

# **BUDGET AND FINANCE COMMITTEE**

**Council of the County of Maui**

## **MINUTES**

**July 24, 2018**

### **Council Chamber**

**CONVENE:** 9:03 a.m.

**PRESENT:** Councilmember Riki Hokama, Chair  
Councilmember Alike Atay, Member  
Councilmember Robert Carroll, Member  
Councilmember Elle Cochran, Member  
Councilmember Stacy Crivello, Member (in 9:23 a.m.)  
Councilmember Kelly T. King, Member (in 9:09 a.m.)  
Councilmember Yuki Lei K. Sugimura, Member

**EXCUSED:** VOTING MEMBERS:  
Councilmember Mike White, Vice-Chair  
Councilmember Don S. Guzman, Member

**STAFF:** Michele Yoshimura, Legislative Analyst  
Yvette Bouthillier, Committee Secretary

Ella Alcon, Council Aide, Molokai Council Office (via telephone conference bridge)

Denise Fernandez, Council Aide, Lanai Council Office (via telephone conference bridge)

Dawn Lono, Council Aide, Hana Council Office (via telephone conference bridge)

**ADMIN.:** Sananda Baz, Budget Director, Office of the Mayor  
Butch K. Buenconsejo, Director, Department of Parks and Recreation (BF-158)  
Lisa Almeida, Parks Permit Office, Department of Parks and Recreation (BF-158)  
William Spence, Acting Director of Housing and Human Concerns (BF-150)  
John (Jack) Kulp, Deputy Director of Finance (BF-150)  
David Goode, Director, Department of Public Works (BF-157(2))  
Teena Rasmussen, Economic Development Director, Office of the Mayor (BF-157(1))  
Gladys C. Baisa, Acting Director, Department of Water Supply (BF-157(3))  
Jeffrey T. Ueoka, Deputy Corporation Counsel, Department of the Corporation Counsel

**OTHERS:** Tracy Reasoner, President, Maui Ki-Aikido (BF-158)  
Joni Jackson, Instructor and Board Secretary, Maui Ki-Aikido (BF-158)  
Cora Godinez, Member, Maui Ki-Aikido (BF-158)  
Kay Fukumoto, President, Maui Taiko (BF-158)

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Walter Chihara, Chief Instructor, Japan Karate Shotokai, Lahaina (BF-158)  
Tricia Wilstead, South Maui Tennis Park and Recreation Program (BF-158)  
Scott Prather, Community Member of Gym Users (BF-158)  
Zandra Amaral Crouse (BF-150, BF-157(1), BF-158)  
Others (5)

**PRESS:** Akaku: Maui Community Television, Inc.

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CHAIR HOKAMA: . . . (*gavel*) . . . This meeting shall come to order. This is the Council's Committee on Budget and Finance. Our regular meeting of July 24, 2018. Present this morning for the Committee are Members, Mr. Carroll.

COUNCILMEMBER CARROLL: Good morning, Chair.

CHAIR HOKAMA: Good morning, sir. Mr. Atay.

COUNCILMEMBER ATAY: Good morning, Chair.

CHAIR HOKAMA: Good morning. Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Good morning, Chair.

CHAIR HOKAMA: Good morning. And Ms. Cochran.

COUNCILMEMBER COCHRAN: Aloha, Chair.

CHAIR HOKAMA: Members Crivello, White, Guzman, and King are excused. At this time, we'll take testimony, Members, we have some items we need to take care of this morning. We'll allow each person wishing to provide testimony three minutes to testify. If you represent an organization, we also request you share that with us. State your name, and we'll assist with your time. Within the three minutes, you see a green light go on, yellow means you have 30 seconds to conclude, and red light means to please stop your comments. Everyone please turn off any noise-making devices, including the Committee Members. Okay, and with that, we'll start public testimony with the first person, Tracy Reasoner, please.

**. . . BEGIN PUBLIC TESTIMONY. . .**

MR. REASONER: Good morning, Chair.

CHAIR HOKAMA: Good morning.

MR. REASONER: Good morning, Councilmembers.

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COUNCILMEMBER SUGIMURA: Good morning.

MR. REASONER: My name is Tracy Reasoner. I am the president of Maui Ki-Aikido. Maui Ki-Aikido has been a pillar of a non-profit organization for well over 50 years in the community, 65 to be exact. Twenty-five years ago we had an outreach program that held classes at the Hannibal Tavares Community Center. During that period of time, I can't tell you of the thousands of children that have...and young adults that have gone through that program and it's been a real success. Benefiting not only us as a non-profit, but also the community at wide. You know, teaching things like how to connect with people, how to be just a good person in a society. And when we receive this notification that...of the increase it was quite a shock because as a non-profit we actually lower our membership basically to just barely to make ends meet. None of our instructors take any money, we're all volunteers. And I just wanna say that we're really in support of the proposed budget amendment, you know, that allows for only a 25 percent rate increase. And we just really just want your support, you know, just not only for us, but for all the organizations up there. And I just wanna thank you all for allowing us to testify.

CHAIR HOKAMA: Thank you very much for being here this morning. Any questions for the gentleman? Okay, having none, thank you very much, Mr. Reasoner. Joni Jackson, please.

MS. JACKSON: Good morning.

CHAIR HOKAMA: Good morning.

MS. JACKSON: My name is Joni Jackson. I am a Maui Ki-Aikido instructor and the secretary on the board. I'm one of the instructors for youths and adults at the Hannibal Tavares Community Center in Pukalani where we have been holding classes for over 20 years. Every Tuesday evening we have an hour class for young children, starting at age six; followed by an hour teen class for 12 to 18 year olds; and finishing with an hour and a half adult class. For years we paid \$5 a class, \$10 a night as we are there for three-and-a-half hours. A few years ago there was a rate increase in the County classes, which brought our fee up to \$12 a class or \$24 a night. And this alone was a substantial cost increase for us as we are a fully non-profit organization. We charge a small dues fee twice a year. Much of this goes to headquarters in Japan; the rest goes to upkeep for our main dojo on Market Street in Wailuku. None of our instructors gets any recompense for their teaching. They actually also pay yearly dues to the dojo. If the present increase stays in effect, our costs would nearly triple. It would go from \$12 a class to \$32 a class or \$64 a night. Right now we charge our youth students \$25 a month, which comes to \$6.25 a week or a night. Once a student becomes a member, they are able to attend any of our offered classes. And many of our members, adults and youths, attend two or three different classes a week. For youths, this comes to \$6.25 a week; for adults, \$10.50 a week. We have been established in Pukalani for many years now. Many of our youths start at six years old and stay with us until they go to college. A price increase of this magnitude would make it very difficult for us to continue Upcountry. Thank you for your time.

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CHAIR HOKAMA: Thank you for your comments. Any questions for the gentlewoman on her testimony this morning?

COUNCILMEMBER SUGIMURA: Yes, I do, Chair.

CHAIR HOKAMA: Ms. Sugimura?

COUNCILMEMBER SUGIMURA: Thank you, Chair. So, you actually are the Suzuki organization group on Market Street, and then you have classes at Hannibal Center also?

MS. JACKSON: Yes we are, our main dojo is on...in Wailuku, Suzuki Center, yes. And then once a...Tuesday for 20 years, one night a week, we rent the Tavares Community Center. We've done that for...especially helps the children who cannot make it down...for Upcountry members. And sometimes after a while they start also going downtown and that's when they take more than one class a night. But many of them are not able to go downtown, especially the younger ones who cannot drive, you know, they rely on their parents. And we would lose quite a...many, many of them, not all, but many of them, if we couldn't continue Upcountry.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR HOKAMA: Okay, thank you very much for being here this morning.

MS. JACKSON: Thank you very much.

CHAIR HOKAMA: And we recognize Ms. King. We'd like to ask Cora Godinez to come forward.

MS. GODINEZ: Good morning, Councilmembers.

CHAIR HOKAMA: Hi, good morning.

MS. GODINEZ: Good morning. I am a student of Maui Ki-Aikido going in my fourth year. My first class was actually up at Tavares Community Center with Joni Jackson. It's an amazing opportunity up there, I think for, especially for the little kids. I think this large increase has a dramatic effect. And we do so wanna be able to keep offering the classes Upcountry. I'm just here to support the organization and our members. Thank you.

CHAIR HOKAMA: Thank you. Any questions for the lady, gentlewoman, on testimony, Members? Thank you. Kay Fukumoto, please.

MS. FUKUMOTO: Good morning, Chair Hokama --

CHAIR HOKAMA: Good morning.

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MS. FUKUMOTO: --and Councilmembers. My name is Kay Fukumoto and I'm the president of Maui Taiko, a non-profit charitable organization whose purpose is to share Taiko, which is Japanese drumming within our community. For our entire 21-year existence, we have utilized the Kahului Community Center annex location, and I am here to support the proposal to increase user fees by 25 percent versus the \$20 increase enacted in the last Budget Session, which amounted to a thousand percent increase. On the surface, a \$20 increase might seem reasonable; however, when looking at those who are most affected, it was a quite devastating blow to a lot of our non-profit organizations. It made me painfully aware that in one moment a non-profit like ours would have been affected to the tune of an increase of \$6,000 a year. When the community class structure was adopted by the Parks Department years ago, it was done so to provide reasonably priced community classes to the community. And it was structured to limit the amount that a community class could charge as, you know, being a student. And by doing...by limiting what you could charge the community, you know, the County was willing to allow you to rent the facility for a little less so that organizations, a lot of our non-profits, were able to provide community classes. And like the Maui Ki-Aikido, all of our instructors are not paid instructors, they're all volunteers. So, any type of increase in user fees for the facilities without an increase in also the ability to charge a little bit more for taking a class, you know, the non-profit gets squished in the middle in terms of trying to continue the classes. So, that's one of my concerns as well is, you know, when you're increasing fees you're not allowing the organizations to increase a little bit for the classes as well. Not all community classes are the same. And ours is quite unique. We limit our class sizes to about ten students for some obvious reasons: drumming is loud, and the site is located within a residential community. And so, in addition to the class, we offer...we have to provide equipment, you know, for every student so we have limitations. We have always been grateful to the County of Maui for allowing us the opportunity to provide classes. And in a given year, we donate so much of our time and performing over 20 performances throughout the community with no-fee charge. And unfortunately, we need extra rehearsal time in order to do the performances for the community. So, therefore, our...we have over 300 classes a year. So, any increase obviously compounded by 300. And so, we wanted to just, you know, support the proposal, and we thank you very much for allowing community classes.

CHAIR HOKAMA: You've been around a few years, Kay, so I would say you understand the history quite well, and we thank you for your organization's offering of service and of skill --

MS. FUKUMOTO: Thank you.

CHAIR HOKAMA: --and cultural practice so thank you for what you folks do. We appreciate your comments and the unique challenges your organization is facing with this consideration before Committee today. Are there any questions for the gentlewoman on testimony provided? Kay, thank you very much for being here.

MS. FUKUMOTO: Thank you.

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CHAIR HOKAMA: Walter Chihara, please.

MR. CHIHARA: Good morning.

CHAIR HOKAMA: Good morning.

MR. CHIHARA: Thank you, Chairman Hokama. I'm here representing the Japan Karate Shotokai. It's a traditional martial arts organization in Lahaina. And very similar to those who spoke before me, we are most concerned with propagating the culture and diversity, respect, courtesy of certain cultural activities. We've been there at the Lahaina Civic Center for some 38 years. There's a Taekwondo organization that Ms. Cochran came through that has been there even longer. And Kaala Buenconsejo is very familiar with what we do over there. And not to dwell on those aspects, but more to comment on the counter-productive and counter-intuitive nature of the original legislation. I would hope that we do push through this 25 percent increase, which would be a far better way to proceed with this, with the Budget balancing procedures. All the community classes, I feel are in a positive direction to propagate the integrity of our, the whole community. We are all non-profit organizations, and so it stands to reason that what we're doing is for the betterment of society, for all people in general. So, I might add that Mayor Arakawa's three nephews also came through the program. So, there's a lot of people that have been through our program over there in Lahaina. So, I thank you all for having us here.

CHAIR HOKAMA: Thank you. Any questions for the gentleman --

COUNCILMEMBER KING: Chair?

CHAIR HOKAMA: --on testimony provided? Ms. King?

COUNCILMEMBER KING: Thank you, Chair. I don't really have a question, but I just want a clarification for folks who aren't in this room and for the media that we're talking about a 25 percent increase over the previous fees, not what was passed.

MR. CHIHARA: Yes.

COUNCILMEMBER KING: So, okay.

CHAIR HOKAMA: Yeah, we're talking about the Mayor's Proposal --

COUNCILMEMBER KING: Right.

CHAIR HOKAMA: --as he has transmitted to us. Okay, thank you, Mr. Chihara.

COUNCILMEMBER KING: Thank you.

MR. CHIHARA: Thank you.

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CHAIR HOKAMA: Tricia Wilstead, please.

MS. WILSTEAD: Good morning.

CHAIR HOKAMA: Good morning.

MS. WILSTEAD: Hi, my name is Tricia Wilstead. I'm one of the coaches at South Maui Tennis with Barbara Wallace. We've been running that program for almost 15 years now. We run it every Wednesday, Friday, Saturday, year-round. We teach both juniors and adults. Our...I'm...we are here to definitely support the 25 percent increase. If the thousand percent increase was to be passed, then we would have to cease our program as well as many other community programs. We teach more than just tennis as most of these programs do. It's about making our community a better place. We teach these children and adults. They walk away with life skills of responsibility, respect, teammanship. We have a...many...a few of our juniors actually have, who started in our program eight, nine years ago, now have college scholarships. So, this is making better people out of these programs. I would like to also note that we are not a non-profit; however, we pretty much work for nothing. Everything that we do charge, this minimal fee, is given back to the program. We buy...we purchase the equipment. We make sure the courts are clean on our own time. We host events off time on weekends: tournaments for these children, get together, family get-togethers, to help promote a better community in all. The other thing I'd like to mention is that we have never been allowed to...well, I've been with Barbara for ten years, and we have not increased our fees. And with the fee increase that will now take place with or possibly take place, this 25 percent, we would like...we're requesting as well that we be able to charge a little bit more or consider that to help cover the costs. Because really, all of us, these coaches, these providers, it's about teaching our skill, but teaching more than that beyond...anyway, that's all I have to say, my mind is going wild. Alright, thank you for your time and consideration.

CHAIR HOKAMA: Thank you for your comments.

MS. WILSTEAD: Oh, go ahead.

CHAIR HOKAMA: Is there any questions?

COUNCILMEMBER KING: Chair?

CHAIR HOKAMA: Ms. King?

COUNCILMEMBER KING: Thank you, Chair. Thanks for being here. I'm really glad that program continues because I remember helping out with it over ten years ago when I used to play tennis. But...so I'm glad it's still continuing, but my understanding was back then I don't think we charged anything. And I know that you folks, even though you may be considered for-profit, pretty much operate as a not-for-profit teaching organization. But are you still at Kalama Park?

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MS. WILSTEAD: We still are at Kalama Park, and, like I said, we run year-round. We do not deny anybody the opportunity to come play so, and we do have several children. We offer...we accept donations of equipment, clothing, anything to help these children and adults. Yeah, we...but...it's...the fee has never been increased in over ten years so...

COUNCILMEMBER KING: And how many kids are you up to now?

MS. WILSTEAD: We run an average of 20 to 25 every evening over a two-hour period and it continues to grow. And it's a drop-in so, like I said, we...pretty much it comes out of our pocket, the replacement costs, or we do offer...we accept donations.

COUNCILMEMBER KING: And are you constrained for some reason in what you can charge 'cause you were asking for --

MS. WILSTEAD: Yes, --

COUNCILMEMBER KING: --you were asking for permission?

MS. WILSTEAD: --we are constrained through --

COUNCILMEMBER KING: Okay.

MS. WILSTEAD: --the Parks and Rec Program.

COUNCILMEMBER KING: Okay, alright...

MS. WILSTEAD: So, I just...I wanted to...just make that aware that you guys...we are increasing...you guys are increasing our fees and we operate on nothing.

COUNCILMEMBER KING: Right.

MS. WILSTEAD: A lot of it comes out of our own pocket, at this point, to cover the costs of what we provide for these people who have nothing, a lot of them. So, we're just asking that you look, consider that down the road as well to be allowed.

COUNCILMEMBER KING: Okay, thank you. And I may have some stuff I can donate to you 'cause I think I finally admitted that I'm not going to be back on the court anytime soon.

MS. WILSTEAD: That's great. Thank you.

COUNCILMEMBER KING: Thank you.

CHAIR HOKAMA: Thank you, Ms. Wilstead. Scott Prather, please.

MR. PRATHER: Good morning, Chair.

CHAIR HOKAMA: Good morning.



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MR. PRATHER: Good morning, Councilmembers. So, my name is Scott Prather. I'm here to represent the community of Upcountry basketball players. I know there's a lot more out there that just couldn't make it here today. But anyways, I'm here in support of the new proposal of the 25 percent increase. When we heard of the previous potential increase, we kind of recognized that it was possible that some of the gyms that we had been playing at for, at least for me, for the last 25-26 years, it was a possibility that we might have to, you know, consolidate or shutdown or figure out a way to raise money. We are just a bunch of guys, a group of community members that have been getting together for...I've been doing it for a long time, but some of the members have been doing this for, you know, 30-40 years. And throughout that time, when I was a kid, it was a venue for me to: number one, stay out of trouble, but also to learn the game and eventually it was able to...I was able to earn a scholarship to play basketball in college. And after me there's been other kids that have come through that I've been able to pass on my knowledge and experience to give them a chance to do the same. And I would really hate to see these gyms be shut down or reduced in the number of times we gather because of fees that...I mean obviously you gotta raise money and I understand that, but I would really...I think the 25 percent increase would be much more tolerable for our group members. We're not really an organization to speak of. We're just a group of guys again that...you know, we don't collect any dues. We're just...when it's time to pay the bill, we just go around and say, hey guys we need some money. And whoever pitches in, pitches in, and we all just, you know, do our part to make it work. And currently the fees are like \$5 per day and that's reasonable. And it's been very tolerable for our members, and the increase would definitely make that challenging for us so we would appreciate the consideration for the proposed increase. Thank you guys so much for your time. I appreciate it.

CHAIR HOKAMA: Thank you, Mr. Prather. Any question for the gentleman? Thank you for being here this morning. Zandra Amaral Crouse.

MS. AMARAL CROUSE: Aloha kakahiaka kou mau aloha. Good morning, my friends. Zandra Amaral Crouse, and I am speaking on my behalf. On first item is BF-158, that's the Parks. First of all, I'd like to thank you, Committee Chair Riki Hokama, for bringing this forward. I would like to also send a sincere thanks to our Mayor for coming up with this proposal. Mr. Chihara's group, my children who are now in their 30s, participated in the Lahaina program when they were little. I participated in the program for Maui Jinsha Temple in Paukukalo where I grew up. My grandchildren utilize the gyms, one of which won the World Series for the Little Leagues 2016. He is now back up in the mainland spearing or trying to head towards another trophy, him and his group, and his wonderful coaches, and the parents. I think it's imperative that we keep affordable for these community organizations simply because they save us money in the long-term by keeping our children off of the streets and away from drug dealers. And I know that I'm speaking to the choir, I really, really do, I know all your heart is that. And this part, Mr. Hokama, is for you. I know you like numbers and I know you like solutions, and this is my humble suggestion: perhaps what we could do is have or extend and expound on adopt a park. Perhaps an organization for fees rendered adopt a park. Adopt a community facility. Kinda like the State does with our roads. And that is my humble

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testimony for BF-158. And I humbly ask you to support this. And I know you all will because I am speaking to the choir, I do know. And your family and your friends are part of this organization of keeping kids busy and giving them the tools to succeed in the future so that they might sit where you're sitting in the long-run. It can only come through profits and organizations like this that has testified before you. Thank you. Okay, the next one was BF-150, the Front Street Apartments. Anything to do with housing...I am a real estate broker. I deal predominant [sic] and only with first-time homebuyers and local families. And I am sad to tell you many of times myself and several other real estate firms have had to put our young men and women in homes in Las Vegas or places outside of Hawaii. And I thank you again, Council Chair...Committee Chair Hokama, for putting this on the agenda. And I humbly thank all who work diligently to make this happen. And it is important that we keep our families in their homes, not displace them. Our homeless issue is already far beyond what we're capable of solving overnight, but I thank you for your continued efforts. And I know, again, I'm singing to the choir. My next item I'd like to speak on--excuse me, I'm sorry, e kala mai--is the grant for the Kula Ag Park. And I believe that is BF-157(1). Anything to do with agriculture I get excited about because I was born in Paukukalo at the mouth of Iao River on a pig and cow farm. Farming was important to my father because as someone who had nine kids, who couldn't support us through working at the pineapple cannery along with my mom, was smart enough to buy his first pig from Ms. \_\_\_\_\_, first cow from Mr. Nobriga. And we were able to raise pigs and cows when my father was able, working very hard, sacrificing much so that we might be able to be sent to Saint Anthony School. That was a great feat for a man who literally had to leave his home at the age of nine and help his mom raise his brothers and sisters because his dad died when he was very young on the island of...in Hilo. My mom, the same, lost her dad when she was very young. So, when I look back of what this little farm did for my humble mom and my humble dad, I can envision what this ag bill and the extension of the ag park can do for the young men and women in our community who wants to get into farming, who cannot afford a big farm, but a small little farm, kinda like so many other people like \_\_\_\_\_ have, like the Nobriga's got. And that is my humble testimony, Chair. I thank you for the time.

CHAIR HOKAMA: We thank you for your comments this morning on the three items you spoke on. Members, any questions for the gentlewoman on comments provided, testimony provided? Having none, we thank you for your presence.

MS. AMARAL CROUSE: Thank you, Chair.

CHAIR HOKAMA: Is there anyone else in our gallery that would like to share testimony, please make yourself known at this time? We'll ask our East Maui District Office if anyone wishes to provide testimony. Good morning, Ms. Lono.

MS. LONO: Good morning, Chair. This is Dawn Lono in the Hana Office, and there is no one waiting to testify.

CHAIR HOKAMA: Thank you. Ms. Fernandez, anyone on Lanai?

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MS. FERNANDEZ: Good morning, Chair. This is Denise Fernandez on Lanai, and there is no one waiting to testify.

CHAIR HOKAMA: Okay, thank you very much. And on Molokai, Ms. Alcon, anyone wishing to provide testimony, please?

MS. ALCON: Good morning, Chair. This is Ella Alcon on Molokai, and there is no one here waiting to testify.

CHAIR HOKAMA: Thank you very much, ladies. Members, with no further request for testimony we shall close testimony for today's meeting.

COUNCILMEMBERS: No objections.

CHAIR HOKAMA: Thank you, Members. So ordered.

**. . .END OF PUBLIC TESTIMONY. . .**

**ITEM 158: FISCAL YEAR 2019 BUDGET, APPENDIX B, RATES AND FEES, FOR THE DEPARTMENT OF PARKS AND RECREATION FACILITIES (CC 18-248)**

CHAIR HOKAMA: Okay, let's go straight to work, we have BF-158 before us. This is regarding the Fiscal Year 2019 Budget, Appendix B, Rates and Fees, for the Department of Parks and Recreation Facilities. We have Communication 18-248, from myself, as it relates to Appendix B, Rates and Fees, Department of Parks and Recreation. January...January, excuse me, July 2, 2018, from the Mayor, informing the Council that the Department is unable to implement changes to the fees by permit for use of the facilities for Fiscal Year 2019. Also, on the same date, the Mayor did transmit a proposed bill for an ordinance that would amend the Fiscal Year 2019 Budget for the County of Maui as it pertains to Appendix B, Revenues – Fees, Rates, and Assessments and Taxes, Department of Parks and Recreation, General Fund, Charges for Current Services, Schedule of Fees and Deposits. And this is what we've received testimony on regarding the 25 percent increase over the existing 2018 fee numbers. Okay, this morning we have from Administration, Mr. Baz. Any opening comments, Mr. Baz?

MR. BAZ: Good morning, Mr. Chair and Members. So, our office, the Mayor, Parks Department, received a number of calls as well as your offices regarding this fee increase. And so, you know, in consideration of the Council's desire to increase the fees, we have proposed an across-the-board percentage increase versus a dollar increase. And the Parks Department can describe to you the details of the difference between those and why that would be more easily implementable as well as...you know, the Mayor's desire initially was to not propose any increase as he did in the FY '19 Budget. You know, he didn't propose to increase the rates at all for Parks Department. But he does understand, you know, the costs are increasing, and that the Council does, you know, have a desire to kind of offset those increases with the

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increased fees. And so, this proposal is a reasonable, fair way to do that, Mr. Chair. And so, he has proposed this 25 percent increase, as you mentioned, over the FY '18 rates. So, basically negating the FY '19 Council adopted rates and going back to FY '18 plus a 25 percent. And it's rounded to the nearest dollar so we didn't have any, you know, few cents here or there kind of charges. So, we have the Director of Department of Parks and Recreation, Mr. Kaala Buenconsejo, as well as his staff, here to answer any questions and provide any comments. Thank you.

CHAIR HOKAMA: Okay, thank you. Director, any comments, please?

MR. BUENCONSEJO: Chair, good morning, Members. I just want to thank you for expediting this amendment to get some changes for our rates and fees. I also have today with me our Special Event Specialist who oversees all of our permits and rates and fees for the Department, Lisa Almeida, for any operational questions, as well as myself. Thank you, Chair.

CHAIR HOKAMA: Okay, thank you. And that's Ms. Almeida, right?

MR. BUENCONSEJO: Yes, Chair.

CHAIR HOKAMA: Thank you. Okay, just so everyone knows, we did adopt, Council did through Budget Committee. And I did propose a dollar amount, not a percentage to the address what I thought was certain needs in improving the expense sheet side of our County Budget. And one, obviously it did stir a lot of comment, which is good for your Chair. That was something I wished we had known before we did it, but, nonetheless, it's information that is gonna help us today. Two, besides the legislation, as you've heard from testimony, there are things in Rules and Regs that impact vendors, class providers, non-profits, those that would like to use County facilities for community-based purposes. And that is one thing your Chair was not aware of, some of the specifics including: the cap on what can be charged to participants, and the number that can be allowed per class. So, that is information that is helpful to us. And maybe the standing committee can, you know, pursue this a bit more than just the Budget Committee. Second, another point I wanna make is because of this issue with software, whether it's good or bad, no one has been charged the new 2019 fees. So, while we did increase it, no one has been assessed, charged, or has the Department collected any of increases. They are still operating under the old 2018 structure, okay? So, just beware that from an exchange standpoint, nothing has moved forward since we adopted the Budget. And I'll take the responsibility of that proposal to increase fees. Okay, you all know what we went through with collective bargaining. So, I know you're aware of potential adjustments the Mayor will make that will increase the amount of costs for labor in two bargaining units that we were not really ready for since we just came out of collective bargaining where it should have been addressed and decided. Okay, so I'm gonna tell you now, we are going to need to look for cash because this is a cash request that's gonna be before this Committee soon on additional non-collective bargaining things that are collective bargaining things. Okay, with that, Mr. Director, some couple of things you can answer for the Committee is, when was the last time

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Department made any adjustments to the fee structure as it currently exists under the 2018 Fiscal Year?

MR. BUENCONSEJO: Chair, good morning, Chair. It's been a while. I don't have that exact date, I'm not sure if Ms. Almeida does, but Director Baz is also taking a look at the last time we actually did a fee increase to our rates and fees.

CHAIR HOKAMA: When was the last time the Department reviewed with our organizers, class providers, non-profits; any discussion on adjustments to caps of either class size or amount that may be charged per student?

MR. BUENCONSEJO: Chair, to my knowledge for the four years now, not for the past four to five years at least. There's always a yearly discussion with all of our user groups on an annual basis for the permitting process. But as far as increases, or decreasing or increasing of cap sizes or classroom times that was, to my knowledge, hasn't been discussed in the most recent years.

CHAIR HOKAMA: Okay, so at least not for the last four years that you can speak under your directorship?

MR. BUENCONSEJO: Yes, Chair.

CHAIR HOKAMA: Okay, Ms. Almeida, do you have any historical information that would benefit the Committee regarding how long since the County or the Department has reviewed and make adjustments, provided adjustments?

MS. ALMEIDA: Thank you, Chair. It's my understanding that through the Administrative Rules process there was an opportunity for some testimony on class sizes and fees. But for the most part those were kept in line and not greatly changed when the Administrative Rules were passed.

CHAIR HOKAMA: When did these rules be adopted by the Department, the existing rules?

MS. ALMEIDA: I believe that was...sorry, Director.

CHAIR HOKAMA: Mr. Director?

MR. BUENCONSEJO: Chair, that was when we were in the process of changing our Code, our 13.04A. So, a year and half, two years possibly, Chair, is when we had those open meetings. And it was more of a discussion as a whole for the entire Code, not necessarily targeting the rate or fee increases so it might have got a little misconstrued in that area. But about a year and half to two years ago, there was an opportunity, but it wasn't really for that focus.

CHAIR HOKAMA: No, my memory is not that great as it used to be, but I don't know if, why I'm thinking 20 years for some numbers.

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MR. BAZ: Mr. Chair?

CHAIR HOKAMA: Mr. Baz?

MR. BAZ: Thank you. So the last--and you may be correct about some specific numbers--but the last changes to the schedule of rates and fees for the use of Parks facilities was for Fiscal Year 2017, which I think only a few of them were actually raised. Most of it was just readjusting based on the changes in the Code at the same time. So, that was the last actual changes to the rates and fees.

CHAIR HOKAMA: Okay. One, I thank the Mayor for the proposal, as we've heard from our, some of our community providers, class providers, it's something more palatable, something they can work with. I would say though, in hearing their comments, I think it's appropriate we also look at updating the class sizes and class fees that they are able to assess each student to be fair. Okay, we'll go to...ask the Committee if they have their questions. Mr. Carroll, any questions you would like to ask the Department at this time? Thank you. Ms. Crivello?

COUNCILMEMBER CRIVELLO: Thank you, Chair, not at this time.

CHAIR HOKAMA: Thank you. Mr. Atay?

COUNCILMEMBER ATAY: Chair, I would be in full agreement as what you were suggesting because I'm looking at this Community Class Program Policies and Procedures packet that was just handed out --

CHAIR HOKAMA: Yes.

COUNCILMEMBER ATAY: --and it says revised September 2015. And with this suggested rate increase of 25 percent, that increase in charges does affect the classes so I think symbiotically we gotta try to address...have, you know, address this packet.

CHAIR HOKAMA: We're going to need to make it work together, Mr. Atay.

COUNCILMEMBER ATAY: Yeah, yeah.

CHAIR HOKAMA: You're absolutely right. Thank you for that. Ms. Sugimura?

COUNCILMEMBER SUGIMURA: I support this, too, and I must tell you that the first person I heard about this increase was from Kay Fukumoto who's my, you know, good friend. And I said, can't be, cannot be, Kay; and she said, no; and sure enough. But anyway, I was wondering regarding the rules for the Department, the testifier said that the limitation on fees and class sizes then...this is handled administratively and not through us, but when do you think you're gonna adjust this so that it could be advantageous for the different groups?

CHAIR HOKAMA: Director?

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MR. BUENCONSEJO: Chair, for those changes we can start that process. I think there's a lot of...besides the rate fee increase, we are looking internally and evaluating all the community classes. Those today who testified are great community leaders and help a lot with that. There are some also community classes that may have been taking advantage of the situation so we are evaluating some of those situations on a case-to-case basis as well. And Ms. Almeida may have some more insight. Yeah, so, that's where we're at today, Chair. Thank you.

COUNCILMEMBER SUGIMURA: Okay. Good.

CHAIR HOKAMA: Anything else Ms. Sugimura?

COUNCILMEMBER SUGIMURA: That's it. Thank you.

CHAIR HOKAMA: Thank you. Ms. Cochran?

COUNCILMEMBER COCHRAN: Thank you, Chair. And so, yes, I started getting the calls around June 19<sup>th</sup> from constituents. First call was from my Boo-Sabum, my Taekwondo sensei, Mr. Randy Casco that Mr. Chihara mentioned, he's the Shotokan sensei at the same room. And I know Mr. Casco and very nominal fees and no one's ever turned away to take that class. So, looked back into it, sent a letter out to the Mayor, and asking to...you know, this amendment. And I got I feel a very scathing letter back to me. He specifically said, if I understand your letter, Ms. Cochran, you want me to clean up your mess you created. And he demanded an apology. So, I wrote it, and I said, if that's what it takes, Mr. Mayor, for me to accept full responsibility of something that we all worked on, at the Budget Committee, then so be it. And I will say sorry and thank you, let's do this, let's move forward for the betterment of this community. And that's basically how that went down. And then this amendment came out 'cause in the letter to me it said, we...he will put it back to the original, which was no raising at all. So, now if I understand correctly, the Department's saying, that's not...they're unable to do it due to restrictions with your software, or something to that effect. So, thereby, this 25 percent is easily done or is able to be done versus the dollar amount, I guess? So, however it works out again I think I want on record that, you know, it was a real hard process to go through, which I thought should've been just a very simple matter because it was just a simple question to help assist something that we had done and didn't realize the negative impacts that occurred to this community. So, here we are, I am in support of this amendment this morning and happy to be here today for that for again the betterment of this community. Thank you, Chair.

CHAIR HOKAMA: Thank you, Ms. Cochran. As the Chair had stated earlier, I made the recommendation, and I take that responsibility of what we recommended to Council and got adopted regarding this matter. Okay, so --

COUNCILMEMBER COCHRAN: Thank you, Chair.

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CHAIR HOKAMA: --the Chair made the recommendation. I made the proposal, okay? So, as I said, I take that responsibility. Ms. King?

COUNCILMEMBER KING: Thank you, Chair. You know I appreciate the, that conversation of taking the responsibility. And I appreciate Member Cochran's initial letter asking for this proposal. So, my questions to the Parks Department are: one, is the implementation of the 25 percent, is that gonna be fairly easy to do then?

CHAIR HOKAMA: Director?

MR. BUENCONSEJO: Chair, Member King, yes. So, the way the software is written a percentage across-the-board is a lot easier definitely. It's a push of a button compared to cell-by-cell changing out the actual dollar value.

COUNCILMEMBER KING: Okay, and then, if I may, Chair? On the rules and...yeah, these are really interesting. I'm not sure how...it says revised in 2015. About 30 years ago, I was running a program for the County called Playgroup. I don't know if any of you remember that, probably Kaala was too young to remember it. But basically it was a volunteer group and I had a one-year old and...or now she...or maybe two-year old, and basically we were, the people who ran that, you know, it was a succession of young mothers and we did it as a volunteer basis. And we were able to use the County facilities for no-charge because we weren't charging. We did ask for donations and we used those donations to buy equipment and, you know, things for the kids like art supplies and toys. But do we still allow that with any programs in the County? Do we allow any free volunteer programs that don't charge, but provide a benefit to the community?

CHAIR HOKAMA: Director?

MR. BUENCONSEJO: Chair, yes, we do. We do have some programs still involved. It's more of a partnership program with the Department. So, we do have those throughout the districts, in certain aspects. We always cross that road when it becomes about volunteerism and donations. Of course, any donation request or donations received anything over 500 or \$700 needs to come across this body. And again, we \_\_\_\_ to work as far as partnerships or working with Adopt-A-Parks, and it becomes the capacity of what are you actually doing because we have our union rules that we gotta follow. So, there's a lot of dynamics from 20 years ago or so where we are today when it comes to some house rules that we gotta follow.

COUNCILMEMBER KING: Okay, yeah, I'm sure it's a lot more structured today because 30 years ago we just...the next person took over and we just kept running it because it was a real benefit to the zero-to-five-year-old kids and their parents. And then my last question, Chair, if I may? Just...do we need any kind of an ordinance to...or is the Administration willing to just take up these rules and address the ability for some of these instructors to raise their fees and possibly their class size?

CHAIR HOKAMA: Mr. Director?



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MR. BUENCONSEJO: Chair, Member King, we're already evaluating that as well through our Parks Program Specialist.

COUNCILMEMBER KING: Okay, you can do that strictly through administrative rules, we don't need any...

MR. BUENCONSEJO: Through admin rules, yes.

COUNCILMEMBER KING: Okay.

MR. BUENCONSEJO: Through open, with community-open meetings and stuff.

COUNCILMEMBER KING: Okay.

MR. BUENCONSEJO: So, yes, we are working with them.

COUNCILMEMBER KING: I was just going to offer...I'm willing to work with you as Vice-Chair of the committee that does...that handles Parks, but if you can do it without that it's much faster. Thank you.

MR. BUENCONSEJO: It'll come through this body as well, Chair.

COUNCILMEMBER KING: Okay.

MR. BUENCONSEJO: Thank you.

COUNCILMEMBER KING: Thank you, Chair.

CHAIR HOKAMA: Thank you for that. Other questions, Members, may have for regarding this consideration? Okay, then I would ask that you would please look to again the communication attached July 2<sup>nd</sup> with the attached bill for an ordinance proposal from the Administration. Therefore, the Chair will entertain a motion to recommend to Council passage on first reading be ordered to print "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX B, REVENUES – FEES, RATES, ASSESSMENTS AND TAXES, DEPARTMENT OF PARKS AND RECREATION, GENERAL FUND, CHARGES FOR CURRENT SERVICES, SCHEDULE OF FEES AND DEPOSITS"; allowing Staff to make any nonsubstantive changes; as well as filing of any appropriate communications.

COUNCILMEMBER CARROLL: So moved.

COUNCILMEMBER KING: So moved.

COUNCILMEMBER SUGIMURA: Second.

COUNCILMEMBER KING: Second.

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CHAIR HOKAMA: Thank you.

COUNCILMEMBER KING: We're all in support.

CHAIR HOKAMA: Yeah, motion by Mr. Carroll, seconded by Ms. Sugimura. The Chair will ask you to please take a look at Page 3 of the proposed bill. We're gonna hand out some amendments for housekeeping purposes to...so that we'll be very clear to the Department as well as our public class providers, community class providers, we'll be addressing this. So, on Page 3, as Staff is handing out the specific page, this is as it regards to the rate, fee, and assessment or tax component. Page 3, look to the bottom half of the page, you will see under the heading of Fee – Use of Park Facilities. The second component or paragraph under Community Class Permit, the Chair will entertain a motion to amend by striking and deleting the following last, not last, on the last sentence “in accordance with Section 13.04A.140” that is to be deleted. We'll add, as part of the same amendment to amend, insert “in accordance with the community class program policies and procedures, facility fees are assessed per class. A class shall not exceed two hours.” Okay, so I need...I'll entertain that motion to amend.

COUNCILMEMBER CARROLL: So moved.

COUNCILMEMBER SUGIMURA: Second.

CHAIR HOKAMA: Amended...motion made by Mr. Carroll, seconded by Ms. Sugimura. Members, your Chair is taking the language from the existing rules and regulations that went through public process that has been adopted by the Department, and has legal standing such as our ordinance, and that is where your Chair got that language from. So, that's the motion to amend. Any discussion, Members? Ms. King?

COUNCILMEMBER KING: Chair, question. So, where do those words that you're leaving in that say “are prohibited,” where do those fit in? If you take the bracketed out, the --

CHAIR HOKAMA: Right.

COUNCILMEMBER KING: --last two words.

CHAIR HOKAMA: Right, right, right. Ms. Yoshimura?

MS. YOSHIMURA: Mr. Chair, the last sentence in that section would read “temporary refreshment concessions are prohibited.” And we're just taking out the reference to Section 13.04.140 [sic] because that section has been repealed.

COUNCILMEMBER KING: Okay, but didn't we pass something that does allow concessions?

CHAIR HOKAMA: Under the concession ordinance, yeah, but not under...not for temporary community class purposes.

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COUNCILMEMBER KING: Okay. Okay, so we're inserting a whole sentence, and then we're leaving that, the piece that's left, that says "temporary refreshment concessions are prohibited?"

CHAIR HOKAMA: Correct.

COUNCILMEMBER KING: Okay. Thank you.

CHAIR HOKAMA: Further questions, Members? Any other comments/concerns with the proposed amendment? Having none, all in favor of the motion please say "aye."

COUNCILMEMBERS: Aye.

CHAIR HOKAMA: Oppose say "no." Motion passes with seven "ayes," two excused.

**VOTE:       AYES:       Chair Hokama, and Councilmembers Atay, Carroll, Cochran, Crivello, King, and Sugimura.**

**NOES:       None.**

**ABSTAIN:   None.**

**ABSENT:    None.**

**EXC.:       Vice-Chair White and Councilmember Guzman.**

**MOTION CARRIED.**

**ACTION:    APPROVE.**

CHAIR HOKAMA: And then on Page 6, Members, of the proposed bill for an ordinance, the Chair is going to entertain a motion to amend, to add Section 3, to rewrite Section 3. And that Section 3 will now state "for the period July 1, 2018 through August 31, 2018, the facility rates pursuant to Ordinance 4456 shall be in effect." Then Section 3 will be renumbered to Section 4. And then the amendment would be that we would strike "upon its approval" and replace it with "on October *[sic]* 1, 2018."

COUNCILMEMBER CARROLL: So moved.

COUNCILMEMBER SUGIMURA: Second.

CHAIR HOKAMA: Motion by Mr. Carroll, seconded by Ms. Sugimura on the motion to amend. Members, that will...again on Section 3, just reverify that the rates the Department will currently charge is as it existed from last year, okay, no increases. Therefore, everything is valid, what they've processed, what has been reserved, what has been deposited, is all up to par, okay? The proposal of this, if it moves forward, will take effect

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September 1. And that should give the Department sufficient time to work with their software requirements as some of the Members have mentioned. Okay, that is part of your reasoning. And again, the Chair is happy if you have questions regarding the issue of software 'cause that is another disappointment for your Chair in our capable...or lack of capabilities on what we pay for and what we should be receiving in services. But it's good to know that this current vendor cannot do what we want. So, any questions or additional comments on the motion to amend before you, Members? If not, all in favor of the motion please say "aye."

COUNCILMEMBERS: Aye.

CHAIR HOKAMA: Oppose say "no." Motion passes with seven "ayes," two excused.

<b>VOTE:</b>	<b>AYES:</b>	<b>Chair Hokama, and Councilmembers Atay, Carroll, Cochran, Crivello, King, and Sugimura.</b>
	<b>NOES:</b>	<b>None.</b>
	<b>ABSTAIN:</b>	<b>None.</b>
	<b>ABSENT:</b>	<b>None.</b>
	<b>EXC.:</b>	<b>Vice-Chair White and Councilmember Guzman.</b>

**MOTION CARRIED.**

**ACTION: APPROVE.**

CHAIR HOKAMA: We are back to the main motion as amended. Any further discussion, Members? Okay, with not, if not, all in favor of the motion please say "aye."

COUNCILMEMBER: Aye.

CHAIR HOKAMA: Oppose say "no." Motion passes with seven "ayes," two excused Mr. White and Mr. Guzman.

<b>VOTE:</b>	<b>AYES:</b>	<b>Chair Hokama, and Councilmembers Atay, Carroll, Cochran, Crivello, King, and Sugimura.</b>
	<b>NOES:</b>	<b>None.</b>
	<b>ABSTAIN:</b>	<b>None.</b>
	<b>ABSENT:</b>	<b>None.</b>
	<b>EXC.:</b>	<b>Vice-Chair White and Councilmember Guzman.</b>

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**MOTION CARRIED.**

**ACTION: FIRST READING** of revised bill and **FILING** of communication by C.R.

CHAIR HOKAMA: Thank you everyone for being here this morning on your testimony regarding this proposal. Thank you for being here.

**ITEM 150: FRONT STREET APARTMENTS, LAHAINA, MAUI (MISC.)**

CHAIR HOKAMA: Okay, let us move on to BF-150, Front Street Apartments. Thank you, Department. Thank you, Director, Ms. Almeida. Okay, Members, under BF-150 we have a miscellaneous communication dated May 21, 2018, from the Deputy County Clerk, referring this matter. And the matter is also as it regards pursuant to Senate Bill 2293. June 19, 2018, from Budget Director, we have a proposed bill for an ordinance as it pertains to Part II, Special Purpose Revenues – Schedule of Revolving/Special Funds for Fiscal Year 2019, Affordable Housing Fund. And again, Members, we've had a previous meeting on this matter. As the State has written in their legislation, it is requiring the County provide dollar-for-dollar matching funds regarding this State project, State screw-up, State problem. And now we get to pay half the bill 'cause they don't pay half the bill for us when we make errors. Okay, it is a straightforward request. We've talked about this, Members. Ms. Crivello, comments?

COUNCILMEMBER CRIVELLO: Yes, thank you, Chair. I appreciate you bringing this forward. And yes, we are sort of replying to...we are replying to the request of Hawaii State government. And I know that we recognize it because we have constituents and tenants that live there that this is like a bomb that have exploded without much warning. And they've been working hard with the HHFDC and their organization to extend the affordable rental period. So, if this will help our residents in...on Front Street in Lahaina, I believe all will benefit. So, I ask our Members to come together to support this, but I have one question, Chair?

CHAIR HOKAMA: Proceed.

COUNCILMEMBER CRIVELLO: It has notes for our discussion that we would come into a MOA with the HHFDC. Upon all the completion of that, do we also have another step with...to have with the State government, an intergovernmental agreement, before everything is finalized or with this MOA, or memorandum of agreement, suffice our opportunities?

CHAIR HOKAMA: Okay, thank you for the question. Mr. Ueoka?

MR. UEOKA: Thank you, Chair. The intent of this language when we were working with Budget Director Baz on drafting it was, essentially, yes, the MOA would be an

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intergovernmental agreement between the County and the State, and there would be a financial obligation attached to it. Therefore, the MOA would first need to be approved by the Administration side, and then would need Council approval before the Administration could enter into the agreement. So, this body would see the MOA assuming there's a financial obligation, which from what I can tell it looks that way, but I haven't seen it yet.

CHAIR HOKAMA: I think \$250,000 is the financial obligation.

COUNCILMEMBER CRIVELLO: Yeah, thank you, Chair and Mr. Ueoka. So this, which HHFDC is representative of the Hawaii State government for the final agreement?

CHAIR HOKAMA: Mr. Ueoka?

MR. UEOKA: My understanding from reading the Senate bill was we would be working with HHFDC directly on this. I'm not as familiar with the...who signs and who does what, on the State government. I can tell you for the County side, but I don't want to speak for the State. But as far as our understanding, on the County side, is we will be working with HHFDC directly. Thank you, Chair.

COUNCILMEMBER CRIVELLO: Thank you, Chair.

CHAIR HOKAMA: Thank you, Ms. Crivello. Mr. Carroll, questions? Thank you. Ms. King, any questions? Thank you. Ms. Cochran?

COUNCILMEMBER COCHRAN: Yeah, thank you. This has come a long way from the very beginning of this concern. And so, the 250 matching and will not be expended 'til HHFDC puts in their share. And so, they're gonna be the ones spearheading the ground lease? You know, the appraisal, the ground lease 'cause I know we had something on behalf of this Council in reference to an appraisal. So now, I'm just trying to figure out who's actually running with the ball here?

CHAIR HOKAMA: Director Spence?

MR. SPENCE: Okay, thank you, Miss...Chairman. And maybe Mr. Ueoka has a better answer than I do. I did see the resolution from the Council authorizing I believe it's the Council Chair to enter into...to go ahead and start an appraisal. Beyond that I mean I was just given the file.

COUNCILMEMBER COCHRAN: Okay.

MR. SPENCE: So, it doesn't really matter to me who starts the appraisal so long as it's done in a timely matter so we can get this going.

COUNCILMEMBER COCHRAN: Yes, well me, too, but then I wanna know who is because what happened with us, Chair, if I recall, the landowners, per se, weren't allowing us to --

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CHAIR HOKAMA: Denied our request.

COUNCILMEMBER COCHRAN: --put our appraisers on their property --

CHAIR HOKAMA: Correct.

COUNCILMEMBER COCHRAN: --to do appraisals.

CHAIR HOKAMA: Correct.

COUNCILMEMBER COCHRAN: So, I haven't heard on the other side if they were given right of entry. So, --

CHAIR HOKAMA: Yeah.

COUNCILMEMBER COCHRAN: --are we just...

CHAIR HOKAMA: Your Chair's understanding of this, Ms. Cochran, is that, is the \$250,000 from the County of Maui, your Chair expects HHFDC and the State Attorney General's Office to move forward in following through on the appraisal and the condemnation documents for ground lease of the Front Street Apartments. This is their project, their request, we are supporting them financially, okay? So, I expect them to forward a memorandum of agreement or an IGA for Council review, and potential adoption to move this forward as soon as they get their documents ready. But as far as the County's concerned, I feel we're doing our part, we're very open, we're getting the money situated for release as soon as the State provides us with their document to execute, and then off they go into doing their requirements as they publicly made comments to the residents of the Front Street Apartments.

COUNCILMEMBER COCHRAN: Okay.

CHAIR HOKAMA: But that is your Chair's understanding of our role and where the County is with this matter.

COUNCILMEMBER COCHRAN: Okay, no, very good for that clarification.

CHAIR HOKAMA: Yeah.

COUNCILMEMBER COCHRAN: The bill does tie us...well, it ties it to this project for the Leialii, too, which I don't care for that attachment, but again, you know, we need to move forward on the areas that we can. So, this is...

CHAIR HOKAMA: Right, I believe we when we brought in that representative from the State, I think on the record they made comment that the Leialii and Front Street are two separate projects in one bill. And that Leialii has no impact on how we move forward on Front Street. And that was one thing I believe we questioned specifically that this will not hinder or be complicated by the Leialii project with Front Street. So, that is

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your Chair's understanding, on the record, as they've made public comment at various public meetings. Mr. Ueoka, any other comments?

MR. UEOKA: Thank you, Chair. Just the State bill basically states what you mentioned earlier, Chair, that HHFDC in Section 1 is required to institute proceedings for the ground lease, condemnation proceedings for the ground lease of the apartments; Section 2 goes into 250,000 for the State's putting in or so much thereof as may be necessary for Fiscal Year 2018-2019 for an appraisal and other preparations for instituting the condemnation proceedings. And then there's the provision for matching funds from the County. So, the reason why Director Baz wanted the IG...or the MOU language in there is 'cause I think this body and the Administration wants to know what the \$250,000 from the County will be used for, and that should be spelled out in the MOU, that's our hope at least. The last section is, as the Chair mentioned, a separate 30 million for moving towards Leialii affordable housing. So, one is the condemnation proceedings; two is the matching funds from the County and the State for appraisal and other preparations; and the third one is that last area for the Leialii, just for clarification. Thank you, Chair.

COUNCILMEMBER COCHRAN: Right. Yeah, thank you.

CHAIR HOKAMA: Ms. Cochran?

COUNCILMEMBER COCHRAN: But it was just odd in the public's eye why one was in there seemingly tied to one another where you're gonna approve this, and if don't, then this goes away, Front Street. And if...so that's where I think it was like a foreseen...people to vote on that bill, I mean not us, the County, but that's how it moved through State process and it ended up here. So anyways, I mean there's no debating or whatever on this, it is what it is, but that's was kind of the perception in the...if it was just standalone and it was...you know --

CHAIR HOKAMA: Understand.

COUNCILMEMBER COCHRAN: --we totally support this Front Street movement, great, but then all of a sudden this other huge project was tied in, which never really got vetted and there's other concerns infrastructurally with that, too. So anyways, that's a...again --

CHAIR HOKAMA: Unfortunately, --

COUNCILMEMBER COCHRAN: --it's too much --

CHAIR HOKAMA: --we do not have the State --

COUNCILMEMBER COCHRAN: --cross-mixing.

CHAIR HOKAMA: --Administration --



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COUNCILMEMBER COCHRAN: Yeah.

CHAIR HOKAMA: --nor the State legislators' representatives to give us the insight on why they tied multiple projects into one legislation. So, --

COUNCILMEMBER COCHRAN: Yeah, can't figure them, Chair.

CHAIR HOKAMA: --but what we are concerned about is Front Street Apartments. That is what is before you, Members. Whether or not you will forward \$250,000 to assist the State in resolving this housing matter. Let's see, I went to...Ms. Sugimura, your turn.

COUNCILMEMBER SUGIMURA: Thank you, Chair. So, I think we are all in agreement, this is a good thing, as we heard the two budget processes or every time this comes up we hear from their tenants. And we all have concerns about affordable housing, and unfortunately things happened the way that they did. I just want to thank you for bringing this up, I do fully support this. I appreciate the work that Member Crivello has been working on this, I think Roz Baker, and especially Gary Kubota who was here. I appreciate that. So, thank you.

CHAIR HOKAMA: Thank you. Mr. Atay?

COUNCILMEMBER ATAY: No questions, Chair. I fully support this.

CHAIR HOKAMA: Thank you. Miss...I asked miss...okay, everyone had an opportunity to speak. You had anything else, Ms. Crivello, you wanted to share?

COUNCILMEMBER CRIVELLO: No, I just wanna mention that I know this is off from the actual Front Street item, but HHFDC is planning a community meeting in Lahaina real shortly in regards to how they move forward with Leialii. Yeah, thank you.

CHAIR HOKAMA: Okay. Okay, this is a straight financial request before this Committee. So, the Chair will entertain a motion to recommend to Council passage on first reading be ordered to print an ordinance "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES – SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2019, AFFORDABLE HOUSING FUND"; and allowing Staff to make any appropriate nonsubstantive adjustments.

COUNCILMEMBER CRIVELLO: So move.

COUNCILMEMBER CARROLL: Second.

CHAIR HOKAMA: Motion by Ms. Crivello, seconded by Mr. Carroll. Any further discussion, Members? With none, all in favor of the motion please say "aye."

COUNCILMEMBERS: Aye.

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CHAIR HOKAMA: Oppose say “no.” Motion passes with seven “ayes,” two excused Mr. White and Mr. Guzman.

**VOTE:**           **AYES:**           **Chair Hokama, and Councilmembers Atay, Carroll, Cochran, Crivello, King, and Sugimura.**

**NOES:**           **None.**

**ABSTAIN:**       **None.**

**ABSENT:**       **None.**

**EXC.:**           **Vice-Chair White and Councilmember Guzman.**

**MOTION CARRIED.**

**ACTION:**       **FIRST READING** of bill by C.R.

CHAIR HOKAMA: Thank you for being here, Mr. Kubota. Okay, let’s move on to...you know what, we’ll take a short, five-minutes recess and pound out the last three items so we’ll be in recess. . . . *(gavel)* . . .

                  RECESS:           10:11 a.m.  
                  RECONVENE:       10:20 a.m.

CHAIR HOKAMA: . . . *(gavel)* . . . Okay, Members, we have a few more items to conclude for today’s agenda, which is, in your Chair’s review, is housekeeping. Basically we reviewed some of this items or the subject prior to this meeting.

**ITEM 157(2):    AMENDMENTS TO APPENDIX A, GRANT REVENUE - SCHEDULE OF GRANTS AND RESTRICTED USE REVENUES BY DEPARTMENTS AND PROGRAMS FOR FISCAL YEAR 2019 (DEPARTMENT OF PUBLIC WORKS (STATE OF HAWAII - OLD HALEAKALA HIGHWAY SIDEWALK))**

CHAIR HOKAMA: May I direct you to BF-157(2). This is an amendment request to Appendix A under Grant Revenue. And this is under the Department of Public Works, subsection State of Hawaii Old Haleakala Highway Sidewalk project. We have a bill for an ordinance dated July 11, 2018, from Budget Director Baz, with his proposal. And this one, let’s see, Mr. Goode is asking us to accept \$3 million from the State of Hawaii Old Haleakala Highway Sidewalk project. So, Mr. Baz, anything you wish to add on this request?

MR. BAZ: No, thank you, Mr. Chair, for your expeditious review of this item and the other two. These are grants that the State did pass as part of the State budget bill during this past session. And this is a project the Department of Public Works has been working on.

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They can answer any detailed questions about the project itself, but we do need to officially recognize the funds in our Budget before the Governor will release the funds.

CHAIR HOKAMA: Thank you. Director Goode, any comments you wish to share?

MR. GOODE: Thank you, Chair. Good morning, Members. David Goode, here, Department of Public Works. This is for a continuation of the sidewalk from Makawao Avenue down towards Foodland on the Kihei side of the road. There's currently just a couple areas where there is sidewalks. There's a fair amount of foot traffic in the area and this...we became aware of the potential for this funds in this year's budget. And Ms. Sugimura put in a million dollars so the County match is in already, the FY '19. And so, it's a fair amount of money for one would consider a sidewalk project, but I think you really need to think of it as rebuilding the entire shoulder of the road. Currently, there's a swale in there; there's overhead utilities, electric, big phone cables, cable; there's drainage, so it would be kind of a rebuild of the whole shoulder. But that would really complete all the way through that commercial area, from Pukalani Street up all the way to King K, and around to the Kulamalu Center. Thank you, Chair.

CHAIR HOKAMA: Thank you, Director. Ms. Sugimura, any questions?

COUNCILMEMBER SUGIMURA: Thank you very much for bringing this item up. It is an item that came up actually through the community. The Pukalani Community Association has it on their priority list and it was discussed at their meeting. And I wanted to just thank Representative Kyle Yamashita for putting this money...working with us and the community to bring the money through the State budget side. And I actually did hear from a resident, an elderly lady, who was talking about difficulty of walking down that, you know, bumpy road and had fallen. And there's like a connected story with it, but this will help make a lot of community people happy. So thank you, Chair, for bringing this up.

CHAIR HOKAMA: Okay, thank you. Ms. Cochran, questions on this request?

COUNCILMEMBER COCHRAN: No, thank you. I caught...sorry I was late back in getting off of break. But so I mean 3 million for a sidewalk. So, but I heard you Director Goode, the challenges with this. And I'm trying to picture...so Makawao Avenue to Pukalani Street? So, is that going along the highway, the main Haleakala Highway towards...I'm trying to picture, there's no map, yeah, in our Granicus?

CHAIR HOKAMA: Yeah, sorry.

COUNCILMEMBER COCHRAN: And so, I'm just trying to picture the actual route in my head right now.

MR. GOODE: Okay.

COUNCILMEMBER COCHRAN: Can you describe that a little bit?

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CHAIR HOKAMA: Director, if you could?

MR. GOODE: Sure, it's Old Haleakala Highway. So, to make some landmarks, you're going from the Superette down to Foodland on the Kihei side of the road. 'Cause currently we finished the sidewalk from King K down Old Haleakala Highway to Makawao Avenue by the Superette. That was another joint venture where the State put in funds and we put in funds, and we managed, and built the project. So, that's a continuation of that concept. But now we're hitting the most expensive section because there's lots of overhead utilities, drainage, retaining walls, all kinds of things needed. So, that's the area, Old Haleakala Highway.

COUNCILMEMBER COCHRAN: Oh okay, Old Haleakala Highway. Okay, alright, yeah that helps. Thank you. Thank you.

CHAIR HOKAMA: And again, we appreciate the Director helping the Committee understand more. For a sidewalk, \$4 million, that's pretty atrocious, just for a sidewalk. But as I was told, in the path of the sidewalk is things like utility poles so somebody approved to put poles in our easements and right-of-ways.

COUNCILMEMBER COCHRAN: Sorry, Chair? Sorry.

CHAIR HOKAMA: Yes?

COUNCILMEMBER COCHRAN: The utility...so, Director...oh sorry, for Director. These poles and things in the pathway, are we underground...are they gonna be underground or how...you're just working around them? I mean 'cause, you know, we're all talking about the multimodal, walkable, bikeable. Are...is there any leeway in land space to upgrade to that type of, you know, usage in these corridors?

CHAIR HOKAMA: Director?

MR. GOODE: Thanks, Chair and Ms. Cochran. The...you know, we did a cost estimate, a rough cost estimate, in 2012. I reviewed it before I came up here this morning, and they'd put in \$450,000, which was really just enough to relocate some of those poles. They're probably pretty high voltage lines, and like I mentioned earlier, the telephone lines are the really thick ones. So, any undergrounding would probably be in the millions alone. So, it's not included this time.

COUNCILMEMBER COCHRAN: Okay, so no, okay.

MR. GOODE: No.

COUNCILMEMBER COCHRAN: Okay, thank you, Chair.

CHAIR HOKAMA: Thank you. Ms. King?

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COUNCILMEMBER KING: Actually, thank you, Chair, that was gonna be my question about, you know, possibility of going underground with the utilities. But just one other question is, is there any problem with getting this money released from the Governor 'cause I know in the past we've had, we had an issue with that 5 million getting released?

CHAIR HOKAMA: Director?

COUNCILMEMBER KING: So...

MR. GOODE: No, you know, I'm not aware at this time. I don't think the request has been made. We still need to go into the design so it might be a while yet 'til we ask, but we will. It's gotta be sometime during this year, right, 'cause you wanna encumber the funds. So, I'll have to work with staff, but we, in the past, we have it, like the previous, this previous sidewalk project that we did. We just finished securing the funds for Keanae for the Keanae Road rockfall area. That was \$2 million, we got that commitment. And the other joint project we did was actually the Makawao Avenue and Haleakala Highway intersection. That's also a joint venture between the two of us. And they've released those funds. So, right now we're batting three-for-three so we're gonna go to the plate one more time. See if we can go four-for-four.

CHAIR HOKAMA: Okay.

COUNCILMEMBER KING: Okay, it's a good thing that well keeps having water in it. Thank you.

CHAIR HOKAMA: Thank you. Mr. Carroll, any questions? Ms. Crivello?

COUNCILMEMBER CRIVELLO: Not at this time. Thank you.

CHAIR HOKAMA: Thank you. Mr. Atay?

COUNCILMEMBER ATAY: No questions.

CHAIR HOKAMA: Ms. Sugimura, anything else?

COUNCILMEMBER SUGIMURA: I just wanna make a comment that I see Gladys Baisa in the audience, and she was the one that did that first phase of the park...of the sidewalk. So, thank her also.

CHAIR HOKAMA: Okay, thank you. Anything else, Director Goode? Okay, straightforward, we will not turn down money for a project. The Chair will entertain a motion to push to recommend to Council passage of first reading be ordered to print "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2019 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 PUBLIC WORKS (STATE OF

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HAWAII – OLD HALEAKALA HIGHWAY SIDEWALK”); allowing Staff to make nonsubstantive adjustments; and filing of any appropriate communications.

COUNCILMEMBER SUGIMURA: So move.

COUNCILMEMBER CRIVELLO: Second.

CHAIR HOKAMA: Motion by Ms. Sugimura, seconded by Ms. Crivello. Any further discussion, Members? All in favor of the motion please say “aye.”

COUNCILMEMBERS: Aye.

CHAIR HOKAMA: Oppose say “no.” Motion passes with seven “ayes,” two excused.

**VOTE:           AYES:           Chair Hokama, and Councilmembers Atay, Carroll, Cochran, Crivello, King, and Sugimura.**

**NOES:           None.**

**ABSTAIN:       None.**

**ABSENT:        None.**

**EXC.:           Vice-Chair White, and Councilmember Guzman.**

**MOTION CARRIED.**

**ACTION:        FIRST READING** of bill by C.R.

CHAIR HOKAMA: Thank you, Director.

**ITEM 157(1): AMENDMENTS TO APPENDIX A, GRANT REVENUE – SCHEDULE OF GRANTS AND RESTRICTED USE REVENUES BY DEPARTMENTS AND PROGRAMS FOR FISCAL YEAR 2019 (OFFICE OF THE MAYOR (STATE OF HAWAII DEPARTMENT OF AGRICULTURE – KULA AGRICULTURAL PARK EXPANSION))**

CHAIR HOKAMA: Okay, 157(1). This is also to amend Appendix A. This is under the Office of the Mayor, State of Hawaii Department of Agriculture – Kula Ag Park Expansion. This is a very housekeeping thing. We have a proposal, July 11, 2018, from the Budget Office, with their proposal. The proposal, Members, is to amend the title of the grant so that this...so that our project will match the State’s title in their budget appropriation to have State monies released. So, this is an exercise of--I tell you--a simple exercise

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that we will do to allow the next item move...to be able to move forward. Ms. Rasmussen, any additional comments you wish to make?

MS. RASMUSSEN: No, you explained it perfectly. Thank you.

CHAIR HOKAMA: Thank you. Ms. Sugimura, any comments?

COUNCILMEMBER SUGIMURA: So, just a question, so does that help expedite the processing or what is the purpose of it exactly?

CHAIR HOKAMA: It's so that the State will release money to the project as they've appropriated.

COUNCILMEMBER SUGIMURA: Oh, I see.

CHAIR HOKAMA: They want the titles --

COUNCILMEMBER SUGIMURA: Has to be exact.

CHAIR HOKAMA: --to match the County's project --

COUNCILMEMBER SUGIMURA: Oh, okay.

CHAIR HOKAMA: --and their project to be one same name.

COUNCILMEMBER SUGIMURA: Oh, okay.

CHAIR HOKAMA: And so we're going through this exercise.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR HOKAMA: Okay, anyone else has a question? Okay, if not, the Chair will entertain a motion to recommend to Council passage on first reading be ordered to print "A BILL FOR ORDINANCE AMENDING THE FISCAL YEAR 2019 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 (STATE OF HAWAII DEPARTMENT OF AGRICULTURE - KULA AGRICULTURAL PARK EXPANSION)"; allowing Staff to make nonsubstantive adjustments; and filing of any appropriate communications.

COUNCILMEMBER SUGIMURA: So move.

COUNCILMEMBER CRIVELLO: Second.

CHAIR HOKAMA: Motion by Ms. Sugimura, seconded by Ms. Crivello. Any further discussion, Members? With none, all in favor of the motion please say "aye."





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MS. BAISA: Thank you, Chair. Really, Mr. Baz and yourself have explained why we're here today. Essentially to get this grant added to the Budget. It's really important that we get the money because once we do we plan to hire a consultant who will take it to the next level. And start working with what is needed, and doing all of the estimates and the research, and the things that have to be done so we can go forward. But we need the appropriation so we can hire. And so it's very important. This is a matter of time. Thank you.

CHAIR HOKAMA: Okay, thank you. Mr. Atay, any questions or comments you may have?

COUNCILMEMBER ATAY: No questions at this time.

CHAIR HOKAMA: Thank you. Ms. Sugimura?

COUNCILMEMBER SUGIMURA: Yeah, thank you. These funds as well as the previous ones that were recognized were all brought in through Kyle Yamashita. So, I appreciate that through the State budget we worked with him. But on this, I think this, this is to bring water to the park, the ag park, which is I think gonna be helpful, was the idea, correct?

MS. BAISA: Yes, very much so. That is what the money's for.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR HOKAMA: Okay, thank you. Ms. Cochran, any questions?

COUNCILMEMBER COCHRAN: Yeah, thank you, Chair. So, the previous 5 mil, I'm seeing the land, engineering, irrigation, ground site improvement, equipment, appurtenances. And this 3.5 mil is also for similar...but I guess only specifically towards I guess source development or the water system, per se. 'Cause it seems...

MS. BAISA: That's correct.

COUNCILMEMBER COCHRAN: Okay. 'Cause it seems, you know, duplicative I guess as in site and irrigation...you know, all the similar verbiage between the two funds. So, 8.5 million total for the park and for...to get water to it, I mean is a big price tag, but I know it's coming from State so thanks to that. But I'm looking at all the people that are on that wait...I know the water meter list isn't on here, but it's in reference to water and Upcountry I guess. So, any way for this type of new system being built out can help assist also side users or not?

CHAIR HOKAMA: Mr. Baz?

MR. BAZ: Thank you. Since it crosses multi-departments, I'll go ahead and answer the question. So, the original appropriation of the previous item was an appropriation to acquire more land to expand the Kula Ag Park. This is to replace a pump and provide so that the existing ag park and the new ag park can have adequate water supply. The water that's provided for the two ag parks or the newly expanded hopefully ag park will

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be...is all non-potable. So, it's not able to be utilized for any of the Upcountry water meter system list. So, just to clarify that.

COUNCILMEMBER COCHRAN: Okay, yeah, just wondering if we can help --

MR. BAZ: Yeah, no.

COUNCILMEMBER COCHRAN: --you know, assist others while we're at this.

MR. BAZ: Sure.

COUNCILMEMBER COCHRAN: But, okay, thank you. Thank you, Chair.

CHAIR HOKAMA: Okay, thank you. Ms. King?

COUNCILMEMBER KING: Thank you, Chair. My question is about the...you just mentioned we needed a consultant?

MS. BAISA: Yes.

COUNCILMEMBER KING: We don't have the in-house capability with the engineers that we have to design these types of systems or expand on...

MS. BAISA: Thank you very much, Ms. King. An excellent question. You know, we always are looking at, can we do the projects in-house or can't we? And unfortunately, at this point, we do not have extra person to take on a big project. We really need somebody and this is a very complicated project. We sat down to discuss it one day with Ms. Rasmussen, and with the folks from the State, and whatever, and it's very, very complicated. You know, we say replace a pump, it doesn't sound...it's not as easy as it sounds. There's a lot of work that goes into getting what pump, where it goes, what size it is. And boy, I can tell you, I think that this...while we're having comments about how expensive it is, I think once we actually get in to seeing what this is gonna cost, it may cost more.

COUNCILMEMBER KING: Okay, so, but I'm trying to understand what the issue is with...you need to hire someone, is it the level of expertise or is it just the bodies that we're lacking?

MS. BAISA: I...essentially it's the person who we can dedicate the time. We're just...

COUNCILMEMBER KING: So, we're...

MS. BAISA: We're short.

COUNCILMEMBER KING: It's related to us being shorthanded.

MS. BAISA: Correct. And we're still short.

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COUNCILMEMBER KING: Okay, so, and these are positions we're trying to hire?

MS. BAISA: And I have to say that, you know, our Chief Engineering Program Manager Wendy is working really hard on recruiting. She has been interviewing for hours on end trying to find the right people. And it's okay to find people, but they have to have the right kind of background. And on more than that even the right dedication to be willing to work hard. It's a tough position to fill.

COUNCILMEMBER KING: Okay. Thank you, Chair.

CHAIR HOKAMA: Okay, thank you for those questions. Mr. Carroll, any questions? Thank you. Ms. Crivello?

COUNCILMEMBER CRIVELLO: No, no questions, just a comment to...I noticed today is a partnership day with Hawaii State. So, it's good that we're moving forward with all the provisions we need to respond to our agricultural needs. Thank you.

CHAIR HOKAMA: Okay, thank you. So, Members, my only suggestion to you would be, if and when the Department does contract, then again at Council an appropriate standing committee may request that contract to be referred for additional review. So, whether it goes Mr. Atay or under Ag, I guess that's you, Ms. Sugimura, you know, there can be further reviewed of this use of funds.

UNIDENTIFIED SPEAKER: Okay.

CHAIR HOKAMA: With no further questions, Members, the Chair will recommend and entertain a motion to move to Council for passage on first reading be ordered to print "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2019 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 WATER SUPPLY (STATE OF HAWAII - UPCOUNTRY MAUI AGRICULTURAL PARK, MAUI WATER SYSTEM IMPROVEMENTS)";--boy, that's a title, yeah--allowing Staff to make any nonsubstantive changes; and filing of any appropriate communications.

COUNCILMEMBER SUGIMURA: So move.

COUNCILMEMBER CRIVELLO: Second.

CHAIR HOKAMA: Motion by Ms. Sugimura, seconded by Ms. Crivello. Members, is there any further discussion on the motion before you? With none, all in favor of the motion please say "aye."

COUNCILMEMBERS: Aye.

CHAIR HOKAMA: Oppose say "no." Motion passes with seven "ayes," two excused.

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**VOTE:**        **AYES:**        **Chair Hokama, and Councilmembers Atay, Carroll, Cochran, Crivello, King, and Sugimura.**

**NOES:**        **None.**

**ABSTAIN:**     **None.**

**ABSENT:**     **None.**

**EXC.:**        **Vice Chair White, and Councilmember Guzman.**

**MOTION CARRIED.**

**ACTION:**     **FIRST READING** of bill by C.R.

CHAIR HOKAMA: We thank the Department and Mr. Baz, this morning.

MS. BAISA: Thank you, Chair and Members.

CHAIR HOKAMA: Okay, with further business this meeting is adjourned. . . . *(gavel)* . . .

ADJOURN:    10:40 a.m.

APPROVED:



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RIKI HOKAMA, Chair  
Budget and Finance Committee

bf:min:180724:nk

Transcribed by: Nicole Kahinu

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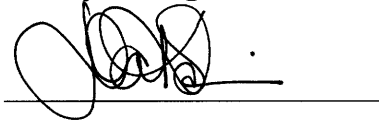
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CERTIFICATE

I, Nicole Kahinu, hereby certify that the foregoing represents to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 16<sup>th</sup> day of August, 2018, in Wailuku, Hawaii

A handwritten signature in black ink, appearing to read 'Nicole Kahinu', is written over a horizontal line.

Nicole Kahinu