

**AFFORDABLE HOUSING COMMITTEE**  
**Council of the County of Maui**

**MINUTES**

**July 13, 2020**

**Online Only**

**RECONVENE:** 1:32 p.m.

**PRESENT:** VOTING MEMBERS:  
Councilmember Tasha Kama, Chair  
Councilmember Michael J. Molina, Vice-Chair  
Councilmember Riki Hokama (in at 1:39 p.m.; out 3:20 p.m.)  
Councilmember Kelly T. King  
Councilmember Alice L. Lee (in at 1:36 p.m.)  
Councilmember Tamara Paltin  
Councilmember Keani N.W. Rawlins-Fernandez  
Councilmember Shane M. Sinenci  
Councilmember Yuki Lei K. Sugimura (in at 1:44 p.m.)

**STAFF:** Alison Stewart, Legislative Analyst  
Ana Lillis, Legislative Analyst  
James Forrest, Legislative Attorney  
David Raatz, Supervising Legislative Attorney  
Richard Mitchell, Legislative Attorney  
Stacey Vinoray, Committee Secretary  
  
Evan Dust, Executive Assistant to Councilmember Tasha Kama  
Davideane Sickels, Executive Assistant to Councilmember Tasha Kama  
Lois Whitney, Executive Assistant to Councilmember Tasha Kama  
Sarah Freistat Pajimola, Executive Assistant to Councilmember Keani  
N.W. Rawlins-Fernandez  
Zhantell Lindo, Executive Assistant to Councilmember Keani N.W.  
Rawlins-Fernandez  
Kate Griffiths, Executive Assistant to Councilmember Kelly Takaya King  
Christi Keliikoa, Executive Assistant to Councilmember Tamara Paltin

**ADMIN.:** Mimi DesJardins, Deputy Corporation Counsel, Department of  
the Corporation Counsel  
Lori Ann Tsuhako, Director, Department of Housing and Human  
Concerns  
Linda R. Munsell, Deputy Director, Department of Housing and Human  
Concerns  
Clyde "Buddy" Almeida, Housing Administrator, Department of Housing  
and Human Concerns

**PRESS:** *Akaku: Maui Community Television, Inc.*

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CHAIR KAMA: . . .*(gavel)*. . . Thank you. The meeting...the recessed meeting of the Affordable Housing Committee will now come to order. It is now 1:32 p.m., July 13th, 2020. So I would like to ask each and every one of you at this time to please mute your microphones until it's your time to speak. So thank you, everyone, for joining us this afternoon. I'm Tasha Kama, I'm the Chair of the Affordable Housing Committee, and I'd like to say Aloha 'auinala to all of the Members who are present beginning with Vice-Chair Mike Molina. Aloha.

VICE-CHAIR MOLINA: Good afternoon and aloha, Madame Chair. Greetings and blessings to you and everyone from Makawao.

CHAIR KAMA: I'm going to receive your greeting and those blessings because we will need it today. I'd like to go on to Member Kelly King. Aloha 'auinala, Kelly.

COUNCILMEMBER KING: Aloha 'auinala. It doesn't look like that bad of a...an agenda.

CHAIR KAMA: No, it's...it's a very robust agenda.

COUNCILMEMBER KING: Okay.

CHAIR KAMA: Robust. I'd like to say aloha to our Member, Tamara Paltin, all the way from the West side. Aloha, Tamara.

COUNCILMEMBER PALTIN: Aloha 'auinala, live and direct from the Old Lahaina Center here in West Maui.

CHAIR KAMA: All right. I'll say aloha to our Council Vice-Chair Keani Rawlins-Fernandez from Molokai.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha 'auinala, Chair, my Molokai nui ahina and since Chair Lee is not here, I will say bom dia from this morning. And I really like your gavel. Very nice. Nice gavel, Chair.

CHAIR KAMA: Well, it's not mine. It belongs to the Council. So it'll be back as soon as...when we reconvene. So thank you very much. I'd like to also say Aloha 'auinala to our Councilmember all the way from Hana. Aloha.

COUNCILMEMBER SINENCI: Aloha 'auinala, Chair. My Maui hikina, and we're here at the Old Hana School building.

CHAIR KAMA: Oh, how quaint. Welcome. And I think when Yuki Lei comes and when Chair Lee comes, if I don't see them and you all see them, please acknowledge that so we can acknowledge their presence and their attendance. So thank you. So we have from the administration this afternoon from the Department of Housing and Human Concerns, Ms. Lori Tsuhako. Aloha, Lori.

MS. TSUHAKE: Good afternoon, Madame Chair and Members. Thank you for having me.

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CHAIR KAMA: Thank you for coming back. We also have Linda Munsell from the Deputy Director of the Housing and Human Concerns. Aloha, Linda.

MS. MUNSELL: Aloha, Chair. Good afternoon.

CHAIR KAMA: Thanks for coming back. We also have Buddy Almeida with the...the Housing Administrator. Aloha, Buddy.

MR. ALMEIDA: Aloha, Chair, and good afternoon, Committee Members.

CHAIR KAMA: Thank you. And we also have with us this afternoon from Corp. Counsel, Mimi DesJardins. Aloha, Mimi.

MS. DESJARDINS: Aloha, everyone.

CHAIR KAMA: All right. I love that. We also have with us the Affordable Housing Committee staff. We have Alison Stewart the Legislative Analyst. Aloha 'auinala, Alison.

MS. STEWART: Aloha, Chair.

CHAIR KAMA: We have also, Ana Lillis, our Legislative Analyst. Aloha, Ms. Ana. Is Ana with us or no, Alison? I don't see her.

MS. STEWART: I don't think she's monitoring through BlueJeans.

CHAIR KAMA: Okay. Okay. Thank you. And then we have also the OCS staff, Jean Pokipala. Aloha, Jean. You there?

MS. VINORAY: Jean is out today, Chair.

CHAIR KAMA: Oh, okay. Thank you. And that lovely voice you heard was Stacey Vinoray. Aloha, Stacey.

MS. VINORAY: Aloha, Chair and Members.

CHAIR KAMA: And then we have with us also James Forrest, our Legislative Attorney. Aloha, James.

MR. FORREST: Aloha, Chair and Councilmembers.

CHAIR KAMA: Nice to hear you. Okay. Oh, eh, looked what popped up in the front of my face. Our wonderful, elite Chair. Welcome, Chair Lee.

COUNCILMEMBER LEE: Always glad to pop in to your meetings. Bon dia, bon dia.

CHAIR KAMA: Bom dia. That's exactly what Vice-Chair Rawlins-Fernandez greeted us with in your honor, in your absence. Thank you.

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COUNCILMEMBER LEE: Thank you. Thank you.

CHAIR KAMA: And so Riki's not going to be here. He has other things he's attending to. And we just...we're going to be on the lookout for Yuki Lei when she gets here. So the Members will let me know that. So welcome, everyone, and thank you for coming back to today's Housing meeting of the Affordable Housing. And so we have two items on today's agenda because this is a recessed meeting. We have AH-20, the Experimental and Demonstration Housing Project, which is going to be a presentation from the Department of Housing and Human Concerns. We probably are not going to do anything in terms of legislative action, but just hear a presentation. We're also going to have...we have AH-37, the Commission on Homelessness, and this will have a...this is a real exciting robust discussion I was talking about. So we'll be discussing this matter and considering recommendations to the Council for passage if you so choose. But other than that, it is the Chair's intent to complete our business by 4:00 p.m. today, and it's really all up to you.

**AH-20: EXPERIMENTAL AND DEMONSTRATION HOUSING PROJECTS (MISC)**

CHAIR KAMA: So at this time, Members, you know, during our fiscal 2020 discussion, we established an Experimental and Demonstration Housing Fund, and you would have received that copy of the ordinance, 4-9-7-8, that created this trust, special fund trust. So we're going to be receiving a presentation from the Department with the assistance of Corp. Counsel regarding the Experiment and Demonstration Housing Project as a potential use of this special fund. So at this time, we'd like to hear presentation from the Administration. Ms. Tsuhako, would you like to begin?

MS. MUNSELL: Good afternoon, Chair.

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair?

MS. MUNSELL: Good afternoon, Chair. Actually, this is Linda Munsell. I'll be doing the presentation --

CHAIR KAMA: Oh, okay.

MS. TSUHAKE: --but Keani, did you have something or?

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, I was just going to let Chair know that Member Hokama joined us.

CHAIR KAMA: Oh, thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: I...I see --

CHAIR KAMA: I don't see him, but thank you for letting me know that. Welcome, Mr. Hokama, Aloha 'auinala.

COUNCILMEMBER HOKAMA: Hi. Aloha e.

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CHAIR KAMA: Aloha. Boy, you look handsome this morning giving your report. I love that. Yay. So people...people, register for the conference, please, 100 percent attendance from Maui. So...I'm sorry. Go ahead, Linda. That was just my little blurb.

**. . .BEGIN PRESENTATION. . .**

MS. MUNSELL: Thank...thank you, Chair. Good afternoon, Committee Members. Thank you for the opportunity to be here today. As you know, my name is Linda Munsell, I'm the Deputy Director for the Department Of Housing And Human Concerns. And over the past few years, Council has expressed a lot of interest in Experimental and Demonstration Housing Projects. In fact, as Chair mentioned, last year you amended the Experimental Housing Ordinance and included one million dollars in FY 2020 budget to support potential experimental projects. But because of that interest, we really appreciate the opportunity to share a presentation with you today on Experimental and Demonstration Housing Project law, as well as talk a little bit about the funding that you allocated for us. So I believe the presentation was loaded onto Granicus, but I'm also going to share my screen here. Okay. Does everybody...is everybody able to see that? Okay. I see a couple of thumbs. Okay. All right. All right. All right. So in the course of the presentation, we're going to define what an Experimental and Demonstration Housing Project is, kind of what they entail in terms of the law itself. We're also going to talk a little bit about our past projects, and then try to bring you up to date on where we stand currently. Let's see. So Experimental and Demonstration Housing Project was passed into law by the State originally in about 1970. It's HRS 46-15, and it was last amended by the State, it appears, in 1984. The County of Maui passed our own ordinance in 1983, and it was amended just recently to add the Experimental Housing Fund in 2018. So that was about just a year ago. Under the law, the Mayor is supposed to hold a public hearing on any proposed Experimental and Demonstration Housing Project; and, as the Mayor, he or she is empowered to designate areas of land for Experimental and Demonstration Projects. And the purpose of which is to research and develop ideas that would reduce the cost of housing in the State. After holding this public hearing, the Director of Housing and...well, the Director of Human Concerns, as it was written in the law, is then given responsibility for approving, disapproving, or modifying the plans and specifications for the project. The Council has the responsibility then for approving or disapproving these plans and specifications, which are submitted by the Director. So Experimental and Demonstration Projects are very similar to 201H and 2.97 projects in that they can ask for exemptions from all statutes, ordinances, and charter provisions. They can ask to be exempted from any rule or regulation that's relating to planning, zoning, construction standards, or any exemption related to the construction and sale of homes. The only exemptions that they are not allowed is anything that might compromise health and safety standards or tariffs that are approved by the Public Utility Commissions. And while I mention that these projects could ask for exemptions related to the sale of homes, the Director of Human Concerns actually has the authority to determine...to determine which homes...the conditions under which the homes are sold in a...in a for-sale project. The law does not limit the type of entity that can sponsor an experimental or demonstration project, so it can essentially be anyone. It could be a County or State

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agency, a non-profit, a for-profit, or any other entity that's defined by Section 1-19. So that's the law concerning projects. It's pretty short and it's pretty general. For the Experimental and Demonstration Project Fund section of the County Ordinance that Council passed last year, the fund actually has a number of possible funding sources. And that includes application fees, Council appropriations like the \$1 million that was provided in the FY '20 budget, cash donations, proceeds from the sale of projects, and also just as an...a peak point of interest, this fund is a revolving fund, so the monies don't lapse if they go unused. So the fund can be used for a number of activities, and this includes provision, protection, and expansion of experimental and demonstration projects. It can be used for rehabilitation of existing structures. It can be used for purchase...land purchases and other acquisition of land or property. Can be used for entitlements, planning design, and it can also be used for construction. The goal is that it must provide housing for families at 80 percent AMI or less, and it must advance the objective of providing affordable housing in perpetuity. The use of these funds actually does not require Council approval. The law does allow the Council to appropriate funds for two kinds of activities, and that includes acquiring an interest in real property and/or to grant or loan funds to a non-profit organization. The grant and loan selection criteria requires that the developer provide a detailed description of the proposed project, including the income categories that are going to be served. They are required to provide a brief overview of their long-term management plan, as well as a description of all efforts to leverage or match funding. The application must also demonstrate that the project has the potential to facilitate the research and development of ideas that would reduce the cost of housing in the State. The grant or loan does not...does come with certain requirements and restrictions, and that includes that the title to any real property must be held in perpetuity; the developer must submit annual reports; a sale or change of use of the project requires the approval of Council; upon dissolution or bankruptcy, the project is to be conveyed to the County or to another non-profit; and the grantee or borrower may not redistribute the funds without approval. If the funding is provided to the developer in the form of a loan, the loan must be secured by a first mortgage lien; has to have a term that's set by the Director; requires a promissory note at three percent interest; and then in the event of a default, we may require that the land or property be forfeited to the County, or that the developer repay the loan with interest. So up to this point, we've been talking about the law and we mentioned the funding sources for the experimental funding that you guys have provided. So now let's talk a little bit about how the law has been applied in Maui County, and give a few examples of Experimental and Demonstration Projects that have been developed in the County. I'm going to actually turn this over to Buddy Almeida, our Housing Administrator. He's going to walk you through some of the Experimental and Demonstration Projects, and then also talk about the funding. What you're seeing on the screen right here is just a sampling of the Experimental and Demonstration Projects that we've done in...throughout the County. Mr. Almeida?

MR. ALMEIDA: Thank you, Ms. Munsell. So good afternoon again, Chair and Committee Members. Buddy Almeida, Housing Administrator. As Ms. Munsell mentioned, as part of this demonstration, we wanted to go back as a Department and research what had been done utilizing this code in the past with regards to demonstration of housing projects. The first slide, or the...the last slide went over the list that we have for you today. The first one that we're going to discuss is the Lanai City. They started out...next

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slide, please...they started out...well, under Ordinance 1982 is when they started to move forward with this particulate process. They identified five parcels to participate in the project; however, maybe Mr. Hokama has more information. It did not move forward. All parcels are now identified as commercial use, so that project did not end up happening. Next slide, please. Luana Gardens from 1984. You'll notice all of these happened quite some time ago, definitely preceding our time here; but basically, what about these projects that we wanted to look for were the areas on which demonstrational styles were used. So in this particular case, Ordinance 14-10, the authorized 12.5, approximately, acre site as Experimental and Demonstration Project. Basically the reasoning why it was allowed to use this Code was because they reduced construction costs by using an adjoining garage...that's common wall type of construction...that was new and demonstrative in sense at that time. Next slide, please? Another project, Lalakoa III subdivision from 1987, Ordinance 16-76, proposed residential subdivision on Lanai totaling 144 lots; received approval for Maui County Code deviations to reduce construction costs. Now, the major point with this was that the placement and primary...primary and secondary electrical and phone lines were above ground. It decreased minimum lot area and lot width, use of grass sidewalks instead of concrete, and the minimum corridor requirement for flag lot driveways was eliminated. So these were the ways that they demonstrated different uses and different styles to try and make the project more affordable. Next slide, please. Honokeana subdivision, late '80s Ordinance 17-75 also received approved from Maui County Code for deviations to reduce construction costs. Areas such as permanent residential use within a...an agricultural district was what they received as...they decreased the minimum lot area and lot width, and they decreased the yard setbacks for this particular project through the Experimental allowances. Next slide, please. Maunaloa Village in the early '90s was initially submitted under the Experimental Housing application to the Department of Housing and Human Concerns. However, the project ultimately was approved as a 201E project, they decided to move forward under that particular fast track process in the end. Hawaii Revised Statute 201E was repealed in '97; just as an FYI, present provisions are currently under the 201H statutes. Next slide. Now, as Ms. Munsell mentioned, this body appropriated a million dollars, which this...the Housing Division held a request for proposal starting with an application workshop that was held on January 29th, 2020. It was well attended. We had 15 different attendees representing organizations from non-profit, for-profit, and different experimental sectors. The application deadline was February 28th. Unfortunately, only one project was actually submitted for consideration, and Housing Division just conducted a thorough review of the proposal and we're now pending notification. Basically, we have not announced yet the decisions. That will be coming shortly, in a nutshell. Next slide, please. That concludes the presentation from the Department. Ms. Munsell and I are here to answer any questions this body may have. Thank you, Chair.

**. . .END PRESENTATION. . .**

CHAIR KAMA: Thank you, Mr. Almeida, and thank you, Ms. Munsell, for that presentation. Okay, Members. I see Ms. Lee. Is that your hand up, Ms. Lee?

COUNCILMEMBER LEE: Yup, that's my hand.

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CHAIR KAMA: Yes, yes. Do you have a question?

COUNCILMEMBER LEE: Thank you, Madame Chair.

CHAIR KAMA: You have a question?

COUNCILMEMBER LEE: Yes.

CHAIR KAMA: Okay. So Members, you all...you all are going to get a total of two rounds, two minutes each, total four minutes to have your questions asked so we'll have time to have a robust discussion on our next item. But you all have four minutes. Go ahead, Chair Lee.

COUNCILMEMBER LEE: Okay. Thank you, Madame Chair. Buddy...hi, Buddy...

MR. ALMEIDA: Hello, . . . (inaudible) . . .

COUNCILMEMBER LEE: -- just...I have a couple questions on Molokai. I believe the Kualapuu project was a Demonstration Project.

UNIDENTIFIED SPEAKER: Was it?

MR. ALMEIDA: Yes, there were other projects that --

COUNCILMEMBER LEE: Buddy, you still there?

MR. ALMEIDA: Yeah. Thank you for the question...that were identified. We didn't list all of them here, but we did find additional ordinances for other experimental projects that are out there.

COUNCILMEMBER LEE: Yeah, Kualapuu was one of them.

MR. ALMEIDA: Yes.

COUNCILMEMBER LEE: The other one...the...the Mauna Loa project, what was the reason that it was held up all these years? It actually started under Hannibal Tavares. So what...what is the barriers there?

MR. ALMEIDA: That's a good question. It's one of the things we tried to find out while we were putting this presentation together. Unfortunately, trying to find the contacts for the original development of the project was a little difficult, as it happened some time ago. So to date, we have not yet been able to determine why they decided 201E was a better route to go.

COUNCILMEMBER LEE: Okay. Because I understand there's, like, 25 acres in Mauna Loa?

MR. ALMEIDA: Yeah, I'm not certain exactly of the acreage but we can get that information for you.



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COUNCILMEMBER LEE: Okay. Thank you. Thank you, Madame Chair.

CHAIR KAMA: You're welcome, Ms. Lee. Anyone...oh, Mr. Molina, yes. I'm sorry, Mr. Molina . . . *(audio interference)* . . . your hand.

VICE-CHAIR MOLINA: Thank you, Madame Chair. Good afternoon, Mr. Almeida. I just want to...basically one question. In the presentation, you said there's just...has been one applicant and there were 15 attendees. Can you share with us...I think maybe at a previous meeting you did, but can you kind of refresh our memories what the other applicants had expressed as to why we don't have more, you know, more developers, or you know, people in the building industry applying for this?

MR. ALMEIDA: Thank you, Member Molina, for that question. I think that the workshop, it was very good in the sense that we were able to outline and go over exactly what was expected with regards to the qualifications for submitting a project under this particular code. I think a lot of, like,...well, like the four developers for certain...for-profit developers that were there, you know, they...it's hard for them to comply with the perpetuity clause, and there were other aspects that, you know, certain...even non-profits couldn't work with. It was...it was a little restrictive. So in...in meeting and checking all those boxes, in the end we received one application from the workshop presentation we did. There was a lot of good dialogue though, back and forth with them during that process, so we could help educate them on the process.

VICE-CHAIR MOLINA: Okay. Thank you for your response. Thank you, Madame Chair.

MR. ALMEIDA: Thank you.

CHAIR KAMA: You're welcome, Mr. Molina. Anyone else? Mr. Hokama, is that your hand up? Yes, sir. Go ahead.

COUNCILMEMBER HOKAMA: Thank you, Chair. What I want to ask Mr. Almeida to help the Committee is maybe if you could list some of the factors that surrounded the time frame and...and the request of the project? I think Ms....Chair Lee brought up, but...a good point in making me remember about the Molokai projects. You got to remember now, that is about the time of the Mauna Loa Lodge operations when they were started. The revitalization of Mauna Loa because of the loss of the pineapple component and...and the impacts to the school there and...as well as the residential housing. So my thing is the Department can share some of those other factors, it may help the Committee understand why the project was proposed in a time frame. And that for Lanai, that was all pre-project District Ordinances, pretty much pre-plan developed proposals. So that's what the County had to work with from a zoning-planning standpoint at...at that point in time of where we were with our Departments and...and I would say that may help us understand why we went certain routes, Chair. Two things I have an issue with the proposal. So does it still make sense to have this fund pre-appropriated is my first question, Chair, that I would like us to think about. And the second question is, I think, in my experience of administering this type of program on Lanai for the landowner, I think we need to take into account the changes in the economics, whereby the interest

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rate may need to be able to be adjusted accordingly also. When we did Lalakoa I, if I recall correctly, I think the agreement . . . (*timer bell rings*) . . . County and us was seven percent annual interest that could be calculated on permanent improvements. So I...I just share that from an...a point of experience in administering the program, that these are two areas I would ask that we consider. Thank you, Chair.

CHAIR KAMA: Okay. Thank you, Mr. Hokama. Ms. Rawlins-Fernandez? Yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Okay. So a few things. One, this was a...creating this revolving fund was something that I introduced last budget. Two, when we created it, it was modeled after the Affordable Housing Fund, which would give Council the power to approve projects via use of this fund so that...that...that's my understanding; but in the presentation, Ms. Munsell said that Council does not have approval power in that sense. So I see Deputy Director Munsell's head nodding.

MS. MUNSELL: Yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: Deputy Director?

MS. MUNSELL: Yeah. Thank...thank you for the question. When we were looking at the law, we...we looked at the...the wording because our understanding initially was that...that Council would approve this; but looking at the wording, that...that wording is absent from this Ordinance. When you look at the Affordable Housing Fund, what the Affordable Housing Fund requires is that a plan is submitted for approval by the Council and here the Ordinance is silent. So if that's something that you would like to amend, certainly that...that would give you the right. But currently, as it stands, my understanding is that there's no approval by Council that's required.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. So even as expenditures? Are you saying because we put funding in, you could just use that funding without Council approval or a budget amendment?

MS. MUNSELL: So the...I mean, we couldn't just spend the money willy-nilly. The Ordinance does a good job of outlining what the requirements of an Experimental and Demonstration Project is. But what it doesn't say is that we have to come and ask you or present the project to you for the funding. If it were...and again, I'll...I'll ask Ms. DesJardins to step in here . . . (*timer bell rings*) . . . and give us some assistance, but that's my understanding of the law. I did...we did look at the...the transcript, and I think Mr. Ueoka gave you the...the opinion that it was required, but that wording isn't in the law.

CHAIR KAMA: Okay. So this --

COUNCILMEMBER RAWLINS-FERNANDEZ: May I ask Mr. Raatz? Because Mr. Raatz was there during the creation of this and Mr. Ueoka is no longer here. And so the guidance I would have received from him as Corporation Counsel is...well, he's gone now so he, you know, wouldn't be able to explain what he had explained during the time of its creation. So may I call on Mr. Raatz?

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CHAIR KAMA: Mr. Raatz, are you there?

MR. RAATZ: Thank you, Chair. Yes, I'm here. So --

CHAIR KAMA: Did you hear the question?

MR. RAATZ: -- yeah, thank you. So when we do start out from this general proposition that under the Charter. . . (*audio interference*) . . . the Council's enumerated authorities is to make appropriations for any County project. So that is, kind of, the default assumption. I...I do note also in Chapter 16.28, under subsection 070, in subsection D of that section, there's a statement that the Council may make appropriations from the Experimental and Demonstration Housing Project's fund for the following purposes: one, to acquire interest in real property; two, to provide grants or loans to any non-profit organization that complies with Section 501(c) of the Internal Revenue Code. So those are...are two factors that...that point to the Council's role in appropriations.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Mr. Raatz.

CHAIR KAMA: Did that answer your question, Keani?

COUNCILMEMBER RAWLINS-FERNANDEZ: It answers it for me. I don't know if it answers it for Ms. Munsell. Okay. And then for the Molokai...the Mauna Loa project that Chair Lee and Member Hokama are talking about. So that was contingent upon the Molokai master plan, and it was before the time of the Lodge construction. So the Lodge was constructed when I was in intermediate school, and it was...if...if it was during the time of Hannibal Tavares, then that would have been way before that time. So yeah, that twenty-five acres was contingent upon the adoption or moving through with the Molokai master plan and that, kind of, didn't move forward. Mahalo, Chair.

CHAIR KAMA: You're welcome. Anyone else have a question? Yes, Ms. King.

COUNCILMEMBER KING: Thank you, Chair. So I have a question on the...the timing for...I think it's Director Munsell. Since we have...is this an annual schedule that you plan to follow, like the classes in January and then a February deadline for proposals? Oh, I think you're muted.

MS. MUNSELL: Sorry, Chair.

COUNCILMEMBER KING: Okay.

MS. MUNSELL: Thank you for the question. My assumption is that if there's an appropriation to this fund, we would probably put it in the same rotation, or about the same time frame, as the Affordable Housing funds. As you know, a million dollars to us feels like a lot of money, but most projects, if they are wanting to use funding like this, they're going to need funding from a lot of different sources. And so they would be applying for funds through the State and Federal grants, maybe through the Affordable Housing fund. And one of the requirements is that they are needing to leverage the funds

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from...from this...from this source as well. So my expectation is that if there's an appropriation to the fund, that we would probably RFP that in the summer, September...August or September.

COUNCILMEMBER KING: Okay. But if...okay... the way Affordable Housing projects come to you, though, which is sometimes one at a time after...after the budget period where we...we've actually approved. And then you add new projects on there if there's money in there, correct?

MS. MUNSELL: We generally don't. We get an appropriation from...we...we're told by the Finance Department how much money we can RFP, and that's what we RFP. There might be a project for some reason that comes in for additional funding or some other sources, but my understanding is we send out one RFP annually, and that's the presentation that we give to you. You guys might add an appropriation, the Mayor might add an appropriation but that's the one --

COUNCILMEMBER KING: Okay.

MS. MUNSELL: -- RFP.

COUNCILMEMBER KING: Okay. But there...there...there may be things in the Affordable Housing fund . . . (*timer bell rings*) . . . that we don't approve during budget and then...and we're working through some of those, so we may add them in after the fact. And that's kind of what I was asking about this other fund. If you don't get any proposals by your February date, whatever date you put on there, and somebody comes to you a month later and says, I've got this really great demonstration experimental project, and you still have money in that fund, couldn't you still address that project? Or are you adhering to strict deadlines?

MS. MUNSELL: Buddy, you've been RFPing the Affordable Housing funds for a lot more years than I have. Do you have...can you help...can you help Ms. King?

MR. ALMEIDA: Thank you, Member King. As Ms. Munsell mentioned, we do have annual fiscal year requests for proposals. I guess it is a very good question you pose. And if Ms. desJardins can comment on if we can RFP multiple times for funding; I would...I would assume it would have to be done through procurement --

COUNCILMEMBER KING: Right.

MR. ALMEIDA: --some type of a procurement process. But if we could do that --

COUNCILMEMBER KING: Right.

MR. ALMEIDA: -- multiple times...if we don't, you know, allocate the funding through the first requested proposal, that would be something, I think, to consider. And I'm not sure, again, if . . . (*audio interference*) . . . has a comment.

COUNCILMEMBER KING: Right. Or another way to do it is to put out an RFP and leave it

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open, you know, it...so that it doesn't have deadlines. And then that way...I mean, someone may not have a project for you in February, but maybe, you know, a couple months later, there'd...they've got it developed far enough along that they can come to you and tell you exactly what they need and exactly what they're doing.

MR. ALMEIDA: You're putting...like putting systemic deadlines throughout the course of the fiscal year, like, at...up to certain points, whatever applications are received, they get evaluated. That's...that's --

COUNCILMEMBER KING: Yeah. So if you don't have any applications, you're not stuck...doesn't mean you have no projects, that somebody may come along later on in the year and have a...a project. So yeah, maybe, that's something...I mean, I don't need an answer right now, but maybe that's something you guys can consider. Kind of like what we're doing with the Affordable Housing Fund. You know, we took something off of it during budget session, but we're reviewing that item because we just...we didn't understand it. It was a, you know, it was a property purchase, and we weren't really prepared during budget to...to give our stamp of approval. So that's...because, you know, I know about several projects that people are thinking about doing, and I don't know when they're going to be approaching you, but more, you know, what I envision this...this...this fund for was more...things like tiny homes, you know, not just, like, adding on, putting a wall between a garage. And it...that may have been...that may have been groundbreaking back in the '80s, I don't know; but, you know, now we'd like to see something really innovative and different and, you know, cost cutting and all that still. But, you know, that's kind of what I envision this...this fund and this ordinance to address. Okay. Thank you, Chair.

CHAIR KAMA: You're welcome, Ms. King. I see Ms. Sugimura out there. Welcome and thank you for joining us today.

COUNCILMEMBER SUGIMURA: Thank you. Thank you. I have a question. May I?

CHAIR KAMA: Yes.

COUNCILMEMBER SUGIMURA: Or I think I saw Mr. Sinenci's hand go up before me.

COUNCILMEMBER SINENCI: Go ahead.

COUNCILMEMBER SUGIMURA: Thank you. So this is a revolving fund, Ms. Munsell...or Housing, Buddy?

MS. MUNSELL: Yes, that's correct. It's a revolving fund.

COUNCILMEMBER SUGIMURA: I'm just curious. How many revolving funds do we have?

MS. MUNSELL: I'm not...I'm not sure that I can list all of the revolving funds, but the Affordable Housing Fund is a revolving fund. You've just created a new fund for...and I forget the title of that...which would include...

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COUNCILMEMBER SUGIMURA: First Time Home Buyers?

MS. MUNSELL: -- the appropriations...pardon?

COUNCILMEMBER SUGIMURA: The First Time Home Buyers fund?

MS. MUNSELL: Yes, that would include the appropriations for the first time home buyers and then...then...this experimental fund. Those are the three that the Housing Division is familiar with.

COUNCILMEMBER SUGIMURA: I'm just curious. Do you think that these funds should not be revolving so that the...you know, you can have appropriate dates that you would need information by and...and, I guess, more in control of...of what happens with the appropriation?

MS. MUNSELL: Actually, the fact that it's a revolving fund is very helpful to us because construction doesn't happen on...on a dime. And...and these projects often will dribble into the next fiscal year before they can be granted and completely sewn up. So the fact that it's a revolving fund is exceptionally helpful for us.

COUNCILMEMBER SUGIMURA: And you...it'll just wait until the Council re-appropriates funds to replenish the loan fund every year, or...or there's some...some mechanism?

MS. MUNSELL: Yeah. I mean, so...so the Affordable Housing Fund, I mean, it's an appropriation every year, but we've just gone through the process for the last Affordable Housing allocation, right? And it's going to take us a few more months still yet before we can completely finish those grants. And part of it's also going to be contingent on, you know, other funding sources and things, whether those projects move forward. So the fact that it's revolving is...is very helpful for us.

COUNCILMEMBER SUGIMURA: Okay. Thank you.

CHAIR KAMA: Mr. Sinenci, did you have a question, Mr. Sinenci?

COUNCILMEMBER SINENCI: Thank you, Chair. Yeah, my question was for Mr. Almeida. He...he mentioned that a...presented us with a list of projects. Were all of those projects built? And I know you said one of them might not have been built.

MR. ALMEIDA: Thank you, Member Sinenci. You're correct. Not all were built. We researched and found projects that at least started out under the Experimental Code. Some ended up going under the 201G or E process; some didn't happen at all, but...and I guess...Chair Lee mentioned there are other projects out there that were not on the list that we're continuing to get information on. So.

COUNCILMEMBER SINENCI: Okay. Thank you. And then do you know how much is in the fund at this time? Is it just that million dollars or there's?

MR. ALMEIDA: That's correct. As we have not yet allocated an award, the fund still remains

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at a million dollars.

COUNCILMEMBER SINENCI: Then the County owns some, I guess, some vacant lots throughout the County. Is this some places where it could be potentially used for experimental housing projects?

MR. ALMEIDA: Ms. Munsell, you want to handle that from the Administration's point of view?

MS. MUNSELL: I'm...I don't...it...I don't think it precludes the County from using the funding for a...for a project of our own making. As far as properties that the County owns, there aren't a lot of those. I mean, we're talking about a...a few opportunities, but yeah. We had RFP'd this for another project that might have been more shovel ready than one that we're working on now.

COUNCILMEMBER SINENCI: Okay. All right. Thank you. Thank you, Chair.

CHAIR KAMA: You're welcome, Mr. Sinenci. Ms. Paltin? I don't see you, but I know you haven't asked any questions.

COUNCILMEMBER PALTIN: Thank you, Chair.

CHAIR KAMA: Oh, there you are. Okay.

COUNCILMEMBER PALTIN: For my questions, I...I live in a experimental place, I guess. I live in the Honokeana subdivision. I didn't realize I was an experiment. But I was wondering, when...when we put the money in for those funds, I was wondering, you know, when it says, like, not health and safety...can't be used...that would violate the health and safety, and I was wondering, like, would things like composting toilets or, you know, catchment or things like that fall under this purview? Because a lot of...some places can't hook up to the County sewer, and we have the Upcountry cesspool issue, or?

MS. MUNSELL: Yeah. Thank you...thank you for that question. Those are the kinds of experimental opportunities it seems like would be ideal for this, assuming that the Department of Health would approve those things. So I think that there was a conversation recently with Department of Health about whether those kinds of things would pass. And assuming that they would pass, then yes, we would consider them. I think that would be a great opportunity.

COUNCILMEMBER PALTIN: And then, Chair Lee put into my Committee some things about, like, agricultural homes, homes on agricultural lands and things like that. Would that as well fall under this category?

MS. MUNSELL: Well, according...according to the law is...it's supposed to promote the...show that it's somehow going to decrease the cost of housing, right? So if the project can meet the criteria in the Experimental Housing fund, then definitely they would be...have access to those...those funds. It seems though, in...when we were preparing for this presentation, we often talk about Experimental and Demonstration Housing and

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how...how exciting that is. But it appears that most projects have moved either to a 201H project or would be going to a 2.97, which could add...ask for very simpler...similar exemptions as Experimental and Demonstration Housing Project could. And those laws are much more...more thoroughly defined than using that...that particular ordinance. But the fund itself, yeah, it...it would seem like that would apply to all kinds of opportunities, including ag. housing and things like that.

COUNCILMEMBER PALTIN: Well, the...the part that makes it really better, to me, is the in-perpetuity and focusing on the eighty percent and below. Is it only families, or can it be a single person as well? But I mean, if...if we're doing these houses on ag. lands for like, say, farm workers so that farm workers can have places to live, I would love it that it's eighty percent and below and in perpetuity. So, I mean, I...I would love to take Chair Lee's referral and moosh it together with this and come out with like, you know, the best of both worlds maybe. I guess that's not a question. Thanks. Thank you, . . . (*audio interference*) . . .

CHAIR KAMA: Okay. So I have a question, Ms. Munsell. Where does...or how can the Department of Hawaiian Home Lands be incorporated into this?

MS. MUNSELL: I don't see that they're excluded from this. I think the Department of Hawaiian Home Lands does a lot of things...I think they're allowed to do a lot of things that where a normal project might not be allowed, but I'm not an expert on...on planning or permitting. So that might be a better question for the Planning Department.

CHAIR KAMA: I was just looking at the funding source, you know, because a lot of their projects get stalled because of funding. And I know that they service eighty percent and below because the NAHASDA dollars can only be used for that...for that classification. So I just want to make sure that if...that if there's money on the County side and Hawaiian Home Lands is having a problem or some issues with that, I'd like to be able to see us participate, especially with this up and coming project that they're doing out there in Waikapu. So that's my one question, and I think we'll...I think we're probably going to have you back again at a later time to ask those probably deeper questions, and probably even talk about the issue that...that Vice-Chair Keani Rawlins [*sic*] brought up about the Council wanting to play a...a larger role into the END. That's what I'm calling this. Okay. So I've asked my questions. Members, do you all have another question you'd like to ask, or you guys good, ready to move on?

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair --

CHAIR KAMA: Well, I don't see anybody...oh, yes. Go ahead, Ms. Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Member Hokama and then myself. Member Hokama raised his hand before me.

CHAIR KAMA: Oh, thank you. I did...I don't always see you folks all the time. Sometimes I can see you, sometimes I don't. So you all got to help me find you all.

COUNCILMEMBER KING: He's been...he's been waving his hands a lot.



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CHAIR KAMA: Okay. Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: . . . (*audio interference*) . . . Chair.

CHAIR KAMA: Okay. Go ahead, Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you. Thank you, Ms. Rawlins-Fernandez. Mahalo. So Mr. Almeida, Deputy Director, for me, yeah, the bottom line is, would this help us expedite the delivery of projects? Because for me, if this thing cannot bring in units built two years or less, what's the use of another procedure and process? We not getting the units. Okay? Just like the housing...the units at MCC, right? We talked about experimental housing for that. Five years I've been waiting...five years. So is this going to make us...time is money, we all know that. Is this process going to help expedite the construction of projects, Department?

MS. MUNSELL: . . . (*audio interference*) . . . Chair. Yeah, my...my opinion, my feeling, the law for Experimental and Demonstration Projects only muddies the water. We've got two laws that are more thoroughly vetted, the 201H process and our new 2.97. I know that there are certain elements of the...of the Experimental and Demonstration Housing law that...that people might...might like; but, frankly, I think that it...the reason people moved away from that is because these other laws are...are...are more...are better fleshed out. Now, the fund has got limitations, lower AMIs and things like that, and I like...I like those aspects of that. And I like the fact that you're actually targeting, very specifically, projects that might be a little edgy, that we might not fund under Affordable Housing funds. Because they're, you know, our...our need is really significant. We need low AMI houses. We have to use Affordable Housing funds in a very precise and leveraged manner. And so the Experimental Housing fund lets us actually invest in projects that we might not be willing to invest Affordable Housing funds in. It opens opportunities that we wouldn't find competitive in another...in another RFP process. So I...I don't like the Experimental and Demonstration Housing law as a development tool, but I really like the Experimental and Demonstration Housing fund as an opportunity to take a chance on a project that we might not take a chance on under normal circumstances.

COUNCILMEMBER HOKAMA: Mr. Almeida, do you have a comment? Yes or no?

MR. ALMEIDA: Thank you, Member Hokama, for the opportunity. I agree with Ms. Munsell. I think the fund itself is...is a good idea. I just think that the...the niche that it serves just lends to certain opportunities for certain types of projects that I don't think are going to be as readily available as...as other types of projects, so I...I think there's some limitations there, but I think that the idea behind it is...is good with its intentions; but fitting someone into that box might be a little more difficult, yeah.

COUNCILMEMBER HOKAMA: Well, I appreciate those comments and, you know, I...I think...I'll take that into consideration. One thing about this program though, that I would ask...that we need to think about, is it's one thing to provide the units to our community or our residents, but we need to continue to talk about how to maintain and

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retain the unit once they get the unit. I'm kind of afraid with this economy, if they get the unit, can they really retain that unit for their...for their family? So Chair, when...when appropriate if...I think we need some of that discussion. Thank you.

CHAIR KAMA: Ms. Keani Rawlins-Fernandez, you had a question, or were you just...no? Okay. Go ahead.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. I just wanted to respond to some of the comments that you made, Chair, about collaborating with DHHL. So in 16.28.070... going to try to read it...it gives Council the ability to appropriate funding for projects.

CHAIR KAMA: . . . (inaudible) . . .

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, okay. So you know that.

CHAIR KAMA: Thank you. Yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, okay. Okay. I wanted to . . . (*audio interference*) . . . that provision, you know, we...the Council and the public also . . . (*audio interference*) . . . so if you have, you know like, projects that you know of, Chair, that you think would be a good idea, I'd love to discuss it as a Council too. Mahalo, Chair.

CHAIR KAMA: Very good. Thank you. So Members, I don't see anyone...yes, Mr. Hokama.

COUNCILMEMBER HOKAMA: Just a quick point of information should I...I'd like to share. Since our Committee had that meeting last week regarding a Puunani project for Hawaiian Homes and --

CHAIR KAMA: Yes.

COUNCILMEMBER HOKAMA: --. . . (*audio interference*) . . . I can tell you that Chairman Aila of the Department has designated Mr. Stewart Matsunaga as the Department's key housing representative for projects --

CHAIR KAMA: Yes.

COUNCILMEMBER HOKAMA: --in Maui County.

CHAIR KAMA: Yeah.

COUNCILMEMBER HOKAMA: So I would be happy to share his information with you if you would like that. Thank you.

CHAIR KAMA: Thank you, Mr. Hokama. Yes, I know Mr. Matsunaga is the Maui Island spokesperson, yeah. So thank you for that. Ms. Tamara Paltin, do you have your hand up? Yes.

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COUNCILMEMBER PALTIN: And I'm stoked on that question. I just was wondering, would it be a problem because of the fifty percent quantum that...because, I mean, we got Honokowai ag. lots that...that would be awesome, you know, like maybe they can do...if...I think they have some room reserved at the wastewater treatment facility but, you know, if...if we need to do some kind of experimental tiny homes or whatever, and it's on Hawaiian Home Lands, that would be awesome. So there's no restriction because of, like, County money or something like that. You can still use it on Hawaiian Homes?

CHAIR KAMA: That's why I asked the question, and that's why our Vice-Chair researched the answer, and she's nodding her head. So I think we're okay unless somebody else out there in legal land says otherwise, but I think we're okay.

COUNCILMEMBER PALTIN: Mimi, our Corp. Counsel...and it's okay with her as well?

CHAIR KAMA: I don't know. Let's ask her. Mimi?

MS. DESJARDINS: I...I don't see a problem with that sort of collaboration at all; but again, you know, you just got to look at the...the details of whatever is being proposed. The devil's in the details . . . (*audio interference*) . . . and look at it and, you know, make sure that they're...nothing's wrong with it. But the idea, I think, is to at least present it and to try to make it work.

CHAIR KAMA: So I'm sure we're going to be bringing back Experimental Housing a lot, seeing as how the Department's going to be doing a lot of housing here on the Island of Maui the next three to five years. Okay, Councilmembers. You guys better work hard. Okay? All right. Exciting. Our kids might even get their homesteads before us. Well, my kids have already though, but, nonetheless.

COUNCILMEMBER PALTIN: Maybe when . . . (inaudible) . . . she's only 81, you know, she's on the list, so.

CHAIR KAMA: All right, okay --

COUNCILMEMBER PALTIN: Fast.

CHAIR KAMA: --for your mother-in-law, for your mother-in-law. Thank you. So Members, I don't see anyone's hands being raised. So without...oh, yes, Ms. Yuki Lei Sugimura?

COUNCILMEMBER SUGIMURA: I'm sorry, I have a question. So the experimental housing, the...I don't know if it was an RFP that you did, and that one applicant. So are you to announce or do something with that? What's happening with that one applicant?

MS. MUNSELL: Mr. Almeida.

COUNCILMEMBER SUGIMURA: Linda Munsell, or Buddy, I guess, Chair.

MR. ALMEIDA: Thank you for the question. Yes, a decision will be coming out in an announcement shortly with regards to the evaluation of the proposal. Thank you.

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COUNCILMEMBER SUGIMURA: Thank you. Thank you.

COUNCILMEMBER HOKAMA: Chair?

CHAIR KAMA: Okay.

COUNCILMEMBER HOKAMA: Chair?

CHAIR KAMA: Yes, Mr. Hokama?

COUNCILMEMBER HOKAMA: For the Department, Chair Lee kind of stirred my memories. So I believe the original experimental housing program by Council set up the original fund. And by Ordinance, I think there was listed like eight, ten, twelve different type of housing projects. Is that something still valid, Department, regarding...or was that already amended in the Code? Anybody can...Department, you can give a response on the, what was existing prior on the experimental? 'Cause that's at the Kualapu'u project, I recall the Kualapu'u project being listed on that one.

MS. MUNSELL: Yeah. Chair, so I'm sorry, there was a list of projects that were intended to be experimental or, I mean, we've got --

COUNCILMEMBER HOKAMA: Yes.

MS. MUNSELL: --we've got a --

COUNCILMEMBER HOKAMA: Yeah.

MS. MUNSELL: Okay. Yeah, I guess I haven't seen that list. We do have at least nineteen experimental projects that historically have been identified. And I see the project that you reference in that list. But I didn't know that there was a specific list of other projects where I...that were identified as experimental.

COUNCILMEMBER HOKAMA: Okay. Yeah, that was a bunch. And once you read the names you're going to...they're very familiar project names.

MS. MUNSELL: Yeah. If you'd like, if you wanted to, I mean, I can tell you the ones that we're aware of if you're interested in that. You know, Skill Village on --

CHAIR KAMA: You want the list, Mr. Hokama?

MS. MUNSELL: I'm sorry.

COUNCILMEMBER HOKAMA: Yeah, I would like that sent to the Committee.

CHAIR KAMA: Mr. Hokama, would you like that list? Okay.

COUNCILMEMBER HOKAMA: Yeah, I would like that sent to the Committee 'cause I think

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other Members could benefit from that information, Chair. Thank you.

CHAIR KAMA: Okay. Okay. So Ms. Munsell, could you send that list to the Committee?

MS. MUNSELL: I can certainly send the list of --

CHAIR KAMA: Okay.

MS. MUNSELL: --projects that we've found so far to the Committee, yes.

CHAIR KAMA: Very good. Okay. Thank you. Okay. Members, for sure, for sure, I see no hands. Do you all see anybody else's hands? Okay. So I don't see any, you don't see any. So is it okay if we, without your objection, that we defer this matter to another time . . .(inaudible). . .?

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR KAMA: Okay. Thank you. So ordered. We're going to defer this item.

**ACTION:           DEFER.**

CHAIR KAMA: Okay. So, now, Members, thank you very much for going through that particular process.

**AH-37:   COMMISSION ON HOMELESSNESS (CC 20-313)**

CHAIR KAMA: So now we're going to go on to AH-37, the Commission on Homelessness. So we have before us a bill from Council Chair...Vice-Chair, Keani Rawlins-Fernandez, that would establish a Commission on healing solutions for the homeless. This bill has been reviewed by Corp. Counsel without signature; and therefore, I'd like to hear about what their concerns are with this bill as it is written. But also, Ms. Keani Rawlins-Fernandez also submitted a new bill, and I think it's on Granicus right now, you all, it should've been uploaded already. It just was uploaded just before we started our meeting. So if you all would like to go ahead and go get that so you can have it in front of you. So based upon the Corp. Counsel's concerns, and our subsequent discussion, we could suggest deferring this item to allow more work on addressing the concerns, or we could go ahead and approve a...the bill. But depending on what our discussion is today will determine what the outcome will be. So at this point in time, I want to ask if Miss...Vice-Chair Rawlins-Fernandez would go ahead and share with us your bill. Oh, are you? Oh, no. Okay. I see you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR KAMA: Go ahead. Yes, go ahead.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Mahalo, and yeah, so the most up-to-date bill is posted on Granicus for everyone. It's from CM Rawlins-Fernandez,

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7-13-2020, last one on Legistar or iLegislate. Okay. So mahalo for scheduling this bill, Chair Kama. So this bill would create a Commission on Healing Solutions for Homelessness. And it was drafted that way to communicate to ourselves and to everyone that homelessness is not a problem, the problem; it's a symptom of underlying problems that need to be addressed. And so that concept and philosophy is woven into each of the provisions of this bill, that not having a house is a symptom of systemic problems that need to be addressed, such as cultural barriers. So basically, encouraging our County to listen to our community and think outside of the box when it comes to addressing the needs of our unsheltered community. So this would be the first Commission in the State of this kind. We have a...I think it's called Homeless Alliance, Coalition, Alliance; and so it's all of the service providers together. But there is nowhere for community members or community groups to have a voice in helping to assist the Council and the Department in developing policies that will help our County address the underlying issues that has been causing homelessness, houselessness, but also in creating a space that will be healing for those who would find themselves without four walls and a roof, such as the Kauhale format, or layout that has been...they've been working on on Oahu, but also very successful in our cousins across the sea in Aotearoa with the marae where they live more village style. So in working, you know, and talking story with those who have been faced with losing their house, either individually or as a family, and talking to those who advocate for those who've lost their house, what happens oftentimes is they come together and create a...you know, a support group that we see, like, at Kanaha, for example, and they create their own village. And it's...to have that type of a family, basically, helps, like, individuals and families to be safer as they're going through not having a house. And for some of those who don't want, or...yeah, don't want to live in this society that we've created post-contact, there really isn't another option for them to go and to be safe. And so in looking outside of what we created, and just, you know, instead of forcing people to assimilate to this society that we've created where individuals would be isolated in houses that perhaps they would be, you know, unable to maintain on their own, that we can look at creating a Commission that will hear directly from those in unsheltered communities to see what would best serve those. And it won't be just one thing, I'm sure, but that's why a Commission would be good so that we can hear the array and variety of solutions that would come directly from the community for us to consider. Mahalo, Chair.

CHAIR KAMA: Thank you, Ms. Rawlins-Fernandez. Corp. Counsel, Ms. Mimi DesJardins, do you have any comments on the ordinance what's being, is being proposed?

MS. DESJARDINS: Thank you, Chair. I did have an opportunity to review the most recent version, and I think compared to the first version, what I think this is more consistent with a Board or Commission that would be promulgated under the Code versus a Board or Commission promulgated by, and recognized by the Charter under 13-2. So you might see some changes or differences between, for example, the Charter Commissions require nine members, Boards and Commissions that are regulated by the Code do not require that. I think CPAC

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is a good example of that. So I don't have any issues. I would approve as to form and legality the version that most recently was posted. One of the things that I know is from staffing Boards and Commissions that is sometimes a challenge for these Boards and Commissions is to define specifically what their jurisdiction is. What I think is good about this version is, is that it is to make recommendations to advise, it's an advisory council, it makes that clear. But I think that the jurisdictional elements are sound. I think that it provides a broad enough stroke to the...what this Commission would be tasked to do under the umbrella of the title of it, which is coming up with healing solutions regarding homelessness. So I don't think that because some of the areas are rather broad, I think under the umbrella of homelessness, I think that it's quite clear what the jurisdiction would be. So as somebody counseling a Board or Commission, I think I would feel comfortable being able to direct that Commission to stay on task or if there was a question about jurisdiction. So those are those are the only comments that I have. Thank you.

CHAIR KAMA: Thank you, thank you. So...yes, Ms. Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Really quick, Chair. Mahalo, I just wanted to let the Committee know that I did work with, you know, I sent this to the Maui Homeless Alliance members, I sent this to, I sent this bill to the housing advocates, homeless community advocates such as the Maui Rapid Response members, the...so I did send it all around and received feedback, and incorporated a lot of the feedback that I received. And then I also met with Ms. DesJardins to address any legal issues in the bill, and then incorporated her suggestions into it. Okay. Mahalo, Chair.

CHAIR KAMA: You're welcome. So, I got this bill about an hour before our meeting and I read it, and I looked at it, and I heard your comments, I heard the Corp. Counsel comments. So I just want to ask the Members of the Committee if they read it because I know they just got it just before. So I'm not sure if they're speed readers or if they need a little bit more time. So my question to the Committee is, if you all need a break maybe five, ten minutes, 'cause it's not a very long bill, to read it and then get some understanding, or you guys are so good at reading, you understand everything you see and you can just plow on. Yes, Ms. Lee?

COUNCILMEMBER LEE: Okay. I'm good at reading.

CHAIR KAMA: Okay, good.

COUNCILMEMBER LEE: I have a question for Deputy Corp. Counsel under 2.31.040, Terms and Operation, G. Is it typical for this type of commission to have subpoena powers?

MS. DESJARDINS: Yes, it is.

COUNCILMEMBER LEE: Okay.

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MS. DESJARDINS: Actually, I think that's one of the provisions under 13-2, if I'm not mistaken, and so my --

COUNCILMEMBER LEE: Okay. I just wanted a yes or no.

MS. DESJARDINS: Okay.

COUNCILMEMBER LEE: I just needed a --

MS. DESJARDINS: Yes.

COUNCILMEMBER LEE: --yes or no answer. Thank you. That's all I have.

VICE-CHAIR MOLINA: Chair?

CHAIR KAMA: Yes, Mr. Molina?

VICE-CHAIR MOLINA: Yeah, thank you, Madam Chair. I wanted to just follow-up on Chairman Lee's questions, which I was going to ask the same thing. Why would we want to --

CHAIR KAMA: Okay. So let me just get a...wait, wait, wait. So let me just understand, everybody doesn't need a break, right? So we can just go on?

VICE-CHAIR MOLINA: Yeah.

CHAIR KAMA: Is that right?

VICE-CHAIR MOLINA: Okay.

CHAIR KAMA: Okay. Go ahead. Thank you. I'm sorry, Mr. Molina. Go ahead.

VICE-CHAIR MOLINA: Yeah. So again, why would we want to give this, not that I'm against it or anything, but I know the Ethics Board, they have subpoena powers and everything else, which is understandable because of the type of work that they do. Now, as I understand what the role of this Commission would be, of course, to deal with homeless issues. But why, maybe Member, Vice-Chair Rawlins-Fernandez can answer it, why would we want to give this type of authority to this Board or Commission for homeless issues, yeah?

CHAIR KAMA: Yes, go ahead, Ms. Chairman Rawlins-Fernandez to Mr. Molina.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Okay. So under 2.314.040 Terms and Operation, initially it said Section 13-2 of the Charter will govern this section on how the Commission would operate. This Commission would be created via Code, and not via Charter. And therefore, we took the section under 13-2...so we took the...all the provisions under Section 13-2 and put the ones that applied to this. So the 13-2 governs all Boards and



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Commissions that are created by Charter --

CHAIR KAMA: Out of the Charter, yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: --so it has the rules to follow. And so if you wanted to create one by Code, you could reference Section 13-2. 13-2 governs the commissions that are also appointed by the Mayor, or selected by the Mayor, nominated by the Mayor, and then confirmed by the Council. This Commission would be selected or composed with nine Councilmember appointed Commissioners, and two from the Mayor. So --

VICE-CHAIR MOLINA: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: --because of that, we just took the terms and operations from Section 13-2 from the Charter, and then instead of just, instead of referencing 13-2, we took the language from 13-2 and then put it in. So the --

VICE-CHAIR MOLINA: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: --they all have this. My answer to your question is that all Boards and Commissions that are governed by the Charter Section 13-2 have D, which is the subpoena powers.

VICE-CHAIR MOLINA: Subpoena powers, yeah. Okay. All right. Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: You're welcome. Mahalo, Chair. Mahalo, Member Molina.

VICE-CHAIR MOLINA: Thank you, Chair.

CHAIR KAMA: Any other questions, Members? Yes, Ms. King?

COUNCILMEMBER KING: Thank you, Chair. No, I was going to say earlier that, you know, this is, this was on the agenda from last week. So we've had a lot of time to look at it. And we actually had people testify on it last week at, in your Committee as well. So one of the things that came up, and I just wondered if, Ms. Rawlins-Fernandez, when you make your motion, if you would consider that we change the word homelessness to houselessness in the bill because I know that was one of the issues that people feel really strongly about; that they're not homeless because Maui is their home, but they don't necessarily have a house or a shelter. So that was a issue that Noelani Ahia brought up, I believe. And, you know, we can just do the other friendly amendment, I think. But I also...so the issue of the subpoena, is that actually in this bill? Because I don't, I didn't see where it was actually spelled out in the bill. So I might be missing it because I don't have my glasses on or something, but.

CHAIR KAMA: So what you have, what you have before you, Ms. King, is a revised

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version of the original bill.

COUNCILMEMBER KING: Okay. Maybe I'm --

CHAIR KAMA: And that's why --

COUNCILMEMBER KING: Maybe I'm not looking at the revised bill.

CHAIR KAMA: --you have to look at...yeah, you have to look at the one that came in today on Granicus --

COUNCILMEMBER KING: Oh, oh, okay.

CHAIR KAMA: --the latest one --

COUNCILMEMBER KING: I wasn't, yeah, I didn't see that one.

CHAIR KAMA: --because it's very different from what we got last week. And therefore, the...you're looking at it for the very --

COUNCILMEMBER KING: Awesome.

CHAIR KAMA: --first time.

COUNCILMEMBER KING: Okay. So that's what you were talking about, looking at it --

CHAIR KAMA: Yes.

COUNCILMEMBER KING: --for the first time. Okay. I didn't --

CHAIR KAMA: Yes.

COUNCILMEMBER KING: I just did a refresh, so I just saw that.

CHAIR KAMA: And so 2.31.040, Terms and Operations, when that was only three lines, it now expanded into alphabets from A --

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair?

CHAIR KAMA: --to J. Yes?

COUNCILMEMBER RAWLINS-FERNANDEZ: Point of information, Chair?

CHAIR KAMA: Yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: So it's really not that different. 2.31.0...

CHAIR KAMA: It expands, it expands.

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COUNCILMEMBER RAWLINS-FERNANDEZ: ...2.31.040 referenced Section 13-2 in the Charter, and if anyone took the time read that section in the Charter, they would see that all of this is the same thing. So referencing Section 13-2 or spelling it out is the same thing. So really, it's not different, it's just, it took the language from the Charter, and then put it into the bill.

COUNCILMEMBER KING: Okay. No, I hear --

COUNCILMEMBER RAWLINS-FERNANDEZ: So it's not different.

COUNCILMEMBER KING: --yeah, no, I get it. I don't have a problem with it. I just didn't see it 'cause I was looking at the wrong version of the bill. But the other thing I wanted to say was that the thing I really like about this is that we...there's a potential here to get some people on this Commission who are actually, have experience in the houseless community. And sometimes the solutions, the problems need to be discussed in depth by people who have actually had those problems, which I think is what's missing in some of the, you know, some of the efforts towards this. But, you know, I'm just kind of harken back to something Nainoa Thompson said when he did his talk to the public last year, and he said the solutions are not going to be...the problems aren't going to be solved by the Government, it's going to come from the community. So I see this because of the way it's set up and with the Councilmembers, you know, identifying one person in each district to be on this that there's a real potential to have that discussion of what's the same across all the districts as far as problems, and what's different. And I think one of the things that really needs to be discussed in depth is the sweep, the idea of sweeps. So that doesn't seem to...we have not addressed that, and I think that's something that will come up and have a rich discussion by having a Commission like this. So I support it, and I have no problem if we want to vote on it this meeting. Okay. Thank you.

CHAIR KAMA: Anyone else have questions? Ms. Sugimura, is your hand up? Okay, yes --

COUNCILMEMBER SUGIMURA: Thank you, thank you.

CHAIR KAMA: --by all means, yes.

COUNCILMEMBER SUGIMURA: So I'm just curious, is the Department here, Housing and Human Concerns? I don't know . . .(inaudible). . .

CHAIR KAMA: Yes, they're here.

COUNCILMEMBER SUGIMURA: So I wonder if you could ask them for comments? I know that there's that Homeless Alliance.

CHAIR KAMA: Lori, are you here?

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MS. TSUHAKE: Madam Chair, good afternoon.

CHAIR KAMA: Yes.

MS. TSUHAKE: I'm here.

CHAIR KAMA: Good afternoon, yes.

COUNCILMEMBER SUGIMURA: So I'm just curious what...I don't know if Lori has had a chance to look at the new proposed bill 'cause it's revised from the one it was originally posted. So I'm curious to see what Lori's reactions are, or the Department's, what you see are concerns, considerations for this, and the need.

MS. TSUHAKE: Madam Chair, may I respond?

CHAIR KAMA: Yes, by all means, please do.

MS. TSUHAKE: Thank you, Madam Chair. Thank you, Member Sugimura. Thank you for the opportunity to make a comment. I agree with our Deputy Corp. Counsel, Ms. DesJardins, that the revised version of this proposal provides much more detail and kind of spread...explains a lot of the questions that were asked at the last Committee meeting. I do believe that the establishment of the new Commission on Healing Solutions for Homelessness comes with good intentions. But we want to make sure that we all understand that we want to be realistic about the purpose of establishing another Commission and Board for the Department to work with. Our Homeless Division is staffed by two people, the Division Administrator and a Program Specialist. So we don't have clerical support in that Division. So clerical support for that Division for the...working with this Committee will need to be borrowed from some other part of our department. I think...I don't see a time in the near future where Commission meetings of any sort will be conducted in person, or at least for a long time. And so the cost for administering or housing a Commission will go down substantially because we won't be paying for travel or folks from all parts of our County to attend those meetings. So I think that's a real positive aspect of this is that it's...it'll cost staff time and staff effort, but not necessarily travel. We won't incur travel expenses for this. So, you know, couple weeks ago we spent a lot of time talking about what's called the coordinated entry system, which is the way that homeless individuals were given an assessment, and their vulnerability was assessed by score, and that those individuals with the highest score, which means that they would be the most likely people to die on the street if nobody helped them, would be prioritized for service at the right level that they needed. So we went through that whole discussion about the coordinated entry system. You know, in order for our community to be eligible to receive HUD funding from the Emergency Solutions grants, to HOME through the Continuum of Care Program, we as a service system are compelled to abide by those HUD nationally, the recognized best practices. So my concern is, and it's just a practical thing, is we're operating under this system that we're compelled to do in order to receive, like, \$10 million in HUD aid, right? If we choose to do other things that are

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contrary to how that system is designed and operated with national best practice in mind, are we, as a County, willing to eschew the Federal assistance that we currently receive to do Emergency Solutions grants? Which is shelter, homeless prevention, and permanent support of housing, which is the program that Maude Cumming talked about, you know, last time, which is providing housing and support services for those who are chronically homeless; so just posing that as a question. Because if we don't abide by that national best practice model, then we potentially may have to give up the Federal funding that goes along with that. Thank you, Madam Chair.

CHAIR KAMA: Thank you. . . .*(audio interference)*. . .

COUNCILMEMBER SUGIMURA: Cannot hear.

CHAIR KAMA: Did you have any other question for Ms. Tsuhako?

COUNCILMEMBER SUGIMURA: Yeah, so that was educational. I didn't realize all of that is tied together. And I know that the departmental, or the Department's philosophy is housing first and your mission, you know. So let me just think about what you said and review the draft --

CHAIR KAMA: Okay.

COUNCILMEMBER SUGIMURA: --you know.

CHAIR KAMA: Okay.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR KAMA: Members, anyone else has any questions out there? Oh, yes. Mr. Molina, yes?

VICE-CHAIR MOLINA: Yeah, thank you, Madam Chair. Just a question for Director. So let me just reconfirm your response to Member Sugimura. So cost-wise will be very minimal then? You...for example, you have Mr. Nakama, who's handling the homeless matters in the Department. So I would guess this Commission would meet once a month, you'd need a clerical responsibilities, and maybe...and of course, a staff member. So no need, no additional costs? I just wanted to make sure since we had been on that topic about costs for Departments and this and that, and Members had been concerned about the cost for this, that and everything else. So for this particular board, so you don't foresee any major costs other than possibly paying per diem for depending on the Members, like for example, some, for somebody who comes from Molokai and Lanai, you'd have some per diem costs, maybe possibly a rent-a-car cost. So do you have any preliminary estimates?

MS. TSUHAKE: Member Molina, I don't because I really cannot foresee in the immediate future that we'll be having in-person meetings. I think that we are probably

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months, if not more than a year away from conducting in-person meetings due to this COVID situation we find ourselves in. So the cost would be around diverting clerical staff from other work teams to provide that assistance. If the Commission, I don't think it bars the Commission from forming TIGs and other working groups or sub-committees and things like that. If they do exercise their ability to do those extra working groups or committees, then that would, of course, entail more staff time designated to the Commission.

VICE-CHAIR MOLINA: Okay. Well, thank you. This is something that I can support, you know, just maybe a question now for maybe Member, Committee Vice-Chair Rawlins-Fernandez. Under the purposes section, well, right above that was the makeup of the members, and it mentions in there, after the word veterans, those who require mental health services, people with substance addiction, and the working impoverished. And when I looked at the purpose section, it says, Administration and Maui County Council on funding and policies to help combat and eliminate homelessness and poverty in Maui County. Now, should we also consider some sort of language to include those conditions that are associated with homeless, you know, mental health conditions, substance abuse that afflicts some of our homeless? So I'm just thinking of maybe if we should add under the purpose category some form of language that reflects that. And Member King brought up about possibly modifying the title of the Commission, maybe something to go on the line, along the lines of homeless and human concerns commission or something along those lines. So that's stuff that's just going through my mind right now. I don't know if that's something you'd like to consider. But the whole concept, I agree with the concept.

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair?

CHAIR KAMA: Yes, Ms....okay, let's, I --

COUNCILMEMBER RAWLINS-FERNANDEZ: Do you want me to . . .(inaudible). . .

CHAIR KAMA: I saw two hands and you guys are close to each other. So I don't know whose hands was first, either Alice or Keani.

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair, do you want me to respond to Member Molina's question?

CHAIR KAMA: Yes, go ahead, and then Ms. Lee. Yes, thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. And then, Member Paltin had her hand up for a long time. Okay.

CHAIR KAMA: Oh, I don't have her on my screen.

COUNCILMEMBER RAWLINS-FERNANDEZ: I figured you didn't. So I just wanted to clarify what you were saying. So the adding veterans, those who require mental health services, people with substance addiction, and the working impoverished,

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these were edits that were suggested by Mr. Stan Franco, actually, and I incorporated them. So what you're asking is, you would like that language, that specificity, repeated in the purpose?

VICE-CHAIR MOLINA: Yeah, not to that full-on detail, but something more broad that reflects the purpose is to address those types of conditions. I don't know how best way to word it because it just mentions homelessness and poverty. So I don't know how you define what poverty is. But I guess the whole thrust of this is people needing shelter. But there are conditions related to homeless, yeah, that's a possible, possible causes for homeless, you know, mental health issues, substance addiction, and the like. So I don't know if there's some other additional wording you could consider to accomplish that.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay . . .(inaudible). . .

VICE-CHAIR MOLINA: And of course, the title of the Commission.

COUNCILMEMBER RAWLINS-FERNANDEZ: . . .(inaudible). . . have something that you want to suggest, I'd be open to it. I --

VICE-CHAIR MOLINA: I was counting on you. You're great at wordsmithing. Yeah, I'll think of something if you don't.

COUNCILMEMBER RAWLINS-FERNANDEZ: I left it really broad so that it would be all encompassing. And then in the establishment, I went specific and named, you know, the different issues and the different vulnerable populations. And so for the purpose, I kept it, you know, like all encompassing. And so...because it was, it's stated above the specific vulnerable populations that it's intended to seek expertise from.

VICE-CHAIR MOLINA: Okay. I'll work on something and hopefully I'll put something out a little bit later, a word or two that could encompass those issues that are related to homelessness, you know. Anyway, thank you, thank you, Member Rawlins-Fernandez. Thank you, Madam Chair.

COUNCILMEMBER RAWLINS-FERNANDEZ: As for the title, Member King suggested Houselessness instead of Homelessness. The reason I kept homelessness was to be consistent with the philosophy of healing solutions to create more of a home. So yes, Maui is our home, but, you know, what does that mean, you know, philosophically? And if it is our home, then why are, you know, people being ostracized and treated the way that they are when they don't have four walls and a roof because this is supposed to be their home. So in providing that healing solutions to emphasize the creation of our home again, so that was that...that was why the wording was chosen in that way. Mahalo, Member Molina, and mahalo, Member King. Mahalo, Chair.

CHAIR KAMA: Okay. Ms. Lee, and then, Ms. Paltin.

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COUNCILMEMBER LEE: Okay. I'd like to ask Director Tsuhako, if she's still there, if when she talked about ten million dollars in homeless funds, was that just a figure of speech, or do you get ten million dollars in homeless funds every year?

MS. TSUHAKO: Thank you, Councilmember. The figure was not a figure of speech. Money, not all of that ten million dollars comes through the County, and not all of it is recognized as grant revenue. For example, our two providers on Maui recently got an allocation of near . . . *(audio interference)* . . . thousand dollars from the Emergency Solutions grant. So it's Federal money from HUD that gets passed through the State's Homeless Programs Office and is granted from there. That State Office administers funding for the neighbor islands. So Oahu gets their own allocation, and then the neighbor island funds goes through the Homeless Program's Office and is disbursed and allocated through that Office. So...and combining all of the Emergency Solutions grant funding that doesn't come to the County for allocation to nonprofits, but also including HOME funds, and CDBG funds, as well as the continuum of care funds that are also administered by the State and given directly to the nonprofits who provide the supportive housing here on Maui.

COUNCILMEMBER LEE: Okay. So you know that this Commission is just advisory. It's advisory to the Administration and to the Council. So when it comes to funding, I'm pretty sure you can count on the Council not doing anything to jeopardize any current funding or future funding from the Federal Government. So I really don't think that will be, your fear will become an issue. And then the second thing doesn't have to do with your Department, the second thing has to do with the...Member Rawlins-Fernandez, if you could include within whatever section is relevant the notion of upward mobility. 'Cause one of the reasons why we're stuck in a problem is because there isn't a next step for most people, many people. They'll go to one housing project, and there they sit and stay for the rest of their lives 'cause they don't have options. So hopefully we can provide, or this Commission can help provide those options. Thank you, Madam Chair. Done.

CHAIR KAMA: Okay. Thank you. Ms. Paltin, I see you now.

COUNCILMEMBER PALTIN: Thank you.

CHAIR KAMA: You're right next to Keani and Lori Tsuhako, you're right there. I see you. Oh, now you moved.

COUNCILMEMBER PALTIN: I wanted to point out Member Sinenci also had a question after me.

CHAIR KAMA: Okay. Okay. Thank you.

COUNCILMEMBER PALTIN: My first question was for actually Member Rawlins-Fernandez. Was it your intention that Department of Housing and Human Concerns would be the holder of this Commission, or did you...were you open to like, I mean, I don't know, maybe just the Administration? I think the



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Administration does the Cost of Government Commission, or was it your intention that DHHC would? I didn't notice it anywhere in there who you meant to staff it.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Member Paltin, for your question. I figured whoever was most appropriate. So DHHC was the Department that I anticipated that it would go under. But if, you know, the Mayor's Office would want to take it under the Mayor's Office, there's a Housing Specialist there that could help with staffing it. But I just envisioned that it would be put under the Department that would be most appropriate, which would be DHHC.

COUNCILMEMBER PALTIN: And then I guess my follow-up would be for Director Tsuhako. Are there other...you don't, there's no other Commissions that you folks have under your purview right now?

MS. TSUHAKE: Oh, there are several, Member Paltin. We do the Commission on Persons with Disabilities, the Council on Aging, the Commission on Children and Youth, as well as the Adjudicatory Animal Control Board, all administered through, under this Department.

COUNCILMEMBER PALTIN: Okay. Thank you. And then, I guess, you know, just on the logistics, I'm supportive, but on the logistics for either Member Rawlins-Fernandez or Director Tsuhako, do you see...I mean, I know that in the foreseeable future in-person meetings are kind of out; but do you see that it could possibly be an online meeting in the future beyond the pandemic? And like our District Offices, perhaps, for the more remote districts could assist in facilitating that, like if instead of flying over from Molokai, or driving in from Hana, maybe they can go to the District Offices and participate in that way? Because, you know, if we're looking at folks that are, like, the working poor or things like that, it may be...and it's necessary, I believe, to get that perspective. It may be more of a hardship to try and get time off of work or things like that to...especially if they, they're coming from the remote areas. Like, I mean, if we're talking about the working poor in Lahaina, they might have three or four jobs, and to take a day off to go central might be a hardship. But it is important to get that perspective as well. So that was my question.

MS. TSUHAKE: Yeah, thank you for your question, Member Paltin. This is Lori. I agree with you that creating that opportunity for people who are experiencing those challenges that Member Rawlins-Fernandez described so eloquently at the beginning of our discussion is really important. And I agree that it would be in all likelihood a real challenge financially for people to take off from jobs and sit in and, you know, drive to Wailuku, and sit in a Committee meeting. I think that that is probably...and sitting in the meeting face to face is probably the most effective way of doing, you know, having those conversations. I think it helps people to know each other and be more comfortable with each other. And I would hope that eventually we could get to that place where we could have meetings in person. But I really do think that for the foreseeable future, we're dealing with meetings of this nature. And, you know, hopefully the person who's selected as

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Chair of the Commission, if it is indeed formed, will be really a skilled facilitator who can get people to contribute to the discussion and to the meaningful advice, even with the limitations of a video conference. But thank you.

COUNCILMEMBER PALTIN: I'll yield to Member Sinenci. He had his --

CHAIR KAMA: Thank you.

COUNCILMEMBER PALTIN: --hand up for a while.

CHAIR KAMA: Yes, thank you. Mr. Sinenci?

COUNCILMEMBER SINENCI: . . . (*audio interference*) . . . Chair, and mahalo, Member Paltin.

CHAIR KAMA: Yes.

COUNCILMEMBER SINENCI: I like the changes to the bill, the bill of Member Rawlins-Fernandez. My question is for Director Tsuhako. It's a question that I've been asked of from the residents. Is there a process where the residents have, I guess, priority when it comes to addressing houselessness, homelessness? Some of the concerns was that they've seen maybe some families that are moving here quickly, I guess, and I don't want to say that they did, but kind of, they see people from outside may have gotten in front of the line. Is there a process to address our most needy in Maui County first?

MS. TSUHAKE: Good afternoon, Member Sinenci. Thank you for your question. The answer to that question is that we use the same format, the same process to evaluate and determine the need of any individual or family who comes through our service system. That's what the coordinated entry system is. So the same assessment triage tool is used, it's called the vulnerability index service prioritization and decision assistance tool. It's used, it's administered, it results in a score that tells the service providers how vulnerable that individual or that family is. And so the provision of the services to meet the need of that family is based on what the need is, not necessarily where they're from. So it's conceivable that a very high need individual who moved here less than a year ago from the continent, or from Oahu or any other island, could receive services before somebody who has been born and raised here on Maui because the verified need of that second person, the recently relocated person, is higher than somebody who was born and raised here. So yes, that is possible. And we cannot really discriminate, we cannot really discriminate against people for, by the length of time that they've lived here. But I think there is a general perception in the community that there's plenty, plenty, plenty, plenty, plenty people who've just recently moved here. And I haven't checked really recently, like within the last three months, but generally speaking, when we do our point in time count survey, we find that about nine percent of the people who are surveyed have lived in Maui for less than a year. So it's not as high as I think a lot of people assume it is.

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COUNCILMEMBER SINENCI: Okay. Thank you. And then, my second questions was, you know, I got to meet up with some of the houselessness in one of our camps. One of them mentioned that you need to be, I guess he used the word "certified homeless". Is there a process that they go through where they're being certified before given services?

MS. TSUHAKE: Yeah, so the...it's not really a certification, but it's a verification. So it's a homeless verification. And we have certain contractors, Family Life Center and Salvation Army, who can certify someone's homelessness. So if they were to show up, for example, and say, I'm living in my car, Family Life Center would go with them to the location where they're normally parked in their car and living out of their car, verify that they're there. Or if they say they are living in a camp, on Waihe'e Beach for example, the homeless outreach worker would actually accompany that person to their campsite and witness the campsite firsthand, and then, sign off on the verification. And our service system, including the Federal Government, the State Government, and the County, requires the person who receive homeless funding to actually be homeless. And that's the process by which we determine that that person is truly homeless.

COUNCILMEMBER SINENCI: I'll relay your sentiments. Thank you. Thank you, Chair, and thank you for allowing my questions.

CHAIR KAMA: You're welcome. . . .(audio interference). . .

COUNCILMEMBER KING: Chair, you're muted.

CHAIR KAMA: Thank you. So Members, any other questions that you might have for Vice-Chair Keani Rawlins-Fernandez or Ms. Tsuhako? Yes, is your hand up, Keani? Yes --

COUNCILMEMBER RAWLINS-FERNANDEZ: Yes.

CHAIR KAMA: --go ahead. Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo. I just have a few questions. One, we heard from testimony last week by one of the Commissioners that sits on the Commission on Persons with Disabilities that a lot of the kuleana that we spell out in this Commission has been kind of put in their Commission because there was nowhere else for it to go, and that she testified in support of creating this Commission so that it, this Commission could better address, or at least share in the kuleana because it's a heavy workload. And that way, that specific kuleana can go into this Commission to work on instead of the Persons with Disabilities Commission because they apparently have been receiving a lot of this type of, you know, concerns. So when we first drafted this bill and we conducted outreach, I sent the bill to Director Tsuhako, and I was just wondering, you know, if...we didn't get a response from Director Tsuhako 'cause I was trying really hard to work with everyone to get everyone's input before submitting this bill to be referred to Council. Director Tsuhako?

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MS. TSUHAKE: Madam Chair, may I respond?

CHAIR KAMA: Yes, by all means, please.

MS. TSUHAKE: And thank you, Member Rawlins-Fernandez. I believe what happened was that a staff member from your Office may have sent an email and the communication did not go through the proper transmittal process, and I think Managing Director Baz responded to that initial email. And then there was a follow-up email by a second member, maybe a second member of your staff, and I responded directly to that by forwarding the Managing Director's response. And that's why the...it was like the day before, I think, the last hearing, and I never received the written request for feedback through the proper channel. So I apologize, but I did respond to the email from your staff member, notifying them that the transmittal had to go through the proper procedure.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. That's unfortunate. My staff says that they didn't receive your email. So we just assumed that you . . . (inaudible). . . . Okay. And then, you know, the comments that you shared, Director Tsuhako, about funding, I don't understand why it would be one thing or another, and not all of it. Proposing this Commission isn't something that was intended to take away from what the Department is doing, rather than it's supposed to assist the Department and the Council in addressing these needs of our community. So I'm not clear on why your concerns about funding is a concern.

MS. TSUHAKE: Madam Chair?

CHAIR KAMA: Yes, Ms. Tsuhako, please respond.

MS. TSUHAKE: May I respond, please? Thank you. Member Rawlins-Fernandez, the concern that I expressed about funding is because if there's a recommendation made and an expectation that certain projects be implemented, for example, that are not consistent with the framework that's enacted to enable us to receive the Federal funding, then it jeopardizes the Federal funding. The Department has no way of pushing back on, or opposed to, having the Commission. It's simply a matter of understanding that if...understanding the, I guess, the ramifications, the implications. So if we choose to do a project or follow through on some recommendation that is outside the scope and the model of funding that allows us to receive those HUD funds, then that's what we have. We just have to be willing to absorb the cost as maybe the County would fund this, you know, versus using a combination of other funds to put together that project. So it's not an opposition, it's just saying just be aware that this comprehensive system, the coordinated entry, the way the funding is drawn down from the Federal Government to the State, how some of it is given directly from the Feds to the State to the grantees; all of that is tied together. And I think it would behoove anybody who's involved in the area of homelessness to have a modicum of understanding about how that system works in order to provide feedback or suggestions about programming or any of those things because that is...it's an

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important consideration to take into account. It's not prohibitive, and I definitely don't see this as an either/or, it's just a matter of understanding what that is and why, to some degree, we're tied to that system of care that's been prescribed for us.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Mahalo, Director Tsuhako. Like Chair Lee, I think, you know, we see this as supplemental and not replacing. So mahalo for that explanation. Mahalo, Chair.

CHAIR KAMA: Okay. So I have a question for you, Ms. Rawlins-Fernandez. Under Item 2.31.020 Establishment, you have...let me see, you have A, B, C, D, E, and you have F. Is there an F?

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair, no, I think that was just a typo. I think it just --

CHAIR KAMA: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: --it was a return and then...yeah.

CHAIR KAMA: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo for catching that.

CHAIR KAMA: When it goes to print, when it goes to print, then we'll just remove that F, put an A, no, I'm only kidding, at the top of the page. But okay. So Members, I don't see anybody's hands raised, or does anybody else see anybody else's hand raised for a question or anything 'cause I can't see...okay. Okay, good. So this is the Chair's recommendation that I would like to entertain a motion to approve. And do you want me to read it all out? Okay. I guess you want me to read it all out. Okay. So I would like --

COUNCILMEMBER KING: . . .(inaudible). . .

CHAIR KAMA: I'm sorry?

COUNCILMEMBER KING: Are you saying that you need a...you want a motion to approve the resolution bill?

CHAIR KAMA: The passage of this proposed bill, yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: . . .(*audio interference*). . . read the whole thing. Chair, I think Staff wanted, requested the...it be read.

CHAIR KAMA: Okay. Go ahead.

COUNCILMEMBER KING: The whole bill or just the title?

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COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. So moved, Chair.

COUNCILMEMBER KING: Second.

COUNCILMEMBER RAWLINS-FERNANDEZ: I move to pass the Commission on Healing Solutions for Homelessness on first reading.

CHAIR KAMA: Thank you.

COUNCILMEMBER KING: Second.

CHAIR KAMA: And, okay. So it's been moved by Vice-Chair Keani Rawlins-Fernandez, and seconded by Member King, right, to approve the proposed bill as amended...no, not amended. It was not amended, right? The approved bill as is, correct? All those in favor say aye or raise your hands maybe. Okay. I see everybody, okay, this is who I see saying yes. I see...okay, I see Member Paltin, Member Molina, Member Sinenci, Member Rawlins-Fernandez, Member Lee, Member King, right, okay, and myself, that's who I see, and I see Member Sugimura right there. Okay. Is there anybody I have not mentioned? Oh, Mr. Hokama, is he still here?

COUNCILMEMBER KING: I think he left.

CHAIR KAMA: Or did he leave? Did he leave? Okay.

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

**NOES:   None.**

**ABSTAIN:   None.**

**ABSENT:   None.**

**EXC.:   Councilmember Hokama.**

**MOTION CARRIED.**

**ACTION:   Recommending FIRST READING of bill and FILING of communication.**

CHAIR KAMA: So, the vote is eight in favor and one excused. Okay. Does that sound good to you all? Okay. So the motion passes. Thank you very much, everyone. So this brings us to the end of our agenda. Thank you for such a robust discussion. Thank you, thank you. It's only not even 3:30. Oh, my God, I gotta reward you guys next time. And this is your reward. Our next Affordable Housing meeting is on August the 12th. So you guys have from now until August 12th at our next Affordable Housing meeting.

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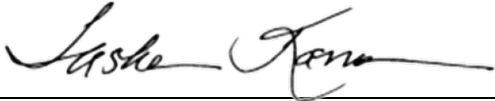
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So I'm giving you all all that time off to do whatever important business you all might have to do. So at this time, the meeting of the Affordable Housing Committee is now adjourned. Thank you everyone, aloha, mahalo. . . .(gavel). . .

ADJOURN: 3:28 p.m.

APPROVED:



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TASHA KAMA, Chair  
Affordable Housing Committee

ah:min:200713min

Transcribed by: Susan Leong

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CERTIFICATE

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

DATED the 13th day of August 2020, in Wailuku, Hawaii

A handwritten signature in cursive script, appearing to read "Susan Leong", is written over a horizontal line.

Susan Leong