

AFFORDABLE HOUSING COMMITTEE
Council of the County of Maui

MINUTES

November 28, 2022

Online via BlueJeans Link

CONVENE: 9:00 a.m.

PRESENT: Councilmember Gabe Johnson, Chair
Councilmember Michael J. Molina, Vice-Chair
Councilmember Tasha Kama, Member (Out at 9:51 a.m.)
Councilmember Kelly Takaya King, Member
Councilmember Tamara Paltin, Member
Councilmember Keani N.W. Rawlins-Fernandez (In at 9:03 a.m.)
Councilmember Shane M. Sinenci, Member (Out at 10:30 a.m., In at
10:36 a.m.)
Councilmember Yuki Lei K. Sugimura, Member (In at 9:26 a.m., Out at
9:33 a.m.)

EXCUSED: Councilmember Alice L. Lee, Member

STAFF: Paige Greco, Legislative Analyst
Wilton Leauanae, Legislative Analyst
Richard E. Mitchell, Legislative Attorney
Maria Leon, Committee Secretary
Lei Dinneen, Council Services Assistant Clerk
Shelly Espeleta, Supervising Legislative Analyst
Nālani Fujihara, Hawaiian Language Communications Specialist

Kate Griffiths, Executive Assistant, to Councilmember Johnson
Roxanne Morita, Executive Assistant to Councilmember Johnson
Laura McDowell, Executive Assistant, Councilmember Molina
Evan Dust, Executive Assistant to Councilmember Kama
Lois Whitney, Executive Assistant to Councilmember Kama
Davideane Kama-Sickels, Executive Assistant to Councilmember Kama
Axel Beers, Executive Assistant to Councilmember King
Ellen McKinley, Executive Assistant to Councilmember King
Sarah Sexton, Executive Assistant to Councilmember King
Dawn Lono, Executive Assistant to Councilmember Sinenci

Mavis Oliveira-Medeiros, Council Aide, East Maui District Office
Denise Fernandez, Council Aide, Lāna‘i District Office
Jade Rojas-Letisi, Makawao-Ha‘ikū-Pā‘ia District Office
Zhantell Lindo, Council Aide, Moloka‘i District Office
Daniel K. Kanahele, Council Aide, South Maui District Office

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ADMIN.: Jacky Takakura, Deputy Director, Department of Planning
Linda Munsell, Deputy Director, Department of Housing and Human Concerns
Buddy Almeida, Housing Administrator, Department of Housing and Human Concerns
Jessica Crouse, Assistant Housing Administrator, Department of Housing and Human Concerns
Jordan Molina, Director, Department of Public Works
Kristina Toshikiyo, Deputy Corporation Counsel, Department of the Corporation Counsel

OTHERS: Faith Chase
Junya Nakoa
Francine Aarona
Additional attendees: 6

PRESS: *Akakū: Maui Community Television, Inc.*

CHAIR JOHNSON: . . .*(gavel)*. . . Aloha. Will the Affordable Housing Committee meeting please come to order. I'm Gabe Johnson, Committee Chair. Present with me is—well, I'm in the Chambers today. So, Members, in accordance with the Sunshine Law, if you're not in the Council Chamber, please identify anyone--oh, let me turn that on--please identify anyone by name, if..who is present with you. So, we'll go round robin today. Today we have Committee Vice-Chair Mike Molina. And I don't think we have Alice Lee for a greeting today, so we'll just say ohayō gozaimasu, or anything you feel like saying today. Committee Vice-Chair Mike Molina.

VICE-CHAIR MOLINA: Aloha and gozaimasu, Mr. Chairman, on this beautiful overcast, cloudy, and drizzly Monday here in Makawao. I'm transmitting from my residence, there is no one here. And by the way, congratulations on your Cleveland Browns winning a football game the other day. Good job. Looking forward to a very productive meeting this morning. Thank you. Oh, one more thing, Mr. Chair. No testifiers at the Pā'ia District Office. Thank you.

CHAIR JOHNSON: Thank you for reminding us. And, yeah, there's no testifiers at the Lāna'ī District Office. And I know the Brown's had to go to overtime to win, and I hope we don't have to go overtime in this meeting tonight. So, let's move on to Councilmember Tasha Kama. Ohayō gozaimasu.

COUNCILMEMBER KAMA: Aloha kakahiaka, and guten Morgen, Chair. I am here in my workspace, and I am alone. Thank you.

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CHAIR JOHNSON: Thank you, Councilmember Kama. Okay. Now, Chair Lee is excused. And we'll move onto Councilmember Paltin. Ohayō gozaimasu, Councilmember Paltin.

COUNCILMEMBER PALTIN: Ohayō gozaimasu, and aloha Lā Kū'oko'a kākou. Broadcasting live and direct from the Lāhainā District Office, where we have overcast skies. I'm here with Angela Lucero and Christian Balagso, and we have no testifiers waiting to testify at this time. Thank you.

CHAIR JOHNSON: All right. Thank you for that. Let's move onto Councilmember Shane Sinenci. Ohayō gozaimasu, Councilmember.

COUNCILMEMBER SINENCI: Okay. Aloha, and ohayō gozaimasu. And, 'ae hau'oli Lā Kū'oko'a, kākou. I am broadcasting...happy to broadcast this morning from my home office. And it looks like there are no testifiers at the Hāna District Office.

CHAIR JOHNSON: Okay. Thank you for that. Now, we have a few Members that are excused and coming...Councilmember Sugimura is excused, and I think Councilmember Rawlins-Fernandez is coming in a little bit later. And from the Administration, we have Housing and Human Concerns, Deputy Director Linda --

COUNCILMEMBER KING: Going to call on me, Chair?

CHAIR JOHNSON: Pardon me. Oh, I beg your pardon. I beg your pardon. You're right. I'm sorry. Councilmember King, ohayō gozaimasu. My mistake.

COUNCILMEMBER KING: Ohayō gozaimasu. I guess that's what you get for coming too early. . . .*(laughing)*. . . So, I'm in my home office in South Maui. We have no testifiers, anonymous or otherwise, testifying from the South Maui District Office, I checked. And let's see, I was going to share with you the one word that I actually used in...in Sharm el-Sheikh, which is shukran. But that means thank you, not good morning.

CHAIR JOHNSON: Wow, world traveler, Councilmember.

COUNCILMEMBER KING: I will say that once our meeting gets over, before the morning break.

CHAIR JOHNSON: There you go. Okay. There's a time and a place, I guess. And we also have Councilmember Rawlins-Fernandez joining us today from Moloka'i. So, ohayō gozaimasu, Councilmember.

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COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha kakahiaka, Chair, mai Moloka'i nui a Hina. I am at the Moloka'i District Office, alone in the office. There are no testifiers here, and aloha Lā Kū'oko'a.

CHAIR JOHNSON: Aloha and good morning. Okay. Members, let's move on to our Administration. We have with us from Housing and Human Concerns, Deputy Director Linda Munsell; Planning, we have Deputy Director Jacky Takura...or Takakura, beg your pardon. Next, we have, from Public Works, Jordan Molina; and from Corporation Counsel we have Kristina Toshikiyo joining us today. Our Committee Staff is Legislative Analysts Paige Greco, and Wilton Leauanae; Legislative Attorney Remi Mitchell; Committee Secretary Maria Leon; Assistant Clerks Jean Pokipala and Lei Dinneen. So, Members, on our agenda today we have AH-4(8), Establishing Design Standards for Affordable Housing Projects of Less Than 150 Units so Projects can be Approved as of Right. And we have Communications for Referral to the Council Chair for the 2023 and 2025 Council Term. So, that's what's on the agenda, Members. And let's move on with public testimony. So, information on providing testimony can be found on today's agenda. In accordance with the Sunshine Law, a person has the right to testify before the item is to be discussed by the Committee. We will receive oral testimony at the beginning of the meeting, and as the item is called up on the agenda. If you are logged onto this meeting, Staff will add you to the testifier list, which will be posted in the chat. If you prefer to testify anonymously, please indicate in the chat, and Staff will assign you a testifier number. Testifiers should also indicate in the chat if you would like to testify at the beginning of the meeting or before the agenda item. Otherwise, Staff will assume you wish to testify at the beginning of the meeting. You may also choose to chat...you may also chat to be removed from the list. However, chat should not be used to provide testimony or comments during the meeting. Oral testimony is limited to three minutes per item. While waiting for your turn to testify, please turn off your microphone and video. When you're called upon, unmute yourself, and unless you wish to remain anonymous, please state your full name, and if you are testifying on behalf of an organization or if you're a paid lobbyist. If you do not wish to testify, you may disconnect from BlueJeans, and view the meeting on *Akakū* Channel 53, Facebook Live, or at mauicounty.us/agendas. Written testimony can also be sent to the...using the eComment found next to posted meetings on mauicounty.us/agendas. As always, mahalo for your cooperation and patience.

. . .BEGIN PUBLIC TESTIMONY. . .

CHAIR JOHNSON: And at this time, we'll call upon testifiers wishing to testify at the beginning of the meeting. Staff, will you please call the first testifier, if there's any.

MR. LEAUANA: Thank you, Chair. First testifier is listed as Marie Service, followed by Faith Chase.

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CHAIR JOHNSON: Okay. Marie Service, are...are you here to testify?

MR. LEAUANAE: Chair, it appears she left the meeting.

CHAIR JOHNSON: Okay. Will you please call the next testifier, Wilton.

MR. LEAUANAE: Next testifier is Faith Chase, followed by Daesha Mata.

CHAIR JOHNSON: Ms. Chase, are you here to testify today? I saw her jumping on the call, and --

MS. CHASE: Hi. Sorry, I had to change devices. Good morning.

CHAIR JOHNSON: Good morning.

MS. CHASE: Is there a presentation on the first item? I'm sorry.

CHAIR JOHNSON: No, but if you'd like to hold off your testimony, and we are going to have a bit of a discussion before we get into our...we'll have a little talk before that starts, but it's not going to be --

MS. CHASE: Yeah. You know what --

CHAIR JOHNSON: -- a full-on presentation.

MS. CHASE: -- I would mind listening to that because I think I--

CHAIR JOHNSON: Sure.

MS. CHASE: -- have...I think I would like to speak to AH-4, but I'm not sure. So, maybe I'll hold off my testimony. Thank you.

CHAIR JOHNSON: All right. Thank you, Ms. Chase. Staff, do we have any other testifiers?

MR. LEAUANAE: There are no other testifiers currently signed up, Chair.

CHAIR JOHNSON: Okay. This will be a last call. So, if you wish to testify, please unmute yourself, your audio, or video, and identify yourself unless you want to go anonymously. Last call for any testifier. Oh, we have Councilmember King, your hand's up.

COUNCILMEMBER KING: Yeah, just a question. I thought on the agenda it said that there was going to be a presentation. Did that change?

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CHAIR JOHNSON: Yeah. That we just--we --

COUNCILMEMBER KING: Oh.

CHAIR JOHNSON: -- it's the holidays, and we try to get some people to come in, but they...they couldn't make, so.

COUNCILMEMBER KING: Oh, okay. Just *(audio interference)* --

CHAIR JOHNSON: I felt like every person we were calling was not --

COUNCILMEMBER KING: Oh.

CHAIR JOHNSON: -- willing to join us today. So --

COUNCILMEMBER KING: Okay.

CHAIR JOHNSON: -- we going to--there's something in the Granicus that Jeff Gilbreath submitted, and he...he can't make it either. So, what...we'll get...when we...when that topic comes up, we'll speak on it.

COUNCILMEMBER KING: *(Audio interference)* double checking. All right. Thanks.

CHAIR JOHNSON: Yeah. Okay. So, any other testifiers? Last call for testifiers. We did that already. So, seeing that there's no more testifiers for the beginning of the meeting, I'll now --

MS. GRECO: Chair, excuse me.

CHAIR JOHNSON: Oh. Go ahead.

MS. GRECO: Sorry. Looks like we...looks like we have Kelsey that just joined the call.

CHAIR JOHNSON: Oh. Kelsey, would you like to come testify today? Last chance for Kelsey, if you'd like to testify, otherwise, we'll close public testimony. Are you here to testify? Okay. Seeing that there's no more testifiers for the beginning of the meeting, I will now proceed with the first agenda item. Any objections with Members...we close public...or we can't close it, right? We're just going to keep...yeah. Sorry, that's the old way.

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ITEM-4(8): ESTABLISHING DESIGN STANDARDS FOR AFFORDABLE HOUSING PROJECTS OF LESS THAN 150 UNITS SO PROJECTS CAN BE APPROVED AS OF RIGHT

CHAIR JOHNSON: All right. So, let's move onto AH-4(8), Establishing Design Standards for Affordable Housing Projects of Less Than 150 Units so Projects can be Approved as Rights [sic]. Okay. So, by-right development of 100 percent affordable housing projects through community decision making, and design standards that balance affordable housing while preserving valuable public health, culture, and environmental resources was noted by the Comprehensive Affordable Housing Plan's best feature in a report published by the University of Hawai'i's Economic Research Organization or HERO--UHERO is what it's called--on October 21st, 2021, entitled The Maui County Comprehensive Affordable Housing Plan: Understanding Its Pros and Cons and Ideas for How to Improve it. Well, the report stated that change to by-right development of affordable housing projects is critical...critically important because by-right design standards can achieve multiple objectives. Here's the three of them. Number one, alleviate many community concerns about the development of affordable housing in their neighborhood by embedding minimum standards for affordable housing into the Zoning Code. Number two, reduce the per unit cost of affordable housing by eliminating costly negotiations with neighboring communities and government officials that could result in costly project changes. And number three, shorten the time required to bring the units to market by streamlining the approval process. So, in a by-right development process, a multifamily residential development is automatically approved when it complies with County Zoning and Land Use regulations; meets a set of pre-approved design standards, environmental, and cultural standards; and the developer/property owner has responded to input provided by the public at the designated hearings. By creating a by-right development ordinance, we have the potential to speed up approval, and substantially reduce project cost. Ultimately, the new procedures and standards will need to be supported by a majority of the community, provide new procedures and timelines for community feedback on projects, and most importantly, allow by-right development when the 100 percent affordable project meets predetermined design standards. The whole point of by-right development is to replace the traditional discretionary, and often cumbersome, permitting and approval process with a rules-based approach. This, in turn, should speed up the process, reduce cost, and give less headaches to developers willing to provide much-needed affordable housing. While Committee...while the Committee does not have a bill to consider today, and thus no legislative action will be taken, this discussion is the first step towards considering a by-right legislation. Now, before we go on, we were going to have some presentations, like we were talking about earlier, but everybody couldn't seem to make it today. So, what we did was...is...a lot of this comes from Jeff Gilbreath and the Comprehensive Affordable Housing Plan, and it's in our Granicus. And, Members, I'm thinking, you know, we...we

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just came off of a four-day weekend. I would like to take, maybe, a five-minute break where we can bring it up on Granicus, and you folks can look at it before...right now because this just got posted to Granicus this morning. So, I don't want to surprise anybody, I figure we'll take a nice little recess, and you can look at it on Granicus. And let me see exactly where...where that is. It's number 2 on Granicus, and it's page 7 in the Appendix E from the Comprehensive Affordable Housing Plan on page 135 of the CAHP. But it's up on Granicus, it's number 2, and it has a list of all of...and I'll try to show it on the screen here. Well, this is just a list of all of the things that are out of Appendix E that...that are design standards. And I thought before we get into discussion, we'll take a short recess, and we'll just look at...look it all over. Because again, I...I didn't mean to put it on so late, and I...a four-day weekend, I figure we need a little break to get into this kind of...into the more very specific standards and everything. But I see Councilmember Paltin's hand up. Councilmember Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Just verifying this is the November 3rd, '22 testimony from Hawaiian Community Assets, is that what you're talking about?

CHAIR JOHNSON: Yeah. And it's number 2 on Granicus; is that correct?

COUNCILMEMBER PALTIN: Yeah.

CHAIR JOHNSON: Yeah. And then he's got...he's got about, I'd say, six or seven pages. But the last two pages, he pulled right out of the Comprehensive Affordable Housing Plan, and it's...it's Appendix E. And I figure if I was going to tell everybody, okay, let's go into the Comprehensive Affordable Housing Plan, and it...it would take us a little longer to find Appendix E. But he put it in his...his...his eComment, so we put it on Granicus. And I think it just be easier for the Members to find it on Granicus, open up the...open up his testimony, and you'll find it in...in there, in the back of his testimony. But that's where all of the design standards are on the idea of what we're shooting for if we were going to propose legislation on in the future. So, Members, if it's all right with you, how about we take a five-minute recess. Go ahead, Councilmember King.

COUNCILMEMBER KING: Thank you, Chair. I just wanted to ascertain, we're not talking about...you've got an item for referral later on that's pre-approved plans. But we're not talking about pre-approved plans here. We're talking about --

CHAIR JOHNSON: No.

COUNCILMEMBER KING: -- design standards. Okay. Just wanted to just --

CHAIR JOHNSON: Right.

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COUNCILMEMBER KING: -- make sure that everyone understands those are two separate things.

CHAIR JOHNSON: Yeah, exactly.

COUNCILMEMBER KING: Okay.

CHAIR JOHNSON: Thank you for that clarification, Councilmember King. Councilmember Kama.

COUNCILMEMBER KAMA: Thank you, Chair. Oh, I'm not...and I forgot to mention this earlier, but I was hoping my Staff would, that I have a 10:00 NACo meeting. And I'm --

CHAIR JOHNSON: Okay.

COUNCILMEMBER KAMA: -- going to leave about ten minutes before the hour. But just wanted to --

CHAIR JOHNSON: Okay.

COUNCILMEMBER KAMA: -- let you know that.

CHAIR JOHNSON: Thank you for that information. We'll have quorum if...if you leave, that's fine. Thank you for that.

COUNCILMEMBER KAMA: Thank you, Chair.

CHAIR JOHNSON: So, Members, how about we take a five-minute recess? Are you okay with five minutes? All right. So, it's 9:17, we'll come back at 9:23. The Affordable Housing Committee is...of 11/28 is in recess until 9:23 a.m. . . .(gavel). . .

RECESS: 9:17 a.m.

RECONVENE: 9:26 a.m.

CHAIR JOHNSON: . . .(gavel). . . Will the Affordable Housing Committee of 11/28 come back to [sic] our short recess. The time is now 9:26. So, I hope Members have updated their...you know, take a look...taken a look at our Appendix E out of the Affordable Housing Plan. And, Staff, if...now would be a good time to share screen. We'll do some share screening, and then we'll go onto the Department's responses, and then public testimony, so...thank you. This is a real...this is a important part that I want to kind of focus on. And I'm going to read these 13 items for the record. So, I know you folks probably have that in front of you, but

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let me just read out these 13. So, Appendix E is the Design Standard. So, it says that 100 percent affordable housing projects will be approved as of right through an Administration review...administrative review and Community Advisory Committee process if the...if they meet the following criteria, and there's 13 criterias to it. So, number one, the project is less than 150 units in size in Central, South, or West Maui community plan areas. Number two, the project area is less than ten acres. Number three, the finishes on the building exteriors conform to the finishes on units in the surrounding community. Number four, in single-family residential zones, the project is not more than three stories with setbacks from contiguous uses to minimize shading of neighboring project...properties. Number five, in single-family zone, the project density is not more than 20 units per acre. And number six, buildings have only...only minimal impacts on the view sheds of neighborhood...neighboring properties. Number seven, in multifamily zones, buildings can be as tall as other buildings within 500 feet of the property. Number eight, in multiple...multifamily zones, project density cannot exceed the density of nearby buildings. And number nine, developers will provide adequate parking, 1.5 spaces for each studio or one-bedroom unit; two spaces for two-plus bedroom units; plus guest parking, so that street parking is minimized, except in more urbanized situations with routine bus...bus access. Number ten, parking will be located to minimize the impact...or on street views, in other words, parking will be not...will not be locate...located parallel to streets, but perpendicular. Number 11, units on second and higher stories will have access to outdoor spaces, i.e. balconies. Number 12, multifamily developments will include community rooms, playgrounds, and swimming pools unless the project is in close proximity--.25 miles--to a community park, pool, or the ocean. The project has...and number 13, the project has at least 6-foot walls separating it from contiguous properties. So, those are some of the design standards, there's 13 of them. The next thing is climate change mitigation, and we'll go on to the next page. The climate change mitigation is pretty self...self-explanatory. Don't...don't build on the edge of a volcano, don't build in flood zones. Then they have, on page 137...if you go over to page 137, you've got that site locations. There...there's...those are really basic for new construction site housing in a safe location, safe the key word. So, it doesn't...it says, don't site housing or facility in a flood plain, or a floodway. And it goes off...off on like, you know, don't place houses in dangerous areas. Green infrastructure, and then gray infrastructure, and then building protection, all of those are in the CAHP, and they are pretty much self-explanatory. And the...so, those, that's basically what we want to go through. And I think now would be a good time to recognize our Department representatives, and if they would like to have any kind of comments on this. And after we do the comments from the Departments, we'll have public testimony, and then our discussion, so...and now, I'd like to receive any opening comments from our Department representatives. And I'm thinking we'll go from Planning, DHHC, and then Public Works. So, how about Planning? Ms. Takakura, are you on the call?

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MS. TAKAKURA: Good morning, Chair Johnson, and Affordable Housing Committee. I'm sorry, but the Director is not available today. So, thank you for asking about these projects. As you may know by our comments when we have affordable housing projects before your review, the things that are really important to us are sidewalks, road standards, and landscaping, especially the trees for the parking lot. We're flexible in the location, but it's important to us that the number of trees don't get reduced. When Chair Johnson was talking about the climate mitigation, trees do a lot in terms of helping reduce temperatures. We don't want affordable housing to, you know, be these heat islands, so trees are really important. So, we want to make sure that those don't get compromised. Other than that, you know, I'm looking at the last two pages of the document in Granicus, the testimony. And we certainly agree with the site location because...not only for safety, but if you don't have to do a flood development permit, or an SMA permit, that cuts down on time. So --

CHAIR JOHNSON: Uh-hum.

MS. TAKAKURA: -- if those kind of areas can be avoided, that will really save on the time. Also, you know, for us, when we review building permits, we...we review each building permit. So, if you have a project of single-family dwellings, and each one has its own building permit, each one is going to get reviewed individually for setbacks, building heights...you know, compliance with the Zoning Code. You have a multifamily building with only one building permit, that's going to be a lot faster because it's just one as compared to multiple building permits for single-family developments. So, just in terms of eliminating time, as far as Planning Department goes, the building permit review...a multifamily is obviously going to be faster because it's only one building permit. The other things that are important that can cut down on time is the zoning, and not just County, but State. If the land is State urban, that...you know, that's going to be conducive to multifamily, and more development as compared to State ag or rural. So, yeah, State urban is ideal. And then County zoning, of course, that allows for residential development. Like if it...if it is single-family development, then residential zoning district. But if it's multifamily then...you know, apartment and B-2, those are the zoning districts that allow for that. So, those are kind of our comments. And so, it wouldn't be something that gets approved by-right, but those are ways to streamline, or make the review much faster, at least from our perspective. That's all I have to share. But I'm still here for questions if you have. Thank you very much.

CHAIR JOHNSON: Okay. Thank you, Deputy Director Takakura. Now, Members, we'll...she'll be...we could ask her questions as we get in the discussions. But thank you so much for coming out and...and shedding light on that from your Department. Okay. Let's move onto DHHC. If Deputy Director Linda Munsell would like to add anything to this, the floor is yours.

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MS. MUNSELL: Hi. Good morning. Deputy Director Linda Munsell. Thank you for having me here. This is a very exciting topic of conversation for us. The idea that we could streamline and make things easier for housing appropriately, obviously, is...is something that we would be very interested in continuing conversation on. I know that this is...was a challenging morning for you to get folks here and to participate. And I appreciate the fact that there's not necessarily going to be legislative decision-making done today. But certainly would like to make sure that we're bringing in the public for comment, and then also bringing in our development partners to make sure that we're headed on the right track. Just really appreciate this conversation. Obviously, I'll be here to join the conversation as needed. Thank you.

CHAIR JOHNSON: Thank you, Deputy Director Linda Munsell, for your comments. Okay. Let's move on to Public Works. Public Works. Okay. Oh, hey, we have Director Molina with us. Good morning, Director.

MR. MOLINA: Hi. Good morning. Jordan Molina, Director with Public Works. I guess my first question is this idea by-right, because you're...you're saying here that there's a community advisory review, which is a completely discretionary process. So, it's not clear how by-right and community board reviews avoid that discretionary approval process. And the next thing I'll just point out is, whether...or I guess, looking at these standards against what's already people's right...by-right development standards, in the Code, and the Building Code, and the Zoning Code, to see if these are in conflict to any extent because then that makes it harder for people to do by-right if they're...if it's not really their right to develop under the scheme. So, how do they get entitled to these approvals if it's not discretionary? And then just to go into further detail, because a lot of this stuff that's being cited is already in the Building Code. So, what specific aspects of the Building Codes are we seeking to change? I'll just leave it at that, and available for questions. Thank you.

CHAIR JOHNSON: Okay. Thank you, Director Molina. Okay. So, we've had the Departments come and speak, and I think now would be a good time to open up...or to go back to public testimony. So, this is for...at this time I'd like to open public testimony for AH-4(8).

. . .BEGIN PUBLIC TESTIMONY FOR AH-4(8). . .

CHAIR JOHNSON: Staff, do we have any testifiers on the call?

MS. GRECO: Yes, Chair. First testifier is Faith Chase, followed by Daesha Mata.

CHAIR JOHNSON: Ms. Chase.

MS. CHASE: Aloha, Chair. Aloha, Committee. Thank you. That was very informative.

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I'm still grazing over the document that was put in the chat. I appreciate Director--or Deputy, sorry--Munsell's comments about no legislative action being taken today. And also, I echo what Deputy Molina was talking about, how do people get entitled to...this deserves a deeper conversation. I appreciate it. I'm kind of...I guess I'm hypersensitive to any kind of rush...rushing, sort of, permitting and planning, I think it's just a little bit of PTSD from past experiences. But I do understand that, you know, the ADU conversation is...it was part of the discussion during the political timeline of voting in our new Mayor. It was a...it was a high priority, and it's also a strong conversation within the Department of Hawaiian Home Lands...you know, the \$600 million budgeting policy, which I been going to all those meetings. So, it deserves more time. I will always be sensitive, as Ms. Munsell was talking about changing ag or rural designation. I will definitely be watching, and probably opposing almost every designation from ag...you know, I don't want to see any ag change...any ag or rural change. So, if it's State urban, that's...I am...I agree with that. The trees part, I just wanted to mention, I did...I did read some of the details. I would like to see one extra sentence in there stating that if any of the trees that are required, and suggested--and everybody, you know, appreciates that, you know, for all kinds of reasons, climate change included--but if any of the trees should not survive, that those get replaced. I know that's like really micromanaging policy, but I would just like to see that added in there...because sometimes the trees don't make it, and who's to say if they don't get replaced. I don't...I don't know, it just...it could be strengthened right there. And then I'd also like to see the bamboo conversation, somehow, tucked into all of our conversations about...about housing. And I think that they've had an unfortunate pushback, I kind of understand. I'm talking to some of the Union, you know, leaders, and the construction industry. But they deserve...I don't know where that could be considered, maybe under the experimental and demonstration housing project, AH-11, all that stuff. That's all I can think of right now. Thank you for the time.

CHAIR JOHNSON: Thank you, Ms. Chase. Members, we...okay. We have some questions for you. Councilmember King.

COUNCILMEMBER KING: Thank you, Chair. Aloha, Faith. Thanks for being here again. And thanks for your comments on the trees, we'll be discussing that on Wednesday. But I was curious if you could clarify. You said you had some...you've experienced some pushback from the unions on the alternative construction materials. And, you know, when I've talked to them, they've all been very supportive, and most of the developers have been also. So, what kind of pushback were you getting from the unions on bamboo?

MS. CHASE: I'm sorry, I didn't mean to --

CHAIR JOHNSON: Ms. Chase.

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MS. CHASE: -- state it like--thank you, Chair. I didn't mean to state it specifically like that, I just meant generally over the last eight years that any kind of bamboo legislation has been dismal, shot down, just hasn't had very much oomph, what's the word. You know, it just hasn't had that much support. And seeing...helping to build three houses during COVID, watching the prices rise. A lot of people with the micro ag grants trying to build sheds, they had to restructure what their plans were from...just from getting the grant until they were ready to build because the lumber prices are so high. And so, it's just a new area of attention that I feel like we need to really, you know, pump up the volume around because --

COUNCILMEMBER KING: Okay.

MS. CHASE: -- it's sustainable. Thank you.

COUNCILMEMBER KING: No, I totally agree with you then. I think that's one of the pushes that we were trying to make in the last couple years. So, I just want...was curious if there was actual...if there's actual...somebody I could talk to who was pushing back against it, but --

MS. CHASE: I appreciate the question. If I might just add one more thing, Chair, is that I've been laughed...I've been rolled eyes and laughed at, but I...I've made a few friends with different unions, and they're very sophisticated. If you ever see their business cards, they're...they have very, very long titles. I would like to see each one of our, you know, bigger unions actually have an arm that is an agricultural arm of attention so that they can start to shift from the tourism sort of development towards supporting farm development. Thank you.

COUNCILMEMBER KING: Okay. Thank you, Chair. Thank you, Faith.

CHAIR JOHNSON: Thank you. Okay. Is there anyone else wishing to testify on this item? Please unmute yourself, and request to speak now. Thought I saw Junya Nakoia come on the call, Staff. Do we have a...okay. We do have a testifier. Junya, welcome. The floor is yours.

MR. NAKOIA: Whassup? Morning, morning, morning. Hold on, let me turn my TV. Yeah. Well, trying to do one small kine development group, yeah. And some of the union guys no like the product we...we try to use, which is the SIPS, S-I-P-S. It's a pretty good product. It's easy for...get less waste. We can manufacture the product here if we get enough homes being built, but...yeah, I was supposed to meet with all the Departments. I give them credit 'cause they was going meet with me last week, but something went fall apart. But, yeah, I glad that's no legislation is going to be made today. I like that you guys...Linda Munsell say the public input, I like be part of the input. And then...yeah, let's make this thing work. Build homes for local community, and we got to watch this kooky

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developers, you know what I mean...and whatnot, so...yeah, I tryin' hold the Kapalua guy ova heah accountable too. So, yeah, mahalo, guys. Yeah, I just glad no more legislation today. Wanted for state that, and wanted for state that I like be part of the public input. Yassah. You guys have a great --

CHAIR JOHNSON: Okay.

MR. NAKOA: -- time.

CHAIR JOHNSON: Thank you, Junya. Members, do we have any questions for...for Mr. Nakoa? Seeing none. Thank you for coming and testifying today. Mahalo.

MR. NAKOA: . . .*(Inaudible)*. . .

CHAIR JOHNSON: Okay. Staff, is there any more testifiers on the call?

MR. LEAUANAE: We have Francine Aarona listed.

CHAIR JOHNSON: Francine, are you here to testify?

MS. AARONA: Aloha, Gabe.

CHAIR JOHNSON: Oh, there you go.

MS. AARONA: Can you...I'm so sorry, I'm actually just listening in on the agenda. But in testifying, really, I'm looking at the...what is to be handed over to the new Council. That concerns me on all the things that haven't been taken cared of yet. So, that's my only concern. But mahalo --

CHAIR JOHNSON: Okay.

MS. AARONA: -- for all *(audio interference)* folks do.

CHAIR JOHNSON: All right. Thank you so much for your testimony, Ms. Mopsie.

MS. AARONA: Um-hum.

CHAIR JOHNSON: Members, any questions for the testifier? Seeing none. Thank you for testifying. Okay. Staff, do we have any other testifiers?

MR. LEAUANAE: There are no others to testify for this item.

CHAIR JOHNSON: Okay. If there's anyone else wishing to testify on this item, please unmute yourself, and request to speak now. Members, seeing none. Without objection, I will now close public testimony for AH-4(8).

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COUNCILMEMBERS: No objections.

. . .END OF PUBLIC TESTIMONY FOR AH-4(8). . .

CHAIR JOHNSON: Okay. Members, now we are into our discussion time. So, I propose a round of three minutes for further discussion and questions. We can do an additional round if needed. And we'll go in this order...I'll just read it for the record, it'll be Committee Vice-Chair Mike Molina, Councilmember Tasha Kama, Councilmember Kelly King, Councilmember Tamara Paltin, Councilmember Keani Rawlins-Fernandez, Councilmember Shane Sinenci. Okay. And Councilmember Sugimura, if she's on the call and wants to speak. So, we'll start with Committee Vice-Chair Mike Molina.

VICE-CHAIR MOLINA: Okay. Thank you very much, Mr. Chairman. My question could be for both Ms. Takakura and Ms. Munsell. You know, this legislation would basically...for any 150-unit project, as I understand it, to, I guess, do away with any public review period. Can I get your comments on that? Do you foresee a problem with that? I mean I...I can understand the...the pluses and minuses of that, but I just want to get the Department's perspective. And I guess even with Mr. Molina, if he wanted to chime in as well.

CHAIR JOHNSON: Deputy Director Takakura.

MS. TAKAKURA: Thank you, Chair Johnson. So, Committee Member Molina, so, as far as the Planning Department concerned, if there's no discretionary permits, such as a special management area major, or a change of zoning, or a district boundary amendment, or any of those, and the project, you know, meets all the criterias and they're simply ministerial permits, there wouldn't be any public review...you know, just like any other building permit if it's just going through the process. That would be assuming, you know, it already meets the criteria of the community plan and everything else. So, you know, say it's residential district, it would be outright allowed. So, yeah, we wouldn't have a public input requirement for ministerial type permits. Thank you.

VICE-CHAIR MOLINA: Thank you. Mr. Chair, maybe --

CHAIR JOHNSON: Deputy Director Munsell, same question.

MS. MUNSELL: Yeah. So, thank you for that question. You know, under normal circumstances, I would be absolutely thrilled with this kind of legislation. But my assumption is that this...that this would be used primarily for projects that are not appropriately zoned. So, this would be in places where we would normally have a 201H or a 2.97 project, and...assuming I'm understanding the proposal correctly. And, you know, our experience has been that every site is unique, and

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there are always going to be concerns. So, while I like what you're proposing here, I'm just...I just want to make sure that we have sufficient discussion about what we're going to allow if there's not going to be reviews. Just my experience with the Council, right, and the public coming out to testify for or against projects, just suggest...make...that we make sure that we have this discussed very thoroughly.

CHAIR JOHNSON: Okay. And Councilmember Molina, would you like Director Molina to respond to your question?

VICE-CHAIR MOLINA: Sure.

CHAIR JOHNSON: Director, did you...do you need Councilmember Molina to restate the question? . . .(timer sounds) . . .

MR. MOLINA: Yes, please.

VICE-CHAIR MOLINA: Oh, yeah. Basically, if you see any problem with...you know, for 150-unit projects not getting public review, if any? And I bring it up too, because sometimes it depends on who the developer is that's proposing it. And if you bypass this project of public review, there may be some concerns. But anyway, I'm just kind of throwing it out there. So, your thoughts, Mr. Director?

CHAIR JOHNSON: Director Molina.

MR. MOLINA: Yeah, I guess what is the appetite of the Council to uphold this fast-track process, should there be complaints and challenges down the road? You know, in theory, that's what we're saying, right, is you meet these criteria, you good to go. But if the community is not happy with what they see, how strong is that green light going to stay on for them. That's always the concern. And then the other thing is just...yeah, getting into the details and understanding the context in which we're trying to apply all these standards. Because they're not...they're not necessarily new standards, and they're not as...and some of them are even beyond existing land use standards. So, it's not real clear to me, you know, the setting that we would apply this...these new design standards in.

VICE-CHAIR MOLINA: Okay. Thank you, Mr. Director. Yeah. And thank you, Chair, I know I went little bit over time.

CHAIR JOHNSON: Yeah.

VICE-CHAIR MOLINA: But appreciate you at least bringing up the matter for discussion this term, and I'm sure it'll have more discussion next term. Thank you.

CHAIR JOHNSON: Yeah, definitely. I just want to clarify. You know, in Appendix E,

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on the...page 135 at the very top of the sentence, it says...or very top of the page, it says, 100 percent affordable housing projects will be approved of right through administrative review, and Community Advisory Committee process if the...if they meet the following criteria. So, it has a Community Advisory Committee review in there, but, you know, I...we always hear that. Like people say, oh, I was...I was at work that day, I couldn't come testify. So, we're always going to have people wanting more...more community input, I would say. All right. Let's move on to Councilmember Tasha Kama, followed by Councilmember King.

COUNCILMEMBER KAMA: Thank you, Chair. So, this question is more for you than our resources, Chair. So, is it your intent to pass this on to the next Council, or did you...were you going to try to implement some action before the end of the year?

CHAIR JOHNSON: Oh, I don't have any plans to implement any action before the end of the year. We're running out of time. So, maybe next session, we can...we can take this up.

COUNCILMEMBER KAMA: Okay.

CHAIR JOHNSON: Like I was mentioning earlier in the UHERO report...you know, from the University of Hawai'i --

COUNCILMEMBER KAMA: Yes.

CHAIR JOHNSON: -- was saying that --

COUNCILMEMBER KAMA: Yeah.

CHAIR JOHNSON: -- this was one thing that they really liked coming out of the Comprehensive Affordable Housing Plan. So, you know, we'll explore it, and we'll...we'll talk about it. So, that's the...that's the extent of what my plans are for today, Councilmember Kama.

COUNCILMEMBER KAMA: Okay. Thank you, Chair. And so, I'm going to leave right now. Thank you.

CHAIR JOHNSON: Okay. Thank you. Thank you for joining us, Councilmember. All right. Let's move onto Councilmember King, followed by Councilmember Paltin.

COUNCILMEMBER KING: Thank you, Chair, appreciate the conversation. And I guess we can't reiterate enough that we'll not be doing legislation today. But, you know, one of my...my first thought was, some of these items under...the 13 items are a little subjective. You know, like the finishes on the building interiors being, you know, similar to surrounding community, that's going to be a subjective thing.

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The idea of...you know, has to have community approval, you know, what does that mean? And so, I kind of wanted to get Linda Munsell's opinion on, you know, what do they consider community approval. And the last thing that is really concerning to me is if...if there are stricter policies put in place by the CPAC, does that supersede these...you know, like say the CPAC for South Maui says, we don't want any projects more than 100 units instead of 150. So, would that...would that supersede these design standards in the eyes of the...I guess Planning and the Housing Department?

CHAIR JOHNSON: Before Deputy Director Linda Munsell responds, I know that these are all suggestions, and the Council can change 1 to 13. We can change however much you want.

COUNCILMEMBER KING: (*Audio interference*) is also whatever the Council comes up with, the CPAC...the community plans may be a little bit stricter. So, does that supersede --

CHAIR JOHNSON: Um-hum.

COUNCILMEMBER KING: -- whatever the Council comes up with as design standards?

CHAIR JOHNSON: Okay. Yeah, let's bring up Deputy Director Linda Munsell.

MS. MUNSELL: So, thank you for the question. I think the question about whether the CPAC would supersede the legislation is probably a question for Corporation Counsel, so, I couldn't comment on that. You know, as far as administrative review and Community Advisory Committee process, I'm not positive that that's different than going ahead and bringing a project to Council, right, except that it would be done...you know, rather than in a public forum, it would be done through some other process. I'm not sure what you're gaining. I mean this wouldn't be a by-right if you have to have community approval for it. You know, again, just having read what you've read, I think we would have to look into it a little farther.

COUNCILMEMBER KING: Okay. So, maybe we could get Planning to comment on that because I think the community advisory process is really important. You know, we don't have our own Planning Commission, but the Community Advisory in South Maui is all we have that's specific to our community. And then, you know, of course, when we get done with the community...the actual community plan review update, then, you know, that's...I guess my question is, would those two things supersede whatever the Council comes up as standards?

CHAIR JOHNSON: Ms. Takakura.

MS. TAKAKURA: Thank you, Chair Johnson. So, regarding community plan

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consistency, we do put that in when we do a memo report, at least to the Commissions. And . . . *(timer sounds)*. . . the South Maui Advisory Committee does advise the Maui Planning Commission, so, they would take those things into consideration. It also is going to depend on the wording in the community plan, if it's going to be required versus recommended. But ultimately --

COUNCILMEMBER KING: . . . *(Inaudible)*. . .

MS. TAKAKURA: -- I believe it's going to be the County Council's decision if they're going to approve, say, an ordinance, or whatever it is that they would approve. *(Audio interference)* it would be the County Council that could choose to, you know, approve something that may not be consistent with the community plan. But we would put all that information so that the ultimate decision-making body can take all those things into consideration.

COUNCILMEMBER KING: Okay. So, Chair, can I just make one follow up, because --

CHAIR JOHNSON: Sure.

COUNCILMEMBER KING: -- talking about the Planning Commission *(audio interference)* this...these suggestions just talk about the Community Advisory Committee, they don't say anything about it going to the Planning Commission. But, you know, if you're doing that, then I don't know that you're saving any time or effort if you're...if everything has to go through the Planning Commission anyway.

MS. TAKAKURA: Chair Johnson, if I may?

CHAIR JOHNSON: Ms. Takakura.

MS. TAKAKURA: In Appendix E...I'm not sure if...if they...when they say Community Advisory Committee, if they...if they mean a specific, you know, Community Advisory Committee that's already impaneled, or if it's some other type of group. I guess that could be . . . *(inaudible)*. . . because, you know, there are some areas that don't have Community Advisory Committee. So, that might need some clarification. Thank you.

COUNCILMEMBER KING: Okay. Sure. Thank you. Thank you, Chair. Thank you, Ms. Takakura.

CHAIR JOHNSON: Okay, great. Let's move onto Councilmember Paltin, followed by Councilmember Rawlins-Fernandez.

COUNCILMEMBER PALTIN: Thank you, Chair. My first question is for whoever can answer it. Is what Deputy Director Munsell saying was it doesn't matter what

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the zoning or community plan is, if it meets these 13 criteria, or whatever criteria that we come up with, it can move forward; is that true?

CHAIR JOHNSON: Would that be for Deputy Director Takakura?

COUNCILMEMBER PALTIN: Or...I mean I'm not sure what...what we're doing. It wasn't made clear that this design standards would supersede zoning and community plan designation . . .*(inaudible)*. . . --

CHAIR JOHNSON: Ms. Takakura, I saw you shaking your head. You want to add to that?

MS. TAKAKURA: Thank you, Chair Johnson. So, Committee Member Paltin, I believe what Deputy Director Munsell is referring to is, a lot of times these affordable projects come in and seek approval because they're in a zoning district that wouldn't ordinarily allow that. Like say, the Ku'ikahi one, I think that land is ag, and so that they have to come and get these special approvals. I think that's what she's referring to, but --

COUNCILMEMBER PALTIN: So, that's the plan with this, it doesn't matter what the zoning is, or the community plan designation if it meets the criteria. Is that what you're saying, Chair?

CHAIR JOHNSON: No, it has to meet the...the community plans. That's part of the --

COUNCILMEMBER PALTIN: But not *(audio interference)* --

CHAIR JOHNSON: -- community--I'll have to --

MS. MUNSELL: Chair?

CHAIR JOHNSON: -- let me look and--go ahead, Deputy Director Munsell.

MS. MUNSELL: Yeah. Councilmember Paltin, I think that's part of the question, as we go through this process, that if you're going to approve a by-right development plan, that those are the kinds of questions that need to be addressed so that everybody is clear when it actually does go into effect, and when it doesn't. So, my comment was more that if they're already zoned, then there shouldn't be much of a problem with them going ahead and moving forward with their development. If they're not zoned, then that's where a by-right would be actually effective and useful for a developer. And I think that --

COUNCILMEMBER PALTIN: Yeah. And --

MS. MUNSELL: -- yeah.

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COUNCILMEMBER PALTIN: -- so my clarification is, you know, if it already meets the zoning, and it already meets the community plan designation, this is more on the Administration giving the permits out. But if it's going to supersede zoning and community plan designation, this is kind of overruling the Council's authority a little bit. And, you know, I would just point out to several projects that we've already dealt with. Kilohana Makai, I believe, could kind of fit this description. We added, I thought, a good condition on that connector street, which we then funded through the Affordable Housing Fund. So, that would kind of eliminate those types of mitigations if it's just by-right, and us not . . .*(timer sounds)*. . .*(audio interference)*. And then there's also Lihau'ula, which we did not approve, you know. So, I think if...I'm not sure, but it's going to be significant whether it needs to comply with County Zoning or community plan designation. And if it does need to comply with those, I mean we might as well just start identifying those properties already because I'm not sure how many there are that complies with zoning and designation, and is current, you know.

CHAIR JOHNSON: Right. Okay. Thank you for that. Let's move on to Councilmember Rawlins-Fernandez, followed by Councilmember Sinenci.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair, and mahalo for this discussion. I agree with a lot of the points that Member Paltin made before me. In that discussion of what would supersede, I think we've written laws that basically say notwithstanding other provisions contrary to this section, and that would kind of address some of the conflicting sections. So, if it's the community plan zoning, then that language might be able to help address that. The goal...part of the goal of the Comprehensive Affordable Housing Plan, when we were working on what it would...you know, deliberating on what it would accomplish, was to identify parcels that the County could pursue in building affordable housing, whether it was multifamily, or single-family homes...and not just County-owned lands, and not just projects already in the pipeline, and it kind of didn't do that. So, I have two questions. One question is for Planning and Public Works, and the question is, did the Affordable Housing Plan consultants consult with Planning and Public Works on these recommendations that we just reviewed?

CHAIR JOHNSON: Deputy Director Takakura.

MS. TAKAKURA: Thank you, Chair Johnson, and Member Rawlins-Fernandez. I have to say I don't know. At that time, I was in the Zoning Division. So, they might have, but I...I'm not sure, sorry.

CHAIR JOHNSON: Okay. And then you also want to know from Director Molina.

MR. MOLINA: Thank you, Chair. I am aware that outreach had been done with the

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prior Director, I'm not sure to what extent. But based on the way the standards are written, I would say a lot more consultation is needed. Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Deputy Director Takakura and Director Molina. The time frame that we gave the consultants to complete this was pretty tight. We only gave them one year to work on this. And so, what they did accomplish is amazing in that short time frame. But I guess our hopes was far too high for the time that we gave them because it would have been good if that legwork in consulting with the Departments . . . *(timer sounds)* . . . fully, and getting really fleshed out recommendations like these so that, you know, we're not doing as much of the legwork in Committee...in Council Committee. Mahalo, Chair.

CHAIR JOHNSON: Yeah. Well said, Councilmember. Okay. Let's move onto Councilmember Shane Sinenci.

COUNCILMEMBER SINENCI: Mahalo, Chair, and mahalo for the discussion this morning. Yeah, just following up in the lines of *(audio interference)* Member Kama and Member Rawlins-Fernandez, Chair...a question for you. So, will you be implementing these suggestions by the Hawaiian Community Assets into an actual bill for a referral, or are you just referring this report for the next Council?

CHAIR JOHNSON: Yeah, I'm thinking referring, and we're not going to do any bills writing until we get the temperature of the Committee, right, and then we start, you know, seeing what can...we can hammer out. So, right now, it's just a matter of us starting the conversation because these kinds of questions should come up before we get into making the sausage, as they say.

COUNCILMEMBER SINENCI: Yeah, okay. Yeah, great. Okay. Thank you. Thank you, Chair.

CHAIR JOHNSON: Okay. Thank you, Councilmember Sinenci. All right. So, we did one round. It's 10:05. We're ahead of schedule. Does anybody need any follow ups before we move on? Go ahead, Councilmember Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. And I'm not sure who this would be directed to, but in reading the Appendix E Design standards locational, to me, just the word single-family zones and multifamily zones is a confusing term. It's kind of mushing together, like, community plan design...or community plan designations and zoning. And then in West Maui, we just made residential, I think, we didn't have single-family R-1, R-2, R-3. So, I'm not clear on what is being said. Like zoning is one thing, community plan designation is another thing, permitting is another thing, and I'm not clear that the people who wrote these are clear that those are different things. Like what does single-family residential zone mean to the person who wrote it?

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CHAIR JOHNSON: Right. There's definitely going to need some cleaning up to do, but I think this was just to get it started. Like these are the kind of standards that are, you know, what we would expect. But we have to probably change up the wording, just like you said, Councilmember Paltin. But I think that's kind of the backbone of what we're doing. So, I don't have a question...or an answer for you right now, maybe if any of the Departments do. But I think that...I don't want us to get stuck on, like, the verbiage, just...you know, again, starting the conversation.

COUNCILMEMBER PALTIN: Well, I mean I don't...I don't need to know the verbiage, but I...I'm trying to understand what...what the intention or the meaning was. Because I...it's just words, and I don't understand what the words they're trying to convey mean.

CHAIR JOHNSON: Um-hum. I tried to get the author of this, which is Jeff Gilbreath, to come...but again, it's just been really hard to get folks to come join us today. I'm like 0 for 4 in all the people we asked to come.

COUNCILMEMBER PALTIN: Okay. Did we know, like, his intention was to streamline the Council's process, or the Administration's process, or were we aware on that?

CHAIR JOHNSON: Well, I know that these are the suggestions, and that we can pull them out if they don't make sense, put it...rewrite them if...you know, it's up to us to...the Council can change and create new ones of this...of these...you know, of these particular ones. And all of the processes, you know, we should...we have a thumb on the scale, we can change them, you know.

COUNCILMEMBER PALTIN: Yeah. So, I guess my feedback would be, we do have a fast-tracking process for the Council's review, which would be 201H or 2.97, that would...you know, for less than 15 acres, or whatever you call it. And if we're going to try and fast track the . . . *(timer sounds)* . . . process, I don't know that we're...we, the Council, should be as heavily consulted with. Because we're not privy to that permitting process, it's the Departments--the Planning Department, Public Works--that do it. And adding us to streamlining that Administration's process might be more trouble than it's worth because we don't...we don't do that process. We don't --

CHAIR JOHNSON: Yeah.

COUNCILMEMBER PALTIN: -- do that.

CHAIR JOHNSON: Yeah. Okay. Point taken. Okay. I see Councilmember King's hand up. Councilmember King.

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COUNCILMEMBER KING: Chair, you know, I think the most important aspect of this is community input, and where...the portions that refer to community approval. Because if you leave it up to the Administration process, we would have had that project in the flood zone... in the wetlands at Waipu'ilani, and, you know, it was extremely important that the community came out. So, defining what a community approval means, it's going to be very important, and maybe speaking with the sitting CPAC right now for South Maui. But the community plans, I think, should supersede the...any kind of fast-tracking. And I think the...you know, this conversation that we're having is kind of indicative as why...as to why every year...every election year, everybody talks about streamlining this process. But when you come down to streamlining it, you could streamline it right past the community input process, and then you're going to end up with some very bad projects. So, you know, maybe that's the first conversation to have, do we really want to streamline it and supersede community input...because we're the ones that have to live with all this development. So, you know, maybe the streamlining of, you know, once it gets improved is where you really want to fast track, you know, once it gets community approval. I mean I kind of feel like that's been happening in South Maui because we've been going through a process of community approval on the projects that we have approved. And then once they get through the community associations, and the neighborhoods, then I think it's up to the Council to say, okay, the community likes this project, let's move it ahead, and, you know, whatever you can do at that point. But I worry about trying to streamline it up front, and bypass some of these other processes. So, that's kind of the input I wanted to give. And...well, you know, maybe that's...that can be the first conversation that you have next year. Thank you.

CHAIR JOHNSON: Yeah. Thank you, Councilmember. So, that example you gave, that project wouldn't be approved by...in a by-right process because it doesn't follow the environmental standards. The first thing it says, you can't do it in a flood plain, right. So, there are --

COUNCILMEMBER KING: *(Audio interference)* --

CHAIR JOHNSON: -- some things in here that are kind of covering those bases, as they say. But you wanted to add some more, Councilmember King?

COUNCILMEMBER KING: Yeah. Because at the time that we were looking at it, they were saying it wasn't in a flood zone because they had raised it up, and we didn't have the Wetland Protection Bill yet. So, that wasn't...that definition of wetland --

CHAIR JOHNSON: Um-hum.

COUNCILMEMBER KING: -- wouldn't have applied. So, that's why I'm saying, is if we hadn't had that community...that strong community input of people coming out, and the will of the Council to say, yes, we want to protect...we do recognize this

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as a wetland and a flood zone, then if we had been subject to the design standards, it might have just been pushed through without that input. So, those are some things --

CHAIR JOHNSON: Right.

COUNCILMEMBER KING: -- that (*audio interference*) --

CHAIR JOHNSON: I agree with you. And there is going to be community engagement standards. And if it's not strong enough, we can put them in. Right, that's the whole point of this, is we can --

COUNCILMEMBER KING: Okay.

CHAIR JOHNSON: -- really make this follow the way we feel it should follow, if we choose to do this. That's...you know, that's why the discussion started (*audio interference*) --

COUNCILMEMBER KING: Yeah (*audio interference*) you could do something like what Member Rawlins-Fernandez said, which is, you put into the standards, you know, as long as it doesn't supersede the community plans.

CHAIR JOHNSON: Exactly. Okay.

COUNCILMEMBER KING: Thank you (*audio interference*) --

CHAIR JOHNSON: Thank you for that. Councilmember Molina.

VICE-CHAIR MOLINA: Yeah. Thank you, Mr. Chair. Maybe at some point, the Department can come up with areas in Maui County that have infrastructure that they believe is sufficient to...for multiple, say, 150-unit projects, that might be good to know. And, you know, we live in a very vocal community too, yeah, so, I think that element of trying to remove public review, no matter how good and wonderful a project is, might be challenging. Because let's be honest, NIMBY-ism exists. You can have...put out what you believe is the greatest project in the world, and someone's going to have a concern, so...and I know this seems like...to be modeled after O'ahu's legislation, the one-time review process. So, you know, my...what might work for one county, when it comes to this County, there might be some challenges along the way. But it's good that we're opening up the discussion, and that we maybe take a look at some areas down the road that could, you know, accommodate 150-unit projects, provided they have the sufficient infrastructure, and potentially may not need as much public review as some --

CHAIR JOHNSON: Yeah.

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VICE-CHAIR MOLINA: -- other areas, so...anyway, thank you (*audio interference*) --

CHAIR JOHNSON: Well, thank you, Councilmember. I just want to kind of nip this in the bud. I am not trying to shut down community engagement. In fact, we can make it even more stronger with community engagement on these things. I think community engagement is crucial, and if it doesn't comply, then we wouldn't do it, you know. So, it wouldn't follow...if it wouldn't fall in that by-rights kind of categories. But, you know, I totally echo the sentiment you said, Councilmember Molina, that people will come out and tell us that it's not a good project, and they will speak on...on if it is a good project. So, that's key that we keep them involved in this process. I'm in full support of what you're talking about, Councilmember Molina. But having said that, Members, we want...we went and did two rounds, and I don't see any hands up. So, Members, we can move along, and, you know, bring this up in the...in the next term. So, Members, without objection, I will now defer this item. Any objections?

COUNCILMEMBERS VOICED NO OBJECTIONS.

ACTION: DEFER pending further discussion.

COMMUNICATIONS TO BE REFERRED TO THE COUNCIL CHAIR FOR
THE TERM BEGINNING JANUARY 2, 2023

CHAIR JOHNSON: All right. So, this is our second item, Communications for Referral to the Council Chair for 2023-2025 Term. All right. Members, your Chair has posted a number of Communications pending before the Committee for your consideration to refer to the Council Chair for the term beginning January 2nd, 2023 in accordance with Rule 22 of the Rules of the Council. These items are currently listed on the Committee's master agenda which, if not referred, will be deemed filed at the end of this term. Members, as a reminder, requests can be made to remove items from the discretionary...a discretionary referral list, but at this point, no items can be added. So, please also keep in mind that any filed item can be reintroduced in the next Council term. And let's go on to public testimony, Members. At this time I'd like to open up public testimony for Communications for Referral to the Council Chair for the 2023-2025 Council Term.

. . .BEGIN PUBLIC TESTIMONY FOR COMMUNICATIONS FOR REFERRAL TO
COUNCIL CHAIR FOR TERM BEGINNING JANUARY 2, 2023. . .

CHAIR JOHNSON: Staff, do we have any testifiers on this item?

MR. LEAUANAE: Yes, currently two.

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CHAIR JOHNSON: Okay, please call them forward.

MR. LEAUANAE: First testifier is Faith Chase, followed by Francine Aarona.

CHAIR JOHNSON: Ms. Chase, are you on the call?

MS. CHASE: Yes, kala mai. Is this AH-11...what...that I'm speaking to, or all the Communications? Chair? I'm sorry, I lost my place.

CHAIR JOHNSON: Oh. Yeah. Yeah, this is the second item on the agenda. These are all the items that we're going to refer to the next --

MS. CHASE: Okay.

CHAIR JOHNSON: -- Committee, so...

MS. CHASE: Okay. Thank you.

CHAIR JOHNSON: Yeah.

MS. CHASE: The experimental and demonstration housing project, I don't remember the exact...how this was already within your Committee, but it sounds great, experimental and demonstration housing projects. Even if the conversation...anyway, I'm totally excited about this referral. And I think within this referral item, in the next year, you will be able to include something that I got really late in the game. So, my Healing Solutions for Houselessness TIG...well, not mine, but the TIG, which I sort have taken the lead, the Temporary Investigative Group for sustainable housing, actually got this late report of nontraditional housing from the Governor's Division on Houselessness. And, you know, shame on me that I miss 1 out 54 meetings, okay, that they offer that. Anyway, I got the link, it's beautiful, and it should have been part of...anyway, it will definitely be brought up in the Commission, and I think it's going to tuck well under here next year, homeless programs and related matters. So, you know, sometimes...this has been a long...this has been a long relationship with this body. And sometimes I...I wonder...I've come across times when--don't get me wrong, I respect your jobs. I'm so proud that we have civic...you know, people who want to represent the people. Thank you for all that you do. But there's been times when I actually wanted to hear an apology, and I had to like shake it off, shake it off. And I had to learn to put stuff beside, and keep moving forward. But today, I actually want to apologize. So, there's an item that you had on your agenda, Chair Johnson, and it was about the alternative housing with the malls and in industrial areas. And I got so...and I think this, again, is a little bit of PTSD, the...there were so many lobbyists that day. I was like what's going on, what's going on? It reminded me of the...you know, the Bag Bill, and the

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Anti-GMO Movement. Like, you know, these guys...the plastic people, and the farmers, and just...it caught me by surprise. And you know what, we really need to revisit that. So, I humbly apologize for being jumpy. And, you know, I...we need to return to that. So, if that could be returned to under the C-1...what is it, AH-19 [sic]...thank you, Building Plan Review Process by Developing a Catalog of Pre-Approved Plans. I just want to say, that sounds great. I don't know enough about it, but yay. And within that, isn't there...wouldn't there be a good place for the DHHL to be involved, seeing how they've got a pretty...a tour de force of money coming down the line. Okay. County-owned parcel, former college dorm site...know nothing about this. But we bring water, and sandwiches, and blankets, and we...that is a public space that when somebody is feeling super vulnerable in different tucked down areas, in bushes, and by the ocean, they...that's where they...they're visible. And we still have problems in that area of our houselessness, and our most vulnerable. And so, might I just say, I'll be returning to this as a possible...you know, as it says, as a possible space for the housing that...the beds, and the shelter space that we don't have right now that I know you guys are all aware of. Thank you so much.

CHAIR JOHNSON: Thank you, Ms. Chase. Members, do we have any questions for our testifier? Seeing none. You don't have to apologize, Ms. Chase. I love your passion. Please bring that fire in your belly to the Committees when you can, so no need to apologize there. I don't see any other questions for you, Ms. Chase, so thank you for testifying. Mahalo.

MS. CHASE: Yeah, a hui hou.

CHAIR JOHNSON: Staff, will you call the next testifier, please?

MR. LEAUANAE: Next testifier is Francine Aarona.

CHAIR JOHNSON: Francine, are you on the call? Last call for Auntie Mopsie. Are you here today?

COUNCILMEMBER KING: Chair?

CHAIR JOHNSON: Yes.

COUNCILMEMBER KING: I think she may have already testified on this issue.

CHAIR JOHNSON: Okay. Well, she's not here to do it. So, Members, well, then...let's see here. So, without any objection--oh, I'll do a last call. Last call for public testimony for this item, any...any other...or any other people wishing to speak on this? Seeing none. Without objection, I'll now close public testimony for Communications for Referral to the Council Chair for the 2023-2025 Council Term.

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COUNCILMEMBERS: No objections.

**. . .END OF PUBLIC TESTIMONY FOR COMMUNICATIONS FOR REFERRAL TO
COUNCIL CHAIR FOR TERM BEGINNING JANUARY 2, 2023. . .**

CHAIR JOHNSON: Okay. Members, let's go on to discussion. I propose a round of three minutes for further discussion and questions. And it's pretty self-explanatory, Members, about moving this on to the next year's agenda. And we went down the row one way, we'll go back the row another way. So, we'll go in reverse order, starting with Councilmember Shane Sinenci, followed by Councilmember Rawlins-Fernandez, followed by Councilmember Paltin. So, Councilmember Sinenci, do you have anything to add for this discussion?

COUNCILMEMBER SINENCI: None from here, Chair. Thank you.

CHAIR JOHNSON: Thank you. Okay. And how about Ms. Rawlins-Fernandez? No, no. She's shaking her head, no from Councilmember Rawlins-Fernandez. Councilmember Paltin, do you have anything for this discussion?

COUNCILMEMBER PALTIN: Oh, I was just wondering about the 40-Acre Parcel Owed by Alexander & Baldwin, Inc. for Development of Affordable Housing in accordance with Ordinance 3559, Condition 7(a).

CHAIR JOHNSON: Was that the one behind Lowe's? Maybe we can bring up the Department to speak on that.

COUNCILMEMBER PALTIN: It was referred as a County Communication in 2017.

CHAIR JOHNSON: '17, yeah.

COUNCILMEMBER PALTIN: I mean if it's 40 acres for affordable housing, this is four years later, just *(audio interference)* --

CHAIR JOHNSON: I do believe it's the one behind Lowe's, but let's see what Deputy Director Munsell can add to this.

MS. MUNSELL: Yeah, Chair, thank you. I think that I would have to do more research. But I believe that this was originally tied to their...was up in Maui Lani, and then it got traded for Lowe's. But, yeah, we would have to research that...and obviously, if this item is brought up next term, we would be happy to talk about the status of that. Thank you.

CHAIR JOHNSON: Thank you. Okay. This is going to be from memory's sake, but it was part of the A&B sale last year, and I think one of Councilmember

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Rawlins-Fernandez's Staff found that parcel. Remember that, Councilmember...she raised her hand, so go ahead Councilmember Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah, if that is for the Kahului Business Complex, part of that trade off, there was a condition put on by the State Land Use Commission. And then the Council put on additional conditions requiring the affordable housing, a community center, and a park. And it was specifically required in Wai'ale. And yeah, so Ms. Sarah Pajimola worked with Ms. deNaie and Auntie Claire (*audio interference*) on digging out some of that history, and in working out some of the conditions and the requirements. If this is the one, then it became 23 acres, and that was part of the negotiation behind Lowe's/Target. And that's the parcel that I'm hoping, you know, in discussing the first item, that we would pursue in --

CHAIR JOHNSON: . . .(*inaudible*). . .

COUNCILMEMBER RAWLINS-FERNANDEZ: -- building multifamily affordable housing there. And not just the 23 acres, but I hope we can pursue the entire TMK there.

CHAIR JOHNSON: . . .(*Inaudible*). . .

COUNCILMEMBER PALTIN: Thank you for that clarification.

COUNCILMEMBER RAWLINS-FERNANDEZ: It's over 200 acres.

COUNCILMEMBER PALTIN: My second --

COUNCILMEMBER RAWLINS-FERNANDEZ: 217 acres.

COUNCILMEMBER PALTIN: -- question was Reso 22-254, the number 3 be it resolved talks about the authority granting in the resolution ending at noon on January 2nd, 2023. So, would it be appropriate to continue on to the...because I mean no longer...the new term starts January 2nd, 2023, and the authority...number 3 says the...that the authority granted in this resolution ends at noon on January 2nd, 2023.

CHAIR JOHNSON: So, we should file that?

COUNCILMEMBER PALTIN: I mean it wouldn't be valid any longer in the new term --

CHAIR JOHNSON: Yeah.

COUNCILMEMBER PALTIN: -- it seems.

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CHAIR JOHNSON: Okay. Oh, Councilmember Sinenci.

COUNCILMEMBER SINENCI: Oh, just a question. Was that just for the reso, the expiration? Because wouldn't the condition follow the property?

COUNCILMEMBER PALTIN: Oh, the condition was a different item. I switched to a different...sorry, I switched --

COUNCILMEMBER SINENCI: Oh.

COUNCILMEMBER PALTIN: -- to different --

COUNCILMEMBER SINENCI: Oh.

COUNCILMEMBER PALTIN: -- item. It wasn't --

COUNCILMEMBER SINENCI: Okay. Thanks.

COUNCILMEMBER PALTIN: -- part of that ordinance condition. It was a --

COUNCILMEMBER SINENCI: Okay.

COUNCILMEMBER PALTIN: -- *(audio interference)* --

COUNCILMEMBER SINENCI: Okay, sorry. Thanks.

COUNCILMEMBER PALTIN: -- two questions on two different items.

CHAIR JOHNSON: Okay. Why don't...Councilmember Kelly King, you wrote the resolution for the 40-acre parcel owned by A&B. Do you...do you recall that one...when it expires?

COUNCILMEMBER KING: Sorry. 40-acre parcel for A&B, that doesn't sound familiar to me *(audio interference)*.

CHAIR JOHNSON: Oh, maybe that wasn't you. I could be wrong.

COUNCILMEMBER KING: That's okay.

CHAIR JOHNSON: I thought it was you. Different reso, my mistake.

COUNCILMEMBER PALTIN: If you're talking about the one I just brought up, it's Reso --

CHAIR JOHNSON: Right.

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COUNCILMEMBER PALTIN: -- 22-254, number 15 on Granicus, relating to 1488 South Kihei Road, Kihei, Maui.

COUNCILMEMBER KING: Oh.

COUNCILMEMBER PALTIN: And that reso authorization...authority granted in the reso ends at noon on January 2nd, 2023.

COUNCILMEMBER KING: Oh, okay. That...I thought you were talking about the A&B properties, you said something about 40 acres. No, that...that one is for the parcel that...the wetland parcel that was originally proposed to be developed to a medical center, and the Council, in my first turn...term, turned it down. I have spoken with the owner, who is willing to sell it for wetland preservation. And...but then when the reso was written, I was--I was actually out of...out of the country--it was written with the expiration date because of the new Administration coming in. So, hopefully that can be revised because she was actually willing to sell it for the tax assessment, and not even asking for an appraisal, which would have been higher, you know, understanding that...and she was actually very supportive of the Wetland Preservation and Restoration Bill which, you know, I thought was commendable because we changed the definition so that now it's pretty clear that that's a wetland area, and she was very amenable to selling it for preservation. So, you know, I'm hoping it can be referred and revised next term. But...yeah, unfortunately, I think they wrote it that way because it would be up to the next Administration to follow through. But. you know. whether or not they follow through with the budget amendment, it could still go into the next budget session, without, you know, getting an Administrative budget amendment. So, you know, we just weren't...we didn't get good response from the current Administration on whether they would follow through with it last month, so that's why they put the expiration date on it, I think.

COUNCILMEMBER PALTIN: So, then I guess my question...follow-up question on that would be that it...the second be it resolve says that it requests the Mayor and Director of Finance report to the Council Chair in writing on the status of negotiations by December 31st, 2022. So, if we refer it on to the next term, would we still be able to receive an update in writing on the status of negotiations?

COUNCILMEMBER KING: I think you would have to revise and...or amend the resolution because that date will have already past.

COUNCILMEMBER PALTIN: Oh, I mean if we wanted to get an update...because December 31st, 2022 didn't arrive yet. And so, if we refer it on to the next term, if they gave us an update before the next AH meeting, we wouldn't be able to hear it in Committee because that item would already be...have been referred to the next term, so there wouldn't be a vehicle for us to get the status of negotiations, is that (*audio interference*) --

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COUNCILMEMBER KING: Are you talking about --

COUNCILMEMBER KING: -- for OCS Staff, or someone that knows process on that?

CHAIR JOHNSON: Yeah, let's see if we can get some OCS Staff?

MS. GRECO: Chair, I believe this would be a question for our Legislative Attorney Remi Mitchell.

CHAIR JOHNSON: Oh, yeah, Mr. Mitchell.

MR. MITCHELL: Morning, Chair. Can you repeat the question, please?

COUNCILMEMBER PALTIN: I just was wondering, for this item, the resolution authorizing the purchase of 1488 South Kihei Road, the second be it resolve requests that the Mayor and Director of Finance report to the Council Chair in writing on the status of negotiations by December 31st, 2022, and the authorization ends January 2nd, 2023. So, if we were to refer this item to the next term today, could we still receive the status of negotiations prior to December 31st, 2022?

MR. MITCHELL: I don't see why not, Member Paltin. We're just waiting for the Administration to send the Communication, right, if I understand the question correctly?

COUNCILMEMBER PALTIN: I guess...say, the next Affordable Housing meeting might be on the 15th, or something. If they were to give a status update, we would just schedule it as a 7(B), or something?

MR. MITCHELL: That sounds acceptable, yes.

COUNCILMEMBER PALTIN: Okay. Thank you.

CHAIR JOHNSON: Oops, I'm sorry. I see Councilmember Molina's hand up.

VICE-CHAIR MOLINA: Yeah, Mr. Chair, I just want to get my two cents in on this. I'm just in favor of referring this over. And let me tell you about asking the Administration with sharing negotiations. You cannot mandate the Administration, okay. You can ask, but this Administration...I'll give you one example, if you guys recall Baby Beach. You know, we asked them for updates, and it seemed like when we had that one meeting about that...or I think we had two meetings, it was all like...well, we're just taking and yada, yada, yada, but they didn't have to give us the full details...you can ask. And then lo and behold, not only...then this big, grand press conference announcement that not only

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Baby Beach was donated, but there's other parcels from A&B. So, you know, it just depends on how this new Administration will be...hopeful that they will be a little bit more open with you guys, as the returning Councilmembers. But you certainly can ask for them to update you on negotiations, but you cannot mandate them to give you all the --

CHAIR JOHNSON: Yeah.

VICE-CHAIR MOLINA: -- full details, so...anyway. But, yeah, I...just my thoughts is, move this forward to the next term for you guys to --

CHAIR JOHNSON: Okay.

VICE-CHAIR MOLINA: -- *(audio interference)*. Thank you.

CHAIR JOHNSON: Thank you. Members, we're at bare quorum, and we're coming across our break here soon. So, we're almost done, Members. So, what do you say, we could wrap this up before break, or we can take a break? You want to wrap it up? Okay. So, we had Councilmember King next, if you have anything to add, Councilmember King.

COUNCILMEMBER KING: No. Well, I just wanted to add to that last thing that --

CHAIR JOHNSON: Go ahead.

COUNCILMEMBER KING: -- our geographical liaison for the Administrative Offices is Bill Snipes, and he had been working on this. So, you might be able to get an update from Bill on the issue of that wetland acquisition. But I don't...I don't have anything else to add. I just...I did notice...one thing I wanted to comment on. There's several things that seem to be redundant that just refer to, you know, the Affordable Housing Fund. But other than that, I think I'm fine with everything.

CHAIR JOHNSON: Okay. So...and in regards to that wetlands property, can we refer it to the Council to get it into the correct Committee? Would that be the best way to do it?

COUNCILMEMBER KING: Think you refer it to Council Chair. Everything gets referred --

CHAIR JOHNSON: Council Chair.

COUNCILMEMBER KING: -- *(audio interference)* Chair, and then the...everything gets re-referred to the various Committees, depending on what Committees you have next year.

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CHAIR JOHNSON: Staff, legislative intent, you guys got that?

MS. GRECO: Yes, Chair.

CHAIR JOHNSON: Okay. So, that --

COUNCILMEMBER KING: Okay.

CHAIR JOHNSON: -- everybody's nodding their head yes, and that seems acceptable for the Members? All right.

COUNCILMEMBER KING: *(Audio interference)* --

CHAIR JOHNSON: Having said that, Members, is...if there anybody...anything else...that takes us to the end of the agenda...or I got to actually defer it. Okay. I don't see any other hands, Members. And we're at bare quorum. So, without any objection, I'll defer...oh. Councilmember Rawlins-Fernandez, you had your hand up?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Sorry, I didn't do my referral items yet, so I just wanted to make sure that we were taking the correct action in deferring all the items that you want referred. We want to send it to Council, yeah, we defer it.

CHAIR JOHNSON: I'm deferring this action...or I mean deferring the item on the agenda, but all of those are referred to --

MS. GRECO: Excuse me, Chair.

CHAIR JOHNSON: Go ahead, Staff.

MS. GRECO: You would need to refer...take a main motion to refer the items, and then you would defer this item.

CHAIR JOHNSON: Okay. Let's take a main motion to refer these items *(audio interference)* okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: So moved.

VICE-CHAIR MOLINA: So moved.

CHAIR JOHNSON: So moved by --

COUNCILMEMBER KING: Second.

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CHAIR JOHNSON: -- Councilmember Rawlins-Fernandez, seconded by --

COUNCILMEMBER KING: Member King.

CHAIR JOHNSON: -- Councilmember King. All those in favor, say aye...raise your hand and say aye.

COUNCILMEMBERS VOICED AYES.

CHAIR JOHNSON: That's six ayes. Okay, motion passes.

VOTE: AYES: Chair Johnson, Vice-Chair Molina, and Councilmembers King, Paltin, Rawlins-Fernandez, and Sinenci.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmembers Kama, Lee, and Sugimura.

MOTION CARRIED.

ACTION: Recommending REFERRAL of communications to the Council Chair for the term beginning January 2, 2023

CHAIR JOHNSON: So now, without any --

COUNCILMEMBER KING: That's five.

CHAIR JOHNSON: Um-hum.

COUNCILMEMBER KING: Five. I think there's five of us left.

CHAIR JOHNSON: Councilmember Sinenci just came on, so we got six.

COUNCILMEMBER KING: *(Audio interference)* --

CHAIR JOHNSON: Yeah, he popped on just in time. So, the --

COUNCILMEMBER KING: Okay.

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CHAIR JOHNSON: -- perfect timing. So, now we would...without objection, I would defer this item, right?

MS. GRECO: Excuse me, Chair --

CHAIR JOHNSON: Oh, go ahead.

MS. GRECO: -- that was my mistake. So, the referring is the motion, and then it's referred...so no deferring.

CHAIR JOHNSON: Referring is the motion, there's no...oh, my. Okay. We understand that. Everybody's thumbs up, we all nodding in agreement. Okay. So, we're at the end of the agenda. Staff, do we have anything else?

MS. GRECO: No, Chair.

CHAIR JOHNSON: Okay. We're just adjourning then, right? That's kind of tricky. All right. Members, the time is now 10:37. We did this before break, and the Affordable Housing is now adjourned. . . .(gavel). . .

ADJOURN: 10:37 a.m.

APPROVED:



GABE JOHNSON, Chair
Affordable Housing Committee

ah:min:221118:mll:th

Transcribed by: Tricia Higa

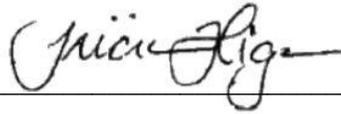
**AFFORDABLE HOUSING COMMITTEE MINUTES
Council of the County of Maui**

November 28, 2022

CERTIFICATION

I, Tricia Higa, hereby certify that pages 1 through 39 of the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 27th day of December 2022, in Mililani, Hawai'i



Tricia Higa