

**MAUI COUNTY COUNCIL  
MINUTES**

**March 8, 2024  
9:00 AM**

Pursuant to §92-3.7, Hawaii Revised Statutes, the meeting was conducted as a remote meeting by interactive conference technology, via Microsoft Teams, <http://tinyurl.com/2p9zhjr2>.

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

Video recording of meeting available at: [www.mauicounty.legistar.com](http://www.mauicounty.legistar.com)

TIME MEETING CALLED TO ORDER: 9:03 a.m.

**ROLL CALL**

<b>Councilmember</b>	<b>Pres.</b>	<b>Abs.</b>	<b>Exc.</b>	<b>Time(s) In/Out (during meeting)</b>
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	√			
<b>TOTAL PRESENT</b>	9			

**COMMITTEE REPORTS**

**CR 24-29** Recommending FIRST READING of Bill 34, CD1 (2024) to amend the Fiscal Year 2024 Budget, Appendix A, Part II, Special Purpose Revenues - Schedule of Revolving/Special Funds for Fiscal Year 2024, Affordable Housing Fund, by adding a new condition to read as follows: "Up to \$10,000,000 must be for a grant to Catholic Charities Housing Development Corporation for the Hale Pilina project. The Hale Pilina project will include 18 units at or below 30 percent

of the AMI, 18 units at or below 50 percent of the AMI, 142 units at or below 60 percent of the AMI, and one unit for an onsite manager. The affordability period is 61 years. TMK (2) 3-7-013:026 located at 150 South Pu'unene Avenue, Kahului, Maui, Hawai'i."

	AYE	NO	EXC	Time Deliberations Began	9:56 a.m.
Pro Tem Kama	√			Time Motion Made	9:57 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	1:57 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>MOTION PASSED</b>	

**CR 24-30** Recommending FIRST READING of Bill 35, CD1 (2024) to amend the Fiscal Year 2024 Budget, Appendix A, Part II, Special Purpose Revenues - Schedule of Revolving /Special Funds for Fiscal Year 2024, Affordable Housing Fund, by deleting the conditional language for Ka Hale A Ke Ola Homeless Resource Centers, Inc. and the Kuikahi Village Workforce Housing Project, and adding new appropriations for loans for the Aikanaha Project Phases I and II, located in Waikapu Country Town east of Honoapi'ilani Highway, Wailuku, Maui, Hawai'i.

	AYE	NO	EXC	Time Deliberations Began	10:02 a.m.
Pro Tem Kama	√			Time Motion Made	10:02 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	2:01 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>MOTION PASSED</b>	

**CR 24-31** Recommending FIRST READING of Bill 6, CD1 (2024) to authorize the Mayor to enter into an intergovernmental agreement with University of Hawaii for support and implementation of the Hawaii Broadband Equity, Access, and Deployment Program.

	AYE	NO	EXC	Time Deliberations Began	10:03 a.m.
Pro Tem Kama	√			Time Motion Made	10:03 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	10:04 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>MOTION PASSED</b>	

## **L. RESOLUTIONS**

**Reso 24-51** "AUTHORIZING THE TRANSFER OF AN UNENCUMBERED APPROPRIATION BALANCE WITHIN THE DEPARTMENT OF THE PROSECUTING ATTORNEY, FISCAL YEAR 2024 BUDGET"

	AYE	NO	EXC	Time Deliberations Began	10:07 a.m.
Pro Tem Kama	√			Time Motion Made	10:07 a.m.
VC Sugimura	√			Motion	WAIVE Rule 7G
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	10:08
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	10:08 a.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	10:10 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>MOTION PASSED</b>	

10:12 a.m.: Referred to the Budget, Finance, and Economic Development Committee:

**Reso 24-52** "AUTHORIZING THE ACQUISITION OF A CONDOMINIUM UNIT IDENTIFIED AS TAX MAP KEY NO. (2) 4-3-010:011:0101 LOCATED IN LAHAINA, MAUI, HAWAII, FOR AN AMOUNT NOT TO EXCEED \$530,000.00"

**Reso 24-53** "AUTHORIZING THE ACQUISITION OF A CONDOMINIUM UNIT IDENTIFIED AS TAX MAP KEY NO. (2) 3-4-039:050:0017 LOCATED IN WAILUKU, MAUI, HAWAII, FOR AN AMOUNT NOT TO EXCEED \$440,000.00"

**Reso 24-54** "AUTHORIZING THE ACQUISITION OF A CONDOMINIUM UNIT IDENTIFIED AS TAX MAP KEY NO. (2) 3-9-004:134:0109 LOCATED IN KIHAI, MAUI, HAWAII, FOR AN AMOUNT NOT TO EXCEED \$625,000.00"

**Reso 24-55** "URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REPAIR THE MA'ALAEA SMALL BOAT HARBOR RAMP"

	AYE	NO	EXC	Time Deliberations Began	10:13 a.m.
Pro Tem Kama	√			Time Motion Made	10:13 a.m.
VC Sugimura	√			Motion	ADOPT (With no objection, added recipients)
CM Paltin	√			Maker	Paltin
CM Johnson	√			Seconder	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	10:20 a.m.
CM Cook	√				
CM U'u-Hodgins	√				

CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>MOTION PASSED</b>	

**Reso 24-56** "ACCEPTING A DONATION OF \$11,000 FROM THE AMERICAN PUBLIC WORKS ASSOCIATION TO HELP THE DEPARTMENT OF PUBLIC WORKS IN THE COUNTY'S RECOVERY FROM THE AUGUST 8, 2023, WILDFIRES"

*Reso 24-56 postponed until Bill 43 (2024) is called.*

*1:52 p.m.: Referred to the Government Relations, Ethics, and Transparency Committee:*

**Reso 24-57** "AUTHORIZING PROCEEDINGS IN CONDEMNATION BY EMINENT DOMAIN FOR THE ACQUISITION OF REAL PROPERTY INTERESTS KNOWN AS LOT 1-B, CENTRAL MAUI SANITARY LANDFILL SUBDIVISION FOR PHASE VI EXPANSION OPERATIONS"

## **M. ORDINANCES**

**Bill 44 (2024)** "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION, REGARDING A LONG-TERM GROUND LEASE FOR 175 EAST LIPOA STREET, KIHEI, MAUI, HAWAII"

	AYE	NO	EXC	Time Deliberations Began	2:54 p.m.
Pro Tem Kama	√			Time Motion Made	2:55 p.m.
VC Sugimura	√			Motion	WAIVE Rule 7G
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	2:56 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	2:56 p.m.
VC Sugimura	√			Motion	PASS on first reading
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Second	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	3:04 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>MOTION PASSED</b>	

**Bill 45 (2024)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF THE PROSECUTING ATTORNEY, OFFICE FOR VICTIMS OF CRIME"

	AYE	NO	EXC	Time Deliberations Began	3:06 p.m.
Pro Tem Kama	√			Time Motion Made	3:06 p.m.
VC Sugimura	√			Motion	WAIVE Rule 7G
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Second	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	3:06 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:06 p.m.
VC Sugimura	√			Motion	PASS on first reading
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Second	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	3:07 p.m.
CM Cook	√				

CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>MOTION PASSED</b>	

**Bill 46 (2024)** "A BILL FOR AN ORDINANCE ESTABLISHING AN ASH DEBRIS TRANSPORTATION FUND"

	AYE	NO	EXC	Time Deliberations Began	3:07 p.m.
Pro Tem Kama	√			Time Motion Made	3:10 p.m.
VC Sugimura	√			Motion	WAIVE Rule 7G
CM Paltin	√			Maker	Paltin
CM Johnson	√			Seconder	Rawlins-Fernandez
CM Rawlins-Fernandez	√			Time Vote Taken	3:11 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:11 p.m.
VC Sugimura	√			Motion	PASS on first reading
CM Paltin	√			Maker	Paltin
CM Johnson	√			Seconder	Johnson
CM Rawlins-Fernandez	√			Time Vote Taken	3:26 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>MOTION PASSED</b>	

3:26 p.m.: Referred to the Water Authority, Social Services, and Parks Committee:  
**Bill 47 (2024)** "A BILL FOR AN ORDINANCE REQUIRING CERTAIN BUSINESSES TO MAINTAIN NALOXONE ON THEIR PREMISES"

3:26 p.m.: Referred to the Budget, Finance, and Economic Development Committee:  
**Bill 48 (2024)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, REVENUES; CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF WATER SUPPLY, COUNTYWIDE; AND APPENDIX C, DEPARTMENT OF WATER SUPPLY, COUNTYWIDE"

3:27 p.m.: Referred to the Budget, Finance, and Economic Development Committee:  
**Bill 49 (2024)** "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR A LOAN FROM THE STATE OF HAWAII'S DRINKING WATER STATE REVOLVING FUND FOR LEAD AND COPPER RULE REVISION COMPLIANCE, FISCAL YEAR 2024 BUDGET ORDINANCE"

### **ORDINANCES - SECOND AND FINAL READING**

**Bill 136 (2023)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, OFFICE OF THE MAYOR, ADMINISTRATION PROGRAM; AND EAST MAUI WATER AUTHORITY"

**Bill 9, CD1 (2024)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, REVENUES; CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF PARKS AND RECREATION, KĪHEI-MAKENA COMMUNITY PLAN AREA; AND APPENDIX C, DEPARTMENT OF PARKS AND RECREATION, KĪHEI-MAKENA COMMUNITY PLAN AREA"

**Bill 13, CD1 (2024)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, REVENUES; CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF TRANSPORTATION, WAILUKU-KAHULUI COMMUNITY PLAN AREA; AND APPENDIX C, DEPARTMENT OF TRANSPORTATION, WAILUKU-KAHULUI COMMUNITY PLAN AREA"

**Bill 14, CD1 (2024)** "A BILL FOR AN ORDINANCE AMENDING ORDINANCE 5530 (2023), RELATING TO THE ISSUANCE, SALE, AND DELIVERY OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI (DEPARTMENT OF TRANSPORTATION)"

**Bill 17, CD1 (2024)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, REVENUES; CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF PARKS AND RECREATION, LĀNA'I COMMUNITY PLAN AREA; AND APPENDIX C, DEPARTMENT OF PARKS AND RECREATION, LĀNA'I COMMUNITY PLAN AREA"

**Bill 18, CD1 (2024)** "A BILL FOR AN ORDINANCE AMENDING ORDINANCE 5530 (2023), RELATING TO THE ISSUANCE, SALE, AND DELIVERY OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI (DEPARTMENT OF PARKS AND RECREATION)"

**Bill 19, CD1 (2024)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, REVENUES; CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF PARKS AND RECREATION, PĀ'IA-HA'IKŪ COMMUNITY PLAN AREA; AND APPENDIX C, DEPARTMENT OF PARKS AND RECREATION, PĀ'IA-HA'IKŪ COMMUNITY PLAN AREA"

	AYE	NO	EXC	Time Deliberations Began	3:27 p.m.
Pro Tem Kama	√			Time Motion Made	3:29 p.m.
VC Sugimura	√			Motion	PASS Bills 136 (2023); 9 CD1, 13 CD1, 14 CD1, 17 CD1, 18 CD1, and 19 CD1 (2024) on second and final reading
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	3:32 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>MOTION PASSED</b>	

**Bill 21, CD1 (2024)** "A BILL FOR AN ORDINANCE AMENDING CHAPTER 16.25, MAUI COUNTY CODE, RELATING TO EMERGENCY BUILDING PERMITS"

	AYE	NO	EXC	Time Deliberations Began	3:32 p.m.
Pro Tem Kama	√			Time Motion Made	3:32 p.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	Cook
CM Johnson	√			Secunder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	3:39 p.m.

CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>MOTION PASSED</b>	

**Bill 43 (2024)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF PUBLIC WORKS PRIVATE DONATIONS"

**Reso 24-56** "ACCEPTING A DONATION OF \$11,000 FROM THE AMERICAN PUBLIC WORKS ASSOCIATION TO HELP THE DEPARTMENT OF PUBLIC WORKS IN THE COUNTY'S RECOVERY FROM THE AUGUST 8, 2023, WILDFIRES"

	AYE	NO	EXC	Time Deliberations Began	3:39 p.m.
Pro Tem Kama	√			Time Motion Made	3:39 p.m.
VC Sugimura	√			Motion	WAIVE Rule 7G for Reso
CM Paltin	√			Maker	Cook
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	3:40 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:40 p.m.
VC Sugimura	√			Motion	ADOPT Reso
CM Paltin	√			Maker	Cook
CM Johnson	√			Seconder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	3:43 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>MOTION PASSED</b>	

	AYE	NO	EXC	Time Deliberations Began	3:39 p.m.
Pro Tem Kama	√			Time Motion Made	3:40 p.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	Cook
CM Johnson	√			Seconder	Sugimura
CM Rawlins- Fernandez	√			Time Vote Taken	3:43 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>MOTION PASSED</b>	

TIME MEETING ADJOURNED: 3:50 p.m.

## TRANSCRIPTION

Council of the County of Maui on 2024-03-08 9:00 AM - Regular Meeting

>> WILL THE COUNCIL MEETING OF MARCH 8TH, 2024, PLEASE COME TO ORDER. THANK YOU. AND ALREADY WE HAVE A NEW AGENDA. ALL RIGHT. MS. CLERK. >> THANK YOU, CHAIR.\r\n\r\nAND MALO E LEI LEI TO EVERYBODY. PROCEEDING WITH ROLL CALL, MEMBERS PARTICIPATING FROM NON-PUBLIC LOCATIONS IF YOU COULD PLEASE STATE WHO IF ANYONE EXCEPT MINORS IS PRESENT WITH YOU AS PART OF ROLL CALL. COUNCIL MEMBER PRO TEMPORE TASHA KAMA. >> ALOHA, KAKAHIKA, CHAIR AND MALO E LEI LEI. >> COUNCIL MEMBER VICE-CHAIR YUKI LEI SUGIMURA. >> LOOKING FORWARD TO A VERY PRODUCTIVE MEETING. >> COUNCIL MEMBER TAMARA PALTIN.\r\n\r\n>> ALOHA KAKAHIKA AND MALO E LEI LEI. >> COUNCIL MEMBER GABE JOHNSON. >> CHAIR, COUNCIL MEMBERS, COMMUNITY MEMBERS, THERE'S NO TESTIFIERS AT THE DISTRICT OFFICE. I'M SOMETIMES ALONE IN MY WORK SPACE, BECAUSE ROXANNE WILL BE COMING IN AND OUT AND MALO E LEI LEI TO ALL OF YOU. MAHALO, CHAIR. >> THANK YOU. >> COUNCIL MEMBER KEANI RAWLINS-FERNANDEZ.\r\n\r\n>> ALOHA KAKAHIKA KAKOU AND THERE'S CURRENTLY NO TESTIFIERS AT THE MOLOKA'I DISTRICT OFFICE. >> COUNCIL MEMBER TOM COOK? >> MALO E LEI LEI. GOOD MORNING. HAPPY ALOHA FRIDAY. >> COUNCIL MEMBER NOHELANI UU-HODGINS. >> GOOD MORNING EVERYONE.\r\n\r\nMALO E LEI LEI. >> COUNCIL MEMBER SHANE SINENCI ALOHA, AND MALO E LEI LEI. NO TESTIFIERS IN HANA, CHAIR. >> AND CHAIR ALICE LEE. >> MALO E LEI LEI. >> CHAIR, ALL NINE MEMBERS ARE PRESENT, WHICH MEANS YOU HAVE A QUORUM TO CONDUCT THE BUSINESS OF THE COUNCIL. FOR THE RECORD, I'M THE COUNTY CLERK, MOANA LUTEY AND NEXT TO ME IS DEPUTY CLERK RICHELLE THOMSON AND ALSO PRESENT FROM THE OFFICE THE COUNTY CLERK ARE LEGISLATIVE STAFF JOYCE MURASHIGE, LAUREN SALDANA AND DELL YOSHIDA.\r\n\r\nJOINING THE MEETING FROM THE OFFICE OF COUNCIL SERVICES IS DIRECTOR DAVID RAATZ AND ATTORNEY RICHARD MITCHELL. FROM THE DEPARTMENT OF CORPORATION COUNSEL IS FIRST DEPUTY CORPORATION COUNSEL MIMI DESJARDINS. >> OPENING REMARKS WILL BE PROVIDED BY VICE-CHAIR YUKI LEI SUGIMURA. >> THANK YOU, CHAIR. I JUST WANTED TO TAKE A MOMENT TO SHARE WHAT IS ON MY MIND AND MANY, WHICH IS THE BUDGET THAT IS COMING UP. SO THE BUDGET, WHICH WE WILL RECEIVE IN A FEW WEEKS WILL COME FROM THE MAYOR TO US FOR OUR APPROVAL. AND THE BUDGET IS A REFLECTION OF THE VALUES AND THE HOPES OF OUR COMMUNITY.\r\n\r\nAND AS YOU CAN GUESS, A LOT OF US WILL BE THINKING ABOUT THE WILDFIRES AND IMPACTS OF THE AUGUST 8TH DISASTER AND WHAT IT HAS FOR OUR COMMUNITY AT THAT TIME, TODAY AND FOR YEARS TO COME. SO WE'RE KEENLY RECOGNIZING HOW IMPORTANT THIS UPCOMING BUDGET WILL BE, BECAUSE OF THOSE EVENTS, AS WELL AS TO TAKE CARE OF THE HEALTH AND SAFETY OF OUR RESIDENTS. WE ALWAYS HAVE BEEN AND WILL BE WELCOMING THE PUBLIC'S PARTICIPATION IN OUR BUDGET PROCESS, JUST LIKE TO TAKE THIS OPPORTUNITY TO GIVE THE PUBLIC SOME INFORMATION ON WHAT IS AHEAD: AFTER WE RECEIVE THE BUDGET PROPOSED, THE MAYOR'S PROPOSED BUDGET ON MARCH 25TH, OUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE WILL BEGIN OUR DELIBERATIONS THE WEEK OF APRIL 1, AND ALSO BEGINNING OF THAT WEEK, WE'LL BE GOING OUT INTO YOUR RESIDENCY AREAS AND HAVING FACE-TO-FACE MEETINGS, SORRY -- HAVING MEETINGS IN THE COMMUNITY WITH THE RESPECTIVE COUNCIL MEMBERS. THE DATES AND SCHEDULES ARE BEING FINALIZED SOON AND WE WILL HAVE THE INFORMATION OUT TO THE PUBLIC SHORTLY. WITH OUR RESIDENCY AREA MEETINGS, AS WELL AS OUR REGULAR DAYTIME MEETINGS COMMUNITY MEMBERS HAVE MULTIPLE OPPORTUNITIES TO TESTIFY THEIR INPUT ON THE FISCAL YEAR 25 BUDGET. COMMUNITY INPUT WILL BE AS IMPORTANT AS EVER AS WE CONTINUE TO STRIVE FORWARD IN OUR RECOVERY. I LOOK FORWARD TO WORKING WITH COMMUNITY, AND YOUR MEMBERS, AS WE CRAFT OUR UPCOMING BUDGET OF HOPE.\r\n\r\nTHANK YOU, CHAIR. >> THANK YOU. MAY I NOW ASK THAT EVERYONE 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. BEFORE WE PROCEED WITH TODAY'S AGENDA MAY I PLEASE REQUEST EVERYONE KEEP THEIR MICROPHONES MUTED, UNLESS IT'S

YOUR TURN TO SPEAK. AS A REMINDER TESTIMONY MUST PERTAIN TO ITEMS ON THE MEETING AGENDA. WHEN TESTIFYING, PLEASE DIRECT YOUR REMARKS TO THE COUNCIL AND NOT TO ANY INDIVIDUAL COUNCIL MEMBER OR MEMBER OF THE PUBLIC.\r\n\r\nEACH TESTIFIER WILL BE ALLOWED TO SPEAK FOR UP TO THREE MINUTES ON EACH ITEM. FOR INDIVIDUALS WISHING TO TESTIFY ON TEAMS, PLEASE CHECK THE RAISE YOUR HAND BUTTON TO BE ADDED ONTO THE TESTIFIER LOG. IF YOU ARE CALLING IN, PLEASE FOLLOW THE PHONE PROMPTS TO BE ADDED TO THE TESTIFIER LOG. DECORUM SHALL BE MAINTAINED AT ALL TIMES. ANY PERSON WHO BEHAVES IN A MANNER THAT DISRUPTS, DISTURBS OR IMPEDES THE ORDERLY CONDUCT OF ANY COUNCIL MEETING CAN, AT THE DISCRETION OF THE PRESIDING OFFICER, OR A MAJORITY OF PRESENT >> COUNCIL MEMBERS, BE EJECTED OR BANNED FROM COUNCIL MEETINGS, OR IF PARTICIPATING REMOTELY, COULD BE MUTED OR DROPPED FROM THE MEETING. EXAMPLES OF DISRUPTIVE BEHAVIOR INCLUDE, BUT NOT LIMITED TO: HECKLING, SHOUTING, USE OF PROFANITY, THREATENING OR SLANDEROUS REMARKS MADE TO ANY MEMBER OF THE COUNCIL, STAFF, OR GENERAL PUBLIC. MS.\r\n\r\nCLERK, PLEASE PROCEED. >> THANK YOU, MADAM CHAIR. THERE'S NO BUSINESS BEFORE THE COUNCIL ON SECTION D, TESTIMONY ON CEREMONIAL RESOLUTIONS. E, CEREMONIAL RESOLUTIONS AND F, CONSENT CALENDAR, MOVING TO G, PRESENTATION OF WRITTEN OR ORAL TESTIMONY. AT THIS TIME, INDIVIDUALS MAY TESTIFY ON ANY ITEM ON THE MEETING AGENDA. TO BE ADDED TO THE TESTIFIER LOG ONLINE, RAISE YOUR HAND IN TEAMS. ONCE YOU HAVE BEEN ADDED TO THE TESTIFIER LOG, STAFF WILL LOWER YOUR HAND.\r\n\r\nIF YOU ARE CALLING IN BY PHONE, FOLLOW THE PHONE PROFIT PROMPTS TO BE ADDED TO THE TESTIFIER LOG. TESTIFIERS WILL BE LISTED IN THE ORDER OF SIGN UP AND YOU CAN CHECK YOUR PLACE IN LINE BY CHECKING ON THE TESTIFIER LOG IN THE CHAT. WHEN YOUR NAME IS CALLED TO TESTIFY, PLEASE IDENTIFY THE ITEM NUMBER ON THE AGENDA THAT YOU ARE TESTIFYING ON. IF YOU WISH TO TESTIFY LATER AT THE TIME THE ITEM IS CALLED, AND NOTIFY US WHEN YOUR NAME IS CALLED, WE'LL MOVE YOUR NAME TO THAT SECTION. CHAIR, WE CURRENTLY HAVE THREE PEOPLE SIGNED UP TO TESTIFY, ALL IN CHAMBERS. THE FIRST PERSON TO TESTIFY IS KEN OTO ON RESOLUTION 24-57, FOLLOWED BY THELMA AKITA KEALOHA. >> GOOD MORNING.\r\n\r\n>> GOOD MORNING. >> HAPPY FRIDAY. >> IS YOUR MIC ON? OKAY. YES, THAT MIGHT BE BETTER. >> ALOHA FRIDAY, GOOD MORNING, CHAIR, GOOD MORNING COUNCIL MEMBERS MY NAME IS KEN OTO, I'M THE MANAGER OF PULEA SANDY, LLC. AND PARTNER OF MAUI PROPERTIES AND TESTIFYING AGAINST RESOLUTION 24-57 CONDEMNATION BY EMINENT DOMAIN FOR 20 ACRES THAT IS ON PULEHU ROAD NEXT TO THE CENTRAL MAUI LANDFILL.\r\n\r\nI WOULD LIKE TO ADD SOME BACKGROUND ON HOW MY PARTNERS AND I WERE INVOLVED WITH THE PROPERTY FIRST. BACK IN APRIL, 2023, WE WERE FORTUNATE TO PURCHASE THE ASSETS FROM THE KOMAR FAMILY AND MERGE WITH WASTE FOR HAWAII. THE MAUI PROPERTIES GAVE US AN OPPORTUNITY TO DEVELOP AND MANAGE THE 20 ACRES, THE SITE FOR THE PURPOSE OF A NEW CONSTRUCTION AND DEMOLITION LANDFILL FACILITY. THE DEVELOPING OF A C & D FACILITY ON MAUI PROVIDES THE COMMUNITY WITH LOWER COST TIPPING FEE, COMPARED TO THE CURRENT COUNTY RATE TODAY. NEW C & D FACILITY WILL HELP THE COUNTY AND ADD MORE YEARS, AND EXTEND THE LIFE OF THE CURRENT LANDFILL. WITHOUT ADDING THE COSTS TO THE COUNTY. WITH THE COUNTY AND STATE PARTNERSHIP, WE HAVE AN OPPORTUNITY TO MOVE THE LAHAINA DEBRIS TO CENTRAL MAUI. THERE'S A SAVINGS APPROXIMATELY \$7 MILLION IF WE CAN PREVENT THE DOUBLE HANDLING OF THE DEBRIS FOR THE LAST 25% AND THANK YOU FOR YOUR CONSIDERATION.\r\n\r\n>> MEMBERS, DO YOU HAVE ANY CLARIFYING QUESTIONS? MEMBER PALTIN. >> CAN YOU CLARIFY THE NAMES OF YOUR PARTNERS, ALL OF THEM? >> IT WILL BE KENI COMBS AND MYSELF. >> YOU FOLKS ARE THE LANDOWNERS. KOMAR, UNDER KOMAR MAUI PROPERTIES. >> CAN YOU TELL ME THE NAME OF ALL OF THE INVOLVED IN THAT? \r\n\r\n>> >> THAT IS THE OWNER? >> YES. >> HENESEN. >> YES. >> THAT IS HIS LAST NAME? >> YES THANK YOU. >> MEMBER SUGIMURA.\r\n\r\n>> NICE SEEING YOU HERE, MR. OTA. CAN YOU EXPLAIN, YOU SAID THERE'S A SAVINGS OF \$7 MILLION FOR US. CAN YOU EXPLAIN THAT? >> EXCUSE ME, ONE SECOND. THIS MIGHT REQUIRE A MORE DETAILED ANSWER. SO ANY OBJECTIONS TO DESIGNATE MR.\r\n\r\nOTO A RESOURCE PERSON WITH HIS EXPERTISE. >> I OBJECT, BUT YOU ARE GOING TO DO IT ANYWAY, YEAH? >> HIS EXPERTISE IS WITH DEBRIS REMOVAL, AND YOU ARE PART OWNER OF THE LAND, DID YOU SAY? >> WE HAVE AN AGREEMENT AS PARTNER TO DEVELOP

THE 20-ACRE PARCEL. >> OKAY. THAT IS YOUR BACKGROUND? >> YES.\r\n\r\n>> YOUR EXPERTISE. SO ANYBODY -- WE HAVE ONE PERSON WHO IS NOT IN FAVOR. ANYBODY ELSE NOT IN FAVOR? DO WE HAVE TO TAKE A VOTE? NO OBJECTIONS, SO ORDERED. >> ONE OBJECTION. >> WITH ONE OBJECTION FROM MEMBER PALTIN.\r\n\r\n>> WOULD YOU BE ABLE TO COME BACK? >> YES. >> FOR NOW, ANYBODY HAVE CLARIFYING QUESTIONS? MEMBER SINENCI. >> CHAIR, IT LOOKS LIKE THIS ITEM WAS GOING TO BE REFERRED TO THE GREAT COMMITTEE. >> YES. >> YES.\r\n\r\nAND NO, I MEAN IT COULD HAVE BEEN MOVED ON THE FLOOR, IF NOBODY HAD ANY OBJECTIONS DUE TO THE -- >> SO MOVED. >> SEE WHAT I MEAN? SO WE'LL TALK ABOUT IT WHEN THE ITEM COMES UP, EITHER REFERRING OR TAKING ACTION. OKAY. >> ANY CLARIFYING QUESTIONS FOR THE SPEAKER? IF NOT, IF YOU COULD STAY WITH UP AND WHEN THE ITEM COMES UP, WE'LL CALL YOU DOWN, OKAY? >> THANK YOU.\r\n\r\n>> NEXT TESTIFIER, PLEASE PANNING DIRECTOR THANK YOU, CHAIR. THE NEXT TESTIFIER IS THELMA AKITA KEALOHA AND FOLLOWED BY KENIO GOMES AND I APOLOGIZE TO MR. GOMES, HE WAS FIRST ON THE AGENDA, BUT I HAD IT INCORRECT ON THE SCREEN. >> IN THE INTEREST OF TIME, THE NEXT TESTIFIER COULD YOU COME DOWN, BEFORE THE END OF THE TESTIMONY OF MS. AKITA. >> I WOULD BE PERFECTLY HAPPY TO GIVE MY SPOT TO HIM. >> NO, NO, GO AHEAD.\r\n\r\n>> ALOHA AND GOOD MORNING, MADAM CHAIR, COUNCIL MEMBERS. MY NAME IS THELMA AKITA KEALOHA WITH CATHOLIC CHARITIES FOR FUNDING FOR HALE PILINA. CATHOLIC CHARITIES HAWAII IS VERY COMMITTED TO SERVING THE ENTIRE ISLAND AND WILL MAKE EVERY EFFORT TO NOTIFY ALL OF THE PEOPLE ON THE ISLAND WHO ARE INTERESTED IN BEING HOUSED AT HALE PILINA. WE REALLY BELIEVE THAT THE COMMUNITY NEEDS THIS LOW-INCOME AFFORDABLE HOUSING PROJECT. YOU KNOW, THE SURVIVORS THAT WE HAVE, THAT HAVE MOVED, THERE ARE SURVIVORS THAT ARE MOVED OUT TO ALL PARTS THE ISLAND. WE HAVE PEOPLE IN THE CENTRAL AREA, PEOPLE IN SOUTH MAUI, PEOPLE UP COUNTRY. ONE OF THE LADIES WHO WORKED WITH US HAD A FAMILY JUST MOVE NEXT TO HER UP IN KULA, WHO WERE ALSO SURVIVORS.\r\n\r\nALSO THE FACT THAT YOU KNOW WE HAVE THE FIRE, IT'S A HUGE DISASTER. WE ALREADY HAD A HOUSING CRISIS. WE'RE CREATING A SECONDARY HOUSING CRISIS RIGHT NOW, BECAUSE LANDLORDS ARE NOT RENEWING LEASES. SO PEOPLE WHO ARE ON MONTH-TO-MONTH LEASES THEY ARE NOT GETTING THEIR LEASES RENEWED. NOT EVERYBODY, BUT SOME OF THEM ARE NOT, BECAUSE THESE LANDLORDS THINK THEY CAN MAKE MORE MONEY RENTING TO FEMA. SO YOU KNOW, I'M SURE LOTS OF THEM AREN'T TELLING THEIR TENANTS THIS. I KNOW ONE OF THEM DID AND THEY CHANGED THEIR MIND AND CHANGED THEIR STORY TWO OR THREE TIMES.\r\n\r\nSO WE WANT TO BE PART OF THE SOLUTION. WE ARE GOING TO BUILD 178 UNITS FOR OUR MAUI RESIDENTS, WHO ARE DESPERATELY SEEKING TO STABILIZE NOT ONLY THEIR HOUSING, BUT THEIR LIVES AS WELL. BECAUSE EVERYBODY IS IN TURMOIL RIGHT NOW, AND WE ARE A SHOVEL-READY PROJECT, AND YOU HAVE HEARD THIS BEFORE ABOUT HALE PILINA BEING NO. 1 TO BE AWARDED. I'M NOT GOING TO GO INTO ALL OF THAT BECAUSE YOU FOLKS ALREADY KNOW THAT. SO I WILL END MY TESTIMONY HERE SAYING THANK YOU FOR YOUR SUPPORT, AND PLEASE SUPPORT THIS PROJECT. ALOHA.\r\n\r\n>> ANY QUESTIONS FOR MS. AKITA KEALOHA, THANK YOU VERY MUCH. >> NEXT TESTIFIER MR. GOMES, FOLLOWED BY STEVEN KEALOHA. >> HAPPY ALOHA FRIDAY, THANK YOU HAVING ME TODAY. BEFORE I START, I WOULD LIKE TO THANK EVERY SINGLE ONE OF YOU FOR SUPPORTING OUR COMMUNITY, AND FOR REACHING OUT TO EVERYONE AND HELPING DURING THIS UNPRECEDENTED TIME. NOT ONLY IN OUR STATE, OUR COUNTRY, BUT IN THE WORLD.\r\n\r\nTHANK YOU VERY MUCH. MY NAME IS KEONI GOMES AND I'M A MEMBER OF PULEHU C & D AND TESTIFYING AGAINST RESOLUTION 24-57, FOR THE LAST 15 YEARS I HAVE BEEN SEARCHING FOR A PARCEL TO DEVELOP AND OPERATE A CONSTRUCTION AND DEMOLITION LANDFILL IN MAUI AND AFTER MANY SEARCHES AND MANY POTENTIAL DEALS THAT HAVE FALLEN THROUGH, THE OPPORTUNITY TO DEVELOP, MANAGE, AND OPERATE A PARCEL WAS PRESENTED TO MY PARTNER, AND I IN 2023. I DID CONTACT DIRECTLY AGAWA OF THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT IN 2023, INFORMING HIM OF OUR PLAN TO DEVELOP THE SUBJECT PARCEL, AND OPERATE A C & D LANDFILL. IN PREVIOUS DISCUSSION WITH DIRECTOR AGAWA, HE COMPRESSED TO ME THAT THE COUNTY MAY HAVE INTEREST ALSO IN THIS PARCEL. DURING THE MONTHS OF MAY, JUNE, AND JULY, WE SECURED FINANCING. WE ALSO GOT A DEVELOPMENT PLANNER AND LEGAL TEAM TO ASSIST US WITH ENTITLEMENTS. WE GOT A LANDFILL CONSULTANT, AND POTENTIAL DESIGN ENGINEER. WE WERE

READY TO MOVE SWIFTLY, AND WE FEEL THAT WE ARE VERY CAPABLE OF PERFORMING A TASK OF GETTING THE LANDFILL OPERATED, READY FOR OPERATION, AND TO OPERATE IT PROPERLY.\r\n\r\nCOMPANIES THAT I HAVE BEEN INVOLVED WITH, WE OPERATE A RECYCLE FACILITY AT THE MOMENT. I HAVE BEEN CONTRACTED BY THE COUNTY OF MAUI TO IMPORT MATERIAL TO THE TDSR SITE WHETHER WHEN THE VALLEY FLOODED. THEY CONTACTED MY PARENTS AND I'M THE MANAGER AND WE HAVE DONE SEVERAL DIFFERENT CONTRACTS. CURRENTLY OUR FACILITY TAKES IN THE NEIGHBORHOOD OF 100,000 TONS OF MATERIALS A YEAR, WHICH WE RECYCLE. WE REUSE NOT ONLY COUNTY PROJECTS, BUT ON PRIVATE PROJECTS THROUGHOUT THE ISLAND OF MAUI. IN AUGUST WE INFORMED DIRECTOR AGAWA OF OUR NEWLY FORMED COMPANY AND OUR INTENTION TO MOVE FORWARD TO PERMIT AND DEVELOP THE PARCELS I WILL QUOTE FROM OUR LETTER "OUR LOCAL TEAM IS GEARED TO MOVE SWIFTLY, MAKE PROMPT DECISIONS AND WILL KEEP OUR COMMUNITY'S NEEDS AT THE FOREFRONT OF OUR EFFORTS. >> KEONI, CAN YOU PLEASE CONCLUDE?\r\n\r\n>> YES, IN CLOSING TO ENSURE THE COMMUNITY THAT WE HAVE THEIR BEST INTEREST IN MIND AND LOCAL COMPANY WITH DEEP ROOTS IN OUR ISLAND AND COMPANY. IN NO WAY DOES THIS PROPOSED RESOLUTION DEFLECT US OR DETER US FROM WANTING TO CONTINUE TO WORK HAND IN HAND WITH THE COUNTY OF MAUI. WE WANT TO MAKE THIS WORK. WE HAVE FINANCING, WE HAVE PROFESSIONALS READY. WE CAN MOVE ON THIS VERY SWIFTLY AND CONFIDENT IT CAN BE A WIN-WIN FOR ALL PARTIS AND ESPECIALLY FOR THE PEOPLE AND BUSINESSES OF MAUI. THANK YOU. >> THANK YOU, MR.\r\n\r\nGOMES. ANY CLARIFYING QUESTIONS? MEMBERS? VICE-CHAIR SUGIMURA >> ARE YOU GOING TO ASK HIM ALSO TO BE A RESOURCE? >> MEMBERS, ANY OBJECTIONS TO DESIGNATING UNDER RULE 18, MR. GOMES AS A RESOURCE PERSON REGARDING RESOLUTION 24-57? >> YES. >> AND HE IS ALREADY STATED HIS EXPERTISE.\r\n\r\n>> YES. >> OKAY. ANYONE ELSE? IT APPEARS THAT THE MAJORITY IS APPROVING YOU TO BE A RESOURCE PERSON, IF YOU CAN STAY, MR. GOMES. BUT WE HAVE ONE MORE QUESTION. MR.\r\n\r\nCOOK. >> MY CLARIFYING QUESTION IS THERE CURRENTLY A CONSTRUCTION DEBRIS FACILITY, AND WHAT IS THE HISTORY OF WHAT HAS HAPPENED, HOW WE MANAGED THAT IN THE PAST? >> CURRENTLY. >> CHAIR, I DON'T THINK THAT WAS CLARIFYING. MAYBE WE'LL TAKE IT UP WHEN WE BRING UP THE ITEM. >> OKAY. >> CAN YOU WAIT?\r\n\r\n>> YES, I CAN WAIT. >> SORRY, MEMBER COOK. >> JUST FOR YOUR INFORMATION, CLARIFYING QUESTIONS ARE NORMALLY SHORT ONES, IF THEY DIDN'T UNDERSTAND WHAT YOU SAID. MEMBER KAMA. >> THANK YOU. SO MR. GOMES, DID YOU SAY THAT YOU PURCHASED THE PROPERTY BECAUSE YOU WANTED TO DO -- THAT YOU ARE A CONSTRUCTION AND DEMOLITION C & D LANDFILL, IS THAT WHAT YOU SAID?\r\n\r\n>> WE PLAN TO OPERATE THE FACILITY AS A CONSTRUCTION AND DEMOLITION LANDFILL. OUR GOAL WAS NEVER TO COMPETE WITH THE COUNTY IN MSW MUNICIPAL SOLID WASTE. ONLY TO DO CONSTRUCTION AND DEMOLITION MATERIALS . >> WHAT DOES THAT MEAN? >> OKAY. SO -- >> OKAY, THAT WOULD BE FOR A LATER DISCUSSION. >> HOLD ON TO THAT DISCUSSION. THANK YOU.\r\n\r\n>> ANYBODY ELSE WITH CLARIFYING QUESTIONS? IF NOT, THANK YOU, MR. GOMES. WE'LL TALK TO YOU LATER. >> NEXT TESTIFIER. >> CHAIR, THE NEXT TESTIFIER IS STEVEN, TESTIFYING ON COMMITTEE REPORT 24-29 FOLLOWED BY SAGE KIYONAGA. >> ALOHA KAKAHIKA, CHAIR LEE AND COUNCIL MEMBERS.\r\n\r\nI'M HERE TO TESTIFY ON BEHALF OF BILL 34CR24-29 FOR HALE PILINA, THE DEVELOPMENT THAT WE'RE PROPOSING. I WANT TO THANK YOU FOR YOUR PREVIOUS RECOGNITION OF THE IMPORTANCE OF THIS PARTICULAR PROJECT. AND I WANTED TO SHARE SOMETHING WITH YOU, BECAUSE I BELIEVE WE ALL HAVE A SHARED MISSION, AND VISION. YOU KNOW, IT'S NOT PITTING ONE PROJECT AGAINST THE OTHER, BUT I THINK THE POINT IS THAT THERE ARE MANY PROJECTS THAT ARE GOING TO BE VERY IMPORTANT FOR AFFORDABLE HOUSING THAT WILL COME BEFORE YOU. AND WE ARE AT THE POINT WHERE WE ARE READY TO GO, AND I SEE, YOU KNOW, THE ABILITY TO PRODUCE SOMETHING REALLY QUICKLY, AND FOR THE NEEDS OF OUR PEOPLE ON MAUI, AND MAUI COUNTY ACTUALLY, YOU KNOW? WE CAN DO THAT VERY WELL. YOU KNOW, SOME OF THE THINGS THAT CAME UP PRIOR -- AT PRIOR MEETINGS, WE TALKED ABOUT THE POSSIBILITY OF SUPPLEMENTING SOME THINGS WITHIN OUR PROJECT WHEREBY WE CAN MAYBE IMPROVE OUR PROCESS OF APPLICATIONS FOR PEOPLE IN MAUI AND ESPECIALLY FOR THOSE WHO MIGHT BE, YOU KNOW, PART OF THE MAUI RELIEF PROGRAMS.\r\n\r\nYOU KNOW, WE CAN THINK ABOUT THE FACT THAT MAYBE WE CAN SUBSIDIZE

THOSE PEOPLE FROM LAHAINA, FROM THE WILDFIRE, THROUGH THE COUNTY'S AMOUNT OF MONEY THAT IS BEING ASKED FOR AND BEING PROVIDED. SO MAYBE THAT MIGHT BE A SOLUTION? THE OTHER SOLUTION WE THOUGHT ABOUT WAS THAT WE CAN OPEN UP THE APPLICATION PROCESS TO THE POINT WHERE WE CAN DO THINGS THAT MIGHT HELP TO BRING FORTH AN OPPORTUNITY FOR SUPPLEMENTING THE APPLICATION PROCESS WITH PEOPLE FROM ALL OF MAUI COUNTY, BUT ALSO GIVING SPECIAL RECOGNITION FOR THOSE FROM THE LAHAINA WILDFIRE. SO I THINK WE CAN WORK TOGETHER ON THAT. I'M NOT THE ONE TO MAKE THE DECISION ON THIS. THIS WILL COME FROM OUR OFFICERS AND SO FORTH. HOWEVER, YOU KNOW, SOME OF US ARE ACTUALLY INFLUENCERS WITHIN OUR ORGANIZATION, AND THEY WILL LISTEN TO US IF WE HAVE ANY COMMENT THAT WE WOULD LIKE TO PROVIDE THEM, AS GUIDANCE IN WHAT WE THINK SHOULD BE DONE.

SO WITH THAT IN MIND, WE WANT TO OFFER YOU THIS GIFT TO OUR RESIDENTS OF MAUI COUNTY, 178 FAMILY UNITS, AT OR BELOW 60% OF AMI. AFFORDABILITY OF 61 YEARS. SHOVEL-READY IN 2024. AND APPROXIMATELY 90% FUNDING FOR THE PROJECT. THIS IS OUR GIFT TO THE MAUI COUNTY. THREE MINUTES. >> SO WE ARE AT THE ONE YARD LINE AND WE WANT TO PUNCH IT INTO THE GOAL LINE. SO PLEASE, I ASK FOR YOUR UNANIMOUS SUPPORT, BECAUSE I BELIEVE THAT OUR EXPRESSION OF AFFORDABLE HOUSING NEEDS FOR ALL CITIZENS OF MAUI IS SOMETHING THAT WE ALL SHARE.

MAHALO FOR YOUR -- >> THANK YOU, MR. KEALOHA. MEMBERS, ANY QUESTIONS? IF NOT, THANK YOU VERY MUCH. >> THEY'RE, THE NEXT TESTIFIER IS SAGE KIYONAGA TESTIFYING ON RESOLUTION 24-57 AND CURRENTLY MR. KIYONAGA IS THE LAST TESTIFIER SIGNED UP TO TESTIFY AT THE BEGINNING OF THE MEETING. >> GOOD MORNING; GOOD MORNING COUNCIL MEMBERS AND CHAIR LEE.

GOOD MORNING. >> MY NAME IS SAGE KIYONAGA, A PROFESSIONAL ENGINEER LICENSED TO PRACTICE CIVIL ENGINEERING IN THE STATE OF HAWAII. I WORK FOR THE COUNTY OF MAUI SOLID WASTE DIVISION AND HAVE OVER TEN YEARS' EXPERIENCE IN SOLID WASTE. I AM HERE ON MY OWN TIME TO TESTIFY AS A PRIVATE CITIZEN IN SUPPORT FOR THE ACQUISITION, CONDEMNATION OF LOT 1-B FOR CENTRAL MAUI LANDFILL PHASE 6. LANDFILLING IS BASICALLY A LARGE-SCALE BACK FILLING OPERATION, THE DEFINITION FILLING A HOLE LEFT BEHIND. THE VAST MAJORITY OF LANDFILLS IN THE UNITED STATES FOLLOW A QUARRY. I HAVE AN AERIAL PHOTO THAT I WILL PASS AROUND AFTER MY TESTIMONY THAT SHOWS THAT PHASES 4 AND 5 OF THE MODERN SIDE OF CENTRAL MAUI LANDFILL FOLLOWS THE QUARRY THAT RUNS ALONGSIDE PULEHU ROAD AND THE COUNTY ALWAYS INTENDED EXPANDING ALONG THE ROAD AND PAID FOR THE SUBDIVISION FOR PHASE 6 PROPERTY, AND ALSO PAID FOR THE ENVIRONMENTAL ASSESSMENT. AND THEY PAID FOR THE SPECIAL LAND USE PERMIT TO CONDUCT LANDFILL ACTIVITIES THERE BEFORE THE PROPERTY WAS PURCHASED BY KOMAR. THE CENTRAL MAUI LANDFILL IS ONE OF TWO LANDFILLS ON THE ISLAND OF MAUI.

THE OTHER LANDFILL IS IN RURAL HANA, ISOLATED FROM THE MAJORITY OF THE ISLAND OF MAUI. 98-99% OF ALL MUNICIPAL SOLID WASTE ENDS UP AT CENTRAL MAUI LANDFILL AND WITHOUT AIRSPACE WE RUN THE RISK OF RISKING SERVICES FOR THE ISLAND OF MAUI. THIS ISSUE HAS BEEN GREATLY MAGNIFIED BY THE AUGUST 8TH WILDFIRES. THE 400,000 CUBIC YARDS OR TONS OF DEBRIS COMING OUT THE LAHAINA IS NO SMALL AMOUNT, THAT REPRESENTS ABOUT TWO YEARS OF AIRSPACE THAT WE WOULD USE AT CENTRAL MAUI. LANDFALL DISPOSAL AIRSPACE IS THE BACKBONE OF PROPER SOLID WASTE MANAGEMENT, INCLUDING RECYCLING, AND WASTE-TO-ENERGY RECOVERY TECHNOLOGIES THAT WILL ALWAYS BE WASTE BYPRODUCTS PRODUCED FROM RECYCLING AND ENERGY RECOVERY, WHICH NEEDS TO BE ACCEPTED AT THE PROPER PERMITTED LANDFILL. SO AGAIN, I'M HERE TO TESTIFY IN SUPPORT FOR ACQUISITION OF PHASE 6. THANK YOU. >> QUESTIONS, MEMBER RAWLINS-FERNANDEZ?

MAHALO, CHAIR. I KNOW MR. KIYONAGA IS HERE IN HIS PERSONAL CAPACITY, BUT SINCE WE REQUESTED RESOURCE PERSONNEL FROM THE OTHER TWO PREVIOUS TESTIFIERS, MR. KIYONAGA, I DON'T KNOW IF YOU HAVE THE TIME, BUT IF YOU DO, WOULD YOU BE WILLING TO SERVE AS A RESOURCE PERSONNEL FOR THE COUNCIL IF THERE'S NO OBJECTIONS, CHAIR. >> NO OBJECTIONS. >> ANY OBJECTIONS? >> NO OBJECTIONS.

ARE YOU HERE FOR MR. AGAWA. >> I'M HERE AS A PRIVATE CITIZEN. >> WOULD YOU LIKE TO BE A RESOURCE PERSON DESIGNATED? >> YES. >> SO IF YOU COULD STAY, AND WHEN WE GET TO THAT ITEM, WE'LL CALL ALL OF YOU UP AGAIN. THANK YOU.

CAN WE SEE HIS PICTURE? HE WAS GOING TO PASS IT OUT. >> JUST GIVE IT TO THE CLERK. >> THANK

YOU. >> NEXT SPEAKER. >> CHAIR, LOOKS LIKE THE LAST TESTIFIER CURRENTLY IS J.C. LAU. >> GOOD MORNING.\r\n\r\n>> GOOD MORNING. >> COUNCIL CHAIR LEE, COUNCIL MEMBERS. ALOHA KAKAHIKA KAKOU. ALOHA AKAKU. HAWAIIAN WORD OF THE DAY IS LAPU, WHICH MEANS "GHOST." AND WITH THAT, I GOT A POINT OF ORDER ON THE DECORUM AND STUFF. I WAS GOING TO SAY SOMETHING ABOUT THE H-WORD IN ONE OF THE -- I WOULD JUST ASK THE CATHOLIC CHARITIES PEOPLE TO TRY NOT TO USE THE H-WORD IN THERE IN CORRESPONDENCE WITH THE COUNTY AND TO GET A WORD ABOUT THAT, CHAIR. SO I'M NOT TRYING TO HOLAULOA, WHICH MEANS TO DILLY-DALLY.\r\n\r\nSO I WILL GO ON TO THE TOPIC OF THIS MORNING IS THE LANDFILL. AND THE REASON I HAVE SECONDED FROM THE PEANUT GALLERY OUT THERE, BECAUSE I'M HAVING PROBLEMS CORRESPONDING WITH THE MANAGER, HIS NAME IS TIM OF MAUI DISPOSAL. AND AS YOU ALL KNOW, I'M VERY INTERESTED IN LANDFILLS, AND RECYCLING, AND, ET CETERA, ET CETERA. I HEARD MR. GOMES SAY, I THINK IT WAS HIS NAME, THE TESTIFIER SAID HE IS GOING PROPERLY DISPOSE OF THE WASTE. THAT IS GOING TO BE A BIG PROBLEM, NOW THAT WE KNOW WHO IS THE AUTHORITY IS ROUND HERE, WE HAVE TO FOLLOW THE KINGDOM LAWS. I WILL BE WATCHING AND I HOPE YOU WILL BE, TOO.\r\n\r\n>> THANK YOU. >> I WILL YIELD THE REST OF MY TIME TO THE KANAKA O MAUI. >> CHAIR, THERE'S CURRENTLY NO ONE ELSE SIGNED UP TO TESTIFY. SO WE'LL GIVE LAST CALL FOR TESTIMONY AT THE BEGINNING OF THE MEETING. IF ANYONE WISHES TO TESTIFY AT THE BEGINNING, THESE MAKE YOURSELF KNOWN NOW. CHAIR, SEEING NO ONE RAISING THEIR HAND ON TEAM AND NO ONE IN THE CHAMBER, SO WE'LL DO LAST CALL, COUNTING DOWN, 3, 2, 1. CHAIR, THERE'S NO ONE ELSE TO TESTIFY. >> MEMBERS, ARE THERE ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY AT THIS TIME?\r\n\r\n>> NO OBJECTIONS. >> NO ORDERED, MS. CLERK CHAIR FROM YOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE IS COMMITTEE REPORT 4-49 RECOMMENDING FIRST READING THE BILL 23, CD 1 (2024) TO AMEND THE FISCAL YEAR 2024 BUDGET APPENDIX A PART II SPECIAL PURPOSE REFERS SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2024 AFFORDABLE HOUSING FUND BY ADDING A NEW CONDITION TO READ AS FOLLOWS: UP TO \$10 MILLION MUST BE FOR GRANT TO -- [ INAUDIBLE ] [ INAUDIBLE ] I'M NOT HEARING ANYONE. >> CAN YOU HEAR ME? >> NOW I CAN. >> OKAY. OH, OKAY.\r\n\r\nSO >> CAN YOU HEAR ME? MARCH 8TH, 2024, PLEASE RECONVENE. SORRY FOR THE INCONVENIENCE, BUT I GUESS IT'S A TEAMS ISSUE. IF YOU HEARD THOSE LITTLE NOISES, PEOPLE WERE BEING DROPPED FROM THE CALL. I GUESS, WHEN YOU REACH A CERTAIN NUMBER, BUT WHO KNOWS? ANYWAY, LET'S PROCEED, MS. CLERK.\r\n\r\n>> THANK YOU, MADAM CHAIR. JUST NEED TO REVERSE A LITTLE BIT IN THE ORDER. SO CALLING UP SECTION H, MINUTES, NO ACTION. I, ACTION ON THE CONSENT CALENDAR. NONE. COMMUNICATIONS. NONE.\r\n\r\nSO MOVING OP TO COMMITTEE REPORTS, SECTION K. CURRENTLY WE HAVE NO ONE SIGNED UP TO TESTIFY ON THE COMMITTEE REPORTS IN SECTION K. SO WE'LL GO AHEAD AND GIVE LAST CALL FOR TESTIMONY ON THE COMMITTEE REPORTS IN SECTION K. COUNTING DOWN, 3, 2, 1. CHAIR, THERE'S NO ONE TO TESTIFY. >> MEMBERS, ARE THERE ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY, AND ACCEPTING WRITTEN TESTIMONY ON SECTION K? >> NO OBJECTIONS, CHAIR. >> SO ORDERED, MS. CLERK. >> CHAIR, FROM YOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE, IS COMMITTEE REPORT 24-29 RECOMMENDING FIRST READING BILL 34 CD 1 (2024) TO AMEND THE FISCAL YEAR 2024 BUDGET APPENDIX A, PART II SPECIAL PURPOSE REFERS SCHEDULE OF REVOLVING/ SPECIAL FUNDS FOR FISCAL YEAR 2024 AFFORDABLE HOUSING BY ADDING A NEW CONDITION TO READ AS FOLLOWS: UP TO \$10 MILLION FOR THE GRANT TO CATHOLIC CHARITIES HOUSING DEVELOPMENT CORPORATION AT HALE PILINA PROJECT, THE HALE PILINA PROJECT WILL INCLUDE THE 18 UNITS AT OR BELOW 30% OF AMI, 18 UNITS AT OR BELOW 50% OF THE AMI 142 UNITS AT OR BELOW 60% OF THE AMI AND ONE UNIT FOR AN ON-SITE MANAGER. THE AFFORDABILITY PERIOD IS 61 YEARS. TAX MAP KEY 2-3-7-103:026. AT 150 SOUTH PU'UNENE AVENUE, KAHULUI, MAUI, HAWAII. >> VICE-CHAIR SUGIMURA.\r\n\r\n>> THANK YOU, CHAIR. I MOVE TO ADOPT THE RECOMMENDATIONS IN COMMITTEE REPORT 24-29. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA AND SECONDED BY PRO TEM KAMA TO PASS BILL BILL 34, CD 1 (2024). DISCUSSION, VICE-CHAIR SUGIMURA. >> THIS CONSTRUCTION COST IS APPROXIMATELY \$112 MILLION AND COUNTY'S SUPPORT OF THE PROJECT IS INSTRUMENTAL SEEKING LIHTC AND OTHER FUNDING FOR HALE PILINA. I RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT OF MY MOTION.

THANK YOU, CHAIR. >> ANY MORE DISCUSSION?\r\n\r\nMEMBER PALTIN AND MEMBER RAWLINS-FERNANDEZ. >> THANK YOU, CHAIR. I WILL BE VOTING IN SUPPORT OF THIS PROJECT. IT WAS IMPORTANT TO ME TO RECOLLECT THIS \$10 MILLION HAD ALREADY BEEN APPROPRIATED FOR THIS PROJECT, AND IT'S BEING REAPPROPRIATED JUST SIMPLY BECAUSE OF DESIGN CHANGES. WRITTEN REPORT FROM LAHAINA STRONG ALSO DID HAVE INFLUENCE ON MY DECISION. I THINK IT'S IMPORTANT NOT TO GIVE FALSE HOPE THAT THERE WILL BE PREFERENCE FOR LAHAINA RESIDENTS, BECAUSE THAT IS THE LAST THING THAT THEY NEED. BUT ANOTHER FACTOR IN MY DECISION WAS THIS PAST WEDNESDAY, IN HEARING ABOUT THE KUIKAHI COMMUNITY AND THE LINEAL DESCENDANTS THAT HAVE REPEATEDLY COME OUT AGAINST THAT PROJECT AND FEEL THEY WEREN'T HEARD.\r\n\r\nLIKE I SAID, AT COMMITTEE, I DON'T HAVE ANY PROBLEM WITH THIS PROJECT, EXCEPT THAT THE COMMUNITY NEED IS IN WEST MAUI, AND THAT IS THE HIGHEST COMMUNITY NEED. BUT IN THINKING ABOUT IT, AND THINKING ABOUT THE COMPARISON OF THIS PROJECT TO THE KUIKAHI PROJECT WHERE THERE HASN'T BEEN THAT SAME KIND OF CONSISTENT EVERY SINGLE HEARING OPPOSITION, AND THE NEED THAT WAS THERE, AND THE MONEY THAT WAS ALREADY PREVIOUSLY ALLOCATED, I WILL VOTE IN SUPPORT OF THIS PROJECT. >> THANK YOU. MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I WOULD BE OPEN TO VOTING IN SUPPORT OF THIS PROJECT IF WE CAN GET WHAT WE REQUESTED, AND THE ADMINISTRATION TOLD US WE WOULD GET WHEN IS THE COMPLETED SCORING SHEET FOR THE AFFORDABLE HOUSING FUND. I WENT BACK INTO COMMITTEE AND WHAT WAS TRANSMITTED TO US WHILE WE WAITED WAS AT THE LAST COUNCIL MEETING/COMMITTEE MEETING, I DON'T KNOW, THERE'S BEEN SO MANY MEETINGS, THAT IT WAS JUST THE SCORING MATRIX.\r\n\r\nIT WAS NOT COMPLETED. WE DIDN'T SEE HOW IT WAS SCORED. THAT WAS NOT WHAT WE ASKED FOR. AND SO I WOULD LIKE TO REQUEST THAT THIS ITEM AND THE NEXT ITEM BE PUT TO THE END OF THE AGENDA, UNTIL THE DEPARTMENT OF HOUSING AND HUMAN CONCERNS TRANSMITTED TO US THE INFORMATION THAT THEY TOLD US THAT THEY WOULD SEND US, WHICH IS THE COMPLETED SCORING MATRIX. MAHALO, CHAIR. >> MEMBERS, ANY OBJECTIONS TO MOVING THIS TO THE END OF THE AGENDA. >> NO OBJECTIONS, CHAIR.\r\n\r\n>> SO ORDERED. WHO IS GOING TO ASK FOR THAT INFORMATION? CAN LAUREN, COULD YOU BE -- WOULD YOU BE ABLE TO DO THAT? OR DAVID? DAVID. OKAY. DAVID SAID HE WILL DO IT.\r\n\r\n>> MAHALO, CHAIR, FOR SENDING IN THE MUSCLE. >> MOVING ON TO THE NEXT ITEM. >> THANK YOU, MADAM CHAIR, COMMITTEE REPORT 24-30, RECOMMENDING FIRST READING OF THE BILL 35 CD 1 IS (2024) TO AMEND THE FISCAL YEAR 2024 BUDGET APPENDIX A, PART 2, SPECIAL PURPOSE REVENUES SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2024, AFFORDABLE HOUSING FUND BY DELETING THE CONDITIONAL LANGUAGE FOR KA HALE A KE OLA HOMELESS RESOURCE CENTERS, INC. AND KUIKAHI VILLAGE WORKFORCE HOUSING PROJECT AND ADDING NEW APPROPRIATIONS FOR LOANS FOR THE AIKANAHIA PROJECT PHASES 1 AND 2 LOCATED IN WAIKAPU COUNTY TOWN EAST OF HONOAPI'ILANI HIGHWAY I WAILUKU, MAUI, HAWAII . >> VICE-CHAIR SUGIMURA. >> THANK YOU. I MOVE TO THE RECOMMENDATIONS IN COMMITTEE REPORT 24-30. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA AND SECONDED BY PRO TEM KAMA FOR RECOMMENDATION IN COMMITTEE REPORT.\r\n\r\nDISCUSSION, VICE-CHAIR? >> BASED UPON WHAT MEMBER PALTIN -- NOT MEMBER PALTIN, WHAT MEMBER RAWLINS-FERNANDEZ SAID, DO YOU WANT TO HOLD THIS UNTIL THE END OF THE AGENDA, ALSO? THESE ARE THE TWO ITEMS. >> ANY OBJECTIONS TO HOLDING THIS TO -- WITH THE OTHER ONE, TO THE END OF THE CALENDAR? >> NO OBJECTIONS, MAHALO, MEMBER SUGIMURA. >> DAVID, COULD YOU ADD THAT TO YOUR LIST? ALL RIGHT.\r\n\r\nMOVING ON MADAM CLERK. >> THANK YOU, MADAM CHAIR, MOVING ON TO COMMITTEE REPORT 24-31, RECOMMENDING FIRST READING OF BILL 6, CD 1 (2024) TO AUTHORIZE THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE UNIT OF HAWAII FOR SUPPLEMENT AND IMPLEMENTATION OF THE HAWAII BROADBAND EQUITY, ACCESS AND DEPLOYMENT PROGRAM. >> VICE-CHAIR SUGIMURA. >> I MOVE TO ADOPT RECOMMENDATIONS IN COMMITTEE REPORT 24-31. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY PRO TEM KAMA TO APPROVE THE COMMITTEE REPORT 24-31 RECOMMENDATION. AND DISCUSSION, VICE-CHAIR SUGIMURA. >> THANK YOU.\r\n\r\nBILL 6 AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH UH FOR THE COLLABORATION OF THE HAWAII BROADBAND EQUITY, ACCESS, AND DEPLOYMENT PROGRAM. AND THE PURPOSE OF THE

PROGRAM IS TO EXPAND HIGH-SPEED INTERNET ACCESS BY FUNDING PLANNING, INFRASTRUCTURE DEPLOYMENT AND ADOPTION PROGRAMS. AS PART OF THIS AGREEMENT UH WILL PROVIDE THE COUNTY \$100,000 FOR OUTREACH EFFORTS TO GATHER INFORMATION FROM THE COMMUNITY ON THE COUNTY'S BROADBAND NEEDS FOR THE PROGRAM. MEMBERS, AS YOU KNOW THIS PROGRAM IS HIGHLY FUNDED BY FEDERAL GOVERNMENT TO REMAIN FOR ACCESS FOR THE ENTIRE CONTINENT OF THE UNITED STATES. I RESPECTFULLY ASK FOR THE MEMBERS A SUPPORT. >> 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. MS. CLERK, ITEM L. >> CHAIR, MOVING TO RESOLUTIONS AT THIS TIME INDIVIDUALS MAY TESTIFY ON THE RESOLUTIONS LISTED IN SECTION L OF THE AGENDA. CHAIR, THE FIRST PERSON AND ONLY PERSON SIGNED UP TO TESTIFY AT THIS TIME IS SHAYNE AGAWA TESTING ON RESOLUTION 24-57 MR. AGAWA. WOULD YOU LIKE TO BE DESIGNATED A RESOURCE PERSON? \r\n\r\nIS HE ON THE LINE? SHAYNE, CAN YOU HEAR ME? >> IS HIS MIC ENABLED? >> HI, CHAIR. YES. I WASN'T ABLE TO TURN ON MY CAMERA AND MIC UNTIL JUST NOW. THANK YOU. \r\n\r\nCAN YOU FOLKS HEAR ME? >> RATHER THAN YOU GIVING YOUR TESTIMONY, WOULD YOU LIKE TO WAIT UNTIL THIS ITEM COMES UP? AND YOU CAN BE A RESOURCE PERSON? >> YES. , I ACTUALLY TEXTED IN CHAT THAT I WOULD TESTIFY WHEN THE ITEM COMES UP. EITHER WAY, I'M OKAY EITHER WAY, CHAIR. >> OKAY. \r\n\r\n>> POINT OF INFORMATION. >> MEMBER PALTIN. >> ISN'T THIS THE SECTION WHERE THE ITEM IS UP? SO WOULDN'T THIS BE THE TIME FOR HIM TO TESTIFY? , OR ARE YOU SAYING DON'T TESTIFY AND JUST BE A RESOURCE? >> YES, DON'T TESTIFY AND BE A RESOURCE? >> OKAY, UP TO HIM, WHATEVER. \r\n\r\n>> OKAY. DIRECTOR AGAWA, DO YOU WANT TO BE A RESOURCE? >> I WILL ACTUALLY GIVE -- >> OTHERWISE, YOU ONLY HAVE THREE MINUTES AS A TESTIFIER. >> GOT IT. >> I JUST WANTED TO POINT OUT OTHER RESOURCE HAD THREE MINUTES PLUS THEIR TIME. >> PARDON ME, MR. AGAWA, WHAT DID YOU JUST SAY? \r\n\r\n>> I WILL JUST WAIT, CAN CONSIDERING THE THREE-MINUTE LIMIT, AND I CAN -- IF YOU ALLOW ME TO GIVE OPENING REMARKS I CAN GIVE IT RIGHT BEFORE THE ITEM. >> YES, YOU CAN DO IT BEFORE THE ITEM. >> OKAY. THANK YOU. I WILL WAIT. >> NO OBJECTIONS? >> NO OBJECTIONS. \r\n\r\n>> CHAIR, THERE'S NO ONE HE IS CURRENTLY SIGNED UP. IF THERE'S ANYONE THAT WOULD LIKE TO TESTIFY, PLEASE LET US KNOW. IF YOU RAISE YOUR HAND IF YOU ARE ON TEAMS AND IF IN CHAMBERS, MAKE YOUR WAY TO THE MIRKARIMI, COUNTDOWN, 3, 2, 1 MEMBERS, ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY ON RESOLUTIONS? >> NOB OBJECTIONS. >> SO ORDERED. >> BEFORE YOU RESOLUTION 24-51 AUTHORIZING THE TRANSFER OF UNENCUMBERED APPROPRIATION BALANCE WITH THE DEPARTMENT OF PROSECUTING ATTORNEY FISCAL YEAR 2024 BUDGET. >> VICE-CHAIR SUGIMURA. \r\n\r\n>> I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT UNDER RULE 7G OF THE RULES OF THE COUNCIL AS IT RELATES TO RESOLUTION 24-51. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA AND SECOND BY PRO TEM KAMA TO WAIVE THE RULES OF THE COUNCIL, 7G. ANY DISCUSSION? VICE-CHAIR SUGIMURA. >> YES, MEMBERS THIS RESOLUTION AUTHORIZES THE TRANSFER OF FUNDS WITHIN THE DEPARTMENT OF PROSECUTING ATTORNEY TO COVER COSTS FOR THE RELOCATION OF STAFF SO THE DEPARTMENT CAN CONDUCT MOLD REMEDIATION AT THE OLD WAILUKU COURTHOUSE. DISCUSSION MAY NOT BE NEEDED ON THIS MATTER, SO THIS WAIVER WILL ALLOW US TO ACT ON THIS RESOLUTION TODAY. >> ANY MORE DISCUSSION ON THE WAIVER? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE NINE AYES, ZEROS NO, MOTION CARRIES. \r\n\r\nVICE-CHAIR SUGIMURA. >> I MOVE TO ADOPT RESOLUTION 24-51. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA AND SECONDED BY PRO TEM KAMA TO ADOPT RESOLUTION 24-51, DISCUSSION. >> THANK YOU, THIS APPROVES FISCAL YEAR 2024 THE TRANSFER OF \$219,046 WITHIN THE DEPARTMENT OF PROSECUTING ATTORNEYS GENERAL PROSECUTION PROGRAM FROM CATEGORY A SALARIES TO CATEGORY B, AND THIS FUNDS WILL COVER COSTS FOR WATER, CHARGES, FIBER OPTIC AND INTERNET MOVING STORAGE, AND MONTHLY LEASE RELATED TO THE NEED TO RELOCATE FROM THE OLD WAILUKU COURTHOUSE DUE TO MOLD REMEDIATION. THIS IS URGENT, RELOCATING TO THREE OFFICE SPACES WHILE THE REMEDIATION WORK IS COMPLETED. I RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT AND IF THE MEMBERS HAVE QUESTION, I WOULD ASK FOR THE PROSECUTING ATTORNEY TO BE PRESENT. >> MEMBERS, DO YOU HAVE ANY QUESTIONS FOR THE PROSECUTING ATTORNEY? \r\n\r\nMEMBER PALTIN. >> MY ONLY QUESTION,

THIS IS FROM VACANCIES? THE MONEY OVERAGE? >> FROM A TO B, ARE THEY FROM VACANCIES? >> SO THAT WOULD BE -- OH, HELLO. THANK YOU. >> GOOD MORNING.\r\n\r\n>> GOOD MORNING. >> YES. PRIMARILY FROM VACANCIES AMONG OUR ATTORNEYS STAFF. >> THANK YOU. >> THANK YOU. I'M IN SUPPORT. >> SOUNDS URGENT.\r\n\r\n>> ANY MORE QUESTIONS FOR THE PROSECUTING ATTORNEY? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. >> AYE. >> NINE AYES, NO NOES, MOTION CARRIES, THANK YOU, ANDY. >> THANK YOU. >> MADAM CLERK. >> CHAIR, FOR TO YOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE IS RESOLUTION 24-52 NO RESOLVING THE ACQUISITION OF A CONDOMINIUM UNIT IDENTIFIED AS TAX MAP KEY NO.\r\n\r\n(2)4-3-010:011:0101 LOCATED IN LAHAINA, MAUI FOR AN AMOUNT NOT TO EXCEED \$530,000. >> MEMBERS, ANY OBJECTIONS TO MOVING THIS RESOLUTION TO THE BFED COMMITTEE? >> >> >> NO OBJECTION. >> SO ORDERED. >> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR, IT'S NOT AN OBJECTION. I JUST WANTED TO FIND OUT IF THERE'S AN URGENCY TO ACQUIRING THIS PROPERTY FOR I DON'T KNOW IN THE PRICE WILL HOLD OR SOMEBODY COMPLETES US TO MAKE THE PRICE HIGHER. IF THERE'S AN URGENCY AND I DON'T HAVE ANY OBJECTIONS TO IT GOING TO COMMITTEE.\r\n\r\n>> THERE'S THREE CONDOS HERE. >> EXACTLY WE HAVE SOMEONE FROM THE MAYOR'S OFFICE. >> THE MAYOR'S OFFICE CAN ANSWER. >> THEY DON'T WANT TO -- >> I JUST WANT TO SAY THAT THE REASON WHY I WANTED TO BE REFERRED TO BFED IS THAT WE DON'T HAVE APPRAISALS. THE DOCUMENT. >> I SEE. >> THE DOCUMENT ISN'T COMPLETED AND I WON'T HEAR IT IF IT'S NOT COMPLETED.\r\n\r\nTHANK YOU, KEANI. >> MAHALO. >> APPARENTLY THE MAYOR'S OFFICE IS IN AGREEMENT. >> OKAY. SO THERE'S AN URGENCY. >> YES. >> WE CAN SEND IT TO COMMITTEE.\r\n\r\n>> RIGHT. I JUST DON'T WANT TO END UP WITH MORE MEETINGS BECAUSE WE SENT SOMETHING TO COMMITTEE WHEN WE COULD HAVE JUST LEFT IT ON THE AGENDA. >> GOOD POINT. >> OKAY. MAHALO. >> ALL RIGHT. SO THAT WAS 24-51. MADAM CLERK.\r\n\r\nAND THERE WERE NO OBJECTIONS TO REFERRING TO THE BFED COMMITTEE. >> CHAIR, ALSO FOR REFERRAL TO YOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE IS RESOLUTION 24-53 AUTHORIZING THE ACQUISITION OF A CONDOMINIUM UNIT IDENTIFIED AS TAX MAP KEY 2-3-4-039:050:0017 LOCATED IN BASEBALL YU MAUI FOR AN AMOUNT NOT-TO-EXCEED \$440,000. >> ANY OBJECTIONS TO REFERRING THIS TO BFED COMMITTEE. SO ORDERED NEXT. >> CHAIR, ALSO FOR REFERRAL TO YOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE IS RESOLUTION 24-54 AUTHORIZING ACQUISITION OF A CONDOMINIUM UNIT IDENTIFIED ADZ TAX MAP KEY NO. 2-3-9-004:134-0109 LOCATED IN KIHAI, MAUI FOR AN AMOUNT NOT-TO-EXCEED \$625,000. >> ANY OBJECTION TO REFERRING TO BFED COMMITTEE? SO ORDER NEXT. >> CHAIR, BEFORE YOU IS RESOLUTION 24-55 URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REPLACE THE MA'ALAEA SMALL BOAT HARBOR RAMP.\r\n\r\n>> MEMBER PALTIN. >> I MOVE TO ADOPT RESOLUTION 24-55. >> SECOND. >> MOVED BY MEMBER PALTIN, SECONDED BY MEMBER SINENCI TO ADOPT RESOLUTION 24-55. DISCUSSION, MEMBER PALTIN. >> THANK YOU, CHAIR LEE FOR THIS RESOLUTION. THE MA'ALAEA SMALL BOAT HARBOR RAMP IS IN DISREPAIR, AND THIS RESOLUTION URGES DLNR TO REPAIR THE RAMP TO ENSURE THE SAFETY OUR RESIDENTS AND TO PREVENT POTENTIAL FUTURE DAMAGE TO THE HARBOR. AS A SIDE NOTE, LAHAINA HARBOR IS NOT IN OPERATION RIGHT NOW, AND SO THIS IS THE PRIMARY ENTRANCE AND EXIT FOR THE EXPEDITIONS FERRY TO LANA'I AND MANY OF THE BOATERS FROM LAHAINA HARBOR ARE NOW USING MA'ALAEA HARBOR, BECAUSE THE BOAT RAMP WAS OVERUSED PRIOR TO THE FIRE, SOME OF THE BOATS -- IT DOESN'T FIT AT MALA BOAT RAMP. WITH THE LESS AMOUNT OF HARBORS THAT WE HAVE, IT'S CRITICAL TO KEEP, ESPECIALLY MA'ALAEA FUNCTIONAL.\r\n\r\nLAST THAT I LEADER, THAT THE COAST GUARD IS NOT ABLE TO LAUNCH ONE OF THEIR VESSELS DURING LOW TIDE, BECAUSE OF THE DAMAGE. SO IT'S SERIOUS. COAST GUARD IS STATIONED AT MA'ALAEA, AND IF THEY CAN'T LAUNCH WHENEVER THEY NEED TO, THEN WE'RE IN BIG TROUBLE. SO THANK YOU VERY MUCH, CHAIR. I RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. >> THANK YOU. ANY MORE DISCUSSION?\r\n\r\nMEMBER JOHNSON. >> THANK YOU, CHAIR. I RISE IN FULL SUPPORT OF THE RESOLUTION, AND I THANK COUNCIL MEMBER PALTIN. SHE HAS GOT EXPERIENCE BOOTS ON THE GROUND SEEING WHAT LAHAINA HARBOR IS RIGHT NOW, AND YOU KNOW, THE -- WHEN WE TALK ABOUT INFRASTRUCTURE, THE WORD PAIRING THAT I'M ALWAYS REMINDED OF US IS OUR CRUMBLING INFRASTRUCTURE AND A GREAT EXAMPLE OF WHAT MA'ALAEA LOOKS LIKE, IT'S CRUMBLING AND NOW HAS MORE OF A

NEED, BECAUSE WE'RE SHORT ONE HARBOR IS REALLY GETTING THE PROBLEMS ARE GETTING COMPACTED. SO I TOTALLY WOULD RISE IN FULL SUPPORT OF THIS RESOLUTION. I WANT TO REMIND THE MEMBERS AND THE STATE, AND EVERYBODY WHO IS LISTENING THAT BECAUSE THERE'S A HARBOR RUNNING OUT OF THAT -- I'M SORRY, BECAUSE THERE'S A FERRY RUNNING OUT OF THAT HARBOR, IT ALLOWS THE STATE TO REACH OUT FOR THOSE FEDERAL FUNDS AND HELP WITH THE FUNDING TO IMPROVE THAT HARBOR. IF YOU -- IF YOU REMEMBER BACK IN THE DAY ABOUT MAYBE TEN YEARS AGO OR SO, EXPEDITIONS DID RUN OUT OF MA'ALAEA AND BECAUSE THEY WERE RUNNING OUT OF MA'ALAEA, THEY WERE ABLE TO GIVE THAT FERRY BUILDING BUILT.

AND AT THE END OF THE PIER, YOU SEE IT'S A TWO STORY BUILDING THAT THE DLNR OFFICE IS UP THERE. THAT WAS BECAUSE THERE WAS A FERRY RUNNING OUT OF THAT HARBOR. NOW THERE'S A FERRY RUNNING OUT OF THAT HARBOR, CAN YOU GO AND TRY TO GET THOSE FEDERAL FUNDS SO IT DOESN'T ALWAYS HAVE TO BE OUR STATE TAXES. WE CAN GET FEDERAL FUNDS TO HELP WITH THAT. SO PLEASE, I WOULD ALSO URGE THE STATE AND DLNR, AND EVERYBODY WHO HAS INFLUENCE IN THAT HARBOR TO REACH UP FOR THOSE FEDERAL FUNDS, AND IF YOU -- IF WE HAVE ANY MORE EMERGENCIES, IT JUST SEEMS WE'RE STACKED ON EMERGENCIES. STACKED ON CRISES. THAT THIS -- IF THIS HARBOR HAS ANY KIND OF MALFUNCTION, JUST LIKE WHAT COUNCIL MEMBER PALTIN SAID OUR FIRST-RESPONDERS CAN'T GET OUT THERE.

OUR FERRY TAKES OUR FIRST-RESPONDERS TO LANA'I. SO I JUST WANT TO SAY HOW IMPORTANT THAT IS THAT THIS HARBOR IS AT FULL FUNCTIONING, 100% CAPACITY. THANK YOU, CHAIR. >> THANK YOU. MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I ECHO THE SENTIMENTS OF MY COLLEAGUES. GIVING MY FULL SUPPORT TO THE MOTION ON THE FLOOR.

I WOULD LIKE TO -- I DON'T KNOW IF YOU WOULD LIKE TO CONSIDER THIS A NON-SUBSTANTIVE AND ASK IF THERE'S ANY OBJECTIONS? TO ADD THE MAUI NUI MEMBER ON THE BOARD OF LAND AND NATURAL RESOURCES DOREEN CANTO, OUR VOICE ON THE BOARD AND WOULD BE ABLE TO HELP ADVOCATE FOR WHAT WE'RE ASKING FOR IN THIS RESOLUTION. >> ANY OBJECTIONS, MEMBER? ADDING MS. CANTO? >> NO OBJECTIONS. >> MAHALO, CHAIR.

>> PRO TEM KAMA. >> KIND OF DISAPPOINTED THAT WE HAVE TO TELL THE STATE THAT THEY NEED TO DO THEIR JOB. ESPECIALLY AS IMPORTANT AS THAT HARBOR IS TO US, EVEN NOW. AND I JUST WANT TO MAKE SURE THAT THE PEOPLE THAT WE'RE SENDING THESE NOTICES TO, THAT THEY KNOW THAT WE KNOW THAT WE WANT TO URGE THEM -- I'M DISAPPOINTED ANYWAY. IS THERE A HARBOR MASTER OUT THERE? COULD WE ADD HIS OR HER NAME TO THIS LIST? BECAUSE LIKE MEMBER RAWLINS-FERNANDEZ SAID, WE HAVE MS.

CANTO, WHO IS OUR REP, AND I WOULD LIKE TO HAVE SOME CONVERSATIONS WITH HER, AND WITH THE HARBOR MASTER. THANK YOU, CHAIR. >> ANY OBJECTIONS TO ADDING THE HARBOR MASTER TO THIS LIST TO RECEIVE THE RESOLUTION >> NO OBJECTIONS. >> I SHOULD TELL YOU -- MEMBER PALTIN, DO YOU HAVE SOMETHING ELSE >> OH, NO, I'M NOT SURE IF PAUL IS THE HARBOR MASTER, BUT I THINK HE SHOULD GET A COPY AS WELL. >> PAUL WHO? >> SINSANO. >> TWO OR THREE ADDITIONAL NAMES.

I JUST WANTED TO LET YOU KNOW THAT I PROPOSED THIS RESOLUTION BASED ON A COMPLAINT I RECEIVED FROM ROBERT LULU WAI THAT USES THAT HARBOR A LOT, HIS FISHING FAMILY AND THAT WAS THE GENESIS FOR THIS AND OF COURSE, MEMBER PALTIN IS A STRONG SUPPORTER, BECAUSE SHE IS VERY FAMILIAR, AS WELL AS MR. JOHNSON OF THE EVERY-DAY OPERATIONS OF THE MA'ALAEA HARBOR. SO THANK YOU EVERYBODY. AND SO NOW, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? NINE AYES, ZERO NOS MOTION CARRIES. >> CHAIR BEFORE YOU IS RESOLUTION 24-56 ACCEPTING A DONATION OF \$11,000 FROM THE AMERICAN PUBLIC WORKS ASSOCIATION TO HELP WITH THE DEPARTMENT OF PUBLIC WORKS IN THE COUNTY'S RECOVERY FROM THE AUGUST 8TH, 2023 WILDFIRES. >> MEMBER COOK.

THANK YOU, CHAIR. IF THERE'S NO OBJECTIONS, MAY I PLEASE REQUEST THIS RESOLUTION BE POSTPONED WHEN THE COUNCIL CONSIDERS BILL 43. >> ANY OBJECTIONS TO POSTPONING THIS MATTER? SO ORDERED. >> CHAIR BEFORE YOU IS RESOLUTION 24-57 AUTHORIZING PROCEEDINGS IN CONDEMNATION BY EMINENT DOMAIN FOR THE ACQUISITION OF REAL PROPERTY INTERESTS KNOWN AS LOT 1-B CENTRAL MAUI SANITARY LANDFILL SUBDIVISION FOR PHASE VI EXPANSION OPERATIONS. >> ALL RIGHT. MEMBERS, THIS IS THE ITEM THAT WE HAVE A NUMBER OF RESOURCES FOR. AND I AM GOING TO START IT OFF BY SAYING ARE THERE ANY OBJECTIONS TO REFERRING THIS RESOLUTION TO THE GREAT COMMITTEE?

>> NO OBJECTIONS. >> I OBJECT.

>> WE HAVE ONE OBJECTION. >> I OBJECT. >> WE HAVE TWO OBJECTIONS. AT THIS TIME, MEMBERS, ARE YOU -- DO YOU HAVE ANY OBJECTIONS TO CALLING DOWN THE RESOURCE FOLKS? >> NO OBJECTIONS.\r\n\r\n>> AND MORE QUESTIONS COULD BE ASKED. YES, MS. SUGIMURA. >> IT'S REALLY YOU YOUR CALL, BECAUSE IT WILL BE REFERRED TO THE GREAT COMMITTEE, ALL OF THOSE PEOPLE WITH THEN COME TO THE GREAT COMMITTEE WHENEVER MEMBER UU-HODGINS CAN SCHEDULE IT. BUT WE DO HAVE ALL OF THE EXPERTS, IT SOUNDS LIKE SITTING HERE AND DEPENDS IF YOU WANT TO COMMITTEE WORK NOW. >> I'M AFRAID WE HAVE TO, BECAUSE THE MAYOR ACTUALLY REQUESTED THAT ACTION BE TAKEN ON THIS ITEM. SO WE NEED TO HEAR BOTH SIDES.\r\n\r\nWE NEED TO HEAR FROM THE PEOPLE WHO TESTIFIED EARLIER AND FROM THE ADMINISTRATION. BECAUSE THAT WILL DETERMINE HOW WE PROCEED. MEMBER KAMA. >> I WOULD JUST LIKE TO HEAR WHAT THE GREAT CHAIR HAS TO SAY? >> MEMBER UU-HODGINS. >> I DON'T HAVE ANY MORE INFORMATION THAN WHAT WE'RE ABOUT TO LEARN, BUT I HAVE SPACE ON OUR AGENDA ON THE 19TH TO HEAR THIS IN COMMITTEE. AND DON'T FORGET, DIRECTOR AGAWA WOULD HAVE A CHANCE TO SPEAK.\r\n\r\nSO LET'S NOT GO BACK ON OUR WORD HERE. MEMBERS, LET'S CALL THE RESOURCE FOLKS FORWARD AND DIRECTOR AGAWA. YES, MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR, IT'S 10:22 AND WONDERING IF WE COULD TAKE A QUICK RECESS. IT'S OUR RECESS TIME, BECAUSE THIS WILL LIKELY TAKE SOME TIME, IN CASE OUR STAFF NEEDS A QUICK BREAK? I WOULD LOVE ONE. MAHALO, CHAIR.\r\n\r\n>> YES, MR. COOK? >> ALSO, CHAIR, ARE WE GOING TO SET UP SO THAT THEY CAN SIT DOWN DURING THIS PROCESS, AND WE COULD DO THAT DURING THE BREAK? >> YES, GOOD IDEA. THAT IS THE CONTRACTOR IN HIM. [LAUGHTER ], MEMBERS, IT'S 10:30, LET'S MAKE IT 10:35. THIS MEETING IS IN RECESS UNTIL 10:35. [ GAVEL ] MS. CLERK [ GAVEL ] >> WILL THE COUNCIL MEETING OF MARCH 8TH, 2024 PLEASE RECONVENE?\r\n\r\nMEMBERS, WE ARE ON ITEM NO.-- >> RESOLUTION 24-57, CHAIR. >> 24-57. THERE IT IS. OKAY. ALL RIGHT. SO MEMBERS, WE HAVE THE THREE -- WE HAVE THREE RESOURCE FOLKS HERE, AND WE HAVE ONE ONLINE. AND SO WE NEED TO GO TO DIRECTOR AGAWA FIRST. SO HE HAS HIS OPPORTUNITY TO PROVIDE OPENING REMARKS.\r\n\r\nDIRECTOR AGAWA. ARE YOU ON THE LINE? >> YES, CHAIR, I'M HERE. CAN YOU FOLKS HEAR ME? >> YES. YOU CAN PROCEED WITH YOUR OPENING REMARKS. >> THANK YOU, CHAIR.\r\n\r\nTHANK YOU, MEMBERS, FOR ALLOWING THE ADMINISTRATION TO SPEAK ON THIS RESO. I JUST WANT TO GIVE SOME BACKGROUND OF HOW THIS ALL CAME ABOUT, PRIOR TO MR. GOMES AND MR. OTA BEING INVOLVED. SO AS SOME OF YOU MAY KNOW, DEM HAS BEEN TRYING TO GET THIS PIECE OF PROPERTY FOR YEARS, EVEN BEFORE I WAS DEPUTY DIRECTOR IN 2019, FOR WHATEVER REASON, IT NEVER GOT APPROVED. WE BUDGETED YEAR AFTER YEAR TO GET THIS PROPERTY, AND AS MR. GOMES MENTIONED IN HIS TESTIMONY, WE DID MAKE THEM AWARE THAT THE POSSIBILITY IS STILL THERE FOR THE COUNTY TO COME AFTER THIS PROPERTY, WHICH WE ARE.\r\n\r\nALSO TO GIVE SOME BACKGROUND IN PAST ADMINISTRATION WE DID WORK WITH KOMAR HEAVILY TO TRY TO PURCHASE THIS PROPERTY OUTRIGHT. AND WE NEVER GAINED TRACTION ON THAT. FOR WHATEVER REASON, WE NEVER WENT TO EMINENT DOMAIN. SO THAT LEAVES US HERE TODAY. AS YOU FOLKS KNOW, WE NEED TO DEAL WITH THE DEBRIS FROM LAHAINA; RIGHT? IT'S ALREADY BEEN DETERMINED IT'S GOING TO CENTRAL MAUI LANDFILL AND AS A LOT OF YOU ALSO KNOW, WE DO HAVE CAPACITY ISSUES. NOT JUST FOR THE DEBRIS, WE HAD CAPACITY ISSUES FOR MSW.\r\n\r\nWE HAD TO RELOCATE ECO, WHICH AFFECTED OUR ABILITY TO COMPOST. WE'RE UTILIZING THAT PIECE OF PROPERTY NOW. MY UNDERSTANDING IN DEALING WITH OUR SOLID WASTE MANAGEMENT IS ONCE WE GET THAT PHASE 3D, WHERE ECOWAS, IT'S ONLY GOING TO AFFORD US 3-5 YEARS OF AIRSPACE. SO KNOWING THAT DEM INITIATED TALKS WITH THE LANDOWNER AT THAT TIME, SURROUNDING OUR SITE A&B, AS MR. KIYONAGA MENTIONED NORMAL PRACTICE WAS TO ACQUIRE LAND FROM A&B AFTER THEY FINALIZED QUARRY OPERATIONS, LEAVING A BIG HOLE IN THE GROUND, PERFECT FOR LANDFILLING. WE APPROACHED ABD AND INITIATED TALKS WITH MR. GOMES AND MR.\r\n\r\nOTTO, WHO WAS VERY GRACIOUS AND EASY TO WORK WITH, ALWAYS AGREEABLE AND WILLING TO WORK WITH THE COUNTY. SO WE HAD A PLAN. SHORTLY AFTER WE INITIATED TALKS WITH A&B, WE WERE TOLD THAT LAND WE WERE IN TALKS WAS SOLD TO ANOTHER PRIVATE ENTITY FROM O'AHU. SO THAT CAME OFF THE TABLE. WE WERE HEADING IN THE RIGHT DIRECTION AND HAD TO RECIRCLE THE WAGONS AND FIGURE OUT NOW WHAT ARE WE GOING TO DO? SO THIS PHASE VI CAME ON THE TABLE AGAIN.

BECAUSE OF THE CRITICALNESS IN AIRSPACE AND OTHER ISSUES AND TALKING WITH THE MAYOR, LOOKING AT EMINENT DOMAIN AND TO LOOK AT OTHER REASONS, TOO, OTHER THAN CRITICAL AIRSPACE.\r\n\r\nTHERE'S ALSO THE ISSUE OF TIME ; RIGHT? TIME THAT AFFECTS OUR BUDGET AS WELL. SO AS WE KNOW, FEMA HAS BEEN ASSISTING THE COUNTY GREATLY WITH ASSISTING FUNDING, REIMBURSEMENT OF DISASTER-RELATED COSTS. THE FEMA IS NOT GOING TO BE AROUND FOREVER. AT SOME POINT THEY WILL END THE 100% REIMBURSEMENT PHASE THAT WE'RE IN AND MY UNDERSTANDING THAT THEY HAVE BEEN EXTENDING AND GOING INTO THE 90/10 PHASE THAT THE COUNTY IS RESPONSIBLE FOR THE COST. SO WE KNOW THEY ARE NOT COVERING THE PERMANENT SITE AND OPT-OUT DEBRIS TDS, HOWEVER, THEY ARE TO COVER THE TRANSPORT OF THE DEBRIS FROM OLOWALU TO CENTRAL MAUI, WHICH IS THE FINAL SITE. SO WE JUST HAVE SOME REAL BALLPARK NUMBERS ON WHAT THAT COST WOULD BE, THE 10%. ARMY CORPS ESTIMATED \$10 MILLION.\r\n\r\nWE'RE ON THE HOOK WHENEVER THAT TIMEFRAME ENDS OF THE 100% FOR 10% AND THE COUNTY WOULD BE ON THE HOOK FOR APPROXIMATELY \$6 MILLION OF THE TRANSPORT FEE. AGAIN, WHEN THAT WILL BE? WE DON'T KNOW. THE OTHER THING I WANT TO EXPLAIN IS THE USE OF THAT PROPERTY. KOMAR MENTIONED THAT THEY ARE PLANNING ON C & D AND I AGREE THAT WILL HELP THE COUNTY. HOWEVER, THE MOST CURRENT NUMBERS AND ESTIMATES THAT WE HAVE, C & D DEBRIS MAKES UP ONLY 15% OF THE TOTAL VOLUME OF WASTE THAT COMES INTO OUR LANDFILL. SO YES, IT HELPS US.\r\n\r\nIT DOES BUY US TIME. BUT IT'S CRITICAL FOR MSW AS WELL, NOT C & D. THE OTHER THING I WANT TO COMMENT ON, IT WAS MADE MENTION THAT THE COSTS TO THE PUBLIC WOULD BE LESS THAN WHAT THE COUNTY CURRENTLY CHARGES AS FAR AS TIPPING FEES. THAT IS TRUE. HOWEVER, IN MY UNDERSTANDING, THAT COST IS NOT BASED ON APPLES-TO-APPLES. THAT COST IS BASED ON C & D LANDFILL. HOW THAT DIFFERS FROM THE COST OF M.S.W. LANDFILL, THAT WE'RE PLANNING ON DOING AT THAT PHASE VI IS THERE'S DOH REGULATORY REQUIREMENTS ASSOCIATED WITH M.S.W. LANDFILLS THAT ARE NOT ASSOCIATED WITH C & D, FOR EXAMPLE, LEACHATE COLLECTION AND MITIGATION SYSTEM, GAS COLLECTION SYSTEM, THAT TYPE OF THING. WHAT MR.\r\n\r\nKIYONAGA MENTIONED THAT WE ALREADY PREPARED USE OF THIS LAND IS CORRECT. SO WHEN WE STARTING GETTING CAPACITY ISSUES AT PHASE V AND ON TRACK FOR PHASE 6, OUR INFRASTRUCTURE IS ALREADY READY TO ACCEPT THE INFRASTRUCTURE TO BE PUT IN PHASE VI. IT TIES IN DIRECTLY ONE BIG FACTOR IS THE STORMWATER MITIGATION. WE HAVE TO CREATE THIS BIG SUMP THAT WE -- TO ACCEPT. I DON'T WANT TO SPEAK FOR KOMAR, BUT THEY ARE NOT REQUIRED TO DO THE GAS, AND THE LEACHATE, BUT I BELIEVE, YOU KNOW, THEY ARE REQUIRED TO DO THE STORMWATER. NOW, THEY ARE MORE THAN CAPABLE OF PROVIDING THAT. THEY HAVE THE MEANS, BUT WHAT I WANTED TO EXPRESS IS THAT IN ORDER TO DO STORMWATER MITIGATION, YOU ARE GOING TO HAVE TO GIVE UP SOME OF YOUR LAND FOR THE SUMP, FOR THE SWALES.\r\n\r\nSO THE 20 ACRES, I GUESS WHAT IT BOILS DOWN TO, THEY WON'T GET THE FULL BENEFIT OF THE 20 ACRES OF THE SITE, WHEREAS, IF THE COUNTY GETS IT, WE'LL GET THE FULL BENEFIT OF 20 ACRES, AS WELL AS THE AREA BETWEEN PHASE VI AND OUR EXISTING PHASE V, THAT BIG MOUNTAIN YOU SEE ON THAT. SO IF THE COUNTY ACQUIRES USE OF THAT LAND WE CAN LEAN THE TRASH ON PHASE V AND GET 20% MORE CAPACITY THAN IF A PRIVATE COMPANY WERE TO LANDFILL INDEPENDENTLY OF US. SO THERE IS A LOT OF URGENCY, TIMEWISE AS WELL. WE HAD PHASE VI PERMITTED AT ONE POINT, AS WAS MENTIONED. WE BELIEVE THAT WE CAN WORK WITH DOH TO EXPEDITE THAT PERMIT. THE INITIAL PERMIT FOR THE WASTE BOTH PARTIES CAN WORK UNDER THE EMERGENCY PROCLAMATION. I BELIEVE THAT WOULD BE THE PLAN.\r\n\r\nBUT FOR FUTURE LANDFILLING, ONCE THE WASTE FROM LAHAINA HAS BEEN ADDRESSED YOU WILL HAVE TO GET THE LAND PERMITTED. WE ALREADY ESTABLISHED WE HAD IT PERMITTED AND WORKING WITH DOH TO EXPEDITE THAT. I DON'T WANT TO SPEAK FOR KOMAR, BUT I WOULD BE INTERESTED IN FINDING OUT WHERE THEY ARE WITH THE PERMIT AND WHAT TYPE OF TIMEFRAME THEY ARE LOOKING AT; RIGHT? TIME IS AN ISSUE. HAVING THE DEBRIS AT OLOWALU, ALREADY MENTIONED THAT T AND TDS IS TEMPORARY. THERE WAS A LOT OF CONCERN FROM THE PEOPLE OH, IS TEMPORARY GOING TO BE PERMANENT; RIGHT? AND WE ALREADY SAID NO, WE'RE TAKING IT OUT OF THERE.\r\n\r\nBUT TO TAKE IT OUT OF THERE, WE NEED SOMEPLACE TO PUT IT; RIGHT? SO THERE ARE CONCERNS ABOUT HOW LONG WE'RE ABLE TO KEEP IT THERE? NOT ONLY THE COST FROM FEMA REIMBURSEMENT, BUT ALSO WHAT ARE WE

ABLE TO DO AS FAR AS DOH REGULATIONS AND HOW LONG WILL DOH ALLOW US TO DO THAT? SO THERE'S BIG ISSUES AND THERE'S BIG REASONS WHY WE NEED TO EXPEDITE SOMEWHERE TO PUT IT. WE HAVE LAND AT CENTRAL MAUI, OTHER THAN PHASE VI. BUT IT'S NOT IDEAL; RIGHT? AT GRADE, IT'S NOT A HOLE IN THE GROUND.

WE HAVE THAT PLAN AS WE MENTIONED BEFORE FOR OTHER USES, ABANDONED VEHICLE LOT, EMERGENCY DEBRIS FOR UP COMING FUTURE EMERGENCIES. WASTE-TO-ENERGY. WASTE DIVERSION. WE ALREADY HAVE A MASTER PLAN FOR THE 99 ACRES. NOW WHAT ALSO HAMPERED OUR ABLE TO EXPAND IN THE FUTURE IS THIS PRIVATE ENTITY THAT PURCHASED THE LAND FROM A&B. THAT SURROUNDS OUR WHOLE CENTRAL MAUI LANDFILL FOOTPRINT. SO WE REACHED OUT TO THAT PRIVATE LANDOWNER AS WELL AND VERBALLY GIVEN DENIAL OF SALE TO THE COUNTY FROM THAT LANDOWNER. SO THAT LIMITED OUR AVENUES TO EXPAND OTHER THAN ACQUIRING PHASE B BY EMINENT DOMAIN.

ANOTHER ISSUE WHY WE WOULD BENEFIT FROM PHASE VI IS THERE'S OPERATIONAL CONCERNS THAT WERE BROUGHT UP FROM OUR OPS SITE TO MYSELF ABOUT A PRIVATE ENTITY UTILIZING PHASE VI IN CONJUNCTION, AND ADJACENT TO OUR FACILITY. ONE ISSUE WOULD BE ACCESS. ACCESS ISSUES. YOU KNOW, WE'RE WILLING TO WORK WITH THEM, IF SO BE THAT IS THE DIRECTION FOR ACCESS. HOWEVER, THERE ARE GOING TO BE SOME ISSUES WITH CROSS TRAFFIC, THAT TYPE OF CONCERNS, WHICH AFFECTS THE SAFETY OF OUR WORKERS. THERE'S ALSO INFRASTRUCTURE THAT IS IN PLACE AT THE LANDFILL ALREADY THAT IS UPSTREAM OF PHASE VI, MONITORING WELLS FOR GROUNDWATER IS UPSTREAM. SO THERE ARE CONCERNS ABOUT IF A PRIVATE ENTITY DOES OPERATIONS DOWNSTREAM OF THAT MONITORING WELL, THE COMPLEXITIES OF DETERMINING HOW IT AFFECTS GROUNDWATER BEFORE IT GETS TO OUR SITE, AND THEN THE MONITORING WELLS ON THE DOWNSTREAM SITE, THAT TYPE OF CONCERNS AS WELL.

SO YOU KNOW, I ASK THIS BODY TO REALLY LOOK AT APPROVING THIS EMINENT DOMAIN, ONE FOR TIMEWISE, AND THE OTHER ISSUES THAT I MENTIONED AS FAR AS AIRSPACE CAPACITY, OPERATIONAL SAFETY, AND THAT TYPE OF ISSUES. I THANK YOU FOR THIS TIME. I WILL BE AVAILABLE FOR QUESTIONS. THANK YOU. >> MEMBERS QUESTIONS FOR DIRECTOR AGAWA? MEMBER UU-HODGINS. >> THANK YOU, CHAIR.

THANK YOU, DIRECTOR FOR BEING WITH US TODAY. I DO HAVE A COUPLE OF QUESTIONS. SO I WILL START WITH HOW LONG WOULD IT TAKE THE COUNTY TO PERMIT THE WASTE SITE WITH DOH? >> DIRECTOR. >> THANK YOU, CHAIR. THANK YOU, MEMBER UU-HODGINS. WE DO NOT HAVE AN EXACT TIMEFRAME FOR THAT.

WE ARE PLANNING TO EXPLAIN TO DOH THAT WE HAD THAT LAND PERMITTED ONCE, AGAIN, WE'RE GOING TO INITIATE AT LEAST FOR THE START, THE LINE OF DEBRIS UNDER EMERGENCY PROCLAMATION, SIMILAR TO THE OLOWALU, SITE. HOWEVER, I DON'T HAVE AN EXACT TIMEFRAME RIGHT NOW. >> OKAY. I DON'T KNOW IF YOU CAN ANSWER, OR IF THE GENTLEMEN WE HEARD FROM BEFORE CAN ANSWER THE QUESTION. HE WAS SAYING THAT THE COUNTY PAID FOR THE SUBDIVISION AND THE EA. WHY DID WE DO THAT? >> SO WE DID THAT TO BE PROACTIVE; RIGHT?

WE HAD EVERY INTENTION TO ACQUIRE THAT LAND. WE HAD IT IN OUR BUDGET. IT WAS HISTORICALLY WHAT HAS HAPPENED BEFORE. WE ACQUIRED THE HOLE IN THE GROUND FROM A&B AND WE MOVED IN THAT DIRECTION. WE DEDICATED MONIES TO DESIGN. WE INCORPORATED THAT CONNECTION TO OUR PREVIOUS PHASE. WE DID THE EA, ALL IN ANTICIPATION OF GETTING THAT LAND AS WE DID HISTORICALLY FOR WHENEVER REASON THE ADMINISTRATION AT THE TIME DID NOT MOVE FORWARD WITH THE ACQUISITION.

>> I SEE REAL PROPERTY TAX IT WAS SOLD IN 2015 AND DOESN'T LOOK LIKE TO US, OBVIOUSLY. IN YOUR COMMENTS EARLIER, YOU WERE TALKING ABOUT THE WELLS UPSTREAM. AND HOW MAYBE A PRIVATE COMPANY MAY TAMPER WITH THE WELLS? CAN YOU EXPLAIN TO ME THE DIFFERENCE BETWEEN WHAT A PRIVATE COMPANY MIGHT DO AND THE PROCESS THEY WOULD GO THROUGH WITH DOH, VERSUS THE COUNTY, WHAT WE WOULD GO THROUGH AND WHY WE WOULDN'T BE TAMPERING WITH THOSE WELLS AS WELL? >> DIRECTOR. >> THANK YOU, CHAIR. THANK YOU FOR THAT QUESTION.

IT'S NOT TAMPERING WITH THE WELLS, BUT MAYBE CONTRIBUTING TO POSITIVE HITS IN THE GROUNDWATER FROM THE MONITORING WELLS TO MAKE THAT CLARIFICATION. >> OKAY. >> SO MY KNOWLEDGE, WHOEVER INITIATES SOME LANDFILLING OPERATION, WHETHER IT'S C & D OR M.S.W., DOH REQUIREMENTS IS GROUNDWATER MONITORING, AND I DEFER TO SAGE KIYONAGA WITH C & D AND I DON'T KNOW IF THAT IS A REQUIREMENT, BUT DEFINITELY. >> COULD YOU STATE YOUR NAME FOR THE RECORD. >> SAKE KIYONAGA,

ENGINEERING WITH THE COUNTY OF MAUI AND CAME IN EARLIER AS PRIVATE CITIZEN AND I'M OFFICIALLY BACK ON THE CLOCK AND FUNCTIONING AS A GOVERNMENT EMPLOYEE. MY POSITION IS CIVIL ENGINEER 6. NOW THAT I GOT THE BACKGROUND BEHIND ME. >> I'M SORRY, COUNCIL MEMBER UU-HODGINS, WHAT WAS THE QUESTION AGAIN?<br><br>> I UNDERSTAND IT'S NOT TAMPERED, BUT MAYBE AFFECT. >> YES. >> WHATEVER SORT OF MATERIAL IS BEING STORED THERE. CAN YOU PLEASE EXPLAIN TO US THE DIFFERENCE OF WHAT IS BEING STORED AND HOW COME MAYBE THE PRIVATE FACILITY WOULD AFFECT THE WELLS MORE THAN MAYBE THE COUNTY FACILITY? KEEP IN MIND, IF WE USE THIS FOR STORAGE OF DEBRIS FROM LAHAINA, WE HAD THE LONG CONVERSATION WITH THE POTENTIAL TOXICITY OF THAT WASTE AND I'M CURIOUS WHY CONSTRUCTION MATERIALS WOULD BE MORE HARMFUL THAN POTENTIAL TOXIC DEBRIS? >> CONSTRUCTION MATERIALS TO CLARIFY, THANK YOU FOR THAT QUESTION. TO CLARIFY, CONSTRUCTION AND DEMOLITION MATERIALS ARE MORE INERT THAN M.S.W.. M.S.W. IS WASTE, FOOD WASTE.<br><br>> HOLD ON, I UNDERSTAND THAT YOU KNOW WHAT YOU ARE SAYING. I DON'T. CAN YOU PLEASE PUT IN IN REGULAR PERSON SPEAK. >> YES, IT'S TYPICALLY BUILDING MATERIALS, WOOD, CONCRETE, METALS, ASPHALT, SHINGLES, THINGS OF THAT NATURE. M.S.W. IS EVERYTHING THAT YOU THROW IN YOUR TRASHCAN. LAST NIGHT'S LUNCH, THAT COMES TO US AT CENTRAL MAUI LANDFILL. THAT TYPE OF WASTE, FOOD, IS SOMETHING CALLED WASTE THAT COULD CREATE HEALTH AND SAFETY ISSUES FOR PEOPLE. SO WE'RE A LITTLE BIT MORE REGULATED AT AN M.S.W. LANDFILL LIKE CENTRAL MAUI LANDFILL THAN A C & D LANDFILL WHERE IT'S INERT.<br><br>CONCRETE WILL BREAK DOWN OVER TIME, BUT NOT CREATE THE HEALTH AND SAFETY ISSUES THAT M.S.W. WOULD PRESENT. >> AND M.S.W. MEANS WHAT? >> MUNICIPAL SOLID WASTE. >> EVERY DAY TRASH. >> EVERY DAY TRASH, CORRECT. >> SO THIS SITE WE'RE DISCUSSING NOW WILL BE USED FOR EVERY DAY TRASH AND NOT FOR THE DEBRIS IN LAHAINA? >> IT'S GOING TO BE USED FOR THE DEBRIS FROM LAHAINA AS WELL, IF WE HAVE THIS PROPERTY.<br><br>THAT IS THE PREFERRED LOCATION FOR US IN PHASE VI. >> OKAY. >> THE OTHER AREA TO THE NORTH THAT IS ALSO BEING PRESENTED AS AN OPTION IT'S NOT DOWN IN A 50' HOLE LIKE PHASE VI IS. SO WE'LL HAVE A LOT MORE PROBLEMS WITH THE ENVIRONMENTAL CONTROLS. I KNOW A LOT OF PEOPLE HAVE BEEN TALKING ABOUT WIND-BLOWN DUST AND WIND-BLOWN ASH COMING FROM THE AREAS BEING DOWN IN A 50' HOLE WOULD PREVENT THAT FRIABLE MATERIAL FROM GETTING OUT INTO THE ENVIRONMENT THE CONCERN WITH GROUNDWATER AS DIRECTOR AGAWA SAID, BASIC EXPLANATION OF GROUNDWATER WOULD BE LIKE A RIVER, FLOWS FROM A HIGH POINT TO A LOW POINT SO THE GROUNDWATER PROTECTION PLAN, YOU HAVE A MONITORING STATION ABOVE AND GRADIENT, BEFORE THE WATER GETS TO YOUR SITE AND YOU CHECK THE WATER QUALITY AFTER YOUR LOCATION. JUST TO SEE IF YOU HAVE MORE STUFF DOWNSTREAM THAN UPSTREAM IT'S MOST LIKELY COMING FROM THIS FACILITY. NOW BECAUSE THE PROPOSED KOMAR C & D MIGHT BE IN CLOSE PROXIMITY TO HAVE ISSUES COMPARED TO THE M.S.W. LANDFILL AND TO INSTALL GROUNDWATER MONITOR WELLS TO IDENTIFY CROSS-CONTAMINATION IT WILL PRESENT A CHALLENGE FOR US AND REGULATORY BODIES TO IRON OUT.<br><br>SO I MIGHT HAVE TO PUSH THEM A LITTLE BIT FURTHER BACK. HOPEFULLY, THAT EXPLAINS YOUR QUESTION REGARDING GROUNDWATER. >> SURE, IT DEFINITELY SOUNDS LIKE IT. I APPRECIATE YOUR EXPLANATION. IF THE COUNTY USES THIS TO STORE LAHAINA DEBRIS AND OUR HOUSEHOLD TRASH, YOU WOULDN'T NEED TO INSTALL THE GROUNDWATER WELLS >> OUR EXISTING GROUNDWATER MONITORING NETWORK IS SUFFICIENT. THE UPGRADIENT, THE ABOVE WELL THAT DIRECTOR AGAWA HAD MENTIONED IS SUFFICIENT TO PROVIDE US UPGRADIENT VISIBILITY. AGAIN, WE HAVE EXISTING GROUNDWATER MONITORING WELLS INSTALLED AROUND CENTRAL MAUI ALREADY.<br><br>SO WE WOULD BE ONE BIG PENDANT ABLE TO DETECT AND THAT WOULD BE OUR PROPERTY AT THAT POINT. AGAIN, IF IT WAS TWO SEPARATE ENTITIES WE NEED TO BE ABLE TO DISTINGUISH TO PROTECT THE COUNTY FROM ANY POTENTIAL LIABILITY. >> OKAY. >> POLLUTION COMING FROM ANOTHER NEIGHBORING FACILITY. >> OKAY. I THINK I UNDERSTAND WHAT YOU MEANT. IS THAT WHY DIRECTOR AGAWA SAID PERHAPS THEY WOULDN'T HAVE THE FULL CAPACITY OF THE SPACE AND HAVE 20% LESS BECAUSE THEY WOULD NEED TO INSTALL.<br><br>> THAT IS A QUESTION FOR DIRECTOR AGAWA. >> OKAY. >> BUT I BELIEVE SO. >> OKAY I WAS GOING TO ASK THAT QUESTION. IS THAT WHY THEY WOULD HAVE TO INSTALL WELLS AND PERHAPS HAVE 20% LESS

USAGE OF THEIR SPACE? >> DIRECTOR. >> THANK YOU, CHAIR.\r\n\r\nTHANK YOU, MEMBER UU-HODGINS. NO, SO WHEN I MENTIONED ABOUT THE 20% ADDITIONAL CAPACITY THAT THE COUNTY WOULD HAVE, IF WE ACQUIRED IT SO, IT'S BECAUSE THAT WE CAN LEAN THE TRASH ONTO OUR EXISTING LANDFILL. SO THAT GAP BETWEEN THE PRIVATE SIDE AND OUR SIDE, IT'S LIKE 80' BUFFER ZONE REQUIRE BY DOH. WE WOULD THEN BE ALLOWED TO FILL THAT AREA WITH M.S.W. OR HOWEVER WHAT KIND OF WASTE. IF A PRIVATE ENTITY WERE TO DO A LANDFILL ON THE PHASE VI PROPERTY THEY WOULDN'T BE AND TO LEAN THEIR TRASH UP AGAINST OUR PHASE V AND YOU LOSE THAT 20% MORE CAPACITY OF LEANING IT UP. THEY WOULD HAVE TO KEEP THEIR TRASH INDEPENDENT IF YOU CAN IMAGINE TWO DIFFERENT PYRAMIDS SIDE-BY-SIDE, THE GAP BETWEEN THE PYRAMID WOULD BE ABLE TO BE FILLED BY US; WHEREAS, THE UPSTREAM PYRAMID WOULD HAVE TO KEEP THEIR PYRAMID INTACT. >> THAT WOULD HAVE NO SETBACK IN HOW YOU TREAT YOUR TRASH IN BETWEEN THE TMK LINES?\r\n\r\nIT WOULD BE LOOKED AT AS ONE PARCEL. >> DIRECTOR. >> THANK YOU, CHAIR. IT WOULD BE -- THE REQUIREMENT IS ONLY A BUFFER ZONE BETWEEN A LANDFILL AND PRIVATE PROPERTY. SO IF WE ACQUIRED THAT, IT BECOMES OUR PROPERTY. THE REQUIREMENT FROM DOH FOR THE BUFFER ZONE WOULD NO LONGER BE NEEDED. >> I HAVE TO PLANT A HEDGE FOR PARKING IN BETWEEN TWO TMKS.\r\n\r\nIT'S INTERESTING THAT WE DON'T NEED TO DO THAT FOR TRASH HEAPS. BUT THAT IS NOT ABOUT THIS. IT'S JUST HOW MY BRAIN WORKS. CAN I ASK FOR KOMAR, WHERE THEY ARE IN THEIR PERMITTING STATUS WITH THE C & D LANDFILL? >> FOR THE RECORD, KEONI GOMES, PULEA, LLC.. THANK YOU FOR THE QUESTION, COUNCIL MEMBER. WHERE WE STAND RIGHT NOW, WE ACTUALLY ENGAGED WITH OUR CONSULTANTS BACK IN LATE JULY/EARLY AUGUST OF 2023. WE WORKED WITH THE COUNTY, AND WE PUT OUR CONSULTANTS ON STANDBY. WE HAVE SOUGHT OUT MOVING FORWARD UNDER THE PROCLAMATION, THE GOVERNOR'S EMERGENCY PROCLAMATION.\r\n\r\nAND WE HAVE PLANS TO SIMULTANEOUSLY OBTAIN PERMITTING, AND ENTITLEMENTS FOR THE PROPERTY. GIVEN WITH OUR DISCUSSIONS WITH THE COUNTY OF MAUI, PRIMARILY WITH THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, WE WERE TRYING TO WORK HAND IN HAND WITH THEM TO COME UP WITH A SOLUTION THAT WOULD BE GOOD NOT ONLY FOR THE DEPARTMENT, BUT GOOD FOR US, AND PRIMARILY GOOD FOR THE COMMUNITY. SO THAT IS OUR POSITION AT THIS TIME. >> OKAY. I DON'T WANT TO HOG EVERYBODY'S TIME. THANK YOU, CHAIR. >> WHO ELSE?\r\n\r\nWAS IT GABE, MEMBER JOHNSON. >> THANK YOU, CHAIR. I HAVE SOME QUESTIONS FOR DIRECTOR AGAWA. GOOD TO SEE YOU, DIRECTOR. SO YOU MENTIONED THAT IT'S ABOUT 60 MILLION DOLLARS, BUT THE COUNTY WOULD BE ON THE HOOK FOR 10% OF THAT. \$6 MILLION. DO WE PLAN TO USE CDBG FUNDS FOR THAT?\r\n\r\nIS THERE A WAY TO USE THAT KIND OF FUNDING? BECAUSE IF THE FEDS, IF FEMA DOESN'T PAY, MAYBE WE COULD GET IT THROUGH CDBG FUNDS? >> DIRECTOR. >> THANK YOU, CHAIR. THANK YOU, MEMBER JOHNSON. WE HAVEN'T LOOKED INTO THAT FUNDING SOURCE. I'M NOT SAYING THAT WE COULDN'T USE THAT SOURCE, WE JUST HAVEN'T LOOKED INTO IT.\r\n\r\nBECAUSE WE DON'T KNOW WHAT THE TIMEFRAME -- OR EVEN IF WE ARE GOING TO BE UP FOR 10%, THAT IS ALSO A POSSIBILITY. >> AND THEN, ANOTHER SOURCE OF FUNDS, THE TIPPING FEES WOULD THAT HELP OFFSET THE COSTS? AGAIN, I'M A LAYMAN AND WHEN I THINK OF TIPPING FEES, ONE TRUCK HAS TO PAY A CERTAIN AMOUNT OF MONEY TO UNLOAD ITS THING. HOW MUCH IS THE TIPPING FEE PER TRUCK? DO YOU HAVE COSTS ON THAT? >> DIRECTOR. >> THANK YOU, CHAIR.\r\n\r\nTHANK YOU, MEMBER JOHNSON. SO WHAT WE WERE MADE AWARE OF BY ARMY CORPS AND FEMA, THAT WE CAN ONLY ISSUE THE CURRENT TIPPING FEE FOR DISPOSAL, DISASTER DISPOSAL. SO WE CURRENTLY A BELIEVE 117 TONS PER YARD AND WE COULD RECOVER SOME OF IT, BUT I BELIEVE THE TIPPING FEE WE CANNOT RECOVER ALL. >> OKAY. THAT WAS MY CLARIFICATION. THANK YOU SO MUCH, DIRECTOR. THANK YOU, CHAIR.\r\n\r\n>> MEMBER SINENCI. >> THANK YOU, CHAIR. JUST A QUICK QUESTION FOR DIRECTOR AGAWA. SHOULD THE COUNTY ACQUIRE THIS SPACE, HOW SOON CAN THE COUNTY START TRANSPORTING THE DEBRIS DIRECTLY FROM LAHAINA TO THE SITE? >> THANK YOU, CHAIR. THANK YOU, MEMBER SINENCI. WE WOULD NEED TO STILL DESIGN, CONSTRUCT, AND OF COURSE, WORKING UNDER THE EMERGENCY PROCLAMATION.\r\n\r\nMY UNDERSTANDING AND MR. KIYONAGA CAN CORRECT ME IF I'M WRONG, WE ALREADY INITIATED DESIGN OF THAT PHASE VI WHEN WE PLANNED ON ACQUIRING IT. SO WE'RE FAIRLY ON DESIGN, I WANT TO SAY 80% COMPLETE. CONSTRUCTION, I BELIEVE WE'RE

ESTIMATING POSSIBLY ABOUT A YEAR. AGAIN, MR. KIYONAGA CAN CORRECT ME IF I'M WRONG. SO I WOULD WANT TO SAY IN ABOUT A YEAR, THE FACILITY WOULD BE CONSTRUCTED.\r\n\r\n>> AND THAT WOULD COVER THE TIMELINE THAT FEDERAL GOVERNMENT IS HELPING US TO PAY FOR THE TRANSPORT? >> DIRECTOR. >> THANK YOU, CHAIR. THANK YOU, MEMBER SINENCI. AGAIN, THEY ARE GOING TO COVER 100% AS OF NOW. WHEN THEY CHANGE OVER AND SAY WE'RE NOT GOING TO COVER 100% AND GO TO 90/10. THAT HAS TO BE DETERMINED YET. AS FAR AS DIRECT BURY, IT DEPENDS ON HOW QUICKLY ARMY CORPS AND THEIR OPERATION OF DEBRIS REMOVAL, IF WE CONSTRUCT WITHIN THE YEAR AND IT TAKES LONGER THAN A YEAR, WE CAN START DIRECT BURYING THE TRASH AT CML.\r\n\r\n>> WE CAN ASK FOR AN EXTENSION AS WELL? >> DIRECTOR. >> CLARIFICATION, EXTENSION OF THE 100% COVERAGE, IS THAT WHEN YOU'RE ASKING? >> YES. >> I BELIEVE WE CAN ASK FOR AN EXTENSION. HOWEVER, IF FEMA IS GOING TO APPROVE IT OR NOT, THAT IS OUT OF OUR CONTROL. >> OKAY.\r\n\r\nTHANK YOU, DIRECTOR. THANK YOU, CHAIR. >> I HAVE A QUESTION. FOR EITHER MR. GOMES OR MR. OTA. HAS THE ADMINISTRATION OFFERED YOU -- IF WE CONDEMN THE PROPERTY, WOULD YOU BE RECOVERING ALL OF YOUR INVESTMENTS?\r\n\r\nMR. GOMES OR MR. OTA. >> WE HAVEN'T GOTTEN INTO THAT DETAIL. WE DID MEET WITH DIRECTOR AGAWA SEVERAL TIMES, BUT IT WAS MAINLY WITH THE DIRECTION OF WHAT HE WANTED TO DO, AND JUST GETTING MORE INFORMATION, BUT NOTHING IN THAT CONVERSATION. >> OKAY. MEMBER PALTIN.\r\n\r\n>> THANK YOU. MY FIRST QUESTION WOULD BE FOR KOMAR. MY UNDERSTANDING IS THE PARCEL IS LANDLOCKED. HOW DO YOU PLAN TO ACCESS? >> SO THAT WAS ALWAYS THE CONVERSATION WITH DIRECTOR AGAWA WHEN WE FIRST MET. SO THAT WAS THE WHOLE PURPOSE OF HOW TO COLLABORATE WITH THE COUNTY IN WORKING WITHIN THIS LANDLOCKED PRODUCT. THE PROPERTY COULD BE USED, THAT WOULD BE AN EXTRA COST IF WE HAD TO GO A SEPARATE ROUTE OF HAVING A RAMP DESIGNED FROM THE ROAD.\r\n\r\nSO LOOKING AT A LOWER COST OF HAVING AN EASEMENT. >> AND THEN SO YOU WERE GOING TO HANDLE THE LAHAINA ASH DEBRIS? >> THERE WAS NO INTENTION OF HANDLING THE DEBRIS. IT WAS UTILIZING THE PARTNERSHIP WITH THE COUNTY TO UTILIZING THE SITE FOR THE DEBRIS. THAT WAS THE INTENT. >> AND SO YOU'RE ALSO UTILIZING THE DISASTER OF LAHAINA TO EXPEDITE YOUR BUSINESS OPERATIONS ON CONSTRUCTION AND DEMOLITION? >> NO, JUST FOR CORRECTION, ON THAT PART, THE INTENTION WAS TO UTILIZE THE CONSTRUCTION AND DEMOLITION PERMITS APPLICATION.\r\n\r\nSO WE WERE GOING TO UTILIZE IT FOR OUR PURPOSE UNDER WASTE PRO. SO UNDER WASTE PRO, WE DO HAVE CONSTRUCTION MATERIALS THAT COME ON-BOARD AND WE'RE GOING UTILIZE IT FOR OUR PURPOSE BACK IN APRIL, 2023. >> IF I COULD STOP YOU, YOU ARE USING THE EMERGENCY PROCLAMATION TO EXPEDITE YOUR PERMITS FOR YOUR BUSINESS? >> THAT WASN'T THE INTENTION, BUT TO WORK WITH THE COUNTY, IF THAT IS THE INTENT. THEY WANTED TO UTILIZE THE FACILITY. >> I DON'T THINK I'M UNDERSTANDING. YOU WANT -- SO YOU WANT US TO PAY YOU TO TAKE THE ASH DEBRIS? >> NO, WE ACTUALLY ASKED DIRECTOR AGAWA AS AN OPTION FOR HIS INVENTORY AVAILABLE, HE COULD UTILIZE THE PROPERTY.\r\n\r\n>> AT 20% LESS CAPACITY? >> NO, I THINK THE 20% CAPACITY IS MORE OF AN ISSUE REGARDING ON JUST THE PURPOSE OF TWO PARTS. ONE WAS PROBABLY THE RETENTION SITE OF THE WATER DRAINAGE, AND PART OF IT WAS INCREASED CAPACITY FOR SHAYNE, DIRECTOR AGAWA FOR UTILIZING THE PROPERTIES COMBINED. IT'S TWO SEPARATE THINGS. >> CAN YOU EXPLAIN TO ME HOW YOU ENVISION THIS PARTNERSHIP THAT YOU ARE DESCRIBING WORKING? BECAUSE I'M NOT UNDERSTANDING . SO PUT ASIDE THE LAHAINA TRAGEDY, WE WERE GOING TO UTILIZE THE PROPERTY FOR C & D SPECIFICALLY FOR THE CONSTRUCTION DEMOLITION PROJECTS THAT WE WOULD HAVE, NOT SPECIFIC LAHAINA, BUT FOR OTHER CONSTRUCTION MATERIALS. SO THE INTENT WAS PULEHU WOULD HAVE CONSTRUCTION AND WE HAD A \$31 MILLION BUDGET TO DO THE IMPROVEMENTS WITH THAT PART, BECAUSE THE C & D IS A LOWER COST OF IMPROVING THE PROPERTY FROM M.S.W., I THINK DIRECTOR AGAWA SAID THE CURRENT RATES IS ABOUT 117, SOMEWHERE AROUND THERE FOR TIPPING FEE FOR PER TON.\r\n\r\nWE'RE AT ABOUT 95 DOLLARS TIPPING TON. SO AN 18% REDUCTION FOR THE PURPOSE OF OUR C & D LANDFILL. >> DO YOU HAVE AN ESTIMATED TIMEFRAME? >> THAT IS WHAT I WAS WORKING WITH DIRECTOR AGAWA ON. >> YOU HAVE BUILT LANDFILLS BEFORE? >> I HAVE NOT BUILT LANDFILLS BEFORE. >> IN FIVE OR SEVEN MONTHS, YOU GUYS DECIDE TO DO SOMETHING ELSE OR YOU RUN OUT OF MONEY.\r\n\r\n>> THE FIRST

PHASE IN 2023, IT WAS ALWAYS THE INTENT TO UTILIZE THE RESOURCES WE HAVE WITH THE PROPERTY IN CONJUNCTION WITH WASTE. >> AND YOU SEEN THE RESULTS OF THE COUNTY SURVEY? >> YES, I DID. >> I THINK ALL THE REST OF MY COMMENTS WOULD BE COMMENTS AND NOT QUESTIONS. >> DID YOU HAVE SOMETHING TO ADD? >> SAGE KIYONAGA, SOLID WASTE DIVISION. IF I COULD ADD FOR THIS BODY SOME ADDITIONAL INFORMATION?\r\n\r\nTHE WAY THAT THE DEBRIS COMING FROM LAHAINA IS BEING CLASSIFIED THIS CANNOT GO TO A C & D PERMITTED LANDFILL, BUT TO GO TO SUBTITLED LANDFILL. SO I THINK THE TYPE OF LANDFILL SYSTEM WOULD HAVE TO BE SUBSTANTIALLY IMPROVED IN ORDER TO MAKE THAT HAPPEN. WE WOULD GO THROUGH THE PROPER PERMIT PROCESS ON OUR OWN TO ACHIEVE PERMITS AND ENTITLEMENTS. I DID MENTION THAT SIMULTANEOUSLY AS WE WERE TRYING TO WORK WITH THE COUNTY, THE GOAL WAS TO BE ABLE TO SET UP THE LANDFILL UNDER THE EMERGENCY PROCLAMATION, WHILE WE CONCURRENTLY GO THROUGH OUR PERMITTING PROCESS. SO IT WOULD BE TWO SEPARATE ITEMS DONE AT THE SAME TIME, BUT THE GOAL WAS TO GET THE LANDFILL READY, AND IN PLACE, SUBTITLE D, SO THAT WE COULD PERFORM THE LANDFILLING IN CONJUNCTION WITH THE COUNTY. I'M GOING TO EXPLAIN HOW THAT ACTUALLY WORKS. THE COUNTY WOULD BE RESPONSIBLE FOR TAKING AND SCALING THE MATERIAL.\r\n\r\nWE WOULD OPERATE THE LANDFILL AT A MUCH CHEAPER COST. THE DIFFERENCE IN THE SAVINGS BETWEEN WHAT MR. AGAWA, DIRECTOR AGAWA SAID, \$117 A TON AND \$95 A TON WOULD BE SAVED BY THE COUNTY AND LET ME EXPLAIN WHAT THAT DOES. THAT ALLOWS THE COUNTY TO PAY FOR MAJORITY AND ALMOST ALL OF THE TRUCKING I SHOULD KNOW BECAUSE MY FAMILY HAS BEEN DOING TRUCKING FOR YEARS IN MAUI AND I KNOW THE COST OF DOING THAT AND THE COUNTY CAN SAVE ALL OF THAT AND USE IT ELSEWHERE, BECAUSE FEMA, OR THE GOVERNMENT WILL IN TURN REIMBURSE UP TO 90%. SO THERE WILL BE A HUGE COST-SAVINGS TO THE COUNTY, AND TO THE COMMUNITY IN THAT MANNER BY THIS PUBLIC-PRIVATE PARTNERSHIP THAT WE WERE TALKING ABOUT AND TO GET IN PLACE TO ASSIST THE COUNTY AND ASSIST THE PEOPLE OF MAUI. I WOULD ALSO LIKE TO MENTION THAT IN OUR DESIGN, WE WANT TO INSTALL THESE GROUNDWATER MONITORING WELLS AT OUR OWN COSTS. SO THAT WE CAN ENSURE THE COUNTY THAT OUR LANDFILL AREA IS NOT GOING TO DISTURB THE GROUNDWATER TABLE FOR DOWNSTREAM PARCELS SUCH AS THE COUNTY OF MAUI'S PARCEL. I WOULD ALSO LIKE TO ADD IN MR.\r\n\r\nAGAWA MENTIONED OUR REDUCED SPACE BECAUSE OF THE STORMWATER RUN-OFF OF HE IS CORRECT AND IN ADDITION TO LANDFILLING C&D MATERIALS IS RECYCLING ALSO. LET ME EXPLAIN TO YOU THE CURRENT SITUATION, ALL OF THE LANDFILL MATERIALS GO TO CENTRAL MAUI LANDFILL AND SOME TO HANA, BUT PRIMARILY FROM THE CENTRAL VALLEY, WEST SIDE, SOUTHSIDE, HALE'AKALA SIDE AND WHAT WE WANT TO DO FOR THE COMMUNITY TAKE IN C & D AT MUCH LESS COSTS TO EVERY DAY BUSINESSES DON'T HAVE TO PAY THE HIGH COST AND THEY CAN PAY A LOWER COST AND THE COST OF BUILDING FACILITIES, OF BUILDING HOMES, OF DOING RENOVATIONS, OF DOING ANYTHING THAT INVOLVES CONSTRUCTION MATERIALS WILL GO DOWN BECAUSE OF THAT. WE'RE OFFERING THAT SERVICE AS A PARTNERSHIP TO THE COUNTY AND WE HAVE ALWAYS WANTED TO WORK HAND IN HAND WITH THE COUNTY. THIS IS WHAT THE PROTOCOL THAT WE HAD IN PLACE TO ASSIST THE COUNTY IN ACHIEVING THIS GOAL. OUR GOAL WAS NEVER TO COMPETE WITH THE COUNTY. WE DO NOT WANT TO DO M.S.W.. WE FEEL THAT HAVING SEPARATE LOCATIONS WILL BENEFIT THE PEOPLE OF MAUI IN MANY, MANY, MANY WAYS. THANK YOU.\r\n\r\n>> MR. GOMES, IS THERE ENOUGH ROOM FOR BOTH C & D AND M.S.W.? AND THE DEBRIS FROM LAHAINA? >> THE ANSWER TO THAT IS YES. I DO FEEL THAT IF WE CAN FORM THIS PARTNERSHIP, WE HAVE ENOUGH CAPACITY TO INTAKE THE LAHAINA DEBRIS, AND ALSO, ALLOW THE COUNTY TO HAVE MORE TIME TO GET TO THE POINT CAN GET THE AIRSPACE THEY NEED FOR M.S.W. MATERIAL. IN ADDITION TO OUR PROPERTY, WE'RE ONLY LOOKING AT THE KOMAR PROPERTY THAT WE'RE TALKING ABOUT THAT IS UNDER EMINENT DOMAIN AT THIS TIME, PROPOSED EMINENT DOMAIN. THE ADJACENT PROPERTY IS OVER 2,000 ACRES. WITHIN THAT PROPERTY, I WAS GIVEN A MAP BY BOTH FORMER COUNTY DIRECTOR AND REPRESENTATIVE FROM THE LANDOWNER AT THE TIME, FOR ME TO PURCHASE THE PROPERTY BACK IN 2017. UNFORTUNATELY THE DEAL DIDN'T GO THROUGH, BECAUSE I'M A DIRECT COMPETITOR IN ANOTHER INDUSTRY WITH THE LANDOWNER AT THE TIME.\r\n\r\nHOWEVER, THAT PROPERTY IS VERY IDEAL FOR ANYTHING FROM M.S.W., C & D, RECYCLING, PROCESSING OF GREEN WASTE, AND

IN ADDITION TO THAT, THERE'S OTHER AREAS THAT I DON'T THINK WE ADDRESSED, THAT WE PROVIDED AS OPTIONS TO THE DEPARTMENT TO LOOK AT. OUR PROPERTY IS ONE OF MANY. THERE ARE MANY, MANY, MANY OPTIONS TO LOOK AT, ALTHOUGH TIME IS OF THE ESSENCE AND WE ARE THERE TO HELP. WE ARE HERE, WE OFFERED OUR PROPERTY TO WORK HAND IN HAND WITH THE COUNTY TO ACHIEVE THE GOALS THAT IT NEEDS IMMEDIATELY. >> MEMBER COOK. >> THANK YOU. CURRENTLY, WHAT IS HAPPENING WITH C&D MATERIALS AT THE LANDFILL? \r\n\r\n>> MR. KIYONAGA. >> THANK YOU, CHAIR. RIGHT NOW, SINCE MAUI C & D CLOSED. THE LANDFILL, ALL C & D MATERIALS IS BROUGHT TO CENTRAL MAUI LANDFILL. >> I'M CURIOUS, THIS IS A STATEMENT -- BECAUSE OF THE COST DIFFERENCE, AND I HAVE HEARD SOMETIMES PROBLEMATIC TO GET THE C & D MATERIAL INTO THE LANDFILL, AND THE LINER AND IT'S NOT AS EASY TO GET INTO THE COUNTY LANDFILL AS IT WAS PREVIOUSLY, OR IT WOULD BE TO A FOR THE THAT WAS SPECIFICALLY DESIGNED FOR CONSTRUCTION WASTE, BECAUSE THEY HAVE TO BE HANDLED DIFFERENTLY. SO I FEAR -- WE NEED BOTH. \r\n\r\nI JUST WANT TO SAY, WE NEED BOTH TYPES OF DISPOSAL SITES, BECAUSE I THINK A LOT OF MATERIAL IS NOT BEING TAKEN THERE, BECAUSE OF THE COSTS, AND BECAUSE OF THE COMPLEXITY. SO THAT IS JUST ONE THING I WANT TO POINT OUT. DOES THE COUNTY CURRENTLY RECYCLE ANY OF THE MATERIAL? >> MR. KIYONAGA. >> THANK YOU, CHAIR. ONCE IT'S -- WE RECOMMEND THAT THE DEVELOPER OR CONTRACTOR THAT IS DOING THE DEMOLITION, HE GETS A FORM THAT HIGHLY ENCOURAGES THEM TO SEPARATE AND RECYCLE STRAIGHT FROM THEIR FACILITY. \r\n\r\nONCE IT COMES TO CENTRAL MAUI LANDFILL, WE DON'T HAVE THE AREA OR THE FACILITIES TO DO ANY TYPE OF MATERIALS RECOVERY SORTING FOR RECYCLING. THAT IS BEING PLANNED IN THE 99 ACRES TO THE NORTH. THAT IS THE OTHER PROPOSED SITE FOR LANDFILLING. >> THANK YOU. SO CHAIR, QUESTION FOR MR. GOMES. IS YOUR OPERATION CURRENTLY DOING ANY CONSTRUCTION MATERIAL RECYCLING ANYWHERE? \r\n\r\n>> THANK YOU FOR THE QUESTION, COUNCIL MEMBER COOK. THE ANSWER TO THAT IS YES. MY FAMILY OWNS AND OPERATES RECYCLE FACILITY CALLED MALAMA 'AINA RECYCLE CENTER. WE TAKE IN AND PROCESS APPROXIMATELY 100,000 TONS OF CONSTRUCTION MATERIAL INERT MATERIAL, CONCRETE, DIRT, ROCK, AND WE PROCESS THAT, AND WE REALLOCATE TO PROJECTS WITHIN MAUI -- THE ISLAND OF MAUI. >> THANK YOU >> THANK YOU. I HOPE WE CAN FIND A PATH FORWARD TO GET BOTH DONE, AND I UNDERSTAND THERE'S CHALLENGES BEING FACED. HAVING SOME TIME TO DISCUSS IT IS HELPFUL. \r\n\r\nTHAT IS ALL MY QUESTIONS FOR NOW. THANK YOU. >> MEMBER PALTIN. >> MY QUESTION IS FOR EITHER DIRECTOR AGAWA OR MR. KIYONAGA. WHEN YOU HAD PREVIOUSLY SAID THAT THE COUNTY HAD DONE THE EA/EIS, COULD ANOTHER ENTITY OWNING THE PROPERTY USE THAT EA/EIS IN LIEU OF DOING THEIR OWN EA/EIS? >> MR. \r\n\r\nGOMES? >> ADMINISTRATION. >> ADMINISTRATION MR. KIYONAGA. >> THANK YOU, CHAIR. THANK YOU, COUNCIL MEMBER PALTIN, FOR THAT QUESTION. I GUESS THE SHORT ANSWER IS NO. \r\n\r\nBUT ALL EAS ARE PUBLICLY POSTED FOR REVIEW AND COMMENT. THAT INFORMATION IS GOOD. SO ANOTHER CONSULTANT PREPARING A SIMILAR TYPE OF EA COULD USE AND REFERENCE THAT INFORMATION AS PART OF THEIR EA. >> AND HOW LONG DID IT TAKE YOU TO DO THAT EA/EIS? I CANNOT SPEAK ON THAT ONE I WAS NOT AROUND FOR THAT, BUT FOR THAT SCALE IT WOULD TAKE 1-2 YEARS PROBABLY AND PLEASE TAKE THAT WITH A GRAIN SALT. THAT IS JUST AN ESTIMATE. I CAN GET A LAND ENTITLEMENT EXPERT TO ANSWER THAT IF YOU NEED FURTHER CLARIFICATION. \r\n\r\n>> AS KOMAR SUBMITTED AN EA/EIS? >> THANK YOU FOR THE QUESTION, COUNCIL MEMBER PALTIN. KOMAR TO MY KNOWLEDGE HAS NOT AND OUR INTENT WITH OUR CONSULTANTS WAS TO USE THAT AS A GUIDELINE TO APPLY FOR OUR OWN. >> MEMBER KAMA. >> THANK YOU. BEFORE I BEGIN, I JUST WANT TO PREFACE A LOT OF MY QUESTIONS USUALLY COME IN MY HEAD AFTER THE DISCUSSION. SO I JUST HAVE THIS ONE QUESTION, SINCE MEMBER PALTIN BROUGHT IT UP. \r\n\r\nIS IT COMMON PRACTICE, MR. KIYONAGA FOR THE COUNTY TO DO AN EA -- IN ANTICIPATION OF A PURCHASE? >> MR. KIYONAGA? >> I BELIEVE THAT ANSWER IS YES. BUT TYPICALLY, WHAT WOULD HAPPEN IS THE ENTITY WOULD TAKE AN OPTION ON THAT PROPERTY, ENSURING THAT THE SALE WOULD BE MADE TO THAT ENTITY AND AFTER SECURING THAT OPTION DOING THE LAND ENTITLEMENTS EA/EIS AND IF YOU ARE DEFINED YOU MIGHT HAVE A PIECE OF PROPERTY YOU CANNOT OPERATE ON. >> MR. \r\n\r\nOTA OR MR. GOMES? >> UNLESS THE SALE IS IMMINENT AND WILL HAPPEN, TYPICALLY WOULDN'T INVEST THAT TYPE OF MONEY UNLESS THERE WAS GOOD MONEY -- I CANNOT SPEAK

FOR THE COUNTY ON THAT PART. >> THANK YOU. THANK YOU, CHAIR. THANK YOU, MEMBER PALTIN. >> MEMBER SUGIMURA.\r\n\r\n>> CAN I ASK A QUESTION BASES ON A COLLEAGUE'S COMMENT? >> SURE. >> MEMBER COOK, WHEN YOU SAID, YOU THAT A LOT OF C & D MATERIAL IS NOT BEING TAKEN TO CML DUE TO THE COST AND COMPLEXITY, AND FROM MY EXPERIENCE, I HAVE IN THE PAST AND ON OCCASION SEE THE CONSTRUCTION DEBRIS AROUND VARIOUS PLACES ON THE ISLAND, IS THAT WHAT YOU WERE REFERRING TO? >> YES, I THINK THAT HAVING BOTH THE COUNTY, AND THE PRIVATE ENTITY, LIKE IT USED TO BE, IT WAS PRETTY EASY TO TAKE IT THERE. IF THERE'S A PLACE TO GO TO AND MORE PEER-PRESSURE, WHERE ARE YOU TAKING IT AND THERE IS GUIDELINES CONTRACTUAL GUIDELINES NORMALLY ON PROJECTS THAT YOU HAVE DOCUMENT AND DEMONSTRATE THAT YOU ARE TAKING AND DISPOSING TO A LICENSED -- LEGITIMATE FACILITY, BUT NOT ALL PROJECTS HAVE THAT, SMALLER PROJECTS AND HOMEOWNERS. A LOT OF THAT IS ROCKS, DIRT AND LUMBER BUT IT COULD BE RECYCLED IF IT'S APPROPRIATELY DONE AND IF THE OPPORTUNITY EXISTS. TWO, PROPERLY DISPOSED OF.\r\n\r\n>> SO THEN, MY FOLLOW-UP QUESTION IS IF THE COUNTY IS CHARGING ABOUT \$117, AND THESE FOLKS SAY \$96-97 WE'RE NOT SEEING THE SAVINGS WHEN THE COST IS ZERO AND DUMPING IT IN THE BUSHES. >> IT STILL COSTS MONEY. IT'S TWO-FOLD. TO GO TO A CONSTRUCTION -- THE C & D SITE, WHERE YOU BACK UP AND YOU ARE DUMPING IT, IT MIGHT BE KIND OF ALL OFFER THE PLACE AND BULLDOZER IS COMPACTING IT. WHEN YOU GO TO THE COUNTY, YOU HAVE TO BE IN A LINE UP AND WAIT AND GET INTO THE RIGHT SPACE. SO IT'S TIME AND MONEY. >> YES, THAT WASN'T WHAT I MEANT.\r\n\r\nI MEANT AS PEOPLE THAT YOU ARE IMPLYING MAY BE DUMPING IT IN THE BUSHES, THAT IS A SAVINGS OF \$97, \$117 DEPENDING WHERE YOU TAKE IT AND CONSTRUCTION COSTS AREN'T GOING DOWN IF PEOPLE PAY ZERO TO DROP IT IN THE BUSHES. SO I DON'T KNOW THAT A SAVINGS OF -- \$7 A TON -- SORRY, BAD MATH. WHATEVER, I DON'T KNOW THAT IT WILL BE PASSED ON IF THE ZERO COST ISN'T BEING PASSED ON. >> I THINK BOTH STATEMENTS ARE TRUE, IT'S JUST A MATTER OF PERCENTAGES. THERE'S DEFINITELY GOING TO CONTINUE TO BE ILLEGAL DUMPING, BUT PROPERLY MANAGED TO MITIGATE THAT AND CONTROL IT MORE AND YOU GET THE BENEFIT OF THE RECYCLED PRODUCT. ILLEGAL DUMPING IS A PROBLEM. >> FOR US, IN HONOLULU, A LOT OF TIMES IT'S ROOFING TILES, CABINETRY, AND IT'S NOT JUST ROCKS AND DIRT, AND WE HAVE BEEN SEEING THAT SINCE IT'S BEEN OPENED.\r\n\r\nSO I DON'T KNOW -- I THINK THAT IF YOU HAVE INTEGRITY AND YOU DO THE RIGHT THING YOU WILL DO THE RIGHT THING, DISTANT MATTER IF IT'S DECOITES OR PULEHU OR WHATEVER, YOU ARE NOT GOING TO DO THE RIGHT THING. >> VICE-CHAIR SUGIMURA HASN'T HAD A CHANCE TO ASK A QUESTION YET. >> THANK YOU. YOU'RE ABSOLUTELY RIGHT, PEOPLE THROW RUBBISH ALL OVER THE PLACE AS I CLEANED PULEHU ROAD MONTHS AFTER MONTHS AND PEOPLE ARE VERY AMAZING, AND IT'S HARD TO PICK UP RUBBISH, CAN YOU IMAGINE CONSTRUCTION DEBRIS IS WORSE? DOESN'T SULLIVAN HAVE A CONSTRUCTION DEBRIS SITE BY KIHAI FIRE -- POLICE STATION? SAGE OR ANYBODY? DOESN'T SULLIVAN HAVE ONE, PETE SULLIVAN?\r\n\r\nISN'T THERE CONSTRUCTION DEBRIS? >> COUNCIL MEMBER SUGIMURA, I WOULD LIKE TO ANSWER THAT QUESTION. SO HAWAII MATERIALS RECYCLING IS OWNED BY THE SULLIVAN FAMILY, AND YES, THEY DO HAVE A FACILITY THAT IS LOCATED ADJACENT TO THE KIHAI WASTEWATER FACILITY, IN BETWEEN THE WASTEWATER FACILITY AND THE MAUI NUI GOLF COURSE. >> SO THERE IS ONE CURRENTLY? >> SO THERE ARE SEVERAL. SO I MENTIONED MALAMA 'AINA RECYCLING CENTER, WHICH IS IN PU'UNENE, ADJACENT TO THE LANDFILL, ABOUT HALF A MILE AWAY. WE DO THE EXACT SAME TYPE OF RECYCLES AS IN KIHAI.\r\n\r\nTHE DEPARTMENT OF HEALTH PERMITTED FACILITY FOR RECYCLING IS HAWAIIAN CEMENT IN WAIKAPU. SO THREE FACILITIES ARE PERMITTED OUTSIDE OF THE COUNTY'S FACILITIES, AS FAR AS I KNOW TO DO INERT MATERIALS RECYCLING. >> OKAY. SO MEMBERS, FOR THE LENGTH OF TIME THAT I HAVE BEEN ON THE COUNCIL, WHICH IS NOT VERY LONG, THIS PROPERTY THAT WE'RE TALKING ABOUT, WHICH I CALL COSTY, BECAUSE THAT IS HOW IT WAS INTRODUCED DURING BUDGET AND IT'S CORRECT, THE COUNTY OF MAUI WAS TRYING TO BUY THIS PARCEL, AND I REMEMBER. I WAS IN THIS BUDGET MEETING, AND RIKI HOKAMA WAS THERE AND THE DIRECTOR ANNOUNCED WHICH THE PROPERTY THAT WE WERE TRYING TO BUY WAS SOLD TO THEM, A PRIVATE ENTITY, FROM A&B EVEN THOUGH WE WERE TRYING TO BUY IT. THAT WAS MY FIRST SHOCK. IF YOU EVER WENT TO VISIT THE CENTRAL MAUI LANDFILL, IT'S LANDLOCKED, COMPLETELY LANDLOCKED AND I CAN SEE

WHY IT'S A BENEFIT TO WHAT WE'RE TRYING TO DO.\r\n\r\nAROUND HERE, THERE'S A LOT OF OTHER A&B LAND. TO THOSE ENTITIES MAKING PROMISES TO THE COUNTY ON BEHALF OF THE CITIZENS OF MAUI COUNTY, THAT WAS MY FIRST SHOCK ABOUT THAT. HERE WE ARE TALKING ABOUT THIS PARCEL. I WANT TO JUST SAY THAT I KNOW KEN OTA, AND MR. GOMES FOR A LONG TIME AND I'M SADDENED THAT THEY ARE BEING PUT IN THIS POSITION OF HAVING TO BE IN CONFRONTATION, OR TRYING TO FIGHT FOR SOMETHING THAT REALLY SHOULDN'T BE LIKE THIS. THESE GUYS ARE GOOD GUYS IN THE COMMUNITY. I ALWAYS SEE THEM AT FUNCTIONS AND TRYING TO HELP EVERYBODY.\r\n\r\nI SEE THEM SITTING HERE TODAY, TRYING TO HELP EVERYBODY, BUT THIS IS NOT A HELP-EVERYBODY-EASY KIND OF SITUATION. WE'RE GOING TO GO TO COURT. IT'S NOT GOING TO BE A SITUATION THAT IS GOING TO BE EASY. AND SO THEREFORE, I'M DISAPPOINTED -- NOT DISAPPOINTED. I FEEL VERY BADLY, BECAUSE WE ARE PUTTING TWO BUSINESS PEOPLE, TWO SOLID COMMUNITY PEOPLE AT ODDS WITH THE COMMUNITY, AND WE'RE ALL TRYING TO DO THE SAME THING, YOU KNOW? I WISH WE COULD RESOLVE IT BEFORE GOING TO COURT AND MY NEXT QUESTION WILL BE FOR CORP. COUNSEL.\r\n\r\nI BELIEVE WHENEVER YOU TAKE SOMETHING TO THAT EXTREME, IT GETS DELAYED; IT GETS EXPENSIVE AND WHO MAKES THE MOST MONEY ARE THE ATTORNEYS, I AM TOLD. I'M NOT SURE. BUT YOU KNOW, THAT IS WHAT I SEE STARTING TO DEVELOP, AND BUILD, AND BECAUSE IT'S SO IMPORTANT, I DO HOPE THAT WE TAKE IT TO GREAT COMMITTEE, AND SCRUTINIZE IT AND GET ALL OF THE DETAILS BEFORE WE TAKE THE NEXT STEP OF GOING TO COURT. SO THAT IS MY ONE BIG STATEMENT, BUT I WANT TO ASK CORP. COUNSEL, WHAT DOES IT MEAN TO TAKE THIS PROCESS, IF WE PASS THIS RESOLUTION, AFTER, I THINK IT'S TWO READINGS, CAN YOU EDUCATE US HOW MANY READINGS, HOW MANY VOTES AND WHAT WOULD BE THE PROCESS FORWARD? >> CORP. COUNSEL.\r\n\r\n>> THANK YOU, CHAIR. SO THE PROCESS GOING FORWARD IS THAT YOU DO NEED TWO READINGS FOR THIS RESOLUTION WITH A PUBLICATION OF THE VOTE IN BETWEEN, IN THE LOCAL NEWSPAPER. AS FAR AS THE NUMBER OF VOTES YOU NEED, IT APPEARS FROM ALL OF US LOOK HERE, MANY LAWYERS LOOKING, THAT YOU ONLY NEED YOUR STRAIGHT VOTES. IT'S NOT A SUPER MAJORITY VOTE ON THIS. ONCE YOU APPROVE THIS, THEN THE NEXT STEP WOULD BE THAT WE WOULD INITIATE EMINENT DOMAIN PROCEEDINGS IN COURT. AND THEN WE ALSO HAVE THE OPTION TO FILE A MOTION WITH THE COURT AND ASK FOR IMMEDIATE POSSESSION OF THE PROPERTY AND IN ORDER TO DO THAT, THERE'S CERTAIN QUALIFICATIONS THAT WE NEED TO FULFILL, PROBABLY THE MOST RELEVANT ONE IS TO DEPOSIT A SUM OF MONEY, ESTIMATED BY US TO BE JUST COMPENSATION FOR DAMAGES CAUSED BY OUR EMINENT DOMAIN PROCEEDINGS TO THE DEFENDANTS, WHO WOULD BE THE FOLKS HERE. AND THEN WE WOULD GO THROUGH THE COURT PROCEEDINGS AT THAT TIME.\r\n\r\n>> AND WHO DECIDES IF WE CAN HAVE IMMEDIATE POSSESSION? I DON'T KNOW WHAT THE RIGHT PHRASE IS >> THAT WOULD BE THE COURT, AND THE COURT WOULD ISSUE AN EX-PARTE ORDER ONCE WE ISSUE THE MOTION AND FULFILL THE REQUIREMENTS UNDER THE HAWAII REVISED STATUTES. THEN THE COURT WOULD ISSUE AN EX PARTE ORDER, PROVIDING THE PROPERTY TO US IN WHEN THEN THE DEFENDANT HAS TEN DAYS TO RESPOND TO THAT ORDER TO SHOW CAUSE. WITHOUT GETTING INTO TOO MUCH DETAIL, THE RIGHT TO ASK FOR IMMEDIATE TRIAL ON MATTER, ET CETERA. SO THERE'S OPPORTUNITIES IN COURT FOR BOTH THE PLAINTIFFS, WHICH WOULD BE THE COURT, AS WELL AS DEFENDANTS TO RECEIVE DUE PROCESS OVER THE PROCESS OF EMINENT DOMAIN. >> WOULD IT BE A SITUATION WHERE THIS WOULD DELAY THE DEBRIS REMOVAL PROCESS IN LAHAINA? I DON'T KNOW IF THAT IS FOR YOU?\r\n\r\n>> I WOULD DEFER TO DEM. MY SUSPICION IS WOULD NOT DELAY IT. WE WOULD -- THE INTENTION OF OUR DEPARTMENT IS TO INITIATE THE EMINENT DOMAIN PROCEEDINGS AS SOON AS POSSIBLE, AFTER RECEIVING COUNCIL APPROVAL. >> THEN IT JUST DEPENDS ON THE JUDGE TO DECIDE IF WARRANTS EX-PARTE ORDERS, IS THAT IT? >> THAT IS CORRECT, UNDER THE LAW, IT'S THE COURT WOULD BE ISSUING THE ORDER ALLOWING FOR IMMEDIATE POSSESSION. BUT THE LAW LAYS OUT A VERY SPECIFIC MANNER IF YOU FULFILL THOSE OBLIGATIONS AS A PLAINTIFF, YOU ARE ENTITLED TO IMMEDIATE POSSESSION OF THE PROPERTY. >> WHAT -- FOR EMINENT DOMAIN, WHAT CHARACTERIZES THIS, OR WHAT QUALIFIES THIS COULD YOU COMPLAIN WHAT EMINENT DOMAIN DOES.\r\n\r\n>> TO GET IMMEDIATE POSSESSION OF THE PROPERTY WOULD BE THAT WE HAVE THE RIGHT TO MAINTAIN THE ACTION, WHICH WE BELIEVE WE DO. LAYOUT THE PUBLIC USE FOR THE PROPERTY SOUGHT

TO BE CONDEMNED AND ESTABLISH THE ESTIMATED AMOUNT FOR JUST COMPENSATION FOR DAMAGES CAUSED BY EMINENT DOMAIN. THE RESOLUTION DOES QUOTE THE MOST RECENT APPRAISAL OF THE PROPERTY, WHICH IF YOU LOOK AT THE RESOLUTION, YOU WILL SEE THE VALUE HAS GONE UP SINCE THE PROPERTY WAS PURCHASED. THAT WOULD BE FOR OUR DEPARTMENT TO DETERMINE WHAT WOULD BE THAT JUST COMPENSATION? IT DOESN'T NECESSARILY HAVE TO BE JUST THE APPRAISED VALUE. I'M HEARING FROM THESE FOLKS THAT THEY ALSO HAD SOME COSTS ASSOCIATED WITH THE PROPERTY, BUT I WOULD LEAVE THAT TO OUR LITIGATION DIVISION TO RESPOND TO. BUT THOSE ARE THE ESSENTIAL THREE ELEMENTS THAT WE WOULD HAVE TO SATISFY.

>> OKAY. SO HOW LONG WITH THAT TAKE? I'M JUST WONDERING OF THE TIME? >> CHAIR? I CAN'T SPEAK FOR HOW LONG, I DON'T KNOW WHAT THE DOCKET IS IN THE COURT AND ASK FOR EXPEDITED HEARING TO MOVE THIS ALONG AS QUICKLY AS POSSIBLE. WE WOULD NOT BE THE ONES DELAYING THE FILING OF THE ACTION AND IT WOULD BE UP TO THE COURT WHEN THEY WOULD ENTERTAIN OUR MOTION. >> >> THANK YOU, CORP.

COUNSEL THANK YOU. FOR CLARIFICATION, CORP. COUNSEL, WHEN VICE-CHAIR SUGIMURA ASKED, IF THIS WOULD DELAY THE DEBRIS REMOVAL IN LAHAINA, I THINK SHE MEANT IF THE COUNCIL DIDN'T TAKE ACTION, WOULD IT? NOT IF THE CONDEMNATION MOVED FORWARD, IF THE COUNCIL DIDN'T TAKE ACTION? >> THANK YOU, CHAIR, FOR THE CLARIFICATION. I WOULD DEFER TO DEM. I DON'T KNOW WHETHER THAT WOULD DELAY THEIR PROCEEDINGS OR NOT.

>> PRO TEM KAMA. >> I CAN'T REMEMBER THE DAY -- THE DAYS GO BY SO FAST, BUT MEMBER PALTIN HAD REQUESTED A CERTAIN PEOPLE TO GET TOGETHER AND TALK ABOUT -- OH, MY GOSH. IF THEY COULD GET TOGETHER, AND GET THEIR DISCUSSIONS OUT AND REPORT-BACK TO THE COMMITTEE. SO THAT WE HAVE A BETTER IDEA WHERE THEY ARE BOTH COMING FROM. I WANT TO SEE IF THESE GUYS CAN DO THE SAME THING? I KNOW THEY HAVE BEEN TALKING QUITE SOME TIME, BUT AS A LAST-MINUTE BEFORE GOING TO COURT TO REQUEST THEM THAT THEY DO LAST -TIME MEDIATION AND THE QUESTION THAT MEMBER SUGIMURA ASKED IN TERMS OF URGENCY AND HOW THIS WOULD HOLD IT UP, IF AT ALL? >> LET'S WITH THE DIRECTOR, DIRECTOR AGAWA, DID YOU HEAR THE QUESTION?

WOULD YOU BE ABLE TO SIT DOWN AND HAVE DISCUSSION MR. GOMES AND MR. OTA >> IT WAS KIND OF CHOPPY, COUNCIL MEMBER KAMA WAS TALK, BUT I HEARD THE EARLIER QUESTION ABOUT THE DELAY. SO I CAN ANSWER THAT ONE. IT WOULD NOT HOLD UP THE DELAY OF THE DEBRIS -- DELAY THE DEBRIS REMOVAL OUT OF LAHAINA. THAT IS ONGOING TO THE TDS. IT COULD AFFECT THE TRANSPORT OF THE DEBRIS FROM THE TDS TO THE FINAL SITE AT CENTRAL MAUI LANDFILL.

AS FAR AS IF I UNDERSTOOD THE QUESTION CORRECTLY FROM COUNCIL MEMBER KAMA, IF WE'RE IN AGREEMENT TO CONTINUE TALKS WITH MR. GOMES AND MR. OTA, IS THAT THE QUESTION? >> YES. >> THE ANSWER IS YES. AND I NEED TO CONCUR WITH WHAT COUNCIL MEMBER SUGIMURA MENTIONED ABOUT KEONI AND KEN. THEY HAVE BEEN REALLY GRACIOUS, REALLY OPEN TO WORK WITH US.

YOU FOLKS HAVE TO UNDERSTAND, THESE TALKS CAME BEFORE THE DISASTER, LONG AGO; RIGHT? WHEN WE TALKED ABOUT THIS PROPERTY. BUT IT EXACERBATED THE NEED FOR IT IN RECENT TIMES, AND NOW TIME IS OF THE ESSENCE. IT CAME EVEN BEFORE WHEN WE WERE PLANNING TO GET THE LAND IN OTHER MEANS, OTHER LANDS; RIGHT? WHEN THAT DRIED UP, IT TURNS THE FOCUS BACK TO PHASE VI. IN WORKING WITH THEM, WE'RE DEFINITELY WILLING TO WORK WITH THEM ON OTHER OPTIONS. WE HAVE CONTINUED TO TALK, MYSELF KEONI AND KEN AND WE WILL CONTINUE TO DO SO, REGARDLESS OF WHAT HAPPENS HERE, WE'RE MORE THAN WILLING.

THANK YOU. >> AND NOW, MEMBER RAWLINS-FERNANDEZ. >> WHAT A LEAD UP, OKAY. NO PRESSURE. [LAUGHTER ] SO I'M NOT SUPER SURE WHAT ENCOURAGING THEM TO TALK MORE -- WHAT THE OUTCOME WOULD BE? I THINK THEY HAVE BEEN TALKING FOR YEARS AND THAT IS WHY WE'RE AT THIS PLACE WITH THE RESOLUTION FOR EMINENT DOMAIN. SO I'M HEARING ALL OF DISCUSSION, AND THERE'S SEVERAL THINGS THAT I'M TRYING TO FIGURE OUT.

I'M UNDERSTANDING THE URGENCY OF TAKING ACTION TODAY AND SUPPORTING EMINENT DOMAIN SO MY FIRST QUESTION IS FOR MR. GOMES. MAHALO, ALOHA FOR BEING HERE AND PROVIDING RESPONSES TO OUR QUESTIONS. YOU SAID THAT YOU FOLKS ALWAYS PLANNED TO DO A C & D LANDFILL. DID YOU ALWAYS INTEND TO MAKE IT TO THE LEVEL OF A SUBTITLED D LANDFILL? >> MR. GOMES?

THANK YOU FOR THE QUESTION, COUNCIL MEMBER RAWLINS-FERNANDEZ. SO ORIGINALLY IT WAS ONLY A C & D LANDFILL. ONLY

REASON WHY WE CHOOSE TO IMPROVE THE QUALITY OF THE LINER, AND MAKE IT A SUBTITLE D WAS TO ASSIST THE COUNTY FOR INTAKE OF THE LAHAINA DEBRIS, BECAUSE WE KNEW THAT IS WHAT THEY NEEDED. >> MAHALO. SO IT WASN'T UNTIL AFTER THE DISASTER, AFTER THE FIRE THAT YOU HAD PLANNED TO INCREASE COSTS FROM A C & D, BECAUSE IT'S CHEAPER TO CONSTRUCT A C & D THAN SUBTITLE D. FOR SUBTITLE D, YOU HAD MENTIONED COSTS, AND I THOUGHT IT WAS COUNTY WAS \$170 PER TON I THOUGHT, BUT MEMBER PALTIN SAID \$117. IS IT 117 OR 170. >> THAT IS CORRECT, 117, THAT IS PER TON. >> YES. YOUR ESTIMATE WAS I HEARD YOU SAY 90 AND I HEARD MEMBER PALTIN SAY 96 OR 97, WHICH IS AT IT? \r\n\r\n>> WE'RE AT 95 DOLLARS A TON. >> 95, MAHALO FOR THAT CLARIFICATION. THE 95 PER TON, IS THAT BASED ON C & D LANDFILL OR SUBTITLE D? >> THAT IS BASED ON SUBTITLE D. >> THANK YOU. ALL RIGHT, MY NEXT QUESTION IS FOR MR. KIYONAGA. I SAID YOUR NAME WRONG. MR. \r\n\r\nKIYONAGA. EIS. WHEN WAS THE EIS DONE BY THE COUNTY? , DO YOU KNOW? YOU DON'T HAVE TO HAVE THE EXACT DATE. NO PRESSURE. >> THANK YOU FOR THE QUESTION, COUNCIL MEMBER RAWLINS-FERNANDEZ. \r\n\r\n>> APPROXIMATELY. >> I BELIEVE THAT EA, THAT COVERED THE PROPERTY WAS DONE IN 1996 AND WE CAN CHECK THE STATE'S WEBSITE TO CONFIRM THAT, BUT I BELIEVE IT'S 1996. >> MAHALO. AND I DON'T EXPECT YOU TO KNOW HOW MUCH IT COSTED THEN, BUT EVEN IF YOU DID KNOW HOW MUCH IT COSTED BACK IN 1996, YOU WOULD HAVE TO DO THE MATH TO ADDRESS FOR INFLATION FOR TODAY. DO YOU HAVE AN APPROXIMATE ESTIMATE OF HOW MUCH AN EA OR EIS WOULD COST FOR THIS SIZE OF PARCEL NOW? >> AN EA WOULD ROUGHLY RUN MAYBE A MILLION TO TWO MILLION DOLLARS THE TECHNICAL STUDIES AND ENGINEERING AND DESIGN REQUIRED FOR AN EA. EIS YOU HAVE TO DO MORE STUDIES HEADLINE THAT AND UPWARDS OF \$5 MILLION, DEPENDING ON WHAT IS NEEDED WHAT TYPE OF STUDIES?. >> MAHALO FOR THAT. SO \$5 MILLION. \r\n\r\nOKAY, THEN AND SO MR. GOMES SAID THAT THEY WOULD LIKELY POINT TO THE COUNTY'S EA FROM 1996 WITH THEIR CONSULTANTS, AND YOU WOULD STILL HAVE TO DO YOUR OWN, BUT THE WORK HAS ALREADY BEEN DONE, AND YOU WOULD KIND OF POINT TO THE TECHNICAL REPORTS THAT WERE COMPLETED BY THE COUNTY? >> YES, THAT IS CORRECT. AND IT'S TYPICAL NOT ONLY IN THIS TYPE OF PERMITTING, BUT FOR EAS AND EISES THAT PROJECTS WITHIN SIMILAR DISTRICTS, OR CLOSE VICINITIES UTILIZE, OR PIGGY-BACK OTHER PERMITTING DOCUMENTS THAT OTHER PEOPLE HAVE DONE TO ASSIST THEM WITH PROVIDING THEIR OWN FOR ENTITLEMENT. >> SO THESE TECHNICAL REPORTS WERE PAID FOR BY THE COUNTY, THEREFORE, THE TAXPAYERS. AND WOULD RESULT IN YOU FOLKS SAVING A LOT OF MONEY BY NOT HAVING -- BY PIGGY-BACKING ON A TAXPAYER-FUNDED REPORTS, YES? >> THAT IS CORRECT, YES. \r\n\r\nWE WOULD SAVE SOME MONEY. OUR ENGINEERING AND LEGAL TEAM WOULD STILL HAVE TO GO THROUGH THEIR OWN PROCESS, BECAUSE OF THE TIMEFRAME IN WHICH THE PREVIOUS EA/EIS WAS DONE, WHICH IS APPROXIMATELY 30 YEARS AGO. WE WOULD HAVE TO SIGNIFICANTLY UPDATE THAT, AND INCORPORATE CURRENT STANDARDS. >> OKAY. MAHALO. AND THEN I GUESS THIS QUESTION IS FOR DIRECTOR AGAWA, MAHALO FOR BEING HERE, DIRECTOR. SO AFTER THE TDS WAS DETERMINED, YOU FOLKS WENT TO THE COMMUNITY, AND ASKED FOR WHERE THE COMMUNITY WOULD SUPPORT THE PERMANENT SITE BEING. \r\n\r\nAND THE COMMUNITY VOTED TO HAVE CML BE THE PERMANENT SITE? >> THANK YOU, CHAIR. THANK YOU, MEMBER RAWLINS-FERNANDEZ. THAT IS NOT ENTIRELY TRUE. THE COMMUNITY DID NOT SELECT THE SITE. THEIR INPUT AFFECTED HOW OUR SMA SCORED THE SITE AND STILL SCORED THE SITE ON PREVIOUSLY, IN ADDITION TO NEW INFORMATION, PRIMARILY LAND ACQUISITION, THAT TYPE OF THING. THE COMMUNITY INPUT FROM THE SURVEY GAVE DIFFERENT WEIGHTS TO DIFFERENT SCORING CRITERIA. \r\n\r\nSO WE SCORED IT, THE CRITERIA HAD DIFFERENT WEIGHTS, THE SCORING TIMES, THE CRITERIA MULTIPLE GIVES THE WEIGHTED SCORE. SO IT DID AFFECT THE SCORING, BUT DID NOT SOLELY DETERMINE THE SITE. >> MAHALO FOR GIVING THE PEOPLE A VOICE IN YOUR SCORING CRITERIA. IN ADDRESSING THE GREATEST NEEDS. APPRECIATE THAT. OKAY. I THINK THOSE ARE MY MAIN QUESTIONS. \r\n\r\nI HAVE OTHER QUESTIONS THAT I WANTED TO ASK, BUT I'M TRYING TO TRACK DOWN SOME OF THE INFORMATION AND I CAN REPORT-BACK TO THE COUNCIL AFTER I GET THAT INFORMATION. MAHALO, CHAIR. >> AND THEN, I THINK, MEMBER PALTIN HAD A QUESTION. >> IT'S NOT A QUESTION. I WAS WONDERING IF WE CAN APPROACH THIS AS WE HAVE APPROACHED OTHER ISSUES IN THIS DISASTER RESPONSE AFTER HEARING FROM MS. DESJARDINS, THIS RESOLUTION REQUIRES TWO READINGS. THAT WE COULD

STILL HEAR AND DISCUSS THIS ON THE 19TH IN MEMBER UU-HODGINS' COMMITTEE, AND MOVE IT FORWARD TODAY, AND NOT LOSE ANY TIME.\r\n\r\nI HAVE HEARD PERSONALLY WHAT I NEEDED TO HEAR. I KNOW THAT TODAY IS THE 7-MONTH ANNIVERSARY, AND THAT RESIDENTS OF MY COMMUNITY ARE HANGING IN THERE, BUT WITHOUT PROGRESS, LIKE HOW WE HAD TO MAKE DIFFICULT DECISIONS ON THE OLOWALU TEMPORARY SITE, DESPITE SIGNIFICANT OPPOSITION IN TESTIMONY SAYING THAT THEY DIDN'T WANT IT THERE, THAT THEY DIDN'T BELIEVE IT WOULD BE TEMPORARY. I WOULD SUGGEST IF WE CAN CONTINUE IN THAT SAME FASHION, AND BETWEEN NOW AND SECOND READING, MR. OTA, MR. GOMES, MR. KIYONAGA, MR. AGAWA CAN CONTINUE TALKING LIKE THEY HAVE BEEN SINCE JULY, AUGUST, APRIL OF LAST YEAR.\r\n\r\nWE CAN HEAR EVERYTHING ELSE, ANSWER ALL OF THE QUESTIONS ON THE 19TH. AND THEN BE READY TO VOTE ON THAT FRIDAY WOULD BE MY SUGGESTION. YOU KNOW, I DON'T DOUBT MR. OTA, OR MR. GOMES HAD OTHER PLANS. SO DID 10,000 PEOPLE IN LAHAINA HAVE OTHER PLANS THAT CHANGED ON AUGUST 8TH. AND SO YOU KNOW, WE DON'T ALWAYS GET TO GO FORWARD WITH OUR PLANS, AND THAT IS NOT ANYTHING THAT I WOULD BLAME ON ANYONE, OR SAY THAT, YOU KNOW, THAT THEIR DREAMS AND ASPIRATIONS FOR CONSTRUCTION AND DEMOLITION SITE WEREN'T WORTHY.\r\n\r\nEVERYBODY'S DREAMS AND ASPIRATIONS FOR BUSINESS OR PERSONAL LIFE IS WORTHY, BUT AT THIS POINT, IT'S NOT OUR CHOICE TO BE ABLE TO EASILY MAKE ONE WAY OR THE OTHER. OTHER THAN, YOU KNOW, I PERSONALLY DON'T BELIEVE THAT PRIVATE INDUSTRY THAT HASN'T DONE THIS BEFORE WILL BE FASTER THAN THE COUNTY, WHO HAS BEEN SPEAKING NONSTOP WITH THE DEPARTMENT OF HEALTH SINCE AUGUST 8TH. AND BRAINSTORMING ON THESE SOLUTIONS, AND I DON'T THINK WE HAVE TIME TO MONKEY AROUND HERE, YOU KNOW? IT'S BEEN SEVEN MONTHS. AND WE TOOK A DETOUR OLOWALU AND NOW IT'S TIME TO MOVE FORWARD. SO THAT WOULD BE MY REQUEST IS TO DO ALL OF THE THINGS, PASS IT TODAY, HEAR IT IN COMMITTEE, CONTINUE TALKING, AND FINAL DECISION ON THAT FRIDAY. >> MEMBER SUGIMURA.\r\n\r\n>> I THINK REALLY IMPORTANT ELEMENT OF THIS DISCUSSION IS NOT PRESENT TODAY, AND IT'S THE LANDOWNER. SO MR. OTA, AND KEONI GOMES ARE THE MANAGERS AND REPRESENTING THE LAND OWNER, AS WELL AS THE MAYOR, WHO IS OUR LEADER. >> I COULD SUPPORT THAT ON THE 19TH. >> DEFINITELY THEY CAN BE INVOLVED. >> I WONDER IF THEY ARE AGREEABLE TO BE AS AGREEABLE AS YOU ARE, YOU KNOW? TO WORK WITH US?\r\n\r\nAND I THINK THAT IS A REALLY IMPORTANT ELEMENT AS TO WHY WE'RE SITTING HERE AND WHY WE'RE HAVING THIS PROBLEM. BECAUSE I THINK ONLY THE TWO OF YOU, I THINK IT WOULD BE SLAM-DUNK DONE. I REALLY DO. BUT THERE'S AN UNKNOWN ENTITY IN THE BACK AND I REMEMBER AGAIN, MEMBERS, I HAVE THAT MEMORY FROM MY FIRST TERM, WHEN THIS WHOLE THING HAPPENED; RIGHT? SO I WOULD LIKE TO KNOW WHAT THAT FAMILY THINKS ABOUT HELPING THE MAUI COMMUNITY? BECAUSE IF WE NEED THEM, WHICH SOUNDS LIKE WHAT WE'RE SAYING WE DO, I WOULD LIKE TO -- I DON'T KNOW HOW TO SAY THEIR NAME. >> KOMAR.\r\n\r\n>> THAT IS THE NAME OF THEIR COMPANY, BUT FROM THAT FAMILY. >> I THINK THAT IS IMPORTANT. >> CAN I SAY SOMETHING? >> YES, YOU MAY. >> THANK YOU. YOU KNOW, YOU ARE MAKING IT REALLY HARD FOR US, MR. GOMES AND MR.\r\n\r\nOTA, BECAUSE WE KNOW YOU FOLKS AND NOW HOW SINCERE YOU ARE. BUT IS THERE ANY POSSIBILITY THAT THE COUNTY CAN WORK WITH YOU TO IDENTIFY A DIFFERENT PARCEL? IS THAT POSSIBLE? >> THAT WAS BROUGHT UP WHEN WE MET WITH DIRECTOR AGAWA MULTIPLE TIMES. THAT IS STILL ON THE TABLE. >> WOULD YOU BE ACCEPTABLE TO THAT? >> YEAH.\r\n\r\n>> MEMBERS, DOESN'T THAT SOUND LIKE A PLAN? >> I HAVE A SEPARATE QUESTION. >> YES, MEMBER UU-HODGINS. >> THANK YOU. LOOKING AT THE PARCELS NEXT TO CENTRAL MAUI LANDFILL AND THE PARCEL NEXT TO, HOW COME WE'RE NOT USING THAT? >> MR. KIYONAGA.\r\n\r\n>> SORRY, COUNTY OF MAUI SOLID WASTE. >> CHAIR, I CAN SPEAK ON THAT. >> THANK YOU. >> I CAN SPEAK ON THAT, CHAIR. >> WE ARE PLANNING TO USE THE 59 ACRES, THAT PROPERTY WE ARE TRYING TO DO LAND ENTITLEMENTS FOR THAT WILL EVENTUALLY BE SOME KIND OF ENERGY RECOVERY WASTE-TO-ENERGY RECOVERY FACILITY MATERIALS RECOVERY FACILITY SORTING FOR THE INCINERATION PLANT OR WHATEVER WE DECIDE TO DO. SO WE ARE PLANNING TO USE THAT PART. PART OF THAT PROPERTY IS DESIGNATED IMPORTANT AG LAND, IAL.\r\n\r\nSO THAT PRESENTS A LITTLE BIT MORE OF A CHALLENGE IN UTILIZING THAT. WE'RE WORKING WITH PLANNING, AND CORP. COUNSEL. >> WE GOT IT. SO MEMBER UU-HODGINS EVERYBODY TODAY, CHAIR? >> I FEEL LIKE MR. COOK.\r\n\r\nSO

DO YOU HAVE THE MAP? FIND ANOTHER PARCEL. >> SO I WAS LOOKING AT IT. SO THE PARCELS SURROUNDING IT RIGHT THE 3,000-ACRE PARCEL THAT I THINK WE WERE DISCUSSING EARLIER. AND THEN THERE'S THE COUNTY'S 188-ACRE PARCEL THAT IS CURRENTLY THE CENTRAL MAUI LANDFILL AND KOMAR 20 ACRES AND NEAR 60 ACRES NEXT TO CURRENT LANDFILL. >> HOW MANY ACRES DO YOU NEED, MR. OTA?<br><br>20, CLEARLY. >> 20 BASED ON THE HEIGHT ELEVATION. SO WE HAD ABOUT 55' IN ELEVATION AND ALL BASED ON THE VOLUME, NOT NECESSARILY ACREAGE, BUT VOLUME. >> HOW MANY MORE ACRES WOULD YOU NEED BESIDES 20? >> SO IT'S ALL IN VOLUME. SO IT'S DEFINITELY FROM -- IF WE ARE JUST LOOKING APPLES TO APPLES, 55' IN VOLUME AND NOT NECESSARILY AN IT UP TO HAVE LARGER ACRES, BUT LESS VOLUME TO ACCOMMODATE THE DIFFERENT SPREAD. >> CHAIR, DIRECTOR AGAWA'S HAND IS UP MR. OGAWA, YOU WANT TO JOIN US?<br><br>HE WAS HAS HIS HAND STILL RAISED. >> THANK YOU, CHAIR I WAS TRYING TO ADDRESS MEMBER UU-HODGINS' QUESTION. WE HAVE LOOKED AT THAT 99 ACRES. I DON'T WANT TO MISLEAD THE CONSCIENCE WITH EARLIER STATEMENTS CONTINUING TO TALK ABOUT MR. GOMES AND MR. OTA. WE'RE STILL PUSHING TO GET THIS VOTED AS FAR AS EMINENT DOMAIN BECAUSE OF TIMEWISE.<br><br>MAINLY BECAUSE OF TIMEWISE. THE 99 ACRES, AS MR. KIYONAGA MENTIONED WE HAVE PLAN PORES THAT AND LANDFILLING WAS NOT THE PRIORITY, WASTE-TO-ENERGY, LAND SEGREGATION, ABANDON VEHICLE HOT THAT WE'RE CURRENTLY RENTING AND TO SET ASIDE LAND FOR DISASTER DEBRIS IF ANOTHER DISASTERS HITS US DOWN THE ROAD. IT'S AT GRADE. THIS . >> MR. AGAWA, LET'S TALK ABOUT WHAT IS POSSIBLE. >> REAL QUICK, THE PARCEL I WAS MENTIONING IS 59 ACRES.<br><br>IS THERE ANOTHER 99-ACRE PARCEL THAT I WASN'T TALKING ABOUT THAT IS RIGHT NEXT DOOR? I'M SORRY, I'M CONFUSED. I JUST WANT TO GET THE PARCEL CORRECT, DIRECT. >> DIRECTOR. >> THANK YOU, CHAIR, THANK YOU, MEMBER UU-HODGINS. WE ACQUIRED THE ACRES WITH A SEPARATE LAND DEAL WITH A&B AND ANOTHER FOR A TOTAL OF 99 ACRES. >> THE 40 ACRES ISN'T SHOWN ON OURS I DON'T KNOW WHAT WAS PROVIDED TO YOU.<br><br>I'M NOT SEEING THAT. >> MR. KIYONAGA. >> SORRY. >> WHAT I'M GETTING AT THAT THE IDEAL LOCATION, I THINK WITHOUT A DOUBT IS THE PHASE VI. WE HAVE OUR INFRASTRUCTURE READY TO ACCEPT IT. WE HAVE THE ABILITY FOR 20% MORE VOLUME.<br><br>AND WE CAN ADDRESS THE NEED FOR M.S.W. TRASH AND NOT JUST C & D; RIGHT? WE'RE IN A CRITICAL STAGE HOWEVER WE'RE WILLING TO DISCUSS WITH KOMAR, MR. GOMES AND MR. OTA, ON OTHER OPTIONS AS FAR AS LAND. MAYBE A LAND SWAP, LIKE HOW WE INITIATED WITH A&B BEFORE? BUT THE URGENCY OF TIMEWISE, WE REALLY NEED THE LAND, AND WHAT I'M GETTING AT, WE CAN CONTINUE TO WORK WITH THEM TO FIGURE THIS OUT, SO IT BECOMES FAIR FOR ALL. BUT THE URGENCY ON THE KOMAR IS TIME RIGHT NOW.<br><br>SO I JUST WANTED TO MENTION THAT. THANK YOU. >> THANK YOU, DIRECTOR AGAWA. THANK YOU, CHAIR. IF I CAN, I COMPLETELY UNDERSTAND THE TIMING OF IT ALL, AND I DON'T DISAGREE WITH MEMBER PALTIN. CONSIDERING THIS DOESN'T SLOW DOWN THE MOVEMENT TO THE TEMPORARY DEBRIS SITE, THEN WE HAVE TO GO INTO COURTS AND THEN THEY HAVE TO DESIGN THE NEXT 20% AND THEN THEY HAVE TO CONSTRUCT IT. I'M ASSUMING THAT THEY CANNOT APPLY FOR PERMITTING IF WE DON'T ACTUALLY OWN IT YET.<br><br>SO THE APPLICATION PROCESS WOULDN'T BE STARTED ANY TIME SOON UNTIL THE EMINENT DOMAIN PROCESS IS DONE AND WE DON'T KNOW HOW LONG THAT IS GOING TO TAKE. I'M HAPPY TO HAVE IT ON THE 19TH AND I REALLY DON'T FEEL COMFORTABLE VOTING ON IT TODAY. I PREFER WE TAKE IT TO COMMITTEE, ONLY BECAUSE I DON'T THINK WE SHOULD EVER CONSIDER EMINENT DOMAIN AS OUR FIRST OPTION. I UNDERSTAND THAT WE HAD THIS CONVERSATION BEFORE. WE HAVE HAD A LONG TERRIBLE HISTORY WITH EMINENT DOMAIN AS IT RELATES TO LARGE LANDOWNERS AND SMALL LANDOWNERS AND IT DOESN'T MATTER ABOUT WHO OWNS THE PROPERTY? I OWN PROPERTY. IF WE WOULD ENTERTAIN TAKING SOMEBODY'S LAND FOR WHATEVER REASON, AND I DON'T DISAGREE THAT THIS IS A VERY, VERY VALID REASON.<br><br>I WOULD BE SO HESITANT AS A LANDOWNER THAT THIS IS WHAT WE'RE GOING TO DO TO HE EVERYBODY ELSE, TALKING ABOUT THE RAISING OF OUR SHORELINES AND TALKING ABOUT ALL KINDS OF STUFF . IF WE JUST MAKE THIS DECISION TODAY, IN THE LAST TWO HOURS THAT WE HAD THIS CONVERSATION, I WOULD BE TERRIFIED AS ALAND OWN AND IT DOESN'T MATTER THE -- HAVING THIS DISCUSSION TWO HOURS WITHOUT TAKING IT TO COMMITTEE, WE HAVE HAD I DON'T KNOW HOW LONG WE HAVE BEEN DISCUSSING THIS WITH ADMIN, BECAUSE WE ONLY GOT

IT LAST WEEK. WHEN WE DON'T HAVE THE LUXURY TO HAVE THIS IN COMMITTEE IS KIND OF SCARY. WE TALK ABOUT A LOT OF THINGS ALL THE TIME. WE TALKED ABOUT THE HOUSING PROJECTS, IN HOUSING AND BUDGET, AND THEN FULL COUNCIL. AND WE NEED HOUSING, JUST LIKE WE NEED THIS DEBRIS SITE. I DON'T GET THAT? I 100% GET IT, BUT WE CONSTANTLY HAVE THE SAME CONVERSATIONS ABOUT ALL KINDS OF THINGS, HERE, THERE AND ELSEWHERE.

EMINENT DOMAIN SHOULD BE TAKING VERY SERIOUSLY AND I DON'T DISAGREE THAT WE PROBABLY NEEDED THIS YESTERDAY. I WOULD HAPPILY PUT THIS ON MY AGENDA FOR THE 19TH, WHICH IS MY BIRTHDAY AND I WILL BE SURE MATURE THAT DAY. [LAUGHTER]. >> GEEZ. VICE-CHAIR SUGIMURA. >> I WAS GOING TO SAY SOMETHING MAYBE A LITTLE BIT SIMILAR. THIS IS VERY IMPORTANT. SO I REALLY WANT TO HAVE A LONGER DISCUSSION, AND I'M SERIOUS, I WOULD LOVE TO MEET THESE PEOPLE, WHO ARE NOT EVEN RESIDENTS OF MAUI, THAT I ENCOUNTERED THEIR NAME IN THAT MEETING WHERE RIKI HOKAMA WAS BUDGET CHAIR AND FIND OUT THAT THE LAND WAS SOLD TO THEM?

AND WE WERE GOING THROUGH THE PROCESS OF PURCHASING IT AND MAYBE WE TOOK TOO LONG, I DON'T KNOW WHY? I WOULD LOVE THEM TO BE INVOLVED IN THE CONVERSATION SO WE CAN MEET THEM, BECAUSE THEY OWN AN IMPORTANT PARCEL OF LAND THAT IS IMPORTANT TO WEST MAUI AND ALSO IMPORTANT TO UP COUNTRY. BECAUSE OUR DEBRIS WENT TO THE CENTRAL MAUI LANDFILL AND I DON'T KNOW EXACTLY WHERE THESE PARCELS ARE, BUT IT CERTAINLY HELPED TO SOLVE MY COMMUNITY'S AND THE HOPE THAT I HAVE SEEN IN MY COMMUNITY COME FORWARD, THEY ARE STARTING TO SUBMIT THEIR BUILDING PERMITS AND WHATEVER. YOU ALL HELPED ME SO MUCH. AND I WANT TO HELP YOU, WHERE WE CAN. BUT LET'S HAVE A DISCUSSION THAT IS IN-DEPTH, AND FAIR TO EVERYBODY. I DON'T WANT TO PASS IT ON FIRST READING AT THIS MOMENT.

PRO TEM KAMA. >> WE DON'T HAVE A MOTION ON THE FLOOR TO DO ANYTHING TODAY; RIGHT? THIS IS JUST TO REFER TO COMMITTEE. WE'RE HAVING A DISCUSSION, AND MY SENSE IS THAT LET IT GO TO COMMITTEE. MEMBER PALTIN IS IN AGREEMENT WITH IT GOING TO COMMITTEE; RIGHT? DID YOU WANT TO PASS IT ON THE FLOOR TODAY? BECAUSE THAT IS PRETTY RISKY?

I WOULD LIKE TO PASS IT ON THE FLOOR, HEAR IT IN COMMITTEE, AND THEN GO TO SECOND READING. >> SECOND. >> THAT IS MY MOTION. >> ALL RIGHT. DID YOU WANT TO CONTINUE YOUR DISCUSSION? >> SO I DON'T AGREE WITH THAT. SO I WOULD BE VOTING NO.

OKAY, I JUST LIKE TO SAY EARLY ON BEFORE WE TAKE THE VOTE, THAT IT APPEARS THAT MORE THAN LIKELY, WE'RE GOING TO HAVE TO PROCEED WITH CONDEMNATION, IF THAT IS WHAT LAHAINA NEEDS; RIGHT? THAT IS NOTHING PERSONAL OR ANYTHING LIKE THAT, BUT WE'RE IN A CRISIS SITUATION. SO IF IT GOES TO COMMITTEE, IT'S KIND OF PROLONGING THE INEVITABLE, I THINK. BUT IF IT'S GOING TO HELP WITH BRINGING SOME CLOSURE, OR A COMPROMISE, OR SOMETHING LIKE THAT, I THINK THAT IS WHAT THE MEMBERS ARE LOOKING FOR MORE AT THIS POINT. NOT SO MUCH -- OR NOT ALLOWING FOR THE LAHAINA DEBRIS TO GO TO CENTRAL MAUI LANDFILL. SO YOU MENTIONED EARLIER THAT YOU WERE AGREEABLE TO CONTINUE DISCUSSIONS WITH THE COUNTY -- IN ORDER TO ACHIEVE A FAIR RESOLUTION; RIGHT? MR.

OTA? >> CHAIR, YES, I DEFINITELY AGREE ON THE URGENCY, AND I AGREE ON THE CONCEPT OF WHAT YOU GUYS ARE TRYING TO ACCOMPLISH, JUST BECAUSE OF THE SITUATION WE'RE IN. SO I AGREE TO MOVE FORWARD ON WHAT YOU HAVE TO DO. AT THE SAME TIME, I THINK FROM WHAT IS BEST FROM THE COMMUNITY'S STANDPOINT, I AGREE. ON THE LATER PART WHERE THIS ACTION TAKES PLACE, HOW IT GETS PROCESSED, I THINK WE HAD A REALLY GREAT RELATIONSHIP WITH DIRECTOR AGAWA, AND WE UNDERSTAND HIS IMPORTANCE, AND HIS LEADERSHIP OF WHAT HE HAS ACCOMPLISHED JUST MAKING SURE THAT HAS BEEN DONE. WE CAN DEFINITELY MOVE FORWARD ON THAT PART. SO WHATEVER IT TAKES, AND I UNDERSTAND WHAT YOU ARE SAYING, AND I THINK IT IS THE BENEFIT FOR THE COMMUNITY.

I JUST HAVE TO MAKE SURE WE UNDERSTAND THAT I HAVE TO GO DEAL WITH THE PROPERTY OWNERS ON THIS, AND I THINK THEY ARE ALWAYS ENCOURAGED TO MOVE FORWARD ON THIS. I JUST DON'T KNOW WHAT THE PROCESS -- I CAN'T SPEAK ON THEIR BEHALF. >> OKAY. THANK YOU. I THINK MEMBER PALTIN HAD HER HAND UP. >> THANK YOU TO DISCUSS ON THE MOTION. I THINK THE KEY ISSUE ON MOVING ON FIRST READING TODAY AND STILL DISCUSSING IT IN COMMITTEE IS THE URGENCY AND THE TIMEFRAME. WHAT WE ALWAYS HEAR FROM FEMA IS YOU KNOW, FILTERING FOR SIX MONTHS, THE END OF THE DISASTER IN 18 MONTHS, WHICH BRINGS US TO FEBRUARY 2025. AND THEY HAVE

BEEN EXTENDING IT US, BECAUSE THIS IS AN ATYPICAL DISASTER UNDER THIS ADMINISTRATION, EVERYTHING IS POLITICS, THERE'S AN ELECTION COMING UP.\r\n\r\nYOU KNOW? THERE'S NO GUARANTEES OF CONTINUED EXTENSIONS, THERE'S NO GUARANTEES OF REIMBURSEMENT TO THE LEVEL THAT WE HAVE BEEN SEEING SO FAR. SO EACH STEP THAT WE TAKE FORWARD TO SHOW THE FEDERAL GOVERNMENT, TO SHOW THE ARMY CORPS OF ENGINEERS THAT WE'RE SERIOUS, AFTER WE WORKED TO SEPARATE THE TEMPORARY DISPOSAL SITE FROM THE PERMANENT DISPOSAL SITE IS CRITICAL IN SHOWING THAT WE'RE MOVING FORWARD, NOT ONLY TO OUR COMMUNITY, BUT TO OUR FEDERAL PARTNERS, WHO ARE FOOTING WHAT WOULD BE, I THINK \$60 MILLION TRANSPORT FEE. YOU KNOW, IF IT WERE UP TO THEM, THE FINAL DISPOSAL SITE WOULD HAVE BEEN OLOWALU, BECAUSE YOU JUST MOVE IT FROM ONE TO THE OTHER. I THINK THEY SAID AT THAT POINT, THE TIMEFRAME FOR BUILDING OF A SUBTITLE C LANDFILL WOULD BE 8-10 MONTHS. IF WE ALREADY HAVE A HOLE IN THE GROUND, IF WE ALREADY HAVE EAS AND EISES CUED UP AND THIS IS A HIGHLY ATYPICAL SITUATION, I THINK IT'S CRITICAL THAT WE DO THE DUE DILIGENCE THAT MEMBER UU-HODGINS IS TALKING ABOUT, BUT WE DON'T LET THAT STOP FORWARD PROGRESSION. AND I'M NOT SUGGESTING THAT WE DON'T INVITE THE LANDOWNER ON THE 19TH.\r\n\r\nBUT THIS IS ABOUT THE SAME AMOUNT OF TIME AS A COMMITTEE MEETING THAT WE HAVE BEEN SPENDING ON IT RIGHT NOW. THE TIME IS AN ISSUE. CAPACITY IN TERMS OF GETTING THE MOST USE OUT OF 20 ACRES TO ADD 20% CAPACITY IS A LANDLOCKED PARCEL. EXPERIENCE IN PERMITTING AND DESIGNING A LANDFILL, ALL OF THESE THINGS, I THINK WE CAN DO EVERYTHING THAT WE NEED TO DO IN COMMITTEE ON THE 19TH, AND NOT WASTE TIME, BECAUSE TIME IS VERY CRITICAL. YOU KNOW, WHETHER OR NOT YOU LOST YOUR HOUSE IN LAHAINA, IT'S NOT EASY LIVING IN LAHAINA RIGHT NOW. THERE'S NO BASEBALL FIELD FOR THE BASEBALL TEAM TO PLAY ON. THERE'S A TEMPORARY TRAFFIC LIGHT THAT WAS INITIALLY SET AT ONE MINUTE GREEN, 30 SECONDS RED, YOU CAN IMAGINE HOW THAT WENT OVER ON THE ONE-WAY IN AND OUT OF LAHAINA?\r\n\r\nTHAT HAS CONSTRUCTION PUSHING IN ONTO THE ONE-WAY IN AND OUT OF LAHAINA, YOU KNOW? KIDS ARE LEARNING IN TENTS, THAT YOU CAN'T PUT HOOKS ON THE BUILDINGS BECAUSE THEY ARE EITHER TENTS OR MAGNETS OR SOMETHING. SO EVERYTHING, JUST COMING TO WORK AT THIS BUILDING IS DIFFICULT. AND WE DON'T NEED ANY MORE HOLD-UPS IF WE CAN DO EVERYTHING THAT IS BEING REQUESTED. ALL NOT PASSING FIRST READING TODAY WILL PROLONG THINGS AN EXTRA WOULD WEEKS, BECAUSE WE CAN STILL HAVE A FULL DISCUSSION IN COMMITTEE. EVERY STEP WE MAKE FORWARD IS A SIGN OF HOPE FOR THE COMMENT. WHEN THE FIRST LOT WAS CLEARED, I KNOW IT WAS VERY HURTFUL TO SEE IT GO TO OLOWALU.\r\n\r\nIT WAS HURTFUL FOR ME, TOO, TO SEE IT GO TO OLOWALU. BUT THE HOPE THAT IT BROUGHT THE COMMUNITY WAS JUST PALPABLE, YOU KNOW? AND PEOPLE, PEOPLE HAVE HOPE THAT THEY CAN GET BACK ON THEIR LAND BEFORE THEY DIE. YOU KNOW, THERE IS SOME BICKERING ABOUT INTERIM HOUSING AND MORE TRAFFIC AND THINGS LIKE THAT, BUT YOU KNOW, THE MORE LONGER WE WAIT, THE MORE CHANCES WE'RE GOING TO HAVE TO PAY MORE BIG MONEY TO FEMA, BECAUSE WE JUST NEED TO SHOW THAT WE'RE MAKING PROGRESS, TO ENSURE THAT WE KEEP GETTING THOSE EXTENSIONS, AND I DON'T THINK ANYONE CAN FORECAST THE OUTCOME OF THE NEXT PRESIDENTIAL ELECTION, OR IF THE MAKE-UP OF ALL NATIONAL POLITICS, STATE POLITICS, COUNTY POLITICS CHANGES, IF WE'LL BE ON THE SAME TRAJECTORY THAT WE ARE ON NOW? SO THAT IS MY FIRST DISCUSSION TOWARDS THIS MOTION. >> PRO TEM KAMA. >> THIS WOULD BE MY SECOND TIME, BUT IF SOMEONE ELSE WANTS TO GO FIRST?\r\n\r\n>> ANYBODY WANT TO GO FIRST? MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR, AND MEMBER JOHNSON, I SAW HIS HAND UP. I DON'T KNOW IF IT WAS BEFORE ME OR AFTER, BUT I WILL JUST GO AND YOU CAN GO AFTER. OKAY. COOL. I WANTED TO ASK A QUESTION OF DIRECTOR AGAWA ABOUT THE ACTION OF EMINENT DOMAIN.\r\n\r\nHAS THE DEPARTMENT TRIED BEFORE WE HAVE COME TO THIS POINT? >> DIRECTOR. >> THANK YOU, CHAIR. THANK YOU, MEMBER RAWLINS-FERNANDEZ. YES. YOU KNOW, IN RESPONSE TO MEMBER UU-HODGINS' CONCERN ABOUT EMINENT DOMAIN, THIS IS NEVER THE REQUESTED OR PREFERRED OPTION WE WERE TRYING TO GET THIS PROPERTY FOR YEARS, FOR YEARS. IT'S NOT DUE TO LACK OF EFFORT, BUT BECAUSE OF THE AIRSPACE, BECAUSE OF THE DISASTER DEBRIS, THAT TYPE OF THING WE ALWAYS TRY TO AVOID EMINENT DOMAIN AND TO GIVE YOU AN IDEA.\r\n\r\nWHEN WE LOOKED INTO THIS EMINENT DOMAIN, IT'S HARD TO FIND ANYBODY IN THE COUNTY WITH EXPERIENCE, BECAUSE IT'S SO RARE.

WE ASKED AROUND, HEY, WHAT IS THE PROCESS? THERE'S NO HISTORICAL DATA IN THE RECENT FUTURE, BECAUSE IT'S NOT THE PREFERRED ROUTE. SO I JUST WANT TO MAKE THAT CLEAR, AND I ALSO WANT TO ASSURE EVERYBODY, IF THIS PASSES AND WE DO GO AND PROCEED TO EMINENT DOMAIN, IT'S NOT TO SAY OH, WE GOT OUR WAY AND WE'RE GOING TO WALK AWAY FROM IT, NO, NO, NO. IT'S OUR INTENT TO MAKE THINGS RIGHT BETWEEN EVERYBODY TO BEST OF OUR ABILITY, BECAUSE WE WEREN'T ASKED TO BE PUT IN THIS POSITION. CIRCUMSTANCES LED US HERE. SO THANK YOU FOR ASKING THAT QUESTION, AND LETTING ME SPEAK ON THAT.\r\n\r\n>> MAHALO, DIRECTOR AGAWA. SO IF THE EIS WAS COMPLETED, AND PUBLISHED, OR SORRY THE EA IN 1996, THEN IT SOUNDS LIKE THEY WERE DISCUSSING THIS WHEN I WAS LIKE MAYBE IN 5TH GRADE. 6TH GRADE. SO YES, LONG TIME. >> I WOULDN'T BRAG ABOUT THAT. [LAUGHTER ] >> ABOUT BEING IN ELEMENTARY SCHOOL? IN 1996. >> LET'S NOT START SOMETHING -- [LAUGHTER ]. >> YOU STARTED.\r\n\r\nOKAY. OKAY. I LOST TRACK. WHERE WAS I? OKAY. 5TH GRADE, 6TH GRADE. SO I KNOW WE HAD DISCUSSION ABOUT INVITING THE LANDOWNER. I DON'T KNOW THE FAMILY KOMAR AND THAT IS FINE.\r\n\r\nBUT MY UNDERSTANDING IS MR. OTA AND MR. GOMES ARE REPRESENTING THE LANDOWNER'S INTEREST IN BEING HERE. SO THEY CAN COME, YOU KNOW? THAT IS GOOD. BUT I DON'T IMAGINE IT WOULD BE TOO DIFFERENT THAN WHAT OUR TWO RESOURCES ARE SAYING TO US NOW. AND YOU KNOW, WHEN THE COUNTY WAS DISCUSSING ACQUIRING THIS PROPERTY FROM A&B AND A&B TURNED AROUND AND SOLD IT TO KOMAR, I MEAN, I DON'T UNDERSTAND WHAT THE THOUGHT NOW OF THEM DOING SOMETHING GOOD FOR THE COMMUNITY, WHEN THEY UNDERCUT THE COUNTY, WHICH IS THE COMMUNITY IN PURCHASING THE LAND FROM UNDER US FROM A&B. A&B AND IT SOUND LIKE KOMAR, THEY'RE CAPITALISTS.\r\n\r\nTHEY ARE IN IT TO PROFIT AND MAKE MONEY AND THE COUNTY IS NOT PROFIT, IT'S ON THE GOVERNMENT REPRESENTATIVES THE INTERESTS OF THE PEOPLE. WE'RE NOT MAKING A PROFIT. WHAT WE'RE CONSIDERING IS A COMPANY -- ACQUIRING THIS PROPERTY, MOVING AHEAD FOR PROFIT AND THAT IS FINE, IT'S A CAPITALISTIC SYSTEM AND BUSINESSES ARE IN IT TO MAKE MONEY. THE COUNTY IS NOT, AND WITH A WE HAVE BEEN TASKED TO DO AND WE ARE RESPONSIBLE TO OUR COMMUNITY MEMBERS SO I REALLY DON'T UNDERSTAND WHAT WE HOPE TO ACCOMPLISH, WE'RE REPRESENTING THE PUBLIC INTEREST, AND IT'S BEING PITTED AGAINST CAPITALISTIC INTERESTS. AND I KNOW IT'S BEEN SAID A COUPLE OF TIMES NOW, BUT YOU KNOW, AS POLICY MAKERS AND LEGISLATORS TO BE NEUTRAL AS TO WHO THE PARTIES ARE AND NOT FINE MORE FAVOR BECAUSE WE LIKE SOMEONE, OR IF WE DON'T LIKE SOMEONE. WE SHOULD BE FOCUSED ON THE ACTION AT-HAND AND THE BENEFIT ON BEHALF OF THE PUBLIC, AND NOT WHO PEOPLE ARE IN THEIR PERSONAL CAPACITIES. SO I JUST WANT US TO ENSURE THAT WE'RE CONTINUING TO KEEP THAT SEPARATE.\r\n\r\nI FULLY SUPPORT MOVING AHEAD WITH THIS ACTION AFTER UNDERSTANDING THE FULLNESS OF WHY I PROBABLY DON'T EVEN KNOW THE FULLNESS/FULLNESS OF THE HISTORY FROM THE 90S TO NOW, JUST A TINY BIT. AND AS MEMBER PALTIN SAID, THIS ISN'T LIKE WE'RE EXERCISING EMINENT DOMAIN OVER SOMEONE'S RESIDENCE, AND EVICTING THEM FROM THEIR HOUSE. I THINK IT'S IMPORTANT THAT WE NOT CONFLATE, OR FEAR-MONGER IN THAT SENSE. THESE ARE SEPARATE THINGS. THIS HAS A LONG HISTORY AND A PUBLIC HISTORY. SO THIS ISN'T SOMETHING -- THIS ISN'T -- EMINENT DOMAIN HAPPENING BEHIND CLOSED DOORS. 1990S TO NOW IS A WHILE TO BE DISCUSSING THIS AND THE INTENTION WITH THAT PARCEL THAT IS SURROUNDED BY THE COUNTY-OWNED LANDFILL.\r\n\r\nSO I WILL BE SUPPORTING THE MOTION ON THE FLOOR AND LOOKING FORWARD TO MORE DISCUSSION AND HISTORY OF THIS AND TAKING IT UP ON SECOND AND FINAL LATER. MAHALO, CHAIR. MR. COOK. >> I WILL SUPPORT SENDING TO COMMITTEE AND TO RESPOND TO MY COLLEAGUES' COMMENTS I'M LOOKING AT THIS BEING IN THE PUBLIC GOOD TO BE ABLE TO IDENTIFY POTENTIAL OTHER PROPERTIES, AND THE COUNTY COLLABORATE WITH THE PARTIES TO BASICALLY BE ABLE TO SATISFY THE INTENT OF A CONSTRUCTION LANDFILL; AND ALSO SATISFY THE REQUIREMENT AND NEED FOR THE EXPANSION AT THE EXISTING SITE. I THINK LIKE PASSING THIS TODAY, AND HAVING THE STAMP OF EMINENT DOMAIN ON THE TRANSACTION, AND HAVING A MEETING FOR TWO-WEEK TIMELINE IS KIND OF DISINGENUINE WITH THE DISCUSSION AND I CONCUR THIS PROPERTY IS GOING TO BE USED FOR THE LAHAINA WASTE AND WHAT IT IS. I JUST FEEL THAT THE SPIRIT OF COLLABORATION THAT EXISTS BETWEEN THE PARTIS WHO HAVE THE PARTY AND THIS BEING DISCUSSED AND THE COUNTY IS SUCH THAT BY JUST A WEEK'S DELAY, PUTTING IT IN

COMMITTEE, HAVING EVERYBODY THERE AND DISCUSSING IT, GOING TO COUNCIL, AND HAVING FIRM RESOLUTION.

MEMBER SINENCI: I SHARE ALSO -- I ALSO AGREE WITH MY COLLEAGUE, NOHELANI UU-HODGINS IS THAT THE PUBLIC ON TWO-FOLD, UNDERSTANDING THAT WE UNDERSTAND THE PAIN, AND THE STRESS FROM THE FIRE, AND ALSO UNDERSTANDING THE MAGNITUDE AND THE DEPTH OF EMINENT DOMAIN FOR SOMEBODY'S BUSINESS AND PROPERTY AND I DON'T LOOK AT THIS NECESSARILY AS A CAPITALISTIC ENTERPRISE, BUT PUBLIC SERVICE BECAUSE FROM MY EXPERIENCE, THE CONSTRUCTION DEBRIS MANAGEMENT OF IT IS A PUBLIC SERVICE. THAT IS MY -

MEMBER UU-HODGINS: >> THANK YOU. OTHERS? DO YOU HAVE ANYTHING TO SAY, MEMBER SINENCI? MEMBER UU-HODGINS: OKAY. WELL, I JUST WANT TO FINISH THAT SIDE.

MEMBER JOHNSON: >> THANK YOU, CHAIR. I SUPPORT VOTING ON IT TODAY. AND IF WE NEED TO TAKE IT TO COMMITTEE FOR DISCUSSION IS FINE. I DON'T WANT TO DELAY. IF MY WORDS SOUND AS CRITICISM TO THE PEOPLE THAT ARE WANTING TO NOT MOVE THIS FORWARD, IT'S NOT A CRITICISM OF YOU, IT'S MORE OF A CRITICISM OF OUR SYSTEMS. YOU KNOW, I THINK THAT -- I ECHO WHAT COUNCIL MEMBER RAWLINS-FERNANDEZ SAID.

MEMBER JOHNSON: WE HAVE TO LOOK AT WHAT OUR PEOPLE'S NEEDS ARE FIRST. WE HAVE TO WALK A MILE IN THEIR SHOES, THE WEST MAUI FOLKS HAVE LOST EVERYTHING. AND WE NEED TO HELP THOSE FOLKS AND BE CONCERNED ABOUT SOMEONE WHO HAS THE LUXURY TO PURCHASE LAND FOR THIS BUSINESS VENTURE, OR THAT BUSINESS VENTURE. THAT IS FINE AND ALL, BUT AT THE END OF THE DAY, THERE'S FOLKS IN WEST MAUI AND YOU HEARD COUNCIL MEMBER PALTIN, THE RIPPLE EFFECTS NOT ONLY USE OR LOSING YOUR HOUSE AND LOSING INFRASTRUCTURE AND HOW HARD IT IS ON THEM DAY IN DAY OUT, A MONTH LONG DELAY I'M NOT OKAY WITH. A DAY LONG DELAY I'M NOT OKAY WITH. WE HAVE TO PUT OURSELVES IN THE SHOES OF THOSE FOLKS WHO LOST EVERYTHING AND THAT IS REALLY WHY WE SHOULD VOTE ON IT TODAY AND PASS IT OUT OF COMMITTEE TODAY. YOU KNOW, FOR THE GOVERNMENT -- SO THE IDEA OF EMINENT DOMAIN MAY SOUND SCARY TO SOME FOLKS, BUT AGAIN, I THINK WE'RE PUTTING OURSELVES IN THE SHOES OF LARGE LANDOWNERS, AND THE WAY THE CAPITALISM SYSTEM WORKS THERE'S FORECLOSURES AND QUIET TITLES THAT TAKE LAND FROM FOLKS, FROM NATIVE HAWAIIANS ALL THE TIME AND NOT A PEEP COMES OUT ON THOSE SYSTEMS, BUT WHEN THE GOVERNMENT TRIES TO EXERCISE ITS RIGHT, WHICH IS CONSTITUTIONALLY THERE, TO HELP FOLKS THAT NEED IT THE MOST, TO LOOK AT THINGS NOT THROUGH THE SIGNS OF DOLLAR SIGNS AND EYES, BUT THROUGH THE IDEAS OF HELP TO PROVIDE A SERVICE.

MEMBER JOHNSON: THAT IS THE WAY WE NEED TO LOOK AT THIS ISSUE. WE CAN'T LOOK AT IT THROUGH DOLLAR SIGNS AND THE EYES TO MAKE SURE THAT PEOPLE MAKE A PROFIT. I THINK EMINENT DOMAIN IS A TOOL, HARDLY EVER USED AND YOU SEE THE INEQUITIES BECAUSE IT'S HARDLY EVER USED. I LIVE ON THE ISLAND OF LANA'I, OWNED BY HOW MUCH MONEY? THE RICHEST PEOPLE IN THE WORLD COME HERE, AND OWN THESE LANDS AND THE HAWAIIANS HAVE BEEN STRUGGLING TO STAY ON THESE LANDS FOR GENERATIONS BECAUSE OF THESE SYSTEMS AND EMINENT DOMAIN COULD HAVE BEEN DISCUSSED PLENTY OF, BUT THAT IS SCARY. TO LOOK IT THROUGH THE LENS OF PEOPLE WOULD LOST EVERYTHING. SOME DON'T EVEN HAVE SHOES, THEY BURNED-OUT AND PEOPLE LITERALLY RUNNING OUT OF THERE WITH THE CLOTHES ON THEIR BACKS, SO I DON'T THINK WE SHOULD CONTINUE TO BE SCARED AND NOT HAVE THE POLITICAL WILL FOR SOMETHING LIKE THAT THAT IS IN OUR PURVIEW.

MEMBER JOHNSON: I REALLY APPRECIATE YOU DIRECTOR AGAWA, THAT IS MOBILE OF YOU AND IT'S IN OUR PURVIEW. SO I RISE IN FULL SUPPORT. THANK YOU, CHAIR >> THANK YOU. >> THANK YOU, CHAIR. SO I AM NOW CLEARLY UNDERSTANDING EVERYTHING THAT WE TALKED ABOUT TODAY. THE ONLY THING I DON'T KNOW IS IF EMINENT DOMAIN IS LEGAL, CAN THE OWNER, CAN THE LANDOWNER SUE US? AND IF THEY CAN, WHAT WILL THAT LOOK LIKE?

CORP. COUNSEL: SO CAN CORP. COUNSEL ANSWER THAT. >> CORP. COUNSEL. >> THANK YOU, CHAIR. SO IN THE PROCESS OF THE EMINENT DOMAIN PROCEDURE COMPLAINT FILED ON THE LANDOWNER AND THAT ARENA, THAT CASE THAT WE PUT FORWARD TO THE COURT IS THEIR OPPORTUNITY TO CONTEST THE EMINENT DOMAIN PROCEEDING IN FRONT OF THE JUDGE WITH THE RIGHT TO BE HEARD AND HAVE A TRIAL AND ALL OF THOSE PROCEDURES WILL BE ADDRESSED THAT TIME. SO NO, OTHER THAN THAT, THEY CANNOT SUES, BUT WITHIN THAT ARENA, THEY CAN CERTAINLY MAKE THEIR CASE.

MEMBER JOHNSON: >> HOW LONG WITH THAT PROCESS BE? >> I CANNOT ANSWER THAT QUESTION. I DON'T KNOW. >> SO I'M GOING TO ASSUME WE'RE GOING TO GO THROUGH THE EMINENT DOMAIN PROCESSES, IT WILL

PROBABLY -- EVERYBODY WILL HAVE THEIR DAY IN COURT. SO WHAT WE'RE GOING TO DO DOING TODAY MIGHT NOT EVEN MATTER AND I WILL STILL BE VOTING NO ON THIS. THANK YOU, CHAIR CAN I JUST CLARIFY? >> YES.\r\n\r\n>> OUR DEPARTMENT CANNOT FILE AN EMINENT DOMAIN WITHIN THE CIRCUIT COURT WITHOUT APPROVAL FROM YOU FOLKS IN ORDER TO DO THAT. >> YOU MAY WANT TO MENTION THAT THAT PROCESS IS FAIRLY QUICK. WE WOULD PAY MARKET VALUE, AND WE WOULD PUT LIKE 10% DOWN, AND TAKE THE PROPERTY. IT'S THAT QUICK. YOU CAN EXPOUND ON THAT, CORP. COUNSEL. >> SO AS I INDICATED EARLIER, I THINK WHEN MEMBER SUGIMURA ASKED THE QUESTION, THERE IS THE ABILITY UNDER THE H.R.S., WHICH WE WOULD TAKE ADVANTAGE OF TO ATTEMPT IMMEDIATE POSSESSION.\r\n\r\nSO ALTHOUGH THE CASE MAY TAKE SOME TIME, THERE IS AN OPPORTUNITY OF COURSE, WE WOULD PUT THAT MONEY FORWARD, AND HIT ALL OF THOSE MILESTONES ABOUT PUBLIC USE, ET CETERA. >> VICE-CHAIR SUGIMURA. >> SO I APPRECIATE ALL OF THIS DISCUSSION, BECAUSE YOU CAN TELL WE'RE ALL PASSIONATELY SITTING HERE, TRYING TO MAKE THE BEST DECISION. BUT IN ORDER TO MAKE THE BEST DECISION, I'M GOING TO HOPE THAT THIS GOES TO THE GREAT COMMITTEE AND WE HAVE THE DEEPER DISCUSSION, FIND OUT THE FACTS. I HOPE ALSO WHAT MEMBER KAMA SUGGESTED IS FOR THE PARTIS TO GET TOGETHER, AND MAYBE TRY TO SEE IF WE CAN COME TO SOME RESOLUTIONS. AND THAT I WOULD LIKE TO SEE THAT THE KOMAR FAMILY, OR WHATEVER THE ACTUAL LANDOWNERS, IF THEY COULD BE PART OF THE DISCUSSION? I WOULD LOVE TO SEE A&B AS PART OF THE DISCUSSION, BECAUSE THEY ARE LARGE LANDOWNERS AND WE KEEP HEARING A&B THIS AND A&B THAT AND I WONDER IF WE COULD HEAR FROM THEM AS TO HOW COME THE LAND WAS SOLD TO KOMAR AND NOT TO USE AND OTHER PROPERTIES, SAME STORIES.\r\n\r\nMAYBE THEY SHOULDN'T BE, BUT THEY ARE A GREAT PART OF WHO WE ARE. I APPRECIATE THEM AND I WOULD LOVE TO HEAR WHAT THEY HAVE TO SAY ABOUT ALL OF THIS, TOO. >> WE'LL MAKE THAT REQUEST THROUGH CHAIR UU-HODGINS. FOR THE GREAT COMMITTEE. >> I WAS THINKING MAYBE GREAT TO ALL OF US. I WAS THINKING WHEN THEY TALK, THAT IS FINE. >> OKAY.\r\n\r\nSO THE MOTION IS TO PASS THIS RESOLUTION FOR CONDEMNATION, EMINENT DOMAIN AND REFER THE ITEM TO THE GREAT COMMITTEE. YES? >> MAHALO, CHAIR. THE MOTION IS TO ADOPT THE RESOLUTION ON FIRST READING, AND TWO READINGS ARE REQUIRED, AND TO HAVE RULE 7B PRESENTATION IN GREAT COMMITTEE, NOT REFERRING THE RESO TO COMMITTEE. MAHALO, CHAIR. >> THANK YOU FOR THAT CLARIFICATION. >> CHAIR?\r\n\r\n>> YES. >> IF WE COULD, THE MOTION TO ADOPT RESO 24-57 WITH A RULE 7G SUSPENSION AND PROCEDURALLY TO TAKE UP RULE 7G FIRST. SO IT WOULD BE TO SUSPEND RULE 7G THAT REQUIRES THE COMMITTEE REPORT. THAT REQUIRES TWO-THIRDS OR SIX VOTES IN THE AFFIRMATIVE. SO IF THE 7G GETS THE SIX VOTES, YOU WOULD MOVE ON TO ADOPTING RESO 24-57, WHICH ONLY REQUIRES FIVE. >> CAN I GET AN OPINION FROM OUR ATTORNEY ON WHEN THAT NEEDS TO OCCUR? >> DAVID.\r\n\r\n>> THANK YOU, CHAIR. I THINK WE HAVE ADVISED THE BODY IN THE PAST AS LONG AS YOU HAVE PROCEDURAL RULE INVOKED AT SOME POINT IN THE PROCESS, BUT WE AGREE WITH THE DEPUTY COUNTY CLERK, LOGICALLY AND THE RULES ENVISION THIS, PROGRESS, FIRST YOU WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL, AND REPORT. AND THEN IF THAT IS ACCOMPLISHED, THEN PASSING THE RESOLUTION ON FIRST READING WOULD BE IN ORDER. BUT IF YOU GO OUT OF ORDER IN CONTRAST TO WHAT THE RULES ENVISION, YOU WOULD PROBABLY STILL BE OKAY. SO YOUR CALL SUBJECT TO OVERRULE BY THE BODY. >> SUBJECT TO OVERRULE BY THE BODY? >> THAT IS TRUE FOR ALL PROCEDURAL, YOU INTERPRET AND APPLY THE RULES.\r\n\r\n>> I WILL TAKE A FIVE-MINUTE RECESS. 6 MINUTES. 12:45. [ GAVEL ] WILL THE COUNCIL MEETING OF MARCH 8TH, PLEASE RECONVENE. MEMBERS, WE'RE STILL IN DISCUSSION. SO I WOULD LIKE TO CALL ON PRO TEM KAMA, AND THEN MEMBER PALTIN. >> THANK YOU, CHAIR, FOR MY THIRD ROUND, AND MY LAST AND FINAL. I JUST WOULD LIKE TO ASK OUR CORP.\r\n\r\nCOUNSEL ONE QUESTION. >> YES. >> MAYBE I DIDN'T GET IT WHEN I ASKED IT, BUT I WANT TO PROBABLY REPHRASE THE QUESTION: . >> CORP. COUNSEL. >> IN EMINENT DOMAIN PROCEEDINGS, THE TAKING OF THE LAND IS GOING TO HAPPEN. THAT IS WHAT IT MEANS; RIGHT? SO MATTER WHAT WE'RE STILL GOING TO TAKE THE LAND?\r\n\r\nAND WHAT IS THE REAL ISSUE IN THE EMINENT DOMAIN PROCEEDINGS? IF I'M GOING TO TAKE YOUR LAND ANYWAY. >> CHAIR? >> YES. >> IT'S NOT A GUARANTY THAT WE'RE GOING TO TAKE THE LAND. THE DEFENDANTS HAVE THE RIGHT TO PRESENT THEIR CASE AS TO WHY THE LAND SHOULD NOT BE TAKEN. SO IT'S NOT A DONE DEAL.\r\n\r\n>> OKAY. >> SO I

DON'T WANT TO GIVE THE IMPRESSION THAT IT JUST IS SIMPLY A PAPERWORK. WHAT IS PRIOR TO THAT TRIAL IS THE ISSUE ABOUT BEING ABLE TO TAKE IMMEDIATE POSSESSION FOR THE USE TO WHICH THE COUNTY WOULD LIKE TO USE IT. THAT IS A DIFFERENT ISSUE, BUT NO, IT'S NOT A DONE DEAL. >> SO IN THE RESO, IT SAYS THAT WE ARE OFFERING \$830,000 TO THE OWNER TO TAKE POSSESSION OF THAT, IS THAT RIGHT? >> CHAIR? >> YES.\r\n\r\n>> SO IN THE RESOLUTION, WHAT WE HAVE ASKED IS THAT WE BE ALLOWED TO GO WITH THE MOST CURRENT APPRAISAL PRICE, WHICH IS THE \$830,000. SO PART OF THE RESOLUTION IS AUTHORIZING US TO USE THAT FUNDS TO DEPOSIT WITH THE COURT. IN THAT SECTION THAT I READ TO YOU, TO ASK FOR IMMEDIATE POSSESSION OF THE PROPERTY. AND THAT IS BASED ON APPRAISAL THAT WAS DONE NOT SO LONG AGO, BUT I DON'T HAVE THE EXACT DATE IN FRONT OF ME. AND IF THE LANDOWNER DOESN'T LIKE THE NUMBERS HE IS GIVEN? THE LANDOWNER CAN CONTEST THE REASONABLE AMOUNT, AND BRING UP DAMAGES DURING THE COURT PROCEEDINGS. IT'S UP TO THE JUDGE TO DETERMINE ULTIMATELY WHAT IS THE JUST AND FAIR COMPENSATION? >> SO THE JUDGE CAN DECIDE MORE OR LESS OR JUST MORE >> THE JUST CAN DECIDE WHATEVER THE JUDGE WANTS BASED ON THE EVIDENCE THAT THE JUDGE HEARS FROM BOTH THE PLAINTIFFS AND DEFENDANTS IN THAT PROCEEDING.\r\n\r\n>> THANK YOU. THANK YOU, CHAIR. >> EBB MANY PALTIN. >> THANK YOU, CHAIR, FOR MY SECOND AND FINAL. I WOULD SAY, EMINENT DOMAIN IS PUBLIC TAKING FOR A PUBLIC PURPOSE. IT SHOULD NOT BE A PRIVATE TAKING FOR A PRIVATE PURPOSE. AND SO YOU KNOW, I'M REALLY OFFENDED AT THE LACK OF INTEGRITY, AND ETHICS FOR PEOPLE TO SUGGEST WE JUST EMINENT DOMAIN LAND FROM A CONVICTED FELON TO GIVE TO A PRIVATE ENTITY FOR THEIR BUSINESS PURPOSES.\r\n\r\nWE'RE EMINENT DOMAINING LAND FOR A PUBLIC PURPOSE, WHICH IS THE ASH DEBRIS OF LAHAINA, WHICH THE PUBLIC SAID THEY DON'T WANT AT OLOWALU. TO TRY AND EMINENT DOMAIN LAND AWAY FROM SOMEBODY, BECAUSE THEY ARE A CONVICTED FELON OR WHATEVER REASON FOR A PRIVATE BUSINESS IS NOT ETHICAL. MAYBE HE IS NOT OUR FRIEND? MAYBE WE DON'T SEE HIM MANY THE COMMUNITY, BUT THAT IS NOT RIGHT. YOUR ACTIONS SHOW YOUR INTEGRITY. THE WORDS COMING OUT OF YOUR MOUTH SHOW YOUR INTEGRITY AND TO SAY, OH, WELL SOMEBODY IS A CONVICTED FELON, LET'S TAKE THEIR LAND AND YOU CAN HAVE THIS LAND, I THINK THAT IS BS. >> ANYBODY ELSE?\r\n\r\nMEMBER SINENCI AND THEN OTHERS. >> MAHALO, CHAIR. JUST A QUESTION FOR MS. DESJARDINS FOR EMINENT DOMAIN, THIS IS A LEGAL PROCESS. CORRECT? YES. >> YES, IT IS.\r\n\r\n>> AND IT FALLS UNDER THE GUISE OF THE ADMINISTRATION? I MEAN IT HAS THAT RIGHT TO EMINENT DOMAIN, IF YOU CAN EXPAND? >> CHAIR? >> YES. >> SO FIRST STEP, UNDER THE LAW, UNDER THE HAWAII REVISED STATUTES IS THAT WE HAVE TO GET PERMISSION FROM COUNCIL TO PROCEED WITH THE EMINENT DOMAIN PROCEEDINGS AND THEN WE PREPARE A COMPLAINT WHICH OUR OFFICE IS WORKING ON IN THE HOPES THAT YOU FOLKS AGREE TO ALLOW US TO TAKE THIS STEP ON BEHALF OF THE ADMINISTRATION. WE'LL FILE THE COMPLAINT WITH THE COURT AND EX-PARTE MOTION ASKING TO TAKE POSSESSION OF THE PROPERTY AND THE PROCEEDINGS WILL CONTINUE FROM THERE. >> RIGHT.\r\n\r\nAND YOU KNOW, I HAVE HEARD FROM MY FELLOW COLLEAGUES, CHAIR, THAT THIS IS NOT ALWAYS USED, EMINENT DOMAIN. AND IT'S SOMETHING THAT WE SELDOM GO INTO, BUT HEARING THE DISCUSSIONS AND HEARING FROM THE LAHAINA COMMUNITY, I WAS HERE WHEN WE HAD 150 PEOPLE COME AND YELL AT US, CALLING US EVIL, BECAUSE WE WERE PUTTING THE DEBRIS AT OLOWALU. AND SO AGAIN, OUR BACKS ARE UP AGAINST THE WALL AGAIN; RIGHT? WE'RE HAVING TO SIT OVER HERE, AND MAKE THIS HARD DECISIONS AGAIN. WE WEREN'T PART OF THAT DISCUSSION ABOUT OLOWALU AND NOW WE'RE HERE, BUT I'M GLAD THAT THE DIRECTOR DID ASK THE PEOPLE AND THE CRITERIA FOR WHERE THE DEBRIS WAS. ONCE AGAIN, CHAIR, OUR BACKS ARE AGAINST THE WALL AGAINST, BECAUSE WE HAVE GOT THIS FEMA HELPING US TRANSPORT THE DEBRIS, BUT TIME IS OF THE ESSENCE AND US AS A COUNTY CANNOT FOOT THE BILL TO TRANSPORT IT TO THE CENTRAL LANDFILL, LIKE EVERYONE HAD SUGGESTED. SO THIS IS UNPRECEDENTED TIMES, CHAIR.\r\n\r\nAN ENTIRE TURN BURNT DOWN AND FOR US TO CONSIDER THIS TODAY IT WARRANTS THIS -- I KNOW IT'S A VERY HEAVY AND THROWDOWN, A STRONG THROWDOWN THE HAMMER, BUT FOR US TO MOVE FORWARD, AND WE DON'T HAVE THE MONEY TO HELP CLEAN UP, WE'RE AGAIN, OUR BACKS ARE AGAINST THE WALL, AND WE KIND OF ARE LEANING ON THIS FEDERAL AID TO HELP US CLEAN UP LAHAINA. SO EVEN THOUGH I WASN'T GOING TO SUPPORT EMINENT DOMAIN, BUT I WAS GOING TO

VOTE ON IT, HOPING THAT THE GENTLEMEN SITTING IN FRONT OF US TODAY, AND DIRECTOR WOULD COME TO SOME KIND OF AGREEMENT FOR THE GOOD OF OUR COMMUNITY, AND YOU GUYS HAVE BEEN GREAT PARTNERS, BUT I WAS HOPING THAT BY VOTING FOR IT, FOR THE 19TH, AND YOU GUYS COULD COME TO SOME KIND OF AGREEMENT THAT WE WOULDN'T HAVE TO VOTE THE SECOND TIME FOR AND GO TO EMINENT DOMAIN. AND WE COULD HAVE BIRTHDAY CAKE THAT DAY. THANK YOU, CHAIR. >> WHO WANTS TO GO NEXT? VICE-CHAIR SUGIMURA. >> THANK YOU.\r\n\r\nSO JUST CLARIFICATION, WE'RE VOTING ON 7G; RIGHT? TO DEFER COMMITTEE REFERRAL? >> NO. >> THE MOTION IS TO WHAT? >> TO ADOPT THE RESOLUTION >> OKAY. SO I'M GOING TO STICK TO WHAT I SAID EARLIER, AND I WANT THIS TO GO TO GREAT FOR A DEEPER DISCUSSION AND I DON'T UNDERSTAND WHO WAS THE CONVICTED -- WHAT TAMARA SAID? I DIDN'T REALLY UNDERSTAND.\r\n\r\n>> JUST GO AHEAD, KEEP GOING. >> OKAY. I'M NOT SURE WHAT THAT IS BECAUSE I DON'T SEE ANYBODY -- I DON'T KNOW WHO THAT IS. I WILL SAY THAT THE DEBRIS REMOVAL IS CONTINUING, BECAUSE WE HAVE THE TEMPORARY SITE. SO IT'S NOT THAT IT STOPPED. BUT THIS IS ABOUT THE BUILDING THE PERMANENT SITE, AND THE URGENCY IS THERE, WHICH WE ALL UNDERSTAND. SO THE PEOPLE OF LAHAINA, IT DOESN'T STOP WHAT IS HAPPENING THERE IN TERMS OF THE ACTIONS OF THE ARMY CORPS OF ENGINEERS, AND THE CONTRACTORS THAT ARE MOVING THE DEBRIS FROM THE HOMESITES TO THE TEMPORARY SITE, WHICH IS IN OLOWALU.\r\n\r\nAND THAT DECISION WAS MADE FOR ANOTHER SITE, WHICH IS NOW THE CENTRAL MAUI LANDFILL. SO THAT IS ON THE TABLE. BUT SAGE, OR DIRECTOR, THAT IS NOT STOPPING; RIGHT? THAT IS STILL CONTINUING AS WE'RE SPEAKING HERE TODAY? THE REMOVAL OF THE DEBRIS? >> OKAY. YES.\r\n\r\n>> RIGHT? >> YOU KNOW, WE'RE JUST INTO OUR FINAL DISCUSSION YES. SO I JUST WANT TO CLARIFY THAT, BECAUSE I DON'T WANT PEOPLE TO THINK WE'RE STOPPING EVERYTHING, BECAUSE WE'RE NOT. IT'S CONTINUING; RIGHT? SO THIS IS IN ADDITION TO, AND TO BUILD THE PERMANENT DISPOSAL SITE. AND THAT WE ALL ARE CONCERNED ABOUT FEMA, AND PAYING FOR ALL OF THIS, AND I THINK THAT THEY HAVE BEEN WORKING WITH US, AND ARE WATCHING WHAT WE'RE DOING BECAUSE THEY WANT US TO FIND SOLUTIONS, JUST AS WE DO.\r\n\r\nSO I'M GOING TO VOTE AGAINST THE MOTION, BECAUSE I DO WANT THIS TO HAVE THE DISCUSSION IN GREAT. BRING THE PARTIES THAT WE TALKED ABOUT, HAVE THEM TALK BEFORE THAT MEETING, AND MAYBE SOME SOLUTIONS CAN BE RESOLVED? IF NOT, YOU KNOW, WE KNOW THE ACTIONS THAT WE MAY TAKE GOING FORWARD. SO THAT IS MY DISCUSSION. >> PRO TEM KAMA. DID HAVE ANOTHER QUESTION? >> NO, I DIDN'T. THANK YOU.\r\n\r\n>> ANYBODY ELSE? OKAY. MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. ON SEPTEMBER 27TH OF LAST YEAR, WE HELD A GREAT COMMITTEE MEETING AT THE WESTIN, AND LISTENED TO OVER TEN HOURS' OF TESTIMONY. AND COMMITTED TO OUR COMMUNITY TO DO EVERYTHING IN OUR POWER TO ADDRESS THEIR NEEDS AFTER THEY LOST ALL OF THEIR MATERIAL THINGS. AS MEMBER PALTIN WAS SAYING, I SEE US AS DOING OUR BEST TO TRY TO ENSURE THAT OUR COMMUNITY CONTINUES TO FEEL HOPE FOR THE FUTURE HERE. I WANT OUR COMMUNITY TO FEEL CONFIDENT IN US THAT WE ARE PUTTING THEIR INTERESTS AT THE FOREFRONT OF OUR DECISION-MAKING.\r\n\r\nI UNDERSTAND HOW OLD SCHOOL POLITICS WORKED. THAT RELATIONSHIPS DOMINATED DECISION-MAKING, EVEN AT THE EXPENSE OF PUBLIC INTEREST AND I REALLY ADMIRE A LOT OF OUR COUNCIL MEMBERS WHO DON'T OPERATE THAT WAY. THIS RESOLUTION WILL BE ADOPTED. NOT TAKING A VOTE TODAY ONLY DELAYS IT BY TWO WEEKS. IF AFTER HEARING ALL ADDITIONAL INFORMATION THAT WE DIDN'T HEAR TODAY IN COMMITTEE, WE DECIDE THAT THIS ISN'T THE BEST PATHWAY FORWARD, WE HAVE THAT OPPORTUNITY ON MARCH 22ND TO VOTE AGAINST IT. AND THE ADMINISTRATION CANNOT MOVE FORWARD WITH EMINENT DOMAIN PROCEEDINGS. I DON'T SUPPORT DELAYING THIS.\r\n\r\nAS MEMBER JOHNSON SAID, EVEN BY A DAY. I WANT OUR COMMUNITY TO KNOW THAT WE GOT THEIR BACK. THAT WE ARE PUTTING LAHAINA FIRST. THAT WE ARE LETTING THEM LEAD AS YOU HEARD FROM DIRECTOR AGAWA, AND INCORPORATING THEIR CHOICE, THEIR PICK INTO THE DECISION-MAKING CRITERIA. THAT THEY DIDN'T WANT THE FINAL DISPOSITION SITE AT OLOWALU. THAT THEY PREFERRED CENTRAL MAUI LANDFILL OVER THAT AREA, AND IN VETTING AND SCORING ALL OF THE AREAS BEFORE THEM, THAT CENTRAL MAUI LANDFILL HAD THE HIGHEST SCORING. AND SO IF WE'RE GOING TO BE PUTTING OUR COMMUNITY FIRST THIS IS ACTION TO TAKE TODAY.\r\n\r\nWE CAN ALWAYS VOTE IT DOWN MARCH 22ND, BUT I WANT TO

TAKE THIS ACTION TODAY, TO SEND THAT MESSAGE TO OUR COMMUNITY. THAT WE LOVE THEM, THAT WE HEAR THEM, AND WE'RE PUTTING THEM FIRST. MAHALO, CHAIR. >> OKAY. I DO HAVE A COUPLE OF THINGS TO SAY. IT'S BEEN CALLED TO MY ATTENTION BY THE DEPUTY COUNTY CLERK THAT THIS WOULD ACTUALLY REQUIRE 7G WAIVER, THIS MOTION. AND AND IT'S EVIDENT BY YOUR COMMENTS THAT THERE IS THERE ISN'T SIX VOTES TO APPROVE THAT WAIVER.\r\n\r\nSO I WILL TELL YOU THAT I WOULD HAVE VOTED FOR THE MOTION, NOT BECAUSE I DON'T AGREE WITH THESE TWO GENTLEMEN, MR. GOMES, AND MR. OTA, BUT I DO SUPPORT THEM, AND I SUPPORT ANOTHER SOLUTION FOR THEM, WHICH I THINK WILL COME IN THE NEXT FEW WEEKS. BUT SINCE WE DON'T HAVE THE VOTES, I'M GOING TO ASK TO WITHDREW HER MOTION AND SECONDER TO WITHDRAW HIS OR HER MOTION AND WITHOUT OBJECTION TO LEAVE THIS ITEM ON THE CLERK'S DESK UNTIL THE NEXT COUNCIL MEETING AND ASK MEMBER UU-HODGINS TO SCHEDULE A 7B IN HER COMMITTEE ON THIS ITEM. YES, MEMBER RAWLINS-FERNANDEZ? >> MAHALO, CHAIR. THAT IS WONDERFUL NEWS.\r\n\r\nTHAT THERE'S A POTENTIAL SOLUTION IN THE VERY NEAR-FUTURE. IN LIGHT OF HEARING THIS, I DON'T KNOW IF PERHAPS THERE WOULD BE A 6TH VOTE TO WAIVE COMMITTEE REFERRAL AND REPORT SINCE I DON'T KNOW AFTER SOME DISCUSSION DURING RECESS, THERE WAS POTENTIAL SOLUTION THAT OTHERS MAY BE OPEN TO? BECAUSE WITHOUT TAKING THIS VOTE TODAY, WE'RE DELAYING IT BY TWO WEEKS. SORRY, I STILL THINK THAT WE SHOULD VOTE ON IT TODAY. IT'S NOT FINAL ACTION. IT STILL REQUIRES A SECOND READING. I AM EXCITED TO HEAR WHAT THE POTENTIAL SOLUTION CAN BE?

\r\n\r\nMAHALO, CHAIR. >> SO THE OTHER THING WE CAN DO IS STILL I WOULD ASK YOU MEMBER PALTIN, TO WITHDRAW YOUR MOTION. WHO WAS THE SECONDER? MEMBER RAWLINS-FERNANDEZ. >> JUST CHECK IF THAT IS AGREE TO EVERYONE? I WILL DO IT IF THAT PLAN IS PUT INTO MOTION >> ANY OBJECTIONS MEMBERS? >> I WOULD LIKE TO VOTE?\r\n\r\n>> ON WHICH? ON WHETHER WE SHOULD TAKE THE VOTE OR NOT? YES. >> CAN I ASK CORP. COUNSEL? >> WE DON'T NEED A 7G TO TAKE THE VOTE. WE NEED 7G BECAUSE WE DIDN'T HAVE COMMITTEE REPORT AND REFERRAL.\r\n\r\nSO WE GENERALLY WOULD DO THE 7G AND THEN TAKE THE MOTION. I DIDN'T REALIZE THERE WOULDN'T BE SUPPORT FOR MOVING THIS FORWARD, UNTIL EVERYBODY STARTED TALKING AND I COULD SEE THERE WASN'T SUPPORT FOR IT TO PASS; RIGHT? 7G REQUIRES SIX VOTES AND HER MOTION REQUIRES FIVE VOTES TO PASS. SO WHAT I'M SAYING IS BECAUSE OF THE NUMBERS, THE MATH IS PLAIN TO EVERYONE, I THINK; THAT THERE IS NOT SIX VOTES TO PASS THE 7G, BUT THERE'S FIVE VOTES TO PASS THE MOTION. >> MAY I ASK A QUESTION FOR CORP. COUNSEL? >> CORP.\r\n\r\nCOUNSEL. >> IF WE TAKE THAT VOTE TODAY, AND THE VOTE FOR THE EMINENT DOMAIN PASSES, BUT THE VOTE FOR THE 7G WAIVER DOES NOT PASS, THEN WHAT HAPPENS? >> CHAIR? >> YES KNOW, I'M GOING TO DEFER TO OCS AND THE CLERK'S OFFICE ON THE PROCEDURAL MATTER, BUT I WOULD REQUEST A QUICK RECESS IN ORDER TO UNDERSTAND PRECISELY WHAT THE RAMIFICATIONS OF THAT ARE? >> WHAT ABOUT THIS ONE? IF THE EMINENT DOMAIN DOESN'T PASS IN THIS VOTE, THEN WHAT HAPPENS? >> CHAIR?\r\n\r\n>> YES. >> THE MOTION WOULD DIE. IT WOULD TAKE WOULD READINGS AND YOU WOULD NOT APPROVE IT AND THAT WOULD BE THE END OF IT. >> IS A MOTION NEEDED TO KEEP IT ON THE CLERK'S DESK? >> I WOULD DEFER TO OCS ON THAT. >> IS A MOTION NEEDED TO KEEP IT ON THE CLERK'S DESK? >> I'M PRETTY SURE WE HAVE THE SUPPORT FOR THAT.\r\n\r\n>> THANK YOU, CHAIR. I'M NOT EXACTLY SURE OF THE SCENARIO THAT IS BEING PRESENTED IN THE QUESTION IF THAT COULD BE CLARIFIED, PLEASE >> SURE. IF THE VOTE TO EMINENT DOMAIN IT FAILS, THEN IT WOULD BE AUTOMATIC SUPPOSED TO BE REFERRED, IF WE WANT TO INSTEAD OF REFER IT, LEAVE IT ON CLERK'S DESK, IS A MOTION NEEDED? AND HOW MANY VOTES WOULD BE NEEDED FOR THAT MOTION TO PASS, IF A MOTION IS NEEDED? >> OKAY. THANK YOU, CHAIR. THERE'S ACTUALLY A LOT IMBEDDED THERE.\r\n\r\nWE'RE POTENTIALLY IN UNCHARTERED TERRITORY. EMINENT DOMAIN RESOLUTIONS ARE A LITTLE BIT UNUSUAL THIS IN THAT THEY TAKE TWO READS AND NORMALLY RESOLUTIONS CAN BE ADOPTED AT ONE COUNCIL MEETING. WE DO HAVE AN OLD CORP. COUNSEL OPINION THAT WE HAVE ALWAYS FOLLOWED THAT A MOTION TO PASS A BILL AT A COUNCIL MEETING ISN'T SUCCESSFUL, THE BILL FAILS AND NO LONGER EXISTS. THERE'S NOTHING LEFT TO DO WITH THE BILL. WE COULDN'T KNOW FOR SURE IF THAT HAPPENS WITH RESOLUTIONS THAT REQUIRE WOULD READINGS TO PASS. I'M NOT SURE THAT SCENARIO HAS EVER OCCURRED SOME SO WE PROBABLY HAVE TO LOOK UP THAT OLD

CORP.\r\n\r\nCOUNSEL OPINION TO SEE IF THERE'S ANY REASONING THERE THAT WE THINK WE COULD APPLY TO THIS SCENARIO. SO ONE POSSIBLE THING TO PUT ON THE RECORD, TO PASS THE RESO ON FIRST OF WOULD READINGS FAILS OR DOES NOT PARK THE RESO COULD BE CONSIDERED NO LONGER EXISTING. SO THERE'S NOTHING LEFT TO LAY ON THE CLERK'S TABLE OR REFER TO COMMITTEE. >> THAT IS THE REASON I WANTED YOU TO WITHDRAW YOUR MOTION FIRST. MEMBER RAWLINS-FERNANDEZ. >> POINT OF ORDER. ONLY UNTIL WE ADJOURN, AND THEN NEXT COUNCIL MEETING WE COULD TAKE IT UP AGAIN, TAKE THE MOTION UP AGAIN.\r\n\r\nIT DOESN'T JUST DIE. WE CAN REAGENDIZE; RIGHT? >> CHAIR? >> YOU KNOW, FOLKS, WE CAN GO AROUND AND AROUND THE MULBERRY BUSH ALL DAY AND THE SIMPLE SOLUTION IS TO HAVE YOU WITHDRAW THE MOTION. THAT WAY IT CAN STAY ON THE CLERK'S DESK, AND I'M SURE THAT MOST OF YOU FROM THE KINDNESS OF YOUR HEARTS WOULD ALLOW THAT TO HAPPEN. SO THEN IF YOU REALLY WANTED TO TAKE 7G VOTE AFTER THAT, JUST TO TEST THE WATERS, YOU WOULD HAVE EVERY RIGHT TO DO THAT. SO CAN YOU PLEASE WITHDRAW YOUR MOTION?\r\n\r\n>> I WILL WITHDRAW IT TO THE CLERK'S TABLE. >> OKAY. THERE IS NO SUCH THING AS THAT, BUT WE'LL TAKE THAT. YOU ARE WITHDRAWING YOUR SECOND? ARE YOU WITHDRAWING YOUR SECOND? >> YOU KNOW, I KNOW IT WAS A YES-OR-NO QUESTION. THE COMMUNITY IS ALWAYS ASKED TO MAKE COMPROMISES, LIKE IN THE PUBLIC INTEREST.\r\n\r\nALWAYS HAVE TO COMPROMISE, EVEN WHEN THERE'S NO RISK, THERE'S NO RISK TO THIS. THERE'S TWO READINGS. WE CAN JUST VOTE ON IT TODAY, AND THEN IT IS NOT FINAL ACTION. SO I DON'T EVEN UNDERSTAND THE RISK RIGHT NOW AND IN ADDITION LIKE, MEMBERS HAVE SAID THAT THEY WANTED TO HAVE THE FOLKS, THE PARTIES CONTINUE CONVERSATION. WE KNOW HAS HAPPENED. IT'S BEEN HAPPENING SINCE THE '90S. THEY ARE NOT GOING TO BUDGE. THERE'S A POTENTIAL TO MAKE MONEY AND THEY DON'T WANT TO GIVE IT UP FOR THE PUBLIC INTEREST, BECAUSE THEY WANT TO MAKE MONEY.\r\n\r\nTHAT IS WHAT IT IS. SO THEN, WHAT DO WE EXPECT DIFFERENT IS GOING TO HAPPEN? IF WE'RE GOING TO ASK THEM TO TALK? DID WE TAKE THIS VOTE TODAY, IT WILL GIVE THE COUNTY A LITTLE BIT MORE LEVERAGE IN DISCUSSING, AND PERHAPS THERE WOULD BE BETTER NEGOTIATION? LIKE RIGHT NOW WHEN MEMBER PALTIN REFERRED TO WHAT AN IDEA WAS THAT JUST CAME UP, SUDDENLY, WHEN THERE'S PRESSURE, PEOPLE GET CREATIVE. SO I THINK WE SHOULD TAKE VOTE TODAY, MAHALO, CHAIR. >> HOLD ON -- >> SO THAT WAS A NO.\r\n\r\nNO. >> WE'RE STILL ON PROCEDURE, MADAM CLERK, CAN I HAVE YOUR INTERPRETATION? >> THANK YOU MANAGEMENT CLASSIC I BELIEVE THIS BODY BY CUSTOM WILL HAVE A MOTION ONCE MADE TO BE WITHDRAWN BY THE MAKER AND SECONDER. HOWEVER, UNDER ROBERT'S RULES OF ORDER, ONCE IT'S MADE AND SECONDED IT'S PROPERTY OF THE BODY. IF YOU WOULD LIKE, WE COULD TAKE A SHORT RECESS. >> NO, I DON'T WANT ANY MORE RECESSES, HONEST TO GOD, NO MORE RECESSES, WE SOLVE THIS RIGHT NOW. MADAM CLERK, MY THINKING IS HOW CAN THERE BE A SECOND TO NO MOTION?\r\n\r\nHOW IS THAT POSSIBLE? >> THE MATTER IS BEFORE THE BODY RIGHT NOW. >> THERE'S NO MOTION. >> IT IS -- IT WAS -- IT'S A MOTION THAT WAS MADE OUT OF ORDER. THIS BODY CAN -- YOU CAN WAIVE RULES. YOU CAN VOTE TO NOT FOLLOW ROBERT'S RULES OF ORDER. THERE ARE OPTIONS BEFORE YOU, BUT CURRENTLY THE MOTION IS OUT OF ORDER, AND SO IF THE 7G FAILS, THEN THIS MOTION WOULD HAVE FAILED AS WELL.\r\n\r\nSO YOU DO NEED TO TAKE A 7G IF THIS MOTION ENDED UP PASSING >> WE'RE NOT EVEN GETTING TO THE 7G YET. I'M JUST TRYING IT WITHDRAW THE MOTION. I'M GOING TO SAY WITHOUT A MOTION, THERE IS NO SUCH THING AS A SECOND TO NO MOTION. OKAY? THAT IS GOING TO BE MY RULING, OKAY? RIGHT NOW. SO AS FAR AS I'M CONCERNED, THERE IS NO MOTION.\r\n\r\nNOW WHAT THE NEXT STEP WOULD BE TO ASK YOU, IF YOU HAVE NO OBJECTIONS, TO LEAVING THIS MATTER ON THE CLERK'S DESK? MEMBER SUGIMURA. >> SO BASICALLY, I BELIEVE THAT ONE OF THE REASONS WHY THIS SHOULD GO TO THE GREAT COMMITTEE. WELL IT WOULD. >> WAIT, WAIT, I'M NOT DONE; RIGHT? IS THAT WE NEED A COMMITTEE REPORT. THIS IS SO IMPORTANT; RIGHT?\r\n\r\nWE AS LONG AS I HAVE BEEN HERE, NEVER HEARD US TAKING AN ACTION LIKE THIS. BUT I THINK HISTORICALLY THE ACTIONS THAT COME OUT OF THE GREAT COUNTY, WHATEVER IT MIGHT BE SHOULD BE DOCUMENTED IN A COMMITTEE REPORT. SO DO I BELIEVE IT'S 7G? NO, WE SHOULDN'T WAIVE COMMITTEE REFER AND SEND IT TO COMMITTEE AND LET IT GET DISCUSSED, BECAUSE IT WILL ACT AS HISTORICAL DOCUMENT AS WE REFER TO IN ALL OF OUR AGENDAS AND COMMITTEE REPORTS THAT WE GET

ABOUT THE ACTIONS THAT WE TAKE AS COUNCIL MEMBERS WILL BE SOMETHING SO IMPORTANT AS THIS DISCUSSION WE'RE HAVING THAT IS WHY WE'RE TAKING SO LONG TO TALK ABOUT IT. >> VICE-CHAIR SUGIMURA, YOU AS CHAIR OF THE BFED COMMITTEE ASKS FOR MORE 7GS THAN ANYBODY ELSE. PLEASE DON'T -- >> IF SOMETHING URGENT, YES. SOMETHING URGENT. DON'T MAKE FUN OF MY COMMITTEE.\r\n\r\nYOU ALL KNOW IT; RIGHT? SO SOMETHING URGENT. >> IS THIS NOT URGENT? >> THIS IS URGENT. BUT IT'S LEGALLY VERY DIFFERENT; RIGHT? IF IT'S SOMETHING THAT -- WE DON'T HAVE TO GO INTO MY PHILOSOPHIES. I JUST SAY THAT IT REQUIRES DISCUSSION IN GREAT.\r\n\r\nIT REQUIRES A COMMITTEE REPORT. SO THAT WE'LL HAVE IT FOR HISTORY. AND IT WILL DOCUMENT THE THINGS THAT ARE PERTINENT AND FACTUAL TO THIS DISCUSSION. IT IS NOT LIKE TRYING TO PASS AN 11,000 DOLLAR BUDGET AMENDMENT. THIS IS ABOUT TAKING PROPERTY. THIS IS GREATER THAN THE KIND OF THINGS WE DO 7G IN COMMITTEE, ALWAYS UP FOR ALL OF OUR APPROVALS. SO IT'S NOT LIKE I DECIDE MYSELF.\r\n\r\n>> MEMBER KAMA. >> THANK YOU, CHAIR. WITH A WHAT WE'RE DOING HERE A LOT OF TIMES SETS PRECEDENT FOR HOW WE CONTINUE HOW WE DO. IF THIS IS WHAT WE'RE GOING DO, WE'RE SETTING PRECEDENCE. THIS IS HOW NOW WE'RE GOING TO CREATE EVERY EMINENT DOMAIN THAT COMES. WE DON'T SEND IT TO COMMITTEE AND DECIDE IT ON THE FLOOR AS IMPORTANT THINGS ARE, PRECEDENCE IS IMPORTANT TOO, AND HOW WE CONTINUE THOSE TRADITIONS. WHAT DID WE DO LAST TIME?\r\n\r\nTHIS IS THE FIRST TIME WITH THIS COUNCIL THAT WE'RE EVER GOING TO DO AN EMINENT DOMAIN. IF WE'RE GOING DO IT, LET'S DO IT RIGHT THE FIRST TIME AROUND, SO THOSE COMING AFTER US WOULD HAVE SOME PRECEDENCE TO FOLLOW. THANK YOU, CHAIR. >> >> >> MEMBER COOK, MEMBER JOHNSON. >> THANK YOU, CHAIR. I WANT TO REALLY REACH OUT TO ALL MY COLLEAGUES, LAHAINA, THE PEOPLE, THE ISSUE IS ALL FRONT AND CENTER, AND I'M ASKING, PLEASE DON'T INTERPRET THE ATTEMPT TO HAVE A WEEK TO REVIEW IT IN COMMITTEE AND BASICALLY HAVE AN OPPORTUNITY TO BASICALLY THE PEOPLE CAN NEGOTIATE, AND THEY KNOW -- I THINK EVERYBODY IS ON NOTICE. THIS PROPERTY IS GOING TO BE THE COUNTY'S. THIS PROPERTY IS GOING TO BE THE COUNTY'S. >> YES, WE ALL AGREE, IT'S GOING TO HAPPEN INEVITABLY.\r\n\r\n>> INEVITABLY. SO HAVING SAID THAT, IT'S APPROPRIATE IN MY OPINION FOR THE LANDOWNERS, THE BUSINESS PEOPLE, AND THE COUNTY THAT HAVE AN OPPORTUNITY TO NEGOTIATE, AND IDENTIFY HOW EVERYBODY'S NEEDS CAN BE MET TO THE BEST OF THE ABILITY WITH WHAT WE HAVE, WITH THE LAHAINA FIRE, AND THE TRAGEDY THAT HAS OCCURRED TO OUR COMMUNITIES LOOMING OVER US. THAT IS NOT LOST. THIS IS NOT ABOUT THE MONEY. THIS IS ABOUT BASICALLY TRYING TO MOVE FORWARD FOR THE VARIOUS LANDFILL NEEDS AND THE VARIOUS PEOPLE NEEDS. SO I WOULD JUST ASK HOW WE FRAME THINGS CAN BE INTERPRETED, AND IT'S FRAMING THIS AS BEING NOT CARING ABOUT LAHAINA OR NOT CARING ABOUT THE PEOPLE IS INACCURATE. I HOPE FOR YOU NOT TO DO THAT.\r\n\r\n>> SO EVERYBODY, PLEASE REMEMBER WHEN YOU SPEAK, TRY NOT TO CHASTISE YOUR NEIGHBOR, OR CRITICIZE OTHER MEMBERS, JUST TALK ABOUT THE MERITS OF YOUR DISCUSSION. OKAY? AND NOT TALK ABOUT PEOPLE'S MOTIVATIONS, AND WHATEVER. JUST TALK ABOUT THE FACTS. BUT WE'RE WASTING A HELLUVA LOT OF TIME ON THIS, WAY MORE THAN NECESSARY. IF YOU THINK ABOUT IT, A COMPROMISE IS RIGHT BEFORE US, YOU WANTED MORE TIME. WE'RE GIVING YOU MORE TIME BY HAVING THIS ITEM SCHEDULED FOR A 7B IN MEMBER UU-HODGINS' COMMITTEE.\r\n\r\nTHAT WAS WE'RE ALL GOING OFF IN THAT DIRECTION, AND NOW ALL OF A SUDDEN WE'RE MAKING A LEFT TURN. BECAUSE THINK OF THIS, IF ONE OF YOU MADE THE MOTION TO REFER THIS TO COMMITTEE, YOU WOULDN'T HAVE FIVE VOTES. JUST THINK. MATHWISE. SO THE COMPROMISE WOULD BE IS TO LAY THIS ON THE CLERK'S TABLE, AND THEN ASK MEMBER UU-HODGINS TO HAVE A PRESENTATION IN HER COMMITTEE. OKAY? WHICH IS DIFFERENT FROM HAVING A COMMITTEE REPORT.\r\n\r\nOKAY? SO THAT IS -- YOU'RE SEEING THAT IS WHAT IS HAPPENING HERE. SO I JUST WANT EVERYBODY TO KNOW THAT WE WERE GOING NICELY DOWN THE LANE, DOING THIS COMPROMISE WITH SOME SHARP WORDS, ALTHOUGH -- YES, SOME PEOPLE LEFT SOME SHARP WORDS ALONG THE WAY, BUT WE WERE GOING TO LEAVE BEFORE THE 6:00 NEWS. NOW IT'S QUESTIONABLE. NOW WHO HAD THEIR HAND UP? MEMBER JOHNSON. >> THANK YOU, CHAIR.\r\n\r\nI HAVE A QUESTION. MAYBE FOR THE CLERKS OR MAYBE FOR OUR CORP. COUNSEL? IF WE DO LEAVE IT ON THE CLERK'S DESK TODAY, AND HAVE A 7B IN THE GREAT COMMITTEE, AT THE NEXT COUNCIL MEETING WILL WE STILL NEED SIX VOTES TO

WAIVE TO PASS THE RESO ON FIRST READING? >> THE ANSWER IS YES. I CAN TELL YOU THAT. YES.\r\n\r\n>> OKAY. SO WE WOULD BE BACK -- >> I HAVE NO DOUBT IT WOULD PASS FIRST READING, BECAUSE EVERYBODY SUPPORTS IT. THE ISSUE HERE IS SOME PEOPLE NEED MORE TIME TO DISTILL THE INFORMATION THAT HAS COME BEFORE US, AND SO SOME OF US MAY NOT NEED THAT TIME. OTHERS MAY NEED THAT TIME. >> FOLKS WHO -- >> JUST ACKNOWLEDGING THAT. >> FOLKS WHO NEED MORE TIME REALIZE THAT THE LONGER WE DELAY, THE MORE OLOWALU BECOMES NOT A TEMPORARY SITE AND THE MORE DEBRIS THAT GOES INTO THIS. OUR INACTIONS CAN BE ACTIONS.\r\n\r\nSO I'M NOT SHOOTING SHOTS, BUT THAT IS MY POINT, AND I THINK I SAID IT. THANK YOU, CHAIR. >> OKAY. NOTHING PERSONAL, MR. JOHNSON, WHEN YOU CRITICIZE SOMEBODY, IT'S HARD FOR THEM, YOU KNOW, TO AGREE WITH YOU. >> YOU CATCH MORE FLIES WITH HONEY -- >> LET'S EVERYBODY SAY THEIR PEACE. MEMBER UU-HODGINS.\r\n\r\n>> THANK YOU, CHAIR. BECAUSE THERE'S BEEN SO MUCH DISCUSSION ABOUT DIFFERENT DATES, WHAT IS DOING WHAT? ALL THE LETTERS AND NUMBERS COMBINATIONS, I FEEL LIKE I'M BACK IN HIGH SCHOOL TALKING ABOUT ALGEBRA. WE'RE GOING PUT THIS ON THE CLERK'S DESK AND HAVE 7B IN MY COMMITTEE. I DON'T DISAGREE WITH MEMBER SUGIMURA THIS DOES SET PRECEDENT. TO BE VERY CLEAR, THIS HAS NOTHING DO WITH WHO OWNS THE PROPERTY AND WHAT IS THE USE? FOR ME, I CANNOT SELECTIVELY APPLY WHAT IS MORALLY CORRECT IN CERTAIN INSTANCES EMINENT DOMAIN WITHOUT A LONG DISCUSSION AND I RESPECT DIRECTOR AGAWA VERY MUCH, THIS WASN'T HIS FIRST OPTION AND THIS IS OUR ONLY OPTION AND I HOPE WE CAN FIND SOME OTHER SOLUTION.\r\n\r\nSO FOR ME, THIS ISN'T ABOUT WHO OWNS PROPERTY AND WHAT THEY PLAN ON DOING WITH WHAT WE NEED TO DO WITH IT? TO ME, MY PRINCIPLES NEED TO BE APPLIED THE SAME TIME ALL THE TIME TO EVERYONE. IT'S NOT -- EVEN IF I DIDN'T LIKE THESE PEOPLE, I WOULD STILL WANT TO HAVE A LONG DISCUSSION. BUT THAT IS SEPARATE FOR ME. I'M HAPPY TO KEEP IT ON THE CLERK'S DESK AND HAVE THE 7B PRESENTATION FOR THE INFORMATION THAT WE NEED TO MAKE A BETTER DECISION. THAT IS ALL IT IS FOR ME. I NEVER WANT TO PUT ANYONE IN THE POSITION THAT THE LAHAINA PEOPLE AND THAT EVERYONE WAS TERRIFIED THAT COUNTY AND STATE WERE COMING FOR THEIR LAND AND THAT WAS SCARY, AND WE DON'T KNOW WHAT HAPPENS.\r\n\r\nSO WE DO NEED TO SHOW THAT WE TAKE GOOD CARE WHEN DISCUSS THINGS LIKE EMINENT DOMAIN. I WOULD NEVER WANT TO DO THIS TO ANYBODY ELSE. AGAIN, IT'S NOT EVEN ABOUT THEM, BUT IT DOES OPEN THE DOOR. I JUST WOULD PREFER A LONG CONVERSATION. THAT IS ALL. THANK YOU, CHAIR. >> ANYBODY ELSE, ANY FINAL REMARKS?\r\n\r\nMEMBER SUGIMURA. >> QUESTION FOR YOU, SO YOUR SOLUTION LAYING THIS ON THE CLERK'S DESK AND BASICALLY TAKING THIS RESOLUTION, LEAVING IT THERE, 7B IN COMMITTEE WE STILL HAVE TO GO THROUGH TWO READINGS AND WE'LL END UP WITH THE SAME THING. 7B, COMMITTEE READING, FIRST READING THE 22ND AND SECOND READING THEN WOULD BE -- I DON'T KNOW WHAT THE DATE IS AFTER THAT? WE END UP WITH THE SAME THING. I SAY I WOULD LIKE TO HAVE THE DISCUSSION IN GREAT COMMITTEE, GET ALL OF THE PEOPLE, YOU KNOW, TOGETHER, GET THE FACTS OUT, GET A COMMITTEE REPORT AND WE'RE GOING TO END UP WITH THE FOLLOW GOING COUNCIL MEETINGS TO HAVE FIRST AND SECOND READING. >> OKAY. THAT DOESN'T ACHIEVE A COMPROMISE.\r\n\r\nMEMBER PALTIN. >> IF WE DO THAT, I WILL RALLY ALL THE PEOPLE THAT TOOK THE SURVEY, AND LET THEM KNOW, THEY CAN COME TESTIFY ON THE 19TH, WITH BIRTHDAY CAKE AND THEY CAN TESTIFY ON EVERY SINGLE COUNCIL MEETING THEREAFTER. YOU WANT TO WASTE TIME? WE CAN WASTE TIME. NONE OF YOU GUYS WAS AT THE CIVIC CENTER WHEN THEY ANNOUNCED IT. NONE YOU GUYS WAS THERE. YOU WANT TO WASTE TIME?\r\n\r\nWE CAN WASTE TIME. LET'S DO IT. >> I DON'T WANT TO BE THREATENED. >> OKAY. THAT IS WHY, EVERYBODY JUST CALM DOWN. LET'S TRY AND STRIKE A COMPROMISE HERE, AND MOVE ON, WE STILL HAVE BUSINESS TO DO. MEMBER RAWLINS-FERNANDEZ.\r\n\r\n>> MAHALO, CHAIR. IT TAKES A LOT TO HOLD YOUR COMPOSURE, WHEN YOU ARE IN THE COMMUNITY, AND SEE THE SUFFERING. AND MEMBER PALTIN SEES THAT EVERY DAY. SHE LIVES ON THAT SIDE. THE REST OF US, WE'RE NOT EXPOSED TO THAT EVERY DAY LIKE, ALL OF IT. TO FEEL THE WEIGHT TO ALL OF THAT, AND TO FEEL LIKE YOUR COLLEAGUES ARE NOT HEARING YOU, THERE'S A REASON THAT WE HAVE RESIDENCY AREA DISTRICTS. THAT IS SO THAT THERE'S AT LEAST ONE PERSON ON THIS DECISION-MAKING BODY WHO CAN REPRESENT THE CHALLENGES ON THE GROUND, THE STRUGGLES THAT IS BEING FELT BY EVERYONE ON THAT SIDE, BUT THE

REST OF US DON'T. WE DON'T HAVE TO STRUGGLE THROUGH ONE TRAFFIC LIGHT, ONE WAY IN, ONE WAY OUT, AND AS YOU'RE PASSING ALL THE BURNT TOWN.\r\n\r\nI KNOW THAT YOU SAID KEEP IT TO THE FACTS AND WHAT MEMBER JOHNSON SAID IS FACTS. EVERY TIME WE DELAY, THAT IS WHAT IS HAPPENING. WE DELAY THE TDS, AND SO THEREFORE, WE DELAY PEOPLE GETTING BACK ON THEIR PROPERTY BECAUSE THE PROPERTIES CAN'T BE CLEAR AND NOW WE HAVE THE TDS SITE AND WE PROMISED THE COMMUNITY THAT WE CAN TAKE IT TO THE SITE AS QUICKLY AS POLK. AND I'M TRYING REALLY HARD TO HOLD MY COMPOSURE. >> I KNOW, THANK YOU. >> I THINK THE ARGUMENT OF HAVING A COMMITTEE REPORT IS REALLY WEAK. BACK IN THE DAY I WAS IN 5TH AND 6TH GRADE, WE DIDN'T HAVE SOCIAL MEDIA AND INTERNET.\r\n\r\nSOME MAY HAVE HAD INTERNET, DIAL-UP. SORRY, NOT THE POINT. RIGHT NOW PEOPLE HAVE SO MUCH ACCESS TO INFORMATION, THEY SEE US ON CHANNEL 53 AKAKU, MAKING DECISIONS, AND IF THEY DIDN'T SEE US LIVE, THEY CAN SEE A RERUN AND IF THEY DIDN'T SEE THE RERUN, THEY CAN WATCH IT ON DEMAND ON MAUICOUNTY.US/AGENDAS OR ON OUR FACEBOOK PAGE. THERE'S SO MUCH ACCESS TO INFORMATION ABOUT HOW WE'RE MAKING DECISIONS. I REALLY AT THIS POINT, WE HAVE TALKED ABOUT SO MUCH DETAILS OF THIS PROJECT, I DON'T KNOW IF THERE'S REALLY ANYTHING MORE LEFT TO LEARN IN THE COMMITTEE. I UNDERSTAND THE NEED FOR TIME. WE COULD PASS IT ON FIRST READING TODAY AND EVEN STALL IT AGAIN, NOT TAKING SECOND READING ON MARCH 22 ND, AND PEOPLE NEED MORE TIME AND WAIT AND TAKE IT UP ON APRIL 5TH, BECAUSE TODAY IS NOT FINAL ACTION.\r\n\r\nI DON'T WANT TO COMPROMISE. >> ARE YOU CHANGING YOUR MINE? >> THE POINT I'M MAKING THAT WE SHOULD VOTE ON THIS FIRST READING. >> OKAY, I THOUGHT WE WERE ON THE UNDERSTANDING AT ONE POINT. >> NOT ME. I WILL SUPPORT LEAVING IT ON THE AGENDA. I COUNTED SIX VOTE AND THE CHAIR RECOMMENDS LAYING THIS RESO ON THE CLERK'S DESK AND ASK FOR 7B IN THE GREAT COMMITTEE ON MARCH 19TH.\r\n\r\n>> SO MOVED. >> MOVED BY PRO TEM KAMA, SECONDED BY MEMBER UU-HODGINS. ROLL CALL. UNLESS YOU WANT DISCUSSION ON THIS? ROLL CALL. >> DISCUSSION ? MEMBER RAWLINS-FERNANDEZ. >> ONE LAST PLEA FOR THE COMMUNITY, THERE'S NO RISK.\r\n\r\n>> OKAY, WE HEARD YOU. >> YOU JUST TAKE THE VOTE TODAY AND THE NEXT TIME, THE SECOND READING YOU CAN VOTE NO. >> HONESTLY, HONESTLY, REPEATING YOUR REQUEST IS NOT GOING TO HELP. WE GOT THE MESSAGE THE FIRST TIME. ROLL CALL. >> COUNCIL MEMBER PRO TEMPORE TASHA KAMA. >> YES.\r\n\r\n>> VICE-CHAIR SUGIMURA? >> NO. >> COUNCIL MEMBER PALTIN? IN >> FINE COUNCIL MEMBER JOHNSON. >> AYE. >> COUNCIL MEMBER RAWLINS-FERNANDEZ? >> PASS.\r\n\r\n>> KANALUA. >> COUNCIL MEMBER COOK? >> AYE. >> COUNCIL MEMBER UU-HODGINS? >> YES. >> COUNCIL MEMBER SINENCI? >> AYE.\r\n\r\n>> COUNCIL CHAIR LEE? >> AYE. >> COUNCIL MEMBER RAWLINS-FERNANDEZ? >> AYE. >> >> CHAIR, EIGHT AYES, ONE NO, MOTION CARRIES. >> THANK YOU VERY MUCH EVERYBODY. GENTLEMEN, IT'S NORMALLY NOT THIS BAD, BUT IT WAS A TOUGH DAY TODAY.\r\n\r\nTHERE'S TIME NOW TO HAVE MORE DISCUSSIONS WITH THE DEPARTMENT. ALL RIGHT. MEMBERS, DO YOU WANT TO TAKE A BREAK FOR LUNCH, OR DO YOU WANT TO POWER THROUGH? >> POWER THROUGH, PLEASE? >> CHAIR? MEMBER RAWLINS-FERNANDEZ. >> I THINK WE HAVE TO AT LEAST TAKE A 45-MINUTE BREAK FOR COLLECTIVE BARGAINING AGREEMENT, SO WE'RE NOT IN VIOLATION.\r\n\r\nI DON'T KNOW, WE CAN CHECK. >> LAUREN AND JOYCE. IT'S UP TO YOU. >> NO, NO, THAT IS NOT HOW IT WORKS. THERE'S A CONTRACT THAT WE AS THE COUNTY EMPLOYERS -- >> THESE GUYS ARE APPOINTED. OH, YOU ARE CIVIL SERVICE. I MEANT YOU GUYS ARE.\r\n\r\nTHAT IS WHY I'M ASKING THEM. >> BUT WE HAVE TO CONSULT WITH THEIR BOSSES, BECAUSE THEIR BOSSES ARE RESPONSIBLE TO UPHOLD THE CONTRACTS. >> GO AHEAD, UP TO YOU, JOYCE AND LAUREN. >> CHAIR, IT'S MAKING ME UNCOMFORTABLE, BUT THEIR CBA GRANTS THEM BREAKS AND LUNCH. >> 2:45 EVERYBODY, IS THAT OKAY? THIS MEETING IS IN RECESS >> CHAIR? BEFORE YOU GO INTO RECESS, LORI TSUHAKE SENT THE MATRIX THAT MEMBER RAWLINS-FERNANDEZ REQUESTED.\r\n\r\n>> DID YOU HAVE A CHANCE TO READ IT? >> I DID. >> SOMEBODY MAKE THE MOTION. >> SO MOVED. >> IS IT 24-29? IS IT RESO -- I MEAN CR24-39. >> YOU ARE RIGHT. >> 29. >> 29 HALE PILINA. >> I MOVED.\r\n\r\n>> MOVED BY PRO TEM KAMA, AND SECONDED BY MEMBER SINENCI. ANY DISCUSSION? PRO TEM KAMA? >> NO. >> ANYBODY NEEDS TO TALK ABOUT IT? MEMBER SINENCI? >> THANK YOU, CHAIR.\r\n\r\nREAL QUICK, I DID NOT SUPPORT IT IN COMMITTEE, CHAIR, BUT I CAN SUPPORT IT TODAY. I UNDERSTAND THAT THE COMMITTEE DID

NOT CONSIDER WEST MAUI PROJECTS AS PART OF THINK CRITERIA, WHERE THE NEED IS THE GREATEST. WITH THAT SAID, CHAIR UNDER YOUR LEADERSHIP, I'M HOPING THAT THIS COMMITTEE CAN PIVOT DURING OUR BUDGET DELIBERATIONS AND TO CONSIDER FIRE VICTIMS IN WEST MAUI, CHAIR. THANK YOU. >> MEMBERS RAWLINS-FERNANDEZ, WE'RE STILL DISCUSSING. >> MAHALO, CHAIR, FOR COMMITTEE REPORT 24-29, MEMBER SUGIMURA WAS THE MOVEON AND I WANTED TO CHECK WITH THE CLERKS. >> THAT IS CORRECT.\r\n\r\n>> AND THE SECONDER WAS? >> PRO TEM KAMA DONE AT 9:57 A.M. >> MAHALO, MADAM CLERK. >>> FOR THE RECORD, BECAUSE I THINK MEMBER SINENCI RAISED HIS HAND AND THEN CHAIR LEE MADE HIM THE SECONDER. AND SO MAHALO DIRECTOR TSUHAKE FOR FOLLOWING UP ON THAT REQUEST TO SEND US THE INFORMATION THAT WE HAD DISCUSSED MULTIPLE TIMES IN COMMITTEE ABOUT RECEIVING. SO APPRECIATE THAT. I HAVEN'T BEEN ABLE TO REVIEW IT, BUT IT WASN'T CONTINGENT -- MY VOTE TO SUPPORT THIS MOTION WASN'T CONTINGENT UPON MY REVIEW. I ALREADY KNOW THAT THE CRITERIA DOESN'T INCLUDE PROXIMITY TO WEST MAUI, WHICH IS THE GREATEST NEED RIGHT NOW.\r\n\r\nI WANTED TO SEE THE SCORING ITSELF AND THE PUBLIC DESERVED TO ALSO SEEING THE SCORING. THIS IS THE TOTAL SCORING AND IT'S NOT SEPARATED OUT BY SCORER, AND DOESN'T INCLUDE -- -- PANELISTS 1, 2 AND 3 AND THE NAMES ARE NOT DISCLOSED AND I'M OKAY WITH THAT. I WILL REVIEW THIS DURING THE BREAK. I WANTED TO THANK BOTH OUR TESTIFIERS TODAY, MR. KEALOHA, AND MS. THELMA AKITA KEALOHA. FOR CONTINUING TO SHEPHERD THIS PROJECT THROUGH AND FOR STAYING WITH US ALL DAY.\r\n\r\nOUR APOLOGIES FOR SPENDING -- FOR YOU SPENDING ALL THE TIME HERE. I THINK THE PROJECT IS A WONDERFUL PROJECT AND I'M HAPPY TO SUPPORT IT. MAHALO, CHAIR. >> GREAT. ANYBODY ELSE? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. >> AYE.\r\n\r\n>> NINE AYES, ZERO NOS, MOTION CARRIES. THANK YOU. YOU CAN GO HOME, THELMA. THANK YOU. WHAT ABOUT 24-30 WHILE WE'RE AT IT. >> YES. >> WAS A MOTION ON THE FLOOR AS WELL?\r\n\r\nSO OKAY. REMIND US WHO. >> VICE-CHAIR MADE THE MOTION TO ADOPT AND IT WAS SECONDED BY PRO TEM KAMA. >> OKAY. ANY DISCUSSION ON THIS ONE, MEMBERS MEMBER PALTIN? >> THANK YOU, CHAIR. I'M GOING TO CHANGE MY VOTE TO SUPPORT THIS ONE, BUT IT'S DIFFERENT IN THE REASON.\r\n\r\nBECAUSE THIS WAS MONEYS THAT WERE ALLOCATED TO WEST MAUI. THE OTHER ONE WAS \$10 MILLION PREVIOUSLY ALLOCATED TO THE SAME PROJECT, BUT THEY HAD JUST WANTED TO MAKE THE DESIGN BETTER AND TO GO THROUGH THE EXERCISE. THIS WAS AFFORDABLE HOUSING IN WEST MAUI AND THE SQUARE BURNED DOWN AND THEY ARE PULLING IT OUT AND GIVING IT TO CENTRAL MAUI. AND WE HAVE SEEN THE SCORING CRITERIA. YOU KNOW, ONE PERSON SCORED EVERYTHING LOW FOR WEST MAUI. MAYBE THEY ARE LIVING IN A BUBBLE? I DON'T KNOW.\r\n\r\nBUT YOU KNOW, WE'RE NOT MOVING FORWARD TODAY WITH THE CENTRAL MAUI LANDFILL SITE LIKE THE COMMUNITY REQUESTED. WE LOST HALE'AKALA SURF AND LOST THE APARTMENTS AND LOST FRENCH STREET APARTMENTS, AND LOST HALE LOST LAHAINA CROSSROADS, WE LOST KOMO HALE, WE LOST PI'ILANI HOUSING ALL GOVERNMENT SUBSIDIZED RENTALS THAT IS AFFORDABLE TO LOCAL PEOPLE. AND I KNOW IT'S NOT GOING TO HAPPEN IN THE NEXT TWO YEARS. THERE IS STILL ASH DEBRIS ON THERE. THEY JUST SIGNED THE COMMERCIAL CONTRACT, WHICH DOES REMOVAL OF APARTMENT BUILDINGS. AND SO MONEY WAS TAKEN AWAY FROM WEST MAUI FOR AFFORDABLE HOUSING, AND GIVEN TO CENTRAL MAUI BECAUSE OUR OWN DEPARTMENT OF HOUSING AND HUMAN CONCERNS DID NOT PRIORITIZE COMMUNITY NEED IN WEST MAUI. I HAVE SERIOUS DOUBTS ABOUT THE SHOVEL-READINESS OF AIKANAH, THAT THEY ARE GOING TO BE FINISHED ANY TIME SOON TO PROVIDE THIS HOUSING.\r\n\r\nBUT YOU KNOW, SOMETIMES YOU LOSE EVERYTHING, AND THEY CONTINUE TO BUILD HOUSING IN CENTRAL MAUI. SO I CAN COUNT, AND I WILL SUPPORT THIS. >> ANYONE ELSE? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. >> AYE. >> NINE AYES, ZERO NOS. MOTION CARRIES.\r\n\r\nSO SHALL WE TAKE OUR LUNCH UNTIL 2:45? >> SURE. >> OKAY. SEE YOU BACK THEN. MEETING IN RECESS. [ GAVEL ] [ GAVEL ] >> WILL THE MEETING OF MARCH 8TH, 2024 PLEASE RECONVENE. MS. CLERK.\r\n\r\n>> CHAIR, WE'RE NOW ONTO SECTION M, ORDINANCES. THERE'S CURRENTLY NO ONE SIGNED UP TO TESTIFY. HOWEVER, IF ANYONE WOULD LIKE TO TESTIFY ON ORDINANCES, THIS IS YOUR OPPORTUNITY. YOU CAN RAISE YOUR HAND, IF YOU ARE ON TEAMS, OR IF YOU ARE IN CHAMBERS, YOU CAN MAKE YOUR WAY TO THE PODIUM. CHAIR, THIS IS LAST CALL. THE COUNTDOWN IS 3, 2, 1. >> MEMBERS, ARE THERE ANY OBJECTIONS TO

CLOSING PUBLIC TESTIMONY, AND ACCEPTING WRITTEN TESTIMONY ON THE BILLS IF SECTION M?  
>> NO OBJECTIONS. >> SO ORDERED, MS.\r\n\r\nCLERK. >> CHAIR, BEFORE YOU IS BILL 44 (2024) A  
BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN  
INTERGOVERNMENTAL AGREEMENT WITH THE HAWAII HOUSING FINANCE AND DEVELOPMENT  
CORPORATION REGARDING A LONG-TERM GROUND LEASE FOR 175 EAST LIPOA STREET, KIHAI,  
MAUI, HAWAII. >> VICE-CHAIR SUGIMURA. >> THANK YOU, I MOVE TO WAIVE REQUIREMENTS OF  
COMMITTEE REFERRAL AND REPORT UNDER THE RULES OF THE COUNCIL. >> SECOND. >> MOVED  
BY VICE-CHAIR SUGIMURA AND SECONDED BY PM KAMA TO WAIVE THE RULES OF THE COUNCIL.  
DISCUSSION, VICE-CHAIR SUGIMURA. >> WE DISCUSSED THIS MATTER IN THE BFED COMMITTEE  
MEETING MARCH 5TH AND THEREFORE, FURTHER DISCUSSION IS NOT NECESSARY AND THE  
COUNCIL MAY CONSIDER ACTION ON THIS BILL TODAY.\r\n\r\n>> MEMBER PALTIN, DO YOU HAVE  
YOUR HAND UP? MEMBER PALTIN. >> JUST WOULD LIKE TO SAY WE'RE SETTING A PRETTY BAD  
PRECEDENCE. >> OKAY, YOU GUYS, DON'T START. THE FOOD FIGHT. OKAY, ANY MORE? MEMBER  
RAWLINS-FERNANDEZ.\r\n\r\n>> MAHALO CHAIR. COMMITTEE REPORT IS NOT NECESSARY FOR THIS  
ONE THEN? >> YOU'RE BEING FACETIOUS; RIGHT? ANYBODY ELSE? IT'S COMEDY TIME. ALL THOSE  
IN FAVOR OF THE WAIVER, RAISE YOUR HAND, SAY AYE. >> AYE.\r\n\r\n>> NINE AYES, ZERO NOS,  
MOTION CARRIES. VICE-CHAIR SUGIMURA. >> I MOVE TO PASS BILL 44 (2024) ON FIRST READING. >>  
SECOND. >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY PRO TEM KAMA TO PASS BILL 44  
ON FIRST READING. DISCUSSION. >> THANK YOU.\r\n\r\nTHIS BILL AUTHORIZES THE MAYOR TO  
ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH HAWAII HOUSING FINANCE AND  
DEVELOPMENT CORPORATION FOR A LONG-TERM GROUND LEASE FOR 175 EAST LIPOA STREET,  
KIHAI, MAUI, OTHERWISE KNOWN AS THE INTERNATIONAL MID PACIFIC CENTER ONCE HHFDC  
ACQUIRES THIS PROPERTY, REQUIRES 75-YEAR BROWN LEASE WITH THE COUNTY TO BEGIN BY  
MAY 2025. THE PROPERTY WOULD BE USED FOR AFFORDABLE RENTAL HOUSING WITH AT LEAST  
25% OF THE UNITS BEING DESIGNATED FOR TEACHER HOUSEHOLDS. I RESPECTFULLY ASK FOR  
THE MEMBERS' SUPPORT. >> ANY MORE DISCUSSION? MEMBER PALTIN? >> THANK YOU, CHAIR. I  
THINK IT'S IMPORTANT TO CAPTURE ANY DISCUSSIONS, BECAUSE WE'RE WAIVING THE  
REQUIREMENT OF A COMMITTEE REPORT. AND I THINK THE MOST IMPORTANT PART OF THIS IS  
THAT THEY WERE USING IT FOR RED CROSS WORKERS, I THINK THE RED CROSS WORKERS  
WEREN'T PAYING ANY RENT.\r\n\r\nTHERE WERE 60 IN THERE, AND THEY ARE DRAWING DOWN, AND  
SO IMMEDIATELY THEY'RE SAYING IF THEY HAVE DISPLACED SURVIVORS THAT ARE WILLING AND  
ABLE TO RELOCATE TO KIHAI, THAT THEY COULD STAY THERE FOR ONE YEAR TO 1.5 YEARS AND  
THAT IF THE RFP IS DELAYED, THEY WOULDN'T HAVE TO MOVE OUT IN 1.5 YEARS. THAT  
PARAMOUNT HOTELS WOULD MANAGE THE PROPERTY AT A COST OF -- APPROXIMATELY \$350,000.  
THEY ARE STILL FINALIZING THE BUDGET, AND THAT THE ZONING IS B-2 AND COMMUNITY PLAN,  
AND STATE AND COUNTY ZONING IS IN ALIGNMENT. THE STATE IS PAYING \$45 MILLION, AND ONE-  
THIRD OF THE UNITS WOULD BE 80% AND BELOW, ONE-THIRD WOULD BE 100% AND ONE-THIRD  
WOULD BE 120% AND BELOW AMI. AND LIKE MEMBER SUGIMURA SAID, 25% SHOULD BE RESERVED  
FOR TEACHERS. BUT THAT THEY CAN FILL IT WITH PEOPLE THAT JUST MEET THE AREA MEDIAN  
INCOME IN CASE THEY DON'T FIND TEACHERS. BUT THEN WHEN THE NEXT OPENING HAPPENS,  
THEY WOULD FILL IT WITH TEACHERS IF THEY ARE AVAILABLE AT THAT TIME, UNTIL THEY  
REACH THE 25% NUMBER. AND THAT IF FIRE DISPLACED SURVIVORS WERE PUT IN THERE, THEY  
WOULDN'T BE EVICTED WITHOUT ANY OTHER PLACE TO GO TO.\r\n\r\n>> VERY GOOD. ANY MORE  
DISCUSSION? MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. AND THEN THE TIMELINE CAN  
BE FOUND IN THE PRESENTATION IN -- IS THAT BFED? WAS THAT MONDAY? TOO MANY  
MEETINGS.\r\n\r\nAND SO THAT PRESENTATION INCLUDES TIMELINE TO ALLOW RESIDENTS TO LIVE  
THERE DURING THE RFP, UNTIL THEY START DESIGN AND PERMITTING, AND WHEN THEY DO  
START THE DESIGN AND PERMITTING, BEFORE CONSTRUCTION STARTS, AND A DEVELOPER IS  
SECURED, THE COUNTY CAN NEGOTIATE WITH THE DEVELOPER TO ENABLE ANY FIRE SURVIVORS  
TO CONTINUE RESIDING THERE. MAHALO, CHAIR. >> ANY MORE COMMENTS OR QUESTIONS?  
MEMBER COOK. >> CHAIR, AS REPRESENTATIVE FOR SOUTH MAUI, I WOULD LIKE TO THANK THE  
HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION, THE LEGISLATURE, THE MAYOR,  
ALL OF THE PEOPLE IN THE ADMINISTRATION THAT HAVE WORKED TO MAKE THIS HAPPEN. IT'S  
PUTTING THIS FACILITY INTO THE PUBLIC HANDS FOR PUBLIC GOOD AND I THINK THIS IS A WIN

FOR THE COMMUNITY AS A WHOLE. >> OKAY.\r\n\r\nANYBODY ELSE? MEMBER PALTIN. >> THANK YOU, CHAIR. SECOND AND FINAL. I JUST WANTED TO SAY THAT YOU KNOW, ALTHOUGH I WILL BE SUPPORTING THIS TODAY, I HAD BEEN UNDER A WRONG IMPRESSION IN COMMITTEE THAT THE MONEY HAD BEEN TAKEN AWAY FROM THIS ITEM, BECAUSE I HAD MET WITH A PRIVATE DEVELOPER AND I DIDN'T REALIZE THE TAKING AWAY WAS ONLY IN HIS HEAD AND NOT IN REALITY. SO JUST TO CLARIFY, I WOULDN'T SUPPORT NEW MONEY BEING ALLOCATED FOR NEW PROJECTS OUTSIDE OF WEST MAUI, BUT THIS MONEY WAS THERE AND IT NEVER GOT TAKEN AWAY. AND THAT YOU KNOW, I WOULD STILL CONTINUE TO EMPHASIZE THE NEED, COMMUNITY NEED FOR HOUSING IN WEST MAUI.\r\n\r\nBUT THAT THIS ONE WAS ALREADY IN THE WORKS FROM THE PREVIOUS BUDGET CYCLE. SO IT'S NOT MONIES BEING TAKEN AWAY FROM WEST MAUI, AND DESPITE WHAT I HAD BEEN UNDER THE IMPRESSION BEFORE, THE MONEY WAS NEVER REMOVED FROM THIS ITEM, AND THIS IS JUST INTERGOVERNMENTAL AGREEMENT, ANOTHER DEVELOPER HAD PLANS FOR THIS MONEY, BUT IT NEVER GOT REMOVED. >> ANYBODY ELSE? MEMBER VICE-CHAIR SUGIMURA. >> THANK YOU. THANK YOU, EVERYBODY. THIS FACILITY BASED UPON THE HOUSING PLAN, BASED ON THE WILDFIRE DISASTER HAS BEEN ELEVATED IN TERMS OF THE NEED AND \$7.5 MILLION ALLOCATED WAS IN THIS CURRENT FISCAL YEAR THAT ALL OF US APPROVED THIS BUDGET.\r\n\r\nSO THE MONEY IS THERE, AND WILL BE USED TOWARDS THIS PROJECT. I UNDERSTAND THAT THE ADMINISTRATION IS LOOKING TOWARDS ADDING MORE FUNDING FOR THIS, FOR THE NEW FISCAL YEAR. SO WE'LL SEE WHAT HAPPENS WITH THAT. AS IT IS A BIG PROJECT, BUT IT WILL FULFILL NEEDS OF THE COMMUNITY WILDFIRE AND ESPECIALLY TEACHERS, WHICH IS PART OF THE TEACHER HOUSING FOR THIS PROJECT. I LOOK FORWARD TO SEEING WHAT HHFDC IS GOING TO COME UP WITH, ASSISTING US AS WE MOVE MANY THIS PROJECT FORWARD. THE STATE DID PUT IN THE \$45 MILLION IN THIS LAST BUDGET CYCLE FOR THE LEGISLATURE. SO THE MONEY IS THERE AND HHFDC, AND WE LOOK FORWARD TO THE CLOSING OF THIS, AND THIS MONTH, END OF MARCH AND FOR US TO JOIN HANDS AND WORK TOGETHER TO PROVIDE HOUSING, MUCH-NEEDED HOUSING.\r\n\r\nTHANK YOU. >> ANYONE ELSE? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. NINE AYES, ZERO NOS, MOTION CARRIES. PLEASE NOTE, MEMBERS, THAT SECOND AND FINAL READING WILL BE UP ON MARCH 22ND ON A SEPARATE AGENDA. AT 9:00. AND OUR REGULAR AGENDA WILL BEGIN AT 9:15 ON MARCH 22ND. YOU ALL KNOW THAT THERE'S A TIME SENSITIVE MATTER WITH THIS PARTICULAR -- YES? \r\n\r\nMEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. SO WE'RE GOING TO HAVE THAT AGENDA FIRST, WITH JUST THIS ONE ITEM? >> YES. >> AND THAT IS LIKE A SPECIAL MEETING? >> IT HAS TO CLOSE THAT. >> AND THEN WHAT TIME WILL OUR REGULAR COUNCIL MEETING? \r\n\r\n>> 9:15. >> OKAY, SO YOU ARE ANTICIPATING NO TESTIMONY? >> NO LIKE TODAY, WE DIDN'T HAVE ANY. >> OKAY. AND THEN OKAY -- MAHALO, CHAIR. >> IT HAS TO CLOSE BY FRIDAY. SO IT MEANS THE REASON WHY WE'RE DOING IT LIKE THAT IS BECAUSE AFTER HOPEFULLY WE PASS IT ON SECOND AND FINAL READING, IT WILL HAVE TO BE SIGNED BY THE MAYOR, AND THEN TRANSMITTED TO TITLE GUARANTY. IF WE PUT IT ON THE ONE AGENDA, JUST INCLUDED IT ON ONE AGENDA, IT WOULDN'T TAKE EFFECT UNTIL THE END OF THE MEETING.\r\n\r\nAND IF THE END OF THE MEETING WAS AFTER 4:30, THAT IS WHEN TITLE GUARANTEE CLOSES. THAT IS THE REASON FOR THAT. OKAY. MS. CLERK. >> CHAIR, BEFORE YOU IS BILL 45 (2024) BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI APPENDIX A, PART 1, DEPARTMENT OF THE PROSECUTING ATTORNEY, OFFICE FOR VICTIMS OF CRIME. >> VICE-CHAIR SUGIMURA.\r\n\r\n>> ARGUE THAT. I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT UNDER RULE 7G OF THE RULES OF THE COUNCIL AS IT RELATES TO BILL 45 (2024). >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA AND SECONDED BY PRO TEM KAMA TO WAIVE RULE 7G. AND DISCUSSION? VICE-CHAIR SUGIMURA. >> THANK YOU. MEMBERS, THIS BILL RECOGNIZES A \$5,000 GRANT FOR THE DEPARTMENT OF PROSECUTING ATTORNEY, COMMITTEE DISCUSSION MAY NOT BE NECESSARY. SO THIS WAIVER WILL ALLOW US TO TAKE ACTION TODAY.\r\n\r\n>> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE WAIVER RAISE YOUR HAND, SAY AYE. NINE ASE, ZERO NOS, MOTION CARRIES VICE-CHAIR SUGIMURA. >> THANK YOU, I MOVE TO PASS BILL 45 ON FIRST READING. DEPARTMENT WILL BE RELOCATING TO THREE OFFICE SPACES WHILE THE REMEDIATION WORK IS COMPLETED. I RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT. >> MEMBER SUGIMURA MOVED, AND WHO SECONDED?\r\n\r\nSECONDED BY

PRO TEM KAMA. DISCUSSION ON THE MOTION. >> SO AS I WAS SAYING THE DEPARTMENT IS HERE IN CASE WE HAVE ANY QUESTIONS OR ONLINE, IN CASE WE HAVE ANY QUESTIONS BUT THE FUNDING WILL BE USED FOR RELOCATING TO THREE OFFICE SPACES WHILE THE REMEDIATION WORK IS COMPLETED. AND I ASK FOR THE MEMBERS' SUPPORT. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, PLEASE RAISE YOUR HAND SAY AYE. NINE AYES ZERO NOS, MOTION CARRIES, MS.\r\n\r\nCLERK. >> CHAIR, FOR REFERRAL TO THE BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE, BILL FOR AN ORDINANCE AN ASH DEBRIS TRANSPORTATION FUND. >> ANY OBJECTIONS TO REFERRAL OF THIS BILL TO THE BFED COMMITTEE. >> NO OBJECTIONS. >> CHAIR, I DON'T HAVE AN OBJECTION. I JUST WANTED TO CLARIFY IF WE REFER THIS TO BFED AND IT'S TAKING UP WITH THE BUDGET, WE COULD APPLY IT IN FISCAL YEAR 2025? >> I DON'T KNOW. VICE-CHAIR SUGIMURA?\r\n\r\n>> OR CORP. COUNSEL? >> WELL, BILL 46 IS AN AMENDMENT TO THIS YEAR'S BUDGET; RIGHT? >> I MEAN, IF WE WANT TO PASS IT ON THE FLOOR TODAY, I WOULD BE OPEN TO IT. BUT BASICALLY WHAT IT IS IS YOU KNOW, IN THE CHOOSING OF THE PERMANENT DISPOSAL SITE, THE ADMINISTRATION SAID IN THEIR STUDIES OF OTHER LOCATIONS, THERE'S OFTEN ACCIDENTS INVOLVING THE DEBRIS. SO THE PURPOSE OF THIS DEBRIS IS TO SET UP A TRANSPORTATION FUND TO ENSURE THAT OUR FIRST-RESPONDERS ARE TRAINED AND PREPARED, SHOULD AN ACCIDENT OF THIS TYPE WITH THE DEBRIS OCCURS, THAT WE'RE NOT, YOU KNOW, LIKE, IF THAT WAS THE CONCERN IN CHOOSING A SITE CLOSE TO LAHAINA, AND NOW WE'RE CHOOSING THE CENTRAL MAUI LANDFILL, I THINK IT BEHOOVES US TO BE PREPARED IN CASE OF AN ACCIDENT, AND THEN THE EXTRA WEAR-AND-TEAR, IF THE MONEY ISN'T COMPLETELY USED TO RESPOND TO AN ACCIDENT, OR TO SUPPLY EQUIPMENT TO PERSONNEL, THEN COULD BE USED FOR THE REPAIR OF OUR COUNTY ROADS, OR OTHER EXPENSES. >> IS THIS MONEY COMING FROM THE HIGHWAY FUND?\r\n\r\n>> COMING INTO THE HIGHWAY FUND. >> COMING INTO THE HIGHWAY FUND. >> YES. SO THE PURPOSE WOULD BE WE MAY NOT BE TRANSPORTING TO THE CENTRAL MAUI LANDFILL UNTIL THE NEXT FISCAL YEAR. SO I WOULD LOVE FOR IT TO BE IN PLACE FOR THE NEXT FISCAL YEAR IS A SITUATION, BECAUSE IT'S TRYING TO ADDRESS SOMETHING THAT WE KNOW IS COMING. >> VICE-CHAIR SUGIMURA. >> SO I WOULD LIKE TO DEFER THAT -- IT'S A GOOD QUESTION AND MAYBE IF WE HAVE FINANCE -- BUDGET OFFICE ON LINE?\r\n\r\nACTING DIRECTOR MILNER, ARE YOU THERE? >> DID YOU CALL HER? >> NO. BUT THEY ARE ALWAYS LISTENING IN, I THINK. >> MEMBER RAWLINS-FERNANDEZ. >> THE QUESTION IS WHETHER DURING THE BUDGET DELIBERATIONS, WE CAN ADD ASH DEBRIS TRANSPORTATION REVOLVING FUND? >> NO, FIRST READING RIGHT NOW.\r\n\r\nIS THAT WHAT YOU WANT. >> SURE, I MOVE TO WAIVE REPORT OF COMMITTEE REFERRAL. >> 7G. >> 7G. SURE. YEAH. >> SECOND. >> OKAY, MOVED BY MEMBER PALTIN, SECONDED BY MEMBER RAWLINS-FERNANDEZ. TO PASS BILL -- NO, 7G. DO YOU WANT TO EXPLAIN THAT?\r\n\r\n>> YES, THE WAIVER OF RULE 7G WOULD ALLOW US TO TAKE ACTION ON THIS BILL TODAY. IT HAS BEEN SIGNED OFF BY CORPORATION COUNSEL. >> THAT IS FOR 7 G-ANY MORE DISCUSSION ON THAT? ALL THOSE IN FAVOR OF WAIVING 7G, RAISE YOUR HAND. NINE AYES, ZERO NOS, MOTION CARRIES, NOW TO THE SUBSTANCE OF THE MOTION. >> I MOVE TO PASS BILL 46 ON FIRST READING. >> SECOND.\r\n\r\n>> OKAY. HOW ABOUT WE LET MEMBER JOHNSON SECOND IT. MOVED BY MEMBER PALTIN AND SECONDED BY MEMBER JOHNSON TO PASS BILL 46 ON FIRST READING THE DISCUSSION. MEMBER PALTIN. >> THANK YOU, THE PURPOSE OF THIS BILL IS TO CREATE A FUND AN ASH DEBRIS TRANSPORTATION FUND TO FACILITATE RESPONSE TO ANY ACCIDENTAL RELEASE OF ASH DEBRIS DURING THE TRANSPORT. TO THE PERMANENT DISPOSITION SITE, AND ASSIST WITH REPAIRS AND MAINTENANCE OF ROADS AND HIGHWAYS USED DURING TRANSPORT. THE FUND MAY BE USED FOR IDENTIFICATION, AND TRAINING OF PERSONNEL, WHO WOULD RESPOND TO AN ACCIDENTAL RELEASE OF ASH DEBRIS DURING TRANSPORT OF THE DEBRIS.\r\n\r\nIT WOULD BE USED FOR SUPPLIES AND EQUIPMENT, INCLUDING PERSONAL PROTECTIVE EQUIPMENT AND OTHER SAFETY EQUIPMENT NEEDED TO RESPOND TO AN ACCIDENTAL RELEASE. IT COULD ALSO BE USED FOR PERSONNEL AND OTHER CLEAN-UP COSTS ASSOCIATED WITH THE ACCIDENTAL RELEASE, REPAIR AND MAINTENANCE OF THE SEGMENTS OF ROADS AND HIGHWAYS USED BY ASH DEBRIS TRANSPORT VEHICLES FROM THE TEMPORARY SITE AND PERMANENT DISPOSITION SITE WITH PRIORITIES GIVEN TO ROADS OWNED BY THE COUNTY AND OTHER EXPENSES RELATED TO THE PURPOSES IDENTIFIED IN THIS SECTION. >> ANY >> MORE DISCUSSION? VICE-CHAIR SUGIMURA. >>

I THINK IT'S A GREAT IDEA. I WONDER IF THE DEPARTMENT OR SOMEBODY FROM THE ADMINISTRATION CAN COMMENT ON IT? >> LIKE MR. KANOI, WHO? >> I DID SPEAK BRIEFLY WITH ADMINISTRATOR HEWITT ABOUT STARTING THE PREPPING FOR THIS, JUST SO THAT WE'RE NOT CAUGHT OFF-GUARD, AND MS. DESJARDINS ALSO CONSULTED ON IT. SO THERE'S THAT. >> OKAY. CAN WE HAVE SOMEBODY FROM THE ADMINISTRATION? MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I THINK IT MIGHT BE HELPFUL TO KNOW WHAT MEMBER SUGIMURA WANTS TO KNOW. I WANT TO MAKE SURE THAT THE ADMINISTRATION IS IN SYNC WITH THIS. THE WHOLE DEBRIS REMOVAL IS SO INTEGRATED WITH FEDERAL, STATE FUNDS, WHATEVER, AND TO SET UP THIS ACCOUNT, I JUST WANT TO MAKE SURE THAT THE ADMINISTRATION UNDERSTANDS WHAT MEMBER PALTIN IS TRYING TO DO. >> YES, MEMBER UU-HODGINS. >> THANK YOU, I ACTUALLY HAVE QUESTIONS FOR MEMBER PALTIN, IF THAT IS OKAY? >> SURE. >> MEMBER PALTIN, THIS IS GOING TO BE CHARGED AT THE PERMANENT DISPOSITION SITE. SO IT'S LIKE OUR COUNTY TIPPING FEES? IT'S GOING TO BE IN ADDITION TO? >> CORRECT. >> DO YOU HAVE AN IDEA HOW MUCH WE MIGHT NEED AND HOW MUCH THE TIPPING LIKE ADDITIONAL FEE WOULD BE ON THIS? >> MY INTENT WAS TO GET THE FUND ESTABLISHED BEFORE THE FISCAL YEAR 25 AND THEN DISCUSS THE FEE ITSELF DURING THE BUDGET PROCESS. >> OKAY. >> BECAUSE I MEAN, I THINK WHAT WE HEARD WHEN WE WERE LISTENING TO FEMA IS THEY WILL PAY WHATEVER FEES THE COUNTY SAID. THAT IS PART OF THE WHOLE TIPPING FEES, THAT IS HOW WE GET OUR MONEY BACK. SO I DON'T DISAGREE WITH THIS AT ALL, BUT I'M JUST CURIOUS TO KNOW, LIKE, HOW MUCH MONEY WE WOULD NEED? BECAUSE TO YOUR POINT, MY CONCERN WHEN WE WERE MOVING IT INITIALLY WAS ALL THE HUGE -- I WANT TO SAY HAULER TRUCKS, BUT IT'S NOT THAT. ALL THE BIG TRUCKS GOING ON OUR HIGHWAY AND WOULD WE EVER BE ABLE TO FIX THAT ROAD AND THE MAINTENANCE ON THAT ROAD? IS THERE ONLY ONE ROAD GOING IN AND OUT AND SOME IS SO CLOSE TO THE ROAD. SO I DON'T KNOW -- >> THAT WAS THE SECONDARY GOAL. >> YES. >> PUBLIC HEALTH AND SAFETY. >> FOR SURE, I GET IT. HOLEY MOLEY, THE WEAR-AND-TEAR ON THAT ROAD IS GOING TO BE BANANAS. I WANTED TO KNOW WHERE THE MONEY WOULD COME FROM AND HOW MUCH WE WOULD NEED AND ADDITIONAL FEE AND I UNDERSTAND WE'LL TALK ABOUT THAT DURING BUDGET. >> YES, LESLEY MILNER IS ON THE LINE. LET ME JUST FIND MS. MILNER. MS. MILNER? >> SHE INDICATED SHE IS AVAILABLE. >> LESLEY? >> SORRY. >> DID YOU HEAR THE QUESTION ABOUT -- DID YOU HEAR THE DESCRIPTION OF THE FUND ESTABLISHING AN ASH DEBRIS TRANSPORTATION FUND? >> YES, CHAIR. I DON'T THINK IN A GENERAL SENSE WE HAVE AN ISSUE WITH IT. I DO KNOW WE HAVE HAD SOME COMMENTS FROM SOME OF OUR FEDERAL PARTNERS THAT THIS FEE WOULD PRETTY MUCH DIRECTLY IMPACT THEM, AND AS DIRECTOR AGAWA STATED EARLIER, THEY ARE WILLING TO PAY THE FEES THAT WE ALREADY ESTABLISHED, BUT I THINK THERE WAS SOME CONCERNS THERE AND I DON'T KNOW IF COUNCIL MEMBER PALTIN HAD A CHANCE TO REACH OUT TO OUR FEMA PARTNERS TO DISCUSS THIS AT ALL? BUT I THINK THAT WOULD BE SOMETHING WE WOULD WANT TO TAKE INTO CONSIDERATION. >> DO YOU HAVE ANY COMMENTS, MEMBER PALTIN? >> SURE. SO THE FIRST STEP IS ESTABLISHING THE FUND. THE SECOND STEP IS ESTABLISHING THE FEE. AND AT THE TIME WE ESTABLISH THE FEE, WE CAN HAVE THE FEDERAL PARTNERS THERE FOR THAT DISCUSSION. BUT IF IT'S ABLE TO GO FORWARD FOR FISCAL YEAR 25, THIS THING NEEDS TO HAPPEN FIRST. AND YOU KNOW, I DON'T WANT TO CUT OFF OUR FEET AT THE KNEES BEFORE WE EVEN GET WALKING. >> BEFORE I CALL ON YOU VICE-CHAIR SUGIMURA, MEMBER JOHNSON. >> THANK YOU, CHAIR. I SECONDED THIS BECAUSE IT'S A GREAT IDEA. THANK YOU, COUNCIL MEMBER PALTIN FOR BRINGING IT FORWARD. RIGHT AFTER THE FIRE, WE HAD A LOT OF MEETINGS IN MY OFFICE AND I'M SURE YOU DID AS WELL, BUT THE PARADISE FIRE AND CAMPFIRE FOLKS AND THE PEOPLE THAT CAME OVER HERE TO DISCUSS THEIR EXPERIENCES, AND ONE OF THE THINGS THAT THEY WERE SAYING WAS THE DEBRIS REMOVAL REALLY DAMAGES THE ROADS. YOU HAVE TO WORRY ABOUT ANY KIND OF ACCIDENT AND CLEAN-UP SPILLS. SO IT'S REALLY BEING PROACTIVE AND UNFORTUNATELY THERE'S BEEN SO MANY DISASTERS LEARNING FROM THEM AND BEING NIMBLE AND SMART. I THINK IT'S A GREAT IDEA. THANK YOU, CHAIR. >> VICE-CHAIR SUGIMURA. >> THANK YOU. I THINK WE HEARD FROM FEMA AT SOME OF OUR MEETINGS, AND UP COUNTRY WHEN WE HAD THE UPDATE MEETINGS THAT FEMA FOR THE

TIPPING FEES, THEY JUST PAY NORMAL. THEY DON'T PAY SPECIAL TIPPING FEES FOR DEBRIS REMOVAL AND DISPOSAL. THE DISPOSAL. SO JUST FYI, THEY DON'T PAY A SPECIAL RATE. WE HEARD THAT FROM BOB FENTON. >> OKAY.\r\n\r\n>> JUST FYI. >> I'M NOT SURE WHAT THAT MEANS. >> BECAUSE SOMEBODY SAID THEY PAY SPECIAL; RIGHT? I JUST WANTED YOU TO KNOW IT'S NOT SPECIAL. >> OKAY. MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR.\r\n\r\nIS MS. TOSHIKIYO ON? >> WE HAVE MIMI. >> SHE IS THE ONE WHO SIGNED OFF ON THE BILL AND WORKED WITH MEMBER PALTIN. I REMEMBER HER IN A MEETING, MEMBER PALTIN MENTIONING, LIKE, WHAT WE'RE DISCUSSING ABOUT THE HEAVY USAGE OF OUR ROADWAYS, THE POTENTIAL OF SPILLS, AND HAZARDOUS WASTE CLEAN UP. AND THEN THE CONSTRUCTION OF SPECIALIZED AREA FOR ALL OF THE DEBRIS. ONE OF THE IDEAS WAS TO -- SO IF YOU LOOK ON OUR BUDGET, APPENDIX B, REVENUES, RATES, FEES, FEES, RATES, ASSESSMENTS, TAXES.\r\n\r\nUNDER D, IT HAS ALL OF THE DIFFERENT CATEGORIES OF TIPPING FEES. SO YOU HAVE THE CATEGORY ONE, WHICH IS LIGHT TRUCKS, 10,000 POUNDS ALL THE WAY TO CATEGORY 6, WHICH IS COMMERCIAL REFUSE HAULING TRUCKS. AND THEN CATEGORY 5 LARGE TRUCKS. BECAUSE OF THE EXTRA -- I MEAN, WE'RE TALKING ABOUT WHAT DID THEY SAY? 40,000 OF THESE TRUCKS. >> OKAY. GO AHEAD.\r\n\r\n>> JUST TRAVERSING OUR ROADWAYS. THAT THAT IT'S NOT THE SAME AS THE IMPACT THAT IT HAS ON OUR ROADWAYS. AND TALKED ABOUT HAVING LIKE A REGISTRATION FEE FOR THE TRUCKS SO THAT IT GOES INTO THE HIGHWAY. SO THAT IT CAN BE USED. I THINK THAT IDEA WAS -- DIDN'T MOVE FORWARD. SO I WAS HOPING THAT MAYBE IF MS. TOSHIKIYO IS ON, SHE COULD SPEAK TO WHY THAT IDEA WASN'T -- >> MS.\r\n\r\nTOSHIKIYO. >> SHE IS LOGGING ON. >> SOMEBODY ELSE HAVE A QUESTION? >> MAHALO, CHAIR. NO, IN THE MEANTIME? WHERE DID YOU GET THIS IDEA, MEMBER PALTIN, WHERE DID YOU GET THIS IDEA? >> WELL, HIGHWAY FUNDS ARE SHORT BECAUSE OF ELECTRIC VEHICLES NOWADAYS, AND BASICALLY THE SAME THING THAT MEMBER JOHNSON HAD HEARD, I HAD HEARD.\r\n\r\nSO I FIGURED IF I'M A LEGISLATOR, MAYBE I CAN LEGISLATE A SOLUTION. >> GOOD. MS. TOSHIKIYO. DID YOU HEAR THE QUESTION? >> SORRY, CHAIR, I DIDN'T. I WAS LOGGING IN. >> WE'RE ON BILL 46. ESTABLISHING AN ASH DEBRIS TRANSPORTATION FUND, WHICH WE BELIEVE REVIEWED >> YES.\r\n\r\n>> DO YOU HAVE ANY COMMENTS? >> SO MY QUESTION, MAHALO MS. TOSHIKIYO FOR BEING ON SUCH SHORT NOTICE. MY QUESTION WAS SO ONE OF THE IDEAS THAT MEMBER PALTIN HAD DISCUSSED WAS MAYBE HAVING LIKE A VEHICLE REGISTRATION FOR TRUCKS HAULING THE DEBRIS THAT FOR FEMA WOULD PAY AND GO INTO THE MAINTENANCE OF OUR ROADWAYS WITH THE 40,000 TRUCKS THAT WILL BE GOING THROUGH. AND THEN I WAS WONDERING IF YOU WOULD BE ABLE TO KIND OF SPEAK TO THAT IDEA, AND FOR THE ROADWAYS. >> SORRY, I DON'T KNOW IF I RECALL HEARING THAT SUGGESTION. SO I DON'T KNOW IF I CAN ANSWER THAT ONE.\r\n\r\nI KNOW MEMBER PALTIN AND I DISCUSSED THE ASH DEBRIS BEFORE SHE WROTE THE BILL. I'M SORRY, MEMBER PALTIN, DID WE DISCUSS A VEHICLE REGULATION? >> YES, I THINK WE BRIEFLY DISCUSSED LIKE BY WEIGHT, BUT WE DIDN'T WANT TO PASS THE COSTS ONTO THE LOCAL WORKERS THAT WERE TRUCKERS, WE WANTED TO PASS IT ON TO THE -- YOU KNOW WHO. >> YOU KNOW WHO. >> OH, SO FOR INSTANCE, GOING BY THE SIZE OF THE VEHICLE, THEN THERE COULD BE AN INADVERTENT CONSEQUENCE AND YOU WOULD BE UPPING THE REGISTRATION FOR THOSE THAT WERE NOT PARTICIPATING IN THE DEBRIS HAULING. >> YES, EXACTLY. SO YOU KNOW, AND THEN SO THE PRIVATE TRUCKING COMPANIES COULD INCLUDE THAT ADDITIONAL FEE IN THEIR CONTRACT WITH FEMA, AND FEMA WOULD PAY THAT OUT IN THAT WAY.\r\n\r\nSO WE HAVE THE TIPPING FEES, WHICH WOULD BE SEPARATE, AND THEN A VEHICLE REGISTRATION FEE FOR TRUCKS THAT ARE HAULING DEBRIS THAT THE TRUCKING COMPANIES CAN CONTRACT WITH FEMA TO HAVE PAID. >> YOU ARE ASKING FOR HER OPINION? >> WELL, I GUESS MS. TOSHIKIYO DOESN'T REMEMBER THAT IDEA. SO DISREGARD. MAHALO. >> SORRY.\r\n\r\nIF YOU WANT TO TALK OFFLINE, WE CAN TALK MORE ABOUT IT AND I CAN RESEARCH INTO IT, BECAUSE I KNOW THAT AS PART OF THE REGISTRATION FEE ALSO COMES FROM THE HAWAII REVISED STATUTES. SO WE'D HAVE TO LOOK TO SEE THE COUNTY'S AUTHORITY. >> OKAY. MAHALO. MAHALO, CHAIR. >> ANY MORE DISCUSSION? MEMBER SUGIMURA, NO?\r\n\r\nALL RIGHT, ARE YOU READY TO VOTE. ALL THOSE IN FAVOR, RAISE YOUR HAND, SAY AYE. NINE AYES, ZERO NOS, MOTION CARRIES. THAT TAKES CARE OF BILL 46. ALL RIGHT. BILL 47. >> CHAIR, FOR REFERRAL TO THE WATER AUTHORITY, SOCIAL SERVICES, AND PARKS IS BILL 47 (2024) BILL FOR AN ORDINANCE REQUIRING CERTAIN BUSINESSES

TO MAINTAIN NALOXONE ON THEIR PREMISES. >> ARE THERE ANY OBJECTIONS TO REFERRING THIS MATTER TO THE WASSP COMMITTEE? SO ORDERED.\r\n\r\n>> CHAIR REFER TO THE BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE IS BILL 48 (2024) BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI REVENUES, CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF WATER SUPPLY, COUNTYWIDE, AND APPENDIX C, DEPARTMENT OF WATER SUPPLY, COUNTYWIDE. >> ANY OBJECTIONS TO REFERRING THIS MATTER TO THE BFED COMMITTEE? >> CHAIR ALSO FOR REFERRAL TO YOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE IS BILL 49 (2024) BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR A LOAN FROM THE STATE OF HAWAII'S DRINKING WATER STATE REVOLVING FUND FOR LEAD AND COPPER RULE REVISION COMPLIANCE FISCAL YEAR 2024 BUDGET ORDINANCE. >> ANY OBJECTIONS TO REFERRING THIS BILL TO THE BFED COMMITTEE? SO ORDERED. >> CHAIR, MOVING ON TO THE ORDINANCES FOR SECOND AND FINAL READING. BEFORE YOU IS BILL 136 (2023) A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI OFFICE OF THE MAYOR, ADMINISTRATION PROGRAM, AND EAST MAUI WATER AUTHORITY.\r\n\r\n>> VICE-CHAIR SUGIMURA. >> EXCUSE ME. IF THERE ARE NO OBJECTIONS, MAY I PLEASE ASK THE CLERK TO ALSO CALL UP BILL 9, CD 1, BILL 13, CD 1, BILL 14, CD 1 (2024), BILL 17 CD 1, (2024), EXCUSE ME, BILL 18, CD 1, (2024) AND BILL 19, CD 1 (2024) . >> ANY OBJECTIONS, MEMBERS? >> NO OBJECTIONS. >> SO ORDERED. MADAM CHAIR, BILL 9 CD 1 (2024)BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI REVENUES, CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF PARKS AND RECREATION, KIHEI-MAKENA COMMUNITY PLAN AREA, AND PEND C, DEPARTMENT OF PARKS AND RECREATION, KIHEI-MAKENA COMMUNITY PLAN AREA. BILL 13,CD 12 (2024) A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI REVENUES, CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF TRANSPORTATION WAILUKU-KAHULUI COMMUNITY PLAN AREA, AND APPENDIX C, DEPARTMENT OF TRANSPORTATION WAILUKU-KAHULUI COMMUNITY PLAN AREA.\r\n\r\n>> BILL 14 CD 1 (2024) BILL FOR AN ORDINANCE AMENDING ORDINANCE 5530 (2023) RELATING TO THE ISSUANCE , SALE, AND DELIVERY OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI DEPARTMENT OF TRANSPORTATION. >> BILL 17 CD 1 (2024) BILL FOR AN ORDINANCE ENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI REVENUES CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF PARKS AND RECREATION, LANA'I COMMUNITY PLAN AREA, APPENDIX C, DEPARTMENT OF PARKS AND RECREATION LANA'I COMMUNITY PLAN AREA. BILL 18, CD 1 (2024) BILL FOR AN ORDINANCE AMENDING ORDINANCE 5530 (2023) RELATING TO THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION BONDS FOR THE COUNTY OF MAUI DEPARTMENT OF PARKS AND RECREATION. BILL 19 CD 1 (2024) BILL FOR AN ORDINANCE AMENDING FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI REVENUES, CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF PARKS AND RECREATION, PA'IA-HA'IKU COMMUNITY PLAN AREA, AND APPENDIX C, DEPARTMENT OF PARKS AND RECREATION, PA'IA HAIKU COMMUNITY PLAN AREA. >> VICE-CHAIR SUGIMURA MOVIE TO PASS BILL 136, BILL 9, BILL 13, BILL 14, BILL 17, BILL 18, BILL 19 ON SECOND AND FINAL READING. >> SECOND. >> MOVED BY -- -- MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY PRO TEM KAMA TO PASS THE BILLS AS MENTIONED ON SECOND AND FINAL READING.\r\n\r\nDISCUSSION, MEMBER SUGIMURA. >> I THINK YOU KNOW THE COMMITTEE REPORTS THAT WERE PROVIDED, OR SECOND AND FINAL, SO IT'S OLD NEWS/GOOD NEWS FOR ALL OF US. THANK YOU VERY MUCH, MEMBERS. >> ANY MORE DISCUSSION? MEMBER PALTIN. >> THANK YOU, CHAIR. I JUST WAS WONDERING IF THE CLERK COULD REPEAT THE NUMBERS OF THE ONES THAT WE'RE VOTING ON?\r\n\r\nI MIGHT HAVE MISSED WHERE WE'RE AT. >> BILL 36, 136 (2023) BILL 9, CD 1 (2024), BILL 13, CD 1 (2024), BILL 14, CD 1 (2024), BILL 17, CD 1 (2024), BILL 18 CD 1 (2024) AND BILL 19 CD 1, (2024). >> OKAY. AND SO BILL 49 WE REFERRED TO BFED? >> YES. >> OKAY. ALL RIGHT, I'M CAUGHT UP. THANK YOU.\r\n\r\n>> IS THERE ANY MORE DISCUSSION ON THOSE BILLS I JUST MENTIONED? IF NOT - >> CHAIR I HAVE DISCUSSION. >> MEMBER JOHNSON. >> I WILL BE VERY QUICK. YESTERDAY I WENT UP TO THE SITE TO VISIT THE LANA'I YOUTH CENTER AND SEE HOW IT'S COMING ALONG. AND I MET WITH A LOT OF CONSTRUCTION WORKERS THERE. AND I WILL BE HONEST WITH YOU, THEY HAD TEARS IN THEIR EYES IN MANY WAYS, BECAUSE THEY ARE SO USED TO BUILDING MANSIONS AND GIANT THINGS FOR HOTELS AND THIS TIME THEY ARE

ACTUALLY BUILDING SOMETHING FOR THE COMMUNITY.\r\n\r\nTHEY WERE SMILING FROM EAR TO EAR THAT THEY CAN'T WAIT FOR THEIR KIDS TO COME PLAY AT THE YOUTH CENTER AND THE SKATEPARK AS WELL. THEY SAID FINALLY WE GET TO HAVE SOMETHING FOR OUR COMMUNITY, BECAUSE THE ROCK AND CONCRETE IS ALWAYS GOING TOWARDS THE GIANT RESORTS, AND THIS TIME, YESTERDAY, THEY WERE REALLY HAPPY. THEY HAVE BEEN INSTALLING THE HURRICANE WINDOWS FOR THE YOUTH CENTER AND BOY, IS THAT NEEDED ON OUR ISLAND. SO I'M REALLY HAPPY. I THANK THE MEMBERS. THANK YOU SO MUCH FOR REALLY BACKING THE COMMUNITY HERE AND IT'S THE FRUITS ARE COMING. THANK YOU.\r\n\r\nTHANK YOU, CHAIR MEMBER RAWLINS-FERNANDEZ, YOU CAN TAKE CREDIT FOR THE HURRICANE PROOF WINDOWS. ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR, RAISE YOUR HAND, SAY AYE. NINE AYES, ZERO NOS, MOTION CARRIES. MS. CLERK. >> CHAIR BEFORE YOU IS BILL 21, CD 1 (2024) BILL FOR AN ORDINANCE AMENDING CHAPTER 16.25 MAUI COUNTY CODE RELATING TO EMERGENCY BUILDING PERMITS . MEMBER COOK.\r\n\r\n>> I MOVE TO PASS BILL 21, CD 1 ON SECOND AND FINAL READING. >> SECOND. >> MOVED BY MEMBER COOK, SECONDED BY VICE-CHAIRING IS MAUER TO PASS BILL 21 CD 1, (2024) ON SECOND AND FI READING. DISCUSSION, MEMBER COOK. >> THANK YOU, MEMBERS. BILL 21 WITH EXPAND THE COUNTY'S BUILDING CODES EMERGENCY REPAIR PROVISIONS AND CLARIFY THE REVIEW AND APPROVAL PROCEDURES FOR EMERGENCY BUILDING PERMITS. TO EXPEDITE THE RECOVERY OF UP COUNTRY AND LAHAINA.\r\n\r\nTODAY MARKS THE SEVEN-MONTH ANNIVERSARY OF THE WILDFIRES AND WHILE WE STILL HAVE A LONG WAY TO GO, BILL 21 AIMS TO ENSURE LAHAINA'S RESIDENTS AND BUSINESS OWNERS CAN RETURN, REBUILD AND THRIVE IN THEIR HOME COMMUNITY. I WOULD ALSO LIKE TO AGAIN EXPRESS MY GRATITUDE TO THE ADMINISTRATION AND DEPARTMENT AGENCIES FOR THEIR COORDINATED EFFORTS TO ENSURE EXPEDITED PERMITTING AND ADDITIONAL REBUILDING OPPORTUNITIES IN UP COUNTRY AND LAHAINA. I RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. >> ANY MORE DISCUSSION? MEMBER PALTIN THANK YOU, CHAIR. I'M GOING TO BE SUPPORTING THE MOTION. BUT FOR MY DISCUSSION, I JUST WANTED TO READ THE TESTIMONY OF ONE OF OUR LAHAINA RESIDENTS, WHO WROTE IN OPPOSITION, JUST SO THAT THEY KNOW THEY ARE HEARD, AND THAT THEIR CONCERNS ARE BROUGHT TO THE FRONT.\r\n\r\nSO THAT MAYBE DURING THE ADMINISTRATIVE RULES PROCESS, OR THE ON-BOARDING OF THE VENDOR, THESE THINGS WILL BE TAKEN SERIOUSLY, AND TAKEN INTO CONSIDERATION. SO IT SAYS ALOHA MAUI COUNTY COUNCIL. I OPPOSE BILL 21, BECAUSE IT DOES NOT BENEFIT RECOVERY AND RESILIENCE. THE EXPEDITED PERMITTING PROCESS SHOULD BE ABOUT HELPING RESIDENTS BUILD HOMES THAT ARE SAFE, WELL-BUILT AND MEET THEIR NEEDS. THE PROCESS LAID OUT IN BILL 21 DOESN'T DO THAT. IT RUSHES REBUILDING AT THE EXPENSE OF PLANNING AND RESILIENCY. EXPEDITED PERMITTING SHOULDN'T NEED A SECTION K COMPLIANCE.\r\n\r\nTHE OWNER IS SOLELY RESPONSIBLE FOR COMPLIANCE WITH ALL LAWS OF THE STATE, COUNTY AND FEDERAL GOVERNMENT UNDER THIS SECTION. NOR SECTION I INDEMNIFICATION FOR THE OWNER'S FAILURE TO COMPLY WITH ANY LAWS THE STATE, COUNTY, OR FEDERAL GOVERNMENT, EXPEDITED PERMITTING SHOULD BE ABOUT SUPPORTING HOMEOWNERS THROUGH THE PROCESS. I SUPPORT EXPEDITING PERMITS BY HIRING A CONSULTANT OR MORE STAFF TO CAREFULLY REVIEW THE PROCESS ENSURING IF ASPECT OF THE PERIMETER NEEDS TO BE UPDATED AND CHANGED THE HOMEOWNER KNOWS WHO IT IS TO CONTACT TO FIX THE ISSUE. I SUPPORT THE COUNTY WORKING WITH ARCHITECTS TO PROVIDE A VARIETY OF FLOOR PLANS AND LANDSCAPING PLANS TO ENSURE RESIDENTIAL OWNERS CAN BUILD THE SAME NUMBER, AND TYPE OF UNITS IN A SAFE AND RESILIENT WAY. I SUPPORT YOU USING A CONSULTANT TO HELP EXPEDITE THE CURRENT BACKLOG OF PERMITS. I SUPPORT TEMPORARY HOMES ON LOTS WHILE PERMANENT PLANS ARE BEING DRAFTED. I SUPPORT THE DEPUTIZING OF ADDITIONAL STAFF, SECTION D, AND DEFERRING PERMIT FEE COLLECTION, SECTION 2. I SUPPORT REACHING OUT AND LISTENING TO THE NEEDS OF THE WEST MAUI COMMUNITY BEFORE PASSING AN ORDINANCE THAT WILL IMPACT LAHAINA'S RECOVERY AND LONG-TERM RESILIENCE.\r\n\r\nPLEASE IMPROVE THE BILL TO FOCUS ON IMPROVING THE OUTCOME, RATHER THAN SIMPLY RUSHING THE PROCESS. AND YOU KNOW, THAT IS FROM A LAHAINA RESIDENT. AND I DON'T DOUBT THAT SECTION K AND I WERE ADDED IN JUST AS PROTECTIONS, BUT THESE ARE THINGS THAT I'M ASKING THE ADMINISTRATION TO PUT INTO THE PROCESS WHEN THEY SELECT THE VENDOR AND ON-BOARD

THEM TO CONSIDER AS THEY GO THROUGH THAT PROCESS. SO I WILL BE SUPPORTING BILL 21, BECAUSE YOU KNOW, WE HAVE DONE A LOT OF WORK, AND IT OFFERS RESIDENTS HOPE. BUT I JUST ASK THAT THE ADMINISTRATION IN THEIR ADMINISTRATIVE RULES, AND THEIR ON-BOARDING OF THE VENDOR TAKE THOSE CONCERNS INTO CONSIDERATION AS WELL. >> ANY MORE DISCUSSION? VICE-CHAIR SUGIMURA? \r\n\r\n>> INSTRUCTOR: WANT TO SEND APPRECIATION TO MEMBER COOK FOR SENDING THIS THROUGH YOUR COMMITTEE, AND MEETING SEVERAL TIMES AND GETTING IT DONE. IT IS GOING TO HELP MY COMMUNITY, BECAUSE THEY ARE STARTING TO SUBMIT THEIR BUILDING PERMITS. AND I LOOK FORWARD TO SEEING THEM REALIZE THE GAIN OF HAVING THIS EXPEDITED PROCESS, BECAUSE EVERYBODY IS AFRAID OF OUR LONG BUILDING PERMIT PROCESS OF 300 DAYS OR WHATEVER WE HAVE BEEN HEARING. SO WHATEVER WAY THIS WILL HELP, IT'S MUCH APPRECIATED. AND I DO HOPE THAT WHATEVER HAPPENS WHEN WE REBUILD, OR WHOEVER REBUILDS DOES IT IN A SAFE WAY SO WE CAN DO HAZARD MITIGATION FOR THE FUTURE. I THINK THAT IS THE NEXT PHASE WE'RE AT ALSO. THANK YOU VERY MUCH, MEMBER COOK. \r\n\r\n>> GOOD JOB. OKAY. ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND SAY AYE. NINE AYES, ZERO NO. MOTION CARRIES, MS. CLERK. >> BILL 43 (2024) BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR COUNTY OF MAUI APPENDIX A, PART 1, DEPARTMENT OF PUBLIC WORKS, PRIVATE DONATIONS. \r\n\r\n>> MEMBER COOK. >> MAY I REQUEST THAT RESOLUTION 24-56 BE BROUGHT BEFORE US AGAIN. >> YES. >> ANY OBJECTIONS, MEMBERS? >> NO OBJECTIONS. >> SO ORDERED. MS. \r\n\r\nCOOK -- [LAUGHTER ] >> I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORTS UNDER RULE 7G OF THE RULES OF THE COUNCIL, AS IT RELATES RESOLUTION 24-56. >> SECOND. >> MOVED BY MEMBER COOK, SECONDED BY PRO TEM KAMA TO WAIVE THE RULES OF THE COUNCIL, AND MEMBER COOK IS THIS A TIME-SENSITIVE MATTER? NO? >> NO. >> IT IS, BECAUSE -- LET ME READ IT. THIS WAIVER IS NECESSARY BEFORE WE CAN CONSIDER ACTING ON THIS RESOLUTION TODAY, CHAPTER 3.56 MAUI COUNTY CODE REQUIRES THE COUNCIL TO ACCEPT DONATIONS BY RESOLUTION. SO ACTION TODAY IS APPROPRIATE. \r\n\r\nTHANK YOU, CHAIR. >> OKAY. ANY MORE DISCUSSION ON THE WAIVER? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. MR. \r\n\r\nCOOK. >> I MOVE TO ADOPT RESOLUTION 24-56 AND PASS BILL 43 ON SECOND AND FINAL READING. >> SECOND. >> MOVED BY MEMBER COOK, SECONDED BY VICE-CHAIR SUGIMURA TO PASS BILL 43 ON SECOND AND FINAL READING. MEMBER COOK, DISCUSSION. >> RESOLUTION 24-356 AUTHORIZES THE AMERICAN PUBLIC WORKS ASSOCIATION'S DONATION OF \$11,000 TO THE DEPARTMENT OF PUBLIC WORKS. THE PASSAGE OF THE BILL 43 IS NEEDED TO RECOGNIZE THE DONATION AND APPENDIX A, PART 1 OF THE FY'24 BUDGET. \r\n\r\nTHE DEPARTMENT WILL USE THE DONATION TO ASSIST WITH AUGUST 2023 WILDFIRE RECOVERY. WE AGAIN THANK THE AMERICAN PUBLIC WORKS ASSOCIATION FOR THE GENEROUS DONATION. I RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. >> ANY MORE DISCUSSION? MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I AM SUPPORTIVE OF THIS GRANT. \r\n\r\nI HAVE A PROCEDURAL QUESTION. BECAUSE MAYBE I MISSED SOMETHING? SO WE TOOK UP RESOLUTION 24-56. AND WE DID A WAIVER. AND THEN YOU MOVED TO ADOPT RESO 24-56 AND YOU MADE A MOTION FOR PASSAGE OF BILL 43 ON SECOND AND FINAL, AND WE'RE GOING -- WE DIDN'T VOTE ON RESOLUTION 24-56 TO ADOPT. >> I BELIEVE HE IS TRYING TO COMBINE THEM. >> IT'S COMBINED MOTION TO PASS THE -- ADOPT THE RESOLUTION AND PASS THE BILL ON SECOND AND FINAL IS HOW I UNDERSTOOD IT. >> BUT HE DID IT? \r\n\r\n>> YES. >> HE DID? >> HE DID. >> OKAY. >> THANK YOU FOR CLARIFYING. I JUST WANT TO STATE WHEN PEOPLE ASKED IF IT WAS TIME-SENSITIVE, AN EMERGENCY, WE HAVE HAD SUCH -- WE HAVE BEEN DEALING WITH REAL EMERGENCIES, AND THIS IS TIME-SENSITIVE, BUT I'M JUST CLARIFYING. TRYING TO BRING A LITTLE HUMOR TO OUR AFTERNOON. \r\n\r\n[LAUGHTER ] >> I VOTED TO SUPPORT THE WAIVER. I JUST MAYBE THERE WAS A LONG PAUSE OR SOMETHING. I HEARD THE MOTIONS AS TWO SEPARATE MOTIONS, AND NOT AS ONE COMBINED MOTION. THAT'S ALL. MAHALO, CHAIR. I SUPPORT THE MOTION. >> ALL IN FAVOR SAY AYE? \r\n\r\n>> OKAY. ALL IN FAVOR SAY AYE? >> AYE. >> AND GOODBYE. MOTION CARRIES. YOU HAVE YOUR HAND UP AGAIN. >> I DO. \r\n\r\n>> HOW MANY TIMES DO YOU WANT TO VOTE? VICE-CHAIR SUGIMURA. >> IF I COULD ASK THE CLERK TO GO BACK TO BILL 45 (2024) THIS IS -- I SHOULD NUMBER MY PAGES AND REALIZED WHEN I READ THE REASON FOR THE MOTION TO BE PASSED. >> BILL 45. >> YES, GO

BACK TO BILL 45. THIS IS REGARDING THE PROSECUTING ATTORNEY VICTIMS OF CRIME. IT'S \$5,000 GRANT FOR THE DEPARTMENT OF PROSECUTING ATTORNEYS, AND I WAS ACTUALLY READING THE THING ABOUT THE DAMAGED BUILDING. SO CAN I JUST READ THE CORRECT AND CAN YOU INSERT IT? AFTER WE MOVE TO PASSED AND YOU CALLED ON ME, THIS IS THE CORRECT JUSTIFICATION.

THE BILL AMENDS APPENDIX A, PART 1, FISCAL YEAR 24 BUDGET TO RECOGNIZE FOR THE DEPARTMENT OF PROSECUTING ATTORNEY, A NEW GRANT ENTITLED "OFFICE OF WITNESS FOR CRIME OVC IN THE AMOUNT OF \$5,000." AND THE FUNDS ARE FOR THE 2024 NATIONAL CRIME VICTIMS' RIGHTS WEEK, COMMUNICATION AWARENESS PROJECT AND WILL BE USED TO HOLD A FAMILY DAY CEREMONY AND VIGIL FOR VICTIMS OF CRIME. >> IT WASN'T TO FIX THE BUILDING? [LAUGHTER] YOU JUST MADE THAT UP. >> NO, THAT WAS THE EARLIER ONE. I PUT MY PROSECUTING ATTORNEYS TOGETHER AND AUNTIE MARTIN MUST HAVE BEEN THINKING CHAIR, IF I COULD? THE QUESTION CAME UP WHY THE HAGGAI INSTITUTE DIDN'T HAVE A REPORT? THE REASON WHY BECAUSE IT CAME BEFORE USING AND BECAUSE THE ADMINISTRATION AND THE SYLVIA LUKE AND THE LEGISLATURE IS TRYING TO PASS HAGGAI FOR THE WILDFIRE VICTIM AND TEACHERS PROJECT, IT WAS REFERRED TO BFED TO HAVE A DISCUSSION ONLY UNDER RULE 7G. AND THEN GO TO FIRST AND SECOND READING AS -- RULE 7B. SO THAT IS WHAT WAS ASKED.

THAT IS WHY. I JUST WANTED TO EXPLAIN IT. SO THE ACTION THAT YOU TOOK ON THE EMINENT DOMAIN PROJECT IS SIMILAR. GOING TO HAVE A RULE 7B DISCUSSION IN GREAT, AND PASS ON FIRST AND SECOND READING ON SUBSEQUENT COUNCIL MEETINGS. SAME THING. THANKS. >> OKAY.

THANKS. >> WE HAVE WOULD READINGS? >> YES, IT WILL BE A SEPARATE AGENDA ON THE 22ND. >> FOLKS, ANY HAPPY NEWS? HAPPY NEWS? >> WE ALL LOVE EACH OTHER ACTUALLY. >> WELL, DON'T GO THAT FAR, GEEZ.

[LAUGHTER] >> I WANT TO HEAR WHAT KEANI HAS TO SAY, SHE IS SO GIGLI TODAY. >> KEANI, WHAT CAN YOU WANT TO SAY? >> YOU ARE GOING TO GET TO WATCH THE 6:00 NEWS. HURRAY. YES. NO. EARLIER I MADE THE COMMENT ABOUT THE COMMITTEE REPORT, AND I WAS TRYING -- >> RUB IT IN YES, I WAS BEING FACETIOUS ABSOLUTELY, BECAUSE THE DOUBLE STANDARD OF SOME THINGS THAT IS SAID SOMETIMES IS JUST NEEDS TO BE SAID.

SO THAT IS WHY IT WAS SAID. YOU KNOW, WE WERE ASKED BY -- YOU WERE ASKED BY MAYOR BISSEN TO CONSIDER TAKING ACTION ON THE FLOOR TODAY, JUST AS LIEUTENANT GOVERNOR ASKED FOR ACTION TO BE TAKEN ON HAGGAI INSTITUTE. SAME THING. MAHALO, CHAIR. >> IT WON'T KILL YOU GUYS TO BE A LITTLE KINDER AND A LITTLE GENTLER WITH EACH OTHER IN THE FUTURE, OKAY? >> YES, MOM. >> ALL RIGHT.

PLEASE, I DON'T WANT TO BE YOUR MOTHER EITHER [LAUGHTER] I TELL YOU ONE THING FOR SURE, IF I WAS THE MOTHER OF ALL OF YOU GUYS, I WOULD HAVE RETURNED YOU -- I WOULD HAVE RETURNED YOU THE FIRST DAY TO THE HOSPITAL. [LAUGHTER] >> MY MOM TRIED. SHE COULDN'T. [LAUGHTER] NEVER WANT YOU GUYS AS CHILDREN OH, MY GOSH. >> FUNNY, FUNNY, FUNNY. >> ANYTHING ELSE IMPORTANT? WHOSE BIRTHDAY IS COMING UP? NOHELANI.

>> YOU WERE IN THE 5TH GRADE WHEN SOMETHING HAPPENED? >> I THINK MEMBER RAWLINS-FERNANDEZ AND I ARE KIND OF SIMILAR IN AGE. I MIGHT HAVE BEEN YOUNGER AT THAT TIME THOUGH. >> YOU WERE IN THE 3RD GRADE. >> OR 1ST. >> WE WERE PROBABLY IN ELEMENTARY SCHOOL TOGETHER, BUT NOT IN THE SAME GRADE. [LAUGHTER] >> OKAY.

SO MEMBER COOK. >> I JUST WANT TO THANK ALL MY COLLEAGUES, AND REMIND MYSELF AND EVERYONE THAT WE'RE ALL DOING THE PEOPLE'S BUSINESS. WE'RE HERE BECAUSE WE REALLY CARE. AND I'M GRATEFUL TO BE ABLE TO WORK WITH YOU ALL AND I HOPE EVERYBODY HAS A SAFE, RELAXING WEEKEND. >> THERE YOU GO, MEMBER SUGIMURA, YOU GOT YOUR LOVE. [LAUGHTER] >> MEMBER PALTIN. >> OH, YOU GUYS, TAKE IT EASY.

GEEZ, DON'T OVERDO IT. >> I WOULD LIKE TO RECOGNIZE OCEAN SAFETY CAPTAIN CHANTELE BROWN, WHO WILL BE RECEIVING AN AWARD LATER TONIGHT, AND I'M GLAD WE GOT OUT BEFORE 6:00, BECAUSE THAT IS WHEN IT STARTS. SHE IS MAUI COUNTY'S FIRST FEMALE JETSKI OPERATOR, AS WELL AS MAUI COUNTY'S FIRST FEMALE OCEAN SAFETY CAPTAIN AND SHE IS BEING RECOGNIZED, I THINK ATAT 6:00. >> HOW OLD IS SHE? >> I DIDN'T CHECK HER I.D., BUT SHE IS YOUNGER THAN I AM. >> HOW CAN SHE BE THE FIRST JETSKI OPERATOR? >> FIRST FEMALE JET SKI OPERATOR FOR MAUI COUNTY. >> I THOUGHT YOU DID THAT, TOO.

AFTER HER, I'M THE SECOND. >> I DIDN'T KNOW THAT WAS SUCH AN ACHIEVEMENT THAT WOMEN COULDN'T DRIVE THOSE THINGS. >> NO, YOU HAVE TO GO THROUGH A CLASS, PASS YOUR TEST AND GO THROUGH A CLASS AND

ALL OF THAT. I ACTUALLY WAS THE THIRD, SECOND. SECOND, YES, SECOND. BUT YOU CAN'T OPERATE A JETSKI -- YOU ARE NOT SUPPOSED TO OPERATOR A JETSKI WITHOUT GOING THROUGH THE CLASS AND TAKING THE TEST. SHE WAS THE FIRST FEMALE JETSKI OPERATOR, FIRST FEMALE OCEAN SAFETY CAPTAIN FOR MAUI COUNTY.\r\n\r\n>> VERY GOOD. ANYTHING ELSE YOU WANT TO SHARE? IF NOT, THIS MEETING IS ADJOURNED. THANK YOU. [ GAVEL ]