

TRANSCRIPTION

Council of the County of Maui on 2022-11-04 9:00 AM - Regular Meeting

[ GAVEL ] >> WILL THE MAUI COUNTY COUNCIL REGULAR COUNCIL MEETING OF NOVEMBER 4TH, 2022, PLEASE COME TO ORDER. IT IS APPROXIMATELY 9:06 A.M. GOOD MORNING EVERYONE. WE HAVE A GREETING FROM AFRICA TODAY. JUST IN CASE YOU GO SHOPPING AND YOU RUN INTO SOMEBODY FROM AFRICA, UGANDA, YOU CAN SAY KI KATI. KI KATI. SO MAYBE WE HAVE ROLL CALL, MADAM CLERK. >> CHAIR, PROCEEDING WITH THOSE PARTICIPATING FROM NON-PUBLIC LOCATIONS SHOULD STATE WHO, IF ANYONE, EXCEPT MINORS IS PRESENT WITH THEM AS PART OF THE ROLL CALL.\r\n\r\nCOUNCIL MEMBER SHANE SINENCI. >> KI KATI, CHAIR, AND ALOHA KAKAHIKA, KAKOU, MY MAUI AKINA. FOR THE RECORD, WE'RE BROADCASTING FROM THE HANA DISTRICT OFFICE AT 4974 UAKEA ROAD AND CURRENTLY, CHAIR, THERE ARE NO TESTIFIERS. >> COUNCIL MEMBER MIKE MOLINA. >> ALOHA AND KI KATI, MADAM CHAIR AND FELLOW COLLEAGUES AND EVERYONE ELSE JOINING US FOR OUR COUNCIL MEETING TODAY, FRIDAY, NOVEMBER 4TH. TRANSMITTING FROM OUR DISTRICT OFFICE AT THE HERITAGE HALL. I'M ACCOMPANIED BY OFFICE JADE ROJAS AND THERE'S NO TESTIFIERS.\r\n\r\nTHANK YOU. >> COUNCIL MEMBER KELLY TAKAYA KING. >> EXCUSED. >> COUNCIL MEMBER GABE JOHNSON? >> KI KATI TO YOU, COUNCIL MEMBERS, AND COMMUNITY MEMBERS, AND CHAIR. I AM HERE, IN THE LANA'I DISTRICT OFFICE. THERE ARE NO TESTIFIERS, AND I'M ALSO WITH ROXANNE MORITA AND WE'RE HERE TO WORK.\r\n\r\n>> COUNCIL MEMBER TAMARA PALTIN. >> ALOHA KAKAHIKA, MY CHICKADEES, BROADCASTING LIVE AND I'M ALONE IN THIS OFFICE ROOM RIGHT HERE. THERE'S OTHER FOLKS OUTSIDE OF THE ROOM. AND WE HAVE NO TESTIFIERS WAITING TO TESTIFY ON THE LAHAINA DISTRICT OFFICE. >> THANK YOU. >> COUNCIL MEMBER YUKI LEI SUGIMURA. >> GOOD MORNING, EVERYBODY.\r\n\r\nI'M ON THE 9TH FLOOR DOING THIS MEETING. I APPRECIATE THE ADMINISTRATION'S SUPPORT AND I'M RIGHT NEXT DOOR TO ALL OF THE TESTIFIERS. THERE'S A WHOLE ROOM OF PEOPLE WAITING TO TESTIFY ON OUR AGENDA. THANK YOU SO MUCH AND GOOD MORNING EVERYBODY. >> THANK YOU. >> COUNCIL MEMBER PRO TEM TASHA KAMA. >> ALOHA KAKAHIKA, CHAIR.\r\n\r\nAND KI KATI TO ALL OF THE CHICKADEES OUT THERE. I AM IN MY HOME OFFICE, AND I AM ALONE. LOOKING FORWARD TO A WONDERFUL MEETING TODAY, CHAIR. THANK YOU. >> THANK YOU. >> COUNCIL VICE-CHAIR KEANI RAWLINS-FERNANDEZ. >> EXCUSED.\r\n\r\n>> AND COUNCIL CHAIR ALICE L. LEE. >> I'M HERE, ALONE IN MY WORK SPACE TODAY. MEMBERS, AS YOU KNOW, AND THE PUBLIC MAY NOT KNOW THAT BECAUSE OF OUR ELECTIONS, WE'RE NOT ABLE TO USE OUR CHAMBER TODAY. SO THAT IS WHY WE'RE SORT OF ALL SCATTERED ALL OVER THE PLACE AND THE MAYOR ALLOWED US TO USE HIS CONFERENCE ROOM FOR TESTIFIERS. WE LOOK FORWARD TO A VERY EFFICIENTLY-RUN MEETING TODAY, IN THE SENSE THAT WE -- THE GOAL IS TO STOP AT 4:30, AND THEN RECONVENE NEXT WEEK, IF NEED BE. SO I ENCOURAGE ALL TESTIFIERS TO TESTIFY AT THE BEGINNING, RATHER THAN AT THE END, BECAUSE WE'RE NOT SURE WHEN THE END IS GOING TO BE. PLEASE PROCEED, MADAM CLERK.\r\n\r\n>> CHAIR, THERE ARE SEVEN MEMBERS PRESENT. TWO MEMBERS EXCUSED. AND NO MEMBERS ABSENT. A QUORUM IS PRESENT TO CONDUCT THE BUSINESS OF THE COUNCIL. FOR THE RECORD, I'M COUNTY CLERK KATHY KAOHU. ALSO PRESENT FROM THE OFFICER OF THE COUNTY CLERK ARE LEGISLATIVE DIVISION STAFF JOY MURASHIGE, LAUREN SALDANA AND DELL YOSHIDA. JOINING THE MEETING FROM THE DEPARTMENT OF CORPORATION COUNSEL IS FIRST DEPUTY CORPORATION COUNSEL RICHELLE THOMPSON.\r\n\r\n>> THANK YOU. OPENING REMARKS WILL BE PROVIDED BY PRESIDING OFFICER PRO TEM KAMA. PRO TEM KAMA. >> THANK YOU, CHAIR. SO I JUST WANT TO SAY ALOHA KAKOU TO EACH AND EVERY ONE OF YOU WHO ARE HERE THIS MORNING. YOU KNOW, EACH YEAR, WE COME TOGETHER AS A NATION ON VETERANS' DAY TO HONOR AND

CELEBRATE THE HUNDREDS AND THOUSANDS OF BRAVE AMERICANS WHO HAVE SERVED OUR COUNTRY IN UNIFORM. IN 1954 PRESIDENT EISENHOWER SIGNED THE BILL CALLING ON THE NATION TO SOLEMNLY REMEMBER THE SACRIFICES OF ALL THOSE WHO FOUGHT SO VALIANTLY ON THE SEAS, IN THE AIR, AND ON FOREIGN SHORES, TO PRESERVE OUR HERITAGE OF FREEDOM.\r\n\r\nLET US RECONSECRATE OURSELVES TO THE TASK OF PROMOTING AND ENDURING PEACE, SO THAT THEIR EFFORTS SHALL NOT HAVE BEEN IN VAIN. IN THE NEARLY SEVEN DECADES SINCE, MILLIONS MORE AMERICANS, INCLUDING RESIDENTS OF MAUI COUNTY, AND MEMBERS OF MY OWN FAMILY, HAVE BRAVELY TAKEN UP THE CALL TO PROTECT AND SERVE. BUT NOW MORE THAN OF OUR VETERANS AND THEIR FAMILIES IMMEDIATE OUR SUPPORT. ROUGHLY 250,000 MEMBERS TRANSITION OUT MILITARY SERVICES EACH YEAR AND FOLLOWING YEARS SEPARATED FROM MILITARY SERVICE, SERVICE MEMBERS FACE THE CHALLENGE OF TRANSITIONING TO A CIVILIAN LIFE. TRAGICALLY EVIDENCE SUGGESTS THAT TRANSITIONING VETERANS ARE AT A HIGHER RISK FOR SUICIDE; YET, THEY OFTEN DO NOT RECEIVE ADEQUATE SUPPORT, AND RESOURCES. VETERAN SUICIDES HAVE CLAIMED OVER 30,000 LIVES SINCE 2001 ALONE, FOUR TIMES MORE THAN THE NUMBER OF U.S. MILITARY PERSONNEL WHO DIED IN COMBAT IN IRAQ AND AFGHANISTAN. VETERANS CONTINUE TO SERVE OUR COMMUNITY IN THE AMERICAN LEGION, VETERANS OF FOREIGN WARS, RELIGIOUS GROUPS, CIVIL SERVICE AND BY FUNCTIONING AS COUNTY VETERAN SERVICE OFFICERS IN 29 STATES TO HELP FELLOW SERVICE MEMBERS ACCESS MORE THAN \$52 BILLION IN FEDERAL HELP, DISABILITY AND COMPENSATION BENEFITS EACH YEAR.\r\n\r\n\r\nTHE CONTRIBUTIONS AND SACRIFICES OF THE MEN AND WOMEN WHO SERVE IN THE ARMED FORCES HAVE BEEN VITAL IN MAINTAINING THE FREEDOM AND WAY OF LIFE ENJOYED BY THE CITIZENS OF THIS COMMUNITY. LET US HONOR THESE INDIVIDUALS WHO HAVE PAID THE HIGH PRICE FOR OUR FREEDOM BY PLACING THEMSELVES IN HARM'S WAY FOR THE GOOD OF ALL. AND BY HONORING THEIR MEMORY IN THE TELLING OF OUR STORIES AND MENTIONING OF THEIR NAMES IN RECOGNITION OF THEIR SACRIFICES, SO THAT WE WHO ARE HERE CAN REMAIN FREE. AS A CHILD IN THE EARLY 1950S MY FATHER SERVED IN THE ARMY AND WHENEVER A PLANE WOULD FLY OVER OUR HOME I WOULD JUMP UP-AND-DOWN AND WAVE MY HANDS IN THE HI, YELLING HI DADDY, HI DADDY. I DIDN'T UNDERSTAND WHY THE MILITARY WAS SO IMPORTANT TO HIM, BUT I NOW KNOW HE SERVED IN WORLD WAR II, THE KOREAN WAR AND VIETNAM WAR. WHEN I VISITED THE WAR MEMORIAL AND READ THE INSCRIPTION THAT SAID, "OUR NATION HONORS HER SONS AND DAUGHTERS WHO ANSWERED THE CALL TO DEFEND THEIR COUNTRY THEY NEVER KNEW AND THE PEOPLE THEY NEVER MET." SO IN HONOR OF MY FATHER, PFC KAMI SENIOR, MY TWO BROTHERS, MY TWO SISTERS AND MY DAUGHTER, I INVITE YOU ALONG WITH ME TO RECOGNIZE AND HONOR THOSE WHOM YOU KNOW, AND FOR ME, IN HONOR OF MY FAMILY, I WOULD LIKE TO THANK ALL OF OUR VETERANS AND YOUR FAMILIES FOR YOUR SERVICE AND SACRIFICE BEGINNING WITH OUR COUNCIL MEMBER MIKE MOLINA. MAHALO, MIKE.\r\n\r\n\r\nTHANK YOU VERY MUCH, TO YOU AND TO YOUR FAMILY. MAHALO NUI LOA. THANK YOU, CHAIR. >> VERY BEAUTIFUL. THANK YOU. LET THE RECORD SHOW THAT WE HAVE VICE-CHAIR RAWLINS-FERNANDEZ, WHO JUST JOINED US. GOOD MORNING, VICE-CHAIR.\r\n\r\n\r\n>> ALOHA KAKAHIKA, CHAIR. I'M AT THE MOLOKA'I DISTRICT OFFICE ALONE IN THE OFFICE. THERE ARE NO TESTIFIERS HERE AT THE MOLOKA'I DISTRICT OFFICE. MAHALO PRO TEM KAMA FOR THOSE BEAUTIFUL WORDS. >> MEMBERS, PLEASE JOIN ME AND EVERYONE PLEASE JOIN ME IN THE PLEDGE OF ALLEGIANCE. I PLEDGE ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA, AND TO THE REPUBLIC FOR WHICH IT STANDS, ONE NATION UNDER GOD, INDIVISIBLE, WITH LIBERTY AND JUSTICE FOR ALL. >> THANK YOU, MEMBERS.\r\n\r\n\r\nMADAM CLERK, PLEASE PROCEED. >> CHAIR, THERE IS NO CEREMONIAL RESOLUTIONS, . PROCEEDING WITH TESTIMONY ON SETTING OF THE CONSENT CALENDAR, UNDER ITEM F, SETTING OF THE CONSENT CALENDAR. MEMBERS

OF THE PUBLIC MAY TESTIFY IN THE 9TH FLOOR MEETING ROOM AT COURTESY TESTIMONY SITES OR REMOTELY THROUGH THE INFORMATION LISTED ON THE MEETING AGENDA. INDIVIDUALS IN THE MEETING LOCATION MAY SIGN UP TO TESTIFY WITH STAFF MEMBER LOCATED AT THE DESK ON THE 9TH FLOOR LOBBY AREA. INDIVIDUALS AT COURTESY TESTIMONY SITES MAY SIGN UP WITH STAFF AT THE SITE. INDIVIDUALS PARTICIPATING REMOTELY MAY SIGN UP IN THE MEETING CHAT. IF YOU ARE CONNECTED TO THE MEETING BY PHONE, YOU WILL AUTOMATICALLY BE ADDED TO THE TESTIFIER LIST.\r\n\r\nINDIVIDUALS CONNECTED BY PHONE ARE CURRENTLY ON MUTE AND WILL BE UNMUTED WHEN IT'S THEIR TIME TO TESTIFY AND KEEP THEIR VIDEO AND MICROPHONES OFF AND TURN THEM ONLY WHEN IT'S THEIR TURN TO TESTIFY. TESTIMONY IS LIMITED TO THE ITEMS LISTED ON THE AGENDA. INDIVIDUALS MAY TESTIFY FOR UP TO THREE MINUTES WITH ONE MINUTE TO CONCLUDE PER ITEM. WHEN TESTIFYING, PLEASE STATE YOUR NAME, AND THE NAME OF ANY ORGANIZATION YOU REPRESENT, AS WELL AS THE ITEMS ON WHICH YOU WILL BE TESTIFYING. PLEASE ALSO IDENTIFY TO THE COUNCIL IF YOU ARE A PAID LOBBYIST. INDIVIDUALS MAY ALSO BE DISCONNECTED FROM THE MEETING AT ANY TIME FOR BREAKING DECORUM. AT THIS TIME, INDIVIDUALS MAY TESTIFY ON THE SETTING OF THE CONSENT CALENDAR.\r\n\r\nCHAIR, WE HAVE NO INDIVIDUALS SIGNED UP TO TESTIFY ON THE CONSENT CALENDAR. IF ANYONE WANTS TO TESTIFY ON THE SETTING OF THE CONSENT CALENDAR, PLEASE IDENTIFY YOURSELF NOW. NO ONE IS INDICATING THAT THEY WOULD LIKE TO TESTIFY ON THE CONSENT CALENDAR. >> MEMBERS, ARE THERE ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING TESTIMONY FOR THE SETTING OF THE CONSENT CALENDAR? >> NO OBJECTIONS. >> NO OBJECTIONS, CHAIR. >> OKAY.\r\n\r\nMEMBERS, AT THIS TIME, WE'LL SET THE CONSENT CALENDAR AS A REMINDER, THE CONSENT CALENDAR CAN STILL BE ADJUSTED EVEN AFTER IT IS SET. ARE THERE ANY REQUESTED CHANGES TO THE CONSENT CALENDAR AT THIS TIME? YES, MEMBER PALTIN. >> THANK YOU, CHAIR. I WOULD LIKE TO PULL NO. 22-278. >> 22-278. >> ANY OBJECTIONS, MEMBERS? >> NO OBJECTIONS.\r\n\r\n>> ANY OTHER ITEMS? >> ON THE GENERAL COMMUNICATIONS, I WOULD LIKE TO PULL 22-7, AND 22-8. ALL THREE TO MY COMMITTEE. >> OKAY. ANY OBJECTIONS TO REFERRING 22-278, 22-7, AND 22-8 TO THE PSLU COMMITTEE? MEMBERS? >> NO OBJECTIONS. >> SO ORDERED.\r\n\r\nANY OTHER CHANGES? NO OTHER CHANGES? THE CONSENT CALENDAR, IF THERE ARE NO OBJECTIONS, THE CONSENT CALENDAR IS SET. MEMBERS, BEFORE PROCEEDING, I'M NOTIFYING YOU THAT I WILL BE ENFORCING RULE 9F, NO MEMBER MAY SPEAK MORE THAN TWICE ON ANY PENDING MOTION. WE'RE KIND OF ON A TIGHT SCHEDULE TODAY AND WOULD REALLY LOVE TO FINISH BY 4:30. MADAM CLERK, PLEASE PROCEED. CHAIR, PROCEEDING WITH THE MINUTES, WE HAVE NO TESTIFIERS SIGNED UP TO TESTIFY ON THE MINUTES. IF ANYONE WANTS TO TESTIFY ON MINUTES, PLEASE IDENTIFY YOURSELF NOW.\r\n\r\nTHIS IS THE LAST CALL FOR TESTIMONY ON THESE ITEMS. >> THERE'S NO ONE ELSE TO TESTIFY. ALL RIGHT. MEMBERS IF THERE'S NO OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY FOR MINUTES. >> NO OBJECTIONS. >> SO ORDERED. MADAM CLERK.\r\n\r\n>> EXCUSE ME, CHAIR. I WENT OUT OF ORDER. WE ARE ON ITEM D, ON THE AGENDA. PRESENTATION OF WRITTEN OR ORAL TESTIMONY. >> PROCEED. THAT IS FUNNY, I DON'T HAVE ITEM D ON MY CALENDAR. PLEASE PROCEED, MADAM CLERK.\r\n\r\n>> OKAY. HOLD ON FOR JUST A MOMENT. SO WE'RE GOING TO PROCEED WITH TESTIMONY. PRESENTATION OF WRITTEN OR ORAL TESTIMONY. OUR FIRST TESTIFIER IS MR. TIM PANG TO BE FOLLOWED BY STEVEN BUTLER. PLEASE CALL UP THE NAME AGAIN.\r\n\r\n>> TIM PANG. TO BE FOLLOWED BY STEVEN BUTLER. >> NEXT. >> NEXT IS LUCIENNE DE NAIE >> I'M SORRY, I'M STEVEN BUTLER. I WAS WAITING FOR TIM. THANK YOU. >> THANK YOU.\r\n\r\nEXCUSE ME. WE HAVE MR. STEVEN BUTLER COMING TO THE PODIUM IN-PERSON. >> GOOD MORNING. MY NAME IS STEVEN

BUTLER. I'M THE OWNER OF MAUI ADVENTURE VANS AND HERE TO TESTIFY ON BILL 59 -- -- I HAVE BEEN OPERATING UNDER THE CURRENT WRITTEN LETTER OF THE LAW SINCE 2018. I HAVE OBTAINED THE APPROPRIATE BUSINESS LICENSES, PAID STATE, FEDERAL, AND LOCAL TAXES AS PART OF MY BUSINESS ORGANICALLY, FOUR-AND-A-HALF YEARS AGO I BUILT MY FIRST VAN. SO THAT MY THEN 3-YEAR-OLD SON AND I COULD EXPLORE NATURE AND BOND TOGETHER.\r\n\r\nOVER A SHORT TIME, A FRIEND OR A FRIEND OF A FRIEND CALLED AND ASKED TO USE THE VAN I BUILT, AND I SLOWLY REALIZED THAT THIS COULD BECOME A SIDE BUSINESS FOR MYSELF. I BUILT ANOTHER VAN AND REPEATED THE PROCESS, INTENDING TO QUIT MY FULL-TIME JOB AND FOCUS ON MY BUSINESS, WHICH HAS DRAMATICALLY IMPROVED THE QUALITY OF LIFE, AS WELL AS MY FAMILY'S. I LIKE EVERYONE ELSE HERE SUFFERED THROUGH THE PANDEMIC AND LIKE EVERYONE ELSE HERE, I HAD TO STOP OPERATING. DURING THE PANDEMIC, I ACCEPTED A SUBSTANTIAL SBE LOAN AND USED THAT TO DEVELOP AND EXPAND MY BUSINESS. THAT LOAN PAYMENT IS DUE IN 17 DAYS. WHEN I SIGNED THOSE DOCUMENTS TWO YEARS AGO I WAS NOT AWARE THAT EVERYTHING I HAD WORKED FOR AND INVESTED IN WOULD BE THREATENED NOT BY A LACK OF INTEREST, BUT THREATENED BY MY LOCAL GOVERNMENT. THE FINANCIAL INVESTMENT I HAVE MADE AND TAKEN ON, IF NOT ALLOWED TO PROPERLY OPERATE MY BUSINESS WILL CRIPPLE MY BUSINESS AND I SAW AN ARTICLE WITH AN AMBULANCE THAT STRUGGLED TO HELP EAST MAUI AREA DUE TO AN OVERWHELMING RENTAL CAR TRAFFIC AND ROAD BLOCKAGE, I STOPPED MY VANS FROM VISITING THE HANA AREA FOR OVER FOUR MONTHS. MY COMPANY DONATE OZ HOMELESS SHERIFF'S SHELTERS AND USE RECYCLABLE AND REUSABLE MATERIALS AND VET EACH AND EVERY GUEST, AND ALSO REQUIRE MY GUESTS TO HAVE RESERVATIONS NOT PARKED ON THE SIDE OF THE ROAD OR BEACHES.\r\n\r\nI DEEPLY CARE ABOUT MAUI. MAUI IS MY HOME. I DO NOT OPERATE UNSCRUPULOUSLY AND I BELIEVE MY SMALL BUSINESS HELPS TO EXPAND APPRECIATION FOR NATURE. I'M HUMBLLY ASK FOR CONSIDERATION TO INCLUDE IN YOUR DECISION-MAKING PROCESS A PROVISION TO ALLOW BUSINESSES, LIKE MINE, WHO ARE ACTED IN ACCORDANCE WITH THE LAW TO OBTAIN PERMITS FOR ONE -- AND NOT ONE OF THOSE MYTHICAL PERMITS THAT ARE IMPOSSIBLE TO OBTAIN. PLEASE OFFER TO EITHER GRANDFATHER IN SO THAT OUR BUSINESSES CAN CONTINUE TO OPERATE PROPERLY, RESPONSIBLY AND RESPECTFULLY TO OUR ISLAND. MAHALO. >> THANK YOU.\r\n\r\nMEMBERS, ANY QUESTIONS, ANY CLARIFYING QUESTIONS? IF NOT, MAY WE HAVE THE NEXT TESTIFIER. THANK YOU. >> OUR NEXT TESTIFIER, CHAIR IS TIM PANG, FOLLOWED BY LUCIENNE DE NAIE. >> MY NAME IS TIM PANG, KOPF OWNER OF A JEEP CAMPER RENTAL BUSINESS ON MAUI. I AM HERE TO VOICE MY OPPOSITION TO THE AMENDED LANGUAGE IN SECTION 19.36B.120 OF THE PROPOSED BILL 159 AS IT PERTAINS TO CAMPER VANS. A LITTLE BIT ABOUT ME I WAS BORN ON KAUA'I AND RAISED ON MAUI ALMOST MY WHOLE LIFE.\r\n\r\nI GRADUATED FROM BALDWIN HIGH SCHOOL AND WENT TO COLLEGE IN OREGON TO PURSUE A BACHELORS DEGREE IN MARKETING. I MOVE BACK TO MAUI FOR MARKETING FOR A LOCAL GROCER AND I TOOK THE LEEP OF CO-OWNING A JEEP CAMPER BUSINESS WITH TWO PARTNERS. I LOVE WORKING FOR A LOCAL COMPANY, BUT WITH OWN MIG OWN HOME ON MAUI I KNEW IT WAS TIME TO TAKE A LEAP OF FAITH AND TO GIVE BACK TO THE COMMUNITY BY COACHING HIGH SCHOOL BASKETBALL. OUR BUSINESS PROVIDES GUEST WITH A UNIQUE WAY TO EXPERIENCE THE BEAUTIFUL OUTDOOR ATMOSPHERE THAT MAUI HAS TO OFFER WITHOUT SPENDING \$600-1,000 A NIGHT TO STAY IN A RESORT. IT WILL NOT ONLY ELIMINATE OUR UNIQUE AND AFFORDABLE OFFERING, BUT OPEN THE DOOR FOR MORE BILLS TO PASS THAT WOULD MAKE MY HOME OF MAUI ONLY A PLACE THAT THE RICH CAN AFFORD TO VISIT. ALTHOUGH AN AFFORDABLE OPTION FOR VISITORS IS IMPORTANT TO ME, IT ISN'T THE MAIN REASON I DECIDED TO BUILD THIS BUSINESS. MY FATHER HAS BEEN A HUGE INFLUENCE ON WHY WE LOVE WHAT WE DO.\r\n\r\nMY FATHER WAS AN EPITOME OF ALOHA. HE UNDERSTOOD AND MASTERED THE BALANCE OF GIVING BACK

TO THE COMMUNITY, WHILE SHOWING VISITORS THROUGH HIS CRAFT, WHAT THE ALOHA SPIRIT IS ALL ABOUT. AS A SMALL LOCAL BUSINESS OWNER, I TRY MY BEST EVERY DAY TO CONTINUE HIS LEGACY BY GUIDING OUR VISITORS TO TRULY APPRECIATE THIS PLACE WE CALL HOME, WHILE INSTILLING VALUES OF RESPECT FOR THE LAND, OCEAN AND MOST IMPORTANTLY THE PEOPLE THAT LIVE HERE. AS A CHEF, MY FATHER ALSO MADE IT A POINT TO SUPPORT LOCAL WHENEVER POSSIBLE THROUGH SOURCING FROM LOCAL FARMERS AND LOCAL FISHERMEN. OUR BUSINESS ALSO ALLOWS FOLLOWING HIS EXAMPLE BY STEERING GUESTS TO SUPPORT LOCAL BUSINESSES SUCH AS HANA HULI HULI CHICKEN -- WE PREACH THE IMPORTANCE OF SUPPORTING LOCAL, BECAUSE THAT IS JUST HOW I WAS RAISED. IF BILL 159 WERE TO PASS, OUR LIVES AS BUSINESS OWNERS,, AS WELL AS LOCAL FRIENDS AND FAMILIES WE HAVE HIRED WOULD BE TURNED UPSIDE DOWN. SO LOCAL PEOPLE WE HIRED JUST LIKE MOST OF US THAT LIVE HERE WORK PART-TIME WITH US AS A SECOND JOB, JUST TO MAKE ENDS MEET.\r\n\r\nOURSELVES AS BUSINESS OWNERS HAVE TAKEN ON A CONSIDERABLE AMOUNT OF DEBT ON OUR RENTAL FLEET AND OUR PROPERTY LEASE WHERE WE KEEP OUR VEHICLES. WE, LIKE MOST OF THE LOCAL COMMUNITY, ARE NOT RICH. LIKE A LOT OF PEOPLE MY AGE, I STILL LIVE IN MY PARENT'S HOUSE AND JUST TRYING TO LIVE AND SURVIVOR IN THIS PLACE WE CALL HOME. WE'RE HERE TODAY ASKING FOR A COMPROMISE; WE WORKED VERY HARD TO PROVIDE OUR GUESTS WITH THE TOOLS THAT THEY NEED TO ENJOY THE ISLAND, AS WELL AS SHOW RESPECT TO THE LOCAL COMMUNITY THAT THEY ARE VISITING. AS A HARD WORKING LOCAL MEMBER OF THE COMMUNITY, I DESERVE THE OPPORTUNITY TO AT LEAST WORK WITH OUR COUNTY OFFICIALS TO MADAME AND/OR OMIT THE PORTION OF THE BILL REGARDING CAMPER VANS. THROUGH COLLABORATIVE EFFORT I FEEL CONFIDENT IN OUR ABILITY AS OPERATORS TO ADDRESS ANY AND ALL ISSUES MENTIONED BY THE COUNCIL. LET'S TAKE SOME TIME TO CLARIFY THE CONCERNS AND COME TOGETHER TO FIND A SOLUTION THAT ALLOWS OUR LOCAL BUSINESS TO CONTINUE OPERATIONS.\r\n\r\nMAHALO FOR TAKING THE TIME TO LISTEN. I LOOK FORWARD TO WORKING WITH YOU ALL, ALOHA. >> THANK YOU, MR. PANG. QUESTIONS, MEMBERS? VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR.\r\n\r\nALOHA, MR. PANG. MAHALO FOR YOUR TESTIMONY THIS MORNING. MY CLARIFYING QUESTION IS REGARDING COMPROMISE. YOU DIDN'T SUGGEST WHAT THE COMPROMISE WAS, JUST OMIT OR AMEND. DID YOU HAVE AN AMENDMENT THAT YOU WERE SUGGESTING? >> YES.\r\n\r\nAT THIS POINT, WE'RE JUST LOOKING TO NOT JUST CANCEL OUR BUSINESS ALL TOGETHER, AND JUST TRY TO FIND A COMPROMISE AS TO KIND OF CLARIFY THE CONCERNS FROM THE COUNCIL. SO THAT WE CAN COLLECTIVELY AS OPERATORS TRY TO ADDRESS THEM, INSTEAD OF JUST, KIND OF LIKE, CANCELING ALL TOGETHER. >> MAHALO FOR YOUR RESPOND, MR. PANG. MAHALO, CHAIR. >> MEMBER PALTIN. >> THANK YOU, CHAIR.\r\n\r\nTHANK YOU, MR. PANG FOR YOUR TESTIMONY. I JUST WAS WONDERING, DO YOU REQUIRE PROOF THAT THEY HAVE DESIGNATED CAMPGROUND THAT IS ALLOWED BEFORE YOU DO YOUR RENTAL? >> AS OF RIGHT NOW, WE DON'T REQUIRE PROOF, BUT WE DO SEND THEM LIKE AN EXTENSIVE PDF ON THE ALLOWED CAMPSITES. >> THE NEXT QUESTION I HAVE, BECAUSE WE'RE ON A TIME CRUNCH. DOES YOUR ORGANIZATION PAY THE TAT? >> YES, WE DO.\r\n\r\n>> OKAY. THANK YOU. BYE-BYE. >> ANYONE ELSE? MEMBER SINENCI. >> THANK YOU, CHAIR. MAHALO, MR.\r\n\r\nPANG FOR YOUR TESTIMONY THIS MORNING. YOU'RE STILL ABLE TO CAMP AT STATE PARKS, AS WELL AS THE NATIONAL PARKS? >> YES. >> THANK YOU. >> ANYONE ELSE, MEMBERS? IF NOT, THANK YOU VERY MUCH, MR. PANG.\r\n\r\nMADAM CLERK. >> OUR NEXT TESTIFIER IS SHAUN MULLIN, FOLLOWED BY TODD SUMMERLY. >> GOOD MORNING, COUNCIL. I AM SHAUN MULLEN FROM CAMPER VAN HAWAI'I. JUST FOUND OUT A COUPLE OF WEEKS AGO THAT BILL 159 PASSED AND HAD CAUSE TO COMPLETELY PROHIBIT RENTAL VANS AS TRANSIENT ACCOMMODATIONS. IF THIS BILL IS ENACTED AS WRITTEN, IT WOULD BE DEVASTATING TO OUR COMPANY AND OUR EMPLOYEES THAT RELY ON THIS INCOME

TO SUPPORT THEM AND THEIR FAMILIES. WE BELIEVE THAT THIS INDUSTRY IS GOOD FOR MAUI, AS IT ENCOURAGES OUR CUSTOMERS TO BE STEWARDS THE LAND, BECAUSE WE EDUCATE THEM ABOUT HOW TO BE MAKAI VISITORS AND RESPECT THE LAND. INSTEAD OF BEING STUCK ON A RESORT IN MAUI, RESORT-HOTEL, OUR CUSTOMERS ARE ABLE TO VENTURE OUT AND LEARN MORE ABOUT DIFFERENT PARTS OF MAUI, AND STAY IN A VARIETY OF CAMP SPOTS ACROSS THE ISLANDED.\r\n\r\nTHEY ALSO SPEND MONEY ON THE ROAD AT LOCAL ESTABLISHMENTS, SUPPORTING BUSINESSES AND THEIR FAMILIES AS WELL. WE'RE STARTING OUR 7TH YEAR IN BUSINESS RENTING CAMPER VANS AND CREATES A LIVELIHOOD FOR US AND OWNERS AND EMPLOYEES. WE ALSO TRICKLE DOWN SUPPORT TO LANDLORDS, STAFF, SHOPS, MECHANICS, CAR-WASHES, AUTO PART SHOWS AND LOCALS THAT SPEND MONEY EVER DAY. IF WE STOPPED RENTING VANS WE WOULD PROBABLY END UP FILING FOR BANKRUPTCY AS WE HAVE LOAN AND LEASE OBLIGATIONS WE COULD NOT FULFILL. THIS WOULD BE ALSO NOT BE ABLE TO PAY OUR MORTGAGE, AS THIS IS OUR ONLY INCOME AND WOULD MOST LIKELY LEAD TO FORECLOSE YOUR ON OUR HOMES, SINCE OUR INCOME FROM OUR BUSINESS IS WHAT ALLOWED US TO BECOME HOMEOWNERS IN THE FIRST PLACE. THIS IS WHY I HAVEN'T GOTTEN A GOOD NIGHT'S SLEEP IN PAST TWO WEEKS AND WHY MY FAMILY IS VERY STRESSED RIGHT NOW. WE WORK WITH ALL OUR CUSTOMERS TO FIND LEGAL PLACE TO CAMP AND REQUIRE THEM TO SHOW PROOF OF CAMPING RESERVATIONS PRIOR TO COMING TO THE ISLAND TO RENT THE VANS.\r\n\r\nWE HAVE ABSOLUTE ZERO-TOLERANCE FOR THAT AND HAVE WORDING IN THE CONTRACT THAT WE FIND OUT THAT THEY CAMPED ILLEGALLY, THEY WOULD FORFEIT THE SECURITY DEPOSIT. WE UNDERSTAND THAT OUR COMMUNITY DOESN'T WANT CAMPER VANS PARKED IN ILLEGAL SPOT LOS ANGELES THE SIDE OF THE ROAD AND WE MONITOR WHERE THEY ARE PARKED WITH GPS. I UNDERSTAND ONE REASON FOR THE BILL IS TO STOP ILLEGAL CAMPING ALONG WEST SIDE BEACHES AND WE MADE GREAT STRIDES TO STOP THIS WITHIN OUR COMPANY. WE AGREE THAT MAUI HAS BECOME VERY BUSY IN PAST FEW YEARS, AND STOPPING OUR BUSINESS WILL NOT MAKE A BIG DIFFERENCE IN THIS PROBLEM. OUR CAMPER VAN BUSINESS BRINGS ABOUT ONE THOUSAND VISITORS TO MAUI EACH YEAR AND ACCOUNTING FOR 4000TH OF 1% OF THE VISITORS TO THE ISLAND AND VEHICLES ACCOUNT FOR 10,000TH OF 1% OF RENTAL VEHICLES ON THE ROAD. THAT BEING SAID, I WOULD LIKE TO THANK THE COUNCIL FOR YOUR TIME AND CONSIDERATION. >> THANK YOU VERY MUCH.\r\n\r\nDO WE HAVE QUESTIONS, MEMBERS? CLARIFYING QUESTIONS? MEMBER SUGIMURA. >> THANK YOU FOR TESTIFYING. YOUR NINE VEHICLES ARE THEY PUC-REGULATED? >> NO, THEY ARE NOT. >> I DIDN'T HEAR THE ANSWER.\r\n\r\n>> NO, THEY ARE NOT. >> THEY'RE NOT. THANK YOU. >> ANY MORE QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH FOR YOUR TESTIMONY. MADAM CLERK. >> OUR NEXT TESTIFIER IS TODD SUMMERLY.\r\n\r\n>> ALOHA, GOOD MORNING, COUNCIL MEMBERS. >> ALOHA. >> MY NAME IS TODD SUMMERLY, THE OWNER OF MAUI CAMPERS, AND I'M GRATEFUL TO CALL MAUI MY HOME FOR THE LAST 22 YEARS. I OWN A HOME AND HAVE CHILDREN WHO WERE BORN HERE. PASSING BILL 159 INTO LAW WOULD FORCE MY BUSINESS TO CLOSE NOT ALLOWING ME TO PROVIDE FOR MY FAMILY. WHEN I STARTED THIS BUSINESS 11 YEARS AGO, #VAN LIFE DIDN'T EXIST. I SPECIALIZE IN THE ICONIC VOLKSWAGEN VANS.\r\n\r\nMANY OF MY RENTERS STAY AT HOTELS AND CONDOS AND STILL OPT TO REPRESENT MY VEHICLES THROUGHOUT THE VISIT, BECAUSE THESE VEHICLES ARE SO CONVENIENT AND -- I'M COMPLETELY IN SHOCK THAT A BUSINESS I STARTED OVER A DECADE AGO CAN AGAIN BE SHUT DOWN BY THE GOVERNMENT, AND SUDDENLY BE ILLEGAL. I PAY MY TAXES, HAVE GOOD STANDING WITH THE DCCA AND HAVE PROPER INSURANCE. THIS IS MY LIFE, MY INVESTED INTEREST. I BUILT THIS BUSINESS WITH THE THOUGHT OF VALUABLE SERVICE WITH THE LEAST IMPACT ON THE LAND. I INFORM MY CAMPERS WHERE TO PARK LEGALLY AND IMPACT MY VAN SON THE COVER OF THEIR WEBSITE. I DO NOT ADVERTISE MY BUSINESS AS A SHORT-TERM RENTAL OR AIRBNB. MY

BUSINESS DOES NOT THREATEN AFFORDABLE HOUSING ISSUES.\r\n\r\nI ONLY RENT SMALL VANS THAT HAVE THE SAME FOOTPRINTS A TOYOTA COROLLA. DESPITE THE FACT THAT THE PANDEMIC SHUT DOWN -- FURTHER IN DEBT WITH SBA LOAN TO SURVIVE. I THINK WE ENJOY LIVING ON MAUI WITHOUT TOURISTS FOR A TIME. THERE ARE MANY VIABLE AVENUES TO CONSIDER WITH REGARD TO CAPPING TOURISM AND PRESERVING OUR BEAUTIFUL ISLAND. I DO NOT UNDERSTAND HOW SHUTTING DOWN MY TAX-PAYING PRE-EXISTING BUSINESS AND [ INAUDIBLE ] TO CAUSE THE BOOM TO THE CAMPER INDUSTRY NATIONWIDE AND CHANGED THE WAY PEOPLE VACATIONED. PASSING THIS BILL WILL NOT STOP TOURISTS FROM WANTING TO DO THIS. OUR BUSINESS IS LEGITIMATE LIKE MINE, EDUCATE VISITORS ON ISLAND ETIQUETTE; I FEAR THAT PASSING THIS BILL WILL REDUCE THE NUMBER OF VEHICLES ALONG THE ROAD OR PEOPLE LIVING IN THIS.\r\n\r\nAS A BUSINESS OWNER ON MAUI, WE WISH TO WORK COLLABORATIVELY WITH THE COUNCIL COUNTY TO PROVIDE A UNIQUE FOR VISITORS TO MAUI. THANKS FOR LISTENING AND YOUR THOUGHTFUL CONSIDERATION. >> MEMBER KAMA. >> THANK YOU, CHAIR. THANK YOU, MR. SUMMERLY FOR BEING HERE. I JUST HAVE TWO HOPEFULLY QUICK QUESTIONS.\r\n\r\nNONE, HOW MANY COMPANIES, SUCH AS YOURSELF, IF YOU KNOW, ARE IN EXISTENCE HERE ON MAUI? AND HOW MANY VEHICLES DO YOU HAVE IN YOUR FLEET? >> AS FAR AS I KNOW, I THINK THERE'S ABOUT SEVEN OR EIGHT LEGITIMATE-RUNNING CAMPER COMPANIES. AND AS FAR AS VEHICLES IN MY COMPLETE, NOT ALL OF THEM ARE CAMPERS. SOME ARE THEM ARE REGULAR VEHICLES. SO I ACTUALLY KNOW THE DIFFERENCE, AND I DO HAVE THESE OLDER ICONIC VOLKSWAGENS, WHICH IF ANYONE KNOWS, THEY ARE ALWAYS NEEDING MAINTENANCE. ON AVERAGE A DAY I PROBABLY HAVE BETWEEN 4-7 OUT THERE.\r\n\r\n>> THANK YOU. THANK YOU, CHAIR. >> ANY MORE QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER. >> OUR NEXT TESTIFIER IS [ INAUDIBLE ] >> HELLO, COUNCIL. GOOD MORNING.\r\n\r\n>> GOOD MORNING. >> I'M THE FOUNDER OF THEMAUIMIRACLE.ORG. PLEASE VISIT THE WEBSITE. >> COULD YOU SPEAK A LITTLE LOUDER, PLEASE. LITTLE LOUDER. >> OKAY. GOOD MORNING.\r\n\r\nI'M NICK DRANCE, FOUNDER OF THEMAUIMIRACLE.ORG PLEASE VISIT THE WEBSITE. IT'S ABOUT THE MAUI THAT WE LOVE. BILL 159 DOES NOT REDUCE TOURIST NUMBERS, BUT IT INCREASES THEM BILL 159 DOES NOT ELIMINATE JOBS. THE CARPENTER'S UNION IS HIRING NOW. WHAT IS THIS COMPROMISE? WHAT IS THE NEED FOR IT? RESIDENTS DON'T WANT MORE TOURISTS.\r\n\r\nEVEN TOURISTS SAY WHAT A SHAME TO SEE IT LOST TO PAVEMENT, CROWDS AND TRAFFIC JAMS AND THERE'S NO SENSE OF PRETENDING OTHERWISE. AS FAR AS HONORING HAWAIIAN CULTURE GOES AND ITS LOVE OF THE LAND AND WATER, IF WE'RE GOING TO DESECRATE WITH ASPHALT AND UNSUSTAINABLE GROWTH WITH STAGE 1 WATER SHORTAGE. RAINFALL IN THE WEST MAUI MOUNTAINS IS AT 50%. IT WILL GET WORSE. CENTRAL MAUI IS AT THE HIGHEST POSSIBLE DROUGHT LEVEL. BREAKING SEVEN TEMPERATURE RECORDS IN SEPTEMBER. SO ROME IS BURNING. WE'RE TALKING ABOUT REDUCING THE AMOUNT OF GASOLINE THAT WE POUR ON THE FIRE.\r\n\r\nIS THAT STEWARDSHIP? KALANI SAID I COULD NOT TURN BACK THE TIME FOR POLITICAL CHANGE, BUT THERE'S STILL TIME TO SAVE OUR HERITAGE. YOU MUST REMEMBER NEVER TO CEASE TO ACT, BECAUSE YOU FEEL YOU MAY FAIL. I THINK SHE IS TELLING US TO HAVE COURAGE. SHE ALSO OFFERED THIS SAGE ADVICE, THE WAY TO LOSE ANY EARTHY KINGDOM IS TO BE INFLEXIBLE, INTOLERANT AND PREJUDICIAL. ANOTHER WAY IS TO BE TOO FLEXIBLE, TOLERANT OF TOO MANY WRONGS AND WITHOUT JUDGMENT. IT'S A RAZOR'S EDGE AND THE WIDTH OF THE BLADE OF PILI GRASS.\r\n\r\nTHANK YOU. >> QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH, MR. DRANCE. MAY WE HAVE THE NEXT TESTIFIER. >> OUR NEXT TESTIFIER IS FRANK LOPEZ. >> ALOHA, COUNCIL.\r\n\r\nMY NAME IS FRANK LOPEZ. AND I AM A PROUD MAUI RESIDENT. I AM ALSO ONE OF THE SMALL BUSINESSES OWNERS THAT WILL BE NEGATIVELY

IMPACTED BY THE IMPLEMENTATION OF BILL 159. MY BUSINESS KULEANA CAMPERS, LLC. -- KULEANA CAMPERS, LLC. HAS BEEN PART OF THE COMMUNITY FOR FOUR YEARS. CREATING A LOCAL ECOSYSTEM OF COMMERCE THAT NOT ONLY KEEPS MY FAMILY GAINFULLY EMPLOYED BY SOURCE OF INCOME FOR OUR FULL-TIME AND PART-TIME EMPLOYEES. IT ALSO PROVIDES CONSISTENT INCOME TO THE BUSINESSES THAT WE USE TO STAY IN BUSINESS WHERE WE BUY OUR VEHICLES FROM AUTO SALES, MAUI TOYOTA, AND USE THE CAR-WASH AND MAUI OIL.\r\n\r\nSO ALL OF THOSE BUSINESSES TAKE MONEY FROM US DAILY. THIS ECOSYSTEM PROVIDES A SENSE OF SECURITY AND HOPE FOR THE FUTURE FOR ALL OF OUR FAMILIES. IMPLEMENTING BILL 159 IS TAKING AWAY INCOME FROM AT LEAST A HUNDRED FAMILIES ON THE ISLAND, AND THESE TOUGH ECONOMIC TIMES YOU ARE FORCIBLY TAKING AWAY THE BREAD WE SHARE WITH DOZENS OF LOCAL FAMILIES AND REDIRECTING IT TO CORPORATIONS. AS YOU CAN SEE, WE ARE HERE AS A UNITED FRONT TO DEFEND OUR RESPECTIVE LEGACIES AND RIGHTS OF SOCIAL EQUITY WITHIN THE ISLAND'S TOURIST INDUSTRY. MAHALO. >> THANK YOU, MEMBERS, QUESTIONS? IF NOT, THANK YOU VERY MUCH.\r\n\r\nMADAM CLERK. >> OUR NEXT TESTIFIER IS TONY KOBENON, FOLLOWED BY BARRY. >> GOOD MORNING. >> THANK YOU FOR ALLOWING ME TO SPEAK ON BEHALF OF OUR 'OHANA. I OWN A SMALL BUSINESS, CAMP CAR, LLC., THAT RENTS. >> COULD YOU PLEASE STATE YOUR NAME FOR THE RECORD. >> OH, YES.\r\n\r\nTONY KOBENON. >> THANK YOU. >> THANK YOU FOR ALLOWING ME TO SPEAK ON BELIEVE OF OUR 'OHANA SMALL BUSINESS CAMP CAR, LLC., THAT RENTS CAMPER VEHICLES AND ROOFTOP TENTS AND CAMPING EQUIPMENT TO LOCALS AND VISITORS TO MAUI. I CAME HERE WITH A DEGREE OF SUSTAINABILITY TECHNOLOGIES FROM NEW MEXICO COLLABORATIVE WITH BOTH NATIONAL ELABORATES, SPECIALIZING [SPEAKER NOT UNDERSTOOD] GROWING TECHNIQUES. I GOT HIT BY A CAR AND SUFFERED A SERIOUS CONCUSSION, BACK INJURIES IN A CROSSWALK. I WAS UNABLE TO WORK AND FOUND MYSELF HAVING TO LIVE IN A CAMP CARAVAN AND DURING THIS TIME, COMING TO KNOW THE ISLAND AND FROM PLACE TO PLACE ON 'AINA -- IN AN EFFORT TO UTILIZE THIS EXPERIENCE IN A POSITIVE WAY, WITH MUCH EFFORT AND HARD WORK BUILD A SUCCESSFUL CAMPER VAN BUSINESS BUILT ON THOSE PRINCIPLES. WE PAY ALL TAXES, STATE, FEDERAL, SURPLUS AND GENERAL EXCISE TAX INCLUDING PERSONAL INCOME TAXES, PAY STAFF, AND HAVE EARNED AND MAINTAINED FIVE-STAR RATING IN THE ENTIRE FIVE YEARS OF OUR BUSINESS.\r\n\r\nI HAVE TESTIMONIALS ON THAT AS WELL. I SPEND HOURS WITH CUSTOMERS EVERY DAY IN THE YEAR, LITERALLY. RECOMMENDING LOCAL BUSINESSES, DESIGNATED CAMPSITES, AND GREAT PLACES TO VISIT TO PEOPLE WHO LOVE AND RESPECT NATURE . OUR BUSINESS SPENDS TENS OF THOUSANDS OF DOLLARS A YEAR FOR AUTO FINANCING, STAFF, MAINTENANCE UPKEEP, RENTAL CAMPING EQUIPMENT THAT IS REUSABLE NOT BOUGHT AND LEFT. AND MANY OTHER OPERATING EXPENSES. WE CONTRIBUTE TO THE ECONOMY OF THE MAUI, AND DO OUR BEST EVERY DAY TO REPRESENT IT IN THE BEST LIGHT. FROM THE UNIVERSITY OF HAWAI'I, I TOOK CULTURAL CLASSES, AND WITH SHARED EXPERIENCE I HAVE COME TO LEARN THE MEANING OF THE WORD "'AINA," THAT WHICH PROVIDES. DOES THAT MEAN FOR SOME OR ALL OF US?\r\n\r\nIT IS MY DIRECT INTENTION TO BRING TOGETHER THE RESPECT AND PASSION FOR THE NATURAL ENVIRONMENT, AND JOY OF TRAVELING INTO ECO-FRIENDLY CAMPSITE, WHERE CAMPERS' VEHICLES ADVENTURES CAN PARTICIPATE IN BEST PRACTICES. SUSTAINABLE ECOTOURISM WITH TRADITIONAL HAWAIIAN VALUES, FUTURE ECONOMIC BENEFIT FROM. MAHALO FOR YOUR TIME AND CONSIDERATION. >> THANK YOU. QUESTIONS? MEMBER PALTIN. >> THANK YOU, CHAIR.\r\n\r\nTHANK YOU, FOR YOUR TESTIMONY. I WAS WONDERING WHAT COMPANY YOU USE TO PUMP OUT THE HUMAN WASTE? >> I DON'T -- ALL MY VEHICLES ARE CAMPER VANS. I DO PERSONALLY MANAGE -- I HAVE A STATE PERMIT FROM THE COUNTY THAT IS DONE HERE IN KAHULUI. >> SO YOU DON'T -- -- [ INAUDIBLE ] >> I'M SORRY, DID I ANSWER YOUR QUESTION? >> WHAT HAPPENS



WHEN PEOPLE NEED TO USE THE BATHROOM? >> WHILE ON VACATION?\r\n\r\n>>  
YES. >> THEY USE RESTAURANTS. THEY USE THE BEACHES, JUST LIKE WE ALL DO,  
WE GO TO BEACH AND TAKE SHOWERS AND USE THE BATHROOMS THERE. AND THEY  
ALSO CAN STAY AT HOTELS, OR CONDOS AS WELL. >> THANK YOU. >> MEMBERS, ANY  
MORE QUESTIONS? IF NOT, THANK YOU VERY MUCH.\r\n\r\nMAY WE HAVE THE NEXT  
TESTIFIER. >> THANK YOU. >> OUR NEXT TESTIFIER IS BARRY SOLOMON, FOLLOWED  
BY EMILY. >> ALOHA KAKAHIKA. MY NAME IS BARRY SOLOMON AND I'M HERE  
REPRESENTING THE MAUI COUNTY CLIMATE ACTION ADVISORY COMMITTEE. I WISH TO  
SPEAK IN SUPPORT OF RESOLUTION 22-232. AND EXPLAIN BRIEFLY WHY THE MAUI  
COUNTY COUNCIL TOURISM SECTOR SHOULD SUPPORT SUSTAINABILITY TOURISM  
CERTIFICATION AND ADOPT THIS RESOLUTION. I HAVE FOUR  
POINTS.\r\n\r\nFIRST, THE CURRENT TOURISM INDUSTRY IN MAUI IS  
UNSUSTAINABLE AND TOO MANY PEOPLE VISITING WITH SOMETIMES POOR BEHAVIORS.  
THIS HAS LED TO CROWDED BEACHES, CROWDED ROADS AND HIGHWAYS, DEGRADE  
CORAL REEF, PLASTIC WASTE AND OVERUSE OF RESOURCES AND CLASHES WITH LOCAL  
RESIDENTS. TWO, DO NOT CHANGE THE CURRENT PATH THAT THE TOURISM INDUSTRY  
IS ON, MANY PEOPLE ACTUALLY WILL NOT WANT TO VISIT MAUI ANY MORE, BECAUSE  
THE REASONS MOST PEOPLE COME HERE WILL NO LONGER EXIST IN MAUI COUNTY AS  
THE ENVIRONMENT DEGRADES. THUS, PURSUING SUSTAINABLE TOURISM SECTOR IS  
THE ONLY WAY FORWARD BY WHICH WE'LL CONSEQUENTLY ALSO SUPPORT AND IMPROVE  
MAUI'S ECONOMY, ITS ENVIRONMENT AND ITS PEOPLE IN THE LONG-RUN. THREE,  
YOU DON'T HAVE TO TRAVEL VERY FAR TO FIGURE THIS OUT, NEIGHBORING ISLAND  
OF KAUA'I HAS PUT BREAKS ON TOURISM SECTOR FOR VERY SIMILAR REASONS AND  
IT'S DOING MUCH BETTER IN THAT REGARD. FINALLY, WHILE THIS IS ONLY A  
RESOLUTION, ADOPTING SUSTAINABLE TOURISM PRACTICES AND CERTIFICATION BY  
MAUI WILL PUT THE MAUI COUNTY GOVERNMENT INTO A LEADERSHIP ROLE THAT WILL  
MAKE YOU PROUD AND HELP SPREAD THIS THROUGHOUT THE STATE. THIS IS A VERY  
IMPORTANT FIRST STEP.\r\n\r\nMAHALO. >> THANK YOU. QUESTIONS, MEMBERS?  
MEMBER MOLINA. >> THANK YOU, MADAM CHAIR. GOOD MORNING, MR.  
SOLOMON.\r\n\r\nTHANK YOU FOR YOUR WORK IN THIS FIELD. YOU MENTIONED  
KAUA'I. AND THAT THINGS ARE BETTER ON KAUA'I. CAN YOU BE -- PROVIDE SOME  
SPECIFICS, WHAT IS "BETTER ON KAUA'I"? SINCE THEY ARE LOOKING INTO THIS  
TYPE OF PRACTICES WITH MANAGING TOURISM? >> RIGHT. THEY INSTALLED SOME  
RESERVATION SYSTEMS ON THE NORTH SHORE, IN PARTICULAR, WHICH HAS GREATLY  
LOWERED TRAFFIC, AND CONGESTION IN THAT AREA, WHICH HAS SUFFERED FROM  
FLOODING, AND TOO MUCH TRAFFIC AND SO ON. THAT IS THE PRIMARY BENEFIT AT  
THIS POINT. >> THANK YOU VERY MUCH, MR. SOLOMON.\r\n\r\nTHANK YOU, MADAM  
CHAIR. >> THANK YOU. MORE QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY  
MUCH. MAY WE HAVE THE NEXT TESTIFIER, PLEASE. >> OUR NEXT TESTIFIER IS  
EMILY RUNFORD, FOLLOWED BY DIAN KLINE. >> GOOD MORNING, CHAIR LEE,  
COUNCIL MEMBERS.\r\n\r\nTHANK YOU FOR HAVING ME. I'M HERE TODAY TO  
TESTIFY IN OPPOSITION OF THE LANGUAGE REGARDING CAMPER VAN RENTALS BOTH  
AS AN INDIVIDUAL BUSINESS OWNER AND AS A PARTICIPANT IN THE NEWLY  
ORGANIZED VEHICLE OPERATORS ON MAUI. MY NAME IS EMILY ROMBERG AND OWN AND  
OPERATE NORTH SHORE VANS, A FIVE-YEAR-OLD BUSINESS WITH SIX VEHICLES IN  
OUR FLEET. I HAVE BEEN CLOSELY WATCHING DEVELOPMENT OF THE BILL AND  
DISAPPOINTED WITH THE MOST LANGUAGE AMENDMENT. HAVING RUN A LOCAL FOOD  
DELIVERY BUSINESS, CONNECTING THOUSANDS OF CONSUMERS DIRECTLY WITH LOCAL  
FARMERS I UNDERSTAND THE POSITIVE IMPACT THAT BUSINESSES CAN HAVE IN OUR  
COMMUNITY. MONEY WITH NORTH SHORE VANS STAYS IN OUR LOCAL MAUI ECONOMY.  
OUR FAMILY LIVES AND SHOWS IN KIHEI, OUR YOUNG DAUGHTER GOING TO DAYCARE  
IN WAILUKU.\r\n\r\nIN MAKAWAO, HAWAIIAN PUBLIC COMPANY, KULA, OUR  
MECHANICS LIVES IN WAILUKU, OUR GUESTS DON'T WANT TO LEAVE ON THE SIDE OF  
THE ROAD AND BOOK IN ADVANCE OF THEIR STAY ACCOMMODATIONS SANCTIONED

CAMPGROUNDS ON THE ISLAND. THEY ASK FOR FOOD AND ACTIVITY RECOMMENDATION, THAT WE ALWAYS ENTHUSIASTICALLY RECOMMEND OTHER LOCAL BUSINESSES ASIDE FROM GAS. OUR GUESTS CHOSE THIS TRAVEL OPPORTUNITY TO TRULY EXPERIENCE MAUI'S NATURAL OFFERINGS AND UNPLUG. IN TURN, WE'RE THE FIRST MEETING OF MALAMA 'AINA, AS WELL AS DISCOVER THE MANY SMALL BUSINESSES ON THE ISLAND, BECAUSE THEY ARE ACTUALLY OUT EXPLORING RATHER THAN STAYING IN THE CONFINES OF A RESORT. IF AN ECONOMIC STUDY WAS TO BE DONE BY OUR BUSINESS AND OTHERS LIKE IT, I THINK YOU WILL FIND THE DOLLARS SPENT WITH LOCALLY OWNED AND PROFESSIONAL RUN CAMPER BUSINESSES IS RETURNED MANY TIMES OVER IN THE LOCAL ECONOMY. ECONOMIC BENEFITS ARE JUST ONE OF THE MANY POSITIVE IMPACTS FROM BUSINESSES LIKE OURS. MY TEAM AND I PUT A LOT OF ENERGY INTO NURTURING GUESTS AND MAKE SURE THAT THEY ARE INFORMED WHERE TO TAKE CARE OF VANS AND WHERE THE PROPER SANCTIONED CAMPGROUNDS ARE, THAT THEY MAKE THEIR RESERVATIONS AHEAD OF TIME AND PROVIDE RECEPTACLES FOR TRASH AND RECYCLING AND SPECIALTIES ON FOUND HERE IN HAWAII. AS A OPERATOR AND WOMAN OWNED BUSINESS AND MOTHER, I WANT TO CONTINUE TO BE AN INTEGRAL PART OF MY COMMUNITY TO MY DAUGHTER'S GENERATION CAN GROW UP TO SHARE THE APPRECIATION FOR THE 'AINA.\r\n\r\nMAHALO. >> MEMBERS, CLARIFYING QUESTIONS? THANK YOU VERY MUCH FOR YOUR TESTIMONY. >> MAHALO. >> MADAM CLERK. >> OUR NEXT TESTIFIER IS DIAN KLINE, FOLLOWED BY SPENCER WRIGHT. >> GOOD MORNING, COUNCIL.\r\n\r\nI CO-OWN CAMPERS WITH TIM PANG AND SPENCER. I APPRECIATE BEING GIVEN THE TIME AND NEEDED SOME TIME TO ORGANIZATION. I'M HERE TODAY TO GIVE TESTIMONY BOTH AS AN INDIVIDUAL BUSINESS OWNER AND PARTICIPANT IN NEWLY ORGANIZED GROUP OF CAMP VEHICLE OPERATORS ON MAUI. OPERATIONS FOR OVER FIVE YEARS AND PROVIDED OUR GUESTS WITH LEGAL CAMPSITES SINCE WE STARTED AND ADVISE CAMPERS TO STAY WHERE IT'S LEGAL TO CAMP AND BOOK SITES WELL IN ADVANCE AND ALSO ENCOURAGE GUESTS NOT TO USE MAUI BOOK WITH PLACES LISTED THAT ARE NOT APPROPRIATE FOR THEM TO GO. WE HAVE LOCAL EMPLOYEES ON PAYROLL. FUNDAMENTAL BELIEF OF GIVING BACK TO OUR COMMUNITY. WE HAVE GIVEN MONEY TO 'OHANA ABSENTERS FOUNDATION, HOUSE FIRE IN HANA AND KIHEI ELEMENTARY SCHOOL, GIVING WATER BOTTLES AND SPONSORED SOCCER AND BASKETBALL TEAM AND DONATED TO THE CULINARY ART PROGRAM IN HONOR OF CHEF PANG IF BILL 159 WOULD TAKE EFFICIENT OUR LIVES WOULD VASTLY CHANGE.\r\n\r\nPRIOR TO CREATING THIS BUSINESS I WAS A NANNY AND PROVIDING CARE TO WORKING FAMILIES. I TOOK A RISK IN GROWING THIS BUSINESS AND TO CREATING AN EXPERIENCE THAT ALIGNS WITH COMMUNITY'S VALUES OF MAUI. IF OUR EXTENSIVE WELCOME LETTER WE ADVISE GUESTS HOW TO BEHAVE AND PLACES TO EAST -- PLACE TO HELP HOW TO DRIVE ON ROADS AND NOT BE ANNOYING AND PROVIDE TRASH BAGS AND LEAVING THE LAND AS THEY FOUND IT. WE PROVIDE EDUCATIONAL VIDEOS ON HAWAIIAN HISTORY AND ISSUES WITH CLIMATE CHANGE AND SUSTAINABILITY TO EVERY GUEST. I WOULD BE MORE THAN WILLING TO SHARE THIS DOCUMENT WITH ANY INTERESTED COUNCIL MEMBERS. I LOVE CAMPING AND THIS BUSINESS IS A RESULT OF THAT. IT WOULD NOT ONLY BE FINANCIALLY DEVASTATING, BUT EMOTIONALLY DEVASTATING AS WELL.\r\n\r\nWE TAKE PRIDE IN WASHING AND MAINTAINING OUR JEEPS. ONE POSSIBILITY WOULD BE FOR LEGIT MALL BUSINESSES TO CONTINUE, BUT MAYBE DOING WAY WITH THOSE THAT DON'T HAVE GOOD STANDING WITH THE DCCA AND HEALTH. I BELIEVE PUTTING MORE MONEY IN BIG RESORTS [SPEAKER NOT UNDERSTOOD] I'M OPTIMISTIC THERE'S SOLUTION TO WORK FOR EVERYONE AND I HOPE OUR WILLINGNESS TO PARTICIPATE IN THIS DISCUSSION SHOWS HOW MUCH WE CARE ABOUT THIS COMMUNITY. I ASK THE COUNCIL MEMBERS TO OMIT THIS PORTION OF THE BILL AT THIS TIME AND PROVIDE US THE TIME TO DISCUSS ALTERNATIVE SOLUTIONS THAT MAKE ALL OF US HAPPY. THANKS. >> THANK YOU. QUESTIONS, MEMBERS?\r\n\r\nIF NOT, THANK YOU VERY MUCH.

MADAM CLERK. >> CHAIR, OUR NEXT TESTIFIER IS SPENCER WRIGHT, FOLLOWED BY CALLER UNDER ERIC. >> ALOHA, COUNCIL MEMBERS. THANK YOU FOR TAKING THE TIME TO LISTEN TO US. WE HOPE THAT BY HEARING SOME OF OUR TESTIMONY WE MIGHT BE ABLE TO SHED LIGHT ON THE CAMPER SITUATION IN MAUI. WE APOLOGIZE FOR NOT BEING INVOLVED IN THE ORIGINAL MEETING.\r\n\r\nWE WEREN'T ENTIRELY SURE HOW TO APPROACH THIS. I'M CO-OWNER OF CAMPERS, LLC. AND OUR RIGS WITH JEEPS WITH ROOFTOP TENTS ON THEM AND HAVE PAID ALL TAXES REQUIRED WITH US ENSURED AND CURRENT WITH THE DCCA AND EVERYTHING LEGAL SINCE BEGINNING THE COMPANY SINCE 2018 AND PAYROLL. WE HAVE WORKED WITH THE MAUI SBA, AS WELL AS THE MAUI ECONOMIC DEVELOPMENT SUSTAINABILITY BUSINESS MODEL. WE'RE GRASSROOTS -- AND HAVE BEEN TO START-UP CONFERENCE FOR HAWAI'I BUSINESS DEVELOPMENT. I URGE YOU ALL TO RECONSIDER THIS BLANKET PROHIBITION. WE IN NO WAY -- >> SO SORRY.\r\n\r\n>> WE UNDERSTAND -- [ INAUDIBLE ] >> PLEASE MUTE THAT PERSON. TESTIFIER, YOU MAY CONTINUE. >> THANK YOU. I URGE YOU ALL TO RECONSIDER THIS BLANKET PROHIBITION. WE IN MONTH WAY SEND PEOPLE CAMPING OUT VERY DETAILED INSTRUCTIONS WHERE TO CAMP LEGALLY. WE RECEIVED EMAILS FROM GUESTS WHERE THEY BOOK, I HAVE FORMERLY WORKED FOR SMALL BUSINESSES ON MAUI AND ENCOURAGED BY BOTH EMPLOYERS TO GROW SOMETHING ON MY OWN. IN 2020 WE WERE FINALLY ABLE TO OFFER OWNERSHIP TO TIM PANG AND PANG FAMILY.\r\n\r\nWE HAVE SPENT A LOT OF ENERGY CULTIVATING THE BUSINESS TO BE AS ETHICAL MORAL AS WE CAN. I CAN CERTAINLY UNDERSTAND THE DESIRE TO REGULATE THE INDUSTRY. OVERTOURISM IS A REAL PROBLEM, BUT WE DON'T BELIEVE OUR SMALL SECTOR IS TO BLAME. WE WEREN'T ALONE IN THE DESIRE TO CAMP, HAVING DISCUSSIONS ON WAYS TO REGULATE THE AMOUNT OF CAMPERS ON THE ISLAND. REGULATION COULD CREATE A WIN-WIN SOLUTION FOR MAUI COUNTY AND FOR US AS SMALL BUSINESS OWNERS. WEEKEND ADVENTURES AND BELIEVE WE CAN HELP TO COME UP WITH LEGISLATION TO MAKE ALL HAPPY. WE INVITE YOU TO EXPERIENCE WHAT A TYPICAL GUEST WOULD EXPERIENCE, INCLUDING AREAS THAT WE SEND THEM TO CAMP INCLUDED IN OUR WELCOME LETTER GUIDES THE GUESTS' EXPERIENCE.\r\n\r\nOUR GUESTS SHARE THE SENTIMENT AND ARRIVE WITH HIKING SHOES AND READY TO EXPLORE. I HOPE TO GET TO KNOW YOU ALL AND I BELIEVE THAT COMMUNITIES FORM WHEN PEOPLE WORK TOGETHER AND SEE THIS SITUATION AS AN OPPORTUNITY TO BUILD TOGETHER. WE APPRECIATE ALL OF THE EFFORTS OF DRAFTING THIS BILL, BUT WE HOPE TO HAVE OUR VOICES HEARD, TOO. WE'RE FAMILIES, CONSTITUENTS AND PEOPLE THAT HAVE WORKED HARD TO BUILD REPUTABLE BUSINESSES. WE COMPLY WITH ALL RULES AND HOPE YOU GIVE US TIME TO PROPOSE AN AMENDMENT AND/OR REGULATORY IDEAS WITH THE HELP OF AN ATTORNEY THAT UNDERSTANDS MAUI COUNTY'S CONCERNS, AS WELL AS SMALL BUSINESS VALUES. THANK YOU FOR YOUR TIME TODAY, COUNCIL MEMBERS. I REALLY APPRECIATE THE OPPORTUNITY TO SHARE SOME OF MY THOUGHTS.\r\n\r\n>> THANK YOU VERY MUCH. MEMBERS, QUESTIONS? IN NOT, THANK YOU. MAY WE HAVE THE NEXT TESTIFIER, PLEASE. >> OUR NEXT TESTIFIER IS CALLING IN UNDER THE NAME OF ERIC AND ERIC IS FOLLOWED BY CHRISTINE NAGASAKI. >> DID YOU SIGN UP TO TESTIFY? >> YES.\r\n\r\nI'M NEW AT THIS. >> PLEASE STATE YOUR NAME. >> MY NAME IS ERIC MALONEY. I HAVE RESIDED ON MAUI FOR YEARS WITH THE EV CLUB. I GUESS THERE WAS A PROPOSED AMENDMENT -- I'M NOT SURE WHICH ONE IT IS. MAYBE DO MY HOMEWORK -- NEXT TIME I WILL. MY CONCERN ABOUT THE EV THING WAS WE'RE HAVING TROUBLES WITH GETTING PUBLIC CHARGERS OUT THERE, AND THEN THERE'S BEEN SOME OTHER ISSUES ABOUT ALSO LIKE IN CONDO COMPLEXES, AND SOME OF THE AMENDMENTS I THINK ARE PASSING TO WHERE YOU WILL HAVE TO HAVE A 220 THAT IS GOING TO PLUG FOR CONDO COMPLEXES FOR PEOPLE WHO HAVE CONDOS.\r\n\r\nBECAUSE THAT HAS BEEN AN ISSUE WITH THE CURRENT SITUATION. ANYWAY, I KNOW PART OF THE PROBLEM WITH THE EV IS THAT IT TAKES A LOT OF EV SPACE TO MAKE THE ELECTRICITY

FOR CARS, BUT WHAT YOU ALSO HAVE TO TAKE INTO CONSIDERATION IS THAT WE DO HAVE ORGANIC ENERGY THAT IS COMING. WE HAVE THE SUN DURING THE DAY, WHICH IS ORGANIC. WE ALSO HAVE THE WIND GENERATORS. I PERSONALLY BELIEVE IN MY EXPERIENCE BEING HERE FOR 30 YEARS, IF WE CAN GET OFF OF CONTROLLING BICARBONS FROM MAUI ELECTRIC, IF WE CAN CONTROL THAT, AND WE HAVE ONE SOURCE THAT IS PUTTING OUT CARBONS, INSTEAD OF A BUNCH OF CARS RUNNING AROUND BURNING FUEL, PUTTING OUT CARBONS EVERYWHERE AND NOT BEING CONTROLLED, BECAUSE I HAVE SEEN PEOPLE PARKED AT STORES, LEAVING THEIR CAR RUNNING WITH THE AIR CONDITIONER. SO IN ALL REALITY, IF WE GO EV, WE'RE GOING IN THE RIGHT DIRECTION, AND PROBABLY FOUR, FIVE YEARS DOWN THE ROAD, THERE'S BEEN MAYBE EVEN -- I MEAN THE BATTERY TECHNOLOGY IS GETTING BETTER. AND I UNDERSTAND THAT IT'S TAXING THE GRID.\r\n\r\nWE ALSO HAVE TO UNDERSTAND THAT WE HAVE TO BRING THE GRID UP TO THE ELECTRIC ERA. THEY SAY THAT DEALS BURNS CLEAR, BUT I SEE IT LEAVING RESIDUES ALL OVER PLANTS AND KILLS IT. SO WE HAVE TO HAVE A BETTER SOLUTION IF WE'RE GOING TO BE TAKING TOURISTS TO DIFFERENT PLACES. I'M TALKING FROM EXPERIENCE, BECAUSE I'M A TAXI DRIVER. I HAVE BEEN DRIVING TAXIS FOR SIX YEARS NOW. I GUESS THAT IS ALL I HAVE TO SAY. THANK YOU.\r\n\r\nANY QUESTIONS? >> ANY QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER, PLEASE. >> OUR NEXT TESTIFIER IS CHRISTINE ROGOWSKI FOLLOWED BY SEAN. >> ALOHA, COUNCIL MEMBERS, AND CHAIR. MY NAME IS CHRISTINE, AND I HAVE CALLED MAUI HOME FOR NINE YEARS.\r\n\r\nI'M THE OWNER OF GO CAMP, LLC., A VEHICLE CAMPER BUSINESS THAT HAS BEEN OPERATING FOR FOUR YEARS NOW. I'M HERE TODAY TO GIVE TESTIMONY BOTH AS AN INDIVIDUAL BUSINESS OWNER AND AS A PARTICIPANT IN A NEWLY ORGANIZED GROUP OF CAMPER VEHICLE OPERATORS ON MAUI REGARDING BILL 159. I KNOW THIS BUSINESS MODEL IS RELATIVELY NEW TO MAUI AND AS ALL NEW BUSINESS MODELS, THERE'S ADJUSTMENTS AND ASKING FOR ADVICE AND DOING ALL THE THINGS TO ENSURE THAT YOU ARE ON THE RIGHT TRACK, AND OF COURSE, ALWAYS TRYING TO BETTER YOURSELF AND YOUR BUSINESS. I FEELING THE OPERATORS HERE TODAY ARE ON-TRACK WITH ALL THE LEGAL REQUIREMENTS TO BE LAW-ABIDING OPERATORS. I HAVE READ COMMENTS OF SOME PEOPLE THAT MAY NOT UNDERSTAND HOW WE OPERATE OUR BUSINESSES AND I WOULD LIKE TO ADDRESS THESE COMMENTS AND BETTER EDUCATE YOU. NO. 1, WE DO CONTRIBUTE TO THE ECONOMY DIRECTLY. WE PAY ALL OF REQUIRED TAXES AND OUR GUESTS SPEND THEIR MONEY HERE.\r\n\r\nTWO, LITTER. IT IS SEEN EVERYWHERE. MANY PEOPLE LITTER, AND MANY PEOPLE DON'T. THE MAJORITY OF PEOPLE WHO ENJOY NATURE ARE THE ONES MOST CONCERNED ABOUT LITTER. LITTER IS SEEN ON ALL PARTS OF THE ISLAND, BUT I DON'T BELIEVE THAT THE PROBLEM WILL BE SOLVED BY BLAMING A PARTICULAR GROUP OF PEOPLE. WE'RE ALL RESPONSIBLE FOR LITTER. IF WE DON'T LIKE TO SEE IT, WE SHOULD PICK IT UP. WE CONTRIBUTE TO OVERTOURISM.\r\n\r\nWE ALL CONTRIBUTE TO RESORTS, CRUISE SHIPS RENTAL AGENCIES AND DESTINATION WEDDING BUSINESSES AND MANY MORE. THE CONTRIBUTIONS EACH HAS GREATLY DIFFERENT -- TOTAL NUMBER OF GUEST FOR SEPTEMBER WAS 15. WE DO NOT ALLOW OUR GUESTS TO CAMP ANYWHERE, OR ENCOURAGE IT. MY GUESTS ARE PROVIDED LIKE EVERYONE ELSE HAS SAID, A LIST OF CAMPGROUNDS AND INFORMED THAT RESERVATIONS ARE REQUIRED AT CAMPSITES FOR EACH NIGHT OF THE TRIP AND TO BOOK IN ADVANCE. OUR GUESTS USE ROADSIDES AS RESTROOMS SINCE THEY DON'T HAVE FACILITIES IN THE VEHICLES. I SUGGEST THAT GUESTS ARE SIMILAR TO YOU OR I, AS PREPARED HEADING OUT THE DAY, TO USE FACILITIES AT CAMPGROUNDS WHEN NEEDED AND LOCATING PUBLIC FACILITIES JUST AS YOU OR I WOULD DO IN OUR VEHICLES. I GET TO MEET-AND-GREET GUESTS AND TO EDUCATE THEM TO TRAVEL RESPONSIBLY. I WORK HARD TO ENSURE THAT MY BUSINESS IS IN ACCORDANCE WITH THE LAWS IN PLACE, AND THEREFORE, AM A LAW-ABIDING SMALL LOCAL BUSINESS

OWNER.\r\n\r\nI BELIEVE THE BEST STRATEGY IS ALWAYS TO WORK TOGETHER, RATHER THAN IN OPPOSITION. SO MUCH MORE CAN BE ACCOMPLISHED WITH WAYS WITH AN AMENABLE OUTCOME FOR ALL. THE HEALTHIEST ECONOMY IS A BALANCED ONE, WHICH IS ENCOURAGING, NURTURING LOCAL SMALL BUSINESSES. THANK YOU. ANY QUESTIONS. >> THANK YOU >> MEMBER JOHNSON. >> THANK YOU, CHAIR.\r\n\r\nTHANK YOU FOR YOUR TESTIMONY, WAS IT CHRISTINE, I'M SORRY? >> YES. >> I JUST HAVE A CLARIFYING QUESTION FOR YOU IN REGARDS TO YOUR NEWLY FORMED GROUP ON CAMPER VANS. DID YOU GUYS COME UP WITH A NAME YET? IS THERE A NAME FOR THE GROUP? >> I DON'T THINK WE HAVE COME UP WITH A NAME. NOT OFFICIALLY.\r\n\r\nWE COULD, AND WE COULD INFORM YOU. >> OKAY. IF YOU CAN SEND ME AN EMAIL ABOUT INFORMATION, I WOULD LOVE TO JOIN AND LISTEN IN. THANK YOU. THANK YOU, CHAIR. >> ANY MORE QUESTIONS? MEMBER KAMA.\r\n\r\n>> THANK YOU, CHAIR. THANK YOU, CHRISTINE, FOR YOUR MOVING TESTIMONY. HOW MANY MEMBERS DO YOU HAVE IN YOUR GROUP, IN YOUR ORGANIZATION THAT YOU JUST FORMED? WHAT IS THE TOTAL NUMBER OF EMPLOYEES COLLECTIVELY FROM THE WHOLE GROUP IN ITS ENTIRETY? >> I WOULD SAY THERE'S EIGHT BUSINESSES TOGETHER IN TOTAL, AND 40 EMPLOYEES. >> 50 OR MORE. AT LEAST 50. >> ONE PERSON AT A TIME, PLEASE.\r\n\r\nONE PERSON AT A TIME. >> THANK YOU, CHAIR. >> ANY MORE QUESTIONS? >> WELL, CHAIR, I COULDN'T UNDERSTAND, BECAUSE THERE WAS TOO MANY PEOPLE TALKING. SO THE ANSWER TO MY SECOND QUESTION I WASN'T CLEAR ABOUT THE NUMBER OF EMPLOYEES IN THE TOTALITY FROM THESE EIGHT COMPANIES? >> SO APPROXIMATELY 50 EMPLOYEES ALL TOGETHER AMONGST THE EIGHT COMPANIES. >> AND DO YOU KNOW HOW MANY FAMILY MEMBERS OF THESE 50 EMPLOYEES?\r\n\r\n>> I DO NOT. I CAN FIND THAT INFORMATION. >> IF YOU COULD DO THAT AND SEND IT TO MY OFFICE. I WOULD APPRECIATE THAT. THANK YOU SO MUCH. >> THANK YOU. MEMBERS, ANY MORE QUESTIONS?\r\n\r\nIF NOT, THANK YOU VERY MUCH. MADAM CLERK, NEXT TESTIFIER. >> OUR NEXT TESTIFIER. >> CHAIR? >> I'M IN THE CHAMBERS, BECAUSE I DON'T HAVE CONNECTION IN THE OFFICE. SO I'M YUKI LEI SUGIMURA AND I JUST WANT TO KNOW TO THAT LAST TESTIFIER HOW MANY VEHICLES YOU OWN WITH EIGHT COMPANIES? >> DO YOU HAVE THE ANSWER TO THE QUESTION?\r\n\r\nTHE PREVIOUS TESTIFIER? HOW MANY VEHICLES? >> ONE MOMENT, WE'RE JUST TALLYING THE AMOUNT. YOU'RE ASKING FOR MY AMOUNT OR TOTAL VEHICLES AMONGST THE EIGHT BUSINESSES THAT ARE HERE? I WILL FIND THAT OUGHT FOR YOU IN ONE SECOND, PLEASE. >> AN APPROXIMATE AMOUNT WOULD BE FINE. >> WE HAVE A ROUGH ESTIMATE OF 65 VEHICLES IN TOTAL.\r\n\r\n>> THANK YOU. ANY MORE QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER, PLEASE. >> OUR NEXT TESTIFIER IS SEAN -- FOLLOWED BY [ INAUDIBLE ] >> GOOD MORNING, COUNTY COUNCIL MEMBERS. MY NAME IS SEAN, OWNER THE EPIC MAUI RENTALS, LLC.. THANK YOU FOR THE OPPORTUNITY TO PROVIDE MY STATEMENT TODAY. I'M HERE TO GIVE TESTIMONY BOTH AS AN INDIVIDUAL BUSINESS OWNER AND AS A PARTICIPANT IN A NEWLY ORGANIZED GROUP OF CAMPER VEHICLES ON MAUI.\r\n\r\nOUR BUSINESSES MAY DIFFER, WE'RE UNITED IN THE VIEW THAT OUR BUSINESS PROVIDES UNIQUE AND SPECIAL WAY TO VISIT MAUI AND WE WISH TO WORK COLLABORATIVELY WITH THE COUNTY COUNCIL TO ENSURE THAT WE'RE ABLE TO CONTINUE TO DO SO. I SHARE THE CONCERNS WITH THE COUNCIL MEMBERS WHEN IT COMES TO OVERTOURISM AND ITS EFFECT ON THE ISLANDS. AS A LOCAL BUSINESS OWNER I BELIEVE I'M PART OF THE SOLUTION AND NOT THE PROBLEM. IF BILL 159 WOULD TAKE EFFECT, EVERYTHING WOULD BE TAKEN AWAY FROM ME. I HAVE BEEN THE OWNER AND OPERATOR OF THIS LOCAL BUSINESS FOR FIVE YEARS. IT'S MY FULL-TIME JOB. THIS BUSINESS WAS BORN FROM A LOVE OF THE OUTDOORS AND FROM WITNESSING THE WASTEFUL BEHAVIOR OF SOME VISITORS.\r\n\r\nTHE SINGLE-USE MENTAL OF CAMPERS WITH STYROFOAM COOLERS, AND THAT GET DUMPED -- I WANTED TO OFFER

THE VISITORS A SUSTAINABLE CAMPING OPTION TO LET THEM EXPERIENCE THE BEAUTY OF THE ISLAND WITH MINIMAL ENVIRONMENTAL EFFECTS. I RUN BY BUSINESS [SPEAKER NOT UNDERSTOOD] REEF-SAFE SUNSCREEN, BUG REPELLANT, BIODEGRADABLE GEAR. ONE SECOND. I'M THERE TO IMPART SHARED VALUES AND APPRECIATION OF THE ISLAND. OF THE 10,000 TOURISTS THAT ARRIVE ON MAUI ANY GIVEN DAY, A MAXIMUM OF 20 PEOPLE WOULD BOOK WITH ME. BETWEEN THE SIGNIFICANT CAMPER RENTAL COMPANIES REPRESENTED HERE TODAY, WE'RE TALKING ABOUT 200 PEOPLE THE A MAXIMUM CAPACITY. THIS WON'T MAKE A DENT IN THE ROOT ISSUE THAT THE BILL AIMS TO ADDRESS.\r\n\r\nIT WON'T REMOVE ILLEGALLY PARKED CARS OR LESSEN OVERTOURISM. THERE ARE CURRENTLY 741 REGISTERED HOMELESS PEOPLE ON THIS ISLAND AND 15,000 PEOPLE STAYING AT RESORTS EACH DAY. [ INAUDIBLE ] ASK THAT YOU EITHER RECONSIDER THE BILL, I'M CONFIDENT WE CAN FIND A SOLUTION THAT WORKS FOR EVERYONE AND GRATEFUL FOR THE OPPORTUNITY TO SHARE MY TESTIMONY. >> THANK YOU. MEMBERS, ANY QUESTIONS? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER, PLEASE.\r\n\r\n>> OUR NEXT TESTIFIER IS DR. GENESIS YOUNG, FOLLOWED BY LAUREN SEA HAUS. >> THANK YOU, GENESIS YOUNG. CAN YOU HEAR ME? >> YES, WE CAN. >> THANK YOU. SO TESTIFYING ON A FEW THINGS HERE.\r\n\r\nTHE TOURISM CAP BILL NO. 159. WE HAVE BEEN WORKING ON THIS SINCE FOR A LONG TIME. IT'S ABOUT THE MORATORIUM AND TRYING TO HAVE SUSTAINABLE TOURISM -- >> DR. YOUNG, YOU'RE BREAKING UP. COULD YOU TURN OFF YOUR VIDEO, PLEASE. >> OKAY. HOPEFULLY, THAT IS A LITTLE BETTER.\r\n\r\n>> YES, IT IS. >> OKAY, GREAT. THANK YOU. WANTING TO HAVE -- TALKING FROM THE CLIMATE ACTION SUSTAINABLE TOURISM COMMITTEE. THIS HAS BEEN SOMETHING YOU HAVE BEEN SUPPORTING. I'M REALLY CONCERNED ABOUT THIS BILL, BECAUSE THE AMENDMENT THAT ALLOWS HOTELS TO BUILD ABOVE THE SEA-LEVEL ZONE IS NOT ACCEPTABLE, BECAUSE THEY WOULDN'T BE HAVING A CAP ON THE TOURISM THAT WE NEED. THAT SHOULD BE AT LEAST THE SMA ABOVE THE SMA ZONE, OR AND I THINK IT ALSO -- [SPEAKER NOT UNDERSTOOD] WITHOUT CLOSING ANOTHER.\r\n\r\nIT SHOULD BE ONE OR ONE. IF THEY BUILD ANOTHER ONE, THEY SHOULD REMOVAL OF ANOTHER ROOM AT HOTEL BY THE SHORE, WHICH WOULD ACCOMMODATE THE SEA-LEVEL RISE ISSUE. HEARING FROM OVER TEN PEOPLE ABOUT THE CAMPER VANS, I THINK THAT THERE NEEDS TO BE AN AMENDMENT THAT THE CAMPER VANS THAT ARE CURRENTLY LEGITIMATELY OPERATING SHOULD BE GRANDFATHERED IN, AND THEY SHOULD ALL BE REQUIRED TO HAVE A GPS LOCATOR, LIKE THE ONE PERSON MENTIONED TO MAKE SURE THAT THEY ARE ONLY PARKING IN CAMPSITES. FROM MY UNDERSTANDING WHAT WE'RE TRYING TO DO IS SHUT DOWN THE HOTELS AND OTHER ACCOMMODATIONS AND WORRIED THAT CAMPER VANS WOULD BECOME A MAJOR PROBLEM. SO I THINK AN AMENDMENT THERE IS IMPORTANT. I DON'T WANT ALL OF THESE SMALL BUSINESSES TO GO OUT OF BUSINESS AND LOSE THEIR LIVELIHOOD AND I HAVE BEEN VERY IMPRESSED BY THEIR TESTIMONY. THAT IS IT FOR THE CAP BILL.\r\n\r\nPLEASE MAKE APPROPRIATE AMENDMENTS ON THAT. ALSO FROM 22-111 ON RESOLUTION 22-232, THAT BARRY SOLOMON TESTIFIED ON, PART OF THE SUSTAINABLE COMMUNITY, THAT THE CERTIFICATION BROUGHT INTO EFFECT, SO THAT WE HAVE QUALITY OVER QUANTITY TOURISM, LIKE THE RESOLUTION THAT WE PASSED SEVERAL YEARS AGO NOW AND WE HAVE BEEN WORKING ON THIS FOR A LONG TIME AS WELL. PLEASE SUPPORT THIS. IT'S AN IMPORTANT STEP IN HELPING US WITH OUR SUSTAINABLE TOURISM GETTING QUALITY OVER QUANTITY. THEN GOING TO THE ENERGY CODE, 22-112, WE ALSO HAVE BEEN WORKING ON THIS THROUGH THE BUILT ENVIRONMENT COMMITTEE, AND TRYING TO GET THE ENERGY CODE THAT IS COMING IN, WHETHER WE LIKE IT OR NOT, THAT THE STATE ALREADY PASSED. WE WANT TO SEE THAT WE HAVE ADDED GREEN AREAS TO THIS ENERGY CODE THAT WE HAVE MADE HOUSES SOLAR-READY WHEN THEY ARE BUILT, AS WELL AS SOME OF THE OTHER THINGS IN THAT. IT HASN'T GONE FAR ENOUGH.\r\n\r\nWE SHOULD PROBABLY WE REQUIRING

SOLAR PANELS ON ROOFS OF ALL NEW CONSTRUCTION TO SOME DEGREE. WE CERTAINLY NEED TO PASS THAT. THE LAST THING I WANT TO MENTION IS BILL 177, THAT ALLOWS FUNDING FOR MAUI. I HAVE BEEN WORKING THROUGH JAMES YOUNG FOUNDATION ON THIS PROJECT WITH KELLY KING AND OTHERS, AND LOCAL RESIDENTS TO TRY TO HAVE A TRANSITIONAL HOUSELESS SPACE AND PROTECT THE WETLANDS AS A MAJORITY OF THAT LAND IS WETLANDS. SO I WOULD ASK YOU TO PLEASE PASS THAT FUNDING IN BILL 177. THE OTHER ASPECTS OF THAT BILL, I'M ALSO IN SUPPORT OF. SO THAT'S IT FOR ME. THANK YOU VERY MUCH.\r\n\r\n>> THANK YOU, DR. YOUNG. QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER, PLEASE. >> OUR NEXT TESTIFIER IS LAUREN SEEHAUSEN, FOLLOWED BY ROB WELTMAN. >> GOOD MORNING, CHAIR AND COUNCIL MEMBERS I'M AN ATTORNEY HERE REPRESENTING SAUZA CAMPERS, LLC.\r\n\r\nAND ALLIANCE OF COMPANIES LAWFULLY RENTING VEHICLES. TESTIFYING IN OPPOSITION OF BILL 159 SPECIFICALLY 19.36B120 SUBSECTION G. THIS ADDITIONAL CLAUSE IN THE TEMPORARY PARKING SECTION OF THE ZONING CODE IS AMBIGUOUS, CONTRADICTORY TO OTHER PROVISIONS OF THE MAUI COUNTY CODE AND PRESENTS LEGAL ISSUES. IT APPEARS TO BE A BAN ON ALL CAMPER VANS AND RECREATIONAL VEHICLES. IF THE COUNCIL'S INTENTION IS TO COMPLETELY BAN ALL SUCH VEHICLES THIS PROVISION IS UNLAWFUL. COUNTY'S AUTHORITY TO EP ACT ZONING ORDINANCES IS BOTH DERIVED FROM OR LIMITED BY ZONING ENABLING ACT, H.R.S. 46-A PROVIDES SCOPE THE ZONING AUTHORITY GRANTED TO COUNTY. NOWHERE ON LIST IS THE ABILITY TO COMPLETELY BAN A SPECIFIC TYPE OF VEHICLE. ALSO THE COUNTY DOES NOT HAVE THE AUTHORITY TO PROHIBIT A TYPE OF VEHICLE ON STATE PARKS, STATE ROADS OR FEDERAL PARKS.\r\n\r\nAND RENTAL VEHICLES ARE REGULATED BY THE STATE UNDER H.R.S. 437D. SO IF IT WERE TO PASS AS WRITTEN, SUBSECTION G LIKELY EXCEEDS THE CONSCIENCE'S AUTHORITY. 461.5 MANDATES IN AN ORDINANCE IS PREEMPTED BY STATE LAW, CEDES ITS AUTHORITY ON CONFLICTS THAN THE ORDINANCE IS DEEMED UNLAWFUL AND INVALID. ADDITIONALLY IF THIS SUBSECTION G IS MEANT TO BE A BAN OF THESE TYPES OF VEHICLES IT RAISES ADDITIONAL CONSTITUTIONAL ISSUES, SUCH AS EQUAL PROTECTION, CONTRACTS CLAUSE, VESTED RIGHTS. IT'S UNCLEAR WHY SUBSECTION G IS PROPOSED? INTEREST ARE OTHER SAFEGUARDS WITHIN STATE LAW AND MAUI COUNTY CODE TO ENSURE THESE TYPES OF VEHICLES ARE LAWFULLY USED. STATE LAW PROVIDES A MECHANISM TO RESERVE DESIGNATED CAMPGROUNDS. [ INAUDIBLE ] RECREATIONAL VEHICLES ARE PERMITTED IN OPEN DISTRICTS AND ARE INCLUDED IN THE DEFINITION OF "CAMPING UNITS." IF SUBSECTION G IS PATENT TO PREVENT PROPERTY OWNERS FROM USING A RECREATIONAL VEHICLE ON THEIR PROPERTY, AS AN ADDITIONAL TRANSIENT VACATION RENTAL, OR WORK AROUND ON THE PROPOSED CAP ON ADDITIONAL TRANSIENT VACANT UNITS IT SHOULD BE REWRITTEN AND REQUEST THAT SUBSECTION G BE STRICKEN IF BILL 159 OR AT VERY LEAST CLARIFIED.\r\n\r\nI WOULD BE HAPPY TO WORK WITH THE COUNTY. >> THANK YOU. MEMBERS, QUESTIONS? VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. ALOHA. [SPEAKER NOT UNDERSTOOD] DID YOU TRY CONTACTING MY OFFICE?\r\n\r\n>> NO, WE WERE JUST RETAINED JUST THIS WEEK. SO WE HAVEN'T HAD A CHANCE TO REACH OUT TO YOU. >> MAHALO. MAHALO, CHAIR. >> ANYONE ELSE? QUESTIONS? MEMBER PALTIN.\r\n\r\n>> I JUST WAS -- THANKS FOR YOUR TESTIMONY. I WAS WONDERING ABOUT THE LAW ABOUT SLEEPING IN YOUR VEHICLE IN PUBLIC PLACES? >> SO I THINK THERE WOULD BE SEVERAL PROVISIONS THAT ARE APPLICABLE THERE. YOU HAVE PARKING CODES THAT PREVENT VEHICLES FROM BEING USED FOR LONG PERIODS OF TIME. SO I THINK MAUI COUNTY ALREADY HAS AUTHORITY TO PREVENT THAT TYPE OF SITUATION. SO IF LAWFUL RECREATIONAL VEHICLES ARE BEING USED ON CAMPSITES THAT IS A DIFFERENT SITUATION. THEY HAVE CAMPING PERMITS, BUT IF ANY TYPE OF VEHICLE IS PARKED SOMEWHERE THAT IS UNLAWFUL TO PARK FOR LONG PERIODS OF TIME, THE COUNTY ALREADY HAS THE

AUTHORITY TO UNDER THE PARKING CODE TO ENFORCE THAT.\r\n\r\n>> THANK YOU  
>> THANK YOU. >> MEMBER MOLINA. >> THANK YOU, MADAM CHAIR. GOOD MORNING.  
YOU MENTIONED CONSTITUTIONAL -- POTENTIALLY CONSTITUTIONAL VIOLATIONS.  
CAN YOU BE A LITTLE BIT MORE SPECIFIC, WHAT WOULD THAT? BE STATE  
CONSTITUTION?\r\n\r\nU.S. CONSTITUTION? A LITTLE MORE SPECIFICITY, THANK  
YOU. >> THANK YOU. IN TERMS OF CONSTITUTIONAL ISSUES YOU HAVE FIRST OFF,  
YOU HAVE EQUAL PROTECTION. SO STATE LAW ALREADY REGULATES RENTAL  
VEHICLES. AND SO TO KIND OF POINT OUT A SPECIFIC TYPE OF RENTAL VEHICLE  
VERSUS ALL RENTAL VEHICLES, SEEMS TO BE TREATING ONE GROUP OF PEOPLE  
DIFFERENT THAN ANOTHER GROUP. SO THERE'S POTENTIAL FOR CONSTITUTIONAL  
CLAIMS THERE.\r\n\r\nVESTED RIGHTS DEALS WITH NON-CONFORMING USES,  
TYPICALLY APPLIED IN LAND USE. SO WHEN YOU HAVE SOMETHING THAT IS A PRE-  
EXISTING LAWFUL USE TODAY AND TOMORROW IT'S UNLAWFUL, THE CONSTITUTIONAL  
PROTECTIONS UNDER BOTH STATE AND FEDERAL LAW REQUIRE THAT A MECHANISM BE  
PUT IN PLACE TO RECOGNIZE THAT PRE-EXISTING LAWFUL USE AND USUALLY DONE  
IN A NON-CONFORMING USE CERTIFICATE OR NON-CONFORMING SYSTEM, SO THEY CAN  
RECOGNIZE AND IDENTIFY WHAT WAS PRE- EXISTING, ALTHOUGH COUNTIES AREN'T  
REQUIRED TO CREATE THAT MECHANISM, THAT IS USUALLY THE MECHANISM THAT  
THEY CHOOSE. >> THANK YOU. SO YOU SEE THIS IS A FORM OF MAYBE  
DISCRIMINATION IN SOME WAYS? >> PERHAPS. I THINK IT DEPENDS ON WHAT THE  
INTENTION OF THAT SUBSECTION G IS? IT'S KIND OF UNCLEAR, BECAUSE IT'S  
LUMPED IN WITH THE TEMPORARY PARKING.\r\n\r\nSO ON ONE HAND ON ITS FACE  
IT APPEARS TO BE A COMPLETE BAN OF ALL TYPES OF RECREATIONAL VEHICLES. ON  
THE OTHER HAND IT COULD BE INTERPRETED TO BE JUST LIMITED, YOU KNOW? I  
THINK MAYBE THE COUNCIL'S INTENTION WAS TO PREVENT A WORK-AROUND, BECAUSE  
THE BILL IS ON CAPPING UNITS AND PROPERTY OWNERS FROM PARKING  
RECREATIONAL VEHICLE ON THEIR PROPERTY TO EXPAND THEIR TRANSIENT VACATION  
UNIT. THERE'S SOME AMBIGUITY AND WHEN SOMETHING IS VAGUE AND AMBIGUOUS TO  
INTERPRETATION AND A REASONABLE PERSON CAN'T INTERPRET WHAT IT MEANS, YOU  
DO RAISE CONSTITUTIONAL ISSUES, AND ORDINANCES -- >> THANK YOU. I'M UNDER  
TIME CONSTRAINTS WITH ASKING QUESTIONS. THANK YOU FOR YOUR EXPLANATION. I  
APPRECIATE IT.\r\n\r\nTHANK YOU, MADAM CHAIR. >> MEMBER PALTIN. >> THANK  
YOU, CHAIR. I UNDERSTAND WHAT YOU'RE SAYING ABOUT REGULATING VEHICLES,  
BUT I FEEL LIKE IT'S WE'RE REGULATING DWELLING UNITS, BECAUSE YOU ARE  
USING YOUR VEHICLE NOW AS A DWELLING UNIT, AND THE COUNTY IS ALLOWED TO  
REGULATE DWELLING UNITS SO THAT IS NOT AMBIGUOUS, YOU KNOW? IT'S NOT A  
CALLING OUT TREATING DIFFERENT VEHICLES DIFFERENTLY. VEHICLES THAT ARE  
BEING USED AS A DWELLING UNIT, AND THAT IS WHY, LIKE YOU SAID, THIS IS  
WITHIN THIS TRANSIENT ACCOMMODATIONS BILL. SO I JUST WAS  
WONDERING.\r\n\r\n>> I THINK THAT IS WHERE THIS PROVISION IS VAGUE AND  
AMBIGUOUS. IF THE COUNCIL'S INTENTION IS THAT IT WOULD PREVENT A PROPERTY  
OWNER FROM EXPANDING THEIR TRANSIENT VACATION UNIT BY PARKING  
RECREATIONAL VEHICLES ON THEIR PROPERTY PERMANENTLY, THEN I THINK THAT  
PROVISION SHOULD BE CLARIFIED, BUT THAT IS A LIMITED PURPOSE OF THIS  
PROVISION. OTHERWISE, THE WAY IT READS RIGHT NOW, IT'S A COMPLETE BAN. SO  
WHILE THE COUNTY DOES HAVE THE ZONING AUTHORITY TO REGULATE DWELLING  
UNITS, DWELLING UNITS IS DEFINED WITH A PHYSICAL STRUCTURE THAT IS  
ATTACHED TO THE LAND. THERE'S DEFINITIONS THAT FOR MOBILE HOMES, AND  
THINGS LIKE THAT. BUT I THINK TO EXPAND THAT DEFINITION TO A VEHICLE THAT  
IS MOVABLE IS BEYOND COUNTY'S AUTHORITY. >> THE VEHICLE THEN COME WITH A  
TMK THOUGH?\r\n\r\nBECAUSE IT'S BEING USED FOR A DWELLING UNIT YOU'RE  
SAYING? >> RIGHT. SO I'M SAYING THAT IT'S NOT TIED TO THE LAND. SO IT'S  
NOT APPLICABLE UNDER PLANNED USE AND ZONING. SO LAND USE AND ZONING HAS  
TO BE A STRUCTURE TIED TO THE LAND. SO IT DEALS WITH LAND ITSELF. SO



VEHICLES ARE NOT IN COUNTY ORDINANCES AND STATE LAW, THEY ARE NOT TIED TO THE LAND, UNLESS, AND YOU HAVE THOSE SPECIFIC DEFINITIONS TALKING ABOUT TYPES OF STRUCTURES THAT ARE TIED TO THE LAND THAT COULD BE MOBILE.\r\n\r\nLIKE A MOBILE HOME. SO WHEN IT'S TIED TO THE LAND, THAT IS A DIFFERENT STORY. THESE ARE RECREATIONAL VEHICLES AND CAMPERS. SO I THINK THE LANGUAGE -- I'M NOT SURE. >> THEY ARE ON THE LAND. AND THEY NEED TO PARK IN A STATE LOCATION, LIKE YOU SAID, IT'S STILL LEGAL FOR THEM TO DO THEIR BUSINESS ON A STATE CAMPSITE. THEY ARE NOT ABLE TO SLEEP IN THEIR VEHICLE IN A PUBLIC SOME PLACE OVERNIGHT; RIGHT?\r\n\r\n>> RIGHT. SO THE MAUI COUNTY CODE PARKING RESTRICTIONS THAT YOU CAN ENFORCE, THOSE ARE ALREADY IN PLACE. SO YOU ALREADY HAVE -- >> JUST TO CLARIFY, THERE'S ALSO THE ENABLING OF AN ILLEGAL ACTIVITY OF SOMEONE THAT IS RENTING A MOBILE DWELLING UNIT TO SOMEBODY ELSE TO PARK ON A PUBLIC SPACE, THAT IS AN AUTHORITY THAT WE DON'T HAVE. SO WE'RE NOT TRYING TO -- HOMELESSNESS, IF PEOPLE DON'T. >> MEMBER PALTIN, I THINK WE'RE GOING BEYOND THE CLARIFICATION PART OF IT. FEEL FREE TO CONTACT HER OR CALL HER BACK DURING OUR DISCUSSION. WE DO HAVE TO MOVE ON. LET'S TAKE ONE MORE TESTIFIER, AND THEN TAKE A TEN-MINUTE BREAK.\r\n\r\nMADAM CLERK. >> OUR NEXT TESTIFIER IS ROB WELTMAN. ROB WELTMAN. >> ALOHA KAKOU. GOOD MORNING, COUNCIL MEMBERS. ROB WELTMAN HERE SPEAK ON BEHALF OF THE MAUI IWI -- ADOPT THE HAWAI'I STATE ENERGY CODE WITH MODIFICATIONS SPECIFIC TO THE COUNTY OF MAUI. I'M SORRY THIS IS BORING COMPARED TO ALL OF THE OTHER DISCUSSIONS.\r\n\r\nWE'RE AT A TRANSITION, INCLUDING INTERNAL COMBUSTION ENGINE CARS. 40% OF GREENHOUSE GAS IN HAWAI'I COME FROM GROUND TRANSPORTATION AND FOR THAT REASON STATE AND COUNTY ARE COMMITTED TO CONVERTING TO ELECTRIC VEHICLES. MORE THAN 80% OF EV CHARGING IN U.S. HAPPENS AT HOME. YOU COULD ADD HOME CHARGING EASILY AND THAT IS VERY DIFFICULT AND IMPOSSIBLE FOR THOSE IN APARTMENTS AND CONDOS AND ADDING AFTER CONSTRUCTION IS EXPENSIVE. THE AIR RESOURCES BOARD COSTS IN 2020 BETWEEN \$2500-\$3000 (SPEAKER NOT UNDERSTOOD) SINGLE-FAMILY RESIDENCES -- POTENTIALLY LARGER SAVINGS FOR MULTI-USER TO HAVE THE BUILDINGS DESIGNED WITH THE FUTURE IN MIND AND TO REDUCE COSTS TO HOMEOWNERS, RENTERS AND BUSINESSES THAT REQUIRE TRANSITION TO GREEN VEHICLES BY MAKING SURE NEW CONSTRUCTION HAS CONDUITS IN PLACE AND THE WIRING THAT IS NEEDED IN ORDER TO PROVIDE EV CHARGING. PLEASE PASS RESOLUTION 22-112. THANK YOU. >> THANK YOU, ROB.\r\n\r\nANY QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH. NOW IS A GOOD TIME TO TAKE A BREAK. PLEASE RETURN AT 10:47. MEETING IN RECESS. [ GAVEL ] [ GAVEL ] >> WILL THE COUNCIL MEETING OF NOVEMBER 4TH, 2022 PLEASE RECONVENE. MADAM CLERK, LET'S CONTINUE WITH TESTIMONY AS FAST AS WE CAN GO. >> OKAY.\r\n\r\nOUR NEXT TESTIFIER IS PAMELA TUMPAP, POLED BY CALLER ON 2211. >> WE'RE GOING TO TAKE A LUNCH BREAK AT 12:00. GOOD MORNING. >> GOOD MORNING. ALOHA, CHAIR LEE. VICE-CHAIR RAWLINS-FERNANDEZ. AND COUNCIL MEMBERS. I'M HERE TO REPRESENT THE MAUI CHAMBER OF COMMERCE MY NAME IS PAMELA TUMPAP, PRESIDENT OF THE CHAMBER OF COMMERCE. I WOULD LIKE TO OFFER SUPPORT OF THE BILL.\r\n\r\n>> EXCUSE ME, PAM, ARE YOU IN THE CONFERENCE ROOM? >> NO, I'M NOT. >> OKAY. BECAUSE WE CAN'T SEE YOU, BUT CAN HEAR YOU. >> I APOLOGIZE, I'M SICK AS A DOG AND SPARING YOU THAT UGLY LOOK. >> THAT'S FINE. >> MY APOLOGIES.\r\n\r\nOTHERWISE, I WOULD LOVE TO BE SEEN AND BE WITH YOU. I JUST WANTED TO AGAIN, WE FEEL THAT BILL 102 LEVELS THE PLAYING-FIELD IN REGARDS TO TAXATION. THIS BILL TAKES THE NECESSARY STEP IN THE DIRECTION FOR TAXATION OF TRANSIENT VACATION RENTAL USE BY CLOSING THE LOOPHOLE THAT ALLOWED SOME TVRS TO RECEIVE HOMEOWNER EXEMPTION AND TO SUPPORT THAT BILL. BILL 159, YOU KNOW, PRIOR TO WHERE WE'RE AT TODAY, YOU KNOW, WE ALWAYS FEEL THAT INCLUSION

AND TRANSPARENCY IN THE PROCESS IS VERY IMPORTANT AND STILL DO. MANY OF OUR MEMBERS FELT UNHEARD TO THIS POINT, BUT TREMENDOUS WORK WAS DONE. A COMPROMISED BILL EMERGED THAT ADDRESSED THE CONCERNS OF THE HOTEL INDUSTRY AND LEGAL TRANSIENT VACATION RENTAL INDUSTRY AND MORATORIUM, WHICH WE GENERALLY OPPOSE. GIVEN THE SIGNIFICANT AMENDMENTS TO DEMONSTRATE THE COUNCIL'S INTENT TO ALLOW LEGALLY OPERATING TVRS IN THE VARIOUS AREAS, WHICH WERE SPELLED OUT IN THE BILL, MANY COVERED BY THE PRIOR MINATOYA DECISION, WHICH WAS HELD UP, WHICH WE APPRECIATE.\r\n\r\nELIMINATING THE CHALLENGING LANGUAGE THAT IT INCLUDED GRANDFATHERING LEGAL NON-CONFORMING, SO THAT THEY ARE JUST LEGAL NOW. WE DON'T HAVE TO WORRY ABOUT WHAT HAPPENS WITH NON-CONFORMING LANGUAGE, THAT COULD HAVE HAD SIGNIFICANT IMPACTS. ADDRESSING BUILDING RENOVATIONS, AND REBUILDING, DEMONSTRATED THAT THE VOICES OF THOSE INDUSTRIES WERE HEARD, AND INCLUDED. MOST OF OUR CONCERNS WERE ADDRESSED, AND THEREFORE, WE STAND IN SUPPORT OF THIS BILL. OBVIOUSLY, LIKE YOU, WE SEE NEW VOICES EMERGING TODAY. I KNOW YOU WILL TAKE THOSE VOICES INTO ACCOUNT. WE WANT TO STAND IN SUPPORT OF THIS BILL, GIVEN THE TREMENDOUS WORK THAT WAS DONE.\r\n\r\nI JUST WANTED TO COMMENT ON CR22-112 ON THE CLIMATE ACTION RESILIENCE AND ENVIRONMENT COMMITTEE RECOMMENDATION. ROB WELTMAN, I DEEPLY APPRECIATE THE POWERPOINT HE SHARED. I OFFERED TO SHARE WITH PARKING LOTS AFTER THE COUNTY FESTIVAL TO GET THEIR INPUT ON THE CURRENT EV CHARGING USE AND REACTION TO THE PROPOSAL? HOWEVER, WHEN WE SPOKE, I DIDN'T REALIZE UNTIL JUST THIS MORNING THAT THERE IS ACTUALLY A DECEMBER 15TH DEADLINE THAT YOU ARE UP AGAINST. WHILE WE SUPPORT THE INTENT, WE WANT TO LOOK AT THE DATA. WE WANT TO UNDERSTAND THE EV CHARGING USE DEMOGRAPHICS NOW. WHO IS USING IT?\r\n\r\nFOR HOW LONG? HE SHARED SOME GREAT DATA ABOUT NEW CHARGERS VERSUS OLD CHARGERS. OFTEN WHEN WE GO TO THE COUNTY BUILDING WE SEE THOSE CHARGERS NOT USED AND PEOPLE UNABLE TO PARK IN THE FRONT, WHEN PARKING LOT IS FULL. SO WE'RE TRYING TO GET A SENSE OF THAT AND HOW IT TRANSLATES INTO RETAIL LOCATIONS? FURTHER, ROB POINTED OUT POINTS ON A NATIONAL-LEVEL TALKING ABOUT RETAIL SUPPORT AND HOW EV CHARGERS MAY KEEP PEOPLE LONGER AT MALLS AND WHAT ROLE GOVERNMENT CAN PLAY IN ASSISTING AND PAYING FOR THOSE CHARGERS? SO WE'RE NOT JUST PASSING IT ON TO THE INDUSTRY. SO THOSE ARE OUR THOUGHTS.\r\n\r\nWE'RE HAPPY TO SURVEY AFTER THE FESTIVAL THIS WEEKEND AND FEEL THAT MAYBE SOME AMENDMENTS COULD BE IN THE BILL NOW. WE WANT THAT TO BE CONSIDERED. >> THANK YOU. QUESTIONS? MEMBER PALTIN. >> THANK YOU, CHAIR. THANK YOU, MS.\r\n\r\nTUMPAP. I'M SURE HAPPY YOU WERE ABLE TO CONNECT WITH MR. WELTMAN. WHEN YOU WERE SAYING EV STALLS WERE TAKING UP PARKING THAT PEOPLE CAN'T USE, HOW COME THOSE HAVE TO BE AT FRONT? IS THAT A REQUIREMENT, OR COULD IT BE AT THE BACK? I DIDN'T UNDERSTAND. >> ON THAT, I'M JUST TALKING ABOUT THE LOCATION IN FRONT OF THE COUNTY OF MAUI, TO BE HONEST, I DON'T KNOW THE PARKING REQUIREMENT.\r\n\r\nROB SAID SOMETIMES THOSE STALLS AREN'T USED BECAUSE THOSE ARE OLDER CHARGERS AND MAYBE THEY ARE TAKING LONGER? I KNOW MANY PEOPLE COMMENT THAT THEY ARE SITTING IDLE AND NOBODY CAN PARK THERE. >> I SEE THEM IN FRONT AT PLENTY OF PLACES. >> YOU SEE THEM AT RETAIL LOCATIONS, TOO. SO I WOULD AGREE WITH YOU. I SEE THEM AT OTHER LOCATIONS. I DON'T KNOW WHAT THE REQUIREMENT IS?\r\n\r\nAND THAT IS A GOOD EQUITY QUESTION; RIGHT? DO THEY ALL HAVE TO GET PREFERENTIAL TREATMENT? BECAUSE YOU ARE AN EV CHARGER? I ALSO TALKED TO HIM ABOUT DEMOGRAPHICS WHO IS USING EV CARS AND I KNOW IT'S MEANT TO PROVIDE PARITY FOR ALL INCOME LEVELS AND DOWN THE ROADS WE WON'T BE MANUFACTURING CARS THE WAY WE TODAY. RIGHT NOW, OFTEN PEOPLE USING EV CARS ARE A LOT OF TESLAS AND PEOPLE OF WEALTH. >> THANK YOU, PAM. I THINK

YOU CLARIFIED HER QUESTION.\r\n\r\nTHANK YOU. >> MY APOLOGIES. >> THANK YOU. LET THE RECORD SHOW THAT COUNCIL MEMBER KELLY KING HAS JOINED US. GOOD MORNING, KELLY. >> GOOD MORNING. HOW ARE YOU DOING?\r\n\r\nI AM IN A LOUNGE IN VANCOUVER AT THE AIRPORT LOUNGE. I HAVE A QUESTION FOR PAMELA TUMPAP. >> PAM, ARE YOU STILL THERE? >> I AM, YES. ALOHA, KELLY. >> ALOHA, PAM. SO I JUST WANTED TO MAKE SURE YOU REALIZE THAT THE MANDATE FOR THOSE EV CHARGER STALLS THAT IS A STATE H.R.S.? THAT WAS MANDATED BY THE STATE YEARS AGO FOR EVERY PARKING LOT IN STATE THAT HAS OVER A HUNDRED PARKING STALLS HAS TO HAVE EV CHARGERS.\r\n\r\nSO THAT IS NOT REALLY WHAT IS INCLUDED IN THE UPDATE. >> SO YOU'RE ADDING TO THEM, CORRECT? YOU ARE UPPING THE REQUIREMENT FROM THE CURRENT STATE MANDATE. >> NO, WE ACTUALLY TOOK OUT THOSE REQUIREMENTS BECAUSE WE THOUGHT THEY SHOULD BE PART OF THE BUILDING CODE. WHAT WE DID, WE DID MANDATE SOLAR READINESS FOR NEW COMMERCIAL AND RESIDENTIAL CONSTRUCTION. SO THAT WON'T EFFECT EXISTING SITES. >> SO MY UNDERSTANDING THEN JUST, AND CORRECT ME IF I'M WRONG, PLEASE.\r\n\r\nMY UNDERSTANDING IS, I THINK IT'S MAYBE THE WAY WE'RE APPROACHING IT, EITHER THAT OR I DON'T UNDERSTAND. THE REQUIREMENT WILL GO UP FOR TOTAL NUMBER OF UNITS, AND IT IS FOR NEW. THE NUMBER WOULD GO UP FROM WHAT CURRENTLY EXISTS. >> NOT THROUGH THIS BILL. THIS BILL ACTUALLY REMOVED PHOTOVOLTAIC ASSIGNMENT AND PATHWAY FOR ELECTRIC VEHICLE READINESS COMPLIANCE. WE MOSTLY FOCUSED ON ENERGY REQUIREMENTS FOR NEW CONSTRUCTION, BUT WE ALSO TALKED ABOUT THE EV REQUIREMENTS NEEDING TO BE IN THE BUILDING CODE RATHER THAN THE IECC. >> IN THE BUILDING CODE, ARE YOU RECOMMENDING THAT FOR NEW UNITS.\r\n\r\n>> WE'RE NOT -- WE DIDN'T DO THE BUILDING CODE. THE BUILDING CODE WILL BE DONE BY THE I.T. COMMITTEE. >> I THINK THE TIMING ISSUE -- I APPRECIATE THAT CLARIFICATION AND GIVES US TIME TO GET THE INDUSTRY'S REPRESENTATION BEFORE THE DECEMBER 15TH DEADLINE WE WERE CONCERNED ABOUT. >> YES, WE HAVE BEEN TALKING TO THE INDUSTRY. WE GOT NO FEEDBACK, I DON'T THINK PUBLIC WORKS DECIDED TO MAKE ANY CHANGES. SO WE DIDN'T HAVE ANY OF THAT FEEDBACK. IF YOU HAVE OTHER PEOPLE IN THE INDUSTRY THAT WANT TO COMMENT BESIDES THE FOLKS WE'RE TALKING TO, WE'RE HAPPY TO HEAR FROM THEM.\r\n\r\n>> OKAY. >> WE HAVE RUN OUT OF TIME ON THIS ONE. THANK YOU. >> THANK YOU, CHAIR. THANKS, PAM. >> ANY MORE QUESTIONS FOR THE TESTIFIER BEFORE SHE LEAVES? THANK YOU, PAM.\r\n\r\nMAY WE HAVE THE NEXT TESTIFIER. >> THANK YOU. >> OUR NEXT TESTIFIER IS LAST FOUR DIGITS OF PHONE NUMBER 8668. -- 8868. 8868. . GO TO THE NEXT ONE. >> NEXT TESTIFIER IS NA PUA. >> ALOHA COUNCIL MEMBERS, I'M TESTIFYING FROM EAST MAUI. SO I WILL LEAVE MY VIDEO OFF TO AID IN MY AUDIO CLARITY. I'M TESTIFYING IN SUPPORT OF BILL 159. IN MY CAPACITY AS ADMINISTRATOR OF HIGHWAY REGULATION, SPECIFICALLY FOR THE CAMPER VAN AND CAMPER JEEP PROVISION PROVIDED IN THIS BILL AND TO MAKE OUR ORGANIZATION'S STANCE CLEAR TO THE COUNCIL AND THIS INDUSTRY.\r\n\r\nHANA HIGHWAY HAS BEEN MONITORING CAMPER VAN AND SUBSEQUENT NEGATIVE EFFECTS ON THE COMMUNITY OF EAST MAUI, FINDING UNEDUCATED VISITORS SPEAKING AND DEFECATING IN AREAS THAT WE CONSIDER SACRED AND PLACES THAT THE COUNTY ITSELF HAS DESIGNATED AS NO-CAMPING ZONES. MANY CAMPER VEHICLES DO NOT HAVE HUMAN WASTE MITIGATION FEATURES AND OVER THE YEARS, OUR ORGANIZATION HAS RECEIVED EXTENSIVE REPORTS FROM RESIDENTS OF FECES AND TOILET PAPER SCATTERED THROUGHOUT THE REGION. RENTING TO VISITORS THAT HAVE ZERO CONCEPT -- CREATES HIGH-LEVEL IMPACTS ON OUR LIFESTYLE AND CULTURE. LOCAL RESIDENTS TYPICALLY HAVE A HANDLE ON HOW TO MITIGATE HUMAN WASTE, RATHER THAN BRINGING EQUIPMENT TO MANAGE WASTE WITH THEM, OR HAVING THE SPECIFICS OF KNOWING WHERE NEARBY FACILITIES ARE AND MORE CONCERNED WITH THE LONG TIME EFFECTS, COMPARED TO

VISITORS HERE FOR SHORT-TERM AND DON'T HAVE THE ABILITY TO ECOLOGICAL COMPUTE HOW THEIR HUMAN WASTE DIRECTLY AFFECTS THE HEALTH AND WELL-BEING OF OUR SACRED SPACES. OUR ORGANIZATION HAS TESTIFIED FOR YEARS REGARDING THE IMPLICATION OF CAMPER VAN VEHICLE AS OUR ORGANIZATION HAS EXPLAINED IN PAST, DATA LENDS THAT VISITORS DO NOT COMPLY WITH PLEDGES, CODES OF CONDUCT, OR REQUESTS FOR COMPLIANCE FROM THE BUSINESS OPERATORS RENTING THEM. ALTHOUGH IT'S COMMENDABLE THESE BUSINESS OWNERS MAKE IT A POINT TO CONVEY THAT THEY EDUCATE THEIR GUEST IT'S THEIR VERY GUESTS THAT WE FIND CAMPING IN AREAS THAT KAMA'AINA WHEN THEIR BUSINESS MODELS DON'T JIVE WITH THOSE WORDS. IN MY CAPACITY AS FARM MANAGER AND VOLUNTARY AHUPUA'A RESTORATION PROJECT, I CAN ATTEST THAT THE VAN -- JEEP HAD A STAGED PHOTOS OF VEHICLES, PHOTOS OF VEHICLES AT THE BEACH AND WE OFTEN FIND THEIR CUSTOMERS CAMPING ON THE BEACH, CONSIDERED A COUNTY BEACH AND NO-CAMPING AREA.\r\n\r\nFURTHERMORE, WE OFTEN FIND A LOT OF WASTE ISSUES AT HONOMANU. THE LACK OF CAMPER VAN AND JEEP BUSINESS OWNERS THAT ARE LONGSTANDING MEMBERS OF OUR COMMUNITY IS A FACT THAT THIS MODEL DOESN'T COINCIDE WITH THE VALUES OF HAWAI'I. NO LONGSTANDING MEMBERS OF OUR COMMITTEE WOULD VENTURE THIS AS BUSINESS MODEL AS INTRUSIVE TO OUR LIFESTYLE AND CULTURE. I HAVE SEEN LONGSTANDING RESIDENTS OPEN UP THEIR PROPERTIES AS PLACES FOR CAMPER VEHICLES TO CAMP OVERNIGHT, MOSTLY AS A MEANS TO HELP MANAGE THE ISSUE BY GETTING THEM OFF THE SIDE OF THE ROAD AND OUT OF OUR SACRED SITES AND COUNTY PARKS, BUT DOUBT THAT THE VALUE IS TRULY THERE. ALTHOUGH WE'RE NOT IN SUPPORT OF MAINLAND OWNED CORPORATE RESORTS CONTINUING THE STRONG ECONOMIC BENEFIT OVER THE VISITOR INDUSTRY, THEY ARE CURRENTLY THE ONLY MANAGEMENT MECHANISM IN PLACE THAT PROVIDES ORGANIZATION OF VISITOR IMPACT, WHICH CONGREGATES VISITORS TO VISITOR AREAS WITH THE WASTE ISSUES THAT WE HAVE THE UTMOST CONCERN WITH. MAHALO. >> QUESTIONS FOR THE TESTIFIER? IF NOT, THANK YOU VERY MUCH.\r\n\r\nWE HAVE ONE QUESTION. MEMBER PALTIN. >> THANK YOU, CHAIR. THANK YOU FOR YOUR TESTIMONY. I JUST WAS WONDERING IF YOU HAVE KEPT DOCUMENTATION OF THESE ENCOUNTERS IN THE FORM OF LICENSE PLATE NUMBERS OR THINGS OF THAT SORT? >> WE DO. WE ACTUALLY HAVE FIVE YEARS' WORTH OF PHOTOS, AND REPORTS, AND HAPPY TO TRY AND SUMMARIZE THEM FOR THIS SPECIFIC ISSUE, AND GET THAT OFF TO YOU GUYS.\r\n\r\n>> OH, THANK YOU SO MUCH. I WOULD REALLY APPRECIATE IT. >> YOU'RE WELCOME. WE'LL SEND THAT AS SOON AS POSSIBLE. >> THANK YOU. >> ANY MORE QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH.\r\n\r\nNEXT TESTIFIER, PLEASE. >> ANGELA LEONE, FOLLOWED BY RICHARD BERNANKE. >> ALOHA, CAN YOU SEE/HEAR ME? >> YES. >> OKAY. ALOHA, CHAIR LEE AND MAUI COUNTY COUNCIL MEMBERS. I'M SPEAKING TODAY IN SUPPORT OF BILL 159 ON BEHALF OF PRMA.\r\n\r\nWE'RE THE VACATION RENTAL TRADE COUNCIL UNDER THE MAUI CHAMBER OF COMMERCE. AND JUST A QUICK REMINDER, I SHARED THIS IN MY LAST TESTIMONY A LITTLE BIT ABOUT PRMA, A COALITION OF LEGALLY ZONED UNITS IN MAUI AND MEMBERS LICENSED IN THE STATE AND ENGAGED IN THE PRIMARY CONDOS AND COMPLY WITH CODE OF ETHICS AND REPRESENT 216 YEARS' IN BUSINESS, EMPLOYING NEARLY 200 EMPLOYEE AND OVER 300 INDEPENDENT CONTRACTORS. SO OUR INDUSTRY IS HIGHLY IMPACTED BY BILL 159 AND WE DO APPRECIATE THAT OUR CONCERNS WERE TAKEN INTO ACCOUNT AND CONSIDERED IN THE CHANGES AND EDITS TO THE BILL. WE APPRECIATE THAT WE WERE GIVEN THE CHANCE TO SHARE OUR CONCERNS, AND INPUT. AND THAT THIS BILL WILL END THE CURRENT MORATORIUM. WE REQUESTED THAT THE COUNTY COUNCIL CONSIDER AND APPROVE THE SUGGESTIONS PROPOSED BY TESTIFIERS REFERENCING SECTION 11, REGARDING PLANNED DEVELOPMENTS,, AS WELL AS SECTION 15, REGARDING THE HISTORIC DISTRICTS. SO WITH THOSE CHANGES MADE, SPECIFIC TO AS PAM TUMPAP HAD MENTIONED NOT CHANGING THOSE PERMITTED PROPERTIES, AND ALLOWING THEM

TO REMAIN LEGAL AND NOT CHANGING THEM TO NON-CONFORMING.\r\n\r\nWE APPRECIATE YOU MAKING THAT CHANGE. SO ON BEHALF OF PRMA, WE SUPPORT BILL 159 WITH THESE CHANGES THAT HAVE BEEN MADE. WE APPRECIATE YOU LISTENING TO OUR VOICE AND LOOK FORWARD TO WORKING WITH THE COUNCIL ON ANY FUTURE CHANGES THAT MY ARISE. WE UNDERSTAND THIS WAS A COMPROMISE ON ALL SIDES AND WE APPRECIATE YOU WORKING TOGETHER WITH OUR INDUSTRY TO MAKE THESE CHANGES. THANK YOU. >> THANK YOU. QUESTIONS, MEMBERS?\r\n\r\nIF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER, PLEASE. >> NEXT TESTIFIER IS RICHARD BERNANKE, FOLLOWED BY GIADI LAURENCE. RICHARD BERNANKE. >> NEXT TESTIFIER. >> GIADI LAURENCE. >> ALOHA COUNCIL MEMBERS.\r\n\r\nI'M OVER HERE, LIKE YESTERDAY, FROM NAPA VALLEY. BUT I JUST FELT LIKE THIS WAS SUCH AN IMPORTANT ISSUE AND I WANTED TO TAKE THE TIME OUT OF MY VACATION AND DO MY DUE DILIGENCE TO TESTIFY ON THIS ISSUE. I HEARD THE REQUEST FOR GRANDFATHERING EXISTING CAMPER BUSINESSES. I SAY ABSOLUTELY NOT TODAY, NOT TOMORROW, NOT EVER. THE EARLIER TESTIFIER TALKED ABOUT HOW THE CAMPER VAN INDUSTRY CREATES JOBS, LET'S BE REAL, WE NEED PEOPLE THAT FILL JOBS THAT LIVE HERE LIKE TEACHERS, POLICE, ENGINEERS, COUNTY WORKERS AND FARM WORKERS. FURTHERMORE, PLEASE TAKE NOTE THESE OWNERS ARE NOT FROM HERE. THEY HAVE NOT FELT THE IMPACTS OF TOURISM, LIKE THOSE OF USING WOULD HAVE LIVED HERE OUR ENTIRE LIVES.\r\n\r\nIT'S ONE THING TO LIVE IN YOUR CAR, WHEN YOU HAVE NO OTHER CHOICE DUE TO THE COST OF LIVING ON MAUI, BUT TO ALLOW TOURISTS TO SHOWER IN OUR PARKS ON VACATION, ARE YOU FOR REAL? I SAY NOW. WHAT DO CAMPER VANS DO TO IMPROVE QUALITY OF LIFE? NOTHING. WE'RE HERE CRIMINALIZING HOMELESS, BUT AT THE SAME TIME, ALLOWING BUSINESSES TO MAKE MONEY OFF OUR PUBLIC SPACES. I SAY -- HOW ABOUT WE GET CONTROL OVER THE ABANDONED CAR SITUATION? AS A LIFE-LONG RESIDENT OF MAUI, I HAVE SAID THIS TIME AND TIME AGAIN, I FEEL INUNDATED WITH TOURISM EVERY DAY.\r\n\r\nTHE ONSLAUGHT OF COMMUNITY OUTSIDE OF THE HOTEL DISTRICT IS FELT BY PEOPLE. SO PLEASE SUPPORT OUTRIGHT BANNING THE CAMPER VAN IN THE. MAHALO NUI FOR YOUR TIME AND FOR YOUR WORK ON THIS BILL. HUI HOU. >> MEMBERS, QUESTIONS? IF NOT, THANK YOU. NEXT TESTIFIER.\r\n\r\n>> OUR NEXT TESTIFIER IS ROBIN KNOX. >> ALOHA, GOOD MORNING, COUNCIL MEMBERS. I JUST WANTED TO KEEP IT REALLY SHORT, BUT I WANTED TO COMMENT ON THREE ITEMS. ON 22-1110, I'M IN SUPPORT OF THIS PROJECT, AND USING COUNTY FUNDS TO HELP IT GO. IT IS AN EXPEDIENT PROJECT READY TO GO TO PROVIDE MUCH-NEEDED HOUSING AND IT PILOTS NEW PROVISIONS OF AFFORDABLE HOUSING RULES THAT YOU HAVE ALL WORKED SO HARD TO PUT IN PLACE. SO I DO SUPPORT IT. AND ON 68, CD 1, MANAGED RETREAT.\r\n\r\nI'M IN SUPPORT. THIS IS ABSOLUTELY NECESSARY. ALL OF THE CLIMATE MODELS, YOU KNOW, THE REALITY OF WHAT WE SEE FAR EXCEEDS THE IMPACTS PREDICTED BY THE CLIMATE MODELS, AND WE HAVE A LARGE AMOUNT OF COASTLINE IMPACTED BY SEA-LEVEL RISE. SO IT'S PRUDENT TO DO THIS, WE'RE GOING TO BE IN BIG TROUBLE IF WE DON'T. ON 159, THE CAP ON TRANSIENT ACCOMMODATIONS. I'M IN SUPPORT WITH RESERVATIONS, AS A RESIDENT OF KIHEI I'M IMPACTED DAILY BY THE RESORTS AND TRAFFIC. I WOULD RATHER SEE NO EXPANSION OF HOTELS AND TIME-SHARES, BUT I APPRECIATE THE WORK OF THE COUNCIL ON THIS AND EVERYTHING THAT WE HAVE GAINED IN THIS PIECE OF LEGISLATION THAT WILL BENEFIT OUR COMMUNITY. SO THANK YOU SO MUCH FOR ALL OF YOUR EFFORTS.\r\n\r\nAND THAT'S ALL I HAVE TO SAY. MAHALO. >> MAHALO. THANK YOU. AND ARE THERE ANY QUESTIONS FOR ROBIN? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER.\r\n\r\n>> OUR NEXT TESTIFIER IS MARK DEAKOS, AND MR. DEAKOS IS CURRENTLY THE LAST TO SIGN UP FOR TESTIMONY >> GOOD MORNING, CHAIR LEE, MEMBERS OF THE COUNCIL. I WILL TURN OFF MY VIDEO FOR STREAMING. I WILL KEEP IT SHORT. FOR THE RECORD, I'M

MARK DEAKOS, 25-YEAR MAUI COUNTY RESIDENT. I JUST WANTED TO REMIND YOU ALL ONE OF THE MOST IMPORTANT RESPONSIBILITIES OF CITIZENS OF THIS PLANET THAT WE LEAVE THE PLANET FOR OUR KEIKI IN BETTER CONDITION THAN WE FOUND IT. WE CAN ALL AGREE WE'RE FAILING AT MISERABLY, EVEN HERE IN MAUI.\r\n\r\nSO TO MAKE SOME ADJUSTMENTS IN THE RIGHT DIRECTION WE'RE LEANING MORE AND MORE TOWARDS THE SUSTAINABILITY STUFF. AS A REMINDER, SUSTAINABILITY IS OUR OWN NEEDS WITHOUT COMPROMISING THE ABILITY OF FUTURE GENERATIONS TO MAKE THEIR OWN RULES. THAT MEANS WHETHER YOU ARE BUSINESS OR BUILDING AFFORDABLE HOUSING, YOU NEED TO ACCOUNT FOR YOUR NEGATIVE IMPACTS, WHETHER THEY ARE INTENTIONAL OR NOT, ON ECOSYSTEMS, ON CARBON EMISSIONS, WATER AND AIR QUALITY, ET CETERA. SO THAT BEING SAID A GOOD STEP IN COURSE CORRECTING OUR CURRENT TREND IS ONE, SUPPORT 22-111, TO ADOPT THE SUSTAINABLE TOURISM PRACTICES. I RECOMMEND INCLUDING A DEFINITION OF "SUSTAINABILITY" IN THERE, IF IT'S NOT ALREADY THERE. SUPPORT 22-112, ENERGY CODE AMENDMENTS, ALTHOUGH THEY DON'T -- THEY ARE NOT NEARLY ENOUGH TO SIGNIFICANTLY CHANGE OUR COURSE, BUT SMALL STEPS ARE BETTER THAN NO STEPS IN THE RIGHT DIRECTION. THREE, SUPPORT 68, THE BILL FOR MANAGED RETREAT REVOLVING FUND, WHICH IS THE ONLY LONG-TERM SOLUTION TO ADDRESS SEA-LEVEL RISE, WHILE ALLOWING FUTURE GENERATIONS INHERIT THE BEACHES AND SUCH UNDERNEATH THE EXISTING STRUCTURES THAT THEY RIGHTFULLY DESERVING.\r\n\r\nFOUR, SUPPORT THE BILL RECOGNIZING NATURE-BASED SOLUTIONS, EMBRACING NATURE WILL ALWAYS RESULT BE BETTER THAN FIGHTING IT AND LASTLY, SUPPORT 159, THE VISITOR CAP. TAKING A PAUSE, SINCE WE HAVE ALREADY ADOPTED THE MAUI ISLAND PLAN, ONE VISITOR FOR THREE RESIDENTS. LET'S TAKE A BREATH AND PUT THE BRAKES ON UNLIMITED GROWTH AT ANY COST AND GET A BETTER HANDLE ON WHAT SUSTAINABLE TOURISM SHOULD LOOK LIKE, TO TRY TO CLOSE THAT EVER WIDENING GAP. SO YOU HAVE GOOD BILLS THAT WILL HELP US COURSE CORRECT AND TO SUPPORT THESE, SO WE CAN START THINKING ABOUT LEAVING THE PLANET BETTER THAN WE FOUND IT FOR OUR KEIKI, PAOLO. MAHALO. >> THANK YOU. ANY QUESTIONS, MEMBERS?\r\n\r\nNO QUESTIONS. NEXT TESTIFIER. >> OUR NEXT TESTIFIER IS TOM CROLY, THE LAST TESTIFIER CURRENTLY SIGNED UP. >> ALOHA, COUNCIL. TOM CROLY TESTIFYING ON MY OWN BEHALF. I WANT TO MAKE COMMENT ON THE COMMITTEE REPORT 22-116, BILL 151, THE PARKING AMBASSADORS PROGRAM. AS YOU KNOW, I ATTENDED THE COMMITTEE MEETING WHERE THIS WAS DISCUSSED, AND THIS WAS PRESENTED AS JUST ENABLING LEGISLATION THAT WOULD ALLOW THAT TO GO FORWARD.\r\n\r\nI HAVE SINCE REVIEWED THE BILL, AND THE BILL GOES WAY BEYOND ENABLING LEGISLATION. I URGE YOU TO SEND THIS BACK TO COMMITTEE. THE BILL RESCINDS ALL OF THE ONE-HOUR/TWO-HOUR AND THREE-HOUR PARKING ZONES IN WAILUKU, AND IN LAHAINA. NOW THINK ABOUT WHAT THAT DOES? THAT MEANS IF YOU PASS THIS BILL RIGHT NOW, YOU CAN'T TICKET PEOPLE FOR PARKING PER ONE-HOUR, TWO-HOUR OR THREE-HOURS IN THOSE PERIODS BECAUSE THERE IS NO LAW THAT RESTRICTS PARKING TO THAT, UNTIL THIS LEGISLATION WOULD THEN PUT IN SOME TYPE OF A PARKING PROGRAM WHERE THEY WOULD PAY IN THOSE AREAS. SO THAT IS TOTALLY PREMATURE FOR YOU TO BE RESCINDING THOSE PARTS OF THE LAW RIGHT NOW. BUT MORE IMPORTANT THAN THAT, THIS WAS PRESENTED TO THE PUBLIC IN THE PARK MAUI MEETINGS AS RESIDENTS PARK FREE, DON'T WORRY, RESIDENTS PARK FREE.\r\n\r\nBUT IN THE MEETING A FEW THINGS THAT WERE SAID THAT DON'T MAKE THAT CLEAR, THAT RESIDENTS ARE GOING TO PARK FREE. WHAT WAS SAID IN MEETING WAS RESIDENTS GET TWO HOURS OF PARKING FOR FREE AND THIRD POTENTIAL HOUR THEY WOULD PAY FOR. THEN AFTER THOSE THREE HOURS THE RESIDENT MUST MOVE THEIR CAR FROM THAT LOT -- OR THAT BLOCK. THERE'S A LOT OF THINGS THAT THEY HAVE GOTTEN WAY BEYOND ENABLING LEGISLATION WITH THIS. SO I URGE YOU DO NOT PASS THIS BILL ON FIRST READING. IT REALLY

WILL SET IN MOTION SOMETHING THAT I DON'T THINK YOU ARE GOING TO BE ABLE TO STOP AFTER IT'S ROLLING. THE GOAL SAYS PERCENT OCCUPANCY AND ONE THING I WOULD ASK AND I HAVE ALREADY ASKED OF THE DIXON FOLKS, WHO YOU PAID TO DO AN ANALYSIS IS WHERE ARE WE EXCEEDING THAT 85% OCCUPANCY?\r\n\r\nAND DURING WHAT TIMES OF DAY ARE WE EXCEEDING THAT 85% OCCUPANCY? SO WE COULD TARGET THIS PARKING BILL AND AMBASSADORS TO THE AREAS THAT ARE REALLY NEEDED? WE REALLY DON'T KNOW IN WAILUKU WHAT THE SITUATION WILL BE UNTIL YOU FINISH THE PARKING STRUCTURE AND WE GET THAT GOING. SO THERE'S SO MANY UNKNOWNNS AT 14:23:03 THIS POINT . THANK YOU, CHAIR. >> THANK YOU, TOM. QUESTIONS, MEMBERS? THANK YOU VERY MUCH.\r\n\r\nAPPRECIATE THE INFORMATION. NEXT TESTIFIER. >> OUR NEXT TESTIFIER IS FAITH CHASE, AND FAITH IS THE LAST ONE ON OUR TESTIMONY LIST AT THIS MOMENT. FAITH? NEXT TESTIFIER. >> CHAIR, THERE ARE NO OTHER TESTIFIERS CURRENTLY SIGNED UP TO TESTIFY. THIS IS LAST CALL FOR TESTIMONY.\r\n\r\n>> VICE-CHAIR RAWLINS-FERNANDEZ. >> I WOULD LIKE TO TESTIFY. THIS IS LUCIENNE DE NAIE. >> CHAIR? >> YES. >> CAN WE ASK STAFF TO MUTE THE MAYOR'S LOUNGE, BECAUSE IT'S MAKING IT REALLY HARD TO HEAR TESTIFIERS. BECAUSE THERE'S A LOT OF BACKGROUND SOUND.\r\n\r\n>> STAFF, KATHY, CAN YOU HAVE THE STAFF MUTE THE MAYOR'S LOUNGE? >> YES. I HAVE TAKEN CARE OF THAT. >> THEN CAN YOU CALL UP MS. DE NAIE? >> MAHALO. AS I UNDERSTAND IT, WE'RE ABLE TO TESTIFY ON VARIOUS ITEMS ALL AT ONE TIME TODAY.\r\n\r\n>> YES. >> WELL, THANK YOU FOR STILL BEING HERE. I WOULD LIKE TO TESTIFY IN SUPPORT OF 22-110, AND SUPPORT OF RESOLUTION 22-232. TO ADOPT URGING THAT THE ADOPTION OF STANDARDS FOR SUSTAINABLE TOURISM. I WOULD ALSO LIKE TO TESTIFY IN SUPPORT ON 22-245 FOR LU'UKIA NAKANELUA TO THE BOARD OF WATER. SHE IS HIGHLY QUALIFIED AND I THINK THOSE WERE DISCUSSED AT THE LAST MEETING. ALSO, IN SUPPORT OF THE REZONING REQUEST, 22-253 FOR THE MAUI OCEAN CENTER. SO THAT THEY CAN SET-UP THEIR TURTLE RECOVERY PROGRAM AND HAVE THE PROPER ZONING THERE AND GO THROUGH THE PROPER PROCESS.\r\n\r\nAND FOR 22-254, WHICH IS THE PURCHASE OF THE LOT IN KIHEI, THAT HAS HAD ALL THESE FLOODING PROBLEMS AND CAN BE HOPEFULLY PART OF A GREATER EFFORT TO RESTORE WETLANDS AND FLOOD CAPACITY IN THAT AREA. AND THEN ON BILLS, I WOULD LIKE TO TESTIFY IN SUPPORT OF BILL 177, ALL OF THE BUDGET APPROPRIATIONS THAT WERE AMENDED IN THIS BILL ARE WORTHWHILE. AND IF FOLKS NEED ANY INFORMATION ABOUT THE APPROPRIATION FOR THE EXTRA \$7,000 FOR THE MA'ALAEA STORYBOOK, I'M AVAILABLE TODAY FOR THAT. AND BILL 159, WE'D LIKE TO SUPPORT THIS CONCEPT COMING UP WITH SOMETHING THAT ACTUALLY GIVES US A CHANCE TO HAVE A PAUSE ON THE GROWTH OF TOURISM HERE - WE HAVE FACILITIES TO FULLY EMPLOY THOSE FACILITIES, BUT NOT JUST LOOK AT THE PAST, AND SAY, WELL, TOURISM KEEPS GROWING AND THAT IS JUST THE WAY OF IT AND THAT IS JUST WHAT OUR ECONOMY IS. WE REALLY DO NOT NEED TO HAVE SUCH A ONE-HORSE ECONOMY. SO WE NEED TO TAKE STEPS TO ALLOW OTHER AREAS TO FLOURISH, AND NOT ALLOW THIS PART OF ECONOMY TO JUST OVERWHELM THE INFRASTRUCTURE, AND THE GOODWILL OF OUR PEOPLE. SO YOU HAVE HEARD ALL OF THE ARGUMENTS PRO AND CON, PLEASE, PLEASE, PLEASE, MAKE A MEANINGFUL DECISION.\r\n\r\nIT'S VERY HARD FOR THE PUBLIC TO KNOW WHAT'S IN AND OUT OF THE BILL RIGHT NOW. BUT I KNOW THAT MANY OF YOU ARE TRACKING IT DECIDUOUSLY. SO PLEASE, PLEASE MAKE A DECISION THAT IS MEANINGFUL AND NOT JUST WINDOW DRESSING. THANK YOU. THAT'S MY TESTIMONY. >> CHAIR, YOU'RE MUTED. >> ANY QUESTIONS, MEMBERS?\r\n\r\nIF NOT, THANK YOU VERY MUCH, MS. DE NAIE. >> MADAM CLERK? MADAM CLERK, NEXT TESTIFIER. >> CHAIR, THIS IS THE LAST CALL FOR TESTIMONY. >> CHAIR? HELLO?\r\n\r\n>> YES, WHO ARE YOU? >> THIS IS FAITH CHASE. >> HI FAITH. YOU WANT TO TESTIFY? GO RIGHT AHEAD. >> THANK YOU. I HAVE THE UNFORTUNATE HISTORICAL PERSPECTIVE TO SAY THAT

THIS ONE ISSUE WITH THE CAMPER VANS, AND JEEPS IS SPECIFIC TO THE COMMITTEE, THE INFRASTRUCTURE AND TRANSPORTATION COMMITTEE.\r\n\r\nI WAS AT THE VERY FIRST METROPOLITAN PLANNING ORGANIZATION, ACRONYM MPO GATHERING MEETING AT INCEPTION POINT, WHERE THERE'S BIG MAPS ON THE TABLE AND LITTLE FLAGS AND POST-ITS, AND PING-PONG BEER CUPS THAT YOU GIVE YOUR IDEAS THAT WHOLE SORT OF GATHERING OF INFORMATION. AND MY COUNCIL MEMBER YUKI LEI SUGIMURA CHAIR OF THE INFRASTRUCTURE AND TRANSPORTATION COMMITTEE CHAIR WAS THERE. SO THIS ISSUE IS NOT WITHOUT CONSISTENT TESTIMONY OF IMPORTANCE. YOU HAVE YOUR ENTIRE HANA COMMUNITY RIGHT NOW JUST TO FAST-FORWARD, BECAUSE YOU THINK YOU ARE ALL IN THE LOOP OF UNDERSTANDING THE COMMUNICATION TIMELINE. YOU ARE AT THE CROSSROADS FINALLY, MAYBE, WHERE YOUR ENTIRE HANA COMMUNITY AND ALL OF THE NONPROFITS AND ORGANIZATIONS AND MANY KUPUNA AND STEWARDS CONTRIBUTE. YOU HAVE A SOVEREIGNTY PERSPECTIVE AND YOU HAVE UNITED STATES OF HAWAI'I PERSPECTIVE, ALL THESE PEOPLE FEEL THE SAME WAY, AND THEY'RE TELLING HAWAI'I TOURISM AUTHORITY AND THEY ARE TELLING MAUI VISITORS BUREAU, NO, SLOW YOUR ROLL, PUN INTENDED LITERALLY. THAT IS WHERE YOU ARE AT.\r\n\r\n\r\nSO MY MESSAGE TO THESE BUSINESS OWNERS, WHO OBVIOUSLY DID NOT DO RISK ANALYSIS BEFORE THEY GOT STARTED, BECAUSE IF THEY DID, IT WOULDN'T TAKE VERY HARD TO SEARCH HANA HIGHWAY, AND THE SITUATION GOING ON. THAT IS THE MILLENNIAL GENERATION, OR GENERATION Y USING HASHTAGS REALLY EASY TO SEARCH THE SITUATION. PLUS, LIKE THREE HANA HIGHWAY ALERT PAGES. WOULD SAY THIS TO THOSE BUSINESS OWNERS, FAMILIES WHO HAVE EXPRESSED THAT THEIR CONCERNED ABOUT THEIR FAMILIES AND THEIR WELL-BEING, BANKRUPTCY, CHILDREN, ALL THESE THINGS, YOU SHOULD ALL GET TOGETHER, AND COORDINATE WITH YOUR COUNTY, BECAUSE WE HAVE JUST PASSED A SAFE SLEEPING SPACE PARKING LOT. YOU MIGHT BE THE BRIDGE TO BE SOME TRANSIENT HOUSING, BECAUSE YOUR BUSINESS IS NOT GOING TO CONTINUE WELL ON THE HANA HIGHWAY, OR ALONG MAUI. I CAN ONLY SPEAK FOR EAST MAUI. YOU NEED TO BE CREATIVE AND I IMPLORE THE COMMITTEE OF INFRASTRUCTURE AND TRANSPORTATION, CHAIR SUGIMURA, YOU PERSONALLY DID NOT DO YOUR DUE DILIGENCE IN REACHING TO THIS COMMUNITY, THIS SECTOR.\r\n\r\n\r\nI COULD NOT BE MORE SERIOUS. I'M EXHAUSTED. I NEED WATER. I HAVE BEEN TESTIFYING SO LONG ON THIS SUBJECT. THANK YOU FOR THE TIME, CHAIR. I'M SORRY TO LEAVE ON SUCH A HEATED NOTE, BUT MY FAMILIES CONTRIBUTED SERIOUS TIME TO THIS ISSUE. YOU ARE TALKING ABOUT TAKING MONEY OUT OF MY POCKET BOOK AND DESTROYING MY ENVIRONMENT, SACRED PLACES.\r\n\r\n\r\nTHANK YOU FOR ASKING FOR THE DATA, COUNCIL MEMBER PALTIN. I FEEL SO SORRY FOR THE EMAIL OF ALL THE LEPO ON THE SIDE OF THE ROAD. IT'S BAD. THESE BUSINESS OWNERS ARE NOT GOING ON THE TOUR WITH EACH ONE OF THE PEOPLE THAT THEY ARE RENTING TO. THEY DON'T KNOW WHAT THEY ARE UP TO. THANK YOU. ALOHA FRIDAY.\r\n\r\n\r\nI'M DONE. THANK YOU FOR THE TIME. >> THANK YOU VERY MUCH. ANY QUESTIONS, MEMBERS? IF NOT, MAY WE HAVE THE NEXT TESTIFIER. >> CHAIR, WE HAVE NO OTHER TESTIFIERS SIGNED UP. >> MAY I BE ABLE TO TESTIFY, PLEASE?\r\n\r\n\r\n>> WHAT IS YOUR NAME? >> MY NAME IS MICHAEL SCHAEFFER, AND I WOULD LIKE TO GIVE TESTIMONY RELATED TO BILL 151, CD 1, ON YOUR AGENDA. >> DID YOU SIGN UP TO TESTIFY? >> I DIDN'T KNOW HOW TO DO THAT. >> OKAY. I HAVE BEEN SIGNED INTO THE WHOLE MEETING. >> WHY DON'T YOU GIVE YOUR TESTIMONY AND THEN PROVIDE YOUR INFORMATION TO OUR STAFF AFTERWARDS >> OKAY.\r\n\r\n\r\nI THINK I'M SPEAKING FOR A LOT OF MAUI NON-PROPERTY OWNERS WHEN I SAY THAT THE BILL OVERLOOKED OUR INTERESTS IN THIS FIRST READING. ABOUT TEN YEARS AGO, I PURCHASED A SMALL CONDO IN KIHEI, AND -- I LIVE THERE FIVE OR SIX MONTHS OUT OF THE YEAR. I PAY NOT UNSUBSTANTIAL PROPERTY TAXES, SINCE THE PROPERTY CAN'T BE LEASED AND I DON'T QUALIFY FOR OWNER EXEMPTION THAT OTHERWISE WOULD APPLY TO



PROPERTY OWNERS. SO THIS BILL WILL NOT INCLUDE US AND PEOPLE IN MY SITUATION IN THE EXEMPTION FROM THE PARKING FEES THAT ARE BEING PROPOSED. I WOULD LIKE TO HAVE OUR INTERESTS INCLUDED IN WHATEVER FINAL BILL PROMULGATED. THAT IS MY TESTIMONY. I'M SORRY, ARE YOU MUTED?\r\n\r\n>> I HAVE BEEN COUGHING ALL MORNING. CAN YOU REPEAT YOUR NAME AGAIN, PLEASE? >> IT'S MICHAEL SCHAEFFER. >> THANK YOU. MEMBERS, ANY QUESTIONS FOR MR. SCHAEFFER? IF NOT, THANK YOU VERY MUCH.\r\n\r\nMAY WE HAVE THE NEXT TESTIFIER >> THERE ARE CURRENTLY NO INDIVIDUALS SIGNED UP TO TESTIFY. IF ANYONE IS WANTING TO TESTIFY, PLEASE MAKE YOURSELF KNOWN AT THIS TIME. LAST CALL FOR TESTIMONY. CHAIR, NO ONE HAS INDICATED THAT THEY WISH TO TESTIFY. >> LET'S PROCEED WITH THE AGENDA. >> CHAIR, WE HAVE DONE ITEM G MINUTES AND TESTIMONY FOR ITEM G PROCEEDING WITH THE MINUTES, YOU HAVE BEFORE YOU FOR APPROVAL THE MINUTES FROM THE REGULAR MEETING OF MAY 26TH, 2022, AND THE REGULAR MEETING OF JUNE 8TH, 2022. >> VICE-CHAIR RAWLINS-FERNANDEZ. >> CHAIR, I MOVE TO APPROVE THE MINUTES AS READ BY THE CLERK.\r\n\r\n>> SECOND. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ, SECONDED BY MEMBER JOHNSON TO APPROVE THE MINUTES AS READ BY THE CLERK. ANY DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE. >> MEMBER SUGIMURA, ARE YOU THERE? IF NOTION EIGHT AYES, ONE EXCUSED.\r\n\r\nMOTION CARRIES. MADAM CLERK, PROCEED. >> PROCEEDING WITH ITEM H, ACTION ON THE CONSENT CALENDAR. COUNTY COMMUNICATIONS. THIS IS A CALL FOR TESTIMONY FOR ITEM H OF THE AGENDA ACTION ON THE CONSENT CALENDAR. PLEASE MAKE YOURSELF KNOWN NOW. >> ANY OBJECTIONS, MEMBERS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY FOR THE CONSENT CALENDAR?\r\n\r\n>> NO OBJECTIONS. >> SO ORDERED. MADAM CLERK. >> CHAIR, PROCEEDING WITH THE CONSENT CALENDAR, YOU HAVE BEFORE YOU COUNTY COMMUNICATION 22-267 FROM YOUR BUDGET DIRECTOR TRANSMITTING A LIST OF APPROVED UNBUDGETED EQUIPMENT REQUESTS FOR FISCAL YEAR 2023 FROM JULY 1ST, 2022 TO SEPTEMBER 30TH, 2022. >> COUNTY COMMUNICATION 22-268 FROM YOUR BUDGET DIRECTOR TRANSMITTING THE BUDGET IMPLEMENTATION REPORT AS OF SEPTEMBER 30, 2022, FISCAL YEAR 2023 1ST QUARTER. COUNTY COMMUNICATION 22-269 FROM YOUR PROSECUTING ATTORNEY TRANSMITTING A COPY OF GRANT AWARD WITH THE STATE OF HAWAI'I DEPARTMENT OF TRANSPORTATION FOR THE MAUI COUNTY PROSECUTOR'S OFFICE TRAFFIC RECORDS GRANT IN THE AMOUNT OF \$8,739. COUNTY COMMUNICATION 22-270 FROM THE DIRECTOR OF ENVIRONMENTAL MANAGEMENT TRANSMITTING A COPY OF CONTRACT MODIFICATION ORDER NO. 2 FROM STATE OF HAWAI'I, DEPARTMENT OF HEALTH IN THE AMOUNT OF \$17,590 FOR GLASS RECYCLING PROGRAMS. COUNTY COMMUNICATION 22-271 FROM YOUR DIRECTOR OF ENVIRONMENTAL MANAGEMENT, TRANSMITTING A COPY OF CONTRACT MODIFICATION 4 FROM THE STATE OF HAWAI'I DEPARTMENT OF HEALTH IN THE AMOUNT OF \$99,000 FOR ELECTRONIC WASTE COLLECTION.\r\n\r\nCOUNTY COMMUNICATION 22-271 FROM YOUR CHIEF OF POLICE, TRANSMITTING A COPY OF THE GRANT AGREED WITH THE STATE OF HAWAI'I, DEPARTMENT OF TRANSPORTATION FOR THE MPD TRAFFIC DATA GRANT IN THE AMOUNT OF \$261,918. COUNTY COMMUNICATION COUNTY COMMUNICATION 22-273 FROM THE CHIEF OF POLICE, TRANSMITTING A COPY OF THE GRANT AGREEMENT WITH STATE OF HAWAI'I DEPARTMENT OF TRANSPORTATION FOR MPD CHILD RESTRAINT AND SEATBELT GRANT IN THE AMOUNT OF \$4,839.37. COUNTY COMMUNICATION 22-274 PERFECT YOUR CHIEF OF POLICE, TRANSMITTING A COPY OF THE GRANT AGREEMENT WITH THE STATE OF HAWAI'I DEPARTMENT OF TRANSPORTATION FOR MPD ROADBLOCK GRANTS IN THE AMOUNT OF \$485,976.16. COUNTY COMMUNICATION 22-275 FROM THE DIRECTOR OF PUBLIC WORKS TRANSMITTING A COPY OF THE FISCAL YEAR 2022-2025 MAUI TRANSPORTATION IMPROVEMENT PROGRAM REVISION 4 ADMINISTRATIVE MODIFICATION, WHICH INCLUDES KAMEHAMEHA AVENUE, AND WAKEA AVENUE

INTERSECTION IMPROVEMENTS PROJECT. COUNTY COMMUNICATION 22-276 FROM YOUR MAYOR, INFORMING OF THE VACANCY ON THE LIQUOR CONTROL ADJUDICATION BOARD DUE TO THE RESIGNATION OF HAROLD CATHCART. COUNTY COMMUNICATION 22-277, FROM YOUR DIRECTOR OF WATER SUPPLY TRANSMITTING STATE OF HAWAII COMMISSION ON WATER RESOURCE MANAGEMENT WATER USE REPORTS FOR AUGUST 2022 FOR ALL REGISTERED WELL REPORTERS IN THE COUNTY OF MAUI. >> VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. >> THE LAST THREE WERE REFERRED TO PSLU; RIGHT? >> WAS OUR CLERK FINISHED?. THE LAST THREE WERE REFERRED TO PSLU.\r\n\r\nSO I BELIEVE SHE FINISHED WITH 22-278. >> MEMBER PALTIN. >> IS IT TOO LATE TO PULL 22-276? >> NO. >> I WOULD LIKE TO SPEAK TO THAT ONE, IF I COULD PULL IT FROM THE CONSENT CALENDAR. ANY OBJECTIONS TO PULLING CC 22-276, MEMBERS? >> NO OBJECTIONS, CHAIR. >> SO ORDERED. MEMBER PALTIN.\r\n\r\nTHIS IS TO REFER? WE'RE JUST PULLING IT FROM THE CONSENT CALENDAR. >> OKAY. MADAM CLERK, DID YOU FINISH READING ALL OF THE ITEMS? >> OH, THE REFERRALS, OKAY. IT'S COMPLETE. >> THE OTHER THREE WERE FOR REFERRALS.\r\n\r\nDO YOU HAVE ANY MORE TO READ? >> NO, THAT'S GOOD. >> OKAY. SO WE NEED ACTION THEN ON VICE-CHAIR RAWLINS-FERNANDEZ. AND MEMBER PALTIN. YOU CAN GO FIRST, MEMBER PALTIN, WHICHEVER. >> WE HAVE TO TAKE ACTION ON THE CONSENT CALENDAR, AND THEN WE'LL CALL UP THE ITEMS INDIVIDUALLY AFTER WE TAKE ACTION ON THE CONSENT CALENDAR.\r\n\r\n>> OKAY. I WILL CALL ON YOU TWICE AND YOU DIDN'T REACT. SO I THOUGHT, OKAY, LET'S GO ON TO SOMEBODY ELSE. VICE-MAYOR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I MOVE TO FILE ALL ITEMS ON THE CONSENT CALENDAR, EXCEPT 22-267, - NEVER MIND. SCRATCH THAT.\r\n\r\nTHAT WAS PULLED. >> 276. >> WELL, THEY ARE NOT ON THE CONSENT CALENDAR ANY MORE. >> OKAY. SO THAT IS YOUR MOTION? >> YES. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ, SECONDED BY MEMBER SUGIMURA ON THAT MOTION. DISCUSSION?\r\n\r\nVICE-CHAIR RAWLINS-FERNANDEZ. >> NO DISCUSSION, CHAIR. >> NO DISCUSSION. OKAY. >> WE'RE NOT SUPPOSED TO DISCUSS MEMBER SUGIMURA, YOU HAVE NO DISCUSSION. MEMBER SUGIMURA, WE KEEP LOSING YOU. >> CHAIR, SORRY.\r\n\r\nI GUESS THERE WERE TWO ITEMS THAT WERE REFERRED TO I.T. THOSE ARE THE ONES >> I WANT TO KNOW IF 22-275 COULD BE REFERRED TO I.T. SORRY ABOUT THAT. AND WHAT DID TAMARA ASK FOR? >> 276 275. >> DID YOU ASK FOR 275 14:45:08 >> 276. MEMBERS ANY OBJECTIONS? >> NO OBJECTIONS. >> WE'RE GOING TO VOTE TO SET THE CONSENT CALENDAR. THAT MOTION IS STILL ON THE FLOOR. VICE-CHAIR RAWLINS-FERNANDEZ.\r\n\r\n>> MAHALO, CHAIR. THE MOTION WOULD INCLUDE REFERRAL OF 22-267, AND 22-268 TO THE BFED COMMITTEE. AND 22-277 TO I.T. COMMITTEE. >> OKAY. IN ADDITION TO 275. >> SURE. >> ALL RIGHT. ALL THOSE IN FAVOR, RAISE YOUR HAND, SAY AYE?\r\n\r\n. >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. LET'S GO TO MEMBER PALTIN. >> THANK YOU, CHAIR. I MOVE TO FILE ITEM 22-276. >> SECOND. >> MOVED BY MEMBER PALTIN, SECONDED BY MEMBER SUGIMURA TO FILE ITEM 22-276. DISCUSSION, MEMBER PALTIN. >> THANK YOU, CHAIR.\r\n\r\nI JUST WANTED TO RECOGNIZE HAROLD CATHCART FOR HIS SERVICE ON THE LIQUOR CONTROL ADJUDICATION BOARD AND CONGRATULATE HIM ON HIS RECENT WEDDING, AND WISH HIM THE BEST OF HEALTH, IN HIS ONGOING HEALTH JOURNEY. AND PUT THE MESSAGE OUT THERE IF ANYONE FROM THE WEST SIDE WOULD LIKE TO APPLY TO REPLACE HIM FOR THE LIQUOR CONTROL ADJUDICATION BOARD, PLEASE CONTACT MY OFFICE. THANK YOU SO MUCH. >> OKAY. ANY MORE ON THIS ITEM? ALL THOSE IN FAVOR OF FILING THIS, PLEASE RAISE YOUR HAND AND SAY AYE? >> AYE.\r\n\r\n>> NINE AYES, ZERO NOS, MOTION CARRIES. WE'RE DONE WITH THIS; RIGHT? MEMBER PALTIN. >> MOVE TO REFER 22-278, 22-7 AND 22-8 TO THE PSLU COMMITTEE. >> I THINK WE DID THAT EARLIER. >> OKAY. IT JUST HAPPENS AUTOMATICALLY.\r\n\r\nTHANK YOU. >> NO, I ASKED IF THERE WAS ANY OBJECTIONS TO REFERRING THOSE THREE ITEMS. >> THANK YOU. >> SO MOVING ON

TO COMMUNICATIONS. TESTIMONY FOR COMMUNICATIONS. >> CHAIR, WE HAVE NOBODY SIGNED UP TO TESTIFY ON COMMUNICATIONS. >> ANY OBJECTIONS TO CLOSING TESTIMONY ON COMMUNICATIONS, MEMBERS?\r\n\r\n>> NO OBJECTIONS. >> OKAY. SO ORDERED. MADAM CLERK, PLEASE PROCEED. >> WOULD YOU ENTERTAIN A SHORT RECESS, PLEASE? OKAY. HOW MUCH TIME DO YOU NEED?\r\n\r\n\r\nFIVE MINUTES OR LESS? >> FIVE MINUTES. >> LET'S MAKE IT -- YOU KNOW, IT'S ALMOST 12:00, DO YOU REALLY NEED A RECESS? YOU DO. OKAY. WE MIGHT AS WELL TAKE OUR LUNCH BREAK, ALL RIGHT? MEMBERS, WE'LL RETURN AT 1:30. A BUNCH OF US HAVE TO GO UP TO THE IAO VALLEY FOR A CEREMONY.\r\n\r\n\r\nSO WE'LL RECONVENE AT 1:30; RIGHT? [ GAVEL ] [ GAVEL ] >> WILL THE COUNCIL MEETING OF NOVEMBER 4TH, FRIDAY, 2022 PLEASE RECONVENE. MADAM CLERK, LET'S RESUME WHERE WE WERE. >> CHAIR, RESUMING SECTION I, COMMUNICATIONS. AND PROCEEDING WITH COUNTY COMMUNICATIONS YOU HAVE BEFORE YOU FOR REFERRAL TO THE PLANNING AND SUSTAINABLE LAND USE COMMITTEE, COUNTY COMMUNICATION 22-278 FROM YOUR PLANNING DIRECTOR TRANSMITTING THE DEPARTMENT OF PLAN'S QUARTERLY REPORT ON THE STATUS OF PERMITS AS OF SEPTEMBER 30TH, 2022. GERM COMMUNICATION 22-7, HOUR KIAHUNA JURY, PRESIDENT 'AINA LANI PACIFIC, LLC., HOKU'ULA PARTNERS, LLC. SUBMITTING AN ANNUAL STATUS REPORT IN ACCORDANCE WITH CONDITION 17 OF ORDINANCE NO. 3312, CHANGE IN ZONING FROM INTERIM DISTRICT TO R-1 RESIDENTIAL DISTRICT AND PK-1 NEIGHBORHOOD PARK DISTRICT, CONDITIONAL ZONING FOR PROPERTY SITUATED AT HALI'IMAILE, MAUI, HAWAI'I; AND COUNTY COMMUNICATION 22-8, FRANCISCO GUTIERREZ, SENIOR VICE PRESIDENT DEVELOPMENT A&B PROPERTIES HAWAI'I, LLC.\r\n\r\n\r\nSERIES T, SUBMITTING THE 2022 ANNUAL REPORT IN ACCORDANCE WITH CONDITION NO. 3 OF ORDINANCE NO. 41 46 KIHEI RESIDENTIAL PROJECT CHANGE IN ZONING. >> MEMBERS, ANY OBJECTIONS TO REFERRING THESE ITEMS? AS INDICATED? >> NO OBJECTIONS. >> ALL RIGHT.\r\n\r\n\r\nSO ORDERED. PLEASE PROCEED, MADAM CLERK. >> PROCEEDING WITH COUNTY COMMUNICATION 22-279 FROM COUNCIL MEMBER KING, RELATING TO COUNCIL MEMBERS' REPORT ON THE HAWAI'I STATE ASSOCIATION OF COUNTIES' EXECUTIVE COMMITTEE MEETING ON OCTOBER 25TH, 2022. >> YES? MEMBER SINENCI. >> THANK YOU, CHAIR. MOVE TO FILE COUNTY COMMUNICATION 22-279. >> SECOND. >> MOVED BY MEMBER SINENCI, SECONDED BY -- I MISSED THE SECOND, OH, MEMBER KING TO, FILE COUNTY COMMUNICATION 22-279. ANY DISCUSSION?\r\n\r\n\r\nMR. SINENCI OR MEMBER KING? >> I WILL BE PROVIDING THIS REPORT IN ACCORDANCE WITH THE STATE SUNSHINE'S LAW, SPECIFICALLY THE REQUIREMENTS OF SECTION 92-2.5 (E) OF THE HAWAI'I REVISED STATUTES. COUNCIL MEMBER KING, COUNCIL MEMBER PALTIN, COUNCIL MEMBER KAMA, COUNCIL MEMBER JOHNSON AND MYSELF ATTENDED AN HSAC EXECUTIVE COMMITTEE MEETING ON OCTOBER 25TH, 2022 VARIOUS INTEGRALS FROM 10:00 A.M. TO 12:33 P.M. VIA VIDEOCONFERENCE. COUNCIL MEMBER KING IS MAUI COUNTY'S REPRESENTATIVE ON HSAC EXECUTIVE COMMITTEE. AND COUNCIL MEMBER PALTIN IS THE ALTERNATE. THE MEETING WAS ORGANIZED BY THE HSAC EXECUTIVE COMMITTEE AND FACILITATED BY THE HSAC PRESIDENT AND THE COMMITTEE OFFERED OPPORTUNITY FOR PUBLIC TESTIMONY AND HAD NO TESTIFIERS.\r\n\r\n\r\nTHE BOARD DISCUSSED COUNTY REPORTS FROM ALL FOUR COUNCILS. THE 2023 HSAC LEGISLATIVE PACKAGE, THE HSAC EXECUTIVE COMMITTEE SLATE OF OFFICERS FOR JANUARY 1ST, 2023, AND THE HSAC FINANCIAL MATTERS. CHAIR, THE MEETING WAS NOT SPECIFICALLY OR EXCLUSIVELY ORGANIZED FOR ANY DIRECTED TOWARD MAUI COUNTY COUNCIL MEMBERS AND NO COMMITMENT RELATING TO MAUI COUNTY COUNCIL VOTES. SO WITH THAT, CHAIR, THAT CONCLUDES MY REPORT. I WOULD WELCOME FURTHER COMMENTS FROM MY OTHER COLLEAGUES, SHOULD THEY WANT TO ADD ANYTHING. MAHALO. >> MEMBER KING.\r\n\r\n\r\n>> THANK YOU, CHAIR. IN ACCORDANCE WITH THE SUNSHINE LAW, WE WERE SUPPOSED TO HAVE QUORUM AND WITHIN THE FIRST HOUR, I NOTICED FIVE MEMBERS WERE ON THE CALL AND MEMBER KAMA GRACIOUSLY EXTRACTED HERSELF FROM THE COMMITTEE MEETING. THANK YOU,

MEMBER KAMA. SO WE WERE FOLLOWING THE SUNSHINE LAW. JUST WANTED TO MAKE THAT DISCLOSURE. >> THANK YOU. ANYONE ELSE?\r\n\r\nCOMMENTS? ALL RIGHT. ALL THOSE IN FAVOR OF THE MOTION TO FILE, RAISE YOUR HAND AND SAY AYE? >> AYE. >> NINE AYES, ZERO NO, MOTION CARRIES. MADAM CLERK. MADAM CLERK?\r\n\r\n>> CAN YOU HEAR ME? >> YES. >> OKAY. CONTINUING WITH OUR FINAL COUNTY COMMUNICATION 22-280 FROM COUNCIL CHAIR LEE TRANSMITTING A PROPOSED AMENDMENT TO BILL 159, FD 1 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE RELATING TO TRANSIENT ACCOMMODATION CAPS." VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR . MAY I REQUEST, IF THERE'S NO OBJECTIONS I WOULD ASK THAT COUNTY COMMUNICATION 22-280 BE DEFERRED UNTIL BILL 159, FD 1 (2022) IS TAKEN UP. >> NO OBJECTIONS. >> MAHALO, MEMBER SUGIMURA.\r\n\r\n>> OKAY. DID SOMEBODY SECOND HER ASK FOR NO OBJECTIONS? OKAY. >> THAT WAS A JOKE; RIGHT? >> I THOUGHT YOU SAID IF THERE'S NO OBJECTIONS. AND SOMEBODY WENT, LIKE, THAT. >> NO, NO, MEMBER SUGIMURA JUMPED THE GUN.\r\n\r\nSHE WAS NOT OBJECTING. >> OKAY. SO NO OBJECTIONS. SO ORDERED COUNTY COMMUNICATION BE DEFERRED UNTIL WE TAKE UP BILL 159, FD 1, WHICH IS LATER. SO ORDERED. MADAM CLERK. >> CHAIR, MOVING FORWARD WITH AGENDA SECTION ITEM J, COMMITTEE REPORTS.\r\n\r\nIT'S NOW THE TIME TO PROCEED WITH TESTIMONY ON THE COMMITTEE REPORTS, AND OUR FIRST PERSON TO TESTIFY IS LISA PAULSON, FOLLOWED BY LE HELLA IMOLI. >> MS. PAULSON. I SEE YOU. >> ALOHA, CHAIR LEE AND MEMBERS OF THE COUNCIL. MY NAME IS LISA PAULSON AND I'M A PAID LOBBYIST. I REPRESENTING THE MAUI HOTEL AND LODGING ASSOCIATION LEGISLATIVE VISITOR INDUSTRY.\r\n\r\nWE REPRESENT OVER 180 PROPERTIES AND ALLIED BUSINESSES AND MORE THAN 22,000 WORKERS. TODAY I'M HERE IN SUPPORT OF BILL 152, COMMITTEE REPORT 22-110. THAT SEQUELS TO AMEND THE FISCAL YEAR 2023 BUDGET IN PART TO SUPPORT THE PULELEHUA AFFORDABLE HOUSING PROJECT IN THE AMOUNT OF \$18 MILLION. WE SUPPORT THIS PROJECT, AS IT WILL PROVIDE MUCH-NEEDED WORKFORCE HOUSING, AND WILL ASSIST IN DECREASING COMMUTE TIMES AND TRAFFIC CONGESTION ON OUR ROADS. WE DO RECOGNIZE THIS MAY SET A PRECEDENCE FOR DEVELOPERS, AND WE'RE NOT -- YOU KNOW, WE'RE NOT IN FAVOR OF WHAT HAS TRANSPIRED, BUT WE ARE IN FAVOR OF SUPPORTING THIS PROJECT. THANK YOU FOR THE OPPORTUNITY TO PROVIDE TESTIMONY. >> MEMBERS, ANY QUESTIONS MEMBER KING. >> THANK YOU, CHAIR.\r\n\r\nALOHA, LISA. CAN YOU CLARIFY WHAT YOU MEANT BY YOU ARE NOT IN FAVOR OF WHAT HAS TRANSPIRED? >> THAT THE DEVELOPER IS SEEKING THAT ADDITIONAL FUNDING. WE DON'T WANT TO SET A PRECEDENT FOR THAT GOING FORWARD WHEN WE LOOK AT DEVELOPING FUTURE AFFORDABLE HOUSING. >> THANK YOU FOR THAT CLARIFICATION. THANK YOU, CHAIR. >> MEMBER PALTIN.\r\n\r\n>> THANK YOU, CHAIR. THANK YOU, MS. PAULSON FOR YOUR TESTIMONY. I JUST WANTED TO CLARIFY, YOU ARE IN FAVOR OF THE PRICE POINT THOUGH; RIGHT? >> YES. YES, IT'S VERY MUCH NEEDED. YES.\r\n\r\n>> OKAY. THE PRICES ARE AFFORDABLE. GOT IT. THANK YOU. ALTHOUGH WE'RE NOT TALKING ABOUT THAT TODAY. ALL RIGHT, ANYBODY ELSE, QUESTIONS? IF NOT, THANK YOU VERY MUCH, MS.\r\n\r\nPAULSON. MAY WE HAVE THE NEXT TESTIFIER, PLEASE. >> OUR NEXT TESTIFIER IS LE HELLA IMOLI, AND LE HELLA IS CURRENTLY THE LAST PERSON SIGNED UP TO TESTIFY. >> OKAY. ALOHA, CHAIR LEE. ALOHA VICE-CHAIR RAWLINS-FERNANDEZ, MAHALO FOR ALL YOUR HARD WORK. WE REALLY APPRECIATE IT.\r\n\r\nI'M TESTIFYING IN SUPPORT OF BILL 152. AS YOU HEARD FROM LISA PAULSON, WE ARE -- SORRY, I'M TESTIFYING ON BEHALF OF THE HAWAI'I HOTEL ALLIANCE. >> ON 159? >> 152. >> OKAY. >> IN SUPPORT OF THE 152. ADDITIONAL FUNDING OF \$18 MILLION FOR PULELEHUA. WE ALL KNOW THAT MAUI IS IN -- IS IN DESPERATE NEED OF WORKFORCE AND AFFORDABLE HOUSING. ESPECIALLY ON THE WEST SIDE, AS WE SEE THE CONGESTIONS IN THE MORNINGS

AND AFTERNOONS. BEING ABLE TO PROVIDE THIS AMOUNT OF WORKFORCE HOUSING AND BEING ABLE TO PROVIDE PROJECT AT AN AFFORDABLE COST, THIS WILL HELP WITH OUR WORKFORCE AND THE INDUSTRY, AND AGAIN, HELP TO ALLEVIATE THE TRAFFIC THAT IS -- THAT RIGHT NOW WE'RE SEEING IS HEAVY ON THE WEST SIDE. SO AGAIN, I BELIEVE THAT JERRY GIBSON FROM THE HAWAI'I HOTEL ALLIANCE ALSO SUBMITTED WRITTEN TESTIMONY IN SUPPORT OF 152 AS WELL.\r\n\r\nMAHALO. >> ALL RIGHT. ANY QUESTIONS, MEMBERS? NO QUESTIONS. THANK YOU. MADAM CLERK. >> CHAIR, THERE IS CURRENTLY -- HOLD ON.\r\n\r\nI HAVE ONE MORE INDIVIDUAL WANTING TO TESTIFY. MR. STEVEN WEST. >> MAHALO, CHAIR. MAHALO, COUNCIL MEMBERS. I DO SUPPORT 152. PULELEHUA. YOU KNOW, THE BOTTOM-LINE IS THE COST OF LIVING, THE HIGH PRICES OF HOMES ON MAUI IS JUST GOING THROUGH THE ROOF.\r\n\r\nOUR KIDS ARE MOVING AWAY ON A RATE OF ABOUT 2,000 STUDENTS A YEAR. AND WE NEED MORE PROJECTS LIKE THIS, THAT BRING AFFORDABLE HOMES TO FAMILIES. SO I'M NOT A REGISTERED LOBBYIST. I'M TESTIFYING ACTUALLY AS AN INDIVIDUAL. THANK YOU. >> THANK YOU. ANY QUESTIONS, MEMBERS?\r\n\r\nIF NOT, THANK YOU, MR. WEST. MADAM CLERK. >> THIS IS LAST CALL FOR TESTIMONY ON ITEM J, COMMITTEE REPORTS. LAST CALL FOR TESTIMONY. PLEASE INDICATE YOUR DESIRE TO TESTIFY. CHAIR, THERE'S NO ONE ELSE TO TESTIFY ON SECTION J, COMMITTEE REPORTS.\r\n\r\n>> MEMBERS, ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY INTO THE RECORD FOR COMMITTEE REPORTS?>> NO OBJECTIONS. >> SO ORDERED. MADAM CLERK. >> CHAIR, PROCEEDING WITH COMMITTEE REPORTS YOU HAVE BEFORE YOU FROM YOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE, COMMITTEE REPORT 22-110, RECOMMENDING THAT BILL 152 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES, SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2023 AFFORDABLE HOUSING FUND PULELEHUA AFFORDABLE HOUSING PROJECT" BE PASSED ON FIRST READING AND ORDERED TO PRINT. >> VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR.\r\n\r\nI MOVE TO ADOPT THE RECOMMENDATIONS IN COMMITTEE REPORT 22-110. >> SECOND. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ, SECONDED BY MEMBER JOHNSON TO APPROVE THE COMMITTEE REPORT 22-110, THE RECOMMENDATIONS THEREIN. FURTHER DISCUSSION? VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. YOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MET ON OCTOBER 19TH, 2022, TO DISCUSS BILL 152 (2022), WHICH WOULD AMEND FISCAL YEAR 2023 BUDGET APPENDIX A, PART II SPECIAL PURPOSE REVENUES, SCHEDULE OF REVOLVING FUNDS, BY ADDING AN APPROPRIATION UNDER THE AFFORDABLE HOUSING FUND FOR MAUI OCEAN VIEW LP FOR THE PULELEHUA AFFORDABLE HOUSING PROJECT IN THE AMOUNT OF \$18 MILLION. THE DEVELOPER CONFIRMED THE PROJECT WILL PILOT THE NEWLY ADOPTED SALES PRICE GUIDELINES FOR AFFORDABLE HOMES, AND WILL BE CALCULATED IN ACCORDANCE WITH ORDINANCE 5441, AND THAT THEY HAVE ELECTED TO PILOT THE AFFORDABLE HOUSING LOTTERY PROCESS ESTABLISHED BY ORDINANCE 5315. WHICH GIVES PRIORITY TO PRE-APPROVED HOMEBUYERS, BASED ON LENGTH OF RESIDENCY ON MAUI.\r\n\r\nTHE DEVELOPER ALSO NOTED THEY HAD NO ISSUE WITH INCLUDING AN OWNER OCCUPANCY CONDITION, AND A CONDITION REQUIRING THE UNITS TO REMAIN AFFORDABLE. THE UNITS TO REMAIN AFFORDABLE HOUSING IN PERPETUITY USING A MANAGED APPRECIATION RESALE MODEL IN THE WORKFORCE HOUSING AGREEMENT. YOUR COMMITTEE VOTED 8-0 TO RECOMMEND PASSAGE OF BILL 152 (2022) ON FIRST READING. I WANT TO THANK THIS COUNCIL FOR ALL OF THE WORK THAT WAS PUT IN, MEMBER JOHNSON AS OUR AFFORDABLE HOUSING COMMITTEE CHAIR FOR SPEARHEADING THE ORDINANCES THAT I JUST CITED. MEMBER PALTIN FOR WORKING CLOSELY WITH HER COMMUNITY, FOR GETTING THIS THROUGH. MR. CHANG, FOR HIS WILLINGNESS TO PILOT A LOT OF THESE INITIATIVES THAT THIS COUNCIL

PASSED.\r\n\r\nMS. NISHIKI FOR HER CONTINUED ADVOCACY, AS WELL AS MR. NAKOA'S CONTINUED ADVOCACY ON THE WEST SIDE IN SUPPORT OF THIS PROJECT. I RESPECTFULLY ASK FOR THE COUNCIL MEMBERS' SUPPORT OF THE MOTION, CHAIR. >> ANY MORE DISCUSSION? MEMBER JOHNSON. >> THANK YOU, CHAIR.\r\n\r\nI RISE IN FULL SUPPORT OF THIS MOTION, AND I JUST WOULD ECHO WHAT COUNCIL MEMBER RAWLINS-FERNANDEZ SAID ABOUT APPRECIATING EVERYBODY WHO HELPED TO MAKE THIS PROJECT HAPPEN. BUT I REALLY WANT TO FOCUS IN ON THIS BODY'S WILLINGNESS TO WORK TOGETHER. SOMETIMES WE LIKE TO HAVE LONG DEBATES AND GET PASSIONATE AND HEATED, BUT THIS WAS ONE THAT I THINK YOU COULD REALLY SEE US ALL COME TOGETHER AND MAKE THIS HAPPEN, BECAUSE THE PRICE IS RIGHT, AND THE FOLKS ARE NEEDING. SO HELP THEM OUT. MAHALO, CHAIR. >> ANY MORE DISCUSSION? MEMBER PALTIN.\r\n\r\n>> THANK YOU, CHAIR. THANK YOU TO MY COLLEAGUES, MR. CHANG, MS. NISHIKI, EVERYONE INVOLVED IN THIS PROJECT. YOU KNOW, IT'S SO NEEDED IN MY COMMUNITY AND NOT TO SAY THERE WEREN'T PEOPLE THAT STILL WERE AFRAID OF THE LACK OF INFRASTRUCTURE, AND THE LACK OF INFRASTRUCTURE IS TRUE. WE DON'T HAVE THE NORTHERN TERMINUS OF THE BYPASS. WE DON'T HAVE ALL THE SCHOOLS THAT WE NEED, BUT AS MEMBER RAWLINS-FERNANDEZ SAID YESTERDAY, THE BASIC NEED IS SHELTER.\r\n\r\nSO MANY PEOPLE NEED SHELTER AND THIS IS NEEDED AS RENTS FROM APARTMENT BUILDINGS FROM THE '70S RIVAL BRAND-NEW BUILDINGS. PEOPLE ARE BEING PUSHED OUT OF THEIR HOMES ON A DAILY BASIS. I GET TEXT MESSAGES AND EMAILS NEARLY EVERY DAY. AND I STARTED GETTING INVOLVED WITH THE PROCESS AND SO MANY PEOPLE ARE COMING OUT OF PANDEMIC WITH A LITTLE BLEMISH ON YOUR CREDIT REPORT AND CAN'T GET INTO AFFORDABLE HOUSING. THIS IS HUGE. I SHARED COMMITTEE HOW THE FIRST TIME I MET MR. CHANG, I DIDN'T HAVE VERY NICE THINGS TO SAY.\r\n\r\nI JUST WANTED TO SAY I TAKE THEM ALL BACK, AND THANK YOU SO MUCH FOR WORKING WITH MY COMMUNITY, AND NOT TAKING THOSE THINGS I SAID AT THE LUC THE FIRST TIME I MET YOU PERSONALLY. THANK YOU. >> ANY MORE COMMENTS, OR CONFESSIONS? [LAUGHTER ] >> I THINK YOU CALLED ON ME THROUGH YOUR LAUGHTER. TAMARA DID SAY THAT AT THE COMMITTEE MEETINGS, SO I GUESS YOU GUYS ARE FRIENDS NOW. I WILL SAY THAT I SUPPORTED THIS OUT OF COMMITTEE, AND FOR TODAY, I WANT TO SAY I SUPPORT THIS WITH RESERVATIONS, BECAUSE WE ARE PAYING \$300,000 AS A SUPPLEMENT -- I WAS HOPING HE WOULD SAY HE WOULD DO THIS FOR INFRASTRUCTURE, BECAUSE THEN THE \$18 MILLION WOULD GO A LOT FURTHER AND HELP OTHER DEVELOPMENT PROJECTS, OR OTHER PROPERTIES ALONG THE WAY AND NOT ONLY PULELEHUA. BUT IT IS WHAT IT IS.\r\n\r\nI WILL SAY AGAIN WHAT I SAID IN COMMITTEE, JUST FOR THE COMMUNITY TO HEAR THAT IF WE'RE GOING TO DO THIS FOR THIS PROJECT FOR HOUSING, WE NEED TO DO THIS FAIRLY FOR OTHER PROJECTS. AND I HOPE MR. CARNICELLI AND OTHERS, THE KIHUNIS, AND THOSE FEW THAT ARE STILL DEVELOPING ON MAUI HAS HOUSING HAS BECOME SUCH A CHALLENGE, THAT THEY WILL COME AND APPLY FOR AFFORDABLE HOUSING FUNDS, SO IT CAN BE USED IN THIS WAY. JUST AS A SIDE NOTE, IF YOU THINK WE'RE TRYING -- THIS BLEW ME AWAY WHEN WE DID THE MATH. IF WE'RE TRYING TO BUILD 5,000 HOMES ACCORDING TO THE COMPREHENSIVE AFFORDABLE HOUSING PLAN, THAT IS GOING TO BE \$1.5 BILLION THAT THIS COUNTY IS GOING TO HAVE TO COME UP WITH TAX DOLLARS. SO THAT IS A GREAT CONCERN FOR ME. BUT THIS IS ON ITS WAY, AND I LOOK FORWARD TO HEARING FROM OTHER DEVELOPERS.\r\n\r\nSO THAT WE CAN EQUALLY SUPPORT OTHER PROJECTS. IT'S A LOT OF MONEY. I DON'T THINK THIS IS A GOOD USE OF MONEY EITHER. >> ANYBODY ELSE? MEMBER SUGIMURA, ARE YOU IN YOUR OFFICE? ARE YOU ON THE 9TH FLOOR? >> YES, I'M OKAY NOW.\r\n\r\nIF I GET CONNECTIVITY PROBLEMS LIKE I DID EARLIER, I WILL LET YOU KNOW. IT'S WORKING. >> ANYONE ELSE? MEMBERS? DISCUSSION? VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR.\r\n\r\nI WILL MAKE THIS QUICK. THERE'S A

COUPLE OF POINTS THAT I FORGOT TO MAKE. ONE, OUR COMPREHENSIVE AFFORDABLE HOUSING PLAN THANKFULLY DOESN'T TELL US TO BUILD 5,000 MORE HOMES, BUT IT PROVIDES US A ROADMAP ON HOW TO PROVIDE 5,000 HOMES. AND THAT WOULD INCLUDE CONVERTING SOME OF THE HOMES THAT WE LOST TO VACATION RENTALS. SO SOME OF THOSE WOULD COME BACK TO THE LONG-TERM INVENTORY. THAT THIS WOULD -- THIS PROJECT WOULD PAY FOR INFRASTRUCTURE, INCLUDING R-1 REUSE. SO IT WOULDN'T RELY SO HEAVILY ON INJECTION WELL, AND THAT THE INFRASTRUCTURE THAT WOULD BE PUT IN FOR THIS PROJECT WOULD BENEFIT THE NEIGHBORING DHHL PROJECT.\r\n\r\nSO THAT WE CAN HELP DHHL FULFILL ITS CONSTITUTIONAL MANDATE TO RETURN KANAKA TO 'AINA. SO THOSE WERE JUST A COUPLE OF IMPORTANT POINTS THAT I WANTED TO MAKE. THAT IS MY SECOND AND FINAL. MAHALO, CHAIR. >> ANYONE ELSE? MEMBERS? ALL THOSE IN FAVOR OF THE MOTION TO PASS THIS BILL RAISE YOUR HAND AND SAY AYE?\r\n\r\n>> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. MADAM CLERK. >> FROM YOUR CLIMATE ACTION, RESILIENCE, AND ENVIRONMENT COMMITTEE, COMMITTEE REPORT 22-111, RECOMMENDING THAT RESOLUTION 22-232 CD 1 ENTITLED, "URGING THE COUNTY OF MAUI AND ITS TOURISM INDUSTRY TO ADOPT SUSTAINABLE TOURISM PRACTICES AND CERTIFICATION" BE ADOPTED. >> MEMBER KING. >> CHAIR, ACTUALLY OUR VICE-CHAIR SINENCI IS GOING TO PROPOSE TWO COMMITTEE REPORTS OUT OF OUR COMMITTEE, BECAUSE I WASN'T SURE HOW STABLE MY INTERNET WAS GOING TO BE. SO HE HAS ALL OF THE NOTES AND HE IS PREPARED TO MAKE THE MOTION.\r\n\r\nTHANK YOU. THANK YOU, MEMBER SINENCI. >> MEMBER SINENCI. >> MAHALO, CHAIR. MOVE TO ADOPT THE RECOMMENDATIONS IN COMMITTEE REPORT 22-111. >> SECOND. >> MOVED BY MEMBER SINENCI. SECONDED BY MEMBER JOHNSON TO APPROVE COMMITTEE REPORT -- THE RECOMMENDATION IN COMMITTEE REPORT 22-111. DISCUSSION, MEMBER SINENCI.\r\n\r\n>> MAHALO, CHAIR. YOUR CARE COMMITTEE MET OCTOBER 19, 2022 AND DISCUSSED RESOLUTION 22-232, ENTITLED, "URGING THE COUNTY OF MAUI AND ITS TOURISM INDUSTRY TO ADOPT SUSTAINABLE TOURISM PRACTICES AND CERTIFICATION." THE RESOLUTION 22-232'S PURPOSE IS TO URGE THE COUNTY OF MAUI AND ITS TOURISM INDUSTRY TO ADOPT SUSTAINABLE TOURISM PRACTICES, BECOME CERTIFIED FOR SUSTAINABILITY. YOUR COMMITTEE NOTED THAT GLOBAL SUSTAINABLE TOURISM COUNCIL FOR GSTC HAS TWO SETS THE CRITERIA. DESTINATION CRITERIA AND INDUSTRY CRITERIA FOR HOTELS, AND TOUR OPERATORS. YOUR COMMITTEE AGREED TO AMEND THE RESOLUTION TO ENCOURAGE HOTELS, TRANSIENT ACCOMMODATIONS, AND TOUR OPERATORS TO SEEK CERTIFICATION ON SUSTAINABLE TOURISM STANDARDS. YOUR COMMITTEE AGREED TO FURTHER AMEND THE RESOLUTION TO REMOVE "DEVELOP A PLAN TO ACHIEVE THE GOAL OF BECOMING A CERTIFIED SUSTAINABLE DISTANCE." AND INSTEAD, A CERTIFY -- AND ADD ADDITIONAL NAMES TO THE LIST OF RECIPIENTS AND VOTED 6-0 TO RECOMMEND ADOPTION OF RESOLUTION 22-232, CD 1 AND REQUEST MEMBERS' SUPPORT OF THIS MOTION. >> ANY FURTHER DISCUSSION?\r\n\r\nIF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE. NINE AYES, ZERO NOS, MOTION CARRIES. >> THANK YOU, MEMBERS. >> MADAM CLERK. >> CHAIR, ALSO FROM YOUR CLIMATE ACTION, RESILIENCE, AND ENVIRONMENT COMMITTEE, COMMITTEE REPORT 22-112 RECOMMENDING THAT BILL 153, CD 1 (2022) "REPEALING 16.16B SECTION OF THE MAUI COUNTY CODE AND ESTABLISHING 16.16C RELATING TO THE ENERGY CODE" BE PASSED ON FIRST READING AND BE ORDERED TO PRINT. >> MEMBER SINENCI.\r\n\r\n>> MAHALO, CHAIR. MOVE TO ADOPT RECOMMENDATION IN COMMITTEE REPORT 22-112. >> SECOND. >> MOVED BY MEMBER SINENCI AND SECOND BY MEMBER KING TO APPROVE THE RECOMMENDATIONS IN COMMITTEE REPORT 22-112. DISCUSSION, MEMBER SINENCI. >> MAHALO, CHAIR, YOUR CARE COMMITTEE MET AND DISCUSSED BILL 153 ( 2022) ENTITLED A BILL FOR AN ORDINANCE REPEALING CHAPTER 16.16B OF THE MAUI COUNTY CODE AND ESTABLISHING A NEW CHAPTER 16.16C OF THE MAUI COUNTY CODE RELATING TO THE

ENERGY CODE." BILL 153'S PURPOSE IS TO ADOPT THE HAWAI'I STATE ENERGY CODE WITH MODIFICATIONS SPECIFIC TO THE COUNTY OF MAUI. YOUR COMMITTEE NOTES IN ACCORDANCE WITH SECTION 107-28 (A) OF THE HAWAI'I REVISED STATUTES THAT EACH COUNTY MAY AMEND THE STATE ENERGY CODE AS IT APPLIES IT THEIR RESPECTIVE JURISDICTION WITHOUT APPROVAL FROM THE STATE BUILDING CODE COUNCIL WITHIN TWO YEARS AFTER THE ADOPTION OF THE STATE ENERGY CODE. DEADLINE FOR COUNTIES TO ADOPT THIS ENERGY CODE IS DECEMBER 15TH, 2022, OR THE STATE ENERGY CODE WILL BECOME APPLICABLE AS AN INTERIM COUNTY ENERGY CODE IN ACCORDANCE WITH THE SECTION. YOUR COMMITTEE AGREED TO AMEND THE BILL TO MANDATE SOLAR READINESS FOR NEW CONSTRUCTION AND UNTIL ZERO-NET REQUIREMENT AND APPLY CERTIFICATE REQUIREMENT TO THE EXEMPTION, REMOVE PHOTO VOLTAIC REQUIREMENT FOR ELECTRIC VEHICLE STALLS.\r\n\r\nREMOVE THE POINTS PATHWAY FOR ELECTRIC VEHICLE READINESS COMPLIANCE, AND ADD A NEW SECTION AMENDING INSTALLATION, AND CRITERIA FOR CLIMATE ZONES 1 AND 2 FROM 13 TO 0. MEMBERS YOUR COMMITTEE VOTED 6-0 TO RECOMMEND PASSAGE OF THE BILL ON FIRST READING AND I RESPECTFULLY THE MEMBERS SUPPORT OF THIS MOTION. >> FURTHER DISCUSSION? MEMBER KING. >> THANK YOU, CHAIR. THANK YOU, MEMBER COMMITTEE VICE-CHAIR SINENCI. I REALLY APPRECIATE YOU -- I HAVE PEOPLE SITTING AROUND YOU AND IT'S GOOD THAT I DON'T DO TOO MUCH TALKING. I WANTED TO THANK MEMBERS OF THE COMMUNITY, WHO LIVE BY THESE CODES AND CAME OUT TO HELP US MAKE THIS A BETTER CODE FOR MAUI COUNTY.\r\n\r\nARCHITECT DAVID SELLERS, GREEN BUILDING MAUI FOLKS THAT WORK WITH JOHN LINDON AND ROB WELTMAN. I ALSO WANTED TO SAY THAT ONE OF THE PIECES OF ADVICE FROM CORP. COUNSEL ONCE WE ADOPT AMENDMENTS WE CAN MAKE FURTHER AMENDMENTS ON THE CODE THROUGHOUT THE YEAR. IF WE DON'T ADOPT THEM BY DECEMBER 15TH, WE CAN'T MAKE ANY MORE AMENDMENTS AND WE JUST HAVE TO LIVE WITH WHAT THE STATE GAVE US. SO JUST KEEP THAT MANY MIND IF THERE'S FURTHER AMENDMENTS DOWN THE ROAD, THAT WE HAVE THAT OPTION IF WE PASS THIS NOW. THANK YOU, MEMBERS. >> THANK YOU.\r\n\r\nMEMBER SUGIMURA. >> THANK YOU. SO I HAVE A QUESTION. WHAT DID THE DEPARTMENT OF PUBLIC WORKS HAVE TO SAY ABOUT THIS? JUST CURIOUS. I DIDN'T SEE IT. >> YOU ASKING MEMBER KING?\r\n\r\nOR MR. SINENCI. >> I DON'T THINK WE GOT ANY RESPONSE. THEY HAD THE BILL WHEN WE HAD THE BILL, AND WE HAVEN'T GOTTEN ANY FURTHER INPUT. >> OKAY. SO THEY HAVE NO OBJECTIONS OR CONCERNS, I GUESS YOU ARE CONSIDERING THAT. >> I THINK -- I THINK IF THEY DO, IN THE FUTURE, THEY CAN BRING ADDITIONAL AMENDMENTS TO THE CODE.\r\n\r\n>> OKAY I WILL INQUIRE. THANK YOU. >> ANY FURTHER DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. MADAM CLERK.\r\n\r\n>> THANK YOU, MEMBERS. >> CHAIR, WE HAVE SOME MORE COMMITTEE REPORTS. FROM YOUR GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE, COMMITTEE REPORT 22-113 RECOMMENDING THAT RESOLUTION 22-189 ENTITLED, "REMOVAL OF ROBERT JOHNSON FROM THE PUBLIC WORKS COMMISSION FOR THE COUNTY OF MAUI" BE ADOPTED. >> MEMBER MOLINA. >> THANK YOU, MADAM CHAIR. MOVE TO ADOPT THE RECOMMENDATIONS OF COMMITTEE REPORT 22-113. >> SECOND. >> MOVED BY MEMBER MOLINA.\r\n\r\nSECONDED BY MEMBER SUGIMURA TO APPROVE THE RECOMMENDATIONS IN COMMITTEE REPORT 22-113. DISCUSSION, MEMBER MOLINA. >> THANK YOU, MADAM CHAIR. YOUR GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MET ON OCTOBER 18TH, 2022 TO DISCUSS RESOLUTION 22-189. THIS RESOLUTION'S RETURN IS TO APPROVE THE REMOVAL OF ROBERT SON JON FROM THE PUBLIC WORKS COMMISSION DUE TO NON-COMPLIANCE WITH THE ATTENDANCE POLICY SINCE BEING APPOINTED BY THE COUNCIL ON MARCH 9, 2018 FOR A TERM EXPIRING MARCH 31, 2023. YOUR COMMITTEE NOTES CHARTER SECTION 13-25 PROVIDES MEMBERS OF BOARDS AND



COMMISSIONS APPOINTED BY THE MAYOR, WITH THE APPROVAL OF THE COUNCIL MAY BE REMOVED FOR CAUSE UPON RECOMMENDATIONS OF SUCH REMOVAL BY THE MAYOR, AND THE APPROVAL OF TWO-THIRDS OF THE ENTIRE MEMBERSHIP OF THE COUNCIL. THE MAYOR'S REPRESENTATIVE, MR. MOSSMAN IS HE MR. JOHNSON HAS SERVED ON THE PUBLIC WORKS SINCE 2018 AND MET THE ATTENDANCE REQUIREMENTS UNTIL AUGUST 26 OF 2020. THE MAYOR'S REPRESENTATIVE THEN NOTED MR. JOHNSON DID NOT EXHIBIT CHARACTER ISSUES AND RECOMMENDATION FOR HIS REMOVAL WAS BASED SOLELY ON NON-ATTENDANCE AND INABILITY TO GET IN CONTACT WITH THEM.\r\n\r\nYOUR COMMITTEE VOTED 8-0 TO RECOMMEND ADOPTION OF RESOLUTION 22-189. I ASK FOR THE MEMBERS' FULL SUPPORT OF THIS MOTION. THANK YOU. >> ANY MORE DISCUSSION? MEMBER PALTIN. >> THANK YOU, CHAIR. THANK YOU, MR. MOLINA.\r\n\r\nI JUST WANTED TO VERIFY/CLARIFY, IT'S JUST THIS ONE MEMBER. THE OTHER MEMBER ON THE AGENDA WE'RE NOT TAKING ACTION? >> YES, THAT IS CORRECT. YES. JUST ON MR. JOHNSON'S REMOVAL. YES >> THANK YOU.\r\n\r\nSUPPORT. >> ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE NINE AYES, ZERO NOS, MOTION CARRIES. THANK YOU. NEXT COMMITTEE REPORT. >> FROM YOUR GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE, COMMITTEE REPORT 22-114 RECOMMENDING THAT BILL 126 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE STATE OF HAWAI'I DEPARTMENT OF HEALTH" BE PASSED ON FIRST READING AND ORDERED TO PRINT. >> MEMBER MOMA. >> THANK YOU, MADAM CHAIR.\r\n\r\nMOVE TO ADOPT THE RECOMMENDATIONS OF COMMITTEE REPORT 22-114. >> SECOND. >> MOVED BY MEMBER MOLINA, SECOND BY MEMBER SUGIMURA TO APPROVE THE RECOMMENDATIONS IN COMMITTEE REPORT 22-114. DISCUSSION, MEMBER MOLINA. >> MAHALO, MADAM CHAIR. YOUR GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MET ON OCTOBER 18, 2022 TO DISCUSS BILL 126 (2022) THIS BILL'S PURPOSE IS TO AUTHORIZE THE MAYOR TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE STATE OF HAWAII'S DEPARTMENT OF HEALTH TO PROVIDE THE DOH WITH ACCESS TO DATA FROM AUTOPSY AND POLICE INVESTIGATIVE REPORTS RELATED TO DEATHS OCCURRING IN MAUI COUNTY FROM SUICIDES, HOMICIDES, ACCIDENTAL DRUG OVERDOSE, AND UNDETERMINED DEATHS. THE AGREEMENT AS ATTACHED -- EXHIBIT 1 STATES THAT THE DEPARTMENT OF POLICE WOULD RECEIVE A SUB-GRANT OF \$14,000 THROUGH DOH FROM THE CDC TO BE USED OVER A FIVE-YEAR PERIOD. THE DEPARTMENT REPRESENTATIVE SAID HAWAI'I HAS BEEN PARTICIPATING IN THE PROGRAM SINCE 2015, AND IS ONE OF 32 STATES WHO ARE OPTED IN. THE PREVIOUS SUN GRANT FOR THE PERIOD OF SEPTEMBER 1ST, 2014, TO AUGUST 31ST, 2019, AND WAS FOR PERIOD OF SEPTEMBER 1ST, 2019 TO AUGUST 31ST, 2022, BUT RECORDS HAVE CONTINUED TO BE SHARED SINCE AUGUST 31ST, 2022 UNTIL THE MEMORANDUM OF AGREEMENT IS APPROVED BY COUNCIL, ACCORDING TO GUIDANCE RECEIVED FROM THE STATE OFFICE OF INFORMATION PRACTICES.\r\n\r\nAND FINALLY, THE REPRESENTATIVE NOTED THE AGREEMENT ALLOWS DOH TO IDENTIFY AND SHARE RECORDS WITH THE CENTERS FOR DISEASE CONTROL, CDC, NATIONAL VIOLENT DEATH REPORTING SYSTEM AND THE CDC'S STATE UNINTENTIONAL DRUG OVERDOSE REPORTING SYSTEM. THE DATA IS USED FOR ESTABLISHMENT AND CONTINUED FUNDING OF RELEVANT PREVENTING PROGRAMS. YOUR COMMITTEE VOTED UNANIMOUSLY, 9-TO RECOMMEND PASSAGE OF BILL ON FIRST READING OF THE MAHALO, MADAM CHAIR. >> ANY FURTHER DISCUSSION? IF NOT, ALL THOSE IN FAVOR, RAISE YOUR HAND AND SAY AYE? >> AYE. >> NINE AYES -- MEMBER PALTIN?\r\n\r\nNINE AYES, ZERO NOS, MOTION CARRIES. >> FROM YOUR INFRASTRUCTURE AND TRANSPORTATION COMMITTEE, COMMITTEE REPORT 22-115, RECOMMENDING THAT BILL 124 (2022) ENTITLED, "A BILL FOR AN ORDINANCE ADOPTING THE HAWAI'I STATE FIRE CODE WITH CERTAIN AMENDMENTS BE PASSED ON FIRST READING AND ORDERED TO PRINT. >> MEMBER SUGIMURA. >> THANK YOU. I

MOVE TO ADOPT THE RECOMMENDATIONS IN COMMITTEE REPORT 22-115. >> SECOND  
>> THANK YOU. >> MOVED BY MEMBER SUGIMURA SECONDED BY PRO TEM KAMA TO  
APPROVE THE RECOMMENDATIONS IN COMMITTEE REPORT 22-115. DISCUSSION,  
MEMBER SUGIMURA. >> THANK YOU.\r\n\r\nTHANK YOU, CHAIR. YOUR  
INFRASTRUCTURE AND TRANSPORTATION COMMITTEE MET OCTOBER 3RD, 2022, TO  
DISCUSS BILL 124 (2022) ENTITLED EMPLOYMENT A BILL FOR AN ORDINANCE  
ADOPTING THE HAWAI'I STATE FIRE CODE WITH CERTAIN AMENDMENTS THERETO."  
BILL 124'S PURPOSE IS TO UPDATE THE COUNTY FIRE CODE BY INCORPORATING  
AMENDMENTS MADE TO THE FIRE CODE 2018 REVISIONS, RECOMMENDED BY THE  
DEPARTMENT OF FIRE AND PUBLIC SAFETY. YOUR COMMITTEE NOTES EACH COUNTY  
MUST AMEND THE HAWAI'I FIRE CODE AS IT APPLIES TO THEIR RESPECTIVE  
JURISDICTIONS WITHIN TWO YEARS OF ADOPTION. THE AMENDMENT DEADLINE FOR  
COUNTIES IS JANUARY 19TH, 2023 OR THE STATE FIRE CODE WILL PREVAIL. THE  
COMMITTEE NOTES FIRE DEPARTMENT AMENDMENTS -- COUNTY-SPECIFIC  
MODIFICATIONS INCLUDING CODE REFERENCE UPDATES, PERMIT RECOMMENDATIONS,  
PERMIT REQUIREMENTS, AND ESTABLISHMENT OF FEES AND FINES. YOUR COMMITTEE  
VOTED 6-0 TO RECOMMEND PASSAGE OF BILL 124 (2022) ON FIRST READING AND  
ASK FOR MEMBERS' SUPPORT OF MY MOTION. THANK YOU.\r\n\r\n>> ANY MORE  
DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND  
SAY AYE? >> AYE. >> NINE AYES, ZERO NOS. MOTION CARRIES. MADAM CLERK. >>  
ALSO FROM YOUR INFRASTRUCTURE AND TRANSPORTATION COMMITTEE, COMMITTEE  
REPORT 22-116, RECOMMENDING THAT BILL 1313, CD 1 (2022) ENTITLED, "A BILL  
FOR AN ORDINANCE TO AMEND TITLE 10, VEHICLES AND TRAFFIC MAUI COUNTY CODE  
RELATING TO COMMERCIAL DOCKLESS VEHICLES," BE PASSED ON FIRST READING AND  
ORDERED TO PRINT.\r\n\r\n>> MEMBER SUGIMURA. >> I MOVE TO ADOPT THE  
REPRESENTATIONS IN COMMITTEE REPORT 22-116. >> SECOND. >> MOVED BY MEMBER  
SUGIMURA, SECONDED BY MEMBER KAMA TO APPROVE THE RECOMMENDATIONS IN  
COMMITTEE REPORT 22-116 DISCUSSION, MEMBER SUGIMURA. >> THANK YOU, CHAIR.  
YOUR INFRASTRUCTURE AND TRANSPORTATION COMMITTEE MET ON OCTOBER 3RD, 2022  
AND OCTOBER 17TH, 2022 TO DISCUSS BILL 133 (2022) ENTITLED, "A BILL FOR  
AN ORDINANCE TO AMEND TITLE 10, MAUI COUNTY CODE, RELATING TO DOCKLESS  
VEHICLES AND PENALTIES." BILL 133'S PURPOSE IS TO MAKE IT UNLAWFUL TO  
PARK, LEAVE STANDING OR LYING ABANDONED OR OTHERWISE PLACE A COMMERCIAL  
DOCKLESS VEHICLE ON A SIDEWALK, STREET, HIGHWAY, OR PUBLIC PROPERTY, MAKE  
IT UNLAWFUL TO OPERATE A DOCKLESS VEHICLE ON A SIDEWALK, AND INCREASE THE  
PENALTY AMOUNT FOR VIOLATIONS OF TITLE 10, MAUI COUNTY CODE. YOUR  
COMMITTEE NOTES THAT WHILE THE DOCKLESS VEHICLES PROVIDE INCREASED  
MOBILITY OPTIONS OVER SHORT DISTANCES, THEY POSE CONSIDERABLE SAFETY AND  
PUBLIC HEALTH CONCERNS, CREATE TRIPPING HAZARDS AND MAKE SIDEWALKS  
INACCESSIBLE TO THE DISABLED, AND HELP TO CREATE CLUTTERED AND UNSAFE  
ENVIRONMENTS FOR PEDESTRIANS. YOUR COMMITTEE NOTED HAD WHILE MONTH  
VENDORS OFFER THIS SERVICE YOUR COMMITTEE AGREED IT WOULD BE BENEFICIAL  
TO IMPLEMENT LEGISLATION PRIOR TO THE ITEM BECOMING A COMMUNITY  
CONCERN.\r\n\r\nTHE REPRESENTATIVES FROM DEPARTMENT OF PLANNING,  
DEPARTMENT OF POLICE, DEPARTMENT OF PUBLIC WORKS, AND MAUI BICYCLE LEAGUE  
SUPPORT THE BILL. YOUR COMMITTEE AGREED TO AMEND THE BILL TO ADD  
"COMMERCIAL, ", " TO THE BILL TO ADD PRIVATELY-OWNED MULTIMODAL VEHICLES  
WOULD NOT BE IMPACTED AND COMMITTEE VOTED 5-0 TO PASS THE BILL ON FIRST  
READING. I WOULD ALSO LIKE TO COMMEND TAMARA PALTIN FOR BRINGING THIS  
FORWARD TO PREVENT ANY POSSIBLE PROBLEMS, AS SHE -- I THINK MAYBE SHE  
COULD EXPRESS IT HERSELF. SHE EXPRESSED THROUGH HER TRAVELS WHERE SHE SAW  
THIS WOULD BE A PROBLEM IN OUR COMMUNITY. WE ALSO HEARD FROM THE DISABLED  
COMMUNITY TO SAY THAT THEY ALSO SUPPORT THIS BILL. SO I RESPECTFULLY ASK  
FOR THE MEMBERS' SUPPORT OF MY MOTION. THANK YOU VERY MUCH.\r\n\r\n>>

FURTHER DISCUSSION? MEMBER PALTIN. >> THANK YOU, MEMBERS, FOR SUPPORT OF THIS BILL. I FIRST ENCOUNTERED THE ISSUE IN MARSEILLE, AND THE ELECTRIC SCOOTERS AND EVERYTHING IS A LOT OF FUN. BUT WHEN THEY ARE LYING ALL OVER THE SIDEWALKS, AND IN THE STREET, IT KIND OF BECOMES A HAZARD, ESPECIALLY FOR FOLKS WITH DISABILITIES. I AM IN FULL SUPPORT OF HAVING THOSE TYPES OF THINGS, BUT KEEPING THEM ORGANIZED AND NOT LAYING ALL OVER THE GROUND. SINCE I CAME BACK TO HAWAI'I, I HAVE HEARD OF THE PROBLEM BEING -- OR THE ISSUE BEING A PROBLEM IN OTHER STATES, AND SO AS THE BIKE TOUR BILL WAS BEING TAKEN UP, I THOUGHT IT WOULD BE REALLY TIMELY IN CASE SOMEONE DECIDED TO PUT A FEW BIKES RIGHT OUTSIDE OF HALE'AKALA AND HAVE THAT BE OPENED DEVICE.\r\n\r\nSO I THINK THIS IS REALLY HEADING OFF A BIG PROBLEM, HOPEFULLY. CROSS MY FINGERS. THANK YOU. >> ANYONE ELSE? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE. >> NINE AYES, EIGHT AYES, EIGHT AYES, ONE EXCUSED.\r\n\r\nMOTION CARRIES. I DO NOT SEE MEMBER KING. MADAM CLERK. >> FINALLY FROM YOUR INFRASTRUCTURE AND TRANSPORTATION COMMITTEE, COMMITTEE REPORT 22-117. RECOMMENDING THAT BILL 151, CD 1 (2022) ENTITLED, " A BILL FOR AN ORDINANCE AMENDING TITLE 10 MAUI COUNTY CODE RELATING TO IMPLEMENTATION OF A PARKING AMBASSADOR PROGRAM TO ENFORCE COUNTY AND STATE PARKING RULES AND LAWS A PAID PARK SYSTEM AND PERFORM PARKING ZONES" BE PASSED ON PIERCE READING AND ORDERED TO PRINT. >> MEMBER SUGIMURA. >> THANK YOU. I MOVE TO ADOPT THE REPRESENTATIONS IN COMMITTEE REPORT 22-117. >> SECOND.\r\n\r\n>> MOVED BY MEMBER SUGIMURA AND SECOND BY PRO TEM KAMA TO APPROVE THE RECOMMENDATIONS IN COMMITTEE REPORT 22-117. DISCUSSION, MEMBER SUGIMURA. >> THANK YOU. JUST FOR THE MEMBERS' INFORMATION, I ASKED ERIN WADE TO STANDBY TO ANSWER THE QUESTIONS THAT I WILL ADDRESS ALSO. YOUR INFRASTRUCTURE TRANSPORTATION COMMITTEE MET ON OCTOBER 17TH, 2022 TO DISCUSS BILL 151 (2022) RELATING TO THE IMPLEMENTATION OF PARKING AMBASSADOR PROGRAM TO ENFORCE COUNTY AND STATE PARKING RULES AND LAWS AND PARK PAYMENT SYSTEM AND PARKING ZONES THE BILL'S PURPOSE IS TO AUTHORIZE A PARKING AMBASSADOR TO ASSIST THE DEPARTMENT OF TRANSPORTATION IN ENFORCING COUNTY AND STATE PARKING RULES AND LAWS AND IMPLEMENTING A PARKING PAYMENT SYSTEM THROUGH THE ESTABLISHMENT OF PAID PARKING ZONES AND PERMIT PARKING ZONES. YOUR COMMITTEE NOTES THAT PARK MAUI CURRENTLY PLANS TO LAUNCH THE PARKING AMBASSADOR PROGRAM IN SEPTEMBER 2023 WITH PILOT PHASE 1 AT WAILEA, KNOWN BEACH PARKS AND PILOT 2 AT LAHAINA AND WAILUKU TOWNS. THIS IS THE COMMERCIAL ASPECT OF IT. THE COMMITTEE NOTES THAT ONCE THE PROJECT IS READY FOR LAUNCH, THE DEPARTMENT OF MANAGEMENT WILL PROVIDE SPECIFIC DETAILS ON TIME LIMITS, COSTS, SPECIFIC PARKING ZONES, ALONG WITH PARKING DETAILING SUCH LOCATIONS.\r\n\r\nYOUR COMMITTEE NOTES THAT PARKING IS TECHNOLOGICALLY BASED AND OFFER A SMARTPHONE APPLICATION AND KIOSKS AT THE LOCATIONS, WHICH WILL UTILIZE AN INDIVIDUAL'S DRIVER'S LICENSES AND VEHICLE'S LICENSE PLATE NUMBER FOR VERIFICATION FOR RESIDENCY, AND TRACKING HOW LONG AN INDIVIDUAL CAN PARK. YOUR COMMITTEE NOTES THAT THE PROGRAM IS INTENDED TO BE FINANCIALLY SELF-SUSTAINING, DESIGNED TO REINFORCE COMPLIANCE, AND WILL PROVIDE WARNINGS BEFORE CITATIONS ARE ISSUED. YOUR COMMITTEE NOTES THAT QUARTERLY AND ANNUAL REPORTS WILL BE PROVIDED WITH COMPILED DATA, TO REVIEW THE IMPACT OF THE PROGRAM. YOUR COMMITTEE AGREED TO AMEND CHAPTER 10.78 SECTION 10.78.010A TO ADD "FOR AREAS DESIGNATED FOR PAID PARKING ZONES IN ACCORDANCE TO CHAPTER 10.77." YOUR COMMITTEE VOTED 5-0 TO RECOMMEND PASSAGE OF BILL 151, CD 1 (2022) ON FIRST READING. I RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT OF MY MOTION, AND DID MEMBERS WANT TO HEAR FROM ERIN WADE IN ANSWER TO THE CONCERN -- I GUESS IT WAS CONCERNS THAT WE HEARD EARLIER BEFORE WE TAKE THE VOTE? >>

MEMBERS, ANY OBJECTIONS TO HAVE ERIN WADE BE A RESOURCE PERSON FOR THIS ITEM? ANY OBJECTIONS?\r\n\r\nSO ORDERED. IN THE MEANTIME, MEMBER PALTIN YOU HAVE A QUESTION OR DISCUSSION? >> I JUST WAS GOING TO LET MEMBER SUGIMURA WHEN I READ IT, I DIDN'T GET THAT INTERPRETATION OF THOSE THINGS. >> YOU KNOW WHAT? THANKS, TAMARA, BECAUSE THIS IS ENABLING LEGISLATION. AS YOU ALL KNOW, WHEN WE GO THROUGH THE BUDGET PROCESS; RIGHT? THE FEES WILL BE DETERMINED WHEN WE GO THROUGH KEANI RAWLINS-FERNANDEZ BUDGET COMMITTEE.\r\n\r\nSO NONE OF THAT HAS BEEN ESTABLISHED. YOU KNOW, I READ ON SOCIAL MEDIA. SO I THINK I WILL SAY THIS NOW, IF YOU WOULD ALLOW ME TO, CHAIR? PEOPLE ARE THINKING THAT WE ALREADY ESTABLISHED FEES THAT ARE \$30-50 TO PARK YOUR CAR HERE AND THERE'S A CONCERN THAT RESIDENTS WILL HAVE TO PAY THAT. AS IN LAHAINA AND WAILUKU, AND THAT THE OTHER CONCERN THAT I SAW WAS THAT PEOPLE THINK THAT BY ENACTING THIS, ALL OF THE PARKING FEES THAT WE HAVE RIGHT NOW, BEFORE WE ESTABLISH THE FORMAL FEES THROUGH BUDGET, OR THE PARKING SIGNS, WILL NO LONGER BE VALID. SO I WONDER IF YOU WOULD ALLOW ME TO, CHAIR, IF ERIN WADE IS ON THE CALL. >> ERIN, ARE YOU ON THE CALL?\r\n\r\n>> YES. >> WONDERFUL, THANK YOU. I DID HEAR THE TESTIMONY EARLIER TODAY THE FIRST COMMENT WAS ABOUT THE PARKING TIME LIMITS BEING RESCINDED. AND JUST TO CLARIFY, IT'S A REPLACEMENT, NOT A RESCINDING. SO ON PAGE 9 OF THE ORDINANCE, AND THAT'S TITLE 10.48.050. WHAT THIS ALLOWS US TO DO IS REGULATE BY SIGNAGE, INSTEAD OF EVERY SINGLE TIME AN ADJUSTMENT IS MADE WITHIN THE COUNTY, MAKING SURE WE HAVE A LINE ITEM THAT EXPRESSES WHAT THAT TIME LIMIT IS. THIS ALLOWS US TO THROUGHOUT THE COUNTY TO MANAGE BY SIGN, WHICH IS MUCH MORE TYPICAL WAY FOR MUNICIPALITIES TO MANAGE TIME LIMITS FOR PARKING. THIS DOES NOT RESCIND ANY TIME LIMITS AT THIS TIME.\r\n\r\nIT KEEPS ALL THE TIME LIMITS AS-IS, UNTIL SUCH TIME AS A PAID PARKING ZONE IS ESTABLISHED. OF COURSE, WE NEED TO COME BACK TO YOU FOLKS TO ESTABLISH A PAID PARKING ZONE. SO ALL THIS DOES, IT REALLY MAKES IT EASIER FOR US TO ENSURE THAT WE'RE MATCHING THE REGULATIONS WITH SIGNAGE, AND THAT WE COORDINATE WITH PUBLIC WORKS TO ENSURE THAT IS HAPPENING ALL OF THESE LOCATIONS ARE CURRENTLY SIGNED TO MATCH THE EXISTING ORDINANCE, AND NONE OF THAT GETS RESCINDED WITH THIS. >> ANY MORE COMMENTS OR QUESTIONS, ANYONE? IF NOT, THANK YOU. MS. SUGIMURA.\r\n\r\n>> OTHER CONCERN THAT WAS BROUGHT UP ON SOCIAL MEDIA IS THAT RESIDENTS WILL HAVE TO PAY \$30 AND \$50. SO ERIN, CAN YOU TALK ABOUT RESIDENTS BECAUSE I THINK THAT WAS PROBABLY THE GREATER CONCERN? >> NO. 1 IS NO PARKING FEES HAVE BEEN ESTABLISHED AT THIS TIME. WE'LL COME BACK TO COUNTY COUNCIL WITH A RATE AND FEE PROPOSAL AT A FUTURE DATE FOLLOWING THE COMPLETION OF OUR DATA COLLECTION. THE TESTIFIER BROUGHT UP THE DATA COLLECTION THAT IS CURRENTLY UNDERWAY. ONCE THAT IS DONE, WE'LL COME BACK TO YOU WITH THE ESTABLISHMENT OF PAID PARKING ZONES. AS STATED THE ADMINISTRATION'S INTENTION IS TO ALLOW FREE ALL-DAY PARKING TO RESIDENTS AT BEACHES, AND PARKS.\r\n\r\nAND IN THE SMALL TOWNS, TO ALLOW UP TO TWO HOURS FREE FOR RESIDENTS IN COUNTY OFF-STREET PARKING. SO THAT DOESN'T -- THAT IS THE INTENTION FOR THE ADMIN TO PROVIDE. BUT OF COURSE, WE'RE STILL A LITTLE WAYS OUT UNTIL WE PROVIDE A RECOMMENDATION FOR RATES AND FEES. SO I HAVE NO IDEA WHERE THE \$30 AND \$50 CAME FROM. >> THANK YOU, CHAIR, FOR LETTING ERIN CLARIFY THIS CONFUSION THAT IS GOING OUT IN THE COMMUNITY, BECAUSE IT'S CONCERNING THANK YOU. >> MEMBER PALTIN, DID I SEE YOUR HAND UP? >> NO, YOU DIDN'T. >> THANK YOU, MS.\r\n\r\nWADE. WE HAVE A MOTION ON THE FLOOR. ALL THOSE IN FAVOR, RAISE YOUR HAND AND SAY AYE? >> AYE. >> EIGHT AYES, ZERO NOS, ONE EXCUSED, MEMBER KING. MOTION CARRIES. MADAM CLERK.\r\n\r\nMADAM CLERK. MEMBER SUGIMURA, CAN YOU SEE HER? ARE YOU IN

THE CONFERENCE ROOM? NO? MEMBERS, LET'S TAKE A FIVE-MINUTE RECESS AND RETURN AT 2:30. MEETING IN RECESS UNTIL 2:30. [ GAVEL ] [ GAVEL ] WILL THE COUNCIL MEETING OF NOVEMBER 4TH, 2022, PLEASE RECONVENE. MADAM CLERK. >> WE LEFT OFF WITH OUR PLANNING AND SUSTAINABLE LAND USE COMMITTEE REPORT 22-118, RECOMMENDING THAT RESOLUTION 22-213, CD 1, ENTITLED, "REFERRING TO THE MAUI PLANNING COMMISSION A PROPOSED BILL TO AMEND ORDINANCE 2924, CONDITIONAL ZONING, FOR EMERGENCY AIRSTRIP OPERATIONS AT KAPALUA AIRPORT" BE ADOPTED.\r\n\r\n>> MEMBER PALTIN. >> THANK YOU, CHAIR. I MOVE TO THE RECOMMENDATIONS IN COMMITTEE REPORT 22-118. >> SECOND. >> MOVED BY MEMBER PALTIN, SECOND BY MEMBER JOHNSON TO APPROVE THE RECOMMENDATIONS IN COMMITTEE REPORT 22-118. DISCUSSION, MEMBER PALTIN. >> THANK YOU, CHAIR. YOUR PLANNING AND SUSTAINABLE LAND USE COMMITTEE MET ON OCTOBER 6TH, 2022 TO DISCUSS RESOLUTION 22-213 THE RESOLUTION'S PURPOSE IS TO AMEND ORDINANCE 2924 TO EXTEND THE HOURS AND ALLOW RUNWAY -- EXTEND HOURS TO ALLOW RUNWAY LIGHTS FOR EMERGENCY AIRSTRIP OPERATIONS AT KAPALUA AIRPORT. DURING DISCUSSIONS THE PLANNING DIRECTOR RECOMMENDED AMENDING THE PROPOSED BILL ATTACHED TO THE RESOLUTION TO ALSO INCLUDE A DEFINITION OF "EMERGENCY AIRSTRIP OPERATIONS." YOUR COMMITTEE NOTED THE BILL WILL HELP TO ENSURE QUICK AND EFFECTIVE ACTION IN EMERGENCY SITUATIONS TO PROTECT PROPERTY AND THE PUBLIC HEALTH AND SAFETY AT NIGHT.\r\n\r\n\r\nYOUR COMMITTEE VOTED 6-0 TO ADOPT RESOLUTION 22-213. I WOULD ALSO LIKE TO NOTE THAT THIS CONSIDERATION WAS BROUGHT TO ME BY THE WEST MAUI TAXPAYERS ASSOCIATION, MR. DOCKITA A FIREFIGHTER AT KAPALUA AIRPORT. AND IT'S TAKEN LONGER THAN I EXPECTED, BUT GLAD WE CAN MOVE THIS ALONG. I RESPECTFULLY ASK FOR COUNCIL MEMBERS' SUPPORT OF MY MOTION. >> ANY MORE DISCUSSION? MEMBER SUGIMURA. >> THANK YOU, MS.\r\n\r\n\r\nPALTIN FOR TAKING THIS UP. AS YOU KNOW, THAT ONCE THIS PASSES, THEN THE NEXT STEP WOULD BE TO WORK WITH THE STATE LEGISLATURE, IF THERE'S GOING TO BE SOME ADDITIONAL FUNDING FOR LIGHTING. SO I GUESS I WILL GET THAT INFORMATION, OR WE CAN GET THAT INFORMATION AND PASS IT ON, AND APPRECIATE YOU DOING THIS. WE HAD A DISCUSSION -- IT FEELS LIKE LAST YEAR WE TALKED ABOUT THIS. THANK YOU VERY MUCH. I LOOK FORWARD TO WORKING WITH YOU TO MAKE THIS HAPPEN. >> ANYBODY ELSE IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE?\r\n\r\n\r\n>> EIGHT AYES, ZERO NOS, ONE EXCUSED. MEMBER KELLY KING. MOTION CARRIES. MADAM CLERK. >> CHAIR, PROCEEDING WITH AGENDA CATEGORY K, RESOLUTIONS. PROCEEDING WITH TESTIMONY ON THE RESOLUTIONS. OUR FIRST TESTIFIER IS MR.\r\n\r\n\r\nMIKE MORAN. >> HELLO, MIKE. >> HELLO, COUNCIL MEMBERS. MIKE MORAN FOR THE KIHEI COMMUNITY ASSOCIATION AND WE'RE ON NO. 22-254. WHICH READS AUTHORIZING THE PURCHASE OF THE REAL PROPERTY AT 1488 SOUTH KIHEI ROAD, KIHEI. I WAS PONDERING THIS. I'M NOT SURE THAT ANY CURRENT COUNCIL MEMBER WAS SITTING ON COUNCIL WHEN THIS PROPERTY WAS A REAL HOT-BUTTON ISSUE IN OUR COMMUNITY, AND IT WENT THROUGH, OF COURSE, PROCESS AT THE COUNCIL, WHERE IF YOU'RE SOMEWHAT FAMILIAR WITH SOUTH MAUI, OF COURSE YOU ARE FAMILIAR WITH SOUTH KIHEI ROAD.\r\n\r\n\r\nTHIS IS THE PLOT OF LAND THAT IS JUST SOUTH OF THE KIHEI VINTNER, WHICH HAS BEEN THERE FOR DECADES. THERE WAS AN ATTEMPT TO BUILD A COMMERCIAL PROJECT THERE, AND MOST OF US, NOW, I THINK ALL OF US AGREE THIS IS WETLANDS. IT WAS QUESTIONABLE AND IT WENT BACK TO THE FEDERAL GUYS OF WHAT IS THE DEFINITION OF "WETLAND"? FORTUNATE THE PROJECT WAS STOPPED BY PROCESS OF COUNCIL TO NOT BUILD ANYTHING THERE THAT WASN'T AN APPROPRIATE LOCATION TO BUILD. SO WE REALIZED COMMITTEE MEMBER KING IS PROBABLY OFF IN THE WILD BLUE YONDER, BUT TO THANK HER FOR MAKING THIS ATTEMPT TO GET THE ADMINISTRATION TO PURCHASE THIS PLOT OF LAND. WE SEEM TO BE SEEING MORE

AND MORE -- UNFORTUNATELY, IT'S BECOMING THE ONLY WAY TO STOP DEVELOPERS FROM BUILDING IN INAPPROPRIATE LOCATIONS THAT WE HAVE TO SPEND MONEY AND JUST KEEP IT OPEN. BUT IT SEEMS TO US, IT'S MONEY WELL-SPENT. WE'RE TRYING TO PRESERVE A LITTLE BIT WETLANDS AREA WE HAVE LEFT IN SOUTH MAUI.\r\n\r\nAND AS THE YEARS GO BY, WE HAVE BEEN TRYING TO GET THE ADMINISTRATION TO PURCHASE ANOTHER PLOT OF LAND, WHICH IS LITERALLY SITTING IN THE RIVER GULCH. IT WAS FOR-SALE FOR YEARS, AND PRIOR MAYORS JUST SAID NO, BECAUSE NOBODY IS EVER GOING TO TRY TO BUILD THERE. WELL, NOW, LAND HAS SOLD, AND, YES, THEY ALL USE AFFORDABLE HOUSING -- SO WE'RE NOT SURE ANYTHING WAS PROPOSED RECENTLY AT THIS PLOT OF LAND, BUT WE ARE IN FULL FAVOR OF TRYING TO PURCHASE THE LAND JUST TO KEEP IT OPEN SPACE, AND PRESERVE WHAT LITTLE BIT OF WETLANDS WE DO HAVE IN OUR COMMUNITY. SO AGAIN, WE EXPRESS OUR THANKS TO MEMBER KING AND I'M SURE TRUSTY STAFF IS MONITORING TO LET HER KNOW. WE'RE IN FULL SUPPORT OF THIS ACTION. MAHALO. >> THANK YOU, MIKE.\r\n\r\nMEMBERS, ANY QUESTIONS FOR CLARIFICATION? IF NOT, THANK YOU VERY MUCH, MIKE. >> HUI HOU. >> MADAM CLERK. >> IF ANYBODY ON THE CALL, OR IN THE MEETING WOULD PLEASE IDENTIFY YOURSELF NOW. >> CHAIR? LAST CALL FOR TESTIMONY ON THESE ITEMS.\r\n\r\nNO ONE ELSE HAS REQUESTED TO TESTIFY. >> OKAY. ARE THERE ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY FOR RESOLUTIONS? >> NO OBJECTIONS. >> SO ORDERED. MADAM CLERK. >> PROCEEDING WITH RESOLUTIONS.\r\n\r\nYOU HAVE BEFORE YOU RESOLUTION 22-244 ENTITLED, "AUTHORIZING ACCEPTANCE OF THE DONATION OF 240 PAIRS OF FOOTWEAR TO THE OCEAN SAFETY BUREAU OF THE DEPARTMENT OF FIRE AND PUBLIC SAFETY, PURSUANT TO CHAPTER 3.56 MAUI COUNTY CODE." >> MEMBER MOLINA. >> MAHALO, MADAM CHAIR. I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT FOR RESOLUTION 22-244 IN ACCORDANCE OF RULE 7G OF THE RULES OF THE COUNCIL. >> SECOND. >> MOVED BY MEMBER MOLINA. SECONDED BY MEMBER SUGIMURA TO WAIVE THE RULES OF THE COUNCIL, REGARDING RESOLUTION 22-244. DISCUSSION? MEMBER MOLINA?\r\n\r\n>> YES, THANK YOU VERY MUCH, MADAM CHAIR. THIS IS AN ANNUAL DONATION AND APPROVAL FOR MY MOTION BY TWO-THIRDS VOTE BY MEMBERSHIP OF THE COUNCIL WILL ENABLE COUNCIL TO CONSIDER THE PROPOSED RESOLUTION TODAY MAHALO. >> ANY MORE DISCUSSION ON THE WAIVER? IF NOT, ALL THOSE IN FAVOR THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE. >> NINE AYES, ZERO NOS, EIGHT AYES, ZERO NOS. ONE EXCUSED.\r\n\r\nMOTION CARRIES. EXCUSED IS MEMBER KING. DISCUSSION - NOT DISCUSSION, BUT IT'S YOUR TURN AGAIN, MEMBER MOLINA. >> THANK YOU, MADAM CHAIR. MOVE TO ADOPT RESOLUTION 22-244. >> SECOND. MOVED BY MEMBER MOLINA AND SECOND BY MEMBER PALTIN TO ADOPT RESOLUTION 22-244. DISCUSSION, MEMBER MOLINA. >> THANK YOU, MADAM CHAIR.\r\n\r\nOLUKAI WOULD LIKE TO DONATE 240 PAIRS OF FOOTWEAR TO THE OCEAN SAFETY BUREAU OF THE DEPARTMENT OF FIRE AND PUBLIC SAFETY. THE FOOTWEAR IS BEING DONATED TO PROVIDE PROTECTIVE FOOTWEAR FOR ALL OCEAN SAFETY OFFICERS EMPLOYEE IN THE LIFEGUARD DIVISION, THE MAUI COUNTY CODE AUTHORIZES THE COUNCIL TO ACCEPT GIFT AS YOU DONATIONS ON BEHALF OF THE COUNTY, AND I KNOW THIS MATTER IS CERTAINLY A VERY SPECIAL TO MY COLLEAGUE, FROM WEST MAUI, WHO IS A LONG TIME LIFEGUARD. I ASK FOR THE MOBS' FULL SUPPORT OF THIS MOTION. MAHALO, MADAM CHAIR. >> ANY MORE DISCUSSION, MEMBERS? IF NOT, ALL THOSE IN FAVOR THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE.\r\n\r\n>> EIGHT AYES, ZERO NOS, ONE EXCUSED. MOTION CARRIES. EXCUSED IS MEMBER KING MADAM CLERK. >> CHAIR, RECOMMENDED FOR REFERRAL TO GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE IS RESOLUTION 22-245 ENTITLED, "RELATING TO THE APPOINTMENT VERONICA LU'UKIA NAKANELUA TO THE BOARD OF WATER SUPPLY FOR THE COUNTY OF MAUI." >> MEMBER SINENCI. >> MAHALO,

CHAIR. CONSIDERATION ON RESOLUTION 22-245. >> SECOND. >> MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT FOR RESOLUTION 22-245 IN ACCORDANCE WITH RULE 7G OF THE RULES OF THE COUNCIL.\r\n\r\n>> SECOND MOVED BY MEMBER SINENCI, SECONDED BY THE BOBBSEY TWINS PALTIN AND MOLINA. TO WAIVE THE RULES OF THE COUNCIL. DISCUSSION, MEMBER SINENCI. >> MEMBERS, THERE'S A 60-DAY TIMELINE FOR THIS APPOINTMENT. IN ADDITION, AT THE LAST MEETING OF THE GREAT COMMITTEE, THE MAYOR'S REPRESENTATIVE TO FILL THE POSITION AS QUICKLY AS POSSIBLE. THANK YOU FOR YOUR CONSIDERATION. >> ANY MORE DISCUSSION?\r\n\r\nALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? EIGHT AYES, ZERO NOS, ONE EXCUSED. MOTION CARRIES. MEMBER SINENCI. >> MAHALO, CHAIR. MOVE TO ADOPT RESOLUTION 22-245. >> SECOND. >> MOVED BY MEMBER SINENCI, SECONDED BY MEMBER PALTIN TO ADOPT RESOLUTION 22-245. DISCUSSION, MEMBER SINENCI.\r\n\r\n>> MAHALO, CHAIR. MS. NAKANELUA PROVIDED GOVERNMENT ENTITIES WITH LEGAL RESEARCH AND OTHER SUPPORT ON A RANGE OF ISSUES INCLUDING NATIVE HAWAIIAN TRADITIONAL CUSTOMARY PRACTICES, INITIATIVES AND POLICIES IMPACTING ACCESS TO FRESHWATER RESOURCES, AND WATER LEASES UNDER HAWAI'I REVISED STATUTES CHAPTER 171. SHE ALSO PROVIDED IMPORTANT RESEARCH AND DRAFTED MEMORANDUM REGARDING UNIQUE ASPECTS OF NATIVE HAWAIIAN WATER LAW AND PUBLIC TRUST DOCTRINE, COUPLED WITH THE INTERSECTION OF LOCAL, FEDERAL AND INTERNATIONAL LAW. WITH THAT, I RESPECTFULLY REQUEST THE COUNCIL MEMBERS' SUPPORT OF THIS MOTION. >> >> ANY FURTHER DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE.\r\n\r\n>> EIGHT AYES, ZERO NOS, ONE EXCUSED. MEMBER KING. MOTION CARRIES. >> MAHALO, MEMBERS. >> MADAM CLERK. >> MOVING FORWARD WITH RESOLUTION 22-246, RECOMMEND OFFERED FOR REFERRAL TO GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE, RESOLUTION ENTITLED, "RELATING TO THE APPOINTMENT OF DELDRINE KAUIÑOHEA MANERA TO THE COUNCIL ON AGING FOR THE COUNTY OF MAUI." RESOLUTION 22-247 ENTITLED, "RELATING TO THE APPOINTMENT OF BLAINE APO TO THE MAUI PLANNING COMMISSION." RESOLUTION 22-248 ENTITLED, AUTHORIZING SETTLEMENT OF ASHLEY HOOKS V. COUNTY OF MAUI, ET AL. CIVIL NO.\r\n\r\n2 CC V-21-0000034." RESOLUTION 22-249 ENTITLED, "AUTHORIZING SETTLEMENT OF CLAIM NUMBER 40721308 OF JAMSHED HAQ." AND RESOLUTION 22-250-ENTITLED, "AUTHORIZING SETTLEMENT OF CLAIM NO. 4072812 OF HALE MAHAOLU ." ANY OBJECTIONS TO THESE? LET ME JUST TAKE THIS, ANY OBJECTIONS TO THE RESOLUTIONS READ BY THE CLERK? VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. CONSIDERATION FOR RESOLUTION 22-246 RELATING TO THE APPOINTMENT OF DELDRINE KAUIÑOHEA MANERA TO THE COUNCIL ON AGING FOR THE COUNTY OF MAUI. >> ANY OBJECTIONS, MEMBERS?\r\n\r\nANY OBJECTIONS? >> NO OBJECTIONS. >> VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I MOVE TO WAIVE THE RULE 7G OF THE RULES OF COUNCIL COMMITTEE REFERRAL AND REPORT. >> SECOND. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ.\r\n\r\nSECONDED BY MEMBER MOLINA TO WAIVE THE RULES THE COUNCIL SO THAT WE CAN TAKE IT UP RIGHT NOW. VICE-CHAIR RAWLINS-FERNANDEZ. ANY COMMENTS ON THAT? >> MAHALO, CHAIR. WE'RE ENDING THE -- WE'RE NEARING THE END OF OUR TERM, AND TIME IS OF THE ESSENCE, SO WE CAN TAKE THINGS UP QUICKER. THERE'S A LOT OF BUSINESS TO BE HAD. SO I WILL KEEP IT THERE.\r\n\r\nMY APOLOGIES, I DIDN'T REQUEST THIS TO BE IN MY NOTES. I'M GOING IT ON THE FLY. MAHALO, CHAIR. >> ANY MORE COMMENTS ON THE WAIVER? ALL THOSE IN FAVOR OF THE MOTION, PLEASE RAISE YOUR HAND AND SAY AYE? >> AYE. >> EIGHT AYES, ZERO NOS, ONE EXCUSED, MEMBER KING.\r\n\r\nMOTION CARRIES VICE-MAYOR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I MOVE TO ADOPT RESOLUTION 22-246. >> SECOND. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ. SECONDED BY MEMBER SUGIMURA TO ADOPT RESOLUTION

22-246. DISCUSSION, VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. THIS IS -- MAHALO TO THE MAYOR, AND MR. MOSSMAN FOR THE NOMINATION OF MS. MANERA IS RETIRED FROM WORKING WITH THE KUPUNA FOR YEARS. I WISH I HAD SOMETHING MORE PREPARED, SO I COULD DO HER NOMINATION MORE JUSTICE. SHE IS A GENERATIONAL FAMILY FROM LANA'I, AND STRONGLY ROOTED IN UPLIFTING, AND ADVOCATING FOR OUR KUPUNA HERE, AND 'AINA-WIDE AND KNOW WOULD BE A STRONG ADVOCATE ON THE COUNCIL ON AGING FOR OUR KUPUNA. MAHALO, CHAIR. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE. >> EIGHT AYES, ZERO NOS, ONE EXCUSED, MEMBER KING. MOTION CARRIES. DO YOU HAVE ANY OBJECTIONS TO THE REST OF THE REFERRALS, MEMBERS? MEMBER PALTIN. >> I HAD CONSIDERATION FOR 22-251, IF THAT IS ALL RIGHT? >> WE DIDN'T GET THERE YET. >> OH, OKAY, NEVER MIND THEN. >> THAT WASN'T READ YET. THE PREVIOUS ONES UP TO 22-250? ANY OBJECTIONS TO THE REFERRALS AS READ BY THE CLERK? >> NO OBJECTIONS UP TO 22-250. >> NO OBJECTIONS. >> UP TO, YES, RIGHT. SO ORDERED. MADAM CLERK. >> CONTINUING ON WITH RESOLUTIONS 22-251, ENTITLED, "APPROVING FOR INCLUSION IN THE 2023 HAWAI'I STATE ASSOCIATION OF COUNTIES' LEGISLATIVE PACKAGE A STATE BILL TO ELIMINATE THE NEED FOR SPECIAL MANAGEMENT AREA USE PERMITS FOR CERTAIN ENVIRONMENTALLY DESIRABLE ACTIVITIES." >> MEMBER PALTIN. >> THANK YOU, CHAIR. I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT FOR RESOLUTION 22-251 IN ACCORDANCE WITH RULE 7G OF THE RULES OF THE COUNCIL. >> SECOND. >> MOVED BY MEMBER PALTIN, SECONDED BY PRO TEM KAMA TO WAIVE THE RULES OF THE COUNCIL REGARDING RESOLUTION 22-251. DISCUSSION, MEMBER PALTIN. >> THANK YOU, CHAIR. SO WE HAVE ALREADY DISCUSSED THIS PROPOSAL FOR INCLUSION AT THE LAST HAWAI'I STATE ASSOCIATION OF COUNTIES' LEGISLATIVE PACKAGE. >> THIS IS ONLY ON THE WAIVER, TIME-SENSITIVE. >> TIME-SENSITIVE. >> ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE. EIGHT AYES, ZERO NOS, ONE EXCUSED. MOTION CARRIES. EXCUSED IS MEMBER KING. >> VICE-CHAIR -- NOT VICE-CHAIR, BUT MEMBER PALTIN, YOUR TURN. >> THANK YOU, I MOVE IT APPROVE FOR INCLUSION IN THE 2023 HAWAI'I STATE ASSOCIATION OF COUNTIES' LEGISLATIVE PACKAGE A STATE BILL TO ELIMINATE THE NEED FOR SPECIAL MANAGEMENT AREA USE PERMITS FOR CERTAIN VIRTUALLY DESIRABLE ACTIVITIES." >> SECOND. >> MOVED BY MEMBER PALTIN AND SECONDED BY PRO TEM KAMA TO ADOPT RECOMMENDATIONS IN RESOLUTION 22-251. FURTHER DISCUSSION, MEMBER PALTIN. >> YES. THIS WASN'T WHEN WE HAD ALL FIVE MEMBERS THERE. PEOPLE DROPPED OFF. MEMBER KING DROPPED OFF AND MEMBER KAMA DROPPED OFF AT THAT POINT. >> SO THERE WASN'T A QUORUM THERE, SO JUST WANTED TO BE CLEAR. WE DISCUSSED THIS FOR INCLUSION IN LAST HAWAI'I STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE AND H SARC EXECUTIVE COMMITTEE HAS ALREADY ALREADY REVIEWED AND TENTATIVELY APPROVED THE PROPOSAL, WHICH I CAN FURTHER EXPLAIN THAT WAS PART I WAS SUPPOSED TO READ FOR THE WAIVER. RESOLUTION 22-251'S PURPOSE IS TO APPROVE FOR INCLUSION IN THE 2023 HAWAI'I STATE ASSOCIATION OF COUNTIES' LEGISLATIVE PACKAGE A STATE BILL TO EXPAND EXCLUSIONS TO THE DEFINITION OF "DEVELOPMENT" IN CHAPTER 205(A) HAWAI'I REVISED STATUTES AND ELIMINATE THE NEED FOR SPECIAL MANAGEMENT AREA USE PERMITS FOR CERTAIN ENVIRONMENTALLY DESIRABLE ACTIVITIES. EXAMPLES OF THESE EXCLUSIONS ARE INSTALLATION, MAINTENANCE, REPAIR AND REPLACEMENT OF PUBLIC PEDESTRIAN AND BICYCLE FACILITIES TO REDUCE RELIANCE ON VEHICLES. LIGHTING FIXTURES AND EQUIPMENT TO COMPLY WITH STANDARDS AT PUBLIC FACILITIES, INCLUDING HEALTH AND SAFETY STANDARDS TO PROTECT NATIVE SEABIRD POPULATIONS AND REDUCE LIGHT POLLUTION, AND SECURITY MEASURES FOR EXISTING PUBLIC



FACILITIES. IT ALSO EXCLUDES TRASH REMOVAL, INVASIVE VEGETATION REMOVAL OR CONTROL THAT DOESN'T USE LIKE HARMFUL PESTICIDES NEAR THE SHORELINE AND DOESN'T PERPETUATE EROSION. FENCING FOR INVASIVE SPECIE CONTROL TO IMPROVE THE QUALITY OF VIRTUAL AND THIS PROPOSAL WAS DISCUSSED PENDING MAUI COUNTY COUNCIL'S APPROVAL.\r\n\r\nIT WILL BE INCLUDED. THE HSAC LEGISLATIVE PACKAGE AS APPROVED BY HSAC EXECUTIVE COMMITTEE WILL BE POSTED ON THE NEXT COUNCIL AGENDA FOR CONSIDERATION. IT'S IMPORTANT THAT WE ACT ON THIS RESOLUTION TODAY, AND ONE OTHER THING I THINK IT INCLUDED WAS SIDEWALKS. THAT WAS SOMETHING THAT I THINK PLANNING AND PUBLIC WORKS WANTED, BECAUSE THEY WERE HAVING A HARD TIME THROUGH THE SIDEWALKS IN THE SMA, BECAUSE OF THE PERMITTING. >> ANY MORE COMMENTS? OR QUESTIONS? OR DISCUSSION?\r\n\r\nIF NOT, ALL THOSE IN FAVOR OF ADOPTING IN RESOLUTION, RAISE YOUR HAND AND SAY AYE? >> AYE. >> EIGHT AYES, ZERO NOS, ONE EXCUSED. MOTION CARRIES. EXCUSED IS MEMBER KING. MADAM CLERK. >> CHAIR, WE HAVE RESOLUTION 22-252, ENTITLED, "URGING THE STATE LEGISLATURE AND THE GOVERNOR OF THE STATE OF HAWAI'I TO PROVIDE FOR THE ESTABLISHMENT OF THE PROPOSED WEST MAUI HOSPITAL AND MEDICAL CENTER ." MEMBER PALTIN.\r\n\r\n>> WELL, I THOUGHT WE WERE HAVING THIS ONE TO COMMITTEE. >> THAT'S FINE. ANY OBJECTIONS TO REFERRING THIS ITEM TO COMMITTEE? SO ORDERED. >> CHAIR? >> YES. >> HCP?\r\n\r\n>> REFER TO HCP. >> YES. >> OKAY. >> THANK YOU. >> THANK YOU. MADAM CLERK. >> CHAIR, REFERRAL TO YOUR PLANNING AND SUSTAINABLE LAND USE COMMITTEE, RESOLUTION 22-253 ENTITLED, "REFERRING TO THE MAUI PLANNING COMMISSION A PROPOSED BILL TO EXCHANGE THE ZONE PERFECTING M-1 LIGHT INDUSTRIAL DISTRICT AND OPEN ZONE DISTRICT TO B-2 BUSINESS DISTRICT FOR REAL PROPERTY SITUATED IN MA'ALAEA, MAUI, HAWAI'I IDENTIFIED AS TAX MAP KEY (2)3-6-008-002 AND (2)3-6-008-003, MAUI OCEAN CENTER ." ANY OBJECTIONS TO REFERRING THIS TO THE COMMITTEE?\r\n\r\nIS THAT THE PLAN, TO REFER TO COMMITTEE? OKAY. NO OBJECTIONS. SO ORDERED. NEXT WE ONLY HAVE TWO MORE. >> YES. TO YOUR GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE, RESOLUTION 22-254 AUTHORIZING THE PURCHASE OF THE REAL PROPERTY AT 1488 SOUTH KIHEI ROAD, KIHEI, MAUI, HAWAI'I ANY OBJECTIONS TO REFERRING THIS TO THE GREAT COMMITTEE?\r\n\r\nCOUNCIL MEMBER SINENCI. >> I BELIEVE COUNCIL MEMBER KING WAS ASKING IF IT COULD BE REFERRED TO THE BFED COMMITTEE? >> BFED COMMITTEE -- >> IF SHE HAD TIME TO BRING IT UP. >> VICE-CHAIR RAWLINS-FERNANDEZ? WOULD YOU BE ABLE TO TAKE THIS ONE UP? >> CAN I GET A COUPLE OF SECONDS TO CONSULT? >> SURE OKAY.\r\n\r\n>> CAN WE HAVE A RECESS, CHAIR? >> WE'LL TAKE A FIVE-MINUTE RECESS. >> CHAIR, IT'S CLOSE TO OUR AFTERNOON BREAK TIME ANYWAY. >> WE'LL TAKE 12 MINUTES. >> THANK YOU. 3:10. [ GAVEL ] MEETING IN RECESS UNTIL 3:10. [ GAVEL ] WILL THE COUNCIL MEETING OF NOVEMBER 4TH, PLEASE RECONVENE. IT'S 3:12 P.M.. MADAM CLERK.\r\n\r\n>> WE LEFT OFF WITH RESOLUTION 22-254. ENTITLED, "AUTHORIZING THE PURCHASE OF THE REAL PROPERTY AT 1488 SOUTH KIHEI ROAD KIHEI, MAUI, HAWAI'I." INITIALLY IT WAS NOTED TO GO TO THE GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE FOR REFERRAL AND COUNCIL MEMBER SINENCI IS REQUESTING IT GO TO BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT. >> THAT IT GO TO WHERE? I'M SORRY, I DIDN'T HEAR YOU. >> BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT. >> I GOT A TEXT FROM MEMBER KING, SAYING IF THEY CAN'T TAKE IT, SHE'LL TAKE IT. THE CLIMATE COMMITTEE. WHAT IS EVERYBODY'S PLEASURE?\r\n\r\nWHO WANTS IT? VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I COULD TAKE IT UP ON NOVEMBER 30TH. >> OKAY. >> ARE YOU GOING TO BE HERE NOVEMBER 30TH. >> WHERE AM I GOING?\r\n\r\n>> I THOUGHT YOU WERE GOING TO COURT. >> OH, . >> THAT'S RIGHT. >> NOT JUST ME. >> I'M GLAD YOU REMEMBERED, MEMBER KAMA. WE BETTER

REFER THIS TO THE CARE COMMITTEE. >> ISN'T SHE GOING TO COURT, TOO? >> YES.\r\n\r\n>> I DON'T KNOW. >> YUKI LEI CAN BE VIRTUAL, AND THE REST OF US THEY SAID WE GOT TO GO. >> EVEN IF SHE IS VIRTUAL, AND SHE HOLDS IT, WHO IS GOING TO BE THERE TO ATTEND? HERS IS IN THE MORNING. >> MEMBER MOLINA. >> MADAM CHAIR, LET'S JUST TENTATIVELY REFER IT, IF IT HAPPENS TO FALL ON THAT DAY, IT HAPPENS. IF NOT, I'M SURE MAYBE, I DON'T KNOW IF ALL NINE MEMBERS WILL BE CALLED AT THE SAME DAY.\r\n\r\n\r\nTHERE'S A COMMITTEE VICE-CHAIR POTENTIALLY. SO SOME COMMITTEES STILL COULD POTENTIALLY OPERATE WITHOUT THEIR CHAIRS. I'M IN FAVOR OF MEMBER RAWLINS-FERNANDEZ IF SHE WANTS IT FOR THE 30TH. ANYWAY, RATHER THAN SPENDING SO MUCH TIME DECIDING. >> WE KNOW WHO IS NOT GOING IS MEMBER SUGIMURA. WHY DID YOU HAVE HAND UP? >> I WOULD GLADLY TAKE ANYTHING, BUT IT'S HARD TO HAVE ANYTHING WITH YOU ALL AWAY.\r\n\r\n\r\n>> WE'LL BE VIRTUAL. >> YOU WILL BE IN THE COURTROOM. >> SHE SAID SHE ONLY NEEDS US FOR ONE HOUR EACH. >> SHE MIGHT BE SEDATED. MEMBER JOHNSON. >> NO, NO, NOVEMBER 16TH IS MY SURGERY. OKAY.\r\n\r\n\r\nLET'S MOVE ON. SORRY. >> MEMBER JOHNSON, DID YOU HEAR THAT, MADAM CLERK? ANY OBJECTIONS? SO ORDERED. >> CHAIR. >> MEMBER SINENCI.\r\n\r\n\r\n>> THAT WAS -- I DON'T KNOW ABOUT MEMBER KING, THAT WAS HER REQUEST THAT IT GO TO BFED. >> OKAY. RIGHT. BUT THEN I GOT A TEXT A FEW MINUTES AGO THAT SAID IF BFED CAN'T TAKE IT, AND IF GREAT CAN'T TAKE IT, SHE WOULD TAKE IT ON NOVEMBER 30TH. BUT THEN MEMBER KAMA REMINDED US THAT WE ALL HAVE TO BE IN HONOLULU, MAYBE, WE DON'T KNOW. WE HAVE TO BE ON STANDBY. WE'RE ON STANDBY.\r\n\r\n\r\nSO THE ONE PERSON WHO IS NOT GOING MEMBER JOHNSON. >> AND ME. >> YES, BUT WE ALREADY TALKED ABOUT YOUR OPERATION. YOU ARE NOT AVAILABLE. WE'RE NOT SURE YOU ARE AVAILABLE. LET'S NOT FIGHT OVER THIS. MEMBER JOHNSON, IF YOU WOULDN'T MIND TAKING IT.\r\n\r\n\r\nWE CAN ALL SEND IT TO SOMEBODY ELSE. >> IN THE SPIRIT OF CAMARADERIE, I'M TAKE IT AND WE'LL SEND IT SOMEWHERE ELSE. >> MADAM CLERK, DID YOU GET THAT REFERRAL? 22-254 TO MEMBER JOHNSON'S COMMITTEE. >> THANK YOU. OUR FINAL RESOLUTION IS RECOMMENDED FOR REFERRAL TO THE GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE, RESOLUTION 22-255 ENTITLED, "AUTHORIZING EMPLOYMENT OF ADDITIONAL COMPENSATION RELATED TO THE SPECIAL COUNSEL KATTEN MUCHIN ROSENMAN LLP AS THE COUNTY OF MAUI'S BOND AND DISCLOSURE COUNSEL FOR THE NEXT GENERAL OBLIGATION BOND ISSUANCE, OTHER BONDS AND OTHER LEGAL SERVICES." >> ANY OBJECTIONS TO REFERRING TO THE GREAT COMMITTEE? VICE-CHAIR RAWLINS-FERNANDEZ.\r\n\r\n\r\n>> MAHALO, CHAIR, FOR RESOLUTION 22-255, OUR BOND COUNSEL. >> YOU WANT TO DO WHAT? >> I GUESS I HAVE TO DO THE MOTION TO WAIVE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT IN ACCORDANCE WITH RULE 7G OF THE RULES OF THE COUNCIL. >> SECOND . >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ AND SECONDED BY MEMBER SUGIMURA TO WAIVE THE RULES OF COUNCIL REGARDING RESOLUTION 22-255. DISCUSSION, VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR THIS IS FOR CONSULTATION FROM OUR BOND COUNSEL. >> ALL RIGHT. ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE?\r\n\r\n\r\n>> AYE. >> EIGHT AYES, ZERO NOS, ONE EXCUSED. MEMBER KING. MOTION CARRIES. VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I MOVE TO ADOPT RESOLUTION 22-255. >> SECOND.\r\n\r\n\r\n>> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ. SECONDED BY MEMBER SUGIMURA TO ADOPT RESOLUTION 22-255. DISCUSSION, VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. SO THE SCOPE OF WORK FOR BOND AND DISCLOSURE COUNSEL SERVICES INCLUDE LEGAL AND TAX ADVICE, AND LEGAL AND TAX OPINIONS, AS REQUIRED, OR REQUIRED ON THE 2021 GENERAL OBLIGATION BONDS AND OTHER PROPOSED BONDS, WHICH ALSO INCLUDE HAVING THEM AS RESOURCE PERSONNEL IN DISCUSSIONS WITH AFFORDABLE HOUSING INITIATIVES, MEANING AFFORDABLE HOUSING COMMITTEE, AS WELL AS BUDGET COMMITTEE. SO I

HOPE FOR THE MEMBERS' SUPPORT OF THIS MOTION TO ADOPT TODAY. >> ANY MORE DISCUSSION, MEMBERS? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE.\r\n\r\nEIGHT AYES, ZERO NOS, ONE EXCUSED. MOTION CARRIES. EXCUSED IS MEMBER KING. MADAM CLERK. >> CHAIR, PROCEEDING WITH AGENDA CATEGORY M, BILLS. WE HAVE ROBIN KNOX SCHEDULED TO PROVIDE TESTIMONY. >> PLEASE CALL HER.\r\n\r\n>> ROBIN KNOX. ARE YOU STILL ON THE CALL? IT'S YOUR TURN FOR TESTIMONY. >> I SEE HER. >> I'M HERE. HI. >> HI.\r\n\r\n>> GREAT. WELL, I JUST WOULD LIKE TO SAY ON THIS ONE, I THINK THIS ARE SOME THINGS IN HERE THAT ARE REALLY IMPORTANT, NOT ONLY TO SOUTH MAUI, BUT TO IN THE CASE OF THE TURTLE FENCING REALLY TO THE WHOLE WORLD. AND I DON'T KNOW IF YOU ALL REMEMBER, BUT BACK IN THE '90S, THERE WERE TWO OF THE ENDANGERED TURTLES THAT WERE -- THEY WERE MOTHER TURTLES, FULL OF EGGS AND THEY GOT ON THAT ROAD AND WERE HIT BY TRAFFIC AND KILLED. THAT IS JUST TRAGIC, WHEN YOU HAVE A SPECIES THAT IS BARELY HANGING ON, YOU KNOW? ONE STEP AWAY FROM EXTINCTION. AND THAT IS WHY THOSE FENCES WERE ORIGINALLY BUILT. AND LATELY PEOPLE HAVE BEEN CRASHING INTO THE FENCES.\r\n\r\nSO THAT TRYING TO DRIVE ON THE BEACH AND THAT ENDANGERS THESE TURTLES AS WELL IT'S NOT A GOOD IDEA TO RIDE IN THE BEACH OR CRASH INTO FENCES, BUT THE FENCES NEED TO BE REPAIRED TO PROTECT THOSE TURTLES. THAT IS SUPER IMPORTANT. THE TURTLES NOT ONLY FOR THEIR OWN WORTH, BUT IT'S ONE OF THE THINGS THAT MAKES MAUI VERY SPECIAL THAT WE CAN SEE WILDLIFE LIKE THAT ON MAUI. FOR THE MA'ALAEA HISTORY, I NEVER REALLY APPRECIATED WHAT THAT HISTORY WAS, UNTIL I GOT TO KNOW PETER GANNON, WHO GREW UP THERE. AND HEAR HIM DESCRIBE WHAT IT WAS LIKE IN THE PAST. IT WAS A VAST WETLANDS. AND ALSO TALKING WITH LUCIENNE DE NAIE AND LEARNING ABOUT ALL THE CULTURAL ASPECTS, AND PARTICULAR FASCINATION FOR ME, THERE USED TO BE A RED MUD SEDIMENT THAT WAS CONSIDERED HEALING, YOU KNOW?\r\n\r\nBECAUSE I DO A LOT OF WORK WITH SEDIMENT. IT MAKES ME WANT TO DIG DOWN THERE AND FIND OUT MORE ABOUT THAT, BUT WE CAN HAVE AS A STARTING POINT THIS MA'ALAEA HISTORY THAT IS BEING PREPARED. THEN THE THIRD THING THAT I SUPPORT IS THE ECOVILLAGE CONCEPT, AND THIS IS ONE THAT GENESIS YOUNG HAS BROUGHT UP, AND ITS CURRENT INCARNATION, BUT IT'S AN IDEA THAT PEOPLE IN SOUTH MAUI HAVE BEEN TALKING ABOUT. I HAVE HEARD TALK ABOUT IT AS FAR BACK AS 2008-2010. AND SO I THINK IT'S SOMETHING THAT WOULD GET A LOT OF SUPPORT IN THE COMMUNITY. I THANK MR. YOUNG FOR TAKING ON KIND OF SPEARHEADING THAT, AND THANK YOU ALL FOR CONSIDERING THAT AND URGE YOU TO SUPPORT THE FUNDS FOR ALL THREE OF THESE PROJECTS. THAT IS ALL I HAD.\r\n\r\nTHANK YOU. >> THANK YOU. ANYONE ELSE? ANY COMMENTS? QUESTIONS? IF NOT, THANK YOU VERY MUCH, MS. KNOX.\r\n\r\nDO WE HAVE ANY OTHER TESTIFIERS, MADAM CLERK? >> IF THERE'S ANY ATTENDEES ON THE CALL THAT WANT TO TESTIFY, PLEASE MAKE YOURSELF KNOWN NOW. LAST CALL FOR TESTIMONY FOR BILLS. CHAIR, NOBODY HAS INDICATED DESIRE TO TESTIFY ON BILLS. >> OKAY. NO MORE TESTIFIERS ON M, BILLS. ANY OBJECTIONS TO CLOSING TESTIMONY ON M, AND ACCEPTING WRITTEN TESTIMONY FOR BILLS?\r\n\r\n>> NO OBJECTIONS. >> SO ORDERED. MADAM CLERK. YOU CAN START THE BILLS. >> PROCEEDING WITH BILLS RECOMMENDED FOR REFERRAL TO YOUR GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE BILL 169 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING CHAPTER 9.28 MAUI COUNTY CODE RELATING TO AIR AND REPLICAS GUNS." TO YOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE, BILL 170 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING TITLE 3, MAUI COUNTY CODE RELATING TO ESTABLISHING A DIVISION OF GRANTS RESEARCH AND WRITING UNDER THE DEPARTMENT OF MANAGEMENT." >> VICE-CHAIR RAWLINS-FERNANDEZ, HOW WOULD YOU LIKE US TO HANDLE THESE BILLS? >> WHICH ONES? BILL 170, REFER.\r\n\r\n>> BILL 169, 170. THESE ARE

REFERRALS. >> 169 IS GOING TO ME OR TO GREAT? >> OH, THAT'S RIGHT. I'M SORRY, TO GREAT. AND 170 TO YOU. >> YES. >> OKAY.\r\n\r\nTHESE ARE ALL REFERRALS. ANY OBJECTIONS TO REFERRALS -- TO THESE REFERRALS, MEMBERS? >> NO OBJECTIONS. >> SO ORDERED FOR THESE TWO ITEMS. CONTINUING ON WITH 171. >> CONTINUING ON WITH BILL 171 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES, DEPARTMENT OF PUBLIC WORKS, COUNTYWIDE GOVERNMENT FACILITIES, BOND FUND, DPW HIGHWAY DIVISION COUNTYWIDE BASEYARD FACILITIES, TOTAL CAPITAL IMPROVEMENT PROJECTS APPROPRIATIONS, TOTAL APPROPRIATIONS, OPERATING AND CAPITAL IMPROVEMENT PROJECTS." BILL 172 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C, CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF PUBLIC WORKS, COUNTYWIDE, DPW HIGHWAY DIVISION COUNTYWIDE BASEYARD FACILITIES PROGRAM." BILL 173 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 5394, BILL NO. 71, CD 1. FD 2 (2022) RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI, ISSUANCE, SALE AND DELIVERY OF SAID BONDS, DEPARTMENT OF PUBLIC WORKS." BILL 174 (2022) ENTITLED, "A BILL FOR AN ORDINANCE -- >> VICE-CHAIR RAWLINS-FERNANDEZ.\r\n\r\n>> MAHALO, CHAIR. I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REVEL AND REPORT FOR BILL 171,172, AND 173 IN ACCORDANCE WITH RULE 7G OF THE RULES OF THE COUNCIL. >> SECOND. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ. SECOND BY MEMBER SUGIMURA TO WAIVE THE RULES OF THE COUNCIL REGARDING BILLS 171, 172, 173, DISCUSSION, VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. THE FISCAL YEAR 2022 FUNDS FOR THIS PROJECT WILL LAPSE ON DECEMBER 31ST, 2022. SO IT'S NECESSARY TO ADD THIS PROJECT TO FISCAL YEAR 2023 BUDGET AS SOON AS POSSIBLE IN ORDER FOR THE PROCESS TO CONTINUE WITHOUT INTERRUPTION.\r\n\r\n>> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, PLEASE RAISE YOUR HAND AND SAY AYE? >> AYE. >> EIGHT AYES, ZERO NOS, ONE EXCUSED, MEMBER KING. MOTION CARRIES VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO CHAIR. I MOVE TO PASS BILL 171, 172 AND 173 ON FIRST READING.\r\n\r\n>> MOVED AND SECONDED TO PASS BILLS 171, 172 AND 173 ON FIRST READING. DISCUSSION, VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR, MEMBERS THE PURPOSE OF THESE BILLS IS TO AMEND THE FISCAL YEAR 2023 BUDGET BILL, APPENDIX C AND BOND BILL TO ADD THE PROJECT DESCRIPTION AND APPROPRIATE ADDITIONAL \$1,207,000 IN BOND FUNDING FOR THE DEPARTMENT OF PUBLIC WORKS DPW HIGHWAY DIVISION, COUNTYWIDE BASEYARD FACILITIES. THESE FUNDS WILL BE USED FOR THE BASEYARD IMPROVEMENT PROJECT FISCAL YEAR 2022 BUDGET INCLUDED \$900,000 FOR THIS PROJECT. THESE FUNDS ARE INSUFFICIENT TO MOVE FORWARD WITH THE PROJECT. THERE'S ALSO NOT SUFFICIENT TIME TO APPROPRIATE THE FUNDS BY THE END OF THE CALENDAR YEAR. REPRESENTATIVES FROM THE ADMINISTRATION ARE AVAILABLE TO ANSWER ANY QUESTIONS THAT THE MEMBERS MAY HAVE.\r\n\r\nI RESPECTFULLY ASK FOR MEMBERS' SUPPORT OF THIS MOTION. MAHALO, CHAIR. >> ANY FURTHER DISCUSSION OR QUESTIONS TO THE ADMINISTRATION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE. >> AYE. >> EIGHT AYES, ZERO NOS, ONE EXCUSED MOTION CARRIES. MADAM CLERK.\r\n\r\n>> THANK YOU, CHAIR. PROCEEDING WITH BILL 174 (2022) ENTITLED, "A BILL FOR AN ORDINANCE THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, SOLID WASTE OPERATIONS PROGRAM, DEPARTMENT OF FINANCE, COUNTYWIDE, OTHER PROJECTS, BOND FUND, COUNTYWIDE EQUIPMENT, TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS, OPERATING AND CAPITAL IMPROVEMENT PROJECTS." BILL 175 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023

AS IT PERTAINS TO DEPARTMENT OF FINANCE, COUNTYWIDE EQUIPMENT." BILL 176 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 5394, BILL NO. 71, CD 1, FD 2 (2022) RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI ISSUANCE, SALE, AND DELIVERY OF SAID BONDS, DEPARTMENT OF FINANCE ." VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT FOR BILL 174, 175 AND 176 IN ACCORDANCE WITH RULE 7G OF THE RULES OF COUNCIL >> SECOND. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ, SECONDED BY MEMBER SUGIMURA.\r\n\r\nDISCUSSION, VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. ADMINISTRATION IS ASKING FOR ADDITIONAL FUNDING FOR EQUIPMENT DUE TO COST ESCALATIONS AND A CHANGE IN THE TYPE OF EQUIPMENT NEEDED. AMENDING THE BUDGET TODAY WILL ALLOW THE DEPARTMENT TO PROCEED WITH PROCUREMENT AS SOON AS POSSIBLE. MAHALO, CHAIR. >> ANY FURTHER DISCUSSION, MEMBERS? ALL THOSE IN FAVOR OF THE MOTION, PLEASE RAISE YOUR HAND AND SAY AYE?\r\n\r\n>> AYE. >> MEMBER PALTIN? EIGHT AYES, ZERO NOS, ONE EXCUSED. MOTION CARRIES. MEMBER KING IS EXCUSED. VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR.\r\n\r\nI MOVE TO PASS BILL 174, BILL 175 AND BILL 176 ON FIRST READING. >> SECOND. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ. SECONDED BY MEMBER SUGIMURA TO PASS BILLS 174, 175 AND 176 ON FIRST READING THE DISCUSSION, VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR THE PURPOSE OF THESE BILLS IS TO AMEND THE FISCAL YEAR 2023 BUDGET BILL APPENDIX C AND BOND BILL TO ADD \$785,000 IN ADDITIONAL BOND FUNDING FORER THE DEPARTMENT OF FINANCE, COUNTYWIDE EQUIPMENT AND TO INCREASE CARRY OVER SAVING FROM THE SOLID WASTE MARX FUND BY \$300,000. AND APPROPRIATE THESE FUNDS TO THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, SOLID WASTE OPERATIONS PROGRAM. THE TWO DOZERS INCLUDED IN THE FISCAL YEAR 2023 BUDGET HAVE INCREASED IN COSTS BY \$300,000 EACH SINCE THE INITIAL ESTIMATES WERE RECEIVED. ALSO, \$185,000 IS BEING REAPPROPRIATED BY FY'2022 FOR BACKHOE LODER TO FY'23 FOR EXCAVATOR FOR THE MOLOKA'I LANDFALL AND APPROPRIATION OF '225,000 FOR D35 FLAT TRUCK DOZER WAS INCLUDED IN THE FY'23 BUDGET AND SOLID WASTE DIVISION IS REQUESTING AN ADDITIONAL \$300,000 TO PURCHASE A HIGH TRACT DOZER INDEED, WHICH WAS NOT INCLUDED IN THE BUDGET REQUEST, BECAUSE IT WAS NOT BEING MANUFACTURED AT THE TIME THE PROPOSAL WAS PREPARED.\r\n\r\nREPRESENTATIVES FROM THE ADMINISTRATION ARE AVAILABLE TO ANSWER ANY QUESTIONS. MAHALO, CHAIR. >> ANY FURTHER DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND. EIGHT AYES, ZERO NOS, MOTION CARRIES. ONE EXCUSED MEMBER KING. MADAM CLERK.\r\n\r\n>> CONTINUING WITH BILL 177 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAMS SOUTH MAUI ECONOMIC DEVELOPMENT, ENVIRONMENTAL AND CULTURAL PROGRAMS. >> MEMBER SINENCI. >> MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT FOR BILL 177 (2022) IN ACCORDANCE WITH RULE 7G OF THE RULES OF THE COUNCIL. >> SECOND. >> MOVED BY MEMBER SINENCI. SECONDED BY VICE-CHAIR RAWLINS-FERNANDEZ TO WAIVE THE RULES OF THE COUNCIL REGARDING BILL 177. DISCUSSION ON THE RULE WAIVER, MEMBER SINENCI. >> MEMBERS, THESE FUNDS ARE FOR GRANTS TO ORGANIZATIONS FOR PROJECTS IN THE SOUTH MAUI AREA.\r\n\r\nTHE SOONER THE AMENDMENT IS PASSED, AND THE SOONER THE OFFICE OF ECONOMIC DEVELOPMENT CAN BEGIN THAT PROCESS OF ISSUING OUT THOSE FUNDS. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE. >> EIGHT AYES, ZERO NOS, ONE EXCUSED, MEMBER KING. MOTION CARRIES. MEMBER SINENCI.\r\n\r\n>> MAHALO, CHAIR. MOVE TO PASS BILL 177 (2022) ON FIRST READING. >> SECOND. >> MOVED AND SECONDED TO PASS BILL 177 ON FIRST

READING. MEMBER SINENCI, DISCUSSION? >> YES, BILL 177 (2022) WOULD AMEND THE FISCAL YEAR 2023 BUDGET OFFICE OF THE MAYOR ECONOMIC DEVELOPMENT PROGRAM, TO ADD ADDITIONAL FUNDING FOR EVENTS, \$690,000 FOR THE HAWAI'I WILDLIFE FUND FOR FENCE REPLACEMENT, [ INAUDIBLE ] MA'ALAEA HISTORY BOOK EXTENSION, \$14,000 FOR YOUNG FOUNDATION FOR CONSULTING FEES FOR SOUTH MAUI ECOVILLAGE. WE DISCUSSED SEVERAL OF THESE PROJECTS DURING THE NEW YORK 2ND, 2022 CARE COMMITTEE MEETING.\r\n\r\nNO ADDITIONAL FUNDS ARE BEING ADDED TO THE BUDGET AS PART OF THIS AMENDMENT. RESPECTFULLY REQUEST THE COUNCIL MEMBERS' SUPPORT OF THIS MOTION. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE. >> EIGHT AYES, ZERO NOS, ONE EXCUSED. MEMBER KING.\r\n\r\nMOTION CARRIES. MADAM CLERK. >> MAHALO. >> CONTINUING WITH BILL 178 (2022) ENTITLED, "A BILL FOR AN ORDINANCE THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAIN TO ESTIMATED REVENUES, DEPARTMENT OF PUBLIC WORKS, COUNTYWIDE ROAD IMPROVEMENTS, BOND FUND, COUNTYWIDE FEDERAL AID PROGRAM TOTAL CAPITAL IMPROVEMENT PROJECTS APPROPRIATIONS, TOTAL APPROPRIATIONS, OPERATING AND CAPITAL IMPROVEMENT PROJECTS." . BILL 179 (2022) ENTITLED, "A BILL FOR AN ORDINANCE A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C, CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF PUBLIC WORKS, COUNTYWIDE FEDERAL AID PROGRAM." BILL 180 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 5394, BILL NO. 71, CD 1, FD 2 (2022) RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI, ISSUANCE, SALE AND DELIVERY OF SAID BONDS, DEPARTMENT OF PUBLIC WORKS." CONTINUE? >> YES.\r\n\r\n>> BILL 181 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX A, PART 1, GRANTS AND RESTRICTED USE REVENUES, SCHEDULE OF GRANTS AND RESTRICTED USE REVENUES BY DEPARTMENTS, AND PROGRAMS, DEPARTMENT OF PUBLIC WORKS, FEDERAL HIGHWAY ADMINISTRATION, FEDERAL AID AND OTHER TRANSPORTATION GRANTS." BILL 182 (2022) ENTITLED, "A BILL FOR AN ORDINANCE >> VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT FOR BILL 178, 180 AND 181. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ AND SECONDED BY MEMBER SUGIMURA TO WAIVE THE RULES OF COUNCIL REGARDING BILLS 178, 179, 180 AND 181. DISCUSSION, VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. MEMBERS THE DEPARTMENT RECENTLY RECEIVED APPROVAL FROM THE STATE DEPARTMENT OF TRANSPORTATION FOR THE PROJECT, AND DOES NOT HAVE SUFFICIENT TIME FOR PROCUREMENT PROCESS PRIOR TO DECEMBER 31ST, APPROVAL OF THESE BILLS AS SOON AS POSSIBLE WILL ALLOW THE DEPARTMENT TO CONTINUE TO MOVE FORWARD ON THE PROJECT. MAHALO, CHAIR. >> ANY MORE DISCUSSION?\r\n\r\nALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE. >> NOW I SEE SEVEN AYES. MEMBER PALTIN? SEVEN AYES, TWO EXCUSED. MEMBER PALTIN? DID YOU VOTE?\r\n\r\nYOU DID. OKAY. EIGHT AYES, ZERO NOS. SHE IS IN -- YOU CAN'T SEE HER. EIGHT AYES, ZERO NOS, MOTION CARRIES. THE ONE EXCUSED IS MEMBER KING. VICE-CHAIR RAWLINS-FERNANDEZ.\r\n\r\n>> MAHALO, CHAIR. TO PASS BILL 178, BILL 179, BILL 180 AND BILL 181 ON FIRST READING. >> SECOND. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ AND SECONDED BY MEMBER SUGIMURA TO PASS BILLS 178, 179, 180, AND 181 ON FIRST READING VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. THE PURPOSE OF BILL 178, 179, AND 1800 AMEND THE BUDGET AND ADD \$3,919,000 IN BOND FUNDING FOR THE DEPARTMENT OF PUBLIC WORKS COUNTYWIDE FEDERAL AID PROGRAM ALONG WITH AMENDING THE PROGRAM DESCRIPTION TO ADD THE MAKAWAO AVENUE PAVEMENT RECONSTRUCTION PROJECT PHASE 1. BILL 181 (2022) WOULD AMEND APPENDIX A, PART 1 TO CARRY OVER \$9,530,000 FROM THE

FISCAL YEAR 2022 GRANT UNDER THE DEPARTMENT OF PUBLIC WORKS FOR FEDERAL HIGHWAY ADMINISTRATION FEDERAL AID AND OTHER TRANSPORTATION GRANTS, GRANT REVENUES FOR FEDERAL AID PROGRESSES. THESE FUNDS WOULD BE USED FOR RECONSTRUCTION OF EXISTING PAVEMENT, REPLACEMENT OF DRAIN LINES AND CONSTRUCTION OF SAFETY IMPROVEMENTS FROM MPO TO I STREET.\r\n\r\nREPRESENTATIVES FROM THE ADMINISTRATION ARE AVAILABLE TO ANSWER ANY QUESTIONS MEMBERS MAY HAVE. I RESPECTFULLY ASK FOR MEMBERS' SUPPORT OF THE MOTION. >> ANY DISCUSSION? ALL IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? EIGHT AYES, ONE EXCUSED AND MOTION CARRIES. MEMBER KING IS EXCUSED. MADAM CLERK.\r\n\r\n>> PROCEEDING WITH BILL 182 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING SECTION 3.25.030 MAUI COUNTY CODE RELATING TO HIGHWAY BEAUTIFICATION FEE." BILL 183 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX B, REVENUES, FEES, RATES, ASSESSMENTS AND TAXES, DEPARTMENT OF FINANCE SPECIAL REVENUE/TRUST AND AGENCY FUND HIGHWAY BEAUTIFICATION." BILL 184 (2022) ENTITLED, "A BILL FOR AN ORDINANCE APPENDIX A OF THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES, SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2023, HIGHWAY BEAUTIFICATION AND DISPOSAL OF ABANDONED OR DER LITIGANT VEHICLES REVOLVING FUND." >> VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT FOR BILL 182, BILL 183 AND BILL 184 IN ACCORDANCE WITH RULE 7G OF THE RULES OF THE COUNCIL. >> MOVED VICE-CHAIR RAWLINS-FERNANDEZ AREAS AND SECONDED BY COUNCIL MEMBER SUGIMURA TO WAIVE RULES CITY OFS REGARDING BILLS 182, 183 AND 184. DISCUSSION, VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. MEMBERS, ACT 298 RELATING TO REGISTRATION OF VEHICLES TAKES EVERYTHING ON JANUARY 1ST, 2023, PASSAGE OF THESE BILLS TODAY WILL ENSURE THE COUNTY IS ABLE TO IMPLEMENT THE FEES ON THEIR EFFECTIVE DATE. >> ANY DISCUSSION?\r\n\r\nALL IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE. >> EIGHT AYES, ZERO NOS, ONE EXCUSED. MOTION CARRIES. EXCUSED IS MEMBER KING. VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR.\r\n\r\nI MOVE TO PASS BILL 182, BILL 183 AND BILL 184 ON FIRST READING. >> SECOND. >> MOVED BY VICE-CHAIR VICE-CHAIRPERSONS, AND SECOND BY COUNCIL MEMBER SUGIMURA TO PASS BILLS ON FIRST READING. DISCUSSION, VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. THE PURPOSE OF THESE BILLS IS TO AMEND SECTION 3.25.030 MAUI COUNTY CODE AND APPENDICES A, PART I AND B OF THE FISCAL YEAR 2023 BUDGET TO INCREASE THE FEE FOR YOU DRIVE MOTOR VEHICLES FROM \$1 TO \$10 EFFECTIVE JANUARY 1ST, 2023, EXPAND THE USE OF THE HIGHWAY FUNDBEAUTIFICATION FEE TO MITIGATE IMPACTS OF VISITOR-RELATED CONGESTION AND AMEND THE TOTAL OF THE RELEVANT FUND TO THE HIGHWAY BEAUTIFICATION FUND. THIS FEE WOULD BE CHARGED WHEN A RENTAL VEHICLE IS REGISTERED AND NOT EVERY TIME IT'S RENTED.\r\n\r\nADDITIONAL REVENUES HAVE NOT BEEN ADDED TO THE BUDGET AS THE ADMINISTRATION DOES NOT HAVE ANY WAY OF KNOWING HOW MANY VEHICLES NEED TO BE REGISTERED BETWEEN JANUARY 1ST, AND JUNE 30TH? THE FISCAL YEAR 2023 BUDGET INCLUDED SUFFICIENT FUNDS IN THE REVOLVING FUND TO COVER ALL ANTICIPATED EXPENSES. REPRESENTATIVES FROM THE ADMINISTRATION ARE AVAILABLE TO ANSWER ANY QUESTIONS THAT THE MEMBERS MAY HAVE. I ASK FOR SUPPORT OF THIS MOTION. MAHALO, CHAIR. >> MEMBER PALTIN. >> THANK YOU.\r\n\r\nI HAVE A QUESTION. I'M NOT SURE IF IT'S FOR THE BUDGET OR FOR FINANCE FOR THE DMV? BUT LAST TIME WHEN I WAS INQUIRING ABOUT REGISTRATION, THEY SAID THEY HAD NO WAY BECAUSE IT'S BASED ON THE STATE'S DATA FOR THEM TO KNOW WHAT VEHICLES ARE REGISTERING FOR RENTAL CAR COMPANIES? SO NOW THEY DO KNOW? >> DIRECTOR

YOSHIMURA, OR DIRECTOR TERUYA, ARE YOU ON THE CALL? I SEE MS.  
YOSHIMURA.\r\n\r\nDID YOU HEAR THE QUESTION? >> YES, I DID. COUNCIL MEMBER PALTIN, SO CITY AND COUNTY OF HONOLULU WORKS WITH THE COUNTY OF MAUI FOR REGISTRATION OF VEHICLES. AT THIS POINT, WE DON'T KNOW HOW MANY -- WE DIDN'T ADD ANY REVENUE, BECAUSE WE DIDN'T DETERMINE HOW MANY VEHICLES THE RENTAL CARS HAVE THAT WOULD BE REGISTERED BETWEEN JANUARY AND JUNE. THAT IS SOMETHING THAT WE'LL HAVE TO WORK AT WHEN IT COMES TO A FULL FISCAL YEAR. RIGHT NOW IT'S JUST THE SIX MONTHS THAT STARTS JANUARY TO JUNE 30TH. SO WHATEVER IS COLLECTED DURING THAT PERIOD WILL THEN BE ADDED IN THE FISCAL YEAR 24 BUDGET.\r\n\r\n>> WHEN I HAD ASKED THEM, THEY SAID THEY HAD NO WAY OF DETERMINING IF THE REGISTRATION WAS A RENTAL VEHICLE OR NOT. SO HOW NOW WILL THEY DETERMINE IF IT'S A RENTAL VEHICLE REGISTRATION IN ORDER TO GO INTO THIS FUND? >> SO WHEN THE HIGHWAY BEAUTIFICATION FEE WAS A DOLLAR FOR RENTAL VEHICLES THEY WERE STILL BEING CHARGED \$10 AND THEY WOULD ASK FOR REIMBURSEMENT OF THE \$9; THAT IS HOW THEY WERE FACTORS WHO WAS A RENTAL VEHICLE OR NOT? SO THE RENTAL COMPANIES HAD TO FILE FOR THE REFUND. >> OKAY. SO IT'S KIND OF LIKE A SELF-REPORT TYPE OF THING. >> YES.\r\n\r\n>> OKAY. THANK YOU. >> THANK YOU. >> ANY MORE DISCUSSION? OR QUESTIONS? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE.\r\n\r\n>> EIGHT AYES, ZERO NOS, ONE EXCUSED. MOTION CARRIES. THE EXCUSED IS MEMBER KING. MADAM CLERK. >> BILL 185 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES, DEPARTMENT OF PARKS AND RECREATION LANA'I COMMUNITY PLAN AREA, PARKS AND RECREATION BOND FUND LANA'I YOUTH CENTER, AND SKATEPARK, TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATION, TOTAL APPROPRIATIONS OPERATING AND CAPITAL IMPROVEMENT PROJECTS." BILL 186 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C, CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF PARKS AND RECREATION, LANA'I COMMUNITY PLAN AREA, LANA'I YOUTH CENTER AND SKATEPARK." BILL 187 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 5394 BILL NO. 71, CD 1, FD 2 (2022) RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI ISSUANCE, SALE AND DELIVERY OF SUCH BONDS DEPARTMENT OF PARKS AND RECREATION." >> VICE-MAYOR RAWLINS-FERNANDEZ.\r\n\r\n>> MAHALO, CHAIR. I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT FOR BILL 188, BILL 189, AND BILL 190 IN ACCORDANCE WITH RULE 7G OF THE RULES OF THE COUNCIL. >> SECOND. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ. SECONDED BY MEMBER JOHNSON TO WAIVE THE RULES OF THE COUNCIL REGARDING BILLS 188, 189 AND 190. I THOUGHT IT WAS 185,186, AND 187. >> YES. CORRECT. >> 185,186,187. >> SORRY.\r\n\r\n>> SO YOU STILL WANT TO WAIVE THE RULES OF COUNCIL ON THOSE THREE? RIGHT? SO WE HAVE A FIRST AND SECOND. DISCUSSION ON THE WAIVER? VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. THE LANA'I YOUTH CENTER BID IS GOOD FOR 120 DAYS FROM THE OPENING.\r\n\r\nSO IT WOULD BE VALID UNTIL JANUARY 8TH. WE WOULD NEED TO EITHER CONSIDER WE'D HAVE TO TAKE IT UP SOON, BECAUSE THE BIDS WILL EXPIRE. MAHALO, CHAIR. >> ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE. MEMBER PALTIN? EIGHT AYES, ZERO NOS, MOTION CARRY, VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR.\r\n\r\nI WAS ACTUALLY GOING TO TAKE THIS TO COMMITTEE. >> YOU WANT TO WITHDRAW YOUR MOTION? >> THE WAIVER? YES. YES, I DO. NOW I WILL TAKE THIS UP ON NOVEMBER 16TH, MEMBER JOHNSON. >> MEMBER JOHNSON, DO YOU WANT TO WITHDRAW YOUR SECOND.\r\n\r\nALL RIGHT. SO THESE BILLS 185, 186, AND 187 WILL BE REFERRED TO THE BFED COMMITTEE NO OBJECTIONS, MEMBERS? ANY OBJECTIONS? >>



NO OBJECTIONS. >> SO ORDERED. WE'RE ON THE LAST THREE, MADAM CLERK. >> CHAIR, RECOMMENDED FOR REFERRAL TO YOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE, BILL 188 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE ESTIMATED REVENUES, DEPARTMENT OF POLICE, WEST MAUI COMMUNITY PLAN AREA, GOVERNMENT FACILITIES, BOND FUND LAHAINA ANTENNA REPLACEMENT, TOTAL CAPITAL IMPROVEMENT PROJECTS APPROPRIATIONS, TOTAL APPROPRIATIONS, OPERATING AND CAPITAL IMPROVEMENT PROJECTS." BILL 189 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C CAPITAL IMPROVEMENT PROJECTS DEPARTMENT OF POLICE, WEST MAUI COMMUNITY PLAN AREA, LAHAINA ANTENNA REPLACEMENT." AND BILL 190, 12346789 AMENDING ORDINANCE NO. 5394, BILL NO. 71, CD 1, FD 2 (2022) RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI, ISSUANCE, SALE AND DELIVERY OF SAID BONDS, DEPARTMENT OF POLICE." >> VICE-CHAIR RAWLINS-FERNANDEZ. >> NOW THE MOTION. I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT FOR BILL 188, 189 AND 190 IN ACCORDANCE WITH RULE 7G OF THE RULES OF COUNCIL. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ AND SECONDED BY MEMBER SUGIMURA TO WAIVE THE RULES OF COUNCIL REGARDING BILLS 188, 189 AND 190. DISCUSSION, VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR, . THE DEPARTMENT HAS BEEN WORKING ON THE NECESSARY PERMITS AND APPROVALS FOR THIS PROJECT, AND IS READY TO GO OUT TO BID AT THE START OF 2023, IF THE BILLS ARE APPROVED BY THE END OF THE CALENDAR YEAR. MAHALO, CHAIR. >> ANY MORE COMMENTS OR QUESTIONS? ALL IN FAVOR? RAISE YOUR HAND AND SAY AYE. EIGHT AYES, ONE EXCUSED, EXCUSED IS MEMBER KING. VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO CHAIR, . I MOVE TO PASS BILL 188, 189 AND 190 ON FIRST READING. >> SECOND. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ. SECONDED BY MEMBER SUGIMURA TO PASS BILLS 188, 189, AND 190 ON FIRST READING. DISCUSSION VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. THE PURPOSE OF THESE BILLS IS TO AMEND FISCAL YEAR 2023 BUDGET BILL, APPENDIX C AND BOND BILL TO ADD \$3 MILLION IN ADDITIONAL FUNDING AND PROJECT DESCRIPTION FOR DEPARTMENT OF POLICE, LAHAINA ANTENNA REPLACEMENT. THIS PROJECT WAS NOT INCLUDED IN THE FISCAL YEAR 2023 BUDGET DUE TO THE POSSIBILITY WITH HAWAIIAN ELECTRIC COMPANY TO GAIN ACCESS AT LAHAINALUNA FOR THE ANTENNA PROJECT. THE DEPARTMENT WAS RECENTLY NOTIFIED THIS OPTION IS NO LONGER AVAILABLE AND THEY NEED TO PURSUE TO CONSTRUCT A COMMUNICATIONS FACILITY, INCLUDING A REPLACEMENT ANTENNA FOR POLICE RADIO COMMUNICATIONS. REPRESENTATIVES FROM THE ADMINISTRATION ARE AVAILABLE TO ANSWER ANY QUESTIONS THAT THE MEMBERS MAY HAVE. I RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT. MAHALO, CHAIR. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, PLEASE RAISE YOUR HAND AND SAY AYE? >> AYE. >> EIGHT AYES, ZERO NOS, ONE EXCUSED. MOTION CARRIES. EXCUSED IS MEMBER KING. MADAM CLERK. PRO TEM KAMA? >> YES, THANK YOU, CHAIR FOR ACKNOWLEDGMENT. I WOULD LIKE TO ASK FOR RECONSIDERATION, PLEASE OF REFERRAL TO COMMITTEE ON ITEM M, BILL NO. -- THE BILL FOR AN ORDINANCE AMENDING TITLE 3 MAUI COUNTY CODE RELATING TO ESTABLISHING DIVISION OF GRANTS, RESEARCH AND WRITING IN THE DEPARTMENT OF MANAGEMENT. IF COUNCIL MEMBER RAWLINS-FERNANDEZ WOULD ALLOW ME TO TAKE THAT UP IN MY COMMITTEE NEXT MONTH? >> NO OBJECTIONS. >> MEMBERS, ANY OBJECTIONS TO REFERRING THIS ITEM BILL 170 TO HCP COMMITTEE INSTEAD OF BFED COMMITTEE. >> NO OBJECTIONS. >> SO ORDER. CONTINUING ON TO BILLS SECOND AND FINAL READING. TESTIMONY. >> CHAIR, PROCEEDING WITH TESTIMONY ON BILLS FOR SECOND AND FINAL READING.

OUR FIRST TESTIFIER SIGNED UP IS LISA PAULSON, FOLLOWED BY LE HELLA. . S  
>> MY NAME IS LISA PAULSON, I'M A REGISTERED LOBBYIST FOR THE MAUI HOTEL  
AND LODGING ASSOCIATION. FIRST, I WOULD LIKE TO ACKNOWLEDGE THE COUNCIL'S  
TIME AND HARD WORK ON WORKING ON BILL 159. AND WE ARE IN FULL SUPPORT OF  
BILL 159, FD 1 IN ITS CURRENT FORM. WE'RE JUST VERY APPRECIATIVE OF THE  
COLLABORATION AND TIME THAT YOU HAVE ALLOWED FOR THIS, AND THANK YOU FOR  
ALLOWING ME TO TESTIFY. >> ANY QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY  
MUCH.\r\n\r\n>> OUR NEXT TESTIFIER IS LE HELLA AIOLI, FOLLOWED BY STEVEN  
WEST. >> ALOHA CHAIR LEE, VICE-CHAIR RAWLINS-FERNANDEZ AND DISTINGUISHED  
COUNCIL MEMBERS. SORRY, I HAD TO MAKE YOU LAUGH AFTER ALL THESE HOURS OF  
SITTING HERE. I DO WANT TO MAKE IT REALLY BRIEF. I'M A REGISTERED  
LOBBYIST AND TESTIFYING ON BEHALF OF THE HAWAI'I HOTEL ALLIANCE. AND I AM  
TESTIFYING IN SUPPORT OF BILL 159. I WAS ON BLUEJEANS THIS MORNING AND  
RUSHED DOWN HERE, WHEN I HEARD A NUMBER OF TESTIFIERS TESTIFYING IN  
OPPOSITION OF BILL 159 FROM A GROUP THAT WAS INCLUDED IN BILL 159. I DO  
WANT TO STRESS THAT MAYBE ABOUT A YEAR-AGO, I PERSONALLY REACHED OUT TO  
ANYBODY WHO WAS FOUND ON THROUGH THEIR WEBSITE OR SOCIAL MEDIA. I DID  
REACH OUT TO THOSE ORGANIZATIONS, AND NOT ONE RESPONDED TO ME WHEN I  
REACHED OUT TO THEM.\r\n\r\nSO I DO WANT TO PUT THAT OUT THERE. I THINK  
THAT THE TIME THAT WE HAVE SPENT WITH ALL OF THE COUNCIL MEMBERS, THAT  
WERE WILLING TO TALK TO MYSELF AND THE REST OF MY TEAM. WE REALLY  
APPRECIATE THAT. THAT WAS HARD WORK. THIS ISN'T SOMETHING THAT I KNOW  
BOTH PARTIES ON EITHER SIDE, YOU KNOW, WHERE WE STAND TODAY IS NOT 100%  
SATISFIED. BUT I BELIEVE THAT THIS IS THE FIRST STEP THAT WE CAN TAKE IN  
WORKING TOGETHER IN RESOLVING VERY HIGHLY-CONTENTIOUS AND HEATED ISSUES  
ON MAUI. I THINK WE ALL AGREE THAT WE NEED TO FIND A BETTER WAY IN  
ADDRESSING OR BETTER MANAGING TOURISM.\r\n\r\nAND I THINK THIS IS THE  
FIRST STEP. WHEN I DID HEAR SOME OF THE TESTIFIERS. WHAT WAS KIND OF  
HEARTBREAKING A LITTLE BIT, WAS HEARING A MAJORITY OF THEM TESTIFY, OR  
START THEIR TESTIMONY STATING THAT THEY'RE HAPPY TO CALL MAUI HOME FOR X  
NUMBER OF YEARS. I AM BORN AND RAISED HERE. AND I HAVE SEEN MAUI CHANGE.  
I VERY MUCH AGREE THAT WE DO NEED TO FIND A WAY TO BETTER MANAGE OUR  
TOURISM AND HAWAI'I HOTEL ALLIANCE. I WANT TO CONTINUE STATING THIS, THAT  
WE WANT TO BE PART OF THAT SOLUTION, AND THAT WE WANT TO BE AT THE TABLE,  
AS WE TAKE THE STEPS FORWARD TO DO THAT IN A BETTER SYSTEM.\r\n\r\nSO I  
MAHALO ALL OF YOU FOR WORKING WITH US, AND LIKE I SAID, THIS ISN'T THE  
BEST OUTCOME THAT WE WANTED, YOU KNOW? BUT IT IS 18:59:19 A IS START. I  
CLOSE QUICKLY SAYING THAT RALPH WALDO EMERSON SAID PROGRESS IS THE  
ACTIVITY TODAY AND ASSURANCE FOR TOMORROW. THAT IS THE BEST WAY WE CAN DO  
WHAT WE DID THROUGH BILL 159. MAHALO, AGAIN. >> MEMBERS QUESTIONS OF THE  
TESTIFIER? IF NOT, THANK YOU VERY MUCH. MADAM CLERK, NEXT  
TESTIFIER.\r\n\r\n>> THE NEXT TESTIFIER IS STEVEN WEST. ALOHA COUNCIL  
CHAIR LEE AND COUNCIL MEMBERS, I HAVE TESTIFIED BEFORE YOU ON MANY  
DIFFERENT ISSUES. ONE OF MY PASSIONS IS TRANSIENT VACATION RENTALS IN OUR  
NEIGHBORHOOD AND I BELIEVE IT'S THE FIRST STEP TO ADDRESSING THAT ISSUE.  
I WOULD ASK THAT OBVIOUSLY IN SUPPORT OF THIS ISSUE. AND I WOULD LIKE YOU  
TO UNANIMOUSLY PASS 159. THANK YOU. >> THANK YOU. QUESTIONS,  
MEMBERS?\r\n\r\nIF NOT, THANK YOU, MR. WEST. >> CHAIR, NO OTHER  
INDIVIDUALS HAVE SIGNED UP TO TESTIFY ON THESE ITEMS. IF ANYONE ON THE  
CALL WANTS TO TESTIFY ON BILLS FOR SECOND AND FINAL READING, PLEASE  
IDENTIFY YOURSELF NOW. THIS IS THE LAST CALL FOR TESTIMONY ON THESE  
ITEMS. >> YES, I WOULD LIKE TO TESTIFY. >> MR.\r\n\r\nMAYER. >> GOOD  
AFTERNOON EVERYONE. LONG AFTERNOON. I KNOW YOU ARE TRYING TO GET IT DONE.  
LET ME GET -- ONE MOMENT PLEASE. PLEASE ASK YOUR ATTORNEYS, SPEAKING ON

BILL 159. PLEASE ASK YOUR ATTORNEYS IF A VIOLATION OF THE MAUI ISLAND PLAN, WHICH IS PART OF THE MAUI COUNTY CODE CAN BE LEGALLY OVERTURNED BY THE ADOPTION OF THIS ORDINANCE? THAT DOES NOT ADDRESS THE MAUI ISLAND PLAN CHAPTER 4, PAGE 4-14. AND THAT STATEMENT IN THERE SAYS "CAP THE NUMBER AND TYPE OF VISITOR ACCOMMODATIONS THAT CAN BE PERMITTED." ESPECIALLY SINCE MAUI COUNTY CODE 2.030B EXPLICITLY STATE HAS IT ALL AGENCIES SHALL COMPLY WITH THE GENERAL PLAN.\r\n\r\nTHIS LAW THAT YOU ARE NOW CONSIDERING WOULD NOT COMPLY WITH THE MAUI ISLAND PLAN. NO. 2, THERE ARE MULTIPLE USES OF THE TERM "APPLICATION" IN THIS ORDINANCE. IT'S NOT BEEN DEFINED. THIS MAY BE PARTICULARLY IMPORTANT IN THE CASE OF PROJECT DISTRICTS AND PLANNED DEVELOPMENTS. BILL 159 WITH HAVE TWO MAJOR LOOPHOLES THAT WILL ALLOW THE NUMBER OF VISITOR ACCOMMODATION TO INCREASE. NO.\r\n\r\n1, ONE MOMENT, PLEASE. IT WILL ALLOW FOR THE CONSTRUCTION OF MANY MORE HOTEL UNITS, IN SUCH LOCATIONS AS MAUI RT PARK, TOWN DEVELOPMENT IN KIHEI, PERHAPS THE KANA HOTEL NEAR COSTCO, MAUI BEACH HOTEL AND MANY OTHERS THAT MAY HAVE PREVIOUSLY VESTED RIGHTS HAVING APPLIED YEARS AGO FOR PROJECT DISTRICTS OR PLANNED DEVELOPMENTS. THE SECOND VIOLATION OF THE MAUI ISLAND PLAN WILL BE THE ABILITY OF TIME-SHARE UNITS TO BE CONSTRUCTED IN THE HOTEL DISTRICT, AND LOOPHOLE THAT WILL ALLOW HOTELS TO BE CONVERTED INTO TIME-SHARE UNITS, WHICH HAS THE POTENTIAL TO GREATLY REDUCE THE NUMBER OF EMPLOYEES THAT HOTELS NOW HIRE. IT WOULD HAVE A MAJOR IMPACT ON EMPLOYMENT OF OUR WORKERS. BILL 159 USES A REFERENCE TO A THREE-FOOT RISE IN OCEAN LEVELS. THIS IS NOT A SIGNIFICANT BARRIER AND NO HOTEL OR TIME-SHARE OR OTHER VISITOR UNIT WOULD BE CONSIDERED IN SUCH LOW LAND. I URGE THE COUNCIL TO AMEND BILL 159 WITH A STATEMENT THAT NO ADDITIONAL HOTEL ROOMS, THE WORD "NO ADDITIONAL ROOMS MAY BE CONSTRUCTED -- FINALLY, NO HOTELS MAY CONVERT TO TIME-SHARES." I HOPE YOU WILL MAKE THOSE AMENDMENTS TODAY.\r\n\r\nI KNOW YOU HAVE SOME IN MIND. FINALLY WITH REGARD TO CAMPER VANS, STATE STATUTE H.R.S. 291-112 AND 113 HAVE A STATEMENT IN THERE THAT SAYS, "ORDINANCES REGULATE THE USE OF VEHICLES FOR PURPOSES OF HUMAN HABITATION." EACH OF THE COUNTIES MAY ENACT AND ENFORCE ORDINANCES REGULATING THE USE OF VEHICLES FOR HUMAN HABITATION." SO NO QUALMS, BECAUSE THE STATE GIVES COUNTY THAT RIGHT FOR A PLACE FOR HABITATION, EVEN IF THEY ARE MOBILE. I WANT TO THANK YOU. I HOPE YOU WILL MAKE SOMETHING ADJUSTMENTS TO THE BILL AS WRITTEN, BECAUSE I THINK THERE'S SOME REAL PROBLEMS WITH IT NOW. THANK YOU. >> QUESTIONS, MEMBERS, MEMBER PALTIN? >> THANK YOU.\r\n\r\nIT'S MY UNDERSTANDING THERE'S NOTHING ABOUT PROJECT DISTRICTS IN THIS BILL. >> THERE ARE FORMAL ZONING AND BY NOT ALLOWING -- BY NOT SPEAKING TO THAT ISSUE, ABOUT WHAT WILL HAPPEN IN PROJECT DISTRICTS IT'S A HOLE IN THE BILL THAT NEEDS TO BE FIXED. BECAUSE IT WOULD INCREASE THE NUMBER OF VISITOR UNITS ON THE ISLAND, WHICH GOES DIRECTLY AGAINST THE MAUI ISLAND PLAN. AND THAT IS A LOOPHOLE, AND WE'RE TALKING PROBABLY 150 UNITS IN THE RT PARK AND ANOTHER 150 IN THE KRAUS AND OF COURSE, GRAND WAILEA, WHICH WANTS ANYWHERE FROM 150-300. >> 196 AT CENTRAL KAPALUA AS WELL. I DON'T THINK ADDING THAT ON SECOND READING MAY BE FASTER TO JUST CREATE A NEW BILL DIRECTLY SPEAKING TO PROJECT DISTRICTS. BUT YOU'RE RIGHT, BECAUSE THAT WAS THE FEEDBACK I GOT FROM RESIDENTS ON NOVEMBER 2ND. THANK YOU.\r\n\r\n>> KAPALUA MAUKA IS NOT ONE I MENTIONED. THERE MAY BE AN OPENING FOR UNITS. >> CENTRAL KAPALUA. >> ONES I MENTIONED IN SOUTH MAUI ARE SIGNIFICANT. I THINK VIOLATE THE PLAN. THIS BILL DOES A GREAT JOB OF CAPPING CERTAIN THINGS, BUT LEAVES AN OPENING, ESPECIALLY THE 3' LINE THING IS A USELESS THING THAT YOU SHOULD BE AMENDING. >> THANK YOU, MR.\r\n\r\nMAYER. THANK YOU. ANY LAST QUESTIONS, ANYBODY? IF NOT, THANK

YOU VERY MUCH. >> THANK YOU, AND GOOD LUCK ON THE BILL. NEXT TESTIFIER.  
>> OUR NEXT TESTIFIER IS ALBERT PEREZ.\r\n\r\n>> MR. PEREZ. >> CHAIR LEE,  
MEMBERS, ALOHA. >> ALOHA. >> SO I'M TESTIFYING ON BEHALF OF MAUI  
TOMORROW, TODAY. YOU KNOW, WE REALIZE THIS HAS BEEN A LONG ROAD, AND THIS  
BILL IN ITS CURRENT FORM IS NOT EVERYTHING THAT WE WISHED FOR. BUT WE DO  
SUPPORT IT.\r\n\r\nIT COULD BE IMPROVED, STRENGTHENED WITH A COUPLE OF  
AMENDMENTS THAT I WOULD LIKE TO SUGGEST. ONE IS THE LANGUAGE ON THE SEA-  
LEVEL RISE, SINCE THAT IS BASED ON MODELS THAT DON'T REALLY HAVE A  
CONNECTION TO THE REAL WORLD. THE IDEA WOULD BE TO TAKE THE SHORELINE IN  
THE MODEL AND TAKE THE EROSION HAZARD LINE IN THE MODEL, FIGURE OUT WHAT  
THAT DISTANCE IS? AND THEN APPLY IT TO A CERTIFIED SHORELINE AS A BASIC  
FOR DETERMINATION OF THE DISTANCE IN THE REAL WORLD. I THINK THAT WOULD  
IMPROVE THE BILL. I DON'T THINK THAT WOULD BE A SIGNIFICANT AMENDMENT. AS  
FAR AS THE CAMPER VANS, AS MR.\r\n\r\nMAYER SAID, THE STATE SPECIFICALLY  
ALLOWS THAT. SO I DON'T THINK THAT THE STATEMENT IT WAS UNCONSTITUTIONAL  
WAS CORRECT. IF THAT BECOMES AN ISSUE, I DON'T THINK THERE'S A LACK OF  
CONSENSUS. I THINK YOU COULD JUST DELETE THAT FROM THE BILL, IF IT'S  
GOING TO BE A HOLD-UP AND TAKE THAT UP SEPARATELY. I WOULD URGE YOU TO GO  
AHEAD AND PASS THIS ON SECOND READING TODAY. THANK YOU. >> THANK  
YOU.\r\n\r\nMEMBERS, QUESTIONS? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE  
THE NEXT TESTIFIER. >> THERE'S NOBODY ELSE THAT HAS INDICATED A DESIRE TO  
TESTIFY. IF ANYBODY ON THE VIDEO WANTS TO TESTIFY, PLEASE MAKE YOURSELF  
KNOWN. LAST CALL FOR TESTIMONY. >> MEMBERS, ANY OBJECTIONS TO CLOSING  
ORAL TESTIMONY AND ACCEPTING WRITTEN TESTIMONY INTO THE RECORD?\r\n\r\n>>  
NO OBJECTS, CHAIR. OBJECTIONS, CHAIR. >> SO IN ORDERED. MADAM CLERK,  
LET'S FINISH UP. >> PROCEEDING WITH BILLS FOR SECOND AND FINAL READING.  
BILL 68, CD 1 (2022) ENTITLED, "A BILL FOR AN ORDINANCE ESTABLISHING A  
NEW CHAPTER 3.97, MAUI COUNTY CODE CREATING A MANAGED RETREAT REVOLVING  
FUND." >> VICE-CHAIR RAWLINS-FERNANDEZ. DO YOU WANT TO TAKE THIS  
SEPARATE?\r\n\r\n>> MAHALO, CHAIR. MAY I, IF THERE ARE NO OBJECTIONS, MAY  
I REQUEST THE CLERK ALSO CALL UP BILL 102, BILL 155, 156, 157, 158, 161,  
163 AND 164. >> NO OBJECTIONS. >> YOU ARE SINGING OUR SONG. >> NO  
OBJECTIONS. >> NO OBJECTIONS, MEMBERS. VERY GOOD. PROCEED,  
PLEASE.\r\n\r\n>> BILL 155 (2022) ENTITLED, "A BILL FOR AN ORDINANCE  
AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN  
INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAI'I, DEPARTMENT OF  
TRANSPORTATION, FOR A GRANT UNDER THE HIGHWAY SAFETY REIMBURSEMENT  
PROJECT NO. AL23-M-09 ENTITLED, 'MAUI COUNTY PROSECUTOR'S OFFICE-2023  
IMPAIRED DRIVING'." BILL 156 (2022) ENTITLED, "A BILL FOR AN ORDINANCE  
AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN  
INTERGOVERNMENTAL AGREEMENT WITH THE DEPARTMENT OF THE ATTORNEY GENERAL,  
STATE OF HAWAI'I FOR THE CAREER CRIMINAL PLUS PROGRAM GRANT 23-CCP-01."  
DID YOU SAY 157? >> IF I DIDN'T, I MEANT TO. >> BILL 157 (2022) ENTITLED,  
"A BILL FOR AN ORDINANCE AMENDING THE FY'2023 BUDGET FOR THE COUNTY OF  
MAUI AS IT PERTAINS TO ESTIMATED REVENUES, DEPARTMENT OF WATER SUPPLY,  
WEST MAUI COMMUNITY PLAN AREA, WATER SUPPLY, WATER FUND, RESTRICTED,  
WATER FUND, UNRESTRICTED WEST MAUI RELIABLE CAPACITY, CAPITAL IMPROVEMENT  
PROJECT APPROPRIATIONS, TOTAL APPROPRIATIONS OPERATING AND CAPITAL  
IMPROVEMENT PROJECTS." BILL 158 (2022) ENTITLED, "A BILL FOR AN ORDINANCE  
AMENDING THE FY'2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO  
APPENDIX C, CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF WATER SUPPLY,  
WEST MAUI COMMUNITY PLAN AREA, WEST MAUI RELIABLE CAPACITY ." BILL 159,  
FD 1 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING THE COMPREHENSIVE  
ZONING ORDINANCE RELATING TO TRANSIENT ACCOMMODATION CAPS." BILL 161

(2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING SECTION 2.08.060 MAUI COUNTY CODE TO REVISE POSITION TITLES IN THE OFFICE OF COUNCIL SERVICES ." BILL 163 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES, DEPARTMENT OF PARKS AND RECREATION, TOTAL OPERATING APPROPRIATIONS, TOTAL APPROPRIATIONS, OPERATING AND CAPITAL IMPROVEMENT PROJECTS ." BILL 164 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE UNIVERSITY OF HAWAI'I SEA GRANT COLLEGE PROGRAM, REGARDING ENVIRONMENTALLY-SENSITIVE AREAS, AND NATURE-BASED SOLUTIONS AT LASS FOR MAUI COUNTY." >> VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I MOVE TO PASS BILL 68, CD 1, BILL 102 CD 1, FD 1, BILL 155, BILL 156, BILL 157, BILL 158, BILL 161, BILL 163, AND BILL 164 ON SECOND AND FINAL READING. >> SECOND. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ.\r\n\r\nSECONDED BY MEMBER SUGIMURA TO PASS THE BILLS AS MENTIONED BY THE ON SECOND AND FINAL READING. DISCUSSION, VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. BILL 68, CD 1 (2022) WILL CREATE A MANAGED RETREAT FUND FOR SHORELINE SAFETY IMPROVEMENTS, REMOVE OR RELOCATE STRUCTURES, PAY FOR PROGRAMS OR PERMITTING, AND LEVERAGE FUNDS PROVIDED FEDERAL, STATE, NONPROFIT, AND FOR-PROFIT ORGANIZATIONS AND OTHER NON-COUNTY ENTITIES IN ORDER TO OPTIMIZE OPPORTUNITIES FOR SHIFTING COASTAL DEVELOPMENT INLAND THROUGH THE PHYSICAL MOVEMENT OF EXISTING STRUCTURES. BILL 102, CD 1, FD 1 WILL AMEND SECTION 3.48.035B MAUI COUNTY CODE TO PROHIBIT PROPERTY WITH TRANSIENT VACATION RENTALS FROM RECEIVING HOME EXEMPTION BILL 155 AUTHORIZES THE MAYOR TO ENTER INTO AN IA WITH THE DEPARTMENT OF TRANSPORTATION FOR GRANT EVER FUNDS TO THE DEPARTMENT OF PROSECUTING ATTORNEY FOR IMPAIRED DRIVING GRANT IN THE AMOUNT OF \$30,742.50. BILL 156 (2022) AUTHORIZES THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE DEPARTMENT OF THE ATTORNEY GENERAL, STATE OF HAWAI'I, FOR A GRANT TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY FOR THE CAREER CRIMINAL PROSECUTION PROGRAM IN THE AMOUNT OF \$144,736. BILL 157 (2022) AND BILL 158 AMEND THE FISCAL YEAR 2023 BUDGET TO INCREASE ESTIMATED REVENUES FROM SPECIAL ASSESSMENTS BY \$10 MILLION, AND FROM CARRY OVER SAVINGS FROM THE WATER FUND BY \$7.2 MILLION, APPROPRIATE THE FUNDS TO THE DEPARTMENT OF WATER SUPPLY, WEST MAUI COMMUNITY PLAN AREA, FOR THE WEST MAUI RELIABLE CAPACITY, AND ADD PROJECT TO THE PROJECT DESCRIPTION. BILL 161 (2022) AMENDS SECTION 2.08.060 MAUI COUNTY CODE TO REPLACE THE POSITION TITLE OF BUDGET COMMITTEE ANALYST WITH SENIOR COMMITTEE ANALYST, AND BUDGET COMMITTEE SECRETARY WITH SENIOR COMMITTEE SECRETARY. BILL 163 AMENDS FISCAL YEAR 2023 BUDGET TO INCREASE ESTIMATED REVENUES FOR CARRY-OVER SAVINGS FROM THE GENERAL FUND BY \$1,183,516 AND APPROPRIATE FUNDS TO THE DEPARTMENT OF PARKS AND RECREATION AND INCREASE EQUIVALENT PERSONNEL BY 10.0. AND BILL 164 AUTHORIZES THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE UNIVERSITY OF HAWAI'I SEA GRANT PROGRAM TO PRODUCE AN ENVIRONMENTALLY-SENSITIVE AREA AND NATURE-BASED SOLUTIONS ATLAS FOR THE COUNTY OF MAUI.\r\n\r\nI ASK FOR MEMBERS' CONTINUED SUPPORT OF THESE ITEMS. MAHALO, CHAIR. ANY QUESTIONS OR DISCUSSION? MEMBER PALTIN? >> OH, I JUST WAS WONDERING HOW WE VOTE? DO WE VOTE ON THE WHOLE THING ONE TIME? >> YES.\r\n\r\n>> OKAY. GREAT. SORRY. THANKS. THANKS FOR CLARIFYING. >> MEMBER MOLINA. >> THANK YOU, MADAM CHAIR.\r\n\r\nI JUST WANT TO COMMEND OUR BUDGET CHAIR FOR SOMETHING THAT I HAVE NEVER SEEN IN 14 YEARS ON COUNCIL, ONE MOTION, 14 BILLS AND I STAND IN FULL SUPPORT. THANK YOU. >> ANYBODY ELSE? THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE?

>> AYE. EIGHT AYES, ONE EXCUSED. MOTION CARRIES.\r\n\r\nEXCUSED IS MEMBER KING. NOW THE FINAL ITEM, MADAM CLERK VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. OUR CLERK ALREADY READ THE ITEM. BUT IF YOU WOULD LIKE HER TO READ IT AGAIN, I'M ALSO HAPPY TO LET HER READ IT AGAIN. >> SHE READ IT, THEN GO AHEAD. >> OKAY.\r\n\r\n>> IF SHE READ IT ALREADY, YOU CAN GO AHEAD. >> ALL RIGHT. I MOVE TO PASS BILL 159 FD 1, (2022) ON SECOND AND FINAL READING. >> SECOND. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ. SECONDED BY MEMBER PALTIN TO PASS BILL 159, FD 1 ON SECOND AND FINAL READING. DISCUSSION, VICE-CHAIR RAWLINS-FERNANDEZ.\r\n\r\n>> MAHALO, CHAIR. OKAY. MEMBERS, BILL 159, FD 1 (2022) AMENDS THE COMPREHENSIVE ZONING ORDINANCE RELATING TO TRANSIENT ACCOMMODATION CAPS. CHAIR, AT THIS TIME, I WOULD LIKE TO RE-OPEN COUNTY COMMUNICATION 22-280. >> ANY OBJECTIONS, MEMBERS? >> NO OBJECTIONS. >> SO ORDERED. DO YOU WANT THE CLERK TO BRING IT UP?\r\n\r\nCALL IT UP. >> IT'S OKAY, CHAIR. MAHALO. >> OKAY. >> OKAY. THE MOTION IS TO AMEND SUBSECTION 19.12.020G TO INSERT AFTER THE LAST SENTENCE "THE LIST IS INFORMATIONAL ONLY, AND IS NOT A CONFIRMATION OF ZONING OR ALLOWABLE USE. INCLUSION OF A PROPERTY ON THE LIST DOES NOT ESTABLISH ANY RIGHT TO OPERATE A TRANSIENT ACCOMMODATION RENTAL UNIT AND NO PERSON MAY RELY ON THE LIST TO ESTABLISH THE RIGHT TO OPERATE AS A TRANSIENT VACATION RENTAL UNIT.\r\n\r\nANY INTERESTED PERSON MUST CONSULT THE DEPARTMENT WITH RESPECT TO ANY SPECIFIC PROPERTY'S ABILITY TO OPERATE AS A TRANSIENT VACATION RENTAL UNIT. TO AMEND SUBSECTION 19.37.010A TO DELETE REFERENCE TO CHAPTER 19.20. TO AMEND SUBSECTION 19.52.90B15, TO DELETE TRANSIENT VACATION RENTALS AFTER "EXISTING" AND INSERT "HOTELS." AMEND SECTION 20 TO INSERT AFTER THE LAST SENTENCE "COUNTY SPECIAL USE AND CONDITIONAL PERMITS FOR TRANSIENT ACCOMMODATION IN EFFECT AS OF THE EFFECTIVE DATE OF THIS ORDINANCE MAY BE RENEWED IN ACCORDANCE WITH PROVISIONS IN EFFECT PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE." AND TO MOVE TO FILE COUNTY COMMUNICATION 22-280. >> SECOND. >> IT'S BEEN MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ, AND SECONDED BY MEMBER SUGIMURA TO APPROVE WHAT WAS JUST READ BY HER. DID EVERYBODY RECEIVE AN AMENDMENT SUMMARY FORM? THAT INCLUDED THAT INFORMATION. >> YES, IT WAS ON THE AGENDA. >> SO DO YOU HAVE ANY QUESTIONS, MEMBERS?\r\n\r\nIF NOT, ALL THOSE IN FAVOR OF THE MOTION, PLEASE RAISE YOUR HAND AND SAY AYE? >> AYE. >> EIGHT AYES, ONE EXCUSED. MEMBER KING, MOTION CARRIES. VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I HAVE FURTHER AMENDMENTS.\r\n\r\nI MOVE TO AMEND SECTION 19.14010 AS 19.14.010 AS FOLLOWS: 1, INSERT "NEW" BEFORE "ROOM OR "UNITS." TWO, INSERT "LINE SET AT THE DISTANCE FROM THE CERTIFIED SHORELINE TO THE PRIOR TO MAPPED LINE." 3, REPLACE EFFECTIVE DATE OF THIS ORDINANCE WITH NOVEMBER 4TH, 2022. 4, REPLACE "PROPOSED" FROM BEFORE GROUND-ALTERING ACTIVITY WITH PROPOSED AFTER GROUND-ALTERING ACTIVITY. 5, INSERT MAUI COUNTY CULTURAL RESOURCE COMMISSION, WHICH MAY REVIEW AND COMMENT ON THE POTENTIAL IMPACTS TO HISTORIC PROPERTY AREAS AND CULTURAL RESOURCES TO THEM BEFORE STATE HISTORIC PRESERVATION DIVISION. AMEND SECTION 19.22.020 AS FOLLOWS: 1, INSERT NEW TRANSIENT VACATION RENTALS AT THE BEGINNING OF THE SENTENCE. AND 2, LINE SET AT THE CERTIFIED SHORELINE BEFORE THE MAPPED LINE. 3, REPLACE THE EFFECTIVE DATE OF THIS ORDINANCE WITH NOVEMBER 4, 2022. 4, INSERT FOR ALL NEW ROOMS, OR UNITS, ANY GROUND-ALTERING ACTIVITY IN CULTURALLY-SENSITIVE AREAS, AS DETERMINED BY THE COUNTY ARCHAEOLOGIST WILL BE REFERRED TO THE MAUI COUNTY CULTURAL RESOURCE COMMISSION, WHICH MAY REVIEW AND COMMENT ON THE POTENTIAL IMPACT TO HISTORIC PROPERTIES AND CULTURAL RESOURCES, TO THE STATE HISTORIC PRESERVATION DIVISION UNDER CHAPTER 6E HAWAI'I REVISED STATUTES AFTER THE

FINAL SENTENCE. TO AMEND SUBSECTION 19.36B.120G AS FOLLOWS: 1, INSERT VEHICLES WITH POP-UP TENTS BEFORE "OR SIMILAR APPARATUS." 2, INSERT "COMMA, UNLESS SPECIFICALLY PERMITTED" AFTER "PROHIBITED." AMEND SUBSECTION 19.37.010C AS FOLLOWS: 1, LINE SET FROM THE CERTIFIED SHORELINE TO THE BEFORE MAPPED LINE. 2, REPLACE THE EFFECTIVE DATE OF THIS ORDINANCE WITH NOVEMBER 4, 2022. AMEND SUBSECTION AS FOLLOWS: 1, REPLACE "PROPOSED" "FROM BEFORE GROUND-ALTERING ACTIVITY WITH PROPOSED GROUND-ALTERING ACTIVITY." AND FINALLY, TO INSERT MAUI COUNTY CULTURAL RESOURCES COMMISSION, WHICH MAY REVIEW AND COMMENT ON THE POTENTIAL IMPACT TO HISTORIC PROPERTIES AND CULTURAL RESOURCES TO THE -- BEFORE STATE HISTORIC PRESERVATION DIVISION.\r\n\r\nI'LL NEED A SECOND. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ. SECONDED BY MEMBER PALTIN FOR THAT AMENDMENT. DISCUSSION? VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. AND EVERYONE SHOULD HAVE RECEIVED THE ASF FROM THE COUNTY CLERK AT 4:21 P.M. IF ANYONE DID NOT RECEIVE IT AND WAS NOT FOLLOWING ALONG.\r\n\r\n\r\nTHIS ADDITIONAL LANGUAGE ON THE MAPPED LINE FOR COASTAL EROSION AND GROUND-ALTERING ACTIVITY IN CULTURALLY SENSITIVE AREAS HELPS TO CLARIFY AND ADDING VEHICLES WITH POP-UP TENT TO THE LIST OF APPARATUSES, THAT ARE PROHIBITED FROM BEING USED OR RENTED, AS TRANSIENT ACCOMMODATIONS, AND ADD A COMMA, UNLESS SPECIFIED SPECIFICALLY PERMITTED AFTER "PROHIBITION." THESE AMENDMENTS ARE IN RESPONSE TO TESTIMONY REQUESTING ADDITIONAL OVERSIGHT FOR AREAS THAT IWI WOULD BE LOCATED AND SHORELINE REQUIREMENTS. IN ADDITION, THE DEPARTMENT OF CORPORATION COUNSEL SUGGESTED ADDITIONAL AMENDMENTS TO CLARIFY. CAMPER VAN LANGUAGE AND THE DATE OF THE RELEVANT SHORELINE MAPS. MAY I CALL ON MR. HOPPER TO SPEAK TO THE LANGUAGE OF THE CAMPER VAN SECTION TEMPORARY PARKING, IN RESPONSE TO TESTIMONY THAT WE RECEIVED THIS MORNING. MAHALO, CHAIR. >> ALL RIGHT, ANY OBJECTIONS, MEMBERS?\r\n\r\n\r\nTO INVITE MR. HOPPER FOR COMMENTS. >> NO OBJECTIONS, CHAIR. >> MR. HOPPER. >> THANK YOU, CHAIR. FOR THE CAMPER VAN LANGUAGE, I THINK THIS IS SOMETHING WE HAD SUGGESTED IN AN EARLIER VERSION, BUT IT DIDN'T MAKE IT IN THE LAST GO AROUND.\r\n\r\n\r\nTHE POP-UP TENTS LANGUAGE I THINK ADDED CLARITY. I THINK WAS CONSISTENT WITH THE INTENT OF THE PROHIBITION. THERE WAS ALSO LANGUAGE ADDED UNLESS SPECIFICALLY PERMITTED, TO DEAL WITH CASES WHERE CAMPER VAN PARK MIGHT BE PERMITTED EITHER IN MAYBE A STATE PARK, OR IN CASE WHERE COUNTY ISSUES A PERMIT FOR THAT USE TO ALLOW FOR THAT EXCEPTION. I THINK THOSE WERE IMPORTANT CLARIFICATIONS. I DON'T HAVE MUCH ELSE TO ADD ON THAT. I DO BELIEVE THIS IS WITHIN THE COUNTY'S PURVIEW. H.R.S. DOES ALLOW -- GIVES THE COUNTY AUTHORITY TO REGULATE THE USES OF VEHICLES FOR HUMAN HABITATION.\r\n\r\n\r\nSO I THINK THIS IS CONSISTENT WITH. >> ANY QUESTIONS FOR MR. HOPPER? ANYONE? IF NOT, THANK YOU VERY MUCH. OH, YES, WE HAVE ONE. MR.\r\n\r\n\r\nSINENCI. >> THANK YOU, CHAIR. I JUST WANTED TO ASK MR. HOPPER ABOUT THE LAST TESTIMONY ABOUT DOES IT VIOLATE THE GENERAL PLAN OF MAUI COUNTY? MAUI ISLAND PLAN? >> WELL, IF IT'S IN REFERENCE TO THE TOURISM ISSUE, I THINK IF YOU ARE ALLOWING PROPERTIES THAT ARE ALREADY ZONED OR ENTITLED FOR HOTELS TO BUILD HOTELS, I DON'T THINK THAT IS INCONSISTENT. IF YOU ARE TALKING ABOUT UNITS THAT AREN'T ALREADY ENTITLED OR ALREADY ZONED HOTEL, I THINK THAT IS DIFFERENT.\r\n\r\n\r\nI THINK THE LANGUAGE THAT IS BEING CHANGED IN, I BELIEVE 19.14 TALKS ABOUT UNITS IN THE HOTEL DISTRICT. SO THOSE AREAS ARE ALREADY ZONED HOTELS. SO I DON'T HAVE AN ISSUE WITH THAT ASPECT OF IT, OF THE HOTEL UNITS IN SOME CASES BEING ALLOWED TO HAVE NEW HOTEL UNITS IN AREAS THAT ARE ALREADY ZONED HOTEL. I THINK, AGAIN, I DON'T WANT TO PUT WORDS IN THE TESTIFIER'S MOUTH AS FAR AS WHAT THEY INTENDED, BUT ALLOWING

NEW UNITS BUILT IN THE HOTEL DISTRICT IN AREAS THAT THEY ARE ALREADY ENTITLED WOULD BE POTENTIALLY PROBLEMATIC. I DON'T NECESSARILY AGREE WITH THAT STATEMENT. SO AS FAR AS THIS ORDINANCE, I DON'T THINK THAT THE ORDINANCE IS INCONSISTENT WITH THE MAUI ISLAND PLAN IN THAT RESPECT. >> THANK YOU, MR.\r\n\r\nHOPPER. THANK YOU, CHAIR. >> MEMBER SUGIMURA. >> WE HAD SO MANY TESTIFIERS FROM THE CAMPER VANS, AND RECREATIONAL VEHICLES THAT TESTIFIED. WHAT IS IMPACT TO THEM WITH THESE AMENDMENTS? >> WHO ARE YOU ASKING THAT QUESTION TO? >> WHOEVER CAN ANSWER THAT.\r\n\r\n>> DO YOU WANT TO, MEMBER PALTIN? >> YES, IT MEANS THAT THEY CAN STILL DO THE ACTIVITY WHERE IT'S STRICTLY PERMITTED, LIKE STATE AND NATIONAL PARKS WHERE THEY HAVE THE FACILITIES FOR IT. I THINK WHERE IT'S SPECIFICALLY ALLOWED TO DO IT, IT CAN BE IN THOSE AREAS. ROADSIDE AND PEOPLE'S NEIGHBORHOODS THEY DON'T WANT PEOPLE GOING TO THE BATHROOM IN PEOPLE'S NEIGHBORHOODS. >> STATE AND NATIONAL PARKS, BUT COUNTY IS NOT ALLOWED. >> YOU CAN'T JUST GO INTO HALE'AKALA PARK. YOU HAVE TO BE PERMITTED.\r\n\r\n>> SO THEY CAN CONTINUE WITH THEIR BUSINESS IN DESIGNATED AREAS. THANK YOU. >> ANYONE ELSE WITH QUESTIONS OR COMMENTS. MR. MOLINA. >> JUST CLARIFICATION ON ONE AMENDMENT RELATED TO THE SUBSECTION 19.37.010 INSERT "LINE SET AT THE DISTANCE FROM THE CERTIFIED SHORELINE TO THE BEFORE MAPPED LINE." THE RATIONALE FOR IT, AND WHY IT WAS CHANGED FROM -- WHY THE AMENDMENT CHANGED? DOES IT HAVE ANY IMPACTS UNINTENDED CONSEQUENCES AS YOU SEE IT, AS THIS AMENDMENT IS MOVED FORWARD?\r\n\r\n>> CHAIR? >> YES, GO AHEAD. >> MAHALO, CHAIR. MAHALO, MEMBER MOLINA FOR THE QUESTION. AS I STATED IN THE RATIONALE, IT WAS SOMETHING REQUESTED BY TESTIFIERS IN THE COMMUNITY. SO IN WORKING IN COLLABORATION WITH EVERYONE, THAT'S THE LANGUAGE THAT WOULD HELP TO CLARIFY, TO BE A CLEAR INDICATOR ON THE GROUND. >> OKAY.\r\n\r\nSO THIS AMENDMENT MAY EASE PEOPLE'S FEELINGS ABOUT THE INITIAL PROPOSAL AS FAR AS WHERE THE LINE IS AT? WHERE HOTELS CAN BE BUILT? IS THAT PART OF THE RATIONALE? OKAY. I JUST NEEDED SOME ADDITIONAL CLARIFICATION ON THAT. THANK YOU. THANK YOU, MADAM CHAIR.\r\n\r\n>> ANYONE ELSE WITH QUESTIONS, OR COMMENTS? PRO TEM KAMA. >> THANK YOU, CHAIR. I JUST WANTED TO THANK MEMBER RAWLINS-FERNANDEZ FOR WORKING WITH THE COMMUNITY AND TRYING TO MASSAGE OUT SOMETHING THAT WOULD BE PALATABLE TO EVERYBODY AND WORKABLE, AND THE AMOUNT OF HOURS IT TOOK FOR THAT. THANK YOU SO VERY MUCH, VICE-CHAIR. APPRECIATE THAT. AND ALSO, MEMBER PALTIN.\r\n\r\nTHANK YOU FOR ALL YOUR HARD WORK. >> ANYBODY ELSE? ARE YOU READY TO VOTE? SECOND GROUP OF AMENDMENTS. ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE. >> EIGHT AYES, ZERO NOS, ONE EXCUSED.\r\n\r\nMEMBER KING. MOTION PASSES. VICE-CHAIR RAWLINS-FERNANDEZ, DO YOU HAVE ANY OTHER CHANGES? >> YES. WELL, I DON'T HAVE ANY MORE AMENDMENTS, BUT SINCE EVERYTHING PASSED, WE'LL NEED TO WAIVE RULE 19C. SO I MOVE TO WAIVE RULE 19C OF THE RULES OF THE COUNCIL TO ALLOW FOR PASSAGE OF THIS BILL TODAY. >> SECOND. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ AND SECONDED BY PRO TEM KAMA.\r\n\r\nTHIS HAS TO DO WITH BILLS FOR SECOND AND FINAL READING. DISCUSSION, VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. SO THE WAIVER OF THIS RULE, BECAUSE WE MADE AMENDMENTS TO THE BILL IS NECESSARY FOR US TO TAKE FINAL ACTION. MAHALO, CHAIR. >> ANY COMMENTS, DISCUSSION, QUESTIONS? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE.\r\n\r\n>> AYE. >> ALL AYES, THAT IS EIGHT AYES, ONE EXCUSED. MOTION CARRIES. EXCUSED IS MEMBER KING. READY FOR THE FINAL VOTE? VICE-CHAIR RAWLINS-FERNANDEZ? >> OKAY.\r\n\r\nMAHALO, CHAIR. SO I'LL TRY TO KEEP THIS AS BRIEF AS I CAN, SINCE WE'RE CLOSE TO OUR HARD-STOP TIME. THIS CAP BILL IS NOT THE FIRST BILL, NOR WILL IT BE THE LAST TO COMPREHENSIVELY



MANAGE TOURISM. THIS BILL IS JUST ONE IN A SERIES OF LEGISLATIVE PROPOSALS THAT WE HAVE WORKED ON, AND HAVE PASSED SUCH AS MEMBER PALTIN'S BILL THAT WE JUST PASSED TODAY, PREVENTING TVRS FROM GETTING THE HOME EXEMPTION. KEEPING FRACTIONAL OWNERSHIPS IN HOTEL ZONES AND REQUIRING TMKS IN ORDER TO ADVERTISE ON AIRBNBS, VRBOS AND OTHER ONLINE PLATFORMS, REDUCE STR CAPS IN RESIDENTIAL AREAS. REDUCING PERMITTING IN BEACH PARKS AND CULTURAL OVERLAY BILL TO ESTABLISH A ZERO STR CAP ON MOLOKA'I. TAXING TRANSIENT ACCOMMODATIONS TO OFFSET IMPACTS, TOURISM MAJORITY AND ECONOMIC DEVELOPMENT TIG, ALL OF WHICH LEGISLATION THAT WERE PROPOSED THAT WE'RE STILL IN THE MIDST OF TAKING UP. SO THIS COUNCIL HAS DONE A LOT OF WORK AND I'M REALLY PROUD OF THE WORK WE HAVE DONE.\r\n\r\nTHIS LEGISLATION HAS BEEN DISCUSSED AT COUNCIL AND TIG RESOLUTION ON MARCH 4TH, PSLU MARCH 17 AND 23RD, PSLU APRIL 22ND, FIRST READING AND LAST MONTH. SO WHAT THIS CAPS BILL DOES IN EACH ZONING THAT CURRENTLY ALLOWS STR ACCOMMODATIONS, THAT WERE IDENTIFIED IN ORDER TO CREATE A CAP FOR EACH ZONING DISTRICT, INCLUDING THE LAHAINA HISTORIC DISTRICT 1 AND 2, APARTMENT BUSINESS, COUNTRY TOWN, BUSINESS DISTRICT 2 AND 3, RESORT, PLANNED DEVELOPMENT, HOTEL, TIME-SHARE, THE TRANSIENT ACCOMMODATION CAP BILL WAS DRAFTED TO CREATE A POINT-IN-TIME FREEZE ON ALL CURRENTLY ALLOWED STR USES AND MUCH-NEEDED REGULATION FOR THE PROHIBITION ON CAMPER VAN VACATION RENTALS ON PUBLIC PROPERTY. THE PROPOSED CAPS WERE INTENDED TO KEEP THE NUMBER OF TRANSIENT ACCOMMODATIONS STATUS QUO, MEANING IF AN OWNER WAS OPERATING OR HAD THE OPTION TO OPERATE AS DATE OF THIS BILL'S PASSAGE, THAT USE WOULD BE ALLOWED TO CONTINUE. AFTER ADOPTION OF THIS BILL, NO OTHER GROWTH OR INCREASE WOULD OCCUR. THIS APPROACH WAS TAKEN AFTER THE ADVICE OF LEGAL COUNSEL TO AVOID ANY POTENTIAL LEGAL CHALLENGES FROM PROPERTY OWNERS THAT WOULD CLAIM TAKINGS, WHICH COULD BE VERY COSTLY TO TAXPAYERS. I KNOW THAT DECISION-MAKING FACTORS OTHERWISE KNOWN AS NUANCE CAN SOMETIMES BE CHALLENGING BECAUSE IT REQUIRES FOLLOWING ITEMS: CLOSELY OVER LONG PERIODS OF TIME TO ABSORB THE DIFFERENT PERSPECTIVES AND HOW DIFFERENT INTERESTS WOULD BE EFFECTED? A LARGE PART OF THAT NUANCE INVOLVES LEGISLATIVE PROCESS AS MANDATED BY THE CHARTER AND HOW IT AFFECTS LEGISLATION WITHIN THE CONFINES OF TWO-YEAR TERMS.\r\n\r\nI UNDERSTAND INVESTMENT THAT WERE MADE IN DIFFERENT RESORTS, AND I GET THERE ARE MILLIONS OF DOLLARS, AND THAT PREVIOUS COUNCIL MAJORITY SIGNALLED AUTOMATIC SUPPORT OF FURTHER UNFETTERED EXPANSION AND NEW DEVELOPMENT. THE RECENT STRONG PUSH FOR TANGIBLE MANAGEMENT INITIATIVES IS A NEW COMPONENT, AND WITH ANYTHING NEW, THERE ARE GROWING PAINS. WHILE WHAT I WOULD HAVE WANTED REQUIRING ALL ACCOMMODATIONS TO BE CAPPED AN ADDITIONAL COUNCIL OVERSIGHT THROUGH ADDITIONAL PERMITS, WHICH REQUIRES COUNCIL APPROVAL. THIS BILL IS STILL AMAZING. AND I'M GRATEFUL TO ALL OF THE PEOPLE THAT WORKED SO HARD ON IT FOR ALMOST TWO YEARS NOW. I WANT TO THANK ALL OF THE COUNCIL MEMBERS AND THANK THE COMMUNITY, THANK MAUI TOMORROW, THANK THE PLANNING DEPARTMENT, DIRECTOR MCLEAN AND DEPUTY DIRECTOR TAKAKURA, AND ALL THE ADVOCATES AND THE TOURIST INDUSTRY FOR WORKING TOGETHER WITH US ON THIS ON SOMETHING THAT OTHER COUNCIL MEMBERS STATED, ACCOMPLISHES TOURISM MANAGEMENT AND IS SOMETHING THAT WE CAN PASS TODAY MAHALO, CHAIR. >> ANY FURTHER DISCUSSION?\r\n\r\nMEMBER PALTIN. >> THANK YOU, CHAIR. YOU KNOW, WHEN I FIRST CAME INTO OFFICE IN 2019, THE PEOPLE I KNEW A LOT OF PEOPLE REALLY DID NOT LIKE STR. AND SHORT-TERM RENTALS. BECAUSE YOU KNOW, A LOT OF THOSE PLACES ON THE MINATOYA LIST IS WHERE THEY FORMERLY LISTED UNTIL THE CODIFICATION OF THE MINATOYA LIST. AND FAMILY AFTER FAMILY WAS ASKED TO LEAVE, BECAUSE THEIR UNIT WAS BEING TURNED INTO A SHORT-TERM RENTAL. AND THE UNDERSTANDING OF LEGAL/ILLEGAL

SHORT-TERM RENTAL, PERMITTED, ON THE LIST, I DIDN'T HAVE ANY IDEA OF WHAT THAT MEANT, MUCH LESS THE GENERAL PUBLIC.\r\n\r\nAND THEN WHEN WE WENT INTO THE TOURISM MANAGEMENT TIG, WE WERE POURING THROUGH THE CODE, AND WE FOUND ALL OF THESE VARIOUS DISTRICTS, WHERE TVRS, OR SHORT-TERM RENTALS COULD JUST HAPPEN WITH NO VETTING. THEY WERE ALLOWED, YOU KNOW? HOTEL USE AS AN ALLOWED USE IN THE HISTORIC DISTRICT, AND THEN I WAS WATCHING THE PLANNING COMMISSION, A YOUNG LADY THAT LIVED IN LAHAINA CROSSROADS WAS SAYING THERE'S ILLEGAL TVRS GOING ON IN MY BUILDING. AND THE REASON THAT LAHAINA CROSSROADS WAS BOUGHT WAS BECAUSE HOTEL USES IS AN OUTRIGHT PERMITTED USE IN THE HISTORIC DISTRICT. AND I KNEW NOTHING ABOUT THIS IN 2018, WHEN I RAN FOR OFFICE. AND AS IT CAME UP ON NOVEMBER 2ND, AND AGAIN TODAY, EVEN WITH US POURING THROUGH THE CODE, AND LIKE A LITTLE 6-MONTH, TIG, WE MISSED PROJECT DISTRICT. I WAS AT A MEETING IN MY COMMUNITY, WHERE THE DEVELOPER SAYS HE IS GOING TO DEVELOP 196 SHORT-TERM RENTALS, AND I'M GETTING CALLS AND I'M, LIKE, SHOOT.\r\n\r\nPROJECT DISTRICT. WE DIDN'T INCLUDE THAT IN THIS BILL. YOU KNOW? SO I MEAN, THIS IS NOT THE END OF THE WORK AND WHETHER WE WILL OR WILL NOT BE ABLE TO REMOVE SHORT-TERM RENTALS FROM PROJECT DISTRICT, I WOULD LIKE TO TRY AND SEE, BUT IT JUST GOES TO SHOW THAT WHEN WE DECIDED TO SUPPORT TOURISM, AND WE SUPPORTED HOTEL EXPANSION, AND BRINGING PEOPLE AND MARKETING MAUI, WE DIDN'T HAVE A PLAN OF THE COMPLETE VISION, OR WHEN TO STOP, OR WHEN TO HAVE THE BALANCE. AND I THINK THE SAME THING GOES FOR CAMPER VANS. YOU KNOW? IF THEY STAY IN THE DESIGNATED AREAS THAT HAVE THE RESOURCES TO ACCOMMODATE AND THEY DON'T TAKE UP ALL THE STALLS SO OUR LOCAL RESIDENTS CAN ENJOY CAMPING AS WELL AND NOT JUST THE TOURISTS.\r\n\r\nIT'S NOT A HORRIBLE THING. BUT WHEN THERE'S NO PLAN TO REGULATE, MANAGE AND MALAMA THAT BALANCE, IT TURNS INTO A NIGHTMARE. SO YOU KNOW, I AGREE THIS ISN'T EVERYTHING ALL THAT WE WOULD HAVE WANTED, BUT IT'S A STEP IN THE SECOND TERM. YOU KNOW, WHAT WE REALLY NEED TO DO IS CONTINUE THE DISCUSSION, NOT ONLY OF MANAGEMENT, BUT OF DIVERSIFICATION OF OTHER TYPES OF MANAGEMENT, OF USING THE MAUI COUNTY TAT TO INVEST IN THE INFRASTRUCTURE TO OFFSET AND MITIGATE THE IMPACTS. SO I MEAN, REALLY THIS IS ANOTHER STEP IN THE BEGINNING OF THE DISCUSSION. IT'S DEFINITELY NOT THE END OF THE DISCUSSION. AND IT'S NOT THE ONLY WAY TO MANAGE TOURISM.\r\n\r\nSO THANK YOU. >> THANK YOU. ANYONE ELSE? READY FOR THE VOTE? ALL THOSE IN FAVOR OF THE MOTION AS AMENDED, RAISE YOUR HAND AND SAY AYE. >> AYE. >> EIGHT AYES, ZERO NOS, MOTION CARRIES.\r\n\r\nNONE EXCUSED. THAT PERSON IS MEMBER KING. GOOD WORK EVERYBODY. YOU DESERVE A RESTFUL AND RELAXING WEEKEND. [ APPLAUSE ] >> EVERYBODY TAKE CARE. I KNOW MICHELE YOSHIMURA IS GOING TO BE HAPPY. HOW MANY BILLS DID WE PASS TODAY?\r\n\r\nLIKE 20. SUCH A COOPERATIVE COUNCIL, I TELL YOU. EVERYBODY, TAKE CARE. >> THANK YOU, CHAIR. >> WE'LL SEE YOU NEXT TUESDAY. >> HAVE A PEACEFUL WEEKEND EVERYONE. ALOHA. >> CHAIR?\r\n\r\n>> YES, VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. MAHALO, MEMBERS. MAHALO, DIRECTOR YOSHIMURA FOR LETTING US GO A LITTLE PAST THE HARD-STOP OF 4:30. THIS IS THE LAST COUNCIL MEETING THAT MY CHIEF STRATEGIST SARAH PAJIMOLA WILL BE WITH US. I SHOULD HAVE ADDED HER TO THE LIST. SHE REALLY WORKED HARD ON ALL THE LEGISLATION THAT WE WERE ABLE TO GET THROUGH IN LAST TWO TERMS. MAHALO, CHAIR FOR LETTING ME PUBLICLY THANK MS.\r\n\r\nSARAH PAJIMOLA FOR ALL HER WORK. >> I THINK WE ALL APPRECIATE WHAT SHE HAS DONE, AND THAT IS WHY WE'RE PLANNING A SURPRISE PARTY FOR HER. >> NOT A SURPRISE ANY MORE. [ LAUGHTER ] >> OKAY, EVERYBODY, TAKE CARE. TAKE CARE OF YOUR FAMILIES AND YOURSELVES. ALOHA. >> ALOHA SARAH.\r\n\r\n>> THANK YOU. HAVE A GREAT WEEKEND. >> YOU TOO, MICHELE.