

**MAUI COUNTY COUNCIL
REGULAR COUNCIL MEETING
CHAIR'S MEETING NOTES**

**November 3, 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

Meeting called to order at 9:00 a.m.

A. Roll Call

Councilmember	Pres.	Abs.	Exc.	Time(s) In/Out (during meeting)
CM Pro Tempore Tasha Kama	√			
Vice Chair Yuki Lei Sugimura	√			
CM Tamara Paltin	√			
CM Gabe Johnson	√			
CM Keani Rawlins-Fernandez	√			
CM Tom Cook	√			
CM Nohelani U'u-Hodgins	√			
CM Shane Sinenci	√			
Chair Alice L. Lee	√			
TOTAL PRESENT	9			

- B. OPENING REMARKS** – Councilmember Pro Tempore Tasha Kama
- C. PLEDGE OF ALLEGIANCE TO THE FLAG**
- D. TESTIMONY ON CEREMONIAL RESOLUTIONS**
- 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**

K. COMMITTEE REPORTS

CR 23-83 Recommending FIRST READING of Bill 92 (2023) to amend the Fiscal Year 2024 Budget by amending Section 3.B.9.a., Department of Management, Management Program, by increasing the equivalent personnel by 1.0, decreasing the appropriation under General - Category B (Operations and Equipment) by \$40,000, increasing the appropriation for the Grant to Maui County Veterans Council by \$40,000, and adjusting the totals accordingly.

	AYE	NO	EXC	Time Deliberations Began	9:17 a.m.
Pro Tem Kama	√			Time Motion Made	9:17 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	9:19 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

CR 23-84 Recommending ADOPTION of Resolution 23-130, authorizing settlement of Claim 4077284 of Ronald Browning, in the amount of \$18,107.70, relating to property damage in Kula.

CR 23-85 Recommending ADOPTION of Resolution 23-109, authorizing settlement of Claim 4077471 of Joel Estrella, in the amount of \$15,000, relating to property damage in Wailuku.

CR 23-86 Recommending ADOPTION of Resolution 23-110, authorizing settlement of Claim 4076201 of David Williams, in the amount of \$29,046.04, relating to property damage in Kihei.

CR 23-87 Recommending ADOPTION of Resolution 23-111, authorizing settlement of Claim 4080968 of Matthew Smith, in the amount of \$25,000, relating to erroneous billing for sewer fees at the claimant’s property in Lāhainā.

CR 23-88 Recommending ADOPTION of Resolution 23-113, authorizing settlement of Claim 4076130 of Hansen Ohana Security LLC (Robert Hansen), in the amount of \$14,982.67, relating to property damage in Kihei.

	AYE	NO	EXC	Time Deliberations Began	9:20 a.m.
Pro Tem Kama	√			Time Motion Made	9:21 a.m.
VC Sugimura	√			Motion	ADOPT CR 23-84 through 23-88 recommendations
CM Paltin	√			Maker	U‘u-Hodgins
CM Johnson	√			Seconder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	9:22 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

CR 23-89 Recommending FIRST READING of Bill 73 (2023), authorizing the Mayor to enter into a Memorandum of Agreement with the State of Hawai‘i, County of Maui, County of Hawai‘i, County of Kaua‘i, City and County of Honolulu, and the County of Kalawao, on proceeds relating to settlement of opioid litigation.

	AYE	NO	EXC	Time Deliberations Began	9:22 a.m.
Pro Tem Kama	√			Time Motion Made	9:23 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	U‘u-Hodgins
CM Johnson	√			Seconder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	9:24 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

CR 23-90 Recommending FIRST READING of Bill 87, CD1 (2023), to assist the Department of Transportation with implementing a paid parking system by establishing off-street paid parking zones and permit parking zones in Wailuku, establish prohibited activities for the Wailuku garage, and propose amendments to assist the Department in enforcing rules and laws on the general operation of paid and permit parking.

	AYE	NO	EXC	Time Deliberations Began	9:24 a.m.
Pro Tem Kama	√			Time Motion Made	9:24 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	Cook
CM Johnson	√			Seconder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	9:26 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

CR 23-91 Recommending FIRST READING of Bill 89 (2023), to authorize the Mayor to enter into an intergovernmental agreement with the United States Geological Survey, Pacific Islands Water Science Center, United States Department of the Interior, to continue its cooperative water-resource monitoring program in a joint funding agreement with the Department of Water Supply.

	AYE	NO	EXC	Time Deliberations Began	9:27 a.m.
Pro Tem Kama	√			Time Motion Made	9:27 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	Cook
CM Johnson	√			Seconder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	9:29 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

RESOLUTIONS

Reso 23-222 "APPROVING DISPOSITION (PARTIAL CANCELLATION) OF WATERLINE EASEMENT"

Referred to the Water and Infrastructure Committee without objection.

Reso 23-226 "URGING THE MAYOR TO ESTABLISH A HOUSING COORDINATOR FOR MAUI COUNTY"

Referred to the Housing and Land Use Committee without objection.

ORDINANCES

Bill 103 (2023) "A BILL FOR AN ORDINANCE ON THE REAL PROPERTY TAX AGRICULTURAL CLASSIFICATION AND DEDICATED LANDS FOR AGRICULTURAL USE"

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

Bill 104 (2023) "A BILL FOR AN ORDINANCE AMENDING SECTION 3.100.040, MAUI COUNTY CODE, ON USE OF THE GENERAL EXCISE TAX FUND"

	AYE	NO	EXC	Time Deliberations Began	9:31 a.m.
Pro Tem Kama	√			Time Motion Made	9:31 a.m.
VC Sugimura	√			Motion	WAIVE Council Rule 7G
CM Paltin	√			Maker	Rawlins- Fernandez
CM Johnson	√			Secunder	Sinenci
CM Rawlins- Fernandez	√			Time Vote Taken	9:33 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC	Time Deliberations Began	9:33 a.m.
Pro Tem Kama	√			Time Motion Made	9:33 a.m.
VC Sugimura	√			Motion	PASS on first reading, as amended
CM Paltin	√			Maker	Rawlins-Fernandez
CM Johnson	√			Second	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	10:26 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	9:33 a.m.
VC Sugimura	√			Motion	AMEND with distributed ASF
CM Paltin	√			Maker	Rawlins-Fernandez
CM Johnson	√			Second	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	9:34 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC	Time Deliberations Began	9:46 a.m.
Pro Tem Kama	√			Time Motion Made	10:10 a.m.
VC Sugimura	√			Motion	AMEND
CM Paltin	√			Maker	Rawlins-Fernandez
CM Johnson	√			Second	U'u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	10:26 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Bill 105 (2023) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF FIRE AND PUBLIC SAFETY"

	AYE	NO	EXC	Time Deliberations Began	10:27 a.m.
Pro Tem Kama	√			Time Motion Made	10:27 a.m.
VC Sugimura	√			Motion	WAIVE Council Rule 7G
CM Paltin	√			Maker	Paltin
CM Johnson	√			Seconder	Rawlins- Fernandez
CM Rawlins- Fernandez	√			Time Vote Taken	10:28 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC	Time Deliberations Began	10:28 a.m.
Pro Tem Kama	√			Time Motion Made	10:28 a.m.
VC Sugimura	√			Motion	PASS on first reading
CM Paltin	√			Maker	Paltin
CM Johnson	√			Seconder	Rawlins- Fernandez
CM Rawlins- Fernandez	√			Time Vote Taken	10:29 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Bill 106 (2023) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, DEPARTMENT OF WATER SUPPLY, ADMINISTRATION PROGRAM; CAPITAL IMPROVEMENT PROJECTS AND APPENDIX C, DEPARTMENT OF WATER SUPPLY"

	AYE	NO	EXC	Time Deliberations Began	10:29 a.m.
Pro Tem Kama	√			Time Motion Made	10:29 a.m.
VC Sugimura	√			Motion	WAIVE Council Rule 7G
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Second	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	10:30 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC	Time Deliberations Began	10:30 a.m.
Pro Tem Kama	√			Time Motion Made	10:30 a.m.
VC Sugimura	√			Motion	PASS on first reading
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Second	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	10:31 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

The following were referred to the Budget, Finance, and Economic Development Committee without objection:

Bill 107 (2023) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, DEPARTMENT OF FIRE AND PUBLIC SAFETY, ADMINISTRATION PROGRAM AND TRAINING PROGRAM"

Bill 108 (2023) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, APPENDIX B, DEPARTMENT OF WATER SUPPLY"

Bill 109 (2023) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, OFFICE OF THE MAYOR"

Bill 110 (2023) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, DEPARTMENT OF FINANCE, COUNTYWIDE COSTS; DEPARTMENT OF MANAGEMENT; APPENDIX A, PART I, DEPARTMENT OF MANAGEMENT; AND APPENDIX A, PART II, EMERGENCY FUND"

	AYE	NO	EXC	Time Deliberations Began	10:32 a.m.
Pro Tem Kama	√			Time Motion Made	10:32 a.m.
VC Sugimura	√			Motion	FILE
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	10:33 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Bill 111 (2023) "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.100, MAUI COUNTY CODE, RELATING TO GENERAL EXCISE AND USE TAX SURCHARGE"

	AYE	NO	EXC	Time Deliberations Began	10:37 a.m.
Pro Tem Kama	√			Time Motion Made	10:37 a.m.
VC Sugimura	√			Motion	WAIVE Council Rule 7G
CM Paltin	√			Maker	Rawlins-Fernandez
CM Johnson	√			Secunder	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	10:38 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC	Time Deliberations Began	10:38 a.m.
Pro Tem Kama	√			Time Motion Made	10:38 a.m.
VC Sugimura	√			Motion	PASS on first reading
CM Paltin	√			Maker	Rawlins-Fernandez
CM Johnson	√			Secunder	U'u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	10:39 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Bill 112 (2023) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, REVENUES; DEPARTMENT OF FINANCE, COUNTYWIDE COSTS; AND APPENDIX A, PART II, GENERAL EXCISE TAX FUND AND GENERAL EXCISE TAX FUND - DEPARTMENT OF HAWAIIAN HOME LANDS"

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

Bill 113 (2023) "A BILL FOR AN ORDINANCE AMENDING SUBSECTION 2.96.100(B), MAUI COUNTY CODE, RELATING TO THE ELIGIBILITY CRITERIA FOR RENTAL RESIDENTIAL WORKFORCE HOUSING UNITS"

Referred to the Housing and Land Use Committee without objection.

ORDINANCES - SECOND AND FINAL READING

Bill No. 66, CD1, FD1 (2023) "A BILL FOR AN ORDINANCE AMENDING CHAPTER 16.04D, MAUI COUNTY CODE, RELATING TO INSPECTIONS AND TO CORRECT AN OMISSION"

	AYE	NO	EXC	Time Deliberations Began	10:40 a.m.
Pro Tem Kama	√			Time Motion Made	10:40 a.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	Cook
CM Johnson	√			Secunder	Sugimura

CM Rawlins-Fernandez	√			Time Vote Taken	10:41 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

TIME MEETING ADJOURNED: 10:45 a.m.

TRANSCRIPTION

Council of the County of Maui on 2023-11-03 9:00 AM - Regular Meeting

[ROLL CALL] VETERAN'S DAY IS A TIME TO THANK THOSE WHO SERVED THIS COUNTRY DURING TIMES OF BOTH CONFLICT AND PEACE. FOR ME, IT'S TO REMEMBER MY GRANDFATHERS ON BOTH MY PARENTS' SIDE WHO SERVED IN WORLD WAR I AND MY BROTHERS WHO SERVED IN WORLD WAR II AND KOREAN WAR AND FOR MY MANY NIECES AND NEPHEWS WHO CONTINUE TO SERVE IN THE U.S. MARINE CORPS, AIR FORCE, ARMY, SPECIAL FORCES, U.S. ARMY AND THE NATIONAL GUARD. ALL THESE SACRIFICES ARE FREELY GIVEN TO US, SO WE MAY HAVE THE RIGHTS TO EXERCISE EVERY DAY, SOMETIMES WITHOUT EVEN THINKING OF THAT COST. AS A CHILD AND SIBLING OF VETERANS, I KNOW FIRSTHAND WHAT IT COSTS. I'M GRATEFUL TO THE U.S. ARMY, WHO TOOK MY DAD, AS HE CALLS HIMSELF, A PUNK KID FROM KAKAKO, WHO TAUGHT HIMSELF DISCIPLINE AND LOYALTY AND RAISED AND TAUGHT ELEVEN CHILDREN THE SAME AND AFTER RETIREMENT WAS CALLED TO SERVE THE HIGHEST POWERS OF ALL. I'M DEEPLY INDEBTED TO AND GRATEFUL TO EVERY ENLISTED PERSONNEL, PAST, PRESENT AND FUTURE FOR THE LOVE OF THEIR FELLOW MAN, THAT THEY WOULD WILLINGLY LAY DOWN LIVES. THESE ARE REFLECTIONS AND I ASK THAT YOU TAKE TIME TO REFLECT AND GIVE THANKS FOR ALL THAT WE HAVE.

ON NOVEMBER 7-13, MAUI COUNTY HOSTED THE TRAVELING EXHIBIT CALLED THE WALL THAT HEALS FEATURING 8,000-POUND, THREE-QUARTER SCALE REPLICA OF THE VIETNAM VETERAN'S MEMORIAL IN WASHINGTON, D.C., 3735' LONG AND 75' HIGH AND IS ENGRAVED WITH MORE THAN 58,000 NAMES OF THOSE SERVICE MEN AND WOMEN WHO DID NOT COME HOME. I HAVE BEEN WORKING WITH COUNCIL VICE-CHAIR SUGIMURA, SHARON BAG NAD TO CORRESPOND THE COMPLEX, BUT IMPORTANT PROCESS OF BRINGING THE WALL TO OUR ISLAND, AND IN THE SPIRIT OF BRINGING OUR SOLDIERS HOME. IT'S AN FORTUNATE FOR OUR COMMUNITY TO GAIN GREATER UNDERSTANDING, TO MOURN, AND IDEALLY TO HEAL THE BROKENNESS CREATED BY THE 20-YEAR VIETNAM WAR. I'M HOPING THAT WE CAN HAVE A COMMITTEE PRESENTATION, AND DISCUSSION ON THIS HISTORICALLY EXHIBIT. AND LATER THIS MONTH, WHEN WE CELEBRATE THANKSGIVING, WE'LL OFFER OUR THANKS FOR FOOD, SHELTER AND THE LOVE OF FAMILY AND FRIENDS, BUT ALWAYS TO REMEMBER TO LOVE ONE ANOTHER. THANK YOU, CHAIR. VERY BEAUTIFUL.

THANK YOU VERY MUCH. SO LET'S NOW HAVE THE PLEDGE OF ALLEGIANCE, PLEASE. 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. >> THANK YOU, MEMBERS. BEFORE WE -- HELLO TO OUR GUESTS. THANK YOU. VERY GOOD.

VERY, VERY GOOD. GROUP, ONE, TWO, THREE, AHN YEONG HA SAY O. THAT SOUNDED LIKE KOREAN A LITTLE BIT. YES. MEMBER UU-HODGINS. YES. AND THEN WE WOULD LIKE TO INVITE YOU TO COME DOWN HERE SO WE CAN GIVE YOU A LEI AND GIFT. IT'S OUR TURN, READY, 1, 2, 3. AHN YEONG HA SAY O. THANK YOU.

OKAY I HOPE THAT SOUND LIKE KOREAN, A LITTLE BIT. YES, MEMBER UU-HODGINS. YES AND WE WOULD LIKE TO INVITE YOU TO COME DOWN HERE, SO WE CAN GIVE YOU A LEI AND GIFT. >> ALOHA. I APPRECIATE FOR ALLOWING US TO ATTEND THE COUNTY COUNCIL MEETING AND FOR OTHERS FOR US TO THIS DEMOCRATIC PROCESS. THANK YOU. >> THANK YOU VERY MUCH, FOR THE GIFTS.

ARE YOU FOLKS GOING TO STAY FOR A FEW MINUTES, OR ARE YOU GOING TO SEE THE MAYOR? YOU CAN JUST STAND UP AND LEAVE WHENEVER YOU FEEL -- DON'T WORRY. OVER HERE, IF YOU STAYED OVER HERE, IT WOULD BE MUCH MORE INTERESTING, THE LEGISLATIVE BODY IS VERY INTERESTING AND MOST OF THE TIME, WE GET ALONG. ALL RIGHT, MADAM CLERK. >> CHAIR, FOR SECTIONS D, E AND F ON OUR AGENDA, THERE IS NO BUSINESS BEFORE THIS COUNCIL. SO WE'LL GO ON TO G, PRESENTATION OF WRITTEN OR ORAL TESTIMONY. WE CURRENTLY FROM NO ONE SIGNED UP TO TESTIFY, BUT IF THERE IS ANYONE WHO WOULD LIKE TO TESTIFY ON ANY ITEM ON OUR AGENDA, NOW IS YOUR OPPORTUNITY.

I WILL DO A QUICK COUNTDOWN. 3, 2, 1. CHAIR, THERE'S NO ONE SIGNED UP, OR HAS INDICATED THAT THEY WOULD LIKE TO TESTIFY. >> OKAY. WE'LL PROCEED TO THE NEXT ITEM. >> CHAIR, FOR SECTIONS H, I AND J, THERE IS NO BUSINESS BEFORE THIS COUNCIL. SO WE'LL MOVE ON TO K, COMMITTEE REPORTS. AT THIS TIME, ANYONE WHO WOULD LIKE TO TESTIFY ON COMMITTEE REPORTS, THIS IS YOUR OPPORTUNITY.

THERE IS NO ONE

SIGNED UP FOR THIS SECTION. I SEE MR. LAU MAKING HIS WAY DOWN. >> BEFORE MR. LAU STARTS, MAY I PLEASE REQUEST THAT EVERYONE KEEP THEIR MICROPHONES MUTED UNLESS IT'S YOUR TIME TO SPEAK, ORAL AND WRITTEN TESTIMONY WILL BE ACCEPTED AT THE BEGINNING OF THE MEETING AND PRIOR TO COUNCIL'S DELIBERATION ON EACH SECTION OF THE AGENDA AND TESTIMONY PERTAINING TO SECTIONS ON THE MEETING AGENDA. TO AMEND THE FISCAL YEAR 2024 BUDGET BY AMENDING SECTION 3B9A DEPARTMENT OF MANAGEMENT, MANAGEMENT PROGRAM BY INCREASING THE EQUIVALENT PERSONNEL BY 1.0, DECREASING THE APPROPRIATION UNDER GERM CATEGORY B OPERATIONS AND EQUIPMENT BY \$40,000, INCREASING THE APPROPRIATION FOR THE GRANT TO MAUI COUNTY VETERANS COUNCIL BY \$40,000 AND ADJUSTING THE TOTALS ACCORDINGLY. >> VICE-CHAIR SUGIMURA.\r\n\r\n>> THANK YOU, CHAIR. I MOVE TO ADOPT THE RECOMMENDATIONS IN COMMITTEE REPORT 23-83. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA AND SECONDED BY PRO TEM KAMA TO APPROVE RECOMMENDATIONS IN COMMITTEE REPORT 23-83, DISCUSSION. >> MEMBERS, THIS BILL AMENDS FISCAL YEAR 24 BUDGET FOR THE DEPARTMENT OF MANAGEMENT, BY INCREASING THE EQUIVALENT PERSONNEL FOR ITS MANAGEMENT PROGRAM BY ONE, AND MOVING \$40,000 FROM ITS CATEGORY B ACCOUNT TO THE GRANT TO MAUI COUNTY VETERANS COUNCIL. THE \$40,000 FOR THE GRANT WOULD SUPPORT THE TRAVELING OF THE WALL THAT HEALS, WHICH PRO TEM KAMA SPOKE ABOUT IN HER OPENING MESSAGE. THE WALL THAT HEALS WILL BE EXHIBITED AT THE COUNTY OF MAUI AND IT WILL BE HERE ACTUALLY EARLY OF 24 AND I THINK THE DATES HAVE BEEN SET, FEBRUARY 7-13. AND THE WALL THAT HEALS CONSISTS OF THREE-QUARTER SCALE REPLICA OF THE VIETNAM VETERANS MEMORIAL IN WASHINGTON, D.C., AND A MOBILE EDUCATION CENTER, THAT PROVIDES ADDITIONAL INFORMATION ABOUT THE VETERANS MEMORIAL AND VETERANS OF THE WORLD WAR. THE ADDITIONAL UNFUNDED EP ALLOWS FOR CREATION OF DEPARTMENT OF HAWAIIAN HOMELANDS LIAISON POSITION PRIOR TO THE BIFURCATION OF DEPARTMENT OF HOUSING AND HUMAN CONCERNS.\r\n\r\nAS REQUESTED BY THE MEMBERS THE DRAFT POSITION DESCRIPTION FOR THE LIAISON IS AVAILABLE ON GRANICUS AND SHARE POINT UNDER BFED-36. THE EMAIL FROM THE DEPUTY MANAGING DIRECTOR IS DATED -- EFFECTIVE JULY 1,2024 THE NEW DEPARTMENT OF HOUSING WILL BE REQUIRED BY THE COUNTY CHARTER TO HAVE A LIAISON TO DEPARTMENT OF HAWAIIAN HOMELANDS ON ALL MATTERS INVOLVING HOUSING DEVELOPMENT IN THE COUNTY. YOUR COMMITTEE VOTED 9-0 TO RECOMMEND PASSING OF THIS BILL ON FIRST READING. I RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT FOR MY MOTION. THANK YOU, CHAIR. >> BEFORE WE PROCEED, I NEED TO CLOSE PUBLIC TESTIMONY AND RECEIVE ANY WRITTEN TESTIMONY. >> NO OBJECTIONS. >> SO CONTINUING ON.\r\n\r\nANY MORE DISCUSSION? NO MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MOTION PLEASE RAISE YOUR HAND, SAY AYE. NINE AYES, ZERO NOS, MOTION CARRIES. MADAM CLERK. >> FROM YOUR GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE IS CR23-84 RECOMMENDING ADOPTION OF RESOLUTION 23-130, AUTHORIZING SETTLEMENT OF CLAIM 4077284 OF RONALD BROWNING IN THE AMOUNT OF '18,107.70 RELATING TO PROPERTY DAMAGE IN KULA. >> MEMBER UU-HODGINS.\r\n\r\n>> THANK YOU, CHAIR. MAY I PLEASE ALSO ASK THE CLERK TO CALL UP CRS 23-85,23-88. >> ANY OBJECTIONS, MEMBERS? >> NO OBJECTIONS. >> SO ORDERED, MADAM CLERK >> YOU HAVE BEFORE YOU FROM THE GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE CR23-85 RECOMMENDING ADOPTION OF RESOLUTION 23-109, AUTHORIZING SETTLEMENT OF CLAIM 4077471 OF JOEL ESTRELLA IN THE AMOUNT OF \$15,000 RELATING TO PROPERTY DAMAGE IN WAILUKU. CR23-86 RECOMMENDING ADOPTION OF RESOLUTION 23-10, AUTHORIZING SETTLEMENT CLAIM 4076201 OF DAVID WILLIAMS IN THE AMOUNT OF. \$29,046.04 RELATING TO PROPERTY DAMAGE IN KIHEI. CR23-87 RECOMMENDING ADOPTION OF RESOLUTION 23-111 AUTHORIZING CLAIM 4080968 OF MATTHEW SMITH IN THE AMOUNT OF \$25,000 RELATING TO ERRONEOUS BILLING FOR SEWER FEES IN CLAIMANT'S PROPERTY IN LAHAINA.\r\n\r\nCR23-88, RECOMMENDING ADOPTION OF RESOLUTION 23- 113 AUTHORIZING SETTLEMENT OF CLAIM 4076130 OF HANSEN 'OHANA SECURITY, LLC. IN THE AMOUNT OF \$14,982.68 RELATING TO PROPERTY DAMAGE IN KIHEI. >> MEMBER UU-HODGINS MOVED BY MEMBER UU-HODGINS, SECONDED BY -- MOVED BY MEMBER UU-HODGINS AND SECONDED BY VICE-CHAIR SUGIMURA TO ADOPT THE RESOLUTIONS IN CR23-84, THROUGH C23-88. DISCUSSION, MEMBER UU-HODGINS. >> THANK YOU, CHAIR. YOUR GREAT COMMITTEE MET OCTOBER 17, 2023 TO DISCUSS RESOLUTIONS 23-130, 23-109,

23-110, 23-111, AND 23-113. THE RESOLUTIONS TO AUTHORIZE SETTLEMENT OF VARIOUS CLAIMS WHICH YOUR COMMITTEE DISCUSSED IN BOTH OPEN SUGGESTION ANNE EXECUTIVE SESSION MEETINGS TO DISCUSS CONFIDENTIAL INFORMATION. YOUR COMMITTEE VOTED 8-0 TO RECOMMEND ADOPTION OF RESOLUTIONS 23-130, 23-109, 23-110, 23-111, AND 23-113. AND I ASK FOR THE MEMBERS' FULL SUPPORT OF THIS MOTION. THANK YOU, CHAIR.\r\n\r\n>> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MUNICIPAL CODE RAISE YOUR HAND, SAY AYE? >> AYE. >> NINE AYES, ZERO KNOWS, MOTION CARRIES MADAM CLERK. >> CHAIR, BEFORE YOU IS CR23-9 RECOMMENDING FIRST READING OF BILL 73 (2023) AUTHORIZING THE MAYOR TO ENTER INTO A MOA WITH THE STATE OF HAWAII, COUNTY OF MAUI, COUNTY OF HAWAII COUNTY OF KAUA'I, CITY AND COUNTY OF HONOLULU AND THE COUNTY OF KALAWAO ON PRODS RELATING TO SETTLEMENT OF OPIOID LITIGATION. >> MEMBER UU-HODGINS. >> I MOVE TO RECOMMENDATIONS IN 23-89. >> MOVED AND SECONDED TO APPROVE THE RECOMMENDATION IN CR23-9 DISCUSSION MEMBER UU-HODGINS.\r\n\r\n>> THANK YOU. YOUR GREAT COMMITTEE MET OCTOBER 17TH, 2023 TO DISCUSS BILL 73 (2023) BILL 73 WOULD AUTHORIZE THE MAYOR TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE STATE OF HAWAII, MAUI COUNTY, COUNTY OF HAWAII COUNTY OF KAUA'I AND CITY AND COUNTY OF HONOLULU AND THE COUNTY OF KALAWAO ON PROCEEDS RELATING TO THE SETTLEMENT OF OPIOID LITIGATION. CORP. COUNSEL EXPLAINED THAT MAUI COUNTY'S SHARE IN THIS SETTLEMENT OF OPIOID LITIGATION IS ESTIMATED AT \$1,245,720 TO BE SPENT BETWEEN 3-15 YEARS. THE SETTLEMENT FUNDS WILL BE RELEASED TO THE DEPARTMENT OF HEALTH, STATE OF HAWAII, BUT WILL BE SPENT AT MAUI COUNTY'S DISCRETION. YOUR COMMITTED VOTES 8-0 TO RECOMMEND THE BILL BE PASSED ON FIRST READING AND ASK FOR THE MEMBERS' FULL SUPPORT OF MY MOTION. THANK YOU, CHAIR.\r\n\r\n>> ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MOTION, PLEASE RAISE YOUR HAND, SAY AYE? >> A. >> NINE AYES, ZERO NOS, MOTION CARRIES MADAM CLERK. >> FROM YOUR WATER AND INFRASTRUCTURE COMMITTEE FIRST READING OF BILL 87, CD 1 (2023) TO ASSIST THE DEPARTMENT OF DEPARTMENT OF TRANSPORTATION WITH IMPLEMENTING OF A PAID PARK SYSTEM BY ESTABLISHING OFF-STREET PAID PARKING ZONES AND PERMIT PARKING ZONES IN WAILUKU ESTABLISH PROHIBITED ACTIVITIES FOR THE WAILUKU GARAC AND PROPOSED AMENDMENTS TO ASSIST THE DEPARTMENT IN ENFORCING RULES AND LAWS OF THE GENERAL OPERATIONS OF PAID AND PERMIT PARK. >> MR. COOK. >> THANK YOU, CHAIR.\r\n\r\nI RECOMMEND MOTION RECOMMENDATION OF COMMITTEE REPORT. >> MOVED AND SECONDED TO APPROVE RECOMMENDATIONS IN CR23-90. DISCUSSION, MEMBER COOK. >> THANK YOU, MEMBERS. YOUR WATER AND INFRASTRUCTURE COMMITTEE MET ON OCTOBER 16TH, 2023 TO DISCUSS BILL 87. BILL 87'S PURPOSES ARE ONE, TO ASSIST THE DEPARTMENT OF TRANSPORTATION WITH IMPLEMENTING A PAID PARKING SYSTEM BY ESTABLISHING OFF-STREET PARKING ZONES, AND PERMIT PARKING ZONES IN WAILUKU. TWO, TO ESTABLISH PROHIBITED ACTIVITIES FOR THE WAILUKU GARAGE FACILITY AND PROPOSE AMENDMENTS TO ASSIST THE DEPARTMENT WITH ENFORCING RULES AND LAWS ON THE GENERAL OPERATION OF PAID AND PERMIT PARKING. MEMBERS, THE DEPARTMENT OF MANAGEMENT RECEIVED THE CERTIFICATE OF OCCUPANCY, BUT IS AWAITING PASSAGE OF THIS BILL TO ESTABLISH THE RULES OF OPERATION FOR THE GARAGE FACILITY ALTHOUGH THIS BILL ESTABLISHES A PAID PARKING SYSTEM, THE ADMINISTRATION DECIDED TO POSTPONE THE PROPOSED RATES AND FEES AT THIS TIME DUE TOT EMERGENCY. YOUR COMMITTEE AMENDED THE BILL BY ONE, ALLOWING COMMERCIAL USE WITH A COUNTY PERMIT, TWO, AMENDS SECTION 11 OF BILL 87 TO SPECIFY THAT VEHICLES PARKED WITHOUT A VALID PERMIT AND IN PARKING SPACE WILL BE SUBJECT TO IMPOUNDMENT AND THREE, AMEND PROHIBITED ACCESS TO THE GARAGE FACILITY BETWEEN 11:00 P.M. AND 5:00 A.M. AS REQUESTED BY THE DEPARTMENT OF MANAGEMENT.\r\n\r\nYOUR COMMITTEE VOTED 9-0 TO RECOMMEND PASSAGE OF BILL 87, CD 1 ON FIRST READING, AND I ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. >> ANY MORE DISCUSSION? IF MOT, ALL THOSE IN FAVOR OF THE MOTION RAISE YOUR HAND SAY AYE. >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES JUST FOR OUR GUESTS THE REASON WHY WE'RE GOING THROUGH THESE RATHER QUICKLY IS BECAUSE WE ALREADY DISCUSSED ALL OF THESE MATTERS IN COMMITTEE. SO NOW WE'RE DISPOSING, OR CONCLUDING OR COMPLETING THE WORK OF THE COMMITTEE. WE'RE NOT -- WE'RE NORMALLY NOT THIS FAST.\r\n\r\n[LAUGHTER] [LAUGHTER] MADAM CLERK. >> CHAIR, ALSO FROM YOUR WATER AND INFRASTRUCTURE

COMMITTEE IS CR23-91 RECOMMENDING FIRST READING OF BILL 89 (2023) TO AUTHORIZE THE MAYOR TO ENTER INTO MEMORANDUM OF AGREEMENT WITH THE PACIFIC ISLANDS WATER SCIENCE CENTER U.S. GEOLOGICAL SURVEY, DEPARTMENT OF INTERIOR, TO CONTINUE ITS COOPERATIVE WATER-RESOURCE MONITORING PROGRAM IN THE JOINT FUNDING AGREEMENT WITH THE DEPARTMENT OF WATER SUPPLY. >> MEMBER COOK. >> CHAIR, I MOVE TO ADOPT RECOMMENDATIONS IN CR23-91. >> SECOND. >> IT'S BEEN MOVED BY MEMBER COOK, SECONDED BY VICE-CHAIR SUGIMURA TO APPROVE THE RECOMMENDATIONS IN EXPLOIT COMMITTEE REPORT 23-19, DISCUSSION, MEMBER COOK. >> THANK YOU, AGAIN, MEMBERS YOUR WATER AND INFRASTRUCTURE COMMITTEE MET OCTOBER 16TH, 2023 TO DISCUSS BILL 89. BILL 89'S PURPOSE AUTHORIZES THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE U.S. GEOLOGICAL SURVEY TO CONTINUE ITS COOPERATIVE WATER-RESOURCE MONITORING PROGRAM, AND JOINT FUNDING AGREEMENT WITH THE DEPARTMENT OF WATER SUPPLY. THIS MONITORING PROGRAM IS TO COLLECT DATA EVALUATE SURFACE AND GROUNDWATER TRENDS AND RESOURCES IN THE COUNTY.\r\n\r\nTHE IJA BEGAN OCTOBER 31ST, 2023 AND ENDS SEPTEMBER 30, 2024. \$212,215 WILL BE CONTRIBUTED BY THE COUNTY, AND \$35,425 WILL BE CONTRIBUTED BY USGS. A REPRESENTATIVE FROM THE DEPARTMENT OF WATER SUPPLY SAID THE PROGRAM COSTS INCREASED BECAUSE OF A PLANNED INSTALLATION OF TWO FULL RANGE STREAM FLOW STATIONS IN EAST MAUI, AS WELL AS A RESEARCH INVOLVING A DEEP MONITOR WELL IN WEST MAUI. YOUR COMMITTEE VOTED 9-0 TO RECOMMEND PASSAGE OF BILL 89 ON FIRST READING. I RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVORITE MOTION, RAISE YOUR HAND, SAY A. >> NINE AYES, ZERO NOS, MOTION CARRIES MADAM CLERK. >> CLAIR MOVING TO SECTION L, RESOLUTIONS AT THIS TIME INDIVIDUALS MAY TESTIFY ON RESOLUTIONS LISTED IN SECTION L OF THE AGENDA.\r\n\r\nTHERE'S CURRENTLY NO ONE SIGNED UP FOR THIS SECTION, BUT IF THERE IS ANYONE THAT WOULD LIKE TO TESTIFY ON RESOLUTIONS, NOW IS YOUR OPPORTUNITY. PLEASE MAKE YOURSELF KNOWN. I WILL DO A QUICK COUNTDOWN. 3, 2, 1. >> MEMBERS, ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY ON RESOLUTIONS OBJECTIONS. >> SO ORDER. MADAM CLERK. >> CHAIR FOR REFERRAL TO THE WATER AND INFRASTRUCTURE COMMITTEE IS RESOLUTION 23-222, APPROVING DISPOSITION PARTIAL CANCELATION OF WATERLINE EASEMENT.\r\n\r\n>> ANY OBJECTIONS TO REFERRING THIS MATTER TO THE WAI COMMITTEE? MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. SO IT'S JUST A DISAPPROVAL OF THIS LINE, CAN WE JUST TAKE IT UP NOW AND THAT WAY MEMBER COOK DOESN'T HAVE TO TAKE IT UP IN COMMITTEE? MEMBER COOK >> I WOULD LIKE TO REFER TO COMMITTEE. >> YOU WANT TO TAKE IT UP IN COMMITTEE AND TALK ABOUT IT? OH, OKAY.\r\n\r\nI DON'T HAVE ANY OBJECTIONS. >> OKAY. THEN THIS MATTER WILL BE REFERRED TO THE WAI COMMITTEE. THE NEXT RESOLUTION. >> CHAIR FOR REFERRAL TO THE HOUSING AND LAND USE COMMITTEE IS RESOLUTION 23-226, URGING THE MAYOR TO ESTABLISH A HOUSING COORDINATOR FOR MAUI COUNTY. >> ANY OBJECTIONS TO THIS REFERRAL? NO OBJECTIONS, SO ORDER.\r\n\r\nMOVING TO M, ORDINANCES THERE'S CURRENTLY NON-SIGNED UP TO TESTIFY ON THIS SECTION, BUT IF THERE'S ANYONE THAT WOULD LIKE TO TESTIFY ON ORDINANCES, NOW IS YOUR OPPORTUNITY. PLEASE MAKE YOURSELF KNOWN. THE COUNTDOWN IS 3, 2, 1. CHAIR, THERE'S NO ONE WHO HAS INDICATED A DESIRE TO TESTIFY. >> MEMBERS, ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY ON THE BILLS IN SECTION M? >> NO OBJECTIONS, CHAIR. >> SO ORDER. >> CHAIR, FOR REFERRAL TO BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE, BILL 130 (2023) A BILL FOR AN ORDINANCE ON THE REAL PROPERTY TAX AGRICULTURAL CLASSIFICATION AND DEDICATED LANDS FOR AGRICULTURE AAL USE. BEFORE IS YOU IS ALSO BILL 140 (2023) A BILL FOR AN ORDINANCE AMENDING SECTION 3.100 040 MAUI COUNTY CODE ON USE OF THE GENERAL EXCISE TAX FUND.\r\n\r\n>> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT IN ACCORDANCE WITH RULE 7 G. >> SECOND. >> THE MOTION IS TO WAIVE THE COUNCIL RULE IN REGARD TO -- IS IT JUST BILL 104? >> YES, JUST BILL 104. >> SECONDED BY MEMBER SINENCI AND DISCUSSION, MEMBER RAWLINS-FERNANDEZ >> THANK YOU, MS. SALDANA IS PASSING OUT THE BILL. THE PURPOSE FOR THIS MOTION TO WAIVE COMMITTEE REFERRAL AND REPORT, THIS AMENDMENT -- OKAY IS TO THE GENERAL EXCISE TAX ORDINANCE MUST PASS FINAL READING

BY DECEMBER 31, 2023. AND WOULD REQUIRE TWO-THIRD MAJORITY VOTE, AND IT'S WHAT WE HAD TALKED ABOUT WHEN WE WERE PASSING THE ORIGINAL BILL TO THE ENABLING LEGISLATION. THIS WAIVER ESSENTIALLY REQUIRES ANY DEVELOPER TAKING ADVANTAGE OF THE G.E.T. SURCHARGE FUNDING TO OPEN THEIR BOOKS.\r\n\r\nSO THAT WE CAN MAXIMIZE TRANSPARENCY FOR THE PUBLIC. >> OKAY, JUST ON THE WAIVER? >> YES, MAHALO, CHAIR. >> ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE WAIVER, RAISE YOUR HAND, SAY AYE? >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES, MEMBER RAWLINS-FERNANDEZ.\r\n\r\n>> MAHALO, CHAIR. I MOVE TO PASS BILL 104 (2023). >> SECOND. >> MOVED BY MEMBER RAWLINS-FERNANDEZ AND SECONDED BY MEMBER SINENCI. DISCUSSION. >> MAHALO, CHAIR. THIS BILL AMENDS GENERAL EXCISE TAX USE TAX FUND TO AUTO LOW PRIVATE RECIPIENTS TO AUDIT THEIR RECORDS. AT THIS TIME I WOULD LIKE TO MOVE TO AMEND BILL 104 AS FOLLOWS AND YOU CAN FOLLOW WITH ME.\r\n\r\nI MOVE -- BILL 104, BY SECTION 2, LINE 3 OF THE NEXT UNDERLINED SECTION BASED ON RAMSEYERED FORMAT INSERT A COMMA AFTER "STATUTES" FOR PROPER PUNCTUATION. AND REPLACE "ASSURE" WITH "ENSURE" TO BE MORE PRECISE. THAT IS MY MOTION. >> SECONDED BY MEMBER SINENCI. MOVED BY RAWLINS-FERNANDEZ. SECONDED BY MEMBER SINENCI TO AMEND THE MOTION AS READ. ANY MORE DISCUSSION?\r\n\r\nMEMBER COOK. >> THIS IS ON THE MOTION TO AMEND, JUST THE PUNCTUATION, AND -- >> MEMBER COOK -- -- >> NOT NOW. >> ANYBODY ELSE? ALL THOSE IN FAVOR OF THE MOTION TO MAKE THESE CHANGES, RAISE YOUR HAND, SAY AYE? >> AYE. >> NINE AYES, MEMBER KAMA? NINE AYES, ZERO NOS, MOTION CARRIES.\r\n\r\nMEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I WOULD BE HAPPY TO HEAR FROM MEMBER COOK. >> THIS IS ON THE MAIN MOTION AS AMEND. >> YOU WANTED TO SPEAK ON THE BILL? >> THE MAIN MOTION AS AMENDED. DISCUSSION.\r\n\r\n>> FOR CLARIFICATION, THIS IS THE BEING ABLE TO AUDIT THE DEVELOPERS. I DON'T HAVE A PROBLEM WITH AUDITING THEM. IT'S WHAT I READ PREVIOUSLY THE DEPTH OF THE AUDIT, THE ABILITY, ALL THE DIFFERENT LAYERS ADD -- I HAD A PROBLEM WITH THAT. MEMBER RAWLINS-FERNANDEZ, DO YOU WANT TO ANSWER THAT? >> I WAS GOING TO ASK FOR ANY SUGGESTIONS? SO THAT IS THE PROBLEM. DO YOU HAVE A SUGGESTION?\r\n\r\n>> YES. MY SUGGESTION IS THAT IT IS AUDITABLE BY BASICALLY BY THE ADMINISTRATION. BUT IT DOESN'T HAVE BY STAFF, AND I APOLOGIZE FOR NOT HAVING IT RIGHT IN FRONT OF ME TO LOOK AT. BUT COULD YOU READ, OR RELAY ALL OF THE DIFFERENT PEOPLE THAT WERE REQUESTED TO BE ABLE TO HAVE REQUEST TO AUDIT AND GET THE INFORMATION? >> OKAY. I HAVE A PROPOSED SOLUTION TO THE SUGGESTION. SINCE AN ASF IS NOT READY AT THIS TIME FOR US TO CONSIDER, IF THERE ISN'T A PROBLEM WITH US MOVING FORWARD, PERHAPS THE AMENDMENT CAN BE POSTED TO THE AGENDA FOR THE SECOND READING AND THEN WE CAN AMEND IT THEN.\r\n\r\nBECAUSE I DON'T HAVE ANYTHING PREPARED TO AMEND FOR THAT PURPOSE. >> THAT IS FINE WITH ME. >> ANYBODY ELSE? VICE-CHAIR SUGIMURA. >> SO I WONDER IF THIS CAN BE REFERRED TO COMMITTEE? THEN WE CAN HAVE A DEEPER DIVE. SO ALL DEVELOPERS WHO ARE GOING TO BE USING G.E.T., THAT WOULD INCLUDE HAWAIIAN HOMELANDS AND I WONDER WHAT THE IMPACT WOULD BE TO THAT?\r\n\r\nBECAUSE OF THE DIVERSITY OF -- THE WAY I SEE HAWAIIAN HOMELANDS USING THIS AND THE PROJECT THEY HAVE COMING UP WITH \$600 MILLION OF APPROPRIATION THAT I UNDERSTAND THAT HAWAIIAN HOMELANDS HAVE BEEN ABLE TO FIND -- OR WILL BE DOING HOUSING. SO I REALLY WOULD LIKE TO HEAR FROM HAWAIIAN HOMELANDS AS TO WHAT THEY MAY SAY ABOUT THIS. >> MEMBER KAMA THANK YOU, CHAIR. I WANTED TO BE ABLE TO GO TO COMMITTEE, TOO, BECAUSE I THINK THAT WE'RE ASKING -- THIS IS WHAT WE'RE ASKING: WE'RE ASKING FOR DEVELOPERS TO ALLOW THE DIRECTOR OF FINANCE, THE MANAGING DIRECTOR, ET CETERA, FULL ACCESS TO RECORDS, REPORTS, FILES AND OTHER DOCUMENTS. THAT IS A WHOLE LOT OF STUFF. AND I'M NOT SURE IF THEY ARE GOING TO BE WILLING TO DO THAT, AND WHAT THAT MIGHT MEAN FOR THEM IN TERMS OF MAYBE NOT EVEN WANTING TO GET G.E.T. DOLLARS TO HELP DO THEIR PROJECT. SO I WOULD RATHER SEE THIS GO TO COMMITTEE, SO WE CAN INVITE THOSE PEOPLE WHO NEED TO RESPOND TO WHAT WE'RE QUESTIONING.\r\n\r\nTHANK YOU, CHAIR. >> MEMBER JOHNSON. >> CHAIR, CAN I REQUEST A SHORT RECESS? >> TEN MINUTES. SO 9:48. IN RECESS. [GAVEL] AND WE WOULD REVIEW THAT WHEN WE'RE REVIEWING EITHER A BUDGET AMENDMENT OUTSIDE OF BUDGET SESSION OR DURING BUDGET SESSION AND THAT WAY THE PUBLIC HAS ACCESS TO ALL OF THE INFORMATION,

BECAUSE THIS IS THEIR MONEY, AND THE PUBLIC SHOULD HAVE ACCESS TO THIS INFORMATION MAHALO, CHAIR. >> BEFORE I CALL ON MEMBER KAMA TO ASK THE BUDGET DIRECTOR TO COME DOWN.\r\n\r\nMY UNDERSTANDING THAT THEY ARE REQUIRED TO PROVIDE AN ANNUAL AUDIT. MEMBER KAMA. >> THANK YOU. CHAIR. I STILL FAVOR IT GOING TO COMMITTEE, BECAUSE I WANT TO HEAR WHAT THE DEVELOPERS HAVE TO SAY ABOUT THIS. AND WE'RE GOING TO MAKE A DECISION HERE, AND THEN THEY ARE GOING TO BE TOLD THIS AND IT'S LIKE, WHAT? YOU KNOW? \r\n\r\nAND UNLESS WE HAVE CONVERSATIONS, OPEN, HONEST AND TRANSPARENT CONVERSATIONS I'M NOT COMFORTABLE MAKING DECISIONS ON THIS FLOOR, BECAUSE I DON'T SEE A SENSE OF URGENCY EITHER. NO COLLECTION IS GOING TO TAKE PLACE UNTIL JANUARY. WE'RE NOT GOING TO KNOW WHAT WE'RE GOING TO GET UNTIL JULY. SO WHY ARE WE TRYING TO DO THIS TODAY ON THE FLOOR? I WILL NOT VOTE FOR THIS, AND IT HAS TO GO TO COMMITTEE. THANK YOU, CHAIR. >> MEMBER RAWLINS-FERNANDEZ.\r\n\r\n>> MAHALO, CHAIR. SO AS I STATED, THE URGENCY IN THE MOTION TO WAIVE RULE 7G, IS THAT WE CAN ONLY TAKE ACTION EVERY SIX MONTHS ON LEGISLATION BECAUSE GO TAX IS COLLECTING THE TAX ON BEHALF THE COUNTY. SO THEY WOULD NEED TO KNOW FROM US THE DIRECTION WE WOULD LIKE THEM TO TAKE. SO WE'LL BE COLLECTING COME JANUARY 1ST, AND THEN THIS LEGISLATION WOULDN'T TAKE PLACE UNTIL JULY 1ST. SO THAT IS MY UNDERSTANDING OF HOW THIS RELATIONSHIP WITH DOTAX WORKS. EITHER WE TAKE ACTION NOW, NOVEMBER 3RD, IT MAY BE TAKEN UP BEFORE THANKSGIVING, MAYBE AFTER? AND IT WOULD HAVE TO PASS TWO READINGS ON THE FLOOR IN ORDER FOR US TO HAVE IT ENACTED OR ADOPTED BEFORE JULY -- DECEMBER 31ST OF THIS YEAR.\r\n\r\n>> SO THIS WOULD BE BFED ITEM. DIRECTOR, WHAT IS THE REQUIREMENT FOR GRANTEES? >> CHAIR, I'M GOING TO ASK HAVE BUDGET SPECIALIST MILLNER RESPOND. >> IS SHE A NEW PERSON? >> THANK YOU, CHAIR, THERE'S AN AUDIT REQUIREMENT FOR GRANTEES AND EXCEPTIONS GRANTED FOR NEW ORGANIZATIONS, BUILD UP THE HISTORY TO AUDIT. BUT YES, THEY ARE REQUIRED TO SUBMIT AN AUDIT REPORT AS PART OF THE APPLICATION PROCESS. >> MEMBER SINENCI.\r\n\r\n>> THANK YOU, CHAIR. MAHALO, MS. MILLNER. I'M WONDERING FOR SOME OF THESE GRANTEES, ARE THEY RECEIVING THE AMOUNT OF MONIES OF THE G.E.T., JUST THE AMOUNT UPWARDS OF 20% OF THE G.E.T.? >> IT'S A QUESTION FOR MS. MILLNER. >> ARE YOU ASKING SPECIFICALLY ABOUT DHHL'S 20%? >> ISN'T THIS THE G.E.T. THAT THEY WOULD BE ACCESSING? >> THIS IS FOR EVERYBODY; RIGHT?\r\n\r\n, WHO RECEIVES G.E.T. FUNDING. >> YES. >> YES. I THINK THE REQUIREMENT THAT COUNCIL MEMBER RAWLINS-FERNANDEZ IS PROPOSING IS FOR ALL RECIPIENTS OF FUNDS, NOT JUST FOR DHHL GRANTEES, BUT I WILL LET HER CLARIFY >> I THINK MY CONCERN IS THE AMOUNT OF MONEY IF WE'RE GIVING THEM UPWARDS OF SEVERAL MILLION DOLLARS I CAN UNDERSTAND WHY WE'RE JUST AUDITING IF THEY HAVE A COUPLE THOUSAND DOLLARS, BUT WITH THIS AMOUNT OF MONEY, I THINK WE REALLY NEED TO BE TRANSPARENT WITH IT. THANK YOU, CHAIR. >> MEMBER -- VICE-CHAIR SUGIMURA. >> THANK YOU.\r\n\r\nSO THE G.E.T. BILL IS WATER AND WASTEWATER. AND ONE OF THE EXAMPLES THAT WAS USED DURING THE PASSAGE OF THIS HALF A PERCENTAGE WAS THIS CENTRAL MAUI WASTEWATER RECLAMATION FACILITY THAT IS THE COUNTY IS GOING TO BUILD MEANS EVERY SINGLE DEVELOPER THAT IS GOING TO TIE INTO THE WASTEWATER RECLAMATION AND HAWAIIAN HOMELANDS IS PART OF THAT AND BECAUSE OF THE MAGNITUDE OF EVERYTHING ELSE THAT THEY ARE TRYING TO DO, BUT THAT -- THESE ARE MY CONCERNS. I WOULD REALLY RATHER YOU SEND IT TO COMMITTEE, TO TALK ABOUT IT. SO THAT WE CAN DIVE DEEPER, INSTEAD OF DOING COMMITTEE WORK IN COUNCIL. THAT IS MY PREFERENCE. >> I LOVE IT WHEN YOU THINK OF ME. OKAY.\r\n\r\nMEMBER RAWLINS-FERNANDEZ. >> SURE. SO IF WE TAKE IT AS I SAID PREVIOUSLY, IF WE SEND IT TO COMMITTEE, WE -- THIS REQUIREMENT WOULDN'T TAKE EFFECT UNTIL NEXT JANUARY 1ST WOULD BE THE SOONEST. >> WE WOULD PASS IT WHEN THIS YEAR? >> BEFORE DECEMBER 31ST . BEFORE DECEMBER 31ST, WOULD YOU BE ABLE TO HANDLE IT? >> SO MY STAFF, MY BFED STAFF IS GOING TO SEND OUT A REQUEST, BECAUSE ON THE 16TH IS MY BFED MEETING. THANK YOU, GABE JOHNSON FOR CHANGING WITH ME FROM 1:30 ON THE 16TH AND ASKING FOR A SECOND MEETING ON THE 17TH AND I CAN ADD THAT TO MY AGENDA AND ASKING FOR THE 17TH.\r\n\r\n>> MEMBER KAMA. >> THANK YOU, CHAIR. SO WITH EVERYTHING THAT HAS BEEN GOING ON, WE HAVE PEOPLE THAT HAVE BEEN CANCELING MEETINGS TO ALLOW OTHER COMMITTEES TO HAVE MORE TIME. AND WE HAVE ADDED MORE MEETINGS, AND REALLY

ALL IT REALLY MEANS WE'RE JUST GOING TO HAVE TO WORK A LITTLE HARDER THE NEXT COUPLE OF WEEKS, IF WE WANT TO GET ALL OF THE BUSINESS OF THE COUNCIL DONE BY THE END OF THE YEAR. IT JUST MEANS MAYBE A LITTLE BIT MORE MEETINGS AND MAYBE IT MEAN OUR OFF-WEEKS ARE STILL ON WEEKS BECAUSE IT STILL FEELS LIKE THAT. IT FEELS LIKE OUR ON WEEKS AND OFF WEEKS ARE STILL ON. SO AT THIS POINT IN TIME, IF WE'RE REALLY WILLING, AND READY AND ABLE TO DO THE WORK OF THE PEOPLE, WHICH IS TO BE TRANSPARENT AND NOT DO THINGS ON THE FLOOR, AND SEND IT TO COMMITTEE, THAT IS WHAT WE SHOULD BE DOING AND WE SHOULD MAKE THE TIME TO DO IT.

THANK YOU, CHAIR. >> MEMBER PALTIN. >> THANK YOU, CHAIR. I HAD A MEETING LAST NIGHT WITH SOME OF THE FOLKS INVOLVE WITH THE CONFERENCE ON THE 14TH-17TH. COUNCIL FOR NATIVE HAWAIIAN ADVANCEMENT. AND YOU KNOW, THE WHOLE FIRST DAY IS REVOLVING AROUND LAHAINA, AND I FEEL THE CONNECTIONS AND NETWORKING FOR LAHAINA -- >> WHAT IS THE DATE >> THE 14TH. >> THROUGH THE 17TH.

IS GOING TO BE INVALUABLE IN THEIR BUILDING OF LAHAINA. THEY MOVED THEIR WHOLE CONFERENCE TO MAUI AND GAVE MAUI FREE REGISTRATION TO ANY MAUI RESIDENT. WHILE I'M NO STRANGER TO HARD WORK, I HAVE BEEN WORKING 24/7 SINCE AUGUST 8TH AND I WILL NOT BE ABLE TO ATTEND ON NOVEMBER 17TH. I FEEL THAT WE HAD THIS IN COMMITTEE WHEN WE PASSED THE G.E.T. BILL, AND SO YOU KNOW, MAYBE TODAY WE DON'T FINISH BY LUNCHTIME. I'M WILLING TO DO THE WORK RIGHT NOW. >> OKAY. I THINK THE REASON FOR THE REFERRAL WOULD BE TO LET OTHERS KNOW ABOUT IT NOT SO MUCH US.

MEMBER PALTIN. >> GOOD POINT. THIS IS JUST FIRST READING POSSIBLY AND BETWEEN NOW AND SECOND READING WE CAN ALSO DO THAT WORK AS WELL. WE LET OTHERS KNOW ABOUT IT WHEN WE PASSED THE GET BILL ABOUT REQUESTING TRANSPARENCY. YOU KNOW, MAUI HAS HAD A REALLY BLACK-EYE WITH MR. ENGLISH, AND VARIOUS PEOPLE. SOLE-SOURCE CONTRACTS AND WHAT NOT, MILTON CHOI.

ANYTHING THAT WE CAN DO TO SHOW THAT WE'RE IN FAVOR OF TRANSPARENCY, WHETHER IT BENEFITS THE DEVELOPER OR NOT, I'M HERE REALLY FOR THE PEOPLE. IF WE CAN MAKE THE ADJUSTMENTS WHERE NOT ALL OF THE DEPARTMENTS NEED TO KNOW, BUT SOMEBODY THAT CAN BE HELD ACCOUNTABLE CAN SEE IT. I THINK THAT IS IMPORTANT. WHEN THINGS HAPPEN IN THE DARK, AND ONLY A FEW PEOPLE KNOW ABOUT IT, THAT FEW PEOPLE AS WE HAVE SEEN IN THE PAST HISTORY HAVE BEEN PAID OFF. WE HAVE ALREADY SEEN IT. SO MORE TRANSPARENCY. I'M NOT NOT WILLING TO DO THE WORK, BUT I ALREADY MADE OTHER COMMITMENTS.

AND I COMMITTED TO BE HERE UNTIL THIS MEETING IS PAU, TODAY. AND I THINK THE FIRST STEP BETWEEN NOW AND THE 20TH, THERE'S LOTS OF WORK THAT KC DONE TODAY, PUT IT ON THE AGENDA THE 9TH, PUT IT ON THE AGENDA THE 20TH AND WORK ALL DAY EVERY DAY AS WE HAVE BEEN. >> MEMBER VICE-CHAIR SUGIMURA. >> THANKS. SO I BELIEVE THE WILDFIRE HAS AFFECTED ALL OF US IN MANY, MANY DIFFERENT WAYS. SO I WANT TO ALSO COMMEND MS. PALTIN FOR THE HARD WORK SHE HAS BEEN DOING FOR HER COMMUNITY, BUT I BELIEVE ALL THE COUNCIL MEMBERS HAVE STEPPED UP.

APPRECIATE THEM, BECAUSE THEY HAVE HELPED ME ALSO IN UP COUNTRY, AS WE ALL STRUGGLE THROUGH THIS DISASTER. I WOULD LIKE TO SEND THIS TO MY COMMITTEE. I AM COMMITTED ON -- DURING THE BREAK I TALKED TO MY STAFF ABOUT PUTTING IT ON THE AGENDA FOR NOVEMBER 16TH AT 1:30. ALONG WITH ANOTHER BILL THAT I JUST TALKED ABOUT TODAY. THAT WAS DISCUSSED WITH ME TODAY. BUT I BELIEVE THIS WILL -- YES, BE MORE TRANSPARENT, AND WE CAN TALK ABOUT IT MORE IN BUDGET COMMITTEE. >> SO WOULD YOU CONSIDER A COMPROMISE OF PASSING IT ON FIRST READING TODAY AND COMMIT -- AND REFER TO COMMITTEE ON THE 16TH? >> BUT WILL PEOPLE SHOW UP?

THAT IS THE THING I'M HEARING THAT WE'RE ALL BUSY. >> WELL, I THOUGHT THAT WAS MORE FOR THE POTENTIAL GRANTEES TO CHIME-IN. >> TO SEND IT COMMITTEE. I REALLY WOULD LIKE YOU TO SEND THIS TO COMMITTEE AND TAKE THE STEPS FORWARD. I WANT TO RESEARCH FURTHER. I DIDN'T THINK ABOUT THE GRANTEES, AND THE GRANTEES ARE REQUIRED TO PROVIDE AN AUDITED FINANCIAL STATEMENT TO THE OFFICE OF ECONOMIC DEVELOPMENT HOUSING AND HUMAN CONCERNS AND I THINK IT'S DIFFERENT WHAT OED AND HOUSING AND HUMAN CONCERNS WOULD ASK. MAYBE DIRECTOR ZIELINSKI.

>> LET'S GET CLARIFICATION FROM MEMBER RAWLINS-FERNANDEZ. >> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I THINK YOUR PROPOSAL FOR A COMPROMISE IS A VERY GOOD ONE AND I SUPPORT PASSING IT ON FIRST READING TODAY. AND

THEN HAVING DISCUSSION ON RULE 7B IN COMMITTEE ON NOVEMBER 16TH, AND BFED IS A FABULOUS IDEA. THANK YOU FOR PROPOSING THAT. MEMBER SUGIMURA CAN INVITE HER FRIENDS OR WHOEVER SHE WANTS TO, BECAUSE AS COUNCIL MEMBER PALTIN STATED AND AS I STATED IN THE FIRST STATEMENT, TO WAIVE RULE 7G OF THE RULES OF THE COUNCIL, I SAID THIS IN COMMITTEE WHEN WE WERE TALKING ABOUT THE ENABLING LEGISLATION, WE NEEDED TO PASS IT BEFORE JULY 1ST AND I SAID THAT I WANTED TO PUT A REQUIREMENT TO HAVE DEVELOPERS OPEN THEIR BOOKS.\r\n\r\nI SAID THAT THEN. I SAID IT AGAIN AT FIRST READING, AND I SAID IT AGAIN AT SECOND READING. I HAVE BEEN TRANSPARENT ABOUT MY INTENTION TO BRING FORTH A BILL THAT WOULD REQUIRE DEVELOPERS TO OPEN THEIR BOOKS. AND I HAVE WORKED ON THIS, AS I SAID I WOULD, AND I DID, AND HERE IT IS. AND IT HAS TO PASS BEFORE DECEMBER 31ST. SO I WASN'T HIDING ANYTHING. I WAS VERY OPEN ABOUT HAVING DEVELOPERS OPEN THEIR BOOKS.\r\n\r\nSO I'M OPEN THE DISCUSSION. I ALSO MADE A COMMITMENT TO PARTICIPATE ON A PANEL ON THE 16TH, AT THE CNHA CONFERENCE ALREADY. BUT AS YOU STATED, CHAIR, THAT MEMBER SUGIMURA'S INTEREST WAS TO ENABLE MORE TIME FOR DEVELOPERS TO EXPRESS THEIR CONCERNS, IF THERE ARE ANY, DHHL'S CONCERNS, IF THERE ARE ANY, WITH THIS BILL. AND I AM OPEN TO AMENDING IT AS I SAID, YOU KNOW, BY REMOVING SOME OF THE AGENCIES, OR POSITIONS, THAT WOULD BE REQUIRED. I'M OPEN TO WORKING TOGETHER ON THIS FOR TRANSPARENCY, FOR THE PUBLIC. MAHALO, CHAIR. >> YOU KNOW WHAT?\r\n\r\nI'M GOING TO CALL ON MEMBER COOK AND I WILL GET BACK TO YOU. MEMBER COOK. >> THANK YOU, CHAIR. AND THANK YOU ALL MY COLLEAGUES FOR THIS DISCUSSION. I THINK IT'S VERY CONSTRUCTIVE. THIS IS -- THIS HELPS ME BE ABLE TO ARTICULATE MY CONCERNS. WHEN YOU SAY "OPEN THE BOOKS," IS THE CLARIFICATION OF THAT THE EXAMPLE OF SOMEONE WHO IS DOING AN INFRASTRUCTURE PROJECT, THE PEOPLE WHO ARE DOING THE INFRASTRUCTURE PROJECTS MORE THAN LIKELY WILL BE THE LARGER DEVELOPERS THE ONES WITH THE CAPACITY TO EXECUTE SEWER WATER ON A LARGE SCALE.\r\n\r\nIF THEY ARE DOING SOME PROJECTS THAT ARE FOR AFFORDABLE HOUSING, AND SOME PROJECTS FOR THIS AND SOME PROJECTS FOR THE COUNTY, AND SOME PROJECTS FOR THE STATE, A VARIETY OF PROJECTS, THE STATEMENT "OPEN YOUR BOOKS" IS OVERLY BROAD. THAT IS MY CHALLENGE. IF IT'S REGARDING BEING ACCOUNTABLE FOR THE GE MONIES, AND HOW IT'S BEING USED AND WHERE IT'S GOING, THAT IS UNDERSTANDABLE. BUT IF IT'S GOING FOR WATER AND INFRASTRUCTURE THAT IS SERVICING THE COMMUNITY, THAT THE COUNTY, WE COLLECTIVELY AGREE TO DURING COMMITTEE, THEN THAT IS GOING TO BE ONE PHASE. FOR THEM TO HAVE TO OPEN THEIR BOOKS FOR US TO EVEN REVIEW WHAT WE'RE GOING TO ALLOCATE TO THEM, THAT IS WHERE I THINK IT GETS IS TO BE CUMBERSOME. IT ISN'T TRYING NOT TO HAVE TRANSPARENCY. I'M TRYING NOT TO HAVE OVERLY INTRUSIVE GOVERNMENT REGULATORY STUFF THAT WHEN PEOPLE HAVEN'T EVEN BEEN ABLE TO GET THE WORK DONE.\r\n\r\nTHE DESIGN MIGHT NOT BE 110% COMPLETE. THEY MIGHT HAVE A PARTIAL -- A SUBDIVISION THAT IS 80% DESIGNED, AND THEY HAVE A BUDGET, AND THEY ARE STRIVING TOWARDS AND THEY'LL HAVE CHANGE ORDER AND HAVE A VARIETY OF THINGS. HAVING TO DO AN AFTER THE FACT, AND EVEN DURING THE COURSE OF CONSTRUCTION AUDIT WOULD BE APPROPRIATE FOR THEM TO HAVE TO COME AND HAVE OPEN THEIR BOOKS AND SAY, YOU KNOW, THIS IS THIS, AND BEING ABLE JUST TO SLICE AND DICE IT, I THINK SOME PEOPLE WOULD JUST GO OH, WE DON'T WANT DO THAT PROJECT. WE NEED OFF-ISLAND BIG CONTRACTORS TO COME AND HELP US REBUILD LAHAINA, AND DO THE INFRASTRUCTURE FOR THE WASTEWATER PLANT, AND DO THE INFRASTRUCTURE THAT WE NEED MORE THAN LIKELY IT'S NOT SIMPLY GOING TO BE LOCAL CONTRACTORS, THEY WILL SUB IT OUT. IT'S KIND OF A LONG WINDED THING. I'M SHOULDER-TO-SHOULDER WITH YOU, TOO, AND DISCLOSE AND ADDRESS PUBLIC EXPENDITURES AND THIS IS NOT MISUSED, AND THAT WE SET -- WE COLLECTIVELY SET THE STAGE, SO THAT THIS HALF PERCENT IS A PRODUCTIVE TAX THAT ENABLES US TO GET THE INFRASTRUCTURE THAT WE HAVEN'T HAD IN THE FUTURE. I'M IN AGREEMENT WITH THAT AND PUTTING IT OFF AND BEING ABLE TO CLARIFY THOSE DETAILS, I'M JUST GIVING YOU FROM MY PERSPECTIVE AND MY INTUITION AND SOME EXPERIENCE.\r\n\r\nLISTENING TO OTHER CONTRACTORS OR DEVELOPERS TO SAY OH, CAN WE DO THIS, THIS, AND THIS, I THINK IS WHAT IS GOING -- GETTING FUTURE INPUT. SO THANK YOU FOR YOUR PATIENCE WITH ME TO STATE THAT. I JUST WANTED TO CLARIFY I'M ALL FOR THE TRANSPARENCY. I'M CONCERNED ABOUT US

COLLECTIVELY COMING UP WITH RULES THAT MAY BE COUNTERPRODUCTIVE. THANK YOU. >> BEFORE WE GET BACK TO YOU. WE HAVE A NEW PERSON TO TALK.\r\n\r\nMEMBER UU-HODGINS. >> THANK YOU, CHAIR. SO WHEN WE CAME BACK FROM RECESS, MEMBER RAWLINS-FERNANDEZ SAID SHE WASN'T NECESSARILY MARRIED TO THE PEOPLE, OR THE ENTITIES WHO SHE INITIALLY SUGGESTED TO REVIEW THE FINANCES. SO I'M WONDERING IF I CAN ASK HER, I MO YOU SAID A COUPLE OF THINGS THAT YOU WOULD BE COMFORTABLE SWITCHING AND YOU CAN TELL ME AGAIN WHAT YOU ARE COMFORTABLE WITH REMOVING? CAN SHE ANSWER? >> MAHALO, CHAIR AND MAHALO MEMBER UU-HODGINS TO THE QUESTION. I WOULD BE OPEN TO THE AUDITOR OR THE COUNCIL OR ANY OF THEM AND THE COUNCIL CAN GET IT FROM THEM, I GUESS.\r\n\r\nWHICHEVER EVERYONE FEELS MOST COMFORTABLE WITH, I THINK WE AS THE COUNCIL CAN THEN REQUEST IT, AND GET IT. >> OKAY. I WOULD BE COMFORTABLE WITH THE AUDITOR AS WELL. I DO APPRECIATE THE TRANSPARENCY, BECAUSE I THINK TO MEMBER RAWLINS-FERNANDEZ' POINT, WHEN WE'RE GOING TO BE GIVING OUT MILLIONS OF DOLLARS AND I THINK THIS IS WHAT MEMBER SINENCI WAS TRYING TO SAY EARLIER, WE SHOULD BE AS FISCALLY RESPONSIBLE AS WE CAN. ESPECIALLY AS WE'RE GOING TO NEED TO SUPPORT HOUSING PROJECTS. SO WE NEED TO BE ABLE TO JUSTIFY TO THE PUBLIC WHY WE'RE SPENDING MONEY AND HOW IT'S BEING SPENT AND TO ENSURE THAT THE MONEY IS BEING USED RESPONSIBLY. SO TO CONTINUE ON, AS IT RELATES TO KIND OF WHAT MEMBER COOK WAS JUST SAYING HOW THIS IS FOR INFRASTRUCTURE, SO FURTHER DOWN THE LINE IT SAYS, "APPLICABLE TO THE LAWFUL ACCESS TO RECORDS, REPORTS AND FILES AND DOCUMENTS RELATED TO THE HOUSING PROJECT." I WONDER IF WE COULD BE A TAD MORE SPECIFIC AND SAID SOMETHING ALONG THE LINES OF HOUSE PROJECT OR SPECIAL UTILITY CONSTRUCTION, I'M NOT TOO SURE IF YOU ARE OPEN TO THAT LANGUAGE?\r\n\r\n>> I'M SURE SLE IS OPEN TO THE DISCUSSION. >> YES. >> IF WE ALL ACKNOWLEDGE MORE DISCUSSION IS WARRANTED, BUT THE IDEA IS IF YOU FEEL COMFORTABLE PASSING IT ON FIRST READING TODAY, AND SENDING IT COMMITTEE, SO FAR THAT IS TO ME THE LEADING SUGGESTION AS A COMPROMISE, UNLESS SOMEBODY COMES UP WITH SOMETHING BETTER? NOW MEMBER SUGIMURA. >> I THINK I HAVE HEARD THE DISCUSSION. I SAID MY POSITION. I WANT IT TO COME TO MY COMMITTEE AND HAVE DISCUSSION.\r\n\r\n>> ANYONE ELSE? IT APPEARS WE NEED TO VOTE ON PASSING ON FIRST READING. I'M HOPING THAT THE MOTION WILL BE PASSING ON FIRST READING AND REFER TO COMMITTEE. MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I AM HAPPY TO MAKE WHAT MEMBER UU-HODGINS SUGGESTED. SO THAT WOULD BE STRIKING THE DIRECTOR OF FINANCE, THE MANAGING DIRECTOR, THE MAYOR, COMMITTEES OF THE COUNCIL, AND THEIR STAFF, TO READ BEFORE ANY EXPENDITURE FROM THE FUND IS MADE THAT BENEFITS A HOUSING PROJECT BY REDUCING INFRASTRUCTURE COSTS THE DEVELOPER TO AGREE IN WRITING TO ALLOW THE COUNTY AUDITOR SUBJECT TO CHAPTER 92F HAWAII REVISED STATUTES OR OTHER APPLICABLE LAW FULL ACCESS TO RECORDS, REPORTS, FILES OTHER DOCUMENTS RELATED TO THE HOUSING PROJECT, MANAGEMENT AND FISCAL PRACTICES OF THE DEVELOPER MAY BE MONITORED AND EVALUATED.\r\n\r\n>> TO ENSURE THE PROPER AND EFFECTIVE EXPENDITURE OF PUBLIC FUNDS AS NECESSARY. >> MEMBER UU-HODGINS >> THIS IS MY SECOND. >> THAT IS THE MOTION ON THE FLOOR. DISCUSSION TO THAT? MEMBER SINENCI. >> THANK YOU, CHAIR. I JUST WANTED TO ADD THAT LAST WEEK, MEMBER UU-HODGINS HAD A PRESENTATION WHERE THEY HAD A DASHBOARD, AND FOR ME, KIND OF LOOKING AT IT AS SOMEHOW, YOU KNOW, INCLUDING THE DASHBOARD FOR SOME OF THESE PROJECTS THAT CAN ADDRESS THE G.E.T. TAX.\r\n\r\nTHANK YOU. >> ANY MORE DISCUSSION ON THE MOTION? MEMBER COOK. >> COULD YOU -- COULD WE CLARIFY THE MOTION? >> OKAY. >> SHE CAN REPEAT IT, I'M SURE. MEMBER RAWLINS-FERNANDEZ.\r\n\r\n>> MAHALO, CHAIR. SO IT JUST LEAVES THE AUDITOR, AND IF YOU WOULD LIKE ME TO READ IT IN ITS ENTIRETY, I'M HAPPY TO DO THAT AS WELL. >> SO IT SAYS PASSING ON FIRST READING AND REFERRING TO. >> YES, PASSING ON FIRST READING AND STAYS ON THE COUNCIL AGENDA FOR SECOND READING, BUT WE'LL HAVE THE DISCUSSION ON THIS BILL AS RULE 7B IN BFED COMMITTEE NOVEMBER 16TH IS MY UNDERSTANDING. AND THEN IT WILL BE POSTED FOR SECOND READING ON NOVEMBER 20TH FOR COUNCIL. >> MEMBER SUGIMURA. >> THANK YOU.\r\n\r\nSO I HAVE A REALLY FULL AGENDA FOR THE 16TH. THAT IS WHY I ASKED THE CHAIR IF WE COULD HAVE THE 17TH ALSO FOR A RECESSED MEETING. AND THEN THIS WOULD GO ON MY AGENDA. THAT IS FINE, FOR RULE 7B.

WE'RE ALSO TAKING THE PROPOSED RPT TAX ON THE 16TH, AND I HAVE SCHEDULED, AND PEOPLE COMING FROM O'AHU TO DO A PRESENTATION BROADBAND FOR MAUI COUNTY FOR STATE OF HAWAII, MAUI COUNTY INCLUDING THE MAYOR'S OFFICE. I HAVE A FULL AGENDA, BUT THAT IS WHY I ASKED FOR THE SECOND DAY. I WILL GLADLY PUT IT ON THE AGENDA, BUT WE WON'T FINISH UNTIL 1:30, 4 :30 IN THE AFTERNOON. >> YOU HAVE ONE ITEM ON THE 17TH >> I DON'T THINK WE'LL BE ABLE TO FINISH EVERYTHING ON THE AGENDA ON THE 16TH, SO ONTO THE 17TH IS WHAT I'M ASKING FOR, IF THE COUNCIL MEMBERS WOULD APPROVE THE SECOND DAY.\r\n\r\n>> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I WILL NOT BE USING MY COMMITTEE MEETING THAT DAY. SO YOU CAN USE THAT, TOO. >> THANK YOU. I WONDER HOW MANY PEOPLE WILL SHOW UP BECAUSE OF THE CNHA? >> WHICH DAY?\r\n\r\n>> THE 17TH. >> OKAY, LET'S GO DOWN THE LINE. MEMBER SINENCI. ARE YOU GOING TO BE AVAILABLE ON THE 16TH AND 17TH? >> THURSDAY AND FRIDAY. >> YES. >> ARE YOU GOING TO THAT CONFERENCE >> WE'RE SIGNED UP FOR THE CONFERENCE, BUT WE CAN ATTEND WHENEVER.\r\n\r\n>> OKAY. MEMBER UU-HODGINS. >> THANK YOU, CHAIR. I WILL BE HERE ON THE 16TH IN THE MORNING, BUT THE AFTERNOON AND THE 17TH. >> MEMBER COOK. >> I'M AVAILABLE BOTH DAYS. >> AND WE ALREADY HEARD FROM YOU, MEMBER RAWLINS-FERNANDEZ, YOU ARE NOT GOING TO AVAILABLE?\r\n\r\n>> THE 17TH PROBABLY IN THE AFTERNOON? >> PROBABLY THE AFTERNOON. >> FRIDAY YES? >> YES. >> OKAY. MEMBER JOHNSON? >> I HAVE A LUNCH MEETING, BUT SO FAR I'M FREE.\r\n\r\n>> OKAY. THAT IS TWO-AND-A-HALF. MEMBER PALTIN. >> I WAS JUST GOING TO COME FROM THE TAX DISCUSSION, MAYBE NOT COME, BUT VIRTUAL IN, BUT I DIDN'T WANT TO VIRTUAL IN FROM THE CONFERENCE FOR THE TAX DISCUSSION, BECAUSE IT'S GOING TO BE A COMBINATION OF OUR BILLS FOR THE TAXES. BUT I WAS MEETING WITH SOME OF THE FOLKS LAST NIGHT ABOUT THE CONFERENCE, AND THERE'S JUST A LOT OF STUFF RELEVANT TO LAHAINA. SO WEIGHING MY TIME COMMITMENTS. >> MEMBER SUGIMURA.\r\n\r\n>> SO THE MORNING OF THE 16TH I COULD PROBABLY START LATER THAN 9:00. THANK YOU VERY MUCH, MEMBER RAWLINS-FERNANDEZ. BECAUSE I'M GOING TO BE IN THE MORNING AT THE CNHA AT 9:00. I WAS ASKED TO BE ON THE AGENDA. >> ALL WE NEED IS FIVE PEOPLE. >> WELL, I HAVE TO CONDUCT THE MEETING. >> I MEANT -- I DIDN'T MEAN WITHOUT YOU. I MEANT FIVE PEOPLE, PERIOD. >> YEAH.\r\n\r\n>> BECAUSE THE MAIN PURPOSE OF IT IS TO INVITE PEOPLE WHO MAY BE AFFECTED BY THIS PROVISION, THIS REQUIREMENT. >> SO I WILL GLADLY TAKE THAT MORNING, IF POSSIBLE. BUT I WILL NOT START AT 9:00. I WILL START LATER IS WHAT I'M SAYING. I THINK THE AGENDA IS FULL. SO YOU KNOW, I WOULD NEED MORE THAN THE REGULAR MEETING TIME. >> MAYBE THE 17TH AS WELL. >> YES, THE AFTERNOON.\r\n\r\n>> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. SO IF WE PASS ON FIRST READING TODAY, AND THEN WE JUST NEED SECOND READING, WE HAVE DECEMBER 1ST AS WELL. SO MAYBE WE CAN HOLD OFF ON SECOND READING UNTIL THE NEXT COUNCIL MEETING ON DECEMBER 1ST, INSTEAD OF NOVEMBER 20TH, AND THAT WILL GIVE US A LITTLE MORE TIME FOR DISCUSSION IN COMMITTEE. >> HOW IS THAT? LESS PRESSURE? I MEAN, I WANT TO KNOW WHY DECEMBER 31ST, THE DATE THING, I WILL CHECK ON THAT ALSO.\r\n\r\nBUT THAT'S FINE. YOU KNOW? >> BUDGET DIRECTOR KNOWS THE ANSWER. NO? IF NO, THAT IS FINE. OKAY. MEMBER RAWLINS-FERNANDEZ.\r\n\r\n>> MAHALO, CHAIR. DOTAX COLLECTS THE TAX FOR US. SO IF WE'RE GOING TO BE MAKING CHANGES, THAT IS MY UNDERSTAND AND WE ALSO HAVE CORPORATION COUNSEL ON, IF WE WANT TO CALL ON CORP. COUNSEL TO EXPLAIN. >> TO ANSWER YOUR QUESTION. CORPORATION COUNSEL. WHO IS ON, MOANA?\r\n\r\n>> THE CORP. COUNSEL AND DEPUTY. >> I'M HERE. YOU KNOW, I DON'T KNOW THE SPECIFICS -- CAN YOU HEAR ME? >> MIMI, DID YOU HEAR THE QUESTION? >> I DID. I DON'T KNOW OFFHAND WHETHER OR NOT THIS TYPE OF AN AMENDMENT WOULD HAVE ANY AFFECT ON THE DOTAX G.E.T. PAYMENT MAKING THIS TYPE OF REQUIREMENT OUTSIDE OF THAT?\r\n\r\nI CAN'T ANSWER THAT AT THIS TIME, BUT I CAN LOOK INTO IT AND GET YOU AN ANSWER TO RESPOND DURING COMMITTEE DISCUSSION. >> ALL RIGHT. DID YOU HAVE YOUR HAND UP? MEMBER SUGIMURA. >> I WAS GOING TO SAY THAT, BECAUSE COLLECTING THE TAX IS STATE. THEY DON'T -- THIS IS NOT GOING TO AFFECT COLLECTION. THEY ARE GOING TO COLLECT IT.\r\n\r\nTHE ONE REASON, THE BIG QUESTION FOR ME IS PEOPLE WHO WILL BENEFIT FROM THE CENTRAL MAUI WASTEWATER RECLAMATION FACILITY, WITH THOSE DEVELOPMENTS THAT ARE COMING ON-BOARD, HOW WILL IT IMPACT THEM? BECAUSE THEY DON'T KNOW YET IF THIS PASSES THAT THAT WILL BE AN IMPACT. AND YET, THEY ARE RELYING

ON OUR CENTRAL MAUI WASTEWATER FACILITY TO HELP THEM WITH THEIR PROJECT. I BET YOU THEY ALSO GOT APPROVAL TO DO IT, AND TO HAVE ACCESS TO THE RECLAMATION FACILITY. >> MAYBE I AM MISUNDERSTANDING MYSELF, BECAUSE I THOUGHT THE GRANTEE WOULD HAVE TO PROVIDE AN AUDIT ON THE AMOUNT OF MONEY THAT HE OR SHE GOT FROM THE COUNTY. IS THAT CORRECT, MEMBER RAWLINS-FERNANDEZ AND IT DOESN'T FILTER DOWN TO THE CUSTOMERS? YOU ARE SAYING THE CUSTOMERS HAVE TO BE EXPOSED? \r\n\r\nLISTED OR SOMETHING LIKE THAT? >> THAT IS WHAT I'M THINKING, BECAUSE THAT IS WHAT THE CENTRAL MAUI -- I COULD BE WRONG. BUT IT'S -- AS FAR AS STATE D.O.T., THE STATE TAX OFFICE, I DON'T THINK THIS IS GOING TO IMPACT THEM, AND SAY, OH, OKAY, THEY ARE NOT GOING TO COLLECT TAXES FROM CERTAIN PEOPLE. I THINK THIS IS OVER AND BEYOND. SO I DON'T KNOW ABOUT THE DECEMBER 31ST DEADLINE, OR JANUARY 1ST TO BE EFFECTIVE? SO I HAVE THAT QUESTION, YOU KNOW? AND IF COUNSEL COULD RESEARCH THAT? \r\n\r\nWE CAN PASS IT ON FIRST READING AND SEND IT TO MY COMMITTEE. THAT IS FINE AND LET'S DISCUSS IT FURTHER. >> OKAY, HOW IS THAT IN MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I WAS WRONG -- CAN I CALL ON DIRECTOR RAATZ TO EXPLAIN. >> DIRECTOR RAATZ. >> THANK YOU, CHAIR. \r\n\r\nOUR OFFICE HAS CONSULTED WITH CORP. COUNSEL IN DRAFTING THIS BILL. THEY POINTED OUT TO US THAT THE ENABLING STATUTE FROM THE STATE GIVING THE COUNTY TO THE AUTHORITY TO ENACT THE G.E.T. SURCHARGE, WHICH YOU HAVE ALREADY DONE IN ESTABLISHING THE CHARTER CODE, EITHER GOING TO FURTHER REVISE THAT ORDINANCE, IT HAS TO BE DONE BY DECEMBER 31ST, 2023 AND THAT COMES FROM CHAPTER 46 OF HAWAII REVISED STATUTES. >> OKAY. MAHALO, DIRECTOR. MAHALO, CHAIR. >> GOT THAT CLARIFIED. \r\n\r\nSO LET'S TAKE A ROLL CALL -- ANY MORE COMMENTS, QUESTIONS? MEMBER KAMA. >> JUST TO BE CLEAR THEN, THE REASON FOR THE URGENCY IS THAT IF WE WANT TO AMEND THIS, IT HAS TO BE DONE BEFORE DECEMBER 31ST. THAT IS WHY WE'RE DOING THIS. OKAY. I GET THAT. I'M SUPPORTIVE OF PASSING ON FIRST READING, SENDING IT TO COMMITTEE TO DO 7B. WHOEVER SHOWS UP, SHOWS UP. \r\n\r\nI'M SUPPOSED TO BE AT THE CONFERENCE FOR NATIVE ADVANCEMENTS AS AND TO FIGURE OUT WHERE WE'RE GOING TO BE, BECAUSE IN MY HEART, AND MIND, THIS IS WHERE THE PRIORITY IS IN THE JOB THAT WE DO THAT WE GET PAID TO DO IS LEGISLATION. IT JUST SO HAPPENS THAT PART OF THAT JOB IS ALSO BEING SPEAKERS AS CONFERENCES THAT SHOW UP WHEN WE'RE SUPPOSED TO BE AT OUR DAYTIME JOB. BUT THAT IS STILL AN EXTENSION OF OUR JOB. SO I'M SUPPORTIVE. THANK YOU. >> MEMBER JOHNSON. >> THANK YOU, CHAIR. \r\n\r\nI GUESS I WILL BE ATTENDING THAT CONFERENCE AS WELL AFTER GIVING -- >> NOW WE'RE LOSING YOU, TOO. >> YES. >> EVERYBODY IS GOING TO TRY TO ATTEND. BECAUSE WE NEED TO HAVE A QUORUM IN ORDER TO HAVE BUILDERS AND OTHERS WHO MIGHT BE EFFECTED BY THIS AUDIT TO BE ABLE TO GIVE US INPUT. SO MEMBER RAWLINS-FERNANDEZ, AND THEN MEMBER SINENCI. >> MAHALO, CHAIR. AND I WILL REACH OUT TO DHHL, TOO, TO LET THEM KNOW, AND I CAN JOIN VIRTUALLY FROM THE CONFERENCE. \r\n\r\nIT'S GOING TO BE ON THE 17TH OR 16TH, YOU SAID? >> SHE SAID BOTH. >> THE 16 IS FULL. >> WHENEVER I GO TO CONFERENCES AND IF IT'S DURING MEETING TIME I USUALLY MONITOR ANYWAY. FOR PURPOSES OF QUORUM, I CAN ALSO TURN ON MY VIDEO. >> I'M SURE EVERYBODY ELSE CAN, TOO, YEAH? >> YES. \r\n\r\nMAHALO, MEMBER KAMA. AGAIN, JUST SO THAT WE'RE CLEAR AND FOR THE RECORD AND FOR THE PUBLIC, WE'RE NOT SENDING THE BILL ITSELF TO COMMITTEE, WE'RE HAVING A DISCUSSION UNDER THE SUBJECT-MATTER COMMITTEE, UNDER RULE 7B OF THE COUNCIL. SO WE'RE STILL ON THE MOTION TO AMEND BILL 104 BY STRIKING THE OTHER DEPARTMENTS, POSITIONS, AND JUST LEAVING THE COUNTY AUDITOR, AND SO WE'LL NEED TO VOTE ON THIS MOTION TO AMEND FIRST, AND THEN ON THE MAIN MOTION AS AMENDED. MAHALO, CHAIR. >> MEMBER SINENCI. >> THANK YOU, CHAIR. JUST A THOUGHT, WE COULD ASK MR. \r\n\r\nBENTO FOR A CASTLE THEATER AND TAKE THIS SHOW ON THE ROAD? [LAUGHTER] >> OKAY. I LOVE THOSE CRAZY SUGGESTIONS. ANYBODY ELSE? MR. RAATZ, DO YOU HAVE ANY FINAL COMMENTS? >> THANK YOU, CHAIR. \r\n\r\nJUST AN OBSERVATION FROM AGAIN THE H.R.S. ENABLING STATUTE, A PUBLIC HEARING WILL BE REQUIRED BEFORE THE ORDINANCE CAN BE ENACTED. SO IN A MIGHT BE SOMETHING CONSIDERED FOR SECOND READING. >> OKAY. THE DAY OF THE COUNCIL MEETING WE'LL HAVE A PUBLIC HEARING THAT SAME DAY. SOMEBODY REMIND ME. YEAH? AND CHAIR? \r\n\r\n>> YES. >> FOR THE PURPOSES OF PUBLIC MEETINGS I THINK THE REQUIREMENT IS AT LEAST TWO WEEKS IN

ADVANCE OR SOMETHING LIKE THAT. SO THINK WE'LL BE POSTING SECOND READING FOR DECEMBER 1ST COUNCIL. >> YES. NORMALLY BE NEED TEN DAYS. IT'S MORE THAN THE NORMAL SIX OR SEVEN DAYS. >> YES, ONE WEEK.\r\n\r\n>> OKAY. MEMBER SUGIMURA. >> SO I CAN PUT IT ON MY NOVEMBER 28TH BFED AGENDA INSTEAD OF TRYING TO JAM EVERYTHING INTO THE 16TH, WHICH IS WHAT WE'RE TALKING ABOUT. WE HAVE MORE DATES AHEAD. >> AGREED. >> SO THAT MIGHT FREE UP PEOPLE. >> I LOVE THIS COOPERATION, VERY GOOD.\r\n\r\n>> I STILL HAVE A REALLY FULL AGENDA ON THE 16TH. >> I KNOW, BUT IF WE CAN CONCLUDE IT ON THE 28TH, YOU KNOW? >> AND DECEMBER 1ST, YOUR COUNCIL MEETING FOR DECEMBER 1ST FOR SECOND AND FINAL. IT WILL MOVE -- >> WELL, IF EVERYTHING GOES OKAY. >> RIGHT. >> OKAY. OKAY.\r\n\r\nALL RIGHT. OIP. ALL RIGHT. EVERYBODY READY TO VOTE? OKAY. CAN YOU REPEAT THE MOTION, MEMBER RAWLINS-FERNANDEZ. >> SURE.\r\n\r\nMAHALO, CHAIR. THE MOTION TO AMEND IS TO STRIKE ALL THE OTHER DEPARTMENTS, SO STRIKING "THE DIRECTOR OF FINANCE, MANAGING DIRECTOR, THE MAYOR, THE COUNCILS OF THE COUNCIL AND STAFF," AND THAT REMAINS IS THE COUNTY AUDITOR. >> AND THE SECONDER WAS MEMBER UU-HODGINS. ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION RAISE YOUR HAND, SAY AYE? >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES.\r\n\r\nMEMBER RAWLINS-FERNANDEZ, ANY MORE AMENDMENTS? >> NO FURTHER AMENDMENTS. I JUST WANT TO -- I - THIS COLLABORATION. >> THE MOTION -- MAIN MOTION AS AMEND. ALL RIGHT, LET'S NOT GET SENTIMENTAL HERE. [LAUGHTER]WE HAVE WORK TO DO. THE MAIN MOTION AS AMENDED, RAISE YOUR HAND, SAY AYE.\r\n\r\n>> AYE. >> WE'RE ALREADY AGREED THAT THIS MATTER WILL BE HEARD IN THE BFED COMMITTEE ON NOVEMBER 28TH. ALL RIGHT. MADAM CLERK. >> CHAIR, JUST FOR CLARIFICATION, BILL 103 IS FOR REFERRAL TO BFED, JUST GOT DISTRACTED THERE A LITTLE BIT AND ALSO TO REFERRAL TO BFED IS BILL 105 (2023) FOR COUNTY OF MAUI, APPENDIX A, PART 1 DEPARTMENT OF FIRE AND PUBLIC SAFETY. >> ANY OBJECTIONS TO REFERRING THIS MATTER TO THE BFED COMMITTEE? >> NO OBJECTIONS.\r\n\r\n>> I WOULD LOVE TO PASS THIS ONE ON THE FLOOR, BECAUSE YOU KNOW, OUR LIFEGUARDS OKAY. YOU WANT TO MAKE THE MOTION. >> I MOVE TO WAIVE THE RULES OF COMMITTEE REFERRAL AND DISCHARGE THIS THING, AND -- -- AND REFERRAL AND COMMITTEE REPORT. >> RULE 7G. >> SECOND. >> ALL RIGHT. THE MOTION IS TO WAIVE THE RULES OF THE COUNCIL TO TAKE THIS UP WITHOUT COMMITTEE REPORT OR REFERRAL. ANY MORE DISCUSSION ON THAT?\r\n\r\nALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. MEMBER PALTIN. >> I MOVE TO PASS BILL 105 ON FIRST READING. >> SECOND. >> MOVED BY MEMBER PALTIN, SECONDED BY PRO TEM KAMA TO PASS BILL 105 ON FIRST READING.\r\n\r\nDISCUSSION, MEMBER PALTIN? >> I JUST WANT TO LIGHTEN COUNCIL MEMBER SUGIMURA'S LOAD, AND SUPPORTING THE LIFEGUARD SERVICES AT MAKENA. SO IT'S KIND OF EVERYBODY SUPPORTS THE LIFEGUARDS OF COURSE AND TO GET IT OUT OF THE WAY. >> ANY MORE DISCUSSION? >> I THINK SHE SAID IT ALL. I'M READY TO VOTE. >> OKAY, ALL THOSE IN FAVOR OF THE MUNICIPAL CODE RAISE YOUR HAND, SAY AYE?\r\n\r\n>> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. >> CHAIR, BEFORE YOU IS BILL 106 (2023) A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI DEPARTMENT OF WATER SUPPLY, ADMINISTRATION PROGRAM, CAPITAL IMPROVEMENT PROJECTS AND APPENDIX C DEPARTMENT OF WATER SUPPLY. >> MEMBER SUGIMURA. >> I MOVE TO WAIVE THE REQUIREMENTS OF COMMITTEE REFERRAL AND REPORT UNDER RULE 7G OF THE RULES OF THE COUNCIL, AS IT RELATES TO BUILT 106 (2023). >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA AND SECONDED BY PRO TEM KAMA TO WAIVE THE RULES OF THE COUNCILS. DISCUSSION, MEMBER SUGIMURA.\r\n\r\n>> THANK YOU, THE URGENCY IS DEPARTMENT OF WATER TO CONDUCT IMPROVEMENTS IN 88. BUILDING BEFORE THE DEPARTMENT CAN MOVE INTO THE FACILITY MUST APPROVE THIS WAIVER BEFORE WE CAN CONSIDER PASSING THE BILL ON FIRST READING TODAY. THANK YOU, CHAIR. >> COME CLOSER. >> SORRY. >> ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE.\r\n\r\n>> ALL RIGHT, WAIVES THE RULE OF COUNCIL. MEMBER SUGIMURA. >> I MOVE TO PASS BILL 106 (2023) ON FIRST READING. >> SEG. >> MOVED BY VICE-CHAIR SUGIMURA AND SECONDED BY PRO TEM KAMA TO PASS BILL 106 ON FIRST READING THE DISCUSSION MEMBER SUG MA. >> THIS AMENDS FISCAL YEAR 24 BUDGET TO MOVE FROM THE DEPARTMENT'S CATEGORY B ACCOUNT TO A NEW CAPITAL IMPROVEMENT PROJECT ENTITLED 1888, WILI PA LOOP

BUILDING IMPROVEMENTS. THE BILL ADDS THE PROJECT AND PROJECT DESCRIPTION TO APPENDIX KC AND FUNDING USED TO REPLACE THE CHILLER AND AIR HANDLING UNITS IN THE FACILITY ONCE THEY ARE REPLACED THE DEPARTMENT OF FISCAL DIVISION WILL BE ABLE TO MOVE IN.\r\n\r\nDIRECTOR ZIELINSKI IS HERE TO ANSWER ANY QUESTIONS. THANKS. >> WELL, ARE THERE ANY QUESTIONS? IF NOT, READY FOR THE VOTE? >> YES. >> ALL THOSE IN FAVORITE MOTION, RAISE YOUR HAND, SAY AYE AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES MADAM CLERK.\r\n\r\n>> THANK YOU, MEMBERS. >> CHAIR, FOR REFERRAL TO YOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE IS BILL 107 (2023) A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI DEPARTMENT OF FIRE AND PUBLIC SAFETY ADMINISTRATION PROGRAM AND TRAINING PROGRAM. >> VICE-CHAIR SUGIMURA. >> THAT IS FOR REFERRAL TO COMMITTEE. >> YOU WANT TO TAKE ACTION? >> WE'RE GOING TO SEND TO COMMITTEE. >> ANY OBJECTIONS, MEMBERS TO REFERRING THIS TO THE BFED COMMITTEE?\r\n\r\nSO ORDERED BILL 108. >> CHAIR BEFORE YOU IS BILL 108 (2023) A BILL FOREVER AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI APPENDIX B-DEPARTMENT OF WATER SUPPLY >> VICE-CHAIR SUGIMURA. >> THIS YOU CAN SEND TO MY SCHEDULE COMMITTEE. THIS IS A KULA SITUATION THAT MAY IMPACT WEST MAUI FOR DISCUSSION. >> ANY OBJECTIONS TO REFERRING BILL 108 TO THE BFED COMMITTEE? >> NO OBJECTIONS. >> SO ORDERED. >> THANK YOU, MEMBERS.\r\n\r\n>> ALSO TO REFERRAL TO BFED, BILL 109 (2023) A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI APPENDIX A, PART 1, OFFICE THE MAYOR. >> ANY OBJECTIONS TO REFERRING BILL 109 TO THE BFED COMMITTEE? >> NO OBJECTIONS. >> SO ORDERED >> CHAIR BEFORE YOU IS BILL 110 (2023) A BILL FOR AN ORDINANCE AMD THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI DEPARTMENT OF FINANCE, COUNTYWIDE COSTS, DEPARTMENT OF MANAGEMENT, APPENDIX A, PART 1, DEPARTMENT OF MANAGEMENT, AND APPENDIX A, PART II EMERGENCY FUND. >> VICE-CHAIR SUGIMURA. >> I MOVE TO FILE BILL 110 (2023). >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY MEMBER KAMA TO FILE BILL 110. ANY DISCUSSION?\r\n\r\nMEMBER SUGIMURA. >> THANK YOU VERY MUCH. MEMBERS, THE ADMINISTRATION WILL BE SUBMITTING A NEW PROPOSAL TO ADDRESS THE OFFICE OF RECOVERY AND EMERGENCY FUND WHICH WILL REQUIRE NEW BILLS. >> MEMBER PALTIN. >> SORRY, MISTAKE. >> ANY OTHER DISCUSSION? ALL THOSE IN FAVOR OF THE MOTION TO FILE, RAISE YOUR HAND, SAY AYE?\r\n\r\nNINE AYES, ZEROS NO, MOTION CARRIES. >> THANK YOU,, MEMBERS. >> CHAIR, FOR REFERRAL TO YOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE ARE BILLS 11 (2023), A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.100, MAUI COUNTY CODE GENERAL EXCISE TAX AND USE TAX SURCHARGE BILL 112 (2023) A BILL FOR AN ORDINANCE AMENDING THE FY'2024 BUDGET FOR THE COUNTY OF MAUI REVENUES, DEPARTMENT OF FINANCE, COUNTYWIDE COSTS AND APPENDIX A, PART II GENERAL EXCISE TAX FUND AND GENERAL EXCISE TAX FUND DEPARTMENT OF HAWAIIAN HOMELANDS. >> ANY OBJECTIONS TO REFERRING TO COMMITTEE? >> NO OBJECTIONS. >> MEMBER RAWLINS-FERNANDEZ. >> ISN'T IT JUST CREATING A REVOLVING FUND?\r\n\r\n>> PARDON ME? >> ISN'T IT JUST CAN BE BILL 111 IS JUST TO CREATE THE REVOLVING FUND FOR DHHL 20% SURCHARGE. >> I DON'T KNOW. MEMBER SUGIMURA. >> I'M GOING TO TAKE IT TO MY COMMITTEE AND WE'LL TALK ABOUT IT. >> ARE YOU SAYING TO PASS IT ON THE FLOOR? >> NO.\r\n\r\n>> NO? >> I DIDN'T. >> I DID. >> SHE IS SAYING. >> THAT IS WHAT I'M SAYING? >> DO YOU WANT TO DO THAT? >> I WOULD ACTUALLY LIKE TO SEND IT TO MY COMMITTEE FOR DISCUSSION. >> LET'S DO THAT.\r\n\r\nOKAY. >> OKAY. BUT SO WHEN DO YOU PLAN TO HAVE THIS PASS? BECAUSE IF WE'RE GOING TO START COLLECTING ON JANUARY 1ST, THEN WE NEED TO SET THIS UP, SO THAT WE HAVE A FUND TO PUT THE 20% FOR DHHL. >> MEMBER SUGIMURA. >> SO THE FUNDS, WHEN IT ROLLS INTO OUR COFFERS WILL PROBABLY NOT BE UNTIL QUARTERLY, AND MAYBE WE HAVE THE FINANCE DIRECTOR -- -- BUDGET DIRECTOR TO TALK ABOUT IT. >> DIRECTOR ZIELINSKI.\r\n\r\n>> CHAIR? >> YES. >> WE'RE CHECKING WITH FINANCE DIRECTOR, BUT WE'RE NOT SURE IF IT'S A QUARTERLY PAYMENT, OR IT'S GOING GOING TO BE MONTHLY. I KNOW WE HAD CONVERSATION INTERNALLY THE OTHER DAY AND AT DOTAX CITY AND COUNTY WAS GETTING IT MONTHLY, BUT I'M NOT SURE WHAT THE ARRANGEMENT IS WITH MAUI. WE'RE CHECKING. >> IF IT'S MONTHLY, DIRECTOR, IS IF BETTER TO PASS BILL 111 NOW? >> IT WOULD BE TIME-SENSITIVE.\r\n\r\nYES. >> OKAY. MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. SO

MAYBE WE CAN DO THE SAME THING. WE CAN PASS THIS ON FIRST READING AND HAVE A DISCUSSION LATER ON IT. BECAUSE IT IS TIME-SENSITIVE, AND IT'S JUST CREATING A FUND.\r\n\r\nREVOLVING FUND. SO I DON'T UNDERSTAND WHAT THE PROBLEM IS. WE ALREADY SET THE 20% OF G.E.T. TO GO TO DHHL. SO THAT ISN'T EFFECTING IT. WE ALREADY MADE THAT DECISION, IT'S JUST CREATING THE FUND TO PUT THE MONEY IN. >> DAVID, COMMENTS? >> I DIDN'T HEAR A PARTICULAR QUESTION.\r\n\r\nI'M SORRY - >> WELL, YOU KNOW, THE IDEA IS EITHER WE CAN PASS THIS TODAY ON THE FLOOR, AND HAVE A PRESENTATION IN THE BFED COMMITTEE? BECAUSE IT APPEARS THIS MIGHT BE TIME-SENSITIVE. >> THANK YOU, CHAIR. IT'S SUBJECT TO THE SAME REQUIREMENTS OF BILL 104, UNDER THE ENABLING STATUTES OF H.R.S. CHAPTER 46 AND ACTION WOULD BE REQUIRED BY DECEMBER 31 FOR ENACTMENT AND THE PUBLIC HEARING REQUIREMENT WOULD APPLY. >> MAHALO, CHAIR. >> MEMBER RAWLINS-FERNANDEZ. >> THAT IS GOOD INFORMATION TO KNOW AND PERHAPS WE CAN HAVE THE PUBLIC HEARING ON BOTH ITEMS BILL 104 AND BILL 111 AT THE SAME TIME.\r\n\r\nAND I WILL MAKE THE MOTION TO WAIVE COMMITTEE REFERRAL AND REPORT IN ACCORDANCE WITH RULE 7G OF THE RULES OF THE COUNCIL. >> LET ME CHECK. IS THAT OKAY? SO THE MOTION TO WAIVE THE RULES OF COUNCIL ON BILL 111, IS THERE A SECOND? MOVED BY MEMBER RAWLINS-FERNANDEZ AND SECONDED BY MEMBER SINENCI TO WAIVE THE RULES OF THE COUNCIL REGARDING BILL 111. DISCUSSION MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. AS WE JUST PREVIOUSLY DISCUSSED, THE BILL IS TIME-SENSITIVE, AND IT NEEDS TO BE ADOPTED BEFORE DECEMBER 31ST.\r\n\r\nMAHALO, CHAIR. >> ALL RIGHT. ANY MORE DISCUSSION IN IF NOT, ALL THOSE IN FAVOR OF THE MOTION RAISE YOUR HAND SAY AYE? >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I MOVE TO ADOPT BILL 111 ON FIRST READING.\r\n\r\n>> SECOND. >> MOVED BY MEMBER RAWLINS-FERNANDEZ, SECONDED BY MEMBER UU-HODGINS TO PASS BILL 111 ON FIRST READING. DISCUSSION, MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. AS WE JUST PREVIOUSLY DISCUSSED, THAT THIS BILL DOES ALSO REQUIRE PUBLIC HEARING. SO PERHAPS I'M NOT SURE WHAT THE AGENDA LOOKS LIKE ON NOVEMBER 28TH, BUT WE COULD HAVE SINCE WE'LL BE HAVING DEPARTMENT OF FINANCE, AND MAYBE DHHL AT THAT BFED COMMITTEE MEETING THAT WE CAN HAVE A FULL DISCUSSION ON BILL 104 AND 111 AT THAT TIME AND PASS ON FIRST READING TODAY AND PASS ON SECOND READING DECEMBER 31ST. MAHALO, CHAIR.\r\n\r\n>> ANY MORE DISCUSSION? VICE KAMA -- [LAUGHTER] >> I THINK WHAT WE'RE DOING IS THE SAME THING WITH 104? >> YES. >> SO I THINK WE SHOULD JUST VOTE. >> ALL RIGHT. WHATEVER YOU SAY. [LAUGHTER] ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR, RAISE YOUR HAND, SAY AYE?\r\n\r\n>> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. THANK YOU VERY MUCH. >> CHAIR, JUST FOR CLARIFICATION, WAS THERE ANY OBJECTION TO REFERRING BILL 112 TO THE B PED COMMITTEE? BFED COMMITTEE? >> ANY OBJECTION ON THAT? NO, SO ORDER.\r\n\r\n>> CHAIR, FOR REFERRAL TO HOUSING LAUND USE DEPLOYMENT, BILL 113 (2023) A BILL FOR AN ORDINANCE AMENDING SUBSECTION 2.THE 6.100 B MAUI COUNTY CODE RELATING TO ELIGIBILITY CRITERIA FOR RENTAL RESIDENTIAL WORKFORCE HOUSING UNITS. >> ANY OBJECTION TO REFER? SO ORDERED. >> MOVING TO ORDINANCES SECOND AND FINAL READING, BILL NO. 66 CD 1, FD 1 (2023) A BILL FOR AN ORDINANCE AMENDING CHAPTER 16.04D MAUI COUNTY CODE RELATING TO INSPECTIONS AND TO CONNECT AN OMISSION. >> SO THIS MEMBER COOK. >> TO PASS ON SECOND AND FINAL READING >> I MOVE TO PASS BILL 6, CD 1, FD 1 (2023) ON SECOND AND FINAL READING.\r\n\r\n>> SECOND. >> MOVED BY MEMBER COOK AND SECONDED BY VICE-CHAIR SUGIMURA TO PASS BILL 66, CD 1 FD 1, (2023) ON SECOND AND FINAL READING. DISCUSSION, MEMBER COOK. >> THANK YOU, MEMBERS. BILL 66, CD 1, FD 1'S PURPOSE ARE ONE, CORRECT A PREVIOUSLY OMITTED DEPARTMENT OF WATER SUPPLY EXCEPTION FOR BUILDING FIRE FLOW REQUIREMENTS FOR FIRST AND SECOND DWELLINGS, AND TWO, ALLOW FIRE INSPECTIONS FOR COMMERCIAL ACTIVITIES TO BE CONDUCTED OUTSIDE OF NORMAL BUSINESS HOURS, OR AT DISTANT LOCATIONS TO BE CHARGED A FEE. DURING THE LAST COUNCIL MEETING WE AGREED THEN TO BILL 66, WITH A FEW CLARIFYING REVISIONS AS SUGGESTED BY OCS LEGAL TEAM. I RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT OF MY MOTION.\r\n\r\n>> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR 69 MOTION, RAISE YOUR HAND, SAY AYE? >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. OH, MY GOD. >> WHOO-HOO. MADAM CLERK.\r\n\r\n>> CHAIR, WE'RE ON N, UNFINISHED

BUSINESS AND THERE'S NO BUSINESS THAT IS UNFINISHED BEFORE THIS COUNCIL. >> ALL RIGHT, MEMBERS, THIS IS VERY GOOD TIMING. THANK YOU VERY MUCH FOR YOUR COOPERATION. MADAM CLERK, WILL YOU REMIND EVERYBODY ABOUT THE EXTRA MEETINGS THAT WE'RE HAVING COMING UP? >> CHAIR, WE'LL HAVE A MEETING ON NOVEMBER 9TH, AND THAT IS A SPECIAL MEETING AND THEN WE'RE MOVING THE NOVEMBER COUNCIL MEETING TO THE 20TH, NOVEMBER 20TH. >> THIS IS TO ACCOMMODATE THE ADMINISTRATION WITH THEIR BILL THAT THE ONE THAT WE FILED TODAY, WE'LL WE TAKING IT ON THOSE DAYS, BILL 110. SOMEBODY ELSE? WE DON'T KNOW ABOUT -- AS SOON AS MEMBER SUGIMURA SCHEDULES HER VARIOUS ITEMS, THEN WE'LL FIND OUT FROM HER WHICH DAYS, YEAH, WHICH DAYS?\r\n\r\n>> WITH QUORUM. SO I WILL LET YOU KNOW. >> ANYBODY ELSE HAVE ANY DIFFERENT TYPES OF SCHEDULES COMING UP THAT WE SHOULD BE AWARE OF? YES, MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR, JUST A REMINDER THAT THE CNHA CONVENTION, AS MEMBER PALTIN SAID, IT WAS MOVED HERE, AND THERE'S GOING TO BE A LOT OF REALLY RELEVANT INFORMATION TO A LOT OF TOPICS WE HAVE BEEN DISCUSSING IN THE GREAT COMMITTEE. SO I PLAN TO ATTEND AS MUCH OF THAT CONVENTION POSSIBLE SO WHEN WE DO MAKE THE LIST, AND THEN FIGURE OUT WHO -- WHICH COUNCIL MEMBER WILL BE SPEARHEADING WHICH ITEM, YOU KNOW, WE'LL HAVE AS MANY PERSPECTIVES TO CONSIDER AND INCORPORATE AS POSSIBLE. SO 14, 15, 16 AND 17 IS WHEN THE CONVENTION WILL BE.\r\n\r\nMAHALO, CHAIR. >> AND THEN SO WE HAVE TIME AT 1:00 TO ATTEND THE NISEI PROGRAM. MEMBER SUGIMURA, CAN YOU EXPLAIN WHAT THAT IS ALL ABOUT? >> SO JAPAN IS SENDING A DONATION, AND RESPECT AND CONDOLENCES ALSO TO WEST MAUI AND THE WILDFIRES. SO THERE'S A CEREMONY BEING HELD AT THE NISEI VETERAN MEMORIAL CENTER AT 1:00 AND THERE WILL BE A TRANSLATOR FOR YOU, IN CASE YOU HAVE TO SAY A COUPLE OF WORDS. SHE ALREADY TOLD ME. >> WE'LL CALL J.C. LAU.\r\n\r\nMEMBER JOHNSON. >> THANK YOU, CHAIR. I LOOK FORWARD TO HEARING BILL 103 BEFORE THE YEAR'S END, AND TAX RATES FOR AG LANDS, AND JUST TO LET EVERYBODY KNOW THAT THE PET SHOP IN KAHULUI HAS A SALE 50% OFF FUR BABIES. >> AND MADE IN MAUI EVENT STARTS AT 1:00, GOES TO 6:00, AND 5:00 IS THE OPENING CEREMONY. BUSY BEES THIS WEEKEND. ANYBODY ELSE? MEMBER PALTIN.\r\n\r\n>> FIRST DAY, THE 14TH IS ALL ABOUT LAHAINA OF THE CNHA ADDING THAT IN THERE. >> THE 14TH. VERY GOOD. THANK YOU EVERYONE FOR YOUR SUPER COOPERATION, I REALLY APPRECIATE IT. AND ALL YOU OF HAVE A NICE AND SAFE WEEKEND. THIS MEETING IS ADJOURNED [GAVEL]