

MINUTES

of the

COUNCIL OF THE COUNTY OF MAUI

October 23, 2020

THE REGULAR MEETING OF THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, WAS HELD ONLINE ONLY VIA BLUEJEANS, ON FRIDAY, OCTOBER 23, 2020, BEGINNING AT 9:19 A.M., WITH CHAIR ALICE L. LEE PRESIDING.

COUNCIL CHAIR ALICE L. LEE: Will the Maui County Council regular Council meeting of October 23, please come to order.

Ms. Madam Clerk, roll call.

ROLL CALL

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

EXCUSED: NONE.

CHAIR LEE: But I also would like to say a special hello to all of my colleagues in Chinese; Ni Hao. Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: Ni Hao.

CHAIR LEE: Ni Hao. Alright. Madam Chair, we have--

COUNTY CLERK: Chair.

CHAIR LEE: --all Members present.

COUNTY CLERK KATHY L. KAOHU: All Members present, and we do have a quorum to present, a quorum to conduct the business of the Council.

I also wanted to add, assisting from the Office of the County Clerk is Legislative Deputy James Krueger, and Legislative Clerks Joyce Murashige, Lauren Saldana, and Dell Yoshida.

CHAIR LEE: Thank you. And I would also like to welcome to the Council meeting our Corporation Counsel Moana Lutey. Good morning, Moana.

CORPORATION COUNSEL MOANA LUTEY: Good morning.

CHAIR LEE: Okay. Madam Clerk, back to you. So, we will begin with opening remarks.

Madam Clerk.

COUNTY CLERK: Yes, Chair, opening remarks.

CHAIR LEE: Alright. Due to our, you know, situation on the island of Lanai, a lot of us are thinking about them and, and worried about them, concerned about them. And we're very happy that our Councilmember from Lanai is on Lanai and I would like to ask him, Councilmember Riki Hokama, to do the opening remarks this morning.

Mr. Hokama. We can't hear you for some reason. Staff. Are we muting him on our side? It seems like he's on mute.

COUNCILMEMBER HOKAMA: Okay. Can you hear me now?

CHAIR LEE: Yes. Yes.

COUNCILMEMBER HOKAMA: Okay. Thank you.

OPENING REMARKS

The opening remarks were offered by Councilmember Riki Hokama.

CHAIR LEE: Thank you very much, Councilmember Hokama. There's feedback from somewhere. Okay. Please keep us posted, Mr. Hokama, and let us know, you know, what we can do to help you help the people on Lanai.

Madam Clerk, is it time for our Pledge of Allegiance?

COUNTY CLERK: Yes, it is.

CHAIR LEE: Okay. Everyone, please join me in reciting the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

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

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

Madam Clerk.

COUNTY CLERK: Chair, we have, moving forward with the presentation of testimony on the ceremonial resolutions. We have one request to testify on ceremonial resolutions from Lucienne de Naie.

CHAIR LEE: Alright. Proceed.

COUNTY CLERK: Lucienne de Naie.

PRESENTATION OF WRITTEN TESTIMONY

MS. LUCIENNE DE NAIE:

Aloha. Good morning to all. I just wanted to say what a positive impact the entire family has had here on Maui. And certainly, Willie K is the best-known spokesperson in our time. But here is a man who, it was, you know, so beloved and, and so famous that somehow, we always had time for the little things. And I was blessed to have him come to my tv show and perform and share his mana'o, and I know many others have similar stories. And we just have a, a great gap in our community losing a person of such dedicated spirit.

So, for the whole ohana, thank you for sharing your son with our community. And thank you for sharing your whole ohana with our community, because all of Willie's siblings equally active and engaged and giving back as, as the parents certainly were as well. So, mahalo to the whole family. They have set a great example for our community.

CHAIR LEE: Thank you, Ms. de Naie. Well said. Are there any questions for Ms. de Naie?

If not, Madam Clerk.

COUNTY CLERK: Chair, proceeding with ceremonial resolutions.

CEREMONIAL RESOLUTIONS

RESOLUTION
NO. 20-150

HONORING THE EXTRAORDINARY LIFE OF
THE LATE WILLIAM "WILLIE K" KAHAIALI'I

CHAIR LEE: Councilmember Riki Hokama. You're muted, Mr. Hokama.

COUNCILMEMBER HOKAMA:

I MOVE THAT THE RESOLUTION AS READ BY THE CLERK
BE ADOPTED.

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: It's been moved by Member Hokama, seconded by Member King, to adopt the ceremonial resolution before you.

Discussion, Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Members. With no objection, Chair, I would like to request that the Clerk read the resolution in its entirety please?

CHAIR LEE: Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: So, ordered.

Madam Clerk, please read the resolution.

(The resolution was read in its entirety.)

CHAIR LEE: Mr. Hokama, discussion? You're on muted, Riki, Riki.

COUNCILMEMBER HOKAMA: Thank you very much, Chair Lee. And thank you, Madam Clerk, for reading the resolution. I'm sure many of us have our own special memories of Willie or Uncle Willie, depending on your age and relationship. For me, you know, Willie and I go back decades when he had a lot of black hair yet. And both our fathers, I think was in the 2002 era, were going through cancer, their cancer battles. And Willie and I got to be good friends seeing one another at times at the oncology center at Maui Memorial Hospital.

And, you know, after my dad had cancer, we started doing some golf fundraisers for cancer. Willie was always there willing to kokua, offer his time, his talent to raise money for worthy causes. And so, when Willie started raising money for the hospital with Wes Lo, you know, I said it was now my turn to help Willie back. And you know, I did my best to raise money for him and get golf rounds at, on Lanai to support his great causes. And so, you know, that's been, you know, how we, we've been going through the years together.

And whenever I needed someone special to come to Lanai for Pineapple Festival or a big occasion, you know, Willie would say, yeah talk to my manager. And of course, being the manager that he had the business, said well this is Willie's minimum and this and this and this. I went, yes, thank you. And so, I get back to Willie and I would say, you know, Willie, we can't afford that. This is what we can do; take care of housing, kau kau, bring your family, you know, we can give you a small stipend. But, you know, we don't have that kind of resources for your minimums. And Willie would find a way and get himself to the island and perform for the Lanai community; from his old katchi katchi hits to his rock and roll. And he even sang opera for us in Dole Park under the trees at night and he gave Lanai a lot of chicken-skin experiences.

And so, for me, you know, this is my way of celebrating with his life. And I want to thank everybody who have come. Debbie, I love you, the girls. Mama, you know, thank you for being here, this is Ivy Nuuhiwa, Willie's mom. And I'll end there, Chair Lee, cause I'm, I have a lot, I could say a lot more but I'm sure there's others that might want to share their special memory.

All I can say is Willie had that rubber band in his hair all the time. And I can tell his experience that he always used to share on Aloha Airlines was he would board last, the plane would be full, he had to take the middle seat between two potential visitors, I guess, to Maui. And he plopped down in the seat, and if you can see this, right, Willie

reaches back, rips off the rubber band, shakes his head, boing, both sides of his hair is touching those two ladies on the side, right? And they're going like, oh my god is this what we going to be sitting in the plane till we reach Maui? And Willie would just be Willie, right? Big smile, stretched out, boing hair, with the two ladies on the side. I mean, he enjoyed his life. He celebrated life. And thank you, Willie. I love you, brother. Thank you, Chair.

CHAIR LEE: Thank you. Thank you for those moving remarks, Member Hokama.

Ms. King.

COUNCILMEMBER KING: Thank you, Chair. And thank you, Member Hokama, for bringing this resolution forward. It's, I think we're going to be feeling this way for a long time, so it's, it's not even a timely thing because, you know, we could celebrate Willie's life every day and not, and not recognize everything that he did on this island. But, you know, we went back a long ways too from early days in Lahaina. And every time I would see him at a fundraiser, he'd always pull me aside and remind me of that. So, I didn't, I, I, my heart goes out to the family. And I don't know the family real well. I had a lot of dealings with Willie directly.

And one of the fundraisers that really stands out is with Willie Nelson on the big, on Oahu, the big, big island, Oahu for one of our former Mayor's who's campaign I was working on. And, you know, we spent a lot of time just talking about the future of Hawaii in the greenroom waiting for his performance to come on. So, I, I see him as, you know, just this amazing performer with all this diversity, but also someone who is deeply involved in our community. And he knew what was going on. He knew at all levels what was going on with the Council, at the State level. He was very, he, he did a lot of volunteer, all of his volunteer performances just, you know, tug at your heart because he, he gave so much and asked for so little in return.

So, I really want to recognize and thank the family for sharing Willie with the rest of the, not just the community, but the, also the world. I have relatives on the mainland that followed his performances every time he went over there to the West Coast. And so, I, I'm so happy to be able to recognize, I wish we were all in the chambers and we could all give the family big hugs and lei because, you know, that's where our hearts are. Unfortunately, we have to be separated. But thank you for showing up. And, and thank you again, Mr. Hokama, for bringing this forward. I love that guy too and I think we can all say that.

I'm going to stop here, because you can go on and on with Willie. But I do want to say one of the best compliments I ever got since I got on this Council was running into Willie at the Millhouse and having him, you know, stop me and pull me aside. And he

just said thank you for being who you are, Kelly. I really appreciate that. And, and, you know, that's something that I'll always remember him for. Much love to the family. Thank you, Chair.

CHAIR LEE: Thank you, Member King.

Member Sinenci, and then Ms. Sugimura.

COUNCILMEMBER SINENCI: Mahalo, Chair. I, I too want to extend our sincerest condolences to the entire Kahaiali'i ohana. May ke akua comfort, guide you, and protect you during these times of transition. And I just wanted to say that, you know, at his passing and quite being in, in this COVID lockdown, we just got to see all of his videos just flood the airwaves and flood social media. So, I think we all had a collective uē moment during this passing. And ke aloha nui . . . aloha.

CHAIR LEE: Thank you, Member Sinenci.

Member Sugimura.

COUNCILMEMBER SUGIMURA: Yea, I'd like to also extend my appreciation to Councilmember Hokama for bringing this forward. I think when Willie passed, we all lost something of greatness, and I don't think we can express everything that he's given. I was so lucky in my, in my work. I would have the opportunity of having Willie perform. And I still always remember when Willie decided and said yes that he would perform at Wailuku First Friday, we set up the stage on the Main Street side and had it all clear with the audience all along the street just there to listen to him sing. I too remember his fabulous voice and I treasured; he would sing opera. So, when, when he sang opera and it, at Wailuku First Friday, we were just like in awe.

Beginning of this year, I had the opportunity of speaking with him, cause I was trying to hire him to perform at Piilani Village for their Halloween festivities which would have been October 31 of this year. And he told me that he could not because they were planning to go on a cruise, and the cruise had actually hired Willie to perform. And Willie said that he would be, I've hired him before for that event and he said that he would be the opening acts at the Piilani Village and the highlight and headliner would be all the children who came and appeared in their Halloween costume contest. But he truly, amazingly, wowed the crowd. There were a lot of adults who came just to hear him sing. And the children loved him. And he would stay all night and watch the Halloween costume contest when he performed for us.

But Willie is special. He gave from his heart. He has definitely left his mark on the community. And I love his family, and you will meet them shortly when they speak. Thank you.

CHAIR LEE: Thank you, Member Sugimura. Anyone else?

Mr. Molina, and then Member Rawlins-Fernandez.

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair. You know, the Clerk certainly hit it on the head with all of the accolades and, and accomplishments of Willie K. There's not too many more adjectives to, to add to this. But, you know, his legacy is certainly cemented as one of the all-time musical greats of Hawaii. But what I especially appreciate was how he spread his aloha globally, and not just here. He was certainly to the truest sense of the word, a real ambassador for us. And, you know, generations now and in the future will always remember him. And so, that's the wonderful thing about this too, as we remember him.

And, you know, it's unfortunate that, you know, the Lord took him at a relatively young age. But, you know, stars will continue to shine even after they leave us. And, you know, he was the virtuoso, everything. The man could play all kinds of styles. But one big thing I admired about him, he never forgot where he came from. And he's, he's, he's us, from Maui County and has made us so, so proud.

And on a personal note, you know, my favorite song is of course what Member Hokama mentioned, "Katchi Katchi Music Makawao". For many of us, that's the anthem of Makawao. And that song just resonates so well with us and make you want to dance. But, you know, it, it's, it's a humbling moment right now, very chicken-skin. And all of our prayers and to the family. And thank you for sharing Willie with all of us. Mahalo. Thank you, Madam Chair.

CHAIR LEE: Thank you, Member Molina.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. And mahalo, Member Hokama for bringing forward this resolution. All your comments have, have made me very emotional now. Okay, deep breaths. And, Member Kama, you're not helping. Chair, can I take a moment? I can go after.

CHAIR LEE: We can come back to you?

VICE-CHAIR RAWLINS-FERNANDEZ: Yea.

CHAIR LEE: Okay. Member Paltin and Member Kama.

COUNCILMEMBER PALTIN: Thank you, Chair. And thank you, Member Hokama for bringing this resolution forward for Willie K. I want to offer my sincere condolences and love to the Kahaiali'i ohana and for sharing your son with us from King Kamehameha Elementary, King Kamehameha III Elementary School all the way to Lahainaluna and beyond. Willie K brought so much pride to the west side and Maui County and the world.

And, you know, I guess you know my favorite memory of the first time I met Willie K was at D.T. Flemings Beach Park. I was working and he was just sitting on one of the park benches. And I was like Willie K, you know. I'm from Hilo, so. And I ran to my truck, got my CD out of the holder and I'm like, will you sign my CD? And of course, he signed it. And just, I was like whoa, so awesome.

You know, I spent some years working with his brother that also passed, John Kahaiali'i at Island Air. And I, I took Papa Olelo Hawaii with his sister Donora at Princess Nahienaena. And I just, such a big loss for, for Maui County. And I just wanted to offer my sincere condolences and aloha nui to the family. Thank you.

CHAIR LEE: Thank you, Member Paltin.

Member Kama, Tasha Kama.

COUNCILMEMBER KAMA: Thank you, Chair. Thank you, Councilmember Hokama. This is very touching. It affects me deeply because we have a close relationship with Auntie Kaipo. Death hurts because of the loss that we face. And the loss of a child is even greater, because we always think as parents that we all will go before our children. But when our children go before us, the hurt sometimes never goes away.

So, I wanted to share one of the first times I actually met Willie, it was at a concert. And after he had finished playing, you know how people go up to the stage, and so I waited my turn to talk to him. And he looked like he was having a hard time. So, I told him, "braddah, what's the matter"? He'd tell, "oh, my gout". I said, "oh my god, and you up here?" And he said, "well, you know, I got to come, I got to serve my community". And I thought to myself this guy really is either lolo or he love us so much.

So, today we talk about honoring the extraordinary life of the way, the late William "Willie K" Kahaiali'i. He was extraordinary, because he understood what it meant to sacrifice. But he also understood what it meant to really love, to love to a degree that you can sacrifice your pain because you want to see the joy that you bring on people's

faces. So, I think today we feel the loss because we know the joy that he has brought to us, and we remember the joys. But at the same time, we grieve the loss because we'll never be able to, to feel that again unless we continue to listen to his music over and over and over and over.

But I wanted to read this for you, Auntie Kaipo. It's something that we read at Pikake's funeral too. So, I want to tell you "Let not your heart be troubled: ye believe in God, believe also in me. For in my Father's house are many mansions: if it were not so, I would not have told you. I go to prepare a place for you. And if I go and prepare a place for you, I will come again, and receive you unto myself; that where I am, there ye may be also." Auntie Kaipo, I hope you and the kids are going to be comforted by these words. Thank you, Chair. God bless you all.

CHAIR LEE: Thank you. That was very beautiful, Member Kama.

I believe we are back to you, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Pro Tem Kama, you're still not making it easy. Sorry. I first want to extend my aloha to the Kahaiali'i ohana. And like all my colleagues, wish you aloha and comfort during this time. And to all those who Uncle Willie K made his ohana, I . . . I've learned so much through his posts about his personal life.

Yesterday, marked the 30 years of the stopping of the bombing of Kahoolawe; October 22, 1990. I was . . . seven years old and just learning about who I am. And Uncle Willie K, you know, his, his music really helped a lot of, those of us, you know, my age, all of our ages, find so much pride in our identity as a kanaka. And while his music brought us so much joy, his, he himself brought so much pride to the lāhui and what he meant to us as a people.

And as Member Sinenci said, you know, it was a, the news of his loss was a collective way as a lāhui, as a County, as all the lovers of his music and our culture. And he was just larger than life. And it's, you know, he'll always be a legend. And, mahalo, Chair.

CHAIR LEE: Thank you. And I think all of you have shared very wonderful stories and thoughts about Willie K. And I don't think I can possibly add to that, other than to say we send our deepest condolences and our warmest appreciation for, for Willie K being a part of our lives. And we hope that the family will have peace and comfort going forward.

Now, without any further comments or questions--

COUNCILMEMBER HOKAMA: Chair.

CHAIR LEE: Yes, Member Hokama.

COUNCILMEMBER HOKAMA: Chair, I would be remiss, and first, I want to thank you and all the Members for the very kind words regarding the extraordinary life of Willie K. But I want to also not be remiss and not thanking Art Vento; Art, out there from the MACC. Thank you very much for sharing those photos and visuals of Uncle Willie during the reading of the resolution by the Clerk. I think that help set the tone.

And I hope that we can remember this day by celebrating the great life of Uncle Willie. His birthday was last week, so I hope I, you know, if we can take anything away from today, Chair, is we should be celebrating that we had Willie K in our lives. So, listen to his music, be inspired, and continue the one thing that Willie always shown through himself; his love for his fellow man. Mahalo, Chair.

CHAIR LEE: Thank you. At this time, we're ready to vote. Please mute your microphones. So, all those in favor of the motion to adopt the resolution honoring Willie K, please say "aye" and raise your right hand.

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

NOES: NONE.

CHAIR LEE: Motion carries unanimously; nine "ayes", zero "noes".

Madam Clerk. I think at this time--

COUNCILMEMBER HOKAMA: Chair.

CHAIR LEE: --we would like to introduce the family.

Mr. Hokama, did you want to do that?

COUNCILMEMBER HOKAMA: No, no, no. I would prefer the Clerk, since the Clerk is in visual view of Deborah and the kids and the mom. So, if the Clerk would do that please, Chair. And I know that the oldest daughter would like to speak on behalf of the family after that. Thank you.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: Madam Clerk, could you please introduce the family?

COUNTY CLERK: Let me go and turn on their microphone real quick. And I'll be, I'll be going up to the podium right now.

Okay, I'd like to introduce mother Ivy; and wife Deborah; and daughters Honai or Lycettiana, and Antoinette.

CHAIR LEE: Is, is the daughter's mic open?

MS. LYCETTIANA KAHAIALI'I: I would like to send a big mahalo to the Chair and Councilmembers.

CHAIR LEE: Can't hear anything.

COUNTY CLERK: Hold on one moment please.

DEPUTY COUNTY CLERK: We're just going to have you use the BlueJeans audio, okay?

MS. LYCETTIANA KAHAIALI'I: Aloha. On behalf of my family and myself, I would like to send a big mahalo to the Chair and Councilmembers for giving my dad this honorable recognition. I've been watching the video livestream and I see there's a lot of tears and emotions flying around.

And I would like to share my dad's last words of wisdom he shared to me when my granduncle passed this past November. And he told me this, it's okay to let the pain hurt. It's okay to cry, because that's the way we're going to heal. So, let it do its thing, but at the same time, you shouldn't be holding onto that pain as well. But because of that, the soul cannot leave this place and be gone. I never thought I'd be saying those words regarding to the passing of my father.

I want to also thank you for supporting our family . . . Kahaiali'i. Mahalo.

CHAIR LEE: Thank you very, very much. Would anyone else like to say something?

COUNCILMEMBER HOKAMA: Deborah, you don't want to say anything, Deborah?

MS. DEBBIE KAHAIALI'I: For all your support, your love, so just very honored . . . recognize . . . all the love and the stories that everybody has shared. So, we really appreciate that. Thank you. Thank you very much.

COUNCILMEMBER HOKAMA: Mama, you want to say anything, mama?

MS. IVY NUUHIWA: I cannot talk now.

MS. DEBBIE KAHAIALI'I: Thank you. Toni, you want to say anything? Mahalo again.

COUNCILMEMBER HOKAMA: Mahalo for being there. Mahalo for being there.

MS. DEBBIE KAHAIALI'I: Thank you.

CHAIR LEE: Thank you so much, everyone for coming and, and sharing in this celebration with us and all of Maui County. Thank you.

And, Yuki, can you help escort everyone out? Yuki. We'll take a, Yuki, are you there?
Is, is Jordan going to help?

COUNTY CLERK: She's at her desk.

CHAIR LEE: Okay. So, is Jordan going to help escort them out?

VICE-CHAIR RAWLINS-FERNANDEZ: Chair, you want to take a quick recess?

CHAIR LEE: I just wanted to check if, if they're okay.

COUNTY CLERK: We have staff--

CHAIR LEE: We'll take a five-minute, five-minute recess. Return at 10:10. Okay? Thank you. Recess.

(THE MEETING WAS RECESSED BY THE CHAIR AT 10:02 A.M., AND WAS RECONVENED AT 10:15 P.M., WITH ALL MEMBERS PRESENT, EXCEPT FOR MEMBER HOKAMA, EXCUSED.)

CHAIR LEE: Will the Council meeting of October 23 please reconvene. And thank you, Members, for your participation in honoring the life of Willie K.

Madam Clerk, do we have testifiers signed up?

COUNTY CLERK: Yes, we do have some testifiers signed up.

CHAIR LEE: Okay. Shall we proceed?

COUNTY CLERK: 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 to the Council's online meeting intending to testify should notify staff in the meeting chat. If you do not intend to testify, you can watch the meeting on Akaku Channel 53 or on mauicounty.us. Individuals connected by phone are currently on mute and will be unmuted when it is their time to testify. Individuals connected by videoconference should keep both their video and microphones muted and should unmute them when it is time to testify.

Testimony is limited to the items listed on the agenda. And 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 item in which you will be testifying. Please also identify to the Council if you are a paid lobbyist.

Chair, our first individual to testify is Gregg Kresge. And Gregg will be followed by Aki Marceau.

CHAIR LEE: Could you repeat the name again?

PRESENTATION OF WRITTEN TESTIMONY

MR. GREGG KRESGE, (testifying on County Communication No. 20-524):

Hello. Can you hear me?

CHAIR LEE: Yes. We see you too also. Thank you.

MR. KRESGE: Awesome. Awesome. Aloha and good morning, Council Chair Lee and Councilmembers. My name is Gregg Kresge and I'm the manager of Project Delivery for electrification of transportation for Hawaiian Electric based here on Maui. I hope I'm coming across the camera fine, because I've got my other screen up here. But first, I would like to say that we'll all miss Willie K, his infectious smile, great music, and gifts to the community. His Christmas music is my personal favorite, and I'll be playing it a lot soon, so thank you for honoring him today.

I'm offering testimony on agenda item 22-524 *[sic]*, related to Electric Vehicle DC Fast Charger concessions. Hawaiian Electric has also submitted written testimony. In addition to the written testimony we've submitted, I wanted to highlight just a few things.

At the end of July this year, charging stations that were part of the membership program called EVohana were phased out. And EVohana was the replacement program for what was previously known as JumpSmartMaui, which was developed in partnership between the Japanese New Energy and Industrial Technology Development Organization, known as NEDO, Hitachi, Maui Economic Development Board, and the County Maui, and Hawaiian Electric.

Hawaiian Electric supports the growth of electrification and transportation and recognizes the need for more public charging sites that concessions requested will provide an opportunity to move forward with increasing locations for the public to utilize. Hawaiian Electric is in the process of replacing and operating the chargers on four of these EVohana sites. I'm pleased to share that over a month ago we installed a new DC fast charger at Pukalani Terrace and look forward to completing the rest of the installations by the end of the year.

The proposed resolution that you have before you today will allow us to proceed with the installation of a DC fast charger at the Lahaina Aquatic Center, meeting, meeting needs on the west side. Because the equipment for the charging station planned for Lahaina Aquatic Center is on island now and we are able to fund the installation of the equipment this year, we strongly support the request before you to waive the referral to a Committee.

This would allow for the installation to be completed before December 31 while the funds are available. The equipment and installation would be at no cost to the County. Installing electric vehicle charging stations support the County's clean transportation goals and advances the adoption of the electric vehicles which reduces dependence on fossil fuel and the adverse effects of climate change. They play an important part of our clean energy future.

So, we appreciate your consideration today. You'll also be hearing from my director and the Director of Electrification of Transportation, Aki Marceau, who will be offering testimony in support of the resolution before you today. And mahalo for your time and consideration. We look forward to working with the County and the, in this service to the public and are available to answer questions now and when the item is addressed on the agenda. So, mahalo for your time.

CHAIR LEE: Any questions for the testifier?

Ms. King, and then Ms. Sugimura.

COUNCILMEMBER KING: Thank you, Chair. Aloha, Gregg. Thanks for being here. Good to see you.

MR. KRESGE: Aloha.

COUNCILMEMBER KING: Yea, it's a little distracting cause you look like you're looking at a different screen than.

MR. KRESGE: Let me see if I can drag it across so that I can be more in line. How's that?

COUNCILMEMBER KING: That's a, yea, that's, that's better. Yea, thank you.

MR. KRESGE: Okay.

COUNCILMEMBER KING: So, you mentioned a fast charger in Pukalani. Is that one of the four or is that in addition to the four?

MR. KRESGE: No, so that's one of the four. So, the four sites are the Lahaina Aquatic Center, Pukalani Terrace Shopping Center, Piilani Village Shopping Center, and the Queen Kaahumanu Center.

COUNCILMEMBER KING: Okay. And then--

MR. KRESGE: So, the Pukalani charger is the one that is under the EV Maui Program.

COUNCILMEMBER KING: Okay.

MR. KRESGE: That's one of the four.

COUNCILMEMBER KING: Oh, okay. And then are you, so you're planning to expand those beyond just the four though?

MR. KRESGE: Under that program we've been authorized to do the four sites. So, we're, you know, in the future we're looking at actually trying to expand the program beyond what we've currently been approved to do.

COUNCILMEMBER KING: Okay. Okay, great. I look forward to that. Thank you. Thank you, Chair.

MR. KRESGE: Yea. Thank you.

CHAIR LEE: Thank you.

Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. Nice seeing you, Gregg. Thank you for continuing your good work.

MR. KRESGE: Hi. Thank you.

COUNCILMEMBER SUGIMURA: So, I understand that this is going to be paid for by Hawaiian Electric. So, do you know what the total cost is that you're covering?

MR. KRESGE: Yea. So, so, this, actually what's really good about this particular, these four sites in particular, were chosen for the EV, the old EVohana sites because the infrastructure, the electrical connection infrastructure is already in place. So, that cost is greatly reduced. So, with the equipment cost and the cost of the construction, we're looking at about a third of the normal cost. Sometimes these stations, and I, you know, it just really depends on the site and at the end of the project. But we're looking at somewhere around \$60-\$75,000 as opposed to a green site. If we went in and we installed without any infrastructure in place, we, we often use like \$150-\$200,000 as the, as the numbers. So, there is quite a cost savings by doing this.

COUNCILMEMBER SUGIMURA: Thank you for doing this for the community. And I guess this is, this is a big benefit, cause it's not going to cost our taxpayers additional dollars. And you're continuing on with the program that you mentioned; JumpSmart to EVohana. So, you have a customer base that's waiting for these chargers to be activated. You do?

MR. KRESGE: Oh, yes. I hear from them every day. So, I know these, it, well, I was part of the program myself. I'm an EV, electric vehicle driver since, actually since its inception; January 2013. I was one of their original volunteers recruited. There, so, there is a need.

The great part about EVohana or JumpSmart was that it really pushed EV adoption. So, they, the, like the beauty of these chargers that we're putting in is that it's not a membership base. So, you know, it's, you don't have to have a membership. You don't have to have a card. Anybody can, with a debit or credit card can show up and utilize the charger.

And it actually can charge as long as your car has a fast-charging port. It can charge pretty much a 100 percent of the electrical vehicles out there now. Tesla's, with adapters, of course, but everybody else, both Asian car market like the Nissan and then also the domestic car market like BMW or Chevy Volt are good examples.

COUNCILMEMBER SUGIMURA: Thank you. Thank you, Chair.

CHAIR LEE: Any more questions for the testifier?

Yes, Mr. Sinenci, and then Vice-Chair Rawlins-Fernandez.

COUNCILMEMBER SINENCI: Mahalo, Chair. And mahalo, Mr. Kresge, for being here. Just clarification. You mentioned that you'd be using already existing infrastructure. Are you using, you're recycling existing chargers that, that have been left at these sites?

MR. KRESGE: So, there's a couple parts of that. One is we're able to recycle some of the things, meaning that, not recycle actually, reuse some parts of it and that's the good part about us doing them at these sites is that we're able to reuse some of the equipment. Some of the equipment we're not able to get rid of. We tried to, with our contractor and our contract with that contractor, we do try to have that recycled through the electronic recycling program that's currently available because it's electronics. But other parts of it do make its way to the landfill. So, we do have it in the contract that we want them to recycle what they can.

COUNCILMEMBER SINENCI: Okay. And, and of those four sites, they already have existing infrastructure; EV infrastructure?

MR. KRESGE: Yea, so, so, so the difference, and without going into too much detail, but the difference between like a fast charger is that it's able to deliver a very large amount of energy in a short period of time. So, you can actually recharge about 85 percent of a battery on a 100-mile vehicle in about 10 minutes. But that's very high voltage that goes into that. So, the transformer connections and, and the electrical conduit is, is for high voltage, so that it has to be a very safe and secure environment.

So, under EVohana, they had that fast charging capability that, that high voltage. And we wanted to utilize that because a large part of the cost, if we do this at a site that doesn't have those connections already, is, you know, transformer connections, putting in new boxes, new conduit, and making sure that there's no access by the public to any of that behind or underground infrastructure it's, because of the high voltage connections.

COUNCILMEMBER SINENCI: Okay. Thank you, Mr. Kresge. Thank you, Chair.

CHAIR LEE: Alright. Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Mr. Kresge. Nice to see you.

MR. KRESGE: Nice to see you too.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo. Good morning. Okay. So, I just wanted to clarify. So, the agenda item that you're testifying on is County Communication 20-524.

MR. KRESGE: Yes, that's correct.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. And the three DC fast charger sites are the Lahaina Aquatic Center, Haiku Community Center, and Kalana O Maui building?

MR. KRESGE: That's correct.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. So, the, and the four sites would be, would come before us at another time?

MR. KRESGE: So, Lahaina Aquatic Center is one of the four sites under the EV Maui program, which has already been funded and approved, and the equipment has actually been purchased because we wanted to make sure to be able to do it, because we were also having inflight already site agreements all the way from last year. Site agreements take a long time to negotiate between, even the concession agreements with the County. They go back and forth and, you know, we have to negotiate those, those, those terms.

So, under the four program with a, within EV Maui, we have those four sites. Lahaina Aquatic Center is one of them. That's the only County site under that program; the EV Maui program. The other ones are Piilani Village Shopping Center; Pukalani, which has already been installed; the Queen Kaahumanu Center; and the, the Lahaina Aquatic Center; Queen Kaahumanu Center; Piilani; and Pukalani. Those are the four sites under the EV . . .

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo for that clarification. And then, my last question was in your testimony you said that before the Council is the waiver to, is the I, matter of waiving committee referral. Who gave you that information?

MR. KRESGE: Well, so--

CHAIR LEE: Excuse me. Excuse me. For clarification, that is going to be requested when the item comes up.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

MR. KRESGE: Yea, I think Alex, who is going to be--

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo.

CHAIR LEE: I'm sorry, did, did you get my clarification or was I muted?

VICE-CHAIR RAWLINS-FERNANDEZ: I got it.

CHAIR LEE: Oh, you got it? Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Mahalo, Mr. Kresge.

MR. KRESGE: Thank you.

CHAIR LEE: Are there any more questions? If not, thank you very much. Can we have the next testifier please, Madam.

COUNTY CLERK: Next to testify is Aki Marceau. And Aki will be followed by Linda Puppolo.

MS. AKI MARCEAU (testifying on County Communication No. 20-524):

Aloha, Council Chair Lee and Councilmembers. As Gregg said, my name is Aki Marceau. I'm the, the new Director of Electrification of Transportation at Hawaiian Electric. And I'll be offering testimony on agenda item CC 20-524, so similar to Gregg. And I really want to mahalo Gregg for the warm introduction. It's a pleasure to meet all of you. And I apologize for not being able to be here in person. I hope that at some point I can, in the near future, I can meet you all in person. I just joined Hawaiian Electric earlier this year.

And I'd like to echo Gregg's sentiments of strong support for this proposed resolution. As he said, the concession agreement would allow us to replace the retired EVohana charging station at Lahaina Aquatic Center by the end of the year. And we also respectfully support the request to waive the referral, which will come, you know, later today to allow us to stay within this timeline and provide charging to the public in a timely manner.

I'd like to also offer some additional context, a little bit kind of stepping back a little related to our overall programs and approach. So, we recognize, and we hear from the public a, a desire for more public charging. And right now, as a regulated utility, we're only allowed to install, at large, 29 chargers across our five island territory; and that includes the four sites that Gregg mentioned regarding EVohana. So, thanks to Gregg, we've moved quickly to replace the Pukalani charger, just over a month ago. And we're on track to install the rest by the end of the year.

And to respond to these needs from the public, regarding the desire for more charging, he, he kind of alluded to this, but we'll be asking the Public Utilities Commission to expand our public charging program next year. And this concession agreement will accelerate the installation of additional chargers. And so, we're, we're really grateful to the County of Maui for your partnership as we work together to provide public charging to everyone. And Gregg, and Gregg, as Gregg mentioned, we're available to answer any questions. Thank you for the opportunity to testify.

CHAIR LEE: Yes. And we have a question from Councilmember King for you.

COUNCILMEMBER KING: Thank you, Chair. Aloha, Aki. Good to see you again. Wow, it's been a long time. Is that, is that sustainable transportation group at the State level still happening? You still involved in that?

MS. MARCEAU: The Sustainable Transportation Coalition of Hawaii. I'm not involved in, the acronym is STCH, I'm not involved with STCH, but Michael Colon from our team is, is representing Hawaiian Electric. And then Blue Planet Foundation kind of organizes that whole group.

COUNCILMEMBER KING: Okay. Well, it's good to see you still involved. And then, and my question is, on the chargers, as we move forward, are, the original four that are in that program, are those charged by solar or are they still kind of plugged into the electric company which, you know, still partially runs on fossil fuel?

MS. MARCEAU: Those are, those are connected to the grid. So, whatever the utility mix is, or the power mix is.

COUNCILMEMBER KING: Going forward, is there going to be a push to get the chargers, you know, to develop a whole charging system that is powered by the sun rather than fossil fuel?

MS. MARCEAU: Yea, I think there's a, there's kind of a two-part answer to that. So, one is, we are, as, as you all know, trying to transition the entire kind of power mix for the grid to renewable energy. And so, that will feed into the charging stations and, and every other kind of electrical component that we offer. And then, you know, I think we're thinking creatively about how we can optimize different programs, either through the demand and response program or otherwise. And so, I think we're open to that creativity. And obviously, there's always space constraints and that type of thing. But we're, we're looking for opportunities.

COUNCILMEMBER KING: Okay. Well I'm sure, I know from our past association that your, that's where your heart is. So, I look forward to moving in that direction. But good to see you.

MS. MARCEAU: Good to see you too. Thank you.

COUNCILMEMBER KING: Thank you, Chair.

CHAIR LEE: Member King, seems like you know everybody in this field.

COUNCILMEMBER KING: Yea, I pretty much do. We all, we're very good at recycling ourselves around the, around the state, so, so we end up seeing each other in different venues, but always talking about sustainability.

CHAIR LEE: Oh, very good.

Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. I was, my question was just I was wondering if Ms. Marceau would be around when the item comes up in case we have additional questions?

MS. MARCEAU: Yes. I'll be around, and so will Gregg.

COUNCILMEMBER SINENCI: Thank you.

CHAIR LEE: Alright, are there any more questions? If not, thank you, Ms. Marceau.

Madam Clerk.

COUNTY CLERK: Our next testifier is Linda Puppolo. Ms. Puppolo will be followed by Marc Takamori.

MS. LINDA PUPPOLO (testifying on Committee Report 20-130):

Good morning, Councilmembers. Nice to see you all. I want to first say a shoutout to the Willie K ohana. I too have lost my family to cancer when I was teen. And just by coincidence, I didn't know there was a ceremonial today, I am wearing pink at the request of Tyson Miyake at the Mayor's Office, because on Fridays we wear pink to support October as being Cancer Awareness Month. So, I get how I, my heart goes out to the ohana. It, it's been 50 years since my parents were with me, and it's still

emotional after all these years. So, Florence Puppolo, I miss you. Austin Puppolo, I miss you and I always will.

My name is Linda Puppolo and I am the executive director of the Maui County Workforce Development Board. I start my testimony by assuring the Council that we are actively engaged in workforce planning and job creation, but that has to have a long-term effect on Maui County. It would be my pleasure to share our planning with you at a time when I have more than three-minute time limit.

Job placement case work has five basic steps; intake, assessment, individual plans, performance evaluation, and follow up. This case work has Federal, State, and County layers of compliance. It isn't a simple process because our unemployed and underemployed often have significant barriers to employment, which of course is something we can assist with, but it takes time.

Our programs currently have 523 participants being served by the American Job Center. It might not sound like a lot of help, but, with thousands of people out of work, but these programs are lifelines to these people. Our State recognized website, mauicountyvirtualjobfair.com now has 28,823 page views, 5,575 users, 91 jobs listed, 35 employers registered, and 99 candidates applying for positions. And that was at the end of September; only two months into the origination of that, that website. It was, that website was developed by the University of Hawaii, and the Maui County Workforce Development Board, and the American Job Center staff in collaboration.

And while we continue to develop resources, collaborations, request stakeholder input throughout Maui County; including Molokai, Hana, and Lanai, we have written several grants to build on these initial 550K annual money. We've received an award letter, which we're celebrating this week for 370,000K for disaster funding for Workforce Development from the U.S. Department of Labor. And we are now currently awaiting, and we're assured that we're going to get some funding also for a \$717,000 employment grant. And we are planning more grant funding. We're writing another grant right now. All the pieces of this funding build on each other and will provide some transitional employment, job training, encumber more training and education and job training, that includes serving the most remote communities of our County.

There is one factor you may not understand. We have been working and assisting our partner Unemployment Insurance and have literally taken thousands of phone calls from people that are having difficulty with unemployment. So, many people are not able to go back to work because their children are still out of school. A lot of people don't have childcare and many people are still afraid to go to work because of the Coronavirus. Some people like staying home and collecting until their employment

funding is drained, and they are just waiting for these company, their, some people are just waiting for their companies to reopen.

Over 5,250 jobs have been permanently lost due to the pandemic. This makes it even more important that we have a coordinated plan with this little amount of money that methodically builds on existing programs. Transitional temporary jobs may give experience and we can send CARES Act money to give some people experience but it's, it's not sustainable and what happens then?

We are collaborating on the following project, which are win-wins: Maui United Way in support of, we're putting the 211 Call Center for Maui United Way at the American Job Center and leveraging our resources together. The University of Hawaii, we're building websites with them. The Hawaii Taro Farm, we have workforce support for them. Broadband Hui, we're working to make sure that if we do remote jobs that they're going to be possible in these remote--

CHAIR LEE: Linda, Linda, can you conclude? Linda, can you conclude?

MS. PUPPOLO: I've only got like this much more, if you give me just a second.

CHAIR LEE: Okay.

MS. PUPPOLO: Okay, and the ILWU, this is the best one of all. With the ILWU, we're going to assist in incumbent worker training to put a health and safety site coordinator at every single hotel to train in the basics of COVID mitigation and contact tracing. We can't just get people back to work, because are, there aren't a lot of jobs. The Maui County Workforce Board and community partners have a plan and we would be happy to share it with you.

CHAIR LEE: There, are there any questions for Ms. Puppolo? If not, thank you very much.

Okay. Madam Clerk. Next.

COUNTY CLERK: Our next testifier is Marc Takamori. And Mr. Takamori will be followed by Scott Shapiro.

MR. MARC TAKAMORI, DIRECTOR OF TRANSPORTATION (testifying on County Communication No. 20-523):

Hi. Good morning, Council Chair Lee, Council Vice-Chair Rawlins-Fernandez, and County Councilmembers. Happy Aloha Friday to all of you.

CHAIR LEE: You too.

DIRECTOR OF TRANSPORTATION: I'm Marc Takamori, the Director for the County Department of Transportation. And I'm here this morning to testify in full support of County Communication 20-523, the amendment to the Fiscal Year 2021 Budget for the Department of Transportation – Central Maui Transit Hub Project.

As you are aware, the Department needs to relocate its current transit hub from the Queen Kaahumanu Shopping Center to the new site off of Vevau Street, near the Kahului Library. The transit hub project funds includes \$2.5 million from HHFDC and \$1.5 million in County General Obligation Bond Funds.

The construction bids were opened on October 1; however, the lowest bid exceeded the appropriated amount by \$200,779. The budget amendment request of \$800,000 of General Obligation Bond Funds will cover the construction cost shortfall, as well as be used for contracting for construction management, utility connectivity cost, and other unforeseen costs. The overages are unforeseen costs as we had budgeted \$4 million for this and we weren't expecting the construction cost to be higher than what was budgeted.

The license agreement with Queen Kaahumanu Shopping Center originally were set to expire at the ending of January 2020; however, an extension till July 31, 2021 was approved. With this budget amendment, we need to get into construction contract quickly so we're able to get started, finish, and with the ultimate goal of relocating out of Queen Kaahumanu Shopping Center. If you have any questions for myself and/or the Budget Director Yoshimura, we can be available as resources for this meeting. Thank you again for your support on this.

CHAIR LEE: Yes. We have a question from Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. Aloha, Mr. Takamori. Happy Aloha Friday to you as well. Just a clarifying question. So, the budget amendment is to accommodate the lowest bid, and then the Department will go with the lowest bid?

DIRECTOR OF TRANSPORTATION: Yes, Chair, yes. That is correct. We, we are able to contract with the lowest responsible bidder and so that would be the shortfall of the \$200,779. And then, the rest of those funds would then be used to contract for a construction management firm, as well as other costs.

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

DIRECTOR OF TRANSPORTATION: Thank you.

CHAIR LEE: Anymore questions? If not, thank you, Marc. See you later.

DIRECTOR OF TRANSPORTATION: Thank you.

CHAIR LEE: Madam Clerk.

COUNTY CLERK: Our next testifier is Scott Shapiro. And Mr. Shapiro will be followed by Lucienne de Naie.

MR. SCOTT SHAPIRO (testifying on Committee Report 20-138):

Good morning, everybody. Good morning, Council. I don't know if you can see this sign behind me. Please, everybody get out and vote, it says, vote over my bald head. Anyway, some of you are familiar with that. I'm testifying today on behalf of myself on Committee Report 20-138. This has to do with Kilohana, I'm not sure of the name of the subdivision actually, but Kilohana Makai possibly and the conditions of zoning, in particular.

I've gone to many meetings, Committee meetings, public meetings with the developer. And in general, I approve of this project. I'm in support of it. My overall feeling is that it's still too close to the ocean. I'm afraid of sea level rise in this area. And that goes along with the last testifier, Derek *[sic]* Takamori, who is putting a transportation center very close to the ocean. I hope that the building there is forward looking and that things are built with sea level rise as a, as a, you know, something that will happen here.

So, anyway, the conditions of zoning, there are two numbers that I'd like you to look at; number 2 and number 12. Number 2 is of particular concern to me. One of the discussions was about how long this will, this housing will be affordable; 15 years, 20 years, in perpetuity. And the developer agreed that 20 years would be workable for them. So, number 2 it says, "Ferreira Family Partners", who I guess is the owner of the lot, "must ensure that each unit on the property is owner-occupied for a period of 20 years". It doesn't talk about in affordability for 20 years at all. There's not one mention of that in here that I can see. So, I hope you can bring that up.

Number 12, one of the things that the neighborhood was concerned about were access to South Kihei Road through the neighborhood. And one of my concerns was that this development is workforce housing and so, accessibility to public transportation is important. There's a bus stop between Lots 24, between Lots 25 and 26. If there were

to be a footpath built right there between those two lots, people who live there could access the bus stop right, very easily and catch a bus to go to work which is the whole point of this development happening here. So, those are my big things.

One other thing that I heard was that possibly the developer might be trying to change some of these conditions of approval today. And I just want to point out that the public has not heard anything about any changes to these conditions. These were all agreed on in Committee. And so, if there are any changes that are to be, you know, looked at today, the public needs to have further access and further testifying time back in Committee. It shouldn't, you know, if they're substantial. So, if they're minor, then no problem.

CHAIR LEE: Thank you, Mr. Shapiro.

MR. SHAPIRO: Thank you very much.

CHAIR LEE: Are there any questions?

Ms. King.

COUNCILMEMBER KING: Oops. Thank you, Chair. And thanks for, thanks for being here, Mr. Shapiro. Chair, I just was wondering if, when we get to this item, if we, if Mr. Shapiro's available if we can ask him to be available as a resource?

CHAIR LEE: Are there any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: If not, so ordered.

COUNCILMEMBER KING: Okay. Thank you.

CHAIR LEE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. Mr. Shapiro, thank you for, for testifying and for your sign. And I wondered if you could tell us about your last requirement to get to the bus stop. I was looking, I was pulling out my conditions. So, can you cite the condition again, and?

MR. SHAPIRO: Yea, thank you. I can slow it down a little. So, number 12 talks about that the "Ferreira Family Partners", or the developer, basically, "must construct one or more publicly accessible footpaths, at least four feet wide, connecting the project to the

surrounding neighborhood". It doesn't talk about access through the neighborhood. It just says, "connecting the project to the neighborhood". So, if, if it were to say, after the surrounding neighborhood in that first sentence, "connecting the project with the surrounding neighborhoods. One of those footpaths must be located between Lots 25 and 26", which I think, I was guessing kind of where the bus stop was. It's right in there; 25 and 26 or 24 and 25. So, I think if that is a short little span, taking two feet from each lot and creating an accessible pathway to the bus stop, that's what I was saying that's why we're putting affordable housing here.

COUNCILMEMBER SUGIMURA: Thank you. Thank you very much.

MR. SHAPIRO: Thank you.

CHAIR LEE: Any other questions? If not, thank you, Scott. We'll see you later.

MR. SHAPIRO: Okay.

CHAIR LEE: Madam Clerk.

COUNTY CLERK: Our next testifier is Lucienne de Naie. And Ms. de Naie will be followed by Mike Wysocki.

MS. LUCIENNE DE NAIE (testifying on County Communication Nos. 20-528 and 20-529; and Committee Reports 20-20-129, 20-130, and 20-138):

Mahalo, everyone. Nice to see you again. I'm testifying on a number of items today. Most will be very brief. But I did request that I add item 20-138, which is the change in zoning that Mr. Shapiro was just addressing, to my list. Because I, I've tracked this since the days of the Community Plan in 1998 and, you know, it's like what a, a twisted path we have here. So, I'd like to start with that one if I could. So, we're on Number 20-138, first reading to grant a change in zoning from Open Space to Residential District.

This was put in open space, you know, back during the debate in the 90's, because of its proximity to the ocean, possibility of future flooding, other, other sorts of reasons. And also, because South Maui was growing and any place that could logically remain open space seemed a good idea for future public use. Okay, so the family that owns the lot is proposing housing now. And I just think that there are conditions that were worked out. This was a very contentious project.

It was, it was held up at the end of the last session in 2018, so a town hall could be held on the matter. And so, I think we should honor the process that it has been through. If the Committee did recommend these conditions to make it an acceptable project, then we shouldn't be pulling last minute conditions in and, and negating that effect.

I agree with Mr. Shapiro that the idea of perpetuity for 20 years as affordable housing is important to keep clear, because we all remember what happened to that Lahaina housing project that we thought was going to be affordable for 50 years; didn't have clear language. So, let's make sure we have clear language here.

I'll move onto the next topic, which would be item 20-130. And this is the resolution about the Hawaii Community College *[sic]* partnering with the construction unions and healthcare trade unions, the County Workforce Development Board, etc., etc., to develop more workforce programs to put our residents back to work. I'm just in complete support of this. It's a resolution. We're urging everyone to work together to do this. And I'm sure you all support it. But please know that the public supports anything that leads us towards better opportunities for working people on this island to pursue new careers that might have likely a long-term employment opportunities here. And certainly, construction and healthcare are two fields that we'll never do without. So, thank you for your support of this.

I'll move on to item number 20-529. This is just referral to a community, to a Committee on planning relating to floodplain and drainage areas. This is so essential. So many times I, some of you know I'm involved in cleanups with various organization; Malama Maui Nui, Sierra Club, various town, town organizations. And so often we see that these areas that are, are really needed as floodplains and, and drainage areas just become dumping grounds. They're not well-managed. And we really need a management plan. These are . . . areas that provide essential services. So, it's good that the Council is talking about this. Some of them may end up being flooded in our future. So, we might as well like have some, some clear plan about how we want to manage them.

And item number 20-528. This is about our, our proposed closing of the Gastrointestinal and Ambulatory Surgery services at the Wailuku Clinic for Kaiser Permanente. This whole process of the Certificate of Need, which this resolution is just urging the State to conduct a full public disclosure through the Certificate of Need process. It really seems that people need more health services, not fewer right now. And that anything we can do to have this be our, our model of where we're going, would be good.

I haven't read all the details of this, as probably most of us have not. But I, I think the public definitely supports, since we have only one health provider, basically here, you know, Maui Memorial is now under the, the Kaiser management. We need to make sure that the public has a say in this and that the procedures have, if you're going to close a facility, there's really a in-depth justification and I think the suspicion is, is that there hasn't been that in-depth justification provided for this proposal.

And the last item that I'm testifying on is the Committee Report from the Affordable Housing Committee on matter 20-129. This is the adoption of the resolution disapproving the Lihau'ula Workforce Housing Project in Olowalu. I definitely would support the committee report being adopted. This area was considered recently in the update of the West Maui Community Plan by the Citizens Advisory Committee. They in their wisdom decided that this was not an appropriate place for housing of this, you know, continue to build larger scale housing projects.

This is of course a small project, so that they can kind of get, try to dodge sewage treatment requirements and so forth. It's just kind of, it's a can of worms. And this is an area where its future needs to be carefully considered. It's a high-impact area for our reefs. And it's a high-impact area for traffic. So, and it has no, no public sewer system. It has kind of a marginal water system. We, we should hold off. Support what the Committee decision came to and wait to see what a better project would be for this area. Thank you for your consideration.

CHAIR LEE: Alright. Thank you, Ms. de Naie. Any questions?

Ms. King.

COUNCILMEMBER KING: Thank you, Chair. Thanks for being here again, Lucienne. And a wealth of information. I have a question. Since you were, you know, this question came up about the Kilohana Makai project. Since you were, you know, involved back then with the Kihei-Makena Community Plan, it ended up with this kind of funky designation of OZ, you call it open space, but it actually I think was designated open zone. So, was that a--

MS. DE NAIE: Yes.

COUNCILMEMBER KING: --mistake then or was that a deliberate meaning, was that a deliberate kind of wishy-washy thing and they didn't want to stamp it open space?

MS. DE NAIE: Well, we had a lot of things that were open zone at that time. We didn't have an open space ordinance.

COUNCILMEMBER KING: Okay.

MS. DE NAIE: I actually served on the Mayor's committee on open space ordinance back in 2000. So, in '98, we didn't have that designation for zoning. I think that what the open zone meant was that it's an area that could have impacts in it, so don't build in it. And the, though, though, that was my recollection.

COUNCILMEMBER KING: Okay. Thank you for clearing that up. That's been sort of a mystery that's been hanging out there. Thank you.

MS. DE NAIE: Yea, it is a mystery.

COUNCILMEMBER KING: Thank you. But you said there were other open zone designations on the maps as well, or?

MS. DE NAIE: There were. I think there was one in Lahaina side. There were, they were in various places.

COUNCILMEMBER KING: Okay.

MS. DE NAIE: I can't recall if there were any others in South Maui, but yea.

COUNCILMEMBER KING: Okay. Great. Alright, thank you so much.

MS. DE NAIE: And it, and it might have been a typo, you know. But the intention was this is a place that has some, you know, ecological or environmental impacts, and let's just leave it open.

COUNCILMEMBER KING: Okay.

MS. DE NAIE: That was, that was the first intent there.

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

CHAIR LEE: Alright. Any more questions? If not, thank you, Ms. de Naie.

Madam Chair, Madam Clerk.

COUNTY CLERK: Our next testifier is Mr. Mike Wysocki. Mr. Wysocki will be followed by the telephone number with the last four digits of 1221.

CHAIR LEE: Okay. Call that person again, please.

COUNTY CLERK: Mr. Wysocki, with the telephone number 6044, ending digits.

CHAIR LEE: Okay. Let's go on. We can come back to him.

COUNTY CLERK: Okay. Last four digits of the telephone number 1221. And moving forward from that, Juli Patao.

MS. JULI PATAO (testifying on Committee Report 20-130):

Hi. Aloha.

CHAIR LEE: Hi.

MR. PATAO: Aloha, Councilmembers.

CHAIR LEE: Are you Juli?

MS. PATAO: Hi there.

CHAIR LEE: Hi.

MS. PATAO: I want to say thank you for all the work that you guys do. I know it's; it's sometimes not as appreciated as we all want it to be as much. So, I just want to say, truly, thank you all for the work that you guys all do. So, mahalo. And yes, ditto with Uncle Willie K; loved him, especially performing at Kimo's, loved going there.

Needless to say, I'm here to testify about CR, I had it on my screen, so sorry, about the workforce development resolution. And I just want to say on behalf of UH Maui College, we are doing everything we, we possibly can participating in community collaboration events hosted by Linda and her Workforce Development board partners and players to identify, and create, and be innovative with every possible area that we can tap into everyone's resources.

I want to tell you that that Maui County Virtual Job Fair website has over 28,000 visitors that have actually come and seen our site. It is very Maui-centric. So, people who visit there are finding Maui only jobs. That's a huge way to get, connect people to what's available in Maui. Obviously, we don't have as many jobs open as we do have people looking for jobs. But if, but if our citizens go there, they'll be able to find everything they need to partner with either community partners, the American Job Center with trainings, if they want to come back to school and they find that that's something that they want to do.

So, I just wanted to share that it's, the work that we're doing is so important, so valued. And we're really trying to partner to serve our community. Even coming up with that website is super innovative in the sense that often we get Oahu-centric postings and so it's easy for someone to get lost. If people don't have technology skills, they can visit American Job Center in person to get the help that they need. So, we're here to help our people, our Maui community citizens. We're here to partner with entities that will offer these innovative approaches to diversify our economy.

More importantly, UH Maui was just awarded some CARES Act funding, so I'm helping with the modern internships to help businesses with technology skills and partner them with our students. That's being a great fit. A lot of the businesses that signed up are actually already partnered with our students. So, we're, we're starting that efforts, well not starting, we've already started all the efforts, we're trying to create opportunities and connect people who are unemployed to the workforce. So, I just want to say that we appreciate all the work.

Our trade, our apprenticeship trade school, there's over 350 students in there. I'm not sure if you know that while you're in the trades, you also have to be working to accrue "x" amount of hours. That's how you kind of work up the ladder, the pay scale. So, obviously, our construction industry wasn't as impacted by COVID like everyone else. Like, construction still went on, there's a lot of projects in Kihei.

And so, we're maxed out on all of that, the trades coming here to UH Maui College. So, I just want you to know that there's even another trade school where there's the painters and the glazers that are here as well, because they're also working. So, combined, we've increased the amount of trades are available to our community. And we're helping people to further their skills in trainings so they can be employed.

So, I just want to share with you, we're doing the best that we can and we're willing to hear any solutions or suggestions that other people might have so we can try different things. But the plan that Linda shared earlier is a process. She has a great design with how to intake that whole social work process and all the different sector partnerships is what we've been doing here on Maui. And I feel that it's a great opportunity for anyone who needs help, they know where to go. That Maui County Virtual Job Fair website is critical and I'm so thankful that it was created. So, thank you so much for your time.

CHAIR LEE: Thank you, Juli. Are there any questions?

Yes, Ms. King.

COUNCILMEMBER KING: Thank you, Chair. Thanks for being here, Juli. I think I, I love that, the fact that there's a website for job seekers. Do you have a way of, want to find how many people actually get jobs through the website?

MS. PATAO: Yea. Actually, our design people have the statistics that show that. I'm, I'm not the data person behind that, but there is statistics to show that. We've been meeting almost; we were meeting actually weekly during the summer and now we're like meeting maybe every other week. And we always talk about the statistics, how we're getting hits, what websites are driving people to the site. So, we have all these, the statistics to report on--

COUNCILMEMBER KING: Do you know what that number is? Do you know what that number is to date? Like, how many people have actually found jobs and been hired through the job fair?

MS. PATAO: I don't know that that syncing part of the posting, because sometimes employers don't go on, and we don't have a, verify that you hired someone. But we get a lot of hits to connect people and we're constantly, like employers and businesses are signing up into our site.

We also have plans to host a virtual job fair. We also have resources. So, like, how do you search for a job? So, we're taking it step, by step, by step to help people to get into these different high sector industry areas, even healthcare with CNA, and partner with the partners such as Hale Makua and what have you. So, we have different collaborations to get that information out to our community.

COUNCILMEMBER KING: Okay. Well, I look forward to hearing those statistics. And I think it would be really helpful to the Council if we had numbers on who was seeking jobs and what industries. Because, you know, as we go through our discussions on diversifying the economy, it's, it would be helpful to know where the talent already exists and where people, where people's interests already exist; which industries we want to, you know, tackle first. If the, if the talent is there, we should be definitely developing healthcare, for instance, you know. So, if you can, if you can get those statistics for us, I think that would be, that would help us in our work going forward.

MS. PATAO: Great. Thank you. We also did a site visit at Mahi Pono and we went to see their crops, see what kind of innovation they have going on in partnership. So, you know, that's a huge component, right? We're, we're saying diversify ag; how do we do that and what that looks like. So, that's also another project going on too. So, thank you.

COUNCILMEMBER KING: Yea, we, we're definitely focused on ag. I just wonder what, if you can help us with the other industries? And, and, so thank you for being here.

And then Chair, I just wanted to let you know that Mr. Wysocki is on. He just is on his phone, so I think he just forgot to mute when you called him earlier, so he's standing by.

CHAIR LEE: Okay. Questions?

Ms. Paltin. Don't, don't leave, Juli.

MS. PATAO: Okay.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Ms. Patao. Thank you for meeting with me earlier this year as well. I just was wondering, in addition to Councilmember King's question, are you also putting it out, like, you know, the jobs that are chronically vacant here in Maui County, like, putting an emphasis for folks that, you know, there's pretty good job security because of the lack of people to fill those types of positions?

MS. PATAO: Great question. Thank you. And, yes, so we just, we were just on a meeting with the business, business group meeting; people from different areas. We talked about CNA Healthcare being huge demand, lack of that, right? We talked about teacher shortage. We talked about childcare. Like, these industries that really need more, I would say, like, a whole facelift with regards to marketing and promoting. And part of that, to me, has to deal with recognition, because like so underappreciated, but they provide so much value and work for our whole community.

And so, we've been talking about that. We're going to share some blogs or participate in web development items so that people can either become childcare providers, caregivers, give them steps to be a teacher. We have those steps here at UH Maui College to help people to become teachers if that's what they'd like to do.

We have to stop bringing in people to do our work. And so, how do we do that, right? So, we just have to create these opportunities and we're doing that surely through some of our blog postings at our Maui County Virtual Job Fair website. The College is open for, you know, we're taking calls, we're, we're creating Zooms with people who might call in. There's a chat function when you visit our website. So, there's a lot of tools available for people to connect with these high demand industries so that we can provide them the tools to that next step. So, that's one component.

The other component is I truly feel we need to do more recognition of these, of these jobs.

COUNCILMEMBER PALTIN: Okay. Great.

MS. PATAO: Thank you.

COUNCILMEMBER PALTIN: Sounds like you have it covered. Thank you so much.

MS. PATAO: Thank you.

CHAIR LEE: Anymore questions? If not, thank you, Juli.

MS. PATAO: Thank you. Aloha. Happy Friday.

CHAIR LEE: Yea, you too.

COUNTY CLERK: Our next testifier is the last four digits of telephone 7281. 7281 will be followed by Mr. Mike Wysocki. 7281.

MR. KENNY BARR (testifying on ceremonial resolution):

Can you hear me? Can you hear me? Yes.

CHAIR LEE: Yes.

MR. BARR: Can you hear me? This is--

CHAIR LEE: Can you identify yourself?

MR. BARR: Hi. This is Kenny Barr calling from Kihei. And let me turn the TV off. Hi. I screwed up this morning. I was trying to testify on the Willie K ceremonial thing, and may I still do that for about a minute?

CHAIR LEE: Go ahead, Kenny.

MR. BARR: Okay. Many people know Willie in all facets of his life, certainly his Hawaiian community. Mine was more through music and through photography. And he was a photographer's dream come true through his many expressions and his intensity in playing his guitar. Seeing him in a small club like Hapa's, or a famous club like Fleetwood's, or a big club like the Maui Arts Center and his blues festivals, etc., his persona, his personality, and his guitar expertise was like seeing Eric Clapton, Freddie King, Prince, and Bruce Springsteen all wrapped up into one, on one stage in one night.

He was one of a kind; the term used in many obituaries, but truly the moniker that he owns. And to those of us who truly love Maui without the dollar signs, he was the greatest in telling it like it is. He didn't care if the tourist or local haole paid money to see him. He would tell them, from the stage, what he thought; if you don't like cane burning, go back where you came from. He was and is a classic.

And it was, it was, if you put it in another perspective how good he was, is that if you grew up in the mainland and you looked forward to a concert, say a Bruce Springsteen concert or something, all day long you would be so excited to be able to see that, cause you knew what you were going to see. And it was the same feeling with Willie here on Maui. And I know a lot of musicians and, felt the same way about it; that it was a real honor to play with him. And that's my two cents on Willie K. Thank you.

CHAIR LEE: Well, thank you. Thank you, Willie. Not, Willie. Did you, did you want to, Kenny, did you want to speak on another item as well?

MR. BARR: No. No, no. I was just waiting to do that this morning and I missed getting on.

CHAIR LEE: Oh, okay.

MR. BARR: So, that's all. Just want to give my two cents.

CHAIR LEE: Well, thank you for hanging in there.

MR. BARR: Okay. Have a good day. Aloha.

CHAIR LEE: You too. You too.

MR. BARR: Okay. Bye.

CHAIR LEE: Madam Clerk, do we have another speaker?

COUNTY CLERK: Yes, we have a few more. Our next speaker is Mike Wysocki. Mr. Wysocki will be followed by Gracie Esperanza.

MR. MIKE WYSOCKI (testifying on Committee Report 20-138):

Thank you. It's a, thank you it's Mike Wysocki. I'd like to verify first if you can hear me.

CHAIR LEE: Yes.

MR. WYSOCKI: Yes? Excellent. Well, thank you, guys. I'm speaking on 20-138, on the Kilohana Makai housing complex. So, first I'd like to thank, obviously, I'd like thank the Committee, I'd like to thank the Council, and all the help and all the assistance we've had, as well as Lehua Builders. Every, everybody's been nice and great, that we've got a chance to get some community input. Recently, I just heard, obviously, some information that there is some changes that are going to occur. It would be great if the public could know and we could also work with the Planning Committee to hear what those changes are going to be. So, that would be one subject I'd like to verify.

The other thing too I'd like to verify, I don't have as much detailed notes as Mr. Shapiro, but regarding the walking paths, right now there's a walking path to the beach there, going through their complex, so if they could keep it at two walking paths, that would be great. The whole community, the whole area is very walkable friendly. As we know, we had a lot of environmentalists on today and I think that would be very helpful just because the fact that we don't, you know, less cars, less pollution, less traffic, less danger, etc., as we all can attest to and understand. So, that would be something that would be much needed for that complex. Moreover, opening up to Kilohana via Wela Street would be great as well. It would make a nice clear path and now ingress-egress.

Also, no ohanas to the area. So, it's similar to the, all the other housing complexes in the area. There, there are no ohanas in the similar structures in the other streets. And during the complex building, if it's possible, it would be excellent to have a temporary walking path for the people that actually do, you know, go, you know, use the public transportation as well as go to the beach. A lot of the people in this area use the beaches consistently, we try to walk there as much as possible. Moreover, also adding homeowners' association to the area as well, that's very similar to the other homeowners' associations that are in the area. It would be great.

One issue that I've definitely butted heads with, with everybody pretty much, because they said that it can't be done, but I just think the opportunity for these, for this housing complex, if there's any way to tie it into people, to be put at the top of the list with a Hawaiian bloodline, I think that's imperative. Cause if we are trying to do our best to help everybody in the community, it's, somebody who just arrived here a year or two ago from the mainland gets the chance to get an amazing complex, or get an amazing house very close to the beach. Whereas we have had families here for hundreds of years, thousands of years possibly, and that will just be shut out because their number wasn't called. If there's any way we can tie it into it. I think it's been called discriminatory from a few people, but I just think it's the right thing to do.

So, and I think I got my three-minute buzzer right there. So, again, thank you for listening and we hope for the best. We hope it's going to be a great community for the area, and make South Maui look as, as amazing as it is. Aloha.

CHAIR LEE: Thank you. Aloha. Are there any questions for the testifier? If not, thank you very much.

And may we have the next one?

COUNTY CLERK: Our next testifier is Gracie Esperanza. Ms. Esperanza will be followed by Rita Ryan. Gracie Esperanza.

CHAIR LEE: Next.

COUNCILMEMBER KING: I think she's, she's there.

COUNTY CLERK: Move forward?

COUNCILMEMBER KING: She's just muted. She needs to unmute. I can see her.

CHAIR LEE: Gracie, can you--

COUNCILMEMBER PALTIN: She has a mic.

CHAIR LEE: --unmute yourself? You know how to unmute yourself?

COUNCILMEMBER PALTIN: There should be a microphone and a video, if you can unmute both of them. We saw the video before.

COUNCILMEMBER KING: I think we lost her when she went to unmute herself.

COUNCILMEMBER PALTIN: Oh no.

CHAIR LEE: Okay. Let's go to the next one for now.

COUNTY CLERK: Okay. Our next testifier is Rita Ryan.

MS. RITA RYAN, CLIMATE ACTION ADVISORY COMMITTEE AND CLIMATE REALITY PROJECT (testifying on County Communication Nos. 20-521, 20-524, and 20-526):

Aloha, respected Members of the County Council. And thank you for the opportunity to testify today. I am testifying as the Chair Pro Tem of the Climate Action Advisory Committee of Maui County, and also as the Maui County Chair of the Climate Reality Project.

However, as a private citizen, I would like to say that I was very moved by the testimony, or not the testimony, but the, the remarks regarding Willie K. And I was brought to tears. I didn't know Willie K personally, but I danced to his music, enjoyed his music, and shared in his aloha and supported his causes. So, thank you so much, Council, for taking the time to honor, you know, a jewel of Maui County.

I want to testify today as part of the Climate Action Advisory Committee on CC 20-521, the wastewater facilities and sea level rise zones. Prohibiting construction, of course, is common sense. So, we don't want to, you know, waste any money building anything in, in sea level rise zone that we would have to rebuild later. The managed retreat for existing wastewater facilities is much more difficult. You know, moving a wastewater facility out of sea level rise is going to be very, very costly.

I just want to say thank you for presenting this resolution, because even though the cost will be high, the cost will be exponentially higher to move that wastewater facility after the sea level, if there's a storm inundation event, to have to move that facility out of sea level rise zone once it's destroyed. And think of the damage to our ocean environment. It would be significant and irreversible. So, thank you for taking this up. And it's, it's, it's a tough time. We need to take this climate action. It's pay now or pay lots more later. So, we are in support of the resolution on the wastewater facilities and sea level rise zones.

The other issue I would like to testify on is CC 20-524, the EV DC fast chargers. There is much discussion within the, the Renewable Transportation Committee of the Climate Action Advisory Council on this issue. Some of the concerns was that the cost of charging is very high, much higher than of course the residential rate of 38 cents per kilowatt hour. And the cost to charge a typical 100 range electric vehicle is sort of on par with gasoline charges of energy efficient vehicles. However, we found that although this cost structure may not incentivize consumers to buy EV's, it does give existing EV drivers the opportunity to charge their vehicles and reduce the range anxiety or getting caught uncharged and having to get a tow.

So, we are in, in support of that, with reservation on the cost. We realize that that's a PUC issue. However, reviving the station, the EV charging stations that we once had here on Maui County is a great idea, and we support HECO in that endeavor. We know that the technology changes constantly. There will be more competition in the future as there is more EV adoption. There will be private charging stations and there will be some competition, but we do support this resolution because we need this, and we need this now.

The other resolution that I would like to talk to is as a private citizen, and that is CC 20-526, the disposable bodyboards. I am, thank you, thank you, Councilmember Paltin, for bringing this up. This is, it's horrible when I see those in the trashcans, on the beach, and thrown at the side of the road. And these are big environmental deficits to our environment, to have these plastic and polystyrene bodyboards, and we, and I support, as a private citizen, I support the move to make these illegal. Thank you for your time today and listening to my testimony.

CHAIR LEE: Thank you, Ms. Ryan.

Yes, Ms. King.

COUNCILMEMBER KING: Thank you, Chair. Thank you, Rita, for being here again. And I hope you had a happy birthday the other day.

MS. RYAN: Thank you. It was.

COUNCILMEMBER KING: So, I, I wanted to go back to your testimony on the EV chargers. And thank you for supporting that. I know, I did hear from a couple people that the rate was high. But then I just wanted to clarify. Do you see this as, first of all, thank you for the new term range anxiety. I haven't heard that before. But the, the, the, the, that the cost of this, we're sort of at the beginning of Maui's, you know, Maui entity taking over these EV chargers, that it may be, has the Committee discussed the fact that it may be similar to where we were at, at the beginning of PV installations, where the cost was high and then as more people got on board, the costs drops?

You know, and the, and like you said, there might be competition with private chargers even being installed. So, do you see this as a long, you know, kind of a short-term investment cause over the long haul it'll, you know, as EV's have gotten less expensive as well, that the charging system meets, you know, the, the actual charges to the customers may get cheaper.

MS. RYAN: Right. Well, I, I think that as we adopt more renewables the costs will come down; the costs of electricity will come down on its own, so therefore, those costs can be reassessed. And I understand that it's the PUC, but please correct me if I'm wrong, that sets those rates. So, that is something that we could, can take up with the PUC in the future as electrical costs do come down.

We, we do understand that it's a premium over the cost of electricity to the residential customer, because the cost of these fast-charging stations is quite high, and maintenance is not cheap. And so, we understand all of these factors. Of course, we would like to see it as cheap as possible. But more importantly, we would like to see

a working network in place to support the EV's that are, are in operation today and to support EV adoption.

Not, having dysfunctional or nonfunctional chargers does not incentivize people to buy an EV. It requires that they have to install a Level 2 charger at their home and that comes at I think around \$7,000. That's, that's not affordable for most people of Maui County. I was lucky enough to get one free through the jump, JumpSmartMaui program. I don't know how I would live without it. And it's certainly not something that we could have afforded on our own.

So, I do look forward also to, it's not, not quite to your question, but to some other incentives regarding getting these Level 2 chargers in places like condominium, condominium associations. And if we can make incentives to have these available to people where they live, not just on the road or where they work, but are in parking lots, you know, that sort of thing, but have them accessible where they live. That's something we definitely support, because that's something that's going to be necessary. People who live in apartments, or renters, or travelers who are renting EV vehicles, EV rental vehicles, will need access where they live or where they stay, where they rent, to these charging facilities in order to--

CHAIR LEE: Thank you, Rita.

MS. RYAN: --come close to--

CHAIR LEE: Thank you, Rita. You know, we're, we're, right now, the agenda is focused on specific locations, yea.

MS. RYAN: Okay. I'm sorry. I got long-winded there.

CHAIR LEE: But, but we heard, we heard your other message. Thank you.

MS. RYAN: Okay. Thank you.

COUNCILMEMBER KING: Thank you. Mahalo.

CHAIR LEE: Any other questions? If not, thank you, Rita, for coming back to testify.

Now, I believe the previous person who was called is back on online. Madam Clerk.

COUNTY CLERK: Our next testifier will be Gracie Esperanza.

MS. GRACIE ESPERANZA, UNITE HERE LOCAL 5 (testifying on County Communication No. 20-528):

Hi. Thank you so much for bringing me this opportunity We need to defend good jobs on Maui. We need more access to healthcare no less. We know the barriers that our neighbor, neighbor-island resident have to endure with having to face many barriers with, with their majority of their healthcare services and support, and currently supported by Oahu.

Working families are already have hardships. We're taking time off and financial expenses with any travel or overnight accommodation, cost that may be unforeseen if these services are no longer provided to the residents of Maui. Given the current situation we are living under, ongoing COVID-19 pandemic, reopening of tourism, and Kaiser is not being in partner with the workers, with the community, and the future of Maui. We hope that the Council will consider taking up the resolution number 20-528 on the floor on Friday, Friday's full Council hearing. Thank you and mahalo.

CHAIR LEE: Thank you, Ms. Esperanza. Are there any questions?

Yea, Mr. Sinenci.

COUNCILMEMBER SINENCI: None here, Chair. Thank you.

CHAIR LEE: Oh, okay.

Ms. Kama. Member Kama.

COUNCILMEMBER KAMA: Thank you, Chair. Thank you for being here, Ms. Esperanza. So, do you represent a organization or a union or something?

MS. ESPERANZA: Yes. I'm a proud Local 5 Union member. And I also work in solidarity with our HNHP, which is the nurses of Kaiser.

COUNCILMEMBER KAMA: You sound like Local 5. You . . . aloha. Thank you.

CHAIR LEE: Anyone else? Okay. Thank you, Ms. Esperanza.

Madam Clerk, may we have the next testifier?

COUNTY CLERK: Our next testifier is telephone ending in 0376. 0376 will be followed by Mark Deakos.

MS. LESLIE WILKINS, MAUI ECONOMIC DEVELOPMENT BOARD (testifying on County Communication No. 20-524 and Committee Report 20-130):

Aloha. That telephone number is Leslie Wilkins, President and CEO of Maui Economic Development Board. Thank you. I am here to testify on two agenda items; No. 20-130, the Economic Development Committee Report on workforce, and No. 20-524, from the Energy Commissioner.

Aloha, Chair Lee, Vice-Chair Rawlins-Fernandez, and Members. Thank you so much for your beautiful tribute to Willie K this morning. What a virtuoso talent that left so much behind. And our prayers and thoughts are with his family.

First of all, I will add onto the earlier testimony that you heard from Executive Director of the Maui County Workforce Board, Linda Puppolo, as well as a very enthusiastic Juli from the University of Hawaii Maui College. We are all working in concert to bring the resources for upscaling, retraining, and helping to get our residents back to work.

I just wanted to let you know that, unfortunately, the way the U.S. Department of Labor works with its funding for our Maui County Workforce Board and the American Job Center here at the Maui Mall, it's formulaic. And it was based on last year's numbers of unemployment rate, where Maui County was the lowest, and among the lowest in the nation at under three percent. They got only 550,000.

We have very limited staff. Linda's doing yeowoman's work is the best way to describe it. She is also hustling, and as mentioned, brought in over \$1 million in disaster funding, which is the good news; it's not CARES Act funding, so we're not in this crazy accelerated pace to try to retrain people and bring them into whole new career pathways. This has some longer term lengths.

And I'm pleased to report, I'm honored to chair our State Workforce Development Council. And only the Governor's committees were allowed to apply for this. So, we partnered with UH Maui, excuse me, the UH community college system to apply for a grant to the U.S. Department of Education funded by the Lumina Foundation for reimagining workforce. We were only one of eight States that got that competitive grant. It is \$13 million. We just received that.

And let me give you some of the stats of what that is going to do. We are focusing on the in demand areas to upskill and train people. We're focusing on participants that are dislocated and displaced workers, or graduates from college and high school that came out in this pandemic to dismal careers. It, it's focusing on healthcare, all the

multifaceted jobs in healthcare, technology, which is IT, and clean energy, and cybersecurity and skill trade.

We're looking to give 3,500 people short-term industry standard certificates. There are credentials, another 3,000. More than 1200 apprentices in those trades and giving people more than two quarters of education for another 2600 people. Now yes, that is statewide, but you bet with my being Chair and with the enthusiasm you heard from Juli, the UH Maui College, and Leslie are going to do everything we can to get Maui County's share of that \$13 million to bring people into new career pathways that are in demand career pathways.

Also, under my own umbrella, our own MEDB organization, we are out there in the Federal market as well. We just applied for a STEM Challenge Grant with EDA. And we expect to, we will bring on another \$700,000 in Federal funding by the end of the year for STEM.

Now, my transition into my other reso that I'm testifying, Madam Chair. I would also like to give support to the Energy Commissioner's proposal to accelerate without referral to Committee, the approval of the charging station installations on the County's property. As you know, MEDB was involved in the initial JumpSmartMaui. We were the nonprofit that took ownership of those charging stations, so they were not pulled out and away from the users in our, on our island at the end of that program. And we ran the EVohana transitional program for much longer than we thought it was going to take, because as you know, it was PUC regulated to get to this point.

I want to remind you that it was Ulupono, the County of Maui, Blue Planet, and MEDB as a community consortium that approached the utility and asked them to put together a transition plan to take over parts of the network that were built by JumpSmartMaui. And that's what you heard Gregg and Aki say earlier. We did an environmental scan. We did a business plan scan at looking at whether or not private companies at that time could take it on. And there was no way it penciled out between the capital improvements and a small volume, although increasing of EV users that a private company could make it work. It was only the utility and we're grateful they took it on. It has been about a two-year process getting all the PUC approvals in place and all the documents and agreements required. And so, we're grateful for their leadership in taking these over.

So, as mentioned, our EV owners rely on this infrastructure, and so anything you can do to expedite the four county charging stations, one critically needed on the west side, it would be greatly appreciated. And I believe that both Gregg and Aki are staying on to answer any technical questions you might have. Thank you for your time and the ability to testify on both.

CHAIR LEE: Thank you, Leslie.

Madam Clerk, anymore testifiers? How many more?

COUNTY CLERK: We have, we have three more testifiers. Our next testifier is Junya Nakoa. And Uncle Junya is going to be followed by Cindy Aban.

MR. JUNYA NAKOA (testifying on Committee Report 20-130):

How's it? You guys can hear me?

CHAIR LEE: Yes, we can. And we can see you.

MR. NAKOA: Yes. Yes, I sorry you guys gotta see me. But I like talk about that workforce, the workforce one eh. I don't know, I going tell you the, I'm here at the Andaz for that Temptation Island production, yea. I've been, this Sunday I make six weeks I was stuck over here. But what I when learn from being over here and what we got to take advantage of, Maui got to take advantage of, the opportunity for our keikis to get involved and get more career opportunities.

Get plenty stuff that these guys do. Get the, the, get the group, the grips where they set up everything, they build everything, they magical. That's all 100 percent Hawaiian people, Hawaii's people. They get cameras, they get sounds, they get lightings, they get edit, editing, production assistants. What these guys do is do everything; they clean up rubbish, they'll put everything away.

So, with this workforce thing that, what is her name, the lady Juli from Maui, UH Maui. I know they get one film, film stuff over there. We got to get these, our kids educated in this film industry, because get plenty money that we can make by, in the film industry. Because these guys, they come over here, they use our island, they use our resources, and then they dig out. And I like tell you this, plenty of the, I got one roll call list and we can get plenty more 808 numbers on this list. If we start getting these guys educated about the film industry, instead of us guys, like, eh, I wanted to try stop this project in the beginning, because I never know nothing about um.

But what I when learn in the six weeks is plenty jobs that my kids that I coach in baseball and canoe, when they graduate, they can jump right into this industry. And, cause get plenty kids that is only 19, 20, 21 right now working for this production and they making good money. So, Juli, the . . . lady, my number is 796-6421. Linda

Pulolo [sic], Puppolo, my number 796-6421. Call me up, let's go talk story. Let's take advantage of the film industry.

Talk to the State Film Commissioner about trying to do all of this, and then this film industry they so secretively. So, we got to stop being secretive and to be more open so that our kids can get more involved. But the State Film Commissioner; ah, she junk, she no listen. But our County Film Commissioner, like Tracy Bennet; he, he listen, he getting into it. He has a couple ideas, so try go talk to that guy. Let's get involved. Let's make this as one different, to diversify our economy. Get involve, get this career of film industry so our kids no need only do hotel, you know what I mean?

And only, again, eh my daughter stay doing the nursing so . . . but eh some kids they not, not like that. They no like, they no like go like my, my daughter go nursing and all that stuff. But this film industry, we gotta get, we gotta take advantage. I'm glad I was here. Kinda junk stay over here, but glad that, yea, I when educate myself over plenty things. So, when I get out of here, all you Councilmembers will be getting calls from me, cause we going make this happen. We gotta take advantage of it, cause they come anyway. Look, get one other one at Four Seasons happening right now.

But how the . . . you know, we got to get more Maui people, not Hawaii only, Maui people involved, and they can make the money. And the film industry did, these guys I know they spent over \$1.5 million on just the local economy, the mom and pop kind, not, I told them no go Safeway, I told them no go, no go Home Depot like that. And so, they, they, they when call the local people. And I when call em for double-check.

But yea, so the Linda lady and the Juli lady, please call me up. Councilmembers, you guys know my number, call me up. Let's make, let's take action and get our kids back to work, and our community back to work. Plenty, get plenty stuffs that can, can do. Like, I know get plenty luaus around Maui that they do sounds, and they do lightings. Shit, they can come over here go do the, the production instead of getting mainland people for come over here. Let's get our Maui people back to work.

CHAIR LEE: Okay, Junya.

MR. NAKOA: Mahalo.

CHAIR LEE: Thank you. Thank you, Junya.

MR. NAKOA: Mahalo.

CHAIR LEE: We have questions for you, starting with Ms. Paltin.

MR. NAKOA: Aw, man.

CHAIR LEE: Paltin, Kama, and King.

MR. NAKOA: Okay. I go try answer um.

COUNCILMEMBER PALTIN: Thank you, Mr. Nakoa. And if you cannot answer now, you can get back to me. But I just was inquiring as to the opportunities for local people to direct content and tell our stories, because, you know, we have a lot of stories to share with the world. And, and sometimes the content that is put on us isn't necessarily what we want to project to the world. I mean, not that it's not something but, I mean, we get plenty stories for tell. So, just was wondering if you can push that idea as well. We no only like be behind the camera, in front of the camera; we like tell the stories too.

MR. NAKOA: Yea, Tamara. You know I stay, I stay telling these guys that. But you know what is telling the producers, you know I telling, I get plenty camera mans who would like to do um, but I, I not going in front the camera. I like somebody else like who, who . . . go do um. But I'm working on that, Tamara. I'm totally on the same path you thinking about, cause I going use this opportunity and make it useful for us.

And I going, I going get the grip guys, one, the head of the grip, this, the guy that does everything, he live here on Maui. He's open to help us with the, everything; the lighting, the, and, and he, he like get the, like you get, get our culture, get everything that we have to, that we need to educate America about. And awesome, I, I, I working on that as we speak. And Tamara, yea, I going call you up anyway after this and I'm going to make you . . .

COUNCILMEMBER PALTIN: Right on. Thank you. Just checking. Tell Matt Tavares I said hi.

CHAIR LEE: Okay. That sounds like--

MR. NAKOA: Will do.

CHAIR LEE: That's great. That's great.

Ms. Kama.

COUNCILMEMBER KAMA: Thank you, Chair. Thank you, again, Junya, for being the watchdog over there for us. So, is you flashing your number an invitation to collaborate with those who want to be able to create an industry here in Maui?

MR. NAKOA: Sorry, I could, somebody was calling when you when talk. I never hear the beginning, what you was asking, sorry.

COUNCILMEMBER KAMA: So, my question to you is, the purpose of you wanting people to call you is to be able to begin a discussion and collaboration on the film industry coming here to Maui?

MR. NAKOA: Yes, yes, yes. Because, like I've been talking to Tracy Bennett and we, he, he, he solid, the State one is kind of jam up, but--

COUNCILMEMBER KAMA: Yea, . . . statewide.

MR. NAKOA: --Tracy is working on it to do that. And we like, well, I like hold these producers, like I, like I when hold these guys accountable. I was one pain in the okole, you know, what I mean, being over here? And good, good of us because we need to hold them accountable. Make them listen to us. Make them listen to the island people and, and follow our rules and our culture values. And I like, yea, I like everybody. I like, I going like everybody, give everybody my number. We going make this work.

COUNCILMEMBER KAMA: Okay. I will call you.

MR. NAKOA: --if you single . . . the number if you single.

COUNCILMEMBER KAMA: Thank you. Thank you, Chair.

MR. NAKOA: Yea.

CHAIR LEE: I hope you're single.

Ms. King.

MR. NAKOA: Yea.

COUNCILMEMBER KING: Well, Junya, I already have Junya's number, so no need to call me. We've been talking while he's been in this what I'll call, loosely call incarceration. But, yea, thank you for what you're doing. I know it sounds like a luxury trip, but I know that you're, you're going through a lot of hardship not being able to leave. So, I really appreciate you doing that. And I also really appreciate you calling me up and asking me for recommendations on where they could buy food locally versus, you know, going to some big chain store or restaurant. So, what I wanted to ask you though, is because you've been there for six weeks now, that I've been getting reports that, you know,

they're up to somewhere just below maybe 1300 tests and no, no positives, positive COVID cases.

So, is your, in your, where you're, you're at with the project and what you're seeing, would you call this a success with the protocols they've been using?

MR. NAKOA: No, not yet, cause we going finish this thing with zero positives, all negative, then I can tell you then it's a success.

COUNCILMEMBER KING: Okay.

MR. NAKOA: I, I could've, I could've leave little bit early, but they wanted me to finish this whole thing to the end so we can finish um and I said okay. I going hold them accountable and they going get . . . Yea, that, I stay on my seventh test up my nose.

COUNCILMEMBER KING: Okay. Well, thank you so much for what you're doing for us, Junya, being our watchdog and sacrificing the time away from your family, cause I know that's not easy. But we all really appreciate it.

MR. NAKOA: Thank you.

CHAIR LEE: Okay. Any more questions for Junya?

Yes, Mr. Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. Really quick, yea. Mahalo, Mr. Nakoa, for being that watchdog. I think you provide this really important service for us on the island. I think the original protest of Temptation Island was the content. And like Member Paltin, you know, we, right, we don't want to put out, you know, Temptation Island is about infidelity. And, and of course, we definitely don't want any adult, adult or any of those types of industries, in the film industries come to Hawaii and set up shop over here. So, I think you provide something that's very important.

We did have rumors on the East Maui community that filming did, was there any filming that happened on East Maui along the Hana Highway.

MR. NAKOA: Okay, I going start up with what you said in the beginning. Yea, me, I no, I no care about the content either. I no even, you know, I no even, when, wherever get the camera, this guy is not by the camera, so I no even pay attention to what's happening in this thing. The produce, the producer, they like try get me, you know, to like . . . , but I no give a damn what the show is about.

But yea, we going get more, like Tamara said, we going get, we get more films about our culture and our living and how for come Hawaii safely and listen to the rules and wear your mask.

But, and then Hana one, I going tell you, yea, rumors, rumors, rumors. I have every single, what do you call that? They, they call um one, one draft whatever. But whenever they leave this, this property, anybody, for filming, I, I, I, I get up in the morning, I go over there 4:00 in the morning, I watch everybody get tested. And none of them went to Hana, none of them. They never even go Lahaina yet. They only went as far to Olowalu and Upcountry for that, that, that Kula Farm thing.

COUNCILMEMBER SINENCI: Okay. Mahalo. Mahalo, Braddah Junya. And aloha to Braddah Tyson . . . Aloha.

MR. NAKOA: Oh, yea, yea, yea. That's a crazy buggah.

CHAIR LEE: Okay. Any more questions? If not, thank you, Junya.

MR. NAKOA: You're welcome and thank, thank you.

CHAIR LEE: Okay. Very good.

Madam Chair. Madam Clerk.

COUNTY CLERK: Our next testifier is Cindy Aban. And Ms. Aban will be followed by Faith Chase.

MS. CINDY ABAN, UNITE HERE LOCAL 5 (testifying on County Communication No. 20-528):

Hi. Good morning, everybody. Aloha Chair Lee and City Councilmembers that's here today. I appreciate giving me the opportunity to speak. My name is Cindy Aban. I serve as a medical assistant here on Oahu, and also the union organizer for Unite Here! Local 5. I represent our Kaiser Maui members on Maui County, which we represent approximately about 220 members there. And also, unfortunately our members our, our Local 5 members at Kaiser and our Hawaii Nurses Healthcare Professional union sisters and brothers, unfortunately they're not able to submit their live testimonials today because they're providing quality care to our patients. And that's why I'm here today on behalf of our workers and our, our community for our Maui County members.

I'm asking our County member, our Maui members to, to support the County Communication 20-528, "URGING THE STATE OF HAWAII TO CONDUCT A FULL PUBLIC DISCUSSION THROUGH THE STATE CERTIFICATE OF NEED REVIEW PROCESS TO EXPLORE THE CONSEQUENCES OF KAISER PERMANENTE'S PROPOSED PLANS TO CLOSE THE GASTROENTEROLOGY AND AMBULATORY SURGERY SERVICES AT THE KAISER WAILUKU CLINIC". Time is, time is of the essence, so we ask that you please pass this resolution today on the floor on October 23.

For one thing, as a healthcare provider, we already know that there is not a bunch of an abundance jobs in Maui and also for the neighbor-islands. We know that here on Oahu we have the luxury to be able to have many services and entities here on Oahu. Unfortunate, unfortunately, you guys don't have that.

And also, being, being able to provide specialty surgery, coordinating surgery cases here on Oahu for our neighbor-island folks. I understand the barriers what your, your community faces on, you know, having to make that hard decision on whether or not they can provide the time off and also provide the financial beings to be able to fly here on Oahu.

And if they need to be required to stay overnight, to be able to pay for the hotel accommodations because for one thing many of the whole, many of the insurance companies do not include hotel accommodations if you're doing post-op care, especially doing same-day surgery services if you're not being admitted as an in-patient in the hospital services.

So, with that being said, we believe this is a bad decision that Kaiser is wanting to outsource these services. And again, we believe that maintaining these jobs and, for Kaiser, and especially this is going to be beneficial for the Maui residents, because we want more access. And I think that's what we're trying to achieve as the healthcare industry and also for, for union labors as well, to ensure that our community and our workers be able to have more accessibility and options. And to ensure that the type of quality care is provided to our residents here in Hawaii and that folks are not having to make that hard decisions on whether or not, do they need to stay, are they able, are they not able to go to their doctors' appointments, do their minor surgeries, and do their preventative cancer screenings such as, one, colorectal cancer screening is a huge major factor here in the State of Hawaii.

And we know that specialty services, sometimes it can take about three months to six months and be on a long waitlist for you to be able to do these procedures and to figure out whether or not are you a high-risk patient or were we able to bite that bullet

and not, and not be, and not put you in a predicament where you might have colorectal cancer and so forth.

And we've already seen that LPN, the, our licensed practitioner nurse, we already have a hard time on being able to recruit these positions, because for one thing we're having a nationwide job recruitment for LPN's, because one, a lot of healthcare industries decide we're going to, we're going to reduce RN services in either the hospital or in the clinic setting and vice versa. They had done that 10 years ago with LPN's in the hospitals in numerous other hospitals, not only at Kaiser but our Kaiser--

CHAIR LEE: Ms., Ms. Aban. Ms. Aban, can you please conclude your testimony?

MS. ABAN: Thank you. So, so with that being said, I think this is a huge importance for our Maui, Maui family and the neighbor-islands, because it will be a ripple effect to Oahu and on the Big Island as well if we do not preserve these services on Maui. Thank you.

CHAIR LEE: Thank you.

Ms. Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Ms. Aban. I just wanted to clarify and ask of the sense of urgency about passing this on the floor today. I know that there hasn't been a lot of communication with the workers, but I had heard that surgeries and procedures weren't being scheduled past the middle of next month. And I just was wondering if, if you could confirm that.

MS. ABAN: So, originally, the company's plans were to lay them off on October 15. Our, our unions, and our members, our workers were able to advocate to postpone, to delay that. And at this moment, we're hoping, our goal with the union and our workers, is to preserve these jobs in the long run. We are in discussion with, with the company and we do, we want, the reason for the urgency is because we believe that the public should have a say, especially the patients in the community in Maui, to be able to provide their feedback in regards to whether they're Maui Memorial patients or Kaiser patients, right? Because they'll be the ones that will have to see the, the ripple effect on what's going to be the overall outcome on whether or not these services are going to be outsourced all into the Maui facility.

And we've already seen on the staffing needs that Maui Memorial had to endure when you guys had to have, when there was a COVID pandemic and a positive case with all of their staff members. Many of our Kaiser RN nurses had to fly in from Oahu to provide the staffing needs on, on Maui at Maui Memorial. So, it's vice versa, right? You guys

have limited services and, you know, with this time being we're not sure how long is this pandemic going to be impacted to all, to all folks. And so, that's why that, this is a urgency, cause we want to ensure the longevity of not just our jobs, but also the longevity on the healthcare, the healthcare services for the patients there on Maui County.

COUNCILMEMBER PALTIN: Thank you. Thank you, Chair.

MS. ABAN: Thank you.

CHAIR LEE: Alright. Any more questions? If not, thank you, Ms. Aban.

MS. ABAN: Thank you, everybody.

CHAIR LEE: Madam Clerk.

COUNTY CLERK: Our next testifier is Faith Chase. And Ms. Chase will be followed by Sean Lester.

MS. FAITH CHASE [testifying on County Communication Nos. 20-521 and 20-526; Committee Report 20-132 and 20-135; and Bill No. 101 (2020)]:

Aloha, Chair Lee. Aloha, Councilmembers. First of all, I just would like to mention that Willie K was an absolutely one of a kind artist and human. He had the ability to make every wallflower get up and boogie and it was amazing to watch. I just want to send love to his family and his fans. I personally pray I get to see a musician with that kind of energy one more, once more in my life.

I quickly want to go onto record, I quickly want to go on the record supporting CC 20-251 *[sic]*, "A BILL FOR AN ORDINANCE RELATING TO THE WASTEWATER FACILITIES IN SEA LEVEL RISE EXPOSURE AREAS".

And I also want to support the, the excellent proposal, 20-256 *[sic]*, "A BILL FOR AN ORDINANCE PROHIBITING THE SALE OF RENTAL OF DISPOSABLE BOOGIEBOARDS" *[sic]*; abso-fricken-lutely. It's about time. Thank you for that.

I am taking this opportunity to mention that I am pleased to see the corrective language with, in 20-132, that properly reflects the appropriation for the Food Security Hawaii.

With respect to number 3, within 20-132, regarding the Countywide Road Resurfacing and Pavement Preservation, I need to make comment on this. I'm going to take this

opportunity to go on record to impress that there is a very large vacancy in monitoring with regard to paving projects within Maui County. We recently experienced an unfortunate dumping of petrochemical ground cover in one of our most abundant watershed areas of Waikamoi. When asked, the majority of the County departments and agency were not concerned about this dumping because it was below the water diversion area, which provides water to the other major municipalities of Maui. Gratefully, by the way of the Environmental, Agricultural, Cultural Preservation Committee Chair, the situation was remediated last week, or began to be remediated. The County of Maui, State of Hawaii, Maui Police Department, and Hawaiian Dredging were all on site to begin removing the material.

Unfortunately, I have learned that the reuse or the refuse of this material does not have proper monitoring, follow-up, or reporting. I understand the enforcement is difficult in many areas of our government, but it is critical that the Environmental Management Division, the Planning Department, and or Zoning Department need to work to provide real solutions for remediation. This appears to be an area that has gone amiss and I personally will present some form of regulatory reporting, so this foul activity does not occur again.

Because though I have not confirmed, I have learned from unnamed witnesses that a recent fire at the landfill may have been caused by this material that was removed and dumped there. This is a different fire than the one that was at T J Gomes green waste composting two weeks, which also is another conversation that we should return to at another time.

I'm pleased to see Bill 101, the "BILL FOR ORDINANCE AUTHORIZING THE MAYOR OF COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE U.S. GEOLOGICAL SURVEY, PACIFIC ISLANDS WATER CENTER, UNITED STATES DEPARTMENT OF THE INTERIOR (COOPERATIVE WATER-RESOURCE MONITORING PROGRAM)". Might I mention perhaps this monitoring will elevate the lack of monitoring that A&B, EMI, and Mahi Pono has skirted and failed to produce.

In closing, I'm pleased to see CR 20-135, recommending the filing of the communication relating to the Maui Island Plan, Economic Development, relating to the agricultural tourism in the Agricultural District. Agricultural tourism is the nucleus of sustainable agriculture opportunities in Hawaii and Maui, Hawaii at large. Thank you for your time and attention today.

CHAIR LEE: Any questions for Faith? If not, thank you.

Madam Clerk.

COUNTY CLERK: Our next testifier is Mr. Sean Lester. And Mr. Lester will be followed by Albert Perez.

MR. SEAN LESTER (testifying on County Communication No. 20-524 and 20-526; and Committee Report 20-132):

Okay. Mahalo kakou. Can you hear me well?

CHAIR LEE: Yes.

MR. LESTER: Okay. Aloha, Chair Lee. I have several things I want to talk about. First of all, the lady that was just here, wow, we need about 200 of her; she was amazing.

So, as far as the 20-132 with road preservation, I'm living out on the Hana Highway, and occasionally, I see some things out here that aren't so good either, as far as where they dump things and whatever. And I'm, I really do back what she's stating on that side.

I also support 20-256, to get rid of the disposable boogieboards [sic]. That's a real problem. We have a lot of disposable materials that are coming in here.

The main reason I'm calling today, or, or, or on today and testifying is dealing with 20-524, which is the concession with Hawaiian Electric on the charging stations. And I have several, several things I'm concerned with on that. One of them is the price that they're charging. They're looking at 50 cents, 56 cents a kilowatt hour. So, I'm concerned, when you work that out with the, with the little Nissan Leafs and other less efficient charging systems or, or batteries as far as the charging is concerned, you're not much less than we're charging for regular petrol at this particular point. So, I am concerned about the price on that. I know it's only three of the units that they're looking at putting in.

However, if we get fortunate and there's a change in the Federal side, the vice, the pres, the vice-pres, Vice-President Biden is taking a look at putting in 50,000 charging stations across the United States. But one of the things I'd want to do is to definitely as soon as, as, as that is a possibility, to be very aggressive in trying to bring that in.

Ultimately, for us to start taking a look at the fact that, you know, we just had a 200 plus million-dollar renovation and buildout at the airport, but there are literally no electric charging stations there whatsoever. The ability to start pushing ourselves towards an

electric vehicle mandated island is something that I think is very, very important over the next period of time.

So, my question just comes up as to whether that 56 cents is really a viable number and if there's some way to be able to come up with a better number on the cost of those stations regarding usage? So, that's it. Thank you very much.

CHAIR LEE: Thank you, Sean. Any questions? If not--

Oh, Ms. King.

COUNCILMEMBER KING: Thank you, Chair. Thank you for being here, Sean. I don't, do you have your video on? I don't see you.

MR. LESTER: I was, I was, I was trying to figure out, let's see here--

COUNCILMEMBER KING: That's alright.

MR. LESTER: It has to do with the view. Yea, I, I was able to find, it, it, there should be a little click, clicker here for the video, but I only got the, okay, so.

COUNCILMEMBER KING: Okay. Well, my, my question was about, you know, when you mentioned, cause I've heard this from a couple other people about the cost of electricity at these charging stations. But you know how that compares with, if you look at how many miles you can go, you know, for the cost, I don't know what it is, is you swipe and you can go 100 miles, the cost per mile or the, how that compares to the cost per gallon of gasoline?

MR. LESTER: Well, I just did a, I did some quick numbers. I don't have them here with me right now. But when you're looking at a standard vehicle, I, you know, you're, you're, if you're looking at a 25 mile per gallon or 28 mile per gallon scenario with the gas being at Costco like \$2.40 a gallon, when you're charging 50 cents, 56 cents a kilowatt hour plus you also got, there's a, when you're charging batteries it doesn't really work out as if it's 100 percent efficient. The efficiencies are lower. By the time you get finished with it, you're not really saving much by electric. And if we're looking at pushing the electric vehicles as our main point here on the island versus a petrochemical combustion engines, we really need to take a look at, at being able to massively decrease that.

When we, when we bring, when we bring what we're looking at, instead of looking at it pejorative and she was, this is the cost, when we reach a point as a County of being

able to see people say, wow, we're excited because this is where we're moving to, there's a difference. There's a change in perception. If we put in--

COUNCILMEMBER KING: Yea, I, yea, I, I just, I wanted to, I just wanted to find out if there was like a comparison, because I don't necessarily agree that the goal is to be cheaper. I think first the goal is to know that it's going to cost us more if we don't do this. But I wanted to find out that. And also, if you guy, if the Advisory Committee is planning to address that at the PUC, at the Public Utilities Commission, because they're the ones that authorized those prices?

MR. LESTER: We can. Since we're only looking at three charging stations, the challenge is how, how involved are we going to get. Is this simply the beginning? Or that's the reason I brought up the Federal level. If the Federal is going to have subsidies coming in, then the County itself may be able to do this directly without having to be concerned about the utility. And we can utilize that, that structure as a County. So, I wanted to put that out into all of your ears now to start thinking about. The instant Biden becomes President, I'm going to be on the phone to IEEE and all of the folks that I know to, to try to get a few of those stations for Maui for sure.

COUNCILMEMBER KING: Okay.

MR. LESTER: So, you know, in--

COUNCILMEMBER KING: You can give him my number if you want someone else to talk about, to talk to, I mean.

MR. LESTER: Okay. Sure will.

COUNCILMEMBER KING: Thank you.

MR. LESTER: Thanks. You're very welcome. Aloha.

COUNCILMEMBER KING: Thank you, Sean, for being here.

MR. LESTER: You're welcome.

CHAIR LEE: Anymore questions? If not, thank you, Sean.

MR. LESTER: You're welcome. Thank you, Alice.

CHAIR LEE: Madam Clerk.

COUNTY CLERK: Our next testifier is Mr. Albert Perez.

MR. ALBERT PEREZ, MAUI TOMORROW (testifying on Committee Report 20-129):

Aloha, Chair Lee, Members of the Council. Can you hear me?

CHAIR LEE: Yes. And see you.

MR. PEREZ: Okay. Good morning. Hi. I'm Albert Perez. I'm with Maui Tomorrow, testifying on CR 20-129, adoption of a resolution disapproving the Lihau'ula Project in Olowalu.

So, again, I would like to thank you for your service. And I realize that you are under pressure because of the 45-day deadline that's imposed on you. Maui County needs housing that is truly affordable for our residents and then also, carefully considers long-term impacts on the communities, lands, and waters of our islands.

The proposed Lihau'ula Project in Olowalu does not meet any of these criteria. With prices in the \$500,000 to \$800,000 range, this project is not truly affordable. It's not supported by the West Maui community. It would potentially harm Olowalu's amazing offshore reef and threaten the many cultural sites in the area. So, Maui Tomorrow supports the Affordable Housing Committee's recommendation to disapprove the proposed Lihau'ula Project.

There are developers who specialize in providing affordable housing, quality affordable housing, and we have supported them in the past. We need to encourage those types of developers, instead of allowing 201H exemption for developers who take advantage of the process and provide only the minimum required affordable housing, while maximizing profit from the market portion of their development.

The West Maui Community Plan Advisory Committee carefully considered development in the Olowalu area, and they rejected it. West Maui folks are going to be the ones most affected by projects like this. The efforts of our citizen volunteers need to be respected, or faith in government will be undermined.

So, in summary, Maui Tomorrow urges the Council to disapprove the Lihau'ula Project, and to send a message that responsible developers who will provide 100 percent affordable housing in areas that respect the community plans will be encouraged. Mahalo.

CHAIR LEE: Alright. Anymore, any questions, actually? If not, thank you, Albert.

MR. PEREZ: Aloha.

CHAIR LEE: Aloha.

Madam Clerk.

COUNTY CLERK: Chair, we do not have any other testifiers noted at this time. And I'll give one last call if any individuals connected to the meeting has not testified, but would like to do so, please identify yourself now. We are unmuting everyone on our end, and you can inform staff via the meeting chat that you would like to testify. Again, this is the last call for testifiers.

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

Yes, Ms. Paltin.

COUNCILMEMBER PALTIN: I just wanted to clarify that the Hale Kaiola testimony that we received is not on the agenda today. And it won't be coming back to us. It's Maui Planning Commission October 27. And it's not the same as the Kilohana Makai Project. Those are two separate projects. So, just for clarification for the record if anyone comes and looks at all the testimony and get confused.

CHAIR LEE: Okay. Any further comments or questions about that or anything else?

Yes, Ms. King.

COUNCILMEMBER KING: Yea, just a question about that. What happens with testimony that comes in that doesn't, isn't pertinent to the agenda. Does that get still recorded into the record, or does that get somewhere else? Maybe the County Clerk would know what the procedure is for that.

CHAIR LEE: Madam Clerk, are you listening?

COUNTY CLERK: Yes.

CHAIR LEE: Okay.

COUNTY CLERK: It's, it's just assembled with the meeting packet. But it doesn't connect to anything that's on the agenda, so--

COUNCILMEMBER KING: Okay. But it still goes into the? I just wondered, because if people come before us verbally and try to talk about something, a lot of times they get told, you know, that's not on the agenda, so they don't get to talk. And I, I just was wondering what the situation was with the written testimony. But we're putting that into the same packet.

COUNTY CLERK: Yes. Sorry.

COUNCILMEMBER KING: Thank you.

CHAIR LEE: I've sent numerous replies trying to distinguish between the Council and the Planning Commission, so many people know. And, and I have encouraged the developer to, to contact them all and make that distinction and then have, have more meetings, informational meetings. Hopefully, they can work things out.

COUNCILMEMBER KING: Yea, I know they . . . did already, so.

CHAIR LEE: Are there anymore? Pardon me?

COUNCILMEMBER KING: No, I know that he did have a meeting, but I'll follow up with him on how that went.

CHAIR LEE: Good. Thank you.

Ms. Kama, did you have your hand up just now? No.

Okay. Well, it's lunchtime folks. I would like to recommend that as soon as, well, did we accept the, so no objections to accepting the written testimony into the record, and 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. Aki Marceau, Hawaiian Electric;
2. Gracie Esperanza, Unite Here! Local 5;
3. Cindy Aban, Unite Here! Local 5;
4. Arlene Alvarez;
5. Lars Asplund;
6. Doug Bausch;

7. Michele Bausch;
8. Sarah Bergeson;
9. Rebecca Buckley-Battaglia;
10. Mary Frances Bulawan;
11. Sarah Bumpus;
12. Michael Bursack;
13. Justin Cabigas;
14. Marcella Carranco;
15. Melanie Chan Vinoray;
16. Monique Chicheportiche;
17. Lance D. Collins;
18. Audrey Dack;
19. Roscelyn Dalut;
20. Lorianne Daly;
21. Ashoi Dantra;
22. Ruksshana Dantra;
23. Lisa Davis;
24. Mark Deakos;
25. Carrie DeMott;
26. Glen and Leni English;
27. Susannah Evangelista;
28. Brianna Everett;
29. Crisanta Fillazar;
30. Amy Fonarow;
31. Joann Garcia;
32. Ari Halperin;
33. Sandra Harris;
34. Mikahala Helm;
35. Julian Henao;
36. Virginia Hertz;
37. Julie M. Higa;
38. Carol H. Holland;
39. Napua Hueu;
40. Nichole Johnson;
41. Addie Jones;
42. Patty Jones;
43. Michele A. Katsutani;
44. Emery Kaya;
45. Kaleleonalani Kekauoha-Schultz;
46. Larry Kihne;
47. Sabrina Kihne;
48. Ellen Levinsky;

49. Ines Levy;
50. Ruby Littao;
51. Loren Malenchek;
52. Jane Moorhead;
53. Melanie Nakoa;
54. Off da Grid futureoffgrid@gmail.com;
55. Analu T. Okimoto;
56. Joanne Okita;
57. Heather Pilliod;
58. Catherine Lahela Rapozo, Unite Here! Local 5;
59. Kristina Rau;
60. Kathy Reynolds-Cuddihy;
61. Anne Rillero, Maui Nui Marine Resource Council;
62. Adrianna Rivera;
63. Surain Romany;
64. Margaret A. Santos;
65. Gary G. Savage;
66. Fay Somera;
67. Amy Stephens;
68. Maggie Sutrov;
69. Nicole Napuaonalani Suzuki;
70. Shirley Teano;
71. Deena Souza Toma;
72. Anna Nalaniewalu Vinuya-Palakiko;
73. Cade M. Watanabe, Unite Here! Local 5;
74. Tina Wildberger, House of Representatives;
75. Martina Wing;
76. Kalman Wirth;
77. Gail Wood; and
78. Harold Wood.

CHAIR LEE: Okay. We, we kind of didn't finish that part because there were questions. Alright. So, ordered.

So, Members, if you don't mind, I would like to call a lunch break? Where's my gavel? Okay, here's my gavel. 1:30, how's that? 1:30, okay? Alright, no, no objections. And we will reconvene at 1:30. Have a nice lunch everybody. Meeting is in recess.

(THE MEETING WAS RECESSED BY THE CHAIR AT 12:14 A.M., AND WAS RECONVENED AT 1:37 P.M., WITH ALL MEMBERS PRESENT, EXCEPT MEMBERS HOKAMA AND SUGIMURA, EXCUSED.)

CHAIR LEE: Well, will, well. Will the meeting of the Maui County Council, October 23 please reconvene? Hello, everyone, again. We're at minutes. Everybody turn to your minutes.

County Clerk, shall we resume--

COUNTY CLERK: Thank you, Chair.

CHAIR LEE: --the agenda?

COUNTY CLERK: Yes.

MINUTES

The minutes of the Council of the County of Maui's regular meeting of August 28, 2020, and September 11, 2020, were presented at this time.

CHAIR LEE: Council Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO ADOPT THE MEETING MINUTES AS READ BY
THE CLERK.

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Who said second? Oh, okay. It's been moved by Vice-Chair Rawlins-Fernandez, seconded by Councilmember Kelly King, to approve the minutes of the regular meetings of August 28 and September 11.

And then, any discussion, anyone? If not, all those in favor of approving the minutes, signify by saying "aye" and raising your hand.

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

NOES: NONE.

EXCUSED: COUNCILMEMBERS HOKAMA AND SUGIMURA.

CHAIR LEE: Okay. We have seven "ayes", and two "excused"; motion carries. The two excused--

COUNTY CLERK: Chair, proceeding with county communications--

CHAIR LEE: Let me say who the two excused are. The two excused are Councilmember Yuki Sugimura and Riki Hokama.

COUNTY CLERK: Chair, Yuki Sugimura is in the chamber with us.

CHAIR LEE: She is?

COUNTY CLERK: Yes.

CHAIR LEE: I don't see her.

COUNTY CLERK: Oh, okay. She's having problems logging in as well. Okay.

CHAIR LEE: Alright.

COUNTY CLERK: I think she's trying to join by phone right now. Okay.

CHAIR LEE: Okay, you can continue with communications.

COUNTY CLERK: Okay.

COUNTY COMMUNICATIONS

NO. 20-504 - TIVOLI S. FAAUMU, CHIEF OF POLICE,
(dated October 5, 2020)

Transmitting a copy of the grant agreement with the State of Hawaii, Department of Transportation for the MPD Distracted Driving Enforcement grant in the amount of \$76,263.39.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. May I request the Clerk also call up County Communications 20-505 through 20-515? If there are no objections.

CHAIR LEE: Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: So, ordered.

COUNCILMEMBER KING: Just, just--

CHAIR LEE: Oh, Ms. King.

COUNCILMEMBER KING: We, except for the grants and contracts, we might want to pull out of, that's number 2013, or 513.

CHAIR LEE: Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: We usually--

CHAIR LEE: 14, okay. Normally we go through them all and then you, then you pull out whatever. Okay. So, let's go through them all first.

VICE-CHAIR RAWLINS-FERNANDEZ: And I didn't make a motion yet.

CHAIR LEE: Yea.

VICE-CHAIR RAWLINS-FERNANDEZ: I'm just calling them up.

CHAIR LEE: Yea okay. Just for her to read it, read them.

County Clerk.

COUNTY CLERK: Okay.

NO. 20-505 - TIVOLI S. FAAUMU, CHIEF OF POLICE,
(dated October 5, 2020)

Transmitting a copy of the grant agreement with the State of Hawaii, Department of Transportation for the MPD Roadblock grant in the amount of \$418,062.82.

NO. 20-506 - TIVOLI S. FAAUMU, CHIEF OF POLICE,
(dated October 5, 2020)

Transmitting a copy of the grant agreement with the State of Hawaii, Department of Transportation for the MPD Traffic Records grant in the amount of \$211,581.

NO. 20-507 - TIVOLI S. FAAUMU, CHIEF OF POLICE,
(dated October 5, 2020)

Transmitting a copy of the grant agreement with the State of Hawaii, Department of Transportation for the MPD Speed Enforcement grant in the amount of \$169,475.35.

NO. 20-508 - TIVOLI S. FAAUMU, CHIEF OF POLICE,
(dated September 25, 2020)

Transmitting a copy of the letter from the Maui Police Foundation for the Maui Police Auxiliary Program in the amount of \$22,000.

NO. 20-509 - TIVOLI S. FAAUMU, CHIEF OF POLICE,
(dated October 9, 2020)

Informing of the receipt of \$15,769.10 in Forfeiture Funds from the Department of the Attorney General, State of Hawaii.

NO. 20-510 - TIVOLI S. FAAUMU, CHIEF OF POLICE,
(dated October 9, 2020)

Informing of the acquisition of forfeiture items from the State Department of the Attorney General.

NO. 20-511 - TIVOLI S. FAAUMU, CHIEF OF POLICE,
(dated October 8, 2020)

Transmitting a copy of the letter from the Maui Police Foundation to increase the budget by \$677.64 for the Traffic Division's Drone Program.

NO. 20-512 - LORI TSUHAKE, DIRECTOR OF HOUSING AND HUMAN CONCERNS, (dated October 6, 2020)

Transmitting Contract Modification Order No. 6 from the State of Hawaii, Executive Office on Aging for the Title III Program in the amount of \$1,445.

NO. 20-513 - SCOTT K. TERUYA, DIRECTOR OF FINANCE, (dated October 6, 2020)

Transmitting 106 contracts/grants for the month of September 2020.

NO. 20-514 - MARC TAKAMORI, DIRECTOR OF TRANSPORTATION, (dated October 6, 2020)

Transmitting a copy of the notice of grant award from the State of Hawaii, Department of Transportation for the Federal Transit Administration, 49 U.S.C. Section 5311 Non-Urbanized Area Formula Program in the amounts of \$492,600 and \$534,000.

NO. 20-515 - ROWENA M. DAGDAG-ANDAYA, DIRECTOR OF PUBLIC WORKS, (dated October 9, 2020)

Transmitting a copy of the Request for Project Authorization, Agreement, and/or Modification approving the federal funds to advertise for Iolani Street, Liholani Street, and Makani Road Pavement Reconstruction, Federal-Aid Project No. STP-0900(099).

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO FILE COUNTY COMMUNICATIONS 20-504 THROUGH 20-515, EXCEPT FOR THOSE GRANTS AND CONTRACTS THAT COUNCILMEMBERS REQUEST FOR COMMITTEE REFERRAL.

COUNCILMEMBER SINENCI:

SECOND.

COUNCILMEMBER KING: Second.

CHAIR LEE: Alright. We have requests for--

Yes, Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Contracts C7167, C7139. Do you want me to read the item, the contract name?

CHAIR LEE: Not really.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. And last, C7176. So, those are a total of three.

CHAIR LEE: Ms., Ms. King.

COUNCILMEMBER KING: Yes. Thank you, Chair. So, I have, I'd like to request Grant G4954-1 and G5005-1, be referred to the CAR Committee.

CHAIR LEE: Okay. Anybody else? Yes, Ms. Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. May I request C7158 and C7178 for referral to HFC?

COUNCILMEMBER KING: You're muted, Alice.

CHAIR LEE: Did you mention which Committee you're asking for referral to? You did?

COUNCILMEMBER PALTIN: Please HFC.

CHAIR LEE: Oh no not you. Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: To EDB.

COUNCILMEMBER PALTIN: Oh, sorry.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR LEE: EDB. Yea, we got the other ones. Alright. Alright. Any more requests for contracts? If not, all those in favor of the motion to file everything except those contracts that we're pulling out and referring to the Committees as mentioned, signify by saying "aye".

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

CHAIR LEE: Opposed, "nay".

NOES: NONE.

EXCUSED: COUNCILMEMBERS HOKAMA AND SUGIMURA.

CHAIR LEE: Motion carries with seven "ayes" and two "excused".

County Clerk.

COUNTY CLERK: Chair, for clarification, clerks wanted to know if 7-167 [sic], 7-139 [sic],
and 7-176 [sic] is to be referred to the EDB Committee?

VICE-CHAIR RAWLINS-FERNANDEZ: That's correct.

CHAIR LEE: Yes.

COUNTY CLERK: Okay. Thank you. Okay, continuing on with county communications.

NO. 20-516 - ERIC A. NAKAGAWA, DIRECTOR OF ENVIRONMENTAL
MANAGEMENT, (dated October 1, 2020)

Transmitting the 2020 Annual Compliance Report in accordance with the Polystyrene
Food Service Container Ban, Ordinance No. 4457.

(COUNTY COMMUNICATION NO. 20-516 WAS LATER
REFERRED TO THE ENVIRONMENTAL, AGRICULTURAL,
AND CULTURAL PRESERVATION COMMITTEE. See page 72
for discussion.)

NO. 20-517 - MICHAEL P. VICTORINO, MAYOR,
(dated October 2, 2020)

Informing of a vacancy on the Police Commission due to the resignation of Roger J.
Dixon, effective September 28, 2020.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair, you're muted.

COUNTY CLERK: --for a moment.

CHAIR LEE: It's stuck on mute.

CHAIR LEE: Yes, Mr. Molina.

COUNCILMEMBER MOLINA: Yea, thank you, Madam Chair.

AS IT RELATES TO COUNTY COMMUNICATION 20-517, I
MOVE TO FILE THE COUNTY COMMUNICATION.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR LEE: Moved by Mr. Molina, seconded by Vice-Chair Rawlins-Fernandez, to file the communication.

Any discussion?

COUNCILMEMBER MOLINA: Yes.

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: Yea, thank you, Madam Chair. The Mayor received notice of Mr. Dixon's resignation from the Police Commission effective September 28, 2020. I'd like to thank Mr. Dixon for his participation in local government and for volunteering to serve our community. Thank you.

CHAIR LEE: Any other discussion or comments? All those in favor of the motion, say "aye", raise your hand.

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

NOES: NONE.

EXCUSED: COUNCILMEMBERS HOKAMA AND SUGIMURA.

CHAIR LEE: Okay. Seven "ayes", zero "noes"; motion carries. Two "excused"; Sugimura, Hokama.

County Clerk. Went up to 20-519.

DISCUSSION RELATING TO
COUNTY COMMUNICATION NO. 20-516

COUNTY CLERK: Okay. Chair, I didn't know if you needed to call on Councilmember Sinenci for 20-516?

COUNCILMEMBER SINENCI: Yup, that's fine.

CHAIR LEE: Mr. Sinenci, did you want to do anything with this?

COUNCILMEMBER SINENCI: Yea, we can refer it to the EACP Committee Chair. Thank you.

COUNTY CLERK: Okay. Thank you for that clarification.

CHAIR LEE: Okay.

NO. 20-518 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,
(dated October 1, 2020)

Informing of the acceptance of Access Easement "A-1", The Gorilla Foundation Subdivision, TMK: (2) 4-3-001:017 POR.

(COUNTY COMMUNICATION NO. 20-518 WAS LATER FILED.
See pages 76 and 77 for discussion and action.)

NO. 20-519 - JEFFREY T. PEARSON, DIRECTOR OF WATER SUPPLY,
(dated October 6, 2020)

Transmitting the Department of Water Supply's Monthly Source and Groundwater Use Report for the month ending September 2020.

(COUNTY COMMUNICATION NO. 20-518 WAS LATER FILED.
See pages 76 and 77 for discussion and action.)

COUNCILMEMBER KING: Chair, just, can I just make a point of, point of process. Usually, we get the, you know, to be referred to the Committee. So, if you could just, Ms. Kaohu just announce which Committee they're being referred to when you, when you read out the county communication.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair.

CHAIR LEE: Yes.

VICE-CHAIR RAWLINS-FERNANDEZ: I think those, those items are supposed to be filed. But Member Sugimura is not here. So, Member Sugimura is in the chambers. Would Member Sugimura like if one of us moved to file them?

COUNTY CLERK: Member Sugimura has relocated to her office because she couldn't get connectivity. So, if we could take a quick recess, I can go check on, or have staff check on her.

CHAIR LEE: Oh, never mind. We'll skip over, let's skip over those.

COUNCILMEMBER KING: We can come back. No, I was just asking if you could, when you, when you announced the county communications, if you could refer, if you could announce who, which Committee that they being referred to?

VICE-CHAIR RAWLINS-FERNANDEZ: Well, that's what I was saying, Member King.

CHAIR LEE: The last one.

NO. 20-520 - ALICE L. LEE, COUNCIL CHAIR,
(dated October 16, 2020)

Transmitting a proposed resolution entitled "APPROVING THE APPOINTMENT OF ERIC ABE AS COUNCIL SERVICES TECHNICIAN IN THE OFFICE OF COUNCIL SERVICES".

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO ADOPT THE PROPOSED RESOLUTION
TRANSMITTED BY COUNTY COMMUNICATION 20-520, AND
FILE COUNTY COMMUNICATION 20-520.

CHAIR LEE: Second? Second.

COUNCILMEMBER KING:

SECOND.

COUNCILMEMBER SINENCI: Second.

CHAIR LEE: Okay, it was seconded by, moved by Vice-Chair Rawlins-Fernandez, seconded by Councilmember Kelly King, to adopt the resolution in County Communication 20-520.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Mr. Abe received his Bachelors of Science Degree in Mechanical Engineering from the University of Hawaii at Manoa. He is currently employed as a Data Processing User Support Technician II with the State of Hawaii, Department of Education. Prior to that, he was employed with, employed by Hawaiian Electric Company, Inc. and Maui Electric Company Ltd. in various technical and engineering positions. Mr. Abe's technical experience will make him a great asset in the Office of Council Services.

I did have an opportunity to meet with Mr. Abe. And I really look forward to welcoming, welcoming him to our team. He is quite delightful. I ask for all the Members support, full support in adopting the resolution for Mr. Abe. And I believe he's also on the line if any of the Members have questions for him. Mahalo, Chair.

CHAIR LEE: Do any of the Members have questions for Mr. Abe?

Ms. King.

COUNCILMEMBER KING: Yea, thank you, Chair. I, more, it's more of a question for, you know, I tried to set up a interview with Mr. Abe and was never confirmed, so I didn't get a chance to talk with him. But is this a position that will work with Bruce Hashimoto? And will it replace the person that we use to fly over here all the time and pay a consulting fee to?

CHAIR LEE: I, I don't think it'll, he'll replace that person, the resource person completely. But, you know, Bruce is kind of overwhelmed, so Eric, you'll be helping Bruce, right?

MR. ERIC ABE: Yes, yes.

CHAIR LEE: And taking good care of all the Councilmembers, right?

MR. ABE: Yea.

COUNCILMEMBER KING: Okay. There you are. Now, I can see your face at least.

MR. ABE: Hello. Hello.

COUNCILMEMBER KING: --but I'm going on your resume and I wish we would have had to, had a chance to get interview, do the interview.

MR. ABE: Yea, sorry about that.

COUNCILMEMBER KING: It's okay.

CHAIR LEE: Anybody else? So, all those in favor of approving Mr. Abe, raise your hand and say "aye".

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

NOES: NONE.

EXCUSED: COUNCILMEMBERS HOKAMA AND SUGIMURA.

CHAIR LEE: Okay. Eric, you have seven "ayes", two "excused".

MR. ABE: Thank you very much. Mahalo. Looking forward to getting started.

CHAIR LEE: Okay. Welcome aboard.

MR. ABE: Thank you. Thank you.

CHAIR LEE: Motion carries. The two "excused" are Members Hokama and Sugimura.

DISCUSSION AND ACTION RELATING TO
COUNTY COMMUNICATION NO. 20-518 AND 20-519

CHAIR LEE: So, Madam Clerk, how about we just set 518 and 519 aside, and just take care of everything else? So, without objections--

COUNTY CLERK: Excuse me, Chair.

CHAIR LEE: Yes.

COUNTY CLERK: I did get word or confirmation from Councilmember Sugimura that it would be okay if another Member would make the motion to file.

CHAIR LEE: Okay. So, we'll just--

COUNTY CLERK: And she may be, oh, go ahead.

CHAIR LEE: Okay. What?

COUNTY CLERK: She may be logged in by phone, I was just informed.

CHAIR LEE: Okay. Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR LEE: I thought I saw your hand--

VICE-CHAIR RAWLINS-FERNANDEZ:

ON BEHALF OF OUR WIT COMMITTEE CHAIR, I'LL, I MOVE
TO FILE COUNTY COMMUNICATIONS 20-518 AND 20-519.

COUNCILMEMBER MOLINA:

SECOND.

COUNCILMEMBER KAMA: Second.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Member Molina, to file CC 20-519, 20-518.

Okay. Any discussion? Yes, Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. By the looks of these, it looks like it's for informational purposes for the record. And I'm sure we have the Council's support. Mahalo, Chair.

CHAIR LEE: Okay, anymore comments or questions? All those in favor of filing these two items, raise your hand, say "aye".

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

NOES: NONE.

EXCUSED: COUNCILMEMBERS HOKAMA AND SUGIMURA.

CHAIR LEE: Seven "ayes", two "noes", I mean, seven "ayes", two "excused"; motion carries. The two "excused" are Hokama and Sugimura.

Alright, so that takes care of all of the county communications. All them are being filed except for the ones--

COUNCILMEMBER KING: Chair.

CHAIR LEE: --that we pulled out the contract.

Yes, Ms. King.

COUNCILMEMBER KING: I, I think we're on County Communication 20-521 now. We're not done with them yet.

CHAIR LEE: Oh.

COUNTY CLERK: That's my part.

COUNCILMEMBER KING: Those are the--

CHAIR LEE: Okay. I wonder why, why there was a break over here?

Okay, go ahead County Clerk; 521.

COUNTY CLERK: Okay. Chair, proceeding with County Communications for referral. The following County Communications are recommended for referral to the following Committees as noted:

NO. 20-521 - KELLY TAKAYA KING, COUNCILMEMBER,
(dated October 16, 2020)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE RELATING TO COUNTY WASTEWATER FACILITIES IN SEA LEVEL RISE EXPOSURE AREAS".

The recommended action is that County Communication 20-521 be referred to the Climate Action and Resilience Committee.

(COUNTY COMMUNICATION NO. 20-521 WAS REFERRED TO THE CLIMATE ACTION AND RESILIENCE COMMITTEE. THE MATTER RELATING TO COUNTY WASTEWATER FACILITIES IN SEA LEVEL RISE EXPOSURE AREAS WAS LATER REFERRED TO THE WATER, INFRASTRUCTURE, AND TRANSPORTATION COMMITTEE. See pages 79 through 84, and 91 for discussion and action.)

NO. 20-522 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,
(dated October 8, 2020)

Transmitting the Short-Term Investment Reports for Fiscal Year July 1, 2020 to June 30, 2021 as of September 30, 2020.

The recommended action is that County Communication 20-522 be referred to the Economic Development and Budget Committee.

DISCUSSION AND ACTION RELATING TO
COUNTY COMMUNICATION NO. 20-521

CHAIR LEE: Alright, can you hold on one second?

I thought 521 was a triple referral. Not, that's not the one, Member King?

COUNTY CLERK: 529.

VICE-CHAIR RAWLINS-FERNANDEZ: 529.

COUNCILMEMBER KING: There's, there's a, it's a different one.

CHAIR LEE: A different one?

COUNCILMEMBER KING: Yea.

COUNCILMEMBER PALTIN: 20-529, is triple referral.

CHAIR LEE: No, no, no, no, no, no, no. Because, generally, this item would come, well, it's going--

COUNCILMEMBER KING: Because it says, it's sea level. It's a sea level . . . issue.

CHAIR LEE: Okay, so--

COUNCILMEMBER KING: No, the one, the one you're talking about is 20-529. That has a triple referral.

CHAIR LEE: No, no, but the 521 is going to EDB?

COUNCILMEMBER KING: No, going to CAR.

CHAIR LEE: I must have a different version. Okay, let's take a five-minute break so I can get this clarified, yea?

VICE-CHAIR RAWLINS-FERNANDEZ: No objections.

CHAIR LEE: Five-minutes.

(THE MEETING WAS RECESSED BY THE CHAIR AT 1:59 P.M., AND WAS RECONVENED AT 2:04 P.M., WITH ALL MEMBERS PRESENT, EXCEPT MEMBER HOKAMA, EXCUSED.)

CHAIR LEE: Will the Council meeting please reconvene? Now, I don't see Member Yukimura, ah Yukimura; Sugimura.

COUNCILMEMBER SUGIMURA: Here I am.

CHAIR LEE: Okay. Okay. Very good. Don't go anywhere now. Okay, now do you see--

COUNCILMEMBER SUGIMURA: I'll try not to.

CHAIR LEE: CC 20-521.

COUNCILMEMBER SUGIMURA: Correct.

CHAIR LEE: Okay. We are having a discussion on whose Committee this would go to. And I am suggesting that this be referred, if anything, a dual referral to your Committee.

COUNCILMEMBER SUGIMURA: That's good.

CHAIR LEE: Don't say it's good.

COUNCILMEMBER SUGIMURA: Oh.

CHAIR LEE: There's a, we're going to have to have a discussion.

COUNCILMEMBER SUGIMURA: Okay. Okay.

CHAIR LEE: Okay. So, it, it, it's logical for me that this goes to your Committee and Ms. King's Committee. So, Kelly, do you, Ms. King, do you, do you agree to that?

COUNCILMEMBER KING: No, I don't, because first of all because I wrote the bill, but also, DEM is also in EACP. So, you know, that's an environmental, the environmental issues are there too. But this bill is, addresses specifically climate action and resilience. That's the purpose of the bill is to, to address the issue of resilience and managed retreat, which are in my Committee.

CHAIR LEE: Yes, Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. So, Member King mentioned that she plans to schedule this right away. Procedurally, perhaps a question for our OCS attorneys, that if one Committee takes action by scheduling, recommending passage to the full Council, and then it gets passed but the item is still in another Committee, what would happen to that? And the, the two amendments in the proposed bill defines "managed retreat" and "sea level rise exposure area", and I think those are the only two, or is it a new chapter? It's a new chapter; "SEA LEVEL RISE EXPOSURE AREAS".

CHAIR LEE: Yea, but--

VICE-CHAIR RAWLINS-FERNANDEZ: Mr. Raatz.

CHAIR LEE: --the fact, the fact, the fact that this involves County wastewater facilities is specific to DEM, yea? It's not Public Works.

VICE-CHAIR RAWLINS-FERNANDEZ: Yeah.

COUNCILMEMBER KING: DEM is also in EACP.

CHAIR LEE: It's not the Planning Department.

COUNCILMEMBER KING: DEM is also in EACP, cause that's environmental.

CHAIR LEE: I know.

VICE-CHAIR RAWLINS-FERNANDEZ: So--

CHAIR LEE: But it, the primary Committee is WIT.

Okay, so Ms. Kama.

COUNCILMEMBER KING: I disagree with that.

CHAIR LEE: Wait, before I get back to you, Ms. Kama, did you have your hand up?

COUNCILMEMBER KAMA: Yea.

CHAIR LEE: No?

COUNCILMEMBER KAMA: Yes. So, in the, in the reso it talks about having to move DEM. That's what it talks about; that we can't, we can't put wastewater treatment facilities in

these low-lying areas. But it also talks about the plan to move it. So, who would develop the plan to move this facility if it's, if it's what's written in this reso? Who would have oversight of that?

CHAIR LEE: This is not the time to be discussing.

COUNCILMEMBER KAMA: I realize that but that's how you determine whether or not they're going to have some kind of input or not, or whether they belong at the table or not.

CHAIR LEE: Right. That's a, that's a good point.

Yes, Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Another way we've decided who it would, would, would take the item if it has to be one is who would take it up sooner. So, there, there was a couple items where I asked for a re-referral to another Committee, because, you know, say EDB is just, you know, too bogged down and if someone else was willing to take an item, I would be happy to let that, you know, that Committee take it up so that it can get heard quicker. I, I, and so, I don't see the harm in putting it in the Committee that'll take it up sooner for full discussion. I think Member Sugimura, oh no, Member Sugimura is not on the CAR Committee. Oh, you are?

COUNCILMEMBER SUGIMURA: I'm not, no.

VICE-CHAIR RAWLINS-FERNANDEZ: Yea, you're not a, you're not a voting member of the CAR Committee. So, I guess my question, I guess, would be if, what would be the obstacle for having a dual referral?

CHAIR LEE: Yea, that's my question too.

Ms. Kama.

COUNCILMEMBER KAMA: Oh, I was just thinking that everybody's on WIT, so maybe we should just give it to WIT, cause all nine of us are there.

CHAIR LEE: Did I see other hands up?

COUNCILMEMBER SUGIMURA: Your call. Your call, Chair.

CHAIR LEE: Then if it's my call, I would make it a dual referral.

COUNCILMEMBER SUGIMURA: Sounds good.

CHAIR LEE: Okay.

COUNCILMEMBER KING: I'd like to, Chair, I'd like to make a motion to refer this item to the Climate Action Resilience Committee.

COUNCILMEMBER SUGIMURA: Motion?

COUNCILMEMBER KING: Well, if it's disputed, then we have to have a motion, so. So, I'd like to move.

CHAIR LEE: You know--

COUNCILMEMBER KING: This was my bill that I wrote, and it comes under, it clearly comes under climate action.

CHAIR LEE: And that's why we're saying dual referral. We're not disputing that.

COUNCILMEMBER KING: Okay.

CHAIR LEE: We're not disputing that at all. But what we're saying is, the wastewater systems clearly come under WIT.

COUNCILMEMBER KING: Okay, so is that going to hold true then for other items, like if the other, other Committees want to take up, you know, say renewable energy for transportation since that comes under CAR as well, that would be a dual referral?

CHAIR LEE: If we had, you know, up to now we haven't had any problems with a dual referral, because people understand that there, sometimes there are different aspects of an item that belong in one Committee, and then some of it belongs in another Committee. And that's why at, further down the line we have, as you know, a triple referral coming up.

COUNCILMEMBER KING: Right. That was suggested in Committee. But, no, I did suggest earlier in the year about having an item on, on EV sent to my Committee, but it was, it was argued by Ms. Sugimura that it should go to her Committee. So, in those instances, then I guess we'll be doing dual referrals?

CHAIR LEE: We can do dual referrals, yes.

COUNCILMEMBER KING: I just want to make sure it applies to everybody, because I don't want to get, you know.

CHAIR LEE: Yea, it will apply to everybody. I'm not sure what happened before. But all I'm saying is that, let's figure out ways where we can work together so if, if, if both, two Committees have the same item, that one, that the two Chairs say okay you take that component and I'll take that component and work things out like that, you know. Rather than be fighting over who gets what. Okay. Is that okay?

Any objections to the dual referral? Any objections say "aye".

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: Okay, seeing no objections, CC 20-521 will be referred to the WIT Committee and the Climate Change and Resilience Committee.

County Clerk.

COUNTY CLERK: Proceeding with county communications.

NO. 20-523 - MICHELE M. YOSHIMURA, BUDGET DIRECTOR,
(dated October 15, 2020)

Transmitting the following proposed bills entitled:

1. "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 5101, BILL NO. 66 (2020), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI ISSUANCE, SALE AND DELIVERY OF SAID BONDS (DEPARTMENT OF TRANSPORTATION – CENTRAL MAUI TRANSIT HUB)";
2. "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2021 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF TRANSPORTATION, WAILUKU-KAHULUI COMMUNITY PLAN AREA, GOVERNMENT FACILITIES, BOND FUND, CENTRAL MAUI TRANSIT HUB; TOTAL CAPITAL IMPROVEMENTS PROJECT APPROPRIATIONS; TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)".

CHAIR LEE: Okay, could you stop for a second, County Clerk? Did you read off 20-522?

COUNTY CLERK: Yes.

CHAIR LEE: You did?

COUNTY CLERK: Yes.

CHAIR LEE: So, Vice-Chair Rawlins-Fernandez, you want to take these together or separately, or?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. For County Communication 20-522, that can be referred to EDB. And if the Clerk finished reading 20-523, I would like to take action on that on the floor today.

CHAIR LEE: Oh, okay. Alright. Alright. Thank you for the clarification.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR LEE: County Clerk, sorry, sorry for the interruption. Go ahead.

COUNTY CLERK:

3. "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 5101, BILL NO. 66 (2020), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI ISSUANCE, SALE AND DELIVERY OF SAID BONDS (DEPARTMENT OF TRANSPORTATION - CENTRAL MAUI TRANSIT HUB)"; and
4. "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2021 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF TRANSPORTATION, CENTRAL MAUI TRANSIT HUB".

The recommended action is that County Communication 20-523 be referred to the Economic Development and Budget Committee.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

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

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: Okay, it's been moved by Vice-Chair Rawlins-Fernandez, seconded by Member Sugimura, to waive the Rules of the Council.

Vice-Chair Rawlins-Fernandez, discussion?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. As you heard in Transportation Director Takamori's testimony this morning that this item is urgent, because of our contract ending, expiring with the Queen Kaahumanu Center. So, action on the floor today would be necessary.

CHAIR LEE: Okay. Any more discussion? All those in favor of waiving the Rules, say "aye".

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

VICE-CHAIR RAWLINS-FERNANDEZ: Member Molina, had a question.

COUNCILMEMBER MOLINA: Oh, no, no sorry.

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: I'm going to comment later. Yea, this is just, not on the vote to waive referral. Sorry.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay.

COUNCILMEMBER MOLINA: Sorry. "aye".

CHAIR LEE: Okay. Those opposed, say "aye".

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR LEE: Alright. Seven "ayes", no "noes"; motion carries to waive the Rules. Two "excused", I mean, one "excused" now. Sorry, I'm counting you out, Ms. Sugimura. Eight "ayes", one "excused"; Mr. Hokama.

Alright. Mr. Molina, did you have a question now, or you want to wait?

COUNCILMEMBER MOLINA: No. I can wait till, once we get into the discussion phase of the matter.

CHAIR LEE: Oh, okay.

COUNCILMEMBER MOLINA: Thank you.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO PASS THE PROPOSED BILL ON FIRST READING,
INCORPORATING ANY NONSUBSTANTIVE REVISIONS AND
TO FILE COUNTY COMMUNICATION 20-523.

COUNCILMEMBER KING:

SECOND.

COUNCILMEMBER SUGIMURA: Second.

CHAIR LEE: Okay, it's been moved by Vice-Chair Rawlins-Fernandez, seconded by Councilmember King, to pass the bill as read by the Vice-Chair.

Discussion, Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Again, as we heard, the Director shared with us in testimony this morning that the lowest bid did come in at about \$200,000 over, and we would need an additional \$600,000 for contracting construction, contract, and fees, which is why the proposed budget amendment is to increase the budget by this amount.

CHAIR LEE: Okay. Any more discussion?

VICE-CHAIR RAWLINS-FERNANDEZ: And we have Director Takamori and Budget Director Yoshimura on the line if any of the Members have additional questions. Mahalo, Chair.

CHAIR LEE: Thank, thank you.

Member Molina.

COUNCILMEMBER MOLINA: Yea, thank you, Madam Chair. Question for either Director Takamori or Budget Director Yoshimura. One, who did the estimate for the project and what was the main reason for the differential in the appropriation and the bill? And what are the reasons given for, by I guess whoever we're going to hire to do the job?

CHAIR LEE: Mr. Takamori.

DIRECTOR OF TRANSPORTATION MARC TAKAMORI: Thank you, Chair. Thank you, Member Molina, for that question. With regards to the estimates, we have under contract for planning and design Fukumoto Engineering, who has been reviewing the different bids. What is interesting, when we first did the estimation, we were expecting it to be under 4 million, which would include funds for, you know, for contingency and construction management and, and what not. So, when we went out to bid, we were believing that it would still be under 4 million. We were a little surprised that it was above 4 million, however, when you, when we reviewed all of the different various bids, the low bidder, and the second, third, fourth, and fifth bidders are actually quite close to each other in their bids. So, we know that it's a strong bid at around \$4.2, between \$4.2 and \$4.4 million were the different bids that were quite close together. So, we know that they're coming in quite close with everybody within the Maui construction industry pricing.

COUNCILMEMBER MOLINA: Okay. Thank you.

CHAIR LEE: Any other questions?

Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Quick question, Mr. Takamori. This morning, we received testimony about one of the bus stops being planned a little close to Is this something that you considered in the construction and design, further away, I don't know?

DIRECTOR OF TRANSPORTATION: Could, sorry, could you repeat that question? I, I missed, yea, it cut out.

VICE-CHAIR RAWLINS-FERNANDEZ: Sea level rise. The one in, in our--

DIRECTOR OF TRANSPORTATION: Oh, sea level rise, yes. Sorry, I, I missed that. I didn't hear the sea level rise part. Yes, so, when we were going through the . . . and SMA review process, we did look at sea level rise as a concern. I know that in the past, Member King has also brought this up as a discussion point. And we, based on the maps that were provided, I think through UH, they provide the various heights between three and five-foot sea level rise, and we are not, we are not in that, that area, so we are okay, yea.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Director. Mahalo, Chair.

CHAIR LEE: Mr. Molina.

COUNCILMEMBER MOLINA: Yea, sorry, Madam Chair. Just one more question for Director Takamori. So, again, when you did the, I guess, you guys, did you guys foresee the additional cost or construction management, utility costs, and all of these unforeseen costs when you did the initial estimate? Or was this something you had to review again? And I'm sorry to be a pest about this, because this is a, you know, fairly significant amount.

DIRECTOR OF TRANSPORTATION: Thank you for that question, Chair. So, basically, that, those were unforeseen. It actually came out higher than what we were estimating it to be.

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

DIRECTOR OF TRANSPORTATION: Thank you.

CHAIR LEE: Any more questions?

Yes, Ms. King.

COUNCILMEMBER KING: Thank you. Marc, did, were you able to use, I, I think I know the answer to this, but I just thought I'd ask it anyway. Were you able to use any of that 7 million that you received in additional Federal funding for, for this? Or did you just have to put it all--

DIRECTOR OF TRANSPORTATION: Chair.

COUNCILMEMBER KING: --expand back the bond.

DIRECTOR OF TRANSPORTATION: Okay. Chair.

CHAIR LEE: Mr. Takamori.

DIRECTOR OF TRANSPORTATION: Thank you. This, be, I guess when the project first got started, it wasn't expected to use Federal funds, so we, we're not able to use Federal funds for construction at this point.

COUNCILMEMBER KING: Okay. And, and none of the CARES Act, that 7 million you got for, from . . . original CARES Act money?

DIRECTOR OF TRANSPORTATION: No. No.

COUNCILMEMBER KING: Okay. Alright, just checking. Thanks.

CHAIR LEE: Any more questions?

Okay, all those in favor of the motion, say "aye", raise your hand.

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

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR LEE: Okay, it's all, all "ayes", no "noes". Seven "ayes" *[sic]*, one "excused"; motion carries.

Madam Clerk.

COUNCILMEMBER KING: I think that's eight "ayes".

CHAIR LEE: Oh, I'm sorry, eight "ayes". I'm sure glad I have all these people helping me; you on the left and Tamara on the right.

Yes, Ms. King. You, you're just waving to me?

DIRECTOR OF TRANSPORTATION: Thank you very much.

COUNCILMEMBER KING: No, I didn't have a, I didn't have a question.

CHAIR LEE: Okay. Motion carries, eight "ayes", one "excused"; Mr. Hokama.

(THE PROPOSED BILLS PASSED ON FIRST READING WERE
ASSIGNED BILL NOS. 103 (2020), 104 (2020), 105 (2020),
AND 106 (2020), RESPECTIVELY. COUNTY
COMMUNICATION NO. 20-525 WAS THEN FILED.)

DISCUSSION RELATING TO
COUNTY COMMUNICATION NO. 20-521

CHAIR LEE: Okay. Madam Clerk.

COUNTY CLERK: Chair, before moving forward, I've been asked by the Legislative Clerks to clarify County Communication 20-521. There's only one legislative vehicle at a time that can be out there, so the bill I guess could go to the CAR Committee, with the subject matter going to WIT.

CHAIR LEE: Okay.

COUNTY CLERK: Or vice-versa.

CHAIR LEE: Sure, we can do that.

COUNTY CLERK: Subject matters can go multiple places, but one, only one bill, one legislative vehicle. Okay. Thank you.

NO. 20-524 - ALEX DE ROODE, ENERGY COMMISSIONER,
(dated October 16, 2020)

Transmitting a proposed resolution entitled "AUTHORIZING THE OPERATION OF ELECTRIC VEHICLE DC FAST CHARGER CONCESSIONS BY HAWAIIAN ELECTRIC COMPANY AT THE LAHAINA AQUATIC CENTER, HAIKU COMMUNITY CENTER, AND KALANA O MAUI BUILDING".

The recommended action is that County Communication 20-524 be referred to the Economic Development and Budget Committee.

CHAIR LEE: Okay, I'm waiting. Which one of you?

Ms. Sugimura. Okay.

COUNCILMEMBER SUGIMURA: Thank you. Thank you, Chair.

I MOVE TO WAIVE THE REQUIREMENTS OF COMMITTEE
REFERRAL AND REPORT FOR THE RESOLUTION
ATTACHED TO THE COMMUNICATION IN ACCORDANCE
WITH RULE 7.G. OF THE RULES OF THE COUNCIL.

Thank you.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

COUNCILMEMBER KAMA: Second.

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

COUNCILMEMBER SUGIMURA: Thank you, Chair.

CHAIR LEE: Ms. Sugimura, you have discussion, any discussion?

COUNCILMEMBER SUGIMURA: Yea. Approval of my motion by a two-thirds vote of the entire membership of the Council will enable this body to consider the proposed resolution today. This matter is time-sensitive, time-sensitive that was discussed in the meeting, as I request for your support.

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

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

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR LEE: Okay, we have eight "ayes", one "excused"; motion carries. Excused is Mr. Hokama.

Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you.

I MOVE TO ADOPT THE PROPOSED RESOLUTION
ATTACHED TO COUNTY COMMUNICATION 20-524,
INCORPORATING ANY NONSUBSTANTIVE REVISIONS AND
TO FILE COUNTY COMMUNICATION 20-524.

I need a second.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR LEE: Moved by Member Sugimura, seconded by Vice-Chair Rawlins-Fernandez, to adopt the resolution in County Communication 20-524.

Any more discussion? Ms. King.

COUNCILMEMBER KING: Yea, just a question for Ms., Mr. De Roode, since I see Alex on the call. Thank you for being here, Alex.

CHAIR LEE: Mr. De Roode.

COUNCILMEMBER KING: So, I, my question is, on the list it says, Kalana O Maui building. Is that the charger that's out in front the, in the public parking area in front of the building on High Street?

CHAIR LEE: Mr. De Roode.

ENERGY COMMISSIONER ALEX DE ROODE: Yes, Councilmember King. It's the charger.

COUNCILMEMBER KING: Okay, and then--

ENERGY COMMISSIONER: --front.

COUNCILMEMBER KING: And I, and I thought at one time someone told me that if you park there and charge, it's free. But then, if you're on a fast charger and you park there for

free, you could leave your car there all day and keep someone else from charging. So, how does that work with, is it free parking, or is it limited time?

ENERGY COMMISSIONER: So, up until now under the EVohana and formerly JumpSmartMaui program, it was kind of self-regulated, where people who were members of the EVohana program and you, you needed to have membership in order to use the DC fast chargers, would courteously take turns and leave each other notes on their cars. And so, there was some degree of self-regulation there for, between EV, EV charger users.

The, the Level 2 charging did not have a fee to the user attached to it, although there was electricity consumption occurring, which was covered under MEDB's management of that program. So, all, under the new DCFC chargers, the usage will be using a credit card, so no longer will there be a require, or debit card, no longer will it be a requirement to be a member of the EVohana.

And there will be a limited amount of, once your vehicle is fully charged, if you, it's a much smarter application now, these, these newer machines, so you'll actually receive a message on your smartphone saying your vehicle is fully charged, you have, you know, 15 minutes to come and move it or a fee will be assessed. There, there are abilities to do that now. So, but there's a little more responsibility from the user.

COUNCILMEMBER KING: Oh, okay. So, you have to have a phone number attached to your usage of the charger then, so that they can--

ENERGY COMMISSIONER: I mean, you'd have to have a debit or credit card. I'm not sure with the technology that, which is . . . is the, is the manufacturer of the DCFC charger. It's the same that's installed at Pukalani Terrace. Perhaps Gregg Kresge could speak to whether a smartphone will be needed in order . . . the machine or just the debit or credit card. I believe he's still on with us. If not, maybe Aki Marceau could speak to that. But we could, if, if they're unavailable, we could get back to you with specifics.

COUNCILMEMBER KING: Okay, yea, I'm just curious because I know people who have told me, oh it's great cause you have free parking at the County parking lot, so they would park there for indefinite amounts of time, previously when it was under that other program. So, I was just curious as to how you were going to regulate the parking spot.

ENERGY COMMISSIONER: I think through the, through the apps that users do need to create an account, I believe, in order to use it. We're also parallel to the DCFC charging, we're pursuing Level 2 charging under a separate initiative, County RFP. And I don't know if you've seen, but for example, at the Costco parking lots, they have the, the blue lights that kind of strobe if you will, if, if a vehicle is fully charged. So,

there's a little bit of just, you know, community responsibility. There's a, you can't leave your car there and take up that, that spot all day, because other people may need to charge, alright. So, yea, we'll, we'll, we can get you some more details on exactly how that will be managed.

COUNCILMEMBER KING: Okay. Thank you. I appreciate that.

CHAIR LEE: Okay. Any, any other questions for Mr. De Roode? If not, thank you, Alex.

Where are we now?

ENERGY COMMISSIONER: Thank you, Chair. Thank you, Council.

MR. GREGG KRESGE: Hello. This is Gregg. Hello?

CHAIR LEE: Yes. Gregg?

MR. KRESGE: Hi. Sorry, so I hope there's no double, hold on, let me. I, I had to call in by phone because my computer locked me out. So, let me get muted so that, there we go. Can you hear me well now without an echo?

CHAIR LEE: Yes. Ms. King, did you have questions of Gregg?

COUNCILMEMBER KING: Well, I, I think we decided that we could work it out, or they were going to get me the information off line about how the charging was going to work as far as the person who's parked in that parking spot; how long they have and all that. So, that was what we're--

MR. KRESGE: Yes, so I, I can quickly answer to the technology side. Of course, you know, the . . . parking stalls are actually administered by the, by the County, so that end result decision would be, I guess based on the County. But from a technology standpoint, the chargers that we currently use, they have a ability to start a charge in one of four ways. So, and, and part of the beauty of that is that you don't have to have a smartphone or a phone to start a charge.

You could actually request a, a, you know, a card kind of like the EVohana program had where you tap it on the front. You could start it with a credit card. If you had a phone, like for example I just talked to somebody the other day who had a flip phone and he doesn't have a smartphone, so he can't load the app on the, on his phone. He can actually call the network, the charger administrator, which in this case is And then with a credit card, they could actually start a charge for him remotely.

So, the idea is that these charges happen very quickly. So, it doesn't, I mean, unless somebody is going to abuse the situation and unless some, you know, there's, there's something else put in place to limit that, these charges happen within about 10, 10 to 12, maybe 15 minutes to get them the charges that they need to continue going on to the location that they're at.

This is not like a Level 2 charge where you would sit for long periods of time and receive a very small charge. So, I think it's educating customers and doing a lot of, you know, education around fast charging. And of course, like Alex said, a lot of this is kind of self-regulated. It is, this is across the nation still at this point with EV users, you know, getting used to these devices and, and being good with each other. So, I hope that answers your question.

COUNCILMEMBER KING: Well, I was just, thank you, Gregg, for that. I was just wondering if, so, it sounds like if, if, you know, we have these meter maids that come along in our parking lot at Kalana O Maui, and they tag you. So, if there, if they were going to tag your, your, your tire sitting at, in that parking lot, you'd still be within that hour and half they're giving you, or whatever the time is, to get the charge and then move on. So, you would still be expected to adhere to the parking rules as far as timewise?

MR. KRESGE: Yea, so I think, I don't know if that has changed over time. In the past, and, you know, we might be able to get to more information around this, Alex probably could if, talking to the Police Department and how they monitor that. But I do know that in the past, the fast charger did have like a two-hour time limit, cause I've charged there before myself. And they would tag the tire and then, you know, you would get a ticket if you were there longer than two hours. But I don't know if that was the case with the, with the Level 2 charger that didn't require the membership. So, and again, that would be looking into or asking the Police Department how they go about monitoring that.

COUNCILMEMBER KING: Okay. Yea, I think, I, I just think it's, it hasn't been real consistent, so it's confusing for people when they go from charger to charger, you know. What the rules are and if they get a ticket or not, but.

MR. KRESGE: Yea, and we've, we've discussed internally, you know, across all of our chargers so that, you know, because this is going to be more of an issue and there's more and more EV adoption and more people needing to use the chargers. So, and like Alex said, there is some technology out there that, you know, let's you know when your charging is finished and that sort of thing.

COUNCILMEMBER KING: Okay. Alright. Well, we'll follow up maybe outside of this meeting and just, I want to, just wanted to make sure that people I'm talking to is just like, you

know, some of them don't work, some of them work like this, some of them work like that. So, we've had these ongoing challenges. But you know--

MR. KRESGE: Okay.

COUNCILMEMBER KING: --it's . . . would be good. Alright, thank you. Thank you, Chair.

ENERGY COMMISSIONER: And Councilmember King, if I, just one last comment on that. We will coordinate with MPD, Public Works, and HECO as we roll this out, and keep you apprised of. And I, I, I agree that a consistent policy is, is best so that that would likely include some type of signage letting people know what the rules are and coordinating with MPD.

COUNCILMEMBER KING: Okay. Well, maybe we could talk about this in Committee too, under the climate action and renewable energy subject. Thank you.

CHAIR LEE: Okay. Any other comments or questions? Okay. Thank you.

Madam Clerk. Madam Clerk, are you there?

COUNTY CLERK: Chair. Chair, for the record, that's RESOLUTION NO. 20-152.

CHAIR LEE: Okay.

(See page 98 for vote on the motion.)

NO. 20-525 - ALICE L. LEE, COUNCIL CHAIR,
(dated October 16, 2020)

Relating to HB 1862, Environmental Protection.

The recommended action is that County Communication 20-525 be referred to the Environmental, Agricultural, and Cultural Preservation Committee.

CHAIR LEE: Okay. Vice-Chair Rawlins-Fernandez. Well, any objections to referring this matter to the EACP Committee? This has to do with like feral animals, like deer, etc. So, if, if you don't mind taking this matter.

MEMBERS VOICED NO OBJECTION.

VOTE ON COUNTY
COMMUNICATION NO. 20-524

COUNCILMEMBER KING: Chair, just a point of order. Did we vote on that 524? I thought we made a motion and I asked a question. I don't think we ever took the vote.

CHAIR LEE: Oh, okay. Okay, but that's why I called on you, Madam, I mean--

COUNTY CLERK: Apologies.

CHAIR LEE: Yea, to, and then you gave me the number that, as if we voted. So, okay.

VICE-CHAIR RAWLINS-FERNANDEZ: Call for the question.

CHAIR LEE: Okay. Let's go back. Let's go back. Okay, all those in favor of the motion, this is CC 20-524, say "aye", raise your hand.

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

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR LEE: All "ayes", eight "ayes", zero "noes", one "excused"; Mr. Hokama.

So, now we can take 20-525, which if there are no objections, I'll be referring this to your Environmental, Agricultural, and Cultural Preservation Committee.

VICE-CHAIR RAWLINS-FERNANDEZ: No objections.

COUNCILMEMBER SUGIMURA: Chair.

CHAIR LEE: Yes.

COUNCILMEMBER SUGIMURA: So, the feral animal item was taken up in Member Hokama's Committee when we had it up for discussion, I believe.

CHAIR LEE: Oh, I'm sorry. It's, it's not exactly feral animals.

COUNCILMEMBER SUGIMURA: Oh, feral animal. I mean--

CHAIR LEE: Yea, it's a bunch of animals out there. And it has to, the reason why I didn't attach, I wanted to attach the bill, but I was advised against doing it, so, but take my word for it, it has to do with animals.

COUNCILMEMBER SUGIMURA: Axis deer.

CHAIR LEE: And environmental protection. Okay.

COUNCILMEMBER SUGIMURA: And environmental protection?

CHAIR LEE: Yes. Yes.

COUNCILMEMBER SUGIMURA: Okay.

CHAIR LEE: Right now, that's probably the last thing on Mr. Hokama's mind is taking some, something like that up.

Alright, now, we're on 526. Madam Clerk.

NO. 20-526 - TAMARA PALTIN, COUNCILMEMBER,
(dated October 16, 2020)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE PROHIBITING THE SALE AND RENTAL OF DISPOSABLE BODYBOARDS".

The recommended action is that County Communication 20-526 be referred to the Environmental, Agricultural, and Cultural Preservation Committee.

NO. 20-527 - ALICE L. LEE, COUNCIL CHAIR,
(dated October 16, 2020)

Relating to a lease of State property located at TMK: 3-1-004:005, Kahakuloa, Hawaii, by Ahupua`a O Kahakuloa for a distance learning center.

The recommended action is that County Communication 20-527 be referred to the Healthy Families and Communities Committee.

NO. 20-528 - TAMARA PALTIN, COUNCILMEMBER,
(dated October 16, 2020)

Transmitting a proposed resolution entitled "URGING THE STATE OF HAWAII TO CONDUCT A FULL PUBLIC DISCUSSION THROUGH THE STATE'S CERTIFICATE OF NEED REVIEW PROCESS TO EXPLORE THE CONSEQUENCES OF KAISER PERMANENTE'S PROPOSED PLANS TO CLOSE THE GASTROINTESTINAL AND AMBULATORY SURGERY SERVICES AT WAILUKU CLINIC".

The recommended action is that County Communication 20-528 be referred to the Healthy Families and Communities Committee.

CHAIR LEE: Is this is something that you wanted to--

Oh, Ms., Ms. Paltin.

COUNCILMEMBER PALTIN: Yes, I was asking the Councilmembers indulgence to pass this on the floor today.

CHAIR LEE: You want to make a motion? Is that a motion?

COUNCILMEMBER KAMA:

I SECOND THAT.

COUNCILMEMBER PALTIN: Okay, cool. Yea.

CHAIR LEE: Okay, moved by Member--

COUNCILMEMBER PALTIN:

I MOVE TO ADOPT--

CHAIR LEE: Oh, go ahead.

COUNCILMEMBER PALTIN:

--THE PROPOSED RESOLUTION ATTACHED TO COUNTY COMMUNICATION 20-528, INCLUDING ANY NONSUBSTANTIVE REVISIONS, AND TO FILE COUNTY COMMUNICATION 20-528.

VICE-CHAIR RAWLINS-FERNANDEZ: Second.

CHAIR LEE: It's been moved by Member Paltin. Member Kama had already seconded from before, so that's why I called on her, okay, to adopt the proposed resolution in County Communication 20-528.

Discussion, Ms. Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. I'd like to read the resolution in its entirety.

(The resolution was read in its entirety.)

CHAIR LEE: Any discussion?

Vice-Chair Rawlins-Fernandez.

COUNCILMEMBER PALTIN: Thank you, Chair. Oh, sorry. I, can I--

CHAIR LEE: Oh, okay. I'm sorry. There was that pause.

COUNCILMEMBER PALTIN: We had a little--

CHAIR LEE: There was that pause, so I thought you weren't going to say anything. Go ahead.

COUNCILMEMBER PALTIN: Oh, thank you.

I'D ALSO LIKE TO MOVE TO AMEND THE PROPOSED RESOLUTION TO AMEND THE TITLE WHERE THE, THE FOURTH, THE TITLE, THE FOURTH WHEREAS PARAGRAPH, AND THE FIRST BE IT RESOLVED CLAUSE TO THE PROPOSED RESOLUTION BY STRIKING THE WORD "GASTROINTESTINAL" AND REPLACING IT WITH THE WORD "GASTROENTEROLOGY". THE AMENDMENT MORE APTLY IDENTIFIES THE NAME OF THE SERVICES AT KAISER PERMANENTE.

CHAIR LEE: You, you sent around a summary thing on it right?

COUNCILMEMBER PALTIN: Yea. Amendment Summary Form.

CHAIR LEE: Summary form. Yea. Okay. Alright.

COUNCILMEMBER PALTIN: So, would that be a friendly amendment to myself, or to my resolution?

CHAIR LEE: Well, I was just wondering, you know, if, if that summary amendment form would have sufficed. But we'll check with the Clerk.

Clerk. Madam Clerk.

COUNTY CLERK: It would be cleaner to do a motion and discussion in both.

CHAIR LEE: Okay. But somebody else would have to make a, the motion.

COUNTY CLERK: And a second.

COUNCILMEMBER KAMA:

I MOVE.

CHAIR LEE: So--

VICE-CHAIR RAWLINS-FERNANDEZ: Second.

CHAIR LEE: So, Madam Clerk.

COUNCILMEMBER KAMA:

TO REPLACE, TO REPLACE THE WORD
"GASTROINTESTINAL" WITH GASTROENTEROLOGY", IS
THAT RIGHT? OKAY.

COUNCILMEMBER SINENCI: Enterology.

COUNCILMEMBER PALTIN: Enterology.

COUNCILMEMBER KAMA:

ENTEROLOGY.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR LEE: So, that would be a motion by Member Kama, seconded by Vice-Chair Rawlins-Fernandez, to make that change. Any discussion? If not, let's vote on the--

COUNCILMEMBER PALTIN: Just that the amendment more aptly identifies the name of the services at Kaiser Permanente.

CHAIR LEE: Yea. Yea. Yea, we saw it on the summary amendment form. Okay, so any other comments? Okay, all those in favor of the amendment, say "aye".

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

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR LEE: Okay. Eight "ayes", zero "noes"; motion carries. One "excused", Member Hokama.

So, going back to you.

COUNCILMEMBER KAMA: The amendment.

CHAIR LEE: Do you have anything more to say, Ms. Paltin, because I have to call on other people?

COUNCILMEMBER PALTIN: Thank you. I just wanted to say, you know, this past Monday I met with the workers of the Wailuku Clinic and it's kind of a, a dire situation, you know, that we would be shutting down this side service during a pandemic when the last two times that we had significant numbers of outbreak, the hospital was a major cluster. And, and given the promises made at the time Kaiser took over services, it's just a really time sensitive urgent situation.

What I had heard during the discussions is that appointments are not being made past November 15. And with the situation on Lanai currently, and the uncertainty moving forward, I think it would be a real disservice to the people of Maui County to lose this

resource, especially during these times. And so, I respectfully ask the Members consideration to pass this as it's very urgent, not only for the workers, but for all the Kaiser health and--

COUNCILMEMBER KAMA: Patients.

COUNCILMEMBER PALTIN: --and our statewide, statewide health system.

CHAIR LEE: Okay.

COUNCILMEMBER PALTIN: Thank you.

CHAIR LEE: Vice-Chair Rawlins-Fernandez, and then Mr. Molina, then Ms. Kama.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I fully support and echo all the sentiments shared by Member Paltin. I recognize the urgency as well.

AND I WAS HOPING IF THIS IS AMENABLE TO EVERYONE,
I'D LIKE TO, I MOVE TO AMEND THE RESOLUTION IN THE
THIRD BE IT RESOLVED CLAUSE TO INCLUDE OUR
CONGRESSIONAL DELEGATION.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Okay. It's been moved and seconded by Member Fernandez. Any, any more discussion on this?

Okay, all those in favor of the amendment, say "aye".

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

CHAIR LEE: Opposed, "nay".

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR LEE: Motion carries; eight, zero, one "excused", that would be Member Hokama.

Anything else, Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. And I'll make it quick. I just, I, I hope this impresses upon the, the State, the urgency of this to take it up as soon as possible. And that's why I think including the Congressional delegate, delegation to help us to put pressure on the Department of Health to take this up immediately, because we, we cannot wait, as Member Paltin said. We need to help our community in this pandemic, as well as the nurses that are, you know, giving it their all. Mahalo, Chair.

CHAIR LEE: Member Molina.

COUNCILMEMBER MOLINA: Yea, thank you, Madam Chair. I want to thank Member Paltin for shining light on this issue, because now as I understand this, you close this outpatient service and instead if they do continue it, but it'll be as an inpatient service and I believe there is a higher cost, right? Now, if it's inpatient, it might require you to stay overnight in the hospital and it's more cost to the patient. And let's face it, it's probably higher insurance premiums as well.

So, I certainly support this resolution to take a look at the Certificate of Need, so that way, you know, we can determine things like, you know, the need for and accessibility of the proposal, quality of the service, and of course the cost and financial impact of the proposal and relationship of the proposal to the existing healthcare system.

And, you know, Madam Chair, we have an aging population, and this is a very vital procedure. And so, well, it means we need to get some questions answered. And, and the realities is, you keep this, you turn this into an inpatient service, people are going to be paying more money and this is just not the time to have our population be impacted for those who use Kaiser with, with more cost. So, it's just unfortunate. But I support the resolution. Thank you.

CHAIR LEE: Thank you, Mr. Molina.

Ms. Sugimura. Oh, wait, wait a minute. Ms. Kama, did you want to say something?

COUNCILMEMBER KAMA: Yea, I did. I, I fully support the resolution, because I think that the State has to get into a discussion with Kaiser. I mean, if they're having some issues, then we should, the State should be at a place to at least help to bail them out, because we bail out a whole bunch of people, we should be able to help, you know,

our healthcare system so that our healthcare system can help our people. So, I just wanted to echo that; what everyone else has been saying. So, thank you.

CHAIR LEE: And then now, Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. I support this. I went through the testimony and boy, I stopped after 29 testimonies; and they're compassionate. And when I looked through the list, a lot of them are friends of mine and I, and I sent responses saying that my entire family, include, including my mother, when she passed away they took, Kaiser took really good care of them, care of her. But there's so many of us who are Kaiser members and I value their service. So, I, I'm grateful you're doing this.

I mean, I hate to say it, but at my age I've had several colonoscopies and it's not fun, but it's, it's better doing it outpatient rather other services. And, but thank you very much. I support this. And thank you everybody who took the time to send us their testimony. We hear you loud and clear.

CHAIR LEE: Thank you, Member Sugimura, for sharing that bit of information. Just what we needed to know. Anything else?

COUNCILMEMBER KAMA: TMI.

CHAIR LEE: Anybody else want to share what kind of operations you had?

Ms. King.

COUNCILMEMBER KING: No, that was a little TMI. I'm not going to share my experience with that. But I do, yea, I support the, I support the reso and I hope that this has an impact. I just wanted to ask, and I'm not sure is, maybe Member Paltin, you know who is going to make this final decision? Is it the head of the Department of Health?

COUNCILMEMBER PALTIN: It was, it was proposed by Kaiser to just close it. They were supposed to close October 15. So, they were, I think, to me, they were trying to fly under that radar and hope that nobody noticed that it was going on. The, from the meeting that I attended, it was difficult for the workers to get information. They weren't being told exactly when it was happening. But there was some coordination that, as far as they knew, the last day that they were scheduling was around November 15. And, and--

COUNCILMEMBER KING: Yea, no, I heard that--

COUNCILMEMBER PALTIN: --there is also other--

COUNCILMEMBER KING: My, my question was, who is going to be making that final, I mean, we're urging the State of Hawaii. So, who are we urging at the State of Hawaii to, you know, to put a stop to the--

COUNCILMEMBER PALTIN: Well, there's a, a Certificate of Need process that we're urging them to go through. And, and that's similar to the process that, you know, when West Maui or South Maui wanted a hospital you have to go through this Certificate of Need process. So, it's a open, if, if the Certificate of Need process begins, it's, it's a more of a public process than like we're just closing, you know.

COUNCILMEMBER KING: So, we're asking the State to make them go through that process? Right? Okay, I just wanted to be clear that who we are asking, who we are urging, since it said State of Hawaii. Okay. Thank you.

You're muted still, Alice.

CHAIR LEE: Anybody else?

COUNCILMEMBER MOLINA: Call for the question.

CHAIR LEE: Okay. All those in favor of the motion, say "aye".

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

CHAIR LEE: Opposed, "nay".

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR LEE: Eight "ayes", zero "noes"; motion carries. One "excused", Mr. Hokama.

Madam Clerk.

COUNCILMEMBER PALTIN: Thank you, Members.

(THE PROPOSED RESOLUTION WAS ADOPTED AND
ASSIGNED RESOLUTION NO. 20-153. COUNTY
COMMUNICATION NO. 20-528 WAS THEN FILED.)

NO. 20-529 - KELLY TAKAYA KING, COUNCILMEMBER,
(dated October 15, 2020)

Relating to floodplain and drainage area management.

The recommended action is that County Communication 20-529 be referred to the Climate Action Resilience Committee; Planning and Sustainable Land Use Committee; and the Water, Infrastructure, and Transportation Committee.

COUNCILMEMBER KING: You're still muted, Alice.

CHAIR LEE: Okay. Any objections to referrals made by the Clerk, read by the Clerk?

VICE-CHAIR RAWLINS-FERNANDEZ: No objections.

CHAIR LEE: No objections?

Okay. Oh, yes, Mr. Molina.

COUNCILMEMBER MOLINA: Yea, actually, no objections, but just a question on the triple referral. Basically, maybe if Member King, how will the Committees, I guess, determine any overlapping?

COUNCILMEMBER KING: Well, it's a subject matter, so I think as the Committees decide to take up some of these actions, you know, whoever takes them up first is, can address them. But this was, this was something that was agreed upon in Committee on this, when we got a report on this subject matter and decided to keep it, you know, going, we agreed that the three of these Committees should take up this subject matter.

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

CHAIR LEE: Okay. Yea, and hopefully the three Committee Chairs will work out something that amenable to everybody. Alright.

Committee Reports, Madam Clerk.

COUNTY CLERK: Thank you, Chair. Proceeding with committee reports.

COMMITTEE REPORTS

COMMITTEE REPORT
NO. 20-129 - AFFORDABLE HOUSING COMMITTEE:

Recommending the following:

1. That Resolution 20-154, entitled "DISAPPROVING THE INDEPENDENT DEVELOPMENT OF THE LIHAU'ULA WORKFORCE HOUSING PROJECT IN ACCORDANCE WITH SECTION 201H-38, HAWAII REVISED STATUTES," be ADOPTED;
2. That the proposed resolution entitled "APPROVING THE INDEPENDENT DEVELOPMENT OF THE LIHAU'ULA WORKFORCE HOUSING PROJECT PURSUANT TO SECTION 201H-38, HAWAII REVISED STATUTES," be FILED; and
3. That the proposed resolution entitled "APPROVING WITH MODIFICATIONS THE INDEPENDENT DEVELOPMENT OF THE LIHAU'ULA WORKFORCE HOUSING PROJECT PURSUANT TO SECTION 201H-38, HAWAII REVISED STATUTES," be FILED.

COUNCILMEMBER KING: Still muted.

CHAIR LEE: Muted. Okay. Member Kama. I've been causing so much reverberation that I've been shy on, low on, on putting my microphone on.

So, Member Kama.

(Councilmember Hokama returned to the meeting at 2:57 p.m.)

COUNCILMEMBER KAMA: Thank you, Chair.

CHAIR LEE: Would you like to speak to this committee report?

COUNCILMEMBER KAMA: I think I should make a motion. Don't you think so?

CHAIR LEE: Yea, sure.

COUNCILMEMBER KAMA: Okay.

I MOVE THAT THE COMMITTEE'S RECOMMENDATIONS AS STATED IN CR 20-129 BE PASSED, NAMELY ADOPTION OF RESOLUTION DISAPPROVING THE LIHAU'ULA WORKFORCE HOUSING PROJECT ON 27.79 ACRES IN OLOWALU, MAUI, HAWAII, IN ACCORDANCE WITH SECTION 201H-38, HAWAII REVISED STATUTES, IDENTIFIED FOR REAL PROPERTY TAX PURPOSES AS TAX MAP KEY (2) 4-8-003:103; FILING OF RESOLUTION APPROVING THE LIHAU'ULA WORKFORCE HOUSING PROJECT PURSUANT TO SECTION 201H-38, HAWAII REVISED STATUTES; AND FILING OF RESOLUTION APPROVING WITH MODIFICATIONS THE LIHAU'ULA WORKFORCE HOUSING PROJECT PURSUANT TO SECTION 201H-38.

COUNCILMEMBER MOLINA:

SECOND.

COUNCILMEMBER SINENCI: So, moved.

CHAIR LEE: Okay. I'm sorry. Mr. Molina, did you say second, or was it Mr. Sinenci?

COUNCILMEMBER MOLINA: I, as the Committee Vice-Chair.

COUNCILMEMBER KAMA: Thank you.

CHAIR LEE: Oh, okay. So, just for clarification, so the, the proposal is to disapprove, right?

COUNCILMEMBER KAMA: Correct.

CHAIR LEE: Okay. So, any discussion on this matter? If not--

COUNCILMEMBER KAMA: I--

CHAIR LEE: --all those in favor, pardon me?

COUNCILMEMBER KAMA: Do you want me to read the Committee Report, or just--

CHAIR LEE: No.

COUNCILMEMBER KAMA: --go right to the--

CHAIR LEE: Not necessarily.

COUNCILMEMBER KAMA: Okay.

CHAIR LEE: I think we, we remember the details of this project.

COUNCILMEMBER KAMA: Your wish is my command, Chair.

CHAIR LEE: Okay. All those in favor of the motion, say "aye"; to disapprove.

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

CHAIR LEE: All those against the motion, say "aye".

NOES: COUNCILMEMBERS HOKAMA AND SUGIMURA.

CHAIR LEE: Okay, so we have Mr. Hokama back, so it's, it's seven "ayes" and two "noes"; motion carries. Okay. So, that takes care of that item.

Madam Clerk.

COMMITTEE REPORT

NO. 20-130 - ECONOMIC DEVELOPMENT AND BUDGET COMMITTEE:

Recommending the following:

1. That Resolution 20-155, entitled "CREATING AND EXPANDING WORKFORCE DEVELOPMENT PROGRAMS TO GET MAUI COUNTY RESIDENTS BACK TO WORK," be ADOPTED; and
2. That County Communication 20-428, from Council Chair Alice L. Lee, be FILED.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN
COMMITTEE REPORT 20-130.

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Muted again. Okay, moved by Rawlins-Fernandez, seconded by Member King, to adopt the resolution in Committee Report 20-130.

Discussion. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Your Economic Development and Budget Committee met on October 7, 2020 to discuss a proposed resolution urging: (1) , the University of Hawai'i Maui College, the construction-related trade unions in the County, the State, and the Maui Economic Development Board to create and expand workforce development programs to get Maui County residents back to work; and (2) the Governor and the Mayor to allocate CARES Act funding to programs in the State and County dedicated to workforce development and training programs during the COVID-19 pandemic.

Your Committee amended the proposed resolution to incorporate references to health care programs and trade unions, and positions that are chronically vacant in Maui County; references to the Maui County Workforce Development Board and the Economic Recovery Task Force; acknowledgement of Federal fund, Federal funding similar to CARES Act funding that may be received in the future; urging the Mayor to create more public input opportunities and include temporary hires for the County in funding workforce development and training programs; and urging agricultural, conservation, and environmentally-related nonprofit groups and community organizations in the County and State to work on expanding apprenticeship and other training programs.

Your Committee discussed the importance of providing County residents with additional training, apprenticeship, and employment opportunities to support their return to work in jobs outside of the tourism industry.

Your Committee voted 9-0 to recommend adoption of the revised proposed resolution and filing of the communication. We all thank you again, Chair, for introducing this resolution. And I respectfully ask for the Councilmembers support of the motion. Mahalo, Chair.

CHAIR LEE: Thank you, Vice-Chair Fernandez, Rawlins-Fernandez.

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

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

NOES: NONE.

CHAIR LEE: Okay. Looks like we have nine "ayes", zero "noes"; motion carries.

Madam Clerk.

COUNTY CLERK: Thank you, Chair.

COMMITTEE REPORT
NO. 20-131 - ECONOMIC DEVELOPMENT AND BUDGET COMMITTEE:

Recommending the following:

1. That Bill 107 (2020), entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.27, MAUI COUNTY CODE, RELATING TO A VEHICLE DISPOSAL FEE FUND," be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 20-416, from the Budget Director, be FILED.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS AND
COMMITTEE REPORT 20-131.

COUNCILMEMBER KING:

SECOND.

COUNCILMEMBER SINENCI: Second.

CHAIR LEE: Okay. Moved by Vice-Chair Rawlins-Fernandez, seconded by Councilmember Kelly King, to pass Committee Report 20-131.

Discussion? Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Your Economic Development, Budget Committee met on October 7, 2020, to discuss a proposed bill to correct an erroneous reference in Chapter 3.27, Maui County Code, which established by Ordinance 5096, effective June 15, 2020. The bill would amend Section 3.27.030(B), Maui County Code, to clarify that deposits to the Vehicle Disposal Fee Fund may be only used for the purpose stated in Section 3.27.020.

Your Committee noted the Vehicle Disposal Fee Fund is intended to be used "solely for the purpose of providing funding for the County vehicle disposal program, which simplifies the process for residents to properly dispose of their unwanted vehicles", as stated in Section 3.27.020.

Your Committee voted 9-0 to recommend passage of the proposed bill and filing of the communication. Respectfully ask for the Councilmembers support of this motion. Mahalo, Chair.

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

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

NOES: NONE.

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

Madam Clerk.

COUNTY CLERK: That would be BILL NO. 103 (2020) *[sic]*. Oh, I'm sorry; 107 (2020).

COMMITTEE REPORT

NO. 20-132 - ECONOMIC DEVELOPMENT AND BUDGET COMMITTEE:

Recommending the following:

1. That Bill 108 (2020), entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2021 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, SOLID WASTE ADMINISTRATION PROGRAM – SOLID WASTE MANAGEMENT FUND, ENVIRONMENTAL PROTECTION AND SUSTAINABILITY PROGRAM – ENVIRONMENTAL PROTECTION AND SUSTAINABILITY FUND; OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM; DEPARTMENT OF POLICE, MOLOKAI POLICE STATION ROOF REPLACEMENT," be PASSED ON FIRST READING and be ORDERED TO PRINT;
2. That Bill 109 (2020), entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2021 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX A, PART I, GRANTS AND RESTRICTED USE REVENUES – SCHEDULE OF GRANTS AND RESTRICTED USE REVENUES BY DEPARTMENTS AND PROGRAMS, DEPARTMENT OF FIRE AND PUBLIC SAFETY; DEPARTMENT OF HOUSING AND HUMAN CONCERNS, (FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) PUBLIC ASSISTANCE GRANT)," be PASSED ON FIRST READING and be ORDERED TO PRINT;
3. That Bill 110 (2020), entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2021 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF PUBLIC WORKS, COUNTYWIDE ROAD RESURFACING AND PAVEMENT PRESERVATION, COUNTYWIDE FEDERAL AID PROGRAM," be PASSED ON FIRST READING and be ORDERED TO PRINT;
4. That Bill 111 (2020), entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2021 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO SECTION 14 OF THE GENERAL BUDGET PROVISIONS," be PASSED ON FIRST READING and be ORDERED TO PRINT;
5. That Bill 112 (2020), entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2021 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX A, PART I, GRANTS AND RESTRICTED USE REVENUES –

SCHEDULE OF GRANTS AND RESTRICTED USE REVENUES BY DEPARTMENTS AND PROGRAMS, OFFICE OF THE MAYOR, COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM," be PASSED ON FIRST READING and be ORDERED TO PRINT; and

6. That County Communication 20-475, from the Budget Director, be FILED.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS AND THE COMMITTEE REPORT 20-132.

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Moved by Vice-Chair Rawlins-Fernandez, seconded by Councilmember Kelly King, to approve the recommendations in Committee Report 20-132.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Your Economic Development and Budget Committee met on October 7, 2020, to discuss proposed bills to amend various sections of the Fiscal Year 2021 Budget.

The first bill corrects the appropriation of fringe costs from the Solid Waste Fund to the Environmental Protection and Sustainability Fund. In addition, it corrects a spacing error to line the appropriation up with the title for the Food Security Hawaii grant. Finally, it adds subtitle "Government Facilities" as the project type for Molokai Police Station roof replacement.

Second bill amends Appendix A, Part I, to move \$250,000 in funding for FEMA Public Assistance Grant, and a proviso for the purchase and installation of an ice machine and generator for Lanai Senior Center, from the Department of Fire and Public Safety to the Department of Housing and Human Concerns.

Third bill amends Appendix C to reflect \$17,533,000 in Federal Aid fund for Capital Improvement Project in the "Countywide Federal Aid Program" and removes projects under the "Countywide Road Resurfacing and Pavement Preservation" deleted by the Council during the FY 2021 budget deliberations.

The fourth bill amends the General Budget Provisions to reference "A" through "Z" rather than "A" through "Y" to reflect the addition of Home Acquisition and Ownership Programs Revolving Fund, Chapter 3.34, Maui County Code, under Appendix A, Part II.

Fifth bill and final bill amends Appendix A, Part I, to add a proviso related to disbursement of salaries and premium pay. The proviso allows salaries and premium pay to be disbursed from the Community Development Block Grant Program Administration fund for three employees currently working in the program.

Your Committee noted, your Committee noted that these are housekeeping amendments that did not require additional amendments in other areas of the budget. The Committee voted 9-0 to recommend passage of the proposed bills and filing of the communication. I respectfully ask for the Councilmembers support of this motion. Mahalo, Chair.

CHAIR LEE: Vice-Chair Rawlins-Fernandez, something's wrong with my equipment, so I didn't hear anything after number one. Nah, just kidding. Okay. Alright.

VICE-CHAIR RAWLINS-FERNANDEZ: I know . . . just talking too much. I figure I'd be like okay, that's alright.

CHAIR LEE: That was a long one.

VICE-CHAIR RAWLINS-FERNANDEZ: Call for the question.

CHAIR LEE: That was a long one. Okay, any discussion? Any more discussion or questions? Okay, all those in favor of the motion, say "aye", raise your hand.

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

NOES: NONE.

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

We only have two more pages. And if we don't fight too much we can get through this real quickly.

Okay. Madam Chair. Clerk. Chair Clerk.

COUNTY CLERK: Thank you, Chair.

COMMITTEE REPORT

NO. 20-133 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending that the Miscellaneous Communication, dated September 16, 2020, from the County Clerk, relating to contact-tracing applications, be FILED.

CHAIR LEE: Mr. Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair.

MOVE TO ADOPT THE RECOMMENDATIONS OF
COMMITTEE REPORT NO. 20-133.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR LEE: Moved by Mr. Molina, seconded by Vice-Chair Rawlins-Fernandez, to adopt the, approve the recommendations in Committee Report 20-133.

Mr. Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. Your GET Committee met on this matter October 6, 2020. And your Committee discussed the legal opinion received from the Corporation Counsel relating to the Council's legal obligations, liabilities, and responsibilities to approve the use of a contact-tracing application before it is made public within the County.

The Deputy Corporation Counsel summarized the opinion and advised your Committee that the Council's adoption of Resolution 20-125 does not impose the Council to legal obligations or liabilities.

Your Committee voted 9-0 to recommend filing of the Miscellaneous Communication. Thank you.

CHAIR LEE: Thank you, Mr. Molina. Any other questions or comments? If not, all those in favor of the motion, say "aye".

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

CHAIR LEE: Opposed, "nay".

NOES: NONE.

CHAIR LEE: Motion carries; 9-0.

Madam Clerk.

COMMITTEE REPORT
NO. 20-134 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending that Resolution 20-156, entitled "RELATING TO THE
APPOINTMENT OF MELODY UCHIMURA TO THE MAUI COUNTY COMMISSION
ON PERSONS WITH DISABILITIES," be ADOPTED.

CHAIR LEE: Mr. Molina.

COUNCILMEMBER MOLINA: Mahalo, Madam Chair.

MOVE TO ADOPT THE RECOMMENDATIONS OF
COMMITTEE REPORT NO. 20-134.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR LEE: Moved by Mr., Member Molina, seconded by Member Rawlins-Fernandez, to
approve the recommendations in Committee Report 20-134.

Mr. Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. Your GET Committee met on this
matter on October 6, 2020. And your Committee interviewed Ms. Uchimura. And she
said that serving on the Maui County Commission on Persons with Disabilities would
be a way to give back to the community, and work with individuals with disabilities in

areas she is passionate about. And Ms. Uchimura is currently employed by the Arc of Maui, a nonprofit that works with people with intellectual and development disabilities.

Your Committee voted 9-0 to recommend adoption of the resolution approving her nomination. Thank you.

CHAIR LEE: Thank you, Mr. Molina. Any further questions or comments? If not, all those in favor of approving the Committee Report and the motion by Mr. Molina, say "aye".

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

NOES: NONE.

CHAIR LEE: Okay. Motion carries; 9-0.

Madam Clerk.

COMMITTEE REPORT
NO. 20-135 - PLANNING AND SUSTAINABLE LAND USE COMMITTEE:

Recommending that County Communication 15-153, from Councilmember Don Couch, relating to the Maui Island Plan, Chapter 4, Economic Development, relating to agricultural tourism, be FILED.

CHAIR LEE: Member Paltin. Councilmember Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair.

I MOVE TO ADOPT THE RECOMMENDATION IN COMMITTEE
REPORT 20-135.

COUNCILMEMBER SINENCI:

SECOND.

CHAIR LEE: Okay. Moved by Member Paltin, seconded by Member Sinenci, to approve the recommendations in Committee Report 20-135.

COUNCILMEMBER PALTIN: Chair, this proposed agricultural tourism bill received unanimous disapproval recommendations from the Lanai, Maui, and Molokai Planning Commissions in 2016. There is significant concern that the proposed bill does not adequately verify bona fide agricultural activity prior to permitting higher-value non-agricultural tourism usage, including vacation accommodations.

Given the concerns and age of the proposed bill, your Committee expressed support for further analysis and community input before passing an improved definition of agricultural tourism.

I respectfully ask the Councilmembers support of my motion to file. Thank you.

CHAIR LEE: Any more comments or questions? If not, all those in favor of the motion, say "aye", raise your hand.

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

NOES: NONE.

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

Madam Clerk.

COMMITTEE REPORT

NO. 20-136 - PLANNING AND SUSTAINABLE LAND USE COMMITTEE:

Recommending that County Communication 17-105, from the Planning Director, relating to the repetitive loss properties floodplain management plan and annual status report, be FILED:

CHAIR LEE: Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair.

I MOVE TO ADOPT THE RECOMMENDATION IN COMMITTEE
REPORT 20-136.

COUNCILMEMBER SINENCI:

SECOND.

COUNCILMEMBER KING: Second.

CHAIR LEE: Moved by Member Paltin, seconded by Member Sinenci, to approve the Committee Report, the recommendation in Committee Report 20-136.

Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Your Committee received a presentation from the Department of Planning explaining the County's status in the National Flood Insurance Program Community Rating System and received an update on implementation of the Floodplain Management Plan. Due to participation in the community rating system, all Federally backed flood insurance policies in the County receive a 15 percent discount.

The Department explained the CRS discount could be increased to 20 percent if the Council adopted a more recent International Building Code.

Because the County's status in the CRS no longer requires an annual update and no legislation is attached to this item, the Committee recommended filing of the item. I respectfully ask for the Councilmembers support of my motion to file. Thank you.

CHAIR LEE: Any more comments or questions? If not, all those in favor of the motion, signify by saying "aye" and raising your hand.

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

NOES: NONE.

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

Madam Clerk.

COMMITTEE REPORT

NO. 20-137 - PLANNING AND SUSTAINABLE LAND USE COMMITTEE:

Recommending the following:

1. That Bill 113 (2020), entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.35, MAUI COUNTY CODE, RELATING TO ACCESSORY DWELLINGS," be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 20-421, from the Planning Director, be FILED.

CHAIR LEE: Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair.

I MOVE TO ADOPT THE RECOMMENDATION IN COMMITTEE
REPORT 20-137.

CHAIR LEE: Moved by Member--

COUNCILMEMBER SINENCI:

SECOND.

CHAIR LEE: Moved by Member Paltin, seconded by Member Sinenci, to pass the recommendations in Committee Report 20-137.

Ms. Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Your Committee received information from the Department of Fire and Public Safety and Department of Planning explaining that the proposed bill will correct an inconsistency in the permitting process for accessory dwellings.

The Departments explained that the current regulations do not allow accessory dwelling units to be built with sprinkler systems as an adequate substitution for properties that can't meet the 20-foot-wide fire apparatus access road requirement.

Your Committee expressed support for the proposed bill which would better align the accessory dwelling regulations with the Fire Code, therefore, allowing more accessory dwelling units to be built without compromising public safety.

I respectfully ask for the Councilmembers support of my motion. Thank you.

CHAIR LEE: Any more discussion? If not, all those in favor of approving Committee Report 20, the recommendations in Committee Report 20-137, say "aye", raise your hand.

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

NOES: NONE.

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

Madam Clerk.

COMMITTEE REPORT
NO. 20-138 - PLANNING AND SUSTAINABLE LAND USE COMMITTEE:

Recommending the following:

1. That Bill 114 (2020), entitled "A BILL FOR AN ORDINANCE TO CHANGE THE ZONING FROM OPEN ZONE TO R-1 RESIDENTIAL DISTRICT (CONDITIONAL ZONING) FOR 6.943 ACRES IN KIHEI, MAUI, HAWAII, IDENTIFIED AS TAX MAP KEY (2) 3-9-004:141," be PASSED ON FIRST READING and be ORDERED TO PRINT;
2. That the County Clerk RECORD the Unilateral Agreement and Declaration for Conditional Zoning; and
3. That County Communication 20-191, from the Planning Director, be FILED.

COUNCILMEMBER PALTIN:

I MOVE TO ADOPT THE RECOMMENDATION IN COMMITTEE
REPORT 20-138.

COUNCILMEMBER SINENCI:

SECOND.

COUNCILMEMBER PALTIN: The Planning and Sustainable Land Use Committee discussed this proposed Change in Zoning for the Kilohana Makai Workforce Housing project located in Kihei, Maui, mauka of Keawakapu Beach Park. If enacted, the bill will change the property zoning from Open Zone to R-1 Residential in alignment with the Community Plan and State Land Use designations Single Family and Urban District.

Furthermore, the bill will allow the properties development in accordance with the workforce housing agreement that requires 100 percent of the 28 single-family units to be sold as workforce housing units.

Your Committee recommended the bill be passed with 16 conditions to mitigate the development's impacts. This includes a 20-year owner-occupied requirement and prohibition of transient accommodation permits to ensure the long-term affordability of the project. Additionally, to ensure public safety, a condition requires that lot, requires the lot located in the tsunami evacuation zone be used as a park or open space.

Your Committee voted to support this project due to the significant need for residential workforce housing near job centers in the Kihei-Makena Community Plan area.

I respectfully ask for the Councilmembers support of my motion. Thank you.

CHAIR LEE: Any other discussion?

Mr. Molina.

COUNCILMEMBER MOLINA: Yea, Madam Chair. Just curious, were there any proposed amendments for this consideration committed by the applicant?

CHAIR LEE: Ms. Paltin. Ms. Paltin.

COUNCILMEMBER PALTIN: Sure. I propose we amend Condition 2.

CHAIR LEE: Oh, oh, wait, wait, wait, no, no. Okay, right now, we're at the, the stage of the, the main motion, yea. So, he, he was just asking if, if you were going to, I suppose, if you were going to make amendments or add conditions? So, the answer to that would have been yes.

COUNCILMEMBER PALTIN: Oh, sorry. Yes.

CHAIR LEE: So, Ms. King, did you have--

COUNCILMEMBER KING: Oh, I was--

CHAIR LEE: --questions?

COUNCILMEMBER KING: I was just going to second the motion by Ms. Paltin.

CHAIR LEE: Oh, okay. Okay. Any more questions?

Ms. Paltin, take it away. Are you going to make amendments?

COUNCILMEMBER PALTIN: Okay. Just in response to the testimony we received from Mr. Shapiro, it was the intent of what he said, but maybe it wasn't worded correctly.

SO, I PROPOSE TO AMEND CONDITION 2 TO SAY "FERREIRA FAMILY PARTNERS, L.P. MUST ENSURE EACH UNIT ON THE PROPERTY IS OWNER-OCCUPIED", THIS IS THE CHANGE PART "BY A COUNTY RESIDENT WITHIN THE INCOME GROUP APPLIED TO THE UNIT ON ITS INITIAL PURCHASE DATE FOR A PERIOD OF 20 YEARS FROM THE DATE OF THE UNIT'S INITIAL PURCHASE DATE SALE".

COUNCILMEMBER KING:

SECOND.

COUNCILMEMBER PALTIN: And I guess I had a question if you wanted to do these one at a time.

CHAIR LEE: Yea, I think so, one at a time. So, do you want, do you want to explain that further, or you think that's pretty much self-explanatory.

COUNCILMEMBER PALTIN: This was what we had thought what we were doing in Committee. But we didn't word it correctly in the condition, as pointed out by Mr. Shapiro, that what he said.

CHAIR LEE: Okay. Alright. Now, I saw some hands.

Ms. Kama, and then Ms. Sugimura. You're muted.

And, Ms. King, could you turn, mute yourself?

COUNCILMEMBER KING: Yea. No, I was, I was going to speak as a seconder, but.

CHAIR LEE: Okay. I'm sorry. Why don't you go ahead, and then Ms. Kama.

COUNCILMEMBER KING: Oh, okay. Thank you, Chair. Just wanted to also say that when we had the discussion in Committee, we talked about the, the need for expansion of the, the deed restriction period to, to 20 years. That was agreed upon by the developer. And it was also, this example was also used in another development to also put the same restriction, the 20-year deed restrictions.

So, you know, because we haven't gotten around to hearing the changes, I think there's a proposal for changes to the workforce development ordinance, but until that happens, we're, I think what we're trying to do is be consistent across the board. So, that's the reason. And that was supposed to be in, you know, I agree with Member Paltin that that was supposed to be in the original wording.

CHAIR LEE: Alright. Member Kama.

COUNCILMEMBER KAMA: Thank you, Chair. So, I'd like to propose a couple of amendments to some of the conditions there.

CHAIR LEE: Okay. Before, before you do that--

COUNCILMEMBER KAMA: Yes.

CHAIR LEE: --can we get more, everybody's questions out of the way on this one, or comments?

COUNCILMEMBER KAMA: Oh, okay, go. Okay.

CHAIR LEE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: I just wonder if the developer, who's on the line, if they could just comment. Cause as we went through the conditions during Committee and now we're finessing it, or whatever we're doing, I just wonder if we could ask them to also comment, Chair?

CHAIR LEE: Any objections to doing that? Okay, if not, Mr. Kihune, are you there? Mr. Kihune, are you on the line?

MR. HOWARD KIHUNE: I am. Hang on. Hang on. Can you see me and hear me now?

CHAIR LEE: Yes.

COUNCILMEMBER KAMA: Yes.

MR. KIHUNE: And you talking specifically about the proposal from Member Paltin, correct?

CHAIR LEE: Yes.

MR. KIHUNE: Well, you know, we, we follow 2.96, and 2.96.060, specifically is set up for that particular item that we're discussing right now. And we follow that and that's part of our workforce housing agreement. So, to add something else, which already is in place, I, I'm not sure if it makes any sense. So, there are specifics and a procedure when you, if you need to sell. And that is all part of, like I said, 2.96.060 already. So, if we reference 2.96, that would be great.

CHAIR LEE: Okay. Ms. Paltin, I thought you were making an amendment just to clarify language? Not any substitute--

COUNCILMEMBER PALTIN: Yea. It was, and I believe the thing that Mr. Kihune is speaking of, his original offer wasn't 2.96, because 2.96 is 10-year deed restriction. And they had originally offered 15-year deed restriction. So, I don't know if that's entirely correct, that he was going to follow 2.96 to begin with. That wasn't my recollection. And then when we were in Committee, we put this condition of 20 years and it was meant to be the deed restriction of 20 years. But I guess it was not worded incorrectly, that was the intent if we want to go back to the minutes of the meeting.

CHAIR LEE: Before we go on, I need to clarify something with the County Clerk. And, so Kathy are you there? I wanted to check--

COUNTY CLERK: Yes, I'm here.

CHAIR LEE: --if any of these amendments that we make would require the, a, a change in, or update in the unilateral agreement?

COUNCILMEMBER PALTIN: All of them. Everything.

CHAIR LEE: So, it would have to go back to Committee? Or be tabled until--

COUNCILMEMBER PALTIN: They would have to do a new--

CHAIR LEE: --the new unilateral agreement comes back?

COUNCILMEMBER PALTIN: Yea.

COUNTY CLERK: Yes. It could sit on the Clerk's desk until it's amended, and recorded, and received back.

CHAIR LEE: Okay. Just so that everybody know that we can't just make changes and then go forward. We can, any changes we make will require revising--

Is somebody's, Ms. Sugimura, can you turn off your mic please?

COUNCILMEMBER SUGIMURA: Oh, sorry.

CHAIR LEE: Ms. Paltin, can you turn off your mic please?

Ms. Kama, can you turn off your mic please?

Getting back to you, Kathy. Just want to make sure that everybody understands that any changes we make would require a revision of the unilateral agreement, so that you will not be able to move this item until that unilateral agreement is revised, right?

COUNTY CLERK: Chair, you can accept the amendments, and then we would incorporate those new amendments into a revised unilateral agreement. And then once we receive payment for processing, we'll submit that amended unilateral agreement to the Bureau of Conveyances.

CHAIR LEE: Okay. So, now, let me ask you a question, Ms. Paltin. Do any of the amendments you have, or anybody, I should say, any of the amendments that you're going to propose, are there, they substantive or just clarification types of amendments?

Ms. Paltin.

COUNCILMEMBER PALTIN: So, that one was a clarification of what we did in Committee. The rest of the amendments that I'm aware of, I guess Ms. Kama would be proposing, from what I know, is that we may want to check with Corporation Counsel as to whether or not they would sign off on the form and legality, possibly deleting a condition that would be a substantive change, I would imagine.

CHAIR LEE: So, okay, just starting with you though, do you have any, any more amendments that are more, that are substantive?

COUNCILMEMBER PALTIN: I'll just do that one and leave the rest to Member Kama.

CHAIR LEE: Oh, okay.

Member Kama, what, how many amendments do you have and are they substantive?

COUNCILMEMBER KAMA: Yes, I, there, I have Condition 8, 9, 12, and 13; four amendments. And I think they're substantive.

CHAIR LEE: Okay.

COUNCILMEMBER KAMA: But as we go through them, we can figure it out.

CHAIR LEE: Well, I'm wondering if this should be recommitted or placed on the Council, I mean, the Clerk's table? There's a difference. If they're fairly simple, yea sure, let's go through them. But if they're not, then we need to go back to Committee.

COUNCILMEMBER KAMA: Okay. Okay.

CHAIR LEE: Okay, what?

COUNCILMEMBER KAMA: I would, I will go ahead and, and make a motion to amend the conditions and I'll read them. Or you just want me to just read them?

CHAIR LEE: Okay, hold on one second.

COUNCILMEMBER PALTIN: Did we want to vote on the first amendment?

CHAIR LEE: You want to vote on the first amendment? And then, okay, let's vote on her amendment, and then go to you, Ms. Kama, to see if they're--

COUNCILMEMBER KAMA: Okay. Okay.

CHAIR LEE: --you know. Okay. Does everybody remember what the amendment was, the motion was?

COUNCILMEMBER MOLINA: Madam Chair, can we have it restated please, for the record?

CHAIR LEE: Okay, Mr. Molina asked for it to be restated.

Ms. Paltin.

COUNCILMEMBER PALTIN: Sorry, just a sec. Okay. This would be what it says for number 2: "Ferreira Family Partners, L.P. must ensure each unit on the property is owner-occupied by a County resident within the income group applied to the unit on its initial purchase date for a period of 20 years from the date of the unit's initial purchase date sale".

COUNCILMEMBER KAMA: Good. Yea.

CHAIR LEE: Ms. Sugimura. You're muted too.

COUNCILMEMBER SUGIMURA: You might want to ask the Department for a comment on that. Linda Munsell sent me a text. She said that's, that's significant.

COUNCILMEMBER KAMA: Okay.

CHAIR LEE: Is she on the call? Linda Munsell, the Deputy Director.

COUNCILMEMBER SUGIMURA: Oh, she's saying there's some issue. Linda Munsell is, are you logged on, Linda?

CHAIR LEE: Okay. She, she'll have to tell us, okay, for the record.

COUNCILMEMBER KAMA: I didn't know that.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair.

CHAIR LEE: Yes.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair, whoever's not talking, can they mute themselves please?

CHAIR LEE: Member Kama. Member Kama, can you mute yourself please?

COUNCILMEMBER KAMA: I'm sorry. I just, yea.

CHAIR LEE: That's alright. It's okay. Just mute yourself, okay.

DEPUTY DIRECTOR OF HOUSING AND HUMAN CONCERNS LINDA MUNSELL: Thank you. Thank you, Chair.

CHAIR LEE: Wait, wait, wait, you still didn't mute, okay, now you did. Okay.

Yes, Ms. Munsell.

DEPUTY DIRECTOR OF HOUSING AND HUMAN CONCERNS: Thank you. Thank you for the opportunity to, to, to talk about this. The ordinance 2.96 actually tells us how to establish the resale price for a unit, for a family who buys one of these. So, if you're requiring that the unit be resold in the same AMI, if our calculation for the purchase price from the original owner drives the price up above that AMI price, then I'm assuming that the Affordable Housing Fund will have to be used to make that original owner whole to keep that price down in that AMI level. So, you know, to monitor this, I just don't see how the Department can actually do this without committing future Committees or future Councils to apply Affordable Housing Funds to make, to keep that price down.

CHAIR LEE: Ms. Paltin, comments?

COUNCILMEMBER PALTIN: You know, in my experience, I haven't seen the conditions be enforced a lot. But, you know, basically, this is extending the deed restriction to 20 years instead of the 10 years in 2.96. And we talk a great deal about affordable housing and affordability, and ten years is a drop in the bucket, you know. At least one generation is 20 years. But, you know, let's just vote because I think we all know which side of the thing we're going to vote on already. No amount of discussion is going to change people's mind.

COUNCILMEMBER KING: Chair.

CHAIR LEE: Yes, Ms. King. Then we'll get back to you, Ms. Munsell.

COUNCILMEMBER KING: Thank you, Chair. Yea, I just wanted to say, I didn't hear that come up in Committee. I know in Committee we were very clear about the deed restriction. The proposal, original proposal by Member Molina was for 30 years. So, this, the 20 years was actually a compromise between his proposal and what the developer originally proposed at 15 years.

But I, I'm just kind of, I, I'm, I'm just, I'm trying to process the information that you're giving us, Ms. Munsell, because that didn't come up in Committee and it also didn't come up when we put the 20 year deed restriction on Hale Kaiola. So, I, I would, I'm not, I'm not sure I'm understanding your objection, I guess.

DEPUTY DIRECTOR OF HOUSING AND HUMAN CONCERNS: Chair.

CHAIR LEE: Ms. Munsell. Ms. Munsell.

DEPUTY DIRECTOR OF HOUSING AND HUMAN CONCERNS: So, the objection isn't to the length of time for the deed restriction. That is between you and the developer, and whether the developer can sell these units to, you know, with that deed restriction. That's not what we object to. What we object to is limiting the resale of that property to the same AMI level. And it may be that it all falls together and that works. But when we do the buyback calculation for the owner, there's a very specific calculation that we have to use.

If after we buy it back, we then look at what the sales price for the AMI, the original AMI was. If the sales price that we are required to buy it back from the current owner is higher than the affordable sales price for the original AMI, then somebody has to come up with a difference between the amount we're allowed to sell to, versus the amount that we have to buy from. That's the, that's the problem. Not the deed restriction period; it's the requirement to sell in the same AMI.

COUNCILMEMBER KING: Okay. So, I think, so, I, I, if I, if I understand correctly, so what you're saying is, we can still put the 20 year deed restriction on there, but you just, you have a problem with us limiting, putting a language in there about selling it at the same price that it was sold for originally? Is that what I'm hearing?

DEPUTY DIRECTOR OF HOUSING AND HUMAN CONCERNS: Yea. I mean, I mean, we could send you some, if, if this goes back to a Committee for more discussion, I mean we can, we can do some calculations. But often, that's the challenge with long deed restrictions and keeping them affordable is you are required to purchase it back at a certain price that's, that's outlined in the law. And then, if you're putting an added restriction that we have to sell it at a lower price, then somebody's got to come up with that money. And, you know, I would assume that that's going to be the County.

COUNCILMEMBER KING: Okay. So, okay, I think I understand then. So, you, because you, because you were, you didn't, I guess with the way we originally worded this was just a 20-year deed restriction. We didn't go into the details of, of the buyback. That, that's, that's the problem I think I'm hearing what you're having. Okay. I think I understand but, you know.

CHAIR LEE: Yea, it sounds like it. It sounds like it.

COUNCILMEMBER KING: It sounds like it might have to go to, back to Committee anyway to work out some of these things.

CHAIR LEE: Ms. Paltin.

COUNCILMEMBER PALTIN: Can I, can I try and amend that amendment to something that may work better?

CHAIR LEE: Okay. So, you want to withdraw your motion?

COUNCILMEMBER PALTIN: Or friendly amend myself?

CHAIR LEE: Let's hear it. Let's, then we can judge, you know, how, how substantive--

COUNCILMEMBER PALTIN: How friendly--

CHAIR LEE: --or nonsubstantive that is.

COUNCILMEMBER PALTIN:

FERREIRA FAMILY PARTNERS, L.P. MUST ENSURE EACH UNIT ON THE PROPERTY IS OWNER-OCCUPIED FOR A PERIOD OF 20 YEARS FROM THE DATE OF THE UNIT'S INITIAL PURCHASE DATE, AND ENSURE THAT EACH UNIT ON THE PROPERTY SHALL QUALIFY AS RESIDENTIAL WORKFORCE HOUSING UNITS AS DEFINED IN MCC SECTION 2.96.020, FOR A PERIOD OF NOT LESS THAN 20 YEARS AND FOR ALLOCATED INCOME GROUPS STATED IN THE RESIDENTIAL WORKFORCE HOUSING AGREEMENT EXECUTED BETWEEN FERREIRA FAMILY PARTNERS, LLC AND THE COUNTY OF MAUI, DATED JANUARY 23, 2019.

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Okay. Discussion, Ms. Paltin.

COUNCILMEMBER KING: Can we ask Ms. Munsell if, if, for that--

CHAIR LEE: Okay.

COUNCILMEMBER KING: --alleviates her concerns.

CHAIR LEE: Ms. Munsell, where are you?

DEPUTY DIRECTOR OF HOUSING AND HUMAN CONCERNS: Hi. Thank you. Thank you for, for asking. Again, for the lower AMI's, that probably won't be an issue. But the higher AMI's, again, that, those units are close to market already. And if the AMI, the sales prices of the AMI's fluctuate, it's going to be, again, difficult to maintain that.

COUNCILMEMBER KING: Can you tell us what part of that new wording is, is problematic for you?

DEPUTY DIRECTOR OF HOUSING AND HUMAN CONCERNS: The issue that we have to ensure that it's sold within the AMI's. We do not control the purchase price of those units. So, but you're forcing us--

CHAIR LEE: So, wait, wait. Ms. Munsell, rather than repeat what the problem is, can you suggest a solution?

DEPUTY DIRECTOR OF HOUSING AND HUMAN CONCERNS: To simply leave it with a 20-year deed restriction.

CHAIR LEE: Okay, too many microphones on. Can, can you say that again?

DEPUTY DIRECTOR OF HOUSING AND HUMAN CONCERNS: Yes. If, if you would just leave the wording as it is, that, that takes care of it. I understand what you're trying to do, but the liability created for the County or for the developer 20 years from now is, can't calculate that.

COUNCILMEMBER KING: Chair, just, can I ask a--

CHAIR LEE: Yes.

COUNCILMEMBER KING: --a follow up question because I don't understand. There's nothing the, the new, did you hear the new revision? It doesn't, it doesn't, doesn't specify a resale. It just says the "each unit on the property shall qualify as residential workforce housing units as defined in Maui County Code". And then it gives a section, "for a period of not less than 20 years and for allocated income groups". So, it doesn't, it doesn't, I'm not sure what part. Because if you're asking us to leave it as it was, it doesn't even specify. All it says is it has to be owner-occupied for 20 years. It doesn't specify the deed restriction in affordability.

DEPUTY DIRECTOR OF HOUSING AND HUMAN CONCERNS: Chair.

CHAIR LEE: Yes, Ms. Munsell.

DEPUTY DIRECTOR OF HOUSING AND HUMAN CONCERNS: So, if you refer back to the Maui County Code 2.96, it actually restricts the resale purchase price of the current, of the owner, right? So, there's a calculation that we have to go through. And then it's resold based on, based on that purchase price. So, it could be an affordable unit. And it might be an affordable unit for a very, very long time, but there's no way to guarantee that. Those sales prices in our, in our spreadsheets fluctuate, as you know, depending on the economics and the income. So, again, you're committing future Councils to somehow make a current owner whole when they sell the unit, because we have to sell it at below the price.

CHAIR LEE: Ms. Paltin.

Were you done, Ms. King? Were you done, Ms. King?

Okay. Ms. Paltin, and then--

COUNCILMEMBER PALTIN: I just had a clarification question for Ms. Munsell. When this originally came to our Committee, the developer had proposed a 15-year deed restriction. And so, what was the difference? What is the difference in how you enforce it between a 10-year, a 15-year, and a 20-year? If you can do it for 10 years and you can do it for 15 years, what is stopping you for doing it from 20 years?

DEPUTY DIRECTOR OF HOUSING AND HUMAN CONCERNS: Chair. There's, there's nothing that's stopping us from doing it for 20 years. What you are trying to define though is that we're forcing it into a certain AMI level, or even forcing it to remain workforce. If it becomes, if the purchase price from the owner is higher than the AMI's or the workforce housing tables, that's what we're concerned about. Not enforcing the deed restriction that has to be owner-occupied and that the buyback price is a certain price point; we don't object to those things. But we, we are objecting to the issue of having to, it then ensure that that price point that we buy it back at is within the workforce housing guidelines. That's what we're concerned about.

COUNCILMEMBER PALTIN: The part that I'm not understanding is, don't you do that if they sell it within 10 years?

DEPUTY DIRECTOR OF HOUSING AND HUMAN CONCERNS: Yes. Yes. That's a, we do. So, we purchase it back, but what we're not trying to do is force fit the sale, the subsequent sale price into a specific AMI; that's the problem.

CHAIR LEE: Okay. Let me get a clarification here. Ms. Munsell, this really doesn't have to, anything to do with the developer, right?

DEPUTY DIRECTOR OF HOUSING AND HUMAN CONCERNS: The developer--

CHAIR LEE: The, once the developer sells the house, that, that takes care of his obligation. Now it's your obligation to ensure that for the next 20 years these houses remain affordable. And the reason why you would get involved is if somebody dies, has to sell that house, now you have to make arrangements on how to make sure that that house remains affordable, and the people who were there get a certain percentage of equity, right? This, all of this has nothing to do with the developer, right?

DEPUTY DIRECTOR OF HOUSING AND HUMAN CONCERNS: That's correct. The, the developer is gone, and now it's the County who is overseeing and tracking these homeowners who are supposed to be living in the units and who also want to eventually sell these units.

CHAIR LEE: So, you can't think of the, the appropriate language to use so that we can address your concerns and move forward to the next, to the next amendment?

DEPUTY DIRECTOR OF HOUSING AND HUMAN CONCERNS: Well, as I said, it's not the deed restriction period that we have a problem with.

CHAIR LEE: Yea. Yea--

DEPUTY DIRECTOR OF HOUSING AND HUMAN CONCERNS: It's trying--

CHAIR LEE: --we agreed. Yea, we already figured that out.

DEPUTY DIRECTOR OF HOUSING AND HUMAN CONCERNS: It's, it's trying to force us to sell. What we're going to do is we're going to sell it hopefully for the price that we purchased it, so that we haven't, we don't pay more money out, right? We're going to, we're going to try and resell it for what we purchased it at. And we're hopeful that that money is, or that is going to be within the affordable sales guidelines. But if I've got a market home or very close to a market home, the upper AMI's, there's no guarantee.

CHAIR LEE: Well, again, it's, it's a financial issue, concern of the County's; the County's and the homeowner.

DEPUTY DIRECTOR OF HOUSING AND HUMAN CONCERNS: Can I, maybe I can give you an example. We've got several units right now because of the situation with the COVID-19 where families have bought workforce housing units. And these families have lost their jobs. And for one reason or another, they found a job on the mainland, so they're going to move. The County, and this is going to come before you relatively soon. The County is going to buy those homes back, and then we have to dispose of

them. We have to either sell them again to another buyer, or we have to grant them to an organization like Na Hale O Maui. Whenever you do that, we are trying to not commit more County money than we have to into that purchase while still trying to maintain the home in affordability, right?

So, in a situation where we do a buyback, it's very possible that we would grant this to an organization like Na Hale O Maui. But the County's going to have to kick money in for that purchase. So, what you're doing is you're saying not only do we have to buy the house back, but we have to sell it at, we have to guarantee that it's being sold at a lower AMI than we might have purchased it. And that's what I'm concerned about. So, I'm happy to buy the house back, which is what our obligation is, but I don't want you to say to us, and I completely understand what you're trying to do, I don't want you to say that that we have to sell it at a lower price than we had, than we are required to purchase it from. That's all that I'm asking.

COUNCILMEMBER KING: Chair, can I ask a question?

CHAIR LEE: Yes, Ms. King.

COUNCILMEMBER KING: Thank you. I'm just trying to figure this out. Why would we buy it back at a higher rate? Because the whole point is to keep it in affordable, in that affordable range for 20 years. So, why would we be forced to buy it at a higher rate than we can turn around and sell it for if it has to stay in that rate?

DEPUTY DIRECTOR OF HOUSING AND HUMAN CONCERNS: So, if I can read from the ordinance. So, the resale price, the maximum resale price is established by the Department using the following guideline: "an appraisal of the property shall be required before occupancy. A second appraisal will be required, upon the decision, to sell the unit. 25 percent of the difference between the appraisals will be added to the owner's purchase price". And that is our repurchase price. Now, that sounds like that would keep it in affordability for a long, long period of time and it's very possible that it would.

But we don't, again, control all of the, all the economics of this, right? So, if incomes go down and the sales prices go down, it's very possible that that house would fall out of affordability. And so, we, we buy it based on the ordinance that Council passes, right? And now what you're trying to do is say, is now condition the sale, the resale of that. And it's okay as long as this body is willing to understand that there is future financial liability in order for us to maintain that. We have no problem with that if that's, if that's what this body wants to do. It may make it, you know, it's going to make it more challenging to administer. We don't have a problem with that, but it's just the future obligation that we're creating for someone else; that's all.

COUNCILMEMBER KING: Your, you're muted. Alice, you're muted.

CHAIR LEE: If you have some fairly simple kinds of amendments to make, that's one thing. But I want to remind the body that what Ms. Munsell is talking about isn't unique to this developer or development. It's, it's going to apply to all housing projects, yea, that have deed restrictions. And this one project, or projects like this, shouldn't be required to resolve issues that are unforeseen, like a pandemic or something like that, or people losing jobs, you know. That's, that's a separate issue. That is totally a separate issue.

So, I, I, I would like to draw your attention back to this project, and the issues that, you know, the neighbors brought up, or the public brought up, and developer brought up, and every, all the things related to this project. Our discussions should be germane to this project; that's all I'm saying.

Okay. Mr. Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. I just had a clarification question of Ms. Munsell. So, Ms. Munsell, are you saying that, like, the, in 20 years when we go ahead and do another appraisal of the property, that appraisal will be higher? Is that what you're saying?

DEPUTY DIRECTOR OF HOUSING AND HUMAN CONCERNS: They're not always higher. I mean, so back in 2008 and 9, right, housing prices dropped. So, there's very, there is a possibility that a buyer could lose money. So, we like, we like the way this ordinance actually structures the buyback, because there is, they share the risk. In the past, we've had ordinances that guaranteed them a 7 percent increase in their investment, whether or not the house actually, price went up or not. So, this ordinance actually controls that a little bit better. But there's no guarantee. We just don't know.

But again, it, it'll be up to this body. What we would prefer, though, is that we stick to 2.96 in the way that that's structured. If you want to add a longer affordability period, you know, that's between you and the developer's ability to sell these units. And I'm not going to, I'm not going to try and argue that. I'm just, I'm just concerned about the future liability for the County.

COUNCILMEMBER SINENCI: And then we're talking about 23 homes, yea?

CHAIR LEE: 28.

COUNCILMEMBER SINENCI: 28. Okay. Thank you. Thank you, Chair.

CHAIR LEE: Okay. Ms. Rawlins-Fernandez, and then Ms. Kama.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. You know, like you've alluded to and other Members, it sounds like Committee work that we're doing right now. And perhaps we should just recommit the item to PSLU or just recommit to Committee.

CHAIR LEE: Okay. Ms., Ms. Kama, you had a question?

COUNCILMEMBER KAMA: So, yea, I did. So, my question is, what happens if I move into this place and I'm a homeowner, but something occurs that's in the first 20 years and I have to leave. What's the downside to Ferreira Family Partners?

CHAIR LEE: Nothing. They, they, once they sell all the houses, you know, they're pau with their responsibilities, then--

COUNCILMEMBER KAMA: But it--

CHAIR LEE: --the responsibility--

COUNCILMEMBER KAMA: But it says you have to ensure each unit on the property is owner-occupied for a period of 20 years from date of the original purchase. So, that means somebody, is that what it is, Tamara?

COUNCILMEMBER PALTIN: I can answer. The, these conditions run with the title. So, you know, after this Ferreira Family is going to sell it to Aina Lani or whoever, and then they'll be responsible. Aina Lani sells it to whoever, they are responsible. So, whoever is the current owner is responsible for it. The, the conditions run with the title. That's why it's recorded at the Bureau of Conveyance.

CHAIR LEE: No. Well, yes, but the Department has to oversee and implement the rest of it if people sell their homes and so forth. Because these obligations run with the land. Okay. So, unless you have fairly easy amendments, I'm going to recommend that we send this back to Committee and try and resolve it. Although, I have to say that the issue seems to be with the Department and not the developer.

COUNCILMEMBER PALTIN: Chair, is it okay to just try vote on it and then see if we can pass it through today.

CHAIR LEE: Yea, we could. Okay. Okay, so all those in favor of the motion, you remember we said it twice.

Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Yea, I, we, we've discussed it a lot and it does, it still doesn't sound like there's sufficient understanding of what it means, which is why I support recommitting because we don't want to be putting the County at risk of legal challenges. Because it, it's been clear from this discussion that we've had that not everyone, you know, agrees with what was discussed at Committee and then, you know, is now here with the Committee Report at Council. The intentions of what we discussed at Committee, as Member Paltin, you know, said earlier when she made her motion, wasn't reflected in the Committee Report exactly. And what we're trying to do was more of a reflection of what we had intended to do at Committee.

But now, Deputy Director Munsell's explanation of what we were trying to do sounds like it doesn't work. And I think, you know, I agree that we, we should send it back to Committee so that it can be fully vetted and we're not irresponsibly taking a vote on something that we don't fully understand. Mahalo, Chair.

CHAIR LEE: Okay. But as you know, most of, I think we, we do have to give a certain amount of deference to the Chair of the Committee. So, her recommendation is to vote on her amendment. So, are you willing to do that much?

VICE-CHAIR RAWLINS-FERNANDEZ: I, I, I cannot say that I fully understand what the motion is right now and what it means after Deputy Director Munsell has explained it, number of times she has in this meeting. And the questions that the Councilmembers have asked and the responses from Deputy Director Munsell, I, I, like, I'm not convinced everyone fully gets it. Like, I don't fully get it. I, we want a 20 year deed restriction on it and I, and I see that that's what our PSLU Committee Chair is trying to do, you know, keeping it at the AMI level if it's sold prior to the deed restricting being, deed restriction being completed. And so, I, I don't feel comfortable voting on it.

CHAIR LEE: Okay. Okay, we got that one. We got it. We got you. One not comfortable.

Yes, Ms. Paltin.

COUNCILMEMBER PALTIN: I just wanted to explain my understanding, like, what Ms. Munsell is saying, is that, you know, in the future, depending on what the land values are and the assessments and whatnot, we may have to pay to keep it in that affordable range. And so, she didn't want to commit future Councils or the future liability to pay to keep it affordable in that range. But to me, to pay to keep it affordable in that range is much cheaper than paying for an entire affordable house for another 10 years. If, if that makes sense. We can, we can commit to making up the difference in the AMI for a future Council, or we can give a future Council only 10 years of affordability instead of 20 years of affordability.

And so, for me, I'd like to commit to possibly paying the difference in AMI depending on what the land values are in the future, which, you know, she's saying, you know, they don't always go up, look at 2008. Look at us right now in the middle of a pandemic. The land values aren't going down. So, it's a gamble that we may need to commit future affordable housing funds to make up the difference. But it's a gamble I'm willing to take, because the payoff is 10 extra years of affordable housing, which otherwise we would have to go through a whole new development to get 28 more houses affordable for another 10 years, which would be much more than the difference of the AMI. So--

VICE-CHAIR RAWLINS-FERNANDEZ: So, I mean, you know me, I, I, I support in perpetuity. So, I, I, I have no problem with 20 years. In fact, I'd rather go 30 years. So, you don't have to convince me for a longer deed restriction; I'm all for it. What I'm saying is I believe that that's a false dichotomy that came from Deputy Director Munsell. I don't fully agree with her assessment on this and I would actually like to be able to have that discussion a little longer, and in depth, and get a second opinion. I, I don't agree with the discussion that just happened and I'd like to have that discussion in Committee, because we never heard her say that before. This is the first time she's saying that.

And I would like to be able to have that discussion in Committee and not here on the floor, having to pass this on first reading. So, that's where I am. I support a 20-year deed restriction, I do. And I want to keep it in affordable rates for as long as possible, even longer than 20 years. But, but I don't believe that it would need to be subsidized by Affordable Housing Fund. That, that's, that's what I'm saying.

CHAIR LEE: Alright. Wait, Ms., Ms. King.

Mr. Hokama, we haven't heard from you. Mr. Hokama.

COUNCILMEMBER HOKAMA: Chair, my experience from running corporate housing, employee housing, doing a employee workforce housing for Castle & Cooke and my time on the Council, I would say I look at workforce housing slightly differently from affordable housing or subsidized housing.

In the past, when we did the Lalakoa projects on Lanai, that multiple three phases, when a employee or purchaser for good valid reasons had to give up their house, they notified us, the employer, the corporation and we would work with the County housing department. What we did, though, in the same time, was look for another employee that was also interested in purchasing that didn't make the original lottery and ask them, are you still interested?

Usually, we would find a buyer that qualified, then we would go to the County housing office and say that we would ask you to waive your first offer for purchase to refuse. We as the corporate developer will waive our second offer of purchase and refuse, because we already have an employee resident that will qualify and can purchase the unit. So, that's how we did it for Lanai, and it worked very well with both the County and the developer refusing to purchase back because we had a qualified resident employee ready to go into a workforce housing unit. And, and that's how I'm looking at this.

So, when I look at condition 1, it's clear to me that that's the only thing we are going to allow them to build; residential workforce units. And because they're employees, after 20 years of whatever is agreed upon, rate of, of increase of value, 3 percent, 5 percent, 7 percent, whatever is the appropriate percentage or a adjustable rate because of the way the financial market is, at the end, we supported the employee's right after the term to go and use that equity for their family requirements; whether it was to renovate the unit, pay for college, unknown medical bills. But we felt the employee should receive, if they chose to sell, that earned equity because they went through the 20 years of living under the condition of restricted equity. And so, that's how we approached it. It worked for Lanai. I don't know if it'll work for Kihei, South Maui at this point in time, but it worked. The program worked in that manner.

So, I, that's my comments, Chair. And I understand the comments of my colleagues. And I hear Ms. Munsell well, because Affordable Housing Fund wasn't meant to artificially make up the difference of what we want valuation or actual price to be from what is the mass appraisal number. I think maybe you might want to have RPT to chime in because the County's going to screw around with valuation and assessment. But remember now, it's a mass appraisal, a process that we go through. And you may be hindering us in other potential property categories. Thank you.

Chair, you're muted, Chair.

CHAIR LEE: I need to get a temperature from everybody. We already got Molokai's temperature. Everybody else, do you want to try and work it out now or do you want to recommit this item? But keep in mind, that's all I'm asking. Keep in mind that this financing issue goes beyond this project. It applies to all projects, yea. So, that's all I'm saying.

So, Mr. Hokama, do you prefer to recommit this item or try and deal with it now?

COUNCILMEMBER HOKAMA: Chair, I can make a vote today. I am very clear in my mind what is being proposed and what I can and cannot support. So, I'm okay, Chair. I'm, I can, I'm ready. I can vote.

CHAIR LEE: Ms. Sugimura. You're muted now.

COUNCILMEMBER SUGIMURA: I'm fine to vote today.

CHAIR LEE: Ms. King.

COUNCILMEMBER KING: Chair, I'm, I'm okay to vote on this amendment, because I see it as a corrective measure for what we actually decided on in Committee. In fact, I would think it might be, go back to that earlier discussion we had about correcting committee reports, because this, it should have been in the Committee Report as a 20-year deed restriction.

But I, I can't say I'm ready to vote on this project right now, because I don't know what other amendments are going to be proposed. And they may be very substantial, so they may, you know, additional amendments may send this back to Committee. But as far as Ms. Paltin's motion, I would like to vote on that because I think it corrects the record of what the Committee Report should have been. Thank you.

CHAIR LEE: You want to vote on her amendment, but you want to refer this back to Committee?

COUNCILMEMBER KING: Well, depending on what other amendments are going to come up. I don't know, because the other, this amendment to me doesn't change what we decided on in Committee. It just verifies it. So, what I'm saying is there may be other amendments that are going to be substantial that will send this back to Committee anyway, but--

CHAIR LEE: Okay.

COUNCILMEMBER KING: --I think that what we're trying to do here is correct the record.

CHAIR LEE: Alright, I have you down as a definite maybe.

Ms. Kama. Quickly. Come on. We're going down the line. Ms. Kama.

COUNCILMEMBER KAMA: You know, my sense, my sense about things political, is that if you want something to die, send it back to Committee. That's just my sense of stuff. So, I'd rather work it out on the floor today. And it's either up or down. I mean, we spent almost an hour on this. And I haven't even, I just wanted to read the amendments to you all; just wanted to read it. Didn't have to do anything about it, but just listen to it, at least for the record. But--

CHAIR LEE: No, no, but Ms. Kama--

COUNCILMEMBER KAMA: --at this point, I would, I would go, I would go with just deal with it today.

CHAIR LEE: Okay. But Ms. Kama, people are saying that if there are substantive changes, which only you, only you are--

COUNCILMEMBER KAMA: Well, that's why I wanted to read it 45 minutes ago, then you would have been able to distinguish if they were substantive or not. I think they are, but, you know, you haven't, but you all should've gotten the, the Amendment Summary Form sometime from the Clerk's Office. I don't know if he did it or not, but that should have been done. But, so that's why.

CHAIR LEE: Well, Ms. Kama.

COUNCILMEMBER KAMA: Yes.

CHAIR LEE: Let's put it, let's put it this way.

COUNCILMEMBER KAMA: Yes, Chair.

CHAIR LEE: General, generally speaking, when people make, when Members make substantive amendments, that is reason for an item to go back to Committee. If you don't make substantive changes, then that's a possible reason for it to proceed to a vote. So, essentially, it's all your fault. I'm just kidding.

COUNCILMEMBER KAMA: Okay.

CHAIR LEE: I, I haven't, I haven't looked at your, honestly. But I'm going to get, we need to get more temperature checks on this.

Mr. Molina.

COUNCILMEMBER MOLINA: Yea, yea, Madam Chair, I just, I was going to echo what you were saying. If you propose anything substantive, then that's cause for going back to Committee. But if it's non-substantive, then we can take action. I mean, my preference is to take action. However, if the proposed amendments are going to be substantive, then, you know, we got no choice.

But what about the option of tabling it? I mean, is that an option that's applicable to this, or it just depends on the amendments?

CHAIR LEE: It just depends on the amendments.

COUNCILMEMBER MOLINA: Okay. Thank you.

CHAIR LEE: It appears. Okay, let, let me take the temperature of Mr. Sinenci.

COUNCILMEMBER SINENCI: Chair, did you, do we want to hear Member Kama's amendments?

CHAIR LEE: So, is that an, a yes or a no? I mean, is it like maybe or what?

COUNCILMEMBER SINENCI: I, I'm okay with voting on the amendment just to be productive today and, you know, use all this, all this constructive time that we've spent just to get some done. But--

CHAIR LEE: Okay, you're open. Alright.

COUNCILMEMBER SINENCI: Yea.

CHAIR LEE: So, Ms. Paltin. Ms. Paltin, you're the Chair, what is your pleasure?

COUNCILMEMBER PALTIN: Thank you. For this particular amendment, I agree that we're just, you know, correcting the discussion. And personally, on the other amendments, you know, Member Kama is not a Committee member and so I would give her a little leeway. I don't think that at this point I would like to vote on the amendment, this amendment. I don't know if we want to hear Member Kama's amendments or not, but she can't, I mean, the only way she can propose the other amendments would be to show up in the Committee or something like that, because she's not a voting member.

So, you know, I would just as soon, I don't think that there's anything more that can be done in Committee. I, I think it's pretty, to me, it's pretty clear where everyone stands. I would just take the vote on this amendment.

CHAIR LEE: Okay.

Yes, Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. So, prior to the reorganizing, Member Paltin wasn't a Committee Member of the Affordable Housing Committee and she

added many conditions to projects last year. So, I think if anyone wanted to add conditions to any project, they can easily do it as a non-Committee Member. They don't have to be a Committee Member to do that. Mahalo, Chair.

COUNCILMEMBER PALTIN: They just got to show up.

CHAIR LEE: Wait, I'm trying to think, I, I don't recall a non-Committee Member making a, but, but if you said she did, I believe you. Okay. I'm not saying, questioning your veracity. I'm just trying to think procedurally--

VICE-CHAIR RAWLINS-FERNANDEZ: Well, I'm just saying that if, if it, if it is, if it is substantive as Pro Tem Kama says it is, then it should go back to Committee, and she can bring her amendments to Committee, and someone can make em, make the motion on her behalf. We've taken Member Paltin's proposed conditions in Affordable Housing prior to her becoming a Committee Member, and we added those conditions.

CHAIR LEE: Yes, Ms. Sugimura. Okay, you're muted. You got my disease. You're muted.

COUNCILMEMBER SUGIMURA: Okay. So, in this discussion I heard some of the Members say that Ms. Munsell's explanation was the first time they've heard it. So, it, I don't think it was. I don't remember that coming up in Committee as, and so for clarifying and saying that this clarifies what was discussed in Committee, it doesn't jive. And I think it's something new, that's why it was causing all of this discussion. And the Department is opposed to it, from what we're hearing. And they're trying to give us good advice to not encumber funds for future Councils to have to pay for this discrepancy.

And, and I think Member Hokama tried to explain his real-life experience with this when he was with, I don't know which Lanai development company, but I thought that was interesting. That, that's just my observation just listening to this discussion and value of the Department's input.

CHAIR LEE: Okay. As much as I respect Vice-Chair Rawlins-Fernandez's and Councilmember King's opinions, it appears that the majority feels that they can move forward and, today. Because what really happened today, if you think about it, is, I hate to say this, but Ms. Munsell threw everything off. Nobody was thinking along those lines, yea? And she brought up stuff that I believe has merit in a different discussion, that applies to all projects, yea, not just this one project.

And, you know, I, I couldn't believe my ears when I heard Ms. Paltin talk about subsidizing housing. It's, I've been preaching that for like two years, and I like felt like nobody was ever listening to me. You probably don't listen to me, but still, the idea,

the idea that, and now I'm talking to Ms. Munsell, is it's better to pay \$100,000 from the fund or from general fund, whatever, to subsidize a house than go and try and develop one. As you know, a new house costs \$500,000. If we can get a house for \$100,000, terrific. Subsidizing, right? That's the word; subsidizing. So, I was shocked when you said that, Ms. Paltin.

But anyway, if you don't mind, I think we need to move forward with the vote. And, and I know you probably have good ideas, Ms. Kama. But I probably, deep in your heart, you don't want to add more burden to Ms. Paltin's agenda, right?

COUNCILMEMBER KAMA: You're absolutely correct. I do not want to burden you all any more than we already have to each other. So, let's do the vote and see where it flies and where it goes.

CHAIR LEE: Alright. So, we, did we vote on the amendment? Did we vote on it?

COUNCILMEMBER KAMA: On, on Tamara's?

CHAIR LEE: Yea. But you made the motion.

COUNCILMEMBER KAMA: No.

CHAIR LEE: You didn't even make the motion? Yes, means you made the motion.

COUNCILMEMBER KING: I seconded it. She made the motion, I seconded it.

CHAIR LEE: Moved, moved by Ms. Paltin, seconded by Ms. King, was it?

COUNCILMEMBER KAMA: Yea.

CHAIR LEE: Okay. And you, everybody remembers the amendment? Because even Mr. Molina asked for it to be said again and it was said again.

All those in favor of the motion, say "aye" and raise your right hand.

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

CHAIR LEE: So, one, two, three, four. Is your hand up, Ms. Kama?

COUNCILMEMBER KAMA: No.

CHAIR LEE: No.

NOES: COUNCILMEMBERS HOKAMA, KAMA, AND
SUGIMURA.

CHAIR LEE: So, one, two, three, four, five, six; six "ayes", three "noes". Right? Motion carries.

Now, the main motion is to pass this project as amended. Correct? Okay. All those in favor of the main motion, well, you got to make the motion. I don't think you did. Did you?

COUNCILMEMBER KAMA: She did.

CHAIR LEE: You did?

COUNCILMEMBER PALTIN: I did.

CHAIR LEE: Okay. Alright. All those in favor of the main motion as amended, raise your right hand. This passes the project on first reading.

CHAIR LEE: Okay. So, I have one, two.

Ms. King, is that your hand?

COUNCILMEMBER KING: So, we're not, we're not doing any other amendments?

CHAIR LEE: No.

COUNCILMEMBER KING: We're just, okay, we're.

CHAIR LEE: Is it, so do you have an "aye"? One, two, three, four, five.

AYES: COUNCILMEMBERS HOKAMA, KAMA, KING,
MOLINA, PALTIN, SINENCI, SUGIMURA, AND
CHAIR LEE.

CHAIR LEE: So, we have eight "ayes". "No", anybody, "no"?

NOES: VICE-CHAIR RAWLINS-FERNANDEZ.

CHAIR LEE: Eight "ayes", one "no"; motion carries. So, the project passes first, first reading.

COUNCILMEMBER KAMA: Who's the "no"?

CHAIR LEE: Ms. Rawlins-Fernandez, who wanted it to go back to Committee. And we all said, yea, that was a, that would've been fine but it's just a lot more work if, but it seems that the majority wanted to move it out today; that's all. Okay.

Yes, Ms. Kama.

COUNCILMEMBER KAMA: I want to take a short break.

CHAIR LEE: You want to take a short break? Five, five minutes?

COUNCILMEMBER KAMA: Oh, less than that. But I'll just need to go take a break.

CHAIR LEE: Okay, go ahead.

In the meantime, Madam Clerk.

(Councilmember Kama was excused from the meeting at 4:22 p.m.)

COUNTY CLERK: Yes, Chair.

CHAIR LEE: Okay. Did you get that, that motion passed?

COUNTY CLERK: Yes.

CHAIR LEE: Okay, so are we on the last page?

COUNTY CLERK: We are. We're on second and final reading.

CHAIR LEE: Okay, second and final reading.

COUNCILMEMBER KING: Chair, are we--

COUNTY CLERK: Ordinances.

COUNCILMEMBER KING: Chair.

CHAIR LEE: Yes.

COUNCILMEMBER KING: Oh, just, can you just, I don't know if you can do this in recess, but we, since we talked about it already, so now it goes back, now you have to redo the--

VICE-CHAIR RAWLINS-FERNANDEZ: We're not in recess.

COUNCILMEMBER KING: --you have to do the--

CHAIR LEE: We're not in recess. But, but what is your question?

COUNCILMEMBER KING: Well, I just, I just wanted you clarify something you said earlier. So, now you have to redo the unilateral agreement?

COUNTY CLERK: Yes.

CHAIR LEE: Yea.

COUNTY CLERK: To reflect the amendment. Not us, the developer, with Committee assistance.

CHAIR LEE: Yea. Alright. Oh, you know what, why don't you start reading the information on the second and final reading ordinances. And I'm sure Ms. Kama will be back, cause it's been one minute already. She said she only needed on minute.

Go ahead, Ms., Madam Clerk.

COUNCILMEMBER PALTIN: Or we could jump ahead to 101 and 102.

CHAIR LEE: Okay, let's jump ahead to 101 and 102.

(Councilmember Kama returned to the meeting at 4:23 p.m.)

COUNTY CLERK: Chair, could I check real quick and make sure Akaku doesn't have us on a recess? Oh, okay, never mind. I got that answer. Okay, 102.

CHAIR LEE: No, it's, go ahead 100, 100. Ms. Kama is back.

COUNTY CLERK: Okay. Proceeding with ordinances, second and final reading.

ORDINANCES

ORDINANCE NO. _____
BILL NO. 100 (2020)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.35, MAUI COUNTY
CODE, RELATING TO GRANT OR LOAN REQUIREMENTS

CHAIR LEE: So, who's this? Oh, yes, Ms. Kama. Member Kama.

COUNCILMEMBER KAMA: Yes, Chair. I'm sorry.

CHAIR LEE: I have you down for Bill No. 100. You want to pass this on second and final reading? You need to make a motion to pass Bill 100.

COUNCILMEMBER KAMA:

WELL, I'D LIKE TO MAKE A MOTION TO PASS IT ON SECOND
AND FINAL READING, CHAIR.

CHAIR LEE: Bill 100.

COUNCILMEMBER KAMA: Yes.

CHAIR LEE: Second?

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR LEE: Moved by Member Kama, seconded by Ms. Sugimura to pass Bill 100 on second and final reading.

Any discussion?

COUNCILMEMBER KAMA: No, Chair.

CHAIR LEE: No? No discussion. All those in favor of the motion, say "aye", raise your hand.

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

NOES: NONE.

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

Madam Clerk. Woo, two more.

ORDINANCE NO. _____
BILL NO. 101 (2020)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR
OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL
AGREEMENT WITH U.S. GEOLOGICAL SURVEY, PACIFIC ISLANDS WATER
SCIENCE CENTER, UNITED STATES DEPARTMENT OF THE INTERIOR
(COOPERATIVE WATER-RESOURCE MONITORING PROGRAM)

CHAIR LEE: Did you say Bill 101?

COUNTY CLERK: Yes, I did.

CHAIR LEE: Okay. Just wanted to clarify.

Alright, Ms. Sugimura.

COUNCILMEMBER SUGIMURA:

I MOVE TO PASS BILL 101 ON SECOND AND FINAL
READING, CHAIR.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Moved by Member Sugimura, seconded by Member Kama, to pass Bill 101 on second and final reading.

Any discussion, Ms. Sugimura?

COUNCILMEMBER SUGIMURA: This was discussed in Committee. Bill 101 proposes to authorize the Mayor to enter into an ongoing joint funding agreement for water resource investigations and continue the Cooperative Water-Resource Monitoring Program during the period of October 1, 2020 to September 30, 2021. I ask for the Members full support. Thank you.

CHAIR LEE: Any more discussion? If not, all those in favor of passing Bill 101 on second and final reading, please raise your hand and say "aye".

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

NOES: NONE.

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

Madam Clerk. The last one.

ORDINANCE NO. _____
BILL NO. 102 (2020)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE HONOLULU BOARD OF WATER SUPPLY, HAWAII COUNTY DEPARTMENT OF WATER SUPPLY, AND KAUAI COUNTY DEPARTMENT OF WATER SUPPLY FOR MUTUAL AID AND ASSISTANCE DURING EMERGENCIES (HAWAII WATER AGENCY RESPONSE NETWORK (HIWARN) INTRASTATE PROGRAM FOR MUTUAL AID AND ASSISTANCE)

CHAIR LEE: Okay. Member Sugimura.

COUNCILMEMBER SUGIMURA:

I MOVE TO PASS BILL 102 ON SECOND AND FINAL READING.

COUNCILMEMBER KAMA:

SECOND.

COUNCILMEMBER SUGIMURA: I need a sec--

CHAIR LEE: Okay. Moved by Member Sugimura, seconded by Member Kama, to pass Bill 102 on second and final reading.

Member Sugimura. You muted yourself. You muted yourself.

COUNCILMEMBER SUGIMURA: Wrong way. Bill 102 proposes to authorize the Mayor to enter into an IGA that will allow the Department of Water Supply to participate with other water agencies in the State to provide mutual support during an emergency on the condition that in order for us to request assistance, the Council must first approve the request for assistance by resolution. I think we're the only County in the State that requires that. I ask the Members full support. Thank you.

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

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

NOES: NONE.

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

Madam Clerk. Madam Clerk.

COUNTY CLERK: Thank you. That is all the business we have for the day.

CHAIR LEE: Well, Members. Wow, we made it. Thank you so much. I mean, I, I know some of us are disappointed and some of, some of us, you know, are may be a little frustrated but, you know, we got through this and we got through it together and nothing's perfect.

I did have a request to bring Koa, my little dog, to say good-bye to all, everybody. But she's kind of busy, she's busy right now chasing the cat. So, on her behalf, I say

goodbye, and have a wonderful weekend, and take care, and come back again next week. Don't forget.

COUNCILMEMBER KAMA: No, no, no, no.

CHAIR LEE: No.

COUNCILMEMBER KING: No meetings next week. No, no Committee meeting.

CHAIR LEE: We always have meetings. We always have something.

COUNCILMEMBER KING: But good luck, Mr. Hokama, on Lanai. I hope, I hope things go well. We're all--

COUNCILMEMBER HOKAMA: Yes, thank you, Members. We look forward to a very successful drive test tomorrow for our community. And so, yea, keep our fingers crossed and hopefully the results will be better than we hope. Thank you.

COUNCILMEMBER KING: And look out for my, look out for my brother-in-law driving the Expeditions.

COUNCILMEMBER KAMA: I will be praying for you, Riki.

CHAIR LEE: We all will. We all will.

COUNCILMEMBER HOKAMA: Yea. Thank you. Thank you.

CHAIR LEE: Okay. Anybody else.

COUNCILMEMBER HOKAMA: Our community appreciates it. Thank you.

CHAIR LEE: Any other parting words, anybody?

COUNCILMEMBER SINENCI: Chair, have a good weekend.

CHAIR LEE: Oh, Mr. Sinenci, then Ms. Paltin.

COUNCILMEMBER SINENCI: Again, yea, prayers out to our Lanai ohana and loved ones. And mahalo, Chair. Have a good weekend, everybody.

CHAIR LEE: Thank you.

COUNCILMEMBER KAMA: You know--

CHAIR LEE: Ms. Paltin, did you want to say something?

COUNCILMEMBER PALTIN: Yes. I just wanted to offer my best wishes. I hope that Lanai pulls through okay. And also, my gratitude for the Kia'i at Kauaula. They were standing vigil when human remains were, were desecrated this morning. So, just my gratitude to them as well for, for standing up for the burial grounds and trying to prevent that from happening.

CHAIR LEE: Thank you.

Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Yea, so, our thoughts and prayers to our sister-island Lanai. Molokai got through it, and I'm confident that Lanai will get through this too. So, our, but our prayers for a speedy recovery to everyone there. And I hope that in Kauaula, the work stopped. Mahalo for sharing that update. Mahalo, Chair.

CHAIR LEE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. And I too, Lanai, thank you, Riki, for taking care of your island. I can just see your passion. You reacted immediately and tried to put all the pieces together, along with the State and the Mayor. So, thank you very much for taking care of your people.

I also, we opened with a tribute to Willie K; thank you for doing that. We all adore him. And I guess we heard about Barry Rivers and his son. So, we hope they're, a speedy recovery.

And I just also wanted to share my, my thoughts to Rod Antone, who has been a big part of us, he represented the hotel association and he recently had the passing of his son. I've been watching him and his grieving to somebody very special. We met him during budget, cause when he testified through Paia Town and then we saw him go to Takamiya Market buying poke and he had his son in the car and he was hoping his son would move back and live with him during, you know, that summer. So, anyway, I just wanted to also express my love and aloha to Rod Antone, cause he's been a big part of our community. And my heart grieves with him. Thank you.

CHAIR LEE: Thank you.

Mr. Molina.

COUNCILMEMBER MOLINA: Yea, I just wanted to certainly share my condolence with Mr. Antone and, you know, and also with Mr. Hokama. I know Lanai is in very good hands with you as our senior, senior, senior Councilmember. And, you know, all our best wishes and prayers to the folks out there on Lanai and of course, whatever happened out there in Kauaula Valley as well too. So, quite some news about--

CHAIR LEE: Thank you.

Ms. Kama.

COUNCILMEMBER MOLINA: Thank you.

CHAIR LEE: Ms. Kama.

COUNCILMEMBER KAMA: Well, I think in times like these, what we need is peace in our hearts. And that my prayer for all of us is that we have peace as we go forward. Thank you, Chair.

CHAIR LEE: Ms. King, you have any final comments?

COUNCILMEMBER KING: Yea, this is so sad, everything is so sad. I just hate to add to it. I just found out a couple days ago that my son-in-law's mother and sister have COVID. And, you know, likely caught it going to church, so I just want to--

CHAIR LEE: On the Big Island? On the Big Island?

COUNCILMEMBER KING: Oh, on the mainland. But I just want to, just make everybody aware too that, you know, it's not safe to go in these large congregations indoors. They've been in, one of them has been in the hospital and she has asthma, so we're a little worried about that.

But on a lighter note, tomorrow is my husband's birthday, so I'm trying to get very creative with how to celebrate that indoors and on Zoom with our kids and, you know, relatives on the mainland. So, that's one happy thing that's happening this week for me. But, yea, there's a lot of sadness and my heart just goes out to everyone.

CHAIR LEE: Well, we want to wish Bob a Happy 39th and hope you have a wonderful time.

COUNCILMEMBER KING: It was--

CHAIR LEE: Yea. And the one thing, we're all lucky. We're very fortunate to have family and to have each other, because you are our work family, right? So, everybody take care and give your family an extra hug this weekend, okay? This meeting is adjourned.

ADJOURNMENT

The regular meeting of October 23, 2020 was adjourned by the Chair at 4:34 p.m.



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



OCTOBER 23, 2020

RECEIVED

2020 OCT 22 PM 3:00

TESTIMONY BEFORE THE MAUI COUNTY COUNCIL
Agenda Item CC 20-524

OFFICE OF THE
COUNTY CLERK

Proposed Resolution

AUTHORIZING THE OPERATION OF ELECTRIC VEHICLE DC FAST CHARGER CONCESSIONS BY HAWAIIAN ELECTRIC COMPANY AT THE LAHAINA AQUATIC CENTER, HAIKU COMMUNITY CENTER, AND KALANA O MAUI BUILDING

Dear Chair Lee, Vice Chair Rawlins-Fernandez, and Council Members,

Hawaiian Electric Company, Inc. ("Hawaiian Electric" or "Company") is writing in **strong support** of Proposed Resolution CC 20-524 AUTHORIZING THE OPERATION OF ELECTRIC VEHICLE DC FAST CHARGER CONCESSIONS BY HAWAIIAN ELECTRIC COMPANY AT THE LAHAINA AQUATIC CENTER, HAIKU COMMUNITY CENTER, AND KALANA O MAUI BUILDING," and respectfully **submits the proposed comments** for your consideration.

Support of the resolution would allow the County of Maui and Hawaiian Electric to enter into concession agreements to install direct current fast chargers (DCFC) at County sites where retired EVohana (JumpSMART Maui) chargers are installed.

These chargers provide the following benefits to the public:

1. Charger installations align with the County of Maui's Clean Transportation goals.
2. Charger installation and operations are at no cost to the County.
3. The chargers are regulated by the Hawaii Public Utilities Commission ("PUC") and aim to ensure equity and fairness for all electric utility ratepayers, who are the same population as County taxpayers.
4. Public charger installation has a positive impact on electric vehicle ("EV") adoption which reduces dependence on fossil fuel in the transportation sector and adverse effects of climate change.
5. Time of Use ("TOU") pricing at the regulated chargers promotes renewable energy use with the cheapest time to charge during the solar peak when there is an abundance of photovoltaic ("PV") generation
6. Charging can be started with credit or debit card with no required

membership

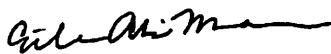
7. All EVs with fast-charging ports can use the chargers
8. Reduces range anxiety by providing quick charging on-route

Hawaiian Electric recognizes the importance and positive impact the County has as a partner in leading efforts toward decarbonization. Hawaiian Electric has developed an EV strategy that acknowledges the need for more public charging to support the expected growth of EV users in Hawaii¹ and has undertaken several efforts to support the adoption of electric vehicles, such as the development of a growing DC Fast Charger network which now has over 20 locations across the islands we serve. Recently, a new DC Fast Charging station was installed at the Pukalani Shopping Center and Molokai's first charging station was installed at the end of 2018.

Hawaiian Electric supports waiving referral of this matter to subcommittee to enable installation of the Lahaina Aquatic Center to be completed by December 31, 2020. A waiver would allow for the installation at the Lahaina Aquatic Center to proceed and provide EV users a needed DC Fast Charger station at a key location. The necessary equipment for this site is on island and funding for installation costs is available, however these funds must be expended by December 31, 2020.

Accordingly, Hawaiian Electric supports the proposed Resolution. Thank you for the opportunity to testify and for consideration of our requested waiver.

Sincerely,



Aki Marceau, Director of Electrification of Transportation

1

https://www.hawaiianelectric.com/documents/clean_energy_hawaii/electrification_of_transportation/201803_eot_roadmap.pdf

County Clerk

From: Gracie Esperanza <mgonceinalifetime@yahoo.com>
Sent: Thursday, October 22, 2020 10:06 PM
To: County Clerk

RECEIVED

2020 OCT 23 AM 7:45

OFFICE OF THE
COUNTY CLERK

"I support county communication 20-528 urging the state of Hawaii to conduct a full public discussion through the states certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the gastroenterology and ambulatory surgery services at the Wailuku Clinic. Time is of the essence please pass this resolution on the floor 10/23/2020."

thank you,

Gracie Esperanza, Local 5 member

County Clerk

From: Cindy Aban <caban@5.unitehere.org>
Sent: Thursday, October 22, 2020 10:20 PM
To: Tamara A. Paltin; Shane M. Sinenci; Mike J. Molina; Yukilei Sugimura; Kelly King; Riki Hokama; Tasha A. Kama; Keani N. Rawlins; Alice L. Lee; County Clerk
Subject: In support of County Communication No. 20-528 on Page 5 of the Council Agenda 10/23/2020

RECEIVED

2020 OCT 23 AM 7:47

OFFICE OF THE
COUNTY CLERK

Aloha Chair Lee and Members,

My name is Cindy Aban and I serve as Medical Assistant & Organizer for UNITE HERE Local 5 – a local labor union representing approximately 220 Kaiser workers in Maui County.

I support county communication 20-528 urging the state of Hawaii to conduct a full public discussion through the states certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the gastroenterology and ambulatory surgery services at the Wailuku Clinic. Time is of the essence please pass this resolution on the floor 10/23/2020.

As a healthcare worker we need to defend good jobs on Maui. We need more access to healthcare, not less! We know the barriers that our neighbor island residents have to endure with having to face many barriers with relying on the fact that majority of healthcare services and support is primarily on Oahu. Working families are already have hardships with taking time off and financial expenses with any travel or overnight accommodation cost that maybe unforeseen if these services are no longer provided to the residents of Maui.

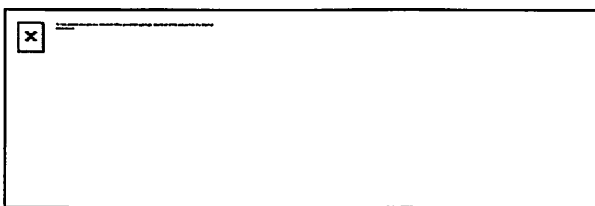
Given the current circumstances we are living under – ongoing pandemic, reopening of tourism and Kaiser's reluctance to commit to holding off on closures – we hope that the Council will consider taking up the attached resolution on the floor at Friday's full council hearing.

Thank you & In Solidarity,

Cindy Aban
Unite Here! Local 5 Organizer

(808) 675-8874
Telephone: (808) 941-2141
Fax#: (808) 941-2166
caban@5.unitehere.org

www.unitehere5.org
www.aikahawaii.org/what-we-stand-for/
1516 S King St.
Honolulu, HI 96826



County Clerk

From: Arlene Alvarez <arlenef.alvarez@gmail.com>
Sent: Thursday, October 22, 2020 10:22 PM
To: County Clerk; Alice L. Lee; Keani N. Rawlins; Tasha A. Kama; Riki Hokama; Kelly King; Yukilei Sugimura; shane.sineci@mauicounty.us; Tamara A. Paltin
Subject: Testimony of Support - 10.23 Council Agenda - CC No. 20-528

I support county communication 20-528 urging the state of Hawaii to conduct a full public discussion through the state's certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the gastroenterology and ambulatory surgery services at the Wailuku Clinic. Time is of the essence please pass this resolution on the floor 10/23/2020.

RECEIVED
2020 OCT 23 AM 7:47
OFFICE OF THE
COUNTY CLERK

County Clerk

From: Lars Åke Asplund <lars.ake.asplund@aspengrove.se>
Sent: Friday, October 23, 2020 1:39 AM
To: Mike J. Molina; County Clerk
Subject: the protection of the Olowalu Reef

RECEIVED

2020 OCT 23 AM 7:47

OFFICE OF THE
COUNTY CLERK

Greetings from Sweden.

We've visited Hawaii a couple of times and just love the islands. So from the other side of the globe we strongly support your commitment for the environment and especially the protection of the Olowalu Reef off the coast of Maui. We wish that you will succeed in your struggle.

Best regards

LÅ Asplund

from Borlänge, Sweden



Detta e-postmeddelande har sökts igenom efter virus med antivirusprogram från Avast.
www.avast.com

County Clerk

From: Doug Bausch <douglasbausch@gmail.com>
Sent: Wednesday, October 21, 2020 5:25 PM
To: County Clerk; Alice L. Lee; Keani N. Rawlins; Tasha A. Kama; Riki Hokama; Kelly King; Yukilei Sugimura; Mike J. Molina; Shane M. Sinenci; Tamara A. Paltin
Subject: In support of County Communication No. 20-528 on Page 5 of the Council Agenda

Aloha,

I support county communication 20-528 urging the state of Hawaii to conduct a full public discussion through the state's certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the gastroenterology and ambulatory surgery services at the Wailuku Clinic.

I have had cataract surgery at the center, as well as a colonoscopy at the GI clinic. I do not like the idea of moving these procedures to the hospital or Oahu since that will result in delayed procedures and increased COVID-19 risks. Unfortunately, I have a family history of cancer and a delayed colonoscopy is what helped kill my father at the young age of 55. We should not increase these risks in our community.

In addition, as a taxpayer, I feel that Kaiser is moving these procedures so that they can benefit from the taxpayer subsidies at the hospital, and negatively impact the Maui economy through additional job loss. Time is of the essence, please act quickly and pass the proposed resolution CC No. 20-528 on the Floor on Friday, 10/23/20.

Sincerely,

Doug Bausch

RECEIVED
2020 OCT 22 AM 9:03
OFFICE OF THE
COUNTY CLERK

County Clerk

From: Michele Bausch <michelebausch@gmail.com>
Sent: Thursday, October 22, 2020 7:43 AM
To: County Clerk; Alice L. Lee; Keani N. Rawlins; Tasha A. Kama; Riki Hokama; Kelly King; Yukilei Sugimura; Mike J. Molina; Shane M. Sinenci; Tamara A. Paltin
Subject: county communication 20-528 Regarding Kaiser clinic closures

I am writing to express my concerns about the closure of the Kaiser Wailuku Ambulatory Surgery Center and Gastroenterology department.

Please know that I support county communication 20-528 urging the state of Hawaii to conduct a full public discussion through the states certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the gastroenterology and ambulatory surgery services at the Wailuku Clinic. Time is of the essence, so on 10/23/20, please pass this resolution on the floor.

This needs to happen because these closures not only affect the workers and kaiser members, but the whole community of Maui. I work for Kaiser and have for over 13 years. The last 5 of those years here on Maui. I am a Registered nurse and I went into nursing with the dream of eventually being able to travel the world helping people get the healthcare they deserve and need. My children are almost grown so that dream is getting closer but when kaiser announced that they will close these services here I quickly realized my dream of helping communities was closer to home than I realized. Maui community is unique in that it is a close knit community without easy access to healthcare. We cannot drive to the next town or city for care. We have to fly and at great expense and difficulty. To close these services here puts all of us at risk. My mission is now to help to make sure affordable quality health care is here, where I live. So I am writing to you to implore you to help. We need more access to health care on Maui, not less. This is not just about a business, but the health of all. The health of a community affects everyone and Kaiser is intimately involved in this.

Please take a moment and consider this resolution and vote to pass it on Friday. It is more than just jobs at stake..

Thank you for your time and consideration .

with much Aloha,
Michele Bausch RN BSN

RECEIVED
2020 OCT 22 AM 8:05
OFFICE OF THE
COUNTY CLERK

County Clerk

From: Sarah Bergeson <sarah.bergeson622@gmail.com>
Sent: Wednesday, October 21, 2020 8:54 PM
To: Mike J. Molina
Cc: County Clerk
Subject: Olowalu Reef

RECEIVED
2020 OCT 22 AM 8:04
OFFICE OF THE
COUNTY CLERK

What comes to mind when I say the Olowalu Reef?

- 1) The only reef on Maui that is 50 – 90% coral cover and accessible to everyone, directly from the shoreline
- 2) Oldest living corals ever dated in the Main Hawaiian Islands
- 3) Best developed micro-atolls in the Hawaiian Islands, some 60 – 70 years old surviving in just inches of water
- 4) Home to some extremely rare corals (P. duerdeni, P. solida-pictured, P. cf. annae)
- 5) Incredibly diverse invertebrate fauna at wading depths (31 species of hard corals, 169 species of opisthobranchs, 19 species of sea cucumbers, 14 species of hermit crabs, 15 species of brittle stars, etc.)
- 6) blacktip reef shark nursery
- 7) The #1 priority reef in the Maui Nui Reef Recovery Plan
- 8) Mother reef that seeds coral larvae to West Maui, South Molokai and the North coast of Lanai
- 9) Critical habitat to the largest known manta ray population in the United States with over 550 unique individuals identified, a population isolated to the Maui Nui region
- 10) Designated a Sylvia Earl Mission Blue Hope Spot in 2017

On Friday October 23, Councilmember Mike Molina will make the deciding vote to protect the reef against high density housing and 40+ septic systems that threaten the reef. He needs to hear from you to thank him for denying the Lihau'ula development in Committee and asking him to stand by his decision in the Full Council Vote on Friday.

Please help us!

County Clerk

From: Rebecca Buckley <hanamauirentals@gmail.com>
Sent: Tuesday, October 20, 2020 8:10 AM
To: County Clerk; Alice L. Lee; Keani N. Rawlins; Tasha A. Kama; Riki Hokama; Kelly King; Yukilei Sugimura; Mike J. Molina; Shane M. Sinenci; Tamara A. Paltin
Subject: In support of County Communication No. 20-528 on Page 5 of the Council Agenda.

To all council members:

I am writing in support of the proposed resolution that would urge the state to conduct a public discussion of the State's Certificate of Need Review Process to explore the consequences of Kaiser's proposed plans to close the Gastronintestinal and Ambulatory Surgery Services at the Wailuku Clinic.

--

Rebecca Buckley-Battaglia

RECEIVED
2020 OCT 20 AM 8:16
OFFICE OF THE
COUNTY CLERK

County Clerk

From: malulanib@hawaii.rr.com
Sent: Tuesday, October 20, 2020 12:41 PM
To: County Clerk
Cc: Alice L. Lee; Keani N. Rawlins; Tasha A. Kama; Riki Hokama; Kelly King; Yukilei Sugimura; Mike J. Molina; Shane M. Sinenci; Tamara A. Paltin
Subject: In support of County Communication No. 20-528

Aloha,

I am in support of County Communication No. 20-258 on page 5 of the Council Agenda.

I am currently employed as a registered nurse in the Ambulatory Surgical Center that Kaiser will be closing. The closure of these two departments will affect myself, my family and the entire Maui community's accessibility to health care. Maui Memorial Medical Center is the only acute care hospital that serves Maui. What will happen when there is another surge in Covid-19 cases with the re-opening of our state to tourism? We need the state of Hawai'i to conduct a full public discussion through the State's Certificate of Need Review Process to explore the consequences.

I urge you to act quickly and pass the proposed resolution in County Communication No. 20-258 on the Floor on Friday, 10/23/2020.

Mahalo,
Mary Frances Bulawan
Waikapu

OFFICE OF THE
COUNTY CLERK

2020 OCT 20 PM 12:42

RECEIVED

County Clerk

From: sarah bumpus <sallybumpus@mail.com>
Sent: Thursday, October 22, 2020 12:57 PM
To: Mike J. Molina; County Clerk
Subject: denying the Lihau'ula development

RECEIVED

2020 OCT 22 PM 1:02

OFFICE OF THE
COUNTY CLERK

mr molina-
protecting olowalu reef from destruction is so important to so many on maui.
thank you for denying the Lihau'ula development in Committee, and PLEASE stand by his decision in the Full Council Vote on Friday.
wiht aloha
sarah bumpus
15 kaimao st, paia, hi

County Clerk

From: Michael Bursack <mickbursack@gmail.com>
Sent: Wednesday, October 21, 2020 6:29 AM
To: County Clerk
Subject: Save Olowalu's Reef

RECEIVED

2020 OCT 21 AM 7:56

OFFICE OF THE
COUNTY CLERK

Aloha,

I'm emailing out of concern for the pains to further develop Olowalu with lasting effects to its reef. Here are 10 environmental reasons to not develop Olowalu. There are some many more (unaffordability of the project for "normal" people being another. I'm a bartender at Lineage in Wailea that rents in Kahului, and I couldn't afford a "worker" housing in that project.), but I did want to share these with you today to convince to take action to save Olowalu's reefs.

- 1) The only reef on Maui that is 50 – 90% coral cover and accessible to everyone, directly from the shoreline
- 2) Oldest living corals ever dated in the Main Hawaiian Islands
- 3) Best developed micro-atolls in the Hawaiian Islands, some 60 – 70 years old surviving in just inches of water
- 4) Home to some extremely rare corals (*P. duerdeni*, *P. solida*-pictured, *P. cf. annae*)
- 5) Incredibly diverse invertebrate fauna at wading depths (31 species of hard corals, 169 species of opisthobranchs, 19 species of sea cucumbers, 14 species of hermit crabs, 15 species of brittle stars, etc.)
- 6) blacktip reef shark nursery
- 7) The #1 priority reef in the Maui Nui Reef Recovery Plan
- 8) Mother reef that seeds coral larvae to West Maui, South Molokai and the North coast of Lanai
- 9) Critical habitat to the largest known manta ray population in the United States with over 550 unique individuals identified, a population isolated to the Maui Nui region
- 10) Designated a Sylvia Earl Mission Blue Hope Spot in 2017

Mahalo,

Michael Bursack

County Clerk

From: Mr Cabbages <allthecabbages@gmail.com>
Sent: Thursday, October 22, 2020 11:59 PM
To: County Clerk
Subject: Please Help Maui County.. Testimony of Support - 10.23 Council Agenda - CC No. 20-528

RECEIVED

2020 OCT 23 AM 7:46

OFFICE OF THE
COUNTY CLERK

Asking for your help..Please support the proposed resolution in CC No. 20-528 on the Floor on Friday, 10/23/2020

I am Kula, Maui born and raised. With so much going on in the world; Keeping our Ohana Strong, Preparing our Keiki for this world we live in, Protecting ourselves and loved ones from something that has affected everyone globally.

Our Healthcare Facilities are few and limited here on Maui. We need to protect the safety and success of our island.

Please vote in support of county communication 20-528 urging the state of Hawaii to conduct a full public discussion through the states certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the gastroenterology and ambulatory surgery services at the Wailuku Clinic.

Mahalo for your time and concern.

JustinCabigas

County Clerk

From: Marcella Carranco <marcella.carranco3@gmail.com>
Sent: Wednesday, October 21, 2020 11:02 PM
To: County Clerk; Alice L. Lee; KeaniRawlins@mauicounty.us; Tasha A. Kama; Riki Hokama; Kelly King; Yukilei Sugimura; Mike J. Molina; Shane M. Sinenci; Tamara A. Paltin
Subject: Kaiser Permanente plans to close services at Wailuku Clinic

I support county communication 20-528 urging the state of Hawaii to conduct a full public discussion through the states certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the gastroenterology and ambulatory surgery services at the Wailuku Clinic. Time is of the essence, so on 10/23/20, please pass this resolution on the floor.

Mahalo for your attention to this matter as mentioned above our community is in danger of losing vital health care services that is greatly needed more than ever. We the people of Maui know that we have but one hospital to take care of our fast growing island , we need more healthcare facilities to deliver proper and safe care to our community now more than ever in the middle of a pandemic and beyond these uncertain times not less.

Aloha for your time

Marcella Carranco
Kaiser employee, patient ,
Maui resident

Sent from my iPad

OFFICE OF THE COUNTY CLERK
MAUI COUNTY
2020 OCT 21 PM 2:44
RECEIVED
COUNTY CLERK'S OFFICE
MAUI COUNTY

County Clerk

From: Melanie Chan <ms.melanie.chan@gmail.com>
Sent: Wednesday, October 21, 2020 12:38 AM
To: County Clerk
Subject: County Communication No. 20-528 on Page 5 of the Council Agenda

Maui County Clerk
County of Maui
Wailuku, HI 96793

RE: County Communication No. 20-528 on Page 5 of the Council Agenda

Esteemed County Clerk,

Aloha, as a Maui County resident, homeowner, educator, parent, and Kaiser member for 45 years, I strongly support Maui County communication 20-528. The proposed resolution urges the State of Hawaii to conduct a full public discussion through the State's Certificate of Need Review Process in order to explore the consequences of Kaiser Permanente's proposed plans to close the Gastrointestinal and Ambulatory Surgery Services at Wailuku Clinic. Time is of the essence, hence, I sincerely ask the Council to act quickly and pass the proposed resolution in CC No. 20-528 on the Floor on Friday, October 23, 2020. Mahalo nui loa for your time and attention to this matter.

Sincerely,
Melanie Chan Vinoray
692 Alulike Street
Kihei, HI 96753

--

Melanie Chan-Vinoray
M.Ed. Learning Design and Technology

RECEIVED
2020 OCT 21 AM 7:56
OFFICE OF THE
COUNTY CLERK

County Clerk

From: Monique Chicheportiche <monique-c@hawaii.rr.com>
Sent: Thursday, October 22, 2020 1:19 PM
To: County Clerk
Subject: communication 20-528

RECEIVED
2020 OCT 22 PM 3:00

OFFICE OF THE
COUNTY CLERK

I support county communication 20-528 urging the state of Hawaii to conduct a full public discussion through the states certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the gastroenterology and ambulatory surgery services at the Wailuku Clinic. Time is of the essence please pass this resolution on the floor 10/23/2020.

LAW OFFICE OF LANCE D COLLINS

A LAW CORPORATION

Post Office Box 782, Makawao, Hawai'i 96768
(808) 243 - 9292 • lawyer@maui.net

October 16, 2020

Albert Perez
Executive Director
Maui Tomorrow Foundation
55 Church St
Wailuku HI 96793

OFFICE OF THE
COUNTY CLERK

2020 OCT 19 AM 10:30

RECEIVED

Re: Affordable Housing Projects (AH-1) Lihau'ula LLC's Workforce Housing Project proposal to develop 59 lots on 27.799 acres of land located at TMK No. (2) 4-8-003:103, Olowalu, Maui, Hawai'i.

Dear Mr. Perez,

Several community groups including Maui Tomorrow Foundation have asked additional questions regarding Applicant Lihau'ula LLC's (Applicant) Lihau'ula Workforce Housing Project proposal to develop the 27.799 acre Lot 20 of the Olowalu Mauka subdivision as 59 lots, located at TMK No. (2) 4-8-003:103, Olowalu, Maui, Hawai'i (project), dated June 2020 (application) subsequent to the October 5, 2020 committee meeting. We have addressed your questions thus.

1. Project proposes 69 units because agricultural dwellings on the 10 market-rate agricultural lots cannot be restricted pursuant to HRS §205-4.6.

At the October 5, 2020 committee meeting, councilmember Michael Molina inquired as to whether HRS §205-4.5 applies to the ten agricultural lots such that these lots would be entitled to build two units. In response, the Planning Director responded that HRS §205-4.5 provisions for agricultural district lands would not apply to the 49 residential lots after those lots are reclassified to the urban district. This statement appears nonresponsive to the councilmember's inquiry.

The project consists in 49 residential lots and 10 agricultural lots, on which agricultural lots two farm dwellings may be built per lot. Maui County Code (MCC) § 19.30A.050(B)(1) (describing "accessory uses" to include "[t]wo farm dwellings per lot, one of which shall not exceed one thousand square feet of developable area."). Each of these farm-dwelling are defined to mean a single-family dwelling. HRS §205-4.5(a)(4). This means the project proposes 69 dwelling units: 49 units in the urban district, plus 20 units on ten lots in the agricultural district.

The Applicant's representations that it can restrict accessory dwelling units is incorrect. *See* Application, Appx. G at 1. Even if the Council were to impose a condition preventing accessory dwelling units or additional farm dwellings on the agricultural lands, the Applicant could not implement this condition. Agricultural uses and activities defined under HRS §205-4.5(a), including construction of farm dwellings "shall not be restricted by any private agreement contained in any" deeds, sale agreements, land conveyances, or condominium declarations, maps, bylaws, and other

documents dealing with real property. HRS §205-4.6(a). The Applicant lacks the authority to impose restrictions on accessory dwelling units in its conveyances to lot-buyers, which thereby increases the density of dwelling units in the approximately 27.8 acres of the project.

2. Corporation counsel memorandum, dated October 5, 2020, does not refute our conclusion that the project requires environmental review and violates DOH rules.

The Application incorrectly states: “There are no Chapter 343 “triggers” and Chapter 343 does not apply[.]” Application at PDF 34. Corporation counsel’s memorandum recites certain provisions of HRS chapter 343 and State Department of Health (DOH) rules relating to wastewater systems. We concur with corporation counsel’s memorandum inasmuch as it concludes that HRS chapter 343 environmental review is required for reasons set forth in our October 1, 2020 memorandum.

Environmental review documents for the project must be prepared pursuant to HRS chapter 343. The project is an “action” because it is a project initiated by the Applicant. HRS §343-2. An environmental assessment is required for actions that “[p]ropose any: Wastewater treatment unit, except an individual wastewater system or a wastewater treatment unit serving fewer than fifty single-family dwellings or the equivalent.” HRS §343-5(a)(9)(A). Because there is no publicly operated treatment works near the project, each of the proposed 59 lots will be required to have its own individual wastewater system. Application at 53. The project triggers requirements for an environmental assessment because the individual wastewater systems will be serving 50 or more single family dwellings.

Corporation counsel also appears to acknowledge that under a plain reading of HAR §11-62-31.1, titled “General requirements for individual wastewater systems,” the project requires a wastewater facility. Corporation counsel, however, reaches no conclusions about whether the proposed individual wastewater systems (IWSs) for each lot either violate DOH rules or trigger environmental review and rather refers to an email from a DOH wastewater branch employee. HAR §11-62-31.1 (am. Mar. 2016) provides in relevant part:

- (a) Individual wastewater systems may be used as a temporary on-site means of wastewater disposal in lieu of wastewater treatment works under the following conditions:
 - (1) Developments involving dwellings.
 - (A) There shall be 10,000 square feet of land area for each individual wastewater system;
 - (B) Total development of an area shall not exceed fifty single family residential lots or exceed fifty dwelling units except for developments consisting of one dwelling unit per acre or greater;
 - (C) Area of the lot shall not be less than 10,000 square feet, except for lots created and recorded before August 30, 1991. For lots less than 10,000 square feet which were created and recorded before August 30, 1991, only one individual wastewater system shall be allowed.
 - (D) The total wastewater flow into one individual wastewater system shall not exceed one thousand gallons, and one individual wastewater system shall not serve more than five bedrooms, whether they are in one welling unit or two.
- [. . . .]

The rules apply to the density as a function of the “total development” as a whole. According to the Applicant, the total development will consist in 27.8 acres. The project proposes 69 dwelling units on those 27.8 acres, which means the total development consists in is 1 dwelling unit per 0.4 acres (17,550 square feet). The development does not “consist[] of one dwelling unit per acre or greater” and exceeds fifty residential lots or fifty dwelling units. HAR §11-62-31.1(a). Even if the project proposed only 59 units on 27.9 acres, the total density of the development would be one dwelling unit per 0.47 acres.

As discussed in our October 1, 2020 memorandum, an email from a DOH wastewater employee is not official department policy, does not exempt the project from HAR §11-62-31.1, nor the environmentally-protective purposes for which this rule is in place. *See* HAR §11-62-01 (wastewater rules are meant to “ensure that the use and disposal of wastewater and wastewater sludge does not contaminate or pollute any valuable water resource . . . and does not become a hazard or potential hazard to the public health, safety, and welfare.”).

A similar issue arose in *Ma‘alaea Community Association et. al v. Director of the Department of Housing and Human Concerns*, Civil No. 15-1-0623(3) (Hawai‘i 2d. Cir. Ct.). Plaintiffs, which included Maui Tomorrow, filed a lawsuit in Maui’s environmental court on the basis that the Ma‘alaea project required that a more comprehensive environmental impact statement be prepared and challenged the finding that the project would not have significant environmental impacts. In their motion for preliminary injunction, Plaintiffs cited the environmental impacts of Developer MVI, LLC’s proposed HRS chapter 201H affordable housing project that included 58 residential lots, each with an IWS, on 16.9 acres, as part of a 117 lot rural-residential subdivision on 257 acres. Maui’s Environmental Court granted the Plaintiffs’ preliminary injunction primarily on the basis that the Ma‘alaea project would violate DOH wastewater rules. In *Ma‘alaea Community* as in the instant case, more than 50 IWS cannot be used on less than 50 acres.

3. The project land use reclassification must be processed by the Land Use Commission.

The Application proposes to obtain a district boundary amendment (DBA) to reclassify 14.7 acres of the 28 acre agricultural parcel to the urban district. Applicant proposes to accomplish this reclassification pursuant to HRS §205-3.1 and Maui County Code §19.68.040, which removes processing of the DBA application from the state Land Use Commission (LUC) and rather requires the Maui County Council to process the application. HRS §205-3.1(b). Application at 6-7. Such DBAs “shall be determined by the appropriate county land use decision-making authority for the district and shall not require consideration by the land use commission pursuant to section 205-4; provided that such boundary amendments and approved uses are consistent with this chapter.” HRS § 205-3.1 (c).

In interpreting its rules and the statutes that it oversees and implements, the LUC urges the counties to utilize “a thorough evaluation of the uses’ actual footprint and the impact of the use on the parcel/property” in the initial determination as to how to determine whether a county special use permit (SUP) application should rather be processed as a district boundary amendment application. Letter from D. Orodener, Executive Officer, Land Use Commission to M. McLean, Director, Maui Planning Department, Re: Special Permit Application Process (Aug. 1, 2019).¹

¹ <https://luc.hawaii.gov/wp-content/uploads/2019/10/LetterToMMclean.pdf> (LUC letter)

Hawai'i courts accord persuasive weight to the construction of statutes by administrative agencies charged with overseeing and implementing a particular statutory scheme. *See Sam Teague, Ltd. v. Hawai'i Civ. Rights Comm'n*, 89 Hawai'i 269, 276 n. 2, 971 P.2d 1104, 1111 n. 2 (1999).

The "actual footprint and the impact" of the project's use of land includes at least the entirety of the 27.8 acre parcel. LUC letter at 1. Where an applicant proposed two residential units on two 5-acre portions of a 24 acre lot, the LUC questioned whether the remaining 14 acres of the parcel would be usable for agriculture. "It is unlikely that agricultural activity would or could continue given the need to ensure the safety and enjoyment of the tenants. As such, it would appear that the application proposes a significant change in the use of the 24 acres and that more than 15 acres of the parcel would be impacted by the [special use permit], LUC review would therefore be required under Section 205-6(d) HRS." LUC Letter at 2.

The LUC similarly interpreted HRS chapter 205 with respect to a church proposed for a portion of a 25 acre parcel where the nonagricultural uses include an access road and in light of the "extremely high" likelihood that the remainder of the 25 acre parcel would be used for other church purposes. Likewise, the entirety of the Lihau'ula project is essentially devoted to residential uses, including the balance of 13.1 acres that will remain in "agriculture." Key to each of these examples is whether lands outside of those designated for the non-agricultural use - here, urban residences - will render the rest of the lot unusable for agriculture.

Indeed, the LUC has numerous concerns about the project, including whether actual agricultural activities are properly assessed for the agricultural lands remaining in the parcel. Application, Appx. K at PDF 724.² Here, the agricultural lots abut many of the proposed urban residences and will use the same access roads.

Conclusion

For the foregoing reasons, the Applicant is required to: (1) prepare an environmental impact statement for the proposed project; (2) reduce the number of IWSs or construct a wastewater treatment facility or connection to the same; and, (3) submit a district boundary application to the Land Use Commission for the entirety of the 27.8 acre parcel. Please do not hesitate to contact me if you have additional questions.

Very truly yours,
LAW OFFICE OF LANCE D. COLLINS



LANCE D. COLLINS

² The LUC also notes the subject parcel is within the petition area for Olowalu Town LLC and Olowalu Ekolu LLC's petition to reclassify approximately 320 acres of agricultural land to urban and rural districts. LUC Docket No. A10-786.

County Clerk

From: Audrey Dack <audrey_dack@yahoo.com>
Sent: Wednesday, October 21, 2020 7:07 PM
To: Mike J. Molina; County Clerk
Subject: Olowalu reef

Aloha Council member Molina,

I ask you again to support a healthy reef at Olowalu. The development proposed would have harmful impacts from both sediment and human waste treatment. The reef is critical to reef ecosystems extending to some of the other islands. Sediment is deadly and although Individual Waste Water Systems are theoretically safe for our environment, studies reveal they are rarely maintained to Best Management Standards here in Hawaii and nationwide. This leaves them mostly contributing to waste water pollution which, so close to the ocean, will be damaging to the environment. Sediment (per a PHD coral expert I once heard speak at Olowalu) is more deadly than a nuclear blast since it smothers the coral polyps and the substrate upon which new coral polyps land to establish new coral colonies.

Please vote and oppose the Olowalu proposed development and preserve our Maui reefs.

Mahalo,
Audrey Dack
527 Kualau Street
Wailuku, Hi 96793

RECEIVED
2020 OCT 22 AM 9:03
COUNTY CLERK

County Clerk

From: Roscelyn Dalut <whiterosebud_1980@yahoo.com>
Sent: Thursday, October 22, 2020 8:43 PM
To: County Clerk; Alice L. Lee; Keani N. Rawlins; Tasha A. Kama; Riki Hokama;
Riki.king@mauicounty.us; Yukilei Sugimura; Mike J. Molina; Shane M. Sinenci; Tamara A. Paltin
Cc: Roscelyn Dalut

My name is Roscelyn Dalut, I am one of the housekeeping at the Ambulatory Surgery Center (ASC). I support county communication 20-528 urging the state of Hawaii to conduct a full public discussion through the states certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the Gastroenterology and Ambulatory Surgery Services at the Wailuku Clinic. Time is of the essence please pass this resolution on the floor 10/23/2020. Thank you so much and more power to you all.

RECEIVED
2020 OCT 23 AM 7:45
OFFICE OF THE
COUNTY CLERK

County Clerk

From: Lorianna Daly <loriannadaly@gmail.com>
Sent: Wednesday, October 21, 2020 12:05 PM
To: County Clerk; Mike J. Molina
Subject: PROTECT Olawalu Reef

RECEIVED

2020 OCT 21 PM 12:38

OFFICE OF THE
COUNTY CLERK

Councilmember Mike Molina,

Thank you for denying the Lihua'ula Development in committee. Please vote against this project as the effects would be detrimental to the Olawalu reef's environmental structure.

Thank you for your continued hard work with smart growth principles.

We must protect what little we have left.

-Lorianna Daly, NJ

County Clerk

From: Ashoi Dantra <ashoi@icloud.com>
Sent: Friday, October 23, 2020 4:00 AM
To: Mike J. Molina; County Clerk
Subject: Against the project.

RECEIVED

2020 OCT 23 AM 7:47

OFFICE OF THE
COUNTY CLERK

Good day,

This is to show my support as I stand with Mike Moline, who is against the housing project.

This is because of the Olawalu Reef and the Manta Ray population.

Thank you!

Sent from my iPhone

County Clerk

From: Ruksshana <ruks27@gmail.com>
Sent: Friday, October 23, 2020 4:50 AM
To: County Clerk; Mike J. Molina
Subject: In support Of Mike Molina

RECEIVED

2020 OCT 23 AM 7:47

OFFICE OF THE
COUNTY CLERK

Good day,

This is to support Mike Molina in opposing the building of the housing project.

Please count my response as it is very necessary to save the Olawalu reef and in turn save the mantas.

Thank you!

Ruksshana Dantra.

--

Ruksshana Dantra
+919821181651

County Clerk

From: Lisa Davis <ldavis723@aol.com>
Sent: Thursday, October 22, 2020 8:16 PM
To: Mike J. Molina; County Clerk
Subject: Protect Olowalu Reef

RECEIVED
2020 OCT 23 AM 7:45

OFFICE OF THE
COUNTY CLERK

Dear Coouncilmember Molina,

I am writing to ask you to please continue to help protect the Olowalu Reef, a precious natural resource that is home to some of the oldest and most rare corals in Hawaii. Thank you for previously denying the Lihau'ula development. I ask that you stand firm in preventing this high density housing and continue to stand against this development which will surely put tremendous pressure on this already stressed ecosystem.

Thank you,
Lisa Davis,
Wailuku District

County Clerk

From: Mark Deakos <deakos@hawaii.edu>
Sent: Thursday, October 22, 2020 11:36 PM
To: Alice L. Lee; Yukilei Sugimura; Tasha A. Kama; Riki Hokama; Tamara A. Paltin; Shane M. Sinenci; Kelly King; Keani N. Rawlins; Mike J. Molina
Cc: County Clerk
Subject: Please Deny Lihau'ula in Full Council Vote
Attachments: Deakos_Testimony_Deny_LIHAUULA_22OCT2020.pdf

RECEIVED

2020 OCT 23 AM 7:47

OFFICE OF THE
COUNTY CLERK

Greetings Members of the Maui County Council,

First I want to thank you for supporting the Affordable Housing Committee's recommendation to deny Lihau'ula in the final full Council vote and out of respect for the wishes of the West Maui Community.

However, to be frank, I'm perplexed by the narrative that if someone is not in support of \$600K - \$800K high density homes, built on agriculture land, with septic tanks only a few hundred yards uphill from an iconic coral reef and fish nursery area, then you must be against affordable housing??? I have yet to hear a single testimony or a single Councilmember say that they don't support affordable housing. it's important to understand that the reason West Maui is suffering from obscene traffic, poor water quality, dry streams, drained aquifers, lost beaches, dead reefs, and armored/contaminated shorelines is because WE DESIGNED and PLANNED it that way, by implementing a policy of growth at all cost, growth without responsibility. And to suggest that the solution to affordable housing is \$600K homes that flip to market value in 10 years, built in the worst place possible at any cost, is ludicrous.

I was perplexed when Peter Martin submitted such a dismal project that makes no attempt to mitigate any of the community concerns with his business as usual, high impact development practices. But maybe it's not surprising if he knows he has at least 4 of the 5 Councilmember votes regardless of the garbage he puts forward, since nobody will ask him why he hasn't even tried to implement regenerative or even smart growth principles into his design? Why is he not being asked why he can't implement any regenerative growth principles such as:

1. 100% renewable energy on site to reduce utility bills for low income families and eliminate power lines that spark fires in an area 20 minutes away from the nearest fire department
2. Dry toilets and onsite greywater treatment without toxic chemicals to reduce utility bills, save 40,000 gallons of water a year per household, recharge the streams and aquifers rather than deplete them and protect the adjacent coral reefs from harmful septic systems
3. Urban agriculture so low income families have access to low cost, healthy, local produce
4. Using non-toxic materials so the residents of these homes and their children aren't breathing in harmful volatile chemicals
5. Building close to schools, work places and stores so low-income home owners aren't dependent on having multiple cars and the expenses associated with that and so elders can get access to the things they need without the need for a car
6. Building public spaces that are accessible to everyone and benefit the entire community
7. Reintroducing native habitat as part of the landscaping to restore ecosystem services and bring back native plants and animals and to slow and filter stormwater in order to protect the reef and recharge the aquifer

Why is he not being asked to show some leadership in regenerative design and implementing frameworks that others are implementing across the country to repair the damage we have caused instead of continuing with traditional development further exacerbates our environmental and social issues. If we don't expect better from our developers, what could possibly incentivize them to adopt the regenerative growth frameworks that we so desperately need here on Maui?

Let's tackle our affordable housing crisis holistically by building affordable homes that are also affordable to live in and that repair and restore the environmental and social injustices that we have put in place over the past 50 years.

Mahalo,

Mark Deakos

P.S. If you are wondering what all the hype is around the Olowalu Reef, here are a few highlights:

1. The only reef on Maui that is 50 – 90% coral cover and accessible to everyone, directly from the shoreline
2. Oldest living corals ever dated in the Main Hawaiian Islands
3. Best developed micro-atolls in the Hawaiian Islands, some 60 – 70 years old surviving in just inches of water
4. Home to some extremely rare corals (*P. duerdeni*, *P. solida*-pictured, *P. cf. annae*)
5. Incredibly diverse invertebrate fauna at wading depths (31 species of hard corals, 169 species of opisthobranchs, 19 species of sea cucumbers, 14 species of hermit crabs, 15 species of brittle stars, etc.)
6. blacktip reef shark nursery
7. The #1 priority reef in the Maui Nui Reef Recovery Plan
8. Mother reef that seeds coral larvae to West Maui, South Molokai and the North coast of Lanai
9. Critical habitat to the largest known manta ray population in the United States with over 550 unique individuals identified, a population isolated to the Maui Nui region
10. Designated a Sylvia Earl Mission Blue Hope Spot in 2017

Mark H. Deakos, Ph.D.
Executive Director, Chief Scientist
HAMER
Hawaii Association for Marine Education and Research, Inc.
PMB#175
5095 Napilihau St. 109B
Lahaina, HI 96761
808-280-6448 (cell)
866-594-1896 (fax)
www.hamerinhawaii.org

RECEIVED

2020 OCT 23 AM 7:47

October 20, 2020

Maui County Councilmembers

OFFICE OF THE

RE: Testimony requesting the Maui County Council vote yes on GR20-129: "ADOPTION of resolution disapproving the Lihau'ula Workforce Housing Project on 27.79 acres in Olowalu, Maui, Hawaii, in accordance with Section 201H-38, Hawaii Revised Statutes, identified for real property tax purposes as tax map key (2) 4-8-003:103

Honorable Members of the Maui County Council:

Once again the people of West Maui find ourselves confronting another unwanted 201-H project seeking approval from 5 of 9 members of the Maui County Council in order to bypass the expressed wishes of the West Maui community, the West Maui Community plan, the recently revised draft West Maui Community Plan and the basic tenants of "smart growth" that the planning department is trying to instill.

We absolutely need "true, affordable housing" in West Maui and lands are available in the Lahaina area, some of which Peter Martin owns, that would meet the criteria of "smart growth." By building next to existing infrastructure, not only do you preserve agriculture land and open space and avoid unnecessary threats to our precious Olowalu reef, but you build a walkable community, where residents have easy access to schools, work and supplies, without the high cost of a car and exacerbating traffic. You also avoid the need for costly private water treatment systems (ATUs), which rapidly turn into septic systems when owners choose to no longer pay the \$400/year maintenance fee or when they shut off the air pump to save electricity costs. Forty new septic systems a few hundred yards uphill of the reef is irresponsible.

Affordable housing is also about affordable living. There is nothing affordable about living in Olowalu and the need to drive everywhere, especially when 70% of the homes proposed will be over \$600K and applicants will need to show income greater than \$100K to qualify. The 201-H format allows for properties to be sold at market value after 10 years, which completely defeats the purpose of getting ahead of our affordable housing needs.

Since the last time an Olowalu high density project was debated and denied, nothing about this project addresses any of the concerns to protect the adjacent reef, access affordable, healthy, local food, limited water, excessive traffic and the cost of living for low income families.

We rely on our elected County Council to honor the wishes of the community, which has been loud and clear, that they do not want high density development in Olowalu. In fact, the new draft plan prepared by the CPAC explicitly restricts 201-H projects in this area. Agriculture is a perfectly acceptable use for lands in urban growth designated areas as expressed by the Maui Planning Department.

AMI Group	Configuration	Max. Sales Price
80-100%	3-bedroom, 2-bath	\$506,400
80-100%	4-bedroom, 2-bath	\$582,360
100-120%	3-bedroom, 2-bath	\$607,700
100-120%	4-bedroom, 2-bath	\$698,855
120-140%	3-bedroom, 2-bath	\$708,900
120-140%	4-bedroom, 2-bath	\$815,235

Figure 1. Of the 40 homes proposed, 28 (70%) will cost more than \$600K.

I ask that you request the developer resubmit a project that meets the criteria of “smart growth” and strive to meet the criteria of “regenerative growth” to help restore natural habitat, ecosystem functions, add clean energy, net positive water, natural and inexpensive wastewater systems, use of non-toxic materials, landfill diversion of waste, local sourcing of materials, and addressing the health and equity of the residents and surrounding community. A developer should strive to meet all of these criteria for a net positive impact on both the environment and the people. This is being done across the country and across the globe through frameworks like Living Buildings (https://living-future.org/lbc-3_1/basics/) and doing them at the same cost of regular development. The proposed project has made little to no effort to meet any of these criteria.

The days of “minimizing impact” are over. We absolutely need to demand more from landowners and developers to apply the new mindset that is sweeping this country, one that is restorative, with an overall “net-positive” impact. All we need to do is emulate what others are already doing and we need our leadership to incentivize those standards.

Please do the right thing and deny this project and demand that developers do better to meet our affordable housing needs with frameworks that meet “smart growth” and “regenerative growth” principles.

Mahalo,

Mark Deakos, *Ph.D.*
Living Future Institute Ambassador
 Napili
 808-280-6448

County Clerk

From: Carrie DeMott <carrie.j.demott@gmail.com>
Sent: Wednesday, October 21, 2020 8:53 PM
To: Mike J. Molina; County Clerk
Subject: Olowalu Reef Testimony

RECEIVED
2020 OCT 22 AM 8:03

OFFICE OF THE
COUNTY CLERK

Aloha Mr. Molina and County Clerk,

I am writing to express my deep concern in the development that has been proposed in Olowalu. I voted for you to continue on the council, due to your previous support for environmentally sound policies. This development is not ecologically sound and will devastate the largest reef of Maui.

Fifteen years ago I moved to Maui to teach Science on the West Side, where I lived and worked for 10 years. I now teach Science in Kihei. For years I have participated in reef counts, water quality testing, coral disease transections, and other environmental studies in the area. I've taught coral reef ecology to local students and have taken many of them to study the reef systems around the islands. In those 15 years, I have seen incredible sedimentation, bleaching, and decline due to poor run-off management.

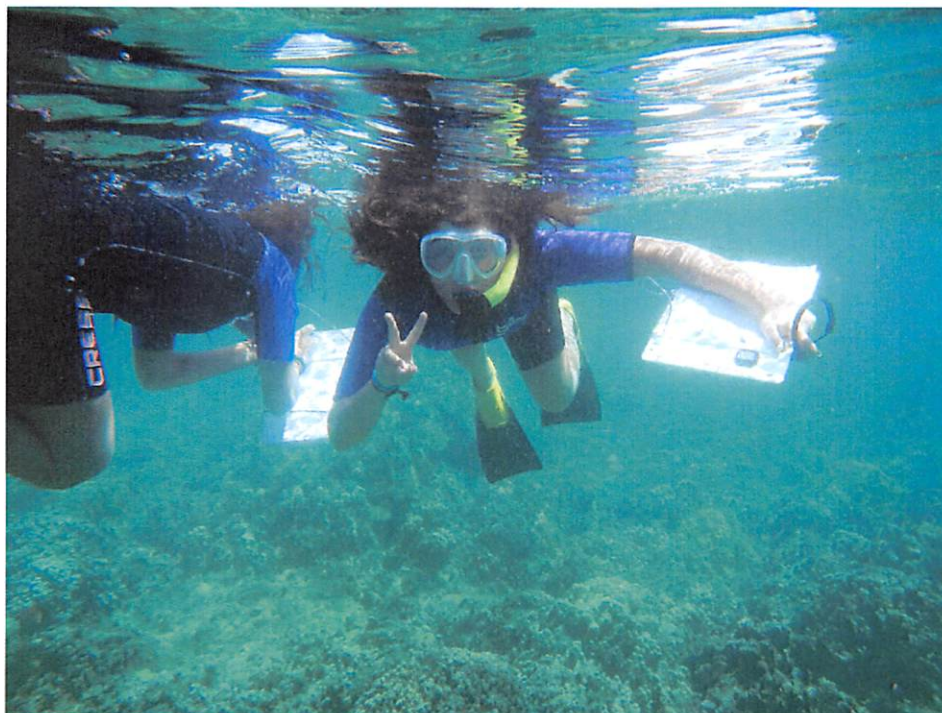
I watched the decline and death of the largest coral head in that area, one we called Big Momma. She was a seeding reef, one that could sexually reproduce and send corals to grow in other areas, even as far as Molokai. That coral head was there when King Kamehameha landed on Maui's shores. Our misuse and lack of care led to her death and will lead to the degradation of the reef and ultimate collapse of the ecosystem there. It will ultimately become a slimy mess of rubble, like many other areas here.

While I recognize the dire need for affordable housing on the West Side, as a member of a non-profit for affordable housing board and a low income home-owner, I also recognize the importance of its placement. Using the building of a few "affordable" units to pass through a large development is irresponsible at best.

Please, please vote no and don't allow the development, in its current format, to pass. We have already been entangled in litigation about septic issues and water quality and don't need to allow more of the same old polluting.

I hope that my vote for you this election continues to honor your past acknowledgement of the importance of ecological preservation. I know this is a very challenging issue. Thank you for taking the time to read and consider my testimony.

I am attaching a picture of some of my students surveying the Olowalu reef, counting herbivorous fish cleaning invasive algae. Please save Olowalu.



Mahalo,
Carrie DeMott
Science Teacher and Resident

October 21, 2020

The Honorable Alice Lee
Council Chair - County of Maui
Wailuku, Hawaii 96793

RECEIVED

2020 OCT 21 AM 9:43

OFFICE OF THE
COUNTY CLERK

Subject: Testimony **in support** of County Communication No. 20-528 on Page 5 of the Council Agenda.

Dear Chair Lee:

Please accept our testimony requesting that the County Council act quickly to pass the proposed resolution in CC No. 20-528 on the floor on Friday, 10/23/20.

Our immediate family of six are lifetime Kaiser Members. Collectively a total of 192 years. Our surviving parents, ages 92 & 83 are long time Kaiser members as well. Over the years, we have undergone surgical procedures that required overnight hospital stays. We also experienced multiple procedures performed at Kaisers Gastrointestinal and Ambulatory Surgery Services at Wailuku Clinic. Comparatively, the latter, is without question a critical & responsive resource in meeting our immediate health care needs efficiently.

In the recent two months our family members were able to receive necessary surgical care twice. Our elder parents were looking forward to having their surgical procedures done there as well and now apprehensive about needing to be serviced at the Maui Memorial Hospital. It is simply a tragedy to our community for Kaiser to close its Gastrointestinal and Ambulatory Surgery Services at Wailuku Clinic. Moreso, during a pandemic when our community needs the assurance of efficient and safe medical care & resources being available.

We respectfully request that the County Council pursue every measure to keep Kaiser from closing and discontinuing the Gastrointestinal and Ambulatory Surgery Services on Maui. We further request that the Maui County Council expeditiously seek to urge the State of Hawaii to Conduct a Full Public Discussion Through the State's Certificate of Need Review Process to Explore the Consequences of Kaiser Permanente's Proposed Plans to Close the Gastrointestinal and Ambulatory Surgery Services at Wailuku Clinic.

Please feel free to contact us by email: kulagleni@yahoo.com or 808-357-5950. Mahalo for your favorable and expeditious response to this matter.

Respectfully Submitted,

Glen & Leni English

39 Kauilaaha Place
Kula, HI 96790

Cc: Maui County Clerk & Council Members &

County Clerk

From: Sannah & Ed <ny2maui91@yahoo.com>
Sent: Thursday, October 22, 2020 6:41 PM
To: County Clerk
Subject: Resolution 20-528

RECEIVED

2020 OCT 23 AM 7:44

OFFICE OF THE
COUNTY CLERK

I support county communication 20-528 urging the state of Hawaii to conduct a full public discussion through the state's certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the gastroenterology and ambulatory surgery services at the Wailuku Clinic. Time is of the essence please pass this resolution on the floor 10/23/2020.

The situation is, we have only one hospital on Maui, and frequently Maui Memorial fills up, and the patients are backed up in the ER. When this happens, it means that there are no hospital beds available, so all elective procedures are canceled. This would include all colonoscopies, endoscopies, and elective surgeries. If something were to happen during the procedure, and the patient required a hospital bed, and there wasn't one available, that would be negligent.

What happens if there is another Covid cluster at MHS? When this happened, they canceled all elective procedures, as stated above. We have a backlog of over 500 patients. We find colon cancer all the time. Would you want to wait?

Kaiser needs to invest in Maui. Kaiser purchased the Wailuku Clinic in 2018 and has promised to renovate. They have once again canceled their plans to renovate the clinic. We need to keep the Gastroenterology department and the Ambulatory Surgery Center open. Enough is enough.

Mahalo Nui Loa,
Susannah Evangelista RN
Gastroenterology

County Clerk

From: Brianna Everett <hanagirl143@gmail.com>
Sent: Wednesday, October 21, 2020 9:14 PM
To: County Clerk
Subject: In support of County Communication No. 20-528

RECEIVED
2020 OCT 22 PM 9:04

Aloha,

I am writing in support of the county communication 20-528 urging the state of Hawaii to conduct a full public discussion through the states certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the gastroenterology and ambulatory surgery center at the Wailuku Clinic. Time is of the essence, so on 10/23/20, please pass this resolution on the floor.

I was born and raised on Maui and I am currently a registered nurse at the Kaiser Wailuku ambulatory surgery center. I am not only concerned about my job (and my coworkers) but I am concerned about how this will affect our patients, and the entire community! I really think that Maui needs more access to medical services, not less! It is imperative that the correct certificate of need process is followed. The community of Maui should be involved and given the opportunity to voice their opinions, and ask questions regarding these proposed changes.

I ask that you please pass resolution No. 20-528.

Sincerely,
Brianna Everett

County Clerk

From: Crisanta Fillazar <cfillazar@twc.com>
Sent: Thursday, October 22, 2020 9:44 PM
To: County Clerk; Alice L. Lee; Keani N. Rawlins; Tasha A. Kama; Biki Hokama; Kelly Kong; Yukilei Sugimura; Mike J. Molina; Shane M. Sinenci; Tamara A. Paltin
Subject: Subject: Testimony of Support - 10.23 Council Agenda - CC No. 20-528

RECEIVED

2020 OCT 23 PM 3:45

OFFICE OF THE
COUNTY CLERK

I support county communication 20-528 urging the state of Hawaii to conduct a full public discussion through the states certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the gastroenterology (GI) and ambulatory surgery services (ASC) at the Wailuku Clinic. Time is of the essence please pass this resolution on the floor 10/23/2020.

I am a registered nurse at Wailuku Clinic for the past 2 years. I worked at the hospital in Labor and Delivery for 12 years. I know how unsafely short staff the hospital is. The hospital does not have the staff to support all the procedures that are currently being done at GI and ASC departments.

There is a domino affect should GI and ASC service be outsourced to the hospital. Kaiser members will have to "fight" for surgery or procedure slots against non-Kaiser (HMSA, UHA) members at the hospital. This delay in care will affect everyone on this island.

Thank you for your time,

Crisanta Fillazar, RN

County Clerk

From: Amy Fonarow <afonarow@yahoo.com>
Sent: Thursday, October 22, 2020 6:36 PM
To: County Clerk; Mike J. Molina
Subject: Mahalo for Voting Against the Lihau'ula Development Proposal

RECEIVED

2020 OCT 23 AM 7:44

OFFICE OF THE
COUNTY CLERK

Dear Councilmember Molina,

Thank you for understanding that building directly across the road from Maui's largest coral reef is not a wise decision, and that doing so would have negative effects on the health of Olowalu Reef as well as the reefs that Maui's "Mother Reef" seeds along West Maui, Lanai, and Molokai.

Living, thriving coral reefs produce our surf breaks, food and shelter for marine animals, speed bumps for wave energy and weather events hitting the shoreline, and - for many people - income. No one is stoked to visit a dead reef.

In fact, I recommend that we preserve the land mauka of Olowalu as conservation land, never to be developed. Can we make that happen? (If I can help, please let me know how.)

I realize that true affordable housing is needed on Maui, and I request that such building occur near existing infrastructure, full-service grocery stores, and roads, not to mention bus stops that can be reached on foot easily by residents of all ages and abilities, including our kupuna.

Thank you again for saying no to this particular development project in this particular place: Lihau'ula.

Mālama pono, and have a beautiful day.

Sincerely,

Amy Fonarow

~~~~~

Amy Fonarow  
Writing • Editing • Video Production  
[afonarow.wixsite.com/settingthingswrite](http://afonarow.wixsite.com/settingthingswrite)  
808.838.9527

## County Clerk

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**From:** Joann Garcia <joanngarcia@hawaii.rr.com>  
**Sent:** Thursday, October 22, 2020 7:11 PM  
**To:** County Clerk

RECEIVED

2020 OCT 23 AM 7:44

OFFICE OF THE  
COUNTY CLERK

To whom it may concern,

I support county communication 20-528 urging the state of Hawaii to conduct a full public discussion through the states certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the gastroenterology and ambulatory surgery services at the Wailuku Clinic. Time is of the essence, so on 10/23/20, please pass this resolution on the floor.

Thank you,  
Joann Garcia

Sent from my iPad

## County Clerk

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**From:** Ari Halperin <ari.halp@gmail.com>  
**Sent:** Friday, October 23, 2020 7:37 AM  
**To:** Mike J. Molina; County Clerk  
**Subject:** Olowalu Testimony

RECEIVED

2020 OCT 23 AM 7:47

OFFICE OF THE  
COUNTY CLERK

Aloha Mike,

I want to start by thanking you for denying the Lihau'ula Development in Committee and for your continued support of affordable housing that addresses all the community needs through regenerative and smart growth principles.

I've been a Hawaiian resident for over 5 years now, and Olowalu reef is one of my favorite places to visit on Maui for the following reasons:

- Olowalu is critical habitat to the largest known manta ray population in the United States with over 550 unique individuals identified
- Olowalu is the only reef on Maui that has 50 – 90% coral cover and accessible to everyone, directly from the shoreline

I am counting on you again today, this Friday, October 23rd, to deny this project as the deciding vote to protect the Olowalu Reef.

Mahalo in advance,  
A concerned citizen,  
Ari Halperin

--

Ari Halperin  
Cell - (301)814-1954

## County Clerk

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**From:** sandra harris <sandralharris808@icloud.com>  
**Sent:** Thursday, October 22, 2020 9:05 PM  
**To:** Shane M. Sinenci; Tamara A. Paltin  
**Cc:** County Clerk  
**Subject:** Testimony of Support - 10.23 Council Agenda - CC No. 20-528

Pass the proposed resolution in CC No. 20-528 on the Floor on Friday, 10/23/2020

"I support county communication 20-528 urging the state of Hawaii to conduct a full public discussion through the states certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the gastroenterology and ambulatory surgery services at the Wailuku Clinic. Time is of the essence please pass this resolution on the floor 10/23/2020.

Sent from my iPhone

RECEIVED  
2020 OCT 23 AM 7:45  
OFFICE OF THE  
COUNTY CLERK

RECEIVED

Mikahala Helm  
2493 Vineyard Street  
Wailuku, HI 96793

2020 OCT 20 PM 2:45

OFFICE OF THE  
COUNTY CLERK

October 20, 2020

Aloha,

I am writing to request your kōkua and support for county communication 20-258 urging the State of Hawai'i to conduct a full public discussion through the state's certificate of need process to explore the consequences of Kaiser Permanente's proposed plans to close the gastroenterology and ambulatory surgery services at the Wailuku Clinic. Time is of the essence, so on 10/23/20, please pass this resolution on the floor.

Your support will help to address this serious health provision problem facing the Maui Nui Community & those who visit our shores.

Mahalo nui,

Mikahala Helm



## County Clerk

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**From:** Julian Henao <julian.henao.n@gmail.com>  
**Sent:** Thursday, October 22, 2020 7:55 PM  
**To:** Mike J. Molina; County Clerk  
**Subject:** Olowalu Reef- Thank you for your kind support

RECEIVED  
2020 OCT 23 AM 7:45

OFFICE OF THE  
COUNTY CLERK

Dear Mr. Molina,

I wanted to thank you for putting forth your efforts to protect the Olowalu Reef. I hope we are able to protect this important reef for the manta rays and the endless species that depend on this fragile ecosystem.

The development of this high-density housing project along with its septic infrastructure will undoubtedly have a detrimental effect on the Olowalu Reef and our broader ocean.

I hope you are able to support this cause and I wanted to let you know that I, and many others, stand beside you in support as well. We need to protect our oceans and you are fighting for what is right. You have my full respect and support.

Thank you,  
Julian Henao

## County Clerk

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**From:** virginia hertz <mauiginn@gmail.com>  
**Sent:** Thursday, October 22, 2020 12:20 AM  
**To:** County Clerk

RECEIVED  
2020 OCT 22 AM 3:04

Maui County Council

OFFICE OF THE  
COUNTY CLERK

I support county communication 20-528 urging the state of Hawaii to conduct a full public discussion through the states certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the gastroenterology and ambulatory surgery services at the Wailuku Clinic. Time is of the essence please pass this resolution on the floor 10/23/2020.

We need more access, not less! The closure of these units will have a huge negative impact on health care in Maui.

Virginia Hertz



**JULIE (Juliana) M. HIGA**  
**187 ALOHI PLACE**  
**PUKALANI, MAUI, HAWAII, USA 96768**  
**MOBILE: (808) 264-2765**  
**Email: mauiplanner@gmail.com**

October 20, 2020

**TO:** Honorable County Council Chair Alice Lee  
Honorable County Council Vice Chair Keani Rawlins-Fernandez  
Honorable County Council Member Tasha Kam  
Honorable County Council Member Riki Hokama  
Honorable County Council Member Kelly King  
Honorable County Council Member Yuki Lei Sugimura  
Honorable County Council Member Mike Molina  
Honorable County Council Member Shane Sinenci  
Honorable County Council Member Tamara Paltin  
Kathy Kaohu, Maui County Clerk

**FROM:** Julie (Juliana) M. Higa, Member of Kaiser Permanente Health Care System

**SUBJECT: In Support of County Council Communication No. 20-528 on Page 5 of the Council Agenda**

As a member of Kaiser Permanente Health Care System (Kaiser), I am in support of County Council Communication No. 20-528 in urging the State of Hawaii to conduct a full public discussion through the State's Certificate of Need review process to explore the consequences of Kaiser Permanente's proposed plans to close the Gastroenterology and ambulatory surgery services at the Wailuku Clinic. In addition, I would like the County Council to amend this Resolution to request the State of Hawaii to investigate the Maui Health System's 10-Year contract on whether there is a conflict of interest between Kaiser Permanente and its subsidiary, Maui Health Systems in the management and operations of facilities and the provision of services and employment in Maui County and whether or not they have adhered to their verbal commitments upon entering into contract with the State to provide these services and employment for the people of Maui County.

I am appalled and afraid (as many of other Kaiser patients have told me) of the decision that Kaiser made in regards to closing their surgery services at Wailuku Clinic. I was told by various State and Federal agencies I contacted, upon my complaints about Maui Health System's management and operation of the Kula Hospital, that Kaiser and Maui Health System were separate entities. In which case, my question among many, is whether Kaiser Permanente, in trying to save money, will be paying a fair rental price

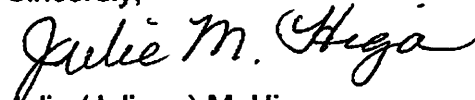
**JULIE (Juliana) M. HIGA**  
**187 ALOHI PLACE**  
**PUKALANI, MAUI, HAWAII, USA 96768**  
**MOBILE: (808) 264-2765**  
**Email: mauiplanner@gmail.com**

for the space they will be using at the MMMC Surgery Center and whether or not other private medical groups were given the opportunity to use MMMC's Surgery Center? Is the State of Hawaii Health Department and the Certificate of Need standards and requirements being met by MMMC in use of their facilities by a "third" party, and whether or not the MMMC services to the community at large are being compromised? Does Kaiser and Maui Health System qualify for a non-profit status when they seem to be operating more as a for-profit organization by cutting corners in quality of care, supplies, staffing, facilities, and treatment of its staff. In addition to the Certificate of Need, the State Legislature should also be evaluating and investigating Kaiser and Maui Health System's contract in operating and managing the State's facilities in Maui County and on Oahu as well as the conflicts of interest and the quality of care and support for local employees.

About a month ago, I was a patient at the Kaiser Wailuku Surgery Center and received excellent care and services from the staff there. In less than two weeks after the diagnosis, they were able to schedule me for surgery. Will that be possible in the future if the Kaiser facility is moved to the hospital? I was glad that the surgery could be done at the Kaiser Wailuku Clinic instead of the MMMC, especially with this pandemic and the COVID-19 cases that occurred at the hospital. I doubt very much that my surgery could have been scheduled so quickly if it were at the hospital...competing scheduling with other non-Kaiser patients. I have been a Kaiser member for about twenty-plus years and seen the decline in services over the years so the closing of the surgery center is very disconcerting!!

If you have any questions, please call, text or email me. Thank you for your support in passing Maui County Resolution No. CC20-528.

Sincerely,



Julie (Juliana) M. Higa

cc: Honorable Mayor Mike Victorino  
Honorable Representative Kyle Yamashita  
Honorable Senator Kalani English

---

**From:** Carol Holland <chrosetta@hotmail.com>  
**Sent:** Wednesday, October 21, 2020 2:21 PM  
**To:** Mike J. Molina; County Clerk  
**Subject:** Protect Olowalu

RECEIVED  
2020 OCT 21 PM 3:04

OFFICE OF THE  
COUNTY CLERK

Thank you for all the work you have done and continue to do. I urge you to vote to protect Olowalu from overdevelopment as we are learning and continue to learn our ecosystems are threatened and we are in danger of losing treasured resources. Please continue to vote NO on high density housing and septic systems. We cannot keep up this unmitigated development and destruction of our resources.

Thank you  
Carol Holland

Carol H Holland, M.Sc. Oceanography, M.A Secondary Education

"Go confidently in the direction of your dreams. Live the life you have imagined." -Henry David Thoreau

## County Clerk

---

**From:** maui-gov@kingdomofthehawaiianislands.com  
**Sent:** Sunday, October 18, 2020 9:59 PM  
**To:** Scott.fretz@hawaii.com; lance.k.desilva@hawaii.gov; aloha@windwardaviation.com  
**Cc:** County Clerk; atftips@atf.gov; college@peta.org; hawaiiag@hawaii.gov  
**Subject:** Hunters (Tenants) in KOOLAU, HANAWI, KAHIKINUI FORESTS

Aloha,

This email shall serve as a second and final notification that there will be groups of hunters in the Koolau, Hanawi and Kahikinui forest tomorrow - Monday October 19th, 2020. Various parties of hunters and legal observers will be positioned in each of these forest reserves for subsistence gathering purposes and to document the any human rights violations and war crimes by the State of Hawaii, in their attempts to conduct aerial eradications of subsistence resources (wild animals) that belong to the People and Chiefs. Please note that if any hunters are harmed in tomorrow's eradication - the State of Hawaii DLNR, specifically Windward Aviation, Lance K. Desilva and Scott Fretz will be held liable for the damages to human life and habitation. Stop creating desertification of our watershed by removing hoofed animals. State of Hawaii conservation works to epistemologically and physically remove us from the 'aina and we will no longer tolerate these threats by the DLNR to steal our identity and community sustenance. The Department of Land and Natural Resources and their belligerent aerial eradications are putting our Native and Non-Native Tenants in danger and creating predicaments of starvation. The DLNR is ordered to cease and desist its planned aerial eradications on October 19th, October 30th, November 13th, November 20th, December 4th, December 11th and December 18th. We have coordinated hunters to be in the Koolau, Hanawi and Kahikinui forest on these dates.

Napua Hueu, Governor of Maui Office  
Maui-Gov@KingdomoftheHawaiianIslands.com

RECEIVED  
2020 OCT 19 AM 7:49  
OFFICE OF THE  
COUNTY CLERK

## County Clerk

---

**From:** Nichole J. <ndnorth@gmail.com>  
**Sent:** Wednesday, October 21, 2020 12:53 PM  
**To:** County Clerk  
**Subject:** Kaiser Closure

RECEIVED

2020 OCT 21 PM 1:32

OFFICE OF THE  
COUNTY CLERK

I support county communication 20-528 and would strongly urge the state of Hawaii to conduct a full public discussion. With the states certificate of need to review the process to explore the consequences of Kaiser Permanente's proposed plans. The closure of the gastroenterology and ambulatory surgery services at the Wailuku Clinic would greatly impact the members and patients of Maui.

Thank you,  
Nichole Johnson

## County Clerk

---

**From:** Addie Jones <addiejones1122@gmail.com>  
**Sent:** Thursday, October 22, 2020 8:33 PM  
**To:** County Clerk; Alice L. Lee; Keani N. Rawlins; Tasha A. Kama; Riki Hokama; Kelly King; Yukilei Sugimura; Mike J. Molina; Shane M. Sinenci; Tamara A. Paltin  
**Subject:** To whom it may concern

I support county communication 20-528 urging the state of Hawaii to conduct a full public discussion through the states certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the gastroenterology and ambulatory surgery services at the Wailuku Clinic. Time is of the essence please pass this resolution on the floor 10/23/2020.

Thank you

Addie Jones LPN

General surgery department

Sent from my iPhone

## County Clerk

---

**From:** elv8rgrl@gmail.com  
**Sent:** Wednesday, October 21, 2020 7:31 AM  
**To:** County Clerk  
**Subject:** Olowalu Reef

SAVE THE REEF  
NO CONSTRUCTION

Patty Jones  
(925) 405-7493

RECEIVED

2020 OCT 21 AM 7:56

OFFICE OF THE  
COUNTY CLERK

## County Clerk

---

**From:** Michele Katsutani <mkatsuta@hawaii.edu>  
**Sent:** Wednesday, October 21, 2020 1:13 PM  
**To:** County Clerk  
**Subject:** County Communication 20-528

RECEIVED

2020 OCT 21 PM 1:33

OFFICE OF THE  
COUNTY CLERK

Aloha,

I support county communication 20-528 urging the state of Hawaii to conduct a full public discussion through the states certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the gastroenterology and ambulatory surgery services at the Wailuku Clinic. Time is of the essence, so on 10/23/20, please pass this resolution on the floor.

Mahalo,

Michele A. Katsutan

Maui Resident



## County Clerk

---

**From:** Emery Kaya <kiheigirl55@yahoo.com>  
**Sent:** Tuesday, October 20, 2020 12:34 PM  
**To:** County Clerk  
**Cc:** Alice L. Lee; Keani N. Rawlins; Tasha A. Kama; Riki Hokama; Kelly King; Yukilei Sugimura; Mike J. Molina; Shane M. Sinenci; Tamara A. Paltin  
**Subject:** Resolution 20-528

I support county communication 20-528 urging the state of Hawaii to conduct a full public discussion through the states certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the gastroenterology and ambulatory surgery services at the Wailuku Clinic. Time is of the essence, so on 10/23/20, please pass this resolution on the floor.

Aloha,  
Emery Kaya,RN  
Born and raised on Maui

RECEIVED  
2020 OCT 20 PM 12:42  
OFFICE OF THE  
COUNTY CLERK

## County Clerk

---

**From:** Kalele Kekauoha-Schultz <kekauoha.schultz@gmail.com>  
**Sent:** Wednesday, October 21, 2020 8:43 PM  
**To:** Mike J. Molina; County Clerk  
**Subject:** Protect Olowalu

RECEIVED

2020 OCT 22 AM 9:04

OFFICE OF THE  
COUNTY CLERK

Just do the right thing. "The time is now Let us be the ancestor that our descendants will thank." Winona LaDuke.

This is easy. You won't regret it. As a school counselor and servant to our community, I have no more words or energy to convince you that our 'āina and kai deserves care and protection from continued misuse, abuse, and pollution from development. If you do it get it, I just can't right now. But I will continue to sweat and bleed for the next generation so we at least leave them something worth fighting for. I hope to thank you Mike Mōlina.

Sincerely,  
Kaleleonalani Kekauoha-Schultz  
Sent from my iPhone

## County Clerk

---

**From:** Larry Kihne <kihne@msn.com>  
**Sent:** Thursday, October 22, 2020 8:42 AM  
**To:** County Clerk

As a long time scuba diver and snorkelers, I have always found Mauis reef a unique treasure.  
Please do all that is possible to protect this natural wonder

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RECEIVED  
2020 OCT 22 AM 10:20  
OFFICE OF THE  
COUNTY CLERK

## County Clerk

---

**From:** Sabrina K <skoyster@gmail.com>  
**Sent:** Wednesday, October 21, 2020 8:02 PM  
**To:** County Clerk  
**Subject:** Olowalu Reef Protection

Dear Sir,

Please use your position to do everything in your power to protect this vital reef from the high density housing plan and septic tank impact under proposal at this time. Your consistent resolve will be protecting the ability for the Olowalu marine area to survive. Thank you for your efforts to deny the Liuala'ula development thus far.

Respectfully, Sabrina Kihne

RECEIVED  
2020 OCT 22 AM 8:03  
OFFICE OF THE  
COUNTY CLERK

## County Clerk

---

**From:** Ellen Levinsky <ellenfeatherart@mac.com>  
**Sent:** Thursday, October 22, 2020 9:11 PM  
**To:** County Clerk  
**Subject:** communication No. 20-528 , friday council agenda

RECEIVED

2020 OCT 23 AM 7:45

OFFICE OF THE  
COUNTY CLERK

AlohaCounty Clerk-

This is in support of County Communication No. 20-528 on Page 5 of the Council Agenda. Please include my testimony at fridays council meeting. Mahalo

My name is Ellen Levinsky, I've lived on Maui 41 years, 35 years in Lahaina. I am concerned about Kaiser Permanente's proposed plans to close the Gastrointestinal and Ambulatory Surgery Services at Wailuku Clinic. I read about this in last week's Maui News and thought it was wrong to reduce medical functions and staff on Maui where we currently do not have enough doctors, nurses, and medical specialists for our increasing population of residents, seniors, and visitors. I just had a colonoscopy at Kaiser Wailuku wednesday October 21, 2020, all of the staff were very professional, and kind to me which helped me stay relaxed in a stressful situation; the preparation the day before having a colonoscopy is very difficult. After commenting to a nurse on the article I had read I was told about this item being on the council's friday agenda. It doesn't make any sense to have Maui Memorial Hospital be the only location on maui to have Gastrointestinal and Ambulatory Surgery Services-what if there's another cluster of Covid-19 at the hospital? Then there is no place for any gastro to be done and the huge backlog of patients would have to wait even longer for their important medical procedures to be done. And how many of the dedicated staff will be fired? In this year of an international health crisis it seems dysfunctional to reduce medical services and staff. I support the proposed resolution that would urge the State of Hawaii to conduct a full public discussion through the State's Certificate of Need Review Process to explore the consequences of Kaiser Permanente's proposed plans to close the Gastrointestinal and Ambulatory Surgery Services at Wailuku Clinic. Please act quickly and pass the proposed resolute in CC No. 20-528 on the floor Friday 10/23/20. I am sorry I didn't send this to you sooner but as I said I had a colonoscopy 2 days ago and the preparation for it the days before it I was focused on my health. Thank-you for taking the time to read and consider my testimony. Stay safe, Aloha, Ellen Levinsky

---

**From:** Ines Levy <ineslevy@mail.com>  
**Sent:** Thursday, October 22, 2020 9:37 AM  
**To:** Mike J. Molina  
**Cc:** County Clerk  
**Subject:** Let's protect the Olowalu Reef!

Dear Mr. Molina,

Thank you for denying the Lihau'ula Development in Committee and for your continued support of affordable housing that addresses all the community needs through regenerative and smart growth principles.

We are counting on you, again, this Friday, October 23rd, to deny this project as the deciding vote to protect the Olowalu Reef.

We, Mother Nature and the wildlife- THANK YOU!

Yours Sincerely,  
Ines Levy

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2020 OCT 22 3 10:40  
OFFICE OF THE  
COUNTY CLERK

## County Clerk

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**From:** Ruby Littao <rlittao@yahoo.com>  
**Sent:** Tuesday, October 20, 2020 4:56 AM  
**To:** County Clerk  
**Subject:** Resolutions

RECEIVED

2020 OCT 20 AM 7:50

OFFICE OF THE  
COUNTY CLERK

I support county communication 20-528 urging the state of Hawaii to conduct a full public discussion through the states certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the gastroenterology and ambulatory surgery services at the Wailuku Clinic. Time is of the essence please pass this resolution on the floor 10/23/2020

Thank you

Ruby Littao- Kaiser Member

Sent from my iPhone

## County Clerk

---

**From:** Loren Malenchek <loren@hawaii.rr.com>  
**Sent:** Monday, October 19, 2020 10:00 AM  
**To:** County Clerk  
**Subject:** Affordable Housing Committee - TESTIMONY for September 23, 2020 meeting

Aloha kakou

I vehemently urge Maui County Council's Affordable Housing Committee to deny approval of the proposed 201-H housing development in Olowalu for the following reasons:

- inadequate infrastructure, walkability, and access to schools, markets, medical facilities & workplaces
- fire prone area, places residents at risk.
- the state of Hawaii hasn't identified the location of the realignment of Honoapi'ilani. This housing project site is one of the proposed routes.
- runoff from this development could severely impact Maui's "mother reef"
- this area has significant cultural history that needs proper review and protection
- this project is UNAFFORDABLE

**Please do not approve this development.**

Mahalo  
Loren

Loren Malenchek  
Malenchek Media  
808-283-7122  
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2020 OCT 19 AM 10:24  
OFFICE OF THE  
COUNTY CLERK

*Confidentiality: The content of this message is intended only for its recipients and should not be forwarded or shared.*



## County Clerk

---

**From:** Jane Moorhead <jane\_moorhead@mac.com>  
**Sent:** Wednesday, October 21, 2020 3:55 AM  
**To:** Mike J. Molina; County Clerk  
**Subject:** Protecting Olowalu

Olowalu reef is a unique Maui treasure. With reefs under threat all over the islands, Olowalu remains one of the most accessible, diverse and fragile. Its accessibility allows both snorkelers and divers to experience it's wonders, diving with black-tipped reef sharks, green sea turtles and an astonishing array of flora and fauna. While the closure of the islands has been an economic hardship, it has helped us realize that we can live more lightly on the land and sea, allowing the natural environment to heal.

It must be protected from the damage of pollution and sediment from development. I want to thank you for denying the Lihau'ula development in Committee and standing by your decision in the Full Council Vote on Friday.

Jane Moorhead  
Kihei  
(925)980-9889

RECEIVED  
2020 OCT 21 AM 7:56  
OFFICE OF THE  
COUNTY CLERK

## County Clerk

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**From:** Melanie Nakoa <melnakoa@gmail.com>  
**Sent:** Friday, October 23, 2020 5:16 AM  
**To:** County Clerk

RECEIVED

2020 OCT 23 AM 7:47

I support county communication 20-528 urging the state of Hawaii to conduct a full public discussion through the states certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the gastroenterology and ambulatory surgery services at the Wailuku Clinic. Time is of th

## County Clerk

---

**From:** Off da Grid <futureoffgrid@gmail.com>  
**Sent:** Friday, October 16, 2020 6:07 PM  
**To:** County Clerk  
**Subject:** Oppose lihauala

I do not support Destruction of oluwalus ecosystem just to add fake affordable housing stop Lihauula.

RECEIVED  
2020 OCT 19 AM 10:30  
OFFICE OF THE  
COUNTY CLERK

## County Clerk

---

**From:** papio29@hawaii.rr.com  
**Sent:** Tuesday, October 20, 2020 6:36 AM  
**To:** County Clerk  
**Subject:** Resolution 20-528

RECEIVED

2020 OCT 20 AM 7:50

OFFICE OF THE  
COUNTY CLERK

Aloha,

I am writing to you to ask for your support of Resolution number 20-528. As a Kaiser member I am concerned about the closure of services at the Wailuku Clinic. The closure would impact all of Maui County by directing all patients to Maui Memorial Medical Center. This congestion will cause longer wait times as the hospital is not expanding its surgery center. Please support this resolution that urges the State of Hawaii and State Department of Health to conduct a full and public discussion through the State's certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the gastrointesetinal and ambulatory surgery services at the Wailuku Clinic.

Mahalo,

'Analu T. Okimoto

Wailuku

## County Clerk

---

**From:** Joanne Okita <jo.okita7@gmail.com>  
**Sent:** Wednesday, October 21, 2020 9:10 PM  
**To:** County Clerk  
**Cc:** Alice L. Lee; Keani N. Rawlins; Tasha A. Kama; Riki Hokama; Kelly King; Yukilei Sugimura; Mike J. Molina; Shane M. Sinenci; Tamara A. Paltin  
**Subject:** Testimony No. 20-528

RECEIVED

2020 OCT 22 PM 9:04

OFFICE OF THE  
COUNTY CLERK

Dear Maui Council Members,

I support county communication 20-528 urging the state of Hawaii to conduct a full public discussion through the states certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the gastroenterology and ambulatory surgery services at the Wailuku Clinic. Time is of the essence, so on 10/23/20, please pass this resolution on the floor.

I am a registered nurse at Wailuku Ambulatory Surgery Center. I have been working there for 12 years. I am very concerned about the decision to close the departments stated above not only for myself but also for kaiser patients. Decreasing access to patient care during a time of Covid 19 is outrageous. Please act quickly and pass this proposed resolution.

Thank you,  
Joanne Okita

## County Clerk

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**From:** Heather Pilliod <hpilliod@yahoo.com>  
**Sent:** Thursday, October 22, 2020 7:41 PM  
**To:** County Clerk  
**Subject:** Testimony of Support-10.23 Council Agenda- CC No. 20-528

RECEIVED

2020 OCT 23 AM 7:44

OFFICE OF THE  
COUNTY CLERK

Aloha,

I just wanted to reach out to you before your council meeting tomorrow to let you know that I support the County Communication 20-528 on page 5 of the Council Agenda. This communication urges the state of Hawaii to conduct a full public discussion through the state's certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the gastroenterology and ambulatory surgery services at the Wailuku Clinic. Time is of the essence, so on 10/23/20, I ask that you please pass this resolution on the floor. I am frustrated and saddened to hear that we could possibly lose valuable services to our community, especially during a pandemic, if Kaiser decides to close the above services at the Wailuku clinic. Thank you for your time, consideration, and your service to our beautiful island.

Sincerely,  
Heather Pilliod, RN, BSN

•

## County Clerk

---

**From:** Catherine Rapozo <helavah@icloud.com>  
**Sent:** Thursday, October 22, 2020 9:05 PM  
**To:** County Clerk  
**Subject:** Subject: Testimony of Support - 10.23 Council Agenda - CC No. 20-528

Aloha Maui County Clerks office:

"I support county communication 20-528 urging the state of Hawaii to conduct a full public discussion through the states certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the gastroenterology and ambulatory surgery services at the Wailuku Clinic. Time is of the essence please pass this resolution on the floor 10/23/2020."

Sincerely,  
Ms. Catherine Lahela Rapozo  
Local 5 member  
Kaiser employee  
Originally from Upcountry Maui  
Sent from my iPhone

RECEIVED  
2020 OCT 23 AM 7:45  
OFFICE OF THE  
COUNTY CLERK

## County Clerk

---

**From:** Tamara A. Paltin  
**Sent:** Thursday, October 22, 2020 9:26 PM  
**To:** County Clerk  
**Subject:** Fwd: Testimony of Support - 10.23 Council Agenda - CC No. 20-528

RECEIVED

2020 OCT 23 AM 7:45

OFFICE OF THE  
COUNTY CLERK

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**From:** Lahela Rapozo <helavah@gmail.com>  
**Sent:** Thursday, October 22, 2020 9:24:58 PM  
**To:** Tamara A. Paltin <Tamara.Paltin@mauicounty.us>  
**Subject:** Testimony of Support - 10.23 Council Agenda - CC No. 20-528

Aloha Maui councilwoman Paltin,

I support county communication 20-528 urging the state of Hawaii to conduct a full public discussion through the states certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the gastroenterology and ambulatory surgery services at the Wailuku Clinic. Time is of the essence please pass this resolution on the floor 10/23/2020."

Maui CANNOT afford to lose these resources. With the growing population and already limited providers and access to many services, this would put many of our people in danger and risk their safety, well being and health.

Please pass this resolution.

Sincerely,  
Ms. Catherine Lahela Rapozo  
Originally from Upcountry Maui  
Kaiser employee  
Local 5 member

Sent from my iPhone



## County Clerk

---

**From:** Kristina Rau <blackfish85@gmail.com>  
**Sent:** Wednesday, October 21, 2020 11:58 AM  
**To:** Mike J. Molina; County Clerk  
**Subject:** Say NO to Lihau'ula!

RECEIVED

2020 OCT 21 PM 12:38

OFFICE OF THE  
COUNTY CLERK

Please continue to vote NO on the Lihau'ula housing project! Oluwalu is more important than a false low income housing project that will aid in the destruction of our mother reef!

Many Mahalos

## County Clerk

---

**From:** Kathy Reynolds <kreynold13@yahoo.com>  
**Sent:** Wednesday, October 21, 2020 5:17 AM  
**To:** Mike J. Molina  
**Cc:** County Clerk  
**Subject:** Olowalu Reef

RECEIVED

2020 OCT 21 AM 7:56

OFFICE OF THE  
COUNTY CLERK

Aloha,

Olowalu reef is a unique Maui treasure. With reefs under threat all over the islands, Olowalu remains one of the most accessible, diverse and fragile. Its accessibility allows beachgoers, families, paddle boarders, kayakers, snorkelers and divers to experience it's wonders, diving with black-tipped reef sharks, green sea turtles and an astonishing array of flora and fauna. While the closure of the islands has been an economic hardship, it has helped us realize that we can live more lightly on the land and sea, allowing the natural environment to heal.

It must be protected from the damage of pollution and sediment from development.

I want to thank you for denying the Lihau'ula development in Committee and standing by your decision in the Full Council Vote on Friday.

Mahalo

Kathy Reynolds-Cuddihy

## County Clerk

**From:** Anne Rillero <anne@mauireefs.org>  
**Sent:** Thursday, October 22, 2020 9:11 PM  
**To:** Mike J. Molina; County Clerk  
**Cc:** Robin Newbold  
**Subject:** Mahalo for saying no to the Lihau'ula development and yes to protecting Olowalu reef

RECEIVED

2020 OCT 23 AM 7:45

OFFICE OF THE  
COUNTY CLERK

Dear Councilmember Molina,

I would like to thank you for your recent vote against the Lihau'ula development during the Affordable Housing Committee review of this project. With the Lihau'ula project coming up before the entire Council tomorrow, I humbly ask you to stand by your "no" vote and to vote against it again.

My husband and I, and the team at Maui Nui Marine Resource Council, are in favor of affordable workforce housing for Maui County. However, we feel strongly that Olowalu is not the right place for it. This development would result in 40+ septic systems being added to an area that's in close proximity to the coast and to Olowalu Reef, a one-thousand acre reef designated as a priority for protection in the Maui Coral Recovery Plan, a document created by some of Hawaii's most esteemed coral reef biologists. The reef has some of the oldest coral in the main Hawaiian Islands and acts as a coral nursery to replenish and populate the reefs of Maui, Moloka'i and Lana'i.

Developing Olowalu threatens the survival of this reef, which is already enduring the stresses of climate change. There are no municipal sewer lines to this area and so the Lihau'ula project would utilize "private wastewater treatment systems" (septic systems) for the 40 homes and 19 house lots. Septic systems do little to remove heavy concentrations of nitrogen and phosphorus, which leach through the soil and into the ocean, harming marine life and creating coral reef "dead zones" in nearshore waters.

Why add these stressors to Olowalu reef, when there are far more suitable locations for workplace and high-end housing where such housing can be clustered in and around an existing town, to provide easy access to essential services and stores – and to sewage treatment plants.

For all of the reasons cited above, please vote no on the proposed Lihau'ula development in Olowalu.

Mahalo for all the ways you've helped protect Maui's coral reefs and ocean water quality with your vote. Please continue to protect the reef with your vote tomorrow.

With much appreciation,

Anne



Anne Rillero  
Communications, Community Outreach and Development Manager  
Maui Nui Marine Resource Council  
[www.mauireefs.org](http://www.mauireefs.org)  
[anne@mauireefs.org](mailto:anne@mauireefs.org)  
(808) 707-1078



## County Clerk

**From:** Adrianna Rivera <radrianna84@gmail.com>  
**Sent:** Thursday, October 22, 2020 2:22 PM  
**To:** Alice L. Lee; Keani N. Rawlins; Tasha A. Kama; Riki Hokama; Kelly King; Mike J. Molina; Tamara A. Paltin; Shane M. Sinenci; Yukilei Sugimura; County Clerk  
**Subject:** Detrimental access to quality healthcare and accessibility.

RECEIVED

2020 OCT 22 PM 2:25

OFFICE OF THE  
COUNTY CLERK

Aloha mai,

My name is Adrianna Rivera. I am a medical assistant in the GI department at the Wailuku facility. I have been with Kaiser since 2011. I was born and raised on Maui.

I support county communication 20-528 urging the state of Hawaii to conduct a full public discussion through the states certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the Gastroenterology(GI) and Ambulatory Surgery Center(ASC) at the Wailuku Clinic. Time is of the essence, please pass this resolution on the floor 10/23/2020.

I would like to start by expressing my genuine concern for the people of Maui if this transition takes place. Right now, as it stands, our GI clinic is booked solid through the end of the year. Currently, our clinic uses two procedure rooms to perform endoscopies every day. We service around 8-10, sedated procedures daily. We do this, with two dedicated rooms for GI procedures. We also service our more high-risk patients several days a month in our ASC in the Wailuku clinic. On those ASC days, we have a dedicated room to perform procedures for our members.

For Kaiser members who need GI care, the access problem, I think, is already reaching a concerning level by way of wait time and physical capacity to treat patients. My fear is that if we move to the hospital and we share the existing space that is already there, from what I've heard, seeing maximum allowable amounts of patients; **How can our existing patients, who are waiting several months to see us already, be absorbed into the schedule at the hospital?**

I would really like to know if Kaiser's plan includes a dedicated space to GI procedures at the hospital. This is the only way we could possibly transition the existing schedule to the hospital without creating a critical access problem. Now, if this is not the case, then will Kaiser members and non-Kaiser members be fighting for the same spot? How will urgency of referrals be determined between Kaiser and non-Kaiser members if we are sharing procedure rooms? Also, will non-Kaiser members and quest members be at a disadvantage for their own health care if Kaiser patients have a dedicated procedure room? How can Kaiser guarantee health equity at the hospital? **I don't see how this would be fair and it seems like those who may be affected by health disparities and health differences could be at a greater disadvantage if this is the model Kaiser choses to follow. But at this point, we have no idea what their plans are for this transition.**

I am also really concerned for myself and my coworkers. On August 25<sup>th</sup>, a letter was leaked by the union discussing Kaiser's plan to cut the ASC and GI departments. It wasn't until the following week that our nursing supervisor and upper management came down to deliver the news that our departments were in fact being cut and that they have no other information to provide us at this time. **That's it. No timeline, no information, and no transparency.**

So here I am, 1 month later, and I still have absolutely no idea about my future with Kaiser. I am a single parent. I am 100% financially responsible for my two young children. Our livelihood depends on my employment. Currently, my insurance is very affordable through my position at Kaiser and my union contract. **So, If I lose that, I fear for the wellbeing of myself and my two kids. I don't know what's going to happen.**

But one thing I do know is what I want to get that public hearing. The type of hearing that I want, is one where I can find an ally to help stop what's happening. I truly believe that this transition will be bad for Maui. I want someone who will have my back and the backs of my coworkers. The type of public hearing I want, is a public hearing where we can fight this thing. I want a hearing where we can talk about saving our jobs and saving our departments and where we can continue to deliver meaningful and compassionate care and service to our community. The fact is whether I retain a position in Kaiser or not, Kaiser will greatly contribute to growing health access concerns on Maui, if they move the GI and ASC services to Maui Memorial Medical Center.

Mahalo nui for your consideration,

Adrianna Rivera

808-298-5323

[radrianna84@gmail.com](mailto:radrianna84@gmail.com)

**From:** Surain Romany <surain.romany@gmail.com>  
**Sent:** Wednesday, October 21, 2020 3:45 PM  
**To:** County Clerk  
**Subject:** Lihau'ula Development

RECEIVED  
2020 OCT 21 PM 3:45  
OFFICE OF THE  
COUNTY CLERK

Thank you for denying the Lihau'ula development in committee and for your continued support of adorable housing that addresses all community needs through regenerative and smart growth principles.



## County Clerk

---

**From:** Margaret Santos <margaretasantos@gmail.com>  
**Sent:** Monday, October 19, 2020 10:03 AM  
**To:** County Clerk  
**Subject:** Council of the County of Maui - TESTIMONY for October 23, 2020 meeting

Aloha,

I am a homeowner on Olowalu Village Road and urge the Maui County Council to **deny approval of the Lihau'ula workforce housing project in Olowalu.**

I believe this proposed housing project is inappropriate for many reasons as follows:

**More sprawl:** no nearby access to schools, markets, medical and workplaces adding more vehicles to an already bad traffic situation. . Two similar housing projects by the same developer (Peter Martin) were proposed last year (2019) in the Launiupoko area (closer to Lahaina) that were denied for very similar reasons.

**NO infrastructure:** issues include access to water - no public transportation. Also the State of Hawaii has yet to identify the location of the realignment of Honoapi'ilani Hwy - this proposed housing site is one of the proposed highway realignment routes under review.

**At Risk:** the area is a tinderbox prone to fires **putting residents & property at risk...** I personally have been evacuated several times due to fires. This development could put **Maui's Mother reef at risk** due to development runoff ... denigrating Maui's best near shore reef for generations to come.

**Cultural Significance:** the area has several cultural / historic sites (including petroglyphs) that need proper review and protection.

**Affordability?:** Is it really affordable for local families right now ?

I respectfully request your serious review of all aspects of this inappropriate development and **please deny this housing project!**

Sincerely,  
Margaret A. Santos

RECEIVED  
2020 OCT 19 AM 10:24  
OFFICE OF THE  
COUNTY CLERK

## County Clerk

---

**From:** Tamara Paltin <tampaltin@gmail.com>  
**Sent:** Sunday, October 18, 2020 8:15 PM  
**To:** County Clerk  
**Subject:** Fwd: Olowalu development

RECEIVED

2020 OCT 19 AM 7:49

OFFICE OF THE  
COUNTY CLERK

Sent from my iPhone

Begin forwarded message:

**From:** Gary Savage <kanalusavage@gmail.com>  
**Date:** September 23, 2020 at 12:40:23 PM HST  
**To:** tampaltin@gmail.com, tamara.paltin@mauicounty.us, ah.committee@mauicounty.us  
**Subject:** Olowalu development

Aloha kakou, Aloha no.

E hana no ke akua I ala.

I am happy to share my experience and knowledge of what happens with our reefs and how we can protect our beloved natural resources.

My name is Gary Savage I am a waterman and an amateur naturalist. I have been diving the reefs surrounding Maui nei for 50+ years.

I have first hand experience with the tragedy of what is happening to our beautiful coral reefs.

They are dying. There are multiple causes.  
Here are just a few.

Run off from development  
Warming ocean temperatures  
Over fishing  
Sewage...injection wells and the algae blooms from the Sewage water.  
Sun block .

I am strongly opposed to this development.  
One of the very last reefs that is surviving is by Olowalu.

Some of these corals are unique to this location.

All development without exception on Maui  
Has excessively damaged the living reefs.  
It's not complicated.  
I have seen it with my own eyes.

I remember the healthy reefs of our island from 50 years ago and what they look like today. It's shameful and devastating.



The very few reefs that are barely surviving are in protected areas or in patches away from developments.

The reefs near Olowalu Ahupua'a are such reefs.

No matter what science the developers offer us and their endless Promises that they will be sure runoff...and or Sewage treatment isn't going to be a problem for our reefs, our experience with this process has proven to us conclusively that our reefs die next to any development.

I have proof. I am happy to show you first hand. Come in the water with me and see this priceless reef by Olowalu and then I will show you the dead and dying reefs all around our Island and the obvious causes.

Mahalo kakou

Aloha no

Feel free to contact me

Gary G. Savage

1010 Front Street B104

Lahaina HI 96761

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

808 298 6183.

## County Clerk

---

**From:** Fay Somera <fay.v.somera@gmail.com>  
**Sent:** Thursday, October 22, 2020 7:47 PM  
**To:** County Clerk  
**Subject:** County Agenda

RECEIVED

2020 OCT 23 AM 7:44

OFFICE OF THE  
COUNTY CLERK

I support county communication 20-528 urging the state of Hawaii to conduct a full public discussion through the states certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the gastroenterology and ambulatory surgery services at the Wailuku Clinic.

## County Clerk

---

**From:** Amy Stephens <rainbowcountrymaui@gmail.com>  
**Sent:** Wednesday, October 21, 2020 11:59 PM  
**To:** Mike J. Molina; County Clerk  
**Subject:** Thank you in advance for denying the Lihau'ula development

RECEIVED

2020 OCT 22 AM 6:04

OFFICE OF THE COUNTY CLERK  
HONOLULU, HAWAII

Aloha Councilman Molina,

I want to thank you for your votes against the Lihau'ula development in Olowalu and voting to settle the injection well case. Because of your votes on these issues I have once again voted for you on the 11/3 ballot. I have also recommended to many, many others to support you on 11/3 precisely because of your votes on these controversial issues.

I have been diving and snorkeling in Olowalu for most of my life. It is a place that is unique and should be protected. Olowalu is an environmentally sensitive area, home to some of the most pristine and diverse reefs in the state and also lacks infrastructure that is imperative to any affordable housing projects.

Please make us proud of your decisions once again and prove that voting for you on 11/3 is the right choice. Please stand by your decision in the Full Council Vote on Friday.

Mahalo for your time and doing the right thing, Amy Stephens Napili

## County Clerk

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**From:** Maggie Sutrov <maggietsutrov@gmail.com>  
**Sent:** Wednesday, October 21, 2020 8:14 PM  
**To:** Mike J. Molina; County Clerk  
**Subject:** Protect the Oluwalu Reef

RECEIVED

2020 OCT 22 AM 9:04

OFFICE OF THE  
COUNTY CLERK

Dear Council Member Molina,

Thank you for denying the Lihau'ula development in Committee.

Please continue to deny the Lihau'ula development at Oluwalu and protect Maui's reef.

I agree that Maui needs more affordable housing, and I actually like the idea of Oluwalu being developed as a community where kama'aina can live. However, I believe that real research needs to be done to keep waste from seeping into the ocean and killing this coral reef. Maui has killed too much of its coral from runoff from septic systems. Maui County needs to change its own track record in protecting our coral reefs. Reefs protect against erosion, allow people to fish, and are one of the favorite attractions to tourists. I was born and raised on Maui, and I am also a scuba diver. The protection of ocean diversity is a beautiful asset to protect for the good of all of Maui. If the developers were to spearhead solutions to keep waste from affecting the reef, and to employ ocean research to monitor, protect, and mitigate so that the reef would be protected and even preserved for the residents of their community and Maui as a whole, I would be excited for this example of responsible development. I think it could even become an example for other islands and coastal areas. Until then, please vote no.

Here are some facts about how unique Oluwalu's coral reef is:

- 1) The only reef on Maui that is 50 – 90% coral cover and accessible to everyone, directly from the shoreline
- 2) Oldest living corals ever dated in the Main Hawaiian Islands
- 3) Best developed micro-atolls in the Hawaiian Islands, some 60 – 70 years old surviving in just inches of water
- 4) Home to some extremely rare corals (P. duerdeni, P. solida-pictured, P. cf. annae)
- 5) Incredibly diverse invertebrate fauna at wading depths (31 species of hard corals, 169 species of opisthobranchs, 19 species of sea cucumbers, 14 species of hermit crabs, 15 species of brittle stars, etc.)
- 6) blacktip reef shark nursery
- 7) The #1 priority reef in the Maui Nui Reef Recovery Plan
- 8) Mother reef that seeds coral larvae to West Maui, South Molokai and the North coast of Lanai
- 9) Critical habitat to the largest known manta ray population in the United States with over 550 unique individuals identified, a population isolated to the Maui Nui region
- 10) Designated a Sylvia Earl Mission Blue Hope Spot in 2017

## County Clerk

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**From:** nicole suzuki <nsuzuki96734@gmail.com>  
**Sent:** Thursday, October 22, 2020 10:03 PM  
**To:** County Clerk  
**Subject:** Testimony of Support - 10.23 Council Agenda - CC No. 20-528

RECEIVED

2020 OCT 23 AM 7:45

OFFICE OF THE  
COUNTY CLERK

Aloha County Clerk,

As a Maui resident, employee and patient of Kaiser Permanente, I support county communication 20-528 urging the state of Hawaii to conduct a full public discussion through the states certificate of need review process. We need to explore the consequences of their proposed plans to close their only Gastroenterology and Ambulatory Services here on Maui. There is a need for timely completion, please pass this resolution on the floor 10/23/2020.

Mahalo Piha,  
Nicole Nāpuaonālani Suzuki  
Kīhei, Maui

Sent from my iPhone

## County Clerk

---

**From:** shirley.teano <shirley.teano@yahoo.com>  
**Sent:** Friday, October 23, 2020 1:15 AM  
**To:** County Clerk

RECEIVED

2020 OCT 23 AM 7:47

OFFICE OF THE  
COUNTY CLERK

"I support county communication 20-528 urging the state of Hawaii to conduct a full public discussion through the states certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the gastroenterology and ambulatory surgery services at the Wailuku Clinic. Time is of the essence please pass this resolution on the floor 10/23/2020."

Sent from my T-Mobile 4G LTE Device

## County Clerk

---

**From:** Deena Toma <deena.toma@gmail.com>  
**Sent:** Thursday, October 22, 2020 10:57 AM  
**To:** County Clerk; Alice L. Lee; Keani N. Rawlins; Tasha A. Kama; Riki Hokama; Kelly King; Yukilei Sugimura; Mike J. Molina; Shane M. Sinenci; Tamara A. Paltin  
**Subject:** County communication 20-528 regarding Kaiser Clinic closures

Aloha,

I support county communication 20-528 urging the state of Hawaii to conduct a full public discussion through the states certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the gastroenterology and ambulatory surgery services at the Wailuku Clinic. Time is of the essence, so on 10/23/20, please pass this resolution on the floor.

Thank you for your time and consideration.

Aloha,  
Deena Souza Toma  
Registered Nurse  
Kaiser Wailuku Ambulatory Surgery Center

RECEIVED  
2020 OCT 22 AM 11:53  
OFFICE OF THE  
COUNTY CLERK

## County Clerk

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**From:** Anna Vinuya <acvinuya1@gmail.com>  
**Sent:** Sunday, October 18, 2020 8:00 PM  
**To:** Alice L. Lee; Keani N. Rawlins; Tasha A. Kama; Riki Hokama; Kelly King; Yukilei Sugimura; Mike J. Molina; Shane M. Sinenci; Tamara A. Paltin; County Clerk; jap206@yahoo.com  
**Subject:** A'OLE Olowalu West Maui community plan Lihau'ula  
**Attachments:** Screenshot\_20201018-225911\_Gmail.jpg; Screenshot\_20201018-225854\_Gmail.jpg; Screenshot\_20201018-225915\_Gmail.jpg

My name is Anna Nalaniewalu Vinuya-Palakiko

I am the 3rd great grand daughter of James Palakiko and Julia Piko of Olowalu and 3rd great cousin of Lily, James Jr and Maui Palakiko who are buried on top of Pu'u Kilea and in unmarked burials in Olowalu.

Our ohana of this area are; Palakiko,Piko, Puupaa,Kaawili, Kaumaka, Kahoopii, and Cason.

It has been brought to my attention that our aina and iwi in Olowalu are in harms way.

I have attempted multiple times to have my ohana burials marked and chained off to help prevent future vandalism because it has happened in past. example: petroglyphs with non prehistoric markings, names carved in the rocks and ceremonial items taken from the burials.

My request is for them to be on the burial protection lists and marked so that they are known as historical burials. I have death certificates proving this as true. See attachment.

I say NO to this Olowalu West Maui community plan Lihau'ula because it has little to no care of the land of which my family lived and is buried upon and lack of respect to our people Kanaka maoli.

With this plan there is no acknowledgment of the ancient burials, heiau, reef, trees, water ways and uses, taro fields, and animals example: the endangered spieces ; Nene bird.

In order for me to ever be in agreement. There would have to be many steps taken to ensure all of which I addressed are acknowledged and cared for to the upmost respect as if it was your own families burials or heirlooms.

Protections in place for areas that have already been acknowledged to have ancient burials and Ka'iwaloa heiau.

Research and surveyance of the land and water in and around Olowalu before construction using archiologist, historians, and burial council.

Reviewing land patents, LCA land commission awards, survey records, and acknowledging water and land right given to our people from our Ali'i.

Allow for the people of the aina to determine the clarity of the research and surveyance.

Starting with taking care of the people of the land..

Most kanaka have been displaced because of the high cost of living \$4-600,000 is not affordable for the everyday person living a regular job. This market is for the wealthy. Most Kanaka currently live with multiple families in one home just to make mortgage.

How are kanaka supposed to afford this if they have no means of a down payment?

There should be a relief fund or way that kanaka can have assistance with down payment and fees.

If this is not doable I'd suggest building affordable apartments or condos for residents of hawaii in the \$1-400,000 at the most.

My question is have you actually surveyed the people of the aina that you are targeting? Have you actually analyzed what their income is?

Also these homes should not be able to be purchased by people that are not residents of the aina. They must be purchased by people living amongst the aina not just vacation homes.



In conclusion I am for the people of Maui having affordable living but I am not for displacing our people or destroying our history.

I say NO for this current plan in place.

I look forward to our future conversations to talk about my ohana and Olowalu.

Thank you for your time and understanding of my concerns,

Sincerely,

Anna Nalaniewalu Vinuya-Palakiko

RECEIVED  
2020 OCT 19 AM 7:49  
OFFICE OF THE  
COUNTY CLERK

WRITE PLAINLY, WITH UNFADING INK—THIS IS A PERMANENT RECORD

N. B.—Every item of information should be carefully supplied. AGE should be stated EXACTLY. PHYSICIAN'S NAME CAUSE OF DEATH in plain terms, so that it may be properly classified. Exact statement of OCCUPATION is very important. See instructions on back of certificate.

(1) PLACE OF DEATH  
County Mau  
Township Bahama  
or Village Howalu  
or City

TERRITORY OF HAWAII  
RECORD OF DEATH

Registered No. 762

(If death occurred in a hospital or institution, give its NAME instead of street and number.)

(2) FULL NAME James P. P. P. P.

PERSONAL AND STATISTICAL PARTICULARS

(3) SEX Male (4) COLOR OR RACE Hawaiian (5) SINGLE, Single  
WIDOWED, OR DIVORCED  
(Write the word)

(6) DATE OF BIRTH Jan. 15, 1916  
(Month) (Day) (Year)

(7) AGE 6 yrs. 12 mos. IF LESS than 1 day, .... hrs. or .... min. 7

(8) OCCUPATION  
(a) Trade, profession, or particular kind of work Infant  
(b) General nature of industry, business, or establishment in which employed (or employer)

(9) BIRTHPLACE Territory of Hawaii  
(State or country)

(10) NAME OF FATHER Walter P. P. P.

(11) BIRTHPLACE OF FATHER Territory of Hawaii  
(State or country)

(12) MAIDEN NAME OF MOTHER Julia P. P.

(13) BIRTHPLACE OF MOTHER Territory of Hawaii  
(State or country)

(14) THE ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE  
(Informant) James P. P. P.  
(Address) Howalu, Maui

(15) Entered Aug. 18, 1916 J. P. P.  
Registrar

Filed AUG 19 1916 W. H. P.  
Registrar General,  
Territorial Board of Health.

MEDICAL CERTIFICATE OF DEATH

(16) DATE OF DEATH July 27, 1916  
(Month) (Day) (Year)

(17) I HEREBY CERTIFY, That I attended deceased July 24, 1916 to July 24, 1916  
that I last saw James P. P. P. alive on July 24, 1916

and that death occurred, on the date stated above, at Howalu, Maui.  
The CAUSE OF DEATH\* was as follows:

Cerebral Meningitis

(Duration) about 14  
Contributory (Secondary) "Lact of Care" Artificial feeding  
(Duration) 14  
(Signed) J. P. P. M. D.  
Aug. 18, 1916 (Address) Bahama, Maui

\*State the Disease Causing Death, or, in deaths from Violent Causes, state (1) Means of Injury; and (2) whether Accidental, Suicidal, or Homicidal.

(18) LENGTH OF RESIDENCE (For Hospitals, Institutions, Transients, or Recent Residents)  
At place of death 14 yrs. 12 mos. 12 ds. State 14 yrs. 12 mos. 12 ds.  
Where was disease contracted, if not at place of death?  
Former or usual residence

(19) PLACE OF BURIAL OR REMOVAL Punkila, Howalu, Maui DATE OF BURIAL July 28, 1916

(20) UNDERTAKER Family ADDRESS Howalu, Maui

OF DEATH OF THIS STATE, and that it may be properly certified. Each statement of DEATH is very important. Statements of lack of certifi-

| (1) PLACE OF DEATH                            |                                                   | TERRITORY OF HAWAII                                                                           |                                                                                                                                                                                                                                                                                        |
|-----------------------------------------------|---------------------------------------------------|-----------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| County <u>Ngau</u>                            |                                                   | RECORD OF DEATH                                                                               |                                                                                                                                                                                                                                                                                        |
| Township <u>Hapeh</u>                         |                                                   | Registered No. <u>895</u>                                                                     |                                                                                                                                                                                                                                                                                        |
| Village <u>Clonala</u>                        |                                                   | (If death occurred in a hospital or institution, give its NAME (three) of street and number.) |                                                                                                                                                                                                                                                                                        |
| City <u>Clonala</u>                           |                                                   | (No. <u>895</u> )                                                                             |                                                                                                                                                                                                                                                                                        |
| (2) FULL NAME <u>Lily Palakiko</u>            |                                                   |                                                                                               |                                                                                                                                                                                                                                                                                        |
| PERSONAL AND STATISTICAL PARTICULARS          |                                                   |                                                                                               |                                                                                                                                                                                                                                                                                        |
| (3) SEX <u>Female</u>                         | (4) COLOR OR RACE <u>Chinook</u>                  | (5) MARRIAGE <u>Single</u>                                                                    | (6) DATE OF DEATH <u>Jan 5 1918</u>                                                                                                                                                                                                                                                    |
| (7) DATE OF BIRTH <u>April 25 1897</u>        | (8) AGE <u>20</u> yrs. <u>7</u> mos. <u>7</u> ds. | (9) OCCUPATION <u>None</u>                                                                    | (10) I HEREBY CERTIFY, That I attended deceased from <u>about Dec 17 1917</u> to <u>Jan 2 1918</u> , that I last saw her alive on <u>Jan 2 1918</u> , and that death occurred, on the date stated above, <u>at Clonala</u> . The CAUSE OF DEATH* was as follows: <u>Whooping Cough</u> |
| (11) BIRTHPLACE <u>Clonala, Lihouea, T.H.</u> | (12) NAME OF FATHER <u>James Palakiko</u>         | (13) BIRTHPLACE OF FATHER <u>Territory Hawaii</u>                                             | (14) LENGTH OF RESIDENCE (For Hospital, Institution, Transients, or Recent Residents) At place of death <u>yes</u> <u>no</u> In the State <u>yes</u> <u>no</u> Where was disease contracted, if not at place of death? <u>Home</u>                                                     |
| (15) MAIDEN NAME OF MOTHER <u>Julia Piko</u>  | (16) BIRTHPLACE OF MOTHER <u>Territory Hawaii</u> | (17) THE ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE                                            | (18) PLACE OF BURIAL OR REMOVAL (DATE OF BURIAL) <u>Clonala, Lihouea, T.H. Jan 3 1918</u>                                                                                                                                                                                              |
| (19) SIGNATURE <u>Mr. J. P. Burt</u>          | (20) SIGNATURE <u>F. Burt</u>                     | (21) SIGNATURE <u>Lily Palakiko</u>                                                           | (22) SIGNATURE <u>Family</u>                                                                                                                                                                                                                                                           |
| (23) FILED <u>FEB 2 1918</u>                  | (24) REGISTERED <u>Jan 5 1918</u>                 | (25) REGISTERED <u>Jan 5 1918</u>                                                             | (26) REGISTERED <u>Jan 5 1918</u>                                                                                                                                                                                                                                                      |

TERRITORY OF HAWAII 679  
RECORD OF DEATH

County of Blaine  
Township of Sakawia  
or  
Village of Olomole  
or  
City of \_\_\_\_\_ (No. \_\_\_\_\_)

FULL NAME Manu Pala Kiko

If death occurred in a hospital or institution, give its NAME instead of street and number.

## PERSONAL AND STATISTICAL PARTICULARS

Sex Male Race Hawaiian  
Date of Birth July 2 1907  
(Month) (Day) (Year)

Age 9 years 4 months 25 days

Single, Married.

Birthplace (State or Country) *Veracruz, Mexico*

Name of Fath James P. Lathin

Birthplace of Father  
(State or County)  
*Territory Hawaii*

Maiden Name of Mother: Julia Piko

Birthplace of Mother  
(State or Country)  
Territory Hawaii

Occupation of Deceased: *Police Officer*

The above stated personal particulars are true to the best of my knowledge and belief.

(Informant) James Kalakiko  
(Address) Clonville, Hawaii

Dec. 11, 1915. F. Ruel

DEC 14 1915

Respectfully,  
Terrill Board of Health

## MEDICAL CERTIFICATE OF DEATH

Date of Death Nov. 27 1915  
(Month) (Day) (Year)

I HEREBY CERTIFY, THAT ~~attached document is~~

~~and that~~ 181 to ~~the date above stated, at~~ 181

The cause of death was as follows:

*Acidobacterium*

Investigated by C. R. Lindsay, D. P. H.

Sub Dr. J. Real years..... months 2 day

Contributory *Verifying Appendix*  
*John L. ...*

100-443886-111

Signed) De 11 1915 (Address) Galatia Mo

**SPECIAL INFORMATION** only for Hospitals, Institutions, Transients or Recent Residents.

Former or Urgal Residence \_\_\_\_\_

\_\_\_\_\_

How long at place of death .....days.

Where was disease contracted, if not at place of death

© 2005 Blackwell Publishing Ltd, *Journal of Internal Medicine* 258: 103–110

*[Signature]*

Place of Birth ~~San Francisco, Calif.~~ *Albany, N.Y.*

Benjamin Franklin Dec 27 1764

*[Faint, illegible handwritten notes]*

Under Secretary                      Addressee

Familia      Proximu. No.



*Eric W. Gill, Financial Secretary-Treasurer*

*Gemma G. Weinstein, President*

*Godfrey Maeshiro, Senior Vice-President*

RECEIVED

2020 OCT 22 10 00 AM

COUNTY OF MAUI

Wednesday October 21, 2020

County Council, County of Maui  
Kalana O Maui Building  
200 South High Street  
Wailuku, Hawaii 96793

*Re: County Communication No. 20-528 (Pg. 5 of Council Agenda 10.23.20)*

Aloha Chair Lee and Members of the Maui County Council,

On behalf of UNITE HERE Local 5, a local labor organization representing nearly 12,000 hotel, health care and food service workers employed throughout our State I would like to offer comments in strong support of County Communication No. 20-528. On Maui, and in addition to hundreds of hotel and airport food service workers, we represent approximately 220 Kaiser workers.

County Communication No. 20-528 and the attached resolution would urge the State of Hawaii to conduct a full public discussion through the State's Certificate of Need Review process to explore the consequences of Kaiser Permanente's proposed plans to close the Gastroenterology and Ambulatory Surgery Services at Wailuku Clinic.

This resolution is pertinent and timely, and we ask for your full support. As we continue to manage our lives in the middle of a pandemic and given the current "reopening" of tourism in our County – we want to make sure that our health care services in our County remain as robust as possible. Any major change in services or closures could have profound impacts throughout our community.

Kaiser's plan to close services at its Wailuku clinic will remove several operating rooms from Maui's health care system and put new load on the operating rooms at Maui Memorial Medical Center. Furthermore, Kaiser's proposed plan raises obvious questions about how this move will affect wait times for patient procedures and treatment. And making patients move to a different facility and receive treatment from different care provider teams raises questions about the continuity of care for Maui's people. All of Maui's population and possibly even visitors will be affected by this move, as Kaiser patients will now have to join the patients already seeking care at the limited options remaining on the island.

When Kaiser took over Maui Memorial Medical Center in 2016, Kaiser promised to improve continuity of care and reduce wait times for Maui residents' health care. Unfortunately, despite concerns raised by health care workers and community leaders, Kaiser has not yet committed to halting the closure of the Gastroenterology and Ambulatory Surgery services at its Wailuku Clinic.

We thank you for allowing us to share and ask for your support in adopting the attached resolution found in County Communication No. 20-528 at Friday's Council hearing.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cade M. Watanabe', with a stylized flourish at the end.

Cade M. Watanabe  
Political Director, UNITE HERE! Local 5





HOUSE OF REPRESENTATIVES

STATE OF HAWAII  
STATE CAPITOL  
HONOLULU, HAWAII 96813

October 21, 2020

RECEIVED

2020 OCT 21 AM 10:47

OFFICE OF THE  
COUNTY CLERK

Council Chair Alice L. Lee  
Council Vice-Chair Keani Rawlins-Fernandez  
Presiding Officer Pro Tempore Tasha Kama  
Councilmember Riki Hokama

Councilmember Kelly Takaya King  
Councilmember Mike Molina  
Councilmember Tamara Paltin  
Councilmember Shane Sinenci  
Councilmember Yuki Lei Sugimura

Re: Supporting Agenda Item CC 20-528 COUNCILMEMBER PALTIN, transmitting a proposed resolution entitled "URGING THE STATE OF HAWAII TO CONDUCT A FULL PUBLIC DISCUSSION THROUGH THE STATE'S CERTIFICATE OF NEED REVIEW PROCESS TO EXPLORE THE CONSEQUENCES OF KAISER PERMANENTE'S PROPOSED PLANS TO CLOSE THE GASTROINTESTINAL AND AMBULATORY SURGERY SERVICES AT WAILUKU CLINIC".

Aloha Chair Lee, Vice Chair Rawlins-Fernandez, & Honorable Council Members

Please accept this correspondence as testimony in support of Councilmember Paltin's resolution. We have extremely limited medical resources on Maui, so any reduction in services is paid for with a high human cost. I hope you can pass this resolution as quickly as possible to convey a sense of urgency to those in a position to initiate the review process.

Mahalo,

Representative Tina Wildberger  
House District 11 - South Maui  
Kīhei · Wailea · Mākena

Office of Representative Tina Wildberger

*Proudly serving the 11<sup>th</sup> House District*

415 S. Beretania St. Honolulu, HI 96813, Room 327

Phone: 808.586.8525 | Fax: 808.586.8529 | email: repwildberger@capitol.hawaii.gov



HOUSE OF REPRESENTATIVES

STATE OF HAWAII  
STATE CAPITOL  
HONOLULU, HAWAII 96813

RECEIVED

2020 OCT 21 AM 10:47

OFFICE OF THE  
COUNTY CLERK

October 20, 2020

Council Chair Alice L. Lee  
Council Vice-Chair Keani Rawlins-Fernandez  
Presiding Officer Pro Tempore Tasha Kama  
Councilmember Riki Hokama

Councilmember Kelly Takaya King  
Councilmember Mike Molina  
Councilmember Tamara Paltin  
Councilmember Shane Sinenci  
Councilmember Yuki Lei Sugimura

Re: Supporting Agenda Item CR 20-129 Recommending the following:

1. ADOPTION of resolution disapproving the Lihau'ula Workforce Housing Project on 27.79 acres in Olowalu, Maui, Hawaii, in accordance with Section 201H-38, Hawaii Revised Statutes, identified for real property tax purposes as tax map key (2) 4-8-003:103;
2. FILING of resolution approving the Lihau'ula Workforce Housing Project pursuant to Section 201H-38, Hawaii Revised Statutes; and
3. FILING of resolution approving with modifications the Lihau'ula Workforce Housing Project pursuant to Section 201H-38, Hawaii Revised Statutes.

Aloha Chair Lee, Vice Chair Rawlins-Fernandez, & Honorable Council Members

Please accept this correspondence as testimony in support of your decision to disapprove the Lihau'ula Workforce Housing Project. Mahalo for heeding the Lahaina Community Plan and recognizing that we don't need to sacrifice our environment in the name of affordable housing.

Olowalu Reef spawns all of the coral in our county. We must do everything we can to protect it in this time of climate crisis and sea level rise. With no wastewater infrastructure in this location, with no services in the area, with fire risk, this area should not be considered for development. Yes, we need housing. But we don't need housing there, in that place. We must start planning infrastructure where we want to develop.

While about 12 percent of the land around the world is now under some form of protection (as national parks etc.), less than six percent of the ocean is protected in any way.

Mission Blue Hope Spots include these attributes:

- A special abundance or diversity of species, unusual or representative species, habitats or ecosystems
- Particular populations of rare, threatened or endemic species
- A site with potential to reverse damage from negative human impacts

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- The presence of natural processes such as major migration corridors or spawning grounds
- Significant historical, cultural or spiritual values
- Particular economic importance to the community

Olowalu Reef is a designated Mission Blue Hope Spot. Let's help preserve this mother reef. We should not build Mauka of Olowalu.

Mahalo,

A handwritten signature in black ink that reads "Tina Wildberger". The signature is fluid and cursive, with the first name "Tina" being more prominent than the last name "Wildberger".

Representative Tina Wildberger  
House District 11 - South Maui  
Kīhei · Wailea · Mākena

**Office of Representative Tina Wildberger**

*Proudly serving the 11<sup>th</sup> House District*

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## County Clerk

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**From:** Martina Wing <aloha@mantarayshawaii.com>  
**Sent:** Thursday, October 22, 2020 9:21 PM  
**To:** Mike J. Molina; County Clerk  
**Subject:** Please deny the Lihau'ula Development

RECEIVED

2020 OCT 23 AM 7:45

OFFICE OF THE  
COUNTY CLERK

Dear Councilmember Molina,

I am writing to you in regard to the Lihau'ula Development and appreciate you denying the Lihau'ula Development in Committee. Additionally, I want to encourage you to continue supporting affordable housing that addresses all the community needs through regenerative and smart growth principles.

Olowalu Reef is home to some of Hawaii's oldest corals and adding development to this area would result in the runoff of pesticides, chemicals, and synthetic fertilizers. The environment, the ocean, the reefs, and the marine life have suffered for far too long and cannot take a backseat anymore. We must preserve what we have and cannot compromise any longer.

Please deny Lihau'ula Development.

Thank you for listening.

Sincerely  
Martina Wing  
Kona, Hawaii

## County Clerk

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**From:** Wirth Kálmán <kalman.wirth@outlook.com>  
**Sent:** Thursday, October 22, 2020 7:28 PM  
**To:** Mike J. Molina; County Clerk  
**Subject:** Olowalu coral reefs

RECEIVED

2020 OCT 23 AM 7:44

OFFICE OF THE  
COUNTY CLERK

Dear Mike Molina,

I am an admirer of the work of Paul Nicklen, Christina Mittermeier and their efforts to save our oceans and nature, hence I got information about your intention to stand up against the high density housing project that would destroy the Olowalu coral reefs.

Please don't let the greed for money destroy what what is more important.

Although I live far from that beautiful place, I support you to keep up the prosperous work

Mahalo from Hungary, Europe,

Kálmán Wirth

## County Clerk

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**From:** gail wood <gwoodrn@yahoo.com>  
**Sent:** Tuesday, October 20, 2020 6:00 AM  
**To:** County Clerk  
**Subject:** County Communication No. 20-528

RECEIVED

2020 OCT 20 AM 7:50

OFFICE OF THE  
COUNTY CLERK

I support County Communication No. 20-528 urging the state of Hawaii to conduct a full public discussion through the states certificate of need review process to explore the consequences of Kaiser Permanente's proposed plans to close the gastroenterology and ambulatory surgery services at the Wailuku Clinic. Time is of the essence, so on 10/23/20, please pass this resolution on the floor.

These two departments of the Kaiser Wailuku Clinic provide much needed services to our county. Now is not the time to close them without public input or state scrutiny.

Sincerely,  
Gail Wood

## County Clerk

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**From:** Harold Wood <haroldblake@hotmail.com>  
**Sent:** Wednesday, October 21, 2020 10:31 PM  
**To:** Mike J. Molina  
**Cc:** County Clerk  
**Subject:** Please protect Olowalu Reef

RECEIVED  
2020 OCT 22 AM 8:04

OFFICE OF THE  
COUNTY CLERK

Dear Council Member Molina,

I have just heard that the precious Olowalu Reef is threatened by a high-density housing project with a planned 40 or more septic systems.

My wife and I are Australian divers, who have twice visited Hawaii, especially for its beautiful mantas, and reefs, which this project threatens.

We hope to visit again, but like other divers around the world we would have no reason to come if such projects destroy the underwater environment which we hold so dear. Please protect our shared and fragile world by voting against any project where septic runoff is a threat.

Sincerely, and with thanks,  
Harold Wood  
Sent from Mail for Windows 10