

AFFORDABLE HOUSING COMMITTEE
Council of the County of Maui

M I N U T E S

June 6, 2022

Online via BlueJeans Link

CONVENE: 1:32 p.m.

PRESENT: Councilmember Gabe Johnson, Chair
Councilmember Michael J. Molina, Vice-Chair
Councilmember Kelly Takaya King, Member
Councilmember Alice L. Lee, Member
Councilmember Tamara Paltin, Member
Councilmember Shane M. Sinenci, Member (out at 4:27 p.m.)
Councilmember Yuki Lei K. Sugimura, Member

EXCUSED: Councilmember Tasha Kama, Member
Councilmember Keani N.W. Rawlins-Fernandez, Member

STAFF: Paige Greco, Legislative Analyst
Alison Stewart, Legislative Analyst
Richard E. Mitchell, Legislative Attorney
Stacey Vinoray, Committee Secretary
Maria Leon, Committee Secretary
Lenora “Lei” Dinneen, Council Services Assistant Clerk
Jean Pokipala, Council Services Assistant Clerk

Kate Griffiths, Executive Assistant to Councilmember Johnson
Roxanne Morita, Executive Assistant to Councilmember Johnson
Michelle Del Rosario, Executive Assistant to Councilmember Johnson
Lois Whitney, Executive Assistant to Councilmember Kama
Davideane Kama-Sickels, Executive Assistant to Councilmember Kama
Axel Beers, Executive Assistant to Councilmember King
Ellen McKinley, Executive Assistant to Councilmember King
Angela Lucero, Executive Assistant to Councilmember Paltin
Christian Balagso, Executive Assistant to Councilmember Paltin
Jordan Helle, Executive Assistant to Councilmember Sugimura

Denise Fernandez, Council Aide, Lāna`i Council Office
Mavis Oliveira-Medeiros, Council Aide, Hāna Council Office
Daniel Kanahale, Council Aide, South Maui Council Office

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ADMIN.: Kristina Toshikiyo, Deputy Corporation Counsel, Department of the Corporation Counsel
Richelle Thomson, First Deputy Corporation Counsel, Department of the Corporation Counsel
Linda Munsell, Deputy Director, Department of Housing and Human Concerns
Clyde “Buddy” Almeida, Housing Administrator, Department of Housing and Human Concerns
Jordan Molina, Director, Department of Public Works
Gary Ambrose, Deputy Director, Department of Public Works
Jordan Hart, Deputy Director, Department of Planning
Michael Gormley, Lieutenant, Department of Fire and Public Safety
Robert Schmidt, Deputy Director, Department of Environmental Management
Wendy Taomoto, Engineering Program Manager, Department of Water Supply

OTHERS: Lawrence Carnicelli, Vice President of Development, Alaula Builders
Doyle Betsill, President, Alaula Builders
Vince Bagoyo, Owner, V-Bagoyo Development Group LLC
Ron Ped, President, Ronald James Ped Architect, PC
Stacy Otomo, President, Otomo Engineering, Inc.
Lisa Rotunno-Hazuka, Owner, Archaeological Services Hawaii, LLC
Tyler Fujiwara, Maui Chief Transportation Manager, Austin, Tsutsumi & Associates
Jeff Pantaleo, Archaeological Services of Hawaii

Donna Ting
Dr. Mary Trotto
David Dorn
Susan Dorn
Keoni Kuoha
Mike Moran, Kihei Community Association
Rick Alexander
Paul Fassi
Jeff Gilbreath, Hawaiian Community Assets
Randy Wagner
Lloyd Johnson
Vernon Kalanikau
Christopher Hamman
Alison Hamman
Merritt Kaufman
Justine Maldonado-Morgan
Robin Knox

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Brandon Holmes
Don Gerry
Cara Flores
Jennifer Chapman
Albert Perez

Plus (50) others

PRESS: *Akakū: Maui Community Television, Inc.*
 Kehaulani Cerizo, The Maui News

CHAIR JOHNSON: . . .*(gavel)*. . . Aloha. Will the Affordable Housing Committee meeting please come to order. The time is now 1:32 p.m. I'm Gabe Johnson, Committee Chair. And present with me is Legislative Analyst Kate Griffiths. Members, in accordance with the Sunshine Law, if you're not in the Council Chamber, please identify by name who, if anyone, is in the room, vehicle, or workspace with you today. And I know that the morning greeting was konnichiwa, so if you'll indulge me, Mina-san konnichiwa. Jiku shokai sasete itadakemasu. Gabe Johnson tomoshimasu. . . .*(spoke in Japanese)*. . . So, I basically just said hello, everybody. I introduced myself, and welcome. So, now we're going to go around and we're going to introduce all of our Councilmembers here. We're going to go with Committee Vice-Chair Mike Molina. Konnichiwa, Councilmember Mike Molina.

VICE-CHAIR MOLINA: Aloha and konnichiwa, Mr. Chair. Looking forward to a very productive meeting today. Aloha to you and my colleagues and everyone else tuning in. For the record, I'm transmitting from my residence under the virtual bridge in Makawao. And to my knowledge, there are no testifiers at the Pā'ia District Office. Mahalo.

CHAIR JOHNSON: Thank you for that, Committee Vice-Chair Mike Molina. As well as there are no testifiers at the Lāna'i District Office. We...I'll move on to Councilmember Kelly Takaya King. Konnichiwa.

COUNCILMEMBER KING: Konnichiwa, Mina-san. Nice to see everybody again. I...I am at...I'm now at my residence. I'm...I'm coming to you live and direct from my kitchen. There's nobody else in the house right now. We do have one testifier at the South Maui District Office, so when we get ready, Daniel is setting that up right now. That's not my house.

CHAIR JOHNSON: It sounds like someone's vacuuming. Let's move on to Council Chair Alice Lee. Konnichiwa, Chair Lee. Good to see you.

COUNCILMEMBER LEE: Konnichiwa, Mr. Chairman and Members. I am here alone in my workspace in Wailuku. Looking forward to your meeting. Aloha.

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CHAIR JOHNSON: Aloha. And let's move on to Council...Councilmember Tamara Paltin. Konnichiwa . . .*(spoke in Japanese)*. . .

COUNCILMEMBER PALTIN: Mina-san. Aloha 'auinalā . . .*(inaudible)*. . . konnichiwa. . .*(spoke in Japanese)*. . . I don't know. Broadcasting live and direct from the Old Lāhainā Center here in historic Lāhainā Town with my EA Angela Lucero and Lāhainā District Office Staff Christian Balagso, and we have no testifiers at this time. Thank you.

CHAIR JOHNSON: Thank you. Okay. Excellent verbiage there, Councilmember Paltin. I thought you were ordering food. No, I'm just kidding. Anyway, let's move on to Councilmember Shane Sinenci. Konnichiwa, Councilmember Shane Sinenci.

COUNCILMEMBER SINENCI: Aloha and konnichiwa, Gabe-san, ogenki desu ka. We're here this afternoon at the Hāna Cultural Center with East Maui Staff Dawn Lono and Mavis Medeiros.

CHAIR JOHNSON: Wonderful, wonderful. So, you still got it, huh, Councilmember? Ogenki desu hai, ogenki desu. Let's move on to finally Councilmember Yuki Lei Sugimura. Konnichiwa, Councilmember.

COUNCILMEMBER SUGIMURA: Konnichiwa, ogenki desu. Yeah, I really enjoyed what Tamara said, and you can tell that she has good manners from her mother. Good afternoon, everybody. I'm on the 8th Floor at the Council *[sic]* Building, and I am actually in my office, and Miki Yokouchi is in the next side of the office. And looking forward to a good meeting. Thank you.

CHAIR JOHNSON: Thank you. All right. So, from the Administration we have invited Housing and Human Concerns Deputy Director Linda Munsell, Corporation Counsel Deputy Corp. Counsel Kristina Toshikiyo, Planning Deputy *[sic]* Jordan Hart. And from Public Works we've got Director Jordan Molina. And from Fire we have Lieutenant Michael Gromley *[sic]*. We also have representatives from the following departments on the call; Department of Environmental Management, Department of Transportation, Police, Finance, Parks and Rec, Water Supply, Maui Emergency Management Area *[sic]* known as MEMA. And our Committee Staff is Legislative Analyst Paige Greco and Alison Stewart, Legislative Attorney Remi Mitchell, Committee Secretary Stacey Vinoray, and Assistant Clerk Jean Pokipala. So, Members, we're going to move on to the agenda items. We have one item on our agenda today, that is AH-17, Hale Waipu'ilani Workforce Housing Project (Kīhei). So, Members, we're going to do the public testimony, and at the end of my script here I want to kind of ask the body to consider something for us. So, let's begin with public testimony. Testifiers can join the BlueJeans meeting using the information on the agenda. Written testimonies can be sent at any time using the eComment at mauicounty.us/agendas. Oral testimony is usually limited to three minutes, but now that I'm looking at the amount of people we're going to have testify, I was thinking that maybe we could do two minutes per testifier, and really clarify if

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they're for or against the project. And that really is up to the body. Would you guys be willing to do two minutes for our testifiers? I see nodding heads, thumbs-ups. Any objections to making it only for two minutes so we can get through the amount of testimony?

COUNCILMEMBERS VOICED NO OBJECTIONS

CHAIR JOHNSON: Go ahead, Councilmember Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Not...not an objection, but similar to the budget, if...if we're going to be cutting down on them, then we should also cut down on ourselves and limit to truly clarifying questions. And...and to clarify, that two minutes, they can...can they still ask for a minute to wrap up? Like when it was three minutes, they had a minute to wrap up.

CHAIR JOHNSON: Yeah, I like those clarifying questions. So, to answer your question, yes, we can go two minutes, clarified to three, and then let's keep ourselves on a time limit as well, let's have a one minute per Councilmember. I expect to go a little bit faster on our end because I will...I forgot to recognize that Councilmember Tasha Kama is excused as well as Councilmember Keani Rawlins-Fernandez. Okay. So, we'll stick with the two minutes then, yes? Oral testimony is limited to two minutes. While waiting for your turn to testify, please turn off your microphone and video. When you are called upon, please unmute yourself, state your full name, and if you are testifying on behalf of an organization or if you're a paid lobbyist. If you have joined this meeting on BlueJeans, Staff will add your name to the testifiers list. The link to the list will be posted in the chat, and you may chat to be...you may...you may chat to be added or removed from the list. Chat should not be used to provide testimony or comments during the meeting. Once testimony is closed, you will...you will be disconnected from BlueJeans, and you may continue to view the meeting on *Akakū* Channel 53, Facebook Live, or at mauicounty.us/agendas. Mahalo for your cooperation. So, having said that, Ms. Greco, will you please call the first testifier?

MS. GRECO: Chair, the first testifier is Donna Ting, to be followed by Dr. Mary Trotto.

CHAIR JOHNSON: One moment before you begin your testimony. Can we unmute her so we can hear her? No. Folks in the Chamber, can you give her a help? If not, we'll go on to another and then come back to you. I want to get your testimony, but we have...

UNIDENTIFIED SPEAKER: Testing.

COUNCILMEMBER LEE: I heard her say testing.

. . . BEGIN PUBLIC TESTIMONY . . .

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MS. TING: Can you hear me now?

CHAIR JOHNSON: Yes, loud and clear. I do apologize --

MS. TING: Okay.

CHAIR JOHNSON: -- for that. Thank you.

MS. TING: It's...it's okay. My name is Donna Ting, and I've sold real estate on Maui for more than 40 years. I've seen the good, the bad, and the ugly. And I also was involved in selling Hale Kaiola. Hale Kaiola only had 40 workforce housing. And I don't think people understand, the workforce housing, that's the...that's the heart of the community, that's fire people, that's teachers, that's mom and pop operations. It's for the people that are out there working. And they can't sell it for a number of years. That's going to be their home. We only had 40 units, we had 117 people wanting and qualifying to buy. Betsill Brothers and Alaula Builders, they make money on this, but not a lot. They could be building something else and making a lot more money. They do this as a public service. And so I am in favor of the 28 units at Waipu'ilani because we desperately need it. Every day I get at least three, if not five, people calling me or emailing me wanting to buy, and these are people...these are...this is the heart of Maui. It's not somebody that came from San Francisco or Tucson, this is the heart of Maui. So, I ask you please to give your blessing because this is a very, very important project. That's my two minutes.

CHAIR JOHNSON: Thank you so much. Okay. Thank you so much. Members, do we have any questions for our testifier? Seeing none. Thank you for your testimony. Thank you so much. Ms. Paige, will you call...or Ms. Greco, will you call the next testifier please?

MS. GRECO: Our next testifier is Dr. Mary Trotto, to be followed by David Dorn.

MS. TROTTO: Aloha, everyone. I assume you can hear me?

CHAIR JOHNSON: Yes, we can.

MS. TROTTO: Okay. My name is Dr. Mary Trotto, and I'm representing the KCA today. I'm also a commissioner for the Healing Solutions for the Homeless, but I'm not here to testify on their behalf. The KCA already has reviewed this project, and I sent a letter of our review to Gabe as well as some of the information, so you already have some written testimony from me explaining. Although this...I support affordable housing in so many ways, the KCA believes that this is not a good...it's an excellent project, but it's in the wrong place. Why is it in the wrong place? This area is zoned R-3 according to the Maui...South Maui Community Plan, which is single-family homes. And the homes around that infill area are all single-family, so that could put this project a little bit out of place. This area is basically a flood zone. Even a small rain event in Kihei brings large amounts of water and mud to this area. The December Kona low brought a tremendous amount of mud in the area, closed South Kihei Road for a period of time.

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According to Robin Knox, the area is part of the wetlands network, and that is documented by an article that I sent to Chair Johnson. As we already know the importance of the wetlands, and understanding how they affect Kihei, the surrounding nearshore waters, and control flooding. And so putting something in the wetlands area is...at this point is totally inappropriate since we have already used up some of our wetlands by inappropriate building. There are no sidewalks surrounding this area, therefore everyone will need to take their cars just to go to basic shopping, thus adding to the already overloaded traffic on South Kihei Road. Finally, it does not make a much...very good sense for this Council to support a project that will build tiny homes, 450 square feet to 900 square feet homes, for a cost of about a half a million dollars, and put them in a flood and wetland area. Our workforce residents in Maui deserve better. . . .*(timer sounds)*. . . Thank you very much.

CHAIR JOHNSON: Oh, perfect timing, Dr. Mary. Members, do we any questions for our testifier? Seeing none. Thank you once again for your testimony. Ms. Greco, will you please call the next testifier?

MS. GRECO: Our next testifier is David Dorn, to be followed by Susan Dorn.

MR. DORN: Konnichiwa. My name is David Dorn, and I live at 6 East Waipu'ilani Road, right next to the project. I oppose this project. I'm not a lobbyist, and I'm at home with my wife Susy in the room. The mission of the Affordable Housing Committee is to create affordable homes for local people, people...a noble mission, which we support. The problem is, this project is proposed in the wrong place. Instead of putting it in a flood zone, they could put it on higher ground. Doyle Betsill told the neighbors at a meeting that he could just as easily and cheaply build this project on new land mauka of the highway. An affordable workforce home should be somewhere you intend to live, and it should also be a safe place where you would want to live long-term. Not...it should not be a place that makes you have to choose between personal safety and home ownership. Unfortunately, these builders are not considering the quality of life or personal safety of the intended residents or the surrounding neighbors. Time and again we have heard these builders minimize and downplay the risks and problems; however, these builders know that the site is built in the wetland and flood zone because they have built other projects into the same wetlands before. The Meadowlands property next door on Kauhaha Street was also built by Betsill, and they built it up on high, six foot raised mountain of landfill. They also had to create an engineered wetland put in place to handle the runoff and drainage. This project also dumps its stormwater into neighboring properties, including Yee's Orchard, and when it floods, it floods South Kihei Road and flows into our neighborhood. It's right next door, it's ironic. The North Kihei neighborhood was never planned or engineered to be a safe place to live because the County never installed the infrastructure or set aside the natural watershed features, such as water courses and floodways. The County needs to spend \$133 million to make Kihei safe. According to the 2016 Kihei Pre-Final Drainage Master Plan, it would cost an estimated \$133 million to implement all the necessary drainage improvements. This is known. Most Kihei residents were not told about flooding when

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they bought their homes, and now have no way to sell or move out because of the housing market. Many Kihei residents are stuck in the flood zone, and did not choose to live in a flood zone as some people claim. Unfortunately, eager and desperate would-be homeowners do not know the risks and problems of this area, or they're simply so desperate that they're trying...willing to try anything to get into a home. That is why they need the protection of this responsible County to not allow such projects to be built in hazardous areas. Thank you for hearing our testimony. And please do not allow this project to go forward at this site.

CHAIR JOHNSON: Okay. Thank you, Mr. Dorn. Members, do we have any questions for our testifier? Seeing none. Thank you once again for your testimony, Mr. Dorn. Ms. Greco, will you call the next...oh, it looks like Mrs. Dorn will testify.

MS. DORN: Hi. Aloha. My name is Susan Dorn. I live at 6 East Waipu'ilani Road. I strongly oppose the Waipu'ilani Hale project. The proposed project is not a simple infill project, it's a high-density, overcrowded plan that does not fit the neighborhood. Betsill has asked for an exemption and a Change in Zoning from R-3 Residential to Multifamily duplex units. Please do not allow this zoning exemption. All the homes on Waipu'ilani and our neighbor streets are zoned R-3, which are lots 10,000 square feet with a home and some having ohanas. Allowing zoning exemption for 28 duplex units, 59 parking spaces, will drastically change and have a negative impact on the neighborhood. The builders claim that no parking will be allowed on Waipu'ilani Road, but only provide three guest parking spaces. This is an example of an unrealistic design. We would like to see a new design since the Planning has asked for them to consider more parking. The developers are using the Workforce Housing Code to jam as many duplexes into this small piece of land. We've respectfully asked Betsill on numerous occasions to downsize the project, push the project back from neighbor property lines. Workforce Housing Code allows for buildings 30 feet, and only 6 feet from property lines. Just because something can be done legally does not make it morally okay to do so. In a community meeting we had with Mayor Arakawa in 2011 regarding the flooding in this area, the Mayor said he wished there were no homes built here in this area, and that we were all stupid for living here. Also, please see my testimony from May 2011. David Goode, Public Works Director, and now project consultant for Waipu'ilani Hale, talks about moving people out of this area due to flooding, so how can anyone think building a project of this size is a good idea? I've also submitted a petition started by local Waipu'ilani residents, hand signed by 200 residents . . . *(timer sounds)* . . . living in 100 homes. We are the workforce people in this community. The 200 hand signatures, the 100 homes are hand signed by neighbors. We all support workforce housing. We do not support irresponsible and dangerous building in this area. We're respectfully asking Maui County Council to listen to the neighbors, some living here 60 years, deny the Waipu'ilani Hale proposal. Thank you.

CHAIR JOHNSON: Thank you, Ms. Dorn. We do have a clarifying question from [sic] you from Committee Vice-Chair Molina.

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MS. DORN: Okay.

VICE-CHAIR MOLINA: Thank you, Mr. Chairman. And good afternoon, Ms. Dorn. Just to clarify, you mentioned you had discussions with the developer about downsizing in the past. What...how many units were you looking at possibly downsizing to?

MS. DORN: We don't know, we just...you know, changing the zoning to Townhouse and changing it from R-3 to duplex, it's not something that we want in this area. We just want R-3 zoning.

VICE-CHAIR MOLINA: Okay. Thank you very much. Thank you, Mr. Chair.

CHAIR JOHNSON: Thank you. We also have another question for you from Councilmember Kelly King.

COUNCILMEMBER KING: Thank you, Chair. Aloha, Ms. Dorn.

MS. DORN: Hi.

COUNCILMEMBER KING: Just real quickly, when were...when was your house and the surrounding houses that are there, when were...when were your houses built?

MS. DORN: I think the '70s, '71.

COUNCILMEMBER KING: That long ago. Okay.

MS. DORN: Yeah.

COUNCILMEMBER KING: Okay. And how many homes in the area?

MS. DORN: Oh, in...in this neighborhood? Probably couple hundred, 200 maybe, 200, 300.

COUNCILMEMBER KING: Thank you. Thank you for your testimony. Can you tell me the date of that flood that's in the picture behind you?

MS. DORN: That was maybe the December flood --

COUNCILMEMBER KING: The recent...

MS. DORN: -- I think. Yeah, this year. Yeah.

COUNCILMEMBER KING: Last year December?

MS. DORN: I think so. Yeah.

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COUNCILMEMBER KING: Thank you.

MS. DORN: Okay.

CHAIR JOHNSON: Okay. Members, any other questions for our testifier? Seeing none. Thank you for your testimony.

MS. DORN: Okay. Thank you.

CHAIR JOHNSON: Thank you. Ms. Greco, please call the next testifier.

MS. GRECO: The next testifier is Keoni Kuoha, to be followed by Mike Moran.

CHAIR JOHNSON: Okay. Do we have...is it Mr. Kuoha, if you're on the call?

MS. GRECO: It looks like --

CHAIR JOHNSON: Okay.

MS. GRECO: -- Mr. Kuoha logged off. So, the next testifier is Mike Moran, to be followed by Rick Alexander.

MR. MORAN: Aloha, Chair Johnson and Committee Members. Mike Moran for the Kihei Community Association. Just to quickly clarify, Mary Trotto is a board member of KCA, but she was testifying on her own behalf, not for the organization--as, of course, we all have the right to do--even me, I can even testify for myself, but I'm always here for KCA. So, just to clarify that. We did submit a letter that we sent to...we addressed it to Mr. Carnicelli that when we testified at Council, Councilmember Sugimura asked if we could send that in writing, we got the okay, and that's included in written testimony. And I will just offer beyond that, which explains the situation, that we strongly support, as the Council did, this other project on Kaiola, and...and we all continue to support it when oh, something went wrong with the sidewalk, something went wrong with the price, but we said it's still a good project, we continued to support it. The problem with this one, as has been alluded already and we have in our written testimony, is the location of it. That's the problem with it. We all know we desperately need affordable housing. It's...it's only fair to the people that are going to live there to give them a reasonable place to live, not someplace that's going to be flooded and...and you're stuck with it without any choice. We have often said that this is the best Council we have seen, and of course, this Committee is made up of these Councilmembers. And I would just offer a...a...an opposite flip that back in 2016, we testified at Committees and Council to get a...an entitlement on land extended so a new buyer could come in and buy it from the bankrupt owner. And many Councilmembers expressed against doing it, but we barely persevered, we got a majority. Two years later, when the current owner needed a little bit more time, 2018 . . . *(timer sounds)*. . . If I can get that extra minute, sir, I'll quickly wrap this up. We again had Councilmembers testifying against this

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project, and again, fortunately, as the only testifier, we did prevail with a minimal vote of the Council. That project was Doug Bigley's, Ikaika Ohana project up at the top of Kaiwahine. Now, we all think it's terrific, but if community voices didn't come out and say we know this place, we know this developer, this is a good one. We feel the same way with this one, that we know the developer, we know the builders, we know the location, and this one is just not a good fit. Thank you for the opportunity to testify. Aloha.

CHAIR JOHNSON: Thank you, Mr. Moran. Members, do we have any questions, any clarifying questions for Mr. Moran? We do have one from Councilmember Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. So, you're saying you do not support this project, your last statement?

MR. MORAN: That's correct, we do not support it at that location.

COUNCILMEMBER SUGIMURA: At that location. Okay. So, if it was somewhere else, maybe, depends? Thank you.

MR. MORAN: You know, absolutely, like the prior testifiers said at that neighborhood meeting, that the developer told them he could simply move it up the hill above the highway. That would be terrific. That's where the better projects are being developed. So, yes, that would be a very acceptable location.

COUNCILMEMBER SUGIMURA: Okay. Thank you.

MR. MORAN: Thank you.

CHAIR JOHNSON: Okay. Any other questions for our testimony? We do have one from Councilmember Kelly King.

COUNCILMEMBER KING: Thank you, Chair. Aloha, Mike. Thank you for being here again. I do...I just wanted to clarify something that you said about moving something mauka of the highway. Isn't it in our current community plan that we don't want any...any development above the highway until we get the infrastructure in?

MR. MORAN: Well, we feel that...I mean we see...again, the project...Bigley's project, of course, is way above the highway, but that is in a location with there is infrastructure in the neighborhood.

COUNCILMEMBER KING: Right.

MR. MORAN: And the one he's doing now in the R&T Park, again, it has infrastructure in there. So, yes, to...to be more specific, which I should do and I appreciate you pointing out, not just anywhere up there, no, we...we need it put in a proper location like the

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others have. Thank you for pointing that out.

COUNCILMEMBER KING: Okay. Just wanted to clarify that. Thanks, Mike.

CHAIR JOHNSON: Okay. Members, any other testifier or testimony...or any other questions for our testifier? Sorry. Seeing none. Thank you, Mr. Moran. Ms. Greco, will you please call the next testifier?

MS. GRECO: Our next testifier is Rick Alexander, to be followed by Paul Fassi (*phonetic*).

MR. ALEXANDER: Well, hello all of you. I'm Rick Alexander, and I live right across the street from the project, 15 East Waipu'ilani. I'm the second owner of that house, which was built in 19...

CHAIR JOHNSON: Mr. Alexander, your camera froze on us. If you...if you can hear us, can you turn off your camera? And we can probably still hear you.

MR. ALEXANDER: (*audio interference*)

CHAIR JOHNSON: Your camera froze on us, so if you turn off your camera and speak, maybe we can hear you better.

MR. ALEXANDER: So, okay, turn off the camera. You guys no need anyway, you guys get all my emails all the time. I hope you read them.

CHAIR JOHNSON: Oh, we get all your emails. Yeah. Okay. You want to start your testimony over again, Mr. Alexander? I'm sorry, it's just a little technical issue.

COUNCILMEMBER KING: Chair, it looks like someone muted him.

CHAIR JOHNSON: Okay.

MR. ALEXANDER: Hang on.

CHAIR JOHNSON: Oh, okay. I can hear you now, Mr. Alexander.

MR. ALEXANDER: Okay. That's why me, I like seeing people in person.

CHAIR JOHNSON: Yeah, I...I understand that. But if you...you know...

MR. ALEXANDER: (*audio interference*) right now.

CHAIR JOHNSON: I'd love to hear what you have to say right now if you're ready.

MR. ALEXANDER: Okay. I'm ready.

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CHAIR JOHNSON: Okay. We're all ears.

MR. ALEXANDER: First of all...first of all I hope that each one of you read this affordable housing thing that . . .*(inaudible)*. . . wrote. I'm opposed to that project. When I bought the house, this lady across the street named Grandma Betty *(phonetic)*, her lawful...that area from the beginning...now, her wishes when she died, which I led her ceremony, was five lots for her family. Five houses, not no condominiums, not no anything else. Okay? Now, that was grandma's wish. Okay. Betsill and Lawrence--and I can name a few people--affordable housing, in my book, is different. Okay. Now, there was a gentleman wanting to buy that place and put the five homes, but Betsill and his corruption went behind that gentleman and sneaked it out of him. That got me really angry. And I know Doyle, I know Lawrence, and like Susy said, we had a meeting with them, and they're two-facers. Okay? Strictly two-face. Now, I've been dealing with them for years when I had my business. Okay. So, first of all, I just going make this real plain and simple. Affordable housing for local people, my book for since I've ever been in construction is ten years living on the island to be qualified for affordable housing. Ten years ownership of the home before you can sell. These are the things that you folks need to regroup . . .*(timer sounds)*. . . and get done. Now, my terminology is pilgrims. Pilgrims come in, they destroy. Pilgrims become pilgrim haoles, which they destroy. I love haoles across the street from me, next door to me. Those are people that are true. Because see, the definition of haole already changed already. Now, in today's Google, okay, the first thing was on there that I read was Maui prices highest, second thing was why people don't return to Maui on vacation, locals are not friendly anymore. Why are locals not friendly? Because they come and they destroy the island. I'm all for tourism.

CHAIR JOHNSON: Mr. Alexander...

MR. ALEXANDER: I grew up with that with my dad. Okay.

CHAIR JOHNSON: Mr. Alexander...

MR. ALEXANDER: So, now the point I'm trying to make is --

CHAIR JOHNSON: Okay.

MR. ALEXANDER: -- affordable housing . . .*(timer sounds)*. . . put them in Wailea, put them in Kapalua.

CHAIR JOHNSON: Okay.

MR. ALEXANDER: Okay? Now, if...that way you don't have to redo the infrastructure for traffic. Okay?

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CHAIR JOHNSON: I...I want to stop you there. I appreciate your testimony. We're...we're...

MR. ALEXANDER: Okay. You get any questions?

CHAIR JOHNSON: So, let me ask everybody if they have questions for you. Members, do we have any questions for Mr. Alexander?

MR. ALEXANDER: I don't think so.

CHAIR JOHNSON: Okay.

MR. ALEXANDER: Everybody know me already.

CHAIR JOHNSON: Yeah, we know you. We appreciate your testimony and share...sharing your voice with us. Thank you so much.

MR. ALEXANDER: Yeah, I appreciate you guys sending me back emails. All right.

CHAIR JOHNSON: Okay. All right. Thank you so much. Ms. Greco, will you call the next testifier please?

MS. GRECO: The next testifier is Paul Fassi, to be followed by Jeff Gilbreath.

MR. FASSI: Chair, I don't have any testimony, I think that's a mistake.

CHAIR JOHNSON: Okay. Thank you so much, Mr. Fassi, if I'm pronouncing that right. Ms. Greco, will you call the next testifier please?

MS. GRECO: The next testifier is Jeff Gilbreath, to be followed by the user logged in as Guest.

MR. GILBREATH: Aloha, Councilmembers. Good to see you. I hope everybody is doing well. So, Jeff Gilbreath, representing Hawai'i Community Lending and Hawaiian Community Assets. And I'm testifying today in support of the project. This project was vetted and was part of our priority project list for the Maui County Comprehensive Affordable Housing Plan that we submitted June, 2021. The conversations at community, some of the concerns that have been brought up were not...were not voiced at the time, but they are important to address. But I will tell you that this project was seen in those community meetings as a critical infill need for our low-income working families. I would note that in terms of who may be moving into those units, I will tell you that the Financial Opportunity Center was recently worked with the Hale Kaiola project. 79 of our local families, low-income buyers, were standing in line for that lottery, 19 of them got approved. There are now 60 that are looking for a place to live, and they can't find anything. The majority of them are under 80 percent area median income. I heard the concerns around Single-Family zoning. I will tell you folks the comments that we heard from community is that there are concerns about Single-Family zoning only as a way to

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economically segregate our communities. I would also, just to respond to some of the comments that have been made, our families that are going through this process are extremely knowledgeable. They go through a process and they understand very well what they're getting into. They're not being duped. They know they need a place to live. And I think for you folks, what I can tell today is that it's important to have conversation with community. You're obviously going to have to weigh the concerns of traffic and the priorities of existing homeowners, but the real need of families needing some place to live on island. And you will continue to hear that affordable housing is great, just not in my backyard. So, thank you folks for the time and to support the project.

CHAIR JOHNSON: Okay. Thank you, Mr. Gilbreath. I'm not sure, but there was a little bit of feedback or knocking in there, I don't know what that was with the voice. But Members, do we have any questions for Mr. Gilbreath? We do have one from Councilmember Paltin.

COUNCILMEMBER PALTIN: I just wanted to clarify what...what it was you're saying, that you support the project, it was identified, and that we need to look at the...the drainage issues?

MR. GILBREATH: That I think it's important, Councilmembers, that you hear all sides, right, and that you let the conversations play out. But you will have to balance the priorities of existing homeowners, traffic, drainage, the real need of families needing a place to live, or else they're just going to be on the streets. So, I mean that's...and that's the reality. In all the conversations we've had with the plan that it's important to have these conversations, the tough conversations, and to figure out where to go. It sounds like you're hearing them already today.

COUNCILMEMBER PALTIN: And...and in your CAHP plan, it wasn't a concern about flooding in houses, the houses?

MR. GILBREATH: Nothing...yeah, nothing came up when we had the project list that was reviewed, but...you know, we had quite a few folks participate, but not everybody can participate, right? But in our...in our outreach, it wasn't identified as...as the issues that I've heard today.

COUNCILMEMBER PALTIN: Thank you. Thank you.

CHAIR JOHNSON: Okay. Anyone else? We got any other questions for our testifier? Seeing none. Thank you, Mr. Gilbreath. Appreciate your time.

MR. GILBREATH: Thank you, folks. Take care.

CHAIR JOHNSON: Okay. Ms. Greco, will you call the next testifier please?

MS. GRECO: The next testifier is the user logged in as Guest, to be followed by Ms. Randy

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Wagner.

CHAIR JOHNSON: Someone logged in as Guest, it should say on your device that that's who you are. If you want to unmute yourself, we're ready to hear from you. Okay.

MR. WAGNER: I don't know if that's me or not.

CHAIR JOHNSON: Oh, no, that's...your name is there, Ralph (*phonetic*). We have you on the list.

UNIDENTIFIED SPEAKER: Oh, okay.

CHAIR JOHNSON: Thank you for that. That would be someone...

MS. HAMMAN: Hello?

CHAIR JOHNSON: Hello?

MS. HAMMAN: Hi. I'm not sure if we're logged in as Guest, we don't have visual. This is Alison Hamman and Christopher Hamman.

CHAIR JOHNSON: No, we have you on the list. Thank you.

MS. HAMMAN: Okay. Thank you.

CHAIR JOHNSON: Thank you so much. We'll call...

MS. HAMMAN: I'll mute.

CHAIR JOHNSON: Yeah. We usually call you with the last four digits of your number, so we'll...we'll --

MR. KALANIKAU: Hey, Gabe?

CHAIR JOHNSON: -- look for that.

MR. KALANIKAU: Hey Gabe, how about me? Vernon Kalanikau. Nah?

CHAIR JOHNSON: No, we've got...

MR. KALANIKAU: It wasn't, nah.

CHAIR JOHNSON: Okay. We don't...it's...if it doesn't...if it doesn't say Guest on your device then...then we'll go on to the next person and come back. Because everyone who's answering has their names up. So, Ms. Greco, will you call the next testifier please?

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MS. GRECO: The next testifier is Ms. Randy Wagner, to be followed by Lloyd Johnson.

CHAIR JOHNSON: Okay. We have Ms. Wagner up.

COUNCILMEMBER KING: It looks like Daniel is trying to help her at the district office.

CHAIR JOHNSON: Yeah. And our...on our...on our end, can we make sure she's unmuted?

MS. GRECO: Chair, she's unmuted on our end.

CHAIR JOHNSON: Thank you.

COUNCILMEMBER KING: One of our first testifiers. We'll get this worked out eventually. Daniel, she needs to be unmuted on your end.

CHAIR JOHNSON: Usually I just push the letter M, Daniel. That unmutes it on...on my keyboard.

MS. GRECO: Chair, Daniel chatted to come back to them, so if it's okay, we'll move on to the next --

CHAIR JOHNSON: Yeah.

MS. GRECO: -- testifier and come back?

CHAIR JOHNSON: Sure. Let's go on to the next one, Ms. Greco, and...and come back to them if they're ready.

MS. GRECO: The next testifier is Lloyd Johnson, to be followed by Vernon Kalanikau.

CHAIR JOHNSON: Okay. That would be testifier as last name Johnson. You're on the call, are you able to unmute yourself? Okay. We see you. And you're muted, so can you push M to unmute yourself? Or Staff, make sure they're unmuted on our end. Usually there's the icon, it looks like a microphone. You can push the icon to unmute yourself, and then do a test, say test, so that sometimes it picks up your sound because we're not hearing anything. And then the other one is on the keyboard, you can push M for mute and unmute, but I still see that you're muted, Mr. Johnson, so...

MR. JOHNSON: Okay. Can you --

CHAIR JOHNSON: Oh, there you go.

MR. JOHNSON: -- hear me now?

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CHAIR JOHNSON: We got you. There you go. Loud and...

MR. JOHNSON: Okay. My name...my name is Lloyd Johnson. My property is adjacent to this proposed development. It is 1093 South Kihei Road. I am opposed to this project because of how it infringes on my privacy, but I don't expect that to move you. I've already heard one person say that we're just a bunch of NIMBYs, not in my backyard, but there's much more to it than that. I also acknowledge the need for workforce housing, but this is the wrong place for it. This site is subject to frequent flooding. Predictably, the property owners there will have to trudge through ankle-deep water from home to car for several days following seasonal heavy rains. These houses will not be a bargain, there will be a lot of buyer's remorse. Are we to let the buyers beware? So, these low-income families don't need flooded property, they need quality property. The empty lot in question is a necessary flood control. Anyone who has ever driven on South Kihei Road after a heavy rain knows that the road is flooded for several days after. That water...that water creeps up my driveway, then finds low ground to follow on the south side of my house into my backyard, then into that empty lot. It takes several days to absorb into the ground there. The County has neglected drainage in this area. Old drains are clogged and covered. You may promise to do better maintenance, but you can't keep that promise. Eventually you will leave office, and your replacements will not feel bound by your promises. Unless you expect water to flow uphill, you must reject this project. And one of the two access roads to this project is already too narrow for current traffic. Kauhaa has parking on both sides and two-way traffic. I personally avoid the street because it isn't wide enough for two-way traffic. If there's a car coming from the opposite direction, one car has to pull over and yield. And this project proposes more traffic on that street.

CHAIR JOHNSON: Okay. Mr. Johnson, thank you for your testimony. Members, do we have any questions for our testifier? Seeing none. Thank you so much for your testimony. Thank you. Ms. Greco, will you call the next testifier please?

MS. GRECO: Chair, we'll have Randy Wagner, to be followed by Vernon Kalanikau.

MS. WAGNER: Aloha. Can you hear me okay?

CHAIR JOHNSON: Okay. Loud and clear. Thank you for bearing with us for that.

MS. WAGNER: Thank you. My name is Randy Wagner, and I am an architect, a planner, a local resident, and I'm also the Chair of the Kihei Community Association Design Review Committee. We have reviewed this project twice very thoroughly, and done research about the flooding and the wetland issue here. We are very much opposed to this project for several reasons. As you've heard about the flooding, that is critical. And you know that David Goode suggested that people shouldn't be living in this area. The best solution would be to move people out of this area. So, to allow an increase in zoning density is a huge mistake. The mitigations that are proposed for this project, such as pervious concrete, which is one, would not work here because of the silting of the

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concrete. It requires vacuuming to maintain it, and that's not an affordable component of an affordable project. They...they're suggesting grass pavers in the parking areas, but how can grass pavers be watered when cars are parked there? People aren't going to want their cars watered, and so the grass would die, and that's not a good solution. Also, they were proposing tanks to hold water under the buildings in the crawlspaces, which also have to be maintained, which would also be expensive and not an affordable option, and doesn't really make sense when the flood level is high to have a tank of water in a flooded area. So, for those reasons, the flooding is a huge problem. And the Bill...Bill 52, which will address areas in wetlands, is still in the works and hopefully will be helpful in reviewing projects such as this. So, another issue that we have with this project is the increased zoning. Transect zoning, which is how they're presenting this project . . . *(timer sounds)*. . . whoops.

MR. KANAHELE: Ask for one minute to conclude.

CHAIR JOHNSON: You...you can have one minute to conclude.

MS. WAGNER: May I have one minute? Okay. So, transect zoning makes good sense; however, the infrastructure is not present for...for higher density towards the center of town when there are no sidewalks, and the only way to get places is with cars. One thing I wanted to mentioned was when Mr. Jeff Gilbreath, who was talking about the need for affordable housing, which is very real and which we acknowledge, he said that the people in line were less than 80 percent income level. And this project is for from 80 to 140 percent income level, so those people would not even qualify for this project as it is designed to be priced.

CHAIR JOHNSON: Okay.

MS. WAGNER: Thank you for your...

CHAIR JOHNSON: Thank you.

MS. WAGNER: Thank you for your time.

CHAIR JOHNSON: You're welcome. Members, do we have any questions for our testifier? We do have one from Councilmember Kelly King.

COUNCILMEMBER KING: Thank you, Chair. Aloha, Randy. Nice to see you.

MS. WAGNER: Aloha, Kelly.

COUNCILMEMBER KING: What did you mean by you have to vacuum the pavers?

MS. WAGNER: Well, you don't have to vacuum the pavers, you have to vacuum the pervious concrete. Concrete has little holes in it, and when this area floods...well, just the dry

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air has silt in it that will fill the holes, and also flooding will fill the holes, so it will no longer be pervious. So, what starts out on day one as pervious concrete quickly is impervious concrete, and it needs to be cleaned, which is expensive, and it will still never regain its original perviousity [*sic*].

COUNCILMEMBER KING: Oh, okay. Thanks for that information. Thank you, Chair.

CHAIR JOHNSON: Okay. Any other questions for our testifier? Seeing none. Thank you for your...your testimony.

MS. WAGNER: Thank you.

CHAIR JOHNSON: Okay. Ms. Greco, will you call the next testifier please?

MS. GRECO: The next testifier is Vernon Kalanikau, to be followed by Ann Kelly (*phonetic*).

CHAIR JOHNSON: Aloha, Vernon.

MR. KALANIKAU: Yeah. Okay. You know what, can I come back on, log on?

CHAIR JOHNSON: Sure, we'll call you after we call the next testifier. Okay. We'll save your spot.

MR. KALANIKAU: Sorry. Yeah.

CHAIR JOHNSON: That's okay. Ms. Greco?

MS. GRECO: The next testifier is Ann Kelly, to be followed by Christopher Hamman.

CHAIR JOHNSON: Okay. I don't hear that person coming on. Will you...will you...we'll come back to that person, and will you call on the next one, Ms. Greco?

MS. GRECO: The next person is Christopher Hamman, to be followed by Alison Hamman.

MR. HAMMAN: Hello. Can you hear me?

CHAIR JOHNSON: Yes, we can, loud and clear.

MR. HAMMAN: Okay. Hi. My name is Christopher Hamman. I live adjacent to the proposed project. I've been a builder for 30 years. I've been a home inspector on the island for the last 11 years, and I do building assessments, I do home inspections, I do project management. And I have several concerns about this project. The...the biggest concern I've got, everybody's talking about, you know, once the project is done, completed, with the traffic and all...all the effect is, but during construction, this will be a nightmare. I've been...I've been involved in construction and the process of big machinery on small

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streets, and I see no way that this is going to work out. Let alone the fact that we're...they're proposing to build in a flood zone, which may or may not affect the water flow at my property, it goes downhill. So, I...you know, my concern is what if these...when we get the next storm, and these guys are under construction, where's that debris going to go? It's just going to clog up our systems. We're going to have, you know, traffic backed up. And, you know, the storms are unpredictable. And it's just...it just looks like a nightmare to me. I haven't had the time to review all the plans, but just the volume of people, cars added...and the cars will be on our streets as well. It will be probably spread out around the neighborhood because there's not enough parking for the amount of units. And so I strongly oppose this project, as well as everybody in our family, and my wife is next, so she'll give you her take on it. Thank you very much.

CHAIR JOHNSON: Okay. Thank you, Mr. Hamman.

MS. HAMMAN: Hello. This is...

CHAIR JOHNSON: Hello. We can hear you.

MS. HAMMAN: Okay. My name is Alison Hamman, I'm on 36 Kaikane Place. My husband Christopher just testified. I didn't quite hear what he said because I'm watching kids. But my opposition is based on a residential point of view, not a builder's point of view. I regularly walk my grandbabies down to the end of our street, Kaikane, there's about, I think, eight homes on our street, a cul-de-sac, and we hang a left on Waipu'ilani to...down to South Kihei Road, and then we go to Maui Sunset beach. This is a three-time-a-week regular routine or more. And right...already, as we...as it stands right now, our private drive is clogged up with about 14 cars that are already overflow parking from Waipu'ilani. And then we have to basically walk in the streets. There's about a...maybe a 30-foot portion of sidewalk is...that's the whole extent of the sidewalk safety for the kids and I. So, all the way down to the beach. So, we basically have to go into the dirt, off the dirt, into the dirt, on the road just to get down to the street. And then when we get down to the sidewalk, we basically put our lives in our hands, and we're hoping that traffic on both sides will see us, and the person that's turning left won't block the next person, on...oncoming traffic. So, it's very sketchy. We love where we live, but this is already a concern. So, for me, it's kind of the quality of life, being able to...we live here specifically because we want to participate in the beach and in our neighborhood activities, but it's very dangerous for us already at this time. That's one concern. Another concern is the additional parking that it will bring. The flooding and the storm drains are already not working. The last couple storms we've had in the area have taken cars already skidding down the road, down to South Kihei...I'm sure you guys are all aware that the bottom of our street, as well as Kulanihakoi and some of the others . . . *(timer sounds)*. . . become puddle zones. And...okay, I hear that my time's up, but I just want to say that I'm all for affordable projects, housing, but this is definitely not the right area. This is zoned for small families, and I really think for the quality of life, it should stay that way. Thank you for considering my testimony.

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CHAIR JOHNSON: Okay. Thank you. Thank you, Ms. Hamman. Members, do we have any question for the Hammans? Seeing none. Thank you for your testimony.

MS. HAMMAN: Thank you.

CHAIR JOHNSON: Thank you. Okay. Ms. Greco, will you call up the next testifier please?

MS. GRECO: The next testifier is Vernon Kalanikau, to be followed by Merritt Kaufman (*phonetic*).

MR. KALANIKAU: All right. Sorry about that. You can hear me?

UNIDENTIFIED SPEAKER: I think we need to send an email.

CHAIR JOHNSON: Loud and clear. Somebody else has to mute...mute their mic.

MR. KALANIKAU: Yeah. Okay. How about now?

CHAIR JOHNSON: Loud and clear.

MR. KALANIKAU: Okay. Thanks. Any...any of you guys...anyway, thank you, Councilmembers. But any of you got this...Councilmember Paltin, any time today?

COUNCILMEMBER PALTIN: . . .(*thumbs-up*). . .

MR. KALANIKAU: If you have that, what it is, it's...it's an aerial view shot of the Waiohuli corridor of...of that...that ahupua'a and that wetland. So, if you have that photo. and if you can follow me, you know, if you have it, you can see where Longs Drugs is located. Behind Longs Drugs, we all know there's that pond back there, right. Right next to Longs Drugs there's Yee's Orchard, behind there you can see that's all wet, that's wetlands all back there. You follow that all the way to the Meadowlands. So, the Meadowlands, a good example of a project being built on a wetland. That was all wetland. The problem I have with that project is it was elevated. Once elevated, they no flood, but everybody else around flood, yeah. And then right...right next to that, north of that...that project, the...the Meadowlands, you can see in the blue the project site, and then you can see the Waipu'ilani Street that runs alongside that project. So, when I was invited by Carnicelli and Doyle to come on site with David Thusin (*phonetic*) and Mr. Alexander, my...my participation and concern was what's below the water table. Because over there, yeah, even at king tides, years ago and even recently, and even what comes from mauka when downside no rain, get water buildup on that property. You can see it right here in the photo if you guys have that chance to see in the photo just south of that parcel. The other concern I brought up with Doyle guys was there are wells on the Waipu'ilani Street. The residents back in the '60s, they...some of them put wells, and it's only like five feet deep. That's what they use for water their yard, so you guys have to keep . . .(*timer sounds*). . . and I told them you guys have to keep (*audio*

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interference). There are waterways below that comes...that runs through that property and exits through the shoreline in front. And if you go in the shoreline, you go rub your feet in the shoreline, it's all cold, the water, because the water does run underneath those corridors below. And I just learned today that they were testing down on that property, I heard from our wetland hui member that you go two feet on that...that proposed project, you'll hit water. You know, and that flood...and we all know that place flood. Sorry for taking...

CHAIR JOHNSON: That's okay. Thank you for your testimony. Members, do we have any questions for our testifier? We do have one from Councilmember Paltin.

COUNCILMEMBER PALTIN: Chair, I was wondering, as it was mentioned in the reading, Mr. Kalanikau was consulted as a cultural expert. Would it be okay to ask him to be a resource when the appropriate time comes? And to clarify, I...I submitted his picture, it's number 72 out of 72 on testimonies.

CHAIR JOHNSON: You're just reading my mind, Councilmember Paltin. Let's ask Vernon. Vernon, would you be available to be a cultural --

MR. KALANIKAU: Yeah.

CHAIR JOHNSON: -- resource? Okay. Members, any objection with allowing Vernon to be our cultural resource on this issue?

COUNCILMEMBERS VOICED NO OBJECTIONS

CHAIR JOHNSON: Seeing no objection. Okay. Wonderful. Thank you for staying on, Mr. Kalanikau. Okay. Ms. Greco, will you call the next testifier please?

MS. GRECO: The next testifier is Merritt Kaufman, to be followed by Justine.

MR. KAUFMAN: Hello?

CHAIR JOHNSON: Hello, we can hear you.

MR. KAUFMAN: Oh, you can hear me? Okay. Thanks. Yeah, I'm just kind of new to this. This development, I was looking at it, and yeah, affordable housing is obviously a desperate need, everyone's moving away because no one can afford it. And I know...I'm sure Tamara can attest to this, she was in the lifeguard...she was a lifeguard before, and like these affordable homes, first of all, are not even affordable, so it's kind of a joke that they even call them affordable homes in the first place. They're way beyond, you know, the suggested 30 percent of our annual income to go into it. But it's still more affordable than anything else, so it's absolutely a great idea. Obviously this location is not satisfactory, on top of the fact that it's not good for the homeowners, and they're trapped in these flood zones. All of Kihei used to be swamplands and wetlands, and

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they're starting to do some major restoration in Waipu'ilani down there. It's the only, gosh, little...like kind of that little pond over there by the beach, but that is...was such an important part of the entire South Maui's ecosystem, and it's already been pretty much destroyed. But as you can see with all these big storms is, you know, Maui's taking it back. And if these houses are in the way, a lot of houses are already in the way, and they're getting taken back already. It's...but it's inevitable. So, you know, we really got to concentrate on storing the...that whole area was actually known as like the spleen of the entire island if you look into the history of it. So, it's...it's really important not only for South Maui, but for the entire island. So, there's a lot of environmental reasons why there shouldn't be anything really built in that Waipu'ilani area, to really try to bring those wetlands back, or at least whatever section is remaining that we can. Because like I said, I mean, you know, Maui is going to take it back anyway, it's just a matter of time. And...but yeah . . .*(timer sounds)*. . . we definitely need...we definitely need the workforce housing. It's...I mean what is...what is considered affordable homes now? Hello?

CHAIR JOHNSON: Okay. Yeah, well said, Merritt. We usually don't take questions during testimony, we allow you to make statements. So --

MR. KAUFMAN: Okay.

CHAIR JOHNSON: -- and the bell rang, so if you want to finish up your testimony, otherwise I can ask for Members if they have any questions.

MR. KAUFMAN: No, just environmentally, it's a terrible idea. The location is awful.

CHAIR JOHNSON: Okay.

MR. KAUFMAN: The...the intention was great. You know, move it somewhere where there's proper infrastructure, absolutely, but --

CHAIR JOHNSON: Yeah.

MR. KAUFMAN: -- let's make these affordable homes affordable, let's not...just not --

CHAIR JOHNSON: Okay.

MR. KAUFMAN: -- call it affordable just because of like pat our own backs. Like we all know what is and isn't affordable. But --

CHAIR JOHNSON: Thank you. Thank you, Merritt.

MR. KAUFMAN: -- yeah. Yeah.

CHAIR JOHNSON: I don't see any --

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MR. KAUFMAN: No, you're welcome.

CHAIR JOHNSON: -- any questions from the...from the Councilmembers, so thank you for your testimony. Members [sic] --

MR. KAUFMAN: No problem.

CHAIR JOHNSON: -- will you call the next testifier?

MR. KAUFMAN: Any time.

CHAIR JOHNSON: Or I mean, Ms. Greco, will you call the next testifier?

MS. GRECO: The next testifier is Justine, to be followed by Jeff Pontaleo.

MS. MALDONADO-MORGAN: Hi. Hello?

CHAIR JOHNSON: Hello. We can hear you loud and clear.

MS. MALDONADO-MORGAN: Oh, okay. Perfect. So, mine is just going to be quick, short, and simple because Randy and Merritt right before me kind of stressed what I was going to mention as well. I feel like the affordable housing concept in general is a terrific idea. I love that you guys are trying to help out as much people as you can, but I feel like this specific project is in a terrible location. It almost seems like we're just trying to fill in pukas where we see empty lots. I think if we were to maybe expand the project that's planning on happening right below Wailuku Heights where there's more land in that area, I think that'll be great. And then going back to the whole affordable housing part. I'm a single mother of two. I unfortunately don't have the best paying job. So, for someone like me, unless I have a bunch of money saved up that I can put for a down payment to try and help to lower the total amount of the house, people like me are screwed unless we have somebody else pitch in and attach their income onto our application. So, I feel the dollar amount for what's considered as affordable housing needs to be revisited, especially nowadays with a bunch of single family, single parents with kids who are just trying to survive on Maui. And that's literally all I have to say because everybody else before me made great points, and I'm sure you don't want to hear it all over again, but thank you.

CHAIR JOHNSON: No, I...thank you, Justine. I have a clarifying question for you. What's your last name for the record?

MS. MALDONADO-MORGAN: Maldonado-Morgan.

CHAIR JOHNSON: Okay. Thank you. You know, just to let you know, we're working on the affordable housing price guidelines coming up in my next Committee, so maybe if you

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have time you can come testify again on that particular issues that you brought up. They're really important that we hear that those price guidelines are just too high. So, thank you for testifying. Members, do we have any questions --

MS. MALDONADO-MORGAN: I would love *(audio interference)*

CHAIR JOHNSON: -- for our testifier? Seeing none. Thank you so much again. Mahalo.

MS. MALDONADO-MORGAN: Thank you.

CHAIR JOHNSON: Okay. Ms. Greco, will you call the next testifier please?

MS. GRECO: The next testifier is Jeff Pontaleo, to be followed by Robin Knox.

CHAIR JOHNSON: Okay. Jeff Pontaleo, you're on the call, are you here? Okay. We can come back to him. Will you call the next testifier, Ms. Greco?

MS. GRECO: The next testifier is Robin Knox, to be followed by Brandon Holmes.

CHAIR JOHNSON: Hi, Robin.

MS. KNOX: Can you hear me?

CHAIR JOHNSON: Loud and clear.

MS. KNOX: Oh, great. Okay. Little bit of technical difficulty there. There's some obvious problems with this project to everyone, like the neighborhood character and density, and traffic problems that are already known to exist there, that it's just not a good idea. But my main concern is the loss of wetlands and flooding. The...the developer's...or the applicant's report says, you know, that the Corps of Engineers is the legal authority to decide what's a wetland, and that they said it wasn't a wetland, but that's not exactly true. What they said is that it's not a Water of the U.S. under the jurisdiction of the Clean Water Act requiring a Corps of Engineers' permit. That doesn't mean it's not a wetland. I have personally walked the site, and I saw wetland indicators that are confirmed by the applicant's own reports. There's wetland native plants, akulikuli and kipukai, there's poorly drained soils and ponding, there's salt deposits, and the neighbors have actually built floodwalls. Everyone knows that area floods, even with a localized rainfall, much less when the big floods come down from mauka. Each acre of wetlands holds 1 to 1.5 million gallons of flood water. So, this 1.5-acre site could potentially hold up to 2.25 million gallons of flood water. The...the proposed drainage stuff only captures what falls on the site, and to me, this whole thing looks like an environmental injustice. I think affordable housing should not only be truly affordable, but...not just with mortgage, but with all the other costs that come with it. If an area is flooding, which this is expected to, they're building the houses up on piers because they think it would flood. They have proposed drainage stuff that as was pointed out earlier

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will clog up and not drain because of the kinds of soils and because of the mud and dust that comes down. And they're already saying that it'll be \$340 a month HOA fees . . . *(timer sounds)*. . . and I think that's just going to go up when the real cost of flood insurance and maintenance of that drainage infrastructure come into play. So, in conclusion, I do not support this project. It's not in character with the neighborhood, it's too dense, and most importantly, it would be an environmental injustice to those families who need truly affordable housing.

CHAIR JOHNSON: Okay. Thank you, Ms. Knox, for your testimony. Members...

MS. KNOX: You're welcome.

CHAIR JOHNSON: We have a question for you from Councilmember Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. That was one of my questions. I seen in the reading, I saw that it said HOA fee is \$330 *[sic]*, but it didn't say that it was monthly or annually. Did you get information that it's supposed to be monthly?

CHAIR JOHNSON: I can clarify that. It's a monthly fee.

COUNCILMEMBER PALTIN: Oh, it is. It...okay. It didn't say in the book.

CHAIR JOHNSON: Yeah, we called the...the developer on that one as well because I was curious as well. It's a monthly fee. Members, any other questions for our testifier? Seeing...seeing none. Thank you, Ms. Knox, I appreciate it. Ms. Greco, will you call the next testifier please?

MS. GRECO: The next testifier is Brandon Holmes, to be followed by the individual calling in with the number 6603.

MR. HOLMES: Aloha.

CHAIR JOHNSON: Aloha.

MR. HOLMES: So, I'm over at 31 West Waipu'ilani down a shared driveway, as you can see. I've been through multiple muddy floods over the years. One in particular was 2016. My home was also built in '73, and all the homes around me are very similar. Maui Sunset came in and raised the grounds and agreed to put in storm drains. Over the years, after a few big floods came in, those storm drains have been completely clogged and not maintained by Maui Sunset. I've talked to multiple people in the Public Works over the years as it's changed hands, and then I restart, along with my fellow neighbors trying to get those storm drains opened back up. It hasn't happened. What's similar to how I see this project going, if there's no storm drains that are necessary when they build this project, and there's no storm drains that are going to be getting cleaned out or anything in particular to...to alleviate the major issue of these rains and floods, then

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there's no way I could feel that it would be a good thing for the residents anywhere near Waipu'ilani. So, yeah, I don't have too much more to say on that, I've just seen it from experience, and I...I --

CHAIR JOHNSON: Okay.

MR. HOLMES: -- know for a fact that my neighbor who came here in 1948 saw the Maui Sunset project, he saw the drains getting clogged, and so he's given me the stories of the years of how it's progressively gotten worse. And without storm drains or money to promise to go towards these kind of storm drains that we need here, then more building up is just a terrible idea. Thank you.

CHAIR JOHNSON: Okay. Thank you, Mr. Holmes. Members, do we have any questions for our testifier? Seeing none. Thank you for your testimony. Mahalo.

MR. HOLMES: Thank you.

CHAIR JOHNSON: Ms. Greco, will you call the next...oh, we do have one. I'm sorry, Mr. Holmes. Go ahead, Councilmember Paltin.

COUNCILMEMBER PALTIN: Did...how did you find out it was Maui Sunset storm drains? It...did you find out it was their responsibility to keep the storm drains unclogged, or is that an assumption?

MR. HOLMES: From...from what I've been told from the...Jimmy (*phonetic*), the neighbor who let them use his property to store the vehicles for Maui Sunset, he was across the street for those years, and that was part of Maui Sunset's infrastructure plan. There was, I think, three major drains, one being at the corner of South Kihei Road and West Waipu'ilani, which is now just a grassy patch. He took me over to that specific storm drain and showed me exactly where that one was. I was able to find remnants of the other two, but that one's been completely landscaped over. The new Public Works, I think it was 2018, they solved...they resolved with Maui Sunset that they no...that they have to...instead of unclogging the drains, that they have to pump water during flooding, which they've also not done ever since they signed that bill or document.

COUNCILMEMBER PALTIN: Thank you. We'll try --

MR. HOLMES: Yeah, thank you.

COUNCILMEMBER PALTIN: -- follow up, I guess. Thank you.

CHAIR JOHNSON: Yeah, thank you for your testimony, Mr. Holmes. Very informative. Members, any other questions for Mr. Holmes? Seeing none. Thank you for your testimony. Ms. Greco, will you call the next testifier please?

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MS. GRECO: The next testifier is the individual calling in with the last four digits 6603, to be followed by Colette Cardoza (*phonetic*).

CHAIR JOHNSON: Okay. Will you call the next testifier? I don't...I don't see anybody responding.

MS. GRECO: The next testifier is Derrick (*phonetic*), to be followed by Don Gerry (*phonetic*).

CHAIR JOHNSON: Okay. Derrick, if you're on the call, you...are you ready to testify? You can unmute yourself. Okay. I'm not hearing anything. Ms. Greco, please call the next testifier.

MS. GRECO: The next testifier is Don Gerry, to be followed by Jasmine (*phonetic*).

MR. GERRY: Hello. Can you hear me okay?

CHAIR JOHNSON: Yes, we can hear you loud and clear.

MR. GERRY: Okay. Very good. Yeah, I've been kind of fighting this battle for quite a few years. I live one foot four inches lower than where this project is to be, and my property is the last one to be cleaned on South Kihei Road in any direction. I've cleaned South Kihei Road myself with a piece of equipment. When the roads are shut down, I've moved the barricades over so I can have my lane to clear out all the debris on my own property. I've done all this with the recommended...recommendation of David Goode while I'm waiting for weeks and hundreds and hundreds of thousands of dollars of the County's expenditures to come down and clean up. I really do agree with Mrs. Ting, not in...who was the very first testifier. She's not against the housing. I also agree with Mrs. Greco [*sic*], and I'm so glad for her professional input on the drainage and the porous concrete, which...just the dust alone in Kihei, throw a little water on it, you're going to plug up the holes. I know how low the water level is, and I'm glad Mr. Alexander brought that up because I've dug holes myself, and I know that you can go down to 24 inches and you're going to find the water. There are wells all over that get used. So, the sheet-off is...has increased, which is water that falls on your roof, on your concrete, and where's it go? Path of least resistance, it goes downhill. Just recently here, I appreciate Brandon Holmes discussing the fact of the...the Maui Lu. I have pictures that I have sent for years, and I would love to send them to all of you, of the grate on the corner of South Kihei Road. When I went and drove a stake and found it, County came and uncovered it. I was...went onto the property and they had their sump, which was six feet deep, had two very large Marks (*phonetic*) pumps there on Maui Sunset property. These were abandoned, filled up, covered over, and the pipes that used to go to the park at Maui Sunset has now been landscaped over . . . (*timer sounds*). . . and not useful any longer. So, nothing was ever done about that. I'm not in objection to the housing, just more of where it is. It doesn't belong down here. The impact it'll have on the traffic and the flood area, and I just heard about the parking on...on Waipu'ilani Road; well, we'll see how that gets enforced because you go through Kauhaa, and there's still cars there

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on the side of the house...on the side of the road that are parked. And there's a law and a requirement about mirror to mirror has to be from the center line, they don't meet that.

CHAIR JOHNSON: If you could --

MR. GERRY: So, *(audio interference)*

CHAIR JOHNSON: -- conclude your testimony, Mr. Gerry.

MR. GERRY: What? What?

CHAIR JOHNSON: If you could conclude your testimony.

MR. GERRY: Okay.

CHAIR JOHNSON: Thank you.

MR. GERRY: Wrong place, don't put it here.

CHAIR JOHNSON: Yeah.

MR. GERRY: Thanks. I think that's my vote.

CHAIR JOHNSON: Okay. Thank you --

MR. GERRY: Any questions?

CHAIR JOHNSON: -- for your succinct clarification. We do have a question from Councilmember Paltin.

COUNCILMEMBER PALTIN: At one point you said you appreciated the expertise of Ms. Greco, and Ms. Greco is our analyst, I just was wondering if you meant Ms. Knox or Ms. Wagner?

MR. GERRY: Well, who was the lady with the blue glasses who couldn't get on right away and had to wait a little bit?

COUNCILMEMBER PALTIN: I think that was Miss...one of them, Wagner?

MR. GERRY: No, Kanahele...Kanahele helped her get on.

COUNCILMEMBER PALTIN: Okay. That was Ms. Wagner. Okay.

CHAIR JOHNSON: Yeah.

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MR. GERRY: Oh, oh, I'm sorry. She had the blue glasses?

CHAIR JOHNSON: Yeah.

MR. GERRY: Okay. Well, anyway --

CHAIR JOHNSON: Okay. That's Ms. Wagner.

MR. GERRY: -- apparently she's an engineer, and she had looked up some of this stuff that I'm really grateful for.

CHAIR JOHNSON: Okay. Members, any other questions for our testifier? Seeing none. Thank you for coming out and testifying. Okay. Aloha. All right. Ms. Greco, will you call the next testifier please?

MS. GRECO: Our next testifier is Conrad Guerrero (*phonetic*), to be followed by Ron (*phonetic*).

CHAIR JOHNSON: Is that Mr. Guerrero? Are you on the call? Okay. Will you call the next testifier, Ms. Greco?

MS. GRECO: The next testifier is Ron, to be followed by Scott (*phonetic*).

CHAIR JOHNSON: Okay. Ron, if you're on the call? Okay. Before we start calling the next testifiers, Members, we're going to come up to our 3:00 break, so I'll...I'll try to squeeze in a couple more before our 3:00 break. So, Ms. Greco, will you call the next testifier please?

MS. GRECO: Our next testifier is Scott, to be followed by Alexa Rickert (*phonetic*).

CHAIR JOHNSON: Okay. Do we have a Scott on the call? Okay. Can you move on to the next one, Ms. Greco?

MS. GRECO: The next testifier is Cara Flores, to be followed by the user with the name Jay (*phonetic*).

MS. FLORES: There we go. Can you hear me?

CHAIR JOHNSON: Loud and clear.

MS. FLORES: Awesome. I was excited when I saw this project, all the workforce housing it was going to be providing, and that it's 100 percent owner-occupant. When I learned it was in a FEMA flood zone, I became very concerned. I went and took video and photos not far from there on the December 5th flood, and I'm really concerned about homeowners buying and not having adequate buyer beware of how much flooding can

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happen in this area. It's not only in a FEMA flood zone, it's also in a NOAA flood...passive flooding zone. And so it has potential to get flooded, you know, on either of those scales, and I just worry about that. I worry that people are going to have to pay very high premiums for flood insurance if the project isn't elevated enough, and if it's under 30 feet, it's probably not elevated enough. I'm also worried people are going to lose their personal vehicles if it gets flooded. I saw probably hundreds of thousands of cars get flooded and had an insurance adjuster tell me it was some of the worse flooding they've ever seen with a lot of brand-new vehicles getting completely totaled. And it wasn't flooded with water, it was flooded with mud. And so that mud is really thick, and it's hard to move when it does flood. I'm not sure...I'm not an engineer, civil engineer or, you know, environmental engineer to know specifically this property, but it concerns me that it's in a flood area. And I do not support building in a flood zone if you cannot prove that the residents who buy there will not be harmed in the future. So...and we have to think about that with climate change and global warming. There's just going to be worse storms and worse flooding as we move forward. So, we can predict that the FEMA charts right now may not be accurate for ten years from now. That's all I have to share. Mahalo.

CHAIR JOHNSON: Okay. Thank you, Ms. Flores. Members, we have...okay, we have a question from Councilmember Paltin.

COUNCILMEMBER PALTIN: Just to clarify, you're saying you oppose this project?

MS. FLORES: I do...yeah, unfortunately. I...I wanted to support it, and I was planning to support it, but when I started digging, I do not think it's a good idea to build in a flood zone.

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

MS. FLORES: And I think...I think that's bigger than just the NIMBY or any of that idea. I think the potential harm to future residents is the problem.

CHAIR JOHNSON: Okay. Thank you for that. I have a quick clarifying question. Is the background of your...your...is your background have something to do with this discussion? I'm...I'm curious.

MS. FLORES: Yeah, I forgot. That's the passive flooding map, so it just shows the passive flooding. Yeah.

CHAIR JOHNSON: Okay.

MS. FLORES: Yeah.

CHAIR JOHNSON: Now I see.

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MS. FLORES: *(audio interference)*

CHAIR JOHNSON: All right. Any other questions for our testifier? Seeing none. Thank you for your testimony, Ms. Flores. Okay. Members, it's 2:55, I think we can take our ten-minute recess right now. And everybody in the chat, please come back in ten minutes and we'll...we'll continue on with the testimony. So, without objections, the Affordable Housing Committee of 6/6/2022 is in recess for ten minutes. We'll come back at 3:05 p.m. . . .*(gavel)*. . .

RECESS: 2:55 p.m.

RECONVENE: 3:08 p.m.

CHAIR JOHNSON: . . .*(gavel)*. . . Will the Affordable Housing Committee of 6/6/2022 come back into its...come back to order from its ten-minute recess. The time is now 3:08 p.m. And we are still on public testimony. So, let's have Ms. Greco call up the next testifiers.

MS. GRECO: The next testifier is Jennifer Chapman, to be followed by the user with the name Jay.

CHAIR JOHNSON: Ms. Chapman, are you on the call?

MS. CHAPMAN: Yeah, sorry. I...I'm not very good at the...the technology stuff. Thank you guys for being here and listening to us. I live at 36 East Waipu'ilani Road, which is really right across from what's proposed. I just want to say that I am for affordable housing, but this project and its density, where it's at, I am opposing, I'm against it. And you know, everyone who has opposed it has really great reasoning; the flooding, there's no parking for that many people, there's no streetlights around here. So, I mean I have to wear a nighttime reflector at night so that cars can see me walking down the road because there's no sidewalks. You know, people have been hit on South Kihei Road right in front of Waipu'ilani. There's no sidewalk to cross the street. It's marked with lines, but the people who are driving don't really stop. As a pedestrian, you have to be kind of aggressive and kind of step out, letting them know like I want to cross now, to get to the beach. And it's...it's just...you know, originally it was built and it was designed to have five other houses and maybe some ohanas, so eight structures would be more suitable for the single family. And that can be a large enough house, not a 450-square-foot one-bedroom, one-bath affordable housing for families, like who's going to fit in that? That's not something that's really making sense. And then you've got \$340 in maintenance fees and flooding. And so I'm just going to share that my husband and I bought this in 2016, it was on the market for 460 days because it's in a flood zone. Our yard actually dips down into a grate because we're lower than everyone else around us. And he's a contractor and I'm a waitress, so we are workforce. That's another thing that gets really...it kind of bugs me is...is none of the...none of the people in this neighborhood are not workforce, we're all people who work in tourism, or work at Safeway, or those places that, you know, is being pitched by the developers. We bought

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it because it's what we could afford, and that was at \$560,000 in a flood zone, and a house that hadn't had a new . . . *(timer sounds)*. . . roof or any work done in, you know, 25 years. So, I'm going to end because I know I have a minute and I'm just going to request the last minute. When we bought it, my husband designed it to prevent us from being flooded from our neighbors. So, we have concrete walls that surround the house, and then he dug down to build a French drain, and within two feet of digging down, he hit a water table. It's a mix of both saltwater and brackish water. So, that's two feet under our property where the water is already beginning, not including the flooding. And then when we had the big flood in December, because of that French drain we had a big pond in our backyard, but it stopped our house from actually flooding. Now, did I want to buy something in a flood zone? No, but that's what I could afford, you know. So, when we're talking about affordable housing for other people, like, don't put them somewhere where they're going to lose everything because that just...you're not really doing them a favor. So, I just want everyone to know that I oppose this. I think it could be a great situation or housing somewhere else that's not in a flood zone, that has lighting, sidewalks, not a lot of traffic accidents, kids riding their bikes on the street. . . . *(timer sounds)*. . . So, thank you for letting me voice my concerns.

CHAIR JOHNSON: Thank you, Ms. Chapman. We have a question from [sic] you from Councilmember Kelly King.

COUNCILMEMBER KING: Aloha, Ms. Chapman. Thank you --

MS. CHAPMAN: Hi.

COUNCILMEMBER KING: -- for your testimony. What is a French drain?

MS. CHAPMAN: We had to dig down where this grate was. There was no actual drain, it was just a weird grate, and pull it up. And then we had to dig all the way back about 30 to 40 feet into the property and drop a pipe that would allow water to drain through and bring the water to the back of the property so it wouldn't just flood out the front part of the property. And so we had an excavator here, and they had to dig down, and that's where we hit the water table, and this is to prevent full-on flooding and at least like bring the water from the one area that would flood the most out to the back of the property so that it wouldn't end up in our house. Now, it could still happen because we are in a place of flooding. But, you know, that water table on December when we had the flooding, we had a pond, a big pond in our backyard, but it didn't end up in our house. So...

COUNCILMEMBER KING: It stayed in your yard, the...your water *(audio interference)*

MS. CHAPMAN: It's...yeah, because of the French draining and the grate and everything that was there. And we're lower than the rest of the people that surround us, so if they have stuff flooding into our yard, it creates even more problems, so we created a four-foot concrete wall that surrounds most of our property to prevent their flooding from coming

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into us. Now, if it seeps into the ground, I mean, that's a whole 'nother...nother thing, but that's partly of being in the wetlands, you know.

COUNCILMEMBER KING: Okay.

MS. CHAPMAN: Yeah.

COUNCILMEMBER KING: Thank you.

MS. CHAPMAN: Thank you.

CHAIR JOHNSON: Okay. Member...we have a question from Councilmember Paltin.

COUNCILMEMBER PALTIN: Thank you. I just was wondering, are you able to get flood insurance?

MS. CHAPMAN: We do, it's high. It was difficult when we were first trying to buy the house because we had gotten a really cool deal, but we were finally able to, and we do have flood insurance. But like all insurances, I mean they're only going to cover so much if something does happen, like those cars that were full of mud and so forth. So, we have it, I hope it never happens, but this is what I could afford so I could continue to live here, you know. And I'm born and raised here, so I have three generations of families that have been here, so I'm not...not saying that that's different, but like I want to stay home, I don't want to have to leave, you know.

COUNCILMEMBER PALTIN: Is that...is that house the post-and-pier house, or it's...

MS. CHAPMAN: No, it's...it's just like everyone else's, it's just single family right on the ground. It's only six inches off...it's six inches, so it's like an inch and a half to two inches below the flood zone, so that's why we're in that flood zone area.

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

MS. CHAPMAN: Thank you.

CHAIR JOHNSON: Chair Lee?

COUNCILMEMBER LEE: Hi, Ms. Chapman. Thank you for --

MS. CHAPMAN: Hi.

COUNCILMEMBER LEE: -- your testimony. I...I really appreciate it. I was wondering, you said you bought your house in 2016 for about 550, 560?

MS. CHAPMAN: Yeah, and it had been on the market for over 450 days or something because

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of the flood zone and...

COUNCILMEMBER LEE: Okay.

MS. CHAPMAN: Yeah.

COUNCILMEMBER LEE: Can you tell me...can you tell me what's your assessment now?

MS. CHAPMAN: The assessment now just from Zillow because I haven't really looked, it's probably about 900 to 950,000, not including the work we've put into it.

COUNCILMEMBER LEE: I see.

MS. CHAPMAN: But it's still in a flood zone, so...I mean I could...we could sell it and run, but where are we going to run to? I can't afford a million five, so we're right --

COUNCILMEMBER LEE: Right.

MS. CHAPMAN: -- where we have to be, you know.

COUNCILMEMBER LEE: Okay. Thank you very much.

MS. CHAPMAN: Thank you.

CHAIR JOHNSON: Okay. Members, any other questions for our testifier? Seeing none. Thank you for your testimony.

MS. CHAPMAN: Thank you.

CHAIR JOHNSON: All right. Ms. Greco, will you call the next testifier please?

MS. GRECO: The next testifier is the individual with the username Jay, to be followed by user Success.

CHAIR JOHNSON: Okay. Jay, the floor is yours. Are you able to unmute yourself and testify? Jay? Okay. Seeing none. Will you call the next testifier, Ms. Greco?

MS. GRECO: The next testifier is the individual with the username Success, to be followed by Albert Perez.

CHAIR JOHNSON: Okay. Success? The floor is yours. Okay. Seeing none. Let's go right to Albert Perez. Albert Perez, you're on the call, the floor is yours. Okay. Albert Perez? We might have to come back to him if he's not ready.

MR. PEREZ: Can you hear me?

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CHAIR JOHNSON: Oh, there you go. We can hear you now, Albert.

MR. PEREZ: Oh, okay. Sorry about that. Yeah, so sorry, I was driving and just pulled over. And anyway, you caught me a little bit by surprise. But I'm Albert Perez, I'm with Maui Tomorrow. And I just feel like, you know, here we go again. For those of you who remember vinyl, I feel like a broken record. The housing is not affordable if people get flooded out. And the base flood elevation is six feet on this property. That means when there's a flood, not if there's a flood, that it can reach six feet above the ground surface. So, I'm six foot five, and that means that the flood would be up to my eyebrows. People who will finally realize their dream of ownership...homeownership will suffer catastrophic flood damage inside their homes unless the homes are put on stilts, and then their cars will still be flooded out, which is...you know, you might as well total the car. I had a friend who had a car that was flooded, and they said...the dealer said it was fixed, but they had electrical problems for the rest of the time until they finally sold it. If the parking lot is raised as well, all of that floodwater that would normally be stored on the property will flood the neighbors' property instead. So, on May 26th, the Council referred a bill to preserve wetlands to the CARE Committee. If we keep approving projects like this one, there will be no wetlands left to preserve. The reason these projects keep coming up on wetlands is because the land is less expensive. But this Council is already moving in the right direction, which is to help developers like this to be able to offset the higher price of more suitable land by providing infrastructure there. That approach will provide affordable housing in suitable locations, and that is clearly in the public interest. Putting houses in flood zones on wetlands is not. Mahalo.

CHAIR JOHNSON: Thank you, Albert. Members...oh, we have a question from Councilmember Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. And mahalo, Mr. Perez, for your testimony. Just clarification. You're not supportive of this project, but you're...but you're supportive of using ASF [sic] funds to address draining infrastructure (*phonetic*)?

MR. PEREZ: Sorry, Councilmember, I'm not familiar with the term ASF, what does that mean?

COUNCILMEMBER SINENCI: Oh, the...I mean excuse me, the Affordable Housing Fund, AHF. Wrong acronym.

MR. PEREZ: Okay. Yeah. Definitely. I mean that's what we should be investing in so that we can provide affordable housing in places that are suitable.

COUNCILMEMBER SINENCI: Just...just not at this site, you're saying?

MR. PEREZ: No, because, you know, wetlands provide lots of functions, one of which is to filter that sediment that's coming down in the flood and keep it from affecting our offshore...our reefs and the rest of the offshore ecosystem. So --

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COUNCILMEMBER SINENCI: Okay.

MR. PEREZ: -- if we take away our wetlands, we're taking away our...the kidneys of the land.

COUNCILMEMBER SINENCI: We do have people that already live in the area, but it sounds like some of them have already kind of fortified their...their areas against flooding, yeah. Okay. Thank you.

MR. PEREZ: Thank you.

CHAIR JOHNSON: Okay. Any other questions for our testifier, Members? I have...I have one for you, Mr. Perez. You said six feet would be flooded. Now, can you get specific with that, six feet above sea level, six feet...six feet above the actual ground there, or *(audio interference)*?

MR. PEREZ: According to the definition...sorry. According to the definition that I looked up, the base flood elevation means how high it's going to get above the ground surface.

CHAIR JOHNSON: Okay. Thank you for that clarification, and thank you for your testimony. We don't have any other questions for you, so thank you once again.

MR. PEREZ: Okay. Mahalo. Aloha.

CHAIR JOHNSON: Aloha. Ms. Greco, will you call the next testifier please?

MS. GRECO: The next testifier is Karlynn Fukuda, to be followed by Charlene Shibuya.

MS. FUKUDA: Sorry, Chair. I was not intending to testify, and I don't think Ms. Shibuya is planning to testify either. We were just logging into the meeting. Thank you.

CHAIR JOHNSON: Okay. Thank...thank you so much. Ms. Greco, will you call the ones after those?

MS. GRECO: The next testifier is P. Purdy *(phonetic)*, to be followed by Livit Callentine.

CHAIR JOHNSON: Okay. P. Purdy? Purdy, are you here to testify? The floor is yours.

MR. PURDY: Sorry, I'm not here to testify, just listening in.

CHAIR JOHNSON: Okay. Thank you so much. Ms. Greco, call the next testifier please.

MS. GRECO: Chair, our last testifier is the individual with the username Guest160.

CHAIR JOHNSON: Okay. I didn't hear...hear...was that a number or a name? What was

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the...what was the name, Ms. Greco?

MS. GRECO: Guest160.

CHAIR JOHNSON: Okay. Guest160, we're not hearing you, so we'll move on. Ms. Greco?

MS. GRECO: Chair, there are no more testifiers on our...on our log.

CHAIR JOHNSON: Okay. This is the last call for testifiers. If you're wishing to testify, now is your last chance. You can unmute yourself and state your name and identify yourself. Okay. Seeing that there's no more individuals wishing to testify, without objection, I will now close oral testimony.

COUNCILMEMBERS VOICED NO OBJECTIONS

MR. ALEXANDER: Hello?

CHAIR JOHNSON: Oh, okay. We do have someone. Go ahead, I beg your pardon.

MR. ALEXANDER: Yeah, this Rick Alexander again.

CHAIR JOHNSON: Oh, okay. Alexander...

MR. ALEXANDER: I'm just...I...I just been watching you guys the whole...

CHAIR JOHNSON: We can't have you testify twice, I apologize. I know you're good at sending emails, you can always reach out to us and send us an email. I...I really apologize, that's the way the process is. I know it's odd to only have one person testify at a time and only one chance, but I apologize, it's not how we usually do it. So, Mr. Alexander, please feel free to send us an email, okay? So, without any objections, we...we will close oral testimony right now.

COUNCILMEMBERS VOICED NO OBJECTIONS (excused: TK, KRF)

CHAIR JOHNSON: Okay. And Committee Members, if there's no objections, to receive written testimony into the record.

COUNCILMEMBERS VOICED NO OBJECTIONS

. . . END PUBLIC TESTIMONY . . .

ITEM AH-17: HALE WAIPU'ILANI WORKFORCE HOUSING PROJECT
(KĪHEI)

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CHAIR JOHNSON: Okay. All right. So, Members, we're going to move on to today's agenda, which is AH-17, Hale Waipu'ilani Workforce Housing Project (Kihei). An application for the development of the Hale Waipu'ilani Workforce Housing project under Chapter 2.97, Maui County Code, was submitted on May 18th, 2022. The Council has 60 days, or until July 17th, 2022, to approve, approve with modifications, or disapprove the project, or the project will be deemed approved. The proposed project--one moment, I got to shut my door. Sorry. Somebody's drilling outside or something. The proposed project will be located at 16 East Waipu'ilani Road in Kihei, Maui, on 1.53 acres owned by Van Bruce Investments, LLC. Van Bruce Investments, LLC is also the developer for this project. Hale Waipu'ilani consists of 8 two-story buildings containing 2 one-bedroom units, 8 two-bedroom units, and 18 three-bedroom units for a total of 28 multifamily units; 8 units will be sold to the households earning between 80 to 100 percent AMI, 14 units will be sold at 100 to 120 percent AMI, and 6 units will be sold at 120 to 140 percent AMI. HOA fees are expected to be approximately \$340 per unit. The deed-restricted affordability period is set at ten years under 2.97.090, Maui County Code. By using the 2.97 fast-track process, the project may request exemptions from certain requirements and fees in Maui County Code. Council may also propose modifications to the project. With no objection, I intend to begin with a presentation from the developer...from the developer's representatives, followed by comments from the departments, and then discussion. Any objections to that?

COUNCILMEMBERS VOICED NO OBJECTIONS

CHAIR JOHNSON: Okay. Thank you. And now I have the developer representatives to introduce themselves. We're going to introduce Mr. Bagoyo and he can introduce his team. Mr. Bagoyo, the floor is yours.

UNIDENTIFIED SPEAKER: Go ahead.

MR. BAGOYO: Oh. I got to go to the PowerPoint. Okay. Yeah.

CHAIR JOHNSON: Mr. Bagoyo, right now all we need to know is who on your team is going to be here so that I can make them a resource. So, we don't need your presentation at this time, and if you just can give us some names and introduce us, and then we can make them a...a resource.

MR. BAGOYO: Just a second, Mr. Chairman. I need to back into my...

CHAIR JOHNSON: Okay. We see that you're sharing your screen and we see a small shrinking version of your presentation.

MR. BAGOYO: Yeah. My wife is kind of helping me out on the screen. Just a second. Thanks.

CHAIR JOHNSON: Okay. Well, while you're getting set up, I'll just read them out because I have the list of the folks, and we got to do a little housekeeping for...for that part. You

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know how this goes, Vince. So, we have Lawrence Carnicelli, Vice-President Developer of Alaula Builders; Doyle Betsill, President of Alaula Builders; Vince Bagoyo, Owner of V. Bagoyo Development Group, LLC; Ron Ped, President, Ron [sic] James Ped Architect, PC; Stacy Otomo, President, Otomo Engineering, Incorporated; Lisa Rotunno-Hazuka, Owner, Archaeological Services, LLC; and Tyler Fujiwara, Maui Chief Transportation Manager, Austin and [sic] Tsutsumi Associates. Members, without objection, I'll designate Vince Bagoyo and his team as resource persons under Council Rules 18A...18(A) given their expertise on this project. Any objections, Members?

COUNCILMEMBERS VOICED NO OBJECTIONS

CHAIR JOHNSON: Okay. Thank you. We got that out of the way, Vince, and it looks like you got the screen up, so the floor is yours.

MR. BAGOYO: If I may, Mr. Chairman, I would like to add Jeff Pantaleo, he is also the chief archaeologist in addition to Lisa Rotunno please.

CHAIR JOHNSON: Okay. Duly noted for the record. Any objections for adding one more, Councilmembers?

COUNCILMEMBERS VOICED NO OBJECTIONS

CHAIR JOHNSON: Okay. Thank you so much.

MR. BAGOYO: Thank you so much, Mr. Chairman, and Members of the Affordable Housing Committee. We're...wanted to give you a brief presentation on the proposed Hale Waipu'ilani Workforce Housing project. Let me just see if I could move this. I'm not sharing this. Okay. Got it. As you noted earlier, Mr. Chairman, the applicant and owner of the project is Van Bruce Investment, LLC, and the project is located at 16 East Waipu'ilani Road in Kihei, tax map key 3-9-046, parcel 011. And the property size is approximately 1.53 acres. The existing land use designations for this property, it's currently on...under the Urban District, State land use district boundary Urban, County zoned R-3 Residential, community plan Single Family Residential, Maui Island Plan is within the Urban Growth Boundary, and it's outside of any protected areas. And finally, it is in the Special Management Area, or SMA. The project's...is 100 percent affordable workforce housing project pursuant to MCC 2.97 and the...the Maui County affordable sales guidelines. And this is going to be 100 percent fee-simple homes. It's a for-sale project, will be 100 percent Maui resident buyers pursuant to 2.96 and 2.97, and also owner-occupied. Again, as you noted earlier, Mr. Chairman, the project will be affordable to household earning between 80 percent to 140 percent of the area median income. Oh, sorry. The project is an infill project. It is basically surrounded with residential development. It is located near South Kihei Road. Again, it's bounded by East Waipu'ilani Road to the north, and Kauhaha Street to the south. The project is within the urban residential community. It is close proximity to recreation areas, shopping, commercial, and other services. It is very close to schools and bus transit.

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As a matter of fact, the bus stop is right on the corner of East Waipu'ilani and South Kihei Road. The project is...just a second. The...the applicant held several meetings with the community and organizations basically to present the proposed project and solicit comments with...with the following. We had neighborhood meetings, we had residents within the 500-foot radius of the project site twice. We have met with the South Maui Advisory Committee. Also met with the Kihei Community Association's Design Review Committee, and also met with Stand Up Maui Board of Directors. The applicant also met with the County department officials, local elected officials, and also, the project was presented, because of your invitations, to the Affordable Housing Committee. And we also met with interested individual stakeholders. And the applicant also met some of the residents individually that is close proximity to this project. The applications were distributed to 43 Federal, State, and County, and other agencies were consulted during the preparations of our MCC 2.97 application. Just for your information, the applicant received over 400 signed petitions supporting the Waipu'ilani Workforce Housing project. The project's flora and fauna survey report found no Federally listed or threatened or endangered species within the project site. Our project archaeologist report found no historic properties on the project sites. And according to the cultural impact assessment report, no known cultural located directly on the project site. The proposed Hale Waipu'ilani Workforce Housing project is consistent with the following goals, policy, and objectives of State land use law HRS 205 because the property is already within the Urban District. The...the project is also consistent with the policies and goals and objectives of the Hawai'i State Plan, HRS 226. It is consistent with the Maui Island Plan policies, as well as the Countywide Policy Plan, Kihei-Mākena Community Plan, and the Maui County Affordable Housing Policy. This is the location map of the subject property that is marked I believe pink on...on the screen. As you can see, the property is surrounded with urban residential development. And across the South Kihei Road are the Maui Sunset condominium, which is being used for basically a resort type of accommodation. This is the...a view photo, an aerial photo of the subject property. To my left, maybe it's on your right, the...there's an existing dwelling on the property and there's also a...a storage shed on the property, and those two dwellings...all dwellings will be removed to make way for the proposed project. This is the site plan of the project. Again, the project site is...is bounded by East Waipu'ilani Road to the north, and Kauhaa Street to the south. Access to the proposed project will be provided by two full-access driveways via East Waipu'ilani Road and Kauhaa Street. This is kind of give you a conceptual landscape plan for the project. There's a lot of open space and several trees that will be planted as part of the landscape plan. The sea level rise map...according to the Pacific Island Ocean Observing System and the Maui Planning Department's sea level rise maps, the proposed project is outside of the sea level rise hazard and coastal erosion. The FEMA flood insurance rate map, according to FEMA, the flood insurance map, the proposed Waipu'ilani Workforce Housing project is not in the tsunami, as you can see on the map, where you could see the line with the tsunami inundation area. It is not in the tsunami inundation area. It is, however, in the tsunami evacuation area. I know there were some questions about whether or not this property is on a wetland. The U.S. Army Corps of Engineers, they did a site assessment on the property, I believe, in April 21st, 2021st...2021. And the applicant received a letter from

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the Corps of Engineers on August 11, 2021 and determined the project site is...does not contain Waters of U.S., including wetlands or navigable waters of the U.S. as defined by CFR Parts 328 and 329, respectively. And I believe the letter and their findings is part of our exhibits in the application. This is the conceptual home models with elevations. As noted earlier, there will be 8 two-story buildings with a maximum height limit of 30 feet. The building design is to maintain the character of the neighborhood. And buildings will be on a post and...post-and-piers foundations, and stormwater retention areas will be created under and around the buildings. And the drainage system will be designed in accordance with rules and regulations regarding storm drainage in Maui County Code 19.62. The applicant is also asking if we could use grass-block parking, and there would be 59 parking spaces which is two per unit, and three additional guest parking will be made available for the project. The conceptual floor plans, we have one bedroom, one bath, measuring approximately 430 square feet. There would be 2 units on that one bedroom, one bath. Two bedroom, one bathroom measuring approximately 730 square feet will be 8 units, and three bedroom, two bath measuring approximately 900 square feet, there will be 14 units. And the three bedroom, two-and-a-half bath measuring approximately 1,360 square feet would be 4 units. The distribution of units by income category. There is a total of 28 units. 80 percent to 100 percent of the AMI will be 8 units, and 100 percent to 120 AMI will be 14 units, and the remaining 6 units will be on the 120 to 140 of the AMI. Again, the distribution of these units by income categories is based on the guideline established by the County of Maui pursuant to applicable MCC 2.96 and 2.97. The approving agencies for this project, the 2.97 applications is with the Maui County Council. Because the project is within the SMA, it will require Maui Planning Commission approval. The applicant actually look at some alternative besides the...what's being proposed. And they look at...I think during our meetings with the neighborhood, there was some requests to develop this project as single-family lots as opposed to what's being proposed by the...by the applicant. And so they look at this alternative of maybe developing it four lots. Under the current zone, the...under the four lots, you are allowed to two...two ohana units measuring 720 each ohana unit, so that would probably give you about 12 homes. With this plan, there will be no community outreach, there will be no Council approvals be required, no Planning Commission approval, and no affordable housing. And you know, the potential buyers may be investors and outside buyers, not Maui residents. And I just want to thank you again for allowing us to present the application. And again, the following project consultants as you had noted. The only addition to the...the list of consultant is Mr. Jeff Pontaleo. Mr. Chairman and Members of the Committee, thank you so much for allowing us to give you a brief presentation of the project. And we'll be more than happy to answer any questions.

CHAIR JOHNSON: Thank you, Mr. Bagoyo. If you don't mind, stop sharing screen. Okay. Members, I...I'm looking at this clock, and I'm looking at our schedule, and I'm trying to keep us on track. So what I would propose right now, instead of doing the typical round robin three minute time that we usually do for this...or for this presentation, I would propose right now we ask the...the departments to come and speak on this. We'll go through all the list of the departments, and when they're done, then we can ask either

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the departments or the developer questions. But I figure it might be a little faster if we bundle up all of the guys first, and then we do our second...or we do our questions afterwards. Do...can I get thumbs-up? Oh, go ahead, Councilmember Sugimura.

COUNCILMEMBER SUGIMURA: Thank you for sharing your plan. And because it's quarter to 4:00 and we'll end at 4:30, I was just wondering, are you planning on deferring this and then taking it up another day? Because I think all is important, right, and we had great testimony, which took up a lot of time of your meeting. So, can you tell us what your overall plan is for this project?

CHAIR JOHNSON: Okay. Overall, looking at the time, I...I want to respect your time, so...but I also think maybe if the body would allow, could we go to 5:30 for this? And then probably...oh, you cannot, you guys are all...okay. Then...then we'll do it 4:30, and I'm thinking recessing it until we...unless the body has a motion on the floor, but...before that, but right now, my...I'm thinking maybe recess to the June 13th...June 13th meeting. So, that would be my...my plan right now. So, would the body allow us to have the...the departments speak on this right now, and then we can reserve our questions after the departments have spoke, and we can go and ask whoever we want at that point. Is that all right with you folks? Okay. I'm seeing thumbs-up. All right. So, right now we have Fire and Public Safety up next, if you're willing to speak onto this. Let's call up Fire and Public Safety. And if they're not ready, we can go to the next one.

MR. GORMLEY: Hi. This is Fire Department.

CHAIR JOHNSON: That would...okay, that would be --

MR. GORMLEY: Can you guys hear me? Yeah.

CHAIR JOHNSON: -- Lieutenant...

MR. GORMLEY: Yeah, Lieutenant Mike Gormley.

CHAIR JOHNSON: Yeah. Okay. Great.

MR. GORMLEY: Yeah. So, just looking at the site plan and stuff, we didn't see anything major that we have a concern with, but we'll probably take up our comments and review with the building permit process.

CHAIR JOHNSON: Okay. So, no additional comments at this time from Fire and Public Safety, Lieutenant Michael Gormley [sic]; is that correct?

MR. GORMLEY: Affirmative, nothing at this time.

CHAIR JOHNSON: Okay. Thank you. So, I'm going to give you a list of who's next after this. We have Housing and Human Concerns, and then Planning, and then Public Works.

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So, thank you for that. Let's move on to Housing and Human Concerns. Deputy Director Linda Munsell, are you on the call?

MS. MUNSELL: I am. Thank...thank you, Chair. Linda Munsell, Deputy Director for the Department of Housing and Human Concerns. We appreciate your time and attention to this project. You've already received a presentation on it obviously, so we won't go into further detail. This project is being proposed on property that is currently zoned for housing. The developer is proposing obviously to increase the density on the property to provide additional housing units for workforce via the 2.97 application. Of course, projects are always a tradeoff. For example, the Department was concerned about the flooding issue, but that aspect of the project doesn't actually fall under our purview. You will see in your application comments from all of the departments, so obviously you'll take those. Our one issue that we will raise obviously is when you get to the exemption requests, we will have comment on that. But other than that, we appreciate your time and attention to this project. Thank you.

CHAIR JOHNSON: Okay. Thank you. And we'll move on to Planning, followed by Public Works. So, Department of Planning, if you're on the call, we'd love to hear. We've got Jordan Hart here.

MR. HART: Chair, thank you. As has been stated, this project requires an SMA major permit application. That's kind of an extensive application in process. It includes agency review, public meetings, review by the Urban Design Review Board, review by the Maui Planning Commission. To date, there's been no SMA major permit application submitted to the Planning Department, so you know, our ability to assess environmental concerns or social concerns is limited to what we have in the Housing and Human Concerns application document. With regard to flood, the project does have a base elevation...a base flood elevation of six feet in this location. That's noted on page 47 of the Council communication that is the...the zoning and flood confirmation form. So, the finished floor of the first habitable floor would need to be seven feet above the highest adjacent grade under existing conditions. So, all the renderings that I was able to see or elevations of the project site did not show, you know, a seven-foot elevation. And so I think that that's kind of a critical component of...of the application. With regard to the conversation about wetlands, the County's draft ordinance is not adopted into law yet; however, it does have...I won't...for brevity I won't read the definition of wetland, but we don't have sufficient information to conclude whether or not this would be a County categorized wetland per the draft ordinance. There was a report that was prepared by Rays (*phonetic*) Consulting in 2020 that was reviewed by the U.S. Army Corps of Engineers, but was not included in the application document. I will clarify one of the prior testifiers that Army Corps did determine that the site does not contain Waters of the U.S., including wetlands or navigable waters of the U.S. So, whether or not that's the same as the County's definition of...of wetlands, U.S. Corps of Engineers did state that it was not a wetland site. But, you know, separate from that, the Department would really normally rely on the process that we administer, which is the SMA major permit process, and oftentimes that's initiated concurrently with the affordable housing

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applications, and so we would have been well into our own review. And so we would like to reserve our most substantive comments until we're able to undertake that process. Thank you.

CHAIR JOHNSON: Okay. Thank you, Deputy Director Hart. Appreciate that...those comments. Let's finally move on to Public Works, if we have Director Molina on the call.

MR. MOLINA: Hey, Chair. Jordan Molina, Director with Department of Public Works.

CHAIR JOHNSON: Hi there, Director.

MR. MOLINA: There's a lot...there's a lot to unpack here, so I'll keep it short.

CHAIR JOHNSON: Okay.

MR. MOLINA: Our main comment would be not to exempt frontage improvements for the project. Recently talked about this issue at the Hale Kaiola project. If there's an issue with the cost of those improvements, then we would support, you know, using the Affordable Housing Fund, but we would not support deferring those improvements.

CHAIR JOHNSON: That's...okay. Anything else? That's...that's...okay. All right. So, now that we went through all of our departments, now we can do our round robin. So, Members, let's see here, we're going to go in order. And for some reason, Councilmember Paltin, you're...you're frozen on my screen, so just unmute yourself if you need to at this time. And let's go round robin. You're free to ask any of the departments or the developer, Vince Bagoyo and all of the...all of the...the people that we designated as resources. So, starting with Councilmember Kelly King, followed by Chair Lee.

COUNCILMEMBER KING: Thank you, Chair. How many minutes do we have?

CHAIR JOHNSON: Thank you for...we have three minutes.

COUNCILMEMBER KING: Okay.

CHAIR JOHNSON: And then we...if need we'll do a second round, but three minutes.

COUNCILMEMBER KING: Okay. So...so far I have three questions. One is for Planning, Mr. Hart. On the...the expanded density request, how does that jive with the community plan, the existing community plan? Or does it? You're muted, Jordan.

MR. HART: Let me take a moment to double check on that. There may be...need to be a request to address that.

COUNCILMEMBER KING: Okay.

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MR. HART: There's also the upcoming update of the Kihei-Mākena Community Plan that's essentially occurring at this time.

COUNCILMEMBER KING: Right. I just...we don't have that yet, so I wanted to find that out. And then...and then I wanted to ask Jordan Molina, on the frontage improvements that you were saying that you...that you didn't...didn't approve of, are those...is that a safety issue, is it aesthetics? What is the frontage improvement exemption?

MR. MOLINA: Thank you, Chair. Your typical road widening and curb, gutter, sidewalk.

COUNCILMEMBER KING: Oh, okay. So, do we usually cover that for developers? Because you were saying you would...you would want it covered out of the Affordable Housing Fund. Isn't that one of those *(audio interference)*

MR. MOLINA: No, typically Council has exempted projects from those improvements, and they end up becoming CIP projects.

COUNCILMEMBER KING: Oh, they do have to get done, but then they get done by the County?

MR. MOLINA: Yeah, but typically, if they're not in a location we're already planning to work in, then those improvements won't get done until some time that they raise the priority to make it onto the six-year program.

COUNCILMEMBER KING: Okay. And then do you consider the curbs and gutters safety issues, as well as traffic issues?

MR. MOLINA: Not necessarily.

COUNCILMEMBER KING: Okay. You just want the...you just want it done for aesthetics?

MR. MOLINA: Well, complete streets and pedestrian ways.

COUNCILMEMBER KING: Okay. So, you're talking about sidewalks fronting what, South Kihei Road, or one of the side streets?

MR. MOLINA: I think they exempted themselves from Kauhaa Street.

COUNCILMEMBER KING: Okay. I don't know if Mr. Hart...thank you. Thank you, Mr. Molina. I don't know if Mr. Hart has *(audio interference)*

MR. HART: Sure, Chair. So, the existing community plan designation is Single-Family. Just looking at it roughly, you could get approximately eight R-1 lots out of that, and R-1 lots would allow for one main and two accessory dwellings on each. So roughly 8, plus 16 accessory buildings.

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COUNCILMEMBER KING: So, that's two accessory dwellings?

MR. HART: Yes, two accessory dwellings per...not to get into the weeds, but provided...it's provided...it's served by sewer, so they can get more units --

COUNCILMEMBER KING: Oh, I see.

MR. HART: -- connecting to sewer as opposed to a septic system served property.

COUNCILMEMBER KING: Okay. And then so if we want...if this were to go forward, would it need a community amendment as well? Because in the presentation, it says that it conforms to the community . . .*(inaudible)*. . . .*(timer sounds)*. . .

MR. HART: That's a more nuanced discussion. Council has the authority to essentially supersede a community plan amendment. You know, again, not to get into the weeds, recently the County has been requiring district boundary amendments, for example, when these projects are done in the Ag District. You could begin to require the processing of community plan amendments and changes in zoning. Whether or not you do do that, you have the authority to essentially override the existing land use designations through this 2.97 process.

COUNCILMEMBER KING: Okay. I think my time is up. Thank you, Mr. Hart. Thank you, Chair.

CHAIR JOHNSON: You know, I was thinking that because we bundled together everything, we could go a little longer than three minutes, so why don't we do two more minutes for you, Kelly...or Councilmember King. If you'd like to, we can...you can finish up your questions and we'll go five minutes all the way around.

COUNCILMEMBER KING: Well, those...those were my two biggest questions, Chair, because it does feel like...I mean I don't like the idea of continually just ignoring community plans and overriding them, otherwise what's the use of having a community plan? You know, and if...and we're in the middle of the next community plan, so you know, it's kind of up to the community to decide if we keep it that dense...you know, the Single-Family or we allow more dense areas. But that's...this has been an argument that's been going on for two years...well, four years, since I've been on the Council. It's been people saying the community plans are just guidelines, and some of us saying no, that's the law, we...we...we vote them into ordinance, and so they become the law. So, it...it just...you know, it's a little disturbing to me to think that we're just going to set that aside and pretend like it doesn't exist. And that's all we have right now, albeit 20-plus-years old. We only have one community plan right now. So, anyway, that's...that's...those are my main concerns. Thank you.

CHAIR JOHNSON: Okay. Thank you for that. Okay. Let's move on to Chair Lee, followed by Councilmember Paltin.

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COUNCILMEMBER LEE: Thank you, Chair. I have a question on drainage. I'm assuming that they're asking for exemptions in these areas. I'm wondering...I guess my question would be to Jordan Molina. You know, how much do you think it would cost to not only mitigate the drainage problems in this subdivision, but in other subdivisions in close proximity? How much do you think it...it would be?

MR. MOLINA: Thank you, Chair. Maybe...we do have a drainage master plan that identifies some regional improvements. I think in this area, in the range of...I'd have to go look, but \$20-plus million to mitigate what we've identified in our drainage master plan. This project doesn't have any direct association with those improvements, so I don't know how you apply that to this project.

COUNCILMEMBER LEE: Well, it appears that that whole area is...is like a collection area for water, and I was wondering if...if it's possible to try and solve not only this drainage problem directly in the subdivision, but in the immediate surrounding area. Because my concern is no matter where you put affordable housing, it's...it's not going to be wanted. So, if it's not wanted, the least perhaps that project could do is resolve some of the problems that the neighbors are experiencing. That's one concern of mine. The other thing is, Jordan Hart, you talked about R-1, is that 6,000 square feet? I know R-3 is 10,000, what is R-1?

MR. HART: Oh, I apologize. I meant to say R-2, 7,500. Because for R-1, you can only have one accessory dwelling.

COUNCILMEMBER LEE: Yeah, that's what I thought. Okay.

MR. HART: Thank you for correcting me.

COUNCILMEMBER LEE: So, we're talking about R-2. So, that would be still the option of the owner, of the developer?

MR. HART: So, just to clarify, it was kind of an abstract question that was asked. It...I believe the question was asked is what would be the maximum density you could get out of the Single-Family community plan designation. And so I mistakenly said R-1 instead of R-2. That allows for 7,500 plus the two accessory dwellings per each lot.

COUNCILMEMBER LEE: Okay. So, that is still a possibility, that the developer could go that route instead of providing the more dense affordable housing project?

MR. HART: Yeah, I think that they could propose any configuration under the sun to the Council.

COUNCILMEMBER LEE: Yeah. And...but they still would need an SMA?

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MR. HART: Under any condition as long as they're...basically if they go beyond the...the single-family dwelling plus one accessory, and they add any more dwelling units and exceed \$500,000 of project cost, it's an SMA major.

COUNCILMEMBER LEE: Okay. All right. Thank you. Thank you, Mr. Chair.

CHAIR JOHNSON: Great line of questioning, Chair Lee. Let's move on to Councilmember Paltin, followed by Councilmember Sinenci.

COUNCILMEMBER PALTIN: Thank you, Chair. I got choke questions, but I'd...I'd be willing to let Member Sinenci jump the line because he has to leave early. If he wants to.

CHAIR JOHNSON: Okay. Yeah. Councilmember Sinenci, is that your pleasure?

COUNCILMEMBER SINENCI: Yeah, thank you. And maybe I'll ask some of Member Paltin's questions. So, I was just going over the exemptions. It looks like for Mr. Gormley. Number 3, Title 18 under subdivision, MCC 18.16.050, the minimum right-of-way and pavements widths. So, I was wondering if this was okay for fire access?

CHAIR JOHNSON: Lieutenant, are you on the call?

MR. GORMLEY: Yes, I'm still here. You know which page that is, Councilmember Sinenci?

COUNCILMEMBER SINENCI: It was under for Exhibit A, I'm not sure quite the page. This was a separate document, but it's after the proposed list of exemptions. You can come back if...if you don't...

MR. GORMLEY: Okay. I'll try take a look at that and I'll get back to you.

COUNCILMEMBER SINENCI: Okay. Thank you. And then the other one was just clarification. Under H, exemptions, MCC Title 20, grading and grubbing permit fees. This is just for the fees, not the actual inspections, yeah?

CHAIR JOHNSON: Is that a question --

COUNCILMEMBER SINENCI: *(audio interference)*

CHAIR JOHNSON: -- for Public Works or...

COUNCILMEMBER SINENCI: Oh, they don't do...is that...yeah, Public Works, the grading and grubbing.

MR. CARNICELLI: This is Lawrence Carnicelli. Yes, it's requesting waiver of the fee only.

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COUNCILMEMBER SINENCI: Okay. That. And then on...oh, Mr. Carnicelli, so it looks like one of the testifiers mentioned that at a current community meeting, something about an alternate site, and I was just curious if that was indeed something that...that...

CHAIR JOHNSON: Mr. Carnicelli? Or Mr. Bagoyo?

MR. CARNICELLI: I guess if...if I understand the...the question, is you're asking if we should just pick up and move the project someplace else? Is right project, wrong place? That's what people are asking?

COUNCILMEMBER SINENCI: Well, yeah, one of the testifiers mentioned that it was mentioned that there was an alternate site. And I get it and all the plans have been made for this, but I was just curious if that was a consideration or not.

MR. CARNICELLI: We...we don't own the...the...Van Bruce does not own any other property in Kihei. It's not like you...you can just go put the project on somebody else's land, so...

COUNCILMEMBER SINENCI: Okay. All right. And then for you, Chair, you mentioned that we might go ahead and defer it to next week, but we still got time for this, I know there's a timeline attached to this. So . . .(inaudible). . .

CHAIR JOHNSON: I think my...my idea would be to recess unless the body has a motion today.

COUNCILMEMBER SINENCI: Oh, okay. All right. Okay. Thank you. Those are my questions for now.

CHAIR JOHNSON: Okay. Thank you, Councilmember Sinenci. Let's move on to Councilmember Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. My first question will be someone from the developer group, and I'm trying to clarify between page 56 in the big book, the one you gave us, and slide 22 of the presentation, the second-to-the-last slide. Alternative to proposed project. On your slide it says four lot, 12 homes, but on page 56 it says six lots, 18 single-family homes. And I just wanted to clarify, so if this gets turned down, are you going to go with either the four or six-lot alternative, 12 or 18 homes?

MR. BAGOYO: The...can you hear me?

COUNCILMEMBER PALTIN: Yes.

MR. BAGOYO: I'm going to...

CHAIR JOHNSON: Mr. Bagoyo?

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MR. BAGOYO: Yeah. The...the slide on the PowerPoint that I presented, this is coming from the owner that, you know, practically they could...they could develop it to four lots and two additional ohana units per lot. And what it means is that, you know, for the Council to kind of realize is that this...this project could all go to market units and could be --

COUNCILMEMBER PALTIN: Yeah.

MR. BAGOYO: -- sold to outside buyers. Hypothetically --

COUNCILMEMBER PALTIN: I...

MR. BAGOYO: -- they can...they can develop it to approximately between five to six lots, but in terms of the configurations of the lot, it may be a little difficult. But I think four lots, probably a practical subdivisions that will not require a discretionary approval from the County Council or the Planning Commission. Because four lot or less under the existing SMA rules does not require that.

COUNCILMEMBER PALTIN: Four lot or less...

MR. BAGOYO: And so they can...they can do it...they can do it right now if they want to.

COUNCILMEMBER PALTIN: But they would still need an SMA major permit?

MR. BAGOYO: On those lots, for four lots, they will not be required.

CHAIR JOHNSON: Councilmember Paltin, I saw Deputy Director Linda Munsell open up her camera. If she...if she...if you want her to add to your conversation?

COUNCILMEMBER PALTIN: Sure, if she had something that she wanted to add, I'd...I'd be happy to hear it. Deputy Munsell?

CHAIR JOHNSON: Deputy Director Munsell?

MS. MUNSELL: Yes, thank you. Thank you, Chair. I was just looking at the 2.96 to check on the applicability of that, and it's only for ten or more lots. So, he is correct, this would...could be...depending on how it's configured, could all be market.

COUNCILMEMBER PALTIN: And then so it...even on the slide 22 it says six lots or four lots, that hasn't been decided yet whether you're going to do 18 dwellings or 12 dwellings, Mr. Bagoyo or Mr. Carnicelli? If this...

MR. BAGOYO: I will defer to the...I will defer that to the owner. Maybe Lawrence could respond to that.

COUNCILMEMBER PALTIN: Lawrence, if this were to...

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MR. CARNICELLI: We want to build affordable housing for local families.

COUNCILMEMBER PALTIN: So, if it doesn't go through, then what?

MR. CARNICELLI: Then we've got to reassess, we got to figure out what we want to do. But if...if...if you guys say you don't want affordable housing there, then we can't put affordable housing there. We're going to have to go to a different alternative.

COUNCILMEMBER PALTIN: Okay. My next question would be for Deputy...or sorry, Director Molina. We seen a lot of the pictures on South Kihei Road of flooding and Waipu'ilani Intersection even when it's not like the Kona storm. And I just was wondering, is Public Works close to resolving that flood...flooding?

MR. MOLINA: I believe this was Chair Lee's \$20 million question earlier. At this time, I mean we have our drainage master plan, that's the rough roadmap for ideas on how we can mitigate some of these things. So, the short answer is not...not...not near term, this is probably a ten-year-out solution.

COUNCILMEMBER PALTIN: Okay. And then I guess Deputy Director Hart, so if a...it's a less than ten-lot subdivision, they don't need an SMA major permit, is that what was being said?

MR. HART: Chair, there's an exemption line item in HRS 205A-22, it's item number 12, it's subdivision of a parcel of land into four or fewer parcels, when no associated construction activities are proposed provided that any land that is so subdivided shall not thereafter qualify . . .*(timer sounds)*. . . for this exemption with respect to any subsequent subdivisions. So, anyway, what that means is basically if there's zero subdivision improvements required by the Department of Public Works, then it could qualify for an exemption. If there were subdivision requirements, but they were valued at less than \$500,000, it could qualify for an SMA minor permit. But if those required improvements went over \$500,000, it would qualify for a major permit.

COUNCILMEMBER PALTIN: Clear as mud. Thanks. I think I get it.

CHAIR JOHNSON: Okay. Thank you for that line of questioning, Councilmember Paltin. Let's finally move to Councilmember Sugimura.

COUNCILMEMBER SUGIMURA: So, I was wondering, do we have Department of Water Supply also talking to us? Could you, for the next meeting?

CHAIR JOHNSON: They're...

COUNCILMEMBER SUGIMURA: I think water is *(audio interference)*

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CHAIR JOHNSON: We don't have...I'm sorry, we don't have them today, but they are on-call. Do you want...you wanted to bring them up?

COUNCILMEMBER SUGIMURA: Yeah, next...at the next meeting if you're going to, you know, have a next meeting, because I think Water is important. And you don't have DEM also, which is, you know, wastewater and, you know, that too. So, I'm just curious, making sure that we have that covered. So, I wonder for the next meeting if...if you could have that conversation or have them in the conversation for resource --

CHAIR JOHNSON: We...we --

COUNCILMEMBER SUGIMURA: -- on how does it affect...

CHAIR JOHNSON: -- we have them on-call now if you want to or...but if --

COUNCILMEMBER SUGIMURA: Okay.

CHAIR JOHNSON: -- you know, this goes on to the next meeting...

COUNCILMEMBER SUGIMURA: You could. I know we're only five minutes, so whatever...whatever you think.

CHAIR JOHNSON: Okay. We'll call them up. For DEM and...and Water, right? So, let's see --

COUNCILMEMBER SUGIMURA: Okay.

CHAIR JOHNSON: -- if we can. Staff, if you can make a...reach out to them and then we can have Councilmember Sugimura ask them some questions.

COUNCILMEMBER SUGIMURA: Okay. So, I'll wait until later until they come. So, thank you, Chair, for doing that.

CHAIR JOHNSON: All right. Oh, Councilmember Kelly King?

COUNCILMEMBER KING: Thank you, Chair. We also have Mr. Vernon Kalanikau on, so we could just ask him if he has some thoughts? You know, he's pretty much a watchdog in our community, and...and you might have surmised that from the 72 pictures that he sent you.

CHAIR JOHNSON: Mr. Kalanikau, are you on the...there he is. You're on the call. You have a specific question for him, Councilmember Kelly King?

COUNCILMEMBER KING: No, I just wanted to know what your...your thoughts were on it because, you know, I know that you're...you know, got your eye on some of these issues, Vernon. So, you know --

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MR. KALANIKAU: *(audio interference)*

COUNCILMEMBER KING: -- having heard what we've heard, what are your thoughts on, you know, the exemption from the community plan and, you know, the potential flooding?

MR. KALANIKAU: Yeah. If some of you see that...that photo, I put that photo out because you can see what has transpired through the years. You know, this was all wetlands, of course. And for me, like Kelly, we've been here a long time and we've seen how things really changed in South Maui where it was majority wetlands. So, here we are, you have Councilmembers, you know, you have...you have the authority to say yeah for support or not support it. You know, this is a perfect example, this...this parcel of...other parcels like in the La'ie wetland, that project there. This is kind of not too far different from what's going on in the restoration of La'ie wetland. And so here we are, are we continuing to...to make decisions what those before us have done to South Maui? You know, and...and I like keep this place open because it's...it's one of the few places that can help mitigate flooding, yeah. You know, accept that as a...like the kidney, like Mr. Perez mentioned earlier, to help mitigate our surface runoff. Hardening that...that area, it's just going to cause more flooding, we all know that. You know, I didn't finish in my last testimony, but you know, Lawrence...Lawrence was welcoming and open, you know, reach out to me, and...and I did suggest to Doyle and Lawrence if there was a way they go do like ground-penetrating thermal imaging where you can kind of pinpoint where the water always run under the ground. Because you know, there's a lot of water that moves under that area, and if they could do that, you know, maybe they could adjust the project around those waterways. Because, you know, if they...they got to dig somewhere, somehow...somehow, somehow, then how they not going hit water, right? You know, you heard testifiers say two feet, you hit water. So, how much of that...that construction itself will impact, you know, with the project being...being constructed? So, how that would impact the water below. So, that's...that was always my thing is...is having open space to help mitigate or . . . *(inaudible)*. . . flooding situation that we have, like especially in this intersection. How the project would just continue to contribute more flooding in that area. So, can they improve draining...drainage? Yeah. County, I don't think they're ready to...you know, they're having hard time trying to keep up what they have right now. You know, not...not making it a negative thing with Public Works, but they have a hard time. I don't think they...like you know, brother was saying, Jordan, you know, they're ten years out. So, I think people that will be purchasing this...this project going have to deal with issues and insurance. And I'm okay with affordable housing, you know, I support that and workforce homes, but yeah, again, you know, it's just tough for me because if you look at that picture, that is like one corridor of a wetland, and this is just piece of...left, you know.

CHAIR JOHNSON: Yeah. Okay.

MR. KALANIKAU: Yeah.

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CHAIR JOHNSON: Vernon, thank you for that.

MR. KALANIKAU: Thank you, Kelly.

COUNCILMEMBER SUGIMURA: Bob Schmidt.

CHAIR JOHNSON: Okay. So, now we have...Chair Lee's got her hand raised, but I also want to recognize Deputy Director Bob Schmidt from DEM. So, Chair Lee, and then we'll go to Deputy Director.

COUNCILMEMBER LEE: A quick question, a request. Can we have a site inspection? I'm...I'm concerned not only about the site, the proposed site for the housing, I'm concerned about that whole area, the flooding.

CHAIR JOHNSON: Chair, is that question for Vince Bagoyo's team? Mr. Bagoyo's team?

COUNCILMEMBER LEE: No, for you.

CHAIR JOHNSON: Oh, for me? Oh, we going? Okay.

COUNCILMEMBER LEE: Let's go.

CHAIR JOHNSON: Of course, yeah, let's go. Okay. Yeah, I totally agree. Yeah, I agree with visiting it, for sure. So, let's recognize what Councilmember Sugimura had a request of the DEM Department, and Bob Schmidt, Deputy Director, is here. So, Councilmember Sugimura, would you like to speak to that?

COUNCILMEMBER SUGIMURA: Yeah. Well, thank you. I...I just wanted to hear from the Department, you know, whether we're okay, you know, by increasing the amount of need, I guess, in the area, and if you see any concerns, especially with the talk of the flooding or whatever and how would that affect the Department, if at all.

CHAIR JOHNSON: Deputy Director Schmidt?

MR. SCHMIDT: Yeah, thank you. Aloha, Council. The Department has no objections. We...we have sufficient wastewater capacity. And as far as Solid Waste is concerned, I mean we...we'd be able to take care of the...the trash collection there, so...

COUNCILMEMBER SUGIMURA: Okay. And are you requiring --

MR. SCHMIDT: Yeah.

COUNCILMEMBER SUGIMURA: -- any kind of reuse or any kind of, you know, needs like that for the project?

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MR. SCHMIDT: That wasn't covered in any comments. It...a lot of that gets...get developed, you know, once the building permit is...is put in, but right now there's no...no effective or...or issues, you know --

COUNCILMEMBER SUGIMURA: Okay.

MR. SCHMIDT: -- offhand.

COUNCILMEMBER SUGIMURA: Great. Thank you. I just wanted to be sure. Thank you very much. Appreciate it.

MR. SCHMIDT: You're welcome. Yeah.

CHAIR JOHNSON: Sorry, I got disconnected. Okay. Can you guys hear me? Great. All right. So, I thought I saw someone from Water, was that Miss...let me see here.

COUNCILMEMBER SUGIMURA: Wendy Taomoto, I think I saw.

CHAIR JOHNSON: Is she on the call?

COUNCILMEMBER SUGIMURA: Wendy Taomoto.

CHAIR JOHNSON: Taomoto.

MS. TAOMOTO: Hi. Yes, I'm on here.

CHAIR JOHNSON: Okay. Councilmember Sugimura had a question for your Department. Councilmember?

COUNCILMEMBER SUGIMURA: Yeah, thank you, Wendy, for being here. And same thing, water is so precious, and I just want to be sure that we have enough water to...for this project to happen. So, if this gets approved, then the Water Department has enough water so that they can proceed with residential use and wastewater and whatever else we may need? That's my question.

MS. TAOMOTO: As to that question, I'm reading the letter that we sent Mr. Vince Bagoyo October 22nd, 2021, comments to the draft application. And if...we...we don't have any updated numbers. So, right now, because it's 100 percent affordable, we would be able to provide up to 120,000 gallons. So, if they can...it looks like their water demand, based on their draft, is about 15,680. So if that's the case, then as far as source, it should be fine because we're at the 120,000 gallon tier limit. But Vince --

COUNCILMEMBER SUGIMURA: Great.

MS. TAOMOTO: -- would need to confirm if they've changed their water demand since we gave

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comments.

COUNCILMEMBER SUGIMURA: Okay. No, that's good. So, I just wanted to be sure that the Water Department is fine as we go through our drought, you know, conditions and whatever else that the County is experiencing. So, thank you. And thank you very much, Chair, for bringing them in.

CHAIR JOHNSON: Great. Thank...thank you, Councilmember Sugimura. And thank you to the departments. Thank you, Ms. Taomoto, for coming, as well as Mr. Schmidt.

MS. TAOMOTO: Oh. Councilmember Johnson?

CHAIR JOHNSON: Oh, you have more? Go ahead, go ahead.

MS. TAOMOTO: Yeah. We did bring up one thing that has come up in multiple applications, and we still see it in the request for exemptions, and that would be the exemption from the water system development fee. So, under 2.97.150, fee waivers, the water system development fee is not a fee that is listed, and so we consistently been notifying applicants that under 2.97.150, the water system development fee, being it's not listed, is not exempt, yeah? You cannot exempt it. And so one of the things that was discussed for previous...other developers that came before you...or before this permit...was to request that the use of the Affordable Housing Fund to pay for the water system development fee as 2.97 is...it isn't listed as a fee waiver...as one of the fee waivers. So, as I understand, that is how Hale Kaiola is being...going to be proceeding. And so I just wanted to make that comment because if you pass it as based on the list of exemption, it gets confusing for everybody because that's not how we intend to process it. We're going to wait for the developer to apply for a grant to the Department of Housing for the amount they need once they size the meter, and then that would be...the grant would be used to pay the water system development fee.

CHAIR JOHNSON: Okay. Thank you for adding that to our discussion, Program Manager Taomoto.

MS. TAOMOTO: Thank you.

CHAIR JOHNSON: Okay. Thank you. Members, we went around, it's getting close to the end of the meeting, and I think we're at kind of a crossroads here. You know, we could entertain a motion or we can go and recess and then work towards, you know, modifying this program...or this project, and looking at, you know, what some of the exemptions they're asking for. So, that would have been...that would be on Monday, June 13th at 9:00 a.m. if we do choose to recess it. So, I think, Members, what...what...what say you? We've got about five minutes before the meeting ends, so does anybody have any...anything to speak on? Let's go with Councilmember Sugimura, followed by Chair Lee.

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COUNCILMEMBER SUGIMURA: Thank you. I think Chair Lee asked for a site visit, so how do you fit that in with this discussion, number one? And then number two is that if we make a motion, are you saying that we cannot talk about the conditions anymore?

CHAIR JOHNSON: Okay. Let me unmute myself. Okay. First thing, if we do a site visit, like I...my Staff went out there and took pictures of it already, and as you know, I'm going to be leaving shortly. So, it would be kind of on the Councilmembers to go and do individual site visits if that's...if that's what you so choose. As far as if...if we...okay, if we take this into recess, and then we...we...we take it to the next meeting, we would...you know, we would be looking at the option still to approve or approve with modifications or even to disapprove. Those three cards are still on the table. It's just right now, today, we're five minutes before we're scheduled to end, and probably won't have quorum. We...there's only two we could probably do and realistically is approve with no modifications or disapprove. So, those...those are the...what we have at this time. Council...or wait, did I have...did I call on Chair Lee? Chair Lee, then King. Is that right, is that the order? Chair Lee, followed by Councilmember King.

COUNCILMEMBER LEE: Be happy to go do my own private site inspection, but I...I think it's time that we spent more time in South Maui looking at these issues. Because a number of housing projects have been already proposed there, and if there are more to come, we need to have a better understanding of this wetland issue. Thank you.

CHAIR JOHNSON: Thank you for that. Councilmember King?

COUNCILMEMBER KING: Thank you, Chair. Thank you, Chair Lee, for that statement. So, my thought was if we...we're going to recess this until Monday the 13th, would...if it's a recess, it has to be exactly the same, we couldn't do a site visit as part of that meeting?

CHAIR JOHNSON: Unfortunately I won't be here, so again, I think the Members could go individually for site visits.

COUNCILMEMBER KING: Oh, you won't be here on the 13th?

CHAIR JOHNSON: That's correct.

COUNCILMEMBER KING: You talked about recessing it until the 13th, but you won't be here?

CHAIR JOHNSON: Which Councilmember...Vice...Vice Committee Chair Molina will take up the meeting at that point.

COUNCILMEMBER KING: Okay. So, when...okay. And you don't get back in time to address this in a timely manner --

CHAIR JOHNSON: Right.

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COUNCILMEMBER KING: -- before the deadline? Okay. Yeah, I...I mean I...I drive by that place all the time, but I do think it's good that all the Councilmembers kind of go see exactly what...where...where it's being proposed. So, maybe that's...and I guess we can't...you know, because of Sunshine, I guess we can't go with more than two people at a time if...if...you know, if we were going to be able...I mean ideally, we'd make an appointment with one of the...with Mr. Carnicelli or Mr. Betsill or somebody who's involved with it so they could show us exactly where they're planning to put the buildings and --

CHAIR JOHNSON: Okay.

COUNCILMEMBER KING: -- line up the sites. But yeah, I...

CHAIR JOHNSON: I...I could schedule a June 30th, but I will be...you know, that's like a little bit...we have very little time. I'll be back from...back in country by June 30th, we could do it then.

COUNCILMEMBER KING: And this has to go through two Council meetings after that?

UNIDENTIFIED SPEAKER: One.

CHAIR JOHNSON: One.

COUNCILMEMBER KING: Oh, just one. Okay. So...

COUNCILMEMBER SUGIMURA: Oh, it's a reso.

COUNCILMEMBER KING: That would get us...that would get us one meeting in July to get it done before the deadline.

CHAIR JOHNSON: It has to be done by July 17th.

COUNCILMEMBER KING: And there's a Council meeting before then, correct?

CHAIR JOHNSON: Yeah. July 15th, I want to say. I mean we're cutting it close for that, right, so...but...yeah. Okay. Let's...Council...Councilmember Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. I did have a follow-up question for the developer, either Mr. Bagoyo or Mr. Carnicelli, based on Mr. Kalanikau's recommendation, and the fronting neighbor saying that they hit water table at two feet down. I was wondering, are you folks open to using that ground-penetrating radar to see if there are springs in certain locations on the property, or have you done like test digs down? I'm not sure how far down your project is planning to dig, but we've heard between two and five feet both hitting water. So, I just was wondering if you could address that.

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CHAIR JOHNSON: Hold on one moment before we...he addresses it. I just want to let the Members know that we're at bare quorum, so please don't turn off your cameras or...okay. So, go ahead, Mr. Bagoyo.

MR. BAGOYO: Maybe Lawrence because he's the representative of the owner.

CHAIR JOHNSON: Mr. Carnicelli?

MR. BETSILL: Hi, this is Doyle.

CHAIR JOHNSON: Mr. Betsill?

MR. BETSILL: Hello? Can...does everybody hear me?

CHAIR JOHNSON: Okay. Yeah, Mr. Betsill?

MR. BETSILL: I'd...I'd be happy to take that question. We built the Meadowlands subdivision or neighborhood right next door to this project 10, 15 years ago. And as you know, we're surrounded by homes on all four sides, on...on the mauka side and on the makai side, to the right and to the left. There are some challenges with building in this area, but it's all solved by normal construction techniques to achieve the...the design of the neighborhood as far as the civil work is concerned and the construction of the homes. So, groundwater, in a nutshell, is not an issue for us as far as the construction is concerned. As far as the ground imaging, I'm not familiar with that technology. To be honest, I've never used it to try to find water. We all know that the water is not too far from the surface across the entire property; however, as I said, it doesn't pose any...any obstacles to construction.

CHAIR JOHNSON: Okay. Does that answer your question, Councilmember Paltin?

COUNCILMEMBER PALTIN: It's an answer. Thank you. Thank you, Chair.

CHAIR JOHNSON: All right. Thank you, Mr. Betsill.

MR. BETSILL: You're welcome.

CHAIR JOHNSON: All right. Members, we're at the end of the meeting here, and we're at bare quorum, so I'm thinking it's time to recess this meeting, okay? All right. So, when we...when we come back for the next meeting, if you folks have modifications, please feel free to, you know, get them in order so we can...we can...if you want to modify them. All right. So, that being said, I want to thank everybody who participated in today's meeting, and I look forward to continuing our discussion on this project. If Members have any amendments or proposed modifications, I encourage you to submit them in writing to ah.committee@mauicounty.us as soon as possible. That will help streamline

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this time-sensitive issue. So, Members, without objections, I will recess this...oh, go ahead, Councilmember Paltin.

COUNCILMEMBER PALTIN: I just was wondering if somebody smarter than us could write that amendment that Ms. Taomoto was talking about. Because that's going to be necessary and I don't know what's involved in making it be from the Affordable Housing Fund versus --

CHAIR JOHNSON: Yeah.

COUNCILMEMBER PALTIN: -- an exemption. And I don't know if Public Works had an idea also about the frontages that they didn't want to exempt, about doing a similar procedure from the Affordable Housing Fund as well. Like those are things that I think are necessary if it were to go forward, but I'm not the one to write the ASF [sic] if...if it needs to be done because...I don't know, I'm not good at that.

CHAIR JOHNSON: Okay. So, for the record, Staff, did you notice...did you...did you follow that intent and we can go back and look at what the directors were speaking on, and what Councilmember Paltin was asking for. So, we'll have that noted and we'll come up with those modifications. So, that will help streamline the time-sensitive process that we have, because remember, this is time sensitive. So, Members, without objection, I will recess this meeting until Monday, June 13th at 9:00 a.m. No objections?

COUNCILMEMBERS VOICED NO OBJECTIONS (excused: TK, KRF, SMS)

CHAIR JOHNSON: Okay. This meeting is now in recess. . . .(gavel). . .

RECESS: 4:33 p.m.

APPROVED:



GABE JOHNSON, Chair
Affordable Housing Committee

ah:min:220606min:ds

Transcribed by: Daniel Schoenbeck

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CERTIFICATION

I, Daniel Schoenbeck, hereby certify that pages 1 through 63 of the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 12th day of July 2022, in Kula, Hawai'i



Daniel Schoenbeck