

# MINUTES

of the

## COUNCIL OF THE COUNTY OF MAUI

September 7, 2018

THE REGULAR MEETING OF THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, WAS HELD IN THE COUNCIL CHAMBER, KALANA O MAUI BUILDING, WAILUKU, HAWAII, ON FRIDAY, SEPTEMBER 7, 2018, BEGINNING AT 9:02 A.M., WITH CHAIR MICHAEL B. WHITE PRESIDING.

CHAIR WHITE: This meeting of the Council of the County of Maui will please come to order.

Mr. Clerk, please call the roll.

### ROLL CALL

PRESENT: COUNCILMEMBERS ALIKA ATAY, ELEANORA COCHRAN, S. STACY CRIVELLO, DONALD S. GUZMAN, G. RIKI HOKAMA, KELLY T. KING, YUKI LEI K. SUGIMURA, AND CHAIR MICHAEL B. WHITE.

EXCUSED: VICE-CHAIR ROBERT CARROLL.

COUNTY CLERK DENNIS A. MATEO: Mr. Chair, eight Members present, one excused. A quorum is present to conduct the business of the Council.

CHAIR WHITE: Thank you, Mr. Clerk.

And for opening remarks this morning, we'll go to Member Hokama.

### OPENING REMARKS

The opening remarks were offered by Councilmember G. Riki Hokama.

CHAIR WHITE: Thank you for those comments this morning.

Members and those in the gallery, will you please rise and join me in the Pledge of Allegiance.

### PLEDGE OF ALLEGIANCE

The Members of the Council, and others in attendance, rose and recited the Pledge of Allegiance.

CHAIR WHITE: Thank you. And before we proceed, please put your phones on silent mode. And we'll make sure that we have the appropriate amount of decorum in this chamber this morning.

And, with that, Mr. Clerk, let's proceed with the agenda.

COUNTY CLERK: Mr. Chair, we have one individual who have signed up to provide testimony on the ceremonial resolution. Shall we proceed?

CHAIR WHITE: Please proceed.

COUNTY CLERK: Calling Jack Breen, Maui Rugby Organization.

### PRESENTATION OF WRITTEN OR ORAL TESTIMONY

MR. JACK BREEN:

Good morning, Mr. Chair--

CHAIR WHITE: Good morning.

MR. BREEN: --Councilmembers. It is with great pleasure that I rise today to provide you with some history of a young man born here on Maui, 1994 to two wonderful parents, who are here, the youngest of four children, his sisters are also here with him today; Vili Toluta`u. Vili is a graduate of Baldwin High School, where while he was at a high school, he earned all American honors in the sport of rugby both his junior and senior year.

Let me take the story back a little bit, because to understand rugby we have to go back to 1823. When in a soccer game at a school called Rugby in England, a boy caught the ball and the players on the other team decided they wanted to knock him down for doing that. And the gym teacher, instead of saying no, no, no, blow the whistle and call it up, he said wow this is a great new game; let's, let's play this right here. And that is football, as Americans know it, began that day. William Webb Ellis was the name of that young man.

In 1895, rugby became professional for the first time in a sport that is now called Rugby League, which is the sport in Australia, much like our NFL.

In the 1880's, rugby generated football in the United States when some injuries that had occurred led some to believe that helmets and pads would make it safer. And that, then gave rise to the forward pass and changed football forever. The rest of the world plays rugby. United States and Canada play a football with forward passes and blocking which we don't have in rugby, and helmets and pads which we don't have in rugby.

And it's come full circle, because the history now is that the helmets and the pads have actually produced more injuries, and the techniques that rugby has developed to make ourselves safer over the years. And now rugby coaches are being hired by NFL teams to show NFL players how to tackle more safely.

Bringing us back to tackling. The most fierce player in the United States is Vili Toluta'u. I don't just say that. He was awarded the most valuable player in the championship of the Major League Rugby competition. He is the number one player in the United States, right here, a boy from Maui. He is one of 18 boys from Maui who have represented the United States. And he's just about to go to represent the United States in Uruguay and Argentina. Not his first time there; he did that before as a high school All-American. He was a four-time college All-American.

He was the first player at the Central Washington University to receive a full scholarship when they became a varsity rugby program. He is a project engineer for Goodfellow Bros., the first in his family to get the chance to go college thanks to his sport, thanks to his perseverance in becoming sensational at rugby. It's more than that. He is a fine young man who helps all of those who are younger, and serves as a tremendous role model. I couldn't think of a better person for you to recognize in our sport than Vili. Thank you very much.

CHAIR WHITE: Thank you very much for your testimony, and for being here this morning.

Mr. Clerk.

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

### CEREMONIAL RESOLUTIONS

RESOLUTION  
NO. 18-139

CONGRATULATING HĀLAU  
KEKUAOKALĀ`AU`ALA`ILIAHI FOR ITS  
ACHIEVEMENTS AT THE 43<sup>RD</sup> ANNUAL QUEEN  
LILI`UOKALANI KEIKI HULA COMPETITION

CHAIR WHITE: Mr. Atay.

COUNCILMEMBER ATAY:

CHAIR, I'D LIKE TO MOVE THAT WE ACCEPT THIS  
RESOLUTION.

COUNCILMEMBER CRIVELLO:

SECOND.

CHAIR WHITE: We have a motion from Mr. Atay, and a second from Ms. Crivello.

Mr. Atay.

COUNCILMEMBER ATAY: Chair, if we could allow the Clerk the read the resolution in, in its  
entirety?

CHAIR WHITE: Sure. So ordered.

Mr. Clerk.

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

CHAIR WHITE: Thank you, Mr. Clerk.

Mr. Atay.

COUNCILMEMBER ATAY: Thank you, Chair. Thank you for this opportunity. I ask my fellow Members to proudly support this resolution. You know, I think this is a very unique ceremonial opportunity that we hold here in the chambers. We, we hold and give an opportunity to recognize champions, winners, representing the island, County of Maui. We, we honor State champions, we honor world champions, national champions, and now at a very young age, we are able to honor young champions coming from Maui.

The names that the Clerk mentioned, I was listening to the names and I go, this is just a rainbow of family names of Maui. And I once again, proudly honor the accomplishments of the Paredes Ohana; saying mahalo plenty to Iliahi and Haunani for all of their sacrifices. That they choose to carry on the culture of our practice from here, and recognizing where they come from, coming from the district of Wailuku, opening up their Halau to all that can come who want to learn this art that we call hula. So, I proudly stand to support this recognition of their accomplishment.

CHAIR WHITE: Thank you, Mr. Atay.

Any further discussion, Members?

COUNCILMEMBER COCHRAN: Well, there's, yea, again, so, so much pride and, you know, happiness, and just energy of our, our culture being represented here in this room. And to see all the keiki, they're so cute in their pink and, and wow, but a lot of, lot of hard work and energy got put into getting to the level that they're at, and the guidance of kupuna, family, of course, their Kumu. And it just, definitely as Mr. Alika mentioned, it's just brings that honor and, and it's really hard to find the words that can encapsulate the, the pride. And so, I just say imua, mahalo, and very, very honored to be here today to give their congratulations.

CHAIR WHITE: Thank you, Ms. Cochran.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. I also want to extend my congratulations and support. Through the years with my work with Festivals of Aloha, and before that with Aloha Festivals, but with Festivals of Aloha, Iliahi and the whole Halau would come and perform. And I remember when they came to Queen Kaahumanu Center, when we had one of our Aloha Friday celebrations, and the energy that they brought to the stage is something that, like Member Cochran has said, it's hard to describe.

But it does come because of the spirit and the discipline of the Halau and the Kumu Hula, the teachers, and the spirit, and the parents. And, I just, it's amazing. And I commend them, I extend my support. And, it's maybe not surprising that their whole family are winners in their own rights at different times because it totally, totally is reflective by their, the spirit and aloha that their family shares with the community. So, thank you, Chair.

CHAIR WHITE: Thank you.

Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you. I, I too would like to connect with this lei of ho'omaika'i. I, I, I'm always so proud to be part of any, any efforts that our young people are doing to perpetuate our, our culture, which is so beautiful. So, I want to thank the parents. I want to congratulate Na Kumu Hula, and especially our young people, you know. So, thank you very much. Mahalo. And I'm sure we're going to see more and more of these kinds of congratulations. So, thank you, Councilmember Atay, for making this very significant on their behalf. Thank you.

CHAIR WHITE: Thank you, Ms. Crivello.

Any further discussion, Members?

Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair. Thank you, Chair. I also would like to join my colleagues in congratulating the Halau. And, I believe that it's, it's such an honor every year for the past five years to be in this chambers, to see them come and perform, as well as take honor in their recognition of their performance at the State level.

It's also my pleasure and honor to have worked with Brandon; Iliahi, which is, we, we once worked together as partners in the domestic violence unit, and to see him start the Halau during those time periods in such a term, very busy and very, I guess, stressful job that he was in. But yet, they took the time to pass on their culture and plant the seeds and the foundation that now flourishes to this rainbow of community service, as well as involving the other families. And to see Faith born and now see Justin come and take the reign in the footsteps of his father. What an honor to have this family and this Halau in Maui. Thank you, Chair.

CHAIR WHITE: Thank you. Well, the Chair would just like to add his comments, because Haunani and Iliahi have, have represented the best of the best in the hula world here on Maui, and they've done so with an incredible amount of grace and class. And, you know how to produce winners, because both of you have been winners yourselves.

I first met Haunani when she was a young lady participating in Hula O Na Keiki at our hotel, and she won top honors in 1991, and then came back with Iliahi as Kumu Hula years later, and now, has transitioned from being a Kumu Hula at the competition to being one of the judges. So, she's come full circle.

And it's just, it's so exciting to see this, this march of life that we get to watch with not just the, not just this Halau, but many others and canoe clubs and so forth where there's a passing on of the knowledge, passing on of the torch, and a passage of, of the knowledge and the, and the incredible amount of work and focus it takes to develop winners. And, we're just very blessed to have winners of this caliber teaching our young and encouraging them to do exactly the same thing to keep carrying those torches into the future.

So, it's with a great heartfelt aloha that I congratulate the two of you and the Halau for your outstanding achievements.

So, with that, I'll call for the vote. All those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused".

Mr. Atay.

COUNCILMEMBER ATAY: Thank you, Chair. If I may, I'd like to invite the members of the Halau, as well as their Kumu to come down to the floor, and the Kumus can receive a copy of the resolution, as well as the keikis be able to receive leis of recognition. I've chosen to honor them since they're already kind of masters at lei-making and flowers,

we decided to make a lei of organic snacks for this, since they're off of kapu. But, please.

CHAIR WHITE: Yes, please come join us.

KUMU `ILIAHI PAREDES: Mahalo nui. Mahalo e na keiki, komo mai.

*(Spoke in Hawaiian.)*

Aloha kakou. Aloha Chair. Aloha Councilmembers.

*(Spoke in Hawaiian.)*

You know, Halau Kekuaokala`au`ala`iliahi is made up of families and keiki, kupuna, ohana of Maui County, and we are so proud. My wife, my beautiful wife and I feel so blessed to be able to, to teach; teach an art form that we so dearly love. We know it's one of our kuleana. It is our kuleana to share what we have learned. And, with every ounce of energy that we have, we will continue to do that.

There are so many people to mahalo. We mahalo Ke Akua for the blessing. We mahalo our community for always supporting us and giving, when we, we have tons of fundraisers as a Halau, because it takes a village to get our keiki to Keiki Hula and our haumana to Merrie Monarch and to all the things that we want to do. And our community always comes through for us, so mahalo nui to Maui.

We mahalo our makua and our families who bring their keiki to Papa Hula each and every week. We know it's a sacrifice and we are so thankful that they have chosen us to share hula with their keiki. We know that is a blessing. And above all, we thank our keiki because they have so much aloha. As our youth of our community, they come to Papa Hula with innocent and pure hearts, and they share their aloha with us, and they make us smile each and every Saturday when they come to Papa Hula.

And it is indescribable to feel, to have that feeling to watch them blossom. Many come without any experience to, with hula. But after even one practice, and you can see the grace in their hands of our kaikamahine, or the strength in their feet work in our keiki kane, just makes you feel so good, so maika'i that the work that we do is pono, the work that we do will help our keiki become our leaders of our community in the future.

So, mahalo keiki. Kumu and I love you folks so much. And it is all about aloha, it is. Because if our keiki can learn what aloha is and they have that strong foundation in their families and the paipai that we support that. We tell our keiki that it is so important that above everything, if we can, if people can say that those keiki are respectful,

they're full of aloha, and that they are filled with humility, then we have done our job. So, mahalo nui for this, ho`omaika`i. And we are so, so very proud. I want to give some, an opportunity for my wife to talk. Cause I do feel like I did win Master Keiki Hula in the 1800's, I really do, 1887.

KUMU HAUNANI PAREDES: You know, we are just really honored and very, very thankful that, that Maui County recognizes these achievements because it really is a wonderful extra pat on the back to the keiki, and as well as their parents for all that they've done throughout the process. And even though competition is only three days out of the year, it's how they define themselves as individuals the remainder of the year that really, really defines them as hula dancers as well as people of the community.

And that's what we're really trying to cultivate here within our Halau. We teach, we teach ways of life through hula. And just recognizing them and having them feel so proud of their hard work is, is very big. And although all the keiki are not here, because we insist that they go to school, we are very thankful for those who are here to help recognize this honor. So, mahalo nui, keiki, as well as your ohana, your makua, and to those of you in the gallery for just supporting hula as well as just achievements for our wonderful individuals, our keiki of Maui County. So, mahalo nui.

KUMU `ILIAHI PAREDES: If we can take a brief moment to call up Master Keiki Hula 2018, Justin Pua`iliahi Paredes. He will represent our Halau with a short hula that he presented at the Queen Lili'uokalani Keiki Hula Competition. Justin is seven years old. And, we want to thank the Kalihi Palama Culture and Arts Society for putting on the Queen Lili'uokalani Keiki Hula Competition, giving that opportunity for our keiki around, around the State and internationally. We, they give the keiki an opportunity to share their love for the hula. And, this is Justin. He's, he performed "Henehene Kou `Aka", my very first hula. And, he continues that love and that aloha for the hula, and we share this with you all. Master Keiki Hula 2018, Justin Pua`iliahi Paredes.

*(Master Keiki Hula Justin Pua`iliahi Paredes performed a hula auana entitled "Henehene Kou `Aka".)*

KUMU `ILIAHI PAREDES: Mahalo nui.

CHAIR WHITE: Thank you so much. That was wonderful.

Okay, Mr. Clerk.

COUNTY CLERK: Mr. Chair, for the record, RESOLUTION 18-139.

RESOLUTION  
NO. 18-140

CONGRATULATING VILI TOLUTA'U FOR  
BEING NAMED MOST VALUABLE PLAYER  
AT THE FINAL GAME OF THE 2018  
MAJOR LEAGUE RUGBY CHAMPIONSHIP SERIES

CHAIR WHITE: Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair.

I'd like to request the Clerk to read the resolution in its entirety.

CHAIR WHITE: Certainly.

Mr. Clerk.

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

CHAIR WHITE: Thank you, Mr. Clerk.

Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair. Today we welcome our rugby superstar Vili Toluta'u to the Council chambers; another youthful person that has grown up from Maui that has accomplished much. He's a gifted athlete and is truly an outstanding young man. The president of the Seattle Seawolves rugby organization describes him, excuse me, I apologize.

I MOTION TO ADOPT THE RESOLUTION. I GOT AHEAD OF MYSELF.

COUNCILMEMBER KING:

SECOND.

COUNCILMEMBER ATAY: Second.

COUNCILMEMBER KING: Second.

CHAIR WHITE: Motion from Mr. Guzman, and a second from Ms. King.

Please proceed. Thank you.

COUNCILMEMBER GUZMAN: Thank you, Chair. As stated, this young man is an exceptional person and the president of the Seattle Seawolves rugby organization describes him as the nicest man he knows. And his coach and teammates appreciate the way he treats everyone with respect.

Even with all the accolades and praises from his abilities, Vili remains humble, a Maui boy, who has remained true to his roots, as well as has taken the game always, when he plays, he always takes the game his 808 Maui armband in which he wears proudly on the field.

Vili recently returned home to Maui after graduating from Central Washington University this past June as, and is now starting his first job with the Goodfellows Company. He hopes to mentor Maui youth to pave the way for them to have a future in rugby. He says that rugby puts a smile on his face every time he steps on the field, and he's always having fun in trying to get the best out of it. That enthusiasm is sure to inspire anyone fortunate enough to have him as a coach. In fact, I believe we have one of his coaches here on the Council floor and is also a member of the Council.

We are so proud of Vili's accomplishments and agree with the Seawolves coach that teammates like Phil Mack, who says, "the ceiling of Vili is where he puts it". The future is bright for this talented young man, and it's such an amazing feat of an accomplishment to go from a rugby sport that really isn't that popular here on Maui. But, he made it and persevered and became one of the top in the world, in the professional leagues. And that's so amazing, because of the fact that we live in the middle of the Pacific. And rugby is a started, you know, basically a European sport, and he advanced and worked hard.

And, there must be something in the water that comes from Maui that seems to generate these, these superstar athletes that come out of Maui. But, I, I see it as being a blessing and a real honor and acknowledgement of our family's foundations that we teach our children here on Maui that should always remain, you know, to teach our children the loyalty and the perseverance that hard work does pay off. So, congratulations to his parents, as well, as well as his siblings for all the support he's gained from them. And for him to accomplish such feats, it's really an honor and pride of our County to acknowledge his, him at this point in life. And we congratulate him again. Thank you.

CHAIR WHITE: Thank you, Mr. Guzman.

Any further discussion?

COUNCILMEMBER KING: Chair.

CHAIR WHITE: Ms. Cochran.

COUNCILMEMBER COCHRAN: Oh, sorry. Thank you. And, this is yea, very unique and, but, so filled with pride and honor once again for this. Having traveled to Fiji quite often, this is a huge sport in the rest of Polynesia and the world; our football sort of equal around the world. And I remember it was just, you know, people were glued to the TV and the games are huge, just like our NFL here.

So, this is a huge thing and it's, and it's, I'm so happy that he's able to get the education through this and the traveling and visiting other places around the world with this sport that he loves. So, it's just amazing to see an example from yea, our little island in the middle of the Pacific. So, hopefully others, he's a role model for others for sure will learn and, and persevere just as our haumana did in hula and coming up with canoe; it'll take you places, right. The sport you love and your dedication to it will take you, again, the skies the limit and wherever your dreams are, you can achieve them through fun, hard work, yes, but definitely dedication. So, applaud him and what a, what a feat, what an amazing award, and congratulations. Thank you.

CHAIR WHITE: Thank you, Ms. Cochran.

Ms. King.

COUNCILMEMBER KING: Thank you, Chair. I wholeheartedly support this resolution. And I want to congratulate Vili, because I really didn't know very much about rugby. All you, you see a lot of, on TV that it looks very violent. It's like a really rough sport. And so, it's really wonderful to see this testimony from the owner of the team that says, "he's also the nicest, sweetest man that I know, and that we love him". And, that's what I'm sure he'll bring to the sport.

But, I also wanted to recognize, you know, that we have a Maui son who is actually a pioneer in bringing this sport to Hawaii. I know a little bit about being a pioneer, and I know that people will tell you when you try to do something new and different, that yeah it's not really going to work out for you, it's never been done here. And so, you have to persevere beyond just your love of sport, you have to persevere and convince other people that this can happen.

So, we are at the beginning of something on Maui, I think we all recognize that and thank you very much for bringing it to our community in a big way, in a very big way by being a national champion.

CHAIR WHITE: Thank you. Any further discussion?

Yes, Mr. Atay.

COUNCILMEMBER ATAY: Thank you, Chair. I proudly support this resolution. As I was a personally a former coach of Vili, back then in high school when he participated in canoe paddling. And he participated, as well in, you know, being a MIL Champion and going on to State Championships in Hawaiian Outrigger Canoe racing. This is back in 2011-2012, when he was also a member of Kihei Canoe Club, as well as, a championship team member of Baldwin High School paddling.

Back then, Vili was a fun guy and a very funny guy, but he had talent. And I followed his collegiate career when he was offered the scholarship to Central Washington and very proudly followed a lot of the Maui boys' involvement in rugby. They all got scholarships to go to college. Athletics was a key of getting their education.

And then I followed his accomplishments when he was signed professionally to go play for the Seattle Seawolves and was very excited that their team advanced to the championship game, and also very excited that in that championship game, this is across the national professional rugby teams, he became the most valuable player in that championship game, of which his team also won.

So, once again here we are in the Chambers, giving an opportunity to recognize accomplishments not just on the State level but now also a national and professional level. And to hear that he's also returning back to Maui, to pursue his employment career here on Maui. He mentioned that he was going to be a project engineer on the island and hoping to contribute back to this sport. So, I proudly support this resolution. Hulo hulo to Vili.

CHAIR WHITE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. I also want to extend my congratulations to, to Vili, and I will say that I really believe that often times, I bet if we ask his parents what his siblings do, I bet, you they're just as awesome as he is because it often takes the core of a family to instill the strength and values that make up really this kind of character. So, I want to extend my congratulations to him. I will tell you that when we

came, when he came up for picture taking, us ladies asked to touch his hair, and he is, he is really a gentle, humble person. So, I extend my congratulations to him.

Thank you.

CHAIR WHITE: Thank you very much. Any further discussion on this item? Seeing none.

I will just add my comments, the testifier mentioned that they don't have head gear, but as you will see when Vili comes up, he's got a protective, protective aura about him. You know, it's so fun to hear that he's a fun and funny guy, and at the same time when he's on the field, I'm sure he's so focused and so capable that he's probably not fun to be right near him when he's, he's on the field.

But it's just another example of how those of us on Maui have watched our youth become incredible people and, and spread, not only their talents, but I think especially their Aloha to other places in the country, and that brings, brings back so much warmth and aloha to Maui and to Hawaii. So, again, as we did with the kids, to Vili, mahalo for representing Maui in such an amazing way and congratulations on your accomplishments.

With that, I'll take the vote. All those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed please say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused"; Mr. Carroll.

Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair. May I invite Vili to come to the floor to receive his accolades and to say a few words?

CHAIR WHITE: Certainly.

COUNCILMEMBER GUZMAN: Thank you.

CHAIR WHITE: Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair. It's my great honor to present this resolution to Vili. He is our Mr. Rugby now of Maui. And it is very soft, his hair is very soft; he has a lot of protection. So, I'd like to invite him to say a few words, and you'll really see his personality shine and just like what Chair said, I'm sure he's fearsome on the field, but yeah, just a really, funny and good guy.

So, say a few words for us, and we'll congratulate you. Thank you very much.

MR. VILI TOLUTA'U: Hello, Chair.

CHAIR WHITE: Aloha.

MR. TOLUTA'U: Councilmembers. Everybody. I don't know where to start. I don't know how to top off a "Henehene Kou `Aka" dance like that by a seven-year-old. So, but I love it, you guys keep doing, congratulate you guys as well and it's been an honor to be with you guys in celebrating this journey.

And um, yeah, it's been a rough start. I want to thank Jack, actually shaping me up, waking up early in the morning, go training. Thank my family, my mom and dad, just being the parents they are, shaped me to the way I am today. And also my siblings for being supportive in everything I do. And, also, I would like to thank the County of Maui, always supporting me overseas, I know it's hard to follow up with rugby, as you guys said, it is hard to follow rugby, it's not that big here, but hopefully this is a start for it.

And I see already improvement from the keikis that are already interested in the rugby. Running out there with flags and not tackling yet so, but it's good.

Yeah, like Guzman said, I tape my wrist, it's not hurt or anything, I just tape it to write "808 Maui" on it, to um, that's where I get my motivation. Every time I'm away, I always miss home, when I'm tired, I look down, I see "808 Maui" on there. I know Maui has my back always, that keeps me pushing on the inside.

But, Joshua 1:9 says, "Have I not commanded you? Do not be afraid or discouraged. Be strong and courageous." So those are the things that keep me motivated to keep on going. I always think of my family back home and the keikis. And the guys always wonder, how do you keep going, how do you have so much energy in you. I always show them this and I show them "shaka". That's what keeps me going.

So, with that, I want to thank you guys and I'm sorry for the track of mud I that I came in, I had to get the group started at work and then I came here. Thank you, guys, so much.

CHAIR WHITE: Thank you for joining us today, Vili.

Mr. Clerk, let's proceed.

COUNTY CLERK: Mr. Chair, for the record, RESOLUTION 18-140.

RESOLUTION  
NO. 18-141

CONGRATULATING THE MAUI GOLD MEDAL  
WINNERS AT THE 2018 HAWAIIAN CANOE  
RACING ASSOCIATION STATE CHAMPIONSHIP  
REGATTA

CHAIR WHITE: Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair.

Now that I'm an emotional wreck here, but it's outta happiness, outta happiness.

CHAIR, I MOVE THAT THE PROPOSED RESOLUTION  
ENTITLED "CONGRATULATING THE MAUI GOLD MEDAL  
WINNERS AT THE 2018 HAWAIIAN CANOE RACING  
ASSOCIATION STATE CHAMPIONSHIP REGATTA" BE  
ADOPTED.

COUNCILMEMBER KING:

SECOND.

CHAIR WHITE: We have a motion from Ms. Cochran, and a second from Ms. King.

Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. Chair, I'd like to request the Clerk read the resolution in its entirety, please?

CHAIR WHITE: Certainly.

Mr. Clerk.

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

CHAIR WHITE: Thank you, Mr. Clerk.

Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. The sport of canoe racing was invented in Hawaii, traditionally called heihei wa'a. This sport was widely practiced by Hawaiian chiefs. As European influences began to take over, this sport was banned. Thanks to Hawaiian renaissance over the last 30 years, Hawaii has witnessed a resurrection of its rich ancestry and outrigger canoeing and canoe racing have once again been revived.

Thanks to these crews, coaches and their clubs, our cultural practices will continue to thrive and once again we are learning to listen to the voice of the ocean and our kupuna to guide us. It is important that we recognize the effort of these individuals and their actions, not only for their part in perpetuating our history but also for the tremendous effort and sacrifice it takes to achieve this level of excellence.

It is important for us, the County, as a community to celebrate and congratulate the efforts and achievements of these individuals because they deserve our support and recognition. It's also important to show future generations, that the decisions to make commitments to cultural activities and sports matters, and that without them and others like them, we could have very easily lost traditional practices.

To the kumu's and clubs, we thank you for mentoring both young and the seasoned, sharing traditional knowledge and growing athletes. We want you to know that your time, dedication to your crews and community does not go unnoticed. So mahalo to everyone involved here.

And it's one of the sports that I've, my first team sports that I got involved with to, as I won't say how long ago that was. It definitely gives you the sense of ohana and everyone pulls their own fair, their weight and share to make, to win to cross that finish line. So, I know the hard work it takes, but it's also a, it brings people together and learns the art of being unified and in sync.

So mahalo and thank you. Looking for support of this resolution.

CHAIR WHITE: Thank you, Ms. Cochran.

Any further discussion on this item? Ms. King.

COUNCILMEMBER KING: Chair, I just want to add my support. I think we all support the sport of canoe paddling. I know that back in my early, early years, I won't say how long ago, being on the State Board of Education pushing to get this into the high school athletics program.

But I'm also, I also want to thank all the canoe hale for being so welcoming to lay people like myself have gone out and paddled with our local in Kihei and to the tourist to, to just spread the aloha that way. And it does take a lot of coordination, team coordination, a lot of, a lot of physical energy. It's a great sport and the, I think the thing that is most impressive to me about winning these types of awards is the type of coordination and team spirit you have to have. And we know we can use as much of that as possible in today's world, you know in sports and without sports.

So, thank you very much for bringing this forward, Member Cochran, and I wholeheartedly support it.

CHAIR WHITE: Thank you, Ms. King.

Any further discussion?

Mr. Atay.

COUNCILMEMBER ATAY: Thank you, Chair. I fully support this resolution. As a former coach, participant at the Hawaii Canoe Racing Association State Championships, you know, I look, look at the champions that are being represented here. You got boys 12, girls 13, girls 14, boys 14, girls 15, 16 and 18. A large amount of the winning champs, state championship crews are being represented on teams coming from the youth and/or na opio division, which indicates that our state sport has a great future to carry on. And so, I want to applaud all of the winners, most especially all of the dedicated coaches who choose to carry this sport forward. Thank you.

CHAIR WHITE: Thank you.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. I too would like to express my support and as I, one of the names that were mentioned is Diane Ho. And some of us who know her, and I can see her as the shining bright leader amongst this whole group of

this organization. As her spirit that she carries and what she gives the community is way beyond her law practice, and I know that takes a lot too. But, to everybody thank you very much and I will support this wholeheartedly.

CHAIR WHITE: Thank you, Ms. Sugimura.

Any further discussion?

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, thank you. Excuse me. I speak in support of the resolution. One thing that, you know, I noticed this morning, Chairman is the diversity of this community's level of excellence. We've had culture this morning, we've had athletics or sports, now we have also another component of culture in the arts, which is canoe paddling.

And I can appreciate the words from my colleague to the right of me regarding the renaissance, and that through this sport though, it takes a lot to make that canoe go. You cannot have six paddlers paddling differently. The canoe is not going to get the speed, cutting of the water, everything else because they not working together. The success of a winning canoe is teamwork and the unity of the six individuals becoming one.

And so my comments this morning is about again recognizing the diversity of this county's excellence. You know we have musicians, whether it's the Willie K's or the Amy Gilliom's or whoever it may be to now even individuals. And I can tell you that this sport is tough, I did it 45 years ago, okay, Ala Wai Canal, Waikiki Canoe Club. It was no fun tipping over in Ala Wai Canal, let me tell you. . . . So, we always headed out to the, to Magic Island because that was the cleaner water to huli over in.

But you know the point is Chairman, I just want to commend that this community has embraced, has supported whether it be through parents, through just supporters, but the diversity of excellence tells us something about how this community is made up. And the level of commitment to each other and that's why if anything we can say it is true, "Maui Nui is No Ka Oi".

Thank you.

CHAIR WHITE: Thank you, Mr. Hokama.

Any further discussion?

CHAIR WHITE: Well, I'll just add that I see so many familiar names on that list of coaches. I take my hat off to their long time and incredible dedication to our keiki. And it's just, you know, I agree with all the things that were said, it's just another example of how Maui is just a really great place.

Any further discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused"; Mr. Carroll.

Back to Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. With no objections from my fellow Members or yourself Chair, I would like to invite the attendees to come down to the podium to get their resolution. And the gallery did empty, but today is a work day, today is a school day, so obviously many of the participants and winners that we are congratulating today could not be in attendance, but who is here we shall congratulate them.

CHAIR WHITE: Yes, if you all please come and join us on the floor.

COUNCILMEMBER COCHRAN: Chair, thank you for this opportunity, and again, obviously we'd have about 75 people here today, but it's a work day and it is a school day, so without further ado, we do have Wailea representatives here and Hawaiian Canoe Club. And I'll have Ka'ili here to come up and say, speak on their behalf.

MS. KA'ILI MOIKEHA: So, each year we strive to represent our communities, our families, our home, and the County at the HCRA State Championship Regatta. And we do this by practicing and perpetuating our culture in our sport of outrigger canoe paddling. And although our paddlers couldn't be here, they're extremely blessed and grateful for this recognition. It really does take a village to get us to where we are today and without the support from our family, our culture is our club, our association as a whole,

community members and the County of Maui, we would not be able to do what we have and what we can accomplish. And we're able to excel because of this support.

So, on behalf of Hawaiian Canoe Club and Wailea, we are here, and we want to thank you for this recognition.

Aloha.

COUNCILMEMBER COCHRAN: Thank you very much, Chair for this opportunity.

CHAIR WHITE: Thank you. Thank you for joining us this morning.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, for the record RESOLUTION 18-141.

CHAIR WHITE: And with that Members, we'll take our morning break. Please be back in your seats by 10:30 a.m.

(THE MEETING WAS RECESSED BY THE CHAIR AT 10:17 A.M., AND WAS RECONVENED AT 10:30 A.M., WITH ALL MEMBERS PRESENT, EXCEPT FOR MEMBER GUZMAN AND VICE-CHAIR CARROLL, EXCUSED.)

CHAIR WHITE: This meeting will please come back to order.

Mr. Clerk, let's proceed with testimony.

COUNTY CLERK: Mr. Chair, proceeding with the presentation of testimony on agenda items. We have established limited interactive communication that enables individuals from Hana, Lanai, and Molokai, to provide testimony from the District Offices.

Individuals who wish to offer testimony from our District Offices should now sign up with the District Office staff. Individuals who wish to offer testimony in the chamber, please sign up at the desk located on the eighth-floor lobby just outside the chamber door. And, testimony at all locations is limited to the items listed on today's agenda. And pursuant to the Rules of the Council, each testifier is allowed to testify for up to three minutes, with one minute to conclude if requested.

When testifying, please state your name and the name of any organization you may represent.

Hana Office, please identify yourself and introduce your first testifier.

MS. DAWN LONO: Good morning, Chair. This is Dawn Lono at the Hana Office, and there is no one waiting to testify.

COUNTY CLERK: Thank you.

Lanai Office, please identify yourself and introduce your first testifier.

MS. DENISE FERNANDEZ: Good morning, Chair. This is Denise Fernandez on Lanai, and there is no one waiting to testify.

COUNTY CLERK: Thank you. Mr. Chair, the Molokai Office is closed, however they advised us that there is no testifiers there.

We have four individuals who have signed up to provide testimony in the Council chamber. The first individual to provide testimony is Barbara Henny, testifying on Bill 69, to be followed by Jeanne Stabile. Barbara Henny.

(Councilmember Guzman returned to the meeting at 10:33 a.m.)

### PRESENTATION OF WRITTEN OR ORAL TESTIMONY

MS. BARBARA HENNY [testifying on Bill No. 69 (2018)]:

Good morning, Chairman White and Honorable Colleagues of the Council.

I'm Barbara Henny and I represent Front Street Apartments Tenant's Group. I'm here today to encourage you to pass with full approval, Bill No. 69. This ordinance is now before you for the second and final reading. During this long and arduous process, we continue to trust that a favorable decision will be made pertaining to Front Street Apartments in Bill 2293, relating originally and specifically to Front Street, which was inexplicably gutted and replaced during the legislative process.

Bill 2293 was signed on July 7, in Lahaina, by both Governor Ige and Mayor Arakawa, who consented respectively to an appropriation of \$250,000 from the 2018 Budget. This matching funding of \$250,000 by State and Council ensured that negotiations would facilitate an appraisal of Front Street, thus allowing the process toward eminent domain, condemnation of the ground lease and eventual purchase of the apartment complex.

In previous meetings, many of you have expressed willingness to pursue retaining the Front Street Apartment Affordable Housing in West Maui, and we have received much support and media exposure in the past two years. Affordable housing in West Maui has been a priority for many years and still is, contrary to many proposals to construct extra units. So far, too little have tangibly evolved, and obviously within the constraints of our tenants' timelines, it will be too late if we are to be evicted on August 2019. This is and has been a slow moving and frustrating process fought by strong, determined and influential supporters and we trust all efforts will not be in vain and that there will be a satisfactory and timely resolution.

Grateful thanks are due to all who have considered our pleas and who are willing to pledge to uphold our rights. Mahalo to all. Thank you.

CHAIR WHITE: Thank you, Ms. Henny. Members, any need for clarification? Seeing none, thank you for being here this morning.

Mr. Clerk.

COUNTY CLERK: Next testifier is Jeanne Stabile, testifying on Bill 69, to be followed by Cassandra Abdul.

MS. JEANNE STABILE [testifying on Bill No. 69 (2018)]:

Good morning, Mr. Chair and Councilmembers. And I am here on behalf of Front Street Apartments. I've lived there for 15 years. When I signed the lease it was under the assumption that it would be affordable for 50 years. So, when I signed it was Front Street Affordable Apartments. It is now Front Street Apartments, and I noticed when they were taking, I was coming home from the beach, they were taking the word "affordable" off the, you know, the sign, and I knew instantly something was changing.

So, I, Bill 69, I truly hope that you consider this and approve it. I personally have been looking around, it will cost several thousand dollars to move, and there's, and I'm having a hard time finding a place to move to. I just would like to really, graciously ask you to consider this. This is, this is our future and I'm also speaking on behalf of many of my neighbors who were unable to be here due to work issues or illness. Please consider this. This is our future for almost all of us. Thank you so much, I really appreciate you letting me speak.

CHAIR WHITE: Thank you, Ms. Stabile.

Members, any need for clarification?

COUNCILMEMBER KING: Just one question.

CHAIR WHITE: Ms. King.

COUNCILMEMBER KING: Thank you. Thank you for being here.

CHAIR WHITE: We have, we have a question for you Ms. Stabile.

COUNCILMEMBER KING: What, when was that, that the, the sign changed from Front Street Affordable to Front Street? Do you remember?

MS. STABILE: I believe it was 2016, and I saw them taking down one letter at a time. I knew, you know, I just knew. I believe it was January 2017 or December 2016 is when they announced the 15-year tax loophole, which I never saw in any papers that I ever signed when I moved there.

COUNCILMEMBER KING: Thank you very much--

MS. STABILE: Okay, your welcome.

COUNCILMEMBER KING: --I think we're all in agreement there.

CHAIR WHITE: Thank you for being here this morning.

Mr. Clerk.

COUNTY CLERK: Next testifier is Cassandra Abdul, Executive Director, testifying on County Communication 18-312, on behalf of Na Hale O Maui.

MS. CASSANDRA ABDUL, NA HALE O MAUI (testifying on County Communication No. 18-312):

Good morning.

CHAIR WHITE: Good morning.

MS. ABDUL: Quite a morning we had with all the resolutions and the people in here. It just really touches all of our hearts, I think.

And I'm here again today on behalf of Na Hale O Maui, where I'm the Executive Director to talk about Communication 18-312, which is an in-kind grant of a house in Waikapu Gardens, Phase II, to Na Hale O Maui. This is a house that was purchased just a couple of years ago by the homeowners, who then decided to sell. And as required under the deed restriction, they offered the property to the County of Maui and thank goodness the Department of Housing and Human Concerns, exercised that option.

What it meant was, the house is going to remain affordable. At least for the ten-year period, about seven years left. If they had not exercised that option, the house could have been sold at market rates now. By allowing Na Hale O Maui to receive the house as an in-kind grant, that means that this house will now move from 7½ years, or 7 years of affordability to perpetuity. It will stay affordable forever, it will never go to market price.

This is not the first time, our first experience. Earlier, in about 2014 I believe, the County of Maui granted a house in Waikapu Gardens, Phase I to Na Hale O Maui. The circumstances were a little different, but this would be the second house that would be granted to Na Hale O Maui, in-kind. It will increase our houses from 33 to 34, and we will again find a qualified buyer, income qualified buyer that will be placed in the house once we do a little bit of cleaning up and renovating. And, of course with the 12 homes that we are almost ready to start in Kahoma, it will make a significant difference for our families here.

So again, thank you very much for considering this. We look forward to being able to discuss it further with you, in the specific committees that you refer this bill to. But again, I would like to give you my heartfelt thank you for all of, each one of you, that has supported affordable housing, we really truly appreciate it and we honestly could not do it without your support.

Thank you.

CHAIR WHITE: Thank you, Ms. Abdul.

Members, any need for clarification? Seeing none, thanks for being here this morning.

MS. ABDUL: Thank you very much.

CHAIR WHITE: Mr. Clerk.

COUNTY CLERK: Next testifier is Gary Kubota, Liaison Volunteer of the Front Street Apartment Tenants Group, testifying on Bill 69.

MR. GARY KUBOTA [testifying on Bill No. 69]]:

Good morning, thank you for your time and your support.

I just wanted to add something to, to what Riki Hokama was saying, because I think that it's important to honor the labor movement. It was the labor movement that united all the different ethnic groups together, so they were able to make these social changes in the 1950's. And it took Hawaiians, Filipinos, Japanese, and Portuguese and you know, white people and all different kind of colors and coming from, a lot of them work, from working class communities to, to enable this kind of social change. And also a measure of respect about the different ethnicities and being willing to talk across political party lines sometimes and sometimes ethnic lines.

One of the, one of the things I know is the story about a guy named Major Okada, who was a community organizer for the ILWU. He was an ex-baseball player, high school baseball player from Mid Pac. He got a scholarship, came back and all these people who didn't have as much education were telling him fill the sack with sugar inside, Oahu Sugar Plantation, and that was his job. And he decided to organize.

But when it came to helping people, Major attended meetings for the Filipino community of Oda Camp. And he was the one who knew George Ariyoshi and campaigned for George Ariyoshi and eventually he told George you got to do something for these people.

So what I'm just saying is that, when it comes to appealing to people for help, you need to appeal to a broad spectrum. Like what we've done is basically appeal to, frankly I called Oda Camp and they sent a letter of support. I called Waiahole Waikane, the Hawaiian community and He'eia Kea and Buddy Ako, Randy Kalahiki's relatives and they all sent letters of support, because they know what the situation is here. They know what it feels like.

And I'd like to thank all of you for supporting this, and you know, and congratulating you for, for taking this kind of a stance. Mahalo.

CHAIR WHITE: Thank you, Mr. Kubota.

Members, any need for clarification? Thank you for being here.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, Mr. Kubota was the last individual who signed up to provide testimony. If there's any additional individuals in the Council chamber or at the District Offices who would like to offer testimony, please identify yourself to the appropriate staff and proceed to the testimony lectern or District Office conference call area at this time.

Hana Office, are there any additional testifiers?

MS. LONO: There is no one waiting to testify in the Hana office.

COUNTY CLERK: Thank you.

Lanai Office, are there any additional testifiers?

MS. FERNANDEZ: There is no one waiting to testify at the Lanai office.

COUNTY CLERK: Thank you.

Mr. Chair, there's no additional individuals in the District Offices nor the chamber who wish to offer testimony, and we have received written testimony.

CHAIR WHITE: Thank you, Mr. Clerk.

Without objection, we'll receive the written testimony into the record.

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. Cassandra Abdul, Na Hale O Maui;
2. Shane Skinner, Seattle Seawolves Rugby;
3. Corinne McKinnon; and
4. James Smith.

CHAIR WHITE: Thank you, so ordered. And without objection, we will close public testimony for today.

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Thank you.

Let's move on with the agenda, Mr. Clerk.

COUNTY CLERK: Mr. Chair, proceeding with minutes.

### MINUTES

The minutes of the Council of the County of Maui's regular meeting/public hearing of May 18, 2018, special meeting of May 29, 2018, regular meeting of July 6, 2018, regular meeting of July 20, 2018, and regular meeting of August 3, 2018 were presented at this time.

CHAIR WHITE: Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair.

I MOVE THAT THE MINUTES OF THE REGULAR MEETING  
AND PUBLIC HEARING OF MAY 18, 2018, THE SPECIAL  
MEETING OF MAY 29, 2018 AND THE REGULAR MEETINGS  
OF JULY 6, 2018, JULY 20, 2018 AND AUGUST 3, 2018 BE  
APPROVED.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR WHITE: We have a motion from Ms. Crivello, and a second from Ms. Sugimura.

Ms. Crivello.

COUNCILMEMBER CRIVELLO: No discussion, Chair.

CHAIR WHITE: Thank you. Any discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused", Mr. Carroll.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, proceeding with county communications.

### COUNTY COMMUNICATIONS

NO. 18-289 - MARK R. WALKER, DIRECTOR OF FINANCE,  
(dated August 2, 2018)

Transmitting two reports on the settlement of claims as of June 30, 2018.

CHAIR WHITE: Thank you.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, with no objections, from any of the Members, I request that the Clerk also bring up Communications 18-290, 291, 292, 298 and 306.

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: So ordered.

Mr. Clerk.

NO. 18-290 - WILLIAM R. SPENCE, ACTING DIRECTOR OF HOUSING AND  
HUMAN CONCERNS, (dated July 26, 2018)

Transmitting Modification Order No. 2 from the State of Hawaii, Executive Office on Aging, for the Kupuna Caregivers Program in the amount of \$167,796.

NO. 18-291 - WILLIAM R. SPENCE, ACTING DIRECTOR OF HOUSING AND HUMAN CONCERNS, (dated July 31, 2018)

Transmitting Modification Order No. 5 from the State of Hawaii, Executive Office on Aging, for the Kupuna Care Program in the amount of \$1,130,432.

NO. 18-292 - MARK R. WALKER, DIRECTOR OF FINANCE,  
(dated August 10, 2018)

Transmitting 152 contracts/grants for July 2018.

NO. 18-298 - MARK R. WALKER, DIRECTOR OF FINANCE,  
(dated August 13, 2018)

Informing of the scheduled Bond Rating presentations in conjunction with the 2018 Series general obligation bond issuance.

NO. 18-306 - MICHELE MCLEAN, PLANNING DIRECTOR,  
(dated August 14, 2018)

Transmitting the notice of grant-in-aid award from the State of Hawaii Office of Planning for the Coastal Zone Management Program in the amount of \$416,975.

COUNCILMEMBER HOKAMA: Chairman, with no objections from any of the Members, again I also, at this time, I ask the Clerk to bring up 307, 308.

CHAIR WHITE: Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Okay, so ordered.

Mr. Clerk.

NO. 18-307 - MARK R. WALKER, DIRECTOR OF FINANCE,  
(dated August 10, 2018)

Relating to grant revenues and transmitting the following:

1. Approval letter from the State of Hawaii, Department of Transportation for the Periodic Motor Vehicle Inspection, Commercial Driver License, State Identification, and Motor Vehicle Registration Programs; and
2. Memorandum of Agreement with the State of Hawaii Disability & Communication Access Board for implementation of the Persons with Disabilities Parking Program.

NO. 18-308 - WILLIAM R. SPENCE, DIRECTOR OF HOUSING AND HUMAN CONCERNS, (dated August 15, 2018)

Transmitting a contribution letter from Matson, Inc. for the Maui County Nutrition Program in the amount of \$1,000.

CHAIR WHITE: Thank you, Mr. Clerk.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, thank you very much.

CHAIRMAN, I MOVE THAT THE COMMUNICATIONS, AS READ BY THE CLERK BE FILED, EXCEPT UNDER COMMUNICATION 18-292: CONTRACTS C6552, WHICH IS FOR THE WAILUKU WATER COMPANY APPRAISAL; AND C5869-2, WHICH IS FOR THE ADP PAYROLL PROCESSING CONTRACTS, THAT WILL BE REFERRED TO BUDGET AND FINANCE AND ALL OTHER CONTRACTS AND COMMUNICATIONS WOULD BE FILED.

CHAIR WHITE: Any other contracts?

Ms. Sugimura, followed by Ms. Crivello, followed by Ms. Cochran.

COUNCILMEMBER SUGIMURA: Thank you, Chair.

MAY I REQUEST FOR CONTRACT G4679 BE REFERRED TO MY COMMITTEE.

CHAIR WHITE: Thank you.

Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair.

MR. CHAIR, MAY I REQUEST THAT THE FOLLOWING GRANT BE REFERRED TO YOUR HOUSING, HUMAN SERVICES AND TRANSPORTATION COMMITTEE; G4551-1, RELATING TO FABMAC AFFORDABLE HOUSING PROJECT.

CHAIR WHITE: Thank you, and Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you.

I'D LIKE TO REQUEST, C6339-1 BE REFERRED TO APPROPRIATE STANDING COMMITTEE. THIS IS IN REFERENCE, TO THE WEST MAUI GREENWAY CONTRACT.

CHAIR WHITE: Thank you.

Any further requests? Seeing none, all those in favor of the motion--

COUNCILMEMBER HOKAMA: Chair, I have a, I need a second to my motion.

CHAIR WHITE: Oh, I'm sorry.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR WHITE: We have a motion from Mr. Hokama, and a second from Ms. Sugimura.

Any further discussion?

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, yeah, thank you. I know this is a motion that encompasses many communications, but basically it's housekeeping requirements by the body being notified of either accepting various grants or execution of agreements.

Regarding Communication 298, all these presentations have already been completed in the month of August as it regards to the GO bonds issuance ratings for this County. And I can report that the three key bonding agencies have given us the highest rating available to this County at this time, Chairman.

Also, on Communication 18-306, the department filed an inappropriate, I would consider a communication that is insufficient for processing; therefore, I am recommending filing of said communication.

All others, I'm open to any questions by the Members. Thank you.

CHAIR WHITE: Thank you, Mr. Hokama.

Members, any further discussion on this item?

COUNCILMEMBER KING: Chair.

CHAIR WHITE: Ms. King.

COUNCILMEMBER KING: Just a clarification on 306, the grant-in-aid award. So, is that, is there an issue with that money, or just the report? We're just filing the report?

COUNCILMEMBER HOKAMA: Chairman.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: We are filing the communication that was sent by the Planning Department. They are going to be required to resubmit an accurate proposal for us to consider.

COUNCILMEMBER KING: Okay. Thank you.

CHAIR WHITE: Any further discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused".

Mr. Clerk.

NO. 18-293 - ALAN M. ARAKAWA, MAYOR,  
(dated July 31, 2018)

Informing of a vacancy on the Cost of Government Commission due to the resignation  
of Gayla Haliniak-Lloyd on July 25, 2018.

CHAIR WHITE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair.

May I ask the Clerk also bring up County Communication 18-294.

CHAIR WHITE: Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: So, ordered.

Mr. Clerk.

NO. 18-294 - ALAN M. ARAKAWA, MAYOR,  
(dated August 7, 2018)

Informing of a vacancy on the Board of Variances and Appeals due to the resignation  
of Evelyn Kissen on August 6, 2018.

CHAIR WHITE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you.

I MOVE TO FILE COUNTY COMMUNICATIONS 18-293 AND  
294.

COUNCILMEMBER HOKAMA:

SECOND.

CHAIR WHITE: We have a motion from Ms. Sugimura, and a second from Mr. Hokama.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. The Mayor has received notifications of the resignation of Ms. Haliniak-Lloyd and Ms. Kissen. We sincerely thank them for their service and wish them the best in their future endeavors.

CHAIR WHITE: Thank you.

Any further discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused".

Mr. Clerk.

NO. 18-295 - MARK R. WALKER, DIRECTOR OF FINANCE,  
(dated July 31, 2018)

Informing of the acceptance of Waterline Easement U-4, Richard Antone Subdivision,  
TMK: (2) 2-7-002:078 Por.

CHAIR WHITE: Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair.

MR. CHAIR, I MOVE TO FILE COUNTY COMMUNICATION  
18-295.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR WHITE: We have a motion from Ms. Cochran and a second from Ms. Sugimura.

Ms. Cochran.

COUNCILMEMBER COCHRAN: Chair, thank you. This matter is a housekeeping type item and it's in reference to Section 3.44.015H, Maui County Code, and the Director of Finance is required to notify us in writing of any acquisition, conveyance made to the County, pursuant to this section. So, according to the information for this county communication, the easement purpose is for access to water meter and for waterline purposes. No County funds were used to acquire the property and the easement location and width is acceptable to our Department of Water Supply, in conformance with our standards.

So, just looking for filing of the communication.

CHAIR WHITE: Thank you. Any further discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", one "excused".

Mr. Clerk.

NO. 18-296 - MARK R. WALKER, DIRECTOR OF FINANCE,  
(dated July 31, 2018)

Informing of the acceptance of Waterline Easement U-5, Richard Antone Subdivision,  
TMK: (2) 2-7-002:077 Por.

CHAIR WHITE: Ms. Cochran.

COUNCILMEMBER COCHRAN:

CHAIR, I MOVE TO ALSO FILE THIS COUNTY  
COMMUNICATION 18-296.

COUNCILMEMBER HOKAMA:

SECOND.

CHAIR WHITE: We have a motion from Ms. Cochran and a second from Mr. Hokama.

Ms. Cochran.

COUNCILMEMBER COCHRAN: Chair, thank you. Sorry, I should've probably combined these two. But the information is still the same for the first motion I, I did. This also is easement for access to water meter and waterline purposes and no County funds were utilized here, so again, looking to file this communication.

CHAIR WHITE: Thank you. Any further discussion? Seeing none, all those in favor signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused".

Mr. Clerk.

NO. 18-297 - GLADYS C. BAISA, ACTING DIRECTOR OF WATER SUPPLY,  
(dated August 2, 2018)

Transmitting the Department of Water Supply's Monthly Source Report and  
Groundwater Use Report for the month ending July 2018.

CHAIR WHITE: Mr. Atay.

COUNCILMEMBER ATAY:

CHAIR, I MOVE TO FILE COUNTY COMMUNICATION 18-297.

COUNCILMEMBER COCHRAN:

SECOND.

CHAIR WHITE: We have a motion from Mr. Atay, and a second from Ms. Cochran.

Mr. Atay.

COUNCILMEMBER ATAY: Chair, this report is strictly informational.

There is no Council action needed. I appreciate receiving the information and respectfully request the communication be filed.

CHAIR WHITE: Thank you. Any discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused".

Mr. Clerk.

COUNTY CLERK: Mr. Chair, the following communications are being recommended to be referred to the following Committees:

NO. 18-299 - SANANDA K. BAZ, BUDGET DIRECTOR,  
(dated July 30, 2018)

Transmitting the Budget Implementation Report as of March 31, 2018 (Fiscal Year 2018 Fourth Quarter).

The recommended action is that County Communication No. 18-299 be referred to the Budget and Finance Committee.

NO. 18-302 - STACY CRIVELLO, COUNCILMEMBER,  
(dated August 14, 2018)

Relating to the modular homes.

The recommended action is that County Communication No. 18-302 be referred to the Housing, Human Services, and Transportation Committee.

NO. 18-303 - ROBERT CARROLL, COUNCILMEMBER,  
(dated August 13, 2018)

Relating to the District Boundary Amendment for the proposed Wailuku Apartment Rental Housing Project.

The recommended action is that County Communication No. 18-303 be referred to the Land Use Committee.

NO. 18-304 - MICHELE MCLEAN, PLANNING DIRECTOR,  
(dated August 14, 2018)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE REPEALING CHAPTER 19.36A, MAUI COUNTY CODE, AND ESTABLISHING CHAPTER 19.36B, MAUI COUNTY CODE, RELATING TO OFF-STREET PARKING AND LOADING" and related documents.

The recommended action is that County Communication No. 18-304 be referred to the Land Use Committee.

COUNTY CLERK: Mr. Chair, if we could get those items approved for referral before we continue on with the rest of the communications.

CHAIR WHITE: Okay. Members, any objections to the referrals as read by the Clerk?

MEMBERS VOICED NO OBJECTION.

COUNCILMEMBER GUZMAN: Chair.

CHAIR WHITE: Mr. Guzman.

COUNCILMEMBER GUZMAN: In regards, to County Communication 18-318--

CHAIR WHITE: Three what?

COUNCILMEMBER GUZMAN: Is that right? Yeah, are we on that--

CHAIR WHITE: No, we're not there yet.

COUNCILMEMBER GUZMAN: Okay, thank you.

CHAIR WHITE: Any--

COUNCILMEMBER COCHRAN: Chair.

CHAIR WHITE: Ms. Cochran.

COUNCILMEMBER COCHRAN: I'm looking at 18-304 and trying to get a little bit more, wondering if that's not Infrastructure. Off-street parking and loading, I know, I typically run those types of information, those things through Infrastructure. But I'm trying to figure out if this is about new parking codes so, and it is coming from Planning--

CHAIR WHITE: Yes, it's Chapter 19 so it goes to Land Use, I believe.

COUNCILMEMBER COCHRAN: --okay. Okay, I was just double checking. A lot of things from Public Works come to me via parking codes, parking and stuff so.

CHAIR WHITE: Right.

COUNCILMEMBER COCHRAN: Okay. Thank you.

CHAIR WHITE: Okay.

All those in favor, no, no objections, right? Thank you.

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Mr. Clerk, please proceed.

COUNTY CLERK: Mr. Chair, continuing with county communications for referral.

NO. 18-309 - MARK R. WALKER, DIRECTOR OF FINANCE,  
(dated August 28, 2018)

Reporting on transfers/loans from the General Fund and the Department of Water Supply Revenue Fund to the 2017 Proposed General Obligation Bond Fund as of July 31, 2018.

The recommended action is that County Communication No. 18-309 be referred to the Budget and Finance Committee.

NO. 18-310 - SANANDA K. BAZ, BUDGET DIRECTOR,  
(dated August 31, 2018)

Transmitting the following proposed bills entitled:

1. "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES – SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2019, COUNTYWIDE SEWER CAPITAL IMPROVEMENT RESERVE FUND"; and
2. "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, KIHEI-MAKENA COMMUNITY PLAN AREA, SOUTH MAUI RECYCLED WATER SYSTEM EXPANSION".

The recommended action is that County Communication No. 18-310 be referred to the Budget and Finance Committee.

NO. 18-311 - SANANDA K. BAZ, BUDGET DIRECTOR,  
(dated August 31, 2018)

Transmitting the following:

1. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA, SEWER, HAWAIIAN HOMES FORCE MAIN REPLACEMENT; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)";
2. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C - CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA, HAWAIIAN HOMES FORCE MAIN REPLACEMENT"; and

3. "CERTIFICATION OF ADDITIONAL REVENUES FOR FISCAL YEAR 2019".

The recommended action is that County Communication No. 18-311 be referred to the Budget and Finance Committee.

NO. 18-312 - WILLIAM R. SPENCE, DIRECTOR OF HOUSING AND HUMAN CONCERNS, (dated August 30, 2018)

Transmitting a proposed resolution entitled "AUTHORIZING THE GRANT OF THE REAL PROPERTY LOCATED AT 95 OHANA HANA LOOP, WAILUKU, MAUI, HAWAII, TO HOUSING AND LAND ENTERPRISE OF MAUI DBA NA HALE O MAUI".

The recommended action is that County Communication No. 18-312 be referred to the Housing, Human Services, and Transportation Committee.

NO. 18-313 - MICHELE MCLEAN, PLANNING DIRECTOR, (dated April 20, 2018)

Relating to subdivision consistency with the General Plan, in conjunction with the Theodore Yamamura Subdivision, TMK: (2) 2-7-003:092.

The recommended action is that County Communication No. 18-313 be referred to the Land Use Committee.

NO. 18-314 - MICHELE MCLEAN, PLANNING DIRECTOR, (dated August 28, 2018)

Transmitting a Conditional Permit application submitted by Sprint Wireless for the Sprint Wireless Telecom Facility, transmitting documents and a proposed bill entitled "A BILL FOR AN ORDINANCE GRANTING SPRINT WIRELESS A CONDITIONAL PERMIT TO ALLOW THE INSTALLATION OF A WIRELESS TELECOMMUNICATION FACILITY CONSISTING OF A THIRTY-FIVE (35) FOOT MONOPALM TOWER WITH AN ADDITIONAL FIVE (5) FEET OF PALM FRONDS AT THE TOP, AND A 200 SQUARE-FOOT LEASE AREA TO CONTAIN EQUIPMENT ON THE GROUND; LOCATED IN THE A-2 APARTMENT DISTRICT, FOR PROPERTY SITUATED AT 3740 LOWER HONOAPIILANI ROAD AND IDENTIFIED AS TAX MAP KEY NUMBER (2) 4-3-006:004, LAHAINA, MAUI, HAWAII".

The recommended action is that County Communication No. 18-314 be referred to the Land Use Committee.

NO. 18-315 - DAVID C. GOODE, DIRECTOR OF PUBLIC WORKS,  
(dated August 29, 2018)

Transmitting a proposed resolution entitled "AUTHORIZING THE GRANTING OF A LICENSE TO USE COUNTY OF MAUI REAL PROPERTY SITUATED AT MAKAWAO, MAUI, HAWAI'I TO ALEXANDER & BALDWIN, LLC, AS LICENSEE, AND TO DORIS TODD CHRISTIAN ACADEMY, AS SUBLICENSEE, FOR EXISTING ENCROACHMENTS ALONG A PORTION OF BALDWIN AVENUE".

The recommended action is that County Communication No. 18-315 be referred to the Land Use Committee.

NO. 18-316 - MARK R. WALKER, DIRECTOR OF FINANCE,  
(dated August 10, 2018)

Transmitting the Taxicab Rates of Fare and Baggage Charges.

The recommended action is that County Communication No. 18-316 be referred to the Policy, Economic Development, and Agriculture Committee.

NO. 18-317 - ALIKA ATAY, COUNCILMEMBER,  
(dated August 29, 2018)

Relating to coqui frog eradication in Maui County.

The recommended action is that County Communication No. 18-317 be referred to the Policy, Economic Development, and Agriculture Committee.

NO. 18-318 - KA'ALA BUENCONSEJO, DIRECTOR OF PARKS AND RECREATION, (dated August 3, 2018)

Transmitting a proposed resolution entitled "AUTHORIZING THE SECOND AMENDMENT TO THE MAUI INVITATIONAL BASKETBALL TOURNAMENT LICENSE AGREEMENT, PURSUANT TO SECTION 3.36.090, MAUI COUNTY CODE".

The recommended action is that County Communication No. 18-318 be referred to the Policy, Economic Development, and Agriculture Committee.

(COUNTY COMMUNICATION NO. 18-318 WAS LATER REFERRED TO THE PARKS, RECREATION, ENERGY, AND LEGAL AFFAIRS COMMITTEE. See page 46 for discussion and action.)

NO. 18-319 - KA'ALA BUENCONSEJO, DIRECTOR OF PARKS AND RECREATION, (dated August 27, 2018)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 12.24A, MAUI COUNTY CODE, RELATING TO EXCEPTIONAL TREES".

The recommended action is that County Communication No. 18-319 be referred to the Parks, Recreation, Energy, and Legal Affairs Committee.

NO. 18-320 - GLADYS C. BAISA, DIRECTOR OF WATER SUPPLY, (dated August 27, 2018)

Transmitting the State of Hawaii Commission on Water Resources Management water use reports for May and June 2018 for all registered well reporters in the County of Maui.

The recommended action is that County Communication No. 18-320 be referred to the Water Resources Committee.

NO. 18-321 - ALIKA ATAY, COUNCILMEMBER, (dated August 29, 2018)

Relating to Department of Water Supply waterline upgrades.

The recommended action is that County Communication No. 18-321 be referred to the Water Resources Committee.

CHAIR WHITE: Thank you, Mr. Clerk.

Members, any objections to the referrals as read by the Clerk?

Mr. Guzman.

DISCUSSION RELATING TO  
COUNTY COMMUNICATION NO. 18-318

COUNCILMEMBER GUZMAN: Thank you, Chair. In regards, to County Communication referral 18-318, that is the transmitting of the proposed resolution, "AUTHORIZING THE SECOND AMENDMENT TO THE MAUI INVITATIONAL BASKETBALL TOURNAMENT LICENSE AGREEMENT".

Chair, this is a, these type of license agreements to utilize our County park facilities have usually in the past gone through my committee in terms of the Parks Committee. This is no difference then the Ho'okipa Surf Invitational license agreements that we go through, as well as, I have issues in terms of the actual amendments itself.

This, this agreement, license agreement was originally signed off in December 15, 2004, with an annual payment of 4,800. The first amendment came back, amended it to additional eight years to 2012 with only 5,000 in the annual agreement. And now they're asking for another eight years to 2028, with only an additional 1,000, so the total rental for this license agreement is 6,000.

I have issues. I would like to request that this be referred to my committee and re-exam the entire 2004 original agreement, as they are coming forward with a second amendment to it. Thank you.

CHAIR WHITE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: I remember this discussion in his committee, so I agree we'll continue this discussion and thanks for the review and oversight.

CHAIR WHITE: Thank you. So, without objections we will refer that to Mr. Guzman's committee.

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Okay, thank you. Thank you for bringing that up, Mr. Guzman.

Other than that, no objections, correct? Okay.

Mr. Clerk, let's move on to general communications.

COUNTY CLERK: Mr. Chair, proceeding with general communications.

### GENERAL COMMUNICATIONS

NO. 18-8 - SHARON M. SUZUKI, MAUI ELECTRIC COMPANY, LTD.,  
(dated July 27, 2018)

Transmitting the "EIGHTEENTH ANNUAL STATUS REPORT" in accordance with Condition No. 6 of Ordinance No. 2879, New Central Maui Generation Site Subdivision, Waena Generating Plant.

The recommended action is that General Communication No. 18-8 be referred to the Land Use Committee.

NO. 18-9 - CHRISTINA M. KISHIMOTO, SUPERINTENDENT, DEPARTMENT  
OF EDUCATION, STATE OF HAWAII, (dated August 14, 2018)

Submitting the 2018 Annual Report in accordance with Condition 3 of Ordinance No. 4135, Kihei High School change in zoning.

The recommended action is that General Communication No. 18-9 be referred to the Land Use Committee.

CHAIR WHITE: Thank you. Members, any objections to the referrals as read by the Clerk?

MEMBERS VOICE NO OBJECTIONS.

CHAIR WHITE: So, ordered.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, proceeding with Committee Reports.

## COMMITTEE REPORTS

### COMMITTEE REPORT

NO. 18-132 - BUDGET AND FINANCE COMMITTEE:

Recommending that the Miscellaneous Communication from the County Clerk, referring Contract C5655A, novation only, between the County of Maui and Transworld Systems Inc., dba TSI, relating to assignment of the contract from Progressive Financial Services, Inc. to TSI, be FILED.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, we'll make it easier on everybody today.

So, with no objections, I would ask the Clerk to bring up report 133, 134 and 145.

CHAIR WHITE: Any objections.

MEMBERS VOICED NO OBJECTIONS.

CHAIR WHITE: So, ordered.

Mr. Clerk.

### COMMITTEE REPORT

NO. 18-133 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. That the Miscellaneous Communication from the County Clerk, referring Contract C6480, between the County of Maui and First Hawaiian Leasing, Inc., relating to the establishment of a Lease Line of Credit for the County of Maui, Department of Finance, be FILED; and
2. That the Miscellaneous Communication from the County Clerk, referring Contract C6480-1 (amendment 1), between the County of Maui and First Hawaiian Leasing, Inc., for use of the Lease Line of Credit, by adding to the scope of work equipment for the Waiehu Golf Course, Department of Parks and Recreation, in the amount of \$20,000, be FILED.

COMMITTEE REPORT

NO. 18-134 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. That County Communication 18-43, from the Director of Finance, reporting on transfers/loans from the General Fund and the Department of Water Supply Revenue Fund to the Bond Fund as of December 31, 2017, be FILED;
2. That County Communication 18-91, from the Director of Finance, reporting on transfers/loans from the General Fund and the Department of Water Supply Revenue Fund to the Bond Fund as of January 31, 2018, be FILED;
3. That County Communication 18-126, from the Director of Finance, reporting on transfers/loans from the General Fund and the Department of Water Supply Revenue Fund to the Bond Fund as of February 28, 2018, be FILED;
4. That County Communication 18-164, from the Director of Finance, reporting on transfers/loans from the General Fund and the Department of Water Supply Revenue Fund to the Bond Fund as of March 31, 2018, be FILED; and
5. That County Communication 18-220, from the Director of Finance, reporting on transfers/loans from the General Fund and the Department of Water Supply Revenue Fund to the Bond Fund as of April 30, 2018, be FILED.

COMMITTEE REPORT

NO. 18-145 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. That Bill 75 (2018), entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES – SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2019, AFFORDABLE HOUSING FUND," be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 18-282, from the Budget Director, be FILED.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Chairman.

I MOVE THAT THE FOUR COMMITTEE REPORTS AS  
BROUGHT FORWARD BY THE CLERK BE ADOPTED ALONG  
WITH ITS RECOMMENDATIONS.

COUNCILMEMBER CRIVELLO:

SECOND.

CHAIR WHITE: We have a motion from Mr. Hokama, and I believe the second from Ms. Crivello.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, again your Committee took care of some finance responsibility reviews regarding the first three committee reports. After review, we are recommending filing of those contracts and communications.

On the last one, again we just recommending first reading, be ordered to print, proposed funding request to have the County of Maui participate in a Statewide affordable housing study.

Thank you.

CHAIR WHITE: Thank you, Mr. Hokama.

Members, any further discussion on these items? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, VICE-CHAIR CARROLL, AND  
CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused".

Mr. Clerk.

COUNTY CLERK: Mr. Chair, regarding Committee Report 18-145, for the record, BILL NO. 76 (2018), excuse me, 75 (2018).

COMMITTEE REPORT  
NO. 18-135 - PARKS, RECREATION, ENERGY, AND LEGAL AFFAIRS  
COMMITTEE:

Recommending the following:

1. That Resolution 18-142, entitled "AUTHORIZING SETTLEMENT OF CLAIM NO. 30153916459-0001 OF LEXINGTON INSURANCE COMPANY, ON BEHALF OF ITS INSURED, KIHEI SANDS AOA," be ADOPTED; and
2. That Resolution 18-143, entitled "AUTHORIZING SETTLEMENT OF CLAIM NO. 30177587502-0001 OF ASSOCIATION OF APARTMENT OWNERS OF KIHEI SANDS," be ADOPTED.

CHAIR WHITE: Thank you, Mr. Clerk.

Mr. Guzman.

COUNCILMEMBER GUZMAN: Chairman, may I also request item No. 18-136, as well as, 18-137 and 18-138, and item 18-139 also be called by the Clerk.

CHAIR WHITE: Any objections, Members?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: So, ordered.

COMMITTEE REPORT  
NO. 18-136 - PARKS, RECREATION, ENERGY, AND LEGAL AFFAIRS  
COMMITTEE:

Recommending that Resolution 18-144, entitled "AUTHORIZING SETTLEMENT OF SIMONE BOSCO V. COUNTY OF MAUI, DISABILITY COMPENSATION DIVISION CASE NO. 7-16-01543," be ADOPTED.

COMMITTEE REPORT  
NO. 18-137 - PARKS, RECREATION, ENERGY, AND LEGAL AFFAIRS  
COMMITTEE:

Recommending the following:

1. That County Communication 13-41, from Council Chair Gladys C. Baisa, relating to litigation matters, be FILED; and
2. That the correspondence dated January 18, 2013, transmitting a proposed resolution, entitled "AUTHORIZING SETTLEMENT OF COUNTY OF MAUI V. FELICIA PROVENCAL, CIVIL NO. 12-1-0255(1)," be FILED.

COMMITTEE REPORT  
NO. 18-138 - PARKS, RECREATION, ENERGY, AND LEGAL AFFAIRS  
COMMITTEE:

Recommending that Resolution 18-145, entitled "AUTHORIZING SETTLEMENT OF LESLI LYN OTANI VS. COUNTY OF MAUI, ET AL., CIVIL NO. 17-00281 DKW-KJM," be ADOPTED.

COMMITTEE REPORT  
NO. 18-139 - PARKS, RECREATION, ENERGY, AND LEGAL AFFAIRS  
COMMITTEE:

Recommending that the correspondence dated January 26, 2016, transmitting a proposed resolution, entitled "AUTHORIZING SETTLEMENT OF SPIRIT OF ALOHA TEMPLE, ET AL. V. COUNTY OF MAUI, ET AL., CIVIL NO. CV 14-00535 SOM-RLP," be FILED.

CHAIR WHITE: Thank you, Mr. Clerk.

Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair.

I'D LIKE TO MOVE TO ADOPT THE COMMITTEE REPORTS  
AS READ BY THE CLERK.

COUNCILMEMBER KING:

SECOND.

CHAIR WHITE: We have a motion from Mr. Guzman, and a second from Ms. King.

Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair. After various deliberations with the Committee, we are, I'm asking for the support of the Committee Members to adopt the committee reports.

CHAIR WHITE: Any further discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused".

Mr. Clerk.

COUNTY CLERK: Mr. Chair, for the record for Committee Report 18-135, RESOLUTION 18-142 and 18-143; for Committee Report 18-136, for the record RESOLUTION 18-144; for Committee Report 18-138, RESOLUTION 18-145.

COMMITTEE REPORT

NO. 18-140 - PARKS, RECREATION, ENERGY, AND LEGAL AFFAIR  
COMMITTEE:

Recommending the following:

1. That Bill 76 (2018), entitled "A BILL FOR AN ORDINANCE ESTABLISHING A NEW CHAPTER 2.82, MAUI COUNTY CODE, RELATING TO OPEN SPACE CONSERVATION AND LAND MANAGEMENT," be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 18-200, from Councilmember Don S. Guzman, be FILED.

CHAIR WHITE: Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN  
COMMITTEE REPORT 18-140.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR WHITE: We have a motion from Mr. Guzman, and a second from Ms. Sugimura.

Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair. The proposed bill before the Council today establishes a new chapter in Maui County Code, to guide decision making for acquiring lands or property interest for land conservation purposes, pursuant to Chapter 3.88 of the Maui County Code. The bill also establishes procedures for long-term conservation planning, management of the lands with open space, natural resources, cultural resources, and scenic view values.

I introduced this bill to create a mechanism to the County for community stake holders, conservation planning committee and others to help determine with intention, strategic conservation decisions.

Currently, despite the creation of the Open Space Fund, with the dedicated funding source, guidance in determining which lands to acquire is lacking. Land acquisition appears to be prompted by the Mayor or Council, learning of lands available for sale, and a determination of those lands would fit within those purposes of the Open Space Fund. Decision making, therefore, tends to be reactive rather than proactive.

I have received the transmission from our Council Chair, Mr. White, requesting me to, as Chair of the PRL, to look into creating a mechanism for assessing lands or properties that, what the Open Space Fund would be used for.

In other jurisdictions, I did research that they are in the process of using what we call a "greenprint". This bill provides a process for creating a "greenprint", defined to mean as "a strategic conservation plan and tool based on local conservation priorities and grounded in science to meet the County's conservation goals of protecting important

cultural, historical, agricultural, natural, coastal and scenic landscapes, as described in Section 2.82.050, of this chapter."

The bill contemplates establishing a conservation planning committee that would assist with and oversee the creation of the Countywide greenprint and provide advice and recommendations related to the purpose of this chapter. Creating a greenprint would reduce siloed planning processes, promote community engagement in conservation planning, and provide direction for conservation investment through the Open Space Fund.

The bill also authorizes the conservation planning committee, at the request of the Mayor or the Council, to prepare plans for management of the lands acquired through the Open Space Funds, to be submitted to the Council for review and approval. The legislation would take effect January 2, 2019.

We also, during, in our Committee had various experts that flew in from California, as well as Honolulu to give the presentation on how the greenprints are utilized in other jurisdictions, via data.

Your Committee voted 5 to 0, to recommend passage of the bill on first reading and filing of the county communication. I ask for the Council's full support for the Committee's recommendation. Thank you.

CHAIR WHITE: Thank you, Mr. Guzman.

Members, any discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused".

Mr. Clerk.

COUNTY CLERK: For the record, BILL 76 (2018).

COMMITTEE REPORT

NO. 18-141 - POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE:

Recommending that Resolution 18-146, entitled "RELATING TO THE APPOINTMENT OF ROBERTO ANDRION TO THE LIQUOR CONTROL COMMISSION FOR THE COUNTY OF MAUI," be ADOPTED.

CHAIR WHITE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN  
COMMITTEE REPORT 18-141.

COUNCILMEMBER CRIVELLO:

SECOND.

CHAIR WHITE: We have a motion from Ms. Sugimura, and a second from Ms. Crivello.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. Your Policy, Economic Development, Agricultural Committee, met on July 30, to consider the nomination of Roberto Andrion to the Liquor Control Commission for a term expiring on March 31, 2022, to fill the vacancy of the resignation of Nicole DeRego.

The Council must approve or disapprove Mr. Andrion's nomination by September 14, 2018, or the nomination will be deemed approved. The nominee was not available for questioning, but his resume was available, and I did talk to him about his availability to fulfill this role, and he is available.

So, I respectfully ask for the Council's support of my motion. Thank you, Chair.

CHAIR WHITE: Thank you, Ms. Sugimura.

Any further discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused".

Mr. Clerk.

COUNTY CLERK: For the record, RESOLUTION 18-146.

COMMITTEE REPORT  
NO. 18-142 - POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE  
COMMITTEE:

Recommending the following:

1. That Resolution 18-147, entitled "AUTHORIZING THE ACQUISITION OF REAL PROPERTY LOCATED AT 2103 WELLS STREET, WAILUKU, MAUI, HAWAII, AND APARTMENTS A, B AND C OF THE UEOKA BUILDING CONDOMINIUM," be ADOPTED; and
2. That County Communication 18-117, from the Prosecuting Attorney, be FILED.

CHAIR WHITE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN  
COMMITTEE REPORT 18-142.

COUNCILMEMBER CRIVELLO:

SECOND.

CHAIR WHITE: We have a motion from Ms. Sugimura, and a second from Ms. Crivello.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. Your Policy, Economic Development, Agriculture Committee met on July 30, 2018, to consider the acquisition of the Ueoka Building Condominium, including Apartment A, B and C located at 2103 Wells Street, in Wailuku.

The Department of Finance reviewed the preliminary title report as prepared by Title Guaranty Hawaii, which revealed no issues with the property's title.

The acquisition of the building will be to establish the Family Justice Center, a one-stop shop for victims and their families, and the first of its kind in the State on the building's first floor. The Department of Prosecuting Attorney currently rents office space on the buildings second floor.

\$1.6 million was appropriated in the Fiscal Year 2018 Budget to acquire the Ueoka Building. The monies must be encumbered no later than December 31, 2018, or they will lapse. The transaction, subject to the approval of the Council must be closed no later than, November 30, and I respectfully ask for the Council's support of my motion. Thank you, Chair.

CHAIR WHITE: Thank you, Ms. Sugimura. Any further discussion?

I'm sorry, Mr. Atay.

COUNCILMEMBER ATAY: Chair, as I stated my position during the Committee meetings, I will stand in opposition of this resolution. I've been communicated and received communication from a couple of kanaka families that believe that they have standing and have assembled a legal team to challenge this land title, ownership. And so, for me, I caution our "nearly \$2 million investment", from the County to possible future litigation. So, I just stand in a position of opposition.

CHAIR WHITE: Thank you, Mr. Atay.

Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. And I too during Committee voted in opposition and will continue to stand on that no vote. In the report, it does state where this, we all, as we all know it was an exchange involving a property in Waikapu, and that particular property has clear title according to Title Guaranty. But this other one

it's, it's claiming, our notes are claiming it has a remote possibility that an individual could come forward to, to, well to claim that Waikapu property and may trigger the revisionary clause affecting this Ueoka property. So, with the statement that Mr. Atay just said, I continue to stand by my opposition to this. Thank you.

CHAIR WHITE: Thank you, Ms. Cochran.

Any further discussion? Ms. King.

COUNCILMEMBER KING: Chair, unfortunately I wasn't able to make that last Committee meeting. I do remember when this came to the Committee first, and there was testimony about the legal challenge, and so we set it aside, it was deferred. And I guess it went ahead, so I just wanted to ask the Committee Chair, what changed between the first meeting where we deferred it and the meeting where it was approved? Was there any, was there any, you know, any kind of a legal opinion or, you know, was it settled in the minds of the Committee?

CHAIR WHITE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. Yeah, so we had extensive, I think the first meeting you're talking about was Budget, and it got referred to my Committee after we did the budget deliberations. This was sent to PEA for further discussions, and at the PEA meeting, as I said, we had the Department of Finance and members from Title Guaranty of Hawaii on a conference call with us, they were in Honolulu, unable to attend the, our meeting. But it showed that there was no issues with the property title for this property at the Ueoka Building, at 2103 Wells Street in Wailuku.

COUNCILMEMBER KING: Okay. Can I just follow up, Chair?

Just want to know if there was any, any input from the party that first brought the concern before the Budget, so that was just, that was the side of Title Guaranty, and we didn't discuss it further with the community--

COUNCILMEMBER SUGIMURA: Chair, so, we had no testifiers during my meeting that stated this concern, nor at the Budget meeting, I don't think, but more so at my meeting. Basically, we did receive word from Department of Finance, as well as, Title Guaranty who holds the title insurance.

CHAIR WHITE: Thank you. Any further discussion? Seeing none, I'm sorry.

Mr. Guzman.

COUNCILMEMBER GUZMAN: Yeah, thank you. I believe that, when I asked the question to the Title Guaranty, they did mention that they would be able to ensure, that, place insurance on it, on the title. I believe on one of the properties, prior, it may not be prior to 1893, but they were satisfied in terms of being able to cover most of the centuries. So, unless the claim comes before 1893, there was a little gap in there that they could not, um, there was a clouded title, it wasn't clear. So, prior to 1893, they may not have, there is a slim chance that's what they said, so. That's what I recall. Thank you.

CHAIR WHITE: Thank you. Any further discussion? All those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS CRIVELLO, GUZMAN,  
HOKAMA, SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: COUNCILMEMBERS ATAY, COCHRAN, AND  
KING.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: I heard two "noes", Mr. Atay and Ms. Cochran.

COUNCILMEMBER KING: Three.

CHAIR WHITE: Anyone else?

COUNCILMEMBER KING: Yeah.

CHAIR WHITE: Ms. King.

COUNCILMEMBER KING: Yeah, I'm just not comfortable at this point.

CHAIR WHITE: Okay, so we have five "ayes", three "noes", and one "excused". Measure passes.

COUNCILMEMBER SUGIMURA: Thank you, Members.

CHAIR WHITE: Mr. Clerk.

COUNTY CLERK: Mr. Chair, for the record, RESOLUTION 18-147.

COMMITTEE REPORT  
NO. 18-143 - POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE  
COMMITTEE:

Recommending the following:

1. That Resolution 18-148, entitled "AUTHORIZING AN AMENDMENT TO EXTEND THE TERM AND MODIFY CONDITIONS RELATING TO REMOVAL OF EQUIPMENT FOR THE GRANT OF A LICENSE OF COUNTY REAL PROPERTY FOR ELECTRIC VEHICLE QUICK CHARGERS AND LOCAL BATTERY UNITS," be ADOPTED; and
2. That County Communication 18-115, from the Economic Development Director, be FILED.

CHAIR WHITE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you.

I MOVE TO ADOPT COMMITTEE REPORT NO. 18-143, CHAIR.

COUNCILMEMBER COCHRAN:

SECOND.

CHAIR WHITE: We have a motion from Ms. Sugimura, and a second from Ms. Cochran.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. Your Policy, Economic Development, Agriculture Committee met on July 30, 2018 to consider this matter. The purpose of the proposed resolution is to extend the License Agreement dated, December 17, 2014 between the County and Hitachi, as amended, to March 31, 2020; and to remove Kihei Aquatic Center as one of the facilities covered by the agreement.

The License Agreement relates to the activities of a project called JUMP Smart Maui, which includes installing, operating, and maintaining electric vehicle quick chargers and local battery units for the use of the public at the Lahaina Aquatic Center, the Kalana Pakui Building and the Haiku Community Center.

The amendments to the License Agreement include: 1) removing Kihei Aquatic Center machine from the remaining term of the agreement as the equipment no longer is in use there and has been removed; 2) adding the County's receipt of \$98,650 from Hitachi in consideration for leaving the charging equipment intact on the three remaining County sites after the License Agreement terminates on March 2020; and 3) updating as-built details in Exhibit "C", "D", and "E".

I respectfully ask for your Council support of this motion.

CHAIR WHITE: Thank you, Ms. Sugimura. Any further discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused".

Mr. Clerk.

COUNTY CLERK: For the record, RESOLUTION 18-148.

#### COMMITTEE REPORT

NO. 18-144 - WATER RESOURCES COMMITTEE:

Recommending that Resolution 18-149, entitled "REFERRING TO THE MAUI, MOLOKAI, AND LANAI PLANNING COMMISSIONS AND THE BOARD OF WATER SUPPLY A PROPOSED BILL AMENDING TITLE 19, MAUI COUNTY CODE, RELATING TO WELLHEAD PROTECTION," be ADOPTED.

CHAIR WHITE: Mr. Atay.

COUNCILMEMBER ATAY: Mr. Chair.

I MOVE TO ADOPT THE RECOMMENDATION IN COMMITTEE  
REPORT 18-144.

COUNCILMEMBER COCHRAN:

SECOND.

CHAIR WHITE: We have a motion from Mr. Atay, with a second from Ms. Cochran.

Mr. Atay.

COUNCILMEMBER ATAY: Thank you, Chair. This matter was considered at the Water Resource Committee meetings of January 24, May 16, July 10, as well as, August 1 of 2018.

Back in 2015, the Department of Water Supply transmitted to Council, a proposed bill to establish a wellhead protection overlay district, which would be restricting certain land uses around County owned wellheads to prevent contamination events that could affect drinking water aquifers.

Sections 8-8.4 and Section 8-8.6 of the Revised Charter of the County of Maui (1983), as amended, requires the appropriate planning commissions to review proposed land use ordinances and provide their findings and recommendations to the Council. As an amendment to Title 19, Maui County Code, the proposed bill constitutes a proposed land use ordinance.

To meet the requirements of this Charter, your Committee considered a proposed resolution to transmit the proposed bill to the planning commissions. Your Committee also amended the resolution to send the proposed bill to the Board of Water Supply as well, to allow the board the opportunity to review and provide comments on this bill.

I respectfully ask for the Members to support this motion.

CHAIR WHITE: Thank you, Mr. Atay. Members, any further discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused".

Mr. Clerk.

COUNTY CLERK: For the record, RESOLUTION 18-149.

COMMITTEE REPORT

NO. 18-146 - LAND USE COMMITTEE:

Recommending the following:

1. That Resolution 18-150, entitled "APPROVING WITH MODIFICATION THE AFFORDABLE WORKFORCE HOUSING PROJECT BY WAIKAPU DEVELOPMENT VENTURE LLC, PURSUANT TO SECTION 201H-38, HAWAII REVISED STATUTES," be ADOPTED;
2. That the proposed resolution, entitled "APPROVING THE AFFORDABLE WORKFORCE HOUSING PROJECT BY WAIKAPU DEVELOPMENT VENTURE LLC, PURSUANT TO SECTION 201H-38, HAWAII REVISED STATUTES," be FILED; and
3. That the proposed resolution, entitled "DISAPPROVING THE AFFORDABLE WORKFORCE HOUSING PROJECT BY WAIKAPU DEVELOPMENT VENTURE LLC, PURSUANT TO SECTION 201H-38, HAWAII REVISED STATUTES," be FILED.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA:

CHAIRMAN, ON BEHALF OF YOUR COMMITTEE, I MOVE THAT COMMITTEE REPORT 18-146, ALONG WITH ITS RECOMMENDATIONS BE ADOPTED.

COUNCILMEMBER CRIVELLO:

SECOND.

CHAIR WHITE: We have a motion from Mr. Hokama, and a second from Ms. Crivello.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, your Committee have reviewed this 201H application. I believe your Committee has put forth some reasonable parameters, by including a clock that hopefully within the four-year period we will see completion of 100% of the units, as presented and being approved by Council today, Chairman.

Thank you.

CHAIR WHITE: Thank you, Mr. Hokama. Any further discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused".

Mr. Clerk.

COUNTY CLERK: For the record, RESOLUTION 18-150.

COMMITTEE REPORT

NO. 18-147 - PARKS, RECREATION, ENERGY, AND LEGAL AFFAIRS  
COMMITTEE:

Recommending that Resolution 18-151, entitled "AUTHORIZING SETTLEMENT OF CLAIM NO. 30180290038-0001 OF CASSANDRA MARTIN," be ADOPTED.

CHAIR WHITE: Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair.

I MOVE TO ADOPT THE, ADOPT THE PROPOSAL AS READ  
BY THE CHAIR--

COUNCILMEMBER KING:

SECOND.

COUNCILMEMBER GUZMAN:

--I MEAN CLERK, AS READ BY THE CLERK.

CHAIR WHITE: We have a motion from Mr. Guzman, with a second from Ms. King.

Mr. Guzman.

COUNCILMEMBER GUZMAN: Chair. We had a meeting on the subject matter and discussion with Corporation Counsel and had voted on the issues and at this point, we would like to request the Members to adopt the proposal.

CHAIR WHITE: Thank you, Mr. Guzman.

Any further discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused".

Mr. Clerk.

COUNTY CLERK: For the record, RESOLUTION 18-151.

COMMITTEE REPORT  
NO. 18-148 - PARKS, RECREATION, ENERGY, AND LEGAL AFFAIRS  
COMMITTEE:

Recommending that Resolution 18-152, entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL CHUN KERR LLP, A LIMITED LIABILITY LAW PARTNERSHIP, TO REPRESENT THE COUNTY OF MAUI BEFORE STATE AND FEDERAL TAXING AUTHORITIES AND IN ANTICIPATION OF RELATED LITIGATION," be ADOPTED.

CHAIR WHITE: Ms. Sugimura. Oh no, I'm sorry, I'm sorry.

Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair. Mr. Guzman.

I MOVE TO ADOPT THE RECOMMENDATION IN COMMITTEE  
REPORT 18-148.

COUNCILMEMBER KING:

SECOND.

CHAIR WHITE: We have a motion from Mr. Guzman, and a second from Ms. King.

Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, and I'll take some time to explain this. It's kind of complicated.

But your Committee met on August 21, 2018, to consider the proposal resolution, authorizing the employment of Chun Kerr LLP, A Limited Liability Law Partnership, as a special counsel to represent the County before the State and Federal taxing authorities and in anticipation of related litigation, total compensation for the representation is limited to 150,000.

Deputy Corporation Counsel said that no litigation is currently pending. However, approximately one month before your Committee's meeting, the Department was advised by potential litigation on tax-related matters.

The Deputy explained that the Department is requesting special counsel be appointed because of the complexity of the tax issues involved. Following an executive meeting, your Committee voted 6 to 0, on recommendation of the adoption of the resolution. I ask for the support of the Council, at this point. Thank you.

CHAIR WHITE: Thank you, Mr. Guzman.

Any further discussion on this item? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused".

Mr. Clerk.

COUNTY CLERK: For the record, RESOLUTION 18-152.

#### COMMITTEE REPORT

NO. 18-149 - POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE  
COMMITTEE:

Recommending the following:

1. That Resolution 18-153, entitled "APPROVING THE APPOINTMENT OF GLADYS BAISA AS THE DIRECTOR OF WATER SUPPLY," be ADOPTED;
2. That Resolution \_\_\_\_\_, entitled "DISAPPROVING THE APPOINTMENT OF GLADYS BAISA AS THE DIRECTOR OF WATER SUPPLY," be FILED; and
3. That County Communication 18-286, from the Mayor, be FILED.

CHAIR WHITE: Thank you, Mr. Clerk.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you.

I MOVE TO ADOPT THE RECOMMENDATIONS IN  
COMMITTEE REPORT 18-149.

COUNCILMEMBER CRIVELLO:

SECOND.

CHAIR WHITE: We have a motion from Ms. Sugimura, and a second from Ms. Crivello.

Ms. Sugimura. Could you turn on your microphone, please? Thank you.

COUNCILMEMBER SUGIMURA: That would help. Thank you, Chair. Your Policy, Economic Development, Agriculture Committee, met on August 20, to consider Gladys Baisa as the Director of Water Supply.

Pursuant to Sections 8-11.5 of the Revised Charter of the County of Maui (1983), as amended, the Director of Water Supply shall be appointed by the Mayor with the approval of the Council. Further, pursuant to Section 6-2(5) of the Charter, the Council shall confirm or deny the appointment within 60 days after receiving notice of the appointment by the Mayor, or the appointment shall be deemed confirmed.

The Charter also requires that the Director shall "have a minimum of five years of experience in management capacity, either in public or private business, or both". And the Charter further requires that the Director or Deputy of Water Supply to be a registered engineer.

On July 12, 2018, the Mayor appointed Ms. Baisa as the Director, as the Department's Director, followed by the appointment of civil engineer Shayne Agawa as the new Deputy Director of Water Supply, effective July 17, 2018.

Your Committee interviewed Ms. Baisa and discussed specific management issues, such as staffing, employee retention, emergency response, placing employees on standby versus calling them back when needed, and the impacts of those practices.

Your Committee voted 6-0 to recommend approval of Ms. Baisa appointment as the Director of Water Supply, and I respectfully ask for your Council's support on this motion. Thank you.

CHAIR WHITE: Thank you, Ms. Sugimura.

Members, any further discussion on this item?

COUNCILMEMBER ATAY: Chair.

CHAIR WHITE: Yes.

Mr. Atay.

COUNCILMEMBER ATAY: Thank you, Chair. As the Chairman of your Water Resources Committee, I've had, you know, several months of an opportunity to work alongside of Mrs. Baisa. And so with that past experience, I fully support this appointment for her to moving forward in becoming the Director of the Department.

CHAIR WHITE: Thank you, Mr. Atay.

Any further discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused".

Congratulations, Mrs. Baisa.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, for the record, RESOLUTION 18-153.

Proceeding with ordinances for second and final reading.

## ORDINANCES

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 66 (2018)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.08, MAUI COUNTY CODE, BY ADDING A NEW SECTION RELATING TO COUNTY INVESTMENTS

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 69 (2018)

A BILL FOR AN ORDINANCE AMENDING APPENDIX A  
OF THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI  
AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES –  
SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2019,  
AFFORDABLE HOUSING FUND

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 70 (2018)

A BILL FOR AN ORDINANCE AMENDING  
THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI  
AS IT PERTAINS TO APPENDIX A, PART I,  
GRANTS AND RESTRICTED USE REVENUES – SCHEDULE OF GRANTS AND  
RESTRICTED USE REVENUES BY DEPARTMENTS AND PROGRAMS,  
DEPARTMENT OF PUBLIC WORKS  
(STATE OF HAWAII – OLD HALEAKALA HIGHWAY SIDEWALK)

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 71 (2018)

A BILL FOR AN ORDINANCE AMENDING  
THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI  
AS IT PERTAINS TO APPENDIX A, PART I,  
GRANTS AND RESTRICTED USE REVENUES – SCHEDULE OF GRANTS AND  
RESTRICTED USE REVENUES BY DEPARTMENTS AND PROGRAMS,  
OFFICE OF THE MAYOR  
(STATE OF HAWAII DEPARTMENT OF AGRICULTURE – KULA  
AGRICULTURAL PARK EXPANSION)

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 72 (2018)

A BILL FOR AN ORDINANCE AMENDING  
THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI  
AS IT PERTAINS TO APPENDIX A, PART I,  
GRANTS AND RESTRICTED USE REVENUES – SCHEDULE OF GRANTS AND  
RESTRICTED USE REVENUES BY DEPARTMENTS AND PROGRAMS,  
DEPARTMENT OF WATER SUPPLY  
(STATE OF HAWAII – UPCOUNTRY MAUI AGRICULTURAL PARK, MAUI  
WATER SYSTEM IMPROVEMENTS)

CHAIR WHITE: Thank you, Mr. Clerk.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman.

I MOVE THAT THOSE FIVE BILLS, AS READ BY THE CLERK,  
PASS SECOND AND FINAL READING

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR WHITE: We have a motion from Mr. Hokama, and a second from Ms. Sugimura.

Mr. Hokama.

COUNCILMEMBER HOKAMA: No further discussion.

CHAIR WHITE: Members, any discussion on these items? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused".

Mr. Clerk.

COUNTY CLERK: Mr. Chair, there's no further business before the Council.

CHAIR WHITE: Thank you very much, Mr. Clerk. And thank you for your patience today, Members. Today's effort was a combination of the postponed meeting along with all the new items. So, appreciate your patience and support.

And with that we are adjourned.

### ADJOURNMENT

The regular meeting of September 7, 2018 was adjourned by the Chair at 11:47 a.m.

  
DENNIS A. MATEO, COUNTY CLERK  
COUNTY OF MAUI, STATE OF HAWAII



RECEIVED

2018 SEP -7 AM 7:24

OFFICE OF THE  
COUNTY CLERK

September 6, 2018

Honorable Mike White, Chair  
Maui County Council  
200 High Street  
Wailuku, Hawaii 96793

Subject: Communication No. 18-32

Dear Chair White and Council Members:

Na Hale O Maui (NHOM) is a grass roots, community-based nonprofit created in 2006. We are the only operating community land trust in the State of Hawaii. The County of Maui has partnered with NHOM from our inception to provide truly affordable housing alternatives to families earning between 80% - 120% of the Area Median Income (AMI.)

The County of Maui previously provided an in-kind grant of a single family home located in Waikapu Gardens to Na Hale O Maui. NHOM cleaned up and lightly renovated the home before selling it to an income-qualified Maui family that earned 113% of AMI.

The County of Maui Department of Housing and Human Concerns is to be commending for exercising the County's Option to Purchase the home located at 95 Ohana Hana Loop, to keep it from immediately selling at market price. Today, as a result of the Department's action, we are pleased to come before you to request an in-kind grant of this home in Waikapu Gardens, Phase II.

The home was originally purchased from the developer in January 2016. Almost 2 ¾ years of the 10-year deed restriction has passed, with just a little over 7 years remaining. The proposed in-kind grant will transform the character of this home from a deed restriction that may go to market in 7 years, to a permanently affordable home that will never go to market.

This grant will bring the total number of NHOM homes to 34, with 12 more to be built in Kahoma. Your support makes affordable housing in Maui County possible. It makes a real difference for our workforce (police officers, teachers, firemen, medical personnel and first responders, just to name a few.) It means the opportunity to stay in Maui and live in the district where they work. Their children can attend schools close to home.

Mahalo piha for all that you do for affordable housing in Maui County.

Sincerely,

Executive Director

# Testimony for Congratulatory Resolution for Vili Toluta`u, 8/24/18 Coucil Meeting

Adrienne A. Nalette

Mon 8/20/2018 3:36 PM

To: County Clerk <County.Clerk@mauicounty.us>;

**From:** Shane Skinner [<mailto:shane@seattleseawolves.com>]

**Sent:** Saturday, August 11, 2018 9:59 AM

**To:** Adrienne A. Nalette; Info

**Subject:** Re: Congratulatory Resolution for Vili Tolutau

Hi Adrienne,

Thank you for the email and we are very honored and appreciative that you are recognizing Vili. He's not only an elite champion athlete, he's also the nicest, sweetest man that I know and we love him very much.

Thank you again,

Shane

Shane Skinner

Seattle Seawolves Rugby

President & Owner

w: [www.seattleseawolves.com](http://www.seattleseawolves.com)

m: 310.420.8017

RECEIVED  
2018 AUG 20 PM 4:13  
OFFICE OF THE  
COUNTY CLERK

# Opposition to Bill 74 for an ordinance establishing Chapter 20.40A, Maui County Code, "Declaring a continued moratorium on sand mining of central Maui inland sand"

Corinne McKinnon <CMcKinnon@mills-group.com>

Tue 8/21/2018 4:07 PM

To: County Clerk <County.Clerk@mauicounty.us>;

Cc: Mike White <Mike.White@mauicounty.us>; Troy Hashimoto <Troy.Hashimoto@mauicounty.us>;

RECEIVED  
2018 AUG 21 PM 4:09  
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COUNTY CLERK

Aloha Chair White and members:

Maui Lani Partners continues to **oppose** the sand moratorium bill referenced above.

1. **The bill fails to address the Community's initial concern on "export of sand" outside of the County.**
2. **The bill fails to address the County's obligations to implement the State burial laws per HRS Chapter 6E and the Administrative Rules.**
3. **The bill delays much needed affordable housing.** Maui Lani Phase 8 Subdivision is shovel ready, has already been mass graded, and will have a mixture of 400+ units (with a 51% affordable housing requirement).
4. **The bill is currently misunderstood by the Community.** All grading activities are permitted in the moratorium area except removal of sand from a property. The Community should be duly advised.
5. **The bill unfairly targets non-profits, churches, and businesses.** By cherry-picking specific lots, the bill fails to address the Community's concerns related to the Central Maui sand.

Maui Lani continues to work closely with the Maui State Historic Preservation Division (SHPD), Archaeological Services Hawaii, and Uncle Leslie Kuloloio (cultural advisor since 1993) to assure compliance with Chapter 6E, Hawaii Revised Statutes and Chapter 13-300, Hawaii Administrative Rules. Maui SHPD is staffed with archaeologists, cultural historians and a burials sites specialist. They are very thorough with reviewing applications, findings and reports related to Maui Lani projects, and their concurrence is required before Department of Public Works issues a permit to Maui Lani. We encourage the Council to reach out to all stakeholders, SHPD, and County departments to work together to create a more comprehensive and efficient review process.

Sincerely,

Leiane Paci  
Partner  
Maui Lani  
149 Ma'a Street  
Kahului, Hawaii 96732

Daren Suzuki  
Development Manager  
Maui Lani  
149 Ma'a Street  
Kahului, Hawaii 96732

# Fwd: IMPROPER NOTICE OF MATTERS TO BE DELIBERATED UPON BY THE COUNCIL AT ITS REGULAR MEETING OF 09/07/18

Jim or Belinda <2jbhome@hawaiiantel.net>

Thu 9/6/2018 8:42 PM

To:County Clerk <County.Clerk@mauicounty.us>;

I am sorry. Please transmit this testimony to Council Members for consideration at tomorrows meeting

----- Forwarded Message -----

Subject:IMPROPER NOTICE OF MATTERS TO BE DELIBERATED UPON BY THE COUNCIL AT ITS REGULAR MEETING OF 09/07/18

Date:Thu, 6 Sep 2018 20:36:49 -1000

From:Jim or Belinda <2jbhome@hawaiiantel.net>

To:County.Clerk@mauicounty.us

ALOHA MEMBERS OF THE MAUI COUNTY COUNCIL

I hoped to attend and testify at today's meeting but I am stopped by failure of the agenda to provided complete

identification and location of Committee Reports. For example the Budget Committee Reports are itemized on page 6

and the with out notice of a continuation, more items area listed at another page. They appear at page 9. The same thing occurs with committee reports

for PEA that appear at page 8; and the again with out notice of continuation, more items appear at page 10. The same with Parks...

I request that you adjourn this meeting as it defeats requirements of our Sunshine Law and it destroys my ability to decide

to participate. Please file another notice and do it the right way.

Mahalo

James R. Smith 572-0218

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