

BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE

Council of the County of Maui

MINUTES

September 29, 2021

Online Only via BlueJeans

CONVENE: 1:32 p.m.

PRESENT: Councilmember Keani N.W. Rawlins-Fernandez, Chair
Councilmember Tamara Paltin, Vice-Chair
Councilmember Gabe Johnson, Member
Councilmember Tasha Kama, Member (out 3:26 p.m., in 4:25 p.m.)
Councilmember Kelly Takaya King, Member
Councilmember Alice L. Lee, Member
Councilmember Michael J. Molina, Member
Councilmember Shane M. Sinenci, Member
Councilmember Yuki Lei K. Sugimura, Member

STAFF: Lesley Milner, Legislative Analyst
Kasie Apo Takayama, Legislative Analyst
Richard Mitchell, Legislative Attorney
Yvette Bouthillier, Committee Secretary
Lenora Dineen, Council Services Assistant Clerk

Kate Griffiths, Executive Assistant to Councilmember Gabe Johnson
Evan Dust, Executive Assistant to Councilmember Tasha Kama
Davideane Sickels, Executive Assistant to Councilmember Tasha Kama
Axel Beers, Executive Assistant to Councilmember Kelly Takaya King
Ellen McKinley, Executive Assistant to Councilmember Kelly Takaya King
Sarah Freistat Pajimola, Executive Assistant to Councilmember Keani
N.W. Rawlins-Fernandez

ADMIN.: May Anne Alibin, Deputy Director, Department of Finance (BFED-75)
Marcy Martin, Real Property Tax Administrator, Department of Finance
(BFED-75)
Linda Munsell, Deputy Director, Department of Housing and Human
Concerns (BFED-63)
Kristina Toshikiyo, Deputy Corporation Counsel, Department of the
Corporation Counsel

Traci Fujita, Director, Office of Council Services (BFED-64)
Tammy Frias, Supervising Committee Secretary, Office of Council Services
(BFED-64)
Marlene Rebugio, Support Supervisor, Office of Council Services (BFED-
64)

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Shelly Espeleta, Supervising Legislative Analyst (BFED-64)

OTHERS: Genesis Young (BFED-78)
David Litman (BFED-78)
Edward Chang (BFED-78)
Tom Cook (BFED-78)
Leinaala Kuloloio Vedder (BFED-78)
Natasha Chang (BFED-78)
Wayne Tanaka, Office of Hawaiian Affairs (BFED-78)
Manuel Kuloloio (BFED-78)
Barbara Fernandez (BFED-78)
Keiki Kawai'ae'a (BFED-78)
Francine Aaronson (BFED-78)
Mahealani Carbinal (BFED-78)
Mogul Lu'uwai (BFED-78)
S. Kaleikoa Ka'eo (BFED-78)
Momi Hunter (BFED-78)
Zandra Amaral Crouse (BFED-78)
Kekai Keahi (BFED-78)
Keisa Liu

Douglas Bigley, Ikaika Ohana (BFED-63)
Thomas Fischer, Ikaika Ohana (BFED-63)

PRESS: Akaku: Maui Community Television, Inc.

CHAIR RAWLINS-FERNANDEZ: Aloha 'auinalā kākou. Kanakolukūmālua minuke i ka hala o ka hola 'ekahi. Ma... 'eiwa ma iwakālua o Kepakemapa I ka makahiki 'elua kaukani iwakāluakūmakahi. E 'olu'olu mai, e ho'omalua ke Komike Mo'ohelu Kālā a me 'Ho'mohala Waiwai o wai kaluna ho'o malu o kēia Komike o Keani Rawlins-Fernandez. It's...it was 1:32 on September 29, 2021. Will the Budget, Finance, and Economic Development Committee please come to order. I'm your Chair, Keani Rawlins-Fernandez. Disclaimer, Members, in accordance with the Governor's most recent emergency proclamation, please identify by name who, if any, is in the room, vehicle, or workspace with you today. I'm at the district office...by myself here. Okay, I kēia la me kou kākou eia hope luna ho'omalua o Tamara Paltin. Halò, dè do chor, Members? Lang may yer lum reek.

VICE-CHAIR PALTIN: Aloha 'auinalā kākou mai Maui ulu olele. I'm at the West Maui district office with my aide, Angela, and we are more than six feet apart. And halò, dè do chor kākou.

CHAIR RAWLINS-FERNANDEZ: Halò. And we'll go to Council Chair Alice Lee for our greeting. Halò.

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COUNCILMEMBER LEE: Halò, Madam Chair. Lang may yer lum reek. I wish you good luck and good fortune for the future.

CHAIR RAWLINS-FERNANDEZ: Beautiful, and I will say that back to you. Lang may yer lum reek.

COUNCILMEMBER LEE: And I'm here alone. Thank you.

CHAIR RAWLINS-FERNANDEZ: Oh, mahalo. Okay. Member Shane Sinenci, aloha 'auinalā, lang may yer lum reek.

COUNCILMEMBER SINENCI: Halò, dè do chor, Chair, and lang may yer lum reek. Makahikina, I'm here at the Hāna Cultural Center with my EA, Dawn Lono.

CHAIR RAWLINS-FERNANDEZ: Mahalo. And...oh, I forgot to ask, Chair Lee, this is Scottish, Gaelic language?

COUNCILMEMBER LEE: Yes, yes it is. Because we're all practicing for when we go to Scotland with Member King.

CHAIR RAWLINS-FERNANDEZ: Next we have Member Mike Molina. Aloha 'auinalā...

COUNCILMEMBER MOLINA: Pehea 'oe, Madam Chair.

CHAIR RAWLINS-FERNANDEZ: Maika'i. Mahalo.

COUNCILMEMBER MOLINA: Right on, right on. Aloha to you, and dè do chor, and lang may yer lum reek. And mahalo to Chair Lee for getting us educated with the Scottish language. We're going to be fluent by the end of this term with that language. And of course, well wishes to our Member Kelly King, who will be visiting Scotland sometime soon. I am alone here in my house in a room here up in Makawao under the virtual bridge, and mahalo to everyone joining us here today. Aloha.

CHAIR RAWLINS-FERNANDEZ: Mahalo. Member Kelly King, aloha, lang may yer lum reek.

COUNCILMEMBER KING: Aloha. Wow, between you and Member Molina, it just rolls off your tongue. I'll have to take you to Scotland with me. Halò, and lang may yer lum reek.

CHAIR RAWLINS-FERNANDEZ: Mahalo. And Member Gabe Johnson. Aloha, lang may yer lum reek.

COUNCILMEMBER JOHNSON: Aloha, Chair. Good afternoon, Members. Dè do chor, lang may yer lum reek, which means I hope you have a stinky chimney, that's what I learned this morning. Because...I assume because, you know, back in the day, if you have a stinky chimney that means you got firewood and your house is warm. So that makes sense to me. So I hope everybody has a nice warm house and...yeah. I'm looking forward to a good meeting. Thank you.

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CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Johnson. I hope you have a stinky chimney too. Next we have Member Yuki Lei Sugimura. Aloha, lang may yer lum reek.

COUNCILMEMBER SUGIMURA: This is so fun. Aloha and good afternoon. Lang may yer lum reek. And I just want to say I was glad to hear that we actually have...in our sister city, right, we have Scottish sister cities, and we will be waiting to hear what Kelly King has to report after she visits them. So thank you.

CHAIR RAWLINS-FERNANDEZ: Nice. And finally, we have Pro Tem Tasha Kama. Aloha, lang may yer lum reek.

COUNCILMEMBER KAMA: Aloha 'auinalā, Chair, and lang may yer lum reek to each and every one of my colleagues, and also to you, Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo. Okay. From Corporation Counsel, we have with us Deputy Corporation Counsel Kristina Toshikiyo.

MS. TOSHIKIYO: Aloha, Chair and Committee Members. Halò, lang may yer lum reek.

CHAIR RAWLINS-FERNANDEZ: Mahalo. And lang may yer lum reek to you. From...let's see...and then I'll do the introductions of the representatives from the Administration when the items come up. And we'll go to Committee Staff, Committee Secretary Yvette Bouthillier, aloha.

MS. BOUTHILLIER: Aloha, good afternoon, Committee Chair and Committee Members.

CHAIR RAWLINS-FERNANDEZ: Next we have Budget Committee Analyst Lesley Milner, aloha.

MS. MILNER: Aloha, Chair, and lang may yer lum reek, Members.

CHAIR RAWLINS-FERNANDEZ: Lang may yer lum reek to you. Legislative Analyst Kasie Apo Takayama, aloha.

MS. TAKAYAMA: Halò, and lang may yer lum reek, Committee Chair and Members.

CHAIR RAWLINS-FERNANDEZ: Lang may yer lum reek to you. And Legislative Attorney Richard Mitchell, aloha.

MR. MITCHELL: Aloha, and lang may yer lum reek, Chair and Members.

CHAIR RAWLINS-FERNANDEZ: Lang may yer lum reek. And finally, Lei Dineen, Council Services Assistant Clerk, aloha. Okay. The online meeting is being conducted in accordance with the Governor's most recent emergency proclamation on COVID-19. Please see the last page of the agenda for information on meeting connectivity. We have three items on today's agenda, BFED-78, County Property Tax Reform; BFED-63, Kaiāulu O Halele'a Apartments Affordable Housing Project (Kīhei); BFED-64, Salaries of

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Council Services Staff. The intention with the three is to pass out BFED-78 out of Committee today; to defer for discharge this Friday BFED-63; and to pass out BFED-64. We'll begin with public testimony. Oral testimony via phone or video conference will be accepted. Please note that if you are signed in, you are on the list to testify even if you did not request to testify. Please let Staff know in the chat if you are signed on and do not intend to testify. Testifiers wanting to provide video testimony, please join by going to the BlueJeans meeting link noted on today's agenda. Testifiers wanting to provide audio testimony, please join by calling the phone number and entering the meeting code, also noted on today's agenda. Written testimony is highly encouraged. Instructions on how to submit testimony can be found at mauicounty.us/testify. Oral testimony is limited to three minutes per item. When testifying, please state your first and last name. If you are testifying on behalf of an organization or are a paid lobbyist, please inform the Committee. Staff has posted...let me make sure...yup. Staff has posted the testifier's log in the chat so testifiers will be able to see where they are on the list. Please be mindful of the use of chat during the meeting. Chat should not be used to provide testimony or chat with Councilmembers or other testifiers. If providing testimony, please be courteous to others by muting your microphone and video while waiting your turn to testify. Once you are done testifying, you will be asked to disconnect from the call. And if you are also just viewing the meeting, you are welcome to continue to view the remainder of the meeting on *Akakū* channel 53, Face...oh, sorry, channel 54 for today...Facebook Live, or on mauicounty.us/agendas. Only Councilmembers, Staff and designated resource personnel will be connected to the video conference meeting once testimony concludes. And we'll now proceed with testimony. We have 16 testifiers. We'll start with our first testifier, Genesis Young, followed by David Litman. Mr. Young.

. . . BEGIN PUBLIC TESTIMONY . . .

MR. YOUNG: Aloha.

CHAIR RAWLINS-FERNANDEZ: Aloha.

MR. YOUNG: Can you hear me?

CHAIR RAWLINS-FERNANDEZ: Yes. Yes, we can hear you. You may proceed.

MR. YOUNG: Okay. My camera doesn't seem to want to go on, so there you go. Anyway, I'm testifying here. Aloha, Councilmembers. Thank you. I wanted to testify in support of BFED-78. I think this is a great bill that creates more equity and should be a significant help, and actually, a lot more needs to be doing in this regard. Let's help keep the kanaka on their land if they so choose by preventing the property taxes going up based on the assessment of surrounding lands, and that would push them off the land. And already, so many Hawaiians do not live in this archipelago, you know, and so this would hopefully help that. And I think it also helps sustainability because it keeps...allows Hawaiians who are working sustainably in agriculture and traditional uses on the land to continue to do that if they choose, and so that definitely could help sustainability as well. And it's really a sad truth that rising housing costs being fueled by offshore

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investment, and tourism attracting more offshore investment, and so this is one way to counter that for the kanaka. I think this bill will help, and I do support this bill. Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Young. Members, questions for our testifier? Seeing none, we'll thank you for your testimony today, Mr. Young. Aloha.

MR. YOUNG: Thank you.

CHAIR RAWLINS-FERNANDEZ: Our next testifier is David Litman, followed by Edward Chang.

MR. LITMAN: Thank you. Yeah, I just want to also testify on behalf of BFED-78, really echoing a lot of the sentiments already expressed by Mr. Young. The concept of sustainability, the concept of equity, and the idea of just really, you know, keeping Hawai'i as Hawaiian as we can. And as someone who was not born and raised here, you know, and whose guest...I consider myself a guest here, I'd hate to think that people who...for whom this is home will have a harder time staying here unless we do whatever we can to support them. And, you know, potentially getting into issues of truth and reconciliation, I don't want to go down that road necessarily too deeply, but I think it goes a long way towards providing something towards that. Anything we can do to support, I think, is useful and helpful and needs to be done. So thank you for your time. I'm not a paid lobbyist . . . *(inaudible)* . . .

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Litman. Members, questions for our testifier? Seeing none, we'll thank you for your testimony today. Aloha. Our next testifier is Edward Chang, followed by Tom Cook.

MR. CHANG: May I start now?

CHAIR RAWLINS-FERNANDEZ: You may proceed.

MR. CHANG: Okay. Good afternoon, Councilmembers. My name is Edward Chang. Thank you for providing the opportunity to testify on behalf of the 'Āina Kūpuna Bill, BFED-78 (CC 21-29). I'm testifying because I believe the 'Āina Kūpuna Bill provides needed relief...needed property tax relief for our family property. The property I'm seeking relief for is located in Makena. My property...my family calls the property Paipu. It is one intervening lot from the beach. Locals call the beach Chang's Beach. The property was acquired by my great, great grandfather, John Kukahiko, in 1883. It has a well to provide water that was established in the 1920s for the family to farm. My father was a hog farmer and raised alfalfa at Paipu for the hogs. I helped my dad on the farm in 1940. I built a house on the property in 1990. I now raise nursery plants, palms, beach . . . *(inaudible)* . . . grafted mango and grafted avocado trees. The property is ag dedicated. It's assigned nine-tenths of an acre agriculture, .26 acres homesite, 1.9 acres drainage swales through the property, sand dunes and wasteland. The tax burden is the home site. Property taxes seemed appropriate; then in 2018, a large increase. In 2017, my taxes were \$4,438. From 2018 to 2021, it's now \$13,639, a 307 percent increase. I've appealed my property taxes every year since 2018, four years now. Property tax has

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become a yearly burden. I have had to ask my children for help. This family clan is important to me...my children, my grandchildren, and my family. Thank you for considering this bill. I really think it's something that needs to be...it's heavily due. Thank you very much. Mahalo.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Chang. Okay, we have a question for you from Member Paltin.

MR. CHANG: Okay.

CHAIR RAWLINS-FERNANDEZ: Go ahead, Member Paltin.

VICE-CHAIR PALTIN: Thank you, Chair. Thank you, Mr. Chang. I just was...wanted to clarify, this wasn't the same property that we put the conditional permit on, I think, in 2019 then?

MR. CHANG: Oh no, it is not. It's a separate piece of property. It's a property that I live on. The conditional property was the Kukahiko property that we had a wedding business on. Is that your recollection?

VICE-CHAIR PALTIN: Okay, so different property.

MR. CHANG: No, it's not the same property.

VICE-CHAIR PALTIN: Okay. Thank you for the clarification.

MR. CHANG: You're very welcome.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Paltin. Pro Tem Kama, you have a question?

COUNCILMEMBER KAMA: Yes, I do, Chair. Thank you so very much. Mr. Chang?

MR. CHANG: Yes.

COUNCILMEMBER KAMA: Can you explain why the increase occurred?

MR. CHANG: You know, I'm flabbergasted because I'm toiled between . . . *(inaudible)* . . . assessed versus as compared to other pieces of property, and I truly believe that my assessment is lacking proper considerations. I think that a point in time--you know, my property looks like it's on the beach, but it's not the beach--and at one point in time it was cheaper than everything else around me. And I think whoever has made this complaint--it's my opinion of course I'm giving you--and I think that's why my taxes are high as they should be, but I got to say, we have more than one property. And if I look across what the Kukahiko family and what the old time Makena families own, you know, for the last almost 100 years, every one of these properties are being considered in jeopardy of this problem, high taxes.

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COUNCILMEMBER KAMA: Thank you, Mr. Chang. Thank you, Chair.

MR. CHANG: I hope I answered your question.

COUNCILMEMBER KAMA: Yes, thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Pro Tem Kama. And we'll have our Real Property Tax Administrator later when the item comes up. Council Chair Lee.

COUNCILMEMBER LEE: Question for you, is this in regard to the 'Āina Kūpuna Tax Bill? Okay.

CHAIR RAWLINS-FERNANDEZ: For me? Yes, yes.

COUNCILMEMBER LEE: I'm asking you because just in case he doesn't know. Okay. All right. Thank you.

CHAIR RAWLINS-FERNANDEZ: Okay, any other questions, Members. Seeing none. Mahalo...oh, Member Sugimura has a question.

COUNCILMEMBER SUGIMURA: Mr. Chang, I just want to thank you for testifying. You did share with me at a function that I saw you at about the importance of this to your family and kind of gave me a heads up, so I just...give my aloha to your wife too. Thank you.

MR. CHANG: Thank you for your interest.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sugimura. Council Chair Lee. You have a question?

COUNCILMEMBER LEE: I do have a question for him. I do have a question. Eddie, Eddie this is Alice. When did you say you acquired the land, what year?

MR. CHANG: The land that I just gave testimony on --

COUNCILMEMBER LEE: Yes.

MR. CHANG: -- was acquired in 1883.

COUNCILMEMBER LEE: Oh, okay.

MR. CHANG: And you know, I'm...

COUNCILMEMBER LEE: I think you qualify. Thank you.

MR. CHANG: I'm fifth generation from that family.

COUNCILMEMBER LEE: All right. Thank you.

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MR. CHANG: Thank you, Alice.

COUNCILMEMBER LEE: Okay.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair Lee. Okay, it looks like those are all the questions. Mahalo, Mr. Chang, for your testimony.

MR. CHANG: Thank you very much, Council, for giving me the time to testify.

CHAIR RAWLINS-FERNANDEZ: Aloha.

MR. CHANG: Mahalo.

CHAIR RAWLINS-FERNANDEZ: Our next testifier is Tom Cook, followed by Leinaala Kulolio...no...Kuloloio Vedder.

MR. COOK: Aloha, Councilmembers.

CHAIR RAWLINS-FERNANDEZ: Aloha.

MR. COOK: Can you hear me? Good.

CHAIR RAWLINS-FERNANDEZ: Yes.

MR. COOK: No problems today. My name is Tom Cook. I'm giving testimony just as me. Thank you very much, Councilmember Rawlins-Fernandez, for bringing that...for sponsoring this. This hopefully is a major step, but hopefully it continues forward. And local people...local people, for the most part, feel that we're stewards of the land and not owning it. And one of the big differences from my experience and perspective is the western real estate fee simple ownership mentality versus our...we're stewards of the land and would care for it. And so generational...keeping land in families for generations, not only for Hawaiian families, but for other local families that own property and have not sold it, not speculators, and they have children. So I'm very supportive of this. I'm really hopeful that this passes quickly and unanimously, and I'm hopeful that you can...at some point in time in the future we can address this. But the problem is, which is basically somebody sells the house next to you for a gazillion dollars, and then all of a sudden your property is a gazillion dollars, and like, you know, you still got to fix your garage. So anyway, thank you very much, and have a good day.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Cook. Members, questions? Seeing none, we'll thank you for your testimony. Our next testifier is Leinaala Kuloloio Vedder, followed by Maya Marcus. Aloha.

MS. VEDDER: Aloha. Aloha, Budget, Finance, and Economic Development Chair Keani Rawlins and Members. My name is Leinaala Kuloloio Vedder, and I support the 'Āina Kūpuna Bill wholeheartedly. I provided written testimony, but I will be reading it also.

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As a post missionary lineal decedent of Honua‘ula, my family has been displaced by forcing to sell our ancestral property because of land speculation, developer intimidation, and ridiculous skyrocketed property taxes. We have other parcels that are encroached upon by future developments in Moi Wiki Honoa‘ula that have caused anxiety and financial hardship to pay property tax. The continued increase of development from Paiahu to Keone‘o‘io have caused Hawaiian lineal descendants to use their ancestral lands for commercial purposes in order to sustain their lands, and pay for the taxes and fees incurred to maintain property and infrastructure that are assessed by an unfair formula used by the County of Maui Tax Real Property Assessment Division. Therefore, there may be some lineal decedent families who may not qualify under this bill at this time. Please consider a way to find such as a temporary limited commercial use for those families, or a moratorium of increase of...moratorium of increasing their property taxes in the interim. One point I would like to address is the political definition of kama‘aina. Indigenous peoples of Hawai‘i have been politically scrutinized of our identity for over 200 years. Politically, Native Hawaiians are the indigenous people of Hawai‘i by which we have to prove our identity by providing legal race claim documents. Is the definition of the word kama‘aina a native born, one born in a place land child according to pukui, the official definition? I would also like this Committee to define who are kama‘aina applicants, establishing their lineal descendancy by court order to a person who held title to the property as of the date on this bill. I’m confident that appropriate legal genealogy race claim documents will be used as evidence of their claim as well. This is necessary by not causing confusion among others who have been so privileged, and not to go through identity race verification scrutiny like Native Hawaiians. This also includes locals. As defined by Haunani K. Trask in one of her articles entitled, “Settlers of Color and ‘Immigrant’ Hegemony, Locals in Hawai‘i,” locals is identified, and it’s a word that is used when the immigrants came to Hawai‘i. And so like the previous caller, I think this needs to be identified who are kama‘aina if we are going to identify kama‘aina as native borns people, and they need to show proof also...genealogy proof and local documents...legal documents. . . .(timer sounds). . . .bill is passed, discussions among all stakeholders and institutions will continue to protect their inheritance, interest of lineal descendants on ancestral lands, and our future generations of Hawai‘i pae ‘āina. Mahalo.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Kuloloio Vedder. My apologies, I forgot to let everyone know that this is the sound of the alarm . . .(timer sounds). . . when the three minutes is up. I see a question from Member Paltin for you. Member Paltin.

VICE-CHAIR PALTIN: Thank you, Chair. Thank you, Ms. Kuloloio Vedder. I was wondering if you could clarify the...you said that this bill wouldn’t help all the folks, and I was wondering if you could clarify what you meant about that?

MS. VEDDER: Well, according to what the bill states and defining commercial purposes, under commercial purposes for some of the lineal descendants, for this time around--I know it’s going to come back two times after this--but for this time around for lineal descendants who are living on ancestral lands may not be able to qualify because they have...they are using the properties for rentals...short-term rentals, wedding businesses, just to provide income to pay for the taxes.

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VICE-CHAIR PALTIN: And so you're requesting that short-term rentals or long-term rentals or wedding business would be allowed?

MS. VEDDER: I'm only requesting that for lineal descendants in Makena properties, and there are certain families that I would like to request that for if that's what you're asking. This is not to request for other people who do not follow under kama'aina or under this 'Āina Kūpuna Bill. This would only be specific to those properties. And the people that I'm asking for are the Kukahiko Corporation, the Luuwai ohana, and that is the ones that I know so far.

VICE-CHAIR PALTIN: Okay. Thank you.

MS. VEDDER: Mahalo.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Paltin. Okay, any other questions, Members? Okay. So I have a question. Is it your understanding that those properties would not qualify now, or if they stopped the commercial activity, that they would then qualify under this bill?

MS. VEDDER: I would like to hope that this bill will give them an opportunity to qualify. I know that there needs to be conversation to fall under this 'Āina Kūpuna Bill that would qualify them, so that would be a discussion for the families to have. I'm not sure how soon this bill will be able to be passed in order for those families to qualify. So I am seeing that this bill is a first step leading towards that conversation, and to be...to qualify under the 'Āina Kūpuna Bill so that the families do not have to rent out their properties in order to pay for taxes.

CHAIR RAWLINS-FERNANDEZ: Okay, mahalo. So to qualify, they would just have to stop doing the illegal...I mean the commercial activity. Is that what you understand? Okay.

MS. VEDDER: Not illegal, yes. I got it.

CHAIR RAWLINS-FERNANDEZ: Not illegal. Totally legal.

MS. VEDDER: Definitely.

CHAIR RAWLINS-FERNANDEZ: . . .*(inaudible)*. . . But...so the commercial activity, and then the tax would be the minimum tax which is \$350 this month versus the \$80,000.

MS. VEDDER: Correct.

CHAIR RAWLINS-FERNANDEZ: The intention was that they wouldn't need to continue doing the . . .*(inaudible)*. . .

MS. VEDDER: Correct.

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COUNCILMEMBER KAMA: Chair?

CHAIR RAWLINS-FERNANDEZ: Council Chair Lee, followed by Pro Tem Kama.

MS. VEDDER: Mahalo.

CHAIR RAWLINS-FERNANDEZ: Chair Lee.

COUNCILMEMBER LEE: Just to add to what you're saying, there is a deadline so they would have to sign up by December 31st for next year.

CHAIR RAWLINS-FERNANDEZ: Yes.

COUNCILMEMBER LEE: So, you know, people need to know that. She's thinking there's three more times that we're going to take this up. Probably first reading, second reading, is my guess. But this is like the end of September already, so there's only October, November, December to make the decision by the family. Okay.

MS. VEDDER: Thank you. And then I also wanted to add to that what I said in my speech, if there could be some kind of moratorium so that their taxes are not increased because of default or interest in the meantime. But thank you, Councilmember Lee, for that clarification.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair Lee. So my intention is to pass out the bill today. It would be heard on first reading on October 22nd if we do that, and second reading on November 5th. Pro Tem Kama.

COUNCILMEMBER KAMA: Thank you, Chair. So the question was for you, Chair, regarding what the timeline would be. Because by December 31st of this year, families would have to apply if they so choose, and then the next tax year is 2022. So would it take effect 2023? Is that how the timeline goes?

CHAIR RAWLINS-FERNANDEZ: It would be our fiscal year 2023, but our fiscal year 2023 starts on July the 1st, 2022.

COUNCILMEMBER KAMA: Okay. Okay, got it. Thank you.

CHAIR RAWLINS-FERNANDEZ: Okay. Any other questions for our testifier? Okay, seeing none. Mahalo, Ms. Kuloloio Vedder. Our next testifier is Natasha Chang, followed by Wayne Tanaka. Aloha, Ms. Chang. I think you might still be muted. You're muted...

MS. CHANG: There we go.

CHAIR RAWLINS-FERNANDEZ: Oh, there we go. We can hear you. Yes, please proceed.

MS. CHANG: I'm Natasha Chang, descendant of the Kukahiko and Chang ohana. Fourth generation, born and raised on the Chang 'āina kūpuna. Farming down here

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. . .*(inaudible)*. . . and kalo, we come upon like old bottles from my great grandfather A'ana Chang, he used to have a store down here back in the days. And on our property we also have our iwi kupuna, up to my great, great grandmother Haehae Kukahiko. Growing up, our neighbors used to be family like the Kahaleokis and Kaua'is. Today I don't even know our neighbors. They are either new owners or seasonal...they come in for vacation. Our house is valued at \$99,000, built by my grandfather. We're surrounded by million dollar homes, which affects our taxes, such as the \$20 million house right down the road that just sold. If the taxes continue to rise, we'll be taxed out and eventually forced to sell. Hopefully history doesn't repeat itself in Makena with close to no Hawaiians and more investments. Passing this bill, especially for me because I still live in Makena, gives me hope in our system, and hope for our future and our keiki, and hopefully continue our historical footprint in Makena, everybody knows as Five Graves and Chang's Beach. That's about it. Thank you, and I support the bill.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Chang. Members, questions? Seeing none, we'll thank you for your testimony today. Aloha. Our next testifier is Wayne Tanaka, followed by Manuel Kuloloio.

MR. TANAKA: Hi. Good afternoon, Chair, Vice-Chair, and Members of the Committee. I'm Wayne Tanaka, testifying on behalf of the Office of Hawaiian Affairs in support of BFED-78. Beyond our written testimony, I just would like to re-emphasize...as you know, the Native Hawaiian understanding of 'āina is very different from the western view of land as something, you know, that can be commodified and owned and purchased and sold. And, you know, there's all kinds of scholarships and sources, you know, scholars like Professor Kapua Sproat, and they talk about how this traditional understanding of the 'āina and all living things, including kanaka, as connected, physically, spiritually, genealogically...sorry. It means you treat the 'āina as family, you know, like a relative that takes care of you, and then you take care of your relative. And so on a broader level, this really is from, you know, the traditional Native Hawaiian land . . .*(inaudible)*. . . model where Maka'ainana took care of the 'āina under the supervision of Konohiki and Ali'i, who didn't own the land in a personal sense, but in trust, the responsibility to kind of oversee its appropriate use and management. And I think we are understanding, or starting to understand more and more these days that we may need to start getting back to this more holistic perspective of 'āina in terms of, you know, our environment, in terms of climate change, our social economic well-being, you know, our social fabric, and our identity. And so I think that's what makes this bill so important is because the 'āina kūpuna and the families that this will protect, like these are the families who are a living embodiment of this understanding of 'āina, you know, these are the ohana who have maintained the connection to the very land that took care of their grandparents, that took care of them and, you know, they know will take care of their children, their grandchildren and future generations, you know, long after we are gone. And so, you know, they are like living kipuka of the values and the perspectives of 'āina that, you know, we need to do what we can to protect. And so for that and other reasons, we respectfully urge the Committee pass this measure. Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Tanaka. I see a question from Member Sinenci.

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COUNCILMEMBER SINENCI: Mahalo, Chair, and aloha, Mr. Tanaka. Yeah, I just had a question, you know, we have a lot of lineal families or 'āina kūpuna that there's like 30 to 200 names that are listed on the date as owners. So are those potential applicants towards this...

MR. TANAKA: So long as they qualify on the other provisions, if they can show...I think the way it's written is you just have to show one person on the title has to be connected to that owner from at least 1931. Some families, you know, to protect their lands and to kind of facilitate its management have created trusts and...or non-profits. And so in those cases, if half of the board or half of the trustees are lineal descendants, then they would also qualify.

COUNCILMEMBER SINENCI: Mahalo for that. Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sinenci. Pro Tem Kama, followed by Member Sugimura.

COUNCILMEMBER KAMA: Thank you. Thank you for being here, Mr. Tanaka. So, you know, the bill says that the lineal descendants must have held title to the property as of June 30th, 1931. Is there a specific reason why we went to 1931 as opposed to later?

MR. TANAKA: I think the understanding behind that date was essentially it's 90 years ago, and then...so when you think of what a generation means, these days about 30 years is what we consider a generation, so that would be three generations...just kind of a literal kind of interpretation of kūpuna, right. We have, you know, keiki, mo'opuna...I mean, keiki, makua and kūpuna, so that's like three generations. It also kind of coincides with the Great Depression, and that's a time period when, because of the global economic downturn, a lot of families had to go back to their land to kind of sustain themselves. And that really helped to reaffirm this understanding of the 'āina is something...you know, you take care of the 'āina, the 'āina takes care of you. I think those are a couple of the main reasons why that date was picked.

COUNCILMEMBER KAMA: Thank you. Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Pro Tem Kama. Member Sugimura, followed by Member Paltin.

COUNCILMEMBER SUGIMURA: Thank you. Nice to see you, Mr. Tanaka. So part of this bill says that determining the lineal descendancy is through you...genealogy verification by OHA or by court order. So does OHA have like a system where you have a list of everybody that would qualify, or has it been ongoing, is it difficult to secure?

MR. TANAKA: So...I'm sorry, I'm not sure what that was. So we currently help with genealogical verification for the kuleana property tax exemptions that all the Counties have, and so we'd probably follow that process. So basically, folks would come here and we'd help them kind of pull the documents they need to trace their descendancy to that

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date. And it would probably be a little easier, you know, with the kuleana tax exemption, you have to go all the way back to, you know, the mid-1800s, and this is a little shorter in terms of time frame. So it's not a set list, but we actually have to...as they come in, we'll verify for them.

COUNCILMEMBER SUGIMURA: So tied to that then, how many people are on this list, or how many families are on your list from Maui County, I guess.

MR. TANAKA: Well, so we've only...our list...I mean...I think we talked...you know, I'll have to pull how many folks we've helped verify. Maybe the Real Property Tax Division can talk about how many folks have filed for the kuleana exemption, and so those would be the folks that we probably helped.

COUNCILMEMBER SUGIMURA: Oh, okay. I see. Because I was going to ask you that question. I thought you had like a separate list going on. Thank you.

MR. TANAKA: Thank you.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sugimura. So we would have to pass this first before we see who would apply. I mean, we have an idea of some, but we don't know all who would apply. So we would have to create this law, and then the applications would come in after that. Member Paltin.

VICE-CHAIR PALTIN: Thank you, Chair. Thank you, Mr. Tanaka. I just sent you an email, but that's a side thing. I just was wondering if you had any input on that...I see the commercial purposes changed from the last iteration to have exemption from agriculture, and if you had...I assume that you worked on that from the email that you sent me, but was there a reason specific that it wasn't exempting...or that commercial usage was all not allowed, as Ms. Vedder was saying?

MR. TANAKA: So that language, it pretty much tracks the language in the kuleana property tax exemption, including the commercial agriculture...exception to the prohibition on commercial activities. And I think, you know, like allowing for commercial agriculture...that little exception, I think, will help promote, you know, local agricultural production, which would contribute to the County's, you know, food security and the local economy because these are...you know, you grow food locally, you're going to sell it locally, and it's going to help create the kind of, I think, circular economy that we want to support.

VICE-CHAIR PALTIN: So you're not in favor of expanding it to all commercial.

MR. TANAKA: I would defer to the Committee and the Council as to what you think is, you know, appropriate for...you know, if you wanted to expand it to include other commercial activities, but we did think it was reasonable to at least allow for commercial agriculture.

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VICE-CHAIR PALTIN: Okay. Thank you.

MR. TANAKA: Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Paltin. Any other questions, Members? Seeing none, we'll thank you for your testimony today, Mr. Tanaka. Aloha. Our next testifier is Manuel Kuloloio, followed by the phone number with the last four digits 9646.

MR. KULOLOIO: Aloha, Chair, can you hear me?

CHAIR RAWLINS-FERNANDEZ: Aloha, we can hear you loud and clear. Please proceed.

MR. KULOLOIO: Aloha, Chairperson Rawlins-Fernandez, Vice-Chair Paltin, County of Maui Committee on Budget, Finance, and Economic Development. My name is Manuel Wayne Makahiako Decosta Kuloloio. The last name should say Kuloloia...A&B butchered my grandfather's last name, spelled it as an "o" as opposed to an "a." I humbly come before you today speaking from Waipio, O'ahu in support, having heard the kahea of my cousin Keiki Kawai'ae'a Chang; having heard the kahea of my Tutu, my Uncle Edward Chang and Auntie Lori and their siblings. Thinking about my Uncle Duck that lived up across the street from us at Beverly Hills, divided by the Old Ulupalakua Makena Road...Government Road. Uncle Pluto was there...the Changs have their graveyard. Committee and Councilmembers, I implore you to support Agenda Item County Property Tax Reform, bravo, foxtrot, delta...echo, delta, tack 78, Council Communication 21 tack 29 (*phonetic*), a Bill for an Ordinance Relating to 'Āina Kūpuna Lands, to amend Chapter 3.48, Real Property Tax of the Maui County Code, to add a Section 3.48.361 relating to taxes on parcels dedicated to 'Āina Kūpuna. I never thought I'd attend another County Council hearing in 35 years. This is the first time I've done so, having done in front of Wayne Nishiki. I've never read an ordinance in over 35 years after they stopped the bombing of Kaho'olawe on my birthday, on October 22, 1990 by President George Herbert Walker Bush. I support the intent, the purpose, the promise of this bill as written for minimum tax privileges. It is about time, Maui County Councilmembers. You have the will to do the right thing. I bring my daughter to Makena to stay at our Kukahiko Corporation house, we pay \$83,000 a year...tell me any one of your families can pay that. We suffering, but we care. In our family, me and Uncle Bobby, we ride the boat on the Pualele, he says that's your family, Manny. I go, yup, that's my family. And you know, we don't all get along, but the love is there. Uncle Eddie, thank you for your testimony today. As a young man, I used to help cut the alfalfa with his father, Uncle Eddie Chang, and transport it in the station wagon filled with alfalfa grass to go up to Kahakuloa with Auntie Harriette. I was there cleaning the well with his brother, Uncle . . . (*inaudible*). . . my idol when I was young. I used to swim at that beach, Paipu Po'olenalena with Uncle Duck throwing net with his son . . . (*inaudible*). . . Stephen Nalani. Best times. We used to play chase master, cops and robbers, cowboys and Indians. And if he wasn't ma'a to the place . . . (*timer sounds*). . . and know the difference between the Makena Surf and the Chang's property at night, we run from one end to the other because if people not ma'a, they would run into the rocks. Whoo...pretty rough, yeah, but that's how we used to play. But the love is there,

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Keani. Thank you, Ms. Sugimura, Mr. Sinenci...Ms. King, love your husband. Ms. Paltin, I don't know you, but I read about you. Mr. Johnson, is that Manele Bay in the back? Beautiful. I tell you my story about the owner once. Auntie Tasha, nice to see you again. And of course, Auntie Alice Lee. So to cousin Keiki, I heard your kahea. I saw testimony online by my cousin Kalehua Luuwai, you know. We're doing our part. We know it's not going to support us...it's not what we're asking. I'm here to support Uncle Eddie and all the other families that own lands from June 30, 1931, wherever they may be on the Island of Maui. Let's be the standard Maui, and I miss Maui. And thank you, Keani, for your leadership. A hui hou.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Kuloloio. And you share the same birthday as my son, October 22nd. Members, any questions for Mr. Kuloloia? Seeing none. Mahalo for your testimony today. A hui hou. Our next testifier is the phone number with the last four digits 9646, followed by the phone number with the last four digits 3907.

MS. FERNANDEZ: Aloha. Thank you.

CHAIR RAWLINS-FERNANDEZ: Aloha.

MS. FERNANDEZ: Aloha. I am Barbara Halai Fernandez. I'm getting all choked up hearing all the ohanas testify. I am here to testify on our Item BFED-78, 'Āina Kūpuna Tax Bill. Our ohana's history, you would know, my husband was Haha Fernandez and also, the ohanas is the Kapōhākimohehua's. The land down there initially was lands from Keawala'i to Pu'u Ola'i. Our ohana now only has the property next door to our Keawala'i Church. They were part of giving the Church land along with the Kukahiko's. We always called to the right is Kukahiko's, to the left is Kapōhākimohehuwas. Of course in the middle is Keawala'i. Property taxes are out of sight...totally out of line. Kānaka mauoli on their 'āinas. Many have had to sell, not even try to cut up lots for remaining ohana, which would be the Kapōhākimohehua and the makua ohana. Keep these ohanas, these Hawaiians on their land. The 11 graves in front of Keawala'i is us. And I was just...I was loving hearing the names...our ohanas, the Kapōhākimohehuwas and the makuas, but of course the Kuloloio's. Those that are still on this earth...hearing all that ohanas is what we do, that's just the way we are. And of course, I haven't heard the names...we would call it Beverly Hills, that's true, yeah, brother. Uncle Duck, Uncle Pluto, Auntie Kumo'o in the Bay. Beverly Hills and all the Changs, where we'd go. The Kuloloio's...if Leslie was still on this earth, we know what would be going on...it would all be pono. Hearing all the ohanas step up is what we do, and what Hawaiians should be doing all the time. We've all held the title before the 1931. The Kapōhākimohehua land . . .(inaudible). . . my namesake, was the person who took care of the animals clear out from Keawala'i to Pu'u Ola'i, or I guess now La Perouse. So please, please, Council people, consider it so these ohanas can still afford their land, the little bit that we all have left. And it was sure nice to hear all those names. Mahalo and aloha, Keani. I hope this finds everybody well.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Fernandez, for your testimony. I will give your aloha to the ohanas.

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MS. FERNANDEZ: The ohanas. Thank you.

CHAIR RAWLINS-FERNANDEZ: Seeing no questions, mahalo for your testimony today.

MS. FERNANDEZ: Okay. A hui hou.

CHAIR RAWLINS-FERNANDEZ: A hui hou. Our next testifier is the phone number with the last four digits 3907, followed by Francine Aaron.

MS. KAWAI'AE'A: Hi, aloha. Can you hear me?

CHAIR RAWLINS-FERNANDEZ: Aloha, we can hear you. Please proceed with your testimony.

MS. KAWAI'AE'A: Hi. Mahalo nui. E ke Komike Mo'ohelu, oihana Kālā a me ka 'Ho'omohala Ho'okelewaiwai. Aloha o kou. Mahalo for the opportunity to provide testimony today in support of the 'Āina Kūpuna Bill, BFED-78 that provides tax relief to long standing kama'aina families. In the bill's definition, 'Āina Kūpuna, our ancestral lands that have been in families for at least three generations. My name is Keiki Kawai'ae'a, and I just want to, before I continue, give a quick shot out to my cousin Manny. And I want to point out that there are nearly 200 testimonies that were loaded over the last four to five days in support of this bill. If you have time to read through them, the stories are incredible, they will tug you at the core of your na'au about the importance of this 'Āina Kūpuna Bill. And so we ask you today...excuse me. In my testimony I actually decided to take a little different kind of stance because the stories are vivid in the testimonies that have been provided online. But the angle that I would like to talk about actually has to do with the benefits that 'Āina Kūpuna has served to our communities. It's short, and I will go ahead and continue. 'Āina ohana living on their ancestral lands have made important contributions to Maui communities through their genealogical, cultural, scientific and historical ties to the 'āina. Places have their names, and community knowledge has been developed through working and living on the land over time. Such things as the movement of water, farming, fishing and sustainability practices were developed, harnessed and transmitted from one generation to another. 'Āina Kūpuna are a substantial part of our very identity, and we serve as the stewards of the 'āina. As time passed and the landscapes of our communities have changed, those with 'Āina Kūpuna have found a way to hold...those with 'Āina Kūpuna who have found a way to hold fast to their lands are having an almost impossible time struggling to pay for their property taxes, as it is increased beyond reasonable means in an average local income. For example, the property tax where my father grew up and lived, now at 89 years old, increased 380 percent between 2015 and 2019, due to high-end speculation homes built on surrounding properties. Owners in these homes visit only a few weeks a year, and are not residents, and sell them later for huge profit. I humbly ask that you support the 'Āina Kūpuna Bill, BFED-78, and pass it out of your Committee, and encourage others in the...on the Council to do so. Standing for this bill is also standing for our Maui long time kama'aina families and their many contributions that they have made to our County, as these precious places we all call home from our various 'Āina Kūpuna, our ancestral lands. Mahalo.

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CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Kawai‘ae‘a. Members, questions for our testifier? Seeing none, I will thank you for your testimony and for putting out the kahea.

MS. KAWAI‘AE‘A: Mahalo nui. A hui hou kākou.

CHAIR RAWLINS-FERNANDEZ: A hui hou. Our next testifier is Francine Aaron, followed by participant signed in as Mahealani.

MS. AARON: Aloha, everyone.

CHAIR RAWLINS-FERNANDEZ: Aloha.

MS. AARON: Mahalo for allowing me to be a part of this morning’s meeting. First of all, I sent in a written testimony, but I wanted to mahalo you, Keani, for allowing me the opportunity and the privilege in serving on the Drafting Committee. Today we’ve heard a lot of heartfelt stories of our generations who live today, and who continue to malama the ‘āina and what they own. So I ask the Council and the Committee to push forward this bill for the BFED, and to help our generational families take care of their kuleana. So mahalo for your efforts today. Always Kekoa’s blessings be with you always. Mahalo.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Aaron. Any questions for our testifier? Seeing none, we’ll thank you for your testimony and for your service in helping with the bill. Our next testifier is the person signed in as Mahealani, followed by the person signed in as Douglas. Aloha.

MS. CARBINAL: Aloha, . . .(*speaking Hawaiian*). . . Mahealani Carbinal . . .(*speaking Hawaiian*). . . Hawai‘i. I’m here today not necessarily with regard to what’s on the docket, but I did want to just use this conversation to bring us back to the subject at hand, which is the Hawaiian people always. So because Hawai‘i is occupied by U.S. military forces, the laws of war that are being administered, why aren’t the Hawaiian people being treated as refugees and being afforded humanitarian aid? And the reason I bring this up is because we just saw a whole community of kanaka maoli being swept from Kanaha Beach Park and from the surrounding area. So I was there on the ground with these people. I have been feeding them, and just communing with them for the past couple of years. And seeing this all happened has really brought it to the forefront. So...

CHAIR RAWLINS-FERNANDEZ: Ms. Carbinal. Yeah, Carbonarra (*phonetic*)? Okay.

MS. CARBINAL: Yeah. Carbinal.

CHAIR RAWLINS-FERNANDEZ: Carbinello (*phonetic*)?

MS. CARBINAL: I’d like to finish with my three minutes and let everyone know that still kanaka Maui that are living sleeping on the streets...

CHAIR RAWLINS-FERNANDEZ: I’m going to...okay. I’m just going to mute you for a second,

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so I can just say what I need to say. As the Chair, I need to facilitate the meeting and make sure that we're following laws so...Sunshine Law. In the beginning you said that you weren't testifying on any of the items on the agenda, and to accept testimony, it has to be on the agenda. So are you testifying on Item BFED-78?

MS. CARBINAL: Sure, why don't I testify with regard to the Kūpuna 'Āina, because a lot of these kanaka are kūpuna who have been living on the 'āina. So yes, with regard to the 'Āina Kūpuna Bill, these Kanaha ohana have been living on this 'āina...some for 21 years. We've got video testimony, so yes, it's relevant. As well as the budget for . . .*(inaudible)*. . . salaries . . .*(inaudible)*. . . you folks. So I just think it is very relevant to the issue at hand...all of the issues at hand is very relevant that while we're here, just participating . . .*(inaudible)*. . . we have kanaka dying in the streets and sitting on bus stops because they're not afforded the ability to tie their pets up to a tree or pitch a tent if they don't have a home and whatever. So this is wonderful for 'Āina Kūpuna to be able to pay less taxes and all that, it's great, but it is all just a distraction from the truth, which is we are not being given an afforded humanitarian aid that the occupying presence is required to provide. So that's all I had to say, and mahalo nui loa for . . .*(inaudible)*. . .

CHAIR RAWLINS-FERNANDEZ: Okay, Ms. Carbinello *[sic]* ...is that right, guys? I don't know if you're still speaking, but we can't hear you anymore.

VICE-CHAIR PALTIN: Was it Carbinal?

MS. CARBINAL: . . .*(inaudible)*. . . so I'm not sure at what point I got muted.

CHAIR RAWLINS-FERNANDEZ: No, I didn't mute you, you lost connection. If you turn off your video, the audio would be better, but you have...you had ten seconds left. So if you want to give a closing remark.

MS. CARBINAL: I couldn't say at which point I got cut off. So all I'd like to end with is that let's all focus on the task at hand, which is making sure that kanaka maoli are taken care of in their 'āina and maybe we should worry a little less about our own . . .*(inaudible)*. . .

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Ms. Carbinal. Members, questions for our testifier. Okay, seeing none, we'll thank you for your testimony this afternoon. Our next testifier is signed in as Douglas, followed by Mogul Lu'uwai. Douglas? Oh, I think that might be Doug Bigley. Is that for our other agenda item?

MR. BIGLEY: Yeah, that's exactly right, I'm just here for...

CHAIR RAWLINS-FERNANDEZ: Okay.

MR. BIGLEY: Thanks. Sorry about that.

CHAIR RAWLINS-FERNANDEZ: Welcome, Mr. Bigley. No problem. The next testifier is Mogul

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Lu‘uwai, followed by Kaleikoa Ka‘eo.

MR. LU‘UWAI: Aloha, Chair. Can you guys hear me?

CHAIR RAWLINS-FERNANDEZ: Yes, we can hear you loud and clear. Please proceed.

MR. LU‘UWAI: Aloha, guys. My name is Mogul Kamano‘opono Lu‘uwai, and I stand by my written testimony. I come from an ohana that has lived generationally in Makena. And I would like to reiterate that those in my generation will do anything in our capability to keep our ‘āina for future generations. And we are only one of a handful local families left in Makena, and please help us preserve our ‘Āina Kūpuna for generations to come by passing this bill. Mahalo.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Lu‘uwai. Members, any questions? Seeing none, we’ll thank you for your testimony today. Aloha. Our next testifier is Kaleikoa Ka‘eo, followed by Momi Hunter.

MR. KA‘EO: Aloha . . . *(speaking Hawaiian)*. . . Aloha. Aloha nui.

CHAIR RAWLINS-FERNANDEZ: Aloha.

COUNCILMEMBER KAMA: Aloha.

MR. KA‘EO: I’d like to first of all thank and show my appreciation really to this Council for taking the step forward to bring some humanity to the situation that is going on in the rural communities. And we gotta remind ourself, this is really about those Hawaiian communities that are fighting to survive. And I descend from...you know, and I always tell the word to be fortunate that we still have ‘Āina Kūpuna that I descend from where my family resides, where I can go and, you know, literally touch the gravesite of my great, great, great grandparents, that we still reside on from the original Mahele land grants, ‘āina kuleana, and so I’m in full support. And I thank the Council for bringing this question forward at least, or this Ordinance relating to this ‘Āina Kūpuna lands. You know, unfortunately, we are...in fact, you know, I can tell you a short story. I know what it’s like. I’ve been in the courtroom where people ask me, why do you get so angry? I was in...I’ve been in the courtroom as a young man, when you see and you watch your own families lose interest and lose lands where we’ve always been. I want you to understand it. Where we’ve always been since time immemorial. And so we’re kind of fortunate we have lands that we still hold onto. Generations from the original awardees. Lands of Aleamai, Lands of Haneo‘o, Hamoa, Mokainui, Kamaloa, Pukuilua. And in places like Hamoa, for example, where the original ten families in the 18...early 1880s...1882, I believe, were awarded those lands. There are only two of the ten that are still there. And even out of those two, it’s really only a portion of those two original owners. And fortunately we are still there as a family. And the only reason that we’re still there is because our family has struggled and fought and clawed to hang on. And we’ve got to realize there is an economic and political process that is going on, and we are the victims. We are the victims of real estate speculation. Our family has never had any intention of using these so called ‘Āina Kūpuna for a means for us to sell, or for a

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means to speculate on. Our whole fight has always been to maintain this control. I mean, I want you to think about ancestral remains on land...that are upon these lands from time immemorial, that we still are fortunate enough to have a direct connection to. Why should we be the only ones to pay and be victimized because a mansion is built next door...\$5 million, \$10 million, \$20 million mansions, and who pays for this speculation but our people...our people. So when they talk about money making, yeah, money is being made at the price of our people . . . *(timer sounds)*. . . just having the opportunity to remain upon these lands. And so this tax relief, I can tell you definitely, will do a huge part in protecting our rights to maintain because it is a struggle. And I think...you know, has been shared by others, just like in the Makena families. Many of the Hāna families struggle in the same way too, to keep that connection. So whether you talk...and again, when you look...whether at Kanaio, you go to Kaupo, you go to Kipahulu, you go to Waialua, you go to Ke‘anae, Kahakuloa, Honokohau, these are the same struggles that are going on with the same families, with the same questions. Land speculation has a cost. It brings wealth to those land speculators, and it's paid by our dignity and our own humanity. So we suffer. We pay the crime of being unwealthy Hawaiian families. We pay the crime of being Hawaiian families who want to maintain and keep control. Think about that. How do you raise \$20,000 in a year...\$30,000 in a year to pay some of these taxes that we're asked to pay. . . . *(timer sounds)*. . . And so when you think about the cost, whether it's going to court, which many of these families have to face, attorney fees are very, very expensive. We have been in the defense for many, many years. So I really appreciate the opportunity to testify and really, you know, I hope the Council will see and understand that this is really a human question. We are not families that are looking to gain some kind of speculative...because we would have sold out a long time ago. My grandparents would have sold out a long time ago. But you know what I worry about, is it going to be my generation? Am I going to be the responsible party that loses these lands? Is it going to my kids, my grandkids? And I know for sure...let me just be clear. I don't understand the financing, I don't really understand those costs, but I do believe this; there is a cost to the community. When in those rural areas, our Native Hawaiian families who have been there since time immemorial, like in my family, that we should do something as a community to find a way...find a way. Especially again, these poor rural families, poor rural areas that we can hold on to this so called ‘Āina Kūpuna. And so again, I thank the County Council for giving me the opportunity on behalf of the Ka‘eo ohana. I'm very pleased and thankful, and I again shout my support for this bill. Thank you very much. Mahalo.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Ka‘eo. Members, questions for our testifier? Seeing none, mahalo for your testimony today. Aloha.

MR. KA‘EO: Mahalo. Aloha.

COUNCILMEMBER KAMA: Aloha.

CHAIR RAWLINS-FERNANDEZ: Our next testifier is Momi Hunter, followed by Zandra Amaral Crouse. Aloha, I think you may be muted. It looks like you're muted on our end.

MS. HUNTER: Hi.

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CHAIR RAWLINS-FERNANDEZ: Oh, there we go. Okay. Aloha.

MS. HUNTER: Aloha. I just wanted to say that I support this bill, and I ask you for your consideration, and want to thank you for your time. That was it.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Hunter. And I'm assuming you're testifying on the 'Āina Kūpuna Bill?

MS. HUNTER: Yes. Sorry. I'm a little nervous.

CHAIR RAWLINS-FERNANDEZ: Okay. It's just us. No worries. Thank you for your testimony. Members, any questions for our testifier? Seeing none, mahalo for your testimony today.

MS. HUNTER: Thank you.

CHAIR RAWLINS-FERNANDEZ: Aloha. Our last two testifiers are Zandra Amaral Crouse, followed by the phone number with the last four digits 7529. Oh, aloha, Ms. Amaral Crouse. It looks like you're on mute on your end. Ms. Amaral Crouse.

MS. CROUSE: I'm having a hard time with the camera. Yeah, okay. Okay, good afternoon, Members. Aloha. I am very grateful that you all came up with...Keani...that you guys drafted this bill, and all of you individually. I, as a little girl, practically grew up in Makena with the Lu'uwais and the Chang family. My father spent a lot of time with both families. I spent multiple weekends at the Lu'uwai family's home in Makena. I know that this is a subject that is dear to all your hearts because all of you value the fact that it is important for us to hang on to our heritage and our historical places. Makena is one of them. I humbly ask in short...I cannot say any more, Councilmembers, that has not been eloquently already said by the Lu'uwais, the Changs, and all the Aunties and Uncles that we used to visit and play with in Makena. So I'm going to close really, and just humbly asking all of you and thanking you for bringing this forward, and humbly asking you to please put it forward. I appreciate all your hard work. Thank you, Councilmembers. A hui hou malama.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Amaral Crouse. Members, any questions for our testifier? Seeing none, we'll thank you for your testimony today.

MS. CROUSE: Thank you. A hui hou.

CHAIR RAWLINS-FERNANDEZ: Aloha. A hui hou. The last testifier we have is the person with the last four digits 7529...phone number with the last four digits 7529.

MR. KEAHI: Aloha. You folks can hear?

CHAIR RAWLINS-FERNANDEZ: Aloha, we can hear you. Please proceed with your testimony.

MR. KEAHI: Okay. My name is Kekai Keahi. I come from Lāhainā side, most specific my

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family come from Mala Village. My grandmother them own a property right on the beach...I mean from the yard, you can jump into the ocean. Mala Village used to have a lot of Hawaiian families. There's only two Hawaiian families left on the beach, the Kauhanes and our family the Keahis. There was the Paahanas, the Croziers, Neismans, the Baileys...a lot of them could not afford to pay the taxes on their property, especially with being beachfront. And right now, it's sad to say only get two Hawaiian families that live on the beach, and the rest is all haole, and they're the only one can afford. And that's just being...you know, being blunt. I would like to request that if you could change the date from 1931 to 1940...you know, part of the reason being, you know, it was only in 1893 where we went through the overthrow, and then the whole mental conditioning throughout the...from 1900...1920s and then we get, you know, World War I breaking out, then World War II and, you know, you get Hawaiian families in disarray with what's going on. And I think 1931 as being the cutoff date may be putting a lot of Hawaiian families out of being covered under this exemption. But yeah, I think we should move that date back a little bit farther because, you know, there's some families were just starting to, you know, being able to get into these places and acquiring something for themselves. And if we leave...I mean we get families that's in Mala Village...two Hawaiian families left that acquired their property from a little bit later, and going lose 'em because of this. I mean for my grandmother, they had...she had 13 kids. And lucky she had 13 kids because everybody had to pitch in to this very day...if not, we lose the property. And, you know, that's not just land as real estate, the land is our family that we...many generations born on that property over there. I mean, everybody call that home. And to lose that because of, you know, a technicality being 1931 as the cutoff date, you know, I think maybe we should move that back to 1940. But yeah, thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Keahi for your testimony. Members, any questions for our testifier? Member Sinenci.

COUNCILMEMBER SINENCI: Mahalo, Mr. Keahi for your testimony. Did you mention moving the date back...further backwards...right now it's 1931, so would you want it to go further or sooner?

MR. KEAHI: No, to 1940, later...1940. Because like I said, a lot of families, you know, may have gotten their property...I know a lot of families, in fact, Hawaiian families got their property, you know, some have kuleana lands, and some got theirs right after losing their kuleana lands to the plantations and stuff like that. So, you know, it seems like the kuleana landowners are going to be okay, but the ones that lost their lands and tried to acquire land, you know, after this would get back to living on some kind of land they can call their own, would put them out. And I guess it's almost like that you gotta 50 percent for be on Hawaiian homes. We leaving out a whole another 50 percent or even more than 50 percent of the Hawaiian population based on that blood quantum. So something like that I think maybe we should rethink that and maybe move it back to at least 1940.

COUNCILMEMBER SINENCI: All right. Okay. Thank you. Mahalo.

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MR. KEAHI: Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sinenci. Okay, any other questions? Seeing none, we'll thank you for your testimony, Mr. Keahi. Aloha.

MR. KEAHI: Mahalo.

CHAIR RAWLINS-FERNANDEZ: Mahalo. Okay, we have one more testifier, Keisa Liu. Ms. Liu?

MS. LIU: Hi, sorry. I'm actually not testifying...I'm so sorry. I was just trying to jump on the meeting real quick so I could watch, but thank you.

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Ms. Liu. Okay, I will unmute the phone numbers...oh, I think both of these phone numbers have testified already. I will give a last call for testimony. If you would like to testify, please unmute yourself at this time and you may proceed with your testimony. Okay. Hearing no one speaking up to testify, if there are no objections, Members, I'd like to close public testimony at this time, oral testimony, and accept the 194...over 200 testimony...written testimonies into the record. Any objections?

COUNCILMEMBERS VOICED NO OBJECTIONS.

. . . END OF PUBLIC TESTIMONY . . .

CHAIR RAWLINS-FERNANDEZ: Mahalo, Members. Okay, it's 2:54. Our break is at 3:00. So would the Members like to take our break a little early, and then get back to the agenda?

COUNCILMEMBER LEE: Yeah.

CHAIR RAWLINS-FERNANDEZ: Okay, I see lots of heads and thumbs up, so we'll do that. It says 2:55. How's 3:05 sound? Good? Okay, excellent. All right, it's 2:55 on September 29, and the Budget, Finance, and Economic Development Committee is in recess.
...*(gavel)*...

RECESS: 2:55 p.m.
RECONVENE: 3:08 p.m.

ITEM 78: COUNTY PROPERTY TAX REFORMS (CC 21-29)

CHAIR RAWLINS-FERNANDEZ: ...*(gavel)*... Will the Finance, Economic Development Committee please return to order. It's 3:08 on September 29th, and we will take up our first agenda item, BFED-78, County Property Tax Reform. And again, I'm hoping, Members, that we'll be able to pass this out of Committee, especially since it's the end of the Hawaiian History month, which would be...to honor Hawaiian History month would be amazing. Okay. In previous meetings, we have addressed kuleana land

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parcels and land purchased under Kuleana Act. During these meetings, the Budget session, and Council meetings, we have also heard from families who have owned properties in Maui County for decades, but who do not qualify for these exemptions, and we also heard them again today in testimony, oral testimony and written testimony, how rising property tax costs have forced some of the families to sell portions, or in some cases all of their land because they are unable to pay these high rates. The proposed bill would enable families who have owned their lands for 90 years or more, who do not use their properties for commercial purposes, excluding agriculture, to qualify for the minimum tax rate and alleviate some of the tax burden they have been facing. Okay. We have with us from Department of Finance, Deputy Director May Anne Alibin, as well as Real Property Tax Administrator Marcy Martin. Mahalo for being with us. I will share the bill, and then we can quickly go over the bill itself. Okay, and everyone's...oh, that is not the bill. Sorry. Let me try again. That is the agenda. One more time. And that is a black screen. Okay, Ms. Milner, can I get your help?

MS. MILNER: Sure, just a moment.

CHAIR RAWLINS-FERNANDEZ: Okay. While Ms. Milner is pulling up the bill to share screen, since I struck out three times, I'll go over the sections. Oh, there we go. Okay, we'll go to Section 3.48.361, Parcels Dedicated as 'Āina Kūpuna. So Section A goes over the definitions. Section B, and the definitions of agriculture, 'Āina Kūpuna, which means those portions of real property that are owned in whole or in part by a lineal descendant of the person who held title to the property as of June 30, 1931. 'Āina Kūpuna may be considered owned by a lineal descendent when such owner is a trust, non-profit organization, or similar entity where the majority of its trustees or board of directors are lineal descendants of the person who held title to the property as of June 30th--and I think there's a typo here--June 30th, 1931, so there's a 2 that should be deleted. 'Āina Kūpuna does not include real property owned by a corporation where the stock is sold to or owned by the general public. And then definition of commercial purposes, definition of owner, Section B, A special reserve is established to enable the owner of any parcel within any tax class to dedicate their parcel as 'Āina Kūpuna to have their parcel so dedicated to be subject to the minimum tax provided that one, the portions of the real property to be dedicated qualify as 'Āina Kūpuna under the definition above; two, the parcel dedicated must not be conveyed to a non-lineal descendant for a period of no less than ten years, and the land dedicated must be limited to a parcel not used for commercial purposes. Section C goes over how to dedicate the parcel for 'Āina Kūpuna. Section D will be the Department making a finding of whether the applicant qualifies for 'Āina Kūpuna. Section E goes over the renewal process. Section F is any failure to comply with this section of the Code. Section G says that the application must be filed with the Director by December 31st of any calendar year. Section H goes over appeals, and I...okay. I don't think I can...Section I is to place perspective buyers on notice of the roll back liability, the applicant must, within 30 days of notice of approval, record the dedication in accordance with the procedures...so just the process for...with the Bureau of Conveyances or Land Court. Okay. And then this ordinance will take effect upon approval. Okay. Mahalo, Ms. Milner. I will invite Deputy Director Alibin for opening remarks, followed by Ms. Martin. Ms. Alibin.

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MS. ALIBIN: Thank you, Chair and Members. I have no further comments other than good afternoon to everyone and I would like to defer to Ms. Marcy Martin, our Administrator for Real Property Assessment, to provide you further.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Deputy Director. Mahalo, Ms. Martin. Aloha.

MS. MARTIN: Hi, Chair. Thank you. I have read over the proposed bill, and I am ready today to answer your questions and give you support.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Martin. Okay, I see Council Chair Lee with questions, followed by Member Paltin, and then Member Molina. And we'll put two minutes on the clock, and we'll go as many rounds as Members need to feel comfortable with passing the bill. Council Chair Lee.

COUNCILMEMBER LEE: Thank you. Marcy, what is the significance of 1931...June 30th?

MS. MARTIN: Chair?

CHAIR RAWLINS-FERNANDEZ: Ms. Martin.

MS. MARTIN: I would defer to this body to answer the question.

COUNCILMEMBER LEE: Okay.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Martin. It's a policy...

COUNCILMEMBER LEE: Pardon me?

CHAIR RAWLINS-FERNANDEZ: It was not a recommendation of the Department, it's a policy decision that would be made by this Committee, by the Council. And we heard Mr. Tanaka explain the justification for that date chosen, but ultimately it would be up to this Committee to decide on a date.

COUNCILMEMBER LEE: Okay. The other question I had was what...can you explain number two, where it says the parcel dedicated must not be conveyed to a non-lineal descendent for a period of no less than ten years. Could you explain that?

CHAIR RAWLINS-FERNANDEZ: Chair, so I can explain that. So the dedication is for a period of ten years. So once it's dedicated, it cannot be conveyed to anyone else that's not part of the lineal descendency. Ms. Martin, if you'd...

MS. MARTIN: Your answer is a good answer, thank you.

COUNCILMEMBER LEE: Okay, I still don't get it. If I convey my parcel...well, if I dedicate my parcel to someone for nine years, I can't...I can still sell it or I can't sell it? . . .(timer sounds). . .

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CHAIR RAWLINS-FERNANDEZ: Ms. Martin.

COUNCILMEMBER LEE: I'm not sure what that...why you would even have that provision.

CHAIR RAWLINS-FERNANDEZ: So the dedication is for a period of ten years. So you're going to commit to not selling it, but to anyone outside of your ohana. So if you convey the property to your grandson, that's part of your lineal descendancy, and so the dedication would comply...that conveyance would comply with the rules of this dedication. So you can do that, but you cannot convey it outside of your ohana...your heirs. Does that answer your question?

COUNCILMEMBER LEE: Okay. I still don't get it, but I'll pass. I pass. Thank you.

CHAIR RAWLINS-FERNANDEZ: Okay, okay. Mahalo, Chair Lee. Member Paltin, followed Member Molina.

VICE-CHAIR PALTIN: Thank you, Chair. For Ms. Martin or Ms. Alibin, I'd eventually like to repeal 3.48.305D and put it in as a proposed amendment into this bill. I typed the proposed amendment into the chat, and I just was wondering if you had any thoughts. It would say notwithstanding, the foregoing real property that does not serve as the owner's principal residence and was, prior to May 23rd, 2012, granted a conditional permit for TVR use in accordance with comprehended zoning ordinance, and was classified as commercialized residential prior to May 23, 2012, will also be exempt, and then repeal that portion completely from 3.48.305. Just wondering if you could provide any comments to that proposal?

CHAIR RAWLINS-FERNANDEZ: Ms. Martin.

MS. MARTIN: Chair, I would advise you to request from the division a list of properties that are subject to that provision before making a decision to change that.

VICE-CHAIR PALTIN: Okay, but just to include it into this bill, I believe there is...that would cover for the Lu'uwai ohana.

CHAIR RAWLINS-FERNANDEZ: Ms. Martin.

MS. MARTIN: But there's also many other properties that are subject to that clause that might not necessarily be the type of...I mean, I think you can move this phrase maybe into that code, but you couldn't take it out of 305D because there's other properties that are benefitting from that that aren't going to qualify for the dedication.

VICE-CHAIR PALTIN: Yeah, I don't want them to qualify for the dedication anymore, only if they satisfy both . . . *(inaudible)*. . . . *(timer sounds)*. . .

CHAIR RAWLINS-FERNANDEZ: Ms. Martin...or was that a question?

VICE-CHAIR PALTIN: From me, or...were you talking to me?

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CHAIR RAWLINS-FERNANDEZ: Yeah. Did you ask Ms. Martin a question, or are you good for this round.

VICE-CHAIR PALTIN: I guess...okay, let's not talk about the repeal, but just adding this section into this bill. Do you see a problem?

CHAIR RAWLINS-FERNANDEZ: Okay, so I think Member Paltin is asking under Section B(3), the land must be limited...the land dedication must be limited to a parcel not used for commercial purposes, and then in amending commercial or...so commercial purposes allows for ag...commercial ag, but also adding TVR, a conditional permit.

VICE-CHAIR PALTIN: Established prior to May 23, 2012.

MS. MARTIN: That would be a decision of this body.

VICE-CHAIR PALTIN: Thank you.

CHAIR RAWLINS-FERNANDEZ: Policy decision. Mahalo, Ms. Martin. Member Molina, questions?

COUNCILMEMBER MOLINA: Yes. Thank you very much, Madam Chair. Good afternoon, Ms. Martin. Should this legislation pass, will your annual certification provide an analysis of the qualifying properties and their assessed values so that I guess it could be evaluated, or the evaluation to help evaluate the performance of this property classification? And I guess every year, yeah, you know, you got to certify, and so would that include that type of analysis?

CHAIR RAWLINS-FERNANDEZ: Ms. Martin.

MS. MARTIN: Thank you, Chair. Yes, absolutely, we would be able to provide an analysis of the properties that qualify and the tax implications. And I think that would be a good performance measure to include in the certification packet.

COUNCILMEMBER MOLINA: Yeah. Thank you. Because yeah, you know, things can change, you know, someone may add something to the property and, you know...but anyway. I was just curious as to what other methodology will take place. So anyway, thank you. Thank you, Madam Chair. Oh, you know what, Madam Chair, since I have you, one quick question for you, if I can use up my time real quick. The bill requires, you know, landowners to reapply for this tax class at the end of nine years. Was there any consideration given for the Finance Department to send out reminders to landowners in the event that they may forget to reapply? Because, you know, nine years can be a long time, and people forget. So I don't know if maybe Director Martin can add into that question as well.

CHAIR RAWLINS-FERNANDEZ: Ms. Martin.

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MS. MARTIN: Chair, thank you. Yes, I think reminders would be a great idea. I would hope that the Division would do that without it being in the law, but if this body wanted to, they can put it in. But definitely, reminders would be important in a case like this, yes.

COUNCILMEMBER MOLINA: Great, yeah. I think that would be real helpful for the property owners. Okay, thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Molina. For other dedications, does the Division send out reminders?

MS. MARTIN: Chair, yes.

CHAIR RAWLINS-FERNANDEZ: Ms. Martin.

MS. MARTIN: So currently right now with the agricultural dedications, after the ten years, they go to a year to year, but we do give them...you know, if we are going to remove their dedication, we give them a year's notice. But some of our other long-term exemption programs, like the DHHL seven-year exemption, we are currently right now sending reminders to those people to apply for their home exemption. So it is common practice for the Division to send out reminders with programs like this.

CHAIR RAWLINS-FERNANDEZ: Okay, great. So it's already current practice --

MS. MARTIN: Current practice.

CHAIR RAWLINS-FERNANDEZ: -- so we would likely not need to put that in the bill itself. Okay, mahalo, Ms. Martin. Member Sinenci, and I think it was Member Sugimura. Member Sinenci.

COUNCILMEMBER SINENCI: I wanted to follow up on Chair Lee's question about once you qualify for the dedication of the 'Āina Kūpuna property, can you sell it, or can you just sell it to other lineal descendants?

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sinenci. So the intention is to keep it within the lineal...the line, right. So you can sell it within your line, but you can't sell it outside your line.

COUNCILMEMBER SINENCI: Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sinenci. Okay. Who had their hand up? Member Johnson.

COUNCILMEMBER JOHNSON: Chair, just a quick clarification question on what you just mentioned. You said you...they can keep it in the line, and they can sell it or give it to people within their lineage, but they can sell it to people out of their lineage and that would make them no longer exempt...they still can sell it, but they wouldn't be able to get the exemptions; is that correct?

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CHAIR RAWLINS-FERNANDEZ: Right. So...and the dedication period is ten years.

COUNCILMEMBER JOHNSON: Okay, I got you.

CHAIR RAWLINS-FERNANDEZ: So after ten years, after the dedication period, you can sell it outside of your line, outside of your lineage, then you can. You can also sell it within...oh, shucks. Can you still hear me? Okay, can you still hear me?

COUNCILMEMBER JOHNSON: You're a little slower, but yeah, I can hear you.

CHAIR RAWLINS-FERNANDEZ: Okay. Ms. Martin. Oh, am I not frozen anymore?

COUNCILMEMBER JOHNSON: You're not frozen anymore right now.

COUNCILMEMBER KING: We can all hear you.

CHAIR RAWLINS-FERNANDEZ: Okay. So within the ten-year dedication, if you do sell, then it would be non-compliance, and then you would have to follow the rules set forth in the bill for non-compliance. Okay.

COUNCILMEMBER JOHNSON: Okay, got it. Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Johnson. Members, any other questions? Chair Lee, and I don't see Pro Tem Kama.

COUNCILMEMBER LEE: Chair, I'm not sure who this question would be for, but because we're talking about families...right now, for instance, Marcy, will you ask for verification, you know, of a family parcel...I mean, you get permission from one person or all owners that may have miniscule ownership of the property? How do you work that with multiple owners for any dedication...for any exemption?

CHAIR RAWLINS-FERNANDEZ: Ms. Martin.

MS. MARTIN: Chair, thank you. So right now, we haven't made an application, but I suppose it would be one family member that would apply, and then they would qualify. And then once they qualify, we would probably ask the other members on title to also file on the application. So basically they would be notified that the property was going to be dedicated.

COUNCILMEMBER LEE: So that's a little bit more work for your Staff in terms of verifying ownership of multiple owners.

MS. MARTIN: Well, I think it just would require one owner to be a lineal descendant. So...and then they are going to have to do that work themselves and, you know, we can help them by providing them access to what we have on file. So the family would be providing proof that they had the lineal ownership, but as far as the application, we would notify

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all owners that this application was being filed.

COUNCILMEMBER LEE: Because I just wondered, you know, if in a situation where two relatives did not agree, or three didn't, or four, or five didn't agree, how do you decide which one represents the owners...the majority owners? That would be my concern. . . .
.(timer sounds). . .

CHAIR RAWLINS-FERNANDEZ: Ms. Martin.

MS. MARTIN: Chair, yes, that would be a concern. You know, because it is a dedication, it is a lien on the property, so we would need consensus from the owners.

COUNCILMEMBER LEE: Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair Lee. And I remembered that Pro Tem Kama had to step away and she...Member Sugimura.

COUNCILMEMBER SUGIMURA: So as a follow up with Chair Lee...I mean although this is such a...I think a big advantage for the kuleana, you know, landowners, what if there is a situation like Chair Lee just described, although I think it would be kind of rare, but it could happen right, life is. So what would be the process?

CHAIR RAWLINS-FERNANDEZ: Real quick, so this is not for kuleana land, this is for what we're designating 'Āina Kūpuna. So the kuleana has a specific definition.

COUNCILMEMBER SUGIMURA: I'm sorry. Okay, for this bill. So I'm sorry, I'm using the wrong words, but for this bill, what would happen in Chair Lee's example?

CHAIR RAWLINS-FERNANDEZ: Ms. Martin.

MS. MARTIN: Well, we would just go through the steps. We would, you know, accept the initial application, then we would notify the additional owners. And then if some owners refused to comply, then probably, according to the section of the Code that says...we would notify them by March 1st they didn't qualify, and then they would have the ability to appeal then between March 15th and April. So there would be a process for them to go through.

CHAIR RAWLINS-FERNANDEZ: Member Sugimura.

COUNCILMEMBER SUGIMURA: Yeah, thanks. Fine.

CHAIR RAWLINS-FERNANDEZ: Okay, okay. Okay, and then a follow up to a question that was asked earlier. Ms. Martin, the commercial activity...back track. Okay, first question is regarding when it would start. So the dedication would start...if the application came in before December 31st, the notification went out by March 1st, then the dedication would start on July 1st, 2022?

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MS. MARTIN: Yes.

CHAIR RAWLINS-FERNANDEZ: Okay. And the commercial activity would need to stop by July 1st, 2022?

MS. MARTIN: Chair?

CHAIR RAWLINS-FERNANDEZ: Or...

MS. MARTIN: Technically the...our assessments are based on the calendar year, the taxes are the fiscal year. So it would be January 1 that the commercial activity would get...

CHAIR RAWLINS-FERNANDEZ: Okay, mahalo for that clarification. So January 1st of 2022, commercial activity, as defined in this section, would need to cease. Okay, I think that clarified my question. Any other questions, Members? Okay, seeing none, the Chair will entertain a motion to recommend passage on first reading of the proposed entitled "A BILL FOR AN ORDINANCE RELATING TO 'ĀINA KŪPUNA LANDS," incorporating any nonsubstantive revisions.

VICE-CHAIR PALTIN: So moved.

COUNCILMEMBER JOHNSON: So moved.

CHAIR RAWLINS-FERNANDEZ: Moved by Member Paltin, seconded by Member Johnson. Member Paltin.

VICE-CHAIR PALTIN: I'd like to propose an amendment to 3.48.361(3) that says, but excludes agriculture, and real property that does not serve as the owner's principal residence, and was prior to May 23, 2012, granted a conditional permit for bed and...for transient vacation rental use in accordance with the comprehensive zoning ordinance, and was classified as "commercial residential" prior to May 23, 2012.

CHAIR RAWLINS-FERNANDEZ: Is there a second?

COUNCILMEMBER SINENCI: (raising hand seconding the motion)

CHAIR RAWLINS-FERNANDEZ: Seconded by Member Sinenci, moved by Member Paltin. Member Paltin.

VICE-CHAIR PALTIN: You know, my discussion on this would be from 1931 to the present day, we've seen a lot of folks lose out on their ancestral lands, some...half of the family have bailed on their ancestral lands, forcing the other half to buy them out at these inflated prices. And so to this day, they've been doing what they could to hold onto their properties, including doing transient vacation rental use in order to help pay the mortgage from buying out some of their families. And so, you know, I know it is a little unusual, but it's trying to bring the balance back to things. You know, there are so few families that have retained their 'Āina Kūpuna, and the things that they've had to do in

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order to retain it when the whole family doesn't want to carry the burden, and some just want to cash out. So, you know, I've never tried to repeal this because...in deference to those families in Makena, and this is a way to even it out, I think. So I would appreciate Members' support.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Paltin. Discussion, Members? If not, I'll call for the question.

COUNCILMEMBER SUGIMURA: State her amendment, please...oh, sorry.

CHAIR RAWLINS-FERNANDEZ: Oh, Council Chair Lee...

COUNCILMEMBER LEE: I had a question. Doesn't this bill...not your amendment...apply to the residential portion, and not the commercial portion of the owner's land?

CHAIR RAWLINS-FERNANDEZ: So if the residential portion is being used as a...for commercial purposes, then that's what the purpose of the amendment is. Or did you want to hear from Member Paltin?

COUNCILMEMBER LEE: No, no, I'm sort of just...in order to understand what she's saying, I just wanted to confirm that I thought that your bill...this bill...

CHAIR RAWLINS-FERNANDEZ: Yes.

COUNCILMEMBER LEE: ...applied to the residential portion, not the commercial portion of the person's land. Isn't that true?

CHAIR RAWLINS-FERNANDEZ: It applies to --

COUNCILMEMBER LEE: You just nodded right?

CHAIR RAWLINS-FERNANDEZ: -- parcel. Yeah. Ms. Martin.

VICE-CHAIR PALTIN: Oh, go ahead.

CHAIR RAWLINS-FERNANDEZ: Ms. Martin. Oh, go ahead, Member Paltin.

COUNCILMEMBER LEE: Okay. If that's true, what are you trying to do now, Member Paltin?

CHAIR RAWLINS-FERNANDEZ: Member Paltin.

VICE-CHAIR PALTIN: Thank you for the question. I'm just trying to address the situation where, you know, in getting from 1931 to this date, and the skyrocketing of taxes during that time period, not everyone was able to hold onto their property. Some families split decision, where some of the members wanted to sell and others didn't, and so the remaining members had to buy out part of the family, and thus incurred huge mortgage on top of the huge property tax. And in order to try to keep it, they applied for a

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conditional permit when it first came out to pay the mortgages and the property taxes. And so, you know, I don't want to punish those folks that were creative in trying to hang onto their land and keep it for their families and, you know, let them also come family reunions and whatnot. And unfortunately, this wouldn't apply to the conditional permit we granted three years ago, but it would apply to other old families of Makena who, you know, areas are named after them and were mentioned in testimony.

CHAIR RAWLINS-FERNANDEZ: So it applies to the parcel.

COUNCILMEMBER LEE: Okay.

CHAIR RAWLINS-FERNANDEZ: Good, okay. Mahalo, Council Chair Lee. Okay. And then Ms. Milner, will you please share the amendments? It's what Member Sugimura was asking for, yeah. Okay. Okay, Member Paltin, will you confirm if that is correct. Do you need it a little bigger? Ms. Milner, would you be able to zoom in...

VICE-CHAIR PALTIN: Yeah, that is...that's what I put in the...that's correct. That's what I put in the chat.

CHAIR RAWLINS-FERNANDEZ: Okay. Member Sugimura, did you have another question?

COUNCILMEMBER SUGIMURA: Thanks for that...that's what I wanted to know, the point of information...what the amendment was. Yeah.

CHAIR RAWLINS-FERNANDEZ: Okay, perfect. Okay, great. Okay, mahalo, Ms. Milner. Okay, Members, any other discussion? Member Sinenci --

COUNCILMEMBER SINENCI: Yeah, I thought I heard --

CHAIR RAWLINS-FERNANDEZ: -- followed by Member King.

COUNCILMEMBER SINENCI: -- mention about agriculture, was that also included in the amendment?

CHAIR RAWLINS-FERNANDEZ: Yeah, it's included in the original bill.

COUNCILMEMBER SINENCI: Thank you.

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

COUNCILMEMBER KING: So yeah, I just wanted to clarify...so what Member Paltin is doing is saying it's okay for folks to have short-term rentals, that they could also qualify, along with the folks that are doing agriculture?

CHAIR RAWLINS-FERNANDEZ: Member Paltin. It looks like Member Paltin limited it so that it's very narrowly read.

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COUNCILMEMBER KING: Okay, because I thought the idea was if they got this tax break, they didn't need to do the short-term rentals...so that all the commercial operations would cease?

VICE-CHAIR PALTIN: So if they were...

CHAIR RAWLINS-FERNANDEZ: So what Member Paltin was saying...oh, go ahead, Member Paltin.

VICE-CHAIR PALTIN: If they were...if they got a conditional permit for it prior to 2012, and the reason is the mortgage on top of the property tax...because you have a large family that owns this oceanfront parcel in Makena that went from like \$6,000 worth to \$10 million worth. Half of the family didn't want to pay the property taxes on that \$10 million worth, so they had to buy out half of the family for say 5 million bucks. Then they got to take out a mortgage to pay back the 5 million bucks. So if they lived there, there's no way they can pay the mortgage and the remaining property taxes...and this is things that happened from 1930 to 2021, just to survive. It's not saying anybody doing short-term rental, anybody that wants to start short-term rental, it's a pretty narrow scope. And to me this particular situation is the reason why I haven't proposed legislation to repeal all of Section D because, you know, there's folks like Oprah Winfrey in that section, which...I mean, why are we giving Oprah Winfrey B&B tax rates for her short-term rental? Because we don't want to hurt the Hawaiians as, you know, the testifier said. So I mean that's just one person, but the list of folks in this category is on our conditional permit report that we get quarterly from the Planning Department. So, you know, we can see from that list who this will affect, and there's basically one Hawaiian family that the area is named after, you know.

COUNCILMEMBER KING: So anybody getting that short-term rental since then would not...this would not qualify...it would not qualify, they would have to retire their short-term rental permit in order to qualify for it.

VICE-CHAIR PALTIN: No, they'd have to have had their short-term rental or TVR permit prior to 2012.

COUNCILMEMBER KING: Right, and I'm just saying that anybody that got it after 2012 would have to retire that permit in order to get that tax break. Okay. And it's...and have we seen the list of people that this affects?

VICE-CHAIR PALTIN: Yeah, it's on the...you know, the conditional permit list that the Planning Director has been providing to us quarterly? That's where the list is.

COUNCILMEMBER KING: Okay, so how many families is it, do you know?

VICE-CHAIR PALTIN: Probably just the Lu'uwaais.

COUNCILMEMBER KING: Okay. All right. I think I understand it.

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CHAIR RAWLINS-FERNANDEZ: And yeah, and that...talking about the repealing of that section would be probably under Member Paltin's Committee and not part of today's discussion. Member Paltin is just giving everyone a heads up on that.

COUNCILMEMBER KING: Right, right, no....I'm just asking about the actual amendment.

CHAIR RAWLINS-FERNANDEZ: Yeah.

COUNCILMEMBER KING: Okay.

CHAIR RAWLINS-FERNANDEZ: Okay, any other discussion, Members?

COUNCILMEMBER SUGIMURA: So just...

CHAIR RAWLINS-FERNANDEZ: Member Sugimura.

COUNCILMEMBER SUGIMURA: As a...just to clarify then, so from what Member King is asking Tamara...so of course, I'm concerned with the Lu'uwaia family in Makena and they're not the Chang family, right...the Chang family across the street is not in that same situation. But you're saying that the Lu'uwaia can continue, and they don't have to give up their short-term vacation rental in eternity, and qualify for this tax break?

CHAIR RAWLINS-FERNANDEZ: Member Paltin.

VICE-CHAIR PALTIN: As long as they continue without breaking, they would still fall under it. If they ever get their conditional permit revoked for any reason, I would imagine then they wouldn't qualify to continue that usage anyway.

COUNCILMEMBER SUGIMURA: Okay. Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sugimura. Member Molina.

COUNCILMEMBER MOLINA: Sorry, Madam Chair. Can we get a take from Corp. Counsel on Member Paltin's proposed amendment, if there may be...potentially be any issues...legal issues? I just wanted to get that taken care of.

CHAIR RAWLINS-FERNANDEZ: Deputy Corporation Counsel Toshikiyo? Aloha.

MS. TOSHIKIYO: Thank you, Chair. We look forward to being able to provide comments on this bill. Regarding Member Paltin's amendment, I do agree with Ms. Martin that this would be a policy decision for this body. Just on its face I don't see any legal issues, but I would like the opportunity to review this further. But just on the first glance, I would agree with Ms. Martin.

CHAIR RAWLINS-FERNANDEZ: Member Molina.

COUNCILMEMBER MOLINA: Okay, so just basically...just a policy thing. So at first glance,

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from the legal perspective, no issues at this point.

MS. TOSHIKIYO: Correct, it would be what this body would want to be excluded from the commercial purposes. And I believe Ms. Paltin explained it pretty thoroughly of how this conditional use and the limits to it as part of her amendment.

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

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Molina. Okay, any other discussion? If not, I'm going to call for the question. Okay, all those in favor of the amendment to the main motion to add that section, commercial exception, please raise your hand and say "aye."

COUNCILMEMBERS VOICED AYE.

CHAIR RAWLINS-FERNANDEZ: Okay, I see unanimous, one excused, Pro Tem Kama.

VOTE:	AYES:	Chair Rawlins-Fernandez, Vice-Chair Paltin, and Councilmembers Johnson, King, Lee, Molina, Sinenci, and Sugimura.
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	NOES:	None.
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	ABSTAIN:	None.
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	ABSENT:	None.
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	EXC.:	Councilmember Kama.
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MOTION CARRIED.

ACTION: APPROVE amendment to main motion.

CHAIR RAWLINS-FERNANDEZ: Okay, now we're on the main motion as amended. Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. Yeah, I'd like to move to amend the bill under A.2. and to change the date from June 30th, 1931 to June 30th, 1940.

VICE-CHAIR PALTIN: Second.

CHAIR RAWLINS-FERNANDEZ: Moved by Member Sinenci, seconded by Member Paltin to change the date from June 30th, 1931 to June 30th, 1940. Discussion? Member Sinenci.

COUNCILMEMBER SINENCI: Mahalo, Chair. And yeah, we did hear testimony today about

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just a historical context of the times, we had a lot of kūpuna during that time World War II, everyone was leaving after that date. So families...as Mr. Keahi had mentioned, families were either shipping off, leaving other families to look elsewhere for homes, and thereby losing their homestead. So I think that was an important enough to change that date because everything happened after 1931. World War II happened in 1939, so having 1940 would be that date to include more of those veterans that left for war. Thank you, Chair.

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

COUNCILMEMBER KING: I guess I'm a little confused about that change in date, because doesn't that make less people qualify? You start 1940 instead of 1931?

CHAIR RAWLINS-FERNANDEZ: No, it would likely increase . . .*(inaudible)*. . .

COUNCILMEMBER KING: If we go later...if we start later.

CHAIR RAWLINS-FERNANDEZ: It's starting earlier...it's starting more recent. So it's moving the date to more recent times by nine years.

COUNCILMEMBER KING: Okay, so there's...

CHAIR RAWLINS-FERNANDEZ: From 1931 to 1940. So someone would own the property for 81 years instead of 90.

COUNCILMEMBER KING: Oh, I see...okay. So that would be the...that would be the start date for the lineal descendency, in 1940 versus 1931. Okay.

CHAIR RAWLINS-FERNANDEZ: That's correct.

COUNCILMEMBER KING: Okay, thank you for that clarification.

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

VICE-CHAIR PALTIN: Oh, I speak in support of the motion. That just makes the three generations 27 years instead of 30 years, and a lot of folks had kids by 27 years old back then. So it's still kind of three generations, but instead of 30-year generations, it's 27-year generations.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Paltin. Any other discussion, Members? Okay, seeing none, I'll call for the question. All those in favor of the motion to amend the date from 1931 to 1940, raise your hand and say "aye."

COUNCILMEMBERS VOICED AYE.

CHAIR RAWLINS-FERNANDEZ: Okay, it's a unanimous "aye," one excused, Pro Tem Kama.

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

NOES: **None.**

ABSTAIN: **None.**

ABSENT: **None.**

EXC.: **Councilmember Kama.**

MOTION CARRIED.

ACTION: **APPROVE amendment to main motion.**

CHAIR RAWLINS-FERNANDEZ: Okay, we're on the main motion as amended. Any further discussion? Seeing none...oh, Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. This is on the main motion, I just want to rise in full support on this. I think...you know, I took a couple notes as I listened to testifiers, and there's a lot of things that come to my mind that...you know, the idea that land is power, and for so many years we've taken power away from our brothers and sisters of Hawaiian descent, and there has been injustices that we do address. And I think this is one way, as a County Council, where we take...we are in...our purview is taxes on your land, this is in our wheelhouse, so I just want to applaud you, Chair Keani Rawlins-Fernandez, as well as the body...we all have that moral compass, and it's pointing in the right way. So I'm standing in strong support. Aloha.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Johnson. Okay, any other discussion, Members? If not, I'll call for the question on the main motion as amended. All those in favor, please raise your hand and say "aye."

COUNCILMEMBERS VOICED AYE.

CHAIR RAWLINS-FERNANDEZ: Aye. Okay, motion passes unanimously with one excused, Pro Tem Kama. Mahalo, Members.

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

NOES: **None.**

ABSTAIN: **None.**

ABSENT: **None.**

EXC.: **Councilmember Kama.**

MOTION CARRIED.

ACTION: Recommending **FIRST READING** of revised bill by C.R.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Martin, and Deputy Director Alibin.

MS. ALIBIN: Thank you.

ITEM 63: KAIĀULU O HALELE‘A APARTMENTS AFFORDABLE HOUSING PROJECT (KIHEI) (CC 21-435)

CHAIR RAWLINS-FERNANDEZ: Happy Hawaiian History month. The next agenda item is BFED-63 Kaiāulu O Halele‘a Apartments Affordable Housing Project (Kihei). We have with us Department of Housing and Human Concerns, Deputy Director Linda Munsell, as well as Developer Ikaika Ohana, Doug Bigley and Tom Fischer. Deputy Director Munsell, opening remarks?

MS. MUNSELL: Good afternoon, Chair. Good afternoon, Committee. My name is Linda Munsell, I’m the Deputy Director for the Department of Housing and Human Concerns. As you know, this body approved an Affordable Housing Fund grant in the amount of just over \$3 million to Ikaika Ohana for their second phase of their Kaiāulu O Halele‘a project. In order to use those funds most effectively, they are asking permission from the County to loan the funds to the limited partnership which will do the actual development and construction of the project. In addition, because they are leveraging the County funds with funds from other sources, the project also needs to be subject to possible foreclosure or forfeiture under certain conditions, and approval for that also needs to be made by this Council by resolution. As Chair mentioned, the developer is attending the meeting today, and they’re available to answer any questions if you have any. We just thank you for your consideration of this resolution and really appreciate your time today.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Deputy Director. Either Mr. Bigley or Mr. Fischer, would you like to provide opening comments?

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MR. BIGLEY: Hello.

CHAIR RAWLINS-FERNANDEZ: Aloha, Mr. Bigley.

MR. BIGLEY: Hi, how are you? I guess Tom was going to start, but I guess he bugged out on me, so I'll just take it.

CHAIR RAWLINS-FERNANDEZ: Whoever would like to, okay.

MR. BIGLEY: Yeah, I just wanted to...I guess the one thing I can share with you is that this is a Phase II to a Phase I...the Phase I development is already under construction, and the structure that we're proposing here today is the same structure that we did for Phase I. The...there's economic reasons why we want to loan the money through the non-profit. Because the...the way, it's the way tax credits work, you can't grant the money to the operating partnership, so this is the structure. And so...and the last time we did this deal, this was what we needed to do to make it compatible with the other funding sources. So we haven't fully deviated from the last deal. And I wanted to add to that, and I'm not sure how this works, but the...and of course, we want to obviously move things as quickly as we can because we're actually building this as a single project. It's...yeah, I know it's a strange structure...I mean, the idea we had to close under two different financing structures, but from all practical purposes, the physical asset is being built, you know, at the same time. So this will be one disruption to that neighborhood and we'll complete all 120 units. So I'm here for any other questions.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Bigley. And again, Members, as Mr. Bigley explained, this item is time sensitive, so it is on Friday's Council agenda. We will be deferring it today so that we can take action on Friday for the resolution...to pass the resolution on Friday, and it'll pass with one reading. Member King, as the District Area Councilmember.

COUNCILMEMBER KING: Thank you, Chair. Aloha, Doug. Thanks for adjusting your screen so we can see more than your chin.

MR. BIGLEY: Yeah, yeah. Well, no, but...I don't even turn on my screen...I just want to say one thing to the Council. I don't really turn on my screen anymore because about a few meetings ago, somebody took a screenshot and put it in the paper. And it was such a bad shot that everybody in my company has been just teasing me incessantly. I didn't even know it was going to end up in the paper, but it...I mean, I have an issue with my nose anyway, but it's super elongated, so...it was just bad. Anyway...

CHAIR RAWLINS-FERNANDEZ: I know exactly what you're talking about.

COUNCILMEMBER KING: Well, what you look like doesn't...the projects that you're doing here in South Maui is just exceptional. So...but I wanted to ask you because you said that you...that you almost talked about Phase I in the past tense. Is that built already? Because I'm starting to see...

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MR. BIGLEY: No, but it's actually...it's under construction as we speak.

COUNCILMEMBER KING: Okay. So you're...

MR. BIGLEY: Because they're being built in a single phase, essentially we're bringing in the offsite now that will also serve as kind of Phase II.

COUNCILMEMBER KING: Okay, so you're vertical there then.

MR. BIGLEY: Well, not quite yet, we're just finishing the underground. Yeah, we started probably a month and a half or two ago on the first phase. But this phase will be completed...Phase I completes actually at the end of...before the end of next year, and then I think it rolls forward maybe, you know, a quarter or so into the second phase. The second phase will go pretty quick.

COUNCILMEMBER KING: Okay, and are you planning to move folks into the first phase while you're still building on the second phase, or are you going to build the whole thing before you...

MR. BIGLEY: We don't...it wouldn't be the preferred way for the County. The County doesn't really like that. And if we can create a way to kind of get back to the site...it's the way the entry point is, there's no like two points of entry. Because you know, you're up behind that golf course, that single point of entry. Usually the County frowns upon that. And that's also one of the reasons why we just like to kind of do it in just one fell swoop, you know.

COUNCILMEMBER KING: Okay, okay. And you're still working on the...your target is still the end of next year?

MR. BIGLEY: The first phase will end and probably the second phase...and Tom can probably speak, but I think the second phase will go over maybe a half at one quarter, right Tom to finish it all up?

MR. FISCHER: Right, I'm sorry everyone. Can you hear me now?

CHAIR RAWLINS-FERNANDEZ: Yes, we can hear you, Mr. Fischer.

MR. FISCHER: I was having technical difficulties earlier. Sorry about that, it's past my bedtime in Ohio. And so yeah, Doug, you're right. We're going to be targeting the end of November for Phase I, and probably end of March for Phase II for the following year.

MR. BIGLEY: For the following year, 2023, yeah.

MR. FISCHER: Yeah...2023.

COUNCILMEMBER KING: And in November 2022 for the first phase?

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MR. FISCHER: Correct. Yeah. And I just want to...

MR. BIGLEY: Yeah, go ahead.

MR. FISCHER: Our projects tend to...and we come before you oftentimes with some request for expedition, we don't want to be that special person, but this was a unique opportunity where we had nine percent credits allocated on Phase I. We were able to go back quickly and get nine percent credits issued on Phase II which, to Doug's point, allows us to build it as really one project, and we can bring all 120 units online sooner that way. So because of that and really, the need to kind of mesh the construction activities between Phase I and Phase II, that's why we're trying to get the formal closing...financial closing on Phase II done in October. We've had some very good support from Jessica Crouse, and Linda, and the Department of Housing and Human Concerns in general on trying to move this forward as quickly as we can, so I want to thank them as well, as well as this Committee and the Council. You guys have done a great job supporting what we try to do. And what we do is really work for the residents that are going to live in these apartment homes. So we all should feel good about that. And the faster we do that, the better it is for those folks.

COUNCILMEMBER KING: Okay, great. And you're going to do this one...the gold certification for LEED as well?

MR. FISCHER: Correct. This will be gold LEED certified. We've kind of moved that to our standard. We find that, you know, cost aside, we've been able to kind of manage that process where we think the cost...where the cost benefit is well worth gold certified, and that Doug and our team is very, very committed to that.

COUNCILMEMBER KING: Okay. Well, thank you so much, and I look forward to be able to vote on this on Friday. And Chair, I just wanted to mention that it was really...we went up to the...Member Johnson and I went up to the groundbreaking, and it was amazing to see an Affordable Housing Project that's two percent EMI and lower that has a gorgeous ocean view above the golf course. And, you know, I just really appreciate that because I've heard before people saying, you know, well, the property is...that property is too valuable and...too valuable for what? I mean, it's still people that live on Maui. So it's exciting to see that an affordable housing can be built for the lowest income people on property like that. . . .*(timer sounds)*. . .

MR. BIGLEY: You know, one thing I'll add to that, Kelly, and I know we've obviously talked about this a bit, you and I, but...you know, I always tell people, it's just something we try to convey is we build like that is because you're worth it.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Bigley. Thank you.

COUNCILMEMBER KING: My time is up. Thank you, Chair. Thanks, Doug.

CHAIR RAWLINS-FERNANDEZ: Yeah. Thank you. Mahalo, Member King.

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MR. BIGLEY: Thank you.

MR. FISCHER: Thank you.

CHAIR RAWLINS-FERNANDEZ: Member Molina.

COUNCILMEMBER MOLINA: Hi. Madam Chair, is that you calling me?

CHAIR RAWLINS-FERNANDEZ: Member Molina.

COUNCILMEMBER MOLINA: Oh, okay. Sorry, yeah, I'm having difficulties here. Good afternoon, Mr. Bigley and Mr. Fischer. Just a quick question, just so I can get a full understanding for this request. Back when the affordable housing funds were approved, did you anticipate at that time thinking that this resolution...about this resolution to transfer development and ownership to the Kihei Limited Partnership at that time, or is this something just kind of appeared on the horizon? I know you kind of explained the rationale for this in your opening remarks. So again, just help me understand. So this is...again, the need for this is because of the tax regulations? I'm sorry if I didn't get all of it.

MR. BIGLEY: Yeah, it's...yes. We knew it, we did it that way on Phase I. And the process with the County now is that we have to request the structure. They allowed provisions in 2.96 to allow for only if we ask. But first of all, it has to be in a bankruptcy remote entity and a single asset entity, so it has to be in a sub-partnership because they're going to...the LP has to enter the partnership, and the lenders make a loan to a partnership. That's one issue. The other issue is real quick, and I think it's important, is that we...the oddity of the tax credit program is if you give me the money in the form of a grant, it doesn't qualify for Federal credits, so I lose the Federal subsidy associated with it. And some of these conditions are dinosaurs in the program, but it's called subsidy stacking, and you can't do it. So we'd have to turn that around and loan it, yeah.

COUNCILMEMBER MOLINA: Okay. Thanks for clearing that up for me.

MR. BIGLEY: I know.

COUNCILMEMBER MOLINA: Laws can be pretty quirky and complex. So anyway...okay, thank you very much. Thank you, Madam Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Molina. Mr. Bigley, I'm muting you because when you make noise it makes it hard to hear the other Members speak. So when you stop speaking I mute you...because I can't hear the other Members.

MR. BIGLEY: You sound like my wife. Okay, that's fine.

CHAIR RAWLINS-FERNANDEZ: I know, I wish I could have that feature in real life. Member

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Sugimura, you have your hand up? Not for you, Mr. Bigley, I don't ever see you in real life anymore, but...Member Sugimura.

COUNCILMEMBER SUGIMURA: Yeah, just for clarification then, this is a loan, right? This is not a grant. So you're going to pay us back this money. Is that what you said?

CHAIR RAWLINS-FERNANDEZ: Mr. Bigley.

MR. BIGLEY: Well, yeah what it does...yes. Yes and no. The money...if money comes back to the lender...if money comes back to the lender, then there's a provision in the grant that you can't benefit from those funds, you know, the entity that gets them can't benefit from those funds. So we would have to either convince you guys to do another affordable, or pay them back to the agency. It's in the...you have to read the boilerplate of your grant, it's pretty onerous actually, so...from my perspective. (laughing) But you got it covered though.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Bigley. Member Sugimura, you good? Okay. Member Johnson, was that your hand? Oh, Deputy Director Munsell, did you have something to add? You're muted. I didn't do that.

MS. MUNSELL: Thank you, Chair. Yeah, one of the things that we were trying to do was find a way to make this process of these financial structures a little bit easier. So we've been in conversation with Corporation Counsel about when we bring a project forward for an approval for funding, you know, is there a way to get the resolution done. I don't think we've found a mechanism yet to make this go more quickly and more smoothly for you. The other idea would be to amend the ordinance that allows Director discretion rather than approval by Council through resolution, but that would be a conversation later to make this process smooth.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Deputy Director. Okay, Members, any other questions? Okay, seeing no other questions, again, we're going to be deferring this item. Any objections to deferring BFED-63 so that we can take it up on Friday?

COUNCILMEMBERS VOICED NO OBJECTIONS.

ACTION: DEFER pending further discussion.

CHAIR RAWLINS-FERNANDEZ: Okay, great. Mahalo, Members. Mahalo, Mr. Fischer, mahalo, Mr. Bigley, for being with us today, answering everyone's questions. And mahalo, Deputy Director Munsell. Aloha.

MR. FISCHER: Thank you.

MR. BIGLEY: Thank you all so much. Thank you all so much. That's fantastic. Thank you.

CHAIR RAWLINS-FERNANDEZ: Good night.

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MR. BIGLEY: Bye.

MR. FISCHER: Bye-bye.

ITEM 64: SALARIES OF COUNCIL SERVICES STAFF (CC 21-436)

CHAIR RAWLINS-FERNANDEZ: Okay. We're on our last item, Members, BFED-64 Salaries of Council Services Staff. This bill amends Section 2.08.060, Maui County Code to provide an annual step increase for Council Services Staff, except for Legislative Attorneys, if a satisfactory annual performance review has been issued by the Director of Council Services. It also provides for a two percent annual increase for any Staff member who reached the highest step in subsection (b). Our Staff works with the understanding that they need to be reappointed every two years, but this bill would provide them the assurance that if reappointed, their salary would not remain stagnant. We have with us OCS Director Traci Fujita, as well as...yeah, I guess we can stop there. Aloha, Director Fujita, mahalo for being with us. Would you like to provide opening comments?

MS. FUJITA: Thank you, Vice-Chair Rawlins-Fernandez. So this bill, it does a couple of things. One of the things that it does is it provides a level of fairness amongst the appointed Staff and the County. Right now, OCS Staff are the only non-attorney appointed Staff that requires legislation for salary adjustments. We're the only ones. I'm not sure why that is, but that's the case. We're kind of being treated differently right now. The other thing that this bill would do is it would remove the politics from OCS Staff salaries. Staff salaries should not be political...like a political game or subject to politics. I mean, these are Staff, they're appointed, you know, they're not elected officials or anything, they're doing the work of the Council, and the politics...having OCS Staff salaries being discussed as sort of a political matter, it really has some detrimental impacts to the office. One of the things is that it's been said to me that having to constantly fight for OCS salaries has been disclosed as a reason for leaving our office...and also for recruitment. When I reach out to people about possibly working for OCS, you know, because we have some vacancies here, a lot of people, you know, they...I guess they're hesitant because they feel like well, your office it's so controversial, you know, it's always being talked about, and your salaries are always being...it's so public, you know. And these are Staff people that really don't deserve that, you know. So that's the purpose of this bill, is just to, you know, basically do what we've been doing, which is Staff generally get their steps, or a two percent increase if they're doing well in the office, and this would allow that just to happen without any need for further legislation. But if Council ever wanted to change that, they can just do that by resolution, to make any kind of other adjustments. So...I also have with me some of the supervisors in the office...Tammy Frias, the Supervising Committee Secretary; Marlene Rebugio, the Support Supervisor; and Shelly Espeleta, the Supervising Leg Analyst. So they are also available if anybody has any questions. Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Director Fujita. Okay, Members, questions for Director Fujita or the Supervising team? Member Paltin.

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VICE-CHAIR PALTIN: Thank you. I came from the Civil Service Union Representative World, and we had like a big chart, and it said what each step was--A, B, C, D--and I think it was, you know, from A to B was one year, B to C was two years, and every step after that was three years. And so I just was wondering how you came up with the every year step? Two minutes.

CHAIR RAWLINS-FERNANDEZ: Director Fujita.

MS. FUJITA: So my understanding is that that has been in place for, I guess, as long as anyone can remember. And the reason for that is that the OCS Staff are appointed for only two years at a time. And so it was a way to recruit and retain staff to come work here, and give them an incentive to stay, you know, for at least ten years.

VICE-CHAIR PALTIN: Okay. If...since we don't have a chart, would each step...are you saying each step is equivalent to two percent?

MS. FUJITA: So each step...my understanding is that it's always been the first...I think it's the first ten steps, they're four percent each, and then what it was is that after that, they...Staff would get a two percent increase. So...oh, I can't remember...a couple years ago, I think, there was some concern because if Staff were to get the four percent steps, and then also we did an across the board two percent, it's like, you know, some Staff would be getting more than four percent, so we stopped doing that.

VICE-CHAIR PALTIN: Okay, since I'm on a time...

MS. FUJITA: Oh, sorry.

VICE-CHAIR PALTIN: Can I ask you a question?

MS. FUJITA: Yeah.

VICE-CHAIR PALTIN: You know, when you were saying...so it's been every year, but then when we came on, I think it was in 2019, Member King was saying, oh, Staff haven't gotten a raise in for so long. So I don't understand the...it's been every year, but until we came along, it hadn't been happening for every year. So it's only been every year since 2019, or can you clarify that? . . .*(timer sounds)*. . .

MS. FUJITA: Well, in the Ordinance, where the chart...you know, where that chart is with...it's established that way...four percent for the first ten steps, and then two percent thereafter. But, yeah, it is true that for a while, Staff were not given the step increases...not all Staff.

VICE-CHAIR PALTIN: So the annual step increases started in 2019...oh, I'm sorry. Never mind. Okay, my time's up.

CHAIR RAWLINS-FERNANDEZ: You can answer that last question, Director Fujita. The annual Staff increase...

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MS. FUJITA: Yeah, it just recently...yeah. It recent...so this is my understanding, you know. And I haven't been working in OCS for all my County career, but I believe before, it was that Staff would get annual step increases, and then that kind of stopped for a little bit, and then it recently started up again. That's kind of my understanding.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Director Fujita. Okay, I saw Member Johnson's hand, followed by Member Molina. I just wanted to...I heard you saying, Director, so for these appointed positions, as opposed to Civil Service, Civil Service has that job security, whereas the appointed positions that our Staff has zero job security because they are reappointed every two years. So it's a way to compensate for that lack of job security. Mahalo, Director Fujita.

MS. FUJITA: Yes.

CHAIR RAWLINS-FERNANDEZ: Member Johnson, followed by Member Molina.

COUNCILMEMBER JOHNSON: Thank you, Chair. Thank you all for joining us today. Just a quick question, is this a cost of living increase, or based off of merit? Is it for...or a third category...I don't know.

CHAIR RAWLINS-FERNANDEZ: Director.

MS. FUJITA: Yeah, it is a cost of living, especially that two percent. You know, once you've maxed out at the top of the salary scale, a two percent increase represents a cost of living increase. Yeah, it's not merit based where...yeah.

COUNCILMEMBER JOHNSON: Okay.

MS. FUJITA: And it's based on longevity, right...how long...it's to keep...try to keep people on board.

COUNCILMEMBER JOHNSON: Okay. That...I mean, that means a lot to me because the cost of living...you know, my Staff isn't immune to it as well, you know, we...the Councilmembers' Staff also have to struggle with this same very issue that you're speaking of. They're appointed, cost of living, everything in regards to what you just mentioned. So I just wanted to clarify that. So thank you, Traci, for that. Thank you, Chair. I have no further questions.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Johnson. And it's also incumbent or contingent upon annual performance review issued by the Director of Council Services. So being reappointed is based on merit. So if, you know, the performance review isn't satisfactory, then the reappointment wouldn't happen. Member Molina, you have questions?

COUNCILMEMBER MOLINA: Yeah. Yes, thank you, Madam Chair. Good afternoon, Director Fujita. You know, as part of determining whether...you know, I'm going to focus on the

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satisfactory reviews. Would you be opposed to us maybe requiring you, as the OCS Director, or future OCS Directors, to solicit input from the Councilmembers? Because I don't see that in the bill, but I know...I guess standard practice, I guess, you and, I guess, past directors do kind of solicit input from Councilmembers regarding performance reviews. Any thoughts on that? That's my first question.

MS. FUJITA: Yeah, I think that's a good idea. We do...

CHAIR RAWLINS-FERNANDEZ: Director Fujita.

MS. FUJITA: I'm sorry. We do...we do do that. So for Staff, we contact the Committee Chair that the Staff is assigned to to get input for each performance evaluation. So I think that's a good idea. We could, you know, add that to the bill --

COUNCILMEMBER MOLINA: Okay.

MS. FUJITA: -- incorporate that, yeah...as what we already...current practices.

COUNCILMEMBER MOLINA: Okay. And then just quickly, could you just briefly elaborate on any behavior that's significant enough that you, as a Director, feel would warrant a non-satisfactory review?

CHAIR RAWLINS-FERNANDEZ: Director.

MS. FUJITA: This is a tough job, I'll say. You know, I've worked in many different offices in the County, and this is one of the toughest offices to work in because of the wide variety of type of work, and the time constraints that the Staff is under. So it's kind of difficult...I mean, you know, to say what would be unacceptable behavior. I mean obviously, insubordination, right, if you're given directives and you're not complying with them...to me, insubordination is inexcusable, and would be grounds for unsatisfactory.

COUNCILMEMBER MOLINA: Yeah, and I'm sure workplace violence and all of that stuff, yeah.

MS. FUJITA: Yeah, yeah. But, you know, for the most part, we try to work with people. I mean, there's a steep learning curve when you come here . . . *(timer sounds)*. . . and we try to work with people to get them up to speed. But, you know, for some people, this job just isn't for them, and a lot of times they leave on their own because they just realize it's just not for them.

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

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Molina. Members, any other questions? Member King.

COUNCILMEMBER KING: Yeah, I guess it's just a kind of a general comment because I think it's a good proposal, and I like the fact that it's based on...it's predicated on positive

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reviews. I agree with Member Molina that we should probably be part of that...but I also wanted to just make a comment that sometimes our job security...our own Council Staff members have less job security even because they are contingent on the next election. So they don't even know...you know, it depends on really...most of the OCS Members are going to stay there regardless of who the Councilmembers are. So I just wanted to make a comment that we should look at that kind of...I believe these put into our Council...our budgets every year so we can make sure that our Staff also get those same increases. Because talk about pressure, you know. I know you feel a lot of pressure in OCS, but our Staff are under the same deadlines that we're passing along to you, and have...you know, the added pressure hoping that their boss gets re-elected every two years. So, you know, I'm in favor of it, Traci, I just...I think if we're talking about fairness, we should kind of look broadly across the whole spectrum of employees too. Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member King. Okay. Seeing no other questions, I...let's see...the Chair will entertain a motion to recommend passage of the bill...oh, where am I...passage on first reading of the proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 2.08.060, MAUI COUNTY CODE, RELATING TO COUNCIL SERVICES STAFF SALARIES," incorporating any nonsubstantive revisions, and filing of County Communication 21-436.

COUNCILMEMBER LEE: Move to approve.

COUNCILMEMBER KING: Second.

CHAIR RAWLINS-FERNANDEZ: Moved by Council Chair Lee, seconded by Member King. As the movant, Chair Lee, do you have discussion?

COUNCILMEMBER LEE: I don't really have much to say other than I truly support our Staff, and I am very satisfied and happy with their performance of their work. We know it's difficult. I don't know if Member King was going to add an amendment. Were you?

CHAIR RAWLINS-FERNANDEZ: Okay, mahalo, Chair Lee. Member King, followed by Member Molina.

COUNCILMEMBER KING: Okay. No, Chair, I wasn't going to add the amendment at this time, but I think it's something we should look at when we get to our next budget session.

COUNCILMEMBER LEE: Oh, okay.

COUNCILMEMBER KING: So, you know, that's kind of what I was suggesting. But I do want to say that we have amazing Staff, and we have been...but I appreciate all the work that you've done, Traci, trying to reorganize so that, you know, we get better response on the PAFs as far as the deadline, so that's been a real big improvement from what I've seen. But everybody I've worked with in OCS has done a really good job and gone over and above...you know, I get...if there's deadlines I get things, you know, after hours at night and in early morning. So just to everybody who is listening, I mean...I've had amazing

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support on HSAC and I've had...I was kind of sad to lose Shelly when she went out to a different position, but Kasie has been just amazing. So everybody is just...you know, it's not...it's amazing to have this many employees and not have to worry that if you get traded out that someone is not going to be as good as someone else because they're all just really excellent kind of employees. That's all I wanted to say. Thank you.

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

COUNCILMEMBER MOLINA: Yeah. Thank you, Madam Chair. I move to amend Section D of the bill. I believe it is line 6, after the word "if" to insert the words "after consultation with the Councilmembers," and then "a satisfactory annual performance review has been issued by the Director of Council Services." So again, the amendment is to add the words "after consultation with the Councilmembers" after the word "if."

CHAIR RAWLINS-FERNANDEZ: Okay, moved by Member Molina, seconded by Member Sugimura. Member Molina.

COUNCILMEMBER MOLINA: Yeah, Madam Chair, no further discussion...I think we had the discussion with the Director, so I'll just leave it at that. Thank you. Appreciate the Members' support for this.

CHAIR RAWLINS-FERNANDEZ: Okay, mahalo Member Molina. Mahalo. Any other discussion? Seeing none, I'll call for the question. All those in favor of the motion to amend the main motion by adding "consultation with the Councilmembers," please raise your hand and say "aye."

COUNCILMEMBERS VOICED AYE.

CHAIR RAWLINS-FERNANDEZ: Okay, motion passed unanimously, with Pro Tem Kama excused.

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

NOES: **None.**

ABSTAIN: **None.**

ABSENT: **None.**

EXC.: **None.**

MOTION CARRIED.

ACTION: **APPROVE amendment to main motion.**

CHAIR RAWLINS-FERNANDEZ: Okay, any other discussion on the motion as amended? Oh, aloha, Pro Tem Kama.

COUNCILMEMBER KAMA: Aloha, Chair. I support the motion.

CHAIR RAWLINS-FERNANDEZ: Okay, mahalo. So I will amend the record, please have it reflect unanimous support with Pro Tem Kama included, okay.

COUNCILMEMBER KAMA: Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Okay, any other discussion? Mahalo, Pro Tem Kama, for making it back. Any other discussion on the motion as amended? Member Sinenci.

COUNCILMEMBER SINENCI: Mahalo, Chair. I too wanted to lend my support to our Council...Office of Council Services. I think...you know, for me, being out in rural Hāna, and especially our County offices...our district offices being renovated, and just having the Staff to help us to continue our work on the County Council has been instrumental in just us having to be really flexible. And keeping us at home, keeping us safe while they're at the office and doing all the work for us there. So again, supportive, and I appreciate them. Mahalo.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sinenci. Okay, any other discussion before I call for the question? Seeing no other hands, I will also lend my strong support for the motion. Our Staff has been integral in me being as effective as a Councilmember, and I would not be able to support the community as much as I have been without them. So I'm truly grateful for the Staff that we have. We have such an incredible team. I'll call for the question. All those...mahalo, Pro Tem Kama. All those in favor of the motion, please raise your hand and say "aye." Aye.

COUNCILMEMBERS VOICED AYE.

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CHAIR RAWLINS-FERNANDEZ: Okay, motion passes unanimously, nine “ayes.”

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

NOES: **None.**

ABSTAIN: **None.**

ABSENT: **None.**

EXC.: **None.**

MOTION CARRIED.

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

CHAIR RAWLINS-FERNANDEZ: Mahalo, Members. Mahalo, Director Fujita, Ms. Espeleta...

MS. FUJITA: Mahalo. Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Frias and Ms. Rebugio. Aloha. Okay, Members, that brings us to the end of the agenda at 4:28...good job. We are all so efficient.

COUNCILMEMBER MOLINA: Better than Hawaiian Airlines...on time.

CHAIR RAWLINS-FERNANDEZ: Always so impressed with this Committee. Thank you so much, Members. Okay, I think that’s everything. Any last remarks? Announcements, we have PSLU Committee meeting at 9:00, HCP Committee tomorrow at 1:30. Member Paltin, announcement?

VICE-CHAIR PALTIN: Yeah, looking forward to hearing from East Maui, and maybe Moloka‘i tomorrow on the agenda.

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

COUNCILMEMBER KING: Yeah, it looks like Traci is still here. I just wanted to say I have on my calendar tomorrow is Wendy’s last day. And so I don’t know if she’s listening, but I’d just like to wish her much aloha and best wishes for whatever your next endeavors are, and thank you so much for your service over the past...I don’t know how many decades you’ve been here, but you’ve been a rock as far as your position in HR at OCS. So thank you so much. I wish I could say I would get over there, but just this week has

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been so packed with...I've been even spending my lunch hours in meetings. So if I can't get over there, I just wanted to say...and just remind all the Councilmembers that tomorrow is her last day.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member King. Yes, Wendy Kane, whoof...really humongous shoes to fill. As we are talking about our tremendously incredible Staff, she has been definitely one of them. Chair Lee.

COUNCILMEMBER LEE: Yeah, just wanted to follow up and say that if you can't make it to the office, you can join online, and there are going to be games, so that should be a lot of fun. So those of you who can make it, please try. Okay.

COUNCILMEMBER KING: Are they going to send a link to all of us?

COUNCILMEMBER LEE: Yes.

COUNCILMEMBER KING: Okay. What time?

COUNCILMEMBER LEE: I think it starts at...it starts at 11:30, I believe...11:30 to 1:30.

CHAIR RAWLINS-FERNANDEZ: Okay, Members.

COUNCILMEMBER KING: Okay. So Member Paltin, you have to. . .(inaudible). . .

VICE-CHAIR PALTIN: I think you got to --

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Chair Lee.

VICE-CHAIR PALTIN: -- East Maui and West...and Moloka'i testifiers.

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Member Paltin. Okay, it's 4:30...oh, and I see in the chat, Wendy has been with OCS for 24 years. Look at that loyalty and commitment. Mahalo, Ms. Kane. Okay. So it's now after the time, it's 4:31, but that's okay, that was important announcements. Mahalo, Members.

COUNCILMEMBER KING: Sorry.

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CHAIR RAWLINS-FERNANDEZ: All right. It's 4:31 p.m. on September 29th and the Budget, Finance, and Economic Development Committee is now adjourned. . . .(*gavel*). . .

ADJOURN: 4:31 p.m.

APPROVED:



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

bfed:min:210929:ta

Transcribed by: Terianne Arreola

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CERTIFICATION

I, Terianne Arreola, hereby certify that pages 1 through 57 of the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 8th day of November 2021, in Wailuku, Hawai'i



Terianne Arreola