

# MINUTES

of the

## COUNCIL OF THE COUNTY OF MAUI

June 4, 2021

THE REGULAR MEETING OF THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, WAS HELD ONLINE ONLY VIA BLUEJEANS, ON FRIDAY, JUNE 4, 2021, BEGINNING AT 9:03 A.M., WITH CHAIR ALICE L. LEE PRESIDING.

COUNCIL CHAIR ALICE L. LEE: Alright. May the Maui County Council regular Council meeting please come to order.

Everyone, we have the greeting in the chat. It's from, from South Africa. It's actually a new one called "unjuni".

Madam Clerk, roll call.

COUNTY CLERK KATHY L. KAOHU: Unjuni, Chair and Councilmembers.

### ROLL CALL

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

EXCUSED: COUNCILMEMBERS NATALIE A. KAMA AND KELLY T. KING.

*(Councilmembers Kama and King were not present when the roll was called; however, they arrived at 9:04 a.m. and 9:08 a.m., respectively.)*

CHAIR LEE: Alright. Why don't we begin, since we have a quorum, to conduct business, Madam Chair?

VICE-CHAIR RAWLINS-FERNANDEZ: Chair Lee.

CHAIR LEE: Yes?

(Councilmember Kama arrived at the meeting at 9:04 a.m.)

VICE-CHAIR RAWLINS-FERNANDEZ: I have Pro Tem Kama. Okay, go ahead Pro Tem Kama.

COUNCILMEMBER KAMA: Thank you. Good morning, Chair. And unjuni to each and every one of you. I'm just having some technical difficulties. But I'll be there in live. Thank you.

CHAIR LEE: Okay. Thank you. Thank you, Vice-Chair.

Okay. And so, you may proceed, Madam Clerk.

COUNTY CLERK: Chair, there are eight Members present, zero Members absent, and one Member excused. A quorum is present to conduct the business of the Council.

For the record, I am County Clerk Kathy Kaohu. And also present from the Office of the County Clerk are Deputy County Clerk James Krueger; and Legislative Division staff Joyce Murashige, Lauren Saldana, and Dell Yoshida.

Joining the meeting from the Department of the Corporation Counsel is both Moana Lutey and First Deputy Corporation Counsel Richelle Thomson, and possibly Deputy Corporation Counsel Kristina Toshikiyo, when needed.

CHAIR LEE: Thank you, Madam Clerk.

Opening remarks will be provided by Councilmember Sugimura.

### OPENING REMARKS

The opening remarks were offered by Councilmember Yuki Lei Sugimura.

CHAIR LEE: And thank you, Member Sugimura.

Alright, Members, please join me in reciting the Pledge of Allegiance.

## PLEDGE OF ALLEGIANCE

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

CHAIR LEE: Madam Clerk.

COUNTY CLERK: Proceeding with the presentation of testimony on the ceremonial resolution. We are currently showing nobody signed up to testify on the ceremonial resolution.

CHAIR LEE: Okay. Proceed.

## CEREMONIAL RESOLUTIONS

RESOLUTION  
NO. 21-90

HONORING THE LEGACY OF THE NISEI SOLDIERS FOR THEIR  
SELFLESS LOYALTY TO THE UNITED STATES AND CONGRATULATING  
THEM AND THEIR FAMILIES ON THE UNVEILING OF THE "GO FOR  
BROKE SOLDIERS" COMMEMORATIVE STAMP

(Councilmember King arrived at the meeting at 9:08 a.m.)

CHAIR LEE: Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you.

I'D LIKE TO MOVE TO APPROVE THE RESOLUTION AS READ  
BY THE CLERK.

And Tasha Kama, who's on the call, is supposed to make my second. I guess she, is she still there?

CHAIR LEE: Yes.

VICE-CHAIR RAWLINS-FERNANDEZ: Um, I can get her on if you'd like.

COUNCILMEMBER SUGIMURA: Oh, that's okay. If somebody can second?

COUNCILMEMBER KAMA:

SECOND THE MOTION.

COUNCILMEMBER SUGIMURA: Okay. Oh, there she is.

CHAIR LEE: Okay, you made it. Just made it.

COUNCILMEMBER SUGIMURA: Oh, there she is.

CHAIR LEE: Moved by Member Sugimura, seconded by Member Kama--

COUNCILMEMBER SUGIMURA: Thanks, Keani.

CHAIR LEE: --to adopt the resolution. And honoring the "Go For Broke" stamp. Now, would you like the Clerk to read the reso--

COUNCILMEMBER SUGIMURA: Yes. So, I'd like the Clerk to--

CHAIR LEE: --in its entirety.

COUNCILMEMBER SUGIMURA: Yes. You read my mind. Could you ask the Clerk to read the resolution in its entirety?

CHAIR LEE: Okay. Madam Clerk.

COUNTY CLERK: Thank you, Chair.

*(The resolution was read in its entirety.)*

CHAIR LEE: Thank you. Any further discussion before we take a vote?

Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. Thank you very much, Kathy, for reading the resolution. I just wanted to make a quick comment and I will tell you that this stamp means a lot to many people. And I want to thank the, those that worked really hard to make this possible.

Growing up, our family referred to the war as World War II. We always grew up with stories about our relatives, cause a lot of them were in the war fighting for our freedom from the 442nd and 100th Battalion. And this spirit was woven into the way that we lived our lives.

"Go For Broke", the saying, refers to the spirit of risking it all in one effort to win big. And this was the effort of the 442nd and the soldiers that fought for our freedom when they went to the war and fought in Europe as well as throughout. The commemorative stamp honors this generation who gave all who embodied their values towards a better future for the next generations.

On Maui, in particular, I was very honored to be on the Nisei Veteran Memorial Center Board, as I've seen them grow and do the many things that they've done. They have taken the "Go For Broke" spirit and, and the respect and honor of the 442nd and 100th combat team to find heroes in the next generations of leaders as our forefathers did. So, with that, I want to close and say "ganbatte", which is something that my family always told us, which was "do your best" and "Go For Broke", go for the big win, do your best in everything that you do.

Chair, if you would allow, Diedre Tegarden, who's Executive Director for the Nisei Veterans Center is here, along with Leonard Oka after the Members--

CHAIR LEE: Okay. We'll call on them after we take the vote, okay?

COUNCILMEMBER SUGIMURA: And after Members want to say a few words. Thank you.

CHAIR LEE: Yes. And then, the seconder of the motion. Pro Tem Kama, discussion?

COUNCILMEMBER KAMA: Yes. Thank you, Chair. I just wanted to share some of my memories of the Go For Broke. You know, my dad was in the military and he joined, you know, when he was only 16 because you know, when the war broke out, he was at Kamehameha School and he decided that he wanted to contribute to the war effort. So, all my life growing up, whenever we were stationed, whether it was in Germany or California or wherever, he always had local boys over the house. If you were from Hawaii, you were in our house on the weekends. And I remember, you know, the boys from the 442nd they would come sometimes, and they would make us saimin, they would make us fried rice. And, you know, and was, and I never realized really how important they were to my father at that time. And I think to me, they were just his friends that came and made food for us on the weekend.

But, you know, when I think about that spirit of Go For Broke, I remember my grandma used to always say "hiki no". And what that really meant was, eh, we going get um done no matter what. And that was that attitude that they had during those times, trying to prove to an American government that they can, and they were good American loyal citizens. And they went to war to prove that to us. And I'm very happy that today we get to commemorate their bravery and their steadfastness and their loyalty to all of us with this stamp.

So, I'm very proud of the Nisei. I'm proud of those guys that would come to our house on the weekends. I know they're all old and dead and gone for sure, cause my dad's gone. But I remember and I cherish those memories of these people. So, I thank them and I'm very grateful to them. So, thank you, Chair.

CHAIR LEE: Thank you for sharing. Anyone else have comments?

Yes, Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. This is a beautiful moment, because it reminds me of my Okinawan grandmother's war stories on the other side of the coin as a 16-year-old Okinawan surviving the typhoon of steel was what they called it. And they ran up in the mountains during the battle of Okinawa. And it was Nisei that came, who spoke Japanese and told the citizens, come down, it's safe, we'll put you in this area that's safe. And they actually saved civilians lives during that time.

And when my grandmother told me that story, it really hit me in the fields, because that's, if you know, that's, that's bravery in its own . . . helping out those, those civilians to avoid the, the high cost of war. And if it wasn't for the Nisei to help out those folks in Okinawa, my grandmother might not have made it. So, I really appreciate that. And this is a great, great moment. Thank you.

CHAIR LEE: Thank you for sharing that too.

Member Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. I want to thank Member Sugimura for this very timely resolution for an honor that's long deserved for these very brave men who fought on the European front. And of course, we have this, I guess the commemoration of D-Day coming up. And one can only imagine how scary it is, even now, to be just out of school and be handed a rifle, and you got to go out there and knowing that, you know, you may die and not come home. So, this is, their commitment and bravery is just certainly unparalleled.

And they were facing two battles; World War II, I guess the Axis Powers, and then the war of discrimination coming home. And for those who did come home, they faced a lot of challenges in terms of their socio-economic status and being treated equally with others. But many of them persevered and became very successful leaders in our communities and blazed the trails for younger generations. So, what these brave men did have certainly exemplified what bravery and commitment is to maintaining this great country of ours that we live in today. So, I want to thank all of them and their families for their sacrifices to our country. Thank you, Madam Chair.

CHAIR LEE: Thank you, Member Molina; also, a vet.

Any, anyone else? If not, all those in favor of the motion to adopt the resolution, please say "aye" and raise your hand.

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

NOES: NONE.

CHAIR LEE: So, we have all nine "ayes", zero "noes"; motion carries.

Also, want to recognize that Member Kelly King did join us a few minutes ago. Actually, during the reading of the resolution, I believe.

COUNCILMEMBER KING: Chair. Bunjani. Is that the greeting?

CHAIR LEE: Unjuni. Unjuni.

COUNCILMEMBER KING: Unjuni? Okay. And aloha kakahiaka to all my colleagues.

CHAIR LEE: Alright. Madam Clerk. Oh, yes, we're going to invite Ms. Diedre Tegarden.

COUNCILMEMBER SUGIMURA: And Leonard Oka.

CHAIR LEE: And Mr. Leonard Oka. And if there are any others, to say a few words.

COUNCILMEMBER SUGIMURA: Yes.

CHAIR LEE: Hi, Diedre. Unmute yourself, Diedre. Can you unmute yourself? Oh, I see that you--

COUNCILMEMBER KING: It doesn't seem like she can hear us.

CHAIR LEE: Yea, I see the connectivity is down.

MS. DIEDRE TEGARDEN: I can hear you.

CHAIR LEE: You can, and you can start. You know, Diedre, sometimes--

MS. TEGARDEN: I will, I will as long as the connectivity allows. But, unjuni and minasama, ohayo gozaimasu.

CHAIR LEE: Okay. Diedre, you may, you may want to turn off your video. That helps sometimes. Apparently, that didn't help. Oh, there it is. Okay. Try again. Try again, Diedre.

COUNCILMEMBER KING: She has her microphone muted.

MS. TEGARDEN: . . . a lot of people are having trouble.

COUNCILMEMBER SUGIMURA: We can hear you.

MS. TEGARDEN: How's that.

CHAIR LEE: Yea, we can hear you now.

MS. TEGARDEN: Okay.

CHAIR LEE: Okay

MS. TEGARDEN: Alright. Well, thank you. Can you hear me? Perfect. So, unjuni and minasama, ohayo gozaimasu. On behalf of the Stamp Our Story Hawaii Organizing Committee and the Nisei Veterans Memorial Center, we just want to thank Councilmember Sugimura, Council Chair Lee, Vice-Chair Rawlins-Fernandez, Chair Pro Tem, all of you for supporting and putting forth this resolution.

Rooted in the values of responsibility, loyalty, and courage, the Nisei soldiers and their families sacrificed so much. Many of the families were actually interned either here in Hawaii or across the mainland. And still, the men decided to fight for their country and devote themselves to this country, ending up to be the most highly decorated for their size of unit and length of service to this day. And as then President Harry Truman said,



when they returned from the war, and I paraphrase, he said "you fought not only the enemy, but you fought racism and you won".

And I think now, in today's world, as we see the increase in anti-Asian hate crime across the mainland, you know, now more than ever, we as a State need to bear those values of justice and equality, and of course . . . to all. So, again, . . . and these are in recognition of all the sacrifices soldiers and their families made over the years. And we cannot thank you enough for providing them with this resolution today. It is an honor for all of the families. So, thank you very, very much . . . .

CHAIR LEE: Thank you.

MS. TEGARDEN: And the stamps are available at all the post offices. Kahului Post Office has--

CHAIR LEE: Okay. Very good. Do we have Leonard Oka to hear? Does he have any words?

MR. LEONARD OKA: Okay. Can you see me?

CHAIR LEE: No, we can hear you, Leonard.

MR. OKA: Anything? Okay, I'll just read my . . . , you know, after . . . that way. . . . My name is Leonard Oka. . . . We started our organization in 1980. We have evolved the last four years to include sons and daughters of . . . battalion . . . . But this group of men had a lot of parties and was, had a very close-knit friendships.

But my knowledge and appreciation from my father and his buddies grew when my son was about four years old. Whenever I took my son to my father's for Sunday lunch, my dad would share stories about his life experiences, work, family, sports, camp work, camp life, etc. But what sparked my interest was his stories about his war experiences as part of the 442nd Regimental Combat Team. The emotions that he shared in his stories told me how important the experiences as a member of the 442 was to him. He then . . . . I wanted to know about their experiences, because I felt that it would be important for my son one day.

I never served in the military, so maybe I would not be able to fully understand the feelings of . . . that these soldiers felt for each other. But I know that . . . experiences . . . that it was the first organization of . . . All of . . . experiences just like me. It is sad to say that most of us have absolutely no knowledge of their father's war experiences and how they changed the world forever.

Most of these Nisei veterans were just regular Joes who had just begun their adult lives, but were able to change the world, especially for the Japanese American communities. They would later be called heroes, but every one of these veterans will tell you, that they did just what they had to do for America, for democracy, freedom, and equality. This was their promise they made to the United States when they volunteered to serve for their country.

Since the Maui Sons and Daughters was first formed in 1982 and later on the Nisei Veterans Memorial Center was formed, hundreds of books, oral histories, documentaries, movies, and awards have honored these brave young men. Now most of them have passed. Fortunately, we gathered these stories to share with future generations. As Diedre and I accept the County resolution marking the Go For Broke stamp release, we express our appreciation to Nisei Veterans continuing to be recognized for their heroic feats, even as the last few veterans will pass. The phrase "we will never forget" is real.

As . . . we would like to thank the County Council and the County of Maui for also remembering these soldiers with the Council resolution recognizing another honor being bestowed for these, for veterans. The Go For Broke stamp is a tribute to . . . May this story live for . . . Thank you very much.

CHAIR LEE: Thank you, Leonard.

Diedre, did you have anyone else wishing to say a few words? No?

MS. TEGARDEN: We do not. That's, that's it for today. We know you're busy.

CHAIR LEE: Thank you, Diedre and Leonard. Thank you for those enlightening words.

COUNCILMEMBER KING: Chair.

CHAIR LEE: Member King.

COUNCILMEMBER KING: Yea, I just wondered if Mr. Oka could just put his video on real quickly so we could see his face. It would be nice to see--

CHAIR LEE: Leonard. Did you hear that?

COUNCILMEMBER KING: Mr. Oka, can you just unmute your video just real quickly so we can wave at you and thank you for your words?

CHAIR LEE: Okay.

COUNCILMEMBER KING: There he is.

MR. OKA: Can you see me now?

CHAIR LEE: Yes. Yes.

COUNCILMEMBER KING: Yes, we can.

CHAIR LEE: Okay. Where's Diedre.

MR. OKA: Okay.

CHAIR LEE: Let Diedre sit next to you.

MR. OKA: Hope you're not disappointed.

COUNCILMEMBER KING: No. We, we know what Diedre looks like. Just kidding.

MS. TEGARDEN: We've both been vaccinated.

COUNCILMEMBER KING: Thank you.

CHAIR LEE: Thank you. Thank you again.

Alright. Madam Clerk, I need to remind everybody, before we proceed with the agenda, that I request that everyone keep their microphones muted unless it's your time to speak. Decorum shall be maintained at all times. And so we're about to close the ceremonial resolutions. And Madam Clerk, if you can start with presentation of written or oral testimony on our regular agenda.

COUNTY CLERK: Thank you, Chair. Just a quick note, that ceremonial resolution is NO. 21-90.

Chair, proceeding with the presentation of testimony on agenda items. Members of the public may testify by connecting to the Council's online meeting by phone or video conference through the information posted on today's agenda.

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

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

After your testimony has concluded, please disconnect from BlueJeans. And once the testimony period is closed, only the Councilmembers, staff, and designated resource persons will be connected to the meeting. All other individuals will be disconnected. The remainder of the meeting can be viewed on Akaku Channel 53 or on mauicounty.legistar.com. Individuals may also be disconnected from the meeting at any time for breaking decorum.

Chair, the first person to testify is Henry Lindo. And Mr. Lindo will be followed by Lori Buchanan.

CHAIR LEE: Good morning, Henry. Oh, you're muted. We can't hear you. Henry, you need to turn your microphone on.

### PRESENTATION OF WRITTEN TESTIMONY

MR. HENRY LINDO (testifying on County Communication Nos. 21-261 and 21-267):

How's about that? Sorry about that.

CHAIR LEE: Okay. Yea, now we got it.

MR. LINDO: Alright. Good morning, Council. You guys look awesome and beautiful. First of all, thank you guys for your guy's hard work in this past budget season. So, it's much appreciated, the collaboration and the working together that you guys do.

So, good morning, Council Chair, Council Vice-Chair, and Councilmembers. My name is Henry Lindo. I'm a resident of Molokai. I'm also a Battalion Chief with the Maui Fire Department, and I'll be testifying on agenda items CC 21-261 and 21-267, dealing with the, the relocation of the Puko'o Station, as well as a, a proposed amendment to the Fiscal '22 Year Budget, so that with the Fire Department could go ahead and acquire and renovate a property on Kam V Highway. I believe the address is 7541 Kam V Highway.

It's been a long process, years that went by, community planning going, getting input from the residents. And, you know, we were at a standstill for so long. But god willing, things were able to open up this time that, that a property that kind of met all of the

needs of the community, the department, you know, like being in the, out of the inundation zone, being in a location that would make sense on the east end and be able to continue to provide the awesome service for our residents in the Manae area. So, I believe that this area is that place. One good thing is when we have huge incidents, like a tsunami, that water tank are there, location is, that's one of the areas that our trucks and our personnel would standby at. So, it makes sense all the way around.

You guys heard over the years the Puko'o Station itself, the conditions of the station and the falling apart of it. And our personnel did such a wonderful job all of these years doing the best that they can living in those conditions and and doing a lot of the work themselves. But we were just kind of buying time and, and we would have reached the point where something catastrophic would probably happen to the station. So, a result of that would have been, in, in a soon timeframe of moving the personnel out of the Puko'o Station and relocating down to Kaunakakai Fire Station. That would have took service out of Manae and and increase the response time.

But thank goodness the Council has been working hard, and members in the community, and they found a place. So, all I'm doing is reaching out to you and asking for your support in moving things forward. So, I truly appreciate you guys time and, and dedication. And thank you guys so much. Have an awesome day. God bless you.

CHAIR LEE: Thank you, Henry. Are there any questions for the testifier? If not, I hope you have an awesome day too.

MR. LINDO: Thank you. Bye.

CHAIR LEE: Madam Clerk.

COUNTY CLERK: Chair, our next testifier is Lori Buchanan. And Ms. Buchanan will be followed by Opu'ulani Albino.

MS. LORI BUCHANAN (testifying on County Communication Nos. 21-253, 21-261 and 21-267):

Aloha and mahalo to my beloved County Council. You guys rock. You know, I love you all dearly. You notice how Molokai people, we so appreciative of our County Council, cause we know how hard you guys work. And I sleep better at night, because I have the best County Council in all of Hawaii nei. And so, I wanted to thank you guys for that. There was a time when I never sleep so good, but I sleep good now.

Anyway, I wanted to testify on items CC 21-261, 267, and 253. So I wanted to echo the sentiments of the first testifier. I was at several community meetings where this was discussed, and I stand in support of moving the amendments to Puko'o Station forward. I think it's awesome. I wanted to thank my community for continuing, for a long time, to work on this and not giving up. And, and we here today to make those amendments. And so, I support that.

I wanted to touch quickly on item 253, which is the Mayor's corresponding that there is a vacancy in the Molokai Planning Commission. Last week, my friend, and colleague, Commissioner John Sprinzel passed away. At the time he was serving my community, he was 90 years old and so he was kupuna. And I, he, he served as my vice-chair also in the past. And I, I loved him dearly for his wisdom. And I wanted to convey, because it's going to come up in the future about replacing him and also members of the Molokai Planning Commission.

Not, not too long ago, a few years ago, we came a point in time where not one member of the Molokai Planning Commission was actually born and raised on Molokai. And so, as a result of that, the Molokai Police Department would be called in order to have meetings adjourned actually at the Molokai Planning Commission, because of so much contention within our community. And today, we don't have that contention. And some people said, just recently, oh, how come nobody is chiming into the planning Commission meetings? And I said I believe that that is an outcome that my community is supportive.

And like I sit here today, and I tell you I can sleep at night, my community is sleeping at night, because they feel that leadership is in position, that conveys the thoughts and the heart of our people. And, and just like how I support you guys, our community is supports, supporting our Planning Commission. And I hope that continues in his vacancy. So, thank you for the opportunity today to testify. I appreciate it.

VICE-CHAIR RAWLINS-FERNANDEZ: I, I don't see our Chair. Chair Lee?

CHAIR LEE: I'm muted. Are there any questions, anyone?

VICE-CHAIR RAWLINS-FERNANDEZ: Oh, okay.

CHAIR LEE: No? Okay. Thank you.

Madam Clerk, next testifier.

COUNTY CLERK: Our next testifier is Opu'ulani Albino. Followed by Brad Ventura.

CHAIR LEE: Aloha.

MS. OPU'ULANI ALBINO, (testifying on County Communication Nos. 21-261 and 21-267):

Aloha mai. Aloha mai kakou. Thank you, County Council, for allowing us this opportunity to give our mana'o regarding a very precious need that we have, especially on the Manae area of Molokai. I am Opu'ulani Albino, I'm a resident of . . . Molokai. I am in support of our County Council measure and amendment 21-261 and 21-267, to acquire this parcel with its . . . to service our community for these first responders.

You know, presently, when it was planned for the area close to Kilohana School, I had some reservations and it was a very painful thing for me to stand up and say, you know, it wasn't the right place to be regarding cultural questions that I had. But with this site, I am totally in support of the, the decision to move there. I respect and I love these first responders. They are like, when we're in trouble, whether it's a fire or medical condition, they're there. And so, I aloha them and I want them to have a safe place. So, I am totally in support of this. And, and in support of you, our Commission, and Council, who take care of us, and listen to us, especially with the trying times that are upon us.

I also am very grateful for that resolution to honor these Nisei soldiers. . . . members who are part of that group. And we love them and we, we are grateful.

And thank you to our community for supporting. And I know most of Molokai, I have not met anyone who does not support this move to have our fire station relocated where it is now being planned. Mahalo for your time, and mahalo to the commission for all that you do. Aloha.

CHAIR LEE: Thank you. Thank you for your testimony. Questions, Members? If not, thank you again.

MS. ALBINO: Mahalo.

CHAIR LEE: Madam Clerk.

COUNTY CLERK: Our next testifier is Brad Ventura. And Mr. Ventura will be followed by Pamela Tumpap.

DEPUTY FIRE CHIEF BRAD VENTURA (testifying on County Communication Nos. 21-261 and 21-267):

Aloha. Good morning, everybody. Good morning, Council Chair and Members. Thank you for having us, this opportunity this morning to speak before all of you. My name is Brad Ventura, I'm the Deputy Fire Chief for the Maui Fire Department.

I'd like to provide testimony this morning regarding County Communications 21-261 and 267. You know, this is a project, Puko'o Fire Station that we've been trying to relocate for several years. It's a much-needed thing for our Department. And in FY '20, we actually had funding for it, but this past December it has lapsed. So, we would like to get support for this amendment, so that we can continue with this project.

This location that's been identified recently in Manae is a great location. We, we believe it's going to work well for the community. We believe it's going to work well for the firefighters. And considering the previous site that we had looked at; this site would actually probably be a little more cost-efficient and would cost us less than our original plan. So, that's always very helpful.

Of course, our goal is always to keep a response unit out there on the east end of Molokai. It's 20 so minutes or so from town and we all know how during an emergency every minute counts. So, I just wanted to ask that we receive support on this amendment today. And that if there's anything else that you need, I will be available for questions later when the subject matter comes up. And if there's anything that you need from me now, I can answer as well. So, thank you guys all. I appreciate everybody on Council's support for this.

CHAIR LEE: Thank you, Brad. Members, do you have any questions? If not, Brad, you tell your dad I said hi.

DEPUTY FIRE CHIEF VENTURA: Absolutely.

CHAIR LEE: Next. Next, testifier.

COUNTY CLERK: Our next testifier is--

CHAIR LEE: Madam Clerk?

COUNTY CLERK: --Pamela Tumpap. And Ms. Tumpap will be followed by Tom Blackburn-Rodriguez.



MS. PAMELA TUMPAP, MAUI CHAMBER OF COMMERCE [testifying on Bill No. 46 (2021)]:

Aloha and Unjuni, Chair Lee, Vice-Chair Rawlins-Fernandez, and Members of the Maui County Council. I am Pamela Tumpap the paid President of the Maui Chamber of Commerce, and advocacy is one of my many duties. We wanted to start today to let you know we sincerely appreciate all of your hard work on the budget and we certainly know it is not an easy job.

But we also wanted to take this opportunity to share two concerns. The first is over the real property tax increase for hotels and resorts, at a time when the industry is still recovering from extreme losses, and also the elimination of the budget allocation for Maui Visitors Bureau. We don't yet know what the implications of defunding MVB will be, given their HTA support. However, HTA also saw a 19 million budget cut reduction at the State level this year. And we expect that will affect MVB as well. . . . generally result in service reductions or loss.

We are already experiencing increased calls from frustrated visitors who want to talk to someone right away about the Safe Travels Program. They have to go through an automated system, and it indicates they may have to wait up to 24 hours. And if they don't receive a response then to call back. And we are concerned that the calls will continue to escalate in the future. Currently, visitors are getting really frustrated by the automated system, and we worry that with additional funding reductions and increasing call volume through this year, and possibly beyond, will be very problematic.

Additionally, we are concerned by the funding cuts and that, with the MVB funding that will trickle down to major events that have been built up over time. Those events are things that MVP helped to sponsor and market each year. And we want to make sure that our community doesn't lose the opportunity to continue these important events with broad economic impacts.

Also, with the proposed moratoriums on visitor accommodations and the fact that we can't prevent visitors from coming, we wonder who will be responsible for marketing efforts to inform visitors of real limitations if the demand continues at this high level? And how we will address any illegal accommodations, if that escalates? We're worried that people might need to receive information and be informed further about accommodation availability. And who's going to handle that marketing?

Lastly, we realize this budget will likely pass today, and pass as is in this area. But we ask that the Council continue to pay careful attention to the impacts of the MVB budget cut and be ready to respond and have a plan to help mitigate any negative impacts. Mahalo for the opportunity to share our concerns. And again, mahalo for your work this budget session.

CHAIR LEE: Thank you, Pam. Are there any questions for Ms. Tumpap? If not, thank you, again.

MS. TUMPAP: Thank you. Aloha.

CHAIR LEE: Aloha.

Madam Clerk?

COUNTY CLERK: Chair, our next testifier is Mr. Tom Blackburn-Rodriguez. And Mr. Blackburn-Rodriguez will be followed by Reyford Stone.

CHAIR LEE: Good morning, Tom.

MR. TOM BLACKBURN-RODRIGUEZ [testifying on Bill Nos. 46 (2021) and 54 (2021)]:

Thank you very much. Good morning. Thank you very much, Chair Lee and Members of the Council. I am Tom Blackburn Rodriguez. I reside in Kihei. I am testifying as an individual. First of all, I'd just like to say that I'm going to be talking on Bill 46, the Operating Budget ordinance, and also Bill 54, which is the Home Acquisition Ownership Program. I'll be touching on those in my testimony, which I will be brief.

Chair, budgets send messages, and they underline our values and our hopes for the community and the future. They are simply not numbers on a page. I believe this budget is based on the hope for a better future, and I especially would like to thank the Council for their support of the Affordable Housing Fund, with additional appropriations, and for supporting a Home Acquisition and Ownership Program Revolving Fund.

As the pandemic begins to come under control, we must plan for a post-pandemic future. And this budget delivers a message of sustainability, survival, and ultimate success. I believe your work has paid off greatly for the County, and I would like to thank you very much for all that you've done for us, and how you are preparing us for that post-pandemic world. Aloha.

CHAIR LEE: Thank you. It's nice to hear a compliment once in a while. Any questions? Thank you, Tom.

Madam Clerk.

MR. BLACKBURN-RODRIGUEZ: Thank you very much.

COUNTY CLERK: Chair, your next testifier is Reyford Stone. And Mr. Stone will be followed by Lucienne de Naie.

MR. REYFORD STONE (testifying on County Communication Nos. 21-261 and 21-267):

Aloha and good morning, Councilmembers. My name is Reyford Stone. I'm a resident and current firefighter working at Hoolehua, Molokai, on Engine 9. Born and raised on the east side of Molokai in the Valley of Waialua. I'm testifying on agenda item CC 21-261 and CC 21-267. I'm strongly in favor for the Fire Department to move forward with the acquisition and renovation of the property at 7541 Kam V Highway, as we are in dire need of an upgrade to the current situation which we are currently at, at Puko'o Fire Station. Mahalo for your time.

CHAIR LEE: Thank you, Mr. Stone.

MR. STONE: Thank you.

CHAIR LEE: Any questions, Members? If not, thanks again.

Madam Clerk.

COUNTY CLERK: Our next testifier is Lucienne de Naie. And Ms. de Naie will be followed by Jay Duquette.

CHAIR LEE: Good morning, Lucienne.

MS. LUCIENNE DE NAIE [testifying on County Communication Nos. 21-254, 21-257 and 21-258; Committee Report No. 21-32; and Bill Nos. 45 (2021), 46 (2021), and 54 (2021)]:

Good morning. Is the audio unmuted? It's unmuted on my side.

CHAIR LEE: Everything's working.

MS. DE NAIE: Okay. Very good. Well, mahalo for the end of this long budget journey, the late nights, the tough decisions. I just wanted to give my appreciation to, as you know a citizen that's weighed in a few times and weighed in over the years. It's never easy coming to these, these kinds of decisions. I would like to testify specifically on a few things that are in the budget, and a few things that are otherwise on the agenda.

First, County Communication 254, which is to amend the budget to include the Waiale purchase for an eventual cultural preserve. I just can't thank the Council and the Mayor enough for recognizing that we have a very, very unique area in the center of Maui, whose history was almost forgotten. It, it is a very, a large and sacred burial ground. It was described in the past, these, these sandhills, and their grandeur by the writers of antiquity. And it is great to see this place recognized more in that term than just another place to grade down, and pave over.

We do need housing, but we have places in Central Maui that are not sand dunes, and that are not, you know, our top agricultural soil. And I'm sure we can find the right places for, for those kinds of housing. But for this particular parcel, the best result would be to turn it over to Native Hawaiian groups, and allow it to be restored with native plants, and with a respectful type of management plan. But it is a beautiful and holy place as anyone who's ever really walked there could tell you. So, thank you for including it in the budget.

Moving onto County Communications 257 and 258. These both concern appropriations for a Master Plan for the Hamakualoa Open Space. And I am here representing Hamakua, Malama Hamakua Maui, which is an organization that is taking stewardship role in these lands, which has regular clean-ups, which is working with the County to remove the abandoned vehicles, cut down on crime that has plagued this area, even under A&B, the ownership working with A&B to bring cooperative solutions.

It, it's what this land in Haiku that is the heart of Haiku deserves. It also deserves a good master plan. We understand there's two resolutions. One to take funding from the SMA Fund and one to take funding from the Self-Insurance Fund. We, we can't pretend to know all the ins and outs of how funding should be aside, assigned from the County. But we do trust that during your discussion of this matter, that once it's referred to the Budget Committee, that the correct place for the funding to be found will be determined. And the funding will be assigned to that particular special fund account.

I would also like to speak to the first reading of Council resolution 21-32. This has to do with archaeological review of grading and grubbing permits for underground utilities. This is an area that's sort of just faded into the gray of well, it's just an administrative sort of overview and we really don't need to know anything else. And this has just resulted in, in so much heartbreak, so many disturbed traditional burials, and families upset. People holding signs by the side of the road to try to be heard. It, it's better to fix it at the source, and admit that these kinds of things we need review.

And I will say that there's a very archaeologically significant parcel that just got a blasting permit from our Fire Department with no additional archaeological review. And the last archaeological looksee was 15 years ago. Well that just, you know, hopefully, that can be remedied in the future too, because we, we really cannot have these places never get a second look. Our, our knowledge of the archaeological importance and historical importance shifts, and we need to apply it to current decision-making.

And then, onto the, the last few things. Bill 54 [sic], which provides for Hana and Molokai to have members to the Board of Water Supply. It, it seems on its way to passage, but just want to say that many, many in the East Maui community do support the fact that our community should have representation on the Board of Water Supply. Important decisions are made about waters in East Maui and there should be someone who's knowledgeable. And just the same to Molokai, when the Board does cover Molokai issues, so we should have representation from Molokai.

I also signed up to speak to Bill 54 for accounts for first time-homebuyers. And it's great that the Council is putting in a little bit of change in wording to try this pilot program and establish the . . . account. We, we need to bring 21st Century tools into trying to find solutions for local families to really become homeowners, which was something many Mayors have worked hard on over the past. And we're really glad that the Council and the Administration is stepping up to look for ways that that can be better applied.

And last, but not least, thank you for all your work on Bill 46, our overall budget, and all the, the great hopeful appropriations that are in this budget, especially those, you know, in my heart, that protect important places like the purchase of the Maalaea lands. And they have protect our, our reefs and our wetlands and other places that we have. you know, we have a great debt to pay to these places for their green infrastructure services, but we don't always realize exactly how to manage them. So, our reefs protect us from, from tidal events, and our wetlands prevent us, protect us from flooding, and we need to care for them and keep them in good shape, and allow them to fulfill their natural roles.

So, mahalo for all your work on the budget. And I'll let you go, I guess I'm one of your last testifiers. So, thanks and good luck on the final votes.

COUNCILMEMBER KING: Chair, you're muted. Did you--

CHAIR LEE: I, I just see that. Questions?

Member King.

COUNCILMEMBER KING: Okay. I'm going to get a sign or something that says you're muted.

So, thank you for being here again, Lucienne. Sorry to keep you, but I just have one more question for you. You know, on the Hamakualoa Management Plan, which I think we're going to be addressing today rather than sending it back to Committee, what percentage of that area that we're talking about would you say directly relates to shoreline management or beach access?

MS. DE NAIE: Oh, gosh. Well, I believe there's over a mile of shoreline there. There are three traditional access points included in the County purchase, none of which is being very well-maintained. One is blocked off by a adjacent property owner from one direction. The furthest east access is widely used for fishing, gathering, surfing access. The one at East Kuiaha Stream, the fishing trail there, is used by fishermen, and gatherers, for people and gatherers. But certainly there, the whole area is in the shoreline management zone. And everything that's done there is going to have to have an SMA review exemption or permit in terms of any management activity, such as fencing for instance, which I think is, is very needed there to, you know, control illegal use of some of the land. So, it is an SMA area.

COUNCILMEMBER KING: Okay. I, I mean, I was kind of looking for a specific percentage, but I know that's kind of hard to calculate. But I think you gave us a good overview of how, how it relates to the--

MS. DE NAIE: Well, well we, yea, the coastline itself is maybe a little over a mile. And the, but the, you know, of course the parcel is now up to 400 acres that the County owns. So, your actual coastal percentage, like any place on Maui, would be very small cause it's just a strip along the coast. But every parcel, except Parcel 6, ends at the coast.

COUNCILMEMBER KING: Okay. Great. Thank you. Thanks for that input.

CHAIR LEE: Thank you. I believe, Member King, that Vice-Chair Rawlins-Fernandez will be addressing that, you know, that issue that we had.

COUNCILMEMBER KING: Yes, I . . . wanted to ask.

CHAIR LEE: Concerning the funding.

COUNCILMEMBER KING: Right. That's why I wanted to get some specific information on--

CHAIR LEE: Yea. Okay. Good.

COUNCILMEMBER KING: Thank you.

CHAIR LEE: Are there any more questions for Lucienne? If not, thank you again for your testimony. Always appreciate it.

Madam Clerk.

COUNTY CLERK: Chair, our next testifier is Jay Duquette. And Jay will be followed by Kahana Poepoe.

CHAIR LEE: Okay. And, and how many after that?

COUNTY CLERK: One other person is signed up after that.

CHAIR LEE: Okay. Please repeat the name, Madam Clerk, of the testifier.

COUNTY CLERK: Jay Duquette.

CHAIR LEE: One more time, and then go to the next one.

COUNTY CLERK: Okay. Jay Duquette. You're up for testimony.

CHAIR LEE: Okay. Let's go to the next one and come back to him.

COUNTY CLERK: Okay.

CHAIR LEE: Or her.

COUNTY CLERK: Our next testifier is Kahana.

MR. JAY DUQUETTE (testifying on County Communication Nos. 21-261 and 21-267):

Hello?

COUNTY CLERK: Oh, here we go.

MR. DUQUETTE: Sorry, sorry. I thought the thing just came up automatically. My bad.

CHAIR LEE: Okay. Ready to go.

MR. DUQUETTE: Hi. Alright. Thanks for having me. Good morning. Thanks for hearing us out. I'm a resident of Puko'o, Molokai. I own a house here. I'm also a firefighter with the County at the Puko'o Fire Station and I'm here to testify on behalf of the proposed amendment Bill 46, 47, 48, as it relates to CC 261, 267 in support of moving the fire station to that property down by the water tank. And that's it. Thank you.

CHAIR LEE: Okay.

MR. DUQUETTE: Appreciate it.

CHAIR LEE: Very good. Are there any questions for Mr. Duquette? If not, thanks for joining us. Thank you for your testimony.

MR. DUQUETTE: Alright. Have a good day.

CHAIR LEE: You too.

Madam Clerk.

MR. DUQUETTE: Aloha.

COUNTY CLERK: Our next testifier is Kahana Poepoe. To be followed by Clare Apana.

MR. KAHANA POEPOE (testifying on County Communication Nos. 21-261 and 21-267):

Aloha. Good morning. Can I, can you guys hear me?

CHAIR LEE: Yes, we can hear.

MR. POEPOE: Oh okay.

CHAIR LEE: Just can't--

MR. POEPOE: Yea, my name is Kahana Poepoe. I'm a resident of Molokai all my life. I'm currently employed by MFD also. I am like to testify also on item CC 21-261 and CC 21-267, proposed amendments on the relocation of Puko'o Station and the budget. I, I also work at Puko'o Station. I'm also a resident on East Molokai. So, I'm speaking as both, you know, this affects me as an employee, but also as a resident of the district. I, I really don't want to see our station shut down and moved out of the district. You know, just the service to the east side is really important to me. And I just want to say



that I'm in support and mahalo. Thank you, Chiefs, Administration, Department, County Council, everyone involved in moving this forward. Thank you very much. And that's all.

CHAIR LEE: Okay. Thank you, Mr. Poepoe. Are there any questions, Members? If not, thank, thank you again for your testimony.

Madam Clerk.

COUNTY CLERK: Our next testifier is Clare Apana. And Clare will be followed by Mahina Poepoe.

CHAIR LEE: Okay. Ms. Apana? Clare? Oh, I, I see your, there you are. We just need to hear you. Turn your mic on, audio. Click on the little microphone. Clare, can you hear us? Clare are you, can you hear us? Can you hear me? You can? But we can't hear you. We still can't hear you.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair, Ms. Apana has typed in the chat, "so go to next person".

CHAIR LEE: Go to next person? Okay.

Ms. Poepoe.

MS. MAHINA POEPOE (testifying on County Communication Nos. 21-261 and 21-267):

Good morning, Council. Can you hear me okay?

CHAIR LEE: Good morning.

MS. POEPOE: Okay. Oh, I'm so excited to testify, it's been a while. My name is Mahina Poepoe, a resident of Molokai, testifying on behalf of myself and I'm not a lobbyist. Yea, so, I'm testifying also on the fire station items CC 21-261, 21-267. I've been involved in the process for several years now with trying to find a suitable site for relocation.

And in 2019, the, the Department came forward with an option, that at that time, I, I couldn't fully support because of the concerns for cultural sites in the area on the parcels. And just that area in general is just, you know, full of archaeological importance. So, I really wanted to commend the Department on, on taking those concerns to heart, and being willing to step back and work with our community to, you

know, really work with us to find somewhere that is widely accepted and suitable. So, I'm so grateful for that.

But, so, the search continued after that. And it's been a few years. And, and properties that fit both the Department's needs and, you know, the community, the community's needs are really few and far between in the Manae district. And so, when this option that is in front of you today came up, it's really is the most viable option that we've had yet.

And there is an urgency to relocate, as previous testifiers noted that the current location is in disrepair. It served their needs well for decades, but it's, they've got to move. And yea, I feel like the, the relocation process can be expedited considering that the lot that they're looking at is already, you know, significantly developed. Partially with renovations it'll, it'll move faster because there's water, there's electricity, there's some key things already there on-site.

Yea and, and it's important too that it'll be a County-owned property. Right now, it's State, and they are on a month-to-month lease. And that's just not really desirable to keep going on those terms. And you know with real estate, it moves fast. I know you all know how crazy it is. And, and I just, you know, want to restate the urgency that we move on this action today. So, yea, thank you. I am so grateful for your consideration, especially today of all days. Yea, thank you, Council.

CHAIR LEE: And thank you for your testimony. Any questions, Members? If not, thanks again.

Madam Clerk, shall we try Clare Apana again?

COUNTY CLERK: We can try Clare Apana. And Clare will be followed by the last four digits of the telephone number of 1906.

CHAIR LEE: Ms. Apana?

Okay, let's try the other one. Madam Clerk.

COUNTY CLERK: Yea, she doesn't look like she's in the meeting right now.

CHAIR LEE: Okay.

COUNTY CLERK: The next testifier is last four digits of phone number 1906. Followed by Zhan Lindo.

MS. VICTORIA KALUNA-PALAFOX, MALAMA KAKANILUA (testifying on County Communication No. 21-254):

Aloha. Can I be heard?

CHAIR LEE: Yes.

MS. KALUNA-PALAFOX: Mahalo. Mahalo, Council Chair, Madam Lee. Mahalo to our Councilmembers. I thank you for this opportunity to share, and I thank you for allowing me to come into your precious time space. My name is Victoria Kaluna-Palafox. I am testifying on behalf of myself, and I'm testifying in support of the revitalization of Waiale.

For 10-plus years, I have been very much active with the preventing and desecrations of our kupuna iwi throughout Maui Lani, through the group of Malama Kakanilua. I, together with my husband, have been part of the spiritual aspect in our cultural and tradition in sharing with this group so that we all may have full understanding of how important Waiale is to us. The kupunas that lay astray in this space that is Waiale needs to be protected so much. And I thank Janet Six for doing that overlay. Our group together has been always out in the front line, with our pule and our vigils, to help to educate all those that surround us.

My mana'o that is being shared today with you Councilmembers, is that Malama Kakanilua has been structurally already involved in these things in this area. We have already set plans in revitalizing the aina. And also, making sure that people know who and why our kupunas are there, are there resting. We have done much planning. And in our group, we have much kupuna that have much mana'o of the things that they had practiced with their, their families from time past, and continue to do these things till today. The revitalization of Waiale is very important. And the sharing of the mana'o of that space in, in times past is very important for our future now and today.

I have sought OHA's assistance in how, helping me to, to grasp equipment and tools so that we may go down and start clearing areas, as unmarked gravesites, or cultural sites in Maui Lani that are not being taken cared of at this time. I wait for the words of Auntie Thelma, to see if she can support us in getting equipment so that we can move forward in revitalizing our past history. With this, I ask County Council to please support the Malama Kakanilua group, because we already have plans set. Would be nice to really sit down and share this draft that we have already put together many years ago.

And with this, I thank you all for this opportunity to share what is on my thoughts and mind. And I hope you understand how important this project of revitalizing is important

for our people today, and the history of our past, and for our children that are not here yet with us. I thank you, Councilmembers.

CHAIR LEE: Thank you very much for your testimony. Any questions, Members? If not, I see that Clare Apana has rejoined us. Hi. Welcome.

MS. CLARE APANA, MALAMA KAKANILUA (testifying on County Communication No. 21-254 and Committee Report No. 21-32):

Thank you. I got completely bounced off the screen. So, thank you so very much. I would like to first testify about the utility permits. And the, I would just like to say that, you know, I have monitored during a waterline permit in the sand dunes. There was not really going to be any oversight, except that there was a lawsuit first. So, it is so important that you take out the important sensitive areas out of just unconditionally getting a building permit, because you don't know what you're going to hit under there. They told us it was going to be six feet deep, and eight feet wide. When they finished, it was like, it was an entire street wide. And it was, you could stand in the hole and still not be fully covered up.

So, you know, it's, it's just a very good pertinent and, and logical thing to do, that if you're in a sensitive place, if there's historical properties, or cultural features that have been found before in the area, that you just take a step back and be a little bit more prudent in okaying that permit.

So, and then I would like to now talk about the, the Waiale area, I'm so sorry, I do not know the number. I, I really thank you for considering this now. And thank the Administration for realizing how important these lands are. And, and I do not mean just only the cultural part of this. They are important. They are in the middle of our island, you know. I kind of look at it as a pu'u wai. And if we lose all of the open area, the sand that can help cool down the area, that can absorb floodwater, that passes water naturally through it, I think we will be greatly endangering our future. But I want to say that I, I personally have been working on this since . . . the Land Use Commission testimony . . . plant and preserve because there's Manduca on the property. And so, I'm not sure you're aware of that. But there's Manduca on the property, and we came up with a proposal to take care of that.

And then again, in the year 2016, 2012, I walked the land with Walter Kanamu, who did the Kahikinui grant restoration of that forest. And we did it to see what possible things could be done with this land. And in 2017, we actually, he actually came up with a plan. And it's a plan that is phased. It's phased to take areas and bring them back. But the first thing, the very first thing that needed to be done in his plan was to do a test. And, and I would, we suggest that the test be done to see what plants can survive

there, how much water there will be. And, and actually, he has actually refined it to the deer. You know, we have so much deer here, to, to looking at what plants and what trees will survive the deer. And I just want you to know how much we've been working on it.

The second place would be where the water is, where . . . river is, and to see what plants can actually come back and be grown there with the actual stream bringing back the life and the biota of the Waikapu Stream.

But for myself, the very first thing, Chair, that needs to be done, is they took those burials, and they put them in like, some of them are preserved in place, some of them they took out and moved. And they put them in the ground and covered them with a cement cap. So, the cap is not as big even as a person. It's, it's probably about two to three feet by two feet, three feet. And it puts the number of the, the SHPD site on it. And it's, you know, somebody's fingernail, finger did this and that is not respectful burial. That is just not respectful burial. I, I am firmly in belief that A&B should respectfully bury our kupuna, and there should be areas that honor them. I mean, there should be ahu there. There, you know, we're talking over 100 burials done with only the sand mining. . . . on some 60 acres. So, the, the--

CHAIR LEE: Clare, can you please, can you conclude in one minute? Thank you.

MS. APANA: Thank you so much. I hope that you will see that the right people to really lead this project, because we will see that it is done correctly, and it is done respectfully, and, and that it will get done. Because we do want to see our kupuna respectfully interred and have a place where they can be forever, forever resting. We do want to see this come back as our dryland forest. We do want to see a place where beach plants can be put, preserved in case we have sea-level rise where there will be a place or the nursery for them to come and get the plants. We do want to see that this is totally a, brought back in respect to all of those who have been literally sand-mined out of their resting places.

So, I, I have all of those plans and I can share that with you. But I, I understood that this is, that's probably too far in advance right now. I hope you will consider the efforts that have been made and allow Malama Kakanilua to continue to progress with this project. Because I think we are, actually already have it. Thank you so much, Chair. Sorry.

CHAIR LEE: Thank you. No, we appreciate what you're sharing. Members, I see hands up. So, we have some questions for you.

Member Paltin, and then Member Kama. Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Ms. Apana, for your testimony. I just wanted to clarify. I wasn't sure what you said, was it Manduca?

MS. APANA: Yes. The Blackburns Sphinx Moth.

COUNCILMEMBER PALTIN: Oh, okay.

MS. APANA: It's an endangered species. So, you know, you need a, if you are going to destroy all of their habitat, you have to have a take permit.

COUNCILMEMBER PALTIN: Okay.

MS. APANA: And, but usually you would create a place for them to be preserved.

COUNCILMEMBER PALTIN: Thank you.

CHAIR LEE: Okay. Member Kama.

COUNCILMEMBER KAMA: Thank you, Chair. Thank you again for being here, Clare, and for being so dedicated to the work that you're doing. So, I wanted to ask, you know, when you mentioned about the plans that, that Walter Kanamu had talked to you about and from the plans that you have. Is there an initiative to do a master plan for that area?

MS. APANA: I'm not quite sure what you mean by master plan? Do you mean like a, a project district?

COUNCILMEMBER KAMA: Like, you know, when, when, what I understand about the, this particular area . . . it's this great huge battle that took place that started in Kihei and worked its way towards Iao Valley on this side of the island. And through that entire battle, there were like about a million souls were lost in that entire battle, including those from Iao. So, I'm trying to gather in my head that, that all of these burials are here, there, I mean, a million people fighting a battle and dying. And were they buried, did they get buried, or they just lay on the ground and just disintegrate into the earth? I don't know. But so, my sense is that, how big is the area that we're talking about? Is it, do we know that, how large of the area we're talking about? Do we know how many we might be, how many burials we might be talking about? Or we, I don't know if I'm thinking the same thing that you're thinking, but I know we're talking about something. But I'm not real clear in my mind if what I'm thinking about is the same thing you're thinking about.

MS. APANA: Well, let me answer that in a, in, in, I'll give you three different answers. One, the Battle of Kakanilua started in the Makena area. And it had, skirmishes had gone on there for many years before the actual battle took place. So, when the battle starts, the canoes are all the way, Kalani'ōpu'u's canoes are all the way from Maalaea down to Keoneoio. And the battle comes up that south coast. And then the plan is to go across the plains, or the, the isthmus to Wailuku. The goal is Wailuku, to attack Kahekili.

CHAIR LEE: Okay. Clare, may I interrupt you a second? I, I know you were asked the question about the background but, and what area is encompassed. But we're really talking about Waiale today.

MS. APANA: Yes. Well, that's what I was going to clarify.

CHAIR LEE: We can do a deeper dive at another time.

COUNCILMEMBER KAMA: Okay.

CHAIR LEE: Can I just for one second ask Vice-Chair Rawlins-Fernandez, did you, were you going to clarify this matter?

VICE-CHAIR RAWLINS-FERNANDEZ: Yes.

CHAIR LEE: Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: Yes, Chair. So, we do have the acquisition resolution in the BFED Committee, where we'll have this deeper discussion that Pro Tem Kama is asking about.

COUNCILMEMBER KAMA: Thank you.

VICE-CHAIR RAWLINS-FERNANDEZ: And so, but step one is acquiring the property. And so, I'll, I'll explain further when the item comes up.

But I did have a quick question for Ms. Apana. And so, we did have some of the Mayor's comments through Managing Director Baz, who said that the Administration would be working with the Malama Kakanilua. And so, I later will be proposing additional language in the condition, or the proviso, what we use to call proviso. The Administration will form an Advisory Committee, which will include members of Malama Kakanilua to advise on the use of this property. Is that something that you are supported, supportive of, Ms. Apana?

MS. APANA: I would be supportive of it if that's all we can get. We actually have a plan. We actually have the ike. And we have been advocating for this place. I'll tell you, we all know that when things go into the County, sometimes they get lost in red tape and, or meetings. And truthfully, there haven't been--

CHAIR LEE: Thank you, Clare. Clare, we understand--

MS. APANA: I will--

CHAIR LEE: Clare? Again, we're, we're venturing in an area where we need to actually wait until we reach the Committee and then talk about the details of this issue.

So, Vice-Chair--

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR LEE: --you made, you made the clarification. And we need to finish up with Member Kama. Member Kama, did you have any additional questions for Clare Apana?

COUNCILMEMBER KAMA: No, Chair. That is it. Since we're going to be talking about it in BFED, I think I'll just wait until BFED comes. And then when Ms. Apana comes back, probably ask you to be a resource that day and we can continue. Thank you. Thank you, Vice-Chair.

MS. APANA: May I just make one comment?

CHAIR LEE: Yes.

MS. APANA: I, for, for, for Member Kama. It was not a million people. So, you know, it was not a million people, but it was over a thousand people. And this project is 545 acres, which is in the central area, not the entire route of the battle.

CHAIR LEE: Okay.

MS. APANA: So, we're only looking at a small piece of it, but an important piece, because the battle ends in this piece. Near it anyway, so.

CHAIR LEE: Thank you very much.

MS. APANA: Just to . . . so, so you're not, so you're not staying up at night wondering, oh my god, what happened? What are we going to with the million people? Okay.



CHAIR LEE: Thank, thank goodness you clarified that. Okay. So, Clare, when the time comes, don't worry, you're, you're going to play a significant role in the discussion. Obviously, we're going to rely on your, your rich history and information that you have. So, so again, as Vice-Chair said, we're going to discuss this in detail in her Committee. So, right now, it's just a matter of referral. But thank you so much for your participation, and for sharing your thoughts today. Any other questions from other Members? Apparently not, so thank you again, Clare. And we look forward to seeing you, having many discussions with you. Thank you.

MS. APANA: Thank you.

COUNTY CLERK: Chair?

CHAIR LEE: Yes?

COUNTY CLERK: I'm showing Ms. Apana signed up also for Committee Report 21-32. I don't think she.

CHAIR LEE: So, that takes care of one item, which was 21-254. Clare. Clare, wait. 21-, what did you say? 32?

COUNTY CLERK: Yes.

CHAIR LEE: Well, she did talk about that. She did talk about that.

COUNTY CLERK: Oh, okay.

CHAIR LEE: She did talk about the, the grading and grubbing permits. Okay.

COUNTY CLERK: Okay.

MS. APANA: Thank you very much.

CHAIR LEE: Thank you.

Madam Clerk.

COUNTY CLERK: Our next testifier is Zhan Lindo. And Ms. Lindo is the last one currently signed up for testimony.

CHAIR LEE: Okay. Ms. Lindo. I know where you're from. Molokai.

MS. ZHAN LINDO (testifying on County Communication Nos. 21-261 and 21-267):

Hi, everybody. Aloha family. Thank you. My name is Zhan Lindo. I am testifying on my own time, and I am fully in support of the relocation of the Puko'o Fire Station, and the amendment to the budget, and to purchase the property on Kam V Highway. I don't want to take up your time by repeating what everybody said, but I totally agree. I'm also born and raised on the Manae side, so I understand how awesome it was to have emergency services close by.

What I wanted to do was take a more personal approach and just kind of tug at your heartstrings about future, as we go towards the future and supporting the department. We all know that COVID took plenty out of our State. And there's been talk that AMR and contracts on emergency services are really fragile right now. And so, I suspect, even though I don't know for sure, that our Fire Departments in every County will be starting to take a bigger role in paramedics and, and you know, life-saving support on the scene. So, for rural communities like Molokai, having not just that training, but established firehouses, and facilities in those rural areas, really make a big difference.

And I just wanted to share something. So, I'm not at work today, because on Saturday, my mom fell off a horse and was injured. And she's now on life support. It took 38 minutes for any emergency services to respond to her on the straight stretch from Kauna, from Hoolehua to, to Maunaloa Town. That's significant time. If it weren't for medical personnel that was already there with us, giving her chest compressions and CPR, she would not have even had a chance. The Fire Department came on scene, so did the paramedics. And everybody did a wonderful job that today she can respond and move her eyes, and she didn't suffer any brain damage.

But I'm telling you this story because in Manae, we have narrow roads, long, it's not a straight stretch. If we move that fire station out of this current location or where we want to go to, and we took it back to town, we not just looking at 30 minutes, we looking at in excess of 40 minutes. And the people who live out there or in Molokai have resolved that we love Molokai, and we know we do without a lot. But if we don't have to, if we have a chance to support the communities that now support us, as government, and as Councilmembers and, and the Mayor's Office, I think we owe it to our community to do whatever we can to offer them even the minimal support.

My mom is alive today because those emergency providers do the best job I have ever seen anybody do. And on Manae, those people deserve that fighting chance, too. So, I also would just like to include that in addition to supporting this. I would like to also just maybe open up the opportunity for Councilmembers to think outside of the box and look at projects that the fire department, police department, emergency services have

had on the shelf for a long time, because we're following like this general template. You know, a firehouse costs significantly less than a fire department, like a fire station. Maybe there's things in our legislation, and in our policies that can be adjusted to fit so that we can afford, you know, doing more with less, because of the financial restraints we in. And when we all come together to try and think about out of the box ideas that can support our efforts, I think we all benefit.

And so, I just thank you guys for this opportunity. And I want to thank our Councilmember Rawlins-Fernandez. Mahina and I worked really hard on this project. And Mahina was like day and night looking for properties, and our Molokai community was as well. But our staff is amazing. And I just want to thank her for always supporting us.

You know, this fire station relocation, I will admit, this was my baby. I was like determined to not let it out of Manae. And after Saturday, I am so grateful to all of you, and everybody, for us making the sincere effort to keep that station in Manae for my ohana. Mahalo.

CHAIR LEE: Thank you so much, Zhan. And hope, we wish your mom and the family the best. Members, do you have any questions for Zhan? Okay. No questions.

Madam Clerk, do we have any more testifiers?

COUNTY CLERK: Chair, we have nobody else signed up for testimony.

CHAIR LEE: Okay. Last call.

COUNTY CLERK: And this is our last call. If an individual connected to the meeting has not yet testified, but would like to do so, please unmute and identify yourself now. Please indicate if you would like to testify.

CHAIR LEE: Okay. Members, if there are no objections to receiving, do you have any objections to receiving testimony into the record and to closing public testimony?

MEMBERS VOICED NO OBJECTION.

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

1. Dartagnon Bicoy;
2. Haiku Community Association;

3. Kaipo Poepoe; and
4. James Stone.

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

Members, if you don't mind, we are a little bit past our, you know, our recess time. So, let's take a recess till 10:40, 10:45. Okay? 10:45. Any objections?

COUNTY CLERK: Chair?

CHAIR LEE: Yes?

COUNTY CLERK: Real quick. I just want to confirm that we did receive written testimony into the record.

CHAIR LEE: Okay. Yes. And I asked if there were any objections to receiving written testimony into the record and to closing public testimony. Okay. And so, everybody had no objections.

Okay, let's now make it 10:50. 10:50. Recess.

(THE MEETING WAS RECESSED BY THE CHAIR AT 10:36 A.M., AND WAS RECONVENED AT 10:55 A.M., WITH ALL MEMBERS PRESENT.)

CHAIR LEE: Will the Council meeting of June 4 please reconvene?

Madam Clerk, shall we proceed with the agenda items?

COUNTY CLERK: Chair, we left off on item G. Minutes. Proceeding with minutes.

## MINUTES

The minutes of the Council of the County of Maui's public hearing of March 31, 2021 was presented at this time.

CHAIR LEE: Council Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO APPROVE THE MINUTES AS READ BY THE  
CLERK.

CHAIR LEE: Second?

COUNCILMEMBER SINENCI:

SECOND.

COUNCILMEMBER SUGIMURA: Second.

CHAIR LEE: Moved by Member, Vice-Chair Rawlins-Fernandez, seconded by Member Sinenci, to approve the minutes of the public hearing of March 31, 2021.

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

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

NOES: NONE.

CHAIR LEE: All "ayes". Nine, well, let me count; one, two, three, four, five, six, seven, eight; nine "ayes", zero "noes". Motion carries.

Madam Clerk.

COUNTY CLERK: Chair, proceeding with County Communications.

### COUNTY COMMUNICATIONS

NO. 21-251 - DEAN M. RICKARD, ACTING CHIEF OF POLICE,  
(dated May 21, 2021)

Informing of the receipt of \$5,148.13 in Forfeiture Funds from the Department of Attorney General, State of Hawaii.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. If there are no objections, may I request the Clerk to also call up County Communications 21-252?

CHAIR LEE: Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: So, ordered.

Madam Clerk.

NO. 21-252 - ANDREW H. MARTIN, PROSECUTING ATTORNEY,  
(dated May 17, 2021)

Informing of the receipt of \$5,148.13 in Forfeiture Funds from the Department of Attorney General, State of Hawaii.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO FILE COUNTY COMMUNICATIONS 21-251 AND  
21-252.

CHAIR LEE: Second?

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member Sugimura, to file County Communications 21-251 and 252.

Discussion? Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. These communications are informational, and no further action is required by the Council.

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

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

NOES: NONE.

CHAIR LEE: Okay. Nine "ayes", zero "noes"; motion carries.

Madam Clerk.

NO. 21-253 - MICHAEL P. VICTORINO, MAYOR,  
(dated May 27, 2021)

Informing of a vacancy on the Molokai Planning Commission due to the passing of John Sprinzel.

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair.

MOVE TO FILE COUNTY COMMUNICATION NO. 21-253.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR LEE: Okay, moved by Member Molina, seconded by Vice-Chair Rawlins-Fernandez, to file County Communication 21-253.

Member Molina.

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair. The Mayor received noticed of Mr. Sprinzel's passing, effective May 27, 2021. And on a personal note, I got to know Mr. Sprinzel from years ago when I served under the Arakawa Administration as the boards and commission person or representative, and Mr. Sprinzel was always ready, willing, and able to help his community in whatever

capacity there was. So, I'd just like to express my condolences to his family. And, and really, express a lot of aloha for his years of service and dedication to the Molokai community. Thank you, Madam Chair.

CHAIR LEE: Thank you. Any further discussion or comments?

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I also wanted to share some comments. As we heard from testimony, Mr. Sprinzel served our community till his last breath. He was 90 years old and, you know, a life of service. And so, on behalf of our community, I express our gratitude to his family for sharing him with us. And in his memory, recognizing all his contributions. Mahalo, Chair.

CHAIR LEE: Thank you. Are there anymore comments or questions? If not, all those in favor of the motion to file this item, raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

Madam Clerk.

NO. 21-254 - KEANI N.W. RAWLINS-FERNANDEZ, CHAIR, BUDGET, FINANCE,  
AND ECONOMIC DEVELOPMENT COMMITTEE,  
(dated May 26, 2021)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2021 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF FINANCE, WAIALE LAND ACQUISITION".

CHAIR LEE: Vice-Chair, is this?



VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR LEE: This is set to be file, I mean, not filed, but referred to your Committee, yea?

VICE-CHAIR RAWLINS-FERNANDEZ: So, the item is actually in BFED Committee now. And what we have is the CIP Appendix C amendment only, and not the amendment to the Bond bill.

SO, FOR THIS APPENDIX C ONLY, I MOVE TO DISCHARGE  
THE BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT  
COMMITTEE FROM FURTHER CONSIDERATION OF THE  
PROPOSED BILL ATTACHED TO COUNTY COMMUNICATION  
21-254.

CHAIR LEE: Second?

COUNCILMEMBER SINENCI:

SECOND.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member Sinenci, to discharge the Committee of this item.

Further discussion, Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. And my comments for the discharge will be the same for the motion to waive our Rules, 7.G. And the urgency for this, Members, is this is FY '21 Budget amendment. And so, we would need to pass it on first reading today, and then pass it on second reading on June 18. So, we have two last Council meetings in order to make the amendment to the FY '21 Budget, to recognize the funds in the FY '21 Budget.

But I have the Bond bill and the resolution for acquisition in BFED Committee. So, the acquisition cannot take place until those items are passed. And as a CIP, the funds won't lapse until the end of December. So, I, I will take it up quickly, so that we can have fuller discussion in Committee to determine whether acquisition is something that we would like to support or not. Mahalo, Chair.

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

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

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

COUNCILMEMBER SINENCI:

SECOND.

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

Any further discussion on this matter, Vice-Chair Rawlins-Fernandez? No?

Anybody else, discussion? All those in favor of the motion say "aye", raise your hand.

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO PASS THE PROPOSED BILL ON FIRST READING  
AND TO FILE COUNTY COMMUNICATION 21-254.

COUNCILMEMBER SINENCI:

SECOND.

CHAIR LEE: Alright. Moved by Vice-Chair Rawlins-Fernandez, seconded by Member Sinenci, to pass this matter on first reading.

Discussion? Any more discussion, Vice-Chair Rawlins-Fernandez? Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Members, as discussed at the Council meeting of May 21, 2021, the Administration no longer intends to use the Waiale land acquisition of approximately 495 acres consisting of Waiale North, 354 acres; and Waiale South, 141 acres, for affordable housing unit.

The bill amends the Fiscal Year 2021 Budget, Appendix C – Capital Improvement Projects, Department of Finance, to remove that language. Your Budget, Finance, and Economic Development Committee still has pending before it a bill to authorize the use of Bond Funds for this purchase. Funds need to be approved and encumbered by December 20, 2021. However, Appendix C needs to be amended by the end of Fiscal Year 2021 to ensure the language accurately reflects the intended use of these funds.

Budget Director Yoshimura is available to answer any of the questions Members may have.

BUT BEFORE THAT, I'D LIKE TO MOVE TO AMEND THE  
LANGUAGE TO INCLUDE, OR TO STATE, "THE  
ADMINISTRATION WILL FORM AN ADVISORY COMMITTEE,  
WHICH WILL INCLUDE MEMBERS OF MALAMA KAKANILUA,  
TO ADVISE ON THE USE OF THIS PROPERTY".

COUNCILMEMBER SINENCI:

SECOND.

CHAIR LEE: Okay. It's been moved by Vice-Chair Rawlins-Fernandez, seconded by Member Sinenci, to amend the main motion to add this advisory group to this as a proviso.

Okay. Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. We had Managing Director Baz speaking, or sharing comments on behalf of the Mayor at our last Council meeting. And he shared that this is something that the Mayor intended to do, creating this advisory committee. And so, in recognition of Malama Kakanilua's years of work protecting this aina, I wanted to add, put it on, put it in writing, the intention with this, in the proviso. Mahalo, Chair.

CHAIR LEE: Member Sinenci.

COUNCILMEMBER SINENCI: Chair, for my opportunity. Yea, I just wanted to comment. I did get to tour the site last week with some of the members of Malama Kakanilua. And again, just besides just having it as burial, important burial sites with a rich history of our, of this wahi pana . . . historic place, it's also a home to the dry forest, bringing it back to its original luster. But again, it's also, I, I did see a lot of dumping. So, just a need to, to bring this, this area back to its kipuka status. So, I'm, I'm supportive and look forward to working with this community group to bring it back to its original luster. Thank you, Chair.

CHAIR LEE: Okay. Anymore?

Member Molina.

COUNCILMEMBER MOLINA: Yea, thank you, Madam Chair. I wonder if this is the appropriate time to ask a question regarding the, any archaeology, the archaeological findings. If Ms. Six is available, or. Cause I've had some members of the public ask if there is any, a small portion of it that still could be used for a public purpose, whether it be for some type of affordable housing. Or has all 495 acres been determined to have all archaeological sites and burial sites? If that question could be answered?

CHAIR LEE: Budget Director, do you have Ms. Six available? Or would you be able to answer that question? Ms. Yoshimura.

BUDGET DIRECTOR MICHELE YOSHIMURA: Chair, I don't believe Ms. Six is available on the call today. But we are just asking to have that language removed, so that, because it was specific language for affordable housing. And we do want to have it for

conservation instead. And so, we left it more broad, just taking that language out of the description of the project. So, if--

CHAIR LEE: So, so when we have this matter come up in Committee, we can address Member Molina's question?

BUDGET DIRECTOR: Yes. More in-depth, I guess, discussion will happen with the acquisition resolution and the Bond ordinance amendment. Thank you.

CHAIR LEE: Okay.

COUNCILMEMBER MOLINA: Okay. That that's fine, Madam Chair. I can wait till the meeting.

CHAIR LEE: Okay. Thank you.

COUNCILMEMBER MOLINA: Committee meeting. Thank you.

CHAIR LEE: Anymore discussion by anyone? Okay, all those in favor of the amendment, please raise your hand.

COUNCILMEMBER KING: Chair, I just, I just had a quick question.

CHAIR LEE: Member King.

COUNCILMEMBER KING: Yea, thank you. I just wonder, I wanted to ask our Vice-Chair if there was a, a, discussed about having someone from the Council on that committee that's, that's being mandated in the additional language, or, or is that not necessary?

CHAIR LEE: Vice-Chair.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Mahalo, Member King, for your question. I think we're, we're going to have this discussion in BFED Committee. And so, I can schedule it so that we can continue to have that discussion.

COUNCILMEMBER KING: So, the language doesn't preclude having a Councilmember on it? It just makes sure that the other group is included.

VICE-CHAIR RAWLINS-FERNANDEZ: On the advisory committee itself, the, the language doesn't preclude a Councilmember from being on there. But as a, the Council Committees can also schedule it to have regular updates from the advisory committee, so that we can be updated and provide comments and feedback.

COUNCILMEMBER KING: Okay. Excellent. Alright, thank you. Thank you, Chair.

CHAIR LEE: Okay. Anymore comments or questions? If not, all those in favor of the amendment, please raise your hand and say "aye". Member Sugimura, are you an "aye".

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

NOES: NONE.

CHAIR LEE: Okay. Nine "ayes", zero "noes"; motion carries.

Now, anymore amendments? If not, the main motion as amended. Any more discussion, questions? If not, all those in favor of the main motion as amended, please raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

Alright. May we go onto the next one? Madam Clerk.

NO. 21-255 - MICHAEL J. MOLINA, CHAIR, GOVERNMENT RELATIONS,  
ETHICS, AND TRANSPARENCY COMMITTEE,  
(dated May 20, 2021)

Transmitting a proposed resolution entitled "AUTHORIZING THE ASSISTANCE OF THE OFFICE OF THE CORPORATION COUNSEL, COUNTY OF HAWAII, TO ACT AS SPECIAL COUNSEL IN VARIOUS GRIEVANCES BROUGHT AGAINST THE COUNTY BY A HGEA BARGAINING UNIT 13 EMPLOYEE DUE TO CONFLICTS OF INTEREST".

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: Yes, thank you very much, Madam Chair.

MOVE TO DISCHARGE THE GREAT COMMITTEE FROM  
FURTHER CONSIDERATION OF THE PROPOSED  
RESOLUTION ATTACHED TO COUNTY COMMUNICATION  
21-255.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Okay, moved by Member Molina, seconded by Member Kama, to discharge the Committee of this item. Any discussion, Mr. Molina?

COUNCILMEMBER MOLINA: Yes. Thank you, Madam Chair. A discharge is needed to enable the Council to consider action today on the proposed resolution.

CHAIR LEE: Anymore questions or comments? If not, all those in favor of the discharge, please raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

Mr. Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair.

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

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Moved by Member Molina, seconded by Pro Tem Kama, to waive the Rules of the Council on this item.

Vice-Chair. I mean, not Vice-Chair, but Member Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. Approval of this motion by a two-thirds vote of the membership of the Council will enable the Council to consider the proposed resolution today. Thank you.

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

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

Mr. Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair.

MOVE TO ADOPT THE PROPOSED RESOLUTION  
ATTACHED TO COUNTY COMMUNICATION 21-255 AND TO  
FILE COUNTY COMMUNICATION 21-255.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Moved by Member Molina, seconded by Pro Tem Kama, to adopt the attached resolution and file the communication.

Discussion, Vice, Member Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. As you know, your GREAT Committee met on this past Tuesday, June 1, 2021, to discuss this matter. And it relates to conflicts of interest for the County of Maui, Department of Corporation



Counsel, involving an HGEA Bargaining Unit 13 employee. The Office of the Corporation Counsel for the County of Hawaii is being authorized to represent the County of Maui as special counsel for an amount not to exceed \$5,000. Corporation Counsel has worked with HGEA to extend the approval for special counsel to June 4, 2021, therefore, this is a time sensitive matter that needs to be approved today. Thank you, Madam Chair.

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

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

NOES: NONE.

CHAIR LEE: Okay. Nine "ayes", zero "noes"; motion carries.

Madam Clerk.

NO. 21-256 - YUKI LEI K. SUGIMURA, CHAIR, INFRASTRUCTURE AND  
TRANSPORTATION COMMITTEE, (dated May 21, 2021)

Transmitting correspondence dated April 26, 2021, from the Director of Public Works, transmitting a proposed bill entitled, "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE U.S. DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE RELATED TO THE LAHAINA WATERSHED FLOOD PROTECTION PROJECT".

CHAIR LEE: Councilmember Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. Thank you, Chair.

I MOVE TO DISCHARGE THE INFRASTRUCTURE,  
TRANSPORTATION COMMITTEE FROM FURTHER  
CONSIDERATION OF THE PROPOSED BILL ATTACHED TO  
COUNTY COMMUNICATION 21-256. A DISCHARGE IS  
NEEDED--

COUNCILMEMBER KAMA:

SECOND.

COUNCILMEMBER SUGIMURA: Oh, thanks.

CHAIR LEE: Okay. Moved by Member Sugimura, seconded by Member, Pro Tem Kama, to discharge the IT Committee of this matter.

Discussion, Ms. Sugimura?

COUNCILMEMBER SUGIMURA: Discharge is needed to enable the Council to consider action today on this proposed bill.

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

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA:

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

COUNCILMEMBER KAMA:

SECOND.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: Moved by Member Sugimura, seconded by Pro Tem Kama, to waive the Rules of the Council regarding referral.

Discussion, Ms. Sugimura?

COUNCILMEMBER SUGIMURA: Approval of my motion--

CHAIR LEE: I'm sorry.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Oh, mahalo, Chair. I was hoping Member Sugimura would explain the time-sensitivity of the waiver. Mahalo, Chair.

COUNCILMEMBER SUGIMURA: So, the waiver is to, approval of my motion by a two-thirds vote of the entire membership of the Council will enable the Council to consider the proposed bill today. And my next motion is to pass it. And then, I'll explain further. So, this is to--

CHAIR LEE: Okay. You can explain it now, the time sensitivity.

COUNCILMEMBER SUGIMURA: Oh, okay. I move to pass the proposed bill on first reading and to file County Communication 256. Councilmembers--

VICE-CHAIR RAWLINS-FERNANDEZ: Point of order.

CHAIR LEE: No, no, no. I just meant--

VICE-CHAIR RAWLINS-FERNANDEZ: We didn't vote.

CHAIR LEE: When, when you made the motion to waive the requirement of referral--

COUNCILMEMBER SUGIMURA: Oh, we didn't vote yet.

CHAIR LEE: --you didn't mention the time sensitivity if you wanted to. Just the time sensitivity part.

COUNCILMEMBER SUGIMURA: Okay. Done.

CHAIR LEE: Okay. All those in favor of the motion, say "aye", raise your hand. So, she's saying that there is time sensitivity and that--

COUNCILMEMBER KING: Chair.

CHAIR LEE: And that, and that she's going to explain it--

COUNCILMEMBER KING: Chair.

COUNCILMEMBER SUGIMURA: I'll explain it.

CHAIR LEE: Member King, you had a question?

COUNCILMEMBER KING: Yea, I thought she was going to explain it before we took the vote.  
I thought that was the request that the Vice-Chair--

CHAIR LEE: Yea. I think, and then she said done. So, I think she meant this matter is time sensitive and that--

COUNCILMEMBER KING: Right. But I think the question was, why is it time sensitive.

CHAIR LEE: Okay.

COUNCILMEMBER KING: So, we can know why we need to discharge it, but that wasn't said.

CHAIR LEE: Okay. Do you want to hear that part now?

Yes, Ms. Sugimura?

COUNCILMEMBER SUGIMURA: Okay. So, the reason why we're taking it up today is we had it in my Committee, Infrastructure and Transportation Committee meeting on May 17. And the proposed bill which would authorize the Mayor to enter into an intergovernmental agreement with the Natural Resources Conservation Service (NRCS), will provide \$1,229,230 in grant funding to the County of Maui for the development of a supplemental watershed plan-environmental, I'm sorry, plan-environmental document (Supplemental Plan-ED) for the Lahaina Watershed Flood Control Project.

The proposed agreement provides the necessary funding and structure to restart the project by analyzing current plan works and reasonable alternatives--

VICE-CHAIR RAWLINS-FERNANDEZ: Point of order. Members. Chair.

CHAIR LEE: I think--

VICE-CHAIR RAWLINS-FERNANDEZ: Just the time sensitivity part. Just, you know, is there like a deadline that's approaching? That, and the only reason I'm asking is cause when, when we discharge then there's no committee report, so there's no record. And I'm in your IT Committee and I, I, I just, I, I would just like to be refreshed. I don't remember you talking about wanting to discharge and pass it on the floor. So, that's all. I just wanted to know the--

COUNCILMEMBER SUGIMURA: The reason, the reason is, as you remember, cause it was agendized, we talked about it, the NRCS, as well as the Department came to talk about this project. And it was agendized so that no action would be taken. So, in order to move this forward, we decided to do this discharge and refer Committee, waive Committee referral so that we could take action on this today. So, it was discussed in my meeting on the 17.

CHAIR LEE: Okay, so the question is, the question is, why the rush? Why do we need to take it up right away? That's the question.

COUNCILMEMBER SUGIMURA: Because we've talked about it and it was already reported out of my Committee. It is actually an item that we discussed, and I wanted to take action so that the Department can, can work on the project.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Is there a deadline, Member Sugimura?

COUNCILMEMBER SUGIMURA: The end date is September 30, 2024. So, we have time if you guys want to send it back to my Committee, if you think that that's appropriate thing to do. I believe that when we talked about it in the Committee, we said we would do this so that we could move the project forward. But I'm game to do whatever this body wants to do. If you think that it should stay in IT and have another meeting, that's fine with me too. So, I'll, let me revisit this in my Committee.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair.

COUNCILMEMBER SUGIMURA: For today. Today. Let me revisit.

CHAIR LEE: Oh, wait, well hold on. Let, let's, let's see if there are other questions.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: So, I, you know, Member Sugimura, I, I don't oppose this action. I just was hoping that you could remind the Committee, particularly for the record, that if we're not going to go through our normal process, that you would just briefly explain why the rush? That, that's all. I, I, you know, I'm not asking to send it back to Committee. I just--

COUNCILMEMBER SUGIMURA: Good. So, that's what I'm trying to do.

VICE-CHAIR RAWLINS-FERNANDEZ: --was hoping that you could just explain.

COUNCILMEMBER SUGIMURA: That's what I'm trying to do. I'm trying to recap the Committee meeting and what happened. And so, I'm trying to move this forward and get this passed today with this body. Get the contract passed, so the, so that the Mayor can sign the document, the IGA.

CHAIR LEE: Anybody else?

Member King, and then Pro Tem Kama.

COUNCILMEMBER KING: Okay, I, I think the emergency, or the urgency of this has not been explained. But I do recall in Committee, in IT Committee, that there was a mistake made on the agenda. And there was a statement, no legislative action would be taken, when the actual intent was to take legislative action. So, I think that's why we're going ahead. I don't see, if it's not due till September, I don't think there's necessarily an emergency. But I think there is, you know, just trying to correct a mistake because we could have voted on it except that what got put on the agenda was not legislative action will be taken.

COUNCILMEMBER SUGIMURA: Yeah.

COUNCILMEMBER KING: So, that's what I'm seeing, you know, why we are here.

COUNCILMEMBER SUGIMURA: Exactly. Exactly.

CHAIR LEE: Okay. When, when you said exactly, what did somebody just say?

COUNCILMEMBER SUGIMURA: Oh, what Ms. King was talking about, just what happened in Committee.

CHAIR LEE: Alright, Members. I don't see no reason why we should send this back if it's, you know, that was the understanding in Committee. There was a mistake and in this

case, in this case, there's no sense of urgency. This seems to be like a routine matter that the agenda should have said action would be, could be taken. And it didn't say anything about it. Oh, it said "no action would be taken".

COUNCILMEMBER KING: No action.

CHAIR LEE: Yea. Okay. Any further discussion on this matter?

Pro Tem Kama.

COUNCILMEMBER KAMA: Thank you. So, we are here at this moment and at this time, and maybe two more steps and we'll be done. So, maybe we should just take the two steps now as opposed to taking two weeks or two months later. And since we're already here, I think we should just, we're on the path, we're on the road, let's just holomua little bit more and then we'll be done. That's my sense of things.

CHAIR LEE: Okay. And then, everybody remember that usually the rule is to deal with a time sensitive issue, yea, going forward. Alright. Any, anymore comments? If not, all those in favor of the motion say "aye", raise your hand.

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

NOES: NONE.

CHAIR LEE: Okay. Nine "ayes", zero "noes"; motion carries.

Now, I believe we're on the item itself. Member Sugimura.

COUNCILMEMBER KING: Chair, just point of process. I think we did the discharge, so there's a waiver.

CHAIR LEE: No.

COUNCILMEMBER SUGIMURA: We did that.

CHAIR LEE: We, we voted on the discharge and we were having all this discussion on the waiver.

COUNCILMEMBER KING: Oh, the waiver. Okay, I thought that was--

CHAIR LEE: So, we just voted on the waiver. So, now we're going to vote on the item itself.

COUNCILMEMBER SUGIMURA: Right.

SO, I'LL MOVE TO PASS THE PROPOSED BILL ON FIRST  
READING AND TO FILE COUNTY COMMUNICATION 21-256.

COUNCILMEMBER PALTIN:

SECOND.

COUNCILMEMBER KAMA: Second.

COUNCILMEMBER SUGIMURA: Thanks.

CHAIR LEE: Moved by Member Sugimura, seconded by Member Paltin, to pass this bill on first reading.

Member Sugimura.

COUNCILMEMBER SUGIMURA: I think I've said everything I needed to say. But in addition, I guess I want to just add that the funding provided by the NRCS is, is matched in-kind by the County of Maui for \$149,980, bringing the total of this agreement to \$1,379,210. And the end date is September 30, 2024. I ask for the Members support. Thank you.

CHAIR LEE: Anymore discussion?

Member, Vice-Chair Rawlins-Fernandez.

COUNCILMEMBER KING: Mahalo, Chair. I speak in support of the motion. Mahalo, Member King, for refreshing my memory about the no legislative action on the agenda. And the reason I bring it up is, you know, process is important. But another reason is when we discharge and waive Committee referral and report, we're waiving the report, which is legislative history. And that means there won't be that legislative history that came out of the IT Committee for anyone that would be researching this item, you know, in the future. So, that, that's the only reason, you know, that I ask those questions. Mahalo, Chair.



CHAIR LEE: Anymore comments or questions? If not, all those in favor of the motion, please say "aye", raise your hand. This is to pass the bill on first reading.

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

NOES: NONE.

CHAIR LEE: Okay. Nine "ayes", zero "noes"; motion carries.

COUNCILMEMBER SUGIMURA: Thank you, Members.

CHAIR LEE: Madam Clerk?

COUNTY CLERK: Chair, that would be BILL NO. 57 (2021).

And for the record, County Communication 21-254 would be BILL 56 (2021).

County Communication 21-255 would be RESOLUTION 21-91.

NO. 21-257 - MICHAEL J. MOLINA, COUNCILMEMBER,  
(dated May 26, 2021)

Relating to proposed amendments to the Fiscal Year 2022 Budget, Bill 46 (2021),  
Special Purpose Revenues – Schedule of Revolving/Special Funds, relating to the  
Hamakualoa Open Space Preserve.

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: Yea, thank you, Madam Chair. Can I yield the floor to Budget  
Chair Rawlins-Fernandez?

CHAIR LEE: Certainly.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Mahalo, Member Molina. Chair, if  
there are no objections, I would like to ask the, that County Communications 21-257

through 21-262 be taken up at the relevant, with the relevant Budget bills at the end of the calendar?

CHAIR LEE: Any objections, Members?

MEMBERS VOICED NO OBJECTION.

(See pages 105 and 106 for discussion and action.)

CHAIR LEE: So, ordered.

Alright. Madam Clerk.

COUNTY CLERK: Proceeding with--

CHAIR LEE: We're down to communications for referral.

COUNTY CLERK: The following County Communications are recommended for referral to the following Committees as noted:

NO. 21-263 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,  
(dated May 20, 2021)

Reporting on temporary transfers/loans from the General Fund and the Department of Water Supply Revenue Fund to the 2021 Proposed General Obligation Bond Fund as of April 30, 2021.

The recommended action is that County Communication No. 21-263 be referred to the Budget, Finance, and Economic Development Committee.

NO. 21-267 - KEANI RAWLINS-FERNANDEZ, COUNCILMEMBER,  
(dated May 27, 2021)

Relating to relocation of the Puko'o Fire Station.

The recommended action is that County Communication No. 21-267 be referred to the Budget, Finance, and Economic Development Committee.

NO. 21-264 - DAVID C. THYNE, FIRE CHIEF,  
(dated May 17, 2021)

Transmitting a proposed resolution entitled, "AUTHORIZING ACCEPTANCE OF THE DONATION OF 185 PAIRS OF FOOTWEAR TO THE OCEAN SAFETY BUREAU OF THE DEPARTMENT OF FIRE AND PUBLIC SAFETY, PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE".

The recommended action is that County Communication No. 21-264 be referred to the Government Relations, Ethics, and Transparency Committee.

(COUNTY COMMUNICATION NO. 21-264 WAS LATER POSTPONED TO THE REGULAR COUNCIL MEETING OF JUNE 18, 2021. See pages 60 through 68 for discussion.)

NO. 21-265 - DEAN M. RICKARD, ACTING CHIEF OF POLICE,  
(dated May 19, 2021)

Transmitting a copy of a proposed revision to the Maui County Code, Chapter 9.28, Air Guns and Replica Gun Regulations.

The recommended action is that County Communication No. 21-265 be referred to the Government Relations, Ethics, and Transparency Committee.

NO. 21-266 - MICHAEL WILLIAMS, CHAIR, COST OF GOVERNMENT COMMISSION, (dated May 19, 2021)

Transmitting the Cost of Government Commission's Report on Strengthening the County of Maui's Technological Infrastructure, dated May 2021.

The recommended action is that County Communication No. 21-266 be referred to the Government Relations, Ethics, and Transparency Committee.

NO. 21-268 - YUKI LEI K. SUGIMURA, COUNCILMEMBER,  
(dated May 28, 2021)

Relating to airport shuttles.

The recommended action is that County Communication No. 21-268 be referred to the Infrastructure and Transportation Committee.

(See page 73 for discussion.)

NO. 21-269 - KEANI N.W. RAWLINS-FERNANDEZ, COUNCIL VICE-CHAIR,  
(dated May 27, 2021)

Transmitting a proposed resolution entitled "REFERRING TO THE LANA'I, MAUI, AND MOLOKA'I PLANNING COMMISSIONS A PROPOSED BILL RELATING TO CONDITIONAL PERMIT AMENDMENTS".

The recommended action is that County Communication No. 21-269 be referred to the Planning and Sustainable Land Use Committee.

(THE PROPOSED RESOLUTION ATTACHED TO COUNTY COMMUNICATION NO. 21-269 WAS ADOPTED LATER IN THE MEETING AND ASSIGNED RESOLUTION NO. 21-92. COUNTY COMMUNICATION NO. 21-269 WAS THEN FILED. See pages 68 through 72 for discussion and action.)

CHAIR LEE: Okay. Any objection?

Oh, Member Molina?

DISCUSSION RELATING TO  
COUNTY COMMUNICATION NO. 21-264

COUNCILMEMBER MOLINA: Yea, Madam Chair. No, I'd like to make a motion related to County Communication 21-264, if you'll permit me now at this time?

CHAIR LEE: Any objections, Members? If not, so ordered.

Member Molina.

COUNCILMEMBER MOLINA: Yeah, thank you, Madam Chair.

MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT IN ACCORDANCE WITH RULE 7.G. OF THE RULES OF THE COUNCIL RELATED TO COUNTY COMMUNICATION 21-264.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: Second? Moved by Member Molina, seconded by Member Sugimura, to waive the Rules of the Council regarding this item.

Member Molina, discussion?

COUNCILMEMBER MOLINA: Thank you. Thank you, Madam Chair. Approval of this motion by a two thirds vote will enable the Council to act on this proposed resolution today.

CHAIR LEE: Anymore discussion? Comments? All those in favor of the motion to waive the Rule, please say "aye" and raise your hand. Two thirds, two thirds.

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

Member Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair.

MOVE TO ADOPT THE PROPOSED RESOLUTION  
ATTACHED TO COUNTY COMMUNICATION 21-264, AND TO  
FILE COUNTY COMMUNICATION 21-264.

COUNCILMEMBER PALTIN:

SECOND.

CHAIR LEE: Moved by Member Molina, seconded by Member Paltin, to adopt the resolution in this County Communication.

Discussion, Member Molina?

COUNCILMEMBER MOLINA: Yes. Thank you very much, Madam Chair. OluKai is donating 185 pairs of protective footwear, or three pairs to each employee in the Ocean Safety Bureau, under the Department of Fire and Public Safety. The total value of the donation is approximately \$15,340. I want to thank them for their kind, kindness, and generosity to our Department. And I ask for the Members full support of this motion. Thank you.

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

COUNCILMEMBER SUGIMURA: Question?

CHAIR LEE: Oh, you have a question, Ms. Sugimura?

COUNCILMEMBER SUGIMURA: I have a question for Mr. Molina.

CHAIR LEE: Yes.

COUNCILMEMBER SUGIMURA: So, I'm glad that he's taking this up right away, cause I'm sure that the lifeguards can use this. But I wonder if there's any kind of marketing obligation or advertising obligation that the donation then, of the footwear, the company making the donation would then use our, our firefighters, or I'm sorry, our lifeguards for photo ops and marketing. And I wonder if there's a tie. And I see Tamara Paltin nodding. But, Mr. Molina?

COUNCILMEMBER MOLINA: You know, I think that might be a good question for Administration to provide more details on that.

COUNCILMEMBER SUGIMURA: Okay.

CHAIR LEE: Director Michele? Budget Director?

BUDGET DIRECTOR: Chair.

CHAIR LEE: Yoshimura.

BUDGET DIRECTOR: I--

CHAIR LEE: Yes?

BUDGET DIRECTOR: Yes, I am not aware of any, but I can check with the Department. Sorry, I wasn't aware this was going to be taken up today. Sorry.

CHAIR LEE: Ms. Sugimura, did you want to wait for an answer before we take a vote?

COUNCILMEMBER SUGIMURA: I kind of--

CHAIR LEE: Member Paltin. Member Paltin.

COUNCILMEMBER PALTIN: I can give her an answer. Yes.

CHAIR LEE: Okay.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. And in addition to Member Paltin's response, I can also read the letter that came from OluKai that says, "There are several benefits we believe this donation will provide the, the ocean safety lifeguards". And it goes over what they are. And they use of, "In return we request that Maui County accept this donation and agree to enter into a partnership with OluKai. As such we request that OluKai be made, oh, be allowed to name Maui County Ocean Safety and Lifeguard Services Division as the official product team for OluKai products in marketing and product point, product point of purchase materials. We further request that OluKai be allowed to use photos and videos of Maui County Lifeguards using OluKai products while in their official capacity with the mutual agreement of Maui County". And so, that, this letter here from OluKai is on page 3 of the document attached to the agenda, if Member Sugimura would like to read that. Mahalo, Chair.

COUNCILMEMBER SUGIMURA: Yea.

CHAIR LEE: Alright, Members, is that going to change your vote?

Member King?

COUNCILMEMBER KING: Well, that, that puts a additional obligation on the County. So, thank you for that question, Member Sugimura. Is this typical, is this a typical, to get this kind of obligation in writing, Director Yoshimura?

BUDGET DIRECTOR: Chair. Councilmember King, I will defer to Corporation Counsel. I think they would work with the Department in crafting some kind of agreement if there was an obligation. I'm not sure, I know OluKai has given or made donations in the past. And I'm not sure what type of agreements they have, have required or types of, what type of partnership they required in the past. So, I'll defer to Corporation Counsel. Sorry.

CHAIR LEE: Corporation Counsel.

FIRST DEPUTY CORPORATION COUNSEL RICHELLE THOMSON: Thank you. And I think that's an important question. So, the best advice that I would have is to send this to Committee and we can flush it out then. Or if the Council does approve it today, subject to the approval of any agreement by Corp. Counsel. And I'm kind of thinking we can work out the details and also take a look at prior agreements that were made with the company.

COUNCILMEMBER KING: Okay. And do you have any prior agreements with other companies too? Cause this seems a little bit irregular. Heard about, I mean, you know, usually when, when organizations or companies give donations or work with the County, they talk about it. But this seems like a formal marketing agreement, which I think may be setting a precedent for other donations.

FIRST DEPUTY CORPORATION COUNSEL: Right. I do understand the concerns. And typically, a gift doesn't come with, you know, strings, basically.

COUNCILMEMBER KING: Right.

FIRST DEPUTY CORPORATION COUNSEL: So, we would, you know, take a look at that. And if it, you know, it's an insurmountable problem, we could always come back to Council to modify the approval.

COUNCILMEMBER KING: Okay. So, if we approve this, we're approving that letter which obligates us to what they've asked for in the letter as well?

FIRST DEPUTY CORPORATION COUNSEL: Right. So, you may want to approve it conditionally. So, approve it subject to an agreement with Corp. Counsel that, you know, doesn't obligate the County to, you know, do things that would be contrary to public policy. I think I do understand the concerns.

COUNCILMEMBER KING: Okay. Thank you. Thank you for your response.

CHAIR LEE: Okay. Member Molina, and then Vice-Chair Rawlins-Fernandez.

COUNCILMEMBER MOLINA: Yea, thank you, Madam Chair. And as it was alluded to in years past when we've accepted items from OluKai and other entities, there are no, I guess the perception of any strings attached with advertising. So, it was always like, let's donate this, accept the donations quick so we can get our employees, you know, the, the necessary equipment. But in this case, my, my, my thought process was on



this, we can accept and if we want to add an amendment or addendum or a condition that states, okay we'll accept it only upon, based on, I guess working out this proposal that OluKai wants for the County to I guess be an advertising partner with the business.

So, I'm happy to take it back into Committee if the Members want that. But just so the Ocean Safety employees understand, it may take a while. I don't know how soon I can get it on my agenda. As you guys know, I do have a very busy Committee. But I mean, if it's considered an emergency, then by all means, we can get it, try to get it on my agendas. But my preference was to at least take action on this. And then, if we wanted to make an amendment today based on this proposal from OluKai, then we become, I guess, their exclusive, you know, use our employees in their photo ops for their business, then by all means, we can do that. Or have this thing addressed with Corp. Counsel, we can do that, so we can at least get our employees fitted with this equipment. If not, I'm open to either one. But again, if we want to send it to Committee, just understand, I may not get it on my agenda any time soon, at least for the month of June. So, I'll leave it at that. Thank you, Madam Chair.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. So, I found the letter from 2019. And it says the same thing. It says, it has the same language here. That in return we request Maui County accept this donation and agree to enter into a partnership. As such, OluKai would be allowed to name Maui County Ocean Safety Lifeguard Division official product team. And we further request that OluKai be allowed to use photos and videos of Maui County Lifeguards.

So, this has been happening from, it looks like at least 2017. And it didn't seem like there's, it's caused any problems from 2017. So, it's been four years that we've been entering into this partnership with OluKai. But I, I would be happy to support Ms. Thomson's recommendation of conditioning the, the, our vote today on Corp. Counsel's review of any contract or agreement, marketing agreement. But yea, so, we've been approving this for the past four years with that stipulation. Mahalo, Chair.

CHAIR LEE: My hope is we can resolve it today, because I can't see sending footwear back to your Committee, Mr. Molina. Your, your Committee is, is chuck full of, you know, high priority items. And this one is, to me, doesn't meet that criteria.

Member Paltin, and then Member Kama.

COUNCILMEMBER PALTIN: Yea. You know, basically how it usually goes is they'll tell us, or they'll tell the lifeguards to go to a location, they have the footwear. They ask the people to hold up the shoes they receive and take a picture, and it's on Instagram. A

few times, they'll choose a specific Ocean Safety Officer to do their own picture for a magazine or something. But it's not on County time or anything. Like, the, the person has to agree to it. They don't like force you to it, force you to do it. And you don't have to wear those slippers or shoes if you don't want to. So, that's like the real life how it goes.

And I think that, you know, maybe Mr. Hokama was working on some sort of sponsorship program about how we can receive these types of things. But it never really materialized. And so, with, in the absence of that, this is how it goes. It's not a precedent because we've been doing it for many years.

CHAIR LEE: So, I think--

COUNCILMEMBER PALTIN: So, that's just my, my discussion.

CHAIR LEE: Okay. Let--

COUNCILMEMBER PALTIN: I just wanted to--

CHAIR LEE: Oh, I'm sorry. Go ahead.

COUNCILMEMBER PALTIN: Oh, that was just, yea, if you guys wanted to know like how it works out in, in real time or whatever.

CHAIR LEE: Are, are you wearing yours right now?

Member Kama. Pro Tem Kama.

COUNCILMEMBER KAMA: Thank you, Chair. I think, when I think about the urgency, the urgency is . . . may not be what the, the Ocean Safety. The urgency is not having the scheduling opportunity to bring this forward again, so that's one. The second thing is, you know, the advantage of doing a marketing campaign with our Ocean Safety Rescue workers is really a plus for Maui County too. You know, I mean, the, the advertisers are going to get their just due. But in many ways, we do too. You know, we get to highlight our good-looking ocean safety guys and gals. We get to highlight the, the beauty of the occupations that they do. And I think sometimes that when we look at things from both sides, we realize that it is really a very good thing for us. So, I'm supporting this measure. Thank you.

CHAIR LEE: Any, anyone else? We, we could, if you want, one option is to just leave it on the Clerk's table till we get, you know, the correct wording for a condition, you know.

An ASF from, that we work out with Corp. Counsel, as opposed to sending it back to Committee.

Mr. Molina?

COUNCILMEMBER MOLINA: Yea, thank you, Madam Chair. I think I like your option. Also, staff made me aware that back in 2018, I wasn't on the Council at the time, the PEA Committee had a similar proposal of accepting a donation from OluKai. And it was not considered as an endorsement or a sponsorship. And it didn't mention any conditions of the donation as well. Just as, so this is just as an FY. So, in 2018, it was occurring as well. So, why it's being brought up now, you know, I don't know. But, whatever, you know. If it's a, and I think better we just table it, yea, to the next Council meeting and we can get some answers. So, just wanted to share that information with you and the Members.

CHAIR LEE: Okay. Sounds good. Is everybody amenable to that?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: No objections? Okay. So, we'll work on it. Might take us a couple of meetings, but that's, that's fine.

Let's see, Madam Clerk, where are we?

VICE-CHAIR RAWLINS-FERNANDEZ: Point of order, Chair.

CHAIR LEE: Member Sugimura, you have a question?

VICE-CHAIR RAWLINS-FERNANDEZ: No, I do. Vice-Chair.

CHAIR LEE: Vice-Chair, you have a question?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I think we still have the motion on the floor, so we would need to have the motion, maker of the motion and the seconder withdraw their motion.

COUNCILMEMBER MOLINA:

I WITHDRAW THE MOTION.

COUNCILMEMBER PALTIN:

SECOND.

CHAIR LEE: Alright. Move, withdrawn. Motion withdrawn by Member Molina, and the second withdrawn by Member Paltin.

Member Sugimura, I saw your hand up. What was it for? You're, you're muted now. You're muted.

COUNCILMEMBER SUGIMURA: County Communication 21-269, if I could discuss that?

CHAIR LEE: Oh, okay. You're moving on? Okay. Wait, wait, wait.

Let's wait for, let's wait for the Madam Clerk to, you know, direct this one. So, we have no objections to tabling the, the other, the previous item 264, right? And then, we're moving onto 265, I believe?

COUNTY CLERK: That's part of--

CHAIR LEE: Madam Clerk?

COUNTY CLERK: Chair, that's part of the referral to Government Relations, Ethics, and Transparency Committee.

CHAIR LEE: Okay.

COUNTY CLERK: All the way through 21-269, all committee referrals.

CHAIR LEE: Okay. Anybody have any concerns about these referrals?

Member Paltin. Vice-Chair Rawlins-Fernandez.

### DISCUSSION AND ACTION RELATING TO COUNTY COMMUNICATION NO. 21-269

COUNCILMEMBER PALTIN: Thank you, Chair. I'd like to do 21-269, right now, instead of referring it to Committee, cause we're just referring it to the Planning Commission and then it'll come back to Committee.

VICE-CHAIR RAWLINS-FERNANDEZ: Second.

COUNCILMEMBER PALTIN: And I have a huge agenda of Charter deadlines.

VICE-CHAIR RAWLINS-FERNANDEZ: Make the motion.

CHAIR LEE: Okay.

COUNCILMEMBER PALTIN:

SO, I MOVE TO PASS IT ON THE FLOOR, WAIVE COMMITTEE  
REFERRAL.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR LEE: Okay. Do you want to explain, explain this item?

COUNCILMEMBER PALTIN: Sure. It's a proposed resolution entitled "REFERRING TO THE LANA'I, MAUI, AND MOLOKA'I PLANNING COMMISSIONS A PROPOSED BILL RELATING TO CONDITIONAL PERMIT AMENDMENTS". And anything for Title 19 needs to go through the Planning Commission. After it goes to the Planning Commission, it'll come back to us, so we don't need to hear it before and after. It's pretty self-explanatory. And we can hear it just after.

CHAIR LEE: Okay. It's moved by you, seconded by Vice-Chair. Was it Vice-Chair? Okay. Any more discussion--

VICE-CHAIR RAWLINS-FERNANDEZ: Waive 7.G. of the Rules of the Council.

CHAIR LEE: Okay. Any more discussion on this matter? The motion is, okay, to, to waive the Rules, okay, for this particular item. Does everybody understand what the motion is? Okay. All those in favor of the motion raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Nine, nine "ayes", zero "noes"; motion carries.

Member Paltin.

COUNCILMEMBER PALTIN:

I MOVE TO REFER TO TRANSMIT--

VICE-CHAIR RAWLINS-FERNANDEZ: Um. Point of order.

CHAIR LEE: Vice-Chair Rawlins.

VICE-CHAIR RAWLINS-FERNANDEZ: I'll make the motion. I'll make the motion.

I MOVE TO ADOPT THE PROPOSED RESOLUTION AND TO  
FILE COUNTY COMMUNICATION 21-269.

CHAIR LEE: To adopt the resolution? Wait, wait, wait. I thought it was just a referral to--

COUNCILMEMBER PALTIN: That's the resolution.

VICE-CHAIR RAWLINS-FERNANDEZ: Yea, the resolution. So, we adopt the resolution and then the action is to get referred.

CHAIR LEE: Okay. Alright. Any more discussion on this?

Member King?

COUNCILMEMBER KING:

SECOND THE MOTION--

CHAIR LEE: Okay. Moved by Vice-Chair Rawlins-Fernandez, seconded by Member King, okay, to adopt the resolution in this County Communication 21-269.

Any further discussion? Member Paltin.

COUNCILMEMBER PALTIN: Oh, I just wanted to share with the Members that I also have Charter deadlines and a full master agenda. So, it would expedite the process if we could do this today.

CHAIR LEE: Okay. So, you're trying to make the case of this being time sensitive, or you being sensitive? Too sensitive.

COUNCILMEMBER PALTIN: I have a, a limited amount of time--

CHAIR LEE: Okay.

COUNCILMEMBER PALTIN: --in which to complete my tasks.

CHAIR LEE: I know. All of you have very bulky agendas.

Yes, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Members, the proposed resolution refers to a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE RELATING TO CONDITIONAL PERMIT AMENDMENT" to the Lana'i, Maui, and Moloka'i Planning Commission for appropriate action in accordance with Sections 8., 8.4 and 8., 8.6 of the Revised Charter of the County of Maui, as amended. The proposed resolution--

CHAIR LEE: And we know those, and we know those sections by heart.

VICE-CHAIR RAWLINS-FERNANDEZ: Of course, you do. The proposed resolution also requests that the Lana'i, Maui, and Moloka'i Planning Commissions transmit their findings and recommendations to the Council as soon as possible. This particular amendment to this section came out of discussion from the PSLU when we took up the ziplining bill. And we weren't able to make further amendments because that section wasn't included in the bill that was transmitted by the Department. And so, this would enable Council to consider those amendments after the Planning Commissions all have an opportunity to provide feedback to the Council before action. Okay. Mahalo, Chair.

CHAIR LEE: Okay. Anybody else?

Member King.

COUNCILMEMBER KING: Yea, I, thank you, Chair. I support this motion. And, you know, I had actually, when we were going over the Council Rules, supported not, not needing a waiver to send things to the Planning Commission, but it didn't get the support. But here we are again, you know, asking for a waiver so we could send it to the Planning Commission. And I just wanted to make, you know, I thought if the, if the gauge for this, cause if we, we want to be fair for all Councilmembers if the gauge for urgency is a full agenda and, you know, wanting to move things quickly, . . . then that's recognizing . . . This is not necessarily a date certain, but it is, you know, I mean, there are other reasons for urgency.

CHAIR LEE: Yup and that is true. Alright, anymore discussion? All those in favor of the motion, raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

Okay, who wants to take the, is it you, Member Paltin, or Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: What, what is that Chair?

CHAIR LEE: Okay. Are there anymore motions on this particular matter?

VICE-CHAIR RAWLINS-FERNANDEZ: Nope. That was the main motion.

CHAIR LEE: Okay. Alright.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR LEE: And this, this item actually came out of PSLU, right? Okay. Are you the spokesperson for PSLU? Just kidding.

VICE-CHAIR RAWLINS-FERNANDEZ: This, it's my bill. I introduced the bill, that's why.

CHAIR LEE: I see. That's why you hijacked it. Okay.

Madam Clerk. Sorry, we took things out of order.

COUNTY CLERK: For the record, that's RESOLUTION 21-92.

CHAIR LEE: Okay.

COUNTY CLERK: And if there's any other, any of the other referrals--

CHAIR LEE: Any other items you wish to refer or not refer. Member Sugimura. Not refer.



DISCUSSION RELATING TO  
COUNTY COMMUNICATION NO. 21-268

COUNCILMEMBER SUGIMURA: So, I just wanted clarification. So, on County Communication 21-269 *[sic]*, airport shuttles. I'm sorry, there's a typo here, 268, regarding airport. I just wanted clarification. After meeting with the Department, the, my staff and OCS learned that the word shuttle really refers to commercial and that Maui Bus has routes. But I wanted to make this clear so that the bus companies out there don't think that the County of Maui is trying to take over commercial shuttles from the airport to West Maui and South Maui. But that, the intention was to talk about our many visitors who are coming to Maui, and to talk about the modes of transportation available from the airport. So, I just wanted that clarification. It says, "shuttle", and it should also be talking about routes, which includes the Maui Bus routes. Thank you.

CHAIR LEE: Okay. So, you still want it referred to your Committee, though, yea, right?

COUNCILMEMBER SUGIMURA: I just want it to come to my Committee. I'm going to actually talk about it on Monday. Thank you.

CHAIR LEE: Okay. Any other comments about taking action on any items as opposed to referring these items to Committee?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: If not, so ordered.

So, we are now on committee reports, right? Okay.

COUNTY CLERK: Yes, Chair. Proceeding with committee reports.

COMMITTEE REPORTS

COMMITTEE REPORT  
NO. 21-30 - AGRICULTURE AND PUBLIC TRUST COMMITTEE:

Recommending that County Communication 21-1, from the Director of Water Supply, transmitting the Department of Water Supply's Monthly Source Report and Groundwater Use Report for December 2020, be FILED.

CHAIR LEE: Member Sinenci.

COUNCILMEMBER SINENCI: Mahalo, Chair. I move to--

CHAIR LEE: Now, do you, excuse me, Members. Do you want to take a lunch break now? I notice that we have quite a few items to go over. We can take up this one committee report and then take a lunch break. How's that, for one hour?

Okay, so Mr. Sinenci.

COUNCILMEMBER KING: Chair?

CHAIR LEE: Yes, Member King.

COUNCILMEMBER KING: Since the next three are all filing of communications, so maybe we could take up, go through all the filings before lunch.

CHAIR LEE: Member Sinenci, you want to do that, take up all three?

COUNCILMEMBER SINENCI: Thank you, Chair.

MOVE TO ADOPT THE RECOMMENDATION IN COMMITTEE  
REPORT 21-30.

CHAIR LEE: Okay.

COUNCILMEMBER SUGIMURA: Second.

CHAIR LEE: You don't want to do all three? Alright. Okay. Second? Second?

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR LEE: Okay, moved by Member Sinenci, seconded by Vice-Chair Rawlins-Fernandez, to adopt the recommendation in Committee Report, which means filing, 21-30.

Any discussion?

COUNCILMEMBER SINENCI: Member Rawlins-Fernandez, had a? Oh, just a second.

CHAIR LEE: Member, Vice-Chair.

VICE-CHAIR RAWLINS-FERNANDEZ: Would we be able to include CR 21-31 and 21-32, and then we do them all together in one motion?

COUNCILMEMBER SINENCI: We had a, an amendment summary form for 21, the third one.

CHAIR LEE: 32?

COUNCILMEMBER SINENCI: 21-32. Yes, Chair.

CHAIR LEE: Okay. You want to take 30 and 31 together?

COUNCILMEMBER SINENCI:

SURE.

CHAIR LEE: Just to file? Okay, so--

VICE-CHAIR RAWLINS-FERNANDEZ:

FRIENDLY AMENDMENT.

CHAIR LEE: Okay, friendly amendment. So, that was moved by Member Sinenci. And who was the second? Was it Vice-Chair Rawlins-Fernandez? The original seconder? Okay, well, let's assume it was you.

COUNTY CLERK: It was.

CHAIR LEE: Okay, the motion is to file County committee, Committee Report 21-30 and Committee Report dash, 21-31.

COUNCILMEMBER SINENCI: Mahalo.

CHAIR LEE: But nobody read 21-31. Madam Clerk, can you read that one?

COUNTY CLERK: So, I will call up County report, Committee Report 21-31.

COMMITTEE REPORT

NO. 21-31 - AGRICULTURE AND PUBLIC TRUST COMMITTEE:

Recommending the following:

1. That Resolution 21-93, entitled "APPROVING DISPOSITION OF NONEXCLUSIVE ACCESS EASEMENT DUE TO RELOCATION OF ACCESS ROAD FOR THE KAMOLE WEIR WATER TREATMENT PLANT," be ADOPTED; and
2. That County Communication 20-486, from the Director of Water Supply, be FILED.

CHAIR LEE: Um okay. Any discussion, Mr. Sinenci?

COUNCILMEMBER SINENCI: Mahalo, Chair. Your Committee voted 6-0 to recommend filing of County Communication 21-30 *[sic]*. And also, on the same day, your Committee voted 7-0 to recommend adoption of the proposed resolution 21-31 *[sic]* and filing of the communications. I ask for your full support.

CHAIR LEE: Okay. So the, so the motion then is to approve the recommendations in Committee Report 21-30 and Committee Report 21-31. Okay. All those in favor say "aye", raise your hand.

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

NOES: NONE.

CHAIR LEE: Okay. Nine "ayes", zero "noes"; motion carries.

Then, Committee Report 21-32. Can you bring that up, Madam Clerk?

COUNTY CLERK: Thank you, Chair. For the record, that RESOLUTION is 21-93, for Committee Report 21-31.

CHAIR LEE: Okay.

COMMITTEE REPORT

NO. 21-32 - AGRICULTURE AND PUBLIC TRUST COMMITTEE:

Recommending the following:

1. That Bill \_\_\_\_ (2021), entitled "A BILL FOR AN ORDINANCE TO AMEND THE EXCLUSION FOR GRADING AND GRUBBING PERMITS FOR TRENCHING FOR UNDERGROUND UTILITIES," be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 21-137, from Councilmember Shane M. Sinenci, be FILED.

CHAIR LEE: Member Sinenci.

COUNCILMEMBER SINENCI: Mahalo, Chair.

MOVE TO ADOPT THE RECOMMENDATIONS IN COMMITTEE  
REPORT 21-32.

CHAIR LEE: Second?

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR LEE: Moved by Member Sinenci, seconded by Vice-Chair Rawlins-Fernandez, to adopt the recommendations in Committee Report 21-32.

Discussion, Mr. Sinenci?

COUNCILMEMBER SINENCI: Thank you, Chair. Staff will be distributing an Amendment Summary Form.

I MOVE TO SUBSTITUTE THE ATTACHED BILL.

CHAIR LEE: Oh, this is going to take a while.

COUNCILMEMBER SINENCI: Shouldn't.

CHAIR LEE: Maybe you can be talking about what the changes are, so we can look for it, for it.

COUNCILMEMBER SINENCI: Okay. Thank you, Chair. The substituted bill would remove the word "sensitive" in Subsection D and insert language related to a burial site or historic property, as defined by Hawaii Revised Statutes Chapter 6E.

And this revision was proposed to clarify the word "sensitive areas". It's also approved as to form and legality by the Department of Corporation Counsel.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR LEE: Okay. So, we have a motion, Madam Clerk, on the floor to adopt the, I mean, approve the committee recommendations in Committee Report 21-32. So, now, which we voted on. But now, we're looking at substituting that bill in that Committee Report. So, is that another, is that another vote?

COUNTY CLERK: We didn't vote on the Committee Report yet. So, yea, that would be the--

CHAIR LEE: Okay, but the motion, the motion is, the motion, yea, the motion is--

COUNTY CLERK: To adopt.

CHAIR LEE: --is on the floor to adopt the Committee Report.

COUNTY CLERK: Correct.

CHAIR LEE: And now he's, now he's substituting that bill in that Committee Report.

COUNTY CLERK: Yes.

CHAIR LEE: So, we, we're taking that as like a, an amendment to the main motion?

COUNTY CLERK: Correct.

CHAIR LEE: Okay.

COUNTY CLERK: Correct.

CHAIR LEE: Okay. So, so Members, we're looking at, did, by the way, did you get that ASF? Did you get the substitute bill? Okay. So, now, we're looking at, Mr. Sinenci, you would make a motion to substitute the bill.

VICE-CHAIR RAWLINS-FERNANDEZ: Member Sinenci, you're muted.

CHAIR LEE: I can't hear. I can't hear you.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair, yea, so I was hoping maybe Member Sinenci would explain prior to making the motion, why substituting the bill would be preferred over just amending the language? Because it's, it's a, it's a rather simple amendment, it's just removing "sensitive" and putting something that has legal definition. And, but by substituting, no further amendments would be allowed with that kind of a motion. So, that's all.

CHAIR LEE: Mr. Sinenci.

COUNCILMEMBER SINENCI: And I guess this was recommended by our OCS staff for, for the substitution versus changing the verbiage in the, in the existing--

CHAIR LEE: Okay. Well, let me ask the Members. Does any Member have, who would like to propose an amendment?

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo Chair. I, I don't have an amendment right now. I don't think I'll have an amendment for this in the future. But I, I think it might be clear--

CHAIR LEE: You might have one on second reading?

VICE-CHAIR RAWLINS-FERNANDEZ: No. But I think it might be easier for the Members if, if we just amended the words and the language. We just make the motion to amend the main motion by substituting these, the language for "sensitive areas". And so, we just do the language amendment and not do the bill substitution.

CHAIR LEE: Will you consider that, Mr. Sinenci?

COUNCILMEMBER SINENCI: I'm just getting word from staff that I guess the substitution came with a signed bill, versus the previous one that wasn't signed as to form and legality, Corporation Counsel.

CHAIR LEE: Okay. So, you mean there are more, there are other issues besides what you just said?

COUNCILMEMBER SINENCI: Yea. Yes.

CHAIR LEE: I mean, you know, it doesn't matter. You know, we can still proceed with the--

COUNCILMEMBER SINENCI: But we did--

CHAIR LEE: --with changing the, you know, making the changes to, who's talking?

VICE-CHAIR RAWLINS-FERNANDEZ: Ms. Apo-Takayama.

CHAIR LEE: Okay. You know what, let's take our lunch break and you work it out with staff, Mr. Sinenci, okay? Because now, we're starting to go in circles and, you know, just better we get this all clarified and take into account whether we can make future amendments, etc. Okay?

COUNCILMEMBER SINENCI:

OKAY, I CAN WITHDRAW MY MOTION TILL AFTER LUNCH.

CHAIR LEE: Okay.

VICE-CHAIR RAWLINS-FERNANDEZ:

I WITHDRAW MY SECOND.

CHAIR LEE: Till after lunch? Okay. Very good. Okay, everybody, have a wonderful lunch.

COUNCILMEMBER KING: When are we coming back?

CHAIR LEE: Don't, don't fall asleep now. Don't fall asleep. Come back, so we can finish this up. And of course, the big event today is the budget, okay?

COUNCILMEMBER KING: Chair, what, what time are we reconvening?



CHAIR LEE: Till one.

COUNCILMEMBER KING: One?

CHAIR LEE: One o'clock.

COUNCILMEMBER KING: Okay. Okay.

CHAIR LEE: Reconvene at one.

COUNCILMEMBER KING: Yea, I just wanted to let you know that I do have a hard stop at 2:15. I have to leave for the airport. Hopefully we get to the budget by then.

CHAIR LEE: Well, you know, I don't anticipate us having a lot of controversial. A lot of these budget items are going to go in one, in one motion.

COUNCILMEMBER KING: Okay. Just wanted to let you know. Thank you.

CHAIR LEE: Okay, we'll try. Alright.

COUNCILMEMBER KING: If I don't get to it, if I, if I have to leave, I'm taking Thing 1 and Thing 2 with me.

CHAIR LEE: Sounds like you opened it.

COUNCILMEMBER KING: No, I didn't yet. But I . . .

CHAIR LEE: Alright. Meeting in recess till 1:00.

(THE MEETING WAS RECESSED BY THE CHAIR AT 12:05 P.M., AND WAS RECONVENED AT 1:03 P.M., WITH ALL MEMBERS PRESENT.)

CHAIR LEE: Will the Council meeting of June 4, please reconvene.

Madam Clerk, let's pick up where we left off.

COUNTY CLERK: Chair, we left off with Committee Report 21-32, a proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE EXCLUSION FOR GRADING AND GRUBBING PERMITS FOR TRENCHING FOR UNDERGROUND UTILITIES," be Passed on First Reading and Ordered to Print, with a main motion on the floor.

CHAIR LEE: Okay.

COUNTY CLERK: Moved by--

CHAIR LEE: Member Sinenci. Member Sinenci, are you going to withdraw that motion, or what are you going to do?

COUNCILMEMBER SINENCI: Thank you, Chair. So, I'll quickly explain. The purpose of the ASF today was to address the word "sensitive" in Subsection D and to insert language that defines sensitive as to a burial site or a historic property, as defined by HRS Chapter 6E. And I think this was something that Corporation Counsel recommended. And so, with that recommendation, it came with a signed copy from Corporation Counsel. However, in order to receive the revision, we would need to substitute the original unsigned bill with the, with the new substituted signed bill.

Member Rawlins-Fernandez did bring up a good point, that a substituted copy would cease any chances of making anymore amendments to the bill. So, if we propose the amendment option today, which we still can, we would not have a signed bill, but it could be signed by second reading. If we, and so, our recommendation today if we propose the same language, we could just go ahead and accept the substituted bill today with the caveat that no further amendments can be made.

So, I guess the options to consider today, Chair, would be either to substitute the unsigned bill attached to the Committee Report, or to amend this unsigned bill attached to the Committee Report to replace the word "sensitive" with burial site or historic property, as defined by HRS Chapter 6E. Either way, it's the same bill but just different processes. And I, I think Mr. Raatz is on, online if you wanted to, if you had any more questions.

CHAIR LEE: Okay. We have a question.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Point of clarification. To answer your question, I believe the main motion would remain on the floor, along with my second, which is to adopt the recommendations in the CR.

To Member Sinenci's question, I guess, that he has posed to the body, for me, I don't have any further amendments. So, I could support a substitution if no, no other Members have amendments. Mahalo, Chair.

CHAIR LEE: Okay. Are there any amendments proposed by anyone? Okay, no amendments. No questions. No comments. So, the motion on the floor is to substitute the attached bill with the new bill, with the changes as mentioned by Mr. Sinenci. Any further discussion on that?

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I guess just a clarification on what the Clerk has recorded. So, we have the main motion on the floor made by Member Sinenci, seconded by myself. I, I'm not sure if the motion to substitute is still on the floor. If our Clerk could clarify that?

COUNTY CLERK: Thank you, Councilmember. Right before lunch, you both withdrew the substitute motion.

CHAIR LEE: So, what's on the floor is a motion to approve the recommendation in Committee Report 21-32?

COUNTY CLERK: That's correct.

CHAIR LEE: That is? Okay. Member Sinenci.

COUNCILMEMBER SINENCI: So, moved.

CHAIR LEE: Wait, wait. No, no, no. They're, no, we're just talking about what motion is on the floor.

COUNCILMEMBER SINENCI: But we withdrew, we withdrew that one.

CHAIR LEE: Um.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair.

CHAIR LEE: Okay. Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. So, Member Sinenci, if you would make the main, a motion to amend the main motion by substituting the bill that you have, or the bill that's in the Committee Report, I'll second your motion.

COUNCILMEMBER SINENCI: Okay.

MOVE TO ADOPT THE RECOMMENDATIONS IN COMMITTEE  
REPORT 21-32 TO ACCEPT THE SUBSTITUTED VERSION TO  
THE ATTACHED BILL.

CHAIR LEE: Mr. Sinenci, I think the motion would be to--

VICE-CHAIR RAWLINS-FERNANDEZ: Substitute.

CHAIR LEE: --to amend the main motion to substitute the, the bill. Cause there is the main motion on the floor to adopt the committee report. Okay. So, now that we had that motion, you want to amend that motion to substitute the bill with the, the new one that, in your ASF, right? Okay.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR LEE: And for which we have a second, Vice-Chair Rawlins-Fernandez, did you say? Okay. So, now does every, is everyone clear? We're working with the substitute bill right now. And this is an amendment to the main motion. Okay, I think we heard enough discussion.

All those in favor of the amendment, say, say "aye", raise your hand.

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

(THE SUBSTITUTED BILL WAS ENTITLED "A BILL FOR AN  
ORDINANCE AMENDING SECTION 20.08.031, MAUI COUNTY  
CODE, REGARDING LIMITED EXCLUSIONS FOR GRADING  
AND GRUBBING PERMITS AND AMENDING THE  
CATEGORICAL EXCLUSION FOR TRENCHING FOR  
UNDERGROUND UTILITIES".)

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

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

Okay, we're done with that. Thank you.

Now, you can continue, Madam Clerk.

COUNTY CLERK: Okay. For the record, that's BILL 58 (2021).

COMMITTEE REPORT

NO. 21-33 - GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY  
COMMITTEE:

Recommending that Resolution 21-94, entitled "RELATING TO THE  
APPOINTMENT OF DEBRA KELLY TO THE MOLOKAI PLANNING COMMISSION,"  
be ADOPTED.

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair.

MOVE TO ADOPT THE RECOMMENDATIONS OF  
COMMITTEE REPORT 21-33.

CHAIR LEE: Second?

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Moved by Member Molina, seconded by Pro Tem Kama, to adopt the, the recommendation in Committee Report 21-33.

Discussion, Mr. Molina.

COUNCILMEMBER MOLINA: Yea, thank you, Madam Chair. Your GREAT Committee met on May 18, 2021 to consider the Mayor's nomination of Debra Kelly to the Molokai Planning Commission for a term expiring on March 31, 2024, to fill a vacancy due to the resignation of Julie-Ann Bicoy.

Ms. Kelly will make a fine asset to the Molokai Planning Commission, given her strong commitment and involvement with organizations on Molokai. So, I ask for the Members full support of her nomination. Thank you.

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

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

NOES: NONE.

CHAIR LEE: Okay. Nine "ayes", zero "noes"; motion carries.

Madam Clerk.

COMMITTEE REPORT  
NO. 21-34 - GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY  
COMMITTEE:

Recommending that Resolution 21-95, entitled "RELATING TO THE APPOINTMENT OF JAMES APANA TO THE REAL PROPERTY TAX REVIEW BOARD," be ADOPTED.

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair.

MOVE TO ADOPT THE RECOMMENDATIONS OF  
COMMITTEE REPORT 21-34.

COUNCILMEMBER JOHNSON:

SECOND.

COUNCILMEMBER KAMA: Second.

CHAIR LEE: Okay. Moved by Member Molina, seconded by Member Johnson to a, approve the Committee Report 21-34 and the recommendation in, therein.

Mr. Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. Your Committee met on May 18, 2021 to consider the Mayor's nomination of James "Kimo" Apana to the Real Property Tax Review Board for a term expiring on March 31, 2024, to fill a vacancy due to the resignation of Thomas Croly.

As all you know, Mr. Apana is a retired County elected official, having served as a former Councilmember and Mayor from 1992 to 2002. His government experience provides him with practical knowledge relating to the County's real property tax system.

And Mr. Apana, unfortunately, was not able to attend the Committee meeting. And my understanding, Mr. Apana is, may be online to answer any questions that Committee, or Councilmembers may have. But I strongly support Mr. Apana's nomination to this particular board. Thank you, Madam Chair.

CHAIR LEE: Thank you, Mr. Molina. Are there any questions, Members?

Member King?

COUNCILMEMBER KING: Yes, thank you, Chair. Is Mr. Apana on the call?

MR. JAMES APANA: As you speak.

COUNCILMEMBER KING: Aloha, Kimo. Good to see you, even though it says Ipo Mossman.

MR. APANA: Actually, I went down to the Council eighth floor, it's closed. The County Clerk set me up, but you guys broke for lunch. So, I said don't wait around and babysit me. I'll see if I can have Mr. Mossman allow me to use his computer.

COUNCILMEMBER KING: Okay. Well, thank you for being here. I appreciate it. And I appreciate your updated application as well. So, thank you for that.

The one question I have for you is something that came up this, this budget session with the property tax rates, is we did find out from the property tax office that they adjusted valuations of hotels based on the economic situation. So I just kind of want to get your thoughts on that, on whether, you know, if that's, if that's acceptable, whether we should be looking at adjusting in good times as well as bad times?

MR. APANA: You know, the property tax, they do their valuations throughout the year. And actually, at times, County of Maui has been behind the, the system, lagging. What this board does, one of the things they do is when people appeal their taxes, it has to be greater than 20 percent of the property value and the building, which is kind of a hard standard to meet. So, not many apply. But those that do, it's on the onus of them to prove that--

COUNCILMEMBER KING: Yea, I'm not, I'm not talking about appeals. I'm talking about our property tax office had shared with us, I think it was Marcy Martins, that they adjusted the valuations this year based on the economic conditions, which my understanding has never been done before because we never adjusted them when the economic conditions were great. But somehow, they got adjusted downwards. So, I just wanted your thoughts on, on that. And what the Board's position, or you as a board member, what your position would be?

MR. APANA: I'm also very small-time real estate agent. So, properties go up and down based on demand; what it's worth. So, could it go down? Possibly. Does it go up? More often than not. So, I'm not sure what your question is. It's very fluid and it should meet, match the situation. Cause what they doing is paying for the privilege to operate within the County of Maui.

COUNCILMEMBER KING: Right. But the, the, the valuations are generally based on comparables on what's happened.

MR. APANA: Yes.

COUNCILMEMBER KING: And, and not on the economic situation on the island. And they've shared with us that they did adjust the valuations down based on economic situation, not necessarily on comparables. And so, that, to me, I think is a little suspect. And so,



I just want to get your thoughts on it as a, you know, as a real estate agent, you probably understand.

MR. APANA: Yea, you wouldn't just give a discount cause it rained 30 days yesterday and we couldn't do good. But if someone sold your business and you have actual numbers to show this really happened, it's not, you know, my best guess kind of situation that leaves the County wide open to possible lawsuits. You want hard tangible assets. So, if it's just somebody said, bad times, cheap. No, that's, that's not a good policy. But I'm not sure something sold, I mean.

COUNCILMEMBER KING: Okay, well, I just--

CHAIR LEE: Member King. Member King.

COUNCILMEMBER KING: It's something, it's something that's bothering me because we were told that this happened. So, I'm just hoping, as a member of the property tax board that you could look into this.

CHAIR LEE: Okay, Member, Member King, and miss, hello, Kimo.

MR. APANA: Yup.

CHAIR LEE: Mr. Mayor.

MR. APANA: Kimo.

CHAIR LEE: This conversation is probably more apt with mar--

MR. APANA: The board level.

CHAIR LEE: Marcy Martins and the Real Property Division because this is something that she told me just the other day, actually. It's not new. And it's, it's, it's not, they do this on a regular basis. And it's comparable sales throughout the State and on the mainland at comparable cities and across the mainland.

COUNCILMEMBER KING: Point of order, Chair. This is my line of questioning. So, you know, if I could finish my, my conversation first.

CHAIR LEE: No, no, no. I, I'm sure, yea, I have no problem with you asking more questions. The, the, but your understanding, I think, might be incorrect, because they--

COUNCILMEMBER KING: I don't think so.

CHAIR LEE: --they didn't, they didn't reduce--

COUNCILMEMBER KING: Because I got a letter from Cost of Government Commission that was also concerned about the issue of adjusting property taxes based on economic conditions and not on real property value. So, that's why--

CHAIR LEE: But they, they didn't do it just this year, is my point.

COUNCILMEMBER KING: Well, this is the first year I've heard about it, because in the past we've actually asked. You know, we started talking about basing property taxes on the value of the business and we were told we can't value businesses. We can only value property taxes. So, I just wanted to make, make that this, this candidate aware that that maybe it's a community concern, cause it's the first time I've heard about it. It's the first time Cost of Government has issued a statement about it. And it's also in the Auditor's report. There's a very big concern in the Auditor's report. So, you know, just, I just want to make sure that you understood that, Kimo, and that that would be something that you could follow up on?

MR. APANA: I think if they did lower it because of comparable, that's their case.

COUNCILMEMBER KING: Yea. Comparables are okay. But not based on our economic conditions, you know. That's, that's the concern. And that's the concern, if you would read the Auditor's report, you would see that as his, one of his big concerns as well.

MR. APANA: Okay.

COUNCILMEMBER KING: Okay. I just wanted you to be aware of that. Thank you. Thanks for being here--

CHAIR LEE: Anymore questions? Any more questions? By the way--

MR. APANA: Can I make a comment?

CHAIR LEE: --I spoke to Marcy Martins like three days ago, cause I had that same concern. Yes?

MR. APANA: Can I make one personal comment?

CHAIR LEE: Yes, Mr. Mayor.

MR. APANA: You know, I met Ipo Mossman not too long ago, and that guy is working really hard. I just want to say that a lot of people would like to apply for boards, but they kind of gun shy because of the process. And I don't know if you guys can work on something but--

CHAIR LEE: Okay.

MR. APANA: --it's kind of daunting for many people.

CHAIR LEE: Okay, right now, we're talking about your qualifications, okay?

MR. APANA: Yeah, I'm scared . . . want to know.

CHAIR LEE: Alright. Any, any more questions for the candidate?

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Oh, mahalo, Chair. Aloha, Mr. Apana. I actually don't have any questions for Mr. Apana. I just, Member King mentioned the updated application. Was that sent by the Clerk's? I was just looking in my inbox for it and I didn't see it. So, I don't know if maybe only those that requested it, got it.

COUNCILMEMBER KING: No, I clicked on the, I clicked on the agenda item. If you look on the agenda, the communication.

VICE-CHAIR RAWLINS-FERNANDEZ: I did too.

COUNCILMEMBER KING: And then I went to the, the actual--

CHAIR LEE: He just showed it. So, he must have sent it.

COUNCILMEMBER KING: It's posted on Granicus, cause I, that's where I got it off of the Legistar. So, it should, it might, it might be there under a different place--

CHAIR LEE: Mr. Molina might have the answer.

COUNCILMEMBER MOLINA: Yea, Madam Chair. It was sent to the Committee, to the GREAT Committee, just for everyone's FYI. So, sorry about that.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Molina. I'll go look in the Committee and not on the agenda, Council agenda.

CHAIR LEE: So, anybody else have questions? If not, thank you, Kimo.

MR. APANA: Thank you.

CHAIR LEE: Mr. Molina, so you made a motion to recommend approval of the appointment?  
Who was the second?

COUNCILMEMBER MOLINA: That's correct, Chair.

CHAIR LEE: Who was the second?

VICE-CHAIR RAWLINS-FERNANDEZ: Pro Tem Kama.

CHAIR LEE: No, no. I, Mr., Mr. Mrs., Mrs. Member Paltin. Okay.

COUNCILMEMBER KING: I think it was Member Johnson that actually made the second.

COUNTY CLERK: Yes. That's correct.

CHAIR LEE: Okay. Okay, cause she went like this, so I said, oh okay. Whoever. Member Johnson was the official seconder.

Okay. Any more discussion on the candidate? All those in favor of the motion to approve, raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: I see nine "ayes" and zero "noes". Okay. Motion carries.

Madam Clerk.

COUNTY CLERK: That would be RESOLUTION 21-95. And then, also, for the record, Committee Report 21-33, appointment of Debra Kelly, is RESOLUTION 21-94.

COMMITTEE REPORT  
NO. 21-35 - GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY  
COMMITTEE:

Recommending the following:

1. That Resolution 21-96, entitled "AMENDING THE RULES OF THE COUNCIL TO ADD A CONSENT CALENDAR," be ADOPTED; and
2. That County Communication 21-214, from Council Vice-Chair Keani N.W. Rawlins-Fernandez, be FILED.

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair.

MOVE TO ADOPT THE RECOMMENDATIONS OF  
COMMITTEE REPORT 21-35.

COUNCILMEMBER JOHNSON:

SECOND.

VICE-CHAIR RAWLINS-FERNANDEZ: Second.

CHAIR LEE: Okay. Moved by Member Molina, seconded by Member Johnson, cause he did his two first, to approve the recommendations in Committee Report 21-36, I'm sorry, 21-35. Any discussion?

COUNCILMEMBER MOLINA: Yes, Madam Chair. Your Committee met on May 18, 2021 to amend the Rules of the Council to establish a Consent Calendar section on Council meeting agendas for items not anticipated for discussion. And your Committee revised the resolution to state that testimony on items listed on the Consent Calendar is permitted; require Committee Chairs to notify Committee staff of all items intended to be included on the Consent Calendar, and the anticipated disposition of each item by 12 noon, eight days prior to the meeting; and clarify that discussion on agenda items among Councilmembers is not permitted outside of a properly noticed meeting.

Your Committee also inquired with the County of Kauai, Kauai County Council, and the Kauai Department of Corporation Counsel on their implementation of a consent calendar. Kauai reported to Sunshine Law implications.

And your Committee also received a response from the Office of Information Practices, OIP, who clarified that as long as an item's subject matter appears on the agenda in reasonable detail, the board may discuss the item at a different point in the meeting from where it appears on the agenda.

Your Committee also discussed that the use of the consent calendar is voluntary and suggested gradual implementation starting with the BFED Committee on the June 18 Council agenda. Your Committee voted 8-0 to recommend the revised proposed resolution be adopted. And I'd like to thank Council Vice-Chair Rawlins-Fernandez for this consideration. Thank you, Madam Chair.

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

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

NOES: NONE.

CHAIR LEE: I see nine "ayes", zero "noes"; motion carries. Very good.

Next. Madam Clerk.

COUNTY CLERK: That would be RESOLUTION 21-96.

#### COMMITTEE REPORT

NO. 21-36 - GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY  
COMMITTEE:

Recommending the following:

1. That Bill 59 (2021), entitled "A BILL FOR AN ORDINANCE RELATING TO THE COMMISSION ON HEALING SOLUTIONS FOR HOMELESSNESS," be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 21-152, from Council Vice-Chair Keani N.W. Rawlins-Fernandez, be FILED.

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair.

MOVE TO ADOPT THE RECOMMENDATIONS OF  
COMMITTEE REPORT 21-36.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR LEE: Moved by Member Molina, seconded by Vice-Chair Rawlins-Fernandez.

Discussion, Mr. Molina?

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair. Your Committee met on May 18, 2021 to consider a proposed bill to amend Chapter 2.31 of the Maui County Code, to require each of the Council's nine appointees to the Commission on Healing Solutions for Homelessness to demonstrate experience relevant to the Commission in one of the Councilmember residency areas; and to delete residency requirements for the Council's appointee except for those in East Maui, Lanai, and Molokai seats; and require that the Commission elect a Chair and Vice-Chair.

Your Committee notes that this bill was in response to the need to consider applicants who may have performed work for the homeless community in a residency area other than where they reside. And it was further noted that Commission applicants should not be excluded from applying if they do not have a residence or mailing address.

Your Committee voted 8-0 to recommend passage of the revised proposed bill and filing of the communication. And once again, I thank Council Vice-Chair and Committee Vice-Chair Rawlins-Fernandez for this consideration. Thank you, Madam Chair.

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

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

NOES: NONE.

CHAIR LEE: Oh, nine "ayes" and zero "noes"; motion carries.

Madam Clerk.

COUNTY CLERK: That would be BILL NO. 59 (2021).

COMMITTEE REPORT  
NO. 21-37 - INFRASTRUCTURE AND TRANSPORTATION COMMITTEE:

Recommending the following:

1. That Resolution 21-97, entitled "APPROVING THE GRANT OF A SEWERLINE EASEMENT LOCATED AT KAPUNAKEA STREET, LĀHAINĀ, TMK (2) 4-5-035:037, RELATED TO THE KAIĀULU O KŪKU'IA AFFORDABLE HOUSING PROJECT," be ADOPTED; and
2. That County Communication 21-155, from the Director of Environmental Management, be FILED.

CHAIR LEE: Okay, this is for Member Sugimura.

COUNCILMEMBER SUGIMURA:

I MOVE TO ADOPT THE RECOMMENDATIONS IN  
COMMITTEE REPORT 21-37.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Moved by Member Sugimura, seconded by Pro Tem Kama, to approve the recommendations in Committee Report 21-37.

Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. Your Infrastructure, Transportation Committee met on May 17, to discuss a proposed resolution to grant a sewerline easement located at Kapunakea Street, Lahaina, related to the Kaiāulu o Kūku'ia Affordable Housing Project. At this meeting, your Committee discussed that the sewerline is necessary to connect approximately 200 units in the Kaiāulu o Kūku'ia



Affordable Housing Project, formerly known as Keawe Street Apartments, to the County's sewer system.

The proposed easement needs to be included in the Project's closing documents for financing with Hawaii Housing Finance & Development Corporation, which is due by the end of July 2021.

The purpose of the proposed resolution is to grant a 15-foot-wide easement through County real property located at Kapunakea Street, Lahaina, Maui, Hawaii, to A0703 West Maui, L.P. to construct a private underground sewerline. I also believe that once the project connects and when they are ready to connect to their own, they'll remove their connection to us.

Your Committee voted 6-0 to recommend adoption of the proposed resolution. I respectfully ask for the Members support of the motion. Thank you.

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

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

COUNCILMEMBER SUGIMURA: Thank you, Members.

CHAIR LEE: Madam Clerk.

COUNTY CLERK: That would be RESOLUTION 21-97, Chair.

Moving along on the agenda to item K. Ordinances - Second and Final Reading.

CHAIR LEE: Okay.

COUNTY CLERK: Hold on just a sec. Here we go.

## ORDINANCES

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 45 (2021)

### REQUIRING MOLOKAI AND EAST MAUI MEMBERSHIP ON THE BOARD OF WATER SUPPLY

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

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Mahalo, Chair. I'll defer to our GREAT Committee Chair for this item.

CHAIR LEE: Oh, okay. GREAT Committee Chair, Member Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair.

ON THAT NOTE, I MOVE TO PASS BILL 45 ON SECOND AND  
FINAL READING.

COUNCILMEMBER SINENCI:

SECOND.

COUNCILMEMBER KING: Second.

VICE-CHAIR RAWLINS-FERNANDEZ: Second.

CHAIR LEE: Moved by Member Molina, seconded by Member Sinenci, to move to pass Bill 45 on second and final reading.

Any discussion?

COUNCILMEMBER MOLINA: Madam Chair--

CHAIR LEE: Any more discussion?

COUNCILMEMBER MOLINA: --I will, I will yield the floor to my colleague from Molokai if she would like to add some thoughts on Bill 45--

CHAIR LEE: Okay.

COUNCILMEMBER MOLINA: --which she initiated.

CHAIR LEE: Vice-Chair. Boy, she initiated half of this agenda, didn't she? Alright. You have any comments?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Mahalo, Member Molina. It's just a coincidence that they all culminated in this one agenda. Okay, so, I, mahalo to all the Members for prioritizing this item. And on behalf of Molokai and East Maui, we appreciate the Members support of reserving a seat on the Board of Water Supply for our communities. Molokai hasn't had someone on the Board of Supply for over ten years.

CHAIR LEE: Fourteen years, oh ten years.

VICE-CHAIR RAWLINS-FERNANDEZ: And I, I wanted to also thank Mayor Victorino for supporting this and for supporting the candidate that he should be transmitting to the Council soon. Mahalo, Chair.

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

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

Madam Clerk.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 46 (2021)

A BILL FOR AN ORDINANCE RELATING TO THE  
OPERATING BUDGET FOR THE COUNTY OF MAUI  
FOR THE FISCAL YEAR JULY 1, 2021 TO JUNE 30, 2022

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. If there are no objections, may I request the Clerk also call up Bill 47, Bill 48, and Bill 54, please?

CHAIR LEE: Any objections, Members?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: If not, Madam Clerk.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 47 (2021)

A BILL FOR AN ORDINANCE RELATING TO THE  
CAPITAL PROGRAM FOR THE FISCAL YEAR ENDING JUNE 30, 2022

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 48 (2021)

A BILL FOR AN ORDINANCE AUTHORIZING THE  
ISSUANCE OF EIGHTY-FIVE MILLION, FIVE HUNDRED EIGHTY  
THOUSAND, NINE HUNDRED DOLLARS (\$85,580,900)  
AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION  
BONDS OF THE COUNTY OF MAUI FOR THE PURPOSE OF  
PROVIDING FUNDS TO PAY ALL OR A PART OF THE COST OF  
APPROPRIATIONS FOR PUBLIC IMPROVEMENTS OF AND FOR  
THE COUNTY OF MAUI; FIXING THE FORM, DENOMINATIONS  
AND CERTAIN OTHER FEATURES OF SUCH BONDS AND  
PROVIDING FOR THEIR SALE; AUTHORIZING THE DIRECTOR OF  
FINANCE TO DETERMINE CERTAIN DETAILS OF THE BONDS;  
AUTHORIZING THE ISSUANCE AND SALE OF A LIKE PRINCIPAL  
AMOUNT OF GENERAL OBLIGATION BOND ANTICIPATION  
NOTES IN ANTICIPATION OF THE ISSUANCE AND SALE OF SUCH  
BONDS; AUTHORIZING THE ISSUANCE OF REFUNDING  
GENERAL OBLIGATION BONDS OF THE COUNTY; AND  
PROVIDING FOR OTHER ACTIONS RELATED TO THE ISSUANCE,  
SALE AND DELIVERY OF SAID BONDS

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 54 (2021)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.34, MAUI COUNTY  
CODE, RELATING TO THE HOME ACQUISITION AND OWNERSHIP  
PROGRAMS REVOLVING FUND

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

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO PASS BILL 46 THROUGH 48 AND BILL 54 ON  
SECOND AND FINAL READING.

CHAIR LEE: Second?

COUNCILMEMBER JOHNSON:

SECOND.

CHAIR LEE: Second? Okay. Moved by Vice-Chair Rawlins-Fernandez, seconded by  
Member Johnson, to move 46, Bill 47, 48, and 54 on second and final reading.

Any discussion, Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Okay. I will hold my, reserve my final  
comments on the FY 22 Budget until the remaining budget bills are called up.

NO. 21-258 - TAMARA PALTIN, COUNCILMEMBER,  
(dated May 27, 2021)

Relating to a proposed amendment to Bill 46 (2021), relating to the Department of  
Finance, Countywide Costs, Insurance Programs and Self Insurance.

VICE-CHAIR RAWLINS-FERNANDEZ: If there are no objections at this time, I would like to  
proceed with the proposed amendments posted on today's agenda, starting with  
CC 21-258. And that is regarding the Hamakualoa Open Space Preserve Master Use  
and Management Plan. Let's see, you should have received an additional ASF at  
11:04. Oh no, that's the wrong one. Perhaps the Clerks can send the Hamakualoa  
ASF to the Members in the meantime.

I MOVE TO AMEND PAGE 6 OF THE BUDGET BILL, AS IT RELATES TO DEPARTMENT OF FINANCE, COUNTYWIDE COSTS, INSURANCE PROGRAMS AND SELF INSURANCE, BY REDUCING OPERATIONS AND EQUIPMENT BY \$400,000; AND

FURTHER, AMEND PAGE 21 OF THE BUDGET BILL, AS IT RELATES TO THE DEPARTMENT OF PARKS AND RECREATION, PARKS PROGRAM, BY INCREASING OPERATIONS AND EQUIPMENT IN THE AMOUNT OF \$400,000 AND INCLUDING THE CONDITION: "UP TO \$400,000 MUST BE FOR HĀMĀKUALOA OPEN SPACE PRESERVE MASTER USE AND MANAGEMENT PLAN;" AND

FURTHER, AMEND PAGE 11 OF THE BUDGET BILL, APPENDIX D, BY INCLUDING THE CONDITION: "UP TO \$400,000 MUST BE USED FOR THE HĀMĀKUALOA OPEN SPACE PRESERVE MASTER USE AND MANAGEMENT PLAN".

CHAIR LEE: Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: That's the motion.

CHAIR LEE: Second?

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Seconded by Member King, or is that a question?

COUNCILMEMBER KING: No, that was a second.

CHAIR LEE: Oh okay.

Discussion, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Chair. Okay, the proposed amendment from Member Paltin would move funds from Self Insurance Program to the Parks Program for the creation of the Master Plan. And as I'm sure you all recall,

this is the item that we all felt was very important to keep in the budget, that was initially a conditional, conditional funding item under Open Space, but was deemed not appropriate to be under Open Space Fund. So, in this last couple of weeks, we were able to find a more appropriate location for this important item. Mahalo, Chair.

CHAIR LEE: Member King.

COUNCILMEMBER KING: Thank you, Chair. So, I just wanted to ask if, so this negates the other ASF that I saw for the SMA Revolving Fund? We're not using that? We're just using this one instead.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Mahalo, Member King, for your question. So, I am taking up this ASF first, just to see if the Members, majority of the Members will accept this amendment. And if majority of the Members accept this amendment, then we would file the other amendment that was posted on the agenda.

COUNCILMEMBER KING: Okay. Alright. Thank you. I support the amendment. Thank you.

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

CHAIR LEE: Mr. Molina.

COUNCILMEMBER MOLINA: Madam Chair, I believe Member Paltin had her hand up first. So, I'll yield to her and then I can go after.

CHAIR LEE: Thank you. What a gentleman.

Member Paltin.

COUNCILMEMBER PALTIN: And including filing of Communication 21-258. As well as my rationale for this was, I stated in the last Council meeting that I didn't, I wouldn't support SMA Funds for this use, because, you know, shoreline and I think the letter from Director McLean did call it a bit of a stretch. But this was a, like a proactive kind of a thing. Even though we're not conditioning the money, we're, we're transferring it. I feel like it's a preventative measure if somebody goes onto the land and they get injured or whatever and they want to sue the County, and we don't have any kind of a management or master use plan. So, that's why I proposed it this way, because I, I do want to support the planning for the preserve and I couldn't, I wasn't able to support it

in the SMA Fund, so I just proposed this and hopefully it goes through, because I don't support the other one.

CHAIR LEE: Okay. Mr. Molina.

COUNCILMEMBER MOLINA: Yea, thank you very much, Madam Chair. And I do want to thank Member Paltin, as well as Budget Chair Rawlins-Fernandez for this consideration. I think this is a very workable solution. It was based on the 2016, 2016 TIG or the investigative group report. There's been illegal drug activity on the property, stripping of vehicles, abandoned vehicles, dumping of trash, you name it. So, having established a public presence and developing uses through a master plan could deter a lot of these illegal activities and lessen the County's liabilities.

And let me just apologize for what happened at the last meeting for all the confusion that occurred because of this matter. You know, with all due respect, you know, we, we were not aware, my staff and I, of the Hamakua Open Space Master Plan was to be removed from the FY 22 Budget. In hindsight, if we had been, been, had heard about it early on, we may have offered an alternative. But you know what, that's water under the bridge. I think this is a great consideration.

And since that meeting, we did send a request to OCS to obtain a second opinion on the use of the Open Space Fund for the master plan. And accordingly, OCS agreed with what Corporation Counsel had opined, that the use of the Open Space Fund for the master planning was not appropriate.

And of course, the TIG that I earlier referred to from 2016 was formed to determine how the Hamakua Open Space will be used and offered developing a master plan as the number one priority. So, the TIG also offered a section identified as potential appropriate uses, and following recommendations included: open recreational uses, traditional customary practices, fishing, and conservation. So, with that being said, I think this proposal encompasses all of that. And I wholeheartedly support this.

And when we go to my proposal, the ASF, I will file it at the appropriate time. Thank you very much, Madam Chair.

CHAIR LEE: Thank you. Anyone else? Comments? All--

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I just wanted to reiterate that the motion does include the filing of CC 21-258.



CHAIR LEE: Oh, we knew that. Anything else?

All those in favor of the motion, raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

Madam Clerk.

Oh, do we have, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. We have about three more amendments.

CHAIR LEE: Oh.

NO. 21-257 - MICHAEL J. MOLINA, COUNCILMEMBER,  
(dated May 26, 2021)

Relating to proposed amendments to the Fiscal Year 2022 Budget, Bill 46 (2021),  
Special Purpose Revenues – Schedule of Revolving/Special Funds, relating to the  
Hamakualoa Open Space Preserve.

VICE-CHAIR RAWLINS-FERNANDEZ: So, the next item is CC 21-257. If Member Molina  
would like to? Okay. Go ahead. For--

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: Okay, thank you, Chair and Vice-Chair.

MOVE TO FILE COUNTY COMMUNICATION 21-257.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR LEE: Moved by Member Molina, seconded by Vice-Chair Rawlins-Fernandez, to file County Communication 257.

COUNCILMEMBER MOLINA: Yea. Well, Madam Chair, for reasons, reasons stated with the previous county communication, no further discussion.

CHAIR LEE: No further discussion. Anyone else? All those in favor, say "aye", raise your hand.

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries.

Vice-Chair Rawlins-Fernandez. Two more.

NO. 21-259 - KEANI N.W. RAWLINS-FERNANDEZ, COUNCIL VICE-CHAIR,  
(dated May 27, 2021)

Relating to a proposed amendment to Bill 46 (2021), relating to the General Budget Provisions, Section 16.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. CC 21-259.

I MOVE TO AMEND PAGE 37 OF THE BUDGET BILL,  
GENERAL BUDGET PROVISIONS, SECTION 16, BY ADDING  
"AS OF JULY 1, 2021. APPENDIX E IS A REFERENCE ONLY.  
GRANT AWARDS DO NOT NEED TO BE DESCRIBED IN  
APPENDIX E TO BE EFFECTUATED."; AND FILING OF  
COUNTY COMMUNICATION 21-259.

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez. Oh, where is all that feedback coming from? Seconded by Member King.

Any discussion on the motion? Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. The proposed amendment would clarify the purpose of Appendix E for both the public and the Administration. Please note that there's a typo on the attached markup copy, as stated in the motion the date should read July 1, 2021.

So, Appendix E, as you all can recall, is a new appendix that we did this year so that we could consolidate all of the grant executive summaries and budgets in one place, for ease of access for the Councilmembers, and for the public, and for additional transparency for our public to see where their taxpayer dollars are going. Mahalo, Chair.

Oh, Chair, you're muted.

CHAIR LEE: I'm muted. All those in favor of the amendment, say "aye", raise your hand.

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

NOES: NONE.

CHAIR LEE: I see Member Kama. Okay, nine "ayes", zero "noes"; motion carries.

Vice-Chair Rawlins-Fernandez. Last one.

NO. 21-260 - KEANI N.W. RAWLINS-FERNANDEZ, COUNCIL VICE-CHAIR,  
(dated May 28, 2021)

Relating to a proposed amendment to Bill 46 (2021), relating to the Affordable Housing Fund.

VICE-CHAIR RAWLINS-FERNANDEZ: Oh, shucks. Okay, two more. Okay, the next item is CC 21-260.

I MOVE TO AMEND PAGE 53 OF THE BUDGET BILL, APPENDIX A, PART II AND PAGE 20 OF APPENDIX D, AS IT RELATES TO THE AFFORDABLE HOUSING FUND, BY ADDING THE FOLLOWING CONDITION: "UP TO \$650,000 MUST BE FOR THE ACQUISITION OF TMK: (2) 4-6-011:011 AND 028, LOCATED AT 266 DICKENSON STREET, LAHAINA, MAUI, HAWAII 96761"; AND FILE COUNTY COMMUNICATION 21-260.

COUNCILMEMBER SINENCI:

SECOND.

COUNCILMEMBER SUGIMURA: Second.

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

COUNCILMEMBER KING: Muted.

CHAIR LEE: I'm trying to save the feedback, but. Okay, moved by Vice-Chair Rawlins-Fernandez, seconded by Member Sinenci, to make that amendment.

Discussion, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. The proposed amendment will allow the Administration to proceed with the acquisition of this property if the Budget, Finance, and Economic Development and the Maui County Council choose to adopt the resolution approving the purchase.

So, the resolution for the acquisition of the property is in the BFED Committee now. It, we removed it during budget session, because we wanted to receive a presentation and have a better understanding for the reasons behind the acquisition of this property. And also, to receive the appraisal so that we can get all of those details. But having this reserved in the Affordable Housing Fund alone wouldn't greenlight the acquisition. The resolution would still be required. Mahalo, Chair.

CHAIR LEE: I just have a thought. The Affordable Housing Fund consists of millions of dollars and you, we're putting \$260,000 in there?

VICE-CHAIR RAWLINS-FERNANDEZ: \$650,000.

CHAIR LEE: Oh 600--

VICE-CHAIR RAWLINS-FERNANDEZ: 650.

CHAIR LEE: 650? Okay. Alright, any more thoughts or discussion? If not, all those in favor of the motion say "aye", raise your hand.

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

NOES: NONE.

CHAIR LEE: Okay. Nine "ayes", zero "noes"; motion carries.

Last, last one.

NO. 21-261 - KEANI N.W. RAWLINS-FERNANDEZ, COUNCIL VICE-CHAIR,  
(dated May 28, 2021)

Relating to proposed amendments to Bill 46 (2021), Bill 47 (2021), and Bill 48 (2021), relating to the Department of Fire and Public Safety, Molokai Community Plan Area.

VICE-CHAIR RAWLINS-FERNANDEZ: Yes. Mahalo, Chair. CC 21-261.

I MOVE TO AMEND PAGES 1, 28, AND 32 OF THE BUDGET BILL, AND PAGE 3 OF APPENDIX C, AS IT RELATES TO THE DEPARTMENT OF FIRE AND PUBLIC SAFETY, GOVERNMENT FACILITIES, BY ADDING 325,000 IN BOND FUNDS FOR THE MOLOKAI COMMUNITY PLAN AREA FOR THE PUKO'O FIRE STATION RELOCATION AND 500,000 IN BOND FUNDS FOR THE PUKO'O FIRE STATION RENOVATION.

FURTHER, TO AMEND THE CAPITAL PROGRAM BILL, APPENDIX B, TO INCORPORATE THE ADDITION OF 325,000 IN BOND FUNDS UNDER THE DEPARTMENT OF FIRE AND PUBLIC SAFETY, GOVERNMENT FACILITIES, FOR THE MOLOKAI COMMUNITY PLAN AREA FOR THE PUKO'O FIRE

STATION RELOCATION AND 500,000 IN BOND FUNDS FOR  
THE PUKO'O FIRE STATION RENOVATION; AND

FURTHER, TO AMEND PAGES 1 AND 3 OF THE BOND BILL  
TO INCORPORATE THE ADDITION OF 325,000 IN BOND  
FUNDS UNDER THE DEPARTMENT OF FIRE AND PUBLIC  
SAFETY, MOLOKAI COMMUNITY PLAN AREA,  
GOVERNMENT FACILITIES FOR THE PUKO'O FIRE STATION  
RELOCATION AND 500,000 FOR THE PUKO'O FIRE STATION  
RENOVATION; AND TO FILE COUNTY COMMUNICATION  
21-161 [S/C].

CHAIR LEE: Okay. Second?

COUNCILMEMBER SINENCI:

SECOND.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member Sinenci.

Any discussion, Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR LEE: It seems like it was self-explanatory, but please feel free to explain further.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Chair. I won't go into great detail. I just wanted to make one confirmation in my notes. So, the Capital Program Bill, Appendix, I said Appendix B, but I think it's Appendix C. Perhaps Budget Director Yoshimura is on the line and can make sure that the motion is correct.

CHAIR LEE: B is for rates, I believe; rates and fees?

BUDGET DIRECTOR: Chair, in the Capital Program Bill, it would be Appendix B, I believe. In the Operating Bill, it would be Appendix E. And I'm going to just. It'll be--

CHAIR LEE: Okay. Go ahead.

BUDGET DIRECTOR: Chair, it's in Appendix B in the Capital Program Bill.

CHAIR LEE: Okay. I, I do have a question, Director Yoshimura. What's the minimum amount we would use a bond for, use bond funding?

BUDGET DIRECTOR: The minimum amount?

CHAIR LEE: Yea. I mean, you know, you, we wouldn't, you know use bond funding for \$100,000, right?

BUDGET DIRECTOR: No, we wouldn't. But we'd look at probably a \$500,000 threshold. But more so, the life of the--

CHAIR LEE: Okay.

BUDGET DIRECTOR: --the project.

CHAIR LEE: No, cause when she mentioned 300-something thou, 325-something, I was just wondering about that.

BUDGET DIRECTOR: Yea. I think in total, it's a \$850,000 appropriation.

CHAIR LEE: Okay. Alright. Thanks. Any more questions, Members?

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I just wanted to state for the record that \$275,000 is for acquisition and \$50,000 is for closing fees, closing costs, in the \$325,000 for the acquisition part of the motion. I wanted to clarify.

And then, also, very quickly, just reiterate what was stated in testimony this morning, that that this item, the relocation of the Puko'o Fire Station was in our FY 20 Budget and the funds for it just lapsed last December. So, it's something that the Council all supported in the past and I hope that the Members will continue to support this important item.

And we have Budget Director Yoshimura on the line, as well as Deputy Chief Ventura, if Members have questions for either of us. Mahalo, Chair.

CHAIR LEE: Yea, we have a question.

Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. My only question is, because I'm not familiar with the area, if it's in the--

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Paltin. No, it's not.

COUNCILMEMBER PALTIN: Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: It's right above it.

COUNCILMEMBER PALTIN: Thank you.

VICE-CHAIR RAWLINS-FERNANDEZ: Good question.

CHAIR LEE: About two feet outside. Just kidding.

Member King.

COUNCILMEMBER KING: Thank you, Chair. So, I just wanted to, I think this is, I don't have it, the document in front of me, but I think it's also in the Molokai Community Plan, to the, to move the Puko'o Fire Station. So, we can check off one of the implementation items in that plan.

CHAIR LEE: Very good. Very good.

Any more questions or comments? If not, all those in favor of the motion, say "aye" and raise your hand.

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

NOES: NONE.

CHAIR LEE: We have nine "ayes", zero "noes"; motion carries.

Was that the last one, or is there another last one?

VICE-CHAIR RAWLINS-FERNANDEZ: There's one more, Chair.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.



NO. 21-262 - YUKI LEI K. SUGIMURA, COUNCILMEMBER,  
(dated May 27, 2021)

Relating to a proposed amendment to Bill 54 (2021), relating to Home Acquisition and Ownership Programs Revolving Fund.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. CC 21-262 from Councilmember Sugimura. And if Member Sugimura would like to make that motion, or I can. Up to you.

COUNCILMEMBER SUGIMURA: Yea, I'll make the motion.

SO, WHAT I'M DOING ON THIS IS TO MOVE TO SUBSTITUTE  
BILL 54 (2021) WITH THE ATTACHED PROPOSED BILL THAT  
WAS PROPOSED ON THE ASF.

I need a second.

CHAIR LEE: Okay. Second?

COUNCILMEMBER PALTIN:

SECOND.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: Moved by Member Sugimura, seconded by Member Paltin.

Discussion, Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Yea, so when we presented this during budget, we had a typo basically. And so, the wrong county communication was referenced, so this corrects that. So, this is a substituted bill signed by Corp. Counsel for form and legality. And that's the reason. Thank you. So, this is--

CHAIR LEE: Any more discussion?

What is that Ms. Sugimura?

COUNCILMEMBER SUGIMURA: This is actually Tasha's IDA bill. So, this is one of the things that she wanted to do. So, the individual development account program--

CHAIR LEE: Okay.

COUNCILMEMBER SUGIMURA: --was Tasha Kama's.

CHAIR LEE: Any comments, Pro Tem Kama?

COUNCILMEMBER KAMA: I just want to say to the Council that I'm so grateful that all the while you all were working so very, very hard, I was crying my heart out. Not because you were working hard, but it's just that time of the moment for me. But I'm so appreciative of the work that you all put into it. And, and I just can't put into words how very heartfelt my family had towards the Council for all the work that you've done on behalf of our family. And always knowing that, that you know, you all covered my back and I'm so grateful for that. So, thank you. And so, thank you for the IDA too. It will help our families get into housing sooner, faster, and prepare them, you know, to become credit worthy. So, thank you.

CHAIR LEE: Thank you. Any, anybody else?

Oh, Member Sugimura.

COUNCILMEMBER SUGIMURA: I need to file county communication. So, just, I didn't finish.

SO, COUNTY COMMUNICATION 21-262 IS FILED AS PART  
OF THE MOTION.

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

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

NOES: NONE.

CHAIR LEE: Okay, nine "ayes", zero "noes"; motion carries.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: That's all for this part.

CHAIR LEE: Madam Clerk.

COUNTY CLERK: We still have--

VICE-CHAIR RAWLINS-FERNANDEZ: And then, we'll vote on the main motion as amended.

CHAIR LEE: Okay. That's right. The main motion as amended. All those in favor, say "aye".

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries. Yes.

Now what? I mean, you know, we, it's all anti-climactic now.

VICE-CHAIR RAWLINS-FERNANDEZ: No. No. We still, wait, sorry, we have Bill 50, 51, 52, 53 and 55. And then we'll have our climax.

CHAIR LEE: Okay. Madam Clerk, could you, could you call these items up?

COUNTY CLERK: Certainly. For second and final reading Bill 50 (2021).

CHAIR LEE: Wait, did you say 49, 50? Did you say 49, 50, and 51?

COUNTY CLERK: No.

CHAIR LEE: And so forth. So, did we do 49?

VICE-CHAIR RAWLINS-FERNANDEZ: Oh.

CHAIR LEE: Yea, we didn't do 49.

COUNTY CLERK: Oh, 49. Sorry about that.

CHAIR LEE: Back to 49, yea.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 49 (2021)

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

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 50 (2021)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR A LOAN FROM THE STATE OF HAWAII'S WATER POLLUTION CONTROL REVOLVING FUND FOR VARIOUS WASTEWATER PROJECTS, FISCAL YEAR 2022 BUDGET ORDINANCE

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 51 (2021)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR A LOAN FROM THE STATE OF HAWAII'S DRINKING WATER TREATMENT REVOLVING LOAN FUND FOR WEST MAUI SOURCE DEVELOPMENT, FISCAL YEAR 2022 BUDGET ORDINANCE

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 52 (2021)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.81, MAUI COUNTY CODE, RELATING TO ECONOMIC DEVELOPMENT AND CULTURAL PROGRAMS REVOLVING FUND

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 53 (2021)

A BILL FOR AN ORDINANCE RELATING TO THE  
REAL PROPERTY TAX LONG-TERM RENTAL CLASSIFICATION

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 55 (2021)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.08, MAUI COUNTY  
CODE, TO ESTABLISH A DEPUTY DIRECTOR OF COUNCIL SERVICES  
AND REVISING PAY RANGES FOR COUNCIL SERVICES STAFF

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO PASS BILL 49 THROUGH BILL 53, AND BILL 55  
ON SECOND AND FINAL READING.

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Who wants to second? Seconded by Member King.

Discussion, Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Members, this budget demonstrates how we hope to move forward as a County while continuing to address the ongoing impacts of the Coronavirus pandemic. We worked diligently together and with the Administration to produce a budget that will continue to support the County, while prioritizing the needs of our most vulnerable residents.

We worked collaboratively to minimize discretionary expenditures, managing tourism, reducing travel-related expense, expenses, and deferring non-essential equipment expenditures, as well as evaluating and reducing position expenditures. We also focused on addressing pressing community needs by prioritizing appropriations in

affordable housing, social services, environmental protection, increased government accessibility, small business support, and agriculture.

I thank you, and the Members, the Mayor and his Administration, and staff for all your dedicated work. I, I, so that's my more technical comments for the bill.

And then, I'll save my more fun comments for after the Members complete their comments. And this would be the appropriate time to get your Thing 1 and Thing 2 ready. And this, this would be the time to speak to the budget, if you would like to share comments. Oh, perfect. Member Sinenci has got his Thing 1 and Thing 2. Mahalo, Chair.

CHAIR LEE: Member Sinenci.

COUNCILMEMBER SINENCI: Mahalo, Chair. I wanted to echo the wise words of Mr. Tom Blackburn-Rodriguez this morning about how this budget underlines our collective values for sustainability and survival on the heels of a global pandemic. Focused on continued preservation efforts of our cultural sites, our iwi kupuna, just the importance of our storied past and how it's critical to saving the identity of our host culture. We rededicated ourselves to environmental stewardship, and we realize that we live in one of the world's most diverse ecologies, constantly being threatened by invasive species upon our . . . . We also helped preserve our natural resources and our coastlines by investing into our open spaces and placing them in conservation for many generations to come.

We recognize the social challenges that our County faces, the unsheltered and with our houseless populations. This Council also realized the critical . . . the lack of affordable housing, that we need to subsidize this process by providing funding for infrastructure, and for our non-profits, and for our construction industry to build homes for our kama'aina. So, sincere mahalo to all of our staff for their kokua, our BFED Chair, and the office for assisting us with the process, making it easy, sometimes. And also, to our community members, for their participation in sharing the pulse of their individual communities. And so, I just wanted to mahalo nui loa . . . . Mahalo.

CHAIR LEE: Thank you. Very well said. Anybody else want to give it a try?

Member Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. Why not? Got a few things to say. First of all, a lot of mahalo and thank you for Budget Chair Rawlins-Fernandez just doing yeoman's work trying to keep eight other individuals and eight other egos in check during the budget session. And of course, her hardworking staff trying to be,

accommodate many, many requests. And as we all know, sometimes it can get a little contentious during the session for the, after those long nights we all get testy. But in the end, we all come together, and we reach a common goal, and that is to put out a budget, a respectable one. Although, a little bit higher than the Mayor's version, but it does reflect this Council's commitment towards addressing the number one crisis, which is affordable housing.

The Affordable Housing Fund received an, an unprecedented appropriation, the largest appropriation I believe to date. So, that in itself states our commitment to, to address this problem. All with a lot of the other social concerns.

And we had to make some tough decisions, especially in the area of real property tax, where we had to make some adjustments to certain categories, especially those that are in the visitor industry, visitor accommodations and so forth. But while it's certainly been a blessing, it's brought in a lot of revenue to the County. It's also brought some unintended consequences, especially to our residents' quality of life that, the impacts to our beach parks, roads, and so forth. So, we need to generate revenue to pay for these impacts from the visitor industry.

And it's also made us think that we need to re, redirect our focus on our own economy, as far as maybe lessening our dependency on the visitor industry. And maybe looking at more into expanding the health professions or agriculture and so forth. So, so I think this budget is a whole reflection of that. And I think this Council will continue moving in, in that pace. And again, the ideas that are shared with us from the public, and from you, and my fellow colleagues, it's just a wonderful process to go through. So, I thank everyone and all, and the Administration for working with us together to put out a very sound budget. Thank you, Madam Chair.

CHAIR LEE: Thank you, Mr. Molina. Others? Anyone else who would like to say a few words?

Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. I can ditto everything what was said, you guys, I mean, this was my first budget, and I learned a lot. And I just, I just remember the, the words of Martin Luther King. I'm not sure if he started the quote, but he said that the, a government's budget is the moral document. And I love the idea that we went, and we looked at the bottom-up approach. We, we helped the people who were in most need. We helped fund Aloha House so people could get help, people get off drug addiction. We helped with the LEAD's depart, the LEAD's Program to help homeless people get, not get stuck in the prison industrial complex.

You know, we took the focus off of tourism, and looked at our residents. And not only our residents, our most vulnerable. We took money, and we put it towards affordable housing, which we, you know, I'll say it again, if your hair is on fire, you're going to act like it. And that's what I thought that this budget really kind of was aggressive. And I, you know, as a first time, I learned a lot and I look forward to learning more. So, thank you all. Aloha.

CHAIR LEE: Thank you, Member Johnson. You know, your first budget is like your first date. It's going to get better.

COUNCILMEMBER JOHNSON: There's a lot, a lot of room to move in that one. I don't know.

CHAIR LEE: Member King. And then, Member Sugimura.

COUNCILMEMBER KING: I thought you were going to say it doesn't get any better, cause I thought first dates were supposed to be . . .

COUNCILMEMBER MOLINA: It only gets better.

COUNCILMEMBER KING: But no, I just wanted, I, I echo what everyone else said. And I just wanted to mahalo everyone who worked on the budget, certainly the Council, and the BFED Committee, the Chair, the staff, the, the departments. I hope going forward that we can have even more collaboration next time. Because I feel like there's still a little bit of a disconnect between getting information from the departments, you know, at, in the earlier days that we need to. And I think we can make it even smoother if we get the information on the upcoming budget when we're doing the departmental reviews.

But that being said, I do think we had a bold budget this year, especially given what we had just gone through. So, I, I'm impressed that we're able to move forward on both housing and environmental issues. I think those are the two biggest issues in the County. And, and tourism is a part of that, because that really does have environmental impacts. So, I feel like this budget was, like Mr., Mr. Blackburn-Rodriguez said, it's a policy statement.

And one thing I would like to mention, too, is that because of all the hands that went into this, I would like to see a more diverse set of pictures on the cover of the budget this year. It seems to always be the, the Mayor and the, the Administration, but where's the Council? This is our budget, too. So, hopefully, we can have a better representation, because it is really is, in the end, the Council's budget.



So, thank you to all of my colleagues for all the support of the very, very important issues, affordable housing, climate change, the environment, and being able to look to the future because that's what, that's what our budget should be. It should be looking towards the future and it should include solutions like the ones we put in. So, mahalo, everyone. I'm going to run to my fridge right now and go get my Thing 1 and Thing 2.

CHAIR LEE: Okay. Thank you. Thank you, Member King. I want to, she's running off, but I want to remind her that I was on the cover of the budget. So, I'm supposed to represent all of you. But then, on the other hand, if you want all, if you want all of us to be on the cover, we, all we have to do is replace the cover. See, if it's our budget, when it comes, we just replace the front cover. See, it's not that hard. Okay. Anybody else have comments or questions?

Yes, Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. I, yea, I see where this budget is a reflection of our current economic conditions, our concerns that we have for our residents. And I will have to echo some of the testifiers that said that I am concerned that by raising property taxes, we increased the budget from what the Mayor had proposed. And that yeah, affordable housing is important. I believe that we also raised affordable housing without a plan. I think we're waiting for the, the Comprehensive Housing Plan to come to us, but without that, we still raised property taxes. I have a concern about that to, to go into the Affordable Housing Fund.

I also recognize that the visitor industry, which I know that there's pros and cons to it, as this body may think, but it's still our main economic driver. And that it's hard, because we went from zero visitors during the pandemic to them coming back, and it probably looks like it overwhelmed. But that we're taking actions to stop the visitor industry, or to defer it, and yet, they are our main economic driver. So I am sitting in a point of real, reality of knowing that we need to have jobs for our working families, and that a lot of them come from the visitor industry, which as we heard, the hotel industry took care of their employees even if the pandemic, during the pandemic, they didn't have any income coming in. So, I wanted to just say I recognize that.

I do want to say also that within my departments, the Central Maui Wastewater System, we added \$3.5 million, and it was matched by the State. And that came from a existing fund. So we didn't add more expenses with that, so thank you, Councilmembers, for doing that. And I look forward to us completing the Central Maui Wastewater System, as well as the Waiale Road as part of future projects that'll come from this budget also, and MPO.

But thank you, everybody. Keani, you tried to make it as fun as possible with exercise sessions, the goodie bag to start. I kind of shared mine with other people, so I'm sorry I don't have all of the, the things. I did eat what we could eat, so thanks for the, you know, joy and fun with that. But I just want to say all of those things regarding the budget and our existing economic conditions. Thank you.

CHAIR LEE: Anyone else? Anyone else?

Member Paltin.

COUNCILMEMBER PALTIN: I'm just glad it's over.

CHAIR LEE: Anybody else? I just want to say very quickly thank you so much to the Vice-Chair and your entire staff, cause they worked like slaves. And so did we, by the way. Just want to remind you, it was exhausting. It really was exhausting, but there were times when it was exhilarating and it, it, there are times, I love the times when we're all kind of thinking on the same page. I love those times.

And then, but now that we've gone through this very significant phase, I'm, I'm looking at our next big challenge, is really to help diversify the economy. We have to do that. I mean, it's like every time we talk about affordable housing, all the testifiers come up and say, we need affordable housing. We have an affordable housing problem. Yea, we know that. So, somehow, some way, we have to draw the solutions out of people, and ourselves. We have to figure out how to solve the problems, not keep repeating what the problems are. But really now, just focusing on resolutions, and solutions. So, I look forward to the next phase with all of you. Anybody else have any final comments?

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. So, I guess that would make me the, the slave driver, huh?

CHAIR LEE: Did we vote? Did we, did we vote?

VICE-CHAIR RAWLINS-FERNANDEZ: No, not yet. I'm going to, I'm going to give my final comments.

CHAIR LEE: Oh, okay.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Everyone went, yea? Okay. Okay.

So, we made it through budget session for Fiscal Year 22 and you all know what that means? I'm your BFED Chair with some thoughts to share. So, drop a beat, stay in your seat, and follow along with this song.

Second reading is the rhyme and reason to coast the seasons with big smiles. Another budget in the books, we made good time, work together, balanced every nickel and dime. Councilmembers, at no time did you slack. Why don't you reach on over and pat yourself on the back?

Tam-Tam my Vice-Chair, swoops in with big smarts. She made great cuts, got the stats, let's all throw her some hand hearts.

Gabe's first time jumping right in, ready and raring to go. He rose to the challenge in support and kept us on our toes.

Alice, always inclusive, sharing worldly greetings. A steadfast Chair who gets us there, ensuring fairness in all our meetings.

Shane, sure and steady as he goes, even tempered through it all, the highs, the lows, armed with ike kupuna. When he shares, we all grow.

Member King, the sunflower queen, made sure that the public can call with new district spaces spread to new places, everyone can be more involved.

With Mike's expertise, he always contributes greatly. He is supportive of his colleagues for down for every cause. So, let's take this opportunity and give him a round of applause.

Tasha, you were missed. We are all so happy to have you back. You were with us all in spirit and that is a fact. Mahalo for your work with the COC. It's a valuable contribution to the community.

Yuki was so kind to help Tasha's wheel and drive, guiding funding on her behalf. Making certain that it jives.

Our staff played bingo for fun each day, marking words that we used. What they were, I should not say. Perhaps they can give you . . . . I think I speak for all of us when I say thank you EA's for the long hours every day. You stand by our sides, come what may. We appreciate your efforts and hope you're okay.

Lesley was my rock, invaluable to, to all. What we'd do without her, the order to fill would be too tall.

Yvette, our budget-vet, what you need, she knows. If the deadline is a'coming, she makes certain that it flows.

Remi, David, and Remi, interpreting legalese is what they do. If there were questions that we had, we could be certain that they knew.

Kasie, Ana, Shelly, juggled all the balls we threw. Each and every one of them soldiers through and through. They all held it down with new software Opengov. Let's all give them some finger snaps and show them all love.

Mahalo, Michele, for all your patience. Stuck with us through thick and thin. And now I hope you get a vacation.

Akaku is always on-point. Ready on the 5, 4, 3, 2, so put up your hands and shake them in place to thank them for all they do.

And let's not forget about Sarah, whose DJ skills were stellar. DJ Pajimola played the beats, got us out of our seats. If you had a request, just tell her.

Mahina and Zhan know the lay of the land. Always here to support me. I can't thank them enough. My left and right hands and working with you both so lovely.

Now it's time for Thing 1 and Thing 2. Pull them out. Open them up. And I'll tell you what to do. Yea, open em up. Open em up. You can just rip em.

COUNCILMEMBER KING: Chair, I, I do have to leave now. So, are we getting close to taking the vote? . . . I got to go.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. We'll toast to our success. And grab your next thing. Remove the tape. And--

CHAIR LEE: Ready?

VICE-CHAIR RAWLINS-FERNANDEZ: Ready? Ready. Got your canon? Go.

CHAIR LEE: Oh, my god. Where's the vacuum?

VICE-CHAIR RAWLINS-FERNANDEZ: Now grab your vacuums and clean up all the mess.

CHAIR LEE: Okay. Wonderful. We have the new Poet Laureate. Thank you very much everybody. Thank you, Vice-Chair.

So Member King can go, all those in favor of the motion, signify by saying "aye", raise your right hand.

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

NOES: NONE.

CHAIR LEE: Nine "ayes", zero "noes"; motion carries. Yay. See you next year. Thank you. Thank you so much.

COUNCILMEMBER SINENCI: Cheers, everybody.

CHAIR LEE: It's a good thing I'm not driving.

COUNTY CLERK: Hi, Chair. Are we adjourning? There's no further business before the Council.

CHAIR LEE: Okay. We don't have any more amendments. Everything's all done. All the votes are finished, right?

COUNTY CLERK: Yes.

CHAIR LEE: Okay. Everybody have a great weekend. This meeting is adjourned. Hallelujah.

### ADJOURNMENT

The regular meeting of June 4, 2021 was adjourned by the Chair at 2:22 p.m.



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

## County Clerk

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**From:** Dartagnon Bicoy <trad123@yahoo.com>  
**Sent:** Friday, June 4, 2021 8:26 AM  
**To:** County Clerk  
**Cc:** Zhantell K. Lindo  
**Subject:** testimoney for 6/4 council meeting

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2021 JUN -4 AM 8:30

OFFICE OF THE  
COUNTY CLERK

Aloha my name is Dartagnon Bicoy. I am a resident of Manae Molokai for over 60 years. I am also a retired MFD captain. Our Ohana supports measures to make a permanent home for E12 on the Easts End of Molokai. It is imperative to have medically trained personnal within a reasonable response time to our residents and to provide fire safety not to mention the fire insurance issues of not having a Fire Station. The proposed location is ideal, close to our school, several residential communities and our commercial center where both residents and visitors frequent.

Big mahalos to all of our county legislators and residents who are helping our community move forward with this matter.

Respectfully submitted,  
Dartagnon Bicoy and Ohana

June 3, 2021

Testimony from Ha'iku Community Association

Re: CC 21-257 and CC 21-258 Amendment to FY 2022 Budget (Bill 46) for Hamakualoa Open Space preserve Master Planning Funds

Aloha Council Chair Lee and Council Members

The board of the Ha'iku Community Association strongly supports the amendment of the FY 2022 Maui County Budget to provide funding for the master management and operational plan for the Hamakualoa Open Space Lands.

We are happy to assist the Malama Hamakua Maui and the County consultants who will be doing the plan in conducting public outreach to identify the best practices for the management of the land that are supported by the community.

We understand that the Council is considering two possible funding source options to underwrite the anticipated costs of the master management and operational plan. Not having expertise in the requirements of the County's special use funds, we support the Council determining the fund that will provide the best fit for the proposed master management plan project.

Mahalo nui to every council member for your long and diligent work on the FY 2021-22 County budget. Our community appreciates your consideration of our high priority projects.

Looking forward to working together

Ha'iku Community Association

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## County Clerk

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**From:** Kaipo Poepoe <kaipopoepoe@hotmail.com>  
**Sent:** Friday, June 4, 2021 8:43 AM  
**To:** County Clerk  
**Subject:** Testimony for 6/4 Council Meeting re:CC21-261/267

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2021 JUN -4 AM 8:47

OFFICE OF THE  
COUNTY CLERK

Good Morning Councilmembers,

My name is Kaipo Poepoe and I'd like to submit this written testimony with regards to agenda items CC21-261 and CC21-267. I am born and raised on Molokai and have been a resident of Ualapu'e, East Molokai for nearly 20 years, and my wife, 7 children, and two grandchildren(with another due shortly) reside here as well. I've also been a member of the Maui Fire Department for the past 22 years, and have been assigned periodically to cover shortages at Puko'o Station from 1999-2009, and full time as a Fire Apparatus Operator from 2009 to the present. So although I'm not the longest tenured firefighter currently assigned to the station, I've been there long enough to have seen the pitfalls of having a station in a flood and tsunami zone, as well as the deterioration of an occupancy built in the 1930s using now-antiquated building methods.

I'd like to express my support for the amendment to the budget, and although the parcel in question does have its pros and cons, the alternatives do not bode well for the safety and security of myself and my neighbors. We are at a point where we need to take action as soon as possible to ensure that we can continue to deliver services to the East Molokai community, and although I'll likely be retired by the time a station is completed, I'd like to see it become a centerpiece of our community and serve us well into the future. Mahalo for your time and for receiving my testimony.



## County Clerk

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**From:** James Stone <hakaano@hotmail.com>  
**Sent:** Thursday, June 3, 2021 3:51 PM  
**To:** County Clerk  
**Cc:** Zhantell K. Lindo; Leila Stone; reyfordstone@hotmail.com  
**Subject:** Pukoo fire station relocation

Aloha, my name is James Stone, MFD captain, retired. I am a resident of Waialua in east Molokai and am testifying on agenda items cc21-261 and cc21-267. On or about the year 1998, forgive my memory, I was promoted to FF-3 in Maui FD to occupy the newly opened fire substation at the Irwin health center's residence building at Pukoo, Molokai built in 1938 by the Irwin Foundation, thanks to Paul&Helen Fagan, owners of Puu o Hoku ranch at the time. The county was granted a month to month lease from the state of Hawaii at the time which is still the agreement. Fast foreword to the present and we are faced with rising sea levels and new flooding inundation zones including the land on which the station occupies. I've noted that our firemen located at Pukoo station have coated the roof there with a water resistant coating so as to prevent leakage from the elements and damage to their county equipment, base radios, computers ect. I don't recall the roof there as ever been repaired except for their stop gap efforts. The station there was missioned twofold; to respond as medical first responders and to protect life and property of area residents in case of fire, personal&water rescue and anything else that we were called out for. For emergency response from Kaunakakai to reach east Molokai at speed takes a minimum 25 minutes. Without a station in our area,, our homeowners or business insurance coverage will increase dramatically. I believe the newly discovered property by the Ualapue water tank road would be a great step forward in relocating our east Molokai station to a safer location with good access and easily accessed water supply. Repurposing a suitable building is, of course, usually cheaper than starting anew. I am in favor of our council person K.Rawlin's efforts to facilitate the relocation of Pukoo fire station to the Ualapue location. Thank you, J. Stone

Sent from my iPad

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