

MINUTES

of the

COUNCIL OF THE COUNTY OF MAUI

September 21, 2018

THE REGULAR MEETING OF THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, WAS HELD IN THE COUNCIL CHAMBER, KALANA O MAUI BUILDING, WAILUKU, HAWAII, ON FRIDAY, SEPTEMBER 21, 2018, BEGINNING AT 9:00 A.M., WITH CHAIR MICHAEL B. WHITE PRESIDING.

CHAIR WHITE: This meeting of the Maui County Council will please come to order.

Mr. Clerk, please call the roll.

ROLL CALL

PRESENT: COUNCILMEMBERS ALIKA ATAY, ELEANORA COCHRAN, S. STACY CRIVELLO, G. RIKI HOKAMA, KELLY T. KING, YUKI LEI K. SUGIMURA, AND CHAIR MICHAEL B. WHITE.

EXCUSED: COUNCILMEMBER DONALD S. GUZMAN AND VICE-CHAIR ROBERT CARROLL.

(Councilmember Guzman was not present when the roll was called; however, he arrived at 9:02 a.m.)

COUNTY CLERK DENNIS A. MATEO: Mr. Chair, we have seven Members present, two excused. Quorum is present to conduct the business of the Council.

CHAIR WHITE: Thank you, Mr. Clerk.

For opening remarks this morning, we have Member Crivello.

OPENING REMARKS

The opening remarks were offered by Councilmember Stacy Crivello.

CHAIR WHITE: Thank you, Member Crivello.

Will you all please stand and join me in the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

The Members of the Council, and others in attendance, rose and recited the Pledge of Allegiance.

CHAIR WHITE: Thank you. And please set your phones on silent mode, as we proceed with the agenda.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, proceeding with ceremonial resolutions.

CEREMONIAL RESOLUTIONS

RESOLUTION
NO. 18-154

CONGRATULATING HALEAKALA RANCH FOR
BEING AWARDED THE 2018 REGIONAL
ENVIRONMENTAL STEWARDSHIP AWARD

CHAIR WHITE: Thank you.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR, IN YOUR BEHALF, I MOVE TO ADOPT THE
RESOLUTION ENTITLED "CONGRATULATING HALEAKALA
RANCH FOR BEING AWARDED THE 2018 REGIONAL
ENVIRONMENTAL STEWARDSHIP AWARD".

COUNCILMEMBER CRIVELLO:

SECOND.

CHAIR WHITE: We have a motion from Ms. Sugimura, and a second from Ms. Crivello.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. Chair, may I ask the Clerk to read the
resolution in its entirety?

CHAIR WHITE: Certainly.

Mr. Clerk.

(The resolution was read in its entirety.)

CHAIR WHITE: Thank you, Mr. Clerk.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. It is with great pleasure and honor I
congratulate Haleakala Ranch in your behalf, and being honored for their award, to be
awarded the 2018 Regional Environmental Stewardship Award.

Each year, the National Cattlemen Beef Association recognizes cattle producers
across the United States for their achievements. Haleakala Ranch was nominated and
selected for this award not only for their outstanding leadership and cattle operations,
but for their remarkable efforts in land stewardship and conservation.

Through community partnerships, Haleakala Ranch has accomplished many
milestones, which included watershed management, native rainforest preservation,
and recovery facilities for the endangered Nene and Geranium Arboreum.

Haleakala Ranch continues to participate in community outreach programs, such as Ag Fest, Upcountry Fair, and provides mentorship programs and clinics to educate our youth like the cutting edge for the Maui High School Rodeo Youth.

After 130 years, Haleakala Ranch continues to perpetuate its deep connections and legacy of cattle ranching, conservation and land stewardship.

This morning, we are honored to be joined by Peter Baldwin, representing the Baldwin Family; Scott Meidell, Senior Vice President of Real Estate and Land Management; Greg Friel, Vice President/Livestock Manager.

I also would like to just add a little comment, Chair, as I graduated from Henry Perrine Baldwin High School, and I'd like to thank the Baldwin Family for creating this legacy in our community. And, when you think about it, Haleakala Ranch has done all of this with 29,000 acres, and developed in, or founded in 1988 *[sic]*. And they have continued the legacy of their family. I proudly stand with you, and I hope all the Members will support this resolution. Thank you, Chair.

CHAIR WHITE: Thank you, Ms. Sugimura.

Members, any further discussion on this item?

Ms. King.

COUNCILMEMBER KING: Thank you, Chair. I just want to add my support and appreciation for bringing this forward. We've been reviewing some of the watershed projects in the Water Resources Committee. Haleakala Ranch comes up a lot as supporting them, so I want to thank them for that.

And I've also worked closely with Scott Meidell, representing the Ranch at the Sustainable Sciences Management Program at UH. We both served on the Advisory Committee for that program.

But, I also wanted to thank them also for a recent upcoming affordable rental project in, in North Kihei, and they're working really hard with that project to provide additional access away from that neighborhood, the direct neighborhood in Kaiwahine. And that is so appreciated. But, it just goes to show, you know, how willing they are to go out of their way to support really good community projects. And so, I'm really happy and honored to be part of this ceremony today. And, thank you, Haleakala Ranch.

CHAIR WHITE: Thank you, Ms. King.

Any further discussion?

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, excuse me. Chairman, thank you. I also would like to extend my congratulations to the family and the Ranch. Gee, I, to say, you know, to recall and say I grew up in an era where ag practices was a pretty common place on all our County islands.

But, I appreciate and, and I am just thrilled about this recognition that the Ranch and the family is receiving about taking care of our aina, doing island ag practices to deal with island concerns. And I just commend them for embracing how it takes to take care of property and land on an island. And I commend them, and I wish more properties owners would take recognition of how to do it, as we would say pono. Thank you.

CHAIR WHITE: Thank you, Mr. Hokama.

Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair. I too would like to join my colleagues in congratulating the Haleakala Ranch. The fact that it's an entity based and founded by ranching in our, from the land and moving forward in time, teaching our youth that an entity can change in time and be more diverse, and be more aware of the environment and its community is really extraordinary. And to, to really move forward in teaching that method, that work ethic and diversification, and that a willingness to change in the betterment of our environment is completely outstanding. So, I congratulate the Ranch and all its facilities and the, the founding family that has started it all. Thank you.

CHAIR WHITE: Thank you, Mr. Guzman.

Any further discussion?

Yes, Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. And, thank you for this opportunity. And, I want to thank Mr. Meidell did, there is a Na Ala Hele Trail sort of issue that occurred and opened up the land for us to go and do this walk and hike and retrace the steps of this ancient trail. So, I appreciated that time to, to really get a feel and walk the land

with him and others of the Ranch. So, I want to mahalo them for that opportunity. Thank you.

CHAIR WHITE: Thank you.

Any further discussion? The Chair would just like to add that, you know, the ranching community in the island is really a big ohana of people that are taking care of large parcels of land in ways that, that provide stewardship in, in support of our natural environment. And, I think there's oftentimes that they don't get as much credit as they deserve.

And, and I know that Haleakala and the other ranches share the information on what practices work and what practices don't. And, it's great to see the family maintaining the property. And I know that there's probably no one in any generation that wants to be responsible for something breaking apart in big chunks. So, I think, you know, Haleakala Ranch is certainly one of those that is maintaining the stability of the ranch by diversifying in ways that allow for them to continue to support the operations, and, and keep the lands open.

And, often they are on the front lines of invasive species, you know, of the invasive species battle. And so, I take my hat off to Haleakala Ranch, and I take my hat off to the whole ranching community, because I think a lot of the folks in that community spend a lot of their time and effort dealing with invasive species.

And, and of course now their focus is also changing to one where they're spending a lot of time helping preserve the watersheds. So, we take our hat off to the family. We take our hats off to the folks that make it happen on the ground. So, a big mahalo and congratulations for getting the recognition that you so rightly deserve. And we wish you all the best in your, in the national competition. Hope you succeed at that level as well.

And with that, I'll call for the vote. All those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, GUZMAN, HOKAMA, KING,
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused"; Mr. Carroll.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. With your permission, I'd like to ask Peter Baldwin, Scott Meidell and Greg Friel to present, come to the podium to present them with a copy of the resolution, as well as some leis.

CHAIR WHITE: Certainly.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR WHITE: Please join us.

COUNCILMEMBER SUGIMURA: Thank you very much. At this time, I wanted to present your resolution from the Council. And I wondered if either one or all three of you want to say a few words? Thank you.

MR. SCOTT MEIDELL: Chair White, Members of the Council; aloha and good morning.

CHAIR WHITE: Good morning.

MR. MEIDELL: It's a real pleasure to be standing here today with Greg Friel, our Vice President for Livestock Operations; former President and CEO of Haleakala Ranch Company, Peter Baldwin. I'd like to acknowledge Don Young, our President and CEO; and Jordan Jokiel, our Vice President for Land Management; neither who could be here today. But, under the careful guidance of Don Young and the stellar efforts of Jordan Jokiel, none of this would be possible. I'd also like acknowledge Effie Cameron; Susie Baldwin; Kristina Lyons Lambert, who is also a Director for our company. Thank you for your support here today, and your ongoing guidance.

I know that I speak for all of us on the Ranch team when I say that we are extremely grateful for this very special recognition; it truly is. We are also very thankful for continued support of our community as we work to perpetuate our 130-year legacy of land stewardship and livestock production. Haleakala Ranch and our Maui community have grown together for over 130 years. We are very proud of the fact that we, along with other ranchers and farmers, help to sustain the agricultural, conservation, and open space values that we all cherish, and that contribute to our island's unique identity.

The world is changing faster each year, with seemingly new challenges every day, that threaten our identity as a community that is defined by our rich history of agriculture and land stewardship. We can assure you that Haleakala Ranch is all in for the next 130 years and beyond to protect and preserve this very special place that we all call home. Once again, we sincerely appreciate this honor, and thank you for your continued support.

I think one of the greatest secrets to our success is the continuity of the family's support that is now six generations, six generations old. We're standing, as management, we're standing on the shoulders of those who've created the very special legacy that we're celebrating today. So, I'm very honored to ask Peter Baldwin to come up and say a few, say a few words on behalf of the family. But, again, my personal thanks. And on behalf of Haleakala Ranch, we thank you for this acknowledgement.

MR. PETER BALDWIN: Thank you, Scott. Chairman White, Members of the Council, it's, this is truly a very great honor. And, I, I grew up on the Ranch. My first memory as a youngster was 1941, and I, I was four years old at that time. And, what I remember is my father and mother driving from Spreckelsville Beach, up the mountain to our home in Kula. And, that was December 7, 1941. And what I remember about it, I was four years old, was the fear that was exhibited in their demeanor; and that goes back a long ways.

I'm very proud of my grandfather. The Stewardship Award application spans about 90 years. And, I'll speak briefly to the first significant event, and that was my grandfather meeting with the Secretary of the Interior and, and working out an exchange to give Haleakala Crater, which was owned by Haleakala Ranch, to the Federal government to be used as a national park. And that was the beginning of this 90-year span of continuing stewardship. And, that's something that I'm very proud of, our family is very proud of, and all of the leadership that the Ranch is pleased with. And, thank you for having us, and thank you for the award.

CHAIR WHITE: Thank you very much.

COUNCILMEMBER KING: Chair.

CHAIR WHITE: Thank you very much for joining us today.

COUNCILMEMBER KING: Chair.

CHAIR WHITE: Yes, Ms. King.

COUNCILMEMBER KING: Thank you. I just wanted to mention that I think that was a beautiful speech and a little bit of a teaser. And, I don't know if folks know that John Harrisson, who is a friend of mine who works at MEDB just published a book about Mr. Baldwin. So, there are many more stories in the book and I'm looking forward to reading that.

CHAIR WHITE: Good. Well, we'll all look forward to that.

Thank you very much for being here this morning.

Mr. Clerk.

RESOLUTION
NO. 18-155

RECOGNIZING THE MONTH OF SEPTEMBER
AS NATIONAL SUICIDE PREVENTION
AWARENESS MONTH IN MAUI COUNTY

CHAIR WHITE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair.

I MOVE TO ADOPT THE RESOLUTION ENTITLED
"RECOGNIZING THE MONTH OF SEPTEMBER AS NATIONAL
SUICIDE PREVENTION AWARENESS MONTH IN MAUI
COUNTY".

COUNCILMEMBER COCHRAN:

SECOND.

CHAIR WHITE: We have a motion from Ms. Sugimura, and a second from Ms. Cochran.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. May I request that the Clerk read the resolution in its entirety?

CHAIR WHITE: Certainly.

Mr. Clerk.

(The resolution was read in its entirety.)

CHAIR WHITE: Thank you, Mr. Clerk.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. I think that, I want to ask the Members for their support for this resolution. And, I think it's a subject that is important for us to talk about and to recognize.

I think that in our lifetime many of us have experienced or heard of a person passing with this, these kinds of circumstances. I will share with you that at age 17, long, long time ago in 1970, my dad took his life. And, from that day forward it was a difficult time for our family. And, we did not have the kinds of services available today provided by Department of Health or Danielle Bergan from Mental Health America of Hawaii. And, it was really hard for my family. So, I stand to, I stand with this resolution in support of it as, from a personal perspective.

But, I also know that there are a lot of people out there who may need to be heard or who may want to reach out, and that there are services available. It may take also something as simple as reaching out and saying, "How are you doing? Do you need some help?" And, maybe it's that personal touch that will make a difference. But, thank you very much for allowing me to do this resolution. Thank you, Chair.

CHAIR WHITE: Thank you, Ms. Sugimura.

Members, any further discussion on this item?

Mr. Atay.

COUNCILMEMBER ATAY: Thank you, Chair. I fully support this resolution. My past experience has been in this arena; several years carrying a pager to respond to teen suicide attempts. I think this recognition and request to the community and the families to be more aware of the cycle of suicide, have a better understanding of the cycle, and be more aware and supportive, I think we'll get a stronger community. So, I fully support this resolution.

CHAIR WHITE: Thank you, Mr. Atay.

Any further discussion?

Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. And, I wholeheartedly support this. We need to continuously bring more awareness, the fact that this does exist as read by the Clerk, this taboo type of subject. But, you know, we can't just ignore it, sweep it under the rug; it's something that has to be faced and spoken about.

And the services, the services such as Ms. Bergan is providing. I remember couple budgets ago, she came in and she picked up, you know, trying to raise the phoenix out of the ashes type of thing from this organization. And, we really questioned them really hard, like, what happened and what have you been doing? And, and we eked out a little bit of money. You know, she continues to grow this organization, so I applaud her for that. And, and more so now hopefully moving into the future, we understand this is a dire need, a critical need for this community.

And for us, this Council, this body, to continue to fund it and perhaps, you know, more so, so they can reach out more; especially to the island of Molokai, as we hear five times higher the rate than the rest of the State, which I have been hearing because many families that I know personally, and I'm sure Ms. Crivello have had numerous, you know, funerals. One month, there was three every weekend and that's such a sad, sad, sad fact. So, yep, wholeheartedly support this and want to see the awareness and support continue to grow for these efforts. Thank you, Chair.

CHAIR WHITE: Thank you, Ms. Cochran.

Any further discussion?

Seeing none, I think I find these statistics very startling. And as a father, I can't imagine how it would feel to lose a child to suicide. Because you're, you're left asking yourself, "Was there something that I missed? Was there something that I could have done better?"

I'm also wondering whether with social media, this problem is exacerbated or maybe in some cases people are able to reach out a little bit more. But, I, you know, I think we all are aware that social media has its benefits, but it also has its challenges. And so, I want to commend those of you who take the time and put in the effort to assist the families and the individuals who are contemplating suicide. And, and of course, you're left picking up the pieces if, if you're not successful in stopping the action. So,

that takes strength that I don't have. And, I'm just very thankful that people such as yourselves do have those talents and capacities.

So, thank you very much, Member Sugimura for bringing this forward. And, I think it's a very important topic, and one that certainly deserves the attention.

With that, I'll call for the vote. All those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, GUZMAN, HOKAMA, KING,
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", one "excused"; that's Mr. Carroll.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. With your permission I'd like to call Danielle Bergan from Mental Health America of Hawaii, and Dr. Adam Coles, Co-Chair of the Prevent Suicide Maui County Task Force. He's also from the Department of Health. I wonder if he could come down, so I can present them with their certificate, and I've already gave them their leis. But, would you come down?

CHAIR WHITE: Please come join us.

COUNCILMEMBER SUGIMURA: So, I wanted to, I wanted to present to you this resolution from us. And, if you would like to say a few words regarding this.

MS. DANIELLE BERGAN: Thank you so much. And, good morning, Chair and Councilmembers. As you know, I'm Danielle Bergan, Community Coordinator of Mental Health America of Hawaii. And this is a, this is a great awareness. Here we are, leaders of our community. I have members out here of, some of which are instructors for Youth Suicide and Bullying Prevention, which we're now bringing into the schools, and other support members from members of the, our Task Force, MEO, which is a huge part of it, with the programs that they provide as well joining us in their youth.

We're just now getting our, after much discussion with some of the DOE principals and behavioral health therapists that work in the schools, we're bringing our youth suicide and bullying prevention training into the intermediate schools and to the, into the high schools to share. We have at least four scheduled right now for this quarter.

We just recently trained 13 more instructors, besides the seven active instructors that we have. And our goal is to get into as many schools as possible to raise awareness to speak to the youth, and to let the youth know that they can be a part of this prevention. They can be a part of the solution.

As what we do in this training is coming in and discussing the problems of bullying, raising awareness, the definitions of it, teaching them how to better resolve it. And though bullying is not a casual effect for suicide, and let me repeat that, it does not cause suicide; it heightens the risk factor for it.

And when we transfer into the suicide prevention part of the training, we teach the youth that are there about listen, ask and tell. We tell them the warning signs, we teach them the warning signs, we get them to recognize it, we teach them to listen to these signs, and then to ask that hard question of their friends or their family members, "are you thinking of killing yourself"? It will not increase the risk of them doing it. If anything, it will give them an outlet to finally say they need help.

We're here to save lives, you know. This is, as you said, Councilmember Chair, it's just these statistics are staggering. So, we're doing the best we could with the help of the agencies that are all just a part of it, the solution. It's not just Mental Health America, but we can't do it on my own, on our own. I'm the only person that works in the office. I need the volunteers. I need the instructors that we have. They're wonderful, wonderful people that take time out of their day to come work with us to work with these youth and to work adults. And, I can happily say that just in the first quarter of our new County grant, that we have trained over 300 people in that short amount of time; adults and children. So, thank you very much.

And, I'd like to introduce Dr. Adam Coles, who is the Co-Chair with myself and Aris Banaag and Jeny Bissell, who couldn't be here today, of the Prevent Suicide Maui Task Force to say a few words.

DR. ADAM COLES: Thank you, Mr. Chairman and Councilmembers. I really appreciate your recognition and sharing your stories, and your experience helping folks who have coped with suicidal thoughts and other mental health problems. My, I think my short remarks will be kind of as some call to action, but also some good news, I think, too.

First, I want to, I just want to say that I, in, in training, when I was a resident, suicidality, suicidal thoughts and behavior, were taught as a symptom, you know, as one of a list of things, you know, you have to explore and ask about as a physician.

But, I want to recognize suicide as a disease, a disease process that's fatal. And if we shift our thinking toward that, I think we can, we can move forward with a kind of public health idea of it as a, as a disease that has risk factors, that has preventative factors, and that can be conquered; like polio, like small pox, we can beat it. And there are things that work.

And I want to recognize our colleagues at MEO, especially, because they do what we would call in my business primary prevention. They work with youth who are sort of at risk, and, and include them in activities and programs that prevent this kind of thing from happening. And, I think that that's actually really the most effective thing, is to prevent this from happening in the first place. So, I really want to thank the folks at MEO for the work they do.

And the good news, I think, is that Maui, despite, you know, our mental health resources being short in many ways, the collaboration on this island, in this County, including our neighbor-islands is, is at a such a high level; higher than anywhere else I've worked, even in a previous career. I didn't come to medicine right away. I had, did some other things. But, I find that the, everyone I work with clinicians, therapists, volunteers, all really want to work together on this problem. And this, Maui is an example, I think, to the rest of the State. We've heard that from folks on Kauai, on Oahu, the Big Island, that Maui, you guys seem to talk to each other and collaborate really well. And I think that's a strength that we have. So, I just wanted to recognize that, that we have going for us.

I'm the Clinical Director of the Maui Family Guidance Center for the Child and Adolescent Mental Health Division, so a lot of times folks come to us having already something going on. And, I think that's why I stepped out and really wanted to get into the Task Force, so that we could work on primary prevention measures. And I want to thank the State Department of Health for letting me be a community psychiatrist, and not just kind of sit in my office and see people when they come and ask for help. We need to be out. So, I really appreciate the Council's recognition of this problem. And we can, we can beat it. Thank you.

CHAIR WHITE: Thank you very much. Thank you so much for joining us here this morning.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, for the record, RESOLUTION 18-155.

Proceeding with the presentation on testimony on agenda items. We have established limited interactive communication that enables individuals from Hana, Lanai, and Molokai, to provide testimony from our District Offices.

Individuals who wish to offer testimony from our District Offices should now sign up with the District Office staff. Individuals who wish to offer testimony in the chamber, please sign up at the desk located in the eighth-floor lobby just outside the chamber door. Testimony at all locations is limited to the items listed on today's agenda. And pursuant to the Rules of the Council, each testifier is allowed to testify for up to three minutes, with one minute to conclude if requested.

And, when testifying, please state your name and the name of any organization you represent.

Hana Office, please identify yourself and introduce your first testifier.

(Councilmember King was excused from the meeting at 9:46 a.m.)

MS. DAWN LONO: Good morning. This is Dawn Lono at the Hana Office, and there is no one waiting to testify.

COUNTY CLERK: Thank you.

Lanai Office, please identify yourself and introduce your first testifier.

MS. DENISE FERNANDEZ: Good morning. This is Denise Fernandez at the Lanai Office, and there is no one waiting to testify.

COUNTY CLERK: Thank you.

Molokai Office, please identify yourself and introduce your first testifier.

MS. ELLA ALCON: Good morning, Chair. This is Ella Alcon on Molokai, and there is no one here waiting to testify.

COUNTY CLERK: Thank you.

Mr. Chair, we have four individuals who have signed up to provide testimony in the Council chamber. The first individual to testify is Lisa Morrison, Hawaii public school teacher, testifying on Committee Report *[sic]* 18-329, on behalf of HSTA, Hawaii State Teachers Association.

PRESENTATION OF WRITTEN OR ORAL TESTIMONY

MS. LISA MORRISON, HAWAII STATE TEACHERS ASSOCIATION (testifying on County Communication No. 18-329):

Aloha, Honorable Chair White and Councilmembers. I'm Lisa Morrison. I'm a teacher at Maui Waena Intermediate School in Kahului, and I'm the Vice President of the Maui Chapter of the Hawaii State Teachers Association. I've come on behalf of teachers who cannot attend at this time. I agreed to take a personal day to come speak about this issue because it's so important to me and to all of us working with Hawaii's keiki.

I support the call for an audit of the Hawaii Department of Education for many but not all of the reasons that are given in the resolution before you today. I support the transparency of it, and improvement in allocations and expenditures within the Department. But, an audit won't be enough.

In real dollars, the amount that Hawaii spends on education per student is average when compared to other states. But the Department of Education has to do business in Hawaii; an expensive place. And when you adjust for the cost of living, we fall to 45th in the nation in per pupil spending. You can't overcome it unless you put more money into the system. And, the private schools here get that, so they spend two to three times more per student. And I know some people will say, well that's private school so you can't compare. But, the problem is when you're saying that, in essence you're saying some keiki deserve it, only those whose parents can afford it.

(Councilmember King returned to the meeting at 9:48 a.m.)

MS. MORRISON: Our State Constitution does not guarantee a quality education in Hawaii, as claimed in this resolution. We're providing an education, but we need to improve the quality. And we're going to have to invest in our keiki to do it. Our students deserve small class sizes, so they can get individual attention to their needs. To provide that, we need more classrooms; safe and comfortable classrooms, and well qualified teachers in those classes.

I brought a stack of photos that I took before the Board of Education just two weeks ago. These are accomplished dedicated teachers who once taught here but left because they couldn't afford to stay. We don't have a shortage of teachers who want to come teach Hawaii's keiki; we have a shortage of funding and resources to keep them here.

And let me conclude by mentioning, the misinformation I've heard concerning the Constitutional amendment that's on the ballot; of course, it's not exacting in its language because it has to remain flexible enough to be in our Constitution for decades to come. It is the actual tax legislation that would implement a surcharge for which we'll need all of your concern and your lobbying of legislators to get it right. And, we'll look for your help once the amendment passes. The word investment is specific, or else it wouldn't be needed. I've heard misleading statements that the tax would be on the home I own and live in, but that's incorrect. If that were the case, the amendment would simply say real property.

The idea that it steals from the counties and what you're currently collecting is not true. It specifically says, surcharge. And that would be on top of what the counties collect for themselves. 36 other states do this, and we can figure it out. It's workable and our keiki deserve it. Thank you very much.

Do I have more time? If I do I would like to conclude.

CHAIR WHITE: No that--

MS. MORRISON: No?

CHAIR WHITE: No you've used up your time, but thank you for being here this morning.

Members, any need for clarification? Seeing none, thank you for being here this morning.

MS. MORRISON: Thank you.

CHAIR WHITE: Mr. Clerk.

COUNTY CLERK: Next testifier is Robert Ferreira, Kaupo Ranch Manager, testifying on County Communication 18-327. To be followed by Linda Clark.

MR. ROBERT FERREIRA (testifying on County Communication No. 18-327):

Good morning--

CHAIR WHITE: Good morning.

MR. FERREIRA: --Honorable Council Chair Mike White and Members of the Council. My name is Robert Ferreira, and I am the consulting manager, and have been responsible for Kaupo Ranch since 2011. When I took over the responsibilities of Kaupo Ranch, the one problem that I faced that was most challenging to me was water supply and demand.

As you know, the Kaupo water system is known as a hybrid system that has evolved over the years since 1938. Kaupo Ranch does not only provide water for its livestock operations, but also for the Department of Water Supply two non-potable ag water system for the Kaupo community at no charge to the County since 1938. The tank in question was erected in 1981 as an already used tank. In 2008, it started to fail and required constant repairs for leakage.

In 2013, Department of Water Supply tried to repair this tank by pressure washing and patching with new steel sheets of galvanized plates to the floor and outside bottom, 48-inches around the tank. They sandblasted the inside walls, floor, and exterior of the tank to apply a sealant paint coat, coating. While sandblasting, another 79 holes were exposed, thus needing more galvanized sheet patches. All of this did not make the tank sound, and we have since been trying to supply both the Ranch and community water needs through a 4,000-gallon tank. This does not allow us the amount of storage needed in times when we are faced with waterline breakage, thus leaving the Ranch and the community without water, and at times and more importantly without water for fire suppression.

We have waited patiently a long time trying to get this into budget since 2013 and have continued to cooperate and supply agricultural water for the Department of Water Supply and its Kaupo community meters. I come here, and I humbly ask that you support this amendment to the Fiscal Year 2019 Budget for the Department of Water Supply. Thank you for giving me this opportunity to testify.

CHAIR WHITE: Thank you, Mr. Ferreira.

Any need for clarification, Members?

Ms. King.

COUNCILMEMBER KING: Quick question. Thank you, Chair. Thanks for being here, Mr. Ferreira. I, sorry, I didn't recognize you; you clean up really nice. I'm used to seeing you out in the Ranch and, and toying along in a hike or something. But, can you just tell us what size tank you need that would be a comfortable amount for supplying all the water you're supplying for the Ranch and the community.

MR. FERREIRA: Well, the tank that we are questioning, you know, that we want to replace is a, is a 50,000-gallon tank, but actually, we can only hold 40,000-gallons because of the way that it was designed and where they put the inlets. Because Kaupo is such a distance in doing anything that you want to do, you may as well look at doing the best you can so that--

CHAIR WHITE: Could you move a little closer to the mic?

MR. FERREIRA: --so that you can cheapen up the cost of the water, cheapen up the gallonage of the water. So, what we're asking for is we're asking for 100,000-gallon tank--

COUNCILMEMBER KING: Okay.

MR. FERREIRA: --and which could fit in the same footprint that this old tank is sitting on.

COUNCILMEMBER KING: Okay. Thank you.

COUNCILMEMBER GUZMAN: Chair.

CHAIR WHITE: Yes, Mr. Guzman.

COUNCILMEMBER GUZMAN: Yea, thank you, Mr. Ferreira for being here. And thank you for your patience for the, I know that we had started working on this since 2017 with Corporation Counsel, as well as with Mr. Taylor. And we, apparently, we had the site visit as well for the tanks and the design and everything is in, everything is actually up to par in terms of what Kaupo needs, in terms of the system, the hybrid system. So, is there any other factors that aside from, that is in the amendment that you need from? Because it's my understanding that it, everything is pretty much set, that this is exactly the amount of money that you need for the new design and the new tank.

MR. FERREIRA: This is exactly what we need--

COUNCILMEMBER GUZMAN: Okay.

MR. FERREIRA: --what we need from the County.

COUNCILMEMBER GUZMAN: Very good.

MR. FERREIRA: On the other hand, there are things that we need to do, but it is the Ranch's responsibility. So, we will take further improvements on the Ranch's dollar.

COUNCILMEMBER GUZMAN: Okay, thank you. Thank you very much. Thank you again for your patience.

CHAIR WHITE: Okay. Any others?

Ms. Cochran.

COUNCILMEMBER COCHRAN: Yea, thank you. And, thank you for again, yea, your patience and work and being diligent and coming back to us over and over. But, is this a cost-sharing, the, the, for the improvements?

MR. FERREIRA: Well--

COUNCILMEMBER COCHRAN: Or is this all County?

MR. FERREIRA: No. What, what we've come out with as the plan is that, you see we, we need to make the system. We need to keep the system able to provide water. When we knock out this tank, we need to reroute all the piping and make the system able to continue to operate. So then, we are also going to put in and make a road so that the contractors can get in. And, when it's all said and done and the tank is there, we will also help to discard the tank in, you know, helping them get the tank removed and cut up into pieces. And then we're the ones that will do the connections, because we know how we need the connections done. So, we'll put in the connections, which is, entails in extra piping and such.

But, there's one more, one more key to this. This tank that is proposed to put is a enclosed tank, completely enclosed. The water that feeds this tank comes from the mountain. It is crystal-clear ice-cold number one water, as far as I'm concerned. It is put in a pipe, come down to a reservoir, it's dumped in the reservoir. From that reservoir, it goes into five pressure-break tanks that is enclosed, thus the water is put into this tank. When we run out of water due, due to droughts from the mountain, we then turn to the well that . . . that welling.

But when they did that, one mistake they made was when they put up the storage tank they just put one regular stock cattle tank. So, what we are doing right now is we're in the process of redoing that tank ourselves and putting in a enclosed, totally enclosed tank there so that when we put that well water into that tank, because the water is so rich in minerals, it turns green. Thus, making it no sense in for us to be pumping this water from this tank up to this new enclosed tank. So, we're going to fix that system. That is the Ranch's kuleana. We're in the process of securing the money right now to do it. We got the bids in to do it, and the way we need to do it.

COUNCILMEMBER COCHRAN: Okay. Alright. Very good. Thank you. Thank you so much.

CHAIR WHITE: Members, any other need for clarification?

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, no. I just want to state that this is being planned to be referred to Committee. I'm already planning to schedule this for October 2, B&F. Thank you.

CHAIR WHITE: Thank you, Mr. Hokama.

Thank you very much for being here this morning.

MR. FERREIRA: Thank you.

CHAIR WHITE: Mr. Clerk.

COUNTY CLERK: Next testifier is Linda Clark, Kaupo Community Association President, testifying on County Communication 18-327. To be followed by Mark Deakos.

MS. LINDA CLARK, KAUPU COMMUNITY ASSOCIATION (testifying on County Communication No. 18-327):

Good morning, Chair, Councilmembers. I'm Linda Clark, President of the Kaupo Community Association. And, I'm here today to support Kaupo Ranch and our community and ask that the amendment for funds be approved for the Kaupo Water Tank Improvements.

We're usually at the front when there's no water in the community. We get the calls. Sometimes they're, most of the times they're like, what's going on? So, you know, I really appreciate Bobby and his efforts, and really easy to work with. And, I hope that,

you know, County and the Ranch can work it out, whatever it needs to be. We just want to keep Kaupo, Kaupo. Thank you.

CHAIR WHITE: Thank you for being here this morning.

Members, any need for clarification?

Mr. Clerk.

COUNTY CLERK: Next testifier is Mark Deakos, testifying on Committee Report 18-152.

MR. MARK DEAKOS (testifying on Committee Report 18-152):

Thank you, Chair White--

CHAIR WHITE: Good morning.

MR. DEAKOS: --and Councilmembers. My name is Mark Deakos, 20-year resident of Maui. I live in Napili, and I'm asking the Council to adopt CR 152, to support the recommendation in the Hawaii Sea Level Rise Vulnerability and Adaptation Report.

So, I have three points I want to share about the topic of shorelines and sea level rise. The first, as it stands now, there's no incentive for coastal property owners to plan for a retreat. They basically maximize profits as the ocean gets closer and closer until they demand their sea wall or fair market value buyout. So, compassionate managed retreat would incentivize owners to pay into a retreat fund that is supplemented by County, State and Federal funds since taxpayers' money will be needed anyway to remove a condemned building. It makes a lot of sense. So, the earlier the fund is initiated by these property owners, the more affordable it becomes for them. As it stands, sea walls and artificial beaches are not going to hold back the ocean. They're simply temporary measures.

The second thing is elevation needs to be taken into account and setbacks. Water doesn't care about how far back you are. It cares about how high you are.

And the last, the third thing, we all know West Maui is natural a, is one natural disaster away from being isolated. 30,000 people with no access to critical care, sufficient supplies, and revenue loss of \$20 million per week, every week that highway is cut off. But, as most things, once the natural disaster has passed, the urgency goes away and we move on to other things.

So, imagine though that if all that was needed to protect West Maui, that was to complete the Olowalu to Ukumehame portion of the bypass, that's it; built five miles of a two-lane highway on lands that's mostly owned by the County and State. In return, you get almost eight miles of coastline that can recede naturally for the next couple hundred years, preserving its beaches, its reefs. It's publicly accessible for snorkeling, diving, surfing, fishing, camping in perpetuity, and most importantly, lives are saved.

So, why are State House and Senate Reps are focused on attacks for the northbound portion, I'm not sure. I think it's misdirected. So, realigning that highway is a no-brainer. So, please adopt the resolution before you. And, hopefully we let science direct some smart management. Thank you.

CHAIR WHITE: Thank you, Mr. Deakos.

Members, any need for clarification?

Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you. And, thank you, Dr. Deakos for being here this morning. Can you just explain a little bit more about what compassionate manage retreat is?

MR. DEAKOS: So, it's, right now if you're a property owner that's watching over the last two decades, watching the ocean encroach, there's nothing, there's no incentive to plan to deal with that. Essentially, it's once it becomes a crisis, as we see with Hololani and the other hotels there, they demand the seawall and we know the, the, the downsides of doing all the shoreline hardening.

So, this is something that they were hoping there's more discussion of, there's workshops where we discuss this sort of incentive plan where you can budget. If you know you're 15 years away from the ocean being at your doorstep, there's incentive for the property owners to build it into a fund that's, that's supplemented by taxpayer funds as well. So, that when it comes to time to retreat, there's, there's money available and it's not reacting to crisis. I'm not an expert in that, but I think that needs to be more a part of the discussion on how we resolve that.

COUNCILMEMBER COCHRAN: Okay. Thank you very much for your time.

CHAIR WHITE: Ms. King.

COUNCILMEMBER KING: Thank you. Thanks again for being here, Dr. Deakos. So, I just wanted to ask you if you could, the section that you put into your testimony on the realignment of the highway, if you could also send that to the Metropolitan Planning Organization since it's a, an organization, State and County that prioritizes these projects. So, this would be very helpful, because we've been looking at these types of projects not necessarily from the environmental aspect, more from the multimodal and convenience aspect. So, this would be very helpful.

MR. DEAKOS: Okay, yea, it was part of my testimony I cut out. But, I did want to commend the, the Maui MPO. I know the executive director has been keeping the, the lower road, sorry, the, the, that section of the road as a high priority although there's a lot of special interest pushing for the northbound Lahaina portion to be a priority. But, I know the MPO is actively recognizing that as a high priority.

COUNCILMEMBER KING: Thank you. And, we're, we're bringing on two Legislators next year to the Maui MPO, just in hopes that we can push the funding at the State level for this type of thing too. Thank you.

MR. DEAKOS: Thank you.

CHAIR WHITE: Thank you for being here this morning.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, there's no further individuals signed up to testify in the Council chamber. If there's any additional individuals in the Council chamber or at the District Offices who would like to offer testimony, please identify yourself to the appropriate staff and proceed to the testimony lectern or the District Office conference call at this time.

Hana Office, are there any additional testifiers?

MS. LONO: The Hana Office has no one waiting to testify.

COUNTY CLERK: Thank you.

Lanai Office, any additional testifiers?

MS. FERNANDEZ: The Lanai Office has no one waiting to testify.

COUNTY CLERK: Thank you.

Molokai Office, any additional testifiers?

MS. ALCON: There's no one here on Molokai waiting to testify.

COUNTY CLERK: Thank you.

Mr. Chair, there's no other individual in the District Offices or the chamber who wish to offer testimony.

CHAIR WHITE: Thank you, Mr. Clerk.

Members, we have received testimony. And if, without objection, we'll receive it into the record.

MEMBERS VOICED NO OBJECTION.

THERE BEING NO OBJECTION, WRITTEN TESTIMONY
RECEIVED FROM THE FOLLOWING WERE MADE A PART OF
THE RECORD OF THIS MEETING:

1. Lisa Morrison;
2. Robert H. Ferreira, Kaupo Ranch, Ltd.;
3. Mark Deakos;
4. Kelly King, Councilmember;
5. Robin Newbold, Maui Nui Marine Resource Council;
6. Henry Curtis, Life of the Land;
7. Jodi Malinoski, Sierra Club of Hawaii; and
8. Jim Smith.

CHAIR WHITE: Thank you very much. And without objection, we'll close public testimony for today.

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Thank you. Public testimony is closed.

Mr. Clerk, please proceed with the agenda.

COUNTY CLERK: Mr. Chair, proceeding with minutes.

MINUTES

The minutes of the Council of the County of Maui's regular meeting of June 1, 2018, regular meeting of June 15, 2018, and special meeting of June 15, 2018 were presented at this time.

CHAIR WHITE: Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair.

I MOVE THAT THE MINUTES OF THE REGULAR MEETING OF
JUNE 1, 2018, REGULAR MEETING OF JUNE 15, 2018, AND
SPECIAL MEETING OF JUNE 15, BE APPROVED.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR WHITE: We have a motion from Ms. Crivello, and a second from Ms. Sugimura.

Ms. Crivello.

COUNCILMEMBER CRIVELLO: No discussion, Chair.

CHAIR WHITE: Members, any discussion on the minutes? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, GUZMAN, HOKAMA, KING,
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused", Mr. Carroll.

Members, without objection, Mr. Hokama has a flight to catch. He needs to leave here by 11 o'clock. So, without objection, I would like to call, ask the Clerk in the, in the normal order, county communications relating to Budget and Finance; County Communication 329, and Committee Reports 18-150 and 18-151, and then final would be Bill 75. Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Okay. Mr. Clerk, please call up the first three items on the county communications.

COUNTY CLERK: Thank you.

COUNTY COMMUNICATIONS

NO. 18-322 - TIVOLI S. FAAUMU, CHIEF OF POLICE,
(dated September 5, 2018)

Transmitting a grant agreement with the Office of Youth Services for the KALO Program in the amount of \$89,000.

CHAIR WHITE: Mr. Hokama.

Actually, I made a mistake, it was just supposed to be the first one.

COUNCILMEMBER HOKAMA: Thank you, Chairman.

CHAIR WHITE: The others are Ms. Cochran's.

COUNCILMEMBER HOKAMA: Right. Thank you, Chairman. And, thank you, Members, for the consideration.

CHAIRMAN, I MOVE TO FILE COUNTY COMMUNICATION
18-322, AS READ BY THE CLERK.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR WHITE: We have a motion from Mr. Hokama, and a second from Ms. Sugimura.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, Chief Faaumu is just notifying us of a grant received for the KALO Program. Thank you.

CHAIR WHITE: Thank you.

Any discussion on this item, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, GUZMAN, HOKAMA, KING,
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused".

Mr. Clerk.

NO. 18-329 - RIKI HOKAMA, COUNCILMEMBER,
(dated September 13, 2018)

Transmitting a proposed resolution entitled "URGING THE STATE AUDITOR TO CONDUCT A PERFORMANCE AND FISCAL AUDIT OF THE HAWAII STATE DEPARTMENT OF EDUCATION".

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, thank you very much.

I WOULD MOVE FOR THE ADOPTION OF THE PROPOSED
RESOLUTION ATTACHED TO COUNTY COMMUNICATION
18-329.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR WHITE: We have a motion from Mr. Hokama, and a second from Ms. Sugimura.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you. And then Members, again, since this is a non-binding request in the form of our resolution, there's no need to waive certain Rules of the Council as it requires for more subject matter proposals. At this time, Mr. Chairman, I would please request the Clerk to read the resolution as proposed in its entirety.

CHAIR WHITE: Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: So ordered.

Mr. Clerk.

(The Clerk read the resolution in its entirety.)

CHAIR WHITE: Thank you very much, Mr. Clerk.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, thank you. Again, what we are doing is requesting. That is all this body can do is put forth a formal request to the State Auditor to conduct such a study on the Department, and to help verify for us what is the issues that is cash as being proposed by the Legislature, the answer to the issues and ills of the Department. I'm not convinced that it's just the money that's the issue. And, I think the audit would allow our property owners, and, and what I would like to have the Legislature remember is besides being property owners, we're also State taxpayers as well, okay.

So, as State taxpayers from this County, we want to know what happened to all the money we paid the State to support education at that level, cause we know what we support education at the County level. And, that's why I appreciate the Clerk reading the resolution. This County supports our keiki. We've done it for decades in many

different ways, whether it be Summer PALS, putting forth our County gyms, Maehara Baseball Field, War Memorial Gym; we are providing a lot of support to the educational program of this County, okay. And, we do it because it's our children too.

So, we, we get it, Chairman. I just want to know, because we are asked by our tax base, what did you do with our money? And, we have to respond and provide an answer. And, we audit the program or the department to provide the transparency and answer to our community. I think we deserve the same from the State to review our public educational system and find out what happened to all that money. And, is money the real issue? Okay. The State is the full control of this contract. They have the full control of funding it, okay.

And you know, it's interesting they haven't watched in the 70's. What was our issue in 1978? We had to find language, we as the 102 delegates, on how to deal with State surpluses. So, we had to craft a provision that required the Legislature to rebate back to the State tax base portions of the surplus because of the way our economy was rumbling, the type of operations and programs we were running. And yet, we still had surpluses. And, we had a Governor and Legislature that was pretty astute on how they did money. What happened from that era to now where we, again Chairman, you know, if this is what the State wants to do, but you know, I'm wondering is this the real issue, okay.

We understand the State's bigger financial picture better than most of our community, okay. And all I can say is the State is against a boogeyman. What is that boogeyman? Their obligations to the ERS and EUTF funds. We know the numbers. We review it every year. What is holding this State back in being fully funded in two key required funds? Okay, because GASB, as we all know it, is going to force us to show everybody, including the money markets, the true financial picture of each government entity based on its total revenue and expense line, okay. And right now, if the State had to show its obligation on retirement and health funds, it's going to be a very ugly picture, okay.

We have tried to do advanced payments to reduce the impact on our taxpayers. We've done and raised taxes, Chairman, okay. They tell us that our rate is low, look at the value of our property. Big deal if our rate is \$100. If your land value is zero, what is the tax or revenue to this County? Zero, okay. Our values are frequently really high, Chairman. And that's why we adjust, because what people need to look at is at the end of the day, what is our people paying in dollars to the County? Not the rate, the amount, okay.

On Kauai, a resident there, from what she understood could possibly impact on her range of her property, she was informed her Council that, you know, she currently pays

about \$1,000. Dependent on what happens with legislation, she's assuming her property is going to fall under investment. Her calculation was she's going to pay another \$6700. That was her calculation, not our calculations, Chair, okay. And of course, the big question from the Kauai Council was, then does this truly undermine all our efforts to fund affordable housing because of what properties will be viewed as investment?

A lot of questions, Chair. A lot of questions. We don't have answers. We are, we're just asking questions that I believe our community deserves to have answers first before they're asked to make a government structural adjustment that may impact more areas than we would like. And we should be aware of what those impacts are, okay, especially our requirements still yet to pay our contracts, like, of collective bargaining that's all cash. We have to pay our debt as required by various laws and our job, yea. As a priority, that we have our required core services; police, fire, water, sewers, parks.

So, Chairman, I am, I was happy for the representative to, although she didn't agree with all of the points, I can appreciate that for perspective. But I appreciate that they too would like to know what's been happening with the money. And again, if you listen to Professor Roth, we're not looking at two billion, his number is closer to three billion dollars a year. So, I believe our people, not only of this County but of this State, deserves to know what is the reality of our Department of Education, because we, this Council has never talked about education for our youth.

I think through our appropriations, through our programs, we can show we have supported education, including our, your Committee on Budget and Finance, Chairman. We are looking at ways of how to use our recreational facilities in working with our schools to be able to help supplant and support student youth travel for athletics and other academic purposes, okay. That's a Council initiative, Chairman, that we're trying to work out on behalf of our keiki to support. We understand the need of expenses on a Tri-isle County, okay. We're doing that, not the State, not the Department; the County.

(Councilmember Cochran was excused from the meeting at 10:16 a.m.)

COUNCILMEMBER HOKAMA: So, I just want, wanted to be clear, Chairman; especially to our County tax base. Your County has provided support for schools from the time when we were a Territory, throughout Statehood. And, I think the people of Maui County should take pride that they have supported education, not only through their State taxes, but through their County government. Thank you very much.

CHAIR WHITE: Thank you, Mr. Hokama.

Any further discussion, Members?

Mr. Atay.

COUNCILMEMBER ATAY: Thank you, Chair. I too fully support this proposed resolution. You know, I, I had also forwarded a proposed resolution to you, similar. It was for a performance and fiscal audit of the upper levels of Hawaii's Department of Education. I recognize the personnel positions sitting in a principal and below at the school levels.

(Councilmember Cochran returned to the meeting at 10:17 a.m.)

COUNCILMEMBER ATAY: I recognize them as the personnel that are in the trenches that are delivering services to our keiki, and so they should be well compensated. However, I question, you know, of the nearly two-billion-dollar budget, same question, you know, where does all the money go if you get a bigger chunk of the entire State's budget. And so, I would, I too support this resolution. If, if the, if the audit could be in halves, you know like, you know, in the interest of time, let's investigate everything above a principal and where the spending is going. But, in the overall thing, I fully support this resolution of urging the State Auditor to conduct this entire audit, especially in performance and fiscal.

CHAIR WHITE: Thank you, Mr. Atay.

Any further discussion?

Yes, Ms. King.

COUNCILMEMBER KING: Thank you, Chair. I support this resolution, and I don't see a, I don't think there's a reference in here to the Education Task Force report that was done in the early 90's when Ben Cayetano was Lieutenant Governor. But, as you know, I served on the Board of Education subsequent to that report coming out. And, there were a lot of things in that report that talked about decentralization and getting more control to the schools, which would have saved money, which would have gotten more done. We did make an effort to support school community-based management and get more decision making, but I also believe that we need to take a look at where the money goes.

Because, and I'll give you a couple of examples; one is charter schools. Charter schools don't get the same amount of money per child that the other parts of, the other schools get, and yet they're doing a lot with that money. And, they do a lot because

they, they organize with their local communities. As far as I've seen, and I was on the Board of Education when the very first charter school started, I've always been a supporter of charter schools, because any, anything that can do anything new that attracts new ideas and, and attracts teachers to the types of freedoms that they enjoy in the charter schools when, in their teaching. But, they've never been given equal, equal per child allotments. And so that needs to be looked at as well.

We also had a school that was built in Kihei; Kamali'i Elementary School that was the first, and I believe only public-private partnership in Maui. It was the only, it's the only school I know that was built that came in under budget and ahead of time. And, we've never done another one since then. So, you know, why, we have, we have some examples of where we can save money. Why those examples have not been replicated, I, I would like to know. It was a, it was a huge bonus for Kihei because it was the first school that was built with, with central air conditioning, which has been a huge issue for Kihei.

And so, those are just kind of a couple of examples of the things that I think that need to be looked at more in detail, and may find where, where we can have savings or where we can more, more fairly concentrate our dollars at the local level. So, I've been a big believer since the 90's on decentralize, in decentralization as bringing a lot of financial benefit to our schools, to our schools directly.

So, I would like to see this happen before we start just piling money on top of money because I've personally seen, you know, not even, not just from being on the Board of Education, but having kids in public education. And now I have a niece and nephew in a charter school, which is still public education, but is underfunded compared to the other schools. So, there are some, there's a lot to be looked at there.

CHAIR WHITE: Thank you.

Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair. I just wanted to come forward and have on record that I do support this request. I, thank you, Mr. Hokama, for pursuing this. And you know, he makes mention about how County supports our school children and our schools.

I recall some, a couple years back when I requested to have monies set aside for our STEM, science-technology program for our, our Molokai students. And, today it's expanded. And you know when they looked at the auto program that we have at Maui High and Best Buddies where our kids participate, STEM, I mean the list goes on and on.

And I think it's time that the State, as well as the Department of Education and our, you know, we have dedicated teachers. And, and our kids deserve the best. So, I, but we have to find a balance and not deprive one area of keeping our community healthy and, you know, not recognizing why we have some imbalanced finances that's not panning out for the Department of Education. So, I think this reso will do us well. Thank you, Chair.

CHAIR WHITE: Thank you.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. I am grateful to see this resolution. And I think Mr. Hokama said it all, in terms of history and why it makes sense. I also wanted to add, just to speak in behalf of the residents of Maui County who will get affected by this if it, if it does pass. And, I think I said before that, and, and the testifier kind of reconfirmed my thought, is that I don't want us to double-tax our residents, you know.

We, we have been given, through constitutional mandate, the ability for real property tax and fees for services, and that's how we manage our County and provide a really good, I think, base for our residents so that they can have their seniors, and children, and daily lives supported in ways that we can.

And, but I, I would like to say, and I've been telling people as I've been out there in the community to vote no on the Constitutional amendment, because more information needs to be heard. And then I think Mr. Hokama's reso will provide that more information so that we understand what's happening. But, in behalf of the residents of Maui County and the taxpayers, I just want to say that we do not want to get taxed twice for real property tax, which is what this sounds like they're trying to do. And, to vote no on the Constitutional amendment. And, I support Mr. Hokama's resolution wholeheartedly.

CHAIR WHITE: Thank you, Ms. Sugimura.

Any further discussion?

Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you. Yes, I too want to thank Mr. Hokama for bringing this forward, because I think time is definitely of the essence. Being that the question is on the ballot, November 6, I mean, I don't know, this audit, it's going to take a little bit more than just an urging at this point. But, that is all the power that we have

as Councilmembers towards the State Legislature. And so, yes, totally support, and we should get this moving. Thank you.

CHAIR WHITE: Thank you. Well, the Chair would just like to add his support to this resolution, mainly because of the crafting of the bill. It, it, the head of HSTA, I believe has, has agreed that there's no guaranteed that the money will go to education. We don't know what the surcharge is. We know that it's going to be applied to real property. We have no idea what, which real property.

So, if you're going to vote on a Constitutional amendment there should be some details. You should understand the impacts. You should be told exactly where that money is going to go, and that the money going to education is simply not going to allow the Legislature to take money that's already in education and divert that to something else with an, with a no-net gain.

I think the, the challenge that all of us have is that we all support our teachers, but there's never been a level of transparency in the Department of Education that allows us to see where the money is going. So, I, I fully support the idea of, of this, this audit. It's obviously not going to take place before the November election, but it should certainly take place before they come up with another budget, another Constitutional amendment like this.

I don't believe there should be any support for this Constitutional amendment, simply because of the vaguery of the way it was drafted. And I understand why the, you know, a lot of people in the community who don't interface with the Legislature, and we, and don't see the kinds of monkey business that they engage in, they probably feel this is, this is all done and done fairly, and with all the right intentions. But, in the dealings that we've had with the Legislature, we know that that's not always going to be the case.

And, I'll use the TAT as an example. It started off as a temporary tax. Well, I never expected it to be temporary. But, I didn't expect it to be used as a, as a tool on Maui to fund rail on Oahu. And at this point, we have gone from, well I don't know, I can't remember what we, we generated in the past. But, we're generating over \$200 million just for Maui County. We get back 23.5. So, where does all that money go? There's no nexus between the visitor and spending that on something else. Everywhere else in the country, the TAT, any, the room, the revenues generated by taxes on accommodation revenues is a municipal tax; it's not a State tax.

So, I, I don't, I support this, this move very strongly because I think the, the State, while it has 14 of the 17 taxes in the State, we have three; weight tax, gas tax, and, and the real property tax. The State has the, two of those, and they have all the rest. So, they essentially have 16 out of 17 methods of taxation that are available. We cannot create

methods of taxation without their approval. So, we can deal with the rates. And, they establish the, the excise tax at its current rate in 1965.

We got authority to tax real property in 1981. At that time, our property tax rate averaged about \$4.50. Well, we're well over that, because our costs have gone up. And we're having to continually increase our taxes because we don't get a share of the TAT that we should get. So our, we're left basically asking our residents to pay for expenses incurred on behalf of our visitors, even though they've already paid at the pump and paid in TAT, but we don't get it.

So, it's in that frame of reference that I feel this is a very valid request. It's not going to happen quickly, but I see nothing but trouble with this, with this, excuse me, Constitutional amendment, because it is so vague, and it leaves the Legislature with such an incredibly open field to tax without any guarantee of where that money is going to go.

So, with that, I will call for the question. And, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, GUZMAN, HOKAMA, KING,
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused".

And, Mr. Clerk.

COUNTY CLERK: Mr. Chair, we would need a motion to file this communication.

COUNCILMEMBER HOKAMA:

CHAIRMAN, MOVE TO FILE COUNTY COMMUNICATION
18-329.

COUNCILMEMBER CRIVELLO:

SECOND.

CHAIR WHITE: We have a motion from Mr. Hokama, and a second from Ms. Crivello to file.

Mr. Hokama, any discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, GUZMAN, HOKAMA, KING,
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused".

Okay, Mr. Clerk.

COUNTY CLERK: Mr. Chair, for the record, RESOLUTION 18-156.

Proceeding with county, with, excuse me, committee reports.

COMMITTEE REPORTS

COMMITTEE REPORT

NO. 18-150 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. That Bill 77 (2018), entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF PUBLIC WORKS, WAILUKU-KAHULUI COMMUNITY PLAN AREA, DRAINAGE, IAO STREAM FLOOD CONTROL; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND

CAPITAL IMPROVEMENT PROJECTS)," be PASSED ON FIRST READING and be ORDERED TO PRINT;

2. That Bill 78 (2018), entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF PUBLIC WORKS, WAILUKU-KAHULUI COMMUNITY PLAN AREA, IAO STREAM FLOOD CONTROL," be PASSED ON FIRST READING and be ORDERED TO PRINT;
3. That Bill 79 (2018), entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE UNITED STATES DEPARTMENT OF THE ARMY (US ARMY) REGARDING A FEASIBILITY COST SHARING AGREEMENT (FCSA) FOR THE IAO STREAM, MAUI, HAWAII – FLOOD RISK MANAGEMENT," be PASSED ON FIRST READING and be ORDERED TO PRINT; and
4. That County Communication 18-300, from the Budget Director, be FILED.

CHAIR WHITE: Mr. Hokama, would you like the next bill to be brought up as well?

COUNCILMEMBER HOKAMA: Yea, with no objections.

CHAIR WHITE: Any objections, Members?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: So ordered.

COMMITTEE REPORT

NO. 18-151 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. That Bill 80 (2018), entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF FINANCE, COUNTYWIDE, COUNTYWIDE EQUIPMENT; DEPARTMENT OF MANAGEMENT, COUNTYWIDE, PUBLIC SAFETY RADIO SYSTEM

REPLACEMENT," be PASSED ON FIRST READING and be ORDERED TO PRINT; and

2. That the County Communication 18-301, from the Budget Director, be FILED.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Chairman.

I MOVE THAT COMMITTEE REPORTS 18-150 AND 18-151,
ALONG WITH ITS RECOMMENDATIONS, BE ADOPTED.

COUNCILMEMBER CRIVELLO:

SECOND.

CHAIR WHITE: We have a motion from Mr. Hokama, and a second from Ms. Sugimura.

COUNCILMEMBER CRIVELLO: Crivello.

CHAIR WHITE: Oh, I'm sorry; Crivello.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Chairman. Chairman, your Committee vetted both, all items and both Committee Reports, and recommends adoption.

CHAIR WHITE: Any further discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, GUZMAN, HOKAMA, KING,
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused".

Mr. Clerk.

COUNTY CLERK: Mr. Chair, for the record, BILLS NO. 77, 78, 79 (2018), respectively. And for Committee Report 18-151, BILL NO. 80 (2018).

Mr. Chair, moving to--

CHAIR WHITE: Bill 75.

COUNTY CLERK: --bills for second and final.

ORDINANCES

ORDINANCE NO. _____
BILL NO. 75 (2018)

A BILL FOR AN ORDINANCE AMENDING APPENDIX A
OF THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES –
SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2019,
AFFORDABLE HOUSING FUND

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Chairman. Thank you, Members.

I MOVE THAT BILL 75 PASS SECOND AND FINAL READING.

COUNCILMEMBER CRIVELLO:

SECOND.

CHAIR WHITE: We have a motion from Mr. Hokama, and a second from Ms. Crivello.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, this appropriation would just allow the County of Maui to participate to update the Hawaii Housing and Planning Study. Thank you.

CHAIR WHITE: Thank you.

Members, any discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, GUZMAN, HOKAMA, KING,
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and, and one "excused".

And, with that Members, we will take our morning break. Thank you for your patience. And, please be back in your seats at 11.

(THE MEETING WAS RECESSED BY THE CHAIR AT 10:46 A.M., AND WAS RECONVENED AT 11:01 A.M., WITH ALL MEMBERS PRESENT, EXCEPT FOR VICE-CHAIR CARROLL, EXCUSED.)

CHAIR WHITE: This meeting shall please come back to order.

Mr. Clerk, let's proceed with the remainder of the county communications.

COUNTY COMMUNICATIONS

NO. 18-323 - MARK R. WALKER, DIRECTOR OF FINANCE,
(dated September 4, 2018)

Informing of the acceptance of Waterline Easement W-1, Wong Tract at Waiohuli-Keokea, TMK: (2) 2-2-004:054 Por.

CHAIR WHITE: And, Ms. Cochran, would you like us to bring up the other--

COUNCILMEMBER COCHRAN: Yes, please.

CHAIR WHITE: --other item at the same time?

COUNCILMEMBER COCHRAN: I was just going to ask for that request. Thank you.

CHAIR WHITE: If you can bring up 18-324 as well, Mr. Clerk.

NO. 18-324 - MARK R. WALKER, DIRECTOR OF FINANCE,
(dated September 13, 2018)

Informing of the acceptance of the Dedication of Sewerline Easement S-1, West Maui
Animal Clinic, TMK: (2) 4-6-010:011 Por.

CHAIR WHITE: Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. And so, both of these are housekeeping
type items in accordance with Section 3.44.015(H) of our Maui County Code. Director
of Finance needs to notify us in writing of these types of items. So, 18--

CHAIR WHITE: We need, we need a motion.

COUNCILMEMBER COCHRAN: Oh, sorry, sorry. Sorry, Chair.

I MOVE TO FILE, SORRY, YEA, I MOVE TO FILE COUNTY
COMMUNICATIONS 18-323 AND 18-324.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR WHITE: We have a motion from Ms. Cochran, and a second from Ms. Sugimura.

Ms. Cochran.

COUNCILMEMBER COCHRAN: Bless you, Mr. Wong. Yes, so as I was saying, so let's see;
18-323, according to information provided by this communication, the easement
purpose is to access to water meter and waterline purposes, including other
equipment, appurtenances necessary, or expedient for proper maintenance, operation
or repair of such water meters, or pipelines installed within this said easement. No

County funds were used for either of these items. And, it is in conformance, built in conformance with County standards

Three dash, sorry, 324 is, easement purpose is for underground sewerlines, which includes manholes and other equipment. No County funds used. Widths and location are acceptable to Department of Environmental Management, and also in conformance with County standards. So therefore, I am requesting filing.

CHAIR WHITE: Any further discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, GUZMAN, HOKAMA, KING,
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused".

Mr. Clerk, instead of reading through the remainder. Since we have several items that require action, let's go to County Communication 18-334.

NO. 18-334 - DON S. GUZMAN, CHAIR, PARKS, RECREATION, ENERGY, AND
LEGAL AFFAIRS COMMITTEE, (dated September 6, 2018)

Transmitting a proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL KEKER, VAN NEST & PETERS LLP TO REPRESENT THE COUNTY OF MAUI, PRO BONO, IN AN AMICUS BRIEF BEFORE THE UNITED STATES SUPREME COURT IN GEORGE K. YOUNG, JR. V. STATE OF HAWAII, ET AL., UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT NO. 12-17808, D.C. NO. 1:12-CV-00336-HG-BMK".

CHAIR WHITE: Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair.

I MOVE TO DISCHARGE THE PRL COMMITTEE FROM
FURTHER CONSIDERATION OF THE PROPOSAL
RESOLUTION ATTACHED TO COUNTY COMMUNICATION
18-334.

COUNCILMEMBER KING:

SECOND.

CHAIR WHITE: We have a motion from Mr. Guzman and a second from Ms. King.

Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair. I'm seeking discharge in this matter, considering the fact that there's a deadline for submission for the amicus brief. It is, was relayed by Corporation Counsel on September 18, 2018, in our Committee that there is a consideration for hiring this, or moving forward in support of this report. So, it is a time-sensitive matter. So, that's, therefore, I'm asking for discharge.

CHAIR WHITE: Thank you.

Any further discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, GUZMAN, HOKAMA, KING,
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused".

Mr. Clerk.

COUNTY CLERK: For the record, RESOLUTION--

COUNCILMEMBER GUZMAN: Waiver.

COUNTY CLERK: Oh, excuse me. Excuse me. Go ahead.

CHAIR WHITE: Oh, sorry.

COUNCILMEMBER GUZMAN: Yea, thank you, Chair.

ALSO, PROCEDURALLY, IN ACCORDANCE, I WOULD MOVE
TO WAIVE THE REQUIREMENTS FOR THE COMMITTEE
REPORT PURSUANT TO 7(E) OF THE COUNCIL RULES.

CHAIR WHITE: Okay, we have a--

COUNCILMEMBER COCHRAN:

SECOND.

CHAIR WHITE: We have a motion to waive from Mr. Guzman, and a second from
Ms. Cochran.

Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you. Again, Chair, procedurally, it needs a two-thirds
vote to waive the committee report, or, so, just asking for support. Thank you.

CHAIR WHITE: Thank you.

Any further discussion? All those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, GUZMAN, HOKAMA, KING,
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused".

Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you.

AND FINALLY, I MOVE TO ADOPT THE PROPOSED
RESOLUTION AS STATED BY THE CLERK AND THE FILING
OF THE COUNTY COMMUNICATIONS.

COUNCILMEMBER KING:

SECOND.

CHAIR WHITE: We have a motion from Mr. Guzman, and a second from Ms. King.

Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair. This resolution would allow the County to retain, without fees or costs to the County, the Law Firm of Keeker, Van Nest & Peters LLP, to prepare a, and file an amicus brief on behalf of the County of Maui, because of the legal impacts of the ruling in *George K. Young v. State of Hawaii*, et al.

The case involved the County of Hawaii's enforcement of Section 134-9 of the HRS, relating to the open carry of firearms. Although Maui County is not a party to the proceedings, the County would like to support the Big Island on the issue which involves the application of State law.

Dan Jackson of the law firm, also offered to represent all the counties in the State pro bono in a friends of court brief, which is due next week. I ask for the Members support of this motion. Thank you.

CHAIR WHITE: Thank you.

Any further discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, GUZMAN, HOKAMA, KING,
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused".

Mr. Clerk.

COUNTY CLERK: For the record, RESOLUTION 18-157.

NO. 18-335 - KELLY T. KING, CHAIR, PLANNING COMMITTEE,
(dated August 21, 2018)

Transmitting a proposed resolution entitled "APPROVING A TIME EXTENSION FOR
THE COUNCIL TO ENACT THE MOLOKAI COMMUNITY PLAN".

CHAIR WHITE: Ms. King.

COUNCILMEMBER KING: Thank you, Chair.

I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE
REFERRAL AND REPORT FOR THE PROPOSED
RESOLUTION ATTACHED TO COUNTY COMMUNICATION
18-335, PURSUANT TO RULE 7(E) OF THE RULES OF THE
COUNCIL.

COUNCILMEMBER COCHRAN:

SECOND.

CHAIR WHITE: We have a motion from Ms. King, and a second from Ms. Cochran.

Ms. King.

COUNCILMEMBER KING: Thank you, Chair. I, looking for my, I, I'm going to try to amend
this bill to, to change the, you know, this motion it needs a two-thirds, oh I guess, I
guess we'll go through this, this waiver first. The passage of this motion by two-thirds
vote is required by the two-thirds vote of the entire membership of the Council and will

enable the Council to consider extending the deadline for Council approval of the Molokai Community Plan prior to the expiration of the current deadline, which is at the end of this month. I ask for the Council's support of the waiver.

CHAIR WHITE: Thank you.

Any further discussion on the waiver? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, GUZMAN, HOKAMA, KING,
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused".

Ms. King.

COUNCILMEMBER KING: Okay, thank you, Chair.

I MOVE TO ADOPT THE PROPOSED RESOLUTION
ENTITLED "APPROVING A TIME EXTENSION FOR THE
COUNCIL TO ENACT THE MOLOKAI COMMUNITY PLAN",
AND TO FILE COUNTY COMMUNICATION 18-335.

The extension is, oh, we need a second.

CHAIR WHITE: Yea, we need a second.

COUNCILMEMBER COCHRAN:

SECOND.

CHAIR WHITE: We have a motion from Ms. King, and a second from Ms. Cochran.

Ms. King.

COUNCILMEMBER KING: Okay, thank you. The extension is required because the Council is unable to meet the September 30, 2018 deadline. The Planning Committee made its recommendation on the proposed Molokai Community Plan update just yesterday, and Chapter 2.80B, Maui County Code, still requires a public hearing on Molokai and two readings by the full Council, so I ask for the Council's support of this motion.

Do you want me to make the amendment, propose?

CHAIR WHITE: Yes, if you, if you'd like to offer the amendment.

COUNCILMEMBER KING: Okay. Got so many papers here today for today's--

COUNCILMEMBER CRIVELLO: Could I, question, can I ask a question? To what date?

COUNCILMEMBER KING: Well, I'm, okay, so I have a, an amendment that I'm proposing to the date. So, I, I move to amend Section 3 of the, oh I'm sorry, this is the wrong one. They didn't write up one for me for this.

OKAY, SO I'M GOING TO MOVE TO AMEND THE PROPOSAL
TO CHANGE THE DATE TO THE END OF THIS YEAR, WHICH
IS DECEMBER 31, 2018.

And, since it's in the hands of the Chair of, for the full Council, I think we can meet that deadline. Previously, it was, the deadline was March 2019, just because of the uncertainty of how many times we've had to extend this. So, that's my amendment proposal.

CHAIR WHITE: Wait, just a brief recess.

(THE MEETING WAS RECESSED BY THE CHAIR AT 11:11 A.M., AND WAS RECONVENED AT 11:13 A.M., WITH ALL MEMBERS PRESENT, EXCEPT FOR VICE-CHAIR CARROLL, EXCUSED.)

CHAIR WHITE: Okay, we're back in session.

Ms. King.

COUNCILMEMBER KING:

YEA, SO CHAIR, JUST TO ALLOW A DIFFERENT
COUNCILMEMBER TO MAKE THE AMENDMENT ON THE
CHANGE, I WITHDRAW MY AMENDMENT.

CHAIR WHITE: Okay. Thank you.

Ms. Crivello.

COUNCILMEMBER CRIVELLO: Okay, so I'm assuming we're on the main, on a motion for the reso, right? That's where we're at now?

CHAIR WHITE: We, we have a main motion.

COUNCILMEMBER CRIVELLO: For me to be able to amend it.

CHAIR WHITE: So, we're amending the main motion.

COUNCILMEMBER CRIVELLO: Okay.

I MOVE TO AMEND THE PROPOSED RESOLUTION
ATTACHED TO COUNTY COMMUNICATION 18-335,
ENTITLED "APPROVING A TIME EXTENSION FOR THE
COUNCIL TO ENACT THE MOLOKAI COMMUNITY PLAN" BY
CHANGING THE EXTENSION DATE FROM, FROM
MARCH 31, 2019 TO DECEMBER 31, 2018.

CHAIR WHITE: Do we have a second?

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR WHITE: We have a motion from Ms. Crivello, and a second from Ms. Sugimura.

Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you. And, I, I'm just going to segway off our Planning Committee Chair, that we've sat through this long planning and review process. So, we passed it out yesterday, so it's time for us to settle all of this instead of it going back to the bottom. So, I think our Molokai community can appreciate the Council coming out there sooner than later. Thank you.

CHAIR WHITE: Okay. Thank you.

Any further discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, GUZMAN, HOKAMA, KING,
SUGIMURA, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused". Thank you.

(Councilmember Hokama was excused from the meeting at 11:15 a.m.)

CHAIR WHITE: And, Mr. Clerk, onto the 18-336.

COUNTY CLERK: Yea. Mr. Chair, brief recess please.

CHAIR WHITE: Brief recess.

(THE MEETING WAS RECESSED BY THE CHAIR AT 11:15 A.M., AND WAS RECONVENED AT 11:16 A.M., WITH ALL MEMBERS PRESENT, EXCEPT FOR MEMBER HOKAMA AND VICE-CHAIR CARROLL, EXCUSED.)

CHAIR WHITE: We'll, we'll get there sooner or later.

We, the vote was just on the amendment. So, now we're back to the main motion.
Thank you, Mr. Clerk.

CHAIR WHITE: So, back to the main motion. All those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, GUZMAN, KING, SUGIMURA, AND
CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA AND
VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused"; Mr. Hokama and Mr. Carroll.

CHAIR WHITE: Okay. Now we're all clear, Mr., Mr. Clerk.

NO. 18-336 - MIKE WHITE, COUNCIL CHAIR,
(dated September 10, 2018)

Transmitting a proposed resolution entitled "APPROVING THE APPOINTMENT OF LESLEE D. MATTHEWS AS A LEGISLATIVE ANALYST IN THE OFFICE OF COUNCIL SERVICES".

CHAIR WHITE: Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair.

I MOVE TO ADOPT THE PROPOSED RESOLUTION
ENTITLED "APPROVING THE APPOINTMENT OF LESLEE D.
MATTHEWS AS A LEGISLATIVE ANALYST IN THE OFFICE OF
COUNCIL SERVICES", AND THE FILING OF THE
COMMUNICATION.

COUNCILMEMBER SUGIMURA:

SECOND.

COUNCILMEMBER KING: Second.

CHAIR WHITE: We have a motion from Ms. Crivello, and a second from Ms. Sugimura.

Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you. We have here that Leslee D. Matthews is a recent graduate from the University of Hawaii at Manoa, William S. Richardson School of Law. She, she's attained her law degree in May of 2018. Hopefully she'll receive the results of her bar exam next month.

Her educational background also includes attaining a Master of Science in Social Work from the University of Texas at Arlington, and a Bachelor of Science degree in criminal justice from Texas Women's University.

She also worked as a legal intern in the State House of Representatives for Kaniela Ing, where she conducted legal research for proposed bills on various issues. Leslee's experience in research and writing will make her a valuable addition to the Office of Council Services. I urge your support of this resolution.

CHAIR WHITE: Thank you, Ms. Crivello.

Any further discussion on this item?

Yes, Ms. King.

COUNCILMEMBER KING: Chair, I just would like to add my full support. I had a chance to interview Ms. Matthews, and all I can say is I would take her into my office if she were available and I had an opening. So, I thought she was a fantastic, she'll be a fantastic addition to our Council Services.

CHAIR WHITE: Any further discussion? I'll just, I'll just add I have the same feeling. She's a very capable young lady, and full of energy. And I think we will, we'll expect and receive the best from her.

So, Ms. Cochran.

COUNCILMEMBER COCHRAN: Yea, briefly, just want to ditto the both of your comments. And, I too had a interview, and it was wonderful. So, looking forward to her energy and expertise in our, be working for us. So, thank you very much.

CHAIR WHITE: Thank you. All those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, GUZMAN, KING, SUGIMURA, AND
CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA AND
VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused"; Mr. Hokama and Mr. Carroll.

Congratulations Leslee, and welcome.

Okay, Mr. Clerk.

COUNTY CLERK: Mr. Chair, for the record, RESOLUTION 18-159.

CHAIR WHITE: Thank you.

COUNTY CLERK: Going back to the county communications, Mr. Chair.

CHAIR WHITE: Correct.

COUNTY CLERK: Those items are being recommended to be referred to the following Committees:

NO. 18-325 - KA'ALA BUENCONSEJO, DIRECTOR OF PARKS AND RECREATION, (dated September 6, 2018)

Transmitting a proposed resolution entitled "AUTHORIZING ACCEPTANCE OF A DONATION OF \$5,000.00 FROM THE WAILUKU HEIGHTS EXTENSION COMMUNITY ASSOCIATION FOR PARK IMPROVEMENTS TO THE WAILUKU HEIGHTS PARK, PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE".

The recommended action is that County Communication No. 18-325 be referred to the Budget and Finance Committee.

NO. 18-326 - MARK R. WALKER, DIRECTOR OF FINANCE,
(dated September 10, 2018)

Transmitting the Director of Finance's Quarterly Report for Fiscal Year July 1, 2017 to June 30, 2018 as of June 30, 2018 and the Capital Improvement Project as of June 30, 2018.

The recommended action is that County Communication No. 18-326 be referred to the Budget and Finance Committee.

NO. 18-327 - SANANDA K. BAZ, BUDGET DIRECTOR,
(dated September 11, 2018)

Transmitting the following:

1. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF WATER SUPPLY, HANA COMMUNITY PLAN AREA, WATER SUPPLY, KAUPU WATER TANK IMPROVEMENTS; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)";
2. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF WATER SUPPLY, HANA COMMUNITY PLAN AREA, KAUPU WATER TANK IMPROVEMENTS"; and
3. "CERTIFICATION OF ADDITIONAL REVENUES FOR FISCAL YEAR 2019".

The recommended action is that County Communication No. 18-327 be referred to the Budget and Finance Committee.

NO. 18-328 - SANANDA K. BAZ, BUDGET DIRECTOR,
(dated September 13, 2018)

Transmitting the following:

1. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF FINANCE, COUNTYWIDE, OTHER PROJECTS, COUNTYWIDE EQUIPMENT; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)";
2. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4858, BILL NO. 54 (2018), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI ISSUANCE, SALE AND DELIVERY OF SAID BONDS (COUNTYWIDE EQUIPMENT)";

3. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF FINANCE, COUNTYWIDE, COUNTYWIDE EQUIPMENT"; and
4. "BID RESULTS COUNTY OF MAUI DEPARTMENT OF FINANCE-PURCHASING DIVISION".

The recommended action is that County Communication No. 18-328 be referred to the Budget and Finance Committee.

NO. 18-330 - STACY CRIVELLO, COUNCILMEMBER,
(dated September 7, 2018)

Relating to amendments to the Maui County Code relating to expediting the permitting process for workforce housing projects.

The recommended action is that County Communication No. 18-330 be referred to the Housing, Human Services, and Transportation Committee.

NO. 18-331 - STACY CRIVELLO, COUNCILMEMBER,
(dated September 7, 2018)

Relating to amendments to the Maui County Code relating to a strategic plan for affordable housing.

The recommended action is that County Communication No. 18-331 be referred to the Housing, Human Services, and Transportation Committee.

NO. 18-332 - ELLE COCHRAN, COUNCILMEMBER,
(dated September 13, 2018)

Relating to the proposed crosswalk improvements on Waiale Road near Hale Makana and Ka Hale A Ke Ola Homeless Resource Center.

The recommended action is that County Communication No. 18-332 be referred to the Infrastructure and Environmental Management Committee.

NO. 18-333 - KA'ALA BUENCONSEJO, DIRECTOR OF PARKS AND RECREATION, (dated August 30, 2018)

Transmitting a proposed resolution entitled "AUTHORIZING A GRANT OF A LEASE OF COUNTY REAL PROPERTY TO MAUI IN-LINE HOCKEY ASSOCIATION, INC".

The recommended action is that County Communication No. 18-333 be referred to the Parks, Recreation, Energy, and Legal Affairs Committee.

CHAIR WHITE: Thank you, Mr. Clerk.

Members, are there any objections to the referrals as read by the Clerk?

COUNCILMEMBER KING: I just have a question, Chair.

CHAIR WHITE: Ms. King.

COUNCILMEMBER KING: Thank you. Pertaining to No. 18-330, I just wanted to ask Ms. Crivello, since I will have on my next Planning Committee meeting agenda, expediting the permitting process, if you would like to combine that with the existing item on my agenda, we can discuss it at Planning?

COUNCILMEMBER CRIVELLO: I think because we, I'd like to leave it with the housing portion because we're, that's what we're dealing with; housing and as well as workforce, the workforce code too.

COUNCILMEMBER KING: Okay, we will be--

COUNCILMEMBER CRIVELLO: And, and this has come out from many studies, and we want to just move it forward. And, I have the legislative analyst already pursuing, so maybe we can, I don't know.

COUNCILMEMBER KING: Okay.

CHAIR WHITE: Well, I think they're, they're, the subject is actually in a number of Committees and I'm comfortable with you addressing the areas that are under each purview or we can combine, you know, if we combine them we would have to put them in PEA.

COUNCILMEMBER KING: Okay.

CHAIR WHITE: So, I think I would rather, cause there's a lot of work to do, I'd rather you all both work on them--

COUNCILMEMBER CRIVELLO: Separately.

CHAIR WHITE: --from, from your specific perspectives.

COUNCILMEMBER KING: Okay, that's fine. I just wanted to make that offer.

COUNCILMEMBER CRIVELLO: Thank you.

COUNCILMEMBER KING: Cause, we'll be discussing the permitting, streamlining the permitting process in general, so.

COUNCILMEMBER CRIVELLO: Thank you.

CHAIR WHITE: Thank you. Any other objections, Members?

Okay, so we'll move onto next items. I believe it's the CR 18-152.

Mr. Clerk.

COMMITTEE REPORTS

COMMITTEE REPORT

NO. 18-152 - PLANNING COMMITTEE:

Recommending the following:

1. That Resolution 18-160, entitled "SUPPORTING THE RECOMMENDATIONS IN THE HAWAI'I SEA LEVEL RISE VULNERABILITY AND ADAPTATION REPORT," be ADOPTED; and
2. That County Communication 18-273, from Councilmember Kelly T. King, be FILED.

CHAIR WHITE: Ms. King.

COUNCILMEMBER KING:

CHAIR, I MOVE TO ADOPT THE RECOMMENDATIONS IN
COMMITTEE REPORT 18-152.

COUNCILMEMBER COCHRAN:

SECOND.

CHAIR WHITE: We have a motion from Ms. King, and a second from Ms. Cochran.

Ms. King.

COUNCILMEMBER KING: Thank you, Chair. Your Planning Committee met on August 30, 2018, to consider the proposed resolution. The purpose of the proposed resolution is to support the implementation of the recommendations in the Hawaii Sea Level Rise Vulnerability and Adaptation Report, Hawaii Climate Change Mitigation and Adaptation Commission (2017).

The Report, mandated by State law, provides the first statewide assessment of Hawaii's vulnerability to sea level rise and makes nine recommendations to reduce Hawaii's exposure and sensitivity to sea level rise and increase the State's ability to adapt.

Your Committee noted the recommendations in the Report will improve the County's capacity to adapt sea level rise by providing guidance on plans, programs, and capital improvement decisions.

Your Committee voted 5-0 to recommend adoption of the proposed resolution and filing of the communication. I ask for the Members support.

And you have testimony in the record from Maui Nui Marine Resource Council, Sierra Club of Hawaii, and Life of the Land, which is a statewide environmental organization that's tracking sea level rise. Thank you.

CHAIR WHITE: Any further discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, GUZMAN, KING, SUGIMURA, AND
CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA AND
VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused".

Mr. Clerk.

COMMITTEE REPORT
NO. 18-153 - PLANNING COMMITTEE:

Recommending the following:

1. That Bill 81 (2018), entitled "A BILL FOR AN ORDINANCE ADOPTING A DIGITAL ZONING MAP AS THE OFFICIAL ZONING MAP FOR THE ISLAND OF MAUI," be PASSED ON FIRST READING and be ORDERED TO PRINT;
2. That Bill 82 (2018), entitled "A BILL FOR AN ORDINANCE AMENDING TITLE 19, MAUI COUNTY CODE, RELATING TO ZONING DISTRICTS AND MAPS," be PASSED ON FIRST READING and be ORDERED TO PRINT; and
3. That County Communication 18-201, from the Planning Director, be FILED.

CHAIR WHITE: Ms. King.

COUNCILMEMBER KING: Thank you, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN
COMMITTEE REPORT 18-153.

COUNCILMEMBER COCHRAN:

SECOND.

CHAIR WHITE: We have a motion from Ms. King, and a second from Ms. Cochran.

Ms. King.

COUNCILMEMBER KING: Thank you, Chair. Your Planning Committee met on August 30, 2018, to consider two proposed bills. The purpose of the first proposed bill is to adopt a digital zoning map, consistent with previously enacted zoning ordinances, for the island of Maui.

The purpose of the second proposed bill is to establish updated County policy on determining boundaries for zoning districts, and comprehensively update the digital zoning map for the island of Maui.

The purposes of the digital zoning maps are to: replace the County's old, worn-out paper maps with comprehensive digital zoning maps, and these old maps are from the 60's; make digital zoning maps accessible online for public use; confirm existing zoning accurately and efficiently for all parcels in the County; and create a single digital zoning map that encompasses each island.

The digital zoning maps will improve coordination between government agencies and play a key role in the Maui Automated Planning and Permitting System. So, this is sort of the first step in that.

Your Committee voted 5-0 to recommend passage of both proposed bills on first reading and filing of the communication. I ask for the Members support of your Committee's recommendations.

CHAIR WHITE: Thank you.

Further discussion on this item?

When, when will the maps actually be online? Are they already there?

COUNCILMEMBER KING: They're already online.

CHAIR WHITE: Okay. All those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, GUZMAN, KING, SUGIMURA, AND
CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA AND
VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused".

Mr. Clerk.

COUNTY CLERK: For the record, BILL NOS. 81 and 82 (2018), respectively.

COMMITTEE REPORT
NO. 18-154 - PLANNING COMMITTEE:

Recommending the following:

1. That Bill 83 (2018), entitled "A BILL FOR AN ORDINANCE TO ESTABLISH THE SPECIAL MANAGEMENT AREA REVOLVING FUND," be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 17-294, from Councilmember Elle Cochran, be FILED.

CHAIR WHITE: Ms. King.

COUNCILMEMBER KING: Thank you, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN
COMMITTEE REPORT 18-154.

COUNCILMEMBER COCHRAN:

SECOND.

CHAIR WHITE: We have a motion from Ms. King, and a second from Ms. Cochran.

Ms. King.

COUNCILMEMBER KING: Thank you, Mr. Chair. Your Planning Committee met on September 6, 2018 to consider the proposed bill. The bill, the purpose of the proposed bill is to establish a Special Management Area Revolving Fund for the deposit of all civil fines collected pursuant to Chapter 205A, Hawaii Revised Statutes.

Your Committee noted dedicated funding for the Coastal Zone Management Program in the Department of Planning is needed and finds that creation of a Special Management Area Revolving Fund is a creative solution to address shoreline issues.

A representative from the Department of Planning said the County generates up to, the County generates up to 145,000 per year from fees and fines contemplated as revenue sources for the fund. Creation of the fund would allow the revenue stream from shoreline management area and shoreline setback variance assessment and fees to be used for related shoreline enforcement, easement acquisition, and planning.

Your Committee voted 6-0 to recommend passage of the revised proposed bill on first reading and filing of the communication. I ask for the Members support.

Chair, I do have an amendment to this. I don't know if you want me to make it or somebody else. Or could we make a friendly amendment.

CHAIR WHITE: It should be, it should be somebody else. But--

COUNCILMEMBER KING: Okay. Well, the amendment was to, to have the ordinance take effect on July 1, 2019 rather than upon its approval. So, do we?

CHAIR WHITE: Mr. Guzman, would you be willing to make that amendment, or make that motion?

COUNCILMEMBER GUZMAN: Yes, that's fine. I just was questioning whether you needed a different person to make your own amendment to the motion.

CHAIR WHITE: Just to, just to keep it clear.

COUNCILMEMBER GUZMAN: Okay. That's fine.

I WOULD MOVE, CHAIR, TO PROPOSE THE AMENDMENT
FOR THE EFFECTIVE DATE IN THE ORDINANCE TO BE, TO
DELETE AS THE WORDS "UPON ITS APPROVAL" AND TO
REPLACE IT WITH THE WORDING OF "JULY 1, 2019."

COUNCILMEMBER COCHRAN:

SECOND.

CHAIR WHITE: We have a motion from Mr. Guzman, and a second from Ms. Cochran.

COUNCILMEMBER GUZMAN: Nothing further, Chair. I believe that the Members have received the Amendment Summary Form.

COUNCILMEMBER KING: Chair.

CHAIR WHITE: Any further discussion on the amendment?

COUNCILMEMBER KING: Chair.

CHAIR WHITE: Yes.

COUNCILMEMBER KING: Just to, just so that the Committee knows, that the, the purpose of the amendment is so that the Special Management Area Revolving Fund will take effect at the same time that Fiscal Year 2020 Budget goes into effect. And, that way we won't be required to do any additional budget amendments.

CHAIR WHITE: Thank you.

All those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, GUZMAN, KING, SUGIMURA, AND
CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA AND
VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused".

Back to the main motion.

COUNCILMEMBER KING: Main motion, nothing.

CHAIR WHITE: Any further discussion?

COUNCILMEMBER KING: No further discussion.

CHAIR WHITE: Okay. All those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, GUZMAN, KING, SUGIMURA, AND
CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA AND
VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused".

Mr. Clerk.

COUNTY CLERK: For the record, BILL 83 (2018).

ORDINANCE NO. _____
BILL NO. 76 (2018)

A BILL FOR AN ORDINANCE ESTABLISHING A NEW CHAPTER 2.82, MAUI
COUNTY CODE, RELATING TO OPEN SPACE CONSERVATION AND LAND
MANAGEMENT

CHAIR WHITE: Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair.

I MOVE TO PASS BILL 76 (2018) ON SECOND AND FINAL
READING.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR WHITE: We have a motion from Mr. Guzman, and a second from Ms. Sugimura.

Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair. Bill 76 (2018) establishes a new chapter in the Maui County Code that would create a greenprint process that would guide decision making for acquiring lands or property interests for conservation purposes pursuant to Chapter 3.88 of the Maui County Code.

The bill also establishes procedures for long-term conservation planning and management of lands with open space, natural resources, cultural resources, and scenic view values. I respectfully ask for the Council's support of this important piece of legislation. Thank you, Chair.

CHAIR WHITE: Thank you.

Members, any further discussion on this item? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, GUZMAN, KING, SUGIMURA, AND
CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA AND
VICE-CHAIR CARROLL.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused".

Mr. Clerk.

COUNTY CLERK: Mr. Chair, there is no further business before the Council.

CHAIR WHITE: Thank you, Mr. Clerk. And, thank you all for your patience with the Chair this morning. And, with that, we are adjourned.

ADJOURNMENT

The regular meeting of September 21, 2018 was adjourned by the Chair at 11:35 a.m.



DENNIS A. MATEO, COUNTY CLERK
COUNTY OF MAUI, STATE OF HAWAII

Hawaii Department of Education

\$1.9 billion budget allotment:

School-level funding -- approximately 93%

58% through Weighted Student Formula

23% through Special Education

12% for Utilities

Administrative level funding -- approximately 6%

3% complex area

3% state administration

Notes:

1. Eliminating the administrative level entirely, not really feasible, would yield \$114 million, about 1/4 of the amount needed to fully fund the schools.
2. Hawaii ranks 48th in the nation in per pupil spending for state administration, and that's with a statewide school district.
3. Hawaii ranks 50th in teacher pay (adjusted for cost of living). A 10% raise for teachers, which could bring us to 49th place, would cost approximately \$100 million.

Lisa Morrison

280-6500

lamorrison17@gmail.com

Kaupo Ranch, Ltd.
30 Maluhia Dr. Wailuku, HI 96793
Phone (808) 639-6872
olumauangus@msn.com



Testimony

Council of the County of Maui

Regular Meeting of September 21, 2018
9:00 a.m.
Council Chamber, 8th Floor
200 South High Street, Wailuku, Hawaii

CC 18-327

BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF WATER SUPPLY. HANA COMMUNITY PLAN AREA, KAUPU WATER TANK IMPROVEMENTS

Honorable Council Chair Mike White, Vice Chair Robert Carroll and members of Maui County Council. My name is Robert Ferreira and I am the consulting manager and have been responsible for Kaupo Ranch, Ltd. since 2011. When I took over the responsibilities of Kaupo Ranch the number one problem I faced was water supply and demand. As you know the water system out in Kaupo is known as a hybrid system that has evolved over the years since 1938. Kaupo Ranch does not only provide water for its livestock operations but also for the Department of Water Supply's non-potable ag. water system for the Kaupo community at no charge to the County since 1938. The tank in question was erected in 1981 as an already used tank and in 2008 it started to fail and required constant repairs for leakage. In 2013 DWS tried to repair this tank by pressure washing and patching with new sheets of galvanized plates to the floor and outside bottom 48 inches around the tank. They sandblasted the inside walls, floor and exterior of the tank to apply a sealant paint coat. While sandblasting, another 79 holes was exposed thus needing more galvanized sheet patches. All of this did not make the tank sound and we have since been supplying both the ranch and community water needs through a 4,000-gallon poly tank. This does not allow us the amount of storage needed in times when we are faced with waterline breakage thus leaving the ranch and community without water, and at times and more importantly, without water for fire suppression.

We have waited patiently for a long time trying to get this into budget since 2013 and have continued to cooperate and supply agricultural water for DWS and its Kaupo Community meters. I humbly ask that you support this amendment to the fiscal year 2019 budget for the Department of Water Supply.

Thank you for the opportunity to file my testimony.

Sincerely,

A handwritten signature in black ink that reads "Robert H. Ferreira". The signature is written in a cursive, flowing style.

Robert H. Ferreira
Consultant Manager
Kaupo Ranch, Ltd.

RECEIVED

September 20, 2018
2018 SEP 21 AM 7:36

Senate Committee on Water and Land

RE: Testimony in SUPPORT of CR 18-152 Adoption of resolution to support the recommendations in the Hawaii Sea Level Rise Vulnerability and Adaptation Report and Filing of Communication.

Honorable Members of the County Council:

I want to take this opportunity to ask that you to support adopting resolution CR-152 to support the recommendations in the Hawaii Sea Level Rise Vulnerability and Adaptation Report. Science predict sea levels could rise three feet by mid-century and possibly six feet by the end of the century. Short-sighted sea walls and beach nourishment projects will not hold back the ocean. Compassionate, managed retreat is the only long-term solution.

Some of the recommendations include:

- (4.1) ...realigning of roads and other structures to eliminate barriers that would normally disrupt the natural process of erosion and landward migration of beaches and prohibit development in such areas, and even consider removing development... to retain vital natural and cultural resources for future generations...preservation of undeveloped lands, managed retreat, and prohibition of coastal armoring
- (4.2) ...establish a "willing seller" program that pre-identifies property owners that would be willing to sell their property... to improve fish and wildlife habitat, restore wetlands, and create passive recreational activities for city residents
- (4.4) ...expand the area of national, state, and county parks and wildlife refuges to preserve critical coastal wildlife habitats
- (4.5) ...prioritize coral reef preservation to buffer the impacts of coastal hazards with sea level rise
- (4.6) ...develop public-private partnerships for coastal land acquisition, beach management, and reef protection

If there is a silver lining for Maui amongst the complexities of managed retreat in urbanized areas, it would be the Pali to Puamana Parkway Plan. A five-mile stretch of realigned highway from Olowalu to the Pali is the only thing preventing eight-miles of protected, publicly accessible beach, park and open space, in perpetuity. A five-mile stretch of realigned highway is the only thing preventing 30,000 lives being isolated from a critical care hospital after the next natural disaster. A five-mile stretch of realigned highway is the only thing preventing the ability of our beaches and coastlines to recede naturally, free of seawalls and other types of armoring.

Our response to sea level rise does not have to be one crisis situation after another. By planning for the long-term and incorporating the recommendations from the Hawaii Sea Level Rise Vulnerability and Adaptation Report, we have a chance to save lives, our economy and our natural resources.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read 'Deakos', written in a cursive style.

Mark Deakos, *Ph.D.*
Napili
808-280-6448

RECEIVED

2018 SEP 17 PM 2:01

OFFICE OF THE
COUNTY CLERK

Climate Commission Adopts Recommendations to Counter Sea Level Rise

September 12, 2018, 7:39 AM HST · Updated September

12, 7:39 AM

2 Comments

Text Size: [A](#) [A](#) [A](#)

The Hawai'i Climate Change Mitigation and Adaptation Commission (Climate Commission) adopted a series of recommendations and finalized a mission statement to help guide Hawai'i's response to the impacts of climate change.

The Climate Commission is led by the DLNR Chair and the Director of the State Office of Planning and includes members from key state and county agencies. It's mission is to recognize the urgency of climate threats and the need to act quickly. It promotes ambitious, climate-neutral, culturally responsive strategies for climate change adaptation and mitigation in a manner that is clean, equitable and resilient.

The recommended strategies or steps agreed upon by the Climate Commission include:

1. Support legislation for disclosure for private property and public offerings located in areas with potential exposure to sea level rise.
-

2. Request all new development, redevelopment and modifications be directed away from beach areas.
3. Urge counties to incorporate the 3.2 ft. sea level rise exposure area (SLR-XA) into their general and development plans.
4. Encourage agencies and non-governmental utility providers to identify and prioritize assets within the 3.2 ft SLR-XA or more as described in the State's Sea Level Rise report, identify adaptation measures and to provide a status update on this activity annually to the Climate Commission.
5. Support legislation that funds state programs to meet mitigation goals, and to bring resources to assist in planning and implementation for sea level rise and other climate related impacts.

The next quarterly meeting of the Climate Commission is scheduled for Tuesday, Nov. 27, 2018 from 1:00 p.m. to 4:00 p.m. at the Board of Land and Natural Resources meeting room, Kalanimoku Building, 1151 Punchbowl Street in Honolulu. All meetings are open to the public.

*Scroll Down to Read **2 Comments***

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**United Nations
Secretary-General**

RECEIVED

2018 SEP 17 PM 2: 02

OFFICE OF THE
COUNTY CLERK

New York

10 September 2018

Secretary-General's remarks on Climate Change [as delivered]

Dear friends of planet Earth,

Thank you for coming to the UN Headquarters today.

I have asked you here to sound the alarm.

Climate change is the defining issue of our time – and we are at a defining moment.

We face a direct existential threat.

Climate change is moving faster than we are – and its speed has provoked a sonic boom SOS across our world.

If we do not change course by 2020, we risk missing the point where we can avoid runaway climate change, with disastrous consequences for people and all the natural systems that sustain us.

That is why, today, I am appealing for leadership – from politicians, from business and scientists, and from the public everywhere.

We have the tools to make our actions effective.

What we still lack – even after the Paris Agreement – is the leadership and the ambition to do what is needed.

Dear friends,

Let there be no doubt about the urgency of the crisis.

We are experiencing record-breaking temperatures around the world.

According to the World Meteorological Organization, the past two decades included 18 of the warmest years since 1850, when records began.

This year is shaping up to be the fourth hottest.

Extreme heatwaves, wildfires, storms and floods are leaving a trail of death and devastation.

Last month the state of Kerala in India suffered its worst monsoon flooding in recent history, killing 400 people and driving 1 million more from their homes.

We know that Hurricane Maria killed almost 3,000 people in Puerto Rico last year, making it one of the deadliest extreme weather disasters in U.S. history.

Many of those people died in the months after the storm because they lacked access to electricity, clean water and proper healthcare due to the hurricane.

What makes all of this even more disturbing is that we were warned.

Scientists have been telling us for decades. Over and over again.

Far too many leaders have refused to listen.

Far too few have acted with the vision the science demands.

We see the results.

In some situations, they are approaching scientists' worst-case scenarios.

Arctic sea ice is disappearing faster than we imagined possible.

This year, for the first time, thick permanent sea ice north of Greenland began to break up.

This dramatic warming in the Arctic is affecting weather patterns across the northern hemisphere.

Wildfires are lasting longer and spreading further.

Some of these blazes are so big that they send soot and ash around the world, blackening glaciers and ice caps and making them melt even faster.

Oceans are becoming more acidic, threatening the foundation of the food chains that sustain life.

Corals are dying in vast amounts, further depleting vital fisheries.

And, on land, the high level of carbon dioxide in the atmosphere is making rice crops less nutritious, threatening well-being and food security for billions of people.

As climate change intensifies, we will find it harder to feed ourselves.

Extinction rates will spike as vital habitats decline.

More and more people will be forced to migrate from their homes as the land they depend on becomes less able to support them.

This is already leading to many local conflicts over dwindling resources.

This past May, the World Meteorological Organization reported that the planet marked another grim milestone: the highest monthly average for carbon dioxide levels ever recorded.

Four hundred parts per million has long been seen as a critical threshold.

But we have now surpassed 411 parts per millions and the concentrations continue to rise.

This is the highest concentration in 3 million years.

Dear friends,

We know what is happening to our planet.

We know what we need to do.

And we even know how to do it.

But sadly, the ambition of our action is nowhere near where it needs to be.

When world leaders signed the Paris Agreement on climate change three years ago, they pledged to stop temperatures rising by less than 2 degrees Celsius above pre-industrial levels and to work to keep the increase as close as possible to 1.5 degrees.

These targets were really the bare minimum to avoid the worst impacts of climate change.

But scientists tell us that we are far off track.

According to a UN study, the commitments made so far by Parties to the Paris Agreement represent just one-third of what is needed.

The mountain in front of us is very high.

But it is not insurmountable.

We know how to scale it.

Put simply, we need to put the brake on deadly greenhouse gas emissions and drive climate action.

We need to rapidly shift away from our dependence on fossil fuels.

We need to replace them with clean energy from water, wind and sun.

We must halt deforestation, restore degraded forests and change the way we farm.

We need to embrace the circular economy and resource efficiency.

Our cities and transport sectors will need to be overhauled.

How we heat, cool and light our buildings will need to be rethought so we waste less energy.

And this is exactly where this conversation can become exciting.

Because, so much of the conversation on climate change focuses on the doom and gloom.

Of course, warnings are necessary. But fear will not get the job done.

No, what captures my imagination is the vast opportunity afforded by climate action.

Dear friends,

Enormous benefits await humankind if we can rise to the climate challenge.

A great many of these benefits are economic.

I have heard the argument – usually from vested interests – that tackling climate change is expensive and could harm economic growth.

This is hogwash.

In fact, the opposite is true.

We are experiencing huge economic losses due to climate change.

Over the past decade, extreme weather and the health impact of burning fossil fuels have cost the American economy at least 240 billion dollars a year.

This cost will explode by 50 per cent in the coming decade alone.

By 2030, the loss of productivity caused by a hotter world could cost the global economy 2 trillion dollars.

More and more studies also show the enormous benefits of climate action.

Last week I was at the launch of the New [Climate] Economy report from the Global Commission on the Economy and Climate Change.

It shows that that climate action and socio-economic progress are mutually supportive, with gains of 26 trillion dollars predicted by 2030 compared with business as usual. If we pursue the right path.

For example, for every dollar spent restoring degraded forests, as much as \$30 dollars can be recouped in economic benefits and poverty reduction.

Restoring degraded lands means better lives and income for farmers and pastoralists and less pressure to migrate to cities.

Climate-resilient water supply and sanitation could save the lives of more than 360,000 infants every year.

And clean air has vast benefits for public health.

The International Labour Organization reports that common sense green economy policies could create 24 million new jobs globally by 2030.

In China and the United States, new renewable energy jobs now outstrip those created in the oil and gas industries.

And, in Bangladesh the installation of more than four million solar home systems has created more than 115,000 jobs and saved rural households over 400 million dollars in polluting fuels.

So, not only would a shift to renewable energy save money, it would also create new jobs, waste less water, boost food production and clean the polluted air that is killing us.

There is nothing to lose from acting; there is everything to gain.

Now, there are still many who think that the challenge is too great.

But I deeply disagree.

Humankind has confronted and overcome immense challenges before; challenges that have required us to work together and to put aside division and difference to fight a common threat.

That is how the United Nations came into action.

It is how we have to help to end wars, to stop diseases, to reduce global poverty and to heal the ozone hole.

Now we stand at an existential crossroad.

If we are to take the right path – the only sensible path – we will have to muster the full force of human ingenuity.

But that ingenuity exists and is already providing solutions.

And so dear friends,

Another central message - technology is on our side in the battle to address climate change.

The rise of renewable energy has been tremendous.

Today, it is competitive [with] – or even cheaper – than coal and oil, especially if one factors in the cost of pollution.

Last year, China invested 126 billion dollars in renewable energy, an increase of 30 per cent on the previous year.

Sweden is set to hit its 2030 target for renewable energy this year – 12 years early.

By 2030, wind and solar energy could power more than a third of Europe.

Morocco is building a solar farm the size of Paris that will power more than one million homes by 2020 with clean, affordable energy.

Scotland has opened the world's first floating wind farm.

There are many other signs of hope.

Countries rich in fossil fuels, like the Gulf States and Norway, are exploring ways to diversify their economies.

Saudi Arabia is investing heavily in renewables to move from an oil economy to an energy economy.

Norway's 1 trillion-dollar sovereign wealth fund – the largest in the world – has moved away from investments in coal and has dropped a number of palm and pulp-paper companies because of the forests they destroy.

There are also promising signs that businesses are waking up to the benefits of climate action.

More than 130 of the world's largest and most influential businesses plan to power their operations with 100 per cent renewable energy.

Eighteen multinationals will shift to electric vehicle fleets.

And more than 400 firms will develop targets based on the latest science in order to manage their emissions.

One of the world's biggest insurers – Allianz – will stop insuring coal-fired power plants.

Investments are shifting too.

More than 250 investors representing 28 trillion dollars in assets have signed on to the Climate Action 100+ initiative.

They have committed to engage with the world's largest corporate greenhouse [gas] emitters to improve their climate performance and ensure transparent disclosure of emissions.

Many such examples are going to be showcased this week at the important Global Climate Action Summit being

convened by Governor Brown in California.

All the pioneers I mentioned have seen the future.

They are betting on green because they understand this is the path to prosperity and peace on a healthy planet.

The alternative is a dark and dangerous future.

These are all important strides.

But they are not enough.

The transition to a cleaner, greener future needs to speed up.

We stand at a truly “use it or lose it” moment.

Over the next decade or so, the world will invest some 90 trillion dollars in infrastructure.

And so we must ensure that that infrastructure is sustainable or we will lock in a high-polluting dangerous future.

And for that to happen, the leaders of the world need to step up.

The private sector, of course, is poised to move, and many are doing so.

But a lack of decisive government action is causing uncertainty in the markets and concern about the future of the Paris Agreement.

We can't let this happen.

Existing technologies are waiting to come online – cleaner fuels, alternative building materials, better batteries and advances in farming and land use.

These and other innovations can have a major role in reducing greenhouse gas emissions, so we can hit the Paris targets and inject the great ambition that is so urgently needed.

Governments must also end harmful subsidies for fossil fuels, institute carbon pricing that reflects the true cost of polluting greenhouse [gas] emissions and incentivizes the clean energy transition.

Dear friends,

I have spoken of the emergency we face, the benefits of action and the feasibility of a climate-friendly transformation.

There is another reason to act – moral duty.

The world's richest nations are the most responsible for the climate crisis, yet the effects are being felt first and worst by the poorest nations and the most vulnerable peoples and communities.

We already see this injustice in the incessant and increasing cycle of extreme droughts and ever more powerful storms.

Women and girls, in particular, will pay the price – not only because their lives will become harder but because, in times of disaster, women and girls always suffer disproportionately.

Richer nations must therefore not only cut their emissions but do more to ensure that the most vulnerable can develop the necessary resilience to survive the damage these emissions are causing.

It is important to note that, because carbon dioxide is long-lasting in the atmosphere, the climate changes we are already seeing will persist for decades to come.

It is necessary for all nations to adapt, and for the richest ones to assist the most vulnerable.

Dear friends,

This is the message I would like to make clear in addressing the world leaders this month's in the General Assembly in New York.

I will tell them that climate change is the great challenge of our time.

That, thanks to science, we know its size and nature.

That we have the ingenuity, and the resources and tools to face it.

And that leaders must lead.

We have the moral and economic incentives to act.

What is still missing – still, even after Paris – is the leadership, and the sense of urgency and true commitment to [a] decisive multilateral response.

Negotiations towards implementation guidelines for operationalizing the Paris Agreement ended yesterday in Bangkok with some progress – but far from enough.

The next key moment is in Poland in December.

I call on leaders to use every opportunity between now and then – the G7, the G20 gatherings as well as meetings of the General Assembly, World Bank and International Monetary Fund – to resolve the sticking points.

We cannot allow Katowice to remind us of Copenhagen.

The time has come for our leaders to show they care about the people whose fate they hold in their hands.

We need them to show they care about the future – and even the present.

That is why I am so pleased to have such a strong representation of youth in the audience today.

It is imperative that civil society – youth, women's groups, the private sector, communities of faith, scientists and grassroots movements around the world – call their leaders to account. As I was told myself by my Youth Envoy.

I call – in particular – on women's leadership.

When women are empowered to lead, they are the drivers of solutions.

Nothing less than our future and the fate of humankind depends on how we rise to the climate challenge.

It affects every aspect of the work of the United Nations.

Keeping our planet's warming to well below 2 degrees is essential for global prosperity, people's well-being and the

security of nations.

That is why, next September, I will convene a Climate Summit to bring climate action to the top of the international agenda.

Today, I am announcing the appointment of Luis Alfonso de Alba, a well-respected leader in the climate community, as my Special Envoy to lead those preparations.

His efforts will complement those of my Special Envoy for Climate Action, Michael Bloomberg, and my Special Advisor Bob Orr, who will help to mobilize private finance and catalyze bottom-up action.

The Summit next year will come exactly one year before countries will have to enhance their national climate pledges under the Paris Agreement.

Only a significantly higher level of ambition will do.

To that end, the Summit will focus on areas that go to the heart of the problem – the sectors that create the most emissions and the areas where building resilience will make the biggest difference.

The Summit will provide an opportunity for leaders and partners to demonstrate real climate action and showcase their ambition.

We will bring together players from the real economy and real politics, including representatives of trillions of dollars of assets, both public and private.

I want to hear about how we are going to stop the increase in emissions by 2020, and dramatically reduce emissions to reach net-zero emissions by mid-century.

We need cities and states to shift from coal to solar and wind – from brown to green energy.

Our great host city, New York, is taking important steps in this direction – and working with other municipalities to spur change.

We need increased investments and innovation in energy efficiency and renewable energy technologies across buildings, transport, and industry.

And we need the oil and gas industry to make their business plans compatible with the Paris agreement and the Paris targets.

I want to see a strong expansion in carbon pricing.

I want us to get the global food system right by ensuring that we grow our food without chopping down large tracts of forest.

We need sustainable food supply chains that reduce loss and waste.

And we must halt deforestation and restore degraded lands.

I want to rapidly speed up the trend towards green financing by banks and insurers, and encourage innovation in financial and debt instruments to strengthen the resilience of vulnerable nations such as small island states and bolster their defences against climate change.

And I want to see governments fulfilling their pledge to mobilize 100 billion dollars a year for climate action in support of the developing world.

We need to see the Green Climate Fund become fully operational and fully resourced.

But for all this, we need governments, industry and civil society reading from the same page – with governments front and centre driving the movement for climate action.

I am calling on all leaders to come to next year's Climate Summit prepared to report not only on what they are doing, but what more they intend to do when they convene in 2020 for the UN climate conference and where commitments will be renewed and surely ambitiously increased.

And it is why I am calling on civil society, and young people in particular, to campaign for climate action.

Let us use the next year for transformational decisions in boardrooms, executive suites and parliaments across the world.

Let us raise our sights, build coalitions and make our leaders listen.

I commit myself, and the entire United Nations, to this effort. We will support all leaders who rise to the challenge I have outlined today.

Dear friends,

There is no more time to waste.

As the ferocity of this summer's wildfires and heatwaves shows, the world is changing before our eyes.

We are careering towards the edge of the abyss.

It is not too late to shift course, but every day that passes means the world heats up a little more and the cost of our inaction mounts.

Every day we fail to act is a day that we step a little closer towards a fate that none of us wants – a fate that will resonate through generations in the damage done to humankind and life on earth.

Our fate is in our hands.

The world is counting on all of us to rise to the challenge before it's too late.

I count on you all.

Thank you.

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MARINE RESOURCE COUNCIL OFFICE OF THE
COUNTY CLERK

September 19, 2018

**Testimony in support of October 21, 2018 Maui County Council agenda item
CR18-152: Adoption of Resolution to Support the Recommendations in the Hawaii
Sea Level Rise Vulnerability and Adaptation Report**

Aloha Maui County Council Members,

Maui Nui Marine Resource Council (MNMRC) strongly supports the adoption of the Resolution to Support the Recommendations in the Hawaii Sea Level Rise Vulnerability and Adaptation Report. Our 'āina, its natural resources, and the way of life of its people, are at risk. We must reduce our exposure and sensitivity, and increase our capacity to adapt to the inevitable sea level rise as the outcome of global warming.

As a Maui-based nonprofit organization celebrating 10 years, MNMRC works with our local community to protect coral reefs, support clean ocean water and restore abundant native fish to Maui County's nearshore ocean areas. We believe adoption of this resolution will help protect our reefs and communities for future generations.

Thank you for your consideration.

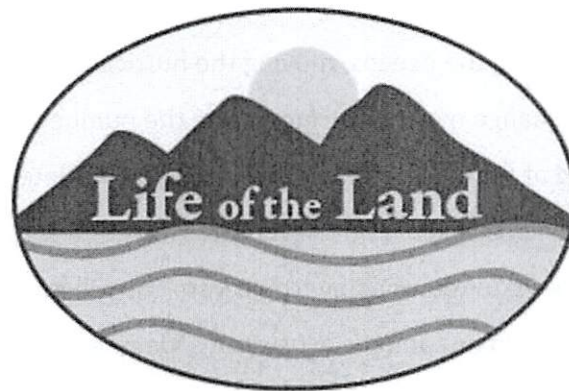
A handwritten signature in black ink, appearing to read "Robin Newbold". The signature is fluid and cursive, with the first name "Robin" being more prominent than the last name "Newbold".

Robin Newbold
Chair, Maui Nui Marine Resource Council

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2018 SEP 20 AM 8:42

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P.O. Box 37158, Honolulu, Hawai'i 96837-0158
Phone: 927-0709 henry.lifeoftheland@gmail.com

September 21, 2018

COUNCIL OF THE COUNTY OF MAUI
Council Chamber, 8th Floor,
200 South High Street,
Wailuku, Hawaii

email: county.clerk@mauicounty.us

County Communication 18-273: Sea Level Rise

STRONG SUPPORT

Aloha Chair Mike White, Vice-Chair Robert Carroll, Councilmembers Stacy Crivello, Alika Atay, Elle Cochran, Don S. Guzman, Kelly T. King, Riki Hokama, and Yuki Lei Sugimura,

Life of the Land is Hawai'i's own energy, environmental and community action group advocating for the people and 'aina for 48 years. Our mission is to preserve and protect the life of the land through sound energy and land use policies and to promote open government through research, education, advocacy and, when necessary, litigation.

Life of the Land strongly supports the Adoption of the Resolution in support of the Hawai'i Sea Level Rise Vulnerability and Adaptation Report.

Hurricanes Iselle (2014), and Hector, Lane, Olivia and Florence (2018) must serve as a wake-up call.

Climate change is heating the oceans, moving the hurricane belt further north, impacting Hawai'i. Climate change may not be increasing the number of hurricanes, but it does increase their intensity, and at times, slows then down to allow for intense localized rainfall.

Tropical storms will increase sea level rise, coastal storm surges, King Tides, and flooding. The intense flow of water dumped by tropical storms will race down streams, eroding banks, altering water courses, rip out aquatic ecosystems, damage low-lying agricultural, and coat reefs with dirt.

Climate change will affect where rainfall and drought occur, will expand and intensify pollen zones, will alter where agriculture, residences, and infrastructure should be built, will increase health care expenses, and will damage shorelines.

Over the past 25 years, the U.S. has been engaged in exporting emissions, while increasing consumption associated with those emissions. We consume the goods, but blame the country that produced them for their emissions. China is now #1 in producing emissions, but the U.S. remains #1 in consuming embedded emissions. Hawai'i consumes more embedded greenhouse gases than it produces.

Our unrelenting global increase in greenhouse gases will only make the future worse. By pretending that airplane emissions aren't our problem, we invite ever increasing numbers of tourists on planes that create additional warming.

Maui County must move rapidly towards planning for, and mitigating against, the climate change disaster currently on our doorstep. All departments and agencies must address climate change in ways that protect all people and ecosystems, and does not disproportionately target one sector of the population or one geographic area.

Mahalo,

Henry Curtis

Executive Director



SIERRA CLUB OF HAWAI'I

MĀLAMA I KA HONUA. *Cherish the Earth.*

September 19, 2018

Honorable Chair and Members of the Maui County Council,

On behalf of our 20,000 members and supporters, the Sierra Club of Hawai'i strongly supports CR-182 and the adoption of a resolution to "support the recommendations in the state mandated Hawai'i Sea Level Rise Vulnerability and Adaptation Report."

Climate change is the biggest environmental threat facing our planet, having drastic and disruptive consequences that will impact every resident of Hawai'i--especially our most vulnerable communities. With projected economic losses of \$19 billion across the state, sea level rise will threaten coastal infrastructure, natural habitats, beaches, and groundwater systems. It is therefore prudent that the County of Maui ensures that every project impacted with sea level rise going forward is made in the best interest of county residents' and protects the coastal environment and resources.

The Hawai'i Sea Level Rise Vulnerability and Adaptation Report ("Report") provides nine recommendations that will enable the County of Maui to respond and adapt to sea level rise via proactive policy initiatives and science-based decision-making. The sea level rise guidelines recommended by the Report are consistent with findings by the Intergovernmental Panel on Climate Change and the Honolulu Climate Change Commission. Furthermore, adoption of this resolution is consistent with Mayor Arakawa's proclamation signed in March 2018, which formally accepted the findings of the Report and directed County departments to use the Report in their plans, programs, and capital improvement decisions to mitigate impacts to infrastructure and critical facilities triggered by sea level rise.

Hawai'i has proven itself to be a champion in climate change mitigation and adaptation efforts and we humbly request that the Maui County Council further its local leadership through adoption of this resolution.

Mahalo,

Jodi Malinoski

Sierra Club of Hawai'i, staff

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TESTIMONY RE: 76 being an email Fwd: Bill 76 Agenda item scheduled for deliberation atr Friday's regular Council Meeting

Jim or Belinda <2jbhome@hawaiiintel.net>

Thu 9/20/2018 9:22 PM

To:County Clerk <County.Clerk@mauicounty.us>;

AlohaCounty Clerk Danny Mateo

Please transmit my written concerns as expressed in this email to Members of the Council RE Bill76 for review at the Council's Regular

meeting tomorrow.

Mahalo, Jim Smith 572- 0218

----- Forwarded Message -----

----- Forwarded Message -----

Subject:Bill 76 Agenda item scheduled for deliberation atr Friday's regular Council Meeting

Date:Thu, 20 Sep 2018 16:59:04 -1000

From:Jim or Belinda <2jbhome@hawaiiintel.net>

To:Mike White <mike.white@mauicounty.us>

Aloha Maui Council Chairperson Michael White,

The video of the September 7 2018 meeting contains a statement regarding adoption of Committee Report 18-140 that is establishing a commission and establishing of a procedure for protection of areas in need of protection. Two hours and fifty seconds into that video Member Don Gusman states he received a communication from the Chair regarding amendment to the legislation. (See attached link) http://mauicounty.granicus.com/MediaPlayer.php?view_id=1&clip_id=708

I would like a copy of that amendment.

And I request that you seek an Formal Opinion from the State Office of Information Practices regarding the question of whether your communication as described by Member Gusman conflicts with the spirit and/or letter of our Sunshine Law at HRS 92.1; HRS 92. 2.5 and HRS 92.7

I request that you Motion and recommend to the Council that deliberation upon second and Final readi

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ng of Bill 76
be tabled until a Formal written Opinion from the Office of Information Practices be considered prior to legislative action.

Mahalo

Jim Smith 572-0218