

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Council of the County of Maui

MINUTES

Online Only via BlueJeans Link

September 14, 2021

CONVENE: 9:01 a.m.

PRESENT: Councilmember Michael J. Molina, Chair
Councilmember Keani N.W. Rawlins-Fernandez, Vice-Chair
Councilmember Gabe Johnson, Member
Councilmember Tasha Kama, Member
Councilmember Kelly T. King, Member
Councilmember Alice L. Lee, Member
Councilmember Tamara Paltin, Member
Councilmember Shane M. Sinenci, Member
Councilmember Yuki Lei K. Sugimura, Member

STAFF: Shelly Espeleta, Supervising Legislative Analyst
David Raatz, Deputy Director of Council Services
James Forrest, Legislative Attorney
Richard Mitchell, Legislative Attorney
Kasie Apo Takayama, Legislative Analyst
Lesley Milner, Legislative Analyst
Pauline Martins, Committee Secretary
Lenora Dinneen, Council Services Assistant Clerk

Zhantell Lindo, Council Aide, Molokai Council Office

Ana Lillis, Executive Assistant to Councilmember Molina
Axel Beers, Executive Assistant to Councilmember King
Davideane Sickels, Executive Assistant to Councilmember Kama
Dawn Lono, Executive Assistant to Councilmember Sinenci
Ellen McKinley, Executive Assistant to Councilmember King
Evan Dust, Executive Assistant to Councilmember Kama
Jordan Helle, Executive Assistant to Councilmember Sugimura
Kate Griffiths, Executive Assistant to Councilmember Johnson
Lois Whitney, Executive Assistant to Councilmember Kama
Mahina Poepoe, Executive Assistant to Councilmember
Rawlins-Fernandez
Roxanne Morita, Executive Assistant to Councilmember Johnson
Sarah Pajimola, Executive Assistant to Councilmember
Rawlins-Fernandez

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ADMIN.: Gary Murai, Deputy Corporation Counsel, Department of the Corporation Counsel
Ipo Mossman, Executive Assistant, Office of the Mayor
Keola Tom, Molokai District Commander, Department of Police
Erik Losvar, Detective, Criminal Investigative Division, Lahaina District, Department of Police
Henry “Hanale” Lindo, Fire Battalion Chief, Fire Rescue Operations Division, Department of Fire and Public Safety
Rowena Dagdag-Andaya, Director, Department of Public Works

OTHERS: Stacey Lee Vinoray
Lori Buchanan
Shawn Haruno, Acting Noise Supervisor, State Department of Health

PRESS: *Akakū Maui Community Television, Inc.*

CHAIR MOLINA: . . .(*gavel*). . . The Government Relations, Ethics, and Transparency Committee meeting for Tuesday, September 14, 2021, will now come to order. I’m your Committee Chair, Mike Molina. And for the record, I am broadcasting to you live from my residence in Makawao, and my wife and the dog and the birds are in the other room. This online meeting this morning is being conducted in accordance with the Governor’s most recent emergency proclamation on COVID-19. The Governor’s recent emergency proclamation also includes the following mandate that a board holding a remote meeting pursuant to this section shall not be required to allow members of the public to join Board Members in person at nonpublic locations where Board Members are physically present, or to identify those locations in the notice required by Section 92-7, HRS; provided that at the meeting, each Board Member shall state who, if anyone, is present at the nonpublic location with the Member. In accordance with the Governor’s mandate, if you are at a nonpublic workspace when your name is called, please identify by name who is present with you in the room, vehicle, or workspace. Time now for Committee roll call. It starts first with our wonderful Council Chair all the way from Wailuku. Alice Lee, good morning. Chair, you’re muted.

COUNCILMEMBER LEE: Mr. Chair.

CHAIR MOLINA: There you go.

COUNCILMEMBER LEE: Can you hear me now? Okay. By the way, I love your tourist aloha shirt. Does your wife have a matching top as well?

CHAIR MOLINA: Of course she does.

COUNCILMEMBER LEE: Oh, okay, just checking. Okay. The morning greeting is from Latvia,

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and it is sveiki. Sveiki to all of you.

CHAIR MOLINA: All right. Back at you. All right. Mahalo, Council Chair Lee. Let's go to our Committee Vice-Chair all the way from Moloka'i. Keani Rawlins-Fernandez, sveiki and aloha.

VICE-CHAIR RAWLINS-FERNANDEZ: Aloha kakahiaka, Chair. Mai Moloka'i Nui A Hina. I am at the Moloka'i office, and alone here in my, on my side of the office, and sveiki, kākou.

CHAIR MOLINA: Well stated. Awesome. Let's go out to West Maui and check in on our Councilmember who recently returned from France. Councilmember Paltin, sveiki and aloha.

COUNCILMEMBER PALTIN: Aloha kakahiaka kākou and sveiki from the West Maui District Office. I am here with Angela. And Kolehua Paltin-Vierra, sore stomach. We got to find a way to get back to school.

MISS PALTIN-VIERRA: Mom.

COUNCILMEMBER PALTIN: Ten days, doctor's note or testing, but there's no testing on the West Side today.

MISS PALTIN-VIERRA: Be quiet.

COUNCILMEMBER PALTIN: And she told me to be quiet.

CHAIR MOLINA: All right. Mahalo, Member Paltin. Very assertive young person in the household too. Good. Just like the mom, right? Okay. Let's go out now to all the way to Lāna'i and check in on Councilmember Johnson. Sveiki and aloha.

COUNCILMEMBER JOHNSON: Good morning, Chair. Good morning, Members. Sveiki to all of you. And I am at home in my house and Kate Griffiths is here, and I look forward to an exciting meeting. Thank you.

CHAIR MOLINA: All right. Mahalo, Councilmember Johnson. Let's go to South Maui now and check in on Councilmember King. Sveiki and aloha to you.

COUNCILMEMBER KING: Sveiki from South Maui, Chair. And I am here in the same room, my spare bedroom in the house, with no one else in sight right now.

CHAIR MOLINA: All right. Mahalo, Member King. Let's go to Upcountry Maui and check in on Councilmember Sugimura. Sveiki and aloha to you.

COUNCILMEMBER SUGIMURA: Sveiki, good morning, everybody. I'm in the County building,

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8th floor. I am by myself on the whole floor, so any time any of you want to come back to visit, please come by. It's quite lonely. Normally, we have Gabe Johnson down the hall at least, my neighbor, but I appreciate seeing all of you. Have a good day and good morning.

CHAIR MOLINA: Mahalo, Councilmember Sugimura. Let's take a drive out to East Maui and check in on Councilmember Sinenci. Sveiki and aloha.

COUNCILMEMBER SINENCI: Aloha kakahiaka, Chair. Mai Maui hikina and sveiki kākou from the virtual rotunda. I'm here with my EA, Dawn Lono.

CHAIR MOLINA: Mahalo, Councilmember Sinenci. I like that, virtual rotunda. It sounds so formal. And finally, let's check in on how the neighborhood is doing. Councilmember Tasha Kama, sveiki and aloha.

COUNCILMEMBER KAMA: Aloha kakahiaka, Chair, and sveiki to every one of you this morning. I am broadcasting from the neighborhood of Kahului from my spare bedroom, and there's no one else here except me and all of you.

CHAIR MOLINA: Mahalo, Councilmember Kama. Also joining us this morning from Corporation Counsel will be Mr. Gary Murai. And from the Office of the Mayor, Mr. Ipo Mossman. And we'll also have personnel from the Police Department joining us for GREAT Items 3(1) and GREAT Item 4. And from the Department of Public Works will be Director Rowena Dagdag-Andaya. And we also have someone from the Department of Health, Shawn Haruno, Acting Supervisor, and he will be here for GREAT Items 3(1) and GREAT Item 4. And as always, we are joined by our very hardworking Committee Staff, Shelly Espeleta, Supervising Legislative Analyst; Kasie Apo Takayama, Legislative Analyst; James Forrest, Legislative Attorney; Pauline Martins, Committee Secretary; and Lei Dineen, Council Services Assistant Clerk. Members, we've got three items on the agenda today. But before we do that, Chair just wants to go over instructions for public testimony. Oral testimony via phone or video conference will be accepted. Testifiers wanting to provide video testimony should have joined the online meeting via the BlueJeans meeting link, which is [bluejeans.com/175 115 369](https://bluejeans.com/175115369), as noted on today's agenda. Testifiers wanting to provide audio testimony can participate via phone conference by dialing 1-408-915-6290 and entering the meeting code that I just mentioned. So with that being said, testimony will be limited to three minutes, and if you are still testifying beyond that time, we will kindly ask you to complete your testimony. And when testifying, please state your first and last name. If you are testifying on behalf of an organization, please make the Committee aware of that as well if you are a paid lobbyist. Please be mindful of the use of chat during the meeting. Chat should not be used to provide testimony or chat with other testifiers. And as always, please be courteous by turning off your video and muting your microphone while waiting for your turn to testify. So with that said, before I check in with Ms. Espeleta, for those of you wanting to view this meeting, you can of course watch it on *Akakū* Channel 53. And I'd like to remind Committee Members, Administration, and the public to please be

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patient if we run into any technical difficulties during the meeting. So with that said, Ms. Espeleta, do we have any testifiers this morning?

MS. ESPELETA: Chair, there are no individuals signed up to testify. However, should there be any individuals who wish to testify at this time, please identify yourself and proceed.

CHAIR MOLINA: Okay. Thank you very much for that, Ms. Espeleta. So we'll take a momentary pause to see if there's anyone in the public who might just be tuning in and would like to testify, and we'll provide an opportunity for them should they decide to testify. Okay. The chair will make one last call for anyone who would like to testify on our agenda item today. Going once, twice, three times. Ms. Espeleta, has anyone signed on to testimony?

MS. ESPELETA: No, Chair.

CHAIR MOLINA: All righty.

MS. ESPELETA: There's no individuals.

CHAIR MOLINA: Thank you. Okay. With that being said, Members, if there are no objections, the Chair will close public testimony as well as accept any written testimony for today's agenda. Any objections to closing public testimony?

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR MOLINA: Okay. So ordered. All righty, Members, let's get right down to business.

**GREAT-2(21) NOMINATIONS TO BOARDS, COMMITTEES, AND
COMMISSIONS (REAL PROPERTY TAX REVIEW BOARD)**
(CC 21-42)

CHAIR MOLINA: Our first item today is GREAT Item 2(21). This is related to the appointment of Stacey Lee Vinoray to the Real Property Tax Review Board. The purpose of the revised proposed resolution is to approve or disapprove the Mayor's nomination of Ms. Vinoray to the Real Property Tax Review Board for a term expiring on March 31st, 2026, which is to fill a vacancy due to the resignation of Russell Johnson, and also to correct the correspondence date and incorporate any nonsubstantive revisions as well. From the Mayor's Office, Chair would like to recognize Mr. Ipo Mossman, if he could give us a brief overview of the nominee. Good morning, Mr. Mossman.

MR. MOSSMAN: Thank you, Chair Molina, and aloha kakahiaka to all Members of the Council, and good morning. It seems that our...the Mayor's nominee, Ms. Stacey Vinoray, really needs no introduction. It seems like she has a great reputation with everyone there, and we're so happy to have her be a part of our team. And so with that being said, I

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just wanted to make sure that...you know, it's really nice to have Stacey on board, and she'll bring a lot to the table from the standpoint of working with this...with this Commission. So with that being said, Mike...Chair Molina, I'd like to turn it back over to you.

CHAIR MOLINA: Okay. Thank you very much for opening comments, Mr. Mossman. And my understanding is Ms. Vinoray is on the call. Members, if you have any burning questions for Ms. Vinoray that you would like to ask her, I believe she is available to respond, but as well stated by Mr. Mossman, she is already pretty well known to all of us. And for me, I'll just start off by saying I have no problems with accepting her nomination to serve on this very important Board and Commission. And so anyway, I'll leave it at that. Members, any need to ask Ms. Vinoray any questions? Okay. We have Committee Vice-Chair Rawlins-Fernandez. Proceed.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Mr. Mossman, and aloha, Ms. Vinoray. I'll echo the Chair's sentiments in supporting the nomination strongly. I believe she is...she would be a great asset to this Board. For consistency's sake, I just have my regular three questions. Ms. Vinoray, are you...you have your video?

MS. VINORAY: Good morning, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Good morning. Yeah, I just requested you so I could see your beautiful smiley face. So my first question is, do you foresee any concerns with attendance?

MS. VINORAY: No. I will be attending all meetings.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Wonderful. And then second, have you watched any of the meetings or attended any?

MS. VINORAY: I've been subscribed to their agenda since I started work at the County. So I've been aware of, you know, past meetings. However, their minutes are not posted, neither are their meetings. So I'd have to request for the minutes.

VICE-CHAIR RAWLINS-FERNANDEZ: And then my last question is, how do you see yourself contributing to the Board?

MS. VINORAY: Well, having knowledge in real property matters, being a real estate agent for about 20 years now, and a taxpayer, and a homeowner, and as a long-time resident of Maui, I think I have a good grasp on the areas, you know, the properties that may or may not come about in the...in the Board. So I think I can...have that experience to back up, you know, whatever I...whatever I can bring to the Board.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Vinoray. I know firsthand how hard of a worker you are, and like I said, I have no doubt you'll be a tremendous asset to this

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Board.

MS. VINORAY: I consider it a privilege to serve as a volunteer or an employee. So thank you.

VICE-CHAIR RAWLINS-FERNANDEZ: So grateful to you...your willingness to serve. Mahalo. Mahalo, Chair.

CHAIR MOLINA: Okay. Mahalo, Committee Vice-Chair Rawlins-Fernandez. And Members, for information, we have until October 17th, 2021 to make a decision on Ms. Vinoray's nomination. Before I recognize Member King, there were two other Members that did request Ms. Vinoray's presence. So I'll go to those two Members, and then I'll go to Member King after. So I'll go first to Councilmember Sinenci, followed by Councilmember Paltin, if you have any questions at this time for Ms. Vinoray. Mr. Sinenci, proceed.

COUNCILMEMBER SINENCI: Mahalo, Chair. And aloha, Ms. Vinoray. Nice to see you again. Just one simple question. How do you see your past experience on the County, particularly going through the budget reviews and working on tax...our taxes, how is that going to help you on this Board?

MS. VINORAY: Well, knowing the different levels of taxation helps a lot, you know, understanding that, understanding the different types of properties that are out there, and having, again, a good grasp on the areas of the County that we're talking about. That helps me, and that would help the community, I believe.

COUNCILMEMBER SINENCI: Perfect. Thank you for your willingness to serve. Chair.

CHAIR MOLINA: Okay. Mahalo, Mr. Sinenci. Chair wants to first apologize before we go to our next Member. I got the Ts mixed up. I thought the...what I saw in my notes was Tamara, it was actually Tasha. So I'm sorry. Member Kama made the request for you to come in. So sorry about that, Member Paltin. So Member Kama, you, and then followed by Member King. And if Member Paltin has a question too, we'll recognize her as well. So Member Kama, please proceed.

COUNCILMEMBER KAMA: Thank you, Chair. Good morning, Stacey. I just want to thank you for serving on the Council when you were the Affordable Housing Secretary, and I know how hard you've worked for that particular Committee. And I just want to say thank you for all your past work. I didn't have an opportunity to tell you goodbye when you left, and you know, things were hectic at that time, but I just want to acknowledge, you know, the work that you've done was...you know, for me, it was very impressive, and although I wasn't here that long and you had left, I was very impressed with the type of work you do. So my question to you, in terms of the Tax Review Board, is there anything that you would...you would do right now to help improve that particular Board or Commission?

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MS. VINORAY: Well, it first and foremost would be to attend the meetings and make quorum so that we can make the decisions that's needed, and you know, to further along everyone's agenda, especially the people out there, you know. They don't fill out grievances or anything for no reason. They need to be heard, and we need to help them.

COUNCILMEMBER KAMA: Thank you. Thank you for answering that question in that respect, because I think that your love for our people here and your concern for them speaks volumes of the type of candidate you are, and the type of Board Member that you'll make for us. So thank you very much. Thank you, Chair.

CHAIR MOLINA: Okay. Mahalo, Member Kama. Member King.

COUNCILMEMBER KING: Thank you, Chair. You know, the...one of the things about being on this venue is you can really see everybody's face. So when you said that Member Paltin, the look on her face...I could tell she wasn't the one who requested Stacey to be here. But thank you for offering to serve in this volunteer basis, Stacey. I hope it feels as good for you that--you know, we all know your good work--as it feels for us to be able to have someone like you apply for this position. But my only question to you...because I...you know, I do...I really appreciate all the work you did when you were on Council, your diligence. I mean, the afterhours work that you put in was...it was amazing because I'd get...I'd get emails from you, you know, at 6:00, 7:00 at night. But my only question to you is, when you were talking about the minutes not being posted, is that something that you would...you know, you would try to get done as a Member of the Tax Board?

MS. VINORAY: I would say that, you know, there's a lot of personal things that goes...you know, situations that come about when it comes to Real Property Tax. I mean, people's familial situations or their personal situations. So I can see why there may be some hesitancy in posting those minutes. So as long as we have...keep that in mind when we're trying to decide whether or not to do so.

COUNCILMEMBER KING: Okay. But when you're...

MS. VINORAY: I think maybe a summary would be great.

COUNCILMEMBER KING: But when you're talking...when you're having your meeting, it's all public, right?

MS. VINORAY: Sure.

COUNCILMEMBER KING: So people can...they can see you talking about individuals, unless you go into Executive Session.

MS. VINORAY: That's true. Yeah, that's true.

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COUNCILMEMBER KING: I just...I just bring that up because...and I know you know this from your years on the...in the OCS, is that, yeah, I'm starting to get more emails from people who are trying to get documents and being told well, you have to pay so much, you know. Sometimes it amounts to hundreds of dollars to get copies of documents. So anything we can post online is really helpful, but I like that you brought that up. So maybe something to think about when you join the Property Tax Board, but...

MS. VINORAY: Definitely, Councilmember. Maybe a synopsis or a summary, a different type of minutes would suffice.

COUNCILMEMBER KING: Yeah. Okay. Well, thank you so much, again, Stacey. I look forward to, you know...well, we're not seeing anybody around, but I look forward to having you back in County service.

MS. VINORAY: It's great to see everyone. Thank you so much.

COUNCILMEMBER KING: Thank you, Chair.

CHAIR MOLINA: Thank you very much, Member King. Members, any other questions for our nominee, including Member Paltin? I know, I was...I was...I think I said it because I'm so happy Member Paltin's back and she's safe and...you know. So anyway...

COUNCILMEMBER PALTIN: I am home.

CHAIR MOLINA: I see Member Sugimura. You have your hand up? Okay. Member Sugimura.

COUNCILMEMBER SUGIMURA: I just want...thank you. I...thank you, Chair. I just wanted to also say I highly support Stacey Vinoray. I even called her just to say hey, I'm so glad you're doing this, and I love her enthusiasm. I enjoyed working with her when she was in OCS, and I think she'll be a great addition to the Real Property Tax, yeah, Board. So thank you. Thanks, Stacey, for putting yourself out there. I support you 100 percent.

MS. VINORAY: Thank you.

CHAIR MOLINA: Thank you very much, Member Sugimura. Members, any other questions or comments for the nominee? All right. Oh, here we go. Okay. Member Paltin, you have the floor.

COUNCILMEMBER PALTIN: Yeah, yeah. I had to direct message my question. You know, she was looking so great on the screen, I was like is that a Snapchat filter or is that natural, and no filter. That's her looking great.

CHAIR MOLINA: Okay. Thank you very much, Member Paltin. Chair Lee. Chair, you're muted.

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COUNCILMEMBER LEE: I'm so glad you're back and wanting to participate as a volunteer on the Committee...Commission, and I...I'm very impressed that you'd come back to us now that you're rich and famous in the real estate business. We really miss you in OCS, but we're happy to see you here in a...in a new role. And of course you have my full support. Thank you.

CHAIR MOLINA: Thank you very much, Chair Lee. Members, any last comments or questions for our nominee? Seeing none, then Chair's going to make a recommendation, and that recommendation is to approve the nomination of Stacey Lee Vinoray to the Real Property Tax Review Board for a term expiring on March 31st, 2026, to fill a vacancy due to the resignation of Russell Johnson. Chair will entertain a motion to approve.

COUNCILMEMBER SUGIMURA: So moved.

COUNCILMEMBER KING: Second.

CHAIR MOLINA: Okay. Motion made by Member Sugimura, seconded by Member King. Any discussion on the motion? Okay. Seeing none...oh, I'm sorry. Mr. Sinenci, discussion on the motion?

COUNCILMEMBER SINENCI: Yeah. Just speak in strong support of the candidate this morning. You had me at...volunteer cheer coach at Lahainaluna High School. And I think the...it's suitable for her, her character and just what she'll bring to the...to something that's very stringent and very, oftentimes, awkward. But you know, the discussion, Members, we had yesterday about having the County do some real estate. Normally I wouldn't consider or need to consider realtors, but knowing that we might need a real estate office, maybe she'll be good in that. Thank you, Chair.

COUNCILMEMBER JOHNSON: Okay. Thank you very much, Mr. Sinenci. Okay. Seeing no other comments on the motion, Chair would like to make a few last comments.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair.

CHAIR MOLINA: Oh, I'm sorry. Vice-Chair Rawlins-Fernandez, I'm sorry. I didn't see you. Go ahead.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I...again, I strongly support the motion and nomination, and I wanted to thank Mr. Mossman and the Mayor for selecting such a qualified nominee. Mahalo, Chair.

CHAIR MOLINA: Mahalo, Vice-Chair Rawlins-Fernandez. Chair certainly echoes that as well, as well as all of the other positive comments for you, Ms. Vinoray. As you know, this will be a very, very busy Board. Certain times of the years, you're going to have a lot of appeals coming in. So you may have, you know, hours-long meetings that will take up a good part of your day, but I know you already possess a very strong work ethic, which

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will certainly be a necessity. And you have all of those qualities that will make you a very, very valuable Member of this Board. So you certainly have my support. So with that said, Members, the Chair will call for the vote. All those in favor of approving Ms. Vinoray's nomination to the Real Property Tax Board, signify by saying "aye," and raising your hand.

COUNCILMEMBERS VOICED AYE.

CHAIR MOLINA: All those opposed?

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: None.

MOTION CARRIED.

**ACTION: ADOPTION OF REVISED RESOLUTION TO APPROVE
 STACEY LEE VINORAY TO THE REAL PROPERTY TAX
 REVIEW BOARD.**

CHAIR MOLINA: Okay. Thank you for very much. Chair will mark it unanimous, nine ayes with zero opposition. Congratulations, Ms. Vinoray, and you'll have to go through this one more time at a future Council meeting, but I'm sure things should be...go okay.

MS. VINORAY: Thank you very much.

CHAIR MOLINA: Thank you for being here --

MS. VINORAY: Thank you.

CHAIR MOLINA: -- taking time out of your busy day.

MS. VINORAY: Thank you for very much.

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**GREAT-3(1): HAWAII STATE ASSOCIATION OF COUNTIES (2022 HSAC
LEGISLATIVE PACKAGE) (CC 21-43)**

GREAT-4: 2022 MAUI COUNTY COUNCIL LEGISLATIVE PACKAGE (CC 21-44)

CHAIR MOLINA: Okay, Members. All right. Very good. Well, that went easy. Okay. We are now on our next item...or items, I should say. If there are no objections, Members, I'd like to take up both of the next two items simultaneously. And that would be GREAT Item 3(1), Hawaii State Association of Counties (2022 HSAC Legislative Package), and GREAT-4, 2022 Maui County Council Legislative Package. Any objections to taking these two items up simultaneously?

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR MOLINA: Okay. Seeing no objections. Thank you, Members. All right. With that said, Members, the Chair set a noon deadline of August 27th, 2021 to receive legislative proposals from Members for either of these packages. HSAC has requested each County submit their legislative proposals for inclusion in the 2022 HSAC Legislative Package, in time for posting for the September 23rd HSAC agenda. Now, in order to meet the deadline, the Chair intends to defer GREAT-3(1) and take action at the September 17th Council meeting. At this point, before I go on, any comments from our HSAC representative, Councilmember King?

COUNCILMEMBER KING: Yeah. Thank you, Chair. Because we didn't announce a deadline to the counties ahead of time for actual legislation, the deadlines that were announced by HSAC were...last month's meeting was the deadline to submit subject matter, and this next...the 23rd will be the deadline to submit actual bills, but we are receiving bills from individual Councilmembers as well, at that. So the difference from the way that things have happened in the past...and I think it was because of kind of the debacle last year of having these deadlines, these moveable deadlines, and then having our Chair...our President actually disappear for the last two months of the year. But the...this year, we're going to be receiving legislation...you know, proposed bills for the HSAC package, and then you know, putting the HSAC package together as an Executive Board, and then sending it back out to each Council for approval. So if you're not...if your bill is not on this list for today's meeting, you can send it directly in, but it needs to be in by the 18th for posting for the September 23rd meeting. That make sense?

CHAIR MOLINA: Yeah, I guess, kind of. Members, any comments? I hear some giggles, but anyway. Okay. Let's...Committee Vice-Chair Rawlins-Fernandez, and followed by Member Paltin.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR MOLINA: This is regarding the deadline?

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VICE-CHAIR RAWLINS-FERNANDEZ: Okay. So Chair, I was just wondering, are we setting aside the GREAT Committee process? Or...

CHAIR MOLINA: Well, I'd like to get through...

VICE-CHAIR RAWLINS-FERNANDEZ: Because they're not really...they're not really aligned, right?

CHAIR MOLINA: Yeah. Well, my understanding is with the Maui County package, we have no deadline, whereas with the HSAC, we were given that deadline of September 23rd, which is why I was going to defer action on both of these items today, and then take action at Friday's Council Meeting. Now, with the comments from Member King, or updates I should say, it would be kind of up to us. I am flexible. You know, I...if you...Members may have something down the road that you may want to add into the HSAC package, I am open to maybe extending that deadline. I mean, we got couple of options here. We can go as we...as I'd intended to, defer, take action at Friday's Council Meeting to move forward with the HSAC September 23rd deadline and submit everything, or we can just hold off, add another month to the process if Members want to get in any additional stuff to the HSAC package. Now, provided of course, we have some assurances that HSAC has that flexibility that can give us that time. Do we have that, Member King?

COUNCILMEMBER KING: Well, you know, the deadline we were given, or we decided on with our President, was for September 23rd to have bills submitted, but it wasn't specifically from the Councils, because we didn't have enough time. Between the time of the deadline for subject matter...and subject matter didn't come in from the Councils either. It just came in individually. You know, some people sent it to me and I brought it to the meeting, but it wasn't specifically sent...set as a deadline for Councils because there really wasn't enough time to...some of the proposed...some of the proposed legislation that we will be adding to the HSAC package wasn't even created in time to make this...to make a deadline...to set the deadline at the Councils to get it passed out of the Council and then sent to HSAC. Because if...we're trying to get things done earlier, but then it's not conducive to allowing each Council to...you know, to prescribe what should go into the HSAC package. So the deadline was just set as a deadline for anyone to get in proposed bills to our Executive Board, and you know, like in the past, it may even...the deadline may even change. If we...if we see that there's other legislation out there, we may just extend our deadline too, for HSAC. So I think if you wanted to run...if your...if your desire is to run everything through the GREAT Committee, I think it might be a good idea to extend the deadline for GREAT, and then we can...and I'll let you know what happens. It's...you know, because of the...because of the newness of a lot of the things on HSAC, we just...we're hiring a part-time Executive Director right now, and we're trying to reorganize. The...they're just...you know, we're...I'm trying to keep HSAC really realistic with the deadlines because originally they were setting deadlines that didn't really have...weren't aligned with our meetings, even. So at least we've got deadlines now that are aligned with the HSAC meetings. But the meetings are set on our...they're not...they used to be set like third Thursday of every month, and we're not

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doing that anymore. We're just kind of setting each meeting because everybody's so busy that, you know, every time we have a meeting, we end with setting the next meeting. So the deadlines are likely to change a little bit, but I will tell you folks that we're...even though the deadlines may be changing, we're a lot more organized because we're starting out with a Legislative Consultant right now who's going through a lot of the proposed subject matter for legislation, and he's actually helping to write some of that legislation as we speak. So he may not be done with that either. That's Jon Okudara. But he's...his consulting in the past has...the last two years that we've used him hasn't...wasn't started until something like...somewhere around like November or December. And this year we started him with...for the same money. We just extended the contract to July so he could get started early. So yeah, it's a little confusing, just...and then also trying to figure out what lobbying means during this, you know --

CHAIR MOLINA: Yeah.

COUNCILMEMBER KING: -- COVID period, where you can't really sit...wait outside somebody's office and go talk to the legislators. That's been confusing too, for...and kind of messing with Jon's usual MO on how he gets things done, because he has very personal relationships with a lot of the legislators. But I would say, yeah, if you want to extend the GREAT deadline, we can...then we can try to formally run everything by, but we're going to...if...whatever comes out of the Council to HSAC still has to come back to the Council. The full HSAC package will have to come back to the Council for approval at some point because it will include proposals from other...you know, the other Counties.

CHAIR MOLINA: Okay. Okay. Well, yeah. If...maybe what...let's proceed this way. Maybe give the Chair and some of the Members some time to figure out what we want as far as whether we want to extend the deadline or go with the process that I initially talked about. In the meantime, what we'll do, we'll go ahead and recognize each of the Members who had submitted legislative proposals to give us an overview of it, and then we'll move forward in that fashion. Before we do that, Member Paltin, you had a question?

COUNCILMEMBER PALTIN: Yeah. You know the HSAC proposals from last year? Is there anything specific we need to do to ensure that they roll over to this year, or are they automatic going on?

CHAIR MOLINA: You can answer that, Member King.

COUNCILMEMBER KING: No, they still need to be...yeah. Thank you, Chair. They still need to be approved by HSAC. So the actual bills...if you can submit the actual bills, because some of them may have...may have duplicate bills by other legislators. So if you have specific bills, that's what we're looking for at the September 23rd meeting...HSAC meeting.

COUNCILMEMBER PALTIN: And just email it to you? Or...

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COUNCILMEMBER KING: Just email it to me and I'll add...I'm going to...I'm going to have one list that I'm going to submit to HSAC. And you know, there may be people who are submitting proposals outside of our Councils even. Last time, I think the Tobacco-Free Coalition had submitted a bill to allow Counties to enforce against tobacco usage for minors, and they submitted that directly to HSAC. So...but if you submit it to me, I'll put it on the list for...that I'm going to be submitting on the 23rd. And if we have these bills too, we can...we can add these too. In fact, if you want to, Chair, pass these out of this Committee today, I can still bring them up at the...on the 23rd.

COUNCILMEMBER PALTIN: And then, I guess the follow-up question is, would they still be part of the Maui County legislative package as well? Like the bill that I put forward establishing...counties to establish a cap on rental cars and things like that, would that still be part of the Maui County legislative package?

COUNCILMEMBER KING: That's sort of up to Chair Molina on that legislative package. So I'm not sure what the intent for those deadlines, but I think if we...if we...since we don't have the same deadlines, you know, we don't...we approve...whatever we're going to approve doesn't still have to go to another body. You know, I would...I would assume it...if the Chair wants to approve that there...

COUNCILMEMBER PALTIN: Yeah. Because, I mean, we approved it last year, even the one about the alcohol monies going for education and rehab kind of expenses. We already approved it, but because last year was COVID and everything, it was kind of a different situation. So just wondering, Chair, I guess, if we need to reapprove it for this year if...and when that would take place.

CHAIR MOLINA: Yeah. Okay. Well, let me...I see Mr. Forrest has come on the line. Mr. Forrest, can you respond to the question from Member Paltin?

MR. FORREST: Yes. Thank you, Chair. Just to offer some clarification, the bills automatically already rolled over, and you know, they're submitted as part of a package for last year's legislative session. So they'll remain titled as the Maui County or HSAC package, the ones that did roll over. And what you guys are talking about now is submitting a new package for the new session. So for Paltin's question, there's nothing that you need to do. The ones that rolled over roll over automatically.

COUNCILMEMBER PALTIN: Thank you. That's what I needed.

COUNCILMEMBER KING: Chair, can I...can you just...yeah. I just wanted to just...to...James, can you...Mr. Forrest, can you stay on? The bills will be there. The question is whether they're endorsed by the HSAC...the Hawai'i State Association of Counties, and whether they're endorsed by Maui County. So...so what we're doing, I think, in this Committee is deciding what we want to endorse, or what the Maui County Council wants to endorse because there's a whole slew of bills, and a lot of them are going to roll over. But it's...it

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can't be just assumed that because they were on our...in our package last year, that they're going to be endorsed this year. So what we're doing as a body for the Hawai'i State Association of Counties is deciding what to endorse in our State-wide package. And so the things that usually get endorsed by HSAC are legislation that benefits all counties. And the things that usually we endorse as a County Council, as a Maui County Council, are specific...or a lot of times they're specific to Maui County, as well as the ones for the greater State. So it's just a matter of the...yeah, the bills will be there, it's just a matter of what we decide to endorse, you know. And that has to be done every year because every year it's a different Executive Board for HSAC, and it's a different County Council. Well, every two years, I guess. But it's...does that make sense, Mr. Forrest?

CHAIR MOLINA: Mr. Forrest, anything else to add?

MR. FORREST: I would just clarify, Chair, that...so the bills that are being rolled over, they have the endorsement. They can't get unendorsed. So they will maintain that label. If you look up the bill and you see which package that the bill was submitted under, it's still going to say the Maui County package. So there's not like a--I don't know how you would say it--unendorsement process. It's endorsed as of last year, and now you would be endorsing a new package of bills. And you could, in theory, I guess, make a statement that you still support something or you do not support something, but it will still be part of that package that was...and I'm talking about rolled over bills exclusively.

COUNCILMEMBER KING: Okay. Well, for us...yeah. Because for us, on HSAC, the...I guess the difference is what bills our lobbyists will be following closely. You know, if they're endorsed in the current package, then there's that effort to make sure that everything gets lobbied for, for HSAC. I don't know what...I mean, I guess they will...I guess...I don't know what the issue with...I don't understand the issue of having something automatically rolled over as far as an endorsement, but you know, I guess that speaks...

CHAIR MOLINA: Well, what we'll do...Member King, we'll come back to this conversation at a later point. What I'd like to do for right now is just go to the Members who submitted their proposals for...we have two items that was submitted for both the HSAC and the Maui County Legislative Package, and two items for just the Maui County package. So we'll do that. We'll go through that first, Q and A with the Members as well as with the resource personnel. And then we'll come back and decide how we want to proceed forward with regards to whether we want to do things past the September 23rd deadline or not. So let's go ahead and do this first. We got Member Paltin, she submitted an unlawful chop shop activity item, and Councilmember Sinenci related to County regulation of noise nuisances. These two proposals were for both the HSAC and Maui County Council Legislative Packages. And then there were two proposals, one from Councilmember Sinenci, which relates to County of Maui highway improvements, and another from Council Vice-Chair Rawlins-Fernandez related to incorporative Kalaupapa Settlement into Maui County. And these two items were submitted for both the...for just the Maui County...Maui County Council Legislative Package. So with that said, I'm

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going to recognize first Member Paltin to give us an overview of her proposal. And after any questions for Member Paltin...actually, after Member Paltin makes her statements, we'll go to the resource personnel on this item, which will be a representative from the Police Department. So Member Paltin, you have the floor.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair.

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

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I would like to ask the Committee's indulgence on taking up my bill first. I have someone from the community who is a volunteer and is not paid to be here, and I would like to let her go as soon as possible. So...and my bill is the last on the agenda. And so if that would be possible?

CHAIR MOLINA: Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: If there aren't any objections, Members.

CHAIR MOLINA: Sure. Chair has no objections. Members, any objections to letting Member Rawlins-Fernandez introduce her proposal? No objections? Okay. Vice-Chair Rawlins-Fernandez, you have the floor.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR MOLINA: Please introduce your proposal.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair, and mahalo, Members, for indulging me. I have...I'm requesting to designate Lori Buchanan, who is a long-time community advocate and DHHL beneficiary; Hanale Lindo, who is the Acting Operations Officer; and I believe Fire Chief Brad Ventura is also on. So my proposal, Members, is that we, Maui County, would absorb the Kalawao County into Maui County. And so currently, Kalawao County is under Department of Health. And so the Department of Health Chair acts as the Kalawao County's Mayor. And so...

COUNCILMEMBER KING: Point of...point of order, Chair. I don't see that listed on the...posted on the agenda. Is that somewhere...

VICE-CHAIR RAWLINS-FERNANDEZ: The last bill on the second page.

CHAIR MOLINA: The last bill...it's under...yeah.

VICE-CHAIR RAWLINS-FERNANDEZ: It's not...it's not the HSAC package, it's the Maui Council Legislative Package.

CHAIR MOLINA: It's under GREAT Item 4 on the last page of the agenda.

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COUNCILMEMBER KING: Oh, okay. I only saw the two bills.

CHAIR MOLINA: Number 4.

COUNCILMEMBER KING: The two...the ones that you mentioned.

VICE-CHAIR RAWLINS-FERNANDEZ: It's the Council Legislative Package. HSAC has two.

CHAIR MOLINA: Yeah.

VICE-CHAIR RAWLINS-FERNANDEZ: And then the Council legislative package has four, and mine's...is the last on the agenda. Okay. So it's...in the title, it says Kalaupapa Settlement, but I'm...so when I say Kalaupapa Settlement or Kalawao County, I'm referring to the same thing. I have a screen share if you would like to see the...who controls the...manages the land now. So about a third of the peninsula is under DHHL, so it's homestead. And then about two-thirds of the peninsula, Makanalua Peninsula, is under DLNR. And Kalawao County, as I mentioned earlier, is under Department of...State Department of Health. And it was set that way because of its history and because of the patients, Hansen's disease patients, that are there. And so in looking toward the future, as we...as the last patient passes on, it would no longer need to be under Department of Health because the purpose of it being under Department of Health was for the patients. And so with that purpose now being obsolete, I think Makanalua Peninsula can join the rest of Moloka'i Island in being under Maui County. So that's the proposal. So Chair, would you like me...does anyone...would anyone like to see the map that I'm referring to?

CHAIR MOLINA: Yeah. Member...if possible, if you could screen share that. Also would like to ask for the Members' indulgence of having Captain Keola Tom of the Police Department designated as a resource as well on this item. Any objections to having Captain Keola Tom? Okay.

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR MOLINA: Vice-Chair Rawlins-Fernandez, if you could go ahead and...go ahead and screen share the map for the Members' consideration.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. And mahalo for recognizing Captain Tom. Okay. Let's...so you'll see here, this...so this is Makanalua Peninsula. Here is DHHL, and here is DLNR. And so what the bill does is repeals the section that puts Kalawao County under Department of Health and deletes any reference of Kalawao County, since my proposal is to have Makanalua Peninsula and Kalawao County be under Maui County. Mahalo, Chair.

CHAIR MOLINA: Okay. Mahalo, Member Rawlins-Fernandez. What...I'd like to give an

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opportunity now to the Police Department, Captain Tom, to share any thoughts that he may have, and as well as Ms. Buchanan. And then we'll open the floor for any questions, Members. Okay. Captain Tom?

MR. TOM: Okay. Good morning, everybody, aloha. At this time, I really have nothing to say. Our executive Staff actually got to look through the whole proposal later on and, you know, go through everything, and then they'll...they're going to make...they're going to make any comments or decisions later on. So that's all we have for now.

CHAIR MOLINA: Okay. Mahalo, Captain. And Ms. Buchanan, do you have any thoughts you'd like to share before I open up the floor for questions from the Members?

MS. BUCHANAN: Mahalo, Chair Molina and honorable Councilmembers. This issue today is near and dear to my heart. It has been forever. Moloka'i Island was birthed as an island, and then somebody took my head away, my arm away, for years and years. And it was a political decision, and it was a political divide to separate an island and its people, and it's time to bring the baby back home. So it's really an emotional issue for me because I worked in Kalaupapa during the filming of the movie about Father Damien. I became very close to the patients in Kalaupapa. I listened to them intently. I visited the gravesites of thousands and thousands of iwi kūpuna that are there. The National Park Service has managed the park for 40 years, over 40 years, without a general management plan. Very arbitrary and capricious decisions were made. The Departments of Land and Natural Resources along with Department of Hawaiian Home Lands had a pretty hands-off oversight of Mākanalua, which was also used as a bombing site back in the day. And so now, with the transition of Kalawao County, by admission, if you actually Wikipedia Kalawao County, it'll say that it is the most unique county in all of the...all of America, all of the United States because of its jurisdictional and complex issues. And I'm glad to see the Captain here too, because many years ago I found out that Kalawao was operating through a compact with the Maui Police Department for enforcement, along with everything else. So they know they needed help, and so much agreements were done, and I think right now it's time. I'm willing to shepherd this at the legislature, whatever we have to do. Moloka'i cannot be cut off. We cannot have our arm cut off from our island any longer. The practitioners here are best suited to provide oversight for iwi kūpuna in Mākanalua. It is...a lot of it, where all the structures are, the land's leased out by Hawaiian Homes. The lease runs about...I think just over \$250,000 annually the Department of Hawaiian Home Lands receives from the National Parks Service for the lease of Kalaupapa. And with the potential canonization of another one...third saint from Kalaupapa and the transition of the Department of Health leaving as providing administrative oversight, now is the time for us to get our baby back, and for us to steward that, and for our children to steward the oversight and care. It's our responsibility. It's Moloka'i's responsibility to care for our iwi kūpuna in Mākanalua. So please help us, please help us. Thank you.

CHAIR MOLINA: Okay. All right. Mahalo for your comments, Ms. Buchanan. And one more before I go to the Members for questions. We have Mr. Lindo. Any thoughts to share

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on this item before I open the floor for questions?

MR. LINDO: . . .*(inaudible)*. . .

MR. VENTURA: The top part.

MR. LINDO: Oh, there.

CHAIR MOLINA: Hanale?

MR. VENTURA: Can you guys see me?

CHAIR MOLINA: We can hear you. Cannot see you yet, but go ahead and proceed. As long as we can hear your voice, it's...oh, now we can see you.

MR. LINDO: Oh, okay. Technology got the best of me. So I'm over here with Acting Chief Brad, and then I'm sitting in the role of Acting Operations Officer for the Maui Fire Department. My name is Hanale Lindo. Good to see you, Councilmembers, Chair. Thank you for this opportunity. I would just like to share a little on the Fire Department side as far as some of the things that happened with the County, Kalawao County. So you guys heard of that plane crash that happened a number of years ago, and I think with the way things happened...we had a...an MOU with the National Parks many years. We were trying to look for it, we haven't found. So I believe it has to be renewed. With that plane crash, what it did...because everything had to be channeled through O'ahu. So there was a discrepancy in the operational readiness between O'ahu and Moloka'i. And that's probably one of the most major things, yeah. Kalawao is absolutely on Moloka'i, but when calls happen on the peninsula, I believe because of the jurisdiction, it has to go and get channeled through O'ahu, to the State, and then they ask for our help. Luckily, a lot of the personnel that live down there...we have a good working relationship. So as a County and as a Fire Department, we'll respond to whatever is absolutely needed, yeah. So when there are calls down there, operationally, we'll send our guys down, but it's so much better if we worked under one umbrella, yeah, so that way the communications are clear. When we're dealing with multiple helicopters or multiple agencies, it's easier when we already communicate on the same channel and stuff. So I believe by bridging this and putting Kalawao County under Maui County would make sense. I cannot tell you how it looks like financially. You know, right now the fire station down there and the fire truck that they do have is under the National Parks. So that's something that we would have to work to. But I think it would streamline a lot of the services. There's a minimum amount of calls that we do have on the peninsula, but we do respond to a majority on the trail itself. So I think it would bridge a lot of the gaps, operationally, and it would just make sense. That's pretty much the stand we have on the Maui Fire Department. Thank you for allowing us to have a little input, and I'm open to questions if you do have. Thank you.

CHAIR MOLINA: Okay. All right. Mahalo, Mr. Lindo. Okay. The floor is now open for

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questions. Okay. We...well, briefly, Member Rawlins-Fernandez, before I go to the other Members for questions, your thoughts?

VICE-CHAIR RAWLINS-FERNANDEZ: Super brief. Mahalo, Chair. Two points I forgot to mention. One is SMA, so protecting Makenalua Peninsula with having enforcement for SMA. And Ms. Buchanan is also the Chair of our Moloka'i Planning Commission. So she would be able to speak to any of the Members' questions regarding that. And there's also, you know, two saints, as many of you know, Father Damien and Mother Marianne. And so it's imperative that we really preserve and protect our sacred space from the flood of those that would be seeking a miracle. And it could be exploited in that way. So that's where this proposal is also coming from. Mahalo, Chair.

CHAIR MOLINA: Okay. Mahalo for your comments, Member Rawlins-Fernandez. All right, Members. Chair's going to put you on a clock, two minutes. Members, any questions for our resource personnel? And we'll start first, I believe Member Kama. I saw her hand up first, followed by Member King.

COUNCILMEMBER KAMA: Thank you, Chair. I think I'd like to be clear about what I am understanding from our Vice-Chair Keani Rawlins-Fernandez, that this particular initiative, or the ordinance that I'm looking at right now, is to be able to make the Island of Moloka'i whole again, as it once was before the National Parks got involved in it and before the jurisdiction by the Department of Health stepped in many, many years ago. I support making that island whole because when you make the island whole, it brings healing to its people, and the people need healing in Kalawao, as well as above Kalawao. And I understand the Fire Department, and there's the dependency upon the National Parks for many of their resources, but I think it is time for our County to bring home as...you know, Lori had spoken earlier, to bring the baby home, and let's raise the baby the way it should be raised, in its own backyard by its own people, by its own culture with its own traditions. So I am in support of this, and that is all of my comments for today. Thank you.

CHAIR MOLINA: Okay. Thank you very much, Member Kama. Member King.

COUNCILMEMBER KING: Thank you, Chair. First of all, my apologies to Member Rawlins-Fernandez because I go off this outline that my Staff sends me for the meeting today, and that bill was inadvertently left off of it. So sorry about the point of order. But my only question...I totally support this for all the reasons that Member Kama just gave. My only question to Ms. Buchanan is, hopefully this will pass, and then will that entail us having to go back into the Community Plan? Because when we went through the Moloka'i, you know, Island and Community Plans, we didn't address this section because it was blacked out of all of our...you know, it wasn't under our jurisdiction. So is that something that the Maui Planning Commission would be taking up possibly, to try to bring this section into...this peninsula into the Community Plan?

MS. BUCHANAN: Thank you for that question. They would have to. We would have to do one

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Community Plan amendment. That was another sore spot for me, being a CPAC Member, and then also serving now as the third time of chairing the Moloka'i Planning Commission, was long-term planning's reluctance to include Kalaupapa because of the shoreline management area rules. Currently, there is none. Even though the area is a special management area, it is...that responsibility is punted to the Office...State Office of Planning, which is...has admitted that they really don't have the resources to deal with management and projects going on in Kalaupapa. And there are many. Thank you for the question.

COUNCILMEMBER KING: Right. Yeah, absolutely. I mean, I just remember as a new Councilmember, looking at that map and that whole peninsula was blacked out. And I...it was really confusing and kind of frustrating for myself as well. So I fully support that, and if we do get this passed, you know, possibly this could be a budget item to give you the resources you need to do planning for that section of the Island. Thank you, Chair.

CHAIR MOLINA: Okay. Thank you very much, Member King. Members, any other questions for our resource personnel or Vice-Chair Rawlins-Fernandez? We'll go to Member Sugimura, followed by Chair Lee.

COUNCILMEMBER SUGIMURA: Thank you, Chair. So I don't...I think this might be a question for Keani, the maker of the proposal, is that have you received State Senator Lynn DeCoite's support as, you know, on this proposal? Double because she's at legislature, and of course, she's from Moloka'i. So I was just wondering what kind of communication you've had with her.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo for the question, Member Sugimura. So I was following Member Molina's deadline of August 27th and was scrambling to get this completed and meet the deadlines that was proposed. So I did not, but I have been attending the meetings. National Park Service has been doing work...updating a general plan for a very long time. And so...yeah. So I...you know, I've been working directly with the community members and those that have been involved. And so to answer your question, I have not met with Senator DeCoite, nor Representative Clark on this. I briefly met with the Mayor's Office, our Moloka'i Liaison, Stacy Crivello, and we're going to continue working together on this.

COUNCILMEMBER SUGIMURA: Okay. And then another...because this is National Park. So are you also in touch with our Congressional team on this? Because it's far-reaching. It's not only, you know, the State. It...you know, well done on your proposal.

VICE-CHAIR RAWLINS-FERNANDEZ: Yes. Mahalo, Member Sugimura, for the question. When Congressman Kai Kahele visited Moloka'i two or three weeks ago, I met with him about this, and I explained my proposal on this, and...yeah. So he...he would be supportive of what the community would be supportive of.

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COUNCILMEMBER SUGIMURA: Okay. Great. And I can see the value, and I just . . . (timer sounds). . . wondered if you could let us know about the budget. What is this going to cost the County of Maui? Thank you.

CHAIR MOLINA: Okay. Thank you very much, Member Sugimura. And before I recognize Chair Lee, just for the record, the Committee, we did reach out to the Mayor's Office, since that was mentioned, also to Mr. Miyake and Mr. Baz, but I've been informed by Staff there have not...there hasn't been a response back from them. We invited them to be resource personnel. Just wanted to state that for the record. Okay. Chair Lee, you have the floor, questions for Member Rawlins-Fernandez or our resource personnel.

COUNCILMEMBER LEE: Thank you, Chair. I conceptually...I support this conceptually, but I have tons of questions regarding logistics and financing. You know, trying to work out a amicable arrangement with the Federal Government and the State Government is not easy. And then we have no idea what costs are involved here. So I would ask the Vice-Chair a couple of questions. Has any kind of financial analysis been done on this potential acquisition? And also is there...is this time sensitive?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair Lee, for the questions. First, it wouldn't be an acquisition because it's land that's under DLNR and DHHL. So the County isn't buying Makenalua. It's just the jurisdictional question. The second, regarding cost, the reason we invited Police and Fire is because those would likely be where a lot of the costs would come from as far as servicing the area. And as you heard from our resources, the County already kind of services the area.

COUNCILMEMBER LEE: Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: So there would likely not be many additional costs.

COUNCILMEMBER LEE: Okay. I didn't mean for us to pay for the property. I hope not. I'm looking at some kind of transfer of title. The State owns it now. There's going to have to be some kind of transfer, whether executive order or whatever. And you know, is it in a flood zone? Is, you know, it SLR-XA?

VICE-CHAIR RAWLINS-FERNANDEZ: Okay.

COUNCILMEMBER LEE: You know, all those issues need to be considered, yeah, just like we do on Maui for coastline properties. So I have all those questions, and it would've been helpful to have somebody from DOH or the Park Service, or the State anyway, to give the other side of the coin. You know, the...what are some of the issues from the State's perspective or the Federal Government's perspective? So all I can say is that I still have a lot of questions, but I'm still open to the possibility of taking back this portion of the...but again, you know, depends. It all depends on a lot of answers. Thank you.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair...so mahalo, Chair Lee. I didn't want to just leave

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the questions dangling. I wanted to respond to it. So I wanted to make very clear that we're not . . . *(timer sounds)*. . . getting an EO from the State. It's going to remain under DLNR's management. The jurisdiction will just be Maui County and not Department of Health. Department of Health, I understand, has a transition team, and is wanting, you know, to not have it under Department of Health any longer. Later, when I propose a resolution to support this, we...you know, we can invite Department of Health and I can ask for written correspondence as well. But really, as Ms. Buchanan spoke about, this is our people. This is our...Moloka'i's decision to...as Pro Tem Kama talked about, making us whole again. So regardless of Department of Health's view on what they want, I think we should be empowering our community to determine our future for our island.

COUNCILMEMBER LEE: Okay. Vice-Chair, I don't want to debate this with you. All I'm saying is that for myself, one person, I need to have information, facts, details, so forth. I understand the other side of it, the cultural side...yeah, the need to become whole, et cetera. But I also need...as part of a decision-making process, we also need details, and that's all I'm asking for, which we don't have today. Thank you.

CHAIR MOLINA: Okay. Thank you very much, Chair Lee. All right. Any other Members with questions for Vice-Chair Rawlins-Fernandez or our resource personnel? Councilmember Sinenci.

COUNCILMEMBER SINENCI: I think Member Paltin had her hand up first, Chair.

CHAIR MOLINA: Oh, go ahead. I'm sorry. I didn't see you there. Member Paltin, followed by Member Sinenci.

COUNCILMEMBER PALTIN: Oh, thank you, Member Sinenci. Thank you, Chair. First clarifying question. Mr. Lindo, was that the plane crash where Ms. Fuddy passed away that you're referring to?

MR. LINDO: Yes, that's correct.

COUNCILMEMBER PALTIN: Okay. Thanks. And then I think that my next question might be for Corp. Counsel or a lawyer. It seems like an opportune time to do this because the State is currently in the redistricting process of like drawing the lines, and I'm not sure if we would be able to jump in on that and redraw the lines by doing this action, or at least prepare for it. Any lawyer...oh, re-appropriation . . . *(inaudible)*. . . Is it too late for us to put in for redrawing the lines for the voting districts?

CHAIR MOLINA: Mr. Murai, if you're on the call, any response for Member Paltin's question? Mr. Murai.

MR. MURAI: Thank you, Mr. Chair. Member Paltin, I'm sorry, I had not even thought of that aspect, but that's a good question. I'm not sure how...I'm not sure what the

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population...the voting population or the population as a whole is in Kalawao County, but...and I don't know where they vote. But certainly, I can...I can get back to you with my thoughts on that, but I can't...I don't want to venture a, you know, off the top of my head opinion without knowing more. So sorry, I can't really answer your question, but good question though.

COUNCILMEMBER PALTIN: Thank you. I would imagine our Clerks would be supportive, our County Clerk, of including that in the voting. And just my last point to make is I don't see how it would be any different than any other part of Maui County that is owned by DHHL or owned by DLNR . . . *(timer sounds)*. . . because like, you know, you have Honolua that State DLNR owns, but it's part of Maui County. And Honokōwai is owned by DHHL and it's part of Maui County. So I don't...I don't see how that's different. My time's up. Thank you.

CHAIR MOLINA: Thank you, Member Paltin. And with regards to your question to Mr. Murai about the redistricting process from the State, we'll have Staff look into that and try and get a response for you, Member Paltin. All right. Members, I believe we had Mr. Sinenci with questions for Vice-Chair Rawlins-Fernandez and our resource personnel. Mr. Sinenci, you have the floor.

COUNCILMEMBER SINENCI: Thank you, Chair. And yeah, my question was for Member Rawlins-Fernandez. She mentioned the U.S. National Park Service management. So would that be...would their management...their lease of DHHL lands end, or this is just on the section...Kalawao section?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sinenci, for the question. Regarding this bill, that would not be impacted. That is a question between DHHL and National Park Service. So as far as what we're doing for County jurisdiction, this would just...so National Parks manages Haleakalā, for example. So it wouldn't necessarily be different than that, where the lessor remains DHHL, and if DHHL wants to continue its lease to NPS, then that would be a separate issue. But for today's purpose, it's just about welcoming back Kalawao County into...with the rest of the Island and Maui County.

COUNCILMEMBER SINENCI: Okay. Thank you. Thank you for that. And it looks like Ms. Buchanan said the lease goes through 2041. Thank you. Mahalo, Chair.

CHAIR MOLINA: Okay. Mahalo, Mr. Sinenci. Members, any other final questions for Member Rawlins-Fernandez or our resource personnel on this matter? Okay. Seeing no hands going up, I want to thank all of our resource personnel for sharing your mana'ō with us on this very important proposal from Vice-Chair Rawlins-Fernandez. And as I stated earlier, we're going to be deferring all action on the...on these items until Friday. So at that point, we'll have a final decision made as to what we're going to include in our package for HSAC and the Maui County Legislative Package as well. So thank you again. It was nice to see you again, Ms. Buchanan. And mahalo, Captain Tom, and Hanale, and also Chief Ventura. Okay. Let's go now back to Member Paltin, if you'd

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give us an introduction of your proposal. Please proceed. And we'll also have a representative from the Police Department as well, following Member Paltin's opening remarks. Go ahead, Member Paltin.

COUNCILMEMBER PALTIN: Oh, awesome, thank you. Basically, this proposal is trying to be in alignment with the broken glass theory on urban planning, where you know, small adjustments can have a big impact on the overall quality of life. And you know, one of the low-hanging fruit is...that would make a big difference in our residents' living environment is all these abandoned vehicles all over, scattered all over the place. And I believe it is a State-wide problem. Whitmore Village, I guess, on O'ahu, had a big chop shop cleanup recently after a shooting death there. I know Kaua'i County has had problems with abandoned vehicles and trying to fix the registration and stuff. Basically, you know, as the preamble part of the bill says, you know, within 2019 there was like over 600 stolen cars in our County. And a lot of folks know where the chop shops are located, but you know, for whatever reason--I don't know if it's like the penalties are too soft or what--the chop shops remain there. And so this is kind of a attempt at a small adjustment to make a big impact in the overall like...you know, people feeling safer of parking their cars at condo complexes. I know that the theft of catalytic converters has been a big issue. And just to increase the penalties for chop shop activities, and making...I think right now they're just class B felonies. So this is going to bump it up to a class A felony. And in talking with Tamara Farnsworth about the abandoned vehicles, she had cited that illegal chop shops are a contributing factor. And so this is just, you know, trying to make a small adjustment to make a big impact, create a more welcoming environment and improving living conditions and the mental well-being of our residents State-wide.

CHAIR MOLINA: All right. Very good, Member Paltin. Thank you for your opening remarks on this proposal. We have from the Police Department, Detective Erik Losvar. Detective, if you're on the line, if you'd like to provide additional comments on this proposal from Member Paltin, please proceed. I see you on the line. We're not able to see you or hear you at this time. Detective? Maybe what we'll do, Members...if you have questions for Member Paltin, we'll do that, and once we get Detective Losvar online, we correct whatever technical difficulties there are, we'll bring him on to share his thoughts. But in the meantime, any questions for Member Paltin with regards to her proposal regarding illegal chop shops? Okay. Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Quick question, Member Paltin. And I'm sorry if you mentioned this, but for your bill, did you follow any existing bills elsewhere? Oh, you're muted.

COUNCILMEMBER PALTIN: I didn't write the legislation. I think Kasie did. But I noticed when I Googled chop shop penalties in Hawai'i, the legislation drafted resembles existing legislation that came up upon Google. I think maybe, like I said, the main difference would be like now it's a class B felony and like the amount is 100,000 in like stolen parts, and bumping it up to like 250,000 would be a class A felony. But the wording of

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the bill looked pretty similar to me, but Ms. Apo Takayama, I think, helped me with it. So she would be the authority, I think.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Paltin. I support your bill. Mahalo, Chair.

CHAIR MOLINA: Okay. Mahalo, Vice-Chair Rawlins-Fernandez. Before we go to more questions, I see Detective Losvar online. Detective, we can see you. We'd like to ask for your comments on this proposal regarding illegal chop shops from Member Paltin. Please proceed. Okay. We can see you...oh, there we go, yeah.

MR. LOSVAR: Hello. Is the audio picking up? Audio's working?

CHAIR MOLINA: Yeah, audio's fine. Go ahead.

MR. LOSVAR: Okay. Yeah. Sorry. As far as some of the comments that we're looking at, I'd say leastwise, yeah, it greatly assists with enforcing of, more or less, the overall environmental impact of certain housing for everyone. Obviously, nobody wants to have a chop shop setting up next door to the...to them. Some of the other issues that we are facing, the catalytic converters...I mean, just to kind of throw out some of the numbers, I think this year alone, from the January to August would be...we've had 153 reported cases of catalytic converters. And looking over the bill, it does discuss the storage of the stolen property, which would...just with that itself...because a lot of the times, the catalytic converters that we're dealing with are just happening...parking lots or other areas. So storage is always helpful on that one, but I...obviously, we'd have to talk it over with our prosecuting attorney to look at the enforcement actions, but more here as a resource for the time being for any other questions.

CHAIR MOLINA: Thank you very much, Detective. Members, any...continuing on with our line of questioning, we have Member King. Any questions for Member Paltin or Detective Losvar on this proposal?

COUNCILMEMBER KING: Yeah. Thank you, Chair. I...I'm not sure which...maybe the Detective can answer. Is this a wide-spread issue across the entire State for all Counties?

MR. LOSVAR: I can't really speak for the whole State in regards to that. I don't have... haven't gotten any complaints from any of the other Counties. We don't have a ton of them that I'm seeing set up established chop shops on Maui currently. It would definitely assist in there being anybody wanting to set it up though, for future crimes.

COUNCILMEMBER KING: Okay. Do you...did you see any kind of a trend happening? Like are you expecting more of this kind of activity, illegal activity?

MR. LOSVAR: I don't have any of the...anything to support it at this point in time telling me

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that we've got a trend coming up as...in regards to it. At any point in this time that we've been dealing with resources on...we've been able to, with current laws, go after...the crimes would be thefts and possession of...the theft, obtaining of the items themselves. This would just be another resource and more or less current laws that we have in place as well.

COUNCILMEMBER KING: Okay. And then Member Paltin, did...do we have a champion at the legislature for this? Do you know who's going to be signing the bill?

COUNCILMEMBER PALTIN: Not yet, but I was thinking of reaching out to the Hawai'i...the Maui delegation, but also specifically Rep. Amy Perruso. . . .*(timer sounds)*. . . I think she represents Whitmore Village maybe, because they had that serious incident over there, but also reach out to our Maui delegation as well. And just a note that Ms. Apo Takayama helped me out, and I dropped in the chat the bill that it was drafted after, as well as a link to it, House Bill 38, 2013.

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

CHAIR MOLINA: Thank you, Chair *[sic]* King. And just to add to that conversation on the Maui Delegation, I believe Senator Agaran is the Chair of the Judicial Committee. This is something that possibly could go to his Committee. So at least we have some good, you know, influence there from the Maui side anyway, when this bill goes to Senator Agaran's Committee, having him as the Chair, certainly very helpful. So...all right. Any other questions for Member Paltin or Detective Losvar? We'll go to Councilmember Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. Good seeing you, Detective Losvar. I have a question. Maybe Miss...Councilmember Paltin can address it, or maybe Director...or Deputy *[sic]* Losvar can address it. It's in regards to the way the bill is written for the asset forfeiture funds. Like so you get somebody who's busted for a chop shop, the Government...the...can take the...take everything, and then they sell it, right? And then that comes back to...I guess it goes...50 percent goes to the Prosecuting Office, and 25 percent goes to the Attorney General. That kind of concerns me because I don't...I don't know if I'm comfortable with that whole asset forfeiture part of this. So Detective, can you speak on that? Do you...how much...do you know how much you would get if you...financially-wise? Or are there other type scenarios where you're getting money from the forfeiture part of that...of those kinds of, I guess, similar crimes?

MR. LOSVAR: As far as forfeiture, I'd have to consult with our forfeiture officer. We have a specific sergeant that's been assigned to that with MPD. So I can't say as far as distribution of funds go. Similar crimes that involved forfeiture typically kind of end up going from more drug offenses...is the...what we more commonly deal with. Again, I'd have to consult with him. That's more his legal expertise area, that and the prosecutor...the prosecutors that he works with.

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COUNCILMEMBER JOHNSON: So if I hear...what I...if my understanding is...and let's say there was a drug dealer who had a nice boat, who had a nice car, who had a nice house. The Government can take all that, and then they can sell it, and then that money goes into a fund, right? So that's kind of my concern with this because what if...you know, there's scenarios where like, what if the son was doing it and the parents owned the house, and then now the parents lost the house? Those are the kind of concerns I got with that kind of...kind of overreach that we could get into when it comes to the asset forfeiture fund. So in this bill, it mentions that there...you know, they'll take the tools away. I get that. That makes sense to me. But then it says it'll take the residence, that it'll take your home if you're running a chop shop. Honestly, that's a concern for me. I know, like there's a *Maui News* article about this particular thing, and it says the Institute for Justice from Arlington, Virginia gave the State of Hawai'i a D-minus grade for asset forfeiture. And I just want to...I'm curious...so okay. Here's my question for you, Detective, is do you find when it comes down to...when people do get their assets taken, do they come back . . . *(timer sounds)*. . . to court and say hey, I'll fight that? Or is that...does it rarely ever happen that people actually can fight to get their stuff back if they...if they have a case?

MR. LOSVAR: I can't personally say for that one. I haven't been to court in regards to any appeals in regards to any asset forfeiture itself. I would like to point out that it wouldn't just be the State that is the only one that does it. Federally-wise, they can do that too, which percentages change in that respect as well if Federal agencies decide to do it. As far as the bill itself, it's addressing knowingly using the items to commit the crime too. So if it's something of a son using...like your scenario of somebody's child using it without permission, that would come into that property knowingly being used to commit that crime. So I mean, that would end up being a burden on the State or whatever agency to prove that that item was end up...was being knowingly used to commit the crime.

COUNCILMEMBER JOHNSON: Okay. My time is up. Thank you for answering my question. Thank you, Chair.

CHAIR MOLINA: Okay. Thank you very much, Councilmember Johnson. Members, any other questions before I recognize Member Paltin? Okay. Member Sugimura.

COUNCILMEMBER SUGIMURA: Yeah. I'm just curious. Maybe this is a question for our HSAC rep, the question about is there a legislator that could introduce this bill? And Gil Agaran is no longer judiciary. He was, now he's ways and means, right. I think we appreciate all the help he's been giving us financially, but do we need a representative to introduce a HSAC bill, or does Jon Okudara do it? I'm just...I'm interested in the answer. Who do you ask that question?

CHAIR MOLINA: Miss...Councilmember King, any chance you can respond to that?

COUNCILMEMBER SUGIMURA: Is that needed or you don't...

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COUNCILMEMBER KING: I think what you're saying is...I mean, you have to have a State legislator sign the bill, right, in order for it to be...the State legislators are the ones who propose the bills. So you know, Jon is...Jon Okudara is trying to...is actually trying to write legislation, then he would go and try and find somebody to sign off on that, on the ones that he's working on for HSAC. . . .*(inaudible)*. . .

COUNCILMEMBER SUGIMURA: . . .*(inaudible)*. . . process. I thought once it came under HSAC, then it'll, you know, flow through its course, but I see James Forrest. So thank you. I didn't...I didn't realize that you needed to still have a legislator support it even if it's coming through our package. I thought that was the strength of the...

COUNCILMEMBER KING: Well...well, yeah. My understanding is that eventually maybe...I don't know. Maybe we'll let James talk first because my understanding is it needs to have a signature on it.

CHAIR MOLINA: Mr. Forrest.

MR. FORREST: Thank you, Chair. Just to clarify, the package bills are introduced from the Senate President and the House Speaker. They...that's the way they get introduced.

COUNCILMEMBER KING: Yeah. So they would have a Legislator introduction.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR MOLINA: Member Sugimura, does that...okay. All right. Thank you, Member Sugimura. Member Paltin.

COUNCILMEMBER PALTIN: Oh, thank you. I just wanted to point out on the asset forfeiture thing, what I'm seeing is people I know on social media having their cars stolen and finding them in pieces at the chop shop, people with their car seats in the back having to find a way to get to work, having to find a way to get to daycare. And the asset forfeiture portion of it, to me, is a deterrent. You know, if you're operating a chop shop, you're dealing with stolen goods. You're causing this hardship on our community, where people wake up and they lost their catalytic converter. They wake up and their whole car is missing. And so to me, their assets should be forfeited because that's what they're putting out into our community. So many people are getting their cars stolen like in Kihei, West Maui. Like if you read in *The Maui News*, it has that list, like weekly or whatever, of vehicles stolen, where they're stolen from, car break-ins. And just trying to give the police more tools and more deterrents from that happening because it...it's a really hardship on our community that is working two to three jobs, paying for daycare, and just struggling to get by themselves. And these other folks are, you know, causing this great harm to people who are trying to follow the rules. And to me, in that case, I mean, even if it was the parents, like you need to be responsible for what's going on around you. I mean, I guess in this case, if it's unknowing it wouldn't apply, but there's

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great harm being done to the residents of our communities with this type of activity. And I think in this case, the punishment does fit the crime. So that was just my point.

CHAIR MOLINA: Okay. Well stated, Member Paltin. Members, any other questions for Member Paltin or Detective Losvar on this legislative proposal? Okay. And by the way, this will also be included in the Maui County Legislative Package as well. All right. Seeing none, thank you very much, Member Paltin for this overview. And also for your thoughts, Detective Losvar, thank you.

MR. LOSVAR: Thank you.

CHAIR MOLINA: Thank you. All right. Members, we have two more proposals, both coming from Member Sinenci. But before we do that, I think we've been pretty well spending a lot of energy this morning. So Chair would like to take a morning break. So it's 10:33 right now. Chair would like to call for a recess until 10:45. So the GREAT Committee meeting of Tuesday, September 14th is now in recess until 10:45. . . .(gavel). . .

RECESS: 10:33 a.m.

RECONVENE: 10:46 a.m.

CHAIR MOLINA: . . .(gavel). . . The GREAT Committee meeting for Tuesday, September 14th, 2021 is now reconvened. The time is 10:46 a.m. Thank you very much for that break, Members. I feel real energized and ready to go to conclude our agenda today. But first we've got two more proposals from Councilmember Sinenci. His first proposal relates to County regulation of noise nuisances. And joining us as well, as far as resource personnel, with your approval, from the Police Department, Sergeant Jan Pontanilla, and from the Department of Health, Acting Supervisor of Noise, Shawn Haruno. So with that said, I'd like to recognize Mr. Sinenci to give us opening comments on his proposal. Mr. Sinenci, you have the floor.

COUNCILMEMBER SINENCI: Mahalo, Chair. Yeah. Members, noises that emanate from agriculture equipment and machinery pose unique challenges, especially to neighboring residential communities. According to the State Department of Health, the maximum allowable noise coming from agriculture facilities is 70 decibels. Other counties have noise ordinances similar to Chapter 9.36 Maui County Code. For example, Honolulu's noise ordinance, Section 41-31, is broader than Maui's noise ordinance, and Hawai'i County's does not cover machine or equipment noise emanating from agriculture uses. So in Chapter 46, Section 46.17 of Hawai'i Revised Statutes, it states any provision of law to the contrary notwithstanding, the Council of any County may adopt and provide for the enforcement of ordinances relating or prohibiting noise, smoke, dust, vibration, or odors which constitute a public nuisance. And so Members, we would be adding language to Section 2 of Chapter 46 to allow stricter rules than Chapter 342F. Thank you, Chair.

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CHAIR MOLINA: Okay. Thank you very much, Mr. Sinenci. I'd like to go to our Police Department representative. If there are no objections, I'd like to again designate Sergeant Jan Pontanilla as a representative for the Maui Police Department, as well as Mr. Shawn Haruno of the Department of Health, as resource personnel. Any objection to designating them?

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR MOLINA: Okay. All right. So noted. All right. Let's go to Sergeant Pontanilla, if you're there, on the line, on the call. I believe I saw the Sergeant on the call earlier this morning. Wondering if they had...she might've had to break away for a police-related matter. Okay. If not, we'll go to Mr. Haruno, if you're on the line, from the State Department of Health, for comments on Mr. Sinenci's proposal regarding noise regulation. Okay. There he is. Okay. Aloha, Mr. Haruno.

MR. HARUNO: . . .(*inaudible*). . . the audio. Hi, good morning, everybody.

CHAIR MOLINA: Good morning.

MR. HARUNO: So yeah. We'll be here for support and give our input on whatever. So my understanding is Maui County wants to develop their own rules regarding, I guess, residential spaces next to agricultural lands, or just noise generated from ag lands. Because currently, our State regulations, it is...that's our highest allowable limit, yeah. So I'm guessing...we did have complaints in the past where residential zoned land was right next to ag land, and they were kind of frustrated that the ag land was allowed to generate that much noise. I'm guessing that's what prompted this, and that would probably help in being able to address those complaints properly, if at the County level there is rules developed that are more stringent than the State's. Because...yeah, right now we're kind of stuck with our limits and zoning.

CHAIR MOLINA: Okay. Well, thank you, Mr. Haruno. I think that...well, as I understand it, it would be to make our...create our own set of rules, possibly more stricter than the State's.

MR. HARUNO: More stringent.

CHAIR MOLINA: But I'll yield to Member Sinenci to further expound on that. Mr. Sinenci, anything else you'd like to clarify to Mr. Haruno with regards to your legislation?

COUNCILMEMBER SINENCI: No, Chair. That was correct, just to...so that the County would have more jurisdiction on...more stricter guidelines for noise. Right now, like I said, it's...comes under the Department of Health Administrative Rules. And so having the County have that authority, that's pretty much what the bill asks.

CHAIR MOLINA: Okay. Thank you very much.

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MR. HARUNO: And then enforcement would be...would be with Maui County Police Department?

COUNCILMEMBER SINENCI: As far as enforcement?

MR. HARUNO: Yeah.

COUNCILMEMBER SINENCI: Yeah. We didn't...we did have...Mr. Chair, we did have Mr. Remi online that helped us draft the bill. So I can refer to him.

CHAIR MOLINA: Okay. Thank you very much. Mr. Mitchell, Remi, if you're available, if you could further expound on Councilmember Sinenci's proposal.

MR. MITCHELL: Thank you, Chair Molina and Member Sinenci and Mr. Haruno. The proposal does not specifically address the enforcement issue. The proposal simply allows the County to create more stringent noise regulations. And so presumably, in the County...if this passes at the State level, in the County ordinance that would be passed, there would be an enforcement mechanism that would be developed. And presumably that would be with the Police Department, but that hasn't been part of this proposal.

MR. HARUNO: Um-hum. We're just at the beginning.

MR. MITCHELL: Right.

MR. HARUNO: The rules development stage. Okay.

MR. MITCHELL: Yes.

MR. HARUNO: We're here for whatever help you guys need.

CHAIR MOLINA: Okay. All right. Thank you very much, Mr. Mitchell. So at...so Mr. Haruno...so at this point, the State has no concerns with this proposal for the County to do additional regulation?

MR. HARUNO: Nope.

CHAIR MOLINA: At this point, yeah.

MR. HARUNO: Yeah.

CHAIR MOLINA: All right. Thank you. Okay. I'm going to open up the floor for questions from the other Members. Member Sugimura, followed by Member Kama. Member Sugimura.

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COUNCILMEMBER SUGIMURA: Thank you. Thank you, Chair. So this hits pretty close to home because of all the Upcountry, you know, the breadbaskets. And I'm just wondering if this stemmed from the concern from the hemp...where's Mr. Sinenci? There's Mr. Sinenci. So from the hemp farmers that were part of the Kihei--forgot the name of their formal company--but the Kihei company that is...has the hemp business growing next to a residential community, and I wondered if this is what is...did this stem from it, is my question to Mr. Sinenci.

CHAIR MOLINA: Mr. Sinenci, you like to respond to Member Sugimura's inquiry?

COUNCILMEMBER SINENCI: Yes. Thank you, Chair. Yes, these...we did...the Committee did receive some correspondence from a nearby residence about that particular one, but this one...the bill continues to address not just noise, but smoke, odors, dust, vibration as well, as we move forward with expanding our agriculture sector. But that was...that was a part of it, Member Sugimura.

COUNCILMEMBER SUGIMURA: Okay. Thank you. Because I've done site visits and have been in touch, and Department of Ag, Phyllis Shimabukuro-Geiser and her Ag board meeting that I attended, there's arbitration going on right now between the neighbors and the hemp farmers in...you know, with that problem. But in general, are you...isn't this something that...or would we need this bill in order to create this proposed ordinance change, Remi? Or is it something that the County can do anyway, or do you need a State-wide bill?

CHAIR MOLINA: Mr. Mitchell.

MR. MITCHELL: Thank you, Chair. And Member Sugimura, thank you for the question. Yes, we would need to slightly change the State statute.

COUNCILMEMBER SUGIMURA: Okay.

MR. MITCHELL: The State statute expressly states that the Counties cannot pass any ordinances that are inconsistent with the regulations, and since the State regulations allow a maximum of 70 decibels day and night, there's no way to make it stricter without doing one of two things, which is either changing the rules themselves or changing the State statute.

COUNCILMEMBER SUGIMURA: Okay.

MR. MITCHELL: It seemed simpler to us to change the State statute to allow the County to pass a more stringent ordinance.

COUNCILMEMBER SUGIMURA: Okay. I see...I see what's going on. So Chair, I think . . . *(timer sounds)*. . . that a lot more discussion needed...needs to happen on this because it has far-reaching impacts with noise and smell and everything. And there are...the way that

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our communities are designated with rural and agriculture, or agriculture and people are building houses in agriculture, there's a lot of impacts that I see this...so I understand it, and I cannot support it just because I know what's happening in my community. So thank you, Mr. Sinenci. Thank you, Mr. Haruno, for being here. But for me, it needs a lot more discussion, and it's super important. I mean, it is huge. This is a huge impact to my community if something like this does pass. So I just wanted to state that.

CHAIR MOLINA: Okay. Thank you, Member Sugimura. Mr. Haruno, you had a response in regards to Member Sugimura's comment?

MR. HARUNO: So HRS does have that...let's see. Provided in Section 46-17 on any conflict between State and County law shall be resolved as provided in Section 46-17. That's in the HRS 342F. In our actual noise rules, HAR Chapter 11-46, Section 13, it states that Counties may adopt enforcement of ordinances regulating any matter relating to excessive noise, blah, blah, blah, provided that in any case of conflict between statute or rule and ordinance, the law which affords the most protection to the public shall apply. So I'm thinking that that section may give you guys the authority to create rules. I don't know. I'm not a lawyer or anything, but...

CHAIR MOLINA: Okay. All right. Thank you very much for that, Mr. Haruno, and certainly we'll check into that as this bill proposal moves along. We have a question from Member Kama for either Mr. Sinenci or Mr. Haruno. Member Kama, followed by Member Paltin.

COUNCILMEMBER KAMA: Thank you, Chair. My question is for Member Sinenci. I'm trying to understand, what are some of the noises that would come from an ag property or an ag farm or whatever that would be construed as a public nuisance noise. I mean, can you help me with that?

CHAIR MOLINA: Mr. Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. And yeah. So it looks like this is a new thing, Member Kama. So now with new forms of diversified agriculture also comes with a lot of industrial-sized fans that require indoor types of farming. So those fans can...if they're...if they're going all night, they really rattle and create this hum that neighboring residents can either hear or feel some of these vibrations. So we've never had these new diversified types of industrial farming before. And so just now we're seeing that. And so what would happen to those farmers is that they would just need to add more sound, I guess, deafening barriers to their operations, and that could be with their R-values within their facilities, or maybe creating outside, just more...whether it be berms or trees or anything like that to kind of muffle some of those additional sounds that go all night.

COUNCILMEMBER KAMA: So is there a...in your...the ordinance, is there a list of examples of those kinds of noises that would be construed as a public nuisance?

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COUNCILMEMBER SINENCI: I...again, I cannot think of any at this point.

COUNCILMEMBER KAMA: . . .(*timer sounds*). . . And...is that my time, Chair?

CHAIR MOLINA: Member Kama, go ahead.

COUNCILMEMBER KAMA: Okay.

CHAIR MOLINA: If you have a quick question for Mr. Sinenci, I'll let it go.

COUNCILMEMBER KAMA: Only because, if you know that you're going to be moving next door to a farm or, you know, a piggery, you wouldn't want to do that unless you're going to absorb the smell that comes with those kinds of...those kinds of ag ventures. So my sense is, when I think about it, that it takes a lot of clear thinking, maybe might have to make a list of things so that people know that they can complain about this or this is not worth complaining about. So is it possible to get a list of those things, Chair [*sic*] Sinenci?

CHAIR MOLINA: Mr. Sinenci.

COUNCILMEMBER SINENCI: Yes, we can inquire. And again, this would be the first steps in regulating noise nuisance. So this would be the first step. Thank you.

COUNCILMEMBER KAMA: Okay. Thank you. Thank you, Chair.

CHAIR MOLINA: Okay. Thank you, Member Kama. Okay. We have Member Paltin, followed by Member King.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Member Sinenci, for the proposal. I wasn't...I'm not clear. So this is to regulate agricultural nuisances on agriculturally-zoned properties; is that correct?

COUNCILMEMBER SINENCI: Well, come...Chair?

CHAIR MOLINA: Go ahead, Mr. Sinenci.

COUNCILMEMBER SINENCI: Thank you, Member Paltin, for the question. So noises that would come from agricultural sources. Under the Health...the Department of Health, nuisance means an interference with reasonable use and enjoyment of land including, but not limited to, smoke, odors, dust, noise, or vibration, provided that nothing in this chapter shall in any way restrict or impede the authority of the State to protect the public health, safety, and welfare. So because it's...because of that definition, it is coming under the State Department of Health, but it is going to...

COUNCILMEMBER PALTIN: But it's going to apply on agriculturally-zoned properties?

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COUNCILMEMBER SINENCI: Right. Some of the sources of these noise nuisance is coming from agriculture-zoned properties.

COUNCILMEMBER PALTIN: And I guess my question might be for an attorney. I think, like, the State doesn't allow homeowner associations or things like that to restrict agricultural activity on agricultural-zoned properties. So is that what we're trying to do with this, restrict agricultural activities . . .(timer sounds). . . on agricultural-zoned properties?

CHAIR MOLINA: Mr. Sinenci.

COUNCILMEMBER PALTIN: Oh, or a lawyer.

CHAIR MOLINA: Oh, I'm sorry. Mr. Murai, if you'd like to respond first to Member Paltin's question, and we can go back to Mr. Sinenci if he wants to add additional thoughts. Mr. Murai.

MR. MURAI: Sure, Mr. Chair. I'll try. Actually, the...or the bill that's included as part of the package does not, by itself, restrict anything. Basically, it's enabling legislation that will allow the Counties to enact different or more stringent...and I'm not sure what more stringent or less stringent means, but yes, that would allow the County to impose limitations on kinds of...the types of activities that could be conducted on agricultural land.

COUNCILMEMBER PALTIN: Okay. Thank you.

CHAIR MOLINA: Thank you very much, Member Paltin. I believe it was...oh, Member Sinenci, you wanted to add some additional comments? Please go ahead, and then we'll go to Member King after.

COUNCILMEMBER SINENCI: Yeah. Thank you, Chair. And I think the verbiage is just as long and it does...it's consistent with current State HRS.

CHAIR MOLINA: Okay. Thank you, Mr. Sinenci. Member King, questions for Mr. Sinenci or Mr. Haruno. Hold on, Member King. Mr. Haruno, you wanted to add something to Member Paltin's inquiry. Go ahead, Mr. Haruno.

MR. HARUNO: So I'm thinking the intent of this legislation going through is not to limit the agricultural activities itself, just the noise and sounds that are generated from those activities or that equipment. It's more for stationary equipment, not like people noises or anything like that. Our rules on agricultural land apply to the equipment, stationary equipment, or like a combine or something like that that's involved in the agricultural aspect of things, but not with the intent to limit their capabilities, just the noise that's generated from that.

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CHAIR MOLINA: Okay. Thank you for that clarification, Mr. Haruno. Councilmember King, questions for Mr. Haruno or Mr. Sinenci.

COUNCILMEMBER KING: Well, yeah. I wanted to just point out that the...what Member Kama was asking for is in the first paragraph of the introduction to the bill. It lists the type of activities, equipment, and machinery, as far as noise making. But I mean, it looks like it doesn't...this bill is not...is an enabling bill for the County to be able to pass more stringent rules. It says right in here we cannot...it shall not be effective to the extent that it is less stringent than the rules by the Department of Health. So this would enable us...but my...I think my biggest concern is possibly needing something in here that refers to agricultural activities that are moving into existing...to proximity to existing residential areas. Because if you...if you have a farm and then someone tries to put a subdivision right next to you and tells you now you can't run certain equipment because this housing development is going in, is that really fair to the farm, you know, the existing farm? I mean, I understand about the situation that Mr. Sinenci is talking about is an existing residential area where a farm operation has moved into it and now it's creating all this noise. So is there a way to put something into the bill that refers to that? I mean, we can certainly do...this is just enabling. So we could certainly do that if we decide to pass an ordinance at the County level, but that would be my main concern is that we wouldn't want developments to happen next to existing farming operations that would hinder the farming operation from continuing to do what they've always been doing. But I do appreciate...and I think what Mr. Haruno was saying about the bill--so correct if I'm wrong, Mr. Haruno--is that this doesn't apply to noises made from animals. Like you know, if you have cows mooing or chickens crowing, that's not the type of noise that this would...this would address?

MR. HARUNO: Yes, that's correct. We don't...it doesn't apply to those kinds of noises.

COUNCILMEMBER KING: Okay.

MR. HARUNO: But I guess if you guys are writing a whole new rule, then it could possibly.

COUNCILMEMBER KING: So it's not...it's not really...it's not really prescribing that --

MR. HARUNO: Yeah.

COUNCILMEMBER KING: -- but it's opening the door to that is what you're saying?

MR. HARUNO: Yeah.

COUNCILMEMBER KING: Okay. All right. I mean, that's the only...my main concern is...and I don't know. Have you looked at that, Member Sinenci, as far as addressing existing versus new residential areas, you know, and existing versus new farming operations?

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COUNCILMEMBER SINENCI: Yes. Thank you, Chair. Thank you, Member King. And right, as we move into creating a Department of Agriculture, it's going to be an issue that we want to address under the Department of Agriculture as well, when it...as it comes to agriculture housing and agriculture zoning. So supportive of supporting...should it pass, we can go ahead and write those specifics in our County ordinance.

COUNCILMEMBER KING: Okay. Well, you know, I'm all...I'm all for enabling the Counties to...I'm all for home rural. I just don't want to open the door to, you know, possible hindrances of existing farms. So if we...if we...if we acknowledge that, you know, when it gets to the County level, then I could support this. Thank you, Chair.

CHAIR MOLINA: Okay. Thank you very much, Member King, and you certainly bring up some good points. Kind of brings back to mind for me, although it wasn't noise related, but up here in Makawao on Makani Road there's a chicken farm, chicken egg farm for many, many years. And the few residents at the time sort of tolerated the...when the downwind came. Then as more houses were being built, then they started receiving complaints. So there was that debate. You know, who do we, you know, respect, or whose concerns do we respect more, the agriculture, the farm that was there for many, many years, or the new residents just moving in and their concerns? So yeah.

COUNCILMEMBER KING: Sounds like a question of who came first, the chicken or the houses.

CHAIR MOLINA: You read my mind on that one. Darn, you beat me to it, but anyway. Okay. All right. Members, any other questions for Mr. Haruno or Councilmember Sinenci on his proposed legislation, which be...which will also be included in the Maui Legislative Package as well? Okay. Seeing none. Okay. We'll move on from that proposal. Thank you very much, Mr. Sinenci. And you have one more item, and this, of course, relates to the Public...a Public Works matter. We have also Director Dagdag-Andaya, who will also comment on this matter, which relates to highway improvements in Maui County. So Mr. Sinenci, if you would like to go ahead. And Members, any objections to designating Ms. Dagdag-Andaya as a resource for this item?

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR MOLINA: Thank you, Members. Now, thank you, Mr. Haruno from the State Department of Health, for your comments . . .*(inaudible)*. . .

MR. HARUNO: Okay. Thank you, everybody.

CHAIR MOLINA: Okay. Mahalo. Thank you.

MR. HARUNO: Bye.

CHAIR MOLINA: Bye. Okay. Mr. Sinenci, you have the floor.

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COUNCILMEMBER SINENCI: Mahalo, Chair. Members, we can all agree that the Hāna Highway has been in the news a lot lately, particularly during this pandemic, including a recent town hall meeting with Governor Ige, Mayor Victorino, Senator DeCoite, and State Director of Transportation Jade Butay. But the north end of the Hāna Highway is under State jurisdiction, which goes...comes into Hāna, where the south end of the highway is under County jurisdiction. Majority of the highway is in disrepair, is in extremely poor condition. Most sections have been...have not been resurfaced for over 30 years, and some areas even longer. The stretch of road leading to the Haleakalā National Park in Kīpahulu, heavily traveled with an average of 600-plus cars per day, with 30 percent of those cars traversing the south end of the highway toward ‘Ulupalakua. The road narrows significantly with steep drop-offs with no protective guardrails in most places. Driving at night along the cliffside is dangerous with no lighting, let alone a reflective signage. Visitors stop and gather around blind turns under landslide-prone areas and block bridge approaches. They access unsanctioned trailhead areas that have no bathroom facilities, parking, trash receptacles, and safety barriers. And enforcement of rules and regulations are severely lacking. Although we've experienced an increase in visitor traffic, our highway feeder roads and alternate roads have not expanded to include safe turnout areas, sidewalks, and crosswalks for pedestrian traffic. This bill will greatly help us to address failing infrastructure that is long overdue, and will potentially help to direct highly-anticipated American Rescue funds and Build Back Better Federal infrastructure fundings. So with that, Members, this is our proposal. Thank you.

CHAIR MOLINA: Okay. Thank you very much, Mr. Sinenci. All right. Let's go to Director Dagdag-Andaya for any additional comments on Mr. Sinenci's proposal. Good morning, Ms. Dagdag-Andaya. Always good to see you.

MS. DAGDAG-ANDAYA: Morning, Chair. Yes. And thank you, Councilmembers, and thank you, Member Sinenci, for your initiative in establishing a proposal to the State legislature for funding for portions of Hāna Highway and Pi'ilani Highway under the County's jurisdiction. Just a couple of items. I mean, we are in support of the proposal. I think any kind of funding that's directed to the Counties for repair and maintenance of our existing infrastructure is always appreciated. I guess, perhaps, one of the questions that I had was to understand the...that the repair and maintenance...I guess the intent was mainly for road repair, or would this also...could this also include bridge and drainage facilities as well?

CHAIR MOLINA: Mr. Sinenci, are you able to respond to Director Dagdag-Andaya's question?

COUNCILMEMBER SINENCI: Yes, definitely. I know that, you know, we currently have Federal funding for five of the...of the bridges on the County jurisdiction side. So I know...hopefully we get additional funding for that, but a lot of these bridges are over 100 years old. So in anticipation to...you know, for fixing infrastructure, yeah, we can be supportive of fixing the bridge as well.

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MS. DAGDAG-ANDAYA: Okay. Thank you. Because I know under our list of projects coming up for our six-year CIP, one of them includes Hāna Highway at Kalepa Point, the repair of the existing revetment and seawall, and that looks like a price tag of about 20 million for construction alone. We're currently working on the plans for the repair, and there is a drafter currently in process or in progress, or a drafter that's being drafted at this time. But we do anticipate coming to the Council for an upcoming request for construction funding, perhaps in the FY'24 budget. Perhaps that's one project that this could apply to. Otherwise, our East Maui district resurfacing, you know, we tend to go every two years for a total of 900,000 to a million for resurfacing efforts. And so with that, I guess, one of the suggestions that I have is on line 5, where line 5 begins, for the repair and maintenance of, if you could insert road, bridge, and drainage facilities that include, and then the rest of the sentence would read, feeder roads and alternate routes for Hāna Highway and Pi'ilani Highway and any portion of those highways under the jurisdiction of the County of Maui.

CHAIR MOLINA: Okay. Thank you, Director. Mr. Sinenci.

COUNCILMEMBER SINENCI: Yeah. Thank you, Chair. And mahalo, Director Dagdag-Andaya, for those comments. I believe the Kalepa revetment is already budgeted. So...and we also...those are current CIPs that have also been with our current loan. So those have already been, I believe, funded. So this was in anticipation to any of the American Rescue Plan funding that is coming down, including, hopefully, with the infrastructure Build Back Better Federal funding that it would start at the State level to require more funding towards our roads. And this...Members, this doesn't have to be strictly for Hāna Highway. We could include different parts...different roadways and highways throughout the County as well. I'm open to that too. Thank you, Chair.

CHAIR MOLINA: Okay. Thank you very much, Mr. Sinenci. All right. Members, the floor is now open at this time for questions for Councilmember Sinenci or Director Dagdag-Andaya. I see Member Sugimura with her hand up, followed by Member King. And again, Members, we'll...you're on a two-minute clock, just FYI. Proceed. Member Sugimura.

COUNCILMEMBER SUGIMURA: So Chair, just when Mr. Sinenci finished, Rowena put her hand up. So I wonder if she wants to add to that conversation before I start.

CHAIR MOLINA: Director.

MS. DAGDAG-ANDAYA: Yeah. So sorry. The...so we do have an item for Kalepa Point. That's only for design and planning efforts, but not for construction. So the request for construction funding would come, perhaps, in Fiscal Year 2024, but that...that's...yeah, right now the funding is only for design. And I was just pulling up my budget to confirm that.

COUNCILMEMBER SINENCI: Yeah. And some of these bridge projects could quickly eat up

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the budget, and we did want to address some of the safety issues and the resurfacing of the back road as well. So I'm open to adding those, Director Dagdag-Andaya, but maybe, Chair, you might consider doubling the sum ask.

CHAIR MOLINA: I'm sorry, could you repeat that again? Doubling the what?

COUNCILMEMBER SINENCI: The sum of 20 million dollars.

CHAIR MOLINA: Oh, okay.

COUNCILMEMBER SINENCI: Thank you.

CHAIR MOLINA: All right. Thank you for that. Member Sugimura.

COUNCILMEMBER SUGIMURA: Yeah. Thank you.

CHAIR MOLINA: You have the floor, and I think Member King, and then Member Paltin, I believe, in that order.

COUNCILMEMBER SUGIMURA: Yeah. Thank you. So Mr. Sinenci, you're saying that these are bridges onto Hāna Highway for the...for the additional infrastructure in the Build Back Better funding as well, but are you talking about only County facilities, County roads, or are you just saying Hāna Highway in general and plus the bridges?

CHAIR MOLINA: Mr. Sinenci.

COUNCILMEMBER SINENCI: Yep, that's correct, Member Sugimura. The Highway 360, 331, that goes from Hāna towards 'Ulupalakua, they're County jurisdiction . . .*(timer sounds)*. . . whereas north end from Ha'ikū into Hāna is under State jurisdiction.

COUNCILMEMBER SUGIMURA: So you're saying any road that's going for Hāna, not necessarily whose...it's insignificant?

COUNCILMEMBER SINENCI: Well, for the funding, if it was going to be funding for County, then it is our hopes that we focus on the County roads.

COUNCILMEMBER SUGIMURA: Yeah. I got to...I got to study this. Thank you. Thank you.

CHAIR MOLINA: Okay. All right. Thank you, Member Sugimura. Member King, followed by Member Paltin.

COUNCILMEMBER KING: Thank you, Chair. So always looking for more money for roads. Is there something specific for the...because Pi'ilani Highway was mentioned here? Member Sinenci, is there something specific? You went through a pretty detailed description of Hāna Highway's needs, but I didn't hear anything about Pi'ilani. But

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there's some reason why you put that in here in this bill?

COUNCILMEMBER SINENCI: Yeah.

CHAIR MOLINA: Mr. Sinenci.

COUNCILMEMBER SINENCI: Thank you, Member King. Yeah. We wanted to include Pi'ilani, should the district, the area district representative have some concerns, also add their concerns as well.

COUNCILMEMBER KING: Yeah. We do have some widening area, but there's been some dispute over which developers are supposed to be in...contributing to that. And then the other question I had was, is this intended to be...because I think it should describe specifically that it's intended to be additional funds outside of the County funding. You know, from the American Rescue Plan, we're supposed to be getting directly to Maui County about 35 million, but I think what you're asking for--maybe correct me--is if you're...because you're talking about American Rescue Plan, that this would be out of the State funding that the State gets for the American Rescue Plan?

COUNCILMEMBER SINENCI: That's correct, Member . . . *(inaudible)*. . .

COUNCILMEMBER KING: Okay. So maybe we could specify that so that it doesn't...it doesn't get taken out of our County funding. And then is that the intent, for it to go through the MPO?

CHAIR MOLINA: Mr. Sinenci.

COUNCILMEMBER SINENCI: Yes, it we can include it in the...yes, we can include it with MPO.

COUNCILMEMBER KING: So MPO would be the County organization that decides how the money would be spent? Okay.

COUNCILMEMBER SINENCI: Yes. And we have three Members currently on the Maui Metropolitan Planning.

COUNCILMEMBER KING: Right, right. Okay. So that...those are my main concerns is that, you know, we make sure that we're requesting money from the State, that they're not going to cockroach any of our direct funding to the County from the American Rescue Plan.

CHAIR MOLINA: Okay. Thank you very much, Member King.

COUNCILMEMBER KING: Thank you, Chair.

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CHAIR MOLINA: Thank you. Let's go to Member Paltin. Questions for Member Sinenci or Director Dagdag-Andaya?

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Member Sinenci. I love this bill and I'd like to try and include Keawe Street, our County road sandwiched in between two State highways that is very dangerous, and I get calls and emails about all the time. I think Ms. Dagdag-Andaya is familiar with the problem.

CHAIR MOLINA: Mr. Sinenci, your thoughts? I see a thumbs up.

COUNCILMEMBER SINENCI: Definitely open, just give us a number to add to the sum.

COUNCILMEMBER PALTIN: Okay, great. Ms. Dagdag-Andaya, you have any suggestion?

MS. DAGDAG-ANDAYA: Regarding Keawe Street improvements, the design is currently being developed or worked on. So we don't have a estimate until we come to at least...you know, until the design is, you know, about maybe 75 percent complete, which we're not at at this time. So I don't have an estimate.

COUNCILMEMBER PALTIN: Should I just say 10 million then?

MS. DAGDAG-ANDAYA: I...yeah, I'm not sure. I can't...I can't give you a number, but...

COUNCILMEMBER PALTIN: Or 5. How much does a street light cost?

MS. DAGDAG-ANDAYA: I...I'm not sure...I can't...I don't know off the top of my head.

COUNCILMEMBER PALTIN: Okay. Let's put me down for 5 mil, and if not we can do the lower road.

CHAIR MOLINA: Okay. All right. Thank you, Member Paltin. I'm sure the Department will consider that, analyze all the numbers. Okay. Let's go to Chair Lee, followed by Vice-Chair Rawlins-Fernandez. Chair Lee.

COUNCILMEMBER LEE: I have a question for Member King. I was wondering if cockroach was a Public Works term or a financial term. Okay, no.

COUNCILMEMBER KING: It's a political . . . *(inaudible)* . . .

COUNCILMEMBER LEE: Okay, seriously. Seriously, you guys, you know, let's not keep adding to the bill, you know, 5 million here, 5 million there. So you know, we all have to start to prioritize, and one of the...to me, the benefits about the Hāna Highway is that it can be an income generator to pay for improvements because we've all talked about, you know, charging people going to visit East Maui and Hāna. So you know...I mean, at some point we have to show the State or others, our funders, that we're making an

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effort to contribute toward the payment or the cost of correcting or fixing roads or et cetera. And I think Hāna Highway has a lot of potential. I'm not sure about West Maui, but maybe we can look at it in a different context. I mean, if we add too much to this bill, then they're not going to take us seriously. You know what I'm saying? Just a thought. Thank you.

CHAIR MOLINA: Okay. Thank you very much, Chair Lee. I guess spoken from words of experience. Okay. Much appreciated, certainly. Let's go to Vice-Chair Rawlins-Fernandez for your thoughts or questions.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Yes, I have a question. Mahalo, Chair. My question probably is for Director. Mahalo for being with us today, Director Dagdag-Andaya. So...okay. With all like these Federal funds that are coming down, there's guidelines on how to apply for the funding. Do you have any knowledge on what the process will be? So there'll be different pots of money, right. So just like with CARES...so if we're looking at like COVID response or even like Build Back Better...so you know, all these...all these Federal funds that are, you know, starting to be announced and released, I...yeah. So you know, there was like CARES funding that came directly to the County; there was CARES funding that went to the State; there was CARES funding that went to Department of Transportation, you know specifically for the buses. There was also CARES funding that went through CDBG, which went to DHHC. So there's all these different pots, and I'm wondering if Director knows what the guidelines are and if there's a specific pot of money that this would be appropriate for?

CHAIR MOLINA: Director?

MS. DAGDAG-ANDAYA: At this time, no...I'm sorry, Chair. Yes, the...we haven't received any specific guidelines as to how the monies could be spent. There's just been general information presented and white papers that were developed and drafted by some of the folks in Washington, D.C. as to how the monies could be applied to the States. So there's information online as to how...you know, what...how much money would be allocated, what the formula is, and what the monies could be used for. But as far as any guidelines on how they could be used, I'm assuming there might be some, you know, requirements, in terms of, you know, environmental requirements, perhaps contracting requirements as well. But at this time I don't have any details on that.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Director. Yeah. I kind of share Member King's concern, actually. If we don't understand the process, then it may replace something that the County Administration is trying to apply for. So we want to be careful that we're not competing for the same slice of the pie. Of course, I absolutely support this effort. I just want to make sure that we don't shoot ourselves in the foot in, you know, pursuing Federal funds, so that we're collaborating. Mahalo, Member Sinenci, and mahalo, Chair.

CHAIR MOLINA: Okay. Mahalo, Vice-Chair Rawlins-Fernandez. Members, any other

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questions for Councilmember Sinenci or Director Dagdag-Andaya as it relates to this proposal, which is to be included as well into the Maui Legislative Package. Any thoughts? Excuse me, I...yeah, that's just Maui. I'm still thinking of HSAC. Yeah, this one is just Maui Legislative Package. If not, then...no other questions, then I want to thank Director Dagdag-Andaya for participating in our discussion on this matter.

MS. DAGDAG-ANDAYA: Thank you.

CHAIR MOLINA: Okay. Very good, Members. Thank you for the discussion on all of these four proposals from Vice-Chair Rawlins-Fernandez, Member Paltin, and Member Sinenci. So we are now at, I guess, a crossroads, so to speak, as to what to do. As the Chair mentioned to you earlier, my intent was to defer the matter to this Friday's Council meeting for final action, and to look at moving this forward, at least the HSAC package, to meet their September 23rd, 2021 deadline. I'd like right now to call on Staff, Ms. Espeleta or Ms. Takayama. We've had an update from HSAC, which...with regards to their deadline. If you could share that information with us, Chair would be much appreciative.

MS. ESPELETA: Chair, actually Kasie...Staff Member Kasie Apo Takayama discussed with HSAC President Staff to confirm deadlines, and Ms. Kawamura mentioned that it's recommended that any proposals approved by the Maui County Council be sent to the HSAC Executive Committee for inclusion on their September 23rd agenda.

CHAIR MOLINA: Okay. Thank you very much for that update. So again, HSAC President, I believe Mr. Chock, and that was his Staff, I guess, that responded to you...Ms. Takayama Apo [sic], yeah, for the...for us to act? Well, this Friday would be the appropriate time to act on submitting our items for the HSAC package, yeah?

MS. ESPELETA: That is correct.

CHAIR MOLINA: So...okay. All right, Members. So that is the...that would be your Chair's recommendation. Also an option we have to...I just want to get a pulse feel for you on...now, Staff, we could act on the resolutions itself that's been presented on these four proposals if we wanted to today; am I correct? Mr. Forrest or Ms. Takayama Apo [sic]? Or would it be just for recommended, just...

MS. ESPELETA: Chair.

CHAIR MOLINA: Yes. Go ahead.

MS. ESPELETA: Oh. Sorry, Chair. Yes, the body can choose to adopt the resolutions. The status agenda today provides for that legislative action. Concurrently, the matters are posted on Friday's Council agenda for discharge and action, but that was only to try to meet time-sensitive deadlines. If the body decides to extend those deadlines and accept additional proposals, then there wouldn't be a need to act on Friday. So the body can

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choose to adopt the resolutions today and hear...and recommend approval at the following Council meeting on October 1st.

CHAIR MOLINA: Okay. All right. Thank you very much for that, Ms. Takayama Apo [sic]. Members, just hearing the discussion, I know there was some hesitancy on some of these proposals. And although on some of them, there seemed...at least from my take, seemed to be consensus on at least one of them. So we have that option if we want to act on one or all of them or just defer completely and wait until Friday to act on everything. But anyway, that's your Chair's take at this point. So we can do that as far as under resolutions, if you want. Otherwise we can wait until Friday. Any comments? I see Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I just wanted clarification on the...our Council Legislative Package. So is...are those the four being deferred, and then we're going to take action on Friday with those as well, or just the HSAC?

CHAIR MOLINA: Just the HSAC. The Council we have no specific deadline at this point, but for the HSAC proposals, that would be Member Paltin's proposal and Member Sinenci's proposal related to the agriculture noise. Those are the two that's being considered for the HSAC package at this point. So we have flexibility with the Maui County Legislative Package as far as time, but preference, as you heard from the HSAC Office, was for us to take action on what we have for HSAC at this point. Now, we could also take up...submit other matters for HSAC at a later point--that's my understanding--if we wanted to, but for what we already have, I think HSAC wants it now. That's my guess, my feel.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. So your previous deadline of August 27th, we're going to disregard that deadline?

CHAIR MOLINA: If that's the body's pleasure. That was just a recommended date from the Chair. I know things can happen along the way. There may be some new...you know, it's been a chaotic year. There may be some new considerations. So I'm making room for that. So your Chair is not a...not totally inflexible, you know. I know you're a very process-oriented person. You like established deadlines, but you know, sometimes things happen. And if there's, you know, reason for legislation to be considered by the State on our end to be included in our legislative package, it's...we live in a time where we need to be a little bit flexible, leave some room for that. So that's why. That's kind of where I'm coming from.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Yes, you've always been very flexible. I have no doubts you can do the splits. Just a joke. So what is the new deadline you're thinking for bills to be included?

CHAIR MOLINA: You know, I haven't come up with that date yet. I sort of wanted to get your feelings first, you and the other Members. So maybe another 30 days. That could be

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some...that could be some of my time parameters if we wanted to extend. But again, I'm just kind of waiting to see where you guys are coming from.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. So last question. The legislature...the session will begin January 19th, the third Wednesday of the new year. And so when do we need to get it, our Council package, to the Legislature?

CHAIR MOLINA: Okay. Let me ask...okay. Let me consult with...Staff, can you respond to Member Rawlins-Fernandez's question, as far as our deadline?

MS. ESPELETA: Sorry, Chair. Can Member Rawlins-Fernandez repeat her question?

CHAIR MOLINA: Go ahead, Vice-Chair. Could you repeat your question?

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Ms. Espeleta. So session starts third Wednesday of January. So that's January 19th. When do we need to transmit our legislative package to the legislature?

MS. ESPELETA: So the Maui County Council legislative proposals are typically sent to the State legislature in early to mid-December.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Okay. Mahalo, Ms. Espeleta. Mahalo, Chair.

CHAIR MOLINA: Thank you very much, Vice-Chair Rawlins-Fernandez. Members, any other thoughts as to how the Chair would like to proceed with these two agenda items? Questions? Councilmember King.

COUNCILMEMBER KING: Yeah. Thank you, Chair. Just to let everyone know that when we had our deadline for the subject matter, we did include--and you can thank Kasie for this--we did include Member Paltin's proposal. We included the...we actually included Member Rawlins-Fernandez's proposal for Kalawao County. That was on the list submitted to...and I think I had something like 18...or 15 subject matters that went into HSAC the last...for the last meeting, and some of them were submitted by Kasie. So she had that on her list, along with some cesspool proposals and green fee issues. So those bills will be discussed. I mean, I don't know if Member Rawlins-Fernandez still wants to have that bill discussed as part of the HSAC package, but that was on the original subject matter list. So we could certainly discuss that at the September 23rd meeting if wanted.

CHAIR MOLINA: Thank you very much, Member King. Members, any other comments? Any consideration for acting on any of the four proposals today as far as the resolutions go? No, the...I think...I didn't hear any major concerns regarding Member Paltin's proposal. Your thoughts, Members? I'm open to a motion to support that into the HSAC package, Member Paltin's proposal. Oh, I'm sorry. Member Sugimura, you had a question. Go ahead.

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COUNCILMEMBER SUGIMURA: No, I support...I support that, this...her bill, Tamara Paltin, to be included in the HSAC bill.

CHAIR MOLINA: Okay. Thank you very much, Member Sugimura. Any other thoughts or...as it relates to the other proposals, if you'd like to act on those today or wait on those?

COUNCILMEMBER PALTIN: So moved.

CHAIR MOLINA: Okay. Well, tell you what, let's do this first. Chair will entertain a motion to accept the resolution related to...include in the 2022 HSAC package, the legislative package, a State bill to establish criminal offenses of unlawful chop shop activity. Chair will entertain a motion for that to include into the HSAC package. Okay. Moved by Member Sugimura, seconded by Chair Lee. Any discussion? Okay. Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. If we take...so we're taking action on one of the bills today, but we...we're not going to be doing a Committee report, we're going to discharge it so that we can meet the HSAC deadline on Friday? We're going to take action on Friday on Member Paltin's bill. So we would be deferring today, no?

CHAIR MOLINA: That's...let me consult with Staff. Can you respond to Vice-Chair Rawlins-Fernandez's question?

MS. ESPELETA: Chair.

CHAIR MOLINA: I...it shouldn't be a problem, right, if we take action on the reso itself? Okay.

MS. ESPELETA: Chair, to meet the HSAC's deadline for the September 23rd agenda, the HSAC proposals would need to be deferred today and action taken at Friday's Council meeting for discharge to meet that September 23rd agenda deadline. For the Maui County Council Legislative Package, if you choose to extend, you can choose to adopt the proposals on the agenda today or defer, or...and take action on Friday's Council meeting as well. All legislative proposals are posted on Friday's Council Meeting for possible action, it's just the HSAC one has that deadline.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Espeleta. Mahalo, Chair.

CHAIR MOLINA: Okay. Thank you, Vice-Chair Rawlins-Fernandez. Chair Lee.

COUNCILMEMBER LEE: Yeah, I can understand why you made that suggestion, Chair, because as you know, I discourage discussion on...at Council Meetings. So if we could handle it today, if we were able to handle it today, it would have been better, so that when it comes to the Council Meeting, the matter could be discharged and just passed. But if...well, it all depends, you know...if the Members are going to want to fully discuss

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each item again, then that's going to be, you know...you know, not the most desirable way to handle things. That's why, you know, whatever we can decide today, it'd be great.

CHAIR MOLINA: I'm with you on that, Chair. All right. Let's see. Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Point of procedure. So...okay. So for Member Paltin's bill, it...what I understood from Ms. Espeleta is if we would like to take final action on her bill to include it in HSAC, that we would defer it today. So we wouldn't...we would withdraw the motion on the floor, and then we would take final action on Friday. And so, you know, we could, you know...in regards to Chair Lee's comment, which I fully support, if, you know, any of the Members have any discussion or question, concerns regarding Member Paltin's bill that we do intend to take action on Friday, then we can, you know, deliberate here in your Committee. And then that way we can not deliberate as much on it at Council. And then for the other bills, since there were concerns, and we don't have a deadline set right now for the Maui Council Legislative Package, and for my bill, the Kalaupapa bill, for example, I heard, you know, questions that I can follow up with additional information at a future meeting. And so I wouldn't try to pass my bill for inclusion into our Council package on Friday. So there would be no need for deliberation on my bill, for example. I'll wait to hear what the new deadlines and timelines will be, and will have the additional information prepared. Mahalo, Chair.

CHAIR MOLINA: Okay. Mahalo, Vice-Chair Rawlins-Fernandez. Yeah. Correct. Yes, your bill, as well as one of Member Sinenci's bill related to the highway improvements, those are Maui County Legislative Package bills. So I guess the two bills that...as far as up for consideration for discussion would be Member Paltin's bill, as well as Member Sinenci's bill related to the agricultural noise. So we currently have a motion on the floor with Member Paltin's bill. Now, I was...the understanding I was informed was that we could take action on the resolutions today, but as far as the...you know, submitting the package itself to meet the September 23rd date, that would have to be done at Friday's Council Meeting. So now I need to get clarification now. If we take action on...can we take action on either Member Paltin's bill related to the chop shop activity and Member Sinenci's bill related to health rules, or do we just defer it and then take action on those two HSAC proposals Friday? I need this clarification because I thought we could take action on these two HSAC resolutions today. So can anyone from Staff clarify this for me? I need to know this.

MS. ESPELETA: Chair, the proposed State bills are attached to the proposed resolutions. So the appropriate action would be to defer today and take action at Friday's Council Meeting to adopt the proposed resolution, which attaches the proposed State bills.

CHAIR MOLINA: Thank you for trying to...for helping me clear this up because I was a little confused. Because I thought we could take action on the resolutions, but then on

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meeting the HSAC deadline, that's when we take action at Council. So I guess...so we got to do both then, taking a vote on Member Paltin's bill and Member Sinenci's bill on the agenda at Friday's meeting. So we basically cannot do anything. That's the message I'm getting, right? Okay. I guess that must be right. Chair Lee.

MS. ESPELETA: Sorry, Chair.

COUNCILMEMBER LEE: So I withdraw my second, but my concern is I think there's no further discussion on Member Paltin's proposal, but there may be more on Member Sinenci's. I don't think we came to a full agreement on that one. So do we have any time, any leeway with his so that we don't have to necessarily take action on Friday if we're not totally satisfied with the whole bill itself? That's my question.

CHAIR MOLINA: Let me consult. Mr. Forrest or Ms. Espeleta, can you respond to Chair Lee as far as time-wise? Now, I know when we submit something to HSAC, it does come back to Council anyway, right? But with regards to Chair Lee's question as far as taking additional time because of concerns related to Mr. Sinenci's HSAC proposal?

MS. ESPELETA: Chair, this is pertaining to the HSAC Legislative Package, correct?

CHAIR MOLINA: Correct.

MS. ESPELETA: Not the Maui County Council. Yes.

CHAIR MOLINA: Yeah.

MS. ESPELETA: So Staff's understanding is that there is an agenda posted for September 23rd. HSAC President's Office's Staff recommends that the proposals that are before the Council be approved for inclusion on that agenda. I believe HSAC is still considering legislative ideas that may be drafted by the lobbyists. So there is still an opportunity for additional proposals to be included in the final package. So beyond what the body ends up approving, whether they end up deferring today and approving at Friday's Council Meeting, that there may be an additional opportunity for additional legislative proposals to be vetted via an additional Committee Meeting, and sent to Council for additional inclusion into that package. Yes, the proposals at HSAC will still need to come back to each Council for final approval.

CHAIR MOLINA: Thank you, Ms. Espeleta. Chair Lee, does that answer your question?

COUNCILMEMBER LEE: How are we going to handle his...I mean, when are we going to complete his proposal?

CHAIR MOLINA: Mr. Sinenci's proposal?

COUNCILMEMBER LEE: Yeah. I mean, you know, some questions were raised and, you know,

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maybe it's not quite fully baked yet is my question.

CHAIR MOLINA: I guess that would be up to Mr. Sinenci if he wants to add the, I guess, recommended changes and language. Mr. Sinenci, your thoughts?

COUNCILMEMBER SINENCI: Yeah, Chair. I mean, I wasn't sure with some of the discussion from the Members. Again, this is...I think it's an advantage to the County Council that we have this leeway that we can be more restrictive at the County level from current State ordinance.

CHAIR MOLINA: Okay. And as I understand it, if you don't submit nothing now for the next HSAC meeting, the Council can submit something at a later point--am I correct--with HSAC. So they just want what we've proposed currently right now, and we can at a later point submit something else, which would give you additional time, Mr. Sinenci, to work on your HSAC proposal. That's your choosing.

COUNCILMEMBER SINENCI: Thank you, Chair. I think that...

CHAIR MOLINA: And also...that item is also a Maui County Legislative Package item as well, yeah? Okay.

COUNCILMEMBER SINENCI: So we just had that one for the HSAC.

CHAIR MOLINA: Okay.

COUNCILMEMBER SINENCI: But it was...it looks like it was listed...it was listed for the Maui as well, yeah?

CHAIR MOLINA: Yeah. For both, yeah? Okay.

COUNCILMEMBER SINENCI: Yeah.

CHAIR MOLINA: All right. Let's see. I'm trying to figure out who had their hand up first. I think Member King, followed by Vice-Chair Rawlins-Fernandez.

COUNCILMEMBER KING: Okay. Thank you, Chair. So I'm just going to read a text that I sent to Mason that he confirmed, that we will also be submitting bills not coming directly from the Council. And it's...my understanding is that not all bills to be discussed on September 23rd have been approved by all the Councils. So he said correct. So you know, it's not...we're not limited to discussing just what comes out of this meeting or the Council Meeting on Friday. And if you look in the chat, Kasie put in a list of all of the items that we had sent previously, when we were discussing subject matter, and some of these came from Kasie. So you see Member Rawlins-Fernandez's, making Kalaupapa part of Maui County, is on this list. So this is a list that HSAC, the lobbyist, currently has from Maui. And he's got a similar list, but much, much shorter from all

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the other Counties. So those...all these things are going to be discussed in addition. I think the most important thing...because Member Paltin's bill is on that list. I think the most important thing is how we address bills that aren't on that list already, you know. And Member Sinenci has two new bills proposed that aren't on that list. So you know, he can still submit them, or we're still going to be talking about whatever bills come from outside entities, as well as what the Counties submit. But all the other Councils have not gone through this exercise where they're going to have approved bills that come to HSAC before the 23rd. So...and even...you know, because of the fact that...the thing that kind of throws a monkey wrench into everything too, is that we've been told by our attorneys that HSAC is not under the Sunshine Law. So even though we say things have to be posted by a certain date to get on the agenda, we can still talk about other items that aren't on the agenda. So we did that last time when we were talking about subject matter. People brought up stuff even though it wasn't posted. So there's a little bit more leeway at HSAC but, you know, there's no harm in trying to pass something on Friday if we know we want to pass. I just...I just don't know how we're going to deal with subject matter that hasn't been brought up, that wasn't sent to HSAC when the deadline for subject matter, which was in August, came out. You know, there's some flexibility there. Mason's pretty flexible. But we...you know, I just wanted to...you know, we can go ahead and pass Member Paltin's bill. If we don't pass it, we're still going to talk about it on the 23rd. We...the ones that I would be concerned about are the ones that don't necessarily...don't have any standing right now at HSAC, which are Member Sinenci's bills.

CHAIR MOLINA: Okay. All right. Thank you very much, Member King. All right. Vice-Chair Rawlins-Fernandez, and after Vice-Chair Rawlins-Fernandez asks her question, Chair's going to make a recommendation so I can get you guys out of here by 12:00 noon. Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I'll be real quick because I saw Member Paltin's hand up. So basically, I was just going to try to recap where we landed. So we have a motion on the floor. Chair Lee withdrew her second. So we just need to withdraw the...okay. Member Sugimura has withdrawn her motion. So now we don't have a motion on the floor. We have the resolution for the two bills, Member Sinenci's bill and Member Paltin's bill. As I understand it, we can amend the resolution to remove Member Sinenci's bill so that we can pass Member Paltin's...well, adopt the resolution with Member Paltin's bill attached on Friday to send to HSAC. Member King, as our HSAC representative, shared with us that we're...we'll be able to likely include Member Sinenci's bill if the HSAC President is amenable to including that as a subject matter for discussion. And then when all the bills come back from HSAC, all the ideas, then at that point, we would again discuss and then approve for inclusion to HSAC because we'll also need to be approving the other bills. So I think we're good. Mahalo, Chair.

CHAIR MOLINA: Good job for tracking all of that. It's been a confusing morning, I'll just say that. You know, we've had to digest a plethora of information and changes along the way. And so thank you for your patience, Members. So I'll recognize Member Paltin,

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and we're going to close with the Chair's recommendation. Well, I'll just state it. We're going to just defer it. I mean, I won't deal with this anymore. We'll see what happens on Friday, but at this point, we're going to defer both of these items. Member Paltin, you have the floor.

COUNCILMEMBER PALTIN: Oh, thank you. I just wanted to disclose that one of the ones on the list Kasie put up was the changing from the 7,500 square foot SMA exemption to 5,000 square foot. And I...is it okay for me to just submit that legislation because all it is is a number change? I can write that myself. Okay. All right. Cool. I'm going to do that because of the discussion we had in Member King's CARE Committee about Net Zero stuff, and you know, the Nāpili Beach House situation as well.

CHAIR MOLINA: Okay. Thank you very much, Member Paltin. Sounds like a good suggestion. All right. Anything else? Okay. If not, we're going to close today. So Members, any objections to deferring--or I guess it would be a discharge--GREAT Items 3(1) and GREAT Item 4 for final action to this Friday's Council Meeting? Any objections?

COUNCILMEMBERS VOICED NO OBJECTIONS.

COUNCILMEMBER LEE: Mr. Sinenci had his hand up.

CHAIR MOLINA: Oh. Mr. Sinenci, did you have your hand up? I only saw Member Paltin's.

COUNCILMEMBER SINENCI: Just for clarifications. So both bills would be discharged on Friday?

CHAIR MOLINA: Yeah. And then, only at...well, at Friday's meeting, that's when we would decide, yeah, if we want to defer.

COUNCILMEMBER SINENCI: Okay.

CHAIR MOLINA: I don't think it's...would be appropriate for us to make that decision today.

COUNCILMEMBER SINENCI: Okay. Thank you.

CHAIR MOLINA: Hopefully I'm not wrong on that, but...yeah. I think it would be cleaner to make...take that action on Friday to only, you know, consider Member Paltin's bill, to forward that to HSAC by the September 23rd deadline. Yeah. Okay. Member King.

COUNCILMEMBER KING: Yeah. Thank you, Chair. I don't have any objections to deferral. I just wanted to request that any Members who have--and especially Mr. Sinenci since it's new subject matter--might try to set aside September 23rd at 1:00 to attend the HSAC meeting, and then you can...you'll be there to explain your bills if they...if we're able to...if it passes out of the Council, it'll be easier to get on the agenda, we...then we can get it on the agenda. The other ones, I think, will be on the agenda because we've

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already put them on the previous one, but...and then maybe Member Rawlins-Fernandez can let me know at some point if she wants to put...you know, if you want your bill to be on the HSAC roster as well, because I'm happy to do that.

CHAIR MOLINA: Okay. Thank you for that information. That's very helpful to the Members as far as getting that information out to all of our other brothers and sisters in our Counties...other Counties. All right. Very good, Members. So we will defer GREAT Items 3(1) and 4. Any objections to the deferral?

COUNCILMEMBERS VOICED NO OBJECTIONS.

ACTION: DEFER pending further discussion.

CHAIR MOLINA: And of course, that would be for consideration of action at this Friday's Council meeting. I believe this concludes our agenda for today. Staff, Ms. Espeleta, anything the Chair needs to be made aware of before we close?

MS. ESPELETA: Chair, sorry. Trying to unmute. There's nothing further.

CHAIR MOLINA: Okay. Thank you very much, Ms. Espeleta. All right. Members, thank you very much for your hard work, as well as the Administration for their work, and to our very hard-working Committee Staff, for our meeting today here on September 14th. So with that being said, the time is one minute after the hour of noon on September 14th, 2021. The GREAT Committee meeting is now adjourned. . . .(gavel). .

ADJOURN: 12:01 p.m.

APPROVED BY:



MICHAEL J. MOLINA, Chair
Government Relations, Ethics, and
Transparency Committee

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Transcribed by: Brenda Clark

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CERTIFICATION

I, Brenda Clark, hereby certify that pages 1 through 55 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 14th day of October 2021, in Wailuku, Hawai'i



Brenda Clark