

**MAUI COUNTY COUNCIL
REGULAR COUNCIL MEETING**

**October 11, 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, 8th Floor, 200 S. High Street, Wailuku, Hawaii.

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

TIME MEETING CALLED TO ORDER: 9:04 a.m.

ROLL CALL

Councilmember	Pres.	Abs.	Exc.	Time(s) In/Out (during meeting)
CM Pro Tempore Tasha Kama			√	Arr. 9:30 a.m.
Vice Chair Yuki Lei Sugimura	√			
CM Tamara Paltin	√			
CM Gabe Johnson	√			
CM Keani Rawlins-Fernandez	√			
CM Tom Cook	√			
CM Nohelani U'u-Hodgins	√			
CM Shane Sinenci	√			
Chair Alice L. Lee	√			
TOTAL PRESENT	8		1	

COMMITTEE REPORTS

CR 24-93 Recommending FIRST READING of Bill 115, CD1 (2024) to allow property owners who are leasing their property to individuals directly displaced by the August 2023 Maui wildfires to file a claim for a home exemption or long-term rental exemption, or both, by December 31, 2025, for the tax year beginning July 1, 2025.

	AYE	NO	EXC	Time Deliberations Began	9:49 a.m.
Pro Tem Kama	√			Time Motion Made	9:49 a.m.
VC Sugimura	√			Motion	ADOPT recommendation
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	9:52 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

CR 24-94 Recommending FILING of Bill 122, CD1 (2024) and Bill 134 (2024) to amend the Fiscal Year 2025 Budget relating to professional services for a contract to prepare a feasibility study and management or business plan for the new East Maui Water Authority.

	AYE	NO	EXC	Time Deliberations Began	9:52 a.m.
Pro Tem Kama	√			Time Motion Made	9:52 a.m.
VC Sugimura	√			Motion	ADOPT recommendation
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	9:54 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

CR 24-95 Recommending ADOPTION of Resolution 24-157, CD1, to accept a 45.415-acre parcel from the State of Hawai'i, in Hāna, Maui, Hawai'i, tax map key (2) 1-3-006:017, set aside by Executive Order 4708, for the expansion of Hāna Landfill.

	AYE	NO	EXC	Time Deliberations Began	9:55 a.m.
Pro Tem Kama	√			Time Motion Made	9:55 a.m.
VC Sugimura	√			Motion	ADOPT recommendation
CM Paltin	√			Maker	Cook
CM Johnson	√			Seconder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	9:57 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

CR 24-96 Recommending FIRST READING of Bill 117, CD1 (2024) to amend Chapter 13.04A, Maui County Code, to exempt Maui County legacy festivals from requiring a special event permit to use a County park or recreational facility for more than five consecutive days.

	AYE	NO	EXC	Time Deliberations Began	9:57 a.m.
Pro Tem Kama	√			Time Motion Made	9:58 a.m.
VC Sugimura	√			Motion	ADOPT recommendation
CM Paltin	√			Maker	Sinenci
CM Johnson	√			Seconder	Cook
CM Rawlins-Fernandez	√			Time Vote Taken	9:59 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

RESOLUTIONS

Reso 24-162 "AUTHORIZING SETTLEMENT OF JULIEANN NAKI, INDIVIDUALLY, AND AS SPECIAL ADMINISTRATOR OF THE ESTATE OF NATHANIEL JOSHUA NA WA'E WA'E MAKALA KA KAI NAKI, ET AL. V. COUNTY OF MAUI, ET AL., CIVIL CV-23-00383-HG-WRP"

	AYE	NO	EXC	Time Deliberations Began	10:01 a.m.
Pro Tem Kama	√			Time Motion Made	10:01 a.m.
VC Sugimura	√			Motion	WAIVE Rule 5E
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Secunder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	10:02 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	10:02 a.m.
VC Sugimura	√			Motion	WAIVE Rule 7G
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Secunder	Cook
CM Rawlins-Fernandez	√			Time Vote Taken	10:02 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	10:03 a.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson		√		Secunder	Sinenci
CM Rawlins-Fernandez		√		Time Vote Taken	10:06 a.m.
CM Cook	√				
CM U'u-Hodgins	√				

CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7	2		MOTION PASSED	

Reso 24-163 "APPOINTMENT OF A MEMBER TO THE MAUI REDEVELOPMENT AGENCY FOR THE COUNTY OF MAUI"
 10:07 a.m.: Referred to the Government Relations, Ethics, and Transparency Committee.

Reso 24-164 "AUTHORIZING THE ISSUANCE OF A PERMIT WITH GREATER DURATION THAN FIVE CONSECUTIVE DAYS FOR THE 2024 FESTIVALS OF ALOHA HANA, PURSUANT TO SECTION 13.04A.100, MAUI COUNTY CODE"

	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	Sinenci
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	10:08 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	10:08 a.m.
VC Sugimura	√			Motion	ADOPT, as amended
CM Paltin	√			Maker	Sinenci
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	10:11 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	10:08 a.m.
VC Sugimura	√			Motion	AMEND with FD1 version; and AMEND Rule 19C
CM Paltin	√			Maker	Sinenci
CM Johnson	√			Second	Rawlins- Fernandez
CM Rawlins- Fernandez	√			Time Vote Taken	10:09 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Reso 24-165 "AUTHORIZING THE ISSUANCE OF A PERMIT WITH GREATER DURATION THAN FIVE CONSECUTIVE DAYS FOR THE 2024 ALOHA CLASSIC WINDSURFING TOURNAMENT, PURSUANT TO SECTION 13.04A.100, MAUI COUNTY CODE"

	AYE	NO	EXC	Time Deliberations Began	10:12 a.m.
Pro Tem Kama	√			Time Motion Made	10:12 a.m.
VC Sugimura	√			Motion	WAIVE Rule 7G
CM Paltin	√			Maker	Sinenci
CM Johnson	√			Second	Kama
CM Rawlins- Fernandez	√			Time Vote Taken	10:13 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	10:13 a.m.
VC Sugimura	√			Motion	ADOPT, as amended
CM Paltin	√			Maker	Sinenci
CM Johnson	√			Second	U‘u-Hodgins

CM Rawlins-Fernandez	√			Time Vote Taken	10:15 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	10:13 a.m.
VC Sugimura	√			Motion	AMEND with FD1 version; and WAIVE Rule 19C
CM Paltin	√			Maker	Sinenci
CM Johnson	√			Secunder	Cook
CM Rawlins-Fernandez	√			Time Vote Taken	10:14 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Reso 24-166 "APPOINTING HEATHER MAKANANI PLACE TO THE MOLOKAI PLANNING COMMISSION"

	AYE	NO	EXC	Time Deliberations Began	10:15 a.m.
Pro Tem Kama	√			Time Motion Made	10:15 a.m.
VC Sugimura	√			Motion	WAIVE Rule 7G
CM Paltin	√			Maker	Rawlins-Fernandez
CM Johnson	√			Secunder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	10:17 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	10:18 a.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	Rawlins-Fernandez
CM Johnson	√			Secunder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	10:26 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Reso 24-167 "URGING THE ADMINISTRATION TO INITIATE UPDATES TO THE WEST MAUI COMMUNITY PLAN IN ALIGNMENT WITH WEST MAUI'S INFRASTRUCTURE PLANS IN THE AFTERMATH OF THE AUGUST 2023 WILDFIRES"

10:27 a.m.: Referred to the Disaster, Resilience, International Affairs, and Planning Committee.

Reso 24-168 "URGING THE COST OF GOVERNMENT COMMISSION TO CONDUCT A STUDY AND PROVIDE RECOMMENDATIONS FOR COST SAVINGS AND EFFICIENCY IN COUNTY BOARDS, COMMITTEES, AND COMMISSIONS"

	AYE	NO	EXC	Time Deliberations Began	10:27 a.m.
Pro Tem Kama	√			Time Motion Made	10:27 a.m.
VC Sugimura	√			Motion	WAIVE Rule 5E
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Secunder	Cook
CM Rawlins-Fernandez	√			Time Vote Taken	10:28 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	10:28 a.m.
VC Sugimura	√			Motion	WAIVE Rule 7G

CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Secunder	Cook
CM Rawlins-Fernandez	√			Time Vote Taken	10:29 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	10:29 a.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Secunder	Cook
CM Rawlins-Fernandez	√			Time Vote Taken	10:31 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Reso 24-169 "APPROVING THE APPOINTMENT OF RYAN T. MARTINS AS COUNCIL SERVICES ASSISTANT (FULL-TIME) IN THE OFFICE OF COUNCIL SERVICES"

	AYE	NO	EXC	Time Deliberations Began	10:31 a.m.
Pro Tem Kama	√			Time Motion Made	10:31 a.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	10:33 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Reso 24-170 "APPROVING THE APPOINTMENT OF BENJAMIN SILVA AS COMMUNICATIONS SPECIALIST IN THE OFFICE OF COUNCIL SERVICES"

	AYE	NO	EXC	Time Deliberations Began	10:33 a.m.
Pro Tem Kama	√			Time Motion Made	10:33 a.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Second	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	10:35 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Reso 24-171 "REFERRING TO THE LĀNA‘I, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL ON MOBILE FOOD TRUCKS OR TRAILERS IN THE AGRICULTURAL DISTRICT"

10:37 a.m.: Referred to the Agriculture, Diversification, Environment, and Public Transportation Committee.

Reso 24-172 "REFERRING TO THE LĀNA‘I, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL AMENDING THE COMPREHENSIVE ZONING ORDINANCE ON AGRICULTURAL TOURISM"

10:37 a.m.: Referred to the Agriculture, Diversification, Environment, and Public Transportation Committee.

ORDINANCES

Bill 140 (2024) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE 15TH SPACE SURVEILLANCE SQUADRON, AIR FORCE MAUI OPTICAL & SUPERCOMPUTING, AND AIR FORCE RESEARCH LABORATORY FOR FIRE AND EMERGENCY/NON-EMERGENCY SERVICES"

10:40 a.m.: Referred to the Budget, Finance, and Economic Development Committee.

Bill 141 (2024) "A BILL FOR AN ORDINANCE AMENDING CHAPTER 5.16, MAUI COUNTY CODE, RELATING TO TAXICABS"

10:40 a.m.: Referred to the Budget, Finance, and Economic Development Committee.

Bill 142 (2024) "A BILL FOR AN ORDINANCE AMENDING CHAPTER 16.04D, MAUI COUNTY CODE, RELATING TO THE PROCEDURE FOR NOTICES OF WARNING AND VIOLATIONS"

10:41 a.m.: Referred to the Disaster, Resilience, International Affairs, and Planning Committee.

ORDINANCES - SECOND AND FINAL READING

Bill 124, CD1 (2024) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, ESTIMATED REVENUES; DEPARTMENT OF MANAGEMENT, MANAGEMENT PROGRAM; CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF MANAGEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA; AND APPENDIX C, DEPARTMENT OF MANAGEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA"

Bill 125, CD1 (2024) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, ESTIMATED REVENUES AND OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM, GRANTS AND DISBURSEMENTS FOR WATER AND ENVIRONMENTAL RESOURCE PROTECTION"

Bill 139 (2024) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, ESTIMATED REVENUES AND DEPARTMENT OF ‘ŌIWI RESOURCES, ‘ŌIWI RESOURCES PROGRAM, SALARIES"

	AYE	NO	EXC	Time Deliberations Began	10:41 a.m.
Pro Tem Kama	√			Time Motion Made	10:42 a.m.
VC Sugimura	√			Motion	PASS Bills 124 CD1, 125 CD1, and 139 on second and final reading
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	10:42 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

TIME MEETING ADJOURNED: 10:49 a.m.

TRANSCRIPTION

Council of the County of Maui on 2024-10-11 9:00 AM - Regular Meeting

[GAVEL] >> WILL THE COUNCIL MEETING OF OCTOBER 11TH, 2024, PLEASE COME TO ORDER. GOOD MORNING EVERYONE. AND SO WE HAVE ROLL CALL RIGHT NOW. ALSO, BEFORE WE BEGIN, JUST WANT TO SAY THAT I KNOW IT WILL BE DIFFICULT FOR YOU, BUT LET'S TRY AND FINISH BY 11:00. 11:00. BECAUSE, NO NOT JINXES BECAUSE MEMBER JOHNSON HAS TO HEAVE AT 11:00 AND WE DON'T HAVE MANY CONTROVERSIAL THINGS , BUT RIGHT NOW WE HAVE ORDINARY ITEMS THAT WE'RE ABLE TO FINISH AT 11:00, IF WE ALL CONCENTRATE. OKAY. THANK YOU. MEMBER COOK.\r\n\r\n>> CHAIR, I HAVE A VERY SERIOUS QUESTION. >> YES. >> WHAT IS THE GREETING FOR TODAY? >> THE GREETING, I DIDN'T -- LET'S MAKE IT HALF A DAY. HALF A DAY EVERYBODY. MISS CLERK. >> CHAIR, PROCEEDING WITH ROLL CALL.\r\n\r\n\r\nCOUNCIL MEMBER PRO TEMPORE TASHA KAMA EXCUSED. >> VICE-CHAIR YUKI LEI SUGIMURA. >> HALF A DAY AND LET'S MAKE THIS A FAST MEETING; RIGHT? >> AND PRODUCTIVE. >> COUNCIL MEMBER TAMARA PALTIN. >> HALF A DAY AND ALOHA KAKAHIKA KAKOU. >> COUNCIL MEMBER GABE JOHNSON?\r\n\r\n\r\n>> >> ALOHA CHAIR, COUNCIL MEMBERS, COMMUNITY MEMBERS. THERE'S NO TESTIFIERS AT THE LANAI DISTRICT OFFICE AND I'M ALONE IN MY WORK SPACE. MAHALO. >> THANK YOU. >> COUNCIL MEMBER KEANI RAWLINS-FERNANDEZ. >> ALOHA KAKAHIKA KAKOU. THERE ARE CURRENTLY NO TESTIFIERS AT MOLOKA'I DISTRICT OFFICE.\r\n\r\n\r\nCHALLENGE ACCEPTED CHAIR, EVERY ITEM WILL BE CONTROVERSIAL. [LAUGHTER]. >> I WILL FOCUS AND CONCENTRATE AS YOU REQUESTED. >> [LAUGHTER]. >> WELL, WE'LL JUST HAVE TO MUTE YOUR MIC. [LAUGHTER] >> COUNCIL MEMBER TOM COOK? >> HALF A DAY. ALOHA FRIDAY. AND THERE'S NOBODY CURRENTLY AT THE KIHEI OFFICE FOR TESTIMONY, AND HAPPY TO BE HERE WITH YOU ALL.\r\n\r\n\r\n>> COUNCIL MEMBER NOHELANI UU-HODGINS. >> HAPPY ALOHA FRIDAY EVERYONE. HALF YOU ADAY. >> COUNCIL MEMBER SHANE SINENCI. >> ALOHA CHAIR AND KAKOU. HALF A DAY. >> COUNCIL CHAIR LEE.\r\n\r\n\r\n>> THANK YOU, I'M HERE LOOKING FORWARD TO A PRODUCTIVE MEETING. >> YOU HAVE EIGHT MEMBERS PRESENT AND A QUORUM IS PRESENT TO CONDUCT THE BUSINESS OF THE COUNCIL, FOR THE RECORD, I'M THE COUNTY CLERK MOANA LUTEY AND THE DEPUTY COUNTY CLERK RICHELLE THOMSON AND OUR LEGISLATIVE STAFF JOSE MURASHIGE, LAUREN SALDANA AND IN THE LOBBY DELL YOSHIDA AND ARTHUR SUYAMA AND JOINING FROM THE COUNCIL SERVICES IS DIRECTOR DIET OF A DADE RAATZ AND DISER DEPUTY MIMI DESJARDIN AND SALINA PINELLE. >> THANK YOU. OPENING REMARKS TODAY WILL BE PRESENTED BY COUNCIL MEMBER SHANE SINENCI. >> MAHALO, CHAIR. AND ALOHA PU'ULIMA KAKOU. AND BEFORE I GET STARTED MAHALO TO MEMBER PALTIN FOR SWITCHING OUT HER OPENING COMMENTS TO SHARE THIS VERY IMPORTANT MESSAGE TODAY.\r\n\r\n\r\nMAHALO. MEMBERS, ON MONDAY, WE HAD AN INTENSIVE, AND EXTENSIVE DISCUSSION ON DOMESTIC VIOLENCE IN THE WASSAP COMMITTEE WILL MS. HUI OF WOMEN HELPING WOMEN AND MR. JORDAN, SAFE, STRONG AND SOBER PROGRAMS. BEING QUIET IS JUST NOT THE ANSWER. AS OUR DISCUSSIONS ADDRESSED THE COMMUNITY RESOURCES THAT ARE AVAILABLE TO FAMILIES, WHO SUFFER FROM ABUSE, AS WELL AS EDUCATIONAL PROGRAMS THAT BEGIN AT AN AGE FOR CHILDREN SO THAT THEY HAVE THE NECESSARY TOOLS SHOULD THEY NEED TO COMBAT ABUSE. OTHER TOPICS INCLUDED CULTURALLY-BASED METHODS, AS WELL AS SPIRITUAL ASPECTS OF RECOVERY.\r\n\r\n\r\nMEMBERS, ON SEPTEMBER 30TH, PRESIDENT BIDEN ISSUED A PROCLAMATION ON NATIONAL DOMESTIC VIOLENCE AWARENESS, AND PREVENTION MONTH, 2024, FOR THE MONTH OF OCTOBER. THE PROCLAMATION STATES DOMESTIC VIOLENCE MILLIONS OF AMERICANS ACROSS OUR NATION, WITH DEVASTATING CONSEQUENCES FOR SURVIVORS, FAMILIES AND ENTIRE COMMUNITIES. EVERYONE DESERVES TO LIVE FREE FROM THE FEAR OF VELOCITY, ESPECIALLY IN THEIR OWN HOMES. LAST MONTH, WAS THE 30TH ANNIVERSARY OF THE VIOLENCE AGAINST WOMEN ACT CREATING THE FIRST-EVER DOMESTIC VIOLENCE HOTLINE, WHICH HAS PROVIDED MILLIONS OF AMERICANS WITH LIFESAVING SUPPORT AND ANSWERING THE SEVEN MILLIONTH CONTACT TO THE HOTLINE THIS PAST YEAR. MEMBERS, FOR THE PUBLIC'S INFORMATION THERE WILL BE A DOMESTIC VIOLENCE SIGN-WAVING TODAY AT 3:00 AT THE STATE CAPITOL IN HONOLULU. AND THEY ARE ASKING TO WEAR PURPLE IN SOLIDARITY. IF YOU KNOW OR SOMEONE

YOU KNOW IS EXPERIENCING DOMESTIC VIOLENCE, YOU CAN CONTACT WOMEN HELPING WOMEN 24-HOUR DOMESTIC HOTLINE AT 808-579-9581. THE MOLOKA'I COMMUNITY SERVICE COUNCIL'S 24/7 SHELTER HOTLINE AT 808-567-6888. THE PHONE NUMBER FOR TRAFFICKING VICTIM ASSISTANCE PROGRAM HAWAII IS 808-721-9614. PARENTS AND CHILDREN TOGETHER 808-243-7001. AND YOU CAN ALSO VISIT THE HAWAII STATE COALITION AGAINST DOMESTIC VIOLENCE WEBSITE FOR ADDITIONAL PROGRAMS AND RESOURCES.

WITH THAT, MAHALO KAKOU, AND MAHALO NUI. THANK YOU. >> THANK YOU VERY MUCH FOR THOSE WORDS. WOULD ANYBODY LIKE TO ADD TO THAT? BEING THAT THIS IS DOMESTIC VIOLENCE MONTH OKAY, THANK YOU. LET'S MOVE ON TO 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 THAT 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. EACH TESTIFIER WILL BE ALLOWED TO SPEAK FOR UP TO THREE MINUTES ON EACH ITEM. FOR INDIVIDUALS WISHING TO TESTIFY ON TEAMS PLEASE CLICK THE RAISE YOUR HAND BUTTON TO BE ADDED TO THE LOG. IF YOU ARE CALLING IN, PLEASE FOLLOW THE PHONE PROMPTS TO BE ADDED TO THE TESTIFIER LOG. DECORUM SHALL BE MAINTAINED AT IN I AM TOO AND ANY PERSON THAT BEHAVES IN PAY MANNER THAT IMPEDES THE ORDERLY KONG DUCT 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, 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. CLERK, PLEASE PROCEED. >> CHAIR, THANK YOU. THERE'S NO BUSINESS BEFORE THE COUNCIL FOR MATTERS D- F. SO WE'LL PROCEED WITH G, PRESENTATION OF WRITTEN OR ORAL TESTIMONY. AT THIS TIME INDIVIDUALS MAY TESTIFY ON ANY MATTER ON OUR AGENDA, AND CHAIR, WE'LL START WITH SIDNEY SMITH, WHO IS TESTIFYING ON RESOLUTIONS 24-171 AND 172. AND SHE WILL BE FOLLOWED BY ROBERT HER KASHO AND IF YOU COULD LET US KNOW WHEN YOU HAVE COMPLETED THE TESTIMONY ON YOUR FIRST RESOLUTION SO WE CAN KEEP TIME. >> THANK YOU.

I SORT OF HAVE BOTH THINGS IN ONE TESTIMONY, BUT WON'T EXCEED MY TIME. GOOD MORNING CHAIR LEE AND COUNCIL. MY NAME IS SIDNEY SMITH AND MY HUSBAND AND I OWN A COFFEE FARM AND I'M A MEMBER OF THE AG WORK GROUP AND TESTIFYING TODAY ON BEHALF OF MYSELF AND THE AG WORKING GROUP ON RESOLUTION 24-171, AND RESOLUTION 24-172. THE AG WORKING GROUP FULLY SUPPORTS BOTH RESOLUTIONS FOR THE FOOD TRUCK AND TRAILER BILL AND THE AGRICULTURAL TOURISM BILL. WE WERE ASSURED UNDER THE PREVIOUS TWO ADMINISTRATIONS THAT FOOD TRUCK AND AG TOURISM WAS SUPPORTED BY THE PLANNING DEPARTMENT. UNDER THIS ADMINISTRATION, MANY OF OUR TRUE-BLUE FARMERS AN RANCHERS FOUND OUT THE HARD WAY THAT POLICIES COULD CHANGE UPON A WHIM. THESE TWO BILLS WILL ASSURE OUR CITIZENS AG PRODUCERS THAT THEY CAN AUGMENT THEIR FARM INCOME WITH SOMETHING SUPPORTED AND ENCOURAGED BY H.R.S. 205, THE HAWAII STATE DEPARTMENT OF A THE USDA, THE UNIVERSITY OF HAWAII, THE HAWAII LAND TRUST, THE COUNTYWIDE POLICY PLANNING, THE MAUI ISLAND PLAN, AND YOU, THE COUNTY COUNCIL. EVERY TIME THE AG WORKING GROUP IS PRESENTED BILLS TO THE COUNCIL TO INCREASE THE VIABILITY OF OUR FARMS AND RANCHES IT HAS BEEN SUPPORTED.

ONCE THESE BILLS PASS, AND BECOME PART OF TITLE 19, WE WON'T HAVE TO WORRY ABOUT BEING COMPELLED TO FILE STATE SPECIAL USE PERMITS JUST TO SHARE HAWAIIAN CULTURAL PRACTICES SUCH AS POUNDING POI WITH OUR VISITORS OR VISITING SCHOOL CLASSROOMS, OR TO SERVE FARM-TO-TABLE MEALS ON THEIR FARMS. OR THAT THEIR LEGAL AG BUSINESSES WILL BE REVOKED WITH EACH NEW ADMINISTRATION. I WOULD LIKE TO THANK COUNCIL SERVICES AND THE HARD-WORKING STAFF OF COUNCIL MEMBER GABE JOHNSON, WHO EXPEDITED THESE BILLS IN EFFORTS TO HELP OUR FARM AND RANCHING FAMILIES WHO HAVE BEEN ADVERSELY AFFECTED BY THE CURRENT ADMINISTRATION'S POLICIES. THANK YOU. MY TESTIMONY IS COMPLETED. >> QUESTIONS?

MEMBER PALTIN.\r\n\r\n>> THANK YOU, CHAIR. THANK YOU, MS. SMITH. I WAS WONDERING, WITH WHAT YOU SAID, WHERE WOULD A WEDDING FALL IN THIS? >> A WEDDING IS NOW ALLOWABLE UNDER H.R.S. 205. SO YOU COULD NEED A CONDITIONAL USE PERMIT BEFORE THIS COUNCIL TO DO WEDDINGS. >> SO THE SAME WOULD BE LIKE ZIP LINING TOO? >> THAT IS ALSO SPECIFICALLY SET FORTH IN TITLE 19 THAT IS NOT ALLOWED WITHOUT A STATE SPECIAL USE PERMIT OR CONDITIONAL USE PERMIT.\r\n\r\n>> WHAT ABOUT THE AQUA BALLS? >> THAT IS NOT SPECIFICALLY LISTED IN H.R.S. 205 OR TITLE 19, AND SO I DON'T KNOW HOW THAT WOULD BE. TCH JUST ASKING BECAUSE WE HAD THAT IN OUR COMMITTEE BEFORE, AND IT WAS A THING. >> THAT IS NOT LISTED IN THE AG TOURISM BILL. WE TRIED TO LIST EVERYTHING, SO THAT THERE WOULDN'T BE ANY CONFUSION, BUT THERE'S NOTHING IN THERE ABOUT AQUA BALLS. I REALLY DON'T EVEN KNOW WHAT THAT IS. >> AND THEN, FOR WHEN IT SAYS PRODUCTS MADE IN THE FARM, OR GROWN IN THE STATE, IS THAT MEANT TO BE EXCLUSIVELY?\r\n\r\n>> NO, I THINK IF YOU MAKE BANANA BREAD YOU HAVE TO BUY FLOUR THAT WAS PROBABLY GROWN IN THE PACIFIC NORTHWEST OR SOMETHING. IT'S SUPPOSED TO BE PRIMARILY, YOU KNOW, IF YOU ARE DOING ADDED VALUE PRODUCTS, OBVIOUSLY THE JAR THAT YOU PUT YOUR JELLY IN WASN'T MADE HERE, AND THE SUGAR IS NO LONGER MADE HERE. SO IT'S SUPPOSED TO BE PRIMARILY THE PRODUCTS THAT YOU GROW ON YOUR FARM, BUT I THINK IT'S REALLY ACCEPTED IN THE STATE THAT YOU NEED OTHER PRODUCTS THAT ARE MADE IN OTHER AREAS. BUT YOU UTILIZE THE THINGS THAT YOU GROW ON YOUR FARM OR YOUR RANCH. >> AND LIKE, IS THERE MERCHANDISE TOO? >> THAT IS ALLOWED. >> IT'S NOT CLARIFYING QUESTION.\r\n\r\n>> IT'S ALLOWED AS LOGOS FOR YOUR FARM/RANCH AND THINGS LIKE THAT. THINGS THAT PROMOTE YOUR FARM OR RANCH. >> YOU ARE NOT EXPECTING THIS -- >> CHAIR? >> LET HER FINISH THE LAST QUESTION. >> YOU ARE NOT EXPECTING US TO PASS THIS ON TODAY? BECAUSE I HAVE A COUPLE QUESTIONS FOR ME. >> THIS IS A RESOLUTION.\r\n\r\nSO I JUST WOULD LIKE IT TO BE PASSED ONTO TO THE COMMISSIONS. >> WELL, I'M JUST SAYING I HAVE A LOT OF QUESTIONS MORE AND WE DON'T LIKE TO DO THIS. >> WE'LL TAKE IT UP WHEN IT COMES UP. >> CAN WE ASK THE TESTIFIER IF SHE WILL BE HERE? SO THAT IF WE HAVE MORE QUESTIONS, WHICH IT SOUNDS LIKE MEMBER PALTIN HAS, SHE CAN ASK MORE QUESTIONS AT THAT TIME. >> I GUESS MY PREFERENCE WOULD BE FOR IT TO GO TO COMMITTEE, BECAUSE I HAVE A LOT OF QUESTIONS. >> THAT IS MY RECOMMENDATION.\r\n\r\n>> OKAY. >> THANK YOU, SIDNEY. WE APPRECIATE YOUR TESTIMONY, AND I'M SURE WE'LL ALL AGREE WITH YOU AFTER WE HAD MORE INFORMATION. >> OKAY. >> ARE THERE ANY MORE QUESTIONS? >> CHAIR, I WILL WAIT FOR COMMITTEE. MAHALO.\r\n\r\n>> THANK YOU. MAY WE HAVE THE NEXT TESTIFIER. >> CHAIR, NEXT TESTIFIER IS ROBERT HURCAGO, TESTIFYING ON RESOLUTIONS 24-171 AND 172 AND HE WILL BE FOLLOWED BY EVAN DUST. IF YOU COULD JUST LET US KNOW WHEN YOU COMPLETE YOUR TESTIMONY ON THE FIRST RESOLUTION. >> THANK YOU VERY MUCH. GOOD MORNING, CHAIR LEE, AND COUNCIL MEMBERS. I GOT TO ADMIT I HAVEN'T BEEN TO COUNCIL FOR A WHILE SINCE MARCH AT FULL COUNCIL.\r\n\r\nIT WAS NICE TO FEEL THE ENERGY AND THE GOOD VIBES BETWEEN ALL OF YOU, BESIDES LOOKING HANDSOME AND PRETTY. [LAUGHTER]SO AGAIN, I WAS GOING TO SPEAK ON RESOLUTION 24-171 AND 172, BUT GIVEN THE COMMENT FROM MS. PALTIN, I'M NOT SURE I WANT TO. I MEAN, I UNDERSTAND THAT NOTHING IS BEING PASSED TODAY, BUT GIVEN MY DISCUSSIONS WITH THE PLANNING DEPARTMENT, I'M ACTUALLY USING THIS HOPEFUL DISCUSSION AS A WAY TO PLEAD AND ASK THEM AGAIN TO RECONSIDER THE DECISIONS THAT THEY MADE TO ME, SO THAT IN SIX MONTHS AT THE COMMISSION, AND BACK TO COMMITTEE AND BACK TO FULL COUNCIL, YOU KNOW, THEY MIGHT HAVE ALREADY SOLVED THE PROBLEM LIKE TOMORROW, IF THEY REALLY APPRECIATE AND ACCEPT THE MERITS OF WHAT I WANT TO SAY. SO I GUESS I WILL ANYWAY AND YOU CAN BEAT ME UP IF YOU SO CHOOSE. ABOUT A YEAR-AGO I ASKED THE PLANNING DEPARTMENT ABOUT BEING ABLE TO PUT AN AG PRODUCT STAND OR AG RETAIL STRUCTURE ON A TRAILER. AND THE ANSWER WAS NO.\r\n\r\nTHAT I NEEDED A SPECIAL USE PERMIT AND WE DECIDED NOT TO GO THAT ROUTE AND BUILD A STRUCTURE ON THE GROUND. WE HAVEN'T DONE THAT YET. AS GOOD CITIZENS WE APPLIED FOR REVIEW FOUR MONTHS PLUS AND WE HAVEN'T HEARD. SO WE'RE IN LIMBO BUT AT THE SAME TIME YOU CAN BUILD A STRUCTURE ON THE TRAILER AS A FOOD TRUCK, WITHOUT A DISCRETIONARY PERMIT. YOU CAN BUILD A TINY HOME ON A TRAILER WITHOUT A PERMIT AND DISCRETIONARY PERMIT AND HAVE A DWELLING. BUT

THE FARMERS TO SELL OUR FOOD THAT WE GROW ON OUR LAND, WE NEED TO HIRE CONSULTANT POTENTIALLY, SPEND WHO KNOWS HOW MUCH MONEY AND EVERY 3-5 YEARS TO GET IT RENEWED. IT DOESN'T MAKE SENSE AND IT DOESN'T SEEM LIKE IT'S FAIR.\r\n\r\nTO ME IT'S KIND OF A DISSERVICE TO THE GENERAL PUBLIC THAT THAT HAS TO HAPPEN. NOW I KNOW EVERYBODY HAS TRAVELED AROUND THE WORLD AND SEE FOOD CART AND FOOD TRAILERS EVERY PLACE ESPECIALLY IN ASIA, IN EUROPE, YOU KNOW, THROUGH THE BACKCOUNTRIES IN THE UNITED STATES AND EVENING ON MAUI, IN THE UP COUNTRY FAIR WHEN IT OPENED, THERE WERE FOOD SELLING OUT OF THE BACK OF TRUNKS, UP TO KULA. THAT HASN'T CHANGED. I READ AN ARTICLE THAT THEY FOUND A STREET FOOD CART IN THE RUINS OF POMPEII, SO IT'S BEEN FOREVER AND MY PLEA TO THE PLANNING DEPARTMENT, WHATEVER YOU WANT TO CALL, IT HISTORIC PRECEDENCE, TRADITION, RECONSIDER THE DECISION AT LEAST MADE TO ME AND THE OTHER FARMERS THAT YOU COPYRIGHT PUT UP COMMERCIAL AG TRUCKS. >> THREE MINUTES. >> OR TRAILERS. THAT IS MY PITCH FROM THAT RESOLUTION, IF YOU DON'T MIND?\r\n\r\nTHE SECOND RESOLUTION -- >> ARE THERE ANY QUESTIONS, MEMBERS? MEMBER PALTIN. >> I WANTED TO CLARIFY WHAT YOU HAD SAID THAT YOU CAN HAVE A TINY HOME DWELLING ON A TRAILER WITHOUT A PERMIT. THAT IS NOT WHAT I HAVE BEEN TOLD. >> YOU DO NOT NEED A BUILDING PERMIT. I MEAN, YOU CAN BUILD A STRUCTURE WITHOUT IT. YOU JUST HAVE TO GET LICENSE WITH THE DEPARTMENT OF MOTOR VEHICLES FOR THE TRAILER ITSELF.\r\n\r\nIT'S IN CHAPTER 16. 16-25105.2. >> THAT IS NOT WHAT THE FOLKS IN LAHAINA ARE BEING TOLD. IF IT'S USED AS A DWELLING, YOU NEED A PERMIT IS WHAT I HAVE BEEN TOLD. >> I THINK THE DIFFERENCE IS ONCE -- AS FAR AS I UNDERSTAND, OF COURSE, THE ENTITLEMENTS FOR ZONING IS STILL THE SAME. IF YOU ARE AG ZONE AND ALLOWED ONE HOUSE AND SECOND FARM DWELLING, A TRAILER IS STILL GOING TO COUNT TOWARDS THOSE TWO POTENTIAL DWELLINGS. I'M NOT SURE WHERE THOSE THINGS ARE. >> YOU STILL NEED A PERMIT. I JUST WANT TO CLARIFY, BECAUSE WHOEVER IS WATCHING THIS MIGHT THINK THAT THEY DON'T NEED A PERMIT, BUT THAT IS WHAT I HAVE BEEN TOLD FOR ALL OF THE RESIDENTS THAT WANT TO LIVE IN A TINY HOME ON A TRAILER THAT YOU STILL REQUIRE A PERMIT.\r\n\r\nSO I JUST WANTED TO CLARIFY THAT. >> I THINK THAT SHOULD GO TO PUBLIC WORKS. BECAUSE I'M JUST SPEAKING TO WHAT I KNOW ABOUT THE TINY HOME BUSINESS. >> YES. >> I HAVE NEVER DONE ONE >> JUST CLARIFYING FOR WHOEVER IS WATCHING THAT IS WHAT I HAVE BEEN TOLD. THE OTHER QUESTION I HAD, LIKE, YOU KNOW, YOU SAID IN THE BEGINNING, I'M NOT AGAINST THESE THINGS. I JUST WANT TO CLARIFY IT, BECAUSE WHAT I HAVE SEEN IS SOMETIMES WE PASS THINGS BECAUSE THEY SOUND LIKE A GOOD IDEA AND THEN OTHER QUESTIONS COME UP.\r\n\r\nBECAUSE CERTAIN PEOPLE HAVE AN IDEA IN THEIR HEAD OF WHAT IT IS, AND THAT IDEA IS NOT THE SAME FOR EVERYONE. SO I THINK YOU KNOW IN PASSING GOOD LEGISLATION, WE HAVE GOT TO CLARIFY ALL OF THE THINGS THAT MAY COME UP. AND I'M NOT -- I JUST WANTED TO CLARIFY, I'M NOT AGAINST WHAT YOU ARE SAYING I JUST WANT TO MAKE SURE WE PASS GOOD LEGISLATION, AND THIS APPARENTLY IS NOT THE TIME OR PLACE FOR US TO DELVE DEEP INTO IT. SO I JUST WANTED TO CLARIFY. I'M NOT AGAINST IT, LIKE IT SOUNDS LIKE I WAS BEATING PEOPLE UP AND I'M JUST TRYING TO CREATE GOOD LEGISLATION. >> I'M NOT ACCUSING ANYBODY OF ANYTHING, BUT JUST THINKING ABOUT MY EXPERIENCE AND I GET THE THING ABOUT GOOD LEGISLATION. UNFORTUNATELY NOTHING IS PERFECT, THERE'S ALWAYS GOING TO BE ABUSERS.\r\n\r\nYOU SAW IT WITH THE ZIP LINE BUSINESS; RIGHT? THIS COUNCIL PASSED IT, ON RECREATION AND THERE WAS ABUSE AND IT GOT CHANGED. >> A PREVIOUS COUNCIL. >> THAT IS JUST LIFE; RIGHT? >> OKAY. WE HAVE OTHER QUESTIONS. FIRST, MEMBER RAWLINS-FERNANDEZ, AND THEN MEMBER COOK.\r\n\r\n>> MAHALO, CHAIR. MAHALO FOR YOUR TESTIMONY THIS MORNING. SO TODAY IS THE RESOLUTION. AS WAS STATED BY THE PREVIOUS TESTIFIER AND RESOLUTION WITH THE BILL. SO THE RESOLUTION IS TO SEND THIS BILL TO THE PLANNING COMMISSIONS FOR THEIR REVIEW AND RECOMMENDATION BACK TO THE COUNCIL. SO I SUPPORT THEIS BILL GOING TO COMMITTEE SO WE CAN TALK THROUGH SOME OF THE ITEMS. THE CLARIFICATION IS DID YOU HELP TO WORK ON THE BILL ITSELF, AND WOULD YOU BE AVAILABLE WHEN IT'S SCHEDULED IN COMMITTEE TO TALK THROUGH SOME OF THE HYPOTHETICALS?\r\n\r\nSO THAT WE CAN REFINE IT AND WHEN WE DO SEND IT TO THE PLANNING COMMISSIONS, THEY HAVE MORE INFORMATION. IT'S BETTER VETTED. THE PLANNING COMMISSIONS DON'T LIKE WHEN THE COUNCIL JUST SENDS IT IMMEDIATELY

THROUGH WITHOUT ANY ADDITIONAL INFORMATION AND VETTING. SO THAT IS WHY I'M SUPPORTIVE OF IT GOING TO COMMITTEE. >> OF COURSE. I WILL BE HERE. AND AS I STATED IN THE BEGINNING I REALIZE THIS WAS NOT THE APPROPRIATE SPOT TO PROBABLY TALK ABOUT THIS STUFF, BUT I'M ASSUMING THE PLANNING DEPARTMENT IS LISTENING TOO; RIGHT? AND YOU KNOW, THEY MAY DECIDE INTERNALLY THAT HEY, WHAT IS THE BIG DEAL? LET'S JUST ALLOW IT ON TRAILERS LIKE WE DO WITH FOOD TRUCKS AND NO DIFFERENT THAN THE MOBILE HOMES ALLOWED IN THE PAST AND NOW SAYING NO. SO I GET WHAT I'M SAYING IS PROBABLY INAPPROPRIATE HERE. I'M NOT TRYING TO DO BAD. I'M JUST SAYING TO THE PLANNING DEPARTMENT WHO IS LISTENING TO THAT THAT REALLY, LOOK AT IT IN A DIFFERENT LENS. THAT IS WHAT I'M SAYING. IF YOU INDULGE ME ON THE NEXT ONE, I WILL DO THE SAME, BUT BRIEFER.

>> WE HAVE ONE MORE QUESTION. >> THIS IS A PUBLIC VENUE AND THAT IS PART OF OUR KULEANA AS COUNCIL TO GIVE OUR COMMUNITY SPACE TO PROVIDE YOUR COMMENTS. SO MAHALO FOR BEING HERE THIS MORNING. MAHALO, CHAIR. >> I HAVE TO FOREWARN YOU HAVE NEVER HEARD OF PLANNING LISTENING TO US AND CHANGING THEIR MINDS, BUT THERE'S ALWAYS A FIRST TIME. MEMBER COOK. >> GOOD MORNING, AND THANK YOU, SIR, FOR TAKING THE TIME TO COME AND SHARE WITH US AND TESTIFY. I HAVE TWO QUESTIONS. BASICALLY, IS THIS SOMETHING THAT HAS PREVIOUSLY BEEN DONE IN THE PLANNING DEPARTMENT HAS COME AND MADE COMMENTS AND PREVENTED IT FROM HAPPENING? THE SECOND QUESTION IS THERE A DIFFERENCE IN THE WAY THAT THE CURRENT -- YOU SAID THE CURRENT ADMINISTRATION, THE PLANNING DEPARTMENT IS INTERPRETING IT DIFFERENTLY THAN THE PAST. IF YOU COULD BRIEFLY CLARIFY THAT. >> WELL, MY HISTORY IS I'M NOT SURE WHETHER RECENT QUESTIONS TO THE PLANNING DEPARTMENT BESIDES ME HAVE COME FORTH. AGAIN MINE STARTED ABOUT A YEAR-AGO. I DO KNOW UP COUNTRY MARKET, WHEN THEY STARTED AND IF YOU EVER WENT THERE, PRODUCTS WERE SOLD OUT OF TRUCKS, BACK OF PICKUP TRUCKS AND I SOLD STUFF OUT OF THE BACK OF MY FORD PICKUP AND THE TRAILERS AT THE PARK HAVE BEEN THERE A LONG TIME. SO FOR ME THE PRECEDENCE IS THERE, BUT INTERPRETATION. I HAVE BEEN AROUND LONG ENOUGH TO SEE INTERPRETATIONS OF LAW CHANGE OVER DIFFERENT ADMINISTRATIONS, AND NOT JUST PLANNING, PUBLIC WORKS, WATER. OKAY. I'M SORRY, YOUR SECOND QUESTION WAS? >> THEY WERE -- YOU ANSWERED MY QUESTION. I WILL ALLOW YOU TO GO WITH CHAIR -- TO ALLOW YOU TO GO TO YOUR NEXT. >> IF THERE'S NO MORE QUESTIONS ON THE FIRST ITEM. IF NOT, YOU WANT TO GO TOT SECOND ITEM. >> THANK YOU. RESOLUTION 24-172. I THINK I WAS HERE IN MARCH NOT PAYING ATTENTION WHAT THERE WAS ACTUAL DISCUSSION ABOUT FARM DEFINITION. I STARTED ON THIS CONVERSATION, AND I BROUGHT UP THE POINT THEN THAT WE HAD -- WE AT OUR FARM TOURS COULD MAKE A LEI FOR SALE AND NOT HAVE THE GUEST MAKE A LEI AND NEEDED A SPECIAL USE PERMIT. SO THAT DISCUSSION IN MARCH I SHARED WITH THE AG WORK GROUP AND THUS, THIS BILL, WHICH NOW A RESOLUTION IN FRONT OF YOU, NOW SIDNEY JUST MENTIONED WHICH IS TRUE IN H.R.S. 205, THERE ARE A COUPLE OF SECTIONS THAT ACTUALLY DEFINE "AGRICULTURAL TOURISM." WITHIN THAT CHAPTER I SHOULD SAY, IT'S AG TOURISM IS FOR THE ENJOYMENT, EDUCATION OR INVOLVEMENT OF VISITORS, INVOLVEMENT. I WOULD ALSO SAY THAT SAME TWO CHAPTERS SHALL APPLY TO ONLY TO A COUNTY THAT HAS ADOPTED ORDINANCES REGULATING AGRICULTURAL TOURISM. THAT IS THE STATE SIDE. NOW THE COUNTY, SINCE ABOUT 1998, WE ALREADY OFFER AGRICULTURAL TOURISM ACTIVITIES. IT'S JUST NOT CALLED THAT. IT'S CALLED OPEN LAND RECREATION. SO OUR VISITORS CAN NOW AS YOU ALREADY KNOW DO THEY DO FARM TOURS, FISH, HUNT, PARTICIPATE IN EQUESTRIAN ACTIVITIES AND YOU CAN PET THE ANIMALS AT PETTING ZOOS OR BIKING AND HAND GLIDING AND ZIP LINING. SO IT'S ALREADY THERE. IT'S BEEN THERE SINCE 1998 IN OUR CODE; RIGHT? SO VISITORS ARE ALREADY ENJOYING ACTIVITIES AND GETTING EDUCATED AND TRADITIONAL ACTIVITIES OF THE HOST CULTURE, ACCORDING TO THE POLICY TODAY NEED A SPECIAL USE PERMIT TO SHARE THEIR CULTURE. SO YOU KNOW, I HAVE TALKED WITH CULTURAL PRACTITIONERS AND LONG TIME EMPLOYEES, RETIREES OF THE PLANNING DEPARTMENT, AND THEY WERE ALL SHOCKED, LIKE I AM. I MEAN, THAT IS NOT A GOOD PICTURE, REALLY WHEN YOU REALLY THINK ABOUT DEEP DOWN, EVERY THREE TO FIVE YEARS CULTURAL PRACTITIONERS COME IN HERE, OR GO BACK UP TO PLANNING, AND ASK FOR A RENEWAL OF THAT SPECIAL USE PERMIT. THE PLANNING DEPARTMENT IS HEARING THIS, I HOPE

THEY SAY THIS DOESN'T MAKE SENSE OF IT'S REALLY A DISSERVICE. I DO SUPPORT BOTH OF THE RESOLUTIONS GOING FOR FURTHER -- >> MEMBER COOK, DO YOU HAVE ANOTHER CLARIFYING QUESTION? >> THANK YOU, MY CLARIFYING QUESTION DOES THE AG WORKING GROUP DOES IT HAVE ANY WAY TO POLICE ITSELF? WHAT I'M SAYING ABOUT THAT IS I SENSE THE CONCERN FOR THINGS LIKE THIS AND SOME OF THE FEARS IN AGRICULTURE IN RURAL AREAS GETTING OUT OF CONTROL AND SPINNING OUT AND BECOMING MORE THAN WHAT IT'S INTENDED TO BE. IF SOMEBODY DECIDES A PLANNING GROUP, A REPUTABLE ORGANIZATION THAT IS PROPOSING THIS HAS THE ABILITY AND THE WILLINGNESS TO SORT OF SELF-POLICE, AND SELF-REGULATE, DO YOU THINK THAT IS POSSIBLE I THINK THAT IS A QUESTION FOR THE AG WORKING GROUP.\r\n\r\nBUT I THINK IF YOU LOOK AT THE BIG-PICTURE >> I'M SURE THAT DISCUSS WILL COME UP IN COMMITTEE. >> THANK YOU VERY MUCH, CHAIR. THANK YOU FOR YOUR TESTIMONY. >> WE HAVE ANOTHER QUESTION FROM MEMBER PALTIN. >> EQUESTRIAN IS SPECIFICALLY LISTED? >> ALL THOSE I MENTIONED ZIP LINING, EQUESTRIAN RODEO IS LISTED ON THERE, THE DEFINITION OF "OPEN LAND RECREATION" IN OUR CODE. >> THANK YOU.\r\n\r\n>> YOU'RE WELCOME. >> ANY MORE CLARIFYING QUESTIONS, MEMBERS? LET'S THE RECORD SHOW THAT WE HAVE PRO TEM KAMA HERE. GOOD MORNING. >> GEE, THANK YOU. I CAN ASK HIM A QUESTION. >> YOU CAN DO IN A TOO.\r\n\r\n>> THANK YOU. GOOD MORNING EVERYONE. PARDON ME FOR BEING LATE. SO THANK YOU FOR BEING HERE, AND THANK YOU FOR YOUR TESTIMONIES ON BOTH OF THESE BILLS. YOU KNOW, WHEN I JUST HEARD WHAT YOU SAID ABOUT ALL OF THE CULTURAL ACTIVITIES THAT CAN BE DONE IN SAME WAY THAT THE OTHER AG TOURISMS CAN HAPPEN. I WAS JUST THINKING, TOO, THAT YOU KNOW, NATIVE HAWAIIANS WHO FISH AND HUNT AND GATHER AND THE SELF-REGULATION ISSUE THAT I THINK MEMBER COOK WAS ASKING, TENDS TO ME TO REMEMBER THAT YOU KNOW, PICKING LIMU IS AN ART AND SCIENCE, AND YOU JUST DON'T DO IT WILLY NILLY AND THERE'S CERTAIN WAYS TO PICK IT SO IT CONTINUES TO REGROW ITSELF. WHEN I THINK ABOUT THAT AND THINK ABOUT MAYBE WE SHOULD HAVE SOME KIND OF SPECIAL USE PERMITS FOR SITUATIONS LIKE THAT, BECAUSE YOU DON'T WANT TO TAKE MORE THAN YOU NEED; RIGHT?\r\n\r\nTHAT HAS ALWAYS BEEN THE NATIVE WAY. YOU DON'T OVERFISH. YOU DON'T OVERPICK. YOU DON'T OVER ANYTHING. AND SOMETIMES WHEN I THIS I ABOUT THE AG TOURISM ISSUE ABOUT GOING ON ZIP LINES, THERE'S NEVER, EVER WORRIES ABOUT THINGS LIKE THAT. HAVE YOU CONSIDERED THOSE KIND OF ISSUES OF OVER GATHERING KINDS OF THINGS THAT COULD HAPPEN? >> SURE.\r\n\r\nAND I THINK FROM MY STANDPOINT IT'S SOMEWHAT CULTURAL PRACTITIONER, THERE'S CERTAIN PRACTICES WE DON'T SHARE, OR SHOULDN'T SHARE. IS THAT REASON WHETHER IT'S, YOU KNOW, IT'S BASICALLY SACRED, AND YOU DON'T WANT TO SHARE, BUT THE THINGS LIKE MOST VISITORS GET TO ENJOY THE A RESORT, HULA, MAKING LEIS, WEAVING, THOSE ARE SEPARATE -- SACRED -- I THINK MOST CULTURAL PRACTITIONERS WOULD THE NATIVE HAWAIIAN WHICH ONES ARE SEPARATE. >> I AGREE. THANK YOU. >> THAT IS THE REASON WHY THE RECOMMENDATION IS TO GO TO COMMITTEE. NOT THAT WE DON'T AGREE WITH THIS LEGISLATION, AND WANT IT TO BE REVIEWED BY THE PLANNING COMMISSIONS. IT'S JUST THIS IT HAS GENERATED A LOT OF QUESTIONS.\r\n\r\nANY MORE QUESTIONS, MEMBERS? SO THAT WE CAN MOVE ON TO ITEM NO. 2. >> CHAIR? >> YES. >> JUST FOR THE BENEFIT OF PRO TEM KAMA BECAUSE SHE WASN'T HERE EARLIER, THAT WE ALL AGREED THAT WE WOULDN'T MAKE EVERY ITEM CONTROVERSIAL. [LAUGHTER]SO CHAIR WAS REQUESTING THAT WE COMPLETE OUR MEETING BY 11:00 A.M. TODAY, AND WE'RE OFF TO A BANGING START. MAHALO, CHAIR.\r\n\r\n>> WE SPENT 35 MINUTES ON ONE ITEM. OKAY. THANK YOU. NOBODY CAN EVER ACCUSE OF US OF BEING EFFICIENT. NEXT TESTIFIER. >> CHAIR, THE NEXT TESTIFIER IS EVAN DUST, TESTING ON RESOLUTION 24-178 >> GOOD MORNING, CHAIR, MEMBERS. COUNCIL, FOR THE RECORD MY NAME IS EVAN DUST.\r\n\r\nI AM HERE AS INTERIM CHAIR OF THE COST OF GOVERNMENT COMMISSION TO PROVIDE YOU SOME ADDITIONAL INFORMATION IN REGARDS TO RESOLUTION 24-168. URGING THE COST OF GOVERNMENT COMMISSION TO LOOK AT BOARDS AND COMMISSIONS AS WE DISCUSSED AT THE LAST MEETING YOUR GREAT COMMITTEE. I AM HAPPY TO REPORT TO THIS BODY THAT THE COST OF GOVERNMENT COMMISSION UNANIMOUSLY ADOPTED A MOTION AT ITS MEETING YESTERDAY TO UNDERTAKE THIS WORK. WE ARE GOING TO BE GOING INTO A PROCESS OF SCOPING OUR STUDY. CERTAINLY ONE THING THAT WAS OF INTEREST TO THE COST OF GOVERNMENT COMMISSION WAS BEYOND JUST THE NUMBER AND NATURE OF THE BOARDS AND

COMMISSIONS, TO LOOK AT THE PROCESS THAT HAS BEEN ESTABLISHED FOR NOMINATION OF INDIVIDUALS TO SERVE ON BOARDS AND COMMISSIONS. AND WHETHER THAT PROCESS IS ACTUALLY SERVING THE PURPOSE THAT THE PUBLIC WANTED WHEN IT WAS ESTABLISHED IN THE COUNTY CHARTER. AND AS WE PROCEED IN OUR STUDY, IF THE GREAT COMMITTEE WOULD LIKE TO INVITE ME BACK AT SOME TIME TO UPDATE THIS BODY ON THAT WORK, I WOULD BE GLAD TO DO SO. >> VERY GOOD.\r\n\r\nQUESTIONS, MEMBERS? I SEE NO QUESTIONS. ACTUALLY, PLEASE HELP ME KEEP AN EYE ON MEMBER JOHNSON. I DON'T SEE HIM. NEXT TESTIFIER. >> CHAIR, THE NEXT TESTIFIER IS GALE ASHBY, FOLLOWED BY LISA ALMEDIA. GAIL, THIS IS OUR OPPORTUNITY TO TESTIFY.\r\n\r\n>> I THINK I JUST SAW LISA LEAVE. GAIL ASHBY CHAIR MAYBE WE CAN SKIP OVER GAIL ASHBY AND MOVE TO LISA ALMEDIA, TESTIFYING ON COMMITTEE REPORT 24-96 AND RESOLUTIONS 24-164 AND 165 THAT HE WOULD LEARN SAY -- (SPEAKER NOT UNDERSTOOD) THANK YOU MAY WE HAVE THE NEXT TESTIFIER. >> CHAIR, I SEE THAT GAIL ASHBY IS BACK ON AND THIS IS THE OPPORTUNITY TO TESTIFY. CAN YOU LET US KNOW PLEASE WHAT MATTER YOU ARE TESTIFYING ON. >> RESOLUTION 24-171. >> THANK YOU >> PLEASE PROCEED. >> OKAY. THANK YOU COUNCIL, I APPRECIATE THE OPPORTUNITY TO TESTIFY ON -- AS -- FOR THIS RESOLUTION.\r\n\r\nI'M GOING TO READ MY TESTIMONY, IN HOPES IT WILL BE CLEARER THAT WAY. MY NAME IS GAIL ASHBY AND SPEAKING IN SUPPORT OF RESOLUTION 24-171, REGARDING FOOD TRUCKS AND TRAILERS LIEGE ALLOWED TO OPERATOR ON AG LAND AND COMMERCIAL AG STRUCTURES. OUR 6.5 ACRE FARM IS LOCATED AT 3454 HANA HIGHWAY, AND IT IS KNOWN AS DRAGON FRUIT FARM AND PA'IA FARM STAND MARKET. WE GROW DRAGON FRUIT, CITRUS AND 200 COCONUT PALMS. OUR EXPERIENCE WITH THE DEPARTMENT OF PLANNING OVER THE PAST YEARS EMPHASIZES THE IMPORTANCE OF ADOPTING THIS BILL, AND BRINGING CLARIFICATION TO THE CODE. I WOULD LIKE TO SUMMARIZE THAT EXPERIENCE BRIEFLY. IN LATE 2019, WE SUBMITTED THE REGULATION REGISTRATION FOR A COMMERCIAL AG STRUCTURES A FARMERS' MARKET AND TOLE AT THE TIME BY THE DEPARTMENT OF PLANNING HAD A FOOD TRUCKS AND TRAILERS WERE ALLOWED WITH FARMERS' MARKETS.\r\n\r\nTHE REGISTRATION WAS RECEIVED BY THE PLANNING DEPARTMENT, AND ENTERED INTO THE SYSTEM AS COMPLETED. WE BEGAN OPERATING AT THAT TIME. ON JANUARY 13TH 2022 I RECEIVED AN EMAIL FROM THE NEW PLANS EXAMINER, STATING THAT ALL OF MY SUBMITTED PAPERS HAVE BEEN LOST AND THAT WE WOULD HAVE TO RESUBMIT THE REGISTRATION FOR REVIEW. WE COMPLIED AND THE WAS RESUBMITTED. AS BEFORE FOOD TRAILER WAS PART OF THE REGISTRATION. WE CONTINUED OPERATING AND HAD NO CONTACT FROM THE DEPARTMENT OF PLANNING, AFTER WE HAD SUBMITTED FOR A SECOND TIME FOR 16 MONTHS. AT THAT TIME I RECEIVED AN EMAIL FROM THE CURRENT PLANS EXAMINER REGARDING OUR COMMERCIAL AG OPERATION WAN TOLD FOOD TRUCKS AND TRAILERS WERE NO LONGER ALLOWED AS PART OF ANY COMMERCIAL AG STRUCTURE ON OUR AG LAND.\r\n\r\nI WAS AMAZED NATURALLY AND CONFUSED AND I BASICALLY I COULDN'T BELIEVE IT. I ASKED THE DEPARTMENT WHEN THE POLICY HAD CHANGED? AND FOR A COPY OF THE WRITTEN ADMINISTRATIVE RULES, OR NOTICES OF THE POLICY CHANGE. THERE WAS -- I RECEIVED -- I WAS TOLD THERE WERE NO ADMINISTRATIVE RULES REGARDING COMMERCIAL AG. SO THERE WAS NO CONSIDERATION GIVEN TO US FOR BEING GRANDFATHERED IN OR THE IMPACT THAT THIS WOULD HAVE ON OUR FARM. THE IMMEDIATE LOSS OF FARM INCOME, AS WELL AS THE ONGOING EXPENSES ALREADY INCURRED, LIKE THE STATE HEALTH PERMITS, INSURANCE, EMPLOYEE JOBS, ET CETERA. >> TIME.\r\n\r\n>> CAN YOU PLEASE CONCLUDE YOUR TESTIMONY? >> YES. I CAN. SO CURRENTLY WE STILL DON'T HAVE APPROVAL OF OUR SECOND REGISTRATION. AND HAVE ALSO BEEN ASKED FOR A LANDSCAPE PERMIT AT THE LEVEL OF THE LANDSCAPE AND PARK GUIDELINES DESIGNED FOR MORE COMMERCIAL ESTABLISHMENTS AND HAVE YET TO RECEIVE FEEDBACK ON THAT SUBMITTAL. IN CLOSING OUR EXPERIENCE ILLUSTRATES WHY RESOLUTION 24-71 NEEDS TO BE PASSED TO FURTHER CLARIFY AND MANDATE WHAT WAS MEANT IN THE FIRST PLACE WHEN THE CODE REGARDING COMMERCIAL AG STRUCTURES WAS WRITTEN AND THANKS AGAIN FOR THE OPPORTUNITY >> THANK YOU. CLARIFYING QUESTIONS?\r\n\r\nIF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER, PLEASE. >> CHAIR, OUR LAST TESTIFIER ZHANTELL LINDO. IF YOU COULD PLEASE LET US KNOW WHAT MATTER YOU WILL BE TESTIFYING ON. >> ARE YOU SURE SHE WANTED TO TESTIFY? >> HER VIDEO IS ON, BUT HER AUDIO IS NOT WORKING AND SHE IS TESTIFYING OP RESOLUTION 24-166. >> GOOD MORNING, MS.

LINDO.\r\n\r\nCAN'T HEAR YOU. WE SEE YOU. CAN YOU TRY AND SAY SOMETHING? MAYBE YOU SHOULD TURN YOUR VIDEO OFF AND TRY THAT? >> AND THEN SHE IS TESTIFYING ON RESOLUTION. SO MAYBE WE CAN TAKE UP CRS AND COMMITTEE REPORTS AND THEN GO BACK TO MS. LINDO BEFORE RESOLUTIONS.\r\n\r\n>> LET'S GIVE HER A COUPLE OF SECONDS TO TRY AGAIN. MS. LINDO. NOW WE CAN'T SEE YOU OR HEAR YOU. SO IF YOU DON'T MIND, WE'LL TRY TO COME BACK TO YOU LATER. LET'S MOVE ON. >> CHAIR, THERE IS NO ONE ELSE SIGNED UP TO TESTIFY AT THE BEGINNING OF THE MEETING.\r\n\r\nSO THIS WILL BE LAST CALL. IF THERE'S ANYBODY WHO WOULD LIKE TO TESTIFY AT THE BEGINNING OF THE MEETING THIS IS YOUR OPPORTUNITY. THIS IS LAST CALL. THE COUNTDOWN IS 3, 2, 1. CHAIR, THERE'S NO ONE INDICATING THAT THEY WOULD LIKE TO TESTIFY. >> MEMBERS, ARE THERE ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY FOR THE BEGINNING OF THE MEETING? SO ORDERED MS. CLERK.\r\n\r\n>> THANK YOU, MADAM CHAIR, MOVING ON TO SECTION H, THERE'S NO ACTION ON H OR I OR J. SO MOVING TO COMMITTEE REPORTS. SECTION K. CURRENTLY WE HAVE NO ONE SIGNED UP TO TESTIFY. SO WE'LL GIVE LAST CALL FOR ANY TESTIMONY ON COMMITTEE REPORTS. IF YOU ARE ON TEAMS, PLEASE RAISE YOUR HAND, OR MAKE YOUR WAY DOWN TOT PICKED UP, IF YOU ARE IN THE CHAMBERS. CHAIR, COUNTING DOWN, 3, 2, 1. NO ONE WISHES TO TESTIFY ON THE COMMITTEE REPORTS IN SECTION K. >> PROCEED. >> FROM THE BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE IS COMMITTEE REPORT 24-THE 3 RECOMMENDING FIRST READING OF BILL 115 CD 1 (2024) TO LIEU PROPERTY OWNERS WHO ARE LEASING THEIR PROPERTY TO INDIVIDUALS DIRECTLY DISPLACED BY THE AUGUST 2023 MAUI WILDFIRES TO FILE A CLAIM FOR HOME EXEMPTION OR LONG-TERM RENTAL EXEMPTION, OR BOTH, BY DECEMBER 31, 2025 FOR THE TAX YEAR BEGINNING JULY 1,2025. >> MEMBERS, ARE THERE ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY? SO ORDERED.\r\n\r\nVICE-CHAIR SUGIMURA. >> I MOVE TO ADOPT THE RECOMMENDATIONS IN COMMITTEE REPORT 24-93. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY PRO TEM KAMA TO APPROVE THE COMMITTEE REPORT 24-93. MEMBERS, THIS BILL ADDRESS A GAP BETWEEN THE DECEMBER 31, 2024 FILING DEADLINE FOR EXEMPTIONS FOR THE TAX PERIOD JULY 1,2025 AND AFTER WILDFIRE SURVIVORS LEASES EXPIRE. >> CAN YOU PUT- THANK YOU. >> EXPIRE BY ALLOWING PROPERTY OWNERS WHO TRANSITION THEIR PROPERTY TO OWNER-OCCUPIED OR LONG-TERM RENTAL USE TO APPLY FOR THE APPROPRIATE EXEMPTION BY DECEMBER 31ST, 2025. THE DIRECTOR OF FINANCE ESTIMATES THE MEASURE MAY IMPACT THE REAL PROPERTY TAX REVENUES FOR FISCAL YEAR 2026 BY ABOUT \$1.4 MILLION. RESPECTFULLY, I ASK THE MEMBERS TO SUPPORT MY MOTION. >> ANY MORE -- ANY MORE COMMENTS?\r\n\r\nDISCUSSION? MEMBER PALTIN. >> THANK YOU, CHAIR. I JUST WANTED TO THANK THE REAL PROPERTY TAX OFFICE FOR WORKING WITH ME ON THIS BILL AND MS. TOSHIKIYO, THE SURVIVORS, AS WELL AS THE GENERAL PUBLIC -- STILL FACE A LOT OF HARDSHIP AND THIS IS JUST A TINY THING THAT CAN BE DONE TO ENCOURAGE FOLKS TO EXTEND LEASES FOR THE SURVIVORS. THEY ANNOUNCED ON THE WEDNESDAY NIGHT COMMUNITY MEETING THAT CONTINUED RENTAL ASSISTANCE WILL BE CONTINUED THROUGH FEBRUARY OF 2026. BUT STILL YET A LOT OF FOLKS THIS DIRECT LEASE HOUSING ARE TOLD THAT THEY HAVE TO PAY FOR THAT RENTAL IS WHICH IS BEYOND REACH AND NO REPLACEMENT FOR THAT RENTAL. SO THIS IS JUST A VERY, VERY TINY THING THAT WE CAN DO TO TRY AND HELP A FEW PEOPLE.\r\n\r\n>> THANK YOU. ANYBODY ELSE? IF NOT, ALL THOSE IN FAVOR, RAISE YOUR HAND AND SAY A >> NINE AYES, ZERO NOS, THE MOTION CAR ARES MS. CLERK. >> COMMITTEE REPORT 24-94 RECOMMENDING FILING OF BILL 122, CD 1 (2024) AND BILL 134 (2024) TO AMEND THE FISCAL YEAR 2025 BUDGET RELATING TO PROFESSIONAL SERIES FOR A CONTRACT TO PREPARE A FEASIBILITY STUDY AND MANAGEMENT TO BUSINESS PLAN FOR THE NEW EAST MAUI WATER AUTHORITY. >> VICE-CHAIR SUGIMURA. >> MOVE TO ADOPT THE COMMITTEE REPORT RECOMMENDATIONS IN 24-94. >> SAID >> MOVED AND SECONDED TO APPROVE THE RECOMMENDATIONS IN COMMITTEE REPORT 24-94. DISCUSSION?\r\n\r\nVICE-CHAIR SUGIMURA. >> AT THE COUNCIL MEETING ON SEPTEMBER 13, 2024 THE COUNCIL RESTS BILL 1122 CD 1 BACK TO BFED COMMITTEE TO ALLOW FOR MORE DISCUSSION OF THE DEPARTMENT OF WATER SUPPLY'S PROPOSED USE OF \$250,000 BEING RECOGNIZED IN THE BILL. WHILE THE BILL CONDITIONS THE FUNDS FOR PROFESSIONAL SERVICES FOR A CONTRACT TO PREPARE A FEASIBILITY STUDY AND MANAGEMENT OR BUSINESS PLAN OF THE EAST MAUI WATER AUTHORITY, THE DEPARTMENT

SOUGHT PROPOSALS TO BUY DUE DILIGENCE SERVICES AND LEGAL AND BUSINESS ANALYSIS OF THE POTENTIAL ACQUISITION OF EMI AND RECEIVED FROM THE BUDGET DIRECTOR BILL 134 WHICH IS SUBSTANTIALLY SIMILAR TO BILL 122, BUT CORRECTIONS TO ESTIMATED REVENUES FOR CONSISTENCY WITH THE FISCAL YEAR 2025 BUDGET AS AMENDED. THOSE WERE -- THEY ADDED THAT WRONG AT YOUR COMMITTEE'S MEETING ON BOTH BILLS YOUR COMMITTEE RECEIVED TESTIMONY FROM A FAMILIAR COUNTY DIRECTOR OF WATER SUPPLY TAYLOR OPPOSING THE USE FOR A STUDY AND RECOMMENDED THAT CONDUCTING AN ENGINEERING STUDY OF THE EMI WATER SYSTEM. YOUR COMMITTEE ULTIMATELY RECOMMENDED TO FILE BOTH BILLS TO ALLOW THE ADMINISTRATION TO DEVELOP A NEW PROPOSAL FOR A STUDY THAT WOULD BEST MEET THE AUTHORITY'S NEEDS. I RESPECTFULLY ASK MEMBERS' SUPPORT OF THIS MOTION. >> MY MORE DISCUSSION?

MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I SUPPORT THE MOTION ON THE FLOOR. AND AGREE WITH MR. TAYLOR THIS STUDY BE BETTER DONE BY THE EAST MAUI WATER AUTHORITY AND NOT THE DEPARTMENT OF WATER SUPPLY, BECAUSE THIS WOULD FALL UNDER THE KULEANA OF THE EAST MAUI WATER AUTHORITY AND NOT THE DEPARTMENT OF WATER SUPPLY. MAHALO, CHAIR. >> ANY MORE DISCUSSION?

IF NOT, ALL THOSE IN FAVOR OF THE MOTION, PLEASE RAISE YOUR HAND, SAY AYE? >> AYE. >> NINE AYES, ZEROS NO, MOTION CARRIES. MS. CLERK. >> THANK YOU, MADAM CHAIR FROM THE WATER AND INFRASTRUCTURE COMMITTEE IS COMMITTEE REPORT 24-935 RECOMMENDING ADOPTION OF RESOLUTION 24-157, CD 1 TO ACCEPT A 45.415-ACRE PARCEL FROM STATE OF HAWAII IN HANA MAUI, HAWAII TAX MAP KEY -1-3-006:017 SET ASIDE BY EXECUTIVE ORDER 4708 FOR THE EXPANSE OF HANA LANDFILL. >> MEMBER COOK.

I MOVE TO ADOPT THE RECOMMENDATIONS IN COMMITTEE REPORT 24-95. >> SECOND. >> MOVED BY MEMBER, SECONDED BY VICE-CHAIR SUGIMURA TO APPROVE THE COMMITTEE REPORT 24-95. DISCUSSION? MEMBER COOK. >> THANK YOU, CHAIR. YOUR WATER AND INFRASTRUCTURE COMMITTEE MET ON SEPTEMBER 26TH, 2024 TO DISCUSS RESOLUTION 24-157. RESOLUTION 24-157'S PURPOSE IS TO ACCEPT THE 45.415-ACRE PARCEL FROM STATE OF HAWAII IN HANA, MAUI, HAWAII TAX MAP KEY 2-1-3-006:017. SET ASIDE BY EXECUTIVE ORDER 4708 FOR THE EXPANSE OF THE HANA LANDFILL. IN 1993 A SURVEY OF THE HANA LANDFILL'S WASTE LIMITS WAS CONDUCTED AND FOUND ONE-THIRD OF THE LANDFILL ENCRACHED ONTO ADJACENT PARCEL. NOW KNOWN AS THE HANA LANDFILL EXPANSE SITE.

IN 2011, THE SAY THE BOARD OF LAND AND NATURAL RESOURCES AUTHORIZED WITHDRAWAL FROM THE HANA LANDFILL EXPANSE SITE PARCEL, AND GRANTED THE COUNTY A RIGHT-OF-ENTRY FOR THE PARCEL. THE DEPUTY DIRECTOR OF ENVIRONMENTAL MANAGEMENT STATED THAT, " ALTHOUGH THE EXECUTIVE ORDER DESCRIBES THIS PROPERTY'S USE FOR LANDFILL EXPANSE PURPOSES, THE DEPARTMENT'S CONTINUED USE OF THE PARCEL WILL NOT INCREASE THE LANDFILL'S FOOTPRINT." THE EXECUTIVE ORDER WOULD ALSO ALLOW LANDFILL OPERATIONS TO CONTINUE. YOUR COMMITTEE ENCOURAGED THE DEPARTMENT TO CONSIDER EXPANDING SOLID WASTE USES AND ALTERNATIVE TECHNOLOGIES ON THE EXPANDED PARCEL. YOUR COMMITTEE VOTED 9-0 TO RECOMMEND PASSAGE OF RESOLUTION 24-157 ON FIRST READING, I RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION PLEASE RAISE YOUR HAND SAY AYE. >> AYE ? NINE AYES, ZEROS NO, MOTION CARRIES THANK YOU, MS.

CLERK. >> THANK YOU, MADAM CHAIR. FROM THE WATER AUTHORITY SOCIAL SERVICES AND PARKS COMMITTEE IS COMMITTEE REPORT 24-96 RECOMMENDING FIRST READING OF BILL 17 CD 1 (2024) TO AMEND CHAPTER 13.04A MAUI COUNTY CODE TO EXEMPT MAUI COUNTY LEGACY FESTIVALS FROM REQUIRING A SPECIAL EVENT PERMIT TO USE A COUNTY PARK OR RECREATIONAL FACILITY FOR MORE THAN FIVE CONSECUTIVE DAYS. >> MEMBER SINENCI. >> MAHALO, CHAIR, MOVE TO ADOPT THE RECOMMENDATIONS IN CR24-96. >> SECOND. >> MOVED BY MEMBER SINENCI, SECONDED BY MEMBER COOK TO APPROVE COMMITTEE REPORT 24-96. DISCUSSION, MR. SINENCI.

MAHALO, CHAIR. YOUR WATER AUTHORITY, SOCIAL SERVICES, AND PARKS COMMITTEE MET SEPTEMBER 23, 2024 FOR BILL 117 (2024). BILL 117 DEFINES MAUI COUNTY LEGACY FESTIVAL" AS "A FESTIVAL THAT HAS BEEN IN COUNTY FOR LEAST 15 CONSECUTIVE CALENDAR YEARS THAT TAKES PLACE AROUND THE SAME TIME OF THE YEAR, SAME OR NEARBY PARK OR RECREATIONAL FACILITY." THE FESTIVAL MUST BE HELD EVERY CALENDAR YEAR AFTER OBTAINING LEGACY STATUS. THE STATUS MAY BE MAINTAINED IF THE CONSECUTIVE YEARS STREAK IS BROKEN

BECAUSE EPIDEMIC, PANDEMIC. CATASTROPHE, OR RESTRICTION IMPOSED BY GOVERNMENTAL AUTHORITIES. CHAIR, A REPRESENTATIVE OF THE DEPARTMENT PARKS AND RECREATION EXPRESSED SUPPORT FOR CULTURAL FESTIVALS AND EXEMPTING MAUI COUNTY LEGACY FESTIVALS FROM APPLYING FOR SPECIAL EVENT PERMIT AND YOUR COMMITTEE EXPRESSED SUPPORT IN STRENGTHENING THE PROCESS AND VOTED 8-0 TO RECOMMEND PASSAGE OF BILL 17 CD 1 (2024) ON FIRST READING AND I ASK FOR THE MEMBERS' FULL SUPPORT. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? \r\n\r\n>> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. MS. CLERK. >> CHAIR, MOVING ON TO RESOLUTIONS. AT THIS TIME INDIVIDUALS MAY TESTIFY ON RESOLUTIONS LIST IN SECTION L OF THE AGENDA. WE CURRENTLY HAVE ONE PERSON SIGNED UP TO TESTIFY. \r\n\r\nAND THAT IS ZHANTELL LINDO. >> ALOHA, THANK YOU. >> YES, WE CAN. >> OH, YAY. ALOHA, AND MAHALO COUNCIL MEMBERS, AND CHAIR, FOR THIS OPPORTUNITY. I WOULD LIKE TO TESTIFY ON RESOLUTION 24-166 IN FULL SUPPORT OF HEATHER PLACE TO BE A MEMBER OF MOLOKA'I PLANNING COMMISSION. SHE IS A PERFECT EXAMPLE OF THE NEXT-GENERATION OF LEADERS DOING HER PART IN CLIMATE ADAPTATION AND SEA-LEVEL RISE PLANNING JOINING US IN OUR LAND BACKED INITIATIVE AND GIVEN FRONTS ON MOLOKA'I. SHE HAS GENERATIONAL KNOWLEDGE OF THE ISLAND IS ALSO VERY, VERY SMART, AND ABLE TO ARTICULATE AND JUST UNDERSTAND SO MANY THINGS. \r\n\r\nI'M SO HAPPY THAT SHE AGREED TO BE A PART OF THIS, AND EXCITED TO HAVE THE SUPPORT OF THE COUNCIL TO DO THAT. MAHALO. >> THANK YOU. ARE THERE ANY QUESTIONS FOR THE TESTIFIER? I DON'T SEE ANY. THANK YOU. >> CHAIR, MS. \r\n\r\nLINDO WAS ON PERSON LISTED TO TESTIFY. IS THERE ANYONE ELSE TO TESTIFY? CHAIR, COUNTDOWN, 3, 2, 1. THERE'S NO ONE WHO HAS INDICATED A DESIRE TO TESTIFY. >> MEMBERS, ARE THERE ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY ON RESOLUTIONS? SO ORDERED MS. CLERK. >> CHAIR, BEFORE YOU IS RESOLUTION 24-162 AUTHORIZING SETTLEMENT OF JULIEANN MAKI INDIVIDUALLY AND AS SPECIAL ADMINISTRATOR OF THE ESTATE OF NATHANIEL JOSHUA NA WA'E WA'E MAKALA KA KAI NAKI, ET AL. \r\n\r\nVS. COUNTY OF MAUI, ET AL. CIVIL NO. CV-23-00383-HG-WRP. >> MEMBER UU-HODGINS. >> THANK YOU, CHAIR. I MOVE TO DISCHARGE THE GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE FROM FURTHER CONSIDERATION OF RESOLUTION 24-162. UNDER RULE 5E OF RULES OF THE COUNCIL. \r\n\r\n>> SECOND. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY VICE-CHAIR SUGIMURA TO DISCHARGE THE COMMITTEE OF THIS ITEM UNDER RULE 5E. DISCUSSION, MEMBER UU-HODGINS. >> THANK YOU, CHAIR. THE GREAT COMMITTEE MET TO DISCUSS THIS RESOLUTION ON OCTOBER 8TH, 2024 AND HEARD FROM THE DEPARTMENT OF CORPORATION COUNSEL AT THIS TIME THIS IS A SENSITIVE MATTER. TIME- SENSITIVE MATTER, CHAIR. >> ALL THOSE IN FAVOR OF THE WAIVER RAISE YOUR HAND, SAY AYE NINE AYES, ZERO NOS, MOTION CARRIES. MS. \r\n\r\nUU-HODGINS. >> THANK YOU, CHAIR. I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT FOR THE RESOLUTION UNDER RULE 7G OF THE RULES OF THE COUNCIL. >> SECOND. >> MOVED BY MEMBER UU-HODGINS AND SECOND BY MEMBER COOK SO WAIVE 7G. >> APPROVAL WILL ENABLE TO CONSIDER THE RESOLUTION TODAY, DUE TO ITS TIME-SENSITIVITY AS I NOTED EARLIER. THANK YOU, CHAIR. >> ANY MORE DISCUSSION? \r\n\r\nIF NOT, ALL THOSE IN FAVOR, RAISE YOUR HAND, SAY AYE NINE AYES, ZERO NOS, MOTION CARRIES. MEMBER UU-HODGINS. >> THANK YOU I MONTH OF TO ADOPT RESOLUTION 24-162. >> SECOND. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY MEMBER SINENCI TO ADOPT RESOLUTION 24-162. DISCUSSION, MEMBER UU-HODGINS. >> THANK YOU, RESOLUTION 24-162'S PURPOSE IS TO AUTHORIZE SETTLEMENT OF CLAIM FILED ON SEPTEMBER 14TH, 2023 TO CLAIM ALLEGES THAT DEFENDANT POLICE OFFICERS DEPARTMENT OF POLICE COUNTY OF MAUI UNLAWFULLY SHOT NATHANIEL NA WA'E WA'E MACLA KA KAI NAKI ON APRIL 30TH, 2023 ON THE ISLAND OF MOLOKA'I, HAWAII, AND THE INJURIES SUFFERED RESULTED IN THE DECEDENT'S DEATH. AT THE OCTOBER 8TH MEETING YOUR GREAT COMMITTEE RECEIVED AN OVERVIEW OF THE CLAIMS FROM DEPUTY CORP. COUNSEL BRADLEY IN OPEN SESSION AND CONVENED TO CONSULT WITH AND DELIBERATE ON MATTERS REQUIRING THE CONSIDERATION OF CONFIDENTIAL INFORMATION AT THIS TIME I RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. \r\n\r\nTHANK YOU, CHAIR. >> ANY MORE DISCUSSION? MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. AS I EXPLAINED IN THE GREAT COMMITTEE EARLIER

THIS WEEK THAT I WILL NOT BE SUPPORTING THE ADOPTION OF IN RESOLUTION, BECAUSE I DISAGREE WITH THE RECOMMENDATION THAT WAS GIVEN TO COUNCIL IN EXECUTIVE SESSION, DETAILS OF WHICH I CANNOT SHARE IN OPEN SESSION, OF COURSE. THE SETTLEMENT CONFERENCE IS SCHEDULED FOR OCTOBER 22ND, AND I GUESS WE'LL HEAR BACK FROM CORPORATION COUNSEL ON AN UPDATE THEN. MAHALO, CHAIR.\r\n\r\n>> ANY MORE DISCUSSION? MEMBER PALTIN. >> >> THANK YOU. I DID RECEIVE THE ADDITIONAL INFORMATION FROM MR. SOBA ON I GUESS THE COUNTY'S FILING, BECAUSE IN THE INITIAL COMMITTEE MEETING WE ONLY RECEIVED FROM THE OPPOSITE SIDE, AND I GUESS FOR MY DISCUSSION, I WOULD SAY THIS IS A HORRIBLE THING THAT I AGREE SHOULD NEVER HAVE HAPPENED. AND YOU KNOW, CAN'T DISCUSS THE THINGS THAT THEY SAID IN EXECUTIVE SESSION, BUT IT DOES BRING DIFFERENT PERSPECTIVES TO WHAT IS PUBLICLY AVAILABLE, AND AS MR. SOBA SAID, THAT THE PLANNING COMMISSION UNANIMOUSLY DECIDED TO REPRESENT THE TWO OFFICERS.\r\n\r\nWHILE -- >> POLICE COMMISSION. >> SORRY, POLICE COMMISSION. AND I DON'T AGREE THAT I WOULD HAVE DONE THE SAME THINGS IN THE SAME SITUATION. THE THINGS THAT I LEARNED IN EXECUTIVE COMMITTEE DID OFFER ANOTHER PERSPECTIVE, WHICH I'M THANKFUL FOR. SO I WILL BE OKAY WITH SUPPORTING THE RESOLUTION. >> ANY MORE DISCUSSION? ROLL CALL.\r\n\r\n>> COUNCIL MEMBER PRO TEMPORE TASHA KAMA. >> YES. >> COUNCIL MEMBER VICE-CHAIR YUKI LEI SUGIMURA. >> YES. >> COUNCIL MEMBER TAMARA PALTIN? >> AYE. >> COUNCIL MEMBER GABE JOHNSON?\r\n\r\n>> NO. >> COUNCIL MEMBER KEANI RAWLINS-FERNANDEZ? >> NO. >> COUNCIL MEMBER TOM COOK? >> AYE. >> COUNCIL MEMBER NOHELANI UU-HODGINS? >> AYE.\r\n\r\n>> COUNCIL MEMBER SHANE SINENCI? >> AYE. >> COUNCIL MEMBER CHAIR LEE? >> AYE. >> CHAIR, YOU HAVE SEVEN AYES, TWO NOS, MOTION CARRIES. >> NEXT ITEM. >> CHAIR, BEFORE YOU IS RESOLUTION 24-163 APPOINTMENT OF A MEMBER TO THE MAUI REDEVELOPMENT AGENCY FOR THE COUNTY OF MAUI.\r\n\r\n>> MEMBER UU-HODGINS. >> THANK YOU, CHAIR. CAN I PLEASE HAVE THIS REFERRED TO MY COMMITTEE? >> ANY OBJECTIONS TO REFERRING THIS TO THE GREAT COMMITTEE? MEMBERS? IF NOT, SO ORDERED. >> THANK YOU.\r\n\r\n>> CHAIR, BEFORE YOU IS RESOLUTION 24-164 AUTHORIZING ISSUANCE OF A PERMIT WITH GREATER DURATION THAN FIVE CONSECUTIVE DAYS FOR THE 2024 FESTIVALS OF ALOHA HANA, PURSUANT TO SECTION 13.04A.100 MAUI COUNTY CODE. >> MEMBER SINENCI. >> MAHALO, CHAIR MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT UNDER RULE 7G OF THE RULES OF THE COUNCIL AS IT RELATES TO RESOLUTION 24-164. >> SECOND. >> MOVED BY MEMBER SINENCI, SECONDED BY PRO TEM KAMA TO WAIVE RULE 7G REGARDING RESOLUTION 24-164. DISCUSSION. MEMBER SINENCI MAHALO, CHAIR. THIS ITEM IS TIME-SENSITIVE, BECAUSE THE FESTIVAL OF ALOHA HANA IS SCHEDULED TO START NEXT SATURDAY, OCTOBER 19TH WITH-FREE FESTIVAL EVENTS BEGINNING FRIDAY AFTERNOON, OCTOBER 18TH. >> THIS HAPPENS EVERY YEAR; RIGHT? \r\n\r\n>> EVERY YEAR. >> ANY MORE DISCUSSION? ANY DISCUSSION? IF NOT, ALL -- THIS IS REGARDING THE WAIVER. ALL THOSE IN FAVOR, RAISE YOUR HAND, SAY AYE. >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES.\r\n\r\nMEMBER SINENCI. >> MAHALO, CHAIR. MOVE TO ADOPT RESOLUTION 24-164. >> SECOND. >> MOVED BY MEMBER SINENCI, SECOND BY PRO TEM KAMA TO ADOPT RESOLUTION 24-164. DISCUSSION? MEMBER SINENCI. >> MAHALO, CHAIR. MOVE TO SUBSTITUTE RESOLUTION 24-164 WILL FD 1 TRANSMITTED BY THE DEPARTMENT OF PARKS AND RECREATION ON OCTOBER 8TH, 2024. >> SECOND.\r\n\r\n>> MOVE BY MEMBER SINENCI, SECONDED BY RAWLINS-FERNANDEZ TO SUBSTITUTE FOR FD 1 VERSION FROM PARKS AND WAIVE RULE 19C TOGETHER; RIGHT? >> YES. >> OKAY. ANY DISCUSSION ON THAT? MEMBER SINENCI? >> MAHALO, CHAIR. MEMBERS, THE DEPARTMENT OF PARKS AND RECREATION TRANSMITTED A PROPOSED VERSION OF RESOLUTION 24-164 THAT INCLUDES EXHIBIT A AS AN ATTACHMENT SHOWING PERMIT APPLICATION SCHEDULE AND WHERE THE FESTIVALS OF ALOHA WILL BE HELD IN HANA, IT WAS ACCIDENTALLY LEFT OUT IN THE ORIGINAL TRANSMITTAL AND SO IF THE AMENDMENT PASSES I WILL MOVE TO SUSPEND RULE 19C. >> IT'S IN THE MOTION ALREADY.\r\n\r\n>> OH, OKAY. >> OKAY. ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MOTION RAISE YOUR HAND, SAY AYE. >> ARE WE STILL VOTING ON 24-164? >> YES. >> ALL THOSE IN FAVOR, RAISE YOUR HAND, SAY AYE. NINE AYES, ZEROS NO, MOTION CARRIES.\r\n\r\n>> MAIN MOTION. >> I'M SORRY, MAIN MOTION AS AMENDED. ANY MORE DISCUSSION? MEMBER SINENCI? >> CHAIR, YESTERDAY WE HAD SOME DISCUSSION ABOUT SOME GREAT LOCALLY-SOURCED FOODS. SO WE'RE LOOKING FORWARD

TO EATING SOME GOOD FOOD. WE HAVE A POKE CONTEST AND COOK-OFF DURING THE WEEK.\r\n\r\nSO MAKING US HUNGRY. DIRECTOR MCCAUL IS HERE. >> COUNCIL MEMBER RAWLINS-FERNANDEZ. >> FULL SUPPORT OF THE MOTION AND TO COMMEND THE HANA COMMUNITY FOR CONTINUING THIS LONG LIVED LEGACY THAT THE COMMUNITY LOVES AND ENJOYS. A WEEKLONG FESTIVAL HOW IT USED TO BE CELEBRATED ON THE ISLANDS AND THANKFUL TO COMMUNITY FOR CONTINUING THAT VOLUNTEER WORK AND KEEPING THE LEGACY ALIVE. MAHALO, CHAIR. >> MY QUESTIONS FOR THE PARKS DEPARTMENT?\r\n\r\nSINCE THEY ARE HERE? >> I HAD A QUESTION FOR MEMBER SINENCI, WAS THAT THING THAT YOU SAID WAS IT ONLINE? YOU SAID THEY ADDED SOMETHING? >> THE ATTACHMENT? >> SUBSTITUTE. THE ASF. >> I DIDN'T SEE A MAP OR ANYTHING.\r\n\r\n>> IT'S IN THE TESTIMONY, MEMBER. >> THANK YOU. I WILL FIND IT. ANYMORE COMMENTS OR QUESTIONS? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? THAT WAS THE MAIN MOTION AS AMENDMENT NINE AYES, ZERO NOS, MOTION CARRIES. GO GET THEM HANA.\r\n\r\nMS. CLERK. >> CHAIR BEFORE YOU IS RESOLUTION 24-165 AUTHORIZING THE ISSUANCE OF A PERMIT WITH GREATER DURATION OF FIVE CONSECUTIVE DAYS FOR THE 2024 ALOHA CLASSIC WINDSURFING TOURNAMENT PURSUANT TO SECTION 13.04A.100 MAUI COUNTY CODE. >> MEMBER SINENCI. >> MOVE TO WAIVE COMMITTEE REFERRAL AND REPORT AS IT RELATES TO RESOLUTION 24-165. >> SECOND. >> MOVED BY MEMBER RAWLINS-FERNANDEZ -- BY MEMBER SINENCI, SECOND BY PRO TEM KAMA. I JUST HEARD A VOICE FROM LEFT -- RIGHT FIELD.\r\n\r\nWHO WANTS TO TAKE CREDIT TO BE THE SECONDER? >> I WILL TAKE IT. [LAUGHTER] >> DID YOU REALLY SECOND IT? OKAY. FOOD FIGHT. >> KEANI CAN TAKE IT. WE ALL SUPPORT IT AND WE'RE ALL GOING TO VOTE YES FOR IT.\r\n\r\nTHANK YOU, CHAIR. >> I DIDN'T ACTUALLY SECOND IT. >> THANK YOU. >> MY VOICE DID NOT -- >> -- MOVED BY MEMBER SINENCI, AND SECONDED BY PRO TEM KAMA. CHILDREN AFTER-SCHOOL WE'RE GOING TO CLEAN THE CLASSROOM, OKAY? >> MY FAVORITE. >> DISCUSSION, ANY MORE DISCUSSION ON THE WAIVER? \r\n\r\nALL THOSE -- IF NOT, ALL THOSE IN FAVOR OF THE WAIVER RAISE YOUR HAND SAY AYE NINE AYES, ZERO NOS, MOTION CARRIES MEMBER SINENCI. >> MAHALO, CHAIR, MOVE TO ADOPT RESOLUTION 24-165. >> MOVED BY MEMBER SINENCI, SECONDED BY MEMBER UU-HODGINS TO ADOPT RESOLUTION 24-165. ANY MORE DISCUSSION, MEMBER SINENCI. >> MAHALO, MEMBER, MOVE TO SUBSTITUTE RESOLUTION 24-165 WITH THE PROPOSED FD 1 TRANSMITTED BY THE DEPARTMENT OF PARKS AND RECREATION ON OCTOBER 8, 2024. >> ANY DISCUSSION? MOVED BY MEMBER SINENCI, SECONDED BY MEMBER COOK TO SUBSTITUTE FOR FD 1 VERSION FROM THE PARKS DEPARTMENT. AND ALSO INCLUDE THE WAIVER OF RULE 19C. >> NO OBJECTION, I FOUND IT. THANKS. >> YOU FOUND IT.\r\n\r\nOKAY. THAT'S GOOD. NOW NO MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND SAY AYE. AYE. >> YOU GUYS ARE DRIVING ME CRAZY. NINE AYES, ZERO NOS, MOTION CARRIES.\r\n\r\nMOTION AS AMENDED, ANY DISCUSSION? MEMBER SINENCI. >> THANK YOU, CHAIR. AS MS. ALMEDIA HAD MENTIONED EARLIER, THE TOURNAMENT IS SCHEDULED TO HAVE FIVE COMPETITION DAYS WITHIN A 12-DAY PERIOD BETWEEN OCTOBER 21ST, TO NOVEMBER 1ST, 2024. THE TOURNAMENT NEEDS A WINDOW OF TIME TO ACCOMMODATE INCLEMENT WEATHER CONDITIONS AND ENSURE THAT THE WAVES ARE SUITABLE FOR COMPETITION. I RESPECTFULLY ASK FOR THE MEMBERS' FULL SUPPORT. >> ANY MORE DISCUSSION?\r\n\r\nIF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE. >> THAT WAS THE MOTION AS AMENDED; RIGHT? OKAY. >> THANK YOU. >> ALL RIGHT. THE MAIN MOTION AS AMENDED.\r\n\r\nMEMBER -- NOT MEMBER, BUT MADAM CLERK. >> THANK YOU. CHAIR, BEFORE YOU IS RESOLUTION 24-166 APPOINTING HEATHER MAKANANI PLACE TO THE MOLOKA'I PLANNING COMMISSION. >> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT FOR RESOLUTION 24-166 UNDER RULE 7G. RULES OF THE COUNCIL. >> SECOND.\r\n\r\n>> MOVED BY MEMBER RAWLINS-FERNANDEZ, SECONDED BY PRO TEM KAMA. THIS IS IN REGARDS TO RESOLUTION 24-166, AND WAIVING RULE 7G. DISCUSSION, MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. THE COUNCIL DEADLINE TO FILL THE VACANCY IS OCTOBER 13, 2024. SO ACTION IS NEEDED TODAY. >> ANY MORE DISCUSSION ON THE WAIVER? MEMBER PALTIN. >> OH, I JUST HAD A QUESTION DID WE DO THIS BEFORE AND GET SUED?\r\n\r\nLIKE SOMETHING SIMILAR TO THIS? >> DAVID? THANK YOU, CHAIR. NOT REALLY SURE OF THE QUESTION, BUT OUR GUIDANCE IS THAT THIS RESOLUTION IS PROPERLY BEFORE THE COUNCIL AND WITHIN THE COUNCIL'S

AUTHORITY TODAY. THANK YOU. >> THE QUESTION WAS, LIKE, LAST TIME, IT WAS IN THE COUNCIL'S HANDS, LIKE YOU SAID. AND WE DID IT AND THEN THERE WAS A LAWSUIT, AND THEN ALL OF THE THINGS? \r\n\r\n>> CHAIR? >> JUST WONDERING THE DIFFERENCE BETWEEN THAT TIME AND THIS TIME? >> CHAIR, I WILL EXPLAIN THAT. >> YES. >> IN THE NEXT MOTION. >> IN NEXT MOTION. >> WHEN I MOVE TO ADOPT IT. \r\n\r\n>> OKAY. >> RIGHT NOW IT'S JUST THE WAIVER. >> RIGHT. OKAY, WE'RE JUST VOTING ON THE WAIVER. BUT SHE HAS A RIGHT TO ASK THAT QUESTION, >> OH, YES, IF YOU WANT ME TO EXPLAIN IT NOW NO, NO. >> I CAN SEE IT IN HER EYES SHE WILL WAIT. >> I WAS TRYING TO STAY WITH 11:00 A.M., THE GOAL. \r\n\r\n>> I FORGOT TO SAY 11:00 A.M. TODAY. SO ON THE WAIVER EVERYBODY, ALL THOSE IN FAVOR, RAISE YOUR HAND, SAY AYE. NINE AYES, ZERO NOS, MOTION CARRIES. THANK YOU, PARKS DEPARTMENT. HAVE A NICE WEEKEND. OKAY, NOW WE'RE BACK TO MEMBER RAWLINS-FERNANDEZ. >> MA'ALO, CHAIR. \r\n\r\n\r\nI TO ADOPT RESOLUTION 24-166. >> SECOND. >> MOVED BY MEMBER RAWLINS-FERNANDEZ, SECONDED BY PRO TEM KAMA TO ADOPT RESOLUTION 24-166. DISCUSSION RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. BECAUSE OF MEMBER PALTIN'S QUESTION, I I'M GOING TO BREAK UP MY DISCUSSION IN TWO PARTS. THE FIRST PART IS PROCEDURAL AND THE SECOND PART SON IS ON MERIT TO SETTLE THE PROCEDURAL PART FIRST. A VACANCY ON THE MOLOKA'I PLANNING COMMISSION BEFORE A TERM EXPIRING MARCH 31, 2029 REMAINS VACANT POLE THE MASS NOMINATION PROCESS AS WE REFER TO IT. THE MAYOR PREVIOUSLY NAMED JESSICA WAI HAN PARKER AND SUBSEQUENTLY ZELLA WILLIS TO FILL THE VACANCY, BUT BOTH WOMEN WITHDRAW THEIR NAMES FROM CONSIDERATION. \r\n\r\n\r\nFIRST JESSICA, WHICH WAS PART OF THE INITIAL LIST OF NAMES THAT WE HAD CONSIDERED. AND THEN AFTER THE SETTLEMENT WITH THE LAWSUIT, THEN IT WAS MAYOR'S -- WELL, IT CAME TO U AND US AND WE HAD TO DISAPPROVE MS. HAHN PARKER AND IT WENT BACK TO THE MAYOR TO PROVIDE US A SECOND NAME. AND THAT WAS MS. WILLIS. AND THEN SHE MOVED TO MAUI. SO WITHDRAW HER APPLICATION. \r\n\r\n\r\nSO IT WENT BACK TO THE MAYOR AGAIN, BUT THE DEADLINE WAS NOT MET IN TIME, BECAUSE THERE WEREN'T APPLICATIONS. AND SO IN FOLLOWING THE PROCESS, UNDER THE CHARTER THAT WE'RE FOLLOWING PURSUANT TO SETTLEMENT, IT'S COUNCIL'S TURN. SO SECTION 13.291 OF THE CHARTER DOES NOT RECOGNIZE WITHDRAWALS, AND REQUIRES THE COUNCIL TO APPROVE OR DISAPPROVE MAYORAL NOMINEES, AS A RESULT OF THE WITHDRAWALS ON AUGUST 13, 2024, THE COUNCIL VOTED TO DISAPPROVE JESSICA AND ON AUGUST 2ND, 2024, DISAPPROVING ZELLA WILLIS AND FOLLOWING DEADLINES OF THE CHARTER, THE MAYOR HAD UNTIL SEPTEMBER 13TH TO FILL THE VACANCY AND SINCE THE COUNCIL DID RECEIVE A NOMINATION FROM THE MAYOR THE COUNCIL NOW HAS UNTIL OCTOBER 13TH TO FILL THE VACANCY. THAT IS THE PROCEDURAL PART AND I WILL STOP THERE AND I WOULD LOVE TO EXPLAIN ALL THE REASONS TO VOTE TO APPROVE MS. PLACE. >> MS. PALTIN. \r\n\r\n\r\n>> CORP. COUNSEL. >> THANK YOU, CHAIR. SO PURSUANT TO THE TERMS OF THE SETTLEMENT, THE MASS NOMINATIONS WERE TO PROCEED UNDER NO. 19 AS IF THE IMB FAILED TO ACT. SO BASED ON THAT, I AGREE TOTALLY WITH MEMBER RAWLINS-FERNANDEZ THAT IT WENT THROUGH THAT PROCESS AND THAT IS HOW YOU ENDED UP WITH THIS NOMINEE TODAY. >> IF WE SHOULD GET SUED, WE POINT TO THE SETTLEMENT. \r\n\r\n\r\n>> CORRECT. AND THAT WE DECIDED IN THE SETTLEMENT THAT 19 WOULD APPLY. WE DON'T HAVE TO GET INTO DETAILS, BUT THE ANSWER IS YES. >> AND THE JUDGE IN THE SETTLEMENT, IT WOULD BE ON HIM? IF WE GET SUED? >> NO, IT'S NEVER ON THE JUDGE. IT'S ALWAYS ON US. \r\n\r\n\r\nCAN'T GET AROUND THAT. BUT THERE WAS A SETTLEMENT THAT WAS APPROVED BETWEEN THE PARTIES, WHICH WAS APPROVED BY THE JUDGE. BUT THE PARTIES STIPULATED TO THE TERMS AND WE'RE LIVING UP TO THOSE TERMS BY GOING THROUGH THE PROCESS THAT YOU ARE SEEING TODAY. >> OKAY. WE COULD BE SUED BY ANOTHER PARTY FOR ANOTHER REASON? >> ANY HOUR OF THE DAY, ANY TIME, FOR ANY REASON, WE'RE ON STANDBY WITH LAWSUITS. >> COULD STILL TRY TO POINT TO SETTLEMENT, BUT THAT PROBABLY WOULDN'T I'M NOT TRYING TO MAKE HEADLIGHT LIGHT OF IT, BECAUSE I KNOW IT WAS A ROUGH GO, BUT WE'RE CONFIDENT THAT THIS PROCESS FOLLOWS THE SETTLEMENT OF THAT LAWSUIT ASKED, WE ALL AGREED WE ALL WOULD DO TO RESOLVE THAT LAWSUIT. \r\n\r\n\r\nSO WE'RE CONFIDENT THAT THIS IS THE RIGHT DIRECTION TO GO IN. I KNOW MS. VINCENNES WAS HERE EARLY. >> WE'LL SEE HOW IT PLAYS OUT. >> YES. MEMBER UU-HODGINS. >> THANK YOU. \r\n\r\n\r\nSO THIS IS DEFINITELY PART OF ALL OF THE MASS NOMINATIONS WE DID BEFORE THIS AS PART OF

THE SETTLEMENT. BOTH COUNCIL AND MAYOR HAVE TEN DAYS TO ACT. SO THAT IS WHY THERE'S I THINK SEPTEMBER 3RD AND SEPTEMBER 13 AND IT GOES BACK AND FORTH UNTIL IT'S SETTLED. SO THIS IS HOPEFULLY ONE OF THE LAST THINGS WE NEED DO TO FILL OUR MASS NOMINATION VACANCIES. BUT I THINK MIMI HAS MORE TO ADD. >> I JUST WANT TO ADD A COMMENT AND THAT IS SINCE THIS PROCESS, WE ALSO OCS AND I HAVE DISCUSSED AND OUR DEPARTMENT HAVE DISCUSSED THAT THE MAUI COUNTY CODE HAS A PROVISION IN IT THAT IF -- IF A NOMINEE WITHDRAWS THEIR NOMINATION GOING FORWARD YOU DO NOT HAVE TO VOTE THEM DOWN AS LONG AS THERE IS A LETTER TO THE CHAIR AND THAT THEY ARE WITHDRAWING UNDER THE TIME LIMITS OF THE MAUI COUNTY CODE, YOU DON'T HAVE TO GO THROUGH THE PROCESS OF VOTING THEM DOWN. OCS IS AWARE OF IT AND WE HAD THE DISCUSSION AND THAT IS POSITIVE, AND WILL SAVE US A LOT OF TIME.\r\n\r\nTHANK YOU. >> IT'S GREAT YOU RAISED THOSE QUESTIONS, BECAUSE WE FOUND OUT SOMETHING NEW. MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I LOVE THAT NEW PROCESS. I'M GLAD YOU FOUND IT IN THE CODE. OKAY.\r\n\r\nALL THE REASONS THAT YOU SHOULD VOTE IN FAVOR OF THIS MOTION: MS. HEATHER MAKANANI PLACE WROTE ON HER APPLICATION SHE SEEKS TO SERVE ON THE MOLOKA'I PLANNING COMMISSION BECAUSE SHE BELIEVES THE VOICES OF THE COMMUNITY NEED TO BE HEARD. SHE HAS LIVED ON MOLOKA'I HER ENTIRE LIFE AND EXPERIENCE ON WORKING ON PLANNING EFFORTS THROUGH SUSTAINABLE 'AINA MOLOKA'I, AND MOLOKA'I CLEAN ENERGY HUI AND ACTION PLAN. SHE IS A KUPA 'AINA OF MOLOKA'I. AND WE WON'T BE SUED, BECAUSE SHE IS VERY MUCH SUPPORTED AS NEXT-GENERATION OF LEADERS AS YOU HEARD IN TESTIMONY BY MS. LINDO. WE HAVE OUR COMMUNITY AND HER 'OHANA THAT ARE ALWAYS THERE TO SUPPORT AND HOLD HER ACCOUNTABILITY AS NEXT-GENERATION OF LEADERS THIS IS WHAT SELF-DETERMINATION FROM MOLOKA'I LOOKS LIKE. WHEN THE NEXT-GENERATION PROUDLY RAISES THEIR HAND, AND ARE WILLING TO TAKE ON THIS LEVEL OF KULEANA.\r\n\r\nSO IT'S SO ADMIRABLE. HER DEMEANOR IS VERY WELCOMING AND INCLUSIVE. SHE WORKS REALLY HARD AND INVESTS THE TIME INTO BEING PREPARED FOR MEETINGS, WORKSHOPS. SHE IS ALWAYS IN THE COMMUNITY, WITH THIS WORK AS I STATED, THROUGH HER WORK WITH SUSTAINABLE MOLOKA'I, SHE WAS AN INTEGRAL PART OF THE EFFORT IN COMPLETING THE MOLOKA'I CLIMATE CHANGE SEA-LEVEL RISE ACTION RESILIENCY PLAN THAT COUNCIL FUNDED. AS MS. LINDO SAID, AND I'M ALSO SO EXCITED THAT SHE AGREED TO VOLUNTEER FOR THIS KULEANA AND IT'S A REFLECTION OF HER DEEP ALOHA FOR OUR OLDEST AND MOST REVERED ANCESTOR OF MOLOKA'I. SHE IS ALSO ON STANDBY, IF ANYONE HAS QUESTIONS FOR HER. MAHALO, CHAIR.\r\n\r\n>> THANK YOU. I SEE NO QUESTIONS. NO QUESTIONS? MEMBERS, READY TO VOTE? ALL THOSE IN FAVOR OF THE MOTION RAISE YOUR HAND, SAY AYE? >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES.\r\n\r\nAFTER THAT ELABORATE AND ELOQUENT DESCRIPTION OF THIS PERSON, SHE SHOULD RUN FOR PRESIDENT OF THE UNITED STATES. >> I SURE HOPE SHE CONSIDERS THAT. >> SKIP OVER THE PLANNING COMMISSION. MOTION CARRIES. MS. CLERK. >> CHAIR, FOR REFERRAL TO THE DISASTER, RESILIENCE, INTERNATIONAL AFFAIRS, AND PLANNING COMMITTEE IS RESOLUTION 24-167 URGING THE ADMINISTRATION TO INITIATE UPDATES TO WEST MAUI COMMUNITY PLAN IN ALIGNMENT WITH WEST MAUI'S INFRASTRUCTURE PLANS IN THE AFTERMATH OF THE AUGUST 2023 WILDFIRES.\r\n\r\n>> MEMBERS, ANY OBJECTIONS TO REFERRING THIS TO THE DRIP COMMITTEE? SO ORDERED. MS. CLERK. >> CHAIR, BEFORE YOU IS RESOLUTION 24-168 URGING THE COST OF GOVERNMENT COMMISSION TO CON DUG A STUDY AND PROVIDE RECOMMENDATIONS FOR COST-SAVING AND EFFICIENCIES IN COUNTY BOARDS, COMMITTEES AND COMMISSIONS. >> MEMBER UU-HODGINS. >> I MOVE TO DISCHARGE THE GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE FROM FURTHER CONSIDERATION OF RESOLUTION 24-168 UNDER RULE 5E OF THE RULES OF COUNCIL.\r\n\r\n>> SECOND. >> MOVED BY MEMBER UU-HODGINS, SECOND BY MEMBER COOK TO DISCHARGE THE COMMITTEE UNDER RULE 5E OF THIS MATTER. DISCUSSION, MEMBER UU-HODGINS. >> THANK YOU. YOUR GREAT COMMITTEE MET TO DISCUSS THIS MATTER SEPTEMBER 24TH, 2024. THAT IS ALL I HAVE. >> OKAY. ANY MORE DISCUSSION?\r\n\r\nIF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE. >> NINE AYES, ZERO NOS, MEMBER PALTIN. MOTION CARRIES. MEMBER UU-HODGINS. >> THANK YOU, I HAVE ANOTHER WAIVER TO CONSIDER. I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT FOR RESOLUTION 24-168 UNDER RULE 7G

OF RULES OF THE COUNCIL.\r\n\r\n>> MOVED BY MEMBER UU-HODGINS AND SECONDED BY MEMBER COOK TO WAIVE 7G REGARDING THIS MATTER. DESTINATION, MEMBER UU-HODGINS. >> THANK YOU. APPROVAL OF MY MOTION WILL ENABLE US TO CONSIDER THIS RESOLUTION TODAY. >> OKAY. ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION RAISE YOUR HAND, SAY AYE.\r\n\r\nNINE AYES, ZERO NOS. MOTION CARRIES. MEMBER UU-HODGINS. >> THANK YOU. I MOVE TO ADOPT RESOLUTION 4-168. >> MOVED BY MEMBER UU-HODGINS, SECOND BY MEMBER COOK TO ADOPT RESOLUTION 24 1987 1, DISCUSSION, MEMBER UU-HODGINS. >> THANK YOU. DISCUSSION THE RECOMMENDATIONS FOR BOARDS AND COMMISSIONS ON SEPTEMBER 24, 2024 AND REVIEWED TWO DOCUMENTS FROM THE COST OF GOVERNMENT COMMISSION.\r\n\r\nTHEIR 2010 AND 2011 ANNUAL REPORT AND MAY 2021 CORRESPONDENCE TO THE CHAIR OF THE MAUI COUNTY CHARTER COMMISSION ENTITLED PROPOSED RECOMMENDATIONS CONCERNING COST OF GOVERNMENT COMMISSION AND OTHER BOARDS AND COMMISSIONS. THROUGH THESE REPORTS THE COST OF GOVERNMENT COMMISSION MADE RECOMMENDATIONS FOR BOARDS AND COMMISSIONS THAT WOULD RESULT IN COST SAVINGS AND EFFICIENCY FOR THE COUNTY. DURING THE GREAT COMMITTEE MEETING, THE COMMITTEE ACKNOWLEDGED THAT THE NUMBER OF BOARDING AND COMPLAINTS COMMISSIONS HAS INCREASED AND NEW CONCERNS HAVE ARISEN SINCE THE 2011 AND 2021 DOCUMENTS WERE DRAFTED. THE COMMITTEE MEMBERS EXPRESSED DESIRE FOR UPDATED RECOMMENDATIONS FROM THE COST OF GOVERNMENT COMMISSION, TO INCREASE FISCAL RESPONSIBILITY, EFFICIENCY, EFFICACY AND TRANSPARENCY IN COUNTY PROCESSES AND FOR THIS REASON I ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. I JUST WOULD LIKE TO ADD THAT WE HEARD FROM INTERIM CHAIR DUST AND THEY AGREED TO DO SO. SO THIS IS JUST THE BODY GOING THANK YOU SO MUCH COST OF GOVERNMENT COMMISSION. THANK YOU EVERYONE.\r\n\r\n>> ANY MORE DISCUSSION? MEMBER PALTIN. >> THANK YOU. I'M IN FULL SUPPORT. I WOULD RECOMMEND THAT WE JUST GO AHEAD AND TAKE ACTION ON THE AGING FOLKS AND THE ADA COMBINING THAT, BECAUSE I THINK IT'S AN EXCELLENT IDEA. BUT I LOOK FORWARD TO WHATEVER MORE EXCELLENT IDEAS THAT THEY HAVE, BUT THAT ONE STOOD OUT AS GREAT. >> YES.\r\n\r\nVICE-CHAIR SUGIMURA. >> YES. I THANK EVAN DUST FOR HIS LEADERSHIP. YOU CAN TELL HE REALLY LIKES BEING THE CHAIR OF THE COST OF THE GOVERNMENT COMMISSION. SO KEEP ON GOING EVAN, GOOD JOB. >> MY MORE DISCUSSION? STP MOT, ALL NOSE FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE?\r\n\r\n>> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES MS. CLERK. >> ARGUE THAT, CHAIR, BEFORE YOU IS RESOLUTION 24-169, APPROVING THE APPOINTMENT OF RYAN T. MARTINS AS COUNCIL SERVICES ASSISTANT PULL TIME IN THE OFFICE OF COUNCIL SERVICES. >> THIS IS AN IMPORTANT ONE. >> YES. >> VICE-CHAIR SUGIMURA.\r\n\r\n>> I MOVE TO ADOPT RESOLUTION 24-169. >> SECOND MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY PRO TEM KAMA TO ADOPT RESOLUTION 24-169. DISCUSSION? VICE-CHAIR SUGIMURA. >> MR. MARTIN HAS BEEN EMPLOYED WITH OCS AS A COUNCIL AMBASSADOR SINCE MARCH 18, 2024. SINCE THAT TIME, HE HAS SHOWN OUTSTANDING WORKMANSHIP AND FLEXIBILITY AND HAS BEEN INVALUABLE TO EACH MEETING BEFORE STARTING WITH US MR. MARTIN SERVED AS OUR CONTRACT SECURITY OFFICER, SINCE OCTOBER 2020. HIS PAST SECURITY WORK EXPERIENCE INCLUDES OVER SEVEN YEARS OF WORK WITH THE TRANSPORTATION SECURITY ADMINISTRATION AND OVER 3 YEARS OF WORK WITH THE DEPARTMENT OF TRANSPORTATION'S HARBORS DIVISION, DURING WHICH HE ADHERED TO MULTIPLE RULE AND REGULATIONS, MAINTAINED LOGS AND DOCUMENTATION AND AID THE PUBLIC WITH LOGICAL -- LOGISTICAL QUESTIONS. MR. M MARTINS WILL CONTINUE TO BE AN ASSET TO THE OFFICE OF COUNCIL SERVICES IN FULL-TIME CAPACITY.\r\n\r\nMEMBERS, I RESPECTFULLY ASK FOR YOUR SUPPORT OF THIS MOTION. I WOULD LIKE TO THANK HIM FOR ALWAYS BEING PRESENT AND HELPING US. HE SEEMS KIND, BUT HE IS VERY TALL AND HE WILL BE ABLE TO KEEP SECURITY INTACT. >> WHAT HAPPENED? >> ANY MORE DISCUSSION? OKAY. ALL THOSE IN FAVOR OF THE MOTION, PLEASE RAISE YOUR HAND, SAY AYE?\r\n\r\nNINE AYES, ZERO NOS, MOTION CARRIES. HOW ABOUT A BIG HAND FOR MR. MARTINS? [APPLAUSE] GOOD JOB, RYAN. VERY GOOD JOB. MS. CLERK.\r\n\r\n>> THANK YOU, MALL CHAIR, BEFORE YOU IS RESOLUTION 24-170 APPROVING APPOINTMENT OF BENJAMIN SILVA AS COMMUNICATIONS SPECIALIST IN THE OFFICE OF COUNCIL SERVICES. >> VICE-CHAIR SUGIMURA. >> I MOVE TO ADOPT RESOLUTION 24-170. >> SECOND. >> MOVED BY MEMBER VICE-CHAIR SUGIMURA,

SECONDED BY PRO TEM KAMA TO ADOPT RESOLUTION 24-170, VICE-CHAIR SUGIMURA. >> MR. SILVA'S MOST RECENT POSITION WAS AS IN EXECUTIVE PRODUCER FOR KHON OF WHICH HE WAS EMPLOYED FOR 20 YEARS. IN THIS ROLE HE OVERSAW NEWSCASTS AND NEWS STORY DEVELOPMENT, DEVELOPED STRATEGIES TO REACH TARGET AUDIENCE, AND MONITORED COMMUNICATIONS, SUCH AS PRESS RELEASES, AND SOCIAL MEDIA FOR RELEVANT AND PRESSING ISSUES. ALL WHILE APPROACHING HIS WORK, AND ISSUES WITH THE FOCUS ON BALANCE, ACCURACY AND RESPECT. WE NEED THIS GUY. PRIOR TO THAT MR. SILVA MAJORED IN BROADCAST JOURNALISM AT UNIVERSITY OF HAWAII AT MANOA AND WORKED AT KGMB AS A PRODUCER FOR SEVEN YEARS. MR. SILVA IS ORIGINALLY FROM MAUI AND IS MOVING HOME TO BE CLOSER TO FAMILY. MR. SILVA'S WORK EXPERIENCE WILL BE A GREAT ASSET TO THE OFFICE OF COUNCIL SERVICES. WE ALL WILL WELCOME HIM WITH THIS VOTE AND RECOMMEND COUNCIL ADOPT THIS FOR MR. SILVA. >> ANY MORE DISCUSSION? MEMBER PALTIN. >> I JUST HAD A QUESTION. ARE WE REPLACING SOMEBODY? OR IS THIS A NEW? >> NEW ONE. >> NEW ONE. >> DAVID, WOULD YOU LIKE TO EXPLAIN? >> THANK YOU, CHAIR. THIS IS A NEW POSITION, WITH THE FISCAL YEAR 25 BUDGET DELIBERATIONS. THANK YOU. >> OKAY. THANK YOU. >> ANY MORE DISCUSSION? VICE-CHAIR SUGIMURA. >> THIS POSITION IS NEEDED AND IT WAS DISCUSSED DURING BUDGET. I WOULD LIKE TO JUST THANK OCS FOR EVERYBODY WORKING DOUBLE TIME TO MAKE IT ALL COME TOGETHER. THIS WILL BE A NICE ADDITION TO OUR FAMILY. SO THANK YOU VERY MUCH, MEMBERS. >> ANY MORE DISCUSSION? NOT, RAISE YOUR HAND AND SAY AYE? NINE AYES, ZERO NOS, MOTION CARRIES. MS. CLERK. >> CHAIR, FOR REFERRAL TO THE HOUSING AND LAND USE COMMITTEE -- (READING THE ITEM) . >> MEMBER JOHNSON. I KNOW THAT YOU INITIALLY ASKED TO TAKE ACTION ON THIS, BUT JUDGING FROM THE DISCUSSION WE HAD TODAY, I THINK THIS MIGHT BE BETTER TO GO TO COMMITTEE FIRST. DO YOU AGREE? >> I DON'T REALLY AGREE WITH THAT, CHAIR. I HAVE HAD MANY MEETINGS WITH THE PLANNING DEPARTMENT. BUT YOU KNOW, I HEAR WHERE YOU ARE COMING FROM. I WOULD LIKE TO PASS IT ON THE FLOOR, AND SEND IT TO THE PLANNING COMMISSIONS. BUT IF WE'RE GOING TO SEND IT TO COMMITTEE, THEN I PREFER SEND IT TO THE ADEPT COMMITTEE. I COULD SCHEDULE IT FOR NOVEMBER 21ST ADEPT COMMITTEE. SO YOU KNOW, IT'S NOT MY FIRST CHOICE, BUT MY SECOND CHOICE WOULD BE SEND IT TO MY COMMITTEE ON NOVEMBER 21ST, CHAIR. >> THE SAME WITH 24-172? YES BOTH BILLS HAVE BEEN COOKING WITH THE PLANNING DEPARTMENT AND THE AG WORKING GROUP AND I HAD THREE MEETINGS WITH THE PLANNING DEPARTMENT SINCE MARCH. YOU KNOW, LIKE YOU SAID EARLIER, VERY HARD TO GET PLANNING DEPARTMENT TO ACTUALLY SEE EYE-TO-EYE ON SOME OF OUR BILLS, BUT WE DID GET A LOT OF PROGRESS. I HAVE TO COMMEND THEM, FOR US WORKING TOGETHER TO COME UP WITH A BILL THAT, YOU KNOW, WE WANT TO MOVE ON TO THE PLANNING COMMISSIONS. >> THANK YOU. ARE THERE ANY OBJECTIONS TO PRO TEM KAMA TO SEND THESE TWO ITEMS TO THE ADEPT COMMITTEE? >> IF MR. JOHNSON FEELS THERE'S AN URGENCY AND HE IS ABLE TO, CHAIR, I HAVE NO OBJECTIONS TO THAT. I WANT TO BE ABLE TO WORK WITH OUR COUNCIL HERE, AND IF THINGS ARE AT THAT URGENCY, THEN I THINK I'M NEVER, EVER GOING TO BE OPPOSED TO THINGS LIKE THAT. THANK YOU, CHAIR. >> THANK YOU. THANK YOU. THANK FOR YOUR UNDERSTANDING. YES, MR. JOHNSON, I CAN FEEL YOUR FRUSTRATION. BUT IT APPEARS THAT YOU HAVE WAY MORE INFORMATION, BECAUSE YOU HAVE BEEN DOING THE RESEARCH, AND WE DON'T HAVE THE BENEFIT OF THAT INFORMATION AT THIS POINT. SO MEMBERS, ANY OBJECTIONS TO SENDING RESOLUTION 24-171 AND 24-172 TO THE ADEPT COMMITTEE? SO ORDERED. THANK YOU. THANK YOU EVERYBODY. >> THANK YOU, COUNCIL MEMBER KAMA. THANK YOU, CHAIR. >> YOU'RE WELCOME. >> YOU'RE WELCOME. MADAM CLERK. >> THANK YOU, MADAM CHAIR, JUST FOR THE RECORD, RESOLUTION 24-1723 IS REFERRING TO THE LANA'I, MAUI, AND MOLOKA'I PLANNING COMMISSIONS A PROPOSED BILL ENDING THE COMPREHENSIVE ZONING ORDINANCE ON AGRICULTURAL TOURISM, AND THAT HAS BEEN REFERRED TO THE ADEPT COMMITTEE. >> THANK YOU. >> CHAIR PROCEEDING WITH SECTION M ORDINANCES AT THIS TIME ANYONE WHO WOULD LIKE TO TESTIFY ON THE BILLS LISTED IN SECTION M. WE HAVE NO ONE CURRENTLY SIGNED UP TO TESTIFY. LAST CALL. ANYONE WHO WOULD LIKE TO TESTIFY ON ORDINANCES, THIS IS YOUR OPPORTUNITY. THE COUNTDOWN IS 3, 2, 1. CHAIR, THERE'S NO ONE INDICATING A DESIRE TO TESTIFY. >> ARE THERE ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING

WRITTEN TESTIMONY ON THE BILLS IN SECTION M. SO ORDERED. MS. CLERK.\r\n\r\n>> CHAIR, WE HAVE TWO BILLS THAT WILL BE -- UP FOR REFERRAL TO THE FINANCE AND ECONOMIC DEVELOPMENT COMMITTEE. WHICH ARE BILL 140 (2024) A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE 5TH SPACE SURVEILLANCE SQUADRON AIR FORCE MAUI OPTICAL AND SUPER COMPUTING AND AIR FORCE RESEARCH LABORATORY FOR FIRE AND EMERGENCY/NONE EMERGENCY SERVICES AND BILL 141 (2024) A BILL FOR AN ORDINANCE AMENDING CHAPTER 5.16 MAUI COUNTY CODE RELATING TO TAXICABS . THEY ARE TWO DIFFERENT ACTIONS, BOTH ARE REFERRALS. >> OKAY. ANY OBJECTIONS TO REFERRING BOTH BILLS TO THE BFED COMMITTEE? >> NO OBJECTIONS. >> THANK YOU. >> CHAIR, IF I COULD TAKE THE OPPORTUNITY TO LET THE MEMBERS KNOW THERE'S AN URGENCY FOR THE TAXICAB ONE, BECAUSE THEY WERE TALKING ABOUT THE FEES AND WE HAVE TO PASS THIS BY THE END OF THE YEAR.\r\n\r\nBUT WE'RE NOT GOING TO TAKE IT UP TODAY. I WILL TAKE IT BACK TO COMMITTEE, AND TALK ABOUT THE FEES. IT WILL BE THE SECOND MEETING ON IT. I JUST APPRECIATE ALL OF YOU KNOWING THAT AND FOCUSING ON THIS ONE FOR THAT REASON. >> THANK YOU, MS. CLERK. >> CHAIR, FOR REFERRAL TO THE DISASTER, RESILIENCE, INTERNATIONAL AFFAIRS, AND PLANNING COMMITTEE IS BILL 142 (2024) A BILL FOR AN ORDINANCE AMENDING CHAPTER 16.04D MAUI COUNTY CODE RELATING TO THE PROCEDURE FOR NOTICES OF WARNING AND VIOLATIONS.\r\n\r\n>> ANY OBJECTIONS, MEMBERS, TO REFERRING THIS BILL TO THE DRIP COMMITTEE? >> SO ORDERED. THANK YOU. >> CHAIR, WE'RE ON ORDINANCES, SECOND AND FINAL READING. BEFORE YOU IS BILL 124 CD 1 (2024) A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI ESTIMATED REVENUES DEPARTMENT OF MANAGEMENT, MANAGEMENT PROGRAM CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF MANAGEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA AND APPENDIX C, DEPARTMENT OF MANAGEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA. >> VICE-CHAIR SUGIMURA, DO YOU WANT THEM CALLED UP? >> YOU READ MY MIND.\r\n\r\n>> MS. CLERK BILL 125 CD 1 (2024) A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI ESTIMATED REVENUES AND OFFICER OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM GRANTS AND DISBURSEMENTS FOR WATER AND ENVIRONMENTAL RESOURCE PROTECTION AND BILL 139 (2024) A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI ESTIMATED REVENUES AND DEPARTMENT FOR 'OIWI RESOURCES 'OIWI RESOURCES PROGRAM SALARY. >> VICE-CHAIR SUGIMURA. >> THANK YOU, I MOVE TO MOVE BILLS 124, BILL 125 AND BILL 139 OFF AND ON SECOND AND FINAL READING. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA AND SECOND BY PRO TEM KAMA THE BILLS AS MENTIONED ON SECOND AND FINAL DISCUSSION. VICE-CHAIR SUGIMURA.\r\n\r\n>> NO DISCUSSION, THANK YOU, CHAIR. >> ANY OTHER DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE. >> NINE AYES, ZEROS NO, MOTION CARRIES. GUESS WHAT? WE FINISHED AHEAD OF TIME.\r\n\r\nIT'S INCREDIBLE. YES, MEMBER SINENCI. >> THANK YOU, CHAIR. GOOD JOB. JUST A QUESTION FOR OUR -- ON THE AESTHETICS OF THE CHAMBERS MOVING FORWARD. >> YES. WE COULD MAKE AN ANNOUNCEMENT RIGHT NOW, WHICH IS VERY RELEVANT.\r\n\r\nMS. CLERK. >> THANK YOU. MEMBERS, AND CHAIR, WE'RE GOING TO BE TAKING OVER THE CHAMBERS AS OF 18TH OF THIS MONTH. SO THE LAST DAY THAT YOU WILL BE ABLE TO ACCESS CHAMBERS IS OCTOBER 17TH, AND AS LAST TIME, WE'LL BE LOCKING THE ELEVATORS AND ALL EXTERIOR DOORS INTO THIS, SO IF YOU NEED ANYTHING FROM HERE, PLEASE LET US KNOW AND OUR STAFF CAN RETRIEVE WHATEVER WE FOR AND NO ACCESS AND NOT TO ESCORT YOU OR YOUR STAFF AND IT'S FOR THE INTEGRITY AND SAFETY OF OUR VOTING PROCESS. >> ANY QUESTIONS FOR THE CLERK? YES, PRO TEM KAMA.\r\n\r\n>> WHAT YOU ARE SAYING IS MADAM CLERK, WHATEVER WE NEED, WE BETTER BE SURE WE TAKE IT, NOT TODAY BECAUSE WE'RE ALL OFF NEXT WE'RE THE 17TH, THAT IS IT? >> THAT IS IT. WE'RE HAPPY TO GET SOMETHING FOR YOU, IF YOU GIVE US THE CAR KEYS TO YOUR OFFICE AND LOOK FOR SNACKS [LAUGHTER] >> WHEN IS OUR NEXT COUNCIL MEETING? >> THE 25TH. SO TODAY WAS LAST FOR NOW. SO THE REST, PLEASE DON'T COME TO THE BUILDING FOR THE NEXT MEETING. MEMBER JOHNSON?\r\n\r\n>> THANK YOU, CHAIR. I UNDERSTAND DISRUPTION, BUT I WONDER IS THIS GOING TO BE CONTINUOUS? LIKE EVERY ELECTION SEASON ARE WE GOING TO DO THIS? WHEN IS THE CLERKS GOING TO GET INTO A SPACE AND LET'S GIVE THEM SOMETHING, IF THAT IS SOMETHING

THAT THEY ARE GOING TO NEED EVERY ELECTION SEASON. >> WELL, MR. JOHNSON, YOU KNOW, THE ADMINISTRATION WAS SUPPOSED TO GIVE US THE ENTIRE BUILDING IN KALANA, AND WE'RE SUPPOSED TO GET THE PLANNING COMMISSION CONFERENCE ROOM, AS WELL AS THE WHOLE SECOND FLOOR. AND WE HAVE NOT GOTTEN THAT.\r\n\r\nSO WE DON'T HAVE AN OPPORTUNITY AT THIS POINT. MS. CLERK, UNLESS YOU HAVE ANY OTHER SUGGESTIONS? OH, WAIT A MINUTE. I DON'T LIKE HER SUGGESTIONS. >> IT WOULD BE FOR A NEW BUILDING. YES.\r\n\r\n>> SHE WANTS TO TAKE OVER MORE ROOM FROM WHAT WE HAVE. ESPECIALLY WITH THE MACHINE. PRO TEM KAMA, AND MEMBER PALTIN. >> I TALKED TO MOANA AND SHE SHOULD BE LOOKING FOR SOMEPLACE THAT SHE THINKS SHE WOULD BE ABLE TO UTILIZE AS THE CLERK'S OFFICE. I THINK MEMBER JOHNSON IS CORRECT, WE CAN'T BE DOING THIS EVERY YEAR. SO I WOULD JUST SUGGEST SHE GO LOOK FOR SOMETHING NOW AND TELL US NEXT BUDGET IF SHE FOUND SOMETHING AND WE SHOULD JUST GO GET IT. BECAUSE IT'S MORE PRIVATE FOR THEM, TOO; RIGHT?\r\n\r\nAND IT'S SAFER FOR THEM. SO ANYWAY, THAT IS JUST MY TWO CENTS, CHAIR. THANK YOU. >> MEMBER PALTIN. >> I WANTED TO CLARIFY, EVEN KNOW THE ELECTION IS NOVEMBER 5TH, EVEN THE NOVEMBER 15TH MEETING WE'RE NOT DOING HERE; RIGHT? >> THAT IS CORRECT. WE HAVE AUDITS CONDUCTED BY THE STATE.\r\n\r\nSO WE WON'T BE GIVING YOU BACK THE CHAMBERS UNTIL CLOSE TO THANKSGIVING. SORRY. >> SO NOVEMBER 15TH, NOT HERE. >> NOT HERE. >> NOT HERE. >> NOT HERE. SO WE'LL BE ONLINE EVERYBODY.\r\n\r\nUNTIL THANKSGIVING. OKAY. >> ONLINE, NOT AT THE PLANNING COMMISSION? NO. >> WE'RE NOT GOING TO HAVE THAT AT ALL THIS TIME? >> WE DON'T HAVE THE ABILITY TO RESERVE IT FOR THAT LENGTH OF TIME. I DON'T KNOW.\r\n\r\nWE'RE SECOND HAND CITIZENS AROUND HERE. >> HOLD ON, I THINK I MIGHT HAVE BEEN INCORRECT. >> OKAY. >> JOYCE IS SAYING THAT WE'RE BACK HERE ON THE 15TH. >> OH, WE ARE? >> YES. >> THAT IS WHAT -- >> THAT IS PROVIDED THAT NOTHING GOES WRONG WITH THE ELECTION.\r\n\r\n>> THAT IS THE OTHER THING. IF WE HAVE A RECOUNT OR ANY OTHER TYPE OF ISSUE, THAT IS GOING TO PUSH US BACK. LET ME TAKE A LOOK. >> WHAT IS THE LONGEST IT COULD TAKE? >> CHRISTMAS. >> NO. >> WHY ARE WE TALKING ABOUT THIS ANYWAY?\r\n\r\nTHERE'S NOTHING WE CAN DO. MEMBER SINENCI. >> FOR BENEFIT OF THE PUBLIC, SO THAT THEY DON'T COME HERE I KNOW, BUT WE'RE NOT GIVING THEM STRAIGHT INFORMATION. IT'S LIKE, MAYBE IF THIS AND MAYBE IF THAT. I THINK WE SHOULD WAIT UNTIL WE HAVE MORE DEFINITIVE INFORMATION. BECAUSE RIGHT NOW WE'RE ALL SPECULATING. >> ARE WE ALSO SPECULATING ABOUT HAVING THE PLANNING COMMISSION CONFERENCE ROOM, THAT IS FOR SURE?\r\n\r\n>> THAT IS NOT FOR SURE. >> THAT IS SPECULATION. >> NO. WE HAVE TO -- EVERY TIME WE WANT TO USE IT, WE HAVE TO RESERVE IT. AND YOU CAN'T RESERVE IT FOR A WHOLE BLOCK OF TIME, ON FOR A DAY AT A TIME. YOU KNOW, >> ALL WELCOME TO COME TO MOLOKA'I. >> THANK YOU. WE HAVE ROOM AT MITCHELL PAULI.\r\n\r\n>> YES, I WILL RESERVE IT. YOU CAN STAY. >> JUST LIVE THERE. >> BUILD A BRIDGE. [LAUGHTER] >> NOW THAT WE HAVE THE PUBLIC TOTALLY CONFUSED, I THINK IT'S A GOOD TIME TO END. ANYBODY GETTING MARRIED THIS WEEKEND? IF NOT, HAVING A BABY?\r\n\r\nTHAT WOULD BE A MIRACLE WITH THIS BUNCH. [LAUGHTER] OKAY. EVERYBODY, ALL GOOD? EVERYBODY TAKE CARE. WE HAVE IS IT 12 MINUTES TO SPARE AND LET'S END IT NOW BEFORE WE GO OVER TIME. ANY OBJECTIONS TO CLOSING THIS MEETING -- ADJOURNING? IF NOT, THIS MEETING IS ADJOURNED.\r\n\r\n[GAVEL] THANK YOU, EVERYBODY.