

DRIP Committee

From: County Clerk
Sent: Tuesday, October 29, 2024 9:29 AM
To: DRIP Committee
Subject: FW: Testimony From The Laborer's International Union Local 368 - Disaster, Resilience, International Affairs, and Planning Committee (2023-2025)
Attachments: Laborer's Local 368_Testimony_Drip-2(24).pdf

From: Testimony <testimonylocal368@gmail.com>
Sent: Tuesday, October 29, 2024 9:11 AM
To: County Clerk <County.Clerk@mauicounty.us>
Subject: Testimony From The Laborer's International Union Local 368 - Disaster, Resilience, International Affairs, and Planning Committee (2023-2025)

You don't often get email from testimonylocal368@gmail.com. [Learn why this is important](#)

Aloha,

Please find attached testimony from the Laborers Local 368 on Agenda Item 2 - DRIP-2(24) DISCUSSION ON PROPOSED CHANGE IN ZONING FOR PULELEHUA (DRIP-2(24)) in the Committee for Disaster, Resilience, International Affairs, and Planning Committee (2023-2025).

Sincerely,

The Laborer's International Union Local 368



LIUNA!

Council of the County of Maui Committee on Disaster, Resilience, International Affairs, and Planning

Wednesday October 20, 2024
1:30 PM

PETER A. GANABAN
*Business Manager/
Secretary-Treasurer*

ALFONSO OLIVER
President

JOBY NORTH II
Vice President

TONI FIGUEROA
Recording Secretary

MARTIN ARANAYDO
Executive Board

ORLANDO PAESTE
Executive Board

JOSEPH YAW
Executive Board

ESTHER AILA
Auditor

RUSSELL NAPIHAA
Auditor

MARK TRAVALINO
Auditor

YUGAN HOTTENDORF
Sergeant-At-Arms

Re: Discussion on Proposed Change in Zoning For Pulelehua (Drip-2(24))

Aloha Chair Paltin, Vice-Chair U'u- Hodgins, and Members of the Committee:

The Laborer's International Union Local 368 represents 5000+ members working in construction, environmental remediation, maintenance, food service, health care, clerical, and other occupations, as well as in state, local, and municipal government jobs and as mail handlers in the U.S. Postal Service across the State.

The Laborer's International Union Local 368 supports affordable housing projects that follow the required process and comply with HRS 104. Unfortunately, Pulelehua, and its contractors, have not. As such, we cannot support this project moving forward until fully compliant.

As noted in HRS 104, the definition of a "Public Works" project is:

""Public work" means any project, including development of any housing pursuant to section 46-15 or chapter 201H and development, construction, renovation, and maintenance related to refurbishment of any real or personal property, where the funds or resources required or used to undertake the project are to any extent derived, either directly or indirectly, from public revenues of the State or any county, or from the sale of securities or bonds whose interest or dividends are exempt from state or federal taxes."

Pulelehua has mentioned that a portion of county money has been used for "non-construction" activities related to the development of the project. Therefore, they should be subject to HRS 104. We respectfully ask the committee hold until the project is compliant, specifically, to ensure prevailing wages for our local employees.

Mahalo for your time and consideration.

Respectfully,

Peter A. Ganaban

Business Manager/Secretary Treasurer
Laborers International Union of North America - Local 368
1617 Palama Street
Honolulu, HI 96817

LIUNA Local 368
1617 Palama Street
Honolulu, HI 96817
Phone: (808) 841-5877
Fax: (808) 847-7829
www.local368.org

Feel the Power

DRIP Committee

From: Ivan Lay <ilay@hrcc-hawaii.com>
Sent: Tuesday, October 29, 2024 12:06 PM
To: DRIP Committee
Cc: Desmond Cabiles; No'eau Patao
Subject: Opposition to Pulelehua 10-30-2024- DRIP Committee
Attachments: Prepared Testimony of Ivan Lay Pulelehua Project.docx

You don't often get email from ilay@hrcc-hawaii.com. [Learn why this is important](#)

Thank you for receiving and sharing my testimony.



Ivan Lay
Maui Field Representative

HAWAII REGIONAL COUNCIL OF CARPENTERS - MAUI
330 Hookahi Street
Wailuku, Hawaii 96793
Main: (808) 242-6891, Ext. 604
Fax: (808) 242-5961
Email: ilay@hrcc-hawaii.com

Prepared Testimony of Ivan Lay
Representative of the
Hawaii Regional Council of Carpenters, Maui
Before the DRIP Committee 10-30-2024
Pulelehua Project, Paul Cheng

Residents who lost their homes in the Lahaina fire need to have the availability of affordable homes so they can again live in Lahaina. The displacement of their normal life that was there just a year and a half ago, is deeply heart felt. Good projects are needed. Help to get these Lahaina projects moving forward has to happen before we lose our valuable local residents, the soul of Lahaina, our Kama'aina's. Pulelehua through the council (hopefully not) has allocated 33 million, and Mr Cheng is asking for more millions. The work that has been done on the project has been done using workers that are not being paid the prevailing wages. Under the Little Davis Bacon law, this is illegal. I repeat "It's Illegal"! This is a law, made to protect workers from being underpaid or taken advantage of, especially under the conditions that a recovering Maui County is going through. Mr. Cheng has been convicted and went to jail for multiple counts of wire and bank fraud. Is this the land developer that Maui County wants to invest in? He's already breaking the Little Davis Bacon Law. Previously he told us all he has water and funding needed for this project. He doesn't have it. We have already been notified that there isn't water available to rebuild family homes in Lahaina and Pulelehua. Take back the millions of dollars and invest it in our Local Kama'aina's , so they can rebuild their homes. Don't give it to a shady developer who will be gone tomorrow.

Thank You

DRIP Committee

From: Brian <brian@hawaiilecet.org>
Sent: Tuesday, October 29, 2024 12:30 PM
To: DRIP Committee
Subject: Testimony on Pulelehua (DRIP-2(24))
Attachments: Maui-DRIP-Committee-Testimony_Pulelehua-Zoning_2024-Oct-30.pdf

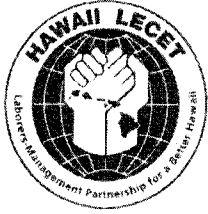


You don't often get email from brian@hawaiilecet.org. [Learn why this is important](#)

Aloha,

Please see attached written testimony for Maui Council DRIP Committee discussion on proposed zoning change for Pulelehua hearing on Wednesday, October 30, 2024 at 1:30 pm.

Mahalo!
Hawaii LECET



HAWAII LABORERS-EMPLOYERS COOPERATION AND EDUCATION TRUST

650 Iwilei Road, Suite 285 · Honolulu, HI 96817 · Phone: 808-845-3238 · Fax: 808-845-8300

October 29, 2024

Via Email: DRIP.committee@mauicounty.us

To: **The Honorable Tamara Paltin, Chair**
Committee on Disaster, Resilience, International Affairs, and Planning Committee
Maui County Council
Kalana O Maui Building
200 South High Street, DPS Conf. Room, 6th Floor
Wailuku, Maui, HI 96793

Re: **TESTIMONY ON PROPOSED CHANGE IN ZONING FOR PULELEHUA (DRIP-2(24))**

FOR HEARING ON WEDNESDAY, OCTOBER 30, 2024 at 1:30 PM

Aloha Honorable Chair Paltin, Vice Chair U`u Hodgins, and Members of the DRIP Committee,

The **Hawaii Laborers & Employers Cooperation and Education Trust** (Hawaii LECET) is a labor + management partnership established in 1992 between the 5,000 statewide members of the Hawaii Laborers Union and over 250 construction companies from the *General Contractors Association* and the *Building Industry Association*. The Laborers International is the largest construction trade union in North America, and Hawaii LECET is part of a network of 38 labor-management LECET Funds across the country.

Hawaii LECET supports the the use of union-affiliated construction contractors and union trade workers for the Pulelehua project. Construction projects in Hawaii financed by public funds are required by State law to employ responsible contractors that pay their workers the HRS Chapter 104 Prevailing Wage Rates and comply with all related Chapter 104 labor laws and regulations.

If the Pulelehua project is not going to follow State laws and regulations, we urge you to reject this project as it stands. Thank you for this opportunity to offer our testimony


Mahalo,

**Hawai'i Laborers & Employers
Cooperation and Education Trust**

DRIP Committee

From: County Clerk
Sent: Tuesday, October 29, 2024 3:41 PM
To: DRIP Committee
Subject: FW: DRIP Testimony in Opposition to the Pulelehua Project
Attachments: MCC- DRIP- Pulelehua- OPPOSE.pdf

From: Pane Meatoga III <pmeatoga3@oe3.org>
Sent: Tuesday, October 29, 2024 3:04 PM
To: County Clerk <County.Clerk@mauicounty.us>
Cc: Analeseanoa Tuiasosopo <atuiasosopo@oe3.org>
Subject: DRIP Testimony in Opposition to the Pulelehua Project

 You don't often get email from pmeatoga3@oe3.org. [Learn why this is important](#)

Aloha,

Please find my bosses testimony for tomorrow's DRIP hearing, for the Pulelehua Project agenda item.

Mahalo,

Pane Meatoga III
Deputy Political Director
Operating Engineers Local 3
2181 Lauwiliwili Street
Kapolei, Hawaii 96707
Office: 808-682-8741



OPERATING ENGINEERS LOCAL UNION No. 3

2181 LAUWILIWILI STREET, KAPOLEI, HI 96707 • (808) 845-7871 • FAX (808) 682-0906

Jurisdiction: Northern California, Northern Nevada, Utah, Hawaii, and the Mid-Pacific Islands

Honorable, Tamara Paltin, Disaster, Resilience, International affairs, and Planning Committee, Chair

Honorable, Nohelani U'u- Hodgins, Disaster, Resilience, International affairs, and Planning Committee, Vice Chair

Honorable Members of the Disaster, Resilience, International affairs, and Planning Committee

RE: DISCUSSION ON PROPOSED CHANGE IN ZONING FOR PULELEHUA (DRIP-2(24))

Chair Paltin, Vice Chair Uu-Hodgins, and Members of the Disaster, Resilience, International affairs, and Planning Committee,

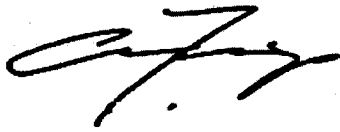
My name is Ana Tuiasosopo. I am the District Representative and Trustee for Operating Engineers Local 3. We are the largest Construction Trades Local in the United States. I and the members of Operating Engineers Local 3 (OE3) have strong concerns about the Pulelehua Project and at this point oppose the project until changes can be made.

For years OE3 has supported affordable housing projects across the state. In each project that we have supported, the developers have followed proper state laws and regulations regarding HRS 104, Hawaii's Prevailing Wage Law and OSHA/HIOSH regulations. Unfortunately, Pulelehua has not. Our compliance department has tried for the better part of this year to get Pulelehua in compliance with HRS 104 and provide them with the certified payroll required under HRS 104. To date, they are still not in compliance.

In my conversation with Pulelehua representative, Kai Nishiki, she mentioned that Pulelehua has not used any county money allocated to the project for construction. She only mentioned that a small portion of county money was used for "non-construction" activities related to the development of the project. I would like the county council to note that in the definition of HRS 104, "development activities" are covered under HRS 104.

Lastly, OE3 is in support of affordable housing projects that follow the process and do it the proper way. Unfortunately, Pulelehua has not. We therefore cannot support this project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ana Tuiaosopo', with a stylized flourish at the end.

Ana Tuiaosopo
Hawaii District Representative, Trustee
Hawaii Operating Engineers Local 3

DRIP Committee

From: County Clerk
Sent: Wednesday, October 30, 2024 7:39 AM
To: DRIP Committee
Subject: FW: Comments - DRIP Meeting10/30/24 (Pulelehua)
Attachments: Maui CC DRIP Testimony 10.30.24.pdf

From: Hawaii Construction Alliance <execdir@hawaiiconstructionalliance.org>
Sent: Tuesday, October 29, 2024 7:54 PM
To: County Clerk <County.Clerk@mauicounty.us>
Subject: Comments - DRIP Meeting10/30/24 (Pulelehua)

 You don't often get email from execdir@hawaiiconstructionalliance.org. [Learn why this is important](#)

Aloha,

Please find attached written comments for the upcoming DRIP committee meeting:

RE: DISCUSSION ON PROPOSED CHANGE IN ZONING FOR PULELEHUA (DRIP-2(24))

Thank you,

Malama Minn
Executive Director
Hawaii Construction Alliance
1617 Palama Street
Honolulu, HI 96817
(808) 630-6689
execdir@hawaiiconstructionalliance.org

Hawai'i Construction Alliance

P.O. Box 179441
Honolulu, HI 96817
(808) 220-8892

October 30, 2024

The Honorable Tamara Paltin, Chair
The Honorable Nohelani U'u-Hodgins, Vice Chair
Members of the Disaster, Resilience, International Affairs, and Planning Committee

RE: DISCUSSION ON PROPOSED CHANGE IN ZONING FOR PULELEHUA (DRIP-2(24))

Dear Chair Paltin, Vice Chair U'u-Hodgins, and Members of the Committee:

The Hawai'i Construction Alliance (HCA) is comprised of the Hawai'i Regional Council of Carpenters; the Operative Plasterers and Cement Masons; International Union of Bricklayers & Allied Craftworkers; the Laborers' International Union of North America; and the Operating Engineers. Together, the member unions of the HCA represent over 15,000 working men and women in the basic crafts of Hawai'i's construction industry.

The HCA supports the building of new residential housing in West Maui and the Pulelehua project, however, we do not support the use of non-union contractors and labor for this or any other project. The developers of the Pulelehua project are subject to the requirements of HRS §104 and therefore should be paying prevailing wage and complying with OSHA/HIOSH at minimum, but they are not.

As stated in HRS §104, the definition and trigger of a "Public Works" project is:

"Public work" means any project, including development of any housing pursuant to section 46-15 or chapter 201H and development, construction, renovation, and maintenance related to refurbishment of any real or personal property, where the funds or resources required or used to undertake the project are to any extent derived, either directly or indirectly, from public revenues of the State or any county, or from the sale of securities or bonds whose interest or dividends are exempt from state or federal taxes.

Therefore, we respectfully request that the project developer and its contractors be brought immediately into compliance with HRS §104 or ask that they be removed from the project and replaced with a contractor who is already in compliance with the law.

Mahalo,



Mālama Minn
Executive Director
Hawai'i Construction Alliance
execdir@hawaiiiconstructionalliance.org