

# MINUTES

of the

## COUNCIL OF THE COUNTY OF MAUI

April 22, 2022

THE REGULAR MEETING OF THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, WAS HELD ONLINE VIA BLUEJEANS, ON FRIDAY, APRIL 22, 2022, BEGINNING AT 9:03 A.M., WITH CHAIR ALICE L. LEE PRESIDING.

COUNCIL CHAIR ALICE L. LEE: Will the Maui County Council regular Council meeting of April 22, 2022, please come to order.

Good morning, Members. Everybody ready for the weekend, I'm sure. So, this morning's greeting, in deference to our Member from Lanai, Member Johnson, who is giving the remarks today, the morning greeting is konnichiwa. And if you want to add Ogenki desu ka, you can add that too.

Roll call, Madam Clerk.

### ROLL CALL

COUNTY CLERK KATHY L. KAOHU: Konnichiwa. Councilmember Shane Sinenci.

COUNCILMEMBER SINENCI: Konnichiwa, ogenki desu ka, ohayo gozaimashita. Aloha kakahiaaka my Maui hikina. Happy to be here this aloha Friday. Nice to see everyone. We're here at the Hana Cultural Center with my district staff Iwalani Medeiros. Aloha.

CHAIR LEE: Aloha.

Madam Clerk.

COUNTY CLERK: Councilmember Mike Molina.

COUNCILMEMBER MOLINA: Aloha and konnichiwa, ogenki desu ka, Madam Chair, colleagues, and everyone else tuning in for our County Council meeting today. Aloha Friday to all. For the record, I'm transmitting from my residence here in Makawao and my wife is in the other room. And to my knowledge, there are no testifiers at the Paia District Office. Aloha.

CHAIR LEE: Aloha.

COUNTY CLERK: Councilmember Kelly Takaya King.

COUNCILMEMBER KING: Aloha kakahiaka and konnichiwa. Ohayo gozaimasu. Hai, genki desu. Anata wa? When you ask ogenki desu ka, you're asking are you okay? And you say, hai, genki desu, and how about you? I'm transmitting from--

CHAIR LEE: Mui bien.

COUNCILMEMBER KING: Oh, okay. So, I'm transmitting from my residence in South Kihei, of 40 years. And I do have my husband in the other room. He's in his meetings. I'm in my meetings. I just heard from our district office there are no testifiers at the South Maui District Office. So, looking forward to a Council meeting.

CHAIR LEE: Thank you.

COUNTY CLERK: Councilmember Gabe Johnson.

COUNCILMEMBER JOHNSON: Minasan, ohayo gozaimasu. (Spoke in Japanese.)

So, I'm alone, I'm in my office space with Kate Griffiths. And there's no testifiers in the Lanai District Office and I'm ready for a Council meeting. Mahalo, Chair.

CHAIR LEE: Thank you. You say that, you speak the language so well. I like to hear you speak Japanese.

COUNTY CLERK: Councilmember--

CHAIR LEE: Madam Clerk.

COUNTY CLERK: Councilmember Tamara Paltin.

COUNCILMEMBER PALTIN: Aloha kakahiaka and ohayo gozaimasu. Konnichiwa. Ogenki desu ka. I'm testifying, or not testifying, I'm broadcasting live and direct from the Lahaina District Office. And with me is the district office aide Christian Balagso. And we do not have any testifiers at this time, but we're open as a courtesy site if anyone wants to come on down. Imua Na Pueo.

CHAIR LEE: Thank you very much.

Madam Clerk.

COUNTY CLERK: Councilmember Yuki Lei Sugimura.

COUNCILMEMBER SUGIMURA: Ohayo gozaimasu. And I am here in the Council Chambers with Councilmember Tasha Kama. I hear an echo. Do you hear an echo? Does it sound clear? Oh okay. But anyway, I'm looking forward to having a productive meeting here in the Council Chambers. Thank you.

CHAIR LEE: Thank you and good morning.

Go ahead, Madam Clerk.

COUNTY CLERK: Council Pro Temp Tasha Kama.

COUNCILMEMBER KAMA: Aloha kakahiaka, Chair. And ohayo gozaimasu to my fellow colleagues. I am in the Council Chambers, looking forward to a great and wonderful meeting with each and every one of you. Thank you, Chair.

CHAIR LEE: Thank you, Member Kama. Could you move your microphone a little closer to you? A little bit closer. Yeah, thank you.

COUNCILMEMBER KAMA: Does this sound better, Chair?

CHAIR LEE: No, a little closer. Try again.

COUNCILMEMBER KAMA: How about now?

CHAIR LEE: Perfect. Perfect.

COUNCILMEMBER KAMA: Thank you, Chair.

CHAIR LEE: Madam Clerk.

COUNTY CLERK: Council Vice-Chair Keani Rawlins-Fernandez.

CHAIR LEE: Okay, we can barely hear you too. Maybe you could put the microphone a little further down. Yeah, try, try that.

COUNTY CLERK: It keeps popping up. Council--

CHAIR LEE: There you go.

COUNTY CLERK: Council Vice-Chair Keani Rawlins-Fernandez.

CHAIR LEE: Excused.

COUNTY CLERK: And Chair Alice L. Lee.

CHAIR LEE: I am here. And again, konnichiwa, everyone, and looking forward to a wonderful meeting. I am here in my workspace at home alone. And that's it for now.

And I believe that the Vice-Chair will be joining us after the ceremonial resolutions.

Madam Clerk.

PRESENT: COUNCILMEMBERS SHANE M. SINENCI, MICHAEL J. MOLINA, GABRIEL JOHNSON, KELLY T. KING, TAMARA A.M. PALTIN, YUKI LEI K. SUGIMURA, NATALIE A. KAMA, AND CHAIR ALICE L. LEE.

EXCUSED: VICE-CHAIR KEANI N.W. RAWLINS-FERNANDEZ.

*(Vice-Chair Rawlins-Fernandez was not present during roll call; however, she arrived at the meeting at 9:34 a.m.)*

COUNTY CLERK: Chair, there are eight Members present, no Members absent, and one Member excused. A quorum is present to conduct the business of the Council.

For the record, I am County Clerk Kathy Kaohu. And also present from the Office of the County Clerk are Deputy County Clerk James Krueger; and Legislative Division staff Joyce Murashige, Lauren Saldana, and Dell Yoshida.

Joining the meeting from the Department of the Corporation Counsel is Corporation Counsel Moana Lutey and First Deputy Corporation Counsel Richelle Thomson.

CHAIR LEE: Members, this morning, the opening remarks will be provided by Councilmember Johnson.

## OPENING REMARKS

The opening remarks were offered by Councilmember Gabe Johnson.

CHAIR LEE: Thank you. Beautiful. Very well done.

Now Members, I ask that you join me in reciting the Pledge of Allegiance.

## PLEDGE OF ALLEGIANCE

The Members of the Council rose and recited the Pledge of Allegiance.

CHAIR LEE: Madam Clerk.

Before we proceed with today's agenda, may I please request that everyone keep your microphones muted unless it is your time to speak. Decorum shall be maintained at all times.

Madam Clerk.

COUNTY CLERK: Chair, proceeding with the presentation of testimony on ceremonial resolutions. Our first person to testify is Donna Hansen. Oh, I'm sorry, for the, I'm sorry, we have no, nobody signed up for the ceremonial resolutions.

CHAIR LEE: Alright. Any objections, Members, to closing public testimony on ceremonial resolutions? Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: So, ordered.

Madam Clerk.

COUNTY CLERK: Chair, proceeding with ceremonial resolutions.

## CEREMONIAL RESOLUTIONS

RESOLUTION  
NO. 22-92

CONGRATULATING THE MAUI PREPARATORY  
ACADEMY BOYS BASKETBALL TEAM FOR  
WINNING THEIR FIRST DIVISION II STATE  
CHAMPIONSHIP ON FEBRUARY 26, 2022

CHAIR LEE: Councilmember Tamara Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair.

I MOVE TO ADOPT RESOLUTION 22-92.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: Moved by Member Paltin, seconded by Member Sugimura, to adopt Resolution 22-92.

Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. I'd like to read the resolution in its entirety.

CHAIR LEE: Of course. Please proceed.

COUNCILMEMBER PALTIN: Thank you.

*(The resolution was read in its entirety.)*

CHAIR LEE: Thank you very much. Any discussion, Members?

Member Paltin.

COUNCILMEMBER PALTIN: Thank you. And this was such an impressive feat for Na Pueo, especially given that the boys basketball team just started varsity competition three short years ago. What better way to close out an undefeated season of 17 and 0 than with a historic win at the State level.

This marks the first ever State team championship for Maui Preparatory Academy, the first of many, and just the second boys State basketball championship for Maui in four decades, when Lahainaluna won the title in 1982.

Members, I'm sure you'll join me in offering a hearty congratulations to the entire Na Pueo community. And I thank you for your support of my motion.

CHAIR LEE: Thank you very much, Member Paltin.

Anyone else?

CHAIR LEE: Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. And ho'omaika'i to . . . Na Pueo. Congratulations for your success at the State finals and representing Maui. And, and for being stewards and for teamwork. I think the truth is that teamwork is at the heart of every great achievement, and you've certainly done that for yourselves, your school, and for Maui County. Congratulations.

CHAIR LEE: Thank you.

Member Molina.

COUNCILMEMBER MOLINA: Mahalo, Madam Chair. And congratulations, everyone. Man, talk about total dominance and teamwork. And you, you're going to have that title the rest of your life, State champions. And the lessons you've learned from this experience will help you later on in life as well. Congratulations to not only the players, but to the coaches and also to the parents.

And it's always great to see when our Maui teams go up to Oahu. It's like a, you know, you're on the road and it's tougher for our teams. And better yet, in the finals, you're taking on Kaimuki, which is like is a home game for them. And you guys just ran away with it. So, awesome job you guys. Keep it up and congratulations. And it looks like this may be the start of a dynasty maybe, yeah? Aloha guys. Mahalo, Chair.

CHAIR LEE: Great remarks. Anybody else?

Member Sugimura.

COUNCILMEMBER SUGIMURA: Congratulations all of you. I saw, before we logged in, I saw you gathering at your school. And I could just feel your energy and excitement. I

know in order for you to get to this point it takes a lot of people. And so, I congratulate your parents, all of the many, many families and your friends who came to cheer you on. And I agree with Member Molina, for you to go to Oahu and, and beat and become the champion, it takes a lot. And we're proud of you. And thank you for wearing Maui strong. Thank you.

CHAIR LEE: Anybody else? Alright, Members, I just want to say to the team, coaches, the teachers, the families, thank you for all your hard work. Because we know, in order to be a champion, it takes a lot of sacrifice and work. So, congratulations from all of us.

Members, all those in favor of the motion to adopt the resolution, please raise your hand and say "aye".

AYES: COUNCILMEMBERS JOHNSON, KAMA, KING,  
MOLINA, PALTIN, SINENCI, SUGIMURA, AND  
CHAIR LEE.

NOES: NONE.

EXCUSED: VICE-CHAIR RAWLINS-FERNANDEZ.

CHAIR LEE: Okay, eight "ayes", zero "noes", one "excused"; Member Rawlins-Fernandez. Motion passes. Congratulations everybody.

Member Paltin, do we have any speakers on now? You want to introduce?

COUNCILMEMBER PALTIN: I'm not sure if the team captain wanted to say a few words, no pressure. But if you would like to, if anyone from the team or the coaches would like to say a few words, we'd love to hear from you.

COACH ZACH BAILEY: Aloha.

CHAIR LEE: Aloha.

COACH BAILEY: First of all, I want to say thank you guys for having us. It's a honor. You forgot one, one person that was instrumental in our, on our team. It was the manager, Rebekah Ankney. Come show your face. Come here. She was instrumental in helping us as well. So, I just wanted to give her that shoutout because she deserves it as well.

You know, it takes a team effort. No one does it alone. We have a great group of guys, support staff, athletic trainer, great school system here that supports us. And, you know, I just want to say it's an honor and a privilege to be able to coach these guys and to be around these individuals every single day. And it's an honor for you guys to have us and celebrate us in the State championship. So, mahalo.

CHAIR LEE: Mahalo to you. Thank you so much. Is this the team captain, next?

MR. DREW TRIPLETT: Yes, Ma'am. My name is Drew Triplett. And I just want to say, first of all, thank you guys for having us. We really appreciate it. And like coach was saying, it took a lot of people to kind of come together, create cohesion throughout the season, even before the season the last couple of years. Like you guys were saying, we've only had a program for three years. But the school, the community, our families, like you guys mentioned, really rallied behind us and allowed us to pretty much put all of our effort and pursue this title as a team. And we just really appreciate, also, you guys for having taking time out of your guys' day, and really embracing us and embracing our, I guess accomplishment and everything that you guys have supported us with as well. Thank you very much.

CHAIR LEE: Thank you. You make us very proud. Would anybody else like to say anything before we close? If not, thank you very much, guys, and families, and teachers, and everybody. Aloha. Have a great day. Have a great year. Thank you very much.

Madam Clerk.

If there, actually, actually, if there are no objections, is it alright with all of you to take up Member Kama's, Member, Pro Temp Kama's resolution at about 11:45, due to scheduling issues? Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: Okay. So, ordered. So, ordered.

COUNCILMEMBER KAMA: Thank you.

### SET THE CONSENT CALENDAR

CHAIR LEE: So, now we have to set the Consent Calendar. Members, at this time, we will set the Consent Calendar. As a reminder the calendar can be still adjusted after it is

set. Are there any requested changes to the Consent Calendar at this time? Alright. Are there any objections to setting the Consent Calendar?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: No, objections. So, ordered.

Madam Clerk, please proceed with testimony.

COUNTY CLERK: Chair, Members of the public may testify in the Council Chambers.

CHAIR LEE: We can barely hear you.

COUNTY CLERK: Okay, sorry. Members of the public may testify in the Council Chambers, at courtesy testimony sites, or remotely through the information listed on the meeting agenda.

Individuals in the Chamber may sign up to testify with the staff member located at the desk in the 8th floor lobby. Individuals at the courtesy testimony sites may sign up with the staff member at the site. Individuals participating remotely may also sign up in the meeting chat. If you are connected to the meeting by phone, you'll automatically be added to the testifier list.

Individuals connected by phone are currently on mute and will be unmuted when it is their time to testify. Individuals connected by video conference should keep both their video and microphones off and should turn them on only when it is their time to testify.

Testimony is limited to the items listed on the agenda. And individuals may testify for up to three minutes per item. When testifying, please state your name and the name of any organization you represent, as well as the items on which you will be testifying. Please also identify to the Council if you are a paid lobbyist.

After your testimony has concluded, please disconnect from BlueJeans. Once the testimony period is closed, only the Councilmembers, staff, and designated resource persons will be connected to the meeting. All other individuals will be disconnected. The remainder of the meeting can be viewed on Akaku Maui Community Media, Channel 53, or on [mauicounty.legistar.com](http://mauicounty.legistar.com). Individuals may also be disconnected from the public hearing, from the meeting at any time for breaking decorum.

Chair, the first person to testify is Donna Hansen. To be followed by Bob Hansen.

## PRESENTATION OF ORAL TESTIMONY

MS. DONNA HANSEN (testifying on Committee Report No. 22-41):

Good morning. Hello. This is, what, what am I doing?

MR. BOB HANSEN: Geez, hold on. Hold on one second.

MS. HANSEN: Sorry.

CHAIR LEE: What happened there?

MR. HANSEN: Okay, go.

MS. HANSEN: Apologies. I'm sorry.

CHAIR LEE: No problem.

MS. HANSEN: I'm Donna Hansen. I represent myself, and this is about Resolution 22-70. My statement is Maui's citizens, like other islands and States, have endured over two years of turbulent experience. During this time, you have passed several laws that have caused even more problems. These taxes and laws are driving the local citizens out, favoring the hotel industry and more affluent visitors. We are trying, we are finally experiencing the fine, the beginning of a recuperation for restaurants, retail and businesses, even though some of your tax bills and other laws have caused much harm.

However, through these decisions, the County has gained a financial surplus by pulling even more tax dollars from the public, which my understanding was assisting, was for assisting the population who requires many needs such as housing, etc. Congratulations on creating a surplus for the County. But because of this surplus, each and every one of you has gained economic growth through large raises from the Council, for the Council and other parts of the County, while the little people have actually diminished in their spending ability due not only to inflation, but to taxes, legislation.

Now, you have, sorry, I'm nervous. Now you have the new hurt the people bill, I believe, by trying to control tourism accommodation growth, which assists the hotels and not the mom-and-pop vacation renters. And rumor that it is because you guys favor the hotels. And many of those are owned by foreign people, and not, and companies, rather than by private people. I feel that that's really, really wrong.

I'm going to beg you to not crush Maui's economy further. And I would love it if you would work toward bringing aloha spirit back to this island, because it is diminishing constantly. You may not be aware of it, and I know you all are well-intentioned. But you are blindsided by so many things that you have caused the little people on this island. Please consider this very, very carefully, and not hurt us anymore. Thank you.

CHAIR LEE: Thank you.

May we have the next speaker?

MR. HANSEN: No, no, no. I'm next.

MS. HANSEN: Oh, Bob's next.

MR. HANSEN: Yeah. I'm next.

MS. HANSEN: Excuse me. Sorry.

MR. HANSEN: Change chairs here.

COUNCILMEMBER KING: Chair, I don't know if you can see Member Paltin . . .

CHAIR LEE: Before, Member Paltin, did you have a question?

Members, I'm going to ask you to please not debate with the testifiers, whether we agree with them or not. Just clarification questions, please.

Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. My clarification question was, have you read this legislation? Cause it didn't sound like it to me.

MS. HANSEN: Yes, I understand what the purpose of it is. And that's to--

COUNCILMEMBER PALTIN: No, no. I just was asking if you read it or not? That's all the questions.

MS. HANSEN: I haven't read the full thing. I've read a lot of it.

COUNCILMEMBER PALTIN: Thank you.

MS. HANSEN: Sure.

CHAIR LEE: Any, any more questions, Members? If not, thank you.

MS. HANSEN: You're welcome.

COUNTY CLERK: Chair, our next--

CHAIR LEE: Next testifier is Bob.

COUNTY CLERK: Our next testifier is Bob Hansen. To be followed by Nick Drance.

MR. BOB HANSEN (testifying on Committee Report No. 22-41):

Okay. Aloha, Council. Aloha, Chair.

CHAIR LEE: Good morning.

MR. HANSEN: I've testified many times, as you know. I'm testifying on the Resolution 22-70. And again, I have not read the whole thing, but I've received a lot of feedback on it. It just seems like, you know, the citizens of Maui, the mom-and-pop organizations that have vacation rentals and so forth. I appreciate that we don't want to have a lot more vacation rentals. I get it. We're, we're kind of full right now. I just would encourage you to not, you know, reduce the number. I mean, we worked for years to get the transient accommodations bill through. And finally, it did, because I'm a realtor and I was on the committee to do that. And I think it's a great bill. And anything to diminish that, I think would be to the detriment of basically the mom-and-pop organizations, like myself, and my son, who have vacation rentals. And I just implore you to take that into consideration. Thank you.

CHAIR LEE: Thank you.

Member Paltin?

COUNCILMEMBER PALTIN: I just wanted to clarify, you said you didn't read the bill. The bill doesn't take away vacation rentals. It maintains status quo. So, I just wanted to try and clarify what it was that you were against.

MR. HANSEN: Well, this, what I was against was the status quo is, is good. But what it was, what I understand was that if somebody that sold their property, that it didn't, you know, transfer over, which is okay. But then that, then the number would be reduced instead of staying the same and somebody else could come in and apply, is that correct?

COUNCILMEMBER PALTIN: I think that might be a different bill.

MR. HANSEN: Oh, okay. Well, I testify a lot on a lot of different things, and I apologize for not, you know, really reading the bill thoroughly. And I will. But basically, you know, I think you know what I'm saying as far as the mom and pops and, you know, the, the little people as, as opposed to the hotels. Just keep that in mind when you make your legislation there. Appreciate it. Thank you.

COUNCILMEMBER PALTIN: Thank you.

CHAIR LEE: Thank you. Any more questions, Members? If not, thank you Mr. Hansen and Ms. Hansen.

MR. HANSEN: Thank you.

COUNTY CLERK: Chair, our next testifier is Nick Drance. To be followed by Mike Moran.

CHAIR LEE: Okay. Mr. Drance.

MR. NICK DRANCE (testifying on Committee Report No. 22-41):

Aloha, Council team. Nice to see you again. Nick Drance here testifying from the East Coast. It is 3:32 pm here. It's like time warp. So, it's 3:30 in the afternoon on Friday. I ask the Council to support 22-70, because in so doing they cooperate with the administrative functioning of County government. And a vote against that resolution prevents the normal functioning of County government. Let the Planning Commission and their advisory committees make the determinations and let the system and the process move forward.

As far as the subject itself goes, you all know how I feel, Councilmember Johnson's comments this, this morning about stewardship taking a big picture view of things is related to this subject. And I think as far as preservation of the island goes, which is what he was talking about, generally, when it comes time for us to live our last moments on earth, what are we going to look back on? And I think preservation and stewardship are going to be the thing, the only things really that matter. And anything related to

money and transitory things won't have any meaning to us in those final moments. So, I hope that you will all support this resolution, and allow the County system to function as it exists. Thank you.

CHAIR LEE: Any questions, Members, for clarification? If not, thank you very much, Mr. Drance.

Madam Clerk.

MR. DRANCE: Thank you.

COUNTY CLERK: Chair, our next testifier is Mike Moran. To be followed by Lucienne de Naie.

MR. MIKE MORAN, KIHEI COMMUNITY ASSOCIATION [testifying on Bill Nos. 77 (2022) and 78 (2022)]:

Happy Earth Day, Chair and Councilmembers. Mike Moran for the Kihei Community Association. An appropriate day to be supporting Bill 77 and 78 for the pio, piokeo [*sic*] watershed. And KCA had, did our best to dissuade development of that land for well over a decade in trying to keep it open. So, this looks like the ultimate outcome that we would want. And in that same area, I'll try not to dis, to sway too much from the agenda, but after your closeout at yesterday's meeting, I was down by the shoreline, and I thought sure I heard the few remaining corals cheering. I'm not sure. But maybe it was that hallucination, but I think I did. And maybe they'll be cheering louder today as this proceeds.

I would like to inject, cause sometimes we are asked why we're testifying on something in, in Maalaea, as most of us refer to that general area, when we are the Kihei Community Association. And historically, KCA was officially incorporated in 1960, which may be before us, some guys here were born. But even before 1960, there was a grassroots group, at least in the 50's that was an unofficial KCA. And when they were getting things established, they were looking at all of South Maui, which of course was much different then. There was no Maalaea Boat Harbor. There was no Kihei Boat Harbor. All . . . right there in North Kihei, across from where these guys were, were getting, were established, and there was a store there, and people said, oh yeah, the Suda Store. No, this was the store before the Suda Store.

And they just, they chose the name Kihei because most people weren't looking so much at other areas. So, that's in our bible, is that we speak for, our best for all of South Maui. And now that other organizations have popped up over the last 60 years,

we concentrate more. But that's . . . as our responsibility to speak up for South Maui, and we, that this will be, will, will proceed, these two bills. And we can do wonders again. It's really appropriate for Earth Day, if we can start doing something to help Maalaea Bay in its dire straits right now. So, as one of the little people, we think you guys are doing a great job and thank you for all the good work you do. Aloha.

CHAIR LEE: Aloha, Mike. Questions, Members?

Member King.

COUNCILMEMBER KING: Okay. Sorry, I, I don't really have a question. I just wanted to say Happy Earth Day to Mike Moran and, and let you know that you and the KCA, and all the other citizens of, of Maui have been partners with us in these efforts. So, you know, we appreciate you as much as you appreciate us.

MR. MORAN: Mahalo for the kind words.

CHAIR LEE: True, truer words never spoken.

Member Kama.

COUNCILMEMBER KAMA: Thank you, Chair. Thank you, Mr. Moran for being here. I kind of like when you show up, because, you know, you come with your white hair, and you bring with us wisdom. So, thank you. Bu my question is, you know, I heard two testifiers today talk about us little people. So, when you say us little people, what are you meaning by that?

MR. MORAN: Well, I took their meaning too, that, that their impression was that you guys were the big people. That you were getting all this money paid from everybody with taxing all us working people to death. And gee, I don't see that at all. And, you know, as a volunteer, when people say to me, oh well, you have influence. Well, no, we, we're not elected officials. We just try and participate in that process. So, I think of that as the so-called little people as opposed to the corporate entities. But I don't see any corporate entities on the screen here. I don't know, I think they were kind of misled, especially if they didn't even read the bill. I, I mean it that we're all, all of us that I see on this screen are incorporated in that little people term.

COUNCILMEMBER KAMA: Thank you, Mr. Moran, for your wisdom.

MR. MORAN: White hair. I don't know about the wisdom, but white hair I've got.

CHAIR LEE: Any other--

MR. MORAN: A hui hou.

CHAIR LEE: Any other comments, Members? Questions? If not, have a great weekend, Mike, and thank you for testifying.

MR. MORAN: Yeah, you guys . . . sleep in Monday morning. You'll get this . . .

CHAIR LEE: Oh, we can't do that. We have budget.

MR. MORAN: Aloha.

CHAIR LEE: Alright.

(Vice-Chair Rawlins-Fernandez arrived at the meeting at 9:40 a.m.)

COUNTY CLERK: Chair, our next testifier is Lucienne de Naie. To be followed by David Dorn.

CHAIR LEE: Okay, we have, before we do that, for the record, let the record show that Vice-Chair Rawlins-Fernandez has joined the meeting.

VICE-CHAIR RAWLINS-FERNANDEZ: Aloha kakahiaka, Chair, my Molokai Nui a Hina. I'm at the Molokai District Office alone on my side of the office. And Zhantell Lindo, our community outreach specialist, stepped away for a moment but she'll be back on the other side. Hauoli la Honua, Happy Earth Day.

CHAIR LEE: Your connectivity is a little weak there. Alright, Madam Clerk, please call the testifier.

COUNTY CLERK: Chair, our next testifier is Lucienne de Naie. To be followed by David Dorn.

MS. LUCIENNE DE NAIE, SIERRA CLUB MAUI [testifying on County Communication Nos. 22-89 & 22-97; Committee Report Nos. 22-35, 22-39, 22-40, & 22-41; and Bill Nos. 54 (2022), 76 (2022), 77 (2022), & 78 (2022)]:

Aloha, Councilmembers. Well, it's nice to see a few of you there in the Council Chambers. My name is Lucienne de Naie. Happy Earth Day to everybody. And thank you for all of your days and nights of hard work on the budget. I'm testifying on behalf of Sierra Club Maui in strong support of Bill 77 and 78, which had to do with amending

the budget as the Mayor has suggested, to put in this extra little push of funds for the Maalaea Mauka, Pohakea, also known as Pohakea Watershed areas.

These are very, very important land, if we are to bring back the health of Maalaea Bay, which was once known as one of the most remarkable places for varieties of limu, and for varieties of the little critters they call them gastropods. But all the little critters that live in the reefs, and along the shoreline, that we find their beautiful shells along the beach. This was a famous place for shells. In fact, folks would go in the 1960's and 1970's and just gather shells and make little shell art houses with them. This is one of the prime places that families would go. This was kind of a trend among crafty ladies in the 60's and 70's.

So, we need to bring back that abundance and the first step is managing the sediment load, which is tremendous, that flows into our oceans from these upslope lands. It can be done. It will be done. There's a plan for it to be done. All we need to do is actually have one entity, the State in partnership with nonprofit organizations, like Maui Nui Marine Resource Council, Sierra Club, the Maalaea Village Association, and others, Soil and Water Conservation Districts, to manage that land. So, mahalo for your support of these bills.

We'd also like to testify in support of Bill 76, which brings relief to our Upcountry farmers for feral animal control. Anything we can do to make things easier for our farmers and ranchers, not to be decimated by the unchecked populations of feral animals, we need to do. This, this problem is so crazy that homeowners just don't bother planting anything unless they can afford a fence, a big fence, because these deer can jump. So, thank you for your support of that.

We're also supporting, in support of item 22-39, which sends a letter out to our Federal representatives supporting regulations of the, the tour and helicopter flights. We call it flight scene. They, they are a needed part of our economy. But they need to play fair, and they should not target residential neighborhoods where the noise levels can become unbearable. And I know the folks in Waikapu are very concerned about this. And some of the folks Upcountry as well. It used to be a big problem out in Huelo where we live. They came every half hour on the half hour. It was like living in Vietnam. But through Federal interventions, there were regulations put in place. This is round two. So, we, we thank you for your support on that.

Also, we would like to speak on item 22-97 and 22-40. Now, these are the amendments to kind of have a reality check for what happens in this public, very needed public-private partnership with the Waikapu Town Development. Sierra Club has testified in support of this development because of its many green characteristics, including dedicating 800 acres of agricultural land as a perpetual easement, as a buffer around

the community. This is very sound planning. And this land is already being farmed in part, which just shows the good intention of the landowners. We do appreciate that the t's were crossed, and the i's were dotted in this amended resolution. There's a lot more specifics, and clarity about what happens when and who does what. And we think that in order for this partnership to succeed, that clarity is needed. So, thank you for your consideration of these two important items today.

We're also testifying on the appointment of Duane Sparkman, this is 22-89, to the County Arborist Commission. Duane is a person who has championed sound practices for landscape management, both as an employee of major resorts and as a volunteer. He's been on many of our Sierra Club volunteer outings, sharing his botanical knowledge. He would be a tremendous addition. And we are very grateful for his service to be willing to serve on the Arborist Committee.

We would also like to testify on item 22-41. You've heard earlier testimony about this. This is a bill to cap at existing levels the visitor industry accommodations that are in our neighborhoods. This is a sound policy. I'm sure it will be well-debated at the various planning commissions. And folks will have a chance to weigh-in. But Sierra Club, like many other organizations, just applauds the Council for doing a reality check that we just don't have the infrastructure, the room, or really the public patience to be overrun by well-meaning visitors. We, we need to sort of send some sort of signals that we have kind of some caps. And this is a first start. So, thank you for trying something.

We would also like to support Bill 54, which sets the qualifications for the Director and Deputy Director of the Department of Agriculture. This is an exciting brand-new department. There's a lot of interest in it. We're very, very supportive of putting our funding where our mouth is, and saying we want to find ways to support agriculture, including the little mom-and-pops that, and the young farmers starting out in our community. So, thank you for your support of this.

And last, but not least, we would like to speak to item 22-35, which moves forward on the County lots there in the Fairways, Maui Lani Fairways development that the County acquired through litigation, to allow some of the lots to be used for very needed housing that would be affordable to our medical personnel, who support the Maui Memorial Hospital, and also, in general for affordable housing opportunities.

We do share the caveat that this particular location has had fill in one section of the lots that were sloping and are now level with a crumbling retaining wall holding in that, that level of dirt. Those areas need to not be forced into housing. And the planning for these organizations that are working on the lots needs to take a long hard look at what happens to those areas. Is the fill removed? Are, are other provisions put in to just allow passive use and no, no housing to be created? But we need a solution for those

portions of this parcel. And we very much support their being used for affordable housing. But affordable housing should not put people's investment at risk of flooding, collapse and other dangerous situations. So, thank you for your consideration of all of these things. We've gone on and on. And we appreciate all of your work. Aloha.

CHAIR LEE: Aloha, Ms. de Naie.

Questions, Member King?

COUNCILMEMBER KING: Thank you, Chair. Thank you for being here again, Lucienne. I, I'm going to start having to keep a notebook when you testify, because it's so thorough and so many items. But you know when you were talking about the history of Maalaea area, and I know you're the historian, you're literally writing the book on the subject. And do you have pictures of what it used to be like before, you know, all of the runoff and, you know, the injection well effluent and all of that?

MS. DE NAIE: Yes, we do. There was an excellent report done in 1971, which has very clear, black-and-white pictures of an amazing variety of coral and algae. And of course, the beloved Isabella Abbott lived in Maalaea and did a research project with her students, literally in her backyard in the 70's. She lived in one of the early condos. And right out from the condos, they went and found this large variety of, of wana, of, you know, they are sea urchins, and tested them to understand how they feed and what they eat. In other words, this was a place that had such abundance, that she used it as the test plot to see how healthy ecosystems operated. So . . .

COUNCILMEMBER KING: Is that going to be in your book?

MS. DE NAIE: Yes.

COUNCILMEMBER KING: Okay.

MS. DE NAIE: We're having a whole section on, on Aunty Isabella. And we're using some of the pictures from the 1971 report, yes.

COUNCILMEMBER KING: Okay, well, we'll be there at the book signing.

MS. DE NAIE: Thank you.

COUNCILMEMBER KING: Thank you. Thank you, Chair.

CHAIR LEE: Any more questions, Members? If not, thank you very much, Ms. de Naie. Have a great weekend.

MS. DE NAIE: Thank you.

COUNTY CLERK: Chair, our next testifier--

CHAIR LEE: Madam Clerk.

COUNTY CLERK: --is David Dorn. To be followed by Justin Hughey.

MR. DAVID DORN (testifying on Committee Report No. 22-41):

Hello? Konnichiwa and Happy Earth Day. My name is David Dorn, I'm not a lobbyist. I agree with Lucienne on all her points. We do need to provide extra funding to protect the Maalaea Watershed. And we need to support our Upcountry farmers to better control feral animals in the mauka watershed.

I also support the adoption of Resolution 22-70. We need more homes, not hotels. And we need to manage tourism so that it benefits Maui County locals, the moms and pops. Maui County already has more than enough hotel rooms, time-shares and other transient accommodations. We have more hotel rooms per capita than Oahu. And we are more tourist dense than Waikiki. Maui now is up to one tourist for every two to three locals, far exceeding our limits and our levels set in the Maui Island Plan. This is totally unsustainable. There's not even enough locals to work these hotels. So, hotels are importing more people to work in these hotels. Hotel work, workers are brought in from the mainland and they are buying up our workforce and affordable housing. And there is nothing to stop them.

The two-year visitor moratorium is actually benefiting the housing industry as construction is focusing on home building and other kinds of construction. This is actually helping us fill the need for more housing for locals. But this is only a temporary solution to Maui's housing crisis. This bill for capping tourist accommodations could similarly help our construction industry and the folks and the kind of projects that will actually benefit local families, such as building more housing and schools.

Many hotels on Maui are owned by huge mainland corporation. A majority of profits from the hotel goes offshore to pay shareholders. And most does not benefit the local economy. Most Maui's top hotels are owned by billionaires and multi-national corporations. The profits go to Wall Street and into the pockets of billionaires like Larry Ellison, Bill Gates, Michael Dell, and Saudi Arabia Prince Al Waleed bin Talal, just to name a few.

Hotels are not always staffed by local people. There are not enough locals to staff the hotels we have now. So, hotels are importing and recruiting mainland workers to come here to fill these positions. Hotels bring in mainland managers and even international staff to fill senior positions. And they're not always training them . . . The visitor industry is also underpaying their local workers, so local people working in this industry cannot support their families long terms and many residents are forced to leave Maui.

Increasing the number of hotels and visitor accommodation is a bad idea. By capping the number of accommodations, we're actually supporting all of the hotels we have now, and, because there is supply and demand. When we cap the hotel numbers, we increase demand, and we can help them to charge higher prices. And so, they can afford to pay higher wages to their local workers. The visitor industry in Hawaii is currently underpaying its workers. The average for a hotel housekeeper is \$14 to \$15 per hour, whereas the high cost of living in Maui makes the minimum livable wage more like \$20 to \$25 per hour. Meanwhile, Bill Gates makes \$456,625 per hour.

There are better ways to support the local economy than building more hotels. Local hotels are not always built by local contractors. These projects need to go to local construction companies. We need to ensure that hotels are staffed by Maui locals, and that we hire Hawaiians to fill all levels of staffing positions. We need to ensure that hotel workers are paid a decent living wage that is sustainable for the cost of living here in Hawaii. We need to raise taxes on foreign-owned hotels and visitor accommodations. We need to raise taxes on absentee landlords that are converting homes to TVR's and condos to timeshares. Please recommend passing this bill, so it can be properly and deliberately debated by the Planning Commission. Thank you.

CHAIR LEE: Members, are there any questions? If not, thank you very much, Mr. Dorn.

MR. DORN: Thank you.

CHAIR LEE: Madam Clerk?

COUNTY CLERK: Lynn Britton.

MR. JUSTIN HUGHEY: I didn't hear anything. Is, I didn't hear Justin Hughey testify.

CHAIR LEE: I believe Lynn Britton is the next testifier.

MR. HUGHEY: That's after Justin Hughey. That's on number 8. Number 7 is Justin Hughey.

COUNTY CLERK: Justin Hooey *[sic]*, Hughey. To be followed by Lynn Britton.

CHAIR LEE: Okay. Madam Clerk, could you speak a little louder, cause we can't hear you.

COUNTY CLERK: Okay. Thank you.

CHAIR LEE: Okay, Mr. Hughey.

MR. JUSTIN HUGHEY (testifying on Committee Report No. 22-35):

Alright. Start my clock here. Aloha Friday. My name is Justin Hughey. I'm a teacher. I don't know why I'm speaking, I'm testifying to this again, but I'm, this Resolution 22-84, I'm speaking in strong support. And I'm not doing it because it benefits me at all. I'm doing it because there's so many people that are suffering in my community. I see that our community is broken. Our community is great if you're a millionaire that wants to buy a secondary home, vacation home on Maui, because you don't even pay property taxes for the public school system.

But hey, you know, I moved here in 2005. In order to go paycheck to paycheck, renting a one-bedroom apartment, I had to work nights at a sushi restaurant in Kapalua at Sansei. I did that for ten years until my back literally blew out. I suffered a slipped disc. But I was, luckily, I was able to, you know, win the lottery ticket with Na Hale O Maui. My house used to be owned by a doctor that went into foreclosure. The house, brand new was \$650,000. The bank wanted to sell it for \$475,000, but Na Hale O Maui bought it for \$375,000, put \$20k into it. Was turnkey ready to go. And I sold, and they sold it to me for \$275,000. Now, you know, a responsible adult, as a responsible adult, your rent or mortgage is supposed to be one-fourth of your income. And just try to think of all the firefighters, police officers, nurses, doctors, teachers, government workers, farmers that don't pay one-fourth of their, of their income to their mortgage or rent and just there's, every, the average house is a million dollars. This is a broken community.

I've lived in small town Illinois; Seattle; Florence, Italy and I've never seen such a community that's broken. And there's no, there's no real focus on affordable housing. This is 19 lots, and this is the second time I've testified. So, 19 people might have the chance at affordable housing, which it, I just, it hurts me to say that. It hurts me to say that I'm only testifying for 19 lots. I have a dream that one day I will come here and I will testify for a substantial number of lots, affordable housing that's going to go towards firefighters, police officers, doctors, nurses, teachers, government workers, farmers,

the people in our community that make our community, not just doing everything for the super rich.

I recommend that anyone that really values affordable housing, that values people that work here, are able to afford truly affordable housing and it stays affordable in perpetuity, to go to Na Hale O Maui. It's . . . from the chamber . . . and, and how wonderful they are. And let's not turn this into Oahu 2.0, sky, you know, sky high, high-rise apartments, you know? Na Hale O Maui can do it. They need your help. They need a lot of your help. They need more than 19 lots. It's just, it's just so depressing to be here to testify a second time for 19 lots. So, please, please pass Resolution 22-84. And hopefully, one day, we can do more. Have a wonderful Friday.

CHAIR LEE: Members, questions? Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. I just wanted to clarify, you know, when you went through your process that you described, the affordability in perpetuity and the land trust factor, was that at all a discouraging or a hesitancy for you, or something that you appreciated?

MR. HUGHEY: Zero. It was, there was zero hesitancy. There was zero concern. I would love to have County and State government do more to raise salary and lower the cost of living, but that's just not happening. So, I don't have the, that ability to buy my own house with my, with you know, with the salary that I have. You know, we have, teachers in Hawaii make the worst salary in the country when factored in the cost of living. So, like there's no opportunity whatsoever for me to buy a, yeah, it'd be great. It'd be great to buy my house and it'd be great to have the land and everything. But that's just not in the ballpark for any teacher right now. So, what's, what's in the ballpark? What makes sense? What's available to me is Na Hale O Maui. And I'm one of, I, I represent .0001 percent of people that were able to buy affordable housing. And it's, it's, it's discouraging--

CHAIR LEE: Mr. Hughey, I think you answered the question. Thank you very much.

MR. HUGHEY: Okay, I feel real strongly about this.

CHAIR LEE: Yeah, we all do. Thank you. Any more questions? Thank you very much.

May we have the next testifier, Madam Clerk?

COUNTY CLERK: Our next testifier is Lynn Britton. To be followed by Riki Hokama.

MS. LYNN BRITTON [testifying on Committee Report No. 22-41 and Bill Nos. 77 (2022) & 78 (2022)]:

Good morning. Konnichiwa.

CHAIR LEE: Konnichiwa.

MS. BRITTON: Aloha to Council Chair Lee and Members of the Council. I am a 50-year resident of Maui and founder and immediate past president of Maalaea Village Association. I want to thank you for your support of the purchase of Maalaea Mauka open space funds. And bills today, I believe 77 and 78 will be to add additional funding necessary, hopefully, to finalize and complete the purchase. We're, we were successful in attaining a million dollars from the State Legacy Lands funds. So, that will give us a total of \$7.2 million toward an \$8.2 million appraisal. And hopefully, that will be all that's necessary to buy the property.

I want to thank the Mayor for his support, and for Councilmember Kelly King for following this project from the beginning. With the takeover, not takeover, but with the transfer of the property to DOFAW, we will be able to incorporate the 257 acres into the 5,000-acre West Maui watershed, which will be a major step forward in terms of the efforts to restore Maalaea Bay.

I want to thank this Council for your efforts last night to reconsider the Maalaea wastewater issue. I know that this is the first step. There is a long way to go before we are successful. But that combined with the Maalaea Mauka parcel will really make a difference for the entire future of this island and our residents and visitors.

I also want to personally support the, I guess it's 22-41, for the cap on visitor industry accommodations. I started the Maui Hotel Association back in 1987. And I want to say that the County government is definitely to blame for allowing the proliferation of illegal rentals on this island. So, personally I want you to know I support your efforts. I support the need for addressing overtourism issues. And I also will be here to support anything that I can do to accomplish your efforts in that. So, thank you for all you do. Thank you for your long nights and hard work. And we just appreciate everything that you're doing. Thank you.

CHAIR LEE: Thank you. Members, are there any questions? If not, thank you, Lynn. Have a great weekend.

MS. BRITTON: You too. Aloha.

COUNTY CLERK: Our next testifier--

CHAIR LEE: Madam Clerk.

COUNTY CLERK: --is Riki Hokama. To be followed by Tamar Goodfellow.

CHAIR LEE: Riki Hokama. That sounds familiar. You're muted. You're muted. Good morning.

MR. RIKI HOKAMA (testifying on Resolution No. 22-106):

Aloha kakahiaka, Councilmembers, Chair Lee. This morning, I am, my name is Riki Hokama and as a Lanaian, I'm very proud to speak in support of your consideration of Resolution No. 22-106. The great thing about this resolution is that about four to five years ago, a couple of community leaders, like Dr. Coop DeRenne, who is known from the University of Hawaii Rainbow Baseball program, is a Lanaian now, Lanai resident, and he had proposed and planted a seed regarding a multi-purpose fieldhouse that would take care of more than just softball and baseball, but other sports activities for the island of Lanai.

And today, I am very proud to ask you to consider a resolution where our community is asking you to accept our donations. We're not asking for anything else. We're asking for you to accept community donations to help make this even a better facility in the value of about \$85,000 that the community has put forth. And I'm asking if you would please consider waiving Committee referral, and have you, the Council adopt the resolution today on behalf of our community.

I want to mention that the donors and community members that helped build this dream come true, like a field of dreams for us, is the Goodfellow Brothers Foundation, the Shane Victorino Foundation, the Manele-Koele Charitable Foundation, Pulama Lanai has contributed a lot because of their employees and community development that they wish to participate in, and now Dolera, besides many others who may not have given money, but have given their support, and their energies to help make this dream come true for our youth and our residents of our island.

As you can see, the Parks Department has proposed this. We're asking to accept it on behalf of the County. And we hope that this could be a template for other County parks throughout our network. So, if there's any questions, I'll be happy to do what I can to respond. But Dr. Coop DeRenne will be planning to testify shortly after me. And I would just ask for your consideration today, please. Thank you very much, Members.

CHAIR LEE: Thank you. Thank you very much. And we do have a couple of questions.

Pro Temp Kama.

COUNCILMEMBER KAMA: Thank you, Chair. So good morning, Mr. Hokama. It's nice to see you.

MR. HOKAMA: Good morning, Ms. Kama.

COUNCILMEMBER KAMA: So, my question is, have you talked to the Department of Parks and Rec, Karla Peters regarding this donation?

MR. HOKAMA: Yes. If you will see in the transmittal letter, the Director did send the request forward. We've worked with the Department, Mayor's Office, with the community, the donors, and of course, Coach Coop, who's been the spirit, sparkplug for this project. So, yes, we're all together on one page, in one mind, and we're hoping that we can get this facility opened as soon as possible.

COUNCILMEMBER KAMA: Okay, thank you. I'd be honored to do that.

MR. HOKAMA: Thank you, Ms. Kama.

CHAIR LEE: Member Sugimura.

COUNCILMEMBER SUGIMURA: Nice seeing you here, Riki Hokama.

MR. HOKAMA: Thank you.

COUNCILMEMBER SUGIMURA: I just wanted to ask you for clarifying, what is a multi-purpose fieldhouse?

MR. HOKAMA: You know, normally, if you look like what the Shane Victorino Foundation did at Kalama Park for us, it was basically just a baseball batting cage. This has been expanded to also take care of girls' softball sports facilities. There'll be some weight balls. There will be capacity with appropriate tarp and safety measures in place that you can also do golf.

If and when we get certain regulations and State and County rules squared away, we'll be able to do things like archery, potentially. You know, for Lanai, there's a potential now that we can get into other MIL activities, like air riflery, because of the facility and its safety measures that will be incorporated to ensure a use, proper usage. So, those, that's what we mean by a multi-purpose fieldhouse, Ms. Kama, I mean, Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. Thank you for explaining that. I think we need your help Upcountry. Thank you.

CHAIR LEE: Alright, any more questions, Members? If not, thank you very much, Mr. Hokama.

MR. HOKAMA: Thank you very much, Chair Lee and Members of the Council.

COUNTY CLERK: Chair, our next testifier is Tamar Goodfellow. To be followed by Coop DeRenne.

MS. TAMAR GOODFELLOW (testifying on Committee Report No. 22-35):

Good morning, Chair Lee and Councilmembers. Thank you so much for hearing Resolutions 22-84 and 22-85. I'm speaking in support of both of them. I know you have heard from me several times before on both of these resolutions. And I just want to say how much we appreciate your time and consideration and support. I am, you know, advocating for the 33 lots at Maui Lani Phase I of two-phase approach to resolving some of the issues over there, and getting some homes built for both healthcare providers and the other members of our workforce. And I'm very hopeful that you will continue to support the resolution. I'm here to answer any questions that you may have. And I will be available as a resource throughout. So, thank you so much for your time and support and consideration. Aloha.

CHAIR LEE: Thank you, Tamar. Any questions, Members? If not, thank you very much.

MS. GOODFELLOW: Thank you.

CHAIR LEE: Bye.

Madam Clerk.

COUNTY CLERK: Our next, our next testifier is Coop DeRenne. To be followed by Jordan Hocker.

DR. COOP DERENNE (testifying on Resolution No. 22-106):

Madam Chair, thank you for this opportunity. And Council, thank you for this opportunity. My name is Dr. Coop DeRenne, from, former professor at the University

of Hawaii and baseball coach. I would like to testify on behalf, the Council would authorize the acceptance of our donation. It's a gift of our sporting good equipment and the labor to the Department of Parks and Recreations, excuse me, for the installation in the interior of the fieldhouse on Lanai.

I've been involved in this for approximately five years. It's an incredible partnership between the private sector and, of course, the Maui officials, and the County officials. The gift value that we're proposing is approximately \$63,000 for the sporting good equipment. And we're also going to be gifting approximately \$15,000 to \$20,000 of donation in labor. And that's coming from the private sector. As you all can see that it's been an incredible partnership between the private sector and the Maui County officials. It's been a team effort and I've been able to witness for the last approximately five years since my wife and I moved to Lanai.

So, we appreciate the opportunity to come forward to you today to answer any questions you have about the facility, as we gift this opportunity and value for the equipment, as well as for the labor to you folks for our Lanai. So, if, if, I'll turn it over, if you have any questions about the facility, donations, etc., more than happy to answer your questions.

CHAIR LEE: Members, any questions?

Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. I just want to express our gratitude. Thank you for the gift that you're giving back to the community. Thank you.

DR. DERENNE: Thank you. It's our pleasure.

CHAIR LEE: Thank you. Any more questions, Members?

Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. Good morning, Coach. I also want to thank you for your, for your donations. It's really important. So, my question is, is do you have any future plans? You got any other projects? You seem to have a gift of giving, the gift of giving. I love it. So, if we can help it, if you got any other future plans, keep me posted. Mahalo.

DR. DERENNE: Okay. Yes, that's a possibility. I'm 75 years old and so, I'm going to slow down. But I love children. I love the sporting community on Lanai. They've embraced us. And my wife and I, we're going to make a decision, you know, Gabe, if there's a

thing that we possibly can do for the community, we want to do whatever we can, especially in the sporting fields. Because that's what, you know, my whole career has been in sports. So, I can, I'll do what I can, how's. No promises, but I'll do, I'll try to do what we can do for the community, always.

COUNCILMEMBER JOHNSON: Well, much appreciated, Coach. Thank you, Chair. No further questions.

DR. DERENNE: Thank you.

CHAIR LEE: Anymore questions, Members? If not, thank you very much.

DR. DERENNE: Thank you, all. God bless you, all. And thank you very much.

CHAIR LEE: And you too.

Madam Clerk.

COUNTY CLERK: Our next testifier is Jordan Hocker. To be followed by Jasee Lau.

CHAIR LEE: Hello, Ms. Hocker.

MS. JORDAN HOCKER (testifying on Committee Report No. 22-41):

Hello. Good morning, Chair Lee. Good morning, Councilmembers. Someone keeps muting my video, so.

CHAIR LEE: We can see you. We can see you.

MS. HOCKER: Okay. And then it keeps saying my, this is very weird.

CHAIR LEE: Yeah, don't pay attention to that, just . . .

MS. HOCKER: Well, my audio is getting automatically muted as well.

CHAIR LEE: We can hear you. Okay, now something happened. Staff, what's going on?  
Okay, we can see you again.

COUNTY CLERK: Chair, we're not--

CHAIR LEE: Can you say something?

MS. HOCKER: Okay.

CHAIR LEE: Okay, we can see you and hear you.

MS. HOCKER: Okay, you can see and hear me right now? Okay. Can you hear me right now, though? No? Okay.

CHAIR LEE: Yeah, we can hear you now. Yeah.

MS. HOCKER: Okay, I just, I keep seeing it mute and unmute on my end.

CHAIR LEE: A minute ago we could, we could see you and we could hear you. Now, we can only hear you.

MS. HOCKER: Okay, let's try to continue. If I stop talking, then please let me know.

CHAIR LEE: Okay, I will.

MS. HOCKER: Okay. Thank you so much. So, my name is Jordan Hocker and I'm an Upcountry resident. I'm not a paid lobbyist. I'm here today to urge the Council to vote yes to send the resolution mentioned in Committee Report 22-41 to the Planning Commission and the other channels as soon as possible. I'd like to point out, to clear confusion, because I did read the documents in their entirety. The, the resolution doesn't propose phasing out existing permitted vacation rentals or units. To me, instead, it seems like a logical next step in managing unfettered transient accommodation expansion within a hotel zoned areas. As this body knows, I was strongly in favor of the visitor accommodation moratorium. It was a brilliant idea initially put forward by Councilmember King, and then carried on by Vice-Chair Rawlins-Fernandez.

The resolution referenced here, I believe, is a forward step in doing what's being asked by members of the public, which is management of tourism. As we've heard from lobbyists in the past, the industry does not have intentions of curbing their growth or stopping. And we've heard those same entities discouraging your attempts in the past at tourism management, some who don't even reside in this County.

So, this is important, because despite the fact that our economy did take a hit during the pandemic, tourism has rebounded, even with just U.S. based visitors. A lot of tourism management does affect our quality of life as residents here in Maui County, from our ability to access beaches and camping resources, to something as mundane as our daily commute. I support the resolution referenced in CR 22-41 to go through

the proper channels, so that the caps and the specifics can be ironed out, and testimony can be heard further from the public about the details and how that would affect them. The least that can be done today is that this resolution is to be referred out of this body, which was supported by the PSLU, and to move forward in the next step of managing overtourism.

I do have to say I don't live in a heavily trafficked area. I enjoy living rurally. But I do feel strong empathy for our community members who live in South Maui and west side who are being even run, overrun. I don't even drive to those areas unless I have specific business, because I don't want to further clog up an already jam-packed infrastructure. So, people living in those communities deserve to have their voices heard, and the impacts to their quality of life taken seriously. And I just want to add to my testimony by thanking this body and Councilmembers for all of the work that you've done, and for listening to us in the past. So, thank you so much.

CHAIR LEE: Thank you, Ms. Hocker. Members, are there any questions? If not, thank you very much, again, Ms. Hocker.

May we have the next testifier, Madam Clerk?

COUNTY CLERK: Our next testifier is Jasee Lau. To be followed by Cassandra Abdul.

CHAIR LEE: And then how many more?

MR. JASEE LAU (testifying on Resolution No. 22-92):

Aloha kakahiaka.

CHAIR LEE: Good morning, Jasee.

MR. LAU: Good morning, Chair Lee. Where, where, oh, there you are. I'm looking at the computer over here. Yeah, I see Shane over there too, where's he at? And he's, is it, you in your office, Mr. Sinenci, or are you in Hana? What is that State of Hawaii behind you?

My name is Jasee Lau from Kula. I was speaking on the, the, kind of the atmosphere here. Kind of strange having a Council meeting with nobody here. Let's see, when I came to the basement door, it was still locked. I was hoping you guys could take care of that for members of the public. That was, used to be open, and they started doing COVID, now they're like closing it permanently now. So, maybe just on certain Council days you could have that basement door opened. Or I mean, you could, usually when

it, I don't want to write a formal letter and use the complaint word cause people from the mainland already get that, too many complaints.

So, congratulations, Maui Prep. Ho'omaikai. Thank you for doing what you guys do and hopefully you'll have a good future ahead of you. I don't know if any of you guys are still watching, but you should come over here and play basketball in here.

And, yeah, and another point for Yuki Lei Sugimura on the attendance, cause she's here and I don't see any. You know, you other Councilmembers on the other islands, I understand that. But it would be nice if you could schedule in once in a while, flying to Maui or paddle your canoe. And of course, Councilor Tasha Kama is over there, our Kahului representative.

And I only sat in the one chair for building maintenance. So, when you guys come and deep, deep clean and stuff, then you don't have to do the rest of the room, too. Thank you for your staff and thank you for the pencil.

CHAIR LEE: Alright, thank you, Jasee.

MR. LAU: Any questions?

CHAIR LEE: Any questions, Members? If not, no questions. Thank you.

Next testifier.

COUNTY CLERK: Chair, our next testifier is Cassandra Abdul. And Cassandra will be followed by the testifier calling in on the last digits of the phone number 4100.

MS. CASSANDRA ABDUL, NA HALE O MAUI (testifying on Committee Report No. 22-35):

. . . Councilmembers. Thank you for the opportunity to come before you again on behalf of affordable housing in perpetuity for both Na Hale O Maui and the Maui Hospital Foundation, and the lots that we are looking at in the Fairways. We really want to ask that you support the resolution and pass it. And we also thank you for all the support you have all given to affordable housing in the past. It's clear that you recognize how difficult it is for our community, especially our workforce. And together, we can keep everybody here on Maui if we can provide for more affordable housing, regardless of where it is or who is creating them. So, I'd like to thank you again and offer to remain as a resource with Tamar Goodfellow, as you discuss the particular resolutions. Thank you very much.

CHAIR LEE: Members? Member Kama, and then Member Sugimura.

COUNCILMEMBER KAMA: Thank you, Chair. And thank you, Ms. Abdul, for being here. You know, there was a testimony earlier by Justin Hughey. And he said that his recommendation, cause he was so passionate about what you folks do, that he would want everybody to sign up on your list. So, do you have a list that's ongoing? And how many people are on it? And would you be able to accommodate if everybody got on that list?

MS. ABDUL: Thanks. That's a really great question. In order to get on our qualified buyer list, each family or person must go through our four-step process, which is initially finding out about our program, because it is leasehold and not everybody wants leasehold property. Then they also have to get pre-qualified. So, you know, that they are prepared for homeownership, financially. They also take an 8-hour HUD approved class about financial literacy and also how to maintain and keep your homes in good condition. And then, meet with us and go through the exact terms of the ground lease, so there are no surprises, no misunderstanding.

Right now, we have just about 150 people on our list. But that doesn't mean that every time a house comes up, 150 people are trying to buy it. The last house we just closed out in Lahaina, thanks to all of you, there is a new teacher and his family that have moved in. There were 24 families of that 150 that were interested enough to sign up, take a look at the house. And as it turned out, they went through all of the steps, and there were 11 families that wanted to buy this one house.

CHAIR LEE: Thank you, Ms. Abdul. I think you answered the question.

Member Kama, do you have any more questions?

COUNCILMEMBER KAMA: No, Chair. Thank you.

CHAIR LEE: Okay. Anybody else with questions?

COUNCILMEMBER SUGIMURA: Chair?

CHAIR LEE: Member Sugimura, and then

COUNCILMEMBER SUGIMURA: So, this ques--

CHAIR LEE: --Member Paltin.

COUNCILMEMBER SUGIMURA: Thank you. This question is actually for you and the Members, if we want to have Ms. Abdul, Cassandra, to stay on as a resource, and when Tamar was, Tamar Goodfellow was on, I wondered that for the item. Do the Members feel that they want them to be available when these resolutions come up?

CHAIR LEE: Members?

COUNCILMEMBER KAMA: I don't have an objection.

CHAIR LEE: Members, do you want, all those in favor of designating Member, I mean, not member, but Ms. Abdul, a resource person when this item comes up, please indicate by raising your hand. Okay, apparently, there's five people, so can you come back at that time? Probably, actually, I'm not sure when. If we're lucky, it might be before lunch.

MS. ABDUL: I would be happy to. And I think it would also be helpful if Tamar Goodfellow was included in that.

CHAIR LEE: Members, do you want Tamar Goodfellow to be included?

COUNCILMEMBER SUGIMURA: Yes.

COUNCILMEMBER KAMA: Yes.

CHAIR LEE: Okay. Alright. Staff, can you notify Tamar Goodfellow?

And then, we have a question from Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. I just wanted to confirm with Ms. Abdul, I did get the information that I requested. So, I have received it. Thank you.

MS. ABDUL: Thank you.

CHAIR LEE: Okay, anybody else? Members, questions?

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha Ms. Abdul. Mahalo for your testimony. So, we, we took these up in, in Committee, in, in my Committee. And I believe we talked about it thoroughly. Was there anything more or anything new that you wanted to add? Which is why I didn't raise my hand to request for you to be here

when the item comes up, because it moved through the Committee unanimously. So, I really don't see why we would need further discussion. Do you have new information?

MS. ABDUL: Actually, no. I was just offering in case someone on the Council had a new question that had not been asked earlier, or answered.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Ms. Abdul. Mahalo, Chair.

CHAIR LEE: Anybody else with questions? If not, we'll see you later, Ms. Abdul.

And may we have the next testifier?

MS. ABDUL: Thank you.

COUNTY CLERK: Our next testifier is the caller calling in on the last four digits: 4100. To be followed by Kepeli Robbins.

CHAIR LEE: Call up that name again, that number again.

COUNTY CLERK: Last four digits of the telephone of 4100.

CHAIR LEE: Please go to the next one.

COUNTY CLERK: Our next testifier is Kepeli Robbins.

MR. KEPELI ROBBINS (testifying on Committee Report No. 22-41):

Hello?

CHAIR LEE: Hello?

MR. ROBBINS: Can everybody hear me? Hello?

CHAIR LEE: Yes, we can.

MR. ROBBINS: Alright. Hi, I'm Kepeli Robbins. I'm calling in resolution to, Resolution 22-70.

CHAIR LEE: Could you speak a little louder? A little louder.

MR. ROBBINS: I'm sorry, I got the headsets on cause it's so, we can't hear you on our phones. Sorry, can you hear me now?

CHAIR LEE: Yes. Yes.

MR. ROBBINS: Okay. About putting a cap on the tourism. But we do think that we need some help when it comes to long-term Maui residents. My wife and I are, been in Hawaii our whole life. My wife is Native Hawaiian. And we understand that tourism is getting a little bit out of hand and, you know, a lot of people coming here. And I, you know, I've been in tourism my whole life here. But we do know that there has been a lot of outside investors coming to the islands and buying property and making it into vacation rentals. And then, they don't live here, you know?

My wife and I survive on Airbnb at some point . . . because the fact that that kept a roof over our head. And we also are business owners here in our community. So, when we do have people that do come here, we make sure that they shop and buy in our community. We don't send them off to resorts or anything like that. We make sure they spend their money, our people live.

But one thing for sure is . . . we think . . . being local residents and we can provide affordable accommodations for people who do come to Hawaii, especially Maui. That would be great for them. Some of the resorts are extremely expensive, and some people just can't afford to come here. And we believe . . . the tourism, yes, is definitely out of hand. But if, you know, we can make it so that local residents, long-time residents, can be able to provide a extra source, supplement their income without it hurting our housing situation, we think that's something that should be considered, especially for, like I said, my wife and I have been in Hawaii our whole life. So, that's really my point that I want to bring up. And you can ask me questions, if you want. Hello?

CHAIR LEE: Member Paltin.

MR. ROBBINS: Hello?

CHAIR LEE: Someone has a question. Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Robbins. I just, I, I wasn't sure, are you, are you talking about renting out camper vans?

MR. ROBBINS: Oh, no. Actually, you know, like, you know how they're trying to put a shut down on Airbnb, which I completely understand, you know, their reasons why to a certain degree. We have had people come here and buy property, cash.

COUNCILMEMBER PALTIN: Okay.

MR. ROBBINS: And then turnaround and turn it into a vacation rental.

COUNCILMEMBER PALTIN: Yeah. So--

MR. ROBBINS: We want it to be for, for people that live here, real residents like myself and my wife, to be able to do it, but follow the guidelines the State wants. Do you understand what I mean?

COUNCILMEMBER PALTIN: Not exactly, cause we're the County and, and we have guidelines. The County has guidelines. And we're not proposing to make that illegal, what the guidelines are. If you're currently doing it within the guidelines, I don't think that this resolution affects you.

MR. ROBBINS: Well, what we've been, what we've been seeing ourselves is like when we were allowed to have Airbnb, the County pretty much said no. I went through the, the steps to get the permits, and was told no. We have a house that has our own private property, fenced property for parking when we have it. We don't have any residents immediately around us, or neighbors.

COUNCILMEMBER PALTIN: Okay.

MR. ROBBINS: And so--

COUNCILMEMBER PALTIN: I don't know why you were told no--

MR. ROBBINS: --what, what--

COUNCILMEMBER PALTIN: --but this isn't . . .

MR. ROBBINS: We have no idea.

COUNCILMEMBER PALTIN: Yeah. Maybe try asking Planning Department to clarify why you were told no.

MR. ROBBINS: Yeah. Yeah, because that's what they told us. They told us no, that we couldn't. And then, they turn around and told us that we only can do it for six months. If we do have people that come here, it has to be six months minimum.

CHAIR LEE: Okay.

COUNCILMEMBER PALTIN: Okay. Thank you.

CHAIR LEE: Thank you very much for your testimony. Members, are there any more questions?

MR. ROBBINS: Thank you.

CHAIR LEE: If not, let's have the testifier. And let's continue on till the end. I think we only have two or three left.

COUNTY CLERK: We have about four right now. Our next testifier is Marian Horikawa-Barth. To be followed by Casi Saranillio.

MS. MARIAN HORIKAWA-BARTH (testifying on Committee Report No. 22-35):

Good morning. Aloha.

CHAIR LEE: Good morning.

MS. HORIKAWA-BARTH: Thank you, Chair Lee and Councilmembers, for allowing me to provide further support for Resolution *[sic]* 22-35. My name is Marian Horikawa-Barth and I am the Chief Nurse Executive at Maui Memorial Medical Center. As a Maui girl, I, born at Maui Memorial, I believe Maui Health is an important asset to our community. This resolution will provide needed options for our healthcare staff, and help to retain and recruit needed staff. Thank you for allowing me to, again, testify in support of this resolution.

CHAIR LEE: Thank you. Members, are there any questions? If not, thank you very much.

MS. HORIKAWA-BARTH: Thank you.

CHAIR LEE: Madam Clerk.

COUNTY CLERK: Our next testifier is Casi Saranillio. To be followed by Junya Nakoia.

CHAIR LEE: Repeat the name please.

MS. CASI SARANILLIO (testifying on Committee Report No. 22-35):

My name is Casi Saranillio.

CHAIR LEE: Okay.

MS. SARANILLIO: Thank you very much, Councilmembers and Council Chair Lee. I'm the Nurse Manager for ICU at Maui Memorial Medical Center. And Resolution *[sic]* 22-35 will allow for needed housing options for our much-needed ICU nurses and other healthcare staff to continue to support the community. Thank you very much.

CHAIR LEE: Thank you. Members, are there any questions for the testifier? If not, thank you very much.

And may we have the next one, Madam Clerk?

COUNTY CLERK: Our next testifier is Junya Nakoa. To be followed by Barbara Satterfield. And nobody is signed up currently after Barbara.

MR. JUNYA NAKOA (testifying on Committee Report Nos. 22-35, 22-39, & 22-41; and Resolution No. 22-106):

Eh, how's it. How you guys?

CHAIR LEE: Good.

MR. NAKOA: You guys no miss me? Yessah.

CHAIR LEE: Yeah, we miss you.

MR. NAKOA: Yessah. Aloha Friday. I going talk about Maui Lani, the Maui Lani one, 22-35, the 19 lots, yeah. This is, this is well needed, yeah? Cause . . . this affordable housing thing, yeah. Plenty times the, you know, the doctors like that, they no can, no can qualify cause they make too much money. You know what I mean? So, I think this buggah would help them. But make sure the buggahs go to them eh. Go to the guys that going take care our hospital. No go give um to somebody else, yeah. Make sure you give um to those guys that actually the doctor, you know, in that hospital. Okay, that's . . . support that buggah.

And then, 22-39, the helicopters. Oh, brah. I never go Molokai kind of long. But when I . . . to Molokai, Halawa, whoa . . . all day long brah. All day fricken long. Oh, sorry for language . . . colorful. But when we go Molokai, when we go there, like . . .eh. But whoa, the helicopters every 30 minutes back and forth, back and forth. So, yeah, go control those buggahs, you know what I mean? And control those guys.

And then, I notice the one that da kine, 22-106, the one for Lanai. Brah, that is so awesome to get educated about that process. But I just heard. I support, yeah, go support the Lahaina, the Lanai guys. Go, go give um the park. If get private entity, you like help support um, and go give umm the money. Cause you guys, sometimes you, I know you guys going through budget right now. And mahalo to my, my, my Councilmember cause she when buss her okole for ask you guys for choke money for take care our parks over here in, in Lahaina. Yessah. But, so yeah, help out the, help out the Lanai guys get this. And if the private entity like help you, help you guys out and help us guys out, whoa brah, watch out. This guy just got educated this morning.

I know, I know, I . . . guy Shane Victorino. But I get some guys that get some money that would like to help me cause I've been coaching for 28 years, and I get five teams in my program. And then, I know we talk about this, about our batting cage that was taken away, the Napili, Napili Park. And that buggah still never, never go up yet. And the buggah rain. Rains plenty. So I love that, I love to, got educated that I can go call, I going call all these people that I coach, these kids, their kids. And if they get money, whoa, let's go take um. Go take um. We go build up the batting cage so our kids can continue practicing in, in the, in the dry area, eh. Cause Napili, whoa. Tamara know, the buggah rain, plenty. So, yeah, I glad I got educated about that resolution. Thank you for that one.

What is the other one? Shucks. Oh, yeah. The, so I am in support 22-70, yeah. The, the, you guys know how many times I talk, told you guys that. I'm in total support about that buggah. But do whatever the heck you guys do. You guys better not support that, supporting renting out vans and like that, so people can, you know, go, go crash in our parks.

Again, talking about my baseball team, we just when finish the year for my minor league. We came in first place. So, we had one end of the year party down at D.T. Fleming, not, Launiupoko, okay. That, that parking lot is kind of small. And inside there had three vans parked on the railings. And you know those buggahs was just renting out of that thing. They get everything inside there. And, and my, and then we, we, you know, and disgusting, okay. Just junk that thing. Whatever you guys do, better not support that thing. Whoever support that, whoa brah, you guys going, you guys going get bunch of emails and calls from me. Do not support that buggah . . . Okay? Cause my kids felt threatened, you know what I mean? They don't know what these guys doing over there, you know, whatnot. But, but was all good.

But yeah, so no, no support that, that, that, that van thing, cause whoa brah, you guys going cause, cause some hostility. You guys going cause some hostility with, you know, with the locals and those guys trying to, our S-Turns, like one good local beach over here. Get plenty people come over there, so please do not let that happen. Be

happy that D.T. Fleming . . . Mahalo for the new, the new showers you guys going make for us over there.

But yeah, okay guys, I think I pau. You guys, so now you guys no need hear my voice. And just like . . . you's buggahs is bad ass. I follow you guys on top the . . . you know like that. You guys working your guys okoles off. Some strong your guys da kine Chairman, she's bully. Nah, nah, nah, nah, only joking. Love you guys. You guys have one good one, Aloha Friday.

CHAIR LEE: Okay, wait, wait, Junya. We have some questions.

Member Kama, and then Member Paltin.

MR. NAKOA: Okay.

COUNCILMEMBER KAMA: Thank you, Chair. Thank you, Junya, for being here. So I'm trying to follow your, your conversation. So, I kind of got lost. So, what is the van thing?

MR. NAKOA: I talk fast. I gotta talk fast that's why.

COUNCILMEMBER KAMA: I can't find that. Yeah, I know, and I cannot listen as fast as you talk. So, what is the van thing?

MR. NAKOA: Well, get, get these guys, they renting out vans.

COUNCILMEMBER KAMA: Okay.

MR. NAKOA: You know, I, I don't know if get businesses, whatever. You know, if you guys go looking for um, I get . . . I going find um. But yes, it's on Facebook. It's all over the place. Like I said, I just seen um down S-Turns, and, and at Launiupoko. And I guess they renting, they renting the vans out to these tourists. And maybe I go, I go get, I get your an email, whatever I get, I go, I go da kine, I go, I go to send um to you that, the CR 22-41.

COUNCILMEMBER KAMA: Okay.

MR. NAKOA: That, that . . . item. That, of da kine eh, of the of, of your guy's agenda, agenda thing. That's why I talking about that buggah. So, maybe if you can go look into your agenda, you can go find out what that buggah is.

COUNCILMEMBER KAMA: Yeah, thank you. Thank you, Chair.

MR. NAKOA: You're welcome. You're welcome.

CHAIR LEE: Member Paltin.

COUNCILMEMBER PALTIN: Thank you so much for soliciting support for Napili batting cages. I just wanted to clarify that we get money in the budget for that CIP, and we had it since last year. So, the money is there. We just need the, you know, the pavement to hit the ground.

MR. NAKOA: Yeah, okay. Yeah, it's perfect cause I seen, I seen what you guys talking, the, the guys that go look at the, look through the, the--

CHAIR LEE: Survey.

MR. NAKOA: --what you call that guys?

COUNCILMEMBER KAMA: Surveyors.

MR. NAKOA: Survey, survey. That survey guys, I see um up there when we was practicing. And you they, you know, kind of talking about um. But I never, I never talk to um cause I get 14 kids running around. But if that thing happen, I mean, I like, and again, Tamara, let's work with it, man, I can, you know what, we get, I get people who get develop, developmental skills that can, you know, certified contractors that can make one roof, can make everything for us. . . . work just like the Lanai one, yeeha.

COUNCILMEMBER PALTIN: Yeah, yeah, gotta work with the Parks Department, the Administration. We only put the money in. But the money is all there under West Maui Parks Improvement.

MR. NAKOA: So, Karla Peters going get choke calls from me, yeah yeah.

CHAIR LEE: Anybody else? If not, oh, we have Vice-Chair Rawlins-Fernandez. Question?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Mr. Nakoa. Mahalo for your testimony this morning. Always good to see you. So, your testimony was in support of 22-70, the transient accommodations caps bill, which also includes the prohibition of camper vans used as short-term vacation rentals. Is that correct?

MR. NAKOA: The prohibition . . . yeah. Yeah, okay. Thanks eh. That's what I mean. Main thing, main thing nobody support that buggah.

CHAIR LEE: Alright. Anybody else with questions? If not, thank you, Junya.

MR. NAKOA: You guys have a great weekend. And, yeah, poor thing, you guys got to, oh, but at least you guys going start at 9:00 on Monday . . .

CHAIR LEE: Mahalo.

MR. NAKOA: You guys have one good one.

CHAIR LEE: Thank you.

Madam Clerk.

COUNTY CLERK: Our next testifier is Barbara Satterfield. To be followed by Matthew Flight.

MS. BARBARA SATTERFIELD (testifying on Committee Report No. 22-35):

Aloha and good morning, Council Chair Lee and Councilmembers. My name is Barbara Satterfield. I'm the nurse manager here in one of the departments at the hospital called the Heart, Brain and Vascular Center. And my area provides emergent treatment for people suffering heart attacks, strokes, accidents, and bleeding. And, you know, I just wanted to say I'm really grateful for your, for your support, if you can, of this, this CR 22-35 that would allow additional housing options for providers and staff to come to the hospital.

You know, my department is extremely small, and it's been difficult to recruit and retain the existing staff that we have here because housing, of course, there's very few options right now. And, you know, this is something that I think is an innovative solution to try and meet the gap in our staffing. I've been here now for ten years, and the work here has gotten more and more crucial for us, as our population gets bigger. And as, you know, the amount of tourism that's coming back, we need staff to care for those people as well. My staff has been working tirelessly since the pandemic started and I am having difficulty bringing people in to come and give them relief. But I feel like with this option that's coming in, there is light at the end of the tunnel.

I would really, you know, appreciate any options that we could give these additional staff interested in coming to Maui, as well as the providers. So, if you can, you know, I would really, I would really be grateful as the nurse manager here and as a provider and resident, if you could give this additional consideration. And thank you. I'm just going to keep my testimony short today. But thank you again on behalf of me and my staff and the hospital.

CHAIR LEE: Alright. Thank you. Members, are there any questions?

Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. Good morning, Ms. Satterfield. I'm, I'm curious if you, if you know the salaries of your nurses that you, you cover? Because I, I'm reading the . . . report. It's a report about, it lists all of the salaries and I'm wondering if there, if it's, if you, if you can concur with them? So, it says nursing assistants average \$31,990. And, of course, physicians and surgeons go all the way up to 215,000. Are those numbers within your, you concur with those numbers? Like a nursing assistant only makes 31K?

MS. SATTERFIELD: Council Chair, Councilmember Johnson, I, you know, I don't have any nursing assistants here, you know, and so, I can't answer that. And I can't speak to--

COUNCILMEMBER JOHNSON: So they're all registered nurses?

MS. SATTERFIELD: We are all registered nurses.

COUNCILMEMBER JOHNSON: So--

MS. SATTERFIELD: I only have a few people that are in this department. I have a total of about 15-18 that provide 24-hour care. We're on call for emergencies, after hours--

COUNCILMEMBER JOHNSON: Okay.

MS. SATTERFIELD: --holidays and weekends.

COUNCILMEMBER JOHNSON: So there's, so in this, in the . . . report it says, registered nurses make about 84,000 a year, physicians assistants 73, and nurse practitioners make about 88. So registered nurses and nurse practitioners make about 84-88K a year, is that, in your experience?

MS. SATTERFIELD: I would say that maybe even a little more. But, you know, depending on the area that you're living in--

COUNCILMEMBER JOHNSON: Okay.

MS. SATTERFIELD: --the cost of living might be more than what the salaries can, you know, compensate and help them with.

COUNCILMEMBER JOHNSON: Yeah, I understand that. When houses are \$1.1 million on the average, even if you are making 88K or more, it's, that's not going to cover the mortgage. Okay. Thank you for your answer to my questions. Thank you, Chair.

CHAIR LEE: Thank you. Any more questions? If not, thank you, Ms. Satterfield. Thank you.

COUNTY CLERK: Our next testifier is Matthew Flight. To be followed by Albert Perez.

MR. MATTHEW FLIGHT (testifying on Committee Report No. 22-35):

Good morning. I, my name is Matthew Flight. I'm a nurse manager here, a nurse manager of the fourth floor, the medical surgical floor and I'm testifying on behalf of Bill [sic] 22-35 that some of my co-workers have already testified in support of. You know, we're in a unique position here in the island where there's only one hospital, acute care center that can take care of the people that live on this island. The population of the island is growing quickly, and our ability to care for those patients are being stretched.

You know, what's compromising some of that care is our ability to keep qualified and trained people here on the island. And the housing crunch is one of those reasons this is happening. You know, I'm losing a long-time employee who is leaving because, you know, she . . . pursuing her dream of having a house for her family, which I think is the dream of a lot of families here on the islands that have their own home for their own families. So, you know, she was born here, raised here, went to high school here, went to college here, worked on this floor for over a decade, but will be moving to Utah to pursue that dream.

And that's not an atypical case of many people who work here. And being the only hospital, we just cannot afford to not have the people here to take care of our, our citizens. So, I'm in strong support of Bill [sic] 22-35. I apologize for my lack of a camera. I'm just going to keep it brief. Thank you.

CHAIR LEE: That's fine. Thank you. Members, are there any questions? If not, thank you very much, Mr. Flight.

Next testifier.

COUNTY CLERK: Our next testifier is Albert Perez. To be followed by Zandra Amaral Crouse.

CHAIR LEE: Good morning, Albert.

MR. ALBERT PEREZ, MAUI TOMORROW [testifying on Committee Report Nos. 22-39 & 22-41; and Bill Nos. 77 (2022) & 78 (2022)]:

Good morning, Chair Lee. Happy Earth Day, everyone. Albert Perez, Maui Tomorrow, and I'm testifying on several items. First one is Bills 77 and 78, Ma'alaea Mauka. Maui Tomorrow strongly supports funding for acquisition of the Ma'alaea Mauka lands. Protection of these lands will ensure that cultural and historic resources are preserved, provide for a natural hazards mitigation, and will create the opportunity to expand access to open spaces, and the Lahaina Pali trail.

You know, Maui Tomorrow's mission includes preservation of open space, and promotion of ecologically sound development. And we have always maintained that this land should remain undeveloped in order to protect the health of the lands makai and the waters of Maalaea Bay. It's well-suited for preservation and not other, not housing, especially. It lies at the base of steep slopes that lead up to the wind farm, and is a natural floodplain for numerous gulches that carry stormwaters down to the ocean.

The Maui County 2006 Scenic and Historic Resources inventory identified the views from Honoapiilani Highway across this parcel as being of high value. In, in past years, much destruction has been caused by large stormflows passing through these lands, especially after major fires that leave bare soil exposed. Culverts become clogged, mud ends up on the highway, and there are major brown water events that have had a cumulative detrimental impact on Maalaea Bay.

So, we appreciate the collaboration of Maui Nui Marine Resources Council, and DLNR. They have strategies to mitigate the impacts of those floodwaters, and to better understand the high-volume drainage impacts in the area. This acquisition would eliminate ongoing pressure to urbanize these lands and would provide an opportunity to prevent siltation of the waters that are popular for fishing, recreation, humpback whales, and as I learned this morning, limu. So, glad to hear that. So, I hope that you'll support that funding.

For Committee Report 22-39, helicopters and noise abatement areas, we support adoption of these resolutions, which seek to protect the quality of life for our residents. It's well-known that . . . contributes to many health concerns including stress, anxiety, depression, high blood pressure, heart disease, and many other health problems. Citizens all over Hawaii have been fighting the intrusion of aircraft noise for decades.

But neither the County nor the State has jurisdiction in this area. The Federal Aviation Administration has control of the skies. But they're mainly concerned with air safety and commerce. They're not concerned about noise unless they're directed to, and these resolutions are exactly the right solution. They will put pressure through our Federal government on the FAA to pay attention to our concerns. And I, I urge you to pass these resolutions.

Finally, Committee Report 22-41. We urge you to support Resolution 22-70, which would refer to the planning commissions and advisory committees a bill to cap the number of new visitor accommodations in Maui County. People often talk about supply and demand, and we can use that here to our advantage. When we cap the supply on existing visitor accommodations, they will become more expensive. And this is a good thing. They'll be able to pay their workers more without increasing the impacts of overtourism on our community. We already have more than enough hotel rooms, time shares and other transient accommodations. The economic fallout from the pandemic related tourism shutdown showed us how vulnerable our economy was and remains to visitor industry slowdowns. Capping visitor accommodations is the least that we should be doing. And it's one of the most important things we can do to protect our quality of life.

If this resolution does not pass, the visitor accommodations moratorium will expire, and the building of these visitor accommodations will be able to resume. So, please, send this bill to the planning commissions and the advisory committees, so they'll be able to have a chance to deliberate the merits of the bill and send their recommendations back to the Council. There'll be plenty of opportunity for people to testify and express their opinions during that process. The main group that's been fighting tourism caps is the hotel developers. They make their money by continuing to lower our quality of life with more and more tourists. Let that industry go somewhere else and let's build housing for residents, residents instead. This bill will not reduce the number of hotel jobs. Let's not forget the lessons of the pandemic shutdown, that we want to stop further growth of tourism and invest in diversifying our economy so that we will be more resilient next time. Mahalo.

CHAIR LEE: Madam Clerk, are there any questions? I don't see any. Thank you, Albert.

MR. PEREZ: Aloha.

COUNTY CLERK: Our next testifier--

CHAIR LEE: Madam Clerk.

COUNTY CLERK: --is Zandra Amaral Crouse. To be followed by the caller with the last four digits of 6589.

CHAIR LEE: Morning.

MS. ZANDRA AMARAL-CROUSE [testifying on County Communication Nos. 22-97, 22-100, & 22-102; Committee Report Nos. 22-35, 22-39, & 22-40; Resolution No. 22-160; and Bill Nos. 76 (2022), 77 (2022), & 78 (2022)]:

Aloha kakahiaka, Madam Chair and Council people, and Happy Earth Day. And just for you, Chair, konnichiwa. I'm testifying first, and I'm following your agenda going down as it is listed on the agenda. The first one is 22-97. And that is the supporting of a public private partnership agreement residential workforce housing for the Waikapu Country Town Project. There are two concerns that I have, which I think any time we are building homes for our workforce, or for our residents is it, it is good. But I am concerned about affordability. Let us believe that it will be affordable, not to people who come in from the mainland to make Maui their home, but for our children who has been here for generations on end.

Also, and I know you've addressed this, so I'm not too concerned about this, but I just thought I'd bring it to light again. And that is the separation of Waikapu and Wailuku. As I was born in Wailuku, in Lao Valley, and my children live in Waikapu, they're very two distinct communities. So, I thank you for taking that into consideration.

I'd like to move on to No. 22-100, transmitting the short-term investment reports. Short-term rentals, if anything, should be limited to the resident, to the, to the hotel industry, to the hotel area. When we have tourists, and people accommodating their homes so that tourists can come stay for one/two days, that creates quite a havoc for the families that make that street, that city, that town, their home.

I would like to go on to 22-102, South Maui Community Plan. Thank you, Kelly, for all that you've done and continue to do. Maui is in dire need of road infrastructure by building all these houses, but no roads. We need them. And Kelly, I thank you and the Kihei Community Association for continually stressing and working for that.

I'd like to now move on to 22-35, and that is the Fairway lots at Maui Lani. I like that idea of making affordable homes, especially for our civil servants, nurses was brought up in particular. The only thing with that that I'm concerned about, and I am not a lawyer, is the legality of preferential treatment to a given group of people. Not that they don't deserve it, because they sure do. Not that they don't benefit Maui County,

because they sure do, and we are in desperate need. But when it comes to housing, for let's say, like the nurses, be sure that you offer these housing to our young men and women who are nurses who are from Maui before you bring in.

And the reason why is we went through this with teachers some 30 years ago, I remember. We brought them in through legislation, they'd stay, we'd spend thousands of dollars on recruiting and keeping them for a very short period of time. They would find it's too expensive and they'd move on. And I believe the doctor mentioned about one nurse that's leaving and that's so sad. So, I humbly ask that you guys look into that, that the housing goes to our nurses first.

I'd like to move on to 22-39, the noise abatement. I have a helicopter and planes flying over my house now since the residences of Wailea made a complaint to the aviation board. And the plane took a different turn and they're flying over our subdivision now. But I, as far as the helicopter noise abatement, my house abuts Haleakala Ranch. And we often see them coming down from Haleakala, circling around the residential area. So, I am so appear, appreciative that you guys are aware of this and are pushing legislation forward so that you can make the Federal government and the Federal Aviation Administration apprised of the problems that it causes for our community.

On item 22-40, infrastructure improvements, residential workforce houses for the Waikapu Country. I get that one.

Okay. 22-106. I'd like to just say I ditto Councilmember, former Councilmember Riki Hokama's and Doctor DeRenne's thoughts. It's so needed. Lanai has got some very talented individuals and they need to be given the infrastructure, and the items, and resources that they need to excel. I know, because my grandson who played for the Little League and they took the World Series for the Little League, who is now playing baseball in college on his freshman year, played with a lot of young men from Lanai. And they're very talented, but they need the resources. They cannot afford to catch a boat or a plane to come to Maui to play. Thank you.

On Bill No. 76, the feral animal. This is something also that is very close to my heart. As someone who was born and raised on a ranch here on Maui, animals are very important to me. But again, my house abuts Haleakala Ranch in Kihei. Often, I have a herd of visitors at my fence, and they're a bunch of deer, which is nice. But there was an occasion where several of them jumped the fence, on the road, and that can present a problem. So, I'm very grateful for any funds, anything that you continue to do, Council, to be sure to protect the farmers of Maui County, as well as protecting the deer.

Bill No. 77, and that is the Ma'alaea Mauka. Many of us, many of you who grew up here, who serve on the Council, remember Maalaea, especially Mr. Molina, because his family, I mean, he grew up there. So, our hearts are very dear. The Luuwai, the Medeiros's, I think it's very important for us to preserve the cultural, the open space, as well as taking care of our watersheds. Because we all know it is the watersheds that give us our well water, which gives us our water.

And then there is Bill No. 78, Pohakea Watershed Lands. Again, that's pertaining to Maalaea. So, I thank you all very, very much for that. And that is my testimony today. I made it short, because I followed the committee reports, and there were eloquent speakers who are authorities on every one of the items that I have spoken on. So today is simply my voice to let you know that I support these people, because I see them out in my community. I see them looking after our environment, our roads, our families, and our friends. Mahalo. A hui hou malama.

CHAIR LEE: Thank you, Ms. Crouse. Members, questions? No questions. Thank you, again. Have a great weekend.

MS. CROUSE: You too. Bye-bye.

CHAIR LEE: Madam Clerk.

COUNTY CLERK: Chair, our next testifier is Terence Manegdeg. To be followed by the testifier calling in on the last four digits of 3327.

CHAIR LEE: And then how many more after that?

COUNTY CLERK: That, that is all we have signed up right now.

CHAIR LEE: Okay. Thank you. Could you repeat the testifier's name?

COUNTY CLERK: Terrence Manegdeg.

MR. TERENCE MANEGDEG (testifying on Committee Report No. 22-35):

Hello. Good morning. My name is Terence Manegdeg and I'm the perioperative business manager at Maui Memorial Medical Center. I know a lot of my colleagues has already voiced their support with the resolution CR 22-35. And I just want to go on record in support of that same resolution, as it, it will assist with recruitment of healthcare workers for our community by providing affordable housing. Thank you.

CHAIR LEE: Thank you very much. Any questions, Members? If not, may we have the next testifier, please.

COUNTY CLERK: Our next and last testifier is calling in on the last four digits of 3327.

MS. NIKKI ANDERSON (testifying on

Hello, my name is Nikki Anderson and we have a unit in Kaanapali Royal that we use as a short-term rental part of the year. Part of the year we're there and part of the year we rent it. And I just want to come out and, and reiterate what was talked about before in terms of the short-term rentals contributing a lot of the TAT and GET tax money, in addition to a lot higher property taxes, into the Affordable Housing Fund for Maui. And I would hate to see that go away as, as a resource to Maui County.

I also feel that there are very, there are people who short-term rent who have always followed all the rules, done what they're supposed to do, pay their taxes, etc. And I, I really don't really want to see the, the loss in value of their assets being impacted by this, the legislation.

CHAIR LEE: Okay. Questions?

Member Paltin.

COUNCILMEMBER PALTIN: Thank you. I, I'm not sure which legislation that you're talking about, but that legislation is not on today's agenda. There's nothing--

MS. ANDERSON: Okay.

COUNCILMEMBER PALTIN: --taking away value of people's short-term rental or stopping short-term rental.

MS. ANDERSON: Okay, I was given a agenda that was sent to me via email with today at 9 a.m. being the, well 9 a.m. your time, being the discussion of that and I just dialed in. So, I have not listened to more than two minutes of what you were doing. . . . moved to a different agenda.

COUNCILMEMBER PALTIN: Yeah, you're given some misinformation. I think the people that sent that out didn't read the bill, because that's not what the bill says.

MS. ANDERSON: Okay. Well, then I apologize for interrupting.

COUNCILMEMBER PALTIN: No, no problem. Thank you.

MS. ANDERSON: Thank you.

CHAIR LEE: Any more questions, Members?

I believe we have one last testifier. Madam Clerk.

COUNTY CLERK: Two more, Chair. Our next testifier is Kai Nishiki.

CHAIR LEE: Okay, wait, hold on. Hold on. Members, do you want to take a break now? Because every time we say last testifier, people sign up.

COUNCILMEMBER SUGIMURA: Proceed.

CHAIR LEE: You want to take a break now, because our staff is, has been going for a long time. Take a break? Okay.

COUNCILMEMBER SUGIMURA: They say they don't need a break.

CHAIR LEE: Pardon me?

COUNCILMEMBER SUGIMURA: They're saying they do not need a break.

CHAIR LEE: Our staff does not need a break? Okay.

COUNCILMEMBER SUGIMURA: Yeah, I think they want to complete testimony . . .

COUNCILMEMBER KING: Chair?

CHAIR LEE: Yes, Member King?

COUNCILMEMBER KING: I thought we had that, that, something scheduled at 11:30. But I do need to--

CHAIR LEE: 11:45. 11:45.

COUNCILMEMBER KING: Okay, and I noticed now we've got three more testifiers, so and people keep signing up, so I personally need to take a break.

CHAIR LEE: Yeah, I know. I, you know, it, it's been a while, cause normally we take the break at 10:30 and it's 10 after 11, so we're, we're way behind as far as taking a break. So, Members, let's say, let's take a break until 11:25, okay? Any objections to taking a break until 11:25?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: If not, we're in recess.

(THE MEETING WAS RECESSED BY THE CHAIR AT 11:09 A.M., AND WAS RECONVENED AT 11:31 A.M., WITH ALL MEMBERS PRESENT.)

CHAIR LEE: Will the Council meeting of April 22, 2022, please reconvene.

Madam Clerk, next testifier.

COUNTY CLERK: Chair, we left off with, with Kai Nishiki. To be followed by Stan Franco.

CHAIR LEE: Ms. Nishiki?

MS. KAI NISHIKI (testifying on Committee Report No. 22-41):

Hi. Good morning, Chair. Good morning, Councilmembers. Testifying on CR 22-41. Kai Nishiki, testifying on my own behalf. Government leaders, politicians, tourism advocates have talked a lot about the need for tourism management. And we, the community, now wants real action and results, not just more studies and empty campaign talking points.

We have all seen the media coverage of our beaches completely covered in tourists, thousands of rental cars clogging our roadways. We see camper vans taking over our shorelines. But most importantly, we have personally experienced, we, we feel the hope extinguished to ever own a home, feel our quality of life negatively impacted by the relentless onslaught of tourism gone wild. This common-sense legislation to combat the chaos and destruction that unfettered tourism is causing is much needed.

The Maui County Council has a short window of opportunity to protect our communities. And one of the best ways to manage tourism is to maintain accommodations for tourists at current levels. Councilmembers have pointed to the need to diversify our economy, providing training and educational opportunities to our workforce. And this legislation actually supports that goal. Voters are paying attention. It's election season, to see if

our representatives are really taking action. So, please, quickly send the resolution in CR 22-41 to the Maui County Planning Commissions for review and back to this Council for adoption as soon as possible. Mahalo.

CHAIR LEE: Thank you. Members, are there any questions? If not, thank you, Kai. Have a great weekend.

MS. NISHIKI: Thank you.

COUNTY CLERK: Chair, our next testifier and our last one signed up at this point is Mr. Stan Franco.

MR. STAN FRANCO, STANDUP MAUI (testifying on Committee Report Nos. 22-35 and 22-40):

Hi. Good morning.

CHAIR LEE: Good morning, Stan. Good morning.

MR. FRANCO: Good morning. Happy Earth Day.

CHAIR LEE: Thank you.

MR. FRANCO: I think, you know, we are all connected to the, to this land. We agree that we need to do things, like, what is, we're doing in CR 22-35, what we're doing in CR 22-35. We are using those Fairway lots for the needs of our community. And Standup Maui has always been for this, and we've been advocating for housing for our people, for the needs of our people. So, we are very supportive of that. We have testified before on that particular CR 22-35 on the resolutions.

On CR 22-40, the Waiikapu Country Town, the idea of a public private partnership, we have testified again on that and said we are very much in favor of that. It seems to be a kind of a model that maybe we can move forward, as we try to build affordable units for our people, the local people, especially those that are under the 100 percent AMI. There's such a big need. So, we are very favorable in building affordable housing for our people. And we thank the Council for taking actions like this. We appreciate it.

CHAIR LEE: Thank you. Members, questions? If not, thank you, Stan. Have a great weekend.

MR. FRANCO: You too.

CHAIR LEE: Madam Clerk.

COUNTY CLERK: Chair, we have no other individuals signed in to testify. And if anyone has not testified, but would like to do so, please identify yourself now. This is the last call for testifiers. Please indicate if you would like to testify in the chat. Chair, no one else is indicating that they wish to testify. And we have received written testimony.

CHAIR LEE: Members, if, do you have any objections to receiving written testimony into the record and to closing public testimony? Any objections?

MEMBERS VOICED NO OBJECTION.

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

1. Nick Drance;
2. David Dorn;
3. Tamar Goodfellow, Maui Health Foundation;
4. Cassandra Abdul, Nā Hale O Maui;
5. Jacqueline Simone Ambrose;
6. Arabella Ark;
7. Stephanie Austin;
8. Karri Ayasanonda;
9. Vijak Ayasanonda;
10. Amanda Brittany;
11. Lawrence Burke;
12. Livit Callentine;
13. Kimber Carhart;
14. Karen Comcowich;
15. Kai DuPonte;
16. Kim Falinski;
17. Ute Finch;
18. Marc Friezner;
19. Rob Gunthner, Hilton Grand Vacations;
20. Aubrey Hord;
21. Jodee Inouye-Agsalog;
22. Kimberly N. Johnston;
23. Joy Kaaz;

24. Carol Lee Kamekona;
25. U'ilani Kapu;
26. Nan Parks Kocourek and Wayne Kocourek;
27. Heidi Kreul;
28. Valerie Kulesa;
29. Tiare Lawrence;
30. Michele Lincoln;
31. Tammy Luat;
32. Tad 'TC' Luckey;
33. Mr. and Mrs. Honorato Martinez;
34. Marty Martins;
35. Fay McFarlane;
36. Steve Milton;
37. Shantelle Morgan;
38. Kohl Naehu;
39. Dawn Niederhauser;
40. Teresina Patterson;
41. Stacey Planas;
42. Plumbers and Pipefitters UA Local 675;
43. Nicholas Potash;
44. Gabriel Riela-Enoka;
45. Lisa Leina'ala Riela-Enoka;
46. Robin Ritchie;
47. Paul Robinson;
48. Lola Rodriguez;
49. Jada Rufo;
50. Irene Ryding;
51. Randy M. Sarrow;
52. Lisa Schlichting;
53. Kele Sipman;
54. Bryan Smith;
55. Kalim Smith;
56. Michelei Tancayo;
57. Luanne Teoh;
58. Pamela Tumpap, Maui Chamber of Commerce;
59. Shannon VanderHeuvel;
60. Susan Vickery;
61. Kalani Werner, United Public Workers, AFSCME Local 646;
62. John D. White; and
63. Katherine Wong.

CHAIR LEE: So, ordered. We are a few minutes ahead of schedule. Let's take the minutes.

## MINUTES

The minutes of the Council of the County of Maui's regular meetings of January 21, 2022, and February 4, 2022, were presented at this time.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo.

I MOVE TO APPROVE THE MINUTES AS READ BY THE  
CLERK.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member Sugimura, to approve the regular meeting minutes of January 21, and February 4, 2022.

Any discussion? If not, all those in favor of the motion, raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Okay, nine "ayes", zero "noes"; motion carries.

Let's see, what else can we do? Let's move on to Consent Calendar.

COUNTY CLERK: Okay. Chair, proceeding with the Consent Calendar.

**ACTION ON THE CONSENT CALENDAR**  
**COUNTY COMMUNICATIONS**

NO. 22-83 - ANDREW H. MARTIN, PROSECUTING ATTORNEY,  
(dated April 8, 2022)

Informing of the receipt of \$2,794 in Forfeiture Funds from the State of Hawaii,  
Department of the Attorney General.

NO. 22-84 - LORI TSUHAKO, DIRECTOR OF HOUSING AND HUMAN  
CONCERNS, (dated March 21, 2022)

Transmitting Contract Log No. 21-194 Modification Order No. 1 from the State of  
Hawaii, Executive Office on Aging, for Title III Programs in the amount of \$115,166.

NO. 22-85 - LORI TSUHAKO, DIRECTOR OF HOUSING AND HUMAN  
CONCERNS, (dated March 21, 2022)

Transmitting Contract Log No. 21-194 from the State of Hawaii, Executive Office on  
Aging, for Title III Programs in the amount of \$177,592.

NO. 22-86 - LORI TSUHAKO, DIRECTOR OF HOUSING AND HUMAN  
CONCERNS, (dated March 23, 2022)

Transmitting a copy of the notice of grant award from the State of Hawaii, Executive  
Office on Aging, for Senior Center Services in the amount of \$175,500.

NO. 22-87 - MICHAEL P. VICTORINO, MAYOR,  
(dated March 16, 2022)

Informing of a vacancy on the Cost of Government Commission due to the resignation  
of Noemi Barbadillo, effective April 4, 2022.

NO. 22-88 - MICHAEL P. VICTORINO, MAYOR,  
(dated March 16, 2022)

Informing of a vacancy on the Urban Design Review Board due to the resignation of Stuart Marlowe, effective April 1, 2022.

NO. 22-89 - MICHAEL P. VICTORINO, MAYOR,  
(dated April 12, 2022)

Informing of the appointment of Kenneth Duane Sparkman to the Maui County Arborist Committee.

NO. 22-90 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,  
(dated April 1, 2022)

Informing of the acceptance of a Roadway/Road Widening Lot, Omaopio Ehiku Subdivision, Lot 3, TMK: (2) 2-3-003:060 POR.

NO. 22-91 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,  
(dated April 1, 2022)

Informing of the acceptance of Sewerline Easement 159 & 160, 1800 Farrington Avenue, Lot 136 – Molokai Land Trust, TMK: (2) 5-2-028:100 POR.

CHAIR LEE: Council Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO FILE ALL ITEMS ON THE CONSENT CALENDAR.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: Discussion? No discussion? All those in favor of the motion to file all the items, raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Okay, motion carries.

COUNCILMEMBER PALTIN: Chair.

CHAIR LEE: Is it time yet, Pro Temp Kama?

COUNCILMEMBER KAMA: I don't think so, Chair. Let me check.

CHAIR LEE: Not yet? You, you're going to let us know?

COUNCILMEMBER KAMA: Yes, I will.

CHAIR LEE: Okay. Proceed.

COUNCILMEMBER PALTIN: Chair.

CHAIR LEE: Madam Clerk.

COUNCILMEMBER PALTIN: Chair.

CHAIR LEE: Member Paltin.

COUNTY CLERK: Chair, they're, they're indicating--

CHAIR LEE: One second.

COUNTY CLERK: --a presence in the chat.

CHAIR LEE: I have, Member Paltin, has a question first. Go ahead.

COUNCILMEMBER PALTIN: I just was going to say if they weren't ready, I had an amendment. But I see that Maui Waena Intermediate School is in the chat for the ceremonial resolution.

CHAIR LEE: Okay.

COUNCILMEMBER PALTIN: And that Kamehameha Schools Maui will be dialing in short, oh, Kamehameha School is here. So, maybe we're ready for the ceremonial resolution?

CHAIR LEE: Member Kama, are we starting with the resolution?

COUNCILMEMBER KAMA: Okay.

CHAIR LEE: We can't hear you. Can't hear you.

COUNCILMEMBER KAMA: Can you hear me now?

CHAIR LEE: Yeah, can hear you.

COUNCILMEMBER KAMA: Okay. Okay.

CHAIR LEE: So, we're going to call up this item, right?

COUNCILMEMBER KAMA: Okay. We're looking for the five schools to show. The Kamehameha Schools High School, Kamehameha School Middle School, Lahaina, Maui Waena, and Maui High.

CHAIR LEE: Are they all here?

COUNCILMEMBER KAMA: I think I only see four in the chat. What do you see? Maui High School is missing.

CHAIR LEE: Maui High School is missing.

COUNCILMEMBER PALTIN: It says Maui High School will not be attending today in the chat.

CHAIR LEE: Alright. So, everybody, so we're ready then, huh? Member Kama?

COUNCILMEMBER KAMA: We have four.

CHAIR LEE: Did Lahaina, hi Lahaina. Maui Waena?

COUNCILMEMBER KAMA: Okay. Oh, maikai. Oh, they're so sweet.

CHAIR LEE: Alright.

COUNCILMEMBER KAMA: Okay, I think we're ready, Chair. Thank you so much.

CHAIR LEE: Alright. Madam Clerk.

COUNTY CLERK: Okay, Chair, proceeding with ceremonial resolutions.

## CEREMONIAL RESOLUTIONS

RESOLUTION  
NO. 22-103

HONORING THE MAUI NUI WINNERS IN THE  
2022 STUDENT TELEVISION NETWORK  
NATIONAL CONVENTION MEDIA COMPETITION

CHAIR LEE: Member Kama. Pro Temp Kama.

COUNCILMEMBER KAMA: Thank you, Chair.

I MOVE TO ADOPT THE PROPOSED RESOLUTION  
ENTITLED "HONORING THE MAUI NUI WINNERS IN THE  
2022 STUDENT TELEVISION NETWORK NATIONAL  
CONVENTION MEDIA COMPETITION".

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Moved by Pro Temp Kama, seconded by Member King, to adopt the resolution  
as read by the Clerk, 22-103.

Member Kama, did you want the Clerk to read the--

COUNCILMEMBER KAMA: Yes, Chair.

CHAIR LEE: --resolution in its entirety?

COUNCILMEMBER KAMA: Please, Chair.

CHAIR LEE: Madam Clerk.

COUNCILMEMBER KAMA: Thank you.

CHAIR LEE: Madam Clerk.

COUNTY CLERK: Thank you, Chair.

*(The resolution was read in its entirety.)*

CHAIR LEE: Any discussion?

COUNCILMEMBER KAMA: Thank you, Chair.

CHAIR LEE: Pro Temp Kama?

COUNCILMEMBER KAMA: Thank you. Chair, it is my honor to recognize this group of Maui's outstanding future storytellers for their success at the 2022 STN National Convention media competition. Storytellers open up worlds of possibility with words and imagery. They allow us to connect with your journey and expand our own understanding of the world around us.

To this end, the Student Television Network, founded in 1999, provides a forum for student broadcasters and teachers to share ideas, ask questions, and learn from professionals in the industry. I would like to express my deep appreciation to all the parents, teachers, and mentors, who supported these students and helped them develop the technical skills and critical thinking needed to achieve such recognition at the national level.

I am so happy and proud to have the opportunity to celebrate the Maui Nui winners at the 2022 STN National Convention media competition, and we congratulate them on their accomplishments. So, congratulations students and teachers, and best wishes for continued success in broadcast journalism, film, and media, as you continue to tell your stories in such effective and creative ways. And one day, I hope that this could be an economic engine for our Maui County. Chair, I respectfully ask for the Members full support of my motion. Thank you.

CHAIR LEE: Thank you. Well said. Anyone else, Members?

Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. I rise in full support of Councilmember Kama's motion. It's, this is so wonderful to see. I, I'm so proud that it's the younger folks who are, who are the leading this industry, right? We talk about Hollywood coming

here. Why can't we have Mauiwood, right? You know, why can't we have it so that our local young folks doing it, bringing their stories to the forefront? And it's a great industry just like Councilmember Kama said.

I, I will also want to give a shoutout to Lanai's small burgeoning film industry, with LAPA, the Lanai Performing Arts. They're doing great work. And I know they didn't, they can do a whole lot more and we could help them. So, that's, that's a great thing that we're doing, and I stand in strong support. Mahalo, Chair.

CHAIR LEE: Anyone else, Members?

Member Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. And congratulations to all of our students. Great, great job, and of course, to the teachers and to the parents. And man, I tell you, these kids are so fantastic with technology. I'm real old school. And I, I really hope that when you guys become older and get, getting on your way to college and everything else, you make sure you come back home because we need your talents here. Cause you're going to be our future community leaderships and especially in the world of high tech.

And of course, our teachers, thank you for staying here. I see some very familiar faces. Thank you. I know you guys put in a lot of overtime that you don't get paid for. And it's because of your love for the students, this is why we have such a very high success rate with, with our kids. So, mahalo.

And of course, to all the parents, thank you. Thank you so much for your love and support of our kids. So, guys, keep up the great work. Aloha. Thank you, Madam Chair.

CHAIR LEE: Thank you, Member Molina.

Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. I, too, am so impressed with these kids. I totally support this resolution. Thank you, Member Kama, for bringing this up. I, I just wanted to make a special, say a special note to these teachers, who I know are giving all of their time after school and I bet you in the weekend and through the nights just to make this all happen, besides the parents. And this is, to me, a really good example of why MEDB and their STEM network totally works, right, is these students who are inspired by what the program does, has given, and the opportunities. And you truly are the rising stars in our community, and appreciate everything that you're doing.

Jennifer Suzuki, I'm going to have to reschedule with you and try to get you to help me with my axis deer project. I think Daryl Fujiwara was working with you on that. So, but anyway, just continue on what you're doing. Thank you very much, teachers. And all the students, congratulations.

CHAIR LEE: Member King, I'm sorry I didn't see your hand earlier.

COUNCILMEMBER KING: It's okay. I, I feel like I'm falling off the screen or something. Thank you, Chair. I appreciate it. I just really want to congratulate these students. I'm sorry that Maui High can't be here.

But back in the day, when I was taking journalism classes, and we had print media, we didn't have all of this new technology. And it was very exciting going to regional competitions. I won some top awards at some of those. But what I really wanted to say to all of you folks, besides congratulations on your accomplishments, is that what you're doing is really important, because you folks are going to be the truth tellers. And right now, we don't have enough of that in the public. I mean, that's what's perpetuating the war in the Ukraine, is the folks are not being told the truth in, in Russia, through their media. So, I hope you have that commitment. And I really want to support you going forward.

I've been sort of working with the film commissioner here. And that's one of the areas I think we need to expand is media and media film, to diversify our economy. So, you are all hopefully going to be part of that expansion. But just really want to encourage you. Thank you for getting involved in this. And especially those of you who are focusing on going into journalism and news and truth-telling, just keep up that spirit. We need you. Thank you, Chair.

CHAIR LEE: Thank you.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I'll just make it quick cause I'm sure the students need to go back to class. But congratulations to all of you. Congratulations to the hardworking teachers. And mahalo, Pro Temp Kama, for the resolution recognizing **them**. Mahalo.

CHAIR LEE: Anyone else?

Pro Temp Kama.

COUNCILMEMBER KAMA: Thank you, Chair. I just wanted to inform our community that the reason why Maui High isn't here, because they are now at the World Robotics Convention in Houston, Texas, representing us. So, cheers for all of us here. So, thank you for all of you who are here, and we, our best wishes go out to Maui High at the World Robotics Convention. Thank you.

COUNCILMEMBER KING: Awesome. Thank you for that.

CHAIR LEE: Well, I guess it's all said now. We have all the champions are on Maui. We have the best students in the world.

Members, are you ready to vote? All those in favor of the motion, please raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: All "ayes". Nine "ayes", zero "noes"; motion carries. Congratulations, students, coaches, parents, teachers. And we have one more. Oh, did anyone from the group want to speak, Member Kama?

COUNCILMEMBER KAMA: Chair, I think, I'm not sure about that cause I know Lois set this up. But we could ask them, Chair. If there's anyone from the group that--

CHAIR LEE: I see someone raising a hand there.

COUNCILMEMBER KAMA: I see some, I see a lot of hands raised.

CHAIR LEE: Oh, okay. Let's, let's go with Maui Waena, I, cause I just happened to see them first. Maui Waena, could you state your name and your school, please?

VICE PRINCIPAL CHRISTINE OSHITA: Hi. My name is Christine Oshita. I'm a Vice Principal here at Maui Waena Intermediate School. And Ms. Suzuki is actually not present, because she is at that robotics competition in Texas with her sons. So, I'm sitting in for her. And I just want to thank you all for your support, because I couldn't agree with you more. We are so proud of not just our students here at Maui Waena, but all the students who are participating and, and getting recognized today.

They really have such great creativity. They're very confident. They have a lot of courage. They put themselves out there. They take risks. And you're absolutely right, they are going to be our problem solvers, who are attacking the issues in the future. So, we gotta keep our eye on these kids cause we're going to hear their names some more in the future, I'm sure of it. And it takes everybody.

So, the teachers, certainly Ms. Suzuki, Ms. Casabay, Mr. Suzuki. Finding and creating those opportunities for the kids to develop their talents, and being that confidence and, you know, all of you, support from you, from our government to keep these kinds of programs going and to keep it in the spotlight. We really appreciate this recognition. Thank you so much.

CHAIR LEE: Thank you very much. Thank you.

VICE PRINCIPAL OSHITA: Did you want to say something?

CHAIR LEE: That's Maui Waena. Do we have another school, would like to say something? Jay, Jay Paa, Bob [sic] Siarot. Ms. [sic] Jay Paa, would you like to go first? Go ahead.

MR. JAY PAA: Aloha mai kakou. I just wanted to share, again, thank you, this is a great honor. The two young ladies right next to me, they're seniors. And I, I, they're really quiet. They're really humble. But I just wanted to kind of share, you know, they've been in the program for a good, what, since Aimi, right here, has been in the program since 7th grade with Mr. Siarot. And Nanea has been in the program since her sophomore year.

And I, I'd like to be the first to kind of share with you guys, Nanea here is going to be at the UH Manoa. She's already been accepted to the Creative Media Program. And Aimi, right there, is going to be going to Cal Berkeley. And so, so, I mean, kudos to them. I mean, our job, as you guys know, as teachers, we're there to just light the fire. And most of it is their motivation, their, their wanting to be in the industry. So, thank you very much. It goes to everybody there. All you students, awesome job. Team 808.

CHAIR LEE: Thank you, Mr. Paa and students. Thank you very much.

Okay. Did Mr. Siarot want to say something as well?

MR. ROB SIAROT: Yes. Hi. Thank you again, Council Chair. We, as, as teachers, you know, we, our job is to inspire and to model, role model. And it was really tough during these last two-and-a-half years. Despite all the challenges, you know, the students really did well, you know, through the pandemic. And we were supposed to go to

Washington, D.C. a couple years ago, which got canceled. We were supposed to go to Oahu to compete in this, but once again, because of the high numbers, COVID numbers, it was canceled. So, we were fortunate enough to still participate, but from home.

And these students that you see right here, you know, they're, they're 8th graders but, you know, the teamwork and then the resilience that they showed, along with my core advisor Candis here, but, you know, you know, they didn't let the COVID and the pandemic slow their momentum down. So, thank you again for, Council, for recognizing these students. They have many more years to go. They're in middle school, but we're looking to see good things from them as they go to Mr. Paa's class.

CHAIR LEE: Thank you very, very much. We're so happy to support you.

Is there another school? Lahaina Intermediate? Would you like to say something? Can, can you unmute your phone? I mean, your microphone.

MS. LORI ANN KOYAMA: Aloha kakou. I just wanted, we all wanted to say thank you. Yes, Tamara, it is a water, it's not a water day. We are having our renaissance wet and wild reward day. So, my students left that to be a part of this. But this is such an honor and thank you guys for recognizing not just our school, but the other schools as well. We really appreciate it.

CHAIR LEE: Thank you very much. And good luck to you all. Anyone else have remarks? Comments?

VICE PRINCIPAL OSHITA: Could I say something?

CHAIR LEE: Did we miss another; did we miss a school?

VICE PRINCIPAL OSHITA: We have a student who would like to say something here at Maui Waena.

CHAIR LEE: Alright.

MS. CAPRI NOZAKI: I'd just like to say--

VICE PRINCIPAL OSHITA: Your name.

MS. NOZAKI: Oh, I am Capri Nozaki. I'm a 7th grader at Maui Waena Intermediate School, and I would just like to say thank you for recognizing us.

VICE PRINCIPAL OSHITA: You can all say thank you.

MAUI WAENA STUDENTS: Thank you.

CHAIR LEE: You're so very welcome. Anybody else? Okay, thank you again. And good luck to you all. And bring home the bacon for Maui, Maui County.

Alright. I think Member Paltin has something else to say on the previous, previous resolution.

COUNCILMEMBER PALTIN: Thank you, Chair. I was wondering if, I don't know if we need a formal amendment or a friendly amendment? But I did receive communication from the coach asking if we can amend the resolution to include the student manager Rebekah Ankney in the resolution. And it would probably go best right, right after the team managers, the student manager, Rebekah Ankney, A-N-K-N-E-Y. Do Members want a formal amendment or a friendly amendment?

CHAIR LEE: Will a friendly amendment suffice? Just adding that person's name and address on the previous, previous resolution? Okay, so ordered.

VICE-CHAIR RAWLINS-FERNANDEZ: Non-substantive.

CHAIR LEE: Okay, can you make sure that the staff gets the correct name and address?

COUNCILMEMBER PALTIN: Sure thing. Thank you.

CHAIR LEE: And thank you, Member Kama. That was a, a very nice, you know, break for us to, to talk to the young students. And, and you could feel their energy through the TV, I mean, you know.

COUNCILMEMBER KAMA: Yes. Yeah. Yeah.

CHAIR LEE: You could feel it. Alright.

COUNCILMEMBER KAMA: Aloha . . .

CHAIR LEE: Okay. Madam Clerk, where are we? Communications? Are we on communications?

COUNTY CLERK: Yes, Chair.

CHAIR LEE: Members, shall I keep going through, or, or you want a lunch break?

VICE-CHAIR RAWLINS-FERNANDEZ: Lunch.

CHAIR LEE: You want a lunch break? Okay, one hour or an hour and a half? Up to you.  
One hour?

COUNCILMEMBER KING: Hour and a half.

CHAIR LEE: Member King?

COUNCILMEMBER KING: I'd like to take an hour and a half cause I have to go somewhere.

CHAIR LEE: Did you say one hour?

COUNCILMEMBER KING: No, I said I have, I have to go somewhere, so I'd like to take an  
hour and a half.

CHAIR LEE: Okay.

COUNCILMEMBER KAMA: Okay.

CHAIR LEE: Is everybody okay with 1:30?

COUNCILMEMBER KAMA: That's fine with me.

CHAIR LEE: 1:30?

VICE-CHAIR RAWLINS-FERNANDEZ: 1:30.

COUNCILMEMBER SUGIMURA: That's good.

CHAIR LEE: 1:30? Alright. Okay.

COUNCILMEMBER KING: Mahalo.

CHAIR LEE: Members, we're going to break until, take a lunch break until 1:30. This meeting  
is in recess.

(THE MEETING WAS RECESSED BY THE CHAIR AT 12:06 P.M., AND WAS  
RECONVENED AT 1:33 P.M., WITH ALL MEMBERS PRESENT.)

CHAIR LEE: Will the Council meeting of April 22, 2022, please reconvene.

Madam Clerk, shall we begin with communications?

COUNTY CLERK: Chair, proceeding with county communications.

### COUNTY COMMUNICATIONS

NO. 22-92 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,  
(dated April 12, 2022)

Transmitting 65 contracts/grants for the month of March 2022.

COUNTY CLERK: County Communication 22-93 from the Chair of the Maui County Charter Commission, excuse me, transmitting. I got a frog in my throat. Hold on a second.

CHAIR LEE: Alright, well, maybe Vice-Chair Rawlins-Fernandez, do you want to make a motion on CC 22-92, while she's getting her voice back?

VICE-CHAIR RAWLINS-FERNANDEZ: Chair, I was going to also request our Clerk to call up 22-99. But we can take them up separately as well.

I MOVE TO FILE COUNTY COMMUNICATIONS 22-92,  
EXCEPT FOR THE GRANTS AND CONTRACTS THAT  
COUNCILMEMBERS REQUEST FOR COMMITTEE  
REFERRAL.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: Alright, moved by Vice-Chair Rawlins-Fernandez, second by Member Sugimura, to file the, the contracts, except for those requested by the Members.

So, Members, do you have any requests to refer any?

Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair.

I WOULD LIKE TO REFER C7466-2, LAHAINA CIVIC CENTER REHABILITATION; AND C7513 [SIC], TWO FIBERGLASS LIFEGUARD TOWERS, TO MEMBER KAMA'S COMMITTEE IF SHE WOULD ALLOW.

CHAIR LEE: Okay, so the first one, the first and second one would be to HCP?

COUNCILMEMBER PALTIN: Correct.

CHAIR LEE: Okay. Any objections, Members--

VICE-CHAIR RAWLINS-FERNANDEZ: No objections.

CHAIR LEE: --to referring these two contracts to HCP?

(CONTRACT C7513 WAS STATED IN ERROR AND SHOULD HAVE BEEN CONTRACT C7573.)

CHAIR LEE: Alright, Vice-Chair Rawlins-Fer, no, who else has contracts to, to refer, to request referral? Nobody? No, oh, alright. Alright. All those in favor of the motion, raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: All "ayes", zero "noes"; motion carries. And that was CC 22-92.

Alright, the, Madam Clerk, you feeling okay?

COUNTY CLERK: Yeah.

CHAIR LEE: Okay, let's, let's go.

COUNTY CLERK: Yeah. Thank you. Sorry about that.

NO. 22-93 - GRANT Y.M. CHUN, CHAIR, MAUI COUNTY CHARTER COMMISSION, (dated April 13, 2022)

Transmitting the Charter Commission's response to the Council's alternative proposed Charter amendments.

COUNTY CLERK: County Communication 22--

CHAIR LEE: Well, well, Members, you want to handle them one by one? Because I don't think, Member Molina, were you going to take action on this one? Yeah. Let's, let's do it one by one. Okay.

Member Molina.

COUNCILMEMBER MOLINA: Yeah, thank you, Madam Chair. May we also have the Clerk call up Resolution 22-94, as well?

CHAIR LEE: Okay. Madam Clerk. 92, I mean, 22-94.

COUNTY CLERK: Resolution 22-94?

CHAIR LEE: CC, yeah? Did you want Resolution dash 22-94, or CC?

COUNTY CLERK: Yes. It's under unfinished, under unfinished business.

COUNCILMEMBER MOLINA: Yeah.

CHAIR LEE: Okay.

## UNFINISHED BUSINESS

### RESOLUTIONS

RESOLUTION  
NO. 22-94

RETRACTING ALTERNATIVE AMENDMENTS TO THE  
REVISED CHARTER OF THE COUNTY OF MAUI (1983),  
AS AMENDED, RELATING TO THE 2021-2022 MAUI  
COUNTY CHARTER COMMISSION FINAL REPORT

CHAIR LEE: Mr. Molina.

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

MOVE TO FILE COUNTY COMMUNICATION 22-93 AND  
RESOLUTION 22-94.

CHAIR LEE: Second?

COUNCILMEMBER SINENCI:

SECOND.

CHAIR LEE: Moved by Member Molina, seconded by Member Sinenci, to file Resolution 22-93, no, Resolution 22-94 and CC 22-93.

Discussion, Member Molina.

COUNCILMEMBER MOLINA: Yes, thank you very much, Madam Chair. The Council voted unanimously to support the alternative Charter amendments. And we all worked very hard with the Charter Commission to significantly reduce the total number of ballot questions. And we have received nothing that would justify redacting our recommendations. The process has worked, and now, it's time to let the people vote on these issues. And that's my reason for a filing. Thank you.

CHAIR LEE: Okay. Any more discussion, Members? Does everybody understand what just happened?

Yes, Member King.

COUNCILMEMBER KING: I have a question. Because, yeah, I thought this would be, you're going to take this back to Committee to talk about their responses back to us. But there's not an opportunity for further action on their responses back to us?

COUNCILMEMBER MOLINA: Well, that's up to this body, if you want that. But for me, I, I felt, you know, I didn't see anything in there that would, you know, cause me to take it back to Committee. But again, if you're, if you Members, you're all well aware that we are going to have, Councilmembers will have an opportunity to submit additional Charter amendments after the budget session. So, there is an opportunity for you, as well, if you want to submit alternatives or other Charter Commission, Charter proposals for the 2022 ballot.

COUNCILMEMBER KING: Okay. I guess I misunderstood, cause I thought we had to, they were sending it back to us and we had to approve it. But it's just a notification, so if we file it, then they just go, then they just do whatever they're going to do as far as Charter amendments?

COUNCILMEMBER MOLINA: Yeah, that is my understanding. Yeah.

COUNCILMEMBER KING: Okay. Oh, Richelle Thomson's on.

CHAIR LEE: Richelle.

FIRST DEPUTY CORPORATION COUNSEL RICHELLE THOMSON: Thank you, Chair. Just briefly, if the effective filing, this would be that the Council's three alternative proposals that were rejected by the Charter Commission will appear as alternatives. So, you'll have Charter Commission alternative A and Council B. So, it'll be a question in two parts.

COUNCILMEMBER KING: And what would the alternative to filing it be?

FIRST DEPUTY CORPORATION COUNSEL: If the Council wished, you could choose to withdraw or recall one of those rejected alternatives. And then the Council's would not appear on the ballot, just the Charter Commission's version.

COUNCILMEMBER KING: So, by filing, then they'll have a choice of, and it's clear it's a choice of one or the other?

FIRST DEPUTY CORPORATION COUNSEL: Yes.

COUNCILMEMBER KING: Okay. Alright. I, I guess if that's the will of the body, I'll go along with it.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. After hearing Ms. Thompson and Member Molina's explanation, I don't know if they're consistent with what Member Molina said that he would like to do. I guess my question is for Member Molina. Is your intention to send both the Charter Commission's proposal and the Council's alternative to the ballot with your motion?

COUNCILMEMBER MOLINA: Yeah.

VICE-CHAIR RAWLINS-FERNANDEZ: Oh, okay. In that case, I think I prefer to take it to Committee, cause I don't, we were trying to get less ballot questions on the ballot. And by filing, it sounds like we're going to have more ballot questions. Meaning the three that the Charter Commission rejected, the three alternates, alternatives that the Council proposed would be on the ballot. So, three of them will have a choice of the Charter Commission's or the Council's.

COUNCILMEMBER MOLINA: Yeah. It'll be alternate. Yeah, the public can choose either one, yeah. But I'll, I'll let Ms. Thomson answer that.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair, may I hear, may I hear Ms. Thomson?

CHAIR LEE: Ms. Thomson.

FIRST DEPUTY CORPORATION COUNSEL: Thank you. I just wanted to also note that the Council has ten days from the date of transmittal. So, it was transmitted, I believe it was received by the Council on the 14th of April. So, you have ten days from that date. So, you're, you're also up against the timeclock for, for recalling any. So, it can't really effectively be sent to Committee. If the time expires, then it automatically goes onto the ballot along with the Charter Commission's original proposal.

CHAIR LEE: Alright.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Thomson.

CHAIR LEE: So, we would have to do it today? Any changes today. But in the meantime, let's have other people ask questions.

Pro Temp Kama.

COUNCILMEMBER KAMA: Thank you, Chair. Okay, so, I just want to make sure I'm clear and I understand. So, the, there were 13 ballot questions. And I think we deleted two that the Commission said okay, so we ended up with 11. And although we had offered the alternatives, it doesn't change the number of ballot questions. It's just now, we now have maybe ballot A and a ballot B, and a ballot 9, ballot A, ballot B. Is that right?

CHAIR LEE: Three questions will have two alternatives. The Charter amendments and the Council's.

COUNCILMEMBER KAMA: Yes. Yes. Okay. Thank you, Chair.

CHAIR LEE: Member Paltin.

COUNCILMEMBER PALTIN: Question for Corp. Counsel.

CHAIR LEE: Richelle? Ms. Thomson? Okay.

COUNCILMEMBER PALTIN: Hi. Well, I don't want to stay here any longer on a Friday, but could we make the decision today if we wanted to, to just have the one set of questions go to the ballot?

FIRST DEPUTY CORPORATION COUNSEL: Yes. So, the choice that you are making today is for all three of them. So, it doesn't have to be all three. It could be one, two, or three that you either recall, which would mean that your, the Council's alternative would not appear on the ballot. But if any are not recalled, whether, you know, by filing or by the expiration of the ten days, then the Council's alternative will appear on the ballot.

COUNCILMEMBER PALTIN: So, upon hearing that information, my request would be to defer this item till the end of the calendar. I'll have my staff look into those three questions and see if we can, if, if it's my position to just have the, the one question go to the ballot as a simpler route for our voters cause it could get confusing otherwise, maybe.

CHAIR LEE: Okay. Ms. Thomson? Ms. Thomson?

FIRST DEPUTY CORPORATION COUNSEL: Yes, Chair.

CHAIR LEE: Since you have all the information in front of you, I know one is the Department of 'Ōiwi, the other one is the Police Chief communications, and the other one is the independent nominating board. Can you just go down the line with each one so the Members know exactly what the Charter Commission is proposing and what the Council is proposing? The County Council.

FIRST DEPUTY CORPORATION COUNSEL: Sure. And this is also in Granicus, attached to County Communication 22-94. It has both the Charter's, Charter Commission's originals and then all of Council's alternatives. I'm just going to scroll down to the Council alternatives. As you said, the first one is the Department of 'Ōiwi Resources. So, Council's alternative to 'Ōiwi re, the 'Ōiwi Resources proposal is on page 22 of the PDF. And primary, Keola Whittaker is also on here, so if there's anything I don't get accurate, he can kind of pop in and help. Keola, do you have both up on your screen, so we could do side-by-side?

DEPUTY CORPORATION COUNSEL KEOLA WHITTAKER: I don't have both, but I have a summary I can give. So, the primary difference on the 'Ōiwi Resources between the Council proposal and the Charter Commission's is the Charter Commission's proposal, you'll recall, has an English translation of the State motto. And the Council alternative removed the English translation. There were other minor changes that are relatively non-substantive, but that's the major difference between the two.

VICE-CHAIR RAWLINS-FERNANDEZ: Including the director's qualifications.

DEPUTY CORPORATION COUNSEL WHITTAKER: Yes, you're right. There was changes to the director's qualification that would mean that most of them would be defined by ordinance in the Council's alternative. And they were more detailed in the Charter Commission's proposal.

CHAIR LEE: Okay, is it possible to put something, screen share this, so we can see side-by-side and think about it? Members, do you want to vote on this one by one, or what's the, what's the pleasure of the group?

Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. If possible, I, I would go with what Member Paltin had suggested and just save this for the end of calendar. And then, if Ms. Thomson and Mr. Whittaker can be better prepared at that time to do what we're asking them to do, then everyone can be more informed about how they'll decide on each of the three. Mahalo, Chair.

CHAIR LEE: Let me check with the Chair of the Committee.

COUNCILMEMBER MOLINA: Yeah, that's fine.

CHAIR LEE: Chair Molina, are you, you good with that?

COUNCILMEMBER MOLINA: Yeah, we can table it and then come back to it after we do our other business.

CHAIR LEE: Oh, okay. Just, just this one, right, not the other one?

COUNCILMEMBER MOLINA: Yeah.

CHAIR LEE: Members, any objections to deferring this particular item, Resolution 22-94--

COUNCILMEMBER SUGIMURA: No objections.

CHAIR LEE: --to the end of the calendar.

COUNCILMEMBER SINENCI: No objections.

CHAIR LEE: Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: And do you have any questions for Corp. Counsel, so that they can research it now, and be prepared for the discussion later? Any questions? No? Okay, so the motion, can you just rephrase the motion then, Member Molina?

COUNCILMEMBER MOLINA: Okay, the motion was to file County Communication 22-93 and Resolution 22-94.

CHAIR LEE: So, now it, now, what is the resolution? I mean, what is your motion?

COUNCILMEMBER MOLINA: The motion was to file both the county communication and the resolution.

CHAIR LEE: No, no, no, but we're going to, if we can take up one now, then we can vote on it now. The other one, we don't know. That might change. Or you want to leave it like that? You want to leave the motion like that?

COUNCILMEMBER MOLINA: Yeah, unless someone wants to make an amendment to the motion.

CHAIR LEE: Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: They, they go together. They go together, Chair.

CHAIR LEE: Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: . . . 94 . . .

CHAIR LEE: I'm sorry. I'm sorry. We'll, we'll defer both of them till the end of the calendar.

COUNCILMEMBER MOLINA: Yeah.

CHAIR LEE: Okay? Alright.

(See pages 163 through 183 for discussion and action.)

CHAIR LEE: Madam Clerk, shall we proceed? Madam Clerk?

COUNTY CLERK: Yes. Okay, hold on.

### COUNTY COMMUNICATIONS

NO. 22-94 - YUKI LEI K. SUGIMURA, COUNCILMEMBER,  
(dated April 13, 2022)

Relating to a report by Councilmembers on discussion that took place at the Maui Metropolitan Planning Organization Policy Board Meeting on March 14, 2022.

CHAIR LEE: Councilmember Sugimura.

COUNCILMEMBER SUGIMURA: Thank you.

I MOVE TO FILE COUNTY COMMUNICATION 22-94.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Moved by Member Sugimura, seconded by Pro Temp Kama, to file County Communication 22-94.

Discussion, Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. Thank you. I'm providing this report in accordance with the Sunshine Law, specifically the requirements of Section 92-2.5(e), Hawaii Revised Statutes.

Councilmembers Sinenci, Paltin, and I are board members of the MPO on, or Maui Metropolitan Planning Organization. And we attended a meeting on March 14, 2022, from 12 p.m. to 12:59 p.m. via video conference.

The meeting was organized and facilitated by MPO Executive Director Lauren Armstrong.

The board offered the opportunity for public testimony and one person testified. Among the items discussed were the executive director's report which included financial updates for the month ending January 31, 2022; public comments on Federal Fiscal Year 2022-2025; plus two Transportation Improvement Program or TIP Revisions No. 2; and an update from the Hawaii State Legislature. Copies can be found of the agenda and the minutes on [www.mauimpo.org](http://www.mauimpo.org).

The meeting was not specifically or exclusively organized for or directed toward Councilmembers. And no commitment relating to a Council vote was made or sought.

Chair, that concludes my report. I welcome any of the other Members to provide any input.

CHAIR LEE: Any further comments or questions?

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Member King had requested an opinion from OIP or, or something regarding this report being required under Sunshine Law, cause I thought it wasn't required under Sunshine Law.

CHAIR LEE: Member King, do you recall?

VICE-CHAIR RAWLINS-FERNANDEZ: No, not Member, Member King requested that they get a . . . But it wasn't her, it wasn't her responsibility to do it.

CHAIR LEE: No, you requested, but I don't recall getting a response.

COUNCILMEMBER KING: I thought--

COUNCILMEMBER SUGIMURA: I'll follow up, Chair.

CHAIR LEE: Okay, we'll follow up on it. And then, in the meantime, are there anymore comments or questions on the report or this item in general? Okay, if not, all those in favor of the motion to file, raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

And so, we have 99 dash, I mean 22-95.

NO. 22-95 - KING TAKAYA KING, COUNCILMEMBER,  
(dated April 12, 2022)

Relating to a report by Councilmembers on discussion that took place at the housing town hall in Kihei on March 22, 2022.

CHAIR LEE: Member King.

COUNCILMEMBER KING: Thank you, Chair.

I MOVE TO FILE COUNTY COMMUNICATION 22-95.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: Moved by Member King, second by Member Sugimura. Why am I having, hearing the echo? Okay, so, so anyway, the motion is to file County Communication 22-95.

Discussion, Member King.

COUNCILMEMBER KING: Thank you, Chair. Is it, this one is required by law. I'm providing this report in accordance with State Sunshine Law, specifically requirements of Section 92-2.5(e), Hawaii Revised Statutes.

Councilmember Sinenci, Councilmember Johnson, and I attended a housing town hall in Kihei on March 22, 22, 2022 at 6:00 p.m., commencing at 6:00 p.m. on Tuesday evening.

I addressed about 50 attendees to introduce two presenters of affordable housing rental projects to be located in Kihei. The first one is located in the R&T Park off Lipoa Parkway above the Maui Nui Golf Club. And the second is at the corner of Piikea and Liloa to be located in Kihei.

The first one, I'm sorry, when the presentations concluded, each project representative answered questions from the public, then were joined by a comprehensive panel, including County Planning Director Michele McLean, Deputy Director of Housing and Human Concerns Linda Munsell, long-time Maui developer Ray Phillips, affordable housing advocate Stan Franco, and real estate broker and builder Lawrence Carnicelli.

The meeting was not specifically or exclusively organized for or directed towards Councilmembers. And no commitment relating to a Council vote was made or sought. Specifically, the meeting was to inform the public of these two upcoming projects. And the, and the date of, the approximate date of accepting applications for the project up above the golf club, which is affordable housing at 60 percent AMI and below.

That concludes my report. If Councilmembers Johnson or Sinenci would like to add anything, I would welcome that.

CHAIR LEE: Member Sinenci and Johnson, any further comments?

Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. A good time was had by all. Thank you.

CHAIR LEE: Okay, anybody else? Any, anyone else?

Member Sinenci.

COUNCILMEMBER SINENCI: Chair, I concur with Member King's report. Thank you.

CHAIR LEE: Okay. Nobody else? All right, all those in favor of the motion, raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: All "ayes". Nine "ayes", zero "noes"; motion carries.

COUNCILMEMBER KING: Thank you.

CHAIR LEE: Madam Clerk.

NO. 22-96 - YUKI LEI K. SUGIMURA, CHAIR, INFRASTRUCTURE AND  
TRANSPORTATION COMMITTEE, (dated April 14, 2022)

Transmitting a proposed amendment to Bill 59, CD1 (2022), entitled "A BILL FOR AN ORDINANCE REPEALING CHAPTER 16.20B, MAUI COUNTY CODE, AND ESTABLISHING A NEW CHAPTER 16.20C, MAUI COUNTY CODE, RELATING TO THE PLUMBING CODE".

CHAIR LEE: Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR, I MOVE TO FILE COUNTY COMMUNICATION 22-96.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Moved by Member Sugimura, seconded by Pro Temp Kama, to file County Communication 22-96.

Discussion, Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank, thank you, Chair. The Amendment Summary Form attached to CC 22-96 is no longer necessary. I intend to present an ASF, which will be distributed by the Clerk when county communication, sorry, Committee Report 22-36 is called up. I respectfully request for the Members support of my motion. Thank you.

CHAIR LEE: Alright, anymore discussion? All those in favor of the motion to file, raise your hand and say "aye".

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

NOES: NONE.

COUNCILMEMBER SUGIMURA: Thank you, Members.

CHAIR LEE: Alright, nine "ayes", zero "noes"; motion carries.

Madam Clerk.

NO. 22-97 - TAMARA PALTIN, CHAIR, PLANNING AND SUSTAINABLE LAND USE COMMITTEE, (dated April 14, 2022)

Transmitting a proposed amendment to Resolution 22-51, CD1, entitled "SUPPORTING A PUBLIC PRIVATE PARTNERSHIP AGREEMENT RELATING TO INFRASTRUCTURE IMPROVEMENTS AND RESIDENTIAL WORKFORCE HOUSING FOR THE WAIKAPU COUNTRY TOWN PROJECT".

CHAIR LEE: Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. If there's no objections, I would ask that County Communication 22-97 be taken up with Committee Report 24, 22-40 later in the agenda.

CHAIR LEE: Any objections, Members?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: If not, so ordered.

(See pages 115 through 121 for discussion and action.)

CHAIR LEE: Please proceed, Madam Clerk.

NO. 22-98 - TASHA KAMA, PRESIDING OFFICER PRO TEMPORE, (dated April 13, 2022)

Transmitting a proposed amendment to Bill 39, CD1 (2022), entitled "A BILL FOR AN ORDINANCE ESTABLISHING A NEW CHAPTER 5.30, MAUI COUNTY CODE, RELATING TO ELECTRIC GUN DEALER LICENSING".

CHAIR LEE: Officer providing, Presiding Officer Pro Temp Kama.

COUNCILMEMBER KAMA: Thank you, Chair. So, Chair, it has come to my knowledge that we would have to go into executive session to discuss this. And I'm not sure if we want to do that today. And if it's okay with the Members, I'd like to put this off to the next Council meeting.

CHAIR LEE: Any objections, Members, to defer this to the next Council meeting?

COUNCILMEMBER MOLINA: No objections.

COUNCILMEMBER SUGIMURA: No objections.

CHAIR LEE: Member Paltin. Member Paltin.

COUNCILMEMBER PALTIN: I just, ques, question for Corp. Counsel, if this would affect the pending litigation.

CHAIR LEE: Corp. Counsel.

CORPORATION COUNSEL MOANA LUTEY: Thank you, Chair. No. Part of what we're trying to discuss with you does involve that, but that's why we need executive session.

COUNCILMEMBER PALTIN: And just one follow up question, if I may, Chair?

CHAIR LEE: Yes.

COUNCILMEMBER PALTIN: Do you think, how long do you think it would take in executive session if we did it today?

CORPORATION COUNSEL: Depends on how many questions you have. But I don't think it would, from my perspective, it wouldn't take that long. But I just, I don't know what your timeline's like and how many questions you might have.

COUNCILMEMBER PALTIN: Okay, thank you so much. I mean, I don't mind disposing of it today, cause it seems like folks really want to buy tasers and I don't want to bum their trip. But I'll leave it up to the body.

CHAIR LEE: We'll leave it up to the Chair to.

Member Molina.

COUNCILMEMBER MOLINA: No, I just want to add my two cents. I guess we're going to have a better gage on how long we'll be in there if we put time limits on ourself, or limit

questions. That's the only way, cause it's really hard to answer that question in executive session. I mean, it could go on and on and on. But just wanted to throw out my thoughts on that. Thank you.

CHAIR LEE: Member Kama.

COUNCILMEMBER KAMA: Yes, Chair.

CHAIR LEE: Is that, is your recommendation to defer this matter to the next Council meeting?

COUNCILMEMBER KAMA: Yes, Chair.

CHAIR LEE: May 6, I think. May 6.

COUNCILMEMBER KAMA: Yes.

CHAIR LEE: Okay.

COUNCILMEMBER KAMA: That's my preference. But I'm one of nine. But that is my preference.

CHAIR LEE: Anyone else? Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I know the Corp. Counsel can't answer our questions, or certain questions in open session. But I'm looking at the amendments that are being proposed. I'm . . . how that differs from, if it's substan, oh. So, this fee was sent to us via State statute. And so, we're, we're just, I guess I don't understand how we're changing it from State statute when State statute is telling County Code what, dictating to County Code what it will say under this.

CHAIR LEE: Corp. Counsel? Corporation Counsel Moana Lutey. Aren't, are we not in litigation on this?

CORPORATION COUNSEL: Yes.

CHAIR LEE: And that's the reason why we have to go into executive session. Whether the people will have a good case or not a good case.

CORPORATION COUNSEL: We also received correspondence from the Plaintiffs earlier this week that we would need to convey to this body and discuss. So, that's the other reason we would need executive session.

CHAIR LEE: Okay. Any more questions for Corp. Counsel while they're on the line?  
Apparently not.

Any other comments or questions from the other Members? Okay, so the, yes,  
Member King.

COUNCILMEMBER KING: I just wanted to say I'm happy to defer it to the next meeting.

CHAIR LEE: Alright. So, Members, the request was made to defer this till the next meeting,  
so are there any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: If not, so ordered. So, ordered.

Madam Clerk, next item.

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

NO. 22-99 - CLARK ABBOTT, CHAIR, SALARY COMMISSION,  
(dated March 28, 2022)

Relating to salary increases for Department Directors, Deputy Directors, and the  
County Auditor.

The recommended action is that County Communication No. 22-99 be referred to the Budget,  
Finance, and Economic Development Committee.

(COUNTY COMMUNICATION NO. 22-99 WAS FILED LATER IN  
THE MEETING. See pages 90 and 91 for discussion and action.)

NO. 22-100 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,  
(dated April 11, 2022)

Transmitting the Short-Term Investment Reports as of March 31, 2022 (Fiscal Year  
2022 Third Quarter).

The recommended action is that County Communication No. 22-100 be referred to the  
Budget, Finance, and Economic Development Committee.

NO. 22-101 - SHAYNE R. AGAWA, DEPUTY DIRECTOR OF WATER SUPPLY,  
(dated April 6, 2022)

Transmitting the Department of Water Supply's Monthly Source and Groundwater Use Report for the month ending March 2022.

The recommended action is that County Communication No. 22-101 be referred to the Infrastructure and Transportation Committee.

NO. 22-102 - MICHELE CHOUTEAU MCLEAN, PLANNING DIRECTOR,  
(dated April 6, 2022)

Relating to the South Maui Community Plan update.

The recommended action is that County Communication No. 22-102 be referred to the Planning and Sustainable Land Use Committee.

CHAIR LEE: Are there any objections to these referrals, Members?

COUNCILMEMBER SUGIMURA: No objections.

COUNCILMEMBER KAMA: None.

CHAIR LEE: Oh, we have one. Vice-Chair Rawlins-Fernandez.

DISCUSSION AND ACTION RELATING TO  
COUNTY COMMUNICATION NO. 22-99

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. CC 22-99 from the Salary Commission.

I MOVE TO FILE CC 22-99.

CHAIR LEE: Sec--

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Pro Temp Kama, to file CC 22-99.

Discussion, Vice-Chair?

VICE-CHAIR RAWLINS-FERNANDEZ: These communications are informational, and no further action is required by the Council. Okay, that's it.

CHAIR LEE: Anymore discussion? If not, all those in favor of the motion, please say "aye" and raise your hand.

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

Alright, but no objections to the other referrals, Members? Alright, then we have--

COUNCILMEMBER KING: I have a question.

CHAIR LEE: --the next page, committee reports. Oh, excuse me. Wait, Madam Clerk.

Member King.

COUNCILMEMBER KING: Yes, Chair. So, 22-102 is about seating the CPAC, which I thought would go through the GREAT Committee? Cause it's appointments.

CHAIR LEE: Okay. Alright. Any objections, Member Paltin?

COUNCILMEMBER PALTIN: My only concern is, would Member Molina, I know he has a pretty heavy agenda. I can take this up right away if he cannot. But I'm willing, if he can take it up in a timely manner, it's really about accommodating the Planning Director's request in a timely manner.

COUNCILMEMBER MOLINA: I, I have no objections, Madam Chair. And I thank Member Paltin for being considerate of our heavy schedule in GREAT. So, yeah, I have no objections if Member Paltin . . .

COUNCILMEMBER KING: Okay, my, my only concern was I started discussing with Member Molina already but, about the CPAC for the South Maui Community Plan. But if Member Paltin's willing to pick it up, I can have that discussion with her.

CHAIR LEE: Alright. Okay. So, the referrals will stand right? Okay.

So, let's see, moving onto committee reports.

COUNTY CLERK: Moving on with item K, Committee Reports. Chair, proceeding with the committee reports.

## COMMITTEE REPORTS

COMMITTEE REPORT  
NO. 22-34 - BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT  
COMMITTEE:

Recommending that Resolution 22-65, entitled "APPROVING COST ITEMS FOR BARGAINING UNIT 01, NON-SUPERVISORY, BLUE COLLAR EMPLOYEES," be ADOPTED.

COUNTY CLERK: Committee Report 22-35--

CHAIR LEE: Wait, wait hold on. Vice-Chair, you want to take all of them up at the same time?

VICE-CHAIR RAWLINS-FERNANDEZ: Yes, we usually take up CR's one at a time.

CHAIR LEE: One at a time? Alright.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo Chair. I think everyone's got to mute. That's where the feedback's coming from.

I MOVE TO ADOPT THE RECOMMENDATIONS IN  
COMMITTEE REPORT 22-34.

CHAIR LEE: Second?

COUNCILMEMBER JOHNSON:

SECOND.

COUNCILMEMBER SUGIMURA: Second.

CHAIR LEE: Okay, moved by Vice-Chair Rawlins-Fernandez, seconded by Member Johnson, to approve the, the recommendations in Committee Report 22-34.

Discussion, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Your Budget, Finance, and Economic Development Committee met on April 4, 2022, to discuss Resolution 22-65. This resolution would approve cost items for non-supervisory, blue collar employees within Bargaining Unit 01, represented by United Public Works for Fiscal Year 2022 to 2025.

The amount, the amount included, the amount included in this agreement were based on agreements that have been finalized with two other bargaining units.

The new rates will take effect when the last of the legislative bodies approve this agreement.

Your Committee voted 9-0 to recommend adoption of Resolution 22-65. I respectfully ask for the Members continued support of this item. Mahalo, Chair.

CHAIR LEE: Okay. All those in favor of the motion to approve the recommendation in Committee Report 22-34, raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

Madam Clerk. I think you may be muted.

COMMITTEE REPORT

NO. 22-35 - BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT  
COMMITTEE:

Recommending the following:

1. That Resolution 22-84, entitled "AUTHORIZING THE DISPOSITION OF REAL PROPERTY TO HOUSING AND LAND ENTERPRISE OF MAUI, DBA NA HALE O MAUI AND FOR WAIVER OF OUTSTANDING REAL PROPERTY TAXES," be ADOPTED; and
2. That Resolution 22-85, entitled "AUTHORIZING THE DISPOSITION OF REAL PROPERTY TO THE MAUI HEALTH FOUNDATION AND FOR WAIVER OF OUTSTANDING REAL PROPERTY TAXES," be ADOPTED.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN  
COMMITTEE REPORT 22-35.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member Kama, to approve the recommendations in Committee Report 22-35.

Discussion?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Your Budget, Finance, and Economic Development Committee met on April 4, 2022, to discuss Resolution 22-84 and Resolution 22-85.

These resolutions authorize the disposition of 35 lots in the Fairways at Maui Lani, 19 lots to Na Hale O Maui for affordable workforce housing in perpetuity, and 16 to the Maui Health, Health Foundation for developing and providing leasehold market rate

homes for healthcare providers in perpetuity. They also waived outstanding real property taxes.

The Department of Housing and Human Concern said these lots are not the lots which share a wall with Palama Drive homes. And that a phased approach is being used to give the County time to address and remediate neighborhood concerns before additional lots are conveyed.

Representatives from Na Hale O Maui and Maui Health Foundations stated that if iwi kupuna are found, construction will be stopped, and appropriate action will be taken.

Your Committee voted 9-0 to recommend adoption of Resolution 22-84 and Resolution 22-85. I respectfully ask for the Members continued support of these items. Mahalo, Chair.

CHAIR LEE: Anymore discussion?

Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. I, you know, the testifiers really made valid points on that. And I also want to address what we talked about in Committee. That, you know, part of the stall was the iwi kupuna. And there has to come to a time when we look at these parcels and ask ourselves, is, is not building on these parcels on the table? Because sometimes we just push, push, push and I don't want to add more desecration than already has.

So, it's maybe phase 2 maybe a . . . maybe if there is something that we do find, or maybe there is some concerns, we have to ask ourselves at some point, maybe one or some of these parcels might not be able to be built on. So, as long as that's on the table and we are moving forward, the ones that can be built should be built. Thank you, Chair.

CHAIR LEE: Anymore discussion?

Member Paltin.

COUNCILMEMBER PALTIN: I just wanted to send my appreciation and thanks to Ms. Goodfellow, Ms. Goodfellow and Na Hale O Maui. I really appreciate, like, the concept of housing for healthcare workers in perpetuity. I love the concept of affordable or workforce housing in perpetuity. And shucks, I forgot what the other part of it, what I was going to say.

But, oh, I, I think that, you know, them taking this on and speaking with the area residents has spurred us, as the County to malama our kuleana. Cause as we seen, Member Kama put in the budget to talk about the drainage and things like that. So, you know, it was a piece of lands or lots that the County owned that was just, nothing was happening to it. And because of this, now there's attention to the long-standing problems of drainage. There's attention to the long-standing problems of that big wall that's kind of unkept behind the residents and the backfill.

So, I, I, I really appreciate and mahalo Ms. Abdul and Ms. Goodfellow for pushing on this and bringing it to the forefront so that we can take care of the kuleana that we have to the neighborhood. And we can also provide sorely needed affordable housing in perpetuity for the Na Hale side for workforce housing or affordable housing, both, hopefully, and also address the need from our healthcare workers. So, I, I support this, and I offer my gratitude for those two ladies and everyone they're working with. Thank you.

CHAIR LEE: Thank you. Anybody else? Comments? Discussion?

Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. I will tell you that in my terms of office, this parcel of land has been sorely needed. But I don't think we quite knew what to do with it because of the controversies that existed from its inception and till today. And I just want to thank both Tamar Goodfellow and Cassandra, who did go into the community to already start talking to the people. And, you know, to maybe have conversations that the County needs to also be part of the conservation. Thanks to Member Kama for putting in that money into the, as one of your priorities, so that we can do that. And I will say that there is such a great need for housing for everyone and this opens a door that is making us, as a, as a body, look at things from a broader perspective. So, thank you very much.

CHAIR LEE: Member Kama.

COUNCILMEMBER KAMA: Thank you, Chair. So, I just wanted to, to say thank you to this Council for how they think about things and how they expand their thoughts and their ideas. And certainly, this is precedence, right, because this is occupational preferences. And we have educators in our community also, that are needed housing. So, I'm hoping that as we look forward to these preferential occupationals for our housing, in housing, that we would look at that occupation also, that industry, and probably other industries too. So, thank you, Chair.

CHAIR LEE: And as you know, I've been working on an occupational preference housing ordinance, which you'll, you'll see probably in, during the summer.

Anybody else? If not, all those in favor of the motion, please raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

Madam Clerk.

COMMITTEE REPORT  
NO. 22-36 - BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT  
COMMITTEE:

Recommending that Bill 30 (2022), entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES – SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2022, AFFORDABLE HOUSING FUND (KILOHANA MAKAI PROJECT (WELA STREET EXTENSION))," be PASSED ON FIRST READING and be ORDERED TO PRINT.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ:

I MOVE TO ADOPT THE RECOMMENDATIONS IN  
COMMITTEE REPORT 22-36.

COUNCILMEMBER SINENCI:

SECOND.

COUNCILMEMBER JOHNSON: Second.

COUNCILMEMBER KAMA: Second.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member Sinenci, to approve the recommendations in Committee Report 22-36.

Discussion, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Your Budget, Finance, and Economic Development Committee met on April 4, 2022, to discuss Bill 30 (2022). These bills would amend the Fiscal Year 2022 Budget, Appendix A, Part II, to add an appropriation under the Affordable Housing Fund for the extension of Wela Street, including street lighting signage, striping, and landscaping, for the Kilohana Makai Project, in the amount of \$825,000.

Your Committee noted that Ordinance 5151 (2020) changed the zoning for this property from Open Zone to R-1 Residential, and included a condition to extend Wela Street to Kilohana Drive.

The Department of Housing and Human Concerns material costs have increased exponentially in the past year, and every increase makes it harder to complete the project. The Department does not want to pass these additional costs onto buyers.

The Managing Director said that this is not the first time the County has assisted with costs of zoning condition for a 100 percent workforce housing project.

Your Committee voted 8-0 to recommend passage on first reading of Bill 30 (2022). I respectfully ask for the Members continued support of this. Mahalo, Chair.

CHAIR LEE: Further discussion? If not, all those in favor of the motion, raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

Madam Clerk.

COMMITTEE REPORT  
NO. 22-37 - BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT  
COMMITTEE:

Recommending the following:

1. That Bill 35 (2022), entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF MANAGEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA, 60 SOUTH CHURCH STREET BUILDING RENOVATIONS," be PASSED ON FIRST READING and be ORDERED TO PRINT;
2. That Bill 36, CD1 (2022), entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 5219, BILL NO. 48 (2021), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI ISSUANCE, SALE AND DELIVERY OF SAID BONDS (DEPARTMENT OF MANAGEMENT – 60 SOUTH CHURCH STREET BUILDING RENOVATIONS)," be PASSED ON FIRST READING and be ORDERED TO PRINT;
3. That Bill 37 (2022), entitled "A BILL FOR AN ORDINANCE DETERMINING THAT PART OF THE PROCEEDS OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI HERETOFORE ISSUED IS IN EXCESS OF THE AMOUNTS REQUIRED FOR THE PURPOSES FOR WHICH SUCH BONDS WERE INITIALLY ISSUED, OR MAY OR SHOULD NOT BE APPLIED TO THOSE PURPOSES, AND DIRECTING SUCH PROCEEDS TO OTHER PUBLIC IMPROVEMENTS OR AUTHORIZED PURPOSES OF THE COUNTY OF MAUI," be PASSED ON FIRST READING and be ORDERED TO PRINT; and
4. That Bill 38, CD1 (2022), entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF MANAGEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA, GOVERNMENT FACILITIES, BOND FUND, 60 SOUTH CHURCH STREET BUILDING RENOVATIONS; TOTAL CAPITAL IMPROVEMENTS PROJECT APPROPRIATIONS; TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)," be PASSED ON FIRST READING and be ORDERED TO PRINT.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ:

MOVE TO ADOPT RECOMMENDATIONS IN COMMITTEE  
REPORT 22-37.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, second by Member Sugimura, to approve the recommendations in Committee Report 22-37.

Discussion, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Your Budget, Finance, and Economic Development Committee met on April 4, 2022, to discuss Bill 35 (2022), Bill 36, Bill 37, and Bill 38 (2022).

These bills would amend the Budget bill, the Appendix C bill, the Bond Authorization bill, and the Lapsed Fund bill, to correct the name of the project to 60 South Street, South Church Street, and to add \$7 million in bond funding under the Department of Management for 60 South Church Street Building Renovations.

The Department of Management explained that these funds would be used for construction costs, including an emergency generator, replacing both chillers, and roof repairs.

Your Committee discussed the duration of the renovations. The Department of Management said they anticipate Departments will be able to move into the building in approximately one year.

The Budget Director also said the Administration is seeking Federal funding to assist with the building renovations. This budget amendment will allow the Department to proceed with a RFP process and other purchases. But if Federal funding is received, the Budget will be amended to recognize the additional funding and reduce the amount of bond funding.

Your Committee voted 9-0 to recommend passage on first reading of Bills 35, 30, Bill 35 (2022); Bill 36, CD1 (2022); Bill 37 (2022), Bill 38, CD1 (2022). I respectfully ask for the Members continued support. Mahalo, Chair.

CHAIR LEE: Any more discussion? All those in favor of the motion, please raise your hand and say "aye".

Member Paltin?

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

CHAIR LEE: All "ayes", zero "noes"; motion carries. Thank you.

Madam Clerk.

COMMITTEE REPORT  
NO. 22-38 - INFRASTRUCTURE AND TRANSPORTATION COMMITTEE:

Recommending that Bill 59, CD1 (2022), entitled "A BILL FOR AN ORDINANCE REPEALING CHAPTER 16.20B, MAUI COUNTY CODE, AND ESTABLISHING A NEW CHAPTER 16.20C, MAUI COUNTY CODE, RELATING TO THE PLUMBING CODE," be PASSED ON FIRST READING and be ORDERED TO PRINT.

CHAIR LEE: Member Sugimura.

COUNCILMEMBER SUGIMURA:

I MOVE TO ADOPT THE RECOMMENDATIONS IN  
COMMITTEE REPORT 22-38.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Moved by Member Sugimura, second by Member, Pro Temp Kama, to approve the recommendations in Committee Report 22-38. Discussion?

Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. Your Infrastructure, Transportation Committee met on March 22, 2022, to discuss a proposed bill to update the County's

Plumbing Code, and to incorporate the Uniform Plumbing Code, 2018 Edition, with additional revisions recommended by the Department of Public Works.

At this meeting, your Committee noted each county may amend the State Building Code as, as it applies to their respective jurisdiction, without approval from the State Building Code Council, within two years after the adoption of the State Code, State Building Code. The deadline for counties to adopt this plumbing code is May 19, 2022, or the State Building Code will prevail.

Your Committee also noted the Plumbers and Fitters Local 675 Union confirmed they proposed the bill, proposed bill with the union and industry partners, including Plumbing Contractors Association, all of, all of whom were in full support.

Your Committee voted 6-0 to recommend passage on Bill 59, CD1 (2022) on first reading.

At this time, if there's no objections I would like to proceed with a proposed amendment. There's an ASF, which you should be receiving in, in your inbox. And I respectfully ask for the Members support of my motion as amended. Thank you. You got it? Okay, thank you. Members, do you have it?

CHAIR LEE: Do we have a second on the amendment?

COUNCILMEMBER SUGIMURA: Oh, Tasha.

COUNCILMEMBER KAMA: Second.

CHAIR LEE: Okay, questions, Members? Any further discussion?

Member King?

COUNCILMEMBER KING: Yeah, I'm just trying to, I don't see the ASF yet. Did you just send it out?

COUNCILMEMBER SUGIMURA: Did it get to the Members? Yes.

COUNCILMEMBER KING: There it is. It just came.

CHAIR LEE: Do you see it now? Member King?

COUNCILMEMBER KING: Yeah. The staff took a minute.

COUNCILMEMBER SUGIMURA:

OKAY, I MOVE TO SUBSTITUTE THE ATTACHED PROPOSED  
FD1 VERSION OF BILL 59, CD1 (2022), FOR THE BILL  
ATTACHED TO THE COMMITTEE REPORT.

And see proposed FD1 version of Bill 59, CD1 (2022). And the reason, if you would  
allow me to explain

COUNCILMEMBER KAMA:

SECOND.

COUNCILMEMBER SUGIMURA: I need a second.

COUNCILMEMBER KAMA: I second that. You moved, right?

COUNCILMEMBER SUGIMURA: Yeah, I moved. So, Chair, she second my motion. Tasha  
second my motion for the amendment. Should I continue? Oh, can I continue? Yes.

CHAIR LEE: I'm sorry, I was muted. Go ahead.

COUNCILMEMBER SUGIMURA: Oh, yes. Okay, thank you. The substantive amendments  
with consistent with the Uniform Plumbing Code, 2018 Edition, and are recommended  
by the Department of Public Works, who may be designated as a resource person, if  
they're here. And you will see the attached bill to this.

CHAIR LEE: Alright.

COUNCILMEMBER SUGIMURA: Yeah.

CHAIR LEE: Any questions, Members? Comments?

Member Paltin.

COUNCILMEMBER PALTIN: I guess, you know, I'm, I'm just seeing this 35-page amendment  
now, and we discussed it in Committee with Public Works and, and the plumber,  
plumber folks. So, I guess my question is what changed between Committee and  
now? And did you want us to read this?

COUNCILMEMBER SUGIMURA: So--

COUNCILMEMBER PALTIN: Or did you want us not to read this and just vote on the 35 pages? Cause I don't really feel comfortable that, like that.

COUNCILMEMBER SUGIMURA: Okay, so the proposed change, amendment to the Plumbing Code is to include provisions on "Piping Underground Beneath Buildings"; and is to add exemptions for inspection fees for adult residential care homes and day care centers; and to incorporate non-substantive amendments for accuracy and consistency.

The Ramseyered version was one of the things that the Committee asked for, so that's what this is. And at this time, I'm going to ask Public Works to tell us exactly on what page these amendments are. Thank you. So, it's the document you saw before. It was discussed.

COUNCILMEMBER PALTIN: So, this is just the Ramseyered version.

COUNCILMEMBER SUGIMURA: Yeah.

COUNCILMEMBER PALTIN: Oh.

COUNCILMEMBER SUGIMURA: Cause that's one of the things that the Committee asked for, right? Yeah. Yeah.

CHAIR LEE: Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. And yeah, for, for the record, this is the first time I've seen it, and I apologize, I'm not in the IT Committee. But just for clarification, Ms. Sugimura, this is just for exemptions to fees, and not necessarily to, like, any archaeological monitoring, that kind of stuff?

COUNCILMEMBER SUGIMURA: This is for the use of the Plumbing Code for the industries, or whoever is building. And so, these are the rules that would apply. But it wouldn't be to exempt fees or exempt, you know, the standard things you need to do for construction, which is, you know, iwi and the, all of that, if that's what you're asking for.

CHAIR LEE: This is a national code.

Member King.

COUNCILMEMBER KING: Yeah, I'm trying to find where your changes are. I mean, the whole thing is Ramseyered, so it looks like the whole thing has changes throughout. But as far as your ASF, where are those changes in the document?

CHAIR LEE: Member Sugimura.

COUNCILMEMBER SUGIMURA: So, can I ask Public Works to take us to the exact page?

CHAIR LEE: Is he on the call? Is Jordan on the call?

COUNCILMEMBER SUGIMURA: Do we have Public Works on the call? Oh, my note says Public Works is here for a reference, resource. Chair, can I, can I make calls and, or can I have staff make calls to them and we'll get the answer?

CHAIR LEE: Alright, we'll take a five-minute break. Is that enough time?

COUNCILMEMBER SUGIMURA: Thank you. Thank you. Yes.

CHAIR LEE: But Member Sugimura, would you be opposed to referring this back to Committee? Or is there a, is this time sensitive?

COUNCILMEMBER SUGIMURA: Well, it's time sensitive. We need to get this passed by May 19, otherwise we automatically adopt what is the State Code. So, these are, this is our version, so I think it's important.

CHAIR LEE: Alright, five-minute break.

COUNCILMEMBER SUGIMURA: Yeah. Thank you.

CHAIR LEE: Let's say, 2, 2:40. 2:40, everybody, and we will reconvene.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: Meeting in recess.

(THE MEETING WAS RECESSED BY THE CHAIR AT 2:23 P.M., AND WAS RECONVENED AT 2:41 P.M., WITH ALL MEMBERS PRESENT.)

CHAIR LEE: Will the Council meeting of April 22, 2022, please reconvene.

Madam Clerk, let's continue.

Oh, I guess we need to find out where the Director of Public Works is. Is he on the call, Member Sugimura?

COUNCILMEMBER SUGIMURA: Yes.

CHAIR LEE: Okay.

COUNCILMEMBER SUGIMURA: And Corp. Counsel's standing by. So, if I could?

CHAIR LEE: Sure, go ahead.

COUNCILMEMBER SUGIMURA: Okay, thank you. So the question, the Members wanted to know the difference between the original document and the one that you are looking at today. Primarily, it's Ramseyered, which was asked for by the Committee members. And so, staff took it back and is, has before you the Ramseyered version.

The amendment that Public Works came back with, which is on page 31 of your document, which is "1210.1.6 Piping Underground Beneath Buildings". And if you turn to the next page, you will see that there's a section that was deleted, but the underlined is what was added. So, that is the change that you're looking at. And if we have Public Works, I can, Jordan Molina, can you please explain this difference of what was changed?

CHAIR LEE: Mr. Molina? Director Molina?

DIRECTOR OF PUBLIC WORKS JORDAN MOLINA: Thank you, Chair. Can you guys hear me?

CHAIR LEE: Yes, we can.

COUNCILMEMBER SUGIMURA: Yes.

DIRECTOR OF PUBLIC WORKS: Okay. Thank you. Jordan Molina, Director of Public Works. So, the amendment before you is to add in two provisions that we omitted by mistake that are in our existing Plumbing Code. There's two sections. So, the first section being 105.2.2, relating to "Other Inspections". And this is on page, so from Member Sugimura's transmittal, it is on page 16 of the PDF document. It is labeled page 14 of the bill itself. And what we added is at the very end, actually on page 15, there's these two exemptions from inspection fees for adult residential care homes and licensing of daycare facilities. So, the current exemption is to not charge the fees for these two types of facilities. So, we are carrying that forward in the new code.

The second add is also to include a provision we missed that's in our existing Plumbing Code, relating to encasing underground gas lines, concrete jackets. This is found on

page 31 of the bill, which is page 33 of the PDF file. And again, both provisions are in existing code, and we just missed to add them in when we came before the Committee. Thank you, Chair.

CHAIR LEE: Members, questions? Questions for the Director?

Yes, Mr. Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. And mahalo, Director Molina. So, everything else on here were, those were the only changes that, that the, your Department is proposing? Everything else looks like it's underlined, so that's just all part of the new requirements and standards as presented by the State?

DIRECTOR OF PUBLIC WORKS: No. These would be the changes that we discussed at Committee, that are being undertaken by the County. So, between the bill at Committee and the bill before you today, is only those two provisions I mentioned had changed. Thank you.

COUNCILMEMBER SINENCI: Oh, okay. Alright. Thank you, Director. Thank you, Chair.

CHAIR LEE: Members, any other questions? No questions? You ready to vote on the amendment? All those in favor, please say "aye", raise your hand.

Okay, all "ayes", zero "noes".

Member Kama, "aye", right? Yeah.

COUNCILMEMBER KAMA: Yes.

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

NOES: NONE.

CHAIR LEE: Okay, all "ayes", zero "noes"; motion carries.

Member Sugimura, you have anything else?

COUNCILMEMBER SUGIMURA: I do not. So, thank you for that.

CHAIR LEE: So, the motion as amended. The main motion as amended.

COUNCILMEMBER SUGIMURA: Yes.

CHAIR LEE: All those in favor of the main motion as amended, please say "aye", raise your hand.

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

NOES: NONE.

CHAIR LEE: All "ayes", zero "noes"; motion carries.

Madam Clerk.

COMMITTEE REPORT  
NO. 22-39 - INFRASTRUCTURE AND TRANSPORTATION COMMITTEE:

Recommending the following:

1. That Resolution 22-71, CD1, entitled "URGING THE FEDERAL AVIATION ADMINISTRATION TO MORE EFFECTIVELY REGULATE AIR TOUR HELICOPTER OPERATIONS IN MAUI COUNTY," be ADOPTED; and
2. That Resolution 22-74, CD1, entitled "URGING THE FEDERAL AVIATION ADMINISTRATION TO ADHERE TO THE NOISE ABATEMENT AREAS OVER MAUI COUNTY," be ADOPTED.

CHAIR LEE: Member Sugimura. You're muted. You're muted.

COUNCILMEMBER KAMA: Second.

COUNCILMEMBER SUGIMURA: Sorry about that.

I MOVE TO ADOPT THE RECOMMENDATIONS IN  
COMMITTEE REPORT 22-39.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: That's kind of funny. She heard you make the motion, because you're sitting close to each other.

COUNCILMEMBER KAMA: Yeah, I did.

CHAIR LEE: But we didn't hear you.

COUNCILMEMBER SUGIMURA: . . .

CHAIR LEE: Any discussion? No discussion?

All those in favor of the motion, please raise your hand and say "aye".

COUNCILMEMBER SUGIMURA: Okay.

COUNCILMEMBER KAMA: "Aye".

CHAIR LEE: Member Paltin? Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: Chair, I object. No, I, I'm going to support the motion. But Member Sugimura, as the, you're not going to say anything about the committee report before we make the motion?

COUNCILMEMBER SUGIMURA: I would love to.

CHAIR LEE: Oh, I'm sorry. Discussion. Go ahead.

COUNCILMEMBER SUGIMURA: Your Infrastructure and Transportation Committee met on March 22, 2022, to discuss the following. And this resolution was presented by Keani Rawlins-Fernandez, Resolution 22-71, intended to urge the Federal Aviation Administration, FAA, to move effectively regulate helicopter operations in Maui County. And Resolution 22-71 *[sic]*, which was my resolution, intended to: 1) urge the assistance of Hawaii's Congressional delegation to have the FAA hear citizens' concerns and work to address aircraft noise complaints; and 2) urge the State Department of Transportation and the Mayor to independently or jointly establish a community roundtable on aircraft noise with the FAA.

At this meeting your Committee discussed community concerns regarding aircraft noise and flight paths into and over Maui County, particularly helicopter noise disturbances over Waihee Valley, East Maui, and Molokai, and commercial aircraft noises over Haiku, Maalaea, South Maui, and Molokai.

Your Committee discussed communication efforts with the FAA to address these concerns, resulting in the FAA recommended the initiation of a roundtable, taskforce, or ad hoc committee to engage the local community and address related concerns.

Your Committee also noted the support of U.S. House of Representative Congressman Kaiiali'i Kahele for both resolutions.

Your Committee supported adding language to Resolution 22-71 to recognize that the silence of Haleakala is recognized as a treasure, and to urge the National Park Service to discontinue tour helicopter operations over Haleakala National Park.

Your Committee supported adding language to urge the FAA to issue a rule to regulate and reduce helicopter overflights and attendant noise disturbance over nearby communities, similar to Title 14, Code of Federal Regulations, Part 93, New York North Shore Helicopter Route.

Your Committee further supported amending Resolution 22-74 to clarify the mapping of noise abatement areas for the Island of Maui, identify current flight paths, and, and directly urged the FAA instead of the State's Congressional Delegation to adhere to the mapping noise abatement areas.

Your Committee voted 6-0 to recommend adoption of Resolution 22-71, CD1, and voted 5-0 to recommend adoption of Resolution 22-74, CD1. I respectfully ask for the Councilmembers support of the motion. Thank you, Chair.

CHAIR LEE: Further discussion?

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I wanted to thank Member Sugimura for expediting the scheduling of these resolutions on behalf of our community, and for all of our community members, particularly those that have been helping to advance these two pieces of legislation, those that are in the Quiet Skies group. They, they have been instrumental in helping us with these two resolutions. And as I stated in Committee, that I would be drafting one more resolution on behalf of the Quiet Skies groups, and then Member Sugimura would schedule that one as well.

But this, hopefully, as Congressman Kahele said, that we can all work together to ensure that the quality of life for our residents are more protected. Because, as you heard in testimony today, when the helicopters come over it, it can trigger those with PTSD. It, it, it's nonstop in a lot of our areas. It's an invasion of our residents' privacy. And so, I just want to thank this Council for their support. Mahalo, Chair.

CHAIR LEE: Anybody else?

Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. And, yeah, I, too, wanted to mahalo Member Sugimura for putting this resolution through. We did expand this discussion in our tourism management TIG to include possibly safety videos on the airlines, and, and also flights, daily flights, and seating on, on aircrafts. I understand that it's still, it's urging the Federal Aviation Administration. So, some of the, I guess, the recommendations that came out of the TIG was maybe to look for a lobbyist in Washington to lobby the FAA in Washington to try and get some of these things moving. But this is definitely a great start. And I see all of our Congressional representatives, so happy to support.

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair. I, too, want to thank Member Sugimura for taking this up in her Committee. You know, we were one of the first to get calls about aircrafts in the Haiku area. And then of course, we contacted Congressman Kahele's office. So, kudos to Congressman Kahele, as well, too. And we're quite fortunate, the irony is he is a pilot, so he's certainly very familiar with the flightpaths. And of course, I believe he is on the, maybe if I'm stand to be corrected, the Transportation Committee, as well. So, he holds a key position, so, he was very helpful as well. But thank you for shepherding this matter, Member Sugimura, on behalf of the citizens of my district. Mahalo, Chair.

CHAIR LEE: Anymore discussion?

Member King.

COUNCILMEMBER KING: Thank you. I don't know why you can't see me, I had my hand up after Keani, but whatever. So, Member Sugimura, I was, I was really sorry to miss this meeting, because I've also had complaints about this, especially from folks in Maalaea. But when I looked at this resolution, the one thing I didn't understand was it references maps, noise abatement areas. And was, is there an actual map, and who did the mapping?

COUNCILMEMBER SUGIMURA: So, I believe that the FAA has a regulations book that they follow and so it's, it's way beyond us. And so, that's why we are trying to get the FAA's attention so that your, I think Mike, or Councilmember Molina, then Kelly King, were the ones that had complaints, as well as the Molokai residents that came forward.

COUNCILMEMBER KING: No, what I'm asking is, who, who did the, I think you referred to maps--

COUNCILMEMBER SUGIMURA: Oh, FAA.

COUNCILMEMBER KING: It's a FAA?

COUNCILMEMBER SUGIMURA: It's a FAA document, yeah. So, what, what--

COUNCILMEMBER KING: So, basically, you're asking them to adhere to their own documents? Because . . .

COUNCILMEMBER SUGIMURA: Well, we're trying to get them to be sensitive to the concerns of our residents, so they would possibly not fly over where our residents are asking. So, I'm trying to get--

COUNCILMEMBER KING: Right. No, I get that. I'm, I'm just, I was confused as if it's an FAA--

COUNCILMEMBER SUGIMURA: Yes.

COUNCILMEMBER KING: The FAA did the mapping of the noise abatement areas, then we have violations of the FAA mapping?

COUNCILMEMBER SUGIMURA: I'm sorry. So, the FAA has flying zones, basically. I'm sorry. And we're trying to get them to be sensitive to the areas that our residents are saying that there's, there's noise problems, right? So, there is routes . . .

COUNCILMEMBER KING: I, no, no, I, the reference to maps noise abatement areas. I'm just asking who did the, who mapped those out?

COUNCILMEMBER SUGIMURA: FAA has the maps. And we're trying to get them to recognize our areas to be included.

COUNCILMEMBER KING: Okay, so they actually have areas that they call noise abatement?

COUNCILMEMBER SUGIMURA: I don't know the technical. There is an FAA guideline that the pilots and helicopters, they all follow. So, we're trying to get them to recognize, as I said, our resident concerns in the areas.

COUNCILMEMBER KING: Okay, yeah, I just, that's the only question I had, was who did the mapping of the noise abatement areas? Because it says, we're urging the FAA to adhere to the maps noise abatement areas over Maui County, and so--

COUNCILMEMBER SUGIMURA: --have OCS. Okay. Alright. OCS is trying to get the formal name for you, so if you can give me a second.

COUNCILMEMBER KING: Yeah, just, I, well, you know, my concern is I want to be able to back this up and I'd like to know who mapped out those areas, so I could speak to it if I want to defend this resolution.

CHAIR LEE: Meanwhile, meanwhile, does anybody else have questions?

Did you, Member Sugimura, did you say you requested from OCS information?

COUNCILMEMBER SUGIMURA: Yeah. Yes.

CHAIR LEE: So, we're waiting for that?

COUNCILMEMBER SUGIMURA: Yeah.

CHAIR LEE: Okay, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Member King, I know that you were, you put this on the item on behalf of some of our residents. Did you have an opportunity to meet with them? Because that's where they got, we got the information from. Ms. Cheryl Henderson *[sic]* provided us some of that information that we used in the resolution.

COUNCILMEMBER KING: Okay. No, I hadn't met with them in person. I forwarded it, and I was really hoping to be at the meeting, but I had something else come up.

VICE-CHAIR RAWLINS-FERNANDEZ: So, Ms. Henderson *[sic]* actually has a lot of information that I think would be very helpful in defending whatever it is that you are looking to defend.

COUNCILMEMBER KING: I just wondered if the, the mapping came from the citizens or if it came from an actual, like the FAA, or an actual agency? Because I think that would

make it stronger if it did come from an agency. If we're asking the, if we're asking for the airlines to adhere to a mapped noise, I just never have heard about, other than seeing the wording here, I've never heard about any formal mapped noise abatement areas. And I think we need it, but I just don't know who's, who?

VICE-CHAIR RAWLINS-FERNANDEZ: It's, it was formally approved. I believe that it was done by one of the State agencies or task forces. That's what, that was the discussion in Committee. Okay, and it looks like Member Sugimura now has the formal title of the report.

CHAIR LEE: Member Sugimura.

COUNCILMEMBER SUGIMURA: I'm getting all of these pings from staff. So, it says published by the Hawaii State Department of Transportation. And wait a minute, let me get all of this. Noise abatement areas are State of Hawaii getting, Hawaii Airports and Flying Safety Guide, published by the Hawaii State Department of Transportation in 2013.

CHAIR LEE: Any more questions or comments?

COUNCILMEMBER KING: I just want to thank her, because the staff muted me. So I'm sorry, I was trying to say thank you and they muted me.

CHAIR LEE: Oh. Okay. Any more comments or questions, Members? Alright.

Yes, Member Sugimura.

COUNCILMEMBER SUGIMURA: So, I wanted to just also say that this, these resolutions were very timely, because the National Parks Service, Haleakala National Park, especially, or in particular, along with FAA, are looking for community comments. And April 1 was that deadline, so we were able to use this as examples of the community voice wanting to have some resolution, or for them to pay attention to this. And then, just for the community input, information, spring or, I'm sorry, latter part of this year, Natalie Gates, who is a Superintendent for Haleakala said that she and FAA will do a community meeting. So, I'm waiting for that to be, for me to be able to bring the community together to hear what, you know, what they're saying. So, there is hopefully some merit to this, and we'll have a next step. So, thank you.

CHAIR LEE: Alright. Any more comments? If not, all those in favor of the motion, please raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

Madam Clerk.

COMMITTEE REPORT  
NO. 22-40 - PLANNING AND SUSTAINABLE LAND USE COMMITTEE:

Recommending that Resolution 22-51, CD1, entitled "SUPPORTING A PUBLIC PRIVATE PARTNERSHIP AGREEMENT RELATING TO INFRASTRUCTURE IMPROVEMENTS AND RESIDENTIAL WORKFORCE HOUSING FOR THE WAIKAPU COUNTRY TOWN PROJECT", be ADOPTED.

CHAIR LEE: Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. May I also ask the Clerk to call County Communication No. 22-97?

CHAIR LEE: Madam Clerk.

### COUNTY COMMUNICATIONS

NO. 22-97 - TAMARA PALTIN, CHAIR, PLANNING AND SUSTAINABLE LAND USE COMMITTEE, (dated April 14, 2022)

Transmitting a proposed amendment to Resolution 22-51, CD1, entitled "SUPPORTING A PUBLIC PRIVATE PARTNERSHIP AGREEMENT RELATING TO INFRASTRUCTURE IMPROVEMENTS AND RESIDENTIAL WORKFORCE HOUSING FOR THE WAIKAPU COUNTRY TOWN PROJECT".

CHAIR LEE: Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Bear with me, gangy. I'll explain everything, just give me a moment.

I MOVE TO SUBSTITUTE THE AGREEMENT IN EXHIBIT "1" TO THE PROPOSED RESOLUTION 22-51, CD1, WITH THE REVISED AGREEMENT ATTACHED TO THE MEMORANDUM FROM THE DEPARTMENT OF CORPORATION COUNSEL DATED APRIL 1, 2022.

CHAIR LEE: Second?

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR LEE: Moved by Member Paltin, second by Vice-Chair Rawlins-Fernandez, on that motion.

Discussion?

COUNCILMEMBER PALTIN: Thank you, Chair. As noted in the correspondence dated April 1, 2022, from the Department of Corporation Counsel, the revised agreement, which was discussed by the PSLU Committee on March 23, 2022, contains critical revisions that resolved outstanding issues between the parties involved in the Agreement.

So, like, you know, in laymen's terms, if you recall when we were in Committee, Corporation Counsel transmitted the revised Agreement and that's what we talked about. But we didn't make the motion to substitute that revised Agreement at that time, because, you know, we received it during the course of, of testimony, and so, it wasn't in the notes to substitute it. And we just, it was an oversight. So, it's what we discussed, but we didn't formally substitute that, what we discussed for what was posted. So, this is correcting that error. If, if there's any questions, I'm sure somebody more qualified could answer them.

CHAIR LEE: Alright, Members, do you have any questions for either Member Paltin or somebody more qualified? No questions? Alright. All those in favor of the motion, raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

Member Paltin.

COUNCILMEMBER PALTIN: Okay, going back to the main motion as amended. Your Planning and Sustainable Land Use Committee met on March 17, 2022, and reconvened on March 23, 2022, to discuss a public private partnership agreement between the State, County, and Waikapu Country Town Project. In this partnership, Waikapu Country Town would provide additional residential workforce housing units in exchange for infrastructure improvements by the State and County, hopefully the State also.

The Committee received the computer-generated presentation from Waikapu Country Town representatives that outlined the proposed terms of the Agreement, which included Waikapu Country Town providing up to 213 additional residential workforce housing units; the County assuming Waikapu Country Town's traffic impact mitigation obligations; and Waikapu Country Town being permitted to temporarily connect to the County's, Kahului Wastewater Treatment Facility that would allow the construction of the housing units while the County builds the Central Maui Wastewater Treatment Facility.

Your Committee amended Resolution 22-51 in two ways: 1) requiring Waikapu Country Town to seek Council approval to revise conditions to the Change in Zoning and District Boundary Amendment, and one of the modifications that I verbalized, and Mr. Atherton agreed to, was extending the affordability period of the additional residential workforce housing units; and 2) to urge the Mayor to exercise reasonable efforts to secure State funding as the State's participation in the Agreement.

Your Committee supported the concept of government entities partnering with developers to provide housing for the workforce and the community.

Your Committee voted 9-0 to recommend adoption of Resolution 22-51, CD1. And so, you know, we signaled for the developer that we're willing to do our part. We mentioned our one concern that, you know, we wanted to extend the affordability period from 2.96. And Mr. Atherton was okay with that, if you folks remember. So, I respectfully ask for the Members support of my motion as amended.

CHAIR LEE: Anymore discussion?

Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. I rise in full support of this. I, I think that this project could be the model going forward on public private partnerships. I appreciate Coach Atherton's willing to be malleable and move towards some of our requests. I was really excited that, to learn that he was interested in using pilot project vouchers for the whole project, or for the affordable housing section. So, that's just my two cents. I really hope that more large landowners take a look at this, and maybe they can, too can work together with the County. Mahalo, Chair.

CHAIR LEE: Member King. I, I thought I'd call on you just in case.

COUNCILMEMBER KING: . . . Now you call on me and I didn't have my hand up.

CHAIR LEE: Okay. I know, I didn't see it up, but I figured you're going to raise your hand. Anybody else? Anybody else?

Member Sugimura.

COUNCILMEMBER SUGIMURA: Yeah, I'm in full support of this. And thank you very much, Committee, for working hard, and of course, Tamara Paltin, for your detailed diligence of getting things done. We are waiting for this project to happen and appreciate Coach Atherton for putting in additional affordable housing to, as a partnership, the private public partnership, in addition to the years that he's put into talking to the community, working with the many entities, including the State of Hawaii, you know, Department of Education, State DOT, State Department of Health. I mean, and it runs a gamut. So, besides us, there's also our State partners. Appreciate the, Representative Kyle Yamashita; Senator Gil-Agaran; Representative Troy Hashimoto, who have been working on this along with the Administration; and Ed Sniffen from State Department of Transportation. Those are the names that I probably heard the most, so thank you.

CHAIR LEE: And question, Member Paltin. So, we needed to make an amendment to the CIZ, yeah, Change in Zoning ordinance. And did we also make a change to the unilateral agreement?

COUNCILMEMBER PALTIN: Oh, Chair?

CHAIR LEE: Or was that not necessary?

COUNCILMEMBER PALTIN: We didn't actually amend the Change in Zoning ordinance yet. This is just a resolution signaling the Council's intent to support a Change in Zoning. A Change in Zoning process would need to go through the Planning Commission first, which the Administration can take it through the Planning Commission ahead of us, because we're in budget right now. So, they can go ahead and get that started. We

gave a verbal commitment of our intent to follow what is, or will be proposed by passing this resolution. This resolution is not a Change in Zoning ordinance. Does that satisfy your question?

CHAIR LEE: Well, if it goes to the Planning Commission and, you know, is delayed for some reason, and there is a change in the composition of this Council, what, what happens then? Then there's that possibility of this project falling apart, because there would not be a public private partnership anymore, right?

COUNCILMEMBER PALTIN: If you're asking me, I guess I, if the Administration hasn't put it forward to the Planning Commission by the time we're out of budget, I could do that, and then we would have to wait 120 days before we take it up. But I, I mean, the Administration is the one that came to us. So, I would hope that they got this started already. In terms of the, a change of the Council composition, I mean, it's an election year, so it could be an election year issue that you, somebody secures--

CHAIR LEE: Okay.

COUNCILMEMBER PALTIN: --commitments from all of the candidates, I don't know.

CHAIR LEE: My, my point is though, my point is it's time-sensitive, so it needs to be expedited.

COUNCILMEMBER PALTIN: That's true. But it's not something I have control over at this moment. It's more within the Administration's hands. I can communicate with the Administration, if they have gotten it started, to expedite it through the Planning Commission. But it's not something that I personally can promise, because it's not in my wheelhouse of things that I can tell someone to do. That's like a impeachable offense to try and tell the Directors what to do.

CHAIR LEE: Yes. Yes, I am aware of that. But I, it just occurred to me that wow, this is a long process. Okay. Thank you.

Anybody else? Are we ready for a vote or did we? Ready for a vote? No more questions? All those in favor, say "aye" to the motion.

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

COUNTY CLERK: Chair?

CHAIR LEE: Yes.

COUNTY CLERK: I think we need a disposition for County Communication 22-97.

CHAIR LEE: Member Paltin.

VICE-CHAIR RAWLINS-FERNANDEZ: Member Paltin, you're muted.

COUNCILMEMBER PALTIN: Thanks.

I'M GOING TO GO WITH MOVING TO FILE COUNTY  
COMMUNICATION 22-97.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR LEE: Why are you doing that? You're not sure?

COUNCILMEMBER PALTIN: I wasn't sure if that was the right words.

CHAIR LEE: Oh, to file? Oh, I see. Okay. Alright. Moved by Member Paltin, second by Vice-Chair Rawlins-Fernandez, to file County Communication 22-97.

Discussion, Member Paltin.

COUNCILMEMBER PALTIN: Since we took action, and the things were all explained to everyone's satisfaction, we don't need it anymore and we can file it.

CHAIR LEE: Any more questions or comments? Discussion? If not, all those in favor of the motion, raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Okay, thank you. Nine "ayes", zero "noes"; motion carries.

Madam Clerk.

COMMITTEE REPORT  
NO. 22-41 - PLANNING AND SUSTAINABLE LAND USE COMMITTEE:

Recommending that Resolution 22-70, CD1, entitled "REFERRING TO THE PLANNING COMMISSIONS AND ADVISORY COMMITTEES A PROPOSED BILL AMENDING THE COMPREHENSIVE ZONING ORDINANCE RELATING TO TRANSIENT ACCOMMODATION CAPS," be ADOPTED.

CHAIR LEE: Okay, this is Member Paltin.

COUNCILMEMBER PALTIN: Thank you.

I MOVE TO ADOPT THE RECOMMENDATIONS IN  
COMMITTEE REPORT NO. 22-41.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR LEE: Okay, moved by Member Paltin, second by Vice-Chair Rawlins-Fernandez, to approve the recommendations in Committee Report 22-41.

And now, we have discussion.

COUNCILMEMBER PALTIN:

OH, BEFORE DISCUSSION, I'M GOING TO NEED TO MOVE TO AMEND THE LAST LINE OF SECTION 16 IN THE PROPOSED BILL, EXHIBIT "1" ON PAGE 14, ATTACHED TO RESOLUTION 22-70, CD1, DUE TO A TYPO. I'LL NEED TO REPLACE THE NUMBER 21 WITH THE NUMBER 15. THAT WAS A TYPOGRAPHICAL ERROR.

CHAIR LEE: Okay, which item did you say that was?

COUNCILMEMBER PALTIN: I move to amend the last line of Section 16 in the proposed bill. That's Exhibit "1" on page 14, attached to Resolution 22-70, CD1, by replacing the number 21 with the number 15.

CHAIR LEE: Okay.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR LEE: Okay, any discussion on the, oh, seconded by Vice-Chair Rawlins-Fernandez. Any discussion on the amendment?

COUNCILMEMBER PALTIN: This amendment would correct an inadvertent typographical error. Thank you, Chair.

CHAIR LEE: Okay, any more discussion on the amendment? All those in favor of the amendment, raise your hand and say "aye".

Nine "aye", Member King? Member King? Okay.

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

COUNCILMEMBER KING: I had my hand up. I don't know why you can't see it. Am I freezing up?

CHAIR LEE: I couldn't see it, honestly. It's like you were frozen.

COUNCILMEMBER KING: I have kind of a weak signal now. I didn't before, but now it looks like I do. So, I'll try to keep, I'll try to turn my, my mic on and say "aye" when I vote.

CHAIR LEE: Member Paltin.

COUNCILMEMBER PALTIN:

I ALSO WILL NEED TO MOVE TO WAIVE RULE 19.C. OF THE RULES OF THE COUNCIL TO ALLOW THE AMENDED RESOLUTION TO BE ADOPTED TODAY BECAUSE OF THE TYPO.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR LEE: Second? Moved by Member Paltin, second by Vice-Chair Rawlins-Fernandez, to waive the Rules of the Council.

Discussion, although you already did. But say it again, Member Paltin.

COUNCILMEMBER PALTIN: Yeah, there was a typo, and so this is a procedural matter of how to move forward.

CHAIR LEE: Anymore discussion, questions? If not, all those in favor of the motion, please raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

Member Paltin.

COUNCILMEMBER PALTIN: Okay. Thank you. Your Planning and Sustainable Land Use Committee, having met on March 17, 2022, and reconvened on March 23, 2022, discussed referring to the various Planning Commissions and Advisory Committees, a proposed bill amending the Comprehensive Zoning Ordinance's according to the recommendations of the Budget, Finance, and Economic Development's Committee's Temporary Investigative Group on Tourism Management and Economic Development.

By correspondence dated March 17, 2022, Council Vice-Chair Keani Rawlins-Fernandez submitted to the Committee a revised bill incorporating the TIG's recommendation and feedback from County Administration and the Department of Corporation Counsel.

The Committee supported amending the bill to require the Planning Department and Department of Finance to maintain a list of all rooms or units zoned for transient vacation rental use to help in streamlining the administration of the caps. And this is for the A-1 and A-2 properties.

Your Committee amended the proposed resolution by substituting the attached proposed bill with the revised bill received by correspondence dated March 17, 2022, from Council Vice-Chair Keani Rawlins-Fernandez.

Your Committee also amended the revised proposed bill to limit the number of rooms or units zoned for transient vacation rental use to all those allowed for transient vacation rental use as of January 7, 2022, whether or not they were currently being used for that purpose.

Finally, the Committee amended the bill to prohibit vehicles from temporarily parking in all zoning districts if used as a short-term accommodations unless they are allowed by zoning and the proper permits are obtained.

Your Committee voted 5-0 with four Members excused, to recommend adoption of the Resolution 22-70, CD1. And I think we received the most written testimony on this item in support. I respectfully ask for the Members support of my motion.

CHAIR LEE: Alright. Anybody else?

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I speak in strong support of the motion. Residents have been clear in their demand for immediate Council action to manage tourism in Maui County. This Council has passed a new tourism accommodation moratorium, established a Tourism Management and Economic Development TIG, and this is the natural next step in the right direction.

By maintaining a tourism accommodation, tourism accommodations at the current level, we can effectively preserve the legally allowed number of short-term accommodations in zoning districts, while simultaneously addressing the much-needed prohibition of pervasive vacation rental camper vans taking up residents' space.

This legislation was the culmination of well-considered solutions that resulted within the months of hard work of the Tourism Management and Economic Development TIG, and one of the many proposals that will be heard by this Council in the coming months. This particular piece of legislation was expedited for transmission to the various Planning Commissions, and Committees, Advisory Committees, for their consideration, and is an opportunity for further community participation.

Once passed, it will end the moratorium intended to be short-lived, intended to be a short-lived temporary hold on transient accommodation growth, while the promised permanent solution was developed. And this is the solution. Mahalo, Chair.

COUNCILMEMBER KING: Chair, you're muted.

CHAIR LEE: I'll be voting no on this, because I, as I've said in the past, I believe this is a form of an extension of the, the current moratorium. So, I think this, this issue needs to have a lot more discussion before sending it to the Planning Commission.

Alright, all, everybody ready for the vote? All, let's have roll call.

COUNCILMEMBER KING: Discussion, Chair.

CHAIR LEE: Madam Clerk.

CHAIR LEE: Member King.

COUNCILMEMBER KING: Okay, I don't know if you can see me. I see my . . .

CHAIR LEE: I see you now. But I, when I first asked for more questions, I didn't see it at that time.

COUNCILMEMBER KING: Well, my signal looks really weak, so let me know if I, if you can't hear me. My, when this first came up, I was disappointed that we hadn't enacted some of the other recommendations because this is already in place through the moratorium. And I think it's only been less than six months that we've had the moratorium in place, so we have another year-and-a-half or so.

But the, the thing that's really going to get us off of dependence on tourism is to have a plan to diversify the economy, which we did approve in the budget, so I'm happy about that. I'm not happy that it got opened up, because I think really the best organization to do that is MEDB. And I was disappointed that that got taken out of there. But I, I'm happy that we have approved the plan. And so, I'm willing to vote in

favor of this, sending this to the Planning Commission for their input. And, and I think really the focus, hopefully, will be on growing other sectors of our community to, to give our, our people on Maui other options besides tourism for hopefully higher wages. Thank you.

CHAIR LEE: Thank you. Anybody else?

If not, Member Sugimura.

COUNCILMEMBER SUGIMURA: Yeah, so I'm going to also vote against this, as I did in Committee. And I do believe that, you know, we need to understand the balance that there is with the visitor industry, as well as developing other industries and, and the moratorium will be extended through this bill. So, I don't think it's a solution for where we're trying to go to. And I do believe that we walk a fine line. I don't think this is the solution. I'm going vote against it also. Thank you.

CHAIR LEE: Member Paltin.

COUNCILMEMBER PALTIN: Oh, I just was clarifying my, what I said was it was approved five positive and four excused. So, Member Sugimura didn't vote in Committee. She was excused.

CHAIR LEE: Okay. But I guess she still is against it.

Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair, for my opportunity. And I just wanted to speak in support. And I appreciate Director McLean coming in to explain that a lot of these changes were designated by the Department to help with tracking all of the different community plans, so in support.

CHAIR LEE: Okay. Thank you. Anybody else?

Member Molina.

COUNCILMEMBER MOLINA: I'll keep my comments short. This is just to send the, this decision is only to send it to the Planning Commission, so I'm going to respect that process. And once we get the, you know, comments from the Planning Commission, I'll have more to say. Thank you.

CHAIR LEE: Thank you. Alright, all those in, roll call. Madam Clerk.

COUNTY CLERK: Councilmember Shane Sinenci.

COUNCILMEMBER SINENCI: AYE.

COUNTY CLERK: Councilmember Mike Molina.

COUNCILMEMBER MOLINA: AYE.

COUNTY CLERK: Councilmember Kelly Takaya King.

COUNCILMEMBER KING: AYE.

Hope you can hear me.

CHAIR LEE: Yeah, we go it.

COUNCILMEMBER KING: Okay, thanks.

COUNTY CLERK: Councilmember Gabe Johnson.

COUNCILMEMBER JOHNSON: AYE.

COUNTY CLERK: Councilmember Tamara Paltin.

COUNCILMEMBER PALTIN: AYE.

COUNTY CLERK: Councilmember Yuki Lei Sugimura.

COUNCILMEMBER SUGIMURA: NO.

COUNTY CLERK: Council Pro Temp Tasha Kama.

COUNCILMEMBER KAMA: NO.

COUNTY CLERK: Council Vice-Chair Keani Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: AYE.

COUNTY CLERK: And Chair Alice L. Lee.

CHAIR LEE: NO.

AYES: COUNCILMEMBERS JOHNSON, KING, MOLINA,  
PALTIN, SINENCI, AND VICE-CHAIR RAWLINS-  
FERNANDEZ.

NOES: COUNCILMEMBERS KAMA, SUGIMURA, AND  
CHAIR LEE.

COUNTY CLERK: Chair, there's six "ayes" and three "noes"; motion carries.

CHAIR LEE: Okay. Thank, Members, I want to thank you for not debating this issue. We'll have lots of time to do that later on. This, this was perfect.

Okay, shall we proceed, Madam Clerk?

COUNTY CLERK: Chair, proceeding with resolutions.

## RESOLUTIONS

RESOLUTION  
NO. 22-76

RELATING TO THE APPOINTMENT OF MARCY MIKI SASADA-PAIVA TO  
THE REAL PROPERTY TAX REVIEW BOARD

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair.

I MOVE TO DISCHARGE THE GOVERNMENT RELATIONS,  
ETHICS, AND TRANSPARENCY COMMITTEE FROM  
FURTHER CONSIDERATION OF RESOLUTION 22-76.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: Moved by Member Molina, seconded by Member Sugimura, to discharge the Committee of this matter.

Discussion, Member Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. The Council's deadline to approve or disapprove the nomination of Ms. Sasada-Paiva is April 29, 2002 *[sic]*. And if the Council does not take action today, the nomination will automatically be deemed approved, which is the reason for today's discharge request. Thank you.

CHAIR LEE: Anymore discussion? If not, all those in favor of the motion, please say "aye" and raise your hand.

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

NOES: NONE.

CHAIR LEE: All "ayes", zero "noes"; motion carries.

Member Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair.

MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE  
REFERRAL AND REPORT IN ACCORDANCE WITH RULE 7.G.  
OF THE RULES OF THE COUNCIL.

CHAIR LEE: Second?

COUNCILMEMBER KAMA:

SECOND.

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

Member Molina, discussion?

COUNCILMEMBER MOLINA: Yeah, thank you, Madam Chair. Yeah, the matter is time sensitive, as I mentioned earlier, which is the reason for this discharge request. Thank you.

CHAIR LEE: Anymore discussion? All those in favor of the motion to discharge, raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

Member Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair.

MOVE TO ADOPT RESOLUTION 22-76.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Moved by Member Molina, seconded by Member Kama, to adopt Resolution 22-76.

Discussion, Member Molina?

COUNCILMEMBER MOLINA: Thank you, Madam Chair. Ms. Sasada-Paiva has been nominated to the Real Property Tax Review Board for a term expiring March 31, 2026, to fill a vacancy replacing Ms. Stacy Lee Vinoray, who resigned after returning to work to the Office of Council Services.

Ms. Sasada-Paiva is the owner of Esthi Couture. I hope I pronounced that right. And she is a real estate agent and a Financial 101 instructor. She feels that, as a business owner, being part of a board or commission would give her a voice in making decisions that can improve Maui County.

I'm confident she'll provide valuable knowledge and skills on the Real Property Tax Review Board, and I'd like to thank her for her willingness to serve. And I believe Mr. Mossman is on the call, as well as Ms. Sasada-Paiva, to, you know, if the Members have any additional questions with regards to her nomination. Thank you.

CHAIR LEE: Thank you, Member Molina.

Members, do you have any additional questions to any of the resource people? If not, are you ready to vote?

Member Paltin.

COUNCILMEMBER PALTIN: I, I just was, wanted to make sure that if Ms. Sasada-Paiva feels like there is a conflict of interest, she would recuse herself? I don't know that there would be, but just making sure. That's one of my standard questions.

CHAIR LEE: Is she on the call, did you say, Member Molina?

COUNCILMEMBER MOLINA: Yes, she is, Madam Chair.

CHAIR LEE: Ms. Paiva? Ms. Sasada-Paiva?

MS. MARCY SASADA-PAIVA: Good afternoon, Council and Chair Lee.

CHAIR LEE: Hi.

MS. SASADA-PAIVA: Hi.

CHAIR LEE: Did you hear the question? Did you hear the question?

MS. SASADA-PAIVA: Yes. Yes. If there was a conflict of interest, if I would excuse myself.

CHAIR LEE: Recuse. Yeah.

MS. SASADA-PAIVA: Recuse myself. Yeah, I don't have a conflict of interest other, I mean, luckily, I own my own business, so I, I'm good with planning my own schedules and all of that. So, and I am part of the, I'm a real estate agent, so I think that my contribution, you know, is warranted there. But, but yeah, I understand what Ms. Paltin is asking.

COUNCILMEMBER PALTIN: Thank you. Nice to meet you and thank you for your willingness to serve.

MS. SASADA-PAIVA: Thank you guys for your time today.

CHAIR LEE: We have another questions.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Aloha, Ms. Sasada-Paiva. Mahalo for your willingness to serve on the board. So, I guess you kind of . . . answered one of the questions that I usually ask. And that's if you have any concerns or, with attendance, to the meetings?

MS. SASADA-PAIVA: Oh, no, not at all. My attendance will be, I will be there.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Okay. And then--

MS. SASADA-PAIVA: I have to problem.

VICE-CHAIR RAWLINS-FERNANDEZ: Mr. Mossman explained the attendance policy and everything?

MS. SASADA-PAIVA: Yeah.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay, great. And just a last question. How do you anticipate contributing to the board, or what are you envision contributing, how do you envision contributing?

MS. SASADA-PAIVA: Well, since I, you know, I was born and raised on Maui, so I think, especially being a real estate agent, I, you know, handle all of my, with my sellers and my buyers, you know, we deal a lot with the property taxes and, and looking into that. And so, I think that I can give back to the community that way where, you know, if I can be a voice on this board, you know, it'll help, I think it'll help our community for sure. I think that my experience as a real estate agent is important.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Sasada-Paiva. Mahalo, Chair.

CHAIR LEE: Anyone else? If not, thank you very much, Ms. Sasada-Paiva. Thank you.

MS. SASADA-PAIVA: Thank you.

CHAIR LEE: Members, do you have any other questions to anyone else?

You can turn off your video now. We're going to vote. Thanks.

So, any other questions, Members? All those in favor, oh, did you recommend, did you, did you make a motion to approve her?

COUNCILMEMBER MOLINA: Yeah, that when I move to adopt the resolution, yeah, which is to--

CHAIR LEE: Okay. Alright. All those in favor of the motion to approve, raise your hand and say, say "aye".

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

Member, well, Madam Clerk.

RESOLUTION  
NO. 22-78

AUTHORIZING SETTLEMENT OF LYNCH, DONNA V. KA HALE A KE OLA  
HOMELESS RESOURCE CENTERS, INC.; ET AL., CASE 09-21-5673-8

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: Yeah, thank you, Madam Chair. If there are no objections, request to postpone Resolution 22-76 *[sic]* to the May 6 Council agenda.

CHAIR LEE: Any objections to postponing this matter till the next?

COUNCILMEMBER PALTIN: I thought we just passed Resolution 22-76?

COUNCILMEMBER MOLINA: Oh. Oh, did I say 76? Sorry, 78.

CHAIR LEE: I thought you said 78?

COUNCILMEMBER MOLINA: 78.

CHAIR LEE: You meant to say 78, right?

COUNCILMEMBER MOLINA: 78, yeah.

CHAIR LEE: Okay. Any objections, Members?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: So, ordered.

Madam Clerk.

COUNTY CLERK: Excuse me for a moment, Chair.

Chair, I've been asked to bring up Resolution 22-101, "APPROVING THE APPOINTMENT OF MARIA L. LEON AS COMMITTEE SECRETARY IN THE OFFICE OF COUNCIL SERVICES".

CHAIR LEE: Why? There, what's the reason?

COUNTY CLERK: Because--

CHAIR LEE: We just have a few more before that one.

COUNTY CLERK: Because these are action items, and the rest are referrals.

CHAIR LEE: Okay? Any objections to doing that, Members?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: Alright. So, ordered.

Madam Clerk?

RESOLUTION  
NO. 22-101

APPROVING THE APPOINTMENT OF  
MARIA L. LEON AS COMMITTEE SECRETARY  
IN THE OFFICE OF COUNCIL SERVICES

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ:

I MOVE TO ADOPT THE RESOLUTION FOR MARIA L. LEON.

CHAIR LEE: Second?

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member Sugimura, to approve the Resolution 22-101. Discussion, anybody?

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Ms. Leon received her Bachelor of Science Degree in Environmental Management from California Polytech, Polytechnic State University, San Luis Obispo [*sic*], Obispo? She is currently employed as a Programs Director with the Maui Farm. Prior to her current position, she was employed, sorry. Prior to her current position, she was employed as a office manager with iQ 360 and a program coordinator with the Maui Farm. Her prior work experience will be a great asset to OCS. I ask for the Members full support.

CHAIR LEE: Anyone else? If not, all those in favor of the motion, please raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

Madam Clerk.

Oh, welcome aboard, Maria.

Madam Clerk.

COUNTY CLERK: Chair, I think Council Vice-Chair--

CHAIR LEE: Alright.

COUNTY CLERK: --Rawlins-Fernandez has her hand up.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo. Resolution 22-97 is for action for today as well, Clerk.

COUNTY CLERK: Thank you. And I--

CHAIR LEE: Madam Clerk.

COUNTY CLERK: I apologize. It's been recommended that I shift back and follow the order on the agenda.

RESOLUTION  
NO. 22-97

AUTHORIZING THE FILING OF AN APPLICATION  
WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT,  
UNITED STATES OF AMERICA,  
FOR A GRANT UNDER THE  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

The recommended action is that Resolution No. 22-97 be referred to the Budget, Finance, and Economic Development Committee.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ:

I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT FOR RESOLUTION 22-97, IN ACCORDANCE WITH RULE 7.G. OF THE RULES OF THE COUNCIL.

COUNCILMEMBER SINENCI:

SECOND.

CHAIR LEE: Second? Member, Vice-Chair Rawlins, moved by Vice-Chair Rawlins-Fernandez, seconded by Member Sinenci, to waive the Rules of the Council, Rule 7.G.

Discussion, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Members, the next BFED meeting after budget session is not scheduled until May 25, 2022, of which we're likely giving up. And we would like to enable the County to prepare its application for the Department of Housing and Urban Development as quickly as possible. This is the resolution that we spoke about the last, earlier this week. Mahalo, Chair.

CHAIR LEE: Okay. Anybody else?

Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. I wasn't sure if Mr. Pontanilla was available. It looks like one of the items--

VICE-CHAIR RAWLINS-FERNANDEZ: This is the waiver.

COUNCILMEMBER SINENCI: Oh, okay.

CHAIR LEE: On the Rule. Vote on the Rule. Do you have anything on the Rule? Anybody else? All those in favor of the waiver, raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Okay, motion carries. Nine "ayes", zero "noes".

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ:

I MOVE TO ADOPT RESOLUTION 22-97.

COUNCILMEMBER SINENCI:

SECOND.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member Sinenci, to adopt Resolution 22-97.

Discussion, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Members, this resolution was included as an attachment to the correspondence from the Office of the Mayor, received by the Budget, Finance, and Economic Development Committee on April 11, 2022.

The projects include this, in this resolution are: 1) Hale Makua Health Services - Wailuku Rehabilitation; 2) County of Maui, Department of Fire and Public Safety Jet Ski; 3) Big Brother Big Sisters of Maui – Hale Makana Mentor Center Restoration; 4) Maui Economic Opportunity, Inc. – Molokai Bus; 5) County of Maui Department of Environmental Management - Molokai Landfill Wood Hog Grinder; 6) County of Maui - Hana Fire Tanker, partially funded; 7) CDBG Program Administration.

During its April 21, 2022, meeting, the Committee discussed some of the awards included in the proposed resolution and indicated their support. We do have a representative from the office here to answer any of the Members questions. Caryan Hao. And I ask for the Members support of this motion. Mahalo, Chair.

CHAIR LEE: Do you have any questions of the resource person?

Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. Yeah, aloha, Ms. Hao. I just had a question about the Department of Fire and Public Safety, the Hana Fire Tanker. I understand it's a partial funding for this fiscal year, and I was wondering what is the likelihood of receiving additional funds to complete the purchase of the tanker?

MS. CARYAN HAO: Hi, Councilmember Sinenci. I'm Caryan Hao, I'm a CDBG specialist. I'm here for Joseph Pontanilla, who could not be here today. Your question is that this Hana Tanker we funded partial. The remainder of the funding is \$556,705. It is our first alternate on our list. But we, our, we shortfalled, you know, that amount, so we won't make it for that whole funding.

COUNCILMEMBER SINENCI: And then, is the funding just a set amount of funding, or are we able to acquire more funding for the full purchase?

MS. HAO: Well, this Program Year 2022, we're allocated from HUD is projected to be \$1,933,806, which part of it is our admin administration fee. I mean, admin, it goes to

administration, which is \$386,761. And the remainder goes to the project, which is \$1,547,045. So, that portion of that trust is included, that we funded. But the remainder of the \$556,705, you know, we don't have that funding right now. So, it's on our alternate list as the first, first project

COUNCILMEMBER SINENCI: Oh, okay. Thank you, Ms. Hao, cause it looks like the original request for funding was \$3,791,150. Then, it does say that should available funds come available, then you could address some of those alternate proposals.

MS. HAO: I'm thinking so, but it's up to Joe, you know, when the funding comes in, how this is done. I don't want to make that decision for him. But you know, as we allocated all this funds . . . there is nothing right now because we're going to the limits for 2022.

COUNCILMEMBER SINENCI: Oh, okay, that's Uncle Joe. Uncle Joe.

MS. HAO: Yeah.

CHAIR LEE: Any more questions, Members, regarding CDBG?

Was that your hand up, Member King? No? No? Okay. I guess

COUNCILMEMBER KING: But thank you . . .

CHAIR LEE: Ready to vote? Everybody ready to vote?

MS. HAO: Thank you, Council.

CHAIR LEE: On the CDBG resolution, all those in favor of the motion, say "aye", raise your hand.

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

NOES: NONE.

CHAIR LEE: And if you have more questions, just call Uncle Joe.

Motion passes, 9-0.

Madam Clerk.

RESOLUTION  
NO. 22-98

AUTHORIZING SETTLEMENT OF CLAIM NO. 4070286  
OF DAVID GARDINER

The recommended action is that Resolution No. 22-98 be referred to the Government Relations, Ethics, and Transparency Committee.

RESOLUTION  
NO. 22-99

APPOINTMENT OF KESHIA LEIANA ADOLPHO  
TO THE COMMISSION ON CHILDREN AND YOUTH  
FOR THE COUNTY OF MAUI

The recommended action is that Resolution No. 22-99 be referred to the Government Relations, Ethics, and Transparency Committee.

RESOLUTION  
NO. 22-100

AUTHORIZING ACCEPTANCE OF THE DONATION OF  
80 MATTRESSES TO THE DEPARTMENT OF FIRE AND PUBLIC SAFETY,  
PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE

The recommended action is that Resolution No. 22-100 be referred to the Government Relations, Ethics, and Transparency Committee.

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: Yeah, thank you, Madam Chair. I'd like consideration of Resolution 22-100.

SO, THEREFORE, I MOVE TO WAIVE THE REQUIREMENT OF  
COMMITTEE REFERRAL AND REPORT IN ACCORDANCE  
WITH RULE 7.G. OF THE RULES OF THE COUNCIL.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Moved by Member Molina, second by Pro Temp Kama, to waive the Rules of the Council, regarding Resolution 22-100.

Discussion, Member Molina?

COUNCILMEMBER MOLINA: Oh, yeah, you know what, Madam Chair, before I make a motion to adopt, I'd like the Clerk to call up Resolution 22-100. Oh, she did? Okay, sorry about that. Long day.

MY MOTION IS NOW TO ADOPT RESOLUTION 22-100.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Moved by Member Molina--

COUNTY CLERK: Excuse--

CHAIR LEE: --seconded by Member--

COUNTY CLERK: Excuse me. Chair, the vote for the waiver hasn't occurred yet.

CHAIR LEE: Okay. Any more discussion on the waiver? All those in favor of the motion, please raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

Now, onto the main motion.

COUNCILMEMBER MOLINA: Okay. Yeah, Madam Chair, you want me to restate the, the motion to adopt, or can I go ahead right into discussion?

CHAIR LEE: You can go right into discussion.

COUNCILMEMBER MOLINA: Okay, great. Alright, Resolution 20-100, excuse me, 22-100, authorizes the Department of Fire and Public Safety to accept the donation of 80 Tempur-Pedic twin size mattresses that will greatly benefit our County firefighters. The donation is from BedMart, valued at \$99,753.

Chapter 3.56, of Maui County Code, authorizes the Council to accept gifts and donations on behalf of the County. And I encourage the expedition of this, you know, of this matter, so we can have our firefighters have a very, very restful sleep. And mahalo to BedMart for this donation. Thank you.

CHAIR LEE: Member Molina, you wouldn't happen to know where they dispose of the old mattresses?

COUNCILMEMBER MOLINA: Well, I'll ask Committee to make that inquiry. And if anybody want those used mattresses, well. Actually, I'm just kidding.

CHAIR LEE: No, I was thinking for the homeless. For the homeless, you know.

COUNCILMEMBER MOLINA: That's not a bad consideration, Madam Chair.

CHAIR LEE: Okay. Any questions, Members? If not all those in favor of the motion, please say "aye" and raise your hand.

Nine "ayes", zero "noes". Member Paltin, did you raise your hand?

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

NOES: NONE.

CHAIR LEE: Okay, nine "ayes", zero "noes"; motion carries.

Madam Clerk.

Oh, so the, are there any objections to the Resolution 22-98, 22-99, being referred to the, to the GREAT Committee?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: No objections. Okay.

Madam Clerk.

RESOLUTION  
NO. 22-102

AUTHORIZING SETTLEMENT OF  
ROBERT TURNER V. WAI-AHIWI GULCH LAND COMPANY LLC, ET AL.,  
CIVIL 18-1-0244(1)

The recommended action is that Resolution No. 22-102 be referred to the Government Relations, Ethics, and Transparency Committee.

RESOLUTION  
NO. 22-104

AUTHORIZING SETTLEMENT OF  
JAMIE BECRAFT V. COUNTY OF MAUI,  
DISABILITY COMPENSATION DIVISION CASE NO. 7-09-00849

The recommended action is that Resolution No. 22-104 be referred to the Government Relations, Ethics, and Transparency Committee.

RESOLUTION  
NO. 22-105

APPOINTMENT OF TONI KAHEALANI RUST  
TO THE LIQUOR CONTROL ADJUDICATION BOARD  
FOR THE COUNTY OF MAUI

The recommended action is that Resolution No. 22-105 be referred to the Government Relations, Ethics, and Transparency Committee.

COUNTY CLERK: Recommended for referral--

CHAIR LEE: Members, any objections to those referrals to the GREAT Committee?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: Okay, so ordered.

Madam Clerk.

RESOLUTION  
NO. 22-106

AUTHORIZING ACCEPTANCE OF THE DONATION OF  
SPORTING EQUIPMENT AND LABOR TO THE DEPARTMENT OF PARKS AND  
RECREATION FOR INSTALLATION AT THE LANAI FIELDHOUSE, LANA'I CITY,  
HAWAII PURSUANT TO CHAPTER 13.04A, MAUI COUNTY CODE

The recommended action is that Resolution No. 22-106 be referred to the Human Concerns and Parks Committee.

COUNTY CLERK: And Resolution 22--

CHAIR LEE: Madam Clerk. Madam Clerk.

Member Kama.

COUNCILMEMBER KAMA: Chair, if I could, consideration for HCP No. 22-106?

COUNCILMEMBER JOHNSON: Second.

CHAIR LEE: Alright. Seconded by--

COUNCILMEMBER JOHNSON: Second.

CHAIR LEE: Okay, is there, is there going to be a need for a Rule waiver on this one, Madam Clerk?

COUNCILMEMBER KAMA: I was just--

CHAIR LEE: Oh, you're going to take care of that? What, what is your motion, Pro Temp Kama?

COUNCILMEMBER KAMA: Well, I didn't. I was asking for consideration of 106. But do I need a waiver? Okay. I move, and I thank you, Member Johnson, for jumping the gun.

I MOVE TO WAIVE RULE 7.B. *[sic]* OF THE RULES OF THE COUNCIL.

CHAIR LEE: Second?

COUNCILMEMBER JOHNSON:

SECOND.

COUNCILMEMBER KAMA: Thank you for the second.

CHAIR LEE: Okay, moved by Member, Pro Temp Kama, second by Member Johnson, to waive the Rule of the Council 7.G.

And then, Pro Temp Kama.

COUNCILMEMBER KAMA: Yes, thank you, Chair.

CHAIR LEE: Any discussion on the Rule itself? No?

COUNCILMEMBER KAMA: I think we have to vote on the waiver.

CHAIR LEE: Okay, no discussion? All those in favor of the waiver of the Rule, raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

Pro Temp Kama.

COUNCILMEMBER KAMA: May I ask the Clerk to read the resolution?

*(The resolution was read in its entirety.)*

CHAIR LEE: Pro, Pro Temp Kama.

COUNCILMEMBER KAMA: Thank you, Chair.

I MOVE TO ADOPT RESOLUTION 22-106, AND TO ALLOW  
THE CLERK TO INCORPORATE ANY NONSUBSTANTIVE  
REVISIONS.

COUNCILMEMBER JOHNSON:

SECOND.

COUNCILMEMBER SUGIMURA: Second.

CHAIR LEE: Discussion, Members? If not, all those in favor of the motion, please raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Okay, nine "ayes", zero "noes"; motion carries.

Next.

RESOLUTION  
NO. 22-107

URGING MEMBERS OF CONGRESS TO CO-SPONSOR  
AND PASS THE "NATIVE AMERICAN RURAL  
HOMEOWNERSHIP IMPROVEMENT ACT OF 2021"

The recommended action is that Resolution No. 22-107 be referred to the Human Concerns and Parks Committee.

CHAIR LEE: Pro Temp Kama.

COUNCILMEMBER KAMA: Thank you, Chair. I'm asking for consideration of, also, this reso. So, I guess, I move to waive 7.B. *[sic]* of the Rules of the Council.

CHAIR LEE: Okay. I don't know that this requires that. Madam Clerk? There's no, this does not have the force and effect of law. Do we need a Rule waiver?

COUNTY CLERK: No, that's, it's not necessary.

COUNCILMEMBER KAMA: Okay.

CHAIR LEE: Okay, you can just make your motion.

COUNCILMEMBER KAMA: Okay, thank you.

OKAY, I MOVE TO ADOPT RESOLUTION 22-107, AND TO ALLOW THE CLERK TO INCORPORATE ANY NONSUBSTANTIVE REVISIONS AS NECESSARY.

CHAIR LEE: Second? Somebody.

COUNCILMEMBER JOHNSON:

SECOND.

COUNCILMEMBER SUGIMURA: Second.

CHAIR LEE: Okay, moved by Pro Temp Kama, seconded by Member Johnson, to adopt Resolution 22-107.

Discussion, Pro Temp Kama.

COUNCILMEMBER KAMA: May I ask the Clerk to read the resolution, Chair?

CHAIR LEE: Sure.

*(The resolution was read in its entirety.)*

CHAIR LEE: Pro Temp Kama. Discussion?

COUNCILMEMBER KAMA: Oh, thank you, Chair. So, in a nutshell, so I'll save everybody some time, this is an expansion program from \$2 million to \$50 million for USDA to give 5012 *[sic]* loans for Hawaiian homesteaders on Hawaiian Homelands statewide. So, I'm asking for this because I'd like to carry this document in to the NACo Conference, that they too, would be able to consider this on the floor in the Finance and Pensions and Intergovernmental Relations Committee, of which I sit on and of which I Chair the Travel Relations Committee. Thank you, Chair.

CHAIR LEE: Any more discussion? If not, all those in favor of the motion, please say "aye" and raise your hand.

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

NOES: NONE.

CHAIR LEE: Okay, motion carries. All "ayes", zero "noes".

COUNCILMEMBER KAMA: Thank you, Members, for your, the access to capital for Hawaiian homesteaders.

CHAIR LEE: You go get em, Member Kama.

Okay, Madam Clerk, where are you? Okay.

COUNTY CLERK: We are on item N., Bills. Chair, proceeding for referral. The following bills are recommended for referral to the following Committees as noted:

## BILLS

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 75 (2022)

### A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.75, MAUI COUNTY CODE, RELATING TO COMMUNITY FACILITIES DISTRICTS

The recommended action is that Bill No. 75 (2022) be referred to the Infrastructure and Transportation Committee.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 76 (2022)

A BILL FOR AN ORDINANCE AMENDING  
THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI  
AS IT PERTAINS TO ESTIMATED REVENUES;  
OFFICE OF THE MAYOR,  
ECONOMIC DEVELOPMENT PROGRAM, FERAL ANIMAL RELIEF  
AND RECOVERY GRANT PROGRAM FOR FARMERS AND RANCHERS  
TOTAL OPERATING APPROPRIATIONS;  
TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)

The recommended action is that Bill No. 76 (2022) be referred to the Budget, Finance, and Economic Development Committee.

(BILL NO. 76 (2022) WAS PASSED ON FIRST READING  
LATER IN THE MEETING. See pages 153 through 156 for  
discussion and action.)

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 77 (2022)

A BILL FOR AN ORDINANCE AMENDING APPENDIX A  
OF THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI  
AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES –  
SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2022,  
OPEN SPACE, NATURAL RESOURCES, CULTURAL RESOURCES, AND  
SCENIC VIEWS PRESERVATION FUND  
(POHAKEA WATERSHED LANDS (ALSO KNOWN AS MA'ALAEA MAUKA))

The recommended action is that Bill No. 77 (2022) be referred to the Budget, Finance, and Economic Development Committee.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 78 (2022)

A BILL FOR AN ORDINANCE AMENDING  
THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI  
AS IT PERTAINS TO APPENDIX D – CONDITIONAL LANGUAGE,  
OPEN SPACE, NATURAL RESOURCES, CULTURAL RESOURCES,  
AND SCENIC VIEWS PRESERVATION FUND  
(POHAKEA WATERSHED LANDS (ALSO KNOWN AS MA'ALAEA MAUKA))

The recommended action is that Bill No. 78 (2022) be referred to the Budget, Finance, and Economic Development Committee.

COUNCILMEMBER KING: Chair?

COUNCILMEMBER KING: Thank you. Request consideration on Bill 77 and 78.

CHAIR LEE: Meaning you're not recommending that this be referred?

COUNCILMEMBER KING: Right. I was going to, to move to waive the requirement.

CHAIR LEE: To take action? You mean to take action today?

COUNCILMEMBER KING: Right.

CHAIR LEE: To pass this? Alright, proceed.

COUNCILMEMBER KING: Okay, thank you.

CHAIR LEE: What is your motion?

COUNCILMEMBER KING:

MY MOTION IS TO WAIVE THE REQUIREMENT OF  
COMMITTEE REFFERAL AND REPORT FOR BILLS 77 AND  
78 (2022), IN ACCORDANCE WITH RULE 7.G. OF THE RULES  
OF THE COUNCIL.

Approval of my motion by a two-thirds vote of the entire membership of the Council will enable the Council to consider the proposed bills today. These bills are time sensitive because they impact the current Fiscal Year 2022 Budget.

CHAIR LEE: Second?

COUNCILMEMBER JOHNSON:

SECOND.

CHAIR LEE: Second? Okay, moved by Member King, seconded by Member Johnson, to waive the Rule of the Council in order to deal with this today.

And are there anymore comments or questions on this motion? If not, all those in favor of the motion, raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

Member King.

COUNCILMEMBER KING: Okay. Thank you.

CHAIR, I MOVE TO PASS BILL 77 AND 78 (2022) ON FIRST  
READING.

CHAIR LEE: Second, somebody.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: Okay. Moved by Member King, second by Member Sugimura, to pass Bills 77 and 78 on first reading.

Discussion? Member King.

COUNCILMEMBER KING: Thank you, Chair. Members, Bill 77 and 78's purpose is to amend the Fiscal Year 2022 Budget to provide for the land acquisition of the Pohakea

Watershed Lands, also known as Ma'alaea Mauka, through a grant to the Trust for Public Lands.

Bill 77 amends Appendix A, Part II, Special Purpose Revenues - Schedule of Revolving/Special Funds for Fiscal Year 2022, Open Space, Natural Resources, Cultural Resources, and Scenic Views Preservation Fund as follows: under Condition (7), decrease the appropriation by 5,450,000 for land acquisition; and add Condition (8) for a \$6,200,000 grant to the Trust for Public Lands for the acquisition of 257.7 acres Pohakea Watershed Lands identified as TMK (2) 3-6-001:018.

Bill 78 amends Appendix D - Conditional Language, Open Space, Natural Resources, Cultural Resources, and Scenic Views Preservation Fund, by amending Condition 1.7 and adding Condition 1.8, I'm sorry, I think that's 1.7 and adding Condition 1.8, to correlate with the language in Appendix A, Part II, for this project.

This effort was supported by the Council through the adoption of Resolution 22-55, FD1, by a 8-0 vote at its February 18, 2022 meeting. I respectfully ask for the Council's support in passing these bills today. Thank you, Chair.

CHAIR LEE: Alright, anymore discussion? Any on this matter? No discussion? All those in favor of the motion, raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

COUNCILMEMBER KING: Thank you, Members.

CHAIR LEE: Madam Clerk. Okay, I'm, Madam Clerk, since you finished this page, Members are there any objections to referring Bill 75 to your Infrastructure and Transportation Committee?

Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: Oh, I don't have any objections. Bill 76.

CHAIR LEE: Yeah, I was going to ask if they wanted to refer this to the BFED Committee?

VICE-CHAIR RAWLINS-FERNANDEZ: I'm taking action.

CHAIR LEE: Taking action? Okay, so on the first one, Bill 75, no objections to referring that matter to the, the IT Committee, right?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: No objection.

Okay, now on Bill 76. Vice-Chair Rawlins-Fernandez.

DISCUSSION AND ACTION RELATING TO  
BILL NO. 76 (2022)

VICE-CHAIR RAWLINS-FERNANDEZ:

I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE  
REFFERAL AND REPORT FOR BILL 76 (2022), IN  
ACCORDANCE WITH RULE 7.G. OF THE RULES OF THE  
COUNCIL.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member Sugimura, to waive the Rule of the Council, Rule 7.G.

Discussion? Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. We did take this up in Committee.

CHAIR LEE: Pardon me?

VICE-CHAIR RAWLINS-FERNANDEZ: We just changed the, Members, we did take this up in Committee. We're just changing the title. It's what we requested. So, it's a new bill.

CHAIR LEE: Anymore discussion or questions, Members?

Okay, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ:

I MOVE TO PASS BILL 76 (2022) ON FIRST READING.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member Sugimura, to pass Bill 76 on first reading.

Discussion? Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Members, in the April 4, 2022, Budget, Finance, and Economic Development Committee meeting, we discussed Bill 46 (2022), "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES, OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM, MICRO GRANTS PROGRAM FOR AXIS DEER MITIGATION; TOTAL OPERATING APPROPRIATIONS; TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)".

The bill's purpose was to amend Fiscal Year 2022 Budget, allocate 1,500,000 in additional transient accommodation tax revenues to assist small farmers and ranchers with mitigation, fencing, and other necessary measures to find relief and protect their property from feral animals.

The grants will be available to eligible Maui County resident farmers and ranchers with sustained losses resulting from excessive axis deer population and other feral animals since July 1, 2021, and would be administered by Lokahi Pacific.

During the April 4 meeting, your Committee expressed support for the purpose of the bill, but concerns about the bill title being unclear as to the purpose of the funding. The Administration agreed to submit a new bill with an updated title, which is the bill we are currently considering, Bill 76 (2022). The purpose of the bill remains the same. I respectfully ask for the Members support. And I'm sure Member Sugimura would like to add a bit. Mahalo, Chair.

CHAIR LEE: Members, wait one second. I've been advised we didn't take the vote on the waiver. I thought we did, but if we have to take it, let's do it now.

Member Kama, your hand is up for any particular reason?

COUNCILMEMBER KAMA: I'm voting "yes".

VICE-CHAIR RAWLINS-FERNANDEZ: We're voting.

COUNCILMEMBER KAMA: I'm voting "yes".

CHAIR LEE: Okay.

COUNCILMEMBER KAMA: We're voting.

CHAIR LEE: So, the vote on the, on the waiver, all those in favor, raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Alright, all "ayes", zero "noes"; motion carries.

Now, we have the other motion on the floor. And we just had discussion from the movant. Any more discussion?

COUNCILMEMBER SUGIMURA: Yeah. Thank you, Chair. So, I--

CHAIR LEE: Member Sugimura.

COUNCILMEMBER SUGIMURA: I support this \$1.5 million budget amendment submitted by the Mayor, to support the feral animal mitigation for control. And I think we've heard from many people through, through my meetings, as well as the budget meeting and in the community about the impact of the feral animal that they've been having on the environment, and they've been having on our ranchers and farmers. And this bill of 1.5 million would help the commercial farmers and ranchers to get a handle of the mitigation that they, they're experiencing and the loss of revenue which it's causing. Thank you.

CHAIR LEE: Member Kama.

COUNCILMEMBER KAMA: I just like the new title. I think it says exactly what the funding was supposed to be used for. So, thank you, Chair.

CHAIR LEE: Anyone else? If not, all those in favor of the motion, raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

Madam Clerk.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: Last page.

COUNTY CLERK: Chair, continuing with Item O. Bills for Second and Final Reading.

## ORDINANCES

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 24, CD1, FD1 (2022)

A BILL FOR AN ORDINANCE AMENDING TITLE 19, MAUI COUNTY  
CODE, RELATING TO THE COMPREHENSIVE ZONING  
ORDINANCE'S DEVELOPMENT STANDARDS IN THE B-2  
COMMUNITY BUSINESS DISTRICT, B-3 CENTRAL BUSINESS DISTRICT,  
AND P-1 AND P-1 PUBLIC/QUASI-PUBLIC DISTRICTS

CHAIR LEE: Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair.

I MOVE TO PASS BILL 24, CD1, FD1 (2022) ON SECOND AND FINAL READING.

CHAIR LEE: Second?

COUNCILMEMBER SINENCI:

SECOND.

CHAIR LEE: Okay. Moved by Member Paltin, second by Member Sinenci, to pass Bill 24, CD1, FD1 (2022) on second and final reading.

Member Paltin, discussion?

COUNCILMEMBER PALTIN: Thank you, Chair.

IF MEMBERS HAVE RECEIVED THE ASF, I MOVE TO AMEND SECTION 5 OF BILL 24, CD1, FD1 BY STRIKING "THIS TITLE" AND INSERTING IN ITS PLACE "THE COMPREHENSIVE ZONING ORDINANCE".

CHAIR LEE: Second?

COUNCILMEMBER SINENCI:

SECOND.

CHAIR LEE: Member Sinenci. Okay, moved by Member Paltin, seconded by Member Sinenci, to, with this amendment regarding the title. Everybody received the ASF?

Discussion, Member Paltin.

COUNCILMEMBER PALTIN: So, if my motion is approved, Section 5 would read as follows in a FD2 version of this bill:

"SECTION 5. This Ordinance takes effect on approval, except dwellings or structures constructed with a building permit approved prior to the enactment of this Ordinance may be reconstructed as permitted by the original building permit, and may be

expanded or modified with the building permit, subject to the other provisions of the Comprehensive Zoning Ordinance".

The reason for this is, SECTION 5 uses "this title" in an apparent reference to Title 19, Maui County Code, known as the Comprehensive Zoning Ordinance. Because the text in SECTION 5 is not codified, the use of "this title" is inapt. So, semantics.

CHAIR LEE: Alright. Any questions or comments about that? Alright, all those in favor of the motion, raise your hand and say "aye"

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

So, do we need a main motion? Alright, so--

COUNCILMEMBER PALTIN:

I MOVE TO ADOPT THE MAIN MOTION AS AMENDED?

CHAIR LEE: Main motion as amended, folks.

COUNCILMEMBER SINENCI:

SECOND.

CHAIR LEE: Seconded by Member Sinenci, moved by Member Paltin.

Discussion? Any more discussion? Member Paltin? No?

COUNCILMEMBER PALTIN: Sure.

CHAIR LEE: You don't have to.

COUNCILMEMBER PALTIN: Your Planning and, thank you. I will just cause. Your Planning and Sustainable Land Use Committee met on January 6, 2022, and February 24, 2022, and discussed the resolution to refer to the three planning commissions a proposed

bill to amend the Comprehensive Zoning Ordinance by lowering the maximum building heights in various zoning districts.

The three Planning Commissions met in October, 2021, and the Urban Design Review Board met in November 2021, to review this proposed bill.

The Planning Department and the Maui Planning Commission did not support reducing the maximum height for the Island of Maui. The Lanai Planning Commission supported the reduction to 45 feet and the Molokai Planning Commission recommended lowering the maximum height to 35 feet.

The Planning Department transmitted Bill 24, which included specific height limits for Lanai, Maui, and Molokai, consistent with the Planning Commissions' recommendations.

Your Committee discussed concerns for maximum building heights for various zoning districts in the West Maui and Hana community plan areas, and further revised the building heights limit to 45 feet. Your Committee voted 6-3 to recommend passage of Bill 24, CD1 on first reading and filing of the communications.

At its last Council meeting on April 1, 2022, the Council further amended Bill 24, CD1 (2022), to set the building height limit of 60 feet in the P-2 District for the West Maui Community Plan area. While there are no P-2 Districts in the West Maui Community Plan area, currently, should a P-2 District be created, the increased height limit of 60 feet would allow for the construction of taller gymnasiums or similar types of buildings. I respectfully ask for the Members support of my motion, as amended.

CHAIR LEE: Alright. Any more discussion? None? All those in favor of the motion, raise your hand and say "aye."

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

NOES: NONE.

CHAIR LEE: Okay, I see eight "ayes", nine "ayes", nine "ayes", thank you. Motion carries.

Madam Clerk.

COUNCILMEMBER PALTIN: Oh, do I need to waive Rule 19.C?

CHAIR LEE: Oh.

COUNTY CLERK: Yes, Chair.

CHAIR LEE: Yes.

COUNTY CLERK: Yes, please.

CHAIR LEE: Member Paltin.

COUNCILMEMBER PALTIN:

I MOVE TO WAIVE RULE 19.C. OF THE RULES OF THE  
COUNCIL, TO ALLOW THE AMENDED ORDINANCE TO BE  
ADOPTED TODAY.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Moved by Member Paltin, seconded by Pro Temp Kama, to waive the Rules of the Council in order to adopt the item today.

Member Paltin, do you have discussion on this?

COUNCILMEMBER PALTIN: No, just I'm catching the hang of it, this whole motions and waivers.

CHAIR LEE: Yeah. Okay, and no discussion. All those in favor of the motion, raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

Member Paltin.

COUNCILMEMBER PALTIN: Thanks, guys.

CHAIR LEE: Madam Clerk.

COUNTY CLERK: Chair--

CHAIR LEE: You mean we're not coming back to you?

CHAIR LEE: Member, Madam Clerk?

COUNTY CLERK: Chair, the next two bills are of the same subject matter as County Communication 22-98, which is currently postponed to the next Council meeting.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 39, CD1 (2022)

A BILL FOR AN ORDINANCE ESTABLISHING CHAPTER 5.30, MAUI COUNTY  
CODE, RELATING TO ELECTRIC GUN DEALER LICENSING

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 40 (2022)

A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2022  
BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO  
APPENDIX B, REVENUES – FEES, RATES, ASSESSMENTS AND TAXES,  
DEPARTMENT OF FINANCE,  
ELECTRIC GUN DEALER LICENSE

CHAIR LEE: Alright, that's, this will be tabled and, till the next Council meeting May 6.

Next, Madam Clerk.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 54, CD1 (2022)

A BILL FOR AN ORDINANCE ESTABLISHING ADDITIONAL QUALIFICATIONS  
FOR THE DIRECTOR AND DEPUTY DIRECTOR OF AGRICULTURE

CHAIR LEE: Member Sinenci.

COUNCILMEMBER SINENCI: Mahalo, Chair.

MOVE TO PASS BILL 54. CD1 (2022) ON SECOND AND  
FINAL READING.

COUNCILMEMBER JOHNSON:

SECOND.

CHAIR LEE: Moved by Member Sinenci, second by Member Johnson, to pass Bill 54, CD1 (2022) on second and final reading.

Discussion, Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. Bill 54, CD1 establishes qualifications for the Director and Deputy Director of Agriculture.

In accordance with the County Charter Section 6-4, which states that in addition to minimum qualifications for administrative heads, as set by the County Charter, additional qualifications may be expanded by the Council by ordinance.

The qualifications in the bill include minimum experience in ag production, food distribution systems, and ag programs in Hawaii, also ag-related management and budgeting, working with various cultural backgrounds, and experience and knowledge of native Hawaiian sustainable farming techniques. The Director is also required to research ag sector issues, and collaborate with community experts, and is also encouraged to attend continuing educational classes.

The bill received extensive community support and was passed unanimously out of Committee. And the Department of Ag will be established on July 1, 2022. And these qualifications will help guide the Administration during the current recruitment process.

Members, we also added additional positions and funding during our budget proceedings to further bolster the Department's success. With that, I respectfully ask for the Members support of my motion.

CHAIR LEE: Any more discussion? If not, all those in favor of the motion, please raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

COUNCILMEMBER SINENCI: Thank you.

CHAIR LEE: Madam Clerk.

COUNTY CLERK: Chair, the remainder on the agenda is item P, Unfinished Business.

## UNFINISHED BUSINESS

### RESOLUTIONS

RESOLUTION  
NO. 22-94

RETRACTING ALTERNATIVE AMENDMENTS TO THE  
REVISED CHARTER OF THE COUNTY OF MAUI (1983),  
AS AMENDED, RELATING TO THE 2021-2022 MAUI  
COUNTY CHARTER COMMISSION FINAL REPORT

COUNTY CLERK: Also, still, still needing to be dealt with is the related County  
Communication No. 22-93.

## COUNTY COMMUNICATIONS

NO. 22-93 - GRANT Y.M. CHUN, CHAIR, MAUI COUNTY CHARTER  
COMMISSION, (dated April 13, 2022)

Transmitting the Charter Commission's response to the Council's alternative proposed  
Charter amendments.

CHAIR LEE: Okay. I think we, Corp. Counsel was going to give us a comparison of some kind.

Keola?

DEPUTY CORPORATION COUNSEL WHITTAKER: Yes, Chair. Thank you, Chair. Before we do the comparison, the Deputy Clerk has asked that we resolve a possible confusion regarding how the ballot will list the Charter Commission proposal and the Council alternative. It'll just take a second.

So, the form of the ballot is dictated by State law, and that's 50-10, HRS 50-10. So, State law provides that the Charter Commission proposal and the Council alternative will be listed on the ballot as two separate questions, with an indication that the alternative is a alternative to the proposal.

The voters will not be choosing between A, B, or C like a multiple-choice test. Instead, the voters will vote "yes" or "no" to the proposal and the alternative. So, that means that a voter could vote "yes" on both the proposal and the alternative. Of course, they could also vote "no" to both. So if both the proposal and the alternative get more than 50 percent "yes" votes. Whichever gets the greater number of "yes" votes will prevail.

So, what that means is if the Council does not recall the three alternatives today, they will appear as second ballot questions, along with the Commission's proposal. In effect, that means that there could be anywhere between 11 ballot questions, if you don't have any alternatives, or 14 ballot questions, with the three alternatives. I know that was a mouthful. So, in simple terms, the ballot questions are always yes/no, not multiple choice.

So, Richelle has prepared a redline between the Charter Commission's proposals and the alternatives that she could pull up for your review.

CHAIR LEE: Member Sinenci, you have a question of Keola?

COUNCILMEMBER SINENCI: Thank you, Chair. Yeah, so we can rescind only the Council's proposal.

DEPUTY CORPORATION COUNSEL WHITTAKER: That's right, so--

CHAIR LEE: Yeah. Yeah.

DEPUTY CORPORATION COUNSEL WHITTAKER: That's right, just the three Council proposals that were not adopted.

CHAIR LEE: Nice try, Mr. Sinenci.

Member Paltin.

COUNCILMEMBER PALTIN: I just have a question, while highly unlikely, what happens if it's even? Like you know, everybody votes on the same, and I mean, does the law prescribe what to do in that case? Or they just feel that that would never happen?

CHAIR LEE: Keola?

DEPUTY CORPORATION COUNSEL WHITTAKER: The law does not prescribe what happens if they get the exact same number of "yes" votes.

COUNCILMEMBER PALTIN: So, then we'd be in a quandary?

DEPUTY CORPORATION COUNSEL WHITTAKER: We'd have to think about that one.

COUNCILMEMBER PALTIN: So, hopefully that doesn't happen.

DEPUTY CORPORATION COUNSEL WHITTAKER: It's highly unlikely.

COUNCILMEMBER PALTIN: Okay, thank you.

CHAIR LEE: Sounds like neither, sounds like neither would be approved if it's a tie.

Alright, any more questions? Member Sugimura. This is for Keola, yeah, because we're going to--

COUNCILMEMBER SUGIMURA: Yes. Yes.

CHAIR LEE: --have Ms. Thomson come on momentarily.

COUNCILMEMBER SUGIMURA: Yes. This is about the vote, and I always get this. So, if somebody leaves it blank, in your example?

DEPUTY CORPORATION COUNSEL WHITTAKER: A blank vote does not count. So, a blank vote does not count as a "no". So, when you're looking at whether a proposition passes, you're just looking at "yes" and "no" votes. So, if you get 99 "no" votes and 100 "yes" votes, it passes no matter how many blank votes there are.

COUNCILMEMBER SUGIMURA: Okay. Thank you.

CHAIR LEE: Any more questions? Okay, shall we call--

Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I don't have a question for Mr. Whittaker. I appreciate him answering your questions. But before we invite Ms. Thomson up to present and deliberate, can we take a break please?

CHAIR LEE: What are you . . . five, ten minutes? Ten minutes? Okay. Members, how about coming back at 4:40? 4:40?

COUNCILMEMBER KAMA: Yeah, that works for me.

CHAIR LEE: Meeting in recess till 4:40.

(THE MEETING WAS RECESSED BY THE CHAIR AT 4:21 P.M., AND WAS RECONVENED AT 4:42 P.M., WITH ALL MEMBERS PRESENT.)

CHAIR LEE: Will the regular Council meeting of April 22, 2022, please reconvene.

Madam Clerk.

COUNTY CLERK: Chair, we left off with Resolution 22-94, "RETRACTING ALTERNATIVE AMENDMENTS TO THE REVISED CHARTER OF THE COUNTY OF MAUI, AS AMENDED, RELATING TO THE 2021-2022 MAUI COUNTY CHARTER COMMISSION FINAL REPORT", as well as County Communication 22-93.

CHAIR LEE: Okay. Thank you.

Welcome, Richelle Thomson. Do you have something to share with us, screen share with us?

FIRST DEPUTY CORPORATION COUNSEL: I certainly do. Thank you, Chair. So, I'm going share screen. And what I'm going to be putting up are the three alternatives that were rejected by the Charter Commission. So, these are the three proposals from the County Council that were rejected by the Commission. And the Council's decision today is whether to recall any of these three proposals. And if you do not recall them, then those are the choices will be appear on the ballot as Keola just explained. So, I'm going to share screen and . . .

So, this is Proposal No. 8. This is regarding the new Department of 'Ōiwi Resources. And what I'm showing in highlighted yellow here are the changes that are made by Council to its proposal. So, this is so you can see the differences between the two of them. Council's proposal removes the qualifications for the Director, shown here. The other change that Council made was to, okay, this is more of a housekeeping change to add the Director of 'Ōiwi Resources to Section 6-2.5.

And then, the other substantive change made to the new, would be to the preamble of the Charter to remove the English translation of the Hawaii State motto.

CHAIR LEE: Okay, Members, you want to take this one at a time? Can we go back to the first one, please?

FIRST DEPUTY CORPORATION COUNSEL: So, just, just for clarification, you can't change any of the text here. This is really just an up-or-down vote on recalling the entire proposal or not recalling the entire.

CHAIR LEE: Okay, Members, we have a choice to either recall or not recall. Who wants to go first?

Member Sinenci, do you want to make a motion? Oh, you have questions?

COUNCILMEMBER SINENCI: Chair, I had a question. So, which, Ms. Thomson, which verbiage are we voting on, the first part?

FIRST DEPUTY CORPORATION COUNSEL: Thank you. Thank you, Councilmember Sinenci. So, the County Council's version, the alternative that you have, would remove this language that's highlighted here. So, that's the change between the Commission's version and yours.

The Council's version removes the, these qualifications for the Director. And then, it would also, like I said, this amendment here, we consider this to be more housekeeping. This adds the Director of 'Ōiwi Resources is submitted by the Mayor, the candidate for that Office is submitted by the Mayor, along with all of the rest of those departments that are listed there. So, we think that is more of a housekeeping measure.

But the, another substantive change is that the Council's version removed the English translation of the Hawaii state motto. It's really, the real crux is the list of Director qualifications and the English translation in the preamble. And just as a reminder, of course, Council can add Director qualifications through ordinance, as you've done.

CHAIR LEE: Member Paltin.

COUNCILMEMBER PALTIN:

I MOVE TO WITHDRAW THE COUNCIL'S VERSION.

And if I get a second, I'll explain my reasoning.

CHAIR LEE: Okay, which one? The first one?

COUNCILMEMBER PALTIN: No, it's a up or down, so I move to withdraw the Council's alternative in its entirety.

CHAIR LEE: Okay, so--

COUNCILMEMBER MOLINA: Point of order, Chair.

CHAIR LEE: Yeah, before we get to that, Member--

COUNCILMEMBER MOLINA: Point of order, Madam Chair.

CHAIR LEE: I mean, not member, but Corp. Counsel, I thought we were doing one at a time? Is it all three?

FIRST DEPUTY CORPORATION COUNSEL: Thank you, Chair. I think that you, it probably makes the most sense to go one at a time.

CHAIR LEE: Yeah.

FIRST DEPUTY CORPORATION COUNSEL: Procedurally, what you'll be doing though, is amending Exhibit "A" that's attached to the resolution, which you'll list any of the recalls, proposals.

CHAIR LEE: Okay.

FIRST DEPUTY CORPORATION COUNSEL: So, if you, for example, if you recall the alternative to Proposal 8, that will go onto Exhibit "A". So, you'll need to amend Exhibit "A" when we get . . .

CHAIR LEE: Okay. Well, we, we're not even there. We're just trying to figure out whether we're going to do it or not.

Member Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. Appreciate the point of order. This is more a procedural question. We have a sitting motion on the floor to file. Now, it sounds like Corp. Counsel is telling us, okay, we can make decisions. But should we do a, I don't know, should we check with OCS for the procedure sake? Cause the motion is to file. So, what is this going to be now, an amendment to the procedure to file a motion, or should the motion to file be withdrawn? Cause it sounds like now we're going to do Committee work on this right now, yeah.

CHAIR LEE: I'm afraid we have to.

COUNCILMEMBER MOLINA: Yeah. Okay, so what is, what--

CHAIR LEE: So, Richelle, shall we just withdraw the motion to file?

COUNCILMEMBER MOLINA: Okay.

FIRST DEPUTY CORPORATION COUNSEL: That is one option, yes.

COUNCILMEMBER MOLINA: Okay. Alright.

I WITHDRAW THE MOTION TO FILE, THEN.

COUNCILMEMBER SINENCI:

SECOND.

COUNCILMEMBER MOLINA: If that is the will of the body. So, okay.

CHAIR LEE: Member Sinenci, did you second that motion? Okay. So, you're withdrawing the second?

COUNCILMEMBER MOLINA: So, Madam Chair?

CHAIR LEE: Yes, Member Molina.

COUNCILMEMBER MOLINA: Do we need any waiver? Cause this was supposed to go to Committee, right? That was one option, yeah, to send it to Committee. So, do we now, if we're going to take action on this, now, do we need a motion to waive referral to Committee?

CHAIR LEE: I don't know, because depends on what the motion is going to be. But, David, David Raatz, can you give us some guidance on this, so we don't go down the wrong trail? David?

DEPUTY DIRECTOR OF COUNCIL SERVICES DAVID RAATZ: Thank you, Chair.

CHAIR LEE: Hi, David.

DEPUTY DIRECTOR OF COUNCIL SERVICES: We're double-checking Rule 7.G., which is the general requirement for referring bills and resolutions that have the force and effect of law to a standing Committee, and having the Council receive a committee report prior to first reading if it's a bill, or adoption of a resolution in this case. And I'm just looking to see if there are any exceptions to that that apply. And it doesn't look like there's an applicable exception. So, I think the point raised by Councilmember Molina is worthy of considering under, under Rule 7.G. that--

CHAIR LEE: David?

DEPUTY DIRECTOR OF COUNCIL SERVICES: --there would need to be a waiver.

CHAIR LEE: David, can, can you read the second sentence of the Rule?

DEPUTY DIRECTOR OF COUNCIL SERVICES: The second sentence of the Rule. Okay.

CHAIR LEE: In the case of bills or resolutions having the force effect of law, except for resolutions relating to election, establishment, or appointment of Council. Can you read that part? Just to make sure.

DEPUTY DIRECTOR OF COUNCIL SERVICES: Sure. Yeah. So, I'll read the exceptions. Except for resolutions approving the receipt of grants; resolutions referring proposed land ordinances to the Planning Commissions; and resolutions relating to the election, establishment, or appointment of the Council's officers, Committees, or staff; the appointment of members to the Hawaii State Association of Counties Executive Committee, Western Interstate Region, or National Association of Counties; changing the day of a Council meeting; or amending these Rules. So, that's the list of exceptions. And I, again, I don't see any that would apply to this resolution.

CHAIR LEE: Okay, so, so it does sound like Mr. Molina has to waive the Rule 7.G. in order to make a motion?

DEPUTY DIRECTOR OF COUNCIL SERVICES: Well, ultimately, at some point, if the body decides to adopt this resolution in some form, under the rules of waiver of that Rule 7.G., which would normally require a committee report before action would be appropriate. It doesn't necessarily have to be done at the outset of discussion. It could be, but the body has some discretion on when to take that up.

CHAIR LEE: Mr. Molina, do you have any questions for Mr. Raatz?

COUNCILMEMBER MOLINA: No. I guess, I guess it's our option. It seems like some Members want to make some changes. So, maybe I guess the most appropriate thing then is to, for a motion to waive the requirement of Committee referral, then. So, rather than this going to Committee, and since I've withdrawn my motion to file, then, I guess waiving the referral to Committee, so we can take action on the floor today I believe would be the most appropriate action to do, yeah? Sounds like it anyway.

ALRIGHT, SO, WITH THAT SAID, I'LL GO AHEAD AND MAKE  
A MOTION TO WAIVE THE REQUIREMENT OF COMMITTEE  
REFERRAL AND REPORT IN ACCORDANCE WITH RULE 7.G.  
OF THE RULES OF THE COUNCIL.

COUNCILMEMBER KAMA:

SECOND.

COUNCILMEMBER JOHNSON: Second.

CHAIR LEE: Okay, moved by Member Molina, second by Member Kama, to waive the Rule of the Council, 7.G.

Any more discussion, Member Molina?

COUNCILMEMBER MOLINA: No, no further discussion.

CHAIR LEE: All those in favor, say "aye", raise your hand.

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

NOES: NONE.

CHAIR LEE: Okay, and this is just setting things up for when we make the motion, the actual amendment. Okay, all nine "ayes", zero "noes"; motion carries.

Okay, now we're going through the actual amendments. Member Molina.

COUNCILMEMBER MOLINA: Madam Chair, sorry. Maybe if Mr. Raatz can give me some guidance? Should I then also ask a discharge of the resolution?

CHAIR LEE: Mr. Raatz?

COUNCILMEMBER MOLINA: Communication as well?

DEPUTY DIRECTOR OF COUNCIL SERVICES: Thank you, Chair Lee and Councilmember Molina. I don't think a discharge motion is necessary, because this resolution is not pending in Committee. Normally you do a discharge motion to pull a matter out of Committee and put it before Council. So, I don't see that as necessary.

As a quick aside, before getting into amendments, technically if you want to follow normal parliamentary procedure, there would be a motion to adopt the resolution as, as the pending main motion, and then amendments would be in order. Thank you, Chair.

COUNCILMEMBER MOLINA: Okay.

CHAIR LEE: Thank you.

COUNCILMEMBER MOLINA: So, Madam Chair?

CHAIR LEE: Member Molina?

COUNCILMEMBER MOLINA:

OKAY, I'LL GO AHEAD AND MAKE A MOTION THEN, I GUESS,  
TO ADOPT RESOLUTION 22-94.

Now, should I also include in that motion County Communication 22-93? If Mr. Raatz can give me some guidance?

CHAIR LEE: Mr. Raatz?

DEPUTY DIRECTOR OF COUNCIL SERVICES: Thank you, Chair. I, I believe that communication is before the body right now as well. The Clerk can correct me if I'm wrong on that. But that's basically a reference guide that was provided by the Charter Commission. You don't really need to do anything with that communication at the moment. Eventually, after you finish your deliberations, you would probably want to file that. But it's really just a tool for the body, as you're reviewing Resolution 22-94.

COUNCILMEMBER MOLINA: Okay. Thank you. So, I'll leave the motion standing as just for Resolution 22-94. Thank you.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Alright. Members, do you have suggestions, proposals, motions?

Member Paltin?

COUNCILMEMBER PALTIN:

I WOULD MOVE TO WITHDRAW THE COUNCIL'S  
RECOMMENDATION.

And if I get a second, I'll explain my reason.

CHAIR LEE: Wait. All of them?

COUNCILMEMBER PALTIN: No. We're just talking about the 'Ōiwi.

CHAIR LEE: Oh, okay. That one.

COUNCILMEMBER PALTIN: The 'Ōiwi. Yes.

CHAIR LEE: No. 8. No. 8, you're talking about?

FIRST DEPUTY CORPORATION COUNSEL: . . . . Chair, just to offer, kind of framing of the motion. So, there's the Reso 22-94, and I believe that the motion could be to amend Resolution 22-94, by adding Proposal 8 alternative to the list of alternative proposals that are being recalled to Exhibit "A".

CHAIR LEE: Did you get all of that, Member Paltin?

COUNCILMEMBER PALTIN:

I MOVE TO ADD THE COUNCIL'S ALTERNATIVE TO THE LIST  
IN EXHIBIT "A" OF WHAT WOULD BE REMOVED FROM THE  
BALLOT.

COUNCILMEMBER KAMA: Second.

FIRST DEPUTY CORPORATION COUNSEL: That's just as to Proposal 8 . . . ?

COUNCILMEMBER PALTIN: That's in reference to just Proposal 8.

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Alright, it's been moved Member Paltin, seconded by Member King, to remove  
No. 8 and add the alternative to the list. Is that the motion?

COUNCILMEMBER PALTIN: Add the Council's alternative to the list that won't be on the  
Charter.

CHAIR LEE: Right. So, the list is on what page, Member, I mean, Ms. Thomson?

FIRST DEPUTY CORPORATION COUNSEL: So, Resolution 22-94 has an Exhibit "A"  
attached to it and currently, it's blank. So, any of the alternative proposals that you  
wish to recall are going to be listed on Exhibit "A".

CHAIR LEE: Yeah. So, that's what I, exactly what I needed to know. The list refers to  
Exhibit "A"? Okay. Alright.

So, that's your motion. And it was seconded by Member King. So, now we need  
discussion.

COUNCILMEMBER PALTIN: Thank you, Chair. So, like Member Sinenci clarified, we can't  
remove the Charter Commission's alternative. We can only remove our alternative. I  
can live with the Charter Commission's version. And I think that, you know, I,  
personally, I'm for this Charter amendment. And I think keeping it simple gives it the  
best chance of passing. That's my personal opinion. You don't need to agree with me.  
But I'd like to give it, in my opinion, the best chance of passing and not confuse the  
voters. We can make more requirements by ordinance. We can't make less

requirements by ordinance. And that's just my reasoning. I want to give it the best chance of passing. And in my opinion, keeping it more simple gives it a better chance. But, you know, you don't have to agree with me.

CHAIR LEE: Okay. Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I support the motion on the floor. I have a question for Ms. Thomson.

CHAIR LEE: Okay. Ms. Thomson?

VICE-CHAIR RAWLINS-FERNANDEZ: Aloha, Ms. Thomson. In your presentation of the, or review of the proposal, you are stressing that you believe that this is a housekeeping matter, adding the Director of 'Ōiwi Resources to the list of directors that would go through the confirmation process. So, were you stressing that because it would be added to the Charter Commission's proposal, even though it wasn't originally part of the Charter Commission's proposal and the Council's alternative?

FIRST DEPUTY CORPORATION COUNSEL: Thank you. That's a very good question. So, the Charter Commission proposed some changes to the County Clerk's authority, which if adopted by the voters would allow the County Clerk to make changes in accordance with, in accordance with, you know, changes to the law and all of that. So, it's our opinion that the Director of 'Ōiwi Resources would be one of those executive departments that would fall under Section 6-2.5. And so, that director would be presented to you the same way as the Director of Agriculture, Transportation, etc.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay, so the answer to my question is no, that it wouldn't be on the proposal that would go to the ballot.

FIRST DEPUTY CORPORATION COUNSEL: Right.

VICE-CHAIR RAWLINS-FERNANDEZ: The caveat is that it would be considered something that the County Clerk, if the ballot question passes, could be amended via that process after approval from the Council?

FIRST DEPUTY CORPORATION COUNSEL: Thank you. Very well-stated, yes.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay, perfect. Mahalo, Ms. Thomson. Mahalo, Chair.

CHAIR LEE: Anyone else want to speak to the motion on the floor? You heard what the motion is, right? To remove No. 8, regarding the 'Ōiwi Department. Are you ready to vote on it, everybody? Okay, all those in favor of the motion, raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: One, two, three. Okay, all "ayes", zero "noes"; motion carries. Okay, that takes care of one of them.

FIRST DEPUTY CORPORATION COUNSEL: Chair, with your permission, I'll go ahead and put up Proposal 10 on share screen.

CHAIR LEE: Yes, please.

FIRST DEPUTY CORPORATION COUNSEL: Okay, so Proposal 10 is some changes to Section 13-2 of the Charter, and a couple others. It's the creation of the independent nomination board, which would, that members for other boards and commissions. The Charter Commission's version included also the positions of the County Clerk, Auditor, Corporation Counsel, and Prosecuting Attorney.

So, two important changes that were made by the Council in its alternative to Proposal 10 are that the nomination board, instead of being a nine-member board with one member selected from each Council residency area, it would be an eleven-member board. Nine of them would be selected by Council. Again, that would be from one, each from each Council residency area and two by the Mayor. So, it would be a nine, eleven-members; nine by Council, two by the Mayor, not requiring confirmation by any other body.

And then, two officers were removed from going through the independent nomination board process. And that would be the County Clerk and the Auditor. So, the independent nomination board would be involved with, in the Council's version, selecting, vetting and proposing members to boards and commissions, and also the Corporation Counsel and Prosecuting Attorney.

. . . scroll down here so you can see the actual text. So, this Section 15, Subsection 15, talks about the creation of the independent nomination board itself. And so, just as I was saying, the eleven members, nine from Council, two appointed by the Mayor.

CHAIR LEE: Members, any motions?

Member Sinenci.

COUNCILMEMBER SINENCI: Question, Chair, for Ms. Thomson. So, we proposed that language and the Commission rejected that language, yeah?

FIRST DEPUTY CORPORATION COUNSEL: Correct. They preferred to keep their proposal that they submitted to you originally.

CHAIR LEE: Any more questions? Any proposals, I mean, motions?

Member Paltin?

COUNCILMEMBER PALTIN: Chair, if you're calling on me, I don't really like the Charter's version. So, by reverse of my earlier stance, I'll keep it confusing, you know? And then, maybe it won't pass.

CHAIR LEE: What motion is that?

COUNCILMEMBER PALTIN: The one we just took on Proposal 8. I don't, I don't like the Charter's tenth proposal, so I would give the voters the choice. And if they turn them both down, I'm okay with that.

CHAIR LEE: So, you want to take another vote? Okay, Corp. Counsel.

FIRST DEPUTY CORPORATION COUNSEL: Thank you. So, because of the, the way that the resolution is drafted, you don't have to make a motion if you do not want to recall any of them. So, I, I think you'd just be entertaining motions, if any, to recall the alternative for Proposal 10.

CHAIR LEE: Member Sinenci?

CHAIR LEE: Thank you, Chair. So, clarifying question. Question on the ballot would be if they want the eleven-member versus the nine-member, and if they want to include the Auditor and the County Clerk?

CHAIR LEE: Yes.

FIRST DEPUTY CORPORATION COUNSEL: Yes, the ballot question is going to have to, the questions will need to differentiate between these two proposals, so that the voters can try to understand which one they're voting for.

COUNCILMEMBER SINENCI: Thank you.

CHAIR LEE: Well, let's, you want to move onto the third one?

Okay, Deputy Thomson? Richelle? The third one.

FIRST DEPUTY CORPORATION COUNSEL: My mic.

CHAIR LEE: The Chief of Police.

FIRST DEPUTY CORPORATION COUNSEL: So, this one is fairly straightforward. Really, the only difference in Proposal 12 between the Charter Commission's and the Council proposal is that the, so, it's down here. If the Chief of Police disagrees with the findings of the Police Commission, the Chief, the Chief needs to inform the Commission. And if the Commission requests, so then the Chief would file a written report. If the Commission did not request a written report, then the Chief would not have to file one.

In the Charter Commission's version, if there are any charges brought forth by the public against the Department or its members, and the Chief of Police disagreed with the findings of the Commission, that it's mandatory that the Chief submit a written report to the Commission. So, one gives, basically the Council's version gives the Commission the other option of not requiring a written report.

CHAIR LEE: Member Paltin.

COUNCILMEMBER PALTIN: Thank you. On this one, I feel that it's very clear. I have faith that our constituents will understand the difference. It's the same thing. One is on request, and one is always. So, I wouldn't withdraw the Council's version. I think that's fairly clear. I prefer on request, because we all know how short staffed our Police Department is. And I wouldn't want to waste the Chief's time if the Commission doesn't want a report. So, I would, my preference would be to leave Council's alternative in. I think that our voters can understand that level of difference, because it's, it's pretty straightforward. But that's just my reasoning. I'd like to go home, so breaking down my, my point of view. And if you agree, that's great.

CHAIR LEE: Okay, anybody else? I'm waiting for somebody else's two cents. What, what does the silence mean? You agree with Member Paltin, or you don't agree?

Member Johnson.

COUNCILMEMBER JOHNSON: Yeah, Chair, I agree.

COUNCILMEMBER KAMA: I agree.

CHAIR LEE: Well, there seems to be consensus with your opinion. You want to make one big motion and then we can all move on?

Member, I mean, Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Yeah, I concur with Member Paltin. But there was a fourth rejection to the Council's alternate, alternative, and that was the third proposal, that was the County Auditor to assess the fiscal impacts of the proposed Charter Amendments. And I guess I can defer to Ms. Thomson to speak to that. We didn't have an alternative. Our alternative was to not put it on the ballot, so we don't, we wouldn't add it to the resolution. But I just wanted the Council to understand that that was rejected. That our request for the Charter Commission to not put the third proposal, which would require the County Auditor to the, to assess the fiscal impacts of the proposed Charter amendments, to not put it on the ballot. They rejected the Council's request to not put it on the ballot, and they're going to move ahead and put that proposal on the ballot.

So, I just wanted us to understand that, and the reasons, and to remember why we asked them not to put the fiscal impacts. Because it doesn't also include the financial benefits and potential cost savings that proposed Charter amendments would include. So, it's just half the story and not the full story, which is why we asked the Charter Commission not to put it on. But they rejected our request and are going to put it on the ballot. So, I'll be encouraging the voters not to vote in favor of that. Mahalo, Chair.

CHAIR LEE: Anyone else? So, Member Molina, do you want to make some kind of a motion?

COUNCILMEMBER MOLINA: Yeah. Well, Madam Chair, I believe we have on the floor a motion to adopt Resolution 22-94, yeah?

CHAIR LEE: Well, your original one was to file.

COUNCILMEMBER MOLINA: Right.

CHAIR LEE: And then you withdrew that. And then I thought the next motion was to allow us to discuss this resolution--

COUNCILMEMBER MOLINA: By adopting--

CHAIR LEE: --by waiving the Rule of the Council. And then, I didn't know if, did you make a motion after that?

COUNCILMEMBER MOLINA: Yeah, I think I made a motion to adopt, yeah, the Resolution 22-94, so we could go with the discussion and make whatever amendments, yeah.

CHAIR LEE: Okay. Okay, so, the motion on the floor is to adopt Resolution 22-94.

And then, Deputy Thomson, did you have a comment?

FIRST DEPUTY CORPORATION COUNSEL: It's to adopt 22-94, as amended, by Councilmember Paltin's amendment to add the alternative 8 to Exhibit "A".

CHAIR LEE: Okay. Didn't you change your mind on that one, but? No, you didn't change your mind on that. Okay. Alright. So, everybody understands the motion. But that only takes care of one of them.

COUNCILMEMBER MOLINA: Yeah, then Madam Chair, I think after this motion, or assuming it passes, then I could make a motion to file the County Communication 22-93. Maybe I can get a clarification from OCS or Corp. Counsel?

CHAIR LEE: Corp. Counsel, did you hear what Member Molina said?

FIRST DEPUTY CORPORATION COUNSEL: I did. Thank you, Chair. Yes, I think that's proper. And the effect of, of filing that and of not including either of the other two rejected alternatives on the Exhibit "A" is that those two alternatives will go to the ballot.

CHAIR LEE: Okay. Alright, did everybody get that? So, that's, so you, did you include the filing as part of the other one?

COUNCILMEMBER MOLINA: No, I didn't.

CHAIR LEE: Okay.

COUNCILMEMBER MOLINA:

BUT IF IT'S PROCEDURALLY OKAY, WE COULD.

CHAIR LEE: Yeah, you want to just--

COUNCILMEMBER MOLINA: Okay.

CHAIR LEE: . . . and filing of the communication? So, who did the second on this? Who seconded the motion?

COUNCILMEMBER KAMA:

I DID.

COUNCILMEMBER MOLINA: Okay.

CHAIR LEE: Oh, you did? Okay, Member Kama. Alright. Does everybody understand the motion?

COUNCILMEMBER MOLINA: Yeah, Madam Chair, if we could restate the motion? So, I believe it'll be the motion, as amended, Resolution 22-94, and would also include the filing of County Communication 22-93. Or do we just take a separate motion on the amendment and then--

COUNCILMEMBER KAMA: 94. It's 94.

COUNCILMEMBER MOLINA: Yeah, we did take action on the amendment, yeah? So, now we have the motion as amended, yeah?

CHAIR LEE: Okay. Motion as amended. All those in favor, and Member Kama, seconded? Okay, so all those in favor of the motion, as amended, raise your hand and say "aye".

Member King? And then, Member Johnson?

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries. For the motion as amended.

So, would you like to restate the main motion, so we can move on? The main motion as amended.

COUNCILMEMBER KAMA: Aren't we done?

COUNCILMEMBER MOLINA: Yeah, I, I think we already did that, yeah, Madam Chair?

COUNCILMEMBER KAMA: We did that.

COUNCILMEMBER MOLINA: Just took action.

COUNCILMEMBER KAMA: Yes, we're done.

COUNCILMEMBER MOLINA: Yeah, so now, and I think I mentioned if there's any, it'd be okay to include the filing. Or we could do the, I don't know if we, sorry, but I guess we could just do a separate filing, a motion to file, yeah? Cause for some reason, I thought we were including the filing in the main motion.

CHAIR LEE: Okay. Yeah, that, and that's what I thought, cause that's why we were voting on that, and then we're going to have to vote on the main motion, as amended, when you included the filing. But we can keep that separate. You want to make another motion, then?

COUNCILMEMBER MOLINA: Yeah, whatever your preference.

CHAIR LEE: Motion to file. Motion to file.

COUNCILMEMBER MOLINA:

I MAKE A MOTION TO FILE. MOTION TO FILE COUNTY  
COMMUNICATION 22-93 [SIC].

CHAIR LEE: Okay.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Moved by Member Molina, seconded by Member Kama, to file County Communication 22-93 *[sic]*.

Any more discussion? If not, all those in favor of the motion, please raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

So, so, Corp. Counsel, we are done with this then, correct?

FIRST DEPUTY CORPORATION COUNSEL: Yes, that's correct. Thank you, Chair.

CHAIR LEE: Alright. I think we can go home.

Madam Clerk, let's just double-check. Did we forget anything? I think she went home.

COUNTY CLERK: No, that, that concludes the business of the Council. There's no further business.

CHAIR LEE: Okay. Nothing that we moved around in the agenda? Okay. Very good. Okay, Members, we're, time to go home. Any last-minute announcements?

Member Paltin.

COUNCILMEMBER PALTIN: Just wanted to welcome everyone to our annual Earth Day clean-up at Honolua tomorrow, 8 a.m. We got a scrap metal dumpster at well over \$1,000 that we're going to pay for. So, anyone who wants to come doesn't need to pay to clean up their own rubbish. Save Honolua got the tab. And 8:00 to 10:30, we're meeting at Honolua Baseyard. See you there.

CHAIR LEE: Very good.

COUNCILMEMBER PALTIN: Happy Earth Day.

CHAIR LEE: What about the Pulehu Posse? Not, not tomorrow?

COUNCILMEMBER SUGIMURA: First Saturday of every month, normally.

CHAIR LEE: Okay.

Member, Member Sinenci, you have a clean-up in Hana?

COUNCILMEMBER SINENCI: No, but the Pulehu Posse has different meanings in Hana. But, I, I just wanted to share from our staff and our district office, we send our aloha and our condolences to the Lee Ohana, to you guys, as you bid farewell to your ohanas.

CHAIR LEE: Thank you.

COUNCILMEMBER SINENCI: . . . our aloha.

CHAIR LEE: Thank you very much. Anybody else?

Member King.

COUNCILMEMBER KING: Yes.

CHAIR LEE: One last plug.

COUNCILMEMBER KING: Unless you, well, it's all sold out now. But yeah, we're getting a lot, I'm getting a lot of calls from people who waited too long, and they're like can't you just get me a ticket? But we're, we're, you know, we've only got so much space. We'll miss you and, you know, we'll be thinking of you. I, I have, I'm missing a funeral service on the mainland for my cousin this weekend cause I couldn't, cause I had this event. But, I'm sympathizing with you, Chair. And just want to wish everybody a Happy Earth Day. If you're coming, if you do have tickets and you're coming out, let me know. And then, because I'm going to read our Council resolution, and I'd love to acknowledge all the Councilmembers that are there, part of the passing the resolution. But let me know. I know Gabe's going to be there.

CHAIR LEE: Very good. Very good. Thank you. Anyone else? If not, everybody have a safe weekend, and we'll see you next week. This meeting is adjourned.

ADJOURNMENT

The regular meeting of April 22, 2022 was adjourned by the Chair at 5:19 p.m.



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

## County Clerk

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**From:** Nick Drance <Nick@imagedesigncom.com>  
**Sent:** Friday, April 22, 2022 11:16 AM  
**To:** David Dorn  
**Cc:** County Clerk; Mike J. Molina; Tasha A. Kama; Tamara A. Paltin; Keani N. Rawlins; Gabe Johnson; Yukilei Sugimura; Shane M. Sinenci; Kelly King; Alice L. Lee  
**Subject:** Re: Testimony in support of limiting the number of NEW visitor accommodations in Maui County 4/22/2022, Agenda Item: CR 22-41

Some people who received this message don't often get email from nick@imagedesigncom.com. [Learn why this is important](#)  
Great job brother that headline and bullet point format makes it so easy to absorb these points it's great. Thank you Nick

On Apr 22, 2022, at 4:17 PM, David Dorn <daviddorn808@gmail.com> wrote:

Testimony in support of limiting the number of NEW visitor accommodations in Maui County 4/22/2022, Agenda Item: CR 22-41

---

"Konichiwa", and Happy Earth Day, my name is David Dorn (not a lobbyist), I agree with Lucienne from Sierra Club on all her points, We need to provide the extra funding to protect the Ma'alaea Watershed, and we need to support our upcountry farmers to better control feral animals (deer etc.) in the Mauka Watershed.

I also support the adoption of resolution 22-70. **We need more Homes, not Hotels.** And We need to Manage Tourism so it benefits Maui County Locals, the "moms and pops".

Maui County already has more than enough hotel rooms, timeshares, and other transient accommodations. We have more hotel rooms per-capita than Oahu, and we are more tourist-dense than Waikiki.

Maui Now has up to One Tourist for every 2-3 locals. Far exceeding our limits, and our levels set in the Maui Island Plan. This is totally unsustainable. And there are not even enough locals to work these hotels, so Hotels are importing more people to work in these hotels.

Hotel workers brought in from the mainland are buying up all of our "workforce and affordable housing", and there is nothing to stop them.

The 2-year Visitor Moratorium is actually benefiting the housing industry as construction is focussing on home-building and other kinds of construction. This is actually helping us fill the need for more housing for locals. But, this is only a temporary solution to Maui's housing crisis. This bill for a "Cap on Tourist Accommodation" could similarly help our construction industry to focus on the kinds of projects that will actually benefit local families, such as building more housing and schools.

Many Hotels on Maui are owned by huge mainland corporations. The majority of Profits from the Hotel industry goes offshore to pay shareholders, and most does not benefit the local economy.

FYI, Maui's top hotels are owned by Billionaires and Multinational Corporations, the profits go to Wall Street. And into the pockets of billionaires like Larry Ellison, Bill Gates, Michael Dell, and Saudi Arabian Prince Al-Waleed bin Talal, just to name a few.

Hotels are not always staffed by Local people. There are not enough local workers to staff the hotels we have now, and there are not enough local workers to staff new hotels. This causes hotels to recruit mainland workers to come to live on Maui and fill these positions.

Hotels bring in mainland managers and even international staff to fill senior positions. They are not always training and recruiting local people.

Not enough locals to staff these hotels: The visitor accommodation industry is importing a large number of their workforce.

The visitor industry is also underpaying their local workers. So local people working in this industry cannot support their families long-term. So many residents are forced to leave Maui.

Increasing the number of Hotels and Visitor accommodations is a bad idea. By capping the number of accommodations, we are actually supporting all of the Hotels we have now. It is supply and demand. When we cap the number of Visitor accommodations we keep demand high. Then they can charge higher prices, and they need to be able to charge higher prices in order to pay their local workers a sustainable living wage.

\*Local Maui residents who work in this industry need to be able to buy homes and pay rents in Maui's competitive housing market.

The visitor industry in Hawaii chronically underpays its workers. We need to support local unions that are fighting Hotels to get a decent wage. The average wage for a hotel housekeeper on Maui is still only \$14-15 dollars per hour. The high cost of living on Maui makes the minimum livable (sustainable) wage on Maui to be at least \$20-25 per hour. Meanwhile Bill Gates makes \$456,625 an hour.

There are better ways to support the local economy (than building more hotels):

- 
- 
- Hotels are not always built by local contractors and these projects go to lowest bidders. We
- can change that.
- 
- 
- 
- We need to stop big construction jobs going to off-island and mainland companies.
- 
- 
- 
- We need to ensure that our building projects go to Local Builders who use local labor. This is
- how we support our local construction industry.
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- 
- 
- We need to ensure that Hotels are staffed by Maui Locals. And that Hotels hire Hawaiians to fill
- all levels of staffing positions.
- 
- 
- 
- We need to ensure that Hotels pay their workers a decent living wage that is sustainable for
- the Cost of living here in Hawaii.
- 
- 
- 
- We need to raise taxes on forign-owned Hotels and Visitor accommodations,
-

- 
- 
- We need to raise taxes on absentee landlords that are converting homes to TVRs, and Condos to
- Time Shares.
- 

Please recommend adopting this resolution, so that it can be properly deliberated and debated by the planning commission. The planning commission deserves to hear the input from the whole community and stakeholders in this important issue that could determine the fate of the local economy and all the community who lives here.

Aloha.

## County Clerk

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**From:** David Dorn <daviddorn808@gmail.com>  
**Sent:** Friday, April 22, 2022 10:17 AM  
**To:** County Clerk  
**Cc:** Mike J. Molina; Tasha A. Kama; Tamara A. Paltin; Keani N. Rawlins; Gabe Johnson; Yukilei Sugimura; Shane M. Sinenci; Kelly King; Alice L. Lee  
**Subject:** Testimony in support of limiting the number of NEW visitor accommodations in Maui County 4/22/2022, Agenda Item: CR 22-41

Testimony in support of limiting the number of NEW visitor accommodations in Maui County 4/22/2022, Agenda Item: CR 22-41

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Maui County already has more than enough hotel rooms, timeshares, and other transient accommodations. We have more hotel rooms per-capita than Oahu, and we are more tourist-dense than Waikiki.

Maui Now has up to One Tourist for every 2-3 locals. Far exceeding our limits, and our levels set in the Maui Island Plan. This is totally unsustainable. And there are not even enough locals to work these hotels, so Hotels are importing more people to work in these hotels.

Hotel workers brought in from the mainland are buying up all of our “workforce and affordable housing”, and there is nothing to stop them.

The 2-year Visitor Moratorium is actually benefiting the housing industry as construction is focussing on home-building and other kinds of construction. This is actually helping us fill the need for more housing for locals. But, this is only a temporary solution to Maui's housing crisis. This bill for a “Cap on Tourist Accommodation” could similarly help our construction industry to focus on the kinds of projects that will actually benefit local families, such as building more housing and schools.

Many Hotels on Maui are owned by huge mainland corporations. The majority of Profits from the Hotel industry goes offshore to pay shareholders, and most does not benefit the local economy.

FYI, Maui's top hotels are owned by Billionaires and Multinational Corporations, the profits go to Wall Street. And into the pockets of billionaires like Larry Ellison, Bill Gates, Michael Dell, and Saudi Arabian Prince Al-Waleed bin Talal, just to name a few.

Hotels are not always staffed by Local people. There are not enough local workers to staff the hotels we have now, and there are not enough local workers to staff new hotels. This causes hotels to recruit mainland workers to come to live on Maui and fill these positions.

Hotels bring in mainland managers and even international staff to fill senior positions. They are not always training and recruiting local people.

Not enough locals to staff these hotels: The visitor accommodation industry is importing a large number of their workforce.

The visitor industry is also underpaying their local workers. So local people working in this industry cannot support their families long-term. So many residents are forced to leave Maui.

Increasing the number of Hotels and Visitor accommodations is a bad idea. By capping the number of accommodations, we are actually supporting all of the Hotels we have now. It is supply and demand.

When we cap the number of Visitor accommodations we keep demand high. Then they can charge higher prices, and they need to be able to charge higher prices in order to pay their local workers a sustainable living wage.

\*Local Maui residents who work in this industry need to be able to buy homes and pay rents in Maui's competitive housing market.

The visitor industry in Hawaii chronically underpays its workers. We need to support local unions that are fighting Hotels to get a decent wage. The average wage for a hotel housekeeper on Maui is still only \$14-15 dollars per hour. The high cost of living on Maui makes the minimum livable (sustainable) wage on Maui to be at least \$20-25 per hour. Meanwhile Bill Gates makes \$456,625 an hour.

There are better ways to support the local economy (than building more hotels):

- Hotels are not always built by local contractors and these projects go to lowest bidders. We can change that.
- We need to stop big construction jobs going to off-island and mainland companies.
- We need to ensure that our building projects go to Local Builders who use local labor. This is how we support our local construction industry.
- We need to ensure that Hotels are staffed by Maui Locals. And that Hotels hire Hawaiians to fill all levels of staffing positions.
- We need to ensure that Hotels pay their workers a decent living wage that is sustainable for the Cost of living here in Hawaii.
- We need to raise taxes on forign-owned Hotels and Visitor accommodations,
- We need to raise taxes on absentee landlords that are converting homes to TVRs, and Condos to Time Shares.

Please recommend adopting this resolution, so that it can be properly deliberated and debated by the planning commission. The planning commission deserves to hear the input from the whole community and stakeholders in this important issue that could determine the fate of the local economy and all the community who lives here.

Aloha.

To: Honorable Alice Lee, Chair and Members of the Maui County Council

From: Tamar Goodfellow, President, Maui Health Foundation

Re: Support for "CR 22-85, authorizing the disposition of real property to the Maui Health Foundation and for waiver of outstanding real property taxes" and Support for "CR 22-84, authorizing the disposition of real property to the dba Na Hale O Maui and for waiver of outstanding real property taxes"

Aloha Chair Lee, Vice Chair Rawlins-Fernandez and Council Members,

My name is Tamar Goodfellow. I serve as the volunteer President of the Maui Health Foundation, a 25 year old non profit organization whose sole mission is to support the highest quality of health care at Maui Memorial Medical Center, Kula Hospital and Lanai.

My devotion to our hospital and to health care on our island stems from a personal passion to save lives here on Maui. With only one acute care hospital, Maui Memorial is the place that each of us, our family members, our friends, and our visitors will go in a life threatening medical emergency. I want it to be the best.

In addition, housing for the working members of our community, teachers, police officers, fire fighters, and so many others is equally critical if we are to maintain a safe, healthy and successful community.

This is why I am asking for your support for the transfer of these lots.

- \* Each year our only hospital cares for more than 40,000 patients, including those on medicare, quest/medicaid, the underinsured and uninsured. No one is turned away.
- \* Maui Memorial has the second busiest emergency department in the state of Hawaii, second only to Queens.
- \* Quality of care directly correlates to Care Providers. Island wide, we are short hundreds of doctors, nurses, technicians and aides. This shortage of Care Providers is a growing issue nationwide, but Maui is particularly

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challenged with recruiting and retaining Care Providers. Right now the hospital is short staffed in every department.

- \* The single biggest barrier to recruiting and keeping Care Providers on Maui is the lack of housing at all income levels.
- \* The County of Maui owns 55 lots in Maui Lani, walking distance from the hospital. The Maui Health Foundation is asking for your support to transfer in fee simple, 16 of those lots to be held in perpetuity by the Foundation for Care Provider housing.
- \* Our program will be modeled after Na Hale O Maui. The land will be held in perpetuity by the Foundation. Homes will be built by a home builder, and sold to care providers at leasehold rates, meaning less the value of the land, and the restriction that future buyers must also be care providers. This makes the homes, first, available nearby the hospital, and second, attainable.
- \* All healthcare providers are eligible. (They do not need to be hospital employees). If applicants are below the 140 AMI, they will be directed to NHOM. If they are above 140 AMI, they will be asked to get pre-qualified for a mortgage and be part of the Foundation lottery.
- \* Selection criteria will be weighted by the following criteria: greatest community need (as determined by annual healthcare survey); Maui or Hawaii born Care Provider seeking to return home; current resident Care Provider seeking to purchase their first home.
- \* Home buyers will own the home and improvements, but not the land. They will pay a monthly leasehold fee, determined to cover the management costs of the program/property. (Though not yet finalized, we have begun a dialogue with Na Hale O Maui asking them to act as the property manager for the 16 Maui Health Foundation homes funded by the lease rent to not only cover their management costs but also further their mission.)
- \* There are deed restrictions. When a home owner sells, there will be a shared appreciation where the home owner will retain at least 50% of any equity in the home, (less the land value). The formula will be modeled after NHOM. Because the value of the land is deducted from any appreciation of

the property, the price point for the homes can remain stable. The seller must sell to another qualified Care Provider.

\* We have been asked why the County should support housing for Physicians and Nurses who earn a substantial salary, versus community members with greater financial need. Simply put, we need housing for everyone, but the ability to attract and retain Health Care Providers is becoming critical on Maui. Doctors may become wealthy over time, but initially have a difficult time qualifying for a mortgage because of their high education debt and lack of a guaranteed level of income, while they start and build their practice.

This property has a long and sordid history. Resolutions 22-84 and 22-85 are proposed as Phase 1, creating the opportunity to do something positive with the 33 lots that are not controversial, and address the critical need for workforce housing. Phase 2 includes 19 additional lots adjacent to Palama Street, that involve long standing issues (Wall, fill, drainage, etc.) that need to be resolved by engaging the Palama Street residents.

It should be noted however, that an existing archeological study conducted by Dr. Six shows no Iwi Kupuna sites on the property. If Iwis hold be found during the home development process, we are committed to stop work and follow all appropriate protocols. In addition, the State Department of Health issued a letter stating that the mill mud used as fill on the lots has been tested and cleared for use, and finally, the County of Maui Department of Water has issued verification that water and meters are available for the 33 lots.

There is a critical need for housing for Care Providers that may save your life, or that of someone you love. And a need for workforce housing for all members of our community I am happy to try and answer any questions you might have, but before I close, I would like to share a quote from Dr. Rafael Oania, a Board Certified Anesthesiologist, born and raised on Maui.

"It is a dream of mine to be able to come home to Maui to practice medicine. After years of training in New York City, I was ready to bring my talents back to Maui. However, the harsh reality of the housing crisis in Maui has steered me away from this dream. It's sad to think that a well paid physician isn't even able to afford or find an affordable home in Maui. It is a concern that not only

affects the recruitment of physicians but the prosperity of the entire working class and families who are at risk of being unable to live a reasonable life on the island that they have called home for generations.”

Mahalo for considering the passage of Resolution 22-85 and 22-84.



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April 22, 2022

Alice Lee, Chairperson  
Maui County Council  
200 S. High Street  
Wailuku, HI 96793

via: [county.clerk@mauicounty.us](mailto:county.clerk@mauicounty.us)

Subject: Committee Report 22-35 regarding Resolution 22-85, Authorizing the Disposition of Real Property to Maui Health Foundation

Dear Chairperson Lee and Council Members:

Na Hale O Maui, in collaboration and support of Maui Health Foundation (MHF), respectfully requests your approval of Resolution 22-85 regarding the disposition of 16 lots in the Fairways in Maui Lani and to MHF and to waive any outstanding real property taxes.

Our community is at the tipping point in Health Care. Maui has a critical shortage of medical personnel, especially those who practice crucial specialty areas. Maui desperately needs excellent Physicians and other medical professionals, to provide the highest level and quality of care for our community. Maui Memorial Medical Center is short-staffed in every department. There is a shortfall of care providers island-wide and Doctors, nurses and other medical personnel. Many of those wonderful caregivers who went above and beyond the call of duty to serve our community during the covid pandemic are now moving away because of the high cost of living, and Maui's shrinking rental market in one of the highest costs places to rent or buy and live in the country. We must take steps now to reverse this alarming trend with a long-term, damaging impact on the delivery of life-saving medical care for us all.

We need access to excellent medical care and potential emergency medical treatment. Without essential physicians and other important health care providers, Maui residents are forced to fly to Oahu or beyond for medical treatment. Some specialties are not permanently available in the state, forcing patients and families to relocate to the mainland where specialists are more readily available on a daily basis.

The need for housing at affordable prices occurs at every level of our community. This continues to frustrate the Maui Hospital Foundation's mission to provide the highest quality of health care, the inability to attract and keep great physicians and medical personnel, because of the Maui housing market.

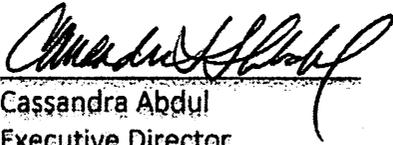
Na Hale O Maui strongly supports affordable and workforce housing initiatives and developments. We believe working in collaboration with MHF makes perfect sense for this project and our community. NHOM's program can accommodate workforce households that earn up to 140% of AMI, including health care providers like nurses, therapists and others.

Alice Lee, Chairperson  
Maui County Council  
April 22, 2022  
Page 2

Na Hale O Maui will work collaboratively with the County of Maui and Maui Health Foundation to deliver critically needed housing to medical professionals and our island workforce that will keep our community healthy and thriving.

We respectfully request the Council authorize the disposition of 16 lots in the Fairways in Maui Lani to Maui Health Foundation and waive any outstanding real property taxes.

Mahalo piha for your support of affordable housing for our workforce, medical professionals and staff!



Cassandra Abdul  
Executive Director



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April 22, 2022

Alice Lee, Chairperson  
Maui County Council  
200 S. High Street  
Wailuku, HI 96793

via: [county.clerk@mauicounty.us](mailto:county.clerk@mauicounty.us)

Subject: Resolution 22-84, Authorizing the Disposition of Real Property for Housing and Land Enterprise of Maui, dba Na Hale O Maui and for Waiver of Outstanding Real Property Taxes

Dear Chairperson Lee and Council Members:

We write today to request your *kokua* to authorize the disposition of 19 lots (17 finished lots and 2 driveway lots) located in the Fairways in Maui Lani to Na Hale O Maui (NHOM) and waive any outstanding and unpaid real property taxes.

We were surprised and delighted when the Budget Finance and Economic Development (BFED) Committee unanimously approved Resolution 22-84 during the April 4, 2022, meeting. This demonstrates the Council's understanding of the crucial need for affordable and workforce housing for island families.

The median price of a single-family home in Maui reached \$1,177,500 at the end of March 2022. The astronomical price of homes has a disproportionate impact on low- and moderate-income families, forcing many to reconsider their future in Maui. Unfortunately for our community, the brightest residents with the most potential to help Maui thrive, are leaving for more affordable mainland cities where the cost of living is substantially lower and housing, whether for rent or to own, are affordable and attainable. This is borne out by recent U.S. Census Bureau data that places Hawaii as the third largest population decline out of all 50 states.

Statistics show that workers have to earn \$60 – 70 per hour for 40 hours per week in order to afford a single-family home at these prices. UHERO found that service workers in Hawaii earn about \$17 an hour. Limiting household expenses to 30% of gross monthly income would mean working 33 hours per day – clearly an impossibility. The median income, workforce family simply cannot afford or qualify for a median income home.

Hawaii faces an annual shortage of more than 1,000 teachers each year. We have a critical shortage of medical personnel. Crucially needed physicians continue to decline to move to Maui because of the availability and cost of housing. Supporting medical personnel face the same dilemma. Businesses cannot find workers, forcing some to permanently close their doors. These are some of the symptoms of our cost of living and housing challenges.

In 2021 the US Bureau of Economic Analysis, Regional Data, found that Honolulu was one of the most expensive metropolitan areas in the country, with a cost of living 13% higher than the

average metropolitan area. The high cost of living in Hawaii makes it virtually impossible to save a down payment, especially one substantial enough (20% or \$200,000 on a \$1 million dollar home) to avoid Private Mortgage Insurance of roughly \$30 - \$70/month per \$100,000 of mortgage. Most low- to moderate-income families cannot qualify for a mortgage on the median priced home.

What does this mean for us? We face a steady loss of our keiki, mo'opuna, family, friends and neighbors. They have finally given up on the high cost of housing and living here. They move to mainland states with lower costs of living, more affordable rents and for-sale homes that are both affordable and attainable. Our families and the entire community are diminished with each additional loss of 'ohana.

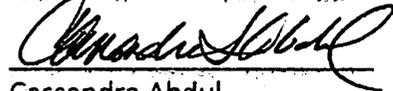
What can we do? This is our *kuleana*; our responsibility. We can take action now to help our workforce and community by approving Resolution 22-84 that will provide some badly needed and truly affordable workforce homes. Working collaboratively with the County of Maui, for-profit and nonprofit developers and contractors, lenders and the community, we can provide more critically needed homes for our families.

The 17 Fairway at Maui Lani house lots and 2 driveways (a total of 19 lots), the subject of Resolution 22-84, are a golden opportunity to take unproductive lots and create Community Land Trust homes for income-qualified island families that will remain truly affordable in perpetuity, homeowner after homeowner, generation after generation. Each additional home we provide will improve and change the lives and opportunities for another island family. Together we can make a real difference for Maui Nui.

Housing and Land Enterprise of Maui, dba Nā Hale O Maui (NHOM) is a grassroots, membership-based Nonprofit 501 (c) 3 Community Land Trust, established to *secure and preserve a permanent supply of affordable housing alternatives for low- and moderate-income households in Maui County*. Our focus is truly affordable homes in perpetuity for workforce families earning between 80%-140% of the Area Median Income (AMI) for Maui County.

We ask for your *kokua* to authorize the disposition of 19 lots in the Fairways in Maui Lani to Nā Hale O Maui (NHOM) and waive any outstanding real property taxes.

Mahalo piha for your support of affordable workforce housing and the Community Land Trust!



Cassandra Abdul  
Executive Director

*Changing lives, one home at a time!*

**From:** Jacqueline Simone Ambrose <ambrosejs@gmail.com>  
**Sent:** Thursday, April 21, 2022 3:12 PM  
**To:** County Clerk  
**Subject:** Over-tourism on Maui

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2022 APR 21 PM 3:13

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COUNTY CLERK

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

Dear Maui County team,

Please send the resolution in CR 22-41 to the Maui County planning commissions for review and back to the Council for adoption asap.

As a longtime resident of Maui (since 1994) I have seen how over-tourism negatively impacts local residents. Bumper to bumper traffic, tourists in your face attitudes of entitlement are diminishing the aloha spirit of Maui. Residents' quality of life is a priority.

In addition to that, the infrastructure wasn't designed to accommodate thousands of tourists on a daily basis along with increased usage of water & trash etc.

Maui is unique & a very special place, not just beaches & palm trees. Please do not lose sight of that & kill the goose that laid the golden egg.

Mahalo!,

*"We are all wardens of this earth we inhabit, therefore morally obligated to protect wildlife and the environment for future generations. Otherwise we have failed in our duty as human beings".*

**Jacqueline Simone Ambrose**

<https://www.carinawaterwells.org/>



Virus-free. [www.avast.com](http://www.avast.com)

**County Clerk**

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**From:** Arabella Ark <arabellaark@icloud.com>  
**Sent:** Thursday, April 21, 2022 9:43 AM  
**To:** County Clerk  
**Subject:** CR 22- 41

2022 APR 21 AM 11: 08

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COUNTY CLERK

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PLEASE PROHIBIT CAMPER VANS IN Maui County!

Arabella Ark  
Kaunakakai, Hi  
Former Hana resident

**County Clerk**

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RECEIVED

**From:** Stephanie Austin <stephandjim@aol.com>  
**Sent:** Wednesday, April 20, 2022 5:27 PM  
**To:** County Clerk  
**Subject:** CR 22-41 Camper Vans

2022 APR 21 AM 8:07

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COUNTY CLERK

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

Aloha,

As a long time resident of Maui (moved here from Honolulu in 1973) I have seen many changes - and lots of inevitable growth. We count on our local government to manage it with strong consideration given to the rights and well being of our residents.

In the last 6 months or so, there has been an apparently unregulated proliferation of camper vans, rented to visitors. This by-passes all County planning - and existing short term rental rules and taxation. Our parks and beaches are already being overwhelmed by the sheer number of visitors: there is certainly no room camper vans.

I have been relieved to see enforcement of Maui's short term rental regulations - although there are still many illegal units (I think that the fines are a pittance compared to the profits.)

BUT, camper vans should be entirely banned! We are not like New Zealand - with miles of empty land and accommodations for RV camping. We are already overwhelmed by the sheer number of visitors on our beaches and parks: we must have them protected, as well as our at residential neighborhoods!  
We are counting on you: no half-way measures which would create an enforcement nightmare.

Sincerely,  
Stephanie Austin

## County Clerk

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**From:** Karri Ayasanonda <karrija@gmail.com>  
**Sent:** Thursday, April 21, 2022 11:15 AM  
**To:** County Clerk  
**Subject:** CR 22-41

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

Aloha,

I am writing in support of CR 22-41. Please prohibit campervans on Maui. These are vacation rentals on wheels, they are not paying appropriate taxes and are contributing to the overtourism that exists in Maui county. Maui does not have sufficient infrastructure, campgrounds, or facilities to accommodate campervans. Please put a stop to them at our parks, beaches, and roadways.

Mahalo,  
Karri Ayasanonda

## County Clerk

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**From:** Karri Ayasanonda <karrija@gmail.com>  
**Sent:** Thursday, April 21, 2022 11:25 AM  
**To:** County Clerk  
**Subject:** Resolution 22-70

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2022 APR 21 PM 12:31  
OFFICE OF THE  
COUNTY CLERK

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

Aloha,

I am writing in support of resolution 22-70. Please cap visitor accommodations at the current amount. Maui is suffering from overtourism, the number of visitors on Maui already greatly exceeds the number allotted per community plan and needs to be reduced. Quality of life continues to diminish as visitor numbers increase. This overtourism is pushing local families out of Hawaii, forces residents to avoid beaches, parks, malls, grocery stores, causes traffic jams and higher cost of living. It feels as though we are living in a big city but with essentially no perks that a big city would provide. Please follow the community plan and address the overtourism we are all experiencing.

Mahalo,  
Karri Ayasanonda

## County Clerk

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RECEIVED

**From:** Vijak Ayasanonda <vijak1@gmail.com>  
**Sent:** Wednesday, April 20, 2022 7:07 PM  
**To:** County Clerk  
**Subject:** Support CR 22-41

2022 APR 21 AM 8:08

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COUNTY CLERK

You don't often get email from vijak1@gmail.com. [Learn why this is important](#)

I am writing in support of CR 22-41. Camper vans on Maui should be illegal. They do not have permits, try to sneak into our residential neighborhoods and do not offer anything to our community except being a nuisance. It's time to prohibit camper vans as vacation rentals. They are seen all over our beach parks using up stalls meant for local residents and are another sign of over tourism that we have been screaming about for years. Even worse than short term rentals, these camper vans pose threats to safety and our environment. Please stop their existence, they are not the small businesses we want or need for our community.

Sincerely,  
Vijak Ayasanonda  
74 Hakui loop  
Lahaina, HI  
96761

Simply email a testimony in support of CR 22-41 to [county.clerk@mauicounty.us](mailto:county.clerk@mauicounty.us)

**County Clerk**

RECEIVED

**From:** Vijak Ayasanonda <vijak1@gmail.com>  
**Sent:** Thursday, April 21, 2022 11:26 AM  
**To:** County Clerk  
**Subject:** Support of resolution 22-70

2022 APR 21 PM 12: 31

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COUNTY CLERK

You don't often get email from vijak1@gmail.com. [Learn why this is important](#)

I am writing in support of resolution 22-70 to call visitor accommodation.

We do not nor plan to have the infrastructure capable of having any single added visitor or accommodation. Our Healthcare, traffic, water usage or sewer is not prepared for what visitors we already have. We wait until a problem happens to address them and it is time to limit tourism!

Sincerely  
Vijak Ayasanonda

**County Clerk**

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RECEIVED

**From:** Amanda Brittany <amandaxbrittany@hotmail.com>  
**Sent:** Wednesday, April 20, 2022 5:21 PM  
**To:** County Clerk  
**Subject:** Support for CR 22-41

2022 APR 21 AM 8:07

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COUNTY CLERK

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

I support CR 22-41. There is no reason for camper vans and buses to be allowed as vacation rentals unless on private property that has the right accommodations for their waste. They are a detriment to our already fragile ecosystems and take up space on our beaches that should be for local residents. Mahalo

Sent from my iPhone

**County Clerk**

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**From:** LARRY BURKE <lpburke5@comcast.net>  
**Sent:** Thursday, April 21, 2022 3:12 AM  
**To:** County Clerk  
**Subject:** Condo Rental Caps

2022 APR 21 AM 8:09

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COUNTY CLERK

You don't often get email from lpburke5@comcast.net. [Learn why this is important](#)

Dear County of Maui,

We have been in the rental business on Maui for over 14 years, and have always paid our Ge and Tat and Prop Txs in full.

We have an excellent reputation for serving our customers, and only now have begun to recover from our covid shutdown.

We do not understand the cap proposal, but if it is to limit the number of legitimate rentals in our area, then we have a very serious problem with the proposed legislation.

Why would county Maui want to limit the very source of revenue that is the life blood of our beautiful place here in the sun?

Make no sense to us, and it makes no sense to any one else in the rental business in the County of Maui.

Sincerely yours,  
Lawrence Burke, Sole Prop.  
250 Hauoli Street NO. 109  
Wailuku

**County Clerk**

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**From:** Livit Callentine <livit.callentine@gmail.com>  
**Sent:** Thursday, April 21, 2022 11:14 AM  
**To:** County Clerk  
**Subject:** Recommending ADOPTION of Resolution 22-70, CD1

2022 APR 21 AM 11:16

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COUNTY CLERK

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

Dear Honorable County Council,

I urge you to send Resolution 22-70, CD1, noted in CR 22-41, to all Maui County planning commissions for review and back to the Council for a speedy adoption.

Please show us that you value residents' quality of life above all. Please make us your top priority.

Mahalo nui loa,

Livit Callentine  
Maui Planning Permits  
Mobile (808) 268-5568  
-  
5568  
Fax (808) 442-0289

**County Clerk**

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**From:** Kimber Carhart <kimber.carhart@gmail.com>  
**Sent:** Thursday, April 21, 2022 9:24 PM  
**To:** County Clerk  
**Subject:** support of CR 22-41

2022 APR 22 AM 7:49

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

support of adding language to camper vans, recreational vehicles or Jeeps topped with tents Subsection G to Section 11, which says: "In all zoning districts, temporary parking of camper vans and recreational vehicles is prohibited if rented for short term accommodations or commercial purposes unless it is allowed by zoning and the proper permit is obtained." CR 22-41 to county.clerk@mauicounty.us

Kimber  
Kimber Carhart  
(808)269-8498

## County Clerk

---

**From:** Tamara A. Paltin  
**Sent:** Friday, April 22, 2022 6:04 AM  
**To:** County Clerk  
**Subject:** Fwd: I support action to stop the illegal overnight parking of car campers, and camper vans, recreational vehicles and Jeeps topped with tents.

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---

**From:** Kimber Carhart <kimber.carhart@gmail.com>  
**Sent:** Thursday, April 21, 2022 10:14:57 PM  
**To:** Kelly King <Kelly.King@mauicounty.us>  
**Cc:** Tamara A. Paltin <Tamara.Paltin@mauicounty.us>  
**Subject:** I support action to stop the illegal overnight parking of car campers, and camper vans, recreational vehicles and Jeeps topped with tents.

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2022 APR 22 AM 7:49  
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COUNTY CLERK

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Aloha Council Members,

I respectfully ask that our elected officials take immediate action to put an end to the illegal car camping, illegal overnight parking of camper vans, recreational vehicles or Jeeps topped with tents. Currently our beach access, our public parking lots, our neighborhood roadways, and our county roadways are being inundated by the social media fueled “van life” frenzy! We need to enforce our existing laws, enforce existing zoning, and add language to laws to make it clear that this type of visitor and or residential accommodation is not legal.

I support any and all proposals, legislation, and amendments which add laws or language to existing laws to improve the enforcement of existing laws related to, and add clarity to laws that regulate the parking and use of camper vans, recreational vehicles or Jeeps topped with tents. Sample language to be added,

“In all zoning districts, temporary parking of camper vans and recreational vehicles is prohibited ANYTIME, especially if rented for short term accommodations or commercial purposes, unless it is allowed by zoning and the proper permit is obtained.”

If this is in fact part of CR 22-41, then I support that.

**Mahalo,**

**Kimber  
Kimber Carhart  
(808)269-8498**

**County Clerk**

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RECEIVED

**From:** Karen Comcowich <kcomcowich@yahoo.com>  
**Sent:** Thursday, April 21, 2022 1:02 AM  
**To:** County Clerk  
**Subject:** Support CR 22-41

2022 APR 21 AM 8:09

OFFICE OF THE  
COUNTY CLERK

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

Aloha Maui County Council members,

I support sending CR 22-41 to the Maui County planning commissions for review.

I support passing A BILL FOR AN

ORDINANCE AMENDING THE COMPREHENSIVE ZONING

ORDINANCE RELATING TO TRANSIENT ACCOMODATIONS that is attached to CR 22-41 expeditiously.

The bill is fair to current vacation rental owners, because it allows them to continue the current use. While at the same time signaling that it is time for Maui to diversify the economy and stop allowing more housing units to be used for vacation rentals.

I support the additional language addressing vehicles being used as mobile vacation rentals. Driving from Lahaina to Kahului early in the morning I use to see mostly local families fishing/camping; now I see vans and vehicles with pop up tents attached. A public nuisance for private gain.

Thank you for your time,  
Karen J. Comcowich

Sent from Yahoo Mail on Android

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2022 APR 21 PM 2:31

OFFICE OF THE  
COUNTY CLERK

April 21, 2022

Testimony for CR 22-41

Position: In support of

Sent to: [County.clerk@mauicounty.us](mailto:County.clerk@mauicounty.us)

Aloha! Please control transient accommodations on Maui including prohibiting camper vans

Transient accommodations need to be held at a status quo.

Transparency and communication between Planning and Real Property Tax Departments needs to be improved.

The people making a profit off renting our camper vans need to be held accountable for marketing and renting camper vans for an illegal use. Tourists renting camper vans:

They do not pay TAT and therefore do not contribute to our economy;

They take up valuable resources, crowding out beaches and campgrounds, also while not contributing to our economy;

These people use our public showers and toilets, all while not contributing to our economy and

Buy the food in our grocery stores that is meant for residents.

They add to the strain on our hospitals and first responders, while not contributing to our economy.

Each island has a carrying capacity that has been far exceeded due to the unrestrained allowance of tourism. We have more and more homeless, who are not allowed to sleep in their vehicles, while tourists are. Residents cannot afford to live here because of all the greed that has allowed the tourism industry to flourish over resident needs. The last thing we need is for these camper vans to take up parking in the beach parks and even along our residential neighborhoods. STOP THE INSANITY, PLEASE!!!

kai [kaiduponte@yahoo.com](mailto:kaiduponte@yahoo.com)

Aloha! Please use this updated testimony. I did not realize that the Resolution was about more than just camper vans. Thank you so much!

## County Clerk

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**From:** Kim Falinski <kimfalinski@gmail.com>  
**Sent:** Wednesday, April 20, 2022 11:51 AM  
**To:** County Clerk  
**Subject:** SUPPORT for CR 22-41

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2022 APR 20 AM 11: 53

OFFICE OF THE  
COUNTY CLERK

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

Hi Maui County,

I am opposed to camper vans on our public beaches. We do not have sanitary facilities for these vans, and doing business on the beach makes it unpleasant for other users.

I support CR 22-41.

Thanks,  
Dr. Kim Falinski

## County Clerk

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**From:** Ute Karolina Finch <groovygirlxo@yahoo.com>  
**Sent:** Thursday, April 21, 2022 12:00 AM  
**To:** County Clerk  
**Subject:** CR22-41

RECEIVED

2022 APR 21 AM 8:09

OFFICE OF THE  
COUNTY CLERK

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

I am in support of this bill. This is not the kind of tourists we need on this island. I work for an activity company and we are finding that these individuals are problematic and do not tip our employees for their services. Dare I say it...they are cheap! Most important...we need them to be paying the TAT tax to help support the county infrastructure.

Mahalo,

Ute Finch  
Lahaina

Sent from my iPhone

**County Clerk**

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RECEIVED

**From:** Marc Friezner <marc@mauibike.com>  
**Sent:** Wednesday, April 20, 2022 2:18 PM  
**To:** County Clerk  
**Subject:** CR 22-41

2022 APR 20 PM 2:41

OFFICE OF THE  
COUNTY CLERK

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

I fully support any and all legislation to prohibit camper vans/RV's as vacation rentals in Maui County.

Aloha nui loa!  
Marc Friezner

April 21, 2022

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2022 APR 20 AM 11: 20

OFFICE OF THE  
COUNTY CLERK

VIA EMAIL  
[County.clerk@mauicounty.us](mailto:County.clerk@mauicounty.us)

Maui County Council  
Kalana O Maui Building, 8th floor  
200 S. High Street  
Wailuku, Hawai'i 96793

**Re: Testimony in Opposition to the Proposed Transient Accommodation Cap,  
Resolution 22-70, CD1 (Committee Report No. 22-41)**

Dear Chair Lee and Councilmembers:

My name is Rob Gunthner, and I am the Area Vice President, Resort Operations – Hawaii for Hilton Grand Vacations (“HGV”). HGV owns and operates the Maui Bay Villas Resort in Kihei, and the Ka’anapali Beach Club in Ka’anapali. We write to express our concerns regarding the Proposed Bill Amending the Comprehensive Zoning Ordinance Relating to Transient Accommodation Caps (the “**Proposed Cap**”). In brief, the Proposed Cap will not effectively address the problem of illegal short-term rentals and will be detrimental to the community and legally-operating transient accommodations, an economic engine for Maui.

The Proposed Cap seeks to permanently freeze the number of rooms and units used for transient vacation rentals at the number in use as of January 7, 2022. If enacted, the Proposed Cap will present an impractical and short-sighted solution to managing tourism. The Proposed Cap will not reduce visitor’s demand for travel to Maui. The Proposed Cap will exacerbate the shortfall of legal transient accommodations, and will effectively incentivize illegal short-term rental use. This incentive lures visitors out of resort zones and into the communities where short-term rentals (whether legal or illegal) are located. While illegally operating short-term rentals can and should be regulated, a permanent cap on transient accommodations is not the appropriate means to do so as it will not directly address illegally operating short-term rentals. Legal operators of transient accommodations should collaboratively work with the County to find solutions that keep tourists in resort zones and out of illegal short-term rentals.

Mahalo for the opportunity to provide testimony on the Proposed Cap. We ask that the Council not refer the Proposed Cap to the Maui Planning Commission.

Very truly yours,



Rob Gunthner

Area VP-Hawaii

Rob Gunthner

**County Clerk**

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**From:** Aubrey Hord <aubrey@aubreyhord.com>  
**Sent:** Wednesday, April 20, 2022 8:57 PM  
**To:** County Clerk; Yukilei Sugimura  
**Subject:** Prohibiting Camper Vans as Vacation Rentals - Section 11 of Bill: 19-36B,120

2022 APR 21 AM 8:08

OFFICE OF THE  
COUNTY CLERK

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

Aloha County Clerk and Yuki Lei,

My name is Aubrey Hord and I am a resident of Pukalani. I have lived on Maui since 1991. It sounds like we are at the point where we need to voice our concerns about the dramatic increase in Camper Vans and similar RV's/5th Wheelers being brought over from the mainland and be used as vacation rentals.

We knew someone would probably try to do this with the high room rates and crack down on illegal vacation rentals.

The damage these camper vans and similar vehicles are currently causing on the island as well as the potential for future damage (environmental, social and cultural) is obvious. The increase in camper vans parked on public beaches nightly has skyrocketed and the rubbish and human waste left behind is disgusting, let alone the fact that they are unpermitted. They prevent residents from legally fishing and camping as well as potentially damaging turtle nesting sites. The individuals renting these vehicles most likely have little to no knowledge of Hawaiian culture, values or environmental stewardship of the land as shown in social media posts. A very valid concern for the residents of Hana and Kahakuloa is the larger vehicles are not able to fit on the narrow Hana Highway or Kahekili Highway.

I would highly recommend that we ban the use of camper vans, RV's and 5th wheelers from being used as overnight lodging, let along being used as vacation rentals.

Mahalo,  
Aubrey

--

Aubrey Hord, Cr.Photog., CPP (she/her)  
1% For the Planet Business Member  
Photographic Craftsman Degree (Cr.Photog.)  
Certified Professional Photographer (CPP)  
Professional Photographers of America (PPA)  
American Society of Media Photographers (ASMP)

Aubrey Hord Photography LLC  
STUDIO ADDRESS: 24 Kiopaa Place, Suite 202, Pukalani HI 96768  
mobile: (808) 264-5226  
portfolio: [www.aubreyhord.com](http://www.aubreyhord.com)  
blog: <https://www.aubreyhord.com/blog>  
facebook: [www.facebook.com/aubreyhordphotography](http://www.facebook.com/aubreyhordphotography)  
instagram: @aubreyhord  
skype: AubreyHord

**From:** Jodee Inouye-Agsalog <chris.jodee@gmail.com>  
**Sent:** Wednesday, April 20, 2022 9:13 PM  
**To:** County Clerk  
**Subject:** I Support CR22-41

2022 APR 21 AM 8:08

OFFICE OF THE  
COUNTY CLERK

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

Aloha mai,

I would like to send in my support for CR22-41. I am born and raised on this island of Maui and have never seen so many camper vans/vehicles being rented out and parking on the sides of main highways and in private streets. Who knows where they're relieving their bowels and leaving their trash. And with the recent accident in Kihei that unfortunately resulted in the passing of several people, this kind of "accommodations" pose a safety issue even for those renting them as well. Sleeping on the side of roads isn't safe. I don't believe we allow this type of "accommodations" in Hawaii, even prior to covid as trailer parks aren't allowed here. And yes, although they're not sleeping in a designated area, they're sleeping all over this island, even in places that are precious to the island community. So please cap all transient accommodations, like the way we do STRs and B&Bs and prohibit camper vans as vacation rentals. Things are just getting out of control, especially with these new types of mobile vacation rentals.

Thank you for your time,  
Jodee Inouye-Agsalog

**From:** Kimberly Johnston <kimberly@kapaluavacations.com>  
**Sent:** Friday, April 22, 2022 5:22 AM  
**To:** County Clerk  
**Subject:** Resolution 22-70 Comments

2022 APR 22 AM 7: 49

OFFICE OF THE  
COUNTY CLERK

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

Aloha,

My name is Kim and I am writing to leave my public comments on Resolution 22-70.

I am strongly apposed to this resolution and I feel the council is focusing in the wrong direction. The below link will lead you to a study which shows that Hawaii has some of the toughest housing regulations in the United States.

<https://www.mauinews.com/news/local-news/2022/04/uhero-hawaiis-housing-regulations-among-toughest/>

Why is the council not focusing their attention on easing these restrictions, which will allow for more affordable housing for Maui residents?

Our family business manages vacation properties in the Kapalua Resort. We have been in business for almost 40 years. If this resolution goes forward, many of the properties on the resort will no longer be designated for short term vacation rentals. These properties are in no way affordable and it is ludicrous to propose the idea that they are.

In turn, companies like ours will go out of business, our employees will lose their jobs, and the trickle down effect will be catastrophic for Maui. Our vendors, restaurants, activities, stores and more will all feel the loss and they too will suffer.

We have paid millions in taxes over the years. If you put companies like ours out of business, and reduce tourism, where is all the money going to come from to support important programs such as affordable housing?

How will residents who lose their jobs be able to afford their homes, let alone a home or villa in a resort? What industry will be waiting for Maui residents and our employees when they are out of work?

This proposal is not logical and the numbers do not add up. But I don't think it is meant to be logical. I feel there is great animosity to the tourism industry and sadly it seems like members of the council are willing to take it down by any means necessary, even if it's at the expense of Maui residents.

Focus on affordable housing and those who have illegal vacation rentals. There is no other industry at the time that can provide jobs and a tax revenue like Hawaii's tourism industry. It is not logical to reduce that industry drastically without something to take its place.

Thank you for your time.

--

Kimberly N Johnston  
Ridge Realty Rentals  
10 Hoohui Road, Suite 209  
Lahaina, Maui, HI 96761  
800-326-MAUI (6294)  
808-669-9696  
[kimberly@kapaluavacations.com](mailto:kimberly@kapaluavacations.com)  
[www.kapaluavacations.com](http://www.kapaluavacations.com)

**From:** Kaaz <rbjyz@gmail.com>  
**Sent:** Thursday, April 21, 2022 4:30 PM  
**To:** County Clerk  
**Subject:** Testimony in support of CR 22-41

2022 APR 22 AM 7:49

OFFICE OF THE  
COUNTY CLERK

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

April 21, 2022

Testimony for CR 22-41

Position: In support of

Sent to: [County.clerk@mauicounty.us](mailto:County.clerk@mauicounty.us)

Aloha! I am writing in support of this bill. Thank you for overriding the Mayor's veto on transient accommodations in Maui. We are now facing an additional problem with the unregulated and unpermitted rental of camper vans and trucks in Maui. Please control transient accommodations on Maui including prohibiting camper vans

The people making a profit off renting our camper vans need to be held accountable for marketing and renting camper cans for an illegal use. Here are my objections to tourists renting camper vans:

1. They do not pay TAT and therefore do not contribute to our economy;
2. They take up valuable resources, crowding out beaches, hospitals, roads, grocery stores and campgrounds, also while not contributing to our economy
3. Many of these vans do not contain toilets or showers, so if we're lucky, the people who rent these camping vehicles use our public showers and toilets. Otherwise they are using bushes, beaches and any place they can find for their human waste.

Our islands have a carrying capacity that has been grossly exceeded due to tourism. We have more and more homeless, who are not allowed to sleep in their vehicles, while tourists are. Residents cannot afford to live here because of all the greed that has allowed the tourism industry to flourish over resident needs. The last thing we need is for these camper vans to take up parking in the beach parks and even along our residential neighborhoods.

Thank you for your attention in this matter. Please vote yes in support of this important bill that will help us manage tourism and our scarce natural resources.

Thank you,

Joy Kaaz

**County Clerk**

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**From:** carol lee kamekona <hynmahi@yahoo.com>  
**Sent:** Thursday, April 21, 2022 7:02 AM  
**To:** County Clerk  
**Subject:** CR22-41

2022 APR 21 AM 8:09

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COUNTY CLERK

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

Aloha no e Kathy!

I am writing in support of the Committee Report (CR22-41) relating to transient accommodation caps. I am in support of amending the Comprehensive Zoning Ordinance.

Mahalo!

Carol Lee Kamekona 

Sent from my iPhone

**County Clerk**

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RECEIVED

**From:** Rochelle Kapu <uilani.kapu@icloud.com>  
**Sent:** Thursday, April 21, 2022 9:20 PM  
**To:** County Clerk  
**Subject:** CR-22-41

2022 APR 22 AM 7: 49

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COUNTY CLERK

[You don't often get email from uilani.kapu@icloud.com. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

Aloha Council  
I support CR-22-41.  
Place a cap now it is out of control  
Mahalo  
Ui'lani Kapu

Sent from my iPhone

## County Clerk

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**From:** nanparks@hawaii.rr.com  
**Sent:** Tuesday, April 19, 2022 1:16 PM  
**To:** 'karenparadise01@gmail.com'; County Clerk; Alice L. Lee; Keani N. Rawlins; Tasha A. Kama; Gabe Johnson; Kelly King; Mike J. Molina; Tamara A. Paltin; Shane M. Sinenci; Yukilei Sugimura; 'Melinda.a.sweany@kp.org'; 'Cassie.chavez@kp.org'; 'tamar@chotzen.com'  
**Subject:** Resolution 22-85

Some people who received this message don't often get email from nanparks@hawaii.rr.com. [Learn why this is important](#)

To Whom it May Concern:

My Name is Nan Parks Kocourek and I have been a part time, and at times, full time resident on Maui for 42 Years. During my younger years on Maui I bought insurance to fly me to the LA where had all my doctors set up....in case I needed medical care. I had experienced several friends hospitalized at Maui Memorial and it was not a pleasant experience! I realize as we all get older we don't always have the time in a Medical Crisis to fly off somewhere for medical care! We need it here on Maui!

I do know that the Hospital has greatly improved in the last few years, but we still have a long way to go to bring the Best Medical Care Available to the People on Maui.....from the best doctors and nurses to the best Equipped Hospital.... which is needed to attract the Best Hospital Staff Whether a resident or a visitor...this is Paradise..... and the Medical Care Standards should reflect the Ohana of the Island! Even with the Best Equipped Hospital on Maui, there is a third component to the problem of bringing The Best Medical Care through the Doctors and Nurses we attract. If these professionals can't find Housing that they can afford they won't move their families here or if they do they won't be able to afford to stay long! We need to be able to attract The Best and that means making it attractive and affordable for them to live on Maui! The Island sells Itself as a Very Desirable to Live...we just need to make it Professionally Attractive to the Doctors and nurses !! I think passing Resolution 22-85 will go a long way to make our island a lot more desirable for them professionally!

I Humbly request that you approve Resolution 22-85 to make a Huge Start in resolving a Big Problem in recruiting the Best Health Care Providers to our Paradise!! Maui deserves only The Best! Thank You, Nan Parks Kocourek and Wayne Kocourek

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2022 APR 19 PM 4: 18  
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COUNTY CLERK

## County Clerk

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**From:** Heidi Kreul <hkreul@gmail.com>  
**Sent:** Wednesday, April 20, 2022 10:50 PM  
**To:** County Clerk  
**Subject:** Cr22-41 and 22-70 CD1

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2022 APR 21 AM 8:08

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COUNTY CLERK

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

Aloha,

Thank you for allowing me to write in support of CC22-41 and Resolution 22-70 CD1.

It's imperative that we cap the amount of tourist accommodations be built on Maui.

As our island community has struggled through the pandemic, we should learn from the experience. For too long we have only counted on the tourist industry to drive our economy. We have suffered through over tourism and with cheap airfares and low hotel costs the quality of visitors has continued to deteriorate.

We need to look at supply and demand. By limiting the accommodations prices will rise bringing in a higher quality visitor.

Maui also needs to focus on building housing for residents.

Mahalo piha,

Heidi Kreul

## County Clerk

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**From:** Val <likelike1010@gmail.com>  
**Sent:** Wednesday, April 20, 2022 4:09 PM  
**To:** County Clerk  
**Subject:** CR 22-41

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2022 APR 20 PM 4:10

OFFICE OF THE  
COUNTY CLERK

[You don't often get email from likelike1010@gmail.com. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

Aloha,

Please stop the non-permitted campers we are finding everywhere.....at our beaches, in our neighborhoods and by our parks.

Where did they dump their sewage? What taxes do they pay?

Mahalo  
Valerie Kulesa  
42 Ululani St  
Kula, Hi 96790

Sent from my iPhone

## County Clerk

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**From:** Tiare lawrence <tiare4maui@gmail.com>  
**Sent:** Tuesday, April 19, 2022 7:56 PM  
**To:** County Clerk  
**Subject:** CR 22-41

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2022 APR 20 AM 7: 54

OFFICE OF THE  
COUNTY CLERK

You don't often get email from tiare4maui@gmail.com. [Learn why this is important](#)

Aloha county council,

I ask you to please pass CR 22-41. Tourists have been taking their vacation rentals to the beach. They're renting campers and vans online, and some believe they can park wherever they want.

With more tourists opting for mobile accommodations rather than hotels, Maui is in desperate need of a crackdown. Camper vans are littering our shorelines from Ukumehame to Launiupoko. Residents in Honokohau have seen them parked at Honolua, Windmills, and Nakalele. Operators are making money off of our public beaches and not paying taxes.

Please pass this reso.

Mahalo

Tiare Lawrence

Sent from my iPhone

**From:** Michele Lincoln <lincolnmichele@yahoo.com>  
**Sent:** Wednesday, April 20, 2022 6:00 PM  
**To:** County Clerk  
**Subject:** Written testimony for April 22,2022 council meeting

2022 APR 21 AM 8:07

OFFICE OF THE  
COUNTY CLERK

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

Please consider the following testimony and vote favorably for April 22, 2022, agenda items No. 22-84 Na Hale O Maui and No. 22-85 Maui Health Foundation resolutions for affordable housing in perpetuity. Anytime the county council can facilitate affordable housing that remains affordable forever, they should take advantage of the opportunity and do it.

Besides providing much needed housing that stays affordable for local people and health professionals, it helps pave the way for other places to emulate. If the county council has a chance to share these concepts, for workforce housing and healthcare employees housing around the nation, that would be wonderful. Affordable housing is an issue in many desirable places to live. By showing a way how to develop forever affordable housing, you can help alleviate houselessness for many people.

Thank you for doing what is right and making it possible for these 35 lots to be used for leasehold housing affordable in perpetuity.

Michele Lincoln

Lahaina

(808) 385-3157

## County Clerk

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**From:** Tammy Luat <tammyluat85@yahoo.com>  
**Sent:** Wednesday, April 20, 2022 9:41 PM  
**To:** County Clerk  
**Subject:** CR 22-41

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2022 APR 21 AM 8:08

OFFICE OF THE  
COUNTY CLERK

You don't often get email from tammyluat85@yahoo.com. [Learn why this is important](#)

Aloha,

My name is Tammy Luat and I am very much in support of CR 22-41. We need to put a stop to all these illegal rentals. I live in Keanae and every day we see camper vans along the Hana highway camping illegally on state highways and even on the peninsula which is a county roadway. It is totally out of hand. Where are these renters relieving themselves? All over our land? We do not have any parks that are equipped to have RV's and campers hook up their sewer lines.

There are people renting their trucks and SUV's as accommodations even being so bold as to advertise this on Craigslist. They even have the nerve to tell them they won't have to pay for parking because the vehicle is local.

Please help us to keep Visitor's at designated hotels and condominiums. These illegal accommodations are hurting our economy by taking away jobs from hotel workers.

Thank you for your consideration.

Tammy Luat  
808-269-3800

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2022 APR 21 AM 11: 08

My name is Tad 'TC' Luckey. I was born and raised on Maui to a fisherman family in Lahaina. After graduating Lahainaluna in 2000, I went to the mainland to get my BS in Electrical and Electronics Engineering and worked mostly in aerospace for about 10 years. After moving back to Maui, I switched the DoD for the DOE to start Lahainaluna's first Engineering program of study and have been running it for the last 8 years. I love music and have been playing ukulele and slack key guitar since high school and I also love being in the ocean.

I met my better half Aubrey out surfing about three years ago. She is awesome. She's from Dumaguete, Philippines. She came to America and started college when she was 16 years old and earned an associates in nursing and a bachelors in accounting. Aubrey came to Maui and started surfing before she knew how to swim. Aubrey has twin daughters, Aurora and Avery who are now 5 years old. We are expecting our first child together this fall. Aubrey started her own Jewelry making business to earn money while parenting. She still contracts for accounting and is also trying out real estate and practicing to be an esthetician.

Housing is tough as everyone knows. We were renting a one room house and thought that might be as good as we could do given the rising housing prices. A colleague suggested looking into Na Hale O Maui and thru them we've been blessed with a house of our own

April 19, 2022,

Maui County Council  
200 S. High Street  
Wailuku, Hawaii 96793

Dear Honorable Council,

Greetings!

This to testify that Na Hale O Maui is the best ever enterprise that helped us to buy a new affordable home. It is really hard to get any affordable housing on Maui. The median home now costs around a million dollars and this makes the workforce of Maui to hardly afford to live and enjoy the island.

With the help of Na Hale O Maui, we are now homeowners for two years. We hope that there is more affordable housing on Maui. A lot of local people moved to mainland because they can't afford to buy a home here on Maui.

Na Hale O Maui helped us to get our dream home. We hope that more families will be benefited with the goal of Na Hale O Maui to provide more affordable housing on Maui.

Thank you for your help.

Very truly yours,

Mr. and Mrs. Honorato Martinez  
174 Poniu Circle  
Wailuku, Hi 96793  
808-385-7051  
honoratomartinezjr@yahoo.com

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2022 APR 21 AM 11:07

OFFICE OF THE  
COUNTY CLERK

**County Clerk**

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**From:** Marty Martins <mauimanokane@yahoo.com>  
**Sent:** Wednesday, April 20, 2022 8:14 PM  
**To:** County Clerk  
**Subject:** I support of Resolution 22-70

RECEIVED

2022 APR 21 AM 8:08

OFFICE OF THE  
COUNTY CLERK

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

Aloha County Council-

Please pass Resolution 22-70. There are enough hotel rooms on Maui and rarely is any single one of them sold-out.

Mahalo,  
Marty Martins

**County Clerk**

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RECEIVED

**From:** FM <mauifay@me.com>  
**Sent:** Wednesday, April 20, 2022 9:05 PM  
**To:** County Clerk  
**Subject:** CR22-41

2022 APR 21 AM 8:08

OFFICE OF THE  
COUNTY CLERK

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

I write in support of CR 22-41.

The proliferation of camper vans and vacation trailers across the mokupuni contributes to extractive overtourism, leaving its ugly footprint on neighborhoods and community spaces. The owners of these commercial rentals are never the ancestral descendants of Maui, to my knowlege.

Please enact legislation to effectively prohibit this additional blight on the lāhui and make whatever appropriations are needed to fund enforcement.

Mahalo for your consideration of the many residents of Maui who are steadily encroached by overtourism in every sphere of public life.

Fay McFarlane  
Lāhainā Moku

**County Clerk**

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RECEIVED

**From:** Steve Milton <stevie686@msn.com>  
**Sent:** Wednesday, April 20, 2022 7:00 PM  
**To:** County Clerk  
**Subject:** CR22-41

2022 APR 21 AM 8:08

OFFICE OF THE  
COUNTY CLERK

[You don't often get email from stevie686@msn.com. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

No more already, these people are ruining maui, they tax the aina without being taxed, the owners are profiting off the hard working locals - SHUT IT DOWN

Steve Milton  
Hard working, tax paying, aina respecting, full time resident

**County Clerk**

RECEIVED

**From:** Shantelle Uyeda <kanakeli96761@yahoo.com>  
**Sent:** Wednesday, April 20, 2022 1:45 PM  
**To:** County Clerk  
**Subject:** Support CR 22-41

2022 APR 20 PM 2: 41

OFFICE OF THE  
COUNTY CLERK

You don't often get email from kanakeli96761@yahoo.com. [Learn why this is important](#)

Aloha,

I support CR 22-41.

I do not want to see camper rent outs all over the island in our front yard or in parks! They can camp like normal people in campsites!!

Shantelle Morgan

County Clerk

RECEIVED

**From:** Kohl Naehu <kohlmolo@gmail.com>  
**Sent:** Wednesday, April 20, 2022 4:00 PM  
**To:** County Clerk  
**Subject:** Testament regarding Short term rental caps

2022 APR 20 PM 4: 06

OFFICE OF THE  
COUNTY CLERK

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

Aloha

My name is Kohl Naehu I live and is from the island of Molokai and currently have 3 rentals under my ownership and management that is under transit accommodations, as a active resident of Hawaii

I'm all for short term rental cap to limit the use of short term rentals on Molokai and in Maui county.

The state of Hawaii agreed decades ago on allowing a certain percent or visitors to the island's based on each islands resident count this visitor percent or count has been grossly exceeded due to political greed and has made Hawaii less attractive as a tourist destination, due to mass vehicle and human traffic, due to pollution and due to less than reasonable cost of services and goods.

I strongly support tourism in Hawaii because we as Kanaka have a lot to share, teach and set the example for the rest of America and set the base for the rest of the world on how to live, treat each other and the earth, tourist dollar is the easiest and most economical way for Hawaii to stand with the rest of the countries of the world financially in the positive.

I feel short term rental properties should be only allowed in the proper zoned and in a well staffed location for visitor safety and to promote recurring visits. ( example hotel zoned condo resort zoned properties).

Mahalo  
Kohl Naehu  
(808)658-9858

**County Clerk**

---

RECEIVED

**From:** Dawn Niederhauser <dawnniederhauser@gmail.com>  
**Sent:** Wednesday, April 20, 2022 3:00 PM  
**To:** County Clerk  
**Subject:** Notice of support for CR 22-41

2022 APR 20 PM 3: 54

OFFICE OF THE  
COUNTY CLERK

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

Dear Maui County,

I am writing in support of CR22-41. I am an administrator of a Facebook group called ETA Hawaii and we are almost 3000 residents from all islands, MANY from Maui, who seek controls on the impacts of over tourism on our lives and on the `aina. We have had many complaints from our members about the proliferation of these rental camper vans. I've seen pictures of vans parked in residential neighborhoods and we know that people are renting them and parking illegally at beach parks. People are listing these vans on Air B and B, more by the day, and there is no regulation of this growing "industry". We implore you to act to stop this while we still can!

Mahalo,

Dawn Niederhauser

**County Clerk**

---

RECEIVED

**From:** Tere <terpatterson@yahoo.com>  
**Sent:** Wednesday, April 20, 2022 1:12 PM  
**To:** County Clerk  
**Subject:** No More Campers - I support 23-41

2022 APR 20 PM 2:41

OFFICE OF THE  
COUNTY CLERK

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

Aloha,

I support 22-41

The following is my testimony to Stop any campers as vacation rentals.

To begin with, this is illegal, as they don't pay any taxes or fees to do this. No camping permits issued. Most of all, it is an eyesore along our beautiful shorelines, and upcountry. This started over 5 years ago, and should have been stopped then. This is not Maui. These people leave behind trash and also, show no Aloha. Mostly, it's illegal in so many ways. We have enough issues with illegal vacation rentals, without adding this into the mix. Are the owners paying taxes or other fees to the County/State? No they aren't. The county rules for camping are for tents, not Campers or, god forbid, motor homes, which I've seen advertised on social media all over Our beautiful Maui.

Teresina Patterson  
Lahaina

Sent from my iPhone

County Clerk

RECEIVED

**From:** Kohl Naehu <kohlmolo@gmail.com>  
**Sent:** Wednesday, April 20, 2022 4:00 PM  
**To:** County Clerk  
**Subject:** Testament regarding Short term rental caps

2022 APR 20 PM 4: 06

OFFICE OF THE  
COUNTY CLERK

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

Aloha

My name is Kohl Naehu I live and am from the island of Molokai and currently have 3 rentals under my ownership and management that is under transit accommodations, as a active resident of Hawaii

I'm all for short term rental cap to limit the use of short term rentals on Molokai and in Maui county.

The state of Hawaii agreed decades ago on allowing a certain percent of visitors to the island's based on each island's resident count this visitor percent or count has been grossly exceeded due to political greed and has made Hawaii less attractive as a tourist destination, due to mass vehicle and human traffic, due to pollution and due to less than reasonable cost of services and goods.

I strongly support tourism in Hawaii because we as Kanaka have a lot to share, teach and set the example for the rest of America and set the base for the rest of the world on how to live, treat each other and the earth, tourist dollar is the easiest and most economical way for Hawaii to stand with the rest of the countries of the world financially in the positive.

I feel short term rental properties should be only allowed in the proper zoned and in a well staffed location for visitor safety and to promote recurring visits. ( example hotel zoned condo resort zoned properties).

Mahalo  
Kohl Naehu  
(808)658-9858

## County Clerk

---

RECEIVED

**From:** Dawn Niederhauser <dawnniederhauser@gmail.com>  
**Sent:** Wednesday, April 20, 2022 3:00 PM  
**To:** County Clerk  
**Subject:** Notice of support for CR 22-41

2022 APR 20 PM 3: 54

OFFICE OF THE  
COUNTY CLERK

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

Dear Maui County,

I am writing in support of CR22-41. I am an administrator of a Facebook group called ETA Hawaii and we are almost 3000 residents from all islands, MANY from Maui, who seek controls on the impacts of over tourism on our lives and on the `aina. We have had many complaints from our members about the proliferation of these rental camper vans. I've seen pictures of vans parked in residential neighborhoods and we know that people are renting them and parking illegally at beach parks. People are listing these vans on Air B and B, more by the day, and there is no regulation of this growing "industry". We implore you to act to stop this while we still can!

Mahalo,

Dawn Niederhauser

**County Clerk**

---

RECEIVED

**From:** Tere <terpatterson@yahoo.com>  
**Sent:** Wednesday, April 20, 2022 1:12 PM  
**To:** County Clerk  
**Subject:** No More Campers - I support 23-41

2022 APR 20 PM 2:41

OFFICE OF THE  
COUNTY CLERK

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

Aloha,

I support 22-41

The following is my testimony to Stop any campers as vacation rentals.

To begin with, this is illegal, as they don't pay any taxes or fees to do this. No camping permits issued. Most of all, it is an eyesore along our beautiful shorelines, and upcountry. This started over 5 years ago, and should have been stopped then. This is not Maui. These people leave behind trash and also, show no Aloha. Mostly, it's illegal in so many ways. We have enough issues with illegal vacation rentals, without adding this into the mix. Are the owners paying taxes or other fees to the County/State? No they aren't. The county rules for camping are for tents, not Campers or, god forbid, motor homes, which I've seen advertised on social media all over Our beautiful Maui.

Teresina Patterson  
Lahaina

Sent from my iPhone

**April 20, 2022**

**Maui County Council  
200 S. High Street  
Wailuku, HI 96793**

**Re: Grant of 19 Lots in Central Maui to Housing and Land Enterprise of Maui, dba Na Hale O Maui  
Resolution 22-84**

**Dear Honorable council,**

**My family and I ask that you support Na Hale O Maui's request for the Grant of 19 lots in Central Maui, for the purpose of building homes for low- and moderate-income workforce households who have completed the Na Hale O Maui 4 Step Program.**

**Affordable housing is very important to me and my family especially with the rising cost of homes here on Maui. We are a household with a moderate-income, where we don't qualify for any government assistance and with the rising cost of homes still can't afford a home for our family. We have lived with family and are now renting. With homes, my family's future of being homeowners one day seemed unrealistic with median houses priced over a million dollars. Also with overpricing conditions with rent, we end up paying the majority of our income towards it.**

**When my family heard about Na Hale O Maui and how they help families like ours to become homeowners, we couldn't believe it and signed up as soon as we could. We believe having more affordable housing on Maui makes it more possible for families like ours, members of the**

**workforce and local community to obtain their dreams of homeownership. We truly feel Maui is an amazing place to raise our family, like we have been and our kupuna have before us.**

**Na Hale O Maui has helped 12 families into their own homes in Lahaina in 2020. My family has our own dreams of owning one of these homes as well. Your support for this grant will help make our dream of homeownership a reality!**

**Mahalo for your time and help,**

**Stacey Planas**

**45 Kapi Lane Apt 9-201  
Wailuku, HI 96793**

RECEIVED

2022 APR 21 AM 11: 08

OFFICE OF THE  
COUNTY CLERK

**Plumbers and Pipefitters UA Local 675**



**COUNCIL OF THE COUNTY OF MAUI**

Councilmember Alice L. Lee, Council Chair

Councilmember Keani Rawlins-Fernandez, Council Vice Chair

NOTICE OF HEARING

Friday, April 22, 2022 at 9:00 am, Online Via Blue Jeans

**Re: In Support of Bill 59, CD1 (2022), RELATING TO THE PLUMBING CODE**

Aloha Chair, Vice Chair and Council Members;

Mahalo for the opportunity to testify in support of Bill 59, CD1 (2022) which updates the current plumbing code for Maui County.

Chartered in 1919, the Plumbers and Pipefitters UA, Local 675 is one of the oldest organized labor unions in Hawai'i and one of three 'licensed' skilled-construction trades, steeped in a rich history as one of Hawai'i's construction-industry pioneers.

The Plumbers and Pipefitters UA Local 675 appreciates and thanks this Committee, its Staff and the Department Public Works for giving us the opportunity to provide input and comments regarding this important Bill.

Local 675 supports the County's efforts to maintain current plumbing codes by adopting the 2018 published edition of the Uniform Plumbing Code as amended, as doing so increases efficiencies in the built community, reduces costs and assists in preserving Hawai'i's most valued resource (water).

Adopting Bill 59, CD1 (2022) most importantly supports the stated purpose<sup>1</sup> and underlying intent to safeguard public health, safety, and welfare by ensuring that plumbing systems are designed and constructed according to minimum industry standards by qualified and licensed professionals.

Mahalo for the opportunity to testify in support of this important measure.

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<sup>1</sup> Bill 59 (2022), Relating to the Plumbing Code, Section 101.3 Purpose. This code is an ordinance providing minimum requirements and standards for the protection of the public health, safety, and welfare.

**County Clerk**

RECEIVED

**From:** N POTASH <npotash@gmail.com>  
**Sent:** Wednesday, April 20, 2022 6:09 PM  
**To:** County Clerk  
**Subject:** support of CR 22-41

2022 APR 21 AM 8:07

OFFICE OF THE  
COUNTY CLERK

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

Dear Office of Maui County Clerk,

As a long time resident and multigenerational Maui family member I am writing to you to implore you to start enforcing against the haole profiteers who are renting camper vans and trucks to tourists. They are unlawfully profiting off the residents' tax dollars which maintain the parks and beaches they use as their hotel rooms. I am an avid fisherman and the last few years it has become out of control. Many mornings I arrive at dawn to fish my sacred zones only to find no parking, camper vans everywhere, and a tourist using my fishing spot as his morning toilet. Defecating and urinating all over our sacred beaches!!! I am outraged that the county continues to take no action against this and keep this disgusting abuse at bay. I am so saddened to think what my ancestors would say if they knew what you have let happen to this island. You have let our pristine sacred home become the playground and toilet of entitled rich haole tourists.

Shame on you.

- Nicholas Potash

## County Clerk

---

**From:** (null) (null) <leina\_ala@yahoo.com>  
**Sent:** Wednesday, April 20, 2022 7:43 PM  
**To:** County Clerk  
**Cc:** Gabe Riela  
**Subject:** CR 22-41 in support of

RECEIVED  
2022 APR 21 AM 8:08  
OFFICE OF THE  
COUNTY CLERK

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

April 20, 2022  
Testimony for CR 22-41  
Position: In support of

Aloha! Please prohibit camper vans on Maui (and all of Hawai'i) for these reasons:

1. They do not pay Transient Accommodations Tax (TAT) and therefore do not contribute to our economy except to enrich the vehicle owner renting out these vans
2. They take up valuable resources, crowding out beaches and campgrounds, also while not contributing to our economy. They are also competing for resources and supplies by buying out supermarket shelves of produce and products. These are resources that residents have to compete with tourists for.
3. When they camp randomly in residential areas or areas not meant for camping because there are no restroom facilities, they are literally shitting and peeing by the side of the road next to their vans.
4. Each island has a carrying capacity that has been far exceeded due to the unrestrained allowance of tourism. We have more and more homeless, who are not allowed to sleep in their vehicles, while tourists in these vans are.

They are using and consuming our resources while paying no tax whatsoever.

Is this really in the true spirit of Mālama 'Āina?

Is this really what we want the future of Hawaii to be? Unrestrained access for tourists while our local residents and the state pay the real price?

Gabriel Riela-Enoka  
Full time Hawaii resident, residing on Oahu and tax payer

Sent from my iPad

## County Clerk

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RECEIVED

**From:** (null) (null) <leina\_ala@yahoo.com>  
**Sent:** Wednesday, April 20, 2022 7:22 PM  
**To:** County Clerk  
**Subject:** CR 22-41 in support of

2022 APR 21 AM 8:08

OFFICE OF THE  
COUNTY CLERK

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

Email: [County.clerk@mauicounty.us](mailto:County.clerk@mauicounty.us)

April 20, 2022  
Testimony for CR 22-41  
Position: In support of

Aloha! Please prohibit camper vans on Maui (and all of Hawai'i) for these reasons:

1. They do not pay Transient Accommodations Tax (TAT) and therefore do not contribute to our economy except to enrich the vehicle owner renting out these vans
2. They take up valuable resources, crowding out beaches and campgrounds, also while not contributing to our economy. They are also competing for resources and supplies by buying out supermarket shelves of produce and products. These are resources that residents have to compete with tourists for.
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4. Each island has a carrying capacity that has been far exceeded due to the unrestrained allowance of tourism. We have more and more homeless, who are not allowed to sleep in their vehicles, while tourists in these vans are.

They are using and consuming our resources while paying no tax whatsoever.

Is this really in the true spirit of Mālama 'Āina?

Is this really what we want the future of Hawaii to be? Unrestrained access for tourists while our local residents and the state pay the real price?

Lisa Leina'ala Riela-Enoka  
Full time resident, employer and tax payer I am a Full time Hawaii resident residing on Oahu.

Sent from my iPad

**County Clerk**

---

RECEIVED

**From:** 8082767474@vzwpix.com  
**Sent:** Wednesday, April 20, 2022 3:37 PM  
**To:** County Clerk

2022 APR 20 PM 3: 54

OFFICE OF THE  
COUNTY CLERK

[You don't often get email from 8082767474@vzwpix.com. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

Testimony re CR-22-41

Please consider that I appose the rental of camper Vans, sprinter style vehicles or any vehicle (road worthy or in a fixed location) to be rented as a vacation vehicle to be slept in.

Maui does not have the infrastructure or desire to be marketed as a camper van destination.

The "super Host" ads for renting camping vehicles need to be prohibited from the Airbnb or VRBO 'fill in the blank computer , templates for travel accommodation ads.

dMV should alert Maui County to revoke the inappropriately licensed and taxed vehicle. dMV should alert Maui County's vacation permit depart to contact the advertiser to quote the penalties and fines .

Fines of over \$5000 need to be set if not already covered by another law they are already violating and can be substantially fined for.

I believe in enforcing existing laws first, but I support any new the fills in loophole that would allow any vehicles being rented as a vacation rental or "sleeper car".

Robin Ritchie  
135 Pihaa st  
Lahaina, hi  
96861

**County Clerk**

**RECEIVED**

**From:** Paul Robinson <imua2377@gmail.com>  
**Sent:** Wednesday, April 20, 2022 6:28 PM  
**To:** County Clerk  
**Subject:** CR22-41

2022 APR 21 AM 8:07

OFFICE OF THE  
COUNTY CLERK

[You don't often get email from imua2377@gmail.com. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

Aloha,

I support County Resolution 22-41 in prohibiting the use of vehicles as camping rentals. This takes valuable camping space, and when they can't find a spot to go into neighborhoods to sleep. Sleeping in your vehicle overnight on the side of the road is illegal anyways but the police don't enforce it. Where do they use the bathroom? Where do they put their rubbish? It's an eyesore, a hinderance to locals who would like to use camp sites and honestly just tired of these types of discount tourists.

Mahalo,  
Paul Robinson  
Kou, Wai'ehu, Maui, Hawaii

**County Clerk**

---

**From:** Lola Rodriguez <lola.kiheicaffe@gmail.com>  
**Sent:** Wednesday, April 20, 2022 7:40 PM  
**To:** County Clerk  
**Subject:** Kokua

RECEIVED

2022 APR 21 AM 8:08

OFFICE OF THE  
COUNTY CLERK

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

Stop these illegal van rentals  
Mahalo

## County Clerk

---

**From:** Jada Rufo <misstanyujie@gmail.com>  
**Sent:** Thursday, April 21, 2022 4:56 PM  
**To:** County Clerk  
**Subject:** Fwd: CR- 2241 Camper vans  
**Attachments:** 20220122\_073715.jpg; 20220311\_082947[1].jpg; 20220315\_071237[1].jpg; 20220404\_082943[1].jpg

----- Forwarded message -----

**From:** Jada Rufo <misstanyujie@gmail.com>  
**Date:** Wed, Apr 20, 2022 at 4:44 PM  
**Subject:** CR- 2241 Camper vans  
**To:** <countyclerk@mauicounty.us>

RECEIVED  
2022 APR 22 AM 7:55  
OFFICE OF THE  
COUNTY CLERK

Aloha,

I am a Big Island resident who has reported several camper vans and giant RVs that are illegally being used as "tents" at Spencer Beach on the Big Island. While camping is allowed through obtaining a permit campers must be in a designated camping area. A parking lot is not considered a camping area. Unfortunately your colleagues at the Hawaii County Parks and Recreation are at odds w the Hawaii County Police who have to enforce these rules. One rule is that people are not allowed to sleep overnight in their cars. A camper van/RV is considered a vehicle. Yet so many tourists who want to fly to Hawaii on the cheap and avoid staying in a hotel, don't know this is NOT allowed. Furthermore, people who renovate and retrofit cars for camping also do not know this is not allowed.

An additional problem is the trash. I pick up so much trash that it is getting to be an issue. I have even pulled out a Hummer out of the ocean. Trash would be cut by limiting camper vans on the premissis.

Currently Councilman Tim Richards of South Kohala's District 9 where Spencer is located, is working on a plan to limit the issuing of permits on all types of camping, including camper vans. I have suggested to him that permits should be issued to local Big Island residents FIRST.

Please do not be like your colleagues at Hawaii County Parks and Recreation in issuing camping permits to visitors in camper vans.

Mahalo.

Jada

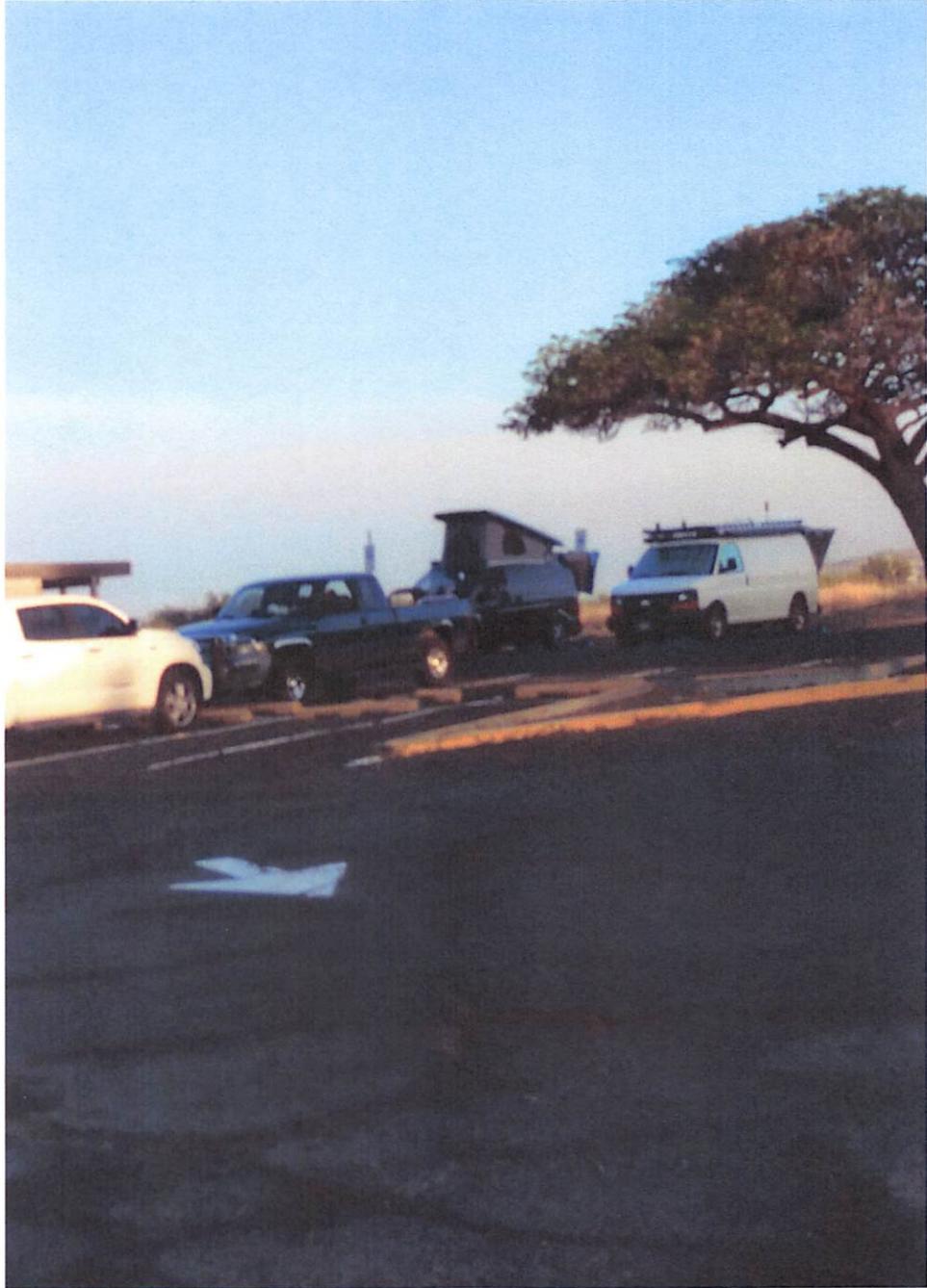
--

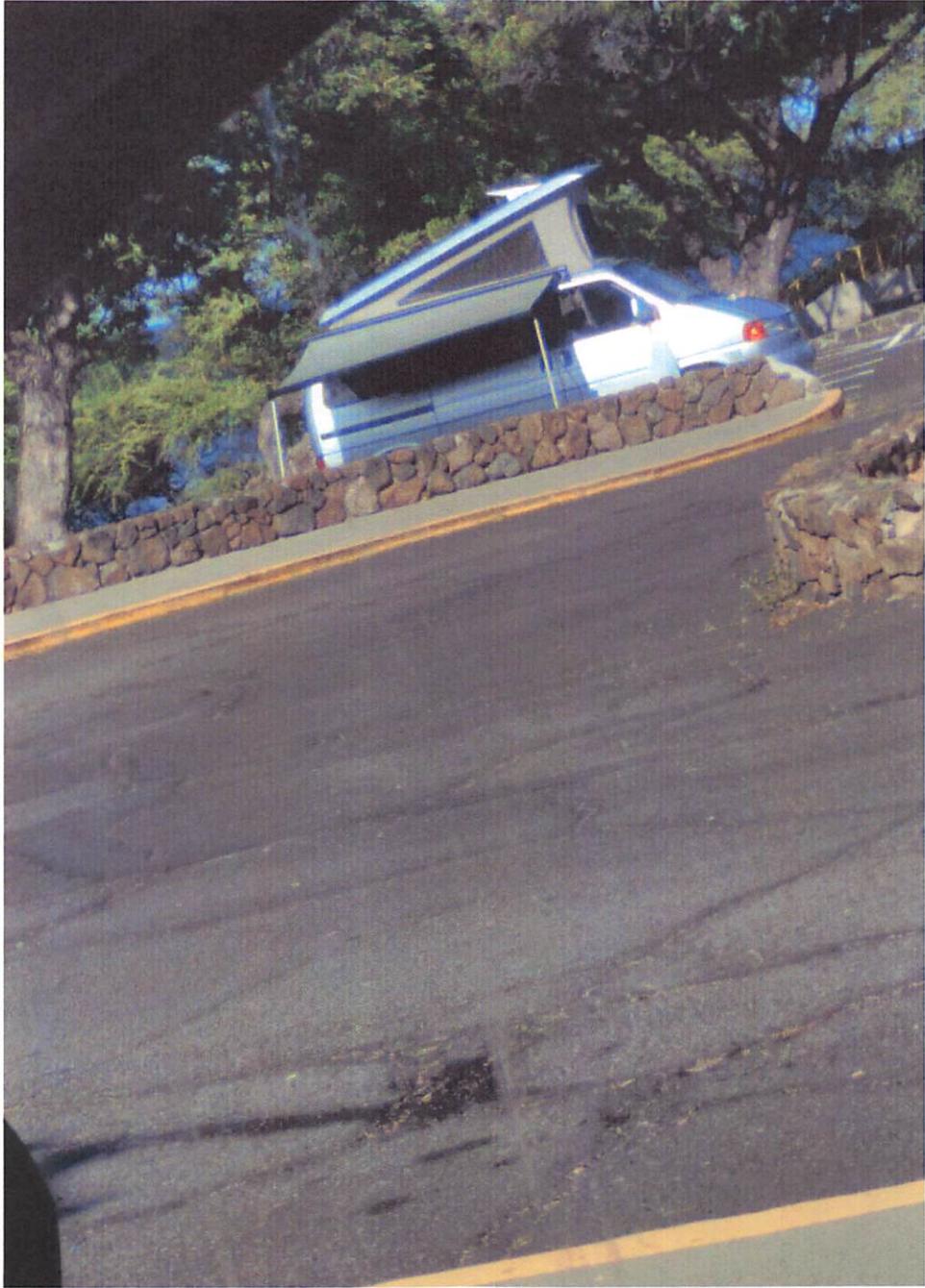
Jada Rufo

Author of The Zone and Banana Girl: An Asian American Woman's Life in China  
Amazon website: [amazon.com/author/jadatanrufo](https://www.amazon.com/author/jadatanrufo)  
Blog: <http://www.xinghuajiangsu.wordpress.com>









## County Clerk

---

**From:** Irene Ryding <irene@mauiharper.com>  
**Sent:** Tuesday, April 19, 2022 10:03 PM  
**To:** County Clerk  
**Subject:** CR22-41

RECEIVED

2022 APR 20 AM 7: 54

OFFICE OF THE  
COUNTY CLERK

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

Please pass this bill regulating camper vans. This is out of control. They park in our neighborhoods, leave opala behind, and use county services without paying their share.

Enough is enough. We can't even go to the beach or drive to Hana anymore because they block the roads and occupy public parking. These are the very same people who scream that they spent good money to be here and will do whatever they want even if it is not pono. Buying an airline ticket to Maui and camping does not help our economy...in fact it depletes our resources with absolutely no gain.

I hope every council member is taking note at how upset your constituents are over rampant, mismanaged tourism.

Mahalo,

Irene Ryding  
Huelo

--

Irene Ryding, CHTP  
Certified Harp Therapy Practitioner  
[irene@mauiharper.com](mailto:irene@mauiharper.com)  
[www.mauiharper.com](http://www.mauiharper.com)  
(808) 573-2188  
cell: (808) 280-0062



**County Clerk**

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**From:** Randy Sarrow <rmsarrow@gmail.com>  
**Sent:** Thursday, April 21, 2022 7:49 AM  
**To:** County Clerk  
**Subject:** CR 22-41

RECEIVED  
2022 APR 21 AM 8:09  
OFFICE OF THE  
COUNTY CLERK

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

Please do not allow Camper Vans as vacation rentals

Sincerely,

Randy M Sarrow  
Makawao, HI

Sent from my iPhone

## County Clerk

---

**From:** kohler@maui.net  
**Sent:** Thursday, April 21, 2022 6:40 AM  
**To:** County Clerk  
**Subject:** Camper van regulation

RECEIVED

2022 APR 21 AM 8:09

OFFICE OF THE  
COUNTY CLERK

You don't often get email from kohler@maui.net. [Learn why this is important](#)

Aloha. I am writing in regards to camper van regulation. I have been a resident of Maui for 30 years who works in the medical field. I work at the hospital and the private office setting. Recently I had the ability to head to the beach with my sister. We went to thousand peaks. We parked and had a nice local man approach us. He informed us we were lucky to get a spot. He said usually it is filled with camper vans and cars but since the county usually comes to empty trash on Thursday everyone cleared out until they were finished. I had been noticing more and more of the vans on the island which is quite disturbing. Sure enough the next week I was driving to Lahaina for an early morning whale watch and when driving by thousand peaks there was van after van parked at the beach. This will make it very difficult for residents to be able to enjoy the beach when they have the day off and have the opportunity to enjoy the day with their family. Tourism has reached a point where the island cannot sustain the numbers. I still do not understand why as tax payers we are paying so much to promote Maui. Maui spends much more than the other islands and it is completely unnecessary to spend such an enormous amount of money.

Anyway back to the topic at hand. Please regulate this burgeoning industry that has such a negative effect on the local residents.

Thank you for your time and your desire to do something about this issue.

Aloha, Lisa Schlichting. Haiku, Maui

**County Clerk**

---

RECEIVED

**From:** Kele Sipman <kelekino@gmail.com>  
**Sent:** Wednesday, April 20, 2022 10:00 PM  
**To:** County Clerk  
**Subject:** support of CR 22-41

2022 APR 21 AM 8:08

OFFICE OF THE  
COUNTY CLERK

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

It's time to prohibit camper vans as vacation rentals. [REDACTED] We are starting to see them everywhere especially at public beaches.

These camper vans have become a problem in many parts of the island including my neighborhood where someone is camping in their van and defecating in the bushes. These vans need to be stopped, they are causing a lot of ill feelings among locals (as well as visitors) because of the nature of the vehicles (no running water, no restroom facilities).

Sent from my iPhone

**County Clerk**

---

RECEIVED

**From:** Bryan Smith <bryansmithmd@gmail.com>  
**Sent:** Wednesday, April 20, 2022 8:57 PM  
**To:** County Clerk  
**Subject:** Testimony CR 21-44

2022 APR 21 AM 8:08

OFFICE OF THE  
COUNTY CLERK

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

My name is Bryan Smith. I reside in Kula. I am a physician. I would like to provide testimony in support of CR 21-44. I would like to ask the council to cap transient vacation rentals in particular in rural and agricultural zoned areas of Maui county, and to completely ban vehicles used in any manner as transient vacation rentals. These transient rentals degrade the quality of life for those citizens of Maui who live and work here. Transient lodging vehicles are crowding beaches, roadways and trespassing on private lands, particularly rural areas where they feel they can "live" during their vacations. My neighbors and I have had to remove "campers" that tried to quietly trespass onto our private driveways and property with their rented vehicles that are intended as alternative lodging. Please put a stop to this now before someone gets seriously hurt either directly or indirectly from lack of sleep as we Maui citizens are kept up patrolling our legal dwellings and properties.

Mahalo,  
Bryan Smith, MD

Sent from my iPhone

**County Clerk**

---

RECEIVED

**From:** Kalim Smith <kalimsmith9@yahoo.com>  
**Sent:** Friday, April 22, 2022 7:26 AM  
**To:** BFED Committee; County Clerk  
**Subject:** SCR 121

2022 APR 22 AM 7:49

OFFICE OF THE  
COUNTY CLERK

You don't often get email from kalimsmith9@yahoo.com. [Learn why this is important](#)  
I strongly support SCR 121, mahalo Kalim H. Smith and ohana.

Sent from Yahoo Mail for iPhone

## County Clerk

---

**From:** Michelei Kahae <micheleik@yahoo.com>  
**Sent:** Wednesday, April 20, 2022 8:06 PM  
**To:** County Clerk  
**Subject:** agenda item CR22-41

RECEIVED  
2022 APR 21 AM 8:08

OFFICE OF THE  
COUNTY CLERK

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

I support CR 22-41 on transient accommodation caps and prohibition on camper vans as STRs. Our islands are being overwhelmed with tourist because they are no longer staying at Resorts areas. They have inserted themselves in our neighborhoods. Now they camp and sleep at our beaches and our secluded scenic spots. As a resident of Maui County, I urge our County Council to give Maui County back to your people by improving our lifestyle and quality of life with tourism management and tourist accommodations caps.

Mahalo,  
Michelei Tancayo  
Lahaina

**County Clerk**

RECEIVED

**From:** Luanne Teoh <luanne.teoh@gmail.com>  
**Sent:** Wednesday, April 20, 2022 5:13 PM  
**To:** County Clerk  
**Subject:** Testimony for CR 22-41 // Position: In Support of

2022 APR 21 AM 8:07

OFFICE OF THE  
COUNTY CLERK

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**April 20, 2022**  
**Testimony for CR 22-41**  
**Position: In support of**

Aloha! Please prohibit camper vans on Maui (and all of Hawai'i) for these reasons:

1. They do not pay Transient Accommodations Tax (TAT) and therefore do not contribute to our economy except to enrich the vehicle owner renting out these vans
2. They take up valuable resources, crowding out beaches and campgrounds, also while not contributing to our economy. They are also competing for resources and supplies by buying out supermarket shelves of produce and products. These are resources that residents have to compete with tourists for.
3. When they camp randomly in residential areas or areas not meant for camping because there are no restroom facilities, they are literally shitting and peeing by the side of the road next to their vans.
4. Each island has a carrying capacity that has been far exceeded due to the unrestrained allowance of tourism. We have more and more homeless, who are not allowed to sleep in their vehicles, while tourists in these vans are.

They are using and consuming our resources while paying no tax whatsoever.

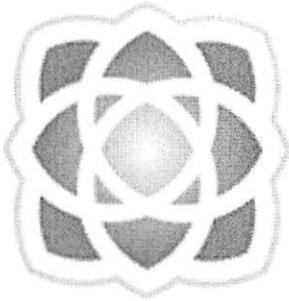
Is this really in the true spirit of Mālama 'Āina? Tourists are literally shitting all over the islands because they are living out of vans.

Is this really what we want the future of Hawaii to be? Unrestrained access for tourists while our local residents and the state pay the real price?

Luanne Teoh  
Full time resident, employer and tax payer  
Maui, Hawaii

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// Luanne Teoh  
// +1.415.335.1447  
// [Clean Food Dirty Girl](#)



# MAUI

CHAMBER OF COMMERCE  
VOICE OF BUSINESS

Maui County Council  
Alice Lee, Chair  
Keani Rawlins-Fernandez, Vice Chair  
Members of the Maui County Council

## Testimony in opposition to Bill 24, CD1, FD1 (2022)

Aloha Chair Lee, Vice Chair Rawlins-Fernandez and members of the Council,

The Maui Chamber of Commerce would like to testify in **opposition to Bill 24, CD1, FD1 (2022)** relating to maximum building heights in the B-2 community business district, B-3 central business district, and P-1 and P-2 public/quasi-public districts.

The Chamber does not support legislation that creates non-conforming structures. This bill as it originally stood exempted Maui from these height limits and therefore did not create many, if any, non-conforming structures on Moloka'i or Lana'i. But, Councilmember Paltin's approved amendment to include the West Maui Community Plan area in the restrictions will likely create a number of non-conforming structures.

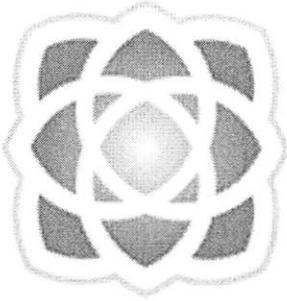
The Chamber would like to point out the strong opposition by the State of Hawaii Office of Planning & Sustainable Development as well as Hawaii Housing Finance and Development Corporation from their testimony at the committee hearing.

For these reasons we respectfully request that Bill 24, CD1, FD1 (2022) be filed..

Sincerely,

Pamela Tumpap  
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.



# MAUI

CHAMBER OF COMMERCE  
VOICE OF BUSINESS

Maui County Council  
Alice Lee, Chair  
Keani Rawlins-Fernandez, Vice Chair  
Members of the Maui County Council

## Testimony in support of Committee Report 22-40

Aloha Chair Lee, Vice Chair Rawlins-Fernandez and members of the Council,

The Maui Chamber of Commerce would like to offer our **strong support for Committee Report 22-40.**

We commend the council and the administration for thinking outside the box when looking for ways to add more affordable housing while enhancing our aging infrastructure. We see this public-private partnership as a huge win-win situation as it should lower the cost for affordable housing and help provide a sorely needed new wastewater treatment plant.

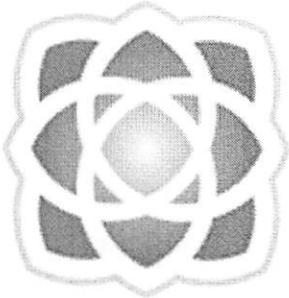
We look forward to seeing more innovative solutions from both the council and the administration for the betterment of the people of Maui County.

For these reasons we respectfully request the recommendations in Committee Report 22-40 be adopted.

Sincerely,

Pamela Tumpap  
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.



# MAUI

CHAMBER OF COMMERCE  
VOICE OF BUSINESS

Maui County Council  
Alice Lee, Chair  
Keani Rawlins-Fernandez, Vice Chair  
Members of the Maui County Council

## Testimony in support of Committee Report 22-35

Aloha Chair Lee, Vice Chair Rawlins-Fernandez and members of the Council,

The Maui Chamber of Commerce would like to testify in **support of Committee Report 22-35** which recommends the adoption of resolutions 22-84 and 22-85. These resolutions authorize the waiving of outstanding property tax balances and the disposition of 19 lots at the Fairways at Maui Lani and the waiving of outstanding property tax balances and the disposition of 16 lots at the Fairways at Maui Lani.

We are all aware that there is a crucial need for affordable and workforce housing for island families. Hawaii is now the State with the third largest population decline according to a recent calculation by the U.S. Census Bureau.

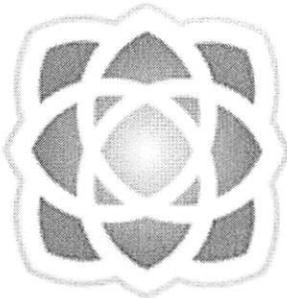
Nā Hale O Maui (NHOM) is a grassroots, membership-based Nonprofit 501 (c) 3 Community Land Trust, established to secure and preserve a permanent supply of affordable housing alternatives for low and moderate-income households in Maui County. Their focus is truly affordable homes in perpetuity for workforce families earning between 80%-140% of the Area Median Income (AMI) for Maui County.

The Chamber strongly supports affordable and workforce housing initiatives and developments. We have faith that by working collaboratively with the County of Maui, developers and contractors, lenders and the community, Na Hale O Maui can provide more critically needed homes for our families. The 17 Fairway at Maui Lani house lots and 2 driveways (a total of 19 lots) are a golden opportunity to take unproductive lots and create Community Land Trust homes for income-qualified island families that will remain truly affordable in perpetuity, homeowner after homeowner, generation after generation.

Maui Memorial Medical Center (MMMC) is the only place on this island that can provide critical, lifesaving care to our residents and our visitor. For those with the most critical needs, there is often no other option. They do not have the time to delay treatment or the strength to make the trip to another island to receive care.

Today, MMMC is short 75 registered nurses, despite hiring every single graduate of the University of Hawaii Maui College, every year. Per MMMC, the Operating Room has lost a couple of nurses and a surgical tech with housing and affordability as the primary reason for their resignation. They have been unsuccessful in recruiting viable candidates with housing as the primary reason offers are being declined.

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.



# MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

Maui County Council  
CR 22-35 Testimony  
Page 2

This shortage directly impacts the quality of life for all on Maui.

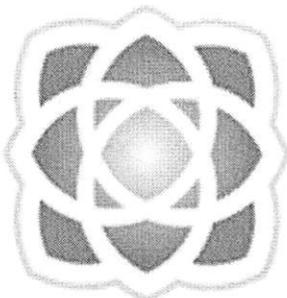
Those who care for our community need to live in our community. Having a supply of homes will help ease the need for market-priced housing for the medical staff Maui desperately needs. This will also enable us to attract medical professionals who can meet the greatest healthcare needs in our community and retain current Maui care staff members looking to purchase their first home on Maui.

For these reasons we respectfully request the recommendations in Committee Report 22-35 be adopted.

Sincerely,

Pamela Tumpap  
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.



# MAUI

CHAMBER OF COMMERCE  
VOICE OF BUSINESS

Maui County Council  
Alice Lee, Chair  
Keani Rawlins-Fernandez, Vice Chair  
Members of the Maui County Council

### Testimony with Comments on CC22-93

Aloha Chair Lee, Vice Chair Rawlins-Fernandez and members of the Council,

We would like to offer the following comments with regards to the Charter Commission's response to the proposed amendments offered by this Council

**Proposal 1** Commission accepted Council's alternative to eliminate the proposal. This proposal will not appear on the ballot. AGREE

**Proposal 3** Commission rejected Council's alternative to eliminate this proposal. Proposal 3 will appear on the ballot. AGREE

**Proposals 2, 4, 5, 6, 7, 9** Commission accepted Council's alternatives, which alternatives will be incorporated into the Commission's report to the County Clerk and will appear on the ballot. AGREE with 2 (we are working on a video that may help), 4, 7 and 9 (with comments previously shared). We do not agree on 5 & 6 as we feel these should be eliminated (based on comments previously shared).

**Proposals 8, 10, 13** Commission rejected Council's alternatives. As described below, Council may consider recalling these alternatives. DISAGREE with proposals 8 (recommended other ways to address this), 10 (as the system is fair and balanced it is about treatment, which is a big concern) and 13 (removing the caps is deeply concerning; there should be known caps).

**Proposal 11** Commission voted to remove this proposal from the ballot. It will not appear on the ballot. AGREE

**Proposal 12** Council offered no alternative. This proposal will appear on the ballot. DISAGREE (with comments previously shared)

Sincerely,

Pamela Tumpap  
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.

RECEIVED

County Clerk

2022 APR 22 AM 7: 49

**From:** shannon vanderheugel <leialoha17@gmail.com>  
**Sent:** Thursday, April 21, 2022 7:10 PM  
**To:** County Clerk  
**Subject:** Bill 77&78

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Aloha ,

I support bill 77 & 78. It is very important that the initiatives to prevent sediment from entering the Ma'alea bay alone is worth support.

Mahalo

Shannon VanderHeugel

100 Hauoli street #402

Wailuku, HI. 96793

616-204-8513

Sent from my iPhone

**County Clerk**

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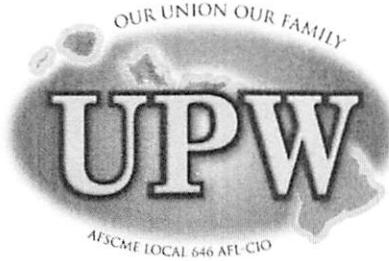
**From:** Susan Vickery <gifts9954@gmail.com>  
**Sent:** Wednesday, April 20, 2022 10:21 PM  
**To:** County Clerk  
**Subject:** Support CR22-74

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2022 APR 21 AM 8:08

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2022 APR 19 AM 7:56

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**COUNTY OF MAUI  
COUNTY COUNCIL MEETING**

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

Friday, April 22, 2022, 9:00AM  
Council Chamber, Kalana O Maui Building and via BlueJeans

**Re: Testimony in SUPPORT of RESOLUTION 22-65 – APPROVING COST ITEMS WITHIN BARGAINING UNIT 1 REPRESENTED BY THE UNITED PUBLIC WORKERS FOR FISCAL YEARS 2022, 2023, 2024, AND 2025**

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 22-65, which approves the cost items for the Bargaining Unit 1 Collective Bargaining Agreement between the Employer and UPW for the fiscal period from July 1, 2021 to June 30, 2025 for included employees of the County of Maui.

The approval of this resolution will help to ensure that our Bargaining Unit 1 members in the County of Maui will receive the necessary funding for the respective cost items in this new agreement.

Thank you for the opportunity to provide testimony.

Sincerely,

A handwritten signature in black ink, appearing to be 'KW', is written above the name of the signatory.

Kalani Werner  
State Director

## County Clerk

---

**From:** John D White <johndouglaswhite@gmail.com>  
**Sent:** Wednesday, April 20, 2022 9:27 PM  
**To:** County Clerk  
**Cc:** Yukilei Sugimura  
**Subject:** Camper Vans - CR 22-41

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2022 APR 21 AM 8:08

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Aloha e Maui County Clerk,

Please forward the below testimony to the Planning & Sustainable Land Use Committee regarding CR 22-41.

Dear Chair and Members,

The last two years have produced some interesting & unintended situations for our island community. The pent up demand for travel has seen incredible demand for any type of rental vehicle. First it was car sharing service and now it has mushroomed into RV's, minivans converted into 'campers', pop-up tents on all types of vehicles and potentially soon 5th wheelers. We do not have legal camping/RV parks like one might see on the mainland.

This rapid rise in alternative lodging causes many concerns. 1) Revenue - they are not paying TAT, MCTAT and RPT. They are also not paying the County or State to park on the roadsides or beaches (which is already illegal). 2) Environmental Concerns - human waste, litter are some initial concerns. 3) Malama Hawaii - This is not the respectful traveler we need. This traveler is not treating our home with cultural and environmental respect.

Mahalo for your efforts to address this quickly troubling issue. I trust that we can get ahead of this problem sooner rather than later.

Mahalo,  
John

John D. White  
PO Box 35  
Kahului, HI 96733  
(808) 264-5224 mobile  
[johndouglaswhite@gmail.com](mailto:johndouglaswhite@gmail.com)

**County Clerk**

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**From:** katherine wong <katherinewong661@gmail.com>  
**Sent:** Wednesday, April 20, 2022 10:32 PM  
**To:** County Clerk  
**Subject:** Camper van rentals. CR 22-41

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Please no more. The clog beaches, park illegally, never take out trash, makes us feel really unsafe.

Stop illegal camping, please.

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Sent from Gmail Mobile