

**MAUI COUNTY COUNCIL
REGULAR COUNCIL MEETING**

**MAY 23, 2023
9:00 AM**

Pursuant to §92-3.7, Hawaii Revised Statutes, the meeting was conducted as a remote meeting by interactive conference technology, via BlueJeans <https://maui.bluejeans.com/295235670>.

In person testimony and viewing: Council Chamber, Kalana O Maui Building, 8th Floor, 200 S. High Street, Wailuku, Hawaii.

Video recording of meeting available at: www.mauicounty.legistar.com

TIME MEETING CONVENED: 9:03 a.m.

A. ROLL CALL

Councilmember	Pres.	Abs.	Exc.	Time(s) In/Out (during meeting)
Tasha Kama			√	Arrived at 9:23 a.m. Excused 4:37 p.m–4:44 p.m.
Yuki Lei Sugimura	√			
Tamara Paltin	online			
Gabe Johnson	online			
Keani Rawlins-Fernandez	√			
Tom Cook	√			
Nohelani U‘u-Hodgins	√			
Shane Sinenci	√			
Chair Alice L. Lee	√			
TOTAL PRESENT	8	0	1	

B. OPENING REMARKS - CM Tamara Paltin

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. TESTIMONY ON CEREMONIAL RESOLUTIONS - none

E. CEREMONIAL RESOLUTIONS - none

F. CONSENT CALENDAR - none

G. PRESENTATION OF WRITTEN OR ORAL TESTIMONY

H. MINUTES - none

I. ACTION ON THE CONSENT CALENDAR – none

J. COMMUNICATIONS
1. COUNTY COMMUNICATIONS

CC 23-15 COUNCILMEMBER PALTIN, transmitting a proposed amendment to Bill 22, CD1 (2023), entitled "A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET FOR THE COUNTY OF MAUI FOR THE FISCAL YEAR JULY 1, 2023 TO JUNE 30, 2024".

Time Deliberations Began	2:51 p.m.
Time Motion Made	2:52 p.m.
Motion	AMEND
Maker	Paltin
Seconder	U'u-Hodgins
Time Vote Taken	2:54 p.m.
	Motion passed unanimously

Time Deliberations Began	2:55 p.m.
Time Motion Made	2:55 p.m.
Motion	FILE
Maker	Paltin
Seconder	Sinenci
Time Vote Taken	2:55 p.m.
	Motion passed unanimously

CC 23-16 COUNCIL CHAIR LEE, transmitting a proposed amendment to Bill 22, CD1 (2023), entitled "A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET FOR THE COUNTY OF MAUI FOR THE FISCAL YEAR JULY 1, 2023 TO JUNE 30, 2024".

Time Deliberations Began	1:50 p.m.
Time Motion Made	1:50 p.m.
Motion	AMEND AND FILE
Maker	Kama
Seconder	Sugimura
Time Vote Taken	2:00 p.m.
	Motion passed unanimously

CC 23-17 COUNCIL CHAIR LEE, transmitting a proposed amendment to Bill 22, CD1 (2023), entitled "A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET FOR THE COUNTY OF MAUI FOR THE FISCAL YEAR JULY 1, 2023 TO JUNE 30, 2024," and Resolution 23-124, entitled "SETTING THE PAY RANGES AND PAY STEPS FOR STAFF OF THE OFFICE OF COUNCIL SERVICES".

Time Deliberations Began	11:57 a.m.
Time Motion Made	11:58 a.m.
Motion	ADOPT setting pay ranges and steps for staff of OCS and file
Maker	Sugimura
Seconder	Kama
Time Vote Taken	1:49 p.m.
	Motion passed unanimously

Time Deliberations Began	11:58 a.m.
Time Motion Made	11:59 a.m.
Motion	AMEND CC 23-17
Maker	Sugimura
Seconder	Kama
Time Vote Taken	1:49 p.m.
	Motion passed unanimously

CC 23-18 COUNCILMEMBER PALTIN, transmitting a proposed amendment to Bill 22, CD1 (2023), entitled "A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET FOR THE COUNTY OF MAUI FOR THE FISCAL YEAR JULY 1, 2023 TO JUNE 30, 2024".

	AYE	NO	EXC	Time Deliberations Began	2:30 p.m.
Pro Temp Kama		√		Time Motion Made	2:31 p.m.
VC Sugimura		√		Motion	AMEND
CM Paltin	√			Maker	Paltin
CM Johnson	√			Seconder	Rawlins-Fernandez
CM Rawlins-Fernandez	√			Time Vote Taken	2:50 p.m.
CM Cook		√			

CM U'u-Hodgins		√			
CM Sinenci	√				
Chair Lee		√			
Total Votes	4	5	0	Motion failed	

Time Deliberations Began	2:50 p.m.
Time Motion Made	2:51 p.m.
Motion	FILE
Maker	Paltin
Seconder	Sugimura
Time Vote Taken	2:51 p.m.
	Motion passed unanimously.

CC 23-19 PRESIDING OFFICER PRO TEMPORE KAMA, transmitting a proposed amendment to Bill 22, CD1 (2023), entitled "A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET FOR THE COUNTY OF MAUI FOR THE FISCAL YEAR JULY 1, 2023 TO JUNE 30, 2024".

Time Deliberations Began	2:01 p.m.
Time Motion Made	2:01 p.m.
Motion	ADOPT
Maker	Kama
Seconder	Sugimura
Time Vote Taken	2:08 p.m.
	Motion passed unanimously

CC 23-20 COUNCILMEMBER SINENCI, transmitting a proposed amendment to Bill 22, CD1 (2023), entitled "A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET FOR THE COUNTY OF MAUI FOR THE FISCAL YEAR JULY 1, 2023 TO JUNE 30, 2024".

Time Deliberations Began	2:28 p.m.
Time Motion Made	2:28 p.m.
Motion	ADOPT
Maker	Sinenci
Seconder	U'u-Hodgins
Time Vote Taken	2:29 p.m.
	Motion passed unanimously

Time Deliberations Began	2:29 p.m.
Time Motion Made	2:29 p.m.
Motion	FILE
Maker	Sinenci
Seconder	U'u-Hodgins
Time Vote Taken	2:29 p.m.
	Motion passed unanimously

CC 23-21 CHAIR, BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE, transmitting a proposed amendment to Bill 22, CD1 (2023), entitled "A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET FOR THE COUNTY OF MAUI FOR THE FISCAL YEAR JULY 1, 2023 TO JUNE 30, 2024".

	AYE	NO	EXC	Time Deliberations Began	11:35 a.m.
Pro Tem Kama	√			Time Motion Made	11:35 a.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	Sugimura
CM Johnson		√		Seconder	Kama
CM Rawlins-Fernandez		√		Time Vote Taken	11:55 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee		√			
TOTAL VOTES	6	3		Motion Passed	

	AYE	NO	EXC	Time Deliberations Began	11:35 a.m.
Pro Tem Kama	√			Time Motion Made	11:35 a.m.
VC Sugimura	√			Motion	AMEND and FILE
CM Paltin	√			Maker	Sugimura
CM Johnson		√		Seconder	Kama
CM Rawlins-Fernandez		√		Time Vote Taken	11:56 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee		√			
TOTAL VOTES	6	3		Motion Passed	

CC 23-22 CHAIR, BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE, transmitting proposed amendments to Bill 22, CD1 (2023), entitled "A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET FOR THE COUNTY OF MAUI FOR THE FISCAL YEAR JULY 1, 2023 TO JUNE 30, 2024".

Time Deliberations Began	11:26 a.m.
Time Motion Made	11:27 a.m.
Motion	AMEND and FILE
Maker	Sugimura
Seconders	Kama
Time Vote Taken	11:35 a.m.
	Motion passed unanimously

CC 23-23 COUNCIL CHAIR LEE, transmitting a proposed amendment to Bill 22, CD1 (2023), entitled "A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET FOR THE COUNTY OF MAUI FOR THE FISCAL YEAR JULY 1, 2023 TO JUNE 30, 2024".

Time Deliberations Began	2:08 p.m.
Time Motion Made	2:09 p.m.
Motion	AMEND
Maker	Kama
Seconders	Sugimura
Time Vote Taken	2:22 p.m.
	Motion passed unanimously

Time Deliberations Began	2: 23 p.m.
Time Motion Made	2: 23 p.m.
Motion	AMEND Affordable Housing Fund
Maker	Kama
Seconders	Sugimura
Time Vote Taken	3:30 p.m.
	Motion passed unanimously

Time Deliberations Began	2:58 p.m.
Time Motion Made	2:58 p.m.
Motion	AMEND condition for Aloha House
Maker	Johnson

Seconder	U'u-Hodgins
Time Vote Taken	3:00 p.m.
	Motion passed unanimously

Time Deliberations Began	3:24 p.m.
Time Motion Made	3:28 p.m.
Motion	Amend Kuikahi Village strike "Affordable" replace "Workforce Housing Project"
Maker	Rawlins-Fernandez
Seconder	Johnson
Time Vote Taken	3:29 p.m.
	Motion passed unanimously

CC 23-24 COUNCILMEMBER RAWLINS-FERNANDEZ, transmitting a proposed amendment to Bill 22, CD1 (2023), entitled "A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET FOR THE COUNTY OF MAUI FOR THE FISCAL YEAR JULY 1, 2023 TO JUNE 30, 2024".

Time Deliberations Began	3:00 p.m.
Time Motion Made	3:01 p.m.
Motion	AMEND and FILE
Maker	Rawlins-Fernandez
Seconder	Sugimura
Time Vote Taken	3:05 p.m.
	Motion passed unanimously

Time Deliberations Began	3:21 p.m.
Time Motion Made	3:22 p.m.
Motion	AMEND Affordable Housing Fund
Maker	Cook
Seconder	Rawlins-Fernandez
Time Vote Taken	3:23 p.m.
	Motion passed unanimously

Time Deliberations Began	3:30 p.m.
Time Motion Made	3:31 p.m.
Motion	AMEND
Maker	Rawlins-Fernandez

Second	Sinenci
Time Vote Taken	3:36 p.m.
	Motion passed unanimously

Time Deliberations Began	3:36 p.m.
Time Motion Made	3:36 p.m.
Motion	AMEND, Feasibility Study on County Ferry
Maker	Johnson
Second	Cook
Time Vote Taken	3:39 p.m.
	Motion passed unanimously

Time Deliberations Began	3:39 p.m.
Time Motion Made	3:39 p.m.
Motion	AMEND, Replace "Watershed Protection" with "Uhiwai O Haleakala"
Maker	Sugimura
Second	Cook
Time Vote Taken	3:42 p.m.
	Motion passed unanimously

Time Deliberations Began	3:42 p.m.
Time Motion Made	3:42 p.m.
Motion	AMEND, Insert TMK's to Open Space Fund and Affordable Housing Fund
Maker	Sugimura
Second	Kama
Time Vote Taken	3:55 p.m.
	Motion passed unanimously

2. GENERAL COMMUNICATIONS – none

K. COMMITTEE REPORTS

CR 23-35 Recommending ADOPTION of Resolution 23-121, approving the appointment of Chase Leigh Traphagen to the Council on Aging for a term expiring March 31, 2024.

CR 23-36 Recommending the following:

1. ADOPTION of Resolution 23-132, CD1, approving the appointments of Andrea Kimiko Kealoha and Fawn Sherie Kukuanaokala Helekahi-Burns to the Maui Planning Commission for terms expiring March 31, 2028; and
2. ADOPTION of Resolution 23-133, CD1, approving the appointment of Lois Prey to the Salary Commission for a term expiring March 31, 2028.

CR 23-37 Recommending ADOPTION of Resolution 23-139, CD1, disapproving the appointment of Merritt Keo Kaufman to the Board of Ethics.

CR 23-38 Recommending ADOPTION of Resolution 23-140, approving the appointment of David C. Weiss to the Board of Variances and Appeals for a term expiring March 31, 2027.

Time Deliberations Began	10:52 a.m.
Time Motion Made	10:54 a.m.
Motion	Adopt CR 23-35, 23-36, 23-37, and 23-38
Maker	U'u-Hodgins
Seconder	Kama
Time Vote Taken	10:55 a.m.
	Motion passed unanimously

CR 23-34 Recommending the following:

1. FIRST READING of Bill 22, CD1 (2023) to appropriate estimated revenues for the operating and capital improvement budget for Fiscal Year July 1, 2023, to June 30, 2024;
2. FIRST READING of Bill 23, CD1 (2023) to set the Capital Program for Fiscal Years 2024 through 2029;
3. FIRST READING of Bill 24, CD1 (2023) to authorize the issuance of \$59,195,043 in general obligation bonds for various capital improvement projects;
4. FIRST READING of Bill 25 (2023) to reauthorize the use of \$2,349,957 in lapsed bond proceeds for the Department of Management, Wailuku-Kahului Community Plan Area, Government Facilities, 60 South Church Street Building Renovations;
5. FIRST READING of Bill 26 (2023) to authorize the Mayor to enter into intergovernmental agreements to finance the following wastewater projects: (1) Napili Wastewater Pump Station No. 3 Modifications, with funds not to exceed \$600,000; and (2) Kaanapali Resort R-1 Water Distribution System Expansion, with funds not to exceed \$8,500,000;
6. FIRST READING of Bill 36, CD1 (2023) to add three new position titles: Senior Council Services Technician, Project Assignment Specialist, and

- Council Services Assistant (full-time); two new pay ranges; and institute an 8 percent pay increase for all pay ranges and steps;
7. ADOPTION of Resolution 23-117 relating to fuel tax rates for the County of Maui, effective July 1, 2023;
 8. ADOPTION of Resolution 23-123 to suspend all provisions of Subsection 2.08.060(D), Maui County Code, for Fiscal Year 2024;
 9. ADOPTION of Resolution 23-124 to set the pay ranges and pay steps for two Senior Council Services Technicians, one Council Services Assistant (full-time), and one Senior Accountant;
 10. REFERRAL of Bill 27 (2023) to amend Section 3.36.100, Maui County Code, to authorize the County to reimburse grantees for expenses that pre-date the contract's execution date, if the funds are expended in the same fiscal year that the contract is encumbered, to the Budget, Finance, and Economic Development Committee;
 11. REFERRAL of Bill 37 (2023) to amend Section 3.81.030, Maui County Code, to enable the Council to appropriate a minimum of 2 percent of the certified real property tax revenues, not to exceed \$10,000,000 in any one fiscal year to the Economic Development and Cultural Programs Revolving Fund, to the Budget, Finance, and Economic Development Committee; and
 12. REFERRAL of Bill 38 (2023) to amend Chapter 3.34, Maui County Code, to create and fund an 'ohana assistance pilot program to offer grants of up to \$50,000 to property owners to build an accessory dwelling or second farm dwelling for permanent long-term occupancy as residential workforce housing units, to the Housing and Land Use Committee.

Time Deliberations Began	11:20 a.m.
Time Motion Made	11:23 a.m.
Motion	ADOPT, as amended
Maker	Sugimura
Seconder	Kama
Time Vote Taken	3:56 p.m.
	Motion passed unanimously

L. RESOLUTIONS

Reso 23-144 "ADOPTING THE WEIGHT TAX RATES FOR THE COUNTY OF MAUI, EFFECTIVE JANUARY 1, 2024"

Time Deliberations Began	4:00 p.m.
Time Motion Made	4:00 p.m.
Motion	WAIVE Council Rule 7.G
Maker	Sugimura

Seconder	Kama
Time Vote Taken	4:01 p.m.
	Motion passed unanimously

Time Deliberations Began	4:01 p.m.
Time Motion Made	4:01 p.m.
Motion	ADOPT
Maker	Sugimura
Seconder	Kama
Time Vote Taken	4:02 p.m.
	Motion passed unanimously

Reso 23-145 "AUTHORIZING SETTLEMENT OF A CHARGE OF DISCRIMINATION FILED WITH THE HAWAII CIVIL RIGHTS COMMISSION AND FEDERAL EQUAL EMPLOYMENT OPPORTUNITY COMMISSION ON JUNE 21, 2022 UNDER HAWAII CIVIL RIGHTS COMMISSION NO. M-22238 AND EQUAL EMPLOYMENT OPPORTUNITY COMMISSION NO. 37B-2022-00168"

Referred to the Government Relations, Ethics, and Transparency Committee without objection.

Reso 23-146 "REQUESTING THE CONSERVATION PLANNING COMMITTEE TO REVIEW AND PROVIDE RECOMMENDATIONS ON THE ACQUISITION OF LAND FOR CONSERVATION PURPOSES"

Referred to the Agriculture, Diversification, Environment and Public Transportation Committee without objection.

Reso 23-147 "AUTHORIZING THE ACQUISITION OF REAL PROPERTY CONSISTING OF 16,255 SQUARE FEET IDENTIFIED AS TAX MAP KEY NO. (2) 3-4-006:027 SITUATED AT WAILUKU, MAUI, HAWAII, FOR AN AMOUNT NOT TO EXCEED \$3,800,000.00 AND ACCEPTING THE DEDICATION OF TWO PARCELS OF APPROXIMATELY 2,229 SQUARE FEET IDENTIFIED AS TAX MAP KEY NOS. (2) 3-4-006:028 AND (2) 3-4-006:032 SITUATED AT WAILUKU, MAUI, HAWAII"

Deferred, without objection, until Bills 52 and 53 were called up.

M. ORDINANCES

Bill 47 (2023) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE OFFICE OF THE AUDITOR, STATE OF HAWAII, FOR ASSISTANCE WITH MEETING REPORTING REQUIREMENTS UNDER GOVERNMENT ACCOUNTING STANDARDS BOARD STATEMENT NO. 75, ACCOUNTING AND FINANCIAL REPORTING FOR POSTEMPLOYMENT BENEFITS OTHER THAN PENSIONS "

Time Deliberations Began	4:08 p.m.
Time Motion Made	4:08 p.m.
Motion	WAIVE Council Rule 7.G
Maker	Sugimura
Seconder	Kam
Time Vote Taken	4:09 p.m.
	Motion passed unanimously

Time Deliberations Began	4:09 p.m.
Time Motion Made	4:09 p.m.
Motion	PASS ON FIRST READING
Maker	Sugimura
Seconder	Kama
Time Vote Taken	4:11 p.m.
	Motion passed unanimously

Bill 48 (2023) "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES - SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2023, AFFORDABLE HOUSING FUND (HALE KAIOLA PROJECT)"

Time Deliberations Began	4:11 p.m.
Time Motion Made	4:11 p.m.
Motion	WAIVE Council Rule 7.G
Maker	Sugimura
Seconder	Kama
Time Vote Taken	4:14 p.m.
	Motion passed unanimously

Time Deliberations Began	4:14 p.m.
Time Motion Made	4:14 p.m.
Motion	PASS ON FIRST READING
Maker	Sugimura
Seconders	Kama
Time Vote Taken	4:17 p.m.
	Motion passed unanimously

Bill 49 (2023) "A BILL FOR AN ORDINANCE ESTABLISHING CHAPTER 3.100, MAUI COUNTY CODE, INSTITUTING A GENERAL EXCISE TAX SURCHARGE"

Referred to the Budget, Finance, and Economic Development Committee without objection.

Bill 50 (2023) "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.34, MAUI COUNTY CODE, RELATING TO THE HOME ACQUISITION AND OWNERSHIP PROGRAMS REVOLVING FUND"

Time Deliberations Began	4:18 p.m.
Time Motion Made	4:18 p.m.
Motion	WAIVE Council Rule 7.G
Maker	Kama
Seconders	Rawlins-Fernandez
Time Vote Taken	4:19 p.m.
	Motion passed unanimously

	AYE	NO	EXC	Time Deliberations Began	4:20 p.m.
Pro Tem Kama	√			Time Motion Made	4:20 p.m.
VC Sugimura		√		Motion	PASS ON FIRST READING, as amended
CM Paltin	√			Maker	Kama
CM Johnson	√			Seconders	Rawlins-Fernandez
CM Rawlins-Fernandez	√			Time Vote Taken	4:36 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				

Chair Lee	√				
TOTAL VOTES	8	1		MOTION PASSED	

	AYE	NO	EXC	Time Deliberations Began	4:30 p.m.
Pro Tem Kama	√			Time Motion Made	4:30 p.m.
VC Sugimura		√		Motion	AMEND to substitute Bill 50
CM Paltin	√			Maker	Kama
CM Johnson				Second	Rawlins-Fernandez
CM Rawlins-Fernandez	√			Time Vote Taken	4:34 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8	1		MOTION PASSED	

Bill 51 (2023) "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.35, MAUI COUNTY CODE, RELATING TO THE AFFORDABLE HOUSING FUND"

Referred to the Housing and Land Use Committee without objection.

Bill 52 (2023) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF FINANCE, WAILUKU-KAHULUI COMMUNITY PLAN AREA, GOVERNMENT FACILITIES, GENERAL FUND, ACQUISITION OF 2145 KAOHU STREET BUILDING AND PROPERTY; TOTAL CAPITAL IMPROVEMENTS PROJECT APPROPRIATIONS; TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)"

Bill 53 (2023) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C - CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF FINANCE, WAILUKU-KAHULUI COMMUNITY PLAN AREA, ACQUISITION OF 2145 KAOHU STREET BUILDING AND PROPERTY"

	AYE	NO	EXC	Time Deliberations Began	4:37 p.m.
Pro Tem Kama			√	Time Motion Made	4:39 p.m.
VC Sugimura	√			Motion	WAIVE Council Rule 7.G for Reso

					23-147, Bills 52 and 53
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Second	U'u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	4:40 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

Time Deliberations Began	4:40 p.m.
Time Motion Made	4:40 p.m.
Motion	PASS BILLS ON FIRST READING, ADOPT Resolution
Maker	Sugimura
Second	Cook
Time Vote Taken	4:45 p.m.
	Motion passed unanimously

ORDINANCES – SECOND AND FINAL READING (Still section M)

Bill 43 (2023) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM, MOLOKAI ECONOMIC DEVELOPMENT, ENVIRONMENTAL, AND CULTURAL PROGRAMS"

Time Deliberations Began	4:45 p.m.
Time Motion Made	4:45 p.m.
Motion	PASS ON SECOND AND FINAL READING
Maker	Rawlins-Fernandez
Second	Sugimura
Time Vote Taken	4:46 p.m.
	Motion passed unanimously

Bill 44 (2023) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 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"

Bill 45 (2023) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX A, PART I, GRANTS AND RESTRICTED USE REVENUES - SCHEDULE OF GRANTS AND RESTRICTED USE REVENUES BY DEPARTMENTS AND PROGRAMS, OFFICE OF THE MAYOR (BUREAU OF RECLAMATION - MAUI NUI WATER CONSERVATION PLANNING PROJECT)"

Bill 46 (2023) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 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 HOUSING AND HUMAN CONCERNS (USAGING AGING AND DISABILITY VACCINATION COLLABORATIVE)"

Time Deliberations Began	4:47 p.m.
Time Motion Made	4:48 p.m.
Motion	PASS BILLS 44, 445 and 46 ON SECOND AND FINAL READING
Maker	Sugimura
Seconder	Kama
Time Vote Taken	4:50 p.m.
	Motion passed unanimously

N. UNFINISHED BUSINESS - none

TIME MEETING ADJOURNED: 4:50 p.m.

TRANSCRIPTION

Council of the County of Maui on 2023-05-23 9:00 AM - Regular Meeting

part of roll call. >> a little louder. >> okay. How is this? Better >> yes. >> thank you. Council member pro tempore tasha kama.\r\n\r\n>> excused. >> vice-chair yuki lei sugimura. >> good morning, chair, looking forward to a very productive meeting and meo to you. >> council member tamara paltin. >> aloha kakahiaka, kakou. Broadcasting live and direct from historic lahaina town. I have with me angel lucero and kristin and we have no testifiers waiting to testify at this time.\r\n\r\nThank you. >> council member gabe johnson? >> thank you, chair. Good morning, council members. Community members. I am staying at home today, because I'm feeling under the weather and just figured it's better for everyone. I'm alone in my work space.\r\n\r\nThere's no testifiers at the lana'I district office and I want it say congratulations to all of the 2023 graduates. So excited to all of the kids graduating. mahalo, chair. >> thank you. I hope you feel better. >> thank you. >> council member keani rawlins-fernandez.\r\n\r\n>> aloha kakahiaka, chair. It sounds soft. Does it sound soft to you? >> what? >> exactly, m point. Okay. [Laughter] Aloha kakahiaka.\r\n\r\nMy moloka'I ahina. We have no testifiers at the moloka'I district office. And I'm so happy to be home after visiting the piute and de naie land.. >> council member tom cook. >> aloha chair, buenos dias from my mexican friends and kihei district. >> council member nohelani uu-hodgins. >> good morning, chair. Happy aloha tuesday everyone.\r\n\r\n>> good morning. >> council member shane sinenci. >> aloha kakahiaka kakou. And to all of the graduates, and to your pokii, chair and the staff at the hana district office has stated there's no testifiers at the hana district office. >> thank you. >> chair, there are eight members present. >> and I'm here as well.\r\n\r\nThank you very much. >> I'm sorry. Chair lee. >> good morning to aful my colleagues and all of the little critters in maui county, cats, dogs and everyone else and we look forward to a wonderful and productive meeting and terrific month. >> thank you, sorry about that chair. There's eight members preponderant, one member excused. A quorum is present to conduct the business of council.\r\n\r\nFor the rcord, I'm deputy county clerk richelle thomson and from the office of the county clerk is the county clerk moana lutey and legislative division staff joyce murashige, lauren saldana and dell yoshiedia, and director traci fujita and deputy director david raatz from the department of corporation counsel is victoria takayesu and mimi des jardins and kristina toshikiyo. >> notice of the parkway was opening remarks will be provided by council member tamara paltin. >> thank you, chair. A little poem for you guys. Sometimes the wolf cries by sr w fortune. Sometimes the hero stumbles, and falls right off the page. Sometimes the princess rolls her eyes and says, I don't want to be saved.\r\n\r\nSometimes the dragon needs rescuing and the villain aches to be helped. Sometimes in the dark, the lost boy finds himself. Sometimes the princess is not at all who he seems, sometimes the witch is kindness shows its she who deserves to be queen. Sometimes we shouldn't define people based on somebody he is's point of view, just because it's what we have been told doesn't make it true. This past week a handful of us got the opportunity to attend the western interstate region conference in southern utah. We got to hear from experts in various subjects about their endeavor and challenges and we got to go on site visits to experience for ourselves some of what they spoke to. Many of the ideas I had about utah were based on stories and assumptions and it was clear that their ideas of hawai'I were not entirely acurate either, but through the sharing of similar challenges and public service, we had the opportunity to learn from one another, and ways to look at things differently.\r\n\r\nI choose this quorum because it addresses the issue of bias and assumptions. We have all been told stories, stories that have shaped our lives, and that is okay. Stories can be beautiful. But as elected officials, as decision-makers, it's our responsibility to not define others by these stories. Because as the poem closes, just because it's what we have been told, doesn't make it true. Thank you. >> >> thank you.\r\n\r\nVery good. Now members and others, please join me in reciting the pledge of allegiance. i pledge allegiance to the flag of the united states of america, and to the republic for which it stands, one nation under GOD, indivisible, with liberty and justice for all. MAY I now ask that everyone join me -- well, you can. Before we proceed with today's agenda, my I please request that everyone keep their microphones mutes unless it's your time to speak. Oral or written testimony will be accepted at the beginning of the meeting. And prior to council's deliberation on each section of the agenda, each testifier will be allowed to speak for up to >> no objections.\r\n\r\n>> so ordered. MS. Clerk. >> thank you, MADAM Chair. Item h, minutes, none. There's no action on the consent calendar. Moving to county communications,. Any testifiers.\r\n\r\n>> chair, there's no one currently signed up to testify on county communications. If there's anyone that would like to testify on these items, please let us know. you can unmute if you are online. And here is the countdown, 3, 2, 1. Chair, there's no one to testify. >> okay. Members, any objections to closing public testimony and accepting written testimony on county attorney or county communications? >> no objections.\r\n\r\n>> okay. Members, any objections to deferring consideration of all county communications in this section until we consider bill 22, cd 1, relating to the budget, the operating budget? >> no objections no objections, so

order. >> what I plan do is take up the first communication and then take a recess, all right? MS. Clerk, we have to take the county communication first. MS. Clerk. >> chair, proceeding with item k, committee reports. Proceeding with testimony on committee reports. At this time, it looks like there's just one testifier, Mike Moran. MR. Moran, go ahead and unmute. Mike Moran, it's your time to testify on committee report 23-36. >> thank you for your patience. I wasn't quite prepared, as you can see. Honestly, I forget -- can I get clarification, what this item pertains to >> committee reports. >> which? >> committee reports. >> MR. Moran, committee report 23-36 is recommending the adoption of two resolutions, regarding, let's see, appointments to Maui Planning Commission, and also salary commission. >> mahalo for your indulgence. As you can tell, I wasn't prepared. I am testifying for the Kihei Community Association, in spite of the change of the background, we just wanted to say we're expecting you are going to approve these two candidates, and by our judgment, this land commission when it's fully staffed, MAY be the best planning commission certainly in this century and maybe even going further back a couple of points, I believe, we believe this is the first time you would have two Ph.D.s sitting in that committee, which is pretty high-level. And the effect that both of them are what we would call "strong environmentalists," which seems to be a lacking on that board for a long time. So we wanted to express that point, especially because we had mentioned at committee, and it's not on the council, but how this is going to work around the violation of the charter, which we have three from one district and none from others. That is not your kuleana, as the legal people told us. So what you're doing can bring us to the island an outstanding planning commission. So we look forward to what happens ironically, they are meeting at the same time, meeting right now with the seven current people. So it has no effect today, but it should affect your next meeting. So we just wanted to thank everyone who participated in this, and bringing in two very strong, well-qualified members. mahalo for that, and again, mahalo for the indulgence, and if I can sneak in the reason my background has changed, this is earnest, who is a foster dog I have had for almost three months, you probably know the dire situation at our shelter. So mahalo, chair, for letting me sneak that in, which has nothing to do with the agenda. Mahalo. >> thank you. Any questions, members, of the testifier? If not, thank you very much, Mike. >> hui ho. >> MS. Clerk. >> chair, there's no other testifiers signed up to testify on committee reports. At this time, if there's anyone to testify on items in the committee report section k, please let us know. Countdown, 3, 2, 1. Chair, there's no testifiers. >> members, any objections -- if there's no objections, I will adjourn the public hearing and additionally close public testimony, and accept written testimony on the committee reports in section k. >> no objections. >> is that correct, MADAM Clerk? Okay. I have also a request from vice-chair Sugimura, and council member Uu-Hodgins to take committee reports 23-35, through 23-38 ahead of our consideration of the budget items, since several of the nominees are present. There are any objections >> no objections. >> all right. Provided there's no objections, let's follow-up MADAM Clerk. >> chair, from your government relations, ethics, and transparency committee is committee report 23-35 recommending adoption of resolution 23-121, approving the pilot of Chase Leigh Traphagen to the council on aging for a term expiring MARCH 31st, 2024. >> council member Uu-Hodgins. >> thank you, chair. MAY I please also ask the clerk to call up county communications or committee reports 23-36, through 23-38 >> MADAM Clerk. >> thank you, chair. committee report 23-36 recommending the adoption of resolution 23-132, cd 1, approving the appointments of Andrea Kimiko Kealoha, and Fawn Sheri Burns to the Maui Planning Commission for terms expiring MARCH 31st, 2023 and adoption of resolution 23-133, cd 1, approving the appointment of Lois Pray Prey to the salary commission for term expiring MARCH 31, 2028 and Charlotte report 23-37, recommending adoption of resolution 23-139, cd 1, disapproving the appointment of Merr Yet Keo Kaufman to the board of ethics and committee report 23-38, recommending adoption of resolution 23-140, approving pilot of David C. Weiss to the board of variances and appeals for a term expiring MARCH 31st, 2027. >> council member Uu-Hodgins. >> thank you, chair. I move to adopt the recommendations in cr23-35, through 23-38. >> second. >> moved by council member Uu-Hodgins, seconded by pro tem Kama. >> thank you. >> to adopt the committee reports 23-35, through 23-38. Discussion? Council member Uu-Hodgins. >> great committee met MAY 11th, and committee received -- [Inaudible] Your committee also interviewed [Inaudible] During the meeting your committee was notified of the mayor's withdrawal of the nominee -- >> sorry to interrupt, can you speak into the microphone, please? >> sure. Is this better? >> just lift it higher and closer. >> is this better? >> that is better. A little bit. >> do you want me to start again or you kind of heard? >> I kind of heard. >> okay, I will continue then and speak louder. Thank you. During meeting your committee was notified of the mayor's withdrawal of the nominee to be Disa [Phrao-fp]/Ed and expressed support for remaining nominees and recommend that they be approved and ask for the members full support of my motion. Thank you, chair. >> any more discussion? If not, all in favor of the motion, raise your hand, say aye? >> aye. >> eight -- nine. All ayes, zero nos, motion carries. Thank you. Members, at this time, I would like to call a recess, and it's probably past time. So how about 15 minutes to return at 11:10. Meeting in recess. [Gavel] [Gavel] >> will the council meeting of MAY 23rd, 2023 please reconvene. MS. Clerk. >> thank you, MADAM Chair. From your budget, finance,

and economic development committee is committee report 23-34, recommending first reading of the bill 22, cd 1 (2023) To appropriate estimated revenues for the operating and capital improvement budget for fiscal year JULY 1, 2023 to JUNE 30, 2024. >> vice-chair sugimura. >> >> could the clerk read the other bills up through item no. 12 on the list. >> yes, continuing on first, also recommending first reading of bill 23, cd 1 (2023) (To set the capital prime for fy'ferndalesing 2024 through 2029. First reading of bill 24, cd 1 (2023) To authorize the issuance of \$59,195,043 in general obligation bonds for various capital improvement projects. First reading of bill 25, (2023) To re-authorize the use of \$2,349,957 in lapse bond proceeds for the department of management, wailuku-kahului community plan area, government facilities, 60 south church street, building renovations. No. 5, first reading of bill 26 (To 23 (N. To authorize the mayor to enter into intergovernmental agreements it finance the foing wastewater projectsing are no.\r\n\r\n1 napila wastewater pump stations no. 3 modifications with funds no not to exceed \$600,000 and no. 2, ka'anapali resort r-1 water distribution system expansion with funds not to exceed \$8.5 million. >> no. 6 first reading of bill 36, cd 1 (2023 (N. To add it three new positions titles: senior council services technician, project assignment specialist, council services assistant full-time, two new pay ranges and institute an 8% pay increase for all pay ranges and steps, no. 7 adoption of resolution 23 hf 11, relating to fuel tax rates for the cymcuom effective JULY 1, 2023. 8, adoption of resolution 23-123 to suspend all provisions of the subsection 2.80.600 (D) Maui county code for fiscal year 2024. 9, adoption of resolution 23-124 to set the pay ranges and pay steps for two senior council services technicians, one council services assistant, full-time, and one senior accountant. 10, referral b of bill 237 (2023) To amend second, 3.36.100, maui county code to authorize the county to reimburse grantees for expenses and pre-date the contract's execution date if the funds are expended in the same fiscal year that the contract is encumbered to the budget, finance, and economic development committee.\r\n\r\n11, referral of bill 37 (2023) To amend section 3.81.030 maui county code to enable the council to appropriate a minimum of 2% of the certified real poperty tax revenues motto exceed \$10 million in my one fiscal year to the economic development and cultural programs revolving fund to the budget, finance, and economic development committee and 12 referral of bill 38 (2023 (N. To amend chapter 3.34 maui county code to create and fund an 'ohana assistance pilot program to offer grants up to \$50,000 to property owners to build an adu or second farm dwelling or permanent long-term occupancy as residential workforce housing units to the housing and land use committee. >> member sugimura. >> thank you, chair. I move to adopt the recommendations in committee report 23-34. >> second. >> moved by vice-chair sugimura, seconded by pro tem kama to adopt the recommendations in the committee report 23-34. Discussion, member sugimura. >> thank you. Council members, I will save my long remarks for second reading.\r\n\r\nBut I want to thank everyone for the time and energy they put into fiscal year 24 budget session. We worked together to craft a fiscally responsible budget tat still addresses the needs of our community. I wanted to especially thank the bfed cmmittee members, which is all of the county council members for working very hard and diligently through the days that we did to pass the budget out of the bfed committee. A special thanks I want to say that in order to do that, there are the hidden few that make sure our work gets done on a timely basis and lesley milliner, kaki takayama, yvette and also hidden and working behind-the-scenes was james krueger and ana lillis, shelly, david raatz, traci fujita, as well as kristina toshish yo, richelle kawasaki and richard mitchell, all of the people working behind-the-scenes and I will say I'm sorry if I forgot to mention anybody. It was a big job and took a lot of hours. To commend the members of the bfed committee, chair, because we achieved the goal of our budget being less than the mayor, or the administration. That was a big achievement, and what we targeted for.\r\n\r\nAnd I also wanted to say we did add funds to our long-term debt -- long-term debt opeb, and that as you know will put us in a position over a few years that will be gone, but that amount raises 7% interest to our benefit. And we did move bond projects to cash at the recommendation of the administration, and our budget director, who said in this kind of economic times we should limit the amount of bond funds, and so we can -- we were able to move funds to cash projects. So those are some o the achievements that I'm very proud of, want to thank the special people who made this happen, and those are my opening remarks, chair. So at this time d should I continue? >> sure. >> at this time, I would like to proceed with re-opening the proposed amendments, beginning with county communication and I would like to start with the asf no. 2, which was submitted.\r\n\r\nThese are housekeeping items that were given to us from the administration basically, and the budget office. So the motion to move on page 1, amend interfund transfers by increasing the amount to \$67,291,088 to a total of \$1,071,873,812. And this accounts for an interfund transfer by increasing it to \$438 and after we did all of the calculations that are in this motion, the amount of the interfund transfer would be \$417, 470,126, and this was a miscommunication between the budget office and us. So that is -- that correction. So . Excuse me, how many items in asf2? >> six. >> okay. >> do you want me to read it? Everyone was given this.\r\n\r\n>> I just wanted to make sure in this one motion all these six items are covered? >> exactly. >> chair, I'm sorry to interrupt. If I could, just before you continue on, vice-chair sugimura, I wanted to call up the item by the county communication number, just so we have it clear in our minutes later on. >> all right. Why

don't you go that then. >> thank you.\r\n\r\n>> so that county communication 23-22 from the chair of budget, finance, and economic development committee transmitting propose amendments to bill 22, cd 1 (2023) Ep titled "gill for an ordinance relating to the operating budget for the cymcuom for fiscal year JULY 1, 2023 to JUNE 30, 2024.". >> thank you:what you just read earlier? >> was a portion of it. >> was a portion of it. >> yeah. >> okay. >> do you want me to read all of it? Everybody has copies.\r\n\r\n>> actually I just wanted to make sure that cc 23-21 is not part of your motion yes. >> it's not >> it's not. I wanted to do housekeeping first and then the rest. >> all right. >> okay. Housekeeping. >> okay.\r\n\r\nContinue. >> thank you. I think I'm on no. 3. On page 8 amend section 3.B.5.G (1 (Department of finance, countywide counties fringe benefits by increasing category b to \$149,931,797 and reversing -- revising the total accordingly, and on page 9 amend section 3b5 er 13) Department of finance, countywide costs, post-employment obligations by increasing category b by \$20,248,767. And revising the total accordingly. No. 5, on page 25, aend section 3b.14.D.Department of police technical and support services program by increasing the amount in category a to \$9,203,738, and decreasing the amount in category b to \$9,040,131, and on no. 6, the last item on page 48 amend appendix a, part 1, grants and restricted use revenues, office of the mayor to add a new grant entitled " state of hawai'I broadband community engagement funding," in the amount of \$100,000. And to file county communication 23-22. >> second.\r\n\r\n>> thank you. >> discussion? >> so the purpose of this, again, is house keeping that we received from the administration. First item is to correct anticipated revenues for interfund transfers and add the remainder of the funds to post employee obligations. No. 2 for the office of council services and deterrent of police was the 911 dispatchers and support service program as requested by the agencies along with associated fringe benefits adjustments, and three, add a new grant under the office of the mayor. So these were requested from us from the administration for us to do these corrections.\r\n\r\nThank you, chair. >> any more discussion? Comments? Member paltin. >> thank you, chair. I just was wondering on the no. 1 about correct anticipated revenues for interfund transfers and add the remainder o funds to post-employment obligations, if that could be explained by somebody in the budget on that?\r\n\r\n>> sure. So I have marie here, as well as -- >> who would best, is that lesley. >> lesley milner. >> okay. >> chair, thank you, council member paltin. During the budget process. >> your name.\r\n\r\n>> during the budget process, I consulted. >> lesley, just say your name. >> sorry, lesley milner, office of council services. During the budget process, I consulted with the budget office on how to recognize the changes to the supplemental transfers to eps and other funds and we had a miscommunication on where that should be recognized. I had recognized in it only two place and on needed to be one and led to excess of revenues that vice-chair sugimura is recommending to put into opeb. >> okay. Just follow-up question, the interfund transfers are more than what was originally reflected?\r\n\r\nIt wasn't from \$66 million,852,532 to \$67,291,088. And so that what you are saying? >> I reduced the amount in the general fund and increased the amount of interfund transfer in the special funds. And that reduction in the general fund did not need to happen, because those amounts were recognized under countywide costs in finance as an expense. >> got it. Thank you. >> any more questions? I don't see any.\r\n\r\nThank you. >> thank you, chair. >> thank you, lesley. >> thank you, MS. Mlner. >> any other questions on any other items? Ember paltin.\r\n\r\n>> no, that concludes my questions. The agencies requested and got to adjust the fringe, and grants. That's all pretty self-explanatory. I just didn't understand that first one. Thank you. >> can we vote on this now? >> yes, please do.\r\n\r\n>> okay. All those in favor of the motion, raise your hand and say aye? >> aye. >> nine ayes, zero nos. Motion carries. Vice-chair sugimura . >> continue -- >> a little closer to the mic. >> so to continue is county communication 23-21 the \$1 million for the property in the waikapu, which is -- I move to -- you need to read it first?\r\n\r\n>> yes. >> county communication 23-21 from the chair of budget, finance, and economic development committee transmitting a proposed amendment to bill 22. Cd 1 (2023) entitled "a bill for an ordinance relating to the operating budget for the county of maui for the fiscal year JULY 1, 223 to JUNE 30, 2024?". >> vice-chair sugimura. >> thank you. I move to amend on page 58 appendix a, part 2 special purpose revenues, affordable housing fund to add a new condition to read "up to \$1 million must be for feasibility analyses and planning for development of affordable housing on county-owned parcels in waikapu, identified as tmks (2)3-6-002:004, and (2 (3-8-005:023. And file county communications 23-21. >> second. >> moved by vice-chair sugimura and seconded by pro tem kama to pass the bill in cc 23-1. Discussion? >> thank you. >> I any we all heard deputy managing director josiah nishita speak about this in terms of support from the administration to look into this parcel, which is where the central maui wastewater reclamation facility is located.\r\n\r\nThis is all county-owned land, about 300 acres. I will say I did as member sinenci asked, have our janet six look at this parcel and I think the administration has also. So I just wanted t add this in as a -- amend the affordable housing fund. >> any more discussion? I'm going to be voting no on this one, because as you heard from our waikapu residents, we have over 2,000 homes coming up in the very near-future, and I think maybe other places could use housing more than waikapu and wailuku at this time. Roll call. >> I have discussion.\r\n\r\n>> member paltin. >> okay. >> I just know this was brought up during budget, and it was withdrawn, correct? Member sugimura?

I guess I had some questions because I didn't ask them, because the proposal was withdrawn during the budget. We had heard from MR. Nishita and others that like you said, the wastewater reclamation, and maybe a baseyard and possibly even the fire department admin building and what not?

And I guess my question is this feasibility study would only be for the houses, and not all of the other things that the county MAY want to put there in terms of the fire administration possibly building, firehouse, a park, baseyard and those things, is that correct? Only the houses?

>> so I believe that it's part of a bigger concept, and this basically is to allow that bigger concept to happen. As you know circumstantial maui wastewater reclamation facility is being a planned on that 200-acre parcel and to allow with a could happen on the total 300 acres. That is why the tax map key is listed and it's housing plus whatever it MAY be to build the community. I will tell you that the state of hawaii, and I think this is what I kind of mentioned in committee is looking at where the county will be developing housing, because initial discussions that I have been involved with when I was the last chair of the I.T. Committee, when the parcel came up for central maui reclamation facility, as well as the -- michael atherton's project in that proximity for the state to commit what they committed to us with the expectation there would be a new housing and super school, elementary and whole community coming up in the area; so I wanted this to be put into the discussion to answer your question. So if the administration does want to continue, or does find it feasible after they will do, as deputy managing director nishita said, they will do community outreach.

They will definitely speak to chair lee's community, the waikapu community association and the greater community about this. As it is available county land and hard to come by and available for planning and we'll see where this goes. This is just to start the discussion. That is what this is. >> my question MAY be for corporation counsel based on your answer, if we use affordable housing funds only for the feasibility of housing development, or the bigger picture, is that allowed? Because like member sugimura had said, it's a bigger picture of wastewater facility, baseyard, parks, fire station; is it okay to use affordable housing funds for that bigger-picture that includes all of these things that aren't housing? I guess, would that be legal?

>> corp. Counsel. >> thank you, chair. The use of the affordable housing fund for feasibility study, the components of what would go into that study would have to be connected directly to promotion of affordable housing. So what I hear described is a feasibility study for affordable housing, and in order for that affordable housing to be feasible, it MAY have to be that study takes into consideration additional infrastructure in the area to make that housing possible. But yes, you're correct that use of the fund would strictly have to be connected back to affordable housing, but could include infrastructure to get that job done. >> okay.

And then one follow-up question for member sugimura. Is it the intention with this parcel, and the housing that you would like to develop that the county be the developer of the housing? Or put it out for rfp? >> that is a good question. And actually, what I would like to see for this parcel, but I'm not the mayor, and it would be up to the administration is for this to be turned into what is going on kaula now, the lima ola project, where the county had 100 acres, and they took it from ground gravel all the way to putting it out to having affordable housing, affordable non-profits build the houses. So that -- it's up to the administration. I would love to see that process happen here.

I got kind of an interesting email from michael williamson, saying would be a good maui lima ola. It's a neat name, but it's a process up to the mayor. It's whatever he can envision and take this to, I support a concept like that, but it really is up to the administration. >> okay. Thank you. Hopefully, other people have questions, because I want to try to think about it for a couple of seconds. Thanks.

>> member rawlins-fernandez, you can have a few minutes for her. >> mahalo, chair. You got it, member paltin, I will get you a few more minutes. My first question for MS. Des jardins. We have been talking about the restrictions under the affordable housing fund. We did land on that infrastructure can be covered by the cost of affordable housing, and that it needs to be directly connected to the affordable housing houses.

So roads, water lines, sidewalks, et cetera. When we start talking about the construction of infrastructure, like schools, schools don't fall under us, police, fire, parks and other thing, to me it starts to be too far removed. So where is the line? Cooperate counsel) I imagine for a pizzaibilities study would be an rfp and in the rfp would have to be defined those boundaries and I see where you are going with your line of questioning how much of this is really related to the affordable housing that you are trying to accomplish with that million dollar study? Generally speaking under the affordable housing fund, infrastructure is covered, public infrastructure. So the way that our office defines that is "public infrastructure" meaning it belongs to the public, but relates to other public uses besides the housing development. Certainly in the rfp process to describe something that is narrow construed to affordable housing, not just another development of parks and fire stations and police stations.

>> so just to clarify, make sure I understood what you were saying correctly. So for a feasibility study, it could be justified to use affordable housing in the promotion of construction of affordable housing. But for the construction of the facilities, the public facilities itself, those would not qualify for affordable housing fund? >> so that would be a separate, right, a separate track. If you are just looking at the feasibility study, you are looking specifically at what will it take to put that housing here on this property? Now I can't say that things, like, mentioning larger infrastructure MAY not be possible under

that study, because it MAY be it turns out there's not enough infrastructure in the area to support that. So it could become part of it, but I think the writing of the revolving rfp would have to be narrow enough to be focused back to the use of the property as affordable housing project.

I think crafting an artful rfp to confirm with 335 absolutely. Because we expect market-rate houses to be also built there and will benefit from the construction of these public facilities. So that's why I'm asking for clarification. Mahalo for that response. Chair, I support your position, and will also be voting no on this motion to support the waikapu community in really finds ways, buffer is one way, to maintain it's characteristic. I have ben hearing from the waikapu community association for a number of years as well about how important it is to not be swallowed up by wailuku, and as a council member from a rural district, I fully appreciate that, and would like to support the community in that effort. To conduct an analysis, they can do that and work with the waikapu community members and yourself as the council member of that district as well.

So mahalo, chair. >> thank you. Any more discussion? Anybody? Member cook. I'm sorry, I didn't see his hand. Member johnson first.

Member johnson. >> thank you, chair. I figured I would ask council member sugimura, but if you don't know, council member, maybe you can punt the ball? It's a million dollar feasibility study. Last year feasibility studies were \$500,000 and then the lana'I feesability study was \$250,000 because of the previous 201h there. I'm wondering why the price is so high? I would really hope that the administration focuses on the lana'I affordable housing project that has the backing of the community.

So can you speak to that, council member sugimura, on the price? >> so that amount actually came from a discussion with the administration. And you're right, they can come for a budget amendment, and present it. The million dollars was just a dollar amount to start. So that is where that came from. >> okay. Tank you.

Thank you, chair. >> member cook, then member sinenci. >> thank you, chair. I'll be supporting this. I want to share a perspective insofar as the integration and connection between infrastructure and affordable housing. If we have a number of affordable-housing uits proposed on this particular property, department of water supply source credits wastewater credits, identifying, because you can't build anything if you don't have the water and the sewage, and the road access. So I think that there's a very viable nexus between identifying the required infrastructure for water, wastewater, transportation, utilities, to the proposed number of unit.

This study could also be cloned, maybe? A reference point for other developments in that. So I don't see any harm in allocating the million dollars, and I see a distinct nexus that is defendable and explainable of why the infrastructure is linked to the affordable housing. It isn't an abstract idea. It's part of the planning and dvelopment of the affordable housing. Thank you. >> thank you.

Member sinenci. >> mahalo, chair. I just had a clarification are these two parcels the same parcels that waikapu community is wanting to preserve in open space? >> no. No. >> it's not? >> o. >> okay.

>> the parcel member sugimura is talking about is closer to waikapu where the baseyard was supposed to be built. The buffer is right up here, kuikahi. >> so what you are proposing chair is not the same as this proposal >> no, it's not. >> thank you fr that clarification. >> any more questions? Are we ready to -- member paltin. I forgot.

>> thank you, chair. You know when you said closer to waikapu, you mean the oposite side? I thought that they had wanted a buffer on both sides of waikapu? >> they want the buffer between -- it's right up kuikahi, parallel to kuikahi drive. And so that's we're trying to get a 500' buffer, and it involves a number of different landowners, who are in discussion right now. That is why we can't reveal their names. >> I thought -- >> we're not looking at a buffer -- we're not looking at a buffer on the other side.

>> okay. I thought MR. Helley at one time said the other side, but this isn't -- this property -- >> the property that member sugimura is talking about is not here, not by kuikahi. It's just past the waikapu town. Below the town. Kuikahi runs -- is the one that goes up to wailuku heights. So it would be the buffer wuld be parallel to kuikahi.

So right up the street. >> thank you. I just was inquiring at one point, I had thought MR. Helley was talking about us acquiring a buffer on the other side of waikapu. But clarifying that this is not that other side that MR. Helley was referring to. >> no.

No. Do you have any more questions? >> just wanted to also ask based on member johnson, carifying with member sugimura, the administration proposed \$1 million is that correct? >> yes. >> okay, I'm ready to vote. >> yes, up to \$1 million. >> up to \$1 million.

So they don't have to use it all. >> okay. Any more questions? If not, roll call. >> council member pro tempore kama? >> yes. >> vice-chair sugimura? >> yes. >> council member paltin? >> can you come back to me? >> come back to her. >> council member johnson. >> no. >> council member rawlins-fernandez?

>> no. >> ouncil member cook? >> yes. >> council member uu-hodgins? >> yes. >> council member shane sinenci? >> yes with reservations.

>> council chair lee? >> no. >> going back to council member paltin. >> yes with reservations. >> chair, there are six ayes, three nos, motion passes. >> thank you. >> thank you, members.

MS. Clerk. >> thank you, chair. Just checking the time is 11:55. Did you want me to go ahead? >> how about you want to take one more? >> I have more. >> we'll take one more.

let the clerk read it. >> okay. So this is county communication 23-17. >> county communication 23-1, from council chair lee transmitting a proposed amendment to bill 22, cd 1 (2023) Entitled, "a bill for an ordinance relating to operating budget for the county of maui

for the fiscal year JULY 1st, 2023 to JUNE 30, 2024." and resolution 23-124 entitled "setting the pay ranges and pay steps for staff at office of council services." council member sugimura. >> chair, this is your bill to amend page 9, bill 22, cd 1 (2023) And exhibit a of resolution 23-124 it adjust the salaries of certain personnel in the office of council services to advance pay uniformity within various position categories and in response reduce the proposed transfer to the emergency fund. So the motion is page 2 of bill 2 (Cd 1) Move to remove section 3a2 office of county council council services program by increasing by \$30,017 the amount in the a salaries category to \$6,076,898, and the total column 2 \$9,278,765 and no. 2 on page 9 cd 1. Move to amend section 3.B.5.G (12) Transfer to the emergency fund by decreasing by \$30,017 the amount in b-operations and equipment column. To \$28,88 [#0 -rbgs/] 074, and revising the total column accordingly.\r\n\r\nNo. 3, on exhibit a, of resolution 23-124 add pay ranges and pay steps by ---- to be effective retroactive noon JANUARY 22, 2023 and incorporating corresponding technical revisions, and no. 4, on page 8 of the budget bill refer further move to amend fringe benefits by increasing the amount by \$26,667 and adjusting the totals on page 28 and 36 accordingly, and file county communication 23-17. And I would like to -- after I get a second on the motion. >> second. >> thank you. I move t amend the main motion by including the subsequent changes to appendix a, part 2 relating to the emergency fund, emergency funds under anticipated revenues and the total. >> second.\r\n\r\n>> that is the amendment. I need a second. >> moved by member sugimura and seconded by member kama. Discussion on the amendment? Member sugimura. >> it's to move the funds to relating to the emergency fund under anticipated revenues the total recognizing it there. >> all right.\r\n\r\nAny more discussion? Member paltin. >> thank you, chair. I guess we can tell you that we never violate the sunshine law, but I think we have to redo the map. Because member sugimura amended in her first amendment the total in the a category for page 2a2a, so then the new total, if you change it from \$30,017 would be \$6,051,017, and I don't know what that does to the fringe? >> can we have our staff come back. >> lesley.\r\n\r\n>> yes, lesley. Is this going to be complicated? And take long? Because we want to know whether we should take lunch now while you are working on it? >> chair, lesley from ocs again. If the body wants specific numbers I just need a couple of minutes do those. The other alternative that you say that staff can make any fringe adjustments as necessary, and adjust the emergency fund accordingly.\r\n\r\nBoth in the operating bill and in appendix a, part 2. >> member paltin, would you like a break, o just have the verbiage in the motion? >> verbiage is okay with me. I trust lesley to do math. That. But I just wanted to point it out that some math needed to be done. >> I will put something in the chat shortly. >> you will put it in the chat.\r\n\r\n>> thank you lesley. >> why don't we just take a break? >> do you want to take the vote? >> she has to do that, and everybody has to read it, and then review it. So members, any objections to taking our lunch break now? >> no objections. >> come back at 1:30. Is that okay?\r\n\r\n>> yes. >> a question, do we leave the motion on the table? >> yes, we're leaving the motion on the table. Just leave it on the table, and come back and address it. okay? All right. This meeting is in recess until 1:30. Thank you.\r\n\r\n[Gavel] [Gavel] [Gavel] >> will the council meeting of MAY 23rd, 2023 please reconvene. MS. Clerk. >> MADAM Chair, just as a reminder of where we left off before the break, we're on county communication 23-17. And w had -- there was an amendment to the amendment that we have not yet voted on and we were waiting on some information from ocs staff. >> all right. This is the one that member sugimura made, the motion regarding our ocs staff; right? And so we need clarification from lesley milner.\r\n\r\n>> thank you, chair. So during the -- >> a little louder. >> new total for the emergency fund will be 28,853,408 after adjusting for the additional fringe. >> member paltin, do you have any questions about that? >> no questions about that. Just, do we need to change the a to \$6,o51,017 or did we already do that? >> MS.\r\n\r\nMilner? >> change the a under ocs? >> ceck. >> correct. >> that will be increased by \$30,017. >> total of \$6,051,017. >> MS. Milner. >> I'm scrolling, just a minute, chair.\r\n\r\n>> \$6,051,o17. >> we are good. Thank you. >> perfect. Try not to go too far, we might have more questions. >> yes, chair. >> thank you. >> all right, any more questions on that?\r\n\r\nFolks ready to vote? Member rawlins-fernandez? >> mahalo, chair. So my question is regarding the decision to take the funds out of emergency funds instead -- because I think we put the excess in opeb when we were balancing the budget. So I think this is your bill? >> yes. >> for ocs.\r\n\r\nSo would you explain why you made the decision to take the \$30,000 out of emergency fund instead of opeb? >> okay. I would be happy to. Lesley, can you come back? this bill was on behalf of the staff. I didn't really work on it. >> it's discretionary, yeah, you can choose?\r\n\r\nIt's up to decide where to get that funding from, because there was an excess -- there's. >> let's ask lesley. >> go ahead, MS. Milner, our budget analyst. >> thank you, chair. Thank you, member rawlins-fernandez. It's up to the body if you would like to make that adjust in emergency fund or opeb. I believe the decision was need to make the adjustment to the emergency fund, because it was determined that increasing opeb was better fiscally overall for the county than increasing the emergency fund more than were it was.\r\n\r\n>> it was determined by us as a council while we were in committee, or it was the recommendation? Because we reduced the emergency fund, I think it's from the mayor's proposal? >> no, I think the mayor's proposal was \$40 million. >> yes. We reduced it by a lot more than that. How much did we reduce it by? >> I don't have the

total number, but I believe it was over \$10 million.\r\n\r\n>> that is what I remember. >> I didn't hear -- I didn't hear what member sugimura is saying because her mic is not on. >> she is saying that we reduced it by \$300,000. So that is why I asked MS. Milner for that correct number. Because I said it was substantially more, and MS. Milner confirmed. >> the initial was that low because of the carry-over and we transferred \$10 million to opeb.\r\n\r\n>> so we're continuing to reduce the emergency fund by what was originally proposed. I mean, I know this is just \$30,000. So it's not a substantial amount, but we're chipping -- continuing to chip away at the amount that I thought was a good recommendation that was compliant, or in accordance with the charter, was legal, after we made in a adjustment. And then we made an additional adjustment of a reduction of \$10 million. That is my comments right now. Mahalo, chair. >> okay. Keep in mind that the budget is just a projection of revenues, and it will be a lot of adjustments throughout the year.\r\n\r\nAre you ready to vote, or do you want to talk about this more? Member paltin. >> thank you. I just was wondering, - like how you said it's a projection. If the tat were already at the projection from last year, and we still have a couple more months, we don't have any say where money goes? They could put it in the emergency fund. They could put it in opeb and change bond funding to cash, just clarifying that with corp.\r\n\r\nCounsel. >> corp. Counsel, or the budget chair? The budget director? Who do you want to ask that question to? >> I was just inquiring as to the legality that say we bring in another \$14 million, we can just spend that -- they can just spend that any way they like? >> corporation counsel.\r\n\r\n>> chair, I believe. >> chair? >> there she is. Okay. >> hi chair. >> hi. >> kristina.\r\n\r\nIf I could jump in really quick. What MS. Paltin is saying is correct. If there were additional revenues dependent on when it was received for fiscal year to fiscal year, we're look at fiscal year 24 is what you were talking about, member paltin? >> fiscal year 24 would be theoretical and I guess fiscal year 23 is, nor realistic, because we already hit the projected amount for the tat. But theoretically, this could happen again next year. >> yes.\r\n\r\n>> so theoretical or practical, whichever one you want. >> then yes. The budget office and we would recognize the additional revenue and then the administration would appropriate and the council would give it an up-or-down vote as approval or disapprove. >> we still have up or down? >> yes. >> okay. >> in the proposed budget amendments, correct.\r\n\r\nYou cannot, as we discussed before, condition, and propose your on changes to the budget. >> and that would happen before the end of the fiscal year, like if we're talking realistically about fiscal year 23, before JUNE 30th, where I guess it's carry-over funds or something, because we wouldn't be able to spend it and it will be part of fiscal year 24 as carry-over? >> I would defer to the budget director on that question, on the timing of where the -- how they would do either a budget amendment or the appropriation. >> okay. Because then it would be a part of fiscal year 24's budget if they don't spend it b JUNE 30th. And then come for a budget amendment. >> as the revenue received during fiscal year 23 is carry-over savings and move it over to fiscal year 24. >> and that could be put in the emergency fund possibly?\r\n\r\n>> if that is -- >> up or down? Okay. >> the budget director zielinski. >> thank you, chair. Council member paltin, to respond to your question, the bottom-line from a timing standpoint, the finance would have to close the books. There's a lot of adjusting entries that happen. So it doesn't happen on JUNE 30th, even though our new budget starts JULY 1st.\r\n\r\nWe wouldn't have numbers until we've got them pretty close to final and that would be several months later. Then at that point, we would be able to, you know, be prepped for -- getting the auditor's in and having the audit done. It's sort of like when you get the certification for real property, we kind of get an idea where everything is, but we wait until the certification, and then that is when we can kind of, you know, push the button, if you will. it's the same sort of thing. There's lot of adjusting entries that are coming in after -- way after JUNE 30th. So the timing would not be JULY, but yes, there would be -- we could certainly look at a budget amendment and make a recommendation to the council relative to if it were emergency fund or opeb or whatever the case might be >> I'm just using that as an example, because currently at this point, we're over the projections for the tat. So anything coming in from here forward to JUNE 30th is already beyond what we projected, and so then at some point, you are going to give us a budget amendment for that additional revenues?\r\n\r\nThe recommendation of where that money goes? >> chair. >> once we have the basically the final financials, as I say, that would take some time. Having said that, I can tell you that even I believe in today's council meeting and then the one coming up there is actually, as you mentioned, we have actually exceeded what the revenue projections were for tat. And as a result, we have from finance a certification of an additional carry-over, certification of additional monies received from that revenue. So we're actually looking eight couple of budget amendments, one I believe for the trask building and one for something else that you will see in a couple of weeks. But we're utilizing monies that we see that are coming in excess of the \$60 million that was originally estimated for tat.\r\n\r\n>> got it. Thanks. >> in addition to that, budget director, we also have the G.E.T. Surcharge, and that is projected to be well in excess of \$60 million; right? >> yes. >> 60-80 million. >> yes, I believe the finance director indicated it would be starting in JANUARY, but on an annualized basis, he is thinking about \$100 million. So maybe we're thinking \$50-60 million impact for next year for fiscal 24. S we're looking at some very good additional revenue.\r\n\r\n>> yes. Yes. Thank you. >> that is restricted. The tat is not

restricted. >> that is correct. >> okay.\r\n\r\n>> G.E.T. Is for housing. >> it's for specific -- yes, housing, ifrastructure, that sort of thing, yes. >> so we don't have to use general funds for housing and infrastructure with that money coming in. All right. Any more questions? Thank you, budget director. Don't go too far, we might have questions later on.\r\n\r\nReady for the vote? Ready? Do we need roll call? If not, all those in favor, raise your hand, say aye? Nine ayes, zero nos, motion carries. MS. Clerk.\r\n\r\n>> proposed amendment as amended. One more vote ---- [Inaudible] >> member sugimura. >> that would be back to the main motion, correct? Yes. That was made. Now we're voting on the main motion. Thank you.\r\n\r\n>> all right. Roll call. No? All those in favor of the motion, raise your hand, say aye? >> aye. >> nine ase, zero nos, motion carries. Thank you.\r\n\r\nMS. Clerk. >> very good. >> thank you, chair. Now I believe we're going to be going to council member pro tempore tasha kama for her amendments and also those amendments that she is introducing on your behalf, chair lee. >> pro tem kama. >> thank you, chair.\r\n\r\nSo on page 54, appendix a, part 2, special purpose revenues. Schedule of revolving special funds for fiscal year 2024. I move to amend open space natural resources cultural resources, and scenic views preservation fund, section 9-19 of the revised charter of the county of maui 1983 as amended, chapter 3.88 maui county code, condition 4 by deleting a million dollars and inserting \$6 million in its place, and to file county communication 23-16. >> moved by pro tem kama and seconded by vice-chair sugimura. >> chair, if I could read that into the record? I believe that is county communication 23-16. >> yes. >> thank you. So county communication 23-16 from council chair lee transmitting a proposed amendment to bill 22, cd 1 (2023) Entitled," a bill for an ordinance relating to the operating budget for the county of maui for the fiscal year JULY 1st, 2023 to JUNE 30, 2024. >> so the motion was reread. Member rawlins-fernandez.\r\n\r\n>> mahalo, chair. Real quick, since we're not taking it up in chronological order, if the members could request the cc be called up first, and then go into the amendment, and that way we can all get on the same page literally. And pull I up. Mahalo, chair. >> thank you. We'll do that on the next one. >> yes.\r\n\r\n>> all right, any discussion? This is the one about the buffer for waikapu. >> yes. >> and we have discussed it earlier, but if you want more discussion, please let me know. Member paltin. >> thank you, chair. I just -- my first question would be that I see your asf here.\r\n\r\nAnd my recollection of what happened in committee was that we all approved \$750,000 carry-over for malama 'aina and I do not see it on this paper. So I just wanted to clarify that is in there, and there's enough money to cover that with this increase of \$5 million. First question. >> and then we'll have the budget director to confirm that. Maria zielinski. >> chair? >> yes.\r\n\r\n>> so the question that member paltin is asking, it was a priority project that we voted on in committee, and then I also had a priority project under open space that is also not on this list. I don't kow if it's bunt budget director to answer that question. Whoever prepared this asf would have to answer that question. >> what I thought she was asking if there's enough money in the fund to accommodate these conditions? I thought that was her question. >> I see. I guess I understood her question as where is that condition?\r\n\r\nBecause I'm also wondering where my condition is? >> two-part question. >> okay. Member lesley. >> are you going to make her a council member whether she wants to be or not. [Laughter] >> yes, the \$750,000 for nu mama llama and \$500,000 for moloka'I land trust are both included under the open sace fnd and we did the calculation, and there's \$5 million is available in the open space fund, if the body would like to increase this appropriation. >> okay.\r\n\r\nGreat. And then second question, chair lee, you're committed to working on a management plan for this acreage, do you know how much acreage we're talking about? >> we don't know yet. But we have been talking to various landowners, and we haven't talked to every one. What we're trying to do is tee this up for the administration. They know exactly what we're doing, and at some point, we're going to hand it over to them, because they have to finalize any kinds of purchases, and they hve to decide which department will best handle this acquisition, and maintenance. So these are the issues that actually are in their ballpark, but we're trying very hard to make it as simple as possible for them to take on this task.\r\n\r\nBut I am committed, along with my staff, to see this through. >> I'm just checking of what -- of you working with the waikapu, wailuku community association of what they want to see in terms of management? Like one, I thinks MS. Del more, said she is open to it being a park. Are they on the same page? She said that was just her herself. Does the community association have an idea of what they want to see for it to be open space?\r\n\r\nLike, golf course could be open space in the past. Just seeing, like, is that in the discussions? >> the discussion is primarily focused on acquiring the land. So that there will be a buffer. Because the way, as mentioned by member rawlins-fernandez, waikapu is being swallowed up by wailuku. And and I went to visit the site that we're going to -- I think it's tomorrow. But anyway, the groundbreaking for dhhl.\r\n\r\nPu'ulani. I didn't realize it's right up against wailani. It's right up against it. So even myself, I'm thinking, where does waikapu begin and where does it end? So they -- the community association has been wanting for years just to have open space, and then when we acquire it, then I suppose if the mayor is open to making that a park, that would be part of the discussion. But then it will be in the administration's hands. Because we don't want to make it a park, and then be left abandoned, because it's a low priority.\r\n\r\nSo first, we want to acquire the property before somebody else does. And then we'll figure out the

details. >> I was just wondering if the members would be open to it not being a golf course? >> I'm pretty sure, yes. That condition, that is not a problem. >> okay, let's do it. >> we can't could it right now, because we don't have it, you know? We can do it when the administration acquires the property and comes to us for approval, we can say, yes, you can acquire the property, but one condition is it cannot be a golf course at that time. >> are you sure we cannot say provided that this open space is not a golf course? >> I would be happy to do it now, but -- I would be happy to do it now, because I have to go home at some point. All right. Member rawlins-fernandez. >> mahalo, cair. So when the finance director takes lead on behalf of the administration to negotiate the acquisition of these different parcels, that you and the community have started the ball rolling on the council would still need to approve, I think it's a resolution. >> yes. >> for the acquisition. >> exactly. >> so at that time we could also put in a condition about it not being a golf course. >> I just said that, but she didn't understand that. >> oh. >> because we have final approval over the purchase. So we can condition, but she said, member paltin said, why don't we do it now instead; right? Member paltin? >> both. >> I just hope it doesn't -- well, I don't think it should interfere with the purchase. I don't think so. But yes, if it makes you more comfortable, member paltin, and the others members don't mind, we can condition it right now. You want to do it now? Why don't you make that motion? >> I move to amend the amendment to add in buffer between wailuku and waikapu, provided that this land will not be a golf course. >> second. >> moved by member paltin, seconded by member rawlins-fernandez to add the condition that this property, the buffer will not be used as a golf course. Any further discussion? All those in favor of the motion, raise your hand, say aye. Nine ayes, motion carries. Now the main motion. Anything else on the main motion as amended? All those in favor, raise your hand, say aye. Nine ayes, zero nos. Thank you on behalf of waikapu, everybody. Thank you very much. Member kama. Well we'll have the clerk read the next item. Is it out of order? >> they are out of order. So member kama, maybe you could indicate which county communication. >> county communication 23-19. >> 23-19. Okay. Calling county communication 23-19 from presiding officer pro tempore tasha kama, transmitting a proposed amendment to bill 22, cd 1 (2023 (Entitled "a bill for an ordinance relating to the operating budget for the county of maui for the fiscal year JULY 1, 2023 to JUNE 30, 2024." >> member kama. >> thank you, chair. On page 58 of appendix a, part 2, special purpose revenues. Schedule of revolving special funds for fiscal year 2024, I move to amend l, affordable housing fund section 9-20, revised charter of the county of maui 1983 as amended, chapter 3.35, maui county code by adding a new condition so to read as follows: up to \$5,500,000 must be for planning, design, engineering and ground and site improvements, equipment and appurtenances to repurpose of institute facility for affordable housing and to file county communication 23-19. >> second. >> okay. Moved by member kama, seconded by vice-chair sugimura to pass the county communication 23-19. Discussion? >> thank you, chair. >> member kama. >> this amendment would add a condition to the affordable housing fund that \$5.5 million be used to repurpose the institute in kihei for affordable housing. This will be on page 58 of appendix a, section 2, l, adding new item 10, these funds can be towards planning, design, engineering, ground and site improvements and equipment and appurtenances and construction. This is a great opportunity to transform that former home total and retreat certificate for essential housing for workers and include a child-care facility. Its location close to kihei schools, shopping and maui bus stops make it ideal for this conversion and these units can come online quickly as opposed to starting with vacant land. This county suspect will leverage funds coming from the state to ensure that we use or receive these units soon. >> any more discussion? >> we probably need to do an ea or eis and there's a lot more information to come. I believe that the community needs to hear the vast amount of information yet to come, because it's so new. So I support this, and I just want to say I'm going to vote with reservations, just because of there's more to come. I think the community needs to hear what that is. This is a good beginning. We have a long ways to go. Thank you. >> member rawlins-fernandez. >> mahalo, chair. I'm supportive of this. The \$5.5 for planning, design, engineering and site improvement, construction, appurtenances, who has site control over this? Does this belong to the county? Because there's no funding for acquisition, or how does that work? I know member sugimura said there's more to come, but in order for us to do all these things, generally, any kind of improvements that we make to a facility, we own. >> my understanding, member kama and you can correct me, because I know both of you have come on a site visit. That the state has appropriated \$45 million to buy this property and the county -- and will turn it over to the county, and the county will have to repair it, repair it and repurpose it for affordable housing, and a child-care center, I believe; right? >> yes. >> I think this is one of sylvia -- lieutenant governor luke's projects. >> yes. You have anything to add to that? >> no, that's it. >> mahalo, chair. Mahalo for repeating that for the record. >> member sinenci. >> thank you, chair. I speak in support of this additional funding. As we've seen, or as we all know, we're in a housing crisis. For us to wait a couple more years, years just for permitting to get more housing up there. This is a quick fix. Albeit with some funding, but it lessens our carbon footprint with construction and the timeline is lessened and we get more people in housing. So supportive. >> thank you. Member cook. >>

thank you, chair. I'm speaking in support of this. I had the opportunity to do a walk through with the mayor, and I was really impressed with the condition of the facility from a construction perspective, I looked at it there's no leaking, no effervescence and well-maintained with rooms and would smaller ones. Everything was top shape and I think it's a great opportunity.

I'm very supportive, and happy that the state and the county are working collaboratively on this. So i'm in support. >> member paltin and member rawlins-fernandez. >> thank you, chair. This question would be for member kama. How did we come up with that dollar amount? >> this is what MR. Dahling had told us that he needed to be able to complete refurbishing the institute up to par, so that the state would be able to take it over and give it back to us, once we vetted all of that out. >> okay. And there MR. Dahling will be the contractor. He already has been selected and has done the assessment? >> yes. >> okay.

>> member rawlins-fernandez. >> so just to clarify, when you said the state was going to hand it over to us, not the ownership, they will lease it to us. >> I don't know the lease, but either leasing it to us or giving it to us. >> a dollar a year; right? My understanding that they would give it to us. >> or a dollar a year and the county would maintain it. >> giving to us for a dollar a year means less.

So we're going to lease it. >> yes, when you think about it, yes, it's a lease. >> okay. Mahalo for that clarification. Appreciate it. >> too much? Any other questions? Before we vote? All those in favor of the motion, raise your hand, say aye? >> aye. >> nine ayes, zero nos. Motion carries. MS. Clerk.

>> do you want me to bring up 23-23? >> yes, please, thank you. >> county communication 23-23, from council chair lee transmitting a proposed amendment to bill 22, cd 1 (2023) Entitled, "a bill for fr an ordinance relating to the operating budget for the county of maui for the fiscal year JULY 1st, 2023, to JUNE 30, 204." thank you, chair. I move to adopt the county communication to move the \$50,000 line item for fencing at the park from the department of parks and recreation on page 24 item 11-c.2 to the office the mayor, economic development pogram, general category on page 60 under c1. To add language to the economic development and cultural programs revolving fund that up to \$100,000 must be for maui for the proper reinterment of iwi kupuna at the former beach park, subject to required approvals. And to add language to the hawaiian cultural restoration revolving fund that up t \$250,000 must be for nou kani o maui to conduct public meetings an develop and implement the plan for the cleaning and caring for informational signage and providing appropriate curation and display of cultural and historical arti facts and appropriate reinterment of iwi kupuna and to file county communication 23-23. >> moved by member kama, seconded by vice-chair sugimura to approve county communication 23-23, which consists of the three amendments proposed by member kama. Discussion? >> thank you, chair. Members, I'm making this motion on behalf of our chair, and the first part of this motion is to move the location of the general fund appropriation to a more appropriate location in the budget.

The parks department is not involved with this park, which is owned by the department of hawaiian homelands, and should be moved in the budget, and oed has agreed to administer this grant. The second part of this motion deals with page 58, under appendix a, section 2, letter q. We all recognize the importance and significance of properly caring for ancestral remains and this funding will allow this longstanding effort at pumana to move forward. The fund has a balance of \$482,184 so 24 will believe a balance of \$382,184. Now they have a right-of-entry from the department of parks and recreation for this effort. And the last prt of this motion is on page 59, under appendix a, section 2, letter s. This fund is projected to have an fy'24 balance of \$1,509,800 and with the appropriation the balance is \$1,259,800 and plan driven by community input that calls for the sacred site to be cared for is deserving of community support, and I ask members for your support of this motion. >> members any questions? Member paltin. >> chair, and member kama, thank you so much for this asf.

I'm really supportive. I just have some concerns that the facilitator for developing and implementing a plan for the cleaning and caring of moku ulla and moku hina, I'm not sure if we want a neutral third -party to convene the stakeholder input based on what happened in the great committee before? Because it's a really passionate and a lot of people that care about moku ulla and moku hina ad their family and they don't always agree. I'm supportive of this. I just don't want it to blow up if you understand what I'm saying? >> yes. >> we intend to give the grantee as much guidance and support as possible.

Because this project has been languishing since I was on the council the first time. And I felt it's time we did -- we dug deep, and figured out a way to bring the community together to address this very important area, which is so sacred. And that is the reason why we're doing this. We're not just going to abandon it, but we're going shepherd it as long as it takes. Member sugimura and member kama. >> so I'm listening to what member paltin said, and I just want you to explain why you're so cautious, you support tis, and yeah. >> oh, you know, I'm cautious because when you talk about burials, and family and such a sacred place, people were raised, you know, not everybody agrees, and i think that is part of the reason why it took so long.

I don't know if you recall in 2019, when it was tasked to the parks department to come up with a plan for \$400,000, which then without us voting on a budget amendment, it became an archaeological thing somehow. My biggest concern was that it would become dvisive in my community, and that I had specific conditions that all stakeholders would be heard, and so I guess I'm just concerned that a neutral party would facilitate, so that all stakeholders would be heard, and nobody would feel that,

you know, they're being left out. I personally have full faith in nakani maui, but some people right off the bat MAY not participate? I don't know. If we're pledging to give nu kani o maui the support that they need to bring the community together, then I can support that. I just want us all to remember that with us doing it, we're committing to unifying the community and the stakeholders and not just put it on one entity, and if it doesn't happen, then you know, oh, well, you know? Because we're going into this, I think we should be going into this eyes wide open.

That there is some controversial and that is part of the reason it has taken so long. Not only within the hawaiian community, but also within the greater community at-large. You know, people want to play tennis there, and things like that. So I mean, it's very controversial in the community, it's very controversial in the hawaiian community about exactly what should be done. I can support this. I just want us all to have strategies to bring all of the stakeholders in, and not let it be a divisive thing, you know? Keep our eyes on goal of restoring this sacred place.

>> last question. Thank you very much, tamara. Because I remember when I worked for mayor james ky tanna, this was being talked about. So there must be a lot of people that been involved in this, some have come to the chambers, and I have read about it. You know, the paper. So it's been going on a long time. Moku kapo.

is that your caution? Tamara? >> I mean, I fully have faith in keo moku. It's just that people come in with their biases, you know? And just I just don't want it to explode later on. If we're committing to the support, then we really need to support the process and focus on the outcome. Now icani is right there and it makes sense, but how do we get folks to get along?

>> okay. That's what we're going to do. Bond and determined to try. Because nothing has been done for too long. Member kama. >> thank you, chair. Thank you, member paltin, for your comments.

And I hear clearly what you're saying. But you know, this issue with moku ulla, I remember it way back when oconi akana was the curator and his dream was to restore that to its original foundation that island would come back, which meant having to remove all of that that was on top. Back then, the community was supportive of that. But you're correct, it's the methodology that the community was going in terms of how does that get done; right? And who gets to say what? And so here we are, I think it's 30 years later that we're going to try again. You're right.

I think there's a bigger commitment from the council now than there was previous councils. So I know that I'm committed to this, because I'm still committed to the dream to be able to restore moku ulla, and I think the timing is right for that to happen. I think this council is supportive of that western we'll definitely work towards bringing unite back into the community, bringing aloha back, because that is where everything begins and everything ends. Thank you. Thank youing are chair.

>> thank you, member kama. Our mayor bisson is certified in family pono pono.

So it MAY be time. >> it is time. Any more comments? Member cook? All those in favor of the motion, raise your hand, say aye? >> aye. >> nine ayes, zero nos, motion carries.

Thank you, members. MS. Clerk. >> thank you, MADAM Chair. I believe that there is a new asf that is being passed out regarding committee report 23-34 from council chair lee, and this is another amendment to bill 22, cd 1, (2023) Entitled a bill for an ordinance relating to operating budget for the county of maui for the fiscal year JULY 1, 2023 to JUNE 30, 2024. >> is that you, member kama? >> yes, it is, chair. Actually, it's you, but yes, it's me.

>> do you want to make a motion. >> I am. I move to approve the amendment to add an additional provision to the appropriation of funds from the affordable housing fund to specify \$6 million for the kuikahi village project. >> moved by member kama, second by vice-chair sugimura to approve the motion regarding the kuikahi project. Discussion, member kama. >> thank you, chair. Members, on behalf of the chair, I would like to amend page 58 of appendix a, section 2 letter l, adding new item 11, proviso for \$6 million of affordable housing fund, for the kuikahi village project.

The council strongly supported this 100% affordable project in wailuku, that includes a mix of housing types. In approving the project the council did not grant some exemptions that the applicant requested, for amenities including on-site and off-site straighter. We all know we won't get affordable housing without subsidizing it many some way and this is a project that deserves the support. I ask members to show your support by approving this amendment. >> any more discussion? Member paltin. >> thank you, chair.

I just was wondering if someone could remind me what the deed restrictions on this project? 20 years? 30 years? >> I couldn't remember. >> I thought it was 20, but I don't know for sure. >> do you want us to check? >> let's check.

>> yes. I think we had owner-occupied, and 20 years. Is that correct? >> any other questions and then we can find out and put them all together. Member rawlins-fernandez. >> mahalo, chair. So when we put conditions in the affordable housing fund we usually put that information in there.

So when we get all of that information, I would like to include all of that. Did we grant them any funding from the affordable housing fund yet? >> no, I don't believe so. >> zero. >> okay. So you want to postpone? >> we'll come back to this later, table this for now.

And let's see, lauren, would you be able to check with housing on this project? Exactly the length -- the deed restrictions for the kuikahi project. ; is that the question? >> yes, I think there was something about owner occupancy as well. >> and owner occupancy. >> I think, I mean, if it is what I remember, owner-occupied and 20 years, I'm good with it. Yes, it would be nice to write it in there, so it's memorialized.

>> let me see, somebody put information in the chat.

Pardon me? A ten-year deed restriction. And owner-occupied in perpetuity . All the mi-levels.:postpone? We can come back to this. Let's come back to this. Let's go on.

Member kama, I think let's finish up. I think you had bill 50 and 51. That would be the last? >> that is under ordinances. >> that is under ordinances. >> did you want to go back and finish? >> we'll finish up the other ones, the asfs ad other amendments. Yes, member sinenci.

>> thank you, chair. Consideration for 23-20. >> okay. MS. Clerk. >> county communication 23-20, from council member sinenci transmitting a proposed amendment to bill 22, cd 1 (2023) Entitled, "a bill for an ordinance relating to the operating budget for the county of maui for the fiscal year JULY 1, 2023 to JUNE 30, 2024." member sinenci. >> mahalo, chair. Move to amend page 48, bill 22, cd 1 (2023) To add \$160,000 for the national fitness and hsma state grants under the department of management.

>> second. >> moved by member sinenci, seconded by member uu-hodgins to approve county communication 23-20. Discussion? Member sinenci. >> mahalo, chair. Members, this month the department of management received four grants totaling \$160,000 from the national fitness campaign organization, for the 2023 hsma hawaii state campaign. These grants are to build fur fitness courts across the county, to promote better health through physical fitness. This amendment will ensure these grants are reflected in the fiscal year 24 budget, and members, at a later time, I plan to provide an informational presentation in the committee and I respectfully ask for the members' support.

>> thank you, any other discussion? Not, all those in favor, raise your hand, say aye? >> aye. >> nine ayes, zero nos, motion carries. >> move to file county communication 23-20. >> second. >> the motion is to file the communication made by member sinenci, second by member uu-hodgins. Any discussion?

If not, all those in favor of the filing raise your hand, say aye? >> aye. >> nine ayes, zero nos, motion carries. >> thank you, members. >> MS. Clerk. Let's go back to 3. >> okay.

To council member paltin for county communication 23-18. From council member paltin transmitting a proposed amendment to bill 22, cd 1 (2023) Entitled "a bill for an ordinance relating to the operating budget for the county of maui for the fiscal year JULY 1, 2023 to JUNE 30, 2024." >> member paltin. >> chair I would like to re-open county communication 23-18. Is that what I say? I move to >> you want to call up. >> MS. Clerk. >> I want t call up 23-18. >> thank you, council member paltin it is called up up it is before you now. You can go ahead with your motion.

>> all right. I didn't know the order. >> re you ready? We can come back to you, if you want. >> I got it. >> you got it. >> I move to amend bill 22, cd 1 (2023) Affordable housing fund section l, special purpose revenues, part 2 of the appendix a. For fiscal year 2024 on page 58 by inserting the following at the end of the conditional language for the waikapu affordable housing development: on all homes being owner-occupied for at least 50 years and subject to affordable deed restrictions for resale for at least 30 years.

>> second. >> moved by member paltin, seconded by member rawlins-fernandez. Can you repeat the deed restrictions again? >> sure. 30 years affordable deed restrictions, owner-occupied for at least 50 years, and then it would read as follows: up to \$10.65 million for waikapu affordable housing development. The release of these finds is con tingent on resolution 18-150, as amended by resolution 20-107, being further amended to extend the completion of the construction deadline beyond the current date of SEPTEMBER 7, 2024, and on all homes being owner-occupied for least 350 years and subject to affordable deed restrictions for resale for at least 30 years. >> okay.

Did I MISS The part that we're giving them so much money? How much money are we giving them? >> \$10.65 million. >> was that part of your motion? >> yes. >> it was included. Okay.

\$10.65 -- up to. I saw a hand over here. Member kama. >> chair, so the wailuku/waikapu development venture came to the hlu committee and did a presentation, and then they were supposed to go back and do some stuff and they were supposed to come back. That was my understanding. Are we not going to send them to committee again? We're just going to do tis here, member?

>> well, it has to go to committee. It has to, because we have to extend the time, and we MAY have to redesign. >> I think they wanted an exemption waiver, 107. >> he didn't ask for that. He did not ask. >> I think the waiver was if only gave him \$6 million, but because we're giving him \$10.65 million. >> he doesn't need it. >> yes.

member sugimura. >> I think when keoni came this morning and was talking to us, that he asked if we would send this back to committee, which is I think member kama's committee and if there's any conditions to do it once we go through the pocess, and not do it on the floor today. When it goes to committee. I'm not going to support this motion. >> member cook. >> thank you, chair. I would like to speak to this.

I'll be voting against council member paltin's proposed amendment and ask for your support to leave the language withouts can be and I will explain why. The appropriations shows the council's commitment to move affordable housing forward, and serves to assure MR. Gomes' project that the funding is available. There aren't many housing projects in the books in centralnai and this project is our best chance at providing housing in the next couple of years. I want to help this project move forward as quickly as possible and without delay. MR. Gomes has stated he is [Kpwh-eut/]Ing to working with the committee on determining the most appropriate deed restriction forbe the project.

Since the county also includes the administration, I want to give MR. Gomes the opportunity to meet with the administration to determine what the mayor and dhhc feels is appropriate? The current language in the budget

require and amendment to the 201h resolution. Before the funds can be released. And we control the amendment process. To place conditions on the budget appropriation at this time stifles the opportunity for the collaboration between the developer, the administration and the council. Since the developer needs to come back to us for another approval, let's give MR. Gomes and the mayor a chance to be creative and come up with something that works for our people. Then in committee we'll have the opportunity to deliberate as a body, to ensure that what we feel is important and appropriate for this project is incorporated in the amendment. Thank you, chair. It's really a matter of enabling this project, and not limiting us in any way in being able to put a condition in the future. I advise that we don't put a condition on the funding part, but we the opportunity to put conditions on the project at a later date. Thank you. >> member rawlins-fernandez. >> mahalo, chair. Okay. I support this motion, because this council constantly says that we want to provide housing to our residents. and that is what this ensures that those that live in these houses will be residents, and as you see in the chat, it's only going to stay affordable for ten years, and after that, it can be flipped. I think having the owner-occupied for 50 years, and affordability for 30 years makes sense for our residents. So that we don't continue to kick the can down the road and that MR. Gomes said he can work with whatever this council decides. And he gave us the amount that would make everything possible for us to be able to have the housing pices, the affordability we asked him it to be, 10.65. The other thing, I don't remember it being called waikapu affordable housing development. Because it's not affordable housing. It's workforce development. I don't remember who put that. So that needs to be corrected, maybe to waikapu ventures or something and I can make that motion at another time, if you want to do that? I speak in strong support of not continuing to kick the proverbial can, the can, kick it down the road. I don't want to do that anymore. Let's not do that any more. Thank you, member sinenci. Mahalo, chair. >> member cook. Member johnson. >> thank you. I did want to clarify that up to \$10,650,000 must be for a grant to waikapu ventures, llc. And I appreciate member rawlins-fernandez for . What is in a motion. >> a motion to clarify, to state up to \$10.65 for a grant to waikapu development ventures I luck lc for the waikapu affordable housing venture, llc., affordable workforce housing project. So clarifying the name. >> that is correct. >> I had a motion on the floor. Did you want to make your own motion, or were you trying to amend my motion? If you don't agree with my motion, you should probably mke your own motion separately. >> thank you, I will withdraw my motion until after we address this. >> I withdraw my second. Sorry, member cook. >> we can correct the name later. Right now, we're discussing member paltin's motion. Member johnson. >> thank you, chair. I'm going to support -- I rise in strong support of the motion. We've heard from MR. Gomes come out here and speak and it seems he is a willing participant in a public-private partnership that we all have been speaking on. This is exactly a great example of an excellent project that would could a good public-private partnership. Do we really need more non-owner-occupied houses in the county? I say now. By voting yes, you are saying yes, plain and simple. The other thing, you know, if you look at that recent article that came out in the newspaper, 20,000 hawaiians in the past ten years have moved to clark county. there's a mass exodus of our people. 20,000. This is a way that we can slow it down, stop the bleeding and keep our people here. So I rise in full support of that. Thank you, chair. >> thank you. Anybody else? Member sinenci. >> thank you, chair. I, too, wanted to support the motion on the floor. I think you coined it well, chair, when you said whoever is going to get one of these houses is going to win the lottery. Right? With this much over 300,000 dollars worth of subsidizing each house. It should come with a caveat. This is a great one. Thank you. >> whose hand did I see next? Member sugimura. >> I just wanted to say what I head ofer that keoni gomes did mention he would work with the county, which is the council, the administration, the department of housing and human concerns and it's not only council, and that is what I heard. So therefore, I'm not going support this motion, and I would like it to g back to committee, and then have everybody at the table, and then make what the conditions should be. Thank you very much for this proposal, member paltin, but for myself, those are my reasons I'm going to be voting no. >> member cook. >> thank you chair, for the opportunity. I strongly agree with my fellow member's desire to have thes houses go to local people and not be speculative. I'm against this motion at this time because I think simply putting restrictions on the project, that is going to manifest these homes that stay in local hands. I truly believe the developer is not doing this for spec and their family's reputation is on the line. I don't think this is necessary at this time. I'm not saying that it won't be purge. Further. I'm just saying with the financing and moving the project forward and not encumbering it at this time is dully beneficial to accomplish the goal of what we're all striving for. So I just wanted to share that why I'm not opposed to this at this time and I'm not opposed to it completely, but doing it during the budget process instead of the final review for the construction process I think is counterproductive for the project. Thank you for allowing me to share that. Aloha. >> member uu-hodgins. >> thank you, chair. I, too, can support owner-occupied restrictions, and resale restrictions. My concern is that we might be hindering our local buyers from qualifying for a mortgage and when they cannot be sold at criteria that w need for affordable housing, that is when they flip to market. So we need to

find a good balance. I would love to continue the discussion to find what that good balance looks like. Thank you, chair.

>> any more discussion? Member kama.\r\n\r\n>> thank you, chair. I think we all agree and kind of reminds me with the discussion with member paltin about moku ulla and we all agree that housing we're in a crisis. The process with the way we all decide to get there sometimes comes from different directions. But we all want to get there any way in the end. That is what we want. MR. Gomes is going to have to come back to the committee.\r\n\r\nHe is going to have to redo the 201h reso, because he is making some changes and I think having a discussion on the floor right now without him being present is not fair to him. And I would like -- when we have these kinds of discussions, it's nice where everybody who has a stake in it is at the table. When somebody is missing, it's not fair to that person that is not here. So I would rather take it back to committee, let's just hammer everything out, the deed restrictions, owner-occupied, whatever, let's just do it one time in committee, and that is my comments. Chair, thank you. >> anybody else member paltin. >> thank you, chair.\r\n\r\nSecond and final. I think there's the information is when can be I think it's bill 107. Sometimes get 107 and 111 mixed up, but the ones that lower the prices. We haven't seen -- 107. Bill 107, we haven't seen that come to fruition yet. But when I doesom come to fruition, the homes will affordable like nobody has ever seen in this county, and the mortgages will be easier to qualify for. So when the current administration, mayor bisson was campaigning, that is what I heard, owner-occupied, in perpetuity. The thing that makes me worry is our department of housing and human concerns. They don't act with any sense of urgency on these things. They don't want to implement bill 107. They don't want to implement bill 111. And that is why I'm making my push at this time, because the department of housing and human concerns is not capable of doing those things.\r\n\r\nI'm okay with the \$6 million to the kuikahi project, because those houses will be owner-occupied in perpetuity, and that is to say whether it's local folks or not, it will be people that are members of our community, and hoping that it will be people that contribute jobs that we need, because it is a central area. You know, nothing against realtors, but hopefully they won't be realtors, but school teachers, police, engineers, and those types of things and nothing against yoga teachers, or other resort-related professions, but that's what we're talking about, and not speculation in the sense of permanency in your house. You buying this house to live in it, pass it down to your children, or sell it to somebody else, is going to live it and being part of the community. If it's owner-occupied in perpetuity, then I can live with 10-year deed restrictions. There's a difference of where the sweet spot is on it, but I'm putting it out there and I guess we'll see where the votes lie. >> anybody else? Member johnson.\r\n\r\n>> thank you, chair. The thing that hindered local buyers was never the deed restrictions, but the fact that the prices were too high with a long deed restriction. It was coupled. If the project is built with new prices long deed restrictions won't be a problem for the buyers. You know, it is to me commonsense that we -- it's herculean efforts to make affordable housing projects. So let's keep them into affordability as long as we possibly can. Because again, remember, members, the solution, then we say, okay, if not this project, then the next project, and then we have the same debate all over again.\r\n\r\nIf not this project, the next project and it goes and goes and next we have urban sprawl; right? And I for one am not for urban sprawl. That is why I think this is a chance, the developer is on-board, what a blessing. MR. Gomes is on-board with this. We don't have to -- some of these developers, is like pulling teeth. He is ready.\r\n\r\nI'm really, I want that -- I want if we have a developer who is on-board, let's take him up on that offer. Mahalo, chair. >> thank you. Anybody else? Roll call. >> council member pro tempore kama? >> no.\r\n\r\n>> vice-chair sugimura? >> no. >> council member paltin? >> aye. >> council member johnson? >> aye. . >> council member rawlins-fernandez?\r\n\r\n>> aye. >> council member cook? >> no. >> council member uu-hodgins? >> no. >> council member sinenci? >> aye.\r\n\r\n>> council chair lee? >> no. >> chair, there are four ayes, five nos, motion fails. Council member paltin, could we have a motion to file county communication 23-18? >> you could, do you want me to make that motion? >> anyone can. >> okay. I'll do it.\r\n\r\nI move to file county communication 23-18. >> second. >> moved by member paltin, seconded by vice-chair sugimura to file county communication 23-18. Any discussion? If not, all those in favor of the motion, raise your hand, say aye? >> aye. >> nine ayes, zero nos. Motion carries. MS.\r\n\r\nClerk. >> I need to apologize to member paltin. You're correct, I should have called up 23-15 first. It's on the page I was not looking at. So if you're ready, I will call up 23-15. Council member paltin, county communication 23-15 from council member paltin, transmitting a proposed amendment to bill 22, cd 1 (2023) Entitled, "a bill for an ordinance relating to the operating budget for the county of maui for the fiscal year JULY 1st, 2023 to JUNE 30, 2024." >> member paltin. >> thank you, chair. I move to amend page 22, section 3, c-10c (2)No.\r\n\r\n29. West maui economic development environment and cultural programs by adding a new condition letter e to read as follows: up to \$20,000 to for hawaiian cultural activities. >> moved by member paltin, second by member uu-hodgins to approve county communication 23-15. Any discussion, council member paltin? >> just that this is for the immersion program, the kids, and since covid, a lot of the fundraising activities have been hampered since covid getting space to practice cultural activities for makahiki has been difficult and just trying to kick start the activities to get us back to the level we were pre-pandemic in terms of being able to hold cultural activities like

the makahiki games. The west maui used to host all the immersion hulas on maui island at old lahaina luau, until we outgrew that space. And then we hosted it at lahaina rec center, and then for some reason, parks and rec no longer let us hold it there. And then we had to figure out a way to feed all of the schools, and then we had to try to find another place to hold the fund raisers to raise the money to feed all the schools. So it's just layers of things that have gotten harder, even though the immersion program has grown, sometimes it's not a blessing to accommodate the logistics of that.

So just trying to kick start it back to get it going again post-pandemic. >> any more discussion? If not, all those in favor, raise your hand, say aye? >> aye. >> nine ayes, zero nos, motion carries. Can we go back to kuikahi. I believe we got the answer.

>> also make a motion to file county communication 23-15. >> I move to file county communication 23-15. >> second. >> moved by member paltin, seconded by member sinenci to file county communication 23-15. Discussion? All those in favor of the motion, raise your hand and say aye. Nine ayes, zero nos, motion carries, members please remember saying that part. MS. Clerk, can we go back to kuikahi. I believe we have the answer in the chat.

>> this was member kama, seconded by member sugimura. This is communication 23-34, an asf that was passed out earlier. >> yes, this is the proposal to grant the kuikahi village project \$6 million for infrastructure. Any more discussion on this matter? Member rawlins-fernandez. >> mahalo, chair. We have the information in the chat.

The computer didn't bring up my -- sorry, it's very slow. Anyway, like following the other conditions for affordable housing projects in the affordable housing section of the bill, I would like to include all that information into the condition, and not just \$ 6million for kuikahi village. >> do you want to make the motion, sorry, amendment. >> sorry, I don't have it typed up. >> do you want us to come back. >> I can give staff discretion to make any necessary adjustments, if you would like to do it that way? >> if it's not substantive, sure.

>> okay. I move to amend the motion by adding to the condition after the tm k numbers and hawaii that -- yeah, I think I would like to come back and I will write it out and make it good. Sorry, chair. >> we'll table that without objection. MS. Clerk, let's move on to the next one. Member johnson looks like he is next.

>> member johnson, I understand has an asf that is being passed out, or has been passed out related to aloha house. And this is related to amending bill 22, cd 1 (2023) Entitled "a bill for an [Tphrao-urbs/] Relating to operating budget for the county of maui for the fiscal year JULY 1, 2023 to JUNE 30, 2024." >> chair, did you call on me yet? >> not yet, we're just reading the asf. Member johnson. >> okay. So I move to amend the condition for -- oh, wait, let me find it, page I move to amend section 3.7b.7.C (4) (Xxiii) Aloha house phase 2 construction by striking in condition (A) 12 bed and inserting after dormitory, the following "up to 12 beds." second. >> moved by member johnson, second by member uu-hodgins to amend section 3b7c regarding aloha house.

And striking in condition a12 and inserting after "dormitory" the following" up to 12 beds. Discussion, member onson. >> thank you, it allows the department of housing and human concerns to grant to aloha house for residential dormitory, and to be built in compliance with the department of health regulations. You folks heard from will spence on the reason why, and I think without -- that is pretty much it, thank you, chair. >> any more discussion? If not, all those navarre, raise your hand, say aye? Nine ayes, zero nos, motion carries.

>> I have two non-substantive amendments, they are really manini. >> we'll come back to you, okay. >> as you wish. >> so let's go onto no. 5, council member rawlins-fernandez. County communication 23-24. >> so calling county communication 23-24 from council member rawlins-fernandez transmitting a proposed amendment to bill 22, cd 1 (2023) Entitled, " a bill for an ordinance relating to the operating budget for the county for the fiscal year JULY 1, 2023 to JUNE 30, 2024." member rawlins-fernandez. >> mahalo, chair.

I move to amend on page 3, section 3.B1 - 3.B.1.A.21ziv meo agricultural micro grants program, striking in condition a. Issue grantee vendor payments in full at the front-end to vendors, and insert in its place following: not limit the number of grant vendors that mee will pay in the time the order is placed and meo will pay vendors 50% of the service at the time that the contract is executed and will pay the balance upon completion of the service, and two, on page 13, section 3.B.7.C.6xi youth programs inserting a new condition a, to read as follows: up to \$280,000 must be for the boys and girls club molokai, and file cc 23-24. >> very good. So moved and seconded -- by member rawlins-fernandez and seconded by vice-chair sugimura to approve county communication 23-24. Discussion? Member rawlins-fernandez. >> mahalo, chair. So if you're following my asf, I only did the first two of the three that are listed. And I'm saving the third, because I'm going to add a fourth and fifth. So okay first, meo, for the farmers micro-grant.

Meo requested that the language be amend to be consistent with the practice that they have been doing in managing the grants. So that is the explanation for one in why we'll be changing the language in the condition for that. And then on the second one for the youth programs, because it would be just broadly youth programs, then dhhc would need to do an rfp and we all know how long it takes to do rfps? As you heard in testimony, the community has been working with the boys and girls club, and the boys and girls club would be interested in following the request from the community to start a program for the boys and girls club on molokai. So by putting a line item or condition for the \$280,000 for boys and girls club for molokai, it will speed up the process, instead of having an open competitive rfp process. And we don't know of any other agencies that

are interested in providing that program as of this time. And I would like to add mahalo to meo, and t m maui child prevention pathways for the services that they provide for our atrisk youth. This will just help to provide a safe and productive space for the youth of moloka'I to -- for the youth on moloka'I, period.\r\n\r\nThat's it. Thank you, chair.

>> are you going to make an amendment for 3 and 4, did you say? >> was going to take it up separate. That way it's not confusing. >> all right. Any more discussion?\r\n\r\nIf not, all those in favor of the motion, raise your hand, say aye. Nine ayes, zero nos, motion carries. So we have you again, member rawlins-fernandez. >> mahalo, chair. I move to amend on page 16, and then this is regarding the kohala urgent chair care as you heard in testimony. Striking suseustainable moloka'I and inserting in its place kohala coast urgent care. On page 14, section 3.B.10.A.10 to reduce the \$370,000 by \$90,000. And that is the animal management program under human concerns, yes, dhhc.\r\n\r\nMaui habitat for humanity humane society to reduce \$90,000 from the total allocated. Under moloka'I economic development and culture a, where it says \$50,000 for urgent care would be amended to read "up to \$50,000 for kohala coast urgent care." and that is the motion. >> moved by member rawlins-fernandez, seconded by member sinenci. Any discussion on your motion? >> yes. Mahalo, chair. So during budget, I put in the \$50,000 that we heard a the moloka'I budget hearing requesting for the clinic that DR.\r\n\r\nAluli had run for 40-45 years. And we heard that as soon as possible, they could use the funding. And they have already opened their doors, and are serving the community. You heard in testimony that it's -- they're making it work. And that's is how we do it on moloka'I. We just make it work. But I would like to -- I would love if we could support our community after losing two beloved physicians on our island. >> any more discussion anyone?\r\n\r\n>> so the total would be \$280,000. Which is still \$20,000 short of the \$300,000 that was requested. So I >> want it for a vacation? >> I want a vacation? What? >> how do you propose to make up the difference? Just use this money, okay? >> well, we could get \$20,000 from opeb, or recognize \$20,000 in tat?\r\n\r\n>> or just let the staff take care of that, how is that? >> the staff is going to find \$20,000 for me? [Laughter]

>> she's right behind you. >> you got \$20,000? [Laughter] >> members, five-minute recess until 3:12. Recess. [Gavel] [Gavel] [Gavel] >> will the MAY 23rd, 2023 council meeting please reconvene. MS. Clerk, take us to where we left off.\r\n\r\n>> MADAM Chair, we left off with council member rawlins-fernandez, who is -- she made, or is in the process of making an amendment, regarding sustainable moloka'I, and kohala coast urgent care. >> we can take up some other considerations. Council member sinenci seconded my motion. >> hello? All right. Let's move on. MADAM Clerk.\r\n\r\n>> okay. There's an amendment summary form that will be handed out from council member cook, proposing an amendment to bill 22, cd 1 (2023) Entitled a bill for an ordinance relating to the operating budget for the county of maui for the fiscal year JULY 1, 2023 to JUNE 30, 2024." >> member cook. What do you have for us? >> thank you, chair. I move to amend page 58, appendix a, part 2, special purpose revenues, affordable housing fund condition 9 to insert for a grant t waikapu development ventures, llc., after "must be" deleting "affordable housing" before "development" and inserting "venture, llc. Afford workforce housing project" after "development." see the attached. >> second.\r\n\r\n>> okay. Moved by member cook, seconded by member rawlins-fernandez, who made the motion to amend page 58, appendix a, part 2, et cetera. Discussion? Member cook. >> thank you, chair. Members, page 58, item 9 should read "up to \$10,650,000 must be for a grant to waikapu development venture, llc. For the waikapu affordable housing development venture, llc.\r\n\r\nAffordable workforce housing project." >> can you repeat the amount of money again? >> \$10,650,000. >> okay. What is your discussion on that? >> the name was incorrect. So this is simply to correct the name and it's a grant, not a loan. >> any more discussion on that motion? If not, all those in favor of the motion, raise your hand, say aye.\r\n\r\n>> aye. >> nine ayes, zeros no, motion carries. Thank you for that. And moving on, MS. Clerk. >> MADAM Chair, at this time, those are all of the county communications, and proposed asfs that we're aware of. So I guess it would be the time for any other -- I'm sorry.\r\n\r\nI just remembered that we need to go back to member kama, to -- >> did we do uu-hodgins? We did yours already? >> didn't have any. >> I have you on my list, I don't know why? Okay. All right. Let's go back t m mber kama.\r\n\r\nBelieve MR. Mattava. >> so that was, I think the question was it was -- >> a little closer. >> okay. So the deed restriction was ten years, and it was owner-occupied in perpetuity. >> remember rawlins-fernandez. >> mahalo, chair.\r\n\r\nN example under the affordable housing fund is up to \$1,897,586 must be for a grant to hawaii community development board for new construction of a 35-unit multi-family long-term rental housing project for 34 families, and one unsheltered resident, or family, the project will include four units at or below 30% ami and 21 units at or below 60% of ami and one unit for on-site manager and affordability period is 61 years and the project will be four garden style at these locations. Under the affordable housing fund, all of the conditions look like that as I just read. So I don't have all of that information right now to add to this proposed amendment. And that's -- I would like it to be consistent with the other conditions. That is what I ws going for. >> that would be for the waikapu project as well. >> kuikahi.\r\n\r\n>> you're saying for the waikapu project as well? >> yeah, that would be good. >> okay. So member kama, your comments. >> that a lot for me to try to process. Can we have that in writing? >> member rawlins-fernandez.\r\n\r\n>> mahalo, chair.

Member kama, sorry. That was not the proposed amendment for the kuikahi village. That was an example. That was hale opia kea and it's pulled from condition 6. Or 3. >> we're not sure what you mean actually. Are you saying that what the conditions you just read for that particular project. >> yes.\r\n\r\n>> applies to all projects funded by the affordable housing fund? >> yes. So it follows that structure, you know? Like it outlines what the project is, how many units it has, what the ami? How many numbers per ami? What the affordability period is? And since this also has a deed restriction for owner-occupied, all that information would be included here.\r\n\r\nSo when looking at the conditions under the affordable housing fund, you would have all of that information, instead of just up to \$6 million but me for the kuikahi village. >> a complete description is what she is asking for. >> the details; right?. >> right. >> I see that. >> I'm sure you can provide that. >> we can provide that at a later point, how about before second reading? >> okay, for kuikahi village and waikapu.\r\n\r\n>> yes, we can do that. >> I don't know if this -- I guess we really don't do friendly amendments. In the amendment for today, and at second reading, we can add all of the additional details to strike -- I move to strike "affordable," and replace with "workforce housing project." >> for which one? >> kuikahi village, unless we don't have a main motion on the floor. I think we postponed it, yeah? >> no, we did have a motion on the floor, I believe. >> yes.\r\n\r\n>> main motion. >> okay. >> so that is my amendment. >> I'll second that. >> what we're saying is that -- what we can do is make those corrections at second reading? >> yes. For today, just to clarify, it's not 100% affordable.\r\n\r\nIt's workforce. >> yes. For today, we can change the wording for today. >> and member johnson seconded my motion. >> okay. Any discussion? Any further discussion on changing from "affordable" to "workforce?" >> no.\r\n\r\n>> all those in favor of the motion, raise your hand, say aye? >> aye. >> nine ayes, zero nos, motion carries. So where are we now, MS. Clerk? >> we're back to the main motion, made by member kama, on your asf regarding kuikahi, as amended. >> main motion as amend.\r\n\r\nThis is the plain main motion to add \$6 million to the kuikahi village project, which we're going to give a more complete description at second reading. That one and waikapu, by the way. All in favor, raise your hand, say aye. Nine ayes, zero nos, motion carries. Thank you. Staff, meaning lesley and everybody up there. Can you make note of that?\r\n\r\nThe descriptions on both. Thanks. You guys are top-notch. MS. Clerk. >> so now we are to the point where we have come through all of the county communications, and things were posted for today's meeting, as well as the things that were handed out today. So if there are other motions related to the budget ordinance, now would be the time.\r\n\r\n>> member rawlins-fernandez. >> mahalo, chair. Okay. I think I got this one now. So I move to amend on page 16, section 3.B.10.A.10, striking "sustainable moloka'I ion and inserting in its place, kohala coast urgent care, one. Two, on page 21, section 7.D.4.I, reduce the \$372,000 allocated to maui humane society moloka'I by \$90,000, and move the \$90,000 to section 3.B.10.A.10, to add to the \$140,000 for a total of \$190,000. Three, on page 21, on page 21 moloka'I economic development, and cultural programs. Grants and disbursements up to \$50,000 to strike "offer urgent care," and replace with kohala coast urgent care." lastly four on page 9 of bill 22, cd 1, move to amend section 3.B.5.G.13, to transfer \$20,000 -- decrease by \$20,000 post-employment obligations a total of \$19,831,641 by \$20,000. So for new total of \$19,811,641. And revise the total column accordingly.\r\n\r\n>> second. >> moved by -- >> okay. And to move the \$20,000 to section 3.B.10.A.A.10, kohala urgent care for a total of \$300,000. For a total of \$210,000, and the \$50,000 stays in od district funds. Member lesley, is she correct? >> [Laughter] >> sorry, chair. I just wanted to clarify, we're adding \$90,000 from the reduction of maui humane society moloka'I and \$20,000 from opeb and there's currently \$140,000 in -- so it would be a total of \$250,000 in the line item for kohala coast urgent care. Is that the motion? \r\n\r\n>> yes. >> okay. >> second. >> you know, you realize you lost us right after you said "I move to approve." okay. Everybody, we're on the same stage in moved by member keani rawlins-fernandez, seconded by member sinenci. Any more discussion? Member rawlins-fernandez.\r\n\r\n>> mahalo, chair. So the reduction by the \$90,000, not sure if anyone -- the testimony from the moloka'I maui humane society. The budget for the employee that they had it is -- so the plans that they had to fund a position is still -- it's not settled. So they emailed asking for the reduction in the \$90,000 from their request of \$372,000. So that is where the \$90,000 is coming from. And then so that would make the \$300,000 that was requested by kohala coast urgent care, the clinic on moloka'I >> so essentially the new money that you are asking for is \$20,000 from opeb; right? >> yes. >> the rest is just shuffling.\r\n\r\n>> that's correct, chair. >> member sinenci. >> thank you, chair. I am happy to support the work of the late emmett aluli in his efforts to provide medical services to his rural community. >> thank you. Any more discussion? If not, all those in favor of the motion, raise your hand, say aye?\r\n\r\n>> aye. >> nine ayes, zero nos, motion carries. Very good. >> mahalo, members. >> anything else, member -- not member, MS. Clerk? Any more amendments?\r\n\r\n>> I have one. >> vice-chair sugimura, and member johnson. >> vice-chair sugimura. >> member johnson can go first. >> member johnson. >> so this -- I have two very small amendments. This is one in the department of transportation bill page 27 pdf page 101, administrative program general fund.\r\n\r\nSo basically, I move to insert condition line item that \$300,000 must be for feasibility study on the operation of the county-owned ferry, and it wasn't in the budget. If I could get a second, I

could explain it. >> moved by member johnson. Seconded by member cook. Can you explain your motion? Your discussion, MR. Johnson.

>> thank you, chair. Yes, as you all remember, we voted on it, it just didn't appear in the budget. The amendment was approved and included in exhibit 1 dollar amounts were included, but -- >> just an oversight. All in favor of the motion, raise your hand, say aye. Nine ayes, zero nos, motion carries. Your second item, MR. Johnson.

>> thank you, chair. The second item is in the office of mayor. The economic development program. Sports and events promotion. So let's see here, I move to amend to top up to \$180,000 for Molokai and Lanai youth and student travel for sporting events and if I could get a second, I could explain. >> from which account now? The mayor's office in which account?

I didn't hear it. >> was that we for me, chair? >> taking the money from where? >> no, it's adding I word "youth (.) " Oh, the word "youth" I see. So we want to include the little league; right? So I just wanted to add "youth "because it was going to include the little league kids. >> is there a second on that one?

Seconded by member cook. Any further discussion, MR. Johnson? If not, all those in favor of the motion, raise your hand and say aye nine ayes, zero nos, motion carries. Thank you. >> thank you. >> thank you I have no further -- >> member sugimura.

>> I would like to also move to amend bill 22, cd 1 (2023) Office of the mayor, economic development program, Pukalani economic development environmental and cultural programs, to replace watershed protection with the watershed in my district with the \$40,000. That is my motion. That for the cultural pot. >> from your own district. >> just conditioning it. >> moved by member sugimura, seconded by member cook. Any discussion on your motion? >> thank you.

So to capture this, I just did a generic statement saying for watershed. And so this is the watershed in Haleakala watershed. This is their formal name. >> all right, members, any more discussion? If not, all those in favor of the motion, raise your hand, say aye? >> aye. >> member Paltin, you have a question first?

>> sorry, yes. I had a question for member sugimura. When you were in Utah, we met with the department of defense, and they mentioned one of their priorities were areas outside of their installations, Haleakala is one of their installations. And watersheds were a priority. I just was wondering if in discussion with the Ukai folks for the challenge. >> I'm sorry, with a challenge? You broke up.

>> the recipe challenge -- it stands for readiness and environmental protection integration program. >> so during lunch, I have been enlightened about the program by member Sinenci. I never heard about it before. He is going to give me a book; right?, member? And it's something you just learned about and we can definitely share it with the administration, and I know that this watershed would apply, if they would be eligible, or does it have to be county government initiated? >> no, just pointing out that the deadline is JUNE 12th for the challenge, and the money can be used as matching funds to federal programs, even though it's federal monies. Watersheds are high on their list of priorities.

>> that is interesting. >> so if you have this money, for the challenge. >> great. I'm looking for the book. I know member Sinenci says he has an extra copy to share and I can definitely share with my watershed program. Thanks. >> okay.

She has the book. Maybe she is selling -- [Laughter] All those in favor, raise your hand and say aye? >> aye. >> okay, nine ayes, zero knows, motion carries member sugimura. >> I further move to insert tmks into the conditional language for the fund where appropriate, and to allow staff to make other non-substantive revisions, including ensuring the names of any grantee match those registered with the department of commerce and consumer affairs. That is my motion. >> second.

>> thank you. >> moved by member sugimura, seconded by member Kama regarding the information required. Now any discussion on that? Can you explain? yes. In discussion with the departments, and corporation counsel, they have stated that the preference is to name specific organizations when possible to expedite the award of funds. They also indicated that being as accurate as possible when including the names in the budget will ensure that they will not need to come back for budget amendments prior to awarding the funds.

So it's just to smooth out the process and to be accurate. >> I think that's a good idea. But did you end it with saying where possible? Because if something is missing one or two words, we don't want that to be excluded from consideration. If a name of a company or a nonprofit is inserted as a recipient of any kind of grant, then we don't want to exclude them, or preclude them from having the grant, just because we made a mistake of putting the wrong -- >> that is what we're trying to correct, make sure it's consistent and legal. >> I strongly believe that we should put the words "where possible," you know? Because what if we made a mistake?

You know? You don't agree with that? >> I'm just trying to be consistent to avoid a problem going forward. Maybe corp. Has an opinion? >> could you give us an example of a problem? Sometime these nonprofits that we have are kind of, you know, Lahaina, LLC., nonprofit for widows or something.

You know? Things aren't exact all the time. >> can you repeat the concern, I'm sorry, member. >> the concern is, I just want to be sure that the names that are in this bill, which provides directions to corp. Counsel, housing and human concerns, OED, who to make contracts to and I just want to ensure that the names are correct in this budget document. >> I believe MS. Toshikiyo is on the line.

I'm going to ask her to respond, because we did have a discussion about this prior to the meeting. >> okay. >> yes. Thank you, chair. Thank you, member sugimura. We were having discussions, because we want to make sure when we're executing the grants and contracts in our

office, we do a comparison with the dcca and to make sure that the funding has been appropriated within the budget. So we do all of these cross-checks. There have been some instances, it's not common, common occurrences where the names listed in the budget are incorrect and it takes some time to get straightened out and could require a budget amendment. It doesn't often happen, but it could. I think within the budget today that is before you, there might be at least two grantees, where the name of the grantee doesn't match what is in the dcca and should probably be fixed. I think one might be malama learning center, and I think there was one out in hana. If it's missing the, llc., or an, inc., we can usually discern and work on the grant, but to expedite the process and make sure we can do the cross-checks quickly, we would prefer that the names match. But you know, if it's not a complete match, as long as we can discern, we try to make it work as best as possible in order to expedite the execution of the contracts. >> thank you, chair, if you want, I can give them the list of all of the suggestions of the name in the budget document today and the dcca matched name. So I can give it to you. I think lesley already has this and can probably make those changes pretty quickly. This is a plosion just motion just to be consistent. >> what happens kristina ifed correct name is maui hui malama, what happens in the budget? Does that cancel hui malama? Does it cancel that non-profit's ability to receive a grant? >> not to my knowledge. Like I said, we work with them, and often times we do go back to grantee for further documentation. But it would be cleaner, if the names matched. >> I can understand it would be cleaner as long as it doesn't change the -- you know, the ability for that nonprofit to receive the funding. Because somebody left out a word in their name. As long as that doesn't happen. >> yes. So for instance, chair, one the other ones I mentioned in hana is hana health center, versus hana health. That is one where either there was an extra word added versus taking away. So we can tell, because that is the only one out in hana. Another example that would be different is for instance, boy scouts of america, versus boy scouts of america aloha council, because those are two different entities. And just to make sure we're not guessing, if it just says "boy scouts of america," we'll know exactly whom you want to grant these funds to. >> okay. It seems obvious to me, if there's two or three names that need to be verified, I can't see us changing the budget for that. Member paltin. She has the answer. >> oh, no, I just wanted to verify, since MS. Toshiakiyo I on the screen, I had a conversation with staff about nalao, inc.. They didn't spell their name correctly with their bank account. Our staff said it would be okay and I wanted to verify, because I had it correct as was o the bank, but we wanted our budget document to be spelled correctly with the kaha ko, so I just wanted your professional opinion as a lawyer, if that is going to pass and they get their money with or without the kaha ko. >> yes. >> thank you. I don't have the answer to your other question, sorry. >> I just feel that what is being proposed can add more confusion, and more delay to the execution of grants, when actually these things can be dealt with upfront especially when we're talking about two or three names that MAY be questionable. That is my concern. You know, this is the place of bureaucracy, you know? And now we're adding more. That's my concern. Anybody else? I'm voting no against this. Roll call. >> chair? >> yes. >> would you please repeat the amendment? >> the amendment is -- member sugimura, why don't you repeat your amendment? Not amendment, but motion. >> further move to insert tmks into the conditional language of the affordable housing fund with appropriate [Inaudible] -- with appropriate and allow staff to make non-substantive revisions including ensuring the names of any grantees match those registered with the department of commerce and consumer affairs. So make any non-substantive revisions, including ensuring the names of any grantees match those registered with the department of commerce and consumer affairs. >> but the understanding is then the understanding is if someone forgets to submit a tmk, or one of us gives the budget staff the wrong name, like instead of pu malama, we gave them maui hui malama. That is not going to preclude the grantee from receiving the grant. >> correct. >> as long as that is the case, I don't mind >> it's not stopping, but to be more clarifying is what I'm trying to get to. >> member rawlins-fernandez. >> mahalo, chair. MAY I ask member sugimura a little more background about where this amendment is coming from? If someone asked her to do this? Or what the purpose behind it? What are you hoping to achieve? Because I think this is already kind of like in practice. I think the administration kind of already does this. So I don't understand why we would be doing this. >> because I went through the budget. >> chair? >> can I answer? >> e sure. >> I went through the budget and I can give you the list of names that we came up, you know, after checking dcca. And so I just wanted it to be corrected as non-substantive, instead of saying we'll do it next year. I think we can do it now. That is what this is. And if again, if you want to see the list, we forget the, inc. At the end, or something that MAY look, you know, minor, but it's still not dcca correct. So I'm just trying to get it to that point. >> yes. >> mahalo, chair. Mahalo, member sugimura for that explanation. So we're adding language to the budget to ask staff to do this? I'm still -- I still don't ffly understand. Can't we just ask staff to do it? >> chair, if I MAY? >> mahalo. >> thank you. I think the miscommunication MAY be that as we understand the motion, it is to give staff direction. It's not to add language to te budget. So we're trying to produce with this motion, if the body accepts it, the cleanest possible versions of the budget bills as we approach second reading. Thank you, chair. >> thanks fort clarification. >> thank you, MR.

Raatz. >> mahalo, chair.\r\n\r\nMahalo, MR. Raatz. If it's just giving staff that authority to clean up the names of the organizations, that receive funding in line items grants, then I'm supportive. All in favor, everybody? Member uu-hodgins? I thought you were fixing your hair can -- thank you, motion carries. Any more amendments?\r\n\r\nMember paltin. >> sorry, just delayed on putting my hand down. Time lag -- time warp. >> any more amendments? Or motions? MADAM Clerk. >> thank you, MADAM Chair.\r\n\r\nSo we're back to the main motion to adopt committee report 23-34, as amended. >> sure now? Any final words on the main motion as amend. >> thank you everybody. A lot of hard work went into this. >> from everybody. All right.\r\n\r\nDo I need roll call? >> no. >> all those in favor, raise your hand, say aye? >> aye. >> nine ayes, zero nos, motion carries. Congratulations everybody! [Applause] Staff, make sure you give us your names correctly.\r\n\r\nSo we know who to pay. All right, shall we on the agenda? We still have a few more items to go through? MS. Clerk. >> chair, at this time, individuals MAY testify on the resolutions listed in section I of the agenda. We hve mike moran signed up to testify on 23-146, but I do not see him online.\r\n\r\n>> yes, I'm here. >> oh, there you are. >> I slipped in. Thank you, cair, and again, apologize to the poor performance this morning and hopefully, we're better this afternoon. We wanted to testify in support of resolution 23-146 . We have a completely different prospective, than you heard from testifiers erlier and as residents of south maui, where the vast, vast majority of these items in that resolution are, we feel as the member who submitted it, it's like this is just the first step. Let's get started on finding locations where we say we want to keep this open space. Every time we seem to delay something like this, we get a couple more developments.\r\n\r\nIf we keep delaying it and dlaying it, there will be no land left to develop in south maui. We have fought this battle for years with the kca, and individually as a member of the cpac for the last six months, every wednesday evening, I keep hearing that from the other members. It's, like, we got to preserve the little bit of land that is left here. We have a few wetlands and we have some dy gulches that we don't want development in. So we think this is a very prudent step to take the first thing, send it to committee, and go through it, and vet it, and say, well this one doesn't apply, get that out. But much better to start with a whole scope of potential places, rather than pick a few minini ones and why didn't we could this one? We commend member johnson for doing this, and we are in full support of proceeding with it today.\r\n\r\nMahalo for the opportunity to testify this afternoon. >> thank you. Are there any questions? Thank you very much. Next testifier. >> chair, there's no one currently signed up to testify on resolutions. If there's anyone who would like to testify on resolutions, please identify yourself now.\r\n\r\nThis is the last call for testimony on resolutions. And the countdown is 3, 2, 1. Chair, there's no further testifiers. >> any objections, members, to closing public testimony and accepting written testimony on resolutions >> no objections. >> so order. MS. Clerk. >> chair, before you is resolution 23-144, adopting the weight tax rates for the county of maui effective JANUARY 1,2024. Vice-chair sugimura.\r\n\r\n>> thank you, I move to waive the requirement of committee referral and report for resolution 23-144 many accordance with rule 7g of the rules of the council. >> second. >> moved by vice-chair sugimura, seconded b member kama to waive the rules of the council. Vice-chair sugimura. >> thank you, council members, we have already discussed this item in committee, but could not take action as the public hearing was not held until MAY 12th. Passing the resolution today will ensure all budget-related legislation passss in a timely manner. >> any more discussion?\r\n\r\nIf not, all those in favor of the municipal motion, raise your hand, say aye. >> nine ayes, zero nos, motion carries. >> MS. Clerk. >> vice-chair sugimura, the actual motion. >> member sugimura. >> I move to adopt resolution 23-144 >> second.\r\n\r\n>> moved by vice-chair sugimura. Seconded by member kama to pass the resolution to adopt the resolution. Discussion, member sugimura. >> as we stated earlier, these rates were discussed during the budget session. These amountss are also included in bill 22, cd 1 (2023) Appendix b. I ask for the council members' support of this motion. Thank you, chair. >> any further discussion?\r\n\r\nAll those in favor o the motion, raise your hand, say aye. >> aye. >> member paltin? Nine ayes, zero nos, motion carries, MS. Clerk. >> chair, for referral to your government relations, ethics, and transparency committee, is resolution 23-145 authorizing settlement of a charge of discrimination filed with the hawai'I civil rights commission and federal equal employment opportunity commission on JUNE 21,2022 under hawai'I civil rights commission no. M-22238 and equal employment opportunity commission no.\r\n\r\n37b-2022-00168. >> members, are there any objections to referral to the great committee? >> u678/ no objections. >> so ordered >> MS. Clerk, chair, for referral to committee committee resolution 23-146 requesting the conservation planning committee to review and provide recommendations phon the acquisition of land for conservation purposes. >> members, are there any objections to refering this matter to the adept committee? So on the other ordered. >> tom had his hand up, member cook.\r\n\r\n>> member cook. >> I'm going to do it I'm referring with reservations. I this think this is really really broad, but we can hear it in committee. MS. Clerk. >> resolution 23-147 authorizing the acquisition of real property consisting of 16,255 square feet identified as tax map key no. (2 (. If 3-4-006:027 situated at wailuku, maui, hawai'I for an amount not-to-exceed \$3,800,000 and accepting the ked cation of two parcels of approximately 2,229 square feet identified as tax map key nos.\r\n\r\n(2 (3-4-006:028 and (2)3-4? -006:032 situated at

wailuku, maui, hawaii) MAY I request that this be deferred until the bill is considered later in the agenda with no objections. MS. Clerk >> all right. MS. Clerk. Moving to section m, ordinances. At this time individuals MAY now testify on the bills listed in section m of the agenda.

Chair, the only person signed up to testify currently is robert bents testifying on bill 50. >> aloha council, robert bents, asking for amendment -- I'm motsure if that is the right word at this point to make it for this 'ohana bill. Even better for locals and the environment by keeping ag lands in local ag hands. The first one would be the change of name from second farm dwellinging to second farm labor dwelling. The county already has a process to ensure these only go to bona fided farmers and second for owner-occupied with an owner which is extraordinary benefit as a worker in health, conservation, natural resources, organic farming or other public service, as funding from the county can have not just the owner-occupied form be required to support locals, also locals that MAY not have filed those forms. Increase the funding no. 3 would be increase the funding by at least double the amount, and offer streamlined permitting services for dwellings that have at least 50% of materials grown in hwai'I average of five acres of hemp to grow an entire house in four months, sequestering carbon, remedial soils and benefiting the economy. The federal and state laws are achanging to lou this to be financially feasible for farmers.

Other hemp created equipment to be supported by the grant or other county funding mechanism. The first one would be requirement if properties sold to pay back market value or even higher if the buyer is not qualified, and in perpetuity, because 20 years goes by I the blink of an eye. Please help keep the country, country, and support local regenerative agriculture. Also, streamline programs for disabled farmers, especially on county farms and programs across multiple departments. This is a big issue, and I don't thereby it would affect the budget, because the disabled farmers is a very small amount of the community. So I just think other forms would be really small on the overall budget. I also appreciate you guys' budget, especially compared to the state budget process, and mahalo.

>> any questions, members? Thank you. Next testifier. >> chair, tere's no one else currently signed up to testify on these items. If anyone would like to testify on bills, please identify yourself now. This is the last cll for testimony on these items. The countdown is 3, 2, 1. Chair, there are no further testifiers.

>> on ordinances. Okay. Members, any objections to closing public testimony and accepting written testimony on the bills in section pl. M. >> no objections. So ordered, MS. Clerk chair, before you is bill 47 (2023 a bill per an ordinance authorizing the mayor of the county of maui to enter into a intergovernmental agreement with the officer of the auditor, state of hawaii'I for assistance with meeting reporting requirements under governmenting accounting standards board statements no. 75 accounting and other financial reports for post employee benefits other than pensions.

>> council member sugimura. I playoff to waive the rules in accordance with rule 7g of the rules of the council. Celeb. >> moved and seconded to waive the rules of the council. Discussion, member sugimura. >> council members, this audit is a requirement from the county of maui's government accounting standards board statement no. 75, so we would like to ensure the auditor is contracted as soon as possible.

>> any more discussion? All these in favor of the motion, raise your hand, say aye? >> aye. >> to waive the rules of the council. Nine ayes, zero nos, motion carries. Member sugimura. >> thank you, I move to pass bill 47 (2023) On first reading.

>> second. >> moved by vice-chair sugimura, seconded by member kama to pass this bill on first reading. Member sugimura. >> thank you. Council members, bill 47 (2023) Authorizing the mayor to enter into an intergovernmental agreement with the office of the auditor, state of hawaii'I, to conduct an audit of the schedules of changes in fiduciary net positions by employer and related notes to the schedule of the hawaii'I employees union health benefits trust fund, and explanation -- and explanation report on census data and state could betranted with the state auditor who performed the audit and the cost is \$4200 for fiscal year 2023, \$4300 for fiscal year 2024 and \$4 400 for fiscal year 25. The auditor mentioned to me that this is actually late. It should have been processed and probably closer to the month of APRIL. But we were in budget.

So this is coming up now, but there's an urgency. Representatives from the administration and the officer of the county auditor are available, if there's any questions. I ask for the council members' support of the motion. Thank you, chair. >> any more discussion? All those in favor of the municipal code raise your hand, say aye aye. >> member paltin.

Nine ayes, zero nos, motion carries. Thank you. >> thank you. >> MS. Clerk. >> bill 48 (2023) A bill for an ordinance amending appendism a of the fiscal year 2023 budget for the county of maui as it pertains to part ii special purpose revenues schedule of revolving/special finds for fiscal year 2023, affordable housing fund hale kaiola project. >> vice-chair sugimura.

>> thank you. I move to waive the requirement of committee referral and report for bill 48 (2023) In accordance with rule 7g of the rules of the council. >> second. >> moved b vice-chair sugimura, seconded by member kama to waive the rules of the council. Vice-chair sugimura. >> there's not sufficient time remaining in the fiscal year to refer this to the committee. >> all those in favor of the motion, raise your hand, say aye (>> sorry, I had discussion on that.

>> on the waiver of the rule? >> yes. >> member paltin. >> is there a way to pass it today, and still refer it to the committee? Because this is the big problem that we were getting into every time, because the water fees, can't exempt it. Was trying to explain that when that other project came up. And

this is exactly what we're talking about here.\r\n\r\nWe have to go back and fix it and that is what be were trying to avoid the other time. Are we going to continue to do this or is somebody going to fix it? My feeling it's better that the fix comes from the administration. Because if we try to fix it, we don't know their policies and their procedures of the water department, and the dhhc. In is the problem exactly that we're running into that the water department cannot exempt them from fees is somebody going to fix it or just going to keep doing work on the council floor? That is my question. Are we able to fix this at any time?\r\n\r\nThis was the very first 2.97 we ran into, and it was pointed out that this is an issue, and you can keep doing committee work on the council floor, or we can make a plan that somebody I going to address this through fixing the ordinance. We don't knee need to fix te whole 2.97, but once it's identified those make the efforts to make it. Because not efficient. You're speaking it the choir. What can I say? One of the bills that is going to be referred to hlu will be one of the methods to fix this problem in the future. We're still voting on the waiver.\r\n\r\nSo we MAY as well hear what the rest of it is, unless you are against the waiver. >> no, but I mean, I don't want to keep doing this. >> I know, we understand what you're saying. All those in favor of the motion, raise your hand, say aye? >> aye. >> nine ayes, zero nos, motion carries. Vice-chair sugimura.\r\n\r\n>> I move to pass bill 48 on first reading. >> maybe you can explain a little bit about what bill 48 is, just real short. >> this bill would amendment fiscal year 23 budget appendix a, part ii by adding new condition to the affordable housing fund for water system development fees fort hale kaiola project in the amount of \$131,836. And representatives from the administration are available, in case you would like to ask them questions. >> okay. So this in discussion, so this proposal is, you are doing this on behalf administration. >> right. >> on behalf of them.\r\n\r\nAny more discussion? We need a second. I thought member kama seconded it. >> she did. >> moved by member sugimura, seconded by member kama to pass this motion. And you have heard the explanation, but maybe do you have more discussion? Member sugimura?\r\n\r\n>> that is my discussion. >> that is your discussion. >> yes, that is. >> anybody want to discuss this further? It's actually coming from the administration. Yes, member paltin. >> I just would say that my discussion would be as the administration identified that in is how we fix it, kind of we were told by MR.\r\n\r\nChun, this is not a good way to do things, and so just trying to point it out. I'm not a builder, I'm not a contractor. I don't administer water as an engineer or anything. I don't collect fees. I'm just saying it's been pointed out to us. I don't think I'm the appropriate person to fx it. I don't know if we can identify who that appropriate person is?\r\n\r\nBut the developer, MR. Chun was not stoked on it, and so I'm just emphasizing that point that this happening and we heard what he said. It would be prudent if somebody who knew what they were doing with affordable housing development firms fixes it. That is my discussion. Thanks. >> thank you. All those in favor of the motion, raise your hand, say aye? \r\n\r\n>> aye. >> nine ayes, zero nos, motion carries >> >> thank you, members. >> this next all right, please call it up and I will say something. >> chair, before you is bill 49 (023) A bill for an ordinance establishing chapter 3.100 maui county code instituting a general excise tax surcharge. >> members sugimura, we have been waiting for this bill for a long time. When are you going to schedule it? >> as soon as you send it to me.\r\n\r\n>> okay. All right, this is it, folks the G.E.T. Surcharge bill. Any objections t referring this matter to the bfed committee? So ordered. >> clair before you is bill 50 (023) A bill for an ordinance amending chapter 3.34 maui county code relating to the home acquisition and ownership programs revolving fun. >> any objections to referring this? Wait, wait, excuse me.\r\n\r\nMember kama. >> thank you, chair. I move to waive rule 7g, requiring committee referral, and report fr bill 50. >> second anybody. >> second. >> oved by member kama, seconded by member rawlins-fernandez to waive the rules of the council regarding bill 50. Discussion, member kama. >> thank you, chair. Members at the request of chair lee, I respectfully request consideration of bill 50 by allowing us to adding on this first step of a multi-step process, and support the motion to waive rule 7g. This type of amendment in the structure of county funds can only be plead by council when the mayor's fiscal year budget is being considered.\r\n\r\n>> okay. On just the rule. >> sorry. >> my more discussion on the rule? >> chair? >> all those in favor of the waiver. >> member johnson?\r\n\r\n>> is there a chance to making an amendment on this >> there I a chance. >> thank you. All those in favor of the waiver nine ayes, zero nos, motion carries, member kama. >> this type of and structure of county funds can only be made by council when the mayor's fiscal year budget. >> point of order. >> yes, member rawlins-fernandez. >> e need the main motion.\r\n\r\n>> yes, main motion first and then explain. >> sorry. Move to pass this item on first reading. >> second. >> sorry, thank you. >> moved by member kama, seconded by member rawlins-fernandez to pass bill 50 on first reading. And and actually, there's an accompanying resolution that would be referred to committee.\r\n\r\nSo this item subject-matter would go to committee. So that is the motion. Discussion? Member kama? >> thank you for the third time, members, sorry. At the request of chair leibsering I respectfully request consideration of bill 50 by allowing us to act on this first step of a multi-step process and support the motion to waive rule 7g. This type of amendment and the structure of county funds can only be made by council when the mayor's fiscal year budget is being considered by council. Otherwise, this type of amendment could only be proposed by a county administration, and that right now is

the time that defines the urgency of this legislation.\r\n\r\n>> member johnson, I want to -- i said earlier that you could -- you actually could placan amendment to this bill. But this all item is going to committee and better time to make your amendment at that time. Member sugimura? >> I don't understand what is going on. If we have a bill, w're trying to pass today and you are going to send it to committee, the same bill, and you can make an amendment there, why can't he do it today? Maybe it's a corp. Counsel question.\r\n\r\n>> it's an alice lee question. >> you made it up. >> this bill, as people know , has to do with the 'ohana assistance program. The 'ohana assistance program would attach to an existing revolving fund. That is the essence of this bill. There is a resolution regarding the subject matter that would be referred to committee to further work out the details of how to implement this program, and that is when MR. Johnson and anybody else can discuss this bill further.\r\n\r\nBecause we're looking at the mechanics. So the idea is if we pass this bill now and the mechanics are worked out in committee over the next couple of months, then this program can be implemented this year. Because it would have passed the budget. So that is te purpose of doing it this way. And if you do not agree, that's fine. And we can have roll call right now. Yes?\r\n\r\n>> this bill is not signed by corp. Counsel. So I wondered if I have an old version, or did corp. Counsel sign off on this bill? >> corp. Counsel signed off on this bill. >> they did.\r\n\r\n>> she said yes. >> my version is not signed. >> she is the signer. >> we can ask the staff to distribute the revised bill that has been approved. >> okay. Less let's take a five-minute recess. [Gavel] [Gavel] >> the meeting of MAY 23rd, 2023, please reconvene.\r\n\r\nOkay. Where we left off was on your motion, member kama. >> so mmmbers, you should have received the revised proposed version of this bill, that has been approved as to form and legality by the department of corp. Counsel. >> sorry, I can't hear. >> oops, sorry. >> who is that?\r\n\r\n>> how about now? >> better, thank you. >> can you hear now? >> yes, thank you so much. >> okay. >> thank you. I now move to substitute bill 50 (2023) With revised proposed version that has been distributed.\r\n\r\n>> it's been moved by member kama, seconded by member rawlins-fernandez to substitute bill 50 >> yes. >> discussion? Member kama. >> thank you, chair. Members, this version of the bill incorporates non-substantive revisions and has been approved as to tcp and legality. Therefore, we should take action on the bill and I ask for your support of this motion. Thank you.\r\n\r\nDiscussion anybody? Member sugimura. >> so I met with the department regarding this, and they wanted to work on the bill, and so I'm opposed to passing it today, and sending it to member kama's committee for more discussion with the department. I'm going to be vetting no. Voting no. >> member rawlins-fernandez. >> mahalo, chair.\r\n\r\nI support moving this bill forward today. As we know, no program can move forward without additional guidelines, sometimes via admin rules and sometimes we as a council establish rules with how a program will operate via code. So I think in moving forward with just establishing this opportunity, we all talk about how important it is for us to be creative in providing opportunities for our residents to have more housing. And this is one way of doing it. I did have concerns when we were in committee about how it would be managed? And I we work together on coming up with those guidelines, I think this will be very successful. Mahalo, chair.\r\n\r\n>> thank you. Anybody else? Member cook. >> thank you, chair. I'll be speaking in support of this. I will be in support of this. My two concerns whether it was signed by corp.\r\n\r\nCounsel and the fact it's going to committee resolved both of my concerns. So I'm supportive. I think us as a council working with the administration to be creative and progressive in how we enable funding, and monitoring projects. Thank you for bringing this forward. I'm supportive. >> thank you. Any more discussion?\r\n\r\nMember johnson, yes. >> thank you, chair. I'm hesitant to support it, but I kow it's very important that we find creative ways. I'm just concerned that it might set a bad precedence, and I think that's kind of my biggest concern, because we're voting on it and then sending it to committee is very unusual. I have never done that, but that is all my point is. Thank you, chair. >> okay.\r\n\r\nThank you. We have done it many times. Member rawlins-fernandez. >> mahalo, chair. I share member johnson's concern, but we did take it up in committee during budget session, and talked through some of the components of it. And this will likely not move forward without additional guidelines. So with where we're at in the fiscal year, I'm supportive of making this happen.\r\n\r\nAnd I think my concerns about not having al of the additional guidelines in place now is kind of quelched by it not really moving forward without adding those guidelines. So it's not going to move forward if we don't do the additional work and put in safeguards that the funding goes to those we intend it go to for the purpose stated in the by, for the purpose we're all working towards. So I think for that reason I feel it's addressed my concern, at least. Mahalo, chair. >> thank you. Any more comments? Roll call.\r\n\r\n>> thank you, MADAM Chair. Council member pro tempore kama? >> es. >> vice-chair sugimura? >> no. >> council member paltin? >> aye.\r\n\r\n>> council member johnson? >> aye with reservations. >> council member rawlins-fernandez? >> aye. >> council member cook? >> aye. >> council member uu-hodgins?\r\n\r\n>> aye. >> council member sinenci? >> aye. >> chair lee? >> aye. >> chair, that's eight ayes, one no, motion passes. >> okay.\r\n\r\n>> and that was the motion to substitute. So make back to the main motion, which is to pass on first reading as amended. >> who made that? >> member kama. >> member kama, the motion as amended. >> yes. >> the main motion as amend.\r\n\r\n>> yes. >> any more discussion?

>> no. >> okay. Roll call. >> council member pro tempore kama? >> yes.\r\n\r\n>> vice-chair sugimura? >> no. >> council member paltin? >> aye. >> council member johnson? >> aye. >> council member rawlins-fernandez? \r\n\r\n>> aye. >> council member cook? >> aye. >> council member uu-hodgins? >> aye. >> council member sinenci? >> aye.\r\n\r\n>> chair lee? >> aye. >> chair, motion passes 8-1. >> thank you. Our next item. >> chair, the next item for referral your housing and land use committee is bill 51 (2023) A bill for and ordinance amending chapter 3.35 maui county code relating to the affordable housing fund >> members, any objection to referral to the hlu committee? >> no objections. >> chair?\r\n\r\n>> so ordered. >> chair before you is bill 5 (2023) A bill for an ordinance amending the fiscal year 2023 budget for the county of maui as it pertains to estimated revenues, department of fort collins wailuku-kahului community plan area, government facilities, general fund, acquisition of 2145 kaohu street building and property, total capital improvement projects appropriation, total appropriations operating and capital improvement projects. I just wanted to mention that a letter was received from the office the mayor today and has been distributed to council members certifying additional revenues from fiscal year 2023 from the general fund for transient accommodation tax. >> how much was that? >> 3.8 million. >> yes. >> okay.\r\n\r\nVice-chair sugimura. >> I request that the clerk also call bill 53 (2023 (N. And re-open resolution 23-147? >> x MS. Clerk. >> thank you, chair. So calling bill 53? (2023) A bill for an ordinance amending the fiscal year 2023 budget for the county of maui as it pertains to appendix c, capital improvement projects, department of finance, wailuku-kahului community plan area, sabsing of 2145 kaavey street, boiling and property. Kaohu street, building and property. >> just one second.\r\n\r\nRecalling resolution 23-147, authorizing the acquisition of real property con sitching of 16,255 square feet identified as tax map key (2)3-4-006:027 situated at wakur maui, hawai'I for an amount flotto exceed \$3.8 million and accepting the dedication of two parcels of approximately 2.2229 square feet identified as tax map keys nos. (2 (N.3-4-006:028 and (2-3-4? >> 006:032 sich grated at maku maui, hawai'I. >> santa barbara >> vice-chair sugimura. >> moved by vice-chair sugimura, seconded by member uu-hodgins regarding bill 5 and 52 and reso 23-147, requiring 7g waiver. Discussion? >> this legislation relates to the purchase of property at 2145 kaohu street, and the seller has asked that we close by the ending of the fiscal year. >> all those in favor of the waiver, raise your hand, say aye? >> aye.\r\n\r\n>> looks like member paltin and member johnson, did you have your hands up? Eight ase, zeros no, one excusedth, motion carries. Member sugimura. >> I move to pass bill 5 and bill 53 on first reading, and adopt resolution 23-147. >> moved by vice-chair sugimura and seconded by member cook to pass bills 52 and 53 and adopt resolution 23-147. Discussion? >> council members, bill 53 (2023 (And bill 52 and 53 would amend fiscal year 2023 budget appendix cto increase revenues for the transient accommodation tax by \$3,850,000 and add a new project and project description for the department of finance wailuku-kahului community plan area for the acquisition of 2145 kaohu street building and property in the amount of \$3,850,000. Council members the county currently has space in this building for employees of the department of environmental management and the administration is currently conducting a space study that will take the additional space of this building into consideration whether determining when departments will be licated -- where departments will be located. Representatives from the administration and hgea are available, if there's any questions. I ask for the council members' support of this motion.\r\n\r\nAnd it will be an expansion of our footprint of this campus and I totally support this. >> any more dscussion? Member rawlins-fernandez. >> mahalo, chair. I'm supportive of this effort. I guess I'm curious when if member sugimura is going to take up a presentation, or if we're going to get the appraisal and all of the information before second reading? >> chair.\r\n\r\n>> sure. >> chair? >> if I could? My next committee meeting my agenda is set. So I wouldn't be able do that, but I could gather information and present it. I do know that this price is appraisal price that director teruya received and passed on to us and I can get that verified. >> mahalo, chair.\r\n\r\nWe usually don't just have it verbal. We usually have it for the benefit of the public to be able to see the appraisal. So just having that available for the public to view as well. >> okay. >> maybe the budget director can provide that to us before second reading. >> okay. >> all of the details.\r\n\r\nThank you. >> including the appraisal and anything else that's pertinent. >> thank you. >> mahalo, chair. >> you're welcome. Any more discussion? Member paltin.\r\n\r\n>> thank you, chair. I'm supportive. I just was wondering when this would take place? The transfer of ownership? Like we had previous deals where, like, the tenants would still stay in the building for a set period of time. And it would be pro rata or whatever. I just was wondering, like, at the close of the fiscal year, is it ours outright, and everybody is going to be ejected?\r\n\r\nAnd I used to be an hgea steward and where are they going to meet? I had those questions. >> budget director, did you hear the questions? >> yes, thank you, chair. Council member paltin, I don't have any information relative to what the logistics are. I did understand that finance director teruya would be available. I don't know if he is on line or on bluejeans, but that was my understanding, or somebody, a representative from the finance department.\r\n\r\nI don't have the details. I can certainly get them. >> would you get those answers to member paltin's questions and member rawlins-fernandez. >> absolutely. >> thank you. I can call him up, just if anyone else -- if you want me to call him, I

can. >> we can get all those questions compiled by the budget director, and then made available to the public, and the rest of us before second reading.\r\n\r\nOkay. >> definitely. >> are there any more questions? If not, all those -- do we need roll call? All those in favor of the motion, raise your hand, say aye? >> aye. >> nine ayes, zero nos, motion carries.\r\n\r\nMS. Clerk. >> chair, we're moving on to the bills for second and final reading before you is bill 43 (2023) (?) A bill for an ordinance amending the fiscal year 2023 budget for the county of Maui as it pertains to the office mayor, economic development programs, Molokai economic development, environmental and cultural programs. >> member Rawlins-Fernandez. >> Mahalo, chair, I move to pass bill 43 on second and final reading. >> second. Moved by member Rawlins-Fernandez and second by member Sugimura to pass bill 43 on second and final reading.\r\n\r\nAny discussion? Member Rawlins-Fernandez. >> Mahalo ir chez. This amendment to the FY'23 budget will delete the conditional language, which would have allowed funding up to \$30,000 for Molokai Makahiki festival took place in JANUARY 2023. But the organization did not submit a grant application prior to the event's completion. Therefore, the cite was not able to reimburse the organization for the funds used because permission occurred outside of the dates of the grant execution. And so instead, the funds will now be awarded to Kalam Homestead Association. So that it can develop its commercial kitchen for use.\r\n\r\nMahalo, chair. >> any more discussion? If not, all those in favor of the motion, raise your hand, say aye? >> aye. >> nine ayes, zero nos, motion carries, MS. Clerk. >> chair, before you is bill 44 (2023) A bill for an ordinance amending the fiscal year 2023 budget for the county of Maui as it pertains to appendix a, part 1, grants and restricted use revenues, schedule of grants and restricted use revenues by departments and programs, department of police.\r\n\r\n>> vice-chair Sugimura. >> thank you. I request the clerk also call bill 45, and bill 46 (2023) . MS. Clerk. >> bill 4 (2023) A and a bill for an ordinance amending the fiscal year 2023 budget for the county of Maui as it pertains to appendix a, part 1 grants and restricted use revenues schedule of grants and restricted use revenues by the departments and programs, office of the mathematics bureau of reclamation and Maui Nui water conservation planning project. Bill 46 (2023) A bill for an ordinance amending the fiscal year 2023 budget for the county of Maui as it pertains to appendix a, part 1, grants and restricted use revenues, schedule of grants and revenues, by departments and programs, department of housing and human concerns, U.S. Aging aging and disability vaccination collaborative. >> vice-chair.\r\n\r\n>> I move to pass the bills on second and final reading. >> second. >> moved by vice-chair Sugimura and second [Kpw-eud/] Member Kama to pass bills 44, 45 and 46 on second and final reading. Discussion? >> thank you. Council members, bill 44, amends the fiscal year 2023 budget appendix a part 1, department of police by adding a new grant entitled "centers for disease control, and prevention grant." in the amount of \$4125. The police also submitted explanation of this grant as was requested during our last -- or during first reading. That this grant was awarded to the Maui police department by the national network of public health institutes to fund the expanded drug overdose investigations training to improve overdose mortality, surveillance projects.\r\n\r\nBill 45 (2023) Oahu's fiscal year 2023 budget appendix a, part 1, office of the mayor, by adding a new grant entitled "bureau of reclamation Maui Nui water conservation planning project," in the amount of \$100,000. And this also asked for information at first reading and this is what was submitted. The office of economic development applied for the grant in partnership with the department of water supply in NOVEMBER 2022. Funds will be made available from the U.S. Department of the interior, bureau of reclamation and shall be used for water storage conservation plan development. Bill 46 amends fiscal year 23 budget, appendix a, part one, department housing and human concerns by adding the new grant entitled "U.S. Aging aging and disability vaccination collaborative." in the amount of \$766,950. I ask for the council members' support of this motion. Thank you, chair. >> any more discussion? If not, all those in favor of the motion, say aye, raise your hand. >> nine ayes, zero nos and guess what?\r\n\r\n>> that's it. >> all pau. All pau. Congratulations everybody! [Applause] Good job! Staff, everybody. >> yes.\r\n\r\n>> hard work is done, and almost over. Second reading is what? JUNE 6, I believe. Any last words? We'll all see each other tomorrow. Whoa -- okay, I guess not. Thank you everyone.\r\n\r\nAnd we'll see you next time. This meeting is adjourned