

MINUTES

of the

COUNCIL OF THE COUNTY OF MAUI

August 28, 2020

THE REGULAR MEETING OF THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, WAS HELD ONLINE ONLY VIA BLUEJEANS, ON FRIDAY, AUGUST 28, 2020, BEGINNING AT 9:07 A.M., WITH CHAIR ALICE L. LEE PRESIDING.

COUNCIL CHAIR ALICE L. LEE: Will the Maui County Council regular Council meeting of August 28 please come to order.

Ms. Clerk, roll call.

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, VICE-CHAIR KEANI N.W. RAWLINS-FERNANDEZ AND CHAIR ALICE L. LEE.

EXCUSED: NONE.

CHAIR LEE: Members, the greeting comes from Antarctica, which by the way is 65 degrees this morning. And the word is, well, the phrase is bon matin; bon matin. In Antarctica, they speak English, French, and German; those are the major languages. So, good morning. And I'm hoping for a nice, short, and efficient meeting.

And we have a break coming up around 10:15 where we will break away and join the Zoom meeting and the MEO Kupuna Celebration. Now, yesterday, you received an email from our County Clerk Kathy Kaohu, giving instructions on how to join the meeting, and pretty much an agenda of what MEO is planning to have today. But we're only going to stay there for about a minute. So, if in your mind you can prepare a minute's worth of a greeting to all of our kupuna. And then we are going to reconvene our Council meeting.

Alright, at this time, I would like to invite Councilmember Michael Molina to do our opening remarks.

OPENING REMARKS

The opening remarks were offered by Councilmember Michael Molina.

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

CHAIR LEE: Okay. Repeat. Mr. Molina, your speech was, your remarks were very informative and inspiring. Thank you.

COUNCILMEMBER MOLINA: Thank you very much.

CHAIR LEE: Now, could you all join me with the Pledge of Allegiance?

PLEDGE OF ALLEGIANCE

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

CHAIR LEE: 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.

Madam Clerk.

COUNTY CLERK KATHY L. KAOHU: Thank you, Chair. For the record, there are nine Members present this morning. And a quorum is present to conduct the business of the Council.

Chair, proceeding with the presentation of testimony on agenda items. Members of the public may testify by connecting 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 view the meeting on Akaku, Channel 53 or on mauicounty.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 time to testify.

Testimony is limited to the items listed on today's agenda. And 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 on. Please also identify to the Council if you are a paid lobbyist.

Chair, the first person to testify is Shelly Cravalho Wagner. And Shelly is testifying on Committee Report 20-106.

CHAIR LEE: Good morning, Shelly.

PRESENTATION OF WRITTEN TESTIMONY

MS. SHELLEY CRAVALHO WAGNER (testifying on Committee Report 20-106):

Good morning. Aloha mai kakou. Mahalo for your time this morning, including all the members who served on the numerous Maui County Committees that we have provided testimony to.

At the last Committee meeting, the question was raised with regard to, was Joseph Cravalho the first Maui Police Chief? That inquiry prompted me to be a sleuth due to a notation that was made in January 10, 2002 Maui News article and according to the internet.

In 1905, the County established five districts for Maui County, each with an elected Sheriff from within their counties. In 1939, the government appointed a police commission and the Maui Police Department was created. In 1939, we had our first Police Chief, George Larson; our second, Jean Lane in 1943. Both of them had come from the Honolulu Police Department. In 1968, the third, also from Honolulu, served just a few months was Edward Hitchcock. In 1969, Maui's fourth, Abraham Aiona, was also from the Honolulu Police Department. In 1976, the fifth, Honolulu as well, John San Diego. Joseph Cravalho was his Deputy.

In 1981, the sixth Police Chief and the first from the Valley Isle was promoted from within the Maui Police Department. He started his career in 1959 at age 23; that man was our dad, Joseph Cravalho. So, mahalo nui for asking that question, which prompted me to do more research. My family and I are honored to have been able to share our story of our dad and his service with all of you. A man that lived everyday with the mentality of the cup being half full, and he saw the potential in everyone.

Joseph C. Cravalho Hale Māka'i reflects service, character, leadership, things that we can choose to aspire to in all our professions. Mahalo nui for your time and for your consideration on our behalf.

CHAIR LEE: Thank you very much. Are there any questions?

Yes, Ms. Sugimura. Un, unmute yourself.

COUNCILMEMBER SUGIMURA: Sorry. Thank you, Chair. And so nice to see you here, thank you. Such a special amount of research you did, and you sent it by email, so thank you for sharing it with all of us in your testimony. I also, you know, your father, I, I also called Shelly during this period to confirm that the name of the station would not have the word junior in it. And I wonder if you could share that with the Committee so they can understand. Your father was born a Junior, but you can finish if you would?

MS. CRAVALHO WAGNER: Oh, thank you. So, although the Junior is indicated on his birth certificate, we have no recollection of him ever using Junior in anything. In everything he signed, he never used Junior. So, although it's on his birth certificate, it was not something that was used.

COUNCILMEMBER SUGIMURA: Thank you. It came up during Committee discussion, and since you're here, I just wanted to have that clarified cause I was going to mention it. Thank you very much. Appreciate everything you and your family have done. Thank you.

MS. CRAVALHO WAGNER: Thank you for your kind--

CHAIR LEE: Are there anymore questions? If not, thank you, Shelly. Thank you very much for coming.

Madam Clerk, next testifier.

COUNTY CLERK: Next testifier is Kylie Wagner *[sic]* Cruz. And Kylie will be testifying on Committee Report 20-104. Kylie will be followed by Nick.

CHAIR LEE: Good morning, Kylie.

MR. KYLIE WAGER CRUZ, HAWAII WILDLIFE FUND (testifying on Committee Report 20-104):

Good morning. Aloha. My name is Kylie Wager Cruz and I'm I represent Hawaii Wildlife Fund and I'm We'll just give you a little background. We brought this

lawsuit back in the beginning of 2019 to challenge a streetlights project involving approximately 4800--

CHAIR LEE: Kylie, we're having difficulty hearing you clearly.

MS. WAGER CRUZ: Oh, I'm sorry. Is this better?

CHAIR LEE: Yes, yes.

MS. WAGER CRUZ: Okay. I turned up my volume. So, as part of the Maui Streetlights Project, we challenged a streetlights project that would install approximately 4800 streetlights throughout the County of Maui. We had concerns that due to high blue light content, they pose a higher risk to, to seabirds and sea turtles throughout Maui Nui. And so, as part of the lawsuit, we sought to accomplish three things; first, that installation--

CHAIR LEE: Kylie, we're, we're having difficulty understanding you. Maybe turn the volume up higher and speak a little slower.

MS. WAGER CRUZ: Okay.

CHAIR LEE: Let's try that.

MS. WAGER CRUZ: Is this better? Is this better?

CHAIR LEE: Yes, it's better, but speak a little slower, okay? Thank you.

MS. WAGER CRUZ: Okay. So, we sought to accomplish three things through the lawsuit. First is that installation Second, is that the project is And, and third, is to get some sort . . . with respect to the thousand of blue lights that were already installed.

CHAIR LEE: Kylie. You know, we can understand you when you say, is that better? But when you start talking, then we can't, it's not clear.

VICE-CHAIR RAWLINS-FERNANDEZ: Yea, it, it's kind of muffled.

COUNCILMEMBER SUGIMURA: Maybe send it in writing, is it written.

CHAIR LEE: Kylie, did you hear me? I said when you say--

COUNCILMEMBER PALTIN: There is written.

MS. WAGER CRUZ: Is this better? Let's see, how about this? Oh, no.

CHAIR LEE: Kylie.

MS. WAGER CRUZ: Do you want to--

CHAIR LEE: Can you stop for a second. When, when you say, is this better, we can hear you. And then when you start going into your testimony, we don't understand you. It's muffled.

MS. WAGER CRUZ: Okay. I unplugged by headphones.

CHAIR LEE: Okay.

MS. WAGER CRUZ: Is this better?

CHAIR LEE: Actually, yes, much better. Thank you.

MS. WAGER CRUZ: Okay. Something's wrong with my headphones, and apologies for the technological problems, and thanks for your patience. So, we brought this lawsuit back at the beginning of 2019 to challenge the Maui Streetlights Project, because of its potential impacts to wildlife, including seabirds and sea turtles. And through the lawsuit, we sought to accomplish three things, which was: stopping the installations, ensuring that the project underwent the HIPA review process, and we wanted some sort of relief with respect to the thousand or so lights that were already installed.

Through agreements, and litigation, and court orders, we were able to accomplish the first two things. And with respect to the third thing, what to do about the thousand or so lights that are already up, we have been able to reach agreement with the County, subject to your approval. And we think that this solution will mitigate harm to wildlife, while also resulting in energy savings for the County in the long term. And so, therefore, we strongly support settlement authority for this lawsuit. And we appreciate the opportunity to testify today. Thank you.

CHAIR LEE: Very good. Thank you. Questions, anyone? Thank you, Ms., is it Wager?

MS. WAGER CRUZ: Wager Cruz.

CHAIR LEE: Wager Cruz, okay. Thank you.

MS. WAGER CRUZ: Mahalo.

CHAIR LEE: Madam Clerk.

COUNTY CLERK: Chair, next to testify is Nick. And Nick will be testifying on County Communication 20-379 and 20-429.

MR. NICK DRANCE (testifying on County Communication Nos. 20-379, 20-428 and 20-429, and Committee Report 20-104):

Aloha.

CHAIR LEE: Good morning, Nick.

MR. DRANCE: Hi. Good morning. Good morning. Actually, it's 20-428, 20-429, 20-379, and CC 10, 20-104. Aloha, Chair and Council. I appreciate the opportunity to participate in this meeting as it addresses some of my most pressing concerns. And as I'll mention, the concerns of the majority of residents. So, my words are respectful, but emphatic.

Regarding number 20-428, "CREATING AND EXPANDING WORKFORCE DEVELOPMENT PROGRAMS TO GET MAUI COUNTY RESIDENTS BACK TO WORK". The resolution, in my view, contains many great points and it recognizes the Maui economic boards work in fulfilling the public mandate for diversified industry and employment. I ask the Council and the Mayor team up to establish a full-on task force that creates a coordinated strategic plan developed for Maui County. I think one that engages the Mayor's Office and the full range of County departments and community resources is required for this objective.

I'm glad that the Countywide Plan is finally being referenced and publicly mandated work of the Maui Economic Board is being recognized. But let's remember, that's from a 15-year old set of objectives intended to be our guide for another 15 years. Obviously, much of what residents have mandated has not been a high priority by the County. Excuse me for saying that so directly. That, especially in comparison to the amount of specular, speculative development we've seen that has resulted in hundreds of millions of dollars in profits for mainland companies, and maybe a few residents. That's not a nice thing to say, but it's the truth that should be recognized and discussed please.

The word sustainable rightly occurs in the first sentence of the proposed resolution. However, out of 916 words, that's the only time the word is used. That tells me the resolution might not result in as much of the diversification of industry and economic objectives that we need. It urges many good things, but it does not require and

sanction additional work, and management assistance from the Maui Economic Board. They rank top among the most knowledgeable entities in this area in the State in my view.

So, I do not agree with this resolution that is written. In my view, a proper wording of this resolution would more closely mirror specifics of the work already done and overall objectives of the Maui Economic Board. I'd like to see it focus more on sustainability through active participation by the Climate Action and Resilience Committee so that this investment maximizes our long-term sustainability and survivability as well as addressing current needs.

Number 20-429, relating to amending the Maui County Code to help incentivize the increased development of affordable housing and residential workforce housing inventory in Maui County. The idea behind this reservation, resolution has great merit in my view. However, a written version must require development occur under appropriate circumstances.

In view of the Council's vote on one phase of the Launiupoko development, Councilmember Paltin and others noted the challenges of open sprawl and the lack of water there, which is already being rationed. The Hawaiians over the centuries did not build on this land for a number of reasons. I wish the Affordable Housing Committee Chair and others had recognized this and voted accordingly, instead focusing on more viable opportunities.

Building affordable housing at any cost is wrong, as well, incentives provided to developers though loopholes inserted in the final wording by Corp. Counsel are alleged to have occurred over the years. This resolution could easily create that scenario. If I were you, I'd require final approval of this or any word, wording in an ordinance finalized by Corp. Counsel before it's enacted.

Regarding the general subject of housing, currently in Wailea, more than 100 acres of luxury home development is under review by the County. That's on top of the massive existing property project opposite the Fairmont, which breaks longstanding zoning requirements. The original projections for the Wailuku Civic, according to the so-called Maui Redevelopment Agency, projects 1.5 million square feet of development to pay for it. The massive Kihei mega-mall property is now back for the County review after 25 years of grassroots battles in the courts. So, all of this development is environmentally unsustainable on top of the fact that Maui relies almost entirely on imported fuel for energy and imported fuel, which is the icing on that cake.

So, if we're going to talk about workforce housing, it's right to mention the massive amount of housing construction that has already occurred and is currently in the

planning stages. Whatever ambitious goal this resolution achieves will only be a drop in the bucket by comparison, and we should look at that.

Everyone but, would be happy if this resolution did what it is intended to do. But bear in mind, residents asked for 15 and many hundreds of thousands of square feet ago. Maybe it could include a target ratio of benefits created for both residents and developers. The Wailuku, Wailea 100-acre projects, there's three of them that was in the day before yesterday Maui News. So, I wholeheartedly support this resolution if in fact it ends up financing the projects cited.

Oh, excuse me, sorry. I'm on CC 20-379, "PRIORITIZING MAUI COUNTY BUSINESS FOR PUBLICLY FUNDED JOBS AND PROJECTS". I wholeheartedly support this resolution if in fact it ends up financing the projects cited. If it supports and encourages speculative development in any form, I'm against it. I wish that it would be all or partially comply, combined with proposed resolution 20-48 *[sic]*. In any case, as I mentioned above, this and 20-48 *[sic]* are brilliant opportunities to finance things on the Climate Action and Resilience Committee. And they should have great, a great deal of expertise on those things.

Let's change parts of what appears to be a progressive pipedream from an elephant in the room to a long sharp-tooth tiger. Here's our chance. Much can be accomplished with Federal and State money, but that has to be spent by December. Hopefully, allocation of those funds will suppi, suffice for fulfilling that requirement. But it's one of the best investment deals Maui County could ask for.

Regarding 20-104, adoption of the resolution to authorize settlement of the Hawaii Wildlife Fund, etc. The original settlement offer by the Plaintiffs was generous by any measure, let's recognize that. I'm not privy to the current negotiations which occur behind closed doors in executive session. But based on what I know of the Plaintiffs, their history and their objectives, I would guess that the circumstances of their offer are not punitive in any way, but rather seek only to preserve our long-term way of life with proper stewardship of the environment.

Here's the emphatic part. We've lost four court battles. We have now lost, according to the Supreme Court of the United States of America, and yet Corporation Counsel is advising us to continue to fight. Enough; we've lost. We've a wrong, we made a mistake, let's cut our losses and fix the dang thing.

I spoke directly with Eric Nakagawa, Director of Environmental Management last year. In our discussion, I said, brother, there is so much scientific evidence that this is a problem. Why are you fighting this? He said, we have our scientists and you have yours. It seems to me that he has a job in the County that has been politicized. Beyond

that, the matter at hand is just one of many examples of Corporation Counsel far exceeding their Charter rights and obligations while violating yours.

The previous Chair fought this, and rightfully so. According to the will of the people, not only of Maui, but the State, the nation and perhaps the world as a matter of principle.

Corporation Counsel defied the will of the people and your legislative branch as well, undermining your fundamental role. Many consider Corporation Counsel to be a rogue part of County government, something that wouldn't be hard to demonstrate in my opinion. The Administration, under the current and former Mayors embraces this. According to your own votes, in one instance, you also embraced this in the past, in fact preventing legal option, legal options to remedy the problem. Recent resolutions seek to remedy this, and I hope they work. Believe me, I'm so grateful that you took that courageous action.

In my view, historically, Corporation Counsel has been oriented toward a purely combative stance. Maui Corporation Counsel's been reprimanded for their behavior many times by the judicial system. One example was described as weaponized taxation in the case, in the case of the Ocean Resort Villas case. In my view, their tactics were despicable and warranted disbarment, but apparently not. So, let's wipe this black mark off our history as best you are able at this point. We are shamed now for all the world to see. Let's settle this thing and move on.

In closing, I hope that you are able to actively engage the expertise of the Maui Economic Board and the Climate Action and Resiliency Committee, along with the tremendous resources and talents this Council possesses to avoid distraction and maximize public support. I hope the Maui Redevelopment Agency has no objective, no involvement in these objectives.

Council, let me thank you for the progress we've seen this year, particularly in the last several months. I wish those of you who considered stewardship of the sacred land and its people to be the guiding light of your job. Godspeed. I wish the Charter amendments proposed for November are voted in. Many of you have often demonstrated leadership and I'm very happy for that. Thank you very much.

CHAIR LEE: Thank you. Yes, questions?

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. Looks like you're reading something. Can you submit your testimony to us?

MR. DRANCE: Absolutely. Sure.

COUNCILMEMBER SUGIMURA: . . . was kind of . . . through everything and many ideas mixed with others. So, appreciate it. Thank you.

MR. DRANCE: Thank you.

CHAIR LEE: Anymore questions? If not, thank you, Nick.

MR. DRANCE: Mahalo.

CHAIR LEE: Appreciate your comments.

MR. DRANCE: Have a good weekend.

CHAIR LEE: Thank you. You too.

MR. DRANCE: Thank you.

CHAIR LEE: Madam Clerk.

COUNTY CLERK: Chair, can we, Chair, can we ask Mr. Nick what his last name is?

CHAIR LEE: Nick, are you still on, on the call.

MR. DRANCE: Here I am. Drance, like France with a "D"; Drance.

CHAIR LEE: Drance. Thanks.

COUNTY CLERK: Mahalo.

MR. DRANCE: Aloha.

CHAIR LEE: Next testifier.

COUNTY CLERK: Chair, we do not have any other testifiers noted. If an individual connected to the meeting has not testified but would like to do so, please identify yourself now. And we are unmuting everyone on our end, and you can also inform staff via the meeting chat. This is the last call for testifiers.

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: So, ordered.

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

1. Kylie Wager Cruz, EarthJustice; and
2. Hannah Bernard, Hawaii Wildlife Fund.

COUNTY CLERK: Chair, proceeding with minutes.

MINUTES

The minutes of the Council of the County of Maui's regular meeting of June 5, 2020 and June 19, 2020 was presented at this time.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

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

COUNCILMEMBER HOKAMA:

SECOND.

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

Any discussion? If not, 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: Nine "ayes", no "noes"; motion carries.

Madam Clerk.

COUNTY CLERK: Chair, proceeding with county communications.

COUNTY COMMUNICATIONS

NO. 20-424 - TIVOLI S. FAAUMU, CHIEF OF POLICE,
(dated August 14, 2020)

Informing of the receipt of \$577.50 in Forfeiture Funds from the Department of Attorney General, State of Hawaii.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. If there are no objections, may I request that the Clerk to also call up County Communications 20-425 through 20-427?

CHAIR LEE: Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: Okay. Madam Clerk.

NO. 20-425 - TIVOLI S. FAAUMU, CHIEF OF POLICE,
(dated August 14, 2020)

Transmitting a copy of the Memorandum of Agreement Modification No. 1, with the Department of Health, Alcohol and Drug Abuse Division for the Prohibiting Tobacco Sales to Persons Under the Age of Twenty-One program in the amount of \$11,000.

NO. 20-426 - TIVOLI S. FAAUMU, CHIEF OF POLICE,
(dated August 14, 2020)

Transmitting the grant modification from the Office of National Drug Control Policy for the 2019 High Intensity Drug Trafficking Areas grant to increase the budget by \$68,500.

NO. 20-427 - LORI TSUHAKO, DIRECTOR OF HOUSING AND HUMAN CONCERNS, (dated August 13, 2020)

Transmitting the notice of grant award of additional funds related to the CARES Act from the U.S. Department of Housing & Urban Development for the Section 8 Housing Choice Voucher Program in the amount of \$423,813.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO FILE COUNTY COMMUNICATIONS 20-424
THROUGH 20-427.

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member King, to, did you say file?

VICE-CHAIR RAWLINS-FERNANDEZ: Yes.

CHAIR LEE: File County Communications 20-424 through 427.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. These communications are informational, and no further action is required by the Council. Mahalo, Chair.

CHAIR LEE: Anymore discussion? If not, all those in favor of filing these communications, please signify by saying "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.

Madam Clerk. Madam Clerk.

COUNTY CLERK: Thank you, Chair.

NO. 20-428 - ALICE L. LEE, COUNCIL CHAIR,
(dated August 19, 2020)

Transmitting a proposed resolution entitled "CREATING AND EXPANDING
WORKFORCE DEVELOPMENT PROGRAMS TO GET MAUI COUNTY RESIDENTS
BACK TO WORK".

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

ON YOUR BEHALF, I MOVE TO ADOPT THE PROPOSED
RESOLUTION ATTACHED TO COUNTY COMMUNICA,
COMMUNICATION 20-428, INCORPORATING ANY
NONSUBSTANTIVE REVISIONS, AND TO FILE COUNTY
COMMUNICATION 20-428.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: And would you like the County Clerk to read the resolution?

VICE-CHAIR RAWLINS-FERNANDEZ: Yes, please, Chair.

CHAIR LEE: In its entirety?

VICE-CHAIR RAWLINS-FERNANDEZ: Yes.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: Okay, well, you made the motion. And then was there a second?

VICE-CHAIR RAWLINS-FERNANDEZ: Yea, Member Sugimura.

CHAIR LEE: Okay, Member Sugimura seconded the motion.

County Clerk, could you please read the resolution?

(The resolution was read in its entirety.)

CHAIR LEE: I don't think further discussion is necessary. Any questions, or--

Yes, Ms. Tamara Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. I just was, so we're not, we're not sending this to Committee today?

CHAIR LEE: Would you like to? We could.

COUNCILMEMBER PALTIN: I wouldn't necessarily like to, but I just was wondering, you know, in the urge of, or in the, I like what you have here and I, I agree. But in the interest of balance, you know, we also have all these kids at home and kind of childcare is an issue, healthcare, we're trying to import folks from the mainland. So, I just was, maybe we can add in addition to construction related trade unions, you know, other diversification for the UH to expand to besides just, cause healthcare, innovated education and, you know, just in the state that everything is right now, I think we really need to start training in leadership and like get those guys out there cause there's kind of a lack of leadership a little bit.

And even, even the leaders that we have are, are getting on in age, so I mean, just a few more things that I think if, if we're sending this from the Council that I just was, you know, there's a lot of, a lot of jobs here in Maui that aren't filled because of, of that lack of technical training, or maybe, you know, the, the hotel industry always looked, you know, more lucrative or not, not necessarily easier. But I think if we can encourage both these folks as well as our residents to start looking at the job openings that we've had a chronic need for and, and emphasizing those as well. And, and not just construction, but also construction if, if can.

CHAIR LEE: Yea. The only reason why construction is emphasized is because of the \$700 million in jobs and appropriations that are coming down. It's not something that we have to pay for. But the thing is, if we don't train our people in those areas, whether as interns or people who, who support the industry like supply companies, delivery companies, you know, those kinds of things, if we don't train our people, then what's going to happen is they're going to be imported from someplace else. So, that's the reason why. And that's the reason why we're asking the college to, and the unions to get together, because they're the ones going to do the jobs, right? The union, you know, the construction industry. But--

COUNCILMEMBER PALTIN: Chair.

CHAIR LEE: --I think you still, you have a good point. You know, you have a good point that, you know, we should encourage other kinds of jobs. Hopefully people don't expect us to pay for those jobs. But, you know, yea, let's, let's broaden the horizon for employment, sure.

COUNCILMEMBER PALTIN: Thank you, Chair. Because I've also heard of imported nurses and healthcare workers during this time. So, and maybe with a single payer health situation moving forward across the nation, it, it could be something. But yea, thank you very much, Chair--

CHAIR LEE: Okay.

COUNCILMEMBER PALTIN: --for letting me speak.

CHAIR LEE: Sure. Yes, Mr. Molina.

COUNCILMEMBER MOLINA: Yea, thank you, Madam Chair. Whatever is your preference, if, I presume you would like to act on this reso today, or if it's the majority, the will of the majority to send to Committee; I'm fine either way. But I do have two amendments I would like to propose; one for the first "BE IT RESOLVED", and another for the fifth "BE IT RESOLVED". So, at the appropriate time, whenever you'd like to entertain these amendments, I'm ready to go.

CHAIR LEE: Okay. How about if we refer this to the EDB Committee? And that way we can delve into it more.

Yes, Mr. Hokama.

VICE-CHAIR RAWLINS-FERNANDEZ: I'm happy to--

CHAIR LEE: Oh, I'm sorry. What did you say, Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: It, it just sounded like you wanted me to withdraw my motion. But we can hear from everyone before I do that.

CHAIR LEE: Right.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Chair. I was going to say that I believe I already have one item, HFC-56 *[sic]*, Committee staff checked, that could be the umbrella to have the Committee bring up the, this particular resolution, Chair, the subject matter. So, right now, I'll speak in support of the motion and request that the subject matter, if you folks want, be referred to my Committee, since we already have item 58 to, to, to accept it.

And I'll work with Ms. Rawlins-Fernandez, cause I understand the money part, but I think, what I would like to do is what I did yes, like yesterday on our Committee meeting; bring in the resources, allow all of, you know, let them speak and have all of you folks share your folks thoughts or questions with them. But I would be happy to use my slots, cause I'm not as busy as Ms. Rawlins-Fernandez's Committee's responsibilities. That I would be able to post very soon, if the Members want, and bring these parties together to have that discussion with the Committee members, the Councilmembers and the various components regarding your, your resolution, Chair.

Cause I think you brought together great points of groups that we need to have on a coordinated approach, and everybody needs to know which duck they are in the straight line so that we all can march forward smartly. So, that would be my request. Thank you.

CHAIR LEE: Okay. Thank you.

Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR LEE: Would you like to with, withdraw the motion and instead refer this matter to; does it matter if it goes to Mr. Hokama's Committee? Do you--

VICE-CHAIR RAWLINS-FERNANDEZ: Well, I think for economic development, it should come to EDB. But the subject matter is also under HFC. So, I, I guess if the reso itself, because we already planned to do a town hall meeting with EDB regarding economic development, so the resolution could come to EDB and then the subject matter could also go to HFC.

CHAIR LEE: Yes, Ms. King. And then Mr. Hokama.

COUNCILMEMBER KING: Thank you, Chair. I, I support the, the, the suggestion by Vice-Chair Rawlins-Fernandez. And I think it would, does bear greater, the actual resolution, I would like to discuss that in EDB because I, I agree with, I had the same thoughts as Member Paltin about expanding the, the lists of different economic opportunities and diversifying our economy and our industries. And I think that's a bigger conversation that we want to have today on the floor. So, I would support the resolution going to EDB.

CHAIR LEE: Mr. Hokama.

COUNCILMEMBER HOKAMA: I agree with my Budget Chair. You know, the economic development side, the budgetary side, yea, I agree it should stay under her chairmanship's jurisdiction. My problem was more about the general community approach and the various segments of the community. And that my, my thing would be more to just be the venue to have all these various components have the discussion. Anything with money or specific EDB projects, I would agree should come through the Budget Committee. Thank you.

CHAIR LEE: Okay. Did not anticipate this being popular to the point of people wanting it in their committees.

Mr. Molina.

COUNCILMEMBER MOLINA: Yea, thank you, Madam Chair. You hit a homerun with this one, and I can support the reso. But I'm in agreement with Member Rawlins-Fernandez; have the reso go to Budget and Finance. And especially because it's a nine-Member Committee, so all nine Members can vote on the reso in that Committee. And then of course, the subject matter later on going to Member Hokama. So, I'm in support of Member Rawlins-Fernandez suggestion. Thank you.

CHAIR LEE: Did I see another hand up?

Yes, Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Chair, I'm curious what Mr. Molina's amendments were. He said he had one for the first "WHEREAS" and the fourth "WHEREAS"? I forget. Oh, fifth "WHEREAS".

CHAIR LEE: Ms., Ms. Sugimura, it's going to go to Committee, so no sense we go over?

COUNCILMEMBER SUGIMURA: Oh, you don't think it is necessary? Okay. I, I sup--

CHAIR LEE: Yea, right now, we, we're trying to figure out whose committee, so.

COUNCILMEMBER SUGIMURA: Oh, I support it going to, like yesterday, when we saw Mr. Hokama doing his, the, the descript, or his, his array of speakers that he had was very powerful, I think; talking about the eviction moratorium. Thank you, Chair for that item. And I can see the, the breadth of this and the, the groups that probably should be talking about it altogether. So, I see from the community perspective for it to go to Mr. Hokama's Committee. Thank you.

CHAIR LEE: Okay, before I call on you, Ms. Rawlins-Fernandez, was there anybody else who wanted to say something, like Ms. Kama or Mr. Sinenci?

Ms. Kama.

COUNCILMEMBER KAMA: Is it possible to send it to both Committees?

CHAIR LEE: We could.

COUNCILMEMBER KAMA: And then at least they can have the discussions and--

COUNCILMEMBER SUGIMURA: From their perspective.

COUNCILMEMBER KAMA: --probably have it so robust that we're going to come up with such great decisions. Thank you, Chair.

CHAIR LEE: That's another option.

Mr. Sinenci, did you have a comment?

COUNCILMEMBER SINENCI: No, I'm supportive either way and, and looking forward to further discussions. Thank you.

CHAIR LEE: Okay. Alright. Yes, Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Clarification that, mahalo, I, yea, I wasn't expecting this to be a super robust discussion either. But economic development is, you know, it's, it's a . . . That's what the, the biggest, you know, hot topic is right at this moment. And there's a lot of, you know, political pull all over the place regarding this issue and how we'll be moving forward. So, I mean, yea I guess that makes sense.

BUT MY MOTION WAS WHAT PRO TEM KAMA SAID, TO HAVE THE RESOLUTION COME TO EDB AS THE ECONOMIC DEVELOPMENT AND BUDGET COMMITTEE; AND THE SUBJECT MATTER AS MEMBER HOKAMA MENTIONED CAN GO UNDER HIS UMBRELLA ITEM FOR HEALTHY FAMILIES AND COMMUNITIES.

CHAIR LEE: Is that your new motion?

VICE-CHAIR RAWLINS-FERNANDEZ: No, no, that's, that's what I said earlier. But I, I can make that motion.

COUNCILMEMBER KING:

I'LL SECOND, I'LL SECOND THE MOTION IF THAT, I DIDN'T REALIZE IT WAS A MOTION, BUT I'LL SECOND IT.

CHAIR LEE: Okay. So, okay, it's moved and seconded to send the resolution to EDB and the subject matter to HFC, okay? All in favor, raise your hand, say "aye".

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

NOES: NONE.

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

Okay. Madam Clerk, next item.

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

NO. 20-429 - KEANI RAWLINS-FERNANDEZ, COUNCIL VICE-CHAIR,
(dated August 19, 2020)

Relating to amending the Maui County Code to help incentivize the increased development of affordable housing and residential workforce housing inventory in Maui County.

The recommended action is that County Communication 20-429 be referred to the Affordable Housing Committee.

CHAIR LEE: Okay. Why don't you read them all, unless anybody has, we only have a few here. Any, any objections, so far?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: Okay. Proceed, Madam Clerk.

NO. 20-430 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,
(dated August 14, 2020)

Relating to the annual inventory report regarding County property for the period ending June 30, 2020.

The recommended action is that County Communication 20-430 be referred to the Economic Development and Budget Committee.

NO. 20-431 - KEANI N.W. RAWLINS-FERNANDEZ, COUNCIL VICE-CHAIR,
(dated August 20, 2020)

Relating to the Fiscal Year 2021 appropriation for other post-employment benefits.

The recommended action is that County Communication 20-431 be referred to the Economic Development and Budget Committee.

NO. 20-432 - MICHAEL J. MOLINA, COUNCILMEMBER,
(dated August 19, 2020)

Relating to the Social Host Liability regulations.

The recommended action is that County Communication 20-432 be referred to the Governance, Ethics, and Transparency Committee.

NO. 20-433 - ALICE L. LEE, COUNCIL CHAIR,
(dated August 20, 2020)

Relating to a status report on COVID-19 testing and tracing in Maui County.

The recommended action is that County Communication 20-433 be referred to the Healthy Families and Communities Committee.

CHAIR LEE: Members, are there any objections to the referrals as read by the Clerk?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: If not, so ordered.

Madam Clerk.

COUNTY CLERK: Chair, proceeding with committee reports.

COMMITTEE REPORTS

COMMITTEE REPORT

NO. 20-102 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending that Resolution 20-118, entitled "RELATING TO THE APPOINTMENT OF JERRY EDLAO TO THE MAUI PLANNING COMMISSION," be ADOPTED.

CHAIR LEE: Mr. Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS OF
COMMITTEE REPORT NO. 20-102.

CHAIR LEE: Second?

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: It's been moved by Mr. Molina, seconded by Ms. Sugimura, to adopt the resolution in Committee Report 20-102.

Any discussion, Mr. Molina?

COUNCILMEMBER MOLINA: Yes, thank you very much, Madam Chair. Your GET Committee met on August 11, 2020, to discuss Mr. Edlao's nomination to the Maui Planning Commission for a term expiring on March 31, 2022, to fill a vacancy replacing Calmentina Gomes.

Your Committee then had a discussion with Mr. Edlao. Mr. Edlao has prior County and State board experience having previously served as a member of the Maui Planning Commission, Board of Variances and Appeals, and the State Board of Land and Natural Resources. Your Committee voted 9-0 to recommend adoption of the resolution to approve his nomination. Thank you.

CHAIR LEE: Any further discussion? If not, all--

Ms. Paltin. Ms. Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. I speak in support of the motion. I think that Mr. Edlao previous serving on the boards has shown that he has good attendance. I just wanted to discuss that the last two nominations have been in the construction industry and so I wouldn't pose the next two nominations to be on the environmental side, marine biology, and in relation to coastal zone management, SMA guidelines. And I know that there are folks on the application list with those qualifications, because I went out and recruited a few people. And as they turned in their application, they cc'd me as well.

So, just pointing out for purpose of discussion, there are folks on the list with more traditional cultural knowledge. We, we don't need to limit ourself to one Hawaiian practitioner or even one person with marine environmental knowledge. And similar to the other resolution, you know, I'm happy to support construction, but if we can have a equal balance. So, I welcome all my colleagues to recruit more of the other side of the balance that we need, so that we don't just choose one. And that's the end of my discussion. Thank you.

CHAIR LEE: Yes, Mr. Sinenci, and then Ms. King.

COUNCILMEMBER SINENCI: Thank you, Chair. Yes, I'm going to support Mr. Edlao's appointment today, with reservations. And again, just for the same reasons as Ms. Paltin had shared. We had a lot of testifiers about looking towards more conservation and environmental stewardship. So, looking for, for down the line to, to more of those appointments. Thank you, Chair.

CHAIR LEE: Ms. King.

COUNCILMEMBER KING: Thank you, Chair. I just echo what's been said by my colleagues. And I wanted to encourage Councilmember Paltin to make that same speech at the next CAR Committee, because we will be reviewing the legislation to add the requirement for an environmental specialist on all the planning commissions. So, that's, and that's coming out of that concern that we heard from testimony as well for the planning commissions. So, thank you.

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

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

NOES: NONE.

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

Ms., Madam Clerk.

COMMITTEE REPORT

NO. 20-103 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending that the correspondence dated May 5, 2020, from the Department of Corporation Counsel requesting an opportunity to discuss the status of Courtlandt Dixon Gates and Natalie Gates, Trustees of the Courtlandt and Natalie Gates 2006 Trust, dated July 31, 2006 v. County of Maui, et al., Civil No. 2CCV-20-0000111, be FILED.

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair.

MOVE TO ADOPT THE RECOMMENDATIONS OF
COMMITTEE REPORT NO. 20-103.

COUNCILMEMBER KING:

SECOND.

COUNCILMEMBER SUGIMURA: Second.

CHAIR LEE: Moved by Mr. Molina, seconded by Ms. King, to adopt the recommendation in Committee Report 20-103.

Mr. Molina, discussion?

COUNCILMEMBER MOLINA: Yes, thank you, Madam Chair. Your GET Committee met on July 14, 2020 and August 11, 2020 to discuss this matter. Your Committee received an overview of the claim in open session by a Deputy Corporation Counsel.

The claim seeks declaratory relief related to Easement 1-A, a non-exclusive easement in favor of Lot 2, Haiku Sugar East Subdivision, Haiku, Maui, Hawaii, owned by Mr. Gates.

At the August 11 meeting, a Deputy Corporation Counsel informed your Committee that the settlement offer was withdrawn by the opposing party.

At the request of the Deputy Corporation Counsel, your Committee held an executive meeting to discuss confidential information related to the claim. And following the meeting, your Committee voted 9-0 to recommend filing of the correspondence. Thank you.

CHAIR LEE: Thank you. Any further discussion? If not, all those in favor of the motion to adopt Committee Report 20-104 *[sic]*, 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: Nine "ayes", zero "noes"; motion carries.

Madam Clerk.

COUNCILMEMBER SUGIMURA: Clarification.

CHAIR LEE: Oh, yes, Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Did you just say 20-103 or did you, I think you just said 104?

CHAIR LEE: I'm sorry; 103

COUNCILMEMBER SUGIMURA: Okay. Thank you.

CHAIR LEE: Yeah. Okay, that motion carries.

Madam Clerk.

COUNTY CLERK: Thank you, Chair. And back, backtracking to committee report, the resolution attached to Committee Report 20-102, that resolution that passed is assigned RESOLUTION NO. 20-118.

COMMITTEE REPORT

NO. 20-104 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending that Resolution 20-119, entitled "AUTHORIZING SETTLEMENT OF HAWAII WILDLIFE FUND, ET AL. V. DEPARTMENT OF PUBLIC WORKS, COUNTY OF MAUI, ET AL., CIVIL 19-1-0053(3)," be ADOPTED.

CHAIR LEE: Mr. Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair.

MOVE TO ADOPT THE RECOMMENDATIONS OF
COMMITTEE REPORT NO. 20-104.

COUNCILMEMBER KING:

SECOND

CHAIR LEE: Moved by Mr. Molina, seconded by Member King, to adopt the resolution in Committee Report 20-104.

Any discussion, Mr. Molina?

COUNCILMEMBER MOLINA: Yes, thank you very much, Madam Chair. Your GET Committee met on this matter on August 11, 2020. Your Committee received an overview of the complaint in open session by a Deputy Corporation Counsel.

The complaint alleges declaratory and injunctive relief as a result of the installation of approximately 4,800 light-emitting diode streetlight fixtures across the County back in November 2018, which threaten to harm, to bring harm to wildlife, and including imperiled seabirds and sea turtles due to their high blue light content. The Streetlights Project was exempted from environmental review, which violated Chapter 434 of the Hawaii Environmental Policy Act under Hawaii Revised Statutes, according to the complaint.

And at the request of your Corporation Counsel, a executive session meeting was held. And after the meeting, your Committee voted 8-1 to recommend adoption of the proposed resolution. Thank you.

CHAIR LEE: Thank you. Any further discussion? If not, all those in favor of the motion to adopt the resolution in Committee Report 20-104, raise your right hand and say "aye".

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

NOES: NONE.

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

Mr., Madam Clerk.

DEPUTY COUNTY CLERK: For the record, that is RESOLUTION 20-119.

COMMITTEE REPORT

NO. 20-105 - HEALTHY FAMILIES AND COMMUNITIES COMMITTEE:

Recommending the following:

1. That Resolution 20-120, entitled "AUTHORIZING ACCEPTANCE OF THE DONATION OF FOUR 8'X24' AND FOUR 6'6"X18'6" SOCCER GOALS FROM THE HAWAII YOUTH SOCCER ASSOCIATION MAUI TO THE DEPARTMENT OF PARKS AND RECREATION, PURSUANT TO CHAPTER 13.04A, MAUI COUNTY CODE," be ADOPTED; and
2. That County Communication 20-190, from the Director of Parks and Recreation, be FILED.

CHAIR LEE: Member Hokama.

COUNCILMEMBER HOKAMA:

CHAIR, I MOVE THAT COMMITTEE REPORT 20-105, ALONG WITH ITS RECOMMENDATIONS, BE ADOPTED.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: Moved by Member Hokama, seconded by Member Sugimura, to approve Committee Report 20-105.

Discussion, Mr. Hokama?

COUNCILMEMBER HOKAMA: Just quickly, Madam Chair. I would just like to thank the Hawaii Youth Soccer Association, their officers and board of directors, for this generous donation to our youth and their kids. It just continues to show the investment that our own families are willing to put into their children, into our youth, in our

neighborhoods, and so I want to thank them for continuing to support our youth programs.

We agree that this is the positive way of activities and direction for our youth. And we'd rather see them on our fields than in those detention or delinquent facilities. So, thank you very much, Chair.

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

Madam Clerk.

COUNTY CLERK: For the record, that's RESOLUTION 20-120.

COMMITTEE REPORT

NO. 20-106 - WATER, INFRASTRUCTURE, AND TRANSPORTATION
COMMITTEE:

Recommending the following:

1. That Bill 87 (2020), entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 12.40, MAUI COUNTY CODE, RELATING TO NAMES OF PUBLIC FACILITIES DESIGNATED," be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 20-390, from the Director of Public Works, be FILED.

CHAIR LEE: Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN
COMMITTEE REPORT 20-106.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Moved by Member Sugimura, seconded by Member Kama, to approve
Committee Report 20-106.

Discussion, Ms. Sugimura?

COUNCILMEMBER SUGIMURA: Thank you, Chair. I'd like to also thank Shelly Wagner who
appeared before us and testified; the daughter for Mr. Cravalho.

And your Water, Infrastructure, and Transportation Committee met on August 10, 2020
to discuss a proposed bill to rename Hale Māka'i as, also known as Maui Police
Department Headquarters and the Wailuku, Wailuku Police Station, to Joseph C.
Cravalho Hale Māka'i.

Your Committee discussed Chief Cravalho's guidance of the Police Department
through a time of change and how his leadership helped to evolve to the accredited,
professional law-enforcement agency that it is today. I'd like to also, your Committee
also expressed support for the work and leadership, leadership of Chief Cravalho,
noting that he also was remembered at a time Maui was changing, and he was
remembered as a Maui County hero.

Your Committee appreciates Chief Cravalho's family, working with the County to put
forward this recommendation. I'd also like to thank, I think it was Member Hokama
who asked that question about his, if he was the first Maui born Chief, and it was
verified today through the family.

Your Committee determined that renaming the facility would honor Chief Cravalho's
legacy and voted 8-0 to recommend passage of the proposed bill. Thank you,
everybody.

CHAIR LEE: Any further discussion?

Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Chair, Madam Chairman. I speak in support of the motion this morning. I just want to say that I personally had a, knew of Chief Cravalho. I think I may be one of the few people who was offered a job and turned down a job from Chief Cravalho to be a police officer way back, I think in the late 70's, early 80's, before collective, when we had collective bargaining for officers, men and women, and there was no SHOPO yet.

And I can remember Chief being very instrumental in moving the department forward. You know, you guys can remember the olive green drab uniform. Then they went to the light baby blues type of color. And then now they're sticking to their dark blues. From the old fashioned six shooters to the 9mm Glocks and whatnot. That was all part of Chief Cravalho's efforts to modernize our department, ensure that our officers were equipped and able to provide the protection and enforcement required for our communities.

So, all I can say is that the, I feel very blessed to have known this gentleman; a fine officer and a protector of our community. And so, I thank Ms. Sugimura for the resolution. And I want to thank the Cravalho Family for presenting us with this opportunity to honor a true Maui hero. Thank you.

CHAIR LEE: Thank you. Well said. Any further discussion?

Yes, Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I speak in support of this motion. I wish I could have known Chief Cravalho. I think it's important that we remember our heroes and honor the legacies of those who contributed tremendously to our County. So, I, I will be voting on the motion to rename our Maui Police Department Headquarters to the Joseph C. Cravalho Hale Māka'i. And it's Mah-kah-ee.

CHAIR LEE: O-okay.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo.

CHAIR LEE: Anybody else? If not, all those in--

Oh, Ms. Kama. Are you voting or you want to talk?

COUNCILMEMBER KAMA: I can do both. So, I'm voting in support. I'm voting in support. But I just love the way his daughter described her father's character. And it, and as

she was describing that I was thinking about the building itself and how the structure is similar to what, how she described as being strong and stable.

And then I thought about the Department itself and how he represented the Department. And how, you know, naming and having to rename this now, it brings back to everybody's remembrance the purpose why the Police Department is there, you know, to be that model, to be those, those model policemen today of what it was like when Mr. Cravalho was there.

And I was just thinking how nice it was to remember that, you know, that that we, we had a model policeman back then. And now, we're looking forward to having model policemen's again, because the name on that building means something. It's just not a Police Department, it's Hale Māka'i; it matters. So, thank you very much, Chair.

CHAIR LEE: Thank you. Any further 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: Nine "ayes", no "noes"; motion carries. Thank you.

Members, do you want to take the break now, or do you think we can breeze through the ordinances?

COUNCILMEMBER KING: Breeze through.

CHAIR LEE: Breeze through, okay.

COUNCILMEMBER KAMA: Breeze through.

CHAIR LEE: Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: Are, are, Chair, are they expecting--

CHAIR LEE: Madam Clerk.

VICE-CHAIR RAWLINS-FERNANDEZ: --us at this time? Are they expecting us at this time?

COUNCILMEMBER KAMA: 10:30.

CHAIR LEE: In two minutes.

COUNCILMEMBER KAMA: In two minutes?

CHAIR LEE: Yea.

COUNCILMEMBER KAMA: I thought 10:30?

VICE-CHAIR RAWLINS-FERNANDEZ: It's going to take time for us to log on and all of that stuff.

CHAIR LEE: Okay.

COUNCILMEMBER PALTIN: And use the bathroom.

COUNCILMEMBER KAMA: Okay, take a break. Take a break. Take a break.

CHAIR LEE: Yea, let's take a break and log on, because we--

COUNCILMEMBER KAMA: Okay. I'll see you guys on the other side.

CHAIR LEE: Yea.

COUNCILMEMBER KING: So, Chair, are we logging directly onto that zoom at 10:30?

CHAIR LEE: No, no 10:20.

COUNCILMEMBER PALTIN: 10:15.

CHAIR LEE: Well 10:20.

COUNCILMEMBER KAMA: It's 10:20, now.

COUNCILMEMBER PALTIN: 10:20.

CHAIR LEE: 10:15 is history. Okay, so, if there are no objections, we'll take a break, yea, recess? Any objections?

MEMBERS VOICED NO OBJECTION.

COUNCILMEMBER KING: Are we, but are we coming back in?

CHAIR LEE: So, ordered.

(THE MEETING WAS RECESSED BY THE CHAIR AT 10:19 A.M., AND WAS RECONVENED AT 10:44 A.M., WITH ALL MEMBERS PRESENT.)

CHAIR LEE: Will the County Council meeting please reconvene.

Before we begin, which we will just finish up our meeting with second and final reading on the ordinances, I just wanted to say how proud I am of all of you. You delivered such wonderful messages. I mean, it was very touching. And so, I just had to share that with you, because if I were one of the kupuna on the other side, I would have felt very, very happy, and proud, and, you know, just reassured to have a Council like you. I just wanted to say that.

Okay, may we proceed, Madam Clerk, with ordinances.

COUNTY CLERK: Thank you, Chair. Prior to proceeding, I'd like to, for the record, assign BILL NO 87 (2020) to committee report, to the bill attached to Committee Report 20-106.

CHAIR LEE: Okay. Alright.

COUNTY CLERK: Okay. Proceeding with ordinances, second and final reading.

ORDINANCES

ORDINANCE NO. _____
BILL NO. 82 (2020)

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

CHAIR LEE: Councilmember Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair.

I MOVE TO PASS BILL 82 ON SECOND AND FINAL READING.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: Moved by Member Molina, seconded by Ms. Sugimura, to pass Bill 82 on second and final reading.

Discussion, Mr. Molina?

COUNCILMEMBER MOLINA: Thank you, Madam Chair. No further discussion. Thank you.

CHAIR LEE: Okay. Anybody else?

Yes, Ms. Sugimura.

COUNCILMEMBER SUGIMURA: So, I want to thank Mr. Molina. When this item came up at our last Council meeting, he immediately brought it up and he prevented it, or, or asked it not to go to Committee so we could immediately act upon it, cause I think it's something important. So, thank you very much, Mr. Molina, for your years of service and experience.

CHAIR LEE: Okay. Was, was, is he part of the kupuna group too or what?

COUNCILMEMBER MOLINA: I was just thinking about that, yea. Thank you. Yes, I am.

CHAIR LEE: Okay. Yea, Ms. Sugimura we moved onto the next program. We have a different audience now.

Okay, 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.

Madam Clerk.

ORDINANCE NO. _____
BILL NO. 83 (2020)

A BILL FOR AN ORDINANCE ADOPTING THE DIGITAL ZONING MAP
AS THE OFFICIAL ZONING MAP FOR THE ISLAND OF LANAI

CHAIR LEE: Member Paltin.

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

I'D LIKE TO MOVE TO PASS BOTH, PASS BILL 83 (2020) ON
SECOND AND FINAL READING.

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Moved by Member Paltin, seconded by Member King, to pass Bill 83 on second and final reading.

Discussion, Ms. Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. Bill 83 will adopt the digital zoning map for the island Lanai, Lanai. The digital zoning map can be published online for the public to access and will improve coordination between government agencies. The Maui island digital zoning map has been implemented with great success and I anticipate similar and positive results with the new digital map for Lanai. I respectfully ask the Council's support for my motion.

And I just wanted to add, you know, if you go onto the real property tax website, you can go to "view maps" and then you can go to "layers", and then you can see the zoning, and then it has a legend. So, I mean, this is really revolutionary for Maui and I'm looking forward for Lanai and Molokai to, people to be able to look up their zoning so much more easily and efficiently. And, cause we know, you know, planning is life. Thank you, Members.

CHAIR LEE: Okay. Alright. Any more discussion?

Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Chairman. I would just want to thank Committee Chair Paltin and the Councilmembers for supporting this. Yea, it brings us into consistency with our ordinances, our old paper maps, and bring us into the 21st century. So, I thank the Committee for acknowledging and, and pushing out this good work on behalf of the Planning Department and for our people that have TMK's on Lanai. So, thank you very much, everyone.

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

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

NOES: NONE.

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

Madam Clerk.

COUNTY CLERK: Thank you, Chair.

ORDINANCE NO. _____
BILL NO. 84 (2020)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR
OF THE COUNTY OF MAUI TO ENTER INTO AN
INTERGOVERNMENTAL AGREEMENT WITH 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

CHAIR LEE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair.

I MOVE TO PASS BILL 84 ON SECOND AND FINAL READING.

COUNCILMEMBER KING:

SECOND.

COUNCILMEMBER KAMA: Second.

CHAIR LEE: Okay. Moved, moved by Ms. Sugimura, seconded by Ms. King, to pass Bill 84 on second and final reading.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. Bill 84 (2020) authorizes the County to continue maintenance of the road; and the Department of Land and Natural Resources will continue to maintain the access points, vegetation, clearing, and signage. The Mayor will sign the intergovernmental agreement, which will continue our relationship with Department of Land and Natural Resources for this natural area reserve. I ask for the Members full support. Thank you.

CHAIR LEE: Ms. Paltin. Ms. Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Ms. Sugimura. And I speak in support of the motion. I just wanted to recognize and thank the Chair of this Committee. Last night, we, and this morning, she invited me along with Mr. Fretz on a site visit. And, you know, one of the big concerns that I had was, you know, the management of the area and taking care of it with bringing, improving or maintaining the road and bringing possibly a lot of tourist in the future.

So, I just would like to discuss my appreciation for that decision, the end of the conversation and that we'll continue to strive to see improved management in that area. So, I'm very happy with that, that the concerns were heard by the Committee, as well as DLNR. And I'm happy to support it at this time. Thank you.

CHAIR LEE: Very impressive.

Yes, Ms. Sugimura, and then Mr. Hokama.

COUNCILMEMBER SUGIMURA: I can defer to Mr. Hokama. Then I can discuss what Ms. Paltin was talking about.

Mr. Hokama, sorry about that.

CHAIR LEE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Madam Chair. Thank you, Ms. Sugimura. Quickly, I'll speak in support of the motion with reservations. You guys know my internal battle with State and State Departments. My, my only, one of the things that I would, I agree with Ms. Paltin about some of the future use impacts.

But one of my greatest disappointments, if you look at the proposed understanding of agreement, Members, is under Section C of our agreement, number 2. You know, these are the things that we should be actually trying to work and resolve. And, and number 2 states that the question of government road and who has responsibility continues to be a major question, yea. And of course, it's about the money, liabilities, and whatnot.

But the point is, we have opportunities to get resolution, and yet we continue to keep the gray moving along almost eternally because we won't discuss it or resolve it. And I speak from my understanding and my experience, that the County has always been willing to work with the State to get resolution, because all our sister islands of our County have government roads in dispute. And to continue to just have an understanding that says we will leave it alone and status quo is okay is not good enough for this County or for our residents. Thank you.

CHAIR LEE: Thank you for your comments.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Yea, thank you. I just wanted to comment on Ms. Paltin. Yea, so what happened at, during the Committee was Dr. Fretz was talking about this community effort for the area and that he had, after the meeting when I spoke to him, he had expressed an interest in this Committee participating. And based upon what was discussed, and Ms. Paltin's involvement in the West Maui, he offered to do a site visit.

And then, at the appropriate time when his, when he reaches out to the community in that area to talk about it, he wanted to in, include us. So, there's more to come on this, on this area. And I'll let you know once we do that. And get on your hiking boots, Tamara, we're going to go do a site visit. Thank you. Thank you.

CHAIR LEE: Okay, very good. I think the, the rest of us would like to come along.

Yes, Ms. King.

COUNCILMEMBER KING: Thank you, Chair. I've actually been to this site a lot and it's, and as I, as area resident Councilmember, I don't need to do a site visit to know that that road needs, often needs repair. So, I appreciate the, and support the motion.

But I also wanted to follow up with Mr. Hokama's concern. And, because we do need, we do need to go, to start, to start solving these issues of who owns what, and it's all over the island. So, is there a way we can refer the subject matter, so that maybe we can have a discussion, a broad discussion in Ms. Sugimura's Committee, if she's willing? It, it's, it's an issue that, that's plaguing areas of West Maui as well, and--

COUNCILMEMBER SUGIMURA: I already have it.

COUNCILMEMBER KING: --and so, anyway, that, that, I have that same concern. In the, in the concern of, of building management areas where we can, we have the same issue with Keawekapu where DLNR owns part of it, and then there's these County parking issues. And the, what they really want is a, is a complete management plan. So, yea, if we can get, if we can get that on the agenda, that would be much appreciated.

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

COUNCILMEMBER SUGIMURA: So, I already have an item in my Committee. I do have an item in my Committee that Ms. Lee passed on called government, Old Government Roads or Government Roads. Thank you.

CHAIR LEE: Okay. Ms. Paltin, did--

COUNCILMEMBER SUGIMURA: You don't need to refer this.

CHAIR LEE: Okay. Ms. Paltin, did you have something?

COUNCILMEMBER PALTIN: That was the same something, Ms. Sugimura already. I, I remember when you were the Chair and, and we had the presentation. So, I just, but Ms. Sugimura knows cause it's her Committee.

CHAIR LEE: Alright, very good. So, we can take it up. It's already in Committee.

All those in favor of the motion, 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: Everybody "aye"? Nine "ayes", no "noes"; motion carries. Thank you.

COUNCILMEMBER SUGIMURA: Thank you, Members.

CHAIR LEE: Ms. County Clerk.

COUNTY CLERK: Thank you, Chair.

ORDINANCE NO. _____
BILL NO. 85 (2020)

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)

CHAIR LEE: Council Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. If there aren't any objections, may I request the Clerk also call up Bill 86?

CHAIR LEE: Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: If not, Madam Clerk, could you call up the other one too?

ORDINANCE NO. _____
BILL NO. 86 (2020)

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)

CHAIR LEE: Council Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO PASS BILL 85 AND BILL 86 ON SECOND AND
FINAL READING.

COUNCILMEMBER KING:

SECOND.

COUNCILMEMBER SUGIMURA: Second.

COUNCILMEMBER SINENCI: Second.

CHAIR LEE: Moved by Vice-Chair Keani Rawlins-Fernandez, seconded by Member King,
to pass Bills 85 and 86 on second and final reading.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. The, both bills passed unanimously
in first reading, so I, I request everyone's continued support of this motion. Mahalo,
Chair.

CHAIR LEE: Okay. But I saw another hand up. Ms. Paltin.

VICE-CHAIR RAWLINS-FERNANDEZ: Member Paltin.

COUNCILMEMBER PALTIN: I'm so sorry, I thought we were voting already.

CHAIR LEE: Oh, okay. All those in favor of the motion to pass these two bills, 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: I see nine hands. Nine "ayes", no "noes"; motion carries. Love these meetings.

Okay. Madam Clerk.

COUNTY CLERK: Chair, proceeding with unfinished business.

UNFINISHED BUSINESS

COUNTY COMMUNICATIONS

NO. 20-379 - ALICE L. LEE, COUNCIL CHAIR,
(dated July 16, 2020)

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

CHAIR LEE: Alright, this is just housekeeping. So, Council Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO FILE COUNTY COMMUNICATION 20-379.

COUNCILMEMBER KAMA:

SECOND.

COUNCILMEMBER SINENCI: Second.

CHAIR LEE: Moved by Council Vice-Chair Rawlins-Fernandez, seconded by Ms. Kama, to file this item CC 20-379.

Any discussion? Yes, Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. This communication was superseded by Resolution 20-114 at the August 18, 2020 Council meeting. So, this resolution is no longer necessary. Mahalo, Chair.

CHAIR LEE: Okay. Any more discussion? If not--

Oh, Mr. Molina.

COUNCILMEMBER MOLINA: Yea, just wanted to get in just a quick comment. And I just, so, I know the resolution says urge and then urging the Mayor and Governor to do things, but I, I hope it's more to act immediately, because, you know, back in May, you know, a number of us submitted suggestions. So, just hoping that things can be picked up a little bit faster by this Administration as it relates to these suggestions. But thank you, Chair Lee for, you know, proposing this resolution and trying to light some fires. We, we need to get some fires lit under some people's butts on this matter. Thank you.

CHAIR LEE: Thank you. Alright, all those in favor of the motion to file, 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: Nine "ayes"; motion carries. No "noes". And that brings us to the end of the calendar. Any parting remarks?

COUNCILMEMBER PALTIN: Good job, Clerk.

CHAIR LEE: Well, well, thank you, you know, I, I, these, I, these days are precious, you know when we get along, you know, not fighting? I just love those days.

COUNCILMEMBER KAMA: We always get along. It's those issues that get in the way.

CHAIR LEE: Yea, right. Yea, I don't know. Yea, sure.

COUNCILMEMBER KAMA: Right? It's the issues that get in the way.

VICE-CHAIR RAWLINS-FERNANDEZ: I love when we have quick meetings.

CHAIR LEE: Yea. Okay, so you guys be safe and behave now, okay? Behave.

VICE-CHAIR RAWLINS-FERNANDEZ: We always behave.

CHAIR LEE: And then, take care of yourselves and you be sure to come back next week, because I can't handle it not seeing you folks for that long.

COUNCILMEMBER KAMA: You all come back now.

CHAIR LEE: Alright. Nothing else.

COUNCILMEMBER PALTIN: Good job to you too, Chair.

CHAIR LEE: Thank you.

COUNCILMEMBER MOLINA: Good job, Chair.

CHAIR LEE: Okay, meeting is adjourned.

ADJOURNMENT

The regular meeting of August 28, 2020 was adjourned by the Chair at 11:01 a.m.

A handwritten signature in black ink, appearing to read "Kathy L. Kaohu".

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



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2020 AUG 26 AM 11: 24

MAUI COUNTY COUNCIL

OFFICE OF THE
COUNTY CLERK

TESTIMONY IN STRONG SUPPORT OF CR 20-104

Hawai'i Wildlife Fund, et al. v. Department of Public Works, County of Maui, et al.,
Civ. No. 19-1-0053(1), CR 20-104

Friday, August 28, 2020, 9:00 a.m.
Meeting Site: Online Only

Dear Honorable Council Members:

My name is Kylie Wager Cruz, I am an attorney with Earthjustice, and I represent the plaintiffs in *Hawai'i Wildlife Fund, et al., v. Department of Public Works, County of Maui, et al.*, Civ. No. 19-1-0053(1).¹ I submit this testimony in strong support of CR 20-104, which recommends adoption of a resolution to authorize settlement of this lawsuit.

Earthjustice is pleased that the parties and their attorneys have been able to reach agreement-in-principle regarding the remaining issues in this case, subject to Council approval. Earthjustice believes the proposed settlement, along with appropriation of funds for its implementation, will serve the public interest while avoiding the need for further costly and time-intensive litigation. We strongly encourage the Council to adopt CR 20-104.

Mahalo nui for this opportunity to testify.

¹ I have submitted a lobbyist registration form to the Maui County Board of Ethics.

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2020 AUG 26 PM 4: 23

OFFICE OF THE
COUNTY CLERK



August 26, 2020

TO: Honorable Council Chairwoman Alice Lee
Council Members

Testimony During the Maui County Council meeting scheduled for August
28, 2020, 9:00 AM, in strong support of

Item no. CR 20-104

HAWAII WILDLIFE FUND, ET AL. V. DEPT. OF PUBLIC WORKS,
COUNTY OF MAUI, ET AL, CIV. NO. 19-1-0053(1)

Aloha Committee Chairwoman Lee, Council Vice-Chair Rawlins-Fernandez and
esteemed Councilmembers:

I am submitting testimony on behalf of Hawai'i Wildlife Fund, co-plaintiff in *Hawai'i Wildlife Fund, et al., v. Department of Public Works, County of Maui, et al.*, Civ. No. 19-1-0053(1), in strong support of CR 20-104. We have been working with the County for nearly a year to resolve this case and are satisfied with this agreement-in-principle. We believe this agreement will represent the public interest and preclude the need for any further expenditures of time and money on this case.

We strongly recommend the approval of this item which recommends resolution to authorize settlement of this lawsuit.

Mahalo for your kind consideration,

Hannah

Hannah Bernard
Executive Director
Hawai'i Wildlife Fund