

From: Whitney Herrelson <whitneyherrelson@gmail.com>
Sent: Wednesday, September 14, 2022 1:49 PM
To: County Clerk
Subject: Testimony for Bill 107 CD2

2022 SEP 14 PM 2:15

OFFICE OF THE
COUNTY CLERK

 You don't often get email from whitneyherrelson@gmail.com. [Learn why this is important](#)

Aloha,

I am submitting testimony in SUPPORT of Bill 107 CD2 pertaining to affordable housing.

I own 2 small businesses, am a healthcare worker, and have a partner who works full time. I am raising 2 children on Maui. We work hard for what we have, have steady income, and excellent credit. However, we will never be able to afford to buy our own home on Maui in the current market with the current "affordable" housing prices.

In fact, in 2019 we won the lottery for down payment assistance! We were ELATED. But we could only get approved for a loan for \$200,000 based on our income (the same low-income that qualified us for the down-payment assistance program in the first place). There was nothing on the market even close to that price, and so we had to forfeit the down-payment assistance. We were devastated to lose that once-in-a-lifetime chance, and we've been paying expensive rent, way more than our landlords' mortgage payment, ever since. Utility bills continue to rise. Inflation continues to rise. We pray every month that the landlord doesn't decide to raise the rent like every other unit around us, because we cannot afford another increase. We live in constant fear of being one lost paycheck or one rent-raise away from being homeless.

PLEASE support Maui working families and pass this bill.

Whitney Herrelson
147 Eleu Pl.
Kihei, HI. 96753

County Clerk**RECEIVED**

From: Jenna Holladay <jennahope71@yahoo.com>
Sent: Wednesday, September 14, 2022 2:18 PM
To: County Clerk
Subject: Bill 107,CD-2

2022 SEP 14 PM 2:30**OFFICE OF THE
COUNTY CLERK**

[You don't often get email from jennahope71@yahoo.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

I am a resident of Maui for over 30 years, I have 3 teenagers that were born here. I am another person who struggles to pay for living as the cost of everything is rising!!! The past choices of the county counsel and mayors have put us residents in impossible housing circumstances! The very least that can be done at this point is to pass this bill and give relief to the people who live here and have lived here for a long time! People who give to the community, participate, are raising their children here. Most of all to the locals first. I do not put myself in the local category as I was not born here. But something must be done that is right - truly right - for people of this island.

Enough is enough

Pass this bill - do what is right by the people !!!!

Jennifer Holladay

Sent from my iPhone

County Clerk

From: Spencer Hyde <spencer_hyde3@hotmail.com>
Sent: Wednesday, September 14, 2022 3:04 PM
To: County Clerk
Subject: SUPPORT Bill 107, CD2

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2022 SEP 15 AM 8:05

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COUNTY CLERK

You don't often get email from spencer_hyde3@hotmail.com. [Learn why this is important](#)

Aloha Maui County Council,

My name is Spencer Hyde and I am writing to express my support for Bill 107, which would make affordable housing truly affordable for working class Maui County residents.

I have been a full-time state worker for the past five years. I work in education and care a lot about my community. I have a college degree in my field and make less than \$27k/year after taxes, nearly half of which goes to my landlord.

I don't see a path forward for someone like me to own a home in Maui, where I grew up. I will either have to leave the field of education, or move to the mainland.

Bill 107 would at least give me a chance to continue doing what I love in the place I call home.

I understand that developers and construction workers are worried that they won't be able to make enough money if they build truly affordable homes in Maui. Working in education, I know what it's like to be underpaid. But developers and construction workers have an opportunity to make a big difference for the people of Maui County. This bill is an opportunity for them to give back to their community, to change lives.

Education is not glamorous, and neither is building affordable housing. But it has meaning and purpose.

The Goodfellow Bros. family's house in Makena is estimated to be worth \$18 million on Zillow. It has two pools, connected by a waterslide, and a one-hole golf course.

I know it's really hard times out there for developers, considering all the supply chain issues. But I believe that if they were to shuffle a few things around on their bottom line, perhaps starting with CEO pay, they could find a way to survive Bill 107.

Thanks,
Spencer Hyde
(808) 344-8299
4949 Hana Hwy, Haiku, HI 96708

County Clerk

From: Cassandra Abdul <cassandra@nahaleomaui.org>
Sent: Wednesday, September 14, 2022 9:02 PM
To: Alice L. Lee; Gabe Johnson; Keani N. Rawlins; Kelly King; Mike J. Molina; Shane M. Sinenci; Tamara A. Paltin; Tasha A. Kama; Yukilei Sugimura
Cc: County Clerk
Subject: Bill 107

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2022 SEP 15 AM 8:05

OFFICE OF THE
COUNTY CLERK

Aloha, Alice Lee, Council Chairperson and Council members,

Na Hale O Maui is a nonprofit, grassroots Community Land Trust that has provided truly affordable housing alternatives to 54 island families in 47 single family residences. (Seven Na Hale O Maui families have realized a portion of the shared equity when they sold their CLT homes to additional income qualified families, as they moved on to conventional, market rate homes.) All 47 homes were acquired with conventional Fannie Mae financing, requiring less than 5% down and no private mortgage insurance (PMI.) We support reducing the layers of regulations that will streamline the delivery of more affordable homes to our community and keep our workforce in Maui.

We understand and appreciate the good intentions behind Bill 107. However, we anticipate that there will be unintended consequences if passed as proposed.

There are two major impacts to Bill 107 Section C2.

Home builders that accept county subsidies, will face sales price guidelines that consider the total costs associated with homeownership. The bill proposes to make county funds available to cover the difference between the cost of the home and the amount that our low-income residents can afford. This would require substantial investments in our local families to realize the dream of affordable homeownership.

Bill 107, Section C2, will require that Home builders that do not receive county subsidies will be required to accept sales price caps that do not consider the increased cost of building due to:

- higher interest rates;
- higher material costs, and
- higher labor costs..

Sales caps and price controls might sound like a good idea for local buyers. The actual results of Bill 107 Section C2 will be detrimental to housing opportunities for local families.

Developers that build 100% affordable housing will be prevented from building homes due to Section C2. Lenders will not finance projects that don't 'pencil out;' the cost to build that exceed sales caps.

Developers that build a mix of affordable and market homes will be forced to increase the prices of market-rate homes, passing on the subsidy on the affordable homes to other island families..

Bill 107, Section C2 will actually reduce the ability of local residents to buy homes. This is NOT the right direction to increase attainable housing for our Maui families.

Please consider the oral and written testimony received from knowledgeable and experienced developers and builders with an open mind. We all agree that we need and want more affordable and workforce housing for our community. If you are unable or unwilling to reconsider the potential ramifications of Bill 107, please at least delete Section C2.

Mahalo for your continued support of affordable and workforce housing,

Cassandra

Cassandra J Leolani Abdul
Executive Director & Principal Broker

Na Hale O Maui
190 N. Church Street
Wailuku, HI 96793
Ph. 808.244.6110
Mobile 808.304.3533

To learn more about Na Hale O Maui and to make a donation please visit <https://www.nahaleomaui.org>

Changing lives, one home at a time.

Mission: To secure and preserve a permanent supply of affordable housing alternatives for low and moderate income households in Maui County.

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County Clerk

From: APT Committee
Sent: Thursday, September 15, 2022 8:33 AM
To: County Clerk
Subject: FW: TESTIMONY - Bill 105, CD1 - establishing Maui Dept. of Agriculture in Maui County Code

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2022 SEP 15 AM 8:37

OFFICE OF THE
COUNTY CLERK

From: Maui_County Council_mailbox <county.council@mauicounty.us>
Sent: Wednesday, September 14, 2022 3:37 PM
To: APT Committee <apt.committee@mauicounty.us>
Subject: FW: TESTIMONY - Bill 105, CD1 - establishing Maui Dept. of Agriculture in Maui County Code

From: Dawn Lono <Dawn.Lono@mauicounty.us>
Sent: Wednesday, September 14, 2022 2:39 PM
To: Maui_County Council_mailbox <county.council@mauicounty.us>
Subject: TESTIMONY - Bill 105, CD1 - establishing Maui Dept. of Agriculture in Maui County Code

From: Yamamoto, Earl J <Earl.J.Yamamoto@hawaii.gov>

You don't often get email from earl.j.yamamoto@hawaii.gov. [Learn why this is important](#)

As we were discussing over the phone earlier this morning, page 4, item N of the bill establishes "priority resource assistance" based on "gross cash farm income" (GCFI) and "special considerations for minority-owned agricultural operations" (not defined). The low income category is up to \$149,000.

Link to Bill 105, CD1:

<https://mauicounty.legistar.com/View.ashx?M=F&ID=11233191&GUID=EF091773-330F-4A7D-82F6-465885C5BB07>

My first question – where did the "annual gross cash farm income" statistics come from and are they equivalent to that provided by the U.S. Department of Agriculture?
I rely on the "market value of agricultural products sold" as provided by the National Agricultural Statistics Service of the U.S. Department of Agriculture as the primary indicator of gross income to farms from agricultural product sales. According to the 2017 Census of Agriculture, my *estimate* is that 1,353 (96%) of Maui County's 1,408 farms would qualify in the proposed GCFI low income category.

Link to farm income from agricultural products sold, by county:

https://www.nass.usda.gov/Publications/AgCensus/2017/Full_Report/Volume_1,_Chapter_2_County_Level/Hawaii/st15_2_0002_0002.pdf

I think it would be helpful to the Maui Department of Agriculture to have finer income delineation to prioritize County resource assistance.

Unless the Hawaii Department of Agriculture sends a formal comment letter, this email will constitute our comment and recommendation on Bill 105, CD1 coming up for final reading on Tuesday, September 20th.

Thank you.

Earl Yamamoto
Planner
Office of the Chairperson
Hawaii Department of Agriculture
1428 South King Street
Honolulu, Hawaii 96814
Email: earl.j.yamamoto@hawaii.gov
(808) 973-9466



RECEIVED

2022 SEP 16 AM 10:41

Sept. 20, 2022

9 a.m.

Council Chamber, Kalana O Maui Building
8th Floor, 200 South High St.
Wailuku, Hawaii 96793

OFFICE OF THE
COUNTY CLERK

To: Council of the County of Maui

Alice Lee, Chair

Keani Rawlins-Fernandez, Vice-Chair

From: Grassroot Institute of Hawaii

Joe Kent, Executive Vice President

RE: Bill 107 (CD2), A BILL FOR AN ORDINANCE AMENDING SECTION 2.96.060, MAUI COUNTY CODE, RELATING TO AFFORDABLE HOUSING SALES PRICE GUIDELINES

Comments Only

Aloha, Chair and Council members.

My name is Joe Kent, and I am the executive vice president of the Grassroot Institute of Hawaii.

I want to thank the Council for the opportunity to testify again on this measure.

The Grassroot Institute of Hawaii believes that this bill is premature, as there has not been sufficient analysis of its possible effects. In fact, the data suggests that the proposal will fail to achieve its goals, could discourage construction of affordable homes and might raise the average price of a home on Maui.

Especially in light of the uncertainty surrounding the financial aspects of Bill 107, the Institute suggests the Council take time to study the full effect of this ordinance on the local economy and the housing market as a whole.

Rushing this bill through would only create heavy-handed and costly regulations — the opposite of what is needed to provide more housing for Maui residents.

Clearly the bill is well-intentioned, but despite its goal of lowering housing prices for low income individuals and families, Bill 107 (CD1) likely would have the opposite effect. For projects that already receive county money, it would slash the sale price of a home by approximately 20%.¹

A 20% price reduction would shave \$120,000 off the sale price — a sum that would no doubt eliminate a builder's profit and incentive to build new affordable units.²

To fix the problem that it would create, Bill 107 also proposes to subsidize homebuyers. As the Affordable Housing Committee report noted: "Without additional funding mechanisms in place to mediate the lower sales prices," developers could be faced with financial challenges and could react by building fewer homes.³

For projects that are not already subsidized, the county would provide a new subsidy to homebuyers. According to the bill: "Subsidies from this program must be used to subsidize qualified buyers in an amount necessary such that a recipient's final estimated total housing cost does not exceed 31 percent of their household income."⁴

These homebuyer subsidies would flow from a new program within the Home Acquisition and Ownership Programs Revolving Fund, but these subsidies would run into one of two problems: Either they would be insufficient to cover homebuilders' losses due to the price cap, or they would commit the county to massive spending increases.

The latter option is probable, since the subsidy's design is unclear and the cost of producing housing on Maui continues to increase.

For example, because the bill does not define who would be a "qualified buyer," it is possible that higher-income individuals could benefit from this bill if they fall under the definition of a "qualified buyer."

The bill also does not explain how much money the county would be authorized to spend out of the fund or state what percentage of a home's purchase price could be paid for with county tax dollars.

Absent a spending limit and clear definitions being written into the bill, this program could easily cost Maui County taxpayers millions of dollars.

¹ Gabe Johnson, "[Council to consider Bill 107 on affordable housing price guidelines](#)," Maui County Council press release, Sept. 1, 2022.

² In late 2021 and early 2022, the average affordable single-family house cost \$618,000. See: Marina Starleaf Riker, "[Maui Is Reconsidering What Constitutes 'Affordable' When It Comes To Housing](#)," Honolulu Civil Beat, May 25, 2022.

³ "[Report on Bill 107, CD1](#)," Council of the County of Maui, Affordable Housing Committee, July 15, 2022, p. 2.

⁴ "[Report on Bill 107, CD2](#)," Council of the County of Maui, Affordable Housing Committee, Sept. 2, 2022, pp. 1,2 and 4.

Note that the county's Home Acquisition and Ownership Programs Revolving Fund currently has less than \$2.5 million to work with.⁵ If additional funding is needed, it would have to come in the form of higher taxes — or more county borrowing, which is pretty much the same thing.

Ironically, the very people whom this measure is intended to benefit could be the ones footing most of the bill.

The good news is that there is a better way.

Instead of mandating lower housing prices and forcing taxpayers to make up the difference, Bill 107 could cut red tape to allow home prices to fall naturally in response to supply and demand.

Local economist Carl Bonham, director of the University of Hawaii Economic Research Organization, made this point at the annual meeting of the Hawaii Economic Association earlier this month.

He cited a study by Evan Mast of the Upjohn Institute, an employment research group based in Kalamazoo, Michigan, which found that building 100 new market-rate units enables 40 to 70 residents of below-median income and 17 to 39 residents of bottom-quintile income to “move up,” so to speak, into market-rate homes and leave their former residences available for others, who are then similarly able to “move up” into decent housing. Mast estimated that most of this “filtering” effect occurs within five years.⁶

“This suggests that new construction reduces demand and loosens the housing market in low- and middle-income areas, even in the short run,” Mast added.

The conclusion, basically, is that adding new housing at market rates can cut housing prices across the board and give lower-income households upward mobility.

In my July testimony, I suggested a range of policy options that could lead to more homebuilding in Maui County. They included:

>> Allow smaller housing.

>> Allow smaller lots.

>> Allow residences in commercial districts.

>> Allow taller buildings.

>> Allow subdivision of existing structures.

⁵ “FY 2022 Mayor's Proposed Ordinances,” County of Maui, p. 50.

⁶ Evan Mast, “The Effect of New Market-Rate Housing Construction on the LowIncome Housing Market,” W.E. Upjohn Institute for Employment Research, July 1, 2019, abstract.

>> Allow single-room occupancy buildings.

>> Allow extra kitchens.

>> Allow accessory apartments.

>> Allow larger “houses” on the same land.

>> End single-family-only zoning.

Also, I recommended a handful of policies intended to speed up Maui County’s homebuilding permit-approval process.

Instead of enacting Bill 107, the Council could employ any combination of these recommendations to benefit Maui homebuilders and homebuyers — at no cost to Maui taxpayers.

To repeat what I said at the beginning of my testimony, the Institute suggests, in light of the uncertainty surrounding the financial aspects of Bill 107, that the Council take time to study the full potential effects of this ordinance on the local economy and Hawaii’s housing market as a whole.

Rushing this bill through would only create heavy-handed and costly regulations — the opposite of what is needed to provide more housing for Maui residents.

Sincerely,

Joe Kent
Executive Vice President
Grassroot Institute of Hawaii

County Clerk

From: Eric Miyasato <eric@hawaiianlights.com>
Sent: Friday, September 16, 2022 4:45 PM
To: County Clerk
Subject: September 20 meeting - Committee report # 22-90 Bill 21, CD2 FD1 (2022)
Attachments: Summary -.pdf

RECEIVED
2022 SEP 19 AM 7:59
OFFICE OF THE
COUNTY CLERK

County Clerk,

Attached is my summary for testimony for Bill 21, CC2, FD1 (2022).

I am disappointed that this bill only had 1 opportunity to discuss the revisions in the CARE committee. The Bill being sent back to the Full County Council does not fix the issues in proposed ordinance and the financial obligations for the Businesses of Maui.

As mentioned many times, Maui should have a lighting ordinance that considers the Wildlife, Environment & Design (Engineers/Architects) community. This current form, does not consider the design community and has a large conflict in the wildlife community with the type of light source used for Turtles.

I suggest that the Bill be sent back to the Care committee and have and real & open discussion with the Design (engineer/architect) community.

Aloha,

Eric Miyasato, P.E
808-226-5973

Florida Fish & Wildlife

Use long wavelength (greater than 560 nm AND absent wavelengths below 560 nm) light sources such as amber, orange, or red LEDs without the use of filters, gels, or lenses. Using long wavelength light sources is less disruptive to marine turtles than white or multi-colored lights.

Coastal Construction Control line (CCCL) regulates structures and activities that cause beach erosion, destabilize dunes, damage upland properties or interferes with public access. Also protects sea turtles and dune plants.

IDA – International Dark Sky

- 3000K maximum.
- Adaptive Controls
- Shielding
- Motion control lights

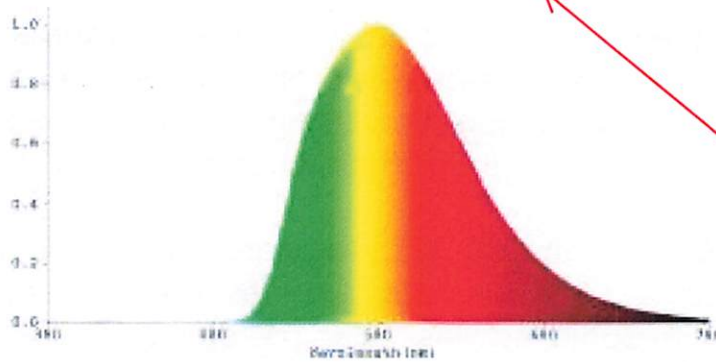
IECC – 2015 (International Energy Conservation Code) (Current standard)

- Section C405.2.5
 - Exterior lighting Controls
 - Auto Off when Daylight available
 - Façade, landscape lights auto off as a function of dusk/dawn and open/close times.
 - Reduce all other lighting $\geq 30\%$ no later than midnight to 6AM, one hour after closing to one hour before opening, or when no activity is detected for >15 minutes.
 - Exceptions
 - Emergency Lighting Normally off
 - Lighting for Health & Safety
 - Covered Vehicle entrances
 - Building/parking structures exits for safety, security, or eye adaptation.



Current Building
department review
for exterior lights

FILTERED LED



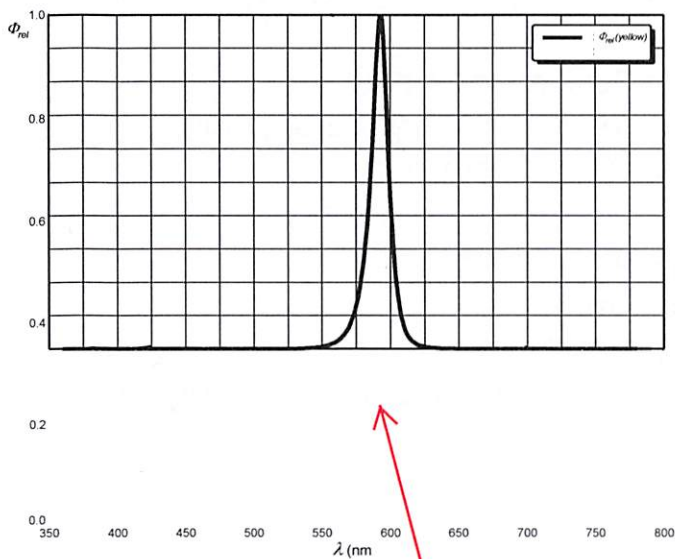
Big Island - typical filtered LED

Spectrum Parameters
Blue content (400nm-700nm): 0.14% Peak wavelength: 579nm

LED Spectral Emissions

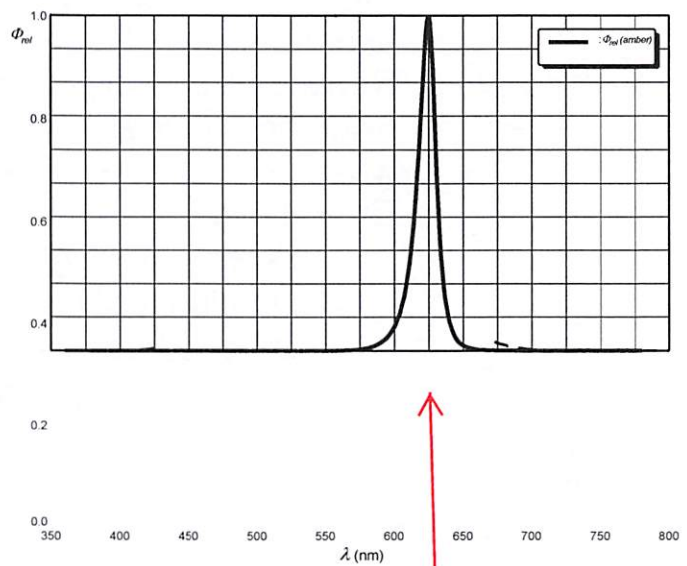
— LED Output

Environmental Yellow / Amber
590nm peak (583nm min, 595nm max)



Amber LED

Option -ERO (Environmental Red / Orange)
617nm peak (609nm min, 624nm max)



Red LED

County Clerk

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From: Shay Chan Hodges <shay.chanhodges@gmail.com>
Sent: Sunday, September 18, 2022 11:56 AM
To: County Clerk
Subject: STRONG SUPPORT of Kali Arce and Bill 105, TO ESTABLISH POLICIES RELATED TO THE DEPARTMENT OF AGRICULTURE, WITH THE ADDITION OF THE GCFI MINIMUM OF \$1,000.00

2022 SEP 19 AM 7:59

OFFICE OF THE
COUNTY CLERK

You don't often get email from shay.chanhodges@gmail.com. [Learn why this is important](#)

Aloha Councilmembers,

I am writing to you in strong support of the confirmation of Kali Arce for Director of the Dept of Agriculture.

I am also in strong support of Bill 105 to establish policies related to the Department of Agriculture, with addition of the GCFI minimum of \$1000. I support the bill because we need the roles and responsibilities of the Department to be clearly defined in order for it to be successful and work for our community.

This legislation was created in collaboration with the community impact working group and community at large, through outreach and various surveys these areas of need and reporting requirements were drafted and I support this legislation because it is what we need from the Department to create a more sustainable and self-sufficient food system that befits residents, the economy and our delicate island ecosystems.

The points in this legislation had lots of community feedback before they were solidified and will help guide the Department through different transitions in leadership that the Department will face over the course of the years. We also recently saw that a small but important part of Bill 105 was left out.

The minimum GCFI of \$1,000 was left out and it just says "Low GCFI up to \$149,000." We would like that to be changed to the group's original recommendation of "Low GCFI between \$1,000 and \$149,000." The reason for this is that it currently doesn't define a minimum threshold for the department to focus on and we feel that this is very important.

These categories in general came from the USDA Economic Research Service, however our group added in a \$1,000 minimum sales so that the Department of Agriculture could be in alignment with the minimum sales requirement for agricultural water pricing, set by the Dept. of Water Supply. Having the \$1,000 minimum requirement will create consistency between the Departments and also help prevent the Department of Agriculture from having to focus energy on folks selling very small amounts. For example \$50, \$60 Or even a couple hundred dollars, which would not be a difficult threshold for anyone with one fruit tree to meet.

We also felt the \$1,000 threshold set by the Dept. of Water Supply, is also still reasonable for smaller taro farmers whose crops tend to have a very lengthy turn around time. This can range from anywhere from 8 month to 1 year on average. I hope that you will be able to support this small change. We understand that making changes at second and final reading is not ideal but it was on honest oversight.

This legislation is also in alignment with the strategic plan that has been submitted to the administration and council and the prior legislation that has been approved for the Department. I thank you for all the support the Council has shown for the Department of Agriculture to date, and urge you all to continue that support and approve this bill today at the second and final reading.

Mahalo,

Shay Chan Hodges

County Clerk

RECEIVED

From: William Greenleaf <bgreenleaf.maui@yahoo.com>
Sent: Sunday, September 18, 2022 12:33 PM
To: County Clerk
Subject: Support of bill 105

OFFICE OF THE
COUNTY CLERK

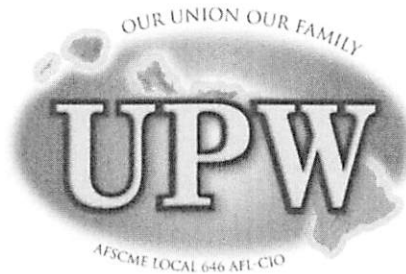
Aloha Council Members:

I met every other Wed for over a year with up 30 fellow citizens to discuss the needs, wants and requirements for Maui County's Department of Ag authorized by a Charter Amendment in 2020.

I strongly support the passing of this bill...the one need is the language that designates GCFL back to how it was designated in the original work...GCFI between \$1000 and \$149K. This designation came for USDA Economic Research Service and our work recognized that for consistency among departments the Maui County Water Dept threshold for Farm Water rates is \$1000 GCFI.

I've met the proposed Director Rogerene "Kali" Acre's and found her to be an excellent choice. Her experience is both hands on and management. She has my support for confirmation.

Mahalo,
Bill Greenleaf



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COUNTY CLERK

**COUNTY OF MAUI
COUNTY COUNCIL MEETING**

Councilmember Alice L. Lee, Chair
Councilmember Keani Rawlins-Fernandez, Vice-Chair

Tuesday, September 20, 2022, 9:00 AM
Council Chamber, Kalana O Maui Building, and via BlueJeans

Re: Testimony in SUPPORT of RESOLUTION 22-221 – AUTHORIZING SETTLEMENT OF GRIEVANCE CASE MS-20-04 FILED ON BEHALF OF ALL UNITED PUBLIC WORKERS, BU-01 EMPLOYEES IN ALL DEPARTMENTS

Chair Lee, Vice Chair Rawlins-Fernandez, and Members of the Council:

The United Public Workers, AFSCME Local 646, AFL-CIO ("UPW") is the exclusive bargaining representative for approximately 14,000 public employees, which includes blue-collar, non-supervisory employees in Bargaining Unit 1 and institutional, health, and correctional employees in Bargaining Unit 10, in the State of Hawaii and various counties. The UPW also represents 1,500 members in the private sector.

UPW **strongly supports** Resolution 22-221, which authorizes the County of Maui to settle Grievance Case MS-20-04, filed on behalf of all UPW, Bargaining Unit 1 employees in all departments.

During the COVID-19 pandemic, UPW members understood the importance of being civil servants and continued to serve their respective communities by reporting to work despite the pandemic's uncertainty. Their work helped ensure that the County of Maui continued progressing through the pandemic. With the approval of this resolution, our County of Maui Bargaining Unit 1 members will receive their much-deserved Temporary Hazard Pay for the essential work they all performed during the COVID-19 pandemic.

Thank you for the opportunity to provide testimony.

Sincerely,

Kalani Werner
State Director

HEADQUARTERS – 1426 North School Street ♦ Honolulu, Hawaii 96817-1914 ♦ Phone: (808) 847-2631

HAWAII – 362 East Lanikaula Street ♦ Hilo, Hawaii 96720-4336 ♦ Phone: (808) 961-3424

KAUAI – 2970 Kele Street, Suite 213 ♦ Lihue, Hawaii 96766-1325 ♦ Phone: (808) 245-2412

MAUI – 841 Kolu Street ♦ Wailuku, Hawaii 96793-1436 ♦ Phone: (808) 244-0815

1-866-454-4166 (Toll Free, Molokai/Lanai only)

County Clerk

RECEIVED

From: Barbara Barry <begoniabarry@gmail.com>
Sent: Sunday, September 18, 2022 11:37 PM
To: County Clerk
Subject: Bill 105 with addition and the Confirmation of Director Rogerene "Kali" Acre

2022 SEP 19 AM 8:00

OFFICE OF THE
COUNTY CLERK

STRONG SUPPORT for Bill 105, TO ESTABLISH POLICIES RELATED TO THE DEPARTMENT OF AGRICULTURE, WITH THE ADDITION OF THE GCFI MINIMUM OF \$1,000.00

Aloha Chair Lee and Council Members,

I would be testifying in person but due to TUTU responsibilities that may be difficult. I wanted to make sure that you heard from me on why I think it's very important to pass Bill 105 on 9-20. I strongly support the confirmation of Director Rogerene "Kali" Acre for our Dept of Agriculture.

I am writing to you in strong support of the proposed legislation and I am urging the County Council to support Bill 105 to establish policies related to the Department of Agriculture, with addition of the GCFI minimum of \$1000. I support the bill because we need the roles and responsibilities of the Department to be clearly defined in order for it to be successful and work for all farmers and ranchers in our community.

I was a part of the community impact working group and I support this legislation because it is what we need from the Department to create a more sustainable and self-sufficient food system that befits residents, the economy and our delicate island ecosystems.

The points in this legislation had countless hours of community feedback before they were solidified and we felt that it will help guide the Department through different transitions in leadership that the Department will face over the course of the years.

It's important to note that a small but important part of Bill 105 was left out.

The minimum GCFI of \$1,000 was left out and it just says "Low GCFI up to \$149,000."

I would like that to be changed to the group's original recommendation of "Low GCFI between \$1,000 and \$149,000." The reason for this is that it currently doesn't define a minimum threshold for the department to focus on and I feel that this is very important.

These categories in general came from the USDA Economic Research Service, however our group added in a \$1,000 minimum sales so that the Department of Agriculture could be in alignment with the minimum sales requirement for agricultural water pricing, set by the Dept. of Water Supply.

Having the \$1,000 minimum requirement will create consistency between the Departments and also help prevent the Department of Agriculture from having to focus energy on folks selling very small amounts. For example \$50, \$60 or even a couple hundred dollars, which may be reachable for anyone with one or two fruit trees to meet.

The focus group also felt the \$1,000 threshold set by the Dept. of Water Supply, is also still reasonable for smaller taro farmers whose crops tend to have a very lengthy turn around time. This can range from anywhere from 8 month to 1 year on average. I hope that you will be able to support this small change. I understand that making changes at the second and final reading is not ideal but it was an honest oversight.

This legislation is also in alignment with the strategic plan that has been submitted to the Administration and Council and the prior legislation that has been approved for the Department.

Mahalo for all the support the Council has shown for the Department of Agriculture to date, and urge you all to continue that support and approve this bill today at the second and final reading.

Ms. Barbara Barry
small organic farmer
Ha'ikū



MAUI COUNTY FARM BUREAU

PO Box 148, Kula, HI 96790
mauicountyfarmbureau.org

Executive Director
Warren K. Watanabe

Board of Directors:

President
Kyle Caires

Vice President
Joshua Shyloh Stafford-Jones

Secretary
Jayson Watts

Treasurer
Tim Stevens

Directors:

Rodrigo "Rudy" Balala

Brendan Balthazar

James "Kimo" Falconer

Bobbie Patnode

Teena Rasmussen

Heidi Watanabe

Via email to: county.clerk@mauicounty.us

Maui County Council
Office of the County Clerk
200 S. High St.
Kalana O Maui Bldg, Suite 708
Wailuku, HI 96793

Maui County Council
September 20, 2022
9:00 a.m.

OFFICE OF THE
COUNTY CLERK

2022 SEP 19 AM 9:06

RECEIVED

Testimony on Bills-Second and Final Reading, Item N, NO. 105, CD1, (2022),
entitled "A bill for an ordinance amending Chapter 2.12 and Title 22, Maui
County Code, to establish policies related to the Department of Agriculture."

Aloha Council Chair Lee and Council members,

The Maui County Farm Bureau respectfully offers the following comments on
this bill.

MFCB strongly believes that Maui's farmers and ranchers are in dire need of
immediate help in specific major areas such as deer management, drought
impacts, and grant-writing. We hope that the Council will recognize the
urgency of their needs and focus the new County Department of Agriculture, for
now, on issues that will ensure that Maui's agricultural producers can stay in
business. Everyone wants farmers and ranchers to keep farming, and no one
wants to see the new Department set up for failure.

This bill, while well-intentioned, is extremely broad and makes mandatory a
huge list of responsibilities and duties that not only duplicate or overlap the
responsibilities of federal, state, county, and private agencies, but will
overwhelm the limited staff and fiscal resources of the new Department in its
scope and in its requirements for extensive data collection, recordkeeping,
reporting, and rulemaking that will delay attention to prioritization of the most
pressing needs of our agriculture community.

Before this measure is rushed to be passed, and these mandates are codified
into law, MCFB would appreciate the opportunity to work with the Council on
an amended bill that will identify what producers urgently need right now and
prioritize actions on these needs.

Thank you for your consideration of our comments.

Sincerely,

Kyle Caires
President

County Clerk

RECEIVED

From: Lily Diamond <lily.diamond@gmail.com>
Sent: Monday, September 19, 2022 10:20 AM
To: County Clerk
Subject: Support of Bill 105 + GCFI minimum

2022 SEP 19 AM 11:13

OFFICE OF THE
COUNTY CLERK

 You don't often get email from lily.diamond@gmail.com. [Learn why this is important](#)
Aloha Councilmembers,

I am writing to share my support of the proposed legislation in Bill 105, and to urge the County Council to establish its proposed policies related to the Department of Agriculture, with addition of the GCFI minimum of \$1000.

We need the roles and responsibilities of the Department to be clearly defined in order for it to be successful and work for our community. This legislation was created in collaboration with the community impact working group and the community at large, through direct outreach and community surveys. Bill 105 sets forth what we need from the Department to create a more sustainable and self-sufficient food system that benefits residents, the economy, and our delicate island ecosystems.

Each points in this piece of legislation went through considerable community feedback before being solidified, and will help guide the Department through the transitions in leadership that the Department will face over the years.

In my review, I saw that a small but important part of Bill 105 was left out: The minimum GCFI of \$1,000 was removed, and it now says "Low GCFI up to \$149,000." We would like that to be changed to the group's original recommendation of "Low GCFI between \$1,000 and \$149,000." It is very important for the department to have a defined minimum threshold to focus on. Not only is this amount in alignment with the USDA Economic Research Service's categorizations, it also aligns with the \$1,000 minimum sales requirement for agricultural water pricing, set by the Dept. of Water Supply.

Keeping the \$1,000 minimum requirement in the bill will create consistency between the Departments and help prevent the Department of Agriculture from having to focus energy on folks selling very small amounts. At the same time, the \$1,000 threshold set by the Dept. of Water Supply is still reasonable for smaller taro farmers whose crops tend to have a very lengthy turn around time.

This legislation is also in alignment with the strategic plan that has been submitted to the administration and council and the prior legislation that has been approved for the Department.

I understand that making changes at second and final reading is not ideal, but I hope you will be able to support this small piece. Thank you for all the support the Council has shown for the Department of Agriculture to date.

Mahalo,

Lily Diamond

‘Ulupalakua

Lily Diamond
www.lilydiamond.com

County Clerk

From: mary drayer <mdrayerhome@msn.com>
Sent: Monday, September 19, 2022 11:53 AM
To: County Clerk
Cc: mary drayer; Mayor Mike Victorino - CofM; Maui_County Council_mailbox
Subject: Support for Maui County Council Bill 107, CD2

Aloha awakea kakou,

I am writing in strong support of Bill 107, CD2, written by Council Member Gabe Johnson which addresses the formula used to calculate affordable home sale prices – along with funding options thru the county.

It with pleasure that I am seeing a number of bills and other measures the Council is putting forth to try and fix some of the issues which have plagued us for over 50 years. I know it didn't happen overnight, and the fixes will take time. But we do have to start somewhere! Many people are so jaded and discouraged that they don't want to speak up, and be met with continued disappointment. And of course the 'bully' developers are happy with that situation. I am hopeful that any developer or other entity that threatens litigation, (which is their 'go to' move), will be met with the County's response of "SEE YOU IN COURT". I will be more than happy to have my tax dollars support the county in those cases.

Mahalo nui loa, as always, for providing this email opportunity to be heard.

Mary Drayer & 'Ohana
557 Imi Dr
Wailuku, Hi 96793
808-244-5646

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Maui Hotel & Lodging
ASSOCIATION

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2022 SEP 19 PM 3:19

September 20, 2022

OFFICE OF THE
COUNTY CLERK

Council Chair Alice Lee
Maui County Council
200 South High Street, 8th Floor
Wailuku, Hawaii 96793

RE: Opposition to amended language in Bill 21, CD1, FD1 (2022) Seabird and Biodiversity Protection

Aloha Chair Lee and members of the Council,

The Maui Hotel & Lodging Association (MHLA) is the legislative arm of the visitor industry for Maui County. We represent over 180 property and allied business members and more than 22,000 workers.

When the Council recommitted Bill 21 on July 15, 2022, it was so additional information and concerns could be gathered from the community. When the amended version of Bill 21 was presented to the CARE Committee on September 8, it was noted by MHLA that hotel properties conducting special events with temporary lighting were not listed on the exclusions list. MHLA submitted written testimony requesting that permitted special events with temporary lighting at hotel properties be added to the list section 20.35.070 Exemptions, number 4.

Now, in the latest version of Bill 21, hotel and transient accommodation properties are specifically listed **not** to have any exemption for temporary event lighting. Many of the special events held outdoors at hotel properties are for fundraising efforts for our local non-profits, such as The 'Aipono Awards, Sentry, and Hawaii Food & Wine, giving part of the proceeds back to the community. Additionally, these special events employ outside companies that rely on these outdoor events to support their families.

MHLA is **strongly opposed** to this recent amendment and requests that the Council defer any further movement on this Bill until the industry is consulted on the loss of income for special event companies, wedding businesses, florists, photographers, and equipment rentals (tents, tables, chairs, generators).

The fact that special events with temporary lighting can occur at various locations outdoors except hotel properties seems punitive at best.

Thank you for the opportunity to testify,

Lisa Paulson
Executive Director, Maui Hotel & Lodging Association

County Clerk

RECEIVED

From: Michelei Kahae <micheleik@yahoo.com>
Sent: Monday, September 19, 2022 3:21 PM
To: County Clerk
Subject: I support BILL 107

2022 SEP 19 PM 3: 31

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COUNTY CLERK

[You don't often get email from micheleik@yahoo.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

I support BILL 107 and urge the county council to pass this bill on the second and final reading.

Mahalo, Michelei Tancayo

Sent from my iPhone



Clinic
4590 Hāna Highway
tel 808.248.8294
fax 808.248.8917

Administration
P.O. Box 807
Hāna, Maui 96713
tel 808.248.7515
fax 808.248.7223

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2022 SEP 19 PM 3:36

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**Testimony In SUPPORT Of Bill 105, CD1 (2022); CC 22-231 Relating
To The Department Of Agriculture**

Honorable Chair Lee and Members of the Council,

Thank you for the opportunity to testify as Executive Director of Hāna Health in **SUPPORT** of Bill 105, CD1 (2022) entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.12 AND TITLE 22, MAUI COUNTY CODE, TO ESTABLISH POLICIES RELATED TO THE DEPARTMENT OF AGRICULTURE". I am especially supportive of Departmental policies designating staff and funding to assist farmers and others with workforce housing development.

In addition to providing the only 24-hour medical care to the remote communities of Hāna, Nahiku, Kipahulu, and Kaupo, Hāna Health has an established farm, Hana Fresh, which cultivates traditional Hawaiian food crops (kalo, sweet potato, ulu, etc.) as well as a variety of greens, and gourmet vegetables. Some of our food service programs include Mai e' Ai, a weekly produce distribution program for patients managing a chronic health condition and the Hana Elementary School salad distribution program which takes place twice a week during the school year. Fresh produce is also delivered weekly to businesses throughout the island. Prior to the pandemic, the Hana Fresh farm stand offered fresh produce to the Hana community five days a week. We are planning to re-open the market sometime next fiscal year if a sufficient labor force can be developed over the next several months.

Food security and a nutritious diet is paramount to support good health and wellbeing in our isolated community. However, without farm workers, food security is just a lofty goal. Hāna Health is severely challenged to attract farmers, as well as doctors and other medical staff to our remote location because the Hana district lacks needed housing. Applicants who desire a position with Hana Health are unable to accept employment because they are unable to secure reasonable housing.

Chapter 2.96, Maui County Code, the County's Workforce Housing Policy, does not adequately address the unique workforce housing needs of Hāna Health. Enacting this bill can assist the Department to effectuate policies to appropriate funding and staff dedicated to sourcing land and infrastructure for Hāna Health and similar entities to build and support all components of food security.

I support Councilmember Sinenci's amendments to the bill and appreciate his efforts to identify the needs of the Hāna community and introduce legislative measures in support of those needs. Thank you for the opportunity to support this measure.