

MINUTES

of the

COUNCIL OF THE COUNTY OF MAUI

April 3, 2020

THE EMERGENCY MEETING OF THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, WAS HELD ONLINE ONLY VIA BLUEJEANS, ON FRIDAY, APRIL 3, 2020, BEGINNING AT 8:54 P.M., WITH CHAIR ALICE L. LEE PRESIDING.

CHAIR LEE: Will the Emergency Council meeting come to order. It is April 3, and almost 8:55 at this time.

Mr. Clerk, roll call.

ROLL CALL

PRESENT: COUNCILMEMBERS G. RIKI HOKAMA, KELLY T. KING, MICHAEL J. MOLINA, TAMARA A.M. PALTIN, SHANE M. SINENCI, YUKI LEI K. SUGIMURA, VICE-CHAIR KEANI N.W. RAWLINS-FERNANDEZ AND CHAIR ALICE L. LEE.

EXCUSED: COUNCILMEMBER NATALIE A. KAMA.

(Councilmember Kama was not present when roll was called; however, she arrived at 8:59 a.m.)

DEPUTY COUNTY CLERK JAMES G.M. KRUEGER: Madam Chair, there are eight Members present, one excused. A quorum is present to conduct the business of the Council.

CHAIR LEE: Okay. Mr. Clerk, has today's agenda been posted electronically, filed with the County Clerk's Office, and sent to those who request agendas on a regular basis, and were findings that an imminent peril exists to public health, safety, or welfare included on today's agenda?

DEPUTY COUNTY CLERK: Yes, Madam Chair. The agenda was posted electronically, filed with the County Clerk's Office, and sent to those who request agendas on a regular basis, and the findings were included on today's agenda.

CHAIR LEE: Thank you, Members. If there are no objections, I will have the Clerk read out the findings posted on today's agenda.

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: So, ordered.

DEPUTY COUNTY CLERK:

THE COUNCIL OF THE COUNTY OF MAUI DOES HEREBY FIND THE FOLLOWING:

1. The United States Centers for Disease Control and Prevention has determined and is monitoring an outbreak of respiratory illness caused by a novel coronavirus that was first identified in Wuhan, Hubei Province, China and has become commonly identified as COVID-19.
2. The Mayor issued a Public Health Emergency Proclamation dated March 4, 2020 and the Governor issued an Emergency Proclamation dated March 4, 2020 in response to the danger posed by COVID-19. The Governor also issued three Supplementary Emergency Proclamations, dated March 16, 2020; March 21, 2020; and March 23, 2020, respectively, in response to COVID-19.
3. On March 11, 2020, the World Health Organization publicly identify COVID-19 as a pandemic. Furthermore, the President declared a national emergency due to COVID-19 on March 13, 2020.
4. As of March 30, 2020, the World Health Organization has confirmed 693,224 cases of COVID-19 and 33,106 deaths related to COVID-19 worldwide. As of that same date, the State Department of Health has identified 204 presumptive and confirmed cases of COVID-19 in Hawaii, 25 of which were identified in the County of Maui.

5. By Ordinance 5071, the Council appropriated \$4,000,000 from the Emergency Fund for costs related to COVID-19. The County may be able to receive additional funding for its response to COVID-19 through grants. Therefore, Appendix A, Part I, of the Fiscal Year 2020 Budget must be amended to include an appropriate grant revenue appropriation so the County can utilize such grant funding.
6. An imminent peril to the public health, safety, and welfare exists and will continue to exist until appropriate adjustments are made to slow the spread of COVID-19 and the COVID-19 pandemic has abated. Therefore, an emergency meeting in accordance with Section 92-8, Hawaii Revised Statutes, is required to allow the County to receive grant funding for preventative and response measures against this pandemic.

CHAIR LEE: Members, the Chair will entertain a motion to agree the findings as read by the Clerk are correct and that an emergency exists.

VICE-CHAIR RAWLINS-FERNANDEZ:

SO, MOVED.

COUNCILMEMBER KING: So, moved.

SECOND.

COUNCILMEMBER SINENCI: Second.

CHAIR LEE: Moved by--

VICE-CHAIR RAWLINS-FERNANDEZ: And then, Chair Lee, I also have Pro Tem Kama on the phone with me while she's getting on.

(Councilmember Kama joined the meeting at 8:59 a.m.)

CHAIR LEE: Okay. Mr. Clerk, please, Mr. Clerk, please note that Ms., Ms. Kama has joined us.

Alright. It's been moved by Vice-Chair Rawlins-Fernandez, seconded by who?

COUNCILMEMBER KING: Second.

CHAIR LEE: Seconded by Member King, to agree that the findings as read by the Clerk are correct and that an emergency exists. Any discussion? All those in favor, say "aye".

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

CHAIR LEE: Opposed, nay.

NOES: NONE.

CHAIR LEE: Okay. Motion passes unanimously.

Alright. Thank you, Members. What's that sound? Thank you, Members. Before we proceed with today's agenda, may I please request that everyone silence their cellphones or other noisemaking devices. Decorum in here shall be maintained at all times.

Okay. Mr. Clerk.

DEPUTY COUNTY CLERK: Madam Chair, proceeding with the presentation of written testimony on agenda items. We have not received any written testimony.

PRESENTATION OF WRITTEN TESTIMONY

CHAIR LEE: Members, are there any objections to receiving written testimony into the record and closing public testimony?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: Okay. So, ordered.

Okay, Mr. Clerk.

DEPUTY COUNTY CLERK: Madam Chair, proceeding with county communications.

COUNTY COMMUNICATIONS

NO. 20-230 - MICHAEL P. VICTORINO, MAYOR,
(dated March 30, 2020)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2020 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 FINANCE (CORONAVIRUS RELIEF FUND AND OTHER COVID-19 RELATED GRANTS)".

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT IN ACCORDANCE WITH RULE 7.G. OF THE RULES OF THE COUNCIL.

COUNCILMEMBER SINENCI

SECOND.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member Sinenci, to waive the Rules of the Council.

Discussion? All those in favor, say "aye".

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

CHAIR LEE: Motion carries unanimously.

Okay. Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

ON, ON YOUR BEHALF, CHAIR, I MOVE TO PASS THE BILL AND TO FILE COUNTY COMMUNICATION 20-230, AND TO REFER THE SUBJECT MATTER TO EB, YOUR EDB, EDB COMMITTEE; YOUR ECONOMIC DEVELOPMENT AND BUDGET COMMITTEE.

COUNCILMEMBER SINENCI:

SECOND.

COUNCILMEMBER KING: Second.

CHAIR LEE: It's been moved by Vice-Chair Rawlins-Fernandez, seconded by Member Sinenci, to pass the motion as read.

Discussion? Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Members, the purpose of this bill is to provide \$3 million in immediate funding for the Corona, Coronavirus Relief Fund and other COVID-19 related grants under the Department of Finance.

The passage of the proposed budget amendment will allow the County to respond quickly and efficiently to further protect our community from COVID-19 and provide expanded services as needed.

In accordance with Subsection 9-9.2. of the Charter, the Council may pass an emergency appropriation by ordinance with one reading by an affirmative vote of seven Members, at which it would take immediate effect. I ask for the Members full support.

And we also have Budget Director Yoshimura online as a resource if anyone has any questions. Mahalo, Chair.

CHAIR LEE: Thank you. Any further discussion or questions?

COUNCILMEMBER HOKAMA: Chair.

CHAIR LEE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you. For Ms. Yoshimura. I anticipate a lot more than \$3 million worth of grants eventually coming to the County. So, is this proposed number this morning sufficient for the County needs at this time?

CHAIR LEE: Ms. Yoshimura. Michele?

BUDGET DIRECTOR MICHELE YOSHIMURA: Chair, thank you. Can you hear me?

COUNCILMEMBER HOKAMA: Yes.

BUDGET DIRECTOR: Okay. So, when we put in this request, we had gotten a request from the Office of Aging for a grant for 180,000. We are not aware of, it's hard to anticipate right now the amount of grants we're going to get. We just thought \$3 million would get us started.

Yesterday, we were notified by HUD, CDBG will be getting another \$1.1 million. Though this will get the initial funding going as we get more grants or notifications, we may have to increase that number. But until then, I think \$3 million would be okay. We could increase it maybe a month or two months from now.

COUNCILMEMBER HOKAMA: Okay.

BUDGET DIRECTOR: We will also want to in, put a appropriation in the '21 Budget to receive grants through this **fund too**.

COUNCILMEMBER HOKAMA: Okay. Yea, thank you very much, cause I do know individuals are already receiving their \$1,200 deposits from the Federal government. So, I appreciate your efforts. Thank you.

BUDGET DIRECTOR: Thank you.

CHAIR LEE: Any further? Mr. Molina.

COUNCILMEMBER MOLINA: Yea, thank you very much, Madam Chair. For Director Yoshimura, will these funds also, I assume, be used for expanded testing as well?

CHAIR LEE: Ms. Yoshimura.

BUDGET DIRECTOR: Thank you, Chair. Councilmember Molina, the monies will, it'll depend on what the grant allocates. We did get one for, from HUD for the \$1.1 million and has specific uses for the funds. And as soon as we get more information on that, we will be forwarding that to the Council. We also anticipate

another \$180,000 of funding to the Office of Aging, and that will also have specific uses. So, as we get the grants in and the notification and the uses of the grant, the specific uses, we will forward that to the Council for notification to you.

COUNCILMEMBER MOLINA: Okay, thank you. And, Madam Chair, if I may ask one more question of Director Yoshimura, if, if she's avai, if she can answer this? Our office has received a number of requests from businessowners offering use of their property for testing, housing, or feeding individuals, which I've forwarded to the Mayor's Office. I'm hoping that the County is able to take advantage of the generosity being offered by our members in the community. And if not, at the very least, if we can use some private facilities for any help we need, because if this pandemic does escalate here in Maui County, as we're seeing in other states, they're looking for storage, you know, places for storage and temporary morgues and all of that stuff.

So, if you're able to answer it here, fine. If not, if you could, this could be relayed to Administration for a response it would be much appreciated. So, we can inform our constituents who do want to offer help. This is where, you know, we know the Administration is coming from, and encourage them to call you guys directly as well.

BUDGET DIRECTOR: Okay.

CHAIR LEE: Ms. Yoshimura.

BUDGET DIRECTOR: Thank you, Member Molina. We, I will pass that message onto our COVID Task Force and reach out to those who have offered to assist us. Thank you.

COUNCILMEMBER MOLINA: Okay. Thank you very much.

CHAIR LEE: Anymore questions? Alright, if not, I'm going to clarify something here. Per Subsection 4-2.6. of the Charter, the Council can waive the procedural requirements for ordinances in Section 4-2. of the Charter by an affirmative vote of six Members. However, any emergency ordinance passed with this waiver is repealed on the 91st day after the effective date of the ordinance.

Also, per Subsection 9-9.2. of the Charter, the Council can pass an emergency appropriation in one reading by an affirmative vote of seven Members. And that is what is before us right now. In order to pass this on one reading, we need seven votes.

Are there any questions or comments? Ready for the vote? All those in favor of the motion to pass this bill, please, and, and the referrals and all the other items in Vice-Chair Rawlins-Fernandez's motion, say "aye".

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

CHAIR LEE: Opposed, nay.

NOES: NONE.

CHAIR LEE: Motion carries. Alright, Members, that brings us to the end of the calendar. Please don't go too far, we have another meeting in another minute or so.

So, for this emergency meeting, we are adjourned.

ADJOURNMENT

The emergency meeting of April 3, 2020 was adjourned by the Chair at 9:06 a.m.



KATHY L. KAOHU, COUNTY CLERK
COUNTY OF MAUI, STATE OF HAWAII