

ECONOMIC DEVELOPMENT AND BUDGET COMMITTEE
Council of the County of Maui

MINUTES

February 14, 2019

Council Chamber

CONVENE: 9:00 a.m.

PRESENT: Councilmember Keani N.W. Rawlins-Fernandez, Chair
Councilmember Kelly T. King, Vice-Chair (out 12:02 p.m.)
Councilmember Riki Hokama, Member (in 9:53 a.m.)
Councilmember Tasha Kama, Member (in 9:03 a.m.)
Councilmember Alice L. Lee, Member (out 11:28 a.m.)
Councilmember Michael J. Molina, Member
Councilmember Tamara Paltin, Member
Councilmember Shane M. Sinenci, Member
Councilmember Yuki Lei K. Sugimura, Member

STAFF: Leslee Matthews, Legislative Analyst
Yvette Bouthillier, Committee Secretary

Zhantell Lindo, Council Aide, Molokai Council Office (via telephone conference bridge)
Denise Fernandez, Council Aide, Lanai Council Office (via telephone conference bridge)
Mavis Oliveira-Medeiros, Council Aide, Hana Council Office (via telephone conference bridge)

ADMIN.: Michele Yoshimura, Budget Director, Office of the Mayor
Matthew Bigoss, Detective, Department of Police
Anthony Earls, Police Evidence Specialist III, Department of Police (EDB157(1), EDB157(2))
Kevin McAfee, Battalion Chief, Department of Fire and Public Safety (EDB157(3))
Cary Kayama, Ocean Safety Operations Manager, Department of Fire and Public Safety (EDB157(3))
Paul Haake, Captain, Department of Fire and Public Safety (EDB19)
David Goode, Acting Director, Department of Public Works (EDB23)
Scott Teruya, Acting Director, Department of Finance (EDB182)
William Spence, Acting Director, Department of Housing and Human Concerns (EDB173)
Jeffrey Ueoka, Deputy Corporation Counsel, Department of the Corporation Counsel

OTHERS: Scott Fisher, Associate Executive Director of Conservation, Hawaiian Islands Land Trust (EDB182)

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Scott Shapiro, (EDB-173)
Autumn Ness (EDB-173)
Others (5)

PRESS: Akaku: Maui Community Television, Inc.

CHAIR RAWLINS-FERNANDEZ: . . . (*gavel*) . . . Aloha kakahiaka kakou! 'O ka hola eiwa i ke kakahiaka ma umikumaha o Pepeluali, i ka makahiki 'elua kaukani umi kama eiwa. Hau'oli La Ipo! E 'olu'olu mai, e ho'omalu ke Komike Ho'omohala Waiwai me Mo'ohelu Kālā. 'O wau ka Iku Ha'i o keia komike, Keani Rawlins-Fernandez. I keia la, me ko kakou, eia Council Chair and Committee Vice-Chair Kelly King.

VICE-CHAIR KING: Aloha, Chair.

CHAIR RAWLINS-FERNANDEZ: Aloha. Member Shane Sinenci.

COUNCILMEMBER SINENCI: Aloha kakahiaka, Chair.

CHAIR RAWLINS-FERNANDEZ: Member Mike Molina.

COUNCILMEMBER MOLINA: Good morning, Madame Chair.

CHAIR RAWLINS-FERNANDEZ: Member Alice Lee.

COUNCILMEMBER LEE: Aloha, Chair.

CHAIR RAWLINS-FERNANDEZ: Aloha. Member Tamara Paltin.

COUNCILMEMBER PALTIN: Aloha kakahiaka, Chair.

CHAIR RAWLINS-FERNANDEZ: And Member Yuki Lee Sugimura making her way down, aloha.

COUNCILMEMBER SUGIMURA: Aloha.

CHAIR RAWLINS-FERNANDEZ: And excused are Councilmember Riki Hokama and Councilmember Tasha Kama. Maika Administration, we have Detective Matthew Bigoss, Tony Earls and Captain Clyde Holokai. From the Department of Fire...let's see who's here...Chief David Thyne and Captain Paul Haake. We have Acting Director of Public Works, David Goode; Acting Director of Planning, Michele McLean; Acting Director of Finance, Scott Teruya; Acting Director of Housing and Human Concerns, Will Spence; and Budget Director, Michele Yoshimura. From Corp. Counsel, we have Jeff Ueoka.

MR. UEOKA: Good morning, Chair.

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CHAIR RAWLINS-FERNANDEZ: Morning. And our Committee Staff, Legislative Analyst, Leslee Matthews.

MS. MATTHEWS: Aloha, Chair.

CHAIR RAWLINS-FERNANDEZ: And Committee Secretary, Yvette Bouthillier.

MS. BOUTHILLIER: Good morning.

CHAIR RAWLINS-FERNANDEZ: Good morning. And my office staff, Sarah Pajimola, Trinette Furtado and Jen Karaca. Oh...mahalo. We also have with us Kevin McAfee and Cary Kayama. Okay. 'O ka 'ōlelo Hawai'i ka 'ōlelo 'ōiwi o ka 'āina a no'u, 'a'ole nānā 'ia ma ke 'ano he 'ōlelo kū'ē. Ola ka 'ōlelo 'ōiwi o ka 'āina, mau a mau. For the record, it is nine o'clock in the morning on February 14, Happy Valentine's, everyone. We have this morning, we have quorum, so I'll call the meeting to order so we can get down to business. We have a full agenda. Members, we have eight items relating to amendments to the Fiscal Year 2019 Budget, EDB157(1), relating to the Department of Police (Paul Coverdell Forensic Sciences Improvement Act); EDB157(2), relating to the Department of Police (Edward Byrne Memorial Justice Assistance Grants); EDB156(3) [sic], relating to the Department of Fire and Public Safety (Hawaii Tourism Authority); EDB19, Amending the Fiscal Year 2019 Budget: Plan Review, Processing, and Inspection Revolving Fund; EDB23, Amending the Fiscal Year 2019 Budget Department of Public Works (Front Street Improvements); EDB144, Forbearance or Discharge of Debts; EDB182, Amending the Fiscal Year 2019 Budget: Open Space, Natural Resources, Cultural Resources and Scenic Views Preservation Fund (Hawaiian Islands Land Trust); and lastly, EDB173, Amending Fiscal Year 2019 Budget: Affordable Housing Fund. Okay, let's get down to it.

. . . BEGIN PUBLIC TESTIMONY. . .

CHAIR RAWLINS-FERNANDEZ: Let's begin with public testimony. Testimony will be limited to the items on the agenda. To testify, please sign up with Staff. Testimony is limited to three minutes and, upon request, up to one minute to conclude. If you are still testifying beyond that time, I will kindly ask you to complete your testimony. When testifying, please state your name and who you're representing. Please also indicate if you are a paid lobbyist. Let's first check in with our District Offices. Hana Office, could you please identify yourself and call your first testifier?

MS. MEDEIROS: Aloha kakahiaka, Chair.

CHAIR RAWLINS-FERNANDEZ: Aloha.

MS. MEDEIROS: This is Mavis in the Hana Office and we have no one here waiting to testify.

CHAIR RAWLINS-FERNANDEZ: Mahalo. Lanai Office, could you please identify yourself and call your first testifier?

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MS. FERNANDEZ: Good morning, Chair.

CHAIR RAWLINS-FERNANDEZ: Good morning.

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

CHAIR RAWLINS-FERNANDEZ: Mahalo. In the Molokai Office, would you please identify yourself and call your first testifier?

MS. LINDO: Aloha, Chair. This is Zhan at the Molokai District Office and there are no testifiers.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Zhan. Ms. Matthews, will you please call our first testifier here in the Chambers?

MS. MATTHEWS: Yes, Madame Chair. We have, our first testifier is Scott Fisher, testifying on agenda item EDB182, testifying on behalf of the Hawaiian Islands Land Trust, to be followed by Scott Shapiro.

MR. FISHER: Aloha kakahiaka, Councilmembers.

CHAIR RAWLINS-FERNANDEZ: Aloha.

MR. FISHER: My name is Scott Fisher and I am the Associate Executive Director of Conservation for the Hawaiian Islands Land Trust. I'm here today to provide testimony in support of a budget amendment in the amount of \$110,000 in order to purchase a conservation easement on approximately six acres of highly productive taro land, loi kalo, on the Keanae Peninsula. The Hawaiian Islands Land Trust is a local 501(c)(3) nonprofit organization with a simple mission, to protect the lands that sustain us for current and future generations. Across the State, we protect over 18,000 acres of land. Most of this land is protected through conservation easements, which are permanent encumbrances on the deed of the property that both prevents development and promotes the protection of the conservation value the Land Trust and the landowner have jointly identified. Of the 18,000 acres we have in conservation easements, the majority, approximately 15,000 acres, is protected to support and facilitate agricultural production. HILT's belief is that the food security, that food security is among the most important aspects of making Hawaii sustainable for our generation as well as our keiki and moopuna. With this in mind, the Kepler family, who has owned the six-acre parcel on the Keanae Peninsula for 40 years, approached us to explore the possibility of selling a conservation easement. Understanding the cultural and historical significance of loi kalo and the productivity of this particular land, we began researching and reaching out to potential supporters of this project. To date, the Kepler family has offered a substantial reduction in the sale price and has offered to cover the cost of the stewardship fund, which will cover the cost of us holding the easement in perpetuity. To date, the State's Legacy Land

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Commission has offered \$210,000 toward the acquisition of this easement. A private foundation with deep roots in Hawaii has encouraged us to apply for a grant through them for approximately \$100,000 and we are approaching you for \$110,000 in order to make the purchase of this easement a reality. A conservation easement will ensure that this land will always be available for agricultural production and will preserve the traditional character of this incredibly special place, a wahi pana. While I have mentioned the historical and cultural significance of this land, it is important to put this in context. On the six acres of Kepler, the Kepler family owns, there are approximately 28 loi kalo, including the tremendously significant loi of Chief Keanae, the namesake of the ahupuaa and the chief who supervised the construction of the numerous loi found there today. Finally, current estimates of kalo production suggest that each acre, on average, produces approximately 10,000 pounds of taro. Protecting this land will help to ensure that up to 60,000 pounds of taro will be available from this land for the people of Maui. The promise of food security is a key link in our aspiration to become, once again, a sustainable, abundantly productive island in a way that our kupuna taught us. Mahalo for your time.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Fisher.

MR. FISHER: Thank you.

CHAIR RAWLINS-FERNANDEZ: Would you be available to act as a resource for us --

MR. FISHER: Absolutely, I'll be here.

CHAIR RAWLINS-FERNANDEZ: --today? Okay.

VICE-CHAIR KING: Chair?

CHAIR RAWLINS-FERNANDEZ: Members, do you have any questions?

VICE-CHAIR KING: I have a question.

CHAIR RAWLINS-FERNANDEZ: Okay, Ms. King?

VICE-CHAIR KING: Thank you, Chair. Thanks for being here, Scott --

MR. FISHER: Thank you.

VICE-CHAIR KING: --it's really good to see you.

MR. FISHER: It's good to see you.

VICE-CHAIR KING: It's such a positive issue. I just wanted to ask if it's currently being farmed in kalo --

MR. FISHER: Yes.

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VICE-CHAIR KING: --and so that will just be a continuation? Who's farming it? Is it the Kepler family?

MR. FISHER: The Kepler family uses one loi and then approximately 27 others are ...

VICE-CHAIR KING: Oh, okay, so it's all divided up among ...

MR. FISHER: Well, just one family, it's the Kanoa family, Isaac and --

VICE-CHAIR KING: Oh, okay.

MR. FISHER: --Gladys Kanoa so they are currently farming it.

VICE-CHAIR KING: Oh, okay.

MR. FISHER: Yeah.

VICE-CHAIR KING: Great, alright, thank you.

MR. FISHER: Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. King. I think, Ms. Sugimura and then Ms. Lee.

COUNCILMEMBER SUGIMURA: So, the purchase for the, the \$110,000 that you're asking the County to pay for, is this a unique kind of arrangement with the three different sources of funding or is this ...

MR. FISHER: Not particularly unique in that sometimes we have to find a diverse array of funders. Oftentimes the landowner, when purchasing a conservation easement or purchasing land in fee, we will have to ask the landowners to sell at a discount, discounted value, so that's not uncommon. This has been a long project, cobbling together the various funders. Of course, we first were working with the USDA through their what's known as their Farm and Ranch Land Protection Program, which now has a new name, but the Farm and Ranch Land Protection Program. For a variety of reasons that would be long and complicated to get into, they have, the USDA has declined to pursue that further and so. But, no, to answer your question, putting together a variety of funders is not uncommon at all.

COUNCILMEMBER SUGIMURA: So another question, Chair. So how many projects like this have, has Hawaii Land Trust come to the County of Maui for funding?

MR. FISHER: Well, we had funding for this many years ago, I think it was about 11 years ago, we had funding for this particular project. Unfortunately, the partner that we were looking for fell through and that was the USDA as I earlier referenced. Since the purchase of Waihee in 2004 where the County of Maui very generously donated or gave us \$2 million, we have not approached the County of Maui, other than for this

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project, which is now in its sixth incarnation, we have not approached the County of Maui for funding.

COUNCILMEMBER SUGIMURA: And who will be taking care of all the six acres? You said one acre is being handled by the family --

MR. FISHER: Yeah.

COUNCILMEMBER SUGIMURA: --and then the rest will be ...

MR. FISHER: It's, and I went over that with Dr. Kepler yesterday. They are seeking...right now it's the Kanoa family. And we would hope that that would, I mean, taro lands obviously take a lot of work, there's a lot of labor involved. That would be left to the Kepler family to work out the details of any future lease of their property but we would hope that it would be local people in Keanae or possibly Wailua, that's our goal, or perhaps others, but, I mean, that would be our preference but that is left solely to the Kepler family to work out those details.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo. Ms. Lee?

COUNCILMEMBER LEE: Thank you. Just curious, where is this land in Keanae located?

MR. FISHER: I do have--and I submitted it yesterday--after unfortunately there was an error, the e-mail got sent back--I do have a map of it. It is, if you're, of course you're familiar with the Keanae Peninsula, it's the first and largest TMK, it's the first home on the right as you're coming down, is the home that belongs to the Kepler family. That home will be excluded from the easement but I do have--looks like you may be getting it now, okay. So it is right here, it's the, right as you come down onto the peninsula, it's that six acres and it takes up about, you know, it's goes up to about the middle of the peninsula, the peninsula being, I think, if I recall correctly, about 24 acres, it's about one quarter of the entire Keanae Peninsula.

COUNCILMEMBER LEE: Is it that piece on the right, by the ocean?

MR. FISHER: Yes, it is this marked in pink, red, yeah.

COUNCILMEMBER LEE: Has there been a lot erosion there lately?

MR. FISHER: You know, the, as you can see there, there is a portion on the Huelo side of the ocean, that, you know, it's a very solid substrate. It's, of course, a peninsula, lava rock, so no erosion yet that I've noticed and I haven't spoken to Dr. Kepler about that recently but I don't expect that there would be because it is, of course, a basalt peninsula. Although, yeah, that is makai of the road so there's no loi kalo on that, the portion, it would be the road actually would go first if there was any major erosion, the road would fall in first.

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COUNCILMEMBER LEE: And, finally, where do you, or where does that kalo, I mean, that taro patch get its water from?

MR. FISHER: Yeah, it's Polaukuku [sic] Stream is the source of it and so it comes right into, past the Kanoa's loi kalo, and then it goes into from there and then it winds its way, of course, down through the remainder of the peninsula. And it's a very, very complex system so I don't presume to know how the entire system works, but Polaukuku [sic] Stream is the source.

COUNCILMEMBER LEE: What other uses can be built or provided or used in that area?

MR. FISHER: Very good question. You mean in terms of agricultural productivity or in terms of development?

COUNCILMEMBER LEE: Any kind, any one of those.

MR. FISHER: Well, of course, since this is a six-acre, very large parcel, and I need to be clear, the Kepler family has no immediate intention to ever develop this, they want to see it kept in loi kalo. However, there is always the potential that if at some point they needed to sell it without a conservation easement, it could be further subdivided or developed upon with more housing, and that, I think, is the tragic loss that we're hoping to avoid. But in terms of agricultural production, I mean, we would always hope that, the Keanae Peninsula is growing abundant quantities of loi, of kalo; however, any crop could theoretically be grown. One other point to make note of is the fact that this is very high quality habitat for the Hawaiian water birds, particularly the Aeo, the Hawaiian stilt and the alae keokeo, the Hawaiian coot. We frequently see them down there, of course we also see the Aukuu, which are not endangered, but those are, you know, it does provide high quality habitat, which is a major consideration for us, providing habitat for endangered species is certainly one of our conservation values in addition to farm productivity, ag land.

COUNCILMEMBER LEE: So, your organization would monitor these activities?

MR. FISHER: Very good question, yes. So, of course, the Kepler family will remain in ownership of it, so they have oversight and managerial duties for their land on a day-to-day basis. Our obligation is to ensure that the terms of the easement are continuously being upheld so that there's no violation of the easement. And if there is, we, of course, try to work with the landowner initially but, and this fortunately has never happened, but if the landowner is unwilling to abide by the terms of the agreement, and it's a permanent encumbrance on the deed so this is all future landowners as well, then we will have to take legal action. So we ensure, we monitor the properties at least once a year. In reality, we are in frequent contact with our landowners so. A very similar project we have in the Waioli Valley in Hanalei, 40 acres of loi kalo, and that has been a great asset for the people of Kauai and we would like to, of course on a smaller scale, mimic that so.

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COUNCILMEMBER LEE: Thank you.

MR. FISHER: Thank you.

CHAIR RAWLINS-FERNANDEZ: Any other questions, Members? Member Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. Just couple of questions.

MR. FISHER: Yes.

COUNCILMEMBER PALTIN: Hey, Scott, how's it going?

MR. FISHER: Fine, thank you.

COUNCILMEMBER PALTIN: I noticed on your testimony on the fifth page it says that all the expenses plus, or all the contributors to this easement plus closing costs.

MR. FISHER: Yes.

COUNCILMEMBER PALTIN: Do you have a plan of how you will come up for the closing costs?

MR. FISHER: Closing costs are part of what we, that \$18,000 that I referenced for the stewardship fund, is included in that, and so it ends up being about \$12,000. And, again, things may change because we are actively in the process of putting the funding together, but we anticipate the closing costs to be approximately \$6,000 and then \$12,000 for the stewardship fund is what we have projected and what we've been working with the Kepler family on.

COUNCILMEMBER PALTIN: And then on the section above that, where it says appraisal. What --

MR. FISHER: Yeah.

COUNCILMEMBER PALTIN: --are the contingency plans if it's under or over the appraisal from 2012?

MR. FISHER: If it's under, which we do not expect, 'cause the 2012 appraisal was at the, you know, among the lowest times that agricultural land in that area so we don't expect it to go under the appraised value. If that were to happen, however, we cannot pay, because we are using public funds, we cannot pay any amount over the appraised value, that, so that would effectively end the deal. However, that is a very, very unlikely contingency. We do not expect that to happen. If it's significantly over, we would ask the Kepler family initially, although that would have to be negotiated, we would ask the Kepler family if they would be willing to donate the difference. If that doesn't happen, we do have other funders who we can also approach, including the, this private foundation that I made reference to, asking them for more funding. They

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have the capacity and they have expressed an interest in preserving taro lands on Maui so.

COUNCILMEMBER PALTIN: And then my last question is that if this is, this conservation easement is purchased with public funds, like you mentioned, is it then open to the public, especially ma kahakai?

MR. FISHER: Yeah, that's a very good point. Right now, effectively, the portion that is makai of the highway is effectively open to the public because people park there in order to go down on the rocks to fish. So, in that regard, that's not necessarily an issue; however, truth be told, that is probably going to be excluded from the easement 'cause this is an agricultural easement and that is non-farming area. So, we have also discussed extensively with the Kepler family about the possibility of having public access. What they have agreed to is periodic managed visits, probably by the staff and perhaps, you know, along with the Kepler family, visits to the loi kalo so that people can understand, you know, how loi kalo function. However, free public access, free and open public access, anybody can come anytime, is not something that most farmers are willing to permit simply because of the possibility of bringing pathogens inadvertently or other damage to the kuauna and the banks of the loi. But managed and directed and, you know, led hikes would be something that would be permitted periodically, in conjunction that we would work that out with the Kepler's.

COUNCILMEMBER PALTIN: Thank you, Mr. Fisher.

MR. FISHER: Yeah, thank you.

COUNCILMEMBER PALTIN: Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo. Councilmember Sinenci and then Councilmember Molina.

COUNCILMEMBER SINENCI: Okay, thank you, Chair. One quick question, Scott.

MR. FISHER: Yes.

COUNCILMEMBER SINENCI: So you mentioned the Legacy Lands --

MR. FISHER: Yes.

COUNCILMEMBER SINENCI: --Trust --

MR. FISHER: Yes.

COUNCILMEMBER SINENCI: --as also part of this.

MR. FISHER: Yeah.

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COUNCILMEMBER SINENCI: Do you know any of the criteria or the selection process that the Legacy Land --

MR. FISHER: Yes.

COUNCILMEMBER SINENCI: --goes through --

MR. FISHER: I'm very familiar with it.

COUNCILMEMBER SINENCI: --for these choices?

MR. FISHER: Yeah, you want...so, of course, it was agricultural land, that was the primary. The second was, of course, the historical context of these loi and it does, as I mentioned in my testimony, include the actual loi built by and farmed by Chief Keanae so that's something very significant. There are other archaeological features on the land, I guess, of course, the loi kalo themselves are archaeological sites, but in terms of enclosures and structures, there are but those have not been extensively studied by archaeologists so we don't know their original function and purpose. So, those are the two main criteria that the Legacy Land identified but as I mentioned earlier, it would also be habitat for endangered species, the Aeo and the Alai Keokeo. And also, as I mentioned, there would be limited and guided public access so that was the, you know, sort of a fourth, what we describe as our conservation values, and that's conservation value is why we are particularly interested in any parcel of land, what the motivation is to permanently protect it. Yeah, thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo. Mr. Molina?

COUNCILMEMBER MOLINA: Thank you, Madame Chair. Good morning, Mr. Fisher.

MR. FISHER: Good morning.

COUNCILMEMBER MOLINA: Just, I appreciate your coming here and providing the details, you answered some of the questions, I guess, Member Lee had, some --

MR. FISHER: Excellent, very good.

COUNCILMEMBER MOLINA: --very good ones.

MR. FISHER: Thank you.

COUNCILMEMBER MOLINA: Just quickly, you know, with the document that you provided and you mentioned in your testimony about the USDA's, I guess, initial involvement --

MR. FISHER: Yes.

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COUNCILMEMBER MOLINA: --and the Federal, the Feds decided to pull out as far as participating in the funding --

MR. FISHER: Yes.

COUNCILMEMBER MOLINA: --and I know they have offered their thoughts on developing a conservation plan.

MR. FISHER: Yes.

COUNCILMEMBER MOLINA: Any specific reason why the USDA decided not to get involved ____?

MR. FISHER: There were a number. I love the USDA, I work with them myself on my own farm, they are fantastic people. They have some very, very complicated rules. And just as an example of this, there is one ficus tree on the property, a nonnative ficus tree. They wanted, at the expense of the landowner, to develop a forest management plan on this particular tree. And I don't mean to call out the USDA as being, but as we all know, sometimes government, Federal government agencies can be very complicated and expensive to work with. So, the other problem that we ran into was that they kept, on a series of occasions, and again they were running out of an Alaska office so they did not understand the significance and importance of loi kalo, they required the Kepler family to obtain four appraisals with the idea that they were just about to push it to closing and then they backed away and for a variety of reasons and a number each time but the, sort of the end of it was that we had them do four appraisals which was a substantial outofpocket expense for them. And then the last kind of straw was the fact that they wanted to do this forest management plan. And the people I work with at the USDA, I don't mean to disparage them in any way, they are fantastic people and completely dedicated to conservation. On Maui, we got caught up because we were working mostly with the Alaska office, the regional office, so.

COUNCILMEMBER MOLINA: Okay. I certainly don't blame you.

MR. FISHER: Okay.

COUNCILMEMBER MOLINA: And lastly, just, now as part of this agreement you have with the family, kalo will be, or related agriculture will be farmed in perpetuity. And I know, you know, certainly a very intense labor and the folks who are currently farming, but you know, people age --

MR. FISHER: Yes.

COUNCILMEMBER MOLINA: --they will have a succession plan of how the farming will continue?

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MR. FISHER: We will work with the Kepler family in any way that's meaningfully possible to find, if, at their request, if they ask us to, we can certainly work with them. We work with a lot of farmers and we work with a lot of people who are passionate about farming, so that will always be something that we offer. Your point about, will taro always be farmed or something related, that is a very good point. We cannot hold a landowner to farm a particular crop and the kind of thought exercise that I oftentimes, you know, when this question gets asked is, imagine that there's a, God forbid, a blight on taro and it could not be cultivated there, they would be in violation of the conservation easement if we put into the conservation easement they have to farm taro. Now in our management plan, which is a more flexible document, when the easement is signed, that is set in stone, it is not moving any more, it is, you know, you can do an amendment but we absolutely discourage anyone from doing it. But in the management plan, we always will put in taro, if at all possible, should be cultivated.

COUNCILMEMBER MOLINA: As a priority? Okay.

MR. FISHER: Yes, absolutely.

COUNCILMEMBER MOLINA: Thank you very much.

MR. FISHER: Thank you.

COUNCILMEMBER MOLINA: Thank you, Madame Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Members. Just a reminder that Dr. Fisher will be with us as a resource when we get to this item on the agenda. Thank you for your questions.

MR. FISHER: Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo --

MR. FISHER: Aloha.

CHAIR RAWLINS-FERNANDEZ: --Dr. Fisher.

MR. FISHER: Thank you.

CHAIR RAWLINS-FERNANDEZ: Ms. Matthews, will you call our next testifier? Oh, before I call the next testifier, I'd like to acknowledge Councilmember Tasha Kama, mahalo for joining us.

COUNCILMEMBER KAMA: Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Ms. Matthews?

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MS. MATTHEWS: Yes, Madame Chair, our next testifier is Scott Shapiro, testifying on EDB173, to be followed by Autumn Ness, also testifying on EDB-173.

MR. SHAPIRO: Aloha and good morning and Happy Valentine's Day, everybody. Good morning, my name is Scott Shapiro. I'm here on behalf of myself as a retired real estate developer as and also an advocate for affordable housing, trying to give back to my community. I'm here today to testify on EDB173. This bill stipulates that \$70,000 is to be spent per parcel for a feasibility study for affordable rental housing for very low income wage earners according to County Communication 18347, which is part of your packet. Very low income wage earners are defined in that packet as a portion of the homeless population who are functional, who are employed and who do not need extensive social services. I'm not sure how many people actually fall into that category, could be wrong there but I would urge that if you're going to spend this money that this bill would be amended, that it wouldn't be tied to one particular level of affordability like very low income wage earners or just rental housing but it would be a feasibility study on any type of affordable housing. I would also say that the bill could be amended to say, to spend up to \$70,000 rather than just \$70,000--sorry, I'm a little nervous, I'm trying to get over that. I'm also wondering why these parcels, only these parcels are being considered. There are a couple other Countyowned parcels, which I think might be better suited for affordable housing and possibly for a feasibility study as well. The one parcel in Honokowai that you guys were looking at today is four acres, it's very narrow, it's oddly shaped. This one would be, in particular, to spend up to \$70,000, I don't think it's really suitable for any kind of meaningful development. The other parcel on Kilohana Drive which is next to the fire station is a total of 5.75 acres and the fire station takes up about half of that land, the rest is a gulch, drainage ditch, power lines, so maybe two acres of usable land is there, if you've looked at it. I'm not sure how much housing we can get on two acres of land. So, how can we get a bigger bang for our buck? Right across the street is a parcel also owned by the County, which is 13 acres. It's the one with the soccer field and the dog park. I would suggest that, one of the studies was dropped, I believe there was an East Kapu that was taken out of this, that potentially we study that parcel across the street, I have the TMK number if you want, possibly looking at taking the dog park and the soccer field and moving it next to the fire station and using 13 acres of land for affordable housing, again, not just limited to very low income housing. Also, the other parcel that I'd consider doing a feasibility study on is the land--sorry, trying to calm myself down--next to the police station, which is 150 acres of land. That is the parcel of land I think we should be looking at for affordable housing, I mean, think of the bang for the buck we could get on that. So, these smaller parcels I just think to spend \$70,000 is kind of, you know, not the way to go. My time's gonna run out but I have, I'd like to just add a minute if I could to finish up.

CHAIR RAWLINS-FERNANDEZ: Okay.

MR. SHAPIRO: I'd like, as Councilmembers, overall Councilmembers, for you to consider kind of thinking out of the box. Behind the fire station is a piece of land that's 13½ acres. It's already entitled for 60 houses, that's not being developed yet. Two other parcels next to the dog park are each 23 acres of land. All three parcels are

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owned by A&B. I would like you to consider talking to A&B, somebody reaching out to A&B, see if they'd be interested in donating 13 acres of land behind the fire station for affordable housing to give back to the community for, all the workers that they create, building shopping centers and I know you guys have talked about this. If you look at the land that they just sold for \$6,500 an acre to Mahi Pono, that would be about \$150,000.

MS. MATTHEWS: Four minutes.

MR. SHAPIRO: So, anyway, I'd like you to think outside of the box a little bit and take that into consideration.

CHAIR RAWLINS-FERNANDEZ: Thank you, Mr. Shapiro. Members, do you have any questions to clarify his testimony? Ms. King?

VICE-CHAIR KING: Thank you, Chair. Probably gonna all ask the same question. Actually I was, wanted to get your testimony in writing if you could submit it because you had a lot of details in there that I think are really good --

MR. SHAPIRO: Sure.

VICE-CHAIR KING: --things to think about. But also, you said you were a developer?

MR. SHAPIRO: I used to be. Yeah.

VICE-CHAIR KING: Okay, because I think I knew you as a tennis player but I just wanted to ask you, in your opinion as a developer, do you think it's necessary to do individual feasibility studies for \$70,000 each on each parcel or do you think it's something that should be able to be done as one feasibility study on several different parcels?

MR. SHAPIRO: I think it should be as a package for any parcel that you consider. One of my questions is why these particular ones were chosen. They're all very unique parcels but, yeah, I mean, you would think that one company is going to do the study for all three, they'll get the contract, it wouldn't be three different companies so I would say, you know, bid it as a package of three or four or five parcels. And, you know, looking at the 150 acres behind the police station, that might be a little bit more expensive but when you're looking at the parcel next to the fire station, to spend \$70,000 on that, I mean, you just have to walk up to it and look.

VICE-CHAIR KING: Right.

MR. SHAPIRO: It's not developable.

VICE-CHAIR KING: Right.

MR. SHAPIRO: So, that would be a total waste. The other one, which was --

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VICE-CHAIR KING: Okay.

MR. SHAPIRO: --taken out ...

VICE-CHAIR KING: Thank you. I think you answered my question.

MR. SHAPIRO: Okay.

VICE-CHAIR KING: I don't want to --

MR. SHAPIRO: Sorry.

VICE-CHAIR KING: --drag it on too much.

MR. SHAPIRO: Okay, yeah.

CHAIR RAWLINS-FERNANDEZ: Thank you, Ms. King. Members...Member Lee?

COUNCILMEMBER LEE: Hi. You did very well considering --

MR. SHAPIRO: Thank you.

COUNCILMEMBER LEE: --how nervous you were before.

MR. SHAPIRO: Trying to calm down every time I come up here.

COUNCILMEMBER LEE: Yeah, okay. So I'm, we, some of us don't know the genesis for this and we will find out later when we discuss this with the Department or the Budget Director. And you seem to have a lot of information, yeah, I was going to ask you if you were a volunteer for some kind of housing organization.

MR. SHAPIRO: Just me. Like I said, I used to be a real estate developer and I'm just trying to give back to my community.

COUNCILMEMBER LEE: Okay. Well, these days what we're trying to do is incorporate not only housing, not, just not have a housing project, but, you know, making it closer to schools, to, you know, jobs, to the bus transportation, you know, walkable areas, you know. So, when you provide us with your testimony, a copy of your testimony, could you jot down which ones sort of fit in that mode, you know, as opposed to--I think the one by the fire station is pretty remote, isn't it?

MR. SHAPIRO: There's a lot of houses there.

COUNCILMEMBER LEE: Yeah, well --

MR. SHAPIRO: I mean ...

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COUNCILMEMBER LEE: --you know, but, yeah, is it --

MR. SHAPIRO: The one that's next to--

COUNCILMEMBER LEE: --close to schools --

MR. SHAPIRO: --the police station --

COUNCILMEMBER LEE: --is it close to the supermarket --

MR. SHAPIRO: --maybe.

COUNCILMEMBER LEE: --you know, things like that.

MR. SHAPIRO: Yeah.

COUNCILMEMBER LEE: And, you know, we certainly are not interested in developing, you know, major infrastructure --

MR. SHAPIRO: Yeah.

COUNCILMEMBER LEE: --for those types of projects. But thank you very much for your information and look forward to hearing from you again. Thanks.

MR. SHAPIRO: Thank you, thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Lee. Member Molina?

COUNCILMEMBER MOLINA: Thank you, Madame Chair. Good morning, Mr. Shapiro. And thank you for enlightening us this morning, seems like you've done your, a lot of homework on this proposal with the feasibility studies. And, you know, with the Affordable Housing Fund, I was part of the Council that approved that Charter amendment and I'll just speak for myself. I tend to be more, look at the world more in concrete terms. Studies, the use of the Fund's intent was more for the purchase of land or offset infrastructure costs to developers for affordable housing projects but studies, well, you know. But, well, like you stated with that, I think it was the land out in, near the fire station, you can just do a visual and, you know, make your own assessment. Just quickly, with the land near the fire station that's subject for one of these studies and the Honokowai land, those properties are not Countyowned properties?

MR. SHAPIRO: They are.

COUNCILMEMBER MOLINA: They both are County-owned?

MR. SHAPIRO: Yes.

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COUNCILMEMBER MOLINA: Okay.

MR. SHAPIRO: The one next to the fire station is actually three parcels cobbled together. Part of it's a drainage ditch that runs down to--I forget what street, Kauhale possibly--and so the usable acreage there is just very small. It's just, you know, somebody looked at it to look at, you know, County-owned land, where can we build affordable housing, I think maybe, I don't know where they came from but, yeah, they're all County owned.

COUNCILMEMBER MOLINA: Okay, and the Honokowai land, again ...

MR. SHAPIRO: Is also County owned.

COUNCILMEMBER MOLINA: County, yeah. And again ...

MR. SHAPIRO: There was one that was dropped that wasn't County, it was private land on East Kapu but that was, that's taken off.

COUNCILMEMBER MOLINA: Okay, and I appreciate your suggestion about amending it to, up to 70,000 'cause it may not, you may not need an extensive, pricey, high-priced study to make your own assessment about the feasibility for affordable housing. So, really appreciate your thoughts on that, Mr. Shapiro. Thank you, Madame Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Molina.

COUNCILMEMBER SUGIMURA: Chair?

CHAIR RAWLINS-FERNANDEZ: Members...okay, Ms. Sugimura?

COUNCILMEMBER SUGIMURA: Thank you, Chair. Thank you for being here. And, yes, you have done a lot of homework, appreciate your knowledge. So, which property did you say has the A&B land adjacent to it, of the ...

MR. SHAPIRO: It's off of Kilohana, there are three parcels that A&B owns under different names. Directly behind the fire station is 13 acres, a little over 13 acres, that is already entitled by the Planning Department to have 60 houses, 60 single-family houses. It's on the Planning Department website, A&B, I don't know when that was entitled, I don't have that information. And, so that's on, right behind the fire station on the opposite side of Kilohana, on the south side, next to the County-owned land, which is the dog park and the soccer field, right adjacent to it is A&B land, which is 23 acres. So, with that County-owned land of 13 acres, where the dog park is, there's 23 acres of un-entitled A&B land that's just sitting there vacant. Above that is another 23-acre parcel that is also entitled for I think 60 houses as well owned by A&B. I can provide that map.

COUNCILMEMBER SUGIMURA: Oh, okay, 'cause --

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MR. SHAPIRO: It's easy to locate.

COUNCILMEMBER SUGIMURA: --I thought you said that that might be available land that we could, you know, use towards some housing but it's already been designated by A&B for 60 homes?

MR. SHAPIRO: Yeah, that's the thinking outside of the box portion of this, approaching A&B and giving back to the community in that way, that, yes, it's owned by A&B, it's not County land, so that's a stretch but you never know, if you don't ask, you don't get.

COUNCILMEMBER SUGIMURA: And so you're thinking that then the County can buy the land and, look at buying the land and building the 60 houses plus additional with the 13 acres is your thought?

MR. SHAPIRO: I think there are ways to do that, yes, using the County resources, yeah.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sugimura.

COUNCILMEMBER KAMA: Madame Chair? Just one question, please.

CHAIR RAWLINS-FERNANDEZ: Sure. Member Kama?

COUNCILMEMBER KAMA: Mr. Shapiro, do you have the TMK for the A&B land?

MR. SHAPIRO: Let me check. I, no, I just have it for the County land but I can get those.

COUNCILMEMBER KAMA: Thank you.

MR. SHAPIRO: I'll provide those --

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Kama.

MR. SHAPIRO: --in the written testimony.

CHAIR RAWLINS-FERNANDEZ: Ms. Lee?

COUNCILMEMBER LEE: Mr. Shapiro, another way of looking outside of the box is, or thinking outside of the box is to have A&B build the project and then we don't have to buy it and we'll give them credits for something or other. Okay, thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Lee.

MR. SHAPIRO: Yes.

CHAIR RAWLINS-FERNANDEZ: Member Paltin?

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COUNCILMEMBER PALTIN: Oh, good morning, thanks for being here.

MR. SHAPIRO: Good morning.

COUNCILMEMBER PALTIN: I appreciate your comments. Just was wanting to clarify, were you, you weren't suggesting decommissioning the soccer field or the dog park, just building next to it? Is that what it was?

MR. SHAPIRO: I was, I would want the study to look at moving it next to the fire station. So, there's that land that somebody wants to building affordable housing on, I think it's more suitable. I don't think it's suitable for affordable, I just don't think it's big enough but it would fit the soccer field and the dog park, so that could be all, I mean, you know, that's just kind of, that's an easy build. So, I was just looking at that, not decommissioning it at all 'cause it gets used all the time, but to move it. And it might not work, I don't know, it's just, let's look at, if somebody's going to do a study, let's incorporate both pieces of land together to say, could we maneuver things around to make that happen.

COUNCILMEMBER PALTIN: Okay, thank you for clarifying. I just was wondering, as well, if you took into consideration that most times housing developments requires additional park credits and things like that?

MR. SHAPIRO: I definitely have not taken any of that into consideration so that's what hopefully the study would do, that they'd look at all that stuff from, I'm just here, you know.

COUNCILMEMBER PALTIN: Thank you. Thank you for being here and thank you for your comments. I kind of was looking at the fire station property and thinking the same thing so I appreciate that.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Paltin. Members, any further questions? Alright, mahalo, Mr. Shapiro.

MR. SHAPIRO: Thank you very much.

CHAIR RAWLINS-FERNANDEZ: Ms. Matthews, will you please call our next testifier?

MS. MATTHEWS: Yes, Madame Chair. Our final testifier signed up in the Chamber is Autumn Ness, testifying on EDB-173.

MS. NESS: Aloha, Committee. My name is Autumn Ness, testifying on EDB173 enthusiastically in support of any kind of forward movement on getting housing built on Countyowned land, so mahalo for bringing this up. Just some background, I gave you guys a packet to see how we came up with these. I'm not married to these parcels that are designated right now but the way that we came up with this was during the TIG process we asked the Finance Department for a inventory of Countyowned lands

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that weren't developed or that didn't have development plans on them. We got, not a complete list, which we found out later, and through the process of elimination, we came up with a few different parcels and that's why the Kilohana and the Honokowai property are on this list because we were given a list with not a lot of good choices. After the fact we found out that there were other properties that we weren't given to examine, which might be what Mr. Shapiro was talking about, but feasibility studies, I would maybe even amend this language to, feasibility studies on any undeveloped County-owned properties, to see which one, to maybe make a priority list of which ones can be developed. I would also encourage maybe to define the language to like up to 80 percent of AMI just to give you what a field or some kind of reference. Eighty percent, I don't even make 80 percent of AMI right now, even as a Council EA I didn't make 80 percent of AMI, so that would cover our working homeless, our lower level income people and even our working, our professionals in the community. Also, let's see--so in your packet I gave you, the one page of the TIG that, it's item number seven, and then back here you have a package that's just the references for that item number seven. On Page 3, you have a map of the Kilohana property, which if you're not like from Kihei or Wailea, this is going to help you understand the property. And also what Mr. Shapiro was talking about, on Page 3, if you follow Kilohana Drive up, you see where it curves, right before the Piilani Highway, the three parcels on this, they were in the TIG, are these little things in the loop right here. The fire station is right here. It actually is in really close proximity to Wailea, which is where a lot of the workforce probably that would be living there is going to work so it's great workforce housing, especially if you do like studios or something. I think it's, it could be doable but maybe the alternate properties that Mr. Shapiro is talking about are better. The Honokowai property, if you look on Page 9 of your packet, there's a map here and it'll give you, this was executive-ordered to the County by the State. On this paper, it's this weird, this long and narrow property right here, also not appropriate for maybe homes, like two, three-bedroom single-family homes, but when I walked this property, it is appropriate for, again, workforce studios because of the shape of the property. And it's Honokowai so it's really close to a lot of the resorts and hotels that would house our, you know, that would, the workforce would commute there. Behind this, there is the resolution and the EO paperwork attached so you can see why it was given to the County. I would like to encourage maybe the County to add specifically the 50-owned Maui Lani lots. If I ran out of time, I can tell you why, if you ask. There's 50 lots owned by Maui Lani. I have done the math with professionals in the industry over and over and over again and in my mind and where we're looking at, it makes sense to build workforce housing on those Maui lots. If you think outside the box and if you are proactive about changing the current CC&Rs, which you can do; however, I am not an expert in the iwi situation and in the drainage lawsuit and the what-do-you-call-it, the infill lawsuit, so I think a feasibility study that takes all of those things into consideration to look at building on those lots would be a really good idea.

CHAIR RAWLINS-FERNANDEZ: Thank you. Ms. Lee?

COUNCILMEMBER LEE: Thank you. It's the easiest name.

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CHAIR RAWLINS-FERNANDEZ: I'm nervous.

COUNCILMEMBER LEE: Good morning, Ms. Ness.

MS. NESS: Hi.

COUNCILMEMBER LEE: You mentioned something about in the Maui Lani lots you can just take out the CC&Rs?

MS. NESS: You can't take out the CC&Rs but there is, the Maui Lani umbrella association and then under the big Maui Lani umbrella association there are I think four sub-associations. And the County of Maui is owner of 100 percent of the units in one of those sub associations so we could amend the CC&Rs, and I only say this with confidence because we had this meeting with the president of the umbrella association on this floor asking her if this is possible and it was a resounding yes. We could amend all of the CC&Rs in our own portion to allow things like smaller units, ADUs, duplexes, we could do all kinds of things, and then the president of the umbrella association was really open to making it work with the rest of the associations. So, as is the CC&Rs, well, I take that back, even as is, when asked if affordable housing at a certain income bracket could be built under the current CC&Rs, the president of the association said yes, it's been done before in the same association. So, but if you want to get more bang for your buck, let's say there's 50 lots, I think two or three of them may be undevelopable because of the fill and the drainage problem, so 47 lots, change 'em to, make them two houses each. In Maui Lani, it's like perfect for a single-family, for family workforce housing right next to infrastructure and, you know, facilities.

COUNCILMEMBER LEE: One final question. I thought an RFP was already sent out, you know, to the public and I'm not sure what happened with it but apparently nothing. Do you know anything about that?

MS. NESS: I do. I'm really, really glad that you asked that question. It was a--how do I make this answer short? There was talk about selling those lots and using the money to put in the Affordable Housing Fund to develop elsewhere. I was really, really against that. Even though I worked on the TIG that recommended that because we didn't know all the things about being able to change the CC&Rs at the time the TIG recommended sale, right? So it came to the floor and the more we knew about those Maui Lani lots, the more I realized what a gold mine they are because they're entitled, infrastructure-ready, you ask anyone in the development world, getting a property to where Maui Lani is easy seven years of work, at least, you know. So, we advocated that the County hold on to these properties and control the development of them to set the sale price of them, to do an RFP for a developer to develop and sell homes at a certain price. However, in order to do that and to make it pencil out for a for-profit developer, some hoops had to be jumped through in the beginning. Like I said, some CC&Rs had to be amended, it had to be a good deal for somebody. The sales price on that resolution for the RFP was set so low, in the current condition, that nobody in their right mind was going to say I can build affordable housing on that and make it work. It just was a poorly done resolution. I was happy at the time because it would

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have, it prohibited the County from just offloading them onto a forprofit developer and losing total control. Now, that we still have those lots in our control, I think we can do some more proactive stuff and then do another RFP with more favorable conditions. Does that make sense?

COUNCILMEMBER LEE: Yes.

MS. NESS: Okay.

COUNCILMEMBER LEE: Thank you.

CHAIR RAWLINS-FERNANDEZ: Okay, mahalo, Ms. Lee. I'd just like to remind the Members to stay on the agenda as much as possible. Ms. King?

VICE-CHAIR KING: Thank you for that reminder, Chair. I think we're trying to solve all these problems before we even get to the item so I would like to, for one I wanted to ask Ms. Ness, since she served on the TIG, if she would be around as a resource when we get to that item so we don't have to ask all the details now. But the only question I have, it's a yes or no question, when you were looking at these different parcels in the TIG, did you, were you considering, was your group considering sea level rise at all, because some of them are really close to the ocean and it --

MS. NESS: You know what?

VICE-CHAIR KING: --probably would not be developable?

MS. NESS: I have to say, we weren't --

VICE-CHAIR KING: Okay.

MS. NESS: --at all.

VICE-CHAIR KING: That's all I wanted to know 'cause we can talk about that when we get to

MS. NESS: Okay.

VICE-CHAIR KING: --the item, but yeah.

MS. NESS: Great question. Thank you.

VICE-CHAIR KING: Okay, thanks.

MS. NESS: No, we weren't.

CHAIR RAWLINS-FERNANDEZ: So, Ms. Ness, would you be able to --

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MS. NESS: Yes, of course.

CHAIR RAWLINS-FERNANDEZ: --stay for the...okay --

MS. NESS: Okay, thank you.

CHAIR RAWLINS-FERNANDEZ: --as a resource person? Okay, so if you have any further questions we can, when we get to the agenda item, Members, we can call Ms. Ness. Thank you, Ms. Ness. Okay, Ms. Matthews, will you please call our next testifier?

MS. MATTHEWS: Madame Chair, Ms. Ness was our final testifier signed up in the Chamber to testify and I've not received notification from the District Offices of any other testifiers.

CHAIR RAWLINS-FERNANDEZ: Okay, thank you. Is there anyone else wishing to testify? Seeing none, if there are no objections, Members, I will now close testimony.

COUNCILMEMBERS: No objections.

CHAIR RAWLINS-FERNANDEZ: Mahalo.

. . .END OF PUBLIC TESTIMONY. . .

ITEM 157(1): AMENDMENTS TO APPENDIX A, GRANTS AND RESTRICTED USE REVENUES - SCHEDULE OF GRANTS AND RESTRICTED USE REVENUES BY DEPARTMENTS AND PROGRAMS FOR FISCAL YEAR 2019 (DEPARTMENT OF POLICE (PAUL COVERDELL FORENSIC SCIENCES IMPROVEMENT ACT)) (EDB-157(1)) (CC 18 247)

CHAIR RAWLINS-FERNANDEZ: Okay, let's get to our agenda. Okay, Members, the first item on today's agenda is to increase the grant appropriation for the Paul Coverdell Forensic Sciences Improvement Act by \$32,472. The Act is for a Crime Lab Accreditation project. Okay, with us from the Department, we have Detective Matthew Bigoss. Mr. Bigoss, at this time, would you like to provide more information about this increase in appropriation?

MR. BIGOSS: Chair, that one is actually Mr. Earls' grant. I have the Edward Byrne Justice Assistance Grant.

CHAIR RAWLINS-FERNANDEZ: Sorry. Mr. Rowe's grant [sic].

MR. EARLS: Good morning, my name is Tony Earls, Police Evidence Specialist III with the Maui Police Department, and this grant is for accreditation pursuits of our crime lab which analyzes drug evidence which, of course, is an ever growing problem in our county. This is an opportunity for us to pursue accreditation by the governing body

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that is internationally recognized. So, our laboratory has to meet very strict standards and this involves an assessment by a group of individuals that will come to our lab and eventually give us the blessing that we are accredited. Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Earls.

MR. EARLS: Thank you.

CHAIR RAWLINS-FERNANDEZ: Ms. Yoshimura, would you like to add anything further to that?

MS. YOSHIMURA: Chair, no, I have no further comments.

CHAIR RAWLINS-FERNANDEZ: Okay, mahalo. Okay, Members, at this time, I will now open the floor to discussion on this item.

VICE-CHAIR KING: Chair, just one question. So, it looks like it was 5,000 previously. Was that just a placeholder in there? . . . (inaudible). . . bracketed 5,000 in the document.

CHAIR RAWLINS-FERNANDEZ: Mr. Earls?

MR. EARLS: I'm unaware of that.

VICE-CHAIR KING: Ms. Yoshimura?

CHAIR RAWLINS-FERNANDEZ: Oh, Ms. Yoshimura?

MS. YOSHIMURA: Chair, yes, when they did the Fiscal Year '19 Budget, the Department estimated \$5,000 to be received for the grant. They did get an award for \$37,472.

VICE-CHAIR KING: Okay, is that the actual cost of accreditation, 'cause it's a pretty specific amount?

MR. EARLS: Yes, ma'am.

VICE-CHAIR KING: Okay.

MR. EARLS: Yes, ma'am.

VICE-CHAIR KING: Okay, thank you.

CHAIR RAWLINS-FERNANDEZ: Thank you, ViceChair King. Members, any other questions?

UNIDENTIFIED SPEAKER: Recommendation?

CHAIR RAWLINS-FERNANDEZ: Wait, I think ...

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COUNCILMEMBER LEE: I had a question.

CHAIR RAWLINS-FERNANDEZ: Ms. Lee? Okay.

COUNCILMEMBER LEE: Oh, move to approve.

CHAIR RAWLINS-FERNANDEZ: Did you have a question? Oh, okay.

UNIDENTIFIED SPEAKER: Recommendation, Chair?

CHAIR RAWLINS-FERNANDEZ: Okay, Members, the Chair will entertain a motion to recommend passage of the proposed bill entitled A Bill for an Ordinance Amending the Fiscal Year 2019 Budget for the County of Maui as it Pertains to Appendix A, Part I, Grants and Restricted Use Revenues - Schedule of Grants and Restricted Use Revenues by Departments and Programs, Department of Police; on first reading; incorporating any revisions, incorporating any nonsubstantive revisions; and any adjustments required by prior amendments to the Fiscal Year 2019 Budget and of the correspondence and other related.

VICE-CHAIR KING: So moved.

COUNCILMEMBER LEE: Second.

COUNCILMEMBER MOLINA: Second.

CHAIR RAWLINS-FERNANDEZ: ViceChair King, moved by ViceChair King, seconded by Ms. Lee. Any discussion?

VICE-CHAIR KING: Does that, Chair, does that also file the item? I didn't hear that but ...

CHAIR RAWLINS-FERNANDEZ: Oh.

VICE-CHAIR KING: You do move to file?

CHAIR RAWLINS-FERNANDEZ: Ms. Matthews?

MS. MATTHEWS: This will just file the correspondence that was received if that's the Chair's preference.

CHAIR RAWLINS-FERNANDEZ: Okay, so. Okay, any other discussion? Okay, all those in favor say "aye".

COUNCILMEMBERS: "Aye".

CHAIR RAWLINS-FERNANDEZ: Any opposed? Motion passes with nine "ayes," zero "noes," and zero excused.

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VOTE: **AYES:** **Chair Rawlins-Fernandez, ViceChair King, and Councilmembers Hokama, Kama, Lee, Molina, Paltin, Sinenci, and Sugimura.**

NOES: **None.**

ABSTAIN: **None.**

ABSENT: **None.**

EXC.: **None.**

MOTION CARRIED.

ACTION: FIRST READING of bill by C.R.

CHAIR RAWLINS-FERNANDEZ: Thank you, Mr. Earls.

MR. EARLS: Thank you.

ITEM 157(2): AMENDMENTS TO APPENDIX A, GRANTS AND RESTRICTED USE REVENUES - SCHEDULE OF GRANTS AND RESTRICTED USE REVENUES BY DEPARTMENTS AND PROGRAMS FOR FISCAL YEAR 2019 (DEPARTMENT OF POLICE (EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANTS)) (CC 18247)

CHAIR RAWLINS-FERNANDEZ: Okay, the second item on today's agenda is to...okay. Mr. Earls, are you here for the second agenda item too?

MR. EARLS: Yes.

CHAIR RAWLINS-FERNANDEZ: Okay, great. The second item on today's agenda is to increase the grant appropriation for the Edward Byrne Memorial Justice Assistance Grant by \$86,278 for a total of \$182,278. The grant award is for 1) the Statewide MultiJurisdictional Drug Task Force, \$41,613; 2) Enhance Physical Evidence Detection, \$55,685; and 3) Cybercrime Unit Enhancement, \$84,980. Mr. Earls, could you please provide the Committee information about the increase and the grant appropriation?

MR. EARLS: Absolutely, thank you. Again, Tony Earls, I'm a Forensic Identification Unit Supervisor, and we have initiated a pursuit to increase our abilities to detect evidence, specifically trace evidence. As you may know, watching television crime shows, almost every crime that's committed leaves some type of evidence behind. That's our

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challenge, is to be able to locate that evidence. And with this full spectrum imaging system, which is \$55,685, it will include an opportunity for us to expand our ability to detect evidence using infrared all the way down to ultraviolet light, beyond what our normal eyes can see. So, this opportunity is including training on island, the system is patented and about 125 agencies utilize this since it debuted in the FBI in 2014. So, we are looking for the opportunity to detect more evidence and be able to solve more crimes. Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Earls. Budget Director Yoshimura, do you have anything to add to that?

MS. YOSHIMURA: Chair, this is another instance where the Department received more funds than anticipated at the beginning of the fiscal year. They got another \$86,000 for their efforts.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Yoshimura. Members, at this time I'll open the floor up for discussion. Any questions? Mr. Hokama?

COUNCILMEMBER HOKAMA: Chairman, thank you. Not really a question, I want to commend them for being successful and obviously they're doing something right to get more money than less money they asked for. And so, since the Chief's not here, I want to just thank all of you that represent the Department today, whether it's the sergeant or the caption back there, we appreciate the men and women that take care our communities. Stating that though, I like that comment about your ability regarding additional physical evidence detection. 'Cause my two beefs are illegal parking and running red lights, okay. We got bad drivers in this County and I need you guys for start ticketing and prosecuting these people. I'm tired of having our youth and elderly in jeopardy because of bad drivers, especially around schools, I mean, sometimes even the parents are the worst, putting on makeup dropping off kids in the morning, using cell phones, afternoon, to pick them up, I mean, tag 'em, you know. We don't need, like the airport, they just keep letting guys illegal park all over the place and guys who gotta pick up people don't have room to pick up. So, that's my comment and if you wish me to send it to, my comments to the Police Commission, I'm happy to do that so. Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Hokama. Just a reminder to stick to the agenda that we have today. Any other questions, Members?

UNIDENTIFIED SPEAKER: Recommendation?

CHAIR RAWLINS-FERNANDEZ: Okay. The Chair will entertain a motion to recommend passage and filing of the proposed bill entitled A Bill for an Ordinance Amending the Fiscal Year 2019 Budget for the County of Maui as it Pertains to Appendix A, Part I, Grants and Restricted Use Revenues - Schedule of Grants and Restricted Use Revenues by Departments and Programs, Department of Police; on first reading; incorporating nonsubstantive revisions; and any adjustments required by prior

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amendments to the Fiscal Year 2019 Budget and the correspondence and other related.

VICE-CHAIR KING: So moved.

COUNCILMEMBER SUGIMURA: Second.

CHAIR RAWLINS-FERNANDEZ: Okay. Moved by Vice-Chair King, and seconded by Member Sugimura. Any discussion on the motion? Seeing none, all those ...

VICE-CHAIR KING: Chair?

CHAIR RAWLINS-FERNANDEZ: I'm sorry.

VICE-CHAIR KING: I just wanted to...I fully support this, and I just wanted to ask the Department if they have any information they can share with our other departments on how to double and triple your grants from your original grant requests, that would be helpful. Thank you.

MR. EARLS: Actually...yes, can I clarify also? I'm actually a civilian so I'm not a sworn officer, but I'm sure the Captain would like to address your concern. But yes, it takes lots of work and the support of our Department to provide us the training that's necessary to go find more money so, thank you.

VICE-CHAIR KING: Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Vice-Chair King. Okay, any other discussion? Seeing none, all those in favor please say "aye".

COUNCILMEMBERS: Aye.

CHAIR RAWLINS-FERNANDEZ: Any opposed? Motion passes with nine "ayes," zero "noes," and zeroed excused.

VOTE: AYES: Chair Rawlins-Fernandez, ViceChair King, and Councilmembers Hokama, Kama, Lee, Molina, Paltin, Sinenci, and Sugimura.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: None.

MOTION CARRIED.

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ACTION: FIRST READING of bill by C.R.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Earls.

MR. EARLS: Mahalo.

ITEM 157(3): AMENDMENTS TO APPENDIX A, GRANTS AND RESTRICTED USE REVENUES - SCHEDULE OF GRANTS AND RESTRICTED USE REVENUES BY DEPARTMENTS AND PROGRAMS FOR FISCAL YEAR 2019 (DEPARTMENT OF FIRE AND PUBLIC SAFETY (HAWAII TOURISM AUTHORITY)) (CC 18 247)

CHAIR RAWLINS-FERNANDEZ: Okay, we'll call up the Fire Department now. Okay, the third item on today's agenda is to add a new appropriation entitled Hawaii Tourism Authority in the amount of 125,000 for the acquisition of emergency rescue equipment relating to ocean safety. We have the Fire Department with us...I don't want to call you the wrong name. We have Captain Paul Haake. Okay, could you please provide the Committee information about the increase grant appropriation?

MR. McAFEE: I will, and good morning. Is the mic working?

CHAIR RAWLINS-FERNANDEZ: Yeah.

MR. McAFEE: Okay. My name's Kevin McAfee, I'm a Battalion Chief of the Fire Department. I'm representing the Ocean Safety Bureau this morning. We've got an opportunity with the Hawaii Tourism Authority for \$125,000 worth of funds to purchase the exact equipment that we do need, equipment that we've gotten from you through a adopted Budget in years past. The equipment has reached its lifespan in many cases and this is an excellent offer on their part for us. They have offered it, out of \$500,000, \$125,000 to each of the four counties. The contracts have been executed in the City and County of Honolulu already and also in Kauai County. So Big Island and Maui is working steadfastly to catch up to them on this. It is a matching funds kind of donation and the matching funds have already been approved because they went ahead and said that our FY '19 Budget would meet the matching funds need. So, we're not here asking you for any more money at all, it's already there. It's on a reimbursement kind of relationship. So, we may incur some of the cost upfront and then we'll submit invoices then to be reimbursed. On a phone call this morning, they clarified one point for me and that is that 90 percent of the reimbursement can be handled upon execution of the contract. So, essentially we can invoice them right away for 90 percent of that \$125,000, okay, and then the remaining 12,500 at the end of all of it. By the way, there is a deadline on this and it is December 31st. And I have learned in my position as Battalion Chief for Ocean Safety that things don't generally move too fast and so really it's kind of time now for us to start making some of those

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purchases, right? We've already purchased almost all of the like items that they wanted us to purchase. Thank you to the adopted FY '19 Budget, we've purchased some jet skis, some quads, so on and so forth. So, for the most part, all of the items that they wanted to see us purchase to match, have been purchased already. So, we're excited to get your approval and review on this, push forward, have this contract executed and start getting some bids, quotes.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. McAfee. Ms. Yoshimura, do you have anything to add to that?

MS. YOSHIMURA: No comments, Chair.

CHAIR RAWLINS-FERNANDEZ: Okay, mahalo. Members, do you have any questions now for the Administration?

UNIDENTIFIED SPEAKER: Recommendation?

CHAIR RAWLINS-FERNANDEZ: Okay. Oh, Ms. Paltin, you have a question?

COUNCILMEMBER PALTIN: Thank you, Chair. I just was wondering if you knew where the quads were going to.

MR. McAFEE: Yeah, you're aware of some that are in bad condition. Our north district, onshore winds seems to take its toll on those faster than other places. But we have identified the places that we will put them, I can't remember off the top of my head right now, it's not on my piece of paper, but we do know where they're going to go. What we're going to acquire through the donation is we're going to get two additional quads. So, we got one from the FY '19 Budget, we're going to get two additional ones. I'm sure in your mind right now you can think of where those are needed.

COUNCILMEMBER PALTIN: Thanks.

MR. McAFEE: You're welcome.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Paltin. Okay, Members, the Chair ...

VICE-CHAIR KING: Chair?

CHAIR RAWLINS-FERNANDEZ: Oh, I'm sorry.

VICE-CHAIR KING: I have a question.

CHAIR RAWLINS-FERNANDEZ: Vice-Chair King?

VICE-CHAIR KING: Thank you. So, I got a little bit confused. Earlier you said, you've already purchased all the equipment that they wanted us to purchase with this?

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MR. McAFEE: No, from a match --

VICE-CHAIR KING: Oh, for the match?

MR. McAFEE: --in terms --

VICE-CHAIR KING: Oh, okay.

MR. McAFEE: --of matching. So, we've already purchased what they wanted us --

VICE-CHAIR KING: Okay.

MR. McAFEE: --what they're going to match.

VICE-CHAIR KING: What is a quad? I'm not a lifeguard so --

MR. McAFEE: It's ATV --

VICE-CHAIR KING: --I'm not sure what ...

MR. McAFEE: --UTV.

UNIDENTIFIED SPEAKER: . . . *(inaudible)* . . .

MR. McAFEE: You know --

VICE-CHAIR KING: Oh, okay.

MR. McAFEE: --it's like a Mule or Polaris.

VICE-CHAIR KING: So, are those like...so you're going to purchase two of those? Are those like 60,000 each or is that part of the 125,000?

MR. McAFEE: The quads from a price standpoint...you got that on the top of your head?

MR. KAYAMA: Good morning, Chair, Committee Members. So the ATV or UTV, which is a quad, they're different sizes and models but generally it cost around 8,000, up to \$16,000, depending on what model we purchase.

VICE-CHAIR KING: Okay, so that leaves you additional funds for other equipment as well? And I guess the other question I had was, is this a regular thing from HTA or is this kind of a first time that we've gotten this kind of grant funding from them?

MR. McAFEE: This is the first time that they've --

VICE-CHAIR KING: Okay.

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MR. McAFEE: --done this.

VICE-CHAIR KING: Okay, yeah, I just was curious 'cause I know we have a new HTA Director so it's kind of nice to see them. I've been trying to urge the tourism industry to start seeing our environment as their infrastructure and so it's good to see them moving ahead and supporting that.

MR. McAFEE: I'm told there is a statutory obligation for that as well.

VICE-CHAIR KING: Oh, okay, great. Thank you.

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, ViceChair King. And then for the, really quickly, for the record, that was Mr. Cary Kayama who responded to ViceChair King. Mr. Hokama?

COUNCILMEMBER HOKAMA: So, what is your understanding of the source of the State money? Is this General Fund money from the taxpayer or is this TAT money that this County gives to the State in the hundreds, millions of dollars?

MR. McAFEE: Mr. Hokama, I think I'm going to need to contact them and ask them that specific question. I'm unaware.

COUNCILMEMBER HOKAMA: I just ...

MR. McAFEE: I do know that it's 500,000 this time around divided by four, 125 per county. It's a statutory obligation for them to do so. I do know that.

COUNCILMEMBER HOKAMA: I'd just be interested to know if this is our money we already gave them that they giving us back.

MR. McAFEE: Okay.

COUNCILMEMBER HOKAMA: That's what we want to know. Thank you.

MR. McAFEE: I'll get that answer for you, sir.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Hokama. Any other questions, Members? Okay, seeing none. The Chair will entertain a motion to recommend passage and filing of the proposed bill entitled A Bill for an Ordinance Amending the Fiscal Year 2019 Budget for the County of Maui as it Pertains to Appendix A, Part I, Grants and Restricted Use Revenues - Schedule of Grants and Restricted Use Revenues by Departments and Programs, Department of Fire and Public Safety; on first reading; incorporating nonsubstantive revisions; and any adjustments required by prior amendments to the Fiscal Year 2019 Budget and the correspondence and others related.

VICE-CHAIR KING: So moved.

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COUNCILMEMBER SUGIMURA: So moved. Oh, second.

CHAIR RAWLINS-FERNANDEZ: Moved by Vice-Chair King, seconded by Councilmember Yuki Lei Sugimura. All those in favor say "aye".

COUNCILMEMBERS: Aye.

CHAIR RAWLINS-FERNANDEZ: Any opposed? Okay, motion passes with nine "ayes," zero "noes," and zero excused.

VOTE: AYES: Chair Rawlins-Fernandez, ViceChair King, and Councilmembers Hokama, Kama, Lee, Molina, Paltin, Sinenci, and Sugimura.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: None.

MOTION CARRIED.

ACTION: FIRST READING of bill by C.R.

ITEM 19: AMENDING THE FISCAL YEAR 2019 BUDGET: PLAN REVIEW, PROCESSING, AND INSPECTION REVOLVING FUND (FIRE)) (19 16)

CHAIR RAWLINS-FERNANDEZ: The fourth item on today's agenda is to amend Appendix A... oh, I think this is Fire, are you going to stay too, Mr. McAfee? Does Mr. McAfee...oh, okay, Mr. Paul Haake, okay. The fourth item on today's agenda is to amend Appendix A, Part II, Special Purpose Revenues - Schedule of Revolving/Special Funds for the Fiscal Year 2019 Budget, by adjusting the appropriations for operations or services and equipment under the Plan Revenue [sic], Processing and Inspection Revolving Fund for the purpose of a fire extinguisher trainer and to replace malfunctioning equipment for the Keiki ID Program. Captain Haake, will you please provide the Committee with an explanation on your request?

MR. HAAKE: Thank you, Chair, Committee Members. Captain Paul Haake from the Fire Prevention Bureau. The first item is the fire extinguisher training and we use this to, of course, train members of our community to properly use fire extinguishers. I believe we had some money appropriated and we're asking for some more because we're looking at getting a different type of trainer. The trainer we have now is shot, not

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working, and it uses propane and simulates a fire so that people that are trained to use fire extinguishers, you know, experience that, the heat associated with fire and get a better experience during their training. It's part of the hands-on portion of the fire extinguisher training program. We are looking at getting an electronic trainer and so we're switching from the LPG fuel trainer to the electronic trainer and that's going to be a little bit more money. And so, we're looking to use the electronic trainer because the LPG fuel trainer, after a while, it starts to not work so good. So, the one that we have that's not working anymore, we bought it in FY '13, '14. We've used it to train about 700 people a year since and we've had it refurbished and sent back. And then shortly after that, it stopped working again. So, we're going to try and go to the electronic trainer. The other monies is associated with our Keiki ID Program, which has been around for a very long time. I've been in the Bureau since 2002 and we had the Keiki ID Program back then and what we do is we go into the community and we provide the children with an ID card. It's just for fun but this allows us the opportunity to engage with the community and share fire safety messages and things like that while we're providing the kids with something fun to have. The equipment that we use is the original equipment from 2002. I'm not sure how we acquired it, acquired that equipment, I believe it was from the Department of Liquor at the time, but we've had that equipment since 2002. We've been trying to keep it up and running. It's on its last legs right now and so we didn't anticipate that but now that it's down, we are asking money to replace that equipment. Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Captain. Ms. Yoshimura, do you have anything to add to that?

MS. YOSHIMURA: Chair, the request is not for any additional funds but it's moving monies from Category B to Category C.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Yoshimura. Okay, Members, the floor is now open for discussion. Councilmember Paltin and then Member Kama.

COUNCILMEMBER PALTIN: Thank you, Chair. I just was wondering, in my district we had some, I guess they call it stranger danger scares and I was wondering if would be possible to have this ID kit be more than just for fun, like, you know, a real ID that could be used, you know, for travel or for missing kids and things like that or...just wondering.

CHAIR RAWLINS-FERNANDEZ: Mr. Ueoka?

MR. UEOKA: Thank you, Chair. I guess we could look into that but typically for travel the Federal Real ID Act kicks into play and there's a, if you've gone to renew your driver's license recently, you see the pain you must go through to get those documents issued so I'm not sure if the Fire Department would necessarily be equipped to make an official ID; however, it does have pertinent information, I believe, for these keiki IDs, something we could look into making it more official but I don't think it'll ever be official government identification. Thank you.

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COUNCILMEMBER PALTIN: I just was wondering because we get the American Income Life and they give one little kit where you give the fingerprints, everything, and might be cool to incorporate that as well.

CHAIR RAWLINS-FERNANDEZ: Mr. Ueoka?

MR. UEOKA: Thank you, Chair. The other concern I would have is, I do advise the Fire Department also, would be just holding that type of very confidential, sensitive information within the Fire Department. It ...

COUNCILMEMBER PALTIN: Oh, they hold the information?

MR. UEOKA: Well, if they were to intake fingerprints and, there would need to be some sort of database and, you know, home addresses, phone numbers. I'd be a little leery the more information they take in and hold on to due to confidentiality in this day and age.

COUNCILMEMBER PALTIN: They would have to take it in? They couldn't just do it and give it to the families?

CHAIR RAWLINS-FERNANDEZ: Mr. Ueoka?

MR. UEOKA: Thank you, Chair. They could do that but for it to be official ID, it would have to be in some sort of database so it could be looked up. Like, for instance, MPD, there's the--oh I forget what it's called, but there's some sort of FBI national database with all kinds of people's information in there. And for it to be official ID, it would have to be, I guess, traceable back to something so that would be the only fear I would have, is Fire isn't equipped to be that area. But, thank you.

COUNCILMEMBER PALTIN: Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Paltin. Member Kama?

COUNCILMEMBER KAMA: Thank you, Chair. Captain Haake, help me to visualize. When I read this, I was thinking about, oh, this was the fire extinguisher trainer was probably a person. Then as we kept talking, I realized that it's not a person, it's a --

COUNCILMEMBER SUGIMURA: Equipment.

COUNCILMEMBER KAMA: --piece of equipment. So, is it like a fire extinguisher but it's not going to be like the old fashion one? It's going to be more digital. I mean, can you explain that to me?

CHAIR RAWLINS-FERNANDEZ: Captain Haake?

COUNCILMEMBER KAMA: Thank you.

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MR. HAAKE: Thank you. Thank you, Councilmember. That's a good question. I know I rambled on in the beginning but I didn't explain that stuff. So, the extinguisher trainer that we have now is similar to a barbeque grill.

COUNCILMEMBER KAMA: Okay.

MR. HAAKE: It makes a fire and the trainer is, the trainer, the person is a member of our Department. And so, we go over, you know, the parts of a fire extinguisher, you know, how to respond to an emergency, and then how to actually use the fire extinguisher and approach the fire when you're using it. And then we use the extinguisher trainer to allow them the hands-on training in applying the fire, the extinguisher. So, again, the one that we have now that's not good anymore, is similar to a barbeque grill.

COUNCILMEMBER KAMA: Yeah.

MR. HAAKE: And so it just, it makes flames and, you know, when you, when we use that one, we have to have a place that's outside when we do the training. The electronic version would allow us to conduct a fire extinguisher training session right here in the Council

COUNCILMEMBER KAMA: Thank you.

MR. HAAKE: --Chamber.

COUNCILMEMBER KAMA: That was my next question, if that could occur, 'cause, I guess, I need to figure out how to use a fire extinguisher. I haven't done that so, thank you, sir.

MR. HAAKE: We'd be happy to provide training --

COUNCILMEMBER KAMA: Thank you.

MR. HAAKE: --to any of you.

COUNCILMEMBER KAMA: Chair, thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Kama. Member Sugimura?

COUNCILMEMBER SUGIMURA: Thank you. Thank you, Chair. All of this is all good things, community outreach and appreciate it. I want to comment on, I had the same question about the trainer being a person or equipment but as I listened to you I realized you're talking about a piece of equipment on that front. On the Keiki ID, I think I've seen you at the fair, the Maui County Fair, you provide the Keiki ID in the County tent. Is that correct?

MR. HAAKE: The Keiki ID Program used to be a big part of the fair. It's been a while since we've done it at the fair and I believe it was a Countywide volunteer program, so a

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whole bunch of people from the County would come in and provide the keiki IDs to the children. But right now we just have it as just, well, certain events. People call and request to have it be part of their event and then we'll go and do the ID. And it's a very popular thing. You know, when you do the IDs, if you can type really fast, you can do an ID really quick, and I can't type very fast so it takes a while to make the ID, and it's so popular people will wait around all day for this thing. And, yeah, it's really popular, and it gives us a chance to, you know, reach out to the community, another opportunity to engage and share fire safety messages while people are waiting around for me to create an ID card.

CHAIR RAWLINS-FERNANDEZ: I can attest to that. We had our Keiki Fest last year and the line went out the door all day until it was done. Sorry, Ms. Sugimura, go ahead.

MR. HAAKE: I was typing.

COUNCILMEMBER SUGIMURA: So the, in Kihei, there's a, I think it's called Maui Children and Youth Day, and it's been on for like maybe now 15 years at the Kihei Youth Center, and that's when I first recently saw the Fire Department doing that and it was, you're right, there's a line the whole time, and I think there's great value in that so I'm glad you're replacing it if it's starting to malfunction. When my son, who is now 27, at one point, I don't know where we got one, but for years, he used to carry it in his wallet. So it has value, although, I guess, not like, you know, I can understand what Member Paltin is saying that if it could have some kind of legal value but it wasn't, it was kind of a nice thing. It gave him some, you know, his own ID like us. So, thank you for your good work.

MR. HAAKE: You're welcome.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sugimura. Member Lee and then Member Molina.

COUNCILMEMBER LEE: Thank you, Madame Chair. And thank you for coming from the Fire Department. That program started around 2000 and I think it was Kapono Stupplebeen who was in charge of it at that time with the Fire Department. And for the Councilmember's information, although it's a tremendous service, back then, at least, when we did it for the fair and the Keiki Fest, it involved various, a number of departments. _____ Matsushita, I think her name is, with the Liquor Department, did a lot of the work. And then what we did with Human Concerns was try and get all the volunteers to help with the Fire Department and the Police Department. So, this is kind of a pretty major undertaking when you're dealing with large crowds, and so I can see why they have to be careful with and, you know, specific with their, the people that they provide the service to because otherwise it takes dozens and dozens and dozens of volunteers. So, to ask them to do more work, you know, by adding, you know, fingerprints or anything else, would be, to me, a lot of work. I mean, it's a good idea but it's, just keep in mind how voluminous this work is and costly because then someone has to pay for all these plastic things and the cameras and everything else. Thank you, Madame Chair.

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CHAIR RAWLINS-FERNANDEZ: Thank you, Member Lee. Member Molina?

COUNCILMEMBER MOLINA: Thank you, Madame Chair, and good morning, Captain Haake. And first of all, I want to, appreciate your usage of the equipment, you know, maximizing the use as much as you can before coming back to ask for equipment upgrades. And, you know, as far as the Keiki Fest goes, I think that's a real wonderful thing for the community because you guys provide some little tips for the kids too, I'm sure, along the way about, you know, when you see an emergency or smoke and everything. And I'm sure there's been a case or two where children have played a role in helping, you know, notifying the Fire personnel about a fire occurring so there's an extreme amount of value in that and you guys serve as role models for our youngsters. And I'm sure there may be a member or two in your Department that have been inspired by, you know, first responders and fire personnel and who are now serving in this capacity. And you're still currently the head of the Fire Prevention Bureau?

MR. HAAKE: Yes.

COUNCILMEMBER MOLINA: As of this morning? Yeah. And thank you for work there. So, and the fire extinguisher trainer that's, you said it's like a Hibachi-like thing or something or a barbeque pit, I'm just curious.

MR. HAAKE: Very similar, very similar.

COUNCILMEMBER MOLINA: So, as far as discarding that, then, you know, I know Member Lee, her eyes lit up when you mentioned that too as well, like mine so, but you typically just dispose that? It's not, there's no, any other use for that once it's used up, I guess?

MR. HAAKE: Yeah. There's...maybe a trash can --

COUNCILMEMBER MOLINA: Okay.

MR. HAAKE: --it can be used as.

COUNCILMEMBER MOLINA: Alright, just curious. Anyway, but I'm happy to support your proposal.

MR. HAAKE: Thank you.

COUNCILMEMBER MOLINA: Thank you, Madame Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Molina. Members, any other questions? Okay. The Chair will entertain a motion to recommend passage of the proposed bill entitled 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 Use Funds for Fiscal Year 2019, Plan Review, Processing and

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Inspection Revolving Fund; on the first reading; incorporating nonsubstantive revisions; and any adjustments required by prior amendment to the Fiscal Year 2019 Budget; and the filing of County Communication 19-16.

VICE-CHAIR KING: So moved.

COUNCILMEMBER KAMA: Second.

CHAIR RAWLINS-FERNANDEZ: Moved by Vice-Chair King and seconded by Councilmember Kama. Discussion on the motion? Seeing none, all those in favor say "aye".

COUNCILMEMBERS: Aye.

CHAIR RAWLINS-FERNANDEZ: Any opposed?

COUNCILMEMBER HOKAMA: No.

CHAIR RAWLINS-FERNANDEZ: Motion passes with eight "ayes," one "no," Member Hokama, and zero excused.

VOTE: **AYES:** **Chair Rawlins-Fernandez, ViceChair King, and Councilmembers Kama, Lee, Molina, Paltin, Sinenci, and Sugimura.**

NOES: **Councilmember Hokama.**

ABSTAIN: **None.**

ABSENT: **None.**

EXC.: **None.**

MOTION CARRIED.

ACTION: **FIRST READING** of bill and **FILING** of communication by C.R.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Captain Haake, for your time. Members, it is about 10:30. We can take up one more agenda item before we take our brief break. Is everyone okay with that?

VICE-CHAIR KING: I'm okay.

CHAIR RAWLINS-FERNANDEZ: Okay, alright.

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**ITEM 23: AMENDING THE FISCAL YEAR 2019 BUDGET:
DEPARTMENT OF PUBLIC WORKS (FRONT STREET
IMPROVEMENTS) (CC 19-20)**

CHAIR RAWLINS-FERNANDEZ: The fifth item on today's agenda is to amend the Fiscal Year Budget 2019...Mahalo, Mr. Goode, for joining us...the 2019 Budget by 1) increasing Bond/Lapsed Bond by \$151,580 and 2) amending Section 4.G.9.a.(1), Department of Public Works, West Maui Community Plan Area, Road Improvements, Bond Fund, by deleting the appropriations of \$500,000 for the Front Street Breakwall Repair Fronting Lahaina Center and 700,000 for the Front Street Deck and Rail Repair Near Lahainaluna Road, and adding the Front Street Improvements project in the amount of \$1,351,580. Acting Director Goode, will you please provide the Committee an explanation on this request?

MR. GOODE: Good morning, Chair, Members, David Goode here --

CHAIR RAWLINS-FERNANDEZ: Good morning.

MR. GOODE: --Acting Director, Department of Public Works. The request before you today is an amendment to our Fiscal Year '19 Budget. In the Fiscal Year '19 Budget, we appropriated two separate funds for design of these two different areas. We had previously done a preliminary engineering study, which we presented during Budget discussions last April to show the need for the project and the funds were hence given. We have now been in detailed discussions with potential designers and what we're discovering is that there is a ton of permits that are required for this work and the work is very, it's somewhat similar and they're almost exact same locations, so rather than doing two permits for everything, we'd like to consolidate. And, but then, and also in discussions with the folks we, that the Department, actually the Division, want to work with the folks that did the original study. You know, these permits are very lengthy, very costly to get and we've underestimated a little bit. So, what we're requesting is there's two appropriations currently, one for 750, one for 500, that's 1,250,000. Our proposal that we have, after going back and forth, you know, trying to get the cost down, was to, it was a 1,350,000 so we're essentially asking to, for an extra \$150,000, get a little play in there, and combining the two projects. When we met with Finance regarding executing one contract with these two different items, two different projects, they felt it best if we could combine them into one project and since we were light on money anyway, we needed to come back to you folks. Our goal, of course, would be that, you know, should the permitting be easier than it's expected then they wouldn't expend all the money. They're only going to expend what, you know, is actually, you know, and they estimate every single man hour, you know, for the whole project. But it's in an area that's gonna have a lot of scrutiny, it's in the Historic District, it's going to take a while, it's gonna take, it could take three years to get this done so hence the reason for the request, Chair. Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Acting Director. Budget Director Yoshimura, would you like to add any additional information to that?

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MS. YOSHIMURA: Chair, the original request was for bond funds, so this would be an increase to the Bond Fund for \$151,000. Thank you.

CHAIR RAWLINS-FERNANDEZ: Okay, mahalo. Members, the floor is now open to discussion. Anyone with questions? Member Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: And then Member Sinenci.

COUNCILMEMBER PALTIN: I just wanted to know, so none of the permitting has started yet? It's, this is like your estimate of money that it will cost and then you go and you'll start getting the permits?

MR. GOODE: Chair and Ms. Paltin, that's correct. We've done the preliminary engineering to see the feasibility of the project and identify all the elements that need to get fixed but we have not started design or permitting.

COUNCILMEMBER PALTIN: Do you anticipate any problems with rebuilding the sea wall and have you been in any contact with OCCL about, you know, their disposition towards rebuilding sea walls?

CHAIR RAWLINS-FERNANDEZ: Mr. Goode?

MR. GOODE: I'm not aware if we've been in some discussions with them. I think they must have had some preliminary discussions because a Conservation District Use Permit is required so it is one of the permits we would be seeking. So, they must have had some preliminary discussions with them to get an idea of what the total involvement might be.

COUNCILMEMBER PALTIN: And, I guess, when you get like the coastal zone management permit and like that, it would go into like the effects of sea level rise and like that on this type of work?

MR. GOODE: Yes.

CHAIR RAWLINS-FERNANDEZ: Mr. Goode?

MR. GOODE: Exactly. So the SMA and the EA that would have to be done would look at that, those effects, for sure.

COUNCILMEMBER PALTIN: And then at that point, the public would get their opportunity to input on the matter, if they do the EA?

CHAIR RAWLINS-FERNANDEZ: Mr. Goode?

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MR. GOODE: Yes, there would be a lot of opportunity, actually, because we have Historic District aspects, so there could be CRC, Cultural Resources Commission meetings. You got the EA Conservation District Use Permit, SMA. So, yes, there's going to be a lot.

COUNCILMEMBER PALTIN: Is there a plan on your end to help the public know at what points and where, how they could testify or is that pretty much incumbent on the public to find out that information, at which points they can provide input?

CHAIR RAWLINS-FERNANDEZ: Mr. Goode?

MR. GOODE: That's a good question. So, in a lot of the processes, it's built in, right. So, there's the traditional ways of doing it, right, so all the meetings that are public meetings, government meetings are agendaized, right, through the Sunshine Law. We know, certainly in Lahaina, there's a number of stakeholders who traditionally show up to these kind of things so we can outreach to them and, as organizations, I think, and some of the nonprofits, you know, like Lahaina Town Action Committee, the Restoration Foundation, in particular, you know, they have a pretty big network of folks there. So, we can certainly work them and they can help publicize, but, in general, I think publicity is kind of a, it's a tough one nowadays, right, because everybody seems to get their information from different sources but it's something we need to get better at.

COUNCILMEMBER PALTIN: So, just to clarify, you will be reaching out to those stakeholders that you mentioned, your Department?

CHAIR RAWLINS-FERNANDEZ: Mr. Goode?

MR. GOODE: Yeah, generally through the EA. So, one part of the EA is the early consultation process before you even put the EA together, you'd have some very kind of nuts and bolts general things and traditionally, you should reach out to those local interests. So, I can let staff know, to make sure that they reach out to those two and any other ones. You in particular as the rep for that area, if you have some in mind, we'd like to know who they are and get the early consult.

COUNCILMEMBER PALTIN: Yeah, maybe West Maui Taxpayers Association might be another good one. Thank you so much for your efforts in that matter.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Paltin. Member Sinenci?

COUNCILMEMBER SINENCI: Yes, thank you, Chair. Just for clarification, Mr. Goode, is this the section right in Lahaina Town where there's the walk from Lahainaluna Road towards Kahului, that little section right there?

MR. GOODE: Chair and Mr. Sinenci, yeah, that's one of 'em. And then the other side, that's where the railing is and it's constantly getting beat up and falling apart, as well some of the, there's some bench and bench areas, you know, kind of, it's ____ trees.

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COUNCILMEMBER SINENCI: Some planters, yeah.

MR. GOODE: Yeah, there's, yeah they did exploration there, there's some definite issues there. And then the other big area is the portion from Baker, on the Kapalua side, down to Papalaua. So, that's where they have that whole sea wall and revetment area. And the revetment, over the time, I think my staff said it was last done in 1979, just gotten beaten up through wave action and whatnot and so a lot of the boulders that were there that have been displaced were probably just sitting right offshore, right? So, but there's trees, you know, the coconut palms over there are leaning way over, you know, if they go, then they're going to pull wall with them. So, you know, we potentially could lose, you know, part of the road and sidewalk there easily.

COUNCILMEMBER SINENCI: And Front Street is a County road?

MR. GOODE: Yes.

COUNCILMEMBER SINENCI: That Front Street? And so, do you anticipate the project to be a major project where potential closure of that access in the future?

CHAIR RAWLINS-FERNANDEZ: Mr. Goode?

MR. GOODE: Yeah, that's a good question. So, those are the things that will be analyzed in the design and also discussed in things like the EA. So, they'll have to look at, you know, what type of equipment is needed and how much working space is needed, and then identify, if you need it all, then we're going to have to have alternate routes, right, to go around, so might have to go up Wainee or something like that.

COUNCILMEMBER SINENCI: Okay, thank you. Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sinenci. Member Molina?

COUNCILMEMBER MOLINA: Thank you, Madame Chair. And just a quick follow up to Member Sinenci's question. I guess once the project is determined, date and everything else, I'm sure business owners along the way will be expressing their thoughts as to when's the best time to do the work and so forth. But, aside from that, in your January 20, or excuse me, December letter, you had mentioned that, about combining the two projects and it could save permitting costs. You have any estimate how much cost savings by combining the two projects would, permit costs would be saved?

CHAIR RAWLINS-FERNANDEZ: Mr. Goode?

MR. GOODE: Thank you, Chair. If I had to hazard a guess, I'd say at least a quarter million.

COUNCILMEMBER MOLINA: Okay.

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MR. GOODE: But, I mean, I have to get back to you with the more --

COUNCILMEMBER MOLINA: Okay.

MR. GOODE: --exact number based on the discussions our staff had with the consultant.

COUNCILMEMBER MOLINA: I just appreciate hearing cost savings there so. And then lastly, any State responsibility with this project because it's, you know, near the shoreline? I mean, any thoughts about asking them to cost share, I mean, if they do have some jurisdiction . . . *(inaudible)* . . .

CHAIR RAWLINS-FERNANDEZ: Mr. Goode?

MR. GOODE: Well, it's, you know, it's going to be in some State lands, right, so that's why we have to do Conservation District Use Permit. It never hurts to ask. I can tell you that the Front Street Improvement Project, which we did in like 1999, that was a Federalaid job and the State contributed to that job. So, normally you have the 80/20 match, if I recall, it's something like 80 percent Federal, 10 percent County, 10 percent State. So, they did participate in that and we did that work at night. So, you know, back to your original comment about, you know, how the business owners, that's the way we kind of solved that one. So, yeah, it never hurts to ring 'em up and ask for money.

COUNCILMEMBER MOLINA: Yeah, please do, please do, ask the State, yeah. Thank you, Mr. Goode. Thank you, Madame Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Molina. Committee ViceChair King?

VICE-CHAIR KING: Thank you, Chair. So, I just, my question is more about the format that we're using because we're adding, we're increasing our expenditures, correct, for these projects?

MR. GOODE: Correct, yes.

VICE-CHAIR KING: Okay.

MR. GOODE: So, we had underestimated a bit.

VICE-CHAIR KING: Okay. No, I understand that, I just, you know, if you look at the, in Granicus, the document for the bill, it is listed under estimated revenues so it shows as an increase in revenues Bond/Lapsed Fund --

CHAIR RAWLINS-FERNANDEZ: Budget Chair...oh, sorry, Kelly.

VICE-CHAIR KING: --Bond/Lapse Bond and it's under this category of estimated revenues and it shows as an increase so if you can just explain why we have that in there 'cause

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it's kind of confusing if you were the general public looking at an item that's going to increase expenditures and it's listed under a heading of estimated revenues?

CHAIR RAWLINS-FERNANDEZ: Ms. Yoshimura?

MS. YOSHIMURA: So, the original appropriation was 500,000 plus 700,000, two separate projects, and both were bond funded. The estimate that the Director has given us is 1.351, so an additional \$151,580 is needed for the project. So, in order to increase the bond, we needed to increase the estimated revenues under the Bond Fund. So, you'll see it on Page 1 of the bill. And then the appropriation is increased, let's see, on Page 4 of the bill, Project 1 and 2 under Item 9 is being deleted and Front Street Improvements is being added. So, that's the combination of the two projects, along with the increase in the cost.

VICE-CHAIR KING: Right. But I just wanted to just get on the record, so we consider when we do Bond funding, we consider that it's revenue?

MS. YOSHIMURA: Correct.

VICE-CHAIR KING: Okay. Even though we have debt service on it?

MS. YOSHIMURA: Yes.

VICE-CHAIR KING: Okay. Thank you.

COUNCILMEMBER SUGIMURA: Chair?

CHAIR RAWLINS-FERNANDEZ: Member Sugimura?

COUNCILMEMBER SUGIMURA: Thank you. Good discussion and needed. So, I appreciate you looking big picture and trying to figure out how we can save in terms of overall funding. We've been having presentations from the departments and you were here for Planning and heard about the, we are, I think, the Planning website that they established and they have a pretty good communication, it sounds like, with the West Maui. So, I wonder if it's appropriate to also use the Planning Department's website to get out some communication and maybe it's like crossing over into another function and it's not possible but I think it seems successful, that maybe we can also, you know, reach out to the Lahaina residents through that method also.

CHAIR RAWLINS-FERNANDEZ: Mr. Goode?

MR. GOODE: Thank you, Chair, Ms. Sugimura. Sure, I mean, if they're willing to let us do that, we'd be happy to. I know they have a lot of folks on that, I get their e-mails too.

COUNCILMEMBER SUGIMURA: Me too. So, very effective. But, thank you, thanks for your good work.

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CHAIR RAWLINS-FERNANDEZ: Okay, mahalo, Member Sugimura. Members, any other questions? Okay, the Chair will entertain a motion to recommend passage of the proposed bill entitled A Bill for an Ordinance Amending Appendix A [sic] of the Fiscal Year 2019 Budget for the County of Maui as it Pertains to Estimated Revenues; Department of Public Works, West Maui Community Plan Area, Road Improvements, Front Street Breakwall Repair Fronting Lahaina Center, Front Street Deck and Rail Repair Near Lahainaluna Road; Total Capital Improvement Project Appropriations; and Total Appropriations (Operating and Capital Improvement Projects); on first reading; incorporating any nonsubstantive revisions; and any adjustments required by prior amendments to the Fiscal Year 2019 Budget; and the filing of County Communication 1920.

VICE-CHAIR KING: So moved.

COUNCILMEMBER SUGIMURA: Second.

CHAIR RAWLINS-FERNANDEZ: Moved by Committee Vice-Chair King and seconded by --

COUNCILMEMBER SINENCI: Second.

CHAIR RAWLINS-FERNANDEZ: --Member Sugimura. Any discussion on the motion? Seeing no discussion, all those in favor say "aye".

COUNCILMEMBERS: Aye.

CHAIR RAWLINS-FERNANDEZ: Any opposed? Motion passes with nine "ayes," zero "noes," and zero excused.

VOTE: **AYES:** **Chair Rawlins-Fernandez, ViceChair King, and Councilmembers Hokama, Kama, Lee, Molina, Paltin, Sinenci, and Sugimura.**

NOES: **None.**

ABSTAIN: **None.**

ABSENT: **None.**

EXC.: **None.**

MOTION CARRIED.

ACTION: **FIRST READING** of Budget bill and **FILING** of communication by C.R.

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CHAIR RAWLINS-FERNANDEZ: Before we take out our break, Members, I would like to take the, when we come back from break I'd like to take the agenda out of order if there aren't any objections since we have Dr. Fisher with us. I would like to take up EDB182 when we get back from break --

VICE-CHAIR KING: No objections.

CHAIR RAWLINS-FERNANDEZ: --if that's okay.

COUNCILMEMBERS: No objections.

CHAIR RAWLINS-FERNANDEZ: Okay. Okay, mahalo, Members. We will now be in recess. . . . *(gavel)* . . .

RECESS: 10:45 a.m.
RECONVENE: 10:59 a.m.

CHAIR RAWLINS-FERNANDEZ: . . . *(gavel)* . . . Members, I'm gonna call the meeting, our EDB Committee meeting, back to order. It is 10:59 on February 14, 2019. Before we move to our next agenda item, I'm sorry we, quick procedural matter. There were three bills in the last communication for the Public Works, Lahainaluna Road, and we only approved one. So, I will entertain a motion under EDB23 to recommend passage of the proposed bill entitled A Bill for an Ordinance Amending Ordinance No. 4858, Bill No. 54, Relating to the Issuance of General Obligation Bonds of the County of Maui Issuance, Sale and Delivery of Said Bonds; and the 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 Public Works, West Maui Community Plan Area, Front Street Breakwall Repair Fronting Lahaina Center, Front Street Deck and Rail Repair Near Lahainaluna Road.

VICE-CHAIR KING: So moved.

COUNCILMEMBER LEE: Second.

COUNCILMEMBER PALTIN: Second.

MS. MATTHEWS: Madam Chair? Would you also like to include any nonsubstantive revisions and any adjustments required by prior amendments to Fiscal Year 2019 Budget?

CHAIR RAWLINS-FERNANDEZ: Yes, please. Thank you, Ms. Matthews.

MS. MATTHEWS: Thank you, Madame Chair.

CHAIR RAWLINS-FERNANDEZ: Okay, moved by Committee Vice-Chair King, seconded by Councilmember Lee. Any discussion on that motion? All those in favor say "aye".

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well for questions. Okay, the floor is not open for discussion. Members, questions?
Member Hokama?

COUNCILMEMBER HOKAMA: Thank you, Chairman. So, what does the County actually acquire for this \$110,000, Department?

MR. UEOKA: Chair, if I may?

CHAIR RAWLINS-FERNANDEZ: Mr. Ueoka?

MR. UEOKA: My understanding is the County will be granting the money to the Land Trust, who will be getting a conservation easement that will be recorded on the property so certain rights will be preserved for open space, natural resource.

COUNCILMEMBER HOKAMA: Who's title? Who's title is this going to be placed on?

MR. UEOKA: The title will still be under the Kepler Family Trust, I believe, and there'll be a conservation easement placed on it so it'll preserve rights through the nature of an easement.

COUNCILMEMBER HOKAMA: What is the advantage to the County taxpayer since this is General Fund money?

MR. UEOKA: I believe it's Open Space Fund but I understand what you mean. I can't get into, that's not really my area but generally speaking, the purpose of the Open Space Fund are to preserve certain areas for cultural resources, open space, natural environment. For this, I believe, it would be continuing agricultural activity on the property.

COUNCILMEMBER HOKAMA: But the testifier said there's going to be limited access. That's not what I use public money for, limited access. You either get access or you don't, that's what we pay for, that's what we use the people's money for, not limited access. And how come, is it, why isn't our name on the title too? We paying for it.

CHAIR RAWLINS-FERNANDEZ: Mr. Ueoka?

MR. UEOKA: Thank you, Chair. I'm not sure. I believe the amount we are paying for is a reduced amount, we're not getting fee simple, we're not paying for fee simple to the property, we're just purchasing a conservation easement, which essentially restricts the current owner's use of the land to the matters that are going to be placed in, under that conservation easement. So, I believe it is a discounted amount because we are not getting fee simple title. Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Current and future owners, correct?

MR. UEOKA: Yes, sorry, I apologize, Chair. It will run with the land so.

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CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Ueoka.

MR. UEOKA: Thank you.

COUNCILMEMBER HOKAMA: All uses is, runs with the land, right? So, they only can use this for conservation period, for the life of the land? That's what I just heard, runs with the land.

CHAIR RAWLINS-FERNANDEZ: Mr. Ueoka?

MR. UEOKA: Thank you, Chair. I won't say what's going to be its use, or I don't know, I haven't seen the conservation easement myself but from what I understand, it will be agricultural, the use will be limited to certain, agricultural use in general on this area that the conservation easement is under. So, deed to that parcel will have a restriction on it, essentially, so it'll be limited to certain uses and it will be recorded. Thank you, Chair.

COUNCILMEMBER HOKAMA: Have you seen the language already, Mr. Ueoka, as our legal advisor?

CHAIR RAWLINS-FERNANDEZ: Mr. Ueoka?

MR. UEOKA: Thank you, Chair. No, I have not. I have not reviewed it. I don't know if I will be the deputy reviewing it as this might go under Parks or OED, I'm not sure. Thank you, Chair.

COUNCILMEMBER HOKAMA: So if we don't know, aren't we being asked to make a decision today on \$110,000, but we don't know what we buying or not buying?

CHAIR RAWLINS-FERNANDEZ: Mr. Ueoka?

MR. UEOKA: Thank you, Chair. I can say that you do know the area, there is an understanding of what the agricultural easement and there are certain requirements contained in 3.88, Maui County Code, regarding the Open Space Fund that will require that certain things be recorded on the land and restrictions be placed, but it, at this time, I don't believe it's been reviewed by the County. Thank you.

COUNCILMEMBER HOKAMA: Those that are currently farming, do they have any vested interest with our money, 'cause I'm not here to subsidize somebody's business now?

MR. UEOKA: I don't, I guess I don't follow vested interest with, I don't ...

COUNCILMEMBER HOKAMA: Are they current users of the land?

MR. UEOKA: Oh, that, I'll leave that to the Doctor, I'm not 100 percent sure.

COUNCILMEMBER HOKAMA: So, we not sure on the County side what our status is?

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CHAIR RAWLINS-FERNANDEZ: Mr. Ueoka?

MR. UEOKA: Chair, thank you. I can say from the County perspective that by spending this money, this area in Keanae will be used in agriculture in, as far as I understand, perpetuity, this certain area you are preserving by buying a conservation easement over it or, I believe we're buying just, we're paying for a portion of it, there's other funding sources available also. Thank you.

COUNCILMEMBER HOKAMA: I would want answers to those questions, Chair. So, I don't know who can give it to us this morning, Chair, but at your leadership.

CHAIR RAWLINS-FERNANDEZ: Okay, mahalo, Mr. Hokama. Member Kama?

COUNCILMEMBER KAMA: Thank you, Chair. So, in your handout, it says that the role of the Hawaiian Islands Land Trust is to hold the perpetual conservation easement and to assure that the current owners and all future owners abide by the conditions and restrictions in the conservation easement. HILT is not responsible for the daytoday management of the land as that is the responsibility of the homeowner, the landowner. So, who holds onto the conservation easement?

CHAIR RAWLINS-FERNANDEZ: Dr. Fisher?

COUNCILMEMBER KAMA: I'm sorry.

CHAIR RAWLINS-FERNANDEZ: Please make sure your mic is on. Okay, there you go.

MR. FISHER: Thank you, Councilmember Kama. The landowner is in charge of the cultivation activities. The Land Trust holding the conservation easement, as we hold the conservation easement, we are responsible for or responsible to uphold the terms of the conservation easement. So, annually, we will inspect it, and more frequently than that in practice, to ensure that the terms of the conservation easement are being upheld, in other words, that it is being farmed, in this case.

COUNCILMEMBER KAMA: Okay, so does that mean we get to look at the conservation easement, Chair?

MR. FISHER: Absolutely, it's a public document. Anyone is certainly permitted to review the easement. Prior to it being, as we work on it, we would share it with the County of Maui, any of the funders typically will have a say in the construction of the conservation easement.

COUNCILMEMBER KAMA: Thank you. Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Thank you, Member Hokama [sic] and Dr. Fisher. Member Sugimura?

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COUNCILMEMBER SUGIMURA: Thank you. What is, in your testimony, you mentioned a stewardship fund.

MR. FISHER: Yes.

COUNCILMEMBER SUGIMURA: Could you explain what that is?

MR. FISHER: So, when we take on a conservation easement, it is a permanent liability for us. We recognize that, that we have certain duties to uphold, including the possibility of a legal challenge that we would need to make against a landowner or any future landowner. So, that is, basically the perpetual fund that we have available to us to ensure that the terms of the easement are being upheld and also a legal fund that we put aside some money when we purchase or acquire any conservation easement in order to guarantee that any legal challenge would be covered in advance, and we also have insurance on all our conservation easements.

COUNCILMEMBER SUGIMURA: So this is for Hawaiian Islands Land Trust?

MR. FISHER: Yes.

COUNCILMEMBER SUGIMURA: The stewardship fund is for your protection --

MR. FISHER: Yes, thank you, yeah.

COUNCILMEMBER SUGIMURA: --insurance and legal --

MR. FISHER: Thank you, yeah.

COUNCILMEMBER SUGIMURA: --in addition to, so would that be added on to the cost of the property or is it covered within the cost?

MR. FISHER: It's within the amount that the Kepler family has already agreed to donate. So, there is the, their donation is basically the reduced sale value, the reduced amount

COUNCILMEMBER SUGIMURA: The 70,000?

MR. FISHER: --as well as the amount that is being set aside for the, for us being able to hold perpetually the conservation easement.

COUNCILMEMBER SUGIMURA: One last question.

CHAIR RAWLINS-FERNANDEZ: Yes.

COUNCILMEMBER SUGIMURA: And you also mentioned, limited public access --

MR. FISHER: Yes.

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COUNCILMEMBER SUGIMURA: --and that Member Paltin asked about --

MR. FISHER: Yes.

COUNCILMEMBER SUGIMURA: --and I guess I'm hearing that from Mister, also from Member Hokama. So, can you, because it's public money, right --

MR. FISHER: Yes.

COUNCILMEMBER SUGIMURA: --and it's taxpayer, so you said limited public access. Do you think that you could get more information --

MR. FISHER: Certainly.

COUNCILMEMBER SUGIMURA: --so that the --

CHAIR RAWLINS-FERNANDEZ: Dr. Fisher?

COUNCILMEMBER SUGIMURA: --so that we could know that before we make a decision?

MR. FISHER: Absolutely. I, what we have, if you, you may have heard, we hold, I lead about 50 hikes a year on all of our properties, that's what we call our talk story on the land series. It would certainly be within the range of possibilities. Again, this is in discussion with the Kepler family, to lead a hike on this property once a quarter or something like that, you know, a set amount that the Kepler family and the lessee would be comfortable with. So, that's what we've done with other loi kalo easements that we have. On Kauai, we take them about four times a year on the property. Again, because of the concern about pathogens and other invasive species, it has to be done under a regulated access. And that does not mean that there is no public access, it just means that it is supervised and guided.

COUNCILMEMBER SUGIMURA: And you still need to get that approved by the Kepler family then? It's just a thought right now?

MR. FISHER: They have agreed to it in principle. What we'll need to get approved is how frequently or something like that, you know, how large the group sizes would be. I imagine they'd want it small because, of course, loi kalo are very sensitive with the kuauna, the loi kalo walls and things like that. There, things like that need to be taken into consideration. There will also probably be seasonal limitations. If it's been very wet, you wouldn't want to have as many people, we may need to reschedule or something like that. But, yes, in principle, the Kepler family has agreed to limited public access. And I don't want to speak for them but that is certainly something that we can address prior to the signing of the easement.

COUNCILMEMBER SUGIMURA: Thank you.

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CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sugimura. So, Dr. Fisher, would this be managed similar to the Waihee Reserve?

MR. FISHER: Thank you for the question. The, lands that we own in fee, lands that we own outright, and there are three on Maui, Nuu, which is 82 acres, Waihee, which is 277 acres, and, of course, we have a small parcel, five acres adjacent to Keopuolani Park, those properties, when we own them, we ensure public access. On Waihee and Nuu, we ensure camping is free and always available to the public. On lands that we only have protected through conservation easements because we are not the landowner, public access has to, is subject to the desire of the landowner.

CHAIR RAWLINS-FERNANDEZ: Okay, mahalo. Member Sinenci?

COUNCILMEMBER SINENCI: Yes, thank you, Chair. I just wanted to comment on this item. I know the location well, being from East Maui, and it is currently in kalo production and farming. My family has some kalo patches right next to this property. And, you know, I'm just speaking to the potential of it and I appreciate the discussion because in the last three years in my community we've seen a resurgence for creating papa kui ai and pohaku kui ai and especially in the local school system. We understand the benefits of kalo production, especially when it comes to Native health, you know, kalo can improve digestion, lower blood sugar, prevent certain types of cancers, protect the skin, boost vision, increase circulation, decrease blood pressure and the immune system and prevent heart disease. So, when it comes to overall Hawaiian health, we see the benefits of kalo production and there's, and this is just a small step compared to what Keanae produced in the past, I mean, it could feed a lot of the people of East Maui and beyond. And looking at where a lot of our poi resources came, like from Kauai, Keanae would be a major place for kalo production for all the Maui County and beyond. So, I mean, we see the benefits and I, local organizations of the district have fought for years for water rights to continue the flow of water down into the Keanae Peninsula. I do recognize Member Hokama's comments about, you know, subsidizing business. It is economic development but I would want to see that kalo production out of this area be made for the community and for overall Hawaiian health. Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sinenci. Member Molina and then Member Paltin.

COUNCILMEMBER MOLINA: Thank you, Madame Chair. Question for Corporation Counsel, you know, with Member Hokama bringing up the use of public dollars for the purchase of land. And my question would be the requirement of or the issue of public access. For example, we bought those using the Open Space Land Fund, we purchased the Waihee land so technically the public has 24/7 access to that, those lands. Am I correct, Mr. Ueoka, because County --

CHAIR RAWLINS-FERNANDEZ: Mr. Ueoka?

COUNCILMEMBER MOLINA: --funds were used to purchase?

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CHAIR RAWLINS-FERNANDEZ: Mr. Ueoka?

MR. UEOKA: Thank you, Chair. When I look at--it's been a while since I've played with 3.88, the Open Space, but my understanding is, yes, when we do receive fee, or when we grant for fee simple title, one of the deed restrictions that needs to be placed is the general public shall be allowed reasonable access to this property, provided that access may be limited or controlled for cultural and environmental resource protection and public safety. So, I not going to say 24/7, unlimited, open but reasonable access is what is provided for per Code.

COUNCILMEMBER MOLINA: Okay.

MR. UEOKA: Thank you, Chair.

COUNCILMEMBER MOLINA: I did want that clarification 'cause I can see for this proposal that, you know, I certainly wouldn't want people coming on to this property at midnight and walking around all over the darn place. So, the question would be, what is reasonable access but the County, in this case, is contributing towards the purchase but...oh, I'm sorry, go ahead, Mr. Ueoka.

CHAIR RAWLINS-FERNANDEZ: Mr. Ueoka?

MR. UEOKA: Thank you, Chair. Mr. Molina, I think it's probably more technical but we're just purchasing a, or we're granting money to purchase a conservation easement over the property so, the, what we were talking about prior was when the conservation organization receives fee simple title. So, different case but it does sound like your concern is being discussed and addressed by the HILT and the family, the fee simple owner, the family, about access and, limited access, reasonable access, subject to certain conditions.

COUNCILMEMBER MOLINA: Okay.

MR. UEOKA: Thank you, Chair.

COUNCILMEMBER MOLINA: Yeah, and I think the inquiry Mr. Hokama is making is a reasonable one because taxpayer dollars are used and, of course, the County has no, yes, it's a conservation easement and not the purchase of the whole property itself, but the question is what is reasonable access times for the public, you know, Monday through Friday, 8:00 to 4:00 p.m., you know, something along those lines, which I think Dr. Fisher may be, well, is in the process of working out, I guess, with the family.

MR. FISHER: Yes.

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COUNCILMEMBER MOLINA: And just, maybe a quick question for Dr. Fisher. So, the family is operating a for-profit business, am I correct, and the others who are on the parcel?

MR. FISHER: Yeah, thank you.

CHAIR RAWLINS-FERNANDEZ: Dr. Fisher?

MR. FISHER: The Kepler family leases most of the land and I think--it's my understand and, again, I can get clarity on this directly from the Kepler family--but my understanding is that they have one taro patch for them self that they use mostly for personal consumption and then the remaining 27 loi kalo are leased out to a local farming family, and my understanding, that is the Kanoa family.

COUNCILMEMBER MOLINA: Okay, and which they typically sell to the community?

MR. FISHER: Yes, mostly luau, the taro leaves.

COUNCILMEMBER MOLINA: So, there's no, any one of the producers of the taro not involved with a nonprofit entity, as far as you know?

MR. FISHER: As far as I know, no, but that, yeah, I don't know, I'm sorry.

COUNCILMEMBER MOLINA: Okay, thank you. Thank you, Madame Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Molina. Member Paltin and then Committee Vice-Chair King.

COUNCILMEMBER PALTIN: Thank you, Chair. Just a couple questions, you know how you said the conservation easement runs with the land, would the managed public access also run with the land if the Kepler family were no longer the landowners?

MR. FISHER: If limited public access is included, which is, it will be, in the terms of the easement, there's two, really two options. It can be in the easement or in the management plan. So, there's two separate documents. The management plan, as I explained earlier, is a lot more flexible. There may be reasons to put it in either one. One is to codify and ensure public access but there may come a time when public access needs to be restricted and so the language would have to be crafted in a way that would address any potential future concerns, say, as I made reference to pathogens in the past, but certainly if it is the will of the Council that that be included, we can work on including it in the terms of the conservation easement.

COUNCILMEMBER PALTIN: For me, I'd like that. My other question is the portion by the kahakai, if, you know, there's a death or somebody getting hurt near the ocean, is the liability on Hawaiian Islands Land Trust or the family or the County or who would take the liability?

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MR. FISHER: Excellent question. That portion will be excluded from the easement so if it does, that's a .18 acre, makai portion, it will be excluded from the easement. Easements are, one of the conveniences of easements is they don't need to follow the lines of the TMK, they can be crafted in a way that suits the landowner and the Land Trust and so, for that reason, we are going to exclude both where the home site is, the existing home site, as well as the makai portion. So, but, in general, no, the Land Trust is not liable for those, you know, the bulk of the litigation that has come down to Land Trust, in general, is that we can be named but we're indemnified.

COUNCILMEMBER PALTIN: One quick follow-up. So the reason for the makai portion not being included is it's already conservation and they can't subdivide or develop it anyway?

MR. FISHER: For the most part, as well as it's not cultivatable, it's a very, very small portion. It's a very popular place to kind of turn out and park cars there and people go down to the shore to fish and whatnot but it's not, it wouldn't fit nicely into the conservation value, the purpose of the easement to farm. As far as I can see, very un-farmable.

COUNCILMEMBER PALTIN: And what about developable, in general?

MR. FISHER: I don't, it's, I believe it's zoned Conservation and I'd have to check the zoning but I believe it's zoned Conservation. It is, you know, only a few feet from the ocean and it's very, very small. I don't see any way that it could ever be developable.

COUNCILMEMBER PALTIN: I don't know if you've seen the conservation houses on the upper west side, but just saying.

CHAIR RAWLINS-FERNANDEZ: Committee Vice-Chair King?

COUNCILMEMBER PALTIN: Thank you.

MR. FISHER: Thanks.

VICE-CHAIR KING: Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Paltin.

VICE-CHAIR KING: Thank you, Chair. So I have a question. You know, I think there's a confusion by the way that this is worded in the document where, in the Open Space document, it says provided that \$110,000 shall be for grants and disbursements to the Hawaiian Islands Land Trust for land acquisition for a perpetual conservation easement. So, I guess my confusion is, we're spending close to the market value to buy this easement, you know, total. Our part is 110 but there's, is this, and this money is going to the Kepler family?

MR. FISHER: Yes.

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VICE-CHAIR KING: Okay. But they still own the property?

MR. FISHER: Yes.

VICE-CHAIR KING: So, we're essentially buying an easement that's close to the market value of the property and then at some point they could also sell the property with that easement --

MR. FISHER: They can sell.

VICE-CHAIR KING: --for that same amount?

MR. FISHER: It is the market value of the conservation easement. So, it's not the market value--so the way that easements are --

VICE-CHAIR KING: Okay.

MR. FISHER: --when they are appraised, there is the pre-easement and then the post-easement appraisals, they're done simultaneously. The difference between those two numbers is the price of the easement.

VICE-CHAIR KING: Okay, so what's the appraised value then?

MR. FISHER: The appraised value, if I recall correctly, is about 1.2 million, according to the 2000...okay, thank you.

CHAIR RAWLINS-FERNANDEZ: Mr. Ueoka?

MR. UEOKA: Thank you, Chair. Looking at this 2013 appraisal, market value before encumbrance by the conservation easement, 1.94 mil --

MR. FISHER: Yeah.

VICE-CHAIR KING: Okay.

MR. UEOKA: --1,940,000.

VICE-CHAIR KING: That's the ...

MR. UEOKA: Market value after encumbrance by conservation easement, 1.44 million. So, the value of the conservation easement would actually be 500,000.

MR. FISHER: Yeah, about that.

VICE-CHAIR KING: Okay, so that's the most recent, 2013, that we have, evaluation? I don't know, maybe Finance Director has the --

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CHAIR RAWLINS-FERNANDEZ: Dr. Fisher?

VICE-CHAIR KING: --answer for that.

MR. FISHER: Yes, that is the most recent one.

VICE-CHAIR KING: Okay.

MR. FISHER: It would need, it will be updated.

VICE-CHAIR KING: Okay. Yeah, I just, you know, what's curious to me, because I've had, you know, a lot of discussions with the Hawaiian Islands Land Trust and I thought a lot of times that people will put their land in conservation easement as a gift and this is one that we're paying for and pretty much market value, so --

MR. FISHER: Yes.

VICE-CHAIR KING: --other than the 70,000 so, you know, just kind of curious about that. And I think that's maybe one of the hesitancies is that we're using public money to purchase an easement for, where there's this very small portion of that that's gifted to the easement.

MR. FISHER: Yes.

VICE-CHAIR KING: I think that's probably the issue but I think, just, you know, at least knowing that, the entire value. So, the entire value, if the owner wanted to turn around and sell it after the deal is done, they would only be able to sell it with, for that 1.4?

MR. FISHER: Yes.

VICE-CHAIR KING: So you would take out that amount? Okay.

MR. FISHER: Exactly.

VICE-CHAIR KING: Alright. And Mister, and then I have a question, Chair, for Mr. Teruya. How much is in the Open Space Fund right now, before this 110,000?

CHAIR RAWLINS-FERNANDEZ: Mr. Teruya?

MR. TERUYA: Thank you, Chair. The current estimated number for the Open Space Fund is 3,623,946.

VICE-CHAIR KING: Three point six two three million, okay. Okay, thank you.

CHAIR RAWLINS-FERNANDEZ: Okay, mahalo, Committee Chair King. Any other questions, Members? Mr. Hokama?

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COUNCILMEMBER HOKAMA: When you say you're still negotiating, we know that the party we negotiating with is the Kepler family.

MR. FISHER: Yes.

COUNCILMEMBER HOKAMA: Who are you representing?

MR. FISHER: I represent the Land Trust, and solely the Land Trust.

COUNCILMEMBER HOKAMA: Okay. So, who is representing the County's interest, since you're asking for our money?

CHAIR RAWLINS-FERNANDEZ: Mr. Ueoka?

MR. UEOKA: Thank you, Chair. So, how this would work is there would be a grant agreement between the County and the Land Trust for the 110,000, which would lay out the requirements of 3.88 as they would apply to this type of transaction, and I think, from what you guys were saying, if this were to go forward, you'd like us to have language in so the conservation easement would include language that there'd be access that would have to be negotiated by the Land Trust and the, whoever the owner is. So, that's what would be, that would be the document protecting the County's interest, it would be the grant agreement for the 100,000 [sic] and we'd also ask in that grant agreement that certain deed restrictions be placed, along with, in the conservation easement on the deed for the property to protect the County's interest in making sure things happen.

COUNCILMEMBER HOKAMA: Okay, so, I believe Ms. King brought up a very valid point. What is the tipping scale for us to go for acquisition of the land versus this easement? 'Cause she's not, she's correct, but for me on the value side, we kind of close. So, why wouldn't we acquire the land instead of just doing one easement on the land?

CHAIR RAWLINS-FERNANDEZ: Dr. Fisher?

MR. FISHER: It's not for sale, the land itself is not for sale, the easement is for sale.

COUNCILMEMBER HOKAMA: We have eminent domain powers. We can condemn it if we feel it serves a purpose. Aren't you guys telling us there's a purpose, that's why you want public money? 'Cause if not, what's the public purpose for asking us for public money then?

MR. FISHER: Very good question. The purpose of this is to provide and to protect important agricultural lands. And I think it's, you know, important to point out that in 1995 the County of Maui Commission did a study on important agricultural and cultural lands and the recommendations did state--and I have it in my, in what I submitted, they did state that it is a, that the County of Maui ought to find ways to protect the land. What

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we're saying, what the Land Trust is saying is that we will take on the responsibility in perpetuity. The County of Maui can have whatever assurances they want to in ...

COUNCILMEMBER HOKAMA: We still can do that by owning the land. The County still can do that with, I mean, we've done it on other properties, we've purchased it and allowed it to be for cultural and conservation purposes.

MR. FISHER: So, are you, I guess I'm not clear, are you suggesting that the County of Maui has an interest in condemning the land?

COUNCILMEMBER HOKAMA: We should be looking at all the options. You asking us for 110 currently of public funds, it must have a public purpose if you can ask us for this money.

MR. FISHER: Well, it gains all the protection in perpetuity at a much reduced cost and substantially lower legal costs as well.

COUNCILMEMBER HOKAMA: And that will be our decision, right?

MR. FISHER: Absolutely.

COUNCILMEMBER HOKAMA: Have you secured any of the other funders' monies yet?

MR. FISHER: Yes, we have.

COUNCILMEMBER HOKAMA: You have the State money already?

MR. FISHER: We have the State money, yes.

COUNCILMEMBER HOKAMA: I congratulate you. That is a --

MR. FISHER: Thank you.

COUNCILMEMBER HOKAMA: --tremendous victory on your part.

MR. FISHER: Thank you.

COUNCILMEMBER HOKAMA: It is, I mean, they usually the last to give, so congratulations --

MR. FISHER: Thank you.

COUNCILMEMBER HOKAMA: --on a good job. My only other thing, Chair, is that we should be assured that the other funders have given their money too before we put up our money, if we do. But I still think we should consider that option and if it doesn't work, it doesn't work, but I think Ms. King brought up a reasonable consideration. If it's close enough and makes sense, why wouldn't we acquire? It's one of the powers of

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this County, we can acquire, we can eminent domain. So, Mr. Teruya, what is the difference, if this conservation goes on, in assessment value for us? We get less taxes from the property owner, obviously.

MR. TERUYA: Chairman?

CHAIR RAWLINS-FERNANDEZ: Mr. Teruya?

MR. TERUYA: Not knowing the full details of the conservation easement, but definitely placing a conservation easement on a property limiting the use obviously would probably demand less money. So, therefore, how much less, we haven't gone through that process of making that adjustment but I would be certain that the value of that property would go down. When it's already in agricultural use, though, the use value kind of overcomes anyway so I think, as far as revenue wise, I don't think it's very significant in my opinion. Thank you, Chair.

COUNCILMEMBER HOKAMA: No, I appreciate that operational comment, Director, 'cause I would agree with it. But, again, we have tools yeah, to verify assessment so I would say Council should be verified of values, whether you send the drone or the inspector or whatever it be, verify what's on the land, whether there is all legal structures or not. And therefore, Mr. Ueoka, for me, and maybe some of the other Members might want to know, let's say we move forward and we use public monies. And let's say it's this proposal, easement, possibly we do acquisition, what if another resident says, I'm a qualified taro farmer, how come I cannot get access to that same land and grow and sell my taro? What would be our answer?

CHAIR RAWLINS-FERNANDEZ: Mr. Ueoka?

MR. UEOKA: Thank you, Chair. If we acquire it, we go through the condemnation process, then I think that's going to be a lot different.

COUNCILMEMBER HOKAMA: Can we deal with the conservation easement program? If somebody says, you use my tax money, I qualify, I want to be able to, like every five years, put in a proposal to the County and say I want to use that six acres of land to grow taro.

MR. UEOKA: I think that would be one of the big issues if we do acquire it and we then take the land and start using it. Like, basically, it would be a concession agreement. There might be some issue there if we were to acquire it. With the conservation easement, because all we're doing is making sure that land stays in farming, we are not the owners of the property.

COUNCILMEMBER HOKAMA: Okay.

MR. UEOKA: Our money is just going towards preserving it in agriculture. So, the County doesn't necessarily get a say in who's farming the land and how it's being used.

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COUNCILMEMBER HOKAMA: So, the bottom line, can that bottom line and simple answer for the guy out there who pays taxes is, we using your money but we only ensuring the current family the use of this land in its current production because nobody else has access because it's not our land but we paying for it, right? Only the existing cultivator, practitioner, whatever we want to say, gets the benefit. The rest of the taxpayers, we pay for it but there's no benefit for us. Is that right?

MR. UEOKA: Chair?

CHAIR RAWLINS-FERNANDEZ: Mr. Ueoka?

MR. UEOKA: I guess I don't want to speak in generalities that broadly. But all I can say is the money goes towards preserving the land in agriculture, in this case. As far as use, that's going to be a matter between the landowner, the fee simple titleholder and the individual seeking use of it. But, generally speaking, the County won't be able to control who is actually on the land cultivating the land. That is my understanding of the arrangement. Thank you, Chair.

COUNCILMEMBER HOKAMA: So, I could actually be giving whoever is on the land currently, this \$110,000 then? That's all we guaranteeing is this practitioner, 110,000 public funds to continue to do what they doing with this designation, right? So, the benefit is limited, although it's paid by the total community.

MR. UEOKA: It is a limited benefit. You're getting a conservation easement over a portion of the property. It's part of, only part of the rights --

COUNCILMEMBER HOKAMA: No --

MR. UEOKA: --in the fee simple --

COUNCILMEMBER HOKAMA: --and again --

MR. UEOKA: --ownership.

COUNCILMEMBER HOKAMA: --I just need the tax base to know exactly our intention and how we may spend their money, that's there's only a few benefits, potential, out of this instead of the greater glory, that's all. Let's just be clear who gets the benefit and who doesn't and who pays. Thank you, Chairman.

CHAIR RAWLINS-FERNANDEZ: Okay, mahalo, Mr. Hokama. Member Sugimura, then Member Paltin, and then Member Molina.

COUNCILMEMBER SUGIMURA: Thank you. Thank you, Chair. So, Dr. Fisher --

MR. FISHER: Yes.

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COUNCILMEMBER SUGIMURA: --is there a deadline for this to happen? Are you working with some kind of deadline with the landowner?

MR. FISHER: Not a deadline. The Kepler family has been very, very patient. We've been working on this project for 12 years, as I mentioned earlier; however, there is a deadline for the Legacy Land funding, that will expire, I believe we have another two and a half to three years, if I recall correctly.

COUNCILMEMBER SUGIMURA: Thank you. So, if discussion wanted to still be continued, it sounds like, from what the Members are saying, there's still time to get some answers and come back, right?

MR. FISHER: Yes.

COUNCILMEMBER SUGIMURA: Okay.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sugimura. Member Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. I was wondering if you knew the minimum lot size for the Ag designation in that area?

MR. FISHER: In that area, I don't know specifically. My understanding, though, from other areas, and again I'm not certain, would be two acres. That's what I've been told but I'm not certain.

COUNCILMEMBER PALTIN: So, if it is two acres, in theory, they could sell it or subdivide it into three two-acre parcels and put up houses on each of those two-acre parcels, each with a cottage?

MR. FISHER: That is my understanding.

COUNCILMEMBER PALTIN: So, this conservation easement would be preventing that from occurring?

MR. FISHER: Yes. It, I think the conservation easement can be broken down into several benefits, and that is, you know, retaining the special character of the Keanae Peninsula, open space, retaining open space, food security and food productivity, as I mentioned earlier, approximately 60,000 pounds of taro can be cultivated. So, all of those collectively and individually are a significant benefit to the community, to the taxpayer.

COUNCILMEMBER PALTIN: So, even if it was still zoned Agriculture, they could still have six more units put up on that land, in theory, if they subdivided and sold off portions of it?

MR. FISHER: That is my understanding, with, under current zoning, without changing any of the zoning, yes.

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COUNCILMEMBER PALTIN: Do you have any idea of how long a condemnation process would take and the resources involved with that?

MR. FISHER: I don't, but from what I understand, it is a very long and substantial process. Perhaps Corporation Counsel knows better.

CHAIR RAWLINS-FERNANDEZ: Mr. Ueoka?

MR. UEOKA: Thank you, Chair. He is correct. It is a long and substantial process. It'll probably take, I wanna say, more than one year, I'm not sure how many, and it's going to be a legal battle because basically, we're going in there, we're going to have to prove public purpose and value, they're gonna come in and argue opposite mostly likely, so it takes a while. Thank you, Chair.

COUNCILMEMBER PALTIN: And so if we did go through with the condemnation process and we were on the winning side, we would then take on all expense and liability for management of this property and that would further have to come out of the Open Space Funds with the Charter amendment passed in the last election?

CHAIR RAWLINS-FERNANDEZ: Mr. Ueoka?

MR. UEOKA: Thank you, Chair. It doesn't have to come out of the Open Space Fund but I believe you, with the Charter amendment, you could use it for those purposes but, you are correct, where, as a landowner, we are responsible for maintenance and liable for the on goings of the property. Thanks.

COUNCILMEMBER PALTIN: Thank you for your answers.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Paltin. Member Molina?

COUNCILMEMBER MOLINA: Thank you, Madame Chair. I'm just trying to cut through the chase. I think there's a lot of questions that need to be answered. I'm not comfortable on acting on this today. And it would give Dr. Fisher additional time to network with the family if the Kepler family would like to participate at a future meeting, to be used possibly as a resource, and I certainly want the information back from Mr. Teruya from Finance with regards to the property tax issue as well. And it's just bringing up a lot of questions now as we start to delve deeper into the matter and the County's involvement in this type of agreement. So, whenever you make your recommendation, I'd request a deferral. Thank you.

CHAIR RAWLINS-FERNANDEZ: Committee Member...Committee Vice-Chair King?

VICE-CHAIR KING: Thank you. Thank you, Chair. So, I just wanted to clarify that, you know, when I was asking questions, I wasn't insinuating that we should purchase the whole land. I was really trying to get an idea of the value of the land and, because, you know, when you talk about the value of the land being, you know, in the original

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proposal being closer to what we're looking at paying for it collectively, it just doesn't sound right but if you talked about the land being worth almost \$2 million and that the conservation easement really could even reduce the value of the land significantly below that remaining 1.4 because there's no development that will be able to happen on that land. So, I'm just trying to visualize in my mind, trying to, if I lived on that land, trying to sell that land, for what, I mean, it would have to be somebody who is interested in owning land for taro production because that's, the intent is to keep not just agriculture but taro production on that land. And that was, it's, you know, to me it's in line with what the push that the State has, the Governor and the State, to get us to a higher percentage of our own local food production. I think the challenge with that is finding farmers who want to farm out there because, you know, I know the Kanoa family and they're great people but they are, you know, they are getting on and they're talking about retirement at some point. So, anyway, I just wanted to clarify that. So, I think there's a, I think what it comes down to is the reasons why, the related benefits that you have outlined and, you know, do we want to look at this land as needing preservation and protecting it against development that could happen on, 'cause, you know, you can put agriculture, you can divide it into two-acre lots and put a house, large house and a cottage on it, and then the preservation of the historic and cultural importance of those, of that peninsula. So, you know, besides the beauty of it, Chair, if you just go out there, I mean, I used to, when I was working on projects out there, I used to, people would ask me, why would anyone want to farm kalo, you know, it's hard work, you know, you get muddy, it's, doesn't pay very much, and then you go out to Keanae and you go, this is why people would want to farm kalo 'cause look how beautiful it is. I mean, it's like, literally like heaven on earth. So, I think those are the questions. And I'm happy to defer this, not, I mean, within the timeframe that is needed to secure this deal, but, so that everybody's more comfortable with it but, you know, almost, you almost maybe need to take a field trip out there if haven't been there to see what that land is like because it is so beautiful. And then, you know, there are those issues of erosion as well. So, anyway, I just wanted to clarify that and I will, you know, look forward to your recommendations, Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Committee Chair Vice...Vice Committee Chair King. Member Sinenci?

COUNCILMEMBER SINENCI: Yeah, thank you, Chair. I just wanted to comment on, you know, talking about developing the property. It's been, for generations it's been farmed as taro patch. The taro patches, you know, four, five, six-feet deep and so it's, you know, it's not like it's, it's been in that production and farmed by the farmers of the local area for generations and I don't think people would be able to, it'll take a lot of effort to try and either subdivide it and even build on it. Maybe Dr. Fisher can comment on that. But it's just that, for generations, it's been that way, the same people have farmed it that way and I don't think they'll allow, you know, just to, just be bulldozed over and built upon. So, I just wanted to comment on that.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sinenci. Okay, are there any further questions or comments? Okay. So, the Chair's intention is to defer because there

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have been so many concerns expressed and we'll give the HILT time to get more information and also Mr. Teruya, Acting Finance Director, more information so that our concerns will be better addressed. So if ...

MR. FISHER: Chair?

CHAIR RAWLINS-FERNANDEZ: Yes, Dr. Fisher.

MR. FISHER: May I ask, testifying a second time, in order to, because I have been speaking on behalf of the Kepler family and I'm only echoing what I believe are their wishes, would it be permissible to have them or one of the representatives from the Kepler, particularly Dr. Kepler, attend with me?

CHAIR RAWLINS-FERNANDEZ: Members, would that be helpful? Yes.

MR. FISHER: Great. Thank you.

CHAIR RAWLINS-FERNANDEZ: Thank you. Okay, if there are no objections, I will defer this item.

COUNCILMEMBERS: No objections.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Members.

ACTION: DEFER pending further discussion.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Dr. Fisher.

ITEM 173: AMENDING THE FISCAL YEAR 2019 BUDGET:
AFFORDABLE HOUSING FUND (CC 18-347)

CHAIR RAWLINS-FERNANDEZ: Okay, so, Members, we have about ten more minutes and I was, since we have Mr. Shapiro here and he was asked to stay for, to act as a resource for our Committee. Oh, Ms. Ness, I'm sorry. Ms. Ness was asked to...yeah, both, right, okay, that's what I thought. Okay, both Mr. Shapiro and Ms. Ness were asked to stay to act as resources for our Committee. Would the Members be okay with taking up EDB-173 at this time, just for discussion, and then my intention is to defer? Are there any objections? Okay. I'll call Ms. Ness and Mr. Shapiro to our resource desk.

COUNCILMEMBER HOKAMA: Who are they representing, Chair?

CHAIR RAWLINS-FERNANDEZ: I'm sorry?

COUNCILMEMBER HOKAMA: Who are they representing?

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CHAIR RAWLINS-FERNANDEZ: They were testifying earlier and they were both asked to ...

UNIDENTIFIED SPEAKER: Just Ms. Ness was.

CHAIR RAWLINS-FERNANDEZ: Oh, just Ms. Ness was, okay, I'm sorry, okay. Ms. Ness was, participated on the TIG, the Housing TIG, the Affordable Housing TIG, okay. Sorry, Mr. Shapiro. Okay, Ms. Ness, will you please join us? It's okay. Okay, so, okay. So, this agenda item provides three \$70,000 appropriation by adding provisos for \$70,000 for a feasibility study for the tax map key listed on the agenda. We will not be considering the second proposed bill for a feasibility study for land located on East Kapu Place, Kihei, Maui because it has been determined by the County, determined the County does not own that land. So, we have with us, Acting Director of Housing and Human Concerns and Ms. Autumn Ness, who participated in the Affordable Housing TIG. Okay, I will now open the floor up for discussion. Member Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. I was wondering if, since we're taking out the number two, if we could add Maui Lani over there.

CHAIR RAWLINS-FERNANDEZ: We can discuss it. I'm sorry? Oh ...

MR. SPENCE: Madame Chair, if you would like, I could give a little background on why this comes forward.

CHAIR RAWLINS-FERNANDEZ: Yes, please. Thank you, Acting Director Spence.

MR. SPENCE: Thank you, Madame Chair and Members. The reason this comes forward, it stems from some discussion with members in the community, a couple of nonprofits looking for housing for homeless people, long-term housing, not temporary shelters. I met with a few members of the Kihei Community Association Board and we were trying to identify some properties. Of course, the most logical properties are County-owned properties that were, when you're trying to develop housing, you are eliminating that significant cost. Okay, we had looked at a number of different things, thought maybe we could do for, include some private and then later on it was decided that's not appropriate. So, we're bringing forward a request for affordable housing funds to do feasibility studies for properties identified, both in the TIG report, you know, when Councilmember Elle Cochran formed a temporary investigative group and they came back with a report and they identified two properties on this within that report. One is over by the Wailea Fire Station. Another one is in Honokowai. The fire station is, properties are owned by the County. The other one in Honokowai is a State property executive-ordered to the County for both affordable housing and emergency access services. So, the emergency access purpose would be from Lower Honoapiilani Road up to the highway, as like an escape route or something during storms or other disasters. So, they're dual purpose in that particular property. The purpose of doing feasibility studies is to be able, when you're a developer and you're looking to go build on a property, you need to know about that property before you go and say, okay, I'm going to build apartments or houses or whatever, you need to look at the topography,

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you need to look at the drainage issues, you need to look at the soil types. If you're smart in Maui County, you're going to look at archaeology, you're going to go talk to the communities, et cetera. The, so the purpose of these, since we are the landowner, is to be able to take, have these studies conducted and so we have the full information that a developer would need in order to say, Maui County, I can build for you 30 units, I can build for you 15 units, Honokowai, I can, you know, if you wanna do the emergency access, you know, just what can we do with these properties. We need those kinds of engineering studies, there's other professional studies, to be able to go to a developer and have them give us a proposal back and that, a proposal that's realistic, not something that we think we can do this but they would have all the information needed to give us something realistic. The testimony today was especially enlightening. When we were looking at identifying properties, the, we used existing sources. The one testifier said they requested money from, or they requested information from Real Property Tax. It turns out that information was incomplete. It was either incomplete or, and these properties also show up in the SMS study. The one with the dog park, I looked that up at one of the breaks, it's listed as Park, it's zoned Park so that probably is the reason why it doesn't show up either in the TIG report or the SMS study. But knowing that now, you know, we have another opportunity, a much larger property that is much more suitable for development, I think, and so we should be considering that in, if this bill goes forward. But, yeah, we wanna know what we can do with it, we want to provide housing, we want to eliminate the land cost for housing and so that's why I'm proposing that we use some affordable housing funds for these studies. This is something I started early on, back in August, like within weeks of taking on this job. This, I thought this was low-hanging fruit and I still believe it is. This is one of the fastest ways we can get going on some housing using vacant County property. So, thank you, Madame Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Spence. Member Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. Mr. Spence, I was wondering, for the Honokowai property, was the evacuation route intended to be including vehicle evacuation or solely pedestrian?

MR. SPENCE: Madame Chair?

CHAIR RAWLINS-FERNANDEZ: Mr. Spence?

MR. SPENCE: Yes, thank you for the question. The executive order isn't specific. It's really, it's been pointed out as a very oddly-shaped property. It just says--I can look it up. The Resolution 04-146 accepting the property just says, emergency evacuation route. The executive order itself--I would take too much time to try to find that but it's, that's all it says, it says, for affordable housing and emergency evacuation route. So, I would guess that would also be, it could, we could do either if you, I think we could definitely use it for vehicles, it's not specific to that.

COUNCILMEMBER PALTIN: And are you aware if, is this property in the area of Honokowai Farmer's Marketplace?

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MR. SPENCE: I don't know.

COUNCILMEMBER PALTIN: Do you know of any restrictions of getting onto the highway from the property with a car?

MR. SPENCE: Being that this is a State property, I would think, well, I know we would have to work with DOT in order to accomplish some kind of access. Being that it's for emergencies, it wouldn't be a constant access.

COUNCILMEMBER PALTIN: Thank you.

CHAIR RAWLINS-FERNANDEZ: Okay. Member Molina?

COUNCILMEMBER MOLINA: Thank you very much, Madame Chair. Good afternoon, Mr. Spence. And I think you may have heard my comments about using monies from the Affordable Housing Fund for studies. Has there been any, in your networking with, I guess, the nonprofits, any thought to maybe them or some other entity paying for the studies and then we use these monies towards, you know, infrastructure costs for the developer to offset their costs and maybe, or for plan and design? Has that been discussed as a possible alternative? Because, to me, just to use it for studies, I don't know if this was the, I don't recall this being the intent when we established this fund, you know, years ago. So, 'cause I, what can be gained in terms of affordable housing by spending monies, this amount of money, on studies? And by the way, I do support, if we do go that direction to spend monies for a study, amending it to, up to 70,000 'cause, I guess, you know--and I'll ask you, how was that \$70,000 figure arrived for a study like this?

CHAIR RAWLINS-FERNANDEZ: Mr. Spence?

COUNCILMEMBER MOLINA: Kind of a loaded question, sorry, but anyway ...

MR. SPENCE: No, no, that's, it's, excellent questions. The \$70,000 comes from my inquiry around several local engineers saying, okay, if, with all of their experience laying out subdivisions and apartment complexes and looking at the infrastructure and everything, how much would this, these kinds of studies cost, about \$70,000. So, in other words, we could just go put these properties out for a request for proposal. I'm not sure anybody is going to spend all that money of their own to say, you know, they're going to give us a best guess of what they can build. What I want them to do, because they're not going to go spend the 70 grand on, or however much it costs, on each one of these properties. What they're going to do is go, okay, I can go down to the County, I can look at some stuff, I don't know about other things, I don't have topography, I don't have the precise infrastructure assessments that are necessary, I'm, I, we could get a proposal back that's just inaccurate. I want to be able to give them the money to be able to come back to us with an accurate figure and an accurate proposal to construct housing. I also agree with you, up to 70,000. It may not cost that much. That was the upper level that they were, the engineers were telling me.

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COUNCILMEMBER MOLINA: Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Molina.

COUNCILMEMBER MOLINA: Thank you, Madame Chair.

CHAIR RAWLINS-FERNANDEZ: Mr. Hokama?

COUNCILMEMBER HOKAMA: Thank you, Chairman. I appreciate my colleague, Mr. Molina, bringing up some of his concerns. I share those similar concerns, Chairman. Regarding Kilohana in Kihei, you know, for me, some of the geographic points brought out during our Wailea Fire Station project hasn't changed. So, why would you come to me, especially, since I got years, I don't think Ms. Lee was with us yet or she may have left, why would you ask me for more money when we already have a report of the grounds at Wailea Police [sic] Station, where, would encompass your Kilohana site?

CHAIR RAWLINS-FERNANDEZ: Mr. Spence?

COUNCILMEMBER HOKAMA: Why wouldn't you guys review that and then see if it's still worthwhile to move forward instead of wasting money on a consultant that is going to use the same information?

CHAIR RAWLINS-FERNANDEZ: Mr. Spence?

MR. SPENCE: Thank you. And thank you for that question. The bottom line is that those studies are about 20 years old, conditions change, laws change, building standards change, a lot of things that are out of our control. The topography probably hasn't changed that much. I recall when we did the fire station, a portion of the site was evaluated, where we were going to build the station. There's another three or more acres mauka of there that would not have been evaluated in the same degree that the exact location of the fire station was.

COUNCILMEMBER HOKAMA: Well, Council knew when Mayor Lingle was _____, that was a bad site with a ton of blue rock, okay, and when we built that station, we had to blast the hell out of it with dynamite, okay, so that hasn't changed, okay. We had a lawsuit, I won't tell you which one, but we did get litigated because of our site. So, we have problems, we have definite issues on that site. Why would I want to go back and look at the blue rock and those other issues that we had litigation on?

MR. SPENCE: Well, if we don't do the studies...it may turn out to be, hey, we can't do anything with this property. This property has been raised any number of times as a possibility for building housing. If we don't do the studies, we will never know.

COUNCILMEMBER HOKAMA: Well, Director, you know, I appreciate your comment and you weren't leading this, driving this ship at that point in time but Council been waiting four years to use our land at MCC to build housing, okay. We put money, we gave

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them recommendations on how to achieve it, proposed a ordinance amendment, okay. Here we are four years later on our own land that we gave great support for, still looking like the way it was, hell, still looks like hell, and yet we have water, we have a road, we have power, we have sewer, okay. So, I would agree with my colleague, Ms. Kama, what the hell's going on? We have the land, we gave you the money, we've been waiting four years, but all I get is another request for more money to do another assessment. I need construction.

MR. SPENCE: I agree.

COUNCILMEMBER HOKAMA: Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Hokama. Okay, I'm going to let Councilmember Kama ask--you wanted to ask questions?

COUNCILMEMBER KAMA: Yes, I do.

CHAIR RAWLINS-FERNANDEZ: Okay, and then we'll close for the day.

COUNCILMEMBER KAMA: Oh, thank you. So, this past June, last June, the County paid SMS Research to do the affordable housing and implementation policy and housing policy analysis, right, so was there nothing in that report that spoke about how to look at that low-hanging fruit or what things were available for us to work on, because I know that that was just about the time that Ms. Reimann left and you had just come in, and you said you did this in August?

MR. SPENCE: Yes.

CHAIR RAWLINS-FERNANDEZ: Mr. Spence?

MR. SPENCE: Yes, thank you for the question. If I have it right, okay, first off there's a number of, we have numbers of possibilities for housing opportunities. I mean, one is the UH dorms, those were identified. These two were identified in the TIG as possibilities as well as the SMS study. The, so, we're pursuing multiple areas. The, I don't know why the SMS study came out the way that it did. They, I'm just going to say they did not identify some things that they should have. That was not my contract that, my office was not involved at all in the way that went down. I wish I could give you a more precise answer.

COUNCILMEMBER KAMA: Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Kama. Okay, it's almost 12:10. Mahalo, Members, for allowing me to start this discussion. Affordable housing is such a huge need for our community, so I just wanted to, you know, start talking about it now. So, if there are no objections, I will defer EDB-173.

COUNCILMEMBERS: No objections.

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CHAIR RAWLINS-FERNANDEZ: Thank you.

ACTION: DEFER pending further discussion.

ITEM 144: FORBEARANCE OR DISCHARGE OF DEBTS (CC 18-176)

CHAIR RAWLINS-FERNANDEZ: I will also defer EDB-144 without discussion.


COUNCILMEMBERS: No objections.

ACTION: DEFER, NO DISCUSSION.

CHAIR RAWLINS-FERNANDEZ: Mahalo, okay. So, that...thank you for getting through such a long agenda, Members. Okay, so, I'm going to adjourn. Mahalo. . . . *(gavel)* . . .

ADJOURN: 12:08 p.m.

APPROVED:



KEANY N.W. RAWLINS-FERNANDEZ, Chair
Economic Development and Budget Committee

edb:min:190214:alp

Transcribed by: Annette L. Perkett

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CERTIFICATE

I, Annette L. Perkett, hereby certify that the foregoing represents to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 11th day of March, 2019, in Haiku, Hawaii.


Annette L. Perkett