

# MINUTES

of the

## COUNCIL OF THE COUNTY OF MAUI

August 18, 2020

THE REGULAR MEETING OF THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, WAS HELD ONLINE ONLY VIA BLUEJEANS, ON TUESDAY, AUGUST 18, 2020, BEGINNING AT 10:02 A.M., WITH CHAIR ALICE L. LEE PRESIDING.

COUNCIL CHAIR ALICE L. LEE: Will the Maui County Council meeting of August 18 please come to order. It's approximately 10:02 this morning. Can everyone hear me?

COUNCILMEMBER KING: Yup.

CHAIR LEE: Okay. Alright. Roll call, Mr. Chair, I mean, Mr. Clerk.

### ROLL CALL

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

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

*(Vice-Chair Rawlins-Fernandez was not present when the roll was called; however, she arrived at 10:35 a.m.)*

CHAIR LEE: Shall we try Tamara one more time? Okay. Mark her present, cause we know that she's, she was present and is probably having trouble with her audio.

So, I am Alice Lee. I am present, of course. And the morning greeting is hyvaa huomenta. Hyvaa huomenta. And that is a good morning greeting to all of my colleagues and everyone out there, and especially our friends from Finland; hyvaa huomenta. Welcome everyone.

Mr. Chair, we have nine, eight present, one excused. A quorum is, quorum is present to conduct the business.

Can we have opening remarks from Councilmember Kelly King?

DEPUTY COUNTY CLERK JAMES G.M. KRUEGER: Councilmember King, you're muted.

COUNCILMEMBER PALTIN: Can you hear me?

CHAIR LEE: Yea, we can hear you.

COUNCILMEMBER KING: Okay. Okay, thank you, Chair. I'll start again.

CHAIR LEE: Member King.

### OPENING REMARKS

The opening remarks were offered by Councilmember Kelly T. King.

CHAIR LEE: Thank you, Member King, for that very important message.

Now everyone, please join me in reciting the Pledge of Allegiance.

### PLEDGE OF ALLEGIANCE

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

CHAIR LEE: Thank you. Before we proceed with today's agenda, may I please request that everyone silence their cellphones or other noisemaking devices. Decorum shall be maintained at all times.

Mr. Clerk.

DEPUTY COUNTY CLERK: Madam Chair, proceeding with testimony on ceremonial resolutions. We have not received any requests to testify on today's ceremonial resolution. Chair, shall we proceed with the presentation of the resolution?

CHAIR LEE: Yes. Yes.

DEPUTY COUNTY CLERK: Proceeding with ceremonial resolutions.

## CEREMONIAL RESOLUTIONS

RESOLUTION  
NO. 20-112

### EXTENDING CONDOLENCES TO THE FAMILY OF THE LATE FRED H. YAMASHIGE

CHAIR LEE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. At this time, I'd like to ask if the Clerk would read the resolution in its entirety?

CHAIR LEE: Mr. Clerk.

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

CHAIR LEE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you very much, Clerk, for reading that. At this time, I would like to ask for the Members to approve and, this resolution.

AND I MOVE TO APPROVE THE RESOLUTION.

Thank you. I need a second.

COUNCILMEMBER MOLINA:

SECOND.

CHAIR LEE: It's been moved by--

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: --Member Sugimura, seconded by Member Molina, to adopt the attached resolution.

Any further discussion? Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. I have a few words. And I think also on the line is Eric Yamashige to represent the family. At this time, I would just like to recognize the 442<sup>nd</sup>/100<sup>th</sup> Battalion for all the work that they have given to our country as you can hear from the resolution that was read on behalf of Fred Yamashige. Our condolences go out to his wife, his family members. And thank you, Eric, for being here to represent your family. Emily, who is the eldest sister in, or eldest daughter in this family is my classmate, so I've kind of known them my entire life growing up. So, my condolences go out to the family.

As you know the 442<sup>nd</sup>/100<sup>th</sup> Battalion, as the resolution said, was the most highly decorated unit in U.S. history. And till today, they, the members who served in the 100<sup>th</sup> and the 442<sup>nd</sup> continued after they got back from the war. Their motto was to continue service to the community.

This family, as you know from the name, Mrs. Yamashige is an Arisumi. And the Arisumi Family helped build Dream City, they did sports, this family has contributed a lot in depth to the, to develop Maui County for what we see today. And thank you very much, Members. I hope you will approve this resolution and give our condolences to the Family of the late Fred Yamashige. Thank you.

CHAIR LEE: Any further discussion? If not, all those in favor of the motion, say "aye".

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

CHAIR LEE: Opposed "nay", raise your hand.

NOES: NONE.

EXCUSED: VICE-CHAIR RAWLINS-FERNANDEZ.

CHAIR LEE: Okay. There are eight "ayes", one "excused". Motion carries.

I believe we have Mr. Yamashige on the line.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: Eric. Eric, are you there?

MR. ERIC YAMASHIGE: Yes, I am.

COUNCILMEMBER SUGIMURA: He's calling in.

CHAIR LEE: Okay. I hear you. Go ahead. You can start talking. Eric, I just heard you. Where did you go? What happened.

MR. YAMASHIGE: Good morning.

COUNCILMEMBER SUGIMURA: Oh, there. Okay. We can hear you.

CHAIR LEE: Good morning, Eric.

MR. YAMASHIGE: Good morning. Sorry, we were switching between muted and unmuted. Good morning, Chair Lee--

CHAIR LEE: Hi.

MR. YAMASHIGE: --Yuki, Members. My name is Eric Yamashige, Fred's middle maladjusted child. On behalf, on behalf of our family, including Fred's great-grandchildren, Aya and Joey, we want to thank you for your words of sympathy and for honoring dad with this resolution. Dad had a good long life and now rests with no more pain in God's hands.

Finally, I just wanted to say thank you for your support of the Nisei Veteran's Memorial Center. Please visit the center when you have a moment, for special displays, not only of Nisei but of all of our veterans. Again, thank you very much all for your service. Aloha and God bless you. Thank you.

CHAIR LEE: Thank you very much, Eric. And best wishes to you and your family.

MR. YAMASHIGE: Thank you very much.

CHAIR LEE: Any final, any final remarks, Ms. Sugimura?

COUNCILMEMBER SUGIMURA: Yea. I just want to thank you, Eric, for making the time to be here. As you know, he works with Public Works, so he's one of our employees and has given, you know, dedicated--

CHAIR LEE: He just retired. He just retired.

COUNCILMEMBER SUGIMURA: Oh, he just retired? Oh, sorry, Eric, I didn't know you just retired. Congratulations. But congratulations to, to all that your father has

accomplished and given to our community through his long life of 97 years. And thank you, everybody, for supporting this resolution.

CHAIR LEE: Thank you.

Mr. Clerk, next item.

DEPUTY COUNTY CLERK: Yes, Chair. Proceeding with the presentation of written or oral testimony. Members of the public may testify by connecting to today's, to the Council's online meeting by phone or video conference through the information posted on today's agenda.

Individuals connected to the Council's online meeting intending to testify should notify staff in the meeting chat. If you do not intend to testify, you can watch the meeting on Akaku, Channel 53 or on maucounty.us. Individuals connected by phone are currently on mute and will be unmuted when it is their time to testify. Individuals connected by videoconference should keep both their video and microphones muted and should unmute them when it is their time to testify.

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

Chair, the first person we have signed up to testify is Samantha Neyland. To be followed by Christian Tackett.

CHAIR LEE: Samantha Neyland.

### PRESENTATION OF WRITTEN OR ORAL TESTIMONY

MS. SAMANTHA NEYLAND, (testifying on County Communication No. 20-412):

Aloha.

CHAIR LEE: Hi.

MS. NEYLAND: Can everyone hear me?

CHAIR LEE: Yes.

MS. NEYLAND: Good morning. Good morning, Council Chair and Councilmembers. Thank you so much for allowing me the opportunity to speak with you today. As Hawaii's first ever African American Miss Hawaii USA, I am so honored to have the chance to speak with you about a resolution that I believe is so essential.

Today, Juneteenth celebrates African American freedom and achievement, while encouraging continuous self-development and respect for all cultures. Currently, Juneteenth has become a national day of pride, with 46 States officially commemorating Juneteenth. Sadly, our beautiful State of Hawaii is not one of them. This needs to change.

Hawaii has a proud history of being on the forefront of racial and social justice. In 1852, the Kingdom of Hawaii wrote into law that "slavery shall, under no circumstances whatsoever, be tolerated in the Hawaiian Islands. Whenever a slave shall enter Hawaiian territory, he shall be free. No person who imports a slave or slaves into the King's dominion shall ever enjoy any civil or political rights". A State calendar date will serve to better educate Hawaii's diverse youth on a monumental event in U.S. history.

Battling systemic racism first begins with the fundamental knowledge of our nation's racist history and how it has contributed to the white supremacist framework we see today. Providing today's youth with an accurate telling of history will not only educate them, it will equip them with the necessary information needed to challenge inequality and take steps towards a more inclusive society.

Council Chair, Councilmembers, you have the opportunity to be part of a larger historical picture. I, along with a coalition of supporters, am lobbying our State Legislature to officially make Juneteenth a day of remembrance in Hawaii. Your decision today will help move us one step closer to the larger goal of Juneteenth as an official Hawaii State holiday. I trust that you will do the right thing and honor Hawaii's history of leading with aloha. Mahalo nui loa for your time.

CHAIR LEE: Thank you so much. And congratulations on your, on winning Miss Hawaii.

Yes, Members, questions? First, I saw Member King and then Member Kama.

COUNCILMEMBER KING: Thank you, Chair. Thank you, Miss Hawaii for being here and congratulations on your designation as Miss Hawaii. And thank you for promoting this really important issue. I, what I wanted to ask you is, what is the process? Was this brought to the State Legislature and not addressed in the last legislative session? And then, what's the process going forward? Are, is it, is the goal to get each County Council to sign on and then go back to the State Leg., you have to go back to the State Legislature, I would assume, to have a, an official holiday declared?

MS. NEYLAND: Yes. Yes. So, I'm currently working with a State Senator and a State Representative to have bills drafted in both the Senate and the House. And as you may know, the State Legislature meets from January to May. So, right now, they are drafting bills, but the bills will not be voted on until January.

COUNCILMEMBER KING: Okay.

MS. NEYLAND: So, this past January, there was a State Senator who introduced a bill to make Juneteenth a State holiday, but with the Coronavirus, the bills that were heard were vastly, the number of bills was lowered, because fortunately, unfortunately, they didn't have the time. So, the bill fell through, because at the time, it didn't seem necessary. It didn't seem to have precedence over the other issues. So, I'm hoping now with the coalition of supporters that I have built, and hopefully this resolution in addition to the resolution that the City of Honolulu has passed, we will be able to show them that this is something that people of Hawaii want. And it's something that's important and should take precedence.

COUNCILMEMBER KING: Okay. Well, thank you for that. Who is the Senator, the State Senator who brought it forward?

MS. NEYLAND: Senator Chang.

COUNCILMEMBER KING: Oh, okay. Stanley Chang?

MS. NEYLAND: Uh, yes.

COUNCILMEMBER KING: Okay, great. Oh, yea, he's a great guy. Well, anyway, I just wanted to thank you. I'll look forward to supporting this and then hopefully moving it forward. And I think with all the recent events that we've had in the last, since the opening of the legislative session, that it becomes even more important. So, I appreciate your advocacy.

MS. NEYLAND: Absolutely. Thank you so much.

CHAIR LEE: Before I call on Member Kama. I, I just wanted to shed a little bit more light on this situation. When I first heard from Miss Hawaii, Ms. Neyland, asking us to support this special holiday, and I, I wrote back to her and I said, well, you know, we don't have the authority to establish holidays and, but we'd be happy to support it before the legislature. And I thought I wouldn't hear from her again, but no, she, one day later, she's emailing me again. She's saying, yea, I realize you guys don't have the authority, but it would be great if you would consider a resolution.



And so, I, I gave up, at that point, I gave in and I said, okay, we will do this. And she also took the initiative to send us a copy of the City and County's resolution. So, then I surely had no excuse. And so, this is how we are here today; because of this young lady's persistence. And I thank you very much for doing that.

Ms. Kama--

COUNCILMEMBER KING: Thank you. Thank you, Chair.

CHAIR LEE: --did you have a question?

COUNCILMEMBER KAMA: Thank you, Chair. Thank you, Miss Hawaii, for being here, and congratulations. I wanted to know if your intent is to go and visit the other Councils across the State and gain their support. And if you have engaged in conversations with some of our local representatives here on Maui in terms of the U.S. House? And also, do you anticipate making this a Federal holiday once it passes through the different stages that you seem to be pushing, or persevering towards?

MS. NEYLAND: Absolutely, yes. It's definitely something I've considered, making it a Federal holiday. But one step at a time. And as Council Chair Lee said, I am very persistent. I like to think persistence is one of my best qualities.

So, I have spoken directly, or I've spoken directly with a Councilmember on Oahu, excuse me. Sadly, with everything that is going on, it has been a bit of a challenge getting in touch with everyone. So, I am very fortunate that I have a great deal of Councilmembers already signed on to my advocacy letter.

And I'm always consistently reaching out to as many people as possible and reaching out to officials on the neighboring islands as well. So, we're definitely in the process of getting there.

COUNCILMEMBER KAMA: So, I just want you to stay connected with us, because Councilwoman King sits on the Hawaii's State Council of counties where all the counties meet together, and she represents us. But we also have Mr. Hokama, who sits on the National Counties Association, which is all the counties nationwide. So, when that legislation comes through, we already have organizations in place to do Federal legislation. So, please stay connected to us. Thank you. And thank you for your persistence.

MS. NEYLAND: I will. Thank you so much for that advice.

CHAIR LEE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Yea, thank you very much for your persistence. And I was just wondering, what is the State process that you need to go through? And then, who is the State Representative? Stan, Senator Chang is helping you, and I was just wondering who's the House person?

MS. NEYLAND: We are still in the process of scheduling the meeting, so they've expressed interest in writing the bill. But I don't want to give their name until I have an official yes. I am persistent, but I try not to undermine people without them knowing, so I will wait till I have a solid yes from this person before sharing that.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: Any further questions? If not, thank you again, Ms. Neyland, for coming. And we wish you all the success. We certainly support what you're doing. Thank you.

MS. NEYLAND: Thank you so much.

CHAIR LEE: Mr. Clerk.

DEPUTY COUNTY CLERK: Madam Chair, the next person we have signed up to testify is Christian Tackett. To be followed by the individual connected to the meeting from the phone number ending with these last four digits, 9646. Christian Tackett, it's your time to testify. I do see a Christian connected to the meeting, but you're muted on your end.

MR. CHRISTIAN TACKETT (testifying on County Communication No. 20-411):

Good morning.

CHAIR LEE: Morning.

MR. TACKETT: Thank you. Thank you for taking the time to, to hear my testimony. My name is Christian Tackett as stated. I was raised on Maui. I went to Wailuku Elementary, Iao, and Baldwin. Raised five beautiful children. The, the, the fifth one is nine years old, so I got him halfway to adulthood. And just wanted to, to pledge my support for prioritizing Maui County businesses and hiring locally for publicly funded jobs and projects.

I owe my family, I own my house, I owe my, pretty much my entire future to the Council people. The projects that, that I paid for everything that, that my family got all the way

through came from the Council. So, you, you guys approved the projects. I graduated from my high school, I joined an apprenticeship program, and, and when there were jobs, I worked, and when there were not jobs, I did whatever I could to survive. And then the jobs would come again, and I would work. And of all the, of all the graduating students that I graduated with, very few, if any of them ever had an opportunity to purchase a house. And, and it's something that I got because of the projects that you guys approved, and because of the, the opportunities I was afforded.

And this, this resolution that you guys are, are looking at, that's how, that's how, that's how you guys, you've made it, made it something achievable for me to get. So, I made it through the program. And then, I currently am the apprenticeship coordinator right now for Maui, Molokai, and Lanai.

And, and what I would like to share with you guys is that when you, when you look at the apprenticeship, the, the apprenticeship no matter what trade you pick, these are students coming directly from your high schools, just like I came directly from your high schools. So, it's, you really going to get the highest number of jobs for youth coming out of our public education and, and even private education programs, filtering into these job, into these jobs. And they're jobs that can, can support families.

So, I'm, my testimony is in favor of it. And, and I'm in favor of higher wages for, for just about anybody that we can help, because in the end, Maui land will never get any cheaper. And getting things on Maui will not get any cheaper. And I support the farmers and everybody that, that, that puts forth an effort to try to make it easier to live here, cause it's really difficult to live here, you know. Everything is, maybe I could get this if I do without that kind of thing.

But we currently have a career connection program. So, we're, we're dealing straight with all the high schools trying to get these kids straight out of high schools, straight into these opportunities if that's the path they choose.

But I just wanted to, I just wanted to, to express my thanks for, for you and, and, and all those that came before you because, I mean, without those opportunities, I, I, I would be, who knows where I'd be. Maybe I wouldn't even be here. Maybe I would have had to move. So, I, I, I don't know. But I know that that the projects that you guys did pass, or the ones that I got to work on that, and those are how I fed my family, so.

CHAIR LEE: Thank you.

MR. TACKETT: Thank you so much for considering this.

CHAIR LEE: Thank you very much. Are there any questions, Members? If not, thank you so much, Mr. Tackett.

MR. TACKETT: Thank you.

CHAIR LEE: Mr. Clerk.

DEPUTY COUNTY CLERK: The next person signed up to testify is the individual connected to the meeting from the phone number ending with these last four digits, 9646. To be followed by Lisa Darcy.

*(Vice-Chair Rawlins-Fernandez arrived at the meeting at 10:35 a.m.)*

MS. BARBARA HALAI FERNANDEZ [testifying on Bill No. 79 (2020)]:

Good morning and aloha from Waiakoa, Kula.

CHAIR LEE: Good morning.

MS. FERNANDEZ: The Council, good morning, Council Chair and, and your Members. My name is Barbara Halai Fernandez and I am here to testify regarding Bill 79, which looks like it's on page 7, item K. under Ordinances. I'm in the Arborist Committee and this was presented to us first, regarding the Pu'unani Hawaiian Homestead's project. You should have a copy of this in front of you on page 3 and 4.

Approximately 27 of the 34 trees that are under the title exceptional trees are to be removed to accommodate the Department of Transportation's requirements on the upcoming Hawaiian Homes project. This is mauka of the highway. The trees meet the criteria, this is important under the exceptional trees bill, as they are diseased and/or dead. So, you also should have received that information that was presented to the Arborist Committee, which was then shared with Riki Hokama's family and community meetings committee.

The presentation by Hawaiian Homes Lands and Development Division and Blossom Feiteira, she's the homestead advocate, made it clear that with the rules we all agree at arborist, it's such re-tree planting is the plan we talked about also. And the care, who's going to take care of the trees after they're planted for proper growth? We decided that was a good go ahead. Our Arborist Committee members all felt the same. By the way, just to let you know, you, you trained us well, we got every little thing in writing. So, the Committee put everything down.

So, Wailuku was brought up about people that was raised there. The trees that kind of overtook Wailuku Town were koa trees. So, the replacement, we may consider koa trees. You should have a copy of their presentation that they gave us, and also to Councilman Hokama's Committee too. If not, we can make it available. And as you can see on the exceptional trees, page 3 and 4 is where it is; the bottom of 3. So, it says here, it's underlined and that explains why. We said the 34 trees. It may be less. So, that's why these trees are amid, omitted from this stretch. And it goes on the top here. So, that's why the exceptional tree list under this will, is now correct, because we're required to give the Parks Department. We look at all the exceptional trees every year on the list.

It has nothing to do with, also we got okay thanks to you folks, the canopy that also then goes further down into Olowalu. That's a totally different item on the exceptional tree list. So, it will just involve these group of trees which, again, meets the criteria of being able to be removed with the written understanding that we'll work with them and also the County on what trees to be replanted. So, that's my testimony. Thank you.

CHAIR LEE: Thank you. Are there any questions for Ms. Fernandez? If not, thank you very much.

At this time, I'd like to welcome to the meeting our Council Vice-Chair.

MS. FERNANDEZ: Have a good day.

CHAIR LEE: Our Council Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Aloha kakahiaka, Chair. What was your good morning for this morning?

CHAIR LEE: Well, this morning, it was, maybe you know it, because I know you spent some time in Sweden. So, this is from Finland, which is like Sweden, Norway, Finland. Okay, so, good morning is hyvaa huomenta, hyvaa huomenta.

VICE-CHAIR RAWLINS-FERNANDEZ: Hyvaa huomenta.

CHAIR LEE: Yea.

VICE-CHAIR RAWLINS-FERNANDEZ: And e kala mai for my tardiness. I was with the Administration at the bond rating.

CHAIR LEE: Yes. That was an important meeting. And you can tell us all about it at some point. Thank you.

VICE-CHAIR RAWLINS-FERNANDEZ: Will do, Chair. Mahalo.

CHAIR LEE: Thank you.

Okay, Mr. Clerk, moving on.

DEPUTY COUNTY CLERK: The next person we have signed up to testify is Lisa Darcy. To be followed by Kenny Barr.

MS. LISA DARCY, SHARE YOUR MANA [testifying on Bill No. 78 (2020)]:

Good morning, Council.

CHAIR LEE: Good morning.

MS. DARCY: Thank you for allowing this. Good morning, Chair, and, and, and team. My name is Lisa Darcy of Share Your Mana. I wish I'd gotten popcorn to you, because we have a little different set up today, I'm very excited about. I'd like to testify on Bill 78 (2020) on the Commission for Healing Solutions on Homelessness. And I'm going to just ask for two things. One is I'm going to just do a very short list, cause I've already started to compile what I think would be really important agenda items for this commission.

And the second is, because so many of the individuals that I'm working with are part of the digital divide, where they don't have the ability to log on, or they don't have the minutes, they don't have the data. I actually made a short video, it's three minutes and eight seconds. So, I would graciously ask for the accommodation of time, so that their voices can be, be heard as well.

So, the agenda items that I have in support of this Commission are managing environmental disasters, such as hurricanes and storms for people that are unsheltered, homeless, houseless; the digital divide; addiction services; the cultural approach to recovery; cost of living increases and their affects; the increasing numbers of those with physical and mental and emotional disabilities, including apathy. Those are some of the agenda items which I would really like to see addressed with this commission.

And now, what I would like to do is I'm going to try and manage my own digital divide. I'm going to try and turn, I don't know how to turn this around because the, the video is on my, I guess I'll just have to turn it around like this. Can you see my screen?

CHAIR LEE: Yes. It's a little dark.

MS. DARCY: Oh, is it? Well, let me put it lighter. I'm going to put that all the way up, I'm going to put the brightness all the way up. Oh, it's, I guess it's as high as it'll let me go. I don't know, oh, maybe if I open it up.

CHAIR LEE: Well, that's okay. Cause as long as we can hear, as long as we can hear the person.

MS. DARCY: Okay, I don't know how to turn it around. That's so funny. So, anyway, I'm learning through this. Okay, so here, here's the video. And, yes, thank you so much. They're very excited. Everyone's very excited that, that they're going to be on today.

*(A video was shown.)*

MS. DARCY: So, I'm, I'm sorry about the difficulty with the, the sound. I, I don't know how to actually get testimony to everybody, cause it's, it's hard without--

CHAIR LEE: That's okay, Lisa. We, we heard, we heard everybody. It would be nice to have their names for the record.

MS. DARCY: Oh, yea.

CHAIR LEE: If you have it.

MS. DARCY: Okay. Yea, I have it on video, but I, yea, absolutely. I'll be happy to provide that.

CHAIR LEE: Okay. Thank you. So, are there any questions for Lisa? Yes, Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Ms. Darcy. Mahalo. I really want to thank you so much. Mahalo nui for making sure that those that you know, don't have access to a laptop or technology or a smart phone are able to get their voices included. I was just wondering, mahalo Chair for asking for the names, but if they're located, you know, throughout the island or in one area, those that provided testimony?

MS. DARCY: So, you know, specifically Share Your Mana is only able to reach a very small group of people, and that's been in Kahului. So, this, this group of people is in Kahului. I haven't gotten to Kihei. I haven't gotten to Lahaina. Forget any other, even Paia, you know, I do know some people there, but, who are willing to, but again, it's, it's very time

consuming to do this, cause I had to show everybody the commission information and explain things how it works. So, it was, it was actually took like three full days to do that.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo. So, you actually answered my second question, which was how much of the commission you explained to them. So, you really went in-depth, so that--

MS. DARCY: Oh, yea, I brought my coffee, my coffee-stained commission printouts. And yea, it's really important to give people the, the opportunity to see what it looks like and, and explain because they don't understand what these terms mean. And the other piece that I didn't get to, cause I don't know how to edit, I, I'm doing this all learning on my own, on my own computer, I'm holding my phone to my computer, cause I don't know how to do this, is that people automatically said no to so much of the stuff. And then I explained it and they go, oh. And I said, well, what if I got you a tablet, and assume I'm going to give you minutes, assume you're going to have all these, you're going to have all these things like anybody else in an office would have.

You're not going to have to struggle to find transportation. You're not going to have to save your money for a smartphone. No, I, Share Your Mana will provide that, or somebody. We will provide this for you. And then, everybody's hand went up.

So, people will always say no to things, because they put the obstacles in their mind before they even understand what, that they are entitled to these, these abilities, you know. And they don't recognize how far behind the ball they are. I said, no, no, no, no, no; act like you have a beautiful office you're walking into, and it's air conditioned. Would you, if you had that and someone drove you to and from that, would you be able to participate? And it was like well, of course. So, yea, I had to spend, that's why it took over three days of explaining this just to get that three minutes for people to understand it.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Darcy. And mahalo again for your hard work in including their voices. Mahalo, Chair.

CHAIR LEE: Thank you. Are there any further questions? If not, thank you very much, Ms. Darcy, and for all your work. Appreciate it.

Mr. Clerk.

MS. DARCY: Thank you. Have a great day.

CHAIR LEE: Thanks.



DEPUTY COUNTY CLERK: The next person signed up to testify is Kenny Barr. To be followed by Ipo Keen.

MR. KENNY BARR, (testifying on County Communication No. 20-406):

Good morning. Can you hear me?

CHAIR LEE: Yes. Good morning, Kenny.

MR. BARR: Good morning. Good morning and aloha, Chairwoman Alice Lee and all you dedicated Councilmembers through these challenging times. My name is Kenny Barr of Kihei, a taxi driver and a blast from the past. I speak in support to County Communication 20-406, for the time extension for a committee to review the taxicab ordinance. And a thank you to Lito, Lito, the Motor Vehicle Director, for extending all our taxi inspections and renewals till September 30.

As to the time extension for the review of the taxi ordinance, I would request it be extended to when the Committee can meet again in person. Based on the three Multimodal Transportation Committee meetings we had in October, as other taxi operators testified, we had no problem with the ordinance, as the rules and regulations make for fair . . . equitable and professional taxicab operation on Maui with all the proper insurances, inspections, permits and . . . of the island.

With that said, as you all know, the problem is the unregulated rideshare operations on Maui with no rules or regulations that put us in a really unfair transportation situation status. I think that most of you on the Committee agreed and were open to rules and regulations similar to the taxi ordinance to level the playing field.

I submitted written testimony on October 17, 2019, with eight suggestions that would level that field. And fees to the County triple what the County now gets from the taxi business license fees based on the amount of rideshare operations on Maui compared to licensed taxicabs. If you remember the representative for the timeshare, he says he didn't even know how many people were, how many taxis they, or timeshares they had, maybe 300 or 400.

So, what I'm asking for, if you grant the Administration's request for the time extension, that you add in the request for this Committee to also come up with comparable rules and regulations for the rideshare industry, for you, as the Council, to consider when it comes back to Council. Thank you for your time and consideration. Aloha. I did it in three minutes. Thank you.

CHAIR LEE: Good job, Kenny. Are there any questions?

Yes, Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair, for allowing me this opportunity. Mr. Barr, nice to hear your voice.

MR. BARR: Thank you.

COUNCILMEMBER SUGIMURA: And thank you very much for always coming to all of the meetings that I held in, in Committee. So, I, I just wanted clarification. Did you say that you didn't want to take up this item until we could meet in person? So, you're saying after COVID is over?

MR. BARR: Yes. I think that the Committee would be better to be sitting in one of those Committee rooms and go back and forth with the, with reviewing the taxi ordinance, and more importantly to, to match up some of the rules that we've discussed for the rideshare operations on Maui. Yes.

COUNCILMEMBER SUGIMURA: Thank you.

MR. BARR: Because I don't think there's a rush to do anything with the taxi ordinance, cause taxi operators are, you know, we don't have any problem with it. We, we follow the rules and it's been that way for 40 years.

COUNCILMEMBER SUGIMURA: So, you're operating now during COVID?

MR. BARR: Well, we're, we're in operation as far as having our legal insurance and everything. But there really hasn't been any business in the last three, at least three months. I haven't had a run in three months and I'm sure other taxi operators are the same. I never see any on the road. So, but anyway, in answer to your question, yes, that's what I was asking for that, when this COVID thing is over that we can, we'll meet in person.

COUNCILMEMBER SUGIMURA: Thank you, Mr. Barr. And thank you for your commitment to this issue.

MR. BARR: Thank you. Thank you. Thanks for holding the meetings.

CHAIR LEE: Members, are there any more questions? If not, thank you, Kenny. You take care.

MR. BARR: Okay. You too. Take care of yourselves, all of you. Okay. Aloha.

CHAIR LEE: Mr. Clerk.

DEPUTY COUNTY CLERK: The next person we have signed up to testify is Ipo Keen. To be followed by Carol Lee Kamekona.

MS. IPO KEEN [testifying on Bill No. 78 (2020)]:

Aloha. Good morning, Chair, Councilmembers. Thank you for your constant diligence to keep our com, our County running smoothly. I am coming before you today for Bill 78, the final reading for the Commission on Healing Solutions for the, the Homeless. I really hate that word; I'd rather call them unhoused because they're in their home State.

But I'm, I'm coming to you to say I'm so sorry I broke down last time. Last time I really kind of upset about things. But I stand for this, this bill and I ask that all of you do too. It may not be the perfect solution to what we need, but it is a step forward. And I do believe that those of us that have struggled with being unhoused and continue to struggle with being unhoused need to have a voice at the table. And this is one way of, of doing it. So, I thank you for your time and in all that you do for our community. Thank you.

CHAIR LEE: Thank you very much for those words. Are there any questions? If not, mahalo again.

Mr. Clerk.

DEPUTY COUNTY CLERK: The next person we have signed up to testify is Carol Lee Kamekona. To be followed by Clare Apana.

CHAIR LEE: Ms. Kamekona.

MS. CAROL LEE KAMEKONA (testifying on County Communication No. 20-418; Committee Report Nos. 20-97, 20-98, and 20-101; and Bill No. 78 (2020)):

I'm here, but I'm muted on the video.

CHAIR LEE: Oh, no, no, we hear you and see you. You're fine.

MS. KAMEKONA: Can you see? Okay. Good morning, Chair. Good morning, . . . I'm coming forth to testify on Bill 78 (2020), "A BILL FOR AN ORDINANCE ESTABLISHING THE COMMISSION ON HEALING SOLUTIONS FOR HOMELESSNESS". I mahalo greatly Lisa Darcy and all the work that she is doing. And I mahalo her for giving a voice to those who do not have the opportunity or the means to come forward in front of you and speak. So, I mahalo her and say that I am in support of this bill moving forward.

With regards to 20-418, 20-418 is the proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 2.28.070, MAUI COUNTY CODE, RELATING TO PLANNING COMMISSION AND HANA ADVISORY COMMITTEE MEMBERSHIP REQUIREMENTS". I am totally in support of this bill. I mahalo Councilmember King for coming forward and bringing forth what needs to be represented on Maui Nui, which is the kanaka maoli. Upon the Planning Commission, there are many who come from a developmental or tourism mindset, and we need to bring the kanaka maoli concept through. So, I mahalo Councilmember King for bringing that forward. I am in approval of that and I support that.

For 20-98, with regards to my last comment, I am against the adoption of resolution approving the appointment of Melvin Hipolito to the Planning Commission.

On 20-101, on first reading for the bill authorizing the Mayor to enter into an intergovernmental agreement with the Department of Land and Natural Resources, State of Hawaii, to provide for surface maintenance on a portion of Mākena-Keone'ō'io Road that runs through the 'Āhihi-Kīna'u Natural Area Reserve. I in, I am in agreement of that. And I do approve, hopefully that some kind of agreement can be made, and the surface maintenance can be maintained.

And I have one more question, Chair, for you if you please, regarding 20-97, which comes from the Economic Development and Budget Committee. My question is regarding the purchase of a replacement 911 recorder. Does this have anything to do with 5G?

CHAIR LEE: Not to my knowledge. Yea, but not to my knowledge. But we can ask the Chair of that Committee.

Member Rawlins-Fernandez, did you hear the question? Would you like to address that question?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I did hear the question and I echo your response, that in the Budget Committee, I, I don't believe it had anything to do with 5G.

CHAIR LEE: Okay. Thank you.

MS. KAMEKONA: Mahalo, Committee Chair Keani and Madam Chair Alice. Mahalo nui. Mahalo for the opportunity to coming before you all. You have a good day. God bless. Aloha.

CHAIR LEE: Thank you. You too. Are there any more questions for Ms. Kamekona?

If not, Mr. Clerk.

DEPUTY COUNTY CLERK: The next person we have signed up to testify is Clare Apana. To be followed by Faith Chase.

CHAIR LEE: Good morning.

MS. CLARE APANA (testifying on County Communication No. 20-418):

Good morning. I would like to testify about the Planning Commission nominees and the resolution. I believe it's a resolution to include more environmental, and other than union or construction people in the Planning Commission, and cultural people. I'm really sorry, I don't know what number it is. There's so many pages of numbers.

CHAIR LEE: 20-98 [sic].

MS. APANA: Okay, 20-98. And I'd like to wholeheartedly support this. It's been very difficult to go to Planning Commission and have people not really not understand too much about the culture. We have three minutes to speak, and that's really not enough to, to explain all the importance of what we're trying to get across. And I just want to say that I, about three months ago, someone told me, well, why don't you ever get onto a board and, and serve. And I said, oh, I should. And so, I went to do that, and I tried to find out which board I could get to.

And so, I called the department and I was told, well, only Ms. Baisa knows. And so, for the next month and a half I tried to find Gladys Baisa. And I finally was able to get in touch with her after, I mean, I had to call the Mayor's Office. And so, she told me that there are no, there are no openings at the time. But I never got called. Like, there are two people who are going for the Planning Commission and I was told there was no openings.

And I don't think I'm unknown to people, but nobody ever called me. I mean, I, I don't know if I'm supposed to just keep asking or what. I've made it clear that I wanted to serve on a committee that would be a natural committee for me to serve on. But I am just wondering, you know, sometimes, Chair, it feels like environmental people, cultural people are kind of singled out not to be asked.

And I certainly feel like that, like that in this situation. I hope that that's not true and that this can be remedied. And going forward, I totally, totally support Ms. King's, the resolution to include more cultural and environmental people to balance out the, the commission and all the commissions. Thank you very much.

CHAIR LEE: Okay. Just for clarification, I mentioned to you Committee Report 20-98. That has nothing to do with Ms. King's resolution. That has to do with the appointment of Melvin Hipolito to the Maui Planning Commission.

MS. APANA: Okay.

CHAIR LEE: So, just to make the distinction, yea.

MS. APANA: Okay, are you able to put . . .

CHAIR LEE: We, we understand what, yea, we understand what you're, what you're supporting.

MS. APANA: Okay. Thank you.

CHAIR LEE: Okay. Thank you. Are there any questions?

MS. APANA: Okay. It's a related subject, correct?

CHAIR LEE: Pardon me?

MS. APANA: It's a related subject.

CHAIR LEE: Yea, related; related subject.

MS. APANA: Thank you.

CHAIR LEE: Any questions for Ms. Apana.

Yes, Ms. Kama.

COUNCILMEMBER KAMA: Chair. Thank you. Good morning, Clare, and thank you for coming before the Council. So, you know, I, I, my sense is that, you know, you have a really good relationship with the Mayor. And, have you approached him to ask him whether or not it would be appropriate or whether he would actually, you know, suggest your name to the Planning Commission if you so desired to sit on it? Because to me it seems that--

MS. APANA: And I'm not . . .

COUNCILMEMBER KAMA: Well, maybe you should ask him, and if he would just suggest that, you know, so that your name can be. Cause I think, to me, I mean if there's somebody who's wanting, and willing, and able out there who wants to, you know, put their time and energy into, you know, something like a commission, I think it's worthy of just saying, hey Mayor I'd like to do this. Can I, can you just suggest it, or can you put me on the commission please, cause I really want to serve. I think, you know, I think, this, it would, to me it would beg asking the question, cause I think it's--

COUNCILMEMBER KING: Chair, I think--

MS. APANA: I guess I didn't go high enough.

COUNCILMEMBER KING: --Councilmember Kama is muted.

MS. APANA: I, I--

COUNCILMEMBER KING: I can't hear her talking.

MS. APANA: Oh. Unmuted?

COUNCILMEMBER KAMA: That's just my suggestion. Thank you.

MS. APANA: Am I still muted?

COUNCILMEMBER KAMA: No, you're, I can hear you.

CHAIR LEE: No, no you're not muted.

MS. APANA: Oh, okay.

COUNCILMEMBER KAMA: Thank you.

CHAIR LEE: Are there any other questions or comments?

MS. APANA: Ms. Kama, I mean, I think I followed the procedures. And, and so, I, I, I am surprised too, and so.

COUNCILMEMBER KAMA: But, but at some point in time, you know, you just got to feel like is this the time that I should go talk to the Mayor? Cause I think at some point in time, we all feel like that, it's like I'm not getting anywhere. Maybe I should just talk to the Mayor.

CHAIR LEE: Okay. Now, we have other questions.

COUNCILMEMBER KAMA: But that's what I would do. Thank you.

MS. APANA: Okay. Thank you very much.

CHAIR LEE: Other questions. Member Paltin. Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Ms. Apana, for your testimony. I just was clarifying. So, you're saying that you have a current application in for the Planning Commission? Is that, is that what you said?

MS. APANA: I, I, I do not, because I wanted to serve on some, on a committee to, to kind of do my civic duty. And I was told there are no openings at all, so there was no, nothing for me to apply for.

COUNCILMEMBER PALTIN: Oh, and who was it that told you that?

MS. APANA: I, I was talking to Ms. Baisa.

COUNCILMEMBER PALTIN: Oh, okay. My office will be happy to send you an application. I mean, we've, we've given out about three Planning Commission applications that have been turned in. And you know, things happen with the Coronavirus, of people resigning.

MS. APANA: Right.

COUNCILMEMBER PALTIN: So, we'll be happy to send you an application and you can turn it in.

MS. APANA: Thank you.

COUNCILMEMBER PALTIN: But I don't think he can choose you without an application in.



MS. APANA: Definitely. Definitely. I was just trying to find out who I could, which committee, commission I might be able to apply for. Thank you very much for doing that.

COUNCILMEMBER PALTIN: Sure thing. Thank you.

CHAIR LEE: Thank you, Ms. Tamara Paltin. And do we have any other questions? If not, thank you, Ms. Apana.

COUNCILMEMBER MOLINA: Chair. Chair.

CHAIR LEE: Oh, we have a question from Mr. Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. No, just a FYI for Ms. Apana. If you call the Mayor's Office at 270-7855 and ask for Mr. Ipo Mossman, he's taken over as the Mayor's boards and commission representative. And he too can also send you an application as well if you prefer that route. Thank you.

MS. APANA: Thank you very much. I will be sure to do that.

CHAIR LEE: Alright. Thank you. No more ques--

Oh, Ms. King.

COUNCILMEMBER KING: Sorry, Chair. I, I don't know what happened to me. I, all of a sudden everybody was muted, and I couldn't hear anything that was said. So, I had to log out and log back on. So, I apologize if this was already asked of Ms. Apana. But thank you for being here, Clare. I, I, I guess my question is were you discouraged from applying for a position on Planning Commission?

MS. APANA: So, I was told that there were no openings at all, so.

COUNCILMEMBER KING: Okay. But you should be able to apply whether or not there are current openings. You should be able to apply for any board or commission at any time and have your application be on file. So, were you discouraged from even putting in an application?

MS. APANA: I, I just wasn't, I just wasn't told to do that.

COUNCILMEMBER KING: Okay.

MS. APANA: I'm not familiar with the procedure. Thank you.

COUNCILMEMBER KING: Okay.

MS. APANA: No, I wasn't given any information like that.

COUNCILMEMBER KING: Thank you for being willing to serve too. I think you'd be an excellent addition.

MS. APANA: Thank you.

COUNCILMEMBER KING: Thank you, Chair. You're muted, Alice.

CHAIR LEE: If not, thank you, Ms. Apana.

And, Mr. Clerk, can we have the next testifier.

DEPUTY COUNTY CLERK: Madam Chair, the next testifier is Faith Chase. To be followed by Bruce U'u. Mr. U'u is the last person we have signed up to testify.

MS. FAITH CHASE, SHARE YOUR MANA [testifying on County Communication Nos. 20-398 and 20-400; Committee Report No. 20-101; and Bill No. 78 (2020)]:

Aloha, Council. This is Faith Chase. I just want to speak in favor of Bill 78 for the Commission on Healing Solutions for the Homelessness. I understand last week there was some informative meetings, and I felt, not only my testimony but testimonies of others were heard, so I appreciate that.

I want to quickly say, even though I didn't sign up for these items, that I oppose 20-201 *[sic]*, wherein DLNR is provided surface maintenance authority in the Mākena-Keone'ō'io area. And reason being is I am not satisfied with the Planning Department's Zoning Department at all. And I imagine that there was some precursor to them being able to do any kind of work, surface maintenance work there. And I've lost complete faith in that department. So, in that reason I am in opposition, strong opposition.

I am in favor of CC 20-400, for the witness assistance program. The Maui Police Department needs massive assistance in this area. My family has personally spent \$8,000 protecting a family of six because of the lack of this program's ability or bandwidth to do their job.

I am in strong support of CC 20-398, wherein the program to STOP Violence Against Women is in place. Thank you so much.

CHAIR LEE: Thank you, Ms. Chase. Are there any questions? If not, thank you, Ms. Chase.

Mr. Clerk.

DEPUTY COUNTY CLERK: Chair, the last, oh, we have the next testifier is Bruce U'u. To be followed by--

CHAIR LEE: I'm sorry.

DEPUTY COUNTY CLERK: --Rose Reilly.

CHAIR LEE: I'm sorry, Mr. Clerk. I think there was a question.

Ms. Paltin. Ms. Paltin, I'm sorry.

COUNCILMEMBER PALTIN: Question for Ms. Chase about the Makena Road. I don't think the Planning and, I think maybe you're mistaken. It wasn't Planning and Zoning. It was Public Works. Is that still the way you feel, regardless of what department?

MS. CHASE: I am, I am in opposition of it. Forgive me if it was a different department. I've been down there physically. I gave early reports two years ago. We had a, yea, I'm in, I'm in any opposition to the surface maintenance down there. And thank you for correcting me, as far as the department hierarchy. But yea, I have many other reasons why I'm in opposition. But specifically, I guess, a little grandstanding I'm disappointed with that department as well.

COUNCILMEMBER PALTIN: What was, did you, could you share with us the reason you're in opposition?

MS. CHASE: You know, there's some, there often, my work is where people hand me information, but they don't want to be, like, they don't want to be identified. And a lot of work down there in that area, despite, besides the sacredness that many of the other testifiers are speaking to, there's a lot of shenanigans and a lot of stuff swept under the rug. Some of the laborers down there that have been doing work have been telling how things are done their way or whatever their foreman's.

You know, just, it's just riddled, years and years of riddled, of doing whatever they want down there. And I have no faith. And I just still, I think the area just needs to be untouched. I grew up down there when I was little and, yea, I guess without sharing what's not mine to share, I'm just in opposition. Slow down.

COUNCILMEMBER PALTIN: Okay. Thank you.

CHAIR LEE: Any other questions? If not, thank you, Ms. Chase.

MS. CHASE: A hui hou.

CHAIR LEE: Mr. Clerk.

DEPUTY COUNTY CLERK: The next person we have signed up to testify is Bruce U'u. To be followed by Rose Reilly.

CHAIR LEE: Good morning.

MR. BRUCE U'U, HAWAII CARPENTERS UNION (testifying on County Communication Nos. 20-411 and 20-418):

Good morning. Can you guys hear me?

CHAIR LEE: Yes.

MR. U'U: Aloha. Aloha and good morning. Thank you for allowing me to testify. I'm testifying in favor of "PRIORITIZING MAUI COUNTY BUSINESSES AND HIRING LOCALLY FOR PUBLICLY FUNDED JOBS AND PROJECTS". My name is Bruce U'u, a lifelong Maui resident. I also work for the Carpenters Union.

And I'd like to comment on some of the testifiers we had. One was Chris Tackett, who's spoken support of it, about prioritizing work and how he talked about everything he had was through, I guess, stuff like this that implemented that work goes to the local people, which is us. And he built it up to the point where he has a house, he didn't have, he didn't have to move.

And then we went back, and then we talked about the homeless situation, corrected, houseless situation where people houseless. And we kind of in the same canoe as I look at it, you know. My neighbor currently closed his loan. He lost about, he lost his job, got his loan. After he got his loan, this pandemic hit. He lost 60 percent of his income. So, this is kind of like a proactive approach to, to where we all in the same boat.

And what the homeless guy, or the houseless guy said was this, he said he was on both sides of the fence. And I took that to heart into thinking he was working. He is

now homeless. Here's a measure we have to kind of be proactive and keep those struggling and trying to sustain a household, like we all have and do, which we are fortunate to have from slipping down that slide that could happen to anybody to become homeless.

We that close to becoming homeless. My house, four adults all was working. Now only get two. I one job away from losing the stuff I worked my whole life to get, let alone watch it slip away. So, I going support these measures and the homeless measures, because we fighting and we fight daily. And this is the time where we going to need the help. And this is the help we're looking at.

I also would like to say, on a different subject. Someone said the environmentalists, we need more kanaka maoli on the environmental side to be a voice of Planning Commission. And I agree. And I sat on the Planning Commission and I am Hawaiian. I'd like to add this, the bulk of any race that we have in the trades is Hawaiian. Again, I going say this, the bulk of the people in our trades. When you walk into our school, the apprenticeship classes, you going see Hawaiians. That's the bulk. And we weighing the difference of being an environmentalist and being in a job where we can sustain ourselves. And as I walk towards Baldwin Park and I see my homeless classmates, who are Hawaiian by the way, they're struggling. We all fighting the same struggle, cause we all in the same canoe. So, that is my two cents.

I thank you guys for your dedication and hard work. I wish you guys the best. By the way, that resolution of this morning's opening with . . . , I'm sorry, the, the veteran was inspiring. That's the kind of incredible people we have on Maui. Mahalo for your guys service. Thank you, guys.

CHAIR LEE: Thank you, Mr. U'u. Are there any questions? If not, thank you again. Aloha.

Mr. Clerk.

DEPUTY COUNTY CLERK: The last person we currently have signed up to testify is Rose Reilly.

CHAIR LEE: Call her again.

DEPUTY COUNTY CLERK: Rose Reilly, it is your time to testify.

CHAIR LEE: Okay. I think I see her.

MS. ROSE REILLY [testifying on County Communication Nos. 20-411 and 20-419; and  
Bill No. 80 (2020)]

Hi. Aloha. Good morning, everyone. Thank you so much for bringing forth so many beautiful things to talk about in the community. I'd first like to address CC 20-411 about hiring locally. This is an issue that has been close to my heart for a long time. I am part of families of people who have moved here for construction work. I've dated people who have been here for construction work. It's a very difficult trade.

I think that it's in the community's best interest that they hire locally, and that it should be applied for them to be prioritized for all building. That it should be like if this doesn't include that to, you know, work towards making it so that is our reality. So, that we're in a place where we take care of the people who are from here, and live here, and are very, you know, ma'a to how to be here, instead of trying to introduce all these people and their wild things they got going on. Like, you know, it's like they're coming over here for work and so, I feel like it's a mess. So, I really want to encourage everyone to put forth legislation that makes sure that all of the building projects hire locally.

For as far as the CC 20-419, regarding evictions, this is something that I've been wanted to talk about. I don't understand why we have to keep paying banks extra during this time when we're all in this extreme stress. I would love for it to be that, you know, especially no families and no elders are evicted during this time, you know, that they've got a lot on their plate with having the kids home from school. They got so much going on.

So, just really don't think that, you know, it would be impossible for us to come up with solutions. Is there ways that we can, like, move things around, move money around to help them? You know, to maybe put in place programs where they can give back some and that will allow for more funds to help them through the time? You know, I've heard reports that it could be three years before things are back to normal. What are we going to do with all these people in that time? So, in, that's what I have about that.

And then, Bill 80, the Paia land from agriculture to urban; a'ole, no, I do not want the land use changed without extensive discussion for anything on Maui. Thank you so much.

CHAIR LEE: Thank you. Are there any questions for the testifier? Any questions? If not, thank you so much again for coming.

MS. REILLY: Thank you.

CHAIR LEE: Mr. Clerk.

DEPUTY COUNTY CLERK: Madam Chair, there is no one else currently signed up to testify. If an individual connected to the meeting has not testified but would like to do so, please identify yourself now. I will be unmuting everybody in the meeting on our end, in case anyone wants to notify themselves that they want to testify. You can also inform us in the meeting chat. This is the last call for testifiers. If you would like to testify, please indicate so now.

Madam Chair, I don't see any request to testify in the meeting chat. And no one else has identified themselves to testify. We have--

MS. APANA: You want to listen to them?

CHAIR LEE: I'm sorry, we have received, what did you say?

DEPUTY COUNTY CLERK: Written testimony.

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

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: Any objections? Alright. If not, so ordered.

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

1. Lisa Darcy, Share Your Mana;
2. William J. Aila, Jr., Hawaiian Homes Commission;
3. Dwight K. Burns, Hawaii Operating Engineers Industry Stabilization Fund;
4. Susan Halas; and
5. Dick Mayer.

CHAIR LEE: Testimony is closed.

Mr. Clerk.

DEPUTY COUNTY CLERK: Proceeding with minutes.

## MINUTES

The minutes of the Council of the County of Maui's regular meeting of May 8, 2020, emergency meeting of May 11, 2020, and regular meeting/public hearing of May 26, 2020, were presented at this time.

CHAIR LEE: Council Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

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

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Moved by Council Vice-Chair Rawlins-Fernandez, seconded by Member King, to approve the minutes as read by the Clerk.

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

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

NOES: NONE.

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

Mr. Clerk.

DEPUTY COUNTY CLERK: Chair, proceeding with county communications.



## COUNTY COMMUNICATIONS

NO. 20-393 - DAVID C. THYNE, FIRE CHIEF,  
(dated July 15, 2020)

Transmitting a grant agreement from the State of Hawaii Highway Safety Section in the amount of \$21,488.06 for the purchase of Auto Extrication Tools.

CHAIR LEE: Council Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. If there are no objections, may I request the Clerk also call up County Communications 20-394 through 20-404?

CHAIR LEE: You have a busy couple of weeks coming up. Wow, a lot of communications.

Okay, any objections to that?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: If not, Mr. Clerk, please proceed.

NO. 20-394 - LORI TSUHAKO, DIRECTOR OF HOUSING AND HUMAN CONCERNS, (dated July 17, 2020)

Transmitting the notice of grant award from Alexander & Baldwin Kokua Giving Contribution in the amount of \$20,000.

NO. 20-395 - LORI TSUHAKO, DIRECTOR OF HOUSING AND HUMAN CONCERNS, (dated July 24, 2020)

Transmitting the notice of grant award from the State of Hawaii, Executive Office on Aging, for the Healthy Aging Partnership in the amount of \$190,944.

NO. 20-396 - LORI TSUHAKO, DIRECTOR OF HOUSING AND HUMAN CONCERNS, (dated July 24, 2020)

Transmitting the notice of grant award from the State of Hawaii, Executive Office on Aging, for the Aging and Disability Resource Center in the amount of \$1,016,889.

NO. 20-397 - JOSEPH PONTANILLA, COMMUNITY DEVELOPMENT BLOCK  
GRANT PROGRAM MANAGER, (dated July 20, 2020)

Transmitting the notice of grant award from the U.S. Department of Housing and Urban Development, Office of Community Planning and Development in the amount of \$1,879,433.

NO. 20-398 - DON S. GUZMAN, PROSECUTING ATTORNEY,  
(dated July 28, 2020)

Transmitting a copy of a grant award from the State of Hawaii, Department of the Attorney General, Crime Prevention and Justice Assistance Division for the STOP Violence Against Women Formula Grant totaling \$110,452, which includes \$27,613 in matching funds.

NO. 20-399 - DON S. GUZMAN, PROSECUTING ATTORNEY,  
(dated July 28, 2020)

Transmitting a copy of a grant award from the State of Hawaii, Department of the Attorney General, Crime Prevention and Justice Assistance Division for the Special Needs Advocacy Project totaling \$809,160, which includes \$161,632 in matching funds.

NO. 20-400 - DON S. GUSMAN, PROSECUTING ATTORNEY,  
(dated August 6, 2020)

Transmitting a copy of a grant award from the State of Hawaii, Department of the Attorney General, Crime Prevention and Justice Assistance Division, for the Victim Witness Assistance Program in the amount of \$51,891 for Fiscal Year 2021.

NO. 20-401 - DON S. GUZMAN, PROSECUTING ATTORNEY,  
(dated August 6, 2020)

Transmitting a copy of a grant award from the State of Hawaii, Department of the Attorney General, Crime Prevention and Justice Assistance Division, for the Career Criminal Prosecution Program in the amount of \$115,788 for Fiscal Year 2021.

NO. 20-402 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,  
(dated July 30, 2020)

Notifying of the transfer of \$29,500 from the Countywide Costs – Salary Adjustments to various departments.

NO. 20-403 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,  
(dated August 7, 2020)

Transmitting the following:

1. A copy of the State of Hawaii, Department of Transportation's approval letter for the Periodic Motor Vehicle Inspection, Commercial Driver License, State Identification, and Motor Vehicle Registration Programs for Fiscal Year 2020-2021; and
2. The Extension of the Memorandum of Agreement between the State of Hawaii Disability & Communication Access Board and the Department of Finance, Driver's Licensing Section, for implementation of the Persons with Disabilities Parking Program.

NO. 20-404 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,  
(dated August 7, 2020)

Transmitting 136 contracts/grants for July 2020.

CHAIR LEE: Council Vice-Chair Rawlins-Fernandez on those 12 communications.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO FILE COUNTY COMMUNICATIONS 20-393 THROUGH 20-404, EXCEPT FOR THOSE GRANTS AND CONTRACTS THAT COUNCILMEMBERS REQUEST FOR THE COMMITTEE, FOR COMMITTEE REFERRAL.

CHAIR LEE: Councilmembers, first Ms. Kama.

COUNCILMEMBER KING:

SECOND.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo.

COUNCILMEMBER KAMA: Thank you, Chair. Thank you, Councilmember Keani Rawlins-Fernandez.

CHAIR, MAY I HAVE CONTRACT 6, C6360-3 REFERRED TO AFFORDABLE HOUSING PLEASE?

CHAIR LEE: Okay. You want to repeat that one more time?

COUNCILMEMBER KAMA: Yes. C, as in cat, 6360-3. Thank you, Chair.

CHAIR LEE: To Affordable Housing?

COUNCILMEMBER KAMA: Thank you, Member Rawlins-Fernandez.

CHAIR LEE: Okay. And then, next. Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair.

MAY I HAVE THE FOLLOWING CONTRACTS REFERRED TO MY COMMITTEE: C6776-1, C6781-1, C6782-1, THESE ARE ALL RELATING TOWING FOR ABANDONED VEHICLES; AND C6542-5, C6543-4, C6544-3, THESE ARE ALWAYS, SORRY, MAUI BUS CONTRACTS REGARDING THE DIFFERENT AREAS THAT WE SERVICE IN TERMS OF TRANSPORTATION.

Thank you.

CHAIR LEE: Okay, next. Okay, Ms. Paltin. Oh, that means zero?

COUNCILMEMBER PALTIN: Oh, no, I just was, when--

CHAIR LEE: Oh, I see us. Okay.

COUNCILMEMBER PALTIN: She did it--

CHAIR LEE: Okay. Ms. King and then Mr. Sinenci.

COUNCILMEMBER KING: Thank you, Chair.

MAY I HAVE C5954-4 REFERRED TO THE CAR COMMITTEE?

CHAIR LEE: Only one?

COUNCILMEMBER KING: Only one.

CHAIR LEE: Alright, Mr. Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair.

YEA, MAY I ASK CONSIDERATION FOR COMMITTEE  
REFERRAL TO EACP, CONTRACT C7081, C7082, C7083,  
C7084, AND C7086, PLEASE?

CHAIR LEE: Alright. Anymore requests? I don't see any hands.

Oh okay, Council Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

AND THEN, TO EDB, C5248-9 AND P1907 THROUGH P1943.

CHAIR LEE: Alright. Anybody else? If not, are there any objections to excluding those requests from filing and refer to the subject matter committee as, as requested?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: Okay. If not, let's proceed with, okay, it's been moved by Ms. Rawlins-Fernandez, seconded by who?

COUNCILMEMBER SUGIMURA: Ms. King.

VICE-CHAIR RAWLINS-FERNANDEZ: Member King.

CHAIR LEE: Oh, Ms. King. Okay, to file the rest of the communications. Any further discussion? If not, all those in favor say "aye", raise your hand.

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

NOES: NONE.

CHAIR LEE: Okay. Nine "ayes", no "noes"; motion carries.

Mr. Clerk.

NO. 20-405 - MICHAEL P. VICTORINO, MAYOR,  
(dated August 6, 2020)

Informing of a vacancy on the Salary Commission due to the resignation of Paul Kailiponi effective August 7, 2020.

CHAIR LEE: Mr. Molina.

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair.

MOVE TO FILE COUNTY COMMUNICATION NO. 20-405.

COUNCILMEMBER SUGIMURA:

SECOND.

VICE-CHAIR RAWLINS-FERNANDEZ: Second.

CHAIR LEE: It's been moved by Mr. Molina, seconded by Ms. Sugimura, to file County Communication 20-405.

Discussion, Mr. Molina?

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair. The Mayor received notice of Mr. Kailiponi's resignation from the Salary Commission effective August 7, 2020. I want to thank Mr. Kailiponi for his participation in local government and for volunteering his time for our community. Thank you.

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

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

NOES: NONE.

CHAIR LEE: Yay. Nine "ayes", zero "noes"; motion carries to file County Communication 20-405.

Mr. Clerk.

NO. 20-406 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,  
(dated July 30, 2020)

Requesting a time extension on the appointment of a committee to review Chapter 5.16 of the Maui County Code as it relates to taxicabs.

(COUNTY COMMUNICATION NO. 20-406 WAS LATER  
REFERRED TO THE WATER, INFRASTRUCTURE, AND  
TRANSPORTATION COMMITTEE. See pages 67 and 68.)

CHAIR LEE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. Could I also ask the Clerk to bring up County Communication 20-407 through 20-409?

CHAIR LEE: Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: Alright.

All those, okay, Mr. Clerk.

NO. 20-407 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,  
(dated August 5, 2020)

Informing of the acceptance of Sewerline Easement 1, Haynes Subdivision – Lot 2,  
TMK: (2) 3-4-003:044 POR.

NO. 20-408 - JEFFREY T. PEARSON, DIRECTOR OF WATER SUPPLY,  
(dated August 7, 2020)

Transmitting the Department of Water Supply's Monthly Source and Groundwater Use  
Report for the month ending July 2020.

NO. 20-409 - JEFFREY T. PEARSON, DIRECTOR OF WATER SUPPLY,  
(dated August 10, 2020)

Transmitting the State of Hawaii Commission on Water Resource Management water  
use reports for June 2020 for all registered well reporters in the County of Maui.

CHAIR LEE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you.

I MOVE TO FILE COUNTY COMMUNICATIONS 20-406  
THROUGH 20-409.

CHAIR LEE: Second?

COUNCILMEMBER SUGIMURA: I need a second.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

COUNCILMEMBER SUGIMURA: Thanks.

CHAIR LEE: Moved by Ms. Sugimura, seconded by Council Vice-Chair Rawlins-Fernandez,  
to file the items as mentioned.

Any discussion, Ms. Sugimura?



COUNCILMEMBER SUGIMURA: Yea, thank you. These are informational. But I do want to let Mr. Barr know, because he did make special effort to testify on 20-406, that it is just for a request for a time extension for the community to review the taxi rate fees, which was due, or we had agreed in Committee for it to be heard by August. But I think with all the Coronavirus and those kind of situations we have in the community, that the Director of Finance is asking for a time extension which is fine. But all the rest, this is just informational, and so no further action is required by the Council. I will take up taxicabs in my Committee at the appropriate time. Thank you.

CHAIR LEE: Ms. King.

COUNCILMEMBER KING: Yea, Chair, I was just going to ask about that, if, if, you know, because it was a request for a time extension, if there's any action that we had to take on it or if it's just something that the Mayor just decides he's going to extend? Is that, I mean, who is the request being made to?

CHAIR LEE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: So, the, my Committee asked for a community group to be put together. I think one of it was Mr. Barr, because he showed up at every single one of my taxi--

COUNCILMEMBER KING: Yea, I remember.

COUNCILMEMBER SUGIMURA: --meeting.

COUNCILMEMBER KING: I remember when you did that, but it just says, it looks like a request to the Council Chair for a time extension. So, if we, if we file that, I mean, is that just something that we just start giving them, or do we have to make a, take a vote on it? I'm just not understanding what the required action would be.

CHAIR LEE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: I, I he's just asking. He's been, they're asking for more time to put this together and they'll come back with the information that was requested with the initial request, so.

COUNCILMEMBER KING: Yea, but do we have to do something to give them that extra time is what I'm asking, is what, you know? If we file this, are we saying that, that we are, or we aren't giving them more time?

COUNCILMEMBER SUGIMURA: We, we are. I mean, I don't see us not doing it. But it's up to the body. If you don't want to give them more time, I don't know what that does for the request.

COUNCILMEMBER KING: I don't have a problem with it. It just looks like a, it looks like a request that we're not addressing if we file it. That's what I was concerned about.

COUNCILMEMBER SUGIMURA: I think they're going to, I believe that they are going to come back at the appropriate time. And if you want, Chair, I can ask Mr. Teruya and report back to this body if he knows about what time the, how much time more he would need?

CHAIR LEE: Okay.

COUNCILMEMBER SUGIMURA: Your, your call

CHAIR LEE: Wait. Let's hear from Council Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I think the question is, is a procedural question and perhaps if we want to ask our attorneys. Because, I, I, you know, I support this action that we want to extend the, the timeline. And so, if we want to extend that, normally we would pass something. And so, I'm, I'm, I'm unfamiliar with procedurally how to move forward on this legisla, or resolution. So, if, if we needed to say, as a Council, we support this, then we would pass it and not file it is what I think Member King is, is trying to ask and get clarification on. So, perhaps if Mr. Raatz or Ms. Fujita--

CHAIR LEE: Yea, let's hear from Mr. Raatz. Are you on the line, David?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR LEE: Thank you. David, are you on the line? I tell you what, let's skip over this and come back to it. So, we will file all of your--

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: --requests, except 406, 20-406. We'll just leave it on the side for now. All those in favor of filing 407, 408, 409, please say "aye".

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

NOES: NONE.

CHAIR LEE: Okay. Motion carries.

Mr. Clerk--

COUNCILMEMBER SUGIMURA: David Raatz is on the line.

CHAIR LEE: --keep, make a note that we're going to come back to 406.

VICE-CHAIR RAWLINS-FERNANDEZ: Mr. Raatz--

CHAIR LEE: Meanwhile--

COUNCILMEMBER SUGIMURA: David Raatz, David Raatz is on the line. I just saw him. I  
just saw him pop up.

CHAIR LEE: You just saw him on the line?

COUNCILMEMBER SUGIMURA: Yea.

CHAIR LEE: Okay. Mr. Raatz, do you have any comments at this time, or do you want some  
time to look this up?

SUPERVISING LEGISLATIVE ATTORNEY DAVID RAATZ: Thank you, Chair. I would, I  
would request a few moments to look into this, if that's okay for you?

CHAIR LEE: Okay, we'll come back to you. We'll come back to you.

MR. RAATZ: Thank you.

CHAIR LEE: Let's keep moving. Mr. Clerk. 20-410.

NO. 20-410 - ALICE L. LEE, COUNCIL CHAIR,  
(dated August 10, 2020)

Transmitting a proposed resolution entitled "RESOLUTION SUPPORTING PAY EQUITY IN THE COUNTY OF MAUI".

CHAIR LEE: Council Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO ADOPT THE PROPOSED RESOLUTION  
ATTACHED TO COUNTY COMMUNICATION 20-410,  
INCORPORATING ANY NONSUBSTANTIVE REVISIONS, AND  
TO FILE COUNTY COMMUNICATION 20-410.

May I request the Clerk, oh, okay I gotta wait for the second.

COUNCILMEMBER KING:

SECOND.

COUNCILMEMBER KAMA: Second.

CHAIR LEE: Is there, seconded by Member King.

Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. And mahalo, Member King.

May I request, may I please request the Clerk read the resolution in its entirety?

CHAIR LEE: Mr. Clerk.

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

CHAIR LEE: Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. And mahalo, Deputy Clerk. As noted by the Council when it passed Resolution 20-84, "SUPPORTING AND URGING THE MAYOR TO SUPPORT THE FEMINIST ECONOMIC RECOVERY PLAN FOR COVID-19", women have made, have made significant contributions to all fields of

work, but continue to earn less than men for substantially similar work. The purpose of this resolution is to reaffirm the Council's intent to eliminate the wage gap by continuing to work with the Administration, State, and Federal leaders to advance legislation and initiatives that address the issue of pay equity.

I'll also note that in 2014, Member Hokama and Mayor Victorino also passed a resolution, Resolution 14-36, which recognized April 8, 2014 as Equal Pay Day. And that I really look forward to the day that we can, we no longer need to pass resolutions of this kind.

Eliminating the wage gap would be beneficial not only for women, but for the overall economy. The current pay disparities amounts to more than \$916 billion in lost wages annually for women employed full-time in the United States. Eliminating this disparity would provide women and their families with more economic security, allowing them to spend more on goods and services that drive economic growth, and save and invest for the future.

And I mahalo you, Chair, for introducing this resolution. And respectfully ask the Councilmembers to support the motion. Mahalo, Chair.

CHAIR LEE: Thank you.

Yes, Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you very much, Chair. I would like to speak in support of the motion this morning. I thank you for proposing it. Just a question of technicality, Chair. Since we did not use a motion to waive referral and whatnot, I'm assuming this resolution would have no effect of law?

CHAIR LEE: Exactly. And--

COUNCILMEMBER HOKAMA: Would that be appropriate?

CHAIR LEE: Precisely. And that's the reason why we didn't waive any Rules.

COUNCILMEMBER HOKAMA: Okay. No. And again, I just wanted to make sure my colleagues was aware of it, because I'm getting tired of, like Ms. Rawlins-Fernandez, passing resolutions of something we would hope would be addressed and corrected. So, I don't know if we really, I would say, Chair, if the Members don't mind, part of my support would be that the subject matter be referred to, maybe my Committee to continue the discussion and give it some venue for those that feel, especially for those in the public sector.

You know, I am very disappointed in the unions and lack of leadership, that issues of pay equity within our own employ, employee base of government is sharing their concerns about equity, when we should be the example of equity and how to deal that instead of being one of the areas of problems for employers. So, I am quite disappointment in the unions by not ensuring that through contracts, they've taken care of the equity requirement for either gender, and obviously it's not.

And so, I would recommend that we send the subject matter to Committee, Chair, for referral, so that the Council, if decided, can create a County policy that fits our islands. Thank you very much for my opportunity to support the motion.

CHAIR LEE: Thank you.

Mr. Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. I, I too am in full support of this. But I'd like to just ask a couple of quick questions. Has the County already conducted a pay equity assessment to determine, you know, what level of inequity exists within just our County and the process for making pay equitable? And how much of an expense it would take to pay equally among all genders? Has an assessment been done just on our County alone?

CHAIR LEE: No, Mr. Molina. But since this item is going to be referred to Committee, that's a good time to, to have the staff research your questions and discuss how we can, you know, move forward with pay equity in light of the fact that we're dealing with, with unions. And it's a little different from the private sector. Not like we have a lot of discretion here, but, but whatever we can do supporting equities, you know, we, we need to explore those opportunities, yea. Very good. Thank you.

COUNCILMEMBER MOLINA: Okay. Yea, thank you very much, Madam Chair. So, whatever, you know, your, your recommendation is, I'm in support of it. Also, to maybe consider, if it does go to Committee, language that provides, I guess to strengthen it where it can give the Council Chair the opportunity to do an RFP to do an assessment if needed. Because, as you know, sometimes when we send these resolutions to the Mayor or the Governor, they may have other priorities. They may just kind of look at it, and fine, and then maybe not take any action. Whereas if we strengthen the resolution to give you, as the Chair, the authority to conduct an RFP, then, you know, the way I see it, it kind of puts, you know, our money where our mouths is on this stuff where we're really taking it serious. So, but thank you for introducing this, Madam Chair.

CHAIR LEE: Good idea.

Ms. Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you for the resolution. I also would like to speak my support. I just wanted to clarify of being a former HGEA union steward and civil service worker that here in the County there's no difference in gender if you apply for a civil service position. I think the concern is more in jobs that are traditionally held by women, like clerks or something versus jobs that are traditionally held by men, like UPW, and, you know, the level of schooling and the disparate pay.

And I, I just wanted to clarify that if two people have the same exact job, the County doesn't give different pays if, versus you're a man or a woman. You know, if, if both are clerks, Bargaining Unit 3, whatever the step is, it's the same pay. But I think what we're looking at is similar type jobs traditionally held by women versus traditionally held by men. So, I just wanted to clarify that there's not a disparate pay for the exact same job.

CHAIR LEE: Thank you.

Yes, Mr. Sinenci.

COUNCILMEMBER SINENCI: Mahalo, Chair. I too would like to speak in support of the, the motion. And I just wanted to speak my appreciation of the leadership, expertise of women that is on this current Council and, and for the heavy lifting that they do just as us men does. So, mahalo for that.

CHAIR LEE: You almost got in trouble there.

Okay, Ms. King.

COUNCILMEMBER KING: Okay. I just speak my support as well. And I think this is a nationwide issue and I'm glad that we're going to be discussing it in our County. And I'm also glad that we had early support from all the men on our Council, so I, I appreciate the fact that everybody kind of weighs in on the issues of fairness on this Council and equity. I have, and it gives me a lot of faith that we are moving forward in a just transition. Thank you for that.

CHAIR LEE: Thank you, Ms. King.

Any other comments? If not, all those in favor of the motion, which is to adopt the resolution, but refer the subject matter to the HFC Committee. That's the motion.

VICE-CHAIR RAWLINS-FERNANDEZ: Yup, that's the motion.

CHAIR LEE: Ms. King. Oh, are you voting? Oh, alright. All those in favor say "aye", and raise your hand.

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

NOES: NONE.

CHAIR LEE: Alright, it's unanimous; nine "ayes", no "noes"; motion carries.

Mr. Clerk.

DEPUTY COUNTY CLERK: Madam Chair, for the record, that's RESOLUTION 20-113.

Also, for the record, the condolent resolution adopted by the Council earlier was, that's RESOLUTION 20-112.

NO. 20-411 - ALICE L. LEE, COUNCIL CHAIR,  
(dated August 10, 2020)

Transmitting a proposed resolution entitled "PRIORITIZING MAUI COUNTY BUSINESSES AND HIRING LOCALLY FOR PUBLICLY FUNDED JOBS AND PROJECTS".

CHAIR LEE: Council Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO ADOPT THE PROPOSED RESOLUTION  
ATTACHED TO COUNTY COMMUNICATION 20-411,  
INCORPORATING ANY NONSUBSTANTIVE REVISIONS, AND  
TO FILE COUNTY COMMUNICATION 20-411.

COUNCILMEMBER SUGIMURA:

SECOND.



COUNCILMEMBER KING: Second.

CHAIR LEE: And if you don't mind, let me, could you add to that and to refer the subject matter to your Committee?

VICE-CHAIR RAWLINS-FERNANDEZ:

AND TO REFER THE SUBJECT MATTER TO THE EDB  
COMMITTEE.

CHAIR LEE: Yes. Okay, it's seconded by, I think I saw Ms. Sugimura's hand go up first. Alright, so it's moved and seconded to adopt the attached communication, the resolution, and refer the item, the subject matter to the subject matter committee.

Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. May I request, may I please request the Clerk read the resolution in its entirety?

CHAIR LEE: Mr. Clerk.

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

CHAIR LEE: Council Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. And mahalo, Mr. Deputy Clerk. Because of layoffs and furloughs related to the COVID-19 pandemic, the unemployment rate in Maui County climbed to 34 percent this past May, and it remains the highest in the State. Many of the jobs lost are in the service and tourism industry and it could take years for local businesses to recover.

The focus of this resolution is to prioritize local businesses and workers for publicly funded jobs and projects that will be coming down the pipeline from both the County and the State. With this I, item, subject matter being referred to the EDB Committee, we can further look into State procurement laws to enable us to prioritize County-based businesses as well.

The State Legislature budgeted, budgeted over \$500 million for capital improvement projects in Maui County, in addition to 139 million for CIP's in our County budget for Fiscal Year '21. These monies should be used to get Maui County residents back to work as quickly as possible, and not be used to bring, bring in out of County workers,

especially since we are already dealing with a housing crisis and now, massive increase in rates in shipping. CARES Act funding should be invested in local businesses to help diversify the County's economy and stimulate industries outside of hospitality and tourism.

I would respectfully ask all the Councilmembers to support the adoption of this resolution and help give more opportunities to our residents who are eager to get back to work. And mahalo for introducing this resolution, Chair Lee. Mahalo.

CHAIR LEE: Thank you. Are there any further questions or comments?

Mr. Molina.

COUNCILMEMBER MOLINA: Yea, thank you, Madam Chair. You're hitting homeruns this morning with your resos, Madam Chair. This one in particular is a grand slam. This is something that's much needed. And as you recall couple of weeks ago, there was some pushback from the Administration with regards to using CARES Act monies for job creations. But I just saw last night on one of the local media outlets, the Administration is reconsidering that. So, now they're looking at that.

And it's thanks to the proposals from this Council back in late May, for the Administration to consider this proposal. Because, the bottom line is, for, for this economy to recover, we need to get money in peoples' pockets, and one way to do that is to give them jobs. So, in my opinion, I believe it's essential that the County and State hire local residents to help facilitate our recovery. So, thank you for the introduction of this resolution, Madam Chair.

CHAIR LEE: Thank you.

Ms. Kama.

COUNCILMEMBER KAMA: Thank you, Chair. So, wow, that's a lot of improvements that we're going to have, a lot of jobs that's going to be opening up. Do you know how many and what types of jobs that we could be use, we could be opening up with this kind of funding?

CHAIR LEE: Well, you know, I, I'm sorry that I had the County Clerk read the whole list. But it, it gives you an idea of road construction, of carpentry work, of, you know, improvements to sewer systems, so it's a vast variety. One of the next, the next resolutions that I'm working on, probably will be introduced at the August 28 meeting is to recommend to all the unions and everybody who has apprenticeship and internship programs, working with the college to provide people with training in

technical areas, vocational areas, so that our people will be ready. This is, what was read is over \$700 million in work. And the reason why we're asking it to go to the EDB Committee is we want to track those jobs, making sure, like asking who got those jobs, you know?

COUNCILMEMBER KAMA: Exactly.

CHAIR LEE: Making sure the local people get. But part of it is they have to be trained, you know. And now is the time; not when you turn dirt. Now is the time to get your training, your certificates, your CDL licenses. You know, the, there are, there are a lot of jobs related to construction that is not, you don't have to be a carpenter, you don't have to be a mason, you know. So, this is the idea, is to, it won't replace tourism of course, but construction jobs, of course, you know, that's an option. That's an option that people have so that they can generate income to stay in their homes.

Were there other questions? Ms. King.

COUNCILMEMBER KING: Thank you, Chair. And thank you for the resolution. I think this, to me, feels like a direct response to, you know, those of us who used to drive through Kahului several years ago. We watched for over a year local folks sitting in front of the Walgreens saying why wasn't this, why didn't they hire local, you know? And protesting the fact that they brought in people from out of our county to do that job. So, that, that's what, that, that's what this immediately made me think about. And I remember just driving, driving down the Puunene and seeing that; those people sitting there for, you know, well over a year just protesting it.

I mean, let's, let's get the training that people need to get into, you know, get them these kinds of jobs and get into the workforce. And I don't think the, I think that what we're doing here is just making a, making this point and this message. We're not, we don't have any control over actually what the unions do. But I think we're letting the unions know that we support that idea of hiring local. And that's how we're going to get out of this. That's part of that circular economy that we just, you know, reinforce with our earlier resolution, so I, I fully support this. And I hope it, I hope the message is heard loud and clear across the County.

CHAIR LEE: Thank you. You're, all of you making very valid points.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chair, I would like to also lend my support for the motion before the Members this, this afternoon. I, I thank you for making the list, because one thing that I did take notice, and I'm sure the, my colleagues did was that, you know,

out of all these projects, nine of them total about \$338 million. That if applied properly, would be a great start for us in our relocation, resetting, and retrenchment of key infrastructure along our key shoreline areas; you see Kahului Harbor, Kahului Airport, you see Honoapiilani Highway, you see big money for Paia Bypass. All of these things to be part of the County's coordinated efforts as we deal with sea level and climate change. And so, I, I thank my fellow colleagues for pressing this point and because I think there's a time now we can make a difference in how we direct the projects to be converted to construction during this COVID period. Thank you very much, Chair.

CHAIR LEE: Excellent observations. Any further comments?

Mr. Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. I just wanted to speak in support of all of the schools, and the construction at the school. And now that, during this global pandemic and the concerns from our constituents going, sending our children back to school. So, I appreciate the, the additional monies going towards our teaching institutions and, and promoting our safety for our keikis. So, mahalo nui.

CHAIR LEE: Thank you. Any further comments? If not--

Ms. Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair Lee. I'll be in support of this. And, you know, also been getting some concerns about construction workers coming in and the quarantine issue too, so I think, you know, this resolution addresses our needs from many different angels. So, very grateful for your work on this. Thank you.

CHAIR LEE: Thank you. Appreciate that.

Any other comments? If not, all those in favor of adopting the resolution please say "aye", raise your hand.

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

NOES: NONE.

CHAIR LEE: Okay. I see nine "ayes". It's unanimous; motion carries. Thank you, Members.

Alright, Mr. Clerk.

DEPUTY COUNTY CLERK: Madam Chair, for the record, RESOLUTION 20-114.

NO. 20-412 - ALICE L. LEE, COUNCIL CHAIR,  
(dated August 11, 2020)

Transmitting a proposed resolution entitled "RECOGNIZING JUNE 19TH AS  
JUNETEENTH IN MAUI COUNTY".

CHAIR LEE: Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO ADOPT THE PROPOSED RESOLUTION  
ATTACHED TO COUNTY COMMUNICATION 20-412,  
INCORPORATING ANY NONSUBSTANTIVE REVISIONS, AND  
TO FILE COUNTY COMMUNICATION 20-412.

COUNCILMEMBER KING:

SECOND.

COUNCILMEMBER KAMA: Second.

CHAIR LEE: Moved by Ms. Rawlins-Fernandez, seconded by Ms. King, to adopt the  
resolution in County Communication 20-412.

Discussion, Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. May I please request the Clerk read  
the resolution in its entirety?

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

CHAIR LEE: Unmuted. Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. And mahalo, Mr. Deputy Clerk. This  
past June, 46 states across the country celebrated Juneteenth. But sadly, while  
communities across the island chain independently honor this historic day by  
participating in marches and rally, Hawaii remains the, just one of four states that does

not designate Juneteenth as a State holiday, and the only State that does not recognize Juneteenth.

As mentioned in the resolution, Hawaii has a proud history of being on the forefront of racial and social injustice. And even though the State has yet to, to set a calendar date to better educate Hawaii's youth on black history and the importance of equality for all, local municipalities across Hawaii have already passed a resolution that marked Juneteenth as a local day of remembrance.

As a County that prides itself on recognition and support of diversity and inclusivity, it is long overdue for Maui County to fully live out the aloha spirit in this manner by standing with the 46 states and the local entities that have chosen to make Juneteenth an annual day of remembrance and celebration. With that, I respectfully ask all Councilmembers to support the adoption of this resolution. And I thank you, Chair Lee, for introducing it. Mahalo.

CHAIR LEE: Thank you. Any further?

Yes, Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. I wanted to also add in the "BE IT RESOLVED", item number 2, the, Ron Kouchi, the President of the Senate, as well as Speaker Scott Saiki from the House of Representatives. It's listed the Governor and I think what you really, I really would like this to be also seen by those two bodies that would be making the decisions. So, if you could add that, Chair.

SO, I MOVE TO ADD INTO THE RESOLUTION, UNDER "BE IT RESOLVED", INCLUSIVE OF THE NAMES UNDER NUMBER 2, ITEM NUMBER 2 IS ADD SENATE PRESIDENT AS WELL AS THE SPEAKER.

COUNCILMEMBER KAMA:

I SECOND THAT MOTION.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: Okay. Moved by Member Sugimura, seconded by Member Kama, to add the two Legislators to the resolution.

Any further discussion? If not, all those in favor of the amendment say "aye".

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

NOES: NONE.

CHAIR LEE: Yea. Okay, it's unanimous; 9-0.

Now, the main motion, as amended, to adopt the resolution.

Mr. Molina.

COUNCILMEMBER MOLINA: Yea, thank you, Madam Chair. And again, thank you for introducing this as well. And I was, I'm hoping that if maybe we could consider have a copy of this sent to our Superintendent of Education for the State of Hawaii? Because, as a former schoolteacher, I, I don't recall having anything in our curriculum to educate ourselves about something as important as this. And growing up, I don't recall getting educated about this. So, it's about time we get educated to, to this whole issue of June, Juneteenth on this.

SO, IF A COPY OF THIS CAN BE SENT TO THE STATE  
SUPERINTENDENT OF EDUCATION TO INCLUDE THIS IN,  
AS PART OF OUR EDUCATIONAL CURRICULUM FOR OUR  
PUBLIC SCHOOLS. SO, I WOULD MAKE THAT MOTION.

CHAIR LEE: Alright.

COUNCILMEMBER KAMA:

I'LL SECOND THAT MOTION.

CHAIR LEE: Okay. Any further discussion? All those in favor of Mr. Molina's--

COUNCILMEMBER HOKAMA: Chair.

CHAIR LEE: Oh, Mr. Hokama.

COUNCILMEMBER HOKAMA: Oh, oh. Oh, we're on Mr. Molina's motion? I'm sorry. I'm sorry, Chair. I wanted to ask--

CHAIR LEE: Okay. All those in favor of Mr. Molina's--

COUNCILMEMBER SINENCI: Chair.

CHAIR LEE: Yes, Mr. Sinenci.

COUNCILMEMBER SINENCI: Just clarification. Was the, the superintendents going to be also included, the "WHEREAS" statements, or in the therefore statements at the end as well?

COUNCILMEMBER SUGIMURA: "BE IT RESOLVED".

CHAIR LEE: I think that was Mr. Molina's suggestion, right?

COUNCILMEMBER MOLINA: Yea, yea, where, wherever it's appropriate to include it as getting a copy of this reso, besides the Governor and other State officials.

CHAIR LEE: Okay, all those in favor of Mr. Molina's amendment, say "aye", raise your hand.

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

NOES: NONE.

CHAIR LEE: Okay, motion carries. Motion is amended.

Any further discussion, Mr. Hokama?

COUNCILMEMBER HOKAMA: Thank you, Chairman. I speak in support of the motion, as amended, this afternoon, Chair. I just wanted to say that, you know, historically, we've always been very open to not being liberal, but just being fair and compassionate with one another. And, and so, I bring this up because somehow 1965 comes back into this discussion of this resolution this morning. And for those of us, maybe like you and I, Ms. Lee, can remember what 1965 was about. Besides Vietnam, the Cold War was really moving forward with, with the USSR and the United States. But the biggest thing that Congress was facing, like now Black Lives Matter, was the Civil Rights Movement during the 60's, and Martin Luther King and, and those other leaders that fought discrimination.

And for Hawaii, the movement of the ILWU and organized labor brought to hope for Hawaii the face of discrimination among the agricultural camps. Chinese were not



allowed in the old days to live with the Japanese. The Portuguese was in a separate camp. Employers practiced day to day discrimination in the face of people bluntly, okay. And Hawaii made a move in 1954 and made sure that we made those changes statewide. And so, I think that this resolution continues the historical lineage of our forefathers and foremothers who had the courage to stand up and fight for, against discrimination, which I believe this is.

And so, Members, I, you know, would agree with you, Mr. Molina. I think our youth should be taught the facts of the history as it was, not from a perspective. But just as much as we need to remember Juneteenth, let us not forget in Hawaii we had the Hilo Massacre. Police shot workers, agriculture workers, okay; unarmed agriculture workers. Okay. So, for Hawaii, we need to also learn our history of how we evolved within our own unique island society, the issues of discrimination by outsiders. So, I'm in great support of this. I think we need to continue to remind us that discrimination can fall backwards so easily with closed minds and closed ideas. Thank you, Chair.

CHAIR LEE: Thank you.

Ms. Paltin.

COUNCILMEMBER PALTIN: Thank you, Mr. Hokama. Thank you, Chair. And I'd also like to send a, send a special thanks out to Miss Hawaii, Samantha Neyland. Similar to you, I had interactions with her. I must've missed her first email. And she did follow up, and we had some exchange as well.

And, and like how Mr. Hokama was saying, you know, I was able to bring up Hawaii history and, and share with her the legal status of Hawaii under international law. And was so pleased that she was able to watch and, and also, you know, bring up, also Lā Ho'iho'i Ea, which we also recognize as Independence Day for Hawaii, also being, trying to get a holiday status as well. So, real happy to support Ms. Neyland and her efforts, and stand in solidarity with her. And thank you so much for introducing this to raise education--

CHAIR LEE: Thank you.

COUNCILMEMBER PALTIN: --and awareness across the board for all, all issues.

CHAIR LEE: Okay, now, I know that you are her backup plan.

Okay. Ms. King.

COUNCILMEMBER KING: That's funny. Thank you, Chair. I, I wholeheartedly support this. And I'm glad it's coming forward. I would, I would've, I would've wanted to add on the HSAC board, except that it sounds like they already have the City and County Council supporting it. So, I would just urge Ms. Neyland to make sure that, that it does come forward through HSAC as well. And I will be vigilant about adding this to our Legislative Package. And I think if we pass this, which it sounds like everybody is in support of, that it should also be in the Maui County Legislative Package when the legislation comes forward to make this a State holiday.

So, thank you very much to Miss Hawaii and to all of us who are supporting this, because it's a strong statement and it goes, it goes beyond just the Black Lives Matter Movement. The Black Lives Matter Movement is a, a bigger movement than just one race; it's about all of us. So, we're seeing what's happening at the highest levels of our land, and this kind of thing is really important for communities to do. That, that's part of what I was talking about earlier in my remarks, that, you know, we need to, we need to shore up our communities to be strong in the face of things happening at the Federal level. So, ready to vote when you are.

CHAIR LEE: You know, speaking of that, I'm, if I may digress for a second, Member King? You offered to try and get Al Gore as our speaker, but maybe, why don't you try and get Michelle Obama.

COUNCILMEMBER KING: I will work on that.

CHAIR LEE: She is--

COUNCILMEMBER KING: I've met, I've met her--

CHAIR LEE: --incredible . . . I mean, listening to her last night, I just couldn't believe it.

COUNCILMEMBER KING: It was amazing. I agree, it was an amazing speech. I have met the, the former President's sister who, I don't know if she's still a professor, but was at UH for a while. But yea, I think that would be an amazing speech. You know, we're, we're having more access to people. You never know, we're having more access to people with this online format, so they don't have to necessarily fly over.

CHAIR LEE: Thank you. I, I thought I saw hands somewhere else. No? If not, all those in favor of the amendment, or did we do that already?

COUNCILMEMBER KING: I think we already did.

CHAIR LEE: I lost track. Okay, main motion with all the amendments, say "aye", raise your hand.

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

NOES: NONE.

CHAIR LEE: Okay, it's unanimous. Motion carries.

Mr. Clerk, I hope you got all those changes. Okay. Mr. Clerk, next.

DEPUTY COUNTY CLERK: Chair, for the record, that's RESOLUTION 20-115.

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

NO. 20-413 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,  
(dated July 31, 2020)

Transmitting two reports on the settlement of claims as of June 30, 2020.

The recommended action is that County Communication 20-413 be referred to the Economic Development and Budget Committee.

NO. 20-415 - MICHELE M. YOSHIMURA, BUDGET DIRECTOR,  
(dated July 30, 2020)

Transmitting the following proposed bills entitled:

1. "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2021 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, KANAHA BEACH PARK GREYWATER REUSE DEMONSTRATION PROJECT)"; and

2. "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2021 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF WATER SUPPLY, STATE OF HAWAII, KANAHA BEACH PARK GREYWATER REUSE DEMONSTRATION PROJECT".

The recommended action is that County Communication 20-415 be referred to the Economic Development and Budget Committee.

NO. 20-416 - MICHELE M. YOSHIMURA, BUDGET DIRECTOR,  
(dated July 31, 2020)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.27, MAUI COUNTY CODE, RELATING TO A VEHICLE DISPOSAL FEE FUND".

The recommended action is that County Communication 20-416 be referred to the Economic Development and Budget Committee.

NO. 20-417 - MICHELE M. YOSHIMURA, BUDGET DIRECTOR,  
(dated July 31, 2020)

Transmitting the Budget Implementation Report as of June 30, 2020 (Fiscal Year 2020 Fourth Quarter).

The recommended action is that County Communication 20-417 be referred to the Economic Development and Budget Committee.

NO. 20-414 - TIVOLI S. FAAUMU, CHIEF OF POLICE,  
(dated July 17, 2020)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF THE ATTORNEY GENERAL, REGARDING GRANT OF FUNDS FOR THE STOP VIOLENCE AGAINST WOMEN FORMULA GRANT PROGRAM".

The recommended action is that County Communication 20-414 be referred to the Governance, Ethics, and Transparency Committee.

THE PROPOSED BILL ATTACHED TO COUNTY COMMUNICATION NO. 20-414 WAS PASSED ON FIRST READING LATER IN THE MEETING AND ASSIGNED BILL NO. 82 (2020). COUNTY COMMUNICATION NO. 20-414 WAS THEN FILED. See pages 63 through 65 for discussion and action.

NO. 20-418 - KELLY TAKAYA KING, COUNCILMEMBER,  
(dated August 11, 2020)

Transmittng a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 2.28.070, MAUI COUNTY CODE, RELATING TO PLANNING COMMISSION AND HANA ADVISORY COMMITTEE MEMBERSHIP REQUIREMENTS".

The recommended action is that County Communication 20-418 be referred to the Governance, Ethics, and Transparency Committee.

(COUNTY COMMUNICATION WAS LATER REFERRED TO THE CLIMATE ACTION AND RESILIENCE COMMITTEE. See pages 62 and 63 for discussion.)

NO. 20-419 - ALICE L. LEE, COUNCIL CHAIR,  
(dated July 30, 2020)

Relating to the State's suspension of laws relating to evictions during the COVID-19 pandemic, including the U.S. Department of Housing and Urban Development's regulations to stop lease payments upon the expiration of a lease.

The recommended action is that County Communication 20-419 be referred to the Healthy Families and Communities Committee.

NO. 20-420 - MICHELE MCLEAN, PLANNING DIRECTOR,  
(dated July 21, 2020)

Transmitting a report on the status of all active conditional permits.

The recommended action is that County Communication 20-420 be referred to the Planning and Sustainable Land Use Committee.

NO. 20-421 - MICHELE CHOUTEAU MCLEAN, PLANNING DIRECTOR,  
(dated July 20, 2020)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.35, MAUI COUNTY CODE, RELATING TO ACCESSORY DWELLINGS"; and related documents.

The recommended action is that County Communication 20-421 be referred to the Planning and Sustainable Land Use Committee.

NO. 20-422 - MICHELE CHOUTEAU MCLEAN, PLANNING DIRECTOR,  
(dated July 20, 2020)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.69, MAUI COUNTY CODE, RELATING TO URBAN RESERVE DISTRICT"; and related documents.

The recommended action is that County Communication 20-422 be referred to the Planning and Sustainable Land Use Committee.

NO. 20-423 - MICHELE CHOUTEAU MCLEAN, PLANNING DIRECTOR,  
(dated July 20, 2020)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE ESTABLISHING CHAPTER 19.97, MAUI COUNTY CODE, DECLARING A MORATORIUM ON TRANSIENT ACCOMMODATION PERMITS ON LANAI"; and related documents.

The recommended action is that County Communication 20-423 be referred to the Planning and Sustainable Land Use Committee.

CHAIR LEE: Ms. King.

DISCUSSION AND ACTION RELATING TO  
COUNTY COMMUNICATION NO. 20-418

COUNCILMEMBER KING: Thank you, Chair. I had requested that item 20-418 be referred to the CAR Committee. I'm not sure what, how it got referred to GET.

CHAIR LEE: Well, let's ask Mr. Molina. Any objection to that, Mr. Molina?

COUNCILMEMBER MOLINA: No. If--

CHAIR LEE: Or would you want it to your GET?

COUNCILMEMBER MOLINA: I'm open either way, Madam Chair. If Member King has a preference to have it heard in her Committee, I'm alright with that.

CHAIR LEE: Okay. So, that goes to CAR.

I saw other hands. I saw other hands. Mr. Molina.

DISCUSSION AND ACTION RELATING TO  
COUNTY COMMUNICATION NO. 20-414

COUNCILMEMBER MOLINA: Yea, yea, thank you, Madam Chair. I'd like to make a proposal to take action on County Communication 20-414.

CHAIR LEE: Alright. Okay.

COUNCILMEMBER MOLINA:

OKAY, WITH THAT BEING SAID, MADAM CHAIR, I MOVE TO  
WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL  
AND REPORT PURSUANT TO RULE 7.G. OF THE RULES OF  
THE COUNCIL FOR COUNTY COMMUNICATION 20-414.

VICE-CHAIR RAWLINS-FERNANDEZ: Point of order. Chair.

CHAIR LEE: Okay. Point of order, Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Really quickly, the Clerk did not bring that item up. So, procedurally, would, we would need to request the, that item be brought up first.

CHAIR LEE: Oh, I'm sorry.

VICE-CHAIR RAWLINS-FERNANDEZ: And then, Member Molina can bring it up.

CHAIR LEE: Mr. Clerk, did you skip that one on purpose?

DEPUTY COUNTY CLERK: Madam Chair, no. I, I read County Communication 20-414 with the referrals to the Governance, Ethics, and Transparency Committee.

CHAIR LEE: Okay. Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay.

CHAIR LEE: Alright.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo.

CHAIR LEE: So, Mr. Molina, at this time, wants to bring this item up and then waive the, the Committee Rule in order to do that. So, that's his motion. Is there second?

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR LEE: Seconded by Ms. Rawlins-Fernandez. Okay. And then, any further? No. Well, this is only on the Rule. All those in favor of waiving the Rule, say "aye", raise your hand.

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

NOES: NONE.

CHAIR LEE: All nine, all "ayes"; motion is unanimous. Motion carries.

Mr. Molina.

COUNCILMEMBER MOLINA: Yea, thank you, Madam Chair.

SO, NOW I MOVE TO PASS THE PROPOSED BILL ON FIRST  
READING AND TO FILE COUNTY COMMUNICATION 20-414.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.



CHAIR LEE: Moved by Mr. Molina, seconded by Vice-Chair Rawlins-Fernandez, to approve the ordinance in 20-414.

Discussion, Mr. Molina?

COUNCILMEMBER MOLINA: Yea, thank you, Madam Chair. The proposed bill would authorize an intergovernmental agreement with the State Department of the Attorney General's Office for the STOP Violence Against Woman, Women Formula Grant Program to be used for combating domestic violence and sexual assault in Maui County. The project period is from June 1, 2020, to May 31, 2021.

And the total project amount is \$110,452; 82,839 of that amount is provided through Federal funding, while the County is required to provide 27,613, which is an amount already provided for in the Department of Police's Fiscal Year 2021 Budget. So, I'd ask for the Members full support of this. Thank you.

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

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

NOES: NONE.

CHAIR LEE: Okay, it's unanimous again. Motion carries.

Alright, Mr. Clerk.

DEPUTY COUNTY CLERK: Madam Chair, for the record, that's BILL 82 (2020). Staff would just like to confirm with the body if there are any other objections to the referrals as read by the Clerk?

CHAIR LEE: Yes, Ms. Sugimura.

COUNCILMEMBER SUGIMURA: So, I just have a question. Where did 20-416 go? Just curious.

CHAIR LEE: Nowhere. These are all set to be referred.

COUNCILMEMBER KING: EDB.

COUNCILMEMBER SUGIMURA: Well, that's what I'm asking. Oh, it went to GET?

VICE-CHAIR RAWLINS-FERNANDEZ: EDB.

CHAIR LEE: Oh, to EDB.

VICE-CHAIR RAWLINS-FERNANDEZ: EDB.

COUNCILMEMBER SUGIMURA: EDB. Okay. Okay. Thank you. That was my question.

CHAIR LEE: Okay. Any other questions? Okay. Any objections to referring to, the rest of the items to the Committees as listed?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: No objections. So, ordered.

Mr. Clerk.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair, may I request a break? A quick--

CHAIR LEE: Oh, okay. I'm sorry. What--

COUNCILMEMBER KING: Lunch break.

CHAIR LEE: --fifteen minutes? Fifteen minutes? Okay. So, that means we'll be back, let's make it 12:50, okay? 12:50.

COUNCILMEMBER KING: Chair. Chair, is this our lunch break?

CHAIR LEE: I think it'll go fast after that. Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: No objections.

CHAIR LEE: Alright. Recess.

(THE MEETING WAS RECESSED BY THE CHAIR AT 12:34 P.M., AND WAS RECONVENED AT 12:52 P.M., WITH ALL MEMBERS PRESENT, EXCEPT COUNCILMEMBER KING AND VICE-CHAIR RAWLINS-FERNANDEZ, EXCUSED.)

DISCUSSION RELATING TO  
COUNTY COMMUNICATION NO. 20-406

CHAIR LEE: Will the Council meeting of August 18 please reconvene. Okay, we have a couple of Members who will be, had to take some phone calls, so we'll just proceed without them for, for a min, for a short while.

We, we did, we do have David Raatz on the line to give us the information we asked for regarding the taxicabs. David, could you let us know what you've come up with?

MR. RAATZ: Sure. Thank you, Chair. So, first of all, County Communication 20-406 doesn't transmit a resolution or a bill, so there's nothing for the body to act on today. We would suggest it may be prudent to refer the communication to Committee. That would give the Committee Chair an opportunity to request a resolution from the Finance Director or perhaps draft up a resolution.

And on a related note, this Committee that the Council requested under Resolution 19-213, would be formed in accordance with Chapter 5.16, which is the regulation of taxicab industry, including taxicab fares. And under that part of the Code, by September 1, the Finance Director will be independently obligated to submit a report to the Council on taxicab fares, and that can go directly to Committee. And the consideration of the deadline extension for this Committee to review Chapter 5.16, could be considered under that same item. Thank you, Chair.

CHAIR LEE: Would the Committee Chair also have the option of recommending filing this item today? Or, that's really not--

MR. RAATZ: Absolutely. That's, that's the body's prerogative. And it would be no real harm in filing. Again, there is an existing Committee item that would allow for further discussion on this Committee to review Chapter 5.16. I guess probably the only benefit of referring the communication to Committee is that at least you have the Finance Director's request for a time extension documented in part of the Committee's files.

CHAIR LEE: I'll leave that up to the Committee Chair. Ms. Sugimura, what would you like to do?

COUNCILMEMBER SUGIMURA: I mean, that's fine. The, the action that he was taking was a request that came out of the Committee. We did a reso for him to review the rates and fees for taxis, and so he's responding saying that he can't get it completed by August because of COVID, which is what his letter said. So, you can send it to my Committee. I mean, he's going to reply when he can. I think they're all immersed in

all the COVID, you know, emergencies. And I look forward to hearing more from the Director when he has time. So, you can refer it to my Committee. It'll be a reminder--

CHAIR LEE: Any objections, Members, to referring the item to the WIT Committee?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: No objections. So, ordered. That is one, two, three, four, five, six; should be seven. Seven of us, motion carries. Two excused.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: Alright. I don't want to do any EDB's right now, because Ms. Rawlins-Fernandez should be returning momentarily, and so will, so will Member King.

So, let's move on to something else. Mr., Mr. Clerk.

DEPUTY COUNTY CLERK: Yes, Chair, proceeding with committee reports. Let's start with Committee Report 20-98 from your Governance, Ethics, and Transparency Committee.

### COMMITTEE REPORTS

#### COMMITTEE REPORT

NO. 20-98 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending that Resolution \_\_\_\_\_, entitled "RELATING TO THE APPOINTMENT OF MELVIN HIPOLITO TO THE MAUI PLANNING COMMISSION," be ADOPTED.

CHAIR LEE: Well, I think we better wait for the other two on this one, if you don't mind? Yea, it's turning out to be a little controversial.

*(See pages 79 and 80 for discussion and action.)*

CHAIR LEE: Let's see, how about another one, Mr. Clerk? How about--

COUNCILMEMBER PALTIN: 20-100.

CHAIR LEE: 20-100.

COUNCILMEMBER PALTIN: Yea, yea.

CHAIR LEE: 20-100?

COMMITTEE REPORT

NO. 20-100 - PLANNING AND SUSTAINABLE LAND USE COMMITTEE:

Recommending the following:

1. That Bill 83 (2020), entitled "A BILL FOR AN ORDINANCE ADOPTING THE DIGITAL ZONING MAP AS THE OFFICIAL ZONING MAP FOR THE ISLAND OF LANA'I," be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 20-192, from the Planning Director, be FILED.

CHAIR LEE: Ms. Tamara Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Clerk.

I MOVE TO ADOPT THE RECOMMENDATION IN COMMITTEE  
REPORT 20-100.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Okay, moved by Ms. Paltin, seconded by Ms. Kama, to pass the bill in Committee Report 20-100, okay, on first reading.

Ms. Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. The Planning and Sustainable Land Use Committee received a presentation by the Department of Planning detailing the history of land zoning maps throughout Maui County, and specifically Lanai island.

The proposed bill would establish a digital zoning map for Lanai that would be published online and updated as new zoning ordinances are enacted, providing increased transparency and efficiency. This would provide Lanai the same status as Maui island.

The Planning and Sustainable Land Use Committee unanimously recommended the bill be passed on first reading. And then we'll go onto Molokai next. I respectfully ask the Council's support for my motion. Thank you.

CHAIR LEE: Alright, all those, any more discussion? All those in favor of the motion say "aye", raise your hand.

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KING AND VICE-  
CHAIR RAWLINS-FERNANDEZ.

CHAIR LEE: Okay. Seven "ayes", no "noes", two "excused"; motion passes.

Mr. Clerk, let's go to 101.

*(Vice-Chair Rawlins-Fernandez returned to the meeting at 12:58 p.m.)*

COMMITTEE REPORT  
NO. 20-101 - WATER, INFRASTRUCTURE, AND TRANSPORTATION  
COMMITTEE:

Recommending the following:

1. That Bill 84 (2020), entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE DEPARTMENT OF LAND AND NATURAL RESOURCES, STATE OF HAWAI'I (DLNR), RELATED TO MAINTENANCE OF MĀKENA-KEONE'Ō'IO ROAD AND THE 'ĀHIHI-KĪNA'U NATURAL AREA RESERVE" be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 20-121, from the Director of Public Works, be FILED.

CHAIR LEE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you.

I MOVE TO ADOPT RECOMMENDATIONS IN COMMITTEE  
REPORT 20-101.

I need a second.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR LEE: Okay. Okay, moved by Ms. Sugimura, seconded by Ms. Rawlins-Fernandez, welcome back.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR LEE: To pass the bill in Committee Report 20-101.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. Thank you, Keani, for the second. Your Water, Infrastructure, and Transportation Committee met on May 18, June 1, and August 1, 2020 *[sic]*, to discuss a revised proposed bill to authorize the Mayor to enter into an intergovernmental agreement with the Department of Land and Natural Resources, to provide for surface maintenance of a portion of Mākena-Keone'ō'io Road that runs along the 'Āhihi-Kīna'u Natural Area Reserve.

Your Committee discussed that this agreement will allow the County to continue maintenance of the road and DLNR will continue to maintain the access points, vegetation, clearing and signage, as well as possible costs to the County and other negative impacts if the bill were not enacted.

Your Committee determined it would like the Administration to proceed with the execution of the IGA and voted 9-0 to recommend passage of the revised proposed bill. I respectfully request for the Members support of my motion.

And one of the testifiers spoke against this. And just for clarification, we are in charge of the road and that's our primary responsibility. And DLNR has taken the lion's share of the cost, including manpower and any vegetation. And I think it was made clear during our meeting that DLNR does not take care of roads, and so that's been our relationship.

This is, this area reserve is available also for us to do a site visit, which the DLNR staff called me after to say that our Committee can come and check it out if they wanted to. And anyway, I request for Members support of the motion. Thank you very much.

CHAIR LEE: All those in, all those in favor of the motion, say "aye", raise your hand.

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KING.

CHAIR LEE: One, two, three, four, five, six, seven, eight. Eight "ayes", no "noes", one "excused"; motion carries.

COUNCILMEMBER SUGIMURA: Thank you, Members.

CHAIR LEE: Okay, now we can go back to the EDB items, Mr. Clerk.

DEPUTY COUNTY CLERK: Madam Chair, for the record, the bill that was attached to CR 20-101, that's BILL 84 (2020). And the bill that was attached to CR 20-100, that's BILL 83 (2020).

#### COMMITTEE REPORT

NO. 20-95 - ECONOMIC DEVELOPMENT AND BUDGET COMMITTEE:

Recommending that County Communication 20-321, from the Director of Finance, relating to the estimated revenue shortfall of \$1,957,000 in Transient Accommodation Tax (TAT) revenue allocated to the County for Fiscal Year 2020 due to the suspension of TAT collection after April 2020, resulting in an estimated revenue shortfall of \$1,957,000 to the General Fund; and \$2,600,000 to the Solid Waste Management Fund, Charges for Current Services, Solid Waste Division, Department of Environmental Management, due to less tonnage received at landfills, particularly Central Maui Landfill, for Fiscal Year 2020, be FILED.

CHAIR LEE: Ms. Rawlins-Fernandez.



VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO ADOPT THE RECOMMENDATION IN COMMITTEE  
REPORT 20-95.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: Moved by Ms. Rawlins-Fernandez, seconded by Ms. Sugimura, to approve Committee Report 20-95.

Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. And Mahalo, Member Sugimura, for the second. Your Economic Development and Budget Committee met on August 4, 2020 on this matter. The Department of Finance provided an update on the status of these shortfalls for Fiscal Year 2020 in light of the revised numbers received from the State.

As no remedial action is necessary related to these shortfalls, your Committee voted 7-0 to recommend filing of the communication. I respectfully ask the Members to support, their support of this motion. Mahalo, Chair.

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

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KING.

CHAIR LEE: I see eight "ayes", no "noes", one "excused"; motion carries.

Mr. Clerk.

COMMITTEE REPORT

NO. 20-96 - ECONOMIC DEVELOPMENT AND BUDGET COMMITTEE:

Recommending that Bill 85 (2020), entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2021 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 POLICE (MAUI POLICE FOUNDATION)," be PASSED ON FIRST READING and be ORDERED TO PRINT.

CHAIR LEE: Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN  
COMMITTEE REPORT 20-96.

COUNCILMEMBER SUGIMURA:

SECOND.

COUNCILMEMBER SINENCI: Second.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member King, I mean, Member Sugimura, to approve the recommend, first reading in, of the bill in 20-96.

Rawlins-Fernandez, Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. And mahalo, again, Ms. Sugimura. Your Economic Development and Budget Committee met on August 4, 2020 to discuss the proposed bill to add a new appropriation under Department of Police in the amount of \$51,000.

Your Committee noted that these funds would be used to purchase drones for the Traffic Section to be used in mapping fatal or near-fatal crashes. Use of these drones to map the scenes will allow for roadways to reopen more quickly.

These funds will, would also be used to purchase a utility vehicle for use by Citizens on Patrol for the Support Service Section.

Your Committee voted 6-0 to recommend passage of the proposed bill and filing of the communication. I respectfully ask the Members for their support of this motion. Mahalo, Chair.

CHAIR LEE: Okay. Let's see. Who second? Mr. Hokama? Mr. Hokama?

VICE-CHAIR RAWLINS-FERNANDEZ: Member Sugimura.

COUNCILMEMBER HOKAMA: I think Ms. Sugimura second the motion, Chair. I--

CHAIR LEE: Oh, okay. I'm sorry.

COUNCILMEMBER HOKAMA: I wanted to speak on the--

CHAIR LEE: Alright.

COUNCILMEMBER HOKAMA: I speak in support of the motion. I would ask that the Members please consider a referral of the subject of drones to our Healthy Families Committee. I've been receiving comments about concerns of what is, can be permitted over various areas. I've had concerns from families that says new version of peeping tom, whatever you want to call it. But there's a concern of what is appropriate, an appropriate use of drones over urbanized residential areas. So, I would ask the Members if they would allow the subject to come to Committee and at least have a discussion to see if there's something that we need to propose for the County Code. Thank you.

CHAIR LEE: Alright. Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I support having a discussion of, you know, what, what's permitted and what's not in residential areas in HFC Committee. For this particular item, and perhaps Mr. Raatz will be able to weigh in on this, I'm just wondering, I think it would be limited in scope to the drones mapping car crash areas. So, I, I, I don't think the parameters would allow for residential surveillance or flying over residential areas. But if, if it, if it does, then, you know, I, I support that. But I don't know if we want to ask Mr. Raatz to weigh in on that, or Corporation Counsel?

Chair, you're muted. Oh, there's Ms. Lutey.

CORPORATION COUNSEL MOANA LUTEY: Hi there. So, in terms of the drones, there are Federal laws that control how they can be used and so forth. If they're mapping--

VICE-CHAIR RAWLINS-FERNANDEZ: Ms. Lutey.

CORPORATION COUNSEL: Yes.

VICE-CHAIR RAWLINS-FERNANDEZ: Member Hokama requested to have this subject matter referred to HFC Committee. But my question was whether this subject matter would be limited in scope to mapping fatal crashes, car accidents, and not for the purpose of residential fly-zones?

CORPORATION COUNSEL: That would be accurate.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Okay, so, okay, it is limited to, to, to this? And we wouldn't be able to, okay. Mahalo, Ms. Lutey. Mahalo, Chair. Oh, you're muted, Chair.

CHAIR LEE: Mr. Hokama, do you want that kind of limited discussion?

COUNCILMEMBER HOKAMA: No, I appreciate the clarification so that everybody understands the limitations or parameters of the posting of the agenda, Chair. So, I have no issues. What I would do, to be upfront with my colleagues, is that I will send a letter to Chair for a subject matter referral to Committee regarding drones. And in the meantime, if there's something that needs, is pressing, I'll use then Rule 8 of our Rules of the Council to bring it up on a agenda appropriately if need be, Chair. But other than that, I'll go through the referral process. Thank you, Chair.

CHAIR LEE: Alright. Very good. So, we are going to refer the subject matter to the HFC Committee, correct? The subject matter of drones limited as it is.

VICE-CHAIR RAWLINS-FERNANDEZ: Member Hokama is shaking his head.

CHAIR LEE: Pardon me?

VICE-CHAIR RAWLINS-FERNANDEZ: Member Hokama--

COUNCILMEMBER HOKAMA: Chair, you can, and again, yea, Chair, if you want to submit the, refer the matter, that's fine. We all understand it is a narrow parameter, as clarified by my colleague from Molokai. And so, that, that's fine. I can work within that narrow parameter for this specific referral, Chair. It won't be an issue. Thank you.

CHAIR LEE: Okay. So, the motion is to approve the, the bill in 20-97 *[sic]* on first reading, and to refer the, the subject matter of drones to the HFC Committee, right? All those in favor of the motion say "aye", raise your hand.

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KING.

CHAIR LEE: Oh, it's unanimous. So, there's eight "ayes", one "excused"; motion carries.

I'm not sure when Ms. King is coming back, so let's proceed with the GET items.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair.

CHAIR LEE: We have eight people here. Yes.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair, I have one more item.

CHAIR LEE: Oh, I'm sorry. Okay. Go ahead.

Mr. Clerk.

#### COMMITTEE REPORT

NO. 20-97 - ECONOMIC DEVELOPMENT AND BUDGET COMMITTEE:

Recommending that Bill 86 (2020), entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2021 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 POLICE (STATE E911 WIRELESS COMMISSION COMMISSION)," be PASSED ON FIRST READING and be ORDERED TO PRINT.

CHAIR LEE: Ms. Rawlins-Fernandez

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN  
COMMITTEE REPORT 20-97.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Okay, I saw two hands go up together.

VICE-CHAIR RAWLINS-FERNANDEZ: Member Kama.

CHAIR LEE: Who was the? Mr. Hokama, okay. Moved by--

VICE-CHAIR RAWLINS-FERNANDEZ: Pro Tem Kama.

CHAIR LEE: Oh, Kama.

VICE-CHAIR RAWLINS-FERNANDEZ: Pro Tem Tasha Kama.

CHAIR LEE: Oh, Tasha Kama, okay. Alright, it's been moved by Vice-Chair Rawlins-Fernandez, seconded by Pro Tem Kama, to approve the committee, approve the bill in Committee Report 20-97, right?

Okay. No discussion, Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Your Economic Development and Budget Committee met on August 4, 2020, to discuss a proposed bill to add an additional \$176,244. The grant appropriation for the Department of Police for the State E911 Wireless Commission.

Your Committee noted that these additional funds, along with the original appropriated funds will allow the Department of Police to purchase a replacement 911 recorder, which has no association to 5G. The current system is about 10 years old, and the newer recorder will ensure that all radio and telephone transmission continue to be recorded and preserved.

Your Committee voted 7-0 to recommend passage of the proposed bill and filing of the communication. I respectfully ask for the Councilmembers support of this motion. Mahalo, Chair.

CHAIR LEE: Any further discussion? All those in favor say "aye", raise your hand.

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KING.

CHAIR LEE: Okay, motion carries unanimously; eight, zero, one "excused". Motion carries.

Mr. Clerk.

DEPUTY COUNTY CLERK: Madam Chair for the record, that is BILL 86 (2020).

The bill that was attached to Committee Report 20-96, that's BILL 85 (2020).

COMMITTEE REPORT

NO. 20-98 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending that Resolution 20-116, entitled "RELATING TO THE APPOINTMENT OF MELVIN HIPOLITO TO THE MAUI PLANNING COMMISSION," be ADOPTED.

CHAIR LEE: Mr. Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair.

MOVE TO ADOPT THE RECOMMENDATIONS OF  
COMMITTEE REPORT NO. 20-98.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

COUNCILMEMBER SUGIMURA: Second.

CHAIR LEE: Moved by Mr. Molina, seconded by Vice-Chair Rawlins-Fernandez, to adopt the recommendation in county, Committee Report 20-98.

Mr. Molina.

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair. Your GET Committee met on July 14, 2020, to discuss Melvin Hipolito's nomination to the Maui Planning Commission for a term expiring on March 31, 2025, which was to fill a vacancy

replacing Lorraine Sablas. Council's 60-day deadline to approve or disapprove Mr. Hipolito's nomination is August 22, 2020.

And your Committee then met with Mr. Hipolito, and he said his many years of work experience in the agriculture and private sectors will be an asset to the Maui Planning Commission. He was born and raised on Maui and would like to contribute to the decision-making process that affects the future planning of the island. Your Committee voted 8-0 to recommend adoption of the resolution approving his nomination. And I would ask for the Members full support of his nomination. Thank you.

CHAIR LEE: Alright. Any further discussion? If not, all those in favor in the motion say "aye", raise your hand.

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

CHAIR LEE: Okay. Opposed, raise your hand.

NOES: COUNCILMEMBER SINENCI.

EXCUSED: COUNCILMEMBER KING.

CHAIR LEE: One opposed. Seven "ayes", one "no", one "excused"; motion carries.

Alright. Mr. Clerk.

DEPUTY COUNTY CLERK: Chair, for the record, that is RESOLUTION 20-116.

#### COMMITTEE REPORT

NO. 20-99 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending that Resolution 20-117, entitled "AUTHORIZING SETTLEMENT OF CLAIM NO. 30166871707-0003 OF ALYSSA TOTH," be ADOPTED.

CHAIR LEE: Mr. Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair.

MOVE TO ADOPT THE RECOMMENDATIONS OF  
COMMITTEE REPORT NO. 20-99.



COUNCILMEMBER KAMA:

SECOND.

VICE-CHAIR RAWLINS-FERNANDEZ: Second.

CHAIR LEE: Mr. Molina, moved by Mr. Molina, seconded by Ms. Kama, to adopt the recommendations in Committee Report 20-99.

Mr. Molina.

*(Councilmember King returned to the meeting at 1:15 p.m.)*

COUNCILMEMBER MOLINA: Thank you, Madam Chair. Your GET Committee met on this matter on July 14, 2020. And your Committee received an overview of the case in open session by a Deputy Corporation Counsel.

The case alleges injuries Ms. Toth sustained and damages to her vehicle involving a Maui County fleet vehicle at the intersection of Kula Highway and Copp Road, Kula, Maui, Hawaii, on October 21, 2016.

At the request of Corporation Counsel, your Committee held an executive session meeting. And following the executive session meeting, your Committee voted 9-0 to recommend adoption of the proposed resolution. Thank you.

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

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

CHAIR LEE: Okay, opposed, "nay".

NOES: NONE.

CHAIR LEE: Okay, we got one "nay". Ms. King, you just joined us. What was your vote? Was it "aye" or "nay"?

COUNCILMEMBER KING: . . . got stuck. It was "aye".

CHAIR LEE: Okay. So, we have nine of us; eight "ayes", one "nay". Motion carries.

Mr. Clerk.

DEPUTY COUNTY CLERK: Chair, who is the "no" vote?

CHAIR LEE: The "no" vote is Ms. Paltin. No?

COUNCILMEMBER PALTIN: That was a "aye" vote.

CHAIR LEE: Oh, that was an "aye" vote? Did anybody have a "nay" vote?

I'm sorry, Mr. Clerk, I, I misread her hand. It's all "ayes"; nine "ayes", zero "noes".

DEPUTY COUNTY CLERK: Madam Chair, for the record, that's RESOLUTION 20-117.

Proceeding with ordinance for second and final reading.

## ORDINANCES

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 78 (2020)

### A BILL FOR AN ORDINANCE ESTABLISHING THE COMMISSION ON HEALING SOLUTIONS FOR HOMELESSNESS

CHAIR LEE: Who should I call on? Ms. Kama. Ms. Kama.

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

I MOVE TO PASS BILL 78, "A BILL FOR AN ORDINANCE  
ESTABLISHING THE COMMISSION ON HEALING  
SOLUTIONS FOR HOMELESSNESS" ON SECOND AND FINAL  
READING.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR LEE: Okay. Moved by Member Kama, seconded by Vice-Chair Rawlins-Fernandez, to pass Bill 78 on second and final reading.

Discussion, Ms. Kama?

COUNCILMEMBER KAMA: Chair, I think that in our Committee we've had much discussion. And in the end, your Committee voted to approve this bill. So, I ask for the Members, again, once again, to support this Bill 78. Thank you.

CHAIR LEE: Okay. Further discussion?

Mr. Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. I speak in support of the motion. You know, and I also wanted to mahalo Ms. Darcy for all of her work with some of our houseless, home, population. You know, now that we're in a pandemic and we kind of pump the brakes a little bit, you know, before we even consider welcoming back visitors into our island and to our home maybe we can clean up, clean up the house little bit. Clean house little bit, so that when we do eventually open up our island home to our visitors, then we can be, you know, we can show that we're more, we're addressing some of the, the poignant issues of our community. Mahalo for this. Thank you.

CHAIR LEE: Thank you. Any more discussion? If not--

Oh, Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I would like to congratulate my, our, our OCS district office staff here, Zhan Lindo, in doing the initial draft of this legislation, because she is the point person on Molokai that has been helping those that have, are unsheltered on Molokai. And it was because of our wanting to empower our communities in all districts to make sure that their voices are heard and that that is the driving force in proposing this Commission. Because oftentimes, other districts are overlooked because other districts may have more of a severe concern with our unsheltered community members. And so, I wanted to just congratulate her in her first bill that's being passed.

And mahalo to all the Members for supporting this. And mahalo for all the community members supporting this. And I look forward to working with those who have, have expressed concerns about this Commission. And I hope that we will continue to work together to ensure that all of our community's needs are addressed. Mahalo, Chair.

CHAIR LEE: Any further discussion? If not, congratulations, Zhan.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chair, thank you. I'm going to speak against the motion this afternoon. First, though, I want to acknowledge the working of the Chair. I also acknowledge the work from Ms. Rawlins-Fernandez's office.

And so, there's a proposal today, I can tell you, my opposition is more about those that have contacted me that feel they are paying the cost of growing government. This is not your clientele group speaking. These are those who feel that they pay the bill. And I can tell you there's a lot of unhappy people who are paying the bill right now. And the concern of what happens to the County when those who are paying the bill cannot pay the bill? And so, I would say, this afternoon, my voice more about those who, at this point in time, wish, wishes the County not to keep growing and conduct, creating more bureaucracy in a sense to them, okay?

And so, I just bring up this other point that I believe the next Council will have to deal with on a more regular basis, because the issue of who can pay and who cannot pay is going to become a battle; every major decision for the next Council. And you're going to hear a lot more from those that are paying the bill about their displeasures. So, I just bring that up that that is a point in our community that is growing. I hear a lot more when I'm out. And so, I just share that comment with the rest of the County this afternoon. Thank you, Chair.

CHAIR LEE: Ms. Paltin, and then Ms. King.

COUNCILMEMBER PALTIN: Thank you, Chair. And congratulations to Ms. Lindo as well. I will be supporting this bill. My office has been receiving a lot of feedback from the small business owners, especially on Front Street, and also, you know some in Paia Town, about the situation with the unsheltered population. And so, you know, part of like Councilmember Sinenci said of getting us back onto our feet and, and being able to welcome back the visitors is addressing these situations within our community that would hold us back from economic recovery, that would hold us back from getting Maui County back on track.

You know, we can welcome the tourists back, but if all the stores are closed and there's only homeless sleeping in front of them, then there's not much economic recovery to speak of really. So, I will be supporting this bill, and I offer my sincere gratitude to Ms. Lindo and her Member.

CHAIR LEE: Ms. King.

COUNCILMEMBER KING: Thank you, Chair. I speak in support of the bill. And I think this is, I don't see this as growing government. This is a volunteer group and I know it will take a little bit of support from the appropriate governmental agency. But we could either do this and we bring in more people who understand the problem from a different aspect, or we could add more employees on to take care of the problem. Because, we're, we're still in dire straits with this problem. The problem is not going away. It's not being handled. And whether it's just too much work for the agencies that are doing the work to do, or whether we need a fresh idea, maybe we need the perspective of more people who are on the streets and are homeless. I think that's one of the things that's lacking.

So, this is not a, a statement that that anybody's not doing their job. I think there are a lot of people out there working really hard to address this problem. But we're not getting it done for one reason or another. And this, this Commission represents an opportunity to have new perspectives, to have more volunteer energy into helping us solve this problem.

I would sincerely hope that that Zhan Lindo has time to, to be the Molokai member on this Commission, because I think she would add a lot. And, and you know, I have one of my staff members on the Commission for the Status of Women. So, it is possible to do that multitask. I mean, we all as Councilmembers multitask; we're all on various other boards and, and organizations.

And I hope that we also bring Ms. Darcy onto this Commission too. Because I think that's the, that's the focus of this Commission, is get the people who understand the problem from the side of the person who is houseless, who is unsheltered, and living on the beach or living on the street, and try to figure out solutions that maybe we haven't thought of before. So, I'm completely behind this.

And, and I want to thank Ms. Lindo for putting this together, and Councilmember Rawlins-Fernandez for supporting that effort. And let's see what we can do moving forward. Let's see what, what new energy we can bring in through this Commission. Thank you.

CHAIR LEE: Thank you.

Ms. Sugimura, then Mr. Molina.

COUNCILMEMBER SUGIMURA: Thank you, Chair. Thanks for this, this Commission, Healing Solutions for Homeless. And I too am going to speak against it, because I

believe that we have, as when we heard during Committee, Lori Tsuhako, Department of Housing and Human Concerns Director, as well as the structure that she has with the Homeless Alliance, which I've been to meetings, and, and different organizations that are working together, including Maude Cummings *[sic]* with Family Life Center and Ka Hale A Ke Ola and, you know, all the, the forces that are trying to work on this problem. And I believe that the structure is there.

And one of the cautions that Lori stated is that the Housing and Human Concerns Department who receives Federal funding has their mission that they need to accomplish to receive those funds. And the homeless, this homeless commission, if they were to recommend things for the Department to do that was not, they're not able to do because of their limited fund, that'll work, work against the forward motion that they're trying to do.

So, I said this during Committee and I'm going to be consistent with that, as I believe that the wheels are in motion in this COVID times to do something. And I thank all of those who worked hard and, and are out there in the community, because we all are concerned about the homeless, and its numbers, and trying to make our community better. But again, thanks, thank you very much. Appreciate this and thank you.

CHAIR LEE: Alright. Mr. Molina.

COUNCILMEMBER MOLINA: Yea, thank you, Madam Chair. I, I speak in support of the proposal. And again, thank Member Rawlins' staff, and Member Kama, and in general all of our staffs who, who've been working on this issue. I know my own staff has been really working hard on this homeless issue, especially now that it's escalating in my district; Paia. So, the subject of the, those who are unsheltered or houseless is becoming an increasingly important issue, especially in light of the pandemic, because the worst, unfortunately, I believe is yet to come. So, I think it's important that, as elected officials, we think outside of the box.

And at, at the same time, I appreciate Mr. Hokama's and Ms. Sugimura's perspective about government, you know, expanding or being bloated. But it's all a matter of, of how you use your resources and the importance of the, how you prioritize those resources. Now, certainly, the next Council, if, if this measure passes, this Commission is formed, fine. And then, a future Council can see that if we've addressed the homeless issue to a respectable level that there is that option to abolish this Commission in the future if, if it is necessary. But I think just in general right now, this is the time for all of us to think outside of the box if you will.

For myself, I'm, I'm willing to try new things. And sometimes we need to push the envelope on certain things. So, I know there's been, may have been some hard

feelings amongst those individuals who are working so hard to address this problem in the nonprofit community. And I, I tip my hat to them. They work so hard. And I'm just hopeful that some type of resolution can occur, where all sides can work together and, and put aside any potential hard feelings that may be out there, and to put the focus on, the eye on the prize, so to speak. And that is to reduce the amount of homeless and, and sheltered, shelter-less people, because it is becoming a, just such a big, big issue. And again, I think this is a worthy consideration.

And, now, if I may ask Member Rawlins-Fernandez, would, this Commission would be like most Commissions; it would meet once a month? Is that the intent of this Commission?

CHAIR LEE: Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Yes, Member Molina, the bill says that the Commission would meet at least once a month.

COUNCILMEMBER MOLINA: And of course, it would be staffed by the Department of Housing and Human Concerns? Secretary and--

VICE-CHAIR RAWLINS-FERNANDEZ: That's correct.

COUNCILMEMBER MOLINA: Maybe someone from the Mayor's Office or the Housing Department to staff, to be the one staff member and one secretary, I believe. Am I correct?

VICE-CHAIR RAWLINS-FERNANDEZ: That's correct Member Molina. You would know. You, you were doing that for a couple of years.

COUNCILMEMBER MOLINA: Yea, I'm just trying to, yea, thank you. And cause I do want to certainly gauge the cost, which I, I certainly respect the perspective of Mr. Hokama and Ms. Sugimura. So, how much? I, I'm not sure. I don't think it would be that expensive. But anyway, it's, it's something I, I, I certainly am in favor of exploring this new Commission to give additional perspectives from the, those affected by not having any shelter. Thank you, Madam Chair.

CHAIR LEE: Thank you, Mr. Molina. And your efforts, and your staff, your staff's efforts, I know Gary's been working hard too, trying to work on that issue in Paia, which has, you know, has a, kind of exploded. So, hopefully we can get that under control.

Any other, yes, Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. For my second and final. You know, I acknowledge the concerns that were just brought up. I wanted to bring to everyone's attention that, as far as I'm aware, any of the CARES Act funding that went to address the unsheltered issue has not reached Molokai. And so, I don't know if any of you are aware of that. And I don't know if perhaps other districts did not receive any financial assistance.

But that's the kind of things that I'm hoping that this Commission would be able to give voice to. Because there's inequity in funding in how, where, or which districts these funds will go to help. There, there is, there is nothing on Molokai for, for, to assist our unsheltered community.

And oftentimes we think about unsheltered and, and only imagine the chronic unsheltered community members, and not the potential eviction tidal wave that is looming because of the pandemic. You know, we, we, we're not thinking about our neighbors that are just a paycheck away from living in their cars. And so, it's important, you know, for those that, you know, are concerned about the, the cost of this until it is them, until it's directly affecting either them personally, individually, because that person is now living in the car, or someone that they know and love is now living in a car or on a beach.

And so, I know that oftentimes we feel disconnected from those in our community that do not have shelter at this moment. But there are a lot of, they're our neighbors. They're our neighbors. They're our family. And in our culture, we take care of everyone. And so, that's what this Commission is intended to do; is to take care of everyone, everyone that's not being seen right now.

So, excuse my passion, but I know that you can't have it both ways. You can't complain about how bad it looks to have an encampment, but not do anything more to address it than sweeping them away, sweeping them under the rug, sweeping them somewhere that we cannot see. That's not what we should be doing and that's not how we take care of our family. And that's the purpose of this Commission; is to give voice to those that are being directly affected by this. And, like I said, with this pandemic, we could be seeing more people unsheltered. And so, that's why we introduced it when we did; so that we can get this going as quickly as possible to address a potential eviction tidal wave. Mahalo, Chair.

CHAIR LEE: Thank you.

Ms. Paltin. Ms. Paltin.



COUNCILMEMBER PALTIN: Thank you, Chair, for my second and final. And, you know, I just wanted to say with what the PUC announced last Friday with the 46 percent rate hike with the, the missing plus up of the 600 with the lack of jobs. Whatever the situation is now, the potential to get much, much worse is, is there. And it, it already is bad, you know.

There's been some folks that reached out to get a hygiene trailer for West Maui and they haven't been able to get any response yet for, with the CARES money. So, I think, you know, to, to limit ourselves to what's not working and not even have an open mind about trying other things that could possibly work when we already know, like, we're staring down the barrel of a gun right now. So, I'm going to support it.

CHAIR LEE: Alright, Mr.--

COUNCILMEMBER PALTIN: --who don't support it--

CHAIR LEE: Oh, I'm sorry.

COUNCILMEMBER PALTIN: --we're just asking for way more trouble than what we have right now. And we, we have more trouble than we can wrap our arms around. So, yea, that's, thank you.

CHAIR LEE: Mr. Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair, for the opportunity for my second and final. I just wanted to share that I, I had the opportunity to visit one of the, the houseless camps, and ended finding that there was two of my cousins that came out. And, and what I did see was there was no access to water, bathroom supplies, just the basic necessities. I didn't, what I think a lot of people maybe misinterpret that there would, there would be a lot of substance abuse and drug addiction. I didn't see that.

I, I saw a broken people, but at maybe at one point of their life, they had burned their bridges with their family, whether it was through, you know, their lowest point or, or maybe some substance abuse and addiction. But I didn't see that when I, when I visited. I just saw people that was almost tossed out by their family at one point in their life. And, and they don't know how for go back or, or to get back to normal. So, I, I, you know, just like to plead to my fellow Members that, you know, just the empathy and just to consider some of our most vulnerable constituents on, on the island. Mahalo, Chair.

CHAIR LEE: Anybody else? If not, all those in favor of the motion to pass Bill No. 78 on second and final reading, say "aye", and raise your hand.

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

CHAIR LEE: Okay. And then "no", raise your hand.

NOES: COUNCILMEMBERS HOKAMA AND SUGIMURA.

CHAIR LEE: Okay. There are seven "ayes" and two "noes"; motion carries.

Mr. Clerk.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 79 (2020)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 12.24A,  
MAUI COUNTY CODE, RELATING TO EXCEPTIONAL TREES

CHAIR LEE: Mr. Hokama.

COUNCILMEMBER HOKAMA:

I MOVE THAT BILL 79 PASS SECOND AND FINAL READING.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: Okay. Moved by Mr. Hokama, seconded by Ms. Sugimura, to pass Bill 79 on second and final reading.

Mr. Hokama.

COUNCILMEMBER HOKAMA: No discussion.

CHAIR LEE: Any other comments? If not, all those in favor say "aye", raise your hand.

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

NOES: NONE.

CHAIR LEE: Okay, nine "ayes", no "noes"; motion carries. Thank you.

Mr. Clerk.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 80 (2020)

A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE  
DISTRICT CLASSIFICATION FROM AGRICULTURAL TO URBAN  
FOR PROPERTY SITUATED AT PAIA, MAUI, HAWAII  
TAX MAP KEY (2) 2-5-005:063 (POR.)

CHAIR LEE: Ms. Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. May I please request the Clerk to call up  
both Bill 80 (2020) and Bill 81 (2020)?

CHAIR LEE: Okay. Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: So, ordered. Mr. Clerk.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 81 (2020)

A BILL FOR AN ORDINANCE TO CHANGE ZONING  
FROM INTERIM DISTRICT TO B-CT COUNTRY TOWN BUSINESS DISTRICT  
AND PUBLIC/QUASI-PUBLIC (CONDITIONAL ZONING) FOR PROPERTY  
SITUATED AT PAIA, MAUI, HAWAII, TAX MAP KEY (2) 2-5-005:063 (POR.)

CHAIR LEE: Ms. Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. May I also request that the, Mr. Clerk confirm receipt of the recorded unilateral agreement?

CHAIR LEE: Mr. Clerk.

DEPUTY COUNTY CLERK: Chair, the unilateral agreement in question has been recorded. Thank you.

CHAIR LEE: Ms. Paltin.

COUNCILMEMBER PALTIN: Awesome.

OKAY, I'D LIKE TO MOVE TO PASS BOTH BILL 80 (2020) AND  
BILL 81 (2020) ON SECOND AND FINAL READING.

COUNCILMEMBER MOLINA:

SECOND.

COUNCILMEMBER SINENCI: Second.

CHAIR LEE: Moved by Ms. Paltin, and seconded by Mr. Molina, to pass Bills 80 and 81 on second and final reading.

Discussion, Ms. Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. Bills 80 and 81 would approve land use designations for approximately four acres at 120 Baldwin Avenue in a scaled back version of a development known as the Paia Courtyard Project, which was originally proposed for more than nine acres.

Bill 80 would approve a District Boundary Amendment, and Bill 81 would approve a conditional change in zoning. The new designations would be consistent with the Paia-Haiku Community Plan, so a community plan is no longer, amendment is no longer needed.

As Councilmember Hokama pointed out at first reading, the five-acre portion of the property known as "Area C" is no longer addressed in the legislation and its agricultural designation will not change.

The developer has taken community input into significant consideration and has garnered support from the Paia Town community. There will be further review as

development will require an SMA permit issued by the Maui Planning Commission. I respectfully ask the Council's support for my motion. Thank you.

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

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

NOES: NONE.

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

Mr. Clerk

DEPUTY COUNTY CLERK: Chair, there is no further business before the Council.

CHAIR LEE: Any parting comments, anybody?

COUNCILMEMBER PALTIN: 15-minute break.

CHAIR LEE: Thank you so much. We had a good meeting. Everybody stay safe and we will see you soon. This meeting is adjourned.

## ADJOURNMENT

The regular meeting of August 18, 2020 was adjourned by the Chair at 1:42 p.m.



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

From:  
Sent:  
To:  
Subject:

Lisa Darcy <lisa@shareyourmana.org>  
Tuesday, August 18, 2020 2:02 PM  
County Clerk  
FW: Signatures video for Aug 18 testimony on Bill 78 Lisa Darcy

FYI

Lisa Darcy

From: Lisa Darcy [mailto:dimsunnycloud.com]  
Sent: Tuesday, August 18, 2020 2:01 PM  
To: Lisa Darcy  
Subject: Signatures video

I SUPPORT A COMMISSION ON HEALING SOLUTIONS ON HOMELESSNESS

Permission to show video: SYM meeting

AUGUST 7, 2020

NAME	Comments
1. Duff	
2. Dexter Sato	
3. K-BUY KANAK	GENUINE + MY VOICE IS GENUINE + HAWAIIAN
4. Chelsea Vincent + Mullet	
5. Keith K. Vincent	
6. SONIA DAVIS	
7. Nancy Waipa	
8. Heidi Horrogo	
9. Julie Palaferri	
10. Myrica Tarrick	myrica@palaferri.com
11. JAMES LESTER	myrica@palaferri.com
12. OLIVER MA'ALOA	

Lisa Seikai Darcy

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**From:** Lisa Darcy <lisa@shareyourmana.org>  
**Sent:** Tuesday, August 18, 2020 1:08 PM  
**To:** County Clerk  
**Subject:** Names of individuals on SYM video on testimony Aug 18

In order of appearance:

Clayton Kanae  
Keith Vincent  
Chelsea Muller  
Sonia Davis  
Nancy Waipa  
Heidi Horcajo  
Lorna Ma`alea  
James Lester  
Julie Paleferri  
Monica Tanner

Mahalo,  
Lisa Darcy  
Founder, Share Your Mana  
808-344-5300

DAVID Y. IGE  
GOVERNOR  
STATE OF HAWAII

JOSH GREEN  
LT. GOVERNOR  
STATE OF HAWAII



WILLIAM J. AILA, JR.  
CHAIRMAN  
HAWAIIAN HOMES COMMISSION

TYLER I. GOMES  
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

P. O. BOX 1879  
HONOLULU, HAWAII 96805

August 17, 2020

RECEIVED  
2020 AUG 17 PM 2:04  
OFFICE OF THE  
COUNTY CLERK

The Honorable Alice Lee  
Chair of the Maui County Council  
County of Maui  
200 South High Street  
Kalana O Maui Bldg., 8<sup>th</sup> floor  
Wailuku, Hawaii 96793

Dear Council Chair Lee and members of the Maui County Council,

Subject: Testimony in support of Bill No. 79 (2020)  
A bill for an ordinance amending Chapter 12.24A,  
Maui County Code, Relating to Exceptional Trees

The Department of Hawaiian Home Lands (DHHL) owns TMK: (2) 3-5-002:002 and intends to develop a residential homestead subdivision for our native Hawaiian beneficiaries. DHHL fully supports Bill 79 (2020) as it amends the Maui County Code relating to the existing monkeypod trees along Honoapi'ilani Highway fronting the DHHL property and allows DHHL to provide safe access and adequate sight distance for the proposed Pu'unani Homestead residential subdivision.

Thank you for your continued support of DHHL and our homesteads across Maui County.

Should you have any questions, please call me at (808)620-9501 or Stewart Matsunaga, Acting Administrator, Land Development Division at (808) 620-9283.

Aloha,

A handwritten signature in black ink, appearing to read "W. Aila, Jr.", written over a horizontal line.

William J. Aila, Jr., Chairperson  
Hawaiian Homes Commission

c: Randy Awo, Commissioner, HHC



## Resolution cc20-411 regarding "Hiring Local"

Good Morning Chair Lee and council members,

My name is Dwight Burns and I am the Maui Island Representative with the Hawaii Operating Engineers Industry Stabilization Fund. I am writing this letter in support of this resolution. By keeping the jobs local it can really boost Maui's economy. It allows local companies to employ more local Maui people to fill positions as needed by the construction trades and allows them to make a livable wage here in Hawaii. The Unions have apprenticeship training programs for each trade in the construction industry and by keeping the jobs local it will allow for them to take in more local people who are interested in a new career and or job and train them to become skilled workers in which ever craft they chose. It also creates a workforce right here on Maui so we won't have to bring other people from other states that might stand the risks of them being affected by the virus and spreading it while working here on Maui. When people are back at work they tend to spend more money and they will be spending that money right here in Maui county. Most people in the construction industry like to eat out and shop at local businesses and they will be supporting other businesses by doing so such as our local farmers, merchants, restaurants and food trucks. Again I am in support of this resolution because it's great for Maui county and the people of Maui.

Mahalo,

Dwight K Burns

Maui Island Representative

Hawaii Operating Engineers

Industry Stabilization Fund

2145 Wells St. Suite 405

Wailuku, Hi 96793

Tel: (808)285-6343

RECEIVED  
2020 AUG 17 PM 2:18  
OFFICE OF THE  
COUNTY CLERK

## County Clerk

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**From:** Susan Halas <wailukusue@gmail.com>  
**Sent:** Sunday, August 16, 2020 10:46 AM  
**To:** County Clerk; Alice L. Lee; Kelly King; Yuki Lei Sugimura; Shane M. Sinenci; Tasha A. Kama; Keani N. Rawlins; Mike J. Molina; Tamara A. Paltin; Riki Hokama; michael.victorino@co.maui.hi.us  
**Subject:** Testimony County Council August 18, 2020

Susan Halas, (808) 280-9205 [wailukusue@gmail.com](mailto:wailukusue@gmail.com)

August 16, 2020

Sent by email to [county.clerk@mauicounty.us](mailto:county.clerk@mauicounty.us) and members of Maui County Council

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**Testimony for Maui County Council Meeting Aug. 18, 2020**

**Agenda item: I. 20-98 GET**

**Appointment of Melvin Hipolito to the Maui County Planning Commission**

RECEIVED  
2020 AUG 17 AM 8:00  
OFFICE OF THE  
COUNTY CLERK

Dear Chair Lee and Council Members,

I'd like to call your attention to the remarks of current Planning Commissioner Stephen Castro made at the Aug. 11 meeting of the Maui Planning Commission. Near the end of that meeting Commissioner Castro suggested the Mayor and the Council might want to consider diversifying the membership of this commission, specifically by nominating and confirming new Planning Commission members who represent an environmental and conservation viewpoint.

At the moment there are seven members on the nine member board and the Council is reviewing the nominations to fill the two vacancies. I do not necessarily oppose either of the two nominees, who both have a strong record of community service. But would like to point out that both nominees Melvin Hipolito (on today's agenda) and Jerry Edlao (on an upcoming agenda) come from the construction industry. The board already has a member with strong ties to construction. If both these nominees are confirmed it will then have three members with construction industry affiliation.

These are the current memes of the board and their occupational sector

- REAL ESTATE Lawrence Carnicelli - Chairperson (Kihei) 3/31/2021.
- CONSTRUCTION Christian Tackett - Vice Chairperson (Wailuku) 3/31/2022.
- REAL ESTATE Dale Thompson (Lahaina) 3/31/2025.
- TOURISM Stephen Castro, Sr. (Kahului) 3/31/2021.
- TOURISM Kawika Freitas (Makawao) 3/31/2023.
- REAL ESTATE P. Denise La Costa (Lahaina) 3/31/2023.
- REAL ESTATE Kellie Pali (Kihei) 3/31/2024.

Yes, I agree with the sentiment also expressed during testimony at the Aug. 11 meeting that commissioners "are more than the jobs they hold" or the industries they represent, but when you have such an important commission tilted so heavily in favor of Real Estate, Construction and Tourism and with zero representation of other viewpoints, specifically environmental and conservation concerns - it is not balanced and it does not really represent the full spectrum of thinking in this community.

I am aware that the Council can only consider the nominations sent to it by the Mayor. I would hope the Council members would review the lopsided composition of the Planning Commission and transmit a letter to the Mayor indicating that when the next two seats become vacant in March 2021 they will request the Mayor to send them nominees with environmental and conservation credentials.

I would also hope that the next Council will consider putting specific limitations on the number of members sitting on the Planning Commission who have resumes that primarily come from construction, real estate and tourism in order to assure a board that is more diverse and provides more inclusive representation of all of Maui County.

Thank you for your consideration.

## County Clerk

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**From:** Tamara A. Paltin  
**Sent:** Tuesday, August 18, 2020 10:02 AM  
**To:** County Clerk  
**Subject:** Fwd: Broaden Planning Commission membership

Sent from my iPad

Begin forwarded message:

**From:** Dick Mayer <dickmayer@earthlink.net>  
**Date:** August 18, 2020 at 9:39:58 AM HST  
**To:** Dick Mayer <dickmayer@earthlink.net>  
**Subject: Broaden Planning Commission membership**

Aloha Councilmember,

With Maui in a very dire socio-economic situation and lacking economic diversification, it would seem wise for the Mayor to be appointing to our most important commission, the Maui Planning Commission, people who represent interests other than just construction, tourism and real estate.

I hope the Council will defer the selection of the Mayor's most recent nominees, and send a letter to the mayor asking for a broader range of backgrounds in the individuals to be nominated for the Maui Planning Commission. It would be very helpful to have people from the non-profit agencies that deal with social issues, members of the various Community Association boards, environmental representatives, etc.

Instead of reviewing the mayor's nomination to the Maui Planning Commission I hope you and your colleagues will send that letter to the mayor recommending a broader range of commissioners.

Mahalo, Dick Mayer  
[dickmayer@earthlink.net](mailto:dickmayer@earthlink.net)  
cell 808-283-4376