

# MINUTES

of the

## COUNCIL OF THE COUNTY OF MAUI

June 8, 2022

THE REGULAR MEETING OF THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, WAS HELD IN THE COUNCIL CHAMBER, KALANA O MAUI BUILDING, WAILUKU, HAWAII AND ONLINE VIA BLUEJEANS, ON WEDNESDAY, JUNE 8, 2022, BEGINNING AT 9:03 A.M., WITH CHAIR ALICE L. LEE PRESIDING.

COUNCIL CHAIR ALICE L. LEE: Will the Maui County Council regular Council meeting of June 8, 2022, please come to order. Ni hao, everyone. Great to be back in the Chambers.

Madam Clerk.

## ROLL CALL

COUNTY CLERK KATHY L. KAOHU: Chair, proceeding with roll call. Members participating from non-public locations should state who, if anyone, is present with them as part of roll call.

Councilmember Shane Sinenci.

COUNCILMEMBER SINENCI: Ni hao, Chair. Aloha kakahiaka kakou my Maui hikina. Hauoli la Pō'alima. I am broadcasting today from the Hana Cultural Center with staff members Dawn Lono and Mavis Medeiros. Aloha.

CHAIR LEE: Aloha.

COUNTY CLERK: Councilmember Mike Molina.

COUNCILMEMBER MOLINA: Aloha and good morning, Madam Chair, colleagues, and everyone else tuning in for our Council meeting here today. Like everyone, a lot of my colleagues, I'm here in the Council Chambers in Wailuku. And the courtesy testifying site out at our district office in Paia is closed today due to staffing shortages, but should be opening up sometime soon. Thank you.

CHAIR LEE: Thank you.

COUNTY CLERK: Councilmember Kelly Takaya King.

COUNCILMEMBER KING: That's my bad. I just talked about it with Member Rawlins-Fernandez. We have to remember not to, not to unmute ourselves on the computer.

Aloha kakahiaka and ni hao, Chair. Nice to have you back in that seat, and all of us in the Chambers. And mahalo to our, our colleague Yuki Lei Sugimura for providing us all with a lei, beautiful smelling lei. As far as I know, there are no testifiers in the South Maui District Office. And that's all I have to report because I'm here in Chambers.

CHAIR LEE: Very good.

COUNCILMEMBER KING: Looking forward to a productive meeting.

CHAIR LEE: Thank you.

COUNTY CLERK: Councilmember Gabe Johnson.

COUNCILMEMBER JOHNSON: Ni hao, Chair, Councilmembers, community members. I'm Gabe Johnson. I'm alone in my workspace on the island of Lanai and there are no testifiers at the district office. The birds are singing and it's a beautiful day outside and I'm ready for a great meeting. Mahalo Chair.

CHAIR LEE: Mahalo.

COUNTY CLERK: Councilmember Tamara Paltin.

COUNCILMEMBER PALTIN: Aloha kakahiaka and ni hao kakou. Broadcasting live and direct from the Council Chambers on the eighth floor and we have no testifiers at the Lahaina District Office. Thank you.

CHAIR LEE: Thank you.

COUNTY CLERK: Councilmember Yuki Lei Sugimura.

COUNCILMEMBER SUGIMURA: Ni hao, everybody. It's so wonderful to see everyone in the chambers this morning, so welcome. I look forward to a productive meeting and to honor Mana'o Radio, when we do our ceremonial resolution. So, thank you very much.

CHAIR LEE: Thank you.

COUNTY CLERK: Council Pro Temp Tasha Kama.

COUNCILMEMBER KAMA: Aloha kakahiaka, Chair. And ni hao to all of my fellow colleagues who are here in the Chambers and in Akaku land. It is really nice to see everyone. I'm so happy to see all of you. I love you guys so much you have no idea. But thank you, Chair, for, and I'm looking forward to a really great brief meeting today.

CHAIR LEE: Thank you.

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

VICE-CHAIR RAWLINS-FERNANDEZ: I knocked on wood for Pro Temp Kama. Aloha kakahiaka, Chair, my Maui nui a kama. I'm here at the Chambers with my fellow colleagues. Yeah, mahalo, Yuki for the lei and I, is it safe again? Okay. And I'm seeing in the chat that there are no testifiers at the Molokai District Office. And yeah, mahalo.

COUNTY CLERK: Council Chair Alice L. Lee.

CHAIR LEE: Okay, thank you, Vice-Chair. And I am Alice Lee. I'm here back in the Chambers for the very first time. Happy to be with all of you. There is one unhappy person today. My, my baby girl Koa is wondering where I am and so I'm going to have to call her later on. My little pocket pit bull.

Alright, Madam Clerk.

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

EXCUSED: NONE.

COUNTY CLERK: Chair, there are nine Members absent, no mem, nine Member present, no Members absent, and no Members excused. A quorum is present to conduct the business of the Council.

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

Joining the meeting from the Department of Corporation Counsel is Moana Lutey and First Deputy Corporation Counsel Richelle Thomson.

CHAIR LEE: Opening remarks will be provided by Council Vice-Chair Rawlins-Fernandez.

### OPENING REMARKS

The opening remarks were offered by Council Vice-Chair Rawlins-Fernandez.

CHAIR LEE: Thank you for those beautiful remarks.

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

### PLEDGE OF ALLEGIANCE

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

CHAIR LEE: Before we proceed with today's agenda, may I please request that everyone keep their microphones muted unless it is your turn to speak. Decorum shall be maintained at all times.

Madam Clerk.

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

CHAIR LEE: Members, if our, there are no objections to closing public testimony on ceremonial resolutions. Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: So, ordered.

Madam Clerk.

COUNTY CLERK: Chair, proceeding with ceremonial resolutions.

## CEREMONIAL RESOLUTIONS

RESOLUTION  
NO. 22-146

### CONGRATULATING MANA'O RADIO IN HONOR OF ITS 20<sup>TH</sup> ANNIVERSARY

CHAIR LEE: Councilmember King.

COUNCILMEMBER KING: Okay. Thank you, Chair.

I MOVE TO ADOPT RESOLUTION 22-146.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Moved by Member King, seconded by Member, Pro Temp Kama, to adopt Resolution 22-146.

Discussion? Member King.

COUNCILMEMBER KING: Thank you, Chair. May I please request to read the resolution myself in its entirety and ask Mr. Michael Elam to come to the podium while I read the resolution.

CHAIR LEE: Of course.

Madam Clerk.

COUNTY CLERK: I believe Councilmember King is going to read the resolution.

COUNCILMEMBER KING: I'll read the resolution. Thank you.

CHAIR LEE: Alright.

COUNCILMEMBER KING: Thank you, Chair and Members.

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

CHAIR LEE: Thank you. Members, any further discussion? Oh, any discussion?

Member King.

COUNCILMEMBER KING: Thank you, Chair. Back in 2002, Kathy Collins and Barry Shannon knew they were starting something special with Mana'o Radio. Twenty years later the community still looks to 91.7 FM for unique and inspiring playlists to uplift their day. Heralded by listener William Riley as innovative, refreshingly original, and creatively varietal, it's no surprise that Mana'o Radio was voted best radio station by MauiTime weekly radio readers. Their music reaches far beyond the shores of Maui, brightening the lives and celebrations of people around the world. Listening from Catania, Sicily, Larry Oberto wrote in thank you, to thank Mana'o Radio for helping him bring in the New Year right. As the world around us seems to only speed up with each passing day, it comes as a great luxury and comfort to know that you can still get in your car, crank that dial, and tune into music that makes you feel further away from worry and closer to shared community. I ask for the Members full support of this resolution.

CHAIR LEE: Any further discussion?

Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. I also want to thank Chair, sorry, Kelly King for bringing this resolution up. And I really have experienced the wonders of Mana'o Radio when I did Wailuku First Friday, and you would have a table out there and be part of the festivities, and for years, cause I did that for 10 years, so you were there. And I was there when Kathy kind of turned over the reins and gave her real trust to the other members that are part of your team. Because look at it, you're still going. I appreciate you so much. So, I, I fully support this, and congratulations. Thank you.

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

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

NOES: NONE.

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

Mr. Elam?

COUNCILMEMBER KING: Chair? Yeah, could we ask Mr. Elam if he would like to say a few words and then maybe take a few minutes to present the certificate?

CHAIR LEE: Of course. Mr. Elam.

MR. MICHAEL ELAM: Thank you. Thank you very much, Councilmembers. What an honor. Thank you very, very much for your support. We are 20 years old this year. And a little story, as you know, Kathy Collins and Barry Shannon were the original founders of Mana'o Radio. And back in 2001, the FCC licensed low power radio stations, issued a number of licenses to various people in the country, and Kathy and Barry were number 13 in their application, the 13th one in the country. There was hundreds of them. And they managed to find some money from friends. They managed to find some used equipment and had some friends help them install an antenna on the roof of their house. And they made their very first broadcast on March 11, 2002, at 6:00 a.m. in the morning from their teenaged son's bedroom in their house. And we have come a long, long way since then.

We are now up to about 80 volunteers, about 50 of which are DJ's. And as Councilmember King mentioned, each one of them is a passionate curator of whatever style of music they tend to, they play. One of them, for example, Geronimo Valdriz, who I'm sure many of know, is a retired judge here in Maui County, and also an acclaimed Hawaiian steel guitar player. He does a show every Tuesday evening from 5-8 called "Hawaiian Steel", where he plays some of his favorite music with, pertaining to Hawaiian steel guitar and Hawaiian slack key guitar. And we have many others, you know, in the similar vein, whether it'd be Blues, or Classical music, or Rock music, or Hip-Hop, or Reggae. You name it, we play it.

And we are very, very honored to serve our Maui community. We are honored to be here. I am honored to be here this morning. And I thank you very, very much, each and every one of you for your support. And thank each and every one of you for your service to our great County of Maui. Thank you.

CHAIR LEE: Thank you. And now, if we can present you with a few leis.

Brought back memories of the old radio days when Mr. Molina and I were on KMVI, close to you. Yes. Thank you, Mr. Elam.

MR. ELAM: Thank you.

CHAIR LEE: Madam Clerk.

### SET THE CONSENT CALENDAR

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

COUNCILMEMBER SUGIMURA: No.

CHAIR LEE: No?

COUNCILMEMBER SINENCI: No objections.

CHAIR LEE: Okay. Are there any objections to setting the Consent Calendar?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: So, ordered. Consent Calendar is set.

Madam Clerk, shall we begin our testimony?

COUNTY CLERK: Yes, Chair. Members of the public may testify in the Council Chambers, at courtesy testimony sites, or remotely through the information on the meeting.

Individuals in the Chamber may sign up to testify with the staff member located at the desk in the 8th floor lobby. Individuals at courtesy testimony sites may sign up with staff at the site. Individuals participating remotely may sign up in the meeting chat. If you are connected to the meeting by phone, you will automatically be added to the testifier list.

Individuals connected by phone are currently on mute and will be unmuted when it is their time to testify. Individuals connected by video conference should keep both their video and microphones off and should turn them on only when it is their time to testify.



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

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

Chair, at this time, we have nobody signed up for testimony.

CHAIR LEE: And we've checked with the district offices?

COUNTY CLERK: Yes, Chair.

CHAIR LEE: You have? Members, any objections to receiving written testimony into the record and to closing public testimony?

MEMBERS VOICED NO OBJECTION.

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

1. Lynn Britton;
2. Paul Gammie;
3. Lora Harbo and David Liebersbach;
4. Lyndon Ibele, Maalaea Village Association;
5. Joe Kent, Grassroot Institute of Hawaii;
6. La'akea Low; and
7. Pamela Tumpap, Maui Chamber of Commerce.

CHAIR LEE: So, ordered.

Madam Clerk.

COUNTY CLERK: Chair, proceeding with minutes.

## MINUTES

The minutes of the Council of the County of Maui's regular meeting of March 18, 2022, was presented at this time.

CHAIR LEE: Council Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO APPROVE THE MINUTES OF MARCH 18, 2022.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: Moved by Member, Vice-Chair Rawlins-Fernandez, seconded by Member Sugimura, to approve the minutes.

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

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

NOES: NONE.

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

Madam Clerk.

COUNTY CLERK: Chair, proceeding with the Consent Calendar.

ACTION ON THE CONSENT CALENDAR

COUNTY COMMUNICATIONS

NO. 22-130 - HELENE KAU, DIRECTOR OF WATER SUPPLY,  
(dated May 23, 2022)

Relating to the review of Chapter 14.06A, Maui County Code, relating to water conservation and control of water usage during a water shortage.

NO. 22-131 - SCOTT PARKER, CHAIR, SALARY COMMISSION,  
(dated May 20, 2022)

Relating to the salaries for the Director and Deputy Director of the Department of Agriculture.

NO. 22-132 - MICHAEL P. VICTORINO, MAYOR,  
(dated May 25, 2022)

Informing of a vacancy on the Molokai Planning Commission due to the passing of Colette Machado on May 23, 2022.

NO. 22-133 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,  
(dated May 31, 2022)

Informing of the acceptance of Sewerline Easement S-7, 412 Pualani Street, TMK: (2) 3-5-009:031 POR.

NO. 22-134 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,  
(dated May 31, 2022)

Informing of the acceptance of Sewerline Easement S-2, 754 Front Street, TMK: (2) 4-6-009:008 POR.

CHAIR LEE: Council Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO FILE ALL ITEMS ON THE CONSENT CALENDAR.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: Moved by Council Vice-Chair Rawlins-Fernandez, seconded by Member Sugimura to file all the items on the Consent Calendar. Any discussion?

Member Sugimura.

COUNCILMEMBER SUGIMURA: Yeah, thanks. I'm sure Keani Rawlins would like to also say something too. But I just wanted to give my condolence to Colette Machado, because when we file this, then she will become part of the history of what she's given to the State of Hawaii, and especially the County of Maui, as she retired out of OHA and was on our Molokai Planning Commission. And what a, what a fighter she was. And I just want to give her family my condolences, as we file away, and close, I guess, the work that she did with the Molokai Planning Commission through the passing of Colette Machado. Thank you for letting me say a few words.

CHAIR LEE: Vice-Chair, did you want to add anything?

VICE-CHAIR RAWLINS-FERNANDEZ: Sure. Mahalo, Chair. The Rules of our, the Rules of our Council say that we're not supposed to speak when we move to file the Consent Calendar. And don't worry, Member Sugimura, you'll have more time to extend your condolences. I'll be doing a resolution, and then we can all do that at that time. Mahalo, Chair.

CHAIR LEE: Alright. All those in favor of the motion, raise your hand, say "aye".

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

NOES: NONE.

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

Madam Clerk.

COUNTY CLERK: Chair, proceeding with county communications.

### COUNTY COMMUNICATIONS

NO. 22-135 - YUKI LEI K. SUGIMURA, COUNCILMEMBER,  
(dated June 1, 2022)

Transmitting a proposed amendment to Bill 69, CD1, FD1 (2022), entitled "A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET FOR THE COUNTY OF MAUI FOR THE FISCAL YEAR JULY 1, 2022 TO JUNE 30, 2023".

CHAIR LEE: Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you.

I MOVE TO FILE COUNTY COMMUNICATION 22-135.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Moved by Member Sugimura, seconded by mem, Pro Temp Kama, to file County Communication 22-135.

Discussion, Member Sugimura?

COUNCILMEMBER SUGIMURA: Yeah, thank you. Thank you, Chair. At the most recent Infrastructure, Transportation Committee meeting, we discussed the Hoku'ula housing development in Haliimaile, regarding the installation and underground, of undergrounding utilities, however, the item requires further discussion and review. So, I plan on scheduling the item again at my June 13 meeting, and I will not be proposing the amendment of the \$950,000 to the Affordable Housing Fund at today's meeting to be part of our Fiscal Year '23 Budget. And I will leave it to the Mayor, if we approve it, to then submit a budget amendment to add this into the new fiscal year budget. So, thank you.

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

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

NOES: NONE.

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

Madam Clerk.

NO. 22-136 - YUKI LEI K. SUGIMURA, COUNCILMEMBER,  
(dated June 1, 2022)

Transmitting a proposed amendment to Bill 71, CD1, FD1 (2022), entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE ISSUANCE OF ONE HUNDRED FORTY-EIGHT MILLION ONE HUNDRED EIGHTY-SIX THOUSAND SEVEN HUNDRED NINETY-THREE DOLLARS (\$148,186,793) AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI FOR THE PURPOSE OF PROVIDING FUNDS TO PAY ALL OR A PART OF THE COST OF APPROPRIATIONS FOR PUBLIC IMPROVEMENTS OF AND FOR THE COUNTY OF MAUI; FIXING THE FORM, DENOMINATIONS AND CERTAIN OTHER FEATURES OF SUCH BONDS AND PROVIDING FOR THEIR SALE; AUTHORIZING THE DIRECTOR OF FINANCE TO DETERMINE CERTAIN DETAILS OF THE BONDS; AUTHORIZING THE ISSUANCE AND SALE OF A LIKE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE AND SALE OF SUCH BONDS; AUTHORIZING THE ISSUANCE OF REFUNDING GENERAL OBLIGATION BONDS OF THE COUNTY; AND PROVIDING FOR OTHER ACTIONS RELATED TO THE ISSUANCE, SALE AND DELIVERY OF SAID BONDS".

CHAIR LEE: Councilmember Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. If there are no objections, I would like to ask the County Communication 22-136 be held until later in the calendar to be taken up with Bill 71, CD1, FD1 (2022). This is the Grit System for the Department of Environmental Management.

CHAIR LEE: Any objections, Members?

MEMBERS VOICED NO OBJECTION.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: So, ordered.

Madam Clerk.

NO. 22-137 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,  
(dated May 20, 2022)

Reporting on temporary transfers/loans from the General Fund and Department of Water Supply Revenue Fund to the General Obligation Bonds Series 2023 Fund as of April 30, 2022.

The recommended action is that County Communication No. 22-137 be referred to the Budget, Finance, and Economic Development Committee.

CHAIR LEE: Members, are there any objections to the referral?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: If not, so, ordered.

Madam Clerk.

COUNTY CLERK: Chair, proceeding with committee reports.

### COMMITTEE REPORTS

COMMITTEE REPORT  
NO. 22-43 - CLIMATE ACTION, RESILIENCE, AND ENVIRONMENT  
COMMITTEE:

Recommending the following:

1. That the Miscellaneous Communication relating to Amendment 2 to Contract C6706, between the County of Maui and Fukumoto Engineering, Inc., for Ohukai Road Sidewalk Improvements be FILED; and

2. That the Miscellaneous Communication relating to Contract C7456, between the County of Maui and Bowers + Kubota Consulting, Inc., relating to the South Kihei Road Pavement Rehabilitation be FILED.

CHAIR LEE: Member King.

COUNCILMEMBER KING: Chair, if it would make it go faster and no objections, could we also ask the Clerk to pull up 22-44?

CHAIR LEE: Any objections, Members?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: If not, Madam Clerk.

COMMITTEE REPORT

NO. 22-44 - CLIMATE ACTION, RESILIENCE, AND ENVIRONMENT COMMITTEE:

Recommending the following:

1. That the Miscellaneous Communication relating to Grant G5442, between the County of Maui and BioBamboo, Inc., dba Food Security, for the Maui Family Farmer Training Network for the Office of Economic Development, Ordinance 5217 (2022), be FILED;
2. That the Miscellaneous Communication relating to Grant G5551, between the County of Maui and Living Pono Project, for the Community Foods Project to Reduce Greenhouse Gas Emissions from Imported Food and Promote Food Resilience, Ordinance 5217 (2022), be FILED; and
3. That the Miscellaneous Communication relating to Grant G5556, between the County of Maui and The Permaculture Group, Inc., for the Increase Biochar Production to Regenerate Maui County's Soil, Ordinance 5217 (2022), be FILED.

CHAIR LEE: Member King.



COUNCILMEMBER KING: Thank you, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN  
COMMITTEE REPORTS 22-43 AND 22-44.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Moved by Member King, second by Pro Temp Kama, to approve the recommendations in Committee Reports 22-43 and 22-44.

Any discussion? Member King.

COUNCILMEMBER KING: Thank you, Chair. Your CARE Committee met on May 25, 2022, to discuss two contracts under the Department of Public Works. Department reported Contract C6706 is for design work that is effectively completed. Fukumoto Engineering, Inc. will remain on contract once the work has commenced and throughout the construction period to provide technical oversight. The project scope involves Ohukai Road, from South Kihei Road to Kaiola Place.

The Department reported that for Contract C7456, the work on the South Maui Road Pavement Rehabilitation is ongoing, but is anticipated to be completed in June 2023. However, two wastewater force main projects conflict with the projected roadwork, which could delay construction. The project scope involves Lipoa Street to Auhana Road, and Keonekai to Kilohana Drive.

Your Committee supported continued efforts of the County to improve roadway and pedestrian infrastructure in South Maui. And I will also add that in discussing the delayed sidewalk projects we found that Department of Public Works is waiting for an SMA permit from Department of Planning. And so, I have sent a letter on behalf of the Committee asking Planning for an explanation and why they could not exempt this project from the SMA permit, the process. Your Committee recommended filing these two miscellaneous communications by 6-0 vote. Committee Member Molina was excused.

And I'll go into the next committee report, Committee Report 22-44. Your CARE Committee met on the same day, May 25, 2022, to discuss three contracts under the Office of Economic Development. The Department reported the following: the goal of Grant G5442 is to help new farmers and ranchers navigate the process of farming

operations, and assist with resources and logistics. Of 40 farming operation startups identified, the project has been able to successfully, successfully network with 25.

Grant G5551 allows individuals to access various farm equipment to support local farming. Aquaponics are also being utilized for successful cultivation. On a weekly basis, at least 25 families are provided with about 100 eggs and 50 pounds of taro as a healthy, locally grown food source.

Grant G5556 is a partnership with Ukiu Farms, with the goal of increasing biochar production to regenerate Maui County's topsoil. The project produces 1,000 pounds of biochar per month, which is sold to local nurseries and garden shops. Local farmers are being taught how to use green waste from invasive species to support local fertilization methods instead of relying on imported solutions.

Your Committee supported the efforts of the County in promoting farming and working towards food security, and further supported the continued partnership with these organizations.

These, the, your Committee voted filing these miscellaneous communications by a 6-0 vote. Councilmember Molina was excused. I ask for the Members full support of your Committee's recommendations.

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

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

NOES: NONE.

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

COUNCILMEMBER KING: Thank you, Members.

CHAIR LEE: Thank you. I, Members, I just want to let you know the reason why there's a little pause after I ask for your vote is I'm just checking on the monitor for Member Sinenci and Member Johnson. Don't want to leave them out.

Madam Clerk.

COMMITTEE REPORT

NO. 22-45 - INFRASTRUCTURE AND TRANSPORTATION COMMITTEE:

Recommending that Bill 74, CD1 (2022), entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 10.48.040, MAUI COUNTY CODE, RELATING TO PARKING PROHIBITIONS ON UAKEA ROAD, HANA, MAUI, HAWAII," be PASSED ON FIRST READING and be ORDERED TO PRINT.

CHAIR LEE: Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you.

I MOVE TO ADOPT THE RECOMMENDATIONS IN  
COMMITTEE REPORT 22-45.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Moved by Member Sugimura, seconded by Pro Temp Kama, to pass the bill in Committee Report 22-45 on, on first reading.

Discussion, Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. Your Infrastructure and Transportation Committee met on May 23, 2022, to discuss Bill 74 (2022), which would amend Section 10.48.040, Maui County Code, to prohibit parking on both sides of Uakea Road, beginning at Hau'oli Road through the southern end of Uakea Road in Hana, Maui, Hawaii.

At this meeting, your Committee discussed ongoing safety and access concerns by the Hana community relating to parking challenges along Uakea Road.

Your Committee noted that the Department of Parks and Recreation, the Department of Public Works, Department of Fire and Public Safety, and the Department of Police all expressed full support of the bill.

Your Committee discussed additional parking options that would be made available for permitted activities, and noted that restricting parking on this area would provide wider road access for emergency vehicles.

The Department of Public Works explained that the Department would install no parking signs on the makai side of the, of Uakea Road, adding five, adding the five existing no parking signs already installed on the mauka side of the road.

Your Committee voted 6-0 to recommend passage of the Bill 74, CD1 (2022) on first reading. I respectfully ask for the Members support of my motion. And also want to mention that it was Shane Sinenci's request that this bill take action. Thank you very much, Members. I look for your support.

CHAIR LEE: Thank you. Any more discussion?

Member Sinenci.

COUNCILMEMBER SINENCI: Chair, I just wanted to share my gratitude, appreciation for Member Sugimura and the IT Committee for bringing this up. As you know, Members, this is a highly crowded area, congested area. It can get congested really quickly. And so, passing it prior to the upcoming summer visitor season will help our community mitigate traffic for emergency purposes in the areas. Mahalo again.

CHAIR LEE: Thank you, Mr. Sinenci.

Member Sugimura, you have more?

COUNCILMEMBER SUGIMURA: I just want to add one more thing. During Committee discussions, Department of Public Works Director Jordan Molina mentioned, I asked how long would it take to get signs up, the no parking signs on the other side of the street? And he said, you know, about a month. So, it'll be some time before the signs go up. But once this passes and the community is informed, then the signs will go up. So, thank you, Members, for the support.

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

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

NOES: NONE.

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

Madam Clerk.

COMMITTEE REPORT

NO. 22-46 - INFRASTRUCTURE AND TRANSPORTATION COMMITTEE:

Recommending the following:

1. That Bill 100 (2022), entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.98, MAUI COUNTY CODE, ALLOWING PARKS AND FACILITIES TO BE NAMED AFTER FAMILIES," be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 21-552, from Councilmember Yuki Lei K. Sugimura, be FILED.

CHAIR LEE: Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you.

I MOVE TO ADOPT THE RECOMMENDATIONS IN  
COMMITTEE REPORT 22-46.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Moved by Member Sugimura, seconded by Pro Temp Kama, to approve the recommendations in Committee Report 22-46.

Discussion?

COUNCILMEMBER SUGIMURA: Thank you, Chair. Your Infrastructure, Transportation Committee met on May 23, 2022, to discuss a proposed bill to amend Chapter 2.98, Maui County Code, to add a definition for "family"; amend the definition for "organization" to include a reference to a family; and list the information required to name the County park or facility after a family.

At this meeting, your Committee noted Section 2.98.040(C), Maui County Code, provides criteria for County parks and facilities to be named after an individual who has significant association with the park or facility, and has contributed significantly to programs in the region where the County park or facility is located, or has achieved

significant recognition on the County, State, national, or international level for contributions to the region or to the park or facility.

Your Committee also noted separate criteria are identified for the naming of streets under 2.98.040(A) and (B), and Section 2.98.040 does not currently provide for parks facilities or streets to be named after families.

Finally, your Committee also noted that the Department of Parks and Recreation expressed full support of the proposed bill. And your Committee voted 6-0 to recommend passage of the revised proposed bill on first reading and filing of the communication.

I'd like to also thank the Department of Public Works for their work with the department's commission on this. And I look forward to one day hearing the von Tempsky Family to be named after the Kula Community Center once this is passed and goes through its process. Thank you, Members. I respectfully ask for your support.

CHAIR LEE: Any more discussion? If not, all those in favor of the motion, please, yes?

Oh, I'm sorry. I didn't see you. Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. I, I rise in full support of this first reading. I just want to recognize, and we all are aware of it, that a lot of the parks we named, are named after males and it'd be really important to name them after some prominent females that we have in our community, and there's a long list of them. So, just wanted to add that to the discussion. Mahalo Chair.

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

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

NOES: NONE.

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

Madam Clerk.

COUNTY CLERK: Chair, proceeding with resolutions for referral. These resolutions are recommended for referral to the following Committees as noted.

## RESOLUTIONS

RESOLUTION  
NO. 22-147

RELATING TO THE APPOINTMENT OF PATRICIA-HELEN  
KAHULUMEALANI LINDSEY MALUO-PEARSON TO THE  
MAUI COUNTY CULTURAL RESOURCES COMMISSION

The recommended action is that Resolution No. 22-147 be referred to the Government Relations, Ethics, and Transparency Committee.

RESOLUTION  
NO. 22-148

RELATING TO THE APPOINTMENT OF EDWARD JAMES RICKORD  
TO THE BOARD OF VARIANCES AND APPEALS FOR THE COUNTY OF MAUI

The recommended action is that Resolution No. 22-148 be referred to the Government Relations, Ethics, and Transparency Committee.

RESOLUTION  
NO. 22-149

REFERRING TO THE MAUI PLANNING  
COMMISSION PROPOSED BILLS TO AMEND  
THE KIHEI-MAKENA COMMUNITY PLAN LAND  
USE DESIGNATION TO MF MULTI-FAMILY AND  
OPEN SPACE AND CHANGE THE ZONING TO  
A-1 APARTMENT DISTRICT FOR REAL  
PROPERTY SITUATED AT KIHEI, MAUI, HAWAII,  
TAX MAP KEYS (2) 2-1-023:004,  
(2) 2-1-023:005, AND (2) 2-1-023:006  
(WAILEA POINT VILLAGE)

The recommended action is that Resolution No. 22-149 be referred to the Planning and Sustainable Land Use Committee.

(Councilmember Kama was excused from the meeting at 9:49 a.m.)

CHAIR LEE: Any objections to these referrals, Members?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: Okay. Let the record show there are eight no objections. Thank you. Member, Pro Temp Kama is excused.

COUNTY CLERK: Chair, proceeding with bills for referral. These bills are recommended for referral to the following Committees as noted.

### BILLS

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 97 (2022)

#### A BILL FOR AN ORDINANCE AMENDING CHAPTERS 19.04 AND 19.08, MAUI COUNTY CODE, RELATING TO RESIDENTIAL DISTRICTS

The recommended action is that Bill No. 97 (2022) be referred to the Planning and Sustainable Land Use Committee.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 106 (2022)

#### A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.36B, MAUI COUNTY CODE, RELATING TO OFF-STREET PARKING AND LOADING

The recommended action is that Bill No. 106 (2022) be referred to the Planning and Sustainable Land Use Committee.

(BILL NO. 106 (2022) WAS FILED LATER IN THE MEETING.  
See page 31 for discussion and action.)



ORDINANCE NO. \_\_\_\_\_  
BILL NO. 98 (2022)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE OFFICE OF THE AUDITOR, STATE OF HAWAII, TO AUDIT THE SCHEDULE OF ALLOCATIONS OF THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII TO MEET THE REPORTING REQUIREMENTS UNDER GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENT NUMBER 68

The recommended action is that Bill No. 98 (2022) be referred to the Budget, Finance, and Economic Development Committee.

(BILL NO. 98 (2022) WAS PASSED ON FIRST READING LATER IN THE MEETING. See pages 27 through 29 for discussion and action.)

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 99 (2022)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.48, MAUI COUNTY CODE, RELATING TO REAL PROPERTY TAX EXEMPTION CLAIMS FOR COUNTY RESIDENTS

The recommended action is that Bill No. 99 (2022) be referred to the Budget, Finance, and Economic Development Committee.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 102 (2022)

A BILL FOR AN ORDINANCE AMENDING SECTION 3.48.305(B), MAUI COUNTY CODE, PROHIBITING PROPERTIES WITH TRANSIENT VACATION RENTALS FROM RECEIVING THE HOME EXEMPTION

The recommended action is that Bill No. 102 (2022) be referred to the Budget, Finance, and Economic Development Committee.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 101 (2022)

A BILL FOR AN ORDINANCE AMENDING SECTION 16.26B.105, MAUI  
COUNTY CODE, RELATING TO FENCE HEIGHTS FOR AXIS DEER CONTROL

The recommended action is that Bill No. 101 (2022) be referred to the Infrastructure and Transportation Committee.

(BILL NO. 101 (2022) WAS REFERRED TO THE  
AGRICULTURE AND PUBLIC TRUST COMMITTEE LATER IN  
THE MEETING. See pages 58 and 59 for discussion and action.)

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 103 (2022)

A BILL FOR AN ORDINANCE AMENDING SECTION 2.96.060, MAUI COUNTY  
CODE, RELATING TO RESIDENTIAL WORKFORCE HOUSING DEED  
RESTRICTIONS AND RESALE

The recommended action is that Bill No. 103 (2022) be referred to the Affordable Housing Committee.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 104 (2022)

A BILL FOR AN ORDINANCE AMENDING SECTION 14.04.060, MAUI  
COUNTY CODE, RELATING TO NOTICE TO PROPERTY OWNERS AND  
LESSEES WHEN AN ACCOUNT IS IN ARREARS

The recommended action is that Bill No. 104 (2022) be referred to the Agriculture and Public Trust Committee.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 105 (2022)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.12 AND TITLE 22, MAUI  
COUNTY CODE, TO ESTABLISH POLICIES RELATED TO THE DEPARTMENT  
OF AGRICULTURE

The recommended action is that Bill No. 105 (2022) be referred to the Agriculture and Public Trust Committee.

CHAIR LEE: Any objections to these referrals? Vice-Chair, are you going to take up Bill 98?

COUNCILMEMBER SUGIMURA: No objections.

VICE-CHAIR RAWLINS-FERNANDEZ: Yes, Chair.

CHAIR LEE: Okay. I'll just call on you.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE  
REFERRAL AND REPORT FOR BILL 98, IN ACCORDANCE  
WITH RULE 7.G. OF THE RULES OF THE COUNCIL.

COUNCILMEMBER SUGIMURA:

SECOND.

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

Any discussion on this? If, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. This intergovernmental agreement would authorize funding for the Employees' Retirement System audits for Fiscal Years 2022, 2023, 2024, and 2025.

The Department of Finance has asked us to consider Bill 98 (2022) as soon as possible so that the agreement can be finalized. And we did take this up in Committee. This is the bill that I referred to in the last BFED Committee meeting. Mahalo Chair.

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

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

CHAIR LEE: Eight "ayes", zero "noes", one "excused"; vice, Pro Temp Kama.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO PASS BILL 98 (2022) ON FIRST READING.

COUNCILMEMBER SUGIMURA:

SECOND.

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

Discussion, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Members, at the June 1, 2022, Budget, Finance, and Economic Development Committee meeting, we were joined by the Deputy Director of Finance and the County Auditor to conduct a Rule 7.B. discussion on a proposed bill authorizing the Mayor to enter into an intergovernmental agreement with the Office of the Auditor, State of Hawaii, to audit the schedule of allocations of the Employees' Retirement System of the State of Hawaii to meet the reporting requirements under Governmental Accounting Board Statement 68.

The County Auditor informed your Committee that this audit was necessary in order to complete the annual financial statements, as it is required, it is a required disclosure.

He also explained going through the State Auditor was the most efficient and cost-effective way to conduct this audit.

Your Committee confirmed that this routine audit will be conducted by all the counties. And the audit is not conducted, and if the audit is not conducted, our Auditor would issue a qualified opinion because they are not able to check the ERS data.

Representatives from the Administration are available to answer any additional questions the Members may have today. I respectfully ask for the Members support of this motion. Mahalo Chair.

CHAIR LEE: Any more discussion? If not, all those in favor of the motion to pass Bill 98 on first reading, please raise your hand and say "aye".

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

CHAIR LEE: Eight "ayes", zero "noes", one "excused"; Pro Temp Kama.

Madam Clerk.

Members, are there any objections to the rest of the referrals?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: So, ordered.

## ORDINANCES

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 69, CD1, FD1 (2022)

A BILL FOR AN ORDINANCE RELATING TO THE  
OPERATING BUDGET FOR THE COUNTY OF MAUI  
FOR THE FISCAL YEAR JULY 1, 2022 TO JUNE 30, 2023

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 70, CD1, FD1 (2022)

A BILL FOR AN ORDINANCE RELATING TO THE  
CAPITAL PROGRAM FOR THE FISCAL YEAR ENDING JUNE 30, 2023

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 71, CD1, FD1 (2022)

A BILL FOR AN ORDINANCE AUTHORIZING THE  
ISSUANCE OF ONE HUNDRED FORTY-EIGHT MILLION ONE HUNDRED  
EIGHTY-SIX THOUSAND SEVEN HUNDRED NINETY-THREE DOLLARS  
(\$148,186,793) AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION  
BONDS OF THE COUNTY OF MAUI FOR THE PURPOSE OF PROVIDING  
FUNDS TO PAY ALL OR A PART OF THE COST OF APPROPRIATIONS FOR  
PUBLIC IMPROVEMENTS OF AND FOR THE COUNTY OF MAUI; FIXING THE  
FORM, DENOMINATIONS AND CERTAIN OTHER FEATURES OF SUCH BONDS  
AND PROVIDING FOR THEIR SALE; AUTHORIZING THE DIRECTOR OF  
FINANCE TO DETERMINE CERTAIN DETAILS OF THE BONDS; AUTHORIZING  
THE ISSUANCE AND SALE OF A LIKE PRINCIPAL AMOUNT OF GENERAL  
OBLIGATION BOND ANTICIPATION NOTES IN ANTICIPATION OF THE  
ISSUANCE AND SALE OF SUCH BONDS;--

CHAIR LEE: Okay, Madam Clerk, we have a hand up.

Member Paltin.

COUNCILMEMBER PALTIN: Sorry, Chair, I just was asking about Bill 106. I thought we were going to file that.

CHAIR LEE: Okay, let's see.

Okay, Madam Clerk, did we miss that? Bill 106.

COUNCILMEMBER PALTIN: PSLU No. 106 (2022). And then, come back with it in the form of a reso.

CHAIR LEE: I'd like to call on David Raatz.

DEPUTY DIRECTOR OF COUNCIL SERVICES DAVID RAATZ: Thank you, Chair. Office of Council Services staff would recommend that Bill 106 be filed. It's a proposed land use ordinance, and as Councilmember Paltin was referencing, we would actually need a resolution to be adopted to formally refer the bill to the Planning Commissions before the Council could consider passing it. So, we apologize for that technical error, and we'll have the resolution ready to, attach an identical bill in substance at an upcoming Council meeting. Thank you, Chair.

DISCUSSION AND ACTION RELATING TO  
BILL NO. 106 (2022)

COUNCILMEMBER PALTIN: Alright. I missed the, the jump in.

MOVE TO FILE 106.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR LEE: Alright, any further discussion? It's been moved by Member Paltin, seconded by Member Sugimura *[sic]*, to file Bill 106.

COUNCILMEMBER PALTIN: And my discussion would be just what Mr. Raatz said. We'll bring it back as a reso, and then hear it in Committee, and then transfer it to the Planning Commission.

(Councilmember Kama returned to the meeting at 9:58 a.m.)

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

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

NOES: NONE.

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

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

COUNTY CLERK: Language for Bill 71, CD1, FD1 (2022).

CHAIR LEE: Can you speak a little louder?

COUNTY CLERK: Completing the language in Bill 71, CD1, FD1 (2022).

--AUTHORIZING THE ISSUANCE OF  
REFUNDING GENERAL OBLIGATION BONDS OF THE COUNTY; AND  
PROVIDING FOR OTHER ACTIONS RELATED TO THE ISSUANCE, SALE AND  
DELIVERY OF SAID BONDS

CHAIR LEE: Okay. Next.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 72 (2022)

A BILL FOR AN ORDINANCE DETERMINING THAT PART OF  
THE PROCEEDS OF GENERAL OBLIGATION BONDS OF THE  
COUNTY OF MAUI HERETOFORE ISSUED IS IN EXCESS  
OF THE AMOUNTS REQUIRED FOR THE PURPOSES FOR WHICH  
SUCH BONDS WERE INITIALLY ISSUED, OR MAY OR SHOULD  
NOT BE APPLIED TO THOSE PURPOSES, AND DIRECTING  
SUCH PROCEEDS TO OTHER PUBLIC IMPROVEMENTS  
OR AUTHORIZED PURPOSES OF THE COUNTY OF MAUI

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 73, CD1 (2022)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR  
OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL  
AGREEMENT FOR A LOAN FROM THE STATE OF HAWAII'S WATER  
POLLUTION CONTROL REVOLVING FUND FOR VARIOUS WASTEWATER  
PROJECTS, FISCAL YEAR 2023 BUDGET ORDINANCE

COUNTY CLERK: Bill 89--

CHAIR LEE: One moment. One second. We have a hand up.

Vice-Chair Rawlins-Fernandez.



VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. We can take up those bills first and then the second batch after, if that'll be okay?

CHAIR LEE: Okay.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo Chair.

I MOVE TO PASS BILL 69, CD1, FD1 (2022); BILL 70, CD1, FD1 (2022); BILL 71, CD1, FD1 (2022); BILL 72 (2022); AND BILL 73, CD1 (2022) ON SECOND AND FINAL READING.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, second by Pro Temp Kama, to pass the following bills on second and following reading: 69, 70, 71, 72, and 73.

Discussion, Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I will make additional remarks once we've concluded with our amendments. So, if there are no objections, I'd like to yield to Member Sugimura, who had her ASF agendized for her amendment.

CHAIR LEE: Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. Thank you, Keani. I appreciate that.

So, Members, do they all have my amendments. Has it been passed out? Okay. Well, it was agendized.

SO, AT THIS TIME, I'D LIKE TO MOVE TO AMEND BILL 71, CD1, FD1 (2022), AS FOLLOWS:

ON PAGE 1, AMEND THE BILL TITLE AND SECTION 1 TO INCREASE THE AMOUNT TO \$152,186,793.

AND ON PAGE 2, SECTION 2.A.1.A, ADD A NEW PROJECT TO READ "(2) KIHAI WASTEWATER RECLAMATION FACILITY

GRIT SYSTEM REPLACEMENT" WITH AN APPROPRIATION  
OF \$4,000,000".

3) ON PAGE 4, AMEND TOTAL TO INCREASE THE AMOUNT  
TO \$152,186,793.

And we have attached marked-up copies for the Members and the public to see how this will impact the budget and where, and the, according to the pages that I just read. Thank you very much.

COUNCILMEMBER KAMA:

SECOND.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: Been moved by Member Sugimura, seconded by Pro Temp Kama on that amendment.

And now, we have any further discussion? Discussion?

COUNCILMEMBER SUGIMURA: Yeah.

CHAIR LEE: You want to speak to it again?

COUNCILMEMBER SUGIMURA: Yeah. So--

CHAIR LEE: Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. So, this, this was discussed thoroughly by the Department. I want to thank Eric Nakagawa and Scott Rollins, who appeared before my Infrastructure Committee on, Infrastructure, Transportation Committee, on June the 6th, and answered many of the questions that had come up during public testimony, as well as to explain the evolution of this grit system and the purpose.

So, I, the purpose of it being in today's budget is to get it bonded because the Department is ready to put it out to bid, so that this, the grit system can be implemented and used at our Kihei Wastewater Treatment Plant. And I think that the Members heard the reasons. And Scott Rollins did a really good job, as he always does, explaining this. So, I look forward to having your support, Members, to approve this \$4 million bond appropriation to be included in Fiscal Year '23 Budget. Thank you.

CHAIR LEE: Member King.

COUNCILMEMBER KING: Thank you, Chair. I speak against the motion. And I know the original reason why this came up was because the Kihei Wastewater Reclamation Facility Study performed by Brown and Caldwell in 2018 recommended that the County continue to employ status quo operations for grit removal, as this option offered the greatest benefits in capital and lifecycle costs.

And we did have a discussion in the IT Committee about this. The project seems to have changed a bit and come down in price. The thing that wasn't addressed was that, as indicated by the Department of Environmental Management in their response letter to the Budget, Finance, and Economic Development Committee, dated April 12, 2022, the SRF fund originally proposed for this project was disapproved due to a failure to comply with Section 106, Historic Preservation; in Section 7, Wildlife, prior to breaking ground for construction. So, I don't recall we addressed that and what, what was done to, because it's changed now to from an SRF to Bond funding. So, apparently it doesn't have to comply. But I think those are still concerns about this project. So, I would prefer to have this, have a little bit of a deeper dive in Committee before we authorize the Bond. Thank you, Chair.

CHAIR LEE: Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you very much. So, in the, thank you to the Budget Committee. When this was brought up, one of the questions that came out, whose question was it? I'm looking at page number 4 of 18, Keani Rawlins-Fernandez, and it did ask about the SRF Loan Fund and that it did not get authorized. And that's because, I think it was for, this is equipment, so we're not going to be digging anything. We're not going to be disturbing the soil. And so, therefore, it changed from this, this loan fund, the State Revolving Loan Fund, and is now being bonded. So, for myself, I thought that the explanation from the Department, which came through the Budget Committee questions during budget deliberations in Committee, I think it answered that. And that I do really would like to request that the Members approve this Bond, and so that the Department can proceed with implementing and going through the RFP process. So, thank you, Chair.

CHAIR LEE: More discussion?

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I will be voting in support of the motion. I watched the meeting, after the meeting was completed. I wasn't there for the meeting at the time that it was happening, but I thought that the explanation of how

the project evolved from what it was before Mr. Rollins was there and what it is now makes sense. I, not only does it have the potential to impact and improved, improve morale for the manual labor, instead of doing manual labor to have a system that makes it easier, and faster, but having it done faster and quicker and cleaner also has the potential to save the County money. And, and that's something that I think we can all be supportive of.

I understand Member King's comments. And I think we could have this in Committee again to further discuss those questions, and have a better understanding for ourselves, and for the public the concerns that were raised to ensure that, you know, because 106 didn't happen, if, you know, that no longer is applicable because of what Member Sugimura said. Just for everyone's comfort-level. But I'll be supporting the motion to include the funding in the Bond bill, and look forward to having the discussion in IT Committee again. Mahalo, Member Sugimura, for expediting the scheduling of this, and the other items in your Committee on Monday, so that we are informed enough to make decisions today at Council meeting. Mahalo Chair.

CHAIR LEE: Members, I too, any more discussion? I, too, will be supporting the motion. Although I acknowledge that Member King has legitimate concerns, and I would ask that in the future, if this passes, that the Department report back to us on this, because it's very important.

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

VICE-CHAIR RAWLINS-FERNANDEZ: Oh, roll call.

CHAIR LEE: Roll call. I'm sorry. That's right, we, at least one "no".

Madam Clerk, may we have roll call please?

COUNTY CLERK: Yes, Chair.

CHAIR LEE: Madam Clerk? You want me to--

COUNTY CLERK: Just a quick moment.

CHAIR LEE: I have it. I have it.

Member Sinenci.

COUNCILMEMBER SINENCI:

AYE, WITH RESERVATIONS.

CHAIR LEE: Member Molina.  
COUNCILMEMBER MOLINA: AYE.  
CHAIR LEE: Member King.  
COUNCILMEMBER KING: NO.  
CHAIR LEE: Member Johnson.  
COUNCILMEMBER JOHNSON: NO.  
CHAIR LEE: Member Paltin.  
COUNCILMEMBER PALTIN: AYE.  
CHAIR LEE: Member Sugimura.  
COUNCILMEMBER SUGIMURA: AYE.  
CHAIR LEE: Pro Temp Kama.  
COUNCILMEMBER KAMA: YES.  
CHAIR LEE: Vice-Chair Rawlins-Fernandez.  
VICE-CHAIR RAWLINS-FERNANDEZ: AYE.  
CHAIR LEE: And myself, Alice Lee.  
AYE.

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

NOES: COUNCILMEMBERS JOHNSON AND KING.

CHAIR LEE: So, I believe that's seven "ayes" and two "noes". Alright, motion carries.

COUNCILMEMBER SUGIMURA: Thank you, Members.

COUNTY CLERK: Chair, for the record, that was County Communication No. 22-136.

CHAIR LEE: Thank you very much.

Next.

COUNTY CLERK: Chair, is there going to be a disposition for filing, or for the county communication?

CHAIR LEE: Okay, was that part of the motion, or should we take another motion?

VICE-CHAIR RAWLINS-FERNANDEZ:

I MOVE TO FILE COUNTY COMMUNICATION 22-136.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Okay, any discussion on the motion to file the county communication? No discussion? All those in favor of the motion for filing, raise your hand and say "aye".

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

NOES: NONE.

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

Madam Clerk.

COUNTY CLERK: Chair, continuing bills for second and final reading.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair?

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo Chair. I have one more motion to amend, and then we will need to take the vote on the main motion as amended.

CHAIR LEE: Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay.

I MOVE TO AMEND PAGES 21 THROUGH 23 OF BILL 69, CD1, FD1 (2022), SECTION 3.B.10.C.(6)(IX), MAUI ECONOMIC OPPORTUNITY AGRICULTURAL MICRO GRANT PROGRAM BY DELETING "WITHOUT LIMITING THE NUMBER OF GRANTEE VENDORS" FROM THE FIRST PARAGRAPH AND DELETING "AND WILL BE DISTRIBUTED ON A SLIDING SCALE WITH CONSIDERATIONS MADE TO THE FARM'S DISTRIBUTION OUTPUT TO THE COMMUNITY AND SCALE OF OPERATIONS" FROM THE FINAL SENTENCE.

And Members will have received this ASF at 10:12 from the County Clerk. That's my motion, Chair.

CHAIR LEE: We will receive the ASF at 10:12, did you say?

VICE-CHAIR RAWLINS-FERNANDEZ: You have received it.

CHAIR LEE: Oh, I have received, oh. I guess the clock is wrong. Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: I brought my crystal ball with me today.

CHAIR LEE: Mem, Members, any questions? Everybody's looking for the ASF? Would you like a five-minute break?

COUNCILMEMBER KING: Please.

CHAIR LEE: Alright, five-minute recess. Clock is wrong, so minus two is ten. At 10:15, let's make it 10:15.

COUNCILMEMBER KING: Chair, it's 10:13 right now.

CHAIR LEE: Oh, 13?

COUNCILMEMBER KING: Yeah, it's actually faster than that clock.

CHAIR LEE: It's, it's faster? Okay, let's make it 10:20, that's good. 10:20. Meeting in recess until 10:20.

COUNCILMEMBER KING: Thank you, Chair.

(THE MEETING WAS RECESSED BY THE CHAIR AT 10:13 A.M., AND WAS RECONVENED AT 10:25 A.M., WITH ALL MEMBERS PRESENT.)

CHAIR LEE: Will the Maui County Council meeting of June 8, 2022, please reconvene.

Madam Clerk, can we resume where we were?

COUNTY CLERK: The, the floor is with Council Vice-Chair Keani Rawlins-Fernandez.

CHAIR LEE: Council Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo Chair. Now that everyone has received the ASF, I'll repeat my motion and hope for a second.

I MOVE TO AMEND PAGES 21 THROUGH 23 OF BILL 69, CD1, FD1 (2022), SECTION 3.B.10.C.(6)(IX), MAUI ECONOMIC OPPORTUNITY AGRICULTURAL MICRO GRANT PROGRAM BY DELETING "WITHOUT LIMITING THE NUMBER OF GRANTEE VENDORS" FROM THE FIRST PARAGRAPH AND DELETING "AND WILL BE DISTRIBUTED ON A SLIDING SCALE WITH CONSIDERATIONS MADE TO THE FARM'S DISTRIBUTION OUTPUT TO THE COMMUNITY AND SCALE OF OPERATIONS" FROM THE FINAL SENTENCE.

COUNCILMEMBER KING:

SECOND.

COUNCILMEMBER PALTIN: Second.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member King, to make those changes.

Any discussion on this matter? Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo Chair. After our, at first reading, I received an email from Ms. Cabebe at MEO asking, requesting some amendments to clarify the charge that we're asking them. Oh.

CHAIR LEE: Please proceed.



COUNCILMEMBER KING: It landed face up.

VICE-CHAIR RAWLINS-FERNANDEZ: The challenges and the fun of being in the Chambers together. So, Ms. Cabebe heard our discussions and requested some clarification, and this amendment seeks to make those clarifications. And she reiterated her commitment to working with the Department of Ag once that gets online to executing the Micro Grant Program. I hope for the Members support of this motion. Mahalo Chair.

CHAIR LEE: Any more discussion?

COUNCILMEMBER KING: Chair?

CHAIR LEE: Member Sugimura.

COUNCILMEMBER SUGIMURA: Oh, did Kelly King want to, as the second?

CHAIR LEE: Well, you both, your hands went up together.

COUNCILMEMBER SUGIMURA: Oh okay. Thank you.

CHAIR LEE: You can speak at the same time. Do you want to do a duet? Let's do a duet, okay.

COUNCILMEMBER KING: I was going to speak as a--

COUNCILMEMBER SUGIMURA: Oh, that would be kind of fun. We never did that either. So, I just wanted to express my support of, during the recess, I did call Debbie Cabebe from MEO just to verify, because I think this is a very important program. And she said she actually worked with Keani on this amendment, as Keani just said. So, I'm glad that, you know, we can again help the farmers and ranchers who may need this kind of support.

And that first one, I was kind of curious about, it means that they can pay vendors. You know, I thought, does this mean that you only can have, as a grant, you only can have one grant? Or was that, it was, it was about paying vendors, which would kind of clarify or open up their ability to pay those people that are being mentioned in the grant to receive payment. And she said even during the first round, they didn't really have that many requests for that. So, it's efficient. Thank you.

CHAIR LEE: Member King.

COUNCILMEMBER KING: Thank you, Chair. As the seconder of the motion, yeah, the, we did discuss not needing a limit on the number of grantee vendors because some of them, and it's not a whole lot, but some of them may have more than what they . . . to. When I first read this, I thought it was adding that last statement, "and will be distributed on a sliding scale". And I thought, oh that's really confusing, why is that in there? Then I realized that we're deleting it. So, you know, I think that we're deleting it because it's so confusing. So, I, I support the motion. And mahalo, Vice-Chair Rawlins-Fernandez.

CHAIR LEE: Did I see other hands up?

Member Molina.

COUNCILMEMBER MOLINA: Yeah, thank you, Madam Chair. I speak in full support of this, and thank Budget Chair Rawlins-Fernandez, cause you know, to me, anything we can do to cut the red tape, so to speak, yeah. So, and we've seen over the years with misunderstandings or, or things get tied up in terms of, you know, people getting reimbursed, or grants being doled out. So, I think this adds a lot more clarity. And mahalo also to MEO Director Cabebe as well for this. So, I stand in full support. Thank you.

CHAIR LEE: Thank you.

Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. I also rise in full support. I would like to thank Councilmember Keani Rawlins-Fernandez for making this amendment to clarify the language so that we can help our farmers. We, I say it all the time, we need, farmers need three things. They need land, water, and a little bit of capital. And these Micro Grants are a true success story to helping our farmers get into, dig into the, get into the earth as they say. And with the help of a little bit of financing, we can really bring that farm, farm-to-table model that we're all looking for. Mahalo, Chair.

CHAIR LEE: Thank you, Member Johnson.

Vice, the Pro Temp Kama. I always want to make you Vice-Chair.

COUNCILMEMBER KAMA: No, I'm comfortable . . . Thank you.

CHAIR LEE: Okay.

COUNCILMEMBER KAMA: Thank you, Chair. You know, I am very happy that, that some of our nonprofits that we're able to fund are an extension of the County. And it's a helping hand to us. And it's always warmed our heart when one of our grantees can actually call our Budget Chair and ask for some considerations or reconsiderations. And I'm just so happy that we can accommodate them. So, thank you, Chair. Thank you, Budget Chair, Vice-Chair. Thank you, Chair.

CHAIR LEE: Okay. A lot of furniture in this place. Okay, anybody else for discussion? If not, all those in favor of the motion, raise your hand and say "aye".

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

NOES: NONE.

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

Do you have more, Vice-Chair?

VICE-CHAIR RAWLINS-FERNANDEZ: That concludes my amendments. Do any of the Members have any amendments? If not, I'll do my final remarks, then we can get to the end.

CHAIR LEE: Alright, Vice-Chair.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. This budget process and the last several budget session years have, by design, and the culmination of careful consideration . . . While we bring to an end our fourth and second budget sessions together as a team, I would like to point out that this past term has been especially unprecedented for both the Council and the Administration.

When we began as colleagues as the Council united back in 2019, we had no idea the challenges we would face together in the coming years. At that time, I only knew I wanted to reform a long-standing budget process to ensure inclusivity and equity across the districts, and to lead by listening to the Committee Members and their, and all of our constituents to build a process that everyone felt they had equal weight, weighted hand in.

Little did we know that a virus would soon send our community reeling and each of us would be tasked to the nine district corners to complete our work with one another from

a safe distance. When I first took office, some of my top goals were to build capacity and transparency in government and to make civic engagement a main priority. If there are highlights to be had from the pandemic, the Maui County, for Maui County and for myself, those goals were achieved swiftly and without complication, at least when microphones were not accidentally muted or not muted, whichever the case may be. In either scenario, those moments kept us laughing.

Four short years later, we have successfully managed complete virtual participation, and now hybrid civic engagement with little to no extra expense to taxpayers. In fact, I think we would be remiss not to invest in a cost-savings analysis for our 2022 County expenditures, a proposed budget amendment that I'll make. Just kidding, just kidding.

We had a tough job in 2020 to make extreme cuts to CIPs, and to quickly and fluidly adjust to our ever changing community's needs. They say hindsight is 20-20, but we accomplished more with than the, more with the Administration during completely unprecedented times in 2020 and until now, than could ever be imagined, and I think we can all be proud of that fact.

Fast-forward to this session. While we continued our new normal path, we have been able to emerge stronger than ever and deferring important County infrastructure improvements the past two years, it was necessary to make significant long-term investments and programs, projects, and services to help our communities and businesses thrive. Our Budget Committee proposed adding \$7 million for workforce housing efforts, expanded food security by doubling our investment in farmers via Micro Grants for \$3 million, enhance County services, and added over \$3 million for traffic safety improvement.

The Council set property taxes to lessen the burden of long-term residents and moderately increased rates in classifications directly linked to tourism, an industry that was developed to make life better for our residents. This long projected, policy-driven tax scheme was set in motion in 2019, as intended to steer towards striking a balance between transient accommodations and quality of life for our residents.

The Hālau of 'Oiwi Arts project, a long overdue investment, that rightfully recognizes that cultural significance and contributions of Hawaii's indigenous people and the heart and soul of our home, remains in the Bond bill. Meaning it will not increase the FY 23 property taxes and will be strategically leveraged to secure an additional \$11 million in Federal funding. These projects are only the highlighted tip of the iceberg for the several amazing projects and services funded by the Council, or proposed by the Administration, supported by the Council. I think we can take a collective deep breath and pat on the back for making it through another budget session mostly unscathed.

At the very least, we can be grateful for less of the characteristically long budget session nights, that we were just talking about, and the fact that we remained civil and friendly throughout it all. Where we lacked in the dances and stretches to the music of DJ Pajimola, we gained in rejuvenating sleep, a fair trade-off, for sure.

I want to mahalo again the Mayor and his Administration for the countless hours in preparing the budget, the proposed budget. A special mahalo a nunui to Budget Director Michele Yoshimura for, again, being present for all our deliberations on first and second reading, answering all of our questions. Mahalo, also, to the members of the public that participated at every stage of the session. Your voices serve as a touchstone for our community feedback and helped to guide us through our decision-making process. And of course, Akaku for ensuring that participation is accessible and, and broad for our community to watch and participate.

A deep gratitude and mahalo to my solid budget team, OCS Support staff, and to all the Councilmembers' staff as well. There are no words sufficient enough to describe the volume of work and long hours each of you dedicated to making this budget possible. You know I am, and I'm sure my colleagues are too, extremely grateful for your service to our community. We're very proud to serve with you. Of course, mahalo to all of my Council colleagues for making it through this process, and congratulations. Mahalo, Chair.

CHAIR LEE: Thank you.

Others? Shane. Member Shane Sinenci.

COUNCILMEMBER SINENCI: Chair, and I, too, wanted to mahalo Council Vice-Chair Rawlins-Fernandez for her leadership this Budget Committee process. And of course, to her amazing staff Ms. Pajimola, Ms. Milner, and the rest of staff. Mahalo to Budget Director Yoshimura for her kokua to this process, as well as the different departments. I'm very proud of the Fiscal Year 22-23 Operating and CIP Budget, and how it has represented this body's focus on community, sustainable development, and fiscal responsibility.

For me, as Chair of the Agriculture and Public Trust Committee, and in holding the residency seat for East Maui, I'd like to take a moment to share a few highlights for the community. We're especially proud of promoting agriculture for more security on the island, including \$4 million in more agriculture programs, and equipment, promotion, and education, apprenticeship, additional \$3 million for invasive species and watershed management protections. For East Maui, we are grateful for the help, for our East Maui community, including \$300,000 for community nonprofits and grants, \$3 million in CIP projects, as well as another \$3 million in continued efforts in

conservation. So, this budget plan, we continue working towards providing community-driven services and programs for our residents and we are well on our way to meeting the challenges the new fiscal year brings. Holomua kakou. Mahalo.

CHAIR LEE: Thank you, Mr. Sinenci. Anyone else? Members?

Oh, Member Molina.

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair. You know, a thank you to Committee Budget Chair, Vice-Chair Rawlins-Fernandez. And you know, this is my 14th budget session, as well as it is for you, Madam Chair, and we've seen a lot of things. And admittedly, this, this budget session was a little bit more bumpy than I've seen in the past. There was a lot to consider.

But you know, in the end, we all come together and move forward. And so that the public understands, well, first of all, I thought I'd never live to see the day we would have a one-billion-dollar budget, but it is what it is. Everything goes up in price. And the community members have a right to ask for certain considerations that they feel is needed for a better more quality County and better life for us here in Maui County. And this is, certainly, we live in a very beautiful and unique place.

And you know, the Mayor has his priorities. You know, he submits his proposal to us, then when it gets to us, Madam Chair, there's nine of us who have our own priorities because, you know, especially from our districts. So, when you factor that in, that's why sometimes the budget is higher, yeah. Cause now you got nine additional individuals, representatives of our community, and we see things differently in terms of priority. And the Mayor certainly has the option of, if say a constituent or organization sees the Mayor that hey, well we would like this. The Mayor can say, well, this is not really a priority of mine, but go see the Council. You know, we are the gatekeepers. So, that is why you may see a budget that's a little bit higher than the Mayor because we may feel that there are more important priorities or other priorities that are important for the well-being of our community. So, I just wanted to mention that for the record.

And you know, to the Mayor and his Administration, thank you for being patient with us. And as we have seen, we go through the late evening, and we're humans, and sometimes things get a little testy amongst us. But it's sort of like a hardworking family. There's going to be times when we're, you know, our patience is a little short. But in the end, we all come together, and this is the end product. So, I want to thank, you know, you my colleagues, and also the Administration, and the department heads and everyone else in the public who came out to give their mana'o as to what they feel is needed in our community. So, I just wanted to state that for the record, and let's move on. Mahalo.

CHAIR LEE: Thank you, Member Molina. Further discussion?

Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. Yeah, today is a very special day. It's not only are we all in person here, which is a, which is a special moment for me, as we are making our way through this pandemic. And I think a lot of the decisions that were made in the last budget were, were clouded by the effects of COVID-19 during the last two budgets. But this time, we are, look like we're getting better, and I think all of us in person here is a reflection of our community gradually coming out.

I also want to thank our Budget Chair for taking us through this budget cycle. And it's interesting, I have a comment about that also. And I do know that when I saw the one-billion-dollar budget, I was a little shocked. We did go through it in detail with my staff, who are pretty good at, with budget things, and trying to figure out how can we cut back, or how can we, you know, what can we do about this? But I think we're taking a step forward with the growth of our community, and the needs of our community, which were reflected in the budget.

For my Committee, which is Infrastructure, Transportation, I look forward using this budget document as a basis so that we can improve more and get the Infrastructure Investment Jobs Act funding to be matched, which is part of the goal of what's happening, or what is, or what is to come with my work with Senator Brian Schatz's office, as well as Maui MPO, which I'm the Chair and some of us are on the Committee, so we can bring more Federal dollars to match this funds that are in there, in that one-billion-dollar budget.

I do want to make a comment about the Hālau 'Oiwī Resource Center. And as you know, when we went through the budget process in Committee, it passed, right? But there was a bunch of us, which I will only speak for myself, which tried to break apart, or to separate the construction portion, which was \$42 million to be in the next fiscal year. So, that for me, it was extending the ability to build this \$54 million project and not putting this one lump-sum all in one fiscal year. But it is in the fiscal year.

I do want to make it clear, because I heard over the weekend from my good friend Alakai Paleka, who said, eh, I heard you voted against this project and you trying to kill it. So, I just want to make it clear to the community that I did not try to kill this project, and I do support it. I love Alakai and she did say, I heard it, I'm going to ask Yuki directly because I know her. And I appreciate her honestly. I also want to thank Pueo Pata, who gave us all leis today to celebrate, I think the reason is the celebration of the

Hālau 'Oiwī Resource Center as we will see it come to life in Wailuku Town and actual be there, you know, for the arts.

And I did bring Uluwehi Guerrero to the open house that was held by Pueo Pata and he was impressed with it. And he was glad to be included in the discussion. So, I wanted to make a special note about that and clear up some of the, I don't know what it was, but concerns about it. If anybody wants to call me about it, please do.

And thank you, Members, for allowing me to put in the budget a lot of my passion that I've been working on, which is axis deer, feral animal, and how this will also affect infrastructure, and also infrastructure. So, thank you very much for letting me make this long speech. But I wanted to clear up this Hālau 'Oiwī Resource Art Center vote. Thank you.

CHAIR LEE: Members, more discussion?

I see Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. Thank you for allowing me to speak to this budget. You know, I want to thank Councilmember Keani Rawlins-Fernandez and all of the staff that's been involved in this behind the scenes. Everyone did a great job. You know, when I look at the, at the budget, when I take a step back and look at the budget, I think of it as like bottom-up economics instead of typical top down. I mentioned it before that this budget is a moral document. We, we put our money where our mouth is, if we talk about issues that are concerning our community.

Some of the top priorities that we put into this budget are housing. The \$58 million, we, we, we brought the affordable housing up to \$58 million. The houselessness, all of the projects that we funded there, the, our kupuna, diversifying economy, the list can go on and on. All the priorities that all the Councilmembers put in are very reflective of what our thoughts were on helping our community, helping the people who need it the most, as I often say.

You know, I, I want to mention one thing that really, really speaks exactly to what I'm trying to say, is the, the funding of Summer PALS Program. The people who take care of our children, who are only getting paid 10 million, or \$10 an hour. So, when the Mayor said he, he would support and follow our lead and increase it for the whole Summer PALS Program, I really thought we were on the right track, that we're trying help folks that are in the trenches, that aren't just a . . . they're really have their life experience. How can you live off of \$10 an hour? So, when, when I, when, when that priority got pushed up and then the Mayor expanded it, I really think that shows that



we were doing the right thing. So, mahalo to everybody who worked hard on this. And mahalo to everybody who spoke up on these issues. So, thank you so much, Chair.

CHAIR LEE: Thank you, Member Johnson.

Now back to the Chamber, Member King.

COUNCILMEMBER KING: Thank you, Chair. Very, it's nice to hear all of the experiences with this budget. This is my 6th budget session. So, I'm not in that group of, that the Budget Chair is talking about that started in 2019. But I want to say that the thing that I appreciate about the last few budgets was the opportunity to have input, because we were not given that opportunity in my first two terms, in my first two years on the budget. We were just given a budget, a Council budget after the Mayor's budget, and then we had to, we were told anything we wanted to put in there, we had to find somewhere, something to take out.

So, the opportunity to actually get some of our priorities funded, and look at, you know, for me, I try to look at the big picture and fund projects that are going to affect us for a long time, environmental projects. I was very proud that we were all able to put the affordable housing monies in there, and actually address the plan that we had funded. We asked for a plan, and now we're marching ahead and we're actually funding that plan. So, you know, that makes me very happy.

I agree with my colleague, Councilmember Molina, it was a bit bumpy at times. I felt like we were told contradicting things by our advisors at points. For instance, we were told that we don't, we don't Bond Fund countywide projects. And then, there was a suggestion by the Administration to Bond Fund the countywide projects. So, some of it was kind of confusing and contradictory.

And we, I believe that, you know, I also had heartburn with the billion-dollar price tag when the budget first came out. And I believe that this year, I'm hoping that that's because of the fact that there's so much Federal money coming out of this, the Federal Administration. But I can't say that for sure, because we kept asking where was that money? Where, where did you put the infrastructure funds, and the ARPA funds, and the CARE funds? And we were not really given a clear idea of where that money went or how Councilmembers could actually appropriate that funding for some of our priorities? So, I, I think that's one area where we need to follow up with. And I'm hoping our Budget Chair can do that.

But along with everyone else, I want to acknowledge all the work. I also want to acknowledge that this is probably, although I think we put in the same hours, maybe most of it on our own, but this is the first budget I've been through where we had no

meetings that went to midnight. And we had only one meeting I think went to 10 p.m. And so, and I think we're, the Council is starting to get its footing on what we want, you know, how we want to approach the budget. So, I want to appreciate the Budget Chair, but also all my colleagues who helped create the budget, the budget rules when we started, you know, in setting parameters. And you know, we have to acknowledge the fact our Budget Chair let us do that, because we've never been able to do that before, is actually be involved in those budget rules and making changes to the parameters of how many projects we could propose and, you know, not having restrictions on what those projects are.

So, so, you know, I have mixed feelings about it, but I think in the end, we got our priorities in. My, probably my biggest disappointment was that we, many of us had meetings with the Mayor before he finalized his budget and didn't see any of our priorities in his budget. So, I'm not sure what, you know, it's disappointing to have to, to go through those meetings for the last few years and not actually seeing the, the Councilmembers priorities being addressed. So, I'm not sure what the meaning of those meetings are. But I hope in the future that there's more collaboration, because I think that will also help us cut down on hours. You know, we don't work, I, I didn't like the fact that we have to fight for priorities that we should all be working together on, if we have those conversations.

So, you know, just big mahalo to everybody who put in so many hours. I'm glad it's over. And it's an amazing thing to have a Council meeting for second reading that we're on the last page of already and it's not even noon. But I think we did all of our work in first reading, and with all of the amendments. So, to, to all my colleagues, and especially the ones who aren't here in Chambers, I wish you were, because it's always a very cathartic day to finalize the budget and then move forward. And I'm, I'm going to leave it there, and just thank everybody for all the organizational hard work they put into it. Thank the Budget Committee on our side, on the Council's side, and the work that the Administration put in, too. And just hoping that there's better communication in the future, so we can get through this quicker and be a little more aligned in our priorities. Thank you, Chair.

CHAIR LEE: Thank you.

Pro Temp Kama.

COUNCILMEMBER KAMA: Thank you, Chair. I'm going to make this real brief, brief because I'm going to be leaving in a minute. But I wanted to say that what I loved about, and I always love about the budget process when we go through it, is that in the end, we all come out saying yes. And we all come out saying it's always for our local people that

we are here to work for. And that's what makes me happy. So, thank you, Chair. And I need to leave. Thank you.

(Councilmember Kama left the meeting at 10:55 a.m.)

CHAIR LEE: Okay. Thank you.

Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. I wanted to echo all the thanks to our Budget Chair, my colleagues, our staff, my family for putting up with me, our community for participating in the process. And you know, I wanted to wait until second and final reading to comment on the testimony that we received throughout about, mainly from the visitor industry, talking about how our real property tax rates were not equitable, and not sustainable. And I think, I think that needs to be addressed, because, you know, for the 10-plus years before getting on the Council, that's how I saw the visitor industry, as not sustainable and not equitable. And I think now we're trying to make it more so, you know, through diversification, through focusing on growing our own food and, you know, managing tourism.

And so, you know, while we passed this billion-dollar-plus budget, we always need to look to the future and realize that the lion's share of our real property tax comes from our coastal properties which 28 years will see one foot of sea-level rise. In, by 2100 it'll be 3.2 is the prediction at this time. And so, you know, like our dwindling Highway Fund, as people wean themselves off gas, the same will be happening with our real property tax. And so, we have a short window of opportunity to address the problems that we see. And so, if it means a billion-dollar-plus budget, we need to get very serious in addressing the problems. Being able to move a road with less and less highway tax means we gotta depend on State and Federal dollars. You know, we gotta make decisions quickly and efficiently to get this done before all of our coastal properties' value drops to minus zero.

We need to have discussions on how we will spend the TAT in its entirety, instead of just adding it on to the General Fund. And we need to have discussions on how we'll sustain our Highway Fund, because we've been told that taking money from the property tax lowers our bond value. So, you know, while the work is done for this Fiscal Year 23 Budget, it really has only just begun. And, and I acknowledge that it's not sustainable and equitable. And I acknowledge it hasn't been sustainable and equitable for a long time. And, and we do have our work cut out for us, as the decision-makers going forward and, and as does the leader of our County.

You know, \$50 plus million in the Affordable Housing Fund. Now we need leadership to spend it wisely to create the projects. You know, there's only so much we can do from the Council end, but we need solid leadership to create the projects to spend the funds to get people in housing, our workforce, our kamaaina, our, just, you know, all the people here. Thank you.

CHAIR LEE: Anyone else? If not, I'll just say a few words myself. Yes, I'd like to congratulate the Budget Chair and the entire staff. And actually, all the staff, because everybody pitches in, all hands on deck, and I really appreciate the work that was done.

As far as in Committee, I believe that there were highlights and that there were low points. And I think we need to work on that in the future. It's important that Members prioritize, discipline ourselves. We ended up with a budget that's way too high. I think a good budget is a budget that is less symbolic and more realistic. And more realistic means a budget that can be implemented. So, if we end up with enormous carryover/savings, then that means we didn't get the job done. So, hopefully that doesn't happen. But I have a feeling that is going to happen.

But in the future, I think we need to narrow our scope, because we're going to have many more challenges in the future with rising interest rates, inflation, you know, serious personnel shortages, supply-chain issues. So, all of these challenges will force us, hopefully, to get together to be more organized and more focused in the future with regard to the budget.

In the meantime, you know, there are many, many good things in the budget, and many areas that will certainly benefit our community. And I look forward to those areas being addressed.

So, Members, at this time, Member Molina.

COUNCILMEMBER MOLINA: Yeah, thank you, Chair. This is very rare for me; I'm actually going to speak a second time on the motion. My colleagues who spoke before me sort of inspired me to say a few additional things. I want to give a real shout-out to Budget Director Yoshimura. I mean, she sat through this whole process with us day in and day out. And, you know, we made many requests of her to go check into this, check into that. It's not easy and, you know, we're not easy people to work with at times. Well, I'll just speak for myself.

But, you know, we, we, you know, when I look at this budget, it's a reflection of our community and their needs. And we've done some good things that, you know, for example, addresses the housing crisis, adding more money into that fund. And I want to thank my colleagues for supporting some of my initiatives, such as the pilot program

for the home restoration grant. You know, it just shows how all of us are thinking ahead. And yes, it may cost a little money, but we face challenges with the cost of supplies of goods and services because we're out here. So, it's all relative.

I, I recall back on my first term on the Council, back in 2001, and maybe a little after, I recall a veteran Councilmember telling, oh, my god, \$500 million budget, you know. That person told me the same thing that, you know, we're saying here today. So, it's just the, part of the process, things go up. And especially here in Hawaii, where we're so susceptible to higher costs. And if, you know, the public expects a level of service from our, all of our departments and us, so we have to do what we feel is best to address those needs. So, the cost of the labor, cost of supplies and materials, it all goes up. So, if we want to address the needs of our public, that's the thing we'll have to always take into consideration, it's going to cost more.

But sometimes if you invest now in something, instead of waiting, then it may end up being a little cheaper in the long run. So, just wanted to add that to the record. And thank you also for the, Members, for your support of the potential purchase of Baby Beach up there. A lot of folks are happy up there in the North Shore.

And so, this Council's thinking is very well-rounded and very sensitive to the needs of all of our districts, so you know, thank you. And thank you again to Vice-Chair Rawlins-Fernandez. Sometimes I know it can be like herding cats, you know, to all come together. But, you know, we do our best and we say what we have to say. But when we get to this point, it's all pau, we move forward and take on the next challenge. Thank you, Madam Chair.

CHAIR LEE: Thank you, Mr. Molina.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Oh, I'm so excited about passing budget on second and final reading. So, I was thinking perhaps I'd speak again on second and final time, so we can bring the mood back up again, because this is so exciting to pass our budget on second and final reading.

We did such amazing things. And you know, I, I just want to make sure that for those that are listening out there, I know one billion dollars sounds like a lot of money, and it is a lot of money. But I think it's important to understand where the money is coming from and what we are trying to communicate. What we were able to achieve, like everyone was saying, is that we were able to provide a lot of services to our residents. And not just that, to provide tax relief. It's important that people understand where the

money is coming from, so that they don't look at the one billion dollars and think that it's coming from them only.

That we worked hard to create a tax, tiered tax scheme so that we're able to provide tax relief to our residents and those who really need it. And that, as Member Paltin pointed out, and testifiers pointed out during budget session, that over 80 percent of the funding in property taxes is coming from the tourism industry, which generations before us created, so that it can help to make residents' lives better, not worse. And so, in generating our property tax revenue, that was the philosophy that we were working based off of.

And we also got a new 3 percent TAT, \$60 million. And that's all this different revenue of Federal funds. And so it shouldn't be looked at as just one lump sum, but to really understand how we're generating that money and where the relief is being given, and the services that the community has been asking for, the housing that we're investing in, and the projects, the CIPs, and the Hālau of 'Oiwi Arts, which I'm so proud of that we're finally doing. And I hope to see more throughout the County. Mahalo, Chair.

CHAIR LEE: Any more discussion? Which reminds me that, yeah, we have been over relying on the visitor industry and that's why I have been asking and trying to push forward economic diversification, which we haven't really done. So, hopefully, that will be our new challenge.

Members, ready to vote? All those in favor of the motion, raise your hand and say "aye".

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

CHAIR LEE: Eight "ayes", zero "noes", one "excused"; Pro Temp Kama. Motion passes. Very good, Members.

Madam Clerk.

COUNTY CLERK: Proceeding with, with bills for second and final.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 89 (2022)

A BILL FOR AN ORDINANCE AMENDING SECTION 2.44.015,  
MAUI COUNTY CODE, RELATING TO SALARIES OF DEPUTIES  
CORPORATION COUNSEL AND DEPUTIES PROSECUTING ATTORNEY

CHAIR LEE: Okay, I'd like to take this up.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Bill 89. Chair, due to a production issue, the public notice of final *[sic]* reading of Bill 89 was not run by the Maui News until June 7, 2022. Section 4-2, Revised Charter of the County of Maui, as amended, states "Digests of all bills which pass first, first reading and the votes thereon" who wrote this? Okay, I'm going to read this again. This is in the Charter. "Digests of all bills which pass first reading and the votes thereon shall be published once in a newspaper of general circulation in the county at least three days before final reading." As notice was, as notice was not published until yesterday, I ask that Bill 89 be postponed until June 21, 2022, Council meeting. Mahalo Chair.

CHAIR LEE: Members, any objections? Any objections to the request?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: Alright, seeing no objections, Bill 89 will be postponed until the next Council meeting on June 21.

Okay, Madam Clerk.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 90 (2022)

A BILL FOR AN ORDINANCE AMENDING SECTION 2.08.060, MAUI COUNTY  
CODE, RELATING TO THE PAY RANGE FOR LEGISLATIVE ATTORNEYS IN  
THE OFFICE OF COUNCIL SERVICES

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 94 (2022)

A BILL FOR AN ORDINANCE AMENDING  
THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI  
AS IT PERTAINS TO OFFICE OF THE MAYOR,  
ECONOMIC DEVELOPMENT PROGRAM  
(MAUI FOOD HUB)

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 95 (2022)

A BILL FOR AN ORDINANCE AMENDING  
THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI  
AS IT PERTAINS TO APPENDIX D – CONDITIONAL LANGUAGE,  
OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM  
(MAUI FOOD HUB)

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 96 (2022)

A BILL FOR AN ORDINANCE AMENDING  
THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI  
AS IT PERTAINS TO ESTIMATED REVENUES;  
TOTAL OPERATING APPROPRIATIONS;  
TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)

CHAIR LEE: Council Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo Chair.

I MOVE TO PASS BILL 90 AND BILL 94 THROUGH BILL 96 ON  
SECOND AND FINAL READING.

COUNCILMEMBER SUGIMURA:

SECOND.



CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member Sugimura, to pass Bills 90, 94, 95, and 96 on second and final reading.

Discussion, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo Chair. Bill 90 amends Section 2.80.060, Maui County Code, to set pay ranges for the Office of Council Services Legislative Attorneys.

Bill 94 and 95 amend the Fiscal Year 2022 Budget bill and Appendix D, Office of the Mayor, Economic Development Program, Grants and Disbursements for Agricultural Promotion, Maui Food Hub, by deleting conditional language "Grant funding for the Maui Food Hub to promote food resiliency and security on Maui. Funding for one-time purchase of the following: refrigerator truck, truck electric chiller, chiller conversion, half-time finance manager, and facility subsidy, and equipment."

Bill 96 amends the Fiscal Year 2022 Budget bill to correct Estimated Revenues, Total Operating Appropriations, and Total Appropriations (Operating and Capital Improvement Projects) to incorporate the funds from Ordinance 5370, Bill 64 (2022), that were inadvertently omitted from subsequent bill totals. I ask for the Members support of the motion. Mahalo, Chair.

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

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

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

Members, actually, we have one more item.

CHAIR LEE: Member Sinenci.

DISCUSSION RELATING TO  
BILL NO. 101 (2022)

COUNCILMEMBER SINENCI: Thank you, Chair. I had, and I apologize for oversight on my behalf.

I WANTED TO ASK FOR RECONSIDERATION OF THE  
REFERRAL OF BILL 101.

CHAIR LEE: Is there a second? Reconsideration of the Bill 101 to referral to the IT Committee.

COUNCILMEMBER PALTIN:

SECOND.

CHAIR LEE: Okay, seconded by Member Paltin.

Discussion, Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. And Bill 101 is "A BILL FOR AN ORDINANCE AMENDING SECTION 16.26B.105, MAUI COUNTY CODE, RELATING TO FENCE HEIGHTS FOR AXIS DEER CONTROL". We've, Chair, we've been working with this with the Ag Working Group. . . . I appreciate Member Sugimura's, I know this is her passion with axis deer; however, we were, we've planned to hear the bill on June 28, and our, our emphasis is on agriculture protection. So, if Member Sugimura is okay, we can call this up on June 28.

CHAIR LEE: Member Sugimura.

COUNCILMEMBER SUGIMURA: Yeah, thank you. During the recess, Member Sinenci did give me a call. It's fine. I will tell you that all axis deer, I mean, all of the fence heights or whatever is not only ag, but it's really related to our entire community. So, I appreciate him hearing this. I will sit in on his Committee meeting. And for the community, I did already say I'm going to be hearing feral animal axis deer once the budget passes because there's implications or items in it that affect it. So, thank you, Mr. Sinenci, for the call. And I look forward to hearing what, what this bill is in your Committee when you bring it up.

CHAIR LEE: Any more discussion? If not, all those in favor of the motion, signify by saying "aye".

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KAMA.

CHAIR LEE: All "ayes". Eight "ayes", zero "noes", one "excused"; motion carries. So, this, well, this, this was just to reconsider. So, but the idea is for this matter to be referred to the APT Committee, instead of the IT Committee. Okay.

COUNCILMEMBER KING: No objections.

CHAIR LEE: Any objections, Members.

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: Okay, so ordered.

So, this matter, Bill 101, will be referred to the APT Committee and not the IT Committee.

And, Members, I must say, you know, this is my favorite way to end a meeting with cooperation and collaboration, and hopefully, this is the start of things to come in the future as we return back to the Chamber. Members, any last comments? Anybody getting married? No? Okay.

Oh, well, we could say hello, and thank you to the Budget Director Michele Yoshimura. One big hand for her. Just say you're not going to change anything in the budget, right? Is that what you came for? Okay. Oh, you're welcome. Anybody else?

Member King.

COUNCILMEMBER KING: Thank you again to everybody. And Chair, I would like to make a special request that the budget that we, the final budget we receive has, also has a picture of the Council. Because I notice that's what's been missing from the budget in the last few sessions. So, that would be great. Thank you, Michele.

CHAIR LEE: She said, she said, like that. Okay. Very good.

Member Sugimura.

COUNCILMEMBER SUGIMURA: Yeah, thank you. I'm glad that Michele Yoshimura is here. I always say during budget she's like the 10th member of our team, you know, and maybe the, probably a very important member. But every year, Chair, since you've been here, you would always give a little joke, like you're going to give the Budget Chair, Budget Director additional appropriation, and you didn't do it this year. So, I hope you will consider that and add something in the budget for her really dynamic team. That they all worked super hard upstairs as we were, you know, going through this budget and the prep that they did, too. So, kudos to them. And really appreciate Arthur and, you know, everybody upstairs.

CHAIR LEE: Thank you. Yes, we, in past gave her a \$10 raise. I mean, how about \$10.50 this year? Okay. Thank you to you and your staff. Anybody else? If not, Members, this meeting--

I'm sorry. I'm sorry. Member Johnson.

COUNCILMEMBER JOHNSON: Thank you. I guess I have an announcement, since it's announcement time. But I'll be traveling to Helsinki, Friday, to attend an affordable housing conference. And we'll be traveling with 22 members from the State of Hawaii, and three of our counties will be going. And what's really exciting about it is some of these people that are traveling in the 22 from Hawaii are, lived the experience homeless folks. So, it's not just your typical folks who are going to some convention. We're really trying to come in and have and learn what other people are doing. And it's the housing, the Hawaii Housing Affordability Coalition that will be traveling. So, I'll come back with a report and tell you all about it. And hopefully we can turn some of these great ideas into legislation. Mahalo, Chair.

CHAIR LEE: Very good. Safe travels. Any other comments, questions? Anybody else? Alright. Members, this meeting of June 8, is now adjourned.

### ADJOURNMENT

The regular meeting of June 8, 2022, was adjourned by the Chair at 11:18 a.m.



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

June 7, 2022

**RE: MAALAEA WASTEWATER RECLAMATION SYSTEM SRF FUNDING IN FY 2023 BUDGET**

Aloha Council Chair Lee and Members,

RECEIVED  
2022 JUN -8 AM 7:43  
OFFICE OF THE  
COUNTY CLERK

June 8 is an important day – it's the second and final reading of the FY 2023 budget. It's also the fifth anniversary of the Maalaea Village Association (MVA). MVA is proud to be able to carry on the work of our predecessor, the Maalaea Community Association, which served Maalaea since 1988. We are also proud to report our total membership is now over 200 members.

Mahalo for your hard work in crafting the FY 23 budget that attempts to address many of our county's current needs and in taking important steps toward preserving Maui's future.

The \$9.5 million for SRF funding for a modern Maalaea wastewater treating system is a major step toward restoring Maalaea Bay. You've heard from long term residents and testifiers outside of Maalaea Village on how important this is for the future health of Maalaea Bay. Three-mile Maalaea beach is a vital natural resource enjoyed by Maui families for its calm, shallow waters and easy access. Maalaea Harbor is a major economic engine for Maui's visitor industry. The Maalaea conservation corridor is home to the National Humpback Whale Marine Sanctuary, Kealia National Wildlife Refuge, Maui Ocean Center, the Maui Ocean Center Marine Institute and Pacific Whale Foundation. It is not possible to distinguish between residents and visitors – all have easy access and equal enjoyment of Maalaea Bay's rich natural resources.

The SRF funding in today's budget isn't the final step toward creating this critically-needed infrastructure, it's just the beginning based on the most current estimates gathered from possible vendors for the proposed state of the art MBR system. Everyone has a part to play. All Maalaea property owners – condominiums, Harbor Shops and Maui Ocean Center will have to decommission their wells, and cover the cost to connect to the conveyance system that will take sewage to the plant outside of the SMA. Long time Maalaea Bay Place owners will happily disconnect their cesspools and connect to such a facility if made available. They too are concerned about the health of the Bay and are supportive of this project.

Federal infrastructure funds are available NOW for this and other county projects. They may not come again so easily. With \$250,000 State Grants in Aid, MVA can hire a project manager to manage the next steps. MVA and the committee will keep the Council informed on our progress.

Please pass the FY 23 budget on final reading including the \$9.5M SRF for a critically needed and long overdue regional waste water facility for Maalaea.

Mahalo for your support,  
Lynn Britton  
MVA Founder and Immediate Past President



June 7, 2022

The Honorable Alice Lee, Chair and Members

Maui County Council

200 S. High Street

Wailuku HI 96793

RECEIVED

2022 JUN -7 PM 3:49

OFFICE OF THE  
COUNTY CLERK

RE: SUPPORTING THE \$9.5M FOR MAALAEA SRF FUNDING IN FY 2023 BUDGET

Aloha Chair Lee and Members;

I am writing today in support of the \$9.5M funding request for a critically needed and long overdue regional waste water facility for Maalaea in the FY2023 budget.

As a (off and on) 60+ year resident of Maalaea, I have seen first hand how the reef and shoreline has changed there over the years as the area has become more and more developed. My family has had a residence in Maalaea since I was a very young child and I've been continuously living there for the last 15 years. Over that time, I've seen the decline of many areas of reef and, especially recently, how the shoreline has eroded. Much of these declines can be attributed to the lack of proper waste water treatment as the nutrient overload in the waters of Maalaea Bay has grown steadily over the years. Once a sleepy little harbor who's largest boats were a pair of commercial tuna boats, the area now sports daily tourist counts of many hundreds of people who surge through harbor to enjoy the waters of the Bay. Once where a handful of single family homes were the only long term occupants of the area, now stand over a dozen large condos with hundreds of occupied rooms. Long term planning, including how to handle the current large amount of waste water generated daily, was not done "back in the day". The day of reckoning has come as fish stocks continue to decline, the lobsters are almost gone, the taco are no longer in abundance as they once were and sand has slowly replaced many of the areas once occupied by healthy reefs. The surf is still good when it comes up, but look at the reef at the famed spot named "Freight Trains" and you'll see the large rock ripped off the bottom during a large swell in late 1990's sitting in the middle of the wave line-up. This had never happened before and many of us who surfed there were convinced it happened due to the (already) deteriorating condition of the reef. Man's impact on the environment there has been obvious and detrimental.

We now have an opportunity to address many of these problems. An opportunity is before the council which may never be repeated. The Federal and State funding currently available is a gift we would be foolhardy to walk away from. The community is supportive, local land owners are willing to help with land donations and the time is right to implement the planned waste water facility to return Maalaea Bay to a more natural condition. I will happily disconnect my cesspool and process my home's waste through such a facility if made available. I speak now only for myself, but I know my neighbors are concerned about the health of the Bay and are supportive of this project. Please don't let it go to waste!

Mahalo for your time on this matter.

Paul Gammie

Maalaea Resident.

## County Clerk

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**From:** L Harbo <loraharbo@gmail.com>  
**Sent:** Tuesday, June 7, 2022 9:15 AM  
**To:** County Clerk  
**Subject:** Testimony for June 8 meeting in support of full Funding of Ma'alaea Wastewater Reclamation Plant

June 7, 2022

Please fully support the FY2023 County budget and the funding of \$9.5 million to build the Ma'alaea Wastewater Treatment Plant. The time is now to protect Ma'alaea Bay by replacing injection wells with an environmentally friendly and economically affordable solution in the form of the proposed WWTP; taking advantage of any available federal funding programs, as well. Please maintain the current funding as it is stated in the FY2023 budget.

Please also continue to support the purchase of the 257 acres of Ma'alaea Mauka to protect and conserve the open space for Maui families in perpetuity.

Thank you for your time and consideration of these important matters.

Best regards,

Lora Harbo and David Liebersbach  
Ma'alaea owners, community members

RECEIVED  
2022 JUN -7 AM 9:35  
OFFICE OF THE  
COUNTY CLERK

## County Clerk

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**From:** Maalaea Village Association <maalaeavillageassociation@gmail.com>  
**Sent:** Tuesday, June 7, 2022 9:23 AM  
**To:** County Clerk  
**Cc:** Kelly King  
**Subject:** Testimony for June 8 Council Meeting

Ma'alaea Village Association wishes to thank Council members for their hard work in crafting the FY2023 budget. MVA is particularly pleased that Council has supported critically-needed infrastructure for the Ma'alaea community through its \$9.5mm in funding for a modern wastewater treating system. We also thank and recognize you for funding the continuing efforts to acquire Ma'alea Mauka for public benefit.

We encourage Council to pass the budget on this final reading without any changes to these items.

Mahalo,  
Lyndon Ibele,  
MVA President

**With Warmest Aloha!**

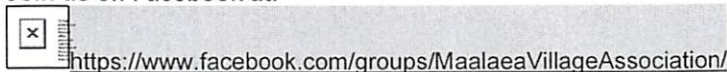
Ma'alaea Village Association (MVA)  
P.O. Box 2122  
Wailuku, HI 96793

[MaalaeavillageAssociation@gmail.com](mailto:MaalaeavillageAssociation@gmail.com)



[www.maalaeavillageassociation.org](http://www.maalaeavillageassociation.org)

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RECEIVED  
2022 JUN -7 AM 9:35  
OFFICE OF THE  
COUNTY CLERK





RECEIVED

2022 JUN -7 AM 9: 09

May 26, 2022 (updated June 6, 2022)

9 a.m.

Maui County Council Chamber and Videoconference

OFFICE OF THE  
COUNTY CLERK

**To: Maui County Council**

**Alice Lee, Chair**

**Keani Rawlins-Fernandez, Vice-Chair**

**From: Grassroot Institute of Hawaii**

**Joe Kent, Executive Vice President**

RE: Bill 69 — The Fiscal Year 2023 Budget

***Comments Only***

Aloha chair, and committee members,

My name is Joe Kent, and I am the executive vice president of the Grassroot Institute of Hawaii, a 501(c)3 nonprofit policy research organization. We are a taxpayer watchdog group that promotes the values of individual liberty, economic freedom and accountable government.

I am here today to testify about the county operating budget, as represented by Bill 69, and to give a broader and independent look at the budget.

The golden rule of government budgeting is: "The government should not grow faster than the economy."

That's because the government gets its revenues from the economy, so it is more sustainable in the long run if the economy grows faster than the government, not the other way around.

Maui County's fiscal 2023 county spending plan has just reached a record-high \$1 billion,<sup>1</sup> which is 38% higher than in fiscal 2019, before the COVID-19 lockdowns.<sup>2</sup> The budget proposal would add 309 employees to the county payroll, an increase of 12% over 2019.

Most of the new employees, 63, would be for the Department of Public Works. The Department of Parks and Recreation would add 47, the Fire and Public Safety Department 47, the Police Department 35, and the Department of Finance 27.

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<sup>1</sup> Melissa Tanji, "Nearly \$1.07B county budget proposal advances," The Maui News, April 30-May 1, 2022.

<sup>2</sup> Ordinance No. 4861 of 2018, "Fiscal Year 2019 Budget."

The proposed budget indicates these increases would be paid for partly with \$37 million in increased transient accommodations taxes, plus \$99 million in increased property tax revenues that are mostly from higher tax rates on high-end real estate, hotels and short-term rentals.<sup>3</sup>

But county lawmakers should be cautious about using the current bonanza to permanently grow the size of its government, especially since Maui County's economy is still lagging.

Maui's private sector has 2.6% fewer employed workers compared to fiscal 2019 and the jobless rate is still relatively high: 4.3%, compared to 2.6% in 2019.<sup>4</sup> That means Maui's economy is still lagging while the proposed budget proposes to grow the county government by leaps and bounds.

The good news is that Council members this month lowered property tax rates for fiscal 2023 across nearly all categories, including owner-occupied homes, apartments, commercial and industrial properties.<sup>5</sup> Unfortunately, they also hiked property tax rates substantially on short-term rentals and non-owner-occupied homes.

It's not clear how the reshuffled tax rates will affect future tax revenues, especially if the economy should experience another downturn. Such a scenario might see Council members once again increasing tax rates to support the increased level of county workers.

If county lawmakers want to follow best practices for budgeting, they should keep the number of county employees at their fiscal 2019 levels and use its windfall funds to pay down debt and unfunded liabilities; fix up the county's roads, bridges and parks; save for a rainy day and lower taxes even further.

The point is to make sure Maui's private sector is growing before allowing the county government to expand.

Mahalo,  
Joe Kent  
Executive Vice President  
Grassroot Institute of Hawaii

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<sup>3</sup> "Selected real property statistics for budget consideration, fiscal year 2019 - 2020," Maui Department of Finance, Real Property Assessment Division, 2019, p. 3. "Selected real property statistics for budget consideration, fiscal year 2022 - 2023," Maui Department of Finance, Real Property Assessment Division, 2022, p. 3.

<sup>4</sup> "Monthly Economic Indicators (MEI) through March 2022 was released on April 28, 2022," Hawaii Department of Business, Economic Development and Tourism, April 28, 2022, Excel spreadsheet comparing labor force of 87,350 on March of 2022 with 89,700 on March of 2019, a 2.6% decrease. Also comparing the unemployment rate of 4.3% on March of 2022 with 2.6% on March of 2019. GDP numbers for Maui County are not yet available for 2022.

<sup>5</sup> "Notice of public hearing and notice of intent to fix real property tax rates," Council of the County of Maui, May 13, 2022. The rates have since been fixed.

06.07.2022

Maui County Council Meeting: Written Testimony

L. Low

June 7, 2022

Maui County Council  
Kalana o Maui Building, 8th Floor  
200 South High St.  
Wailuku, Hawai'i 96793

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2022 JUN -8 AM 7: 43

OFFICE OF THE  
COUNTY CLERK

**RE: Wednesday, June 8, 2022 Maui County Council Meeting Testimony**

**• Bill 100 (2022)**

Aloha mai kākou,

‘O au nō ‘o La‘akea Low. No ka mokupuni ‘o Maui mai au ma ka moku ‘o Hāmākuapoko. Ke noho nei au ma ka ahupua‘a ‘o Ha‘ikū ma Koakomo i kēia manawa.

- **Bill 100 (2022): "FIRST READING of Bill 100 (2022) to amend Chapter 2.98, Maui County Code, to: add a definition for "family"; amend the definition for "organization" to include a reference to a family; and list the information required to name a County park or facility after a family"**

Writing in **OPPOSITION** to Bill 100 (2022).

I am opposed to County parks and facilities being named after individuals and/or families. Current events from around the world are filled with the toppling of statues that honor individuals and families who have proven to be colonial/imperial-minded in their deeds and tasks. While Hawai‘i is incorrectly, naively, and/or arrogantly viewed as a cultural melting pot full of sunsets and rainbows, Kānaka Maoli - who suffer under the boot of oppression, dispossession, and occupation by settler-colonial aims of Manifest Destiny - continue to struggle in our own homeland. I challenge each Council member to name a Maui County park or facility named after our Mō‘ī. Where is Kalākaua Park, Lili‘uokalani Community Center, Kauikeaouli Field?

Meanwhile, settlers have numerous parks, community centers, and fields named after them. It is my belief that the County of Maui should refrain from the troublesome and disrespectful nature of assigning settler names to parks and facilities. Instead, if the County of Maui continues to neglect the storied histories and legacies of Kānaka Maoli kūpuna, then it is imperative that we honor the original place names of the areas where our parks and facilities now stand.

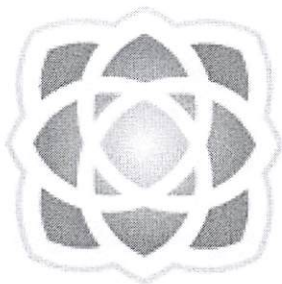
‘Ōlelo Hawai‘i place names are constantly replaced, mispronounced, and willfully ignored by settlers who refuse to embrace Hawai‘i and its aboriginal people. Even when land is supposedly donated by so-called benevolent settler families, their claim to title of these lands must be challenged. As Kānaka often cite - "if no more the seal, it ain't real" - meaning that if the

seal of the Hawaiian Kingdom is absent on a claim of title to land in Hawai‘i, it is likely to be illegally-occupied lands.

Please, just keep it simple and use traditional place names for County parks and facilities. In doing so, we honor our kūpuna, the reasons why an ‘Ōlelo Hawai‘i name was assigned in the first place, and commit to embracing Kānaka Maoli culture. Besides, we have enough schools, parks, and facilities named after pilau settlers. We would hate to have to tear down more monuments to individuals and families who have benefitted from the oppression of our people.

Me ka ‘oia‘i‘o,  
La‘akea Low  
Koakomo, Ha‘ikū, Maui





# MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

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2022 JUN -8 AM 11:36

OFFICE OF THE  
COUNTY CLERK

**Bill 69**  
**Second & Final Reading of the FY23 Budget**  
**Wednesday, June 8, 2022**

Aloha Chair Lee, Vice Chair Rawlins-Fernandez, and  
Members of the Maui County Council,

We want to thank you for all your hard work on this FY23 Budget and see the tremendous effort put into reviewing our revenue, expenses, County priorities and programs, and input from the administration, departments, and our community.

There are many things we support in this budget as previously shared. We applaud the priority of affordable housing and rentals and appreciate the efforts to create safe zones to protect the homeless, continued support of agriculture and feral animal control, and the investment in the new Halau of 'Oiwi Arts. We feel it is important to continue to support our visitor industry and better manage tourism, which our community has relied upon for decades and continues to help shore up our economic health. We wish more funds were put toward this effort as it is one of the community's top priorities and we hope to see additional funds put toward this effort in the future.

In this new fiscal year, we would like to see an emphasis on developing strong economic diversification and sustainability plans, expanding investments in existing programs that deliver significant returns on investments (ROI), as well as looking at new opportunities than can do the same, leverage our unique assets and create rewarding job opportunities.

As new projects, programs and directions are put forth by the administration and council, it is critically important for research to be conducted and a cost-benefit analysis completed for each in advance for full transparency and public education. This information should be shared with the public at the beginning of the budget process for review and consideration. Further, we feel it is important to review the cost and size of our government, which taxpayers directly pay for, and look for areas that can be streamlined or outsourced for cost savings. With such an analysis, taxpayers can better understand and ring in on new projects and programs, continued funding of existing efforts and shifts in the way the county does business. There are some areas of the FY23 budget where an analysis on the fiscal impacts and ROI would have been extremely valuable and we hope to have reasoning and clarity provided moving forward.

We appreciate the opportunity to share our thoughts on the FY23 Budget and want to thank you again for the many and long hours put into creating it.

Sincerely,

Pamela Tumpap  
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.