

WATER AND INFRASTRUCTURE COMMITTEE

Council of the County of Maui

MINUTES

May 18, 2026

Online Only via Teams

CONVENE: 1:33 p.m.

PRESENT: Councilmember Tom Cook, Chair
Councilmember Yuki Lei K. Sugimura, Vice-Chair
Councilmember Kauanoë Batangan, Member
Councilmember Gabe Johnson, Member (arrived at 1:35 p.m.)
Councilmember Alice L. Lee, Member (left at 2:19 p.m.)
Councilmember Tamara Paltin, Member
Councilmember Shane M. Sinenci, Member
Councilmember Nohelani U‘u-Hodgins, Member (arrived at 1:36 p.m.)

EXCUSED: Councilmember Keani N.W. Rawlins-Fernandez, Member

STAFF: Keone Hurdle, Legislative Analyst
Jarret Pascual, Legislative Analyst
Joshua Edington, Legislative Analyst Trainee
Zachary Stackhouse, Legislative Analyst Trainee
Carla Nakata, Legislative Attorney
Benjamin Silva, Communications Specialist
Lori Ann Tengan, Committee Secretary
Jean Pokipala, Council Services Assistant Clerk
Ryan Martins, Council Ambassador

Residency Area Office:

Roxanne Morita, Council Executive Assistant, Lāna‘i Residency Area Office
Susan Clemens, Council Executive Assistant, Makawao-Ha‘ikū-Pā‘ia Residency Area Office
Chaelin Ryu, Council Executive Assistant, South Maui Residency Area Office

ADMIN.: Caleb Rowe, Deputy Corporation Counsel, Department of the Corporation Counsel
John Stuffelbean, Director, Department of Water Supply
James Jensen, Engineering Program Manager, Department of Water Supply

OTHERS: Testifiers
Faith Chase
Tom Croly
Faith Chase

(31) additional attendees

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

CHAIR COOK: ...*(gavel)*... Will the Water and Infrastructure Committee of May 18th, 2026, please come to order. The time is now 1:33 p.m. May I ask that all participants please silence all noise-making devices. My name is Tom Cook, I'm the Chair. Members, per the Sunshine Law, please identify by name who, if anyone, is in the room, vehicle, or workplace with you today, exclusive of minors. I would also like to ask the Department representatives who have joined online to please also turn on your cameras when it's your time to speak. Now, I'd like to introduce the Committee Members. Committee Vice-Chair Yuki Lei Sugimura.

VICE-CHAIR SUGIMURA: Good afternoon, Chair.

CHAIR COOK: Councilmember Kauanoë Batangan.

COUNCILMEMBER BATANGAN: Aloha, Chair.

CHAIR COOK: Councilmember Gabe Johnson. He's...he will log in soon.
Councilmember Alice Lee.

COUNCILMEMBER LEE: Aloha, Chair.

CHAIR COOK: Councilmember Tamara Paltin.

COUNCILMEMBER PALTIN: Aloha auinala. Streaming live and direct from Hale Anuenue Skilled Life Care Center [*sic*]. I have with me Mildred H. Paltin and her nurse, Cheryl (*phonetic*).

CHAIR COOK: And Councilmember Keani Rawlins-Fernandez is excused for now.
Councilmember Shane Sinenci.

VICE-CHAIR SUGIMURA: Oh, he was there.

COUNCILMEMBER SINENCI: Aloha auinala, Chair. Here at my home office. I'm here by myself and there are no testifiers at the Hāna District office.

CHAIR COOK: And Councilmember Nohelani U'u-Hodgins. I believe she's going to log in a bit. From the Administration, we are joined today by representatives from the following departments; Department of Water Supply, Police, Public Works, and Corporation Counsel. From OCS, we're also assisted by our Committee Staff. Please see the last page of the agenda for information on connecting...connectivity. Good afternoon, everyone. We have two items on today's agenda. WAI-1(9), relates to the Discussion on Bill 76 (2026), Relating to the Water System Development Fee. WAI-23 relates to Amending Section 10.48.040, Maui County Code, on Parking Prohibitions for Certain Streets and Highways. Members, if there are no objections, I would like to take testimony after receiving opening comments on one...on WAI-19 and WAI-23.

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COUNCILMEMBERS: No objection.

CHAIR COOK: Thank you, Members. Let's begin.

**ITEM 1(9): DISCUSSION ON BILL 76 (2026), RELATING TO THE
 WATER SYSTEM DEVELOPMENT FEE**

CHAIR COOK: Members, WAI-1(9) relates to a Discussion on Bill 76 (2026), Relating to the Water System Development Fee. Under Rule...Rule 7(B), the Committee intends to receive a presentation from the Department of Water Supply on Bill 76 and to discuss the bill. Bill 76 proposes to restructure the water system development fee by shifting the calculation methodology from meter size to average daily demand. This ensures the fee more accurately reflects a project's actual impact on the County's water source, storage, and transmission infrastructure. The bill introduces the equivalence single...equivalent single dwelling, in other words, ESD, as a standardized unit of measurement and modernizes the terminology by defining the fee as extraction [sic]. These updates align with the County Code with the industry standards and current budget ordinances while ensuring applicants are not charged multiple times for the same impact. Additionally, the proposed...the proposal provides flexibility by allowing for deferred payments in specific instances to help ease near-term cash flow for developers. Bill 76 passed first reading at the May 15th, 2026 Council meeting, and is scheduled for second and final reading on June 5th, 2026. At this time, would the Department like to introduce themselves and provide any opening comments or presentations? Department?

MR. STUFFLEBEAN: Morning, Chair. Afternoon, Chair. This is John Stufflebean. And I'm just going to turn it over to James, who's in the Chamber. James Jensen. Thank you.

CHAIR COOK: Okay. Let's pause for a minute. I want to introduce and welcome Councilmember Gabe Johnson from Lānaʻi.

COUNCILMEMBER JOHNSON: Thank you, Chair. Good afternoon, everybody. Happy to be here online alone in my side...or in my office. Sorry, little jet lagged here today. . . .(laughing). . . No testifiers at the Lānaʻi District office, and I'm here and ready to work. Thank you, Chair.

CHAIR COOK: Thanks. I'd also like to welcome Councilmember Nohelani Uʻu-Hodgins.

COUNCILMEMBER UʻU-HODGINS: Good afternoon, Chair. Good afternoon, everyone. I'm in my personal vehicle right now waiting to pick my son up from school. I will be listening, but my service will be a little spotty. But I will be listening at the...I will be at my personal residence about 2:30, 2:45 with better connection then. Thank you.

CHAIR COOK: Thank you. So, I interrupted Water Director. I didn't hear what he said. Okay.

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MR. STUFFLEBEAN: Good afternoon, Chair. This John Stufflebean, Director of Water. Again, I'm just going to turn it over to James...to James Jensen, who's in the Chamber, and he'll also be making a presentation that...when you're ready for that. Thank you.

CHAIR COOK: Thank you, sir. So, Mr. Jensen...Jenkins [sic].

MR. JENSEN: Mahalo, Chair, for having us here today. Aloha, Members of the Committee. I'm getting this presentation teed up for us here. So, just before we get started...yeah, this is a...kind of a cleanup bill. It's a companion bill to go along with the...to support the fee structure that's proposed in the FY '27 budget. It's...also, we're going to...there's some terminology we're going to introduce that's going to kind of modernize our Code and align with what the industry is doing elsewhere. And of course, that realignment of our fee structure that we're...that you've seen in the budget ordinance. So, here's our presentation, and without further ado, we'll dive right in. So, this is just kind of a Bill 76 For Dummies presentation where we've got some snippets of the key provisions that we want to make sure everyone sees and understands. So, we'll just dive right in. So, the...the purpose of the amendment is to align our Code with the fee structure changes in the current budget ordinance. It's primarily driven by the instructions we receive from Council a little over a year ago, to shift to a development impact fee methodology that's based on average daily demand. So, we'll be...this...this amendment is going to introduce equivalent single dwelling terminology to our Code. We're going to use...adopt some industry standard terminology. And also, we use the term "rate" in our current code for things that are more like fees. So, we're just correcting some of those things and we are adding some consumer protection that was mentioned by Chair in his introduction around making sure folks don't pay a fee multiple times to address the same impact. So, definitions. In the...the definition of water...water system development fee, the current Code calls it a "rate," which it's a one-time fee, it's...it's an "exaction." So, we're just...we're just changing that terminology. It's always been pretty clear that we charge it once, but it's better to avoid the term "rate." You know, rates are...as far as our enterprise is concerned, rates are things that can be charged multiple times. They're typically associated with monthly usage and what we call unrestricted funds, whereas development impact fees are restricted funds, we can only spend those funds on certain things. So, exaction is a stronger term for a one-time cost. The current Code uses the term "recover," and this is just kind of cleaning it up. The...the term "recover" suggests that we're always collecting these fees in arrears where, in reality, sometimes those fees are collected...that once sufficient funds are collected, a...a project could be implemented. So, we're replacing the term "recover" with the term "defray." And of course, defray is simply to spread out the cost. And the...this term will...or this definition just creates a clear connection between the fee itself and the fact that it's for impact caused by development. So, the...the purpose of the Code chapter is just to provide clarity that the fee is directly related to mitigation of development impact. That's...that's...it's that...it's that same connection of the fee to the mitigation of an impact that will lead, on a later slide, to the additional language we're adding to the Code to make sure folks don't pay that fee again by accident, especially for properties that have been legally

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connected to the system maybe years, and years, and years ago when the fee structure was completely different or maybe nonexistent. And then we're introducing terms that represent the three components of the fee, which is additional source, storage, and transmission facilities. Some new definitions, we're bringing in average daily demand and equivalent single dwelling. So, we all know about the equivalent single dwelling, we've been talking about it a lot. And the equivalent single dwelling is simply a standard unit of measurement that represents a...a daily use of 300 gallons. So, average daily demand is simply it...at face value, it's the amount of water used on average per day. And then the equivalent single dwelling is just a unit of measurement of...based on how many gallons a day you're expected to use. So, these are just to, you know, help complete that shift to the new methodology and fee structure. And one key result of this bill is to trivialize the meter size. So, with this shift to a focus on daily demand, the purpose of the meter becomes much more simplified. It's just to make sure that we are measuring accurately and sending out bills that reflect the...the water used and make sure that folks are paying the correct amount. So, we're detaching this fee from meter size. So, up and down this 14.07.050, we've got the term "meter size" being replaced with "average daily demand." So, we're really just driving home that focus. So, we have folks...you know, services that have been connected to the system for a long, long time. We want to just add an exemption that makes it clear that as long as that service was legally issued and they're...they're legally connected to the system, we assume that whether they connected in the '40s, the '50s, the '70s, doesn't matter, they're connected. So, we don't know the circumstances under which prior developments would connect to the system. So, it's...in a lot of cases, before municipalities and utilities started adopting clear development impact fees, those impacts of development were mitigated in other ways through the construction of...of the actual source, storage, and transmission components, and then dedicated, or through other means. It's possible, too, that in the past, rates...the...the actual monthly bills collected funds for that. So, we don't know the circumstances under which any, you know, existing customer was connected if they go by...back really far in time. So, we're adding this exemption number 3 here that if, you know, the applicant or the applicant's predecessor in interest has already been granted the right to receive water service that is sufficient for the proposed use. So, whether or not we can find evidence that they paid an impact fee, if they're legally connected, we consider them legally connected and that their...their impact was mitigated one way or another. The fee deferral that was referenced in the introduction, this is for projects that are exempted under Chapter 14.12, Subsections 030 E and F, and those are for affordable and workforce projects. So, this will allow the collection of the fee to be deferred to the time that the impact occurs. And that's consistent with industry practice. So, a fee deferral is...is pretty commonplace, and it just helps those projects navigate their cash flows during construction. And it's okay...it's okay for us because those...those impacts don't happen until units occupy, so deferral of that fee is reasonable. And that's...that's the presentation, fairly short. We're here to answer questions and support the discussion. Mahalo, Chair.

CHAIR COOK: Thank you. Very comprehensive and exciting to hear this, and looking forward to getting it implemented. Corp. Counsel have any comments?

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MR. ROWE: I have no comments at this time, but I'm available for questions.

CHAIR COOK: Thank you. Before we begin discussion, let's see if anyone would like to provide testimony on WAI-1(9).

. . . OPEN PUBLIC TESTIMONY FOR WAI-1(9) . . .

CHAIR COOK: Staff, are there testifiers?

MR. PASCUAL: Yes, Chair, we do have two individuals signed up to testify.

CHAIR COOK: Okay. Well, I'm going to read the...anyone...anyone wanting to testify, please sign in the lobby, join the online meeting or call in the phone number noted in today's agenda. For online testifiers, please click the raise-your-hand button. For those calling in, please follow the prompts via star-5 to raise and lower your hand, and star-6 to mute and unmute. Please ensure your name on Microsoft Teams appears as the name you prefer to be referred to, or as anonymous if you wish to remain...testify anonymously. If you are in person, please notify the Staff you would like to testify anonymously. Otherwise, please state your name for the record at the beginning of your testimony. Written testimony will continue to be accepted, and can be submitted via eComment at mauicounty.us/agendas. Staff will enable your microphone and video when it is your turn to testify. Oral testimony is limited to three minutes per item. If you are still testifying beyond that time, I will kindly ask you to complete your testimony. You can view the meeting on *Akakū* Channel 53, Facebook Live, or mauicounty.us/agendas. Decorum will be maintained throughout this meeting. Breaching decorum includes anything that disrupts the orderly management of the meeting. Violation of decorum may result in being removed from the meeting. Staff, first testifier?

MR. PASCUAL: Thank you, Chair. The first individual signed up to testify is --

COUNCILMEMBER PALTIN: Chair?

MR. PASCUAL: Oh.

COUNCILMEMBER PALTIN: My mom's room...came in the room but it's...it's like a public place because there's no limit on visiting hours, so I don't know their names.

CHAIR COOK: That's fine. Thank you, Councilmember.

MS. CHASE: This is Faith Chase. I accidentally rose [*sic*] my hand, a little jumpy. I'm here to talk about Bill 49. Thank you.

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MR. PASCUAL: Thank you, Faith. We'll put you on the testimony log for WAI-23. In that case, Chair, the next testifier signed up is Tom Crowley. And if you could give me one moment to unlock your microphone.

MR. CROWLEY: Aloha, Council. Tom Crowley. I...I like what the Department has proposed or what...what you already passed with respect to the water development fees. It's not clear to me yet exactly how that's going to translate into what the fee that's actually charged at the time someone is making some construction. I looked at the...the rates and fees, and I guess it's based on their calculation of what the equivalent house that you're building is. But it's still not clear to me how that compares to what the original fees were, whether you're collecting more money or less money than in the past. But I also would like to see this philosophy applied to water rates. Right now, we're...we're applying to water rates these...kind of two different schedules...one schedule for if you have one dwelling...one residential dwelling or two residential dwellings, and then a different schedule for three or more. And...and I...just as there were problems with the original water development fees and how it...it wasn't fair to everyone, the...the new rate structure isn't fair to everyone who has more than...than...than one dwelling on their property...has two but doesn't have three, it...it seems to give a... So, I...I bring this up right now because the Department is here and I'd like them thinking about this in the future, to come up with a different way of setting rates kind of based on this same philosophy that we...that we brought forward here. So, again, I...I hope...I hope there's a little more clarity in exactly what the fee will be when someone is building, let's say, one single-family dwelling or when someone might be adding an accessory dwelling to an existing meter. It...it wasn't clear to me in the presentation exactly how that would be. But thank you for the opportunity to...to comment.

CHAIR COOK: Thank you, Tom. Any clarifying questions for the testifier? Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Mr. Crowley. I just was checking if you seen the...the Ramseyer version of the fees in the meeting details. It looks like 5,000, or something. Is that what you're referring to, or you're referring to something else?

MR. CROWLEY: That is what I'm referring to. And it's just not clear to me...like, okay. So, what's that 5,000 multiplied by to come up with the actual fee? Like...like if someone's adding a cottage, okay, is it \$5,000? If they're starting with a house and a cottage, is it \$10,000? It...it's...it's just not 100 percent clear to me how that fee is applied. Again, I know in the past, for a 3-1/4-inch water meter, which basically was what you needed for a house and a cottage, we were at \$18,000. So, it looked...it looked like it was too low to me. I...I...I don't want you missing out on money that...that I think they're going to need for development fees. But . . . *(inaudible)*. . . --

COUNCILMEMBER PALTIN: Okay. I'll...I'll try --

MR. CROWLEY: -- that's all. Thank you.

COUNCILMEMBER PALTIN: -- I'll try clarify it. I think it's not a fee. They said it's for the usage of 300 average gallons a day, but I'll try clarify what the exaction is.

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MR. CROWLEY: I...I appreciate that. Thank you.

COUNCILMEMBER PALTIN: Thank you.

CHAIR COOK: Members, clarifying questions? Thank you, testifier. Staff?

MR. PASCUAL: Chair, that's all the individuals signed up to testify on this item. If anyone in the audience or Teams would like to testify, please come up to the mic and begin your testimony or use the raise-your-hand function on Teams and Staff will unmute you. Here's a brief countdown...three, two, one. Seeing none. Chair, no one has indicated that they wish to testify.

CHAIR COOK: Members, seeing there's no more individuals wishing to testify, without objections, I will now close oral testimony.

COUNCILMEMBERS: No objections.

. . . CLOSE PUBLIC TESTIMONY FOR WAI-1(9) . . .

CHAIR COOK: As a reminder, written testimony will continue to be accepted into the record. Members, I'm proposing two rounds of three-minute questions per Member. Any objections?

COUNCILMEMBERS: No objections.

CHAIR COOK: Thank you, Members. Let's begin the discussion. We'll start with Vice-Chair Sugimura.

VICE-CHAIR SUGIMURA: Thank you very much. You presented at the Kula Community Association meeting. Appreciate you coming out to the community. And so, this that you're proposing is going to make it easier for the public in terms of understanding what's happening with their rates and fees?

MR. JENSEN: Yeah, thank you for the question. I don't know that it will make it easier for the public to understand. It's...it's a...a restructuring of the fee that will be charged per 300 gallons a day of estimated usage, right? And the...the combination...if it's a residential, then the combination of beds and baths computes into ESDs, and then that decimal...that...that number gets multiplied by the fee. And if it's a nonresidential project, it's just their estimated demand divided 300 to compute ESDs and then multiply by the fee. But yeah, I...I don't know that it will make it any easier or harder for folks to understand. It will make the processing of development review easier.

VICE-CHAIR SUGIMURA: And fair.

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MR. JENSEN: Yes.

VICE-CHAIR SUGIMURA: And not by fixture count because that was --

MR. JENSEN: Correct.

VICE-CHAIR SUGIMURA: -- pretty difficult. So, I was glad that when...well, you made that change last year, I guess. Thank you very much for doing that. Will this help with what our constituents have been concerned about with the overcharging of their water bills?

MR. JENSEN: This is unrelated to monthly bills.

VICE-CHAIR SUGIMURA: Okay. And...okay. I have a question about Kula water so I...I'll...I'll wait because it's not quite...not on the agenda but I going ask him later. . . .*(laughing)*. . .

CHAIR COOK: Is that it?

VICE-CHAIR SUGIMURA: That's it.

CHAIR COOK: Okay. Member Batangan?

COUNCILMEMBER BATANGAN: Can you actually go that way? Because I'm interested in the answers to Mr. Crowley's questions that Member Paltin is --

CHAIR COOK: Okay.

COUNCILMEMBER BATANGAN: -- better prepared to articulate.

CHAIR COOK: Council...Councilmember Johnson, clarifying...or questions for --

COUNCILMEMBER JOHNSON: Okay. Sure. Thank you, Chair. And thank you, Department for joining us. I appreciate you guys and all the hard work you do. You know, in your...in your presentation, I wanted to clarify that predecession *[sic]* of...or predecessor of interest; what is that? Can you...I...I want to know if that's defined is my question.

MR. JENSEN: This might be a question for legal counsel, but the...the intent of that term is simply to refer to prior owner.

COUNCILMEMBER JOHNSON: Okay. Is it defined in the Code or do...do you think we need to have it defined in the Code?

MR. ROWE: That's a fairly regularly-used term in the law, is predecessor in interest. It...it means the person who basically owned the property before you. So, that's...that's at least pretty well understood in our office, so I don't think there's a need to define it.

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COUNCILMEMBER JOHNSON: Okay, great. I figure I...I'd ask this, that 300 gallon seems to be standard across municipalities; is that correct?

MR. JENSEN: Yes, it's...it's a fairly common...yeah, fairly common value used in the industry for this type of methodology.

COUNCILMEMBER JOHNSON: So...and then I know you guys are the expert...the subject-matter experts. When we talk about like a low...a low flow, does that...does that...I would assume that would reduce the 300 gallons a day; is that right? It would...where does that go on the...before...at the beginning of...of the...of your...of your house? Or is that in every...every...every sink and every...every shower?

MR. JENSEN: Yeah, thanks for the question. So, low-flow fixtures are pretty standard across the...the country these days. When we were developing the methodology, we were reviewing modern fixtures and EPA national averages for per capita usage which is all kind of baked in the low-flow fixture --

COUNCILMEMBER JOHNSON: Okay.

MR. JENSEN: -- so those are incorporated into the standard.

COUNCILMEMBER JOHNSON: That...that was where I was headed with that question. I really appreciate it. Those were my...my two major questions. I just wanted to really thank you guys for the work we did on the...on the fixture counts. Big game changer in...in working with that...and changing of the Code, and I just appreciate your guys' collaboration. Thank you, Chair, no further questions.

CHAIR COOK: Member Paltin, clarifying ques...I mean, Member Paltin, questions for our resource people?

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Jensen. To follow up on Mr. Crowley's question, I just was wondering...I'm looking at the Ramseyer version of the bill. And it seems like, to me, what was happening was everything that wasn't a single-family dwelling was subsidizing single-family dwellings because on the bottom portion on a 5/8 inch, the source was \$31, the transmission \$389, and the storage was \$11 for a 5/8 inch. But for nonsingle-family dwellings...single-family and accessory dwellings, it was 5,789 for source, 3,859 for transmission, and 2,412 for storage. So, is it that we are taking and just applying a standard fee for anyone we expect to use 300 gallons of water per day? Is that how it works?

MR. JENSEN: Yes. So, if it's just --

COUNCILMEMBER PALTIN: Okay. Thank you.

MR. JENSEN: Okay.

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COUNCILMEMBER PALTIN: And then my follow-up question is...so, I just looked at my water bill. I'm at about 250 gallons per day. What happens if like all the grandkids come my house...we now are going to have ten grandkids pretty soon --

VICE-CHAIR SUGIMURA: Wow.

COUNCILMEMBER PALTIN: -- like stay at house and we're like going to have like 500 gallons a day. That won't be affected by this because it's a single development fee time [sic], right? Is that what you're saying?

MR. JENSEN: That's correct. There won't anybody lurking behind the bushes watching to see what you're doing, how much water you're using.

COUNCILMEMBER PALTIN: What if all the ten grandkids move in with us permanently and we're using 500 gallons a day average every week until they graduate high school and they're just being born right now. Then what happens?

MR. JENSEN: Yeah, we understand that that will happen. You'll receive a water bill for the water you use and we hope you pay it on time. But yeah, we know that this is a simplification and it's based on general targets, and patterns, and averages, and there will be some that are above and some that are below. It will happen.

COUNCILMEMBER PALTIN: Will there be a time when you ground truth the numbers? Like...I mean for me, right now, there is about five or so people showering baby at our house. And so, it's...it's true, three...less...a little less than 300 gallons a day. Will be...there be a time when you check back in, that 300 gallons is the average ESD?

MR. JENSEN: Most likely not. There...there will be outliers or hotspots where a usage is just out of this world, out of control . . .(timer sounds). . . could be a leak, something we have to investigate or, you know, maybe work with the owner to reign in that usage. But we're not going to be, you know, looking at all these services and making sure that they're right at that 300 per ESD.

COUNCILMEMBER PALTIN: Okay. I hope that answers Mr. Crowley's questions. I'll be checking my email just in case it wasn't clear. Thank you.

CHAIR COOK: Councilmember Batangan, you want now, or just continue? Okay. Chair Lee?

COUNCILMEMBER LEE: No questions. Thanks.

CHAIR COOK: Okay. And we still don't have Member Rawlins-Fernandez yet? Okay. Councilmember Sinenci, questions?

COUNCILMEMBER SINENCI: Mahalo, Chair. And mahalo, Mister--yeah--Jensen for the presentation. I just had a clarifying question. When you mentioned defray the cost, is that from the base of \$5,000?

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MR. JENSEN: The...the...yeah, the term defray is just to substitute for recovery. It's...it just means that we are collecting that fee for the purpose of distributing the cost.

COUNCILMEMBER SINENCI: Oh, okay. So...but it's...it could...the...the cost could range from the uses, correct? Not from the base...a base cost?

MR. JENSEN: I'm not...I...I'm not sure I understand the question, Councilmember.

COUNCILMEMBER PALTIN: It's...I might know the answer. It's not a usage fee, it's a development fee like when they get their water meter. So, it...I was asking other questions about usage, but it's a development fee and not a usage fee. So, if you never had a water meter, the...the cost is going to be 5,000 for...assuming that you're going to use 300 gallons a day average.

COUNCILMEMBER SINENCI: And so... So...but...but that's just the base fee. We're not...we're not changing that fee depending on if you're using more water or less?

COUNCILMEMBER PALTIN: Yeah. It's a one-time fee to get a water meter, kind of.

COUNCILMEMBER SINENCI: Okay. Thank you for clarifying. Thank you, Chair.

CHAIR COOK: Is Councilmember U'u-Hodgins on?

MR. HURDLE: Chair, she's online but her camera is off and --

CHAIR COOK: Okay.

MR. HURDLE: -- I see her unmuting, though.

CHAIR COOK: Does she have any questions?

COUNCILMEMBER U'U-HODGINS: *(Audio interference)* --

CHAIR COOK: I can't see.

MR. HURDLE: Sorry. Councilmember U'u-Hodgins, we can see you're online but it's very difficult to hear. The volume is very low.

CHAIR COOK: She warned me that it was poor reception. So, let me know if she raises her hand and we can go back to her. So, my...my question...sort of to clarify this, if someone is going to build a 100-unit apartment building, their meter fee is going to be based on how many ESDs is expected?

MR. JENSEN: That is correct, plus their estimated outdoor usage.

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CHAIR COOK: So, the 5,000, is that a baseline for a regular residential-type meter? I mean, that's somewhat the confusion. So, it could range from X to Y. Could you give somewhat of an example of what it would be for average residents, a single family, and then what it would be for a large commercial unit?

MR. JENSEN: Yeah. So, the...the fee structure is...does not discriminate on the end use of the water, right? So, whatever the cost is to develop the source, storage, and transmission for a certain amount of demand on the system doesn't...doesn't look to know how that water is being used. So, if it's a...a four-bed, two-bath home, that computes to be one ESD, they'll pay the...the...the \$5,500...whatever it...whatever it is. It'll be...yeah, 55 times the 1.0 ESDs. If they're like a auto...an AutoZone, or a parts house, or something, and they're going to use 300 gallons a day, then that is also one ESD, they would pay the same fee.

CHAIR COOK: Okay. Thank you. Member Batangan, are you ready?

COUNCILMEMBER BATANGAN: Thank you, Chair. Yes, and I appreciate your patience. I was also...I think I was confused in the same way Member Sinenci was after the line of questioning went from the single impact fee to usage fees. But I think I...I am more clear now on that. But I still don't think I quite get how...okay. So, I understand that there's a formula that's being used, but I don't think I understand what the outputs are in comparison to what we currently have with the...with it being tied to the size of a meter. So, say it's a single-family dwelling, say it's a single dwelling with a additional ADU. Like how does this new model compare to the previous model for those two scenarios...like a single-family dwelling versus one with an ADU versus what we currently have?

MR. JENSEN: Yeah, good...it's a good question. It...the answer is kind of what drove a lot of this shift. So, for a smaller meter...and again, the...the...we want to see meters as small as can to accurately measure the use for that single-family home or even like a four-bed, two-bath with a one-one 'ohana. The...the fees are actually very similar to what they were before. It's those large meters where the cost of the source, storage, and transmission for that demand kind of gets detethered. So, a...a prime example is a irrigation meter--but it doesn't happen very often--but say an irrigation meter that uses 9,000 gallons a day under...and it's a 5/8 meter, right? You can run that irrigation at a low rate all day, and you can use 9,000 gallons a day. Under the old system, you're going to pay 12...\$12,000 for that meter, which is not commensurate with the daily usage. So, under the new methodology, that 9,000, provided the applicant is honest with their projected usage, we would say take the 9,000, divide by 300, that's 30 ESDs times 5,500, their fee would be \$165,000.

COUNCILMEMBER BATANGAN: And does the Department have any mechanism to check the trustworth...I mean, are you completely reliant on the trustworthiness of the applicant, or is there some kind of independent verification mechanism in the review process?

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MR. JENSEN: Yeah. So, in the...in the case of the irrigation example, right? We have...we would be looking at their landscape architect's drawings, the way they've zoned their system, the water demands that they're...they're assigning to each different kind of zone of their landscaping. So, yeah, there's...there's a pretty standard methodology for reviewing and kind of confirming the adequacy of those irrigation usage calculations. When it comes to nonresidential uses, like restaurants, retail, office, we're...we'll be using our standards, which is a certain amount of...a certain gallon per day usage per 1,000 square feet. . . .*(timer sounds)*. . . And that's just for the different use types, and then that's...that's really what we have to go with, and then we'll convert that to the daily usage and a fee.

COUNCILMEMBER BATANGAN: Thank you. Thank you, Chair.

CHAIR COOK: Thank you. Second round. Member Sugimura?

VICE-CHAIR SUGIMURA: So, I appreciate Director Stufflebean sending me a text answering my question. He says, no one is being overcharged. If their bill is temporarily higher than their usage during an estimated period, it is adjusted when we get an actual meter read. And we adjust to make sure they get the full benefit of the tiers, if needed. Thank you, Director. James, you have something else to add?

MR. JENSEN: No, I...I think that covers it. Thank you.

VICE-CHAIR SUGIMURA: Thank you. Thank you, Director. Appreciate you. That was pretty cool, huh?

CHAIR COOK: Do you have any further questions?

VICE-CHAIR SUGIMURA: No.

CHAIR COOK: Okay.

COUNCILMEMBER BATANGAN: . . .*(laughing)*. . .

VICE-CHAIR SUGIMURA: That's . . .*(inaudible)*. . .

CHAIR COOK: Councilmember Paltin, I see your hand up.

COUNCILMEMBER PALTIN: Thank you, Chair. I guess, you know, knowing that we're in a housing crisis, I understand treating everybody that request a water meter fairly. I just was wondering how this would...how it would work? About 2.97, or like the deferral of fees for low-income housing, or affordable...or workforce housing. Is that what you had already worked with Mr. Mitchell on as you defer it until they start to use it, and then the Affordable Housing Fund can come in and pay the...the fee waivers to the Water Department? Is that what had happened? Because...I mean it's going...I...I don't feel like luxury homes, second homes, STRs, B&Bs should pay 400 for their water meter, but 400 to 5,400 is big jump. And I understand, you know,

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everybody has to pay their fair share, but in taxes, we shift the burden to those that aren't necessary, like people that live here need water to live. If you're vacationing here, that's a choice. I mean, I guess, economic development you need commercial, but is there a mechanism where we can waive the fees for affordable or workforce housing and have a different source? Like people that...whose job it is to create more housing pay the fee...or exaction...defray the exaction, or whatever, for the housing that we desperately need. Did you guys already work that out or is that a Housing question?

CHAIR COOK: Mr. Jensen.

MR. JENSEN: So, when it comes to...typically speaking, the...regardless of the use, the developer will pay the fee. In the case of the affordable and workforce projects, we have seen instances where the Housing Fund came in and paid the fee on behalf of the project. So, we would expect that...that dynamic to remain, but still leveraging the...the deferral mechanism to kick that can down the road a little bit if that...if that means it makes it a little easier cash flow-wise for the Housing Fund, then the...then the developer then...you know, we...we want to see that made easier for those folks too.

COUNCILMEMBER PALTIN: So, you're...you're assuming that the homeowner is not paying the fee, it's the developer --

MR. JENSEN: Correct.

COUNCILMEMBER PALTIN: -- just prior to sale. And you don't...you don't think that they're going to pass on that fee because 5,000 is not that much to them?

MR. JENSEN: Yes, I...I would expect it to be passed on.

COUNCILMEMBER PALTIN: Okay. And for what you were saying to Mr. Batangan, you're still going to not just take their word for it, you're going to review the plans and everything, and if it doesn't make sense...like you have 20-acre landscaping and they're like, oh, we assume we're going to use 300 gallons a day, you're going to be like, uh, you did your math wrong and kick it back, and then it's going to take longer and be more expensive to them because they lied and you caught it.

MR. JENSEN: Absolutely. So . . .*(timer sounds)*. . . the...the plans that we see, the...the landscape drawings, they're pretty detailed and the landscape architects are already pretty good at doing those calculations. What we've so far...yeah, it's pretty reasonable. And if we see something completely out of left field, we do reserve our right to ask them to try again, yes.

COUNCILMEMBER PALTIN: Thank you.

CHAIR COOK: Member Johnson, I see your hand up.

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COUNCILMEMBER JOHNSON: Thank you, Chair. This question might be for Corporation Counsel, but Mr. Jensen, I'm going to direct it to you. I...I...I'm not sure how to...how to proceed. But do you...you know, in a new system like this, do you expect challenges? Do you think some folks are going to be pushing against this? And then, is there a way for them to disagree? And how does that work? Is there a system for that?

MR. JENSEN: That is a good question. I'll...I'll start by saying that we haven't had...we've never had pushback when applying our standards for the nonresidential uses. We haven't had pushback against the standard assumptions of 600 gallons a day for a single-family home or 560 gallons a day for a multifamily dwelling. This new methodology, especially for multifamily, opens the door to actually driving down that average usage per unit, especially . . . *(inaudible)*. . . the new system will say that a one-bed, one-bath would use like 150 gallons a day. So, through the vetting process and kind of developing this methodology, we spoke with consultants, developers, other mem...people in the industry to make sure we were on the right track. We haven't had pushback yet and...yeah, I...I...I've had some folks kind of comment that they were wondering when we were going to make this kind of a correction to our impact fees. So, I expect it to be accepted by the development community.

COUNCILMEMBER JOHNSON: Okay. Good, great. Oh --

MR. ROWE: And I guess if...if I could...if...you...you just asked, generally, about a mechanism. You know, that would...the...the calculation of what the development fee would...would be considered a decision of the Director. And decisions of the Director are appealable to the Board of Water Supply pursuant to Chapter 14.11.

COUNCILMEMBER JOHNSON: Oh, so it would go to the Board of Water Supply then. Hmm. Okay. Well, then there's a mechanism there, that's...I think that's...that's fair. Okay. Thanks for your response. Thank you, Chair. No further questions.

CHAIR COOK: Member Batangan?

COUNCILMEMBER BATANGAN: Thank you, Chair. Can I ask when the Department started working to develop this new methodology? You said that it was in response to directions given by the Council last year, but can I ask when you guys started working on this proposal?

MR. JENSEN: If I recall correctly, about December 2024, January 2025-ish.

COUNCILMEMBER BATANGAN: Okay. I guess...so, I can't speak on behalf of the body, we have not, you know, spoken on that. But I can just speak for myself in that the...this proposal coming in with the budget packet makes it really hard to understand, you know, the nuts and bolts of...of what's being asked. And we are just...well, learning the details of those proposals after first reading, which is a little hard. So, if in the future we can have this type of briefing on the proposal prior to the budget being transmitted...or it being transmitted with the budget, I just would like to make that

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request. And I...I want to mahalo you guys for coming too, so that we can at least have this understanding before it gets taken up for second and final reading. And I want to thank the Chair. I just...and I want to recognize the politics at play. You know, it was part of the budget package and normally we can't speak about what's coming down the pipeline prior to it being transmitted by the Mayor. But, you know, this isn't part of what's being proposed in terms of funding or level of funding. This is a...this is a rate or fee that I think probably could've been discussed before, you know, that late March transmittal date. And so, if there's anything of this nature in the future, I just would like to ask for consideration that it be brought to the Members' attention, you know, when it's not being buried in the avalanche of other budget bills that we also need to take up.

COUNCILMEMBER PALTIN: Member Batangan, I think they did, a little bit, prior to your time because they --

COUNCILMEMBER BATANGAN: Oh.

COUNCILMEMBER PALTIN: -- they had been talking about the ESD previously, but not to this extent.

COUNCILMEMBER BATANGAN: Thank you, Member Paltin, that's...that's helpful context. And, you know...and 'e kala mai, Department, for...for that. But I guess I would like to let the request stand that, you know, something of this nature be brought up when there's time and attention for it prior to the second and final reading.

MR. JENSEN: Yes, we...we understand. Yeah, thank you.

CHAIR COOK: Councilmember Sinenci, do you have a second question?

COUNCILMEMBER SINENCI: No questions. Thank you.

CHAIR COOK: And did I miss anybody before I take my questions? Okay. I think...so, Mr. Jensen, we...I'll look up and forward...we...we did have previous meetings about this in my Committee and discussed it. Could you put in perspective...I...I guess I'll preface it, I believe--and you can correct me if I'm mistaken--that previously, for the last few years, the Department hasn't raised the development fees to the extent that is necessary to actually develop new sources, new storage tanks, and new transmission. Have we been behind for a period of time doing that?

MR. JENSEN: Thank you for the question. I would say, yes. The fee was last increased...it's been quite some time, but in general, yes, the fees are, in my opinion, well overdue for this restructuring. And in the out years of future budgets, we plan to include a 2 to 3 percent escalation per year because the...the fee has not escalated...meanwhile, the cost of everything that those fees are supposed to pay for has.

CHAIR COOK: Thank you. I recall in some of our meetings about this...Committee meeting previously and in your office discussing this, the...there is going to be a substantial

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jump, correct, in some of the larger meters as far as the ESDs that are taking hundreds and hundreds of units? If somebody needs a four-inch meter or a six-inch meter, they are going to have a substantial increase in that cost in the future?

MR. JENSEN: Typically, I would expect that to be the case. There...there will be some exceptions, but I would say typically, that's correct.

CHAIR COOK: And I just want to relay like to the...to the Committee, to everybody, that we discuss a lot about our water issues, shortages, some of the challenges of whether we're going to use surface water, groundwater, et cetera. We understand that the cost of housing is very expensive. Develop a well to put in a two-million-gallon concrete tank, to put in new 12-inch water lines, that stuff has gone up really a lot. So, this is, in my opinion, and discussion with the Department of Water Supply, and actually discussing with other developers and stuff, not necessarily a surprise. And the Department's working on the new methodology instead of the fixture count, and evolving and progressing to equivalent unit. It's...it's been a lot of work and I think people are going to really like it a lot more. How is the . . . *(timer sounds)*. . . well, I'll go for my third question in a minute. Thank you. Okay. Mr. Jensen, could you kind of give a brief synopsis of the review process previous with the fixture count, and current as far as the impact to the staff doing the review?

MR. JENSEN: So far, it's...it's good. You know, it's a new methodology; so we're out the gates okay. For all applications, in the past, it was count fixtures and haggle over a couple of fixtures here or there to avoid a change in meter size. Now, it's quickly count bedrooms and bathrooms. For commercial...we haven't really seen commercial yet, but it's just going to be application of our standard, what...look at the use type, what's the square footage of those different uses, apply the standard for average day consumption to each of those spaces, and convert...you know, divide by 300 to get the ESDs and then multiply by the fee. We do have a multifamily project that had couple hundred units, some nonresidential use at the ground level, and some irrigation use. The engineers did a really good job breaking that down and applying the new methodology. It was a mixture. It was, you know, using the beds and baths for the multifamily units, and then it was reviewing the irrigation calculations, which turned out to be good. And then also, some of the other shared spaces where there could be out...outside folks coming in and kind of uses that would occur on the property not related to the habitation. So, that was a fairly all-encompassing review that went...that went pretty well. So, a lot easier than poring over pages of plumbing drawings, especially when, you know, poring over pages of plumbing drawings didn't capture the right fee. So, to this point, it's been going pretty well, and we do just expect our staff to get better at it and for it to get easier.

CHAIR COOK: Thank you. I haven't heard anybody complain about it. Everybody has been pretty stoked on the evolution, I would call it. Are there any more questions? Oh, Member Paltin, I see your hand up.

COUNCILMEMBER PALTIN: Thank you, Chair. I'm not sure if this is a question for Corp. Counsel or Mr. Jensen. I did hear...like, you know, we haven't significantly

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increased the fees, and this is the baseline of like, you know, 5,000, expect 2 or 3 percent. And just clarifying, that wasn't fees. You're talking about this exaction, this one-time development fee may increase 2 to 3 percent over the next few years...is that what you were saying?

MR. JENSEN: So, we...we...the Department actually wanted this fee to be more this year. So, what we did be...because it was...it was...just to avoid sticker shock, we are phasing this fee in over the next three years. But once the fee is...you know, the...the...the few...subsequent years we will add that 2 to 3 percent for inflation, and that's just...yeah, just to this development fee...just to this one-time exaction.

COUNCILMEMBER PALTIN: So, I guess the question that maybe Corp. Counsel or maybe you, is it possible that when you raise it 2 to 3 percent next year or the following years, that we keep it where it is for residential and instead raise it six percent in nonresidential instead? Would that be legal? Or would that be not what you want to do? Because that's a little bit what we do with property taxes already. And it seems that was the previous methodology, to transfer the water development fee or exaction to nonresidential. So, if we could transfer the increase to offset for residential, is that a possibility?

MR. JENSEN: So, that...that's a good question. I'll take my first stab at it and then I'll let legal counsel have their stab. So, yeah, I think we...we feel like this conversation will come. Step one was restructure the fee. And just for this initial rollout, we did not try to differentiate between the different uses which would've led to a much longer table of different fees. So, we wanted to rollout something simple to get us started. I...I believe the way the Code is written, we would have space for that fee to vary by use. But I will...I will hand over to Caleb for his thoughts on that.

MR. ROWE: So, I...I don't see a problem with doing that necessarily. I...I don't know how feasible it actually is though because if you recall, this is going to be a one-time fee right at the beginning, right? So, it's done when the development is first done and use can change over time. And, you know, it...it...there wouldn't really be a mechanism for go...us to go back based on the new change in use. Unlike taxes, right, where they...they update us on what their use is going to be, unlike their...their actual rate fee --

COUNCILMEMBER PALTIN: Yeah.

MR. ROWE: -- for the water that they're getting --

COUNCILMEMBER PALTIN: -- I guess --

MR. ROWE: -- we actually do--yeah.

COUNCILMEMBER PALTIN: -- I was talking more towards like zoning. Like the Ramseyer version it looks like residential, single family, or accessory dwellings were charged a nominal fee of like 400 or something, whereas all others, based on meter size, were

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charged like up to a million, or something like that. So, if we went by zoning, I guess, residential being given, say, a sweetheart deal and other...any other zoning--whether it's business, light industrial, heavy industrial--like those kind of things, could we do it by zoning? I understand like, you know, people go and build residential (*audio interference*) and light industrial or business, but they have so much more flexibility to have other uses that would bring in more revenue. And so, could it be done by zoning? Like anything residential--R-1, R-2, R-3, A-1, A-2--maybe get the sweetheart deal, but then go B-1, B-2, B-3, commercial, light industrial, heavy industrial get the six percent increase instead?

MR. ROWE: I would have to look at that a little bit more. Just...just one thing off the top of my head that I am little concerned about is, we are...this new system is supposed to be...kind of more directly reflect what the actual impact on the water system is going to be.

COUNCILMEMBER PALTIN: Uh-huh.

MR. ROWE: And so, applying that uniformly makes sure that there's a direct . . .(*timer sounds*) . . . nexus between what the exaction is, and what the impact on the system is going to be. You know, the...the impact on the system really is based on the amount of water that is used rather than how it's used. So, I would be a little concerned that if we did make that distinction, we would be subject to...it's called the Nollan-Dolan analysis of whether or not an exaction is directly tied to the effect that it has on this case, on the...on the water system development fee. I haven't done any research on this. This is right off, you know, the top of my dome . . .(*laughing*) . . . at the moment. But that...that's just the thought that I have.

COUNCILMEMBER PALTIN: So, does the previous way that we were doing it with the residential single-family meter size getting the sweetheart deal, pass the Nollan-Dolan? Or it wasn't necessary because we weren't having the nexus at that time? We were doing like fixtures and water meter size. Because it seems as though that was previously the methodology, a sweetheart deal --

MR. ROWE: So --

COUNCILMEMBER PALTIN: -- for a single-family residence.

MR. ROWE: So, what...what you're referring the deal, I believe, is more on the rate structure. The water system development fee was tied to the meter size and not necessarily to the use, I believe. So, I'm...I...I think we're...we're confusing the...the two. You know, there's a water system development fee and there's the...the water rates per gallon. And so that...that distinction existed for the rates per gallon, it did not exist for the water system development fee. That was solely based on meter size.

COUNCILMEMBER PALTIN: Are...are you sure? When I was looking at the Ramseyer below it said source, transmission, storage on the bottom portion that's X'd out, or being not

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used. So, you're saying those are... that bottom where it's 389 is in reference to rates and not the...the development exaction?

MR. ROWE: Sorry. I...I see what you're saying. So, that was based on purchasing additional fixtures. The...the fixture count was kind of the specific thing that the legislation that was proposed by Member Johnson specifically told us to get rid of. So...so, that's why that was taken out. But yeah, that...that...that was the only place that that was distinction was made, it wasn't in the general water system development fee.

COUNCILMEMBER PALTIN: Oh, okay. Thank you. So, I...I misunderstood.

MR. JENSEN: Yeah. And I can add just one quick clarification. So, that 389 is the cost per additional fixture for someone served by a 5/8 meter. So, they would've paid the \$12,000 to...and to get their initial connection. So, the 12,000 for the 5/8 was their impact fee. The 389 per additional fixture is the impact fee for each additional fixture. So, those are both impact fees, but one of them is for the original meter and then the other is for each additional fixture under the old system.

COUNCILMEMBER PALTIN: Okay. I totally misunderstood. So, then...then I see what...what it's saying this is, and it'll have to increase because it's...it's cheaper than the smallest meter size. Got it. Thank you.

CHAIR COOK: Thank you. Members, are there any other questions? If not, I'm going to...no objections, the Chair would like to defer this item.

COUNCILMEMBERS: No objections.

ACTION: DEFER pending further discussion.

ITEM 23: BILL 49 (2026), AMENDING SECTION 10.48.040, MAUI COUNTY CODE, ON PARKING PROHIBITIONS FOR CERTAIN STREETS AND HIGHWAYS

CHAIR COOK: Okay. Thank you, Members. So, like to move onto Bill 49, Amending Section 10.48.040, Maui County Code, on Parking Prohibitions for Certain Streets and Highways. I'd like to invite Member Batangan to make a state...opening remarks. This is your item.

COUNCILMEMBER BATANGAN: Oh, thank you, Chair, for the opportunity to speak and for scheduling this bill. So, this bill, Bill 49 (2026), started with Councilmember Kama back in January of 2025. Two business areas in Kahului were experiencing issues with overnight parking that was unrelated to the adjoining businesses. They approached Councilmember Kama to address the overnight parking on county roads that was resulting in negative impacts on adjacent private properties. The roads in question are the three roads that are situated between Dairy Road and Mayor Elmer

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Cravalho Way [sic], which is kind of that triangle by the McDonald's off of Dairy Road. That's what most people know it as with...with Ballard Family Mortuary in the...in the far end of the triangle. You know, they had tried for a while, you can see in the...in the testimony submitted that they had reached out to different entities asking for help with this. And the feedback that they had gotten was that the existing overnight parking ban that the county had was insufficient because MPD couldn't enforce it. It was too difficult to determine whether a...a car was there for two consecutive hours throughout the...you know, the evening. And so, what the discussions with Councilmember Kama and the business community resulted in, was a request for a parking ban from 6:00 p.m. to 6:00 a.m. That would be easier for MPD to be able to enforce and be able to help keep our streets cleaner and safer for the businesses and the...and the...the patrons of those businesses. I'd also like to note that there's a letter from the Police Department, it's Granicus item number 3, indicating that if this parking prohibition is enacted that it would be enforced. So, the request is from both the businesses, MPD, who are having trouble enforcing the existing law, and...and myself on behalf of Councilmember Kama. Thank you, Chair.

CHAIR COOK: Thank you very much for bringing this forward, and let's hear it. So, Members, WAI-23 relates to Bill 49 (2026), which establishes overnight parking prohibitions on Lehuakona, Ala Makani, and Ohekani streets in Kahului to ensure these thoroughfares remain clear and safe for the community. Bill 49 promotes public safety and orderly management of County roadways to maintain unobstructed streets during nighttime hours. Ensuring these roadways remain clear is essential for maintaining adequate visibility within the neighborhood and protecting the transit and safety of surrounding community. At this time, we'd like the Department of Police and Public...Department of Public Works like to introduce themselves and provide any opening comments or presentation.

MR. HURDLE: Chair, I don't believe we have anyone online from the departments. But as Councilmember Batangan noted, the Police did send their response and it's available on Granicus.

CHAIR COOK: Okay, thanks. Corp. Counsel, do you have any opening remarks regarding this?

MR. ROWE: I do not. Thank you, Chair.

CHAIR COOK: Okay. Okay. Before we begin our discussion, let's see if anyone would like to provide testimony on WAI-23.

. . . OPEN PUBLIC TESTIMONY FOR WAI-23 . . .

CHAIR COOK: Staff, do we have any testifiers?

MR. PASCUAL: Thank you, Chair. The first individual signed up to testify is Lisa Darcy, to be followed by Faith Chase. *(pause)*

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MS. DARCY: Thank you, Chair --

CHAIR COOK: You're welcome.

MS. DARCY: -- and good afternoon. My name is Lisa Darcy and I am the founder of Share Your Mana. I am here today to testify on Bill 49. And I am asking for this to be paused. I think it makes sense not to have any forward motion until...first, I haven't heard the presentation. I wasn't really able to understand why this has gotten to come to this Committee. I can tell you that, as you know, over the years...decades, that I have done a lot of testimony on preventative and root causes of individuals living in conditions that are not meant for habitation. And I know quite a few people live in their vehicles and there is never been established safe parking, or anything like this. So, I was highly concerned when I saw this bill. And I'm not quite sure how the person who presented this defines public safety. So, I think Maui County has actually been aggressively criminalizing vehicle residency, especially because there's no other option. So, I'm always looking at the root causes. If this bill moves forward, what I would ask is that it actually identifies the root causes. Why are you actually suggesting this? And for people that are going to be affected by this, then what are...what are the things that can support them, or why...what's going on with that? So, if public safety is anything other than like an emergency vehicle needing to get by or cannot pass, then again, I...I really ask that this bill address root causes. It's really important for this not to just move something that's perceived as a problem to another location. So, I...I really want to make sure that that gets brought across. And I'm hoping that this Committee will really dive into this a little more. I'm always here to give suggestions and recommendations, and certainly share the experience of Share Your Mana. And...yeah. So, I'm just looking for solutions or a greater understanding as to what this is about, why it moved forward. And if I'm totally off base, I'm sorry, but I don't like it...the actual bill didn't give very much background information or what's happening that... So, that's...that's where I'm at. But mahalo. Glad to be here. Mahalo.

CHAIR COOK: Members, any clarifying questions? I guess my clarifying question...thank you for coming. This is addressing basically side-street parking in the commercial areas on public highways. So, do you feel that that's inappropriate not to have side-street parking?

MS. DARCY: I feel that it's appropriate to have side-street parking for...I...what I would like to see is the...the research or the data as to why cars are there, and if people are just abandoning their cars so that they get towed away, or something like that, or if people are living in them, if they are blocking things. Again, we have to address the root causes of why those cars are there. And if people are using them as a safe-habitation location, it's really important that this County recognizes that without shelter beds...and over the last five, seven years that we've lost so many beds that --

CHAIR COOK: So --

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MS. DARCY: -- we don't have places for people to go in these crises.

CHAIR COOK: -- thank you. You answered my question and I get it.

MS. DARCY: Yeah.

CHAIR COOK: So, look further into that.

MS. DARCY: Right. But, you know, I have a lot more history, and it's really important that you understand that I have a lot of history on this. And I don't want this circle to keep going around and around, so...

CHAIR COOK: Yeah.

MS. DARCY: Mahalo. The wheel --

CHAIR COOK: Thank you --

MS. DARCY: -- keep turning. . . .*(laughing)*. . .

CHAIR COOK: Thank you very much.

COUNCILMEMBER BATANGAN: Chair, there were Members online asking --

CHAIR COOK: Okay.

COUNCILMEMBER BATANGAN: -- for clarifying question.

CHAIR COOK: And I will ask everybody's patience with me because my video is really funky and I'm going to work with Staff on this later because it's hard to see my people and not all these logos. Okay. Who...whose hand is up? Member Johnson, clarifying questions?

COUNCILMEMBER JOHNSON: Clarifying question for Ms. Darcy. First off, I agree with your testimony, Ms. Darcy. And I'm wondering if you've heard anything from the Administration about the safe parking or safe zones? Because if we put this up, then there...there'll be another street and another business that says, we don't want this...you know, it's just going to move people. So, have you heard any updates on safe parking, safe zones, or managed . . .*(inaudible)*. . . anything on the lines where if those folks couldn't park there, where can they go?

MS. DARCY: No. And yes, it's a slippery slope --

COUNCILMEMBER JOHNSON: Okay.

MS. DARCY: -- very, very slippery.

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COUNCILMEMBER JOHNSON: All right. You...yeah. Me neither. Okay. Thank you, Chair.

CHAIR COOK: Thank you, Member Johnson. Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. So, my clarifying question is in reading the testimony, it does seem that the issue is people habitating and using the restroom in front of their businesses. Is it your...my clarifying, is it your request that we hold off until the safe...safe parking place is opened up?

MS. DARCY: Absolutely. That would...of course, that's been our position through all of the ordinances that have moved forward. Unless the County has...is willing to make mobile bathrooms, or anything like that too, it's just always another idea.

COUNCILMEMBER PALTIN: I mean, I got a Luggable Loo from Walmart, but...yeah. Okay. Got it.

CHAIR COOK: Any other further questions? Thank you very much.

MS. DARCY: Mahalo plenty.

CHAIR COOK: Staff, next testifier?

MR. PASCUAL: Thank you, Chair. The next individual signed up to testify is Faith Chase. And if you can give me one moment to unmute her mic. Okay. Faith is now unmuted. So, if she's able to unmute on her end, then she can begin her testimony.

MS. CHASE: Aloha. I recorded...I timed myself. If I run out of time, I would ask any of my fellow...I'd ask my Councilmembers to ask me a question about DOT, specifically. I'm in strong opposition to Bill 49, which seeks to prohibit overnight parking on Lehuakona Ala...Ala Makani, Ohekani streets in Kahului between the hours of 6:00 p.m. and 6:00 a.m. First, the bill's summary does not clearly describe the 104 multi-island streets and highways numbered in the bill language. Perhaps because Councilmember Batangan is new, he is unaware of the history of the safe sleeping parking lot and the lawsuits in the State of Hawai'i and Maui County...the mere introduction of this bill, deeply disappointing and morally indefensible, given the current reality facing Maui's houseless and vehicle-dwelling residents. Maui County has failed to establish adequate safe sleeping parking programs, sanctioned overnight vehicle areas, or meaningful emergency alternatives for residents who have nowhere else to go. Yet in state of crate [sic]...instead of creating solutions first, the County is attempting to further criminalize survival. This proposal is particularly alarming because Maui County and the Mayor are already involved in active litigation regarding unlawful sweeps and the treatment of houseless individuals. Introducing additional enforcement-based measures while those legal challenges remain unresolved demonstrates a disturbing disregard for constitutional rights, due process and human dignity. The County should be exercising caution and restraint, not expanding punitive policies that will also...almost certainly expose taxpayers to further legal liability. You cannot ethically or legally eliminate places where people are surviving in

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their vehicles without first creating realistic, accessible, safe alternatives. The County has not done that. This bill will not serve houselessness. It will simply push vulnerable residents from one street to the other...to another, increasing instability, trauma, and conflict with law enforcement while making life even more dangerous for working families, kūpuna, disaster survivors, and individuals already struggling to survive Maui's severe housing crisis. If public safety is truly a concern, then the County should immediately prioritize establishing safe overnight parking programs with sanitation and security; creating designated safe sleeping areas for vehicle dwellers, we've talked about that; expanding emergency shelter and transitional housing capacity; investing in outreach mental health support and housing-first strategies; and developing lawful humane policies--listen carefully--in consultation with impacted communities. Only after these systems exist should the Council even contemplate additional parking restrictions that directly impact houseless residents. The County should be ashamed to advance punitive enforcement measures before creating compassionate and lawful alternatives. Maui residents deserve leadership rooted in humanity, legality, and practical solutions, not ordinances that continue to criminalize poverty while the County remains under scrutiny for its treatment of the houseless community. I've mentioned this before. The DOT has new roles that have not been fully distributed and learned by security officers. In short, any time you want to make a change to a highway that isn't a purview of the DOT, you must have a public hearing for Native Hawaiian individuals and organizations 60 days before any decision making. I saw Maui County Staff at the Maui meetings and I saw DOT personnel at the O'ahu ...*(timer sounds)*... meeting. The dissemination of this information needs to be accelerated, and you, the Council, should advise your Administrative Staff to find more information so you don't get put in this position again. I urge you to reject Bill 49.

CHAIR COOK: Thank you. Members, clarifying questions? Thank you very much. Staff, further testimony?

MR. PASCUAL: Thank you, Chair. That's all the individuals signed up to testify. If anyone in the audience or on Teams would like to testify, please come up to the mic and begin your testimony, or use the raise-your-hand function on Teams and Staff will unmute you. Here's a brief countdown...three, two, one. Seeing none. Chair, no one has indicated that they wish to testify.

CHAIR COOK: Members, seeing there are no more individuals wishing to testify, without objections, I will now close oral testimony.

COUNCILMEMBERS: No objections.

. . . CLOSE PUBLIC TESTIMONY FOR WAI-23 . . .

CHAIR COOK: As a reminder, written testimony will continue to be accepted into the record. Members, I'm proposing two rounds of three-minute questions per Member. Are there any objections?

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COUNCILMEMBERS: No objections.

CHAIR COOK: No objections. So, it's unfortunate that we don't have representatives from Public Works and MPD here today to weigh in on this. How about for Corp. Counsel, got a response on some of the...the testimony we heard?

MR. ROWE: I...I'd be happy to answer questions that Members may have.

CHAIR COOK: Members? Member Sugimura.

VICE-CHAIR SUGIMURA: Yeah. So, I guess if...did we ask somebody from Human Concerns to also comment on this homeless situation for the questions that came up?

CHAIR COOK: I did not ask.

VICE-CHAIR SUGIMURA: Oh, okay. I am curious then, Corp. Counsel, if you have any comments based upon if we have an obligation to homeless gatherings, I guess, on our public streets that we should know about...DOT or Public Works? I think these are...these are probably...is it State or is it Public Works roads?

MR. ROWE: Ah, these.

VICE-CHAIR SUGIMURA: It looks like...it looks like Public Works.

MR. ROWE: Yeah. So, these...these would fall under the jurisdiction of the Department of Public Works because they are county roads.

VICE-CHAIR SUGIMURA: Yeah.

MR. ROWE: You know, this list is not exhaustive of all roads on the County of Maui. I think that that's just one thing that I...I would mention, it...it adds three...three roads. It doesn't criminalize it uniformly.

VICE-CHAIR SUGIMURA: Okay. So, nothing wrong is happening and it's just a measure...or I guess the response, I think, that Member Kama must've had complaints from the community. And so, this is...this is a bill that is addressing those complaints, it sounds like, from Member Batangan in...in her behalf. No other questions, Chair.

CHAIR COOK: Thank you. I have--other Members had their hands up. Member Batangan, do you have a question? Or...okay.

COUNCILMEMBER BATANGAN: I...I don't have a question, but I'm happy to speak. I'm also happy to defer since I was given the first opportunity to speak and then let the other Members have their...their round first.

CHAIR COOK: Okay. Member Johnson?

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COUNCILMEMBER JOHNSON: Okay. Well, Members, we don't have any of the departments to here to have...have a real discussion. I think we just would be arguing amongst ourselves. So, Members, I...and I would just prefer we defer this until we get some folks in here from the department to talk about this. I don't think it's very healthy for us to kind of rehash this type of topic...when there's no departments, and no real discussion is going to happen. So, I'm just going to end it there because you know me, I can go off on this topic. So, thank you, Chair.

CHAIR COOK: Thank you, Member Johnson. Member Paltin.

COUNCILMEMBER PALTIN: Thank you. I have...request also to defer. And I would request that when it brings up again that we do have someone from the Human Concerns, from...someone from Management, someone from Police to be here. My issue...I don't know who wrote this for Member Batangan, but generally speaking, when we introduce a bill, we go through the entirety of the bill to make sure that everything is up to date. And even if I agreed with no parking on these three streets in advance of another solution, it's a flawed legislation. Who knows where old Pioneer Mill Company's Clubhouse is in our Police Department? Who knows where old Collins Park is? Who knows where the old Wong Store is? Who knows where old Lahaina Broiler is? You know, usually when we go in and we amend a bill, we go through the entirety of the bill and we make sure it's all up to date. In...in the Lahaina District, many of the places don't exist anymore and it's...it's not consistent. Like sometimes you say East Side, sometimes you would say West Side, sometimes you say Kā'anapali side. And I think all of that needs to be picked up before...or cleaned up before we pass anything. I...I did put in a PAF today...or, you know, I...I spoke to Mr. Raatz over the weekend about it. But my mom was getting discharged from the hospital to come to this skilled nursing facility and I didn't have time to do an intake. Even if I had time to do an intake, how's the analyst supposed to find out the address of the old Lahaina Broiler, or where old Pioneer Mill Company's Clubhouse is? I don't...I don't know where old Collins Park is, you know? So, there's a lot of outdated things in this bill. And for us to pass this bill right now without asking even the Police if they know where old Pioneer Mill Company's Clubhouse is. I don't expect a police officer today, that maybe moved here from somewhere else, maybe grew up in Wailuku, to know where those things are. So, we're going to be passing a bill that we don't even know if they know how to enforce, first of all. And then, you know, this Council has been advocating for safe places to park since Kelly King was in office, and it still hasn't become fruition, which...whatever on that. But like you could make a solution if you . . . (timer sounds). . . really wanted to. We have county beach parks that have outdoor showers and bathrooms if somebody were to manage it. Last year I floated the idea of a swimming pool during off hours as a safe parking place because they have bathrooms that, in my experience, aren't regularly cleaned anyway. And maybe they could do a win-win where the program cleans the bathroom and they get a safe place to park and use the bathroom and shower. But this is criminalizing people when the solution that we suggested years ago has never come into fruition. And to be clear, that's not just on this Mayor because the solution was suggested during the previous Mayor's term and it still hasn't come to fruition. So, I'm not opposed to it. I do want

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to see our business owners not have to walk over shit to get to their workplace...I don't think that's right. But we also have a responsibility. I don't think we could say, we're not doing anything wrong. We're certainly doing something wrong if we haven't implemented safe places to park by now when half of Lahaina burned down. I mean, the whole town of Lahaina burned down, but the majority...part of the West Side. So, that's how I feel. I'll be also asking for a deferral because things need to be cleaned up, things need to be implemented, and then this can move forward. Thank you.

CHAIR COOK: Thank you. Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. I...I did want to add to the discussion that our Committee will be receiving an update on safe parking from Department of Human Concerns on June 29th. It doesn't mean that there's going to be parking available on June 29th, they're just issuing an update for us on June 29th. So, I would be...I would be supportive of holding up until we can get the safe parking up and running. I...I do know that...Chair, that Member Kama received a lot of the...the complaints when the Pu'uhonua o Nēnē was up and running, and there was a lot of people in the area because the...the State shelter was there. So, I'm not sure if things have changed since...since the Pu'uhonua has ended. But I...I remember having that discussion during that time, Chair. Thank you.

CHAIR COOK: Thank you, Member. Member, any other comments before I do? Member Batangan.

COUNCILMEMBER BATANGAN: I was trying to let you know that Member U'u-Hodgins is trying to seek your attention.

CHAIR COOK: Thank you for that help because I can't see. Member U'u-Hodgins.

COUNCILMEMBER U'U-HODGINS: Thank you, Chair. Before I launch into some discussion, I just wanted to let you folks know that I'm at my private residence and I have three minors walking about. I can defer if that's what the body would prefer to discuss with the departments, which I'm happy to discuss with the apartment...departments too. I don't know if everybody saw, but over the weekend there was a *Civil Beat* report--or maybe even on Friday--discussing how our unsheltered population rose by about 40 percent. Meanwhile, we're investing about \$4 million every single year. So, I'm not too sure how this is really benefiting all of us. I'm not too sure where our return on investment is if our population is raising that significantly. Meanwhile, the population of the shelters hasn't changed. And so, I'm not too sure how our unsheltered advocates are being successful if we have a population rise of 40 percent. I would like to also comment, when we talk about the people who are being impacted, it is not only the people that are living in the cars--which I do want for them to be safe and have a safe place for them to use the restroom because that's not what we want in a civilized society in 2026. People should have access to restrooms. People should also want to go and seek shelter and get help as well. And we also need to be concerned about the safety of the people that work in those areas. I know Member Sinenci said that maybe the population has changed in

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the last few months as the Pu'uhonua o Nēnē, whatever we're calling it, is no longer in operation, but the testimony we got was from the 15th and then the eComment was from just the other day, where they're talking about walking over feces and sending it to DOH. And it...it is...it is a safety concern...that is also a safety concern. My last comment is that the roads are for driving, and that's the primary use of roads. We do all kinds...we're about to do the South Maui Community...you know, all the things we got to do. We talk about zoning all the time, and roads are for driving and roads should be for driving. And we can find a safe parking area, I'm...I'm super supportive of that, but the roads are for driving. And it is so unsafe when I have to drive and you see the sides of the roads become a defunct unsheltered facility. And people are walking all over the streets, and it's not safe for them, and it's not safe for drivers. Considering we do zoning all the time, if somebody was to have a residential-zoned property and they wanted to do something outside of residential use, they would need a special permit. That is what we make other people do when we're asking people to follow the law. And so, when you're having an encampment on the side of the streets everywhere, that's not what we ask everybody else . . . *(timer sounds)* . . . to do. We were just talking about housing and how this is going to work, and how this works with housing in our previous discussion. So, let's keep it consistent. I want them to be safe. I want the businesses to be safe. I want our drivers to be safe. And I want the roads to be used for what the roads are supposed to be used for. But I'm happy to defer, I just wanted to get my point across. And I'm...I'm hopeful that we will have departments come and help our discussion along. And I do think it also should be cleaned up a little bit because I saw all the things that I was like, oh, I wonder where that is too. But anyways, thank you, Chair, and nice to see all you folks now that I can be sat and listen to you folks talk. Thank you.

CHAIR COOK: Thank you, Member. Okay. Chair's comment...I'm really glad...okay. We hear this in Committee for a reason and I'm really glad that we're doing it. I...I echo what Member U'u-Hodges *[sic]* was saying. I personally have been advocating in my community for a place for people to go. I've talked with the Administration about, a wraparound unhoused center, a place to actually...so that when the security at Kalama Park saying, you can't be here, and they say, where can I go, it's...it's not only appropriate, but it's necessary to be able to tell them where they can go, and that it's okay and it's safe. I acknowledge, as a community representative and as a member of the community, the community has an obligation. And I also...when I drive behind Safeway and I go to...and...and the different areas, the encampments...I think that there's a certain responsibility for people, in general, to meet...to meet halfway, okay? I don't have the solution to unhoused, but when I see the unhoused encampments, I'd like to see the people who are advocating for them to assist in managing that some, okay? I pledge that I will work with my Members to address this issue and work with the Administration...safe parking, sanitation, a ladder for people to be able to get their IDs and everything to put their lives back together. I completely embrace that. I also have a really hard time answering all the members in my community who are saying, why is this allowed? Why is this happening in front of my place? Why is my business being impacted by this? Why do my kids have to look at this? We're afraid to walk down the street. So, those are the...that's the balancing that we need to do too. And I...I...I just...thank you for the opportunity to weigh in this. Thank you,

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Member Batangan, for bringing this forward. I'm going to ask the Members...my recommendation is we defer this item. Any objections?

COUNCILMEMBER BATANGAN: Actually, may I --

CHAIR COOK: Oh, Member Batangan.

COUNCILMEMBER BATANGAN: -- may I have an opportunity to speak --

CHAIR COOK: Thank you, sir.

COUNCILMEMBER BATANGAN: -- for this first round? I guess I just want to...again, thank you for bringing this forward for conversation. I wish that the...more departments were here to join us for that conversation, so I guess I'll start there. You know, I hear the Members and am supportive of the motion to defer. I guess I just would just like to say a couple things before then. First is that, it's already illegal to park overnight. The behavior that we're...that...that's occurring is already illegal. What we're trying to do is move...create a...change the law from a policy that the Department of Police is saying they cannot enforce to one that they're saying that they can. The second thing I'd like to note is that Member Kama first drafted this last year and it was meant to be implemented in coordination with the Safe Parking Program. That's why it was not introduced prior to her passing. I chose to introduce it before budget some time for a few different reasons. One is that we are seeing worsening conditions in front of these businesses. Two, I saw the vacancies at the shelters. You know, we get the update list on a daily basis and we see that there are places people could go if they chose to. And then the third was that the Safe Parking Program, I...I have not gotten a clean response as to when that would be implemented. So, rather than let things continue to deteriorate in front of the businesses, I asked for this to come forth. And so, I guess I would mahalo you for...for allowing for that conversation. Staff, can I ask that a copy of this bill be transmitted to the Department of Human Concerns so that they are able to have eyes on it prior to it being brought back before the Committee? And then in case any of the business owners are listening online, I will be reaching out to the Director to see if they can work with you and my office to try to come up with solutions in the meantime. And then I guess lastly, I would just note that I didn't realize I was supposed to also clean up the rest of the...the section. I was only looking at the newly-introduced text when I was, you know, signing off on this. And so, thank you for your grace, Members, as I...as I get...you know, as I...I get situated. You know, I'm not completely new, but there are still things that I'm learning and I...I mahalo you for your patience in that as well. So, I guess I...I have some work to do prior to Chair bringing this back before the body.

CHAIR COOK: Thank you. I think when we...we will reschedule this, but with Public Works, the Police Department, Department of Human Concerns. Corp. Counsel, I ask that you kind of get up to speed on the newest, current...and we will also let the advocates in the community that work hard on this, know in advance and have the information. It is a huge issue that needs to be addressed, and it's an opportunity for us to push it forward to a positive resolution. It's going to take money and it takes a lot of things,

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but I look forward to us having...improved people's lives and satisfy a bunch of our constituents. So, anything else, Staff?

MR. HURDLE: Yeah, just to...if you're going to defer the item.

CHAIR COOK: Yeah. So...anyway, I propose that we're going to defer the item. Okay.

COUNCILMEMBER JOHNSON: Chair. Chair.

COUNCILMEMBER BATANGAN: Chair, Member Johnson is trying to seek recognition.

CHAIR COOK: Member Johnson.

COUNCILMEMBER JOHNSON: You know I...I...first off, I want to thank you for moving this...or, you know, deferring this. And I...I appreciate Councilmember Batangan's introducing this. You know, you guys...I've been asking for a bill in this Committee for two...two years, the burying of the powerlines. And I haven't gotten this in this Committee. And then when Councilmember Batangan brought this in...it's not ready, guys. It's not ready. This bill's not ready. So, again, I'm not...I know we prioritize certain bills that we agree with and it just doesn't...doesn't sit right with me when I'm trying to get power...new powerlines built...buried, and then we're coming up with this one that needs so much work and we don't have no place for these folks to go. So, it's a little frustrating for me, guys. So, I just want to...I just want to let you know that this is...I just want to let you know how I feel about it. But I appreciate you guys deferring this. Thank you, Chair.

CHAIR COOK: Thank you. Members, any other comments about deferral or anything? Member...Member Paltin?

COUNCILMEMBER PALTIN: I also appreciate the deferral. I will try to work on the ASF to update the Lahaina section so that it makes sense and is consistent. And so, I wasn't putting that on you to do. And there's also, I think, other sections, like for Makawao, or whatever, and...and I would encourage Members to look at the sections of their districts if they make sense or not. But mine...my section definitely needs updating and I will...I'll aloha that kuleana. And Member Batangan --

CHAIR COOK: Thank you. Thank you very much, Member Paltin.

COUNCILMEMBER PALTIN: -- I don't know if you looked through the rest of the Kahului areas, if it makes sense or not as well. Because...I mean, like you figure we're voting on this bill as though we agree with everything written in it. And so, I think it...it does make sense that it's up to date because the date that we vote on it is going to be shown, and so that's...that's all I'm saying.

CHAIR COOK: It's an opportunity to...to dig deep and work on it. I get a lot of complaints from business owners in the industrial areas where people don't live but people park and that they have a hard time parking their equipment, et cetera. So, the...the

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impact...we just...we really need to work on this in our community to benefit everybody, but to acknowledge the businesses do have a need and a right, as well as the people. So, with no objection, Members, this concludes today's Water and Infrastructure meeting. Thank you, everyone, for being here and for a very dynamic --

COUNCILMEMBER JOHNSON: No objection to deferral.

COUNCILMEMBER BATANGAN: Yeah, I think you got to actually take the motion to defer.

CHAIR COOK: Okay. I make...can I have a motion to deferral?

VICE-CHAIR SUGIMURA: So move.

COUNCILMEMBER BATANGAN: No objections.

CHAIR COOK: So moved by Member Sugimura, seconded by ...*(laughing)*... Member Batangan. Okay. All in favor. ...*(laughing)*...

COUNCILMEMBERS: Aye.

ACTION: DEFER pending further discussion.

CHAIR COOK: Okay. The time is now 3:18 p.m., and this meeting is now adjourned. ...*(gavel)*...

ADJOURN: 3:18 p.m.

wai:min:260518:th

Transcribed by: Tricia Higa

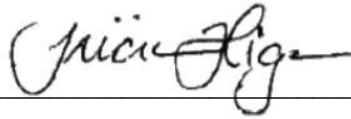
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CERTIFICATION

I, Tricia Higa, hereby certify that pages 1 through 33 of the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 9th day of June 2026, in Mililani, Hawai'i

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

Tricia Higa