

MINUTES

of the

COUNCIL OF THE COUNTY OF MAUI

September 3, 2021

THE REGULAR MEETING OF THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, WAS HELD ONLINE ONLY VIA BLUEJEANS, ON FRIDAY, SEPTEMBER 3, 2021, BEGINNING AT 9:02 A.M., WITH CHAIR ALICE L. LEE PRESIDING.

COUNCIL CHAIR ALICE L. LEE: Will the Maui County Council regular Council meeting of September 3, please come to order. It is approximately 9:04 a.m.

Madam Clerk, may we have roll call?

COUNTY CLERK KATHY L. KAOHU: Chair, proceeding with roll call. In accordance with the Governor's most recent emergency proclamation related to the COVID-19 response, Members should state who, if anyone is present with them, as part of roll call.

ROLL CALL

COUNTY CLERK: Councilmember Shane Sinenci.

COUNCILMEMBER SINENCI: . . . Aloha la Pō'alima kakou my Maui hikina. We are celebrating Hawaiian History Month in our virtual palace with my EA Dawn Lono.

CHAIR LEE: Beautiful. Bonjour.

Madam Clerk.

COUNCILMEMBER SINENCI: Bonjour.

COUNTY CLERK: Councilmember Mike Molina.

COUNCILMEMBER MOLINA: Aloha and good morning, Madam Chair. Bonjour and . . . in honor of our colleague over in France. Hope everyone will have a very wonderful blessed day on this Aloha Friday. Thank you.

CHAIR LEE: Thank you. Next.

COUNTY CLERK: Council, Councilmember Kelly Takaya King.

COUNCILMEMBER KING: Aloha kakahiaka . . . and everybody is doing well this morning, looking forward to a nice long weekend of being social distanced and masked.

CHAIR LEE: Thank you.

COUNTY CLERK: Councilmember Gabe Johnson.

COUNCILMEMBER JOHNSON: Morning, Chair. Good morning, Members. Bonjour . . . and I'm happy to be here and learning new words every day.

CHAIR LEE: I love to . . . Member Johnson.

COUNTY CLERK: Councilmember Tamara Paltin.

CHAIR LEE: Okay, everybody look real carefully.

Member Paltin are you on the call? Okay, maybe she'll be joining us later, so excused for now.

COUNTY CLERK: Councilmember Yuki Lei Sugimura.

COUNCILMEMBER SUGIMURA: Good morning, everybody. I am in Kula and I have my husband here at home with me, not in this room, to listen to this meeting, but I wanted to just say in English what we're trying to say in French, to Tamara Paltin is that I hope you're missing us as you're in France. Good morning, everybody.

CHAIR LEE: Good morning.

COUNTY CLERK: Council Pro Temp Tasha Kama.

CHAIR LEE: Excused.

COUNTY CLERK: Council Vice-Chair Keani Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Aloha kakahiaka, Chair, my Moloka'i nui ahina. I am at the Moloka'i District Office and I'm alone here. Bonjour kakou . . . I miss you all, I miss seeing you all in . . . Mahalo, Chair.

CHAIR LEE: Thank you. And I am Alice Lee, your Chair, and I am present, obviously. Alone in my room and wishing everyone a wonderful Friday, Aloha Friday.

PRESENT: COUNCILMEMBERS GABRIEL JOHNSON, KELLY T. KING, MICHAEL J. MOLINA, 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 TAMARA A.M. PALTIN.

(Councilmembers Kama and Paltin were not present when the roll was called; however, Councilmember Paltin arrived at 9:54 a.m.)

CHAIR LEE: Madam Clerk.

COUNTY CLERK: Chair, there are seven Members present, two Members excused, and a quorum is present to conduct the business of the Council.

For the record, I am County Clerk Kathy Kaohu. 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 Corporation Counsel Moana Lutey and First Deputy Corporation Counsel Richelle Thomson.

CHAIR LEE: Members, Councilmember Yuki Lei Sugimura will provide opening remarks.

OPENING REMARKS

The opening remarks were offered by Councilmember Yuki Lei Sugimura.

CHAIR LEE: Thank you, Member Sugimura, for bringing us up to date and for honoring those special people.

I want to say that, if our meeting ends early enough, I'm planning to attend the sign-waving event in front of the Cannery Mall in Lahaina today. I'm not encouraging big crowds of any kind, so the lone person sign-waving will be me. I'm not going to be standing next to anybody. And are you going, Member King?

COUNCILMEMBER KING: Yes, Chair. I just wanted to mention there will be a similar rally in South Maui over at the corner of Lipoa and the highway by the, by the elementary, by Kihei Elementary School. So, I will be out there too. And I will be distanced like yourself and wearing a mask. But I think it's important, I thank Member Sugimura for bringing up that. It's going to be a statewide event. So--

CHAIR LEE: Yes.

COUNCILMEMBER KING: --we have these two locations on Maui.

CHAIR LEE: Very good. Members, now, I ask you to join me in the Pledge of Allegiance. Please stand.

PLEDGE OF ALLEGIANCE

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

CHAIR LEE: Alright. Madam Clerk.

COUNTY CLERK: Chair, proceeding with presentation of testimony on our ceremonial resolution.

CHAIR LEE: Madam Clerk, could you hold up one second? One second. Before we proceed with today's agenda, may I please request that everyone keep their microphones muted unless it is your time to speak. Decorum must be maintained at all times.

Madam Clerk.

COUNTY CLERK: Chair, we currently have no one testify, I mean, signed up to testify for the ceremonial resolution.

CHAIR LEE: Proceed.

COUNTY CLERK: Chair, proceeding with the ceremonial resolution.

CEREMONIAL RESOLUTIONS

RESOLUTION
NO. 21-135

RECOGNIZING SEPTEMBER 2021 AS
CHILDHOOD CANCER AWARENESS MONTH

MR. STEVEN FIRESTEIN: I'm here. Hello, there. Aloha.

CHAIR LEE: Hi. Mr. Firestein?

MR. FIRESTEIN: Firestein, yes. Aloha.

CHAIR LEE: We're, we're not quite ready for you. But hang in there. We'll be there--

MR. FIRESTEIN: Okay.

CHAIR LEE: --with you in a minute.

Vice-Chair Rawlins-Fernandez

VICE-CHAIR RAWLINS-FERNANDEZ: Yes, Chair?

CHAIR LEE: The resolution. We need a motion.

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

I MOVE TO ADOPT THE RESOLUTION.

COUNCILMEMBER SINENCI:

SECOND.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member Sinenci, to adopt the resolution "RECOGNIZING SEPTEMBER 2021 AS CHILDHOOD CANCER AWARENESS MONTH".

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. May I request the Clerk read the resolution in its entirety?

CHAIR LEE: Madam Clerk.

COUNTY CLERK: Thank you, Chair.

(The resolution was read in its entirety.)

CHAIR LEE: Any discussion? If not, Members, all I would like to say is I'd like to thank Mr. Firestein and, and his wife who's not able to be here today, for their efforts with this incredible cause. And, and all the volunteers, and people, and advocates of those who work with childhood cancer.

Mr. Sinenci, discussion.

COUNCILMEMBER SINENCI: Mahalo, Chair. And mahalo to Ms., Mr. Firestein, too. I too wanted to extend my regards and aloha to those families affected by childhood cancer. I also wanted to honor the memory of a past student of mine, Ikaika Ko'omoa Williams, who had succumbed to a rare form of Hodgkin's Lymphoma. Ikaika would come to school with the best attitude despite his physical condition. Ikaika showed such resiliency and courage amongst his non-disabled peers. So, ke aloha nunui to his ohana. Mahalo.

CHAIR LEE: Thank you.

Anyone else? All those in favor of the motion to adopt the resolution, please say "aye" and raise your hand.

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

NOES: NONE.

EXCUSED: COUNCILMEMBERS KAMA AND PALTIN.

CHAIR LEE: All "ayes", no "noes", two "excused"; motion carries.

And then, we have here, with us, Mr. Firestein. Would you like to say a few words, Mr. Firestein?

MR. FIRESTEIN: Yes, I would. And I just want to, I mahalo, mahalo nui loa to all of you. I, I'm very grateful for the many years of support from the Maui County Council. I had the pleasure of visiting a few years ago, before COVID, with past Chair Michael White, and visited with the staff. And just, my wife Amy and I had a wonderful visit. And it was our way of, again, just saying mahalo for the support that we received from the County Council, and from the Mayor's Office. I, I think that's the most important thing.

I see some friends on the, in Zoom here, folks that have been with us over the years. And I would also like to just acknowledge the families, the plight of the families and those touched by cancer. I remember one family, the Dukes family, little Trucker Dukes of Maui. His father is a firefighter, Joshua Dukes. And we're thinking of them during this time. So, just mahalo nui loa, and I love Maui. We really do. And my, my wife was with me earlier to set me up, and I'm, I'm just grateful to everybody. It takes a village. It takes ohana. And again, much aloha. And mahalo nui loa to, to my friends out there. Thank you. Thank you.

CHAIR LEE: And thank you, Mr. Firestein. Any more comments, anybody? Okay. Thank you very much. And appreciate you bringing this resolution forward for us to, to adopt.

MR. FIRESTEIN: Thank, thank you, again.

CHAIR LEE: Madam Clerk. Thank you. Madam Clerk.

COUNTY CLERK: Chair, that is ceremonial resolution is NO. 21-135.

CHAIR LEE: Okay. So, that's our only resolution. Any objections to closing testimony on resolutions?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: Okay. So, ordered.

Madam Clerk, please continue.

SET THE CONSENT CALENDAR

COUNTY CLERK: Moving forward on the agenda with Item F., setting the Consent Calendar.

CHAIR LEE: Members, at this time, we will set the Consent Calendar. As a reminder, the calendar can still be adjusted even after it is set. Are there any requested changes to the Consent Calendar at this time?

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I don't have any requests to amend or add or remove anything from the Consent Calendar at this time. But I did want to just quickly explain, since in the BFED Committee, I did say that we may be able to take up CC 21-430 into the Consent Calendar. But I misspoke, because we do need to do Rule waivers, discharge, and Committee referral in order to take up the item. So, it would not be possible to put it into the Consent Calendar. Mahalo, Chair.

CHAIR LEE: Thank you for that clarification. Anyone else? Okay.

Are there any objections to setting the Consent Calendar at this time?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: So, ordered. If there are no objections, the Consent Calendar is set.

Madam Clerk, please proceed with testimony.

COUNTY CLERK: 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 off and should turn them on only 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. Once the testimony period is closed, only 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 Community Television or on

mauicounty.legistar.com. Individuals may also be disconnected from the meeting at any time for breaking decorum.

Chair, our first person signed up to testify is Carol Deshay Truman, using the last four digits of telephone number 7496.

CHAIR LEE: Thank you.

Ms. Truman?

PRESENTATION OF WRITTEN TESTIMONY

MS. CAROL DESHAY TRUMAN (testifying on Committee Report No. 21-69):

Good morning.

CHAIR LEE: Good morning.

MS. TRUMAN: Good morning. Bonjour mes amis, e aloha kakou on this Aloha Friday. My name is Carol Deshay Truman. I was born and raised on Lāna'i and have been on-island for two-and-a-half years, because this community stands together in the face of this terrible pandemic. We so appreciate everyone wearing their masks, keeping apart, and doing everything we can to stop this pandemic. As a retired educator and a Native Hawaiian and not a paid lobbyist, I want to add my support, oh, excuse me, and also, a long-time cancer survivor, I'm delighted with your resolution. And I want to add my support for CR 21-69 Hōkūao affordable housing development. As a retired educator, I understand firsthand the importance of having a safe, stable home environment for our keiki to prosper in school. I am delighted with the model and am happy that this crying need for our community is being addressed at last. Thank you so much for the allowing me to speak. Aloha.

CHAIR LEE: Thank you. Members, are there any questions? If not, thank you.

Madam Clerk.

MS. TRUMAN: Thank you.

COUNTY CLERK: Our next testifier is Keiki-Pua Dancil. To be followed by Valerie Janikowski.

MS. KEIKI-PUA DANCIL, PŪLAMA LĀNA'I (testifying on Committee Report No. 21-69):

Aloha kakahiaka and . . . (*Spoke in Hawaiian.*) Keiki-Pua . . . Pūlama Lāna'i. Aloha. I am here to testify today on CR 21-69. First off, I want to mahalo all of you. We spent so much time over the last couple of weeks. I've also submitted my testimony in writing if anyone wants clarification. There's one item I'd like to bring up in particular, and it was written in the Committee Report. It's the third bullet on page 9. In my written testimony, I go through the discussion that Councilmember Johnson had with our president. And I want to reiterate what Councilmember Johnson had said. He had said, "I want to get specifics, I want to get it in writing. So, that I am doing active listening for you Kurt Matsumoto. I want to make sure that I'm hearing what I say back to you, we put it in the record and we'll get that". So, the one part that was missing that was in the Committee Report, and Gabe, you had mentioned that you want it on record. So, I just want to call it out again.

Is if we could insert in the bullet no. 3, on page 9, the "Phase 1 and Phase 2 of the County's Affordable Project" after the word "Project". So, that the full bullet will read, "After completing this project," insert this language, "Phase 1 and Phase 2 of the County's Affordable Housing Project, and fulfilling Pūlama Lāna'i rental needs, if an assessment demonstrates the need for workforce housing ownership units, the Developer will consider offering existing homes in its rental inventory for sale to income-qualified residents". And that's the only thing we'd like you to consider today. It was just, I think an inadvertent mistake in leaving that part out. And that's all I'd like you to consider. And mahalo so much for all you guys do for our community on Lāna'i.

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

COUNTY CLERK: Chair, our next testifier is Valerie Janikowski. To be followed by Sonia Lo.

CHAIR LEE: Ms. Janikowski?

MS. VALERIE JANIKOWSKI (testifying on Committee Report No. 21-69):

Good morning, everyone. Thank you for taking time to speak with us. I just wanted to express my support for CR 21-69. As everyone knows, there's housing needs on Lāna'i, and I would hope that this can be part of the solution. That's all.

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

If not, may we have the next testifier, Madam Clerk, please?

COUNTY CLERK: Our next testifier is Sonia Lo. To be followed by Elton Kinoshita.

CHAIR LEE: Ms. Lo?

MS. SONIA LO (testifying on Committee Report No. 21-69):

Good morning. Thank you very much for having us on this call. I am the CEO of Sensei Ag, which owns Sensei Farm on Lānaʻi. We are an employer of approximately 50 people at the farm. And we are teaching the new indoor growing techniques and we're growing vegetables and fruit year-round from Lānaʻi. In December of last year, we actually managed to serve all of the Hawaiian Islands after having started in the Spring of last year, in the middle of the pandemic. We are strongly in support of CR 21-69, because we see daily as we look to grow the capacity of the farm, the constraints that we have. And we'd very much like to be able to bring on more people, but it is, the housing is severely, severely constrained for us.

CHAIR LEE: Thank you, Ms. Lo. Questions, Members? If not, thank you very much.

Madam Clerk.

COUNTY CLERK: Our next testifier is Elton Kinoshita. To be followed by Derek Remillard.

CHAIR LEE: Mr. Kinoshita?

MR. ELTON KINOSHITA (testifying on Committee Report No. 21-69):

Good morning, Madam Chair and Honorable Councilmembers. My name is Elton Kinoshita. I recently retired as a principal of Lānaʻi High and Elementary School. I am testifying in support of CR 21-69. I have testified previously and have shared the challenges Lānaʻi School has had recruiting qualified teachers. Adding to the challenge of finding qualified individuals who are first willing to relocate to the island, was the added challenge of finding housing for anyone who might be interested in joining the faculty. We often discontinue recruiting efforts once we had exhausted the available rental units allotted to us. Thus, leaving the school with unfilled teaching positions at the start of the new school year.

I understand the modifications to the proposal will include ten units designated for the school. I thank the Councilmembers, and Pūlama Lānaʻi for negotiating this agreement. This measure will go a long way in the school's green efforts, as well as

possibly retaining current staff members, who might wish to relocate to one of these state-of-the-art rental units. Thank you very much for allowing me to speak.

CHAIR LEE: Any questions for Mr. Kinoshita? If not, thank you. Thank you for your testimony.

Madam Clerk.

COUNTY CLERK: Chair, our next testifier is Derek Remillard. To be followed by Linda Kay Okamoto.

CHAIR LEE: Mr. Remillard? Mr. Remillard, are you there? We see you. You're muted.

Madam Clerk, can you unmute the testifier?

COUNTY CLERK: He's unmuted on our side.

CHAIR LEE: Mr. Remillard, you have to unmute yourself. We can't hear you.

COUNCILMEMBER SINENCI: . . . on your phone.

CHAIR LEE: Okay, we're starting to hear you.

MR. DEREK REMILLARD (testifying on Committee Report No. 21-69):

Aloha. Can you hear me now?

CHAIR LEE: Yes, yes.

MR. REMILLARD: My apologies. I had a little technical error there. My name is Derek Remillard, a resident of Lānaʻi. I work for Four Seasons in Manele. My wife works for Pūlama Lānaʻi. We're just calling in support of CR 21-69. We both feel that additional housing on the island would be wonderful, and we are definitely in support of anything that helps better the community. Mahalo for your time and allowing me to testify.

CHAIR LEE: Thank you, Mr. Remillard. Any questions, Members? If not, thank you.

And Madam Clerk, may we have the next testifier, please?

COUNTY CLERK: Our next testifier is Linda Kay Okamoto. To be followed by Roger Alconcel.

MS. LINDA KAY OKAMOTO (testifying on Committee Report No. 21-69):

Greetings. This is, this is Kay Okamoto. I have testified before you a few times regarding this housing. I do not work for the company Pūlama or Four Seasons. I am a realtor and really have nothing financially to gain from this. However, it is so important for this community. And not just for, you know, bringing in new employees, it's important for all of those young people who are having to live with mama and daddy, and sometimes grandma and grandpa because there simply is no housing. I just had a young man come in yesterday, got married, there's no place for them to live. They're having to simply move in with some friends. And that's just not a good way for our community to have to survive. I definitely am in support of this project. Although it may not be perfect for everyone, it's, it's definitely something that we should all be getting onboard with and moving forward. Here's a project to help our people with really no cost to the taxpayer, and that's amazing. So, I just want to go on record again in testifying in support of CR 21-69. Thank you.

CHAIR LEE: Thank you, Ms. Okamoto. Any questions, Members?

If not, may we have the next testifier, Madam Clerk?

COUNTY CLERK: Our next testifier is Roger Alconcel. To be followed by Jacky Takakura.

MR. ROGER ALCONCEL (testifying on Committee Report No. 21-69):

Hi. Good morning.

CHAIR LEE: Hi.

MR. ALCONCEL: My name is Roger Alconcel, born and raised on Lāna'i. I testified before, and I wanted to reiterate again support of CR 21-69. I graduated Lāna'i 30 years ago and I was fortunate enough to return back home, only because I had a place to stay. I know there's a lot of friends of mine, a lot of people who graduated in the past that want to come home and help the community, but they really don't have any place to stay. Please support this bill so there's a lot of locals that want to come back home and help the community. Thanks again for your dedication and support. Stay safe. Thank you.

CHAIR LEE: Thank you, Mr. Alconcel. Any questions, Members? If not, thank you again for coming by, and providing testimony.

Madam Clerk.

COUNTY CLERK: Our next testifier is Jacky Takakura. To be followed by Anna Mabbutt.

CHAIR LEE: Hi, Jacky. I didn't know you lived on Lānaʻi.

MS. JACKY TAKAKURA (testifying on Committee Report No. 21-78):

Good morning, Chair Lee and Members. And I don't live on Lānaʻi. It's a lovely place though. So, my name is Jacky Takakura and I'm speaking on behalf of the Department of Planning. I'm testifying on the committee report from the Planning and Sustainable Land Use Committee, CR 21-78, specifically regarding the bill amending Maui County Code Chapter 19.65, Short-Term Rental Homes. As those of you on the PSLU Committee know, another bill is in the works to update Chapter 19.65. We don't normally update a Chapter while it is being updated. So, the timing is somewhat unusual and that's why I'm before you today.

The bill that you are looking at today has some proposed updates to Sections 19.65.050.B., as in boy, and 19.65.050.D., as in dog, .4. And this is regarding the neighbor notification requirements. And these are specific to the island of Lānaʻi. The notification requirements will be different for Maui and Molokaʻi and we would like the final bill to reflect that. And it could be something as simple as adding the words "from Maui and Molokaʻi," to the sentences that describe the procedures spelled out for Maui and Molokaʻi that are not for Lānaʻi.

The Planning Department can work with the Office of Council Services and Corporation Counsel to ensure that the final bill includes the procedures that were approved by the Lānaʻi, Molokaʻi and Maui Planning Commissions to accommodate the unique circumstances on the different islands. Thank you.

CHAIR LEE: Thank you.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Ms. Takakura. Mahalo for your testimony. The proposed changes that you just stated, would those changes need to go before the Planning Commission before Council can pass it?

MS. TAKAKURA: Thank you, Vice-Chair Rawlins-Fernandez. So, the, what's before you today was approved by the Lānaʻi Planning Commission.

VICE-CHAIR RAWLINS-FERNANDEZ: Oh--

MS. TAKAKURA: . . . want to keep for Lānaʻi.

VICE-CHAIR RAWLINS-FERNANDEZ: For the Molokaʻi.

MS. TAKAKURA: For Molokaʻi, they approved what you are going to see, which, what we passed out of PSLU on Monday.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay.

MS. TAKAKURA: What my concern is that when the next round of changes come through, they overwrite the changes that hopefully you will, going to approve for Lānaʻi. We don't want to lose what we've agreed upon for Lānaʻi, because the mailing situation is a little bit different there.

VICE-CHAIR RAWLINS-FERNANDEZ: Oh, I see.

MS. TAKAKURA: We want to make sure that the end result is, we have something for Lānaʻi and then we have the Maui and Molokaʻi procedures for those two islands, which was approved by Maui and Molokaʻi Planning Commission.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Ms. Takakura. So, you're just asking for consistency with the two bills?

MS. TAKAKURA: Yes, please.

VICE-CHAIR RAWLINS-FERNANDEZ: Got it. Mahalo for that clarification. Mahalo, Chair.

CHAIR LEE: Any more questions, Members?

Member Sugimura.

COUNCILMEMBER SUGIMURA: Yea, so as we ask everybody, Jacky, did you submit to, can you submit something to us in writing, so we have a, you know, clear where you want us to amend? So, we don't miss, you know, amend it so that it works against what you're trying to tell us? Thank you.

MS. TAKAKURA: Yes.

CHAIR LEE: I have a question. Is the Vice-Chair of PSLU prepared for this? Who is the Vice-Chair of the PSLU?

VICE-CHAIR RAWLINS-FERNANDEZ: Member King.

CHAIR LEE: Member King, okay.

COUNCILMEMBER KING: What was the question, Chair?

CHAIR LEE: Well, I'm asking if you're prepared to make any, whatever suggestions that Ms. Takakura is talking about?

COUNCILMEMBER KING: I can. I was just sent this morning, the notes from Member Paltin, who Chairs that Committee. So, I've been trying to read them over. . . . stuff we're doing but I'm happy to entertain, you know, when we get to that point to entertain that change, if she, if, I'm assuming the Planning Department will be available for us when we get to that item.

CHAIR LEE: Right. Right. Okay. Great. It's just so long as we are prepared.

And then same with Member Johnson, same with the correction on the committee report. You have the language that provides that clarification?

COUNCILMEMBER JOHNSON: I can, I can get to it.

CHAIR LEE: You do? Okay. Okay. Good. Alright. Thank you. Any more questions for Ms. Takakura? If not, thank you very much, Jacky.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair?

CHAIR LEE: Madam Clerk. Oh, wait. Oh, one second.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. So, instead of assuming that the Department will be there when this item comes up, can we ask if they will be? Ms. Takakura?

MS. TAKAKURA: Yes. You mean for--

CHAIR LEE: Can you be available?

MS. TAKAKURA: --the item today?

CHAIR LEE: Pardon?

MS. TAKAKURA: Do you mean for when you come to CR 21-78?

CHAIR LEE: Yes.

MS. TAKAKURA: Yes, definitely.

CHAIR LEE: Okay. Good. Thank you.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR LEE: Thank you. Any more questions or comments?

If not, Madam Clerk, could you please proceed?

COUNTY CLERK: Yes, Chair. Our next testifier is Anna Mabbutt. To be followed by Scott Ashworth.

CHAIR LEE: Ms. Abbott? Mabbutt?

MS. ANNA MABBUTT [testifying on Bill Nos. 73 (2021), 74 (2021), and 76 (2021)]:

Oh, Mabbutt. Hi. Good morning, Councilmembers. Thank you for your time this morning. I'm testifying to respectfully request that you defer any action today on Bill 73, 74 and 76 due to what appears to be a violation of Hawaii Revised Statutes, Section 92-7(a), at the Council meeting on August 24. HRS Section 92-7(a) requires that the notice for all Council meetings include an agenda that list all of the items to be considered at the forthcoming meeting. But nowhere on the agenda for the August 24 meeting is indicated or noticed an item to approve on first reading Bill 73, 74 and 76.

I realize that at the August 24 meeting, that Councilmember Rawlins-Fernandez's motion, the Council voted 8-0 to waive Council Rule 7.G., standing committee referral and report requirement. But that waiver of Council Rule 7.G's requirements in no way excuses or diminishes the Council's obligation to comply with the State of Hawaii Sunshine Laws regarding the conduct and notice of the public's business. It is a core principle of open government to, for officials to only take action at public meetings that have been, for which the public has been provided proper and prior notice beforehand.

So, my further comments are going to be directed specifically towards Bill 76, but those are my general objections to any consideration today to pass on second and final reading, Bill 73, 74 and 76. Regarding Bill 76 in particular, I am a Maui resident, a

California attorney, and a long-time open government advocate. When I was reviewing the agenda for today's meeting and I clicked on Bill 76, I fully expected, given its title, that it was going to refer to fees, rates, assessments or taxes. The title for this bill reads, "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX B REVENUES - FEES, RATES, ASSESSMENTS, AND TAXES". There is absolute no mention in the title of "concessions, leases, or licenses". This title could have easily been changed to read "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI," by adding "APPENDIX B-1, SCHEDULE OF CONCESSIONS, LEASES AND LICENSES". I feel that would have been much clearer and would have given proper notice to anyone interested what this bill actually concerned. So, I feel the title for Bill 76 is insufficient. Secondly, as I mentioned already, I feel that for Bill 76, the public was not provided any notice on the agenda for the August 24 meeting of the first reading of Bill 76.

And then finally, my third reason to object to any action today on this bill is that if you look at the actual Appendix B-1, all 80 leases on this exhibit appear to possibly violate the Maui County Code Section 3.40-040 *[sic]* limitation, five-year limitation on leases of County property. There are three specific exceptions to that five-year limitation, and it is not at all clear that any of these 80 leases fit within those exceptions. There are clearly at least two that were passed recently that do not fit within the exceptions to the five-year lease limitation. So, if I personally were sitting on the Council, I would not want to approve an exhibit, an appendix, that contains what appears to be so many leases that are in violation of the Maui County Code's requirements.

So, I would respectfully request you defer any action on Bill 76, and additionally, Bill 73 and 74 today. Thank you for your time.

CHAIR LEE: Members, any questions? I have a question. Ms. Mabbutt?

MS. MABBUTT: Yes?

CHAIR LEE: Do you represent any of the lessors or lessees?

MS. MABBUTT: Absolutely not.

CHAIR LEE: So, you're just talking about process?

MS. MABBUTT: Yes. This wasn't, the leasing and fees issues, I have over a decade's worth of experience advocating for the residents of San Francisco. So, I have a lot of experience on these two issues in particular. And I feel that they are important issues, and any action on these items should be properly noticed to the public beforehand.

CHAIR LEE: Okay. Thank you for that clarification.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Mahalo for your testimony, Ms. Mabbutt. I don't have any questions for our testifier. I just wanted to let the Members know that I plan to consult with our Corporation Counsel, as well as our OCS attorneys on the concerns that Ms. Mabbutt raised in her testimony. And then that way we can get clarification from our attorneys before proceeding. Mahalo, Chair.

CHAIR LEE: Alright. Member Sinenci, did I see your hand up? No? No? Okay.

Thank you, Ms. Mabbutt, for your testimony.

MS. MABBUTT: Okay. Thank you. Thank you.

CHAIR LEE: Madam Clerk. Madam Clerk, how many more testifiers do we have?

COUNTY CLERK: We have five more--

CHAIR LEE: Okay.

COUNTY CLERK: --signed up to testify. Our next testifier is Scott Ashworth. To be followed by Alastair McAlpine.

MR. SCOTT ASHWORTH (testifying on Committee Report No. 21-69):

Aloha and good morning Councilmembers. My name is Scott Ashworth. I am the director of golf for Four Seasons Resorts, Lānaʻi. I have been fortunate to live on Lānaʻi now for almost eight years, and also fortunate to be the director of golf at Manele Golf Course, which is I think is a golf course that we're all, are all extremely proud of here. But as great as the golf course is, our biggest challenge by far is labor. We've had, obviously, a huge challenge in trying to hire staff for the golf courses, and that's certainly kept us from reaching our potential. And also made it difficult on the existing staff members that we do have. And probably more challenging, or maybe even disturbing in the last couple of months we've lost two of our members; one which has lived on Lānaʻi for over a year and one that was born and raised on Lānaʻi, and actually had to move to LA again due to housing, which is, you know, really unfortunate. So I am obviously testifying in support of CR 21-69 and hope that we can get some housing, much-needed housing here on Lānaʻi. Mahalo.

CHAIR LEE: Questions, Members? If not, thank you.

May we have the next testifier, please.

COUNTY CLERK: Next--

MR. ALASTAIR MCALPINE, FOUR SEASONS LĀNA'I (testifying on Committee Report No. 21-69):

Aloha and good morning. Yea, please accept my full support of CR 21-69. I'm the General Manager of the Four Seasons Resorts on Lāna'i and have lived on the island of Lāna'i for a combined seven years. Tourism is an integral part of Lāna'i economy and our two properties. Four Seasons Resort Lāna'i, and Sensei Lāna'i, directly employ over 800 people, obviously a significantly large segment of the local community. And the vast majority of our workforce lives on Lāna'i. And the 800 number does not even include the supporting elements of local businesses that we also support.

The housing issue is one of our biggest challenges, as Scott has highlighted. And I am in full support of the proposed residential project, which will provide affordable workforce housing for our residents and the community. It is vital for this to move forward and I would like to give it my full support. Thank you.

CHAIR LEE: Thank you, Mr. Alastair. Any questions, Members? If not, thank you very much. May we have the next testifier, please?

COUNTY CLERK: Our next testifier is Kaleo Gonzalez. To be followed by Todd Apo.

MR. KALEO GONZALEZ (testifying on Committee Report No. 21-69):

Aloha. My name is Kaleo Gonzalez. I am a Sensei employee here in Lāna'i. I've, I'm a fairly new resident of about two years now. And since being here, I have noticed that the housing has been an issue for quite a while. From my understanding it's been an issue for quite a few decades, actually. And not only has it affected the employees not being able to find housing to come here and work and to help expand the economy here, but it's also been a big issue with the local residents, families growing, kids growing up, having to move away and not able to come back. And just sounds like this makes sense to help sustain the economy here, and not keep pushing people out, and having large investors come in and buy up a bunch of property. And again, creating

more of a housing issue for the local, the local community. So, I am in favor of the S, CR, my apologies, the CR 21-69 bill. Thank you.

CHAIR LEE: Thank you, Mr. Gonzalez. Any questions? If not, thank you very much.

Madam Clerk. Mr. Apo--

COUNTY CLERK: Our next testifier--

CHAIR LEE: --good morning.

MR. TODD APO, HAWAII COMMUNITY FOUNDATION (testifying on Committee Report No. 21-69):

Aloha, Chair and Councilmembers. Todd Apo with Hawaii Community Foundation. Appreciate the chance to be in front you all again. I'll try to keep this brief. I'm testifying in support of CR 21-69. As I shared at the Affordable Housing Committee meetings that you had, I had the opportunity and was fortunate enough to get over, see these lands, see where the County lands sit. Do now understand the strong need for rental housing and overall housing on Lānaʻi, as well as the entire County of Maui. And, you know, I'll talk a little about our housing Maui initiative.

But really believe that these rental homes are really the place to start. So, appreciate what the landowner is willing to provide for these rentals. You know, one thing that we're finding through our overall initiative in looking at affordable housing is that it takes time to connect up the supply with the demand on the for-sale purchase side. You know, people, families need the opportunity to build up their credit scores, their financial situations for purchase. So, moving forward first with these rentals, I believe is really important.

Second point is as I committed earlier, we as Hawaii Community Foundation will stay engaged with you as the Council and with the entire County in housing matters. You know, and so we know that the County lands sitting adjacent to Pūlama's lands for this project is a next step. I've actually taken the opportunity to talk with the Administration about how we can assist and play a part in moving forward, with sort of that next phase. And I know the discussion, through your last hearings, in regards to getting for-sale product, I think the County lands hold that opportunity. And again, we'll participate in trying to figure that out.

So, again, in the big picture, we know there needs to be a number of system changes to bring about more affordable housing. This project is one step into that, and we look

forward to continuing to participate with you, including your work with the affordable housing plan that you received about a month ago in bringing those solutions for the County of Maui and its residents for homes. So, thank you very much.

CHAIR LEE: Thank you, Mr. Apo. Any questions, Members? If not, thank you. Aloha.

MR. APO: Aloha. Have a great weekend, all.

CHAIR LEE: Thank you.

Madam Clerk.

COUNTY CLERK: Our next testifier is Riki Hokama. To be Cindy Figuerres.

CHAIR LEE: Mr. Hokama.

MR. RIKI HOKAMA (testifying on Committee Report No. 21-69):

Hey, good morning, Chair Lee. And good morning, Members. This is Riki Hokama. I am speaking to you this morning as a Lanaian, whose family has been there over, about 100 years. We know the history of this island. We know the, how this housing thing has moved over the last 38 years, that Lāna'i has been waiting for this, for a County housing project to come to fruition, and for various reasons, and the delays.

(Councilmember Paltin arrived at 9:54 a.m.)

MR. HOKAMA: I'm here just to share some comment because I understand Pūlama Lāna'i's proposal. It's not great to me, but it's enough that I can support it to get the housing units. My concerns I share with you is that it's bringing me back to the old traditional plantation days where the employer is now going to control this 150-units of housing, just like it was in the old days. The only thing we could do back then with the union's helping the community leadership was force the company to do a community housing committee to ensure fair distribution of company-owned houses to all community needs, whether it was the independent businesspeople, enforcement, first-responders, those that were not employed by Dole, Castle & Cooke. I look at this and I'm going, gee, all the housing is going be rented, it'll all be controlled by the same guy that is your employer, that controls your water, controls your recreational grounds. I don't like to go backwards in time. I think we're going to go back to the 1940's. So, I just share that with you folks.

I think one of the things that you could do, since you're going to allow some market units just to ensure some of the conditions of zoning for the Koele Project District becomes executed. And one of the key things I think Mr. Johnson is really aware of, that he and I worked together, is the bypass road. Because that bypass road for that project was never done, we've had to deal with residents, or Lanaian fatalities, to our city streets that was never meant to handle development traffic. So, I just bring these things up to share with you that these are things that I think is important, as you look through this project.

And the only thing I'm going to say is my biggest disappointment is in the County Housing Department. Because I've been pushing for a joint project for the County and this company over the last six years. Now, it became one or the other? Well, Members, I'm going to say, you know, I, I understand where this is going, and I want the units on Lāna'i. But I think in my heart, I'm going to tell you straight. Thank you for killing the County housing project on Lāna'i, because that was part of the critical mass requirements that you're going to shift now to the Pūlama project that would have made our project potentially viable, especially on the infrastructure requirements of the road, the water, and the wastewater. And if you look at our projects reports on those three infrastructure things, it's interesting how different it is for the Pūlama report on those very same things that you have in your committee report today. But I thank you for your work and I look forward to your final decision. Thank you very much.

CHAIR LEE: Any clarifying questions?

Member Paltin, hello and welcome.

COUNCILMEMBER PALTIN: Bonsoir, Madam Chair. Merci beaucoup. My question to clarify. Mr. Hokama, I'm sure you're aware that we have a 45-day deadline. And I just was wondering, you can support the project, but you want these other things. Is that just your comments or was there something that we can do at this point?

MR. HOKAMA: That's just my comments, Ms. Paltin. Thank you for asking that question. I think all of you are aware that a lot of things that happens with Lāna'i is because of the project district ordinance that were passed with conditions of approval. I think, if anyway may remember is Ms. Lee, I think she can go back to that era.

I mean, I'm talking about 1980's now, okay, when we pushed these projects through. That's for Project District 1, Project District 2, in the County Code is Koele and Manele of Lāna'i. And again, that's how long these conditions are, and that's how long the County has this land to do what the community had always wanted, which was an independent housing project where the employer couldn't control who got the housing; your employer. Right now, your employer controls your whole life if you're on Lāna'i,

if you work for them. They control your job, they control your house, they control your water, they control your recreational grounds, okay.

And like every place else on Maui, we have lost people because of the pandemic. So, are the numbers still right? I think Maui lost, has lost over between 10 to 15,000 employees that left the island. So, our numbers still viable?

COUNCILMEMBER PALTIN: So, is your concern that, of the limited capacity of the wastewater treatment facility on Lānaʻi, that this Hōkūao Project is taking and leaving us with . . .

MR. HOKAMA: Well, eventually, if the County ever does this project or there's additional expansion of non-Pūlama assets, either the County or that other project is going to have to work to help expand the County infrastructure. Whether we build more ponds, whatever. Okay, so right there, you got, you created a knot in the road. The next project may never ever happen, and maybe that could be the County's project. That's why I'm saying, this may kill the County project and you're going to have to deal with it. Because this is something interesting, the County cannot even support its own housing project. That's my point.

CHAIR LEE: Member Paltin--

COUNCILMEMBER PALTIN: Thank you, Mr. Hokama.

CHAIR LEE: --did you have your questions answered?

COUNCILMEMBER PALTIN: Yes. Thank you, Chair.

CHAIR LEE: Okay. Ms. Sugimura, only on clarification now.

COUNCILMEMBER SUGIMURA: Okay, so I do know, okay, tell me if this is not clarification. But I do know that Riki put money into the budget year after year, I don't know, and into the Affordable Housing Fund, but he was trying to work on this. So, are you saying that the money that you placed within the County budget cannot support this, or, and, and the fulfillment of the County housing? I thought that was your goal when you were a Councilmember?

CHAIR LEE: Okay, Member, Member Sugimura--

MR. HOKAMA: That's two different projects, yea--

CHAIR LEE: --what we're really talking about--

MR. HOKAMA: Ms. Sugimura?

CHAIR LEE: Member, Mr. Hokama. We're talking about the Pūlama Lāna'i rental project.

COUNCILMEMBER SUGIMURA: Okay. I'll take it back. I'll take it back. I'll talk to Riki later.

CHAIR LEE: Okay. Good. Thank you.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: Any more questions for Mr. Hokama?

Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, former Councilmember Hokama. Nice to see you.

MR. HOKAMA: Aloha.

VICE-CHAIR RAWLINS-FERNANDEZ: I wanted to clarify a couple things. The first is the, you cited 10 to 15,000 employees that Maui lost. Would you be able to share where you got that, what source you got that information from?

MR. HOKAMA: And, again, yea, Ms. Rawlins, I'm giving you what, the kind of feedback that people share with me from the, you know, hotels, the golf courses, restaurants and what not, you know. And because I, you know, they always say oh, Hokama, what do you think? And I'm going, oh I'm only interested in what you think, you know? Cause now I feel like I'm just like the regular, regular guy at the, you know, coffee shop drinking coffee with everybody else.

For those that have been employers, or working, they notice that, you know, in the last six months or plus, some of their so-called friends have relocated because they cannot work and deal with the cost of living of our County. So, they've already vacated and left, whether they went to Vegas or other communities, they're not on-island. And that's why for some employers, they're saying, I told them why don't you hire back your people? He goes, they're not here, that I was depending on, or who used to work for me, they're not here anymore.

So, I'm just making a, you know, assumption, Ms. Rawlins-Fernandez, on the, about how much people are, have potentially left, because you can see it in the housing, impact in, how it's impacting the housing market on all islands. You can see how it's

still affecting employment because a lot of our local businesspeople, if you look, are saying they cannot operate a regular workweek because they have lack of employees. Your local restaurants, whether it's the Sheik's or whatnot saying not enough employees. So, to me, that's a sign that, you know, they're not here. And that's what I'm saying--

CHAIR LEE: Thank you, Mr. Hokama.

MR. HOKAMA: --that the numbers have adjusted accordingly.

CHAIR LEE: Ms. Rawlins-Fernandez. Ms. Rawlins, please ask your questions pertaining to the Lānaʻi, the island of Lānaʻi, and not Maui.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR LEE: Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: Oh, I was just clarifying his testimony. Okay, and then so my second question, I guess as a follow-up to Member Paltin's question. So, in your, in your testimony, I know you said that you were just providing comments. Is it to, instead of using the current capacity, are you, are you asking that the condition be that Pūlama Lānaʻi build additional capacity in the systems, water, wastewater, instead of taking up current capacity, to build capacity to accommodate the project? And then to follow-up, a second condition on the bypass to avoid construction vehicles going through roadways that wasn't meant for those types of vehicles to go through.

MR. HOKAMA: For me, I'm hard on the bypass, because the bypass was part of an infrastructural agreement with then Castle & Cooke, who did the proposal of the project and the County, and at that time, the ILWU, which was a strong community organizer and most of the community members were a part of that organization agree that the bypass would then become a physical delineation of the boundary of the expansion of the community of Lānaʻi City. That was the plan.

So, if you look, Maui Electric had already put its utility poles along the proposed bypass road, that we've all agreed to, but was never built. But the utility put in the lines, following that proposed route, that should have been done in the '80s, when we passed this project in '83, okay. Mr. Bagoyo, who was on Council, then worked for Pūlama and got them to defer timing of execution of conditions of zoning.

CHAIR LEE: I, I'm going to have to interrupt you here, Mr. Hokama.

MR. HOKAMA: Okay.

CHAIR LEE: I don't believe the bypass is on the agenda. Bypass road is not on the agenda.

MR. HOKAMA: No, I understand, Ms. Lee. Thank you.

CHAIR LEE: Do you have any other clarifying questions, Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Those were--

CHAIR LEE: With the 201H. Huh?

VICE-CHAIR RAWLINS-FERNANDEZ: Those were my questions. Mahalo, Mr. Hokama.
Mahalo, Chair.

CHAIR LEE: Thank you.

MR. HOKAMA: Aloha. Thank you.

CHAIR LEE: Any other questions, Members? If not, thank you, Mr. Hokama. Nice to see you.

MR. HOKAMA: Thank you, Chair Lee.

CHAIR LEE: Madam Clerk.

COUNTY CLERK: Chair, our final individual signed up to testify right now is Alberto Gonzalez.

MR. ALBERTO GONZALEZ (testifying on Committee Report No. 21-69):

Hi. Good morning, Councilmembers. My name is Alberto Gonzalez. I am not a paid lobbyist. I'm currently the resident manager of Iwiolo Hale and Kanepuu housing. Between both complexes, there's about a little over 180 different units. And within those 180 something units, and throughout the rest of Lānaʻi City, there's a lot of residents that are living in a less than ideal housing situations. And this is for many reasons. You know, in some cases, you know, people have divorced, and they need to split and find new home. In other cases, people are moving onto the island and there isn't housing available so they're staying in the hotels; mainly Four Seasons and Sensei employees, and some Pūlama employees as well. There is also people that are growing their families and they need a larger place to live in. There's people that are involved in domestic violence and they have nowhere else to go. There's issues among the different scenarios that are forcing people to live in these less than ideal

living situations, which is affecting the quality of life. And this is why we know we need more housing. Because there is no housing. You know, there's a waitlist for tenants to find or secure a unit here within the apartments.

I also understand that the workforce affordable housing, the 76 units that will be reserved for affordable housing within the Hōkūao residential project, not everybody will qualify for those. However, there's a significant amount of people that are going to qualify for those. And what's going to happen is once those people vacate their current living situation and they move to Hōkūao, it's going to open up a significant amount of units between Iwiole and Kanepuu, which is going to help relieve some of that housing stress. That's why I support the Hōkūao residential project. And thank you for your time.

CHAIR LEE: Very good. Any more questions? Members, questions?

Member Paltin. And let the record show, Member Paltin, what time did you join the call, roughly?

COUNCILMEMBER PALTIN: Oh, I tried to get on and then I had some internet issues. So, I think maybe I really was on from maybe 10:00, or 10:00 your time?

CHAIR LEE: Oh, so--

COUNCILMEMBER PALTIN: Which is 10:00 p.m. my time, 10:00 a.m. your time.

CHAIR LEE: Okay. Thank you. So, we can show that you were present from about 10:00 a.m. Okay.

CHAIR LEE: In the room with me, Noe Lee, Kai Nishiki, and Taylor Kealoha, right now.

CHAIR LEE: Okay. Thank you. Please proceed with your questions. Thank you.

COUNCILMEMBER PALTIN: Oh. Thank you. Mr. Gonzalez, thank so much. I wanted to clarify what you said about the 180 units. Is it all two-bedroom, or is it a mixture?

MR. GONZALEZ: It's a mixture. Within Iwiole, there's 16 buildings. And each building has eight units. And those range from one to two, to a couple three bedrooms. And in the quads, which is aka Kanepuu, there's 27 buildings. And some of the buildings have studios. So, it's four studios, some of the buildings have one, some have two bedrooms. So, it's a mix. So, we have a very diverse in, in both demographic, in culture, in family size between these units.

Another example I forgot to mention was there's big families, like multiple families living in one household. And that's, it's grown a little bit since I first started managing this property. And it's, a big reason is because they don't have anywhere else to go. I mean, families help each other out, so they have no problem, you know, putting 10 people or 12 people in a one-bedroom, one bathroom unit, which presents a whole other issues.

COUNCILMEMBER PALTIN: Thank you. Thank you so much for--

CHAIR LEE: Anymore questions?

COUNCILMEMBER PALTIN: --that clarification. Thank you, Chair.

CHAIR LEE: Any more questions, Members? If not, thank you, Mr. Gonzalez.

MR. GONZALEZ: Thank you.

CHAIR LEE: Madam Clerk, are there any other testifiers?

COUNTY CLERK: We do have one more testifier that signed up. The caller identified as Anabel.

CHAIR LEE: Anabel?

MS. ANABEL RAQUENO (testifying on Committee Report No. 21-69):

Yes. Hi. Good morning, everyone. Thank you for taking the time this morning. My name is Anabel and I moved here back in 2004. And I already testified in the past. I just wanted to let you guys know that I heard a lot of people that wanted to move here to help some job openings, like the school, or hospital, or home health, homecare agency. But because of a housing shortage, it's been a challenge. So, of course, they wouldn't be able to just continue to move to Lāna'i. So, I would be happy to continue to support and testify this project. And would like to have a continuous update and want this successful project.

CHAIR LEE: Okay. Any, any questions, Members? If not, thank you, Anabel.

MS. RAQUENO: Oh, thank you so much.

Madam Clerk.

COUNCILMEMBER PALTIN: Chair, I had a question.

CHAIR LEE: Oh, I'm sorry. I didn't see you. Anabel, don't go away. Member Paltin has a question for you.

COUNCILMEMBER PALTIN: Hello, Ms. Anabel. Are you still on?

MS. RAQUENO: Yes.

COUNCILMEMBER PALTIN: I just was wondering, hearing the previous testifier talk about how you have so much families in one apartment, but plenty of folks still want to move to Lāna'i. If they move to Lāna'i to take these housings, how does it alleviate the problem that's existing there right now with everybody stuffed into one unit or house?

MS. RAQUENO: Well, I would, I don't know answer at the moment. But just, in addition to that, knowing that the hospital or, I work in a home health, homecare agency and we are like a short staffing. A lot of people would inquire and wanted to move just to help out fill in that job openings. But because of a housing problem, how would we continue to hire people? And so, if that's the case, it would still be a problem.

COUNCILMEMBER PALTIN: Okay. Thank you for that clarification. Thank you, Chair.

CHAIR LEE: Any more questions? If not, thank you, Anabel.

MS. RAQUENO: Thank you.

CHAIR LEE: Madam Clerk.

COUNTY CLERK: Thank you, Chair. Can we get the last name of Anabel, please?

CHAIR LEE: Anabel, are you still there? I'm sure we can ask Member Johnson to find out who Anabel is.

COUNCILMEMBER JOHNSON: I have a pretty good idea.

CHAIR LEE: Okay.

COUNTY CLERK: Okay. Thank you. Chair, we do not have any other testifiers noted. And if an individual connected to the meeting has not testified, but would like to do so, please unmute and identify yourself now. This is the last call for testifiers.

MR. GONZALEZ: Alberto here. Am I able to say something, even though I already spoke?
Is that okay?

CHAIR LEE: Excuse me. Thank you, Mr. Gonzalez. Yea, you've already testified.

MR. GONZALEZ: Okay. I just, I wanted to clarify something that Tamara had asked about
large families and, okay.

CHAIR LEE: Okay. We, we appreciate your testimony. And then, you know, we just want
to, the questions are really for clarification and not for any kind of debate or discussion.
Alright. Anymore testifiers, Members? Well, not Members, but Madam Clerk? Can
you make your last call again?

COUNTY CLERK: Last call. Last call for testify, to testify at today's meeting. Chair, no one
else has indicated that they wish to testify. And confirming that we have received
written testimony as well.

CHAIR LEE: Members, any objections to receiving written 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. Keiki-Pua S. Dancil, Pūlama Lāna'i;
2. Roger Alconcel;
3. Alastair McAlpine, Four Seasons Resorts Lāna'i;
4. Nelinia Cabiles; and
5. Shayne Kunimitsu.

CHAIR LEE: No objections? So, ordered.

Madam Clerk.

COUNTY CLERK: Chair, proceeding with the Consent Calendar, item I. on our, on our
agenda.

ACTION ON THE CONSENT CALENDAR

COUNTY COMMUNICATIONS

NO. 21-423 - JEFFREY T. PEARSON, DIRECTOR OF WATER SUPPLY,
(dated August 17, 2021)

Transmitting the State of Hawaii Commission on Water Resource Management water use reports for June 2021 for all registered well reporters in the County of Maui.

(COUNTY COMMUNICATION NO. 21-423 WAS REMOVED FROM THE CONSENT CALENDAR AND LATER REFERRED TO THE INFRASTRUCTURE AND TRANSPORTATION COMMITTEE. See page 35 for discussion.)

NO. 21-424 - LORI TSUHAKE, DIRECTOR OF HOUSING AND HUMAN CONCERNS, (dated August 2, 2021)

Transmitting a copy of the notice of grant award from the U.S. Department of Housing and Urban Development, for the Emergency Housing Vouchers program in the amount of \$420,336.

NO. 21-425 - MARC I. TAKAMORI, DIRECTOR OF TRANSPORTATION,
(dated August 17, 2021)

Transmitting a copy of the receipt of dues paid from the State Department of Transportation for the transportation planning portion of the Maui MPO FY2021 and FY2022 Unified Planning Work Program totaling \$100,000.

NO. 21-426 - MICHAEL P. VICTORINO, MAYOR,
(dated August 18, 2021)

Informing of a vacancy on the Board of Water Supply due to the resignation of Johanna Amarin, effective August 17, 2021.

NO. 21-427 - MICHAEL P. VICTORINO, MAYOR,
(dated August 19, 2021)

Informing of a vacancy on the Cost of Government Commission due to the resignation of Patrick D. O'Neil, PhD, effective August 18, 2021.

NO. 21-428 - MICHAEL P. VICTORINO, MAYOR,
(dated August 17, 2021)

Informing of a vacancy on the Council on Aging due to the resignation of Katherine Kama'ema'e Smith, effective August 17, 2021.

NO. 21-429 - JOANN INAMASU, ECONOMIC DEVELOPMENT DIRECTOR,
(dated August 23, 2021)

Transmitting an extension request for the OED grant summaries for FY2021.

CHAIR LEE: Council Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO FILE ALL THE ITEMS ON THE CONSENT
CALENDAR

COUNCILMEMBER JOHNSON:

SECOND.

CHAIR LEE: Second. And moved by Vice-Chair Rawlins-Fernandez, seconded by Member Johnson, to file the items on the Consent Calendar.

Vice-Chair Rawlins-Fernandez, and then Member Sugimura.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. As the Consent Calendar, we do not discuss the items on the Consent Calendar. Mahalo, Chair. We just take action.

CHAIR LEE: Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. Could, could I ask for 21-423 to my IT Committee, please?

CHAIR LEE: Okay.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: Any objections, Members? If not, we'll--

VICE-CHAIR RAWLINS-FERNANDEZ: Chair? Chair, point of order.

CHAIR LEE: Yes, Vice-Chair?

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. I know the Consent Calendar is still kind of new. So, we don't do that in this motion. That's not the procedure. You would remove it from the Consent Calendar, and then later on when we take up the rest of the agenda, you would then request for it to go to your Committee. But not that I have any objections. I just want us to practice the process.

CHAIR LEE: Oh, okay. Okay. So, she, the request to be to remove--

COUNCILMEMBER SUGIMURA: Remove it. Okay.

CHAIR LEE: To remove this item from, okay. Any objections to removing CC 21-423 from the Consent Calendar?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: Okay.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: No objections. So, ordered.

So, the rest will be filed, right? Unless anybody has a request of any kind right now regarding that. No. Okay, all those in favor of the motion, raise your hand, say "aye", to file all these items, except CC 21-423.

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

CHAIR LEE: Alright. Motion carries. We have eight "ayes", one "excused"; motion carries.

Madam Clerk. Madam Clerk?

COUNTY CLERK: Sorry about that.

CHAIR LEE: Madam Clerk, I notice we don't have minutes today, yea?

COUNTY CLERK: No. We have, we have some standing by for our next meeting.

CHAIR LEE: Okay. Proceed.

COUNTY CLERK: Okay. Chair, proceeding, proceeding with County Communications.

COUNTY COMMUNICATIONS

NO. 21-423 - JEFFREY T. PEARSON, DIRECTOR OF WATER SUPPLY,
(dated August 17, 2021)

Transmitting the State of Hawaii Commission on Water Resource Management water use reports for June 2021 for all registered well reporters in the County of Maui.

CHAIR LEE: Member Sugimura, you're requesting that this matter be referred to your Committee, IT Committee? Any objections, Members?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: If not, so ordered.

COUNCILMEMBER SUGIMURA: Thank you, Members.

CHAIR LEE: Madam Clerk, proceed.

NO. 21-430 - KEANI N.W. RAWLINS-FERNANDEZ, CHAIR, BUDGET,
FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE,
(dated August 26, 2021)

Transmitting correspondence dated July 30, 2021, from the Budget Director, transmitting the following proposed bills entitled:

1. "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX A, PART I, GRANTS AND RESTRICTED USE REVENUES – SCHEDULE OF GRANTS AND RESTRICTED USE REVENUES BY DEPARTMENTS AND PROGRAMS, DEPARTMENT OF FIRE AND PUBLIC SAFETY (STATE OF HAWAII MAKENA LIFEGUARD SERVICES)"; and
2. "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX D – CONDITIONAL LANGUAGE, DEPARTMENT OF FIRE AND PUBLIC SAFETY (STATE OF HAWAII MAKENA LIFEGUARD SERVICES)".

CHAIR LEE: Council Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO DISCHARGE THE BUDGET, FINANCE, AND
ECONOMIC DEVELOPMENT COMMITTEE FROM FURTHER
CONSIDERATION OF THE PROPOSED BILL ATTACHED TO
COUNTY COMMUNICATION 21-430.

COUNCILMEMBER SUGIMURA:

SECOND.

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

Discussion? Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. As we discussed in BFED Committee, the Department is able to expedite lifeguards to Makena Beach Park. And it's necessary for us to take action on this today, so that we can support the Department in expediting the lifeguards. And that'll be the same reason for my next motion, which is the waiver on Committee referral and report. Mahalo, Chair.

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

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

CHAIR LEE: I see eight "ayes", one "excused"; 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 SUGIMURA:

SECOND.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member Sugimura, to waive the Rules of the Council and 7.G.

Any discussion? Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Same discussion as the previous.

CHAIR LEE: Okay. Any more discussion, Members? If not, all those in favor waive, wave your hand. Raise your hand. You could wave your hand as well. This is for the waiver, so we can wave our hands.

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

CHAIR LEE: All those in favor, I see eight "ayes" and one "excused"; motion carries.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

AND FINALLY, I MOVE TO PASS THE PROPOSED BILLS ON
FIRST READING AND TO FILE COUNTY COMMUNICATION
21-430.

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Moved by Member, Vice-Chair Rawlins-Fernandez, seconded by Member King, to pass the attached bill on first reading and filing of the communication.

Discussion? Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Members, the proposed bill would amend Appendix A, Part I, and Appendix D of the Fiscal Year 2022 Budget by adding a new grant under the Department of Fire and Public Safety entitled, "State of Hawaii Makena Lifeguard Services", and conditional language limiting disbursement for salaries and premium pay to 10.5 LTA equivalent personnel.

As discussed in your Budget, Finance, and Economic Development Committee meeting of September 1, 2021, this is an annual agreement with the State. And the Department anticipates sufficient staff, supplies, and equipment to have personnel stationed at the beach by October 13 or 15. I ask for the Members support of this motion. Mahalo, Chair.

CHAIR LEE: Any more discussion?

Oh, Member Paltin, our lifeguard.

COUNCILMEMBER PALTIN: Thank you, Chair. You know, I'm very grateful the State give back this money. But I just wanted to make comment that in opening up Hawaii to the tourists before returning the lifeguards to Makena Beach, how many people lost their lives, how many people got paralyzed, you know? I have friends that are medics, friends in the hospital. They said over a three-week period everyday they bringing people to the hospital with injury. And that is direct result of the State opening up

tourism without taking the proper steps to ensure that there's lifeguards at Makena Beach.

And everybody blaming the County cause it's us that supply the workers with contract to Makena Beach, but it's a State beach park. And they collecting \$10 for parking, so much for admission, \$90,000 a month and this is way late. This is way late. How many people lost mobility of all their limbs because the State dragging their feet. It never should have been cut off in the first place. It sends a message that only the tourist's lives are more important than the local people that is going to Makena Beach. So, I'm grateful they gave us back the money, grateful they gave us back the position. But for some people that cannot walk anymore, it's too late.

And, and the Hawaii Tourism Authority, how many years we give them millions of dollars? Maui Visitors Bureau, how many years we give them millions of dollars? And yet, somehow, we cannot put messages on the airplanes? So, I'm glad it's back, but for some people, it's too late. Thank you.

CHAIR LEE: Member King.

COUNCILMEMBER KING: Thank you, Chair. I just wanted to support this motion. I'm not going to belabor what was just said, but it is a dangerous area with undertow out there at Makena. The one thing I wanted to bring up is it came up in Committee that this is going to be an annual thing. So we don't have to go back every year and ask for this money. And probably increase every year, because, you know, people need an increase in pay. So, hopefully, we can work with the State, and our Administration to, to not be in, you know, in a crunch time like this where we're, we are late on getting this money and . . . I just put that out there. But thank you, Member Rawlins-Fernandez, for expediting this in the Committee and for trying to get it on the Consent Calendar. That's all. Thank you.

CHAIR LEE: Any more questions? Any more discussion? All those in favor of the motion to pass this bill, and file the communication, raise your hand and say "aye".

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

CHAIR LEE: It's eight "ayes", one "excused"; motion carries.

Madam Clerk.

COUNTY CLERK: Chair, that is BILL NO. 86 (2021) and BILL 87 (2021).

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

NO. 21-431 - MICHELE M. YOSHIMURA, BUDGET DIRECTOR,
(dated August 25, 2021)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF FIRE AND PUBLIC SAFETY, COUNTYWIDE, COUNTYWIDE FIRE FACILITIES".

The recommended action is that County Communication No. 21-431 be referred to the Budget, Finance, and Economic Development Committee.

(THE PROPOSED BILL ATTACHED TO COUNTY COMMUNICATION NO. 21-431 WAS PASSED ON FIRST READING LATER IN THE MEETING AND ASSIGNED BILL NO. 88 (2021). COUNTY COMMUNICATION NO. 21-431 WAS THEN FILED. See pages 42 through 46 for discussion and action.)

NO. 21-432 - MICHELE M. YOSHIMURA, BUDGET DIRECTOR,
(dated August 27, 2021)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX D – CONDITIONAL LANGUAGE, OFFICE OF THE MAYOR, ADMINISTRATION PROGRAM; AND AFFORDABLE HOUSING FUND".

The recommended action is that County Communication No. 21-432 be referred to the Budget, Finance, and Economic Development Committee.

(THE PROPOSED BILL ATTACHED TO COUNTY COMMUNICATION NO. 21-432 WAS PASSED ON FIRST READING LATER IN THE MEETING AND ASSIGNED BILL NO. 89 (2021). COUNTY COMMUNICATION NO. 21-432 WAS THEN FILED. See pages 42 through 46 for discussion and action.)

NO. 21-433 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,
(dated August 17, 2021)

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 OFFICE OF THE AUDITOR, STATE OF HAWAII, TO AUDIT THE SCHEDULE OF ALLOCATIONS OF THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII".

The recommended action is that County Communication No. 21-433 be referred to the Budget, Finance, and Economic Development Committee.

(THE PROPOSED BILL ATTACHED TO COUNTY COMMUNICATION NO. 21-433 WAS PASSED ON FIRST READING LATER IN THE MEETING AND ASSIGNED BILL NO. 90 (2021). COUNTY COMMUNICATION NO. 21-433 WAS THEN FILED. See pages 46 through 49 for discussion and action.)

NO. 21-434 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,
(dated August 17, 2021)

Transmitting the Summary of Total Funded Indebtedness of the County's Outstanding and Unpaid as of July 1, 2021.

The recommended action is that County Communication No. 21-434 be referred to the Budget, Finance, and Economic Development Committee.

NO. 21-435 - LORI TSUHAKO, DIRECTOR OF HOUSING AND HUMAN CONCERNS, (dated August 23, 2021)

Transmitting a proposed resolution entitled "APPROVING CERTAIN FINANCING STRUCTURE COMPONENTS RELATING TO THE USE OF FUNDS RECEIVED THROUGH CHAPTER 3.35, MAUI COUNTY CODE, THE KAIĀULU O HALELE'A APARTMENTS AFFORDABLE HOUSING PROJECT".

The recommended action is that County Communication No. 21-435 be referred to the Budget, Finance, and Economic Development Committee.

NO. 21-436 - KEANI N.W. RAWLINS-FERNANDEZ, COUNCIL VICE-CHAIR, (dated August 27, 2021)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 2.08.060, MAUI COUNTY CODE, RELATING TO COUNCIL SERVICES STAFF SALARIES".

The recommended action is that County Communication No. 21-436 be referred to the Budget, Finance, and Economic Development Committee.

(See page 49 through 52 for discussion.)

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

DISCUSSION AND ACTION RELATING TO
COUNTY COMMUNICATION NOS. 21-431 and 21-432

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Consideration on CC 21-431 and CC 21-432.

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

COUNCILMEMBER SINENCI:

SECOND.

COUNCILMEMBER SUGIMURA: Second.

CHAIR LEE: Second? Mem, moved by Member, Vice-Chair Rawlins-Fernandez, seconded by Member Sinenci, to waive the Rules of the Council on CC 21-431, CC 21-432.

Vice-Chair Rawlins-Fernandez. Discussion?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Mahalo, Chair. I'm taking these two up together. They're both housekeeping items and I'll explain more at, during the main motion. But there were words that were inadvertently left out that make a substantial difference, so correcting these as housekeeping items as quickly as possible.

CHAIR LEE: Any more comments or questions? If not, all those in favor of waiving 7.G., raise your hand, say "aye".

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

CHAIR LEE: Eight "ayes", one "excused"; motion carries.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO PASS THE PROPOSED BILLS ON FIRST READING
AND TO FILE COUNTY COMMUNICATION 21-431 AND
21-432.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: Second. Moved by Vice-Chair Rawlins-Fernandez, seconded by Member Sugimura, to pass the attached bills on first reading and filing of the communications.

Discussion? Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Members, these bills do not impact the totals of the Fiscal Year 2022 Budget or necessitate further amendments.

The first bill amends Appendix C, Capital Improvement Projects, Department of Fire and Public Safety, to change the word to allow the Department to supplement existing capital improvement projects that exceed its current budget allocated due to material and shipping cost increases. The bill also adds the heading "5. Paia-Haiku Community Plan Area".

The second bill amends the Fiscal Year 2022 Budget, Appendix D, to update or add the conditional language for Re-Tree Hawaii, the Liloa Hale Project, and the Hale Piikea Project. These changes have already been made in the budget bill and only needed to be added to Appendix D. Okay.

CHAIR LEE: Anymore discussion--

VICE-CHAIR RAWLINS-FERNANDEZ: And then I--

CHAIR LEE: --or questions? I'm sorry. Were, were you not done?

VICE-CHAIR RAWLINS-FERNANDEZ: Yea, I, I will have to move for amendments. And I need a second to pull that up. So, if you'd like to see if the Members have any discussion at this point, I will yield the floor and pull up the motion to amend.

CHAIR LEE: Alright.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR LEE: Member King.

COUNCILMEMBER KING: Thank you, Chair. Just wanted to point out for the public in case they are, if there's any concerns on No. 21-432, that this is not changing the, the original project. It's just, it's just adding the fiscal sponsor. So, it was, it was something that wasn't known at the time that we passed it.

CHAIR LEE: Okay. Anymore comments or questions?

Vice-Chair.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Okay, so the Clerk's have sent everyone my Amendment Summary Form; ASF CC 21-431. It should be in your inbox at 10:33 a.m.

THE MOTION IS TO AMEND APPENDIX C, FISCAL YEAR 2022 BUDGET, DEPARTMENT OF FIRE AND PUBLIC SAFETY, COUNTYWIDE FIRE FACILITIES, TO ENSURE THE LIST OF PROJECTS IS NOT EXCLUSIVE AND TO CORRECT INADVERTENT STYLE ERRORS, BY:

1. REMOVING ", BUT NOT LIMITED TO";
2. CHANGING "STATION" TO "STATIONS" AFTER "PAIA, MAKAWAO, AND KULA"; AND
3. CHANGING "KIHEI STATION" CAPITALIZED "S", TO "KIHEI STATION" SMALL "S".

CHAIR LEE: Any comments or questions? Or, okay, that's an amendment. That's an amendment, right?

VICE-CHAIR RAWLINS-FERNANDEZ: Yes, I'll need a second.

CHAIR LEE: So, we need a second.

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Vice-Chair, moved by Vice-Chair Rawlins-Fernandez to amend the main motion, and seconded by Member King. And you heard her amendment. This, this housekeeping measure is turning out to be cleaning the whole house.

Okay, so any more discussion on the amendment, anybody? If not, all those in favor of the amendment, raise your hand and say "aye".

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

CHAIR LEE: I see eight "ayes", zero "noes", one "excused". Motion carries on the amendment.

Now, did you have another amendment, Vice-Chair, or that's it?

VICE-CHAIR RAWLINS-FERNANDEZ: No, that completes it. I support the main motion, as amended.

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

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

CHAIR LEE: Eight "ayes", zero "noes", one "excused"; motion carries. Thank you.

Madam Clerk.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

DISCUSSION AND ACTION RELATING TO
COUNTY COMMUNICATION NO. 21-433

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Consideration on CC 21-433. This is the, regarding the Office of the Auditor, Hawaii State.

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

CHAIR LEE: Second?

COUNCILMEMBER SINENCI:

SECOND.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member Sinenci, to waive the Rules of the Council on CC 21-433.

Discussion, Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. And mahalo, Members, for this consideration. This is an annual payment for this annual audit that we do. And we've taken it up on November 9, 2020 in the EDB Committee; November 20, at the Council meeting; June 13, at the BF 2017 BF meeting. So, we've, we've had discussions on this previously and there, there aren't any changes. So, consideration on not requiring it to go to Committee. Mahalo, Chair.

CHAIR LEE: Any more discussion? Vice-Chair, not Vice-Chair.

Member Sugimura.

COUNCILMEMBER SUGIMURA: Just a question. It was a standard amount, right, Keani? Every year, it was, I don't want to say 10,000 or, it was a standard amount that every year it's our percentage that we, we are responsible? Okay, I support this. Thank you.

VICE-CHAIR RAWLINS-FERNANDEZ: Yes, that's correct. Mahalo, Chair.

CHAIR LEE: Okay, we're just on the waiver. All those in favor of the motion, say "aye".

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

CHAIR LEE: Eight "ayes", zero. Eight "ayes", zero "noes", one "excused"; 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 21-433.

CHAIR LEE: Second?

COUNCILMEMBER SINENCI:

SECOND.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member Sinenci, to pass the attached bill on first reading, and filing of the communication.

Discussion, Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Members, this bill provides funding for an audit of the schedule of allocations of the Employees' Retirement System, ERS, for the State of Hawaii for Fiscal Years 2021 through 2026. The cost of these services would be \$1,700 each fiscal year. The County of Maui's Comprehensive Annual Fiscal Report audit requires the ERS schedule of allocations to be audited in accordance with the Governmental Accounting Standards Board Statement No. 68. Representatives from the Administration are available to answer any questions the Members may have. Mahalo, Chair.

CHAIR LEE: Members, do you have questions? We have the Budget Chair standing by from Portland.

VICE-CHAIR RAWLINS-FERNANDEZ: The Budget Director?

CHAIR LEE: Yea, the Budget Director. Any, so no questions? All those in favor of the motion, raise your hand and say "aye".

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

CHAIR LEE: Okay. So, eight "ayes", zero "noes", one "excused"; motion carries.

Vice-Chair Rawlins-Fernandez.

DISCUSSION RELATING TO
COUNTY COMMUNICATION NO. 21-436

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Sorry. Consideration on CC 21-436.

CHAIR LEE: Okay. She hasn't called that one up yet.

VICE-CHAIR RAWLINS-FERNANDEZ: Oh. Oh okay. Alright.

CHAIR LEE: But she can. She can. Madam Clerk--

VICE-CHAIR RAWLINS-FERNANDEZ: I, I

CHAIR LEE: --can you call up--

VICE-CHAIR RAWLINS-FERNANDEZ: Okay.

CHAIR LEE: Vice-Chair.

VICE-CHAIR RAWLINS-FERNANDEZ: Oh, I was going to just yield to the Clerk, and then--

CHAIR LEE: Okay. We're yielding to you, Madam Clerk.

COUNTY CLERK: Thank you, Chair. I did call up that item, actually.

CHAIR LEE: Oh, you did call it up?

COUNTY CLERK: Communication 21-436.

CHAIR LEE: Oh, I, I didn't realize it. You skipped over 434, or did you do 434 and 435? You did all of them?

COUNTY CLERK: All of them for referral, yea.

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

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. And, and a quick recap. So, we passed 430, 431, 432, and 433 just now. I'm requesting referral to the BFED Committee for 434 and 435; and consideration on 21-436.

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

CHAIR LEE: Second?

COUNCILMEMBER SINENCI:

SECOND.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member Sinenci, to waive Rule 7.G., regarding CC 21-436.

Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: We're on the waiver? Oh, so approval of this motion by a two-thirds of the vote of the entire membership will enable us to pass the proposed bill today. Taking this bill up today will enable our Department to, OCS Department to work more efficiously *[sic]*, efficiently. And I will explain more in the main motion.

CHAIR LEE: Any more discussion on the waiver?

Member Sugimura.

COUNCILMEMBER SUGIMURA: Yea, I really would like this to go to the appropriate Committee to discuss in detail, rather than passing it on the floor today. So, that's going to be my position. Thank you.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I'll, I'll yield to Member Paltin and then I, I have a comment after.

CHAIR LEE: Okay. Member Paltin.

COUNCILMEMBER PALTIN: Oh, thank you, Chair. Thank you, Member Rawlins-Fernandez. I just was wondering the time sensitivity part. So, maybe she can answer both at one time or something.

CHAIR LEE: Chair, can you comment on the time sensitivity?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Paltin. If Members didn't have any objections to sending this to Committee, then I would take it up today. But there was an objection from Member Sugimura, so I would be happy to take it to Committee for a deeper discussion on this bill.

CHAIR LEE: So, are you saying--

VICE-CHAIR RAWLINS-FERNANDEZ: Oh, I--

CHAIR LEE: --there is no time constraints?

VICE-CHAIR RAWLINS-FERNANDEZ:

I, I WITHDRAW MY MOTION.

CHAIR LEE: No time sensitivity with regard to this item?

VICE-CHAIR RAWLINS-FERNANDEZ: I, I guess that's debatable.

CHAIR LEE: Oh. Thank you for that clarification, Vice-Chair. Alright. Members, do you want to proceed with this, or do you want to refer this to the BFED Committee?

Vice-Chair?

VICE-CHAIR RAWLINS-FERNANDEZ: Oh, okay. I, I didn't know you were going to give it to the Members for informal poll.

CHAIR LEE: Okay. Tell me if I'm wrong. I heard you say that you wanted to pass this on the floor today, unless there's an objection from the Members, yea? So, I'm checking if there are any other objections from the Members. Any other objections from the Members? Or did you, Vice-Chair, mean just one objection from the Members?

VICE-CHAIR RAWLINS-FERNANDEZ: It sounds like there are two objections, and so I'll take it to Committee. I'll withdraw my motion.

CHAIR LEE: Okay. Main motion and second are withdrawn.

COUNCILMEMBER SUGIMURA: Thank you, Keani.

CHAIR LEE: And so, you are also requesting--

COUNCILMEMBER SUGIMURA: Thank you, Chair.

CHAIR LEE: --referral of this item to the BFED Committee?

VICE-CHAIR RAWLINS-FERNANDEZ: That's correct. Mahalo, Chair.

CHAIR LEE: Okay. Any objections, Members, to refer CC 21-434, 435, and 436 to the BFED Committee?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: No objections. So, ordered.

Okay. I think it's time for our morning break. So, let's see, let's come back at 11:00. And then if we're very efficient we might be able to get out before lunchtime. Of course, I may be dreaming, but we can always try. So, Members, recess until 11 a.m. Thank you.

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

CHAIR LEE: Will the Council meeting of September 3 please reconvene. Madam Clerk, we have Member Paltin, who is going to, for the record let us know who's in room with her.

COUNCILMEMBER PALTIN: Thank you, Chair. Per the Governor's most recent emergency proclamation I have in the room with me in addition to the three I mentioned earlier, Kevin Chang, Scotty Garlough, Charlie Young, Margot Chesne, Sol Kahoohalahala, and Ginger Gohier.

CHAIR LEE: Okay, thank you. Big room. Aloha from Maui to everyone there.

Madam Clerk, shall we proceed?

COUNTY CLERK: Yes, Chair. For the record, County Communication 21-431, the bill that was passed has been assigned BILL NO. 88 (2021); County Communication 21-432 is BILL 89 (2021); and County Communication 21-433 is BILL 90 (2021).

CHAIR LEE: Okay, thank you.

COUNTY CLERK: Proceeding with committee reports.

COMMITTEE REPORTS

COMMITTEE REPORT
NO. 21-69 - AFFORDABLE HOUSING COMMITTEE:

Recommending the following:

1. That Resolution 21-136, entitled "APPROVING WITH MODIFICATIONS THE INDEPENDENT DEVELOPMENT OF THE HŌKŪAO HOUSING PROJECT UNDER SECTION 201H-38, HAWAII REVISED STATUTES," be ADOPTED.
2. That the proposed resolution entitled "APPROVING THE INDEPENDENT DEVELOPMENT OF THE HŌKŪAO 201H HOUSING PROJECT PURSUANT TO SECTION 201H-38, HAWAII REVISED STATUTES," be FILED; and
3. That the proposed resolution entitled "DISAPPROVING THE INDEPENDENT DEVELOPMENT OF THE HŌKŪAO 201H HOUSING PROJECT PURSUANT TO SECTION 201H-38, HAWAII REVISED STATUTES," be FILED.

CHAIR LEE: Member Johnson.

COUNCILMEMBER JOHNSON: Mahalo, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN
COMMITTEE REPORT 21-69.

COUNCILMEMBER MOLINA:

SECOND.

CHAIR LEE: Moved by Member Johnson, seconded by Member Molina to adopt the, to approve the recommendations in Committee Report 21-69.

Discussion, Member Johnson?

COUNCILMEMBER JOHNSON: Members, your Affordable Housing Committee met August 2, 2021, August 16, 2021, and reconvened August 26, 2021 *[sic]* to consider the proposed Hōkūao 201H Project by developer Pūlama Lāna'i. Under 201H-38, Hawai'i Revised Statutes, the Council must approve with modifications or disapprove

the proposed project within 45 days after the project submittal, which occurred July 21, 2021.

Your Committee thoughtfully considered the project and took into account comments received by various County agencies as well as public testimony and the majority which expressed support for the project. After much discussion, your Committee agreed that the Hōkūao Project will help fill a large housing need for the Lāna'i community, where many residents are stacked up in overcrowded units. The housing shortage is also a major issue for our young folk, many of whom would like to remain on the island or return on the island, but have nowhere to live affordable or otherwise.

The Hōkūao project will provide 150 single family homes on 8,000 square foot lots for Lāna'i residents. Seventy-six of these fully furnished two-bedroom homes will be rented in perpetuity as workforce housing units to households earning between 80 percent and 140 percent area median income as adjusted for Lāna'i. Monthly rents for these units range from \$1,000 to \$1750 per month, including all utilities and property maintenance. The project will also provide 74 market-rate units, a community center, one-acre park, fruit-bearing trees and Native Hawaiian trees, road extensions, sidewalks on at least one side of the project's internal roads, and other infrastructure improvements.

In addition, the developer will develop stub outs for water and wastewater for the anticipated County affordable housing project on Lāna'i. Pūlama Lāna'i will also extend deed restriction period for 39 existing units at Iwiole Hale making them affordable in perpetuity.

Your Committee recognized that Lāna'i has not had large-scale affordable housing construction for almost 30 years, for over 30 years. With the Hōkūao project we could be seeing construction start within two years. In order to expedite the project, your Committee approved various exemptions from requirements in the Maui County Code. Your Committee voted 8-0 to recommend adoption of the revised proposed resolution approving the project with modifications and filing of the other proposed resolutions.

The Hōkūao project will be a great benefit for, to the residents of Lāna'i, and has the support of the community. I respectfully ask for your support of this motion. Mahalo.

CHAIR LEE: Thank you. More discussion?

Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. So I wanted to know.

CHAIR LEE: Oh, I'm sorry, excuse me, I should have called on the person who seconded the motion.

Member Molina, first.

COUNCILMEMBER MOLINA: Yes. Thank you very much Madam Chair. I want to first thank our Affordable Housing Chair, Mr. Johnson for shepherding this matter through. It was a very, had some long sessions but it was certainly well-vetted out. And mahalo to Pūlama Lāna'i for certainly, you know, while this may not be a perfect project in the eyes of some, it's still much-needed housing for this community. So this is certainly a very, very big step towards addressing the housing crisis on Lāna'i. With that said, Madam Chair, I'm happy to support this proposal. Thank you, Madam Chair.

CHAIR LEE: Thank you, Member Molina.

Member Sugimura.

COUNCILMEMBER SUGIMURA: Yeah, I wanted to if I could, Chair Johnson, if I could, you're the Chair of the Affordable Housing Committee, but to add in the comments that we heard from Keiki-Pua in her testimony with the amendment to the Committee Report on page 9.

CHAIR LEE: Would you like to read it? I think you would have to make a motion, amending the main motion.

COUNCILMEMBER SUGIMURA:

SO I WOULD LIKE TO AMEND THE MAIN MOTION BY ADDING ON PAGE 9, BULLET POINT NO. 3 IN THE TOP, AFTER COMPLETING THIS PROJECT, AND THIS IS THE ADD, "PHASE 1 AND PHASE 2 OF THE COUNTY'S AFFORDABLE HOUSING PROJECT, AND FULFILLING PŪLAMA LĀNA'I'S RENTAL NEEDS, IF AN ASSESSMENT DEMONSTRATES THE NEED FOR WORKFORCE HOUSING OWNERSHIP UNITS, THE DEVELOPER WILL CONSIDER OFFERING EXISTING HOMES IN ITS RENTAL INVENTORY FOR SALE TO INCOME QUALIFIED RESIDENTS". SO THE ADDITION WOULD BE AFTER THE WORD "PROJECTS," ADD "PHASE 1 AND PHASE 2 OF THE COUNTY'S AFFORDABLE HOUSING PROJECT," AND THEN THE REST OF THE PARAGRAPH.

CHAIR LEE: Second? Is there a second?

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Okay. Seconded by Member King. Any discussion on that amendment?

Member Sugimura, and then Member King. Member Sugimura do you want to add, do you want to say anything to your motion.

COUNCILMEMBER SUGIMURA: I'm sorry. So the only thing I guess I would, you know, if, if people have questions, maybe Keiki-Pua or Pūlama Lāna'i can answer it, but it was basically taken from the minutes, verbatim minutes as it was presented, and just a discussion between Gabe Johnson and Kurt Matsumoto during the Committee report, I mean, sorry Committee hearing. And so therefore, this is the amendment that was proposed. Thank you.

CHAIR LEE: Okay. Member King who seconded the motion.

COUNCILMEMBER KING: Thank you, Chair. I don't have anything to add, I think it sounded like it was a discussion that they had directly with our Affordable Housing Chair, and I saw his hand up. So perhaps he would like to discuss this further?

CHAIR LEE: Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair.

I JUST WANT TO ADD TO COUNCILMEMBER SUGIMURA'S AMENDMENT THAT THEY'RE MISSING THE WORD "COUNTY'S LĀNA'I AFFORDABLE HOUSING PROJECT." AND I THINK THAT MIGHT MAKE A DIFFERENCE. SO IF YOU WANT TO PUT THAT IN THERE, THAT'S ALL THAT I WANTED TO ADD TO IT?

CHAIR LEE: Is that okay with you, Member Sugimura? Yeah, this sounds like, for clarification.

COUNCILMEMBER SUGIMURA: Yes.

COUNCILMEMBER KING: As the seconder I accept that friendly amendment.

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

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

CHAIR LEE: One, two, three, four, five, six, eight "ayes", zero "noes", one "excused". Motion carries.

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

COUNCILMEMBER PALTIN: I, I have some discussion.

CHAIR LEE: Oh, I'm sorry, I missed you. Before the vote, Member Paltin has discussion, questions or comments.

Member Paltin.

COUNCILMEMBER PALTIN: Thank you Chair. And you know, I haven't had a chance to write that letter to Mr. Ellison yet, cause, well . . . and so I just, I just need to say my comments, you know, before, before we vote on this. And, and I feel like, you know, really our, our back is against the wall. I'm saddened that Mr. Hokama only told us these comments about the bypass with only a few days left before the deadline, where it either passes or we don't get any modifications of the native trees, the fruit trees, the sidewalks, the houses that might be sold to people if they have extra. And you know, it's a good project for any old developer to bring to a community.

But if you have \$117,000 million, and if you own 98 percent of an island, and if, if you care about that island, you know? Like if it were me, I would want to see the best for the people that live there. I would want to see them own homes, I would want to see them have a good school. And especially, if I made a global giving pledge to give away 95 percent of my wealth before I die and I'm already 77 years old, you know, a stub out to the County property? That's, that's not even a million dollars. That is not even anything. And I know Mr. Matsumoto said what I was asking wasn't fair, but, you know,

it's not fair that some folks have \$117,000 million and some people just want a place to live.

So you know, obviously, I got to support it, because the need is so great over there. But if, if you live in Lāna'i, because you like to live there, why he's not doing more for the people? Why he is not reaching out to us? Why he's not doing more, and that's all I got to say. Thank you.

CHAIR LEE: Thank you. Are there any more comments?

Member Sugimura.

COUNCILMEMBER SUGIMURA: Point of order, I guess. I got a text that people are trying to view this and cannot hear it on Akaku. So I wonder if you could check?

CHAIR LEE: I'm looking at Akaku right now, I can hear you. I can hear it.

COUNCILMEMBER SUGIMURA: Oh, you can, channel 53, 54? Okay, okay. It may be old. Thank you.

CHAIR LEE: Member King.

COUNCILMEMBER KING: Thank you, Chair. I, I support the motion before us, and I want to acknowledge Councilmember Gabe Johnson, who chairs the Affordable Housing Committee for his diligence on affordable housing on Lāna'i. I think this is going to bring a lot of housing, I, even though I was one of the stronger advocates for adding on the infrastructure, you know. I don't think we should let the good be the enemy of the perfect, and so moving ahead, I think, is a good idea.

I haven't given up on the idea of the truly affordable County section of the housing projects and am, you know, willing to work through the Committee, or with Mr. Johnson on that issue too going forward. But I think that the, I just want to acknowledge the fact that as Riki Hokama said, it's been a really long time since any housing has been developed. And, you know, here we have a bird in the hand, we need to . . . we heard nothing but the need for housing from the residents. So I just want to, I want to acknowledge that, you know, within your first term, Member Johnson, you brought this forward and were able to see some, hopefully see some construction of housing on Lāna'i. And we'll continue to work on the truly affordable side. So, I support the motion.

CHAIR LEE: Any more comments?

Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. So I have Akaku on, too. And I just wanted to let those that don't have audio on channel 53 know that this meeting is also broadcasting on channel 54, and channel 54 has audio. So if they're on channel 53, and not hearing anything, go to channel 54. Mahalo for bringing that up, Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you.

VICE-CHAIR RAWLINS-FERNANDEZ: I, and since I have the floor, I'll just quickly, you know, mahalo Member Johnson for his diligence on this item. And I'll echo the sentiments of Member Paltin, strongly. But I won't go in detail as I did at the Affordable Housing Committee meeting, because I'm sure the Members don't want to hear me go through all of. Mahalo, Chair.

CHAIR LEE: Thank you, anybody else? I, too, would like to add my congratulations to Member Johnson for doing a great job moving this through the system. It was difficult, and, but it's so well-needed, and I'm really happy for the people on your island because for the first time in 30 years, they are going to have some new options, some housing that's, that's quality housing, not just any housing.

Alright, Members, ready to vote? All those in favor.

Member Sugimura, are you asking a question?

COUNCILMEMBER SUGIMURA: I just want to add to what you're saying is that congratulations to Chair, Affordable Housing Chair Johnson. But I also wanted to acknowledge Riki Hokama who testified today. And I know that it has been in his veins, his blood to try to get this also going on the County's affordable housing project for all the years I have been on Council, he's been working on it. So jointly, I think this is, this is long time coming. Thank you very much.

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

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

CHAIR LEE: I see eight "ayes", zero "noes", one "excused". Motion carries. Hopefully we can be there for the groundbreaking.

Alright, Madam Clerk.

COUNTY CLERK: Chair that's RESOLUTION 21-136.

COMMITTEE REPORT

NO. 21-70 - BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE:

Recommending the following:

1. That Resolution 21-137, entitled "AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF HOUSING AND HUMAN CONCERNS TO MODIFY THE REQUIREMENTS OF CHAPTER 2.96, MAUI COUNTY CODE, IN RELATION TO THE COUNTY'S PURCHASE OPTIONS, AND APPROVING CERTAIN FINANCING STRUCTURE COMPONENTS RELATING TO THE USE OF FUNDS RECEIVED THROUGH CHAPTER 3.35, MAUI COUNTY CODE, FOR THE LILOA HALE SENIOR RENTAL HOUSING PROJECT," be ADOPTED;
2. That Bill 91 (2021), entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES – SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2022, AFFORDABLE HOUSING FUND (LILOA HALE PROJECT)," be PASSED ON FIRST READING and be ORDERED TO PRINT;
3. That County Communication 21-378, from the Director of Housing and Human Concerns be FILED; and
4. That County Communication 21-383, from the Budget Director, be FILED.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN
COMMITTEE REPORT 21-70.

COUNCILMEMBER JOHNSON:

SECOND.

CHAIR LEE: Second. Moved by Vice-Chair Rawlins-Fernandez, seconded by Member Johnson to approve the committee, recommendations in Committee Report 21-70.

Discussion, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Your Budget, Finance, and Economic Development Committee met on August 18, 2021, to discuss a proposed resolution to obtain Council approval on the Liloa Hale Senior Rental Housing Project using certain finance structure components related to funds received under Chapter 3.35, Maui County Code, and a proposed bill to amend the Fiscal Year 2022 Budget, Appendix A, Part II, Special Purpose Revenues, Schedule of Revolving Funds/Special Funds by adding an appropriation under the Affordable Housing Fund for the Liloa Hale Senior Rental Housing Project in the amount of \$4,300,000.

Your Committee noted the change in financing from grant, from a grant to a loan would increase Federal and State credits, enhancing Federal feasibility, and strengthen applications for Federal and State funding.

Your Committee also noted the reduction in units from 150 to 117 was due to feedback from the community, indicating that they did not want a four-story structure, leading the developer to remove a floor from the proposed building. Your Committee voted 6-0 to recommend adoption of the revised proposed resolution, passage of the revised proposed bill, and filing of the communications. I respectfully ask for the Members' continued support of this item. Mahalo, Chair.

CHAIR LEE: Any more discussion?

Member King.

COUNCILMEMBER KING: Thank you, Chair. I'm in full support and I just wanted to thank the developers of Hale Liloa for working with the community. And the community is in full support of this project as it's been redesigned, and it was, it was a good compromise, I really, I think this is why affordable housing is going forward in South Maui is because of the willingness of the developers who have come to the community, and had those discussions, and reformulated things, changed things. It was a big, it was a big ask of Hale Liloa and I'm just really impressed that they worked on it so hard

to make it fit into the community. So it is truly appropriate affordable housing. Thank you.

CHAIR LEE: Alright, very good.

Member Sugimura.

COUNCILMEMBER SUGIMURA: Sorry, can't get my audio on. So who was the developer here?

CHAIR LEE: We can hear you.

COUNCILMEMBER SUGIMURA: Okay. Who is the developer for this project, refresh my memory? I mean I know the name, who the, what are the people's names?

CHAIR LEE: The people's names?

COUNCILMEMBER SUGIMURA: The people.

CHAIR LEE: Member King, do you know the people's names?

COUNCILMEMBER KING: Is that a question for me? I'm sorry I don't have those names right in front of me right now.

COUNCILMEMBER SUGIMURA: Yeah, I'm just curious, because we have seen so many, you know, maybe the Department will tell us. Thank you.

COUNCILMEMBER KING: I've got, I've got so many developers names in my head right now because we got four projects now in South Maui.

CHAIR LEE: Do you need to know the names?

COUNCILMEMBER SUGIMURA: I'm just curious? I think the public might want to be curious, I mean, might what to know, you know, who we're dealing with and who are these good developers? Thank you. I guess it's not important then. I'll find out on my own.

CHAIR LEE: Just so happens we don't know their names right offhand. Anybody else for discussion? If not, all those in favor, Member, before that, Vice-Chair Rawlins-Fernandez. Are you voting or you asking a question?

VICE-CHAIR RAWLINS-FERNANDEZ: I am making a comment.

CHAIR LEE: Make a comment.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. In response to Member Sugimura's question about the names of the developers, while I don't have that memorized, it was discussed, and the names of those who represented the developers were in Committee, and we discussed thoroughly this item. And so if anyone is curious about the names of the developers, those who represented the developers anyway, they can go to the Budget, Finance, and Economic Development Committee item, and see the meeting minutes, and it's all there. So there's, it's all transparent. There's nothing, you know, hidden about that. So if the public wants that information, it is accessible to the public. Mahalo, Chair.

COUNCILMEMBER SUGIMURA: So Chair, I wasn't trying to imply that we're not transparent or whatever. I was just wondering what the name was. Please disregard my question, because I wasn't expecting to get a lecture about committee reports. So, thank you.

CHAIR LEE: Okay, alright, my friends, can we move on?

VICE-CHAIR RAWLINS-FERNANDEZ: Chair.

CHAIR LEE: Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I'll thank Ms. Milner who quickly went and retrieved the information for Member Sugimura. It's Moe Mohanna, Monte Heaton, that represented Highridge Costa Development Company. Mahalo, Chair.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: That's the part I remember, Highridge. I don't remember the names of the people. Okay, I think, I'm glad we got that settled. All those, did we take a vote. All those in favor of the motion say "aye".

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

HAIR LEE: Okay, it's unanimous. Eight "ayes", one "excused". Motion carries.

Madam Clerk.

COUNTY CLERK: Chair, that's RESOLUTION 21-137 and BILL NO. 91 (2021).

COMMITTEE REPORT

NO. 21-71 - BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT
COMMITTEE:

Recommending the following:

1. That Bill 92 (2021), entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES – SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2022, AFFORDABLE HOUSING FUND (HALE O PIIKEA II)," be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 21-382, from the Budget Director, be FILED.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN
COMMITTEE REPORT 21-71.

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member King to approve the recommendations in Committee Report 21-71.

Discussion, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Your Budget, Finance, and Economic Development Committee met on August 18, 2021 to discuss the proposed bill to amend Fiscal Year 2022 Budget Appendix A, Part II, Special Purpose Revenues,

Schedule of Revolving/Special Funds, by amending the appropriation for Hale O Piikea under the Affordable Housing Fund, for the Hawaiian Community Development Board, by: 1) allowing funds to be used for construction instead of land acquisition; 2) revising the number of units from 96 to 97; and 3) adjusting the unit counts per category; and 4) adding one unit for an on-site property manager.

Your Committee noted the Mayor and Administration initiated the request to, and this is for Member Sugimura, Ikenakea Development, to allow the funds to be used for construction instead of land acquisition. This funding changes also helps to clarify project type.

Your Committee discussed the change in the number of units per category, and the developer informed your Committee this adjustment was made to meet the threshold for unit mix for Area Median Income levels and make their application for Federal funding more competitive.

Your Committee stated they would like to see the adjusted number of units per category recouped in future phases of this project. Your Committee voted 6-0 to recommend passage of the proposed bill and filing of the communication. I respectfully ask for the Members continued support of this project. Mahalo.

CHAIR LEE: Any more discussion, Members?

Member King.

COUNCILMEMBER KING: Thank you, Chair. I support the proposal and am grateful that the Administration, the Council, and developer were all able to work together on these changes. I do want to state for those who don't know, I think most of the people involved in the Kihei Community Association know this, but the developer, the original project from 15 years ago was supposed to be sort of a downtown area, with retail and a movie theater. And so the developers were able to pivot to turn it into an affordable housing project.

And this is again, you know, one of the benefits of the, that kind of communication between the developer and the community, recognizing that, you know, retail establishments, retail malls are not the way to go these days and we're not, we're not, we're seeing, in fact we're seeing a lot of empty . . . assets from that kind of construction. So I want to thank everybody involved. And think this is a really good example of how we all work together to, to develop a project that the community can truly support. So thank you for allowing me to speak and I'm in full support.

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

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

CHAIR LEE: I see eight "ayes", zero "noes", one "excused". Motion carries.

Thank you, Madam Clerk.

COUNTY CLERK: Chair, that's BILL NO. 92 (2021).

COMMITTEE REPORT
NO. 21-72 - GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY
COMMITTEE:

Recommending that Resolution 21-138, entitled "RELATING TO THE
APPOINTMENT OF ANDREA RODGERS TO THE MAUI COUNTY COMMISSION
ON PERSONS WITH DISABILITIES," be ADOPTED.

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair.

MOVE TO ADOPT THE RECOMMENDATIONS OF
COMMITTEE REPORT NO. 21-72.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR LEE: Moved by Member Molina, seconded by Vice-Chair Rawlins-Fernandez to adopt
the resolution in Committee Report 21-72.

Discussion, Member Molina?

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair. Your GREAT Committee met on August 18, 2021 to discuss a proposed resolution relating to the Mayor's nomination of Andrea Rodgers to the Maui County Commission on Persons with Disabilities for a term expiring on March 31, 2025, due to the removal of John Copeland. Ms. Rodgers expressed interest in serving as an advocate for vulnerable and disabled individuals, and your Committee agreed Ms. Rodgers would certainly be an asset to this commission; and therefore, voted 8-0 to recommend her nomination be approved. Thank you very much, Madam Chair.

COUNCILMEMBER MOLINA: Thank you, are there any other comments or questions? If not, all those in favor of the motion to adopt the resolution.

COUNCILMEMBER SUGIMURA: Chair. Chair.

CHAIR LEE: Do you have a question?

Member Sugimura.

COUNCILMEMBER SUGIMURA: Yeah, so I just wanted to add to what Member Molina said as we've mentioned Reverend Copeland's name. During that discussion, people were wondering if he was okay because he didn't show up at the committee meetings. And just to let you know, I was, I have been in touch with him, and he's actually okay. Because there was a concern about his overall health, and the reason that he did miss the meetings that he did to cause this removal was because of some, you know, health issues, but in general, he's fine. I think that came up in discussion. So just so you all know, he is fine. But I support this nomination. Thank you.

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

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

CHAIR LEE: Eight "ayes", one "excused", zero "noes". Motion carries.

Thank you. Madam Clerk.

COUNTY CLERK: That would be RESOLUTION 21-138.

COMMITTEE REPORT
NO. 21-73 - GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY
COMMITTEE:

Recommending that Resolution 21-139, entitled "APPOINTMENT OF MEMBERS
TO THE CONSERVATION PLANNING COMMITTEE FOR THE COUNTY OF MAUI",
be ADOPTED.

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair.

MOVE TO ADOPT THE RECOMMENDATIONS OF
COMMITTEE REPORT NO. 21-73.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR LEE: Moved by Member Molina, seconded by Vice-Chair Rawlins-Fernandez to adopt
the resolution in Committee Report 21-73.

Member Molina.

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair. Your Committee met
on August 18, 2021 to consider the Mayor's nomination of Vernon Kalanikau as the
Aha Moku, for a term expiring on March 31, 2022; Michelle Gould as the University of
Hawaii Maui College representative for a term expiring on March 31, 2023; and Dale
Bonar as the Land Trust representative for a term expiring on March 31, 2024.

The Committee discussed all of the nominations starting first with Mr. Kalanikau who
is a very active member of the South Maui community, and having been involved with
the Moku/Ahupua'a Sign Project and he also served as a consultant for various
community projects and was a member of the Kihei Community Association. Ms.
Gould is employed at the University of Hawaii Maui College where she teaches
sustainability-focused courses related to a Sustainability Science Management degree
path. And Mr. Bonar was the Executive Director of the Maui Coastal Land Trust and
Hawaiian Islands Land Trust and retired in 2012.

Your Committee voted 8-0 to recommend adoption of the revised proposed resolutions and I want to thank these three individuals who possess a lot of great background for volunteering their time to serve on this commission. Thank you, Madam Chair.

CHAIR LEE: Thank you. Comments or questions? If not, all those in favor of the motion please say "aye", raise your hand?

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

CHAIR LEE: Eight "ayes". Member Paltin? Eight "ayes", zero "noes", one "excused". Motion carries.

Madam Clerk.

COUNTY CLERK: Thank you, Chair. That is RESOLUTION 21-139.

COMMITTEE REPORT

NO. 21-74 - GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY
COMMITTEE:

Recommending that Resolution 21-140, entitled "AUTHORIZING SETTLEMENT OF CLAIM NO. 4063974 OF KRISTEN SATO," be ADOPTED.

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair. Out of respect for your consideration for us to sort of expedite things today at the Council meeting, if there are no objections, I'd like the Clerk to call up Committee Reports 21-75, 21-76, and 21-77.

CHAIR LEE: Any objections, Members?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: If not, so ordered.

Madam Clerk.

COMMITTEE REPORT
NO. 21-75 - GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY
COMMITTEE:

Recommending that Resolution 21-141, entitled "AUTHORIZING SETTLEMENT OF
CLAIM NO. 4064010 OF ANTHONY NUNEZ," be ADOPTED.

COMMITTEE REPORT
NO. 21-76 - GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY
COMMITTEE:

Recommending that Resolution 21-142, entitled "AUTHORIZING SETTLEMENT OF
CLAIM NO. 4066522 OF POLINA GOLDBERG," be ADOPTED.

COMMITTEE REPORT
NO. 21-77 - GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY
COMMITTEE:

Recommending that Resolution 21-143, entitled "AUTHORIZING SETTLEMENT OF
JOHN MULLEN CLAIM NO. 4070387 OF SANDY FAROWICH," be ADOPTED.

CHAIR LEE: Mr. Molina.

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

MOVE TO ADOPT THE RECOMMENDATIONS OF
COMMITTEE REPORTS NOS. 21-74, 21-75, 21-76 AND 21-77.

COUNCILMEMBER SINENCI:

SECOND.

CHAIR LEE: Moved by Member Molina, seconded by Member Sinenci to adopt the
resolutions in Committee Reports 21-74, 75, 76, 77.

Discussion, Mr. Molina.

COUNCILMEMBER MOLINA: Yes, thank you very much, Madam Chair. As read by the Clerk these four committee reports relate to settlement authorizations from Corporation Counsel. First for Ms. Sato, this is a proposed settlement to, for a claim for \$13,969.48 related to damages to Ms. Sato's vehicle resulting from an accident with a Maui County fleet vehicle on Kaahumanu Avenue, Kahului, Maui, Hawaii on February 25, 2020. Committee voted 8-0 to approve that settlement.

For Committee Report 21-75, this relates to a settlement authorization for \$12,806.63. This had to do with the damages to Mr. Nunez's vehicle resulting from an accident with a Maui County fleet vehicle on Kilou Street in Waiehu, Maui, Hawaii on January 6, 2020. Your Committee voted 8-0 to approve that.

And for Committee Report No. 21-76, this matter relates to a Corporation Counsel recommendation for a claim for \$13,942.92. The Committee noted that the claim alleges damages to Ms. Polina Goldberg's vehicle resulting from an accident with a Maui County fleet vehicle on Kula Highway, Kula, Maui, Hawaii on August 26, 2020. The Committee voted 6-0 to approve that.

And finally for Committee Report No. 21-77, the results in, proposed settlement from Corporation Counsel is a claim for \$11,935.47. And the Committee noted that the claim was a result of damages to Mr. Farowich's, Sandy Farowich's property located at 2250 Kananui Road in Kihei, Maui, Hawaii on May 5, 2021, resulting from a broken water main, which flooded their property.

And I'd like to thank my Committee Vice-Chair Keani Rawlins-Fernandez for shepherding the last two settlement proposals on the August 18, 2021 GREAT Committee meeting. I ask for the Members' full support of these proposed settlement authorizations from Corporation Counsel. And forgive me for my birds cackling back there, making a lot of noise. So, thank you, Madam Chair.

CHAIR LEE: It's okay, it's Aloha Friday. Members, any more discussion? If not, all those in favor of the motion, please raise your hand and say "aye"?

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

CHAIR LEE: Okay eight "ayes", one "excused". Motion carries.

Madam Clerk.

COUNTY CLERK: That would be RESOLUTION 21-140 for Committee Report 21-74; 21-141 for Committee Report 21-75; 21-142 for resolution contained in Committee Report 21-76; and 21-143 for the resolution in Committee Report 21-77.

COMMITTEE REPORT
NO. 21-78 - PLANNING AND SUSTAINABLE LAND USE COMMITTEE:

Recommending the following:

1. That Bill 93 (2021), entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.64, MAUI COUNTY CODE, RELATING TO BED AND BREAKFAST HOMES," be PASSED ON FIRST READING and be ORDERED TO PRINT;
2. That Bill 94 (2021), entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.65, MAUI COUNTY CODE, RELATING TO SHORT-TERM RENTAL HOMES," be PASSED ON FIRST READING and be ORDERED TO PRINT; and
3. That County Communication 20-484, from the Planning Director, be FILED.

CHAIR LEE: Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN
COMMITTEE REPORT 21-78.

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Moved by Member Paltin, seconded by Member King to approve the recommendations in Committee Report 21-78.

Discussion, Member Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. The purpose of the proposed bills is to reduce the number of Bed & Breakfasts Homes and Short-Term Rental Homes in the Lāna'i Community Plan area by: limiting permits of each type to 21 which was amended by the Committee to a cap of 15; prohibiting on-street parking by guests, operators, service, or delivery vehicles at any time; limiting density to no more than one type within a 300-foot radius and no more than one type per block; increasing notification requirements to include current residents of adjacent properties and properties across the street; and requiring, requiring Lāna'i Planning Commission to review all permit renewal applications for the island and allowing their approval for up to five years.

Your Committee agreed that permits in effect at the time of the ordinance enactment would remain valid until their expiration date and could be renewed, if renewal criteria were met. Your Committee voted 8-0 to recommend passage of the revised proposed bills on first reading and filing of the communication. I respectfully ask for the Members' support of my motion. Thank you.

CHAIR LEE: Thank you. Any more discussion, comments? If not, all those in favor of the motion?

Member Sugimura.

COUNCILMEMBER SUGIMURA: So did we have an amendment proposed by the Planning Department? Jacky Takakura, is this the one?

CHAIR LEE: Member Paltin. Can't hear you, can't hear you. Member Paltin.

COUNCILMEMBER PALTIN: I defer to Deputy Director Hart. Thanks.

CHAIR LEE: Alright, Deputy Director Hart.

DEPUTY DIRECTOR OF PLANNING JORDAN HART: Chair, thank you. To keep it brief, no. This, this bill is not the one that would be amended. The next one following is the one that we would amend. We just wanted to point out that this language was established by the Lāna'i Planning Commission as you are going to adopt it today. And that the following bill will override it, if we don't amend that one. And so we have to tweak that one slightly, and then they will both co-exist in the Code together.

COUNCILMEMBER SUGIMURA: Thank you.

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

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

CHAIR LEE: Eight "ayes", zero "noes", one "excused". Motion carries.

Madam Clerk.

COUNTY CLERK: Chair, that is BILL 93 (2021) and BILL 94 (2021)

Proceeding with bill for first reading.

ORDINANCES

ORDINANCE NO. _____
BILL NO. 95 (2021)

A BILL FOR AN ORDINANCE AMENDING SECTION 2.80B, MAUI COUNTY
CODE, TO ADD "MITIGATE CLIMATE CHANGE AND WORK TOWARD
RESILIENCE" AS A GOAL OF THE COUNTYWIDE POLICY PLAN

CHAIR LEE: Councilmember King.

COUNCILMEMBER KING: Thank you, Chair.

I MOVE TO PASS THE PROPOSED BILL ON FIRST READING.

COUNCILMEMBER SINENCI:

SECOND.

VICE-CHAIR RAWLINS-FERNANDEZ: Second.

CHAIR LEE: Moved by Member King, seconded by Member Sinenci to pass the attached bill on first reading.

Discussion, Member King.

COUNCILMEMBER KING: Thank you, Chair. The purpose of the proposed bill is to incorporate the amended Section IV, attached as Exhibit "1" by adding "mitigate climate change and work toward resilience" as a theme and goal of the Countywide Policy Plan.

At the June 18, 2021 Council meeting, we adopted the recommendations of Committee Report 21-38, to hold public hearings on Lānaʻi, Maui, and Molokaʻi; after the public hearings, schedule first reading of the proposed bill; and file the communication. The public hearings were held on August 10, 2021 and no oral or written testimony was received.

I'd like to remind Members the proposed bill was unanimously recommended for approval by the Lānaʻi, Maui and Molokaʻi Planning Commissions and the Planning Department also supported emphasizing climate change in the Countywide Policy Plan. We need to focus on the causes and effects of climate change by grouping policies under a single goal and theme. I respectfully ask for the Council's support of my motion. Thank you.

CHAIR LEE: Thank you. Any more discussion or comments? If not, all those in favor of passing the bill on first reading please raise your hand, say "aye".

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

CHAIR LEE: Eight "ayes", zero "noes"; motion carries. One excused. Good job, Member King.

Madam Clerk.

COUNTY CLERK: Chair that is BILL 95 (2021).

Proceeding with ordinances for second and final reading.

ORDINANCE NO. _____
BILL NO. 73 (2021)

A BILL FOR AN ORDINANCE AMENDING
THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO THE DEPARTMENT OF HOUSING AND HUMAN CONCERNS,
HUMAN CONCERNS AND ANIMAL MANAGEMENT PROGRAMS;
OFFICE OF THE MAYOR, ADMINISTRATION PROGRAM; AND
DEPARTMENT OF PARKS AND RECREATION, ADMINISTRATION PROGRAM

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. If there are no objections, my I request the Clerk also call up Bill 74 through Bill 76, and Bill 82.

CHAIR LEE: Members, any objections.

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: So, ordered.

Madam Clerk.

ORDINANCE NO. _____
BILL NO. 74 (2021)

A BILL FOR AN ORDINANCE AMENDING
THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO APPENDIX D – CONDITIONAL LANGUAGE

ORDINANCE NO. _____
BILL NO. 75 (2021)

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 5219,
BILL NO. 48 (2021), RELATING TO THE ISSUANCE OF GENERAL
OBLIGATION BONDS OF THE COUNTY OF MAUI
ISSUANCE, SALE AND DELIVERY OF SAID BONDS
(DEPARTMENT OF FIRE AND
PUBLIC SAFETY – PUKO'O FIRE STATION)

ORDINANCE NO. _____
BILL NO. 76 (2021)

A BILL FOR AN ORDINANCE AMENDING
THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO APPENDIX B
REVENUES – FEES, RATES, ASSESSMENTS AND TAXES

ORDINANCE NO. _____
BILL NO. 82 (2021)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.48, MAUI COUNTY
CODE, RELATING TO KULEANA TAX EXEMPTIONS

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

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO PASS BILL 73 THROUGH BILL 76, AND BILL 82 ON
SECOND AND FINAL READING.

COUNCILMEMBER JOHNSON:

SECOND.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member Johnson, to
pass Bill 73, 74, 75, 76, and 82 on second and final reading.

Discussion, Vice-Chair.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Bill 82 amends Chapter 3.48 of the
Maui County Code to add a reference to Kuleana Act government grant land, clarify
the definition of a owner who is a lineal descendent, and to allow for retroactive
applications.

Bill 73 through Bill 76 are for housekeeping purposes and do not impact the total of the
Fiscal Year 2022 Budget or necessitate further amendments. At this time I'd like to
call on our Corporation Counsel Moana Lutey to respond to some of the concerns that
were shared via email to the Members as well as in testimony regarding HRS 92-7A

Notice on Bill 73, 74, and 76, as well as County Code 3.40.040 Term of Contract or Grant. Mahalo, Ms. Lutey.

CHAIR LEE: Bonjour, Ms. Lutey.

CORPORATION COUNSEL MOANA LUTEY: Thank you and bonjour. In terms of, I'll start first with the notice. This is an, we have appropriately noticed this matter. I, this is an amendment and that has been properly set forth in the agenda as it's been published and distributed properly today. In terms of the leases and grants and so forth, all of this had been properly vetted through this body, and if you look at the Section 3.40.040, that's been referenced by the testifier, this body can permit grants that are in excess of the five-year period and that has been vetted fully by this body. If you have further questions, I am available.

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

CHAIR LEE: Members, do you have any. Go ahead.

Vice-Chair.

VICE-CHAIR RAWLINS-FERNANDEZ: Oh, I'm, mahalo, Chair. I was going to yield the floor to the Members if they needed further clarification about the concerns that were shared so that Ms. Lutey can respond to them. Mahalo, Chair.

CHAIR LEE: Member Paltin.

COUNCILMEMBER PALTIN: Just my only clarification is that Ms. Lutey is just saying that the testifier was wrong.

CHAIR LEE: Ms. Lutey.

CORPORATION COUNSEL: I, I think I'm just pointing out that this body has acted appropriately and that the notice is correct, and so I was referring back to our Code and also the reference made by Vice-Chair Rawlins-Fernandez, the statutory provision that was cited, that we have met all of those legal criteria. So, I'm not sure where the confusion is there on the testifier, but I, I would refrain from name-calling in this, just pointing out what we've done correctly here.

COUNCILMEMBER PALTIN: So, just clarifying you're saying we're not violating any laws, cause you're the lawyer, we're not.

CORPORATION COUNSEL: That's correct. Yes, that's correct. You--

COUNCILMEMBER PALTIN: Okay.

CORPORATION COUNSEL: --you guys followed all of the proper protocol and legal procedures.

COUNCILMEMBER PALTIN: Okay, thank you, I just wanted to clarify that cause I'm not a lawyer.

CHAIR LEE: Thank you. You should be. Any other comments or questions?

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. It's for Ms. Lutey. So, I think the, as I understand it for the concern about notice is that Bill 73, 74, and 76 were not slated for first reading, it was, it were, they were county communications, so it wasn't committee reports and it didn't have the, the same look and format necessarily, so we weren't acting on committee recommendations. And so, in our Council Rules, under, you know, in compliance with HRS 92 Sunshine Law, we are able to remain in compliance with Sunshine Laws by waiving our own Rules of operation to send items to the Committee for further deliberation and take up county communications on first reading without committee referral and report and remain in compliance with Sunshine Law.

CHAIR LEE: Ms. Lutey?

CORPORATION COUNSEL: Thank you, Chair.

CHAIR LEE: Anything to add?

CORPORATION COUNSEL: I don't. I do think that we're in compliance with Sunshine Law. So that is not an issue here before any of you.

CHAIR LEE: Thank you. Any other comments or questions? If not, let's see, if not, did we vote on this already? No. All those in favor of passing all these bills on second and final reading, raise your hand and say "aye". That's 73, 74, 75, 76 and 82.

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

CHAIR LEE: Eight "ayes", zero "noes", one "excused", motion carries. Thank you.

Madam Clerk.

ORDINANCE NO. _____
BILL NO. 77 (2021)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR
OF THE COUNTY OF MAUI TO ENTER INTO AN
INTERGOVERNMENTAL AGREEMENT WITH THE
DEPARTMENT OF THE ATTORNEY GENERAL, STATE OF HAWAII

CHAIR LEE: Member Molina. You're muted. Member Molina.

COUNCILMEMBER MOLINA: Sorry about that, Madam Chair. Yes. May I request the Clerk also call up Bill 78 as well, Madam Chair?

CHAIR LEE: Any objections, Members?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: So ordered. Madam Clerk.

ORDINANCE NO. _____
BILL NO. 78 (2021)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR
OF THE COUNTY OF MAUI TO ENTER INTO AN
INTERGOVERNMENTAL AGREEMENT WITH THE
DEPARTMENT OF THE ATTORNEY GENERAL, STATE OF HAWAII

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair.

MOVE TO PASS BILL 77 AND 78 ON SECOND AND FINAL
READING.

COUNCILMEMBER SINENCI:

SECOND.

CHAIR LEE: Second. Moved by Member Molina, second by Member Sinenci to pass Bill 77 and 78 on second and final reading.

Discussion, Member Molina.

COUNCILMEMBER MOLINA: Yes, thank you very much, Madam Chair. First Bill 77 would authorize the Mayor to enter into an intergovernmental agreement with State Department of Attorney General Office regarding the granting of funds for the Victims of Crime Act Victim Assistance Grants Program, Special Needs Advocacy project. The grant agreement is for the period of July 1, 2021 to June 30, 2022 totaling \$825,325, which includes \$164,865 in matching funds, and \$1,000 in admin costs.

Bill 78 would authorize the Mayor to enter into an intergovernmental agreement with the State Department of the Attorney General regarding the granting of funds for the STOP Violence Against Women Formula Grant, the anticipated project period is June 1, 2021 to May 31, 2022, totaling \$109,946 which includes \$27,487 in matching funds, as provided for in the Department of the Prosecuting Attorney's Fiscal Year 2022 Budget. I ask for the Members' full support of these two bills. Thank you, Madam Chair.

CHAIR LEE: Thank you. Any more discussion or questions? If not, all those in favor of the motion to pass Bill 77 and 78 on second and final reading, raise your hand, say "aye"?

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

CHAIR LEE: Eight "ayes", one "excused". Motion carries. No "noes".

Madam Clerk.

ORDINANCE NO. _____
BILL NO. 79 (2021)

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: Member Sinenci.

COUNCILMEMBER SINENCI: Mahalo, Chair.

I MOVE TO PASS BILL 79 ON SECOND AND FINAL READING.

COUNCILMEMBER JOHNSON:

SECOND.

CHAIR LEE: Moved by Member Sinenci, seconded by Member Johnson to pass Bill 79 on second and final reading.

Discussion, Member Sinenci?

COUNCILMEMBER SINENCI: Thank you, Chair. As previously discussed, the proposed bill would repeal Ordinance 5229, which would have taken effect on November 1. This bill amending the exclusions for grading and grubbing permits for trenching for underground utilities would take effect upon approval. When addressing unintended consequences, the bill did not do what we had hoped that it would do, which was protecting known burial sites. Instead it had expedited trenching without any oversight. So Chair as we celebrate Hawaiian History Month, we must ensure that our history be protected from ever being erased. So I ask for the Members' full support.

CHAIR LEE: Member Paltin.

COUNCILMEMBER PALTIN: Thank you. I want to offer my sincere mahalo to Member Sinenci for this bill and hoping that it ends the division in the community, and more destruction of cultural sites in Maluuluolele. Mahalo.

CHAIR LEE: Anyone else to add or have comments/questions? If not, all those in favor of the motion, please say "aye", raise your hand.

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

CHAIR LEE: Unanimous, eight "ayes", zero "noes", one "excused". Motion carries.

Madam Clerk.

ORDINANCE NO. _____
BILL NO. 80 (2021)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR
OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL
AGREEMENT WITH U.S. GEOLOGICAL SURVEY, PACIFIC ISLANDS WATER
SCIENCE CENTER, UNITED STATES DEPARTMENT OF THE INTERIOR
(COOPERATIVE WATER-RESOURCE MONITORING PROGRAM)

CHAIR LEE: Member Sinenci.

COUNCILMEMBER SINENCI: Mahalo, Chair. May I please request the Clerk also call up
Bill 81?

CHAIR LEE: Any objections, Members.

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: So ordered.

Madam Clerk.

ORDINANCE NO. _____
BILL NO. 81 (2021)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR
OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL
AGREEMENT WITH U.S. GEOLOGICAL SURVEY, PACIFIC ISLANDS WATER
SCIENCE CENTER, UNITED STATES DEPARTMENT OF THE INTERIOR
(STUDY TO ASSESS GROUNDWATER AVAILABILITY UNDER
SCENARIO-BASED RECHARGE CHANGES ON THE ISLAND OF MAUI)

CHAIR LEE: Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair.

I MOVE TO PASS BILLS 80 AND 81 ON SECOND AND FINAL
READING.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: Moved by Member Sinenci, seconded by Member Sugimura to pass Bills 80 and 81 on second and final reading. Any discussion?

Member Sinenci?

COUNCILMEMBER SINENCI: Members, Bill 80 would authorize the Mayor to enter into a Joint Funding Agreement with the USGS, Pacific Islands Water Science Center, the U.S. Department of the Interior, to continue its cooperative water-resource monitoring program. The intergovernmental agreement is for the period October 1, 2021 to September 30, 2022, at a cost of \$104,555 to the County.

Bill 81 would authorize the Mayor to enter into Joint Funding Agreement with the USGS Pacific Islands Water Science Center, U.S. Department of the Interior, for a study to assess groundwater availability under scenario-based recharge changes on the island of Maui. The intergovernmental agreement is for the period October 1, 2021 to March 31, 2022, at a cost of \$168,000 to the County. I ask Members' full support.

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

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

CHAIR LEE: Eight "ayes", one "excused". Motion carries.

COUNCILMEMBER SINENCI: Mahalo.

CHAIR LEE: Very good, very good.

Madam Clerk.

ORDINANCE NO. _____
BILL NO. 83 (2021)

A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM
R-3 RESIDENTIAL DISTRICT AND R-2 RESIDENTIAL DISTRICT
TO A-2 APARTMENT DISTRICT FOR PROPERTIES
SITUATED AT KAHULUI, MAUI, HAWAII,
TAX MAP KEYS (2) 3-8-007:050, (2) 3-8-007:095, AND (2) 3-8-007:096

CHAIR LEE: Member Paltin.

COUNCILMEMBER PALTIN: Oh, thank you, Chair. Just, the last one was (2) 3-8-007:096;
right?

CHAIR LEE: Yes.

COUNCILMEMBER PALTIN: Okay, okay.

I MOVE TO PASS BILL 83 (2021) ON SECOND AND FINAL
READING.

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Moved by Member Paltin, seconded by Member King to pass Bill 83 on second
and final reading.

Discussion, Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. The purpose of this bill is to grant a change
in zoning to ensure that zoning is consistent with the multi-family community plan
designation for three properties owned or leased by Hale Mahaolu and used for their
existing affordable senior projects at Akahi and Elua. I respectfully ask for the
Members support of my motion.

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

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

CHAIR LEE: Eight "ayes", one "excused", motion passes. Thank you.

Next Madam Clerk.

ORDINANCE NO. _____
BILL NO. 84 (2021)

A BILL FOR AN ORDINANCE TO AMEND THE COMMUNITY PLAN
DESIGNATION FROM PARK AND MULTI-FAMILY TO PUBLIC/QUASI PUBLIC
FOR PROPERTY SITUATED AT KAHULUI, MAUI, HAWAII,
TAX MAP KEY (2) 3-8-007:097

CHAIR LEE: Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. May I ask the Clerk to also call up Bill 85 (2021).

CHAIR LEE: Any objections, Members?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: If not, so ordered.

Mem, Vice-Chair, Vice-Chair, Madam Clerk. You have all these different titles. Madam Clerk, please bring up Bill 85 as well.

ORDINANCE NO. _____
BILL NO. 85 (2021)

A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM R-2 RESIDENTIAL
DISTRICT TO P-2 PUBLIC/QUASI PUBLIC DISTRICT FOR PROPERTY
SITUATED AT KAHULUI, MAUI, HAWAII, TAX MAP KEY (2) 3-8-007:097

CHAIR LEE: Okay, and then Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair.

I MOVE TO PASS BILL 84 (2021) AND BILL 85 (2021) ON
SECOND AND FINAL READING.

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Moved by Member Paltin, seconded by Member King to pass Bills 84 and 85
on second and final reading.

Discussion, Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. The purpose of the proposed bills is to
amend the community plan designation and allow for a change in zoning for the
planned expansion of Kahului Community Center Park. Hale Makua Health Services
plans to develop a gateball field and field house, and a performing arts building into
something else. The proposed bill would be limited to the 7.401 acres covered in these
expansion phases. The expansion would support senior-oriented living and
recreational facilities, rehabilitation services, and workforce development for
community health care workers. I respectfully ask for the Members' support of my
motion. Thank you.

CHAIR LEE: Any more discussion? If not, all those in favor of passing these two bills on
second and final reading raise your hand and say "aye"?

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

CHAIR LEE: Eight "ayes", one "excused", zero "noes". Motion carries. Oh, my goodness.

Madam Clerk, do we have any more business?

COUNTY CLERK: Chair, there's no further business before the Council.

CHAIR LEE: Alright, Members, hope you have a wonderful, wonderful, wonderful weekend. A long weekend; right? And let's see, Member Paltin, now everybody now is the time to put in your order for her to bring us something from France. How about . . .

COUNCILMEMBER PALTIN: I just had some for dinner. It was delicious.

CHAIR LEE: Member King, Member King? Yeah, Member King.

COUNCILMEMBER KING: I got corrected by my husband that tomorrow is actually our 38th Anniversary, not 39 that I thought it was. But I'm not sure if it's silver, gold, or platinum, but you're welcome to bring me whatever you want, Member Paltin.

CHAIR LEE: Very good. Very good. That, that's wonderful. Congratulations.

COUNCILMEMBER KING: Thank you.

CHAIR LEE: That's a milestone, definitely.

COUNCILMEMBER SINENCI: Some crescents and some hors d'oeuvres.

CHAIR LEE: Hors d'oeuvres. Anybody else. Oh, Member Molina wants portuguese sausage.

COUNCILMEMBER MOLINA: Yeah, and, and french fries and french bread.

CHAIR LEE: Alright.

COUNCILMEMBER PALTIN: . . . the baguette, the baguette at the supermarket is only forty, .40 euros, so you guys can all have baguettes.

CHAIR LEE: Alright, alright. Member Sugimura, did you want something from France?

COUNCILMEMBER SUGIMURA: Just come home safely, Tamara. Come home safely.

CHAIR LEE: Yeah. Anybody else? Vice-Chair?

VICE-CHAIR RAWLINS-FERNANDEZ: Chocolate.

CHAIR LEE: Choco, oh, okay.

COUNCILMEMBER PALTIN: I can do that. . . . I don't know if everybody else's baguettes might get crusty, but I can do chocolate.

CHAIR LEE: Member Johnson, you want anything?

COUNCILMEMBER JOHNSON: I'm humble, I just want her to come home safe, just like what Councilmember Sugimura said.

CHAIR LEE: We all do. We all do. We want you to have a nice time, but then come home safely and then get straight back to work.

COUNCILMEMBER PALTIN: I was trying to take a selfie with--

CHAIR LEE: What's that?

COUNCILMEMBER PALTIN: I was trying to take a selfie with Macron's bodyguards cause they had all those AK-47 kind of guns, but it started, as soon as like the France part started there was a huge thunder and like it started pouring rain, and we had to make a run for it.

CHAIR LEE: Wow.

COUNCILMEMBER PALTIN: It was, it was kind of, hō'ailona-ish, I don't know. But it was pretty heavy. It was like huge, I was like I thought it was a bomb, but it was thunder.

CHAIR LEE: So what, do they understand you when you speak French over there?

COUNCILMEMBER PALTIN: They understand merci and toilet.

CHAIR LEE: Okay. Alright everybody, thank you so much for this meeting, and have a wonderful weekend. Stay safe. This meeting is adjourned.

ADJOURNMENT

The regular meeting of September 3, 2021 was adjourned by the Chair at 12:09 p.m.

A handwritten signature in black ink, reading "Kathy L. Kaohu", written over a horizontal line.

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



RECEIVED

2021 SEP -1 PM 12: 43

September 1, 2021

OFFICE OF THE
COUNTY CLERK

By e-mail

Re: CR 21-69 Version 1
Testimony in support, clarifications for consideration
Maui County Council Meeting September 3, 2021

Aloha Council Chair Lee and Councilmembers:

We would like to acknowledge all of your sincere efforts in the review process of our 201H Hōkūao Housing Project in Lānaʻi City. We understand that the expedited process of a 201H application is a burden on all of your time and resources. We appreciate the diligence that you have put into the evaluation of our application and the many discussions we have had over the last several weeks at the three Affordable Housing Committee meetings on the topic.¹

After the review of Committee Report 21-69 Version 1 (CR 21-69), there is an item that we would like to bring to your attention that was discussed at the August 16th and most recently at the August 25th Affordable Housing Committee meetings.

CR 21-69 Page 9 of 56

On page 9 there are three bullets at the top of the page, the last bullet discusses the “for sale” option. We believe CR 21-69 is missing a key component, which is the County’s Affordable Housing project. During the discussion on August 25, Councilmember Johnson started the discussion at 2:23:00 and it was clear that the County’s Affordable Housing project was included in this discussion. Further in the conversation, there was a specific exchange where Councilmember Johnson reiterated the order of events, see the exchange transcribed here for convenience:

Councilmember Gabe Johnson: What I heard, was after Phase 2 of the County project, with a survey done, then Pūlama would be willing to sell some of its old plantation homes, 235 of.

¹ See AH-1(1) Direct Referral created on July 21, 2021 on Granicus:
<https://mauicounty.legistar.com/LegislationDetail.aspx?ID=5082254&GUID=9666216E-1425-461E-A4C6-040546F80CE2> . Meeting dates were August 2, 16, and 25, 2021.

Kurt Matsumoto: That is correct Chair, we would want to assess the housing needs at that point, and then be able to make a decision about whether there was enough breathing room on the rental demand that we could sell some homes. So you can imagine we see Hōkūāo developed, we see phase 1, 2, at the County level developed, and there will probably be some movement within the rentals. In order for us to sell any of the older homes, we would first need to have accommodations for those residents in place. So just to paint the picture of what we're envisioning – what could happen in the future – it is not a quick trigger. It would take some time, but depending on how it looks.

Councilmember Gabe Johnson: I want to get specifics, I want to get it in writing. So, that is why I'm doing active listening for you Kurt Matsumoto. I want to make sure that what I'm hearing and I say it back to you and we put it on record and we'll get that. So after Phase 2, after housing study, you would be willing to sell some of your single family homes, some of your single family rental units in Lānaʻi City as workforce housing ownership. 20 homes? What are we talking? You mentioned you had 235.

Kurt Matsumoto: I can't commit to a number tonight. I can't commit to a number Chair, but we would sell homes and would look at what the demand is at that time.

Gabe Johnson: How about a minimum number of homes, or a percentage of homes. We have to have something where we can have – I need a bone. I need to have something. I can't just say we'll look into it, that doesn't work for the County.

Kurt Matsumoto: If you are saying I have to give you a number in order to get this approved, I can't do that. Like I said, it, I think it really depends on what the conditions are when we get there. How long is it gonna take the county to start the project? How many people pick up and qualify for those homes? You've seen the data and you've seen the rents that we have on those older homes. And in a lot of cases some people may not want to leave those rentals because the rentals are gonna be less than even living in the County affordable project. The dynamics are so hard to imagine in the future we have to play it out. But yeah, you have our commitment that there will be a point where we will sell some homes, but I'm not gonna give you a number tonight.

Gabe Johnson: I'll let you know that we have programs that are setting up for first-time home owner buyers. They've got 30,000 that they can apply for. I believe that the people of Lānaʻi deserve affordable homes and I believe that they would apply and they would be in there. That being said, you made your point. I think that is all I have for you. If any other members have any questions, thank you for that response.

The third bullet does not make any mention of the County's Affordable Housing Project, here is the excerpt from page 9 of CR 21-69:

- After completing this Project and fulfilling Pūlama Lānaʻi's rental needs, if an assessment demonstrates the need for workforce housing ownership units, the Developer will consider offering existing homes in its rental inventory for sale to income-qualified residents.

The County was deeded 115 acres to develop affordable housing in 1992, to date that condition by the County has not been met. Councilmember Johnson has been advocating for the County's Affordable Housing project since January 2021.

We would like this Council to consider adding in the following (underlined/bold) verbiage to reflect the record of the exchange that took place during the August 25th Affordable Housing Committee:

- After completing this Project, **Phase 1 and 2 of the County's Affordable Housing Project**, and fulfilling Pūlama Lānaʻi's rental needs, if an assessment demonstrates the need for workforce housing ownership units, the Developer will consider offering existing homes in its rental inventory for sale to income-qualified residents.

Again, we want sincerely mahalo the Council for their support of our project over the last few weeks and look forward to our continued efforts to bring much needed housing for the residents of Lānaʻi.

Mahalo for your service to our community and for your consideration of our request for clarification.

Mahalo,

Keiki-Pua S. Dancil, Ph.D.
Senior Vice President, Government Affairs & Strategic Planning

cc: AH.Committee@mauicounty.us (via email)
Mimi DesJardins, Maui County Department of the Corporation Counsel (via email)
Karlynn Fukuda, Munekiyo Hiraga (via email)

RECEIVED

2021 SEP -2 AM 8: 35

OFFICE OF THE
COUNTY CLERK

Date: September 2nd, 2021.

To: Maui County Council

Re: CR 21-69 Hokuao

Dear Council Members,

Thank you for your service and your commitment to make Maui County a better place to live. I work for Pulamalanai but I am not a paid lobbyist. I am writing this letter on behalf of myself. Please support the Hokuao Housing project on Lana'i. I am born and raised on the island and last time there was any housing development was when I graduated High School, that was 30 years ago. Now that I have my own family, housing on Lana'i is very difficult for my fellow Lana'ians. Personally, my family and I are fortunate that we have a family home to live in. We moved back to the island from Montana, knowing that we had a place to stay. Unfortunately, not many can do that now a days. There are so many Lana'ians and people who move to Lana'i to make a better life for themselves and their families but have no place for rent that is affordable. With the limited available rentals on island, the rent for these families or individuals are so ridiculously high that I feel so bad for them. Please support this project so that the prices on rental on Lana'i will come down so that people who need a place will be able to find a place that they can afford. Thank you again for your time and your continued dedication to make Maui County a better place. Stay Safe and Healthy during this difficult time.

Sincerely,

A handwritten signature in black ink, appearing to read 'Roger Alconcel', with a long horizontal flourish extending to the right.

Roger Alconcel



FOUR SEASONS
RESORTS
LANA'I

RECEIVED

2021 AUG 31 PM 4:19

OFFICE OF THE
COUNTY CLERK

August 31, 2021

Maui County Council
county.clerk@mauicounty.us

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

I am writing today in support of the proposed Hōkūao 201H Residential Project, which will provide affordable workforce housing for the residents in our community who choose to call Maui County home as they work, live and even raise families.

Please accept my testimony as a current Lāna'i City resident and General Manager of Four Seasons Resorts Lanai. Tourism is an integral part of Lāna'i's economy and our two properties - Four Seasons Resort Lāna'i and Sensei Lāna'i, A Four Seasons Resort - directly employ over 800 people, a significantly large segment of the local community. The vast majority of our workforce lives on Lāna'i. This number does not include the supporting elements of local business owners and tour operators that play an active role as ambassadors to everyone that visits our beautiful island as well as the many other members of the community that choose to make Lāna'i home.

It is vital for projects like this to move forward, so our residents, and those who would like the opportunity to live in the community, have access to a choice of available housing.

The proposed development would add 150 new single-family homes for lease with just over half the units set aside as affordable units, allowing for a variety of pricing options to accommodate a range of residents, no matter where they are on their life path. The additional elements of a Community center with parking, a park, and pocket parks along the south border will serve to enhance the overall project.

I thank you for the opportunity to share my perspective as you gather the viewpoints of the various stakeholders - from county officials, community members, neighborhood homeowner's associations, local business and immediate neighbors and know that we all are working towards making Maui County, our home, the best it can be for us all.

Once again, please accept this letter in support for the Hōkūao 201H Residential Project.

Alastair McAlpine

September 2, 2021

Aloha, Maui County council members. Thank you for the opportunity to provide written testimony.

My name is Nelinia Cabiles. I'm not a paid lobbyist; I am testifying on my own behalf as a resident of Lānaʻi. I am writing to give my full support for the Hōkūau housing project.

If you lived on Lānaʻi, you would know that the housing situation is dire. Two to three families with children under one roof. Little to no inventory of homes for incoming teachers, new hires at the Four Seasons' resorts, Sensei Farms. What is available to buy is, as other properties for sale across the state, slightly out of reach for a typical working family. And that describes only the situation of homes that are for sale. Units available for rent are rare.

I received an email from a new hire with Hawaiian Electric a few months ago, who asked me if I could help him find housing. I put him into contact with a few realtors I knew, and after a few weeks, he wrote to tell me that, beyond all odds, he was able to secure a rental. He is on the island now, working as a journeyman for the utility company. He is one of extremely lucky ones. Many people have not fared so well.

The Hōkūau housing project would help increase the inventory of homes here, while simultaneously free up other rental properties.

I support Hōkūau because I know first-hand what it's like to live with another family, waiting for a rental home to become available. That was the situation some fifty years ago, and as many of you have learned, little has changed since then. There have been housing development projects over the years, with the last one, Olopua Woods, completed twenty-five to thirty years ago.

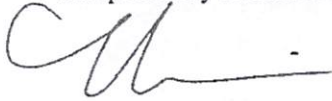
Hōkūao is an important major project that affects not just a growing demographic of families coming to the island, but also potential hires in education, agriculture, health, and the service industries. How can we possibly attract workers to our island if there is no housing to offer them as part of the recruitment package?

I support Hōkūau because it would add to the inventory of homes. It would mean homes to rent for a growing workforce. Our community needs this. It would be one of the most important housing projects Lānaʻi has seen in decades and would improve the quality of life for countless hundreds of people on our island.

I don't need a place to rent. Hōkūau would not be for me. I'm one of the rare few to have a place on Lānaʻi, for which I'm so grateful. But just because I don't need housing doesn't lessen my support for Hokuao. In fact, it only increases my support for it and my empathy for those who do need housing. I was that child whose family needed a place when we moved here from the Philippines some forty-plus years ago. I was part of that

family who had to rely on the kindness of strangers to take us in. I have empathy for all the families and kids and new teachers and nurses and workers sharing a small space. Our housing shortage on Lānaʻi is why I'm throwing my full support for Hōkūau.

Respectfully submitted, and with kind regards,

A handwritten signature in black ink, appearing to read 'Nelinia Cabiles', with a stylized flourish at the end.

Nelinia Cabiles

RECEIVED

2021 SEP -2 AM 8:35

OFFICE OF THE
COUNTY CLERK

County Clerk

From: kuniz kunimitsu <kuniz4lyph@gmail.com>
Sent: Monday, August 30, 2021 1:32 PM
To: County Clerk
Subject: Testimony

You don't often get email from kuniz4lyph@gmail.com. [Learn why this is important](#)

If it still means anything. As a resident of Lana'i it is currently a struggle with housing and we as (locals) are in need of housing! I'm tired of seeing people move here and get housing that is family sized and family's that are already here long time don't get a spot to increase in house size. I myself have a one bedroom apartment and have a family of 4 in one bedroom. It's very difficult. So please let's get to building.

Mahalo!

Shayne Kunimitsu 🙌

RECEIVED
2021 AUG 30 PM 2:27
OFFICE OF THE
COUNTY CLERK