

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE  
COMMITTEE**

**Council of the County of Maui**

**MINUTES**

**October 15, 2018**

**Council Chamber, 8<sup>th</sup> Floor**

**CONVENE:** 9:10 a.m.

**PRESENT:** Councilmember Yuki Lei K. Sugimura, Chair  
Councilmember Stacy Crivello, Vice-Chair  
Councilmember Alika Atay  
Councilmember Robert Carroll  
Councilmember Elle Cochran (in 9:19 a.m.; out 11:14 a.m.)  
Councilmember Don S. Guzman (in 9:46 a.m.)  
Councilmember Riki Hokama  
Councilmember Kelly T. King  
Councilmember Mike White (in 9:42 a.m.; out 11:14 a.m.)

**STAFF:** Shelly Espeleta, Legislative Analyst  
Leslee Matthews, Legislative Analyst  
Clarita Balala, 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.:** Edward S. Kushi, Jr., First Deputy Corporation Counsel, Department of the Corporation Counsel  
Jerrie L. Sheppard, Deputy Corporation Counsel, Department of the Corporation Counsel (Item 71)  
Teena Rasmussen, Director, Office of Economic Development (Item 71)  
Gladys C. Baisa, Director, Department of Water Supply (Item 71)  
John C. Kulp, Deputy Director, Department of Finance (Item 71)  
Scott K. Teruya, County Real Property Tax Administrator, Department of Finance (Item 71)

*Seated in the gallery:*

Keith Regan, Managing Director, Department of Management  
Wendy Taomoto, Engineering Program Manager, Department of Water Supply

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
**Council of the County of Maui**

**October 15, 2018**

---

Guy Hironaka, Real Property Manager, Department of Finance  
Kenneth Yamamura, Economic Development Specialist, Office of Economic Development

**OTHERS:** Brandon Shim, Board Member, Maui County Farm Bureau (Item 71)  
Lauren Loor, Community Member, Coalition for a Tobacco Free Hawaii (Item 4(2))  
Gordon Nehorah, Chief Executive Officer, Wonderful Farms Inc. (Item 71)  
Leon Bolosan (Item 71)  
Trinette Furtado (Item 4(2))  
Laksmi Abraham (Item 4(2))  
Tom Blackburn-Rodriguez, Executive Consultant, Go Maui, Inc. (Item 71)  
Zandra Amaral Crouse (Item 71)  
Barbara Barry (Item 71)  
Darren Strand, General Manager, Diversified Agriculture, Alexander & Baldwin LLC (Item 71)  
Charlie Loomis, Vice President of Land Assets, Alexander & Baldwin LLC (Item 71)  
Carol Reimann, Vice President, Alexander & Baldwin LLC  
Mae Nakahata, Director of Research, Alexander & Baldwin LLC  
Warren Watanabe, Executive Director, Maui County Farm Bureau  
(5) additional attendees

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

---

CHAIR SUGIMURA: ...*(gavel)*... Good morning, everyone. Welcome to the October 15<sup>th</sup>, Policy, Economic Development, and Agriculture Committee. It is now 9:10. I'd like to welcome everyone for being here. Please silence all cell phones and noisemaking devices. I would like to take a roll call. But before I do, I'd like to...nice to see you, Mr. Carroll.

COUNCILMEMBER CARROLL: And good morning, Chair.

CHAIR SUGIMURA: Good morning. Stacy Crivello, my Vice-Chair.

VICE-CHAIR CRIVELLO: Good morning, Chair.

CHAIR SUGIMURA: Good morning. Alika Atay.

COUNCILMEMBER ATAY: Good morning, Chair.

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

CHAIR SUGIMURA: Riki Hokama. Kelly King. Mr. White is on his way as well as Don Guzman. The items that we have...today, we have a pretty full calendar. And I'd like to thank all the Staff who are here to support it. For...from the Administration, we have Teena Rasmussen, Director of Economic Development for the A&B purchase of land. She'll be here shortly. Mark Walker, I guess is gonna be here from Finance.

UNIDENTIFIED SPEAKER: . . .*(inaudible)*. . .

CHAIR SUGIMURA: Oh, okay, Jack Kulp is gonna be here. Guy Hironaka is also gonna be here. He's in the audience. And we have Scott Teruya for PEA-32, which is on the Wi-Fi in public places. We have Keith Regan, our Managing Director. From the community for the A&B purchase, we have Darren Strand who's the general manager for Diversified Agriculture for Alexander & Baldwin, LLC. Thank you, Teena Rasmussen.

MS. RASMUSSEN: Yeah.

CHAIR SUGIMURA: Carol Reimann in the audience, Vice President, Alexander & Baldwin. Mae Nakahata, Director of Research, A&B, LLC. Also in the gallery, Charlie Loomis, Vice President, Land Assets for Alexander & Baldwin, LLC. Corporation Counsel, thank you very much, Jerrie Sheppard. Deputy Corp. Counsel will be available for the A&B purchase, as well as we have Junior Kushi...for the other items we have our Deputy, First Deputy Corp. Counsel, which is Ed Kushi, Jr. I'd like to also thank Staff. We have a brand new Legislative Analyst from Office of Council Services, Leslee Maddox [sic]. She's here in the back. Welcome, Leslee. Shelly Espeleta is my Staff member for this Committee. Committee Secretary, Clarita Balala. And I'd like to also give special thanks to my Staff, which is Kauanoë Batangan, who's my Legislative Researcher; Daryl Fujiwara, who helps me with community work. Also, I have Miki Yokouchi and Sherilyn Otsubo, who are part of my staff that helps me put all my things together. From our Hana District Office, we have Dawn Lono; Lanai District Office, Denise Fernandez; Molokai District Office, we have Ella Alcon. On our agenda today, we have a pretty full agenda. We have PEA-71, which is approving the acquisition of approximately 262 acres of land in Makawao; PEA-32, Public Wireless Access Points at County Facilities; PEA-3(2), Hawaii State Association of Counties, HSAC Legislative Package; as well as PEA-4(2), Maui County Legislative Packages. With that, Members, we are...I plan to do some hard work today, and I appreciate everybody who's here. I...I'm gonna be taking testimony now. So, testifiers today, right now we have eight testifiers. When I call your name, please come up to the podium, acknowledge your...give us your name and who you're representing. And we thank everybody for being here. You have three minutes when the light goes on. Please finish your testimony when the light turns red. For the first item, PEA-71, we have Brandon Shim, who's here. Brandon?

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

MR. SHIM: Good morning, Members of the Council. My name is Brandon Shim, I'm representing the Farm Bureau today. My background is in distribution currently, was

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

a chef for about 20 years, worked in multiple restaurants on Maui, grew up on a farm in Keokea, fourth generation Chinese, fourth generation Japanese, all back in agriculture from the HC&S days. And my Chinese side was actually from Wailuku Sugar, when they came over from China to start a ministry over here. You know, we developed the St. John's Church up at Keokea. I am heavily in favor of the acquisition of the land to start agriculture. Not only am I here to say that, you know, I'm in favor of it but also I can tell you what's gonna happen if we don't do it. In distribution, I see what's going on worldwide. Because I, you know, we've been acquired by the largest distributor in the world. And I deal with agriculture from the East Coast to the West Coast. And I can tell you right now that if you were here in the '80s and '70s, it was a great time. Then along came the spotted wilt virus and shut down all the tomato crop, shut down all the lettuce crops that were being grown here. Right now, we're seeing that up in Salinas Valley, California, the breadbasket of the US, we're losing crops weekly. Product is not being transported here in the condition that we can sell. I think we've all seen what the supermarkets are putting out. I think we've all gone to Costco and bought lettuce that doesn't last more than two to three days, you know. Local is the only option for us going forward. I mean it's hard. This morning, 4:00 a.m., I got a call that we just rejected 32,000 pounds of lettuce that's supposed to arrive next week for the population of Maui. The average salad is two ounces. If you do the numbers, how many people are not gonna be able to eat? We can recover. I mean we will, we're gonna fly it in on the planes. We're gonna put it in on the shelves. The customers are gonna buy it. But at, you know, at an exorbitant rate. You know, to barge it here is less than 26 cents a pound. To fly it here is about a \$1.25 to \$1.50 a pound. And we have to pass on that cost, you know. So, you know, I mean all I have to say is, you know, we've seen the scare when the missile crisis came. We all feared what was gonna happen. For us as broad line distributors said, oh my God, what's gonna happen to the harbor? We've all seen when the two hurricanes came by, our barges were delayed five to six days, just from a scare. Imagine if we get a full impact, what's gonna happen? Back when World War II hit, and Pearl Harbor was shut down, all I gotta say is thank God for farmers. We had dairy. We had poultry. We had beef. We had farmers. Everybody was a farmer. They all were agriculture. Sorry, may I finish? But --

CHAIR SUGIMURA: Okay. Finish.

MR. SHIM: --they shared. They shared and we survived. But what about today? Thank you.

CHAIR SUGIMURA: Thank you, Mr. Shim. Anybody have questions for him? Ms. King?

COUNCILMEMBER KING: Thank you. Thank you for being here, Mr. Shim. I was, you know, a little bit worried about that, the comments in the notes I have from the Kula Ag Park about the spotted wilt, that's a mainland issue that for...it's coming in on the mainland produce?

MR. SHIM: Yeah, it actually is...we've known it for a long time. That's why we can't grow anything here. We can't grow lettuce. We can't grow celery. We can't grow tomatoes.

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

I mean you remember all the hothouses. And we have a cooling facility just pretty much inactive except for a very few farmers. It's a mainland...it's in the mainland, it's in the south. It's travelling west. It's in Salinas Valley, California that produces all the produce for the United States for the months of March all the way up until November. And we're seeing it there. I mean you guys see it when you go to Costco, you buy, and you buy Romaine hearts, you know, when the rib has all that brown, orange, you see the butts turning black.

COUNCILMEMBER KING: Okay.

MR. SHIM: You open --

COUNCILMEMBER KING: Okay.

MR. SHIM: --up inside and there's spots.

COUNCILMEMBER KING: Thank you. But I --

MR. SHIM: Yeah.

COUNCILMEMBER KING: --just...you're not...we're not...we don't have it here yet?

MR. SHIM: Well, no --

COUNCILMEMBER KING: It's still...

MR. SHIM: --it's been here. We have it --

COUNCILMEMBER KING: Oh.

MR. SHIM: --here.

COUNCILMEMBER KING: So, you're saying we can't grow lettuce and things like that?

MR. SHIM: We will. There's, you know, the seed companies already are trying to produce seeds that are resistant to it. Hawaii is very familiar with it already. CTAHR is familiar with it already. So, we're actually ahead of the continental United States. But when push comes to shove and there's a limited amount of resource, Hawaii is not the biggest financial gain for a company to ship. When Atlanta, Georgia, or Carolinas or --

COUNCILMEMBER KING: No, I'm just --

MR. SHIM: --Florida...

COUNCILMEMBER KING: --concerned about, you know, the need to grow here. And --

MR. SHIM: Yeah.

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

COUNCILMEMBER KING: --if that's affecting our need to grow because if --

MR. SHIM: Oh, yeah.

COUNCILMEMBER KING: --we...if you're saying we can't grow it, then, you know, what are we gonna be growing on those Kula ag lands?

MR. SHIM: Oh, no, they're...we're gonna be able to grow 'cause people --

COUNCILMEMBER KING: Okay.

MR. SHIM: --are ready. We're ahead of it.

COUNCILMEMBER KING: Okay.

MR. SHIM: So, there's seed and stuff coming out. But until you recognize a problem and the U.S. hasn't done that, they're not gonna go and address the problem. Maui is at a point where we recognize it. So, we're willing to adapt to it and to plant and to feed our community right now.

COUNCILMEMBER KING: Okay.

MR. SHIM: Because the pipeline is getting very short every week right now.

COUNCILMEMBER KING: Okay. Thank you.

MR. SHIM: Thank you.

CHAIR SUGIMURA: Any other...Mr. Atay?

COUNCILMEMBER ATAY: Thank you, Chair. Thank you, Mr. Shim, for being here and your testimony. I know you mentioned that you're here this morning as Farm Bureau. But were you also...are you also a member of the Kula Ag Park?

MR. SHIM: I am.

COUNCILMEMBER ATAY: Yeah.

MR. SHIM: I'm the Acting Chair at the moment.

COUNCILMEMBER ATAY: Okay. So, on this item, this agenda item is focused on the acquisition of approximately 262 acres in Pulehunui and Omaopio, which is just below kind of adjacent to the now Kula Ag Park. So, this acquisition is being considered as the extension of the Kula Ag Park.

MR. SHIM: Yes.

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

COUNCILMEMBER ATAY: Did your committee or your organization, as the farmers of the Kula Ag Park, have a process or been involved in the selection of the lands that you folks or the potential farmers would want to farm on?

MR. SHIM: Yeah, we...well, they brought it before us about a year ago when I wasn't the Chair, and they showed the land. And logistically, it makes a lot of sense. So, we, you know, we agreed to it because it was in a area familiar to the ag park already. You know, water logistics showed that, you know, with one of the acquisitions being further, we will own the reservoir that feeds the ag park, you know. And with the dollars that are mandated to the pumps, you know, to upgrade the pumps, we're gonna have consistent water. And that's always been one of the battles for the agriculture up in the ag park is consistent water with good rates, you know. With this acquisition, we're looking to be able to confirm that. And hopefully, for the future going on, be able to grow on top of that, you know, 'cause we need agriculture in every shape and form right now --

COUNCILMEMBER ATAY: Right.

MR. SHIM: --not only conventional. We need everything we can get right now, so.

COUNCILMEMBER ATAY: Right. I fully, fully support, you know, your earlier statements of grow local, increase our food production. I just have this kuleana of making sure this acquisition is the right acquisition. And so, what I'm trying to understand is if HC&S or the former lands of Hawaii Commercial and Sugar was like 36,000 acres, of the 36,000 acres, and you're the farmer, and we will say, of all these places, what is the best place for you to grow the food?

MR. SHIM: Right.

COUNCILMEMBER ATAY: Is that the best place?

MR. SHIM: Honestly, I'm not the person to answer that, you know. I don't know...I've never been a farmer at the level of these farmers going right --

COUNCILMEMBER ATAY: Right.

MR. SHIM: --now. I don't know soil like they do. I mean these guys have knowledge beyond my years --

COUNCILMEMBER ATAY: Okay.

MR. SHIM: --you know. But what it is, is an opportunity. And I understand that and I see that, you know. And do I think there's more opportunities coming in the future that might have better potential? Hey, it could be, you know. But as of right now, seeing what I see and knowing what I know, I say, hey, you know, something is better than nothing.

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

COUNCILMEMBER ATAY: Yeah.

MR. SHIM: It...we have to start somewhere, and this is a starting point --

COUNCILMEMBER ATAY: Okay.

MR. SHIM: --you know. So, thank you.

COUNCILMEMBER ATAY: All right. Thank you. Thank you.

CHAIR SUGIMURA: Thank you. Any other questions for Mr. Shim? Seeing none, thank you very much --

MR. SHIM: Okay.

CHAIR SUGIMURA: --for being here.

MR. SHIM: Thank you very much.

CHAIR SUGIMURA: Elle Cochran, thank you for being here. Our next testifier is Lauren Loor, testifying on PEA-4(2). Go ahead.

MS. LOOR: Good morning, Chair Sugimura, Vice-Chair Crivello, and Members of the Committee. My name is Lauren Loor, and I'm testifying on behalf of the Coalition for a Tobacco Free Hawaii. I'm testifying in strong support of PEA-4(2), item two, which adopts a bill relating to County authority on the sale of tobacco products in the Maui County package. In the 2018 Legislative Session, a well-intended bill, House Bill 1895, to fund kidney dialysis centers in the State was passed with a last-minute insertion, a preemption language from the tobacco industry to prohibit local governments in Hawaii from adopting proven policies to reduce tobacco use including relating...including regulating the sale of tobacco products and e-cigarettes. There was no opportunity for the County or public to provide comment for this bill, and it was signed into law by Governor Ige on July 10, 2018. Similar language was slipped into the budget bill in Pennsylvania that was passed on June 22<sup>nd</sup> by a super majority and signed by the governor. We thank Chair Sugimura leadership...thank Chair Sugimura's leadership to reverse preemption and restore the County's authority to protect the health of our residents. Tobacco use continues to be the leading cause of preventable death. In addition, our State is experiencing a youth-vaping epidemic. Youth in Maui are experimenting and using vaping products at a much higher rate compared to the State average, with 50.7 percent or 1 in 2 Maui youth trying these products, and 32.3 or slightly less than 1 in 3 Maui youth regularly vaping. Preemption is a step backwards for our State. And we urge the County to continue standing up for the health of our residents by including this bill in the Maui County Legislative Package. Mahalo for the opportunity to testify.

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

CHAIR SUGIMURA: Thank you. Anyone have questions for her? Seeing none, thank you very much for being --

MS. LOOR: Thank you.

CHAIR SUGIMURA: --here. Next testifier is Gordon Nehorah, also testifying on the acquisition of A&B land.

MR. NEHORAH: Hi. My name is Gordon Nehorah. I'm originally from Trinidad, American citizen now. I used to work in the sugarcane plantation in Trinidad. It went down because of sugar prices. It was too low to compete with Brazil. So, we had all these land and it was just wasting time. Then they gave the land to the farmers. And a lot of people started to grow and we started to see a revitalization of food because we had a little shortage of food just like how tough over here. So, one of my thing, I am trying to get some land over here. But one...the main thing I see is like when you go to the grocery to buy chickens is like the chicken is imported, and it does not have that taste because it's frozen while imported. The time it takes to get from California or from Asia to get over here, you have to freeze it to bring it. So, when the consumer goes and buy it and cook it, the taste is not the same, plus it's not that healthy as getting a fresh chicken or pork or something growing over here. So, my plan is to grow meat in the land over here if I could acquire this land, and also grow like crops to supply the food for the...like for the chicken, like corn for the chicken, or like type of feed like soy, things like that, and also vegetables, to grow like...so you could eat fresh and, you know, stay healthier. So, I am also the CEO of Hawaii Packing and Shipping, Ports and Vans Shipping Services, and Wonderful Farms. I work a lot. I do really good but I am trying to stay healthy, and not only for me but for my kids and for my associates and family. So, one of the main thing to being a farmer over here is to grow food, to be healthy. That's it.

CHAIR SUGIMURA: Thank you. Anyone have questions for him? Seeing none, I appreciate your enthusiasm to farm and take care of the people.

MR. NEHORAH: Thank you.

CHAIR SUGIMURA: Thank you very much. Next testifier is Leon Bolosan. I don't see...oh, there's Leon, also testifying on expansion of the ag park.

MR. BOLOSAN: Madam Chair --

CHAIR SUGIMURA: Good morning.

MR. BOLOSAN: --Councilmembers, good morning, everyone. My name is Leon Bolosan. I lived here on Maui for more than 53 years now. Together with my friends around me, we strongly support the purchase of land from A&B for an ag park. We approached A&B about leasing lands to farm and raise animals. However, since we want small lots, they suggested we look into the ag park. We are ready for form a hui so we can lease 20 to 30 acres lot to share among ourselves. Recently, we were asked about

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

raising goats for vegetation clearing. We have experience raising goats and would only need to learn about electric fencing to keep the goats in the area to move them so they don't damage the ground. We know the land being purchased still has cane and big weeds. The goats can help you with the land clearing. I think this big opportunity for those of us who love farming. Please support the land purchase so my friends and I return to the land. Thank you.

CHAIR SUGIMURA: Anyone have questions for Mr. Bolosan? Mr. Atay?

COUNCILMEMBER ATAY: Good morning, Mr. Bolosan.

MR. BOLOSAN: Oh --

COUNCILMEMBER ATAY: Thank you --

MR. BOLOSAN: --good morning.

COUNCILMEMBER ATAY: --for being here. I, too, am very excited for this opportunity with you and your friends to raise goats. It's a good thing to hear that thinking forward, I know last year we experimented with the goats trying to eat the grass along the highways and the...but we never saw anyone would have a big enough herd. So, it's good to hear. You're thinking of raising a big herd like over a thousand goats?

MR. BOLOSAN: Not that much but --

COUNCILMEMBER ATAY: Yeah.

MR. BOLOSAN: --enough.

COUNCILMEMBER ATAY: Okay. Thank you.

MR. BOLOSAN: Thank you, Councilman.

CHAIR SUGIMURA: Thank you. So, I just wanna say with all the things you do in the community, I'm impressed that you're also gonna do this. But I appreciate --

MR. BOLOSAN: Thank you, Chair.

CHAIR SUGIMURA: --your commitment to the people. So, thank you very much, Mr. Bolosan.

MR. BOLOSAN: Okay. Thank you.

CHAIR SUGIMURA: Thank you. Next testifier is Trinette Furtado, testifying on Item 4(2).

MS. FURTADO: Aloha mai, Chair Sugimura and Committee Members. My name is Trinette Furtado--and, oh, this microphone is getting...here we go--and I live in Haiku, and I'm

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

here to testify on PEA-4(2), specifically sub-items number four and five. First, number four having to deal with redefining cemeteries on the State level to perhaps afford more protections for iwi kupuna for burial sites. At the moment, there are no real protections for burial sites when they are discovered. And many of our iwi kupuna are placed in boxes, are placed in basements, are lost. And that is not the kind of respect that we should be showing to our ancestors. Though they do not follow the same kinds of rules or constructs as western cemeteries, they still are very important. This is where the bones of our people are laid. Furthermore, this proposal would also allow for those iwi kupuna that had been removed from those areas to now be returned and be reinterred, with the caveat that there will be no new reinterment. So, these wouldn't be considered cemeteries in the case that you would get to go and bury yourself in there when you pass. These are strictly to offer some protection for not just those iwi kupuna but some peace of mind for their descendants. When your ancestors are disturbed, it is very hard to see how it is that the person who's doing the disturbing can make that excuse when their ancestors are not being disturbed because they are in areas that are defined as cemeteries. On the second item, number five, the proposal to require the State Auditor to audit the Department of Education. This proposal here is to audit from the complex area superintendent level up to the superintendent level. As we know, the Constitutional amendment is going to be, well, is on our ballots right now to vote yes or no on whether the State should levy a surcharge on real property taxes. I do believe that we need to see both the fiscal and performance viability of our DOE. There is no doubt that there isn't a person in this room that wants to support education and wants to support our teachers. Our teachers spend so much time in the classroom and out of the classroom with our children. And they do so much more than just babysit or teach, or do after-school sports. Not just them, but our schools and our principals. They need more support. We shouldn't be having to pay money to send our children to private schools when our public schools are very good. I'm a product of the public school system here on Maui. And I believe that if we can support them without taking away from the services and the programs that we need to provide ourselves here in the County, it's a win-win for all of us. And I believe that just to be fiscally responsible, we should see what the health of the DOE is. We should see where that money has been spent, where it is being spent, and if there are ways that we can be a little bit more economically prudent about where that money is being spent. I thank you for your time. Mahalo.

CHAIR SUGIMURA: Thank you. Anyone have questions for her? Seeing none, thank you very much for being here. Next testifier is Laksmi Abraham. And next after that is Tom Blackburn-Rodriguez, followed by Zandra Amaral.

MS. ABRAHAM: Aloha and good morning, Councilmembers, Chair Sugimura. My name is Laks Abraham. I'm the community program manager for Blue Zones Project, Central Maui. I am testifying today in support of PEA-4, part two, which is a resolution that would restore the County's ability to regulate the sale of tobacco products, which currently, because of preemption can only be done at the State level. I would like to thank Councilmember Sugimura for proposing a resolution to amend this bill given the underhanded intentions behind it. During the 2018 Legislative Session, Bill 1895, now referenced as Act 206, to regulate electronic smoking devices was replaced or

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

better known as gutted with new language, which includes preemption. Preemption invalidates County law. And in this case, ties our hands from enacting local policies to address growing tobacco concerns here in our local community. The boom of youth e-cigarettes' usage in our community is nothing short of disturbing. Maui County, only second to Hawaii Island, leads the State in youth vaping, with 32 percent of our high school teens and 25 percent of middle school students actively using. The statistics are increasingly concerning when you consider that 50 percent of our teenagers here on Maui are experimenting with e-cigarettes. This is a growing national concern, which prompted a statement released just last month from the FDA Commissioner, Gottlieb, on a state...on steps to address the national epidemic of youth cigarette e-use...e-cigarette use. The commissioner quotes "I use the word epidemic with great care. E-cigs have become an almost ubiquitous and dangerous trend among teens. The disturbing and accelerating trajectory of use we're seeing in youth and the resulting path to addiction must end." I'm sharing this with you because we, as a community, are facing this epidemic right here in Maui County, rearing some of the highest youth vaping usages in the nation. Preemption is a deceptive and strategic attempt to constrain our County's ability to take care of our own. I urge you to consider the challenges we are facing and support this resolution. Keep in mind, this would not affect the State's ability to regulate tobacco products. State law can still set the minimum standards of protection, and counties would be able to enact more stringent protections if needed. In fact, counties have often passed innovative and effective laws, in some cases, can serve as a catalyst for the State to take action. Over the next year, Blue Zones Project Hawaii will continue to support legislation to protect our keiki from tobacco products and continue to encourage smoke-free lifestyles and preventative measures for youth vaping. Please support this resolution so we can fright...fight preemption and ensure our County legislators maintain the right to protect it. Mahalo.

CHAIR SUGIMURA: Thank you. Anyone have questions for her? Thank you.

MS. ABRAHAM: Thank you.

CHAIR SUGIMURA: Thank you very much. Next testifier is Tom Blackburn-Rodriguez, followed by Zandra Amaral Crouse.

MR. BLACKBURN-RODRIGUEZ: Good morning --

CHAIR SUGIMURA: Good morning.

MR. BLACKBURN-RODRIGUEZ: --Chair Sugimura, Vice-Chair Crivello, and Members of the PEA Committee. First of all, just on a note of personal privilege, I would like to say that all of us are pleased that our prayers have been answered, and that Bob is here with us today. God bless you, Bob. I'd like to testify on behalf of Go Maui, Incorporated. It's an organization that is involved in agricultural issues, affordable housing, water, and good, well-paying jobs with good benefits. You can learn more about Go Maui by going to gomauinc.org. It's gomauinc.org. And we are testifying today approving the acquisition of approximately 262 acres for the Maui County Ag

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
**Council of the County of Maui**

**October 15, 2018**

---

Park. My family came to America fleeing rebellion in Mexico. We were immigrants. Luckily, my mother was not separated from her mother when she came to the border. And we are here today and we started out as small farmers. Anyone can tell you that if you can feed your family with a plot of land, you're gonna have a plot of land. And we need to feed Maui County. That is our family. And that is the land we need. We believe this is a great opportunity for small farmers. We believe it provides additional acres of ag land to smaller farmers to help make Maui more food sufficient. Where are the eggs? Where's the dairy? Where are the chickens? They were here when I moved here in 1998. And now they're gone. Everyone talks about supporting agriculture and they should. And here's a way the County can ensure that these lands stay in agriculture. And here's the phrase we wanna hear, in perpetuity, in perpetuity. We're learning the lesson of perpetuity. We're learning the lesson of public investment that is repaid many times over. So, in conclusion, we would like to say that we believe there's sufficient water. We believe there's a demonstrated need. We believe that it provides diverse agriculture opportunities. And I would hope and expect including organic as well. Thank you very much for the opportunity to testify and I'm welcoming any questions. Thank you.

CHAIR SUGIMURA: Thank you. Any questions for Mr. Blackburn? Mr. Atay?

COUNCILMEMBER ATAY: Thank you, Chair. Thank you, Mr. Blackburn, for being here. I really liked your testimony especially your closing sentence about including organic food production, a place for organic farming. And I would fully agree that the total picture of agriculture and growing food is really needed here as earlier testifiers, to grow locally. How do we design a park that is also inclusive of organic farmers so that they're not adjacent to each other to avoid any kinds of conventional farming chemical drifting? I think the current ag park initially accommodated both styles of farming. But through time, there was a drift over, spill over contamination to where now, 100 percent of the tenants in the now Kula Ag Park are conventional farmers. So, how do we, going forward if it's...we're gonna purchase 262 acres, how do we go forward and protect those who so choose to grow food through the organic practice?

CHAIR SUGIMURA: So, one moment. Mr. Atay, just so --

COUNCILMEMBER ATAY: Yeah.

CHAIR SUGIMURA: --you know, when we get into the item, we have some information that we can share with you on that --

COUNCILMEMBER ATAY: Okay. Okay.

CHAIR SUGIMURA: --which is from the Department. So --

COUNCILMEMBER ATAY: Yeah, all right...

CHAIR SUGIMURA: --you can answer but --

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

COUNCILMEMBER ATAY: Yeah.

MR. BLACKBURN-RODRIGUEZ: Just --

CHAIR SUGIMURA: --the...

MR. BLACKBURN-RODRIGUEZ: --briefly, I would say first of all, thank you for the question because it is an excellent question. And over the years, organic and non-organic farmers have had to learn how to work with each other. And I think the best answer I could give you, Councilmember, is that I would rely on the farmers talking amongst themselves, talking with the ag park folks in order to come to those agreements. Because I think farmers care about other farmers. And they have learned many lessons over the years. And I would rely upon their wisdom rather than maybe to have it come down from above. Thank you.

COUNCILMEMBER ATAY: No, thank you. Thank you, Chair.

CHAIR SUGIMURA: Thank you. Thank you, Mr. Blackburn.

MR. BLACKBURN-RODRIGUEZ: Thank you very much.

CHAIR SUGIMURA: Mr. White, Chair White, welcome to the meeting. Sorry I didn't introduce you earlier. Zandra Amaral is the next testifier on PEA-71, the expansion of the ag park.

MS. CROUSE: Good morning, Committee Chair, Yuki Lei Sugimura, and the Vice-Chair, Stacy Crivello, and Committee Members. My name is Zandra Amaral Crouse, testifying on PEA-71. As an individual who grew up on a small farm in Paukukalo, I understand the benefits of farming. Farming not only provided my dad, Herman Amaral, Sr., the additional income from his salary as a machinist as the Maui...at Maui Pineapple Company to raise his family of ten but also instilled in myself and my siblings the values of hard work, local values, working together, taking care of our aina and ocean of which I grew up adjacent to, and being self-sustainable. On self-sustainability I recall when the tsunamis came, we'd have to evacuate. We picked up and packed up what we had on our farm, put it in the bed of the truck and headed to the heiau in Paukukalo, where we would wait out the tsunamis. Therefore, I support approving the acquisition of approximately 262 acres in Pulehunui and Omaopio in Makawao for the expansion of the Kula Ag Park to offer the same opportunities as I, myself, my family, enjoyed while growing up. We, as a community, know the value of preserving and perpetuating agriculture. We speak of it daily, all the time. This gives our families and community members who cannot afford to purchase or lease large parcels to farm on, opportunities to subsidize their income while supporting their families on smaller, more manageable farms. They can afford this. They cannot afford the large parcels. Let us help them. I look forward to the Committee's discussion and approval of PEA-71. And when I leave here, I'll be attending the Hawaiian Homes Commission meeting today in Paukukalo, where they also will be dealing with 5,276 beneficiaries on the waiting list of their Maui

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

Agricultural and Pastoral Homesteads. So, I think that I'm glad to see that our Council, along with the Hawaiian Homestead people, are working on providing for our local people things that they can afford. I leave this testimony with you and humbly ask you to consider when you deliberate these issues, think of the people first. Mahalo.

CHAIR SUGIMURA: Thank you. Any questions for Zandra? Seeing none, thank you very much for being here.

MS. CROUSE: Thank you, Councilmember.

CHAIR SUGIMURA: Thank you, Mr. Guzman, for being here. Last testifier in the Chamber is Barbara Barry, also testifying on the expansion of the Kula Ag Park.

MS. BARRY: Good morning, Chair, Committee Members. Nice to see everyone this morning. I'm here to...my name is Barbara Barry, and I'm here to speak on PEA-71, as a citizen and taxpayer. I personally feel that organic food production is our best way forward to feed our residents and visitors, as well as our neighboring islands, and also as a valuable export crop. The current proposal for this 262 acres for the current ag park, or for the proposed ag park, has several red flags for me, which I have outlined in my e-mail that I sent to the Committee this morning, and it also includes photos. So, hopefully, everybody has a copy of that. In my discovery, in my personal discovery on this land, I've walked twice now, and there is a human-made rock wall on this land that is...it suggests to me that we need to have an archaeological study. There's a fairly large area, which is a push pile for when the land was cleared that is completely unusable in the ag land...for ag land. And it is not included in the...it's not noted in the areas that are unusable with...where the gulches currently go through the property. There are 14-plus large chemical fertilizer tanks on this property, which need to be removed and whose cost will that be? I believe A&B should be taking that cost on, and trying to remove their infrastructure before the County buys it. A&B could be offering the County of Maui long-term leases. And for us to invest million dollars from the County, as well as the 5 million from the State, seems very premature considering there's no business plan, there's no budget, and really buying this property before those things are done seems like putting the cart before the horse. So, I would like to see the County Council tour this property. I'd be happy to show anyone interested where these rock walls, the rock wall is, and the giant push pile in the middle of the property. So, thank you very much.

CHAIR SUGIMURA: Any questions for Ms. Barry? Seeing none, thank you very much for being here.

MS. BARRY: Thank you.

CHAIR SUGIMURA: That was the last testifier in the gallery. And any testifiers on the...we'll take testifiers on the neighbor...our District Offices. So, Hana District Office, do you have any testifiers? Dawn Lono?

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

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

CHAIR SUGIMURA: Thank you. Denise Fernandez, Lanai District Office, do you have any testifiers?

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

CHAIR SUGIMURA: Thank you. Ella Alcon, from Molokai, do you have any testifiers?

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

CHAIR SUGIMURA: Thank you. Any other testifiers in the gallery? Seeing none, Members, if I could, I would like to close public testimony.

COUNCILMEMBERS: No objections.

CHAIR SUGIMURA: Thank you. I'd like to also bring in any of the testimonies, written testimonies, that were submitted to our Staff, if you would allow me to.

COUNCILMEMBERS: No objections.

CHAIR SUGIMURA: Thank you.

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

**PEA-71: APPROVING THE ACQUISITION OF APPROXIMATELY 262 ACRES  
IN PULEHUNUI AND OMAPIO (MAKAWAO) (CC 18-116)**

CHAIR SUGIMURA: The first item I'm gonna be taking up is PEA-71, Approving the Acquisition of Approximately 262 Acres in Pulehunui and Omaopio in Makawao. And the purpose of the proposal is to approve the acquisition of real property of approximately 262 acres and approve the revised proposed resolution, which incorporates a nonsubstantive revision correcting a reference to Exhibit "B"...Exhibit "D." This will be in Granicus document, which is September...dated September 17<sup>th</sup>, which is what we'll be...I'm sorry, September 19<sup>th</sup>, which is the document we'll be working on. We also have correspondence dated September 17<sup>th</sup>, from the Director of Water Supply, transmitting two documents entitled "Upcountry Maui Agricultural Park Water Delivery Agreement," dated September 17, 2018 [sic], and the "EMI Water Delivery Agreement," dated September 14, 2018, respectively. At this time, Members, I wanna take up the item. If you remember, the last time that we took this item up on September 17<sup>th</sup>, we received that the...at that meeting a copy of the Upcountry Water Agreement. And we also received a copy of the master agreement, which was then transmitted through

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

Council to the Water Committee, which was requested by this Committee, by us, at this Committee. So, that was done. And because I wanted to also include comments from the Kula Agriculture Park Committee, I was also gonna schedule this next...this to be taken up on October 1. But instead, I'm taking it up today, which then would allow the Kula Ag Park, which met on October 12<sup>th</sup>, last week Friday, with Director Rasmussen, to provide comments or have a discussion on this item. Just kind of FYI, Members, the Kula Ag Park's responsibility is not to approve the purchase of this land. It is the responsibility of the Council. The Kula Ag Park's Committee according to Maui County Code, Title 22, Chapter 22.04A, the Kula Ag Park's responsibility is to look at people who wanna apply for parcels for the ag park, but not to approve the purchase of land. So, just kinda clarify. But we did want to include their comments or discussion with concerns that were brought up at that September 17<sup>th</sup> meeting. So, I delayed meeting on this item 'til today just so that we could include thoughts or comments or discussions at the...that were brought up at the Kula Ag Park meeting, which I hope Ms. Rasmussen will bring up. We also are working against several deadlines, which I would like to remind the Committee that at the end of this year, A&B and the County agreed to a deadline of November 1, 2018, for this purchase. And also through the Budget Committee, December 31, 2018, which is the ending of this year, our fiscal funds for the County of Maui will lapse, which is...which we brought in 1.1...not brought in, we allocated 1.1 million for this purchase in Fiscal Year 2018. So, that was done the last fiscal year. The State also provided funding of 5 million, which is contingent upon this County agreeing to purchase this land before they will give us the money. So, there's certain agreements that are...have happened that must happen in sequence. So, the action that we take today is important so that we can encumber the funds that are available to us. My hope is that we can pass this out of Committee today. I think we've made available time so that the Committee can look at the agreements for the water of this parcel. We're talking about the 262 acres, the water agreement for that, as well as knowing that we have encumbrances of funds that are contingent upon it happening with the...with us approving this purchase. So, our decisions today are important for us to move forward to support agriculture. Director Rasmussen also provided comments to our last meetings. And I hope that today that you could provide us some comments then about the Kula Ag Park Committee meeting as best as you can summarize it. Thank you.

MS. RASMUSSEN: Yes, thank you, Chair Sugimura. Yes, we did have a meeting on Friday, October 12<sup>th</sup>. And we did...it was considered old business because we have talked about this purchase before. And I do wanna tell the Council in case you aren't aware, this has been a process that has been occurring now for four years. We have negotiated on two previous pieces of property that did not materialize. One of them made it all the way through the Council. It was accepted. It was on the Governor's desk. And what happened is right at the point the Governor was supposed to sign, HC&S announced their shutdown. And he thought that there might be other opportunities for the land, and that he wanted to wait. So, that first funding that Representative Yamashita got, lapsed. That was the 5 million in funding. That did not deter him. He came back and got it again reappropriated in 2016. And it will lapse at the end of Fiscal Year 20...this, or actually this coming year. It will lapse next

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

June. So, we have the funds. And so, we are now negotiating with A&B on this property. Some of you have said, is this the right piece of property? I absolutely think it is at this point. The last piece we talked about did not have a water system. And we were going to have to develop that water system similar to the current Kula Agriculture Park, with pumps and a lot of expense. This land comes with water. It comes with 1 million gallons per day that's specified in that water agreement. That is in addition to the 1.5 million that is already provided for the current Kula Agriculture Park. There's more than enough water for this project. The land, do I believe the land is the right piece of land? Because it is in close proximity to the current Kula Agriculture Park, it is straddled by Omaopio and Pulehu Roads, that creates a much more desirable situation because it has road access, and the...then the infrastructure build out will not be nearly as high. And it is on the upper slopes of the plantation. And that of course is desirable for the farms. And it gives you a bigger diversity via crops that you can grow. We were asked when we approached the Kula Ag Park Committee, we went over the project. And again, this is informational. They don't have any authority to actually act on this. But we did poll the group. And five out of the six members of the Kula Agriculture Park on Friday said that they voice their support to go forward with this project. We have been asked about organic farms. Councilmember Atay, you addressed it already today. We passed out a document to you or a piece of paper, a map. It looks like this. You should have it on your desk. This is just a possible scenario of where the organic farms could be placed on this property. There...we did this because this location because of the wind direction, the wind would be blowing away from these organic lots. There is a gulch that would be a divider. So, that creates a nice buffer zone there. I wanna tell you that in no way are we laying this down as a final map because we have not done our outreach. We don't know how many acres are wanted by organic farmers. And we will have to go through that process to discuss this with all the farmers and all the interested parties. But this is just a potential that we have shown. And I think it's actually very workable. And as you can see, all of those lots are accessible from Omaopio Road. I wanna say that lots of people have said there's all kinds of land all over Kula. There is all kinds of land all over Kula, and it's fallow. And it used to be farmed. The problem with farmers getting on that land is that the landowners do not want to give long-term leases. They don't want buildings built. And honestly, a lot of them don't want farming around their houses. So, that is why ag parks work. Ag parks are much more than just a chunk of land that you're giving. Even if...they're more than just a chunk of land that you're giving in a long-term lease. Through the ag park, the County of Maui can do a lot of things. We can manage the leases. We can provide an ag specialist as we do to keep the farmers informed of resources, workshops, classes, regulations, et cetera. We can promote farmers' products and assist them with marketing campaigns. We can build public awareness through events like Ag Fest. And we can be the conduit to connect them with State and Federal government services. We can work with Maui Police Department if there's theft or security issues. We can work with the Department of Water Supply if there are drought issues. We can provide proper signage and work with Public Works if the roadways need to be maintained. All of these things can be provided by the County. They cannot be provided by a private landowner. It would far too expensive for them to provide those services. And they would have to just pass it on to the farms. So, that is the way that

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

Maui County has helped its farmers. And I expect that they will continue to do that for a long time to come. And ag parks are the way to make that happen. So, with that, that's kind of my opening statement, Chair. Thank you very much. And I'm here for questions.

CHAIR SUGIMURA: Thank you. At this time, I would like to ask if A&B might wanna have any comments regarding this? And today, we have A&B here is Carol Reimann and, Charlie Loomis, you're available in the gallery if we have any other questions. But, Darren Strand, would you like to make any opening comments regarding --

MR. STRAND: No, I --

CHAIR SUGIMURA: --this?

MR. STRAND: --was prepared to...good morning, Chair --

CHAIR SUGIMURA: Good morning.

MR. STRAND: --and Committee Members. I was prepared to address, you know, why I felt that this was also a good choice for an ag park parcel with what's available. And I can't say it as well as Teena did. But of the lands that are available right now, it's certainly very suitable for the ag park expansion. It's similar geography to the current ag park. It's...has available water and with relatively small improvements. It will have infrastructure available to it. The climate and soil fertility are very similar to the current ag park. So, the same types of crops and the same diversity of crops can be grown in this area. And it's also an independent TMK right now, which makes it suitable for a purchase at this particular moment. And it's isolated from homes in urban areas. So, beyond that, I'll just be here to answer any questions as they arise. Thank you.

CHAIR SUGIMURA: Thank you. At this...also, we have Jerrie Sheppard here, who is the person with Corp. Counsel. You wanna say a few words and maybe talk about the resolution that we're gonna be working from with the amendment?

MS. SHEPPARD: Yes, thank you, Chair. Members, we did change the resolution to correctly reflect that the appraisal is Exhibit "D." The prior resolution listed it as Exhibit "E" --

CHAIR SUGIMURA: "E."

MS. SHEPPARD: --in the purchase and sale agreement. But it is Exhibit "D." That correction has been made to the resolution. There is a deadline written in, as the Chair noted for closing. Written in is it has to close no later than November 1, 2018. That's no longer a feasible date. And Alexander and Baldwin is aware of that. So, if this does pass out of Committee, we will need to rewrite the agreement, change the date, and have Alexander and Baldwin re-sign that changed agreement.

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
**Council of the County of Maui**

**October 15, 2018**

---

CHAIR SUGIMURA: Okay. Thank you. That would be an amendment on the floor that we would need. Okay. Members, any of you...I'd like to open the floor up if any of you have any questions for Ms. Rasmussen, or if you have any questions for A&B, Corp. Counsel, or Water. Ms. King?

COUNCILMEMBER KING: Thank you, Chair. Yeah, I have a few questions. I'm not sure, I'm just gonna ask 'em and see who...because so many folks have spoken already. I did wanna ask about, and maybe this is a question for A&B, are you planning to remove those chemical tanks that are on there? Is that your responsibility? And then also, can you address the need for an archaeological study, which was brought up earlier?

CHAIR SUGIMURA: Mr. Strand?

MR. STRAND: Yeah, thank you for the question. The...as far as the tanks that are on the property, I'm not aware of any chemical tanks. I'd like to see the pictures. That's what I thought. I...those are filter stations and part of the irrigation infrastructure. And so, we anticipated that there'd be a transition with the current sugarcane infrastructure that was there. So, the water agreement lays out easements and the right-of-entry to work together with the Department of Water Supply to address the infrastructure that's on site. Some of it may be necessary to use in the ag park expansion.

COUNCILMEMBER KING: Okay.

MR. STRAND: Some of it may need to be removed. And we'll assist with the process of removal.

COUNCILMEMBER KING: Oh, okay. So, all these pink tanks and this --

MR. STRAND: Those are --

COUNCILMEMBER KING: --green tank...

MR. STRAND: --filter stations.

COUNCILMEMBER KING: And then the green tank is water?

MR. STRAND: Yeah, that's right.

COUNCILMEMBER KING: Oh --

MR. STRAND: Those --

COUNCILMEMBER KING: --okay.

MR. STRAND: --are all part of the irrigation infrastructure for sugarcane.

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

COUNCILMEMBER KING: Oh, okay.

MR. STRAND: As far as the archaeological, the...as part of our, you know, first of all, the land isn't changing in use. So, it doesn't trigger a survey. But as part of our conservation plan with NRCS, they keep a database of known archaeological sites and information. And so, it's my knowledge that they've submitted testimony to OED and the Committee that there are no known archaeological issues with this site.

COUNCILMEMBER KING: Okay. Thank you for that. And then, just had a question for...well actually, I have another question for A&B before I drop something back and forth. So, you know, I think it's a...I think you guys, you folks have all made really good points for the need for an ag park. But I just wanna get some sense. And you and I have talked about this, the A&B, I mean you got 27,000 acres in important ag lands. And so, is it the intent that A&B is eventually going to lease to local farmers? I mean you're not...the intent is not to just keep selling off parcels that...then we have to lease to them. Is there an intent on the part of A&B to lease some directly to farmers who wanna farm larger plots?

CHAIR SUGIMURA: Mr. Strand?

MR. STRAND: Yeah, certainly.

COUNCILMEMBER KING: Okay.

MR. STRAND: So, we're in discussions with local farmers and other groups for...to purpose some of the land that's there. Right now on the table this is the, I think the quickest and simplest way for us to contribute to local agriculture. We...just coming up the elevator this morning, had a gentleman meet us in the lobby looking for 20 acres. Most of my requests that come to my table are folks looking for 5, 10, 20 acres or huis of groups that wanna farm acres. And so, I think that this is probably the quickest way to make an impact on local agriculture.

COUNCILMEMBER KING: Okay. Thank you for that. And then just to...I just wanted to ask Ms. Rasmussen, just, and I know it's just theoretical, but I appreciate this map here, and I appreciate your thoughtfulness on where to put that. How many acres is that section? Do you know?

MS. RASMUSSEN: That is, I believe it was around 90-some acres, I believe. My --

COUNCILMEMBER KING: Okay.

MS. RASMUSSEN: --original map had...I'm sorry --

COUNCILMEMBER KING: Right, just give or take, 90 --

MS. RASMUSSEN: --that it didn't get put on there.

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

COUNCILMEMBER KING: --acres --

MS. RASMUSSEN: Yeah.

COUNCILMEMBER KING: --for organics.

MS. RASMUSSEN: Yeah.

COUNCILMEMBER KING: Okay. And then, and that was probably more predicated on that gulch, where the gulch --

MS. RASMUSSEN: Yeah, 97 --

COUNCILMEMBER KING: --buffer was.

MS. RASMUSSEN: --acres --

COUNCILMEMBER KING: Okay.

MS. RASMUSSEN: --actually.

COUNCILMEMBER KING: Okay.

MS. RASMUSSEN: So, yeah, it does say right in the middle there, 97 acres.

COUNCILMEMBER KING: Oh, I didn't see that. I don't have my glasses today. So, the other thing I wanted to mention that if that did come to fruition, you have this map on the back of your testimony, your, I think that's your testimony. It says Upcountry Maui Agriculture Park.

MS. RASMUSSEN: Yes.

COUNCILMEMBER KING: Of these other two parcels, so, if we did end up...if we did do something like this and then we ended up lease, you know, eventually buying and then adding these two, then would it be the intention that everything out to the left side of this parcel would be organic too? Because you don't have a buffer zone between...if the wind is blowing this way, and you sandwich this in between two areas that are spraying pesticides, and you don't have...

MS. RASMUSSEN: Right. Well, of course --

CHAIR SUGIMURA: ...*(inaudible)*... isn't it?

MS. RASMUSSEN: --you know, we're working with this TMK right now.

COUNCILMEMBER KING: Right.

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

MS. RASMUSSEN: And so, we wanna make accommodations for the farmers that come to the table. For future, I, no, I couldn't possibly say that that whole thing on the left side would be organic, and that everything on the right would not. I think that we would have to look at all sorts of possibilities there, and where the gulches are, and where the natural breaks would be, and also who's coming to the table to farm --

COUNCILMEMBER KING: Right.

MS. RASMUSSEN: --and how --

COUNCILMEMBER KING: Right.

MS. RASMUSSEN: --many acres they want.

COUNCILMEMBER KING: Yeah, I just...I think --

MS. RASMUSSEN: So...

COUNCILMEMBER KING: --that the, you know, just to understand that that, we're looking at that one parcel and if we're gonna expand, then the --

MS. RASMUSSEN: Yeah.

COUNCILMEMBER KING: --wind issue becomes --

MS. RASMUSSEN: I will --

COUNCILMEMBER KING: --a grave --

MS. RASMUSSEN: --say --

COUNCILMEMBER KING: --issue.

MS. RASMUSSEN: --that we have, currently, we have one organic farm in the Kula Ag Park. He's farming under cover. And he's very comfortable with what he's doing and he hasn't had any problems. We have a very...we have developed the language such that the farmers cannot sue each other. And that was the issue that happened before. And if we, you know, there's not enough farmers as it is, rather than having farmers sue each other. So, we had an organic farmer that sued multiple other farms in the Kula Ag Park. And so, that was kind of a disaster. So, we have created language now in the leases that say that you are...you know what's around you and you know what's there, and you're agreeing to that. So, that we're not trying to stop. Because under State ag law, all kinds of farming is okay. And you cannot stop it and you cannot tell somebody that they can't do organics or they can't do conventional farming, or they can't do livestock for that matter. So, that is under State ag law.

COUNCILMEMBER KING: Okay. I think that's all my questions I had. Thank you, Chair.

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
**Council of the County of Maui**

**October 15, 2018**

---

CHAIR SUGIMURA: Thank you, Ms. King. Any other Members have questions?  
Ms. Cochran?

COUNCILMEMBER COCHRAN: Thank you, Chair. Thank you, departments and A&B, for  
being here. So, first, so did I hear I guess you mentioned the 5 million from State will  
lapse next year June?

MS. RASMUSSEN: Yes.

COUNCILMEMBER COCHRAN: Okay. And of the 262-acre parcel, how much is actually  
farmable? Because some testimony is claiming parts of it are gulches, parts of it have  
push piles, parts of it...so, has that been determined?

MS. RASMUSSEN: I would defer to A&B --

COUNCILMEMBER COCHRAN: Okay.

MS. RASMUSSEN: --on that.

MR. STRAND: You know, there hasn't been a formal assessment of exactly what's farmable  
and what's not. Mostly, it's hard to say what, you know, we know what we grew  
sugarcane on. And it was about 70 to 75 percent of the land area that's there. When I  
do calculations for evapotranspiration and irrigation, I usually use about 75 percent  
here on Maui for usable land. That takes out the gulches and the roads and the  
different parts that you can't farm. But really, you don't know what type of farming is  
gonna come in. And so, people grow bananas in places that, you know, we wouldn't  
grow sugarcane or pineapple, and certainly, goats can be farmed in places where  
again, you know, traditional crops can't be grown. So, we just don't know. But  
generally, I use about 75 percent as arable usable land.

MS. RASMUSSEN: And --

COUNCILMEMBER COCHRAN: Okay.

MS. RASMUSSEN: --that would be consistent. The current Kula Agriculture Park is about  
450 acres, and we figure we have about 330 of actual farmed area. So, that would be  
pretty consistent with that.

COUNCILMEMBER COCHRAN: Okay. So --

CHAIR SUGIMURA: Thank you.

COUNCILMEMBER COCHRAN: --I mean if that's the norm, is there a way to take out that  
25 percent from the cost?

MS. RASMUSSEN: Well, it's a TMK. It's a TMK. It's one TMK.

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
**Council of the County of Maui**

**October 15, 2018**

---

COUNCILMEMBER COCHRAN: Right, but...

MS. RASMUSSEN: And it has been appraised.

CHAIR SUGIMURA: Mr. Loomis, from A&B?

MR. LOOMIS: Good morning, Councilmember. To answer that question, I just note that the appraisal that...what the County got for this property does indicate that the...that 43 acres are drainage reserve area. And so, it's already included in the calculation of the value. It's a net usable acre per the appraiser. So, it's a different, little different from a farmer's perspective. But net usable acre is this \$219...excuse me --

UNIDENTIFIED SPEAKER: That would be acres.

MR. LOOMIS: --219 acres of land. So, the valuation has already been included in that, Council.

COUNCILMEMBER COCHRAN: Okay.

CHAIR SUGIMURA: Thank you.

COUNCILMEMBER COCHRAN: Thank you. I have...oh, thank you. I have a question, Water Department. Last discussion here, it was not fully answered in...during times of drought or water shortage periods, droughts, I mean how much...there is an IFAS that A&B is beholden to EMI. And what is the guarantee that the park will get the allotted amount needed even during low flow, you know, drought situations or water shortage times on behalf of the County, how does that work out? How is this place guaranteed to have --

MS. RASMUSSEN: Well --

COUNCILMEMBER COCHRAN: --the water it's --

MS. RASMUSSEN: --okay, yeah.

COUNCILMEMBER COCHRAN: --saying it's gonna get?

MS. RASMUSSEN: Yeah. I can maybe answer that because, you know, we've had a long history with the Kula Agriculture Park. So, during drought years, I will tell you that in the 35 years I believe the park is open, that the farmers have never been without water. The Water Department has always, and HC&S always took care of the Kula Agriculture Park. And I believe that will continue to be the case. There are times we've had to ask farmers to cut back and conserve a bit. There's been times when the ditch needed to be repaired, and we had to have them cut back and conserve. But we always gave adequate notice. HC&S was always very good about giving us notice.

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

And I expect that EMI would do the same thing. So, I really have no worry honestly that there will...that there's adequate water for this lot.

CHAIR SUGIMURA: Thank you, Ms. Rasmussen.

COUNCILMEMBER COCHRAN: Okay. But, you know, we're trying to fulfill meters. We're trying to get more usage out of the source that currently is allotted. And so, all these things start building up, the more users are added on to the actual source. During periods of drought, what's the priority for our agricultural uses? When you go down the line during a heavy drought situation, who has top priority? And where does ag fall into place on that list?

CHAIR SUGIMURA: Ms. Baisa?

MS. BAISA: I don't have a lot of history with the Water Department as its Director. But I have a lot of experience with it as a Upcountry resident. And I know that the Water Department has consistently tried very, very hard to work with the ag community, and to make sure that wherever water is available, they're gonna get it. However, if there is a shortage across the board, everyone will be affected. And that comes in the water shortage rates that we have been trying to...there is a bill pending here that we would like to also resolve about, you know, what happens when there is no water and rates? And the whole subject of rates of course is a issue that Ms. Rasmussen and I and the whole Committee and everybody is talking about. And I'm hoping that we will get to a rate study very soon, and that we will look at, you know, who pays more? And I know that the agriculture community feels that they would like to have a better rate but we're giving them the best rate we can. It is lower than what the general public pays. Also, the ag park gets non-potable water. So, they're on a different rate schedule than the folks who get potable water.

MS. RASMUSSEN: And --

CHAIR SUGIMURA: Thank you.

MS. RASMUSSEN: --let me just add one other thing, there's a 50-million-gallon reservoir on the other parcel that would be the second phase. That is where the ag park currently draws its water from. So, the water comes down the ditch, it goes into the 50-million-gallon reservoir, and then it is pumped to the Kula Ag Park. And that 50 million gallons is --

CHAIR SUGIMURA: That's a lot.

MS. RASMUSSEN: --your, basically, your water bank. And also, two other reservoirs that are in the Kula Ag Park, and they also store. So, if there are potential problems foreseen down the road, or if there's repairs that need to be done, those reservoirs are always topped off. And so, that will buy you easily a couple of weeks of water, easily. So, that's a good thing. And that comes, you know, that reservoir is where this water comes from. So, I feel very confident that there's water here.

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

MS. BAISA: Chair?

CHAIR SUGIMURA: Thank you. Ms. Baisa?

MS. BAISA: If...I'd like to add one more thing, and that is, you know, the water situation is so much up to...not in our hands. And it just happens when it happens. We've been very, very lucky as long as I can remember in my time at the Water Department. We have not had a real water shortage to call. And we haven't had nobody...people not having water. However, it can be tenuous and if we get into droughts, then we're all going to have to try and prepare better. And of course, there's a whole lot of talk about more reservoirs Upcountry. And we gotta work on that. That's very, very important. But I can't, like I say, give you a guarantee. But I can tell you that hours and hours and hours of staff time went into drafting these agreements. And our engineering department spent lots and lots of time before they were willing to sign on to this agreements that we provided you with at our last meeting. And so, I'm very comfortable that everything that can be done has been done, and we'll keep a very close eye on this. Thank you.

CHAIR SUGIMURA: Thank you.

COUNCILMEMBER COCHRAN: Thank you. Yeah, and sorry, 'cause I just received the photos that was from one of the testimony. And Mr. Strand did get a chance to look at these. So, the pink tanks are water. And you said the green tank also water. One is a filtration system and the other was storage? Is that what you said earlier?

CHAIR SUGIMURA: Mr. Strand?

COUNCILMEMBER COCHRAN: The green tanks...

MR. STRAND: Yeah, that's correct.

COUNCILMEMBER COCHRAN: But why, the green tanks say liquid fertilizer all over 'em? So, how is that water tanks?

MR. STRAND: They're...I think I said they were part of the irrigation infrastructure. And so, those fertilizer tanks and filter stations are all part of the same system. So, that, you know, that's how the sugarcane got their fertilizers in was through the injection points. But if there's tanks on the property, again, I also said that the agreement took into consideration that there would be some kind of a transition. And so, there's an easement and a right-of-entry written into the agreement to allow us to either use what infrastructure needs to be used or remove what doesn't need to be used.

COUNCILMEMBER COCHRAN: Okay. And lastly, Chair, sorry, aha moku representatives did get a chance to look at the pohaku structures and formations, and they...and archaeologists. But I know you mentioned that you had already an EIS or some type of archaeologist go through the area and saw no significant things of...to note?

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
**Council of the County of Maui**

**October 15, 2018**

---

CHAIR SUGIMURA: Ms. Rasmussen?

MS. RASMUSSEN: Yeah. So, and land like this, National Resource Conservation Services, NRCS, and they do soil conservation plans on farmland. It's required in fact that you get a conservation plan for your land. And it's required of every person that has a lot in the Kula Ag Park as well. So, I received this from Jason Hew, who is the NRCS person here on the island. It says, referring to this, he...when completing a conservation plan, we evaluate cultural resources. I checked in the National/State Register of Historic Places with no findings. Below is a screenshot of the USGS topo map with no findings. So, that's the word that I got from Jason.

COUNCILMEMBER COCHRAN: And Jason --

CHAIR SUGIMURA: Thank you.

COUNCILMEMBER COCHRAN: --Hew is an archaeologist?

MS. RASMUSSEN: He is the NRCS person who works on soil conservation plans with the farmers and he is trained to look for cultural resources on the land.

COUNCILMEMBER COCHRAN: Just as aha moku is. So, they...anyhow, okay. And is that in our Granicus, the information you just read and photos? You said there's a screenshot --

MS. RASMUSSEN: I'm not --

COUNCILMEMBER COCHRAN: --or something.

MS. RASMUSSEN: --sure that it...I'm not sure if it made it to --

COUNCILMEMBER COCHRAN: Is there --

MS. RASMUSSEN: --you or not.

COUNCILMEMBER COCHRAN: --something --

MS. RASMUSSEN: But I have --

COUNCILMEMBER COCHRAN: --we can --

MS. RASMUSSEN: --a copy --

COUNCILMEMBER COCHRAN: --get from --

MS. RASMUSSEN: --of it.

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

COUNCILMEMBER COCHRAN: --that?

MS. RASMUSSEN: Yeah.

CHAIR SUGIMURA: Yeah.

MS. RASMUSSEN: I have a copy.

CHAIR SUGIMURA: So, can --

COUNCILMEMBER COCHRAN: Okay.

CHAIR SUGIMURA: --we make copies?

COUNCILMEMBER COCHRAN: Thank you, Chair.

CHAIR SUGIMURA: Thank you. Mr. Hokama, did you have questions? No?

COUNCILMEMBER HOKAMA: Just a few, thank you. Just a few. I appreciate the comments that have been brought up currently, Chair. Thank you so much. So, if we go along with this acquisition, is there additional projects that are associated with the acquisition? Are you gonna need to fix the ditch, improve the line?

MS. RASMUSSEN: There will be a need to bring water to each...the water is there for the parcel. But there will be a need to bring the pipelines to each lot. And however that's done, that will require a design, some sort of an irrigation design. But that can't be done until we decide how we actually want to divide the property and what kind of size of lots are appropriate. So, yes, there is work definitely to be done after this acquisition because we don't know who's gonna come to the table and want to farm this, so.

COUNCILMEMBER HOKAMA: And this is gonna be on our cost?

MS. RASMUSSEN: That would be from the point of...yes, okay, the water would be available for the parcel but we would have to put the lines. Whether we have ten lots or, you know, however many, we'll have to bring the lines to the lots.

COUNCILMEMBER HOKAMA: Okay.

MS. RASMUSSEN: We do have 3.25 million that was also sent to us by the State through Representative Yamashita, which was for efficiency for the new pump and the moving of the pump for the Kula Ag Park. And that will create a much more efficient pumping system. If there were funds left over from that, the wording is such that it could be used for, to create the irrigation system for the new property.

COUNCILMEMBER HOKAMA: Okay. You have a, like a long-term or completed mission kind of worksheet? I'm assuming eventually, you're gonna come back for the

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

610 acres and money for that. So, if that's part of the plan, what is this plan? A ten-year plan? And we're looking --

MS. RASMUSSEN: I personally --

COUNCILMEMBER HOKAMA: --at --

MS. RASMUSSEN: --don't see...

COUNCILMEMBER HOKAMA: --\$10 million of --

MS. RASMUSSEN: Yeah.

COUNCILMEMBER HOKAMA: --investment?

MS. RASMUSSEN: I personally don't see the count. I would see the State purchasing this additional land. I think that with all of the ag land they've purchased in Oahu, that it is...it would be extremely appropriate for them to do that over here considering the weight that the Governor has put on food security and food production. I believe we have a Department of Ag chair also at the State level who is supportive. So, I would go to the State, and I would also look if there's Federal resources for the purchase. At that point, we can see what they come to the table with and see how much of the irrigation that we could get.

COUNCILMEMBER HOKAMA: Would you say that the State at this time is more concerned about the bigger type of operator and bigger acreages than what we looking for, for our community-type of farm needs?

MS. RASMUSSEN: That...I'm sorry, is there a need for more or...

COUNCILMEMBER HOKAMA: No, my thing is --

MS. RASMUSSEN: Oh.

COUNCILMEMBER HOKAMA: --I think the State is--well, maybe I'm making the statement, not a question--that the State seems to be more concerned about the bigger operator, bigger acreage-type of production activity than what we're looking at for this type of ag farm, a County ag farm.

MS. RASMUSSEN: Yeah, I do agree. They are giving out huge acreages. And I believe that though is the role of A&B now, to do with the rest of the plantation is to give out those large acreages. And I know they are in negotiation with some large farming entities that want that land. It really has become really clear to me that in their downsized state, they just are not going to be able to deal with the fair...with the small farmers. They really need to deal with those who would need large chunks --

COUNCILMEMBER HOKAMA: Right.

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
**Council of the County of Maui**

**October 15, 2018**

---

MS. RASMUSSEN: --of land.

COUNCILMEMBER HOKAMA: Right, right.

MS. RASMUSSEN: And I think that the County is much better suited to provide services and that kind of access in those long-term leases.

COUNCILMEMBER HOKAMA: Okay. The one thing that the property owner does know, they still have responsibility for fire protection. Okay. They own a lot of land that can burn.

MS. RASMUSSEN: Yeah.

COUNCILMEMBER HOKAMA: And that's a concern for this County. Okay. And so, I understand, you know, the need of our County doing our part for County-type of ag parks. I support that. That makes sense to me. So, I'm very open to this proposal. I just wanna know what's it gonna take to make it happen? And eventually, if we're gonna go for the additional acreages and whatnot? So, what I'm interested in is, and I hear the Members, you know, doing a good job, trying to get a better price for us, I see the number, the 5.9 million. What is there currently for Finance Department, currently under review then under our website? What is active under review for the board regarding ag land on this property if we have a price? So, are they saying we've over assessed it?

MR. TERUYA: Good morning, Chair and Members. Scott Teruya, Real Property Tax Administrator. I'm a little under the weather so forgive me. Looking at the website right now, public...our public website showing the 262,288 acres, zoned Agriculture, market value, 100 percent market value of land at 6.6 million, 9 thousand 7 hundred. Due to County Code 3.48.350, lands that are suitable or designated as Agriculture, the owner is able to put their lands to a specific use. And in this case, it looks like this is being under production of pasture, at about \$104 per acre. Therefore, giving you the assessed value of 27,300. Mr. Hokama, to your comment on the appeal, there was a pending case of...to the board of review to appeal their market value, not their assessed value for 2018, and that has been withdrawn. Again, a lot of this question came up in prior meetings about this 27,300. And it's only because that this land is being used for active ag is that's the reason why it has the assessed value of 27,300. If it was not used for any agricultural bona fide use, the value would have been 6.6 million 9 thousand 7 hundred. I hope that answered your question, Mr. Hokama.

CHAIR SUGIMURA: Thank you, Mr. Teruya.

COUNCILMEMBER HOKAMA: No, I can read the historics. So, I appreciate that, Mr. Teruya. Interesting how fallow land can grow in value. Okay. 'Cause we can see the numbers, 2012 was 1.9 million; 2017, 3.4. Now, it's 6.9. So, that's good value. And we understand, you know, the challenges. So, okay, I'm clear on that. One thing though, Chair, I would ask that if we move forward, and one of the things that I think it's

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

important for this County, this Committee, to try and ensure is where it's smart or applicable, we should also look at public access within the lands we acquire. You know, we...I think, you know, we're concerned about the beach access and that's great. But let's not forget, we need mountain access too. And so, where applicable in the lands we purchase whether it be through the gulch or anything else, we should allow some...our ability of our people to access the lands. The other thing I'm...wanted to bring up is my...I'm sure we're gonna take care of it. 'Cause Lanai, we took care of it. So, this concerns me when we hear about who's gonna get the water? Because by Code, we have a Water Use and Development Plan requirement. Okay. And in that plan, 'cause I know Lanai had one passed by Council, each district has an allocation table. The allocation table sets the priority of where water goes under certain situations. They should...this is a usually a Council decision. Okay. So, you know, there's things that we, you know, if we need to do it, let's do it. But there's requirements that we should and make sure that we implement and get this done. Thank you.

CHAIR SUGIMURA: Okay. Thank you. Before I go to Ms. Baisa, Mr. Teruya, did you wanna say another comment?

MR. TERUYA: Yeah, thank you, Chair. And, you know, I wanna reassure the Members that, you know, first of all, the assessments have gone up over the years. And it's...and, you know, furthermore, we got this appraisal done and we have other comparable lands that have been selling. And, you know, our valuation for the Agriculture fair-market value has been going up. And this sale also would be supportive of our land values going up. So, not only will the subsequent agricultural lands go up, this...you know, it's gonna go up. If you're using your property for agriculture, therefore, the override. But other than that, the market land value for lands of this type is very supportive of what the appraisal came in at. And one of the reasons that we're at 6.6, a little higher than the appraisal price is because there's some lands that were noted in the appraisal that were unusable and that was not privy to us at that time. Thank you, Chair.

COUNCILMEMBER HOKAMA: So, Chair --

CHAIR SUGIMURA: Thank you.

COUNCILMEMBER HOKAMA: --Mr. Teruya is nice. He's not saying it but I'll say it, this helped set the price for the 610 acres. Okay. Let's understand how we do valuation. We're helping to set value for the next parcel we acquire.

CHAIR SUGIMURA: Phase 2. Thank you. Ms. Baisa, do you have a comment regarding Mr. Hokama's question on water?

MS. BAISA: Yes, thank you, Chair. And thank you, Mr. Hokama, for bringing up the Water Use and Development Plan. As everybody probably knows, it is finally at the Board of Water Supply. It's been completed. And they are beginning...they are going to begin the hearings that have to be held, public hearings. And of course, when those are

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

done then the plan will come here for the Council to review and debate and do whatever, and hopefully, approve it. So, we will have that all covered. It's taking a long time. It's a plan that has...it's been evolving for a very long time. I was involved in the very, very early first hearings when we were doing individual community plans. But it's now done, and it's going out for public hearing. So, everybody should pay attention to when those hearings are gonna be held. Board of Water Supply definitely wants your input. So, thank you very much.

CHAIR SUGIMURA: Thank you. At this time, I'm gonna ask all the Members if you have questions, and then...Ms. Crivello?

VICE-CHAIR CRIVELLO: Thank you, Chair. So, I think it's great that we have this opportunity. And, you know, and I listen. I hear the same conversation, we need affordable homes. I hear the chatter of we need ag, we need farming, we need to diversify our economy. And this gives us an opportunity. Two questions though, well, maybe just one. I think the fact that we...to farm, you need water. And that's the non-potable water that we have available. And does that come with ag rates?

MS. BAISA: Yes.

VICE-CHAIR CRIVELLO: Yeah.

MS. RASMUSSEN: Yes.

VICE-CHAIR CRIVELLO: Okay. And then what about the soil, you know, are we gonna just assume that it's fertile soil for farming? Or the farmer themselves will have to do their soil testing? Or what...how do we measure the soil that's part of all this purchase for ag?

MS. RASMUSSEN: The soils will be...that will be something that farmers address. The...anywhere, anybody that farms is going to have to address their soil and their soil type. And they're gonna have to take soil samples. And they will amend the soil as they see fit for the crop that they're growing. So, it has been farmed. We know it's been farmed. So, I know they've, you know, taken a lot of rocks out of it. So, I would say that's something that'll have to be addressed on a per farm basis. But if it had never been farmed before, I would be concerned because maybe that was meant that it was way too rocky and so forth to farm. But we know that it has been farmed, so.

VICE-CHAIR CRIVELLO: It's been farmed for sugarcane --

MS. RASMUSSEN: Yes.

VICE-CHAIR CRIVELLO: --and ag for --

MS. RASMUSSEN: Yes. Sugar. Yes.

VICE-CHAIR CRIVELLO: --sugar, yeah. Another question I have, Chair?

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

CHAIR SUGIMURA: Yes.

VICE-CHAIR CRIVELLO: So, we have here gulches as natural buffers. The...is...does it buff for instance the 97 acres possibly organic farming? Are we saying then we have natural buffers for the...

MS. RASMUSSEN: There is a gulch that does run by, which is why we kind of landed on this configuration. But again, this is just a draft. And this is just something that's just...we have to see who's coming to the table to farm and how many acres they want.

VICE-CHAIR CRIVELLO: I see. Okay. Well, thank you for your work. And hopefully, we can come to something...some kind of decision so that we can farm like people keep saying, we should be farming. Thank you.

CHAIR SUGIMURA: Mr. Carroll, do you have any comments or questions regarding this? Mr. Atay?

COUNCILMEMBER ATAY: Chair, thank you. I fully support this purchase 'cause we do have that need to increase our food production here on our island, and also allowing an opportunity for our small farmers. I hear the position as stated earlier, you know, the rest of the 27,000 acres that A&B has will entertain large-scale farmers. But this gives, you know, smaller individual farmers who want 5-acre, 10-acre, combining hui, 20 acres, gives the small farmers that opportunity that has not been available I think since the opening of the now Kula Ag Park some 45 years ago. So, I'm looking forward to that. The question I have pertains to water. And I think, Chair, you talked about forwarding it over to the Water Committee. But from the ag park side, is there any plans, I know we've addressed water from the non-potable agriculture water, but from the farmers' side, there is a Federal requirement for the FSMA, yeah, the Food Safety Modernization Act, that on their farms they need to process and clean their fruits and vegetables with potable water. Is there a long-range plan of getting that kind of water to these farm sites? And if so, is there a projected cost that we will have to absorb in getting that to the ag park?

CHAIR SUGIMURA: Ms. Rasmussen?

MS. RASMUSSEN: Yes. So, there is...there are FSMA laws. Although they have...the regulations have been recently relaxed and they're actually morphing still. And the...it's been in effect for quite a while and they're still trying to write them. But you will absolutely never be able to afford to bring potable water to every lot from the traditional lines. You'll just never be able to afford that. What's happening on farms across America is they are cleaning up the water at the site for just the amount of water that they need to clean up. And CTAHR has actually developed these systems and they're teaching the farmers how to do these systems. So, they just...they put lots of filtration and so forth on the water. They clean it up. At that point, it's tested. They have to provide testing of the water. And then they could just use that portion that they need for whatever their produce washing or whatever it is. A lot of the farms

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

just do field pack. And they don't need to have the water processing on their lands. So, it just depends on the operation. But it can be handled on a per farm basis by their own systems. And that's by far more affordable way to do it.

COUNCILMEMBER ATAY: Okay.

CHAIR SUGIMURA: Thank you. Mr. White, do you have any questions?

COUNCILMEMBER WHITE: Thank you, Chair. No questions. I'm supportive. I have some of the same concerns with the pricing that Mr. Hokama has shared. And I also have some issues with the quality of the appraisals that take place that we've seen from this company before. But I'm supportive realizing that the majority of the funding is coming from the State. So, it's our way of gaining a little bit of our TAT back. And I think it's...it needs to be said that Phase 2 won't happen without State funding either. So, hopefully, that tap won't run dry in the middle of this.

CHAIR SUGIMURA: Yeah.

COUNCILMEMBER WHITE: Thank you, Chair.

CHAIR SUGIMURA: Thank you, Mr. White. Ms. Cochran?

COUNCILMEMBER COCHRAN: The Kula Ag waterline that sits but yet, I guess there's no...the source hasn't been built out, is that coming down the pipeline? And this kind of funding I think could have easily have helped build the source in order to run that line. Has that been discussed or looked at?

MS. RASMUSSEN: Completely separate. Not even close to this land. It goes across the very top of Kula. That line is not completed. And I believe that whole project has been scrapped actually because it's...they...anybody else wanna weigh in on that? I don't know if that's...yeah, but it's a completely separate system. It would never feed this land. This...it's...it wasn't meant for that.

COUNCILMEMBER COCHRAN: Okay. And yeah, I mean I hear a lot of still open, unanswered questions right now. And it gives me room for a pause since the money would not actually lapse 'til end of June of next year. And so, I'm not quite that a 100 percent comfortable in expending this kind of funds on this land with still open questions that to my satisfaction have not been answered thoroughly on behalf of this...the taxpayers and this County. Another question, which I don't...do we have a list of any applicants of farmers that potentially wanna work on this land? Do we have that?

MS. RASMUSSEN: We had a meeting about a year and a half ago, and we opened it up to anybody. We publicized it in the paper. Anybody who wanted to come and talk about the Kula or an ag park expansion plan. We kept that list in our office. We will, you know, things change. People change. Times change. Economics change. So, a year and a half ago is far too long ago to take that as the gospel truth for what people said

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

they wanted to farm. But we will continue to do outreach after this. And, you know, I wanna say that when the Kula Ag Park was built years and years ago, the County had to go in and not only divide those lots up, but they had to build a road into the Kula Agriculture Park. And they had to provide...they had to bring the water meters. And they had to bring the power in. This, being the fact that it straddles Omaopio and Pulehu Road, we have road access to virtually probably every lot already. And the power lines go up both of those roads. So, getting power to these lots is going to be so much less expensive than it was with the original development of the ag park. So, again, I think this is kinda the perfect TMK for us to start this. And I do believe that we can fill it up very quickly. I really do.

COUNCILMEMBER COCHRAN: Okay. So, sorry, a follow-up on that a year and a half ago list, so, you haven't recently resubmit, you know, asked for more input from the...this community --

MS. RASMUSSEN: No, but --

COUNCILMEMBER COCHRAN: --in the distribution?

MS. RASMUSSEN: --I think we've...there's been continual meetings with our four-year process of trying to do this. And we have had people come and testify, and be supportive. And I think that they have to see it that it's real before they get real about what their plans might be. And, you know, and so, I think that that has to take place when it's actually there, and we're, you know, we're really entertaining people to actually be there.

CHAIR SUGIMURA: Thank you. Are you done?

COUNCILMEMBER COCHRAN: Yeah.

CHAIR SUGIMURA: So, I wanted to if I could, answer that question. The lapsing of funds, which was just brought up is for the State funds. And can you just say, somebody, that the...what...County funds are gonna lapse December 31<sup>st</sup> of this year?

MS. RASMUSSEN: Yeah, this year.

CHAIR SUGIMURA: Yeah.

MS. RASMUSSEN: Yes.

CHAIR SUGIMURA: There's two different dates that we're working --

MS. RASMUSSEN: Yes.

CHAIR SUGIMURA: --towards.

MS. RASMUSSEN: So, our million I believe, right, is --

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

CHAIR SUGIMURA: One point --

MS. RASMUSSEN: --yes --

CHAIR SUGIMURA: --one.

MS. RASMUSSEN: --is going to lapse in December, at the end of December. This...it would be a disaster in my opinion to put this off anymore. I think that you're at risk of the funds lapsing again. Representative Yamashita is not going to be happy about going back to the well a third time and try to save \$5 million that the County of Maui can't seem to get spent. So, I really feel strongly that we need to move on this today. And let us take this process out and get this on the Governor's desk so that we can get this released.

CHAIR SUGIMURA: Okay. Thank you. Thanks for that clarification. Mr. Hokama, you have another question? Mr. Guzman?

COUNCILMEMBER GUZMAN: So, a couple questions. My colleagues have asked a lot of questions. So, I'm just gonna follow up on a few of them. In terms of the value of the appraisal portion, we're talking about use versus pasture, and how it was previously designated in the use. In the past, it's been in use. When was that, the last use in production?

CHAIR SUGIMURA: Mister...oh --

MR. STRAND: The --

CHAIR SUGIMURA: --is that A&B --

MR. STRAND: --last --

CHAIR SUGIMURA: --question?

MR. STRAND: --sugarcane crop was harvested in 2015.

COUNCILMEMBER GUZMAN: Okay. So, it was just recently. And so, then it doesn't convert back to pasture at some point? I guess I'm asking RPT?

MR. TERUYA: When looking at the record, it was two years ago that they converted the dedication from sugar to a 20-year pasture use. So, the productivity rate changed from X to \$104 per acre. So, it's two years ago that they converted it to a pasture 20-year dedication.

COUNCILMEMBER GUZMAN: So, and we're purchasing it at the pasture value? Or no, that's the TMK, I'm sorry, the tax value use is pasture?

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

MR. TERUYA: That is the assessed value in use. That is not the highest and best use.

COUNCILMEMBER GUZMAN: Okay. Okay. Thank you. And then, the reason why it was never placed in important ag lands is because why?

CHAIR SUGIMURA: A&B?

COUNCILMEMBER GUZMAN: Yeah.

MR. STRAND: Well, the decision on what lands were placed in was more to look at like the contiguous pieces in the middle. So, the parts that were on the outside, there was some consideration that, you know, they might need to be other uses for some of those lands that were near roads or near other areas. And so, this parcel was outside of that consideration. It doesn't have anything to do with whether or not the land was highly suitable for ag or not highly suitable for ag. It was just not designated in the other 27,000 acres, so.

COUNCILMEMBER GUZMAN: It wasn't part of the larger contiguous 27 acres? Twenty-seven --

MR. STRAND: Twenty-seven thousand.

COUNCILMEMBER GUZMAN: --thousand, sorry.

MR. STRAND: No, it's just outside of that. And its proximity to Omaopio and Pulehu Roads and other areas that have been developed out there with, you know, the...around the ag park, it was considered to have infrastructure and uses that might not fit the rest of the IAL.

COUNCILMEMBER GUZMAN: Okay. And then in terms of the--what was it--was there a reason aside from the price that we went with this middle parcel versus taking the left or right side on...according to the map here that would be in Phase 2, either taking one of them --

CHAIR SUGIMURA: Ms. Rasmussen, or...

COUNCILMEMBER GUZMAN: --instead of the middle portion?

MS. RASMUSSEN: The reason was because this middle portion is a separate TMK. The other two parcels are going to require some carving out of other TMKs. So --

COUNCILMEMBER GUZMAN: Okay.

MS. RASMUSSEN: --it wasn't clean. It wasn't gonna be fast. And there was no way we were gonna get through that in order to take advantage of this appropriation, so.

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

COUNCILMEMBER GUZMAN: Okay. I see. So, the other, the left or the right has multiple TMKs, and the middle has --

MS. RASMUSSEN: Yes.

COUNCILMEMBER GUZMAN: --just one?

MS. RASMUSSEN: Yes.

COUNCILMEMBER GUZMAN: Okay. I see. And then, you, in making that assessment, did you go ahead and look at like a preliminary...see value of those other parcels and compare all three?

MS. RASMUSSEN: I have not been involved in that. And that is something that future Administration will have to deal with.

COUNCILMEMBER GUZMAN: No, I just was getting back to what Mr. --

MS. RASMUSSEN: Right.

COUNCILMEMBER GUZMAN: --Hokama was, you know, implying or suggesting that this, by purchasing this particular lot, we could then affect the values of the future purchases of the other remaining lots.

MS. RASMUSSEN: I would suggest somebody be really good at negotiating.

COUNCILMEMBER GUZMAN: Okay. All right. And then just getting to Mr. Atay's point about the requirements for our food safety act, I think one of the most important things that we could do on the County side is the testing of the water. 'Cause that's one of the bigger expenses is this, the actual testing. So, in the future, if we're gonna have to comply, maybe the County could come up with that testing and the farmers, and go ahead and put in their filtration systems. But one of the bigger expenses is the testing.

MS. RASMUSSEN: Right.

COUNCILMEMBER GUZMAN: Yeah.

MS. RASMUSSEN: Right.

COUNCILMEMBER GUZMAN: Yeah. Okay. Thank you.

MS. RASMUSSEN: Thank you.

CHAIR SUGIMURA: Thank you. Ms. King, do you have any questions?

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

COUNCILMEMBER KING: Yeah, I do have some follow-up. Thank you, Chair. And I wanna appreciate, too, Chair, that we held this until after there was that meeting of the Kula Ag Park. Because I think their charge is advisory to the coordinator, not just the lease. So, it's good to hear from them. So, after this, if this parcel gets purchased then it will go under the auspices of the same Kula Ag Park committee, is that the intention?

MS. RASMUSSEN: Yeah. So, that's my recommendation is that when the parcel is actually purchased that we roll it into, well, if they add it to the Kula Ag Park ordinances, which already exist, there's already absolute selection process described, point system, everything. It's very clean. It's very exact. And it's very fair. And it's very transparent. So, I would very much recommend we roll this into those ordinances.

COUNCILMEMBER KING: Okay. And then...thank you for that. And then the...on...as far as the, you know, I know we've talked about before that most of the ag parks in Hawaii are State-owned ag parks. And that's why they were willing to put money into this. Where they...on Oahu, where they have the State ag parks, are those managed by the county or are they managed by the State?

MS. RASMUSSEN: Most of them are managed by the ADC, which is the Agribusiness --

COUNCILMEMBER KING: Yeah.

MS. RASMUSSEN: --Development Corporation. And they...and the reason that it works on a State level there is because most of the water is owned by the State as well. So, it's a State water system. So, we don't have that here.

COUNCILMEMBER KING: Okay.

MS. RASMUSSEN: And so, it made more sense for the County to have the ag park.

COUNCILMEMBER KING: Okay. So, because I was, you know, I thought that was a very good point that was brought up earlier about the values and how...I mean it seemed like it...this parcel doubled in value over last year. And then this is setting the value for the neighboring parcels. So, if we are going to eventually purchase those, and ask the State to do it, we would still be able to manage that though, correct?

MS. RASMUSSEN: Oh, yes, yes. And in fact, they want us to. I mean they want us to manage it. That's --

COUNCILMEMBER KING: Okay.

MS. RASMUSSEN: --why they're willing to just, you know, give us the funds. And I do know that the last purchase I believe that happened on Oahu for ag land was, I believe it was over \$30,000 an acre.

COUNCILMEMBER KING: In that area?

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

MS. RASMUSSEN: Yeah.

COUNCILMEMBER KING: Upcountry? Okay. Yeah, it's just interesting how we tax other classifications at best and highest use. But ag lands, we tax at the rate that the actual usage. So, the rate is really low because we're doing cattle ranching but we're not buying it as a ranching property. So, that's the difference I think in the value versus assessment. But that's what I wanted to be sure of that we would...that we're looking at. Because I think this is probably a deal that will not even close before the end of the year, or maybe it will close right around the end of the year and so this is really gonna be under the management of the next Administration, correct?

MS. RASMUSSEN: No, I mean, we --

COUNCILMEMBER KING: Or you think...

MS. RASMUSSEN: --need to get it closed because that money...the County --

CHAIR SUGIMURA: It's gonna lapse.

MS. RASMUSSEN: --money will lapse. I mean we are on a trajectory where we could...it could happen in early December. It would be...it's gotta go to the full Council and so forth.

COUNCILMEMBER KING: Right.

MS. RASMUSSEN: But we can make this --

COUNCILMEMBER KING: Okay.

MS. RASMUSSEN: --happen for sure.

COUNCILMEMBER KING: But if we do --

MS. RASMUSSEN: Yeah.

COUNCILMEMBER KING: --close, I mean basically, it's...it...the management will come under the next Administration.

MS. RASMUSSEN: Oh, yes. Oh --

COUNCILMEMBER KING: That's what --

MS. RASMUSSEN: --yes, yes --

COUNCILMEMBER KING: --I was talking --

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

MS. RASMUSSEN: --yes.

COUNCILMEMBER KING: --about.

MS. RASMUSSEN: Yeah --

COUNCILMEMBER KING: So...

MS. RASMUSSEN: --absolutely yes.

COUNCILMEMBER KING: Yeah. Because I --

MS. RASMUSSEN: Yes.

COUNCILMEMBER KING: --think this is, you know, I think a lot of the concerns and the concerns I have are about, you know, how it's administered once it does. But that's really not the Council's purview. That's the Administration's purview. So --

MS. RASMUSSEN: Right.

COUNCILMEMBER KING: --that might be a good question --

MS. RASMUSSEN: Yeah.

COUNCILMEMBER KING: --for some...

MS. RASMUSSEN: And there's...it's in the Code already, you know, if you adopt those ag park ordinances.

COUNCILMEMBER KING: Well, yeah, but I mean it's not in the Code how much goes to organic versus nonorganic --

MS. RASMUSSEN: Right.

COUNCILMEMBER KING: --and things like that.

MS. RASMUSSEN: Right.

COUNCILMEMBER KING: So --

MS. RASMUSSEN: Right.

COUNCILMEMBER KING: --you know, and then some of these issues about FSMA and whether we do water testing on Maui. So --

MS. RASMUSSEN: Yeah.

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

COUNCILMEMBER KING: --anyway, but thank you, Chair. Those are my --

CHAIR SUGIMURA: Thank you.

COUNCILMEMBER KING: --last concerns.

CHAIR SUGIMURA: Members, I think we've had a good discussion. I would like to ask that we actually take a vote and then take a break. So, if there's no further discussions, I would like to recommend adoption of the revised proposed resolution transmitted by correspondence dated September 19, 2018, entitled Approving the Acquisition of Real Property of Approximately 262 Acres, Located in Pulehunui and Omaopio, Makawao, Maui, Hawaii; including any nonsubstantive revisions; and filing of County Communication 18-116.

VICE-CHAIR CRIVELLO: So moved, Chair.

CHAIR SUGIMURA: Thank you.

COUNCILMEMBER CARROLL: Second.

CHAIR SUGIMURA: Thank you. Motion by Member Crivello, second by Member Carroll for adoption of the revised proposed resolution. And before we do that, I think we have some amendments that we need to take care of, correct --

MS. SHEPPARD: I think --

CHAIR SUGIMURA: --Corp. Counsel?

MS. SHEPPARD: --if you approve it subject to the change for the closing date --

CHAIR SUGIMURA: Okay.

MS. SHEPPARD: --so that the change can be made outside this Committee --

CHAIR SUGIMURA: Okay.

MS. SHEPPARD: --and then transmit it to Council.

CHAIR SUGIMURA: Okay. So, we need to add this...add that to this motion?

MS. SHEPPARD: Yes.

CHAIR SUGIMURA: Okay. So, if you will allow me to, Members, then I'm gonna add to this motion to make the revisions to the closing date, which is actually under item four in the proposal, closing and prorations. Four point one talks about the closing date. So, that will be amended based upon this approval, Members. If that's okay, any discussions? Mr. Hokama?

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

COUNCILMEMBER HOKAMA: I'm speaking on support of the motion, Chair. Just one question, are we adopting your resolution with the two documents from Water Supply as attachments?

CHAIR SUGIMURA: Oh, you're right. We need to --

COUNCILMEMBER HOKAMA: Because --

CHAIR SUGIMURA: --attach that, correct.

COUNCILMEMBER HOKAMA: --that would make it...make a difference for me. I want those attachments.

CHAIR SUGIMURA: Yes. So, thanks for that point. We need to attach...Shelly, we need to also add to this that we are attaching...what was the verbiage that we're gonna add on?

MS. ESPELETA: Can we have a short recess?

CHAIR SUGIMURA: Oh, can we take a short recess? Thank you. . . .(gavel). . .

**RECESS: 10:59 a.m.**

**RECONVENE: 11:03 a.m.**

CHAIR SUGIMURA: . . .(gavel). . . Okay. I'm calling this meeting back to order. Thank you, Mr. Hokama. That's a appropriate question. So, I would like to recommend then the amendment to adopt the resolution we talked about earlier, which will, in Exhibit "1," the closing date will need to be changed. And then also attach through your recommendation, Exhibit "2" would now be the water delivery agreement for this parcel, correct? That's what you're asking?

COUNCILMEMBER HOKAMA: Do we need to make the motion?

COUNCILMEMBER KING: Do we have a motion on the floor?

CHAIR SUGIMURA: Well, we have the main motion on the floor. You wanna make this amendment?

COUNCILMEMBER HOKAMA: I move to amend.

CHAIR SUGIMURA: Okay. I need a second.

VICE-CHAIR CRIVELLO: Second.

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

CHAIR SUGIMURA: Thank you. So, the amendment is by Mr. Hokama, to adopt the resolution subject to revisions and...of the closing date in Exhibit "1." And we also need to include Exhibit "1" in this resolution, and also attach as Exhibit "2," the water delivery agreement as it relates to the 262 acres of land that we are about to purchase, correct? Okay. So, motion made by Mr. Hokama, second by Ms. Crivello. All in favor, Members, please say "aye."

COUNCILMEMBERS: Aye.

CHAIR SUGIMURA: Great. Nine "ayes," zero opposed.

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

**NOES: None.**

**ABSTAIN: None.**

**ABSENT: None.**

**EXC.: None.**

**MOTION CARRIED.**

**ACTION: APPROVE AMENDMENT.**

CHAIR SUGIMURA: Now, we'll go back to the main motion. All in favor of the purchase of this land, adoption of the revised proposed resolution, and filing of communication, all in favor...oh --

COUNCILMEMBER COCHRAN: Chair?

CHAIR SUGIMURA: --any discussion, Members? Ms. Cochran?

COUNCILMEMBER COCHRAN: Thank you, Chair. And so, yeah, I agree with one of the comments Ms. Rasmussen made in regards to better negotiations. And I also thank Mr. Hokama for bringing in the point that this is gonna set the stage for further purchases. And, you know, for me it's like there's...and thank you for the meeting with the Kula Ag, the KAP group. But I believe they walked away with further queries that they wanted to see, which I agree. And some of the points were brought up with one of the testifiers this morning. And so, you know, I think everyone across the board is looking for efforts towards sustainability, food sovereignty, and all this stuff. And I highly, you know, advocate for it too. But this particular purchase really leaves me questioning a lot of the costs. I mean I would like to see, even though people don't have plans, at least, get a idea of who out there is interested and what sorts of

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

diversified ag if any they're looking to do. And does it fit? You know, and all this stuff. And then we can yeah, expand out, and keep A&B in the loop on what the needs of this community are. 'Cause I hear every day. And, but I also hear every day that the company is not open to a lot of people's, you know, suggestions, asks, and what have you. So, there's a lot of thing...I believe there's other lands that have not been used. They have been in ag many years prior. They've shut it down from ag in Pine, and things. And those are...should be able to be leased out or sold or something to put into some type of production if we're all talking the same thing about becoming self-sufficient here. So, the...I...this leaves me hanging with a lot of questions. My one "no" vote is not gonna hold this whole purchase up. But as someone who has a potential of having to manage and maintain this, I have questions. So, at this time, I am not in favor of this purchase. I believe we still have time to vet through further and to have more solid, solidified answers to water. I did not get a satisfactory answer about the water at all. You know, the land, the cleanup, all that stuff. So, that's just my comments in reference to my vote. Thank you, Chair.

CHAIR SUGIMURA: Okay. Mr. Atay?

COUNCILMEMBER ATAY: Chair, I also want to stand on record that I support the purchase of land. But to go forward with an approval where I'm still questioning the water agreement, yeah, which was now. So, I'm...I, you know, I mean that's just...I would entertain joining Ms. Cochran on this.

CHAIR SUGIMURA: Okay. Okay. Members, any other discussions? Mr. White?

COUNCILMEMBER WHITE: Thank you, Chair. I sit here looking at a purchase of 262 acres, of which roughly 220 is usable, and it has water and all that for about \$5 million versus a purchase that we authorized a number of years ago for 186 acres, much smaller, much drier, with nowhere near as much water for \$13 million. So, I think we all have to remember the history here. This is not a...this is a company that has gone through some challenges with the closing of HC&S. We have an opportunity to secure land for farming that has a significant amount of access to water. Yes, it can be...it can become a challenge based on what happens at the State level. But I trust this company to provide us with the water that they've promised us, as long as the State allows an access to a level of supply that is adequate. And so, I'm very supportive of this. And we have to...we just have to remember that yes, this is public money. But we've made purchases that in my view were much less advisable than this one with...for a whole lot more money. Thank you, Chair.

VICE-CHAIR CRIVELLO: Chair?

CHAIR SUGIMURA: Thank you. Ms. Crivello?

VICE-CHAIR CRIVELLO: Thank you. I will support your recommendation. And, you know, I don't know what the major question is about us having non-potable water so that our farmers will be able to have delivery. I would think, too, that would be part of the ag park's plan to engineer some sort of transmission and for the farmers. The other thing

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

is we have \$5 million from Hawaii State through the legislation of Representative Yamashita. This doesn't happen too often. And this is a collaborative approach for us. And then too, the County of course, is putting in 929,000. And I go...I have flashbacks about the kind of monies we've spent before also. And I moved in support of open space funding. And then we don't do anything at all. And that has been in millions of dollars. And yes, we want open space, but we also hear about local food production. We hear about food security. We hear about all the needs that we are hoping that we will put forth as policymakers to support the...a mantra that's being said out there. And, you know, I repeat, it's the same mantra we have about building affordable homes, growing the farms, growing the farmers. So, for this reason, I support having us...have this legislation pass through in support of purchasing. Thank you, Chair.

CHAIR SUGIMURA: Thank you, Ms. Crivello. Any other comments before we take a vote? Mr. Guzman?

COUNCILMEMBER GUZMAN: Thank you, Chair. You know, this is our...for me it's my third rodeo. Because we actually, when I was chair for ag, went through two parcels prior to this. Both of them fell through. And the Governor held back on one of 'em. So, this has been property, land, agricultural lands that we've been waiting for quite some time to expand our Kula Ag Park. And so, to me, if we can get this property for a million dollars, 'cause that's what we're putting into it, that's a bargain in itself. And the fact that there's a deadline on it, our appropriations, our County appropriations, expires at the end of December. So, then we start the cycle over again. And then the State will expire or lapse in June. So, how long will it take us to find another piece of property? I don't know. But I don't have much time left on this Council. And I'm gonna support this because I believe that we need to have expansion of any type of agriculture, usable agricultural lands. And it looks as though that they've already accommodated an agricultural portion. There is water. There's an agreement there. And then, I think this is...it's suitable, you know, for now. And in the future, we could look for other lands. We don't have to go to Phase 2. But we do have this opportunity for Phase 1. So, I will support this. Thank you, Chair.

CHAIR SUGIMURA: Thank you. Ms. King?

COUNCILMEMBER KING: Yes, thank you. I'm gonna support the proposal. And, you know, for a lot of the reasons that were stated about the input that the State is giving us. And because I think it's a smart way. We need to put more money into agriculture. I think a lot of the administrative questions that we've had, even if you could answer everything and give us a guarantee, everything could change on January 2<sup>nd</sup>. So, it's really an administrative question on how they'll go ahead. I did see that list of I guess it was from a year and a half ago, of folks that are interested in, and I have some friends on there and people that I know who are organic farmers. So, hopefully, we can use that as a base and going forward. Because there, you know, there are people that have been prominent farmers in our community. But there's still, you know, like I said, there's no guarantee because the new Administration could come in and change everything. So, I hope that we can move forward and quickly in the new

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

Administration and show results on this quickly so that we can go back to the State and say, okay, now we're ready to expand, and we want all the money for the expansion from you folks 'cause you set the price. But I think, you know, I think that can come if we prove that we can be productive on this land. So, for those reasons, I'm supportive of it.

CHAIR SUGIMURA: Thank you. I like Mr. Guzman's analogy of we're getting property and spending a million dollars. I never looked at it quite like that. But that is correct. Our County funds are actually 1.1 million. So, a good perspective. I, too, am supporting this. And at this time, Members, I would like to call for the vote. All in favor, say "aye."

COUNCILMEMBERS: Aye.

CHAIR SUGIMURA: Opposed?

COUNCILMEMBER COCHRAN: No.

CHAIR SUGIMURA: So, I have eight "ayes," and one "no." Motion carries. Thank you very much.

**VOTE: AYES: Chair Sugimura, Vice-Chair Crivello, and Councilmembers Atay, Carroll, Guzman, Hokama, King, and White.**

**NOES: Councilmember Cochran.**

**ABSTAIN: None.**

**ABSENT: None.**

**EXC.: None.**

**MOTION CARRIED.**

**ACTION: Recommending ADOPTION of revised resolution and FILING of communication.**

CHAIR SUGIMURA: I'm gonna call a short recess and then ask Mr. Regan to come down here. So, I'm gonna have a five-minute break. Thanks. . . .(gavel). . .

**RECESS: 11:14 a.m.**

**RECONVENE: 11:23 a.m.**

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

CHAIR SUGIMURA: . . .*(gavel)*. . . Thank you, everybody. I'm grateful that we have now secured the agreement to move forward on the expansion of the Kula Ag Park.

**PEA-3(2): HAWAII STATE ASSOCIATION OF COUNTIES (HSAC) (2019 HSAC LEGISLATIVE PACKAGE) (CC 17-8)**

CHAIR SUGIMURA: At this time, I'm gonna try to take up a time-sensitive matter. So, I'm going off the agenda...out...away of the sequence. And I'm gonna be taking up the second, actually, the third item on our agenda, which is Hawaii State Association of Counties, HSAC, Legislative Package. And by looking at this, you can see that's, a lot of 'em were presented to us previously. And this is approving proposals for inclusion in the 2019 Hawaii State Association of Counties Legislative Package. And the purpose of the proposed resolution is to approve for inclusion in the 2019 HSAC Legislative Package the resolutions of which we will have our...you're the Vice-Chair of HSAC, Member Crivello, to take up each one.

VICE-CHAIR CRIVELLO: I'm the Secretary --

CHAIR SUGIMURA: You're the Secretary.

VICE-CHAIR CRIVELLO: --of HSAC. Yeah.

CHAIR SUGIMURA: And our representative from Maui County. So, first, do you wanna go --

VICE-CHAIR CRIVELLO: Okay.

CHAIR SUGIMURA: --forward?

VICE-CHAIR CRIVELLO: Thank you, Chair. So, on PEA-3(2), we have a total of eight proposals, resolutions submitted by HSAC. Two bills from the Honolulu City Council and five from the County of Kauai to be considered for inclusion in the 2019 HSAC Legislative Package, approved by the HSAC executive committee on September 17, 2018. Section 13C of the bylaws of the Hawaii State Association of Counties state that proposals must be approved by all four county councils in order to be included in the final package. We have a deadline for all four counties to approve this package of November 30, 2018. So, real briefly, the proposals include one, A, A Resolution Urging the Legislature to Appropriate Funds to Employ Lifeguards and to Purchase a Lifeguard Tower and Rescue Equipment for Kua Bay at Kekaha Kai State Park. This is...the purpose of the proposed resolution is to urge the Hawaii State Legislature to appropriate funds in the amount of \$401,696 for the first year, and \$325,696 for three years thereafter, to employ lifeguards and to purchase a lifeguard tower and rescue equipment for Kua Bay at Kekaha Kai State Park in North Kona. The next bill, A Bill for an Act Relating to Motor Vehicle Driver's Licenses and Civil Identification Cards. This is proposed by Honolulu City Council. The purpose of the proposed State bill is to develop a consolidated application form for motor vehicle driver's licenses and civil identification cards. Next one is A Bill for an Act Relating to

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

Tobacco Products proposed by the Honolulu City Council. The purpose of the proposed State bill is to repeal and amend provisions relating to the preemption of local laws or ordinances that regulate the sale of cigarettes, tobacco products, and electronic smoking devices. Next bill is A Bill for an Act Relating to Tort Liability proposed by the County of Kauai. The purpose of the proposed State bill is to make permanent the liability protections for our County lifeguard services. And then, A Bill for an Act Relating to Taxation for an income tax credit for hiring an individual with a disability proposed by the County of Kauai. The purpose of the proposed State bill is to provide a nonrefundable tax credit to a taxpayer who hires an individual with a disability for the six-month period after the individual is initially hired by the taxpayer. The next bill is A Bill for an Act Relating to Taxation, income tax credit for hiring an elderly individual. Again, proposed by the County of Kauai. The purpose of the proposed State bill is to provide a nonrefundable tax credit to a taxpayer who hires an elderly individual for the six-month period after the individual is initially hired by the taxpayer. And then, A Bill for an Act Relating to Zoning. Again, proposed by the County of Kauai. The purpose of the State bill is to allow counties with populations less than 100,000 to enact a zoning ordinance to amortize or phase out nonconforming single-family transit vacation rental units over a reasonable period of time. And then, A Bill for an Act Relating to Unadjudicated Traffic Fines proposed by the County of Kauai. The purpose of the proposed State bill is to transfer certain fines and forfeitures collected for uncontested traffic infractions to the counties. Some of these have been submitted in the past and they're trying it again. Thank you, Chair.

CHAIR SUGIMURA: Thank you. Does anybody have any questions regarding the proposed...Ms. King?

COUNCILMEMBER KING: Yeah, I have a question about the number nine.

VICE-CHAIR CRIVELLO: Number nine?

COUNCILMEMBER KING: Why is that necessary to have a State law? Because, you know, as a County, we deal with the short-term transient rentals. So, why would we need a State law to enable us to do that?

VICE-CHAIR CRIVELLO: You have a point there. But I think they want to make it so that it becomes a State bill referencing just the lesser population of 100,000. But --

CHAIR SUGIMURA: Which is Kauai.

VICE-CHAIR CRIVELLO: --you do have a point there.

COUNCILMEMBER KING: I mean we can --

VICE-CHAIR CRIVELLO: And that --

COUNCILMEMBER KING: --do that --

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

VICE-CHAIR CRIVELLO: --would be...

COUNCILMEMBER KING: --regardless of how many people live in our County. So, I don't understand why that --

VICE-CHAIR CRIVELLO: Well --

COUNCILMEMBER KING: --what that will do --

VICE-CHAIR CRIVELLO: --Kauai --

COUNCILMEMBER KING: --for...

VICE-CHAIR CRIVELLO: --wanted to pass it through because I think they have problems they...they're dealing with. If you feel it shouldn't be part of the package...

COUNCILMEMBER KING: No, I'm just wondering why they think that they're not allowed to do that right now? Because if they're not, then, you know, maybe that affects us too. Maybe there's something we don't know. But, you know, to my knowledge, they're allowed to do that regardless of how many...what their population is.

CHAIR SUGIMURA: Mr. Kushi, do you have any...

MR. KUSHI: I don't know, Madam Chair.

CHAIR SUGIMURA: Okay. Okay. Mr. Hokama?

COUNCILMEMBER HOKAMA: Thank you, Chair. You know, it's the responsibility of Ms. Crivello to put forth the proposals as our sister counties have presented. I'll tell you, I'll just support four, two that I think is of priority that makes sense from a Statewide counties' perspective. I would support letter D, which is under the bill regarding tort liability, regarding our County lifeguard services and the services the County provides in State jurisdiction. The second bill I would support, Chairman, is H, A Bill for an Act Relating to Unadjudicated Traffic Fines. Again, this is for the uncontested violations that occur basically with the traffic component. And up 'til then until it goes to court, you're just dealing with County employees, the County police officer and whatnot. So, I can support that. Two things that will impact and it could be on the positive side on our financial ledger. The other two that I am open to that makes sense from a policy perspective Statewide for the counties I would say is B, a bill for an act to motor vehicle driver's licensing and identification cards that the State would develop a consolidated form for all the counties to utilize makes sense, and get that squared away. And then again, letter C, relating to tobacco products, I'm not as concerned about the subject as I am about the direction of governance. And being from this County, our view of home rule, and allow us to make us responsible, local decision in governance makes sense to me. And that is why we support this then it makes sense for us to not support the amendment to take away property tax rights from the counties. So, that's where I am. And again, Chair, you know, we can be...we

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

need to be honest. We can support all of the proposals here. And we can submit it. And more than likely, all of 'em are going to die, okay, the reality. The shotgun approach doesn't work at the Legislature. There are too many bills. There's too many...not enough meetings and a clock that keeps on ticking. And so, unless we focus on priorities, I can tell you, we can just...I'd rather put my energies on other areas. Thank you.

COUNCILMEMBER KING: Chair?

CHAIR SUGIMURA: Thank you. Ms. King?

COUNCILMEMBER KING: Yeah, I didn't...I wasn't finished yet actually.

CHAIR SUGIMURA: Sorry --

COUNCILMEMBER KING: I still had the floor --

CHAIR SUGIMURA: --about that.

COUNCILMEMBER KING: --but that's okay. The other questions I had were, you know, if we're gonna support C, then I would also like to look at that same concept for the oxybenzone/octinoxate ban. Because the State usurped the counties' ability to pass our own stricter legislation that would have started sooner when they did their State bill. And then the other question I had was, we don't have anything in here about the TAT this year. Is there some reason why we're...decided not to address that? Maybe, Ms. Crivello...

VICE-CHAIR CRIVELLO: The executive committee did not put that in their package. We've...they thought that they've made several attempts. And if the individual county would like to submit it on their legislation then that would be another avenue for us to do that.

COUNCILMEMBER KING: Okay. But it's not in...is it in any...it's not in our...

VICE-CHAIR CRIVELLO: I think --

CHAIR SUGIMURA: So, Ms. King --

VICE-CHAIR CRIVELLO: --we do.

CHAIR SUGIMURA: --it's in my proposal from --

VICE-CHAIR CRIVELLO: We do.

CHAIR SUGIMURA: --the Maui package.

VICE-CHAIR CRIVELLO: We do have that --

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

CHAIR SUGIMURA: I have --

VICE-CHAIR CRIVELLO: --in...

COUNCILMEMBER KING: Oh --

CHAIR SUGIMURA: --two items.

COUNCILMEMBER KING: --it is?

CHAIR SUGIMURA: And one of 'em --

COUNCILMEMBER KING: Okay.

CHAIR SUGIMURA: --is exactly that the Maui...

COUNCILMEMBER KING: Do we have any other of the counties that are gonna do that as well? Or are we the only one?

VICE-CHAIR CRIVELLO: No, because the other counties took the --

COUNCILMEMBER KING: They just gave up.

VICE-CHAIR CRIVELLO: --GET.

COUNCILMEMBER KING: Okay.

CHAIR SUGIMURA: Yeah. Sorry about that. Anybody else? Okay. So, Members, I guess I'm hearing that some of you have stronger concerns or are...support one or the other. I'm looking actually for a motion to support all of or pass the Legislative --

VICE-CHAIR CRIVELLO: Chair?

CHAIR SUGIMURA: --Package. Or what would you...

VICE-CHAIR CRIVELLO: I think it's for us to make that decision though HSAC has its recommendation. So, you know, when we come to see as far as local governance, as well as for item G, and I would say that, you know, probably that also refers to local governance, as well as income tax credits. I think that comes under the jurisdiction of the State. Yes, we'd like to see that. But for us, it's again, come back to how we tell them to handle their authorization for tax credits I think. So, I don't...for me, even as an...I'm here as an HSAC representative to present the package but I also wear a County Council hat, so.

CHAIR SUGIMURA: So, Member Crivello, you wanna take up each item and then vote on each one?

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

VICE-CHAIR CRIVELLO: We can. I --

CHAIR SUGIMURA: Or --

VICE-CHAIR CRIVELLO: --mean...well, why --

CHAIR SUGIMURA: --is it...

VICE-CHAIR CRIVELLO: --don't we just see first of all if there's any concerns from other Members as to what they wish to not include in the package?

CHAIR SUGIMURA: Anyone else? So, I basically have from my notes is that Kelly King questioned item G and which relates to zoning that...at...that came from Kauai. She also questioned item number E, which is taxation for the disabled...

COUNCILMEMBER KING: No, I didn't question that. I was just --

CHAIR SUGIMURA: Okay.

COUNCILMEMBER KING: --questioning C as far...and I don't have a problem with C. It's just I think we should also do the same for the ban that was passed by the State. We were working on a ban of oxybenzone. They passed one but it doesn't start for three years. And it's watered down quite a bit. So, they usurped our ability. You know, so, if we can do a similar one for, you know, just saying that they...that counties are still allowed to pass more stringent laws if they want to. That's basically what that is for the tobacco law is just allowing the counties the ability to pass stricter laws if we so desire, so.

CHAIR SUGIMURA: Thank you.

VICE-CHAIR CRIVELLO: We're not here to amend --

CHAIR SUGIMURA: Yeah.

VICE-CHAIR CRIVELLO: --the --

CHAIR SUGIMURA: Cannot.

VICE-CHAIR CRIVELLO: --proposals.

CHAIR SUGIMURA: We'll have to --

VICE-CHAIR CRIVELLO: Unless --

CHAIR SUGIMURA: --go back --

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

VICE-CHAIR CRIVELLO: --you wanna --

CHAIR SUGIMURA: --to HSAC.

VICE-CHAIR CRIVELLO: --go back, you know.

CHAIR SUGIMURA: Yeah.

VICE-CHAIR CRIVELLO: But, Chair, I would move and then we'll see where the vote goes --

CHAIR SUGIMURA: Okay.

VICE-CHAIR CRIVELLO: --just for the sake of we're dealing with this. So, I so move to approve the final HSAC Legislative Package that --

CHAIR SUGIMURA: Okay.

VICE-CHAIR CRIVELLO: --has been --

CHAIR SUGIMURA: The entire --

VICE-CHAIR CRIVELLO: --before --

CHAIR SUGIMURA: --package --

VICE-CHAIR CRIVELLO: --us.

CHAIR SUGIMURA: --yeah. Any second, Members?

COUNCILMEMBER CARROLL: Second.

CHAIR SUGIMURA: Okay. So, there's a motion by Ms. Crivello. And she's also the Secretary for HSAC. So, she's our representative wearing two hats. So, motion by Member Crivello, second by Mr. Carroll. And any discussions?

VICE-CHAIR CRIVELLO: So, I don't know if Mr. Hokama would, you know, I kinda go along with his recommendation. So, I don't know if you'd like to make an amend instead of for the full package.

CHAIR SUGIMURA: Mr. Hokama?

COUNCILMEMBER HOKAMA: No, Chair, you can do this vote.

CHAIR SUGIMURA: Okay.

COUNCILMEMBER HOKAMA: Yeah, I mean, you know, it's up to the Members, yeah.

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

CHAIR SUGIMURA: Okay. You're gonna accept --

COUNCILMEMBER HOKAMA: Again --

CHAIR SUGIMURA: --the whole package?

COUNCILMEMBER HOKAMA: --yeah, I gave my comments, and the Members, you know, heard my reasoning. So, you know, that's good enough.

CHAIR SUGIMURA: Okay. Sounds good. Ms. King?

COUNCILMEMBER KING: Yeah, I have a question. So, on the A, when we...I mean was this...was it...this is...looks like it's similar to our statute that gives us the funding for Makena lifeguards. And when that passed, since that was a while before I got here, was that done through an HSAC proposal? Or was that a direct Maui proposal? 'Cause this one is specifically for Kauai. So, I mean I would support it if it's something that came through before and they supported ours. But otherwise, it looks like it should be in their Kauai package.

VICE-CHAIR CRIVELLO: So, Chair, in response, I'm not sure about the Makena. Maybe our historian, Mr. Hokama, would have some information about how far back. I think it more it's an administrative contract, right, according to what they're gonna pay us?

COUNCILMEMBER KING: Right. But I mean I was just asking how it came about. Did it come --

VICE-CHAIR CRIVELLO: Yeah.

COUNCILMEMBER KING: --about through all the counties supporting us --

VICE-CHAIR CRIVELLO: I...

COUNCILMEMBER KING: --or --

VICE-CHAIR CRIVELLO: I'm not sure.

COUNCILMEMBER KING: --is it an --

CHAIR SUGIMURA: Mr. Hokama --

COUNCILMEMBER KING: --individual?

CHAIR SUGIMURA: --do you have a...

COUNCILMEMBER HOKAMA: Originally, we did it as an association because each county had State parks. It was part of the master agreement for DLNR with...so, Kauai I believe there's two State parks they provide service, Big Island, and on Maui we do

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

Makena. So, we approached it Statewide because each county had a provision of governance regarding operations of lifeguard services.

CHAIR SUGIMURA: Thank you. Okay.

VICE-CHAIR CRIVELLO: So, I wish to add further that, you know, it's a Legislative package. And then from there, HSAC would pass, you know, do their lobbying or whatever they need to do to have passage through the Legislature, yeah.

CHAIR SUGIMURA: Okay. Mr. Atay?

COUNCILMEMBER ATAY: Chair, I have no problems with any of the proposed bills that's in the entire HSAC package. I mean it's a package. And it's up to the executive committee of the HSAC to work and lobby in its entirety, to push whatever. And if they're lucky-lucky to get any one of 'em forward, then, you know, so...

CHAIR SUGIMURA: Thank you. Okay. So, let's take a vote then. We're gonna take a vote on the whole package, right? Okay.

VICE-CHAIR CRIVELLO: Right.

CHAIR SUGIMURA: And we're fine with that. All in favor, say "aye," Members.

COUNCILMEMBERS: Aye.

CHAIR SUGIMURA: Opposed? None. So, we have --

COUNCILMEMBER HOKAMA: No.

CHAIR SUGIMURA: --seven...oh, did you say...

COUNCILMEMBER HOKAMA: No.

CHAIR SUGIMURA: You, no. Okay. So, we have six "ayes," and...

COUNCILMEMBER KING: Oh, are we voting on the entire package together?

CHAIR SUGIMURA: Yes.

COUNCILMEMBER KING: Okay. I vote no as well.

CHAIR SUGIMURA: Okay. So, we have five "ayes," and four [sic] "noes." So, motion passes.

VICE-CHAIR CRIVELLO: What was that again?

COUNCILMEMBER GUZMAN: Four "noes?"

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

VICE-CHAIR CRIVELLO: How did you...did you say --

COUNCILMEMBER HOKAMA: Two excused.

VICE-CHAIR CRIVELLO: --four "noes?"

CHAIR SUGIMURA: So, there's --

COUNCILMEMBER KING: No, five "ayes."

CHAIR SUGIMURA: --Mr. White, Ms. Cochran, mister, oh, I'm sorry.

COUNCILMEMBER KING: No, they're excused.

CHAIR SUGIMURA: They're --

COUNCILMEMBER KING: Excused.

COUNCILMEMBER ATAY: They're absent.

CHAIR SUGIMURA: --absent.

VICE-CHAIR CRIVELLO: So, I --

CHAIR SUGIMURA: Mr. Hokama --

VICE-CHAIR CRIVELLO: --heard --

CHAIR SUGIMURA: --and...

VICE-CHAIR CRIVELLO: --two "noes."

CHAIR SUGIMURA: Yeah. So, two "noes," five "ayes," and two excused. Sorry, my math.  
Okay. Motion carries.

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

October 15, 2018

---

**VOTE: AYES: Chair Sugimura, Vice-Chair Crivello, and Councilmembers Atay, Carroll, and Guzman.**

**NOES: Councilmember Hokama and King.**

**ABSTAIN: None.**

**ABSENT: None.**

**EXC.: Councilmembers Cochran and White.**

**MOTION CARRIED.**

**ACTION: Recommending ADOPTION of resolution.**

VICE-CHAIR CRIVELLO: Okay.

**PEA-4(2): MAUI COUNTY LEGISLATIVE PACKAGE (2019 MAUI COUNTY LEGISLATIVE PACKAGE) (CC 17-9)**

CHAIR SUGIMURA: So, let's move to the next item, which is the Maui Legislative Package. Thank you. So, that item then, there are four proposals total. Two from myself and two from Mr. Atay. So, the--let me read it--the Maui Legislative Package is adoption...approving...Maui County Legislative Package 2019, PEA-4(2), which there are four proposals. One is from myself, which is Approving for Inclusion in the 2019 Maui County Legislative Package a State Bill to Adopt and Enforce Additional Local Laws Relating [sic] to Sale or Use of Cigarettes, Tobacco Products, and Electronic Smoking Devices. This is just...we approved an identical bill with the Hawaii State Association package. And then this as you heard before, it basically gives home rule to take care of taking care of our residents. So, that's why I put this forward. And I actually didn't know that the HSAC had a similar proposal when I submitted mine just because of the timing. And then the next one that, and which kind of is what Ms. King asked, is there anything regarding the TAT? So, my second bill is regarding the TAT, Approving for Inclusion in the 2019 Maui County Legislative Package a State Bill to Allocate Additional Transient Accommodation Taxes Revenues to Maui County. The purpose of the proposed resolution is to approve for inclusion in the 2019 Maui County Legislative Package a proposed State bill, attached act relating to taxation. And the proposed...the purpose of the proposed bill is to allocate an additional 14,820,000 in TAT revenues to Maui County, increasing the County's share to 38.3 million, provided the additional monies shall be expended on projects authorized under the County's General Plan, development plan, or tourism strategic plan. So, that's my second proposed legislation that I submitted. Members, any questions? I think we all know a lot about TAT. But that...no questions? Yes?

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

COUNCILMEMBER KING: I have a question. So, is this...it seems like it's...we're actually limiting our...we're only asking for 14 million more? Is that the...

CHAIR SUGIMURA: We're asking to have an increase. So, we're not eliminating what we received before.

COUNCILMEMBER KING: Okay. I thought you just said...

CHAIR SUGIMURA: Too bad Mr. White is not here 'cause he would probably give you all the stats. I think he said --

COUNCILMEMBER KING: Oh, did he write this?

CHAIR SUGIMURA: --we pay in like 200 million and we got back...maybe, Mr. Hokama would know, we paid in 200 million, and we got 23 million. So, this is asking for an additional...

COUNCILMEMBER HOKAMA: We generate about 130.

CHAIR SUGIMURA: One thirty?

COUNCILMEMBER HOKAMA: One twenty, 130 million a year on TAT. And then we receive about 20 --

CHAIR SUGIMURA: Three...

COUNCILMEMBER HOKAMA: --to 25 million, depending on the allocation formula. But that's the average. This County is not revenue-short. We generate sufficient revenues. We're just not receiving our fair share of the revenues we generate. That's our issue.

COUNCILMEMBER KING: I guess my question was, it seem...the...it seems like our fair share would be more than 14 million. But does that bring us up to the 22 percent relative to the other islands?

CHAIR SUGIMURA: So, we're actually asking for a greater share --

COUNCILMEMBER HOKAMA: I think --

CHAIR SUGIMURA: --is what...

COUNCILMEMBER HOKAMA: --it's the 45-55 split that the task force came up with.

COUNCILMEMBER KING: Okay. Is that what these figures represent? Do you know?

COUNCILMEMBER HOKAMA: So...

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

CHAIR SUGIMURA: Okay. So...

COUNCILMEMBER KING: 'Cause I think that --

CHAIR SUGIMURA: . . . *(inaudible)*. . . --

COUNCILMEMBER KING: --would be --

CHAIR SUGIMURA: --tax revenues.

COUNCILMEMBER KING: --probably a better way to ask for it is that 45-55 split. And it's probably gonna be more than this extra 14 million. But then the other question I had was why we're delineating what we could use it for just on the County of Maui? Is there some reason why we're, you know, the County of Kauai receives money. The County of Hawaii receives money. And then ours has this whole explanation of providing we use it da-da-da-da. Is there some reason why we're kinda boxing ourselves into what we can limit and we haven't done that for the other two counties?

CHAIR SUGIMURA: This proposal is regarding Maui County. And as far as what the TAT funds can be used for, maybe Member Hokama or Mr. Kushi would know if it says specifically the HRS decides what the money can be used for. But the intent of this is for Maui County to increase our TAT. I'm not saying that we can only get 14 million. I'm trying to say that we get 14 million in addition to what we've gotten. So, we...we're asking for increasing the County share to 38.3 million. If you look at the resolution...

COUNCILMEMBER KING: No, no, I know that. But I'm saying --

CHAIR SUGIMURA: Oh.

COUNCILMEMBER KING: --I'm just reading the section that we're inserting into this bill. So, we're limiting ourselves to receiving 14,820,000 more than what we're getting right now. But I'm...the...then my question was, does that represent the 45 percent of our...of the TAT that we bring in, which is what the task force recommended?

CHAIR SUGIMURA: So, I believe that what happens with all of State funds is that the Legislature then decides. I mean we don't say we want 45 million. This is an attempt for us to get more money, which is the intent of this proposal. But at the end of the day, as we know, the Legislature is gonna decide if they're gonna give us more or less. And that percentage is gonna be determined by them. So, this is --

COUNCILMEMBER KING: No, I understand that.

CHAIR SUGIMURA: --just my attempt.

COUNCILMEMBER KING: But then, why don't we just say give us more? I mean that --

CHAIR SUGIMURA: This is --

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

COUNCILMEMBER KING: --you know --

CHAIR SUGIMURA: --my attempt --

COUNCILMEMBER KING: --we're...

CHAIR SUGIMURA: --of saying give us more.

COUNCILMEMBER KING: Right. But it's basically, if we...if 45 percent is more than that, we're saying we only want 14 million of that. That's what this bill says. So, that's just my question. And then it goes into provided that the monies allotted...and then, but it lists Kauai and it lists Hawaii receiving more money as well. But it doesn't tell them how to use it.

CHAIR SUGIMURA: Yeah. Okay. Any other discussions? Okay. So, at this time then, I would like to recommend adoption of proposed resolution entitled Approving for Inclusion of 2019 Maui County Legislative Package a State Bill to Allocate Additional Transient Accommodation Tax Revenues to Maui County; incorporating any nonsubstantive revisions that may be needed. Is there a motion?

VICE-CHAIR CRIVELLO: So moved.

CHAIR SUGIMURA: Thanks. Is there a second?

COUNCILMEMBER HOKAMA: Second.

CHAIR SUGIMURA: Thank you. Motion by Member Crivello, second by Member Hokama. Any discussions?

COUNCILMEMBER KING: Chair?

CHAIR SUGIMURA: Yes?

COUNCILMEMBER KING: I'd like to make a motion to amend to...under C, on Page 5, to eliminate everything after the first semicolon. So, that it says, the County of Maui shall receive, and then it has number there, and then just take everything out up to the next period. So, we don't have that part that says provided that the money is allocated pursuant to this paragraph, shall be expended on...cause I don't think it's up to the State to tell us how to use any funding. So, I'd like to take that, the rest of that sentence out of that paragraph.

CHAIR SUGIMURA: So, Page 5, C, shall receive, after 14.8 million, you're talking about...

COUNCILMEMBER KING: Period. And then remove lines five, six, seven and part of eight.

CHAIR SUGIMURA: Just move that portion? After plan, period?

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

COUNCILMEMBER KING: Right.

CHAIR SUGIMURA: So, what --

COUNCILMEMBER ATAY: Second.

CHAIR SUGIMURA: --you're removing is provided that the monies allocated pursuant to this paragraph shall be expended on projects authorized under a County's General Plan, development plan, or tourism strategic plan?

COUNCILMEMBER KING: Right.

CHAIR SUGIMURA: So, you're just saying that the money just get used wherever we --

COUNCILMEMBER KING: Just like --

CHAIR SUGIMURA: --want?

COUNCILMEMBER KING: --it says for the other two counties.

CHAIR SUGIMURA: Okay. Is that a motion?

COUNCILMEMBER KING: Yeah, that's...I...that's a motion --

COUNCILMEMBER ATAY: Second.

COUNCILMEMBER KING: --to amend.

CHAIR SUGIMURA: Okay. Moved and second by King, and Atay as the second. All in favor --

COUNCILMEMBER KING: Chair?

CHAIR SUGIMURA: --of deleting that...

COUNCILMEMBER KING: I just wanted to speak to it real quickly just the fact that we have a budget process, we decide how to use our...all of our TAT funds. And so, we don't need to describe how we're gonna use that in State law since it doesn't say that for either of the other two counties.

CHAIR SUGIMURA: So, Mr. Hokama, since you're Budget and Finance, when TAT money comes to us...

COUNCILMEMBER HOKAMA: General Fund.

UNIDENTIFIED SPEAKER: It goes to General --

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

CHAIR SUGIMURA: It just goes General Fund.

UNIDENTIFIED SPEAKER: --Fund.

CHAIR SUGIMURA: Okay. So, that's applicable then.

COUNCILMEMBER KING: Yeah.

CHAIR SUGIMURA: Okay. All in favor for the amendment, say "aye."

COUNCILMEMBERS: Aye.

CHAIR SUGIMURA: Okay. So, then we have two excused. Motion carries.

**VOTE:       AYES:   Chair Sugimura, Vice-Chair Crivello, and Councilmembers Atay, Carroll, Guzman, Hokama, and King.**

**NOES:       None.**

**ABSTAIN:   None.**

**ABSENT:    None.**

**EXC.:       Councilmembers Cochran and White.**

**MOTION CARRIED.**

**ACTION:     APPROVE AMENDMENT.**

CHAIR SUGIMURA: So, let's vote on the main motion. So, the main motion is to accept the proposal.

COUNCILMEMBER KING: Are we just doing this one or are we doing --

CHAIR SUGIMURA: Yeah --

COUNCILMEMBER KING: --all of them?

CHAIR SUGIMURA: --we're just doing...now, we'll go back to the main --

COUNCILMEMBER KING: Oh.

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

CHAIR SUGIMURA: --motion. So, approving inclusion of the 2019 Maui County Legislative Package a State bill to allocate additional TAT tax revenues to Maui County including the amendment.

COUNCILMEMBER KING: Chair?

CHAIR SUGIMURA: All in favor...yes?

COUNCILMEMBER KING: Are we doing this whole package together or we...

CHAIR SUGIMURA: I'm just doing one at a time.

COUNCILMEMBER KING: Taking each one at a time?

CHAIR SUGIMURA: Yeah.

COUNCILMEMBER KING: Okay.

CHAIR SUGIMURA: 'Cause we're not like HSAC. Okay. All in favor, say "aye."

COUNCILMEMBERS: Aye.

CHAIR SUGIMURA: Okay. So, we have seven "ayes," two excused. Motion carries. So, this goes forward.

**VOTE: AYES: Chair Sugimura, Vice-Chair Crivello, and Councilmembers Atay, Carroll, Guzman, Hokama, and King.**

**NOES: None.**

**ABSTAIN: None.**

**ABSENT: None.**

**EXC.: Councilmembers Cochran and White.**

**MOTION CARRIED.**

**ACTION: Recommending ADOPTION of revised resolution.**

CHAIR SUGIMURA: And then, the other item that I proposed is duplicating what HSAC proposed earlier. So, in your knowledge of how HSAC works, Member Hokama or Crivello, do we send double? Or does it matter?

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

VICE-CHAIR CRIVELLO: It...yeah, I don't know about the, as far as the Legislative. So, why are we...which one are you talking about?

CHAIR SUGIMURA: I'm actually talking about the same item as far as the authority, the sale of tobacco product, home rule for that. So, it was passed in...this exact legislation was passed in your HSAC package.

VICE-CHAIR CRIVELLO: Oh, okay. So...

CHAIR SUGIMURA: So, we don't need to --

VICE-CHAIR CRIVELLO: I...

CHAIR SUGIMURA: --do this?

VICE-CHAIR CRIVELLO: It's up to you how you wanna do it.

CHAIR SUGIMURA: Okay.

VICE-CHAIR CRIVELLO: The Legislative package is going in.

CHAIR SUGIMURA: It's going in as is. Okay. So, Members, at this time, I'm gonna ask for adoption of this item, which is Approving for Inclusion in the 2019 State Legislative Package a State Bill to Adopt and Enforce Additional Local Laws Relating [sic] to the Sale and Use of Cigarettes, Tobacco Products and Electronic Smoking Devices.

VICE-CHAIR CRIVELLO: So moved.

CHAIR SUGIMURA: Okay. Thanks. Second?

COUNCILMEMBER CARROLL: Second.

CHAIR SUGIMURA: Thank you. Motion by Member Crivello, second by Mr. Carroll. All in favor...oh, any discussion on this? Yes?

COUNCILMEMBER ATAY: So, Chair, this same item is --

CHAIR SUGIMURA: This is --

COUNCILMEMBER ATAY: --already on the --

CHAIR SUGIMURA: --yeah.

COUNCILMEMBER ATAY: --HSAC --

CHAIR SUGIMURA: Yes.

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

COUNCILMEMBER ATAY: --package that we're sending in anyway --

CHAIR SUGIMURA: Yes.

COUNCILMEMBER ATAY: --that we already just approved? Isn't...

CHAIR SUGIMURA: Yes.

COUNCILMEMBER ATAY: Wouldn't this be...

CHAIR SUGIMURA: Is duplicative.

COUNCILMEMBER ATAY: Yeah, redundant.

CHAIR SUGIMURA: Yeah, it's redundant. Okay. So, you know what, it's going in already.  
So, I hope you have stayed --

VICE-CHAIR CRIVELLO: I will --

CHAIR SUGIMURA: --all the way --

VICE-CHAIR CRIVELLO: --withdraw --

CHAIR SUGIMURA: --to the end.

VICE-CHAIR CRIVELLO: --the motion. Are you gonna defer this then or what, file it? Is  
it...are you sending it by itself? Is that what you're asking?

CHAIR SUGIMURA: Well, I think it's duplicative. So, we can just defer this item. We don't  
have to send both, right?

COUNCILMEMBER GUZMAN: May I have a...

CHAIR SUGIMURA: Yes, Mr. Guzman?

COUNCILMEMBER GUZMAN: Yeah, thank you, Chair. May I ask you, when it's presented  
from the HSAC, is it...are all the bills presented as a package? Or are they presented  
bill by bill?

VICE-CHAIR CRIVELLO: They're --

COUNCILMEMBER GUZMAN: And...

VICE-CHAIR CRIVELLO: --presented as a package. But the lobbying may...depending...you  
gotta read where your Legislative body is coming from.

COUNCILMEMBER GUZMAN: Right.

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

VICE-CHAIR CRIVELLO: But, you know, they may eliminate three of 'em, four of 'em. And we may just have just one. Then you keep on lobbying until...

COUNCILMEMBER GUZMAN: Right. So, I would assume that if this is such a high...if your bill is a high priority, then our lobbying that we do for our County, our own County, would, I would say have more weight because we're going basically individual --

CHAIR SUGIMURA: On our own.

COUNCILMEMBER GUZMAN: --bill --

CHAIR SUGIMURA: Oh, okay.

COUNCILMEMBER GUZMAN: --by individual bill on our own.

CHAIR SUGIMURA: Okay.

COUNCILMEMBER GUZMAN: I don't know. 'Cause according to Mr. Hokama, you know, it seems as though when it comes in as a package like shotgun-style, things may get overlooked versus ala carte, wherein we're --

CHAIR SUGIMURA: Okay.

COUNCILMEMBER GUZMAN: --you know...

CHAIR SUGIMURA: I take all your experience --

COUNCILMEMBER GUZMAN: I don't know --

CHAIR SUGIMURA: --and knowledge.

COUNCILMEMBER GUZMAN: --you know. I haven't --

CHAIR SUGIMURA: I appreciate --

COUNCILMEMBER GUZMAN: --been --

CHAIR SUGIMURA: --that.

COUNCILMEMBER GUZMAN: --up there to --

CHAIR SUGIMURA: So, if that's --

COUNCILMEMBER GUZMAN: --lobby --

CHAIR SUGIMURA: --so then --

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

COUNCILMEMBER GUZMAN: --on the --

CHAIR SUGIMURA: --right --

COUNCILMEMBER GUZMAN: --portions of the --

CHAIR SUGIMURA: --then we can --

COUNCILMEMBER GUZMAN: --HSAC.

CHAIR SUGIMURA: --lobby more seriously on the things that we think are important --

COUNCILMEMBER GUZMAN: Yeah.

CHAIR SUGIMURA: --is what you're saying? Okay.

COUNCILMEMBER GUZMAN: Yeah --

CHAIR SUGIMURA: Great.

COUNCILMEMBER GUZMAN: --I would say that if we're gonna go individually as a County, then they can choose what our high priorities are, as what Mr. Hokama was suggesting, and go more narrowly target those --

CHAIR SUGIMURA: Okay.

COUNCILMEMBER GUZMAN: --versus the shotgun effect on the HSAC.

CHAIR SUGIMURA: Okay.

COUNCILMEMBER GUZMAN: You know, sniper versus shotgun, you know.

CHAIR SUGIMURA: You're right on today.

COUNCILMEMBER GUZMAN: Right.

CHAIR SUGIMURA: So, at this time then taking that into account, we do have the motion on the floor. I'm gonna ask that we pass this. And so, that as the Maui package we can pay more attention to it. So, I'm gonna ask that we approve for inclusion in the 2019 Maui County Legislative Package a State bill to adopt and enforce additional local laws regulating the sale or use of cigarettes, tobacco products, and electronic smoking devices. All in favor...yeah, we made a motion. So, we do have a motion, right?

VICE-CHAIR CRIVELLO: Yeah.

CHAIR SUGIMURA: Yeah, which we both approved. So, okay. So all in favor, say "aye."

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

COUNCILMEMBERS: Aye.

CHAIR SUGIMURA: Opposed? None. So, we have seven "ayes," two excused. Motion carries.

**VOTE: AYES: Chair Sugimura, Vice-Chair Crivello, and Councilmembers Atay, Carroll, Guzman, Hokama, and King.**

**NOES: None.**

**ABSTAIN: None.**

**ABSENT: None.**

**EXC.: Councilmember Cochran and White.**

**MOTION CARRIED.**

**ACTION: Recommending ADOPTION of resolution.**

CHAIR SUGIMURA: Thank you for that insight. Now, we have...okay, it's 12 o'clock. Can you all stay or shall we --

COUNCILMEMBER KING: I have ten minutes.

CHAIR SUGIMURA: --defer these last two items?

COUNCILMEMBER KING: I have ten minutes.

CHAIR SUGIMURA: You have what?

COUNCILMEMBER KING: I have ten minutes left...

CHAIR SUGIMURA: You have ten minutes left. Maybe we can finish --

VICE-CHAIR CRIVELLO: You know, . . . *(inaudible)* . . .

CHAIR SUGIMURA: --in ten minutes.

VICE-CHAIR CRIVELLO: . . . *(inaudible)* . . . other...

CHAIR SUGIMURA: Commitments?

VICE-CHAIR CRIVELLO: Not that --

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

CHAIR SUGIMURA: So...

VICE-CHAIR CRIVELLO: --quorum.

CHAIR SUGIMURA: Okay. So, I do have this. Well, just in case we didn't finish, as well as Mr. Regan's item.

VICE-CHAIR CRIVELLO: Excuse me, do you have a deadline for the...

CHAIR SUGIMURA: The Maui...

VICE-CHAIR CRIVELLO: Is it time-sensitive for the Maui County...

CHAIR SUGIMURA: Only the HSAC was time-sensitive. So, is it okay, Mr. Atay, if we take yours up the next meeting? 'Cause we're not gonna be able to finish in ten minutes or...okay. And, Mr. Regan, I hope you don't mind, but we're gonna take this up at the next PEA meeting. Is that all right? For your item that I'm deferring?

MR. REGAN: That's fine.

CHAIR SUGIMURA: Okay. So, Members, I'm gonna defer taking up the last two items which were from Mr. Atay and put it on my agenda, which is gonna be October 29<sup>th</sup>. So, we'll take that up.

**COUNCILMEMBERS VOICED NO OBJECTIONS.** (Excused: EC and MW)

**ACTION: DEFER PENDING FURTHER DISCUSSION.**

**PEA-32: PUBLIC WIRELESS ACCESS POINTS AT COUNTY FACILITIES**  
(CC 17-221)

CHAIR SUGIMURA: And then the Wi-Fi in public facilities, we're gonna take that up again. I'm gonna defer that to the October 29<sup>th</sup> meeting.

**COUNCILMEMBERS VOICED NO OBJECTIONS.** (Excused: EC and MW)

**ACTION: DEFER PENDING FURTHER DISCUSSION.**

CHAIR SUGIMURA: Thank you very much, Mr. Regan, for staying here the entire time. And at this time, Members, our meeting is adjourned. Thank you, everybody, for being here. Very productive and we appreciate all of your help. . . .(gavel). . .

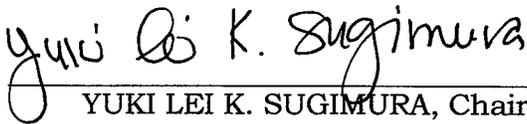
**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

**ADJOURN:** 12:00 p.m.

APPROVED:



---

YUKI LEI K. SUGIMURA, Chair  
Policy, Economic Development, and  
Agriculture Committee

pea:min:181015:acqp

Transcribed by: Ann Carmel Q. Pugh

**POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE MINUTES**  
Council of the County of Maui

**October 15, 2018**

---

CERTIFICATE

I, Ann Carmel Q. Pugh, 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 5<sup>th</sup> day of November, 2018, in Kihei, Hawaii



Ann Carmel Q. Pugh