

# MINUTES

of the

## COUNCIL OF THE COUNTY OF MAUI

June 5, 2020

THE REGULAR MEETING OF THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, WAS HELD ONLINE ONLY VIA BLUEJEANS, ON FRIDAY, JUNE 5, 2020, BEGINNING AT 9:05 A.M., WITH CHAIR ALICE L. LEE PRESIDING.

COUNCIL CHAIR ALICE L. LEE: Will the Maui County Council regular Council meeting of June 5, please come to order. It is 9:05 a.m.

And, Mr. Clerk, can you start with, oh, wait. Excuse me, my gavel is down here. Okay. I would like to start, Mr. Clerk, with roll call, please.

### ROLL CALL

PRESENT: COUNCILMEMBERS NATALIE A. KAMA, KELLY T. KING, MICHAEL J. MOLINA, TAMARA A.M. PALTIN, SHANE M. SINENCI, YUKI LEI K. SUGIMURA, VICE-CHAIR KEANI N.W. RAWLINS-FERNANDEZ AND CHAIR ALICE L. LEE.

EXCUSED: COUNCILMEMBER G. RIKI HOKAMA.

*(Councilmember Hokama was not present during roll call, however, he arrived to the meeting at 9:18 a.m.)*

CHAIR LEE: So, my friends, the word for today comes from Greenland. So, and it, it goes like this; aluu. Aluu is the greeting from Greenland. Good morning, everyone, and welcome to the meeting. It's good to see all of you as usual.

Mr. Clerk.

DEPUTY COUNTY CLERK: Madam Chair, there are eight Members present, one Member excused. A quorum is present to conduct the business of the Council. Also, Madam Chair, just for the record, also connected to the meeting are County Clerk Kathy Kaohu; from the Office of Council Services, Director of Council Services Traci Fujita, and Supervising Legislative Attorney David Raatz; from the Department of the Corporation Counsel, Corporation Counsel Moana Lutey; and also attending from the Office of the

County Clerk supporting this meeting is Joyce Murashige, Lauren Saldana, and Dell Yoshida.

CHAIR LEE: Thank you, Mr. Clerk.

Alright, for opening remarks, I believe it's my turn.

### OPENING REMARKS

The opening remarks were offered by Council Chair Alice Lee.

CHAIR LEE: Please join me in a Pledge of Allegiance to the flag, everyone.

### PLEDGE OF ALLEGIANCE

The Members of the Council rose and recited the Pledge of Allegiance.

CHAIR LEE: Alright. Mr. Clerk.

DEPUTY COUNTY CLERK JAMES G.M. KRUEGER: Madam Chair, proceeding with the presentation of testimony on agenda items. Members of the public may testify by connecting to the Council's online meeting by phone or video conference through the information posted on today's agenda.

Individuals connected to the Council's online meeting will be called on to testify. If you do not intend to testify, you can watch the meeting on Akaku, Channel 53 or on mauicounty.us.

Individuals connected by phone are currently on mute and will be unmuted when it is their time to testify. Individuals connected by videoconference should keep both their video and microphones muted and should unmute them when it is their time to testify.

Testimony is limited to the items listed on today's agenda. Individuals may testify for three minutes per item. When testifying, please state your name and the name of any organization you represent, as well as the items on which you will be testifying. Please also identify to the Council if you are a paid lobbyist.

Madam Chair, we currently only have one person signed up to testify and that is Rod Antone.

CHAIR LEE: Please proceed, Mr. Clerk. Invite him on.

DEPUTY COUNTY CLERK: Mr. Antone, please proceed with your testimony.

MR. ROD ANTONE, MAUI HOTEL AND LODGING ASSOCIATION (testifying on Bill No. 64 (2020)):

Aloha. Can everybody hear, see and hear?

CHAIR LEE: Yes. Good morning.

MR. ANTONE: Good morning. Happy Aloha Friday. Rod Antone, Executive Director of Maui Hotel and Lodging Association. And registered lobbyist with the County and State. I hope you all have been doing well. I'll keep it short today.

I know you guys are far along ready to get this, get this budget passed and, and back to the Mayor. I just wanted to point out that the hotels continue to pay many of the, the medical benefits for the hotel workers, and it's costing some of them half a million dollars a month. We're hoping to get reopened and then get the employees back before things become so bad that they can't, they can no longer pay that per month. That's, I mean, you know, they're happy to do it. Just at some point it becomes financially impossible.

And let's keep that in mind when you're looking through the budget and that there's any changes to property taxes you think you might be able to make for our hotels so that we can pass those savings onto our workers somehow. We appreciate it. And that's all I have. And I hope you guys have a great weekend out there.

CHAIR LEE: Thank you, Rod. Are there any questions for Rod? If not, thank you very much. You have a great weekend too.

MR. ANTONE: Mahalo.

CHAIR LEE: Mr. Clerk, do we have any more people, maybe you could ask anybody else?

DEPUTY COUNTY CLERK: Madam Chair, we do not have any other testifiers noted. If an individual connected to the meeting has not testified but would like to do so, please identify yourself now. You can also inform us via the meeting chat. I'm going to unmute

everyone on our end, so if anyone needs to express their need to testify. Madam Chair, this is the last call for testifiers. If you wish to testify, please inform us immediately.

Madam Chair, no one else has indicated that they wish to testify, and we have received written testimony.

CHAIR LEE: Members, are there objections to closing public testimony, oral testimony?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: No objections. Okay. So, ordered.

Mr. Clerk, do I have to take a roll call for that too? Okay.

Alright, moving onto written testimony. Mr. Clerk, did we receive written testimony? We did?

DEPUTY COUNTY CLERK: Yes, Madam Chair.

CHAIR LEE: Any objections to receiving and entering the written testimony into the record? Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: Thank you. So, ordered. No objections.

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

1. Lynn Britton, Ma`alaea Village Association;
2. Faith Chase;
3. Katie Folio, Hawai`i Public Health Institute;
4. Lyndon Ibele;
5. Zhantell K.M. Lindo; and
6. Pamela Tumpap, Maui Chamber of Commerce.

CHAIR LEE: Mr. Clerk.

DEPUTY COUNTY CLERK: Madam Chair, proceeding with county communications.

## COUNTY COMMUNICATIONS

NO. 20-303 - SANDY BAZ, MANAGING DIRECTOR,  
(dated May 19, 2020)

Transmitting the Fiscal Year 2020 3rd Quarter CIP Reports.

CHAIR LEE: Council Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. If there are no objections, Chair, may I request that the, you direct the Clerk to also call up County Communications 20-304 through 20-306?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: Mr. Clerk. No objections. Mr. Clerk.

NO. 20-304 - LORI TSUHAKE, DIRECTOR OF HOUSING AND HUMAN CONCERNS,  
(dated May 19, 2020)

Transmitting a copy of the Notice of Intent and contract modification form to award Families First Coronavirus Response Act (FFCRA) Supplemental Allotment funds from the State of Hawaii, Executive Office on Aging, for the Title III Programs Grant in the amount of \$187,203.

NO. 20-305 - MICHELE CHOUTEAU MCLEAN, PLANNING DIRECTOR,  
(May 20, 2020)

Transmitting a copy of the Appropriation Warrant for State of Hawaii general obligation bond funds, for Wailuku-Kahului Transit Corridor Master Plan, totaling \$500,000.

NO. 20-306 - MICHELE CHOUTEAU MCLEAN, PLANNING DIRECTOR,  
(dated May 20, 2020)

Transmitting a copy of the Appropriation Warrant for State of Hawaii general obligation bond funds, for an Important Agricultural Lands report totaling \$125,000.

CHAIR LEE: Council Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO FILE COUNTY COMMUNICATIONS 20-303  
THROUGH 20-306, WITH ANY EXCEPTIONS OF  
COUNCILMEMBERS WANTING TO PULL OUT ANY CBS  
ITEMS.

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Okay. It's been moved by Council Vice-Chair Rawlins-Fernandez, seconded  
by Councilmember Kelly King, to, let's see--

VICE-CHAIR RAWLINS-FERNANDEZ: File.

COUNCILMEMBER KING: File.

CHAIR LEE: Yea, to file CC 20-303, 304, 305 and 20-306.

Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. I just, I don't have any to pull out, I just had  
a discussion on the matter County Communication 20-303. To me, from page 16  
through about 33 was kind of unreadable. It was like maybe they used a computer  
from the 60's and it looks like you got to, like, you're wearing somebody else's glasses.  
Even if you try to enlarge it and, you know, cause we got to read so much and look at  
the screen all the time.

I just would ask consideration of whomever it may concern that, you know, protect our  
eyes. This, we don't want any worker's comp because our eyesight goes bad or  
something. So, I mean, it's just, I don't know how they read it, but I couldn't read it.

CHAIR LEE: Gee, thank you for pointing that out to us. Appreciate it.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair.

CHAIR LEE: Yes, Member Keani Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. In light of Member Paltin's concern, and I'm sure others share the same concern, I can follow up to see if I can get a better report for those pages.

COUNCILMEMBER PALTIN: Thank you, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Mahalo, Member Paltin.

CHAIR LEE: Okay. So, were you planning to pull that out, or you just going to get that information, you know, in better quality?

VICE-CHAIR RAWLINS-FERNANDEZ: Yea, if, the item can be filed. Yea, the item can be filed.

CHAIR LEE: Filed. Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: But I can follow-up. I think that's from Managing Director--

CHAIR LEE: Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: --to get a better quality.

(Councilmember Hokama arrived at the meeting at 9:18 a.m.)

CHAIR LEE: Alright. Any more discussion? Okay. All those in favor of filing these communications, signify by saying "aye", and raise your hand.

AYES: COUNCILMEMBERS HOKAMA, KAMA, KING,  
MOLINA, PALTIN, SINENCI, SUGIMURA,  
VICE-CHAIR RAWLINS-FERNANDEZ, AND  
CHAIR LEE.

NOES: NONE.

CHAIR LEE: And I understand Mr. Hokama is, has joined us.

COUNCILMEMBER KING: He's here. I can see him.

CHAIR LEE: Is that correct?

COUNCILMEMBER KING: Yes. I can see him.

CHAIR LEE: Okay. And he is also an "aye". Good morning, Riki.

COUNCILMEMBER HOKAMA: Good morning, Chair.

CHAIR LEE: Thank you.

COUNCILMEMBER HOKAMA: Aloha everybody.

CHAIR LEE: Motion passes; unanimous.

Okay. Mr. Clerk, 307.

NO. 20-307 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,  
(dated May 27, 2020)

Informing of the acceptance of Waterline Easement A-1, TMK: (2) 2-1-008:099  
CPR 0001 through 0035.

CHAIR LEE: Councilmember Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. May I also ask to, the Clerk to pull up County  
Communications 208 [sic] through 311; 20-208 [sic] to 20-311.

CHAIR LEE: 308 to 311?

VICE-CHAIR RAWLINS-FERNANDEZ: No objection.

CHAIR LEE: Mr. Clerk.

NO. 20-308 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,  
(dated May 27, 2020)

Informing of the acceptance of Waterline Easement W-1, TMK: (2) 2-1-008:099  
CPR 0001 through 0035.



NO. 20-309 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,  
(dated May 27, 2020)

Informing of the acceptance of Waterline Easement W-2, TMK: (2) 2-1-007:067 POR.

NO. 20-310 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,  
(dated May 27, 2020)

Informing of the acceptance of Waterline Easement W-3, TMK: (2) 2-1-007:067 POR.

NO. 20-311 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,  
(dated May 27, 2020)

Informing of the acceptance of Waterline Easement W-4, TMK: (2) 2-1-007:067 POR.

CHAIR LEE: Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair.

I MOVE TO FILE COUNTY COMMUNICATIONS 20-308  
THROUGH 20-311.

CHAIR LEE: Wait. 307, right?

COUNCILMEMBER SUGIMURA: Three, oh, I'm sorry.

CHAIR LEE: 307, first.

COUNCILMEMBER SUGIMURA: Oh, I'm sorry. Yea, 307, 307 through 311.

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Okay. Is there a second?

COUNCILMEMBER KING: Second.

COUNCILMEMBER KAMA: Second.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: Moved by Member Sugimura and seconded by Member King, to file County Communications 30; 20-307 through 20-311.

Member Sugimura, discussion?

COUNCILMEMBER SUGIMURA: Thank you, Chair. These communications are informational, and no further action is required by the Council. Thank you, Members.

CHAIR LEE: Any further discussion? All those in favor of the motion, say "aye" and raise your hand. Okay. Ms. Paltin, are you voting "aye"? Yea.

AYES: COUNCILMEMBERS HOKAMA, KAMA, KING,  
MOLINA, PALTIN, SINENCI, SUGIMURA,  
VICE-CHAIR RAWLINS-FERNANDEZ, AND  
CHAIR LEE.

NOES: NONE.

CHAIR LEE: Okay. So, the vote is unanimous in favor of filing of these communications. Alright. It's unanimous; nine, zero.

Mr. Clerk.

NO. 20-312 - ALICE L. LEE, COUNCIL CHAIR,  
(dated May 28, 2020)

Transmitting a proposed resolution entitled "APPROVING THE APPOINTMENT OF APRIL GRAGAS AS ACCOUNTS PAYABLE SPECIALIST IN THE OFFICE OF COUNCIL SERVICES".

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR LEE: 20-312; 3-1-2.

VICE-CHAIR RAWLINS-FERNANDEZ:

I MOVE TO ADOPT THE PROPOSED RESOLUTION FOR  
APRIL GRAGAS, ATTACHED TO COUNTY

COMMUNICATIONS 20-312, AND TO FILE COUNTY  
COMMUNICATIONS 20-312.

COUNCILMEMBER KAMA:

SECOND.

COUNCILMEMBER KING: Second.

COUNCILMEMBER SUGIMURA: Second.

CHAIR LEE: Okay. Moved by Council Vice-Chair Rawlins-Fernandez, seconded by Member Tasha Kama, to adopt the, to approve the recommendation in County Communication 20-312.

Discussion, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Ms. Gragas received her Bachelor of Business Administration degree in Accounting from the University of Hawaii at Manoa. She is currently employed as a school administrative services assistant with Pu'u Kukui Elementary School and has been in the position for over seven years. Prior to that, she was employed as a fee and law enforcement clerk with Haleakala National Park. She also previously owned a bookkeeping services business.

Ms. Gragas, Ms. Gragas' experience in government, administration, and accounting will make her a great asset in the Office of Council Services. Ms. Gragas is also on the line for questions if any of the Members have questions. And I ask for the Members full support in adopting the resolution for Ms. Gragas. Thank you, Chair.

CHAIR LEE: Further discussion?

Ms. Kama and then Ms. Sugimura.

COUNCILMEMBER KAMA: Thank you, Chair. I support this resolution, also Ms. Gragas' appointment. I interviewed with her and I found her to be open, and honest, and forthright, and I think she'll be a great asset to our team, so thank you, Chair.

CHAIR LEE: Thank you.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. So, I've known April for many, many years. At one time, she was at Pukalani Elementary, I think, also, you know, years back. But I, when I saw her name, I didn't need to interview her, because I thought how did, how did we get so lucky to get her? So, that's what I want to sum up with just her quality. And if anybody ever worked at, had kids at a school, if you wanted to know anything that went on, you would ask the SASA. And she is like super, super good, so we are getting a gem. I welcome her to our team. I hope you all will support her.

CHAIR LEE: Thank you. Any more discussions? Alright. Ready for the vote. All those in favor of adopting the resolution approving the appointment of April Gragas, please raise your hand and say "aye".

AYES: COUNCILMEMBERS HOKAMA, KAMA, KING,  
MOLINA, PALTIN, SINENCI, SUGIMURA,  
VICE-CHAIR RAWLINS-FERNANDEZ, AND  
CHAIR LEE.

CHAIR LEE: I see eight "ayes". Any opposed, raise your hand?

NOES: NONE.

CHAIR LEE: If not, the motion is unanimous, nine "ayes"; motion passes.

Mr. Clerk.

DEPUTY COUNTY CLERK: Madam Chair, for the record, that is RESOLUTION 20-83.

Proceeding with county communications for referral. The following county communications are recommended for referral to the following Committees as noted:

NO. 20-313 - KEANI N.W. RAWLINS-FERNANDEZ, COUNCIL VICE-CHAIR,  
(dated May 29, 2020)

Relating to a commission on homelessness.

The recommended action is that County Communication 20-313 be referred to the Affordable Housing Committee.

(See page 20 for additional discussion.)

NO. 20-314 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,  
(dated May 18, 2020)

Reporting on transfers/loans from the General Fund and Department of Water Supply Revenue Fund to the 2020 Proposed General Obligation Bond Fund as of April 30, 2020.

The recommended action is that County Communication 20-314 be referred to the Economic Development and Budget Committee.

NO. 20-315 - ALICE L. LEE, COUNCIL CHAIR,  
(dated May 29, 2020)

Relating to the Department of Taxation Announcement 2020-02, relating to Maui County fuel tax rates.

The recommended action is that County Communication 20-315 be referred to the Economic Development and Budget Committee.

NO. 20-316 - KEANI N.W. RAWLINS-FERNANDEZ, COUNCIL VICE-CHAIR,  
(dated May 29, 2020)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING TITLE 3, MAUI COUNTY CODE, RELATING TO THE MAUI COUNTY GRANTS PROGRAM".

The recommended action is that County Communication 20-316 be referred to the Economic Development and Budget Committee.

THE PROPOSED BILL ATTACHED TO COUNTY COMMUNICATION NO. 20-316 WAS PASSED ON FIRST READING LATER IN THE MEETING AND ASSIGNED BILL NO. 74 (2020). COUNTY COMMUNICATION NO. 20-316 WAS THEN FILED. See pages 21 through 44 for discussion and action.

NO. 20-317 - MICHELE M. YOSHIMURA, BUDGET DIRECTOR,  
(dated May 29, 2020)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2020 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM (EAST MAUI ECONOMIC DEVELOPMENT AND CULTURAL PROGRAMS)".

The recommended action is that County Communication 20-317 be referred to the Economic Development and Budget Committee.

THE PROPOSED BILL ATTACHED TO COUNTY COMMUNICATION NO. 20-317 WAS PASSED ON FIRST READING LATER IN THE MEETING AND ASSIGNED BILL NO. 73 (2020). COUNTY COMMUNICATION NO. 20-317 WAS THEN FILED. See pages 14 through 20 for discussion and action.

NO. 20-318 - MICHAEL J. MOLINA, COUNCILMEMBER,  
(dated May 22, 2020)

Relating to the installation of a stop sign on Haiku Road in Haiku.

The recommended action is that County Communication 20-318 be referred to the Water, Infrastructure, and Transportation Committee.

### **DISCUSSION RELATING TO COUNTY COMMUNICATION NO. 20-317**

CHAIR LEE: Mr. Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. Can I ask consideration for County Communication 20-317?

CHAIR LEE: Consideration to what?

COUNCILMEMBER SINENCI: Thank you, Chair.

I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT IN ACCORDANCE WITH RULE 7.G. OF THE RULES OF THE COUNCIL.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR LEE: Second? Ms. Rawlins-Fernandez, did you say second?

VICE-CHAIR RAWLINS-FERNANDEZ: Second, Chair.

CHAIR LEE: Yes, you did? Okay. Okay, it's been moved by Mr. Sinenci, seconded by Ms. Rawlins-Fernandez, to waive the Rules of the Council.

Discussion? Mr. Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. Approval of my motion by a two-thirds vote of the entire membership of the Council will enable the Council to consider the proposed bill today.

CHAIR LEE: Any further discussion? If not, all those in favor of the motion, say "aye", and raise your hand. Mr. Molina, Mr. Hokama, how do you vote?

AYES: COUNCILMEMBERS HOKAMA, KAMA, KING,  
MOLINA, PALTIN, SINENCI, SUGIMURA,  
VICE-CHAIR RAWLINS-FERNANDEZ, AND  
CHAIR LEE.

NOES: NONE.

CHAIR LEE: Okay. It's unanimous; nine, zero, in favor.

Mr., Mr. Sinenci.

COUNCILMEMBER SINENCI: Thank you, Members, and thank you, Chair.

I MOVE TO PASS THE PROPOSED BILL ON FIRST READING  
AND TO FILE COUNTY COMMUNICATION 20-317.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR LEE: Moved by Mr. Sinenci, seconded by Vice-Chair Rawlins-Fernandez to, to pass the bill on first reading.

And Mr. Sinenci, discussion?

COUNCILMEMBER SINENCI: Mahalo nui. Members, the proposed bill will address funds originally set aside for events that were cancelled due to the pandemic. And passing the bill would free up funds for organizations that have applied for grant funding before the fiscal year ends. And this will allow the Hana Canoe Club to spend their funding on needs other than the cancelled regatta. I ask for Members support. Thank you.

CHAIR LEE: Very good. Mr. Sinenci, how much money are we talking about here?

COUNCILMEMBER SINENCI: I think this was \$10,000.

CHAIR LEE: Okay. Anymore comments or questions?

Mr. Molina.

COUNCILMEMBER MOLINA: Yea, thank you, Madam Chair. Just a question for Mr. Sinenci. Is it \$10,000 or \$28,000? Is this about the proviso?

COUNCILMEMBER SINENCI: Right. There's another, there was the, the Hana Taro Festival that was cancelled. We're freeing that up, but I'm not sure if, if there's any other community nonprofits that'll get their submission in time. So, it is there if, if, if there's already applications in the pipe.

COUNCILMEMBER MOLINA: So, so if I may ask Mr. Sinenci one last thing? So, by deleting this 28, this proviso for 28,000, are there any other events that at this point you know of that could use these monies?

COUNCILMEMBER SINENCI: You know, I, I know that the Hana Arts was asking for computers for some of the, the summer school kids, so that they could access online lessons. So, both of the applicants have, have been part of the process already. But we don't have any new, new applicants.

COUNCILMEMBER MOLINA: Okay. And, and, and the 10,000 is still going to go to Hana Canoe Club, yea, for, for their use?

COUNCILMEMBER SINENCI: Correct.

COUNCILMEMBER MOLINA: Okay. Great. Alright, thank you.



CHAIR LEE: Anymore discussion?

Yes, Ms. Paltin.

COUNCILMEMBER PALTIN: Oh, I just wanted to thank Member Sinenci for being on it and in touch with his community about, you know, this is things coming at us day by day. We don't know what is going on or what is cancelled or, you know. So, I really appreciate his diligence and communication with the community that these funds would be freed up for others in East Maui to make use of as soon as possible.

CHAIR LEE: Thank you.

COUNCILMEMBER PALTIN: So, I support, support the motion.

CHAIR LEE: Thank you.

COUNCILMEMBER SINENCI: And thank you to the--

CHAIR LEE: Any--

COUNCILMEMBER SINENCI: --budget, Budget Director and the Administration for, for their kokua. Mahalo.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Okay. So, this amendment will free up the 18,000 that was allocated for the East Maui Taro Festival and also remove the Hana Regatta proviso portion that restricted the Hana Canoe Club for using that \$10,000 on the regatta, exclusively. So, my question is regarding the grant application, cause this funds comes under OED. So, did the Hana Canoe Club already go through the grants application process and was awarded the funds?

CHAIR LEE: Ms. Yoshimura. Michele.

BUDGET DIRECTOR: Chair, good morning.

CHAIR LEE: Good morning.

BUDGET DIRECTOR: So, the Hana Canoe Club did put in a grant application for the Hana Regatta and a grant was given to them. So, what we will have to do now is amend their grant with a new grant application with the purposes that they set forth in it.

For the East Maui Taro Festival, \$18,000 was executed in a grant. Some expenditures were made, so you won't see the full \$18,000 being released. We do have to cancel that grant agreement as well and then await new applications. And hopefully we can get this done before June 30. We'll try our best to execute new grants as long as the applications and the paperwork is in proper order. Thank you.

CHAIR LEE: Yes, Mr. Hokama.

VICE-CHAIR RAWLINS-FERNANDEZ: I'm sorry, one more question, Chair. Mahalo, Budget Director Yoshimura.

CHAIR LEE: Okay. I'm, I called Mr. Hokama, and then can we come back to you?

VICE-CHAIR RAWLINS-FERNANDEZ: Sure.

COUNCILMEMBER HOKAMA: No, no that's okay. Finish up Ms. Rawlins-Fernandez. Yea, just finish up, and I can wait. Thank you.

CHAIR LEE: Okay. Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo. Mahalo, Chair. Mahalo, Member Hokama. Just really quickly. I just wanted to ask Member Sinenci if he knew what the Hana Canoe Club would be using the \$10,000 for instead?

CHAIR LEE: Mr. Sinenci.

COUNCILMEMBER SINENCI: I didn't receive any correspondence from them. But I know that they wanted to just have a program for the, for the keikis this summer. So, whether it be just to bring them in and how they're going to, with the pandemic and all. But other than the use for the regatta, so I think it's more for the keikis this summer and have some summer programs for them.

VICE-CHAIR RAWLINS-FERNANDEZ: Awesome. Mahalo, Member Sinenci. Mahalo, Chair.

CHAIR LEE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Chair. Mr. Sinenci, yea, thanks for the request; very, very supportive. If you could just give me a little comment, please, and you think it's possible to get the funds to this group called Na Mamo O Muolea, regarding that

\$6,000 grant. You know, that's the new number one in your district project listings. So, if you just give us, you know, comment of--

COUNCILMEMBER SINENCI: Yea, Na Mamo, thank you for the question, Member Hokama. Na Mamo O Muolea did ask to, to, they cancelled their limu festival this year. So, they wanted to use some of the funds for other things down at the conservation. But I'm not sure if there was some complications with switching over the money from the limu festival to more conservation cleanup. There may have been some, some problems with that. So, but thank you for bringing it up. If they want to, they can, they can try for the, for the extra funding as well since they already had their application in. If, if the Budget Director wanted to speak to it too.

CHAIR LEE: Michele, do you have any comments?

BUDGET DIRECTOR: Chair, the request was provided to us, to the Mayor. I was directed to do the amendment for two out of the three requests that Councilmember Sinenci had proposed. And I think because Na Mamo has a line item or a proviso in the Fiscal Year 2021 Budget, so it didn't feel it was necessary to move that one forward. And so, we did, but we did do the other two. And if Na Mamo did want to apply for part of the \$18,000 that's going to be released, then they could also do that.

CHAIR LEE: Mr. Sinenci.

COUNCILMEMBER SINENCI: Thank you, Director. And then I just got word from Dawn that, so the Canoe Club, the keikis are building a hale this summer. So, those are some of the funds that are, will be going for the Hana Canoe Club.

COUNCILMEMBER HOKAMA: Okay, Chair, thank you. I'm, thank you for the response.

CHAIR LEE: Okay. Everybody clear on what we're doing here? Alright. Maybe you can tell me. Just kidding. Alright.

Okay, so we're all set with, any more discussion? Any more questions? All those in favor of the motion, say "aye" and raise your hand.

AYES: COUNCILMEMBERS HOKAMA, KAMA, KING,  
MOLINA, PALTIN, SINENCI, SUGIMURA,  
VICE-CHAIR RAWLINS-FERNANDEZ, AND  
CHAIR LEE.

NOES: NONE.

CHAIR LEE: Oh, it's unanimous; nine "ayes". Motion carries. Thank you.

COUNCILMEMBER SINENCI: Mahalo, Members.

CHAIR LEE: Okay. Alright, shall we go back to, we pulled that one out. Any, any others to pull out?

DISCUSSION RELATING TO  
COUNTY COMMUNICATION NO. 20-313

CHAIR LEE: Yes, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Consideration on CC 20-313, commission on homelessness. Right now, it's set to be referred to Affordable Housing. I just, I wanted to check on the, with the Committee Chairs to see if any of the Committees where this would be related or, or first with Affordable Housing Chair Kama, if she would be able to get this on an agenda within, within the next few months, couple of months, as quickly as possible.

COUNCILMEMBER KAMA: I can schedule this for next month in July. And if you have language ready, I think we can do this sooner than you probably imagine. But, yes.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Yes, I, I do have a resolution, or a bill on housing.

COUNCILMEMBER KAMA: Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: So, I'll transmit it.

COUNCILMEMBER KAMA: Okay, great.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay, perfect.

COUNCILMEMBER KAMA: So, we're good. Thank you.

VICE-CHAIR RAWLINS-FERNANDEZ: Yea, so it'll be sent to--

CHAIR LEE: Is there anymore, any more comments or questions on these proposed referrals?

DISCUSSION RELATING TO  
COUNTY COMMUNICATION NO. 20-316

CHAIR LEE: Oh, you have another one? Yes, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Consideration on County Communication 20-316, "A BILL FOR AN ORDINANCE AMENDING TITLE 3, MAUI COUNTY CODE, RELATING TO THE MAUI COUNTY GRANTS PROGRAM". So, this was the item that we discussed yesterday in the EDB Committee.

COUNCILMEMBER SINENCI: Second.

CHAIR LEE: Right. Okay. What would you like? You, were going to skip this one. We're not going to refer this item, right?

VICE-CHAIR RAWLINS-FERNANDEZ:

I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE  
REFERRAL AND REPORT IN ACCORDANCE WITH RULE 7.G.  
OF THE RULES OF THE COUNCIL.

COUNCILMEMBER KING:

SECOND.

COUNCILMEMBER SINENCI: Second.

CHAIR LEE: Okay, moved by Vice-Chair Rawlins-Fernandez, seconded by Member King, to waive the Rules of the Council.

Member Vice-Chair, I mean, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Move to pass the proposed bill on first reading and to file County Communication 20-316, with amendments to follow.

COUNCILMEMBER KING: I think we're still on the waiver.

CHAIR LEE: Yea, I think, yea, we're, we're just on the waiver. Any, any more comments on the waiver itself?

VICE-CHAIR RAWLINS-FERNANDEZ: Yea, so, as, as I mentioned, we discussed this in yesterday in the, the Economic Development and Budget Committee. And it's time-sensitive because we're at the end of the fiscal year. And--

CHAIR LEE: Any more comment?

VICE-CHAIR RAWLINS-FERNANDEZ: --place before the next fiscal year begins for a clean slate. Mahalo, Chair.

CHAIR LEE: Any more comments, discussion on the waiver? If not, all those in favor of the motion, say "aye", raise your hand. Okay. Mr. Hokama, are you an "aye"? Yea.

AYES: COUNCILMEMBERS HOKAMA, KAMA, KING,  
MOLINA, PALTIN, SINENCI, SUGIMURA,  
VICE-CHAIR RAWLINS-FERNANDEZ, AND  
CHAIR LEE.

NOES: NONE.

CHAIR LEE: Okay. It's unanimous; nine "ayes". Motion passes.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO PASS THE PROPOSED BILL ON FIRST READING  
AND TO FILE COUNTY COMMUNICATION 20-316.

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member King, to pass the bill in County Communication 20-316.

Vice-Chair Rawlins-Fernandez. Any discussion?

VICE-CHAIR RAWLINS-FERNANDEZ: Yes. Okay. Members, this bill would amend Maui County Code to maximize the efficient use of County funds for recipients of our grants by receiving a portion of their, 25 percent of their awarded funds in advance as discussed by the EDB Committee yesterday. Many current and potential recipients of small grants are community and volunteer-based organizations with limited resources.

And as we discussed yesterday, so the bill that's posted to the agenda, I will be moving to amend.

SO, I MOVE TO AMEND THE MAIN MOTION BY REMOVING ALL AMENDMENTS PROPOSED ON THE BILL EXCEPT FOR SECTION 3.36.190, A NEW SECTION CALLED "DISBURSEMENTS. RECIPIENTS OF GRANTS ARE ELIGIBLE FOR UPFRONT DISBURSEMENTS OF 25 PERCENT OF GRANT FUNDS, AND ANY REMAINING GRANT FUNDS MUST BE PAID THROUGH THE AGENCY'S REIMBURSEMENT PROCESS."

AND AMENDING 3.36.130 "NONCOMPLIANCE", BY AMENDING, STRIKING--

Oh, I'm sorry, and Members should have received this via email from the Clerk's this morning. So, under 3.36.130, Chair, may I share my screen? Okay.

SO, NON, 3.36.130 "NONCOMPLIANCE", . . . "AND, UPON COUNCIL CONCURRENCE, THE RECIPIENT SHALL BE A PROHIBITED" AND REPLACING IT WITH "THE COUNCIL MAY THEN BY RESOLUTION, PROHIBIT THE RECIPIENT FROM APPLYING FOR A GRANT FOR FIVE YEARS." SO, THIS LANGUAGE HERE IS ALREADY IN THE CODE, AND "REQUIRE THE RETURN OF ALL FUNDS OR REAL PROPERTY GRANTED BY THE RECIPIENTS, AND MAY PROCEED WITH DEBARMENT PROCEEDINGS."

And because we're, because of the concerns shared by the Members in yesterday's EDB Committee meeting, I'm sorry, so that's my motion. And I'll, I'll explain after, if there's a second.

CHAIR LEE: Okay.

COUNCILMEMBER KING: There is a second, I seconded the motion already.

CHAIR LEE: Well, this is the, this is the amendment to the main motion.

COUNCILMEMBER KING: Okay.

SECOND, THE AMENDMENT.

CHAIR LEE: Okay. It's been moved by Vice-Chair Keani Rawlins-Fernandez, seconded by Member King, to pass the proposed amendment as stated by Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR LEE: So, because she said several things, is everybody clear on what she is proposing? Are there any questions? Okay.

Oh, did, did you, you already had your discussion, right? No?

VICE-CHAIR RAWLINS-FERNANDEZ: Well, I, I, I made the motion, but I wanted to explain what, what it, what the motion will do.

CHAIR LEE: Okay. Proceed please. Proceed.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Okay, so, Chair--

CHAIR LEE: This is under discussion. Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: Yes. So, this is my discussion part of my motion to amend. Here are the proposed amendments. And because we discussed disbursing 25 percent upfront, for the Members concerns that was shared in Committee yesterday, we strengthened the noncompliance because Members were concerned about grantees being compliant.

And so, for the Members ease, I included the Code as it currently stands. So, everything else, so Section 3.36.101, 010, "Definitions", is the same. 3.36.020, "Review", is the same. Everything will look exactly as it is in the Code. So, that's what this amendment is doing. And here's "Noncompliance", Section 3.36.130, and this is where the amendment would go. I didn't touch this. And then, we would be adding a new Section 3.36.190, "Disbursement. Recipients of grants are eligible for upfront disbursements of 25 percent of grant funds, and any remaining grant funds must be paid through the agency's reimbursement process."

So, just so that everyone's super-duper clear, that is what this amendment will do. And if the amendment passes, that will be the main motion that we will be voting on, and not all the other amendments that was posted on the bill on the agenda. Mahalo, Chair.

CHAIR LEE: Okay. Mr. Hokama. Mr. Hokama.

COUNCILMEMBER HOKAMA: Yea, thank you. Yeah, I, I had, was just wondering if it would be easier for Ms. Rawlins-Fernandez just do a motion to substitute from the proposed



bill with the, with what I got. Because I can, I'm very supportive and appreciative of her efforts to take the Members comments into her redraft. And I'm very open and pleased. So, I was just wondering if that would be the more easy procedural motion to move forward? Thank you.

CHAIR LEE: Thank you. Let me check with Mr. Clerk. You have comments on the idea of just replacing--

VICE-CHAIR RAWLINS-FERNANDEZ: Uh, Chair.

CHAIR LEE: Substitutions?

VICE-CHAIR RAWLINS-FERNANDEZ: Chair.

CHAIR LEE: Yes, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: So, I'm, I'm, mahalo, Member Hokama, for your idea. It was something that I considered and decided against yesterday, which is why I made this motion because I didn't want to prevent any of the other Members from being able to amend any further. By substituting, I would prevent any, any further amendments. And I didn't want to do that to the Members. So, that, that's, that's why I did, I, I chose to go this route, so that if Members want to further amend what I have now put forth, they would then have the option to. Mahalo, Chair.

CHAIR LEE: Mr. Hokama, any comments?

COUNCILMEMBER HOKAMA: I'm going to be supporting the motion. Thank you.

CHAIR LEE: Okay. Thank you.

Okay, Mr. Molina, and then Mr., and then Ms. Paltin, then Ms. Sugimura.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. I just got a question for Budget Chair Rawlins-Fernandez. So, this amendment, this will allow the distribution of up to 25 percent of a grant without providing any justification of the funds, or will it still, will we still have that justification of the funds?

CHAIR LEE: Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Mahalo, Member Molina.

COUNCILMEMBER MOLINA: I'm just trying to understand it. Forgive me.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo for your question. The amendment doesn't touch any of the application process. So, the, the directors of the grants would still have the power and discretion that they currently have.

COUNCILMEMBER MOLINA: Okay. Alright. Thank you.

CHAIR LEE: Then Ms. Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Member Rawlins-Fernandez, for your work on this. And it's really clear to me right now what we're doing. I, I like the arrows, all four of them. But I just was wondering, I, I'm pretty sure this isn't the time to make an amendment cause you can't double amend, but I just was wondering amongst the Members if there was support to up that number to 50 percent. Or if you had considered that and didn't do it if there was a reason why? I kind of mentioned in the discussion yesterday like, you know, I'd be supportive of up to 50 percent. And if Members are supportive if we pass this amendment, I'll propose it, or you can friendly amendment it if you want. That's my discussion.

CHAIR LEE: Ms. Rawlins-Fernandez, any comment?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I figure it'll be cleaner to just do it in two steps be, because of the substantial amount of amendments that this actually is to the bill that's posted to the agenda. But I'm open to your amendment after this motion to amend.

CHAIR LEE: The next person was Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. So, thank you for your presentation. I guess we're getting really good with the zoom and assisting us like we're in the chambers with the TV going. But I, I wanted to just say that I'm opposed to 50 percent because of that discussion if it comes up. But for this, I want to qualify that it is only for small grants, right? And it's up to 50,000, County funds up to 50, or are you just saying any, any grant?

CHAIR LEE: Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. No, it does not say only for 50,000. It says, recipients of grants are eligible for upfront disbursements of 25 percent.

COUNCILMEMBER SUGIMURA: Correct. But in "Definitions", it says, "Small-grant means that the appropriation, allocation, or disbursement for County funds". So, are talking about only small grants, or are you talking about any grant?

VICE-CHAIR RAWLINS-FERNANDEZ: Yea, so, the definition that you just read is not part of the bill.

COUNCILMEMBER SUGIMURA: In the old bill.

VICE-CHAIR RAWLINS-FERNANDEZ: Yes. So, what, what has been posted to the agenda.

COUNCILMEMBER SUGIMURA: Oh, got it.

VICE-CHAIR RAWLINS-FERNANDEZ: --you're going to disregard everything except for these two sections. And if you would like, I can share my screen again.

COUNCILMEMBER SUGIMURA: Sure.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. So, hana hou.

COUNCILMEMBER SUGIMURA: I got that.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Disbursements.

COUNCILMEMBER SUGIMURA: Right.

VICE-CHAIR RAWLINS-FERNANDEZ: "Recipients of grants are eligible for upfront disbursements of 25 percent of grant funds, and any remaining grant fund, funds, must be paid to the agency's reimbursement process." And the amendment to the noncompliance by strengthening it for Members concerns.

So, that, what we're doing right now is making it so that all the other amendments on the bill that was posted to the agenda, except for these two, would no longer be considered. So, what you read in the definitions will no longer be part of the definitions. And so, I can show you here in the definitions section, "Definitions." Agency, Grant, Loan, Nepotism, and Recipient. So, in the current Code, under definitions, this is the whole section in its entirety. And so, there is no definition for "Small-grant" anymore. And that, that's, that's what we're--

CHAIR LEE: Alright. Did you have a follow-up question, Ms. Sugimura?

COUNCILMEMBER SUGIMURA: No.

CHAIR LEE: No? Alright.

Ms. Tasha Kama and then Mr. Hokama.

COUNCILMEMBER KAMA: Thank you, Chair. So, first of all, I just want to thank Committee, EDB Committee Chair for clarifying this mystique that I was in yesterday, because I was getting a little bit confused. But today, I think it's even more clear about what we're actually talking about, so I get it. So, thank you for clearing all that up for me.

Secondly, I like the idea because, that now it's clear to me that it's 25 percent of any grant. So, you could get, apply for a million dollars and we're still going to give you 25 percent of that million dollars up front. Because what is this COVID-19 has taught us is that money is tight. And we expect all of our nonprofits to come through with all of this. But yet, we tell them, yea, we want you to do this, but we make it hard because now you got to come up with the money yourself. So, this way, it helps to relieve. So, I think we're creating our own new norm as of, you know, this whole thing. We're all, we're creating new ways of how to decide the best way to proceed forward. So, I like that.

CHAIR LEE: If I, if I may add something.

COUNCILMEMBER KAMA: I like the fact, I like the fact--

CHAIR LEE: Ms. Kama. Ms. Kama.

COUNCILMEMBER KAMA: I'm sorry.

CHAIR LEE: Ms. Kama, before you proceed, I believe the wording is such that the applicant is eligible for 25 percent.

COUNCILMEMBER KAMA: Yes.

CHAIR LEE: Not necessarily guaranteed, I mean, you know.

COUNCILMEMBER KAMA: Right, right.

CHAIR LEE: It's, it's not a requirement by Administration.

COUNCILMEMBER KAMA: Yeah, but they don't have to come up with the money themselves all at one time. You know, they don't have to come up, pay for it, and then get reimbursed. So, that's what I'm saying what I like about this. I like the idea that it's

25 percent as opposed to 50, because this is the new norm, so let's just try it. If it's really successful, then we should maybe go up a notch. But other than that, this is really good. This is a good time to try things out, to test things out, to see how they perform. So, I kind of like the 25 percent. So, thank you, Chair. I support this.

CHAIR LEE: Alright. Thank you. Sorry for the interruption.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: So, whenever I think about this, I think of OED and grants, and that's limited versus something like DEM. So, now that it's not only for small grants, when we do purchases and we use grant procedures, it's, it's more than Office of Economic Development or Housing and Human Concerns. And I wonder if Corp. Counsel might want to weigh in on impacts of this? I understand why we're doing it and, and you know, everything that you've all said. But could we ask Corp. Counsel to, to make any statements of any impacts or unintended consequences?

CHAIR LEE: Ms. Sugimura, I, I don't mind asking Corp. Counsel if there are any legal ramifications. But I'm really not interested in her opinion of this policy, you know, in general. If you don't mind.

COUNCILMEMBER SUGIMURA: The legal.

CHAIR LEE: Yea, the legal issues.

COUNCILMEMBER SUGIMURA: I, I would like to hear from Corp. Counsel, if I could?

CHAIR LEE: Okay.

COUNCILMEMBER SUGIMURA: I just wondered. I really thought it was small grants and I was thinking of OED. But if it's for all grants, I wonder, you know, what that might mean.

CHAIR LEE: Okay. We have Ms. Thompson on, on the, on call.

COUNCILMEMBER SUGIMURA: Oh, thank you.

CHAIR LEE: So, she's right. Richelle, did you get the question?

FIRST DEPUTY CORPORATION COUNSEL RICHELLE THOMPSON: Yes, I did. Thank you, Chair. So, reading just the section on the disbursements, it would likely act to restrict the granting agencies ability to issue grants upfront; so, to disburse more than

25 upfront. So, it may affect certain types of grants such as for purchases of large equipment where they need the money upfront, or maybe to the, the grants to, like MEO, where I believe that the grants are upfront and then the agency then goes on and issues its, you know, it's, it's grants from, from that pot of money. So, it may add to limit any upfront disbursements above 25 percent. But if that's the intention then, you know, it's . . .

CHAIR LEE: Alright, we have a number of people.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: Mr. Sinenci, did you raise your hand? I saw somebody on this side. No? Okay.

Ms. King, and then Mr. Hokama, and then Ms. Rawlins-Fernandez.

COUNCILMEMBER KING: Thank you, Chair. I don't believe that this was meant to hinder any programs that already are eligible for larger amounts. But because it says, it just says eligible. But is Ms. Thompson saying that we need to put something in there that protects those grants that are getting more than 25 percent upfront?

CHAIR LEE: Ms. Thompson.

FIRST DEPUTY CORPORATION COUNSEL: Thank you, Chair. So, I understand the intention is to basically memorialize what OED and DEM, and there's a couple other, you know, grant-making agencies, primarily those two that disbursements upfront are allowed. So, to make that clear in the Code, that those, those are allowed. They, my understanding is that, you know, it goes on as a fairly common practice depending on what the grant purpose is. Let's see--

COUNCILMEMBER KING: I, Ms. Thompson, I'm just asking you if you, why you believe that, because we had OED with us yesterday when we were discussing this issue and nobody said anything about the, a current practice of giving money upfront. Other than, or DHHC, I think, was the one that we were trying to, we're trying to make OED in line with, that was my understanding, with DHHC. So, I'm surprised to hear from you that they're giving large amounts of money upfront for some projects and not others.

FIRST DEPUTY CORPORATION COUNSEL: I could give a couple of examples. We have, through you know, I'm most familiar with DEM grants, so I know that DEM has granted money for purchase of equipment. One of them was a truck for pickup of food waste, for the food waste program. So, that was an, you know, an upfront, basically a

distribution of a large chunk of money that was then used by the grantee to purchase the equipment.

You know, if, if we remove, if you considered removing the 25 percent, you know, then it would just really memorialize practice, which is recipients of grants are eligible for upfront disbursement of grant funds. So, that would leave it, you know, as, as I think the comments has been made. We'd leave it to the agencies that depending on what the purpose of the grant is, that the agency would use its discretion to disburse money upfront if that were warranted.

COUNCILMEMBER KING: Okay. But I think, I just maybe, I just wanted to maybe, I think the reason for this and, and, and Member Rawlins-Fernandez can, can speak to this, but I think the reason for this is because it hasn't been happening for a large number of our grantees. So, I'm surprised to hear that some are, and some are not getting this upfront money. So, I'm not sure, I'm not sure, so what you're telling us is if we just put this in with no percentage, it should, it'll just, things will just be the same. But the reason we're doing this is because we want to open up to more grantees to get money upfront. So, I'm not sure how that takes care of what we're trying to do here.

CHAIR LEE: Okay, pardon me. Okay, if I may. Ms. Thompson, our discussion was primarily on grants from OED and DHHC. We, we really did not talk about DEM or other departments. And our discussion began as a result of startup types of nonprofits that are currently providing the service but do not have, you know, a sophisticated mechanism or organization to apply for grants. And so, we believe that they have a value and that they should be able to apply for grants and not be subject to the current policy of DHHC and OED; pretty much those two grant-making agencies to allow for them to give monies upfront, up to 25 percent. Okay. Because the reason why we wouldn't say, you know, 50 or, well, maybe not 50, but 60, or 70, or 80 percent, is because these are new entities, yea.

COUNCILMEMBER KING: Chair.

CHAIR LEE: The DEM, the DEM, I'm pretty sure we're talking about vendors or people who are well-established. So, I think those are two different kinds of conversations and, and we're really not talking about DEM. So, can we let Ms. Thompson comment on what I just said?

COUNCILMEMBER KING: Yea. Yea, except that, Chair, I thought I heard, and maybe Ms. Rawlins-Fernandez could, could comment on it, but that DHHC does allow for upfront disbursements, advanced disbursements, but OED does not. And so, we were trying to give the same consideration for OED grants as DHHC. So, that's what we were trying to do with this bill is my understanding.

But I just also wanted to say that it's not necessarily just for startups and small grants, but there a lot of, a lot of our grantees are hurting right now because of the pandemic we're in and they don't have the money to put upfront. And so, you know, that's why I wanted it to be open to all grants. But, I, that's what I heard Vice-Chair Rawlins-Fernandez say yesterday, was that the DHHC does give advanced disbursements but OED does not, so.

CHAIR LEE: Okay. Well, that would be something new, because we never used to do that before when I was the Director. But I, I'm not saying that it, this policy was meant only for startups, but that was the genesis.

COUNCILMEMBER KING: Right.

CHAIR LEE: This is how we, you know, the conversation started. So, so now, Ms. Thompson, are you, now you understand the context a little bit more? What are, do you have any comments? Are there are legal issues we should be worried about? Other than that, we don't need to, to have your opinion.

FIRST DEPUTY CORPORATION COUNSEL: Got it. There are no legal issues with this. But just wanted everybody to be aware that this may restrict the ability to do upfront disbursements of more than 25 percent. So, the, just wanted to make sure that was the intention.

CHAIR LEE: Okay. That's interesting. So, you're saying it's restricting? Okay, that's fine. Now, other people had questions. And I believe, shall we go back to the, the people screen.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair, friendly amendment to my motion, to my own motion.

CHAIR LEE: Pardon me?

VICE-CHAIR RAWLINS-FERNANDEZ: Friendly amendment to my own motion, since . . . and then we can help to limit, or not limit, but it may address some concerns and then the discussion won't have to go as long.

THAT IF I PUT IN 25 PERCENT OR MORE OF GRANT FUNDS.

CHAIR LEE: Okay.



COUNCILMEMBER KING:

I'LL SECOND THAT.

CHAIR LEE: Alright. Any more discussion?

Mr. Hokama. Mr. Hokama.

COUNCILMEMBER HOKAMA: Yea, thank you, Chair. I'm not sure we fully understand the impact we talking regarding cash outlays. And so, I am curious to hear Mr. Teruya, because if, and again, Ms. Sugimura, you brought up the point it's all grants. Even grants in DHHC, I mean, if you're in the million dollars, you're talking about half a million and whatnot upfront money, yea. And that's, and so, I need to know what is Finance Department's view on all this potential cash outlays for grants and what is the impact on the, on the County's ability to perform.

CHAIR LEE: Is Mr. Teruya on the line?

VICE-CHAIR RAWLINS-FERNANDEZ: Chair.

CHAIR LEE: Yes.

VICE-CHAIR RAWLINS-FERNANDEZ: I, point, point of information.

CHAIR LEE: Do you want to answer for Mr. Teruya.

VICE-CHAIR RAWLINS-FERNANDEZ: Maui County Charter Section 9-18.2 states that contracts involving financial obligations of the County, such as a grant agreement, shall be certified by the Director of Finance as to the availability of funds in the amounts and for the purposes set forth. So, before the grants are even disbursed, Finance Department ensures that we have the funds for the, any grant or any contract. So, Finance really is the gatekeeper here. So, they, they will be protecting County's assets.

CHAIR LEE: Alright. But is Mr. Teruya, online?

COUNCILMEMBER HOKAMA: Chair.

CHAIR LEE: You wanted to speak to him?

COUNCILMEMBER HOKAMA: Mr. Teruya. Sure, let's hear what Director has to say.

CHAIR LEE: Mr. Teruya. If not, Mr. Teruya, Ms. Sugimura. Not Sugimura, Yoshimura. Michelle, are you on the line?

Mr. Clerk, can you get? Mr. Hokama, can you wait? We'll try and reach him.

COUNCILMEMBER HOKAMA: Thank you.

CHAIR LEE: Meanwhile, let's call on Ms. Tasha Kama.

Mr. Clerk's, get Mr. Teruya.

COUNCILMEMBER KAMA: I was just thinking that maybe later on you might want to amend 3.36.190 to maybe say it's recipients of grants from OED and DHHC. I mean, if we're only talking about those two, let's just be specific to do that. That's just my two cents in this discussion.

CHAIR LEE: Okay. Ms. Keani Rawlins-Fernandez, comments. And then, Mr. Molina.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. So, I was going to continue for Maui County Code 3.36.100, an appropriation for a grant shall not be expended unless a contract agreement is entered in between the County and the recipient. So, we have a lot of protections for any of the Members concerns on whether we have the funds or not. And I think it's important that we as, as you stated, Chair, yesterday, and Pro Tem Kama again echoed the same comments that this is a totally different year that we're entering. We've never had a pandemic of this scale. And this is our effort to respond as responsible elected officials to our community. And as all laws are, if it doesn't work, it can be amended. Mahalo, Chair.

CHAIR LEE: Okay. Alright. Mr. Molina, I think you had your hand up.

COUNCILMEMBER MOLINA: Yea. Yea, thank you, Madam Chair. You know, as this conversation continues to go on, just starts to generate some question marks for me. I mean, intend, I understand. I guess in hearing Ms. Thompson, the Code section defines agency 3.36 as applying to all departments such as DEM. I'm guessing that may be one reason why it was brought up. So, should we consider maybe a inclusion in the bill to specify the departments that they want this bill to apply to? So, that's again now I'm starting to get more issues. Maybe I'm just making a, a lot out of, a mountain out of a mole hill here. But could I get comment from Ms. Thompson?

CHAIR LEE: Ms. Thompson.

FIRST DEPUTY CORPORATION COUNSEL: Thank you, Chair. You know, I, I heard Member Rawlins-Fernandez offer an amendment to her amendment to Section 190 that would allow the granting agencies to disburse 25 percent or more, I believe is what she was saying. So, if the intention is to allow the agencies that do make grants to use their discretion to grant upfront money, I, I think that that would be, that's sounds, it sounds like the, what I'm hearing is the legislative intent is to give the Council's blessing to upfront disbursements when the grants are warranted.

COUNCILMEMBER MOLINA: Okay. So, there's no need to specify as far as County departments, like, we had mentioned DEM having to specify in this bill, you know?

FIRST DEPUTY CORPORATION COUNSEL: You could--

COUNCILMEMBER MOLINA: . . . is it? Sorry, I'm just still a little confused, but anyway.

FIRST DEPUTY CORPORATION COUNSEL: No, you, you could do that. You could specify which granting agencies would be able to disburse upfront and which could not. It's going to take a little bit more . . . of the, of the language, but we could, you know, that, we could do that if that's the intent.

COUNCILMEMBER MOLINA: Okay. Thank you. Thank you, Madam Chair.

CHAIR LEE: Okay. Apparently, Mr. Teruya is in a meeting and he, his staff is trying to reach him.

Mr. Hokama, did you have anything to add now at this point before he comes on?

COUNCILMEMBER HOKAMA: Yea, I'm sorry, Madam Chair. My volume wasn't correct, sorry. My apologies. Yea, I'm, I was hoping the Finance Director would give us some comment. Again, you know, I appreciate Ms. Rawlins-Fernandez reiterated that. This is a unique timing and so I'm open to the 25 percent, Ms., Ms. Rawlins-Fernandez. My concern is I think, and I support your language because it says for, it's, you got to meet the eligibility, so I'm sure there's a process. You've maintained the requirements of registration in making conditions of the application, so thank you so much. That will verify the public purpose and need, so I got no issues with that.

My only thing for the Finance Director is, 25 percent I can go, yea, but one of the things I just wanted to know is, should we allow the Directors through the eligibility process yeah, the discretion . . . because why should we give . . . that may have already reporting issues with the County? You know, if you've got a clean track record or brand new one, you know, you, you got a clean opportunity to get that upfront money. But if you're one of those every year you get chased down for the final fourth quarter

reporting and blah, blah, blah, or you haven't had your board of directors certified, you know, I rather not give those kind of agencies the financial upfront cash and have our departments work harder than necessary for this time.

So, but that's my concern, Chair. And I don't know, I just want to know if there is a cash component, I understand we got to have the cash, I have no problem with that. I just want to know how Finance operates because they're going to have to dole out the cash. And if it all comes at once on July 1, the request, or August 1, can Finance process it out and give those agencies the 25 percent in the first quarter of the fiscal year with, without impacting operations? Thank you, Chair.

CHAIR LEE: Okay. If I may add something here. As Director of Housing and Human Concerns for eight years, I worked with grants a lot, you know. We probably at that time had more grants than any other department. And believe me, the, and this was millions and millions of dollars. So, once the budget is passed, those monies are accounted for in the budget. So, there's no need to check if, you know, if there's money to pay for any invoices regarding each grant. And by the way, each grant is reviewed by the Grants Manager, by the Housing Director, by Corp. Counsel, by the managing, by the Budget Director, and by Finance. There's many layers.

And so, I'll just give you an example. Just because we would submit an invoice for payment doesn't mean that it's going to be paid. It's going to be checked by all the people that I just told you; and by the Budget Director, by the Finance Director, by his people in Finance, by everybody.

And there was a time when we asked for reimbursement. We asked for reimbursement for payments of cups, glass cups that we gave as, as a thank you to all the seniors who volunteered over 10,000 hours of their time. And we felt that was just a small token, because they saved us tens of thousands of dollars by volunteering. Yet, I was called in by Finance to explain why I was using, I was giving them glass cups instead of, I could have gotten cheaper cups if they were plastic. But those are the kinds of issues you have to go through.

You don't just hand in a invoice and it gets paid. No. You have to explain everything on top of all the paperwork. So, it's, it's not a fast and quick system. The procedure is, is layered in many ways for the protection of the County. And so, this is what happens. And this is was, this was for an item that cost about \$15 for the glass. And they felt I could get a better deal with plastic at \$7. See, so when you talk about big expenses, it's, it has many eyes on it. If, if an item of \$15 has all these eyes on it, can you imagine an item that costs \$1,000, \$5,000, \$10,000? Believe me, there, there are many, many safeguards within the system.

And, and not only that, they really don't care about what you're doing. They're just caring about the numbers, which is their job, you know. They don't care about the seniors or, you know, this, or what kind of thank you. And that's irrelevant. It's all numbers. Once it goes to Finance and, and Corp. Counsel, and everybody else, it's all numbers.

So, I see that we have May-Anne Alibin on the line. May-Anne, we have a question that Mr. Hokama raised. And if you don't mind, Mr. Hokama, can you please let May-Anne know what your question was, again? Mr. Hokama.

COUNCILMEMBER HOKAMA: Hi, Director. Thank you for joining us this morning. Yes, thank you, Chair. So, Director, the question I have for you, if you can respond for your Department of Finance and your Director, is we're considering, you know, an upfront, up to 25 percent cash for grants. And I was just wondering, you know, currently the language is very broad, so it may, can apply to all grants.

And my concern was, does it have any potential impact on your Department or division regarding a request, cash flow of that kind of magnitude upfront in the first quarter of the fiscal year? And, again, if there is any issues that we may not be aware of currently that you could share with us so that we could take that into appropriate consideration?

CHAIR LEE: May-Anne.

DEPUTY DIRECTOR OF FINANCE MAY-ANNE ALIBIN: Good morning, Chair and Members. So, let me respond to the first question regarding cash flow. So, currently, if the, the check or the invoice that is being paid out is at least \$500,000 or more, there's a requirement for the department.

COUNCILMEMBER HOKAMA: Yea, yea. Okay. There was really no invoices . . . . There will only be a request for . . . advancement without backup. Yea, so that's what we're dealing with.

DEPUTY DIRECTOR OF FINANCE: Right. So, on the cashflow side, so as long as they do get the notification, proper notification to Treasury and Accounts via email. So, it has to be authorized first before we would allow to release that. But if there is, if it's, on the advancement side of it, we look at the grant agreement. So, I, I know that there's some special provisions in the grant agreement. If it allows for an advance, then that's what Finance would look for, is to review the grant agreement.

Now, I just want to comment on what Chair Lee had discussed earlier regarding the review that Finance does on a regular reimbursement cases. There are times where we don't see the backup, or the backup are not provided. So, for example, when I say

backup, it's like copy of their receipts. So, in that case, we wouldn't know. And even if they did submit the receipts to us, we also don't know or have a way to monitor whether or not those expenses are reimbursable per their agreement with the granting agency.

Now, there are also some cases where they only provide us like financial statements and not receipts of invoices. So, it's really in, I mean, very general, we, we look at it at a certain point but not in detail.

CHAIR LEE: Mr. Hokama, any, any follow-up?

COUNCILMEMBER HOKAMA: I, yea, so again yea, Ms. Alibin, procedure itself, I understand it. I've been following your operations for 20 years. So, I understand what you guys do very well. My concern is just the, the total amount of potential cash that you're going to be hit for one time to out, put out. I just was wondering how it, if that is the potential concern with adjustments to the . . . How are you going to deal . . . through your institutions that going to have to make appropriate transfers or payments?

So, I just was wondering. You know, we, a lot of times we don't think about the operational impacts of our decisions. But, you know, Ms. Lee came from Administration's experience as well, so she understands it a lot better. But, so I'm just asking you; is there any concerns that we need to be aware about with this advancement program? I just want to know if it's going to be a operational concern for your Department?

DEPUTY DIRECTOR OF FINANCE: Chair.

CHAIR LEE: Yes.

DEPUTY DIRECTOR OF FINANCE: Yea, so the response is that if potentially, because currently our cashflow model only assures our, you know, average weekly pay, weekly check run, then and also our payroll. So, we need to assess that and determine what the impact is on our cashflow assuming that 25 percent of these grants will be actually put forward in advance. That's something . . . time to look at. I don't have a definite answer at this point.

CHAIR LEE: Well, Ms., Ms. Alibin, or Alibin, the fact of the matter is, is these are fairly small grants for the most part. And if it were a large grant, you simply wouldn't pay it. If there's no money in the coffers for that week, you're not going to pay it; it's that simple. You know, you're not going to write a check that's going to bounce, right? No, you, you write checks according to what's in the bank, what's coming in, and what's going out.

COUNCILMEMBER HOKAMA: Shucks, Alice froze.

CHAIR LEE: Pardon me? Mr. Hokama.

COUNCILMEMBER HOKAMA: Oh, I'm sorry, Chair. You were frozen on my screen and then now you're back into live motion again. So, yea, there was just, I guess I'm having network issues with, with this meeting this morning. But, yea, and again, Chair, I understand exactly what you're saying. If we have no money, we don't pay the bill. I just know that in process, though, yea, part of the beginning is the timing of the first real property tax collection. And for me, that's all I was concerned about; if the timing and anything has any impact. If there isn't, that's fine. And I'm happy to hear that. I just was curious to know if there was any because I know of the timing regarding that first collection of taxes. Thank you, Chair.

CHAIR LEE: Okay. Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. And mahalo for making that point; that basically, if we don't have the money, then we don't pay it. And then we'd basically be where we were before with where we're at right now, without any, without any upfront portion of it advanced.

Two, second point I wanted to make is that it's not like we have zero clue where this money is going. Part of the application process is for organizations to submit a budget. That is part of the application process. So, it gives the departments and the directors the discretion to decide if this is appropriate use of funding. And so, I, I think that needs to be stated again for the record and for the public's benefit. That the directors aren't just going willy-nilly, oh, we're just going to give this money without having an understanding of where that money is intending to go because that, a budget is part of the application process.

And as Ms. Fukumoto stated in February at the EDB meeting, over 80 percent of the grants are like \$25,000 or less; 80 percent. And so, you know, 25 percent of \$25,000 is not going to break our bank. And for, for those that are much bigger grants, like for DEM, then that's something that I would assume those departments have already covered.

And the last point I want to make, Chair, is that that is why I propose amending the noncompliance as a deterrence that if any organization does not use their funds, their grant funds properly, they will be banned from applying for County grants for five years. I think that's a really strong deterrence; five years, no more County funds for you because you didn't understand how to use the funds properly.

So, if anyone has any concerns about abuse of County funds, and you know, I commend all of us for fiercely protecting taxpayer dollars. And in this way, we are. We are creating a deterrence; five years, no more County grants for you if you abuse these funds. Mahalo, Chair.

CHAIR LEE: Thank you. Anymore comments? And then just as a reminder, Members, just as a reminder. We don't consummate these agreements with a handshake. It's a legal contract reviewed by Corp. Counsel and everybody else. So, when you sign a contract, you have obligations. And if you don't fulfill your obligations, then you have legal, there will be legal ramifications.

Mr., Mr. Sinenci, I believe you had your hand up. No?

COUNCILMEMBER SINENCI: Chair, and yea, I just wanted to really quickly respond to Member Rawlins-Fernandez. I, I appreciate that. And it also says that, "and may proceed with debarment proceedings." So, these are, this is very strong language to, to include in the noncompliance section. So, thank you for that. I appreciate that.

CHAIR LEE: Yes. Ms. Alibin.

DEPUTY DIRECTOR OF FINANCE: Chair, if I may. I have a visual here to show that I can share on, as far as our cashflow is concerned. And then I can explain it briefly if that's okay with Council Chair and the Members.

CHAIR LEE: Sure. How long is this going to take?

DEPUTY DIRECTOR OF FINANCE: This is just going to be a couple minutes, Chair.

CHAIR LEE: Oh okay. Okay. Thank you.

DEPUTY DIRECTOR OF FINANCE: Okay. I just want to make sure that you are all seeing this.

CHAIR LEE: Yes. We see it.

DEPUTY DIRECTOR OF FINANCE: Okay. So, this is, so this is with our general checking account, which is at Bank of Hawaii. It's our monthly cashflow. So, the green bars, it's our inflow, so money coming in. And then, also, the red bars are the outflow, so money coming out. As you can see, there is a peak in our inflow coming in in August and February because of our real property tax. But also, around August, there's also a peak in our expenditures, mainly because of, this is attributed to the payment that we



send out on our annual OPED payment. I think there's a provision in their budget as far as remitting it every, you know, by September 30. So, I'm not quite sure on the timing.

Like, assuming that we execute the grant agreement by July, then we would also put out a payment in July-August timeframe. So, this is, I think one of Mr., Council, Councilmember Hokama's concern is as far as our cashflow of the money going out. So, we just need to, again, I don't know the magnitude of the grants that we're thinking of advancing, but that's something that I, I think he's kind of concern of is the money that are coming out and if we are, we do have enough liquid.

So, something for Corp. Counsel to consider when, if, should this go forward is on, you know, adding in special proviso, I guess, in the grant agreement. That if we don't have the money, specific in that that, you know, we can also hold and not, you know, pay that granting agents, the grantee in that certain timeframe until we have, we're liquid enough.

CHAIR LEE: Okay. Thank you, Ms. Alibin. Appreciate your opinion, but I, like we keep telling you, we're not talking about excessive funds or amounts. For the most part, these are small grants. And you know, 25 percent of \$25,000, you know, like that? So, it's, and the County always has the option of paying when you have the funding. So, based on the funding availability. And we are talking about an \$819 million budget, so somehow \$25,000 just doesn't, it's, it's not going to make a huge difference in the overall budget and operations. Okay. But thank you.

Anything else before we vote?

Ms. Rawlins-Fernandez, can you repeat the motion?

VICE-CHAIR RAWLINS-FERNANDEZ: Sure. And I wanted to echo your statement one more time. So, 80 percent of the OED grants, cause this is primarily the grants that currently don't get a upfront portion of the grants, are less than \$25,000. 25,000, 25 percent of \$25,000 is \$6,250. So, that's what we're talking about; \$6,000. Are we going to upfront organizations that are serving our community \$6,000? So, that, that really is the picture. That, that's what we're voting on right now.

So, the motion is to amend the main motion. Chair, would you like me to share my screen again, or you just want me to repeat it and it's okay?

CHAIR LEE: Just repeat the motion.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. So, the motion is to disregard all amendments that, all proposed amendments on the bill that was posted to the agenda, except for two sections, which is "3.36.130. Noncompliance"; and a new "Section 3.36.190. Disbursements. Recipients of grants are eligible for upfront disbursements of 25 percent or more of grant funds, and any remaining grant funds must be paid through the agency's reimbursement process."

CHAIR LEE: Okay. Any further comments or questions? If not, all those in favor of the motion, raise your hand and say "aye".

AYES: COUNCILMEMBERS HOKAMA, KAMA, KING,  
MOLINA, PALTIN, SINENCI, SUGIMURA,  
VICE-CHAIR RAWLINS-FERNANDEZ, AND  
CHAIR LEE.

NOES: NONE.

CHAIR LEE: Okay, now let me count. Okay. It appears to be unanimous. The only one I don't see is, okay, now I see her. Oh, it's nine, zero; motion carries. Thank you. Thank you.

Now, that was for the amendment.

VICE-CHAIR RAWLINS-FERNANDEZ: Yes.

CHAIR LEE: Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I believe Member Paltin had an amendment.

COUNCILMEMBER PALTIN: I move--

CHAIR LEE: Honestly, honestly, honestly, Ms. Paltin, I think if you stayed with the 25, you'd have a unanimous vote.

COUNCILMEMBER PALTIN: Okay. Up to you.

CHAIR LEE: Just saying.

COUNCILMEMBER PALTIN: Up to you.

CHAIR LEE: Just saying, Ms. Paltin.

COUNCILMEMBER KING: Chair.

CHAIR LEE: Ms. King.

COUNCILMEMBER KING: Yea, I just wanted to say, now that it says 25 percent or more, I don't think we need to put the 50 percent on there. Cause if she wants to give, if someone wanted to give 50 percent because it was a big piece of equipment or something, they could do it under the current wording.

CHAIR LEE: So, do you still want to make an amendment, Ms. Paltin?

COUNCILMEMBER PALTIN: I'm good.

CHAIR LEE: Okay. You're good.

How about you, Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR LEE: Ready to go?

VICE-CHAIR RAWLINS-FERNANDEZ: I, yes, I support the main motion and I hope my colleagues will as well. Mahalo for everyone's input, and feedback, and support in serving our community members.

CHAIR LEE: Okay. So, the motion is to pass the main motion as amended, right? Okay. All those in favor of that, raise your right hand and say "aye".

AYES: COUNCILMEMBERS HOKAMA, KAMA, KING,  
MOLINA, PALTIN, SINENCI, SUGIMURA,  
VICE-CHAIR RAWLINS-FERNANDEZ, AND  
CHAIR LEE.

NOES: NONE.

CHAIR LEE: Okay, we have another unanimous vote; nine, zero. Motion carries. Thank you.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Members. Mahalo, Chair.

CHAIR LEE: Thank you.

COUNCILMEMBER KING: Mahalo, Vice-Chair.

CHAIR LEE: Moving on. Mr. Clerk.

DEPUTY COUNTY CLERK: Madam Chair, for the record, the bill that was attached to County Communication 20-317, that is BILL 73 (2020). And the bill that was attached to County Communication 20-316, that is BILL 74 (2020).

Before proceeding, we would just like to confirm with the body if there are any other objections to the referrals as read by the Clerk?

CHAIR LEE: Any other objections?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: No objections. So, ordered.

Mr. Clerk.

DEPUTY COUNTY CLERK: Madam Chair, proceeding with committee reports.

### COMMITTEE REPORTS

COMMITTEE REPORT  
NO. 20-51 - ENVIRONMENTAL, AGRICULTURAL, AND CULTURAL  
PRESERVATION COMMITTEE:

Recommending that County Communication 17-99, from Councilmember Elle K. Cochran, relating to the matter of wastewater infrastructure needs, be REFERRED to the Water, Infrastructure, and Transportation Committee.

CHAIR LEE: Okay. Any, did I see any hands up there?

Mr. Clerk, please proceed? Oh, oh, I see a hand.

Mr. Sinenci.

COUNCILMEMBER SINENCI: Is he going to, the Clerk going to call up 20-52, 20-53, and 20-54?

CHAIR LEE: Mr. Clerk.

Any objections to that?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: So, ordered.

Mr. Clerk.

COMMITTEE REPORT  
NO. 20-52 - ENVIRONMENTAL, AGRICULTURAL, AND CULTURAL  
PRESERVATION COMMITTEE:

Recommending that the Miscellaneous Communication, relating to energy efficiency and related costs at the Kihei Wastewater Treatment Plant, be REFERRED to the Climate Action and Resilience Committee.

COMMITTEE REPORT  
NO. 20-53 - ENVIRONMENTAL, AGRICULTURAL, AND CULTURAL  
PRESERVATION COMMITTEE:

Recommending that County Communication 19-46, from the Acting Director of Finance, providing notice of the County's acceptance of the dedication of Waterline Easements W-8 & W-9 for the construction of the Maui Lani Subdivision by the Department of Water Supply – Engineering Division (portion of tax map key (2) 3-8-007:153), Wailuku, be FILED.

COMMITTEE REPORT  
NO. 20-54 - ENVIRONMENTAL, AGRICULTURAL, AND CULTURAL  
PRESERVATION COMMITTEE:

Recommending that the Miscellaneous Communication, referring Grant G4814 between the County of Maui and University of Hawaii for a coqui frog eradication project for the Office of Economic Development in the amount of \$750,000, be FILED.

CHAIR LEE: Mr. Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair.

I MOVE TO ADOPT COMMITTEE REPORTS 20-51 TO 20-54.

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Moved by Mr. Sinenci, seconded by Member King, to adopt the Committee Reports 20-51 to 20-54.

Mr. Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. We discussed these items in the EACP Committee. And Committee Reports 20-51 and 20-52 are being referred to more appropriate Committees for further discussions.

And then Committee Reports 20-53 and 20-54, those are grants that the period had already finished, so we're filing them. Thank you, Chair.

CHAIR LEE: Any further discussion? If not, all those in favor of the motion please say "aye" and raise your hand.

AYES: COUNCILMEMBERS HOKAMA, KAMA, KING,  
MOLINA, PALTIN, SINENCI, SUGIMURA,  
VICE-CHAIR RAWLINS-FERNANDEZ, AND  
CHAIR LEE.

NOES: NONE.

CHAIR LEE: Okay. I have nine "ayes". So, the motion passes unanimously.

Thank you, Mr. Sinenci.

Mr. Clerk.

COMMITTEE REPORT

NO. 20-55 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending that the correspondence transmitting a proposed resolution entitled "APPOINTMENT OF MEMBERS TO THE MAUI COUNTY CULTURAL RESOURCES COMMISSION", be FILED.

*(Appointment of Andrew de la Cruz to the Maui County Cultural Resources Commission for term expiring on March 31, 2025.)*

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. If there are no objections, may we have the Clerk also call up Committee Report No. 20-56?

CHAIR LEE: Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: So, ordered.

Mr. Clerk.

COMMITTEE REPORT

NO. 20-56 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending that the correspondence transmitting a proposed resolution entitled "RELATING TO THE APPOINTMENT OF NATALIE ROPA TO THE LANAI PLANNING COMMISSION," be FILED.

*(Appointment of Natalie Ropa to the Lanai Planning Commission for term expiring on March 31, 2022.)*

CHAIR LEE: Mr. Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair.

MOVE TO ADOPT THE RECOMMENDATIONS OF  
COMMITTEE REPORTS 20-55 AND 20-56.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: Okay. Moved by Mr. Molina, seconded by Member Sugimura, to approve Committee Reports 20-55 and 20-56.

Mr. Molina. Discussion?

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair. Your GET Committee considered the nominations of both of these nominees, Mr. Dela Cruz and Ms. Ropa, at its meeting of May 19, 2020. Mr. Dela Cruz is a Lanai resident and retired business professional who previously served on the County's Fire and Public Safety Commission and Police Commission. And Ms. Ropa, also a Lanai resident, is employed by the University of Hawaii, Maui College, and involved in various community youth organizations.

And because the Council meeting of May 22, 2020 was rescheduled to today, June 5, 2020, the Council was unable to meet the 60-day deadline of May 22, 2020 for Ms. Ropa, and May 24, 2020 for Mr. Dela Cruz to approve or disapprove their nominations. So, therefore, the nominations are, were automatically approved and filing of the correspondence is warranted as well. And I ask for the Members support of this motion. Thank you.

CHAIR LEE: Any further discussion?

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: I, I support Member Molina. But I thought it was because of the, the Council meeting was moved, instead of the 22nd it moved to the 26th of May, not, not today. Is that correct? It was because of the last meeting that we missed the filing deadline, Mr. Molina?

COUNCILMEMBER MOLINA: Yea, the 20, May 26.

COUNCILMEMBER SUGIMURA: 22nd, yea. Yea, 26. Okay. Thanks.

COUNCILMEMBER MOLINA: Yea, yea, yea.

CHAIR LEE: Alright, any further discussions? If not, all those in favor of the motion, say "aye", and raise your hand.



AYES: COUNCILMEMBERS HOKAMA, KAMA, KING,  
MOLINA, PALTIN, SINENCI, SUGIMURA,  
VICE-CHAIR RAWLINS-FERNANDEZ, AND  
CHAIR LEE.

CHAIR LEE: "No".

NOES: NONE.

CHAIR LEE: Nine "ayes"; motion passes.

Mr. Clerk.

COMMITTEE REPORT

NO. 20-57 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending that the correspondence transmitting a proposed resolution entitled  
"PROPOSING A CHARTER AMENDMENT RELATING TO BOARD AND  
COMMISSION MEMBERS AND NOMINEES", be FILED.

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair.

MOVE TO ADOPT THE RECOMMENDATIONS OF  
COMMITTEE REPORT 20-57.

COUNCILMEMBER SUGIMURA:

SECOND.

COUNCILMEMBER KING: Second.

CHAIR LEE: Okay. Mr., moved by Mr. Molina, seconded by Ms. Sugimura, to approve  
Committee Report 20-57.

Discussion, Mr. Molina?

COUNCILMEMBER SINENCI: Thank you very much, Madam Chair. At the May 19, 2020  
GET meeting, your Committee considered a proposed Charter amendment that would  
provide for: 1) the automatic removal of a board or commission member for cause  
upon the Mayor's request; 2) the automatic disapproval of a nominee when the

nominee withdraws, dies, or is not eligible; and 3) an additional ten days for the Mayor to submit to Council the name of a nominee to fill a vacancy.

Your Committee discussed whether the change could instead be implemented as an ordinance, which would amend Section 2.41 of the Code. And therefore, the Committee by a 9-0 vote recommended to file the correspondence with the understanding that a proposed bill with a similar purpose would be considered in the future.

And I'd like to thank Member Kama for this consideration for the Committee. So, thank you very much, Madam Chair.

CHAIR LEE: Thank you. Any more discussion? If not, all those in favor of the motion say "aye", raise your hand.

AYES: COUNCILMEMBERS HOKAMA, KAMA, KING,  
MOLINA, PALTIN, SINENCI, SUGIMURA,  
VICE-CHAIR RAWLINS-FERNANDEZ, AND  
CHAIR LEE.

NOES: NONE.

CHAIR LEE: There are nine "ayes", nine "ayes" and no "noes", so motion carries unanimously.

Mr. Clerk.

#### COMMITTEE REPORT

NO. 20-58 - PLANNING AND SUSTAINABLE LAND USE COMMITTEE:

Recommending that the County Communication 19-68, from Council Chair Kelly T. King, transmitting a proposed resolution, entitled "REFERRING TO THE MAUI PLANNING COMMISSION A PROPOSED BILL TO AMEND THE KIHEI-MAKENA COMMUNITY PLAN AND LAND USE MAP FROM BUSINESS/COMMERCIAL TO SINGLE-FAMILY FOR APPROXIMATELY 43,390 SQUARE FEET OF PROPERTY AT 1488 SOUTH KIHEI ROAD, KIHEI, MAUI, HAWAII". be FILED.

CHAIR LEE: Member Paltin.

COUNCILMEMBER PALTIN:

I MOVE TO ADOPT THE RECOMMENDATION IN COMMITTEE  
REPORT 20-58.

COUNCILMEMBER SINENCI:

SECOND.

CHAIR LEE: Moved by Member Paltin, seconded by Mr. Sinenci, to approve Committee Report 20-58.

Ms. Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. The Planning and Sustainable Land Use Committee received an update from the project applicants who are seeking a Community Plan Amendment from Business/Commercial to Single-Family. If granted, the approximately 43,000 square foot property could be subdivided into four lots with a maximum of 12 dwellings on the property.

The Committee received significant community opposition to the request due to the property's proximity to marshlands, a history of flooding in the area, and excessive density if the site were fully developed. Therefore, the Planning and Sustainable Land Use Committee unanimously recommended filing of the communication.

I respectfully ask the Members support for my motion. Thank you.

CHAIR LEE: Any further discussion? If not, all those in favor of the motion say "aye", raise your hand.

AYES: COUNCILMEMBERS HOKAMA, KAMA, KING,  
MOLINA, PALTIN, SINENCI, SUGIMURA,  
VICE-CHAIR RAWLINS-FERNANDEZ, AND  
CHAIR LEE.

NOES: NONE.

CHAIR LEE: Everybody raised their hand. Nine, zero; motion carries.

Mr. Clerk.

COMMITTEE REPORT  
NO. 20-59 - WATER, INFRASTRUCTURE, AND TRANSPORTATION  
COMMITTEE:

Recommending the following:

1. That BILL 75 (2020), entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT WITH THE BOARD OF LAND AND NATURAL RESOURCES, STATE OF HAWAII, REGARDING THE PURCHASE OF WATER ALLOCATION CREDITS FROM THE CAMP MALUHIA SITE NO. 1 WELL DEVELOPMENT FOR STATE PROJECTS," be PASSED ON FIRST READING and be ORDERED TO PRINT;
2. That County Communication No. 20-197, from the Director of Water Supply, be FILED; and
3. That County Communication No. 20-227, from Council Chair Alice L. Lee, be FILED.

CHAIR LEE: Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you.

I MOVE TO ADOPT RECOMMENDATIONS IN COMMITTEE  
REPORT 20-59.

COUNCILMEMBER SINENCI:

SECOND.

CHAIR LEE: Okay, moved by Member Sugimura, seconded by Mr. Sinenci, to approve Committee Report 20-59.

Discussion, Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. Your Water, Infrastructure, Transportation Committee met on June 4, to discuss a proposed bill to amend the original 2004 intergovernmental agreement specific to the Camp Maluhia Site No. 1 Well to allow the State of Hawaii to participate in the development of site wells for Central Maui mutually designated by the State and the County, where the State will

receive, and water will receive water allocation credits for State projects in direct proportions to its financial contributions, contribution.

Your Committee also discussed the use of State funds for this project and the allocation of water credits between the County and State. The Director of Water Supply noted that they are currently in the exploratory phase of this project and, before the well is finished, an agreement for the water source credits will come to the Council for review and approval.

Your Committee was satisfied with the explanation for the agreement proposed by the Water Department. And your Committee voted 7-1 to recommend passage of the proposed bill on first reading and filing of the communication.

I respectfully ask for the Members support of my motion. Thank you, Chair.

CHAIR LEE: Any further discussion? If not, all those in favor say "aye" and raise your hand.

AYES: COUNCILMEMBERS KAMA, KING, MOLINA,  
PALTIN, SINENCI, SUGIMURA, VICE-CHAIR  
RAWLINS-FERNANDEZ, AND CHAIR LEE.

CHAIR LEE: Okay. Mr. Hokama.

NOES: COUNCILMEMBER HOKAMA.

CHAIR LEE: Okay. We have eight "ayes" and one "no"; motion carries. The "no" is Mr. Hokama.

Alright. Mr. Clerk.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair.

DEPUTY COUNTY CLERK: Madam Chair, for the record, that is BILL 75 (2020).

VICE-CHAIR RAWLINS-FERNANDEZ: Chair.

CHAIR LEE: Oh, Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Before we move to the second and final reading, which is basically all the budget bills, may I request a, a brief recess?

CHAIR LEE: Sure. Recess at the call of the Chair.

(THE MEETING WAS RECESSED BY THE CHAIR AT 10:49 A.M., AND WAS RECONVENED AT 11:03 A.M., WITH ALL MEMBERS PRESENT.)

CHAIR LEE: We're back. Will the Council meeting please reconvene. Okay, everybody, get ready. We're about to make history. I'm not joking. We are about to make history.

COUNCILMEMBER KAMA: Rock and roll.

CHAIR LEE: Alright, Mr. Clerk.

DEPUTY COUNTY CLERK: Madam Chair, proceeding with ordinances for second and final reading.

## ORDINANCES

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 61 (2020)

A BILL FOR AN ORDINANCE AMENDING  
THE FISCAL YEAR 2020 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 FINANCE  
(CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (CARES ACT))

CHAIR LEE: Vice-Chair Rawlins-Fernandez. You need to unmute her.

COUNCILMEMBER KING: Muted.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Chair. If there are no objections, may I request the Clerk also call up Bill 62 and 63?

CHAIR LEE: Mr. Clerk.

Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: No objections. So, ordered. So, 61, 62, 63.

Mr. Clerk.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 62 (2020)

A BILL FOR AN ORDINANCE AMENDING  
THE FISCAL YEAR 2020 BUDGET FOR THE COUNTY OF MAUI  
AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS,  
DEPARTMENT OF PARKS AND RECREATION; COUNTYWIDE;  
COUNTYWIDE PARKS AMERICANS WITH DISABILITIES ACT (ADA) IMPROVEMENTS;  
COUNTYWIDE PARK PLAYGROUND IMPROVEMENTS

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 63 (2020)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY  
OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT  
WITH THE OFFICE OF THE AUDITOR, STATE OF HAWAII, TO AUDIT THE  
SCHEDULE OF ALLOCATIONS OF THE EMPLOYEES' RETIREMENT SYSTEM  
OF THE STATE OF HAWAII

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO PASS BILL 61 THROUGH BILL 63 ON SECOND  
AND FINAL READING.

COUNCILMEMBER KING:

SECOND.

COUNCILMEMBER KAMA: Second.

CHAIR LEE: It's been moved by Vice-Chair Keani Rawlins-Fernandez, and seconded by Councilmember King, to pass Bill 61, 62, and 63 on second and final reading.

Vice-Chair Rawlins-Fernandez, discussion.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Bill 61 adds an appropriation entitled "Coronavirus Aid Relief, and Economic Security Act", under the Department of Finance in the amount of \$67 million in anticipation of the receipt of \$66,598,757 in funds from the State to be used to address the economic fallout due to COVID-19. And so, now that we're passing this, all we are waiting for is the Governor to sign and then we can receive that funding.

Bill 62 amends the project description related to the Countywide Parks ADA Improvement Project and the Countywide Park Playground Improvement Projects. These amendments will allow the Department to move forward with improvements using existing funds available from the FY20 appropriation.

And Bill 63 authorizes the Mayor to enter into a intergovernmental agreement with the State of Hawaii, Office of the Auditor, which includes execution of a Memorandum of Understanding, related documents and any amendments, as well as authorized payment of \$3,900 for Fiscal Year '19 through Fiscal Year '21.

I ask for the Council's support of this motion once again. Mahalo, Chair.

CHAIR LEE Okay. Any further discussion? All those in favor of the motion say "aye" and raise your hand.

AYES: COUNCILMEMBERS HOKAMA, KAMA, KING,  
MOLINA, PALTIN, SINENCI, SUGIMURA,  
VICE-CHAIR RAWLINS-FERNANDEZ, AND  
CHAIR LEE.

CHAIR LEE: Okay. Anybody opposed?

NOES: NONE.

CHAIR LEE: We have nine "ayes", no opposed; motion carries.

Mr. Clerk.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 64 (2020)

A BILL FOR AN ORDINANCE RELATING TO THE  
OPERATING BUDGET FOR THE COUNTY OF MAUI  
FOR THE FISCAL YEAR JULY 1, 2020 TO JUNE 30, 2021



CHAIR LEE: Vice-Chair Keani Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO PASS BILL 64 ON SECOND AND FINAL READING.

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Okay. Moved by Vice-Chair Rawlins-Fernandez, seconded by Councilmember Kelly King, to pass Bill 64 on second and final reading.

Discussion, Rawlins-Fernandez, Member.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I will hold my final comments on the FY '21 Budget until the remaining budget bills are called up. Mahalo, Chair.

CHAIR LEE: Any other comments? Okay, all those--

Yes, Ms. Paltin. And then Mr. Hokama. Ms. Paltin. Take him first?

COUNCILMEMBER PALTIN: I, I'd like to propose an amendment to Bill 46.

CHAIR LEE: 64?

COUNCILMEMBER PALTIN: 64, sorry, 2020.

CHAIR LEE: Okay. What's your amendment? Move to?

COUNCILMEMBER PALTIN: Members, refer to a copy of the ASF emailed by staff.

I MOVE TO AMEND PAGE 14 OF BILL 64 (2020) FOR THE CLEAN UP OF MILE MARKER 13.5 UNDER THE DEPARTMENT OF MANAGEMENT, MANAGEMENT PROGRAM, AS FOLLOWS: "UP TO \$100,000 FOR THE CLEAN UP OF MILE MARKER 13.5 AREA, UKUMEHAME, AS REFERENCED IN RESOLUTION 04-157, TO CLEAR AND REMOVE ABANDONED VEHICLES AND GARBAGE, AND IMPLEMENT PREVENTATIVE MEASURES".

CHAIR LEE: Do we have a second?

COUNCILMEMBER SINENCI:

SECOND.

CHAIR LEE: Okay. It's been moved by Member Paltin, seconded by Member Sinenci, to amend Bill 64 as stated.

Discussion, Ms. Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. This is a nonsubstantive revision. The intent is just to clarify that it also includes the implementation of preventative measures and clarify the dollar amount in the bill. This action, yea.

CHAIR LEE: Okay.

COUNCILMEMBER PALTIN: So, that's--

CHAIR LEE: Anyone else wish to discuss, question?

Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I just wanted to reiterate what Member Paltin said that by approving of, or by voting in favor of this motion, it's nonsubstantive. So, we would still be able to pass the Bill 64 on second and final reading.

CHAIR LEE: Any further discussion? All those in favor of the motion say "aye", raise your hand.

AYES: COUNCILMEMBERS HOKAMA, KAMA, KING,  
MOLINA, PALTIN, SINENCI, SUGIMURA,  
VICE-CHAIR RAWLINS-FERNANDEZ, AND  
CHAIR LEE.

NOES: NONE.

CHAIR LEE: Okay. We have nine "ayes", zero "noes"; and so, motion passes unanimously.

Mr. Clerk.

DEPUTY COUNTY CLERK: Madam Chair, I believe the body is back on the main motion as amended.

CHAIR LEE: Oh, I'm sorry. Yes, the motion as, the main motion as amended. Any further discussion?

Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Chair. Thank you, Members. I want to first say thank you to the budget staff. I was able to get the revenue spreadsheet this morning, so I reviewed it. And again yea, my concern, especially after reading one of the notes, and this is my area of concern, Members, this morning is under our estimated revenues component. I was aware of the Solid Waste shortfall, the \$3.949 million budget that requires a General Fund revenue transfer. And I'm surprised to see that the Sewer Fund is short \$1.626 million. And so, my question would be where in the bill, Bill 64, do we show that adjustment for the Sewer Fund shortfall?

CHAIR LEE: Okay.

COUNCILMEMBER HOKAMA: Yea, so for me, on the bill, under, on page 6 of the bill itself, yea, you notice we made adjustments to EP&S where we didn't change that number, the \$334,759. And then the Supplemental Transfer to Solid Waste, we still showed \$2.351 million. And yet, after the April 30 meeting, we, we are saying there is a shortfall of 3.9 . . . So, I'm just trying to figure out how we balanced that out.

Because if we just reduced to the original Mayor's proposal, the 28618, that has been basically all encumbered monies or dedicated funding. So, I, I'm not sure on the adjustments. And so, I would ask if either budget staff could assist our Chair or Budget Director Yoshimura, to maybe mention if I am understanding this wrong. But I think there is some adjustments that still need to be made to, to balance out this component. Thank you very much.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I can call upon staff or, yea, I can call upon staff to share their screen. Or--

CHAIR LEE: Alright.

VICE-CHAIR RAWLINS-FERNANDEZ: Member Hokama would prefer, I can ask Budget Director Yoshimura.

CHAIR LEE: Either way.

COUNCILMEMBER HOKAMA: I, I'm open. Yea, thank you, Chair. I leave it to your folks discretion. Either the Budget Director or budget staff; whoever could maybe assist us would be appreciated. Thank you.

CHAIR LEE: I do recall this coming up. And we had extensive discussions on this. And I thought the adjustments were made. What are we seeing, Ms. Rawlins-Fernandez?

LEGISLATIVE ANALYST LESLEY MILNER: Hi Chair. This is Lesley.

CHAIR LEE: Okay, Lesley.

MS. MILNER: I'm sharing my screen. The adjustment Mr. Hokama's talking about you can see at the very bottom of page 1 is in the Interfund Transfer line item, where we're reducing the amount of the Interfund Transfer to the General Fund and increasing the amount to Solid Waste Fund by \$3,276,000; \$276,579. But because on the Operating Bill, it's all reflected in one line item. That number did not change.

CHAIR LEE: Ms. Rawlins-Fernandez, did you want to add anything? Or do you want to ask Ms. Yoshimura to chime in?

VICE-CHAIR RAWLINS-FERNANDEZ: Yes, please, Chair. Budget Director Yoshimura, are you on?

BUDGET DIRECTOR: Yes, Chair.

VICE-CHAIR RAWLINS-FERNANDEZ: Oh, did you have the same concern, Budget Director Yoshimura.

BUDGET DIRECTOR: So, if you're increasing the Interfund Transfer, according to this sheet, by the \$3.2 million, where, I guess, the Supplemental Transfer is increasing back from the General Fund to the, to the Solid Waste Fund. So, when the budget was proposed back in March, we had already proposed a \$2.3 million increase or a Supplemental Transfer from the General Fund to the Solid Waste Fund. So, if the increase to the Supplemental Transfer is another \$3.2 million, then on page 6, you would have to show the increase. If not, we would only transfer, Finance would only have the authority to transfer the \$2.3 million.

And I, and I'm not sure I'm understanding where you're getting the \$3.2 million negative that's showing in the General Fund column. How was that generated? Sorry. Because, the Interfund Transfer--

CHAIR LEE: Michelle, weren't you, Michelle, weren't you tracking this all the way through as we were working on it?

BUDGET DIRECTOR: I had, I was given this revenue sheet a few days ago. I'm trying to review what was the changes that were made. I didn't have your final, I don't have your final balance sheet.

CHAIR LEE: Ms. Rawlins-Fernandez, shall we take a short break?

VICE-CHAIR RAWLINS-FERNANDEZ: Sure. Mahalo, Chair.

CHAIR LEE: Let's take a, how long? How long of a break should we take? You want to take lunch?

COUNCILMEMBER KAMA: Go lunch.

CHAIR LEE: You want to take a 30 minute lunch, 40 minute lunch?

VICE-CHAIR RAWLINS-FERNANDEZ: Sure.

CHAIR LEE: Okay. How about, oh, come back at 12:00. Take lunch now.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair, before we, before we break.

CHAIR LEE: Yes.

VICE-CHAIR RAWLINS-FERNANDEZ: Can I just ask if any of the Members have any other questions so that if there are any questions or concerns, that we can address them during this break, so that we don't have to take another break.

CHAIR LEE: Alright. Are there any other questions? Okay.

COUNCILMEMBER HOKAMA: I, Chair, and again, yea, one last one, yea. Under the worksheet that we're looking at on the screen, far right that estimated revenue, Mayor, 869,834,674.

COUNCILMEMBER KAMA: I can't even read that.

COUNCILMEMBER HOKAMA: I still eat carrots. I get good eyes. So, that, that's the figure we have today. But yet, you know, again, when we, Exhibit "1" on April 30, we show 869,834,609, which is still different from the Mayor's original, you know, submitted

numbers. So, I don't know which number we're going to base it off of as far as the total eventually. So, if we could maybe get a response after the recess, that would help me out too. Thanks.

CHAIR LEE: Okay. Do you have--

COUNCILMEMBER KING: Chair.

CHAIR LEE: --all of this in writing by any chance Mr. Hokama?

COUNCILMEMBER HOKAMA: I've, I appreciate, the Budget Chair has been very gracious, so I've had a chance to have a chat with Ms. Milner and she's, and again, Chair, yea, they had a difficult budget being separated, so I mentioned that to her that, yea, I had hoped that we wouldn't readjust the Mayor's submittal. That is the one constant from, in the whole process. From the submittal to final adoption, the Mayor's numbers never change, yea. But somehow, you know, we, we've made adjustments, so I'm just trying to understand what was the adjustment to make that number change? Thank you.

CHAIR LEE: Okay. It's just surprising to me at this time to be dealing with these kinds of details when it should have been examined at the time we were working on it; not now. But nevertheless, let's take the, use the 45 minutes or 40 minutes.

Yes, Ms. Sugimura.

COUNCILMEMBER SUGIMURA: So, can I have a copy of that spreadsheet or is it something that we already got? Is it on Granicus that we already got? That same spreadsheet that Mr. --

CHAIR LEE: Well, maybe, maybe Lesley--

COUNCILMEMBER SUGIMURA: Mr. Hokama . . .

CHAIR LEE: --you can email it to everybody.

COUNCILMEMBER SUGIMURA: Thank you.

COUNCILMEMBER KAMA: Thank you.

CHAIR LEE: We need to take a break, cause we need to figure this out, yea. And by the way, all hands on deck on this.

Yes, Kelly King.

COUNCILMEMBER KING: Yes, I just wanted to suggest that maybe we take an hour for, if we're taking a lunch break so that whoever is working on this isn't working the whole time and has a chance for their lunch break as well.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Member King.

CHAIR LEE: That, that's a good suggestion. So, how about 12:30? Okay? 12:30 we return. So, meeting is in recess. Thank you.

(THE MEETING WAS RECESSED BY THE CHAIR AT 11:21 A.M., AND WAS RECONVENED AT 12:56 P.M., WITH ALL MEMBERS PRESENT.)

CHAIR LEE: Aloha again my dear friends. We are back for, with the Council meeting on June 5. We just have a little bit of work to do and then we all can go home and have fun.

So, we left off, I believe with Vice-Chair Keani Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I move to amend the following, and I will ask our EDB Committee staff, Ms. Milner, to share her screen so that everyone can follow along. I believe that everyone should also have, in their email, from the Clerk's, the Amendment Summary Form, so that they can also read along there if that is what they would prefer. But it's on the screen as well. And it's, I believe should be about readable for everyone.

CHAIR LEE: Yea, it's pretty good.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay, great.

COUNCILMEMBER KAMA: Thank you, Chair. I can read it.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Perfect. Mahalo, everyone.

OKAY, SO I MOVE TO AMEND THE FOLLOWING: ONE, ON PAGE 1, WHICH IS WHAT YOU'RE LOOKING AT NOW, OF BILL 64, AMEND LICENSES/PERMITS/OTHERS BY CORRECTING THE AMOUNT TO \$40,193,252. AMEND SPECIAL ASSESSMENTS BY ADJUSTING THE AMOUNT TO \$4,458,329. AMEND INTERFUND TRANSFERS BY CORRECTING THE AMOUNT TO \$43,001,438. AND AMEND TOTAL ESTIMATED REVENUE BY ADJUSTING THE AMOUNT TO \$822,613,813.

CHAIR LEE: Second?

VICE-CHAIR RAWLINS-FERNANDEZ: Sorry, Chair. There are three total amendments to this motion.

CHAIR LEE: Oh, okay. You're not done yet.

COUNCILMEMBER KING: Chair.

COUNCILMEMBER PALTIN: Point of information.

VICE-CHAIR RAWLINS-FERNANDEZ: Number 2.

COUNCILMEMBER KING: Yea, point of information, there's a black, there's a box over the bottom right hand corner that's covering the total amount; a gray box.

VICE-CHAIR RAWLINS-FERNANDEZ: Oh, well, she can scroll up. Ms. Milner, would you mind scrolling up, please?

MS. MILNER: I have scrolled up. Is that--

CHAIR LEE: Okay. We see it. We see it now.

COUNCILMEMBER KING: Yea, that, that box went away.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. And then on the next.

THE SECOND AMENDMENT TO THIS MOTION IS ON PAGE 6 OF BILL 64, AMEND SECTION 3 AS IT PERTAINS TO SECTION 3.B.4.F.(5), DEPARTMENT OF FINANCE, COUNTYWIDE COSTS, SUPPLEMENTAL TRANSFER TO SOLID WASTE FUND, BY ADJUSTING THE AMOUNT TO \$5,628,373. AND THE LAST AMENDMENT TO THIS MOTION IS ON PAGE 27 OF BILL 64, TO AMEND TOTAL OPERATING APPROPRIATIONS AS FOLLOWS: CORRECT CATEGORY B SHOULD BE ADJUSTED TO \$481,921,424 AND THE TOTAL SHOULD BE ADJUSTED TO \$682,767,484. AND OTHER CORRESPONDING NONSUBSTANTIVE REVISIONS. AND THAT'S MY MOTION.



COUNCILMEMBER KING:

SECOND THE, SECOND THE MOTION.

CHAIR LEE: Okay. Moved by--

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Milner.

CHAIR LEE: Okay. Moved by Vice-Chair Rawlins-Fernandez, seconded by Member King, to make the various, well, the amendments that were just stated.

Discussion? Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. As we know, teamwork makes the dream work. And in this arena, pointing out problems without offering solutions is not helpful. But thankfully we have a great team; a team that's willing to go and talk with Members to find out what their concerns are so that they can fix those issues before we come to the floor on the Council meeting. So, I'm very thankful to staff for being very quick, being very smart and intelligent, on their feet, and making these adjustments.

The other concern that was brought up before we went out to recess was regarding the Mayor's numbers. Those numbers were on the spreadsheet and not on the bill itself. So, that's Exhibit "1". Exhibit "1" is not the bill.

And we used the certified numbers that we received from Finance, which is a difference of about \$100. If you see differences, slight differences, it's because of different rounding that happens. And it doesn't impact the bill. And my understanding is the Budget Director didn't have any concerns with those numbers. Mahalo, Chair.

CHAIR LEE: Yes, Ms. Yoshimura.

BUDGET DIRECTOR: Chair, page 34 of the bill, the total.

VICE-CHAIR RAWLINS-FERNANDEZ: Yes. That will be adjusted.

BUDGET DIRECTOR: That will be adjusted? Was that part of the amendment?

VICE-CHAIR RAWLINS-FERNANDEZ: Yes, non, nonsubstantive corresponding adjustments. Mahalo, Budget Director.

BUDGET DIRECTOR: Thank you.

CHAIR LEE: Okay. Anybody else?

Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Chair. I appreciate the motion to amend. I think this now makes it so that the bill, takes away the possibility of a veto, because of imbalances. So, I appreciate the effort to make the corrections this afternoon. And again, you know, I appreciate everybody's comments. For me, I would agree too. I would have loved to give you more detailed recommendations on adjustments. But it's hard when we don't have the detailed worksheets.

So, today I came up with my comments that I shared at final reading of Committee, that I shared at first reading before Council, regarding these same areas of concern. So, it's nothing new that I have brought up. Again, my thing has always been that the devil is in the details. And I was proven right today by all of our efforts to make this thing move forwards.

So, I thank the Budget Office, I thank the Committee staff, because the adjustments we made are in the millions, millions. And I think the community appreciates the effort we did to make sure that this thing moves forward and that we can account for the monies that we are going to be collecting and spending during this virus period. So, I appreciate the effort and I would say it is not the job of the Budget Director to do Council work. And I will be voting in support of the motion to move this budget of operations forward. Thank you.

CHAIR LEE: Just want to say real quickly that, of course, I feel deeply grateful to our Budget Chair and Council Vice-Chair, all of, and her staff, office staff and everyone.

But I also want to say that it, it's good to, to continue to have a good working relationship with the Administration, with the Budget Director. It appears that there may have been some miscommunication. And, and so, I would have to apologize for giving anybody the impression that I was, was angry or disappointed in the assistance that we did get from the Administration.

And I, but like I said, I think our staff and Ms. Rawlins-Fernandez, and her staff did an outstanding job. And sometimes these things happen. When you're dealing with a \$822 million budget, yea, there's going to be, it's going to be, yea, there are times when things are not going to be as exact as you want it to be.

And secondly, I think what also happened here was a misunderstanding of terms, believe it or not. When you, you know, you transfer funds, I was advised today, that it's not the same thing as other types of transfers. You know, special fund transfers often involve more than one, two steps. And as Ms. Yoshimura put it, it's a three-legged animal and sometimes that can become a little complex. But I just wanted to make that point. So, it's really no one's fault, it just happens.

So, with that, is there any other discussion besides on, on the, we're voting on the main motion as, well, these are new amendments actually. These are new amendments. Okay. So, anymore discussion on these new amendments?

Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I just wanted to clarify that the budget wasn't off; that the money was all there, the revenue and the expenditures match. As Chair Lee just explained and Member Hokama, that in the details is where it needs to be reflected and sometimes more than one time. And so, if a third time is not reflected, then really, it's a nonsubstantive change. So, I just want to be clear about that, that that's why we didn't change anything in the revenues because we weren't unbalanced. It's just how the budget is written. Mahalo, Chair. And mahalo, Budget Director Yoshimura for your help during the recess.

CHAIR LEE: Anymore comments? If not, all those in favor of the motion as, pardon me? Oh, "aye". Okay. Say, "aye", raise your hand, say "aye". Okay, are we missing one person? Ms. Sugimura, are you there? Okay. Ms. Sugimura are you there?

AYES: COUNCILMEMBERS HOKAMA, KAMA, KING,  
MOLINA, PALTIN, SINENCI, SUGIMURA,  
VICE-CHAIR RAWLINS-FERNANDEZ, AND  
CHAIR LEE.

NOES: NONE.

CHAIR LEE: Okay. I see a unanimous vote. Nine "ayes", zero "noes"; motion carries.

Ms. Rawlins-Fernandez, anything else we got? Now, we're dealing with the, the motion, the main motion as amended.

VICE-CHAIR RAWLINS-FERNANDEZ: Yea. So, those were all my--

CHAIR LEE: Would you like to say anything?

VICE-CHAIR RAWLINS-FERNANDEZ: --amendments. And I will save my final comments for the last bills that we pass, last budget bills. So, if anyone else has any questions about what we just did or on the budget itself--

CHAIR LEE: Alright. Seeing no further comments, all those in favor of the motion as amended, please say "aye" and raise your hand.

AYES: COUNCILMEMBERS HOKAMA, KAMA, KING,  
MOLINA, PALTIN, SINENCI, SUGIMURA,  
VICE-CHAIR RAWLINS-FERNANDEZ, AND  
CHAIR LEE.

NOES: NONE.

CHAIR LEE: Motion carries. It's unanimous; nine, zero.

That takes care of 64 and 65. Only 64? Oh, okay. Now we're on 65.

Mr. Clerk.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 65 (2020)

A BILL FOR AN ORDINANCE RELATING TO THE  
CAPITAL PROGRAM FOR THE FISCAL YEAR ENDING JUNE 30, 2021

CHAIR LEE: Council Chair, Vice-Chair Keani Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. May I request the Clerk also call up Bills 66 through Bill 72 if there are no objections?

COUNCILMEMBER KING: No objections.

CHAIR LEE: Any objections?

COUNCILMEMBER KAMA: No objections.

COUNCILMEMBER MOLINA: No objections.

COUNCILMEMBER KAMA: None.

CHAIR LEE: Mr. Hokama.

COUNCILMEMBER HOKAMA: I'd like to ask separation for 71 and 72.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay.

COUNCILMEMBER HOKAMA: I, I support the Vice-Chair's efforts for all other bills to, on one motion. Thank you.

VICE-CHAIR RAWLINS-FERNANDEZ: No problem, Chair. So, just Bill 66 through Bill 70.

CHAIR LEE: Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: If not, so ordered.

Mr. Clerk.

DEPUTY COUNTY CLERK: You have before you Bill 66 (2020).

VICE-CHAIR RAWLINS-FERNANDEZ: Chair. Chair.

CHAIR LEE: Oh, I'm sorry, Mr. Clerk.

Vice-Chair Keani Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: May I request, sorry, Chair. May I request bills be taken out of order? May we please take up Bill 71 and 72 first and then the final 64 through 70 after?

CHAIR LEE: Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: So, ordered.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Mahalo, Members. Appreciate it.

CHAIR LEE: So, take 71 and 72.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 71 (2020)

A BILL FOR AN ORDINANCE AMENDING SECTION 2.44.015,  
MAUI COUNTY CODE, RELATING TO SALARIES OF DEPUTIES  
CORPORATION COUNSEL AND DEPUTIES PROSECUTING ATTORNEY

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 72 (2020)

A BILL FOR AN ORDINANCE AMENDING SECTION 2.08.060, MAUI COUNTY  
CODE, RELATING TO SALARIES IN THE LEGISLATIVE BRANCH

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO PASS BILL 71 AND BILL 72 ON SECOND AND  
FINAL READING.

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: It's been moved by, by Vice-Chair Rawlins-Fernandez, seconded by  
Councilmember Kelly King, to pass Bill 71 and 72 on second and final reading.

Discussion, Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: I think we discussed these two bills enough. But I'm  
just going to once again lend my support to our staff. And I will continue to advocate  
for equity for our attorneys and ensure fairness in our OCS staff. And I think they are  
doing such a phenomenal job. Mahalo, to our OCS staff. Mahalo, Chair.

CHAIR LEE: Further discussion? If not, oh, Ms. Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. I just wanted to reiterate my support as well.  
You know, I, I think that our attorneys are really on it and, and they've offered a lot of  
help. I wouldn't like to lose them to the Corporation Counsel's side knowing that they  
could get more money on that side. We got to keep our quality level up. I don't want  
no ship jumpers over here.

And you know, I think the, the other side with, with everything that's going on here, for us as the only County to have been able to continue under the direction and coordination of the EDB Chair, it also took the staff very hard work and adaption to make this happen. It's not business as usual. And Maui County came out ahead of all the counties and even the State for that matter. And it was due to the leadership of Budget Chair Keani Rawlins-Fernandez and all of the staff and all the Members working to make that happen. And I think that we need to make good on the things that we said at the beginning of the term and the year. And so, I'm supportive of this.

CHAIR LEE: Anyone else? I totally agree with both Member Paltin and Member Rawlins-Fernandez. We are very blessed to have the staff we have. And of course, this, this ordinance doesn't affect the, Ms. Rawlins-Fernandez' staff. But yea, I totally agree. She, she has a outstanding group and team working with her.

Ms. King.

COUNCILMEMBER PALTIN: Thanks for that clarification. Sorry about that. Thank you for clarifying that. That's what I meant.

COUNCILMEMBER KING: Thank you, Chair. So, I, I just wanted to say, regarding our attorneys that my, you know, I don't, I don't believe they get overtime, so they're kind of on the same status as us. We don't get overtime either. And so, I'm totally supportive of, of the new salary schedule. And I echo everything that's been said about our OCS staff. I think we have a tremendous staff. And I think it also is a compliment to this Council that we're able to attract high-level people to OCS and . . .

So, I don't, I don't want to, I'll make other comments about the whole process later on. But I appreciate everybody's work on this. And very supportive.

CHAIR LEE: Mr. Sinenci.

COUNCILMEMBER SINENCI: Chair, I just wanted to add my gratitude. I think during this pandemic, for all OCS staff, I've, you know, if it wasn't for them, the other day we had a shortage and we had some OCS staff quickly drive from, from their homes down to the Council. So, they've gone beyond even their regular duties during this pandemic and I just wanted to recognize them. Okay. Mahalo. Thank you.

CHAIR LEE: Thank you. Anyone else? If not, all those in favor of the motion, raise your hand and say "aye".

AYES: COUNCILMEMBERS KAMA, KING, MOLINA,  
PALTIN, SINENCI, VICE-CHAIR RAWLINS-  
FERNANDEZ, AND CHAIR LEE.

CHAIR LEE: Those opposed, say "no", raise your hand.

NOES: COUNCILMEMBERS HOKAMA AND SUGIMURA.

CHAIR LEE: Motion passes unanimously.

COUNCILMEMBER KING: Oh.

VICE-CHAIR RAWLINS-FERNANDEZ: Two "noes", Chair.

COUNCILMEMBER KING: I think that was two "noes".

CHAIR LEE: Oh, I'm sorry, I didn't hear them. I, I waited, and I still didn't hear anything.  
Okay, two "noes"; we have Mr. Hokama and Ms. Sugimura.

VICE-CHAIR RAWLINS-FERNANDEZ: Member Sugimura.

CHAIR LEE: So, seven "ayes" and two "noes".

Pardon me?

VICE-CHAIR RAWLINS-FERNANDEZ: No, I'm just letting Member Sugimura that she need,  
she needs to make noise so that her video pops up on your screen, Chair. That, that's  
how the software works; you have to unmute yourself and make noise so that your  
video shows up. Cause only nine screens show up on computer screens.

CHAIR LEE: Okay.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: Mr. Clerk, did you read No. 72 as well? Okay. Alright. So, that's, that takes  
care of those. Resume the other ones.

DEPUTY COUNTY CLERK: So, Madam Chair, you want me to bring back up Bill 65  
through Bill 70?

CHAIR LEE: Yes.



ORDINANCE NO. \_\_\_\_\_  
BILL NO. 65 (2020)

A BILL FOR AN ORDINANCE RELATING TO THE  
CAPITAL PROGRAM FOR THE FISCAL YEAR ENDING JUNE 30, 2021

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 66 (2020)

A BILL FOR AN ORDINANCE AUTHORIZING THE  
ISSUANCE OF SEVENTY MILLION, THREE HUNDRED FIVE  
THOUSAND, THREE HUNDRED TWENTY-ONE DOLLARS  
(\$70,305,321) AGGREGATE PRINCIPAL AMOUNT OF GENERAL  
OBLIGATION BONDS OF THE COUNTY OF MAUI FOR THE  
PURPOSE OF PROVIDING FUNDS TO PAY ALL OR A PART OF  
THE COST OF APPROPRIATIONS FOR PUBLIC IMPROVEMENTS  
OF AND FOR THE COUNTY OF MAUI; FIXING THE FORM,  
DENOMINATIONS AND CERTAIN OTHER FEATURES OF SUCH  
BONDS AND PROVIDING FOR THEIR SALE; AUTHORIZING THE  
DIRECTOR OF FINANCE TO DETERMINE CERTAIN DETAILS OF  
THE BONDS; AUTHORIZING THE ISSUANCE AND SALE OF A  
LIKE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BOND  
ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE AND  
SALE OF SUCH BONDS; AUTHORIZING THE ISSUANCE OF  
REFUNDING GENERAL OBLIGATION BONDS OF THE COUNTY;  
AND PROVIDING FOR OTHER ACTIONS RELATED TO THE  
ISSUANCE, SALE AND DELIVERY OF SAID BONDS

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 67 (2020)

A BILL FOR AN ORDINANCE DETERMINING THAT PART OF  
THE PROCEEDS OF GENERAL OBLIGATION BONDS OF THE  
COUNTY OF MAUI HERETOFORE ISSUED IS IN EXCESS  
OF THE AMOUNTS REQUIRED FOR THE PURPOSES FOR WHICH  
SUCH BONDS WERE INITIALLY ISSUED, OR MAY OR SHOULD  
NOT BE APPLIED TO THOSE PURPOSES, AND DIRECTING  
SUCH PROCEEDS TO OTHER PUBLIC IMPROVEMENTS  
OR AUTHORIZED PURPOSES OF THE COUNTY OF MAUI

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 68 (2020)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR  
OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL  
AGREEMENT FOR A LOAN FROM THE STATE OF HAWAII'S WATER  
POLLUTION CONTROL REVOLVING FUND FOR VARIOUS WASTEWATER  
PROJECTS, FISCAL YEAR 2021 BUDGET ORDINANCE

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 69 (2020)

A BILL FOR AN ORDINANCE AMENDING SECTIONS 3.55.020 AND 3.55.040,  
MAUI COUNTY CODE, RELATING TO DISPOSAL OF VEHICLES AND THE  
ENVIRONMENTAL PROTECTION AND SUSTAINABILITY FUND

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 70 (2020)

A BILL FOR AN ORDINANCE ESTABLISHING A  
NEW CHAPTER 3.27, MAUI COUNTY CODE, RELATING  
TO A VEHICLE DISPOSAL FEE FUND

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Members, this budget paints a picture  
of how we hope to move Maui County into FY 2021. We were able to--

CHAIR LEE: I'm sorry.

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

I MOVE TO PASS BILLS 65 THROUGH 72 ON SECOND AND  
FINAL.

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Been moved by, I'm sorry, could you repeat which, in your motion?

VICE-CHAIR RAWLINS-FERNANDEZ:

I MOVE TO PASS BILL 65 THROUGH 70 ON SECOND AND  
FINAL READING.

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Okay. Very good. It's been moved by Vice-Chair Rawlins-Fernandez, seconded by Councilmember Kelly King, to pass the Bills 66 through 70. I mean, sorry, 65 through 70 on second and final reading. Alright.

Discussion, Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Chair. Members, this budget paints a picture of how we hope to move Maui County into FY 2021. We were able to work collaboratively with each other and the Administration in very uncertain times and amidst unforeseen economic and social obstacles to produce a budget that will sustain the County and allow for much needed economic development opportunities in the fiscal year.

We worked diligently to minimize discretionary expenditures, reduce expansion positions and travel-related expenses, and defer non-shovel ready projects. Instead, we focused on addressing pressing community needs by prioritizing appropriations in social services, environmental protection, housing and economic diversification, and self-sufficiency; including agriculture, food security and food sustainability.

To address some of Member Hokama's concerns made at the first reading, the proviso language was revised this year to remove ambiguity and provide more clarity with how funding opportunity, appropriations would be used by departments. We realized more can be done in this area, and we look forward to working with the Administration on a revised set of general budget provisions for FY 2022 to provide more definitive guidance, perhaps by defining terms such as "up to" and "no more than", or using more precise terms and by establishing a more ready, a readily understandable structure.

As for Exhibit "1", the modified version of this document did differ from the version the Committee was presented with on April 30. Staff worked hard to incorporate the Committee's intention. And because of that nonsubstantive revisions were made to

clean up the spreadsheet, for example, projects that the Council chose to delete were removed from the spreadsheet, which may account for differences in the CIP totals in the spreadsheet that Member Hokama referenced at first reading, but didn't impact the overall budget totals.

I offer these explanations, Members, because in the end, we worked hard on this budget and collectively. And we should feel good about passing it, which we did unanimously. The budget will be ever evolving over the course of the coming fiscal year. And as we continue to address budget amendments, as expeditiously as needed, that will allow flexibility to respond to the financial needs of the County as we continue to deal with the economic and social impacts of COVID-19.

And for all your hard work, Members, I offer this gift. It's a, an ode to the Fiscal Year '21 Budget session by Dr. Keani Seuss.

Kelly was lead on Exhibit "1". Over 1,200 rows of pure fun. Lesley's job was just as neat. She was charged with a revenue balance sheet. Chester and Ana were not shy. They handled the list of those who testified. Kasie was skilled at watching their backs. Checking for error, ensuring the facts. Yvette managed the flow, forever our rock. If there was a deadline, she always had it on lock. Remy and David kept us in line. Perfecting provisos with their legal mind. Tammy uploaded testimony and departmental responses. Kept Granicus organized so we wouldn't get nauseous. Traci showed leadership throughout it all; facilitated support and made sure no one would fall. Bruce, as you know, is our IT master. Without his genius, remote work could have been a disaster. Chivo Ching-Johnson and Akaku jumped up to help. Thank you so much for all that you do. Director Yoshimura, skilled budget expert she is, stayed by our side through, through the thick and thin. Scott Teruya is perfectly placed as our Finance guy. We can always count on him even on the fly. Mimi D. stepped in for David G. to lend a hand. Thank you, thank you for being there and filling that demand. As Chair stated, we are making history. So, there is no mystery. To all the Members, I appreciate you all and am proud to be the Chair and to answer that call. For your staff behind the scenes that brings things run, for your staff behind the scenes that help things run smooth, we appreciate you too and all that you do. This budget was a success thanks to everyone here. Now, let's try our best to enjoy the rest of the year. Mahalo, Chair.

COUNCILMEMBER KAMA: Amen.

CHAIR LEE: Well, so now we have a poet in a, our midst. Let's see, anybody else would like to say something?

Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Chair. I'm not as eloquent as our Dr. Seuss, but I thought that was a pretty wonderful statement regarding the motion in the budget. I'm speaking in support of the motion this afternoon, particularly with the budget, with the Bills 65, 66, 67. Kudos to our Chairman Ms. Rawlins-Fernandez and her staff.

I find this CIP proposal to be unique in many ways. I think the Members were trying to be creative and innovative in addressing not only County needs, but district needs. And I appreciate the flexibility that the Committee allowed us to come up with some projects that is not traditionally, I guess, viewed in the same manner that we have done it for this year. So, I want to thank all the Members for their participation and contributions on, on putting this capital improvements plan forward.

Again, Members, you know, we all wish that times are going to change back better, because one of the concerns is the level of borrowing, yea, for the long-term requirements of this County. And the only area that I hope that eventually will get some additional opportunities, Chair, is that with the Federal COVID money, I hope it will, again, release further financial resources of this County so that we can, again, through this Budget Committee, look at projects that we really got to address for climate change not related to the COVID virus. And that's the shoreline areas of infrastructure and the shoreline areas of housing and real property.

So, I just share this comments that this is something that the new Council is going to have to definitely grasp and deal with. And, but I think this budget places us in a good position to access the Federal dollars, to move forward certain sustainable initiatives, as well as the timing to utilize to make the appropriate adjustments in the economic drivers of this County. And to look at how we're going to reduce visitor dependency and hopefully the . . . visitor industry, education component technology will provide the high paying jobs that our residents need so that we don't need Kama`aina Come Home. We just need Kama`aina Stay Home. And so, with that, I thank you, Chair. And I, again, will be supporting this measure this afternoon. Thank you.

CHAIR LEE: Thank you, Mr. Hokama.

Others? Mr. Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. Mahalo, mahalo for the opportunity. We've been going at this for over two months now at home. So, I just wanted to extend a huge mahalo to all of our support staff who was able to quickly adapt to our remote operations. These are definitely unprecedented times, uncharted waters, a worldwide pandemic, 30 million plus nationwide unemployed, and over 100,000 lost loved ones.

So, I wanted to mahalo our local communities who have rose up to this challenge and shown their strength of character and has kept our, has flattened the curve, made it a little bit more safer for us to live in Maui County. So, again, mahalo to Budget Chair Rawlins-Fernandez and her EDB staff; Budget Director Yoshimura; the departments; my fellow Members; Mr. Hokama, for all your years of service and, and your expertise during this budget; also, to Chair Lee for providing the pule at the beginning. So, mahalo.

CHAIR LEE: Thank you. Anyone else?

Yes, Ms., Ms. Paltin and then Ms. Sugimura.

COUNCILMEMBER PALTIN: Thank you, Chair. I just, I thought our gift was going to be a couple extra minutes in the, the Budget Committee. But yea, thanks for the poem. Thank you everybody. Supportive. I'm supportive of the motion.

CHAIR LEE: Thank you.

And then, Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. That was very good Keani. I love Dr. Seuss. And I, I really appreciate how you pulled everything together as you did with our budget. I think after we finished your Committee meeting on April 30, I sent you a long text. And, and one evening I got to talk to Keani and learn a little bit about her growing up and her family. And she said when she was growing up, she always paddled, their family. And she, she knew that she would be a steers, I don't know man or woman? And I still remember that conversation.

I, I can't speak all the Hawaiian words that make up, you know, the whole, the whole canoe team. But I, I equated what we went through with budget the way that your, you shared your family trained you to be a steersperson. And that, as we went through this budget, it was very interesting because, as you know, the economy started raveling when we started. I mean, it was not, on March 25, the way that the, March 25 was the day that the 14-day quarantine started at 12:01 a.m. according to Governor Ige, and that, to me, was the start of everything with Coronavirus.

I think this budget reflects what's happening in the community with Coronavirus in the background and will be the new normal for our lives. And I appreciate what we did as a body, trying to address what these changes were. I, I'm pretty proud that we didn't add a lot to the budget. As you know, the questions that were submitted and the two questions by Riki Hokama and Tasha Kama became the, the standard bearer for the

Council of five percent cuts and what programs could you sacrifice to take us through this. And it became the most prevailing question throughout all the departments.

And I just want to acknowledge the departments who did give up the five percent, who acknowledged the hiring freeze, who did everything to, so that we could work together. And I think it was Chair Lee who said we got to work together and trust each other, you know. And so, I hope then the armor, armor came down and everybody worked together, which I think we did, to get us to the point of having a \$52 million cut in the budget, from that which we received on March 25.

I also want to say that the Coronavirus and the new norm is very serious. Today in the Maui News, it said that Maui County is the, has the highest unemployed in the whole nation; 35 percent. And, and also, I was surprised at this, is that the Realtor's Association of Maui also reported, I think it was Maui Now that homes in Central Maui, where a lot of working families are, are selling for \$819,000. So, here you have an economy in the group where a lot of people are unemployed, but yet houses are still selling. So, we have some kind of unbalance going on, and for us to protect working families.

As you know, all of you want to make sure that our working families have roofs over their heads, have food to eat. We provided rental assistance, additional rental assistance to make sure that we can help those that need help. The, the programs that we supported the Mayor on the Coronavirus were really important. And I do hope that we can help the Maui Food Bank more, Feed My Sheep, help the homeless.

I hear you, all of you, Tasha, and Alice, and Keani, everybody who's trying to help the homeless as I did spend time at the Kahana Beach Park. Kanaha Beach park is pretty bad. So, I hope we can do more rental assistance, feeding the homeless, help our, keep our economy strong so we don't have to get to a position of having to cut back in our, in our staffing. And that's what I'm really concerned about, maybe not this term, but next term where we not too sure how much we're going to get in real property tax revenue. But we'll watch it closely.

And I wanted to thank, especially, Michelle Yoshimura, who's worked with us, I think every day. As, as long as we were in session, she was with us. So, I wanted to give her a big thanks. And everybody, thanks for working hard. This was quite a great experience. Thank you. I support this by the way.

CHAIR LEE: Member Kama.

COUNCILMEMBER KAMA: Thank you, Chair. I feel I just want to say something really profound to you all. But I never say things that are profound, so I want to read

something. It's from the Book of Matthew 25 verse 21 and it says, "His Lord said unto him or her, well done, thou good and faithful servant. Thou has been faithful over a few things. I will make thee ruler over many things. Enter thou into the joy of thy Lord". So, that's my weekend prayer for all of you today. God bless us all.

CHAIR LEE: Thank you. Very beautiful and apt.

Anybody else? Ms., Vice-Chair Rawlins-Fernandez, did you do that ode based on a poem from Dr. Seuss? What was that?

VICE-CHAIR RAWLINS-FERNANDEZ: No, just, it was just the flow of it, is, is kind of like a Dr. Seuss book.

CHAIR LEE: Oh.

VICE-CHAIR RAWLINS-FERNANDEZ: So, it, it was based on our budget. And I see Member Molina has his hand up. And remember Members, if the Chair doesn't see you, you need to unmute yourself and make noise so that your--

COUNCILMEMBER MOLINA: I'm making noise.

VICE-CHAIR RAWLINS-FERNANDEZ: There we go, Member Molina. Yea, so it wasn't, it wasn't based on a, on a, on a book. It was just the flow of it.

CHAIR LEE: Oh, okay. Cause I have a little poem for you. It's not any kind of Dr. Seuss, but it's more like local aisus

VICE-CHAIR RAWLINS-FERNANDEZ: Aisus. Chair, you're muted.

CHAIR LEE: Okay. I just swore by the way. Nah, just joking. Okay. Did you hear the, my beginning? Did you? Okay. You heard of Dr. Seuss? Mine is "Aisus" in local jargon. We love you as our Budget Chair. We appreciate how you always care. Best wishes to you and everyone here. Look forward to the budget on Bluejeans next year. That's it.

Okay. Mr. Molina. Mr. Molina, you have something to say.

COUNCILMEMBER MOLINA: Yea, thank you. I'm sorry, I don't possess the poetic talents of Member Rawlins-Fernandez and yourself, so I'll stick to a more conventional message, but thank you.



You know, certainly the challenges that we were presented with, with doing this budget was just something unforeseen and unprecedented. So, you know, kudos to Budget Chair Rawlins-Fernandez, her staff, the Administration, Ms. Yoshimura, the departments as was mentioned earlier about making those voluntary cuts. And of course, we added more.

But nonetheless, it was put on, this budget was certainly put on a, a diet from the original proposal due to the unforeseen circumstances of COVID-19. And it certainly is a budget that reflects the sign of the times for sure. And, but yet at the same time it provides relief and help for those most in need, and also some much needed infrastructure improvements. And with the addition of the funding, the emergency funding that we had, and of course, with more to come hopefully from the Federal government. Because this is just the tip of the iceberg. The challenges are still out there.

And I pray the next Council that's going to have to deal with the next budget. And that will, it will certainly be a revenue challenged budget, so there's going to have to be a lot of creative thinking and options to consider.

But today, we just celebrate with what we have for now. And then, altogether put our head, heads and minds to see what we can do to help people, because it's, it's going to be a rough ride for a little while. But again, with a lot of prayer and everybody collaborating and coming together, you know, we'll, we'll get through this pandemic. But in the meantime, I fully support this budget.

And of course, it has been an honor to work with all of you. And kudos to everyone, you know, including our very respective office staffs, everybody hand in pitching in to make this budget a reality. So, thank you very much, Mr., excuse me, Madam Chair. And here's to everyone having a great weekend meal, which includes one of your favorites, Madam Chair; Hamburger Helper. Thank you.

CHAIR LEE: That's my special cuisine. Alright, anybody else want to say something?

COUNCILMEMBER KING: Chair.

CHAIR LEE: Ms. King.

COUNCILMEMBER KING: Okay, I guess I'll be, I'll go last. We had Dr. Seuss, we've had Aisus, we've had Reverend Kama with Jesus.

CHAIR LEE: Very good.

COUNCILMEMBER KING: I'm not going to try, I'm not going to try to follow, follow those eloquent passages. But what I do want to say, I mean, I, every, everybody who's been thanked, you know, double, double that; of course, all of our staff and the Administration for working with us of course.

I wanted to say that I really feel this budget is a manifestation of less is more. So, we went through such a hard times of all these cuts. But what we got was we, I truly believe there's an investment in the future in this budget. I believe there's care for the needy in this budget. I think we did an excellent job of being able to cut some of the fat and cut some of the things that we can do without for the immediate future. And we put in some, we put in some investments in our environment.

And thank you, Mr. Hokama for mentioning climate change, because that, that's going to be the next pandemic we're going to deal with. And you know, you've seen that coming. I just had a conversation this morning with ICLEI, which is the International Council on Local Environmental Initiatives. It's a, it's an international council, so they've invited me to be on their board because of what our Council has been doing and looking at the, the progressive movements that we've done towards climate change.

And I also want to thank Mr. Hokama for the past work you've done in getting this County to a place where we, we're in the best situation, I think, of any County in the State, you know.

So, as, as difficult as it was to go through that week, the one week where we were up till 11 to 1 a.m. in the morning, I thought that was one of the hardest weeks of this entire Council. But when we got through it, what we ended up with was so worth it. And so, you know, the, everything from the process that, that our Budget Chair and her staff created to the decisions that were made and the, some of them were compromises, but some of them were really far out there, far thinking and, and preventative and building on what we need to do for the future.

So, I'm really excited that the youth, I think, can be proud of this budget. And I think it's going to be something that we're going to be building on. So, I, I feel like it's, I feel like this, this is a really progressive budget that's going to, we're going to be able to build upon in the next few years.

So, I just really want to thank everybody. And great job, Keani, because we couldn't have, we couldn't have, I mean, I've just been, people keep asking me what we're doing and I'm like we haven't stopped. We, we continue to work. I mean, because of the process that you helped to set up, we're able to go ahead with our work that other

Councils I think have slowed down. The State Legislature is just done, you know, other than the, the COVID money.

So, my only hope for going forward is I hope we can get true collaboration with the Administration on that \$67 million and how we go forward with some of our suggestions, because I think that's going to be key in the next six months to how we get through this pandemic. But everybody on this Council and everybody who has, has supported us, Michelle Yoshimura and all the departments, has shown so much strength and necessary collaboration that it makes me really proud to be able to support this budget and to be part of this Council. So, thank you. Thank you, Chair. And hele on.

CHAIR LEE: Well said, well said.

Anybody else? If not, everybody ready for the vote? All those in favor of the motion, raise your hand, say "aye".

AYES: COUNCILMEMBERS HOKAMA, KAMA, KING,  
MOLINA, PALTIN, SINENCI, SUGIMURA,  
VICE-CHAIR RAWLINS-FERNANDEZ, AND  
CHAIR LEE.

NOES: NONE.

CHAIR LEE: And I believe I see nine "ayes". Do I see nine "ayes"? Okay.

COUNCILMEMBER KAMA: We should be 18 "ayes".

CHAIR LEE: And zero "noes"; motion passes. Alright. Very good. Very good.

I have one last announcement. I want to thank Member King and Vice-Chair, what, what is this?

VICE-CHAIR RAWLINS-FERNANDEZ: Sorry. I just, I forgot. I would like to make a quick announcement.

CHAIR LEE: We'll give you a high-five. Pardon me?

VICE-CHAIR RAWLINS-FERNANDEZ: Air five. I wanted, I, I forgot to make a quick announcement when I was sharing my remarks. The excitement of my Dr. Seuss poem, I, I got lost in the excitement and I forgot. So, if, if, if you would indulge me a quick minute.

I wanted to lastly thank you and Member Hokama as former Budget Chairs. It's truly been an honor to learn from masters like yourselves. So, I wanted to quickly say that. I forgot to say that. And that there will be a press conference on Friday, June 12, 2020, to discuss the final budget in more detail. And mahalo, Members and congratulations.

CHAIR LEE: Thank you.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR LEE: Thank you. And the amazing thing is Member Hokama and I are so young, and we're masters. Okay.

COUNCILMEMBER KAMA: Hold on. . . . meeting.

COUNCILMEMBER HOKAMA: Thanks for saying that, Chair. Thank you for saying that, Chair.

CHAIR LEE: What? You're welcome, you're welcome. So, the last comment I wanted to make is a, is a thank you to Member King and her office, and Vice-Chair Keani Rawlins-Fernandez and her office, for organizing the, the lei that's going to be sent, or has been sent to Texas for the service of George Floyd. And it's a, it's a maile lei with tuberose and it's going to say "from Maui County". So, I want to thank you guys for organizing this for us. And we will be part of the ceremony, well, not part, we'll be there along with thousands of other people. So, thank you again.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR LEE: Any last comments, anyone? If not, this meeting is adjourned.

## ADJOURNMENT

The regular meeting of June 5, 2020 was adjourned by the Chair at 1:46 p.m.



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KATHY KAOHU, COUNTY CLERK  
COUNTY OF MAUI, STATE OF HAWAII



RECEIVED

2020 JUN -3 AM 10:09

OFFICE OF THE  
COUNTY CLERK

To: [county.clerk@mauicounty.us](mailto:county.clerk@mauicounty.us)

June 3, 2020

**Aloha Council Chair Lee and Members,**

The Ma'alaea Village Association (MVA) again acknowledges this Council for your efforts in this challenging time. All of the following items in the FY 2021 budget will contribute to a more sustainable future for our environment and our economy in Maui County:

**County Purchase of Ma'alaea Mauka/Pohakea Lands with Open Space Funds**

- This land is a great fit for the Open Space Fund. Its rich cultural and scenic resources are highlighted in the Maui Island Plan. With major housing developments planned just up the road in Waikapu, the open space will be a valuable asset in the future.
- The parcel to be managed as part of the Pohakea Watershed and other public purposes, will contribute to water quality in Ma'alaea Bay and include expansion and enhancement of the Lahaina Pali Trailhead for Maui residents' and visitors' benefit.
- Over 250 individuals signed the online Petition for County purchase. In addition to MVA, other Maui community associations and environmental groups have expressed concerns about development at this location at the gateway to West Maui.
- The site is the scene of frequent road closures due to traffic accidents and wildfires. The need to address is itemized in the Maui Tourism Plan. Both residents and visitors will benefit from having park/rest/greenspace and emergency parking when needed.

**Ma'alaea Coastal Erosion Study**

We have recently formed a Ma'alaea Shoreline Steering Committee to work with the Planning Department to address the severe coastal erosion facing Ma'alaea Bay. This study is an important first step.

**Maui Nui Marine Resource Council**

The Maui Nui Marine Resource Council "Pohakea Watershed Stormwater Management Plan" and other environmental programs are critical to restoring Ma'alaea Bay. Matching federal dollars for this and other programs bring much needed jobs and resources to our County.

**Include Ma'alaea in CIP for new Central Maui Wastewater Facility**

The Ma'alaea community has proactively pursued alternatives to its individual injection wells and wastewater treatment plants. We request that the Council add Ma'alaea to County CIP plans for a new wastewater facility in Waikapu as soon as possible.

Mahalo for your support!

Lynn Britton, MVA President

Faith Chase  
faith@planetserver.com

June 5, 2020

Council of the County of Maui

Regarding County Communications: CC 20-304; CC 20-313; CC-20-317;  
and Committee Reports: CR 20-51; CR 20-57

Aloha Maui County Council,

**I am testifying in favor of CC 20-304** Relating to Families First Coronavirus Response Act (FFCRA) Supplemental Allotment funds. I would like to reiterate my concerns surrounding methodology and implementation of these types of services. While I am strong support of the Title III funds allocated for support services, I would like The Office of Aging to make strong consideration of partnering organizations that are not faith-based. While I am not suggesting decreasing or eliminating these operations presently, I would **STRONGLY** suggest that consideration be made with balance in this subject area. It is my feeling that there has been over a decade of unbalanced approach to alternatives that have an experience-based approach to an extremely sensitive work area.

Which is a perfect segway to the next item I strongly support. **I am pleased to see this item CC 20-313 come forward and I support a Commission on Homelessness.** I have observed fractured progress due to political timelines and the rotation of department administrative heads relating to the unsheltered and those living in their cars. I also believe that many good ideas have been left on the book shelf and perhaps once reviewed by this newly formed commission, swift solutionary progress will unfold. While premature or not, I express my interest in this Commission by way of attaching my interest in serving on this Commission. While there may be many others who possess more experience, I support this important item in the spirit of cultivating my personal civic development as some of my Council members have envisioned.

**I am in strong support of CC 20-316** and the amendments discussed at yesterday's Economic Development and Budget Committee. The questions and concerns raised at this meeting by Committee members were extremely thorough and valid. To speak to one specifically made by Council member Riki Hokama regarding who would be accountable. I believe a multi-prong approach could perhaps eliminate the failures of past. Including a grant applicant explanation of disbursement need with application would assist in compliance seriousness. In addition, in the next 2021-2022 Council calendar, an item specific to methodologies to help reporting requirements could be introduced and refined. There is opportunity to streamline reporting functionalities to assist smaller grantees. In this day of smart phone and apps, there is ample room to improve self-audits to reassure Council and OED of well spent funds on important services.

As a Hana girl, **I must express strong support for the CC 20-317** and the relating East Maui Economic Development and Cultural Programs. For those who may not have had the opportunity to attend Hana's cultural events, please know that these programs help Hana's heart beat. Thank you for supporting the East Maui Taro Festival, Na Mamo O Muolea – Limu Festival, Ma Ka Hana Ka Ike & Mahele Farms, Hana Arts, Hana Canoe Club, Hana Cultural Center, the abundant kalo farming community cooperative, Kipahulu 'Ohana, Ma Ka Hana Ka Ike & the Makahiki Games and the Hana Festivals of Aloha. While there is restricted travel to this beautiful area presently please know that the area was in great need of a respite. As a tourist destination that has been second in popularity only to Waikiki, the break has been a blessing. Your continued support to these programs strengthens the community's capacity to be gracious hosts in their plight of popularity.

While I can understand the present referral of CR 20-51 regarding wastewater infrastructure to the

Water, Infrastructure and Transportation Committee I believe it may be an item that will have segments that both Environmental, Agriculture and Cultural Preservation Committee and WITC must have under its purview in the future. While the irrigation of wastewater use on agricultural lands has its controversy, I see there being no choice in the matter in the future as pathogen testing gets more sophisticated and less expensive, **I support the referral CR-20-51** but feel that these points must be mentioned. Maui County was held up by unfortunate litigious events in this subject area and this County now must play catch up. Committee and Departmental Partnerships must be creative moving forward.

In closing, **I support the charter amendment CR 20-57** regarding board and commission members and nominees.

Thank you for this opportunity to testify,

Faith Chase  
faith@planetserver.com





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2020 JUN -3 PM 3:29  
OFFICE OF THE  
COUNTY CLERK

Date: June 3, 2020

To: The Honorable Alice Lee, Chair  
The Honorable Keani Rawlins-Fernandez, Vice Chair  
Members of the Maui County Council

RE: Recommendation for Bill 61, requesting to allocate \$1 million from CRF Funding for Maui County's PPE Needs

Hrg: Council of the County of Maui on June 5<sup>th</sup>, 2020 at 9:00 am

Aloha and thank you for this opportunity to submit testimony providing recommendations related to Bill 61, which will amend the fiscal year 2020 budget for the County of Maui as it pertains to the CARES Act.

Organizations and businesses, including dentists and private practice providers across Maui County do not have access to Personal Protective Equipment (PPE) necessary for them to operate safely. Our organization, the Hawaii Public Health Institute (HIPHI) in partnership with the Maui YMCA, and the Hawaii State Department of Health's BHHSURG have formed a collaborative to identify and support PPE needs in Maui County. Since this volunteer-run program launched in April, we have been able to provide and distribute cloth masks, disposable masks, and face shields to healthcare and community service providers in Maui, Molokai, and Lānaʻi.

However, dozens are still struggling with obtaining N95 respirators. Through conversations with HiEMA, the Hawaii Dental Association, Hawaii Independent Physicians Association, and the Hawaii Medical Association we have learned that there is no current supply of N95s. Over 2000 N95s have been requested through and the Maui Family YMCA PPE hub, with providers requesting masks in quantities under 200. We are hearing from our dentists and private providers that smaller orders like these are nearly impossible to place – either distributors will only accept large orders in the hundreds of thousands or Maui County gets pushed to the bottom of the priority list. We are deeply concerned that our providers will be unable to return to work and ensure the health and safety of their staff if appropriate PPE cannot be obtained. We are already hearing from offices that they are on the brink of closure.

New guidance from the Occupational Safety and Health Administration (OSHA) is recommending that dental care workers wear gloves, gowns, eye protection (e.g., goggles, face



shields), and NIOSH-certified, disposable N95 filtering facepiece respirators or better when performing dental procedures that may or are known to generate aerosols.

Per OSHA, PPE standard for dentists' employees is based on the hazard level. If there is a hazard (i.e. drilling) and there is no better way to protect employees (other than N95), then the dentist is responsible for making sure employees are protected. There may be a liability concern if dentists do not have available N95s or respirators for employees and there is a hazard concern (ex. aerosol generating procedures).

In light of this need in our community and the challenges faced by our essential workers, including dentists, clinics, home health providers, and others who are returning to work, we urge your administration to prioritize the PPE needs of our county workers. Specifically, we would like to recommend the use of CARES funding, allocating at least \$1 million to obtain PPE – N95s, KN95s, and isolation gowns for our essential service providers. We at HIPHI are able to assist and partner in this effort.

Mahalo nui loa for your time and for all you are doing for our community during these trying times.

Katie Folio  
[katie@hiphi.org](mailto:katie@hiphi.org)  
Community Coordinator  
Hawai'i Public Health Institute

## County Clerk

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**From:** Lyndon Ibele <akibele75@gmail.com>  
**Sent:** Wednesday, June 03, 2020 8:30 AM  
**To:** County Clerk  
**Cc:** Lynn Britton; Peter Cannon  
**Subject:** Maui County Budget testimony

RECEIVED

2020 JUN -3 AM 10:07

OFFICE OF THE  
COUNTY CLERK

Aloha, Council Chair Lee and members,

I wish to thank you for all of your hard work to date on the 2021 Maui County budget. I am a 20-year Ma'alaea condominium owner, albeit a non-resident/non-Maui voter. However, I am very active in the Ma'alaea community due to my investment, and am a member and officer of the Ma'alaea Village Association. Therefore, I would like to offer my support for the following budget items that are important to the Ma'alaea community:

- I support the County purchase of Pohakea Watershed lands with Open-space funding. This parcel needs proper watershed management to reduce pollution and sedimentation in Ma'alaea Bay. It is also critical to manage for fire protection, and needed for public facilities such as a park/parking area to allow for vehicle turn-around when the highway is closed, which will also allow Ma'alaea residents access to their homes by avoiding long traffic back-ups during such events.
- I support funding for a Ma'alaea coastal erosion study. The Ma'alaea community is threatened by shoreline erosion and sea level rise. The community recently organized a steering committee to work on a community-wide solution, and funding is needed for a study of erosion causes, mitigation, and sand availability as a first step toward protecting our properties and restoring our beaches (similar to action initiated by the Kahana community and supported by the County).
- I support funding for the Maui Nui Marine Resource Council, to further their critical work to improve water quality and protect Ma'alaea Bay. This includes their work in the Pohakea Watershed.
- I support including Ma'alaea in any future plans for new wastewater facilities. Ma'alaea residents have depended upon private wastewater treating systems and injection wells for waste disposal. Many of these systems are dated and in need of replacement or upgrade to meet current or pending standards. It makes sense--economically and environmentally--for Ma'alaea to be connected to modern, public, wastewater-treating-facilities like other Maui communities.

Thank you for your support of these budget priorities.

Sincerely,

Lyndon Ibele

[akibele75@gmail.com](mailto:akibele75@gmail.com)

907-787-9113

June 4, 2020

RE: Testimony in support of EDB 87 – “A Bill for An Ordinance to Amend Title 3, Maui County Code, Related to County Grants Program”

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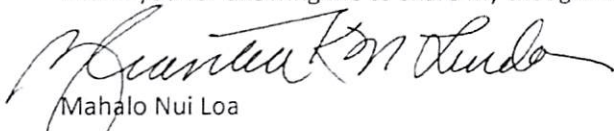
OFFICE OF THE  
COUNTY CLERK

Aloha Council Chari Lee and Maui County Council Members:

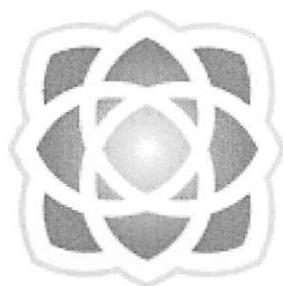
Thank you for the opportunity to express my support for “A Bill for an Ordinance to Amend Title 3, Maui County Code, Related to County Grants Program.

I am not a direct recipient of County grant funding, but I am a recipient of the necessary and quality programs and events such funding supports, in our Molokai Community. I also understand the struggles of small businesses and non-profits who provide these services and the “red tape” limitations that hinder and prevent them from their fullest potential. In the last few months, since COVID19, finances and cash flow have gone down while the various needs for “community aide” and citizen support has gone up! I know that allowing the upfront payout for these grants will greatly improve the output of quality County funded programs and initiatives; continuing to make the county grant process efficient yet accessible and supportive to our diverse social and economic limitations. I believe this simple show of support to address the needs of the people, will create a rise in more creative, innovative and sustainable economy, programs and opportunities.

Thank you for allowing me to share my thoughts. I sincerely appreciate all your hard work and aloha!



Mahalo Nui Loa  
Zhanterell KM Lindo – Molokai Resident



# MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

Testimony FY21 Budget Second Reading  
Friday, June 5, 2020

Dear Chair Lee, Vice-Chair Rawlins-Fernandez and  
Members of the Maui County Council,

We appreciate the tremendous work that you have put into doing the County budget, especially this year given the pandemic, and how you have quickly worked to modify systems and ensure community engagement throughout the process. While we know this is the eleventh hour, we also know that things have been changing on a daily basis when it comes to our economic recovery through COVID-19. In that light, we still feel that the hotel/resort real property tax rate is too high. This comes at a time when the industry is devastated and will face tough hurdles as they both re-envision and create a new industry so people who lost their jobs can return to meaningful work and support their families.

We feel that the current tax rate is unsustainable and does not recognize the current hardships and revenue loss the industry has already faced and will continue to face moving forward into next year. The State Department of Business, Economic Development and Tourism released their Second Quarter 2020 Report that states, "Hawaii will welcome 3.4 million visitors in 2020, a decrease of 67.5 percent from the 2019 level. Visitor arrivals will increase to 6.2 million in 2021, 8.3 million in 2022, and 9.4 million in 2023. Visitor arrivals will not reach the 2019 level until 2025 based on the assumptions. Visitor spending will decrease more during the next few years due to the decrease in daily spending." (<http://dbedt.hawaii.gov/economic/qser/outlook-economy/> )

Each week that I sit on the House Select Committee on COVID-19 Economic and Financial Preparedness, we realize that earlier, more optimistic reports from UHERO are changing day by day. We feel that the devastation the industry will experience is not fully recognized and that our county may have an overinflated budget expectation with this rate, because at the moment hotels do not know how they will pay the real property tax, given the losses they have already experienced and will continue to experience over the next several months. It is requiring that they shift money around, which we hear will have an impact on jobs and healthcare benefits provided to their employees.

Therefore, we ask for a reconsideration of this rate and share links to the DBEDT report and most recent UHERO report for your review and consideration.

UHERO Forecast, May 28, 2020—<https://www.capitol.hawaii.gov/committeefiles/special/COV/Document/University%20of%20Hawaii%20Economic%20Research%20Organization/06-01-20%20UHERO%20Battered%20by%20COVID-19,%20Hawaii%20Begins%20to%20Reopen.pdf>

Mahalo for the opportunity to provide testimony on the FY21 budget.

Sincerely,

Pamela Tumpap  
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.