

MINUTES

of the

COUNCIL OF THE COUNTY OF MAUI

March 18, 2022

THE REGULAR MEETING OF THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, WAS HELD ONLINE ONLY VIA BLUEJEANS, ON FRIDAY, MARCH 18, 2022, BEGINNING AT 9:00 A.M., WITH CHAIR ALICE L. LEE PRESIDING.

COUNCIL CHAIR ALICE L. LEE: Will the Maui County Council regular Council meeting of March 18, 2022, please come to order.

Good morning, Members.

Roll call, Mr. Clerk.

ROLL CALL

DEPUTY COUNTY CLERK JAMES G.M. KRUEGER: Chair, proceeding with roll call. Members should state who, if anyone, is present with them as part of roll call.

Councilmember Shane Sinenci.

COUNCILMEMBER SINENCI: Aloha kakahiaka kakou my Maui hikina. Aloha na Poalima to our Chair and fellow Councilmembers. For the record, we are at the Hana Cultural Center with my EA Dawn Lono.

CHAIR LEE: Good morning, Mr. Sinenci. The greeting this morning is dzien dobry, dzien dobry from Poland.

COUNCILMEMBER SINENCI: Hi. Dzien dobry, Chair.

CHAIR LEE: Thank you.

DEPUTY COUNTY CLERK: Councilmember Mike Molina.

COUNCILMEMBER MOLINA: Aloha and dzien dobry, Madam Chair, and my colleagues, and everyone else joining us for our Council meeting today. For the record, I'm transmitting from my home in Makawao, and my wife is in the next room. Aloha.

CHAIR LEE: Aloha.

DEPUTY COUNTY CLERK: Councilmember Kelly Takaya King.

COUNCILMEMBER KING: Dzien dobry, aloha kakahiaka, and Happy Women's History Month to everybody. I just, I just got this in the mail, so I wanted to see if, to share this with everybody. Women belong in all places where decisions are being made.

CHAIR LEE: Of course. Of course.

COUNCILMEMBER KING: So that's to our, our majority women Council and, and the men who support us. And I am actually at my district office today and knocking on wood that everything works. And a day late with my green background, but happy to be here. And I, I have two staff members out in the lobby not in the room with me, Ellen McKinley and Daniel Kanahele.

CHAIR LEE: Very good. Good morning.

DEPUTY COUNTY CLERK: Councilmember Gabe Johnson.

COUNCILMEMBER JOHNSON: Good morning, Chair. Good morning, Councilmembers. Dzien du, dzien dobry to all of you. I am alone in my space on Lanai. Happy for, looking forward to a great meeting. And Friday's here, the weekend is almost here, so ready to go.

CHAIR LEE: Good morning.

DEPUTY COUNTY CLERK: Councilmember Tamara Paltin.

COUNCILMEMBER PALTIN: Dzien dobry. Pryvit. Aloha kakahiaka kakou. Broadcasting live and direct from the Old Lahaina Center, Room 205 with my EA Angela Lucero and Christian Balagso. And we're all more than six feet apart from each other. Aloha.

CHAIR LEE: Aloha.

DEPUTY COUNTY CLERK: Councilmember Yuki Lei Sugimura.

CHAIR LEE: Excused.

COUNCILMEMBER SUGIMURA: I'm right here.

CHAIR LEE: Oh, you are?

COUNCILMEMBER SUGIMURA: Yeah. Sorry, I just walked into the office. I'm on the eighth floor at the County Building. I hope there's more than just me on this floor. I don't know yet. But good morning, everybody. International greeting, thank you, Alice Lee. I didn't hear what it is. It's a beautiful day in Wailuku.

CHAIR LEE: Dzień, dzień dobry. Dzień dobry.

COUNCILMEMBER SUGIMURA: Dzień dobry. Dzień dobry. And Miki Yokouchi is in the other side of this office, you all know is more than six feet away. Good morning, everybody.

CHAIR LEE: Good morning.

DEPUTY COUNTY CLERK: Presiding Office Pro Tempore Tasha Kama.

COUNCILMEMBER KAMA: Aloha kakahiaka, Chair. And dzień, dzień dobry to my fellow colleagues. I am here in my workspace, and I am alone. And good morning to everyone out there in Akaku land.

CHAIR LEE: Good morning.

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

VICE-CHAIR RAWLINS-FERNANDEZ: Aloha kakahiaka, Chair, my Molokai nui a Hina. I'm at the Molokai District Office, and with me on the other side of the office is our Molokai community outreach specialist Zhantell Lindo. Dzień dobry kakou and hauoli Poalima.

CHAIR LEE: Good morning.

DEPUTY COUNTY CLERK: And Council Chair Alice L. Lee.

CHAIR LEE: Dzień dobry, my colleagues and everyone watching and listening. I am here in my workspace alone.

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

EXCUSED: NONE.

DEPUTY COUNTY CLERK: Chair, there are nine Members present. A quorum is present to conduct the business of the Council.

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

Joining the meeting from the Department of the Corporation Counsel is Corporation Counsel Moana Lutey.

CHAIR LEE: Alright, our opening remarks will be provided by Councilmember Molina.

OPENING REMARKS

The opening remarks were offered by Councilmember Mike Molina.

CHAIR LEE: Thank you, Member Molina. That was so beautiful and so relevant. Thank you.

And now, Members, please join me with the Pledge of Allegiance to the flag.

PLEDGE OF ALLEGIANCE

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

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

SET THE CONSENT CALENDAR

CHAIR LEE: At this time, we will set the Consent Calendar. As a reminder the calendar can be still adjusted even after it is set. Are there any requested changes to the Consent Calendar at this time? No changes? Okay.

Any objections to setting the Consent Calendar?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: Okay, no objections. So, ordered. No, so ordered. The Consent Calendar is set.

Mr. Clerk, please proceed with testimony. There are no resolutions today.

DEPUTY COUNTY CLERK: Chair, proceeding with the presentation of testimony on agenda items. Members of the public may testify by connecting to the Council's online meeting by phone or video conference through the information posted on today's agenda.

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

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

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

Chair, the first individual we have signed up to testify is Justin Hughey. To be followed by Liko Wallace.

CHAIR LEE: Good morning, Mr. Hughey.

PRESENTATION OF ORAL TESTIMONY

MR. JUSTIN HUGHEY (testifying on Resolution No. 22-84):

Good morning. My name is Justin Hughey. I'm speaking in strong support of Resolution 22-84. I'm a public school teacher who was lucky enough to purchase the first Na Hale O Maui affordable home. Dream come true. Making one the lowest salaries, teacher's salaries in the country when factoring in the cost of living, I found

myself working nights at Sansei Seafood Restaurant to be able to afford rent and live paycheck to paycheck. 37 Poniu Circle sold for about 650,000 brand new, roughly 30 years ago, went into foreclosure, and Na Hale O Maui purchased, purchased it. I bought it for 275,000. Most developers who promise to provide affordable housing to develop luxury homes don't truly provide affordable homes. My mortgage is \$1300. I pay less for a 3-bedroom, 3-bath, two-story house than what I was paying for a one-bedroom apartment.

Hawaii doesn't have a teacher-recruitment problem. It has a, it has a retention problem. This is because their school district is the only one in the country that doesn't use property taxes to fund public education. In the book "Hawaii Pono", the public school system has been suffering from dilapidated buildings, too few teachers, meager funding since 1911.

Because of Na Hale O Maui, I was able to afford to stay here and continue teaching. I met my wife, and after purchasing a home, and now she teaches at Maui High, and we have two children. Please pass this resolution and in the future, provide Na Hale O Maui with as much money or land as possible. Developers, I mean, developments like Spencer Homes are great, but those were only affordable for the individuals who bought them. Na Hale O Maui is affordable in perpetuity. Thus, if I sell my home, it will be affordable to the next family in need. And the need on Maui for affordable housing is overwhelming. Our communities need so much more. Thank you.

CHAIR LEE: Thank you, Mr. Hughey. Any questions, Members?

Yes, Member Sinenci.

COUNCILMEMBER SINENCI: Mahalo, Chair. And aloha, Mr. Hughey. Mahalo for your testimony this morning. I, I understand that Hana school, we do have a couple cottages here for teachers that, that require housing. I was just wondering, is there anything like that available for teachers in Central Maui?

MR. HUGHEY: Not to my knowledge. And if it is, it's too far, too few.

COUNCILMEMBER SINENCI: Okay.

MR. HUGHEY: Yeah, it's . . . I mean, these homes that are on, that are there, they . . . help all this teachers, or at the school I teach at. You know, it's, so, I mean, it, this is better than nothing. But we need to do so much more. So, so much more.

COUNCILMEMBER SINENCI: Okay. Thanks Justin.

MR. HUGHEY: Yeah, any time.

CHAIR LEE: Okay, I see Member Kama, then Member King.

COUNCILMEMBER KAMA: Thank you, Chair. Good morning, Justin. It's been a while. So good to see you.

MR. HUGHEY: Aloha.

COUNCILMEMBER KAMA: So, my question is, you know, you were one of the first. What year was that that you first bought your home?

MR. HUGHEY: I believe it was 2010. Yeah, I think it was 2010.

COUNCILMEMBER KAMA: Thank you. Thank you, Chair.

CHAIR LEE: Okay. Member King.

COUNCILMEMBER KING: Thank you, Chair. Aloha, Mr. Hughey. Thank you for your testimony. I think it's great when people who have affordable housing support the affordability in perpetuity, cause a lot of people, once they get into affordable housing, they want that equity. But I wanted to ask you, what, since this is the, since the resolution you're testifying on has to do with dispensation of outstanding real property taxes, does, did you have outstanding real property taxes on that home?

MR. HUGHEY: No. I'm, outstanding, I mean, if there was, it would've, maybe it was, maybe there was but the, the association payment, but nothing came my way.

COUNCILMEMBER KING: Okay, so this doesn't necessarily directly affect you, but you're just testifying in general?

MR. HUGHEY: Right.

COUNCILMEMBER KING: Okay. I appreciate that, really. And, and I love your t-shirt.

MR. HUGHEY: Yeah, well, I mean, this is, again, this was a dream come true. This was a miracle, you know, for any teacher that, that tries to work here, you know, on a, just the worst salary in the country. You know, I broke my back working two, two jobs for 10 years and, you know, I always thought of myself, what am I doing here, cause--

COUNCILMEMBER KING: Right.

MR. HUGHEY: --public education is not valued. But this allowed me to stay here. And this allowed me, even though I couldn't, my wife and I could make \$77,000 more in like Washington State, this still allowed us to stay and teach. And my wife is . . .

COUNCILMEMBER KING: Yeah, it's not necessarily the worst salary in the country, but comparatively to our cost of living.

MR. HUGHEY: Compared to, any district, with the cost of living, it's the worst.

COUNCILMEMBER KING: Right.

MR. HUGHEY: And it's because our State Constitution never factored in property taxes to pay for public education, so it's always been a problem. And that's--

COUNCILMEMBER KING: That's another conversation. But I would love to talk to you about that sometime, because, you know, that's--

MR. HUGHEY: Well, that's a big problem. And the kids deserve better. And teachers deserve housing, just like everyone else.

CHAIR LEE: Thank you, Mr. Hughey. Any more questions?

Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. Nice seeing you, Justin. Great story, I love it. Now, tell us, the other part is if you decide to leave, you and your wife and your two children, what would happen to your house? That's the questions.

MR. HUGHEY: So, the, the, the person that bought a house right after me and then sold it, you do have shared equity. You do get, you do get equity the longer you stay in the house. So, the person that sold the house right after mine, I think made \$7,000 more. But the whole, the whole point is that you're not going to just flip it and make a ton of money, you know. I own, I own the house, Na Hale O Maui owns the land. It's a 99-year lease with an option for another 99 years. I can give, I can give the house to my kids. But, you know, it's, and you know, when there was, when I was first pre-approved buyer, there was about 15 people on the list. It got to a different family. They didn't want to put a single guy in there. But I ended up being the only person that saw the value and could qualify. So, I would sell it to another family, and I would probably make probably 7 or \$10,000 more than what I paid for it.

But, you know, all that money's going somewhere. When, when you're paying 1400 or \$2000 for a one bedroom, and it's just gone, and that's half your salary as a public school teacher. It doesn't make any sense to, to stay here and teach here when, when you can have a home and you can, you can have a bank account and not have to work a second job. And there's so many people suffering. It's ridiculous.

COUNCILMEMBER SUGIMURA: Thank you so much.

MR. HUGHEY: Yeah.

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

MR. HUGHEY: Aloha. Thank you.

DEPUTY COUNTY CLERK: The next individual we have signed up to testify is Liko Wallace. To be followed by Fay Pacheco.

MS. LIKO WALLACE (testifying on Committee Report No. 22-26):

Good morning, Councilmembers. Nice to see all your smiling faces this morning. I'm excited to talk story with you guys on behalf of the things that is being proposed for the Charter amendments. I would like to speak on item CR 22-26, Proposal 1, from the Charter amendment district voting.

I do not agree that it should be put on the ballot. The reasons that I feel, as I had sent the first time, said the first time I spoke was basically, I feel that our voices will not be heard. We will not be represented in a, in a way that we need to be. That we live in a unique style here, very different from almost everywhere you can think of on Maui. And I know there's a lot of people, you know, in sharing the information with others, I know they all share the same sentiment as me. But a lot of them are too shy or shame to, or just feel uncomfortable coming on and speaking to you guys. So, I know I speak for more than myself. And I just want to encourage you guys to stick with not putting Proposal 1 on the ballot.

I also wanted to encourage to create the Department of 'Ōiwi Resources, Proposal 8, to be put on the ballot. I feel it would give our County a better perspective and understanding of what we stand for, what our values are, our priorities. And it would help you guys to help protect both our environment and our culture, as, as we have in the past. Just giving you guys better resources to understand what is on, at-hand.

And then lastly, I also wanted to speak on behalf of Proposal 6, which would include Kalaupapa as part of our County, removing it from the Department of Health and allowing them to be a part of us, instead of separate as they have been treated all along.

Thank you so much. I've been praying for you guys that you will really take to heart what our island is speaking on behalf of. And pray that you will take into consideration what we have to say. Thank you so much.

CHAIR LEE: Thank you for joining us this morning. Members, are there any questions? If not, thank you. And thank you for praying for us, cause we need it.

MS. WALLACE: Definitely, I know. We are required to pray for our leaders. Thank you again and have a blessed day.

CHAIR LEE: Thank you. You too.

MS. WALLACE: Thank you.

CHAIR LEE: Mr. Clerk.

DEPUTY COUNTY CLERK: The next individual signed up to testify is Fay Pacheco. To be followed by U'ilani Tanigawa Lum. Fay Pacheco, it is your turn to testify.

CHAIR LEE: We can't hear you.

COUNCILMEMBER PALTIN: Somebody gotta unmute her.

CHAIR LEE: Okay.

MS. FAY PACHECO (testifying on Committee Report No. 22-26):

Can you hear me?

CHAIR LEE: Yes, now we can.

MS. PACHECO: Okay, great, great. Okay, my name is Fay Pacheco and I live on Molokai. I'm here to testify on CR 22-26. This is on behalf of not allowing the proposal to be on the ballot. Also, I would like to propose, Proposal 8, I would like to, I would like to.

Yes, yes, Proposal 1, I would like to approve that. I mean, I would like to have you allow that to happen. What's that? Okay. Sorry, I'm just going all over the place. Sorry about that. I haven't testified for a long time, because I get so nervous on it. But I just needed to let you know about Proposal 8, that I would like to have the Department on the 'Ōiwi Resources. See, I'm going all over the place. Sorry again, to allow that to happen. And the reason for that is that I think that we need to protect our environment and our culture.

The, the re, okay.

MS. WALLACE: You don't want that.

MS. PACHECO: Okay, let me go back again. Item CR 22-26, sorry about that. I don't want that to be on the ballot, okay. And the reason for that is that I feel that Molokai's voices would be watered down by that. So, don't allow that. And I think that's it. Sorry about that. Thank you very much.

CHAIR LEE: No, we're just happy that you were able to speak to us today. Thank you for joining us. Members, questions?

Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Ms. Pacheco, for your testimony today. I just want to make sure I understand what you're saying.

MS. PACHECO: Okay.

COUNCILMEMBER PALTIN: You like the Department of 'Ōiwi Resources, and you want it on the ballot?

MS. PACHECO: Yes.

COUNCILMEMBER PALTIN: You don't want the district voting and you don't want that on the ballot?

MS. PACHECO: Correct. Correct.

COUNCILMEMBER PALTIN: Okay, right on. Thank you.

MS. PACHECO: Thank you.

CHAIR LEE: Members, any more questions? If not, thank you so much, Ms. Pacheco.

Oh, one more question. Member King.

COUNCILMEMBER KING: Thank you. Thank you for your, your testimony, Fay and, and Liko. But I just wanted to find if people understand that what we're voting on with 22-26 is the whole package, not individual.

MS. PACHECO: Oh, okay, okay, okay.

COUNCILMEMBER KING: So, it's either all of its yes or all of it's no, whatever's on that, in the pack of Charter amendments. That's just for you, your information and those who are coming after you.

MS. PACHECO: Okay, great. Thank you.

COUNCILMEMBER KING: Thank you.

CHAIR LEE: Member Kama.

COUNCILMEMBER KAMA: Thank you, Chair. Thank you for being here, Ms. Pacheco. So, I am just, what you told your response to Member Paltin, that you like No. 1, you don't like No. 1. You like No. 8. But in the end, as Member King has said, that it's all-or-nothing, and in the package, the Council did agree to delete No. 1 and we are supporting No. 8. So, that satisfies you?

MS. PACHECO: That's great. Thank you. Yes.

COUNCILMEMBER KAMA: Thank you.

MS. PACHECO: Thank you.

CHAIR LEE: Thank you, Member Kama. Any more questions? If not, thank you so much. And we'll see, have a nice weekend. Bye.

MS. PACHECO: Thank you. Bless you guys.

CHAIR LEE: Thank you.

COUNCILMEMBER KAMA: God bless you.

CHAIR LEE: Mr. Clerk.

DEPUTY COUNTY CLERK: The next person signed up to testify is U'ilani Tanigawa Lum. To be followed by Cindy Manaois.

MS. U'ILANI TANIGAWA LUM (testifying on Committee Report No. 22-26):

Aloha mai kakou. So nice to see you. My name is U'ilani Tanigawa Lum, and I am a kupā of this wonderful community. I am also an attorney and a mom. Mahalo for the opportunity to testify today. And I'm here in my personal capacity as a member of this community, and I'm testifying in strong support of agenda item 22-26, and in particular the 8th proposal that would establish the Department of 'Ōiwi Resources.

And hui kala mai, I realize you are all voting on the entire agenda item, as a package. But I'd like to highlight a bit here on the 8th proposal, if that's okay with you folks? So, as a hula practitioner, I reflect, I reflected on my educational journey, and sort of traced it back to my time here on Maui. And in getting my Bachelors and Masters Degree in Hawaiian Studies, I realized that what fueled my passion for justice was a simple question. And that was, why was, or maybe why is it so hard to practice our culture in our homeland? And as many of you agree, foundational cultural practices like hula are often marketed as a tool for entertainment. But I found that in fact our practitioners offer us an incredible resource. They're the experts of aina, experts in resource management, and so much more.

At bottom, to me at least, these practices are an integral part of who we are as kanaka maoli, and therefore, as Maui nui. And for me, it's foundational to what I do in my career. This Department of 'Ōiwi Resources will not only take much needed steps to remove barriers to practicing our culture, but it would also take proactive bold leadership to support the experts of this place. And as an attorney, I have the privilege of working at the Ka Huli Ao Center for Excellence in Native Hawaiian Law, where a part of my kuleana includes coordinating trainings, including trainings for our Department of Hawaiian Home Lands beneficiaries, as well as trainings for, in Native Hawaiian Law, as many of you are familiar with.

And one of the most consistent pieces of feedback that we get from folks is how much there is to learn in Native Hawaiian Law and that there is a critical need to educate more and have more advanced courses. To be honest, our small team is consistently fielding requests for training and education around Native Hawaiian Law. Folks also ask for concrete tools to operationalize kuleana under these important laws. And I mention this to emphasize the need. There is a need for leadership, collaboration, education, and advocacy not just for our cultural practices and practitioners, but for Native Hawaiian Law. And to be honest, I see a number of issues coming to a head on our island. And I think education at the outset and communication at the outset is key.

Gratefully, we are past the point where culture is an added after thought and sprinkled for good fun. It's central to our way of life. And I would venture to say that Native Hawaiian Law and its cultural . . . kala mai. I'll, I'll wrap up here. Our, its cultural underpinnings affect each of our County's departments. So, in short, this office will have generational impacts. It would be a crucial step to identifying barriers, closing loopholes, and seeking pono, balance for our practitioners, County, and aina aloha. So, mahalo for all your work and all you do on behalf of our aina aloha and our community. Mahalo for your time. So nice to see you folks. Aloha.

CHAIR LEE: Thank you. Members, questions? No questions? Thank you very much, Ms. Lum.

Mr. Clerk.

DEPUTY COUNTY CLERK: The next individual signed up to testify is Cindy Manaois. To be followed by Kerri-Lyn Abarra.

MS. CINDY MANAOIS (testifying on Committee Report No. 22-26):

Hi.

CHAIR LEE: Hi.

MS. MANAOIS: Good morning, Councilmembers. My name is Cindy Manaois. I am testifying on agenda CR dash, CR 22-26. Mahalo for listening to our testimony at the Committee and voting to recommend to the Charter Commission that Proposal 1 to establish district voting and re-apportionment committee not be sent to the ballot. This proposal, this proposed Charter amendment makes me feel like you're taking my voice away and not giving me the right to cast my vote for the entire Maui County Councilmembers who makes decisions that represent all of Maui County. Voting gives us, the people, the power to decide who we want to represent us. That right should not be taken away from me.

I am also in support of sending Proposal 8, to create a Department of 'Ōiwi Resources to the ballot for the same reasons that U'i had just stated.

I also support Proposal 6, to include Kalaupapa to Maui County. They're on our island, it should be with Molokai. Mahalo.

CHAIR LEE: Thank you for your testimony. Members, questions? If not, thank you so much.

Mr. Clerk.

MS. MANAOIS: Thank you. God bless you all.

CHAIR LEE: Bless you too.

DEPUTY COUNTY CLERK: The next person signed up to testify is Kerri-Lyn Abarra. To be followed by Mike Moran.

CHAIR LEE: Good morning.

MS. KERRI-LYN ABARRA (testifying on Resolution No. 22-84):

Aloha. Good morning. My name is Kerri-Lynn Abarra. You know, my husband and I have two daughters with a third on her way within the next couple of weeks, and just saying we're all born and raised on the island of Maui. I am testifying on 22-84, authorizing the disposition of real property to Housing and Land Enterprise of Maui for Na Hale O Maui, and the waiver of the outstanding real property taxes.

I am in support of this measure because, as a young family myself, I would like to own a home in my own lifetime. My mother, who is currently on the Hawaiian Homes wait-list, but because she has a blood quantum. But at this moment, we don't know when that will come to pass, where she could also own her own home. With this passage, it is possible that it may allow me to own a house before my mother does. Right now, my family and I are ready financially, you know, physically, mentally prepared for homeownership. And with this measure, it does allot 19 properties to Na Hale O Maui. And although it will not, it can't guarantee anything for my family and I, but it will allow other families who are in similar situations to have the opportunities. And I won't be too far behind that as well.

I am, you know, eager, ready to put some roots someplace in this, you know, in our birthplace, and not have to move around, and rent all the time, and have our rent money go someplace else versus into homeownership that it could then be passed down to our children. And, you know, we, my husband and I would love our children to grow up in a community with longtime neighbors, longtime friends that they can see, you know, growing up throughout their lives, as they are still young. I kindly ask that Council not wait, and to take action today so that myself and others don't have to wait any longer for a home for our families. I appreciate your time on this Aloha Friday morning. Thank you.

CHAIR LEE: Thank you. Members, any questions?

Member Kama.

COUNCILMEMBER KAMA: Yes. You mentioned your children were young. How old are they?

MS. ABARRA: My children are 9 and 5. And then, I have one coming within the next couple of weeks.

COUNCILMEMBER KAMA: Thank you. And thank you for your testimony. Thank you, Chair.

CHAIR LEE: Any more questions? If not, thank you very much, Ms. Abarra.

DEPUTY COUNTY CLERK: The next person we have signed up to testify is Mike Moran. To be followed by Kealoha Laemoa.

MR. MIKE MORAN, KIHEI COMMUNITY ASSOCIATION [testifying on Bill Nos. 57 (2022) and 58 (2022)]:

Good morning, Chair Lee and Councilmembers. Mike Moran for the Kihei Community Association. And my head gear may give you a tip that I'm going to change the topic of testifying, and talk about safe bicycling in our, at least in our district and hopefully all over our island.

I think we all hear, so often, about all the value of safe bicycling. Recently, we've been hearing a lot of the problems of business-oriented bicycling Upcountry. We have kind of an opposite situation in South Maui, where we don't have sufficient places for safe bicycling. And yes, there's plenty places to bicycle for the class-A guys that will go right out there with the cars and the high-speed roads. But for our keiki, for our old haole goats like me, we want to be able to use a bicycle to do things, so we don't have to use the vehicle. And we all go through that, well, we have climate change, and we have pollution, and we have crowded roads. So, the more places we can make safe bicycling, the better for our overall community.

The prime thing is getting the, the bicyclists and cars physically separated. And we see examples of that on our island. In South Maui, we have a major highway. We still call it the Mukulele *[sic]* Highway, where we have a segregated bicycling lane, which is so much safer. 100 percent safe? No, nothing is 100 percent safe, but much, much safer. We have a manini greenway back in our 1998 plan. That greenway was going to go all across Kihei. Well, we've had challenges with that.

So, what's the next best thing we can do if we can't have it separated? If it's going to go along the roadway, how can we make it safer? Not the safest, but safer. And we

have seen countless examples of this all over. And more recently we see it in Honolulu, where they took a street, and they take the lane, and they paint it bright green. And that's all it does to make the, the difference in the driver's mind. It's not just the white line, which is like, looks like a shoulder, while it looks like something different. And drivers have been shown in numerous tests that they are more aware of that, and they stay away from it.

And that's what we're talking about this morning in Bills 57 and 58. A pilot project that we have been trying to get done for a decade. And we are as close as we ever will be that Public Works said they will do it on a segment of Lipoa, which leads to three of our schools. So, that can really help the keiki. And it can help the old goats like me who want to go to the library, and to the farmers market tomorrow morning and have one less car. We used to have a, a bike from here that that was their t-shirt, "one last car". So, we ask you for your consideration on this. We realize this is manini compared to these major issues. But it can help the whole island. Thank you for the time. And Chair Lee, thank you for letting me go a little bit over time. Mahalo.

CHAIR LEE: Mahalo, Mike. Members, any questions? If not, thank you, Mike. Have a great weekend.

MR. MORAN: Safe bicycling all. Aloha.

DEPUTY COUNTY CLERK: The next individual we have signed up to testify is Kealoha Laemoa. To be followed by Tom Blackburn-Rodriguez.

MS. KEALOHA LAEMOA (testifying on Committee Report No. 22-26):

Aloha everybody. Can you hear me? Keani, you can hear me? You guys can hear me?

CHAIR LEE: Yes, we can.

MS. LAEMOA: Aloha. My name is Kealoha Laemoa. I'm testifying in support of CR-28 *[sic]*. I support the Council recommendation to not send Proposal 1, district voting to the ballot. And the reason why is because I do not want my freedom of designation to be taken away. That is my right, and I don't want that to be taken away.

I support Proposal 8, the establishment of Department of 'Ōiwi Resources.

And I also support Proposal 6 to include Kalaupapa into Maui County at the appropriate time. My, my grandmother is laying at rest at Kalaupapa. And I feel that her, her legacy would be better off as a, in Maui County.

But anyway, I am not in support of Proposal 1 in district voting, and that's what I, you know, wanted to share. Thank you. Thank you very much. Thank you, Keani.

CHAIR LEE: Any questions, Members? If not, thank you so much, Kealoha.

MS. LAEMOA: You have a great weekend. Aloha.

CHAIR LEE: You too.

MS. LAEMOA: And I'm praying for you guys. Bye-bye.

CHAIR LEE: Thank you.

DEPUTY COUNTY CLERK: The next person we have signed up to testify is Tom Blackburn-Rodriguez. To be followed by Jeff Gilbreath.

MR. TOM BLACKBURN-RODRIGUEZ (testifying on Resolution No. 22-84):

Good morning, Council Chair, Councilmembers. Are you able to pick me up on video and audio?

CHAIR LEE: Yes, we got you.

MR. BLACKBURN-RODRIGUEZ: Thank you. Thank you very much. First of all, I'd like to just notice that I went to the State of the County speech the other day and saw many Councilmembers I hadn't seen in a long time. You all look so big. You know, you look so tall, I couldn't believe it. So, I can't wait until we see each other in person again. But that's just a personal note.

One thing I did want to testify, I do want to testify on Resolution 22-84, which is the transfer of vacant lots to Na Hale O Maui, and with the payment of the property taxes due on that. I'd like to support that transfer. It was a delight to see Justin Hughey, who did get the first Na Hale O Maui house when I was president of the organization. What he didn't tell you was he was able to get married, two careers, and have children, and get involved in the community. He's a perfect example of what homeownership can bring to a neighborhood. When I met him as a single man, and now he's married and has a couple kids. He's a great guy.

But I just wanted to say that one of the things that I always listen for in your work is the message of hope that you send to us as the citizens of Maui County. And when things like Na Hale O Maui occur, which is now up to 47 homes, none of which have ever been foreclosed no matter all the difficulties we went through in 2008 and the pandemic, 47 homes that when they do move on, people will take equity and it will be sold to someone in the same low in, in the same income bracket. Though it is for in perpetuity, the Council, if it votes on this today and moves it forward, is doing what it does best in what it sends to us, which is a message of hope, which we need so much in these times.

So, I'd like to urge your passage today of this resolution. To thank you, all you are doing on affordable housing. It has come so far from when we first began to advocate for this. And we owe you all a debt of gratitude for that. So, again, please pass Resolution 22-84. And again, thank you for the message of hope that you send to our citizens.

CHAIR LEE: Thank you, Tom. Members, any questions?

Member Molina.

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair. Good morning, Tom. And as always, good to see you. And I think you should be commended as well. You were early on with Na Hale O Maui and, and you provided a lot of hope. And look at how the tree has borne, you know, the type of fruit now. A lot of success stories. So, just wanted to thank you for all your work, as it relates to affordable housing. Thank you, Madam Chair.

CHAIR LEE: Thank you, Member Molina. Any more questions?

Member Kama.

COUNCILMEMBER KAMA: Thank you. So, Mr. Rodriguez, did you, did I hear you say that you wanted us, you're urging us to pass this, this resolution today?

MR. BLACKBURN-RODRIGUEZ: Yes.

COUNCILMEMBER KAMA: Okay, just wanted to make sure I heard right. Thank you, sir. Thank you, Chair.

MR. BLACKBURN-RODRIGUEZ: Thank you very much.

CHAIR LEE: Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Blackburn-Rodriguez, for your testimony. I, I and Member Kama for your clarification. I wasn't aware that you wanted us to pass it today. It says, get referred to the correct Committee. But since you are saying that, I was wondering, in the transmittal, it says the County developed a phased approach. Do you know what that means?

MR. BLACKBURN-RODRIGUEZ: No, I did not write that document. But my guess is that it would bring . . . on the, as the market area . . . there's a duck quacking. But, so I would imagine it means as the, as the project goes on. But I would have to say that I did not write the document, so I cannot tell you exactly what is meant by that phrase.

COUNCILMEMBER PALTIN: Oh, okay. Alright. Yeah, there's not much information in the transmittal, so we're not, we're not sure what, what is intended, is the issue. It's just like a two-page letter. But, okay. Thank you.

MR. BLACKBURN-RODRIGUEZ: Thank you very much.

CHAIR LEE: . . . it off again. I thought I was the duck quacking, that's why. Thank you, Tom.

Mr. Clerk.

DEPUTY COUNTY CLERK: The next person we have signed up to testify is Jeff Gilbreath. To be followed by Pamela Tumpap.

MR. JEFF GILBREATH, HAWAIIAN COMMUNITY ASSETS (testifying on Resolution Nos. 22-84 and 22-85):

Aloha, Councilmembers. Great to see you again. I hope all is well. Happy Aloha Friday. I am here testifying on behalf of Hawaiian Community Assets, in support of Resolution 22-84 and 22-85. Or sorry, yeah, 22-85, correct. This would allow the granting of lots not only to Na Hale O Maui, the Maui Lani Fairway lots, but also the Maui Hospital Foundation.

Both would create leasehold homeownership opportunities and looking at that in perpetuity. We believe this is a good step forward in making sure that our local families are housed, and our local workforce has an affordable home to be in. And so, don't want to take a ton of your time. Just wanted to mahalo you for bringing this forward and we stand in strong support.

CHAIR LEE: Jeff, can you come back? Jeff? Question for you, from Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Gilbreath. When you were talking about leasehold, is that for both of the resos? The Maui Health, is that going to be like a land trust, are you aware?

MR. GILBREATH: In the resolutions that you mentioned leasehold, for both.

COUNCILMEMBER PALTIN: The hospital will be the leaseholder, or the County will be the leaseholder?

MR. GILBREATH: That, I'm not entirely sure. I know that they've been discussing with the foundation board and the, the administration. I'm not sure which way they've decided.

COUNCILMEMBER PALTIN: And you said something about affor, was it, you said something about affordable in perpetuity, was that for both resolutions, or?

MR. GILBREATH: Yes. So, the idea, I believe, is to use kind of the land trust model or a leasehold model that would allow for these units to be affordable in perpetuity.

COUNCILMEMBER PALTIN: And then, do you know what the phased approach means?

MR. GILBREATH: I can't help you with that one, Councilmember. Sorry.

COUNCILMEMBER PALTIN: Okay. Alright. Thank you.

MR. GILBREATH: Of course.

CHAIR LEE: Member Sugimura, and then Member Johnson.

COUNCILMEMBER SUGIMURA: Thank you, Chair. Good morning, Jeff. Nice to see you here. I wanted to ask you about, actually Tamara's question earlier and Ms. Kama. So, do you see an urgency of passing this resolution? I think it was regarding--

MR. GILBREATH: I do.

COUNCILMEMBER SUGIMURA: I mean, today?

MR. GILBREATH: I do.

COUNCILMEMBER SUGIMURA: Giving it, okay. Yes. Why?

MR. GILBREATH: I mean, I do. I, I think you folks have heard me talk at length about affordable housing. You're probably sick of hearing me. And I believe this--

COUNCILMEMBER SUGIMURA: We get it.

MR. GILBREATH: --is an opportunity to move it forward. I do support that. But I do recognize there are, I'm sure questions that you folks will have and would like to address.

COUNCILMEMBER SUGIMURA: Thank you.

MR. GILBREATH: Thank you.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. Good morning, Jeff. If my, if you hear my dog snoring in the background, it's not me, it's my dog. I don't know, she's loud. But anyways, in the cap, it's recommended to get community input on projects. And do you recommend this, that this goes to Committee, so we can allow our communities to have inputs, or do you, well, especially considering these lots and the history of them?

MR. GILBREATH: Through our community engagement, Councilmember, we heard the idea of transferring these lots in this manner of being supported by community members and through key stakeholder interviews. For us, we're always supportive of community engagement. If the Council thinks that is the appropriate way forward, we would support that. But I will tell you that we heard through our community engagement that there was support from the community to do this type of transfer to leasehold and to nonprofits to move forward to, to get to our families.

COUNCILMEMBER JOHNSON: Okay. Thank you so much, Jeff. I have no further questions, Chair.

CHAIR LEE: Anyone else?

Member Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Gilbreath. I just was reading about the, the reso, and it says of the 33 residential lots, 16 will be designated in perpetuity. So then, I'm assuming the rest of the 33 are not. And I just was wondering if, if that's what you meant when you said, "all of them"?

COUNCILMEMBER JOHNSON: I, that's for what, the two resolutions, right, 84 and 85? And I believe in 85 it states the same, the language is, it's almost mirrored.

COUNCILMEMBER PALTIN: This is the one from Maui Health

MR. GILBREATH: Yeah.

COUNCILMEMBER PALTIN: And it says, "the first phase of 32 residential lots, with 16 of them designated in perpetuity for healthcare providers". So, I just was wondering what about the, the rest, 17 or whatever? Is that not in perpetuity?

MR. GILBREATH: Yes. No, good catch. Good catch. I know, I know that those 16 are, as you stated. I guess I had, I, I guess that answers also the phase-in question. The first 16 being in perpetuity. But those other 17 then, I, I don't know the answer to that, but I'm assuming that it's not defined. That's probably something to follow up on.

COUNCILMEMBER PALTIN: Well, the part about the phased approach talks about working with adjacent residents' concerns because of the large retaining wall which concern adjacent Palama Drive residents. That was, I think the phased approach was in relation to that. Because before when it was built, it was being built and all of that fill came in, and then the foundation of the adjacent homeowners' houses were beginning to crack, and all of the, their house was filling up with that dust. So, I thought the phased approach had to do deal with maybe mitigating the effects on the existing homeowners' structures. But you're saying the phased approach has to do with something else in terms of half of them being in perpetuity?

MR. GILBREATH: That was, I was just, I was just making an assumption, Councilmember. I am not, I haven't been involved in these conversations. So, I think it's probably better suited for the Administration to address, or the folks who have been involved in conversations, yeah.

COUNCILMEMBER PALTIN: Okay. Alright. Thanks for clarifying that.

CHAIR LEE: You done, Member Paltin? Done? Okay.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Mr. Gilbreath. Mahalo for your testimony this morning. So, just to clarify, you're not asking this Council to pass those Resolutions 84 and 85 today, right? Because of all these, the discussion that you had with Member Paltin on all these unresolved issues, and we really have no idea on the

details of the plan, of the phased approach, how the neighbors will be addressed, how the illegal grading will be reduced by 11 or so feet, how all that toxic soil from Pioneer Mill will be disposed of? So, all of these issues, you're, you're not asking us to pass this, these resolutions today, right?

MR. GILBREATH: I'm asking you folks to support it moving forward, right? And I, and I think it sounds like there needs to be some conversation, at least by the way . . . So, yeah, we, we support moving forward and having those important conversations.

VICE-CHAIR RAWLINS-FERNANDEZ: Great. I'm planning to take it to Committee. Mahalo, Mr. Gilbreath. Mahalo, Chair.

CHAIR LEE: Anyone else, Members? If not, thank you, Jeff. Have a good weekend.

DEPUTY COUNTY CLERK: The next individual signed up to testify is Pamela Tumpap. To be followed by Marian Horikawa-Barth.

MS. PAMELA TUMPAP, MAUI CHAMBER OF COMMERCE (testifying on Committee Report No. 22-26 and Resolution Nos. 22-84 and 22-85):

Aloha. Dzien dobry and Happy Aloha Friday, Chair Lee, Vice-Chair Rawlins-Fernandez, and Members of the County Council. I'm Pamela Tumpap, President of the Maui Chamber of Commerce, here to testify today on three items. The first is on the Charter amendments. I understand it's being taken as a whole package. Unfortunately, I wish we could break it apart, but do want to commend the Committee on tackling this on a short time that was allotted to you by the Charter, and do want to share our thoughts, as, as this is an important time to educate as we move forward.

We strongly agree with eliminating Proposal 1 from the, the ballot and appreciate your concurrence with this issue.

We also support the Committee's recommendation on Proposal 2.

For Proposals 4 and 9, we would support either version, as long as there is only one proposal related to this item on the ballot, so as not to confuse voters.

On Proposals 5, 8, 11, and 12, we do not believe either version of the language should be included on the ballot. And we've given you our additional thoughts in written testimony on this.

I'd also like to share some thoughts on Proposals 3, 6, 7, and 10. On Proposal 3, the Chamber supports the original proposal from the Charter Commission. We feel that any Charter amendment proposal should be analyzed by the Auditor for potential fiscal impacts so the voters know what the amendment might cost. And while we agree with what the Committee suggested that entities proposing amendments should include the fiscal, economic, and other impacts when submitting their amendments be considered. Unfortunately, that rarely happens, and it's not consistently done. And that's why we do not support the amendments to this proposal and support the original version.

On Proposal 6, we oppose both the original and the alternative versions and do not think these rise to the level of a Charter amendment. While we feel that this proposal is far better than creating nine individual planning commissions as was originally suggested, we do think that this amendment, or the Committees, we do not think this amendment or the Committee's alternatives will solve the issue. We frequently hear that people don't want to serve on boards and commissions when they see the process. They're frustrated by how people are being treated during the testimony process. And we also question, given, while we like the idea of having, if there were two, having one in an SMA area, that may not work for Upcountry areas. So, we feel that needs further thought.

On Proposal 7, we are in strong support of bifurcating the Department of Housing and Human Concerns. And we agree with the Committee's suggestion on including the requirement to perform other duties and functions as may be assigned by the Mayor. So, we, we are going to share more on that in our written testimony. But if affordable housing and rentals is a top priority, we feel this is a good initiative to support.

And on Proposal 10, we oppose the original proposal and the Committee's alternative. We feel this current system is fair and balanced with the Administration proposing and making recommendations and the Council's final determination. So, I'll stop there, if that's alright, and move onto affordable housing and the two resolutions on that?

CHAIR LEE: Okay.

MS. TUMPAP: Thank you. We just, we strongly support both of these resolutions to Na Hale O Maui for affordable workforce housing and to Maui Health Foundation for housing for medical personnel. Again, affordable housing and rentals is one of our top priorities and has consistently moved up for the last several years at the Chamber. Usually, our focus, the top priorities has always revolved around our economy and further economic diversification. But we have a clear need, so we support both of these proposals.

I've gotten to listen to the questions today and understand that while we feel that, you know, we want to see things urgently move, and in the past the Council has also really wanted to see things urgently move, we understand there's important questions to get answers on. So, we hope that can be done as expeditiously as possible and strongly support both resolutions.

CHAIR LEE: Okay, any, are you done?

MS. TUMPAP: I am. Thank you.

CHAIR LEE: Alright, thank you, Pam. Questions, Members? If not, thank you very, oh, we have one.

Member Sugimura.

COUNCILMEMBER SUGIMURA: One, one fast. Yeah, thank you, one fast one. On the Charter amendments, on Proposal 6.

MS. TUMPAP: Yes.

COUNCILMEMBER SUGIMURA: And you're saying you are in opposition of a portion of it. And can you expand what it was? Sorry, I didn't write it down.

MS. TUMPAP: So, I'll share a little bit more. I know, I'm sorry, I went through things very fast. We feel the, the proposal is far better than creating nine individual planning commissions, as originally suggested. But we do not think the amendment or the committee's alternatives will solve this. And the, the Council approves the nominees for the planning commissions. And we feel that we should put the highest priority on expertise, but also consider geographic location and broader representation.

But we're, the challenge we're finding consistently as we talked to people who are watching others go through the process, good people who want to serve are really being disenfranchised from service with the way they see how people are being treated. And we feel, really the, you know, we want to see the proposals continue to, we want to have good people serve. And so, we just don't feel that this, this amendment or the original proposal is really going to work. So, for those reasons, we are concerned about that.

But also, in the current proposal, while we appreciate the modification to say that, you know, again, looking at the districting that we could have two representatives from a community plan district, but one would have to reside in an SMA area. That wouldn't necessarily work for Upcountry.

COUNCILMEMBER SUGIMURA: Thank you. Okay. Thank you very much. I agree with you about that last statement.

MS. TUMPAP: Yeah, and I think, you know, again, it works for many areas, but not for Upcountry. Thank you for the opportunity.

CHAIR LEE: Another question. Another question from Member Paltin.

MS. TUMPAP: Yes. Aloha.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Ms. Tumpap, for your testimony. I guess my question was on that same Charter proposal. If you don't like either version, how do you reconcile when decisions are being made about a certain area that nobody on that commission resides in, or has that sort of knowledge about? You're okay with that decision is being made for areas that nobody lives in the area? Like, right now, on the Planning Commission, there's nobody on the Upcountry seat. So, that's my question.

MS. TUMPAP: Well, we would far prefer that. And we've stated that before in the, along the process. But you know, we feel that the commission, in terms of when they don't have that type of representation, we do feel that the commission needs to get that expertise and really consider that area if we don't have somebody specifically representing that area and do their fact-finding and research. We feel, you know, having qualified people serve is really important. But we just don't feel the way the proposals are, are being put forward is something that we support, in terms of how they're looking at the process. But again, we do, we do like having broader representation. It's just that the way the proposals are written, we ultimately don't feel it will work.

And the bottom line is, we feel there needs to be, in terms of having people serve on boards and commissions, a more open, respectful process, where people are appreciated for wanting to serve, and volunteer their time, where people are appreciated for their past good works that they've done. And whether or not they're selected, they should be treated respectfully.

COUNCILMEMBER PALTIN: To clarify, you think that there is broader representation going on right now, because Upcountry is not represented. There's nobody on the . . .

MS. TUMPAP: No, I didn't say that I think that we have all of the sections represented. I understand that. I'm saying, though, that in areas where we don't, I think that the commission needs to take into account, and there's many ways for testifiers in those areas to participate in the process and help educate the commissioners.

COUNCILMEMBER PALTIN: Okay, thank you for clarifying.

MS. TUMPAP: Thank you.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha Ms. Tumpap. Mahalo for your testimony this morning. So, I just, I wanted to clarify, when you say that you want expertise on the commission, on the plan, on these planning commissions to be the voting and deciding, you know, people, the people, the decision-makers on this commission, not just testifiers, but decision-makers on this commission. That the expertise that you are talking about are developers, realtors, labor unions, those that have financial interests. And the expertise that you're talking about is not those that have an expertise on the quality of life in the region that they live?

MS. TUMPAP: No, ma'am, You're putting words in my mouth that I specifically didn't say.

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

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. Good morning, Ms. Tumpap. And I appreciate your comments, as always, on all of our issues and your participation. Just wanted to ask you, if you could cite, you know, you mentioned nominees being treated with, with more respect. Can you cite examples of what you believe, I guess, no respect is being shown to the nominees?

MS. TUMPAP: Oh, well, thank you for asking the question. But actually, there are so many instances that we hear about, that really, if you'd like, I'd be happy to put together some videoclips for you. It'll take some time. But there are so many videoclips, that if you watch, watch that, I think you could understand where people maybe felt there, there was disrespect. But if you'd like, I'd be happy to pull some clips for you, and talk to some people, so I could go back to dates when those hearings were held and give you a highlight reel.

COUNCILMEMBER MOLINA: Okay, at some future point. But, you know, I guess for me as, as facilitator of the meetings, you know, I have to determine where the line is drawn so to speak, between, you know, allowing the Members to properly vet the nominees versus, you know, what I perceive as maybe disrespect. But, but it's healthy. I appreciate your input, so. Yeah, at some point, I'd be happy to get that.

MS. TUMPAP: I think it would be better that I do that, because, you know, I don't think anybody wants me to specifically name them or share their specific feelings. So, if I were to give you specific instances right now, that's what I'd need to do. And I don't think that's appropriate. But better if I share videos that help you see, and then to let you determine for yourself, whether you feel they might have felt disrespected during the process would be more helpful.

COUNCILMEMBER MOLINA: Okay. Yeah, I appreciate that at, at a later point. And we can do some review and do maybe some self-check on my approach to facilitating meetings. But it's always good to hear feedback. I appreciate that. So, but--

MS. TUMPAP: And I appreciate you're open.

COUNCILMEMBER MOLINA: Yeah. Alright, thank you, Ms. Tumpap. Thank you, Madam Chair.

MS. TUMPAP: Thank you.

CHAIR LEE: Member Kama.

COUNCILMEMBER KAMA: Thank you, Chair. Thank you, Ms. Tumpap for your, your testimony, which kind of brings things to my light too, similar to Mr. Molina. That and I'd like, I'd like to ask you if you do, when you do this, do you know how long it'll take you to do it and how soon we'd be able to view that, and how could we view that?

MS. TUMPAP: Thank you for asking the question. Well, to be honest with you, it certainly wasn't on my, my task list. So, I'll have to take a look. But I, I think I can go back to some of the prior comments, or things that we heard along the way, and work with Amber. We'll, we'll have to take a look. I, I'd be happy to get back to you with maybe an assessment. Of course, we're still in legislative session, so we're ringing in on a lot of State bills right now and we're getting to a point where it's getting a little more urgent, because we're after crossover.

But I'll do my best. I, I think, you know, to, it would be inappropriate to just submit, you know, two or three, because that doesn't really show the breadth of what we're talking about. So, I'll kind of need, I think at a minimum, we should give you a sample of at least ten. And so, I'll need to see what it takes. We don't have in-house video editing capacity, but maybe we can tell you the dates and the specific timeframes for the clips, or something like that, is what I'm envisioning maybe at the moment, or more extensively if we can fit it in or, or get some help.

COUNCILMEMBER KAMA: I, because I think what you had to say just resonates with me, that if our people are thinking or feeling disrespected, then certainly, if there is error, then, you know, like all things, we are humans, we're subject to, to doing and saying things, and sometimes unrealizing it, that we have offended people. And I'd like to be able to see that. And, you know, my deepest apologies to our people for that. So, thank you for doing that. Thank you, Chair.

MS. TUMPAP: . . . appreciate your kind comments. And, and you know, people, testimony and service is something we want to encourage our people to do. And we also hear some of it on testimony. There's tones and things and ways people are treated that they can feel frustrated a little bit on testimony. But when it especially comes, so, so that limits voices, but when it especially comes to them wanting to give their time, not be paid and serve, I think it's critically important that we look at this.

COUNCILMEMBER KAMA: Yes. Thank you.

MS. TUMPAP: Thank you.

COUNCILMEMBER KAMA: Thank you, Chair.

CHAIR LEE: Anyone else? If not, thank you, Pam. Have a good weekend.

MS. TUMPAP: Mahalo. You too. Happy Aloha Friday.

CHAIR LEE: Thanks.

Mr. Clerk.

DEPUTY COUNTY CLERK: Next individual signed up to testify is Marian Horikawa-Barth.
To be followed by Bridget Mowat.

MS. MARIAN HORIKAWA-BARTH (testifying on Resolution No. 22-85):

Good morning.

CHAIR LEE: Good morning.

MS. HORIKAWA-BARTH: Aloha and good morning. Thank you, Councilmembers, for allowing me to support the Maui, Maui Lani Resolution 22-85. My name is Marian Horikawa-Barth, and I am the Chief Nurse Executive at Maui Memorial Medical Center. I'm a Maui girl, I was actually born at Maui Memorial, attended Baldwin High School,

Maui Community College. And I've been working at Maui Memorial for the last 18 years. I spent many years living on the mainland and came home to raise my family. There's no place like home and like Maui. We live in one of the most beautiful places on earth, that draws visitors from all over the world.

But we often cannot attract, attract or retain skilled medical professionals for one reason, and that's a place to call home. Finding a place to live on Maui is extremely difficult. Nurses that have good jobs and a steady income are really struggling to find housing that they can afford. That's why I'm here asking for your support of the Maui Lani resolution.

Maui Memorial Medical Center, Maui Health is the only place on the island that can provide critical life-saving care to our residents and visitors. And we do so for everyone that comes through our doors. Our emergency department is the second busiest in the State, seeing more than 41,000 patients in 2021. We offer award level cardiac and stroke care, as well as excellent trauma, mother-baby, med-surge, and behavioral healthcare. For those with the most critical needs, we know that there's no other option, and these folks do not have the time to delay treatment or look for lifesaving care on another island. Having skilled medical professionals is central to providing this high-level quality of care.

Today, Maui Memorial Medical Center has about 75 registered nurse openings, despite hiring 80-plus University of Hawaii-Maui College nursing program graduates over the last three years. We've hired every one of them that has applied to us and, you know, really tried to keep and retain them. This island, State, and national shortage stresses our nurses, our Maui nurses that are already stretched and exhausted with this pandemic. The nursing and healthcare provider shortage directly impacts the quality of life on Maui.

This Maui, Maui Lani resolution will enable us to attract medical professionals who can meet the greatest healthcare needs in our community and help us to prepare for future growth. Please support your Maui born medical professionals who wish to return home to care for our ohana and retain current Maui nurses looking to purchase their first home on Maui. Mahalo for your time.

CHAIR LEE: Thank you. Members, questions?

Member King.

COUNCILMEMBER KING: Thank you, Chair. Aloha, Ms. Barth. Thank you for being here. And, you know, I completely agree. I think there's two parts to the medical profession trying to, trying to fill those positions. And one is housing and the other is salaries, so,

which is the State issue. So, you know, if we get, we're, you know, many of us are, are supporting the, the increase in minimum wage, but will that affect those higher salaries too? If we can get those, if we can get one of those bills passed, will that allow us to actually pay higher salaries to people in the health profession?

MS. HORIKAWA-BARTH: You know, I'm sorry, I can't answer that question. So many of our healthcare providers that provide direct care are part of a union and so, that is part of the negotiation that comes with that, that bargaining. So, I, I'm sorry--

COUNCILMEMBER KING: Are their salaries, are their salaries commensurate with salaries on the mainland? Are we paying at least . . .

MS. HORIKAWA-BARTH: Yes, actually, I've recently read an article that said that in fact we are, the State of Hawaii is actually second, right behind California in, as far as salaries.

COUNCILMEMBER KING: Okay, great. That's great to know. Thank you so much. Thank you, Chair.

CHAIR LEE: And if I may add, we may be second behind California in salaries, but 44th in the nation when you, when you factor in the cost of living.

COUNCILMEMBER KING: Exactly. Just like teaching.

CHAIR LEE: Yeah.

COUNCILMEMBER KING: Just like the teaching profession, so.

MS. HORIKAWA-BARTH: Yes. Thank you for that.

CHAIR LEE: Member Paltin. Member Paltin has a question.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Ms. Horikawa-Barth, for your service and your testimony. I just was reading the reso that you were testifying on. And it talks about the first phase of 33 residential lots and 16 designated in perpetuity for healthcare providers. And I just was wondering with like you know you said 70-80 vacancies in nursing, and the transmittal says 400 vacancies overall. I just was wondering if you would prefer all 33 lots to be held in perpetuity, specifically for healthcare providers? I mean, what about the other 17?

MS. HORIKAWA-BARTH: You know, I'm, I'm sorry, again, not prepared to speak to the, the number of lots that are noted in the resolution. I think that if, if that would be possible, it would be very helpful for us. You know, just today, I talked to a nurse who wants to

come, and she's really concerned because of the high price of housing and is not sure how she's going to make it. So, you know, what we can, if we could even offer something in that way, to a wider range, that would be fantastic.

COUNCILMEMBER PALTIN: I'm just trying to clarify the preference. Like, you're not intending for those houses to belong to someone, and say they move someplace else and to be sold at fair market value. You prefer them to be like a cache for the hospital or something, so that employees of the hospital would always have like 16 or 33 that they could fill up and always have 33 workers at least living there, rather than just the first 33 or the first 16, and then once if they move or whatever, then it's not, not part of the healthcare inventory anymore? Am I correct as to your preference?

MS. HORIKAWA-BARTH: I think what you initially said was the, for it to be in perpetuity, so that a healthcare worker would, would sell to another healthcare worker. That is correct. We would, we would really prefer that, because--

COUNCILMEMBER PALTIN: . . . like a healthcare land trust, or . . . like a little bit of a low-income land trust, and DHHL as being the 50 percent Hawaiian blood quantum land trust. This would be like a healthcare land trust principal idea.

MS. HORIKAWA-BARTH: Yes. Yes, Councilman.

COUNCILMEMBER PALTIN: Thank you. I just, I just wanted to clarify on what it is the healthcare profession is looking to see created, and that was my sentiment. But thank you for clarifying.

MS. HORIKAWA-BARTH: Thank you for the question.

CHAIR LEE: Any more questions, Members? If not, thank you, Ms. Horikawa-Barth. Good to see you again.

MS. HORIKAWA-BARTH: Thank you.

DEPUTY COUNTY CLERK: Next person signed up to testify is Bridget Mowat. To be followed by Sam Small.

CHAIR LEE: And how many more, Member, I mean, Mr. Clerk?

DEPUTY COUNTY CLERK: Ten more, Chair.

CHAIR LEE: Okay. Thank you. Oh, what's that sound?

MS. BRIDGET MOWAT (testifying on Committee Report No. 22-26):

It's not me.

CHAIR LEE: Hello, Ms. Mowat.

MS. MOWAT: Mowat. Good morning. Good morning, everybody. Thank you for allowing us again to just share our support. I'm, I'm, you folks worked so hard on this. And it, what an emotional rollercoaster it is. I was just watching. I wasn't, you know, and it, you folks really work hard, and I really appreciate all of you.

And I just want to just give my mana'o on the 22-26, especially in support of your vote to keep the first proposal off the ballot. And, and I appreciate that, because I really believe it should be representation, and not population, and being that we're so different. And if there are two other people on, on Maui who does not, who's never even visited Molokai, and there are many people that have not come to Molokai and don't know Molokai or Lanai. So, I really appreciate that, that, the vote you made to keep that in, I, or to keep it out.

The, and I also was happy with your decision to go with the, to put the 8th proposal on the, on the ballot. I was, particularly with the, you know, where it says the powers and duties when they talk about the, to guide the County and correct usage of Hawaiian language, and place names, and integration of Hawaiian language. And, you know, it's really important, because the tourist, Tourism Authority is going to, is going toward educating tourists. So, what better way to educate tourists than to make sure that, that everything is correct?

I mean, there's so many little nicknames, like Giggle Hill up in, in Maui. And what is the name of that? What is the name of that place, you know? So, it's really important that we have one resource, one place that we can go to, and, and get the, you know, and we can all support that. So, I, I was really disappointed by the vote, how it went 4, 4-5, just by one vote, vote, we got it on the ballot. So, I really appreciate all your hard work in, in, in this.

And, you know, just a little thing about, I talked to plenty of people about this Charter amendments being on ballots. And people, a lot of them didn't even know what that was. A lot of them said, oh, I don't understand what that is. I just go by, I just check off a lot of it because they didn't understand the language, it's not in layman terms. And, and, you know, and I was guilty of that. This is actually the first year that I'm getting into this and it's so important.

So, I don't know, do you, is there a way to post it up prior to the, being on the ballot, so people can review it, do research? Or, you know, to, to really give educated check, or not check. So, that's just something I wanted to share. And I thank you folks for all your hard work. You folks make a great team. Mahalo and have a good day. And we, too, are praying for all of you, and the Charter Commission. So, have a great day. Aloha.

CHAIR LEE: Member Paltin has a question.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Ms. Mowat, for your testimony. I kind of felt the same way as you. And I, I guess my question was, you know, I thought when they gave us over the proposals that they would let us know what issue they were trying to solve. But it just came as a proposal. And so, my question to you, I guess, you know, going forward in, in kind of Charter amendment process, do you think it would be helpful if along with the Charter resolution, the folks would let us know what is the problem that they're trying to solve?

MS. MOWAT: Oh, absolutely. Absolutely. And that way we're going to find out how it affects us individually or as an island? And if there was, I don't know if they used to do this before, but did they print in the newspaper, the resolutions before? I don't see that now.

COUNCILMEMBER PALTIN: Cause if, cause they never decide what is going to be on the ballot . . .

MS. MOWAT: Right.

COUNCILMEMBER PALTIN: So, this was . . . and then when we decide that, then whatever they decide . . . , I believe they print that out and get the information out.

MS. MOWAT: And, and give the . . .

COUNCILMEMBER PALTIN: Yeah. Okay. Sorry, thank you.

MS. MOWAT: No, no.

COUNCILMEMBER PALTIN: Thank you. Thank you, Chair.

CHAIR LEE: I'm surprised that you brought up Giggle Hill. Did you, did you live in Haiku?

MS. MOWAT: I, no, no. I was, I was actually born and raised on Maui, so as a kid. But you know, what? I lived, I was raised in Paukukalo area, so Giggle Hill was, I've never, I went there only once.

CHAIR LEE: Okay.

MS. MOWAT: But I, I lived and the spooky story about the babies laughing, and I've never went.

CHAIR LEE: Yeah, well, you know Giggle Hill was occupied by the Marines, yeah, during the war? So, that whole Camp Maui area and I--

MS. MOWAT: So, how did they, so how did they get the giggle? Were they all giggling? They must have been all sucking em up, up there.

CHAIR LEE: When the local, when the local girls were dating the Marines.

MS. MOWAT: Oh, they were giggling. I wonder what they was doing.

CHAIR LEE: Nothing. But anyway, thank you--

MS. MOWAT: Thank you.

CHAIR LEE: --for joining the call. Appreciate it.

MS. MOWAT: Mahalo.

CHAIR LEE: Okay. Mahalo.

Mr. Clerk, are you there? Let's take one more before the break.

DEPUTY COUNTY CLERK: Okay, Chair. Then the last person before the break is Sam Small. And then, after the break, the first testifier will be Lori Buchanan.

MR. SAM SMALL (testifying on Committee Report No. 22-27):

Good morning, Council. Thank you for again for the opportunity. It's an honor to be able to participate in this process. I thank you on this resolution to change how conditional permits are administered. You know, my question basically is, is this intended to include SMA permits? And the reason I ask is that SMA is a slightly

different animal. SMA is a result of Federal shoreline management laws and a State program. And typically, SMA permits are handled very differently by the departments.

And an enormous amount of discretion is afforded to the Director in the administration of SMA permits specifically. And those are, you know, Special Management Area permits typically related to the shoreline that have tremendous economic value, and also tremendous environmental and social impacts to our community. And yet, the Director is afforded even, apparently, even more discretion to violate the citizens' rights.

SMA permits are issued, the Planning Commission, as it stands, we only have a 10-day window with which to become aware that an SMA permit, or an SMA minor has been issued to a property. That's not very long. The developer themselves has a 30-day window to appeal. But the public only has a 10-day window to appeal. We don't even know that these, unless we're actively monitoring what the Planning Commission is receiving, we don't even know that an SMA minor permit has been issued.

How nice it would be to have legislation that, like a, a short-term rental, you got to put a sign up on your property for six months, so that the public, the community can see for themselves that an SMA minor permit that allows a developer to do basically whatever they want, and avoid all, all community engagement and environmental assessments that that is taking place. A simple change like that.

And in the resolution that you are presenting here, in its title, please just add comma at the end, comma, including SMA. You know, those are some of the simple fixes that, that could go a long way for empowering the community, so that we have the appropriate oversight . . . you know, these, these actions by directors.

CHAIR LEE: Okay. Thank you very much, Mr. Small. Any comments or questions, Members? If not, thank you, Mr. Small.

MR. SMALL: Thank you, Council.

CHAIR LEE: Mr. Clerk, ready for, for the recess? Okay, so after recess we have how many more?

DEPUTY COUNTY CLERK: Chair, we currently have eight individuals left signed up to testify.

CHAIR LEE: Okay. Alright, Members, recess until 10:40.

(THE MEETING WAS RECESSED BY THE CHAIR AT 10:26 A.M., AND WAS RECONVENED AT 10:44 A.M., WITH ALL MEMBERS PRESENT.)

CHAIR LEE: Will the Council meeting of March 18, please reconvene.

Mr. Clerk, proceed with testimony.

DEPUTY COUNTY CLERK: Chair, the next person signed up to testify is Lori Buchanan. To be followed by Lavy Sisouvong.

MS. LORI BUCHANAN (testifying on Committee Report Nos. 22-25 and 22-26):

Aloha, Honorable Chair Lee and Honorable Councilmembers. It's always a pleasure to see all of you, just so I can tell you how much I appreciate all of your work. And yes, Molokai is praying for all of you--

CHAIR LEE: Thank you.

MS. BUCHANAN: --all the time, 24, on CC, and the good book tells us to do, because your work is hard. And with that, I do want to support your items 1, the recommendations not to send the proposal to the ballot. And then, number 2, for me, very close is the, is the issue of Kalaupapa. So much so that we are trying to convene stakeholders of beneficiaries and other members to specifically address Kalaupapa. And supporting, of course, our Department of 'Ōiwi Resources. As a Native Hawaiian, we've played defense all our life, and we really appreciate the Council listening to our, our effort to try and help us resolve those issues.

Based on testimony I heard earlier, I did want to comment on CR 22-25, the adoption of resolutions for boards and commissions. And I wanted to praise the Council because that's where the rubber hits the road. The Council has the final authority to appoint people to boards and commissions. And at that time, is your time to put good people on boards and commissions who would serve in a capacity to help all members of the community and their commissions, and not be oppressive and what I'd like to refer to as bullying sometimes.

And so, that really starts at that point, where people are appointed to boards and commissions. If you get good people on commissions, they do really good work and they pull everybody up and are inclusive. And that's when you can get really great work done. And, and that comes at your level, the Council level. And if by chance something slips by, which they do, you always have that ability to go to the Board of Ethics. So, there is other means of oversight to try to fight oppression, because here on Molokai, we have seen it all. And so, when, when somebody says that we give time with no pay, you know, I never see on one resume yet that I put forward that speaks to

that altruistic endeavor of just serving for the purpose of serving without wanting to be paid back by quid pro quo, or whatever means you might have.

And so, the Council is so important. I can sleep at night knowing that you guys are all the gatekeepers to, to make sure that this happens.

And I wanted do one shout out for Gabe Johnson, who has his background as the limu. I just got mine, Member Johnson, and I'm going to put it up as soon as I work out how I going do that. And, and it touches my heart, because . . . my mother was a limu practitioner, Hi'aka Purdy who was born in Ulupalakua in one small little house on, on the ranch. And so, I learned from her to be a limu practitioner. So, it touches my heart to have the year of the limu. And thank you again. Love you guys all. And Molokai is praying for you. Mahalo.

CHAIR LEE: Thank you. Thank you, Lori. Members, any questions?

Member Kama.

COUNCILMEMBER KAMA: Thank you, Chair. Thank you, Lori, for sharing with us that you are a limu practitioner. So, I don't know how okie dokie this question is, but do you have limu 'ele'ele?

MS. BUCHANAN: Ooh, secret, secret. I'm going to tell you, honestly, it's really hard to find because of the freshwater sources that do not intermingle . . .

COUNCILMEMBER KAMA: Yes.

MS. BUCHANAN: So, we can do all scientific stuff, cause you know that I work for UH. And so, but if I find some, I know where going go.

COUNCILMEMBER KAMA: Thank you.

MS. BUCHANAN: Yeah, and, and people don't know this, there's two types. Everybody think that's limu 'ele'ele, but it's not, okay. So, the stringy one is not the one. It's bitter, it's hard to chew. You have to look for the one that is clear and has bubbles in between. And after you clean um, that's when it looks like the hair. And that's the one that you can chew and it's soft. So, thank you for asking.

COUNCILMEMBER KAMA: Thank you for sharing. I look at Member Paltin.

MS. BUCHANAN: Yes. She's showing off her calendar that I never get yet.

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

CHAIR LEE: Thank you.

Member Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. Aloha, Ms. Buchanan. Always wonderful to hear from you. And just wanted to say mahalo for your prayers and all of the other previous testifiers from Molokai. We, you know, we really appreciate it. Our jobs, sometimes we don't get a lot of good things said to us. So, whenever we hear it, it's much, much appreciated. And I got to ask you one question, since we all on limu, yeah. What is the Hawaiian word for the one that they call "rat feet", the green one, kind of crunchy?

MS. BUCHANAN: Not wawae'iole?

COUNCILMEMBER MOLINA: I think that.

MS. BUCHANAN: Wawae'iole?

COUNCILMEMBER MOLINA: Yeah.

MS. BUCHANAN: Oh yeah. Tomato, onion, shoyu, vinegar, sugar.

COUNCILMEMBER MOLINA: Yeah, that's the one--

MS. BUCHANAN: And you know--

COUNCILMEMBER MOLINA: --my mother used to give me a lot when I was a kid.

MS. BUCHANAN: Because Maui was prolific, yeah? Maui was known for its wawae'iole. And my mother being brought up on, in Maui, we were all eating wawae'iole. But you cannot find wawae'iole on Molokai, you know, and other places, so.

COUNCILMEMBER MOLINA: Okay. But thank you for that information.

MS. BUCHANAN: . . . showing off.

COUNCILMEMBER MOLINA: Well, mahalo, Lori. Madam Chair, my apologies if we went a little bit off-script of the agenda, yeah. But thank you.

CHAIR LEE: No problem. No problem.

Member King.

COUNCILMEMBER KING: Thank you, Chair. I, I, I'm, thank you so much for being here Lori, and for all your work. And I just wanted to say for the comments on the planning, on the Charter amendments, that you folks really show what, how, how well you can protect your community when you have your own planning commission. And so, for those of us who were pushing for individual planning commissions for our districts, you know, it's because, watching what you're doing over there on Molokai. And we would like the same protections and same representation. So, unfortunately, it didn't end up that way in the package, but you guys continue to be a good example for your community. Thank you.

MS. BUCHANAN: Thank you, Member King. Totally understand that, totally. Thank you very much for the kind words.

CHAIR LEE: Anyone else? If not, mahalo for everything and have a wonderful weekend, Lori.

Mr. Clerk.

DEPUTY COUNTY CLERK: Next person signed up to testify is Lavy Sisouvong. To be followed by Tamar Goodfellow.

MR. LAVY SISOUVONG (testifying on Resolution Nos. 22-84 and 22-85):

Aloha.

CHAIR LEE: Aloha.

MR. SISOUVONG: . . . Aloha. I apologize ahead of time if my audio gets cut off a little bit. You know, we're on the road right now. I'm taking my kids to an appointment. I'm here to testify on behalf of Na Hale O Maui in support of Resolution 22-84 and 22-85. So, I went through the four-step program and became a homeowner myself. And it's actually made, you know, the American dream come true for myself and, and family. It's given myself and my family better health, well-being, and peace of mind. And yes, I support this wholeheartedly.

CHAIR LEE: Okay. Thank you very much. Anybody with a question? Any Members? If not, thank you very much for your testimony.

Mr. Clerk.

MR. SISOUVONG: Thank you. Aloha.

CHAIR LEE: Aloha.

DEPUTY COUNTY CLERK: The next individual signed up to testify is Tamar Goodfellow. To be followed by Cassandra Abdul.

MS. TAMAR GOODFELLOW, MAUI HEALTH FOUNDATION (testifying on Resolution No. 22-85):

Good morning. I'm trying to unmute, unmute my video.

CHAIR LEE: We can hear you.

MS. GOODFELLOW: Good morning.

CHAIR LEE: We can hear you.

MS. GOODFELLOW: There, good. Okay.

CHAIR LEE: Oh, okay, we can see you.

MS. GOODFELLOW: Good morning, everybody. Mahalo for taking the time to allow us to testify and for looking at these resolutions. I'm hoping that in my brief testimony I can answer some of the questions that were raised earlier by some of the Councilmembers.

My name is Tamar Goodfellow. My only involvement in this is as a volunteer. I am the volunteer Chair or President of the Maui Health Foundation. And I also serve as a volunteer on the Maui Hospital Board. And the reason I do that is because of my passion for having life-saving healthcare here on Maui for all of our residents and all of our visitors.

And you've heard from some of the other people that have testified. Our hospital serves over 40,000 people every year. Our emergency room is the second busiest in the State. Our employees at the hospital, our nurses, our doctors, our techs, are some of the finest people on this planet. They work their hearts out. They survived the whole

COVID thing and they're still working their hearts out. And what's so sad is that every department at the hospital is short staffed right now. You know, in the, in the resolution it talks about the shortage of doctors, and the shortage of nurses, but it's techs, it's every level of employees at the hospital.

And as I've said in my testimony previously, that was written, the biggest cause for that is we can't recruit, we can't get people to come because there's no housing. We can't get people to say, because there's no housing. And I recognize that there are a lot of issues around these Maui Lani lots, that these lots have been under controversy for more than 11 years. And, and I totally support the questions that Councilmember Rawlins-Fernandez brought up of is it important to hear what the community has to say, and the stakeholders have to say? And I would say, yes, 100 percent. And at the same time, I would say, we have a housing crisis, and we have a crisis in terms of being able to recruit and retain care providers for our community. And one is not more important than the other. They are equally or, or jointly important.

And so, the concept in this resolution was could we, could we, and I say "we" because the Maui Health Foundation, in collaboration with Na Hale O Maui, who I believe is testifying next, looked at the whole project. We walked the project. We did a lot of due diligence over the last several months. And, and of course, Na Hale O Maui has been working on this way longer than the Maui Health Foundation.

But the concept was, could we take the portion of these lots that are highly controversial, that affect the Palama Street residents that have issues or concern, could we break that into a separate phase? Which is the question to Councilmember Paltin's questions about what is the phases? So, the concept was, there are a number of lots that are on the golf course that are, need to be built upon. Could we build out those to get 33 homes for workforce, between Na Hale O Maui and the Hospital Foundation? And that those lots that are controversial and need a lot more work with a lot more community involvement, could those be separated out and looked at as a separate project and a separate phase? And I'll end there and answer any questions I can.

CHAIR LEE: Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. I guess I was wondering, so would Na Hale O Maui hold the land trust for the Maui Health Foundation lot?

MS. GOODFELLOW: The, the way that, that was one idea that we explored. And because some of those lots would be at a higher price, even though they'll still be lower than market price, the concept was that Na Hale O Maui would take 19 of the lots, and those would be for all workforce people below the 140 percent AMI. And the balance of the lots, the other 16 of the 33, would be held by the Maui Health Foundation, also in

perpetuity, modeled exactly after the Na Hale O Maui land trust program, so the land would be held in perpetuity by the Foundation. Like you asked the question earlier, we would just cycle care providers through those homes, and they would share an equity just similar to Maui Lani. The idea was is that, you know, we could send techs and other people, care providers, that, you know, couldn't afford the higher level, could go to Na Hale O Maui.

COUNCILMEMBER PALTIN: Did the Foundation set up that land trust, or that's still in the works?

MS. GOODFELLOW: So, so we don't, we are already a 501(c)(3) nonprofit. And because this would be for the benefit of the hospital, which is what our mission is, we can hold those lots as part of our current 501(c)(3). We don't have to have a separate land trust. The concept would be that we would actually pay Na Hale O Maui, if they accept the job, to manage the lots on our behalf, to manage the homes and the lots on our behalf. And it would also help create a revenue stream for Na Hale O Maui. The funds to pay for it would come from the leasehold that the, the buyers would pay.

COUNCILMEMBER PALTIN: I guess I don't understand that answer so good. I also have a 501(c)(3), but I wouldn't endeavor to own land or just having a 501(c)(3) doesn't mean that I would hold it in perpetuity without, you know, some sort of, kind of wording, or, or some lawyer stuff.

MS. GOODFELLOW: So, so, I mean, my professional career was in the nonprofit sector, and I would never try to take on a mission that was not aligned with the mission of the charitable intent of the organization. And so, this is well within the mission of the Maui Health Foundation's mission. Our intention is purely to support the hospital and help improve the hospital. And so, we would hold that land in perpetuity for care provider housing. That would be the intention.

COUNCILMEMBER PALTIN: Okay. And I just, I don't know if you know the answer, but that wording wasn't transmitted to us in the transmittal, like any kind of deed restriction or anything. Do you have more documentation than what has been provided to the Council, like more papers or anything?

MS. GOODFELLOW: Well, so, so all of the deeds and the deed restrictions would go with each individual lot to the homeowners. And Cassandra, who is testifying after me from Na Hale O Maui, is way more experienced in that . . . than I am. But essentially, the Maui Health Foundation is modeling our land deeds and everything, the lease agreements with the landowners, I mean with the homebuyers, etc., after Na Hale O Maui. And honestly, we would be thrilled if Na Hale O Maui wanted to have the land

lease on all of it as well. You know, we're not trying to make a land grab here, we're trying to create housing for our care providers. That's what is our priority.

COUNCILMEMBER PALTIN: Awesome. Thank you so much for sharing the parts that you do know about. And I'm excited to discuss more and iron it out. Looks like the way that you're saying, it is going to be. I'm supportive of that. Thank you.

MS. GOODFELLOW: Thank you. Appreciate that.

CHAIR LEE: Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. And mahalo Ms. Goodfellow for your testimony. So, you mentioned the phased process where Na Hale O Maui would first do those lots along the golf course, I believe. So, my question is, those lots that flank current residents on Kama [sic] Street, you mentioned, those are still under County's--

MS. GOODFELLOW: Correct.

COUNCILMEMBER SINENCI: --ownership? Oh okay.

MS. GOODFELLOW: Correct. So, they would remain under the County ownership, so that we could work with community to try to resolve some of those other issues around those lots.

COUNCILMEMBER SINENCI: Alright. Thank you. Thank you, Chair.

CHAIR LEE: Anyone else? Members, questions? If not, thank you very much, Tamar.

MS. GOODFELLOW: Thank you all for your time and consideration.

CHAIR LEE: Mr. Clerk.

DEPUTY COUNTY CLERK: The next person signed up to testify is Cassandra Abdul. To be followed by Stan Franco.

MS. CASSANDRA ABDUL, NA HALE O MAUI (testifying on Resolution Nos. 22-84 and 22-85):

Good morning.

CHAIR LEE: Good morning.

MS. ABDUL: Thank you for taking the time to listen to all the testimony from your constituents. We really appreciate that. I am testifying on Resolution 22-84, and also on 22-85. The first is the resolution for Na Hale O Maui to receive 17 house lots, plus two driveway lots in the Fairways. And the second resolution is the 16 lots that would be deeded to the Maui Health Foundation. And if you add those up, you come to those 33. So, I think it's a little confusing because there are two separate resolutions, and each one talks about the, the lots for each of the two nonprofits, the Foundation and Na Hale O Maui.

You know, I don't know anybody who hasn't been touched by our problem with affordable housing. We've seen our families move away, our friends. I personally have lost my youngest son and my granddaughter to Las Vegas, the ninth island, where so many of our families have moved. She left Hawaii before she was three years old. She's going to be seven in July. She does not even remember what it's like growing up here. I can't hug her, I can't kiss her, I can't teach her hula or talk about our heritage. It's heartbreaking. So personally, I know this, and I know this is repeated family after family. I have boys that grew up at our house, hanai. They call me Mom, and they call me Auntie, or they call me Gransy. They are all going through that. And I know that you all have family that have been touched by this, too. And this is why we have such a sense of urgency in wanting to provide more affordable housing to our families.

The thing that's really incredible, and you've heard this from Justin, right, we sell at below market prices. That immediately lowers the cost of living for a household, because housing is one of the biggest costs that they have. Our households are spending more than 50 percent of their incomes sometimes on rents. And so, you know, if you can get a house and have it belong to you, and pay less in mortgage, real property taxes, insurance than it costs to rent the same sized home, that gives you the ability to manage other expenses that you have, medical expenses. And you can save for retirement, you can save for your children's education. All of these things work into this.

I did want to point out that under the IRS, a nonprofit, Na Hale O Maui was granted the ability to work with affordable housing and workforce housing up to 140 percent of the area median income. The IRS agreed to this because of the high cost of housing and, again, the high cost of living. So, we really are asking you for your support, so we can move forward expeditiously to start working on providing additional housing for our families here on Maui.

As far as the, the next Resolution 22-85, with the Maui Health Foundation, I wanted to tell you two stories. The first one is why I'm here at Na Hale O Maui. The previous executive director, John Anderson, his wife had a life-threatening medical condition.

There was no physician here on Maui that could help her. She was, you know, airlifted to Oahu and they helped to stabilize her. But there is no doctor on Maui that deals with this type of issue. And the doctors would only be able to come to Maui maybe once a month. What do you do in an emergency? They unfortunately left Maui and moved to Washington State, and they are within 20 minutes of a hospital that has all of the help that they need.

The second story I want to tell you is a really good story, and this concerns my family again. My oldest boy came down with Guillain-Barre Syndrome, GBS. And apparently it is a auto-immune disease where your nerves attack each other. And it was a result of an infection that he had, not as a result of the vaccination he received for COVID. Thank goodness Maui Medical, the hospital, everybody there was absolutely wonderful. The doctors, the nurses, the aides, every single person that we touched there in the hospital made a real difference in his recovery. And today, it's almost miraculous the level that he has recovered to. It makes us understand, really on a personal level, how important medical services are.

You know, right now, if you live in, in Molokai or Lanai and you want a doctor in attendance during birth, if you are having, starting your family, you either have to come to Maui or go to Oahu. And you need, if you are concerned that you potentially might need neonatal, you know, help with experts there, you can't stay on our islands either. I mean, it's so critical to get the doctors here. And it's not just doctors, it's everybody that supports those doctors, including the administrators, and nurses, and everybody that I've talked about. The doctors will be helped by . . . resolution that's before you. But Na Hale O Maui can help with some of the others that fall below 140 percent of AMI. We need help--

CHAIR LEE: Cassandra, can you please conclude?

MS. ABDUL: Yes, I am. We can help nurses and anyone else that would fall into the workforce category that we oversee, including not just them but, you know, Fire, Police, County workers, I mean, our workforce. And that's what we do. And that's why we are asking for your support in moving forward with the resolutions. Thank you very much.

CHAIR LEE: Members, any questions?

Member Paltin and then Sugimura.

COUNCILMEMBER PALTIN: Thank you, Chair. I just wanted to clarify, based on the previous testifier. So, 17 lots would go to Na Hale under 140 percent AMI. And then, 16 would go to Maui Health, and those can be, those would be over 140 for, like, maybe surgeons or nurses, or something like that. And the 17 that Na Hale O Maui is having,

not the roadway lots, were those restricted to the medical health profession, or to just anybody like your current model?

MS. ABDUL: The 17 lots that would come to Na Hale O Maui would follow our program, existing program. There are some medical personnel that would fall into the same income category, so they could be helped.

COUNCILMEMBER PALTIN: Okay. They would just go in the queue with everyone else.

MS. ABDUL: Yes.

COUNCILMEMBER PALTIN: Okay. And then, I think the previous testifier said that they might approach you to manage the other 16. Is that a possibility to keep it in like a land trust model? But you wouldn't be the owner, because your mission is 140 percent AMI and below. But you could manage additional lots, like 16 additional lots with a similar type of model?

MS. ABDUL: Yes. We are continuing in discussion. From my experience and my viewpoint, an additional 16 properties to manage is not significant. However, we are continuing to discuss it, and we're going to see what works best for both organizations.

COUNCILMEMBER PALTIN: And so, you don't have the paperwork together yet, but you're going to keep us informed as it moves along?

MS. ABDUL: Absolutely.

COUNCILMEMBER PALTIN: Okay. And would this also work if it wasn't the hospital, and it was another entity holding land that you could manage as a land trust? Or we're not there yet?

MS. ABDUL: No, because normally for a land trust, you know, we own the property. In our title, we keep it in trust, and that's how we provide the affordability in perpetuity. So, this is a special, this is another nonprofit, it's a Foundation, it makes sense. And again, we are in discussions. We have not fully resolved how this would work. And I do take it to my board for their final approval, which I don't expect to be any kind of an issue.

COUNCILMEMBER PALTIN: So, do you think that that could be a model moving forward where you partner with other nonprofits, and hold the management capability of lands so that, you know, they don't continually flip out of affordability? Like, I mean, I really like that whole land trust shared equity set up. And, and I'd love to see it expand, like, faster than you can build houses. And so, I just was wondering if we got other nonprofits doing it, if you could manage it for them?

MS. ABDUL: That's certainly food for thought. And I love the idea of expanding faster than we can build houses. You know, this is almost going to be a demonstration kind of a project, because this will tell us, both for the Foundation and Na Halo O Maui, how well the concept works. And, you know, we're open to all kinds of things, and we support all affordable housing and workforce housing initiatives. So, I can't really make any commitments at this point, but yes, it's a very interesting concept. Thank you.

COUNCILMEMBER PALTIN: Yeah, yeah, exciting. Keep us posted.

MS. ABDUL: We will absolutely.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Ms. Abdul.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair, you're muted, Chair. And just a reminder about clarifying questions, yeah.

CHAIR LEE: Um, thank you. The, the thing with clarifying questions, though, Vice-Chair, is that on, on days like this where there aren't that many testifiers, I tend to give the Members a little bit more latitude, because there's a little bit more time. We, we did spend a lot of time talking about limu earlier, you know what I mean? So, I have to, I have to give everybody a chance. And so, that's the reason why I haven't clamped down on the questioning, you know? But honestly, if we were on a, if we had tons of testifiers and we were behind schedule, yeah, I, I would try hard to keep everybody on track.

And so, I, I'm, I appreciate you bringing up the point, but I've already given people the latitude to talk about, to wander off the subject a little bit. And if it, if they got too far, I would try and rein them in. But today was, you know, is kind of a special day, where we're taking about love and everybody praying for one another and so forth. So, that's the reason why. That's the reason why I haven't been so strict about it.

VICE-CHAIR RAWLINS-FERNANDEZ: So, Chair, we're going to be doing Committee work during public testimony?

CHAIR LEE: No, we're not.

VICE-CHAIR RAWLINS-FERNANDEZ: Cause that's kind of what it sounds like we're doing.

CHAIR LEE: Okay. We're moving on now. We're moving on.

Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair.

CHAIR LEE: And then Member Kama.

COUNCILMEMBER SUGIMURA: Thank you. Thank you. So, I, I really appreciate your testimony and, and the clarification. And I appreciate the opportunity to tie Tamar Goodfellow testimony with what, you know, what you do at Na Hale. And I can tell that there's more that we need to, you know, explore as we go along. But the reason why I wanted to ask you for the, the homes that are, that is being proposed to build is in a community. So, I'm just wondering, as part your Na Hale process, will you be doing community outreach? Chair, I hope you will let me ask that question.

CHAIR LEE: Okay, proceed.

COUNCILMEMBER SUGIMURA: Thanks.

MS. ABDUL: Yes. In fact, we have already had a dialogue with one of the homeowners there. I met her at the subdivision, and we spent about an hour, and including about 15 or 20 minutes on the phone prior to that, to hear what their concerns are. And, you know, as a nonprofit, Maui is our community. And we want to work well with all of our community. So, we are going to continue to dialogue with them.

And this was also the reason that the phasing was done. Because we can take that, the portion that is the real issue with the tall wall and the detention basin, that's not going to be touched until we work with the community and everybody involved, and we can come up with a resolution. Hopefully, I know that, you know, when you, it's not always what everybody absolutely wants. There's some compromise. But we believe that we can be involved in the discussion, and hope that we come up with a resolution that will be acceptable to the community.

CHAIR LEE: Thank you. Did she answer your question, Member Sugimura?

COUNCILMEMBER SUGIMURA: Yes, thank you.

CHAIR LEE: Okay. Then I saw, I believe, Member Pro Temp Kama's hand.

COUNCILMEMBER KAMA: Yes, thank you, Chair. Thank you for being here, Ms. Abdul. And thank you for mentioning the, the retention basin and the wall, and those issues that need to be mitigated before, you know, and put it on the side, so we can save it for affordable housing. So, my question is, in your dialogue and in your process, as you had told Member Sugimura, that you will be reaching out to the neighbors. But my

concern is, in your discussion, are you going to be able to address the homeowner association fees that come with these lots?

MS. ABDUL: Okay, I'm not, I'm not real clear. So, the lots that we are trying to build houses are, are part of Maui Lani, are subject to the HOA fees.

CHAIR LEE: Cassandra. Cassandra, can I stop you right there? If you're not sure about the homeowner fees, don't try and answer it. Just say you don't know. Okay?

MS. ABDUL: Yeah.

CHAIR LEE: Alright.

MS. ABDUL: Sorry.

COUNCILMEMBER KAMA: Thank you.

CHAIR LEE: Member Kama.

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

CHAIR LEE: Member Kama, you have any other questions?

COUNCILMEMBER KAMA: No, Chair, that was it.

CHAIR LEE: Okay, thank you.

Member Sinenci.

COUNCILMEMBER SINENCI: Chair, no questions for Ms. Abdul. But if she could send in her, or what she mentioned about phasing, if she had a map of . . . ? Thank you.

CHAIR LEE: Okay, great.

MS. ABDUL: Yes.

CHAIR LEE: Any further questions, Members? Alright, thank you very much. Thank you.

Mr. Clerk.

MS. ABDUL: Mahalo.

CHAIR LEE: Moving right along.

DEPUTY COUNTY CLERK: The next person signed up to testify is Lucienne de Naie. To be followed by Dick Mayer.

MS. LUCIENNE DE NAIE [testifying on Committee Report Nos. 22-23, 22-24, 22-25 and 22-26; Resolution Nos. 22-77, 22-84 and 22-85; and Bill No. 51 (2022)]:

Good morning, everyone. Nice to see you all. And nice to hear all the prayers from Molokai. What a great way to start our morning, to know that our hardworking Council people are in the, the prayers of many, many citizens. I'm sure it's not just Molokai as well. You definitely are doing the Lord's work here.

I'm testifying on a number of items today as a private citizen. I'm going to start out with Council Resolution *[sic]* 22-23. This is giving more flexibility with our Affordable Housing Funds. I think this has been well-debated and it is definitely something, we need to have this flexibility. So, just testifying in strong support.

Moving onto Council Resolution *[sic]* 22-24, sending the ordinance creating cultural overlay districts to the different planning commissions. This is something we've long needed. It was actually proposed, shoots, back over 20 years ago, I believe, by the then Chair of the Cultural Resources Commission, Dorothy Pyle. And it is something that could make it easier to know areas that have, you know, red flags in terms of cultural impacts, and areas that don't, so that we can feel more clear steps ahead for developments that are proposed in these areas that do not have the concentration of cultural use. So, thank you for sending that forward.

. . . just like to make a comment on number 15 in that resolution. That is having to do with appointments to the Maui Planning Commission. You know, I, I testify at the Planning Commission not infrequently, and I have to say, you know, you should really, really get out of planning commissioners whether they have the time to read all of the materials that they are given because it's a very heavy workload. I have been a planning commissioner. I know from firsthand experience what a workload it is. And I served on the General Plan Advisory Committee, and our reading load was huge. And it was obvious that some members never had time to get around to it, and others did. And when you have people making important decisions, you really want people who are going to put in the time.

I, I am glad that the decision was made to create a place for a new person on the planning commission, rather than reappoint someone who has been serving. I do know that there are interested people that do apply. I think you folks never get them sent

down to you, and that is something where the situation should be addressed. And I'll speak to that in the, the next section.

That's a good, a good segway to Resolution *[sic]* 20, excuse me, 22-26, the County Charter provisions. You know, these provisions, I can really see why the board, the Charter Commission had such a difficult time. There were a lot of good ideas. But the few things I'm very, very disappointed that we do not have some transitional path to regional planning commissions. I think one of the reasons it's hard to find people to serve on our current planning commission is that their workload is all of Maui Island. And it's tremendous. It really would make sense to have a more regional approach. If they're not going to be, you know, six separate planning commissions, have them be three, so that at least every planning commissioner does not have to review tons of documents from areas where they may have no expertise. This didn't pass.

But the very least that could happen is provision 10, to have an independent board to review people. We had this. I don't know if folks realized this. We had a blue-ribbon commission back at the first term of Mayor Arakawa in 2000, uh, 2002, something like that, and it worked very well. And we actually had a lot of excellent people recruited, and fewer people quitting because there was a more thorough vetting process.

And we really have a preponderance of people on the planning commission right now who are beholden to construction in, interests. Either they are realtors who sell construction projects, or they're affiliated with construction unions. Certainly, there should be some representation, but not a preponderance. And we have very, very few people who are ever appointed, who are just looking out for the commonsense protection of our environment that's going to help us all. So, we do need some change.

The 'Ōiwi proposition is a great one. We're in Hawaii. We, we actually need that component. And certainly, having a separate housing department makes sense.

And I want to speak to the respect shown to candidates. I have to say, one of my friends, Lance Holter, was appointed to the Board of Variances and Appeals. He was castigated by the Councilmembers, and he stood his ground. He was successfully appointed. His was castigated because he would be prejudice, because he was an officer of an environmental organization. What a terrible thing. You could be a paid staff person for a union, a construction union and get appointed to a board and commission. But to be a volunteer for an environmental organization, no, he ended up to go on to be the Chair and achieve the acclaim of all . . . So, even if people ask some tough questions, the right candidates will stick it out and give their service to these commissions.

I'd like to move onto a couple more items. Resolution 22-77, the zero waste initiative. This is a great discussion to get started. Obviously, this is a very utopian ideal. But there are many communities that have found ways to reduce waste. As an island community, we should be looking at having a, a robust plan that we're implementing step-by-step, a little here and a little there and just see what we can do.

And then, the big ones, Resolution 22-84 and 22-85, having to do with the Fairway lots, the Sandhills area. I personally strongly support these lots being used for affordable housing. I don't know why this didn't happen years ago. I personally have testified about this and testified on behalf of Face Maui and other organizations that this is what needs to happen with these lots. However, I am very glad to hear that the lots that were improperly filled and are really problematic to the existing residents are going to be off the table. And the Fairway lots would be, you know, phased in first, and so, we can get something happening.

But it's really, really, really important that we listen to the people who live along Palama Drive, who watched, really the desecration of a, basically, a natural ecosystem happen during the construction phase of these Fairway lots that was permitted by the County. That resulted in all of these lawsuits. So, we need to do something to make that right as well. But it doesn't affect the whole parcel.

We do need housing for our nurses. But it's just a great object lesson that we should be looking at the whole picture as part of our affordable housing. It is so sad to see our Planning Commission approve affordable housing developments in a floodplain, next to toxic agricultural fields. It is just not where we should be heading. But this project deserves to go forward. It should have some Committee review to make sure that the t's are crossed, and the i's are dotted.

And then, lastly, Bill 51. I just noticed it was on the agenda about repairs along the Okolani Street Culvert. Those of you who are not familiar with South Maui, you just go, oh yeah, sure, Public Works, we need to do this. But Okolani Street is a very culturally important area. There is a site running right along that major gulch. And all these drainage pipes are funneled into this natural gulch that comes out along the, the shoreline between Keawakapu and basically Mokapu Beach.

And there are petroglyphs, cave systems, there were dozens of related archaeological sites before they were allowed to be blasted by dynamite last year. The last thing we want to do is repair our drainage system to cause more impacts on that culturally important gulch. So, I, you know, I know this is probably a simple funding matter, but head's up, this is a place that's not just another gulch to dump a lot of water into. Thank you for listening to my mana'o. And thank you for all your hard work on your busy agendas.

CHAIR LEE: Thank you, Lucienne.

Member Paltin and then Member King.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Ms. de Naie for your testimony on all of those items. I just was wondering, you know, when you brought up the case that you were mentioning Lance Holter. It brought to mind when you were actually appointed to the Board of Water Supply, and I thought you were treated really disrespectful by the former South Maui Councilmember. And I just was wondering if, if you did feel that way?

MS. DE NAIE: Well, it is a shame that people, who no money, volunteer their time, and have no vested interest are not, you know, retired from some business that's going to profit by a decision of a board, are considered suspect, such as myself. And, and people who have called for accountability of some of these boards and commissions. And you know, but that did not deter me. I did need to resign, because I needed to take some contracts, as a, as a researcher. And they could have presented a conflict of interest. I, you know, consulted with a couple people I knew who had legal background, and they said, well, it could be seen as that. So, I stepped down. I needed to do a lot of major dental work and I needed some money. So, social security wasn't going to do that.

And these contracts were water research, you know. And so, I did the ethical thing and said, you know, right now I couldn't serve. It's possible that in the future that I could. But I had to step down. But it wasn't because of a, of the Councilmember's very pointed questions. I just wish that those with a vested interest in industry and, and other related things in tourism would also be asked the hard questions, you know. So, thanks for asking.

COUNCILMEMBER PALTIN: Yeah, I'm, I'm sorry about that. I kind of remember, it was real hurtful.

MS. DE NAIE: Well, it was very kind that the Councilmember from my district did stand up for me and really spoke, I think, diplomatic words that helped move the situation forward.

COUNCILMEMBER PALTIN: Thank you. Thank you, Ms. de Naie.

CHAIR LEE: Member King.

COUNCILMEMBER KING: Thank you, Chair. Thanks for being here again, Lucienne, and yeah sorry about what happened previously. It's funny that you have, you had that

reaction as a conflict of interest, and yet we haven't, we get complaints when we ask people if they have a conflict of interest with the construction and our development industries. But I wanted to go back to a comment that you made about maybe even just having three planning commissions. You're talking about three on Maui. Because we have three right now.

MS. DE NAIE: Yes. . . . Exactly.

COUNCILMEMBER KING: So, . . . was like, you know, we, we need some more of that, you know. So, we're still, we're at the point where we do have a couple more advisory committees, but I don't know that they, they're not active yet. We're waiting for them to actually be--

MS. DE NAIE: No. No one has set up any meeting schedule or anything. No, I understand that, you know, the Planning Commission, or the Planning staff is overwhelmed right now, and that they've had several key people leave. And I, I don't envy anyone who, you know, tries to work at the Planning Department right now, because, you know, construction is going crazy. It's not what you hear at the Planning Commission. All those people are sitting on the benches. But I don't know if you've tried to find a carpenter or contractor, it's hard, you know? So, but the story doesn't change. And all of our planning commissioners nod their head and go yeah, we need to approve this luxury development. We'll be short otherwise. Pardon me, I'm on my soap, soapbox here, but--

COUNCILMEMBER KING: Yeah, I just wanted to clarify that, because, because, yeah, we're still waiting for, because we still don't have any input until those, those, at least those advisory committees start meeting. But I, I, I think you're pretty much tracking the one in your area and I, so you guys have not been meeting either.

MS. DE NAIE: No, not at all.

COUNCILMEMBER KING: Okay. Anyway, thank you. Thank you again for your advocacy. And yes, I've been disappointed, and I agree with you on the Blue Ribbon Committee, because I did serve on that Committee and I thought we were very progressive and we got a lot of stuff done for, for boards and commissions.

MS. DE NAIE: Thank you.

CHAIR LEE: Okay, any more questions, Members?

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Ms. de Naie. Mahalo for your testimony today. I just wanted to clarify the example that you used earlier, Mr. Lance Holten?

MS. DE NAIE: Holter.

VICE-CHAIR RAWLINS-FERNANDEZ: Holter. Sorry, sorry. That was a previous Council? I don't remember.

MS. DE NAIE: Oh, this is, this is way back, you know, 15 years ago or so. Yeah, 10, 15 years ago. And he was just grilled, you know. And, in fact, people intimidated that how could he be fair? I mean, this man holds a contractor's license and was a realtor, but because he was President of the Sierra Club, how could he possibly be fair on the Board of Variances and Appeal? And he turned out to just give outstanding service and was praised by staff and his fellow commissioners alike. So, you know, goes to show. But he barely got appointed.

VICE-CHAIR RAWLINS-FERNANDEZ: Ah, I see. I see. Mahalo for that clarify, clarification, because I don't remember his name coming before us.

MS. DE NAIE: No, it wasn't on your guys' watch. No, no, no.

VICE-CHAIR RAWLINS-FERNANDEZ: And the Chamber of Commerce didn't come out and to, to defend him at that time?

MS. DE NAIE: No, they didn't. Strangely enough, they did not, you know.

VICE-CHAIR RAWLINS-FERNANDEZ: Yeah. Mahalo, Ms. de Naie. Mahalo, Chair.

MS. DE NAIE: Thank you.

CHAIR LEE: Any more questions, Members? If not, thank you so much for your testimony. Have a great weekend.

MS. DE NAIE: Mahalo.

CHAIR LEE: Mr. Clerk.

DEPUTY COUNTY CLERK: Chair, the next person we have signed up to testify is Dick Mayer. To be followed by Kelly Kauwenaloe.

MR. DICK MAYER, KULA COMMUNITY ASSOCIATION (testifying on Committee Report No. 22-26):

Good morning, Councilmembers. I come to you with a different message than I usually do. Usually, I'm making recommendations, tweak this and tweak this to make things a little bit better. In this case, I'm coming representing the Kula Community Association, with regard to Charter Commission Proposal No. 6 concerning the Maui Planning Commission.

Kula Community Association Board greatly resents the Committee's discriminatory recommendation to limit the ability of the Upcountry area to make plans for the future of Maui Island and Maui County. We ask that the wording of Proposal 6 be changed by eliminating any reference that discriminates against any district which does not have a coastline. And in this respect, Chamber of Commerce leader Pam Tumpap and I very much agree. It's not often that we do, but this one, we both agree that that is discriminatory against Upcountry.

SMA actions are only one of the many decisions that planning commissioners make. The commission advises the Council on all land use ordinances. They review community plans, Maui Island Plan, the Countywide Policy Plan, zoning changes, State land use changes in areas under 15-acres. They approve environmental documents. They decide on project districts, hold public hearings and many other matters. SMA is only a small part of their responsibilities.

We ask you to reverse your Committee, Committee's decision in Section 8-8.4 Planning Commissions, using the following language. And I quote now, "The nine members must include at least one member to one, and no more than two members who reside in each Council residency area on the Island of Maui". Stop right there, leave out the last part which says, "except that when there is, there are two members from a Council residency area, at least one of the members must reside in the special management area." That is discriminatory and leaves, makes sure that never will Upcountry have two members on that commission. I would remind the, the Council that the Maui Planning Commission would still always have seven members, at least minimum who do live in coastal communities.

Population of the Upcountry district is larger than many other districts which already have a planning commission or a district advisory committee. Molokai, Lanai, South Maui has an advisory, Hana has an advisory, North Maui now has an advisory committee, but Upcountry has no such thing. And they are restricted to one member on the planning commission. Popu, the proposal sets a dangerous precedent that could be applied in the future to any other County district. The smaller and less

populated Molokai and Lanai district already have multiple planning commissioners. East Maui district and Haiku-Paia district have seven members on a planning advisory committee, plus perhaps two planning commissioners that would be on the planning commission.

So, consequently, I would ask you to please eliminate the last part of that sentence. I'd like to have an extra minute please, just to finish up.

CHAIR LEE: Yes, go ahead.

MR. MAYER: Delete the words "except that when there are two members from a Council residency area, at least one of the members must reside in the special management area". And I understand that OCS has ruled that you can make amendments to this resolution, unlike statements that were made earlier in the meeting, which said that you have to go yes or no on the whole thing. So, please at least if this, if you ignore the changes in this Charter proposal, please delete those last words that discriminate against Upcountry.

And as the thing I sent to many of you, you will note the number of voters in the Upcountry area is perhaps the largest of all the areas on the island. And I think we will all take offense if this is not changed. Thank you. And I'm sorry to sound so angry, but this is something that I feel very strongly about.

CHAIR LEE: Thank you, Dick. Questions?

Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. Thank you, Dick, for speaking up for the community association. I have to tell you that they put this on their agenda to talk about it. So, he does speak with the, with the force and effect of the KCA, community association, Kula Community Association. Thank you. Thank you, Dick.

MR. MAYER: It was unanimously voted that this message be sent to the Council.

CHAIR LEE: Thank you. Members, any more questions? If not, thank you very much, Dick. Have a great weekend.

MR. MAYER: Thank you. You all, too.

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

DEPUTY COUNTY CLERK: Chair, there's currently six individuals remaining to testify.

CHAIR LEE: Okay.

DEPUTY COUNTY CLERK: The next individual signed up to testify is Kelly Kauwenaole. To be followed by Faith Chase.

CHAIR LEE: Ms. Kauwenaole?

DEPUTY COUNTY CLERK: Ms. Kauwenaole, we see that you are unmuted, but we're not hearing anything on our end.

MS. KELLY KAUWENAOLE (testifying on Committee Report No. 22-26):

How about now?

CHAIR LEE: Yes.

MS. KAUWENAOLE: Can you hear me now?

CHAIR LEE: Got you.

MS. KAUWENAOLE: Aloha. My name is Kelly Kauwenaole. I'm here in opposition of Charter amend No.1, the district voting not to be sent to the ballot. And in support of Proposal 8 to create, to create the Department of 'Ōiwi Resources. And Proposal 6 including Kalaupapa as County of Maui. Mahalo. And Mr. Molina, that was a very beautiful opening you had this morning. Mahalo and aloha.

CHAIR LEE: Okay. Thank you very much. Members, questions? If not, thank you so much.

Mr. Clerk.

DEPUTY COUNTY CLERK: The next person signed up to testify is Faith Chase. To be followed by the individual calling in from the phone number ending with these last four digits 4428.

MS. FAITH CHASE [testifying on Resolution Nos. 22-73 and 22-77, and Bill No. 147, FD1 (2021)]:

Good morning, Chair Lee. Aloha Council. I feel like I want to gift you guys an Aloha Friday short testimony. And I think I can sum it up by strongly supporting the testimony

of Lucienne de Naie and Dick Mayer, particularly the Proposal 6, the good points made about not discriminating. You know, there's contradicting language in other parts of this agenda where you support ahupua'a thinking. When you support ahupua'a methodology, it, you're talking about the coastline. So, excuse me, the phone is ringing. So, in that, be conscious that, that ahupua'a thinking considers coastline considerations.

I am, I am really happy to see number 77. I actually believe a lot of our problems are, can be tucked under this zero waste. Oh, I, I'm on the testimony. No. Oh, yeah, it is. Sorry guys, my secretary. This zero waste, thank you, Yuki Sugimura, for putting this forward. You know, New Zealand weighs their trash. That's what we need to do. One of the drastic measures I was ready to take is to suggest that the tipping fee, or the trash pickup is \$600, just to freak people out, so that they will start to be conscientious, you know?

If we get something like that to hit the headline of the Maui snooze, I mean, Maui News, you know, we can actually, I'm sorry, they have an employee newsletter called "The Snooze". I didn't mean to trash the Maui News. That would be . . .

And the water issues and the way we're dealing with, I heard the whole R-1, R-2 conversation the other day. Water is terribly, exactly related, laterally related to waste issues. You're going to need water to deal with whatever it ends up being, anaerobic or whatever. So, I'm really happy to see this, 77. I know that you guys have gotten my emails, whether you consider them spam or not.

I'm in my fifth year of doing a resource recovery Maui event. I've got amazing speakers coming, because I was stalled to just do like a film festival the last two years because of COVID. But Travis Liggett was, was one of my speakers. He was your resource the other day. Kelly King, you know, Councilmember Kelly King was one of my speakers. The former Councilmember Alike Atay was one of my speakers. So, I, I, I encourage you to pay attention as this event rolls forward. And I will definitely tuck this zero waste progress into that.

Number 147, I don't know what FD1 stands for, forgive me. But the digital mapping, I, that, this is very, very, very important. This is very important for the government interactions and decisions that we're making now, but it's also particularly important not to raise any alarms. But this is going to be very important when people try to find their bearings when they're looking at their kuleana lands, or their land commission awards, you know. It already has been beneficial.

I'm not sure why Kahoolawe is always sort of like the forgotten island. But I would like them to be, I would like them to be more, or the Protect Kahoolawe Ohana, I'd like them

to be more proactive. I don't know why every time Kahoolawe is not considered. I would like to see a digital, I mean, I don't understand number C, what it means, maybe I'm wrong. But moving forward, let's try and consider Kahoolawe in a different space. It deserves remediation. I am very close to the island. My ex-husband was a bomb technician there. I, I know the place as they reference it in grids, and we shouldn't forget that island. So, there's my promised short testimony. Have a good weekend. Mahalo.

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

Oh, Member King. Faith, can you come back?

COUNCILMEMBER KING: Sorry, just real quick. So, Faith, thank you for your support of zero waste. I think we've done other resolutions about zero waste, but the idea of doing a master plan is really interesting. Would you, would you consider yourself somebody who would participate in helping to to put that master plan together?

MS. CHASE: I would love that. I mean, when I, I knocked on the County's doors about trash and, and solutions, it was during two Administrations ago and we had that entire Anaergia debacle. And some people thought I sold my soul to the devil by going to get a job. But everybody kept pointing their fingers and so I asked Anaergia to hire me as a consultant then. And, you know, ultimately, that fell through, and that's fine. Anaerobic digestion is not right for our island. But I've been trying to pay attention and, and be in the center of the conversation. I've gone through three different Environmental Management Directors, and I think, I think Nakagawa is actually, you know, he is the, so far, he is actually very engaging compared to all my experiences before. So, I'm hopeful. Thank you for asking.

COUNCILMEMBER KING: Okay, thank you. Thank you, Chair.

CHAIR LEE: Any more questions, Members? If not, thank you, Faith, and have a great weekend, too.

MS. CHASE: A hui hou.

DEPUTY COUNTY CLERK: The next person signed up to testify is the individual calling in from the phone number ending with these last four digits 4428. To be followed by the person calling in from the phone number ending with these last four digits 2963. Right now, it's 4428.

4428 just left the call. Then, the next individual up to testify is the individual calling in from 2963.

CHAIR LEE: Next.

MS. ANNETTE HEU (testifying on Resolution Nos. 22-84 and 22-85):

Hello?

DEPUTY COUNTY CLERK: Then--

CHAIR LEE: Oh, oh, I heard a voice.

MS. HEU: Aloha.

CHAIR LEE: Hello?

MS. HEU: Hello? Hello?

CHAIR LEE: Could you state your name for the record, please?

MS. HEU: Hi. Aloha everyone. I would like to state my name for the record. And my name is Annette L. Heu, and I am calling from Palama Drive. First, before I begin my testimony, I would like to mention one item, and that is the last time I came to the Council to testify, Councilmember Lee pointed out that our neighborhood settled with the County. And I would like to make it very clear, very clear, the settlement with the County included Mr. Medeiros of Sandhills, Dwight Nacua of Sandhills, Tony Gallo of Maui Lani, and Hiram Heu of Palama Drive. It did not include Annette Heu, homeowner of Palama Drive. So, Ms. Lee, let's just make that very clear that Annette Heu did not settle with the County. Lance Collins was my attorney, and I have asked on numerous occasions, advisor, I should say. And I have asked on numerous occasions for the County to speak to Lance Collins in regards to the illegality of the subdivision you hope to pass on as an affordable housing project. I would like to begin my testimony.

CHAIR LEE: Please proceed.

MS. HEU: I'm very glad that Dick Mayer has brought in the word "discrimination", because I do feel that our neighborhood is being discriminated against in not being represented as far as community, health, and safety issues. Also, the traffic issues that we suffer daily, because Maui Lani uses our neighborhood as an access point. There is no streetlights up on Kea and Papa Avenue. By awarding these lots, you will be allowing another 100 cars, and the construction that comes with the subdivision, through our neighborhood of aging infrastructure.

Mayor Victorino well knows how many times the pipes collapsed with all of the trucks coming in to bring the mill mud fill, because I contacted him every other week to let him know that the pipe system is failing, and we had County crews come here on numerous occasions having to fix the water lines. At one point, they even nicked the sewer line, which parts of the clay pipe was thrown into the second lawsuit plaintiff's yard and, and still is there. So, they broke the sewer line, nobody made any attempts to fix that. And I realize I have just another minute.

But I also wanted to let everyone know I am not against affordable housing, nor, nor is anyone in our entire neighborhood. What we are against is going forward with such a detrimental project, and allowing certain people to benefit, while others suffer. Discrimination. So, hooray for affordable housing, which gas is almost at \$5.50 a gallon and the world is at war and you guys promising affordable housing in perpetuity.

Also, for the people who are going to live there and be graciously accommodated by Maui Lani, I would like to ask why Maui Lani has never enforced their own policy about maintaining property? Because this property is a part of Maui Lani, according to everybody. That's why we have no power. Yet, Maui Lani, by their own . . . has never put forth any effort to fix that wall, or the part of the subdivision that they need to bring their affordable housing here. So, those are just all of my questions that I wish to have on the record. And everyone can say they're consulting with us. They consult with us to hear what they want to hear, just like Sandy Baz.

CHAIR LEE: Alright. Thank you very much for your testimony.

MS. HEU: . . . that conversation.

CHAIR LEE: Thank you very much. We have two people with their hands up. Member Paltin, then Vice-Chair Rawlins-Fernandez.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Ms. Heu, for your testimony. I just was wheezing, reading the transmittal. And it says the County developed a phased approach for the 55 lots owned in the Fairways at Maui Lani and continues to maintain the lots and large retaining wall, which concern adjacent Palama Drive residents. The phased approach will provide an opportunity to work with the adjacent residents' concerns in the future. So, just clarifying that your concern, if they even just take the more, the lots across the street from the retaining wall lots?

MS. HEU: Thank you for your question. My answer to that would be, and as I have, I have awarded to Ms., to Cassandra, the lots opposite the retention basin were filled on a pond that was existing. So, like the lots on Palama Drive side, if this subdivision had

been sold, you would be looking at homeowners who would be dealing with all of the problems on the retention basin side. Who would help them, okay? So, on the opposite side, they filled in a very, very large green pond. So, if the lots were filled with 8-feet of fill to avoid desecrating any more graves, what are they going to do when they begin to do the groundwork, and they find problems with these lots? And that is my concern on moving forward with the pretty picture of affordable housing.

Not to mention Palama Drive area, and you ask any person who deals with pests, is the grandfathers of all the ground termite colonies in Kahului. So, note that, also, okay? So, all your pipes and whatever, when the ground termite colonies make their way into those pipes, and clog your infrastructure, I like know what you guys going do. Or add that on to the requirements of people in perpetuity, who are going to be granted these lots for 100 years, that they will be signing for something for their kids. And ask them how accountable the County was to them when the problems arise.

That's my question from Palama Drive, and that's my answer on the lots that they feel they can utilize. How are they going to utilize those lots without utilizing what is on, what is on this detention as, as Councilmember Kama called it, the detention basin? How are they going to use the, the system that they need to develop their houses when the system is salty? So, this is backwards.

CHAIR LEE: Member Paltin, did she answer your question?

COUNCILMEMBER PALTIN: I think it's, she still has a problem with the backside, is that, that's correct, Ms. Heu?

MS. HEU: Yes, I do.

COUNCILMEMBER PALTIN: Okay. Thank you.

MS. HEU: Well, I, I, I mean, I think that the people who going to live on there should, because that's on a pond.

CHAIR LEE: Okay.

COUNCILMEMBER PALTIN: Okay.

MS. HEU: A big green pond that they filled.

COUNCILMEMBER PALTIN: Ms. Heu, thank you.

MS. HEU: And everybody knows that that pond was used for the drainage of our, of our, our street in times of flood. The County has all of those records.

CHAIR LEE: Okay, thank you. Now, we have another question. Who, who had the other question?

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Ms. Heu. Mahalo for your testimony today. So, what, what I'm hearing is you would prefer that the Council not take action today, because there are so many outstanding questions that need to be resolved, and won't be resolved today, because it should be taken to Committee. Is that, is that what you're saying?

MS. HEU: Yes, Keani. I, I, I thank you for your assistance. And I hope that people can take the time to, to, to really realize what they're saying, cause affordable housing sounds wonderful. Housing for the doctors and the nurses sounds wonderful. But is it going to be on the backs of us?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Heu. And the, so, I, I walked the area, and I, I've seen with my own eyes, you know, the, the, a lot of problems that you've described in your testimony. Has the County removed the flying debris from the fence, and the, the crumbling retaining wall, and all of that. Has, has the County addressed that?

MS. HEU: The fences are still up on, on our side. There's no fencing on the Palama Drive side. That would be, my question is if Maui Lani has, has authority over our neighborhood, how the County has gotten away with not maintaining, and maintaining means fully operational.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo. And--

MS. HEU: And this subdivision is not fully operation. So, yes, I appreciate that there are concerns. But I'm getting kind of tired of people saying they checked the box on Palama Drive. That's what they did at the meeting at Velma Santos Center. And then, it was furthered by saying that we settled, which was an insult.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Heu. And the, the preschool that operates on Palama Drive and, and the water with sewage that gets mixed in, making it a hazardous area for the children that live and play, and the preschool that operates there, has that concern been addressed?

MS. HEU: No. Not at all. So, I, I, that's where my concern is. You know, we going get addressed after they get their affordable housing.

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

CHAIR LEE: Anymore? Oh, by the way, Ms. Heu, I attended the meeting at the Velma Santos' Community Center. And I think you might be confusing me with somebody else, cause I, I was in the audience. I didn't speak.

But, Member Johnson--

MS. HEU: You spoke at the Council meeting the next, the next, after the next day when Sandy Baz presented the presentation he presented about Palama Drive, saying that the County had already responded. And that whole presentation where they put me with my displays in front of the picture of Michelle Anderson, that crew that he said came in belonged to Tom's Backhoe service, not the County crew. And that's the day that we appeared in Council. There was no one else to testify, just me, when I left with my hands shaking and crying.

CHAIR LEE: Okay. Well, we just have

MS. HEU: Because I was being bullied by the Council

CHAIR LEE: We different recollections. We have different recollections, okay.

MS. HEU: Okay. You have it on tape.

CHAIR LEE: So, somebody else has a question for you. Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. Good afternoon, Ms. Heu. I really appreciate your testimony. Like you, I support affordable housing, especially as the Affordable Housing Chair. But I would encourage that this, this even go to Committee, so that we would have your community's input. Do you, if it goes to Committee, will you be willing to testify when it, when we, when that comes up in Committee?

MS. HEU: I have no problem testifying. My problem is moving forward, just to get affordable housing, without taking care. Because in my experience with the County, they can say whatever they want to say to get what they want, and then you're left by the roadside. That's my concern. That the people of Palama Drive will be discriminated against and left at the roadside until everybody gets what they want, which is affordable housing in perpetuity.

COUNCILMEMBER JOHNSON: I, I too, appreciate your concerns. You know, I don't want that to happen. I want everybody at the table. So, I think this would be a path forward is that we have, have it go to Committee so that we can have these meetings and have it discussed, because there's still these unresolve issues. I agree with you, so thank you so much for your testimony. Thank you, Chair. I have no further questions.

CHAIR LEE: Anymore questions, Members? If not, thank you very much, Ms. Heu.

MS. HEU: Ms. Lee, I would like to say thank you to you also, for your efforts. And I would like to ask that Hawaii pray for the people in Ukraine, and for our country.

CHAIR LEE: Thank you.

MS. HEU: And that we support each other as much as we can, because we cannot forget who we are as the people of Hawaii. Thank you.

CHAIR LEE: Thank you. And we totally agree with you. Thank you very much. Members, no more questions.

Mr. Clerk.

DEPUTY COUNTY CLERK: Chair, the next individual signed up to testify is Stan Franco. To be followed by the individual calling in from the phone number ending with these last four digits 9908.

MR. STAN FRANCO, STAND UP MAUI (testifying on Committee Report 22-26 and Resolution Nos. 22-84 & 22-85):

Hi. Good afternoon. Stan Franco with Stand Up Maui. Wanted to talk about, basically, I'm going to be very short. Your CR 22-26 on the Charter amendment for the splitting up of the Housing and Human Concerns Department into a separate Department of Housing, we are strongly in favor of that reso, Charter amendment.

And on Resolution 22-84 and 22-85, the lots that are going to Na Hale and to the Maui Health Foundation, we have been talking about this in Stand Up Maui and Face Maui for years about using those lots. But after your last presenter, I think, you know, one of the things that Stand Up Maui has been for is decent, affordable, sanitary housing. And you know, just for those, when we build affordable housing, it should not be in areas that will cause problems for people. We need to take care of the needs of all people that are living in that area. So, please carefully consider the testimony that was given. But as an organization and as stand for affordable housing for many years, we

will like to see those lots used, but only in a way that would not impact adversely the people that are on Palama Drive or the area. So, thank you very much. Have a good day and allowing me to speak a few words is great. Aloha.

CHAIR LEE: Aloha. Members, questions? If not, thank you, Stan. Have a great weekend.

MR. FRANCO: Thank you.

CHAIR LEE: Mr. Clerk.

DEPUTY COUNTY CLERK: Chair, the next person we have signed up to testify is the individual calling in from the phone number ending with these last four digits 9908. To be followed by the individual calling in from the phone number ending with these last four digits 9385.

CHAIR LEE: Are they the last two or three?

DEPUTY COUNTY CLERK: Chair, after those two individuals, there are two other people signed up to testify. If there's anybody else in the meeting who wishes to testify and has not signed up yet, please let us know in the meeting chat. Thank you.

CHAIR LEE: Call the next one please.

DEPUTY COUNTY CLERK: 9908, you're, you're unmuted. Would you like to testify?

ANONYMOUS (testifying on Resolution Nos. 22-84 and 22-85):

Yes. Thank you. Are you able to hear me?

DEPUTY COUNTY CLERK: Yes.

CHAIR LEE: Yes.

ANONYMOUS: Okay, thank you. You know, I'm not quite sure what the format of this meeting is. It was just brought to my attention there was some question as to why physicians were leaving the community. And you know, for fear of retaliation, I'm able--

CHAIR LEE: Excuse me, can you please state your name for the record?

ANONYMOUS: You know, I just want to say for fear of retaliation, I'm not able to speak freely. But I think that, you know, we should look in, and the community should look into why

physicians are leaving, more than just housing cost. There's, there's fear of retaliation and we're not able to speak freely.

CHAIR LEE: Alright.

ANONYMOUS: So, I would like, I would like our community to look into that further. Thank you.

CHAIR LEE: Members, do you have any questions?

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I was trying to figure out what our testifier was saying, too. So, it sounds like this is on Resolution 22-84, 85 regarding housing for the hospital staff. And that assertions have been made on the record that we're losing a lot of our staff because of the lack of affordable housing. And our testifier is saying that that's not the only reason, that there are other operational, internal things going on, and you just want that on the record. Is that, is that what you're saying?

ANONYMOUS: That is correct. And, and we're not able to speak freely for fear of retaliation. Thank you.

CHAIR LEE: Okay, thank you very much.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo for your testimony.

CHAIR LEE: Any questions? Any more questions? If not, thank you very much. May we have the next testifier? And then, we're going to take our lunch break probably at 12:20.

DEPUTY COUNTY CLERK: Chair, the next person signed up to testify is the individual calling in from the phone number ending with these last four digits 9385. To be followed by the person calling in from the phone number ending with these last four digits 1524.

MS. CAROL LEE KAMEKONA [testifying on Committee Report Nos. 22-23, 22-24, 22-25 & 22-26; Resolution Nos. 22-84 & 22-85; and Bill No. 51 (2022)]:

Aloha.

CHAIR LEE: Aloha.

MS. KAMEKONA: Aloha awakea, Chair, Vice-Chair, and Councilmembers. My name is Carol Lee Kamekona, and I'm testifying on my own behalf. With regard to CR 22-23, I highly support clarification and expanded usage of the AH funding, the affordable housing funding.

For CR 22-24, this is much needed, especially for developments within areas that have high concentration of our iwi kupuna burials. So, I support the cultural overlay districts.

For CR 22-25, I am in support of number 3, for Kelly Lanilei Maluo-Pearson for the Board of Ethics; number 8, for the re-appointment of Hau'oli Tomoso to the Council on Aging; and number 14, for the reappointment of Kapono Palani Kamaunu to the CRC Commission.

For Resos 22-84 and 85, as a strong advocate for the protection of our iwi kupuna, and our cultural resources, and historic archaeological sites, I highly urge and recommend these resos be forwarded to Committee for review. You may or may not know that the whole Maui Lani development is built or being built in the Central Maui sand dunes.

Reso 22-85 mentions potential burials. There's numerous burials that have been disinterred, as evidenced by the ahu's that are located within all the developments. I am in strong support of workforce housing for our medical professionals. But I ask you, is there another location that may be more feasible for this housing project? In closing on this topic, I support the mission and goal of Na Hale o Maui.

As Councilmember Kelly King stated, CR 22-26 is an all or nothing package. Although I am not in full support of the entire package, I do support more of the proposals than not, especially numbers 6, 7, 8, and 10; 6, with the inclusion of Kalaupapa, 7 with the bifurcation of Housing and Human Concerns, 8 for the development of Department of 'Ōiwi Resources, and 10 for the independent review board.

I agree with everything previous testifier Lucienne de Naie stated, with regard to Bill 51. . . . as the development proposed in that immediate area has many archaeological and historical sites.

In closing, I commend this Council on its hard work and diligence with this decisions you make for the betterment of our lahui and its residents. God bless and protect each and every one of you and your ohana. Mahalo and aloha.

CHAIR LEE: Thank you very much. Members, questions? If not, thank you, Carol Lee. May we have the next testifier?

DEPUTY COUNTY CLERK: The next person signed up to testify is the individual calling in from the phone number ending with these last four digits 1524. To be followed by Junya Nakoa.

CHAIR LEE: And then how many?

DEPUTY COUNTY CLERK: Chair, there's just one other person after those two individuals.

1524, you're unmuted, it is your time to testify. Chair, I'm not sure if they're here to testify. Shall we proceed to Mr. Nakoa?

CHAIR LEE: Yes, please. Please.

DEPUTY COUNTY CLERK: Then the next person signed up to testify is Junya Nakoa. To be followed by Mary Walker.

MR. JUNYA NAKOA (testifying on County Communication No. 22-69; Committee Report Nos. 22-23, 22-24, 22-25, & 22-26; and Resolution Nos. 22-84 & 22-85):

Ho, listen to the music: A-L-O-H-A. Yessah. Okay, I going turn um down. How you guys doing? How you guys doing?

CHAIR LEE: Aloha.

MR. NAKOA: Aloha. Yessah. I get, I get, okay, 22-69. Yeah, you know the parking fees for da kine, da hula. Yeah, charge those buggahs, give um to the Hawaiians. Okay, pau that one.

Okay. The 23, 22-23. You know the affordable housing guys. You know, this guy, I worked almost like 40 years on the affordable housing, yeah. I when support some affordable housing projects, I go against some affordable projects, yeah. But yeah, the funds gotta go, you know, be a little bit more flexible like that, yeah. Gotta make stuff happen for real, real, real, real affordable housing guys, yeah.

Braddah Gabe, mahalo for what you doing brah in the Affordable Housing Committee. Keep it up, brah. Keep it up. I not joking, brah. Affordable housing is one for us guys. Sorry, brah, for us guys. Us guys, the hard head ones that live here all our lives eh. Take care us guys first.

Okay, and then what else I going talk about? Sorry, . . . last meeting kind. I came from the State Legislative . . . Yeah, 26, you know the, again, Housing Department. You

know how you guys like split em up like that. Yeah, you know what, that's, I think that's very, very important, no joke. Cause just, it's just like how I said about the Planning Department and the Public Works Department. Two guys trying to take care the permitting process. That's jam up. Just have one, you know what I mean? Just have one. Cause, no, have these, this Housing Department be separate so they can concentrate on our housing, yeah, and our housing stock. No joke, brah. This is not, this is serious. Serious stuff, brah. You know me, I like joking around, but this is serious, serious, serious, serious. I watch my, I'm watching my language. I'm watching my language. But serious stuff.

Cause, like everybody said eh, you know, it's, we stay losing families eh. Brah, its hitting me right in my heart cause my braddah and his kids thinking of moving to Vegas, because he cannot have them all living in this house right now. And so they, the kids cannot afford to get one house. I'm bummed, brah. I stay so bummed. You know, and then you know how all these developers, they like use affordable housing, yeah, going build this, I going do that and then, and then, and then they get all these loopholes. And they figure um out how for screw us up. Many, many, many projects, yeah? Scrubs. That is scrubs. That is full scrubs.

And then, oh okay, I think that's pau, I think. Oh yeah, no same thing. The Planning Commission. So, what you guys, just the other day, I don't know what day it is. But when I when testify about sending, oh yeah, was yesterday, I think yeah, sending the, the promulgation stuff to the Planning Commission. Like, like couple of the testifiers when say, I testified plenty at the commission. They is heavily loaded on realtors that supports the construction industries.

Brah, I bet, you know, all my braddahs, and uncles, and aunties work for the construction industry. I support them big time. But some of these projects, like the one, the 53-luxury homes is happening. Sickening how I gotta hear this Hawaiian saying that, you know, they need, they, they need this for their jobs and all this kind stuff. But they getting clouded because they work for the, you know, the, you know, they work for the construction like that. But all my ohana say, and half of em no more even one house, but they the one who building all these luxury homes and all these hotels, and all that kind stuff.

So, the Planning Commission, the yeah, need one, oh I think, I think right now get two from Lahaina. But I don't see them. I don't, I don't know who them. I live Lahaina all my life. I usually try know everybody. But yeah, so, I think I going all over the place, but that's okay.

The other one, the Fairways, the, what, what 85 like that. The Fairway lots affordable. Again, going to affordable housing. Sickening. Sorry, brah. I tired. Eh, I no need, I

no need make friends here, plenty of friends. I going, I going start, I have been on my social media throwing people under the bus. I going keep on doing um. I no care. You guys like come, you like call me, my number is 808-796-6421.

But brah, Mayor Victorino, stop taking credit for the affordable housing for the nurses and all the kind stuff. We've been seeing that forever. So build workforce housing, affordable housing for this kind people, okay? Lahaina gave up the whole beachfront on North, North Kaanapali. All these . . . sorry, my language, all these bloody hotels and the million-dollar homes up in Kaanapali, Kaanapali 2020, was, was given by the Council. Mike Victorino was on um, okay, on the, on the Council and promised that they was going build workforce housing, affordable housing for us. You go Lahaina and zero was built, zero. Zero. Zero. Zero. Man, I piss off, brah. Okay?

And you guys, you know this stupid housing credit for again going back to the Housing Department. This housing credits sucks, because the thing, we never get crap out of this thing, people of Lahaina. Now, Kaanapali 2020, seeing it going be, build up that, that, that, that, Jesus Christ, that, that spot that's supposed to be all affordable housing. Now, they going build 50 percent, 51 percent affordable, 50, 49 market. They double dipping gangy. But I tell you guys, I, I sick and tired of this stuff. Affordable housing been my headache for years, okay. I, I sick and tired, brah, okay. Tired.

And that planning, Planning Commission, gotta ruffle their feathers, brah. You guys gotta educate them before they have to vote on very important issues, projects that concern us, concern us, brah. Cause them, they always look to the Planning Department, and I hate the Planning Department with a passion, okay.

And then, braddah Ipo Mossman, yessah. You going hear from me, braddah. But I going try, try, I going try be on one commission But I give those buggahs credit for volunteering for be da kine eh, whew, I going, I going call you up braddah. Mahalo. Sorry, I jumping all over the place, but I stay so piss off. You going hear the passion from all these testifiers. And you know what . . . from Molokai, prayers to you guys. Choke, choke prayers to you guys. So, love you buggahs for choke, no joke. But I, I gotta, gotta ruffle feathers in our County cause we going lose um. Love you buggahs. Have a good one, cause I will.

CHAIR LEE: I'm sure you will. Any questions, Members? If not, thank you so much, Junya. You have a wonderful weekend. Stay safe.

MR. NAKOA: You too. Yessah.

CHAIR LEE: Okay. Alright.

Mr. Clerk.

DEPUTY COUNTY CLERK: The last individual we have signed up to testify is Mary Walker.

MS. MARY WALKER (testifying on Resolution Nos. 22-84 and 22-85):

Aloha. Can you hear me?

CHAIR LEE: Yes.

MS. WALKER: Thank you. Thank you for letting me testify. My name is Mary Walker. I'm currently employed with Na Hale O Maui, but I am talking today as an individual. I'm trying very hard not to cry right now. On the 30th of August, my husband of 38 years was diagnosed with inoperable metastatic melanoma cancer. And on the 5th of September, he passed away. And it was sudden, and it was unexpected, and he did not leave us with the means of being able to transition to, my son and I being able to transition to easily inherit his pension and all of that. So, the past six months has being very challenging and difficult for the two of us.

But I wanted to say that he was very happy to be a life-long renter, a life-long tenant. And in doing so, he, again, did not leave us with the means to have a home to live in.

CHAIR LEE: Mary?

MS. WALKER: So, it's only--

CHAIR LEE: Mary? Mary? Ms. Walker, are you talking about the Maui Lani lots?

MS. WALKER: Yes.

CHAIR LEE: Okay.

MS. WALKER: I am. 22-84 and 22-85. Thank you for bringing me back on track. I just want to say that if we had, my husband and I, as a partnership, had worked together to attain a house before the housing market went insane, I wouldn't be renting still. And it may be too late for me. He left us with enough to where we can survive on the island for a couple of years, but it may be too late for me before I have to move to the mainland to

find a place that's more affordable. But I would hope that you folks would consider making it possible for other families on the islands.

I've lived here 31 years, and this is the home that my husband and his family, going back three generations, are from. And this was where he wanted his family to be. And it makes me very sad to think that eventually we're going to have to move, because we can't afford, even with what he left to us, to buy a house. So, anyway, that's what I had to say. And I hope that you consider passing this, these resolutions.

CHAIR LEE: Thank you. Members, do you have any questions? If not, thank you very much, Mrs. Walker.

MS. WALKER: Thank you.

CHAIR LEE: Mr. Clerk.

DEPUTY COUNTY CLERK: Chair, we do not have any other testifiers noted. If an individual connected to meeting has not testified, but would like to do so, please unmute and identify yourself now. I am going to unmute that person calling from 1524, in case they wanted to testify. This is our last call for testifiers. If there's anyone who wishes to testify, please identify yourself now.

Chair, no one else has indicated that they wish to testify, and we have received written testimony.

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

MEMBERS VOICED NO OBJECTION.

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

1. Tamar Goodfellow, Maui Health Foundation;
2. Cassandra Abdul, Na Hale O Maui;
3. Dick Mayer;
4. Nane Aluli;
5. Belarmino Antonio, Jr.;
6. Kapulani Antonio;
7. Char Casserley;
8. Cassie Chavez and Melinda Sweany, Maui Health Foundation;

9. Daniel and Manuela Christener;
10. Karen Christenson;
11. James A. Diegel, Maui Health;
12. Wade Ebersole, Maui Health;
13. Jason A. Economou, Realtors Association of Maui, Inc.;
14. Marc S. Emde;
15. Tobi B. Fisher;
16. Dawnalyn Fujiwara;
17. Julie A. Hew, Maui Health;
18. Keomailani Hanapi Hirata;
19. Joseph "Pete" Jalbert;
20. Greg Kahn;
21. Kehau Lucas;
22. Lizbeth Luck, Makena Golf & Beach Club;
23. Paul and Jael Mazur;
24. Josh McKim;
25. Hannah McKuin;
26. Greg Mebel;
27. Colleen P. Medeiros;
28. Kaleialoha "Pumpkin" Moss;
29. Heather Mueller, Kula Community Association;
30. Saedene Ota;
31. Nancy Leis Overton;
32. Carlton Pabalan;
33. Alison and Shalin Patel;
34. Michael Rembis, Maui Health System;
35. Robert T. Takamatsu;
36. Cory Lynn M. Vicens; and
37. Karen Williams.

CHAIR LEE: Okay. Very good. Members, at this time, you want to come back at 1:30 or 1:45?

COUNCILMEMBER KING: 1:45.

CHAIR LEE: 1:45?

COUNCILMEMBER KAMA: 2:00.

COUNCILMEMBER PALTIN: 1:30.

CHAIR LEE: Okay, we got more 1:45, so we'll go with 1:45. This meeting is in recess until 1:45.

(THE MEETING WAS RECESSED BY THE CHAIR AT 12:29 P.M., AND WAS RECONVENED AT 1:47 P.M., WITH ALL MEMBERS PRESENT, EXCEPT COUNCILMEMBER KING, EXCUSED.)

CHAIR LEE: Will the Council meeting of March 18, 2022, please reconvene.

Mr. Clerk, proceed.

DEPUTY COUNTY CLERK: Chair, proceeding with minutes.

MINUTES

The minutes of the Council of the County of Maui's regular meeting of December 17, 2021 was presented at this time.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO APPROVE THE MINUTES, AS READ BY THE CLERK.

COUNCILMEMBER SUGIMURA:

SECOND.

COUNCILMEMBER KAMA: Second.

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

Any discussion? No? And this is the minutes from December 17, 2021. No discussion. All those in favor of the motion, please raise your hand and say "aye".

Mr. Clerk, why are you looking at me like that? You want roll call?

DEPUTY COUNTY CLERK: Oh, no, Chair. Oh, sorry, maybe I'm frozen.

CHAIR LEE: Oh okay.

DEPUTY COUNTY CLERK: No, no.

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KING.

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

Okay, next.

DEPUTY COUNTY CLERK: Chair, proceeding with the Consent Calendar.

ACTION ON THE CONSENT CALENDAR

COUNTY COMMUNICATIONS

NO. 22-62 - LORI TSUHAKE, DIRECTOR OF HOUSING AND HUMAN
CONCERNS, (dated February 24, 2022)

Transmitting a copy of the notice of grant award from the U.S. Department of Housing and Urban Development for the Family Self Sufficiency Coordinator Grant, in the amount of \$45,850.

NO. 22-63 - LORI TSUHAKE, DIRECTOR OF HOUSING AND HUMAN
CONCERNS, (dated March 8, 2022)

Transmitting a copy of the notice of grant award from Federal Corporation for National and Community Service for the Retired and Senior Volunteer Program, in the amount of \$73,350.

NO. 22-64 - JORDAN MOLINA, ACTING DIRECTOR OF PUBLIC WORKS,
(dated March 4, 2022)

Transmitting a copy of the Traffic Impact Fee Agreement for West Maui Project District 2 – Kapalua Mauka, and a copy of a check for traffic impact fees, for the Mahana estates development, in the amount of \$164,500.

NO. 22-65 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,
(dated February 24, 2022)

Transmitting a summary schedule and detailed reports of the Special Management Area (SMA) Revolving Fund as of December 31, 2021.

NO. 22-66 - MICHAEL P. VICTORINO, MAYOR,
(dated March 1, 2022)

Informing of a vacancy on the Maui County Arborist Committee due to the resignation of Cody Clark, effective February 28, 2022.

NO. 22-67 - MICHAEL P. VICTORINO, MAYOR,
(dated March 7, 2022)

Informing of a vacancy on the Commission on Children and Youth due to the resignation of Mercedes-Nicole Ritte, effective March 2, 2022.

NO. 22-68 - PATRICE MATSUMOTO, CHAIR, CIVIL SERVICE COMMISSION,
(dated March 9, 2022)

Transmitting the performance evaluation of the Director of Personnel Services.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I move to file all items on the Consent Calendar. Oh.

CHAIR LEE: Member Paltin.

COUNCILMEMBER PALTIN: Can I pull 22-64?

CHAIR LEE: Okay. Anybody else? Alright, any objections to pulling that out, Members?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: Okay, so ordered.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO FILE ALL THE ITEMS IN THE CONSENT
CALENDAR.

And we just pulled out CC 22-64, so that is not included in this motion. Mahalo, Chair.

COUNCILMEMBER KAMA:

SECOND.

COUNCILMEMBER SINENCI: Second.

CHAIR LEE: Seconded by, moved by Member, I mean Vice-Chair Rawlins-Fernandez, seconded by Member Kama, to file these items.

Alright. Any discussion? All those in favor of the motion, raise your hand and say "aye".

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

NOES: NONE.

EXCUSED: COUNCILMEMBER KING.

CHAIR LEE: All "ayes". Eight "ayes", one "excused"; Member King. Motion carries. No "noes".

Mr. Clerk.

DEPUTY COUNTY CLERK: Chair, proceeding with county communications.

COUNTY COMMUNICATIONS

NO. 22-64 - JORDAN MOLINA, ACTING DIRECTOR OF PUBLIC WORKS,
(dated March 4, 2022)

Transmitting a copy of the Traffic Impact Fee Agreement for West Maui Project District 2 – Kapalua Mauka, and a copy of a check for traffic impact fees, for the Mahana estates development, in the amount of \$164,500.

CHAIR LEE: Okay. 22-64?

DEPUTY COUNTY CLERK: Yes, Chair. The one that was just pulled from the Consent Calendar.

CHAIR LEE: Oh, okay. Thank you.

Member Paltin.

COUNCILMEMBER PALTIN: I'd like it to be referred to my Committee. But if Member Sugimura weeds it in her Committee, I'll be open to it if she schedules it. I mean, obviously not before Budget, but at some time during the year.

CHAIR LEE: Member Sugimura?

COUNCILMEMBER SUGIMURA: I'll take it, but I'm just curious, do you have time on your budget? I'm sorry, in your calendar? I think not, yeah?

COUNCILMEMBER PALTIN: No. If I took it up, I would probably take it up during compliance report reviews. But obviously, not before Budget.

COUNCILMEMBER SUGIMURA: Yeah. Okay, sure.

CHAIR LEE: So, refer to IT. Okay. Alright. Any objections, Members?

(Councilmember King returned to the meeting at 1:51 p.m.)

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: If not, so ordered. Let the record show that we have Member Kelly King joining the meeting. Alright. Proceed. You're muted.

DEPUTY COUNTY CLERK: Proceeding with county communications for referral. Apologies, there's some feedback.

CHAIR LEE: I'll, I'll go off.

VICE-CHAIR RAWLINS-FERNANDEZ: Member, okay.

DEPUTY COUNTY CLERK: Okay. The following county communications are recommended for referrals to the following Committees as noted:

NO. 22-69 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,
(dated February 28, 2022)

Transmitting the Hawaiian Cultural Restoration Revolving Fund annual revenues and expenditures report.

The recommended action is that County Communication No. 22-69 be referred to the Budget, Finance, and Economic Development Committee.

NO. 22-70 - LANCE T. TAGUCHI, COUNTY AUDITOR,
(dated February 24, 2022)

Transmitting the County of Maui Annual Comprehensive Financial Report (ACFR) for the Fiscal Year Ended June 30, 2021, submitted by N&K CPAs, Inc.

The recommended action is that County Communication No. 22-70 be referred to the Budget, Finance, and Economic Development Committee.

NO. 22-71 - LANCE T. TAGUCHI, COUNTY AUDITOR,
(dated February 24, 2022)

Transmitting the Department of Water Supply Financial Statements and Supplementary Information with Independent Auditor's Reports for Fiscal Years Ended June 30, 2021 and 2020, submitted by N&K CPAs, Inc.

The recommended action is that County Communication No. 22-71 be referred to the Budget, Finance, and Economic Development Committee.

NO. 22-72 - JEFFREY T. PEARSON, DIRECTOR OF WATER SUPPLY,
(dated March 10, 2022)

Transmitting the Department of Water Supply's Monthly Source and Groundwater Use Reports for the month ending February 2022.

The recommended action is that County Communication No. 22-72 be referred to the Infrastructure and Transportation Committee.

NO. 22-73 - JEFFREY T. PEARSON, DIRECTOR OF WATER SUPPLY,
(dated February 25, 2022)

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

The recommended action is that County Communication No. 22-73 be referred to the Infrastructure and Transportation Committee.

CHAIR LEE: Any objections to the referrals as read by the Clerk, Members?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: Okay, so ordered.

DEPUTY COUNTY CLERK: Chair, proceeding with Committee Reports.

COMMITTEE REPORTS

COMMITTEE REPORT

NO. 22-23 - AFFORDABLE HOUSING COMMITTEE:

Recommending that Bill 61 (2022), entitled "A BILL FOR AN ORDINANCE AMENDING TITLE 3, MAUI COUNTY CODE, RELATING TO USE OF THE AFFORDABLE HOUSING FUND," be PASSED ON FIRST READING and be ORDERED TO PRINT.

CHAIR LEE: Member Johnson.

COUNCILMEMBER JOHNSON: Mahalo, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN
COMMITTEE REPORT 22-23.

COUNCILMEMBER MOLINA:

SECOND.

CHAIR LEE: Okay, discussion, Member Johnson? It's been moved by Member Johnson, second by Member Molina, right, Member Molina, to pass the attached bill on first reading.

Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. Your Affordable Housing Committee met on February 25, 2022, and discussed a proposed bill amending Chapter 3.35, Maui County Code, to expand and clarify the allowable uses of the Affordable Housing Fund.

Your Committee had previously met to discuss a proposed bill amending both Chapter 3.34 and 3.35, on December 13, 2021 and January 24, 2022, and received presentations from Jeff Gilbreath, who explained the merits of expanding the Affordable Housing Fund priority number two in the cap; DHHC, who explained how the funds are used; and heard from our County's bond specialist when the matter was introduced in November 29, 2021.

After the February 25 discussion, your Committee agreed to bifurcate the proposed legislation into two separate bills, one amending Chapter 3.34 and the other, which is before us, the amends, that amends Chapter 3.35 and the allowable uses of the Affordable Housing Fund.

Your Committee supported the use of the fund to provide following: 1) comprehensive infrastructure assessments for affordable housing projects; 2) long-term planning for affordable housing and houselessness solutions; and 3) funds for payment of principle interest on bonds issued for affordable housing projects.

Your Committee revised the proposed bill to include definitions for "very low income" and "gap income". Your Committee further amended Chapter 3.35, to specify the use of the funds for grants and loans to entities developing 100 percent affordable housing projects.

Your Committee, your Committee voted 9-0 to recommend passage of the revised proposed bill on the first reading. I respectfully ask for the Members support for my motion.

CHAIR LEE: Any further discussion? All those in favor of the motion, please say "aye" and raise your hand.

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

NOES: NONE.

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

COUNCILMEMBER JOHNSON: Mahalo, Members. Another 9-0 vote, wonderful.

CHAIR LEE: Mr. Clerk.

COMMITTEE REPORT

NO. 22-24 - AGRICULTURE AND PUBLIC TRUST COMMITTEE:

Recommending the following:

1. That Resolution 22-79, entitled "REFERRING TO THE LĀNA'I, MAUI, AND MOLOKA'I PLANNING COMMISSIONS AND THE MAUI COUNTY CULTURAL RESOURCES COMMISSION PROPOSED BILLS RELATING TO CULTURAL OVERLAY DISTRICTS," be ADOPTED; and
2. That County Communication 21-534, from Councilmember Shane M. Sinenci, be FILED.

CHAIR LEE: Member Sinenci.

COUNCILMEMBER SINENCI: Mahalo, Chair.

I MOVE TO POSTPONE CR 22-24 TO THE APRIL 1, 2022,
COUNCIL MEETING.

And if I get a second, I'll explain.

COUNCILMEMBER PALTIN:

SECOND.

CHAIR LEE: Okay, moved by Member Sinenci to postpone Committee Report 22-24 till the April 1 meeting, seconded by Member Paltin.

Discussion, Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Members. The additional time is needed for staff to review the documents attached to CR 22-24. I appreciate the testimony today that support the creation of the cultural overlay districts and hope they will support the additional time. That said, I respectfully request your support of my motion. Thank you.

CHAIR LEE: Anymore discussion? All those in favor of the motion, raise your hand and say "aye".

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

NOES: NONE.

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

COUNCILMEMBER SINENCI: Thank you, Members.

CHAIR LEE: Mr. Clerk.

COMMITTEE REPORT

NO. 22-25 - GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY
COMMITTEE:

Recommending the following:

1. That Resolution 22-27, CD1, entitled "APPOINTMENT OF A MEMBER TO THE AFFIRMATIVE ACTION ADVISORY COUNCIL FOR THE COUNTY OF MAUI," be ADOPTED;

Approving the appointment of Casey Nicole Josiah to the Affirmative Action Advisory Council for a term expiring on March 31, 2027.

2. That Resolution 22-28, CD1, entitled "APPOINTMENT OF MEMBERS TO THE ANIMAL CONTROL BOARD FOR THE COUNTY OF MAUI," be ADOPTED;

Approving the appointments of Scott Randall Luck and Leslie Ann Aiko Yokouchi to the Animal Control Board for terms expiring on March 31, 2025.

3. That Resolution 22-29, CD1, entitled "APPOINTMENT OF MEMBERS TO THE BOARD OF ETHICS FOR THE COUNTY OF MAUI," be ADOPTED;

Approving the appointments of Kelly Lanilei Maluo-Pearson and Kathryn Reeves Shroder to the Board of Ethics for terms expiring on March 31, 2027.

4. That Resolution 22-30, CD1, entitled "APPOINTMENT OF MEMBERS TO THE BOARD OF VARIANCES AND APPEALS FOR THE COUNTY OF MAUI," be ADOPTED;

Approving the appointments of Leon Salacup Bolosan and Harry Richard Hecht to the Board of Variances and Appeals for terms expiring on March 31, 2027.

5. That Resolution 22-31, CD1, entitled "APPOINTMENT OF MEMBERS TO THE BOARD OF WATER SUPPLY FOR THE COUNTY OF MAUI," be ADOPTED;

Approving the appointments of Kalikolehua Elizabeth Keanuenueonalani Storer and Ralph Jude Thomas to the Board of Water Supply for terms expiring on March 31, 2027.

6. That Resolution 22-32, CD1, entitled "APPOINTMENT OF A MEMBER TO THE CIVIL SERVICE COMMISSION FOR THE COUNTY OF MAUI," be ADOPTED;

Approving the appointment of Sharon Mie Suzuki to the Civil Service Commission for a term expiring on March 31, 2027.

7. That Resolution 22-33, CD1, entitled "APPOINTMENT OF MEMBERS TO THE COMMISSION ON CHILDREN AND YOUTH FOR THE COUNTY OF MAUI," be ADOPTED;

Approving the appointments of Heidi Angela Drahn and Brian Thomas McCafferty to the Commission on Children and Youth for terms expiring on March 31, 2027, and disapproving the appointment of Ericka Ashley Chavez.

8. That Resolution 22-34, CD1, entitled "APPOINTMENT OF MEMBERS TO THE COUNCIL ON AGING FOR THE COUNTY OF MAUI," be ADOPTED;

Approving the appointments of Valerie Mapuana Kalaniopio-Cook, Michael Alexander Lilly, and John Anson Hau'oli Tomoso (Reappoint) to the Council on Aging for terms expiring on March 31, 2027.

9. That Resolution 22-35, CD1, entitled "APPOINTMENT OF MEMBERS TO THE FIRE AND PUBLIC SAFETY COMMISSION FOR THE COUNTY OF MAUI," be ADOPTED;

Approving the appointment of Luke Makani Bailey to the Fire and Public Safety Commission for a term expiring on March 31, 2027, and disapproving the appointment of John LeRoy Buck III.

10. That Resolution 22-36, CD1, entitled "APPOINTMENT OF MEMBERS TO THE LANAI PLANNING COMMISSION FOR THE COUNTY OF MAUI," be ADOPTED;

Approving the appointments of Erin Simone Trevino Atacador and Reynold Masaji Gima to the Lanai Planning Commission for terms expiring on March 31, 2027, and disapproving the appointment of Jay S. Margulies.

11. That Resolution 22-37, CD1, entitled "APPOINTMENT OF MEMBERS TO THE LIQUOR CONTROL ADJUDICATION BOARD FOR THE COUNTY OF MAUI," be ADOPTED;

Approving the appointments of Harold Cathcart and Rhonda Iwalani Lai Loo to the Liquor Control Adjudication Board for terms expiring on March 31, 2027.

12. That Resolution 22-38, CD1, entitled "APPOINTMENT OF MEMBERS TO THE LIQUOR CONTROL COMMISSION FOR THE COUNTY OF MAUI," be ADOPTED;

Approving the appointments of Patrice Masae Matsumoto and William Kaimohala Richardson to the Liquor Control Commission for terms expiring on March 31, 2027.

13. That Resolution 22-39, CD1, entitled "APPOINTMENT OF MEMBERS TO THE MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES," be ADOPTED;

Approving the appointments of Mahina Yasmin Filiotama Hannemann-Gago, Melissa Ann Johnson (Reappoint), and David Wainee Tallant III to the Maui

County Commission on Persons with Disabilities for terms expiring on March 31, 2027.

14. That Resolution 22-40, CD1, entitled "APPOINTMENT OF A MEMBER TO THE MAUI COUNTY CULTURAL RESOURCES COMMISSION," be ADOPTED;

Approving the appointment of Kapono Palani Kamaunu (Reappoint) to the Maui County Cultural Resources Commission for a term expiring on March 31, 2027.

15. That Resolution 22-41, CD1, entitled "APPOINTMENT OF MEMBERS TO THE MAUI PLANNING COMMISSION FOR THE COUNTY OF MAUI," be ADOPTED;

Approving the appointment of William Gordon Greig to the Maui Planning Commission for a term expiring on March 31, 2027, and disapproving the appointment of Jerry Edlao (Reappoint).

16. That Resolution 22-42, CD1, entitled "APPOINTMENT OF MEMBERS TO THE MOLOKAI PLANNING COMMISSION FOR THE COUNTY OF MAUI," be ADOPTED;

Disapproving the appointments of Kaleialoha Moss (Reappoint) and John Robert Sabas to the Molokai Planning Commission.

17. That Resolution 22-43, CD1, entitled "APPOINTMENT OF MEMBERS TO THE POLICE COMMISSION FOR THE COUNTY OF MAUI," be ADOPTED;

Approving the appointment of Lahela Kaleiohawane Aiwohi to the Police Commission for a term expiring on March 31, 2027, and disapproving the appointment of Calmentina "Tina" (Pedro) Gomes.

18. That Resolution 22-44, CD1, entitled "APPOINTMENT OF MEMBERS TO THE PUBLIC WORKS COMMISSION FOR THE COUNTY OF MAUI," be ADOPTED;

Approving the appointment of Noah Kekaimalu Walin to the Public Works Commission for a term expiring on March 31, 2027, and disapproving the appointment of Keshia Leiana Adolpho.

19. That Resolution 22-45, CD1, entitled "APPOINTMENT OF A MEMBER TO THE REAL PROPERTY TAX REVIEW BOARD FOR THE COUNTY OF MAUI," be ADOPTED; and

Approving the appointment of Carolyn Mildred Franklin (Reappoint) to the Real Property Tax Review Board for a term expiring on March 31, 2027.

20. That Resolution 22-46, CD1, entitled "APPOINTMENT OF A MEMBER TO THE SALARY COMMISSION FOR THE COUNTY OF MAUI," be ADOPTED.

Approving the appointment of Uvette Josette Sakamoto to the Salary Commission for a term expiring on March 31, 2027.

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair.

MOVE TO ADOPT RESOLUTIONS 22-27 AND CD1 THROUGH 22-46, CD1.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

COUNCILMEMBER JOHNSON: Second.

CHAIR LEE: Okay, moved by Member Molina, seconded by, I'm sorry, who was the seconder? Vice-Chair Rawlins-Fernandez.

Mr. Molina.

COUNCILMEMBER MOLINA: Yes, thank you very much, Madam Chair. And to you and my colleagues, and everyone else tuning in, please bear with me, I'm going to be here awhile with reading out these various names and committees and so forth.

Your Government Relations, Ethics, and Transparency Committee met on February 22, 2022, and March 2, 2022, to discuss 39 nominees to various boards and commissions. Your Committee notes the general appointment procedures for boards, committees, and commissions outlined in Section 13-2 of the Revised Charter of the County of Maui (1983), as amended, and Chapter 2.41 of the Maui County Code.

Your Committee further notes the Mayor is required to submit names of nominees to the Council no less than 60 days and no more than 70 days before the prior members' terms expire. If the Council fails to approve or disapprove any of the Mayor's nominees by March 28, 2022, nominees will be deemed appointed to fill the vacancy. And if the Council disapproves a nominee, the Mayor will be notified immediately.

Here we go now. Your Committee was satisfied with the background of 31 of the 39 nominees for the various board and terms for which they have been nominated.

First, to the Animal Control Board, Scott Luck and Leslie Ann Yokouchi.

To the Board of Ethics, Kelly Pearson and Kathryn Shroder.

To the Board of the Variances and Appeals, Leon Bolosan and Harry Hecht.

To the Board of Water Supply, Kalikolehua Storer and Ralph Thomas.

To the Civil Service Commission, Sharon Suzuki.

To the Commission on Children and Youth, Heidi Drahm and Brian McCafferty.

To the Council on Aging, Valerie Kalaniopio Cook and Michael Lilly and John Hau'oli Tomoso, who is a reappointment.

And to the Public Safety Commission, Luke Bailey.

To the Lanai Planning Commission, Erin Atacador and Reynold "Butch" Gima.

And to the Liquor Control Adjudication Board, Harold Cathcart and Rhonda Loo.

To the Liquor Control Commission, Patricia *[sic]* Matsumoto.

To the persons with, Commission on Persons with Disabilities, Mahina Hannemann-Gago, Melissa Johnson, who's a reappointment, and David Tallian *[sic]* III, to this Commission.

And to the Maui County Cultural Resource Commission, Kapona Kamaunu, who is a reappointment.

And to the Real Property Tax Review Board, the reappoint, the reappointment of Carolyn Franklin.

To the Salary Commission, Uvette Sakamoto.

To the Affirmative Action Advisory Council, Casey Josiah.

To the Public Works Commission, Noah Walin.

To the Liquor Control Commission, William Richardson.

To the Maui Police Commission, Lahela Aiwohi.

And to the Maui Planning Commission, William Greig.

The Mayor informed your Committee that Commission on Children and Youth nominees Ericka Ashley Chavez, Public Works Commission nominee Keshia Adolpho, and Molokai Planning Commission nominee John Robert Sabas, withdrew from consideration. So, as a matter of procedure, the Committee disapproved these nominations.

Your Committee also recommended Lanai Planning Commission nominee Jay S. Margulies, Molokai Planning Commission nominee Kaleialoha Moss, Police Commission nominee Calmentina "Tina" Gomes, Maui Planning Commission nominee Jerry Edlao, and Fire and Public Safety Commission nominee John LeRoy Buck III, be disapproved.

Your Committee expresses its gratitude to the nominees for volunteering to serve the community. Thank you very much, Madam Chair.

CHAIR LEE: Any more discussion?

Member Sugimura.

COUNCILMEMBER SUGIMURA: So, thank you. Thank you, Chair. Thank you, Chair Molina, for handling this great discussion for boards and commissions.

AND I WANTED TO FIND OUT THE PROCESS THEN FOR THE RESOLUTION NO. 22-35, WHICH IS FIRE, THE DISAPPROVAL FOR JOHN BUCK. I WANTED TO VOTE IN OPPOSITION OF THAT. AND I KNOW HE DID A MASS MOTION FOR IT, AND I HAVE OBJECTIONS TO SOME OF THEM THAT WERE DISAPPROVED AND I WANT TO EXPRESS THAT I WOULD LIKE TO AGAIN REITERATE MY VOTE FOR THEIR APPROVAL, SO.

COUNCILMEMBER MOLINA: Madam Chair. Thank you, Member Sugimura. I believe you can request for a separation vote for any of the nominees.

COUNCILMEMBER SUGIMURA: Okay. Okay, so I will now then, thank you. Is now the right time, Mr. Molina?

COUNCILMEMBER MOLINA: I'll leave it to the Council Chair.

CHAIR LEE: Okay, you have number 9. What else?

COUNCILMEMBER SUGIMURA:

SO, NUMBER 9, JOHN BUCK. AND THEN ALSO, FOR NUMBER 15, WHICH IS RESO 22-41, WHICH IS JERRY EDLAO, MAUI PLANNING COMMISSION. ALSO, FOR RESOLUTION NO. 22-42, ITEM NUMBER 17 [S/C], WHICH IS DISAPPROVAL OF KALEIALOHA MOSS FOR THE MOLOKAI PLANNING COMMISSION. AND THE LAST ONE IS DISAPPROVAL OF CLEMENTINE [S/C] "TINA" GOMES.

And I will explain.

CHAIR LEE: And the--

COUNCILMEMBER SUGIMURA: That's it.

CHAIR LEE: Can you identify that number.

COUNCILMEMBER SUGIMURA: Oh sorry.

NUMBER 17, WHICH IS RESO NO. 22-43.

CHAIR LEE: Alright, discussion?

Oh, let's have a second. Is there a second?

COUNCILMEMBER KAMA:

SECOND.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: Okay, moved by Member Sugimura, seconded by Member Kama, to sep, separate the items that she, Member Sugimura just outlined.

Discussion, Member Sugimura.

COUNCILMEMBER SUGIMURA: Yeah, thank you. So, if you'll allow me, I'll go over all of it at once. So, I have a working relationship, or had with John Buck. And I, I believe that for the Fire Commission, he would provide us valuable service by being on the commission. So, I know there's a disapproval for him, but I'm going to vote in opposition of that. So, that is item number 9.

Also, for the next one is item number 15, which is Resolution 22-41, disapproval of Jerry Edlao for the reappointment. As I said, I've listened to him on some of the Planning Commission meetings and his experience that I think was valuable. So, I'm going to be voting against disapproval, this disapproval.

And item number 16, which is Reso No. 22-42, this one is just a disapproval. And sorry about this, Keani, cause I know in the Committee meeting, I also supported the disapproval. But I did call her from that meeting, till last week, just to talk to her and find out where she was on sea-level rise and some of the objections that were brought up. And I apologize, cause I went, I should have called her maybe before and I didn't, only to find out that, Pumpkin as she's called, she lives close to the ocean. So, she's very aware of sea-level rise.

And I should have supported the Molokai District Rep for her approval to the Maui Planning Commission. And she said something very interesting. She said some of the items that get taken up by the Commission are for her neighbors who want to do fixing up of their renovation of their home or whatever, you know. And that she was concerned that the Planning Commission may disapprove them because of their proximity that they live on that discussion.

So, on that, I apologize to you, Keani, because I know you supported her. As well as when I did talk to her, she and her husband are the one who've been trying for four years to change their zoning of their business, and I think Keani helped them. But she said it's still not done. Not, she wasn't grumbling about that, cause I was talking to her just about her, her role in the Molokai Planning Commission. So, I'm going to be voting in opposition to that, because I think she is a valid voice in behalf of the community, that maybe what Keani was trying to explain to us. So, Keani, I'm sorry about that.

And then, the last one is disapproval of Resolution No. 22-43, the disapproval of Clementine *[sic]* Tina (Pedro) Gomes. And on this, for the Molokai Planning

Commission, I think what was, I'm sorry, for the Police Commission, I think what was brought up in discussion is that at the time that she actually resigned from the Maui Planning Commission, that she was having a lot of personal things going on. And I wish she would have spoken about it. But the things that were going on in her life, she did the right thing by resigning. And she did tell me, when I called her in between just to find out, you know, how is she and whatever, she said that those things got resolved. And she told herself that when she was ready, that she would put herself out there again to try to go back into service for the community. She's a go-getter and I think her voice would have been a valid and a strong voice for the community and the Police Commission.

So, those are the ones that I, that I wanted to do the separation for, and those are my reasons. Thank you, everybody, for letting me go on and on. Those are my reasons.

CHAIR LEE: Member Molina. Yeah, thank you, Madam Chair. This is more of a procedural question. I'm not sure, is it preferable to, I guess, vote on all of these four individuals as in one blanket motion, or would it be better for the sake of record to do it separately. Four separate motions. I presume Member Sugimura is going to make a motion to approve each of these four individuals. So, I don't know if maybe OCS can chime in procedurally, which is the most, I guess, convenient or easiest way to go about this?

CHAIR LEE: Okay. OCS? Mr. Mitchell.

MR. REMY MITCHELL: Chair Lee. Thank you for the question, Member Molina. I think either approach is an option, but it's to your discretion how you'd like to conduct the motions.

COUNCILMEMBER MOLINA: Okay. Thank you, Mr. Mitchell. Okay, Madam Chair, we'll leave it to you how you want to proceed.

CHAIR LEE: Alright, Members, do you want to vote once on four, or do you want to vote four times? Once on four, okay.

Any more discussion?

COUNCILMEMBER KING: Chair?

CHAIR LEE: Yes, Member King.

COUNCILMEMBER KING: I thought the motion was just to, for the separation? Are we actually voting on the--

CHAIR LEE: Right. Right. Yes, separation, but when, when the vote comes, when it's time to vote.

COUNCILMEMBER KING: Okay, so this motion is just on whether to separate or not?

CHAIR LEE: Yeah. Four.

Member Molina.

COUNCILMEMBER MOLINA: Sorry, Madam Chair. Just another procedural question. With a request for separation, do we need a motion for that? Because I know in, in past years, past practice, it's just a Member makes a request from the floor to separate, and the Chair lets it go. But I don't know how it is at Council. If it's more formal that we do it as a motion to separate?

CHAIR LEE: No. I, I believe Member Sugimura made a motion to separate those four.

COUNCILMEMBER MOLINA: Okay, so it was just the, okay, that's the motion to separate and not to approve?

CHAIR LEE: Right.

COUNCILMEMBER MOLINA: Okay. Alright. Thank you . . .

CHAIR LEE: When it's time to approve, then I'll ask you once more, do you want to do all four or just, or four separately?

COUNCILMEMBER MOLINA: Okay, thank you.

CHAIR LEE: Any more discussion on separation? All those in favor of the motion to separate those four items as mentioned by Member Sugimura, raise your hand, oh, let's take a roll call vote? Mr. Clerk, can we have a roll call vote?

DEPUTY COUNTY CLERK: Yes, Chair. Proceeding with a roll call vote.

Councilmember Shane Sinenci.

COUNCILMEMBER SINENCI: NO.

DEPUTY COUNTY CLERK: Councilmember Mike Molina.

COUNCILMEMBER MOLINA: AYE.

DEPUTY COUNTY CLERK: Councilmember Kelly Takaya King.

COUNCILMEMBER KING: NO.

DEPUTY COUNTY CLERK: Councilmember Gabe Johnson.

COUNCILMEMBER JOHNSON: NO.

DEPUTY COUNTY CLERK: Councilmember Tamara Paltin.

COUNCILMEMBER PALTIN: AYE.

DEPUTY COUNTY CLERK: Councilmember Yuki Lei Sugimura.

COUNCILMEMBER SUGIMURA: AYE.

DEPUTY COUNTY CLERK: Presiding Officer Pro Tempore Tasha Kama.

COUNCILMEMBER KAMA: YES.

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

VICE-CHAIR RAWLINS-FERNANDEZ: AYE.

DEPUTY COUNTY CLERK: And Council Chair Alice L. Lee.

CHAIR LEE: AYE.

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

NOES: COUNCILMEMBERS JOHNSON, KING, AND
SINENCI.

DEPUTY COUNTY CLERK: Chair, there are six "ayes", three "noes"; motion carries.

COUNCILMEMBER SUGIMURA: Thank you, Members.

CHAIR LEE: Okay, now we're going to vote separately on each one.

COUNCILMEMBER SUGIMURA: Okay, so do you want me to make the motion?

CHAIR LEE: Yes.

COUNCILMEMBER SUGIMURA: Approve, okay, so I'll go over each one. Thank you.

CHAIR LEE: Hold on. Hold on. We have some questions here. First, the Clerk and then Member Paltin.

DEPUTY COUNTY CLERK: Apologies, Chair. So, the motion that just prevailed was a motion to separate the four resolutions that Councilmember Sugimura mentioned. Now, the main motion as amended is still on the floor to adopt the remaining resolutions--

CHAIR LEE: Okay.

COUNCILMEMBER MOLINA: --that Councilmember Molina moved to adopt.

COUNCILMEMBER SUGIMURA: Okay.

CHAIR LEE: Okay, we'll do that. Okay, everybody got that. Alright, shall we proceed with the vote? The main motion on the floor is to adopt the other, the rest of the resolutions, except for the four separated out. Any more discussion on those? All those in favor of the motion say "aye".

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

NOES: NONE.

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

So, now, we're going to vote on the four that were separated out. Member Sugimura, please make your motion.

COUNCILMEMBER SUGIMURA: Okay, so--

CHAIR LEE: Let's do it one at a time.

COUNCILMEMBER SUGIMURA: Alright. Thank you.

Motion to approve the appointment of John LeRoy Buck III for the Fire and Public Safety Commission.

CHAIR LEE: Oh, problem again.

Mr. Clerk.

DEPUTY COUNTY CLERK: Chair, so the way these resolutions are structured are the names are appended to the resolutions on exhibits. So, in order to change how an appointment is done, you know, the resolution would first, you know, there would need to be a main motion to adopt the resolution, and then it would need to be followed by a motion to amend the resolution to move the name to the exhibit. You know, if it's approval, then it's from the disapproval to the approval. And if it's for disapproval, then vice versa. Thank you, Chair.

CHAIR LEE: Okay. So, she was going to do the first step, right? Okay. Once again.

COUNCILMEMBER SUGIMURA: Sorry. Mr. Molina, did you want to do the first step? Is it okay if I do?

CHAIR LEE: No, no, no, no, you. No, you do the first step.

COUNCILMEMBER MOLINA: Yeah.

CHAIR LEE: And the second step.

COUNCILMEMBER SUGIMURA: Okay.

SO, I MOVE FOR ADOPTION OF RESOLUTION NO. 22-35,
CD1, FOR THE FIRE AND PUBLIC SAFETY COMMISSION
FOR LUKE MAKANI BAILEY. APPOINTMENT OF LUKE
MAKANI BAILEY.

And then, how do you want me to handle the other part of it, that I don't agree? Clerk?

CHAIR LEE: Wait a minute. I'm sorry. Weren't you on number 9?

COUNCILMEMBER SUGIMURA: I am. I am. Resolution 22-35, number 9, for CD1, approval of the appointment of Luke Makani Bailey to the Fire and Public Safety Commission. Okay, that's, that's good.

COUNCILMEMBER MOLINA: Madam Chair.

CHAIR LEE: Wait, wait, wait, I thought you meant John Buck?

COUNCILMEMBER SUGIMURA: I am. But I thought I heard I had to do the whole resolution?

CHAIR LEE: No, no, no.

COUNCILMEMBER SUGIMURA: No?

COUNCILMEMBER MOLINA: Madam Chair, if I could?

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: Yeah, thank you, Madam Chair. I think we already had a motion on the floor that included Mr. Bailey's approval, on the resolution to approve, yeah. So, I think maybe the appropriate motion, and maybe I may be wrong, would be to, I guess, approve, since the issue is Mr. Buck with the Fire and Public Safety Commission. I guess you could state to amend the motion on the floor to add the name of John Buck to the exhibit to approve, I believe.

COUNCILMEMBER SUGIMURA: Oh okay.

COUNCILMEMBER MOLINA: Yeah. I don't know, maybe Mr. Krueger would like to clarify that?

CHAIR LEE: You're muted.

DEPUTY COUNTY CLERK: Chair, so for, so what just happened, the main motion as amended that the body passed previously, adopted all of the resolutions that weren't separated. So, those are done. Now, there are four resolutions still outstanding that need to be dealt with by the body. If the intent is to move, is to make someone who's currently on a disapproval list to an approval list, then that resolution first needs to, there needs to be a motion to adopt that resolution first. And then, that motion can then be subsequently amended to move the name. So, the people on the approval list would not be affected. But if the intent is to make someone who's on the disapproval list to the approval list, their name needs to be moved--

COUNCILMEMBER SUGIMURA: Okay.

DEPUTY COUNTY CLERK: --by, by an amending motion.

CHAIR LEE: Did you get that?

COUNCILMEMBER SUGIMURA: Okay. I got that.

CHAIR LEE: Okay, but, but then we had another hand.

Member Paltin.

COUNCILMEMBER PALTIN: Yeah, I thought in the past, the purpose of this process was to not let the person vote, let them vote how they want to vote, not to change what we decided on? Like, that's how it worked in the past. We, we decided on something, and I can support Member Sugimura not wanting to vote that way, but it's not that we're changing, we're, all of us are changing. She's just not supporting the, the, the committee report.

CHAIR LEE: Right. Right. So, you can vote "no".

COUNCILMEMBER PALTIN: No, I'm voting "yes", on what we passed out of Committee. She's voting "no".

CHAIR LEE: Okay, you misunderstood the last vote then. You're, you're, then, why did you vote "aye" for us to separate?

COUNCILMEMBER PALTIN: So that she didn't have to support something that she didn't support. So she could vote "no" on those. That's how it was when I didn't want to support someone in the last term. That's the way we did it.

CHAIR LEE: Um, I think it wasn't that simple. You know, when we separate something, that means we're going to take it up separately. But then, that involves two motions, yeah? Because it has to be moved from--

COUNCILMEMBER PALTIN: We thought it was just a

CHAIR LEE: --one exhibit to--

COUNCILMEMBER PALTIN: . . .

CHAIR LEE: What was that?

COUNCILMEMBER PALTIN: The last time we did this exercise, the separation was to allow the person to vote their conscience, not to change what we all decided upon in Committee. That's how it went last time we did this.

CHAIR LEE: Well, that's, that's not my recollection in Council. Are you talking about in Committee?

COUNCILMEMBER PALTIN: No, I'm talking about Council. When Riki Hokama was here and had that one guy that was from Main Street Association and . . .

CHAIR LEE: Well, let, let's ask the Chair of the Committee.

Member Molina.

COUNCILMEMBER MOLINA: Madam Chair, let's do this, maybe we can take a brief recess to confer with staff on procedural matters and then come back out on the floor with a, I guess the appropriate motion that Member Sugimura wants to make.

COUNCILMEMBER SUGIMURA: Thank you.

COUNCILMEMBER KING: Chair?

CHAIR LEE: Okay.

COUNCILMEMBER KING: Can I, can I just make a--

CHAIR LEE: Yes? Yes, Member King?

COUNCILMEMBER KING: Thank you, Chair. So, my thought is when we, when, when the separation is made, it should have been for Resolution 22-35. So, we should not have voted on the whole resolution. And then, if, if we're going to separate that out, then we vote on that resolution separately. And she can make a, try to make an amendment if she wants to, to that resolution. But if the, the, the anomaly here is that we took parts of those resolutions and voted on them. And other parts are, were, we're not voting on. So, that, I think that's kind of what we do.

Does that, does that, does that make sense, Mr. Krueger, that we, instead of separating the entire resolution, we just separated people out. We separated the candidates out.

CHAIR LEE: You're, you're muted again.

DEPUTY COUNTY CLERK: Apologies, Chair. Yes, Councilmember King, my understanding was that the separation was for the entire resolution. So, those

COUNCILMEMBER KING: Oh, it's the entire resolution? Because I think she confused us cause she started talking about the persons in that resolution, rather than just separating out the entire resolution.

CHAIR LEE: Okay. So, then, you know what? We'll take a break. And in, during that break, Mr. Clerk, I would like you to contact Member Sugimura and give her the correct verbiage for the motion. And it sounds like two motions. And so, that we can proceed smoothly for the rest of the meeting, okay? So, is that, is five minutes sufficient?

COUNCILMEMBER SUGIMURA: Okay, thank you.

CHAIR LEE: And then, we have another question.

Member Kama.

COUNCILMEMBER KAMA: Thank you, Chair. So, my question is, as the Clerk has a discussion with Member Sugimura, is the discussion for her to just change her vote? Just for her to change her vote in, as they prepare, and they figure out how we're going to handle that? Or is that for all of us to now re-vote?

CHAIR LEE: Yeah, it's, it's going to be different. So, they'll explain it when they come back.

COUNCILMEMBER KAMA: Okay.

CHAIR LEE: Okay.

COUNCILMEMBER KAMA: Thank you, Chair.

CHAIR LEE: Alright. Five minutes. Make is 2:30. Meeting in recess.

(THE MEETING WAS RECESSED BY THE CHAIR AT 2:23 P.M., AND WAS RECONVENED AT 2:32 P.M., WITH ALL MEMBERS PRESENT.)

CHAIR LEE: Will the Council meeting of March 18, 2022, please reconvene?

Mr. Clerk. Well first of all, Member Paltin, can you repeat the question that you, you asked us before the break?

COUNCILMEMBER PALTIN: Sure thing. My vote for separation was with the understanding that Committee Chair Molina would go about the same way what we was doing, but to give Member Sugimura the opportunity to vote her conscience, as we've done in the past. Are we saying now that the vote to separation allows Member Sugimura to, as not the Committee Chair, to introduce a motion totally separate from the committee report?

CHAIR LEE: Do you understand the question, Clerk?

DEPUTY COUNTY CLERK: Yes, Chair. So, the, oh, apologies, there's a. So, the motion to separate that was made, separated out the four resolutions that Councilmember Sugimura requested separation for. Now those, that that motion, you know, stands on its own. And Members can vote to approve or approve any motion for any reason that they choose. But the motion themselves stand alone. So now that those four resolutions are separate, and all the other resolutions are dealt with, then the body needs to now deal with these other four resolutions. And, you know, anybody can make a motion for any of those resolutions. And any Member of the Council can also make subsequent amendments to those motions for any of those resolutions. So, you know, and then it would just be up to the body to vote one way or another how it feels on those motions. I hope that's a clear explanation. Thank you.

CHAIR LEE: Okay, but on, on that question, the resolution may have more than one name. And if she's interested in one name, what would her option, best option be?

DEPUTY COUNTY CLERK: If, if a Member is interested in, in moving a name, then they are able to make a motion to move that name to whatever list they want to move it to. And then it's up to the body to vote to decide whether or not to approve that, the moving of that name. And then if, and then once the main motion is amended to adopt the resolution for the entire appointment list, then it's up to the Members to vote--

CHAIR LEE: Okay.

DEPUTY COUNTY CLERK: --whether or not--

CHAIR LEE: But if you remember, if you remember, her motion was to, to actually separate people, certain people. So, she may have mentioned Resolution, you know, 22-25, let's say, which consisted of two names. But she, but then she only mentioned one name, remember?

DEPUTY COUNTY CLERK: Chair, our, our understanding is that the motion to separate was for the entire resolutions. And that the names that were mentioned was just justification

as to why the motion seeker was seeking the separation. But as far as separating names themselves, I don't think such a motion is actually possible.

CHAIR LEE: Okay. Because it sounds that, like that's what happened in the past, that's why Member Paltin is asking. You know, that the one name was separated, so that the supporter of that person could vote "no", instead of "aye", right, Member Paltin? See what I'm saying?

CHAIR LEE: Uh oh, we lost you.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair?

CHAIR LEE: Go ahead, Vice-Chair Rawlins-Fernandez. But I have to get back to his answer, okay.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. This year is different, because this year we have a different process with legislative numbering. In the past, we had one resolution with an exhibit, that had all the names. And so, we had all of the names on the exhibit for approval, and then we have an exhibit for disapproval. And so, we would put names on the exhibit for approval, or the exhibit for disapproval. This year, we have a different process with, with the legislative numbering system that we have. This year, each of the board or commission has its separate resolution.

And so, we have 20 resolutions with sometimes more than one name on it. And so, we cannot adopt a resolution, or we cannot approve one name because both names are on one resolution. So, the motion will need to be for adoption of the resolution, and then we would amend the resolution. So, we would amend the main motion to put one of the names on one of the exhibits, either for disapproval or for approval.

My question for Mr. Krueger is, we amended the resolution in Committee. It was posted the way that it was posted with one name on the approval, one name on the disapproval. So, when the main motion is made, it's made as it was amended in Committee, and posted on today's agenda. Is that correct?

DEPUTY COUNTY CLERK: Yes, that's correct. We, we post the resolution as, as the Committee sent it to us.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Krueger. So, the main motion will have to be as it is on the agenda. Then, Member Sugimura would make a motion to amend the main motion to remove Mr. Buck's name from the disapproval exhibit to the approval exhibit. And at that time, we will all vote together on whether we want to support the motion to amend the main motion for that action. Mahalo, Chair.

CHAIR LEE: So, who's responsible for making this more complicated? Okay, getting back to you, Mr. Clerk. And turn your mic on, okay? Turn your mic on. So, we, do we have to go through all of this just to get to one person to be voted on? I mean, is there a simpler way? We all know what's happening here. There's certain people that Member Sugimura wants to vote "aye" on, and then the rest will probably vote "no" on. Okay, so what is the simplest way to get from point A to point B? Or do we have to go through this whole long process?

DEPUTY COUNTY CLERK: Chair, my understanding is that the, the quickest route is the one that the body is currently on, you know, to deal with the single name on a resolution. That's, this is, this is the way to do it. Thank you, Chair.

CHAIR LEE: So, so we, she has to make another motion then? Withdraw her, her motions and then she has no choice but to separate the entire reso, all four resos that have other people's name on it, right? Okay.

DEPUTY COUNTY CLERK: Yes.

CHAIR LEE: That's the first step. Yes, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. And so, we already voted on the motion to separate. So, I will make the main motion to adopt the resolution 22--

CHAIR LEE: Oh, wait, wait, wait, wait. She mentioned the names. She mentioned the names.

VICE-CHAIR RAWLINS-FERNANDEZ: Yes. And she can amend my main motion to move Mr. Buck's name from dis, the disapproval list to the approval list after I make this main motion. And so, I saw Member Paltin with a second.

CHAIR LEE: Member Paltin. Okay, went from that to two, okay, 5-2. Alright.

Member Sugimura.

COUNCILMEMBER SUGIMURA: I'll take the second half of that. So, I make, I'll amend the main motion to place John--

CHAIR LEE: Wait, wait, wait, wait. We didn't, we're not finished yet. Not finished, we're not ready for you yet, right?

COUNCILMEMBER SUGIMURA: Oh.

VICE-CHAIR RAWLINS-FERNANDEZ: We are. We are. We're ready . . .

CHAIR LEE: Let's get back, let's get back to, I would like you, Mr. Clerk, to read the motion on the floor.

COUNCILMEMBER SUGIMURA: Oh okay.

CHAIR LEE: As made by Member Sugimura.

DEPUTY COUNTY CLERK: Chair, I, there's no recognized motion on the floor, currently. You haven't recognized the motion. There is no motion on the floor, currently, Chair.

CHAIR LEE: Okay, there's no motion on the floor. Member Sugimura. Okay, cause there's all this confusion, so, okay, there's no motion. So, let the Vice-Chair make--

VICE-CHAIR RAWLINS-FERNANDEZ: I move--

CHAIR LEE: --make the motion.

VICE-CHAIR RAWLINS-FERNANDEZ:

I MOVE TO ADOPT THE RESOLUTION 22-35.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: Second? Moved by Member, I mean, Vice-Chair Rawlins-Fernandez, seconded by Member Sugimura, to adopt the resolution. To what did you say, separate this?

VICE-CHAIR RAWLINS-FERNANDEZ: Nope, not separate. Adopt Resolution 22-35, CD1.

CHAIR LEE: To adopt--

COUNCILMEMBER SUGIMURA:

YES, SECOND.

CHAIR LEE: --resolution as she mentioned. Okay, any more discussion on that?

Okay, now she's going to make the amendment.

COUNCILMEMBER SUGIMURA: Right. So, I amend the main motion.

CHAIR LEE: . . . I move.

COUNCILMEMBER SUGIMURA: Oh okay.

I MOVE TO AMEND THE MAIN MOTION TO PUT JOHN LEROY
BUCK III FROM EXHIBIT C, WHICH IS DISAPPROVAL, TO
APPROVAL, WHICH IS EXHIBIT B.

Is that correct . . .

COUNCILMEMBER KAMA:

SECOND.

COUNCILMEMBER SUGIMURA: Okay, thank you.

CHAIR LEE: Okay, we're making progress here.

COUNCILMEMBER SUGIMURA: Yeah, making progress.

CHAIR LEE: Okay. And we already had the discussion, right?

COUNCILMEMBER SUGIMURA: Yeah. Yeah.

CHAIR LEE: We already had the discussion. Any more discussion from other people?

Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. I speak against the amendment. I've also worked many, many, many years with Mr. Buck and I don't feel that this would be a good fit. Thank you.

CHAIR LEE: Anybody else?

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I will also not be supporting the motion to amend for the same reasons I gave in . . . I voted against the motion . . . Mahalo, Chair.

CHAIR LEE: Member Sinenci.

COUNCILMEMBER SINENCI: Thank you. For the record, I'm going to uphold my vote in Committee.

COUNCILMEMBER KAMA: Good.

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. I'll also vote to uphold my vote in Committee, which was to support Mr. Buck. I've known Mr. Buck for many years. Very community-minded person, and I'm confident that he would make the time to offer his thoughts and contributions on the Fire and Public Safety Commission. So, I will continue my stance to support Mr. Buck, and therefore, support the motion on the floor as made by Member Sugimura. Thank you, Madam Chair.

CHAIR LEE: Anybody else? I'll also be voting "aye", because my experience with Mr. Buck over the years has been a very positive one. So, are we ready for the vote?

COUNCILMEMBER KAMA: Yes, Chair.

CHAIR LEE: Okay. Mr. Clerk, roll call.

DEPUTY COUNTY CLERK: Proceeding with a roll call vote, Chair.

Councilmember Shane Sinenci.

COUNCILMEMBER SINENCI: NO.

DEPUTY COUNTY CLERK: Councilmember Mike Molina.

COUNCILMEMBER MOLINA: AYE.

DEPUTY COUNTY CLERK: Councilmember Kelly Takaya King.

COUNCILMEMBER KING: NO.

DEPUTY COUNTY CLERK: Councilmember Gabe Johnson.

COUNCILMEMBER JOHNSON: NO.

DEPUTY COUNTY CLERK: Councilmember Tamara Paltin.

COUNCILMEMBER PALTIN: NO.

DEPUTY COUNTY CLERK: Councilmember Yuki Lei Sugimura.

COUNCILMEMBER SUGIMURA: AYE.

DEPUTY COUNTY CLERK: Presiding Officer Pro Tempore Tasha Kama.

COUNCILMEMBER KAMA: YES.

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

VICE-CHAIR RAWLINS-FERNANDEZ: NO.

DEPUTY COUNTY CLERK: And Council Chair Alice L. Lee.

CHAIR LEE: AYE.

AYES: COUNCILMEMBERS KAMA, MOLINA, SUGIMURA,
AND CHAIR LEE.

NOES: COUNCILMEMBERS JOHNSON, KING, PALTIN,
SINENCI, AND VICE-CHAIR RAWLINS-
FERNANDEZ.

DEPUTY COUNTY CLERK: Chair, there are four "ayes", five "noes"; motion fails.

CHAIR LEE: Okay. Shall we have the next one?

COUNCILMEMBER SUGIMURA: Thank you, Members.

VICE-CHAIR RAWLINS-FERNANDEZ: We're back to the main motion, Chair.

CHAIR LEE: Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: We're back to the main motion.

CHAIR LEE: Back to the main motion, okay. Back to the main motion.

Member Molina.

COUNCILMEMBER MOLINA: Yeah, Madam Chair, do we have to now also do a vote to put or, or Mr. Buck's name, because of the vote that just happened, still remains on the disapproval list, am I correct, for clarification sake?

CHAIR LEE: Yes.

COUNCILMEMBER MOLINA: Okay. Alright, thank you.

CHAIR LEE: It remains on the disapproval list. Any, anybody else? Okay, ready?

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. So, just as a reminder, that we have two names. We have Mr. Luke Makani Bailey, who is on the approval list. And then, we have John Buck, who's on the disapproval list. And so, we're, we're, we're voting on both of those names in this motion. Mahalo, Chair.

CHAIR LEE: Member Sugimura.

COUNCILMEMBER SUGIMURA: Yeah, so because of the process, I apologize to Luke Makani Bailey, because I supported him, as we did in Committee, but because of my feelings of how to vote for John Buck, I'm going to be voting against the main motion, because I still support my conviction that he would, John Buck would be a good member of the, the Fire Commission. So, just wanted everybody to know.

CHAIR LEE: Okay. Anybody else?

Mr. Clerk.

DEPUTY COUNTY CLERK: Roll call vote, Chair?

CHAIR LEE: Yeah.

DEPUTY COUNTY CLERK: Proceeding with the roll call--

CHAIR LEE: Roll call.

DEPUTY COUNTY CLERK: Proceeding with a roll call vote.

Councilmember Shane Sinenci.

COUNCILMEMBER SINENCI:

AYE.

DEPUTY COUNTY CLERK:

Councilmember Mike Molina.

COUNCILMEMBER MOLINA:

AYE.

DEPUTY COUNTY CLERK:

Councilmember Kelly Takaya King.

COUNCILMEMBER KING:

AYE.

DEPUTY COUNTY CLERK:

Councilmember Gabe Johnson.

COUNCILMEMBER JOHNSON:

AYE.

DEPUTY COUNTY CLERK:

Councilmember Tamara Paltin.

COUNCILMEMBER PALTIN:

AYE.

DEPUTY COUNTY CLERK:

Councilmember Yuki Lei Sugimura.

COUNCILMEMBER SUGIMURA:

NO.

DEPUTY COUNTY CLERK:

Presiding Officer Pro Tempore Tasha Kama.

COUNCILMEMBER KAMA:

NO.

DEPUTY COUNTY CLERK:

Council Vice-Chair Keani Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ:

AYE.

DEPUTY COUNTY CLERK:

And Council Chair Alice L. Lee.

CHAIR LEE:

AYE.

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

NOES: COUNCILMEMBERS KAMA AND SUGIMURA.

DEPUTY COUNTY CLERK: Chair, there are seven "ayes", two "noes"; motion carries.

CHAIR LEE: Okay.

Member Sugimura? Or do you want Vice-Chair Rawlins-Fernandez to start it off?

COUNCILMEMBER SUGIMURA: Whatever. It's fine.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO ADOPT RESOLUTION 22-41, CD1.

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Okay. Moved by Vice-Chair Rawlins-Fernandez, seconded by, who was that?

COUNCILMEMBER SUGIMURA: Kelly.

CHAIR LEE: Member King, to adopt Resolution 22-41, CD1.

Discussion? Vice-Chair Rawlins-Fernandez.

COUNCILMEMBER SUGIMURA: Oh.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR LEE: Okay, no dis, okay no discussion. We'll go straight to the amendment.

Alright, Member Sugimura.

COUNCILMEMBER SUGIMURA:

I MOVE TO AMEND RESOLUTION 22-41, CD1, BY PUTTING ON THE APPROVAL LIST JERRY EDLAO (REAPPOINTMENT), I GUESS IS WHAT IT SAYS. SO, TAKING HIM FROM EXHIBIT C, WHICH IS DISAPPROVAL, PUTTING HIM ON THE APPROVAL LIST FOR JERRY EDLAO.

CHAIR LEE: Okay, second, somebody.

COUNCILMEMBER KAMA:

I SECOND.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: Okay, moved by Member Sugimura, seconded by Member Kama, to put Jerry Edlao on the approval list. Any more discussion? No?

Member Paltin.

COUNCILMEMBER PALTIN: I won't be supporting the amendment. I will uphold my Committee vote.

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

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. While I, I appreciate Mr. Edlao's willingness to continue to serve, I will also be upholding my vote in Committee. And just recently was another example of why I'll be upholding my vote in Committee to not support Mr. Edlao to the Maui Planning Commission. They just had a contested case hearing on Wailea 670 and there was an issue of ethical behavior and how the procedure should have been taken. And Mr. Edlao tried to rush the vote with a commissioner, who after executive session, was deemed to be conflicted and not be allowed to vote because of previous statements before the contested case hearing. So, it's a matter of integrity and upholding appropriate legal processes. So, again, I, I will be supporting, well, I'll be upholding my vote in Committee to not support the nomination. Mahalo, Chair.

CHAIR LEE: Member Sinenci.

COUNCILMEMBER SINENCI: Sorry, I believe Member King had her hand up.

CHAIR LEE: Member King.

COUNCILMEMBER KING: I don't know if you can see me. Hopefully I'm not frozen. I think Member Rawlins-Fernandez said what I was going to say, so thank you for that. And, you know, just in the interest of my community . . . the unfortunate recipient of that behavior, I will stick with my vote in Committee.

CHAIR LEE: Okay. Member Sinenci.

COUNCILMEMBER SINENCI: Thank you for my opportunity. And I, although I recognize Mr. Edlao's willingness to serve, I am looking for more of a balanced approach. I'll uphold my Committee vote.

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. If I could ask Vice-Chair Rawlins-Fernandez for additional clarification on the, what transpired with regards to the ethical issues surrounding Mr. Edlao? I mean, was that a ruling made by the Ethics Board, or it was just something that surfaced at the commission level, Planning Commission level?

CHAIR LEE: Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Mahalo, Member Molina, for the question. So, there's a contested case hearing. The Chair of the Commission made statements, basically concluding what he would, how, what his position would be prior to the contested case. Because the commissioners, as well as, you know, all of us as elected officials are, are supposed to be neutral parties in these proceedings and listen to everyone. He made public statements about how, basically pre-determining how he would vote before the contested case hearing even started.

They went into executive session. Prior to going into executive session, Mr. Edlao tried to rush the vote with the Planning Commission Chair to be able to vote. And the attorneys recommended executive session. Otherwise, the, the vote that would have been taken with the Commission Chair could have been overturned or ruled inappropriate. After returning from executive session, the Commission voted not to allow the Commission Chair to, to vote.

COUNCILMEMBER MOLINA: Okay. Thank you for that clarification.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR LEE: Anyone else?

COUNCILMEMBER KAMA: Chair?

CHAIR LEE: Member King. I mean, Member Kama.

COUNCILMEMBER KAMA: Thank you. If I may ask Member, Vice-Chair Rawlins-Fernandez a question, in terms of when, when did we know this? Did we know this earlier, before our last meeting that we did when we took this? Did we know it then?

CHAIR LEE: Vice-Chair?

COUNCILMEMBER KAMA: About what's happening?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Mahalo, Pro Temp Kama, for the question. No, this contested case hearing just happened. We can double-check with Member King, but I believe it was last week. So, to answer your question, no, we did not know this at the time of our Committee meeting. But this, this happened after our Committee meeting. So, this is new information. Mahalo. Mahalo, Member Kama. Mahalo, Chair.

CHAIR LEE: Now, where is our Clerk?

DEPUTY COUNTY CLERK: I'm here, Chair.

CHAIR LEE: Roll call.

DEPUTY COUNTY CLERK: Proceeding with a roll call vote.

Councilmember Shane Sinenci.

COUNCILMEMBER SINENCI:

NO.

DEPUTY COUNTY CLERK:

Councilmember Mike Molina.

COUNCILMEMBER MOLINA:

NO.

DEPUTY COUNTY CLERK:

Councilmember Kelly Takaya King.

COUNCILMEMBER KING:

NO.

DEPUTY COUNTY CLERK: Councilmember Gabe Johnson.

COUNCILMEMBER JOHNSON: NO.

DEPUTY COUNTY CLERK: Councilmember Tamara Paltin.

COUNCILMEMBER PALTIN: NO.

DEPUTY COUNTY CLERK: Councilmember Yuki Lei Sugimura.

COUNCILMEMBER SUGIMURA: YES.

DEPUTY COUNTY CLERK: Presiding Officer Pro Tempore Tasha Kama.

COUNCILMEMBER KAMA: NO.

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

VICE-CHAIR RAWLINS-FERNANDEZ: NO.

DEPUTY COUNTY CLERK: And Council Chair Alice L. Lee.

CHAIR LEE: AYE.

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

NOES: COUNCILMEMBER SUGIMURA AND CHAIR LEE.

DEPUTY COUNTY CLERK: Chair, there are two "ayes", seven "noes"; motion fails.

CHAIR LEE: Okay. Proceed. Do we have any?

Okay, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I move to adopt Resolution 22-42, CD1. Oh, sorry, we have the main motion on the floor. We have to vote on the main motion on the floor.

CHAIR LEE: That's why I said to proceed, Mr. Clerk.

DEPUTY COUNTY CLERK: Okay, proceeding with a roll call vote on the main motion on the floor.

Councilmember Shane Sinenci.

COUNCILMEMBER SINENCI:

AYE.

DEPUTY COUNTY CLERK:

Councilmember Mike Molina.

COUNCILMEMBER MOLINA:

AYE.

DEPUTY COUNTY CLERK:

Councilmember Kelly Takaya King.

COUNCILMEMBER KING:

AYE.

DEPUTY COUNTY CLERK:

Councilmember Gabe Johnson.

COUNCILMEMBER JOHNSON:

AYE.

DEPUTY COUNTY CLERK:

Councilmember Tamara Paltin.

COUNCILMEMBER PALTIN:

AYE.

DEPUTY COUNTY CLERK:

Councilmember Yuki Lei Sugimura.

COUNCILMEMBER SUGIMURA:

NO.

DEPUTY COUNTY CLERK:

Presiding Officer Pro Tempore Tasha Kama.

COUNCILMEMBER KAMA:

YES.

DEPUTY COUNTY CLERK:

Council Vice-Chair Keani Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ:

AYE.

DEPUTY COUNTY CLERK:

And Council Chair Alice L. Lee.

CHAIR LEE:

NO.

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

NOES: COUNCILMEMBER SUGIMURA AND CHAIR LEE.

DEPUTY COUNTY CLERK: Chair, there are seven "ayes", two "noes"; motion carries.

CHAIR LEE: Alright. Now, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO ADOPT RESOLUTION 22-42, CD1.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: Moved by Vice-Rawlins-Fernandez, Vice-Chair Rawlins-Fernandez, second by
Member Sugimura, to adopt Resolution 22-41. 42 or 41? 41.

VICE-CHAIR RAWLINS-FERNANDEZ: 42, CD1.

CHAIR LEE: Oh 42, CD1, okay. Second?

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Okay, moved by Vice-Chair Rawlins-Fernandez, seconded by Member Kama,
to adopt Resolution 22-42, CD1.

Vice, I mean, Member Sugimura.

COUNCILMEMBER SUGIMURA:

I MOVE TO AMEND RESOLUTION 22-42 TO PUT EXHIBIT,
ONTO EXHIBIT FROM C TO B THE APPOINTMENT OF
KALEIALOHA MOSS (REAPPOINTMENT) TO THE MOLOKAI
PLANNING COMMISSION. SO, I MOVE TO APPROVE.

COUNCILMEMBER KAMA:

SECOND.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: Moved by Sugimura, seconded by Member Kama, to move to approve, what is, Ms. Moss.

COUNCILMEMBER SUGIMURA: Yeah, Ms. Moss.

CHAIR LEE: Ms. Moss. Okay. Discussion?

COUNCILMEMBER SUGIMURA: I think I said . . .

CHAIR LEE: Oh, you, no more discussion?

Member Paltin.

COUNCILMEMBER PALTIN: Thank you. I cannot support this motion. I'll stand by my vote in Committee. It's one thing to see sea-level rise occurring, it's another thing to act on it. And I believe Ms. Moss' testimony where, you know, she believes the SLR-XA estimates, or sea-level rise projections are estimates. And I, I do agree, they are estimates. But I think it's going to be much worse than what is estimated, not much better.

And so, you know, there's a difference between believing in sea-level rise and acting as though you believe in sea-level rise and climate change. And so, I can't support it. The Planning Commissions have the sole authority in the special management area. And so, it's, it's very important that you not just believe in it, but you act as though you believe in it. Thank you.

CHAIR LEE: Anybody else?

Mr. Clerk. Oh, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I've known Ms. Moss pretty much my whole life. And this one was a little hard for me, because it, it's, it's hard to champion someone whose votes and, and values differ, aren't, aren't really aligned with your own. And so, I, you know, Ms. Moss' attendance is great. She contributes to the discussion. But when she votes, she votes differently than I would vote. And so, I, I,

I've been struggling with this, how do I, how do I proceed? And so, I, I agree with Member Paltin's comments about it's one thing to, you know, believe in something, but it's another to incorporate that into your decision-making, especially when you're voting on things for the future of a community of an island. Those are my comments. Mahalo, Chair.

CHAIR LEE: Anybody else? Comments? Anyone else?

Mr. Clerk.

DEPUTY COUNTY CLERK: Chair, proceeding with a roll call vote on the motion to amend.

Councilmember Shane Sinenci.

COUNCILMEMBER SINENCI:

NO.

DEPUTY COUNTY CLERK:

Councilmember Mike Molina.

COUNCILMEMBER MOLINA:

AYE.

DEPUTY COUNTY CLERK:

Councilmember Kelly Takaya King.

COUNCILMEMBER KING:

NO.

DEPUTY COUNTY CLERK:

Councilmember Gabe Johnson.

COUNCILMEMBER JOHNSON:

NO.

DEPUTY COUNTY CLERK:

Councilmember Tamara Paltin.

COUNCILMEMBER PALTIN:

NO.

DEPUTY COUNTY CLERK:

Councilmember Yuki Lei Sugimura.

COUNCILMEMBER SUGIMURA:

AYE.

DEPUTY COUNTY CLERK:

Presiding Officer Pro Tempore Tasha Kama.

COUNCILMEMBER KAMA:

YES.

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

VICE-CHAIR RAWLINS-FERNANDEZ: NO.

DEPUTY COUNTY CLERK: Council Chair Alice L. Lee.

CHAIR LEE: AYE.

AYES: COUNCILMEMBERS KAMA, MOLINA, SUGIMURA,
AND CHAIR LEE.

NOES: COUNCILMEMBERS JOHNSON, KING, PALTIN,
SINENCI, AND VICE-CHAIR RAWLINS-
FERNANDEZ.

DEPUTY COUNTY CLERK: Chair, there are four "ayes", five "noes"; motion fails.

CHAIR LEE: Mr. Clerk.

DEPUTY COUNTY CLERK: Proceeding with a roll call vote on the main motion.

Councilmember Shane Sinenci.

COUNCILMEMBER SINENCI: AYE.

DEPUTY COUNTY CLERK: Councilmember Mike Molina.

COUNCILMEMBER MOLINA: NO.

DEPUTY COUNTY CLERK: Councilmember Kelly Takaya King.

COUNCILMEMBER KING: AYE.

DEPUTY COUNTY CLERK: Councilmember Gabe Johnson.

COUNCILMEMBER JOHNSON: AYE.

DEPUTY COUNTY CLERK: Councilmember Tamara Paltin.

COUNCILMEMBER PALTIN: AYE.

DEPUTY COUNTY CLERK: Councilmember Yuki Lei Sugimura.

COUNCILMEMBER SUGIMURA: NO.

DEPUTY COUNTY CLERK: Presiding Officer Pro Tempore Tasha Kama.

COUNCILMEMBER KAMA: NO.

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

VICE-CHAIR RAWLINS-FERNANDEZ: AYE.

DEPUTY COUNTY CLERK: And Council Chair Alice L. Lee.

CHAIR LEE: NO.

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

NOES: COUNCILMEMBERS KAMA, MOLINA, SUGIMURA,
AND CHAIR LEE.

DEPUTY COUNTY CLERK: Chair, there are five "ayes", four "noes"; motion carries.

CHAIR LEE: Vice-Chair Rawlins-Fernandez. The last one.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO ADOPT RESOLUTION 22-43, CD1.

COUNCILMEMBER SINENCI:

SECOND.

CHAIR LEE: Moved by Member, Vice-Chair Rawlins-Fernandez, second by Member Sinenci,
to adopt Resolution 22-43, CD1. Discussion? Nothing right?

So, Member Sugimura.

COUNCILMEMBER SUGIMURA:

THANK YOU FOR LETTING ME MAKE THIS AMENDMENT TO THE MAIN MOTION TO APPROVE THE APPOINTMENT OF CLEMEN, CLEMENTINE [S/C] "TINA" PEDRO GOMES FOR RESOLUTION 22-43, CD1, TO THE POLICE COMMISSION.

I think I gave my reasons before.

CHAIR LEE: Second? Second somebody.

COUNCILMEMBER KAMA:

SECOND.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: Moved by Member Sugimura, second by Member Kama. Okay, any discussion on the motion?

Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. I'll be upholding my vote in Committee. And, you know, this one is a little bit personal to me. I'm speaking on behalf of myself as a constituent of that time. You know, I've shared with the, the body that I've applied multiple times to be on the Planning Commission. I diligently watched the Planning Commission over many, many years. And every meeting, I think she only attended about two meetings during her three-year tenure on the Planning Commission.

And I can totally understand what Member Sugimura is saying. You know, if somebody is not able to fulfill for medical reasons or whatever, totally understandable, no fault there. The issue is that for three years, she continued on to the point where we had to pass legislation on how to address this situation moving forward with anyone else. So, I'm voting on behalf of myself that was sitting in the audience trying to get on the Planning Commission, watching somebody not showing up meeting after meeting after meeting, important decision after important decision after important decision. When I reached out to Member Molina as the staffer of appointing boards and commissions and--

CHAIR LEE: Member Paltin. I'm sorry to interrupt you, but we're, we're having some kind of connectivity problem in the chamber.

COUNCILMEMBER PALTIN: Oh.

CHAIR LEE: I need to take a five-minute recess. Well, a little over five-minute. 3:15, we'll reconvene. Recess. Sorry.

(THE MEETING WAS RECESSED BY THE CHAIR AT 3:04 P.M., AND WAS RECONVENED AT 3:16 P.M., WITH ALL MEMBERS PRESENT.)

CHAIR LEE: Will the regular Council meeting of March 18, 2022, please reconvene?

Sorry, Member Paltin, we got you in the middle of the sentence. You want to finish up?

COUNCILMEMBER PALTIN: Okay, I'm not sure, sure where I, where we lost connectivity. But I just, it's a vote on, on behalf of myself and everyone else who, you know, applies for the Planning Commission and then watches a whole year go by, 2019, with only two attendances, watches 2020 go by with one attendance. And knowing that, you know, that there's people out there qualified and not getting the chance, because people want to hold onto the seat, but not attend. And, and like I said before, it's, it's perfectly fine to resign if you're having health issues or any kind of issues. The point that hurt me, as a constituent, was holding onto the seat and not attending. And, and you know, folks, like myself never getting a chance to get to this point, you know. So, that's what my vote is based on. Thank you.

CHAIR LEE: Anyone else?

Member Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. I'll maintain my vote that I took in Committee to support Ms. Gomes. And yeah, I guess there were some reasons as to possibly why Ms. Gomes couldn't attend some of the Planning Commission meetings, but I'll just say she had been facing some extraordinary circumstances in her life that converged all at once.

But I, I'd like to remind the Members, if you're not aware, Ms. Gomes has, was on the Maui Police Commission, previously, was a very active member, participated in a lot of the discussion.

And then, while a member of the Cost of Government Commission, she in my opinion, single-handedly saved that Commission from being abolished, because at that time while she was serving there were several members on a previous County Council that had wanted to abolish this Commission. And Ms. Gomes stood up for her colleagues

on the Commission and defended the reasons as to why this Commission should be saved. And thank goodness, this Commission is still in action today. And we have wonderful people like Mr. Williams, Mike Williams, who Chairs this very important Commission. So, that's something that wasn't mentioned in Committee.

So, to me, I believe in giving people a second chance to again prove themselves. And at the time, of course, there was no official legislation as it relates to attendance policy. So, now that we do have an attendance policy, Ms. Gomes and, as a matter of fact, all boards and commission members now will be held to a higher standard in terms of attendance. And if they don't, well then, certainly the Mayor will be forced to submit a recommendation of disapproval to the Council for all other, you know, nominees. So, that I think is a very good safeguard.

But again, I speak in strong support of Ms. Gomes. And again, she has served her commission admirable. And she's also served on the State Campaign Spending Commission as well. So, she's a very, very well-qualified individual to serve, in my opinion. Thank you very much, Madam Chair.

CHAIR LEE: Anyone else?

Member King.

COUNCILMEMBER KING: Chair, just wanted to clarify what, something that Councilmember Molina said. You said that Mike Williams now Chairs this Commission? Are you talking about the Police Commission?

COUNCILMEMBER MOLINA: Cost of Government Commission.

COUNCILMEMBER KING: Okay. Cause we're on, we're on number 17, right, which is about the Police Commission?

COUNCILMEMBER MOLINA: Yeah. No, I was just explaining about Ms. Gomes' history, yeah.

COUNCILMEMBER KING: Oh, was she the--

COUNCILMEMBER MOLINA: And so, my reason for supporting . . .

COUNCILMEMBER KING: She was previously on Cost of Government? Is that what you were saying?

COUNCILMEMBER MOLINA: Yeah.

COUNCILMEMBER KING: Okay, I wasn't . . . confused with what you were saying. Alright, thank you.

CHAIR LEE: Anybody else?

Vice-Chair, did you have your hand up? No? Oh, no?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I don't think I had my hand up. I was doing the research, cause I heard the same thing Member King heard, that Mr. Williams is the Chair of the Cost of Government and Mr. Frank DeRego is the current Chair of the Police Commission. That's all.

CHAIR LEE: Right

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR LEE: He was talking about her history and her vast experience on various boards and commissions.

VICE-CHAIR RAWLINS-FERNANDEZ: Yeah. No, I, I understand that. I understand that. It's just, I think, you know, in explaining that, it, there, there may have been a little mix-up. I do that too. I do that all the time. Wanted to, I heard the same thing that Member King heard that's why.

CHAIR LEE: Okay. Anybody else? Okay, I, I thoroughly echo what Member Molina said and I will support Ms. Gomes.

Mr. Clerk.

DEPUTY COUNTY CLERK: Chair, proceeding--

CHAIR LEE: Oh, did you have your hand up? Sorry. Member Sugimura.

COUNCILMEMBER SUGIMURA: I just want to thank everybody for, you know, about Tina, as she's very committed, she works super hard. And in that part of her life where she was going through a lot, when the Maui Planning Commission. One of the stories she recently told me is that during all of that, you know, with a lot of things going on with her life, that she was taking care of her mother, and her mother died in her arms. And I just want to say that because it wasn't negligent in her part or irresponsible. I think she was just taking care of somebody that she dearly loved and other things in her life, which, as she told us, when she came before us that, you know, a lot of her things in

her life at that time that was challenging had been resolved. And she's now back to come back to work and do her volunteer work for the community. So, I just wanted to mention that. I think, there's other things which, you know, it's up to her to mention. But thank you very much, Members, for reconsidering this.

CHAIR LEE: Oh, did you make your motion to move from disapproval to approval?

COUNCILMEMBER SUGIMURA: Oh.

CHAIR LEE: Did, no, did you? There was so much discussion and I, I'm just asking.

COUNCILMEMBER SUGIMURA: I'll do it. I thought I did, but I'll make the amendment to the main motion.

CHAIR LEE: Mr. Clerk? Wait, wait, wait, let me check with him. Mr. Clerk?

DEPUTY COUNTY CLERK: Yes, Chair. The motion to move Ms. Gomes' name from the disapproval list to the approval list is on the floor.

COUNCILMEMBER SUGIMURA: Okay.

CHAIR LEE: Okay, very good.

Member Paltin.

COUNCILMEMBER PALTIN: Yeah, second and final. I think at, it was at that point maybe that we cut out. But I just wanted to say that I'm not holding it against anyone if they have personal issues in their life, whatever they may be. I, I think that anybody who has personal issues in their life are totally entitled to resign. The issue that I had was not resigning for years with that attendance, with many important decisions in our community being made, with quorum not always been able to have, be had. So, I mean, that's very serious issue.

Attendance on half the meetings in 2018, two meetings in 2019, and one meeting in 2020. The issue is not if you have something in your life going on. Please, your life has to take precedence over a volunteer board or commission. The point that I'm trying to make is that by not being responsible and resigning, it prevents work from being done. It prevents the full board from having the discussion. And this was a very important time period, and the Planning Commission is a very important Commission. So, on a personal note, as a constituent, as a applicant, I felt that my community was hurt by that action. And so, I can't support it.

CHAIR LEE: Alright, anybody else?

Vice-Chair Rawlins-Fernandez. Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I just, I just looked in the transcription for the confusion. That's why I didn't raise my hand earlier. I was trying to figure out what was being said. So, I just wanted to say that Member Molina just said the Maui Police Commission and then Cost of Government Commission real quick, and I didn't hear that transition. So, my apologies, Member Molina. That was my fault. Mahalo, Chair.

CHAIR LEE: Alright. Anybody else?

Mr. Clerk.

DEPUTY COUNTY CLERK: Chair, proceeding with a roll call vote on the amendment.

Councilmember Shane Sinenci.

COUNCILMEMBER SINENCI:

NO.

DEPUTY COUNTY CLERK:

Councilmember Mike Molina.

COUNCILMEMBER MOLINA:

AYE.

DEPUTY COUNTY CLERK:

Councilmember Kelly Takaya King.

COUNCILMEMBER KING:

NO.

DEPUTY COUNTY CLERK:

Councilmember Gabe Johnson.

COUNCILMEMBER JOHNSON:

NO.

DEPUTY COUNTY CLERK:

Councilmember Tamara Paltin.

COUNCILMEMBER PALTIN:

NO.

DEPUTY COUNTY CLERK:

Councilmember Yuki Lei Sugimura.

COUNCILMEMBER SUGIMURA:

AYE.

DEPUTY COUNTY CLERK: Presiding Officer Pro Tempore Tasha Kama.

COUNCILMEMBER KAMA: YES.

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

VICE-CHAIR RAWLINS-FERNANDEZ: NO.

DEPUTY COUNTY CLERK: And Council Chair Alice L. Lee.

CHAIR LEE: AYE.

AYES: COUNCILMEMBERS KAMA, MOLINA, SUGIMURA,
AND CHAIR LEE.

NOES: COUNCILMEMBERS JOHNSON, KING, PALTIN,
SINENCI, AND VICE-CHAIR RAWLINS-
FERNANDEZ.

DEPUTY COUNTY CLERK: Chair, there are four "ayes", five "noes"; motion fails.

COUNCILMEMBER SUGIMURA: Thank you, Members.

CHAIR LEE: Okay. Proceed.

DEPUTY COUNTY CLERK: Chair, proceeding with a roll call vote on the main motion.

Councilmember Shane Sinenci.

COUNCILMEMBER SINENCI: AYE.

DEPUTY COUNTY CLERK: Councilmember Mike Molina.

COUNCILMEMBER MOLINA: NO.

DEPUTY COUNTY CLERK: Councilmember Kelly Takaya King.

COUNCILMEMBER KING: AYE.

DEPUTY COUNTY CLERK: Councilmember Gabe Johnson.

COUNCILMEMBER JOHNSON: AYE.

DEPUTY COUNTY CLERK: Councilmember Tamara Paltin.

COUNCILMEMBER PALTIN: AYE.

DEPUTY COUNTY CLERK: Councilmember Yuki Lei Sugimura.

COUNCILMEMBER SUGIMURA: NO.

DEPUTY COUNTY CLERK: Presiding Officer Pro Tempore Tasha Kama.

COUNCILMEMBER KAMA: NO.

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

VICE-CHAIR RAWLINS-FERNANDEZ: AYE.

DEPUTY COUNTY CLERK: And Council Chair Alice L. Lee.

CHAIR LEE: NO.

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

NOES: COUNCILMEMBERS KAMA, MOLINA, SUGIMURA,
AND CHAIR LEE.

DEPUTY COUNTY CLERK: Chair, there are five "ayes", four "noes"; motion carries.

CHAIR LEE: Proceed.

COMMITTEE REPORT

NO. 22-26 - GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending that Resolution 22-25, CD1, entitled "PROPOSING ALTERNATIVE AMENDMENTS TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO THE 2021-2022 MAUI COUNTY CHARTER COMMISSION FINAL REPORT," be ADOPTED.

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair.

MOVE TO ADOPT RESOLUTION 22-26, CD1, *[S/C]* AND TO ALLOW THE CLERKS TO INCORPORATE ANY NONSUBSTANTIVE REVISIONS AS NECESSARY.

COUNCILMEMBER SINENCI:

SECOND.

COUNCILMEMBER KAMA: Second.

CHAIR LEE: Moved by Member Molina, seconded by Member Sinenci, to adopt Committee Report 22-26, CD1 *[sic]*.

Discussion?

COUNCILMEMBER MOLINA: Yes, thank you, Madam Chair. Your Government, Relations, Ethics, and Transparency Committee met on February 22, 2022, March 1, 2022, and March 2, 2022, to review the 2021-2022 Maui County Charter Commission Final Report and proposed alternative amendments in accordance with Section 50-8 of the Hawaii Revised Statutes.

Your Committee notes Section 50-8 of HRS requires the Charter Commission to submit its report to the Council, together with a draft of the proposed Charter within one year of appointment.

At its meeting of February 19, the Council appointed, February 19, 2021, make that clear, Council appointed nine members to the Charter Commission. And at the same meeting, the Mayor notified the Council of his two appointments to the Commission.

So, therefore, the deadline for the Charter Commission to submit its report together with a draft of the proposed Charter was February 18, 2022.

And in accordance with Section 50-8 HRS, the Council has 30 days from its receipt of the Final Report to propose alternatives to the Charter Commission's proposal. And accordingly, the Council's deadline to propose alternatives is March 21 of this year.

In Section 14-1(1) of the Charter provides for the initiation of Charter amendments by resolution of the Council adopted after two readings on separate days and passed by a vote of six or more Members of the Council. And according to an opinion dated May 22, 2012, from Corporation Counsel, Section 14-1(1) does not apply to the procedure by which the Council may propose alternatives to the Charter Commission's proposed amendments. So, therefore, the two-reading requirement under Section 14-1(1) need not be met for proposed Council alternatives to the Charter Commission amendments.

And according to Section 50-9 HRS, the Charter Commission has 30 days after receiving any alternatives from the Council to either: (1) accept the Council's alternatives and incorporate them into, into the Charter Commission's proposals; or (2) reject the Council's alternatives.

And any rejected Council alternative will be placed on the General Election ballot on November 8, 2022, in competition with the corresponding Charter Commission proposal, unless the Council recalls or retracts the alternative within 10 days of being notified of the Charter Commission's rejection.

Your Commission appreciates the members and staff of the Charter Commission for their many months of dedicated work on behalf of the residents of the County. And your Committee offers this report with respect and admiration for the Charter Commission's diligence and its efforts to engage the public.

And your Committee carefully considered the need and relative merits of the Charter Commission's proposals and thoroughly debated its own alternatives with the assistance and guidance of the Department of Corporation Counsel. And Members, we all do recall, we worked late, pretty late for sure on those three days. Your Committee voted 7-2 to recommend adoption of Resolution 22-25, CD1, that incorporates your Committee's alternatives. Thank you, Madam Chair.

CHAIR LEE: Alright, any more discussion?

Member Sugimura.

COUNCILMEMBER SUGIMURA: I have an amendment.

I MOVE TO AMEND PAGE 10 OF THE PROPOSED RESOLUTION, UNDER THE ALTERNATIVE TO THE SIXTH PROPOSAL, SECTION 8-8.4, SUBSECTION 1, BY REMOVING THE FOLLOWING LANGUAGE: "EXCEPT THAT WHEN THERE ARE TWO MEMBERS FROM A COUNCIL RESIDENCY AREA, AT LEAST ONE OF THE MEMBERS MUST RESIDE IN THE SPECIAL MANAGEMENT AREA".

SO, I MOVE TO REMOVE THAT LANGUAGE AND SUBSTITUTE IT WITH: THAT "THE NINE MEMBERS MUST INCLUDE AT LEAST ONE AND NO MORE THAN TWO MEMBERS WHO RESIDE IN EACH COUNCIL RESIDENCY AREA ON THE ISLAND OF MAUI." AND DELETE: "EXCEPT THAT WHEN THERE ARE TWO MEMBERS FROM A COUNCIL RESIDENCY AREA, AT LEAST ONE OF THE MEMBERS MUST RESIDE IN THE SPECIAL MANAGEMENT AREA", WHICH WAS IN MY MOTION.

COUNCILMEMBER MOLINA:

SECOND.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: Moved by Member Sugimura, seconded by Member Molina.

Discussion, Member Sugimura, on your motion?

COUNCILMEMBER SUGIMURA: Yeah, so I think you must have heard Dick Mayer, I think he gave a pretty impassioned testimony this morning and explained why. And I will tell you that the Kula Community Association called a meeting--

CHAIR LEE: Okay, can you hold on? Hold on one second, please.

COUNCILMEMBER SUGIMURA: Sure.

CHAIR LEE: Remy Mitchell, why are you on the call? Is there a procedural problem?

LEGISLATIVE ATTORNEY RICHARD MITCHELL: Pardon the interruption, Chair Lee. Yes, I believe there was a bit of confusion the way the motion was stated. I believe I heard

Member Molina refer to Resolution 22-25. And then, when you restated his motion, you referred to it as CR 22-27 *[sic]*. So, if we can just make sure we're clear on what the main motion was, that would be good. Thanks.

COUNCILMEMBER MOLINA: Yeah, Madam Chair?

CHAIR LEE: No, I said 26. I had, I said 26.

COUNCILMEMBER MOLINA: Yeah, Madam Chair, that, that, that's on me, yeah, in the, when I, you first called on me for the motion. I should have said 22-25, and I think I mistakenly said 22-26.

CHAIR LEE: And I repeated 26, not 26.

COUNCILMEMBER MOLINA: That's my bad. Thank you, Mr. Mitchell, for catching that.

CHAIR LEE: Okay. So, no objections, Members, to that minor error there?

Okay, so proceed again with your explanation, or discussion.

COUNCILMEMBER SUGIMURA: So, this is a motion on, I move to amend page 10, do I have to say this thing, the whole thing? So, this is regarding recommending adoption of Resolution No. 22--

CHAIR LEE: Oh, no, no, you don't have to repeat the whole thing. Just, you were in the middle of discussion.

COUNCILMEMBER SUGIMURA: Oh okay.

CHAIR LEE: Explaining, you know, about Mr. Mayer.

COUNCILMEMBER SUGIMURA: Yeah, so I think you heard, I think you heard Dick Mayer this morning, give his testimony on why. And I will tell you that the Kula Community Association, at our board meeting, brought this up, which was a special item on the agenda, much to the great dismay of many of the members about the rationale. And I, I think enough of what's been said. But I believe that the motion is to allow and not discriminate the Upcountry members, because they don't live and do not touch the ocean, you know. So, I think it was explained enough.

CHAIR LEE: Okay. Any more discussion?

Member Paltin.

COUNCILMEMBER PALTIN: I'm not sure if you wanted to call on the Deputy Clerk first?

CHAIR LEE: Oh, I'm sorry. Did you raise your hand?

DEPUTY COUNTY CLERK: Yes, Chair. Apologies, I just had a real quick clarification on my end. That the amending motion on the floor currently. So, our understanding of the motion is to just strike the language, "except that when there are two members from a council residency area, at least one member must reside in the special management area." The other language that was mentioned is existing language already. "The nine members must include at least one and no more than two members who reside in each council residency area on the island of Maui." I just wanted to clarify that. Is our understanding correct?

COUNCILMEMBER SUGIMURA: You are correct.

CHAIR LEE: Okay.

COUNCILMEMBER SUGIMURA: Thank you very much.

DEPUTY COUNTY CLERK: Thank you.

CHAIR LEE: Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. I speak against the amendment, and I will maintain my vote from Committee. I think that the most pressing issue that the entire State and globe faces moving forward is sea-level rise and climate change. And like I said many times, the Planning Commission has the sole authority over the SMA. I can't be, I can't be any more clear that these issues are going to affect all of us. But the people that are living on the coastline will be experiencing it firsthand. So, I maintain my vote from Committee.

CHAIR LEE: Okay, before you, I go to you, Member--

COUNCILMEMBER KING: . . . Can you see me? I've had my hand up for quite a while.

CHAIR LEE: Oh, I'm sorry. But, actually, Vice-Chair Rawlins-Fernandez had her hand up, almost right after Paltin. Was yours a . . .

COUNCILMEMBER KING: . . .

VICE-CHAIR RAWLINS-FERNANDEZ: I'll be quick, Member King. I just wanted to ask Member Sugimura to put the language in the chat. I did find Mr. Mayer's testimony, and the, the, the amendment isn't in the testimony.

CHAIR LEE: Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: That's all. And then, you can go to Member King. Mahalo, Chair.

CHAIR LEE: Member King.

COUNCILMEMBER KING: Okay, I guess you can't see me, but I actually was, had raised my hand before the amendment was made. I just wanted to clarify something that I thought I heard Member Molina say. Maybe I'm just not hearing you right today, Member Molina. Sorry about that. But I thought I heard you say that anything that we voted on would still go on the ballot against the Charter, if the Charter amendment, the Charter Commission didn't accept our changes that it would go on the ballot still?

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: Yeah. I believe somebody--

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: You might want to get a, further clarification from OCS or Corporation Counsel.

CHAIR LEE: Remy, are you on the line?

COUNCILMEMBER KING: Yeah, is that what you said? Or did I, did I not hear you right?

CHAIR LEE: He's wanting . . .

COUNCILMEMBER MOLINA: Yeah, if I said that, yeah. That's what, what I've been given, information that I was given. But maybe Mr. Mitchell could add further clarification to your question.

LEGISLATIVE ATTORNEY MITCHELL: So, there will be a, thank you for the question, Chair Lee, and the opportunity to clarify here. There will be a 30-day Charter review process. And then, after that, a 10-day review for the Council to decide whether it's going to retract any of its alternatives.

COUNCILMEMBER KING: Okay. But what I had heard was that if we, if the Charter Commission does not accept our alternative, that it will go on the ballot, ours would go on the ballot . . . to the Charter Commission . . . But I see Mr. Whitaker here to, maybe he can respond to that.

CHAIR LEE: Mr. Whitaker.

DEPUTY CORPORATION COUNSEL KEOLA WHITAKER: Thank you, Chair. What Mr. Molina indicated is that if the Charter Commission does not accept your alternative, it will go on the ballot, unless this body decides to recall that amendment. So, you'll have the opportunity after the 30-days that the Charter Commission considers to recall that amendment, so it doesn't appear on the ballot, if that's your choice.

COUNCILMEMBER KING: But it, it will appear on the ballot along with the Charter Commission's proposal? So, there would be a like a, there would be two proposals. And I guess, is it just the one that gets the most votes that wins? Or a separate requirement for one of them to get 50 percent of the vote?

DEPUTY CORPORATION COUNSEL WHITAKER: --so in order to--

CHAIR LEE: Mr. Whitaker.

DEPUTY CORPORATION COUNSEL WHITAKER: Thank you, Chair. In order to amend the Charter, it would have to get more yes votes than no votes. And if there's a competition between the alternative and what the Charter Commission proposed, it's whichever gets the most yes votes. So, if they both get more than 50 percent, it's whichever gets more yes votes.

COUNCILMEMBER KING: Okay, as long as there aren't more no votes on either one of them, or I guess either one of them? Okay, so it's not going, there's no, more no votes on both of them, then neither one of them will make or win? Okay. Wow, that's really confusing. That's the first time I've heard that. But thank you for that. So, so, yes, I did hear you correctly, Member Molina.

COUNCILMEMBER MOLINA: I'm confusing everybody today.

COUNCILMEMBER KING: Well, no, it's just, I hadn't heard that before, that it would automatically go on there. So, that was news to me. But I, I do want to speak to the motion that's on the floor, because I understand, you know, I understand and respect the Kula Community Association's position, but I have to say that, you know, my community feels like it's been discriminated against many times, because there are

people on the Planning Commission who don't understand the SMA. Who've been giving out these extensions . . . SMA, when we're right in, even in areas of sea-level rise.

So, you know, I don't see it as discrimination. I see it as looking for the expertise or the knowledge. Just like we have a requirement for the . . . environmentalist on the Planning Commission, whether it would be Native Hawaiian cultural expert on the Planning Commission. I would like to see if there's an extra position . . . a person who understands what's going on in the SMA. So, I don't see it as a, a discrimination. I see it as a, you know, wanting to have more experience and expertise for what, for something that is very important.

Because we have no, Council has no authority over the SMA and that's what's so frustrating. Because, you know, we have complaints all the time. I get complaints all the time about what the Planning Commission is doing and the decisions they're making in Kihei, cause it's usually in violation of what the community wants. But I can't do anything about it.

So, you know, having more people from the areas that where we feel, I think West Maui and South Maui both get discriminated against, because we both have, there have been times when there have, hasn't been anybody from our, our respective communities on it. And that's, that's kind, that, that's why I don't see this as discrimination. I see it as looking for a level of expertise that's sorely needed on this Planning Commission. So, I, I'm going to stick with my original vote on the, in Committee and, and not, and, and vote against the amendment.

But, you know, I appreciate what you're trying to do, Member Sugimura. I just don't, and I, and the other thing about this idea of discrimination is Kula hasn't even asked for an advisory committee. So, you know, the, you know, North Shore and South Maui both asked for the advisory committees because of this. But I, I really feel like until we get our own planning commission, that we're going to continue to be discriminated against, because people don't understand what's happening on the, in these shoreline communities. So, that's my position on, on that. And I appreciate your position, but I don't agree that this is discrimination. Thank you.

CHAIR LEE: Any more discussion?

Mr. Clerk.

DEPUTY COUNTY CLERK: Chair, shall I proceed with a roll call vote on the amendment?

CHAIR LEE: Yes.

DEPUTY COUNTY CLERK: Proceeding with a roll call vote.

Councilmember Shane Sinenci.

COUNCILMEMBER SINENCI:

NO.

DEPUTY COUNTY CLERK:

Councilmember Mike Molina.

COUNCILMEMBER MOLINA:

AYE.

DEPUTY COUNTY CLERK:

Councilmember Kelly Takaya King.

COUNCILMEMBER KING:

NO.

DEPUTY COUNTY CLERK:

Councilmember Gabe Johnson.

COUNCILMEMBER JOHNSON:

AYE.

DEPUTY COUNTY CLERK:

Councilmember Tamara Paltin.

COUNCILMEMBER PALTIN:

NO.

DEPUTY COUNTY CLERK:

Councilmember Yuki Lei Sugimura.

COUNCILMEMBER SUGIMURA:

AYE.

DEPUTY COUNTY CLERK:

Presiding Officer Pro Tempore Tasha Kama.

COUNCILMEMBER KAMA:

YES.

DEPUTY COUNTY CLERK:

Council Vice-Chair Keani Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ:

NO.

DEPUTY COUNTY CLERK:

And Council Chair Alice L. Lee.

CHAIR LEE:

AYE.

AYES: COUNCILMEMBERS JOHNSON, KAMA, MOLINA,
SUGIMURA, AND CHAIR LEE.

NOES: COUNCILMEMBERS KING, PALTIN, SINENCI,
AND VICE-CHAIR RAWLINS-FERNANDEZ.

DEPUTY COUNTY CLERK: Chair, there are five "ayes", four "noes"; motion carries.

COUNCILMEMBER SUGIMURA: Thank you, thank you, thank you. Kula appreciates this,
or Upcountry. Thank you very much.

CHAIR LEE: Mr. Clerk.

DEPUTY COUNTY CLERK: Chair, shall I proceed with a roll call vote on the main motion as
amended?

CHAIR LEE: Yes.

DEPUTY COUNTY CLERK: Proceeding with a roll call vote.

Councilmember Shane Sinenci.

COUNCILMEMBER SINENCI: NO.

DEPUTY COUNTY CLERK: Chair, to, to clarify, this is the main motion to adopt the entire
resolution.

CHAIR LEE: Okay. Mr. Sinenci, you want to keep your vote?

COUNCILMEMBER SINENCI: AYE.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair?

CHAIR LEE: Yes, Vice-Chair?

VICE-CHAIR RAWLINS-FERNANDEZ: I, I, I think, I'm not sure if all the Members are like on,
like, that's it? Does anyone want to dis, I know we're in the middle of taking a vote, but
I don't think everyone understood, like, we were, what, we went from a motion to amend
straight to the main motion. And there's no more discussion? I mean, I'm cool with
that.

CHAIR LEE: Well, there, there could be. There could be. But we've already had discussion on, on the amendment. If there's further discussion on anything else, raise your hand.

Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. So, clarification on this vote is to include the nine members must include at least one and no more than two members who reside in each council residency area on the island of Maui? That's the vote?

CHAIR LEE: No. Will the Clerk please clarify that?

DEPUTY COUNTY CLERK: Chair, the vote that, the motion that just prevailed was to amend the resolution, as it pertains to that sixth proposal. And that motion prevailed. Now, it's the main motion as amended, which is to adopt the entire Resolution 22-25, CD1, as amended.

COUNCILMEMBER KAMA: Chair? Chair?

CHAIR LEE: Member Kama.

COUNCILMEMBER KAMA: So, basically, the vote right now is to adopt all those 13 proposals that we all worked on those three days a couple of weeks ago. And with just this one amendment from Member Sugimura. So, now this vote is to say we're either going to up or down all that hard work we all did together on these 13 proposals, correct?

CHAIR LEE: Correct. Does, does anybody have any further discussion? Now's the time.

Member King, and then Member Molina.

COUNCILMEMBER KING: Yeah, I just wanted to say that I don't agree with all of the decisions for all of them, but I'm going to support the entire package, because this is the collective decision that we've made together as a committee. So, I will support the resolution.

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: Yeah, thank you, Madam Chair. For my second and last time. Along with thanking the Charter Commission and their hard work, but also our Committee staff for spending those grueling three days that we had. And this was just, also, I believe combined with the, still finishing up on the mass nominations as well. So, it was quite an experience. And I apologize as the Committee Chair for putting all

of you through the grindstone. I know at times there was some short fuses. But, you know, I guess it's just a reflection of all of the passion that we have for our work. So, I just want to thank everybody all around, staff especially and, and you my colleagues for, you know, walking the trail with me and for all of your hard work. And, and yes, as Member King said, collectively, we gave our own opinions of all the 13 proposals. And I think it was certainly a very healthy, healthy discussion. So, that's, just wanted to end by saying that. Thank you.

CHAIR LEE: Member Sugimura, then Member Kama.

COUNCILMEMBER SUGIMURA: Thank you. I also want to also thank the GREAT Chair, who did a great job taking us through this long path of all of these boards and commissions, nominations and, and the testifiers, you know, who also came. It was kind of a long day for everybody. But you certainly handled it well. Thank you very much. And somehow, you always make things a little bit fun, so appreciate your, your humor.

CHAIR LEE: Anybody else?

Member Kama, sorry. Member Kama.

COUNCILMEMBER KAMA: I guess it's my second and last time to speak on this issue. I think when we do policy, like what we're doing on the Charter amendments, is you don't get everything you want. Nobody, I don't think any of us got everything that we want. But I think most of us were able to live with what we said and, you know, we compromised at some things. And, but in the end, when it's all said and done, this is our, this is ours. It belongs to us. It's the Council's alternatives to what the Charter Commission had given over to us. And I'm kind of proud of the work that we've done. And I just wanted to say to the Members that whether we like it or don't like some of the stuff in it, it's us. It's us. And this is who we are, so I'm proud of that. So, thank you, Chair.

CHAIR LEE: Member King, did I see your hand up?

COUNCILMEMBER KING: Yes. Actually, I just had a clarifying question, because I don't, from what I heard earlier, I don't think our work is over yet. We have, we'll get some notice back from the Charter Commission, I just wanted to clarify this, after they approve or disapprove what we suggested. And then, we have, we would still have to meet on this one more time to decide whether or not to keep our versions on the ballot or pull them back altogether. I think, is that correct, Member Molina?

COUNCILMEMBER MOLINA: I believe so. Yes, there exists that possibility. And we probably have to beg our Budget Vice-Chair, if we have to, about meeting during budget session. But I, I'm, but anyway, I'll just say I'm hoping that doesn't happen. But if it does, we might want to be prepared for that.

COUNCILMEMBER KING: Okay. I, I just wanted to clarify that because I don't, I think our work is maybe not quite over. But I, I, hopefully when it does come back, it'll be after budget, because I think they have some date in July to, to finalize the entire thing. Okay, so, I'm just, I'm expecting more work again. But, you know, good work so far, Chair.

CHAIR LEE: Member Johnson. Thank you, Chair. I, I just want to ditto a lot of the, my fellow Councilmembers said, this was a lot of work. And I want to say thank you to Chair Molina, as well as all the Councilmembers who worked so hard on this, as well as the Charter Commission. And I think echoing what Councilmember Kelly King said, our job isn't over.

I, I listened to the testifiers and what they had said was this is some heavy stuff. We need to really go out there and educate our, our, our electorate on these particular issues. So, I'm going to go out there and stomp for the bifurcation of the Affordable Housing Department, or, you know, the Housing Department. So, I think our job isn't over and we gotta educate our folks. And we'll, we'll hopefully at least get on the ballot and let the electorate decide. So, it was a lot of work. It was. It was my first time going through it. But yeah, very important discussions and very important decisions that the, the elect, the voters will now make. So, look forward to hearing what they have to say about all of this. Thank you, Chair.

CHAIR LEE: Anyone else?

Member Sugimura.

COUNCILMEMBER SUGIMURA: Last and final. If this was the good old days, Chair Molina would have food in the back for all of us to eat. Every time he kept us over for a long meeting, he would have like Costco hot dogs, we would have pizza, meat chili. So, that's okay, we'll take IOU's, the GREAT Chair. You did a good job. Thanks.

CHAIR LEE: Alright, Mr. Clerk. I see no other hands.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo Chair. And I'll make it quick. I just want to share in the sentiments with my colleagues and, you know, thanking Member Molina for, you know, facilitating the meetings. It was a lot of work, a lot of discussion. But, and like my colleagues, I, I don't, you know, necessarily support everything. But I'm proud of the work that we did. And I agree that a lot of education will need to be done. And I hope in the budget maybe we can allocate some funding for additional education. Okay, we're getting a thumb's up. But, but, and absolutely, Member Molina, you know, if it does come back to us during budget session, I, I will make time for us. . . . But I will be voting to support. Oh, it looks like I triggered something in Member Molina now. Mahalo, Chair.

CHAIR LEE: Mr. Molina.

COUNCILMEMBER MOLINA: Yeah, thank you, Chair. I'm not speaking to the motion, which I already did my two. And thank you for the comments, Vice-Chair. Just an FYI, Committee staff reminded me though, we have Council-initiated Charter amendments to consider as well down the road after budget. So, just a FYI. So, yes, as Member King said, our work is not quite over yet as it relates to Charter proposals. So, just wanted to throw that in. Thank you.

CHAIR LEE: Alright, anybody else? Thank you, Mr. Molina, again. You did an extraordinary job, and we really appreciate your hard work.

Member Paltin.

COUNCILMEMBER PALTIN: Good job, Member Molina. And, and I just was throwing it out there that maybe 13 is enough this year? We don't want to overload people or scare them away from voting. You know, people don't like to read. Throwing it out there, 13's good or less, for Members' consideration.

CHAIR LEE: Okay. Anybody else?

Mr. Clerk.

DEPUTY COUNTY CLERK: Chair, shall I proceed with the roll call vote on the main motion as amended?

CHAIR LEE: Yes. Yes.

DEPUTY COUNTY CLERK: Okay, to adopt Resolution 22-25, CD1.

Councilmember Shane Sinenci.

COUNCILMEMBER SINENCI: AYE.

DEPUTY COUNTY CLERK: Councilmember Mike Molina.

COUNCILMEMBER MOLINA: AYE.

DEPUTY COUNTY CLERK: Councilmember Kelly Takaya King.

COUNCILMEMBER KING: Sorry, having hard time with the button.

AYE.

DEPUTY COUNTY CLERK: Councilmember Gabe Johnson.

COUNCILMEMBER JOHNSON: AYE.

DEPUTY COUNTY CLERK: Councilmember Tamara Paltin.

COUNCILMEMBER PALTIN: AYE.

DEPUTY COUNTY CLERK: Councilmember Yuki Lei Sugimura.

COUNCILMEMBER SUGIMURA: AYE.

DEPUTY COUNTY CLERK: Presiding Officer Pro Tempore Tasha Kama.

COUNCILMEMBER KAMA: YES.

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

VICE-CHAIR RAWLINS-FERNANDEZ: AYE.

DEPUTY COUNTY CLERK: And Council Chair Alice L. Lee.

CHAIR LEE: AYE.

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

NOES: NONE.

DEPUTY COUNTY CLERK: Chair, there are nine "ayes", no "noes"; motion carries.

COUNCILMEMBER MOLINA: Mahalo, Members.

CHAIR LEE: Congratulations.

Mr. Clerk, proceed.

COMMITTEE REPORT

NO. 22-27 - PLANNING AND SUSTAINABLE LAND USE COMMITTEE:

Recommending that Bill 13, CD1 (2022), entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 19.40.080, MAUI COUNTY CODE, TO AMEND CONDITIONS, AMENDMENTS, AND MODIFICATIONS OF CONDITIONAL PERMITS," be PASSED ON FIRST READING and be ORDERED TO PRINT.

CHAIR LEE: Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN
COMMITTEE REPORT 22-27.

COUNCILMEMBER SINENCI:

SECOND.

CHAIR LEE: Moved by Member Paltin, second by Member Sinenci, to approve the recommendations in Committee Report 22-27.

Member Paltin, discussion?

COUNCILMEMBER PALTIN: Your Planning and Sustainable Land Use Committee met February 3, 2022, and February 24, 2022, and discussed Bill 13 (2022), to amend the conditions, amendments, modifications of conditional permits for the island of Molokai.

Bill 13's purpose is to amend Section 19.40.080, Maui County Code, to revoke the Planning Director's authority to approve nonsubstantive amendments to conditional permits for Molokai.

Resolution 21-92, adopted by the Council on June 4, 2021, referred to the Lanai, Maui, and Molokai Planning Commissions a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE RELATING TO CONDITIONAL PERMIT AMENDMENTS".

The Department of Planning recommended amending the bill to exclude Molokai, consistent with the support of the Molokai Planning Commission.

Council sought the Planning Commission's comments and recommendations to propose bill referred by Resolution 21-92, but instead received Bill 13.

Your Committee discussed Bill 13, CD1 that applies a countywide approach to the Planning Director's nonapproval of nonsubstantive amendments to conditional permits.

Your Committee further amended the bill to instead authorize the respective planning commission review of proposed nonsubstantive amendments for approval or disapproval.

Your Committee expressed support for Bill 13, CD1, and voted 8-1 to recommend passage of the proposed bill on first reading. I respectfully ask for the Members support of my motion.

CHAIR LEE: More discussion? Any more discussion?

Member Sugimura?

COUNCILMEMBER SUGIMURA: So, this is the vote that I'm the one that opposed it. And so, during discussion, if I remember from the beginning and where we ended up with, is that it was Molokai who wanted to have a, the Molokai Planning Commission wanted to review this before it got approved. And by the end, it turned out to be all the commissions, Molokai, and Maui, and Lāna'i now have that same. And Molokai and Lanai, I mean, sorry, Maui and Lanai initially said no, they didn't want. But then, we added all three. So, now all of them want. So, that's why I, I voted no, and I'm going to stand by my vote. Thank you.

CHAIR LEE: Member Paltin.

COUNCILMEMBER PALTIN: Oh, just wanted to clarify that what we ended up with was something different than with what we started out with. So, it wasn't that we accepted what Molokai wanted. Just clarifying that. We talked it out, and then, we didn't do what the original resolution said, and we didn't do what came back from Molokai. So, we discussed it and came up with, like, I guess a happy medium.

CHAIR LEE: Member Sugimura.

COUNCILMEMBER SUGIMURA: So, last and final. I apologize if I sounded like that. I, I'm just justifying, you know, my recollection of why I voted that way. And I remain, I stand by my vote. I'm going to vote no again for that reason. Thank you.

CHAIR LEE: Okay. Anybody else?

Member King.

COUNCILMEMBER KING: Thank you, Chair. I supported this in Committee, and I support it now. And, you know, for the, the other communities who wanted the same advantage, I think that now putting it the way we amended it, and then we included the other planning commissions, takes away that idea that we were discussing earlier of discrimination, by not giving the other planning commissions the same advantage to have a voice in these exceptions. So, I'm in support of where we're at with this bill right now.

CHAIR LEE: Anyone else?

Mr. Clerk.

DEPUTY COUNTY CLERK: Chair, proceeding with a roll call vote.

Councilmember Shane Sinenci.

COUNCILMEMBER SINENCI:

AYE.

DEPUTY COUNTY CLERK:

Councilmember Mike Molina.

COUNCILMEMBER MOLINA:

AYE.

DEPUTY COUNTY CLERK: Councilmember Kelly Takaya King.

COUNCILMEMBER KING: AYE.

DEPUTY COUNTY CLERK: Councilmember Gabe Johnson.

COUNCILMEMBER JOHNSON: AYE.

DEPUTY COUNTY CLERK: Councilmember Tamara Paltin.

Apologies, was that an "aye"?

COUNCILMEMBER PALTIN: AYE.

DEPUTY COUNTY CLERK: Councilmember Yuki Lei Sugimura.

COUNCILMEMBER SUGIMURA: NO.

DEPUTY COUNTY CLERK: Presiding Officer Pro Tempore Tasha Kama.

COUNCILMEMBER KAMA: YES.

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

VICE-CHAIR RAWLINS-FERNANDEZ: AYE.

DEPUTY COUNTY CLERK: And Council Chair Alice L. Lee.

CHAIR LEE: AYE.

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

NOES: COUNCILMEMBER SUGIMURA.

DEPUTY COUNTY CLERK: Chair, there are eight "ayes", one "no"; motion carries.

CHAIR LEE: Next.

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

RESOLUTIONS

RESOLUTION
NO. 22-75

AUTHORIZING EMPLOYMENT AND ADDITIONAL COMPENSATION
RELATED TO THE SPECIAL COUNSEL
KATTEN MUCHIN ROSENMAN LLP, AS THE COUNTY OF MAUI'S
BOND AND DISCLOSURE COUNSEL FOR THE NEXT GENERAL
OBLIGATION BOND ISSUANCE, OTHER BONDS, AND OTHER LEGAL
SERVICES

The recommended action is that Resolution No. 22-75 be referred to the Budget, Finance, and Economic Development Committee.

(RESOLUTION NO. 22-75 WAS ADOPTED LATER IN THE
MEETING. See pages 154 through 158 for discussion and
action.)

RESOLUTION
NO. 22-80

ADOPTING THE FUEL TAX RATES
FOR THE COUNTY OF MAUI,
EFFECTIVE JULY 1, 2022

The recommended action is that Resolution No. 22-80 be referred to the Budget, Finance, and Economic Development Committee.

RESOLUTION
NO. 22-81

ADOPTING THE WEIGHT TAX RATES
FOR THE COUNTY OF MAUI,
EFFECTIVE JULY 1, 2022

The recommended action is that Resolution No. 22-81 be referred to the Budget, Finance, and Economic Development Committee.

RESOLUTION
NO. 22-82

ADOPTING THE REAL PROPERTY TAX RATES
FOR THE COUNTY OF MAUI,
EFFECTIVE JULY 1, 2022

The recommended action is that Resolution No. 22-82 be referred to the Budget, Finance, and Economic Development Committee.

RESOLUTION
NO. 22-84

AUTHORIZING THE DISPOSITION OF REAL PROPERTY TO HOUSING
AND LAND ENTERPRISE OF MAUI, DBA NA HALE O MAUI AND FOR
WAIVER OF OUTSTANDING REAL PROPERTY TAXES

The recommended action is that Resolution No. 22-84 be referred to the Budget, Finance, and Economic Development Committee.

RESOLUTION
NO. 22-85

AUTHORIZING THE DISPOSITION OF REAL PROPERTY TO THE MAUI
HEALTH FOUNDATION AND FOR WAIVER OF OUTSTANDING REAL
PROPERTY TAXES

The recommended action is that Resolution No. 22-85 be referred to the Budget, Finance, and Economic Development Committee.

RESOLUTION
NO. 22-76

RELATING TO THE APPOINTMENT OF MARCY MIKI SASADA-PAIVA TO
THE REAL PROPERTY TAX REVIEW BOARD

The recommended action is that Resolution No. 22-76 be referred to the Government Relations, Ethics, and Transparency Committee.

RESOLUTION
NO. 22-78

AUTHORIZING SETTLEMENT OF LYNCH, DONNA V. KA HALE A KE OLA
HOMELESS RESOURCE CENTERS, INC.; ET AL., CASE 09-21-5673-8

The recommended action is that Resolution No. 22-78 be referred to the Government Relations, Ethics, and Transparency Committee.

RESOLUTION
NO. 22-77

URGING THE ADMINISTRATION TO DEVELOP A
ZERO WASTE MASTER PLAN FOR THE
COUNTY OF MAUI

The recommended action is that Resolution No. 22-77 be referred to the Infrastructure and Transportation Committee.

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

DISCUSSION AND ACTION RELATING TO
RESOLUTION NO. 22-75

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Consideration on B, oh sorry, Resolution 22-75, authorizing employment and additional compensation related to special counsel.

CHAIR LEE: Okay. Second?

COUNCILMEMBER SINENCI: Second.

CHAIR LEE: So, are you going to make a motion on that? You're going to make a motion on that?

VICE-CHAIR RAWLINS-FERNANDEZ: Yes, mahalo, Chair. I, I'm, well, I, we have to do the waiver first.

I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE
REFERRAL AND REPORT FOR RESOLUTION 22-75, IN
ACCORDANCE WITH RULE 7.G. OF THE RULES OF THE
COUNCIL.

CHAIR LEE: Okay, moved by--

COUNCILMEMBER SINENCI:

SECOND.

COUNCILMEMBER SUGIMURA: Second.

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

Any discussion on that? No discussion. All those in fa--

Member Paltin.

COUNCILMEMBER PALTIN: I just was wondering the urgency?

CHAIR LEE: Urgency? Vice-Chair?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. So, this is cause it needs to be taken up before budget. And I was planning to have one meeting to take on some of the things that needs to be taken up before budget session starts and, and that's it, so, yeah.

CHAIR LEE: Okay. Is, is that okay with, that answer, that, does that answer your question, Member Paltin?

COUNCILMEMBER PALTIN: Yeah. It needs to be taken up before budget.

CHAIR LEE: Yeah. Anyone else with questions or discussion? Okay, we're on the waiver vote, right? Is anybody going to vote no? All those in favor of the motion, say "aye", raise your hand.

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

NOES: NONE.

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

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. And mahalo, Members. And, you know, okay.

I MOVE TO ADOPT RESOLUTION 22-75.

CHAIR LEE: Second?

COUNCILMEMBER SUGIMURA:

SECOND.

COUNCILMEMBER MOLINA: Second.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member Sugimura, to adopt Resolution 22-75.

Discussion, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Members, this resolution would extend Contract C7395 with Katten Muchin Rosenman LLP, for an additional one-year term. It would also authorize their employment as special counsel for bond and disclosure counsel services for the County's next general obligation bond issuance, and to provide other legal services for other bond, and an amount not to, for other bonds, for an amount not to exceed \$75,000.

We have Finance Director Teruya and Budget Director Yoshimura on the line if Members have questions. Mahalo, Chair.

CHAIR LEE: Questions, Members, to either the depart--

Member King, and Member Paltin, and Member Kama.

COUNCILMEMBER KING: Thank you, Chair. I guess this question is for the Budget Director. Just, can you just maybe give us a real quick briefing on how you'd select this, this consultant? I mean, is it a new consultant or is it one we always use?

CHAIR LEE: Member, I mean Michele Yoshimura. Director.

BUDGET DIRECTOR MICHELE YOSHIMURA: Councilmember King, as indicated, we did do a RFP, a request for proposals. And from there, Katten was selected. The proposal was done back in February of 2021. So, this is requesting an extension to the contract.

COUNCILMEMBER KING: Okay, so we haven't put out a new RFP since, since 2021, or?

BUDGET DIRECTOR: No. We did the initial back in 2021. Mr. Katten has served us, Mr. Scully, Craig Scully, has served us very well. He has made himself available at all hours, whenever we had a question, or Council had a question. And so, we feel very pleased with his services, and would like to continue for the next year. Thank you.

COUNCILMEMBER KING: Okay. Thank you. Thank you for that. Thank you, Chair.

CHAIR LEE: Alright, I think, I think, Member Paltin, then Member Kama.

COUNCILMEMBER PALTIN: . . . my question. Mr. Scully was that guy when we had the affordable housing one, and it was nighttime where he was, that's the guy?

BUDGET DIRECTOR: Chair, yes. Councilmember Paltin, he is based in New York, so he does have that five- or six-hour time difference. But does make himself available. Thank you.

COUNCILMEMBER PALTIN: Okay. Yeah, I support him. He was nice and knowledgeable and, you know, entertained our questions. So, I think that's a good choice.

CHAIR LEE: Member Kama.

COUNCILMEMBER KAMA: Thank you, Chair. So, we're extending the contract. So, so I'm looking at . . . that the transmittal says May 26, 2021, we executed a contract. And then, it's supposed to be for a whole year. And the RFP was dated February 19, 2021. So, so has his contract, has his contract expired, or are we trying to just have a continuation? So, before it expires, we go ahead and approve the extension?

BUDGET DIRECTOR: Thank you, Chair. We want to extend his contract before it expires.

COUNCILMEMBER KAMA: Okay.

BUDGET DIRECTOR: And that's why we're asking for it to be renewed at this point. Thank you.

COUNCILMEMBER KAMA: Okay. Okay, I got it. Thank you, Chair. Thank you, Ms. Yoshimura.

CHAIR LEE: Okay, any other questions for Coach Teruya at the baseball field? No. Okay. No more questions.

Mr. Clerk, where are you? Ready?

DEPUTY COUNTY CLERK: Chair, did you, did you want me to do a roll call vote for this one?

CHAIR LEE: Yes. Yes.

VICE-CHAIR RAWLINS-FERNANDEZ: Voice vote, right?

CHAIR LEE: Do you think, you think it's a--

VICE-CHAIR RAWLINS-FERNANDEZ: No opposition.

CHAIR LEE: Okay. No opposition. All those in favor of the motion, raise your hand and say "aye".

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

NOES: NONE.

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

Next. Did you want consideration of anything else? No?

VICE-CHAIR RAWLINS-FERNANDEZ: No, Chair.

CHAIR LEE: Alright, Mr. Clerk.

DEPUTY COUNTY CLERK: Chair, just wanted confirmation that there's no objections to the referrals as read by the Clerk.

CHAIR LEE: Any objections to the referrals as read by the Clerk?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: So, ordered.

COUNCILMEMBER KAMA: Can I ask, can I ask a question, Chair?

CHAIR LEE: Okay, but we're not finished though, right? You're only talking about the, the BFED items, yeah?

COUNCILMEMBER KAMA: Yes. Yes.

DEPUTY COUNTY CLERK: Oh, Chair, that was for all of the referrals. The only resolution that I have not called out yet is Resolution 22-83.

CHAIR LEE: Okay.

DEPUTY COUNTY CLERK: All other resolutions were read out in the referrals.

CHAIR LEE: Okay.

COUNCILMEMBER KAMA: Oh, okay. Okay. Go ahead. Keep on. I was looking at something.

CHAIR LEE: Was that your question, Member Kama?

COUNCILMEMBER KAMA: No, no, no. I was going to ask Chair something but, I mean, Vice-Chair something, but I can ask her after.

CHAIR LEE: Alright.

COUNCILMEMBER KAMA: Thank you.

CHAIR LEE: Proceed then, Mr. Krueger.

DEPUTY COUNTY CLERK: Yes, Chair.

RESOLUTION
NO. 22-83

APPROVING THE APPOINTMENT OF
CLAYTON CARVALHO, JR. TO THE
ENVIRONMENTAL SEAT ON THE HANA
ADVISORY COMMITTEE TO THE MAUI
PLANNING COMMISSION

CHAIR LEE: Member Sinenci.

COUNCILMEMBER SINENCI: Mahalo, Chair.

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

COUNCILMEMBER MOLINA:

SECOND.

CHAIR LEE: Moved by Member Sinenci, second by Member Molina, to waive the Rules of the Council 7.G.

Discussion, Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. Given that the term for this seat begins on April 1, 2022, I'm proposing that we consider this resolution today. Approval of my motion by a two-thirds vote of the entire membership of the Council will allow us to do so.

CHAIR LEE: Anymore discussion? If not, all those in favor of the motion, please raise your hand and say "aye". To waive the Rule of the Council.

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

NOES: NONE.

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

Mr. Sinenci.

COUNCILMEMBER SINENCI: Mahalo, Chair.

MOVE TO ADOPT RESOLUTION 22-83.

COUNCILMEMBER MOLINA:

SECOND.

CHAIR LEE: Moved by Member Sinenci, seconded by Member Molina, to adopt the Resolution 22-83.

Discussion. Member Sinenci.

COUNCILMEMBER SINENCI: Mahalo, Member Molina. Your GREAT Committee met on March 2, 2022, to discuss this matter. In Section 2.28.050 of the Maui County Code requires five members and up to two alternates of each advisory committee to the Maui Planning Commission to, to be appointed by the Council by resolution. A person appointed to any advisory committee must be a resident of the relevant community plan area.

Section 2.28.070 further requires that at least one member of the Hana Advisory Committee to have experience or expertise in environmental matters, such as conservation, natural resources, or climate change.

Mr. Carvalho is a long time Hana resident who previously served on the Hana Advisory Committee in 2012-2017. He was previously employed by Hana Ranch and Hana Water Systems, LLC, where he gained experience in livestock, vegetation management, farming operations, water resource management.

Mr. Carvalho also volunteers with organizations such as the Hana Community Association, the Hawaii Farmers Union United (Hana Chapter), the Hana Youth Center, and coaches basketball at Hana High School. Members, because of his experience and his willingness to serve his community of Hana, I respectfully ask for the Members support in adopting this resolution today.

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

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

NOES: NONE.

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

COUNCILMEMBER SINENCI: Thank you, Members.

CHAIR LEE: Mr. Clerk.

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

BILLS

ORDINANCE NO. _____
BILL NO. 60 (2022)

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

The recommended action is that Bill No. 60 (2022) be referred to the Budget, Finance, and Economic Development Committee.

(BILL NO. 60 (2022) WAS PASSED ON FIRST READING
LATER IN THE MEETING. See pages 163 through 168 for
discussion and action.)

ORDINANCE NO. _____
BILL NO. 62 (2022)

A BILL FOR AN ORDINANCE RELATING TO A SHORT-TERM RENTAL REAL
PROPERTY TAX EXEMPTION FOR COUNTY RESIDENTS

The recommended action is that Bill No. 62 (2022) be referred to the Budget, Finance, and Economic Development Committee.

ORDINANCE NO. _____
BILL NO. 64 (2022)

A BILL FOR AN ORDINANCE AMENDING
THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO ESTIMATED REVENUES;
DEPARTMENT OF FINANCE,
COUNTYWIDE COSTS,
BOND ISSUANCE AND DEBT SERVICE;
TOTAL OPERATING APPROPRIATIONS;
TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)

The recommended action is that Bill No. 64 (2022) be referred to the Budget, Finance, and Economic Development Committee.

(BILL NO. 64 (2022) WAS PASSED ON FIRST READING
LATER IN THE MEETING. See pages 168 through 170 for
discussion and action.)

ORDINANCE NO. _____
BILL NO. 63 (2022)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.12,
MAUI COUNTY CODE, RELATING TO COUNTY DEPARTMENTS

The recommended action is that Bill No. 63 (2022) be referred to the Government Relations, Ethics, and Transparency Committee.

CHAIR LEE: Any objections to the referrals as read by the Clerk?

Vice-Chair Rawlins-Fernandez?

DISCUSSION AND ACTION RELATING TO
BILL NO. 60 (2022)

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I move to, oh sorry. Consideration of Bill 60, a bill for an ordinance amending the Fiscal Year 2022 Budget regarding Special License Plates fees.

I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT FOR BILL 60 (2022) IN ACCORDANCE WITH RULE 7.G. OF THE RULES OF THE COUNCIL.

CHAIR LEE: Second?

COUNCILMEMBER SINENCI:

SECOND.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member Sinenci, to waive the Rules of the Council with regard to Bill 60.

Discussion, Vice-Chair?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. So, this came down, or came from the State Legislature to amend the fee for Special License Plates. So, not like the Hokulea License Plate, but this is like the, you know, the custom plates. Anyway, so, it's a fee that came from, via State Statute and we can't amend it. Mahalo, Chair.

CHAIR LEE: Okay. Anybody else? This is on the waiver. All those in favor of the motion, raise your hand and say "aye".

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

NOES: NONE.

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

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO PASS BILL 60 (2022) ON FIRST READING.

CHAIR LEE: Second?

COUNCILMEMBER SINENCI:

SECOND.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member Sinenci, to pass Bill 60 on first reading.

Discussion? Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Members, this bill would amend the Fiscal Year 2022 Budget, Appendix B, Revenues – Fees, Rates, Assessments and Taxes for the Department of Finance, by increasing the rate for Special License Plates from \$25 to \$60.

Section 249-9, Hawaii Revised Statutes, set the fees for special number plates at \$60 for both initial obligation and renewal of the vehicle registration.

Representatives from the Administration are available to answer any of the questions Members may have. Mahalo, Chair.

CHAIR LEE: Any more discussion, questions, Members?

Member Paltin.

COUNCILMEMBER PALTIN: So, for renewals, it'll be \$60 instead of \$25?

VICE-CHAIR RAWLINS-FERNANDEZ: Yes. Chair?

CHAIR LEE: Vice-Chair.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Yeah. So, it says for both the initial application and the renewal of the vehicle registration.

COUNCILMEMBER PALTIN: These are ones, like I just was driving behind a guy today and it had just the number "1". So, those types of ones? Not like the "NP" or the? Okay, got it. Thank you.

CHAIR LEE: Member King.

COUNCILMEMBER KING: Thank you, Chair. Interesting that it's \$60 and the bill is 60. But, no, I just wanted to ask you about, this is, when we see special plates, you have,

referring to the, like the one that just came out for the Polynesian Voyaging Society? Okay. Cause my, we just got two of them, which by the way, they're beautiful. People should get one if you don't have one. But those are 20. So I just wanted to make sure that was, it didn't affect those. Okay. We're just talking about the Special License Plates people get, what we call vanity plates when they get a word or something. Okay. Thank you.

VICE-CHAIR RAWLINS-FERNANDEZ: Yeah. If they want to put their name on it or something.

COUNCILMEMBER KING: Okay. Just to clarify to the public. That doesn't apply to the, the license plate for the volcano license or the PVS one.

CHAIR LEE: How did you get your two license plates?

COUNCILMEMBER KING: You have to make an appointment at the DMV.

CHAIR LEE: Wow.

COUNCILMEMBER KING: That's the only way you can get it. And then, it's really quick, because you have an appointment, so you don't have to wait in line. You just go in and get it. They're really nice.

CHAIR LEE: I know. I want one.

Okay, Member Kama.

COUNCILMEMBER KAMA: Thank you, Chair. So, I guess this one would be a question for Finance. So, so these, these, the license plate, the increase in the cost of the license plates is for people like us, I mean, residents, right? So, do those that drive around with plates like Electric Company, or some company that has 10 or 12 cars, or trucks, or whatever is, are their license plates going to be increased, too?

CHAIR LEE: Who are you asking?

COUNCILMEMBER KAMA: Finance.

CHAIR LEE: Finance? Is Finance on?

COUNCILMEMBER KAMA: DMV guys.

CHAIR LEE: Mr. Teruya, are you still on the call?

Director Yoshimura, do you want to take that?

BUDGET DIRECTOR: I'm here. Sorry, Chair. Councilmember Kama--

COUNCILMEMBER KAMA: Yes?

BUDGET DIRECTOR: --could you please repeat your question?

COUNCILMEMBER KAMA: I was wondering if, cause I haven't read the reso.

DIRECTOR OF FINANCE SCOTT TERUYA: Chair.

COUNCILMEMBER KAMA: Yes?

DIRECTOR OF FINANCE: Chair, I'm here.

COUNCILMEMBER KAMA: Oh okay.

CHAIR LEE: Did you hear the question?

COUNCILMEMBER KAMA: I was just--

DIRECTOR OF FINANCE: Yes, I heard the question.

COUNCILMEMBER KAMA: Okay, thank you.

DIRECTOR OF FINANCE: These increased fees from \$25 to \$60 only affect custom license plates.

COUNCILMEMBER KAMA: Oh, custom? Okay.

DIRECTOR OF FINANCE: So, those commercial, commercial fleets are not considered custom.

COUNCILMEMBER KAMA: Yeah. Okay. Okay. Thank you.

DIRECTOR OF FINANCE: Yeah. You're welcome.

CHAIR LEE: Alright. Anybody else? Ready to vote? All those in favor of the motion, please raise your hand and say "aye".

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

NOES: NONE.

CHAIR LEE: One, two, three, four, nine "ayes", zero "noes"; motion carries.

Anything else, Vice-Chair Rawlins-Fernandez?

DISCUSSION AND ACTION RELATING TO
BILL NO. 64 (2022)

VICE-CHAIR RAWLINS-FERNANDEZ: Yes, mahalo, Chair. Consideration on Bill 64, a bill for an ordinance amending the Fiscal Year 2022 Budget for the County of Maui as it pertains to estimated revenues, bond issuance, operating and total, operating and capital improvement projects.

I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE
REFERRAL AND REPORT FOR BILL 64 (2022) IN
ACCORDANCE WITH RULE 7.G. OF THE RULES OF THE
COUNCIL.

CHAIR LEE: Second?

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: Okay, moved by Vice-Chair Rawlins-Fernandez, seconded by Member Sugimura, to waive the Rules of the Council regarding Bill 64.

Discussion, Vice-Chair?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. This is another bill that needs to be taken up before budget session.

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

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

NOES: NONE.

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

Vice-Chair.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO PASS BILL 64 (2022) ON FIRST READING.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member Kama, to pass Bill 64 on first reading.

Any discussion, Vice-Chair?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Members, this bill would amend the Fiscal Year 2022 Budget by increasing the estimated revenues for Transient Accommodation Tax by \$3,100,000 and appropriating the funds to Countywide Costs, Bond Issuance and Debt Service.

These funds would be used for the principal payment for debt service related to the most recent bond issuance in August 2021, which is due on June 30, 2022.

We, again, we have Budget Director Yoshimura and Finance Director Teruya on the line if Members have questions. Mahalo, Chair.

CHAIR LEE: Yes, vice, I mean, not Vice-Chair, but Member Paltin. And Director Yoshimura, are you on the line? Your question for her, right?

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Ms. Yoshimura. I just wanted to clarify. This is for what we've collected from when we started TAT until the end of this fiscal year. It's not for, we're doing the budget for Fiscal Year '23? We're in Fiscal Year '22 right now, and it's appropriating the money from this fiscal year, and we haven't appropriated anything for the fiscal year that we're going into, that's 23?

BUDGET DIRECTOR: Councilmember Paltin, yes, you are correct.

COUNCILMEMBER PALTIN: Okay, thank you. I just wanted to . . .

CHAIR LEE: I have a question. Director, if you're using the TAT funds for this bond payment, what, what were you planning to use previously? I mean, you know, the TAT funds are, are a recent revenue source.

BUDGET DIRECTOR: Yes. Chair, I would have had to look to see if I could cancel any cash CIP projects or defer any type of other payments that we would have had to make. The error was in the calculation, and mistakenly assumed that it was going to be a July 1 payment versus a June 30 payment, and therefore, puts it in a different fiscal year.

CHAIR LEE: I see. Yeah, so this was a kind of an unexpected payment then?

BUDGET DIRECTOR: Yes. With the bond float that we did in August 2021.

CHAIR LEE: Okay. Alright. Anybody else? Everybody ready for the vote? Ready? All those in favor of the motion, raise your hand and say "aye".

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

NOES: NONE.

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

Okay, you got your three million.

BUDGET DIRECTOR: Thank you. Thank you, Members.

CHAIR LEE: Have fun shopping.

Alright, Mr. Clerk.

DEPUTY COUNTY CLERK: Chair, before proceeding, we just want to confirm with the body that there are no objections to the other two referrals as read by the Clerk.

CHAIR LEE: Are there any objections to the other two referrals?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: Okay.

DEPUTY COUNTY CLERK: Okay.

CHAIR LEE: No objections. So, ordered.

DEPUTY COUNTY CLERK: Chair, proceeding with bills for second and final reading.

BILLS – SECOND AND FINAL READING

ORDINANCE NO. _____
BILL NO. 147, FD1 (2021)

A BILL FOR AN ORDINANCE AMENDING SECTION 19.06.020, MAUI COUNTY
CODE, ADOPTING DIGITAL ZONING MAP (3) AS THE OFFICIAL ZONING MAP
FOR THE ISLAND OF MAUI

CHAIR LEE: Member Paltin.

COUNCILMEMBER PALTIN:

I MOVE TO PASS BILL 147, FD1 (2021) ON SECOND AND
FINAL READING.

COUNCILMEMBER KAMA:

SECOND.

COUNCILMEMBER KING: Second.

CHAIR LEE: 2022, right? Alright. Second and final reading. What?

COUNCILMEMBER PALTIN: 2021, because there were some anomalies.

CHAIR LEE: Okay. I have a 2022 here. So, 2021, you said. Okay.

COUNCILMEMBER PALTIN: Your Planning--

CHAIR LEE: Wait, wait. It's been moved by Member Paltin, seconded by Member Kama, to pass Bill 147, FD1 (2021) on second and final reading.

Discussion, Member Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. Your Planning and Sustainable Land Use Committee met on October 21, 2021, to discuss a bill entitled, "A BILL FOR AN ORDINANCE AMENDING SECTION 19.06.020, MAUI COUNTY CODE, ADOPTING DIGITAL ZONING MAP (3) AS THE OFFICIAL ZONING MAP FOR THE ISLAND OF MAUI".

The purpose of the bill is to adopt digital zoning map (3) as the official zoning map for the island of Maui. Map (3) includes two corrections to map (2) which was adopted by the Council. And one of them was made by the Council, as well.

Your Committee further notes the Maui Planning Commission reviewed the proposed bill at its meeting on August 10, 2021, and voted unanimously to support the bill with the following revisions: zoning for a portion of the Paia Courtyard project, established through Ordinance 5111 (2020), which was inadvertently zoned "Public/Quasi-Public". Not one or two, just that. Zoning for a 19.99-acre parcel in Hana, tax map key (2) 1-4-011:016, from Agriculture to Interim.

Your Committee added two conditions regarding a portion of the Paia Courtyard project, such that: The zoning condition in Ordinance 5111 will remain in full effect, unless repealed by a separate zoning ordinance; and a new unilateral agreement be executed to correct the zoning for a portion of the Paia Courtyard project from "Public/Quasi-Public" to "P-1 Public/Quasi-Public".

Your Committee voted 9-0 to recommend passage of the bill on first reading, recordation of the unilateral agreement, and filing of the communication. Bill 147 (2021) passed first reading at the November 19, 2021, Council meeting. Following the meeting, the State Bureau of Conveyances returned the First Amendment to the Unilateral Agreement and Declaration for Conditional Zoning dated

July 31, 2020, stating the document needed to cite the, to the original Unilateral Agreement number.

The First Amendment to Unilateral Agreement was amended and resubmitted. Bill 147, FD1 (2021) was passed on first reading by Council on February 18, 2022, by 8-0 vote, one excused. State Bureau of Conveyances has confirmed recordation of the First Amendment to the Unilateral Agreement, and so I respectfully ask for the Members support of my motions.

CHAIR LEE: Any discussion? Ready to vote? Everybody ready to vote "aye"? All those in favor of the motion, please raise your hand and say "aye".

Member King?

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

NOES: NONE.

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

Alright.

DEPUTY COUNTY CLERK: Chair, you have--

CHAIR LEE: Mr. Clerk.

ORDINANCE NO. _____
BILL NO. 51 (2022)

A BILL FOR AN ORDINANCE AMENDING
THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS,
DEPARTMENT OF PUBLIC WORKS
(COUNTYWIDE DRAINLINE REPLACEMENT PROGRAM,
COUNTYWIDE ROAD RESURFACING AND PAVEMENT PRESERVATION
(OKOLANI CULVERT REPAIRS))

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO PASS BILL 51 ON, (2022), ON SECOND AND
FINAL READING.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member Kama, to pass Bill 51 on second and final reading.

Discussion? Vice-Chair.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Members, Bill 51 (2022) amends Fiscal Year 2022 Budget, Appendix C for the Department of Public Works, including Okolani Culvert Repairs for the Countywide drain, Drainline Replacement Program and Countywide Road Resurfacing and Pavement Preservation. I ask for the Members continued support. Mahalo, Chair.

CHAIR LEE: Anymore discussion?

Member King.

COUNCILMEMBER KING: Thank you, Chair. Yeah, I think this is the one that we heard from a testifier about potential damage from this drainage route to cultural sites. And I just wanted to check and see, because I don't remember, I may not have been at the meeting when this came up the first time, I just wanted to ask Member Rawlins-Fernandez if any concerns were brought up in the previous, or first reading or the Committee? Just it's a little bit concerning to me that we're just hearing about this now where there might be potential, if do we have DPW on? Can we ask them?

CHAIR LEE: Well, the closest to DPW is Director Michele Yoshimura.

COUNCILMEMBER KING: Okay. Hi Michele, can, can you speak to that? I mean, I, I don't know what the solution would be at this point. I mean, I know we need, we need repairs because we have all these post-storm damage issues. But does, it is concerning that there may be cultural sites that maybe experience some damage from this drainage route.

BUDGET DIRECTOR: I'm, I'm not familiar with it. I could get an answer for you from Public Works.

COUNCILMEMBER KING: Can we get a, can we just, can we make an inquiry to see if they have any knowledge of, or are seeking any knowledge of any cultural sites that may be damaged from this, this drainage route?

BUDGET DIRECTOR: Okay. I will, I will try to get them on the, on the call.

COUNCILMEMBER KING: That would be great. Thank you.

CHAIR LEE: Alright, let's table this for now and go skip over this one. Did you want to take up another one, Vice-Chair?

VICE-CHAIR RAWLINS-FERNANDEZ: Chair.

CHAIR LEE: Yes, Vice-Chair?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I, I can withdraw my motion, or, or table it, whichever you'd prefer, so that we can take up the other two. Member King's going to make the motion on the next two bills, while we wait for a response, if we're able to get one.

CHAIR LEE: Yeah, we'll just table it. We'll just table it.

Okay, so Mr. Clerk.

VICE-CHAIR RAWLINS-FERNANDEZ: Cause, yeah, I didn't hear anything. Any, what Member King was talking about.

CHAIR LEE: Oh, you didn't?

COUNCILMEMBER KING: Oh, you didn't hear the, the testimony today, earlier?

VICE-CHAIR RAWLINS-FERNANDEZ: Was that Ms. de Naie?

COUNCILMEMBER KING: Yeah.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. I didn't know she was talking about this one.

COUNCILMEMBER KING: Yeah, this is the one she was talking about.

CHAIR LEE: Okay, let's move on.

Mr. Clerk.

(See pages 178 through 179 for discussion and action.)

ORDINANCE NO. _____
BILL NO. 57 (2022)

A BILL FOR AN ORDINANCE AMENDING
THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO OFFICE OF THE MAYOR,
ECONOMIC DEVELOPMENT PROGRAM, SOUTH MAUI ECONOMIC DEVELOPMENT,
ENVIRONMENTAL, AND CULTURAL PROGRAMS

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

COUNCILMEMBER KING: I think that's me.

CHAIR LEE: Okay. You're going to make the motion on this?

COUNCILMEMBER KING: Yes, but I . . . can we also ask, can I also request the Clerk call up Bill 58 with no objections?

CHAIR LEE: Any objections to calling up Bill 58 as well?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: Alright, so ordered.

Mr. Clerk.

ORDINANCE NO. _____
BILL NO. 58 (2022)

A BILL FOR AN ORDINANCE AMENDING
THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO APPENDIX D – CONDITIONAL LANGUAGE,
OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM,
SOUTH MAUI ECONOMIC DEVELOPMENT, ENVIRONMENTAL, AND CULTURAL
PROGRAMS

CHAIR LEE: Member King.

COUNCILMEMBER KING: Thank you, Chair.

I MOVE TO PASS BILLS 57 AND 58 (2022) ON SECOND AND
FINAL READING.

COUNCILMEMBER SINENCI:

SECOND.

VICE-CHAIR RAWLINS-FERNANDEZ: Second.

CHAIR LEE: Moved by Member King, second by Member Sinenci, to pass Bills 58 and, 57
and 58 on second and final reading.

Discussion, Member King.

COUNCILMEMBER KING: Thank you, Chair. Both Bills 57 and 58 include budget
amendments for the South Maui District Funds. These measures will free up Fiscal
Year 2022 funds to allow grant application, applicants to receive approvals so they can
begin their work prior to the start of Fiscal Year 2023.

At, at the March 4, 2022, Council meeting, Members unanimously voted to waive the
requirement of Committee referral and report and pass both bills on first reading.

And the first bill reduces the Fourth Friday amount from 20,000 to 10,000, because
they apparently are still trying to get this event going for the rest of the year, but there's
not that much of the rest of the year left, so they won't need the full 20,000.

The second bill, as you heard from Mr. Moran, is the \$10,000 for the green bike paths.
And there was, they were just having a lot of difficulty trying to get that going. So, DPW
agreed to take that project over and do it themselves if we just put that 10,000 into
DPW. So, I respectfully ask for the Council's support in passing these bills today.
Thank you, Chair.

CHAIR LEE: Okay, any more discussion? If not, all those in favor of the motion, say "aye",
this is to pass Bills 57 and 58 on second and final reading. "Aye", raise your hand, so
I can see.

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

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

NOES: NONE.

CHAIR LEE: One, two, three, four, five, six, seven, nine "ayes", zero "noes"; motion carries.

COUNCILMEMBER KING: Thank you, Members.

CHAIR LEE: Okay. Now, we'll return to Bill 51. Director Yoshimura, do you have an answer for us?

DISCUSSION AND ACTION RELATING TO
BILL NO. 51 (2022)

BUDGET DIRECTOR: Thank you, Chair. Per Acting Director Molina, he did say that they're, they're not in the cultural, in the culvert area. So, I'm waiting for him to respond to another question that I had, sorry. But it sounds like they're aware, and it's not in the area where the repairs are needed.

CHAIR LEE: Okay. Is that satisfactory, Member King?

COUNCILMEMBER KING: Thank you for making that inquiry, Director. I, I do think that, just to make DPW aware, that I think part of the concern was not necessarily where the repairs are being made, but where the water is draining out of. So, just, you know, just want them to be aware to, you know, to look at that drainage route.

CHAIR LEE: Alright. So, are we ready to take a vote on this? Are we ready to take a vote on this?

COUNCILMEMBER KING: Yes, I can support it.

CHAIR LEE: Okay. Alright. All those in favor of passing Bill 51 on second and final reading, raise your hand and say "aye".

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

NOES: NONE.

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

Oh, we reached the end of the calendar, I think. Mr. Clerk, did we reach the end of the calendar?

DEPUTY COUNTY CLERK: Chair, there is no further business before the Council.

CHAIR LEE: Members, do you have any parting words? Nice words. Anybody getting married? No?

Member Kama.

COUNCILMEMBER KAMA: Just thank Member Molina for his opening remarks today. That I think, you know, when we consistently think about who we are and what we'd like to reflect upon, and what we as a Council are, and when we think about that throughout the day. And that really helps to lead and to guide our discussions and, you know, how far we want to really push things, or how much we want to hold back. And so, I think, you know, having those kinds of opening remarks in the morning is really helpful to us and it really carries us through the day. So, thank you, Member Molina, for that. I appreciate that.

CHAIR LEE: Member King.

COUNCILMEMBER KING: Thank you, Chair. I, I wanted to offer the Council's condolences to our friend Carol Lee Kamekona, who is a frequent testifier. And she recently lost her mother and that's why she had a difficult time testifying today. But I want to also give her kudos for coming out on some important issues and testifying despite, you know, through her grief. And just want to let her know that we're all thinking of her and sympathize and send her our deepest sympathies.

CHAIR LEE: I'm glad you mentioned that cause she did sound, you know, sad and, or upset, and didn't know why. We didn't know, I didn't know why.

Member Sugimura.

COUNCILMEMBER SUGIMURA: Yeah, thank you very much. I, I wondered also. So, yeah, extend our condolences. And I wanted to thank Chair Lee. She spoke in behalf of the Council at the State of the County Address, and she gave such a good message to, you know, open up, and brought the Council and the Administration to, you know, working together. And you want to, you know, that was a great speech that you did. And thank you very much for representing us.

CHAIR LEE: Thank you. Thank you. Yeah, my job was to introduce him, but I certainly didn't want to give him all the credit. Anything else? Anybody going to Las Vegas or something?

Oh, Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. You know, I, I, I think Councilmember Kelly King really hit the nail on the head, you know, Carol Lee Kamekona's voice. And that, that kind of made me think of how important our testifiers are. And I, you know, I know we all work here nine, you know, all around the clock there, our Council works really hard, and our staff works really hard. But I got to give a shoutout to all the testifiers who come in just like clockwork and, and, you know, they, they influence. I listen to them, you know. They, this body is open to listening to our, our constituents. And they, they are a integral part of this process in shaping, shaping the laws that we make. So, I just want to thank everybody who comes in testifying either first time or 100th time. You guys are doing a great job. Please keep it up. Thank you, Chair.

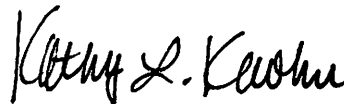
CHAIR LEE: Well said. Anyone else? Okay. So, it seems like we're at the end of the calendar and end of the remarks for today. So, whatever time it, what time is it, folks? I never have the right time, so I have to ask.

VICE-CHAIR RAWLINS-FERNANDEZ: 42. 4:43. Just turned to 3.

CHAIR LEE: 4:43. This meeting of March 18, 2022, is now adjourned.

ADJOURNMENT

The regular meeting of March 18, 2022, was adjourned by the Chair at 4:43 p.m.



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

RECEIVED

To: Alice Lee, Chairperson, and Council Members

2022 MAR 18 AM 7:46

From: Tamar Goodfellow

OFFICE OF THE
COUNTY CLERK

Re: Resolution 22-84, Authorizing the disposition of real property for housing and land enterprise of Maui, dba Na Hale O maui and for waiver of outstanding real property taxes

Dear Chair Lee and Council Members,

I am writing to ask your support of Resolution 22-84, which would provide 19 lots in the Fairways in Maui Lani to Na Hale O Maui (NHOM) for desperately needed affordable work force housing.

Na Hale O Maui has a proven and impressive track record of getting homes built and getting families into them. NHOM builds a long term relationship with all of their home owners, helping to ensure they are not only able to purchase a home, but also able to successfully manage a mortgage and the numerous other challenges that come with first time home ownership.

It is no secret that Maui has a housing crisis. Hardest hit are our workforce: teachers, nurses, police officers, technicians, etc. Hard working individuals and families that earn too much to qualify for low income housing opportunities, but not enough to qualify for market priced homes. These people are the life blood of our island community and culture, and we are rapidly losing them to the mainland due almost exclusively to our lack of affordable workforce housing.

The lots at Maui Lani are an opportunity waiting to happen. They have been sitting empty for many years, while families desperately need homes. While I recognize that it is important to engage all stakeholders in trying to resolve the old issues that have plagued this property, it should not stand in the way of creating homes.

I strongly urge you to support Resolution 22-84.

Mahalo,

Tamar Goodfellow

County Clerk

From: Tamar Goodfellow <tamar@chotzen.com>
Sent: Wednesday, March 16, 2022 1:13 PM
To: County Clerk; Alice L. Lee; Keani N. Rawlins; Tasha A. Kama; Gabe Johnson; Kelly King; Mike J. Molina; Tamara A. Paltin; Shane M. Sinenci; Yukilei Sugimura; Melinda Sweany; Cassandra Chavez; Tamar Goodfellow
Subject: Resolution 22-85 Authorizing the disposition of real property to the Maui Health Foundation and for waiver of outstanding real property taxes

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To: Honorable Alice Lee, Chair and Members of the Maui County Council

From: Tamar Goodfellow, President, Maui Health Foundation

Re: Support for "CR 22-85, authorizing the disposition of real property to the Maui Health Foundation and for waiver of outstanding real property taxes"

Aloha Chair Lee, Vice Chair Rawlins-Fernandez and Council Members,

My name is Tamar Goodfellow. I serve as the volunteer President of the Maui Health Foundation, a 25 year old non profit organization whose sole mission is to support the highest quality of health care at Maui Memorial Medical Center, Kula Hospital and Lanai.

My devotion to our hospital and to health care on our island stems from a personal passion to save lives here on Maui. With only one acute care hospital, Maui Memorial is the place that each of us, our family members, our friends, and our visitors will go in a life threatening medical emergency. I want it to be the best.

This is why I am asking for your support for the transfer of these lots.

*

Each year our only hospital cares for more than 40,000 patients, including those on medicare, quest/medicaid, the underinsured and uninsured. No one is turned away.

*

Maui Memorial has the second busiest emergency department in the state of Hawaii, second only to Queens.

*

Quality of care directly correlates to Care Providers. Island wide, we are short hundreds of doctors, nurses, technicians and aides. This shortage of Care Providers is a

growing issue nationwide, but Maui is particularly challenged with recruiting and retaining Care Providers. Right now the hospital is short staffed in every department.

*

The single biggest barrier to recruiting and keeping Care Providers on Maui is the lack of housing at all income levels.

*

The County of Maui owns 55 lots in Maui Lani, walking distance from the hospital. The Maui Health Foundation is asking for your support to provide 16 of those lots to be held in perpetuity by the Foundation for Care Provider housing.

*

Our program will be modeled after Na Hale O Maui. The land will be held in perpetuity by the Foundation. Homes will be built by a home builder, and sold to care providers

at leasehold rates, meaning less the value of the land, and the restriction that future buyers must also be care providers. This makes the homes, first, available nearby

the hospital, and second, attainable.

*

All healthcare providers are eligible. (They do not need to be hospital employees). If applicants are below the 140 AMI, they will be directed to NHOM. If they are above

140 AMI, they will be asked to get pre-qualified for a mortgage and be part of the Foundation lottery.

* Selection criteria will be weighted by the following criteria: greatest community need (as determined by annual healthcare survey); Maui or Hawaii born

Care Provider seeking to return home; current resident Care Provider seeking to purchase their first home.

* Home buyers will own the home and improvements, but not the land. They will pay a monthly leasehold fee, determined to cover the management costs of the

program/property.

*

When a home owner sells, there will be a shared appreciation where the home owner will retain at least 50% of any equity in the home, (less the land value). The formula will be modeled after NHOM. They must sell to another qualified Care Provider.

There is a critical need for housing for Care Providers that may save your life, or that of someone you love. I am happy to try and answer any questions you might have, but before I close, I would like to share a quote from Dr. Rafael Oania, a Board Certified Anesthesiologist, born and raised on Maui.

"It is a dream of mine to be able to come home to Maui to practice medicine. After years of training in New York City, I was ready to bring my talents back to Maui. However, the harsh reality of the housing crisis in Maui has steered me away from this dream. It's sad to think that a well paid physician isn't even able to afford or find an affordable home in Maui. It is a concern that not only affects the recruitment of physicians but the prosperity of the entire working class and families who are at risk of being unable to live a reasonable life on the island that they have called home for generations."

Mahalo for considering the passage of Resolution 22-85.



A COMMUNITY LAND TRUST

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March 17, 2022

Alice Lee, Chairperson
Maui County Council
200 S. High Street
Wailuku, HI 96793

via: county.clerk@mauicounty.us

Subject: Resolution 22-85, Authorizing the Disposition of Real Property for Maui Health Foundation and for Waiver of Outstanding Real Property Taxes

Dear Chairperson Lee and Council Members:

Please authorize the disposition of 16 lots in the Fairways in Maui Lani to Maui Health Foundation (MHF) and waive any outstanding real property taxes.

Maui is at a critical juncture in Health Care. Physicians, especially in crucial specialty areas, are desperately needed to provide the highest level and quality of care for our community. Maui has a shortfall of care providers island wide and the hospital is short-staffed in every department. This has an impact on the delivery of life-saving medical care for us all.

Each one of us needs access to excellent medical care and potential emergency medical treatment. Without essential physicians and other important health care providers on- island, Maui residents are forced to fly to Oahu or beyond. Some specialties are not permanently available in the state, forcing patients and their families to relocate to the mainland where specialists are available on a daily basis.

The need for housing at affordable prices occurs at every level of our community. MHF continues to be frustrated in its mission to provide the highest quality of health care, the inability to attract and keep great physicians and medical personnel, because of the Maui housing market.

Na Hale O Maui strongly supports affordable and workforce housing initiatives and developments. We believe working in collaboration with MHF makes perfect sense for this project and our community. NHOM's program can accommodate workforce households that earn up to 140% of AMI, including health care providers like nurses, therapists and others.

Working collaboratively with the County of Maui and Maui Health Foundation, we will deliver critically needed housing to medical professionals and workforce that will keep our community healthy and thriving.

We ask for your support to authorize the disposition of 16 lots in the Fairways in Maui Lani to Maui Health Foundation and waive any outstanding real property taxes.

Mahalo piha for your support of affordable housing for our workforce, medical professionals and staff.

Cassandra Abdul
Executive Director

County Clerk

From: Cassandra Abdul <cassandra@nahaleomaui.org>
Sent: Friday, March 18, 2022 11:33 AM
To: County Clerk
Subject: 22-02-15_Maui Lani Fairways - Lots Phasing.pdf
Attachments: 22-02-15_Maui Lani Fairways - Lots Phasing.pdf; Maui Lani Fairways Lots Table (Rev).pdf

Aloha kākou,

The written testimony Na Hale O Maui included 26 letters submitted by supporters including homeowners, Qualified Buyers, those participating in our 4-Step program, and community member.

attached please find the map requested by Council Member Sinenci.

Please note that the blue lots are those that will remain with the County as we work to resolve community concerns. The green lots are those that the resolution addresses for Na Hale O Maui (black numerals) and Maui Health Foundation (blue numerals.)

The list of lots are also attached for your convenience.

Please let us know if we can provide any additional information to assist in your decision making.

Mahalo piha, for all you do.

Cassandra

Cassandra J Leolani Abdul
Executive Director & Principal Broker
Na Hale O Maui
190 N. Church Street
Wailuku, HI 96793
Ph. 808.244.6110
Mobile 808.304.3533

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To learn more about Na Hale O Maui and to make a donation please visit <https://www.nahaleomaui.org>

Changing lives, one home at a time.

Mission: To secure and preserve a permanent supply of affordable housing alternatives for low and moderate income households in Maui County.

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The Fairways at Maui Lani

Lot	TMK	Sq Ft.	Phase	Entity
1	(2) 3-8-096-001	9122	1	Na Hale O Maui
2	(2) 3-8-096-002	8580	1	Na Hale O Maui
3	(2) 3-8-096-003	8680	1	Na Hale O Maui
4	(2) 3-8-096-004	8543	1	Na Hale O Maui
5	(2) 3-8-096-005	8590	1	Na Hale O Maui
6	(2) 3-8-096-006	8574	1	Na Hale O Maui
7	(2) 3-8-096-007	8571	1	Na Hale O Maui
8	(2) 3-8-096-008	9634	1	Hospital Foundation
9	(2) 3-8-096-009	8481	1	Hospital Foundation
10	(2) 3-8-096-010	8394	1	Hospital Foundation
11	(2) 3-8-096-011	8381	1	Hospital Foundation
12	(2) 3-8-096-012	8313	1	Hospital Foundation
13	(2) 3-8-096-013	8377	1	Hospital Foundation
14	(2) 3-8-096-014	8318	1	Hospital Foundation
15	(2) 3-8-096-015	8342	1	Hospital Foundation
16	(2) 3-8-096-016	9215	1	Hospital Foundation
17	(2) 3-8-096-017	8533	1	Hospital Foundation
18	(2) 3-8-096-018	8908	1	Hospital Foundation
19	(2) 3-8-096-019	8953	1	Hospital Foundation
20	(2) 3-8-096-020	9042	1	Hospital Foundation
21	(2) 3-8-096-021	9018	1	Hospital Foundation
22	(2) 3-8-096-022	11305	1	Hospital Foundation
23	(2) 3-8-096-023	21844	1	Hospital Foundation
24	(2) 3-8-096-024	10027	1	Na Hale O Maui
25	(2) 3-8-096-025	9109	1	Na Hale O Maui
26	(2) 3-8-096-026	13322	1	Na Hale O Maui
27	(2) 3-8-096-027	12807	1	Na Hale O Maui
28	(2) 3-8-096-028	11477	1	Na Hale O Maui
29	(2) 3-8-096-029	8260	1	Na Hale O Maui
30	(2) 3-8-096-030	7884	1	Na Hale O Maui
31	(2) 3-8-096-031	6914	1	Na Hale O Maui
32	(2) 3-8-096-032	9525	1	Na Hale O Maui
33	(2) 3-8-096-033	11994	1	Na Hale O Maui
34	(2) 3-8-096-034	8017	2	County of Maui
35	(2) 3-8-096-035	8858	2	County of Maui
36	(2) 3-8-096-036	11558	2	County of Maui
37	(2) 3-8-096-037	9733	2	County of Maui
38	(2) 3-8-096-038	8480	2	County of Maui
39	(2) 3-8-096-039	7591	2	County of Maui
40	(2) 3-8-096-040	6989	2	County of Maui
41	(2) 3-8-096-041	6862	2	County of Maui
42	(2) 3-8-096-042	6728	2	County of Maui
43	(2) 3-8-096-043	6757	2	County of Maui
44	(2) 3-8-096-044	6755	2	County of Maui
45	(2) 3-8-096-045	6728	2	County of Maui

The Fairways at Maui Lani

Lot	TMK	Sq Ft.	Phase	Entity
46	(2) 3-8-096-046	6728	2	County of Maui
47	(2) 3-8-096-047	6728	2	County of Maui
48	(2) 3-8-096-048	6803	2	County of Maui
49	(2) 3-8-096-049	6936	2	County of Maui
50	(2) 3-8-096-050	7081	2	County of Maui
51	(2) 3-8-096-051	21004	Onsite Basin	County of Maui
52	(2) 3-8-096-052	4041	Driveway	Na Hale O Maui
53	(2) 3-8-096-053	3193	Driveway	Na Hale O Maui
54	(2) 3-8-096-054	89575	Roadway - Puumakani St	County of Maui
55	(2) 3-8-096-055	8620	Roadway - Kea St	County of Maui

RE: CR 22-26 RELATING TO CHARTER AMENDMENTS FROM 2021-2022 MAUI COUNTY CHARTER COMMISSION**FINAL REPORT (GREAT-52)**

FROM: Dick Mayer

18-March-2022

Aloha Council Members,

RE: **Charter Commission proposal number 6** regarding the Maui Planning Commission:

I am going to use the table below to help council members understand why they should NOT prevent a second member of the Upcountry area to be a member of the Maui Planning Commission just because they do not live in a district touching the ocean.

SMA actions are only one of the many decisions that planning commissioners make. The Commission advises the Council on all land use ordinances, they review community plans, approve environmental documents, decide on project districts, hold public hearings, and many other matters.

I ask you to reverse the Committee decision in **Section 8-8.4. Planning Commissions**. Use the following language for Proposal #6. **The nine members must include at least one and no more than two members who reside in each council residency area on the island of Maui.** [; except that when there are two members from a council residency area, at least one of the members must reside in the special management area].

Resident Population + Voters Maui's House Districts, 2020											
House District	District description	2010 Resident Population	2010 to 2020 Population Increase	2020 Resident Population	2020 Age 18 and Over	2020 Registered Voters	Nov-2020 Voters	Voted vs. Registered	Registered vs. Age 18+	Voted vs. Age 18+	Registered vs. Population
8	Wailuku, Kahakuloa, Waihee, Waiehu, Puuohala, Waikapu	26,927	2,973	29,900	22,967	19,870	13,611	68.5%	86.5%	59.3%	66.5%
9	Kahului, Puunene, Old Sand Hills, Maui Lani	27,044	2,076	29,120	22,202	14,708	9,490	64.5%	66.2%	42.7%	50.5%
10	West Maui, Maalaea, North Kihei	24,585	974	25,559	20,477	16,685	10,384	62.2%	81.5%	50.7%	65.3%
11	Kihei, Wailea, Makena	24,815	748	25,563	21,243	18,485	11,975	64.8%	87.0%	56.4%	72.3%
12	Upcountry, Spreckelsville, Pukalani, Makawao, Kula, Keokea, Ulupalakua	25,551	2,244	27,795	21,918	19,789	14,145	71.5%	90.3%	64.5%	71.2%
13	Multi-Island, Haiku, Hana, Kaupo, Kipahulu, Nahiku, Paia, Kahoolawe, Lanai, Molokai, Molokini	25,998	901	26,899	21,004	18,393	12,048	65.5%	87.6%	57.4%	68.4%
Maui County Total		154,920	9,916	164,836	129,811	107,930	71,653	66.2%	83.2%	55.2%	65.7%

Source: U.S. Census Bureau, 2020 Census Redistricting Data (Public Law 94-171) Summary File, Legacy Data Format (August 2021); calculations by the Hawaii State Department of Business, Economic Development & Tourism, Hawaii State Data Center. District descriptions from the Hawaii State Legislature <<https://www.capitol.hawaii.gov/members/legislators.aspx?chamber=all>> accessed August 24, 2021.

VOTERS: https://elections.hawaii.gov/wp-content/results/hi_sov.pdf

County Clerk

From: Nane <nwaluli@mauiian.com>
Sent: Monday, March 14, 2022 8:06 PM
To: County Clerk; Alice L. Lee; Keani N. Rawlins; Tasha A. Kama; Gabe Johnson; Mike J. Molina; Tamara A. Paltin; Shane M. Sinenci; Yukilei Sugimura
Cc: Melinda A Sweany; Cassie Chavez; 'Tamar Goodfellow'; Nane Aluli
Subject: Testimony For Resolution 22-85

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Aloha Maui Council Members,

Re: Resolution 22-85

My name is Nane Aluli. I am a resident of Wailuku and a Native Hawaiian descendant of a well know family from Lahaina, the Farden family.

We are very fortunate to live in one of the most beautiful places in the world, the island of Maui. However, you realize as I do, that the healthcare facilities here are challenged with a shortage of professional staff, doctors and nurses. This shortage is being exacerbated by the cost and availability of housing.

That is why I am asking you to support the Maui Lani resolution.

Maui Memorial Medical Center is the only place on this island that can provide critical, lifesaving care to our residents and our visitors, and we do so for all who come through our doors. For those with the most critical needs, there is often no other option. They do not have the time to delay treatment or the strength to make the trip to another island to receive care.

Today, Maui Memorial Medical Center is currently short 160 physicians in specialties ranging from family and internal medicine to oncology, heart and lung surgery, orthopedics and urology.

In addition, MMMC is short 75 registered nurses, despite hiring every single graduate of the University of Hawaii Maui College, every year.

This shortage directly impacts the quality of life for all on Maui.

Those who care for our community need to live in our community. Having a supply of homes will help ease the need for market-priced housing for the medical providers Maui desperately needs.

This will enable us to attract medical professionals who can meet the greatest healthcare needs in our community, allow Maui-born medical professionals who wish to return home to practice medicine to do so, and retain current Maui care providers looking to purchase their first home on Maui.

That is why I ask you to support the Maui Lani Resolution 22-85.

Mahalo for your concern and consideration.

Nane Aluli
General Manager
The Mauiian Hotel

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From: Lokahi Antonio <beantoni@ksbe.edu>
Sent: Thursday, March 17, 2022 12:04 PM
To: County Clerk
Subject: 'Ōlelo Hawai'i & 'Ōiwi Cultural Resources

2022 MAR 17 PM 12:34

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Aloha,

My name is Belarmino Antonio, Jr., testifying on agenda item CR 22-26. I want to testify in strong support of sending Proposal 8, to create a Department of 'Ōiwi Resources, to the ballot.

Plant the seed now, enjoy the fruits later.

Mahalo.

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County Clerk

From: Kapulani Antonio <kapulani66@gmail.com>
Sent: Thursday, March 17, 2022 2:17 PM
To: County Clerk
Subject: Proposal 8 testimony

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COUNTY CLERK

You don't often get email from kapulani66@gmail.com. [Learn why this is important](#)

Aloha. 'O ko'u inoa 'o Kapulani Antonio. Pili kēia 'ōlelo hō'ike i ka CR 22-26. Ke kāko'o piha aku nei au i ka 'āpono 'ia 'ana o ke Noi 8 i ka pāloka, no ka ho'okumu 'ana he Māhele Kumu Waiwai 'Ōiwi.

'O ka 'Ōlelo Hawai'i ka 'ōlelo o ka 'āina nei. Ma mua o ka hiki 'ana mai o ka po'e haole, 'o ka 'Ōlelo Hawai'i ka leo o ka 'āina. Ma hope o ka ho'okahuli aupuni i ka makahiki 1893, ua kau ke aupuni hou, he po'e 'ē no waho mai ho'i, i nā kānāwai e 'ī mai ana, ma o ka 'ōlelo Pelekania e a'o 'ia ai nā papa ma loko o nā kula aupuni a me nā kula kū'oko'a. Ma muli o ke kolonaio 'ia a me ka ho'olikelike ha'akoi 'ia, ua lilo loa aku ka mauili o nā hanauna Hawai'i he nui i ka nele aku i ka 'ōlelo makuahine 'ole. I ka 'Aha Kumu Kānāwai o ka makahiki 1978 i lilo ai ka 'Ōlelo Hawai'i he 'ōlelo kūhelu o ka Moku'āina o Hawai'i. Mahalo i ka 'ike mai, eia na'e ma hope o nā makahiki he 44, ma waho aku o ka ho'okomo 'ana i nā 'okina me nā kahakō i nā papa alanui a me ka 'āpono 'ana i ka mahina 'o Pepeluali, 'o ia ka mahina 'ōlelo Hawai'i, 'a'ole nui nā mea i hana 'ia e ka Moku'āina (a me nā Kalana) no ke kāko'o 'ana i ke aupuni pālua maoli nō. He aha ka waiwai o ke kapa wale 'ana aku i ka 'Ōlelo Hawai'i he 'ōlelo kūhelu?

He kōkua nui ka ho'ouna aku i ke Noi 8 no ke koho pāloka 'ia 'ana ma ka ho'okūlike 'ana me ke 'ano mau o ke aupuni, ma ka hō'ōia 'ana i ka 'Ōlelo Hawai'i, he 'ōlelo ola nō, a ma ka hō'ōia 'i'o i ka 'ōlelo 'ōiwi o Hawai'i pae'āina i nā malihini kipa mai a me ka po'e ne'e mai ho'i.

Mahalo i kou maliu 'ana mai i keia Noi nui nō.

Me ka mahalo a me ka 'ōia'i'o,

Kapulani Antonio
No Makawao

Aloha. My name is Kapulani Antonio. The following testimony pertains to agenda item CR 22-26. I strongly support sending Proposal 8 to the ballot to create a Department of 'Ōiwi Resources.

The 'Ōlelo Hawai'i is the language of this land. Prior to Western contact, 'Ōlelo Hawai'i was the means of communication. Following the overthrow of the Hawaiian government in 1893, the new government comprised of foreign settlers created laws declaring the English language the medium of instruction in public and private schools. As a result of colonization and forced assimilation, generations of Hawaiians lost their identity because they could no longer speak their mother tongue. At the 1978 Hawai'i State Constitutional Convention, 'Ōlelo Hawai'i was made an official language of the State of Hawai'i. While the recognition is appreciated, forty-four years later, other than creating street signs with proper diacritical markings, and designating February as Hawaiian language month, the State (and Counties) have done little to support a true bilingual government. What is the value of making Hawaiian an official state language in name only?

Sending proposal 8 to ballot will help in the effort to normalize 'Ōlelo Hawai'i in government, to legitimize 'Ōlelo as a living language and to validate Hawai'i's indigenous language and culture to visitors and settlers.

Mahalo for your consideration of this hugely important Proposal.

Me ka mahalo a me ka 'oia'i'o,

Kapulani Antonio
Resident of Makawao

County Clerk

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From: Char Casserley <maucass@aol.com>
Sent: Thursday, March 17, 2022 8:17 PM
To: County Clerk
Subject: Bill 62

2022 MAR 18 AM 7:46

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<<http://aka.ms/LearnAboutSenderIdentification>>

Aloha County Council,

I am submitting testimony in favor of Bill 62,

This bill gives Hawaii residents and Maui residents a process to become legitimate small businesses owners serving Maui visitors. I have a permitted short term rental and have been in business for six years. My business supports other small business owners here on Maui and my tax dollars stay here to support our local community.

My experience has been many travelers prefer to stay in a personal home rather than a large resort. These guests have a greater appreciation for the culture and aina as they have direct contact with residents. They are curious and desire to be respectful and understand the island way of life.

As our state is moving away from increasing number of travelers, this bill allows a means for residents to be small business owners and provide a quality experience for guests. I support this bill as it provides opportunity for more small business to thrive, it keeps our tax dollars in the state, in provides a unique experience for visitors, and our future generations can inherit a family owned business.

Thank you for the opportunity to share my point of view.

Char Casserley
Maui resident and business owner
Permit #STMP 2015/0002

County Clerk

From: Cassie Chavez <Cassie.Chavez@kp.org>
Sent: Thursday, March 17, 2022 9:24 AM
To: Melinda A Sweany; County Clerk; Alice L. Lee; Keani N. Rawlins; Tasha A. Kama; Gabe Johnson; Kelly King; Mike J. Molina; Tamara A. Paltin; Shane M. Sinenci; Yukilei Sugimura; tamar@chotzen.com
Subject: Support for "CR 22-85, authorizing the disposition of real property to the Maui Health Foundation and for waiver of outstanding real property taxes"

Some people who received this message don't often get email from cassie.chavez@kp.org. [Learn why this is important](#)

To: Honorable Alice Lee, Chair and Members of the Maui County Council

My name is Cassie Chavez, and I am a Development Manager at Maui Health Foundation.

I was born and raised on Maui and have been blessed to call this island my home. As with many local families, I have had several family members cared for at Maui Memorial, and my four children were born here. From an early age, I realized how critical sufficient health care was to our well-being and survival: specialized physicians, surgeons, and nurses on the island to care for the needs of our community.

Growing up with aging grandparents, other family members, and now caring for my mother, I have experienced the emotional roller coaster of wondering if our island has the specialized physicians that my loved ones need when facing their health issues. We, of course, want the best care for them, so if we seek it off-island, who will travel with them and stay with them for their recovery? Who will take care of the family that we leave behind? How do we afford the financial burden of travel, accommodations, etc.? How will traveling and being away from home affect their healing process? To avoid this burden, we often kept our loved ones on the island but always wondered "what if" and "did we really do everything we could?" I would not wish it on anyone to go through this anguish for their loved ones over something so essential as health care.

Since working with the Foundation, I have experienced the excitement and relief of hearing about a new physician or a new specialty coming to Maui and the disappointment of learning that they moved back because of lack of housing. *It is so disheartening to know that the physicians and nurses who leave their homes because of their desire to serve our community, embrace our culture, and put down roots, are leaving because they cannot find a home here among the community that they serve.*

Maui Memorial Medical Center is the only place on this island that can provide critical, lifesaving care to our residents and visitors. Our emergency department is the second busiest in the state, seeing more than 41,000 patients last year alone. For those with the most critical needs, our local families and kupuna, there is often no other option. They do not have the time to delay treatment or look for lifesaving care on another island. Our families cannot shoulder the burden of the added costs of flying to the mainland, even outer island, for treatment. It takes a financial, physical, and emotional toll on the families of their loved ones.

Today, Maui Memorial Medical Center has 75 vacant registered nurse positions, despite hiring 80 plus University of Hawaii Maui College nursing program graduates over the last three years. This island, state, and national nursing shortage stresses our Maui nurses already stretched and exhausted with the pandemic.

We need to be part of a solution. That is why I am asking you to support this resolution.

Because healing at home surrounded by our 'ohana is the best medicine.

Mahalo,

Cassie Chavez

Development Manager-Annual Giving/Marketing

Maui Health Foundation

Maui Memorial Medical Center

221 Mahalani Street

Wailuku, HI 96793

808-242-2632 (office)

808-268-9927 (cell)

mauihealth.org/foundation



Recognize a staff member who made a positive impact on your care. Honor your Guardian Angel here:

<https://www.mauihealth.org/guardianangel/>

From: Melinda A Sweany <Melinda.A.Sweany@kp.org>

Sent: Thursday, March 17, 2022 8:23 AM

To: County.clerk@mauicounty.us; Alice.Lee@mauicounty.us; Keani.Rawlins@mauicounty.us; Tasha.Kama@mauicounty.us; Gabe.Johnson@mauicounty.us; Kelly.King@mauicounty.us; Mike.Molina@mauicounty.us; Tamara.Paltin@mauicounty.us; Shane.Sinenci@mauicounty.us; Yukilei.Sugimura@mauicounty.us; Melinda A Sweany <Melinda.A.Sweany@kp.org>; Cassie Chavez <Cassie.Chavez@kp.org>; tamar@chotzen.com

Subject: Support for "CR 22-85, authorizing the disposition of real property to the Maui Health Foundation and for waiver of outstanding real property taxes"

To: Honorable Alice Lee, Chair and Members of the Maui County Council

My name is Melinda Sweany and I am the Chief Development Officer of Maui Health Foundation.

Supporters of this resolution have shared stories of healthcare workers who would welcome the opportunity to move to Maui and work at Maui Memorial but are unable to do so because of the prohibitive cost of housing. But that's only part of the story. This housing crunch also impacts healthcare professionals who call Maui home, some of whom have lived their whole lives here. For example, Maui Memorial recently lost a valued employee who was born and raised here. Because of the high cost of housing, she could no longer

afford to live here and support her family. She and her husband and two kids moved to Nevada, 2,500 miles away from family, friends and home.

So not only are we unable to bring people here to offset the shortage of healthcare workers, we are losing vital, lifelong community members who have filled those roles.

As the only medical center on the island, how can Maui Memorial meet the demand for services if the nurses and other healthcare professionals we need here can't live here?

Voting in support of Resolution 22-85 is how you can literally help address the healthcare needs of our community, by creating a way for Maui Memorial to bring back professionals Hawaii born and raised, and also recruit from the mainland, to Maui.

That is why I ask you to support the Maui Lani resolution. Thank you.

Melinda Sweany
Chief Development Officer



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2022 MAR 17 AM 10:28
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COUNTY CLERK

221 Mahalani Street, Wailuku, HI 96793
Phone: (808) 442-5656, Mobile: (808) 419-4817
Fax: (808) 242-2633
www.mauihealth.org/foundation
www.mauihealth.org

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County Clerk

From: Daniel Christener <dan@hawaiiactive.com>
Sent: Thursday, March 17, 2022 3:25 PM
To: County Clerk
Cc: Daniel Christener; Maui Vacation Rental Association
Subject: Testimony for Bill 62

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<<http://aka.ms/LearnAboutSenderIdentification>>

Aloha Council Members,

Please submit the following as our testimony for Bill 62.

RECEIVED
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My wife and I have been operating a short-term vacation rental for many years on Maui's North Shore. Most of our guests are looking for privacy, a quiet neighborhood, and enough space for their extended families. These guests would never stay in one of Maui's Westside's large hotels. With Covid, 'Privacy' is more important than ever!

Many relatively wealthy guests hire private chefs, masseuses, and guides rather than spend time in a hotel complex with other tourists. It's a whole new trend of vacationing. Such guests are big spenders (30k-50k/week), which benefits our local community rather than large corporations. We can only warn our council members, legislators, don't make a mistake by not honoring these 'new, high-end guests!' Maui and Hawaii need quality tourism rather than mass processing!

The short-term vacation rental home or condo model is THE BEST MODEL of SUSTAINABLE TOURISM!

Bill 62, a tax exemption for resident-owned short-term vacation rental properties, would greatly support the local economy and be a step in the right direction for achieving greater sustainability in our visitor-based economy by supporting locally-owned visitor lodging small businesses that generate income that stays in our community.

Sincerely,

Daniel & Manuela Christener

Spreckelsville, Maui

County Clerk

From: Karen Christenson <karen@mamasfishhouse.com>
Sent: Monday, March 14, 2022 10:40 AM
To: County Clerk; Alice L. Lee; Keani N. Rawlins; Tasha A. Kama; Gabe Johnson; Kelly King; Mike J. Molina; Tamara A. Paltin; Shane M. Sinenci; Yukilei Sugimura; Melinda.a.sweany@kp.org; Cassie.chavez@kp.org; tamar@chotzen.com
Subject: RESOLUTION 22-85

Hello, my name is Karen Christenson and I am a Maui resident.

My family moved to Lahaina in 1963 when I was a year old. I recall the days of going to the Plantation Clinic on Front Street, so I have witnessed first-hand the improvement of our medical facilities on Maui.

Fast forward to 2022 and our health care community is facing a very serious problem and are unable to find a place to live here. While I understand the problem is not only in our health care community, but our entire community, I feel it is imperative to do something so that our community can be well taken care of. This includes our visitors who are our biggest segment of emergency room patients at Maui Memorial Medical Center. Access to health care is extremely important to a strong visitor economy.

That is why I am asking you to support the Maui Lani resolution.

Maui Memorial Medical Center is the only place on this island that can provide critical, lifesaving care to our residents and our visitors, and we do so for any who come through our doors. For those with the most critical needs, there is often no other option. They do not have the time to delay treatment or the strength to make the trip to another island to receive care.

Today, Maui Memorial Medical Center is short 160 physicians in specialties ranging from family and internal medicine to oncology, heart and lung surgery, orthopedics and urology.

Imagine receiving a positive cancer result and being told you will have a consult with your doctor in 6 weeks! This is what happened to someone in my family recently.

Today, Maui Memorial Medical Center is short 75 registered nurses, despite hiring every single graduate of the UHMC, every year. Recently, FEMA nurses had to turn down assignments to Maui because they couldn't find anywhere to live on Maui. Our Maui nurses are all angels for working endlessly through this pandemic. But wouldn't it be nice for them to get a break, like nurses in other areas?

This shortage directly impacts the quality of life for all on Maui.

- Those who care for our community need to live in our community. Having a supply of homes will help ease the need for market-priced housing for the medical providers Maui desperately needs.
- This will enable us to attract medical professionals who can meet the greatest healthcare needs in our community, allow Maui-born medical professionals who wish to return home to practice medicine to do so, and retain current Maui care providers looking to purchase their first home on Maui.

That is why I ask you to support the Maui Lani resolution. Thank you.

Karen Christenson

Mama's Fish House

799 Poho Place, Paia, Maui, HI 96779

Phone: (808) 579-8488

www.mamasfishhouse.com

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2022 MAR 14 AM 11:34

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County Clerk

From: James A Diegel <James.A.Diegel@kp.org>
Sent: Thursday, March 17, 2022 7:35 AM
To: County Clerk; Alice L. Lee; Keani N. Rawlins; Tasha A. Kama; Gabe Johnson; Kelly King; Mike J. Molina; Tamara A. Paltin; Shane M. Sinenci; Yukilei Sugimura
Cc: tamar@chotzen.com; Melinda A Sweany; Cassie Chavez
Subject: Maui Lani Fairways Resolution 22-85

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Aloha kākou,

My name is Jim Diegel and I am the chief strategy officer at Maui Health. In this capacity, I oversee the physician recruitment function, organizational strategic planning, new business development, community benefit/engagement, and several operational departments. Further, I serve on the Maui County Council on Aging.

Maui Health recently recast its mission, vision, and values – values which include people, community, and excellence. Our value of people includes a commitment to support the people we serve and each other. As new physicians and caregivers (employees) contemplate joining our 'ohana, they are increasingly finding it hard to secure housing. There have been three instances in recent months where physicians being recruited have commented on the cost and difficulty of securing housing; in one case, a physician actually backed out of coming to Maui because of their inability to secure housing. Similar examples have occurred with other caregiver (clinical and non-clinical positions) recruitment – not to mention the inability of existing employees to own a home. Maui Health's commitment to its physicians, providers, and caregivers includes advocacy for housing, and we are working tirelessly to find solutions and partnerships to create housing options for our people.

To that end, I urge Council to support the Resolution 22-85 conveying 16 shovel-ready lots at Maui Lani Fairways to Maui Health Foundation for the express purposes of healthcare worker housing.

Mahalo piha.

James A. Diegel
Strategy and Business Development

Maui Health
221 Mahalani St.
Wailuku, HI 96793

808-442-5103 (office)
808-281-7570 (cell)

mauihealth.org

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County Clerk

From: Wade G Ebersole <Wade.G.Ebersole@kp.org>
Sent: Wednesday, March 16, 2022 2:23 PM
To: Alice L. Lee; Keani N. Rawlins; Tasha A. Kama; Gabe Johnson; Kelly King; Mike J. Molina; Tamara A. Paltin; Shane M. Sinenci; Yukilei Sugimura; Melinda A Sweany; Cassie Chavez; tamar@chotzen.com; County Clerk
Subject: Resolution 22-85

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Dear Honorable Members of City Council,

My name is Wade Ebersole, and I am the Chief Operating Officer at Maui Health. I feel so fortunate to live and work on Maui. I am also grateful to work for Maui Health, which provides critical core services that allows Maui to be a thriving place to live, work and visit. Like most industries, the healthcare industry is struggling deeply with how to plug the pukas in our workforce. These gaps are a result of a number of complex factors that are largely attributed to the pandemic. We have been laser focused on a commitment to our community during the past two years and now we face another stark crisis, a housing shortage that is making retention and recruitment of Maui born medical professionals, very difficult.

Housing is the number issue cited for candidates who decline an offer of employment.

As an anchor institution for Maui, we take great pride in our commitments to this community. Because of challenges that extend beyond our sphere of influence of control we are ill positioned to meet the growing demands for life saving treatments, from our aging community.

Working for Maui Health is a major commitment to the community, and everyone who works here wants to be apart making this a better place to live. These employees who dedicate so much should be able to own a home on Maui. I strongly support any resolution that makes this a reality. Including, having a supply of homes that are dedicated to healthcare professionals.

Thank you for your consideration, and your dedication to making a Maui a wonderful place to live.

Warm Regards,

Wade

Wade Ebersole, FACHE
Vice President and Chief Operating Officer

Maui Health
Maui Memorial Medical Center
221 Mahalani Street
Wailuku, HI 96793

808-442-5178 (office)
808-264-3312 (cell)

mauihealth.org

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Jason A. Economou
Government Affairs Director

441 Ala Makani Pl • Kahului, HI 96732
phone 808-243-8585 • fax 808-873-8585
Jason@RAMaui.com • www.ramaui.com

March 16, 2022

Council Chair Alice Lee
Council of the County of Maui
Kalana O Maui Building
200 South High Street, 8th Floor
Wailuku, Hawaii 96793

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2022 MAR 16 PM 4:14
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**RE: Bill No. 62 (2022) - A Bill for an Ordinance Relating to a Short-Term Rental
Real Property Tax Exemption for County Residents**

Aloha Chair Lee, Vice-Chair Rawlins-Fernandez, and Councilmembers,

I am submitting the following testimony on behalf of the REALTORS Association of Maui and our 1,900+ members **in support of Bill No. 62.**

The REALTORS Association of Maui supports tax policy that prioritizes the economic wellbeing of our residents, and makes it easier for individuals to maintain property ownership. Moreover, given recent high rates of inflation and the implementation of the Maui County TAT, we see this as well timed tax relief for many who need it. As many members of the council recently acknowledged in the Affordable Housing Committee meeting on March 14th, there are many reasons for our residents to own more than one property. It should not be assumed that these properties are “luxury” items or easily dispensable by their owners. This legislation provides a valuable incentive to those who are a part of this community, and carry much of the tax burden for our County.

Thank you for supporting property owners, and property ownership, through this legislation.

Mahalo,

Jason A. Economou
Government Affairs Director
REALTORS Association of Maui

County Clerk

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From: Melinda A Sweany <Melinda.A.Sweany@kp.org>
Sent: Monday, March 14, 2022 8:23 AM
To: County Clerk
Subject: Maui Lani Lots to the Maui Health Foundation Resolution 22-85

2022 MAR 14 AM 9:41
OFFICE OF THE
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Testimony for Resolution 22-85 for Friday's Meeting

From: Marc Emde. <emdems@yahoo.com>
Sent: Sunday, March 13, 2022 2:43 PM
To: Alice.Lee@mauicounty.us; Keani.Rawlins@mauicounty.us; Tasha.Kama@mauicounty.us; Gabe.Johnson@mauicounty.us; Kelly.King@mauicounty.us; Mike.Molina@mauicounty.us; Tamara.Paltin@mauicounty.us; Shane.Sinenci@mauicounty.us; Yukilei.Sugimura@mauicounty.us; Melinda A Sweany <Melinda.A.Sweany@kp.org>; Cassie Chavez <Cassie.Chavez@kp.org>; tamar@chotzen.com
Subject: Maui Lani Lots to the Maui Health Foundation

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Dear Council Members,

I have been an emergency room physician on Maui the last 20 years. Despite having lived on Maui my entire life, finding an affordable home even 20 years ago was formidable. Now with so many local doctors carrying substantial loan burdens after finishing medical school and residency, adding a million dollar home to the equation will prevent the best and brightest from practicing here. Even for some of my colleagues here many years, they are still forced to rent. With reimbursement comparatively low in Hawaii and cost of living substantially higher than the rest of the country, more physicians and nurses will leave. What this program will do is benefit those recent medical grads who have large loan burdens. Those are the people we need to attract. Doctors and nurses that can put down roots, raise a family and become a stable work-force. Healthcare on Maui will not survive with locums, part-time and semi-retired care givers. If you care about healthcare on Maui, support this proposal.

Sincerely,
Marc S. Emde MD
Kula.

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From: tobi@hawaiilife.com
Sent: Thursday, March 17, 2022 11:43 AM
To: County Clerk
Subject: STRH a cap and exemption

2022 MAR 17 PM 12:34

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

Aloha Council Members,

Please submit this as my testimony for the subject proposed Bill 62.

I have testified many times to ask for support of short-term vacation rental properties, specifically those owned by Hawaii residents and Maui County residents. To restate my argument, I believe that local ownership of short term vacation rental properties is the best form of sustainable visitor lodging, which contributes to Sustainable Tourism; 1. These properties are locally owned small businesses and directly benefit the local owner 2. Locally owned vacation rentals keep all the income generated in the community, because we live here everything we make is also spent and stays in this community. 3. Low draw on resources; less electricity, less water, lower volume of visitors necessary to keep us in a viable business (compared to Big Box Hotels/resort areas)

The model of the short-term vacation rental home or condo is THE BEST MODEL of SUSTAINABLE TOURISM (visitor lodging) and State and County's push to lower visitor volume and negative environmental impacts, this small-scale, locally owned lodging model fits perfectly with that idea.

Bill 62, a tax exemption for resident owned short-term vacation rental properties would greatly support the local economy, and be a step in the right direction for achieving greater sustainability in our visitor based economy, by supporting locally owned visitor lodging small businesses who generate income that stays in our community.

Mahalo,
Tobi B. Fisher R(S)
Hawaii Life Real Estate Brokers
License #62330
808.960.4993
Tobi@hawaiilife.com

County Clerk

RECEIVED

From: Dawnalyn Fujiwara <dawnalyn02@gmail.com>
Sent: Thursday, March 17, 2022 6:36 AM
To: County Clerk
Subject: Testify for 'Ōlelo Hawai'i & 'Ōiwi Cultural Resources

2022 MAR 17 AM 7: 58

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Aloha.

My name is Dawnalyn testifying on agenda item CR 22-26. I want to testify in strong support of sending Proposal 8, to create a Department of 'Ōiwi Resources, to the ballot.

Mahalo.

Dawnalyn Fujiwara
Dawnalyn02@gmail.com
808-344-5224

County Clerk

From: Julie A Hew <Julie.A.Hew@kp.org>
Sent: Wednesday, March 16, 2022 3:20 PM
To: County Clerk; Alice L. Lee; Keani N. Rawlins; Tasha A. Kama; Gabe Johnson; Kelly King; Mike J. Molina; Tamara A. Paltin; Shane M. Sinenci; Yukilei Sugimura; Melinda A Sweany; Cassie Chavez; tamar@chotzen.com
Subject: Resolution 22-85
Importance: High

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Dear Maui County Council,

My name is Julie Hew, and I ask you to support the Maui Lani Resolution 22-85.

I serve as the physician liaison and manage physician recruitment for Maui Health.

Compared to other areas of Hawaii, Maui's underserved service area population experiences greater challenges to healthcare access and services. The existing shortage of physicians across an array of specialties such as Family Practice, Gastroenterology, Urology, and General Surgery is a key factor causing limited access. Physician recruitment is no small feat and will only become more challenging as the nationwide provider shortage grows.

Availability of housing is the most common barrier Maui Health faces in recruitment efforts. Maui's steep real estate prices, lack of housing inventory, and limited rental options repeatedly diminish our ability to recruit new physicians. Physician candidates consistently choose positions with lower cost of living in mainland markets which negatively affects Maui Health's ability to provide high-quality, accessible healthcare.

Those who care for our community need to live in our community. How can we ensure our housing market doesn't continue to outprice new physicians? Having a supply of homes will help ease the need for market-priced housing for our medical providers Maui desperately needs.

Help us help our physicians find a place to call home. Support the Maui Lani resolution.

Mahalo,
Julie

Julie A Hew
Physician Practice Program Manager
Strategic Business Development

Maui Health
Maui Memorial Medical Center
221 Mahalani Street
Wailuku, HI 96793

808-269-5857 (mobile)

mauihealth.org/providerportal

Maui County Council Meeting
3/18/22

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2022 MAR 18 AM 7: 46

Testimony for **CR 22-26**

OFFICE OF THE
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Aloha Chair Lee and Council Members,

My name is Keomailani Hanapi Hirata, I am from the island of Molokai, and I am humbly submitting my testimony on proposals one and eight.

Proposal 1:

"Change Council elections from at-large elections to electing three Council Members from each of three Council electoral regions; require that one Councilmember reside in each of the following areas: Moloka'i, Lāna'i, East Maui, North Maui, South Maui, West Maui, Kahului, Wailuku, and Upcountry; create a Reapportionment Commission."

Position:

I am in **STRONG SUPPORT** of the Committee's recommendation to **ELIMINATE** Proposal 1 from consideration for placement on the ballot.

Reason for position:

I support and agree with the GREAT committee's report which states that "The current system of at-large voting and at-large representation ensures all Maui County voters can cast votes for all nine Council seats and all Maui County residents are represented by all nine members of the Council, promoting unity instead of geographic rivalries, on the Council and in the community."

Proposal 8:

"Create the Department of Ōiwi Resources, effective July 1, 2024, and affirm that the County will operate as a bilingual government by implementing opportunities to include the Hawaiian language.

Position:

I am in **STRONG SUPPORT** of the Committee's recommendation to **SEND** Proposal 8 to the ballot.

Reason for Position:

I support this proposal because it will *"ensure proper management of Oiwi (Native) cultural resources throughout the county and to design and implement programs to care for and/or develop Oiwi resources, including the Hawaiian language, cultural practices, place names, historical and archival materials, cultural sites, iwi and burials, and the variety of natural resources used in cultural practices."* (From the Maui News)

Mahalo,
Keomailani Hanapi Hirata
P.O. Box 1852 Kaunakakai, HI. 96748
Kahenawai3@yahoo.com

County Clerk

RECEIVED

From: Pete Jalbert <pete@mauirealestate.com>
Sent: Wednesday, March 16, 2022 4:21 PM
To: County Clerk
Subject: Resolutions 22-84 and 22-85

2022 MAR 16 PM 4:23

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Aloha Council,

I am writing in support of the two resolutions that would grant lots for affordable housing in the Fairways at Maui Lani. The need for any and all affordable housing on island is extraordinary. Anything we can do to help create affordable housing for health care professionals and island residents in general should be a priority.

Best Regards,

Joseph "Pete" Jalbert
Makawao

County Clerk

RECEIVED

From: gregory kahn <geekahn@gmail.com>
Sent: Friday, March 18, 2022 8:45 AM
To: County Clerk
Subject: Testimony Opposing Charter Commission Proposal 1

2022 MAR 18 AM 8:47

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COUNTY CLERK

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My name is Greg Kahn, a resident of Molokai, and I am submitting testimony opposing approval of Charter Amendment 1, the replacement of at-large voting with three voting districts.

Firstly, I would like to address one of the key arguments of the proponents of the proposal, which contends that the candidates will save expenses if their voting district is smaller. Having participated closely with the management of Maui County Council candidates' campaigns, I can assure you that the financial savings would be negligible. The bulk of a campaign is anchored by campaign forums, media interviews, letters to the editor, print media guest columns, town hall meetings, sign wavings, community meetings, social media posts, etc. None of the aforementioned campaign strategies incur any financial outlay whatsoever. The big ticket items of radio and newspaper ads are fixed expenses, being the same if running in a district or at-large. Precinct slate mailers, such as the Maui Ohana Candidates one which features candidates in every district, is also a fixed price expense, costing the same whether in a single district or an at-large election. All in all, the savings to candidates as a result of Charter Amendment 1 are inconsequential.

What is consequential is that Charter Amendment 1 erodes the democratic process by disenfranchising the voter's voice. The nine-member Maui County Council approves policies and legislation which--more often than not-- affect the entire population of the County. Currently, County citizens are able to participate in selecting those nine members, allowing the citizenry to have their voices represented. Candidates must receive a majority of the County citizens' votes in order to be elected to serve the County. But under the proposed Charter Amendment, wherein each of the three districts represents approximately 33% of the total votes in the County, candidates will only have to capture approximately 17% of the countywide vote in order to win a seat on the Council.

As we live in a time where voter suppression is a serious concern, maintaining the at-large model will enhance the power of the voter, while the three-district model will dilute the power of the voter. The message we want to send is "Your vote counts," but with Charter Commission Proposal 1, the message becomes "Your vote counts, but not as much as it used to."

I strongly urge you to reject Charter Commission Proposal 1.

Thank you,
Greg Kahn

County Clerk

RECEIVED

From: Jess Kēhau Lucas <jessklucas@gmail.com>
Sent: Thursday, March 17, 2022 8:46 AM
To: County Clerk
Subject: Testimony CR 22-26

2022 MAR 17 AM 9:18

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COUNTY CLERK

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Aloha.

‘O au ‘o Kēhau Lucas, noho i Wailuku ma Maui. My name is Kēhau Lucas and I am a resident of Wailuku, Maui.

Let this serve as testimony on agenda item CR 22-26. I want to testify in strong support of sending Proposal 8, to create a Department of ‘Ōiwi Resources, to the ballot.

First, ‘ōlelo Hawai‘i (Hawaiian language) is the official language of the state of Hawai‘i alongside english; however, this distinction is rarely upheld throughout the pae ‘āina, but rather a "for show" type of distinction. With the creation of a Department of ‘Ōiwi Resources, this department would support the perpetuation and presence of ‘ōlelo Hawai‘i throughout the linguistic landscape of Maui, and Hawai‘i.

Second, within the state of Hawai‘i whenever ‘ōiwi-related resources are needed, oftentimes this type of work is contracted out to individuals. By creation the Department of ‘Ōiwi Resources, the state of Hawai‘i will be able to employ individuals who will serve as internal consultants permanently to address all of these types of issues rather than outsourcing.

Third, the creation of the Department of ‘Ōiwi Resources would serve as a catalyst for change in the state of Hawai‘i from a Western institution and state to one that serves the indigenous population. How many states can say that? Not many. By doing so, Maui would be the leader that prioritizes the original inhabitants of this ‘āina and reap all the benefits of an indigenous approach.

I write in full support of agenda item CR22-26 and urge you to do the same.



County Clerk

From: Lizbeth Luck <lluck@makenagbc.com>
Sent: Monday, March 14, 2022 7:51 PM
To: County Clerk; Alice L. Lee; Keani N. Rawlins; Tasha A. Kama; Gabe Johnson; Kelly King; Mike J. Molina; Tamara A. Paltin; Shane M. Sinenci; Yukilei Sugimura; Melinda.a.sweany@kp.org; Cassie.chavez@kp.org; tamar@chotzen.com
Subject: RESOLUTION 22-85

Some people who received this message don't often get email from lluck@makenagbc.com. [Learn why this is important](#)

Hello, my name is Lizbeth Luck and I am the Food & Beverage Director at Makena Golf & Beach Club,

A place to live is one of the most basic and important human needs there is. How can we ensure the quality of life for all who call Maui home if the medical professionals we need here can't afford to live here?

That is why I am asking you to support the Maui Lani resolution.

Maui Memorial Medical Center is the only place on this island that can provide critical, lifesaving care to our residents and our visitors, and we do so for any who come through our doors. For those with the most critical needs, there is often no other option. They do not have the time to delay treatment or the strength to make the trip to another island to receive care.

Today, Maui Memorial Medical Center is currently short 160 physicians in specialties ranging from family and internal medicine to oncology, heart and lung surgery, orthopedics and urology. This shortage directly impacts the quality of life for all on Maui. I myself became pregnant last July and was told during a global pandemic I would need to fly to Oahu to see a high risk specialist for my Advanced Maternal Age ultrasounds. I declined this due to the idea of going anywhere near an airport during that time which caused a lot of anxiety and stress. The specialist flew over once during my pregnancy and I was able to schedule an appointment but this causes massive stress on mother's who are already considered high risk and worried for their unborn. Being able to visit our only major hospital on island for something along these lines would be very beneficial.

We have the facilities and the financial, community and professional support to meet the most critical healthcare needs, but without housing options, physicians and nurses either won't come or aren't able to stay. I myself cannot currently find a home on island to purchase with a substantial salary and perfect credit, as you know this is one of the most difficult housing markets to jump into.

Those who care for our community need to live in our community. Having a supply of homes will help ease the need for market-priced housing for the medical providers Maui desperately needs. This will enable us to attract medical professionals who can meet the greatest healthcare needs in our community, allow Maui-born medical professionals who wish to return home to practice medicine to do so, and retain current Maui care providers looking to purchase their first home on Maui.

That is why I ask you to support the Maui Lani resolution.

Thank you,

LIZBETH LUCK | FOOD & BEVERAGE DIRECTOR

Mākena Golf & Beach Club
5415 Mākena Alanui Drive, Wailea- Mākena, HI 96753
C: (407) 325-2263
www.makenagolfandbeachclub.com

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Testimonial Regarding the Allotment of Housing for Medical Workers.

Submitted by Dr. & Mrs. Paul & Jael Mazur
heesook1@hotmail.com

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2022 MAR 15 PM 1:28

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The absolute main problem with recruiting and retaining doctors and nurses here on Maui is the astronomical cost and shortage of housing. My husband was recently recruited to become the only full time heart surgeon on the island. He was working on a temporary contract basis for most of 2021. During that time countless lives were saved due to the fact patients were not required to be flown to Oahu for life saving heart surgery. He was offered and accepted a permanent position to be the only heart surgeon on the entire island of Maui.

We have spent the last year attempting to purchase a home here to relocate only to be outbid by cash buyers from the mainland. Most of whom primarily use the home as a third or fourth vacation house. It happened so many times that I honestly have lost count. One seller told us not even to submit an offer unless it was all cash. After months of being out bid or turned away we decided to accept a job on the mainland. The people of Maui are now left again with no full time heart surgeon. This affects me more than just a job opportunity because my immediate family lives in Napili. When my sister had an emergency C section she was airlifted to Honolulu. Last year she had to fly herself over to Oahu for a double mastectomy. Due to covid restrictions she had to do it all alone. This type of medical care for the residents of this island, my family included is unacceptable and unsafe.

Not only do the residents of Maui get short changed on health care but there is other collateral damage. I personally have had a family friend suffer a heart attack while vacationing here. He had a massive heart attack on the beach and died here. About 8 years ago my family was on a flight here from California when a passenger had a massive heart en route on the plane. Thankfully he recovered and was able to be stabilized before he flew back to the mainland to have surgery.

More often than not, the physicians that are recruited to come here will bring their spouses and children. Many physicians are married to physicians, nurses or other professionals that are also needed on island. I am by trade an attorney but was looking to get my teaching credentials when we relocated here. I was interested in teaching elementary school at one of the many public schools on island in need of teachers. (Which is all of them.) My sisters' children are at Kam III in Lahaina. They constantly lose teachers mid year due to financial reasons.

Affordable attainable housing here on island will most definitely attract and retain much needed medical professionals and their families who more often than not bring value to the island. I fully understand that land conservation is a fundamental priority on Maui. But I also believe preserving and serving the health of the residents of Maui is just as important. Maui is not just the land, it's the people. Investing in the health and well being of the population of the island by ensuring attainable healthcare has to be a top priority. The recruitment and attainment of doctors and nurses via affordable housing is an investment in every single man, woman and child on Maui.

County Clerk

From: Josh McKim <drjmckim@gmail.com>
Sent: Thursday, March 17, 2022 10:18 AM
To: County Clerk
Subject: Support for proposed Bill 62

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

I reside in Maui full time with my 4 children. I wanted to voice my support for Bill 62 which would create a STR property tax exemption for County residents.

Mahalo

Josh McKim

--

Josh McKim DC

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From: Hannah McKuIn <bannanies@gmail.com>
Sent: Friday, March 18, 2022 5:59 AM
To: County Clerk
Subject: Bill 62

2022 MAR 18 AM 7:46

OFFICE OF THE
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Aloha Council Members,

Please submit this as my testimony for the subject proposed Bill 62.

I believe that local ownership of short term vacation rental properties is the best form of sustainable visitor lodging, which contributes to Sustainable Tourism; 1. These properties are locally owned small businesses and directly benefit the local owner 2. Locally owned vacation rentals keep all the income generated in the community, because we live here everything we make is also spent and stays in this community. 3. Low draw on resources; less electricity, less water, lower volume of visitors necessary to keep us in a viable business (compared to Big Box Hotels/resort areas)

The model of the short-term vacation rental home or condo is THE BEST MODEL of SUSTAINABLE TOURISM (visitor lodging) and State and County's push to lower visitor volume and negative environmental impacts, this small-scale, locally owned lodging model fits perfectly with that idea.

Bill 62, a tax exemption for resident owned short-term vacation rental properties would greatly support the local economy, and be a step in the right direction for achieving greater sustainability in our visitor based economy, by supporting locally owned visitor lodging small businesses who generate income that stays in our community.

Mahalo,
Hannah Mckuin

Sent from my iPhone

County Clerk

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From: Greg Mebel <gregmebel@gmail.com>
Sent: Friday, March 18, 2022 8:02 AM
To: County Clerk
Subject: SUPPORT Bill 62 (with modification)

2022 MAR 18 AM 8:32

OFFICE OF THE
COUNTY CLERK

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

Maui County Council
March 18, 2022
Bill 62

Aloha Maui County Council Members,

I'm writing to SUPPORT Bill 62 with modifications.

Section D: "The home exemption is not allowed on more than one home for any taxpayer."

I'm not a bill writer, nor an attorney, but perhaps some clarification is required here? Does this mean that any one taxpayer may only qualify for one STR home exemption? Or, does it mean that any taxpayer may not qualify for an exemption both on his/her home AND an STR home at the same time?

If the latter is the case, the bill may be a no-starter and won't have much effect. If it's the former, that seems logical/fair and perhaps the language should be clarified.

Otherwise – I support this bill. It allows for DISTRIBUTED, DIVERSIFIED, SMALL BUSINESS, WHERE FUNDS RESIDE IN OUR LOCAL ECONOMY. These are very important goals for our economic SUSTAINABILITY.

Thank you for your consideration and your service,
Greg Mebel

County Clerk

From: Colleen Medeiros <colleenpmedeiros@gmail.com>
Sent: Thursday, March 17, 2022 6:34 AM
To: County Clerk
Subject: Testimony on Bill 62_A Bill for an Ordinance Related to Short Term rental real property tax exemption for county residents

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

Aloha Council Members,

Please submit this as my testimony for the subject proposed Bill 62.

I have testified many times to ask for support of short-term vacation rental properties, specifically those owned by Hawaii residents and Maui County residents. To restate my argument, I believe that local ownership of short term vacation rental properties is the best form of sustainable visitor lodging, which contributes to Sustainable Tourism; 1. These properties are locally owned small businesses and directly benefit the local owner 2. Locally owned vacation rentals keep all the income generated in the community, because we live here everything we make is also spent and stays in this community. 3. Low draw on resources; less electricity, less water, lower volume of visitors necessary to keep us in a viable business (compared to Big Box Hotels/resort areas)

The model of the short-term vacation rental home or condo is THE BEST MODEL of SUSTAINABLE TOURISM (visitor lodging) and State and County's push to lower visitor volume and negative environmental impacts, this small-scale, locally owned lodging model fits perfectly with that idea.

Bill 62, a tax exemption for resident owned short-term vacation rental properties would greatly support the local economy, and be a step in the right direction for achieving greater sustainability in our visitor based economy, by supporting locally owned visitor lodging small businesses who generate income that stays in our community.

Mahalo,

Colleen P. Medeiros

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3/16/2022

To the Maui County Councilmembers.

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2022 MAR 17 AM 7:58

OFFICE OF THE
COUNTY CLERK

My name is Kaleialoha Moss, also known as Pumpkin, and I am writing to you in regards to agenda item CR 22-25.16 Resolution 22-42. I currently am serving on the Molokai Planning Commission until my term expires at the end of this month. I had stepped into the position because of a vacancy due to the passing of a previous commissioner, so I had only been in the position since August 2021. During the time I had served, though brief, I learned a lot, enjoyed serving and felt I was looking out for the interests of my community members. Unfortunately, in the GREAT committee meeting that was held earlier this month I was voted to not be reappointed.

I was not able to speak at the GREAT committee because not enough members requested my presence, but I did watch it. Council Paltin did not want to reappoint me because she felt that due to how I voted or what I said during Molokai Planning Commission meetings meant I did not believe in the planning commission's sole authority in the SMA and the major issues of the future and therefore she could not support me. I believe because of her statements she was able to sway the majority to vote to not reappoint. I am born and raised on Molokai and I DO believe that, yes the sea levels are higher than they were when I was young, it is obvious on our coastlines that there has been more erosion, that king tides are higher than I ever remember, BUT I cannot say that, without a doubt, that the sea level rise maps are correct. The sea level rise maps are theories, they are predictions of what may occur in 2050 and 2100, but you cannot tell me that they are guaranteed to be accurate, but yet you want me to make decisions that are based on theory and predictions? I try my best to make my decisions on the FACTS that are presented to me and I try to put my community members first.

It was said in the GREAT meeting that building in the SMA is not a good idea, BUT I disagree with this generalized statement. Do I believe that we should build homes on the shoreline, no I don't, we can see evidence that buildings are falling due to shore erosion, but during the 7 months that I served I did not see one single case come before the commission where the applicant wanted to build or even renovate on a shoreline property, where the applicant was not a county entity. I did see landowners that wanted to build new homes in a SMA, BUT their land was across the street from the ocean. I believe that we should look at each case presented to us and the facts that come with that case and make decisions based on those facts.

Do you know that a whole lot (I don't know the exact number) of Molokai is in an SMA. So you want all these people to not be able to do any type of developments on their land? Land that they either spent their hard earned income to buy or land that has been passed to them and could have been in their family for generations, you are telling them it's not usable, they cannot build their home because the ocean MIGHT encroach on their land in 78 years? I am sorry but that is not something that I can do, what about the freedoms and rights of landowners? I got on the commission to try to make a

difference, how naïve I was to think that I could make some kind of difference, but because I have a different view point on “science” I was not allowed to continue. I have heard from my community members that they were glad I was on the commission that they felt that I could help make a difference.

I heard it said in the GREAT meeting that there needs to be balance, and honestly, there is not a balance. Unfortunately I did not agree with some of the other more vocal commissioners and in the beginning that was actually a hard thing for me to deal with. I really do feel that I have been doing the right thing, I am trying to stand up for the everyday person that is trying to build their home or make improvements. I appreciated the other commissioners, even the ones I didn’t agree with, because they would show me things/issues I never thought of. Right now the commission has a majority of commissioners that want to say “no” or make the process longer and harder for applicants. We are not talking about large hotel or commercial developments, we are talking about regular people trying to build their home. I understand trying to do things in the “system”, my husband and I are in the process of rezoning ourselves and its been a long process of about 4 years and its still not done. Why does it take so long? Why does it cost so much money? Do we just want to make everything so difficult and make people jump thru hoops? Why? I want to make it quicker and easier, but still make sure the right practices are used.

I applied to be on the commission to try and help my community and I still believe that is what a commissioner should do, but this whole process has really discouraged me and I am not asking for you to change your minds and vote against my disapproval, I only wanted a chance to defend myself and the decisions I made while serving my community. Thank you for your time and the opportunity, even though it was short, to serve.

Kaleialoha “Pumpkin” Moss

TO: All nine County Council Members

FROM: Heather Mueller, President, Kula Community Association Board

RE: Council Action on Charter Proposal #6 -- Maui Planning Commission

March 10, 2022

Aloha Council Members,

The Kula Community Association Board met and discussed the effort by some members of the County Council to limit the Upcountry Maui District in its participation on the Maui Planning Commission to only one member, while at the same time reserving the right for the other five districts to have two members on the Maui Planning Commission.

We feel that the rationale for this action is misplaced. One of the activities that the planning commissions undertake is the regulation of the SMA rules and it was felt that because there is no shoreline Upcountry, there is no need for two people from the district to serve on the Commission. However, SMA rules are only a relatively small part of the Commission's responsibilities.

Such thinking is rather narrow-minded because it does not recognize the fact that although the Upcountry area does not have a coastline, many of the *ahupua'a* run *mauka* to *makai* from the Haleakala summit through the Upcountry District to the coast and shoreline. It should also be remembered that many of the problems of drainage and flooding in the coastal communities are the result of rainfall events, actions or non-actions in the Upcountry District.

Excluding members of the Upcountry Community Plan District would set a dangerous precedent that leaving out any area of Maui from important decisions is not proper. The Council has concurrently indicated that they believe in Charter Proposal #1 that all the council members should be elected by all the residents of Maui. How do you think Upcountry residents will feel if they are now told by some of the council members that their participation is not wanted in important decisions concerning the future of the island and county? Just one example would be future changes in the Maui Island Plan or County-Wide Policy Plan which go through the Planning Commission. Do you want to send Upcountry residents a message that their participation is not as valuable as that of the other districts, even though Upcountry's population (27,503) is greater than that of East Maui (2,719) and West Maui (23,167) combined?

Please do not put any restriction on the membership of the Maui Planning Commission beyond the statement that: **"No more than two members shall come from any one community plan district."**

The Kula Community Association thanks you for all the work that you do and hopes that you will not limit our participation in planning the future of Maui.

Heather Mueller, President of the Kula Community Association Date: March 10, 2022

CC: Pukalani Community Association
Makawao Community Association
Maui County Charter Commission

County Clerk

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From: Saedene Yee-Ota <sae@saedesigngroup.com>
Sent: Monday, March 14, 2022 11:59 AM
To: County Clerk
Subject: RESOLUTION 22-85

2022 MAR 14 PM 12:13

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SUPPORT FOR RESOLUTION 22-85

Please support this unique partnership between Maui County's ownership of 16 Maui Lani lots and the Maui Health Foundation. The need for housing is urgent across the board, but especially for our health care providers. These homes will guarantee a home for physicians and health care specialists that our island urgently needs. As a Hospital Foundation board member, I have come across many challenges in our community and never thought that "housing" would be one of them. Housing for healthcare will help our entire community.

Sincerely yours,
Saedene Ota

--

Saedene Ota | Maui Partner
T 808.249.2200 W saedesigngroup.com
MAUI 2261 Aupuni St #101, Wailuku, HI 96793
OAHU 555 South St #108, Honolulu, HI 96813



County Clerk

From: Nancy Overton <nancyo@leisinc.com>
Sent: Monday, March 14, 2022 9:33 AM
To: County Clerk; Alice L. Lee; Keani N. Rawlins; Tasha A. Kama; Gabe Johnson; Kelly King; Mike J. Molina; Tamara A. Paltin; Shane M. Sinenci; Yukilei Sugimura
Cc: Cassie.chavez@kp.org; tamar@chotzen.com; Melinda.a.sweany@kp.org
Subject: RESOLUTION 22-85

My name is Nancy Leis Overton and I am Vice President of the Dorvin D. Leis Co., Inc. I also sit on the board of the Maui Health Foundation.

We have the facilities and the financial, community and professional support to meet the most critical healthcare needs, but without housing options, physicians and nurses either won't come or aren't able to stay.

Today, Maui Memorial Medical Center is currently short 160 physicians in specialties ranging from family and internal medicine to oncology, heart and lung surgery, orthopedics, and urology. My son was born and raised here in Maui, he graduated from medical school in 2016 from John A. Burns School of Medicine.

He went on to do his residency at NYU Langone Health for anesthesiology. He would love to return to the islands, but housing is one of the issues that will keep him from coming back.

This shortage directly impacts the quality of life for all on Maui.

By allowing this resolution to happen it will enable us to attract medical professionals who can meet the greatest healthcare needs in our community, allow Maui-born medical professionals who wish to return home to practice medicine to do so, and retain current Maui care providers looking to purchase their first home on Maui.

That is why I ask you to support the Maui Lani resolution.

Thank you,

Nancy Leis Overton

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2022 MAR 14 AM 9:41
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County Clerk

From: Carlton & Irene Pabalan <pabalans@gmail.com>
Sent: Friday, March 18, 2022 8:50 AM
To: County Clerk
Subject: Charter Commission Recommending NO on the Proposal #1 to Establish District Voting and Reapportionment

[You don't often get email from pabalans@gmail.com. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

Aloha!

My name is Carlton Pabalan,

I am providing testimony for consideration for the committee to the Charter Commission recommending a NO vote--on Proposal #1 to establish district voting and reapportionment.

I believe as proposed our small community's voice will be lost within the scope of larger district agendas and priorities. I'm concerned that our community's priorities could be overrun by agendas of many; thereby, reducing our specific needs and priorities. The reapportionment would convolute not only Moloka'i but each affect community affected by the proposal causing more red-tape, create unnecessary hierarchy, processes, and further reprioritization of needs reducing overall effectiveness on reaching described goals.

As is each entity has equal vote and input for resources and equal consideration no matter the size or number within a given body. I believe our Moloka'i community would be fragmented in the longterm should district voting and reapportionment occur. The result will only cause further completion for priorities at a lower level of purview reducing our impact to be heard and considered by final decision makers or pertinent proposals affecting Moloka'i in general.

Mahalo for the opportunity to provide input for serious consideration to Vote NO-on Proposal #1 to establish district voting and reapportionment!

God Bless

Carlton Pabalan

"Twenty years from now you will be more disappointed by the things you didn't do than by the ones you did do." H. Jackson Brown Jr.

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2022 MAR 18 AM 10:34
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County Clerk

From: Alison Patel <alison.m.patel@gmail.com>
Sent: Wednesday, March 16, 2022 4:55 PM
To: County Clerk; Alice L. Lee; Keani N. Rawlins; Tasha A. Kama; Gabe Johnson; Kelly King; Mike J. Molina; Tamara A. Paltin; Shane M. Sinenci; Yukilei Sugimura; Melinda.a.sweany@kp.org; Cassie.chavez@kp.org; tamar@chotzen.com
Subject: Maui Lani health care housing

Some people who received this message don't often get email from alison.m.patel@gmail.com. [Learn why this is important](#)
Aloha,

My name is Alison Patel and I am a radiology technologist and my husband, Shalin Patel, is one of the two interventional cardiologists who work at Maui Memorial Medical Center.

Our story began in 2016 when Shalin worked as a general cardiologist at the hospital for a year prior to his interventional cardiology training. He and I met during his training, and I decided to take a leap of faith with him moving to Maui. He had fallen in love with Maui and felt that he could make a difference in a small community with the skills he had learned. Ultimately, he returned to Maui in 2019 as a full time employed interventional cardiologist with Pacific Permanente Group, and we got married in December 2020 with plans of making Maui a home.

Unfortunately, due to the COVID pandemic our plans derailed. Starting as a new physician out of training, housing prices seemed already high compared to our prior location, and without a significant nest egg due to paying off student loans it was scary purchasing a home immediately. We decided to rent initially until we could save for a down payment. Then suddenly COVID came along and housing on Maui became unattainable. Prices skyrocketed and rentals became scarce. We were now competing with people bidding several hundred thousand dollars above asking and some sellers only wanted cash offers. We could not complete and still can't. Luckily, we signed a long-term lease of 1.5 years however this will end in August. We don't anticipate finding an adequate rental and are not sure what the housing market will do as houses are overpriced.

Maui needs market priced housing for health care providers. If I struggle to be able to buy a house I can't imagine what our nurses, technologists, medical assistants, etc., are feeling. Those who care for our community need to live in our community. Having a supply of homes will help ease the need for market-priced housing for medical staff. Hopefully this can help attract medical professionals and retain them.

I ask that you please approve the Maui Lani housing initiative. The community has the right to receive exceptional health care and if something isn't done the hospital will continue to lose staff as well as struggle with recruitment. In the end the community is who is ultimately affected, and they deserve better. Therefore, we ask you to support the Maui Lani resolution. So that we can

continue to provide and care for the entire Maui community. While this may not be the ultimate solution at least it is a start. To solve this crisis, we need to think outside the box. Perhaps a state income tax credit for physicians purchasing a home would be a supplemental idea to this.

Mahalo for your time,
Alison and Shalin Patel

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MAUI HEALTH SYSTEM

Community hospitals affiliated with KAISER PERMANENTE.

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COUNTY CLERK

March 15, 2022

TO: Maui County Council
200 S. High Street
Wailuku, HI 96793

FROM: Michael Rembis
Chief Executive Officer, Maui Health
221 Mahalani Street
Wailuku, HI 96793

As a not-for-profit organization, Maui Health has a mission is to provide high-quality care to all residents and visitors, regardless of their health insurance coverage or ability to pay. Through all the challenges of the last two years, our nurses and care providers were stretched thin, working long shifts and hours to meet changing needs, and I am proud of how our staff rose to meet obstacles with compassion, flexibility and professionalism.

Unfortunately, we remain stretched thin. Not because of a surge in illness, but a surge in housing costs. We are unable to recruit and retain the healthcare providers we need due to a dire lack in housing that is accessibly priced for them to be able to move and live here.

Those who care for our community need to live in our community. There is nothing more important in this community than having people on Maui provide care but lack of housing has had a serious impact our ability to hire essential staff. This shortage directly impacts Maui residents' access to critical, life-changing or life-saving care when they need it. For the first time, our biggest obstacle we have in finding staff to care for patients on Maui is housing. We have had current staff leave the island because homes they are renting are being sold. Staff relocating from the mainland are paid extremely well for temporary housing, but they are unable to find short-term housing. We have also for the first time had physicians who provide critical life-saving services turn us down because they are unable to find adequate housing.

That is why I ask you to support the Maui Lani resolution. Having this market-priced housing set aside for healthcare professionals will allow us to attract and retain those most needed to meet the healthcare needs in our community. The beauty of Maui and its people is a huge draw when we recruit, but without housing options, the nurses, other care providers and even physicians we need literally can't afford to come Maui. And our community cannot afford to go without them.

I ask you to please approve resolution 22-85. Thank you.

Robert T. Takamatsu

1021 Noio Street, Honolulu, HI 96816 | Office: (808) 270-5974 | Cell: (808) 594-3696 | bobt@goodfellowss.com

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2022 MAR 14 AM 11:34
OFFICE OF THE
COUNTY CLERK

March 14, 2022

RE: Resolution 22-85, Maui Lani Housing Initiative, Testimony on Behalf of Maui Health Foundation

Dear Members of Maui County Council:

Hello, my name is Bob Takamatsu and I am a member of the Maui Health Foundation board of directors. Maui Health Foundation is a non-profit organization which has provided support to health care on Maui and Lanai for the past 25 years. A mission of the Foundation is to help provide the people on Maui exceptional medical care and, to meet that mission, it is essential that we be able to recruit and retain excellent medical professionals.

One of the challenges that the Foundation has faced is that many of the medical professionals we seek to hire have difficulty finding housing on Maui. To meet the goal of having available a safe, convenient and comfortable living environment to doctors, nurses and other medical professionals, we need your support of Resolution 22-85. The support of the Resolution will greatly enhance the quality of medical professionals who we will be able to recruit and retain for Maui Memorial Hospital.

I was born at Maui Memorial Hospital, was raised on Maui and have family and friends who live on Maui. I believe in the mission of the Maui Health Foundation; I believe in the efforts of the County of Maui in its support of exceptional medical care; and I believe that, with your help, we can work collaboratively in making medical care on Maui as great as it can possibly be.

Thank you,



Robert T. Takamatsu

CC: mimi.desjardins@co.maui.hi.us

Mimi Desjardins, Esq., Deputy Corporation Counsel, Dept. of the Corporation Counsel

Clerk of Maui County, County.clerk@mauicounty.us

Melinda.a.sweany@kp.org

Cassie.chavez@kp.org

tamar@chotzen.com

Honorable Alice L. Lee, Chair
and Members of the Maui County Council
County of Maui
200 South High Street
Wailuku, Hawaii 96793

RECEIVED

2022 MAR 15 AM 7:59

OFFICE OF THE
COUNTY CLERK

RE: SUPPORTING RESOLUTION NO. 22-85, AUTHORIZING THE DISPOSITION OF REAL PROPERTY TO THE MAUI HEALTH FOUNDATION AND FOR WAIVER OF OUTSTANDING REAL PROPERTY TAXES

Aloha Chair Lee, Vice-Chair Rawlins-Fernandez, and Councilmembers.

I am Cory Lynn Vicens, and a Board Director on the Maui Health Foundation.

My family has been blessed to call Maui home for 35 years and to live in one of the most beautiful places in the world that attracts visitors globally, but we often can't attract or retain skilled medical professionals for one reason, a place for them to call "home."

I am asking you to support Resolution No. 22-85 because,

Maui Memorial Medical Center is the only place in the County of Maui that can provide critical, lifesaving care to our residents and our visitors, and they do so for any who come through their doors. For those with the most critical needs, there is often no other option. They do not have the time to delay treatment or the strength to make the trip to another island to receive care.

In 2014 while traveling, my mother was admitted to Yale University Hospital, a top medical facility in the nation with state-of-the-art equipment and staff, with a life-threatening condition. If the situation was reversed and it was upon arriving home in Maui that this occurred it is likely she would not have survived, because the hospital did not have the physicians or the equipment to treat her condition which would have meant transporting her to Oahu. She did not have that time. Seven years later, that is not the case, because the hospital recruited a top vascular doctor and purchased equipment that is saving lives every day. But it took great effort to make that happen. We aren't just recruiting the physician but their family too which means, finding a "home" for more than one person.

Today, the hospital is short more than 160 physicians (in specialties ranging from urology to orthopedics) and 75 registered nurses, despite hiring every single graduate from Maui College, every year this was compounded by the pandemic over the past two years. In total the hospital currently has over 400 vacancies.

Why is this? Because the greatest obstacle to the recruitment and retention of physicians and other health care professionals is the lack of available and affordable housing on Maui, thus making health care even more challenging for our healthcare system.

This shortage directly impacts the quality of life for all on Maui.

Passing Reso No. 22-85 will enable us to attract medical professionals who can meet the healthcare needs in our community, allow Maui-born medical professionals who want to return

Council Chair Lee, Council Vice-Chair Rawlins-Fernandez & Councilmembers
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home to practice medicine to do so, and retain current Maui care providers looking to purchase their first home on Maui.

Having a place to live and call home is one of the most basic and important human needs there is. How can we ensure the quality of life for all who call Maui home if the medical professionals we need here can't afford to live here?

Please support the Maui Lani Reso 22-85!

Mahalo nui for your consideration,

Cory Vicens
Board Director, Maui Health Foundation

Contact Info.

Cory Lynn M. Vicens
2465 Waipua St. Paia HI 96779
coryvicens@gmail.com
808.633.6962

Cc. county.clerk@mauicounty.us
Councilmembers
Tamar Goodfellow, Chair of the Board of Directors, Maui Health Foundation
Melinda A. Sweany, Chief Development Officer, Maui Health Foundation

County Clerk

From: Karen Williams <karenparadise01@gmail.com>
Sent: Sunday, March 13, 2022 8:45 AM
To: County Clerk; Alice L. Lee; Keani N. Rawlins; Tasha A. Kama; Gabe Johnson; Kelly King; Mike J. Molina; Tamara A. Paltin; Shane M. Sinenci; Yukilei Sugimura; Melinda Sweany; Cassandra Chavez; Tamar Goodfellow
Subject: RESOLUTION 22-85

Some people who received this message don't often get email from karenparadise01@gmail.com. [Learn why this is important](#)

Hello, my name is Karen Williams, and I am a resident of Maui. I volunteer my time on the Foundation Board of Maui Memorial Medical Center (Maui Health). The Foundation Board raises money to help support the health and wellness of our community and visitors. Since we are on an island, it is imperative that we have World Class Healthcare available to all residents and visitors!

A place to live is one of the most basic and important human needs there is. How can we ensure the quality of life for all who call Maui home if the medical professionals we need here can't afford to live here? That is why I am begging you to support the Maui Lani resolution!

Maui Memorial Medical Center is the only place on this island that can provide critical, lifesaving care! We need to be able to Save Lives on Maui! For those with critical needs, there is no other option, as many do not have the luxury of time or can afford to seek treatment on the mainland or another island. The ER at Maui Memorial is the second busiest in the state of Hawaii!

Today, Maui Memorial Medical Center is currently short 160 physicians in specialties ranging from family and internal medicine to oncology, heart and lung surgery, orthopedics, and urology. The hospital is also short 75 registered nurses, despite hiring every single graduate of the University of Hawaii Maui College, every year. The number one difficulty in recruiting healthcare workers to Maui is the inability to be able to afford to purchase a home. This shortage directly impacts the quality of life for all on Maui.

The Maui Lani Housing Initiative will enable us to:

- Attract medical professionals who can meet the greatest healthcare needs in our community
- Allow Maui born professionals who wish to return home to practice medicine
- Retain current Maui care providers who are looking to purchase their first home on Maui

That is why I ask you to support the Maui Lani resolution. It is a Win-Win!

Many Mahalos!

Karen Williams
30 Maluaka Place
Unit 201
Kihei, HI 96753

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