

APT Committee

From: Dick Mayer <dickmayer@earthlink.net>
Sent: Tuesday, May 24, 2022 7:58 PM
To: Shane M. Sinenci; Gina M. Young; APT Committee
Subject: (APT-1(6)) East Maui Water Authority - CHARTER AMENDMENT
Attachments: WATER AUTHORITY 5-24-2022.docx; WATER AUTHORITY as a PUBLIC UTILITY
5-24-2022.docx

Aloha,
Regarding the East Maui Water Authority
Please see the **2 Attachments**:

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Dick's Testimony: WATER AUTHORITY CHARTER AMENDMENT

2ND paragraph of the whereas: Not just Makawao and Hana.

Among the 11 members there should be a resident of the UpCountry District who represents the 35,000 upcountry residents. Instead of "owner of ditch system", include a "major water user in Central Maui"

Allow for the inclusion of the Waikamoi/Olinda and Piiholo water systems to be included within the jurisdiction of the water authority.

Two annual meetings in each license areas seems a bit like Overkill.

Perhaps, the administrator should be nominated NOT by the Mayor, but by the Community Board, and then approved by the council.

It is unclear who will have authority to set the rates that the water authority will sell water to the County Department of Water Supply and to private entities such as Mahi Pono and kalo growers.

Under powers and duties #4. it is too restrictive to say only county, state, and federal monies must be used for system operation, maintenance, and capital improvements. This might eliminate the use of funds raised by the Authority's sale of water to consumers.

Do you want to limit it to only to an East Maui Community Water Authority or would it be better to give the County the capability of establishing a "water authority" that may also want to include in Hawaii ha and or West Maui?

ASAP Establish a Business Plan for the operation of the East Maui Authority

Clearly indicate what the relationship will be between the Department of Water Supply and the proposed East Maui Water Authority.

Some thoughts on the East Maui Water Authority Charter Amendment

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After listening to the discussion today concerning the Charter amendment to establish an East Maui Water Authority, I came to the conclusion that we were missing a term that could be significant and helpful.

Just as we have Maui Electric company producing the power, distributing the electricity, and charging the customers a rate that is established by the Public utilities Commission, this authority could operate in very much the same way as a “PUBLIC UTILITY” independent of the County financially, but under rules and regulations created by the County Charter and Maui County Code.

Referring to it as a “public utility” may make it much clearer to the residents and to County officials as to what is being created. Furthermore, by creating a public utility we have created an entity which will produce the water, maintain its system, distribute the water, and charge the water users who wish to purchase the water. That would include Maui County government, Mahi Pono, and any other entity including, the East Maui farmers. The rates paid by each of these entities need not be the same.

Like Maui Electric, this authority / public utility would be able to go out and seek loans and would be able to get grants from the state or federal government. It would operate independent of County finances just as Maui Electric has done over the years while providing a useful utility, electricity, to the public at a rate regulated by an independent body such as the Public Utilities Commission.

Rather than having a community board as described in the present version of the proposed Charter Amendment, it might be better to entitle the managing body as a Board of Directors which includes several members from the East Maui community plus an Upcountry resident, a farmer/rancher, someone representing Central Maui agricultural interests, and 2 voting members who would represent Maui County government, such as the water director, finance director or managing director,