCIL. ALBERT PEREZ WITH MAUI TOMORROW FOUNDATION. FIRST, I'LL TESTIFY ON CR24-120. I WANT TO SAY THAT IT WAS HARD TO WATCH THE LAST HLU MEETING WHILE THE DEVELOPER ATTORNEY WAS ASKED IF HE WAS OKAY WITH EVERY PROPOSED AMENDMENT. I HOPE IT WILL BE DIFFERENT THIS TIME BECAUSE IT COULDN'T LOOK WORSE FOR THE COUNCIL TO OBVIOUSLY CATER TO A DEVELOPER. I HOPE YOU WILL BE ADVOCATES FOR THE COMMUNITY AND NEGOTIATE HARD FOR US INSTEAD. AS CHIP CHASE SAID MULTIPLE TIMES, THE PROJECT CAN GO FORWARD WITHOUT THE PROPOSED AMENDMENT. IT JUST WON'T BE AS PROFITABLE. THERE IS \$1 MILLION MORE PROFIT FOR EACH AFFORDABLE HOME THEY CAN CONVERT TO A LUXURY UNIT. THE PROCESSES OF THE BILLS IS A MESS WITH SEVERAL MAJOR ISSUES WHICH I WROTE TO THE CHAIR ABOUT AND I ALSO COPIED ALL THE COUNCILMEMBERS EARLIER TODAY. THERE WAS A VIOLATION OF MAUI COUNTY CODE 19.45.50 THE MAUI PLANNING COMMISSION WAS SUPPOSED TO HOLD THE PUBLIC HEARING IN SOUTH MAUI. THE HLU MEETINGS WERE HELD PREMATURELY WITHOUT THE BENEFIT OF THE MAUI PLANNING COMMISSION RECOMMENDATIONS BEING INFORMED BY THE SOUTH MAUI COMMUNITY. AND THEN TO COMPOUND THE ISSUE WHEN THE PLANNING COMMISSION DID HOLD THE HEARING IN SOUTH MAUI THEY WERE GIVING THE REPORT WHICH IS BACKWARDS. MAUI PLANNING COMMISSION INCORPORATED HLU AMENDMENTS NOT IN THE ORIGINAL BILL THEY WERE SUPPOSED TO BE REVIEWING. AND THIS IS ANOTHER EXAMPLE JUST WE SEE A LOT OF EXAMPLES OF MAKING IT EASY GREASING THE SKIDS FOR THIS PARTICULAR DEVELOPER. ON TOP OF ALL THIS THERE IS ONGOING VIOLATION OF ANOTHER PART OF 19.45 WHICH REQUIRES PHASES 1, 2 AND 3 OF THE PROJECT DISTRICT BE PROCESSED IN THAT ORDER AND MR. HURLEY TESTIFIED TO THIS. THE DEVELOPER EFFORTS TO CHANGE PHASE 1 WAS SUBSTANTIVE AMENDMENTS TO THE PROJECT DISTRICT ORDINANCE ARE BEING PROPOSED AFTER PHASE 2 IS ALREADY APPROVED IN 2022 BY THE PLANNING COMMISSION. THAT IS ALSO BACKWARDS. THE PROCESS IS ABUSED TO SUIT THE DEVELOPER. PHASE 2 IS REQUIRED TO COME AFTER PHASE 1 AND WE POINTED THIS OUT TO THE PLANNING COMMISSION, THEY RULE AGAINST US, WE ARE CHALLENGING THAT IN COURT SO THERE ARE TWO LAWSUITS OF THE DEVELOPER TO BREAK PROMISES AND CHANGE THE LAW TO BENEFIT AT THE EXPENSE OF THE COMMUNITY. AND CHAIR, I WILL MOVE INTO 24-30 WHICH IS ABOUT THE 450. SO, WE ARE NOT OPPOSING THE PROJECT IN THE FORM THAT WAS PREVIOUSLY APPROVED. WE ARE NOT OPPOSING THE EXISTING PROJECT, WE ARE STANDING UP FOR PEOPLE AND RULE OF LAW. THIS PROJECT WOULD BE UNDER CONSTRUCTION IF THE DEVELOPER AGREED TO BUILD AS PROMISED. NONE OF THE AMENDMENTS ARE NEEDED TO MOVE FORWARD AS CHIP CHASE STATED. THEY ARE RESPONSIBLE FOR THE ONGOING DELAY BY TRYING TO MAKE CHANGES THAT BENEFIT THEIR BOTTOM LINE. I WOULD ALSO LIKE TO ALERT YOU TO THE TESTIMONY SENT TO EACH OF YOU BY MR. MARK HIDE POINTING OUT THE 2023 USGS STUDY DONE WITH THE STATE WATER COMMISSION. BASED ON THE STUDY, THE RECHARGE OF THE AQUIFER IS PROJECTED TO DECREASE BY 51 TO 56 PERCENT OVER THE NEXT 25 YEARS OR SO. THEREFORE, THE OLD ASSUMPTION OF 11 MILLION GALLONS A DAY SUSTAINABLE YIELD THAT THE PROJECT RELIES IS NO LONGER SUPPORTABLE. WHEN PUBLISHED YEARS AGO, THE WATER COMMISSION ASSIGNED LEVEL 3 CREDIBILITY TO THAT SUSTAINABLE YIELD ASSUMPTION THE LOWEST CREDIBILITY. MOVING TO THE HIGHWAY, I WANT TO POINT OUT I'M AGREEING WITH MR. CROWLEY SO THAT MIGHT BE HISTORY IN THE MAKING. THE \$42



MILLION IS CURRENTLY THE DEVELOPER'S RESPONSIBILITY BUT IF YOU DIVIDE THAT BY 50 UNITS SO WE MIGHT GET THAT IS \$840 THOUSAND PER UNIT WHICH SOUNDS HIGH AS A COST TO BUILD AN AFFORDABLE HOME. IF INSTEAD DOT PAYS FOR THE HIGHWAY, THEN THEY ARE PAYING FOR THOSE AFFORDABLE UNITS SO DOT SHOULD GET THE HOUSING CREDITS, NOT THE DEVELOPER. SO, MR.\r\n\r\nCHIP CHASE PREVIOUS SAID THEY NEEDED THE CREDITS FOR THE PROJECT TO PENCIL OUT. CLEARLY THEY NEED A SHARPER PENCIL. I WANT TO POINT OUT DURING THE HLU COMMITTEE MEETING WE HEARD OUR UNION MEMBERS SAYING THEY ARE AFFORD MARKET PRICE HOMES SO DIDN'T WANT TO BE ADVOCATING FOR THE AFFORDABLE'S, BUT WITH MEDIAN PRICE OF \$4 MILLION, THAT WOULD BE 20 PERCENT DOWN PAYMENT OF 800 GRAND AND MONTHLY PAYMENTS OF \$20 THOUSAND FOR YOUR MORTGAGE. THAT'S NOT GOING TO HAPPEN, SO DON'T THINK THAT IS REALISTIC. SO IN SUMMARY, RATHER THEN CAVE TO UNSUPPORTED CLAIMS THAT BUILDING 450 AFFORDABLE HOMES WON'T PENCIL OUT, THE COUNCIL SHOULD ASK FOR PROOF, NEGOTIATING HARD AND STICKING UP FOR THE PEOPLE OF MAUI COUNTY. PLEASE STOP ASKING THE DEVELOPER FOR THEIR APPROVAL. I'LL MOVE ON TO 24-31, WHICH WE SUPPORT.\r\n\r\n\r\nWE HAVE BEEN WORKING ON WAYS TO ACHIEVE VOLUNTARY DEED RESTRICTIONS IN PERPETUITY FOR RESIDENTS WHO WORK 30 HOURS A WEEK IN THE COUNTY AND CAN MAKE THIS HAPPEN IF WE PUT OUR HEADS TOGETHER AND COUNCIL SHOULD ADVOCATE FOR THAT AND MAKE THIS HAPPEN IN THIS PROJECT. 24-32, WE SUPPORT THE PRIORITY LIST AND 24-33 WE SUPPORT THE 50 YEAR RENTAL DEED RESTRICTION. MAHALO. >> QUESTION MEMBERS? QUESTIONS MEMBERS? OKAY. NO QUESTIONS.\r\n\r\n\r\nMEMBER RAWLINGS FERNANDEZ. >> MAHALO CHAIR. I WAS WRITING NOTES AND I HAVE TO FIND IT NOW. THERE IS MORE ITEMS. I CAN FIND MY QUESTION. >> WHAT DO YOU MEAN MORE ITEMS? I THOUGHT HE FINISHED HIS TESTIMONY.\r\n\r\n\r\n>> OKAY. THANK YOU. THANKS MEMBER JOHNSON. >> THANK YOU CHAIR. >> MEMBER JOHNSON. >> THANK YOU CHAIR. MR.\r\n\r\n\r\nPEREZ, THAT'S-I JUST WANT TO CLARIFY THAT QUESTION OR THE STATEMENT YOU MADE ABOUT THE SUSTAINABLE YIELD OF THE AQUIFER AND SAID IT WAS LIKE CODE 3 OR WHATEVER. YOU GIVE ME A LOT OF DATA AND COULDN'T WRITE FAST ENOUGH. WHAT WAS THE SOURCE, NO PUNT INTENDED? >> SO, THE WATER COMMISSION WHEN THEY ESTIMATED THE SUSTAINABLE YIELD YEARS AGO, THERE WERE SEVERAL PRIORITY LEVELS AND LEVEL 3 IS THE LOWEST-SORRY, I'M TIRED TOO. THERE WERE SEVERAL CREDIBILITY LEVELS. LEVEL 3 IS THE LOWEST CREDIBILITY AND SO THE 2023 USGS STUDY IS A BETTER STUDY AND INDICATING THAT THE RECHARGE IS EXPECTED TO DECREASE IN THE AQUIFER BY 51 TO 56 PERCENT OVER THE NEXT 25 YEARS. >> 25 YEARS.\r\n\r\n\r\nTHANK YOU FOR THAT. >> I HAVE A QUESTION. >> SORRY? YOU CAN LOOK AT- >> DID HE ANSWER YOUR QUESTION? >> YEAH, I WANTED TO KNOW THE SOURCE, MR. PEREZ, THANK YOU FOR RESPONDING AND I'M DONE. >> I WANT TO SAY THAT I'M JUST SUMMARIZING MR.\r\n\r\n\r\nHIDE'S TESTIMONY, WHICH GOES INTO MUCH MORE DETAIL. >> THANK YOU. >> MR. PEREZ, DID YOU SAY THAT YOU FILED A LAWSUIT AGAINST THIS PROJECT? >> WE FILED A LAWSUIT AGAINST THE AMENDMENTS TO THE PROJECT. >> OKAY. >> SO WE HAVE TWO LAWSUITS GOING.\r\n\r\n\r\nNONE IS FOR THE PLANNING COMMISSION APPROVAL OF THE PHASE 2 PROJECT DISTRICT PHASE 2,B AND THAT WAS FILED-ONGOING- >> HOW LONG HAVE YOU BEEN OPPOSED TO THIS PROJECT SINCE IT STARTED- >> WE ARE NOT OPPOSED TO THE PROJECT. >> YOU ARE NOT OPPOSED TO THE PROJECT? OKAY. >> WE ARE JUST OPPOSED TO THE AMENDMENTS BECAUSE THEY ARE TAKING AWAY AFFORDABLE HOUSING. >> OKAY, SO YOU SUPPORT THE BASIC PROJECT? >> WE DONT SUPPORT IT BUT DON'T OPPOSE IT. THE DECISION WAS MADE IN 2008 AND THEY NEED TO STICK TO THEIR PROMISES.\r\n\r\n\r\n>> OKAY. YOU ANSWERED MY QUESTION. MEMBER RAWLINGS FERNANDEZ. NO QUESTIONS. THANK YOU. MAY WE HAVE THE NEXT TESTIFIER. >> THANK YOU.\r\n\r\n\r\n>> THE LAST TESTIFIER IS DICK MAHER. MR. MAHER, THIS IS YOUR OPPORTUNITIES TO TESTIFY. >> CAN YOU HEAR ME? >> CAN YOU MUTE YOUR LISTENING DEVICE? >> IS IT BETTER NOW? >> NOW, WE STILL HEAR A ECHO.\r\n\r\n\r\nDO YOU HAVE TWO DEVICES ON? I HAD ONLY ONE AND THEN-LET ME TURN ONE OFF. CAN YOU HEAR ME NOW? >> TRY AGAIN. >> CAN YOU HEAR ME NOW? >> YES. >> CAN YOU HEAR ME?\r\n\r\n\r\n>> YES. >> OKAY.

THANK YOU. ALOHA COUNCIL MEMBERS. I WILL SPEAK ABOUT THE 670 PROJECT. I WAS THINKING WHAT MIGHT BE GOING THROUGH THE MINDS OF THE DEVELOPERS WHO ARE PROPOSING THESE CHANGES. THIS IS WHAT I CAME UP WITH.

IF I WERE THE DEVELOPER, I MIGHT BE THINKING, IT ISN'T SO BAD WE ARE ATTEMPTING TO BREAK PROMISES MADE LONG AGO TO A COUNCIL THAT APPROVED OUR PROJECT EVEN WHEN WITH OUR MANY PROMISES WE BARELY SCAPE BY WITH 5-4 VOTE. IF WE FOOL ONCE WE CAN DO IT AGAIN. IF I WERE A DEVELOPER I MIGHT THINK BY PROVIDING MORE HOMES FOR RICH INVESTORS WILL REDUCE AFFORDABLE HOMES IN THE DEVELOPMENT, THEREBY KEEPING POOR LOCALS OUT OF THE UPSCALE LUXURY COMMUNITY. THERE WILL BE SO FEW LOCALS LEFT THEY WILL FEEL UNCOMFORTABLE SURROUNDED BY THE ALL THE WEALTH. YOU KNOW WHATWLAUT THE INVESTORS WANT AND CAN PROVIDE THE PROJECT DISTRICT CHANGES. IF I WERE THE DEVELOPER, I MIGHT THINK THAT WE WERE ABLE TO FOOL THE PLANNING COMMISSION INTO GIVING US WHAT WE WANTED EVEN THE COUNTY PLANNING DEPARTMENT WAS TRICKED INTO RECOMMENDING MUCH MORE THEN WHAT WE EXPECTED OR DESERVED. TO GET THIS PROJECT DISTRICT LONG AGO, WE PROMISED WE SHALL BUILD THE HIGHWAY SOUTH AND NUMEROUS SIGNALIZED INTERSECTIONS.

AS THE SOUTH MAUI COMMUNITY PLAN STILL REQUIRES, HOWEVER WE NOW STICK IT TO THE GENERAL PUBLIC, THE HAWAII TAXPAYERS TO PAY FOR THAT. ISN'T THAT GREAT? IT INCREASES PROFITS SEVERAL MILLION DOLLARS. IF WERE THE DEVELOPER I MIGHT THINK WE HAVE THE FINAL HURTLE TO GET THE COUNCIL MEMBERS YOU FOLKS TO RUBBER STAMP ALL THE CHANGES TO PROFIT FROM THE SIZABLE DEVELOPMENT. TO THAT END, WE ASK TWO THINGS HERE, WE ASK YOU MAKE SURE WE DON'T HAVE TO PAY A SINGLE DOLLAR TO CONSTRUCT MUCH NEEDED AND COMMUNITY PLAN REQUIRED HIGHWAY AND INTERSECTIONS AND IMPORTANT MATTER THAT WE ASK YOU NOT TO CONSIDER IS THE FACT THAT IT IS HIGHLY UNLIKELY FOR THE STATE DOT TO BUILD THIS HIGHWAY AND REQUIRED INTERSECTIONS BECAUSE THEY HAVE HIGHER PRIORITIES ELSEWHERE SUCH AS THE BY-PASS, THE HIGHWAY REALIGNMENT, THE MAUI STIP DOESN'T INCLUDE THE CONSTRUCTION OF THIS HIGHWAY IN THE NEXT DECADE. WE ALSO ASK YOU TO REDUCE THE REQUIRED AFFORDABLE HOUSES SO WE CAN SELL DOZEN MORE LUXURY HOMES WITH MANY SWIMMING POOLS TO RICH SECOND HOME FOLKS FROM ALL OVER THE WORLD. MAHALO FOR GIVING US WHAT WE WANT AND PLEASE DO NOT BE EMBARRASSED TO APPROVE THESE CHANGES THAT IMPROVE OUR BOTTOM LINE.

AND PLEASE, DO NOT TELL THE CONSTRUCTION WORKERS THAT MANY JOBS WILL ACTUALLY BE LOST BECAUSE THE HIGHWAY WILL NOT BE BUILT IN THEIR LIFETIME AND FINALLY, WE DEVELOPERS KNOW THAT MAYOR BIEN MAY LIKELY VETO THE BILL BECAUSE IT REDUCES THE AFFORDABLE HOMES AND YOU WILL HAVE TO GO THROUGH THE MATTER ALL OVER AGAIN. REST ASSURED WE DEVELOPERS WILL BE READY TO GO THROUGH ALL THIS AGAIN AND AGAIN BECAUSE IT SAVES US HUNDREDS OF MILLIONS OF DOLLARS. I ALSO LIKE TO COMMENT ON THE FOUR PROPOSED AMENDMENTS. I'M IN FAVOR OF ALL FOUR OF THEM IF THEY ARE VOTED ON. THE 450 UNITS IS BETTER THEN THE 238 OR 288 UNITS. IT ISN'T AS GOOD AS 700 ORIGINALLY PROMISED BUT BETTER THEN THE LESSER AMOUNTS. I'M CONCERNED WHEN THEY BUILD THE AFFORDABLE UNITS THEY WILL BE ASKING FOR CREDITS AND BE 450 OR 288 THEY MAY NOT BUILD THEM ON THE PROFIT BUT MAY TRY TO TRANSFER HOUSING CREDITS OFF-SITE TAKING FROM HAWAIIAN HOMELANDS OR THE OTHER PROJECTS AND MAYBE NO AFFORDABLE HOUSING.

I DON'T KNOW WHAT THE MATH WILL BE ON THAT. I DO HOPE THESE PROPERTIES THAT ARE DEED RESTRICTED IN PERPETUITY, B THE AFFORDABLE UNITS, I HOPE THEY IN PERPETUITY AND THEY DEED RESTRICT AND FINALLY MR. JOHNSON IDEA OF HOUSING LIST TO MAKE SURE LOCAL RESIDENTS ARE PUT INTO THE HOMES IS ABSOLUTELY IMPORTANT. FINALLY, I LIKE TO PLEAD THAT YOU REQUIRE UPDATED ENVIRONMENTAL IMPACT STATEMENT SINCE IT IS MANY YEARS MAYBE DECADES SINCE THE LAST WAS DONE. THERE ARE THREE NEIGHBORING BIG DEVELOPS PROPOSED IN THE SOUTH MAUI COMMUNITY PLAN. [INDISCERNIBLE] THE GOLF COURSE CONVERSION AND THE RESORT IS BUILDING GOING THROUGH THE EIS PROCESS NOW FOR ENTITLED LANDS TO BUILD HOUSING. ALL TOGETHER THERE IS ADDITIONAL 4,000

UNITS IN THE SOUTH MAUI-SOUTHERN PART OF SOUTH MAUI AND THE ENVIRONMENTAL IMPACT STATEMENT WILL BE NEEDED AND FINALLY WITH REGARD TO WATER, I WOULD SAY THAT THE WELLS AT THIS PROJECT WILL BE UTILIZING ARE IN THE SAME AQUIFER AS THE LANDS OF JUST ABOVE IT IN HAWAIIAN HOME LANDS WHERE HAWAIIAN HOME LANDS WILL BE DRILLING 2 OR 3 WELLS FOR THEIR USE IN AGRICULTURAL AND HOUSING AND THIS WILL ABSOLUTELY INTERACT WITH THAT PROJECT EXACTLY HOW SOMETHING THE ENVIRONMENTAL IMPACT STATEMENT SHOULD INVESTIGATE VERY CLEARLY.\r\n\r\nI WANT TO THANK YOU FOR LISTENING AND TAKING MY TESTIMONY. >> QUESTIONS? MEMBER PALTIN. >> THANK YOU CHAIR. THANK YOU MR. MAHER. I WANT TO CLARIFY THE PART ABOUT CREDITS.\r\n\r\nI THINK WHAT PEOPLE HAD BEEN SAYING UP TO THIS POINT, IF THEY DEVELOP MORE HOUSING THEY SHOULDN'T BE GIVING CREDITS, BUT IT SEEMED IN YOUR TESTIMONY YOU ARE SAYING CREDITS SHOULDN'T BE USED TO SATISFY THEIR AFFORDABLE HOUSING NEEDS, IS THAT CORRECT? >> AS YOU ALL WELL KNOW, THE 700 NUMBER WAS PUT IN THERE AND WHEN THE COUNTY CHANGED THE-2.96 AND SAID IT IS MUCH LOWER NUMBER, AROUND 25 PERCENT, THAT GOT THE NUMBER DOWN TO 450. NOW THEY ARE TRYING TO GO BELOW-GOING AS BASE 238. WHEN THEY DID THAT, THERE IS ALSO IN THE BILL THE PROVISION THAT SOMETIMES THE HOUSING DOES NOT HAVE TO BE BUILT ON THE SITE BUT CAN BE USED THEY CAN BUY HOUSING CREDITS FROM OTHER PROJECTS AND RIGHT NOW I KNOW HAWAIIAN HOME LANDS AND OTHERS ARE MAKING HOUSING CREDITS AVAILABLE. THERE IS A PROJECT THAT WILL BE HOUSING CREDITS AVAILABLE. THIS DEVELOPER COULD GO TO THAT PROJECT, BUY THE HOUSING CREDITS AND PERHAPS NOT BUILD THE 288 OR 238 OR 450 SO WE HAVE TO BE MAKE SURE THEY ARE REQUIRED TO BUY ALL THE UNITS REQUIRED TO BUILD ALL THE UNITS ON THEIR SITE AND ONE OF THE OTHER THINGS THAT NEEDS INTERACTS WITH THE UNIONS. THE CONSTRUCTION UNIONS WOULD LIKE TO BUILD THE HOUSES BUT THERE IS ANOTHER UNION VERY IMPORTANT AND THAT IS HOTEL WORKERS AND MANY OF THEM GET PAID FAR LESS THEN THE CONSTRUCTION WORKERS AND IT IS FOR THESE PEOPLE PARTICULARLY, THE PEOPLE WHO WORK IN AND AROUND WILAYA THAT NEED HOUSING NEARBY SO DON'T HAVE TO COMMUTE. LET'S MAKE SURE THE AFFORDABLE HOUSING UNITS ARE BUILT AND WE GET THE HIGHEST NUMBER POSSIBLE IN THE NEIGHBORHOOD OF. >> I DON'T KNOW THE NUMBER PART BEING CORRECT, BUT YOU DON'T WANT ANY CREDITS TO BE USED TO SATISFY THE AFFORDABLE HOUSING REQUIREMENT?\r\n\r\n>> I DON'T WANT TO THEM TO AVOID BUILDING THE AFFORDABLE HOUSING. THERE IS THE OTHER QUESTION OF BUILDING AFFORDABLE HOUSING AND GETTING CREDITS, BUT THAT IS SEPARATE ISSUE. I DON'T WANT- >> THANK YOU. WE HAVE ANOTHER QUESTION FROM MEMBER SINENCI. >> THANK YOU CHAIR, AND MAHALO MR. MAHER. I GUESS IN YOUR HYPOTHETICAL LETTER, YOU DID SAY SOMETHING ABOUT THE MAYOR DEVELOPER THINKING THE MAYOR WOULD VETO THE WILL.\r\n\r\nWHY WOULD YOU THINK THAT? >> I THINK THE MAYOR HAS BEEN PUSHING VERY VERY HARD WITH BILL 9 TO GET AS MUCH AFFORDABLE HOUSING AS WE CAN FOR THE PEOPLE OF MAUI AND LOOKING AT THIS REDUCTION FROM 450 DOWN TO WHATEVER NUMBER IT ENDS UP AT, 238 OR 288. HE WOULD NOT LIKE TO SEE THAT AND SECONDLY, THE COMMUNITY PLAN FOR SOUTH MAUI WHICH HE IS REQUIRED TO ENFORCE STATES THAT ANY LARGE DEVELOPMENT SOUTH HAS TO HAVE A 4 LANE HIGHWAY AND NEEDS A 4 LANE HIGHWAY TO BE BUILT. THERE IS A COMPLETED FINALIZED APPROVED ENVIRONMENTAL IMPACT STATEMENT PAID FOR IN PART BY 670, SO THEY ARE ALREADY INTO THE EIS FOR THE HIGHWAY AND DON'T MENTION IT NOW, BUT THEY ALREADY COMMITTED TO THAT AND THEY DID THAT EIS BECAUSE THEY KNEW THEY WERE REQUIRED BY THE COMMUNITY PLAN, SO I DON'T INK THE MAYOR WANTS TO VIOLATE THE COMMUNITY PLAN. THE OTHER ELEMENT THAT IS VIOLATION AND THAT IS THE UP COUNTRY COMMUNITY PLAN. IN THE WORDING OF THE APPROVAL IT STATES THAT ALL COMMUNITY PLANS MUST BE FOLLOWED AND WHAT THEY ARE PLANNING TO DO IS HAVE THE WELLS OPERATING IN SOUTH MAUI THEN SENDING THE WATER AROUND MAUI MEADOWS ABOVE IT INTO THE UP COUNTRY DISTRICT AND BACK DOWN INTO 670. THAT'S ILLEGAL ACCORDING TO THE UP COUNTRY COMMUNITY PLAN SO THEY ARE VIOLATING TWO COMMUNITY PLANS AND REDUCING THE

NUMBER OF HOUSING UNITS AND WHY I THINK THE MAYOR MAY VETO IT. I THINK HE WOULD BE RESPONSIBLE FOR DOING THAT AND WHY I ASK YOU TO BE VERY CAREFUL EXEMPTING THEM FROM THE HIGHWAY AND ALLOWING TO REDUCE THE HOUSING UNITS. >> JUST TO FOLLOW-UP CHAIR, YOU MENTIONED THAT THE PROJECT SHOULD HAVE A NEW EIS.\r\n\r\nI HAD A AMENDMENT SUMMARY FORM TO DO A SUPPLEMENTAL, EIS, WOULD THAT BE SUFFICIENT? >> YES. IT IS UPDATED SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT THAT IS DONE WHEN MANY YEARS ELAPSED AND THE SITUATION IS QUITE DIFFERENT NOW. WE HAVE THESE THREE OTHER LARGE 1 THOUSAND UNITS EACH PROJECTS IN THAT AREA, PLUS THE 670 ITSELF AND THE EFFECT ON THE HIGHWAY IS ENORMOUS AND I THINK THAT ALONE WOULD TRIGGER IT AND THERE ARE OTHER ELEMENTS WHAT WILL HAPPEN IN THE SOUTH END OF SOUTH MAUI. >> OKAY. WE HAVE OTHER PEOPLE ASKING-THIS IS THE LAST TESTIFIER. MEMBER U'U-HODGINS.\r\n\r\n>> THANK YOU. MR. MAHER DID YOU SPEAK TO THE MAYOR OR THE DEVELOPER? ABOUT THIS PROJECT? >> I DID NOT SPEAK TO EITHER. >> I WANTED TO CONFIRM YOUR TESTIMONY WAS CONJECTURE AND YOU ARE NOT A MIND READER. >> ANYONE ELSE?\r\n\r\nMEMBER RAWLINGS FERNANDEZ. >> ALLOW MR. MAHER. MAHALO FOR YOUR TESTIMONY. YOU MENTIONED ABOUT THE WATER GOING TO THIS PROJECT. CAN YOU SHARE WHERE THAT INFORMATION CAME FROM BECAUSE THAT'S REALLY ALARMING FOR ME. >> IT IS CLEARLY ON THEIR MAPS.\r\n\r\nIF YOU WERE TO ASK THEM TO GIVE YOU A MAP WHERE THEIR WELLS ARE LOCATED THEY ARE NORTH OF MAUI MEADOWS PROJECT, TWO WELLS THERE AND THE DRILLED AND READY TO GO AND THEY ARE PLANNING TO PUT A PIPE FROM THE TWO WELLS UP INTO THE UP COUNTRY DISTRICT ABOVE THE MAUI MEADOWS AND THE BORDERLINE BETWEEN SOUTH MAUI COMMUNITY PLAN DISTRICT AND UP COUNTRY IS THE TOP OF THE MEADOWS PROPERTY. IT WILL GO INTO THE UP COUNTRY AREA, GO ALONG THE TOP OF MAUI MEADOWS AND BACK DOWN INTO 670 AND I HAVE A MAP THAT SHOWS THAT, BUT THAT WAS MY MAP. AN OFFICIAL MAP YOU SHOULD GET FROM THE DEVELOPER TO SHOW THAT. WHERE THE LINE IS GOING TO GO. >> OKAY. MAHALO. >> AND THERE IS-I CAN CITE TELL YOU ON PAGE 30 OF UP COUNTRY COMMUNITY PLAN IT SAYS NO WATER IMPORTED TO THE UP COUNTRY DISTRICT COULD BE REEXPORTED ACCEPT FOR PURPOSE OF AGRICULTURE AND I WAS THE VICE CHAIR OF UP COUNTRY COMMUNITY PLAN AND [INDISCERNIBLE] WAS THE CHAIR AND THAT IS WORDING WE BOTH PUT INTO THE UP COUNTRY COMMUNITY PLAN.\r\n\r\n>> MAHALO FOR THE INFORMATION. >> OKAY. THANK YOU VERY MUCH. MS. CLERK, NEXT TESTIFIER. >> THERE ARE NO OTHER TESTIFIERS. THIS IS LAST CALL FOR UNFINISHED BUSINESS.\r\n\r\nTHE COUNT DOWN IS 3, 2, 1. CHAIR, NO ONE INDICATING TO TESTIFY. >> ANY OBJECTION TO CLOSING PUBLIC TESTIMONY ON UNFINISHED BUSINESS AND ACCEPTED WRITTEN TESTIMONY? >> NO OBJECTION ARE. >> SO ORDERED. WE'LL START-YOU HAVE ANY QUESTIONS FOR DISCUSSION? >> CHAIR, WOULD YOU LIKE ME TO CALL THE FIRST ITEM OF UNFINISHED BUSINESS? >> YES ARE.\r\n\r\n>> FROM THE HOUSING LAND USE COMMITTEE 24-120 RECOMMENDING FIRST READING OF 171, CD1, 2024 TO AMEND THE PROJECT DISTRICT ORDINANCE FOR THE PROJECT DISTRICT 9, FOR ABOUT 670 ACRES IDENTIFIED FOR REAL PROPERTY TAX PURPOSES AS TAX MAP KEYS 2, 21000898056 AND FIRST READING OF BILL 172, 2024. AMEND VARIOUS CONDITIONS OF ZONING AND ORDINANCE 3554 AS AMENDED BY ORDINANCE 4849 RELATED TO PROJECT DISTRICT 9 ZONING CONDITIONAL ZONING AND 3 RECOORDINATION OF THE UNILATERAL AGREEMENT. >> ALRIGHT. MR. U'U-HODGINS. >> IT IS 7 O'CLOCK AND WANT TO TALK HOW WE PLAN TO HANDLE THE REST OF THE NIGHT. IT IS 7 O'CLOCK, WE ARE GOING TO TAKE DINNER SOON I ASSUME AND GET A LITTLE EYE SCRATCHY AND THEN HOW LONG DO WE PLAN ON STAYING HERE? I KNOW MEMBER PALTIN HAS A REGATTA, I HAVE A PARADE TOMORROW AND DON'T WANT TO LOOK LIKE I HAVE BEEN UP ALL NIGHT SO WHAT DO WE PLAN ON DOING AND NOT PLANNING TO ARGUE WITH COLLEAGUES ALL NIGHT.\r\n\r\nJUST MAKING THAT CLEAR. >> WHAT WE LIKE TO DO IS START DISCUSSION ON THE UNFINISHED BUSINESS AND THEN TAKE THE DINNER BREAK, AND THEN SEE IF WE CAN CALL UP SOME OF THE OTHER ITEMS THAT ARE TIME SENSITIVE TO JUST GET THROUGH THOSE, AND THEN RECESS TO WHAT DATE DID WE SAY? >> MONDAY, JUNE 30. >>

RECESS TO MONDAY. >> DOES THIS COUNT AS DISCUSSION RIGHT NOW? >> I DON'T KNOW. I DON'T KNOW. CORP COUNSEL OR CLERKS?\r\n\r\n>> NO. IT NEEDS TO BE DISCUSSED BY YOU FOLKS SO I BELIEVE THAT PRO TEM KAMA INDICATED SHE WISHED TO TAKE ACTION ON THE COMMITTEE REPORT. >> I WAS GOING TO CALL ON HER BUT YOU RAISED YOUR HAND. PRO TEM KAMA. >> I MOVE TO ADOPT RECOMMENDATION IN CR24-120. >> SECOND. >> OKAY. IT IS MOVED AND SECONDED.\r\n\r\nAT THIS POINT, DAVID, CAN WE JUST TAKE THE BREAK NOW AND FINISH UP WITH DISCUSSION AFTERWARDS? >> THANK YOU CHAIR. WE DON'T WHERE THE LINE IS DRAWN, BUT OFFICE OF INFORMATION PRACTICE TOLD US YOU NEED SOME SORT OF DELIBERATION, SO MAYBE I DON'T KNOW IF CHAIR KAMA IS PREPARED TO MENTION BRIEFLY WHY THE COMMITTEE MADE THE RECOMMENDATIONS PERHAPS. >> OKAY, TAKE DISCUSSION. MOVED AND SECONDED BY VICE CHAIR SUGIMURA TO APPROVE COMMITTEE REPORT 24-120. RIGHT? AND THEN DISCUSSION PRO TEM KAMA. >> OKAY, SO I GOT ALL MY NOTES IN FRONT OF ME.\r\n\r\n>> HOW LONG IS THE NOTES? >> 8 PAGES. >> NO, NO. IT IS TOO LONG. >> WE HAVE THREE ESF JUST DISTRIBUTED SO TAKING RECESS WOULD BE GREAT BECAUSE WE JUST GOT THESE, SO THAT GIVES US TIME TO REVIEW THESE. WOULD THESE AMENDMENTS BE POSTED ON GRANICUS OR SOMEWHERE WHERE FOLKS WOULD BE ABLE TO READ THEM OR FOLLOW ALONG BECAUSE IN ADDITION TO THESE THREE THAT WE JUST RECEIVED FROM HLU CHAIR KAMA, MEMBER SINENCI AND YOURSELF CHAIR, WE HAVE FOUR AMENDMENTS THAT WERE POSED TO THE AGENDA. >> I THINK EVERYBODY GOT YOURS, BUT THE ONES THAT-THE MORE RECENT ONES WERE JUST DISTRIBUTED.\r\n\r\nMADAM CLERK, >> THANK YOU MADAM CHAIR. LAUREN JUST INFORMED ME DURING MEETING WE DO NOT POST ON GRANICUS BUT IF YOU WISH US TO WE CAN. >> OKAY, BUT YOU HAVE WRITTEN COPIES. >> I DO, I WAS ASKING FOR THE PUBLIC FOLLOWING ALONG. >> I SEE. >> AS PART OF DISCUSSION, CAN I JUST QUICKLY READ THE DESCRIPTION FROM EACH, WOULD THAT BE SUFFICIENT? I'LL READ THE DESCRIPTION THAT WAY THE PUBLIC- >> ONLY THE DESCRIPTION.\r\n\r\nNOT THE WHOLE THING. >> NOT MAKING A MOTION OR ADVOCATING. IT IS SENTENCE OR TWO. THE ONE FROM PRO TEM KAMA IS THE BILL ZONING CONDITION 5C REQUIRES PROVISION OF 125 RESIDENTIAL WORKFORCE HOUSING UNITS FOR RENT. THE AMENDMENT WOULD MAKE THIS REQUIREMENT INCOME GROUP CONSISTENT WITH [INDISCERNIBLE] MAUI COUNTY CODE AND RESIDENTIAL WORKFORCE HOUSING POLICY. MEMBER SINENCI DESCRIPTION IS, THE AMENDMENT IS TO REQUIRE A SUPPLEMENTAL ARCHAEOLOGICAL TESTING STRATEGY WITH A LIDAR DRONE SURVEY AND SUBSURFACE TESTING COMPONENT AND THEN CHAIR, YOURS IS THESE AMENDMENTS ADDRESS THE RECOMMENDATIONS MADE BY THE MAUI PLANNING COMMISSION AT THE RECONVENED MEETING OF MARCH 25, 2025 FOLLOWING PUBLIC HEARING IN THE SOUTH MAUI COMMUNITY PLAN AREA. >> IS THAT SUFFICIENT EVERYBODY?\r\n\r\nALL ATTORNEYS? IS THAT ENOUGH FOR DELIBERATION? >> ONE MORE CHAIR LEE. THERE ARE TWO FROM CHAIR LEE. >> I THINK I ONLY HAVE ONE. >> CHAIR LEE'S AMENDMENT SUMMARY FORM IS I THINK FOUR PAGES SO- >> IS THAT ENOUGH FOR- >> I THINK SO. I THINK THAT IS SUFFICIENT.\r\n\r\n>> OKAY. >> BUT WHO AM I? >> QUICK OTHER QUESTION. >> YES. >> ON THE ESF, YOURS AND MEMBER KAMA'S, THE HIGHLIGHTED STUFF IS THE NEW STUFF, CORRECT? >> YES. >> OKAY. >> THANK YOU SO MUCH TO WHOEVER HIGHLIGHTED THOSE AMENDMENTS.\r\n\r\nAPPRECIATE IT. >> BECAUSE THE UNDERLINE STUFF WAS WHAT WAS ALREADY THERE? >> LOOK AT THE BRACKET. YEAH. MS. CLERK, WILL WE HAVE A ANSWER? WAS THAT SUFFICE FOR DISCUSSION?\r\n\r\n>> I WOULD THINK SO, BUT I'M GOING TO DIFFER TO DIRECTOR RUTS BECAUSE THAT'S A SUNSHINE LAW QUESTION. >> BLAME ME CHAIR. >> WE ALL GO TO JAIL. DAVID. >> THANK YOU CHAIR. WE THINK THAT IS SUFFICIENT DELIBERATION. >> THAT IS SUFFICIENT.\r\n\r\nMEMBERS, WE CAN'T TAKE VERY LONG SO 45 MINUTES. IS THAT ENOUGH? 8 O'CLOCK. MEETING IN RECESS TILL 8 O'CLOCK. [MEETING IN RECESS UNTIL 8 P.M.] [ GAVEL ] >> WILL THE COUNCIL MEETING OF JUNE 27TH, 2025 PLEASE RECONVENE. IT'S 8:91 P.M. MEMBERS, IF WE'RE EVENT TONIGHT, WE MAY BE ABLE TO FINISH UP THE WHOLE THING, THE WHOLE THING. RIGHT NOW WE HAVE A MOTION ON THE FLOOR, AND WE'RE IN DISCUSSION.\r\n\r\nSO PRO TEM KAMA. >>

THANK YOU. YES. SO MEMBERS, LAST TERM'S HOUSING AND LAND USE COMMITTEE MET NOVEMBER 25TH, 2024 AND RECONVENED ON DECEMBER 2ND AND 3RD, 2024 TO CONSIDER BILL 171 (2024) AND BILL 172 (2024) RELATING TOT KIHEI-MAKENA PROJECT DISTRICT OR WAILEA 670. BILL 171 AMENDS THE PROJECT DISTRICT ORDINANCE FOR THE PROJECT WHILE BILL 172 AMENDS THE CONDITIONS OF ZONING THAT THE PROJECT IS SUBJECT TO. THE MAUI PLANNING COMMISSION RECOMMENDED APPROVAL OF BOTH BILLS. IN THE PRESENTATION TO THE COMMITTEE, THE APPLICANT DESCRIBED THEIR DESIRED AMENDMENTS TO ORDINANCE 3553, 3554 AND 4849 AND CONTAINED IN BILL 172 (2024). THE COMMITTEE RECOMMENDED SEVERAL AMENDMENTS TO BILL 171 NAMELY REQUIRING ALL WORKFORCE HOUSING UNITS TO BE ON-SITE IN THE PROJECT DISTRICT. CHANGING THE MAXIMUM NUMBER OF DWELLING UNITS IN THE PROJECT DISTRICT FROM 1400 TO 1150 CONSISTENT WITH APPLICANT'S REPRESENTATIONS.\r\n\r\nMEMORIALIZING THE APPLICANT'S COMMITMENT TO DEVELOP AT LEAST 288 RESIDENTIAL WORKFORCE HOUSING UNITS, WHICH IS 58 UNITS GREATER THAN THAT REQUIRED UNDER MAUI COUNTY CODE CHAPTER 2 .96 FOR DEVELOPMENT WITH 1150 TOTAL HOUSING UNITS. IF THE CODE CHANGES REQUIRE MORE WORKFORCE HOUSING UNITS THAN THE GREATER AMOUNT WOULD APPLY. THAT LAUNDRY FACILITIES ARE PERMITTED USE OR STRUCTURE IN THE SINGLE-FAMILY AND MULTIFAMILY RESIDENTIAL SUBDISTRICTS. FURTHER, THE COMMITTEE RECOMMENDED AMENDING BILL 172'S CONDITION OF ZONING BY INCORPORATING ALL OF THE CONDITIONS OF ZONING TO MATCH THE UNILATERAL AGREEMENT. FOR THE UPGRADED TO PI'ILANI HIGHWAY CONDITION 2.A INCLUDING THE ALTERNATIVE THAT ADDITIONAL WORKFORCE HOUSING UNITS BEYOND THE 288 WOULD BE CONSTRUCTED IN THE PROJECT DISTRICT IN EXCHANGE FOR THE STATE DEPARTMENT OF TRANSPORTATION PERFORMING THE WORK. IN CONDITION 5, REQUIRING THE MINIMUM 288 WORKFORCE HOUSING UNITS TO BE CONSTRUCTED ON-SITE. PROVIDING THE BREAKDOWN OF THE NUMBER OF UNIT BY INCOME GROUP, REQUIRING THE MARKET VALUE OF RENTAL UNITS FOR THE COUNTY'S FIRST RIGHTED OF REFUSAL TO BE DETERMINED BY A THIRD-PARTY APPRAISAL.\r\n\r\n\r\nREQUIRING ANY ADDITIONAL WORKFORCE HOUSING UNITS REQUIRED UNDER ANY AGREEMENT WITH THE STATE D.O.T. TO BE CALCULATED TO THE NEXT WHOLE NUMBER. REQUIRING ALL WORKFORCE HOUSING UNIVERSITY OWNERSHIP UNITS TO BE AFFORDABLE FOR TEN YEARS REGARDLESS OF INCOME GROUP AND OWNER-OCCUPIED FOR 20 YEARS. IN CONDITION 10, REQUIRING THE NONPROFIT ORGANIZATION RECEIVING THE LAND FORT CULTURAL EDUCATIONAL AND COMMUNITY FACILITY TO BE SELECTED IN CONSULTATION WITH THE DEPARTMENT OF 'OIIWI RESOURCES AFTER TWO COMMUNITY MEETINGS. TOWNSEND CONSULTATION WITH THE DEPARTMENT IS REQUIRED, AND THE FAIR MARKET VALUE OF THE LAND MUST BE DETERMINED BY A THIRD-PARTY APPRAISAL. UPDATING THE ACREAGES FOR REQUIRED PARK AND OPEN SPACE AND FOR THE REQUIRED CONSERVATION EASEMENT. ADD A NEW CONDITION PROHIBITING PARKING FEES FOR ALLOCATED PARKING STALLS FOR ALL RESIDENTIAL WORKFORCE HOUSING UNITS. ADDING A NEW CONDITION REQUIRING TWO ELECTRIC VEHICLE CHARGES FOR EVERY PARKING SPACE IN THE MULTIFAMILY RESIDENTIAL SUBDISTRICT.\r\n\r\n\r\nADDING A NEW CONDITION REQUIRING LANDRY FACILITIES IF RESIDENTIAL WORKFORCE HOUSING RENTAL UNITS DO NOT INCLUDE WASHERS AND DRIERS. AFTER CONSIDERABLE DISCUSSION, YOUR COMMITTEE RECOMMENDED PASSAGE ON FIRST READING OF BOTH BILLS. THIS RECOMMENDATION WAS DELAYED IN COMING TO THE COUNCIL TO ALLOW THE PLANNING COMMISSION TO FULFILL A REQUIREMENT TO HOLD A PUBLIC MEETING IN THE COMMUNITY PLAN AREA, WHERE THE PROJECT IS LOCATED. THAT PUBLIC HEARING WAS CONDUCTED MARCH 11TH, THE COMMISSION RECESSED ITS MEETING TO MARCH 25TH, AT WHICH IT MADE ADDITIONAL RECOMMENDATIONS. THE PLANNING COMMISSION RECOMMENDATIONS ARE CONTAINED IN THE TESTIMONY SUBMITTED BY THE PLANNING DEPARTMENT. THE ADDITIONAL RECOMMENDATIONS ARE: 1, FIND A MEANS WITHIN THE PROPOSED CONDITION 2A AND CONDITION 5 TO MEMORIALIZE THE APPROXIMATE 50 AFFORDABLE RESIDENTIAL WORKFORCE HOUSING UNITS TO BE BUILT. SHOULD THE STATE DEPARTMENT OF TRANSPORTATION CONSTRUCTION THE PI'ILANI HIGHWAY WIDENING.\r\n\r\n\r\nAMENDMENT CONDITION 10 TO ADD THAT THE DEDICATED LAND

CONTRIBUTION WILL BE A MINIMUM OF TWO ACRES, AND AFTER ALL REFERENCES TO NONPROFIT ORGANIZATIONS, THE PHRASE "OR THE COUNTY OF MAUI." FOR CONDITION 23, CONFIRM WITH THE DEPARTMENT OF FIRE AND PUBLIC SAFETY AND THE DEPARTMENT OF POLICE THAT CONVEYANCE OF A TWO-ACRE LOT IS ADEQUATE FOR THEIR NEEDS. AN AMENDMENT SPECIFIES THAT HAWAIIAN CULTURE IS THE CULTURE FOR EDUCATIONAL PURPOSES IN THE CULTURAL CENTER AND TO HAVE THE APPRAISAL DONE SOONER RATHER THAN LATER AND ON-BOARDING AND CONTINUAL CULTURAL EDUCATION PROGRAM FOR RESIDENTS INCLUDING PARTNERING WITH LOCAL SCHOOLS FOR HANDS-ON PLACE-BASED EDUCATION. MEMBERS, I BELIEVE MANY OF THESE SUGGESTED CONDITIONS HAVE BEEN SATISFIED. FOR EXAMPLE, I BELIEVE THAT THE APPLICANT CAN ASSERT THAT AN AGREEMENT WITH THE STATE DEPARTMENT OF TRANSPORTATION IS READY TO BE SIGNED FOR PLANNING COMMISSION FOLLOW-UP WITH THE DEPARTMENT OF FIRE AND PUBLIC SAFETY, AND THE MAUI POLICE DEPARTMENT, WE HAVE TESTIMONY SUBMITTED BY THE POLICE CHIEF REGARDING THE ADEQUACY OF THE PROPOSED TWO-ACRE LOT AND I ASK FOR MEMBERS' SUPPORT OF MY MOTION. THANK YOU, CHAIR >> THANK YOU, MEMBER PALTIN. THANK YOU, CHAIR. CAN I MOVE TO TAKE OUT OF EV REQUIREMENT THAT I ADDED THERE  
DECEMBER.\r\n\r\n>> MAKE A MOTION. >> I MOVE TO TAKE OUT THE EV REQUIREMENT, IF I GET A SECOND, I WILL EXPLAIN. >> SECOND FOR DISCUSSION. >> MOVED BY MEMBER PALTIN, SECONDED BY VICE-CHAIR SUGIMURA TO MAKE AN AMENDMENT TO THE MAP MOTION. MEMBER PALTIN. >> AS WE DISCUSSED IN MY COMMITTEE WHEN WE TRIED TO MOVE ON TITLE 16 REQUIREMENTS FOR MULTIFAMILY IS MORE STRINGENT THAN THE ONE THAT WE WERE WORKING ON, WHICH ARE WERE FOR PLACES OF PUBLIC ACCOMMODATION, LIKE PARKS AND WHAT NOT. SO I'M GLAD WE'RE TAKING THIS TIME TO DO THAT, AND IF MEMBERS' SUPPORT REMOVING IT, IS IT WOULD JUST TOTAL HOW TITLED 16 GOES.\r\n\r\nI DON'T WANT THEM TO HAVE LESS EV STATIONS THAN OTHER MULTIFAMILY MX I LIKE THAT. >> ANY MORE DISCUSSION? ALL IN FAVOR OF THE AMENDMENT, PLEASE RAISE YOUR HAND, SAY AYE. NINE AYES ZERO NOS, MOTION CARRIES. >> I HAVE ONE MORE AMENDMENT. >> MEMBER PALTIN. >> THE AMENDMENT FOR THE TEN-YEAR DEED RESTRICTION ACROSS THE BOARD, CAN I MOVE TO CHANGE THAT TO -- BECAUSE -- I WILL GIVE THE EXPLANATION AFTER I MAKE THE MOTION.\r\n\r\nTEN YEARS ACROSS THE BOARD, OR 2.96, WHICHEVER IS GREATER. >> OKAY. MOVED BY MEMBER PALTIN, SECONDED BY MEMBER JOHNSON TO CHANGE THE DEED RESTRICTION. MEMBER PALTIN, DISCUSSION. >> BECAUSE WE WERE DISCUSSING DEED RESTRICTIONS IN MEMBER KAMA'S COMMITTEE BEFORE WE TOOK UP BILL 9, AND WE PAUSED THAT DISCUSSION TO TAKE UP BILL 9. I WOULD HATE FOR US TO LOCK OURSELVES INTO THIS IF WE CHANGE 2.96 TO BE SOMETHING LONGER. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE?\r\n\r\n>> AYE. >> NINE AYES, ZEROS NO, MOTION CARRIES. >> I'M ON A ROLL. CAN I KEEP GOING? >> GO. >> ALL RIGHT, DO WE HAVE ANOTHER AMENDMENT? MEMBER RAWLINS-FERNANDEZ.\r\n\r\n>> MAHALO, CHAIR. THERE ARE I THINK MAYBE TWO AMENDMENTS THAT OVERLAP. AND THEN YOUR AMENDMENTS ARE THE RECOMMENDATIONS FROM THE PLANNING COMMISSION. >> RIGHT. >> SO MAYBE WE TAKE UP YOUR AMENDMENTS NEXT SINCE IT'S THE ONES FROM THE PLANNING COMMISSION. >> OKAY. MEMBER UU-HODGINS.\r\n\r\n>> THANK YOU, CHAIR. REFERRING TO THAT ASF, I MORPH TO FURIOUS AMENDMENT BILL 172 CONDITION 2'S PREAMBLE AND CONDITION 2.A TO READ AS FOLLOWS: IT IS HIGHLIGHTED IN THE ASF. DO YOU WANT ME TO READ IT ALL FOR YOU FOLKS OR YOU CAN SEE THE HIGHLIGHTED STUFF? >> CAN YOU JUST CLARIFY THAT IS THE AMENDMENT THAT WAS PROPOSED -- THOSE -- DISTRIBUTED BY CHAIR LEE. >> BY CHAIR LEE, YES. I COULD READ IT, BUT IT'S A LOT. IT SAYS AS IT RELATES TO CONDITION 2.A AND THE SECOND PARAGRAPH 5, ON THE SECOND SENTENCE IT BEGINS WITH IF THE STATE DEPARTMENT OF TRANSPORTATION UPGRADES PI'ILANI HIGHWAY TO FOUR LANES OF TRAFFIC, YADA-YADA-YADA.\r\n\r\nIF I GET A SECOND WE CAN VOTE ON IT. >> MOVED BY MEMBER UU-HODGINS, AND SECOND BY WHO? >> MEMBER COOK. >> MEMBER COOK. OKAY. MEMBER COOK. DISCUSSION?\r\n\r\n>> DISCUSSION? >> YES. >> AS NOTED IN THE

ATTACHMENT IN THE ASF THE MAUI PLANNING COMMISSION MADE SIX RECOMMENDATIONS TO THE COUNCIL, THE FIRST AMENDMENT ADDRESSES THE PLANNING COMMISSION'S FIRST RECOMMENDATION AS IT RELATES TO CONDITION 2.A THE MAUI PLANNING COMMISSION RECOMMENDED THAT 50 OR SO RESIDENTIAL WORK FORCES HOUSE UNITS BE MEMORIALIZED SHOULD THE STATE DEPARTMENT OF TRANSPORTATION CONSTRUCT THE PI'ILANI HIGHWAY WIDENING. THE APPLICANT EXPRESSED RESERVATIONS IDENTIFYING 50 UNITS BECAUSE OF THE CONCERNS WITH THE STATE AND COMPLETION FOR THE IMPROVEMENT. FOR THAT REASON, THE AMENDMENT PROVIDES A NUMBER OF UNITS, I'M SORRY, CONSISTENT WITH THE PERCENTAGE OF PI'ILANI HIGHWAY WIDENING COMPLETED BY THE STAY. THE CONDITION IDENTIFIED UNITS TO BE PROVIDE AS OWNERSHIP UNITS, EXCUSE ME, BECAUSE CONDITION 5.C PROVIDES 125 OF THE 288 REQUIRED MINIMUM NUMBER OF RESIDENTIAL WORKFORCE HOUSING UNITS WILL BE RENTAL UNITS. WHILE THE REMAINING WILL BE OWNERSHIP UNIT INSERTING APPLICANT COMMITMENT TO CONDITION 2.A AS THE PLANNING COMMISSION REQUESTED IN BODY CONSIDER WILL ALLOW THE COUNTY SOME YEARS IN THE FUTURE TO CONFIRM REPRESENTATIONS MADE TODAY.\r\n\r\nIT WOULD ALSO PROVIDE THE COUNTY A VEHICLE TO ENFORCE THE COMMITMENT FOR ADDITIONAL UNITS WITHOUT REGARD TO AN INDEPENDENT AGREEMENT BETWEEN THE APPLICANT AND THE STATE DEPARTMENT OF TRANSPORTATION. EXCUSE ME. FINALLY, AN ADJUSTMENT WAS MADE IN CONDITION 2'S PREAMBLE THAT THE STATE DEPARTMENT OF TRANSPORTATION INVOLVEMENT AND 2.A, THE UPGRADE OF PI'ILANI FROM KILOHANA DRIVE TO FOUR LANES OF TRAFFIC AS PART OF THIS BODY'S DISCUSSION AND APPROPRIATE TIME I DO HAVE ANOTHER MOTIONS, BUT ALSO, IF YOU WANTED, MR. CHIPCHASE, THE APPLICANT'S REPRESENTATIVE TO PROVIDE COMMENTS ON THIS OR ANY OTHER COMMENTS THAT WOULD BE GREAT AND THEY WILL NEED TO SIGN A UNILATERAL AGREEMENT FOR THIS BILL'S CONDITIONS. THANK YOU, CHAIR. >> THAT IS A GOOD IDEA. IS THIS ACCURATE?\r\n\r\nMR. CHIPCHASE. >> YES, CHAIR. I BELIEVE IT IS ACCURATE. THE CONCERN THAT I HAD WITH THIS KIND OF MEMORIALIZATION IS THAT THE AGREEMENT WITH THE D.O.T., WHICH I HAVE BEEN AUTHORIZED TO REPRESENT IS NOW FINAL AND JUST NEEDS TO BE -- I THINK THE WORD I WAS GIVEN WORDSMITHS IN A COUPLE OF PLACES AND EXECUTED, BUT THE AGREEMENT IS OTHERWISE FINAL. CONTEMPLATES IF THE D.O.T. DOESN'T COMPLETE THE HIGHWAY WE CAN TAKE IF OVER AND PROVIDES FOR AN ALLOCATION OF COSTS BETWEEN US AND D.O.T., DEPENDING ON WHO DOES MORE WORK ESSENTIALLY UNDER IT. I THINK THE LANGUAGE THAT WAS PRESENTED BY MEMBER UU-HODGINS IS SUFFICIENT FLEXIBLE ENOUGH TO ACCOMMODATE THAT, SO I THINK IT WILL WORK CONSISTENT WITH THE AGREEMENT.\r\n\r\nSO I BELIEVE THAT IS CORRECT. >> QUESTIONS FROM ANYBODY OR COMMENTS? IF NOT, YOU WANT -- MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. MY QUESTION IS REGARDING THAT THE TIMING OF EVERYTHING. I GUESS IT'S NOT CLEAR WHEN IS THE EXPECTATION FOR THE HIGHWAY TO BE COMPLETED? AND AT WHAT POINT WOULD THE DEVELOPER START TO WORK ON IT ITSELF?\r\n\r\nAND AT WHAT POINT WOULD ANY OF THE 50 WORKFORCE HOUSING UNITS BE BUILT? >> MR. CHIPCHASE. >> YES, CHAIR. YES, MEMBER. THE AGREEMENT WITH D.O.T. CONTEMPLATES THAT THE PROJECT, MEANING THE WORKFORCE HOUSING PORTIONS OF THE DEVELOPMENT, AS WELL AS THE HIGHWAY WILL BE ROUGHLY COMPLETED CONCURRENTLY. THE EXPECTATION IS THAT BOTH WILL BE DONE OVER THE NEXT FIVE YEARS.\r\n\r\nTHE AGREEMENT WITH D.O.T. CONTEMPLATES THAT IF HONUA'ULA BELIEVES THAT D.O.T. WILL NOT BE ABLE TO TIMELY COMPLETE CONSTRUCTION, WE HAVE THE ABILITY TO TAKE OVER THE PROJECT, TO ENSURE TIMELY COMPLETION OF THE HIGHWAY. THAT IS IMPORTANT FOR LOTS OF REASONS, BUT AS ONE POINT OF REASSURANCE, AS IN THE CONDITIONS NOW, AND WE DON'T PROPOSE TO CHANGE THEM, NO MARKET UNIT COULD BE SOLD PRIOR TO THE COMPLETION OF BOTH THE HIGHWAY, AND THE AFFORDABLE HOUSING PORTION OF THE PROJECT. SO COMPLETING THE HIGHWAY IS ESSENTIAL TO THE PROJECT TO BEING ABLE TO MOVE FORWARD WITH THE MARKET HOUSING. >> MAHALO FOR THAT INFORMATION. DO YOU HAVE THE DRAFT AGREEMENT, OR AT WHAT POINT WOULD THE COUNTY GET A COPY OF THAT TO VERIFY



THAT YOUR REPRESENTATIONS ARE ACCURATE WITH THE AGREEMENT THAT IS BEING CONSIDERED SIGNED? >> WE COULD PROVIDE THE AGREEMENT AS SOON AS IT'S SIGNED. >> FROM MY PERSPECTIVE, THE AGREEMENT IS READY TO BE SIGNED.\r\n\r\nI'M WAITING FOR D.O.T. TO SAY OKAY, WE'RE PREPARED TO SIGN IT. SO WE'RE NET ABLE TO SEE THAT DOCUMENT AND TAKE YOUR WORD FOR IT? >> YOU DON'T HAVE TO TAKE MY WORD FOR ANYTHING BECAUSE THE CONDITION WE JUST WORKED ON PROVIDES THAT THE 50 UNITS WILL BE PROVIDED IF D.O.T. COMPLETES THE HIGHWAY. SO THAT PROTECTION IS BUILT IN. >> IT DOESN'T HAVE THE TIMING THOUGH, AND THAT IS MY CONCERN, AND THAT WAS THE COMMUNITY'S CONCERN. SO I'M TRYING TO HELP TO GET THAT CLARIFICATION FOR THEM. THEY -- I HEARD THE PUBLIC HEARING AND I KNOW THEY WANTED THE HIGHWAY CONSTRUCTED BEFORE ANY, YOU KNOW, GROUND MOVING WORK IS DONE IN THE PROJECT.\r\n\r\nTHAT SOUNDS LIKE THAT IS NOT GOING TO HAPPEN. BUT YOU ARE SAYING IN FIVE YEARS, IN FIVE YEARS STARTING FROM LIKE WHAT WOULD BE THE STARTING POINT OF THE FIVE YEARS THAT YOU ARE TALKING ABOUT? >> THE EXPECTATION WOULD BE TO COMPLETE THE WORK BY THE END OF 2030. FOR BOTH THE HIGHWAY, AND THE AFFORDABLES. THE HIGHWAY A LITTLE EARLY, IF THAT ENDS UP BEING POSSIBLE. THE PROJECT AS CURRENTLY CONDITIONED, WITHOUT ANY AMENDMENTS ALLOWS GROUND MOVING WORK ON PROJECT WITHOUT COMPLETING THE HIGHWAY. YOU JUST CAN'T GO VERTICAL. SO THERE WERE SOME MEMBERS OF THE COMMUNITY AT PLANNING COMMISSION THAT EXPRESSED CONCERNS THAT THE AFFORDABLE UNITS SHOULD BE CONTRIBUTED FROM THE HIGHWAY AND ULTIMATELY THE COMMISSION DECIDED NOT TO ADOPT THAT RECOMMENDATION AND PASS THOSE BACK AS THEY ARE.\r\n\r\nIN TERMS OF ASSURANCES TO THE COMMUNITY, I THINK I WOULD GO BACK TO WHERE I WAS WE CAN'T DO ANY MARKET UNITS UNTIL THE HIGHWAY AND AFFORDABLES ARE DONE. NOBODY HAS A GREATER INTEREST IN COMPLETING THE HIGHWAYS AND AFFORDABLES THAN THE DEVELOPER DOES. >> LAST QUESTION, AND I WILL SHARE IT WITH THE MEMBERS, IF THEY HAVE ANY ADDITIONAL QUESTIONS. YOU SAID YOU CAN'T DO MARKET. SO YOU CAN'T CONSTRUCT OR YOU CONDITION SELL? CAN'T SELL. >> I CAN'T SELL.\r\n\r\n>> YOU WOULD BE CONSTRUCTING MARKET UNITS? >> THE MARKET UNITS WON'T LIKELY BE BUILT BY WAILEA 670, THE LOTS WILL BE LAID OUT AND OTHER DEVELOPERS WILL CONSTRUCT THE UNITS. IF YOU EVER WORKED IN CONSTRUCTION, NOBODY BUILDS A UNIT THAT THEY CAN'T SELL. THEY CONDITION CARRY THE COSTS FOR A UNIT THAT THEY CAN'T SELL. SO RESTRICTING THE SALE OF THE UNIT, YOU ARE EFFECTIVELY CONSTRICTING THE UNIT. >> I WILL ASK SINCE WE'RE HERE, TALKING ABOUT THE SALE OF A PROJECT TO A DEVELOPER. WHO IS THE OWNERS?\r\n\r\nI KNOW HONOU'ULA PARTNERS, BUT WHEN LOOKING INTO WHO ARE THESE PEOPLE, THAT INFORMATION IS BURIED SO DEEP. >> SO JUST TO BE CLEAR, JUST TO MAKE SURE THAT I WAS CLEAR IN EXPLAINING TO YOU, THE PROJECT IS NOT EXPECTED TO BE SOLD. IT WOULD BE PORTIONS OF THE AVAILABLE LOTS THAT WOULD BE SOLD TO ONE OR MORE DEVELOPERS TO BUILD. BUT HONUA'ULA IS TAKING RESPONSIBILITY FOR AFFORDABLE HOUSING, THROUGH AN AFFORDABLE HOUSING DEVELOPER, THE CLUBHOUSE AND OTHER AMENITIES AND THE INFRASTRUCTURE. IT WOULD BE ON THE MARKET SIDE SOME OF THE LOTS MAY BE TURNED OVER TO OTHER DEVELOPERS TO PURSUE. AS FAR AS THE COMPANY ITSELF, HONUA'ULA HAS OWNED THE PROJECT SINCE 2007, I BELIEVE. SO WE'RE PRETTY CLOSE TO 20 YEARS I BEGAN WORKING WITH THEM IN 2017 AND I HAVE ONLY DEALT WITH THE REPRESENTATIVES OF HONUA'ULA.\r\n\r\nTHE TECHNICAL CORPORATE LADDER I THINK IS EXPRESSED IN THE DRAFT UNILATERAL AGREEMENT, BECAUSE IT HAS TO BE SIGNED BY THE RIGHT ENTITIES. I DON'T KNOW WHAT THAT LADDER IS OR IF THAT HAS EVER CHANGED? BUT AS LONG AS I HAVE BEEN WORKING WITH THEM, I HAVE BEEN WORKING WITH THE SAME PEOPLE. >> OKAY, MAHALO. I WILL SHARE THE TIME AND THEN I WOULD LIKE TO FOLLOW-UP WITH CORPORATION COUNSEL. MAHALO, CHAIR. >> THANK YOU, CHAIR.\r\n\r\nSO MR. CHIPCHASE. AS FAR AS LIKE TIMING, SCHEDULING FOR A PERSPECTIVE OF WHAT GROUND-MOVING THE DEFINITION OF WHAT "GROUND-MOVING." IS. SO THE WATER SOURCE, PIPELINES, TANKS, IS THAT PLANNED TO BE DEVELOPED BEFORE THE MASS GRADING AND WORK? OR WILL THEY BE

HAULING IN LIKE R-1 WATER AND ADDRESSING IT SEPARATE THAN YOUR WATER SYSTEM? >> NO. SO ALL OF THE -- ALL OF THE -- I'M SURE THERE WILL BE WATER CONTROL MEASURES IMPORTED, DUST CONTROL, FOR SURE.\r\n\r\n>> RIGHT. >> BUT IN TERMS OF THE PROJECT ITSELF, ALL OF THAT INFRASTRUCTURE WORK WILL NEED TO BE COMPLETED FIRST. AND I DID FORGOT ONE POINT FROM MEMBER RAWLINS-FERNANDEZ TO ADDRESS THAT CONCERN, WE HAVE ACTUALLY ALREADY APPLIED FOR THE SPECIAL MANAGEMENT AREA PERMIT FOR THE HIGHWAY WIDENING. IT'S ALREADY IN PLANNING AND I BELIEVE GOING OUT TO AGENCY COMMENT AND FOR THE STAFF REPORT AND THE HEARING. >> SO KIND OF -- IF YOU KNOW, MY QUESTION IS THE ROADS AND UTILITIES AND ROADWORK, AND SITE DRAINAGE, IT'S A REALLY LARGE SITE. IS IT PLANNED TO BE PHASED OUT FROM NORTH TO SOUTH? MAUKA TO MAKAI?\r\n\r\n>> SO SOME INFRASTRUCTURE WILL HAVE TO BE COMPLETED ESSENTIALLY IN ITS TOTALITY, ALTHOUGH IT COULD BE SCALED TO INCREASE LIKE THE WATER SYSTEM, AND THE WASTEWATER SYSTEMS. THOSE WILL HAVE TO BE IN PLACE, SERVICING THE UNITS BEFORE WE CAN DEVELOP OR COMPLETE THE DEVELOPMENT OF THE UNITS. IN TERMS OF THE REST OF THE SITE DEVELOPMENT, THE PROJECT IS EXPECTED TO DO THE AFFORDABLES AND THE AMENITIES FIRST AS PART OF THE FIRST PHASE. FROM THERE IT WILL GENERALLY MOVE FROM NORTH TO SOUTH. >> SO TIME FOR ONE MORE QUESTION, OR WAIT FOR MY NEXT ROUND? >> YES, WE'LL GIVE YOU ONE MORE. >> WHEN YOU SAID THAT IF THE D.O.T. DOESN'T EXECUTE ACCORDING TO THE PLAN, AND THEN THE PROJECT WOULD TAKE OVER.\r\n\r\n>> YES. >> SO IF IT'S -- I'M JUST CURIOUS IN IT'S FEDERAL DOLLARS CONTRACTED OUT, YOU WOULD TAKE IT OVER BEFORE, BECAUSE THEY HAVEN'T STARTED IT YET, AND THEN YOU WOULD BE WORKING WITH THE DEPARTMENT OF TRANSPORTATION WITHIN THEIR GUIDELINES AND SOME CONTRACTOR THAT IS QUALIFIED TO DO BONDING AND GET TO THAT CALIBER, BUT YOU WOULD BE PAYING THEM DIRECTLY INSTEAD OF D.O.T.? >> SO -- >> I DON'T WANT TO GET TOO MUCH INTO THE WEEDS, BUT THIS IS A REAL FUNDAMENTAL ASPECT WITH INTERACTION WITH D.O.T.. >> IT'S LIKE YOU WERE IN THE NEGOTIATIONS WITH ME AND D.O.T.. THESE ARE THE SAME KINDS OF THINGS WE TALKED ABOUT. BEFORE D.O.T. HAS STARTED ITS RELATIVELY EASY. IT COULD TERMINATE ANY CONTRACTS THAT THEY HAVE AND WE COULD STEP IN. WE HAVE -- A UNION FOR OUR WORK ANYWAY AND PREVAILING WAGE AND ALL THOSE THINGS WOULDN'T STAINING AND EITHER STEP IN WITH THEIR CONTRACTOR OR HAVE THEIR OWN. IT GETS A LITTLE MORE DIFFICULT IF THEY BEGIN WORK, BUT FOR SOME REASON THEY ARE NOT ABLE TO CARRY IT FORWARD, SAY FUNDING AS LAPSED OR SOMETHING LIKE THAT THEY THAT CAN'T COMPLETE. IT AT HAD A POINT WE CAN STEP WITH THE SAME CONTRACTOR IF IT'S ACCEPTABLE TO ALL PARTIS OR ENGAGE ANOTHER CONTRACTOR TO COMPLETE THE WORK.\r\n\r\n>> I IMAGINE THE STATE D.O.T. IS NOT GOING TO WANT TO DO BECOME A MAJOR HICCUP AND PROBLEM. SO I IMAGINE THIS WOULD NEVER HAPPEN, BUT I JUST WANTED TO GET A PERSPECTIVE ON IT. THAT IS IT. THANK YOU, CHAIR. >> DO WE HAVE ANY OTHER QUESTIONS ON THIS? MEMBER PALTIN. >> THANK YOU.\r\n\r\nI JUST WANTED TO CLARIFY A COUPLE OF THINGS. I THOUGHT YOU HAD SAID THAT VERTICAL COULDN'T HAPPEN, IS THAT NOT CORRECT? >> THAT NOT AS PROPOSED WE WOULD BE ABLE TO DO THE AFFORDABLE WORK, BUT AS CURRENTLY CONDITIONED. >> BECAUSE I'M READING WHAT IT SAYS AND IT SAYS THE IMPROVEMENTS MUST BE COMPLETED PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION ON THE SITE WITH THE EXCEPTION OF GRADING WORK WITHIN THE PROJECT DISTRICT AND VERTICAL CONSTRUCTION. >> I'M SORRY, WHICH CONDITION ARE YOU READING? >> PAGE 1, 2 A. IT SAYS THE IMPROVEMENTS MUST BE COMPLETED PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION ON THE SITE WITH THE EXCEPTION OF GRADING WORK WITHIN THE PROJECT DISTRICT, AND VERTICAL CONSTRUCTION, BUT I THOUGHT YOU SAID THEY COULDN'T DO VERTICAL CONSTRUCTION? >> SO IF YOU -- IF YOU LOOK AT -- SO I ONLY HAVE THE RAMSEYERED VERSION IN 172, IF YOU LOOK AT BRACKET AFTER GRADING AND THERE'S A PERIOD THERE AND THAT IS WHERE THE SENTENCE FORMALLY ENDED.\r\n\r\n>> WOULD THAT -- THE WAY I READ IT, THE EXCEPTION IS GRADING WORK WITHIN THE PROJECT DISTRICT AND ALSO AN EXTENSION FOR VERTICAL CONSTRUCTION. >> SO

THAT IS AS PROPOSED NOW. I WAS TALKING ABOUT THE CONDITION AS IT EXISTED BEFORE. SO ALL THAT UNDERLINES IS THE ADDITION. >> YEAH, SO I THOUGHT YOU SAID -- OH. >> AS WITHOUT THE AMENDMENTS, THE SENTENCE END AT "GRADING." THAT WAS MY POINT IS THE PRIOR TO THE AMENDMENTS THE SENTENCE ENDED AT "GRADING." NOW THERE'S AN ALLOWANCE FOR ADDITIONAL CONSTRUCTION. >> OKAY, I GUESS I DIDN'T UNDERSTAND THAT.\r\n\r\n>> NO PROBLEM. >> AND THEN THE OTHER THING THAT I HEARD YOU SAY WAS THAT IT'S EXPECTED TO FINISH EITHER BY THE STATE OR HONUA'ULA PARTNERS BY 2030. LIKE DECEMBER 31ST, 2030? >> Q4 IS OUR ESTIMATE NOW. DECEMBER, THE END OF THE YEAR. >> DO YOU HAVE A PROBLEM WITH MEMORIALIZING THAT DATE. >> I WOULD HAVE A PROBLEM WITH MEMORIALIZING IT AS IN A CONDITION, YES, I WOULD. >> CAN YOU EXPLAIN? ? >> SURE.\r\n\r\nBECAUSE SAY FOR EXAMPLE JUST THE HIGHWAY WORK ALONE REQUIRES AN SMA APPROVAL. I CAN'T BE SURE THAT NO ONE INTERVENES IN THE SMA APPROVAL PROCESS. MY EXPERIENCE WITH AN INTERVENTION WITH THE SMA PROCESS ADDS A YEAR JUST TO THAT PROCESS. >> SO IT'S BASICALLY NOT A GUARANTEE, IT'S A SOFT TARGET. >> NO, IT IS ABSOLUTELY WHAT WE WANT TO ACHIEVE. I HAVE THINGS THAT I CAN'T CONTROL, LIKE LITIGATION, LIKE THE LENGTH OF TIME IT GETS THROUGH PLANNING COMMISSION, LIKE WHETHER THERE'S FUNDING AVAILABLE FOR THE STATE AND I HAVE TO TAKE IT OVER, IF THERE'S NOT. AND SO AS I SAID, NO ONE IS MORE INTERESTED IN GETTING IT DONE THAN THE DEVELOPER, BUT I CAN'T GUARANTEE IT WILL BE DONE BY Q42030. >> I JUST WANTED TO CLARIFY THAT, IT'S NOT A GUARANTEE.\r\n\r\nI WILL YIELD. >> >> ANYBODY ELSE HAVE QUESTIONS? MEMBER SINENCI. >> THANK YOU, CHAIR. MAHALO MR. CHIPCHASE. I HEARD YOU SAY HONUA'ULA PARTNERS WILL BE SELLING THE PARCELS FOR THE MARKET-RATE HOMES.\r\n\r\n>> THAT IS HOPE. MY EXPECTATION IS FOR ALTHOUGH IT'S NOT CERTAIN THAT WE COULD DEVELOP THOSE HOME AND SELL THOSE LOTS TO INDIVIDUALS BUYERS OURSELVES SO THAT IS NOT SET IN STONE. CURRENTLY THE EXPECTATION IS THAT LOTS WILL BE SOLD IN GROUPS TO OTHER DEVELOPERS TO COMPLETE THE HOMES THEN THERE WHAT -- HOW WILL HONUA'ULA PARTNERS, LLC. ACHIEVE THAT THE CONDITIONS THAT THE MAUI PLANNING COMMISSION HAS SET FORTH BE FOLLOWED UP WITH THESE BUYERS OF THE PARCELS? >> SO EXCELLENT QUESTION. IF YOU MEAN THE SPECIFIC CONDITION THAT RELATES TO THE ON-BOARDING FOR THE NEW RESIDENTS. SO THAT WILL BE A COVENANT RUNNING WITH THE LAND AND A CONDITION ON THE LAND AND THEREFORE, PART OF OUR REPORTING OBLIGATIONS OR ANY SUBSEQUENT OWNER'S REPORTING OBLIGATIONS TO THE COUNTY.\r\n\r\nSO THAT WILL NEED TO BE A REQUIREMENT THAT THE OWNERSHIP, WHATEVER THAT LOOKS LIKE, AND TO WHOEVER THE BUYERS ARE SOLD, INCORPORATE INTO THEIR SALE DOCUMENTS. IT'S NOT UNUSUAL. OTHER PROJECTS IN THE AREA HAVE DONE SIMILAR THINGS FOR NEW BUYERS. >> OKAY. THANK YOU FOR THAT. AND FOR MS. DESJARDINS, WE DID HEAR SOME TESTIMONY THE LAST COUPLE OF TESTIFIERS LITIGATION WITH HONUA'ULA PARTNERS, LLC.. DOES THAT IMPLICATE THE COUNTY IN ANY WAY, SHOULD WE PROCEED WITH A VOTE?\r\n\r\nAND IS THIS BODY, THE LEGISLATIVE BODY MOVING TOWARDS, OR THE JUDICIAL BODY IF IT'S IN A COURT? >> CHAIR. >> THANK YOU FOR THE QUESTION, MEMBER. SO I DID TALK TO MR. CHIPCHASE BRIEFLY ABOUT THE LITIGATION AND I DO UNDERSTAND ALSO THAT WITHIN OUR DEPARTMENT, I THINK BRIAN BILBERRY IS HANDLING THE COUNTY'S INVOLVEMENT IN THAT. I WILL ASK MR. HOPPER, WHO IS ON THE LINE, IF HE HAS ANY MORE ADDITIONAL INFORMATION HOW THIS WILL BE IMPACTED?\r\n\r\nMY SUSPICION IS NO, BUT I'M NOT 100% CONFIDENT OF THAT. SO LET'S SEE IF WE CAN SEE IF MR. HOPPER CAN ANSWER THAT QUESTION AND THEN I WOULD ASK ALSO MR. CHIPCHASE A LITTLE BIT MORE ABOUT THAT, BECAUSE I'M REALLY NOT THAT FAMILIAR WITH THE LITIGATION ASPECT. THANK YOU. >> HI, CHAIR. THIS IS MICHAEL HOPPER, I'M NOT SURE IF YOU CAN HEAR YOU OKAY?\r\n\r\n>> WE CAN HEAR YOU. >> GREAT. I THINK THE SHORT ANSWERS IS THAT I THINK THE COUNCIL CAN DECIDE TO PASS OR NOT PASS THESE AMENDMENTS AS REQUESTED. THERE ARE THERE IS LITIGATION. I TALKED ABOUT THIS IN THE LAST ROUND. SO I DON'T WANT TO GET INTO EXTENSIVE DETAIL. THERE IS AN INTERMEDIATE

COURT OF APPEALS CASES DEALING WITH THE MAUI PLANNING COMMISSION'S PHASE 2 APPROVAL AND THERE'S ALSO A NEWER LAWSUIT DEALING WITH THE MAUI PLANNING COMMISSION HAD A REQUEST BEFORE IT FOR A DECLARATORY ORDER/PETITION TO INTERVENE, AND THE COMMISSION DECLINED TO ISSUE A DECLARATORY ORDER.\r\n\r\nTHAT IS ON APPEAL. I DON'T BELIEVE EITHER OF THOSE AFFECT YOUR ABILITY TO MAKE THESE AMENDMENTS OR NOT MAKE THEM. I DON'T THINK THAT THERE'S ANYTHING EITHER WAY THAT WOULD REQUIRE YOU TO TAKE ACTION OR NOT TAKE ACTION. SO IF YOU DECIDE TO MAKE THESE AMENDMENTS I BELIEVE YOU WOULD HAVE THE ABILITY TO DO THAT, AND IF YOU DECLINE TO DO SO, AND YOU DECIDE NOT TO, I DON'T SEE THAT BEING EFFECTED BY THE LITIGATION EITHER. HOW THE YOUR AMENDMENTS MAY END UP AFFECTING THE ICA CASE, BUT I DON'T SEE THIS LIMITING YOUR ABILITY TO -- AS HAPPENED TO THE COUNTY WITH OTHER CASES, THE LEGISLATIVE BRANCH CAN CHANGE LAWS, OR MAKE AMENDMENTS TO ZONING CONDITIONS EVEN IF THERE'S LAWSUITS POTENTIALLY INVOLVING THE PROJECT. SO I THINK THAT IS UP TO YOU AS COUNCIL MEMBERS TO MAKE THE DECISIONS ON THE AMENDMENTS. >> THANK YOU.\r\n\r\nWHO HAD THAT QUESTION? MEMBER SINENCI. >> IF MR. CHASE WANTED TO ADD? >> CHIPCHASE. >> I THINK I HAVE BEEN CALLED JUST ABOUT EVERYTHING TODAY. [LAUGHTER ]YOU ARE NOT THE FIRST TO THINK THAT.\r\n\r\nTHAT MY PARENTS THOUGHT THAT CHIP CHASE WOULD BE A FUN FIRST AND LAST NAME, BUT CAL IS FINE. MEMBER, I AGREE WITH MR. HOPPER'S ASSESSMENT. >> MEMBER PALTIN, I'M SORRY, MEMBER UU-HODGINS. >> THANK YOU, CHAIR. THIS IS MORE MR. CHIPCHASE.\r\n\r\nSO WE HEARD FROM SOME OF THE TESTIFIERS REGARDING THE ROAD, AND THE ADDITIONAL HOUSING UNITS WE GOT BECAUSE OF IT. BUT I THINK WE TALKED ABOUT THIS THE LAST TIME AND IF IN CASE CASE, I MAY HAVE FORGET AND SOME OF THE PEOPLE WATCHING MAY HAVE FORGET, TOO. CAN YOU TELL ME WAILEA 670 ALONG WITH THE OTHER PEOPLE AROUND HONUA'ULA WERE SUPPOSED TO PARTNER IN, AND PROVIDE THE ROAD WIDENING. CAN YOU TELL ME YOUR SHARE, HONUA'ULA'S SHARE FOR THIS ROAD WIDENING PERSPECTIVE. >> IT'S EXPECTED TO ABOUT 70% AND THAT TOTALS TO HOW MANY MUNICIPALS OF DOLLARS FOR OUR SHARE, 42 MILLION. >> 70% AND THE OTHER 30% IS COVER BY WHO? >> IT'S TWO DEVELOPERS LED CORP.\r\n\r\nHAS A PORTION OF THE OBLIGATION, A DEFINED PORTION OF THE OBLIGATION AND MAKENA HAS A FAIR SHARE PORTIONS OF THE OBLIGATION. >> OKAY, MAKENA. HOW MUCH DOES IT COST TO CONSTRUCT THE ADDITIONAL 50 AFFORDABLE-HOUSING UNITS? >> SO CONSIDERING THE LAND COSTS, THE SUBSIDY, TOO, BECAUSE WE CAN'T SELL THE LAND TOT DEVELOPER. IF WE SOLD IT, THEY COULDN'T DO IT. SO WE HAVE TO GIVE THE LAND AWAY AND SUBSIDIZE THE DEVELOPER ON TOP OF THAT. SO IF YOU TAKE THOSE AND THE LAST REVENUE FROM THE MARKET LOSS IT'S ABOUT A \$77 MILLION COST TO THE PROJECT.\r\n\r\n>> OKAY. TO FOLLOW-UP ON MEMBER SINENCI'S QUESTIONS ABOUT THE LAWSUITS, WE HEARD FROM TODAY'S TESTIFIERS THAT THERE MIGHT BE A GAG ORDER. I'M WONDERING IF YOU COULD CLARIFY THAT? >> THAT WAS NEWS TO ME. THERE IS NO SETTLEMENT AGREEMENT OR OTHER ORDER THAT WOULD PROHIBIT SPEAK FROM SPEAKING WITH REGARDS TO THESE AMENDMENTS. THERE WAS A SETTLEMENT AGREEMENT THAT DEALT WITH THE PHASE 2 APPROVAL, THE EIS AND SOME OF THE OTHER PROJECT DOCUMENTS, BUT IT DID NOT COVER ANY PORTION OF THIS AND THERE'S CERTAINLY NEVER BEEN AN ORDER BY THE COURT, DIRECTING ANYONE THAT THEY COULD NOT TESTIFY TO COUNCIL. >> THANK YOU.\r\n\r\nAS EVERYBODY ELSE HERE WOULD LIKE TO HEAR FROM EVERYBODY WHO WOULD LIKE TO SPEAK, EVEN IF IT TAKES US TO 8:00 AT NIGHT. THANK YOU. THANK YOU, CHAIR. >> MEMBER PALTIN. >> OH, ON THAT LAST PART, YOU SWEAR TO TELL THE TRUTH, THE WHOLE TRUTH AND NOTHING, BUT THE TRUTH, CROSS YOUR HEART, PROMISE? >> YES, MEMBER. >> JUST CHECKING.\r\n\r\n[LAUGHTER ]THAT WASN'T MY ACTUAL QUESTION. I JUST WANTED TO, YOU KNOW,. >> CONFIRM. >> MEMORIALIZE THAT. SORRY. I JUST WANTED TO UNDERSTAND WHAT YOU WERE SAYING BEFORE ABOUT NOBODY IS GOING TO LET THE THINGS SIT AROUND FOR A WHILE. IT SAYS WITH THE EXCEPTION OF GRADING WORK WITHIN THE PROJECT DISTRICT AND VERTICAL CONSTRUCTION INCLUDING ALL NECESSARY INFRASTRUCTURE TO ALLOW FOR OCCUPANCY OF

CHAPTER 2.96 MAUI COUNTY CODES RESIDENTIAL WORKFORCE HOUSING. SO WHAT ELSE IS THERE BESIDES ARE WE TALKING ABOUT THE RESIDENTIAL WORKFORCE HOUSING UNIT, ALL GO FORWARD, BUT NOT BE SOLD, BUT THE MARKET HOUSING CANNOT START, IS THAT WHAT THIS MEANS?

I'M STILL ON PAGE 1-2 A. >> YES. I'M TRYING TO CATCH UP WITH YOU. ON THE AMENDMENT SUMMARY FORM. I DON'T HAVE A COPY OF THE ASF WITH ME. >> I THOUGHT IT WAS THE SAME PAGE. >> CLOSE ENOUGH, IT'S AN OLDER CHANGE, THAT IS FROM BILL 172, I BELIEVE. SO?

IT'S PAGE 1. >> SO THE SENTENCE AS WRITTEN ALLOWS ANY WORK NECESSARY TO PERMIT THE OCCUPANCY OF THE WORKFORCE HOUSING PORTION OF THE PROJECT. IT DOESN'T ADDRESS IN MY FORM OCCUPANCY OF THE MARKET PORTION OF THE PROJECT. >> OCCUPANCY OF THE MARKET PORTION, BUT -- MARKET PORTION CAN CONSTRUCT THE VERTICAL STUFF, TOO? >> NO, IT DOESN'T SAY THAT EITHER. IF YOU PARSE THE SENTENCE, THERE'S THE GRADING WORK WITHIN THE PROJECT DISTRICT, AND VERTICAL CONSTRUCTION, INCLUDING ALL NECESSARY INFRASTRUCTURE, AND THEN COMMA. THAT ENDS YOUR SECOND CLAUSE TO ALLOW OCCUPANCY OR ALLOW FOR OCCUPANCY OF THE CHAPTER 2.96 BLAH BLAH BLAH RESIDENTIAL WORKFORCE HOUSING. IT DOESN'T MENTION THE MARKET PORTION OF THE HOUSING AS TO ALLOW.

SO THIS IS DEALING WITH THE ABILITY TO BUILD THE RESIDENTIAL WORKFORCE HOUSING FIRST. >> SO THE MARKET ONE CANNOT BE STARTED UNTIL HIGHWAY IS COMPLETE? >> CAN HAVE -- RIGHT. NO VERTICAL CONSTRUCTION RELATED TO THE MARKET HOUSING UNTIL THE HIGHWAY IS COMPLETE, AND THEN THERE'S A SEPARATE CLAUSE THAT SAYS MARKET UNITS CAN'T BE SOLD, I BELIEVE, UNTIL THE RESIDENTIAL WORKFORCE HOUSING UNITS ARE COMPLETE. >> CAN THE RESIDENTIAL WORKFORCE HOUSING UNITS BE SOLD BEFORE THE HIGHWAY IS COMPLETE? >> YES, THEY COULD BE. THEY COULD BE OCCUPIED.

SO AN OCCUPANCY WOULD CONTEMPLATE A SALE OF THE FOR-SALES. >> AND FROM THE CONTEXT OF WHOLE DEVELOPMENT, YOU STILL HAVEN'T DECIDED WHERE ALL THE WORKFORCE HOUSING WOULD BE LOCATED, IF IT'S MULTIFAMILY OR SINGLE-FAMILY? >> NO, MOST -- THE LOCATION DECISIONS HAVE BEEN MADE. THEY WERE PART OF THE PHASE 2 APPROVAL. SO I SHOWED MY PHASE 2 APPROVAL I THINK AT THE COMMITTEE MEETING. I DON'T HAVE IT ON ME TONIGHT, BUT IT INDICATES WHERE THE RESIDENTIAL WORKFORCE HOUSING WILL BE CONSTRUCTED, AND THE PROJECT TYPE WILL BE ONE, TWO AND THREE-BEDROOMS FOR THE RENTAL UNITS AND 2 AND 3 FOR THE FOR-SALES. >> OKAY, THAT -- I WILL YIELD.

THANK YOU. >> SHOW >> OF HANDS ARE YOU READY TO VOTE ON THAT AMENDMENT? MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I WANTED TO CHECK WITH CORPORATION COUNSEL IF EVERYTHING THAT WAS STATED IN THIS DISCUSSION IS REFLECTED IN THE MOTION THAT WE'RE ABOUT TO VOTE ON AS YOU UNDERSTAND IT? >> THANK YOU, MEMBER. I BELIEVE SO.

BUT WHAT IS MORE IMPORTANT IS, YOU KNOW, MR. CHIPCHASE IS HERE MAKING REPRESENTATIONS ON THE RECORD, THAT IF THEY TURNED OUT NOT TO BE ACCURATE, OR THEY WERE BLATANTLY MISLEADING, ET CETERA, THAT WOULD IMPACT YOUR ABILITIES TO UNRAVEL THIS. IN MY OPINION, HIS REPRESENTATIONS HAVE TO BE, YOU KNOW, INCORPORATED VERY CLEARLY INTO YOUR UNDERSTANDING OF WHAT YOU ARE VOTING ON. AND I DO AND I'M GLAD MEMBER PALTIN YOU BROUGHT UP ABOUT THE VERTICAL CONSTRUCTION, BECAUSE THE WAY I READ THAT THAT WAS LIMITED TO THE DEVELOPMENT OF THE RESIDENTIAL UNITS, AND THEN FURTHER ON IN THE AGREEMENT THERE IS A PROVISION WHICH IS UNDER 5B THAT SAYS THAT EACH RESIDENTIAL WORKFORCE HOUSING UNIT HAS TO HAVE A CERTIFICATE OF OCCUPANCY BEFORE ANY -- THE SALE OF ANY MARKET-RATE DWELLING UNIT. SO I THINK THAT IS ALL CONSISTENT WITH WHAT MR. CHANGE CHASSE WAS SAYING. >> I WAS HAVING HARD TIME WITH THE PUNCTUATION AND ENGLISH, BECAUSE GOOD ENGLISH IS NOT MY FIRST LANGUAGE.

>> WHEN I READ IT, I TOOK OUT INCLUDING ALL NECESSARY INFRASTRUCTURE PART AND VERTICAL CONSTRUCTION TO ALLOW FOR OCCUPANCY OF THE WORKFORCE HOUSING. BECAUSE THE PUNCTUATION WAS CONFUSING FOR A MOMENT. I WANTED TO FOLLOW-UP, BECAUSE MR. CHIPCHASE ADDED SMA APPLICATION WAS ALREADY SUBMITTED FOR THE ROADWORK. >> HIGHWAY WIDENING. >> HIGHWAY WIDENING. WHAT OTHER APPROVALS FOR PERMITS

ARE YOU WORKING ON OR HAVE ALREADY SUBMITTED?\r\n\r\n>> SO THE ENVIRONMENTAL REVIEW FOR THE HIGHWAY WAS DONE, I BELIEVE THE ARCHAEOLOGICAL REVIEW FOR THE HIGHWAY WAS DONE. >> EA? >> I BELIEVE IT WAS AN EA. >> EA >> FOR THE HIGHWAY. I BELIEVE THOUGH I'M LESS CONFIDENT THAT THE ARCHAEOLOGICAL WORK WAS DONE, BUT I THINK WAS AND I THINK WE NEED IT FOR THE SMA. SO I FEEL AS I'M GETTING TO YOU, GETTING MORE CONFIDENT ABOUT IT. THE SMA WOULD BE THE NEXT BIG DISCRETIONARY APPROVAL, AFTER THAT IT WOULD BE MINISTERIAL APPROVALS FOR GRADING AND CONSTRUCTING THE HIGHWAY.\r\n\r\n>> OKAY. AND THEN SINCE IT WAS BROUGHT UP FROM MEMBER UU-HODGINS, I WANTED TO FOLLOW-UP ON THE QUESTION ABOUT SLAP SUITS, OR GAG ORDER, AS IT WAS STATED IN TESTIMONY. BECAUSE I DON'T KNOW WHY IT WOULD BE MENTIONED, IF IT WASN'T TRUE. I DON'T SEE WHY THEY WOULDN'T HAVE COME TO TESTIFY IF THAT WASN'T TRUE; THAT -- I DON'T REMEMBER WHAT SLAP STANDS FOR AT THE MOMENT, STRATEGIC LAWSUIT AGAINST PUBLIC PARTICIPATION. >> RIGHT. I DON'T KNOW WHY IT WAS SAID EITHER. I CAN TELL YOU, IT'S PUBLIC RECORD.\r\n\r\nCERTAIN INDIVIDUALS SUED >> YOU CROSS YOUR HEART AND HOPE TO DIE? >> YES. YES. YES. WHAT I'M SAYING IS ACCURATE AS CORPORATION COUNSEL REPRESENTED IT NEEDS TO BE. I WILL GIVE YOU FURTHER ASSURANCE OF THE HEART, AND CERTAIN INDIVIDUALS SUED THE OWNERS FOR BREACH OF CONTRACT, BREACH OF SETTLEMENT AGREEMENT ALLEGING THAT THE OWNERS HAD BREACHED THE CONTRACT. IN THAT LAWSUIT, THE OWNERS COUNTERCLAIMED SAYING THAT THE INDIVIDUALS HAD BREACHED THE CONTRACT INCLUDING THE DUTY OF GOOD FAITH AND FAIR DEALING.\r\n\r\nTHEY RESPONDED TO THAT BY CLAIMING IT WAS A SLAP SUIT, AND THERE'S A STATUTE THAT SAYS YOU CAN'T FILE ANY SLAP SUITS. THE CIRCUIT COURT DISAGREED WITH THEM, RULED AGAINST THEM, SAYING YOU SUED THE PROJECT, THE PROJECT CAN SAY YOU BREACHED CONTRACT, NOT YOUR RIGHT TO PARTICIPATE IN PUBLIC FORA, BUT THE CONTRACTED. THEY CLAIMED THAT WAS A SLAP CENTER. CIRCUIT COURT DISAGREED WITH THEM AND THAT IS ON APPEAL. THERE WAS NEVER A GAG ORDER ENTERED, AND NOTHING IN THE SETTLEMENT AGREEMENT DEALS WITH THESE PROPOSED AMENDMENTS. SO I CAN'T TELL YOU WHY IT WAS SAID, IF IT WASN'T TRUE? I CAN ONLY SAY IT'S NOT TRUE.\r\n\r\n>> YOU CAN'T TELL ME IN AN OPEN MEETING, OR -- ? >> I MEAN, I CAN'T TELL YOU BECAUSE I DON'T KNOW. I CAN'T GUESS AT WHY SOMEBODY SAID SOMETHING THAT WASN'T TRUE. >> SO YOU KNOW NOTHING MORE THAN WHAT YOU ARE REPRESENTING NOW ABOUT WHY THEY WOULD NOT -- THEY WOULD FEEL SO COMPELLED TO NOT PARTICIPATE IN OUR MEETINGS, BECAUSE THEY ALWAYS COME. >> I WISH THAT I HAD THAT KIND OF RELATIONSHIP WITH THEM, THAT THEY WOULD CALL ME AND TELL ME I'M NOT GOING TESTIFY, BUT I DON'T. SO I HAVE NO IDEA. >> ON YOUR SIDE, YOU ARE NOT DOING ANYTHING TO PREVENT THEM? >> CORRECT. >> CROSS YOUR HEART AND HOPE TO DIE.\r\n\r\n>>> YES, MEMBER. >> ARE YOU DONE? ? >> YES. LOOKS LIKE MEMBER COOK IS NOT. >> MEMBER COOK AND THEN MEMBER PALTIN. >> THANK YOU, CHAIR. MR.\r\n\r\nCHIPCHASE, WHAT IS THE ESTIMATED COURSE OF CONSTRUCTION TIME FOR THE HIGHWAY AS FAR AS WHEN THEY START TO ESTIMATED COMPLETION? AND WITH ROCK AND EVERYTHING, I FLOW THERE'S A TON OF VARIABLES, BUT THEY MUST HAVE A PLAN. ? >> WE'RE HOPING TWO YEARS OR LESS. >> THANK YOU. THANK YOU, CHAIR. >> MEMBER PALTIN. >> AND TO BUILD ON THAT, THE TWO YEARS STARTS FROM QUARTER 4 OF 2030 OR ENDS?\r\n\r\n>> NO, THAT WOULD BE -- WHAT WE HOPE TO HAVE IT COMPLETED BEFORE THEN. >> OKAY. AND THE OTHER QUESTION I HAD WAS, AND I'M NOT SURE, LIKE THERE WEST MAUI, THE HIGHWAY EVERYTHING BELOW THE HIGHWAY IS IN THE SMA, AND SO WHEN YOU ARE SAYING YOU NEEDED AN SOME SMA PERMIT FOR THE HIGHWAY IS CENTER LINE MAKAI. >> I BELIEVE IT'S THE DEMARCATION OF THE ASTM AND BECAUSE OF THE WORK TOUCHES THE DEMARCATION OF THE SMA, WE NEED TO OBTAIN AN SMA PERMIT. >> FOR THE ENTIRETY? >> THAT IS MY UNDERSTANDING. >> SO THE EDGE THE HIGHWAY TOUCHES THE LINE.\r\n\r\n>> I THINK THAT IS ACCURATE AND I SHOULD HAVE ADDED TO THE PROCESSING THAT WE HAVE ALREADY BEEN THROUGH URBAN DESIGN REVIEW BRANCH FOR THE HIGHWAY. SO WE RECEIVED

THEIR COMMENTS OH, MAYBE SIX WEEKS AGO, MAYBE MORE. >> AND SO WE DON'T HAVE TO KEEP GOING OVER, EVERYTHING YOU SAY IS CROSS YOUR HEART AND HOPE TO DIE. >> WE WOULD IN LITIGATION, WE MIGHT CALL THAT A RUNNING ASSERTION. >> RUNNING ASSERTION. >> RUNNING ASSERTION. >> SO WE DON'T NEED TO REVISIT THAT, BECAUSE IT'S GOING TO BE A RUNNING ASSERTION.\r\n\r\n>> THAT'S RIGHT. >> OKAY. BECAUSE THE ENTIRETY OF WAILEA 670 IS OUTSIDE OF THE SMA. SO THE SMA PERMIT IS ONLY FOR THE HIGHWAY EXPANSION, BECAUSE IT TOUCHES THE DEMARCATION OF THE SMA BOUNDARY. >> CORRECT. >> MEMBER VICE-CHAIR SUGIMURA. >> THANK YOU.\r\n\r\nTESTIFIER TALKED ABOUT MARK HYDE'S WATER ERROR AND ASSERTS MADE BY THE WATER AND WONDER IF YOU HAVE A COMMENT, BECAUSE IT SOUNDS LIKE IS IT PART OF THAT? IT'S NOT PART OF IT? YEAH. ANYWAY, COULD YOU ADDRESS THAT? >> I CAN. IF THIS IS THE RIGHT PLACE. >> MAYBE OTHER, AFTER WE'RE DONE WITH THIS ONE ? >> OKAY, WE'LL JUST GO.\r\n\r\nI WILL SAVE THAT. >> OKAY. >> WE'RE STILL ON THE ASF. ANY MORE QUESTIONS ON THE ASF? MEMBER PALTIN. >> CORRECT ME IF I'M WRONG ON THIS, BUT MOVING ON FROM PAGE 1-2A TO PAGE 2, NO. 10, I THINK WE RECEIVED THE WRITTEN TESTIMONY FROM MR.\r\n\r\nKEAHI AFTER HIS ORAL TESTIMONY REQUESTING INSTEAD OF CONVEYING IT TO A NONPROFIT CHOSEN BY HONUUA'ULA, LLC. PARTNERS, THAT IT BE CONVEYED TO THE DEPARTMENT OF 'OIIWI RESOURCES. I DID SPEAK TO THE DEPUTY DIRECTOR, WOULD THAT BE A POSSIBILITY? THE DEPUTY DIRECTOR WAS OKAY WITH IT. >> MR. CHIPCHASE. >> SO AS INCORPORATED FROM THE RECOMMENDATIONS OF THE PLANNING COMMISSION, THE COUNTY IS ALREADY A POSSIBLE RECIPIENT OF THE CENTER.\r\n\r\nAND SO WHAT THE PLANNING COMMISSION ASKED THE COUNCIL TO DO OR RECOMMENDED WAS TO INSERT "OR COUNTY" AFTER "NONPROFIT." SO THAT IS ALREADY CONTEMPLATED. >> COULD WE TAKE OUT THE NONPROFIT AND JUST HAVE IT BE COUNTY? >> WHAT I WOULD SAY IS THAT NOT ALL OF THE MEMBERS WHO ARE LINEAL DESCENDANTS OF THE AREA AGREED WITH MR. KEAHI, THAT THE COUNTY WAS THE APPROPRIATE REPOSITORY FOR THE CULTURAL CENTER AND SOME PREFERRED A NON-PROFIT AS THE OWNER OF IT AND SINCE THE NONPROFIT WAS NEVER GOING TO BE SOLELY SELECTED BY HONUUA'ULA AND WAS A JOINT DECISIONS BY THE COUNTY AND HONUUA'ULA, I BELIEVE AT THE COMMITTEE HEARING THIS BODY INSERTED A REQUIREMENT TO HAVE PUBLIC MEETINGS ON THAT, AND TO CONSULT 'OIIWI RESOURCES. I THINK WE HAVE COVERED ALL OF THE DIFFERENT VIEWS THAT WE HAVE HAD FROM THE COMMUNITY AS WELL AS THE DIFFERENT POSSIBILITIES >> OKAY, I'M DONE WITH THAT. >> READY TO VOTE ON THIS? ALL IF IN FAVOR OF THE AMENDMENT, PLEASE RAISE YOUR HAND, SAY AYE.\r\n\r\nNINE AYES, ZERO NOS, MOTION CARRIES. THAT TAKES CARE OF THAT ASF. >> THERE'S ONE MORE MOTION, CHAIR IN OUR ASF. AT THIS TIME I MOVE TO AMEND BILL 172 CONDITION 10 TO READ AS FOLLOWS AND AGAIN IT'S THE HIGHLIGHTED AREA IN YOUR ASF NOTING THAT IT'S ADDING HAWAIIAN CULTURAL EDUCATION COMMUNITY, AT LEAST TWO ACRES OR THE COUNTY OF MAUI AS MEMBER PALTIN JUST DESCRIBED. AGAIN, ADDING HAWAIIAN BEFORE CULTURAL AND EDUCATIONAL COMMUNITY FACILITY, OR THE COUNTY OF MAUI AS WE JUST DISCUSSED AND THEN AS DETERMINE BY A THIRD-PARTY APPRAISAL WITH HONUUA'ULA PARTNERS, LLC. ANY REASONABLE OPPORTUNITY FOR THE COUNTY OF MAUI. AGAIN, THAT IS LARGE HIGHLIGHTED PARAGRAPH AT THE END AS A COVENANT RUNNING WITH THING LAND AND NON-PROFIT ORGANIZATION OR THE COUNTY OF MAUI SHALL PROVIDE AN EDUCATIONAL ORIENTATIONS FOR NEW PROJECT OWNERS THE AREA'S HAWAIIAN CULTURAL SIGNIFICANCE AND APPROPRIATE PROTOCOL AND SHALL PURSUE PARTNERSHIP OPPORTUNITIES WITH SCHOOLS AND NONPROFIT ORGANIZATIONS FOR PROGRAM ACTIVITIES SHALL BE REPORTED AS PART OF THE ANNUAL COMPLIANCE REPORT REQUIRED UNDER CONDITION 28. >> SECOND.\r\n\r\nSORRY I JUMPED AHEAD. I THOUGHT IT WAS ALL ONE. >> WE LIKE IT. >> THAT IS OKAY. DISCUSSION? MEMBER UU-HODGINS? >> THANK YOU, CHAIR.\r\n\r\nTHIS SECOND AMENDMENT ADDRESSES THE MAUI PLANNING COMMISSION SECOND, THIRD, FIFTH AND SIXTH RECOMMENDATIONS AS REFLECTED FROM THE ATTACHED ASF BY FIRST CONFIRMING THAT THE DEDICATED LAND IS AT LEAST TWO ACRES AND ADDING AFTER THE REFERENCES TO A NON-PROFIT

ORGANIZATION THE OPTION FOR THE LAND TO BE CONVEYED TO THE COUNTY OF MAUI, THIRD SPECIFYING THE HAWAIIAN CULTURE IS THE CULTURE FOR PURPOSES OF THE FACILITY DISCUSSED IN THE CONDITION, AND FOURTH, INSERTING A REQUIREMENT FOR THE ON-BOARDING AND CONTINUAL CULTURAL EDUCATIONAL PROGRAM AS REQUESTED. THANKS, CHAIR. >> OKAY. ANY MORE DISCUSSION. MEMBER PALTIN. >> FOR MY DISCUSSION, I JUST WANTED TO SAY THAT I DON'T AGREE WITH THE CURRENT APPRAISAL, BECAUSE OF WHAT WAS SAID IN TESTIMONY. IT'S LIKE AN ARTIFICIALLY INFLATED VALUE THAT IS TAKING AWAY MONEY THAT WAS PROMISED TO THE PARK FOR KIDS, LIKE ALL THE OLDER KIDS CAN'T EVEN PLAY SOCCER AT THE FIELDS AND STUFF LIKE THAT.\r\n\r\nSO THAT IS JUSTIN MY DISCUSSION THAT I AGREE WITH THE TESTIFIER, IN THAT A LOT OF MONEY IS BEING SAVED, BECAUSE OF APPRAISAL, THIRD-PARTY APPRAISE OF THE VALUE OF THE LAND RIGHT NOW IS NOT WHAT IT WAS PURCHASED FOR. SO THAT WOULD BE MY DISCUSSION. >> ANYMORE? WOULD YOU LIKE TO COMMENT ON THAT? >> I CAN. AND I CERTAINLY UNDERSTAND, AND JUST SAID, I HAVE SPECIALTY SOME TIME TALKING TO JUSTIN AND DEEP RESPECT FOR HIM. I THINK WHAT THAT VIEW OVERLOOKS THERE'S BEEN 18 YEARS OF CARRYING COSTS FOR THE LAND, AND THE TENS OF MILLIONS OF DOLLARS SPENT TAKING THE LAND TO THE PLACE THAT IS HERE FOR ENTITLEMENTS.\r\n\r\nAND SO WHILE TIME HAS PASSED, TIME HASN'T PASSED FREELY AND THE APPRAISAL CAPTURES THAT ADDED VALUE, OR THAT TIME SPENT, THAT COST SPENT, ON THE LAND. WHAT THE PLANNING COMMISSION RECOMMENDED WAS TO DO IT AT THE EARLIEST PRACTICABLE OR HERE WRITTEN UP, OKAY WITH ME, EARLIEST REASONABLE OPPORTUNITY AND THE IDEA WAS AS SOON AS -- THE SLIGHT IS SELECTED AND ABLE TO BE SUBDIVIDED AT THAT POINTED IT SHOULD BE APPRAISED, RATHER THAN WHEN THE REST OF THE PROJECT IS DEVELOPED FOR THERE'S INFRASTRUCTURE IN PLACE THAT WOULD RAISE THE VALUE OF THE PLACE BEYOND A POINT THAT IS FAIR. SO WE ACCEPTED THAT AS A GOOD PLACE TO DO THE APPRAISAL. >> AS MY DISCUSSION TO THAT DISCUSSION, I WOULD JUST SAY THAT IN THE LAST 18 YEARS, WE HAVE LOST, I GUESS 700, MINUS 288 UNITS OF AFFORDABILITY THAT YOU KNOW, IN 2008 WE DESPERATELY NEEDED AND WE NEED SO MUCH MORE NOW. YOU KNOW, THE CARRYING COSTS, AND THE LOSSES ARE NOT STRICTLY ONE-SIDED TO THE DEVELOPER. IT'S TO THE COMMUNITY, TOO. THE HUNDREDS OF UNION WORKERS THAT CAME OUT IN 2008 EXPECTING TO HAVE THE WORK OVER THE LAST 18 YEARS.\r\n\r\nTHE HUNDREDS OF PEOPLE THAT CAME OUT, EXPECTING TO HAVE THE 700 AFFORDABLE HOMES OVER THE LAST 18 YEARS. SO IT'S A LOSS ON BOTH SIDES, AND THE ESCALATION OF COSTS AND LOSSES SEEMS ONLY TO BE ON THE PUBLIC'S SIDE. AND THAT IS ENOUGH FOR THAT. >> OKAY. >> BECAUSE I THINK WE WON'T AGREE ON THAT EVER. >> OKAY. MEMBER COOK.\r\n\r\n>> THANK YOU, CHAIR. MR. CHIPCHASE, WHEN THEY SAY THE APPRAISED VALUE, RIGHT NOW IT'S I THINK IT'S ZONED RESIDENTIAL, BUT WILL IT BE FOR THE PURPOSES OF -- IT'S GOING TO BE FOR UNIMPROVED PROPERTY. >> YES. IT WILL BE UNIMPROVED. >> OKAY. AND THAT'S, THANKS.\r\n\r\n>> ANY MORE COMMENTS? MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. OKAY, SO IT SAYS THAT BEFORE THE SALE OF THE FIRST MARKET-RATE DWELLING UNIT, AND MR. CHIPCHASE STATED EARLIER THAT THEY WOULD SELL LOTS, WHICH WOULDN'T HAVE VERTICAL CONSTRUCTION ON IT. SO DOES THE -- BEFORE THE SALE OF THE FIRST MARKET-RATE DWELLING UNIT PREVENT THE SALE OF LOTS THAT DON'T HAVE VERTICAL CONSTRUCTION OVER IT? >> ARE YOU TALKING NOW ABOUT CONDITION 5? >> NO, 10. >> 10. >> THIS IS WE'RE TALKING ABOUT THE SECOND MOTION; RIGHT?\r\n\r\nAND IT SAID SAID AMOUNT SHALL NOT BE CREDITED AGAINST FUTURE PARK ASSESSMENT HAS THERE BEFORE THE SALE OF THE FIRST MARKET-RATE DWELLING UNIT HONUA'ULA PARTNERS SHALL HAVE CONTRIBUTED MINIMUM VALUE OF \$5 MILLION FOR THE DEVELOPMENT OF A HAWAIIAN CULTURAL EDUCATIONAL AND COMMUNITY FACILITY, ET CETERA, ET CETERA, ET CETERA AND IT SAYS "DWELLING I UNIT." AND YOU SAID EARLIER THAT HP WOULD BE SELLING LOTS THAT DON'T HAVE VERTICAL CONSTRUCTION AND I SEE THAT AS A POTENTIAL LOOPHOLE TO SELL THINGS THAT PROFIT OFF OF IT BEFORE CONDITIONS ARE MET. >> I'M SORRY, IF YOU COULD JUST POINT ME TO THE SPECIFIC PART? >> PAGE 2. >> YES. >> BEFORE



THE FIRST HIGHLIGHTED "HAWAIIAN CULTURAL." HAWAIIAN IS HIGHLIGHTED. AND THEN RIGHT ABOVE THERE THERE'S MINIMAL VALUE AND RIGHT ABOVE THAT IS DWELLING UNIT. >> RIGHT. SO IT WOULD NOT PROHIBIT THE SALE OF PORTIONS OF THE PROPERTY IN AN UNDEVELOPED STATE PRIOR TO MAKING THAT CONTRIBUTION.\r\n\r\nBUT IT WOULD PROHIBIT THE SALE OF ANY DWELLING UNIT, WHETHER HONUA'ULA IS THE OWNER OF THE LAND ON WHICH THE DWELLING UNIT IS SOLD OR NOT ENTITY IS THE OWNER OF THE THAT LAND. >> SO I GUESS FOR CORPORATION COUNSEL, WAS THAT THE INTENTION? BECAUSE IT SOUNDS TO ME LIKE IT'S SUPPOSED TO BE A SAFEGUARD IN PLACE TO ENSURE THAT THESE COMMITMENTS ARE MET IN A WAY THAT WOULDN'T LEAVE THE COMMUNITY LEFT HANGING LIKE SO MANY LUXURY DEVELOPMENTS BEFORE. BECAUSE IT'S SPECIFICALLY SAYS DWELLING UNIT. OH, MR. HOPPER. >> OR MIMI HAS GOT SOMETHING TO SAY CERTAINLY CAN.\r\n\r\nBUT THESE -- ? >> STOP SCRAMBLING FOR THE MIC, GO AHEAD. >> THIS LANGUAGE WAS PROPOSED BY THE DEVELOPER. IF THERE'S A TIMING CHANGE THAT YOU WOULD LIKE TO MAKE ON THIS, BECAUSE OF A CONCERN THAT LOTS WOULD BE SOLD BEFORE THIS WOULD HAPPEN -- SHOULD HAPPEN SOONER ON THAT THE RESTRICTION BE DIFFERENT. I THINK THE INTENTION IS PROBABLY TO SAY YOU CAN'T SELL ANY MARKET-RATE DWELLING UNITS UNTIL THIS IS DONE AND THAT WOULD BE A RESTRICTION IF THAT IS DONE. IF YOU HAVE AN EARLIER OR DIFFERENT TIMEFRAME IN MIND, THAT CAN CERTAINLY BE ADDED THAT. IF YOU HAVE GOT A CONCERN THAT THE SALE OF THE FIRST MARKET RATE DWELLING UNIT WOULD BE TOO LONG AND YOU WOULD WANT THAT CONTRIBUTION TO BE DUE SOONER, YOU COULD DEFINITELY CHANGE THAT LANGUAGE, IF YOU HAVE ANOTHER -- IF YOU HAVE ANOTHER TIMEFRAME INVOLVED. SO THAT IS POSSIBLE, I THINK.\r\n\r\n>> MAHALO, MR. HOPPER. MY CONCERN WAS THAT HP WOULD BE SELLING LOTS WITHOUT DWELLING UNITS ON IT. AND SO I WAS TRYING TO CLARIFY WHAT THE INTENTION WAS, BECAUSE I READ THE INTENTION AS LIKE YOU SAID, A TIMING ISSUE TO ENSURE THAT THESE CONDITIONS ARE MET. AND WITH DWELLING UNIT, IT DOESN'T SPECIFICALLY PROHIBIT LOTS THAT WOULD BE INTENDED TO SELL WITHOUT THERE BEING VERTICAL CONSTRUCTION ON IT. SO MY -- IF THAT IS THE INTENTION, THEN I WOULD LIKE TO MAKE SURE THAT THAT IS CLARIFIED AND NOT USED AS A LOOPHOLE, BECAUSE IT SAYS "DWELLING UNIT." AND NOT LOT WITHOUT VERTICAL CONSTRUCTION. >> DO YOU HAVE A SUGGESTION?\r\n\r\n>> NO, NOT RIGHT NOW. >> MIKE HOPPER, DO YOU HAVE A SUGGESTION? >> WELL, THIS WAS PROPOSED BY THE DEVELOPER, AS AN ALTERNATIVE TO THE ORIGINAL CONDITION. I MEAN, IF THE COUNCIL THINKS THAT THAT IS TOO LONG OF A WAITING PERIOD, I THINK THAT IS UP TO THE COUNCIL. I DON'T WANT TO MAKE A POLICY SUGGESTS. I MEAN THERE'S PROBABLY VARIOUS DIFFERENT TIMEFRAMES THAT -- WHERE THE DEDICATION HAS TO HAPPEN. MY THOUGHT THIS WAS MOSTLY ARRIVED AT BECAUSE IT WOULD PROHIBIT SELLING A MARKET-RATE UNIT DWELLING UNIT, BUT IF THERE'S MORE OF A CONCERN OF OTHER THINGS HAPPENING, I DON'T KNOW IF THERE'S CONSTRUCTION OF UNITS, OR SALE OF LOTS, BUT I MEAN, THAT CAN BE -- BECAUSE LOTS CAN BE SOLD BEFORE ANYTHING IS DONE.\r\n\r\nSO THERE'S VARIOUS TIMEFRAMES, BUT I'M NOT SURE -- I DON'T WANT TO SUGGEST ONE WITHOUT SORT OF BEING A POLICYMAKER THERE. THAT IS SORT OF UP TO YOU AS TO WHEN YOU WANT THAT DONE. >> GOT. IT MEMBER PALTIN. >> CAN I DO A REAL QUICK FOLLOW-UP. >> OKAY. >> WHEN WOULD HONUA'ULA DETERMINE SELLING UNITS THAN LOTS?\r\n\r\nEARLIER IN RESPONSE TO A QUESTION THAT I ASKED, YOU SAID THAT THE INTENTION IS FOR HONUA'ULA PARTNERS TO SELL, LIKE, NOT UNDEVELOPED LOTS, BUT LOTS FOR OTHER DEVELOPERS TO DO THEIR VERTICAL CONSTRUCTION. >> I DON'T TOTAL FOLLOW THE QUESTION OR THE CONCERN. IF THE CONCERN IS THAT THE CONDITION RELATES TO HONUA'ULA AND IF HONUA'ULA DOESN'T SELL A DWELLING UNIT THAT IS NEVER TRIGGERED. THAT NOT A CONDITION BECAUSE ALL OF THE CONDITIONS APPLY TO ANY -- RUNS WITH THE LAND. SO IT COULD BE READ AS ANY DWELLING UNITS SOLD, IT'S NOT PERSONAL TO HONUA'ULA. IT HAS TO DO, BECAUSE THEY ALL APPLY TO ALL SUCCESSORS ASSIGNS, THAT IS WHY THEY RUN WITH THE LAND. SO IT'S HAD TO DO WITH THE TIMING AS TO ANY SALE OF A DWELLING UNIT, NOT PARTICULARLY TO HONUA'ULA.\r\n\r\nAND

I DON'T RECALL EXACTLY WHY THAT TRIGGER WAS ARRIVED AT. I THINK THIS IS AN OLDER PORTION AND THIS ISN'T ONE OF THE AMENDMENTS. SO THIS HAS BEEN THROUGH COMMITTEE. I DON'T REMEMBER WHETHER THAT WAS MODIFIED DURING COMMITTED COMMITTEE OR NOT. THE TRIGGER MAKES SENSE BECAUSE AT THAT POINT UNITS ARE BEING SOLD AND PROJECTED DEVELOPED AND THAT WOULD BE THE APPROPRIATE PLACE TO MAKE THE CONSTRUCTION. >> SO THIS SECTION IT DOESN'T HAVE THE LANGUAGE IN OTHER LANGUAGE THAT HAS THE ASSIGNS, ET CETERA, ET CETERA, BECAUSE IT STOPS AT HONUA'ULA PARTNERS, LLC., PERIOD, THERE'S ISN'T ANY ASSIGNS AFTER THAT. SO IF THAT IS THE INTENTION, THOSE WORDS SHOULD BE INCLUDED.\r\n\r\n>> CHAIR? >> YES. >> SO THE WAY I'M READING THIS IS THAT REGARDLESS OF WHO THOSE UNITS ARE SOLD TO, BEFORE WHOEVER GETS THAT, AND THEN THE FIRST SALE OF THE FIRST MARKET RATE UNIT IT'S HONUA'ULA PARTNERS WHO IS REQUIRED TO MAKE THE CONTRIBUTION OF \$5 MILLION FOR THE DEVELOPMENT OF EVERYTHING ELSE THAT IS DISCUSSED IN 10. THIS SECTIONS 10 ONLY TALKS ABOUT THE DEVELOPMENT OF THIS COMMUNITY PARK. SO IT'S THE TIMING OF THE DEVELOPMENT OF THAT COMMUNITY PARK, BUT I THINK IT MIGHT BE GOOD TO CLARIFY WITH MR. CHIPCHASE'S IF IT'S HONUA'ULA PARTNER'S SOLE RESPONSIBILITY AND NOT PASS THAT ONTO ANYBODY ELSE BECAUSE I AGREE IT DOESN'T HAVE TO DO WITH ASSIGNING SOMETHING AND MAYBE WE CAN GET SOME CLARIFICATION ON THAT. >> HAPPY TO. AND THERE'S NO INTENTION OF THIS SO I HATE TO INTRODUCE THE HYPOTHETICAL.\r\n\r\nIF THE WHOLE THING WERE SOLD TOMORROW, YOU WOULD WANT THIS OBLIGATION TO CONTINUE TO WHOEVER OWNS IT. MY EXPECTATION IN THIS BECAUSE ALL OF THE CONDITIONS RUNS WITH THE LAND, WHOEVER OWNS THEM WOULD HAVE THAT RESPONSIBILITY. IF YOU WANT TO ADD SUCCESSORS OR ASSIGNS TO IT, I THINK THAT'S PERFECTLY FINE. >> I'LL YIELD TO MEMBER PALTIN. >> MEMBER PALTIN AND MEMBER COOK. >> OH, I HAD MY OWN QUESTION, BUT BEFORE I GET TO MY QUESTION, I HAD A SUGGESTION FOR TRIGGER IF BEFORE THE SALE OF THE FIRST MARKET-RATE DWELLING UNIT WASN'T SATISFACTORY, THE SUGGESTION WOULD BE, LIKE, BEFORE VERTICAL CONSTRUCTION, BEFORE INFRASTRUCTURE INSTALLATION, SO THAT WOULD BE MY SUGGESTION TO YOU GUYS FOR YOUR THING THAT YOU WERE TALKING ABOUT. AND THEN I WILL GET TO MY QUESTION, IF YOU WANT TO DECIDE ON THOSE SUGGESTIONS.\r\n\r\n>> MAYBE MEMBER COOK HAS A SUGGESTION. >> IF I MAY, MY QUESTION I THINK KIND OF ADDRESSES THIS, BECAUSE IT BRINGS SOME CLARITY TO THE TIMING. SO IN ORDER TO SELL A LOT, IT HAS TO BE -- YOU HAVE TO HAVE ROADS. YOU HAVE TO HAVE IT SURVEYED. YOU HAVE TO HAVE METES AND BOUNDS, TO WHETHER PEOPLE ARE BUYING ONE LOT OR TEN LOT IT'S DEFINED WHAT THEY ARE PURCHASING. AND THEN THE TRANSFER WOULD BE THEIRS. AND SO TIMEWISE, AND THIS IS JUST, YOU KNOW, YOU ARE DOING THE ROAD WITHIN THE NEXT FIVE YEARS.\r\n\r\nYOU ARE SIMULTANEOUSLY DOING THE AFFORDABLE HOUSING, DOING GETTING THE INFRASTRUCTURE COMPLETED AS FAR AS THE WATER. WORKING ON THE MASS GRADING, DRAINAGE, WHICH IS EXTENSIVE ON THE PROPERTY, AND THEN WHEN THAT IS ROLLING UP, THAT IS KIND OF WHERE YOU ARE GETTING TO BE WHERE YOU COULD BE SURVEYING LOTS AND THAT IS GUESSTIMATING ABOUT HOW LONG? >> I MEAN, THE DRAINAGE AND SOME OF THE OTHER WORK WILL HAVE TO GO INTO SUPPORT THE AFFORDABLE HOUSING AT LEAST IN THAT FIRST PHRASE. SO YOU KNOW, TWO TO FIVE YEARS AFTER 2030. SO SOMEWHERE 2032-2035. >> THANKS. SO AS FAR AS LIKE I WAS JUST FOCUSING ON THIS, BECAUSE THE POTENTIAL, THE THOUGHT OF TRANSFERRING THE RESPONSIBILITY TO SOMEBODY ELSE WOULD OCCUR POTENTIALLY WHEN YOU SELL THE LOT. >> CORRECT. >> NO WAY TO TRANSFER RESPONSIBILITY UNTIL SOMEONE HAS PURCHASED PART OF IT.\r\n\r\n>> THAT IS TRUE. >> ANYWAY, THAT IS MY TWO CENTS. >> SO WHAT WAS THE ANSWER? >> I WAS JUST TRYING TO QUANTIFY AND CLARIFY. >> NO, I KNOW HOW YOU GOT THERE. SO WHAT IS THE TRIGGER? >> I DIDN'T HEAR YOU.\r\n\r\n>> THE TRIGGER? THE TRIGGER? >> THE TRIGGER WOULD BE WHEN THEY REACH THE POINT WHERE THEY HAVE LOTS PLOTTED OUT, AND TMKS, OR METTES AND BOUNDS FOR THAT, WHICH WOULD PROBABLY BE THREE YEARS AFTER THE ROAD. POTENTIALLY OR TWO YEARS AFTER THE ROAD. >> LIKE AFTER THE

SUBDIVISION PROCESS? >> THE SUBDIVISION PROCESS ARE WILL BASICALLY BE DONE ON PAPER, BUT THE ACTUAL CONSTRUCTION. SO THAT THE LOTS WOULD BE DONE.\r\n\r\nI DON'T KNOW, CAN YOU SELL AN UNDEVELOPED LOT THAT IS JUST NO UTILITIES AND NO ROAD AND NO NOTHING? >> YOU CAN. YOU CAN'T SELL AN UNSUBDIVIDED LOT AND SUBDIVISION COMES WITH CONDITIONS. SO SUBDIVISION WILL PROBABLY HAPPEN IN MULTIPLE PHASES. SO IT WOULD BE DIFFICULTY TO TIE ANYTHING TO A SUBDIVISION. IF YOU WANTED TO TIE IT TO VERTICAL CONSTRUCTION OF A MARKET UNIT, THAT IS OKAY. >> THAT WAS HER THING.\r\n\r\n>> I'M SORRY, I'M LOOKING YOUR WAY. >> IT WAS MY SUGGESTION FOR HER. SO IF SHE IS OKAY WITH IT, I'M OKAY WITH IT, BUT I HAD A SEPARATE QUESTION. >> LET'S FIX THE LANGUAGE FIRST . DID YOU WANT TO TIE IT TO VERTICAL? >> CHAIR, I GUESS IT WOULD BE SIMILAR TO THE FIRST MOTION IN 2A; RIGHT? WHERE IT SAYS VERTICAL CONSTRUCTION. >> OKAY.\r\n\r\n>> I WILL WORK ON THE LANGUAGE. >> I BELIEVE THE FIRST MARKET-RATE DWELLING UNIT. >> YES. >> IF I MAY? WHAT MY SUGGESTION WAS VERTICAL CONSTRUCTION OF THE FIRST MARKET RATE UNIT RECALL THE AFFORDABLES. >> INSTEAD OF SALE. >> YES.\r\n\r\n>> BEFORE VERTICAL CONSTRUCTION OF THE FIRST MARKET-RATE DWELLING UNIT. IS THAT A MOTION? FRIENDLY AMENDMENT. >> OKAY. >> MY TURN FOR MY ISSUE. >> I WAS JUST GOING TO SUGGEST CORP. COUNSEL SUGGESTED AT THIS TIME TO ADD SUCCESSOR OR ASSIGNS LANGUAGE AS WELL.\r\n\r\n>> OKAY. >> AFTER, LLC.. AND THAT SAME LINE? >> YES. >> OKAY. >> OKAY. SO WE HAVE TWO CHANGES IN THAT SENTENCE. >> MEMBER UU-HODGINS SAID IT WAS FRIENDLY.\r\n\r\n>> YES, FRIENDLY. OKAY. SO THAT BEFORE THE SALE, NOT BEFORE THE SALE. BEFORE THE VERTICAL CONSTRUCTION OF THE FIRST MARKET-RATE DWELLING UNIT; RIGHT? >> YES. >> OKAY. >> AND THEN HONUA'ULA PARTNERS, LLC.\r\n\r\nAND -- ? >> ITS SUCCESSORS AND ASSIGNS. >> YES. >> OKAY. SO WE GOT THROUGH THAT FIRST TWO SENTENCES. [LAUGHTER ] ANYTHING ELSE BEFORE -- OH, MEMBER PALTIN. OH, WAIT, I HAVE TO ASK YOU, WHAT DOES THIS MEAN? >> CHOOSE ME.\r\n\r\n>> OH, SHE WAS GOING LIKE THIS AND I HAD NO IDEA WHAT SHE MEANS. >> PICK ME. >> CHOOSE ME, THAT MUST BE A HILO THING. [LAUGHTER ] >> OKAY, MOVING DOWN TO THE BOTTOM OF PAGE 2. WHAT YOU WERE SAYING TO MEMBER COOK BEFORE, I REALLY DON'T LIKE HONUA'ULA PARTNERS, LLC.'S EARLIEST REASONABLE OPPORTUNITY. YOU SAID IT WOULD BE UNIMPROVED. SO I THINK I WOULD LIKE TO MEMORIALIZE THAT, AND THE COUNTY OF MAUI HAS DETERMINED BY A THIRD-PARTY APPRAISAL CONDUCTED BEFORE IMPROVEMENTS ARE MADE. >> SO THAT WOULD BE A PROBLEM IN THE SENSE OF THAT COULD MEAN AN INTERNAL ROADWAY, OR THE -- HOW ABOUT BEFORE INFRASTRUCTURE IMPROVEMENTS ARE MADE?\r\n\r\n>> THAT COULD BE A PROBLEM, TOO, BECAUSE WE'LL PROBABLY DO THOSE BEGINNING TO DO THOSE INFRASTRUCTURE IMPROVEMENTS FOR THE PROPERTY AS A WHOLE BEFORE WE'RE SUBDIVIDED INDIVIDUAL LOTS FOR CULTURAL CENTER. >> SO THEN IT WASN'T TRUE WHAT YOU WERE TALKING TO MEMBER COOK ABOUT APPRAISAL BEING DONE ON UNIMPROVED LANDS. >> NO, NO, THAT IS TRUE. THE LOT ITSELF WON'T BE IMPROVED, BUT INFRASTRUCTURE IN THE PROJECTS A WHOLE. >> SO THEN COULD WE MEMORIALIZE IT BEFORE THE LOT ITSELF IS IMPROVED OR SOMETHING? INSTEAD OF EARLIEST REASONABLE OPPORTUNITY? >> I THINK TO ME, IF WE -- THE PLANNING COMMISSION, WE SHOULD KEEP EARLIEST PRACTICABLE OR EARLIEST REASONABLE OPPORTUNITY IN TERMS OF THE TIMING OF IT.\r\n\r\nIF YOU TAKE THAT OUT, IT WOULD ALLOW ME TO DO IT LATER, EVEN IF IT'S UNDEVELOPED LAND. TO ADDRESS IT, ALL YOU HAVE TO DO IS SAY VALUED AS UNDEVELOPED LAND. >> OKAY, I WILL TAKE THAT. EARLIEST REASONABLE OPPORTUNITY VALUED AS. >> UNDEVELOPED LAND. >> UNDEVELOPED LAND. CAN THAT BE FRIENDLY AS WELL?\r\n\r\n>> ALL RIGHT, CORP. COUNSEL, HOW MANY FRIENDLIES CAN WE HAVE? MANY. OKAY. WE'RE ALL FRIENDS HERE. OKAY. SOMEBODY KEEPING TRACK ALL OF THESE THINGS?\r\n\r\nOKAY. >> AND THEN I GUESS I WANTED TO SAY ALSO AS TO OUR EARLIER CONVERSATION ABOUT CARRYING COSTS, DO YOU HAVE THOSE ITEMIZED FOR US? >> I DO ROUGHLY KNOW MY CARRYING COSTS. >> DID YOU WANT TO SHARE THEM WITH US? >> I WILL SHARE A COUPLE OF NUMBERS OF ENTITLEMENT

INVESTMENT HAS BEEN ABOUT \$43 MILLION. THE CARRYING COSTS HAVE BEEN ABOUT \$400 MILLION. >> AND DO YOU HAVE RECEIPTS?\r\n\r\n>> I DON'T HAVE RECEIPTS. >> YOU JUST WANT US TO TAKE YOUR WORD FOR IT? >> WELL I DON'T KNOW WHAT THE RECEIPTS WOULD BE. I DON'T KNOW HOW WE WOULD GATHER 20 YEARS' OF DETAIL RECEIPTS FROM DIFFERENT FOLKS, OR 20 YEARS' OF INTEREST PAYMENTS, AND I DON'T KNOW THAT ANYTHING LESS THAN THAT IS EVER GOING TO SATISFY YOU. SO I DO KNOW THOSE NUMBERS THEY ARE SUBJECT TO THE SAME STANDARD OF REPRESENTATION THAT I HAVE MADE ALL NIGHT LONG. SO I'M CROSSING MY HEART ON THEM. BUT THAT HAS BEEN WHAT THE PROJECT HAS COST JUST IN TERMS OF CARRYING COSTS AND ENTITLEMENTS ROUGHLY SO FAR.\r\n\r\n>> OKAY. SO I STILL DON'T AGREE, BECAUSE EVERY FAMILY MOVING AWAY OVER THE LAST 18 YEARS THAT COULDN'T GET THE JOBS OR THE HOUSING IS WORTH \$100 MILLION EACH TO ME, BUT THAT BEING SAID, I WILL PROBABLY VOTE IN FAVOR OF THIS, BECAUSE OF THE OTHER THINGS THAT I LIKE, THAT THIS INCLUDES. YIELD. >> ANYBODY ELSE? MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. OKAY, SO I HAVE AN IDEA FROM MEMBER PALTIN'S CONCERN, SHE MENTIONED EARLIER, REGARDING THE FAIR MARKET VALUE.\r\n\r\nI AGREE WITH HER RATIONALE. AND FAIR MARKET VALUE IN 2008. WHATEVER THAT WAS. >> MR. CHIPCHASE. >> I MEAN CERTAINLY I WOULDN'T THINK THAT IS FAIR. IT DOESN'T ACCOUNT FOR THE COSTS THAT HAVE BEEN INCURRED, BOTH CARRYING AND OTHERWISE SINCE THAT TIME OR THE COSTS THAT WILL HAVE TO BE INCURRED TO TAKE IT TO THE PLACE WHERE IT CAN BE APPRAISED. >> 17 YEARS.\r\n\r\n>> 17 YEARS OF INFLATION. >> OKAY. I MEAN, THAT IS AN IDEA, BUT IT DOESN'T SEEM TO BE GOING OVER TOO WELL. YOU WANT TO VOTE ON THAT? I MEAN, BEFORE -- WHEN YOU SAY FRIENDLY AMENDMENT, AND EVERYBODY AGREES AND THEN YOU MAKE THIS SUGGESTION, AND I DON'T SEE A WHOLE LOT OF AGREEMENT. >> I WILL THINK ABOUT IT. >> YOU WILL THINK ABOUT IT?\r\n\r\n>> YEAH, I'M NOT PUSHING IT OUT, BUT THROWING IT OUT FOR CONSIDERATION AND DISCUSSION FIRST. I DON'T KNOW HOW THAT WOULD BE DONE. SO THAT IS WHY I SAID IT'S AN IDEA FOR DISCUSSION. MAHALO, CHAIR. >> THANKS. ARE YOU FOLKS READY TO VOTE? OKAY, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE?\r\n\r\n>> AYE. >> AND I HOPE STAND BY IS KEEPING TRACK OF ALL OF THE FRIENDLY AMENDMENTS THAT WERE ADDED. I THOUGHT THERE WERE THREE. >> TWO. >> OKAY. THE LAST ONE WAS AN IDEA. OKAY.\r\n\r\nALL RIGHT. SO THAT TAKES CARE OF YOU. SO NOW THE MAIN MOTION AS AMENDED OR YOU HAVE SOME MORE TO ADD TO YOURS? >> TASHA'S. GO AHEAD, SORRY. >> JUST A QUICK FOLLOW-UP FOR FIRST DEPUTY CORP. COUNSEL WHEN YOU SUGGESTED HONU'ULA PARTNERS, LLC. SUCCESSORS AND ASSIGNS FOR THAT SECTION, DID YOU PLEBEIAN FOR EVERY SECTION OR EVERY TIME IT'S MENTIONED IN THIS SECTION OR JUST THAT LINE WE AMENDED WITH VERTICAL CONSTRUCTION?\r\n\r\n>> SO THE REASON THAT I SUGGESTED IT WAS BECAUSE THE WAY THAT I READ IT AND I'M IMAGINING SOME DEPUTY CORPORATION COUNSEL 30 YEARS FROM NOW TRYING TO INTERPRET THIS, I WON'T BE THERE. I WOULD READ IT AS BEING WITHOUT SUCCESSORS OR ASSIGNS MIGHT BE THINKING IT HAS TO BE HONU'ULA PARTNERS. SO IF THE INTENT IS THAT EVERYWHERE IN THIS DOCUMENT IT'S NOT MEANT TO JUST COMPLETELY -- IT'S TO RUN WITH WHOEVER TAKES OVER IT'S SOLD TO, ET CETERA, THEN WE JUST NEED TO MAKE IT CLEAR IN THERE THAT IS THE INTENT OF THE ENTIRE DOCUMENT AND IT COULD BE DONE IN ONE SENTENCE UPFRONT. IT DOESN'T HAVE TO BE DONE EVERY SINGLE TIME, BUT JUST KEEP IT IN MIND. OTHERWISE, THAT IS HOW I READ IT AS ONE PERSON. >> THAT IS A CONCERN AND SHOWS UP AGAIN IN SECTION 10 WITHOUT SUCCESSORS AND ASSIGNS. >> CHAIR?\r\n\r\n>> MR. HOPPER. >> MIMI CAN HELP WITH THIS AND I COULD ASK MS. NAKATA TO SPEAK ON THIS AS WELL BECAUSE IT'S RECURRING ISSUES. THERE'S AND UNITED LATTER AGREEMENT TO BE SIGNED AND RUNNING WITH THE LAND AND IN THAT UNILATERAL AGREEMENT IT STATES THE DECLARANT IS HONU'ULA PARTNERS AND ITS SUCCESSORS AND ASSIGNS THROUGHOUT THE DOCUMENT. IF YOU WANT TO STATE THAT AGAIN IN THE CONDITIONS, YOU CAN CERTAINLY DO THAT. I DON'T THINK ANY OF THESE CONDITIONS THOUGH IF HONU'ULA PARTNERS WOULD BE SOLD OR DISSOLVED, OR

CHANGE ITS NAME, OR SOMETHING LIKE THAT, THAT THE OBLIGATION WOULD BE EXTINGUISHED.\r\n\r\nSO I DON'T KNOW DID MS. NAKATA OR MR. RAATZ HAVE ANYTHING TO ADD TO THAT, BECAUSE THIS IS A CONSISTENT THING WE GET WITH CHANGES IN ZONING I JUST WANTED TO NOTE THAT FOR THE RECORD, THAT WE WOULD NOT, I THINK, GENERALLY VIEW THESE AS THINGS THAT IF THE ENTITY ITSELF IS GONE, THAT THE OBLIGATION IS GONE, UNLESS THERE'S REALLY SPECIFIC LANGUAGE TO THAT EFFECT. >> THANK YOU. DO YOU WANT TO ASK MR. RAATZ? SINCE MS.\r\n\r\nNAKATA IS NOT HERE. >> THANK YOU, CHAIR. WE AGREE WITH MR. HOPPER. THE UNILATERAL AGREEMENT IS PART OF CONDITION ZONING ORDINANCES RECORDED WITH THE BUREAU OF CONVEYANCES. SO ANY PERSPECTIVE FUTURE BUYERS ARE ON-NOTICE OF THE CONDITIONS THAT WILL RUN WITH THE LAND. SO AS MR.\r\n\r\nHOPPER SAID, UNLESS THERE'S A SPECIFIC INTENT TO HAVE A CERTAIN CONDITION NOT RUN WITH THE LAND WHO COULD BE UNUSUAL AND PROBABLY NOT APPROPRIATE, I THINK THIS SUCCESSORS AND ASSIGNS LANGUAGE IS ULTIMATELY SUPERFLUOUS. SO EVEN IF WE'RE INCONSISTENT WITHIN THE BODY OF THE DOCUMENT, WHICH WE PREFER NOT TO BE, I DEPONENT THINK IT WOULD HAVE ANY SUBSTANTIVE EFFECT EITHER WAY. THANK YOU, CHAIR. >> YES, MIMI. >> OKAY HAVING SAID, WE DEFINITELY DON'T WANT TO PUT THAT IN THERE BECAUSE IT SEEMS WEIRD. IT MEANS SOMETHING OTHER. SO IF THE UA IS GOING TO BIND ALL FUTURE SUCCESSORS OR SIGNS OF HONUUA'ULA PARTNERS, THEN MY RECOMMENDATION IS TO TAKE IT OUT AND LEAVE IT OUT.\r\n\r\nTHANKS, MIKE. >> SO CHAIR, FOLLOW-UP TO FIRST DEPUTY. SO NOT EVEN DO LIKE A ONE-LINER FOR ANY FUTURE DEPUTY CORP. COUNSELS WHO MAY BE READING THIS AND NOT HAVE THE BUREAU OF CONVEYANCE DOCUMENTS, OR THE UA? >> SO THE UA WILL BE RECORDED. I THINK THAT IS ESSENTIAL TO THE UNDERSTANDING OF THE TOTALITY OF THE DOCUMENT. AND THAT THE UA, I APOLOGIZE, I TOTALLY SPACED OUT THE UA THAT THIS DOES RUN WITH THE LAND AND ASSIGNEES AND SUCCESSORS.\r\n\r\nSO IF THAT IS CLEARLY THE INTENT, I THINK YOU HAVE TO READ THAT DOCUMENT WITH THE AGREEMENT TO UNDERSTAND THAT HONUUA'ULA PARTNERS MEANS THE ASSIGNEES AND SUCCESSORS GOING FORWARD. >> OKAY, BECAUSE IN THE FIRST MOTION IN SECTION 2A, IT DOES HAVE SUCCESSORS AND PERMITTED ASSIGNS THERE. SO WOULD WE THEN JUST DO A BLANKET MOTION? >> OKAY. >> FOR EVERYTHING TO REMOVE SUCCESSORS. >> I WILL QUICKLY RESOLVE THIS. I SEE CHICKADEES ARE FADING.\r\n\r\n>> AND I GUESS THERE'S NO RUSH IN ANSWERING THE QUESTION RIGHT NOW. WE CAN FIGURE THAT OUT BEFORE WE TAKE THE VOTE ON THE MAIN MOTION AS AMENDED MULTIPLE TIMES UNLESS YOU WANT TO ANSWER NOW. >> I DON'T THINK DID REALLY MATTERS. THE UA IS GOING TO CONTROL. I WOULD SAY THAT WOULD HAVE TO BE READ IN, YOU KNOW, WITH THIS DOCUMENT TO UNDERSTAND ITS FULL MEANING. SO IN OTHER WORDS, IF 30 YEARS DOWN THE ROAD HONUUA'ULA PARTNERS NO LONGER EXISTS THAT DOESN'T MEAN THAT THAT CONDITION IS GONE. IT WOULD MEAN THAT THEY COMMITTED TO UNDERSTANDING THAT IT RAN WITH THE LAND AND THAT IS WHY THE UA WAS RECORDED.\r\n\r\nI HEAR MY CHIPCHASE SAYING IT'S OKAY TO LEAVE IT IN, BECAUSE IT'S RATHER SUPERFLUOUS. I DON'T THINK IT'S AN ISSUE AND I APOLOGIZE IF I MADE IT AN ISSUE. I FORGOT ABOUT THE UA AND MR. HOPPER IS CORRECT THAT UA IS IMPORTANT TO REMEMBER IN TERMS OF BINDING THOSE FUTURE ASSIGNEES TO THIS PROJECT, IF THERE ARE ANY. >> OKAY. SO A CONCERN, ONE, WE SHOULD MAKE IT CONSISTENT THROUGHOUT THE ENTIRE DOCUMENT, UNLESS WE PUT ONE LINE THAT REFERS TO THE UA. I DON'T KNOW.\r\n\r\nJUST FOR ANY FUTURE DEPUTY CORP. COUNSEL'S REFERENCE IN READING THESE BILLS. AND THERE WAS ONE MORE THING I SHOULD HAVE WROTE DOWN. IF IT'S CHOPPED UP, THEN LIKE, ALL THE ASSIGNS, LIKE WHAT IF THERE'S FIVE DIFFERENT ENTITIES? MR. CHIPCHASE. >> HOLD ON ONE SECOND, LET ME SAY ONE THING, IF YOU LOOK AT EXHIBIT B1. THIS IS THE DOCUMENT BEING AMENDED AS THIS PROJECT MOVED ALONG.\r\n\r\nIT SAYS THAT HONUUA'ULA PARTNERS ITS SUCCESSORS AND PERMITTED ASSIGNEES SHALL AND MAYBE THE THING DO, LIKE YOU SAID, BECAUSE IT'S A GREAT IDEA. IS TO REMIND SOMEBODY WHO MAY NOT KNOW IN THE BEGINNING TO SAY THAT THAT IS INTENDED THROUGHOUT

THE DOCUMENT. ? >> I PREFER THAT. I KNOW IT'S SUPERFLUOUS -- I CAN'T SAY THE WORD [LAUGHTER] I STILL CAN'T SAY IT. BUT I THINK EVEN FOR THE COUNCIL MEMBERS OR THE PUBLIC READING IT, BECAUSE I DON'T KNOW IF THE PUBLIC HAS ACCESS TO THE UA, AND I WOULD JUST LIKE THERE TO BE SOME KIND OF ACKNOWLEDGMENT THAT THERE IS THAT. >> CHAIR, IF I MAY? >> DIRECTOR RAATZ.\r\n\r\n>> THANK YOU FOR THE CONCERN, COUNCIL MEMBER. BUT JUST TO REASSURE YOU THE UA IS ACTUALLY IMBEDDED WITHIN THE ORDINANCE. AND THE UA INCLUDES A DEFINITION HONUA'ULA AS DECLARANT AND THE TERM INCLUDES BOTH HONUA'ULA AND ANY SUCCESSORS AND ASSIGNS. AND IT ALSO CLARIFIES IT RUNS WITH THE LAND. SO AS FIRST DEPUTY CORPORATION COUNSEL MENTIONED, THE LANGUAGE PERMITTED SUCCESSORS AND PERMITTED ASSIGNS THERE'S NOTHING WRONG WITH IT. IT'S LEGALLY NOT A BIG DEAL. IT'S SUPERFLUOUS.\r\n\r\nIF WE WANT TO BE CONSISTENT AND CONCISE, WHICH WE DO RECOMMEND FOR LEGISLATIVE DRAFTING PRINCIPLES WE WOULD SAY JUST USE THE, LLC.'S NAME CONSISTENTLY THROUGH THE AND IF THERE'S A MOTION TO THAT EFFECT, WE CAN AMEND THE BILL ACCORDINGLY. THANK YOU. >> I THINK MR. CHIPCHASE WAS GOING TO ANSWER MY EARLIER QUESTION. >> MR. CHIPCHASE. >> ABOUT THERE BEING MULTIPLE ASSIGNS LIKE IF THERE WAS FIVE?\r\n\r\nWOULD IT BE DIVIDED UP BY THE FIVE? >> WE ONLY HAVE FIVE MORE ASFS TO GO. >> RIGHT. WE WERE DEBATING LAWYER THINGS. SO THAT REALLY DEALS WITH AN ENFORCEMENT QUESTION. >> YES. THAT IS THE POINT.\r\n\r\n>> ABSOLUTELY. SO THE CLEAR ANSWER TO THAT IF IT RUNS WITH THE LANDS EVERY OWNER IS BOUND BY THE CONDITION. >> OKAY. SO ENFORCING IT, IT WOULD BE LIKE EQUALLY DIVIDED BY WHOEVER IS OWNING IF THERE'S LIKE FIVE OR WHATEVER? >> ACTUALLY THE WAY YOU CAN DO IT, IT'S 100% ENFORCEABLE AGAINST EVERY OWNER; RIGHT? IF YOU HAVE ONE OWNER WHO DEFAULTS THE OTHER OWNERS HAVE 100% OF THE OBLIGATION EACH. >> WE JUST HAVE A LOT UNENFORCED CONDITION FROM DECADES AGO THAT OUR COMMUNITY THEN LOSES BECAUSE IT'S NOT ENFORCED.\r\n\r\nSO I WANT TO MAKE SURE THIS IS ENFORCES. >> I UNDERSTAND. >> I DON'T SUPPORT THIS, I DON'T WANT TO PASS THIS AT ALL, BUT THE VOTES ARE THERE. SO I'M IN THE MINORITY. >> OKAY. READY FOR THE VOTE. >> THERE'S NO MOTION ON THE FLOOR.\r\n\r\nCHAIR, SO THERE'S - OH, SHOOT, I LOST IT. OKAY. WE HAVE AMENDMENTS ON BILL 171, SO THAT WOULD BE SECTION 2B. THERE'S THE BILL 172. IS THERE ARE TWO AMENDMENTS 5C, WHICH ARE THE RENTAL UNITS THAT IS MEMBER KAMA AND MINE. MEMBER PALTIN'S AMENDMENT TO 5C TO THE OWNERSHIP UNITS, AND THEN MEMBER JOHNSON ADDING A NEW 5E, AND THEN MEMBER SINENCI'S AMENDMENT, WHICH WOULD ADD A NEW CONDITION 33. >> IT'S MEMBER KAMA'S. >> MEMBER SINENCI IS THE 33. THIS IS THE LIDAR ONE. >> I JUST WANTED TO MAKE SURE THAT WE FINISHED MEMBER UU-HODGINS'S. >> THAT WAS YOURS, CHAIR. >> I KNOW THAT WAS MINE, BUT HER MOTION. >> YES, THERE WERE TWO.\r\n\r\n>> ALL OF THE AMENDMENTS -- ? >> TWO MOTIONS IN YOUR ASF. >> OKAY. SO THAT IS DONE. SO NOW WHICH ONE ARE WE ON NOW?? >> I THINK SHE SAID SINENCI. >> WELL, LET'S HAVE THE CLERK CALL IT UP. >> OR I THINK SO THERE'S OVERLAPPING. I THINK WE COULD DO, IF MEMBER KAMA IS READY, IF YOU WANTED TO DO OUR 5C RENTAL UNITS, YOUR PROPOSAL AND THEN MY PROPOSAL, THAT ACTUALLY DOESN'T -- I GUESS IT WOULD CON ANYBODY.\r\n\r\nIF YOURS PASSES MINES WOULD BE MOOT. >> OKAY, MEMBER KAMA. >> FOR THE RENTAL UNIT PART. >> MEMBER KAMA, YOU HAVE THE FLOOR. >> THANK YOU. SO I MOVE TO AMEND THE SECOND SENTENCE OF THE BILL'S ZOIC CONDITION 5C BY 1, STRIKING THE PHRASE AS FOLLOWS" 42 AND BELOW MODERATE-INCOME RANGE OF MORBID THAN 80%, BUT NOT MORE THAN 100% OF THE AREA MEDIAN INCOME. AMI.\r\n\r\n42 IN THE MODERATE-INCOME RANGE OF MORE THAN 100%, BUT NOT MORE THAN 120% OF THE AMI. AND 41 IN THE ABOVE MODERATE-INCOME RANGE OF MORE THAN 120%, BUT NOT MORE THAN 140% OF THE AMI. AND INSERTING IN ITS PLACE THE PHRASE "ACCORDING TO THE INCOME DISTRIBUTION OF CHAPTER 2.96 MAUI COUNTY CODE RESIDENTIAL WORKFORCE HOUSING." >> SECOND. >> OKAY. IT'S BEEN MOVED BY PRO TEM KAMA AND SECONDED BY VICE-CHAIR SUGIMURA TO PASS THE MOTION AS MENTIONED IN THE ASF THAT WAS DISTRIBUTED TO EVERYONE. DISCUSSION, PRO TEM

KAMA. >> THE CHANGES IN CONDITION 5C ARE AS FOLLOWS: WITH STRIKE THROUGH REFLECTING DELETIONS AND HIGHLIGHTING REFLECTING INSERTIONS TO THE LANGUAGE.\r\n\r\nC125 OF THE RESIDENTIAL WORKFORCE HOUSING UNITS. >> I THINK WE'RE DOING ONE MOTION AT A TIME MEMBER KAMA. >> OKAY. >> SO YOURS IS ON THE DISTRIBUTION >> YES. >> AND INSTEAD OF GOING 42, 42, 41, YOUR RECOMMENDATION IS TO FOLLOW 2.96, WHICH THIS DOES, BUT I REMEMBER THE DISCUSSIONS IN HLU COMMITTEE. >> RIGHT. >> THAT THERE WAS -- WHERE WOULD WE -- WHICH AMI BRACKET WOULD NOT HAVE THAT ADDITIONAL ONE?\r\n\r\nBECAUSE IT WAS 42, 42, 41 AND MEMBER PALTIN WANTED THE HAD 41 TO BE IN THE HIGHEST BRACKET ABOVE MODERATE, WHICH IS WHY WE BROKE IT UP 42, 42, 41. >> AT THE DECEMBER 3RD, 2024 MEETING, COUNCIL HOUSING AND LAND USE COMMITTEE INSERTED INCOME BREAKDOWN FOR RENTAL UNITS REFLECTED IN THE BILL. THE EXPLANATION FOR THE APPROVED MOTION REFERENCED CODE CHAPTER 2.96 HOWEVER IN CONTRAST TO THE BILL, THE RELEVANT INCOME BREAKDOWN FOUND IN PARAGRAPH 2.96.040C2 IS AS FOLLOWS : ONE-THIRD FOR VERY LOW-INCOME AND LOW-INCOME RESIDENTS, UP TO 80% OF THE AMI, ONE-THIRD FOR BELOW MODERATE-INCOME RESIDENTS, MORE THAN 80%, BUT NOT MORE THAN 100% AMI AND ONE-THIRD FOR MODERATE-INCOME RESIDENTS MORE THAN 100%, BUT NOT MORE THAN 100% OF THE AMI. MY AMENDMENT WOULD BRING THE NUMBER OF RENTAL UNITS INTO ALIGNMENT WITH THE RESIDENTIAL WORKFORCE HOUSING POLICY CONSISTENT WITH THE COMMITTEE'S EXPRESSED INTENT RESULTING IN UNITS BEING AVAILABLE TO FAMILIES AT LOWER INCOME LEVELS. THEREFORE, MEMBERS, I ASK YOUR REQUEST TO SUPPORT THIS AMENDMENT. THANK YOU, CHAIR. ? >> OTHER DISCUSSION? NO FURTHER DISCUSSION?\r\n\r\nMEMBER PALTIN. >> >> IS THIS ONLY ONE AMENDMENT DEEP? >> YES. >> ONLY ONE? >> THIS IS WE'RE ONLY ONE AMENDMENT DEEP? >> CAN WE ADD ON MY POSTED ASF TO THIS? AND THEN DO ANOTHER AMENDMENT, OR NO, YOU CAN ONLY GO TWO AMENDMENTS DEEP?\r\n\r\n>> ONLY TWO. >> YOURS WOULD BE THE SECOND ONE. >> YOURS WOULD BE SECOND. >> ARE YOU FINISHED WITH YOUR DISCUSSION? >> YES. >> NOW YOU CAN MAKE A MOTION. WHICH ONE IS YOURS?\r\n\r\n>> MEMBER PALTIN IS 24-31. >> I HAVE AMENDMENTS SO THAT ONE BASED ON WHAT WE TALKED ABOUT IN THE DEED RESTRICTION IN HLU. SO I DON'T KNOW IF WE SHOULD PASS THIS AND THEN GO TO MINE BECAUSE WE CAN ONLY DO TWO DEEP ALL RIGHT. ALL THOSE IN FAVOR OF THE MOTION -- ? >> I JUST HAD A QUESTION. >> YES. >> SO I GUESS IT'S NOT CLEAR WHY WE WOULD FOLLOW 2.96 INSTEAD OF THE 42, 42, 41 BREAK DOWN. IS THE NUMBERS DIFFERENT? >> IT JUST MAKES IT MORE CONSISTENT >> CAL?\r\n\r\n>> WELL, BECAUSE WHEN YOU DO THE MATH, THERE WAS, LIKE, THE MATH -- YOU CAN'T SPLIT A HOUSE. SO MEMBER PALTIN WANTED THAT UNIT TO BE IN THE LOWER. SO BY NOT ASSIGNING THE UNITS TO THE LOWER TWO BRACKETS, IT LEAVES THAT DISCRETION TO THE DEVELOPER. >> CHAIR, IF I MAY. >> DAVID. >> STAFF COULD POINT OUT THAT THE BRACKETS WOULD BE DIFFERENT UNDER THIS ASF, IF IT'S APPROVED. ON PAGE 2 OF THE PRINTED ASF, WE CAN SEE LANGUAGE THAT IS STRUCK THROUGH.\r\n\r\nTHE FIRST BRACKET IS BELOW MODERATE-INCOME, IN CONTRAST AS EXPLAINED IN THE REASON SECTION OF THE ASF, UNDER THIS PROPOSAL THE FIRST BRACKET WOULD COMPRISE VERY LOW-INCOME AND LOW-INCOME. SO IT STARTS AT A LOWER-LEVEL UNDER THIS PROPOSAL. >> MAHALO, DIRECTOR RAATZ FOR POINTING THAT OUT. BUT THE MATH WOULD STILL LEAVE ONE; RIGHT? 42, 42, 41; RIGHT? >> CORRECT. >> SO WHERE WOULD THE -- WHICH BRACKET WOULD NOT GET ONE?\r\n\r\nSO THE LOWER TWO BRACKETS GOT 42, 42 AND THE HIGHEST BRACKET GOT 41. SO IF WE LEAVE IT TO THE DISCRETION OF THE DEVELOPER, THEN THERE THE DEVELOPER COULD CHOOSE WHICH BRACKET WOULD NOT GET ONE. SO IT WOULD BE -- YOU KNOW WHAT I MEAN? >> I GUESS WE COULD AMEND THIS ONE AND SAY ACCORDING TO THE INCOME GROUP DISTRIBUTION OF CHAPTER 2.96 MAUI COUNTY CODE RESIDENTIAL WORKFORCE HOUSING POLICY WITH THE MODERATE INCOME RESIDENTS HAVING THE LESSER AMOUNT OF FULL HOUSES, SOMETHING LEGISLATIVE INTENT. >> IF MEMBER -- BECAUSE I SUPPORT WHAT YOU ARE DOING MEMBER KAMA. I SUPPORT THIS AMENDMENT AND THE THIRD BY THIRD, THERE'S ONE BRACKET. SO WHAT MEMBER PALTIN IS SAYING THAT THE

HIGHEST BRACKET WOULD BE THE ONE THAT GETS ONE LESS. >> YES.\r\n\r\n>> AND THE PORTIONS OF THEM WOULD GO TO THE LOWER TWO THIRDS. >> YES. >>> I'M NOT SURE ON THE EXACT LANGUAGE, LEGISLATIVE INTENT, CAN WE INVOKE THAT OR SAY ACCORDING TO THE INCOME GROUP DISTRIBUTION OF CHAPTER 2.96 MAUI COUNTY CODE RESIDENTIAL WORKFORCE HOUSING POLICY, WHICH ARE SAYS ONE-THIRD FOR VERY LOW-INCOME, AND LOW-INCOME RESIDENTS UP TO 80% OF THE AMI, OR IN THIS CASE, 42 HOUSING UNITS. ONE-THIRD FOR BELOW MODERATE-INCOME RESIDENTS MORE THAN 80%, BUT NOT MORE THAN 100% EVER AMI AND THERE THIS CASE 42 HOUSING UNITED AND ONE-THIRD FOR THE MODERATE-INCOME RESIDENTS NOT MORE THAN 120% AMI OR IN THIS CASE 41 HOUSING UNITS. LEGISLATIVE INTENT, CAN YOU PRETTY IT UP. IS THAT OKAY? >> YES.\r\n\r\n\r\n>> IT'S FINE WITH ME. BASED ON EVERYTHING THAT YOU HAVE SAID, THAT WOULD BE INCORPORATED INTO OUR AFFORDABLE HOUSING AGREEMENT ANYWAY. >> OKAY. THE LOWER SECTIONS WOULD GET THE FULL UNITS. >> CORP. COUNSEL. >> OKAY, SO ONE THING THAT COMES UP OCCASIONALLY IS IF THIS IS DELAYED FOR A WHILE AND YOU FOLKS AMENDED WORKFORCE HOUSING POLICY TO CHANGE OUT THOSE PERCENTAGES IS THE LEGISLATIVE INTENT THAT THE POLICY IT'S EXISTS WHEN THIS IS PASSED AND WE'LL GO BACK AND LOOK AT THE MINUTES TO VERIFY THIS, THAT IS THE VERSION OF 2.96 THAT YOU PLAN TO APPLY HERE?\r\n\r\n\r\nYOU KNOW WHAT I'M SAYING? SOMETIMES THAT'S THINGS GET DELAYED AND CHANGED IT'S NOT THE SAME. >> THE LEGISLATIVE INTENT IS BASICALLY WHATEVER THE DISTRIBUTION IS THE PORTION WHERE THERE A PORTION OF A UNIT, LIKE IF IT'S NOT DIVIDED EQUALLY BY WHATEVER THE 2.96 IS AT THE TIME WOULD GO TO THE LOWER AMI BRACKETS, DOES THAT MAKE SENSE TO YOU? >> IT DOES. I TOTALLY FOLLOW THAT. I'M JUST CLARIFY WHEN YOU MAKE AMENDMENTS, IT CHANGES AND WHETHER THE AGREEMENT IS ENTERED WE'RE GOING TO BE RELYING ON A VERSION OF 2.96. >> IF IT DOES GET AMENDED TO A DIFFERENT DISTRIBUTION, IF IT'S NOT A WHOLE NUMBER, WE WOULD LIKE IT TO BE ON THE LOWER ONES NOT THE HIGHEST ONES. >> SO YOU JUST HAVE TO MAKE THAT CLEAR.\r\n\r\n\r\n>> THAT IS WHAT WE NEED TO DO RIGHT NOW. >> OH, WE CANNOT SAY THAT IS OUR LEGISLATIVE INTENT AND SOME SMART GUY MAKES IT INTO PRETTY. >> OR GIRL. >> IS IT ENOUGH TO PUT IT IN THE COMMITTEE REPORT? DAVID? >> THANK YOU, CHAIR. WE'RE AT FIRST READING NOW.\r\n\r\n\r\nSO I THINK IT IS IMPORTANT TO TRY TO EVEN AT THIS LATE HOUR BE AS PRECISE AS WE CAN WITH THE LANGUAGE, SO WE CAN PRODUCE A BILL THAT IS REFLECTIVE OF WHAT THE BODY AGREES TO. >> CHAIR? ? >> ONE SECOND. >> GO AHEAD. >> DAVID, MY CONCERN IS THAT YOU KNOW, IF IT RELIES ON 2.96 BEING CHANGED, THEN IT IS GOING TO CAUSE SOME CONFUSION. IF THIS IS ENACTED BEFORE 2.96 IS CHANGED. SO RATHER THAN FUMBLE AROUND ALL NIGHT, WHY DON'T WE HAVE STAFF WORK OUT THE LANGUAGE BETWEEN NOW AND THE NEXT READING.\r\n\r\n\r\nTHE MEETING, IS THAT POSSIBLE, DAVID? >> THANK YOU, CHAIR. YES, WE'LL DO OUR BEST. >> OKAY. BECAUSE RIGHT NOW, I THINK OUR HEADS ARE LIKE FEELING LIKE VANILLA PUDDING. CHOCOLATE. >> CHOCOLATE.\r\n\r\n\r\n>> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. SO YEAH, I THINK YOU KIND OF NAILED IT, AND WHAT MEMBER PALTIN WAS SPEAKING TO EARLIER AND I DON'T KNOW HOW TO CAPTURE THIS IN LEGISLATIVE INTENT, BECAUSE THAT IS PARTED OF WHAT GOT US INTO THIS MESS IN THE FIRST PLACE WAS THAT 2.96 EARLIER WAS 50%, 700 UNITS AND THEN IT WAS CHANGED 25% TO THE MARKET-RATE OF THE TOTAL PROJECT, WHICH KIND OF ROBBED THE COMMUNITY OF HOUSING. SO BEING MINDFUL OF LEARNING FROM THE PAST, WHEN WE SAY 2.96, WE'RE NOT MEANING A 2.96 THAT WOULD DECREASE THE NUMBER OF HOUSING UNITS FOR OUR RESIDENTS WHEN THIS FINALLY GOES THROUGH 17 YEARS LATER. SO WE WOULD EITHER LIKE PUT A YEAR, LIKE, AS IT IS WRITTEN IN 2025. BUT I KNOW MEMBER PALTIN WAS SAYING EARLIER THAT AS WE ARE WORKING ON 2.96 AMENDMENTS, WE WOULD LIKE IT TO BENEFIT THE COMMUNITY THE MOST. SO IF IT DOES GET AMENDED AND IT GIVES MORE UNITS TO THE COMMUNITY, OF COURSE WE WOULD PREFER THAT. SO I WILL WORK ON LANGUAGE.\r\n\r\n\r\nMAHALO, CHAIR. >> I KNEW YOU DIDN'T HAVE THE ANSWER. [LAUGHTER ]? >> JUST VOTE ON THAT LEGISLATIVE INTENT, AND THEN



SHE'LL WORK ON THE LANGUAGE. IS THAT OKAY? >> WELL, WE HAVE NO OTHER CHOICE. WE DON'T HAVE THE WORDING RIGHT NOW. >> OKAY.\r\n\r\nI'M OKAY TO CALL FOR THE QUESTION ON LEGISLATIVE INTENT? >> OR WHAT? >> OR IS IT FRIENDLY? ? >> I MEAN, WE STILL HAVE TO WORK ON THE WORDING, SO IT'S STILL LEGISLATIVE INTENT. SO I'M OKAY TO MOVE FORWARD IF WE ALL AGREE ON THE MOTION ON THAT STATED LEGISLATIVE INTENT AND SOMEBODY SMARTER AT SOME LATER TIME WILL MAKE IT OFFICIAL LANGUAGE THAT REFLECTS THAT LEGISLATIVE INTENT. >> A CLEARER THINKING PERSON. ALL THOSE IN FAVOR OF THE MOTION AS RESTATED BY MEMBER PALTIN, RAISE YOUR HAND, SAY AYE?\r\n\r\n>> AYE. >> OKAY. NINE AYES, ZEROS NO, MOTION CARRIES. WHAT IS THE NEXT ONE? >> ME. >> MEMBER PALTIN'S 24-31. >> IS IT WAS POSTED WITH THE AGENDA. >> OKAY, YOU WANT TO MAKE A MOTION.\r\n\r\n>> YES. I MOVE TO AMEND BILL 172. >> I'M SORRY TO INTERRUPT YOU, SINCE IT'S BEEN POSTED ON THE AGENDA, CAN WE GO AHEAD AND CALL IT UP. >> YES, GO AHEAD AND CALL IT UP. >> THANK YOU. >> OH, CHAIR, SHOULD WE JUST HAVE OUR CLERK CALL UP ALL OF THEM ONE TIME AND THAT WAY WE DON'T HAVE TO KEEP STOPPING TO HAVE THEM CALLED UP. >> THAT WOULD BE GREAT. >> GREAT.\r\n\r\n>> I WILL START WITH 24-30, COUNTY COMMUNICATION 24-30 FROM COUNCIL MEMBER RAWLINS-FERNANDEZ TRANSMITTING A PROPOSED AMENDMENT TO BILL 171 (2024) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING CHAPTER 19 .90A MAUI COUNTY CODE RELATING TO KIHEI-MAKENA DISTRICT WAILEA 670. COUNTY COMMUNICATION 24-31 FROM COUNCIL MEMBER PALTIN TRANSMITTING A PROPOSED AMENDMENT TO BILL 172 (2024) ENTITLED; A BILL FOR AN ORDINANCE TO AMEND ORDINANCE 3554 AS PREVIOUSLY AMENDED ESTABLISHING KIHEI-MAKENA PROJECT DISTRICT 9 WAILEA 670 ZONING CONDITIONAL ZONING FOR APPROXIMATELY 670 ACRES SITUATED AT PAEAHU, PALAUEA, KEAUAHOU, HONUA'ULA, DISTRICT OF MAKAWAO, MAUI, HAWAI'I. COUNTY COMMUNICATION 24-32 FROM COUNCIL MEMBER JOHNSON TRANSMITTING A PROPOSED AMENDMENT TO BILL 172 (2024) ENTITLED, "A BILL FOR AN ORDINANCE TO AMEND ORDINANCE 3554 AS PREVIOUSLY AMENDED ESTABLISHING KIHEI-MAKENA PROJECT DISTRICT 9 WAILEA 670 ZENG CONDITIONAL ZONING FOR APPROXIMATELY 670 ACRES SITUATED AT PAEAHU, PALAUEA, KEAUAHOU, HONUA'ULA, DISTRICT OF MAKAWAO, MAUI, HAWAI'I, AND COUNTY COMMUNICATION 24-33 FROM COUNCIL MEMBER RAWLINS-FERNANDEZ TRANSMITTING A PROPOSED AMENDMENT TO BILL 172 (2024) ENTITLED, "A BILL FOR AN ORDINANCE TO AMEND ORDINANCE 3554 AS PREVIOUSLY AMENDED ESTABLISHING KIHEI-MAKENA PROJECT DISTRICT 9 WAILEA 670 ZONING CONDITIONAL ZONING FOR APPROXIMATELY 670 ACRES SITUATED AT PAEAHU, PALAUEA, KEAUAHOU, HONUA'ULA, DISTRICT OF MAKAWAO, MAUI, HAWAI'I. >> READY? >> WHO IS UP. >> MEMBER PALTIN. >> MEMBER PALTIN. >> OKAY I MOVE TO AMEND BILL 172 BY AMENDING SECTION 5C TO READ 125 OF THOSE RESIDENTIAL WORKFORCE HOUSING UNITS ARE RENTAL RESIDENTIAL WORKFORCE HOUSE UNITS ARE OWNERSHIP UNITS WITH DEED RESTRICTIONS REQUIRING EACH UNIT TO BE OWNER-OCCUPIED IN PERPETUITY. >> SECOND. >> LIKE HOW IT SAYS OVER THERE AND WHETHER I GET A SECOND, I HAVE SOME DISCUSSION.\r\n\r\n>> SECOND. >> MOVED BY MEMBER PALTIN, SECOND BY WHO? MEMBER RAWLINS-FERNANDEZ. AND SO APPROVE THE ASF JUST READ BY MEMBER PALTIN. DISCUSSION, MEMBER PALTIN. >> THANK YOU, THIS ONE TOO, SINCE WE PUT IT UP, WE WORKED ON IT IN THE DEED RESTRICTION BILL IN MEMBER KAMA'S HLU COMMITTEE. SO FOR 5C IN ADDITION TO THE PART WHERE IT SAYS WITH DEED RESTRICTION REQUIRING EACH UNIT TO BE OWNER-OCCUPIED IN PERPETUITY, I WOULD LIKE IT ADD THE LANGUAGE WE WORKED ON IN HER COMMITTEE THAT SAYS OR USED IN PERPETUITY AS A LONG-TERM RENTAL UNDER SECTION 3.48 .466 WITH RENT NO MORE THAN HUD'S CURRENT AFFORDABLE RENT GUIDELINES FOR A FAMILY OF FOUR AT 100% OF THE AREA MEDIAN INCOME, NOT INCLUDING UTILITIES, AND WITHOUT INCOME RESTRICTIONS, UNLESS THE DIRECTOR FINDS THE REQUIREMENT WOULD CAUSE UNDUE HARDSHIP INCLUDING ONE OR MORE OF THE FOLLOWING: 1, THE OWNER ASSIGNED TO ACTIVE MILITARY DUTY.\r\n\r\n2, THE OWNER HAS MEDICAL NEEDS REQUIRING RELOCATION. 3, THE OWNER IS EXPERIENCING DOMESTIC VIOLENCE AND REQUIRES RELOCATION. 4, THE OWNER IS TEMPORARILY

EMPLOYED OUTSIDE OF THE COUNTY. >> IS THAT IT? >> I'M WAITING FOR A SECOND. >> CAN I FRIENDLY AMENDMENT MY OWN MOTION? >> YES.\r\n\r\n>> OKAY. >> SECOND. >> SO THEN THE DISCUSSION WOULD BE WE DISCUSSED THAT IN THE DEED RESTRICTION DISCUSSION IN MEMBER KAMA'S HOUSING AND LAND USE TO MORE THOROUGHLY FLESH OUT THE IDEA FOR THOSE TYPES OF CIRCUMSTANCES THAT IT COULD THEN BE RENTED IN LONG-TERM, BUT FOR AN AFFORDABLE PRICE THAT IS NOT SUBJECT TO INCOME LIMITATIONS. IT WOULD BE AN AFFORDABLE RENTAL. >> OKAY. BEFORE WE HAVE FURTHER DISCUSSION, MR. CHIPCHASE, CAN YOU JUST CHIME-IN MAKE SURE IT'S POSSIBLE BEFORE WE GO ON.\r\n\r\n>> YES. SO AS I UNDERSTAND IT, IT WOULD GO FROM NO ABILITY TO RENT TO AN ABILITY TO RENT THESE FOR-SALE UNITS UNDER THE CIRCUMSTANCES THAT YOU DESCRIBED. ER YES FOR AN AFFORDABLE PRICE THAT IS NOT SUBJECT TO THE FAMILY OR WHOEVER'S INCOME ELIGIBILITY. IT WOULD BE KIND OF A LITTLE BIT LIKE RENT STABILIZATION ON THIS. >> AND WHAT YOU DESCRIBED IS CONSISTENT WITH THE POLICY THAT THE COUNTY IS PURSUING MORE BROADLY. DID I UNDERSTAND THAT RIGHT, TOO? >> IT IS CONSISTENT, BUT WE PAUSED ON THAT DISCUSSION TO TAKE UP BILL 9. SO WE DIDN'T GET A CHANCE TO PASS IT, BUT WE DISCUSSED IT IN COMMITTEE A COUPLE OF TIMES, I THINK.\r\n\r\n>> UNDERSTOOD. NO CONCERNS, CHAIR. >> MEMBER JOHNSON. >> CHAIR, I HAVE HAD THIS DISCUSSION SEVERAL TIMES IN HLU THIS WHOLE BODY HAS. IT'S 9:52, I THINK I'M READY TO VOTED ON THIS AMENDMENT AND I'M READY TO VOTE ON THE REST OF THE AMENDMENTS. I'M READY TO GO HOME. I WOULD LIKE TO LIMIT OUR DISCUSSIONS AND MAYBE NOT GO IN THE WEEDS, AS MUCH AS WE CAN.\r\n\r\nI JUST WANT TO TELL YOU THAT IS WHERE I STAND. THERE'S REALLY NOT MUCH ELSE I CAN ADD TO THE DISCUSSION. I'M READY TO VOTE, THANK YOU, CHAIR. >> ANYBODY ELSE? >> CHAIR, I'M SORRY TO INTERRUPT. WE WOULD JUST POINT OUT EXISTING BILL IN CONDITION 5F SAYS, FOR ALL RESIDENTIAL WORKFORCE HOUSING OWNERSHIP UNITS THE DEED RESTRICTION PERIOD IS TEN YEARS, EXCEPT THE UNITS MUST BE OWNER-OCCUPIED FOR 20 YEARS. THAT MAY BE THE AREA THAT THIS LANGUAGE SHOULD BE PUT IN.\r\n\r\nSTAFF JUST WANTED TO FLAG THAT. THANK YOU. >> OKAY, I WILL ACCEPT THAT AS A FRIENDLY AMENDMENT. >> OKAY. IS EVERYBODY AGREEABLE TO THAT? >> WOULD THE DIRECTOR PLEASE REPEAT THE SECTION THAT IT'S IN. >> DIRECTOR.\r\n\r\n>> THANK YOU, CHAIR, ZONING CONDITION 5F. >> IS THERE AN F? >> THERE'S NO F ON THIS PAPER. >> THERE'S NO F ON THIS PAPER. >> I'M REFERENCING THE BILL AS ATTACHED TO THE COMMITTEE REPORT. >> OKAY. EVERYBODY GOT IT? >> YES. >> OKAY.\r\n\r\nYOU DON'T -- YOU ARE NOT SATISFIED, WHAT IS THE QUESTION. >> I SUPPORT IT. I SUPPORT IT. I'M READY TO VOTE. >> ALL THOSE IN FAVOR, RAISE YOUR HAND, SAY AYE. >> AYE. >> OKAY.\r\n\r\nNINE AYES, ZERO NOS, MOTION CARRIES, WHAT IS THE NEXT ONE, QUICK. >> I HAVE ANOTHER AMENDMENT TO 5C, BUT MEMBER JOHNSON SAYS HE HAS TO GO. >> MEMBER JOHNSON, LET'S DO YOURS, WHICH ONE IS YOURS. >> THANK YOU, CHAIR. >> THE LOTTERY. >> YES, I ADD NEW SECTION 5(E). MUST BE OFFERED TO RESIDENTS IN THE ORDER IN WHICH THEIR NAMES WERE DRAWN IN THE LOTTERY AND TO EXTEND PERMITTED BY LAW THE APPLICANT'S SELECTED BY LOTTERY MUST BE RANKED BY THE TOTAL LENGTH OF TIME EACH HAS BEEN A RESIDENT OF THE COUNTY. THE WORKFORCE HOUSING UNITS MUST THEN BE OFFERED IN THE ORDER OF THEIR RANKING PROVIDED THAT THERE IS A UNIT AVAILABLE IN THE INCOME GROUP WHICH THEY QUALIFY.\r\n\r\nNON-RESIDENTS WILL BE OFFERED NON-RESIDENTIAL WORKFORCE HOUSING UNITS IN THE ORDER OF NAMES DRAWN IN THE LOTTERY. >> SECOND. >> EVERYBODY GOT THAT? ANY OBJECTIONS ANYBODY? COMMENTS? >> YES, CHAIR. SO THIS WAS DISCUSSED IN COMMITTEE AND MY POSITION, MY COMMENT THERE REMAINS THE SAME TODAY.\r\n\r\nI DO THINK THAT THERE'S SUBSTANTIAL CONSTITUTIONAL CONCERNS WITH DURATIONAL RESIDENCY REQUIREMENT IMPOSED BY THE COUNTY, FAVORING LONGER TERM RESIDENTS OVER NEW RESIDENTS. HOWEVER,, I UNDERSTAND THE INTENT OF IT, AND IT WAS CERTAIN MEMBERS OF THE COMMUNITY HAD EXPRESSED AN INTEREST IN ME FINDING A WAY TO OVERCOME THAT RESERVATION. AND SO WHAT I HAVE DONE IS INCORPORATE THAT LANGUAGE INTO OUR DRAFT AFFORDABLE HOUSING

AGREEMENT. I HAVE PROVIDED THAT TO THE DIRECTOR, MR. MITCHELL, AND HE HAS FORWARDED IT TO CORPORATION COUNSEL. SO RATHER THAN PUT IT INTO A BILL THAT I THINK MAKES IT UNCONSTITUTIONAL, AT LEAST THERE'S A SUBSTANTIAL RISK TO ME IT'S UNCONSTITUTIONAL, WHICH IF INVALIDATED I DON'T KNOW THAT THE SAVINGS CLAUSE IF PERIMETER BY LAW PROTECTS IT? I JUST DON'T WANT TO TAKE THAT RISK, BUT I WILL PUT IT INTO THE AFFORDABLE HOUSING AGREEMENT AND THEN IT'S A VOLUNTARY COMMITMENT BY THE DEVELOPER.

I DON'T HAVE THE SAME CONCERNS WITH THE LEGALITY OF IT. SO I'M HOPING THAT IS SUFFICIENT TO ADDRESS WHAT YOU WANT TO ACCOMPLISH WHILE NOT SUGGESTING THE PROJECT TO A POTENTIAL CHALLENGE. >> MR. JOHNSON? >> I DON'T THINK IT'S UNCONSTITUTIONAL. IT'S REFERENCED AND IT'S ACCEPTED IN OTHER PLACES. IF I CAN QUOTE MS. DESJARDINS WHO HELPED ME WORK ON THIS BILL, SHE SAID, "ALL RESIDENTS HOUSING IS FOR RESIDENTS." SO THERE'S NOTHING WRONG WITH RANKING THEM ACCORDING TO HOW MANY YEARS THEY LIVED HERE. I'M HEARING MS. DESJARDINS CAN SPEAK TO IT. I HAVE SPOKEN TO PLENTY OF LAWYERS AND MODELED IT AFTER THE WASHINGTON PC MODEL WHO HAS A LAWYER ON EVERY CORNER WHO WOULD SUE YOU IF IT WASN'T LEGAL. SO MS. DESJARDINS, LET HEAR YOUR PALM SPRINGS PLEASE. >> DEPUTY CORP. COUNSEL. >> THANK YOU, CHAIR. YOU'RE CORRECT, BUT THE QUANTIFICATION TO THE EXTENT ALLOWED BY LAW OR PERMITTED BY LAW, OUR DEPARTMENT FEELS THAT WE COMPLETELY UNDERSTAND MR. CHIPCHASE'S CONCERNS. WE HAVE THOSE CONCERNS. BUT THE FAIR HOUSING LAW, THE EQUAL PROTECTION CLAUSE ARE COMPLICATED AND A LOT OF TIMES IT DEPENDS ON WHAT THE END PRODUCT LOOKS LIKE. SO TO THE EXTENT ALLOWED BY LAW, ALLOWS US TO DETERMINE WHETHER OR NOT MANY A PARTICULAR CIRCUMSTANCE SOMETHING MAY OR MAY NOT LOOK LIKE IT MAY BE MORE RISKY THAN WE'RE WILLING TO TAKE. SO AS LONG AS YOU FOLKS UNDERSTAND THAT IS HOW WE INTERPRET IT, IT MAY NOT BE THAT A DURATIONAL RESIDENCY REQUIREMENT IS APPROPRIATE IN A PARTICULAR SCENARIO. BUT WE'RE WILLING TO TAKE THAT RISK. I APPRECIATE IT GOING INTO THE RESIDENTIAL WORKFORCE HOUSING POLICY. I AGREE THAT HELPS IT BECOME A MORE VOLUNTARY THING, BUT THERE'S STILL ISSUES LET'S BE CLEAR. >> OKAY. >> WE'RE WILLING TO TAKE THAT RISK. >> I'M WILLING, SHE IS WILLING, HOPEFULLY THE BODY IS WILLING. I'M READY TO VOTE AFTER SOME DISCUSSION. >> MAHALO, CHAIR. I SUPPORT THE MOTIONS BY MEMBER JOHNSON AND IT'S ALSO IN OUR CODE. IT'S ALREADY OUR LAW, MAHALO, CHAIR. >> MEMBER UU-HODGINS. >> FOR CLARITY, BECAUSE FLUE I FEEL LOST. IS THIS THE ONE THAT IS IN OUR CODE, BUT WE'RE STILL WORKING ON IT BECAUSE THE HOUSING HAD A DIFFICULT TIME IMPLEMENTING IT. >> THAT IS MY CONCERN, THAT IF WE HAD DIFFICULTY IMPLEMENTING IT, AND THEN WE PUT IT IN HERE AND IT'S STILL NOT IMPLEMENTED AND WE STILL DON'T HAVE A LIST, THEN WHAT? >> MEMBER JOHNSON HAD HIS HAND UP. >> THE PROBLEM IS NOT THE LEGALITY WHY IT'S NOT BEING -- WHY THEY ARE OUT OF COMPLIANCE, WHY THE ADMINISTRATION IS OUT OF -- THEY WANT THE DATABASE AND ALL OF THAT, THE PORTAL. THE LAW IS IN EFFECT. SO THERE'S THAT. BUT I KNOW COUNCIL MEMBER RAWLINS-FERNANDEZ WANTED TO ADD, BUT IT'S REALLY IT'S JUST THE PORTAL THING. WE NEED TO STEP UP OUR GAME ON THAT LEVEL. THANK YOU, CHAIR. >> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. AS YOU HEARD FROM THE EXECUTIVE DIRECTOR OF LAHAINA COMMUNITY LAND TRUST, THEY HAVE A SOFTWARE THAT DIDN'T EXIST WHEN WE PASSED BILL -- I THINK 111. >> YES. >> AND THEY HAVE BEEN USING IT. >> YES. >> SO IT'S ALREADY BEING IMPLEMENTED. AND SHE HAS OFFERED TO, MEMBER COOK, YOU HAVE TO MOVE YOUR HEAD. [LAUGHTER] >> I'M SO SORRY. [LAUGHTER] BUT THIS NEW SOFTWARE IT IS WHAT IS MAKING IT IMPLEMENTABLE, AND IT DIDN'T EXIST BEFORE. AND WHAT OUR NEW HOUSING DIRECTOR AS HE IS TRYING TO LAUNCH THE NEW DEPARTMENT, AND THERE'S MANY PRIORITIES, THIS ONE IS PROBABLY LOWER ON THE LIST OF TO-DO UNFORTUNATELY. >> OKAY. >> BUT I THINK THAT'S MORE OF THE PROBLEM OF IMPLEMENTATION IS JUST GETTING THE NEW BIFURCATED DEPARTMENT OFF THE GROUND WITH ENOUGH SUPPORT STAFF, ET CETERA, ET

CETERA. >> OKAY, TO BE CLEAR, THIS ONE THAT WE DISCUSSED IN HLU THAT BASICALLY SUNSET, BECAUSE NOTHING WAS SENT TO US.\r\n\r\nSO WE HAVE TO START FROM SCRATCH. >> TO BE CLEAR, IT DID NOT SUNSET. FIRST DEPUTY MIMI DESJARDINS CAN EXPLAIN. >> CAN YOU PLEASE. >> BECAUSE IN ORDER TO BE IT TO REPEAL THERE WOULD HAVE TO BE LANGUAGE THAT SAYS IF IT'S NOT IMPLEMENTED BY THIS DATE IT'S REPEALED. RIGHT NOW WE'RE JUST OUT OF COMPLIANCE. THAT IS WHAT IT IS.\r\n\r\n>> THANK YOU. >> MIMI. >> THAT IS CORRECT. THE ISSUE IS THE GUIDELINES. REMEMBER IN THAT BILL YOU FOLKS WANTED THEM TO IMPLEMENT GUIDELINES. AND BY CERTAIN DATE, THEY DID NOT IMPLEMENT THOSE GUIDELINES BY THAT DATE. SO IT'S JUST SITTING WAITING FOR THOSE GUIDELINES TO BE IMPLEMENTED, AND THEN I GUESS A NEW DATE SUBSTITUTED.\r\n\r\nTHAT IS HOW I INTERPRET IT. >> OKAY. OKAY. RIGHT NOW I'M GOING TO TELL YOU REALLY HONESTLY, MEMBER JOHNSON, I DON'T THINK I'M GOING TO BE SUPPORTING THIS, ON BECAUSE I DON'T REALLY WANT TO DO THIS ALL AGAIN. BUT IT'S NOT BECAUSE I DON'T SUPPORTED THE INTENT. IF I COULD, IT WOULD LOOK LITTLE DIFFERENT, A LITTLE STRONGER WITH A 50-YEAR CAP ON HOW LONG YOU ARE ABLE TO LIVE HERE BEFORE YOU BUY, 18 YEARS BEFORE YOU ARE ABLE TO VOTE. ANYWAY, THAT IS WHAT MY KIDS HAVE TO DO.\r\n\r\nJUST BECAUSE I DON'T WANT TO HAVE THIS CONVERSATIONS AGAIN, BUT I COMPLETELY UNDERSTAND YOUR INTENT AND I'M HAPPY IT'S IN THE WORKFORCE HOUSING AGREEMENT. THANK YOU. >> VICE-CHAIR SUGIMURA. >> I WANT TO CONGRATULATE GABE BECAUSE HE IS SO PERSISTENT AND TO ME I LOOK AT THIS AS A VICTORY, IF IT'S GOING TO APPEAR IN THE DEVELOPER'S DOCUMENT, I'M NOT GOING TO SUPPORT IT, GABE. JUST BECAUSE IF SOMETHING HAPPEN IT'S GOING TO SCREW UP THAT PROJECT. AND I SEE IT HAPPENING THROUGH THE MEANS OF WHAT MR. CHIPCHASE SAID.\r\n\r\nSO CONGRATULATIONS, IT'S HAPPENING. AND WE'RE GOING TO WORK SEPARATELY ON GETTING THE DEPARTMENT TO DO IT. >> MR. CHIPCHASE, YOU ARE SAYING THAT IT WOULD BE A PROBLEM TO HAVE THIS CONDITION? >> SO WITH ALL DUE RESPECT IT ALL OF THE LAWYERS THAT HAVE BEEN CONDITION SUSPECTED I WORKED ON DURATIONAL RESIDENCY, SCHOLARLY ISSUES SINCE LAW SCHOOL AND HAVE CONCERN UNDER THE RIGHT TO TRAVEL WITH TREATING LONGER TERM RESIDENTS DIFFERENTLY THAN RECENT RESIDENTS. AND TO AVOID ANY RISK OF THAT AND I SEE CORP. COUNSELS HAS WISELY PUT INTO THE EXTENT PERMITTED BY LAW, RECOGNIZING THERE IS RISK; RIGHT?\r\n\r\nTHAT IS WHY THEY PUT IT, IF THERE'S NO RISK, THEY DON'T PUT IT IN. THE RISK, MY RISK OR THE RISK OFFER THE PROJECT, I WOULD RATHER INCORPORATE IT INTO THE AFFORDABLE HOUSING AGREEMENT, WHICH I HAVE ALREADY DONE AND ALREADY PUT TO DIRECTOR MITCHELL. SO I HAVE INCORPORATED EXACTLY WHAT I CAN READ IT TO YOU, JUST SO MR. JOHNSON AND IT'S ON THE RECORD AND EVERYBODY IS COMFORTABLE. SELECTION, SO THIS IS IF LOTTERY SELECTION SELECTION FOR PURCHASE WILL BE MADE BY A LOTTERY, ADMINISTERED BY THE DEPARTMENT. THE APPLICANT SELECTED BY LOTTERY MUST THEN BE RANK BY TOTAL LENGTH OF TIME EACH HAS BEEN A RESIDENT OF THE COUNTY. THE WORKFORCE HOUSING UNITS MUST THEN BE OFFERED IN THE ORDER OF THE RANKINGS.\r\n\r\n? >> IT'S IN THE CODE THAT YOU HAVE TO DO THE LOTTERY ANYWHERE. YOU PULL FOUR NAMES OUT OF THE HAT AND YOU RANK THEM HOW MANY YEARS THEY HAVE BEEN A RESIDENT. THERE'S GOING TO BE THE FIRST PERSON SOMETIMES ISN'T READY AND YOU HAVE TO GO DOWN TO THE SECOND PERSON. THE SECOND PERSON SOMETIMES ISN'T READY AND IT MIGHT -- THERE'S A VERY GOOD CHANCE THAT LAST PERSON GETS A CHANCE. THAT MAKES IT LEGAL, BECAUSE YOU ARE GOING TO HAVE AT THE END OF THE DAY, SOME PEOPLE THAT MOST OF THEM ARE GOING TO BE BORN AND RAISED HENCE THE PREFERENCE OR MOST OF THEM HAVE BEEN HERE A LONG TIME, HENCE THE PREFERENCE, AND ON OCCASION, YOU WILL GET SOMEONE HERE ONE OR TWO YEARS. SO THAT IS HOW YOU DO A PREFERENCE. IT'S NOT A LAW THAT SAYS YOU CANNOT GIVE A HOUSE TO SOMEONE WHO HAS ONLY BEEN HERE TWO YEARS . >> I UNDERSTAND THE DISTINCTION.\r\n\r\n>> THAT METHODOLOGY OF IT, THAT IS THE WAY WASHINGTON, D.C. DOES IT, BUT THEY DO IT DIFFERENTLY HOW MANY YEARS LENGTH YOU HAVE BEEN ON THE LIST, BUT THAT IS JUST HOW A WAY TO REALLY KIND OF

THROW A BIG NET LEGALLY SOUND. >> WE COULD TALK ABOUT AND I WOULD LOVE SOMETIME AND WHY THE DIFFERENCE BETWEEN US AND WASHINGTON MAKE A DIFFERENCE, BUT FOR MY PURPOSES IF WE CAN DO IT IN THE AGREEMENT, THAT ACCOMPLISHES WHAT YOU WANT YOU AND RESOLVES MY CONCERN. >> ANY MORE DISCUSSION? OKAY. >> ROLL CALL CHAIR? >> I'M SORRY, STAFF HAS TO INTERJECT ONE MORE TIME FIRST, A TECHNICAL NOTE. THE POSTED COMMUNICATION SAYS CONDITION 5E, WE ALREADY HAVE 5E AND 5F, SO WE SUGGEST THIS IS CONSIDERED 5G. AND SUBSTANTIVE NOTE, IT DOESN'T APPEAR CLEAR THIS IS INTENDED TO APPLY ONLY TO FOR-SALE, OR FOR-RENTAL OR BOTH >> FOR-SALE, YOU WOULDN'T DO -- FOR-SALE.\r\n\r\n>> THANK YOU, CHAIR. >> FRIENDLY AMENDMENT FOR BOTH OF THOSE ITEMS, IF YOU CAN? ? THANK YOU, CHAIR, YES, WE CAN WORK WITH THAT. >> THANK YOU. I'M READY FOR ROLL CALL, CHAIR. >> ROLL CALL. COUNCIL MEMBER PRO TEMPORE TASHA KAMA?\r\n\r\n>> NO VICE-CHAIR SUGIMURA? >> NO. >> COUNCIL MEMBER PALTIN? >> AYE. >> COUNCIL MEMBER JOHNSON? >> AYE. >> COUNCIL MEMBER RAWLINS-FERNANDEZ?\r\n\r\n>> AYE WITH 'OKINA AE, PLEASE. >> COUNCIL MEMBER COOK? >> EXCUSED. COUNCIL MEMBER UU-HODGINS? >> NO. >> COUNCIL MEMBER SINENCI? >> AYE.\r\n\r\n>> COUNCIL CHAIR LEE? >> NO. >> CHAIR, THERE ARE FOUR NOS, FOUR AYES, ONE EXCUSED. MOTION FAILS. >> OKAY, CHAIR, I HAVE TO GO. MY DOG HAS BEEN WAITING. >> OKAY, I'M SORRY.\r\n\r\n>> CONDITION NEW PROPOSED CONDITION NO. 33, MEMBER SINENCI'S. >> MAHALO, CHAIR, MEMBER RAWLINS-FERNANDEZ. MEMBERS AN AMENDMENT FOR BILL 172 CD 1 (2024) AMENDED CONDITIONS OF ZONING BY ADDING THE FOLLOWING CONDITION NO. 33 THAT HONUA'ULA PARTNERS, LLC. ITS SUCCESSORS AND PERMITTED ASSIGNS SHALL PREPARE A SUPPLEMENTAL ARCHAEOLOGICAL TESTING STRATEGY AND CONSULT CONSULTATION WITH THE STATE HISTORIC PRESERVATION DIVISION, THE OFFICE OF HAWAIIAN AFFAIRS, MAUI COUNTY CULTURAL RESOURCES COMMISSION, AND MAUI COUNTY DEPARTMENT OF 'OIIWI RESOURCES. THE SUPPLEMENTAL ARCHAEOLOGICAL TESTING STRATEGY SHALL INCLUDE THE RESULTS OF NEW LIDAR DRONE SURVEY OF THE WAILEA 670 PROJECT. AND BE A SUBSURFACE TESTING COMPONENT FOR AREAS IDENTIFIED WITHIN THE WAILEA 670 PROJECT, WHERE DISTURBANCES OF MORE THAN ONE FOOT UNDERGROUND IS EXPECTED SUCH AS INSTALLATION OF SEWAGE UTILITIES, TRENCHES AND SWIMMING POOLS.\r\n\r\n>> SECOND. >> THANK YOU. >> THERE'S ANOTHER SECTION THE STATE HISTORIC PRESERVATION DIVISION AND GROUND DISTURBING. >> SO APPROVE THE SUPPLEMENTAL ARCHAEOLOGICAL TESTING STRATEGY HONUA'ULA PARTNERS, LLC. ITS SUCCESSORS AND PERMITTED ASSIGNS SHALL SEND A COPY TO THE OFFICE OF HAWAIIAN AFFAIRS, MAK CULTURAL RESOURCES COMMISSION AND MAUI COUNTY DEPARTMENT OF 'OIIWI RESOURCES FOR REVIEW AND RECOMMENDATION FOR ANY GROUND -DISTURBING WORK WITHIN THE WAILEA 670 PROJECT AS INITIATED WHEN GROUND-DISTURBING WORK IS COMMENCED AND BURIALS ARE ENCOUNTERED OR FOUND, HONUA'ULA PARTNERS, LLC., ITS SUCCESSORS AND PERMITTED ASSIGNS SHALL FOLLOW THE PROPER PROCEDURES UNDER TITLED 13 HAWAI'I ADMINISTRATIVE RULE DEPARTMENT OF LAND AND NATURAL RESOURCES. >> SECOND. >> MOVED BY MEMBER SINENCI, SECONDED BY MEMBER RAWLINS-FERNANDEZ.\r\n\r\nTHE MOTION IS CONTAINED IN THE ASF THAT WAS DISTRIBUTED THIS EVENING. AND WELL, ACTUALLY, IT WAS POSTED. >> THIS EVENING. >> THIS EVENING. OKAY. >> YES. >> THIS EVENING.\r\n\r\nAND SO UNDER DISCUSSION. MEMBER SINENCI. >> MAHALO, CHAIR. MEMBERS, THE LAST ARCHAEOLOGICAL INVENTORY SURVEY FOR THE WAILEA 670 PROJECT WAS COMPLETED IN 2015. OVER THE LAST TEN YEARS, THE WAILEA 670 PROJECT HAS CHANGED. AND ARCHAEOLOGICAL SURVEY BEST PRACTICES HAVE BEEN UPDATED. OF THE SUPPLEMENTAL ARCHAEOLOGICAL TESTING STRATEGY WOULD BE AN ADDENDUM TO THE PREVIOUS ARCHAEOLOGICAL INVENTORY SURVEYS CONDUCTED FOR WAILEA 670. THE NEW LIDAR DRONE SURVEY WILL DEFECT ABOVE GROUNDS ANOMALIES PROVIDING ANOTHER MECHANISM TO ENSURE CULTURAL SITES AREN'T MISSED DUE TO HUMAN ERROR AND SUBSURFACE EVENT COMPONENT WILL SUPPLEMENT THE MINIMAL TESTING COMPLETED IN THE PREVIOUS SURVEYS, AND FINALLY CONSULTATION WITH RELEVANT STATE AND COUNTY AGENCIES TO PROVIDE ESSENTIAL INPUT. CHAIR, AS WE HEARD MULTIPLE TESTIFIERS TODAY, THE CULTURAL

RELEVANCE OF WAILEA 670 INCLUDING THE HISTORICAL PRACTICE OF PAPAHILO HOKU THROUGH THE AREA.\r\n\r\nI ASK FOR MEMBERS' SUPPORT OF MY MOTION. >> FURTHER DISCUSSION? MEMBER RAWLINS-FERNANDEZ. >> YES, I SUPPORT THE MOTION ON THE FLOOR. I THINK WE WOULD -- THERE'S LIKE NON-SUBSTANTIVE AMENDMENTS THAT WOULD NEED TO BE MADE, LIKE REFERENCE TO WAILEA 670. I DON'T THINK WE REFERENCED THAT IN THE DOCUMENT, IN THE BILLS. SO WE JUST HAVE TO CHANGE THOSE. THIS IS WHAT WE HEARD IN TESTIMONY BY OUR COUNTY ARCHAEOLOGIST, DR.\r\n\r\nSIX. AND FOR ALL OF THE REASONS THAT SHE STATED, AND MS. APANA, WHO BROUGHT US A MAP TO VISUALLY SEE THE CONCENTRATION OF SITES, AND THEN MAP DIDN'T EVEN INCLUDE ALL OF THE SIGNIFICANT SITES IN THAT AREA. AND THAT WHEN IT WAS INITIALLY SURVEYED, THAT I THINK THEY SAID IT WAS LIKE 60 SITES OR SOMETHING LIKE REALLY SMALL. AND IT INCREASED RATHER DRASTICALLY, AND THESE ARE SITES THAT ARE REALLY SPECIAL, NOT SEEN ANYWHERE ELSE. SO I SUPPORT THE MOTION, CHAIR. >> ANYBODY ELSE?\r\n\r\nVICE-CHAIR SUGIMURA. >> I WOULD LIKE TO HEAR WHAT MR. CHIPCHASE HAS TO SAY. >> MR. CHIPCHASE. >> WITH THE HISTORY. >> SURE, CHAIR AND VICE-CHAIR.\r\n\r\nDR. SIX WITH IMMENSE RESPECT FOR HER YOU THINK SHE WAS A LITTLE OUT OF DATED IN HER UNDERSTANDING OF THE ARCHAEOLOGICAL WORK ON THE PROPERTY. THERE WERE NO AISS ACCEPTED OTHER THAN THE FINAL AIS, THAT WAS ACCEPTED IN 2015. SO THE PRIOR AIS WORK NEVER RESULTED IN AN ACCEPTED AIS, BUT IT WAS THAT FINAL DOCUMENT THAT TOOK ABOUT THREE YEARS AND INVOLVED A WALK OF THE ENTIRE PROPERTY. THAT RESULTED IN AN AIS, BUT THE WORK DID NOT STOP THERE. AFTER AN AIS WAS ACCEPTED, AN HISTORIC RESOURCE PRESERVATION PLAN WAS DEVELOPED. AND THAT WAS ACCEPTED IN THE 4TH QUARTER OF 2021. SO JUST LESS THAN FOUR YEARS AGO. AND IT WAS ACCEPTED NOT ONLY BY SHPD BUT THE OFFICE OF HAWAIIAN AFFAIRS, AND THEY DIDN'T JUST COMMENT, BUT ACCEPTED THE DOCUMENT, OHA, AND THE WORK INVOLVED EXTENSIVE FURTHER REVIEW OF THE PROPERTY, COMMUNITY CONSULTATION AND CONSIDERATION OF ADDITIONAL SITES OR OTHER AREAS THAT THEY BELIEVE TO BE SITES, INCLUDING WALKS WITH THE STATE HISTORIC ARCHAEOLOGY FROM MAUI.\r\n\r\nSO ALL OF THAT ADDITIONAL WORK RESULT AS PART OF A COMMITMENT IN THE HRPP. THE PORTION OF THE PROPERTY THAT IS GOING TO BE DEVELOPED HAS RESITED ON THE GROUND, NOT MERELY USING LIDAR, BUT ALL OF THE SITES IDENTIFIED INCLUDING REMAPPING THE EXTENT TO ENSURE IT'S ACCURATE. THE BULK OF THE SITES ARE WITHIN 170ISH ACRES OF PRESERVE THAT WILL NEVER BE DEVELOPED, 165-170 ACRES THAT ARE SUBJECT TO A CONSERVATION EASEMENT. THE PORTION OF THE PROPERTY THAT WILL BE HAD THOSE SITE OR IS HAVING THOSE SITES REIDENTIFIED WITH ACTUAL SURVEYS ON THE GROUND. IN ADDITION TO ALL OF THAT, IN THE SOUTHERN AREA WHERE MORE SITES WERE FOUND THEN THE NORTH, THERE'S A LIMITED SOUTHERN AREA THAT WILL BE DEVELOPED. WE HAVE AGREED TO DO AN AIS-LEVEL, ALTHOUGH NOT IN THE PROCESSES, BUT WITH CERTAIN COMMUNITY MEMBERS AN AIS-LEVEL RESURVEY OF THAT AREA. AND IN ADDITION TO ALL OF THAT, WE HAVE ARCHAEOLOGICAL MONITORING OBLIGATIONS, AND THEY WILL INCLUDE CULTURAL MONITORS AS MANAGED BY A CULTURAL GROUP.\r\n\r\nSO WITH RESPECT TO THE CONCERNS ARTICULATE AND DR. SIX'S CONCERNS I BELIEVE ALL THE OTHER WORK HAS ADDRESSED THOSE THINGS AND I THAT IS REFLECTED IN THE PLANNING COMMISSION'S DECISION. SO THERE IS NO NEED FOR FURTHER WORK ON THE PROPERTY OTHER THAN THE MONITORING AND THE WORK WE COMMITTED TO. AS PRESENTED IN THIS AMENDMENT, IT WOULD DELAY THE PROJECT BY FIVE TO NINE YEARS TO COMPLETE ALL OF THIS. WE STARTED THE AIS IN 2012, WE FINISHED THE HISTORICAL PRESERVATION PLAN IN 2021. IT WOULD TAKE PROBABLY SOMETHING CLOSE TO THE SAME AMOUNT OF TIME TO REDO ALL OF THAT WORK. I DON'T BELIEVE THAT IS APPROPRIATE. NO OTHER PROJECT WOULD BE SUGGEST IT THAT AND IT'S CERTAINLY NOT NECESSARY, GIVEN ALL OF SUBSEQUENT WORK AND ONGOING WORK THAT THE PROJECT HAS.\r\n\r\nTHANK YOU FOR THE TIME TO EXPLAIN THAT. >> QUESTIONS, MEMBER PALTIN. >> >> SORRY IF I MISSED IT IN YOUR TALKING. DID YOU SAY A LIDAR SURVEY WAS DONE? >> NO, I SAID BETTER THAN LIDAR, THEY

ARE ON THE GROUND REVERIFYING THE LOCATIONS WITH A PHYSICAL SURVEY. >> THAT IS BETTER THAN LIDAR, BECAUSE THERE'S NO LIKE LANTANA OR OTHER BUSHES BECAUSE THE LIDAR SEES THROUGH THAT. >> I'M NOT A LIDAR EXPERT, BUT I UNDERSTAND THERE'S SOME LIMITATIONS, NOT TOTAL LIMITATIONS; WHEREAS, WHEN YOU ARE ON THE GROUND, YOU ARE ABLE TO PULL THESE THINGS BACK, MOVE THING AS ROUND.\r\n\r\nSO THEY ARE RESISTING, AND REMAPPING THE EXTENT OF ALL OF THE SITES AND FEATURES IN THE DEVELOPABLE PORTION OF THE PROPERTY. >> AND SO YOU ARE SAYING THERE'S NO VEGETATION CURRENTLY IN THE -- OR WHEN THE WALK WAS DONE IN THE DEVELOPABLE PORTION OF THE PROPERTY? >> SNOW, NO, SUPERVISOR CERTAINLY VEGETATION, I'M SAYING WHEN THEY GO TO RESITE THE LOCATIONS TO ENSURE IT'S ACCURATE, THEY ARE ABLE TO MOVE VEGETATION AROUND AND CLEAN THINGS IN RESPECTABLE WAY AND MAP THE EXACT EXTENT OF THE SITED. I WOULD ADD WHEN THERE'S ARCHAEOLOGICAL MONITORING AS PART OF THE WORK, THE GOAL THERE IS WE HAVE COMMITTED NOT TO HAVE ANY SITE LOCATED WITHIN A PRIVATE LOT. SO LOT LINES WILL BE ADJUSTED BEFORE SUBDIVISION TO EXCLUDE ANY SITE THAT IS IDENTIFIED CURRENTLY OR THROUGH MONITORING. >> OKAY, I WILL YIELD. I GUESS I SEE MEMBER JOHNSON'S HAND UP, IF NO ONE ELSE'S HAND IS UP.\r\n\r\n>> MEMBER JOHNSON?? THANK YOU, CHAIR. I WAS JUST TRYING TO GET MY CAMERA, AND MIC ENABLED. THAT IS WHY I RAISED MY HAND. >> OKAY. >> ARE YOU ALONE IN YOUR SPACE? >> HELLO, CHAIR. YES.\r\n\r\nI'M DRIVING HOME WITH MYSELF AND I HAVE KATE GRIFFITHS IN THE CAR. >> OKAY. YOU ARE IN THE CAR. OKAY. NO QUESTIONS. ANYBODY ELSE? MEMBER SINENCI AND MEMBER RAWLINS-FERNANDEZ.\r\n\r\n>> THANK YOU, CHAIR JUST A QUESTION FOR MR. CHIPCHASE, YOU MENTIONED MOVING LOT LINES WOULD BE I GUESS AROUND THOSE SIGNIFICANT CULTURAL SITES. I UNDERSTAND THERE WOULD BE A UTILITIES EASEMENT THROUGH THE PROCESS -- THROUGH THE PROJECT. UTILITIES EASEMENT FOR ELECTRICAL AND THOSE TYPES OF UTILITIES. WOULD THOSE HAVE THOSE AREAS BEEN ALREADY PLANNED OUT OR HAVE -- WOULD THOSE BE AWAY FROM SOME OF THESE CULTURAL SITES? >> SO THE UTILITIES SITES HAVE GENERALLY BEEN IDENTIFIED, AND THE EASEMENTS ASSOCIATED WITH THEM AS WELL. NOW THERE COULD BE INTERNAL UTILITIES BETWEEN LOTS, BUT THE MAJOR UTILITY AREAS ARE IDENTIFIED.\r\n\r\nI CAN'T RECALL WHETHER ANY UTILITY SECTION OR EASEMENT IS NEAR A LINE, BUT I CAN CONFIRM THAT EVERY SITE IS PROTECTED BY A FIVE METER BUFFER THAT PRECLUDES ALL WORK WITHIN THAT FIVE-METER BUFFER EXCEPT AS MIGHT BE ALLOWED FOR CLEANING AND PRESERVING THE SITE. SO WHETHER IT'S HOUSE OR A PHONE LINE, OR MAYBE NOBODY HAS A PHONE THESE DAYS OR A WATER LINE, THE SITES ARE PROTECTED. THANK YOU. FIBER OPTICS. >> I MEAN, CHAIR, I DON'T AGREE THAT IT'S GOING TO BE ANOTHER 8-10 YEARS TO DO THOSE AREAS THAT WE NEED TO DO THIS EXTRA PROTECTION. AGAIN, THE LIDAR IS ANOTHER PROTECTION FROM HUMAN ERROR. DURING THIS BUDGET SESSION WE DID GO AHEAD AND FUND THE LIDAR, AND A GROUND PENETRATING RADAR AND WE INCLUDED THE DEPARTMENT OF 'OIIWI RESOURCES AS WELL AS THE OTHER COUNTY RESOURCES, AND DEPARTMENTS.\r\n\r\nSO THAT WE CAN HELP TO AT LEAST PROTECT THOSE AREAS AS LISTED IN MS. APANA'S PRESENTATION, AS WELL AS MR. CHIPCHASE SAID THOSE AREAS THAT THEY FOUND CULTURAL RESOURCES. SO THIS IS JUST AN EXTRA PROTECTION. DOESN'T HAVE TO BE FOR THE ENTIRE 670 ACRES, BUT AT LEAST HAVE THESE EXTRA PROTECTIONS FOR THOSE WHERE YOU SAY YOU ARE GOING TO DRAW OUT THE BOUNDARIES FOR POTENTIAL DEVELOPMENT IS GOING TO BE. SO I DON'T ANTICIPATE IT TO TAKE THAT LONG, JUST TO PROTECT THOSE AREAS OF DEVELOPMENT, CHAIR. THANK YOU.\r\n\r\n>> ANY MORE DISCUSSION? MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. OKAY. I HAVE A FEW THINGS. SO WORK BEING DONE 2012-2021, AND I DON'T KNOW HOW IT WOULD TAKE THAT LONG AGAIN, AND WHY IT WOULDN'T BE JUST BE BUILT UPON THE WORK THAT HAS ALREADY BEEN DONE, USING LIDAR. >> WAS THAT FOR ME, I'M SORRY?\r\n\r\n>> YES, BECAUSE YOU ARE REPRESENTING IT WOULD TAKE NINE YEARS. SO BY SAYING THAT ANY COUNCIL MEMBER THAT SUPPORTS THIS PROJECT BEING BUILT RIGHT AWAY IS GOING TO VOTE AGAINST THIS PROPOSAL. >>

ABSOLUTELY, MEMBER. SO I THINK I SAID 5-9, AND I THINK IT'S A REASONABLE ESTIMATE BASED ON THE SIZE OF THE PROPERTY AND THE NUMBER OF ITEMS TO BE COMPLETED OF IT'S NOT MERELY LIDAR, BUT ALSO COMING UP WITH SUBSURFACES TESTING PROGRAM, THAT IMPLIES ADDITIONAL SUBSURFACE TESTING TO DO ANY KIND OF AIS REQUIRES 100% PEDESTRIAN SURVEY AND IF I EXCLUDED THE UNDEVELOPABLE AREAS I HAVE ROUGHLY 300 ACRES, OR 380 ACRES THAT ARE GOING TO BE DEVELOPED. AND SO ALL OF THOSE WOULD HAVE TO BE REWALKED AND TRANSECTED AND WHOLE NEW AIS PREPARED AND THE WHOLE PROGRAM OF GOING THROUGH SHPD. THEN I HAVE TO UPDATE MY HISTORIC RESOURCES PRESERVATION PLAN. >> I'M SORRY TO INTERRUPT YOU.\r\n\r\n>> I'M SORRY. >> WHERE DOES IT SAY YOU HAVE TO DO AN AIS, BECAUSE MEMBER -- OH, DID MR. CHIPCHASE GET MEMBER SINENCI'S PROPOSAL? OKAY. IT SAYS SUPPLEMENTAL ARCHAEOLOGICAL TESTING STRATEGY AND CONSULTATION WITH FOLKS THAT HAVE EXPERTISE, AND THERE'S A LIST. AND IT'S SUPPLEMENTAL. SO EVERYTHING IS SUPPLEMENTAL.\r\n\r\nIT DOESN'T SAY DO AN ENTIRELY NEW AIS. THAT IS NOT WHAT MEMBER SINENCI IS SAYING. >> CORRECT TO THE ORIGINAL 2015 AIS. >> RIGHT. SO IF YOU LOOK AT THE LAST CLAUSE OF THE THING, THE LASTED SECTION IT REFERENCES ON BURIALS I SUPPOSE. IF YOU LOOK DOWNED AT TITLE 13, THERE'S ANOTHER TITLE THAT GOVERNS ALL ARCHAEOLOGICAL WORK IN THE STATE, ANOTHER HRA TITLE. WHAT IS PROPOSED HERE DOESN'T FIT IN THE PROCESSES SET OUT IN CHAPTER 6E, AND TO TRANSLATE THIS INTO SOMETHING THAT MAKES SENSE UNDER 6E, IT WOULD ULTIMATELY HAVE IT PUT INTO AN SUPPLEMENTAL AIS, WHICH DR.\r\n\r\nSIX TALKED ABOUT TODAY IN THE MEETING. >> SO YOU SUPPORT THIS THEN? >> I DON'T SUPPORT THIS. THAT IS WHAT I'M TRYING TO EXPLAIN FOR THE REASONS THAT I EXPLAINED, I BELIEVE THIS ISN'T NECESSARY, GIVEN ALL OF THE WORK THAT HAS ALREADY BEEN DONE. SO YOU ARE ASKING ME TO DO SOMETHING THAT ISN'T NECESSARY, AND IT WILL TAKE ME YEARS TO COMPLETE. IF I COULD PROPOSE A COMPROMISE ON THIS, BECAUSE I UNDERSTAND THE CONCERN MEMBER SINENCI, AND I DON'T WANT TO NOT COMPROMISE WHERE I CAN. I HAVE A MONITORING OBLIGATION EXISTING AND THERE'S AN EXISTING STRUCTURE FOR THAT MONITORING OBLIGATION.\r\n\r\nSO I'M NOT CREATE A NEW PROCESS, I'M WORKING WITHIN WHAT I HAVE. WHAT IF WE ADDED AS PART OF THAT MONITORING PROCESS, WE WILL LIDAR THE DEVELOPABLE AREAS? AND USE THAT FROM THE ARCHAEOLOGICAL MONITORING TO AS YOU SAID ENSURE THERE'S A REDUCTION IN THE RISK OF HUMAN ERROR. >> SO YOU ARE PROPOSING TO NOT LIDAR THE 170 ACRES OF CULTURAL EASEMENT, IS THAT WHAT YOU ARE SAYING, BUT YOU WOULD THE REST OF IT? WELL THERE'S ANOTHER 19 ACRES OF BUFFER THAT WON'T BE DEVELOPED, AND ANOTHER 95 ACRES OF GULCH AND OPEN SPACE THAT WON'T BE DEVELOPED. SO DEVELOPABLE AREA, WE WOULD LIDAR IN CONJUNCTION WITH OUR ARCHAEOLOGICAL MONITORING. >> MEMBER SINENCI, I WILL YIELD TO YOU.\r\n\r\n>> CHAIR? >> YES. MEMBER COOK. >> THANK YOU. SO MR. CHIPCHASE, IN GENERAL, YOU CAN'T, ANY TIME YOU HAVE A PIECE OF EQUIPMENT ON THE PROPERTY, YOU HAVE A MONITOR WITH EACH PIECE OF EQUIPMENT AND THAT IS PART OF THE MONITORING PROGRAM AND THE MONITOR HAS THE AUTHORITY TO BASICALLY STOP WORK, GUIDE WORK, AND THEY ARE THERE BASICALLY EVERY SINGLE DAY DURING THE WORK TO MONITOR AND TO RECORD, AND TO CONTROL. I JUST SHARE IS A THAT WITH THE BODY, BECAUSE IT'S VERY EXTENSIVE AND VERY COMPREHENSIVE.\r\n\r\nI SINCERELY THINK THAT VERY LITTLE CHANCE DURING THAT OBSERVATION, AND THIS AGAIN, BEARING THAT PEOPLE ARE FOLLOWING THE RULES, THAT IT WON'T BE DAMAGED AND ADDING THE LIDAR. SO I JUST WANTED TO SHARE THAT. >> THE LIDAR IS GROUND-PENETRATING. SO LIKE A CULTURAL MONITOR HAS HUMAN EYES, AND CAN'T SEE THROUGH THE DIRT. >> SO HE JUST STATED THAT HE IS WILLING TO ADD THE LIDAR COMPONENT. >> OH, YOU ARE SUPPORTING THAT? >> YES.\r\n\r\nI MEAN IF HE IS WILLING TO DO IT. IT'S BASICALLY ANOTHER TOOL TO USE TO DO THIS, AND. >> OKAY, HE IS TALKING ABOUT LIDAR, THE DEVELOPABLE AREAS. >> I YIELDED TO MEMBER SINENCI. >> MEMBER SINENCI, ARE YOU OKAY WITH THAT? >> ONE MORE QUESTION, FOR MR. CHIPCHASE.\r\n\r\nWOULD THAT BE INCLUDED IN YOUR MONITORING



PLAN WOULD BE BEST PRACTICES MANAGEMENT PLAN? >> I WAS JUST LOOKING TO SEE IS THAT A PHRASE THAT WAS USED? WHERE ARE YOU GOING TO PUT THE LANGUAGE. >> RIGHT HERE. >> OF USING LIDAR? >> IN 33. >> I'M SORRY, WE COULD DO THAT IN THE BEST PRACTICES. THAT WOULD BE FINE.\r\n\r\nWE COULD DO IT IN A NUMBER OF SECTIONS. >> DO YOU HAVE A PREFERENCE ON WHAT SECTION? >> YOU ALSO MENTIONED YOUR MONITORING PLAN. >> YES, MEMBER. >> ALSO INCLUDED IN THERE? >> YES. SO WE WOULD INCLUDE IT AS PART OF OUR MONITORING PLAN.\r\n\r\n>> I WILL YIELD TO MY FELLOW MEMBERS. >> MEMBER PALTIN. >> THANK YOU, CHAIR. MY QUESTION IS TO MR. CHIPCHASE, IF A MEMBER OF THE PUBLIC HAD A LIDAR DRONE AND WANTED TO DO ENTIRETY THE PROPERTY, WOULD THERE BE ANYTHING PROHIBITING THAT?? >> YOU MEAN IN TERMS OF COULD THEY FLY OVER PRIVATE PROPERTY AND LIDAR IT? I HAVE ACTUALLY NO IDEA. I HAVE NO IDEA WHAT THE DRONE RULES OVER PRIVATE PROPERTY ARE.\r\n\r\n>> WOULD YOU ALLOW IT? ? IF IT WAS PROHIBITED BY LAW WITHOUT PERMISSION. >> THAT IS ONE I COULD NOT GIVE WITHOUT OWNERSHIP CONSENT, BECAUSE I DON'T KNOW IF THEY HAVE A POSITION ON IT. >> SO IF IT WERE NOT LEGAL, YOU WOULD NEED TO CHECK WITH THE OWNER TO GIVE PERMISSION FOR A THIRD-PARTY TO DO A LIDAR DRONE SURVEY AT THEIR OWN EXPENSE? >> YES. I WOULD. >> YOU CAN CHECK WITH THEM BEFORE SECOND READING?\r\n\r\n>> YES, I CAN. >> OKAY. >> SO WHERE DOES THAT LEAVE US HERE? >> THAT IS JUST FOR MY OWN PERSONAL, HAD NOTHING TO DO WITH. >> NOTHING TO DO WITH WHAT IS ON THE FLOOR. >> OKAY. >> WELL, I MEAN, I WANT TO KNOW IF SOMEBODY COULD DO IT AND KNOW STUFF.\r\n\r\nBUT IT DOESN'T HAVE TO DO IN WRITING STUFF, I GUESS, UNLESS HIS PEOPLE GIVES PERMISSION, IF IT'S NOT LEGAL FOR A THIRD-PARTY PERSON TO DO IT. THIS IS ALELI LANDS AND IF THINGS GET DESTROYED EVEN IF THERE'S A FIRE, AND A FIRE BREAK, SHUCKS, I FORGET WHAT DR. SIX SAID ABOUT MOST -- WHAT WE WANT IS THE MOST ACCURATE DATA TO MAKE THE MOST INFORMED DECISIONS TO COMPLY WITH THE BEST PRACTICES AND WE LOST SO MUCH OF OUR HISTORY THROUGH THE OCCUPATION AND WHAT NOT. WHY WOULDN'T WE WANT THAT INFORMATION, IF SOMEBODY ELSE WAS WILLING TO DO IT FOR FREE? >> OKAY. WELL, SO WHO IS GOING TO CHECK ON WHAT? ? >> HE IS GOING TO CHECK WITH THE OWNERS, IF THEY WOULD ALLOW IT?\r\n\r\n>> OKAY. BUT THAT IS BETWEEN YOU AND HIM. NOW VICE-CHAIR, DID YOU HAVE YOUR HAND UP, AND THEN MEMBER RAWLINS-FERNANDEZ. >> SO FROM WHAT I'M GATHERING WITH THIS CONVERSATION WITH EVERYBODY AND MEMBER SINENCI ESPECIALLY AND IF MR. CHIPCHASE AND SPEAKING FOR THE DEVELOPERS ARE WILLING TO USE LIDAR AS A TOOL, I GUESS IS THE WAY. >> IN THEIR MONITORING PLAN ? >> YES, BUT I DON'T THINK WE NEED THIS, BECAUSE IF HE IS ALREADY DOING A LOT OF IT, THIS WOULD BE IN ADDITION TO IT SOUNDS LIKE, AND MAYBE JUST IF HE WANTS TO ADD LIDAR AS A POSSIBLE TOOL. SO HE CAN SATISFY MEMBER SINENCI'S CONCERN, I GUESS.\r\n\r\n>> I THINK HE ALREADY AGREED TO THAT. >> SO WE'RE FINE THEN. >> BUT VERY HAVEN'T REACHED CONSENSUS, MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. YOU DON'T SEE THE CULTURAL MONITOR IN EITHER BILL, IN ANY OF THE CONDITIONS, DO YOU KNOW WHICH CONDITION IT IS? >> ER OH, NO, IT'S NOT A CONDITION OF ZONING, BECAUSE IT'S A CONDITION UNDER 6E. SO WE DO THE AIS, AND HPP HISTORIC PRESERVATION PLAN AND THE ARCHEOLOGICAL MONITORING PLAN. THOSE DOCUMENTS WE ALSO COMMITTED TO THE CULTURAL MONITORING.\r\n\r\n>> OKAY. SO IN MEMBER SINENCI'S PROPOSAL THEN, IT WOULD BE AMENDED FROM THE WAILEA 670 PROJECT TO THE DEVELOPABLE -- I DON'T KNOW IF THAT IS A WORD -- AREAS. BY A THIRD-PARTY HIRED BY -- OR SELECTION, THIRD-PARTY SELECTED BY THE COUNTY OR SOMETHING, BECAUSE MY UNDERSTANDING. SO OFTEN DEVELOPERS JUST CHOOSE HIRED GUNS, AND THE INTEREST IS NOT IN THE CULTURAL PRESERVATION, BUT BECAUSE THEY ARE PAID BY THE DEVELOPER, THEN THEIR INTEREST IS IN PLEASING THE PERSON THAT HIRED THEM. SO I WOULD SUPPORT CONTINUING WITH CONDITION 33, WHAT MR. CHIPCHASE SUGGESTED IN THE DEVELOPABLE AREAS. AND SELECTION PROCESS WOULD BE A RECOMMENDATION FROM THE COUNTY DEPARTMENT OF 'OIIWI RESOURCES.\r\n\r\n>> ALRIGHT. ANYBODY ELSE? MEMBER COOK. >>

THANK YOU CHAIR. JUST FOR SOME CLARIFICATION, THERE IS MANY LAYERS TO THIS SO THE SHPD APPROVAL WILL MANDATE A MONITORING PLAN. WHEN YOU GET A GRADING PERMIT--WHEN YOU GET A GRADING PERMIT, IT SPECIFICALLY STATES THE PARAMETERS OF WHAT YOU NEED TO DO FOR THAT. THE COUNTY INSPECTOR MAKES SURE THAT HAPPENS TOO.\r\n\r\nAS FAR AS THE LIDAR, I DON'T HAVE EXPERIENCE WITH IT SO THAT IS SOMETHING THAT IS GOING TO BE NOTED AND DONE WITH THAT. BUT I JUST WANTED TO SHARE THAT THE ACTUAL MONITORING PHYSICAL MONITORING WHEN ANY CONSTRUCTION IS BEING DONE AND ANY EARTH MOVING IS BEING DONE IS NOT ONLY SIMPLY THE STATE SHPD BUT IT COUNTRY AND GRADING DEPARTMENT AND I JUST SHARE FROM EXPERIENCE. IT IS A LOT CHEAPER TO DO IS RIGHT AND NOT HAVE ANY RISK AND GENERALLY PROFESSION AL ORGANIZATIONS DON'T FUSS WITH THIS BECAUSE TO BE SHUT DOWN IS JUST-THEY COST LIKE \$9 A \$5 A HOUR AND MIGHT HAVE 2 OR 3 ON THE JOB EVERY DAY AND WITH GOOD CONSCIOUS GET THE WORK DONE. >> MEMBER SINENCI. >> MAHALO FOR FELLOW COUNCIL MEMBERS INPUT. MY CONCERN AND I DO AGREE WITH MR. CHIP CHASE THAT HAVING THE LIDAR FOR THE EXTRA PROTECTION OF THOSE DEVELOPABLE AREAS, HOWEVER MY CONCERN IS, IF WE ARE GOING TO PUT IT INTO THE MONITORING SECTION-MONITORING MEANS THAT THERE'S GOING TO BE LIKE DIGGING ALREADY, SO IF THE LIDAR COULD BE USED PRIOR TO ANY DIGGING OR DESECRATION, THAT'S DESECRATION, IF YOU ARE GOING TO DIG OR YOU ARE GOING TO FIND AFTER DIGGING, SO I THINK THE LIDAR IS TO HELP PRIOR TO DOING ANY GROUND DISTURBANCE.\r\n\r\nMAYBE-HIS PROPOSAL WOULD BE THAT PRIOR TO DOING THE MONITOR, WHICH MEANS THEY WILL BE DIGGING THAT LIDAR ALSO BE USED PRIOR TO THAT. THAT MAKE SENSE? >> MR. CHIP CHASE. >> YES, I UNDERSTAND. SO, THE IDEA WOULD BE THAT THE MONITORING PLAN WOULD SPECIFY THE LIDAR IS TO BE COMPLETED BEFORE THERE IS GROUND DISTURBING WORK? >> CORRECT.\r\n\r\n>> I AGREE WITH THAT. THE ONE THING I WOULDN'T AGREE IS THE COUNTY CAN CHOOSE THE CONSULTANT. WE HAVE TO BE ABLE TO CHOOSE OUR OWN CONSULTANTS. I'M HAPPY TO CONSULT WITH BUT NOT LEAVE THE CHOICE TO THEM. >> MEMBER RAWLINS-FERNANDEZ. >> MAHALO CHAIR. IS THERE VERIFIED VENDER LIST THAT YOU CHOOSE FROM?\r\n\r\nMR. CHIP CHASE? >> I DON'T KNOW WHAT THAT WOULD BE. I'M NOT AWARE OF ANY VERIFIED VENDER LIST. >> THAT IS THE CONCERN. THAT HOW DO WE-HOW DOES THE COMMUNITY KNOW THAT THE DEVELOPER ARE NOT LYING TO THE COMMUNITY AGAIN? NOT THIS ONE.\r\n\r\nI KNOW HE SAID-- THROUGHOUT THE WHOLE THING. >> CONTINUING ASSERTION I THINK I CALLED IT. >> CONTINUING ASSERTION. THERE'S I GUESS IT IS KNOWN BY THE COMMUNITY THAT CULTURAL MONITORS OR FOLKS THAT THIS DEVELOPER HAS SELECTED AND USED BEFORE HAVE BEEN HIRED GUNS. JUST WORKING FOR INTEREST OF THE DEVELOPER WITHOUT FULL INTEGRITY TO PROTECT THE INTEREST OF THE COMMUNITY. >> SO, I WOULDN'T WANT TO DISPARAGE ANYBODY THAT WAS A CULTURAL MONITOR. I NEVER HEARD THAT ASSERTION.\r\n\r\nI HEARD COMMUNITY MEMBERS OBJECT TO ARCHEOLOGIST BEFORE, BUT NEVER TO CULTURAL- >> IN THE SPIRIT OF COMPROMISE. >> YEAH. I'M SORRY. >> WHAT IF DEPARTMENT OF RESOURCES PROVIDES YOU A LIST AND YOU CHOOSE FROM THE LIST? >> THAT'S EFFECTIVE LETTING THEM PICK SO HAPPY TO CONSULT, BUT WE HAVE TO BE ABLE TO SELECT OUR OWN CONSULTANT. >> YOU WOULD SELECT. IT COULD BE LIKE A LIST OF MULTIPLE PEOPLE, NOT JUST A LIST OF TWO.\r\n\r\n>> I THINK THAT ONE IS A BIT IN THE WEEDS FOR ZONING CONDITION. BUT TWO, IT AGAIN LIMITS MY ABILITY TO CHOOSE MY OWN CONSULTANTS AND JUST WITH RESPECT, I COULDN'T AGREE TO THAT. >> I'M TRYING TO COMPROMISE HERE. MAHALO CHAIR. >> OKAY. I KNOW YOU ARE TRYING. MAYBE SOMEBODY ELSE CAN TRY.\r\n\r\nMEMBER U'U-HODGINS. >> THANK YOU CHAIR. I WILL NOT CONTINUE MEMBER RAWLINS-FERNANDEZ CONVERSATION. SHE IS DOING A GOOD JOB TO COMPROMISE ON HER OWN. I HAVE QUESTIONS WHERE THIS IS GOING THOUGH AND I DO HAVE A SEPARATE QUESTION. SO RECOLLECT MR. CHIP CHASE, YOU SAID THERE ISN'T GOING TO BE ANY SITES ON ANY PRIVATE LOTS.\r\n\r\nWHICH I CAN APPRECIATE WITH THE 5 METER BUFFER. WILL THE SITES THEN BE UNDER THE CARE OF THE CULTURAL CENTER? WHO WILL INSURE NOBODY FURTHER TOUCHES THESE SITES WHEN THEY

ARE KIND OF LEFT ALONE NOW? >> EXCELLENT QUESTION. SO, FOR EVERYTHING GOVERNED BY THE CONSERVATION EASEMENT THAT WILL BE CONTROLLED BY THE HOLDER OF THE EASEMENT WITHIN THE FENCED MANAGE PRESERVATION AREA A LARGE PORTION OF THE CONSERVATION EASEMENT THERE IS A FULL TIME SITE MANAGER AND A CULTURAL FOCUS GROUP THAT I MAY HAVE BUTCHERED THE ACRONYM, BUT A GROUP IDENTIFIED THE SELECT THE MANAGER AND POLICIES. WITHIN THE DEVELOPABLE AREAS, THE OBLIGATIONS RUN WITH THE LAND AS PART OF THE RECORDED OBLIGATIONS UNDER THE HRPP, A SHORT FORM RECORDED WITH BUREAU OF CONVEYANCES AND THE OBLIGATIONS FALL TO THE ASSOCIATION. >> OKAY.\r\n\r\nOKAY. AND THEN, KNOW I THINK WE ARE APPARENTLY STILL WORKING ON WHO SELECTS THE LIDAR DRONE OPERATOR, BUT MY QUESTION IS, THIS NEW CONDITION AMENDING B AND 33 HAS A AND B. LONG PARTS OF A AND B, WILL LONG PARTS OF B. ARE WE MOVES A AND PARTS OF 33 AND B? WHAT WILL IT NOW READ IF MEMBER SINENCI IS AMENABILITY TO MAKING THE CHANGES TO DEVELOPER LANDS IN CONSULTATION WITH RESOURCES OR WHATEVER WE DECIDE AFTER? IS IT GOING TO READ, PARTNERS LCC SUCCESSOR ASSIGNS SHALL PREPARE- >> MEMBER PALTIN. PUT YOUR FEET DOWN. >> A LIDAR DRONE SURVEY ON DEVELOPABLE CAN CONSULTATION HYPOTHETICALLY DEPENDING WHERE THIS GOES WITH OEV RESOURCES? I AM TRYING TO GATHER WHAT WE JUST SPOKE ABOUT ON THIS GIGANTIC AND LOOK AT ALL THE NOTES I JUST TOOK. I'M TRYING TO CONSOLIDATE ALL THIS DISCUSSION INTO WHAT WE ARE GOING TO BE VOTING ON.\r\n\r\nIN CASE I MISSED IT. >> SEEMS THAT THE DEVELOPER IS WILLING TO HAVE THAT LIDAR. >> ON THE DEVELOPABLE AREAS. >> ON THE DEVELOPABLE AREAS. >> WITH CONSULTATION. W WITH CONSULTATION WITH RESOURCES AND HOW ABOUT HE GIVES US A REPORT? >> YEAH.\r\n\r\nAND HE ALSO AGREED TO PRIOR TO EARTH DISTURBING WORK, YES? >> CORRECT. >> OKAY. I'M SURE YOU ARE GOING TO REPORT TO SOMEBODY, RIGHT? >> TO YOUR QUESTION ABOUT, IF WE DO IT MONITORING THEN WE ARE ALREADY PAST THE POINT OF MAYBE NO RETURN AND SHE SAID OKAY COOL, HEAR YOU, LET'S DO IT BEFORE GROUND DISTURBING WORK. SO, NOW WE ARE DISCUSSING IF YOU AGREE, IT WOULD BE THAT PARTNERS LLC AND SUCCESSOR ASSIGNS AGREE TO DO A LIDAR DRONE SURVEY WITH CONSULTATION OF RESOURCES PRIOR TO GROUND DISTURBING WORK. IS THAT WHAT WE ARE VOTING ON?\r\n\r\nOKAY. OKAY. >> THAT MAKES SENSE. >> OKAY. NO WORRIES. THANK YOU. I NEEDED TIME TO UNDERSTAND IT MYSELF.\r\n\r\n>> VERY GOOD. ANYMORE TO ADD OR DISCUSSION? DID WE GET-DID EVERYBODY GET THE AMENDMENT? MS. CLERK, GOT THE AMENDMENT? >> YES, AND I HAVE WRITTEN DOWN THE TIME SO WE CAN GO BACK HAVE REVIEW IT. >> ALL IN FAVOR OF THE MOTION RAISE YOUR HAND AND SAY AYE.\r\n\r\n9 AYE, ZERO NO, MOTION CARRIES. MEMBER RAWLINS-FERNANDEZ. >> MAHALO CHAIR. THERE ARE TWO AMENDMENTS LEFT AND THEY ARE BOTH MINE. >> OKAY. >> I HAVE TWO AS WELL. BUT THEY THEY WILL BE FAST.\r\n\r\n>> OKAY. OKAY. ALRIGHT. >> LET'S DO THE HARD ONES FIRST. >> OKAY. SO, THE FIRST ONE IS-I THINK 24-33. I MOVE TO AMEND BILL 172 BY ADDING A NEW SECTION 5C TO READ, 125 OF THE RESIDENTIAL WORKFORCE HOUSING UNITS ARE RENTAL RESIDENTIAL WORKFORCE HOUSING UNITS FOR 50 YEAR DEED RESTRICTION PERIOD COMMENCING THE DATE OF INITIAL OCCUPANCY WORKFORCE HOUSING UNITS OR OWNERSHIP UNITS AND SO JUST THAT SECTION TO ADD THE 50 YEAR DEED RESTRICTION. THAT IS MY MOTION.\r\n\r\n>> SECOND? >> SECOND. >> MOVED BY MEMBER RAWLINS-FERNANDEZ, SECONDED BY MEMBER PALTIN. TO APPROVE THE MOTION JUST READ FROM MS. RAWLINS-FERNANDEZ. DISCUSSION, MEMBER RAWLINS-FERNANDEZ. >> MAHALO CHAIR.\r\n\r\nIN COMMITTEE AND THROUGHOUT OUR ENTIRE TIME ON THE COUNCIL AND IN CAMPAIGNING WE TALKED ABOUT HOW IMPORTANT IT IS TO HAVE WORKFORCE HOUSING AND KEEPING THEM IN WORKFORCE FOR THE WORKFORCE FOR AS LONG AS POSSIBLE. MAHALO, CHAIR. >> ANYMORE DISCUSSION? OH VICE CHAIR SUGIMURA. >> SORRY, MR. CHIP CHASE- >> MR. CHIP CHASE.\r\n\r\n>> THANK YOU CHAIR AND VICE CHAIR. JUST TO MAKE SURE I UNDERSTAND, THIS IS EXTENDING THE AFFORDABILITY PERIOD FOR THE RENTALS FROM 30 TO 50 YEARS? >> CORRECT. >> YES, I RESPECT THAT. WE WOULD AGREE TO THAT. >> ALRIGHT. CALL FOR THE VOTE.\r\n\r\n>> ANYMORE DISCUSSION? MEMBER COOK. >> WHAT KIND

OF ESCALATION DO YOU DO? WHEN YOU EXTEND THE COMMITMENT LIKE THAT FOR RENT? JUST CURIOUS THE MECHANICS OF IT. >> SO, IT-THE BASIC MECHANICS ARE EASY. THE FINANCING MECHANICS BECOME MUCH MORE COMPLICATED BECAUSE MOST THINGS ARE BASED ON 30 YEAR, BUT WE HAD THE BENEFIT OF SEEING THIS AMENDMENT COME OUT.\r\n\r\nI WANTED TO MAKE SURE I UNDERSTOOD WHICH IT WAS AND I THINK IT WILL BE CHALLENGING, I THINK IT IS A CHALLENGE WE CAN MEET. >> THIS ON THE RENTALS? >> YES. >> OKAY. >> CHAIR, STAFF, WOULD POINT OUT, THIS AMENDMENT COULD BE INSERTED INTO CONDITION 5C PERHAPS. CONDITION 5C COULD JUST BE AMENDED IN THIRD SENTENCE, OR LET'S SEE- >> IT JUST CHANGES 30 TO-MEMBER KAMA'S AMENDMENT IS THE MOST UP TO DATE BECAUSE THAT WAS THE ONE WE TOOK ACTION ON TONIGHT'S AND IF THERE ARE FURTHER AMENDMENTS ON HERS IT JUST CHANGES THE 30 YEAR DEED RESTRICTION TO 50 ON MEMBER KAMA 'S PROPOSAL. USING HER LANGUAGE.\r\n\r\n>> WE ALREADY VOTED ON HERS. >> NO, SHE DIDN'T PROPOSE TO CHANGE THE DEED RESTRICTION PERIOD. SHE WAS CHANGING THE DISTRIBUTION, WHICH WE ALL SUPPORTED AND THE BRACKET SHE LOWERED THE AMI TO VERY LOW AND MODERATE INSTEAD OF ABOVE MODERATE, WHICH WE ALL SUPPORTED. BUT MINE IS TO INCREASE IT FROM 30 YEARS TO 50 YEARS AND MR. CHIP CHASE SAID THAT WOULD BE ACCEPTABLE. AND WHILE WE ARE HERE, IF I CAN CALL ON DIRECTOR ROTS TO EXPLAIN THAT SECTION THAT WE WERE TRYING TO FIGURE OUT LANGUAGE FOR. >> DIRECTOR ROTS.\r\n\r\n>> IF HE'S READY. >> YES, THANK YOU CHAIR AND THANK YOU COUNCIL MEMBER. CONDITION 5E COVERS THE TOPIC THAT WAS DISCUSSED EARLIER ABOUT CHAPTER 2.96 BEING AMENDED. THAT EXISTING CONDITION IN THE BILL ATTACHED TO COMMITTEE REPORT ADDRESSING THE ISSUE AND SAYS, THE GREATER NUMBER WOULD APPLY. >> OF RESIDENTIAL WORKFORCE UNITS? >> OKAY. >> THAT'S CORRECT, THANK YOU.\r\n\r\n>> OKAY, GOOD. ALRIGHT. ALL THOSE IN FAVOR OF THE MOTION? >> MEMBER- >> SORRY. I DIDN'T SEE HIM. MEMBER JOHNSON. >> THANK YOU CHAIR.\r\n\r\nTHANK YOU FOR ALLOWING ME TO GO HOME AND LET MY DOG OUT. BEG YOUR PARDON. I'M HERE READY TO WORK, THANK YOU CHAIR. >> THANK YOU. DID YOU HEAR THE MOTION? >> YES. I HAVE BEEN FOLLOWING ALONG, THANK YOU.\r\n\r\nREADY TO VOTE. >> ALL IN FAVOR OF THE MOTION RAISE YOUR HAND AND SAY AYE. >> AYE. >> 9 AYES, 0 NO'S, MOTION CARRIES. YOUR LAST ONE. >> OKAY. THAT IS CC24-30. AND THIS IS TO AMEND BILL 171. I MOVE TO AMEND BILL 171 BY RESTORING 450 AFFORDABLE UNITS SHALL BE WITHIN THE PROJECT DISTRICT IN SECTION 2, SECTION 19.90A.02B. >> SECOND?\r\n\r\nIS THERE A SECOND? OKAY. SECONDED BY MEMBER SINENCI. IT IS MOVED BY MEMBER RAWLINS-FERNANDEZ TO APPROVE HER ASF, WHICH WAS DISTRIBUTED REGARDING- >> IT WAS POSTED TO THE AGENDA, CHAIR. >> OKAY. THIS ONE WAS POSTED. THIS ASF AND CHANGING THE REQUIREMENT FROM 388 OR 38 TO 450 UNITS.\r\n\r\nOKAY. ANY DISCUSSION? MEMBER RAWLINS-FERNANDEZ. >> OKAY. SINCE 2008 COMMITMENTS FOR WATER SYSTEM HOUSING EMERGENCY SERVICE AND INFRASTRUCTURE HAVE GONE UNFULFILLED YET LUXURY DEVELOPMENT CONTINUE TO MOVE FORWARD BENEFITING SELECT FEW LEAVING THE REST OF RESIDENTS TO BEAR THE CONSEQUENCES. WE HEARD IN TESTIMONY ALL WEEK ON BILL 9 AND TODAY ON HOW IMPORTANT IT IS TO HAVE AS MANY HOUSES AS WE CAN FOR OUR RESIDENTS AND NOT TO BE LEFT VACANT. THIS IS NOT EVEN THE FIRST COMMITMENT THEY MADE WHICH WAS FOR 700. THIS IS FOR 450. I WON'T BELABOR THE POINT, BUT I STAND WITH OUR COMMUNITY IN DEMANDING THAT WE EXPECT MORE FROM THOSE THAT WILL BE RAKING IN PROFITS.\r\n\r\nI REPRESENT THE VOICES OF OUR RESIDENTS HERE AND WE NEED MORE HOUSING FOR OUR RESIDENTS. MAHALO, CHAIR. >> ANYMORE DISCUSSION? MEMBER PALTIN. >> THANK YOU CHAIR. I THINK AS WAS STATED EARLIER BY YOU THAT, THE WHOLE PURPOSE OF THIS EXERCISE IS NOT WHETHER OR NOT THAT THE PROJECT MOVES FORWARD OR NOT, BUT IF THERE ARE AMENDMENTS AND I THINK MANY OF THE AMENDMENTS THAT WE HAVE DONE TO DATE ON THE WHAT WAS HANDED TO US ORIGINALLY HAS BEEN GOOD. THIS ONE IS VERY VERY VERY BAD, BECAUSE ALL THOUGH IT IS NOT 700 ORIGINALLY TO GET THE CHANGE IN ZONING AND ALL THE THINGS ACROSS THE FINISH LINE, IT WAS A CONDITION OF THE CHANGE IN ZONING AND AS WAS

STATED BY THE ATTORNEY WHO I FORGOT TO MENTION IS ON AS A RESOURCE.\r\n\r\nTHIS IS CURRENTLY BEING LITIGATED AND I DON'T UNDERSTAND WHY WE WOULD TAKE IT OUT IF THE COURTS ARE ABOUT TO DECIDE. I DON'T KNOW IF THERE IS A COURT DATE NEXT MONTH OR WHY WE ARE RUSHING THIS THROUGH, BUT I THINK THIS IS THE MOST CONSISTENT THING THAT I HEARD PEOPLE SAY, DON'T TAKE OUT EVEN UNION MEMBERS THAT I HAVE SPOKEN TO THAT SUPPORT THIS PROJECT DON'T SUPPORT TAKING OUT THE CONDITION THAT 450 AFFORDABLE BE DEVELOPED ON-SITE. SO, I SUPPORT THIS AMENDMENT BECAUSE IT IS THE RIGHT THING TO DO. WE NEED MORE AFFORDABLE HOUSING RATHER THEN LESS, BUT THAT'S NOT WHAT'S ON THE TABLE. WHAT'S ON THE TABLE BEFORE US RIGHT NOW IS TO NOT REMOVE THE CONDITION THAT PROVIDES FOR 440 AFFORDABLE-NOT AFFORDABLE, WORKFORCE HOUSING HOMES IN ACCORDANCE WITH ALL THE THINGS FROM THE WORDING. THAT'S IT. >> OKAY.\r\n\r\nMEMBER U'U-HODGINS. >> THANK YOU CHAIR. LIKE I SAID, I'M NOT GOING TO ARGUE WITH ANYBODY. I COMPLETELY UNDERSTAND THIS AMENDMENT AND WHY MEMBER RAWLINS-FERNANDEZ AND MEMBER PALTIN AND MEMBER SINENCI SUPPORT IT, HOWEVER I DON'T THINK IT'S 450 UNITS OR 338 UNITS. I THINK IT'S 338 OR NOTHING, OR WE COULD ASK-WE CAN GIVE THEM MONEY TO MAKE UP THE DELTA. I DID A REALLY ROUGH CALCULATION AND NOT AS GOOD AS MEMBER PALTIN DOING PUBLIC MATH BUT I ASKED HOW MUCH EXTRA 50 HOMES WOULD COST AND THAT IS \$77 MILLION SO THE DELTA IS \$174 MILLIONS WHICH IS RIDICULOUS. THAT'S SO EXPENSIVE, WHICH IS PROBABLY WHY THE HOMES ARE NOW BEING REDUCED.\r\n\r\nNOT JUST FOR THE AFFORDABLE PORTION, BUT FOR ALL OF IT. FOR ME THIS IS SUPPORTING 338 AFFORDABLE UNITS AND AS MUCH AS I WISH IT COULD BE MORE, WE DON'T HAVE THE MONEY TO GIVE RIGHT NOW. THEY ARE NOT ASK FOR ANY MONEY FROM THE COUNTY AND WE ARE GETTING 338 HOMES. BUT AGAIN, I DO APPRECIATE WHERE THEY ARE COMING FROM, BUT I'M JUST GOING TO ASK FOR ROLL CALL, CHAIR. THANK YOU. >> MEMBER COOK. >> THANK YOU CHAIR.\r\n\r\nWHEN I HEAR THE NUMBERS OF HOW MUCH IT COST TO BUILD THE HOMES, IT SOUNDS LIKE A LOT. HOW CAN IT POSSIBLY COST THAT MUCH. THE HAWAIIAN HOMES PROJECT, THE SITE WORK WITH ABOVE GROUND ELECTRIC WAS LIKE \$134 MILLION. AT NO ROCK, ALL DIRT. PRETTY EASY SITE. TO ACTUALLY DO THE GROUND WORK, DO THE DRAINAGE, DO ALL THE WORK TO GET BE ABLE TO GO VERTICAL AND BE ABLE TO PROVIDE-BUILD THE BUILDINGS, GET THEM TURN-KEY, IT ISN'T JUST BUILDING ON A LOT AT A EXISTING SUBDIVISION. IT IS BASICALLY CREATING THAT ENTIRE ENTITY.\r\n\r\nI JUST SHARE FROM MY PERSPECTIVE THE SCOPE OF WORK ISN'T SIMPLY BUILDING A HOUSE, IT IS DOING ALL THE STUFF TO ENABLE TO BUILD A HOUSE YOU CAN DRIVE UP TO, GET OUT, GET YOUR MAIL, WALK IN THE FRONT DOOR. I JUST WANT TO-TO THE NUMBERS DO SOUND-I WON'T SAY UNREASONABLE, HARD TO BELIEVE IT COST THAT MUCH TO BUILD HOMES, BUT IT REALLY DOES. I WANT TO WEIGH IN ON THAT AND DON'T KNOW IF ANYBODY HAS A COMMENT. >> ANYMORE DISCUSSION? ANYMORE DISCUSSION? ROLL CALL. >> CHAIR, I CAN DISCUS.\r\n\r\n>> SORRY, MEMBER JOHNSON. >> THANK YOU. SO, I WILL VOTE TO SUPPORT THIS MOTION. I AM GOING TO JUMP INTO SOME OF THE TESTIFYING NAILED IT ON THE HEAD FOR ME. THINK OF THE FAMILIES THAT ARE LEAVING NOW THAT WE COULD-THOSE COULD HOUSE. ARE YOU GOING TO PUT A PRICE TAG ON THAT? I CAN'T. AND THE FACT THAT WE HAVE-WE LIVE IN A WEALTHY COUNTY, LET'S FACE THE FACTS.\r\n\r\nWE CANNOT OPERATE FROM A POSITION OF SCARCITY. THESE ARE OUR PEOPLE AND WE NEED TO HOUSE THEM. WHATEVER IT TAKES, RIGHT? THAT'S THE WAY I LOOK AT IT. SO, I WANT TO SUPPORT THE COMMUNITY. I WANT TO BUILD AS MANY HOUSES WE CAN. I KNOW THE COUNTER ARGUMENT COULD BE A BIRD IN THE HAND IS WORTH TWO IN THE BUSH, BUT I THINK THIS BILL-THIS PROJECT PASSED BY THE SKIN OF ITS TEETH IN THE PAST WHEN WE HAD DOUBLE THE AMOUNT OF HOMES, RIGHT?\r\n\r\nAND NOW HERE WE ARE WIDDLING DOWN, WIDDLING DOWN. OUR PEOPLE ARE EXHAUSTED. THEY HAVE BEEN TESTIFYING FOR DAYS AFTER THEY JUST GOT DONE TESTIFYING FOR DAYS. I THINK COME ON FOLKS, WE CAN DO BETTER, YOU KNOW? AS A BODY WE CAN DO BETTER THEN THIS. AS A BUILDER YOU GUYS CAN DO BETTER THEN THIS. I DON'T KNOW WHAT I COULD PUT INTO WORDS THAT OUR COMMUNITY MEMBERS HAVE

ALREADY SAID.\r\n\r\nMUCH MORE ELOQUENTLY THEN ME AND MUCH MORE YOU KNOW, UNIFIED VOICE. THEY ALL WANT MORE HOMES, SO I JUST-I KNOW IT IS LATE AND WE HAVE BEEN THROUGH THE RINGER, BUT I THINK OF THOSE FOLKS THAT ARE LEAVING AND THE EXPRESSION AS WE EXPORT OUR CHILDREN AND PINEAPPLES AND DON'T GROW PINEAPPLES ANYMORE. THE MORE AFFORDABLE HOUSING WE HAVE HERE, THE MORE OUR PEOPLE CAN STAY. IS IT GOING TO COST? YES. BUT THAT'S OUR JOB. TO MAKE SURE WE CAN DO WHATEVER IT TAKES TO KEEP OUR PEOPLE HERE, SO I WILL BE SUPPORTING THIS AND THANK YOU FOR HEAR ING ME OUT.\r\n\r\n\r\nMAHALO, CHAIR. >> THANK YOU. I DO WANT TO SAY SOMETHING THAT I THINK THE REASON WHY-THERE ARE MANY REASONS WHY WE HAVE A HOUSING CRISIS ON OUR HANDS, BUT ONE OF THE MAJOR REASONS WHY IS BECAUSE THE COUNTY NOT PRIVATE DEVELOPERS, THE COUNTY HAS ADVOCATED ITS RESPONSIBILITY TO PROVIDE FOR THE MOST NEEDY AND THAT IS A FACT. THAT IS A FACT. WE ARE SUPPOSED TO BE DOING THAT. WE ARE SHOVING OUR RESPONSIBILITY ON PRIVATE DEVELOPERS AND MAKING THEM DO THAT. SO, I THINK IT IS TIME THAT WE LOOK INTERNALLY AND SEE WHAT WE CAN DO.\r\n\r\n\r\nOKAY? MEMBER PALTIN. >> SECOND AND FINAL ON THIS ONE. I GUESS THE OTHER POINT IS THAT, WE HAVE LIMITED RESOURCES OF WATER, AND LIMITED RESOURCES BECAUSE WE LIVE ON A ISLAND, AND THE COUNTY OWNS ALL THAT LAND AROUND THE POLICE STATION AND I AGREE THAT THE COUNTY HAS BEEN DROPPING THE BALL FOR ADMINISTRATIONS AND WHAT NOT, BUT IF WE USE ALL OUR RESOURCES TO DEVELOP 800 SOMETHING LUXURY HOMES, THAT DOESN'T LEAVE MUCH WATER RESOURCES FOR DEVELOPING ON COUNTY LANDS. ALL OF THE AFFORDABLE IN PERPETUITY STUFF THAT WE COULD DO. AND LIKE EVERYONE HAD SAID, EVEN INCLUDING MY FORMER FORMER PREDECESSOR, THE BATE AND SWITCH. THIS IS CLASSIC BATE AND SWITCH AND--UM--LIKE THE UNION GUY SAID, THE DEVELOPERS CONSULTANTS SAID THAT WE CAMPAIGN ON AFFORDABLE HOUSING 288 OR WHATEVER IS BETTER THEN NOTHING, BUT WE WOULDN'T MAKE NO FLEXIBILITIES FOR 240 UNITS, SO THERE IS JUST DIFFERENT STANDARDS FOR DIFFERENT DEVELOPERS.\r\n\r\n\r\nTHEY WERE SAYING THEY ARE NOT PAYING PREVAILING WAGE, SO ALL THE UNIONS CAME OUT AGAINST IT, BUT IF THE RESIDENTIAL WORKFORCE HOUSING AGREEMENT IS EXECUTED IT IS THE LAW THAT THEY HAVE TO PAY IT AND IF THEY MOVE FORWARD THEY WOULD BE FORCED TO GO BACK AND PAY IT, SO I FEEL THE CONCERN FROM THE UNIONS AND WHAT NOT ABOUT AFFORDABLE WORKFORCE HOUSING DEVELOPMENT IS ONLY FOR CERTAIN DEVELOPERS, BECAUSE I DON'T SEE THE SAME SORT OF PUSHING THROUGH FOR HOUSING WHERE IT IS ABSOLUTELY GUARANTEE NEEDED IN WEST MAUI FOR 240 AFFORDABLE UNITS IN PERPETUITY FOR PHASE 1, SO I DON'T-I AM NOT BUYING IT. SECOND AND FINAL. >> OKAY. MY FINAL WORDS ARE, WE HAVE TO FACE REALITY WHEN IT COMES TO PAYING AND PROVIDING AFFORD ABLE HOMES, AND THE TRUTH OF THE MATTER IS, THE MARKET HOMES AND HIGHER PRICED HOMES SUBSIDIZE THE LOWER COST HOMES, AND THAT'S HOW IT HAPPENS. IF PEOPLE LOOKED AT HOW MUCH WE CONTRIBUTE AS LOW PAYING PEOPLE, WE PAY THE LOWEST RATES IN THE WORLD, ABOUT \$1.90 OR SO PER THOUSAND, AND THAT DOESN'T EVEN BEGIN TO PAY FOR ALL THE GOVERNMENT SERVICES REALLY. SO, WE ARE HEAVILY HEAVILY SUBSIDIZED. THE MARKET HOMES PAY \$10, \$12, SHORT-TERM RENTALS PAY \$15MENTF THEY ARE DOING THE SUBSIDIES, SO WE HAVE TO BALANCE OUR CHECK BOOK.\r\n\r\n\r\nWE CANNOT PROVIDE HOMES FOR FREE. IT HAS A COST AND THAT COST COMES FROM THE MARKET HOMES. WE HAVE TO UNFORTUNATELY BECAUSE THE COUNTY DOESN'T DO ITS SHARE, RELY TOO MUCH ON THE MARKET HOMES AND THIS IS THE SITUATION WE ARE IN. READY FOR THE-MEMBER SINENCI. >> THANK YOU CHAIR FOR MY OPPORTUNITY. I WILL SUPPORT THE MOTION ON THE FLOOR AND JUST FOR COUPLE REASONS. AGAIN, AS MEMBER JOHNSON SAID, SOME OF THE TESTIMONY WE HEARD.\r\n\r\n\r\nA LOT OF THE TESTIMONY WANTED HOUSING. WITH ALL THE SHORT-TERM RENTAL DISCUSSIONS WE HAVE BEEN HAVING, MORE SO THAT WE NEED THE HOUSING, SO A LOT OF THE TESTIFY, WE ARE IN A HOUSING CRISIS WE NEED THE HOUSING. ALSO FOR THE 2008 VOTE WHERE THERE WAS A-THOSE COUNCIL MEMBERS VOTED FOR IT. THEY ONLY SUPPORTED IT BECAUSE IT HAD 700 AFFORDABLE UNITS IN THAT FIRST VOTE, SO THE OPTICS OF US GOING

AGAINST-AND I GET IT, THE ORDINANCE HAD CHANGED. AND THEN ALSO, MY CONCERN CHAIR IS ABOUT THE LITIGATION. IF THE LITIGATION-I KNOW THE LAWYERS ARE SAYING WE ARE NOT BEING IMPLICATED IN ANY LITIGATION, BUT I'M JUST CONCERNED IF US MAKING THOSE CHANGES IS A OVER-REACH FROM THE LEGISLATIVE BODY INTO THE JUDICIAL BODY. THE OTHER THING WAS, THE DEVELOPERS HAVE SAID THAT THE PROJECT JUST CANNOT PENCIL OUT, BUT AT THE SAME TIME WE ARE NOT SEEING THOSE-THEIR BOOKS.\r\n\r\nTHE LAST TIME I CHECKED, MCKENNA AND WAILEA, THAT IS THE GOLD COAST OF MAUI. IF YOU LOOK AT SOME OF THE LISTINGS THERE, IT IS \$5 MILLION AND UP. UPWARDS OF 20MILLION. SOME BUILT OUT AREAS IS \$60 MILLION. THAT IS THE CRAZY MONEY AND WHY WE GET SOME OF THE BILLION AIRES ARE BUYING UP HUGE SWATHS OF LAND DOWN THERE, SO THE MONEY GENERATING FROM THIS PARTICULAR AREA IS HUGE AND I'M HOPING THE POTENTIAL PROFIT FROM 800 LUXURY HOMES. IF WE ARE TRYING TO BALANCE IT, WE WANT TO SEE THE POTENTIAL OF HOW MUCH CAN 800 LUXURY HOMES GO FOR IN THE GOLD COAST OF SOUTH MAUI. SO, THOSE ARE SOME OF THE THINGS I'M KIND OF LOOKING FOR AND CONCERNED ABOUT AND SO, I'LL VOTE TO SUPPORT, CHAIR, THANK YOU.\r\n\r\n>> OKAY, THANK YOU. MEMBER RAWLINS-FERNANDEZ. >> DID MEMBER JOHNSON GO? >> THAT'S OKAY. I'LL CALL YOU SINCE I WAS LOOKING AT YOU. >> OKAY. MAHALO FOR LOOKING AT ME CHAIR.\r\n\r\nI JUST WANTED TO-I FORGOT I WROTE THIS DOWN. I DID THE MATH ON THIS. SO, IN MCKENNA AREA ALONE IN THE REAL PROPERTY TAX CERTIFICATION, THIS YEAR, THERE ARE 244 DEVELOPERS THAT ARE OVER \$5 MILLION APPRAISED VALUE OR VALUATION. AND 120 OF THESE ARE \$10 MILLION PLUS. WHEN MEMBER SINENCI WAS TALKING ABOUT THE HIGH VALUE OF THOSE AREAS AND YOU ARE MENTIONING ABOUT THE HOUSES, THE DWELLINGS, THE MANSIONS THAT SUBSIDIZE THE AFFORDABLE HOUSING, AT WHAT POINT DO WE SAY LIKE, OKAY THAT'S EXCESSIVE ALREADY? THAT THESE MANSIONS AND THEN WHEN WE ARE IN BUDGET SESSION AND WE PROPOSE TO INCREASE THE PROPERTY TAX RATES IN ORDER TO GET THE REVENUE TO APPROPRIATELY FUND WORKFORCE HOUSING, THEY ARE NOT GETTING HOUSING FOR FREE. WE THE GOVERNMENT ALLOW THE CONSTRUCTION, ALLOWING THESE DEVELOPMENTS TO USE WHAT LITTLE WATER WE HAVE, SO WHEN THESE MANSIONS ARE BUILT, THEY USE FAR MORE WATER THEN A AVERAGE HOUSEHOLD LIKE US.\r\n\r\nMY HOUSEHOLD USES ABOUT 3 TO 4 THOUSAND A MONTH GALLONS, AND I DON'T HAVE LUXURY LANDSCAPING. WHEN YOU HAVE THESE MULTI-MILLION DOLLAR STRUCTURES, THEY HAVE MULTI-MILLION DOLLAR LANDSCAPING, WHICH REQUIRES A LOT OF WATER, BECAUSE THEY WANT IT TO LOOK LUSH AND THEY HAVE THAT MONEY AND WE DON'T HAVE RESTRICTIONS AND IF WE DO HAVE RESTRICTIONS IT JUST INCREASES THE COSTS AND IT IS WORTH IT TO THEM BECAUSE WHAT IS ANOTHER MILLION DOLLARS? SO, I THINK-I AGREE WITH YOU CHAIR THAT COUNTY NEEDS TO DO MORE TO BUILD THE HOUSING. WHEN I LOOK AT THE SHEER AMOUNT OF MULTI-MILLION DOLLAR DWELLINGS, I WILL NOT CALL THEM HOMES BECAUSE MOST OF THEM ARE NOT LIVED IN, THE INEQUITY THAT OUR RESIDENTS HAVE TO EXPERIENCE IN THE DAY TO DAY AND BEING PRICED OUT AND THEN BEING REPLACED BY VACANT HOUSES AND THE EROSION OF OUR COMMUNITY. WE NEED TO SUPPORT OUR RESIDENTS. MAHALO, CHAIR. >> MEMBER JOHNSON.\r\n\r\n>> THANK YOU CHAIR FOR MY SECOND AND FINAL. I GUESS MY QUESTION IS, WHAT WAS THE POINT OF ALL THIS? WHAT WAS THE POINT TO HAVE ALL OUR COMMUNITY MEMBERS SPEND TIME, SOME WROTE DOWN THEIR TESTIMONY, SOME RECORDED THEMSELVES, SOME OF THEM PRACTICED. THEY GET NERVOUS WHEN THEY COME OUT TO SPEAK TO US AND THEY ALL SAID THEY WANTED MORE HOUSING. I DON'T GET THE POINT OF CALLING UP OUR COMMUNITY, POSTING THIS ON THE AGENDA AND SAYING COME DOWN AND TESTIFY AND WE DON'T LISTEN TO A WORD YOU SAID. THAT DON'T MAKE ANY SENSE TO ME. THEY SHOULD MOVE OUR NEEDLE.\r\n\r\nTHE COMMUNITY, WE SHOULD REFLECT THE WANTS AND NEEDS AND DESIRES OF OUR COMMUNITY. I DON'T GET THE POINT OF HAVING-THIS IS WHERE WE STARTED THE MEETING AT 9 A.M. AND IT IS NOW 11:11. WHAT WAS THE POINT TO BRING IN ALL THESE FOLKS FROM ALL OVER MAUI COUNTY, MAUI ISLAND, SPEAK ON THIS AND THEN DO THE EXACT OPPOSITE? IT DOESN'T MAKE ANY SENSE TO

ME. I DON'T GET THE POINT OF WHY WE DRUMMED UP ALL OUR COMMUNITY TO ONLY TO JUST SAY YEAH, COOL, STORY AND GO AND VOTE THE WAY WE ARE GOING TO VOTE. IT DOESN'T MAKE SENSE TO ME. WE ARE ONE OF THE-LAST I CHECKED, I MIGHT BE WRONG, BUT THE ONLY COUNTY IN THE STATE THAT HAS AN AFFORDABLE HOUSING FUND. WE HAVE AA PLUS, OR GREAT BOND RATING.\r\n\r\nWE GOT-LOOK, I LIVE ON THE ISLANDS WITH LANAI WITH THE SECOND RICHEST GUY IN THE UNIVERSE. WE SHOULDN'T OPERATE FROM A POSITION OF SCARCITY AND YET WE DO. THERE IS WEALTHY PEOPLE HERE THAT COULD ANTE UP AND KICK IN TO HELP OUR COMMUNITY AND HERE WE ARE AND I DON'T THINK WE GOT THE VOTES TO DO IT SO I'M SORRY. I TRY. I HOPE IF I CAN'T CONVINCE YOU GUYS PERSUASIVELY, MAYBE YOUR CONSTITUENTS COULD. WE'LL SEE HOW WE VOTE, BUT I MEAN, I AM SORRY TO THE COMMUNITY. I CAN'T SAY ANYTHING ELSE.\r\n\r\nI HOPE YOU GUYS COULD CONSIDER THAT. THANK YOU. THANK YOU CHAIR. >> THANK YOU. MEMBER VICE CHAIR SUGIMURA. >> SO PAINFUL, RIGHT? I THINK WHAT I AM THINKING AT THIS VERY MOMENT IS WHAT TESTIFIER, MR.\r\n\r\nCAMI SAID. HE BASICALLY SUMMED IT AND SAID, WE NEED HOUSING AND TO ME THIS VOTE IS, WE NEED HOUSING. I DON'T THINK THERE IS AN AGREEMENT TO BUILD MORE HOUSING FROM THE PROJECT AND SO I'M GOING TO BE VOTING AGAINST THIS MOTION, BUT I WILL SAY THAT I DO WANT HOUSING TO HAPPEN AND I BELIEVE THAT THE COMMITMENTS WE HAVE SEEN THE DEVELOPER WORK WITH US TONIGHT, I CAN APPRECIATE THAT, AND THERE IS A FUTURE WITH THIS PROJECT AND AS YOU KNOW, A LOT OF DEVELOPMENT PROJECTS THAT COME BEFORE US, THEY NEED OUR MONEY, THEY NEED A LOT OF THINGS FROM US, BUT IN THIS CASE, THE DEVELOPER IS NOT ASKING US FOR ANYTHING MORE THEN JUST WHAT WE ARE TALKING ABOUT, SO I'M GOING TO VOTE AGAINST THIS MOTION. WE ARE GOING TO GET HOUSING FROM THIS PROJECT, IT IS GOING TO HAPPEN, AND I BELIEVE THAT WE WILL BE BUILDING HOUSING FOR THOSE SPEAKERS THAT CAME. BUT MAYBE NOT THE INFINITY AMOUNTS OF HOUSING THEY ARE ASKING FOR. SO-- >> OKAY. READY FOR THE ROLL CALL?\r\n\r\n>> MEMBER KAMA, NO. VICE CHAIR SUGIMURA, NO. COUNCIL MEMBER PALTIN, YES. COUNCIL MEMBER JOHNSON, YES, PLEASE. COUNCIL MEMBER RAWLINS-FERNANDEZ, AYE. COUNCIL MEMBER COOK, NO. COUNCIL MEMBER U'U-HODGINS, NO.\r\n\r\nCOUNCIL MEMBER SINENCI, AYE. COUNCIL CHAIR LEE, NO. CHAIR. THERE ARE 5 AYES, 4 NO'S, MOTION CARRIES. >> OKAY. NOW THE MAIN MOTION AS AMENDED. >> MEMBER PALTIN HAD TWO FLOOR AMENDMENTS.\r\n\r\n>> TWO MORE, OKAY. >> NO ASF. IT WAS VERBAL. >> I MOVE TO AMEND EXHIBIT B AMENDED CONDITIONS OF ZONING BY ADDING THE FOLLOWING:NUMBER 33, THAT NO->> I'M SORRY, COUNCIL MEMBER PALTIN BEFORE WE GET TOO MUCH FARTHER I MISS READ THE VOTE. THERE WERE 4 NO'S-SORRY, 5 NO'S, 4 AYES, SO THE MOTION FAILED. I MIS SAID IT. >> I DIDN'T MAKE THE MOTION YET.\r\n\r\n>> IT WAS THE ONE JUST PREVIOUS. I MISSPOKE ON THE RESULTS. >> I DIDN'T HEAR WHAT YOU SAID. >> OKAY. >> WHAT IS THE RESO. >> THAT WAS JUST A AMENDMENT. >> DID THAT PASS?\r\n\r\nOKAY. I MOVE TO AMEND EXHIBIT B AMENDED CONDITIONS OF ZONING BY ADDING THE FOLLOWING NUMBER 34:AND THIS WOULD BE LEGISLATIVE INTENT THAT ANYBODY CAN PRETTY UP WITH GOOD LANGUAGE. NOW CREDIT SHALL BE GIVEN OUR USED FOR THE THIS PROJECT. >> SECOND. >> NOW HOUSING CREDIT SHOULD BE GIVEN OR USED FOR THIS PROJECT. >> NO HOUSING CREDIT SHALL BE GIVEN OR USED. >> I MEAN THAT'S NOT THE EXACT WORDING,X THAT IS LEGISLATIVE INTENTS.\r\n\r\nLEGALITY, NON-SUBSTANTIVE REVISIONS ALLOWED. >> OKAY. ALRIGHT. MR. CHIP CHASE, DID YOU HAVE PLANS FOR THAT? >> NO. YOU ALREADY TOOK CARE OF ALL THE CREDITS UP TO 288 ON THE LAST IN THE HOUSING COMMITTEE SO THAT WAS ALREADY GONE.\r\n\r\nWE HAD ALREADY COMMITTED DOING IT ON SITE SO WERE NOT GOING TO USE CREDITS SO THE ONLY THING OPEN WAS 50 CREDITS FOR THE HIGHWAY, BUT I ALREADY PUT IN THE AFFORDABLE HOUSING AGREEMENT WE WAVE THE CREDITS SO I HAVE NO PROBLEM WAIVING THEM TWICE. >> OKAY. ALRIGHT. WHO WAS THE SECOND ON THAT ONE? MEMBER RAWLINS-FERNANDEZ. DO WE NEED MORE DISCUSSION? THIS SEEMS TO BE CONSENSUS.\r\n\r\nALL IN FAVOR SAY AYE. >> AYE. >> OKAY. 9 AYE, 0 NO'S MOTION CARRIES. FINAL ONE. >> FINAL ONE. I MOVE TO REMOVE-ARE WE



TAKING UP BOTH BILLS AT THE SAME TIME?\r\n\r\n>> YES. >> OKAY. IN BILL 171 I BELIEVE. I MOVE TO REMOVE 19.90A.060A1H AND IF I GET A SECOND I'LL EXPLAIN. >> SECOND. >> OKAY. DISCUSSION.\r\n\r\nWHAT ARE YOU TALKING ABOUT? >> OKAY. MR. HYDE MENTIONED THAT THE 2023 STUDY BY THE COMMISSION OF WATER RESOURCE MANAGEMENT INDICATED A 51 TO 56 PERCENT DECREASE IN AQUIFER AND SWIMMING POOLS ARE TOTAL LUXURY NOT NEEDED, HAVE NOTHING TO DO WITH THE PROVISION OF HOUSING LUXURY OR NOT AND SO, THAT'S MY MOTION TO REMOVE IT. >> TO REMOVE SWIMMING POOLS? >> BECAUSE WE ARE IN A WATER SCARCITY. THIS IS A BIG DROUGHT.\r\n\r\nWE JUST HAD A BIG FIRE. IF THERE IS ANY SPARE WATER IN THE AQUIFER IT SHOULD BE USED FOR AFFORDABLE HOUSING AND THEY DON'T SCOOP IT ANYMORE ANYWAY. THE WAY THE WATER IS CALCULATED IS AVERAGE RAINFALL MINUS SPLASH OUT, MINUS EVAPORATION, MINUS BACK-WASHING OR WHATEVER, IC AND WE ARE IN LIKE A REAL SEVERE DROUGHT. I LIVE WHERE IT IS RAINING PRETTY OFTEN AND STILL YET THE GRASS IS BROWN AND CRUNCHY AND THAT ONE GUY SAID I LIVE BELOW WHERE IT RAINS EVERY NIGHT. SO DO I AND MY GRASS IS BROWN AND CRUNCHY AND SURE WAILEA ISN'T ANY BETTER. HOPEFULLY THEY DON'T HAVE GRASS. MAYBE WE CAN ADD ZERO-SCAPING.\r\n\r\n>> VICE CHAIR SUGIMURA. MR. CHIP CASE. >> CHIP CHASE. >> YES, CHAIR. >> YOUR COMMENTS. >> HOPEFULLY FOR THE FINAL TIME OR SOMETHING CLOSE TO IT.\r\n\r\nI UNDERSTAND. I DID HAVE A CHANCE WITH HYDROLOGIST AND OTHER FOLKS TO GO THROUGH THE TESTIMONY. I THINK IT MISSED DETAIL LIKE THE RECHARGE RATE IS 30 AND THERE ARE 4 SCENARIOS IN THE USGS REPORT WITH INCREASE IN RAINFALL TO VARYING DEGREES OF DECREASE. THERE IS A BROADER CONTEXT OF INFORMATION THEN PRESENTED. AS TO THE SPECIFIC POINT, I COULD NOT AGREE FROM MY TWO CENTS TO REMOVE THAT USE. IT HAS BEEN APPROVED USE IN THIS BILL FROM THE BEGINNING AND I DON'T KNOW WHAT THE INTENTS OF INDIVIDUAL OWNERS OR FOR THE COMMERCIAL PROJECTS OR SORRY FOR THE AFFORDABLE HOUSING PROJECTS TO AMENITIES THAT MAY INCLUDE SWIMMING POOLS, SO I WOULDN'T SUPPORT REMOVING IT AT THIS TIME. I WOULD OFFER ONE IDEA.\r\n\r\nI DON'T KNOW IT SATISFIED MEMBER PALTIN'S CONCERN BUT THINK IT MAKES A BIG DIFFERENCE AND THAT IS REQUIRED POOL COVERS. SAVES A TREMENDOUS AMOUNTS OF WATER EVERY YEAR THROUGH LOSS OF EVAPORATION. IT IS STAGGERING WHAT IT CAN DO. WHILE THAT IS ADDITIONAL COST, I THINK IT IS ONE THAT WOULD BE APPROPRIATELY BORN. THANK YOU. >> MEMBER PALTIN. >> HOW WOULD THAT BE ENFORCED AND WOULD THE BE FINES INVOLVED THAT GOES INTO THE AFFORDABLE HOUSING FUNDS?\r\n\r\nHEFTY. >> HOW WOULD YOU ENFORCE THAT? >> WELL, IF YOU PUT IT INTO THE ZONING ORDINANCE THEN IT WOULD BE A CONDITION OF ZONING ENFORCEABLE BY THE COUNTY. WHAT THE COUNTY DOES WITH THE FUNDS IT ENFORCES I COULDN'T SAY. >> SO, IF THIS AMENDMENT DOESN'T PASS THEN I'LL MOVE TO THAT ONE. >> OKAY. LET ME ASK YOU A QUESTION CAL.\r\n\r\nIN OUR HUMBLE NEIGHBORHOOD, WE DON'T HAVE SWIMMING POOLS, BUT IN OUR RUBBISH CANS THE HOME OWNERS ASSOCIATION IS SO STRICT THAT WE CAN'T PUT OUR RUBBISH CANS WHERE IT IS VISIBLE, YOU KNOW? SO, THEY ENFORCE A LOT OF THINGS. IT ISN'T THE COUNTY. SO, CAN YOU GUYS ENFORCE THAT? >> FOR SURE, CHAIR. I ONLY SUGGESTED THAT IT BE IN HERE BECAUSE I AFRAID SAYING HOA ENFORCE IT IT WOULDN'T BE ENOUGH. IT WOULD BE INCORPORATED TO THE HOA AND THE HOA WOULD ENFORCE THAT.\r\n\r\n>> MEMBER COOK. SOMETIMES YOU CAN SAY HEY OR GO LIKE THAT. I HAVE TO SAY THIS, I THOUGHT-I DIDN'T HAVE ANY IDEA WHAT SHE WAS DOING. THE ONLY THING CLOSE TO THIS IS WHEN WE ARE ON THE PAR 3 ON THE 16TH HOLE AND YOU CAN'T SEE WHERE YOUR BALL LANDS ON THE TOP OF THE GREEN, SO THE GUYS WILL GO LIKE THIS. THAT MEANS ON TOP. SO-- ANYWAY. I THOUGHT, GOSH, I THOUGHT THAT WAS WEIRD.\r\n\r\nANYWAY, MEMBER COOK. >> THANK YOU CHAIR. TALKING ABOUT THE AQUIFER AND THE LOWER RAINFALL, I WANT TO PUT A PLUG IN FOR CAPTURING THE STORM WATER, MANAGING OUR FLOOD WATERS AND STORMS, RECHARGING THE AQUIFER, HAVING STORM WATER STORAGE UP IN THE MOUNTAIN IN DEPARTMENT OF WATER SUPPLY, SO CONSERVATION, SOMETHING MY OFFICE HAS BEEN VERY INVOLVED IN. IT COST MONEY. IT IS VERY FEASIBLE. IT MAKES A LOT OF

SENSE AND PARTIALLY THAT IS WHAT I'M HOPING WE CAN UTILIZE SOME TAX DOLLARS FROM WAILEA MCKENNA AS DISCUSSED. MY ADVOCACY FOR IT TO HELP FUND THIS STUFF.\r\n\r\nWE HAD OVER 10 INCHES WAS A BILLION GALLONS OF WATER THAT CAME DOWN IN THE VARIOUS STREAMS FOR SOUTH MAUI. 67 MILLION GALLONS PER INCH IN THE FIRST GULCH AND I JUST WANT TO SHARE WITH YOU, TREMENDOUS AMOUNT OF WATER COMING DOWN, JUST NOT PERCOLATING LIKE WE WANT IT, BUT IF WE MANAGE IT PROPERLY, WE CAN HELP THAT CYCLE. I JUST WANTED TO SHARE THAT. >> SOMEBODY HAD-MEMBER SINENCI. >> MAHALO CHAIR. I WOULD BE SUPPORTIVE OF THE MOTION. SOUTH MAUI IS ONE BIG BEACH.\r\n\r\nEVERYBODY HAS A BIG POOL IN THE FRONT THERE AND YOU ARE PROBABLY 5, 10 MINUTES TO THE BEACH. SO, AND OF COURSE SAVING WATER, JUST GO TO THE BEACH AND SWIM. IF NOT, I WOULD BE SUPPORTIVE OF LIKE A COMMUNITY POOL IN THE AREA, BUT NOT INDIVIDUAL POOLS. I MEAN, FOR ALL OF THE HOUSING UNITS. A LOT OF THEM HAVE JUST LIKE A COMMUNITY POOL FOR THEM. BUT, I'M SPEAKING IN SUPPORT. >> OKAY.\r\n\r\nANYBODY ELSE? MEMBER-VICE CHAIR SUGIMURA. >> THIS IS A POOL STORY. IN CULA FOR THE WILD FIRE, ONE OF THE SOURCES OF WATER THAT FIRE DEPARTMENT USE WAS THE SWIMMING POOL FROM ONE OF THE RESIDENTS THAT LOST ONE OF THEIR HOMES, AND SERIOUSLY, IF IT WASN'T FOR THAT POOL, THE FIRE WOULD HAVE BEEN WORSE. IN ONE WAY YEAH, IT MAY BE A WASTE OF WATER OR WHATEVER WE ARE TALKING ABOUT, BUT IN TERMS OF EMERGENCY, THANK GOD THAT THE WATER RESOURCE WAS THERE, BECAUSE AT SOME POINT WE RAN OUT OF WATER. JUST WANTED TO SHARE A GOOD STORY. >> MEMBER RAWLINS-FERNANDEZ.\r\n\r\n>> MAHALO CHAIR. SO, THEY DON'T USE POOLS AS ANYMORE. THEY HAVE PUMPKINS. I WATCH THEM THE PUMPKINS TO PUT OUT FIRES. THAT IS WHAT THEY PREFER BECAUSE THEY DON'TS WANT TO JEOPARDIZE DAMAGING THE POOLS AND JUST NOT WORTH IN THE END IF THEY DAMAGE IT AND THE COUNTY TAXPAYERS ARE ON THE HOOK FOR PAYING FOR THE DAMAGE. SO, THAT IS SOMETHING THAT OUR FIREFIGHTERS USE MORE, NOT POOLS. >> IT WAS EMERGENCY.\r\n\r\nTHERE WASN'T ANY WATER AT SOME POINT IN KULA. >> ANYBODY ELSE? ANYBODY ELSE? LET'S VOTE. ROLL CALL. >> COUNCIL MEMBER KAMA-- >> POOLS. SWIMMING POOLS.\r\n\r\nIF YOU ARE IN FAVOR OF NOT ALLOWING SWIMMING POOLS. >> COME BACK. >> OKAY. NEXT PERSON. >> VICE CHAIR SUGIMURA, NO. COUNCIL MEMBER PALTIN, YES. COUNCIL MEMBER JOHNSON, YES, PLEASE.\r\n\r\nCOUNCIL MEMBER RAWLINS-FERNANDEZ, AYE. COUNCIL MEMBER COOK, NO. COUNCIL MEMBER U'U-HODGINS, NO. COUNCIL MEMBER SINENCI, AYE. COUNCIL CHAIR LEE, NO. PRO TEM KAMA, NO. CHAIR, THERE ARE 4 AYES, 5 NO'S. MOTION FAILS.\r\n\r\n>> MEMBER PALTIN. >> I MOVE TO AMEND EXHIBIT B AMENDED CONDITIONS OF ZONING BY ADDING THE FOLLOWING NUMBER 34: THAT ANY POOL CONSTRUCTED SHALL HAVE A POOL COVER AND IT SHALL BE COVERED-KEPT COVERED WHEN NOT IN USE AND THAT THIS IS TO BE ENFORCED BY THE HOA AND VIOLATION WOULD RESULT IN FINES OF A THOUSAND DOLLARS CONTRIBUTED EACH OFFENSE CONTRIBUTED TO THE AFFORDABLE HOUSING FUND. >> SECOND. >> DISCUSSION? EVERYBODY, QUICK. >> THIS IS WHAT WAS RECOMMENDED BY THE DEVELOPER REPRESENTATIVE AND- [LAUGHTER] SO, THAT'S WHAT I'M PROPOSING. >> OKAY.\r\n\r\nMEMBER SINENCI. >> I ALSO WANTED TO ADD THIS IS ALSO PUT INTO THE WATER USE DEVELOPMENT PLAN FOR SOUTH MAUI, SO SUPPORTIVE. >> OKAY. A THOUSAND DOLLAR FINE? >> [INDISCERNIBLE] >> YEAH. I CAN SEE THE COVER. ANYBODY ELSE?\r\n\r\n>> I MEAN, YOU HAVE TO MEAN BUSINESS. YOU CAN'T BE ALL LIKE-- >> OKAY. MR. CHIP CHASE. >> I THINK EVERYTHING ACCEPT A THOUSAND DOLLAR FINE IS REASONABLE. I WISH YOU WOULD PICK A DIFFERENT NUMBER THAT CAN REALISTICALLY BE APPLIED AND ENFORCED. >> \$500. >> FOR A FINE FOR NOT USING A COVER, HOW ABOUT \$250? >> \$250? >> UH-HUH.\r\n\r\n>> HOW ABOUT \$300? >> SOLD. >> OKAY. FRIENDLY. >> OKAY, FRIENDLY AMENDMENT, \$300. MEMBER RAWLINS-FERNANDEZ. >> MYSELF AND MEMBER JOHNSON HAD HIS HAND UP. OKAY. I SUPPORT THE MOTION AND THE FINE AT \$300, SURE.\r\n\r\nWHAT WE HEARD-MAYBE THIS IS A QUESTION. THE WATER REPORTS, B THE PROJECTED WATER SUSTAINABLE YIELD-I GUESS IT ISN'T GROUND. I UNDERSTAND ARE OLDER AND DIDN'T REALLY INCORPORATE CLIMATE CHANGE IMPACTS TO THE

SUSTAINABLE YIELD AND MOVING FORWARD, IF WE COMMIT WATER WE DON'T HAVE, I KNOW THERE ARE PLACES THAT DID JUST THAT AND COMMITTED WATER THAT THE GOVERNMENT COULDN'T SUPPLY AFTER SHORT TIME AND THEY STARTED HAVING TO LIKE TRUCK WATER IN AND I DON'T KNOW WHAT WOULD BE EXPECTED OF GOVERNMENT IF WATER IS NO LONGER AVAILABLE IN A SHORT TIME BECAUSE OF CLIMATE CHANGE AND DROUGHT SITUATIONS. WATER-RAIN HAS BEEN OR THE STREAMS HAVE BEEN THE LOWEST IT HAS BEEN IN LIKE OVER A HUNDRED YEARS AND SO I JUST WANTED TO BE VERY MINDFUL OF THE WATER WE ARE COMMITTING THAT WE HAVE NO-I DONT KNOW, YOU KNOW? PROBABLY BUSINESS COMMITTING TO AT THIS POINT, BUT I SUPPORT THIS AMENDMENT. MAHALO CHAIR. >> I JUST ALSO WANTED TO ADD THAT THIS INCLUDES ANY NON SUBSTANTIVE REVISIONS AS TO FORMER LEGALITY AND THAT RUNNING STUFF AND THIS IS PER OFFENSE.\r\n\r\n\$300 PER OFFENSE. >> COOK, DID YOU HAVE YOUR HAND UP? OH, MR. JOHNSON. SORRY. >> THANK YOU CHAIR. I SUPPORT THE AMENDMENT AND THE FINE.\r\n\r\n\r\nBUT I SUPPORT IT KIND OF-THIS IS EVEN WEIRD TO SAY, BUT I SUPPORT IT ANGRILY. THIS IS FOR MANSIONS AND THIS IS ALL WE CAN GET IS A COVER? I DON'T KNOW IF IT WILL PASS. I CAN'T--WE ARE IN DROUGHT. YOU WANT TO GO THROUGH THE DAY AND HEAR ALL THE TIME, WE ARE IN A DROUGHT. MODERATE AND HIGH AND I'M A FARMER. COUNCIL MEMBER PALTIN SAID, THE GRASS ON MY FARM IS CRUNCHY.\r\n\r\n\r\nWE ARE IN A DROUGHT AND ALL WE CAN GET IS A PERSON OWNS A \$5 MILLION HOUSE TO PUT A COVER ON THE POOL. LOOK AT US, GOOD JOB. SO, I SUPPORT IT, BUT MAN, THAT IS WEAK ASS STUFF, BUT I'M HERE FOR IT. >> ALRIGHT. ANYBODY ELSE? ANYBODY ELSE? DOWN THE HOME STRETCH.\r\n\r\n\r\nMEMBER PALTIN. >> DID YOU WANT ME TO TRY TO ADD ZERO-SCAPING? I DON'T KNOW. >> I MEAN, I DON'T THINK IT-I DON'T KNOW IF THIS GOING TO PASS AND CAN'T BELIEVE IN A WATER CRISIS WE ARE AT WE ARE BEGGING FOR THESE CRUMBS WHILE THEY GET THE CAKE. OKAY, THE COMMUNITY DOESN'T-- HAS TO WATCH WATCH THE WATER AND THESE GUYS GET TO PUT A COVER ON A POOL. HOW BLESSED ARE THEY? >> IS THAT YES TO ZERO-SCAPING?\r\n\r\n\r\n>> SORRY. I SUPPORT YOUR AMENDMENT COUNCIL MEMBER PALTIN. I DON'T KNOW IF ZERO-SCAPING WILL MAKE ME UNANGRY, BUT IF THAT IS ALL WE GET, THAT ALL WE GET. I DON'T KNOW IF IT WILL PASS, SO-- >> OKAY. >> PRO TEM KAMA FIRST BECAUSE SHE HASN'T SAID VERY MUCH TONIGHT. >> [INDISCERNIBLE] >> OH. >> ANYWAY, MR.\r\n\r\n\r\nCHIP CHASE, DO YOU HAVE A ISSUE WITH LIMITING THE SIZE OF THE POOL AND THE DEPTH OF THE POOL? >> I THINK WE COULD DO THAT. I DON'T THINK I COULD DO THAT TONIGHT. I DONT KNOW WE HAVE RATIONAL NUMBERS TO COME UP WITH TONIGHT. I HAVE DONE THAT IN THE SMA CONTEXT. NEVER DONE SOMETHING LIKE THAT AS A ZONING CONDITION, BUT I UNDERSTAND. >> OKAY.\r\n\r\n\r\nAN OLYMPIC SIZE POOL IS 164 FEET BY 82 FEET AND HOLDS 660 THOUSAND GALLONS OF WATER AND IT'S 6.6 INCHES DEEP. SO- >> FEET YOU MEAN? OH. >> HEIGHT. THAT IS HOW MUCH- >> 6 FOOT 6 INCHES. >> DEEP. THAT IS HOW DEEP IT IS.\r\n\r\n\r\nTHAT IS A BUNCH OF WATER. SO, IF WE BROKE THAT DOWN INTO SOMETHING SMALLER, WOULD THAT BE DOABLE? SO, YOU USE LESS WATER, RIGHT? YOU DON'T GET A WHOLE LOT OF POOLS OUT THERE THAT IS OLYMPIC SIZE, BUT YOU HAVE SOME CONTROL AND YOU KNOW HOW MUCH WATER IS BEING USED. >> CAL, YOU ARE SAYING YOU CAN'T PROVIDE US THE INFORMATION TONIGHT? >> WHAT I WOULD PROBABLY DO IS GO LOOK AT THE MOST RECENT SMA AND DID WHERE WE CAPPED THE POOL SIZE IN AGREEMENT WITH NUMBER OF INTERVENERS INCLUDING FOLKS WHO TESTIFIED TODAY TO SEE WHAT WE USE AND PROPOSE THAT HERE. I DON'TS REMEMBER WHAT IT IS OFF HAND AND PROBABLY TAKE 20 MINUTES TO FIND IT.\r\n\r\n\r\n>> OKAY. WE CAN ALWAYS DO THAT AT THE NEXT READING. >> YEP. MEMBER-YEAH. YEAH. WAIVING YOUR HAND WHEN I LOOK OVER THERE IS NOT GOING TO HELP YOU. MEMBER COOK.\r\n\r\n\r\n>> THANK YOU CHAIR. JUST 74 FOOT POOL, 6 FOOT WIDE 43 FEET IS 13.320 GALLONS. THE POOLS WE ARE TALKING ABOUT ARE FOR NORMAL HOUSE. 35 THOUSAND, 40 THOUSAND GALLONS FOR NORMAL MANSION. ANYWAY, I WANT TO MAKE A COMMENT FOR MY COLLEAGUES. THE FIRST HOUSE THAT GOES VERTICAL AND IS BUILT ON THIS PROJECT IS PROBABLY 6 YEARS OUT. IT COULD BE EVEN LONGER.\r\n\r\n\r\nI THINK THEY ARE LIMITED TO A

HUNDRED HOUSES A YEAR IS THE MAXIMUM YOU CAN BUILD AND THEY ARE PROBABLY GOING TO BUILD HALF BECAUSE IT DEPENDS WHAT THE MARKET CAN HOLD. THE DEPARTMENT OF WATER SUPPLY IS LOOKING AT THE DESALINIZATION AND DIFFERENT ALTERNATE ENERGY SOURCES WHICH MAKES IT MORE COST EFFECTIVE. I GRANTED WE DO HAVE WATER ISSUES WE NEED TO BE VERY PRUDENT WITH OUR WATER. NO MATTER WHAT. EVEN IF WE HAD A LOT OF WATER WE ARE NOT GOING TO WASTE IT. I WANT TO SHARE WITH COLLEAGUES THE MENTALITY THAT IT IS DOOM AND GLOOM AND DON'T HAVE ENOUGH WATER. WEST MAUI IS IN A SUPER CRISIS, SUPER CRISIS.\r\n\r\nOUR SIDE OF THE ISLAND HAS CHALLENGES. IT IS MORE A ENGINEERING ISSUE THEN RESOURCE ISSUE. I JUST WANT TO WEIGH IN ON THAT. WE ARE GOING TO PUT POOL COVERS ON POOLS 6 YEARS FROM NOW. I CAN AGREE TO THIS, BUT THIS ISN'T ADDRESSING-WE ARE NOT WASTING WATER ANY TIME SOON ON THESE HOMES IS MY FEEDBACK. >> OKAY. MEMBER U'U-HODGINS.\r\n\r\n>> THANK YOU CHAIR. REGARDLESS OF THE POOL SIZE, I'M GOING TO SUPPORT A POOL COVER IN MY QUICK LOOKING UP OF SOME OF THE BENEFITS IT DOES REDUCE WATER EVAPORATION MY 90 PERCENT. APPARENTLY-LOOK WHAT HAPPENS. YEAH, MY MOUTH, MY BRAIN, WE ARE OPERATING ON ZERO CYLINDERS NOW. APPARENTLY IT IS QUITE NICE. I WILL BE HONEST, AND TELL YOU STRAIGHT UP. MY ANTE LIVES 4 STREETS DOWN AND HAS A POOL AND NOT A MILLION AIR.\r\n\r\n>> SHE HAS A POOL. >> SHE HAS A POOL. IT IS FREEZING THOUGH. I WAS TRYING TO BRING UP THE HEAT BUT COULDN'T PRONOUNCE REDUCTION. AND CHEMICALS. ANYWAY, MY POINT IS THAT, AS A INTROVERT, WHO DOESN'T LIKE THE SAND, THE BEACH ISN'T MY FRIEND. LOOK AT MY COLOR.\r\n\r\nIF I COULD AFFORD A POOL, I WOULD LOVE TO HAVE ONE AND WOULD HAVE TO BE DEEP BECAUSE MY KIDS LIKE TO JUMP IN THE WATER. THEY LIKE TO SPLASH AND MAKE NOISE. WE ARE NOT ALWAYS WELCOME AT COMMUNITY POOL OR HOTEL POOLS BECAUSE YOU CANNOT SPLASH. THEY LOOK AT YOU REAL IRRITATED WHEN THE POOL WATER GETS IN THE MARGARITA. THAT IS ME LOOKING AT MY KIDS. THE POINTS IS, THAT IS THE REASON I DIDN'T SUPPORT IT, BECAUSE IF I COULD HAVE A POOL AND HAD WATER TO HAVE A POOL FOR MY KIDS AND MY LIFESTYLE BECAUSE I DON'T LIKE TO GO TO THE BEACH, I WOULD LOVE TO HAVE A POOL AND WHY I CAN'T SUPPORT IT. I GET EVERYBODY'S POINT, BUT BECAUSE I KNOW I WOULD WANT ONE, YOU CANNOT BUT I LIKE ONE.\r\n\r\nTHIS IS FOR THE POOL. I'M EXPLAINING THE VOTE BEFORE THAT AND ALSO SAYING, REGARDLESS OF IF WE MANAGE TO FIGURE OUT WHAT SIZE OF A POOL, WE WOULD DEEM ALLOWABLE IN THE AREA I WOULD STILL SUPPORT A COVER. THANK YOU. >> YOU SUPPORT THE COVER THEN? OKAY. OKAY. EVERYBODY HAD YOUR SAY?\r\n\r\nI'M LOOKING FOR MEMBER JOHNSON. BARELY CAN SEE HIM. OKAY. ALRIGHT. DO WE NEED ROLL CALL? >> FOR THE COVER? >> FOR THE COVER.\r\n\r\nOKAY. ALL THOSE IN FAVOR OF HAVING A POOL REQUIRING A POOL COVER, PLEASE RAISE YOUR HAND. OKAY. ALL AYES, ZERO NO'S MOTION CARRIES. IN 19 MINUTES WE ARE ALL GOING TO TURN INTO PUMPKINS, SO AS MEMBER RAWLINS-FERNANDEZ. >> I HAVE PROPOSED LANGUAGE FOR MEMBER KAMA'S IDEA ON LIMITING THE POOL SIZE. IF YOU WANT TO HEAR IT.\r\n\r\nI'LL READ IT AND THEN IF YOU WANT TO CONSIDER IT NOW. HP SHALL RESTRICT THE TOTAL WATER VOLUME OF THE SWIMMING POOL WITHIN THE PROJECT AREA TO 14.400 CUBIC FEET OF WATER AND MAXIMUM DEPTH OF 4.5 FEET. THE POOLS SHALL BE SALINE POOLS PROPERTY FILL FILTRATION [INDISCERNIBLE] IF ANY POOLS NEED TO BE DRAINED FOR REPAIR OR PAINTING THE POOLS WATER SHALL FOLLOW MAUI COUNTY POOLS BUT DISPOSED POOL WATER IS PLACE ON LANDSCAPING RATHER THEN DISCHARGED TO STORM DRAINS. >> IS THAT DEEP ENOUGH? LET'S TALK TO THE LIFEGUARD. MEMBER PALTIN. WHAT IS NORMAL SIZE DEPTH?\r\n\r\n>> I WORKED AT THE BEACH, BUT I DON'T THINK YOU CAN DIVE INTO, BUT THAT IS NOT A PROBLEM FOR ME. I MEAN, I WORKED AT THE BEACH. >> I KNOW, BUT YOU PROBABLY WORKED AT THE POOL TOO RIGHT? >> THE POOL IN LAHAINA DEEP END IS NOT THAT--I MEAN-- YEAH, IT IS GOOD. IT IS PERFECT. >> 5 FEET. >> I THOUGHT SHE SAID 4.5. >> OKAY.\r\n\r\nALRIGHT. MEMBER RAWLINS-FERNANDEZ, CAN YOU REPEAT THE DESCRIPTION OF THE POOL AGAIN? HOW DEEP WAS IT? >> 14.400 CUBIC FEET OF WATER AND

MAXIMUM DEPTH OF 4 AND A HALF FEET. >> 4 AND A HALF FEET. WHERE DID YOU GET THAT FROM? AI? \r\n\r\n>> YES. >> OKAY. ALRIGHT. MEMBER COOK. >> YES. SO, THAT WOULD BE 150 THOUSAND GALLONS SO 14 THOUSAND GALLONS. I PROPOSE SOMETHING MORE LIKE 35 OR 40 THOUSAND GALLON BECAUSE THAT IS NOT A REALLY BIG POOL. \r\n\r\n74 FEET LONG, 6 FEET WIDE, 4 FEET DEEP IS LAP POOL AND THAT IS LIKE 13 THOUSAND GALLONS, SO-- BUT, I DON'T KNOW, DOING THIS TO BE PRACTICAL AND REALISTIC AND NOT LIKE OVERLY RESTRICTIVE WOULD BE TO DO LIKE 35 THOUSAND GALLONS, WHICH ISN'T A HUGE POOL. THAT IS ALSO NOT NIT-PICKING. >> 35 THOUSAND GALLONS? >> 35 THOUSAND GALLONS. IT IS JUST A PROPOSAL. >> OKAY, MEMBER PALTIN. >> I HAD A QUESTION FOR ATTORNEY. \r\n\r\nI THINK THERE'S 1, 2, 3, 4, 5, 6 ATTORNEYS. >> TAKE YOUR PICK. >> IF WE SET THE DEPTH, WOULD THAT BE A LIABILITY IF SOMEBODY CONKS THEIR HEAD ON THE BOTTOM? OKAY. CARRY ON. >> OKAY. CORP COUNSEL, CAN YOU EXPLAIN WHAT YOU MEANT BY SHAKING YOUR HEAD? \r\n\r\n>> I MEANT NO. >> NO, I KNOW THAT. EXPLAIN WHY. >> BECAUSE YOU ARE JUST PLACING A RESTRICTION OR A CONDITION. WE ARE NOT RESPONSIBLE FOR WHAT FOLKS DO AFTER THAT CONDITION IS SET, SO NO, B I DON'T THINK IT WILL COME BACK TO THE COUNTY. >> OKAY. BUT JUST IN CASE WE'LL CALL IT THE PALTIN LAW. \r\n\r\n[LAUGHTER] ANYBODY ELSE? >> [INDISCERNIBLE] IS ONE, REMEMBER? >> OKAY, WHERE ARE WE? MEMBER RAWLINS-FERNANDEZ. >> NO. YOU CANNOT GO HOME MEMBER COOK. SO, ON 5C, MAHALO TO MEMBER KAMA FOR INTRODUCING THE WITHIN 90 DAYS OF THE EXPIRATION OF THE 50 YEAR DEED RESTRICTION, HP MUST OFFER THE COUNTY THE RIGHT TO PURCHASE THE PROPERTY AT MARKET VALUE AS DETERMINED BY A THIRD PARTY APPRAISAL AND WE APPROVE THAT ALREADY. \r\n\r\nI WANTED TO-I MOVE TO ADD AFTER THE COUNTY, OR LIMITED EQUITY HOUSING COOP. MEMBER KAMA'S-HER ASF IN THE BACK. SHE ADDED TO GIVE COUNTY FIRST RIGHT OF REFUSAL. I'M ADDING FOR FIRST RIGHT OF REFUSAL SO COUNTSY OR LIMITED EQUITY HOUSING COOP AND THAT IS MY MOTION. >> SECONDED BY MEMBER KAMA. >> SURE, WHY NOT? >> MOVED BY MEMBER RAWLINS-FERNANDEZ, SECONDED BY PRO TEM KAMA TO CREATE A FIRST RIGHT OF REFUSAL TO THE COUNTY OR A WHAT? \r\n\r\n>> THE COUNTY IS ALREADY. WE ALREADY APPROVED THAT PART IN MEMBER KAMA'S-I'M ADDED OR LIMITED EQUITY HOUSING CO-OPTIVE. >> LIMITED HOUSING CO-OPTIVE. ANYMORE-PEOPLE, YOU NEED DISCUSSION ON THIS? DISCUSSION ON THIS? >> SURE. SO, MEMBER U'U-HODGINS IS ASKED IF I HAD SOMEONE IN MIND OR LIMITED EQUITY HOUSING CO-OPTIVE IN MIND AND WE DID HAVE PRESENTATIONS IN COMMITTEE AND MEMBER JOHNSON'S COMMITTEE A COUPLE TERMS AGO ON THE IDEA OF HAVING HOUSING COOPS, SO THAT WE CAN ALLOW OUR RESIDENTS TO OWN THE UNITS AND NOT JUST RENT AND IT WOULD BE AS A COOPERATIVE SO ALL THE UNITS WOULD BE OWNED TOGETHER BY THE COMPLEX WOULD BE OWNED BY EACH OF THE UNIT OWNERS. \r\n\r\n>> OKAY. MEMBER U'U-HODGINS. >> THANK YOU CHAIR. IF IN CASE IN 50 YEARS THERE IS NO LIMITED HOUSING EQUITY COOP OR COUNTY, IT JUST GO TO THE COUNTY? >> THE COUNTY IS STILL IN THERE. I'M NOT STRIKING IT. >> HYPOTHETICALLY DOESN'T EXIST, WE JUST KEEP IT MOVING, STICK WITH THE COUNTY. \r\n\r\n>> YES. >> OKAY. >> OKAY FOLKS, READY FOR THE VOTE? >> YES. >> ALL THOSE IN FAVOR OF THE MOTION RAISE YOUR HAND, SAY AYE. >> AYE. >> 9 AYES, 0 NO'S, MOTION CARRIES. \r\n\r\nARE WE DONE? >> MAIN MOTION. NO MORE AMENDMENTS. NO MORE AMENDMENTS. THE MAIN MOTION. MAIN MOTION AS AMENDED? MAIN MOTION AS AMENDED. \r\n\r\nMEMBER COOK. >> DISCUSSION. >> DISCUSSION. THESE GUYS ARE NOT GOING TO VOTE YES. COME ON. OKAY, DISCUSSION. RAISE YOUR HAND. \r\n\r\nMEMBER PALTIN. >> THANK YOU FOR MY FIRST OPPORTUNITY. >> TAKE TWO AT ONE TIME. >> I THOUGHT SOMEONE ELSE WAS GOING TO GO FIRST, SO I HAVE TO THINK NOW. >> MEMBER RAWLINS-FERNANDEZ ALWAYS HAS SOMETHING TO SAY, SO YOU WANT TO GO FIRST? >> SURE. THIS WASN'T AS PAINFUL AS I EXPECTED. \r\n\r\nI AM STILL NOT GOING TO VOTE FOR THE MAIN MOTION, BUT I APPRECIATE ALL OF US WORKING TOGETHER. SURPRISINGLY A LOT OF PROPOSALS THAT I WAS SUPPORTIVE OF, SO IT-- I WAS GOING TO SAY SOMETHING INAPPROPRIATE BUT I WON'T. I'LL SAY SUGAR INSTEAD. I HOPE SOME OF THESE AMENDMENTS ADDRESS SOME OF THE CONCERNS AND

THAT I ALWAYS TRY TO FIGURE OUT HOW OR THING OF THINK OF WAYS WE CAN COMBAT APATHY, BECAUSE I REALLY WANT OUR COMMUNITY TO REMAIN ENGAGED AND INVOLVED AND I DON'T WANT OUR COMMUNITY TO FEEL DISCOURAGED AND THEIR VOICE DOESN'T COME HERE AND SPEND THE ENTIRE DAY WAITING FOR THEIR THREE MINUTES. AND SO, I THINK WE TRIED TO CAPTURE A LOT OF WHAT WAS SAID IN TESTIMONY. THE BIGGEST THING THAT FOLKS ASKED FOR WAS MORE HOUSING FOR RESIDENTS, BECAUSE I THINK WHAT IS IT 920-I LOST THE NUMBER-OF UNITS THAT WILL BE-LIKE 80 PERCENT THAT WILL BE OUT OF REACH FOR OUR RESIDENTS. AND THE TARGET MARKET ARE NON RESIDENTS, AND SO YOU KNOW, WHAT ARE WE DOING? WE NEED TO PRIORITIZE OUR RESIDENTS AND THAT'S WHAT WE SAID WITH BILL 9. SOME OF THE TESTIFIERS DID CALL OUT THE HYPOCRISY THAT OF CONTINUING TO CREATE HOUSING FOR THAT REMAIN EMPTY FOR A GOOD PORTION OF THE YEAR WHILE WE HAVE RESIDENTS THAT ARE LIVING ON THE BEACHES OR IN THEIR CARS OR ON THE STREETS.\r\n\r\nTHAT ARE SWEEPED LIKE THEY ARE NOT HUMAN BEINGS. I KNOW WE CAN DO BETTER AND I WANT US TO DO BETTER. MAHALO, CHAIR. >> THANK YOU. >> I CAN GO FOR MY FIRST OPPORTUNITY. >> OKAY, MEMBER PALTIN. >> SO, I WOULD LIKE TO EXPRESS MY GRATITUDE TO MR.\r\n\r\nCHIP CHASE FOR TRYING TO GET TO THE PLACES THAT WHERE WE WANT TO GO TO WITH THE AMENDMENTS. I LIKE TO THANK MY COLLEAGUES WHO EVEN THOUGH DIDN'T VOTE FOR ALL THE THINGS, LET US EXHAUST THE DISCUSSION. I WON'T BE SUPPORTING THIS, BECAUSE OF MANY OF THE POINTS BROUGHT UP IN TESTIMONY. I FEEL AS THOUGH THIS IS LIKE [INDISCERNIBLE] SOUTH MAUI THAT LIKE WAS SAID IN TESTIMONY IS, IS, THE LANDS AND THERE ARE SO MANY SITES THAT IT IS NOT THE RIGHT PLACE TO DEVELOP AFFORDABLE HOUSING, LUXURY HOUSING OR ANYTHING LIKE THAT. IT IS THE RIGHT PLACE TO PRESERVE CULTURAL SITES T. IS IS THE RIGHT PLACE TO PRESERVE--. THERE ARE QUESTIONS AS TO CLEAR TITLE, THE LONG-TERM RELIABILITY OF WATER SOURCE. THE BATE AND SWITCH THAT AT LEAST I CAN BE PROUD THAT MY FORMER FORMER PREDECESSOR DID NOT SUPPORT THIS BECAUSE SHE KNEW IT WOULD COME TO THIS STATE WHERE WHAT WAS ONCE 50 PERCENT WAS PROMISED 700 HOMES WOULD END UP TO 288. MAYBE SHE DIDN'T KNOW THE SPECIFIC DETAILS. I DON'T SEE THE RUSH FOR THIS UNLESS THERE IS A UPCOMING COURT CASE WHERE THEY MIGHT DECIDE THAT 450 IS PERFECTLY LEGAL AND WHY WOULD WE TAKE IT OUT?\r\n\r\nAND JUST TO LOOK AT THE EVOLUTION OF THE ENTIRETY OF THE PROJECT FROM 1992 TO THIS VERY DAY, ALL THE THINGS THAT HAVE CHANGED JUST EVEN FROM DECEMBER 2024 TO THIS DAY. THERE WERE MANY THINGS AND CHANGES THAT EVOLVED AND BECAME A PART OF IT. IF WE REMEMBER BACK JUST 6 MONTHS TO DECEMBER 2024, THESE FOUR AMENDMENTS THAT WERE PLACED ON THE AGENDA WERE NOT ACCEPTABLE BY THE DEVELOPER, AND NOW WE GOT THREE OUT OF FOUR ON THE AGENDA. AND SO I THINK WE ARE REALLY DOING DISSERVICE TO OUR COMMUNITY BY RUSHING THIS THROUGH, SKIPPING STEPS, TAKING THE PROCESS OUT OF ORDER, NOT RETURNING TO COMMITTEE FOR A DEEP IN DEPTH DECISION, DOING COMMITTEE WORK ON THE FLOOR AT 5 TO MIDNIGHT, AND NOT TO MENTION THE WAR CRIME S AND ILLEGALITY OF THE OCCUPATION BECAUSE EVERYBODY ALREADY KNOWS ABOUT THAT PART. JUST YOU KNOW, THE LOSS, THE LOSS OF MAUI, OF HAWAII AND ITS PRISTINE AND NATURAL STATE. WE HAVEN'T EVEN ADDRESSED THERE IS NOT GOING TO BE MORE LIFEGUARDS IN THE AREA. WHEN WE GO TO THE BEACH DURING A SOUTH SWELL.\r\n\r\nWE HAVEN'T ADDRESSED THE CUL-DE-SAC NATURE AFTER WE HAVE ALREADY SEEN A CATASTROPHIC FIRE. WE HAVEN'T ADDRESSED SO MANY THINGS, EVEN THOUGH WE DID OUR BEST. WE HAVEN'T ADDRESSED LIKE A FINANCIAL AUDIT. WE HAVEN'T CAPPED PROFIT MARGINS. WE HAVEN'T SEEN THE OPENING OF BOOKS TO SUPPORT CLAIMS THAT THINGS DON'T PENCIL OUT. I KNOW THE DEVELOPER IS REPRESENTATIVE DID CROSS HIS HEART AND HOPE TO DIE. I DID GET A MESSAGE TO MAKE SURE HE WASN'T CROSSING HIS FINGERS DURING THIS WHOLE TIME, SO IF HE COULD RAISE BOTH HANDS AND--SHOW THEY WERE NOT CROSSED.\r\n\r\nTHANK YOU. AND YOU KNOW, I MEAN, I GUESS I FEEL LIKE I'M AT A TRAIN WRECK. I GOT A FRONT ROW SEAT TO THE DESTRUCTION OF OLD HAWAII AND IT IS A WEIRD PRIVILEGE I GUESS AND RESPONSIBILITY TO BE HERE AT THIS MOMENT. AND I DON'T

HAVE THE WORDS TO DESCRIBE HOW IT MAKES ME FEEL, SO I'LL END MY FIRST OPPORTUNITY. THANK YOU. >> MR. COOK.\r\n\r\n>> THANK YOU CHAIR. I ALSO WANT TO THANK ALL MY COLLEAGUES AND EVERYBODY. THIS HAS BEEN VERY VERY WELL DISCUSSED. I'M SOUTH MAUI COUNCIL REP AND YOU CAN TELL BY A LOT OF TESTIMONY DIRECTED AT ME, LIKE WE REMEMBER. I WANT TO SHARE WITH PEOPLE THAT, I'M NOT A REALTOR. EVERYBODY HEARD ME SAY THAT BEFORE. I SUPPORT THIS PROJECT FOR A VARIETY OF REASONS.\r\n\r\nONE IS THE TIMEFRAME. I THINK PEOPLE-THE REPRESENTATION WE WILL HAVE 8 THOUSAND CARS ON THE ROAD IN THE NEXT 2 YEARS OR 10 YEARS AND THE WATER SHORTAGES AND THE DOOM AND GLOOM AND NEGATIVE ASPECTS, I'M NOT NEGATING THOSE, BUT THINK THEY ARE OVER EMPHASIZED AND FOCUSING ON THAT. I AM LOOKING AT THE MORE POSITIVE ASPECTS OF THESE HOMES BEING BUILT WITH THE CRITERIA MY COLLEAGUES HAVE ASSISTED WITH THE AFFORDABILITY AND THE DEED RESTRICTIONS AND OWNER OCCUPANCY, BUT THESE HOMES ARE GOING TO MATERIALIZE AND THEY WILL BE QUALITY PLACES AND THEY ARE IN WAILEA CLOSE TO A LOT OF THE WORK. I DOUBT ANYBODY THAT LIVES THERE IS LIKE GUNG HO TO SELL IT BECAUSE THESE WILL BE A PRETTY NICE PLACE TO LIVE. I WANT TO SHARE THAT THE OTHER HOMES ARE GOING TO BE BUILT OVER PROBABLY THE NEXT 20 YEARS. IF SOMEBODY BUILDS A-IF THEY ARE ALL JUST ONE MILLION DOLLAR HOMES AND THERE ARE 800 OF THEM AND HALF A LABOR, THAT IS \$400 MILLION OF LABOR IN THE NEXT 20 YEARS, PLUS THE TAXES. AND PEOPLE DON'T-YOU TALK ABOUT MONEY AND IT IS LIKE, MY JOB AS A COMMUNITY REPRESENTATIVE AND DOING TAX POLICY AND LAND POLICY, I LOOK AT THIS AS POTENTIALLY AN ANNUITY FOR THE COMMUNITY IN THE FUTURE TO BE ABLE TO PAY FOR THE INFRASTRUCTURE, TO BE ABLE TO CONTINUALLY ADDRESS OUR HOMELESSNESS AND HOUSING ISSUES.\r\n\r\nSO, I'M SUPPORTIVE OF THIS PROJECT BECAUSE I THINK IN THE LONG-TERM WE WILL GET MANY BENEFITS FROM IT. I REMEMBER THE CATTLE GUARD BEFORE WAILEA. I REMEMBER GOING--I MEAN, I GET IT. I HEAR IT, I FEEL IT, I GET IT WHEN PEOPLE TALK ABOUT-AND I CAN'T DO TO FULL BLOWN HAWAIIAN LEVEL, BUT OUR COMMUNITY NEEDS HOMES, OUR COMMUNITY NEEDS TO BE A THRIVING CLOSE NIT COMMUNITY AND HOPE WE CAN BUILD ENOUGH PLACES FOR PEOPLE TO COME HOME. THAT IS MY GOAL AND AMBITION. I BELIEVE WE CAN MANAGE OUR FLOOD WATERS. I BELIEVE A LOT IS POSSIBLE.\r\n\r\nTHEY TAKE MONEY. ALL THIS STUFF TAKES MONEY AND SO, I JUST AM GRATEFUL TO BE HERE AND I KNOW THAT PEOPLE WHO MIGHT BE PUT OUT WITH ME AND DISAPPOINTED BUT I HOPE THEY CAN SEE THIS AND MORE THEN WILLING TO TALK TO ANYBODY ANY TIME TO EXPLAIN WHY I'M SUPPORTIVE. TO GIVE ME THE OPPORTUNITIES TO EXPLAIN IT. WE MIGHT NOT AGREE, BUT I'M HOPING THAT WE CAN SEE HOW MUCH WE HAVE IN COMMON AND HOW MUCH WE DO CARE. THANK YOU FOR THE OPPORTUNITY TO SAY WHY I'M SUPPORTING THIS. >> MEMBER U'U-HODGINS. >> THANK YOU CHAIR.\r\n\r\nI AM NOT GOING TO BELABOR THE POINT TOO MUCH BECAUSE I SAID HOW I FEEL. THE ONLY THING I DO WANT TO SAY IS THAT EVEN IF I DON'T AGREE WITH SOME OF THE TESTIMONY, I LISTEN AND RESPECT ALL THE TESTIFIERS. I JUST HAVE A-I CAN FEEL THE SAME WAY THEY CAN FEEL AND WE CAN AGREE TO DISAGREE. THE ONLY THING I DOP WANT TO SAY ABOUT THE TESTIMONY IS, IF WE HAVE NEVER TALKED ABOUT HOW I FEEL, PLEASE DON'T ASSUME YOU THINK YOU KNOW HOW I FEEL. FOR INSTANCE, I HAVE NEVER WORKED ON THIS PROJECT BEFORE AND FOR PEOPLE WHO HAVE NEVER ACTUALLY HAD A CONVERSATION WITH IN REAL LIFE TELL ME THAT I MIGHT BE BENEFITING FROM THE PROJECT IS NOT OBJECT WRONG, IT IS JUST IRRITATING. PLEASE DON'TS DO THAT. DON'T SPEAK ABOUT ME AS IF WE HAD A CONVERSATION WHEN WE HAVE NOT.\r\n\r\nSAME GOES FOR MEMBER COOK. HE CAN SPEAK FOR HIMSELF BUT AND DON'TS THINK HE HAS ANYTHING TO DO WITH THE PROJECT AND TO SAY THAT IS A OUTRIGHT LIE AND A WASTE OF OUR TIME. PLEASE KEEP YOUR TESTIMONY TO HOW YOU ACTUALLY FEEL AND WHAT YOU KNOW ABOUT, KEEP MY NAME OUT YOUR MOUTH. IF WE NEVER HAD DISCUSSION ABOUT THE PROJECT BECAUSE I TELL YOU NOW, WE HAVE NOT. I HAVE NEVER WORKED ON THE PROJECT. MY FRIEND HAVE, SURE, BUT NOT ME. AND HE WORKED FOR HIS OWN CONSULTING COMPANY.\r\n\r\nI WORKED FOR A DIFFERENT ONE.

YOU MIGHT WANT TO GET THAT CORRECT BEFORE YOU SPEAK ABOUT ME IN A WAY THAT IS COMPLETELY UNTRUE AND NO TIRED LEARNING NEW THINGS ABOUT MYSELF FROM OTHER PEOPLE I DIDN'T KNOW AND NOW IT IS 12:03 AND CLEARLY FUSSY BUT TIRED PEOPLE SPEAKING ABOUT ME AS IF WE HAVE HAD A CONVERSATION BEFORE WHEN WE HAVE NEVER SPOKEN REAL LIFE. THANK YOU. >> THANK YOU. THAT IS A PIT FALL OF BEING IN THIS JOB, YOU KNOW? MEMBER JOHNSON. MEMBER JOHNSON.\r\n\r\n>> THANK YOU CHAIR. SO, OKAY, I VOTED YES ON SOME OF THE AMENDMENTS TO MAKE THE PROJECT BETTER, BUT I THINK I WILL NO ON THE MAIN MOTION AS AMENDED. IN MY OPENING REMARKS, IT IS TRUE STORY THAT MY AMERICAN GRANDFATHER MET A JAPANESE SOLDIER AND THEY HAD A DINNER TOGETHER AND BROKE BREAD AND ABLE TO FIND THE COMMON GROUND. CAN WE NOT FIND THE COMMON GROUND FOR OUR PEOPLE? THAT'S OPENING REMARK SEEMED SO LONG AGO, THAT WAS 9 A.M. WE HAVE BEEN HERE SO LONG. A BIRD IN THE HAND IS WORTH TWO IN THE BUSH IS WHAT I SEE THE ARGUMENTS FOR PUSHING THIS FORWARD EVEN THOUGH WE ARE ARE NOT GETTING THE FULL AMOUNT OF HOUSING WE NEED, BUT WE NEED A FLOCK OF BIRDS FOR OUR COMMUNITY. WE DON'T NEED JUST ONE.\r\n\r\nWE NEED SO MANY HOUSES. I DON'T--I THINK THAT IS A MISSED OPPORTUNITY. JUST FOR MY TWO CENTS, THIS PROCESS HAS BEEN BRUTAL. I AIN'T GOING TO LIE. COMING AFTER A BRUTAL BUDGET INTO BILL 9 INTO THIS, WOW. I CAN'T IMAGINE HOW THE COMMUNITY WOULD FEEL AFTER FOLLOWING ALONG WITH THIS. TO BUILDERS THAT ARE-TO THIS BUILDER AND OTHER BUILDERS OUT THERE,B I COME WITH A HEARTY HAND SHAKE AND WANT THE COUNTY TO BE A PARTNER.\r\n\r\nI WANT THE COUNTY TO BE A INVESTOR. I WANT THE COUNTY TO BE INFLUENCER ON THE PROJECT. RESPECT US AS YOU WOULD AN INVESTOR. WE HAVE AFFORDABLE HOUSING FUND THAT CAN HELP MAKE THE PROJECT PENCIL OUT. THE OLD DAYS ARE GONE WHERE THE COUNTY GIVES YOU A MILLION DOLLARS AND SAY BUILD. WE ARE WILLING TO GIVE CHUNKS OF CHANGE TO BEY THE HOUSES DOWN. IS THE MONEY NOT GREEN?\r\n\r\nWHY NOT WORK WITH THE COUNTY AND HAVE US HELP WORK TOGETHER TO MAKE A BETTER PRODUCT? OUR PEOPLE PAY TAXES AND THEY WANT TO RETURN AND THIS COULD BE A WAY AFFORDABLE HOUSING COULD BE A WAY TO RETURN. SORRY I TRIED TO MAKE THE PROJECT BETTER AND SOME FELLOW COUNCIL MEMBERS WHO WROTE GOOD AMENDMENTS ALSO TRIED TO MAKE THE PROJECT BETTER AND I APPRECIATE YOU TOO CHIP CHASE. YOU PROVED VALUABLE AND DID DO SOME THINGS TO COME OUR WAY AND I APPRECIATE THAT. BUT OUR COMMUNITY WOULD DROP TRUTH BOMBS ON THIS BODY AND I DIDN'T SEE IF IT MOVED THE NEEDLE AS MUCH AS I WOULD HAVE LIKED. I DON'T LIKE VOTING AGAINST AFFORDABLE HOUSING PROJECTS, I SAY THAT FOR THE RECORD, BUT I ALSO AIN'T NO SUCKER. I THINK THE GOAL POST HAD BEEN MOVED ON THE PROJECT AND OVER THE LONG YEARS WE WATCHED IT GO.\r\n\r\nIT IS LIKE DANGLING THE CARAT AND WE ARE THE MULE CHASING THE CARET, THE HOMES ARE SMALLER AND SMALLER. I FEEL LIKE A FOOL. I'M SORRY, I CAN'T SUPPORT IT, BUT I APPRECIATE ALL THE HARD WORK ON IT AND MAN, IT WAS A LOT OF WORK. THANK YOU CHAIR. >> ANYBODY ELSE? I WILL SAY, MANY YEARS AGO I LIVED IN KIHA WHEN I FIRST GOT MARRIED AND WE WERE STAYING THERE WHILE WE WERE BUILDING OUR HOUSE. AND IN THOSE DAYS, I WAS A SUBSTITUTE TEACHER.\r\n\r\nI JUST GOT MY DEGREE FROM COLLEGE AND I WAS DOING THAT AND LIVING IN KIHA WAS LIKE LIVING NO PLACE. THE PLACE WAS BARREN. TRAFFIC ON THE ROAD WAS MAYBE THREE CARS. THREE CARS HERE, THREE CARS THERE. THE PLACE WAS DRY, DRY, DRY. HOW IT GREW OVER TIME WAS THE COUNTY GOVERNMENT REQUIRED FROM JAPAN AND OTHER COMPANY, I FORGET WHICH ONE, TO TAKE THE WATER AND BUILD TRANSMISSION LINES TO KIHA AND SOUTH MAUI TO MCKENNA. IN ADVANCE OF THEIR PROJECTS.\r\n\r\nAND THEY WERE TOLD IF YOU DO THIS AHEAD OF TIME, THEN WE'LL HELP YOU WITH YOUR PROJECTS IN SOUTH MAUI. AND WE WILL CREDIT YOU ALL THE MONEY THAT YOU PAID TO DEVELOP THE WATER AND TAKE IT TO SOUTH MAUI. WELL, 30, 40 YEARS LATER WHAT HAPPENED WAS, THESE BIG COMPANIES STARTED TO DEVELOP FINALLY MCKENNA, AND WAILEA, AND THE COUNTY DID NOT GIVE THEM THEIR CREDITS. THAT IS WHAT HAPPENED. THEY PAID FOR ALL OF IT AND THEY GOT PRACTICALLY NOTHING IN RETURN. SO, IT HASN'T--THE DEVELOPERS



ARE NOT NECESSARILY THE MOST POPULAR PEOPLE AROUND. IN FACT, THEY ARE PROBABLY THE MOST UNLIKED PEOPLE AROUND.\r\n\r\nBUT PEOPLE DON'T UNDERSTAND THE HISTORY OF THEIR INVOLVEMENT. THEY HELPED TO DEVELOP MOST OF THE INFRASTRUCTURE WE HAVE IN EVERY REGION IN EVERY REGION. AND THE BAD HABIT THAT THE COUNTY DEVELOPED OVER TIME WAS TO CONTINUALLY RELY ON PRIVATE SECTOR TO DO THE COUNTY'S JOB. THE COUNTY'S JOB IS TO HELP PROVIDE HOUSING. AND WE SHOULD BE DEVELOPING PARTNERSHIPS INSTEAD OF PUTTING THE ENTIRE BURDEN--NAME ONE COUNTY PROJECT, NAME ONE DONE IN THE LAST 10 YEARS? THE LAST 15 YEARS? THE LAST 205 YEARS?\r\n\r\nAND YET WE CONTINUALLY ABSOLVE OURSELVES OF THE RESPONSIBILITY. NOW THAT WE DO HAVE A HOUSING FUND, WHAT ARE WE DOING ABOUT IT? WE SHOULD BE LEADING WITH THAT MONEY INSTEAD OF GIVING IT OUT TO PROJECTS THAT STALL. HOW MANY PROJECTS HAVE STALLED? WE DON'T KNOW HOW MUCH MONEY IS IN THE ACCOUNT. BECAUSE IT IS ATTACHED TO CERTAIN PROJECTS AND WE DON'T KNOW WHICH ONES HAVEN'T BEEN PAID YET OR INCUMBERED. BUT THOSE ARE THE KIND OF THINGS WE SHOULD SPEND OUR TIME ON, BESIDES BASHING OTHER PEOPLE IS, FIGURING OUT WAYS TO USE THE RESOURCES THAT WE HAVE AND TO DIRECT GROWTH.\r\n\r\nTHAT'S HOW YOU DO IT. YOU DON'T RELY ON A DEVELOPER AND WHERE THEY HAVE PROPERTY FOR HOUSING. YOU RELY ON WHERE THE BEST PLACES ARE TO HAVE HOUSING. THAT'S HOW YOU DIRECT GROWTH AND PROVIDE HOUSING WHERE IT IS NEEDED. NOT WHERE SOMEBODY OWNS PROPERTY. SO, THESE ARE THE KINDS OF THINGS I HOPE IN THE FUTURE THAT WE START TO MOVE IN THE DIRECTION AND IN A POSITIVE WAY WORKING WITH THE COMMUNITY. I WAS SLIGHTLY DISAPPOINTED IN HOW PEOPLE AND MAYBE IT IS OUR FAULT, DO NOT UNDERSTAND HOW HOUSING COMES ABOUT.\r\n\r\nYOU KNOW? THEY BLAME OTHER PEOPLE BUT INSTEAD--THEY SHOULD BE BLAMING US, BECAUSE THE MONEY COMES FROM TAX DOLLARS AND WHO PAYS THE MOST TAX DOLLARS? NOT US. IT IS IT THE VISITORS. THE VISITORS. WE NEED TO I THINK DO A BETTER JOB INFORMING OF OUR CONSTITUENTS, OUR COMMUNITY OF WHERE THE RESOURCES COME FROM. I HOPE THAT THIS IS A LESSON LEARNED, BECAUSE FOR THOSE OF YOU WHO SUPPORTED MORE HOUSING, OF COURSE EVERYBODY IS THANKING YOU AND SO FORTH, BUT THEY DON'T KNOW THE FULL STORY.\r\n\r\nTHEY DON'T KNOW THE FULL STORY. IT IS JUST BECAUSE YOU ASK FOR MORE HOUSING FROM SOMEBODY THAT DOESN'T MEAN THAT THE OTHER PEOPLE DON'T WANT HOUSING TOO. WE WANT MORE HOUSING FOR OUR PEOPLE, OF COURSE WE DO! BUT TO TAKE IT FROM SOMEBODY ELSE FOR--EVEN WITH STR. THAT IS ANOTHER BIG DEBATE THAT IS COMING UP AND I AM HOPING THAT MOVING FORWARD THAT NOT ONLY CAN WE WORK TOGETHER LIKE WE DID TONIGHT, BUT WE CAN START HELPING EACH OTHER INFORM THE PUBLIC OF THE FACTS AND WHERE THE REAL RESOURCES ARE AND HOW WE CAN LEVERAGE THE RESOURCES WE HAVE IN THE COUNTY INSTEAD OF BLAMING PEOPLE. LET'S FORGET ABOUT BLAMING PEOPLE AND MOVE FORWARD TOGETHER. ANYBODY ELSE HAVE ANYTHING TO SAY?\r\n\r\nMEMBER RAWLINS-FERNANDEZ. >> MAHALO CHAIR. I HAVE A QUESTION FOR YOU AND WHOEVER YOU WANT TO DIRECT IT TO. SO, THIS COMMITTEE REPORT WAS FROM LAST TERM. CAN I GET A EXPLANATION AS TO HOW IT PROCEDURALLY ARRIVED TO OUR AGENDA THIS TERM? >> SURE. IF YOU REMEMBER AND I WILL HAVE DAVID EXPLAIN THIS TO YOU-- WE HAD A COMMITTEE REPORT BECAUSE ONCE THE COMMITTEE REPORT COMES TO THE COUNCIL IT IS THE PROPERTY OF THE COUNCIL.\r\n\r\nCOMMITTEE REPORTS AUTO FILE, BUT WHATEVER IS WITH COUNCIL DOES NOT AUTO FILE AS PART OF OUR RULES. IT WAS CLASSIFIED AS UNFINISHED BUSINESS. IF YOU RECALL ON FIRST READING IN DECEMBER, WE WERE READY TO PASS THIS OR NOT PASS THIS ON FIRST READING. IT WAS UP FOR FIRST READING. WHEN WE FOUND OUT WE COULDN'T PROCEED WITHOUT A PUBLIC HEARING IN THE REGION AND WHEN WE WERE INFORMED THAT, WE STOPPED EVERYTHING UNTIL THAT PUBLIC HEARING WAS HELD. IN THE MEAN TIME IT WAS IN THE POSITION OF THE COUNCIL. DAVID.\r\n\r\n>> THANK YOU CHAIR. JUST BRIEFLY TO ADD MORE DETAILS. RULE 22A OF THE RULES OF COUNCIL FOR THE PRIOR TERM, 2023 TO 2025 SAID "AT THE EXPIRATION OF A COUNCIL TERM ALL BILLS AND RESOLUTION PENDING BEFORE THE COMMITTEES WILL BE FILED AND DISPOSED OF". SO, AS YOU REFERENCE BILLS 172 AND 171,

WERE REPORTED OUT OF COMMITTEE THROUGH HLU COMMITTEE REPORT 24-120, SO BECAUSE THEY WERE NOT PENDING IN COMMITTEE THEY DIDN'T GET AUTO FILED SO REMAINED AVAILABLE FOR THIS COUNCIL MEETING. THANK YOU, CHAIR. >> MAHALO FOR THE EXPLANATION, CHAIR AND DIRECTOR ROTS. I WANTED THAT EXPLAINED ON THE RECORD SO IF SOMETHING CAME UP AGAIN I CAN SATE CITE THE EXPLANATION. YOU ASKED THAT?\r\n\r\nOKAY. THE OTHER COUNCIL MEMBERS. I JUST WANT TO THANK ALL THE COMMUNITY MEMBERS WHO CAME OUT AND TESTIFIED AND THOSE THAT HAVE BEEN FOLLOWING THIS WAILEA 670 PROJECT FOR 30 YEARS. THAT IS A REALLY LONG TIME AS WELL AS HEARING FROM FORMER COUNCIL MEMBER JOHNSON WHO VOTED NO ON THIS PROJECT IN 2008. MAHALO, CHAIR. >> YEAH, I DIDN'T VOTE ON IT. I WASN'T HERE IN 2008. MEMBER PALTIN. >> I THINK I HAVE ANOTHER QUESTION FOR A LAWYER.\r\n\r\nI FEEL I'M GOING TO THROW UP. WOULD THIS BE THE APPROPRIATE TIME TO ASK FOR A THREE MEMBER PUBLIC HEARING IN THE DISTRICT BEFORE SECOND READING? >> YOU COULD. YOU COULD. YOU COULD ASK THAT. >> I MOVE TO HAVE A THREE MEMBER PUBLIC HEARING IN THE DISTRICT BEFORE SECOND READING. >> MAHALO CHAIR.\r\n\r\nI DON'T-AS I RECALL THE LAST TIME WE DID A THREE MEMBER HEARING IT WAS JUST THREE MEMBERS SAYING THAT THEY WANTED A HEARING. IT WASN'T A FORMAL MOTION. >> WELL, WHAT I'M SAYING-WHAT I WILL SAY TO YOU IS THAT, I AM THE PERSON WHO SCHEDULES THE MEETING AND WE WERE PLANNING TO HAVE A PUBLIC HEARING AND IF THE BODY THINKS IN THE REGION WOULD BE APPROPRIATE, THEN WE CAN HAVE IT IN THE REGION. OKAY? >> YOU HAVE A DATE PLANNED FOR PUBLIC HEARING? >> NO, BECAUSE I DIDN'T KNOW WHEN THIS WAS GOING TO PASS, SO YOU KNOW, POSSIBLY-IT IS TOO LATE FOR THE 8TH. PROBABLY THE-WHEN WAS IT THE 25TH DAVID WE WERE TALKING ABOUT VARIOUS DATES BEFORE?\r\n\r\nPOSSIBLY THE 25TH. YES. >> MAY I ASK WHY WE ARE GOING TO HAVE ANOTHER PUBLIC HEARING? >> BETWEEN FIRST AND SECOND READING PRIOR TO TODAY THEY DIDN'T KNOW WHAT THE VOTE WAS GOING TO BE AND SO GO BACK TO HEAR FROM THE COMMUNITY WHAT THEIR THOUGHTS ARE AFTER THE VOTE TODAY. AND THE AMENDMENTS. >> YEAH. I HAVE EVERY INTENTION OF HAVING A PUBLIC HEARING AT SECOND READING.\r\n\r\nWE CAN PUT IT-WE CAN LOCATE IT IN THE DISTRICT. IN YOUR DISTRICT. OKAY? I KIND OF ANTICIPATED THAT. >> ON THE 24TH. 24TH AND THEN RECESS TO 25TH? >> NO.\r\n\r\n>> OKAY. >> NO, THE PUBLIC HEARING IS RIGHT BEFORE THE COUNCIL MEETING. NORMALLY WE HAVE IT COMBINED. YEAH. SO, WE DO THE PUBLIC HEARING FIRST AND THEN DO THE COUNCIL MEETING RIGHT AFTER. >> YOU MEAN SIMULTANEOUSLY? >> YES.\r\n\r\n>> I THOUGHT YOU SAID IN THE DISTRICT. SO WE ARE HAVING A COUNCIL MEETING IN SOUTH MAUI? >> YES, IN THE DISTRICT. >> OKAY. >> YEP. >> DO WE NEED TO SAY WHO THE THREE MEMBERS ARE ARE YOU YOU THIRD MEMBER? >> I'M ALREADY SAYING WE ARE GOING TO SCHEDULE IT.\r\n\r\nWE ARE GOING TO SCHEDULE IT. WE HAD THOUGHT ABOUT IT, SO RATHER THEN-HONESTY, RATHER THEN JUST BEFORE YOU KNOW, MAYBE AT ANOTHER COUNCIL MEETING THAT QUESTION MIGHT COME UP. WE FIGURE WE JUST PLAN IT ALREADY. JUST PLAN FOR IT. BUT, I WASN'T SURE WHETHER IT WOULD BE IN THE DISTRICT OR IT WOULD BE HERE. SO, WE KIND OF STARTED LOOKING FOR A PLACE JUST IN CASE PEOPLE WANTED IT IN THE DISTRICT. WE ARE NOT SURE.\r\n\r\nMIGHT BE AT THE GYM OR THE SCHOOL. WHEREVER. I THINK YOUR OFFICE IS TOO SMALL. YEAH. YEAH. OKAY. SO, IS THAT ALL FOR TONIGHT?\r\n\r\nNO, NO WE, HAVE-HOW YOU WANT TO HANDLE THAT? YOU WANT TO TAKE JUST THE-- OKAY, CAN WE JUST LIKE HURRY UP REALLY FAST MADAM CLERK? ON THE ONES STARTING WITH THE ONES THAT HAVE TO BE VOTED ON TONIGHT. OKAY, SORRY. WE DIDN'T VOTE ON THE MAIN MOTION YET. WE ARE STILL IN DISCUSSION. ANYBODY ELSE?\r\n\r\nBECAUSE THAT'S RIGHT, I CALLED ON YOU FOR DISCUSSION. OKAY. MEMBER RAWLINS-FERNANDEZ. >> REAL QUICK. MAHALO FOR YOUR WILLINGNESS TO HAVE A PUBLIC HEARING IN THE DISTRICT. I DON'T HAVE THE RULES OUR COUNCIL RULES UP RIGHT NOW AND SO IF ANYONE DOES, DOES IT-I CAN'T REMEMBER IF IT PROHIBITED US FROM DOING IT CONCURRENTLY WITH COUNCIL READING. I THINK- >> WE HAVE DONE IT BEFORE.\r\n\r\n>> I KNOW. I KNOW, WHICH IS WHY I PROPOSE THE RULE TO HAVE IT IN THE EVENING TIME AFTER

WORK IN THE DISTRICT TO THE EXTENT POSSIBLE OR SOMETHING LIKE THAT. BUT I DON'T REMEMBER IF I INCLUDED HAVING IT SEP RATED FROM A COUNCIL MEETING. >> I'M PRETTY SURE YOU DIDN'T. CAN YOU GET THE RULES OUT? >> THANK YOU CHAIR. STAFF PULLED UP RULE 20 ON PUBLIC HEARINGS. WE DON'T SEE ANY PROHIBITION ON HAVING IT CONCURRENT PUBLIC HEARING AND COUNCIL MEETING.\r\n\r\nTHANK YOU. >> MAHALO DIRECTOR. MAHALO CHAIR. >> WHAT TIME OF THE DAY? >> RULE 20 SAYS THE CHAIR DETERMINE THE DATE TIME AND LOCATION OF COUNCIL LOCATION ACCEPT PUBLIC HEARING REQUIRED BY LAW MUST BE HELD ONE AT 4:30 P.M. OR LATER, AND TWO, IN THE COMMUNITY PLAN AREA MOST EFFECTED BY THE BILL OR RESOLUTION. >> OKAY. ALRIGHT.\r\n\r\nSO, IT IS GOING TO BE PROBABLY AT 9 O'CLOCK AND IN THE DISTRICT. NOW, ANYMORE DISCUSSION BECAUSE WE NEED TO TAKE THE VOTE SO WE CAN GET ON TO OTHER BUSINESS. ROLL CALL. >> CHAIR, I AM SORRY, BILL 171, THERE IS TECHNICAL ERROR STAFF JUST NEEDS TO POINT OUT ON PAGE 2, THERE IS A REFERENCE TO ENERGY REQUIREMENTS UNDER CHAPTER 16.16 THAT NO LONGER EXISTS, SO STAFF WOULD REQUEST THE TECHNICAL AMENDMENT TO REFERENCE THE ENERGY CODE, WHICH IS NOW CHAPTER 16.16C BUT CHANGE TO SOMETHING ELSE IN THE FUTURE SO JUST SAYING THE ENERGY CODE WOULD BE A GOOD CORRECTION. THANK YOU. >> OKAY. PRO TEM KAMA, YOU WANT TO MAKE THE MOTION TO DELETE THE REFERENCE TO THE CODE REFERENCE WITH REGARD TO THE ENERGY CODE IN CHAPTER-I MEAN IN WHICH BILL?\r\n\r\n>> ON PAGE 2 OF BILL 171. THANK YOU. >> ON PAGE 2 OF BILL 171. >> SO MOVED. >> SECOND. >> OKAY. ANY FURTHER DISCUSSION NEEDED? ALL IN FAVOR RAISE YOUR HAND AND SAY AYE. >> AYE.\r\n\r\n>> EVERYBODY. OTHERWISE I WILL TAKE ROLL CALL. THIS IS JUST TO MOVE- >> AYE. MEMBER JOHNSON, I DON'T SEE YOUR HAND. OKAY, 9 AYE, 0 NO'S MOTION CARRIES. GETTING BACK TO THE MAIN MOTION AS AMENDED. ROLL CALL.\r\n\r\n>> COUNCIL MEMBER KAMA, YES. VICE CHAIR SUGIMURA, YES. COUNCIL MEMBER PALTIN, NO. COUNCIL MEMBER JOHNSON, NO. COUNCIL MEMBER RAWLINS-FERNANDEZ-- MAHALO . COUNCIL MEMBER COOK, AYE. COUNCIL MEMBER U'U-HODGINS, AYE. COUNCIL MEMBER SINENCI, NO.\r\n\r\nCOUNCIL CHAIR LEE, AYE. CHAIR THERE ARE 5 AYES, 4 NO'S MOTION CARRIES. >> LET'S GO REAL FAST ON THE OAT ITEMS. >> CHAIR, BEFORE IF YOU DON'T MIND HOUSEKEEPING MEASURE. COULD I PLEASE REQUEST A MOTION TO FILE COUNTY COMMUNICATION 24-30, 31, 32 AND 33. >> SO MOVED. >> SECOND? ANYBODY SECOND?\r\n\r\nYOU GOT THE MOVE AND SECONDER. DISCUSSION? THIS IS HOUSEKEEPING MEASURE. ALL IN FAVOR RAISE YOUR HAND AND SAY AYE. >> AYE. >> 9 AYE, 0 NO. LET'S GO TO THE NEXT ONE.\r\n\r\n>> CHAIR, WHICH-SORRY, WHICH MATTERS DID YOU WANT TO TAKE UP TONIGHT? >> WAIT A MINUTES, WE HAVE TO TAKE UP- >> TESTIMONY. >> TESTIMONY. CAN YOU CALL UP-YES? WHO? >> IT IS 1230 CHAIR, ARE WE CONTINUING ALONG? I THOUGHT WE WERE RECESSING?\r\n\r\nWHAT IS THE PLAN? >> SOME THINGS HAVE TO BE VOTED ON. A COUPLE OF THINGS. COULD BE MONDAY? >> BECAUSE WE WON'T ADJOURN TODAY. WE WONT ADJOURN UNTIL MONDAY. >> RIGHT.\r\n\r\nRIGHT, RIGHT BUT LESS FOR MONDAY, BUT HOWEVER, HOW MANY PEOPLE CAN MAKE IT MONDAY? >> I'LL BE THERE. I'LL BE ONLINE. >> WHAT ABOUT MEMBER SINENCI, ARE YOU GOING TO BE HERE MONDAY? >> I WILL BE HOME, CHAIR. I HAVE A DOCTOR APPOINTMENT. >> OKAY, WHAT TIME?\r\n\r\n>> 11. >> OKAY. CAN YOU COME AT 9 O'CLOCK? >> YEAH. >> OKAY. EVERYBODY ELSE, 9 O'CLOCK. OKAY. WE ARE GOING TO RECESS THIS MEETING UNTIL MONDAY AT 9 O'CLOCK AND THEN UNLESS SOMETHING HAPPENS THAT IS HIGHLY UNUSUAL, MOST OF THE MATTERS THAT ARE LEFT ARE ROUTINE, SO WHAT WE-ONCE WE PASS EVERYTHING, THEN IT WILL GO TO SECOND READING, WHICH WILL BE--WAIT A MINUTE.\r\n\r\nSOME OF THE-NOTHING CAN BE TAKEN ON THE 8TH, RIGHT BECAUSE THERE IS NO TIME FOR POSTING? ALL THIS CAN NOT BE TAKEN UP AT THE NEXT COUNCIL MEETING JULY 8 BUT IT WILL BE TAKEN UP JULY 25 AT THE COUNCIL MEETING IN KIHA. ANYTHING ELSE BEFORE WE SAY GOOD NIGHT? >> SO, THAT WAS THE BILL 80 AND EVERYTHING IS ALL GOOD, YEAH? WE ARE GOING TO TAKE ACTION ON THAT ON THE 30TH? >> EVERYBODY, IT IS 12:27. LAST CHANCE TO SAY SOMETHING BEFORE I GAVEL OUT. GOOD NIGHT.\r\n\r\n>> GOOD MORNING. >> THE SAME

IN PERSON LOCATION AND SAME ONLINE LOCATION FOR THE MEETING MONDAY JUNE 30 AT 9 A.M.? >> RIGHT. >> THANK YOU. >> SAME LOCATION, CHAMBERS AND ONLINE AT 9 O'CLOCK IN THE MORNING TO FINISH UP THIS COUNCIL MEETING. THIS MEETING IS IN RECESS. [GAVEL]  
[MEETING ADJOURNED]

# TRANSCRIPTION

Council of the County of Maui on 2025-06-30 9:00 AM - Regular Meeting - Recessed from 6/27/2025

[ GAVEL ] >> Good morning. Bom Dia, if you traveling to Portugal, but over in Brazil it's Om Gia. This is the June 27, 2025. Council Meeting will now reconvene. As a reminder, we have closed -- I'm not saying that today is June 27th, I'm saying that the Council Meeting of June 27th, 2025 is reconvening. As a reminder, we have closed both general public testimony at the beginning of the meeting, as well as testimony related to the unfinished business item, which related to Hono'ula Wailea 670. We will proceed with testimony and action on the remainder of the agenda. Today is Monday, June 30th. The public will have another opportunity to testify on Honua'ula Wailea 670 at a future Council Meeting.\r\n\r\nMadam Clerk. >> Thank you, Chair. >> Please take roll call. >> Thank you, Chair. Proceeding with roll call, for anyone who is not present in the Chambers with us, please let us know if anyone except minors are present with you. Council Member Pro Tempore Tasha Kama. >> Cannot hear you.\r\n\r\nOkay. That is all right, we can see you. >> No, no, I just needed to un-mic me. Good morning, Chair, Bom Dia and looking forward to completing today's agenda. Thank you. and I'm alone in my work space by myself. >> Okay.\r\n\r\nGood. >> Vice-Chair Yukilei Sugimura. >> Bom Gia, om Gia, have a good morning everyone. Looking forward to continuing on with a productive Council Meeting. >> Council Member Tamara Paltin. >> I saw her. >> Aloha Kakahiaka and Bom Dia kakou.\r\n\r\nI'm streaming live and direct from the West Maui residency area office straight from the historic burn zone of Lahaina and I have with me one unnamed canine. Thank you Council Member Gabe Johnson. >> Bom Dia, Chair. I'm alone on my side of the office with my dogs are well, the birds are singing and the dogs are snoring and I'm here and ready to work, mahalo. >> Thank you. >> Council Member Keani Rawlins-Fernandez. >> Aloha Kakahiaka.\r\n\r\nMai Moloka'i ahina. I'm at my private residence alone right now, but I do have my son here at home with me, who is a minor that may be walking around. We currently have no testifiers waiting at the Moloka'i District office. Thank you, Chair. >> Thank you. >> Council Member Tom Cook. >> Good morning, Bom Dia.\r\n\r\n>> Close enough. >> Good morning, Aloha. There's currently nobody at the Kihei office for testimony, but we have EA on standby if anybody chooses to. I hope everybody has a good day. I'm looking forward to the continuation of this meeting. Thank you. >> Council Member Noelani Uu-Hodgins.\r\n\r\n>> Good morning, Chair, good morning. everyone. Bom Dia. >> Council Member Shane Sinenci. >> Aloha Kakahiaka kakou. Mai Maui akina and Bom Dia. Excuse me, here at my private residence, here by myself.\r\n\r\nI cannot promise any interruptions by some canine, minor canines and I need to leave, Chair, at 11:00. And no testifiers in Hana. Thank you. >> And Council Chair Alice Lee. >> Bom Dia everyone. I see Member Rawlins-Fernandez has her hand up. >> Mahalo, Chair. I do have a flight at 10:20, so I will be transitioning to my vehicle in about 15 minutes.\r\n\r\nAnd I do have assigned to me for the motions, Resolution 25-136 and Bill 49. If they come up while I'm, you know, in transition, at some point. Just flagging that for you. >> Okay. Thank you. Madam Clerk, please remember that. >> Sure. >> Chair, you have all nine members present, which means that you have a quorum to conduct the business of County Council.\r\n\r\n>> Proceed. >> Chair, we'll begin with public testimony on County Communications. At this time we don't have anyone signed up, but if anyone would like to sign up on County Communications, this is your opportunity. This is last call. And the countdown is 3, 2, 1. Chair, there's no one indicating a desire

to testify. >> Members, any objections to closing public testimony on County Communications and accepting written testimony for the record? >> No objections.\r\n\r\n>> So ordered. Ms. Clerk. >> Chair, before you is County Communication 25-is it Disaster, Resilience, International Affairs, and Planning Committee Chair transmitting a proposed amendment to Bill 104 CD 1 (2024) entitled," a Bill for an Ordinance amending Chapters 19.04, 19.008, 19.29 and 19.36b Maui County Code relating to kitchens, kitchenettes, and wet bars. >> Member Paltin. >> Thank you, Chair. Shucks, I misplaced my notes.\r\n\r\nCan we hold this one until the item comes up? >> Yes, of course. >> Thank you. >> Ms. Clerk. >> Chair, we're now moving on to Committee Reports. At this time individuals who would like to testify on Committee Reports listed on the agenda, this is your opportunity.\r\n\r\nThere was no one signed up. This is last call and the countdown, 3, 2, 1. Chair, there's no one indicating a desire to testify. >> Members, any objections to closing public testimony? >> No. >> On Committee Reports, and accepting written testimony for the record? >> No objections. >> No objections, so ordered.\r\n\r\nMs. Clerk. >> Chair, from the Agriculture, Diversification, Environment, and Public Transportation Committee is CR 25-32 recommending first reading of Bill 76 CD 1 (2025) to allow mobile food trucks or trailers of 1,000 square feet or less as permitted accessory uses on farms in the County Agricultural District. >> Member Johnson. >> Thank you, Chair. I move to adopt the recommendation in Committee Report 25-32. >> Moved by Member Johnson, seconded by Member Cook to adopt the Committee Report in County Communication -- I mean CR 25-32. Discussion, Member Johnson. >> Thank you Chair.\r\n\r\nMembers, Bill 76 CD 1 (2025)'s purpose is to amend the Comprehensive Zoning Ordinance to allow mobile food trucks and Trail Blazer of 1,000 square feet or less as permitted accessory uses in the agricultural Districts the Bill is spurred by the work group which reported enforcement activities carried during this Administration and the working AG group was planning to testify on this on Friday, but they were attending Soot Bredhoff's funeral, the former Manager of the Kaupo Ranch and otherwise they would have been in-person in Chambers to testify, but that came up. So Maui County Code 19.30a.050 allows for two commercial agricultural structures as an accessory use on working farms in the Agricultural District, which may include agricultural food establishments and agriculture product stands. The law was introduced in 2016 with the intent to include food trucks they were not specifically written into the Bill and even though farmers were allowed to do for years, they were shut down due to the new interpretation. Bill 74 proposes to add mobile food trucks and trailers to the definition of "agricultural food Establishment," and amends the definition of "agricultural food stands." That will count as accessory uses on farms, working farms in the Agricultural District. Bill 76 was amend in the ADEPT Committee meeting June 25, 2025 to remove the proposed Bill 500 feet distances to have no distance required between food trucks and change the word "state "and remove mobile food truck from the definition of "agricultural product stands," and exempt Moloka'i. At this time, Chair, I have an ASF to introduce to introduce for this Bill. So I move to substitute Bill 74 CD 1 (2025) with the proposed FD 1 version attached to the ASF distributed by the Clerk. Can I get a second on that? Thank you.\r\n\r\n>> Yes, we have one. Member Johnson moved, and Vice-Chair Sugimura seconded the motion to substitute Bill 74 CD 1 (2025) with the attached FD 1 version. Discussion, Member Johnson. >> Thank you, Chair. The proposed FD 1 version of Bill 76 CD 1 (2025) is based on consultation with the Department of Corporation Counsel and makes non-substantive changes, such as revising the purpose statement in section 1 to

better reflect Amendments made to the Bill coming out of Committee, amend language in Section 2 for consistency in both definition Sections and clarifying the sections 4 that Moloka'i Community Plan Areas exemption. Exception includes both mobile food truck and trailers still requiring a Special Use Permit, for those uses, I respectfully ask for Members' support of my motion. Thank you, Chair.\r\n\r\n>> Any more discussion? Yes we have Member Sinenci and Member Paltin. >> Chair, I had a proposed amendment, if Member Paltin wanted to go prior. >> Up to you. Member Paltin, do you want to go first? >> Okay. Thank you, Shane, that is so kind of you.\r\n\r\nMy question, I think was it could be for Member Johnson or it could be for Corp. Counsel, in Committee, Mr. Pfost was confused to lot and like that and when I spoke to Mr. Raatz, he said that everything after the first comma could be ignored, and for all practical purposes lot is the same as a TMK. So I just wanted to double-check with corporation Corporation Counsel, if they concur with that, because it was left unclear. >> Deputy Corporation Counsel Ryu. >> Yes, Chair, that is correct, we consider lots to be the same as the TMK.\r\n\r\n>> He said yes. >> Okay. So it's two food trucks per TMK basically. >> Mr. Ryu. >> That would be accurate. >> Okay.\r\n\r\nThank you. >> Then Mr. Sinenci. >> Mahalo, Chair. Move to amend the Bill Section 4 by amending code subsection 19-30a.072 (e) to add the following: No. 4, within the Hana Community Plan Area after 25 mobile food trucks or trailers are registered, mobile food trucks or trailers require a Special Use Permit. >> Second that.\r\n\r\n>> Moved by Member Sinenci, seconded by Member Johnson to approve another Amendment. Discussion, Member Sinenci. >> And I'm not sure if Staff has handed out my ASF, or has sent it -- okay, people got it. Thank you, Chair. Despite my request of Bill 76 was not reviewed by the Hana Advisory Committee to the Maui Planning Commission. The Amendment I'm proposing today was suggested through my own consultation with East Maui residents, who are some are concerned with food truck proliferation on AG-zoned lands, and allowing the millennial highway as you had heard some people testify to. However, farmers who operated prior to the Commission's ruling would like to grandfather those existing ones by registration with the Planning Department, Chair and I ask for the Members' support of my motion.\r\n\r\n>> Any more discussion? If not, all those in favor of the Amendment, please raise your hand? >> I had discussion. >> Oh, Member Paltin, I'm sorry, I didn't see you. Discussion. >> I just wanted to check, because so I'm not really sure we just got these ASFs today. Is there a process for East Maui or Hana Community Plan Area to register their food trucks?\r\n\r\nBecause I thought the Bill would just allow for it. So I'm not against it, I was just wondering in this has been run by the Planning Department, and they have a process to register the food trucks, and keep track for when it meets 25 and that they are going to be posting that information? So that folks know? >> Yes >> Member Sinenci? I met and spoke with the Deputy and that was the recommendation to my question about capping it at 25 food trucks. >> So they have a process they are going to enact? >> Yes.\r\n\r\n>> Thank you. >> That is it for me. >> Member Rawlins-Fernandez. >> Mahalo, Chair. Questions for Member Sinenci. Three questions. The first question do you know if -- so you are allowing those food trucks that were already operating.\r\n\r\nBut prior to this, there wasn't, you know, a requirement to register. So do you know how the Planning Department would determine if they were operating before they were stopped? >> Mr. Sinenci. >> Yes. And there was a list actually from the advisory Committee that had a list that was on commercial AG, residential AG. That is why we kept it at that number, to include all of those that were already listed, and then the current farmers did want -- hold on.\r\n\r\nThey

didn't want to limit it just to current farmers, but wanted to encourage youth farmers and younger farmers to also that chance should they want to. So we added an additional ten to the current number. >> Okay. So if I'm hearing you correctly, you are saying that there were 15 that were on the list, and you are allowing for up to ten more that weren't on the list to register without a Special Use Permit? >> Correct. >> Okay. And then for that 15, there isn't any language saying that that stipulation of if they were operating, if the 15 were operating before they were stopped.\r\n\r\nThat they would be allowed. So is it -- you're just expecting those 15 to be part of that 25? >> Correct. We had about 50 people showed up at the community meeting, and the majority of them that attended were those farmers that had food trucks. >> Okay. And then the last question, I guess clarification. Special Use Permit, so this isn't a Conditional Use Permit, which would require Council approval. So this is a Special Use Permit, which I believe would just require the Planning Commissions' approval, clarifying that process.\r\n\r\nAnd also, is there an expectation for the Maui Planning Commission to send to the Hana Advisory Committee for their recommendation before the Maui Planning Commission makes its decision? >> That has been the challenge to have the advisory be sent some of these bills, but I'm sure we can create a process for the advisory and work with the Planning Department. So we can hear those Special Use Permits. I did ask at a previous meeting if these permits would be sent to the Hana Advisory Committee and they said there wasn't any process for that >> Okay, there is an expectation of the community that the Maui Planning Commission would send it to the Hana Advisory Committee for their recommendation before final action is taken by the Maui Planning Commission. >> Yes. >> Okay. >> That is an expectation.\r\n\r\n>> Okay, mahalo, Member Sinenci. Mahalo, Chair. >> Any more comments or discussion? Pro Tem Kama. >> Thank you. Question for Mr. Sinenci.\r\n\r\nYou know, I have that expectation, too, but is that expectation in writing and should it be in writing? Because it seems like the Hana advisory is always bypassed and they get things after the fact and it's like whoa, slow your jets here. Is That in writing, Mr. Sinenci, the expectation? >> We're hoping with the addition of East Maui Representative on the Commission, that we can advocate for all of these bills to be sent to the Hana Advisory Committee with the -- right, with Mr. Lynn now being on the Planning Commission. So we're hoping that we can advocate for that within the Commission now that we have a Representative.\r\n\r\n>> Okay. Thank you, thank you, Chair. >> Any other discussion? If not, all those in favor of the motion, please raise your hand, say aye. Okay now the main motion as amended. Any more Amendments? >> Chair, this would be a vote on the motion to substitute as amended.\r\n\r\n>> Okay. The motion to substitute as amended. Raise your hand, say aye. Nine ayes, zero nos, motion carries. Are you watching, too? Because I can see only some of them. >> Now we're on the main motion as amended.\r\n\r\n>> Okay, the main motion as amended. Any further discussion? >> Chair? >> Member Sinenci. >> Thank you. I did want to mahalo Member Johnson and his Staff for reaching out to the Hana community during our budget process. Thank you.\r\n\r\n>> Any more comments? Yes, Vice-Chair Sugimura. >> Thank you. I also want to appreciate what Member Johnson and his Staff did for this Bill. And I did -- I did read about it and I mentioned to Gabe an email from one of those think-tank groups that were basically commending this Bill and basically said other Counties pay attention and do this to help AG. What organization was it, Gabe? >> That was the grassroots institute, the egalitarian group.\r\n\r\nI don't see eye-to-eye with them so often, but kind of surprised me. >> There were accolades to you. Thanks. >> Any more discussion? If not, all those in favor of the motion, raise



your hand, say aye? >> Aye. >> Nine ayes, zero nos, motion carries.\r\n\r\n>> Mahalo, Members and farmers, thank you. >> Ms. Clerk. >> Chair, from the Disaster, Resilience, International Affairs, and Planning Committee is CR 25-33 recommending fir reading of Bill 104 CD 1 (2024) 20 col 1 allow for kitchenette and dwelling units in the County's residential and rural Districts on Maui and Lana'i, 2, require dwelling unit with a kitchenette to be occupied on a long-term residential basis with one additional off-street parking space to accommodate higher intensity using for the kitchenette, 3 reduces the number of wet bars allowed as a Principal used in dwelling units in the County's residential and Rural Districts on Maui and Lana'i and 4, make conforming Amendments in the definitions of "kitchen" and "wet bar. >> Member Paltin. >> I move to move the recommendations in CR 25-33. >> Second. >> It's been moved by Member Paltin, seconded by Member Uu-Hodgins to approved recommendations in CR 25-33. Discussion, Member Paltin.\r\n\r\n>> Thank you. Your Committee met on February 19th, 2025, March 19th, 2025, and May 14th, 2025 to discuss Bill 104. This was originally discussed in the Housing and Land Use Committee on November 20th, 2024. Your Committee notes that dwelling units with a kitchenette would be required to be occupied on a long-term residential basis. Your Committee amend Bill 104 to address safety-related concerns by requiring kitchenettes to be internally accessible via enclosed living area, be prohibited in accessory dwelling units and not contain gas appliances. Your Committee also revised Bill 104 to reduce the number of kitchenettes and wet bars allowed in the applicable Zoning Districts from two to one of each. Your Committee expressed support for Bill 104 CD 1 to accommodate multi-generation families in West Maui, and expand rental opportunities and housing types on Maui, and Lana'i. Your Committee voted 7-0 to recommend passage of Bill 104 on first reading. At this time, may I ask the Clerk to please recall County Communication 25-12. >> Clerk. >> Chair, recalling County Communication 25-12 Disaster, Resilience, International Affairs, and Planning Committee Chair transmitting a proposed amendment to Bill 104 CD 1 (2024) entitled, "A Bill for an Ordinance amending chapters 19.04, 19.08, 19.29 and 19.36b Maui County Code relating to kitchens, kitchenettes and wet bars.\r\n\r\n>> Member Paltin. >> Thank you. I move to amend the Bill with the proposed version attached to County Communication 25-33 by doing the following: 1, amend Section Bill 104 CD 1 by amending the definition of "kitchenette" to increase the size of refrigerators to 17.6 cubic feet or smaller; and 2, amend sections 10 of Bill 104 to read, "this ordinance takes effect on approval except that for property on Maui or Lana'i in a residential or rural District a permit for a dwelling unit containing more than one wet bar may be processed if the permit an or application was submitted before this Ordinance's effective date." And move to file County Communication 25-12. >> Moved by Member Paltin, seconded by Member Uu-Hodgins to pass the motion she just stated. Any further discussion? Member Paltin? >> Yes. In testimony we did hear from Mr.\r\n\r\n\r\nCroly about doing away completely with the size of the refrigerator requirements, which I'm open to, if this Committee would like to do that. The other recommendation that Mr. Croly had was that the autonomous unit created by a kitchenette play only be occupied by a full-time resident of Maui, and I'm also open to that, if Members would like to amend based on Mr. Croly's recommendations. >> Members? Further? Member Uu-Hodgins.\r\n\r\n>> Thank you, Chair. This is for Member Paltin. So I don't disagree that we can increase the size of the refrigerator because then we would have to assume that post construction in the placement of appliances that somebody would go in and then check. So I'm okay to remove that. My other question is was it long-term resident, is that the language you had earlier? I

forget what specific thing you said. >> Member Paltin.\r\n\r\n>> Full-time resident.  
>> Full-time, okay. How would -- don't disagree, how would we check on that, do you think? How would we ask for a tenant agreement or how would we do that? >> I think either like a long-term rental agreement would be one way, or if they are the owner of the dwelling and homeowner exemption would be the two ways. In my opinion, but I'm not a lawyer, so I don't know if Corporation Counsel wanted to chime-in. >> Ask we ask you, before Ryu, how would this work?\r\n\r\nBecause right now our rental agreements looked at what? More than 180 days or more and that is all we kind of have, or can you tell me how this would work if we pass something similar? >> So I would agree with Member Paltin. You could ask for a lease that demonstrates that you know, it's for over -- you can even go over what is normally required, the 180 days you mentioned, if the requirement that they be a full-time resident, you could ask for a lease that demonstrates that and I think the homeowner exemption is also, because you have to demonstrate through the homeowner exemption that you actually live there. >> Okay. Who would ask for this information? Who would review the information?\r\n\r\nAnd who would be okaying this information during either the permitting process of this additional space? >> I think it would be during the permit process they would ask for the documentation to demonstrate that they meet the criteria. >> Yes. What Department? >> I believe that this would be Public Works, but I would have to get back to you. >> Okay, because that would be interesting for me to know, because Real Property Tax Department deals with all of that information and they usually keep record and they are not part of our permitting process. So if Public Works is asking for it, is it the building plans review people?\r\n\r\nBecause that is a little bit out of their scope. So I'm just curious what Department would be -- maybe you can get back to that. >> And I don't see a problem with them, you know, even though as you're correct, that Real Property Tax usually looks at the exemptions and they can ask when the permit is submitted that documentation showing that from Real Property Tax exists. >> And do you think this would be during the permitting process or like the CO application process? >> That is a good question, I would have to get back to you on that. >> Okay. Let me think about this.\r\n\r\nThank you. Thanks. >> Member Cook. >> Would it be if someone was a full-time caretaker that lived on the property and had an employment agreement, would that potentially also be used? >> That is for Mr. Ryu; right? , not me?\r\n\r\n>> Yes, he is thinking. >> I would think under that sort of arrangement you would still have some sort of lease document. So I, yeah, yes. >> Any more questions or comments? Ready for the vote? All those in favor -- -- yes. >> We didn't amend the Amendment yet.\r\n\r\nWas everyone okay with taking out the size requirement all together on the refrigerator? Okay. I move to amend the size requirement and remove it completely and add the language "the autonomous unit created a kitchenette may only be occupied by a full-time resident of Maui." >> Member Paltin, what is an autonomous unit? Not autonomous -- >> Yes. Autonomous, I guess. >> Oh, okay. You remind me of the person who says condominiums -- okay.\r\n\r\nSlight diversion. Everybody in favor of the motion. >> Real quick, Chair. I would just like to answer -- I'm happy to support this once a get a little more clarity how this is going to work. >> We can do that before second reading okay, that is fine. >> So take out the second part, and post it for second reading. Is that what we should do?\r\n\r\n>> I would appreciate that. Then we can figure out how this is going to work. >> Can you repeat the second part, so that our Staff knows? >> So we're taking out the autonomous unit created by kitchenette may only be occupied by a full-time resident of Maui. But we're leaving in the removing any

refrigerator size requirement. >> Staff, did we get that? >> Wait, Chair, I have a suggestion for Member Paltin, if she is open.\r\n\r\n>> Yes. >> I understand your want for full-time, but we do have the long-term residential or long-term residential basis in Chapter 19 in definitions, which just means occupying of a dwelling unit by lodging unit by an owner, family, lessee or tenant, for more than 100 or more days and then we can figure that out how to make that better sense when Planning did their admin rules if Member Paltin is okay with that. >> Do it in the admin rules? >> My thinking was that either the dwelling unit or the kitchenette would be occupied on a long-term residential basis as in the code right now. So then we don't need to add anything to that, but I just guess the Amendment to the posted Amendment is just to completely remove any size reference for the refrigerator and they can have whatever size refrigerator they want. They could have a walk-in if they wanted to, I guess. X are we clear on what we're voting on, we're voting on the original proposed Amendment.\r\n\r\n>> We just need a second, Chair. >> As amended to take out size of refrigerator. >> Okay. Seconded by Member Uu-Hodgins. Okay. Any more discussion? All those in favor, raise your hand, say aye I think we have eight ayes, zero nos, motion carries one excused for now is Member Rawlins-Fernandez.\r\n\r\nMs. Clerk. >> Chair -- that was yes. >> Okay >> We have to vote. >> Another? Another Amendment? >> No, no, vote on the Amendment.\r\n\r\n>> Okay, the main motion as amended. >> No. >> Pardon me?>> Yes just voted on the Amendment for the size of the refrigerator and another Amendment with the filing of CC that-12 that we need to vote on and then we'll get to the main motion. >> Just the filing, we should have put it into the other Amendment. >> It's an Amendment and to file. We had two Amendments.\r\n\r\n>> Okay. All those in favor of filing the communication raise your hand, say aye. >> And the Amendment? >> And filing the Amendment? >> No, no. It's an Amendment, and also to file. >> Okay.\r\n\r\nSo that would be -- the first Amendment was different. >> Right. >> The second Amendment -- >> When it takes effect. And the filing. >> Okay. Second Amendment, when it takes effect and filing, all had in favor raise your hand, say aye. Nine ayes, zero nos, motion carries, now the main motion as end, unless there's any more Amendments?\r\n\r\nNo Amendments. All those in favor of the main motion as amended, raise your hand, say aye. We have nine ayes, zero nos, motion carries. Ms. Clerk. >> Chair, from the Disaster, Resilience, International Affairs, and Planning Committee is CR 25-34 recommending first reading of Bill 185 CD 1 (2024) to authorize the Mayor to execute an Intergovernmental Agreement with the Department of Police to help the County of Kaua'i with forensic drug testing. >> Member Paltin.\r\n\r\n>> I move to adopt the recommendations in CR 25-34. >> Moved by Member Paltin, seconded by Member Uu-Hodgins to approve the recommendations in Committee Report 25-34. Discussion, Member Paltin. >> Sorry, a bird just tried to commit suicide into our window. Your Committee met on June 4th, 2025 to discuss Bill 158, the Kaua'i Police Department does not have the necessary lab to conduct forensic drug-testing and reached out to the Maui Police Department for assistance. Kaua'i County would mail evidence to Maui and provide reimbursement, if Maui County expends funds to test novel drugs. Your Committee supported Maui Police Department's efforts to assist Kaua'i County, but requested during the meeting and in a follow-up letter in a Maui County's work be prioritized. Can your Committee agreed to amend Bill 158 by revising the Memorandum of Agreement start-date and term and incorporating non-substantive revisions. Your Committee voted 9-0 to recommend passage of Bill 158 on first reading.\r\n\r\nI respectfully ask for the Members' support of my motion. >> Any more discussion? >> Just that since Bill 158 passed out of Kaua'i Police

Chief Todd Raybuck retired, but his signature is still on the MOA and per Deputy Corp. Counsel Hopper an Amendment to the MOU is not necessary. If he was Police Chief when he signed the MOU, it would not affect the agreement. Kaua'i County could also sign the MOU after the Ordinance is approved, if needed. >> Any more discussion?

If not, all those in favor of the motion, please raise your hand, say aye. >> Nine ayes, zero nos, motion carries. Ms. Clerk. >> Chair, from the Government Relations, Ethics, and Transparency Committee is CR 25-35 recommending adoption of Resolution 25-99, CD 1 authorizing settlement of Melissa Magonigle vs. County of Maui Police Department et al. Civil File 23 CCV-23-008030. >> Member Uu-Hodgins.

>> Thank you, Chair. If there's no objections, may I please request the Clerk also call up Committees 25-36 through 25-40 at this time, please. >> Any objections, Members? No objections, Ms. Clerk. >> Chair, before you is 25-36 recommending adoption of resolution 25-109 CD 1 authorizing retention of Marr Jones & Wang LLP as Special Counsel to represent the County of Maui in pre-litigation negotiations and litigation regarding allegations made by Leo Caires, a former County of Maui employee, for total compensation not to exceed \$350,000. CR 25-37 recommending adoption of resolution 25-111, CD 1 authorizing settlement of JMC claim 4088770 County of Maui risk file 2024-0068 of Merc Coimbra and Alisa Coimbra in the amount of \$45,291.47 and CR 25-38 recommending adoption of resolution 25-116 CD 1 authorizing settlement of First Fire and Casualty Insurance of Hawai'i, Inc. v. County of Maui, et al. Civil No. 2 CCV-24-0001055. CR25-39 recommending adoption of resolution 25-120 authorizing the retention of Kobayashi Sugita & Goda LLP as special Counsel to represent the County of Maui Auditor Lance Taguchi as employee of Office of the County Auditor in the matter of Christopher Salem's May 8, 2025 complaint filed with the State of Hawai'i Department of Commerce and Consumer Affairs not to exceed \$150,000. CR 25-40 recommending adoption of resolution 25-121 authorizing the retention of Beveridge & Diamond PC as Special Counsel to assist and represent the Department of Environmental Management, County of Maui with the permitting process and any legal challenges arising out of issuance of a National Pollutant Discharge Elimination System permit for the Lahaina Wastewater Facility not to exceed \$250,000. >> Member Uu-Hodgins. >> Thank you, Chair. Thank you, Moana. I move to approve the recommendations in CR 25-35 through 25-40. >> Second. >> It's been moved by Member Uu-Hodgins, seconded by Vice-Chair Sugimura to approve all of the recommendations in the CRs 25-36, 37, 38, 39, 40. Discussion? >> And 35. Thank you, Chair.

At its meeting June 2nd, 2025 your Great Committee met to discuss the Resolutions for various matters. Your Committee received brief overviews of each matter in Open Session before convening in executive meetings to discuss confidential information your Committee voted 8-0 to recommend adoption of resolutions 25-109 CD 1, excuse me, 25-116 CD 1, 25-120, and 25-121 and voted 7-0 do recommend adoption of resolution 25-110c1. At this time I respectfully ask for the Members' support of my motion. Thank you, Chair. >> Any more discussion? I have a question, Member Uu-Hodgins. >> In CR 25-40 at the tail-end of that discussion, I know the initial request was for compensation. Does that also change into compensation and settlement?

>> Good question. I don't think so, but maybe Mr. Ryu can remember. I know that we discussed litigation and pre-litigation and that part was changed, but I don't know if settlement was discussed. >> Mr. Ryu. >> Thank you, Chair.

Which number are you asking about? >> 25-36. >> It makes a difference, because we were talking about this and if it's compensation, it's one thing, but if it's compensation and settlement, then I believe we were advised we would not hear the details if the matter was settled. Is that correct? Didn't we

talk about that? I remember talking about that. >> I don't know if we did. I don't know if there's a settlement, because we're still in pre-litigation.\r\n\r\n>> I think the question is what if it's settled? >> Oh. >> So thank you, Chair. So this is just for the hiring of the special Counsel. Part of the litigation process would be engaging in settlement discussions. However, under our Charter, if any settlement is reached by Marr Jones & Wang, it will still have to come before Council for approval. >> Even though the monies fall within the \$350,000? >> er the money wouldn't fall within the \$350,000. The \$350,000 is just for retention of Counsel.\r\n\r\n>> Okay. Just one meeting, \$350,000, okay. I knew -- I'm going back to Maui Community College and become an Attorney. All right. Any more discussion? >> Chair? >> Member Rawlins-Fernandez.\r\n\r\n>> Mahalo, Chair. I recall that discussion about including settlement. I think it was like in the be it resolved. I don't have it in front of me at the moment. But I remember that nuance of only litigation and not settlement authorization. And not that the settlement -- not that the amount would come from the \$350,000. But we would be authorizing him to -- or the law firm to both litigate, if necessary, or settle, if that is what happens. I recall that discussion as well.\r\n\r\n>> Okay. Thank you. Any more discussion? If not, all those in favor of approving -- >> Chair? >> Yes, Member Rawlins-Fernandez. >> So if we don't put that in, does it affect the law firm's ability to settle? >> Mr.\r\n\r\n>> Mr. Ryu? >> To have that settlement discussion. >> Mr. Ryu. >> I would consider settlement negotiations as being part of the litigation process. So I think that is covered under the authorization of Counsel to engage in litigation. >> Okay.\r\n\r\n>> Does that answer your question? >> Yes. >> All right. Any more discussion? If not, all those in favor of the motion, please raise your hand, say aye. Nine ayes, zero nos, Member Paltin -- nine ayes, zero knows, motion carries Ms. Clerk thank you, Madam Chair, moving to resolutions, currently no one has sign up to testify on the resolutions on today's agenda.\r\n\r\n>> So we'll go ahead and give last call for any testimony on Resolutions. I see Mr. Lau making his way to the podium. >> Aloha Kakahiaka kakou. Resolution 25-138. I was a lawyer in a past life and I'm interested in this Resolution. But getting information-- you know, ass you know I have been going to all the Committee meetings. And I haven't heard nothing from this, so I will be checking up on -- so I got a procedural question Luna hou molu Lee.\r\n\r\n>> To be able to -- Ordinances? I heard you say some stuff about like, but not taking testimony on this and that, but it went really fast. >> Was questioning we're taking testimony on everything kept the last item Wailea 670 item. >> Ms. Clerk. >> Thank you, Madam Chair, Mr. Lau was the only testifier.\r\n\r\n>> So we'll give last call for testimony on Resolutions. Counting down, 3, 2, 1. Chair, there's no one to testify on the resolutions. >> Members, any objections to closing public testimony on Resolutions and accepting written testimony for the record? >> No objections. >> No objections, so ordered. Ms. Clerk.\r\n\r\n>> Thank you, Madam Chair. Before you is resolution 25-134 approving the Fiscal Year 2026 Operating Budget for the Hawai'i State Association of Counties. >> Member Paltin. >> Thank you. I move to adopt resolution 25-134. >> Second. >> Moved by Member Paltin, seconded by Member Uu-Hodgins, discussion, Member Paltin. >> Thank you.\r\n\r\n>> So this Council must each Council of the Counties of the State of Hawai'i must adopt the Resolution to approve the Operating Budget for HSAC before the ensuing Fiscal Year begins or as reasonably close as possible. And so it begins tomorrow. And this is the Operating Budget for the Hawai'i State Association of Counties. I respectfully ask for the Members' support of my motion. >> Okay. 24 hours early. Any more discussion?\r\n\r\n>> All those in favor of motion, please raise your hand, say

aye. I don't see Member -- I see her. Nine ayes, zero nos, motion carries. Thank you. Ms. Clerk. >> Thank you, Chair.\r\n\r\nBefore you is resolution 25-135 proposing an Amendment to the revised Charter of the County of Maui (1983) as amend on the Planning Commissions' review of General Plan and land use Ordinances. >> Member Rawlins-Fernandez. >> I believe this may be Member Paltin. >> I'm sorry. Okay. Member Paltin. >> I move to adopt resolution 25-135. >> Second.\r\n\r\nMoved by Member Paltin, seconded by Member Sinenci to approve -- adopt Resolution 25-135. Discussion, Member Paltin. >> Thank you. This would amend the County Charter to provide clarity and consistency in deadlines for Planning Commission review of revisions to the General Plan, Zoning Ordinances and other land use Ordinances proposed by the Council, and transmittal of related findings and recommendations to the Council. So this is kind of a snafu that we encountered when we proposed the Grace Baptist Church. And they didn't -- the Planning Commission didn't review it, because it was a hectic time, but a new Planning Director, and so like, you know, when does the clock start on 120 days? And so on and so forth. So it's just kind of a housekeeping clean-up so that we don't run into that type of confusion in the future.\r\n\r\nGrace Baptist was not really a controversial thing. So we were able to muddle our way through it, but you know, we could see this happening on something really controversial, and then it would be, like, a big snafu instead of a Manini snafu. Just to make things clear and consistent and get the deadlines straightened out. Thank you. >> Any more discussion? If not, all those in favor of the motion of adopting resolution 25-135 please raise your hand and say aye. Nine ayes, zeros no, motion carries Ms.\r\n\r\nClerk. >> Thank you, Madam Chair, before you is resolution 25-136 authorizing acceptance of a donation of a one-year subscription to Wordrake editing software from Wordrake Holdings, LLC. under Chapter 3.56 Maui County Code. >> Member Rawlins-Fernandez. >> I move to adopt resolution 25-136 >> Moved by Member Rawlins-Fernandez, seconded by Member Sinenci to adopt resolution 25-136. Discussion, Member Rawlins-Fernandez. >> Mahalo, Chair. Making this motion on your behalf.\r\n\r\nWordrake Holdings, LLC. has an estimated value of \$374,450 to the County of Maui. Authorizing the Council to accept gift and donations on the County's behalf in the Resolution. We would like to thank Wordrake Holdings, LLC. for its generous donation and respectfully ask Members for their support of this motions. >> Thank you. Any more discussion?\r\n\r\nMembers? If not, all those in favor of the motion please raise your hand, say aye. Nine ayes, zeros no, motion carries, Ms. Clerk. >> Thank you, Madam Chair, and just going back for the record and the public's information, resolution 25-135 related to Charter Amendment will be on a future agenda as a Charter requires two readings on separate days. so moving on to resolution 25-137 authorizing acceptance of a donation of \$3450.90 from the society of Tokyo-Tama to help with recovery from the August 2023 Maui wildfires under Section 3.56.030 Maui County Code. >> Member Paltin.\r\n\r\n>> Thank you, I move to adopt resolution 25-137. >> Second. >> Moved by Member Paltin, seconded by Member Uu-Hodgins to adopt resolution 25-137. Discussion, Member Paltin. >> Thank you, Chair. So we really would like to thank the society of Tokyo-Tama, which refers to residents and various organizations within the area of tam area of Tokyo for this generous donation to aid with the recovery of the August 8th fires under sections 3.56.030 Maui County Code. >> Any more discussion? If not, all those in favor of the motion, please raise your hand, say aye. Eight ayes.\r\n\r\nNine ayes, zeros no, motion carries. Ms. Clerk. >> Thank you, Madam Chair. Before you is resolution 25-138 authorizing a grant of a sublease of a portion of real property at 2099 Wells Street Wailuku, Maui, Hawai'i to Maui family support services, Inc.. >> Member

Sinenci. >> Mahalo, Chair. Move to adopt resolution 25-138. >> Moved by Member Sinenci, seconded by Vice-Chair Sugimura to adopt resolution 25-138.

Mr.\r\n\r\nSinenci. >> Mahalo, Chair. Move to substitute resolution 25-138 with the proposed FD 1 version distributed with the ASF during today's meeting. >> Second, somebody? Moved by Member Sinenci, seconded by Vice-Chair Sugimura to substitute the motion with an Amendment Summary Form as just distributed. Discussion? Discussion, Member Sinenci.\r\n\r\n>> Mahalo, Chair. Members, please refer to my ASF, the proposed FD 1 version is approved as to form and legality by the Department of Corporation Counsel and corrects Tax Map Key in the second be it resolved clause, it corrects a name in the first paragraph under exhibit 1, and it makes minor revisions to enhance clarity of the Resolution. And if my Amendment passes I will also move to suspend rule 19. >> Any more discussion? If not, those in favor of the motion, please raise your hand, say aye. >> Aye. >> Nine ayes, zeros no, motion carries.

Member Sinenci.\r\n\r\n>> Mahalo, Chair. Move to suspend rule 19 of the rules of the Council. To allow final action at the same meeting as an Amendment. >> Moved by Member Sinenci, second by Vice-Chair Sugimura to suspend rule 19. Any more discussion? Member Sinenci? >> Thank you, Chair. Members, resolution 25-138 authorizes the County to sublease a portion of the real property at 2099 Wells Street Wailuku to Maui family support services, Inc.. A domestic nonprofit corporation rent-free.\r\n\r\n\r\nFloor action is being requested by the Administration as the effective date of the lease is July 1st, 2025. And I ask for the Members' full support. >> Any more discussion? Obviously, there is time-sensitive, Members, all those in favor, please raise your hand, say aye. >> Aye. >> Nine ayes, zeros nos, motion carries. Thank you. Ms.\r\n\r\n\r\nClerk. >> Thank you, Madam Chair, and back to the main motion as substituted. >> All in favor -- the main motion as substituted, please raise your hand and say aye. >> Aye. >> Okay. Motions carries, nine ayes, zeros no, motion carries. >> Thank you, Madam Chair, that completes Resolutions.\r\n\r\n\r\nSo moving on to Ordinances the at this time individuals may testify on the Ordinances listed on today's agenda. Seeing Mr. Lau he is currently the only testifier. Please, go ahead. >> Aloha Kakahiaka. Aloha kakou. Aloha Akaku.\r\n\r\n\r\nJ.C. Lau Kula Ahupua'a. And Bom Dia from the holy ghost Portuguese church, Chair Lee. This morning I came in, I looked at the -- my head was spinning Monday morning, and didn't come down here last week. So it's hard to keep up with this stuff, trying to -- you guys know, even the guys that work here, it's hard to keep up with. So thank all Staff Members for that. When I saw Ordinances it was Bill 81, a Bill amending Chapter 3.04 Maui County Code on information on County operations. I'm really interested in County operations and I'm actually trying to help, although it seems I'm trying to throw a monkey wrench in there. And I went to the Clerk's office, and Monday morning it was a little bit slow, but I did get the information.\r\n\r\n\r\nI got the papers from the guy that answered the window there. So I know what that is about. But it probably would have been better off saving the paper. So my point is that okay let me read this thing and you will all understand. By the way, this is Hawaiian word of day is Pau Lui, it's the same told T-shirt, but it's clean. That is my church shirt, too. So that is all I got, I'm working on it.\r\n\r\n\r\nHere is a quoted "when information was properly belongs to the public, systematical withheld by those in power, the people soon become ignorant of their own affairs. Distrustful of those who manage them, and eventually incapable of determining their own destinies." Originally that quote was from Richard M. Nixon. So I realize with the Staff shortage and stuff like that, but people that don't have computer, they don't have Internet access and they don't have money to buy a phone

and there has got to be some kind of portal or some kind of way where we can bet on the computer, because I'm able to get on a computer, but I think it would save a lot of time and money if we just had access to a computer somewhere on. So that is about it on that item. I hope Council Rawlins-Fernandez is listening for the second one, Bill 49. I know it's a contentious issue with you guys, but I stand up for my big brother and seriously, I feel some very strong mana'o on this one and I feel they should get the full 30% raise, because they are doing all the work, dealing with me every day. Thank you very much for your time and I reserve the rest of it for the Hawaiians. >> Thank you.\r\n\r\nNo questions.? >> Chair, currently Mr. Lau is the only one signed up to testify. So we'll go ahead and give last call for testimony on Ordinances on today's agenda, counting down, 3, 2, 1. Chair, there's no one to testify on Ordinances. >> Members, any objections to closing public testimony on Ordinances and receiving written testimony, for the record. >> No objections. >> So ordered. Ms.\r\n\r\nClerk. >> Chair, for referral to the Budget, Finance, and Economic Development Committee is Bill 81 (2025) a Bill for an Ordinance amending Chapter 3.04 Maui County Code on information on County operations. >> Any objections to referring Bill 81 to the BFED Committee? >> No objections. So ordered. Ms. Clerk.\r\n\r\n>> Chair, for referral to the Disaster, Resilience, International Affairs, and Planning Committee is Bill 82 (2025) a Bill for an Ordinance amending Section 10.04.030 Maui County Code relating to authorized emergency vehicles. >> Any objections to referring this matter to the DRIAP Committee? So ordered. >> Chair, before you is Bill 83 (2025) a Bill for an Ordinance amending chapters 2.28 and 2.40 Maui County Code on the South Maui and Pa'ia-Haiku Advisory Committee to the Maui Planning Commission. >> Member Paltin. >> Thank you, I move to pass Bill 83 on first reading. >> Moved by Member Paltin, seconded by Member Sugimura Vice-Chair Sugimura.\r\n\r\nTo pass 83, Bill 83 on first reading. Discussion, Member Paltin. >> Thank you, Chair. I was speaking with the Deputy Director of Planning a few weeks or months ago, and she was -- she did mention that this is a problem for them as they continue to have to Staff this Committee. But it hasn't since 2022, the South Maui Advisory Committee to the Maui Planning Commission has met a total of two times, and the Pa'ia-Ha'iku Advisory Committee met once in 2022. And so basically I guess the situation is that it's not working out how we had intended it. I know we had a testifier on Friday night that told us we should talk to the Planning Department, and make them do it. but that is as we all know, an impeachable offense to tell the Administration how do their job.\r\n\r\nAnd on a side note, I wanted to bring to the Members' attention the great successes of the AG working group, which is not a formal Council Committee, and they have the freedom to put whomever they like on that group. They have the freedom to meet whenever they like. They have the freedom to not post any agenda, and they have been passing a lots of legislation and getting their voices heard. So you know, I would like to say that having this South Maui Advisory Committee to the Planning Commission and the Pa'ia-Ha'iku Advisory Committee is almost limiting community voices from participating, because they are subject to the Sunshine Law, they are subject to only review things if the Planning Commission gives the go-ahead. And so if the Members of the South Maui Advisory Committee or Pa'ia Haiku Advisory Committee wanted to continue on as an unofficial working group, you know, be my guest. You can review everything, and give your testimony at the Planning Commission as the AG working group does. I'm a Member of the South Maui working group.\r\n\r\nAnd we have reviewed this Bill, and this is what we think, because we don't tell the Planning Department and the Planning Commission what to do, and the Staffers could be heavily utilized other places as we



see the Planning Department is doing a lot of outreach in the aftermath of the fires. That's it. >> Any more discussion? Okay. Any more discussion? >> Chair? >> Member Uu-Hodgins and Member Johnson.\r\n\r\n>> Thank you, Chair. I'm going to first say that I understand why this passed a few years ago. I get the intention. Except to Member Paltin's point, they don't meet. And so in doing so, we're asking the INB to review people to Staff this Committee, then we're asking us to review, approve, and interview people to Staff this Committee. We're asking Corp. Counsel and Planning Department to Staff this Committee.\r\n\r\n\r\nAnd we're asking everybody to apply to attempt to participate in this Committee, except they don't meet. And so it is costing us a lot of money to have this Committee not meet. And then we asked the potential Committee Members to come in and take their time off, and sometimes spend all day with us, or all afternoon with us. And it's probably so excruciating nervous for them to be questioned, which I know usually for these Committees it's not too bad. Only for them, not to meet. And so while I understand the intention of these Committees, just as Member Paltin said, it hasn't been as successful as we would have liked to have hope. With the change of the Planning Commission and now that we need two Members from each residency area, we have adequate representation of the different areas of Maui County and hopefully we have well-rounded Planning Commission.\r\n\r\n\r\nThat kind of takes over these Committees. So I'm going to support this today and I would also like to add that I'm sure none of these members forget, but for the public's sake, we did discuss Lou we can make these Boards and Committees more effective, and a little bit more budget-friendly. So hopefully, the great Committee working with my Staff to do a 7b to ask the cost of government Commission where they are at in their study that we requested? I also spoke to Deputy Corporation Counsel Mimi DesJardins to participate in that Committee, and kind of give us a head's up on what corp. Counsels Staff and some of the problems and suggestions that they have in order to condense these Committees so that we can have effective government and make it more effective. That is all I have to say and I will be supporting this today and then we can continue the discussion with all the other boards and Commissions in my Committee, soon. Thank you, Chair.\r\n\r\n\r\n>> Thank you. Any more discussion? Member Paltin. >> I just wanted to clarify, I think it's a minimum of one per District, but for the Planning Commission, at least one per district Member Johnson. >> Thank you, Chair. I think for me, I would have preferred to maybe hear a little bit more from the community, or maybe it's in Committee, and I don't know how busy everyone is? I think these commissions were created to give the community a voice, but if it's sitting empty, it's so frustrating.\r\n\r\n\r\nAnd I feel the frustration. I kind a little bit nervous about taking away bills, and priorities of former Council Members, but if it isn't working, it isn't working. I think I was really wanting to hear from the District Council Members. So thank you Council Member Uu-Hodgins on your -- on sharing your opinion on that. So I'm going to kind of follow what you guys are going with, but I'm curious from South Maui Council Member Cook, would you like to add in on that? Because you know, you guys know your Districts more than me. So for me to go and try to advocate for your community when I think you guys could probably speak to it.\r\n\r\n\r\nThank you, Chair. >> Chair? >> Member Cook. >> Thank you, Member Johnson for giving me the opportunity. I'm support -- I support this, and I think that Council Member Paltin's reference to the AG working group, how effective they have been is a really good template potentially for our communities to have groups that work together to advocate for the community. One of the -- my understanding of one of the big hiccups and challenges that the reason that the Planning Commission was

not referring these to the Sub-Committees, the area District Committees is why you add the notification timeline and all of the other criteria, it really interfered with their ability to hear an issue, address the issue, and come to terms with the issue with their challenges of maintaining a quorum and the timing. So kind of laminating the sunshine requirements with two different Committees was actually working against us.\r\n\r\nI think this will streamline it. It will free up my District Representative -- my District community people to get together. And I would encourage that and hope to participate in it. Thank you for your asking that. >> Member Uu-Hodgins. >> Thank you, Chair. Thank you, Member Johnson for asking that question.\r\n\r\nSo I did answer earlier my thoughts were based like the Great Committee Chair and not necessarily as the Pa'ia Makawao Haiku representation. But I'm also happy to have this in Committee if you wanted to. I told Member Paltin the same, I'm happy to pass it today or have it in committed. Either one works for me. Specifically as the Representative of the area, one Haiku has a really good organized HCA, they meet often and our Staff sometimes go and we get to hear from them as well. One the people we just put on the last time, Ms. Feder, she is on that Association.\r\n\r\nAnd then as far as Pa'ia goes, Pa'ia is really small. The word travels really fast. And Auntie Moxie probably texts me and probably watching right now. Hi Auntie Moxie. She texts me all-time and I really value her advice and I take her advice to heart. She is on the Commission. And as far as Makawao, they are a little bit more sit at the kitchen table talk story, which sometimes I have the opportunity to do.\r\n\r\nAnd we -- I represent them too, but both Pa'ia and Ha'iku both have good representation that is just not necessarily seen on this Committee. They have decent access to us and our Staff, as well as you folks, too. I know everybody here has a relationship with someone from Ha'iku or somebody from Pa'ia. So either they are on this Committee or not, I think they do a really good job advocating for themselves. As I said, I can probably assume Auntie Moxie is. Watching. To your earlier point, if you want to take it to Committee, if Member Paltin is cool with it and the body is okay with it too, I'm also okay with passing it on the floor.\r\n\r\nBut to your other point, I think we're going to have this discussion in my committed regardless, maybe not just about this one specifically, but thank you. Thank you, Member Johnson. >> Member Paltin. >> I did want to add to that. I recently met with the Kihei Community Association not specifically about this, but about the procedure for the South Maui community plan, which we'll be going over with you folks on Thursday. I did mention to them about this and gave them the AG working group idea. Mike Moran was there and I believe he is a Member of the South Maui Advisory Committees well and was pretty frustrated they weren't meeting at all.\r\n\r\nIt frees up folk on those Boards to apply for Boards and complications that actually do metal, where they actually could utilize their time wisely. And the Kihei Community Association was open to forming -- or becoming an AG working group type of format. Because they meet anyway, also like Member Uu-Hodgins was talking about the Ha'iku Community Association. So I mean, the longer we delay this, the more that we can't redistrict the Staff from Planning to do stuff that really needs to get done. >> Member Johnson and then Member Kama and Member Sinenci. >> Well, okay, thank you, Chair. I will just jump in real quick.\r\n\r\nOf course, my inner feelings, a little bit have reservations about this, but obviously, the facts are the facts and it hasn't been working. I &%FO it hasn't been successful so far. I think sometimes we have to pivot, but I just for the record, and I don't think anybody would disagree, we all want to hear the community voices. We all want to have you guys come out and talk and tell us, you know? Share your mana'o with us,

but they haven't. So what do you do when no one is showing up? It's so frustrating. I just wanted to voice it, and I see other hands so I will defer.\r\n\r\nThank you, Chair. >> Member Kama. >> Thank you, Chair. I support passing this today. And doing anything else that the Committee decides whether they want to send it to Committee or what not. I think the urgency is to just pass it out today. Thank you.\r\n\r\n>> Thank you. Member Sinenci. >> Mahalo, Chair. I can support it today with reservations until we can hear more from the community. I understand the Members' concerns. I supported it back when we did create it because both Haiku and Kihei were the fastest-growing communities and we did want to get input from the community. But you know, with the Wailea 670 and Members agreeing to a Public Hearing to get more input from the community, I can support it today.\r\n\r\nThank you, Chair. >> Thank you. And for myself, I can support voting on this matter today, because it's not that we don't want additional input. We're having trouble filling our current standing Committees/commissions. That is one major problem, and the other major problem is that we don't have enough Staff to go around. So you know, inviting anybody interested to just participate with the Planning Commission or apply for the Planning Commission positions would be very Helpful. I saw another hand, Vice-Chair Sugimura.\r\n\r\n>> Thank you. When this came up in Committee, there was a testifier who wondered about up country, and that discussion did happen with, I think it was Director Blystone, who reacted to my question, can we establish something for up country and her Hansen as very clear, no. They are just trying to deal with existing. So I think we're hearing why not, another community group. So therefore, I support this and I appreciate working with the Planning Department being so honest and we appreciate Member Paltin bringing this forward. Thank you. >> Anybody else?\r\n\r\nMember Paltin. >> Oh, I did want to clarify that Hana abolishing the Hana Advisory Committee was never on the table. It was a Charter requirement, but even that in the discussion Deputy Director Lilas said they wouldn't support taking away the Hana Advisory Committee, because they would like to still utilize it. So I just wanted to make that clear that taking the Hana Advisory Committee was never on the table. >> Thank you. If there are no more discussions, all those in favor of the motion, please raise your hand, say aye. >> Aye see eight ayes -- nine ayes, zero nos, motion carries.\r\n\r\nMs. Clerk. >> Thank you, Madam Chair, before you is Bill 84 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 budget Appendix A part 1 Department of Environmental Management State of Hawai'i, Department of Health Clean Water Branch new appropriations of \$95,600. >> Vice-Chair Sugimura. >> May I please request the clerk also call up Bill 85 (2025) 85, and? Just those two. >> Just the two. >> No objections.\r\n\r\n>> Ms. Clerk. >> Bill 85 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 budget Appendix A part 1 office Mayor energy-efficiency and conservation block grant new appropriation of \$80, 750. >> Vice-Chair Sugimura. >> I move to pass Bill 84 (2025) and Bill 85 (2025) on first reading. >> Second. >> Moved by Vice-Chair Sugimura, seconded by Member Uu-Hodgins to pass bills 84 and 85 on second and final reading. Discussion, Vice-Chair Sugimura.\r\n\r\n>> Following first reading of the Fiscal Year 26 budget, the County received notification of new grant awards, and these two bills amend Appendix A, part one of the 26 budget to add the two new grants. 84 adds \$895,600 grant under the Department of Environmental Management for the State Department of Health, Clean Water Branch. The grant will fund an update to the County's Ma'alaea wastewater study to explore sewer pumping options. Bill 85 adds \$80,750 grant under the Office of the Mayor from FEMA's energy-efficiency and conservation block Grant Program. This grant will be used to acquire two Electric

Vehicles. I respectfully ask for the Members' support of my motion. Thank you, Chair.

>> Any more discussion?

All in favor of the motion to pass bills 84 and 85, please raise your hand, say aye.

>> Aye.

>> Nine ayes, zero nos, motion carried.

>> Thank you, Members.

>> Next.

>> Thank you, Madam Chair. Moving onto Ordinances for second and final reading.

Before you is Bill 18 --

>> Chair?

>> Yes, Member Rawlins-Fernandez.

>> Mahalo, Chair. Compliance with Sunshine Law, I'm at the Moloka'i airport in a public space and there are many people around me, walking around. We haven't boarded yet. So before we Board, may I request taking up Bill 49, so that I can do the motion on that, in case we start.

>> Any objections, Members?

Ms. Clerk.

>> Thank you, Madam Chair, before you is Bill 49 CD 1, FD 1 (2025) a Bill for an Ordinance amending Section 2.08.060 Maui County Code on salaries in the Office of Council Services.

>> Member Rawlins-Fernandez.

>> Mahalo, Chair. I move to pass Bill 49 CD 1, FD 1 (2025) on second and final reading.

>> Second.

>> Member Rawlins-Fernandez moved to pass Bill 49 second by Member Uu-Hodgins. Discussion, Member Rawlins-Fernandez.

>> Mahalo, Chair. While this is not the version of the Bill that I advocated for, I think it's in our best interest to move forward instead of sending it to Committee, which is why we're taking it up on second reading today. Members Paltin, Sinenci and Lee and I tried to best to explain the necessity of setting salaries that are equitable and competitive, that would carry the value of putting pressure on the entire system of salaries having the ripple effect of benefiting Bargaining Units, such as Bargaining Unit 3 and 13, and the private sector of similar positions. Support Staff like these really make it possible for us to do the work on behalf of the public. It's unfortunate that we weren't able to get five votes to set the salaries that were competitive, but mahalo, Chair.

>> Thank you. Thank you very much. Any further discussion? If not, all those in favor of the motion please raise your hand, say aye. Nine ayes, zeros no, motion carries.

Ms. Clerk.

>> Thank you, Madam Chair.

>> Which is the other one, Member Rawlins-Fernandez?

>> We took it up already, it was the Resolution.

>> Oh, okay. All right. Thank you.

>> Mahalo.

Ms. Clerk.

>> Thank you, Madam Chair. Moving going back to Bill 18 CD 2 (2025) a Bill for an Ordinance amending Chapter 2.56 Maui County Code to establish a pay range and pay scales for the Board of Ethics Staff.

>> Vice-Chair Sugimura.

>> If there's no objections may I please request the Clerk also bring up Bill 58 CD 1, Bill 63 CD 1, Bill 64 CD 1 and Bill 80 CD 1 (2025)

>> No objections.

>> Any objections, Members?

No objections, so ordered, Ms. Clerk

>> Thank you, Madam Chair. Before you is Bill 58 CD 1 (2025) a Bill for an Ordinance amending the Fiscal Year 2025 budget for the County of Maui estimated revenues, Department of Finance, Countywide costs reimbursement to the General Fund for projects disqualified from tax-exempt bond issuance. Bill 63 CD 1 (2025) a Bill for an Ordinance amending the Fiscal Year 2025 budget for the County of Maui estimated revenues Capital Improvement Projects Community Plan Area government facilities Bond Fund acquisition of 105 North Market Street, building and property and appendix C Department of Management Wailuku-Kahului Community Plan Area acquisition of 1015 North Market Street building and property.

>> Bill 64 CD 1 (2025) a Bill for an Ordinance amending Ordinance No. 5659 Bill No. 62 CD 1 (2024) relating to the issuance of General Obligation Bonds of the County of Maui, issuance, sale, and delivery of said bonds Department of Management.

>> Bill 80 (2025) a Bill for an Ordinance amending Chapter 3.36 Maui County Code relating to the Maui County grants program.

>> Vice-Chair Sugimura.

>> I move to pass Bill 18, CD 1, (2025) Bill 63 CD 1 (2025) Bill 64 CD 1 (2025) and Bill 80 (2025) on second and final reading.

>> Second.

>>

Moved by Vice-Chair Sugimura, seconded by Member Capitol Hill to passed bills as stated on second and final reading. Vice-Chair Sugimura. >> Thank you.\r\n\r\nNo discussion. Thank you, Chair, and for the Members' information, the Clerk passed out information on Bill 80 (2025) for the grantees that would be impacted by this passage. Thank you. >> Any more discussion? If not, all in favor of the motion raise your hand and say aye. >> Aye. >> Nine ayes, zero nos, Member Sinenci?\r\n\r\nMember Johnson? Motion carries. Thank you. >> Thank you. >> Ms. Clerk. >> Chair, before you is Bill 39 CD 1 (2025) a Bill for an Ordinance amending Section 3.68.030 Maui County Code on authorize for Fire hazard removal civil fines.\r\n\r\n>> Member Paltin. >> I move to pass Bill 39 CD 1 on second and find reading. >> Moved by Member Pattin, seconded by Vice-Chair Sugimura to pass Bill 39 on second and find reading. Discussion, Member Paltin. >> No comments. I respectfully ask for the Members' support of my motions. >> Any other discussion?\r\n\r\nIf not, all those in favor of the motion, please raise your hand, say aye? >> Aye. >> Nine ayes, zero nos, motion carries. Ms. Clerk. >> Thank you, Madam Chair, moving to Bill 77 FD 1 (2025) a Bill for an Ordinance authorizing the Mayor to enter into an Intergovernmental Agreement with the Federal Emergency Management Agency to allow the use of County property on Laukini Street Lahaina, Hawai'i for a temporary housing project. >> Member Paltin.\r\n\r\n>> I move to pass Bill 77 FD 1 (2025) on second and final reading. >> Second. >> Moved by Member Paltin, seconded by Vice-Chair Sugimura. Discussion, Member Paltin. >> Let's get some survivors back home to Lahaina. >> Yes. Any more discussion?\r\n\r\nAll those in favor of the motion, please raise your hand, say aye. Nine ayes, zeros no, motion carries. Ms. Clerk. >> Madam Chair, that concludes the business of the Council. >> Members, do you have any final comments? Or questions?\r\n\r\nIf not, this meeting is adjourned. [ GAVEL ] Thank you.