

TRANSCRIPTION

Council of the County of Maui on 2022-11-18 9:00 AM - Regular Meeting

[ GAVEL ] >> WILL THE COUNCIL MEETING OF NOVEMBER 18TH, 2022, PLEASE COME TO ORDER. IT'S APPROXIMATELY 9:02 A.M. MEMBERS, WE HAVE, I BELIEVE, SEVEN PEOPLE TO START. OUR GREETING TODAY IS FROM KENYA, AFRICA AND IT'S WHO JAMBO. WHO JAMBO, AS YOU PROBABLY KNOW, THE EQUATOR RUNS THROUGH KENYA, MR. CLERK, ROLL CALL. >> CHAIR, PROCEEDING WITH ROLL CALL, MEMBERS PARTICIPATING FROM NON- PUBLIC LOCATIONS SHOULD STATE WHO, IF ANYONE, EXCEPT FOR MINORS IS PRESENT WITH THEM AS PART OF ROLL-CALL. COUNCIL MEMBER SHANE SINENCI? \r\n\r\n>> WHO JAMBO AND ALOHA KAKAHIKA, MAI MAUI AKINA AND I'M HAPPY TO JOIN THIS MORNING FROM THE HANA CULTURAL CENTER WITH MY DISTRICT STAFF MAVIS MEDEIROS AND CURRENTLY, THERE'S NO TESTIFIERS. ALOHA. >> ALOHA. >> COUNCIL MEMBER MIKE MOLINA? >> ALOHA AND WHO JAMBO, MADAM CHAIR. TRANSMITTING FROM THE COUNCIL CHAMBERS IN WAILUKU AND WHO JAMBO TO YOU AND EVERYONE ELSE JOINING US FOR OUR COUNCIL MEETING TODAY. CURRENTLY, THERE'S NO TESTIFIERS AT THE PA'IA DISTRICT OFFICE. \r\n\r\n\r\nMAHALO. >> COUNCIL MEMBER KELLY TAKAYA KING. >> EXCUSED. >> COUNCIL MEMBER GABE JOHNSON. >> ALOHA, CHAIR AND GOOD MORNING, COUNCIL MEMBERS AND COMMUNITY MEMBERS. I'M IN THE CHAMBERS TODAY. SO WHO JAMBO TO YOU AND THERE ARE NO TESTIFIERS AT THE LANA'I DISTRICT OFFICE. \r\n\r\n\r\nMAHALO. >> THANK YOU. >> COUNCIL MEMBER TAMARA PALTIN. >> ALOHA KAKAHIKA KAKOU. AND WHO JAMBO, AND WHAT A LIGHT SHOW LAST NIGHT. NO TESTIFIERS AT THE LAHAINA DISTRICT OFFICE. THANK YOU. \r\n\r\n\r\n>> THANK YOU. COUNCIL MEMBER YUKI LEI SUGIMURA. >> WHO JAMBO EVERYBODY. I'M IN KULA AND LOOKING FORWARD TO A PRODUCTIVE MEETING. >> GOOD TO SEE YOU. >> PRESIDING OFFICER PRO TEMPORE TASHA KAMA. >> ALOHA KAKAHIKA, CHAIR, AND WHO JAMBO TO MY COLLEAGUES THIS MORNING. \r\n\r\n\r\nI AM HERE IN MY WORK SPACE, AND I AM ALONE. LOOKING FORWARD TO A WONDERFUL COUNCIL MEETING TODAY. ALOHA. >> ALOHA >> COUNCIL VICE-CHAIR KEANI RAWLINS-FERNANDEZ ALOHA KAKAHIKA, CHAIR. I'M AT THE MOLOKA'I DISTRICT OFFICE, ALONE ON MY SIDE OF THE OFFICE AND WE HAVE OUR COMMUNITY OUTREACH SPECIALIST ZHANTELL LINDO ON THE OTHER SIDE OF THE OFFICE. AND I BELIEVE THERE ARE STILL NO TESTIFIERS, BUT THAT COULD CHANGE. MAKAHIKI. \r\n\r\n\r\n>> MAHALO. >> COUNCIL CHAIR ALICE L. LEE. >> GOOD MORNING EVERYONE. WHO JAMBO. LOOKING FORWARD TO A WONDERFUL AND EFFICIENT AND SHORT MEETING. THANK YOU. >> CHAIR, THERE ARE EIGHT MEMBERS PRESENT, ONE MEMBER EXCUSED. \r\n\r\n\r\nA QUORUM IS PRESENT TO CONDUCT THE BUSINESS OF THE COUNCIL. FOR THE RECORD, I'M DEPUTY COUNTY CLERK JAMES KRUEGER. ALSO PRESENT FROM THE OFFICE OF THE COUNTY CLERK ARE LEGISLATIVE DIVISION STAFF JOYCE MURASHIGE, LAUREN SALDANA AND DELL YOSHIDA. JOINING THE MEETING FROM CORPORATION COUNSEL IS MOANA LUTEY AND FIRST DEPUTY RICHELLE THOMPSON. >> OPENING REMARKS WILL BE PROVIDED BY COUNCIL MEMBER JOHNSON. >> MAHALO, CHAIR. COUNCIL MEMBERS. \r\n\r\n\r\nCOMMUNITY MEMBERS. DRIVING HOME LAST NIGHT I WAS IN AWESOME OF THE ELECTRICAL STORM ABOVE HALE'AKALA AND GRATEFUL FOR THE RAIN THAT FELL YESTERDAY. I STARTED TO THINK ABOUT THE WEATHER AND WHILE I REFLECTED ON THE IMPORTANCE OF RAIN, IT TOOK ME BACK TO MY FARMING DAYS. FARMERS IN MAUI COUNTY NEED OUR HELP. I OR SAY THE THREE MOST IMPORTANT THINGS A FARMER NEEDS IS LAND, WATER AND A LITTLE BIT OF CAPITAL TO HAVE SUCCESS. RECENTLY WE PASSED OUT OF COMMITTEE PHASE 1 EXPANSION OF THE KULA AGRICULTURAL PARK, WHICH CREATES THE ABILITY FOR FARMERS TO FOLLOW ORGANIC PRACTICES. THIS WAS HUGE, AND I WANT TO THANK THE COMMITTEE FOR THIS IMPORTANT BILL I INTRODUCED. \r\n\r\n\r\nAGRICULTURAL PARKS A AN IMPORTANT PIECE OF THE PUZZLE FOR CONTINUED SUCCESS OF OUR

FOOD PRODUCTION AND SECURITY. IN TODAY'S MAUI NEWS AN ARTICLE ENTITLED, "AGRICULTURE PARK EXPANSION COULD PUT AN EMPHASIS ON ORGANIC," EXPLAINS THERE'S A HUGE DEMAND FOR ORGANIC AND HEALTHIER FOOD GROWN LOCALLY AND READS, "GETTING ON LAND AND LAND WITH WATER RESOURCES IS OFTEN THE BIGGEST BARRIER FOR EMERGING FARMERS." MEMBERS, THIS MEANS THAT THERE'S A ROLE FOR US, WE CAN HELP. IT'S BEEN ALMOST TWO YEARS NOW SINCE I HAVE BEEN ADVOCATING FOR THE STATE TO TRANSFER ITS LEASE OF 100 ACRES TO THE COUNTY, FOR THE LANA'I AGRICULTURAL PARK. LIKE A FARMERS WHO PLANTED A SEED JUST YESTERDAY, I HAVE ISSUED A PF FOR REQUEST FOR LEGAL SERVICES THAT WILL ALLOW INTERGOVERNMENT TRANSFER TO THE COUNTY DEPARTMENT OF AGRICULTURE. BASICALLY, OUR EFFORTS WILL BEAR FRUIT SOON. THIS MAKES ME SO HAPPY FOR THE I'LL OF ISLAND OF LANA'I, AND THE PEOPLE OF LANA'I HAVE TO ASK THE COMPANY FOR EVERY LITTLE THING. WELL, NOW WE MAY -- WE MAY HAVE A SAY IN OUR ECONOMIC FUTURE.\r\n\r\nPEOPLE OF LANA'I WILL NOW BE ABLE TO SATISFY THAT ENTREPRENEURIAL IMPLEMENT AND WORK THE LAND TO FEED OUR PEOPLE. IT WILL BE A GREAT DAY WHEN THAT FIRST BATCH OF CROPS GOES TO MARKET AND LIKE THE SEASONS AND CONSENT CALENDARS, WE'RE PHOT DONE. I HAD MEETINGS WITH THE KAMEHAMEHA SCHOOL AND HAVE SHOWN INTEREST IN LEASING LAN FOR AGRICULTURAL PARK IN MAUI. SO COUNCIL MEMBER PALTIN, LOOKS LIKE WE HAVE WORK TO DO, GOOD WORK THE PEOPLE'S WORK. MAHALO, CHAIR. I YIELD THE FLOOR. >> THANK YOU VERY MUCH, MEMBER JOHNSON.\r\n\r\nPLEASE JOIN ME IN RECITING 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. BEFORE WE PROCEED WITH TODAY'S AGENDA, MAY I PLEASE REQUEST THAT EVERYONE KEEP THEIR MICROPHONES MUTED UNTIL IT'S YOUR TURN TO SPEAK. DECORUM SHALL BE MAINTAINED AT ALL TIMES. MR. CLERK. >> CHAIR, PROCEEDING WITH TESTIMONY ON CEREMONIAL RESOLUTIONS.\r\n\r\nMEMBERS OF THE PUBLIC MAY TESTIFY IN THE COUNCIL CHAMBERS AT COURTESY TESTIMONY SITES OR REMOTELY THROUGH THE INFORMATION LISTED ON THE AGENDA. INDIVIDUALS MAY SIGN UP TO TESTIFY WITH THE STAFF MEMBER LOCATED AT THE DESK IN THE 8TH FLOOR LOBBY. INDIVIDUALS AT COURTESY TESTIMONY SITES MAY SIGN UP WITH THE STAFF AT THE SITE. INDIVIDUALS PARTICIPATING REMOTELY MAY SIGN UP IN MEETING CHAT. IF YOU ARE CONNECTED TO THE MEET BIC PHONE, WE WILL BE UNMUTING YOU AT THE END OF EVERY TESTIMONY PERIOD TO VERIFY WHETHER OR NOT YOU WISH TO TESTIFY. INDIVIDUALS CONNECTED BY PHONE ARE CURRENTLY ON MUTE AND WILL BE UNMUTED WHEN IT'S THEIR TIME TO TESTIFY. INDIVIDUALS KECKED BY VIDEOCONFERENCE SHOULD TURN VIDEOS AND MICRO PHENOMENONS MICROPHONES ON WITH IT'S THEIR TIME TO TESTIFY.\r\n\r\nINDIVIDUALS MAY TESTIFY UP TO THREE MINUTES WITH ONE MINUTE TO CONCLUDE PER ITEM. STATE YOUR NAME AND THE NAME OF ANY ORGANIZATION YOU REPRESENT AND ITEMS YOU WILL BE TESTIFYING OF THE PLEASE IDENTIFY TO THE COUNCIL IF YOU ARE A PAID LOBBYIST. INDIVIDUALS MAY BE DISCONNECTED FROM THE MEETING AT ANY TIME FOR BREAKING DECORUM. AT THIS TIMES INDIVIDUALS MAY TESTIFY ON CEREMONIAL RESOLUTIONS. CHAIR, THERE'S INSURGENTLY NO INDIVIDUALS SIGNED UP. >> I SEE ONE. >> OKAY.\r\n\r\nALOHA KAKAHIKA EVERYBODY. >> GOOD MORNING. >> I HOPE EVERYBODY IS HAVING A GOOD FRIDAY. I WILL MAKE IT SHORT. I WAS -- MY NAME IS J.C. LAU FROM KULA UKA. THE RESOLUTION, FIRST THING I NOTICED WILLIAM MCGERROW WAS CHIEF ACCOUNT FOR COMMERCIAL SUGAR AND INTERESTED IN -- I HAVEN'T VISITED THIS PLACE YET, BUT I WILL. HE WAS THE CHIEF ACCOUNTING OFFICER, AND COINCIDENTALLY, THE WAINIHI GETTING PAID TO BE SECRETARY FOR KULA ROMAN CATHOLIC PARISH, USED TO WORK IN THE ACCOUNTING OFFICE, BEFORE SHE HAD A JOB UP THERE.\r\n\r\nAND SINCE -- WHEN I SAW MY COUNCIL -- COUNCILOR YUKI LEI SUGIMURA SIGNED THE RESOLUTION, I HAD TO

SAY SOMETHING. I WOULD LIKE HER TO PAY ATTENTION, AND TRY TO HELP ME OUT THERE IN KULA AND TALK TO THOSE GUYS. THEY WON'T HELP ME WITH AN BALLOT AND KEEP SENDING MY BALLOT TO KATHY AND JAMES. THANK YOU. >> ANY QUESTIONS. MEMBERS, FOR THE TESTIFIER? IF NOT, THANK YOU VERY MUCH.\r\n\r\nMR. CLERK. >> CHAIR, THERE ARE IN OTHER INDIVIDUALS SIGNED UP TO TESTIFY ON THIS ITEM. SO WE'LL DO LAST CALL. IF THERE'S ANYONE ELSE THAT WOULD LIKE TO TESTIFY ON THIS ITEM, PLEASE IDENTIFY YOURSELF NOW. I REPEAT, LAST CALL. >> MEMBERS, ARE THERE ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY FOR CEREMONIAL RESOLUTIONS?\r\n\r\n>> NO OBJECTIONS. >> SO ORDERED. MR. CLERK. >> CHAIR, PROCEEDING WITH CEREMONIAL RESOLUTIONS. YOU HAVE BEFORE YOU RESOLUTION 2022-256 ENTITLED, "CONGRATULATING PUUNENE NICHIREN MISSION ON ITS 100TH ANNIVERSARY." >> PRESIDING OFFICER PRO TEM KAMA. >> CHAIR, I WOULD LIKE TO ASK IF MEMBER YUKI LEI SUGIMURA WOULD LIKE TO DO THE RESOLUTION?\r\n\r\n>> MEMBER SUGIMURA. >> IF YOU WOULD PROCEED, I WOULD APPRECIATE IT. >> THANK YOU. >> THANK YOU. >> THANK YOU, CHAIR. SO CHAIR, I MOVE TO ADOPT RESOLUTION 22-256. >> SECOND. >> MOVED BY PRO TEM KAMA TO ADOPT RESOLUTION 22-256, SECONDED BY MEMBER SUGIMURA.\r\n\r\nMEMBER KAMA. >> THANK YOU, CHAIR. MAY I PLEASE REQUEST THE CLERK TO READ THE RESOLUTION IN ITS ENTIRETY. >> MR. CLERK. >> CONGRATULATING PUUNENE NICHIREN MISSION ON ITS 100TH ANNIVERSARY. WHEREAS, COMMENCING AROUND 1915, REVEREND GYOUN TAKAGI WAS THE FIRST OVERSEAS MINISTER TASKED TO SPREAD NICHIREN BUDDHISM ON MAUI; AND WHEREAS, MR.\r\n\r\nAND MRS. GEMPACHI SAKATA ALONG WITH REVEREND GEN'YU OBA HELPED TO ESTABLISH A TEMPORARY LOCATION IN 1920 TO SPREAD THE LOTUS SUTRA IN THE TOWN OF WAILUKU; AND WHEREAS, MR. WILLIAM MCGERROW, THE CHIEF ACCOUNTANT FOR THE HAWAI'I COMMERCIAL AND SUGAR COMPANY, ANNOUNCED HE WOULD OFFER A PARCEL OF LAND NEXT TO A PUBLIC CEMETERY FREE OF CHARGE TO ANY JAPANESE BUDDHIST TEMPLE AND REVEREND OBA IMMEDIATELY APPLIED FOR SUCH LAND, DESPITE ITS REMOTE LOCATION. WHEREAS, REVEREND OBA AND OTHER DEVOTED MEMBERS EMBARKED ON ISLANDWIDE MISSION TO RAISE FUNDS TO BUILD THE TEMPLE; AND WHEREAS, NOVEMBER 5TH, 1922, THE COMPLETION OF THE PU'UNENE NICHIREN MISSION WAS CELEBRATED IN ITS CURRENT LOCATION WITH FOUNDING REVEREND OBA; AND WHEREAS, IN MARCH 1956 AFTER WORLD WAR II, REVEREND TAIMYO SHINKAI WAS INSTALLED AS THE RESIDENT MINISTER AND REVIVED THE TEMPLE AS SOCIAL AND RELIGIOUS GATHERING PLACE, AND ORGANIZED THE FIRST YOUNG BUDDHISTS ASSOCIATION ON MAUI, TEACHING JUDO AND KENDO CLASSES TO ATTRACT YOUNGER MEMBERS; AND WHEREAS, IN APRIL 1963, REVEREND SHINKAI PASSED AWAY UNEXPECTEDLY AT THE AGE OF 38, LEAVING BEHIND HIS WIFE AND THREE YOUNG CHILDREN; AND WHEREAS, MRS. SHINKAI ROSE TO THE CHALLENGE, STUDIED IN JAPAN AND RETURNED TO MAUI AS REVEREND MYOCHO SHINKAI THE FIRST WOMAN TO BECOME A MINISTER IN THE NICHIREN SECT ON MAUI; AND WHEREAS, IN MARCH 1975 A FIRE CONSUMED THE TEMPLE AND MOST ARTI FACTS WERE LOST. HOWEVER AT GREAT DANGER TO HERSELF, REVEREND SHINKAI SAVED THE ARTIFACTS AND URNS HOUSED IN THE TEMPLE; AND WHEREAS, WITH THE DEDICATED, THROUGH SMALL MEMBERSHIP, FUNDS WERE RAISED TO RECONSTRUCT THE TEMPLE IN SEPTEMBER 1975 AHEAD OF SCHEDULE; AND WHEREAS, IN JUNE 1988, THROUGH TIRELESS EFFORTS OF ERR REND AND MRS. KAIJU KUMAZAWA AND BOARD OFFICIALS IWAO SATO AND BILL AZEKA SEPARATE COLUMBARIUM WAS DEDICATED WITH BISHOPS AND OTHER REPRESENTATIVES FROM JAPAN AND THROUGHOUT HAWAI'I AND MISSION CONGREGANTS PARTICIPATING; AND WHEREAS, THROUGH THE NEXT 30-PLUS YEARS THE TEMPLE CONTINUED AND CONTINUES TODAY, OFTEN WITHOUT RESIDENT MINISTER TO PROVIDE SERVICES, COMFORT AND SOCIALIZATION TO ITS MEMBERSHIPS, INCLUDING SEVERAL JAPANESE DANCE ACADEMIES; AND WHEREAS, THE PUUNENE NICHIREN MISSION

CONTINUES TO HONOR AND REVERE WILLIAM MCGERROW AND HIS WIFE, LUCY BY CARING FOR THEIR GRAVES LOCATED ON THE SITE OF THE TEMPLE; AND WHEREAS, THE EXCEPTIONAL DEDICATION, CONDUCT, AND COMMITMENT OF THE MEMBERS PUUNENE NICHIREN MISSION HAVE BROUGHT PROUD AND HONOR TO THE RESIDENTS OF MAUI COUNTY AND NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF MAUI: 1, THAT IT CONGRATULATES THE PUUNENE NICHIREN MISSION ON ITS 100TH ANNIVERSARY; AND 2, THAT CERTIFIED COPIES OF THIS RESOLUTION BE TRANSMITTED TO BISHOP SHOKAI KANAI, NICHIREN MISSION OF HAWAI'I, YAEKO YAMAMOTO, PRESIDENT PUUNENE NICHIREN MISSION.\r\n\r\n>> PRO TEM KAMA DISCUSSION. >> THANK YOU. I'M PLEASED TO HAVE THE OPPORTUNITY TO RECOGNIZE THE PUUNENE MISSION ON ITS 100TH ANNIVERSARY. I WOULD ALSO LIKE TO SUPPORT THE EFFORTS OF MRS. HESTER HONDA IN HELPING TO ABOUT THE HISTORY AND SIGNIFICANCE OF THE ONLY NICHIREN TEMPLE ON MAUI AND ONE OF FOUR REMAINING TEMPLES IN HAWAI'I. I RESPECTFULLY ASK THAT THE MEMBERS TO JOIN ME IN CONGRATULATING PUUNENE NICHIREN MISSION BY SUPPORTING MY MOTION. >> THANK YOU. MEMBER SUGIMURA, DID YOU HAVE ANY COMMENTS >> THANK YOU.\r\n\r\nTHANK YOU FOR DOING THIS RESOLUTION. I HAVE TO COMMEND HESTER HONDO WHO WORKED WITH OUR OFFICE TO ENSURE THIS GETS DONE. SO I APPRECIATE MEMBERS FOR HONORING THIS CHURCH, AND I THINK IN THE AUDIENCE, THERE'S YAEKO YAMAMOTO, THE PRESIDENT OF THE NICHIREN CHURCH AND AT THE APPROPRIATE TIME, IF YOU WOULD ALLOW HER TO SAY A FEW WORDS. THANK YOU. >> THANK YOU. MEMBERS, ANY MORE COMMENTS OR DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE?\r\n\r\n>> AYE. >> ALL AYES, ZERO NOS, WE HAVE ONE EXCUSED. WE NOW HAVE EIGHT PEOPLE. EIGHT AYES, ONE EXCUSED. MEMBER KING. MOTION CARRIES. NOW MEMBERS, TO INVITE THE GUEST TO COME UP AND SAY A FEW WORDS.\r\n\r\n>> GOOD MORNING EVERYBODY. MY NAME YAEKO YAMAMOTO, NICHIREN BOARD PRESIDENT AND WE'RE VERY HONORED TO HAVE THIS RESOLUTION FOR OUR CHURCH FOR ITS 100TH YEAR. THANK YOU FOR YOUR TIME TO GIVE US THIS RESOLUTION. THANK YOU VERY MUCH. >> THANK YOU VERY MUCH FOR ALL YOU DO FOR OUR COMMUNITY. MEMBERS? COULD YOU WAIT, WE HAVE SOMEONE WHO WILL GIVE YOU THE RESOLUTION.\r\n\r\nMEMBERS, YOU CAN ALSO WALK UP AND CONGRATULATE THE PRESIDENT. MR. CLERK. >> CHAIR, PROCEEDING WITH TESTIMONY ON REMAINING AGENDA ITEMS. AT THIS TIME INDIVIDUALS MAY TESTIFY ON ANY REMAINING ITEM ON THE AGENDA. THE FIRST PERSON WE HAVE SIGNED UP TO TESTIFY IS GINA CHAMBERLAIN, FOLLOWED BY KEEAUMOKU KAPU. WE CAN HEAR YOU.\r\n\r\n>> GREAT. GOOD MORNING. THANK YOU FOR ALLOWING ME TO SPEAK TO THE COUNCIL. MY NAME IS GINA CHAMBERLAIN WE'RE A REGIONAL NONPROFIT SERVING THE 13 WESTERN STATES. I HAD A CHANCE TO SPEAK TO THE AFFORDABLE HOUSING COMMITTEE ON CR22-119 ON NOVEMBER 3RD. ALSO HAD THE CHANCE TO HEAR ALL OF THE DISCUSSION FROM THE COMMITTEE MEMBERS AND OTHER TESTIFIERS. I WANT TO SPEAK TO THE IMPORTANCE OF THIS BILL AND THE IMPORTANT OF THE EXTENDING THE PERIOD OF AFFORDABILITY THROUGH THE RESALE RESTRICTIONS.\r\n\r\nAND I WANT TO ENCOURAGE THE COUNCIL TO EXTEND THESE RESALE RESTRICTIONS FOR AS LONG AS POSSIBLE, IDEALLY FOR 30 OR MORE YEARS. THIS IS A KEY COMPONENT TO BUILDING A HOMEOWNERSHIP MARKET NOT ON FOR THE IMMEDIATE FUTURE, BUT FOR THE LONG-TERM SUCCESS. I GUESS I WANT TO STEP BACK FROM, YOU KNOW, EXAMPLES OF OTHER COMMUNITIES, AND DATA, AND JUST SAY THAT I HAVE BEEN WORKING IN THIS FIELD FOR OVER 30 YEARS. AND WHAT IS SURPRISING FROM MY PERSPECTIVE IS THAT SOME OF THESE DISCUSSIONS THAT I WAS A PART OF, REALLY EARLY ON, WHETHER SOMETHING SHOULD BE FOR TEN YEARS OR 20 YEARS? THE COMMON THEME IS THAT WE -- THE LONGER THE BETTER. WHEN I FIRST STARTED, WE WERE LOOKING AT RESTRICTIONS THAT WERE JUST TEN YEARS OLD. I MEAN JUST TEN YEARS LONG AND IT WAS VERY -- THAT TEN YEARS PASSED REALLY

QUICKLY AND WE SAW THE NEGATIVE IMPACT OF LOSING ALL OF THAT AFFORDABLE HOUSING TO A COMMUNITY THAT WAS STILL IN SIGNIFICANT NEED.\r\n\r\nIN ADDITION, I WANT TO JUST SAY THAT IN WORKING IN THE 13 STATES, WE ARE RECEIVING REGULAR REQUESTS ON LOOKING AT OTHER COMMUNITIES, FIGURING OUT WAYS TO BUILD THE MARKET THAT I THINK NEEDS RESALE RESTRICTIONS ARE DESIGNED TO HELP BUILD. BUILD THAT MARKET FOR PEOPLE WHO ARE LIVING AND WORKING AND RAISING THEIR FAMILIES IN COMMUNITIES THAT HAVE REALLY HIGH COSTS HOUSING MARKETS. AND THEN THOSE MARKETS THAT ARE ALSO REALLY COMPETING WITH TOURISM, AND SECOND HOMES, AND AIRBNBS, AND THAT KEEPING THESE HOMES IN THAT MARKET FOR AS LONG AS POSSIBLE, BECAUSE YOU ARE NOT GOING TO BE ABLE TO SOLVE THAT PROBLEM IN ONE YEAR. THAT THE WORK THAT YOU DO TODAY IS STILL GOING TO BE NEEDED 20, 30 YEARS FROM NOW, BECAUSE YOU ARE GOING TO GRADUALLY BUILD ON THAT MARKET AND YOU DON'T LOSE ANY OF THAT INVESTMENT AS THE RESALE RESTRICTIONS EXPIRE. THANK YOU. >> MEMBERS, QUESTIONS? MEMBER TAMARA PALTIN.\r\n\r\n>> THANK YOU, CHAIR. THANK YOU, MS. CHAMBERLAIN. JUST TO CLARIFY WHAT YOU ARE SAYING A 30-YEAR DEED RESTRICTION WON'T HAMPER THE HOMEOWNER FROM GETTING REFINANCE, OR THINGS LIKE THAT, IF THEIR KIDS NEED TO GO TO COLLEGE? >> ACTUALLY, THAT'S A GREAT -- I'M SORRY, DO YOU WANT ME TO RESPOND? >> YES, PLEASE. >> I'M SORRY.\r\n\r\nTHAT'S A GREAT QUESTION AND NO. TYPICALLY MORTGAGE FINANCING, YOU ARE STILL WITH THE RESALE RESTRICTIONS THAT YOU HAVE IN PLACE, AND THE DEED RESTRICTIONS THAT YOU HAVE IN PLACE, THE OWNER IS STILL GAINING EQUITY, BOTH THROUGH THE PAYMENT OF THEIR MORTGAGE, AND THEN ALSO, THE RESALE CALCULATION. AND SO THAT'S THE EQUITY THAT A HOMEOWNER CAN USE TO REFINANCE, OR GET ANOTHER LOAN FOR THOSE OTHER LIFE EXPENSES. SO IT'S NOT LIMITING THAT. THE NORMAL MARKET WORKS THE SAME WAY. THIS IS JUST MAKING SURE THAT THOSE HOMES DON'T APPRECIATE BEYOND THE AFFORDABILITY FOR FUTURE HOMEOWNERS. >> OKAY.\r\n\r\nCOOL. THANK YOU SO MUCH FOR YOUR TESTIMONY, AND THANK YOU FOR ANSWERING MY QUESTION. >> ANY MORE QUESTIONS? THANK YOU VERY MUCH. NEXT TESTIFIER. >> THE NEXT PERSON SIGNED UP TO TESTIFY IS KEEAUMOKU KAPU, TO BE FOLLOWED BY NOELANI AHIA. >> ALOHA, CAN YOU HEAR ME?\r\n\r\n>> YES. ALOHA. >> ALOHA KAKAHIKA COUNCIL MEMBERS, GOOD MORNING. I WANT TO TESTIFY ON CR22-120 BILL 154. IT'S VERY DISTURBING FOR ME TO AGAIN THROUGH THE GAMUT OF MY ISSUES AND CONCERNS OF THE ISSUE OF CULTURAL OVERLAY. I FEEL IT'S REALLY, REALLY IMPORTANT AT THIS MOMENT WITH THE COMMISSION FROM 2004, AND ALSO SAT ON THE COUNCIL FOR 8-YEAR TERM AND THE REASON I DID THAT, BECAUSE SOMEBODY NEEDED TO ADVOCATE FOR A LOT OF HISTORIC PROPERTIES, AND RESOURCES THAT ARE VERY ABUNDANT IN THE COUNTY OF MAUI. IT'S EVIDENT THAT WE IN LAHAINA ARE FACING ISSUES PERTAINING TO THIS VERY SUBJECT. WHEN IT COMES TO COMPANY THAT DID ARCHAEOLOGICAL INVENTORY SURVEY AND DIDN'T COMPLETE IT AND WHY WE HAVE THREE OPEN TRENCHES STILL YET TO BE TURNED BY THE MAUI ISLAND BURIAL COUNCIL THAT BASICALLY TELLS ME THE STATE IS INADEQUATE FOR DOING ANY TYPE OF ASSESSMENT TO PROTECT THE RESOURCES THAT WE HAVE IN PLACE.\r\n\r\nTHESE BURIALS HAVE BEEN EXPOSED FROM EARLY 2000. I HAVE ADVOCATED FROM 2001 ON THIS VERY AREA WAIMEA AND HISTORIC PROPERTIES THAT ARE ABUNDANT IN THIS AREA. I FEEL IF THE STATE IS INADEQUATE TO MAKE SURE TO PROTECT THE RESOURCES FOR OUR KANAKA MAOLI, ESPECIALLY FOR BURIALS EVIDENT IN THESE AREAS, WHERE CULTURAL OVERLAY IS VERY WELL NEEDED, VERY WELL NEEDED. THAT IS WHY I REALLY SUPPORT THIS, TO MAKE SURE THAT THE COUNTY ALSO HAS A SAY WHEN IT COMES TO THE PROTECTION AND PRESERVATION OF HISTORIC PROPERTIES AND BURIALS. NOW THAT COUNTY HAS ADOPTED THESE SO-CALLED POLICIES AND HAS A CERTIFIED ARCHAEOLOGIST IN PLACE, IT GIVES US HOPE. OUR KANAKA MAOLI HOPE THAT THERE IS AN OVERLAY TO MAKE SURE THAT

THESE -- ANY TYPE OF DEVELOPMENT BEFORE THEY EVEN DEVELOP IN THESE AREAS THEY WOULD KNOW FOR THEMSELVES THAT THE AREA WOULD BE POTENTIAL OR NOT POTENTIAL. THIS AREA THAT I SPEAK OF RIGHT NOW IS RED-HOT ZONE AREAS. VERY, VERY DISTURBING.\r\n\r\nAS TO HOW ALL OF A SUDDEN THESE COMPANIES CAN GET EXEMPTIONS TO PUT IN WATERLINES, OVER EXISTING PROPERTIES, AND DO ZIGZAGS KNOWING IF THEY KNOW WHERE THESE BURIALS ARE TO JUST MISS THE BURIALS AND WORRY ABOUT THOSE LATER. THAT IS HIGHLY AND TOTALLY INADEQUATE. I MAHALO THIS COUNCIL IN CLOSING FOR ALL OF THE GREAT WORK THAT YOU GUYS HAVE BEEN DOING THIS PAST YEAR. AND I REALLY ENCOURAGE THIS COUNCIL TO LOOK INTO MAKING SURE THAT WE HAVE THIS PROTECTION FOR OUR KUPUNA, OUR IWI KUPUNA AND ESPECIALLY THE HISTORIC PROPERTIES. AND DON'T LAY INTO ALL OF THESE RECOMMENDATIONS ON CHANGING THESE SO-CALLED RECOMMENDATIONS FOR THE CULTURAL -- I THINK YOU DID A WONDERFUL JOB AND I THINK YOU SHOULD ADOPT EVERYTHING THAT IS BEFORE YOU AND GET THIS THING PASSED. SO WE, THE KANAKA MAOLI COMMUNITY, CAN FEEL SAFE THAT WE HAVE PEOPLE THAT WATCH OUT SUCH AS YOURSELVES AND DOING A VERY WONDERFUL JOB FOR US. MAHALO, FOR ALLOWING ME TO TESTIFY.\r\n\r\nI WILL BE GLAD TO ANSWER ANY QUESTIONS, IF YOU HAVE ANY. THANK YOU. >> THANK YOU. QUESTIONS, MEMBERS? MEMBER SINENCI. >> MAHALO, CHAIR AND MAHALO, MR. KAPU FOR YOUR TESTIMONY MORNING.\r\n\r\nJUST A CLARIFYING QUESTION. YOU MENTIONED THE INADEQUACIES AT THE STATE-LEVEL. CAN YOU -- ON THESE BURIAL COUNCILS, HOW LONG HAVE SOME OF THESE HAVE WE WAITED FOR THE STATE TO KIND OF OPINE ON SOME OF THESE PROJECTS? >> MAHALO, FOR THAT QUESTION. YOU KNOW, IT GETS COMPLICATED WHEN YOU ARE DEALING WITH THE STATE HISTORIC PRESERVATION DIVISION, ESPECIALLY WITH THE BURIAL COUNCIL. IT DEPENDS ON WHAT IS DESIGNATED. NOW IF IT'S AN INADVERTENT FINE, THAT IS UNDER THE DISCRETION OF THE STATE.\r\n\r\nIF IT PREVIOUSLY FOUND IN THE BURIAL COUNCIL IS THE ONE THAT MAKES THE DETERMINATION BUT WHAT MAKES THINGS EVEN MORE COMPLICATED IS THE KANAKA MAOLI THAT HAS A RELATIONSHIP IN THESE AREAS HAS CULTURAL AND LINEAL DESCENDANT CLAIMS. ONCE THAT IS DONE, THAT CAN TAKE AWAY AMOUNT OF TIMES TO MAKE SURE THAT WE HAVE PEOPLE AT THE FOREFRONT, THAT ARE THERE TO ASK THE ADEQUATE QUESTIONS WHEN IT COMES TO THE PRESERVATION AND PROTECTION OF THESE HISTORIC PROPERTIES. SO WITH THE CULTURAL OVERLAY, IT'S IMPORTANT THAT BEFORE WE GO INTO THOSE AREAS, BEFORE THEY HIT BURIALS, TO HAVE A DETERMINATION BY THE CULTURAL OVERLAY, SO WE DON'T HAVE TO GO THROUGH THE POLITICS OF THE STATE HISTORIC PRESERVATION DIVISION, WHICH BASICALLY A LOT BURIALS THAT THEY HAVE FOUND PREVIOUSLY, WE HAVE BEEN DEALING WITH BURIALS 30-YEAR-OLDS TO MAKE SURE WE CAN GET PRESERVATION AREAS SET FOR THEM TO DO REINTERMENT SUCH AS THE BURIALS SINCE 2017 AND ONLY TODAY WE'RE ABLE TO PUT IT BACK. THE CULTURAL OVERLAY WOULD BE THE MOST IMPORTANT OPPORTUNITY FOR ALL OF US TO SEE WHAT IS THERE BEFORE ANY APPROVAL IS GIVEN, OR ANY TYPE OF POTENTIAL DEVELOPMENT. I HOPE I ANSWERED YOUR QUESTION. >> YES. MAHALO, MR.\r\n\r\nKAPU. THANK YOU. THANK YOU, CHAIR. >> THANK YOU. >> ANY MORE QUESTIONS? IF NOT, THANK YOU VERY MUCH. >> THANK YOU.\r\n\r\n>> CHAIR, THE NEXT PERSON SIGNED UP TO TESTIFY IS NOELANI AHIA, FOLLOWED BY RANDY WAGNER. >> ALOHA KAKAHIKA KAKOU. I AM TESTIFYING THIS MORNING ON MY OWN BEHALF. NOELANI AHIA AND TESTIFYING IN SUPPORT OF BILL 154. READING TESTIMONY THIS MORNING, I SAW THAT IT SAID -- IT SUGGESTED THAT THIS BILL IS REPLICATING A PROCESS THAT SHPD ALREADY HAS IN PLACE. LET ME MAKE IT CLEAR SHPD DOES NOT PREVENT DESECRATION. SHPD HAS BASICALLY BEEN SET UP TO FAIL, AND HAS BEEN -- HAS BEEN DERELICT TO PROTECT OUR IWI KUPUNA AND AS KAPU MENTIONED IWI KUPUNA AND THEY NEVER SHOULD HAVE BEEN DUG UP IN THE FIRST PLACE AND THAT IS WHAT WE'RE AIMING TO DO WITH THIS BILL IS

PREVENT DESECRATION. WHEN WE LOOK AT THE LIGHT INDUSTRIAL, THERE'S 17 BOXES OF BONES THAT HAVE BEEN DUG UP SINCE THE BEGINNING OF THE PANDEMIC.\r\n\r\nJUST IN THE LAST THREE YEARS THIS IS HORRIFIC AND PUTS A STRAIN ON KANAKA MAOLI, OUR TIME, OUR ENERGY, OUR SPIRITUAL CONNECTION TO OUR IWI KUPUNA AND ITS GENOCIDE. THERE'S 189, 184 FOUND AFTER THE ARCHEOLOGIC INVENTORY SURVEY BECAUSE OF REALLY BAD ARCHAEOLOGY WORK THAT SHPD SIGNS OFF ON. SHPD DOESN'T PREVENT DESECRATION, BUT THIS BILL CAN. THIS IS ABOUT RESPECTING THE HUMANITY OF THE KANAKA MOAI PEOPLE, THE FIRST PEOPLE OF THIS LAND AND SCARED. THE PEOPLE WHO COME HERE DON'T THINK THAT -- THINK THAT DIGGING UP HAWAIIAN BURIALS ARE ACCEPTABLE, THEY DON'T BELONG IN HAWAI'I AND SHOULD LEAVE. THIS IS OUR 'AINA, OUR KUPUNA, AND OUR LIFE FORCE AND THIS IS WHAT MAKES US WHO WE ARE AND MUST BE POE TECHED. THIS IS PROACTIVE BILL TO PREVENT THEM FROM JUMPING IN FRONT OF BULLDOZERS AND CUT DOWN ON LAWSUITS.\r\n\r\n\r\nUP ONES WHO LOSE OUT ARE THE ATTORNEYS, WHO REPRESENT THE DEVELOPERS IN THESE LENGTHY LAWSUITS. LEGISLATION WAS PROPOSE IN THE '90S BUT SHOT DOWN BY BIG BUSINESS INTEREST AND COULD HAVE PREVENTED SO MUCH TRAGEDY AND HARM. TODAY YOU TO DO THE PONO THING. WE SPENT TWO YEARS AND THIS VERSION BEFORE YOU TODAY IS SOMETHING THAT EVERYONE HAS BEEN ABROAD ON, INCLUDING ALL OF THE DEPARTMENTS OF THE CARE AND PROTECTION OF IWI PROTECTION IS CONNECTED TO THE WELL-BEING OF KANAKA MAOLI AND TELL YOU UNEQUIVOCALLY OUR PEOPLE HAVE BEEN HARMED AND OUR PEOPLE BECAUSE OF THIS DESECRATION, BUT YOU FOLKS HAVE AN OPPORTUNITY CHANGE THAT, AND UPLIFT OUR PEOPLE AND PROTECT OUR 'AINA AND KUPUNA. MAHALO NUI FOR YOUR TIME TODAY. ALOHA. >> THANK YOU.\r\n\r\n\r\nMEMBERS, QUESTIONS? THANK YOU VERY MUCH. >> THE NEXT PERSON SIGNED UP TO TESTIFY IS RANDY WAGNER IN THE CHAMBER, FOLLOWED BY ERNEST REZENTES. >> ALOHA, GOOD MORNING. THANK YOU FOR HEARING MY TESTIMONY. I'M TESTIFYING IN SUPPORT OF RESOLUTION 22-258, WHICH REFERS TO LANDSCAPE PLANTING. THE FIRST PART IS IN REGARDS TO TITLE 12.24040, WHICH IS LANDSCAPE PLANTING AND BEAUTIFICATION.\r\n\r\n\r\nTHE PURPOSE OF WHICH IS TO PROTECT, PRESERVE AND ENCOURAGE PLANTING OF TREES IN THE COUNTY. AND IT REFERS TO THE MAUI COUNTY PLANTING PLAN, WHICH WAS YEARS IN DEVELOPING, WHICH DESCRIBES VERY SPECIFICALLY WHICH TREES THRIVE WHERE, HOW TO PLANT TREES, HOW TO MAINTAIN TREES, AND AT THIS POINT IN TIME, IT'S ONLY ADVISORY. AS WE ALL KNOW, ADVICE CAN BE IGNORED, OUR INTENTION IS TO MAKE THIS A STANDARD REQUIREMENT FOR ALL DEPARTMENTS THAT THEY ADHERE TO THE KNOWLEDGE IN THE MAUI COUNTY PLANTING PLAN, AND NOT JUST HAVE IT BEEN ADVISORY. THE SECOND PART IS REFERRING TO TITLE 19.080, WHICH IS THE LANDSCAPE PLANTING AND PARKING LOTS. THIS IS PARTICULARLY IMPORTANT, BECAUSE THAT NEEDS TO BE TIGHTENED UP. IT NOW SAYS IT'S FOR SHADE, BUT WE WANT THE LANGUAGE TO READ "MAXIMUM SHADE OVER HARD SCAPE." BECAUSE AT THIS TIME, WITH GLOBAL WARMING, IT REQUIRES ONE TREE FOR EVERY FIVE SPACES, BUT IT DOESN'T REQUIRE THAT THE TREES BE ALLOWED TO GROW TO FULL CANOPY HEIGHT TO PROVIDE SHADE. AND WE ALL KNOW THAT TREES ARE THE BEST AIR FILTER THERE IS.\r\n\r\n\r\nTHEY TAKE IN CARBON, THEY GIVE OUT OXYGEN. THEY COOL THE ENVIRONMENT. THEY INCREASE PROPERTY VALUES. THEY UPTAKE WATER, PARKING LOTS CAN BE DESIGNED SO THAT THEY DRAIN INTO TREE WELLS. SO THAT THE WATER CAN BE FILTERED. AND ACROSS THE COUNTRY, THERE ARE ORDINANCES IN MANY, MANY AREAS THAT REQUIRE 50% SHADE COVERAGE. WE WOULD LIKE OUR ORDINANCE IN MAUI COUNTY TO REQUIRE 50% SHADE OVER HARD SCAPE.\r\n\r\n\r\nI KNOW THAT IF YOU LOOK AROUND, YOU WILL SEE PARKING LOTS WHERE TREES HAVE BEEN ALLOWED TO GROW, THAT ARE FABULOUS AND BEAUTIFUL AND YOU SEE PARKING LOTS THAT CUT THEIR TREES, TOP THEIR TREES EVERY 2-3 TIMES A YEAR AND TURN THEM INTO LITTLE LOLLIPOP TREES THAT DON'T PROVIDE

SHADE AT ALL. AS A MATTER OF FACT, THEY ARE GRADUALLY KILLING THE TREES BY DOING THAT. THEY SHOULD BE ONLY TRIMMED ONCE A YEAR 20% MAXIMUM TO REMOVE DEAD WOOD AND SHOULD BE ALLOWED TO GROW INTO THE INTENTION OF THE LAW, WHICH WAS TO PROVIDE SHADE. IF ANYONE WANTS TO ASK ME ABOUT THE PLANNING DEPARTMENT'S NOT SUPPORTING THIS, WHY, I WOULD BE HAPPY TO RESPOND. >> MEMBERS, ANY QUESTIONS? MEMBER SINENCI. >> I WOULD LIKE TO HEAR YOUR RESPONSE.\r\n\r\n>> THE PLANNING DEPARTMENT SUGGESTS THAT MAUI COUNTY PLANTING PLAN IS ALREADY REQUIRED IN THE PARKING LOT ORDINANCE, 19.36 AND I DON'T SEE THAT ANYWHERE. SO I DON'T UNDERSTAND. I REQUESTED TO THEM WHERE IS IT SHOWN THAT IS REQUIRED? AND I HAVEN'T HAD A RESPONSE TO THAT. THE SECOND OBJECTION THEY HAD WAS THAT THE DEPARTMENTS HAVE DIFFERENT REQUIREMENTS TO SUPERVISE AND ADMINISTER THE TREES IN DIFFERENT DIVISIONS. LIKE PARKS HAS SOME AND PUBLIC WORKS HAS SOME AND PLANNING HAS SOME. WE'RE NOT SUGGESTING THAT ANY OF THAT SHOULD CHANGE.\r\n\r\nWE'RE SUGGESTING IS THAT THE MAUI COUNTY PLANTING PLAN BE THE STANDARD REQUIREMENT FOR ALL DEPARTMENTS, AS IT IS NOW ADVISORY FOR ALL DEPARTMENTS. SO IF PEOPLE WANT MORE CLARIFICATION OF THIS, I WOULD RECOMMEND WE SEND IT TO THE CARE COMMITTEE. HOWEVER, WE DID REQUEST THAT IT BE SENT TO THE COMMISSIONS. >> ANY MORE QUESTIONS? IF NOT, THANK YOU VERY MUCH. MR. CLERK, LET THE RECORD SHOW THAT MEMBER KELLY KING HAS JOINED US.\r\n\r\n\r\nGOOD MORNING. >> GOOD MORNING, KONNICHIWA. HAPPY TO BE HERE, CHAIR. >> THANK YOU VERY MUCH. THANK YOU, MS. WAGNER. MAY WE HAVE NEXT TESTIFIER, PLEASE THE NEXT PERSON SIGNED UP TO TESTIFY IS ERNEST REZENTES IN THE CHAMBER FOLLOWED BY KIMBERLY.\r\n\r\n\r\n>> GOOD MORNING. MY NAME IS ERNEST REZENTES. IT'S BEEN A LONG TIME SINCE I HAVE BEEN HERE. I COME TODAY TO SPEAK ABOUT TREES, AND MAUI COUNTY PLANTING PLAN, WHICH I AM THE AUTHOR OF. THIS IS THE THIRD EDITION. AND PARKING LOT SHADE PRIMARILY, AND TREES ARE VERY IMPORTANT, BECAUSE THEY TAKE IN THE CARBON DIOXIDE, WHICH IS ONE OF THE GASES THAT PRODUCES GLOBAL WARMING. THIS BOOK HERE HAS A CHAPTER OF PARKING LOT TREES AND THEREFORE, IF YOU PLANT PROPERLY AND TAKE CARE OF THEM, YOU WILL HAVE GOOD PARKING LOT SHADE.\r\n\r\n\r\nAND THAT IS SUPER IMPORTANT. AND I WAS TOLD THAT THE COUNTY IS ADHERING TO THIS, BUT YET, THE ENFORCEMENT, I DON'T THINK, IS THERE. AND THE TREES TAKE IN CARBON DIOXIDE TO TAKE THAT KAU KAU AND IF YOU OVER PRUNE THEM, THEY ARE STARVING AND DON'T HAVE THE ABILITY TO MAKE FOOD. SO TO MAKE THEIR KAU KAU THEY ARE TAKING IN CARBON DIOXIDE, A GLOBAL WARMING GLASS. SO MORE SHADE YOU WILL HAVE LESS CO2 AND HELP THE GLOBAL WARMING PROBLEM THAT WE'RE FACED WITH. A WELL-SHADED PARKING LOT, DR. WOLFE DID RESEARCH AND PEOPLE TRAVEL FURTHER, STAY LONGER AND SPEND MORE MONEY THEREFORE, MORE TAXES COMING IN FOR GOVERNMENT.\r\n\r\n\r\nTHAT IS A FACT. YOU YOURSELVES, WHEN YOU GO SHOPPING DO YOU PARK IN THE SUN OR GO FOR A SHADE TREE? IT'S A MATTER OF FACT. SO THIS MAUI COUNTY PLANTING PLAN, THE CHAPTER ON PARKING LOT SHADE IS RECOMMENDED, BECAUSE WE DON'T HAVE ANY ORDINANCE TO ENFORCE IT. WE WERE TOLD, OH, WE ADHERE TO IT, MAYBE, BUT IF YOU PUT AN ORDINANCE THAT PARKING LOT CHAPTER BE FOLLOWED AND ADHERED TO YOU BENEFITING MAUI COUNTY BY HAVING THE TREES TAKING THE CARBON DIOXIDE AND PEOPLE TRAVEL AND SPEND MORE MONEY. SO YOU WILL HAVE MORE REVENUE COMING IN. IT'S A PLUS, A WIN-WIN SITUATION.\r\n\r\n\r\nSO MAUI COUNTY PLANTING PLAN PARKING LOT TREE CHAPTER SHOULD BE MANDATORY AND NOT JUST RECOMMENDED. DO YOU HAVE ANY QUESTIONS? WHERE DO YOU PARK WHEN YOU GO SHOPPING? >> MEMBERS, DO YOU HAVE QUESTIONS? MEMBER KING. >> THANK YOU, CHAIR. ALOHA ERNIE.\r\n\r\n\r\nSO GOOD TO SEE YOU. YOU ARE MR. TREES IN MAUI COUNTY. COULD YOU GIVE US A LITTLE MORE CLARITY WHAT YOU MEAN BY THE MAUI PLANTING PLAN IS NOT BEING ENFORCED? >> WELL, >> WELL, I DON'T HAVE PROOF



PER SE, BUT JUST THAT THE WAY I SEE THINGS GOING IN PLACES, IT COULD HAVE BEEN DONE BETTER AND PARKING LOT SHADE, YOU SEE, PEOPLE BALD-HEAD THEIR TREES IN PARKING LOTS BECAUSE THEY FEEL IT'S GOING TO MAKE IT CHEAPER FOR THEM, AND WE DARN WELL KNOW THAT SHADED PARKING LOTS IS VERY ADVANTAGEOUS. SO SOMEHOW, IF WE GIVE THEM A TAX BREAK TO ENCOURAGE THEM TO MAINTAIN THE CANOPY, BECAUSE THEY ARE ON PRIVATE PROPERTY, SEE? SO SOME KIND OF INCENTIVE THAT THEY DON'T OVERPRUNE THEIR TREES.

BECAUSE SOME PEOPLE HAVE A TREE WITHOUT BRANCHES, I GOT A TREE, BUT IT DOESN'T DO ANY BENEFIT, BECAUSE THE TREE IS TAKING IN CARBON DIOXIDE, AS I SAID AND THAT WILL HELP THE GLOBAL WARMING ISSUE. WHEN YOU HAVE A WELL-SHADED PARKING LOT, THEY WILL TRAVEL FURTHER, STAY LONGER AND SPEND MORE MONEY AND THEREFORE, EVERYBODY WINS, PROVEN SCIENTIFIC, AS I JUST SAID. >> CAN YOU GIVE US INSIGHT INTO WHETHER WE'RE FOLLOWING THE PLANTING PLAN IN THE COUNTY PARKING LOTS? AS FAR AS THE NUMBER OF TREES? THE CANOPY OF THE TREES, BECAUSE THAT IS ONE OF THE CONCERNS THAT I HEARD WAS THE NUMBER OF TREES? >> I THINK PARKING LOTS IN GENERAL, NOT JUST COUNTY PARKING LOTS. THE PUBLIC PARKING LOT, MAYBE SOME KIND OF TAX INCENTIVE TO MAINTAIN THE SHADE?

BECAUSE THEY DON'T KNOW ABOUT DR. WOLFE'S RESEARCH AND MAKE MORE MONEY AND YOU GET REIMBURSED BY TAXES, AS I JUST SAID, IF YOU HAVE A WELL-SHADED PARKING LOT. PARKING LOTS ARE IMPORTANT, AND WE NEED TO HAVE THEM SHADED BETTER. BECAUSE THE CARBON DIOXIDE, GLOBAL WARMING ISSUES WE'RE FACED WITH. IT'S AMAZING WHEN YOU READ ABOUT THE DROUGHTS ON THE MAINLAND, LAKE MEAD IS DRYING UP, WHICH SUPPLIES THE WATER -- >> THANK YOU. WE HAVE BEEN TALKING ABOUT TREES, AND IN RELATION TO THE GLOBAL WARMING ISSUE. I JUST WANTED TO GET YOUR INSIGHT INTO THE NUMBER OF TREES IN THE PLANTING PLAN.

BUT THAT'S OKAY, IF YOU DON'T HAVE THAT INFORMATION, IT'S ALL RIGHT. >> AND THEY HAVE TO KEEP THE CANOPY. YOU CAN HAVE A TREE THERE WITHOUT ANY LEAVES THERE, AND I GOT MY TREE. >> THANK YOU VERY MUCH, MR. REZENTES. >> THANK YOU. >> NEXT TESTIFIER.

CHAIR, I BELIEVE -- I JUST WAS TOLD WE HAVE ONE ANONYMOUS TESTIFIER AT THE SOUTH MAUI DISTRICT OFFICE. >> OKAY. ALL RIGHT. CHAIR, THE NEXT PERSON WE HAVE SIGNED UP TO TESTIFY IS KIMBERLY IN THE CHAMBERS, FOLLOWED BY ROCHELLE KAPU. GOOD MORNING, CHAIR LEE AND MEMBERS OF COUNCIL. I'M HERE TO TESTIFY JUST BRIEFLY ON COMMITTEE REPORT 22-122. JUST WANTED TO SAY THANK YOU FOR TAKING THIS MATTER UP. IT'S VERY IMPORTANT TO ME AND OTHERS.

AND LARGELY, IT'S IMPORTANT TO ALL PEOPLE IN THE WORKPLACE, PARTICULARLY WOMEN. I DON'T HAVE ANYTHING ELSE TO SAY ABOUT THAT. I KNOW THAT THIS ISN'T COMPLETE YET, AND YOU WILL BE TRAVELING NEXT WEEK. SAFE TRAVELS AND I WILL SEE YOU THERE. I JUST WANTED TO SAY THANK YOU FOR YOUR SERVICE MOVING INTO THE NEXT TWO YEARS. THANK YOU FOR THOSE THAT ARE LEAVING, THOSE THAT ARE STAYING, AND THE NEWCOMERS. AND I JUST, JUST THIS MORNING OPENED MY COMPLETION PAPERWORK FOR MY RETIREMENT FROM THE COUNTY OF MAUI.

SO THANK YOU FOR ALL OF THE YEARS THAT I HAVE BEEN ABLE TO WORK WITH ALL OF YOU. ALOHA. >> THANK YOU. ANY QUESTIONS? MEMBER KING HAS A QUESTION. >> THANK YOU, CHAIR. AND ALOHA KIMBERLY.

GOOD LUCK ON YOUR RETIREMENT. I'M HAPPY FOR YOU. MAYBE I WILL SEE YOU IN MY RETIREMENT FROM THE COUNCIL. BUT THE QUESTION I WANTED TO ASK YOU, YOU SAID I WILL SEE YOU OVER THERE. DOES THAT MEAN THAT ALL OF THE TESTIFIERS ARE REQUIRED TO BE THERE IN-PERSON? >> THANK YOU FOR THE QUESTION, COUNCIL MEMBER KING. NO, I THINK SOME OF US ARE JUST GOING TO BE THERE, AND TO SEE THIS THING THROUGH TO ITS COMPLETION.

OH, OKAY. ALL RIGHT. THANK YOU. THANK YOU FOR THAT CLARIFICATION. THANK YOU, CHAIR. >> THANK YOU. ANY MORE QUESTIONS?

IF NOT, THANK YOU VERY MUCH. >> CHAIR, THE NEXT PERSON

SIGNED UP TO TESTIFY IS ROCHELLE KAPU, FOLLOWED BY JANET SIX. ROCHELLE KAPU, IT'S YOUR TIME TO TESTIFY. CHAIR WE'LL MOVE TO THE NEXT TESTIFIER. >> ALOHA. >> ALOHA. >> HI.\r\n\r\nALOHA MAHALO FOR ALLOWING ME TO TESTIFY TODAY. I'M TRYING TO FIND A QUIET SPACE HERE. ALL RIGHT. I'M TESTIFYING ON BILL 154. IT'S SOMETHING THAT WE HAVE WORKED ON SO VERY HARD. WE NEED TO -- I'M IN FAVOR OF THIS BILL. SO DEEPLY. IT'S SOMETHING THAT NEEDS TO BE DONE.\r\n\r\nWE'RE TIRED OF HAVING TO GO IN FRONT OF COUNCIL, OR GO IN FRONT OF COMMISSIONS TO TESTIFY ON BEHALF OF SACRED AREAS. AREAS THAT HAVE IWI KUPUNA. AREAS THAT HAVE HISTORICAL SITES. SO THIS BILL IS VERY IMPORTANT TO US. IT'S BECAUSE OF THE PEOPLE ITSELF, NOT JUST KANAKA MAOLI. EVERYONE. AS AN IWI PROTECTOR, AS SOMEONE THAT DOES EDUCATION ON HISTORICAL SITES, KUL ULA, IT'S NOT EASY GOING IN FRONT OF PEOPLE AND HAVING TO SHARE YOUR MANA'O ABOUT AREAS THAT PEOPLE SAY, YOU KNOW WHAT?\r\n\r\nIT'S NOT IMPORTANT, WE NEED TO MOVE FORWARD. WE NEED DEVELOPMENT. WE NEED THIS AND THAT. NO. THEY CAME BEFORE US AND WE HAVE TO REMEMBER THAT. THERE'S SO MUCH SIGNIFICANCE IN WHAT HAWAI'I IS ABOUT. IT'S A SPECIAL PLACE AND THIS BILL WILL HELP US TO PROTECT THAT SPECIAL PLACE.\r\n\r\nSO MAHALO FOR YOUR TIME. ALOHA. >> ALOHA. MEMBERS, QUESTIONS? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER. >> THE NEXT PERSON SIGNED UP TO TESTIFY IS JANET SIX, FOLLOWED BY JASON ECONOMOU.\r\n\r\n>> ALOHA, I'M DR. JANET SIX THE PRINCIPAL ARCHEOLOGIST FOR THE COUNTY OF MAUI AND OBVIOUSLY, I'M IN SUPPORT OF THIS BILL. I JUST WANTED TO MAKE SOME CLARIFICATIONS. I READ SOME OF THE ONLINE TESTIMONY THAT WAS SUBMITTED, AND THIS IS NOT MEANT TO SLOW ANYTHING DOWN. THIS IS ACTUALLY MEANT TO FACILITATE PERMITTING. IT'S MEANT TO BE INFORMATION THAT PEOPLE CAN MAKE DECISIONS ABOUT. I DEAL WITH LOTS OF PEOPLE IN THE PUBLIC THAT BUY LOTS AND WANT TO KNOW WHY THEY HAVE TO DO AIS AND SPEND THE MONEY AND CAN'T BUILD THEIR HOUSE.\r\n\r\nSO WE WANT TO PROVIDE AS MUCH INFORMATION THAT WE KNOW THAT IS AVAILABLE FOR PEOPLE TO MAKE INFORMED DECISIONS, INSTEAD OF SENDING EVERYTHING TO SHPD THAT IS GROUND ALTERING I'M PERMIT BY THE STATE OF HAWAI'I SINCE 2004 AS A LICENSED ARCHAEOLOGIST, I WOULD WORK WITH SHPD TO STREAMLINE THE PROCESS. I HAVE BEEN DOING THIS FOR THE COUNTY ON A NUMBER OF PROJECTS ALREADY. SO THE IDEA THIS IS A DUPLICATE PROCESS, IT'S NOT. IT'S MEANT TO SAVE TIME. IT'S MEANT TO SAVE MONEY, BUT THE MOST IMPORTANT, IT'S MEANT TO PROTECT SITES, CULTURAL SITES WHETHER THEY ARE IWI KUPUNA, IN BURIAL COMPLEXES OR HEIAUS, OR EVEN PLANTATION INFRASTRUCTURE. THE IDEA TO IDENTIFY WHAT IS ON A PARCEL, IN AN AREA, PEOPLE CAN MAKE INFORMED DECISIONS. BUT JUST WANT TO EMPHASIZE, I DON'T HAVE THE POWER TO STOP THESE.\r\n\r\nI'M NOT GOING TO BE STOPPING THINGS. WHAT I'M GOING TO BE DOING, WHICH I HAVE BEEN DOING FOR THE MAYOR'S OFFICE, IS PROVIDING PEOPLE INFORMATION. SO THAT THEY CAN MAKE INFORMED DECISIONS. IT'S NOT PEJORATIVE. IT'S INFORMATIVE. IT'S DATA AND THAT DATA IS VERY POWERFUL. I THINK ONCE WE GET THE CULTURAL OVERLAY BILL PASSED AND THE DATABASE STARTED THAT PEOPLE WILL SEE THIS WILL SPEED UP THE PROCESS OF PERMITTING, NOT -- THAT IS WHAT I HAVE TO SAY.\r\n\r\n>> QUESTIONS, MEMBERS? MEMBER SINENCI. >> THANK YOU, CHAIR. IN THE INTEREST OF TIME, IF THERE'S NO OBJECTIONS, I WANTED TO DESIGNATE DR. SIX AS A RESOURCE WHEN THE ITEM COMES UP, JUST IN CASE MEMBERS HAVE ADDITIONAL QUESTIONS. >> ANY OBJECTIONS, MEMBERS? >> NO OBJECTIONS.\r\n\r\n>> ALL RIGHT. MAY WE HAVE THE NEXT TESTIFIER. >> CHAIR, THE NEXT PERSON SIGNED UP TO TESTIFY IS JASON ECONOMOU FOLLOWED BY NORM FRANCO. >> GOOD MORNING, COUNCIL CHAIR LEE AND COUNCIL MEMBERS. AM I SPEAKING TOO LOUD? >> YES. >> IF I LEAN BACK, IS THAT A LITTLE BIT BETTER?\r\n\r\n>> YES. >> LET ME TRY AND FIX THIS SETTING REAL QUICK WITH

YOU. SO SORRY ABOUT THIS. ANYWAY, I WILL SPEAK LIGHTLY. THIS MORNING I'M TESTIFYING ON BEHALF OF THE REALTORS ASSOCIATION OF MAUI AS THEIR GOVERNMENT AFFAIRS DIRECTOR REGARDING BILL 103. FIRST AND FOREMOST, WE CAME TO YOU WITH A PROPOSED AMENDMENT, AND THANK YOU. THANK YOU ALL FOR INCLUDING THAT AMENDMENT, AND ALLOWING PEOPLE TO MAINTAIN PROPERTY OWNERSHIP EVEN IF FINANCIAL HARDSHIP HITS THEM FOR A COUPLE OF YEARS. WE REALLY WANT TO BE ABLE TO KEEP PEOPLE IN THEIR HOMES, BECAUSE THERE'S A WHOLE HOST OF BENEFITS THAT COME WITH HOMEOWNERSHIP.\r\n\r\nNONE OF THE ASPECTS THAT I HAVE SEEN GETTING A LOT OF FOCUS IS THE BUILDING OF EQUITY. AND WHAT I WANT TO ADDRESS IS WHEN RAM EXAMINED THIS BILL, THERE WASN'T REALLY MUCH CONCERN REGARDING THE EQUITY SHARING, OR THE SHARED APPRECIATION, BECAUSE THAT SEEMED TO ALREADY EXIST WITH CODE ITSELF. BUT ONE THING THAT I WANT TO ADDRESS IS THAT WITH THE WAY THAT MORTGAGES ARE STRUCTURED, HAVING A 30-YEAR MORTGAGE, A LOT OF TIMES WHEN PEOPLE SELL A HOME EARLY, THEY ARE GETTING A LOT OF EQUITY, BUT THAT EQUITY IS LARGELY BUILT ON THE MANAGED DEBT THAT THEY HAVE BEEN HOLDING. SO WHEN YOU HAVE THESE SHORTER DEED RESTRICTIONS, PEOPLE CAN BREAK OUT OF THE DEED RESTRICTIONS EARLY, AND SELL, AND THEN GET A WINDFALL THAT IS FAR BEYOND THE AMOUNT OF SUBSIDY DOING INTO THE PROPERTIES, FOR INSTANCE. SO THERE'S REAL ECONOMIC CONCERNS AS FAR AS IS THE COUNTY DOING SOMETHING FISCALLY RESPONSIBLE, IF THEY DON'T CREATE SOME MEASURE TO TRY TO RECUPERATE THE AMOUNT OF SUBSIDY IN THE HOUSING? I THINK THAT WAS THE REAL CRUX OF THE CONTROVERSY BEHIND THE CHANGES TO THE AFFORDABLE HOUSING FUND THAT ALLOWED FOR INCREASED SUBSIDY. SO THOSE INCREASED SUBSIDIES DON'T REALLY MAKE SENSE IF THE COUNTY DOESN'T HAVE A MECHANISM TO HOLD BACK THAT PROPERTY IN A METHOD THAT IS AFFORDABLE FOR ITS RESIDENTS.\r\n\r\nSO BEYOND THAT THOUGH, I REALLY MUST WARN THAT I'M NOT AN EXPERT ON FINANCING. SO WHAT I WOULD SAY, LISTENING TO THE MORTGAGE PROFESSIONALS THAT YOU ARE HEARING FROM, AND ASK THEM IF THERE'S REALLY AN ISSUE AS FAR AS EQUITY, OR THE AFFORDABILITY OF THE HOUSE, GIVEN THE EXTENDED DEED RESTRICTIONS? FROM RAM'S PERSPECTIVE, YOU KNOW, PEOPLE SIGN 30-YEAR MORTGAGES AS A STANDARD. SO THAT IN AND OF ITSELF IS A LIMITATION ON EQUITY THAT CAN BE BUILT . LIMITATIONS EXIST. WHAT IS FAIR IS ULTIMATELY DETERMINED BY YOU, AND THE MARKET. SO THAT'S OUR INPUT. THANK YOU FOR THE AMENDMENTS THAT YOU MADE, AND I HOPE YOU -- SOME OF THE OTHER LEGISLATION WAS GREAT, PROTECTING THE CULTURAL REMAINS, PROTECTING THE TREES, AND PROTECTION YOUR RESIDENTS, PLEASE.\r\n\r\nTHANK YOU VERY MUCH. >> THANK YOU. MEMBERS, QUESTIONS? MEMBER JOHNSON. >> THANK YOU, CHAIR. SO AS IT STANDS NOW IT'S A 20-YEAR DEED RESTRICTION AND IF UNDERSTANDING IS CORRECT, YOU WOULD SUPPORT A 30-YEAR RESTRICTION, BECAUSE THE WAYS THAT OTHER THINGS ARE SET, UP, 30-YEAR MORTGAGES? >> MEMBER JOHNSON, I SAID RAM -- WE AS AN ORGANIZATION ARE FOCUSED ON HOUSING AND HOMEOWNERSHIP.\r\n\r\nNOT THE FINANCING OF THE HOUSING. SO WE HAVE A LOT OF FINANCIERS IN OUR MEMBERSHIP, WE HAVEN'T HEARD ANY COMPLAINTS FROM THEM REGARDING THIS. SO I GOT TO SAY THAT I'M TECHNICALLY NEUTRAL REGARDING THAT LENGTH, THE SPECIFICS OF THE LENGTH. >> THANK YOU FOR CLARIFYING THAT, JASON. MR. ECONOMOU. MAHALO, CHAIR.\r\n\r\n>> MEMBER KAMA. >> THANK YOU, CHAIR. THANK YOU FOR BEING HERE MR. ECONOMOU. I WANT TO BE CLEAR IN ANY UNDERSTANDING OF EQUITY. THE SHORTER THE DEED RESTRICTION, THE MORE EQUITY IS DEVELOPED WITHIN A HOME OR PROPERTY? >> NO.\r\n\r\nSO THIS IS GOING TO GET A LITTLE COMPLEX TO TRY TO EXPLAIN, BUT WHAT I MEAN BY THE LENGTH OF TIME, IN THE PAST THREE YEARS, IS A GOOD EXAMPLE. WE SAW THE PRICINGS OF HOUSING DRASTICALLY INCREASE. >> RIGHT. >> FAR BEYOND WHAT SOMEBODY MIGHT HAVE PURCHASED THAT HOUSING FOR, AT



NORMAN, CAN YOU JUST WRAP IT UP IN 30 SECONDS? >> OKAY.\r\n\r\nIF YOU HAVE A RESTRICTION OF 20 YEARS, OR BASE YOUR MORTGAGE ON 20 YEARS, YOU ARE BUILDING EQUITY FASTER THAN THE 30-YEAR MORTGAGE. IT'S ALL BASED ON THE FAIR MARKET VALUE OF THE HOME AT THE TIME OF SALE. SO NOW IF YOU HAVE A HOME THAT YOU SOLD TO SOMEBODY FOR \$300,000, AND IN 20 YEARS, THE VALUE HAS GONE UP TO MAYBE \$800,000, THEN THEIR GAIN IS FASTER AND THEY CAN REALIZE THE GAIN FASTER THAN A 30-YEAR RESTRICTION. MOST MORTGAGES, AND SPEAKING FOR -- BECAUSE WE WORK WITH MORTGAGE PEOPLE ON THE APPRAISAL SIDE , RECOMMEND A 30-YEAR RESTRICTION BASED ON 30-YEAR MORTGAGE. THAT IS ALL I HAVE TO SAY. THANK YOU. >> THANK YOU.\r\n\r\nANY MORE QUESTIONS, MEMBERS? MEMBER KAMA. >> THANK YOU, CHAIR. THANK YOU, MR. FRANCO FOR BEING HERE. SO MY QUESTION IS, YOU KNOW, I REALIZE THAT MORTGAGE LENDERS WANT A 30-YEAR MORTGAGE, BECAUSE THEY DO WANT TO MAKE SURE THAT MORTGAGE IS ABLE TO BE PAID. SO WE'RE LOOKING AT DOING A 20-YEAR DEED RESTRICTION ON THESE 30-YEAR MORTGAGES.\r\n\r\nSO WHAT IS -- FROM YOUR PERSPECTIVE AS SOMEONE WHO HAS BEEN IN THE MARKET TO MANY, MANY YEARS, IS THAT HELPFUL TO THE HOMEOWNER? >> WELL, IF YOU ALLOW THEM TO BREAK OUT OF THIS RESTRICTION FOR HARDSHIP REASONS OR OTHER PURPOSES, BUT YOU HAVE TO KEEP IT WITHIN AFFORDABILITY. SO IT DOESN'T REALLY MATTER FROM THEIR POINT OF VIEW IF IT'S 20 OR 30. IT WILL MATTER -- THEY CAN SPIN THAT PROPERTY OFF INTO THE OPEN MARKET AND REALIZE A WINDFALL GAIN. IF YOU KEEP IT 30 YEARS, THAT DETERS THAT POSSIBILITY, AND IT DOESN'T HURT THE HOMEOWNER, ACTUALLY. I DON'T THINK IT DOES. IT'S REALLY BASED ON TRYING TO KEEP AFFORDABLE FOR AS LONG A PERIOD OF TIME AS YOU CAN. THE ULTIMATE GOAL IS TO MAKE IT PERPETUAL AFFORDABLE, BUT THAT IS ANOTHER ISSUE ENTIRELY.\r\n\r\n>> YES. THANK YOU SO MUCH FOR YOUR RESPONSE. THANK YOU, CHAIR. >> ANY MORE QUESTIONS? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER, PLEASE. >> CHAIR, THE NEXT PERSON SIGNED UP TO TESTIFY IS STAN FRANCO, FOLLOWED BY TRINETTE FURTADO.\r\n\r\n>> GOOD MORNING. CAN YOU HEAR ME? >> GOOD MORNING. YES. GOOD MORNING. >> GOOD MORNING, CHAIR LEE, AND MEMBERS OF THE MAUI COUNTY COUNCIL. THANK YOU FOR ALL OF YOU AND YOUR DEVOTION TO THE WELL-BEING OF THE RESIDENTS OF MAUI COUNTY.\r\n\r\nAS YOU KNOW, I'M STAN FRANCO, AND I HAVE COME TO TESTIFY ON BILL NO. 103. FOR TOO LONG IN OUR ISLAND HOME WE HAVE NOT ADDRESSED THE HOUSING CRISIS THAT OUR PEOPLE FACE. SINCE 2017, STAND UP MAUI HAVE CHAMPIONED THE COUNTY OF MAUI HAD HAVE A PLAN, STRATEGIES TO BUILD HOMES THAT OUR PEOPLE CAN AFFORD IN THE INCOMES THAT ARE EARNED IN MAUI COUNTY. I CREDIT YOU FOR TAKING THE BOLD STEP OF BUILDING THE PLAN AND LEGISLATIVE ACTIONS TO MAKE THE PLAN IMPLEMENTABLE AND TAKING THE NEXT LOGICAL STEP IN IMPLEMENTATION. YOU HAVE BEFORE YOU BILL 103, WHICH REQUIRES DEED RESTRICTIONS BE PLACED ON HOMES THAT WE THE PEOPLE OF MAUI COUNTY INVEST OUR PROPERTY DOLLARS TO SUBSIDIZE CONSTRUCTION OF THE HOMES OR FINANCE HOME PURCHASE. THE QUESTION THAT YOU ARE FACED WITH TODAY IS HOW LONG SHOULD THE RESTRICTION, DEED RESTRICTION PERIOD BE? TO ME DEED RESTRICTION PERIOD SHOULD BE THE SAME AS TERM FOR NORMAL MORTGAGE LOAN, 30 YEARS.\r\n\r\nSOMEONE SAID IT'S TOO LONG, THAT WOULD NOT ALLOW A HOME-BUYER TO "PACIFIC SEASONINGS' GOLD SHIELD BRAND" FOR HIMSELF AND FAMILY. IN NORMAL MARKET ECONOMICS, HOME BUILDERS WOULD BUILD TO MEET THE NEED OF THE COMMON MAN AND WOMAN. THEY DID AND I BOUGHT MY FIRST HOME IN 1975 FOR \$40,500. WE ARE NOT IN A NORMAL MARKET WITH THE AVERAGE HOME COSTING MORE THAN A MILLION DOLLARS. AS THE COMPREHENSIVE AFFORDABLE PLAN CALLS FOR WE MUST CHANGE OUR VIEW OF BUILDING HOMES, LIKE WE DID WHEN I WAS SETTING UP MY HOUSEHOLD IN 1975. THE MOST IMPORTANT THING TO DO TODAY TO DECIDE ON THE 30-YEAR DEED RESTRICTION IS REASONABLE THAT WE THE PEOPLE WILL NOT BE

CONTINUALLY REPLACING SUBSIDIZED HOMES WITH SHORTER-TERM RESTRICTION PERIOD BECAUSE THEY ARE SOLD ON THE OPEN MARKET. I BELIEVE THAT THIS IS A REASONABLE TRADE-OFF FOR INVESTMENT OF PROPERTY TAX DOLLARS 30 YEARS, THE TERM OF A MORTGAGE, NORMAL MORTGAGE LOAN. BY CREATING THE SUBSIDIZED MARKET FOR LOCAL PEOPLE, WE'RE SAYING TO THEM, WE CARE ABOUT THEM, THAT THEY HAVE A PLACE TO CELEBRATE FAMILY BIRTHDAYS AND ANNIVERSARIES, A PLACE TO WALK WITH FRIENDS, AND FAVORITE SPORTING EVENTS AND A PLACE FOR OUR CHILDREN TO STUDY AND DO THEIR HOMEWORK. I BELIEVE THAT OUR PEOPLE WILL SAY YES, 30 YEAR DEED RESTRICTION, BECAUSE THEY CAN AFFORD AN AFFORDABLE MORTGAGE PAYMENT LOAN.\r\n\r\nWITH A REASONABLE MORTGAGE PAYMENT, PEOPLE CAN SAVE FOR THEIR CHILDREN'S EDUCATION, FOR FAMILY VACATIONS, AND IF THEY WANT TO BUY A MARKET PRICED HOME IN THE FUTURE. I STAND BEFORE YOU TODAY TO ASK THAT YOU APPROVE 30-YEAR DEED RESTRICTIONS FOR ALL HOMES THAT ARE SUBSIDIZED BY OUR PROPERTY TAX DOLLARS. THANK YOU VERY MUCH FOR LISTENING. HAVE A GOOD DAY. >> THANK YOU. MEMBERS, QUESTIONS? IF NOT, THANK YOU VERY MUCH.\r\n\r\n>> CHAIR, THE NEXT PERSON SIGNED UP TO TESTIFY IS TRINETTE FURTADO, FOLLOWED BY KANALOA KAMALU. >> ALOHA KAKOU, CAN YOU HEAR ME? >> YES. >> WHAT AN AWESOME EVENING DISPLAY WE HAD LAST NIGHT TO USHER IN THE SEASON OF MAKAHIKI. I'M HERE TO TESTIFY BRIEFLY ON TWO CRS. FIRST ONE CR22-119, RELATING TO RESIDENTIAL WORKFORCE HOUSING RESTRICTIONS. AND I ABSOLUTELY SUPPORT THIS CR.\r\n\r\nI THINK IT'S NECESSARY GIVEN THE RABID CONSUMPTION. WE HAD A HOUSING SHORTAGE BEFORE THAT. THIS WOULD ALSO HELP, I THINK, CURB FOR-PROFIT RENTALS IN THESE AREAS WHOSE RENT EXCEED WHAT WOULD BE ASKED IN AN AFFORDABLE HOUSING RENTAL PROPERTY AREA. JUST BECAUSE THAT IS WHAT THE MARKET RATES ARE GOING, FOR AND THESE PEOPLE CAN GET IT. I KNOW THIS, BECAUSE I HAVE A FRIEND, WHO LIVES IN A HOUSE, THAT IS RENTED OUT FOR I'M SURE WHAT THE PERSON IS PAYING FOR AS A MORTGAGE, AND IN AN AFFORDABLE AREA. BECAUSE HOUSING IS SO CRITICAL AND HARD TO FIND, SHE HAS ASKED ME TO NOT SPEAK FURTHER ABOUT WHO THIS IS, OR WHAT DEVELOPMENT ITS IN. BUT IT'S HAPPENING.\r\n\r\nIT COULD ALSO HELP POSSIBLY CURB SECOND HOMEBUYERS THAT SLIP THROUGH LOOPHOLES THAT THEY TURN AROUND AND RENT IN SUCH A MANNER. THAT IS WHAT I HAVE GOT TO SAY ABOUT THAT. I HOPE YOU WILL PASS THIS. I THINK IT'S VERY IMPORTANT I SUPPORT THAT AS WELL. IT'S BEEN A LONG TIME, HISTORICALLY WHEN ISSUES INVOLVING KANAKA COME UP FOR DELIBERATION, THOSE WHO PROFIT MOST ARE OFTEN THE ONES THAT DON'T WANT TO CHANGE THE SYSTEM THAT ALLOWS THEM TO COMMIT DESECRATION, WHILE RESIDENTS MUST PROOF THAT THEY ARE LINEALLY CONNECTED TO PEOPLE THAT ARE NOT EVEN CONNECTED TO SPEAK FOR THOSE THAT COOPERATE -- TO SPEAK FOR THE 'AINA AND SPEAK FOR IWI KUPUNA AND THIS IS NECESSARY IN REMINDING PEOPLE IN LONGSTANDING PRACTICES, CIVILIZATION EXISTED AND CONTINUES TO EXIST THOUGH RAPID DEVELOPMENT AND PROFIT-SHARING OF OUR 'AINA HAVE CHANGED THE LANDSCAPE, BOTH LICIT RALLY AND FIGURATIVE FOR KANAKA, DISPOSSESSED TODAY ON OUR 'AINA. A CULTURAL OVERLAY WOULD GIVE A VOICE, NO SMALL THE WHISPER TO THOSE WHO NEED A VOICE. WHY WOULDN'T THING ABOUT DIGGING UP GRAVES OR POURING CEMENT OVER THEM, AND FURTHER RESTRICTING THE AREA.\r\n\r\nSO LONGSTANDING PRACTICES -- PEOPLE WOULD BE UPSET, UPSET NONETHELESS. AND THAT IS JUST ONE EXAMPLE OF WHAT THIS OVERLAY WOULD BEGIN TO ADDRESS AND HOLD PEOPLE ACCOUNTABLE TO. IT'S IMPORTANT GIVEN THE DAILY DISRESPECT TOWARDS KANAKA, AS IF WE DIDN'T BELONG HERE AND ARE NUISANCES LIKE GNATS. ONE SMALL STEP AS WE DELIBERATE, BUT IT'S A GIANT STEP FORWARD FOR OUR KUPUNA, THAT HAVE BEEN WAITING FOR OUR ADVOCACY, AND FOR OUR SUPPORT AND FOR LOOKING FOR GUIDANCE TO MAINTAINING LONGSTANDING PRACTICES AND CONNECTION TO OUR LAHUI AND 'AINA. I THANK YOU FOR THE OPPORTUNITY TO

TESTIFY AND I HOPE YOU ALL HAVE A WONDERFUL DAY. >> THANK YOU. MEMBER KAMA.\r\n\r\n>> THANK YOU, CHAIR. THANK YOU, MISS FURTADO FOR YOUR TESTIMONY. YOU MENTIONED IN YOUR TESTIMONY AS A RENTER, YOU ARE REALLY LOOKING FORWARD TO HOPEFULLY BEING A HOMEOWNER ONE DAY. SO MY QUESTION TO YOU, AS WE DELIBERATE ON THIS ITEM, REGARDING THE 20-YEAR DEED RESTRICTION, WOULD YOU BE OPEN TO -- IF YOU WERE ABLE TO PURCHASE A HOME, WOULD YOU BE ABLE TO SAY OKAY, IF THERE'S A 30-YEAR DEED RESTRICTION? >> WITHOUT HESITATION. WHEN WE PREPARE -- YOU KNOW, WHEN WE PREPARE THE 'AINA, IT'S NOT JUST WHAT I WILL DO OR MAKE OFF IT OF, BUT SEVEN GENERATIONS DOWN THE LINE, TO HAVE A PLACE TO DO THAT WITH. >> THANK YOU.\r\n\r\n\r\nTHANK YOU, CHAIR, VERY MUCH. APPRECIATE IT. ALOHA HUI HOU. >> MAHALO. >> ANY MORE QUESTIONS? IF NOT, THANK YOU VERY MUCH, MS. FURTADO.\r\n\r\n\r\nNEXT TESTIFIER. >> CHAIR, THE NEXT PERSON SIGNED UP TO TESTIFY. >> ALOHA MAI KAKOU KANALOA KAMALU FROM WAILUA. I'M REFLECTING ON BILL 154, I BELIEVE. CULTURAL OVERLAY. IT WAS SOMETHING THAT I REPRESENT KAMALU, AS WELL AS LINEAL RECOGNIZE DESCENDANTS FROM WAIHEE AND OTHERS HAVE -- YOU KNOW, HELD SIGNS, GONE TO ALL OF THESE MEETINGS, WHETHER IT'S STATE OR COUNTY, YOU KNOW? TO ADVOCATE FOR THE PROTECTION OF OUR NOT ONLY OUR IWI, BUT THE LEPO ITSELF.\r\n\r\n\r\nPEOPLE FORGET THAT THE REST OF THE PERSON IS IN THE LEPO. WHEN ALL OF THAT BREAKS DOWN, THOSE THINGS TURN TO -- BACK TO THE EARTH AND MIXES UP WITH THE LEPO. THE ONLY THING ABOUT THE IWI, THE IWI IS NOT WHAT MAKES UP A HUMAN BEING AND ALL OF THOSE THINGS GO INTO THE LEPO. EVEN THE ENGLISH SAYING IS ASHES TO ASHES, DUST TO DUST. AND YOU RETURN TO THAT. WELL, THEN, WE'RE NOT ONLY TALKING ABOUT JUST THE IWI BEING SACRED, BUT THE LEPO. THAT IS REST OF OUR KUPUNA.\r\n\r\n\r\nTHOSE ARE ANCESTORS. SO FOR US TO SAY THAT THE PLACE IS SACRED, IS BECAUSE WE KNOW THAT WHEN WINDS BLOW, IT MOVES THE LEPO. IT MOVES THE DIRT. IT DOESN'T STAY THERE. SO THAT PLACE IS SACRED, BECAUSE THE PERSON IS THERE. FOUGHT FOR THIS WITH THE COUNTY ARCHAEOLOGIST AND I REALLY WANTED MORE OVERSIGHT ON THE COMMITTEE THAT OVERSEES ARCHAEOLOGY ITSELF. BECAUSE THEY BECOME PART OF THIS PROBLEM.\r\n\r\n\r\nWHAT WE'VE RIGHT NOW IS WHAT WE HAVE AND THE OVERLAY BECOMES IMPORTANT, BECAUSE YOU START TO BRING OUT THE HISTORY. IMAGINE THAT THE PU'UONE ON THE DESCRIPTION, WHERE DO WE SEE THAT NOW? BELOW OUR FEET. WE STAND ON IT NOW. THE TOP OF THE PU'UONE. BECAUSE OF SUCH DESECRATION, BECAUSE OF SUCH DEGRADATION AND NO FORESIGHT OF WHAT THAT PLACE MEANT. WHERE BATTLES WERE HELD IN THE PU'UONE -- SO WE NEED TO TAKE A SECOND OR SO.\r\n\r\n\r\nHOW DO WE DESCRIBE THAT TO OUR? IT'S NO LONGER THERE. THIS WOULD ENSURE THIS DEGRADATION DOESN'T CONTINUE, AND THAT WE DON'T HAVE TO WALK OVER MY SKELETON OR DRIVE AROUND WITH IT ON THE CAR, SO PEOPLE GET THE GIST OF WHAT WE'RE SAYING. MAHALO. >> THANK YOU. MEMBERS, QUESTIONS? IF NOT, THANK YOU VERY MUCH.\r\n\r\n\r\nMR. CLERK. >> CHAIR, THE LAST PERSON WE HAVE SIGNED UP TO DURING THIS TESTIMONY PERIOD IS CAROL LEE KANEKO. >> CAROL LEE? >> CAROL LEE, WE SEE YOU ARE CONNECTED TO THE MEETING AND YOU ARE UNMUTED, BUT WE CAN'T HEAR YOU. CHAIR, SHALL I DO LAST CALL FOR THE TIME BEING? >> YES.\r\n\r\n\r\nLAST CALL -- THERE'S AN INDIVIDUAL REQUESTING TO TESTIFY. >> I WILL STALL THEM UNTIL SHE CAN GET TO THE MICROPHONE. >> J.C. LAU. 122, GUZMAN VS. COUNTY OF MAUI. DON GUZMAN, I BELIEVE WAS BORN HERE, FILIPINO ORIGIN, HAU'OLI MAKAHIKI HOU. HE JUST HAD A BIRTHDAY LAST WEEK.\r\n\r\n\r\nHE GOES TO ROMAN CATHOLIC CHURCH LAST I HEARD. THERE'S A STORY ABOUT JOSEPH, HIS BROTHER SOLD HIM OUT HE WAS JEALOUS OF HIM, AND TURNED OUT HE WAS WORKING FOR THIS GUY AND TURNED OUT A REALLY GOOD WORKER. THE WIFE OF THE MAN'S -- THE BOSS MAN, THE MASTER DIDN'T LIKE -- SHE LIKED HIM TOO MUCH AND SHE WANTED TO HAVE SEX WITH HIM AND TOOK HIM IN AND TRIED TO GET

GOING IN THE BEDROOM. >> JC, WHAT IS THIS ABOUT? CR22-122. >> WHAT YOU ARE TALKING ABOUT HAS NOTHING TO DO WITH THIS CASE. >> IT DOES. >> I DON'T THINK SO.\r\n\r\nYOU ARE TALKING ABOUT PERSONAL INFORMATION. THIS IS ABOUT A CASE? >> THIS IS A MALE-FEMALE THING. >> WE'RE TALKING ABOUT HIS CASE. >> IF YOU WANT ME TO SPEED THINGS UP, I CAN CONTINUE OR JUST GO -- >> WELL JUST -- YOU DON'T HAVE TO GIVE SUCH PERSONAL INFORMATION. LET'S PUT IT THAT WAY. >> IN THE BIBLE, THE WOMAN ACCUSED HIM AND IT WASN'T TRUE AND HE WAS FIRED BY THE MAN.\r\n\r\nANY QUESTIONS, MEMBERS? CAROL LEE, DID SHE COME BACK ON? >> WE DID HEAR SOMETHING COME THROUGH FROM CAROL LEE. CAROL LEE? >> CAN YOU HEAR ME? >> YES. >> YES.\r\n\r\n>> PERFECT. OKAY. HELLO. KAKAHIKA KAKOU. MY NAME IS CAROL LEE KANEKOA AND I'M NOT A PAID LOBBYIST. HOWEVER, I'M A MEMBER -- OUR COMMON DENOMINATOR IS THE PROTECTION AND PRESERVATION OF OUR HISTORY, TRADITIONS, AND CULTURAL AND ARCHAEOLOGICAL SITES. I BELIEVE THIS CULTURAL OVERLAY BILL IS A STEP FORWARD FOR OUR COLLECTIVE MISSION AND ALLOWS DEVELOPERS TO SEE IF THEY HAVE ANY POTENTIAL CULTURAL IMPACTS, WHICH IN TURN WOULD SAVE THEM MONEY AND TIME FROM POSSIBLE INTERVENTIONS, AND DESECRATIONS.\r\n\r\nI KAKOU THE TESTIMONY OF NOELANI AND KANALOA AND WILL NOT REPEAT, BUT ADD IN THE WAILUKU PARKING SITE, THERE'S FIVE IWI KUPUNA THAT HAVE BEEN DISINTERRED. SO IN SAYING THIS, I WOULD LIKE TO SEE A BILL PASSED, WHICH CAN COINCIDE WITH THIS PROPOSED CULTURAL OVERLAY BILL TO PUT A TIMELINE ON HOW OLD A PREVIOUSLY DONE AIS CAN BE USED? IN OTHER WORDS, FOR EXAMPLE A 20 YEAR AIS IS DONE BY PREVIOUS OWNERS SHALL NOT BE USED TOPOGRAPHICALLY MUCH CAN BE CHANGED AS WE KNOW IN THE BLINK OF THE EYE. LOOK AT HOW THE 'AINA HAS CHANGED DUE TO THE CURRENT FIRE? WITH REFERENCE TO THE HOUSING BILL, I AM TRULY IN SUPPORT OF OWNER-OCCUPIED WORKFORCE HOUSING BEING HELD IN PERPETUITY. TO HELP OUR KANAKA FAMILIES TO LIVE IN THEIR HOMELAND. MAHALO TO THIS COUNCIL FOR PROVIDING, CARING, AND LISTENING TO OUR VOICES.\r\n\r\nMAHALO. HAVE A BEAUTIFUL WEST MAUI DAY. >> QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER. >> CHAIR, THERE ARE A COUPLE OTHER TESTIFIERS, WHO HAVE SIGNED UP. THE NEXT PERSON SIGNED UP IS THOMAS CROLY.\r\n\r\n>> THIS IS A NEW INTRODUCTION OF A BILL RELATED TO NEW PROPERTY TAX EXEMPTION SPECIFICALLY FOR THE LONG-TERM RENTAL CATEGORY. I ANTICIPATE THAT THIS IS GOING TO BE ASKED TO BE BROUGHT UP AT TODAY'S MEETING FOR DISCUSSION. AND I KIND OF OBJECT TO THAT IDEA. I FULLY UNDERSTAND THIS IS TIME-SENSITIVE, IF YOU DON'T PASS THE BILL BEFORE THE END OF THE YEAR, NEXT YEAR, IT STAYS THE SAME AND YOU CAN'T MAKE THE CHANGES. IN GENERAL, I'M SUPPORTIVE OF THE INTENT OF THIS BILL, AND WHAT I READ IN IT RIGHT NOW. THIS IS NOT THE WAY TO MAKE LEGISLATION, AND THIS COUNCIL HAS DONE THIS REPEATEDLY THIS YEAR, WHERE THE PUBLIC DOESN'T HAVE THE OPPORTUNITY TO DIGEST THESE BILLS, AND GIVE THEM CONSIDERATION, AND GO THROUGH THE PROPER COMMITTEE WORK FIRST, AND THEN FIRST READING AT COUNCIL AND GET THE PROPER POSTING AND SO FORTH. SO, AS MUCH AS I WOULD LIKE TO SEE SOME ACTION TAKEN TO ENSURE THAT PROPERTIES THAT ARE BEING GRANTED LONG-TERM RENTAL EXEMPTION ARE THE RIGHT PROPERTIES.\r\n\r\nI DO THINK THAT THE PROCESS WE GO THROUGH TO GET TO THAT SHOULD BE FOLLOWED CORRECTLY AND YOU SHOULDN'T JAM THIS BILL THROUGH, AS I ANTICIPATE -- MAYBE I'M WRONG? MAYBE IT'S GOING TO BE REFERRED TO COMMITTEE AS IT SHOULD BE. BUT THAT'S THE WHOLE OTHER PROBLEM. I CAN'T PREPARE TESTIMONY, WITHOUT KNOWING WHAT IS GOING TO HAPPEN WITH THIS RIGHT NOW. IF THE PLAN IS THAT THIS BILL IS GOING TO BE DISCUSSED AT COUNCIL TODAY, AND IF YOU ARE GOING TO IGNORE MY RECOMMENDATION THAT IT BE REFERRED TO COMMITTEE, THEN BE SURE TO HAVE ALL OF THE PERSONNEL FROM REAL PROPERTY TAX THERE TO CLEARLY TELL YOU HOW ALL



THESE CHANGES WOULD BE ADMINISTRATED. BECAUSE AGAIN, I CAN TELL YOU FROM HAVING CHAIRED THE REAL PROPERTY TAX APPEAL BOARD, THAT THE ADMINISTRATION OF BILLS OFTEN TIMES IS QUITE DIFFERENT THAN WHAT THE INTENT OF COUNCIL WAS. SO UNLESS YOU PUT ON THE RECORD WHAT YOUR INTENT IS, YOU MAY NOT FIND THAT IT IS ADMINISTRATED IN THE SAME WAY IT WAS INTENDED WHEN IT WAS BROUGHT THROUGH COUNCIL.\r\n\r\nSO THANK YOU, CHAIR. AGAIN, I DON'T KNOW WHAT IS GOING TO HAPPEN ON 192. MAYBE EVERYTHING I'M SAYING IS IRRELEVANT, BECAUSE YOU WILL JUST REFER TO COMMITTEE, BUT THAT IS WHAT I WOULD LIKE TO SEE YOU DO. ALOHA. >> THANK YOU. QUESTIONS, MEMBERS? IF NOT, VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR.\r\n\r\nALOHA, MR. CROLY, MAHALO FOR YOUR TESTIMONY. I DIDN'T HEAR ANY SPECIFIC CONCERNS ABOUT THE BILL ITSELF. AND I REMEMBER THAT YOU DID TESTIFY AT THE BUDGET COMMITTEE PREVIOUSLY WHEN THIS WAS -- WHEN I PRESENTED ON THE AMENDMENTS THAT CAME FROM THE DEPARTMENT. SO TO CLARIFY, DO YOU HAVE SPECIFIC CONCERNS ABOUT THE AMENDMENTS THAT ARE PROPOSED IN THE BILL ITSELF? >> I READ THE AMENDED BILL, BECAUSE IT'S NOT AN AMENDMENTS TO BILLS; RIGHT? YOU ARE NOT SUBMITTED IT THAT WAY, YOU ARE SUBMITTING AS A NEW BILL, CORRECT?\r\n\r\nAND THE CHANGES THAT I READ THROUGH THIS MORNING, I DON'T KNOW THAT ALL OF THEM WERE DISCUSSED AT THE LAST MEETING. MAYBE I MISSED IT? I DON'T KNOW. BUT I JUST DON'T HAVE ENOUGH TIME TO REALLY THINK IT THROUGH, AND SAY, ALL RIGHT, THIS MEANS THIS. PLUS, I WOULD LIKE TO HAVE THE DEPARTMENT SAY THIS AMENDMENT MEANS WE'LL DO THIS, AND THEN ONCE THEY SAY THAT, THEN I CAN UNDERSTAND HOW IT WOULD BE ADMINISTRATED AND HOW IT WOULD BE PUT IN PLACE. BUT AT THIS MOMENT, I DO UNDERSTAND THE INTENT AND I'M SUPPORTIVE OF THE INTENT OF THE AMENDMENTS, BUT AGAIN, I DON'T KNOW FOR SURE HOW THAT WOULD PLAY OUT IN THE REAL WORLD, IF YOU WILL? THE ONE THING THAT I WAS CONCERNED ABOUT THAT IS NOT IN THIS BILL, AND PERHAPS COULD BE ADDRESSED WHEN WE SET TAX RATES IS I OBSERVED THAT THERE'S A PROPERTY IN MAKENA GETTING \$130,000 REDUCTION IN THEIR PROPERTY TAXES, BECAUSE THEY SAID, OH, WE'RE A LONG-TERM RENTAL.\r\n\r\nNOW MAYBE IT'S A LEGITIMATE LONG-TERM RENTAL? MAYBE IT'S A SMALL PORTION OF THAT PROPERTY? I DON'T KNOW WHICH, BUT IS IT THE COUNCIL'S INTENT TO GRANT ONE SINGLE TAXPAYER A \$130,000 TAX REDUCTION? I DON'T KNOW? THAT SEEMS TO ME A BIT ABSURD. >> I THINK YOU MAY HAVE LOST SERVICE. >> NO, NO, I STOP SPEAKING.\r\n\r\n>> YOU LOOKED FROZEN. SORRY. SO THE PROPOSED AMENDMENTS TO THE CODE WERE ADDRESSED IN THE COMMITTEE MEETING. MAHALO, MR. CROLY. MAHALO, CHAIR. >> MAHALO.\r\n\r\n>> ANY MORE QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH, MR. CROLY. NEXT TESTIFIER. >> THE NEXT PERSON SIGNED UP TO TESTIFY IS ZHANTELL LINDO. >> ALOHA AND GOOD MORNING, COUNCIL AND COUNCIL CHAIR, THANK YOU FOR THIS OPPORTUNITY. I WOULD JUST LIKE TO TESTIFY REALLY FAST ON COUNTY COMMUNICATIONS 22-282, IT'S BASICALLY JUST THE DEPARTMENT OF HOUSING AND HUMAN CONCERNS NOTIFYING YOU OF A GRANT AWARD FOR SECTION 8 PROGRAM.\r\n\r\nI JUST WANTED TO THANK THE LADIES AND GENTLEMEN IN THE SECTION 8 PROGRAM. I WORK INTIMATELY WITH THEM AND SOMETIMES THERE ARE UNSUNG HEROES. I WANTED TO GIVE ONE BIG PROP TO THAT DIVISION UNDER HOUSING. I HAVE SEEN THEM IN ACTION. I WATCH THEM WORK TIRELESSLY TO GET OUR PEOPLE INTO HOUSING, AND SOMETIMES THOSE WORKER BEES GET THE ATTENTION THAT THEY NEED. SO I JUST WANTED TO PUBLICLY ACKNOWLEDGE ALL OF THOSE WONDERFUL MEN AND WOMEN, AND THEIR SUPERVISORS FOR THE GREAT WORK THEY DO, THAT WARRANTS US THE CONTINUED SUPPORT OF SECTION 8 FUNDING THROUGH HUD. THE SECOND THING I WANTED TO TESTIFY ON IS CR22-120. I'M SO GRATEFUL AS I WATCHED THIS COME THROUGH THAT MOLOKA'I HAD THE FORESIGHT TO INCLUDE IT IN OUR COMMUNITY PLAN A LONG TIME TO BE THAT THE CULTURAL

OVERLAY WAS SECURING THINGS IMPORTANT TO US.\r\n\r\nI SUPPORT EVERYTHING SAID PRIOR TO ME, BUT I WANTED TO HIGHLIGHT TWO ADDITIONAL THINGS: ONE, THERE IS A PORTION OF PROPERTY BY THE LADY OF SORROW CHURCH WHERE THE ROAD IS FALLING IN. THERE'S CONSTANT TALK HOW WE'RE GOING FIX IT? ONE THING THAT IS SCARY, I FOUND OUT SHPD, A STATE-RUN AGENCY, WHEN A LEGISLATOR EVOKES OR ASKS THE GOVERNOR TO PUT ON A STATE OF EMERGENCY, SHPD BECOMES EXEMPTION FROM THE PROCESS OF MITIGATING THAT EMERGENCY PROTOCOL. AND SO ALL THE POTENTIAL INTENDED CULTURAL AND ARCHAEOLOGICAL METHODS PUT IN AND FAITH IN THE DEPARTMENT TO PROVIDE OUR PEOPLE AND 'AINA ARE NOW EXEMPT FROM THE PROCESS. WHEN I LOOK AT OUR PLANS AND A RESOLUTION LIKE THIS, IT MAKES ME FEEL MORE SECURE THERE'S AN ADDED LAYER OF PROTECTION. I REALLY LOVE THE WORDING THAT IT'S TO PRESERVE CULTURAL RESOURCES AND PROMOTE CAREFUL PLANNING. I THINK THAT IS WHAT IS REALLY IMPORTANT.\r\n\r\n\r\nTHE SECOND THING IS IN LINE WITH THAT, I HAVE BEEN SCREAMING AND YELLING TO THE TOP OF MY LUNGS FOR THE LONGEST TIME THAT WE LIVE ON ISLANDS AND, AS MUCH AS WE NEED AFFORDABLE HOUSING AND WE'RE NEVER GOING TO BUILD OURSELVES OUT OF THE PROBLEM. THE ONE COMPONENT MISSING IS OUR CAREFUL AND PRIORITIZED ATTENTION TO OUR NATURAL RESOURCES. AND UNDER OUR CULTURAL OVERLAY, WHAT HAPPENS IS WE'RE FORCED AS PLANNERS AND DECISION-MAKERS IN A COMMUNITY TO TAKE INTO ACCOUNT OUR INDIGENOUS KANAKA WISDOM FROM THE PEOPLE, WHO HAD A PLACE ONCE UPON A TIME, THAT HAD NO DISEASE, NO PREDATORS, NO POISONOUS PLANTS, YOU KNOW? ALL THAT WERE INTRODUCED? WHY? BECAUSE IT WAS THE WAY OF THEIR WISDOM THAT FOUND THIS IMPORTANT PLANNING THE THINGS THAT WERE DOING AS THEY MALAMA THE ISLAND AND THE RESOURCES WERE NOT BEING DEPLETED AS WE ADOPTING OUR OWN NEEDS AND WANTS. SO I JUST WANT TO THANK YOU FOR THAT OPPORTUNITY.\r\n\r\n\r\nMAHALO. >> THANK YOU. MEMBERS, ANY QUESTIONS FOR THE TESTIFIER? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER. >> CHAIR, THE NEXT PERSON SIGNED UP TO TESTIFY IS ERIN WADE. >> GOOD MORNING, COUNCIL MEMBERS.\r\n\r\n\r\nTHANK YOU FOR ALLOWING ME THE OPPORTUNITY. I WANTED TO QUICKLY CLARIFY SOME TESTIMONY THAT WAS MADE THAT IWI KUPUNA WERE DISINTERRED AT THE PARKING STRUCTURE SITE, WHICH IS NOT CORRECT. AS YOU KNOW, YOU FOLKS WERE -- YOU FOLKS PROVIDED ADDITIONAL FUNDING SO THAT IWI KUPUNA COULD BE PRESERVED IN PLACE AND THAT IS WHAT HAPPENED. SO I JUST WANTED TO MAKE SURE THAT WAS KNOWN AND CLARIFIED ON THE RECORD. >> ANY QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH, MS. WADE.\r\n\r\n\r\n>> CHAIR, THERE'S NO OTHER INDIVIDUALS SIGNED UP TO TESTIFY DURING THIS TESTIMONY PERIOD. WE'LL DO LAST CALL. IF THERE'S ANYONE ELSE WHO WANTS TO TESTIFY AT THIS TIME, PLEASE IDENTIFY YOURSELF NOW. I REPEAT, LAST CALL. >> MEMBERS, ANY OBJECTIONS -- >> COULD I PROVIDE A LITTLE CLARIFICATION ALSO? >> MS. SIX HAS ALREADY TESTIFIED ON COMMITTEE REPORT 22-120. >> YOU WILL BE COMING BACK LATER AS A RESOURCE PERSON.\r\n\r\n\r\n>> OKAY I WAS LOOKING AT SOME OF THE STUFF IN THE CHAT AND I JUST WANTED TO MAKE A CLARIFICATION, BUT I CAN COME BACK. IT'S NOT A PROBLEM. >> OKAY. MEMBERS, ANY OBJECTIONS TO TAKING A TEN-MINUTE BREAK? NO OBJECTIONS. >> NO OBJECTIONS. >> YES, MS.\r\n\r\n\r\nPALTIN. >> I THOUGHT WE CAN'T TAKE A TEN-MINUTE BREAK AFTER THE TESTIMONY IS PAU. >> WE'RE COMING BACK AND TAKING MORE TESTIMONY. >> IS THERE MORE TESTIMONY? >> THERE'S ALWAYS MORE TESTIMONY. >> OKAY, TEN -MINUTE BREAK. I'M SORRY, MY BAD.\r\n\r\n\r\n>> MR. RAATZ, IS THERE A PROBLEM WITH US TAKING? BECAUSE WE'LL RESUME TESTIMONY AFTER THE TEN-MINUTE BREAK. IN OTHER WORDS, TESTIMONY IS ONGOING THROUGHOUT THE WHOLE MEETING. >> THANK YOU, CHAIR. YOU CAN TAKE A RECESS WHENEVER YOU WANT. I THINK MAYBE THE POINT MAYBE COUNCIL MEMBER PALTIN IS MAKING THAT YOU CAN'T CLOSE A PORTION OF

TESTIMONY UNTIL YOU STARTED TO DELIBERATE ON THE RELEVANT SECTION OF THE MEETING AGENDA.\r\n\r\n>> HOWEVER THE TESTIMONY IS STILL OPEN THROUGHOUT. >> CHAIR? >> NO MATTER WHAT. SO WE CAN TAKE A TEN-MINUTE BREAK THEN. IS THAT WHAT YOU ARE SAYING? >> THAT'S CORRECT, CHAIR. >> MEMBERS, TEN MINUTES WOULD BE 10:49. RECESS.\r\n\r\n[ GAVEL ] [ GAVEL ] WILL THE COUNCIL MEETING OF NOVEMBER 18TH, PLEASE RECONVENE. IT'S APPROXIMATELY 10:58. PLEASE CONTINUE, MR. CLERK. >> CHAIR, PROCEEDING WITH TESTIMONY ON THE SETTING OF THE CONSENT CALENDAR. CHAIR, RIGHT NOW, THERE ARE CURRENTLY NO INDIVIDUALS SIGNED UP TO TESTIFY ON THE SETTING OF THE CONSENT CALENDAR. SO WE'LL DO A LAST CALL. IF THERE IS ANYBODY WHO WANTS TO TESTIFY ON THIS, PLEASE IDENTIFY YOURSELF NOW.\r\n\r\nI REPEAT, LAST CALL. CHAIR, NO ONE HAS INDICATED THAT THEY WOULD LIKE TO TESTIFY. >> MEMBERS, ANY OBJECTIONS TO PROCEEDING WITH REST OF THE AGENDA? >> NO OBJECTIONS. >> CHAIR, SHALL WE CLOSE TESTIMONY ON THE SETTING OF THE CONSENT CALENDAR, IF THERE'S NO OBJECTIONS FROM THE BODY. >> NO OBJECTIONS. >> VERY GOOD.\r\n\r\n>> CHAIR, AT THIS TIME, THE BODY MAY SET THE CONSENT CALENDAR. >> WILL YOU DO THAT PART? >> CHAIR, JUST FOR THE BODY'S INFORMATION, THE MEMBERS CAN SET THE CONSENT CALENDAR AT THIS TIME. BUT MEMBERS CAN ALSO PULL ITEMS FROM THE CONSENT CALENDAR, IF THEY SO CHOOSE BEFORE SETTING IT. >> MEMBERS, WHY DON'T YOU CALL UP THE ITEMS? SO THAT THEY KNOW IF THEY WANT TO PULL OUT ANY ITEM. >> CHAIR?\r\n\r\n>> VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. SO WE'RE SETTING IT. THE NEXT THING WE WOULD DO IS TAKE ACTION ON IT AND THAT IS WHEN THE CLERK WOULD CALL UP EACH ITEM AND THEN TAKE ACTION. >> MEMBERS, AT THIS TIME, WE'LL SET THE CONSENT CALENDAR. AS A REMINDER, THE CONSENT CALENDAR CAN BE ADJUSTED AFTER IT'S SET. ANY REQUESTED CHANGES TO THE CONSENT CALENDAR AT THIS TIME?\r\n\r\nNO OBJECTIONS, THE CONSENT CALENDAR IS SET. MEMBERS, BEFORE PROCEEDING, I AM NOTIFYING YOU THAT I WILL BE ENFORCING COUNCIL RULE 9F, NO MEMBER MAY SPEAK MORE TWICE ON ANY PENDING ACTION. MEMBERS MAY SPEAK FOR A MINUTE ON EACH OPPORTUNITY. >> CHAIR, PROCEEDING WITH TESTIMONIES ON ITEMS IN THE CONSENT CALENDAR. AT THIS TIME, NO ONE HAS SIGNED UP TO TESTIFY ON ANY ITEMS IN THE CONSENT CALENDAR. WE'LL DO A LAST CALL. IF ANYONE WANTS TO TESTIFY ON ANY OF THESE COMMUNICATIONS, PLEASE IDENTIFY YOURSELF NOW.\r\n\r\nLAST CALL. CHAIR, NO ONE ELSE HAS INDICATED THAT THEY WISH TO TESTIFY ON ANY OF THESE ITEMS. >> MEMBERS, ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY FOR ITEMS IN THE CONSENT CALENDAR? >> NO OBJECTIONS. >> NO OBJECTIONS. >> OKAY. MR.\r\n\r\nCLERK. >> CHAIR, PROCEEDING WITH THE CONSENT CALENDAR. YOU HAVE BEFORE YOU COUNTY COMMUNICATION 22-281 FROM DIRECTOR OF HOUSING AND HUMAN CONCERNS TRANSMITTING A COPY OF THE NOTICE OF GRANT AWARD FROM STATE OF HAWAI'I EXECUTIVE OFFICE ON AGING FOR THE NUTRITION SERVICES INCENTIVE PROGRAM IN THE AMOUNT OF \$33,712. COUNTY COMMUNICATION 22-282 FROM THE DIRECTOR OF HOUSING AND HUMAN CONCERNS TRANSMITTING A COPY OF THE NOTICE OF GRANT AWARD FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE SECTION 8 HOUSING PROGRAM IN THE AMOUNT OF \$153,592. COUNTY COMMUNICATION 22-283 FROM THE DIRECTOR OF HOUSING AND HUMAN CONCERNS, TRANSMITTING A COPY OF THE LETTER OF INTENT FROM STATE OF HAWAI'I, EXECUTIVE OFFICE ON AGING, FOR THE KUPUNA CARE PROGRAM IN THE AMOUNT OF \$1,142,917. >> 22-284 FROM THE DIRECTOR OF FINANCE TRANSMITTING TWO REPORTS ON THE SETTLEMENT OF CLAIMS AS OF SEPTEMBER 30, 2022. COUNTY COMMUNICATION 22-2835 FROM DIRECTOR OF FINANCE, REPORTING ON THE TEMPORARY TRANSFERS/LOANS FROM THE GENERAL FUND AND DEPARTMENT OF WATER SUPPLY REVENUE FUND TO THE GENERAL OBLIGATION BOND SERIES FUND AS OF SEPTEMBER 30, 2022. AND COUNTY COMMUNICATION 22-

286, FROM THE DEPUTY DIRECTOR OF WATER SUPPLY, TRANSMITTING THE DEPARTMENT OF WATER SUPPLY'S MONTHLY SOURCE AND GROUNDWATER USE REPORT FOR THE MONTH OF ENDING OCTOBER 2022. >> VICE-CHAIR RAWLINS-FERNANDEZ . >> I WOULD LIKE TO -- >> SECOND. >> LET ME JUST WRITE THAT DOWN. MOVED AND SECONDED TO FILE ALL OF THE ITEMS, AS READ BY THE CLERK EXCEPT FOR CC 22-284, AND CC 22-285. ANY DISCUSSION ON THE MOTION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE.\r\n\r\n>> I HAVE TO COUNT. MR. CLERK, I SEE EVERYBODY EXCEPT MEMBER SUGIMURA. >> YES, CHAIR. WE DO NOT SEE MEMBER SUGIMURA. >> EIGHT AYES, ONE EXCUSED, MOTION CARRIES. MR.\r\n\r\nCLERK. >> SO CHAIR, JUST CONFIRMING THAT CCS 22-284 AND CC 22-285 WILL BE REFERRED TO THE BFED COMMITTEE. >> YES. >> CHAIR, PROCEEDING WITH COMMITTEE REPORTS, YOU HAVE BEFORE YOU FROM YOUR AFFORDABLE HOUSING COMMITTEE - APOLOGIES, WE HAVE TO DO TESTIMONY. PROCEEDING WITH TESTIMONY ON COMMITTEE REPORTS. CHAIR, THE FIRST PERSON SIGNED UP TO TESTIFY ON COMMITTEE REPORTS IS AN ANONYMOUS TESTIFIER, AT THE SOUTH MAUI DISTRICT OFFICE TO BE FOLLOWED BY LE HELLA WAIHOLI. >> SOUTH MAUI DISTRICT OFFICE.\r\n\r\nI RECOGNIZE MR. ANONYMOUS. ALOHA. >> ALOHA, CHAIR LEE. AND COUNTY COUNCIL MEMBERS. I AM TESTIFYING AS AN INDIVIDUAL HAU'OLI INOUE UNDER THE ITEM CR22-120, WHICH IS BILL 154. THE CULTURAL OVERLAY. I CONCUR WITH ALL THE TESTIMONIES THAT HAVE BEEN GIVEN IN SUPPORT OF PASSING THIS BILL ON FIRST READING, AND I HOPE WE DO THAT.\r\n\r\nI REALLY THINK THIS IS A WIN-WIN SITUATION. I CAN'T SEE ANY DOWN SIDE TO IT. IT'S A WIN-WIN FOR OUR KIHEI-MAKENA COMMUNITY PLAN, BECAUSE IT HELPS TO IMPLEMENT THE GOALS, AND OBJECTIVES AND POLICIES IN THAT PLAN UNDER CULTURAL RESOURCES, PAGE 23-24, WHICH WOULD BE TO -- PULL THAT UP VERY QUICKLY -- IDENTIFY, PRESERVE, PROTECT SIGNIFICANT CULTURAL AND HISTORICAL SITES AND IMPLEMENT A HISTORICAL CULTURAL DISTRICT OVERLAY ORDINANCE TO PROVIDE PROTECTION FOR AREAS OF SIGNIFICANT ARCHAEOLOGICAL AND HISTORIC AND CULTURAL RESOURCES. WHILE LONG OVERDUE AND THIS ACTION WOULD HELP IMPLEMENT PASSING THIS BILL WOULD HELP IMPLEMENT THESE ACTIONS, I THINK IT'S A WIN-WIN FOR EVERYBODY KANAKA, NON-KANAKA, THAT HAVE BEEN INVOLVED WITH THE HISTORIC PRESERVATION REVIEW PROCESS TO MAKE IT MORE PONO, BY INFORMING IT WITH THIS DATABASE. I THINK IT WOULD BE A WIN-WIN SITUATION FOR PLANNERS, FOR DEVELOPERS, AND THEIR CONSULTANTS. BECAUSE I THINK IT WOULD REALLY STREAMLINE THE PERMITTING PROCESS, AND CUT DOWN ON COSTS. ESSENTIALLY LEGAL COSTS WHEN IT COMES TO HAVING TO INTERVENE, OR GET INVOLVED IN CONTESTED-CASE HEARINGS, OR SETTLEMENT DISCUSSIONS, AND GO TO COURT.\r\n\r\nI SEE THAT HAPPEN A LOT, ESPECIALLY IN MY AREA. BECAUSE FEEL THAT THE CULTURAL ARCHAEOLOGICALLY ASSESSMENTS ARE NOT ADEQUATE. SO THEY HAVE TO RESORT TO LITIGATION IN ORDER TO MAKE SURE THAT THINGS ARE DONE IN A PONO WAY. SO ALL OF THE CULTURAL -- THE ONLY THING THE DATABASE DOES IS HELP PEOPLE LOOK AT THE LAND IN A DIFFERENT WAY. IF I TOLD YOU I HAD A PH.D. IN ROCKET SCIENCE FROM MIT, YOU WOULD LOOK AT ME DIFFERENTLY; RIGHT? IF YOU KNEW A PIECE OF LAND HAD A HIGH DENSITY OF HISTORIC PROPERTIES WOULD LOOK AT THAT LAND DIFFERENTLY, EVEN THOUGH IT WAS BARREN LOOKING AND LOOKED LIKE A WASTELAND, LIKE NOTHING WAS THERE. IN ANY CASE, I DON'T HAVE A PH.D. IN ROCKET SCIENCE FROM MIT, BUT YOU COULD LOOK AT ME MAYBE DIFFERENTLY FOR A FEW SECONDS.\r\n\r\nSO THAT IS THE WHOLE POINT OF HAVING THIS DATABASE, TO LOOK AT THINGS WITH DIFFERENT EYES. MAHALO FOR THE OPPORTUNITY TO TESTIFY ANONYMOUSLY TODAY. ALOHA. >> THANK YOU. DO WE HAVE ANY QUESTIONS FOR THE TESTIFIER, THE ANONYMOUS TESTIFIER? IF NOT, THANK YOU VERY MUCH. >> CHAIR, THE LAST PERSON WE HAVE SIGNED UP TO TESTIFY ON COMMITTEE REPORTS IS LAHELA AWahi IN THE CHAMBERS.\r\n\r\n>> ALOHA CHAIR LEE, ALOHA

VICE-CHAIR VICE-CHAIR RAWLINS-FERNANDEZ AND COUNCIL MEMBERS. MY NAME IS LE HALE WAI AHI AND PAID LOBBYIST, TEG ON BEHALF OF THE HOTEL ALLIANCE, TESTIFYING ON BILL 154, THE CULTURAL OVERLAY. FIRST OFF, I WOULD LIKE TO SAY THANK YOU. THANK YOU FOR THE HARD WORK THAT YOU PUT INTO THIS BILL. I DO UNDERSTAND IT'S PROBABLY BEEN ABOUT THE LAST TWO YEARS THAT THE COMMITTEE HAS BEEN WORKING ON IT. I DO APPRECIATE THE INTENT. I THINK THAT IS THE FIRST THING I WOULD LIKE TO EXPRESS.\r\n\r\nTHE INTENT OF A CULTURAL OVERLAY, AS STATED BY PREVIOUS TESTIFIERS, IS WELL-NEEDED. I DO ALSO BELIEVE THAT THERE'S SOME REVISIONS THAT COULD BE MADE TO MAKE THIS -- OR A LITTLE BETTER AND TO AVOID ANY UPCOMING, OR -- ANY LEGAL CHALLENGE THAT MAY COME UP, DUE TO HOW THE OVERLAY IS WRITTEN AS-IS. I HEAR THE SUPPORTERS OF THE BILL, OR THOSE WHO TESTIFIED PRIOR TO ME, THAT DUE TO THE LACK OF DILIGENCE, I GUESS, OR MAYBE LACK OF STAFFING BY SHPD, THAT THIS IS KIND OF PUSHING THIS FORWARD. SO THAT WE CAN HAVE THE APPROPRIATE NEEDS DONE TO PROVIDE PROPER CULTURAL OVERLAY. UNFORTUNATELY, THIS WASN'T ON MY RADAR UNTIL VIEWING THE LATEST VERSION OF THE BILL. I BELIEVE WHEN DISCUSSIONS STARTED REGARDING THIS BILL, IT REALLY FIT THE DEFINITION OF AN OVERLAY. BUT WHERE IT IS TODAY, I UNDERSTAND IT'S BEEN CHANGED QUITE DRASTICALLY, WHERE NOW THERE MAY BE SOME LEGAL ISSUES THAT THE COUNTY MAY BY CHALLENGED WITH.\r\n\r\nON BEHALF OF HHA, WE HAVE SOME PROPOSED REVISIONS AS I MENTIONED EARLIER, THAT WE WOULD APPRECIATE CONSIDERATION OF IMPLEMENTING THESE PROPOSALS. I BELIEVE THE REVISIONS WILL ASSIST IN AVOIDING UNINTENDED CONSEQUENCES. THE QUESTIONS I DO HAVE, ONE LOOKING AT HOW THE PROCESS ARE ON ALL OF THE DISCRETIONARY AND MINISTERIAL PERMITS AND HAVING JUST ONE PERSON REVIEW IT, WOULD THAT SPEED UP THE PROCESS, OR WOULD THAT ACTUALLY INCREASE THE DELAY, OR THE TIME BEING TAKEN AS IS NOW? THERE'S NO TIMEFRAME RIGHT NOW, OR THE SECOND THING, THERE'S NO TIMEFRAME OR DEADLINE ON THE REVIEW OF THE PERMITS. SO WE ARE, YOU KNOW, WE'D LIKE TO DISCUSS THAT. I THINK THAT IS IMPORTANT, PUTTING A DEADLINE ON IT, RATHER THAN LEAVING OPEN-ENDED. WE HAVE BELIEVE HAVING THE CRC PARTICIPATING WILL PROVIDE A PUBLIC VENUE TO PARTICIPATE.\r\n\r\nSO IF THERE'S AN OPPORTUNITY TO TALK TO ANY OF THE COUNCIL MEMBERS, WE'D REALLY APPRECIATE THAT. MAHALO FOR YOUR TIME. >> THANK YOU. QUESTIONS, MEMBERS? NO QUESTIONS. THANK YOU. >> I BELIEVE COUNCIL MEMBER SINENCI.\r\n\r\n>> I'M SORRY, I DIDN'T SEE HIS HAND, KIND OF BLENDS IN WITH THE CLOUDS. MEMBER SINENCI. >> MAHALO, CHAIR. MAHALO, MS. WAI AHI FOR YOUR TESTIMONY. IS THE GROUP YOU REPRESENT CONTEMPLATING ANY LEGAL CHALLENGES? >> NOT AT THIS TIME.\r\n\r\nI BELIEVE THAT -- HOPEFULLY WE'RE ABLE TO DISCUSS, OR HAVE SOME DISCUSSION TO AVOID ANY OF THAT. >> ANY OTHER QUESTIONS? MEMBER MOLINA. >> THANK YOU, MADAM CHAIR. ALOHA, MS. AWAHI. JUST TO CLARIFY THE CONCERNS FROM THE ORGANIZATION IS JUST ABOUT HAVING MORE PEOPLE INVOLVED IN THE REVIEW PROCESS, RATHER THAN JUST ONE PERSON; RIGHT?\r\n\r\n>> BASICALLY, WHAT WE SEE IS THERE'S PUTTING MORE LAYER OF GOVERNANCE ON THIS, WHICH TO US, WE SEE IT AS DELAYING THE PROCESS. SO I BELIEVE THAT WE DO NEED THE CULTURAL OVERLAY, I WOULD BE REMISS AS I SAID EARLY. I BELIEVE WE DO. I BELIEVE WE NEED TO TIGHTEN UP ON LANGUAGE CURRENTLY WRITTEN AND PROBABLY PROVIDE A VENUE TO HAVE INPUT. >> ADDITIONAL EYES, INSTEAD OF JUST ONE. OKAY. THANK YOU FOR THE CLARIFICATION.\r\n\r\nTHANK YOU, CHAIR. >> ANY MORE QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH. >> MAHALO. >> YES? >> CHAIR, THE NEXT PERSON SIGNED UP TO TESTIFY IS JUNYA NAKOA. >> HOW'S IT?\r\n\r\nI WANT TO TALK ABOUT 120. CAN YOU HEAR ME? >> YES. OKAY. THE OVERLAY, YOU HEARD ALL OF THE KANAKAS TALK, AND STUFF -- LIKE THE GUYS THAT REALLY KNOW ABOUT THIS. I SUPPORT THEM ALL THE WAY. US HAWAIIANS ALWAYS GET

CHALLENGES, LEGAL CHALLENGES THAT WE HAVE TO DEAL WITH, YOU KNOW? LIKE WITH DEVELOPERS KICKING US HAWAIIANS OFF OUR OWN LANDS, THINGS LIKE THAT.\r\n\r\nSO WHEN CHALLENGES COME FROM ANYBODY, WE'RE GOING TO TAKE THEM ON. THAT IS ALL. I SUPPORT THE 120 FOR THE OVERLAY. PAU WITH THAT ONE. GOING TO DO 119 WITH THE DEED, YOU KNOW? A LOT OF US, LIKE ME, WITH THE HOUSE I'M STAYING IN RIGHT NOW, BRAH, I HAVE BEEN HERE 45 YEARS IN THIS HOUSE, YOU KNOW WHAT I MEAN? SO PLENTY OF KANAKAS, LONGER WE STAY, WE CAN GIVE TO OUR KIDS.\r\n\r\nSO IF YOU ARE GOING TO GET THIS AFFORDABLE HOUSING STUFF, AND FOR THE OCCUPANCY, AND ALL OF THAT KIND OF STUFF, IT'S ONLY GOING TO BETTER US KANAKAS. PLENTY OF US ARE GOING NOWHERE, WHO LOVE THIS PLACE. STUPID GUYS WHO KICK US OFF OUR PROPERTY. KANAKAS ARE NOT GOING NO PLACE. THAT IS WHY I SUPPORT THIS BUGGER. SO OWNER OCCUPANCY, YES, SIR. ALSO THE DEED.\r\n\r\nAS I SAID BEFORE, MAKE IT 50 YEARS. I DON'T KNOW, THE LONGER, BETTER. ALMOST 50 AT MY HOUSE. I'M PAU. >> THANK YOU. QUESTIONS, MEMBERS? NO QUESTIONS.\r\n\r\nTHANK YOU, JUNYA. >> HAVE A GOOD DAY. >> YOU, TOO. >> CHAIR, THE NEXT PERSON SIGNED UP TO TESTIFYING ON COMMITTEE REPORTS IS FAITH CHASE. >> ALOHA CHAIR, ALOHA COUNCIL. REALLY QUICKLY, I AM JUST TESTIFYING IN SUPPORT OF CR22-119. ALSO JUST WANTED TO EXTEND MY SUPPORT FOR 22-120. THAT IS ALL. THANK YOU.\r\n\r\n>> THANK YOU, MS. CHASE. ANY QUESTIONS, MEMBERS? IF NOT, NEXT TESTIFIER. >> CHAIR, THERE ARE CURRENTLY NO OTHER INDIVIDUALS SIGNED UP TO TESTIFY ON COMMITTEE REPORTS. SO WE'LL DO LAST CALL AT THIS TIME. IF THERE'S ANYBODY ELSE THAT WOULD LIKE TO TESTIFY ON A COMMITTEE REPORT AND HAS NOT DONE SO YET, PLEASE IDENTIFY YOURSELF NOW.\r\n\r\nI REPEAT, LAST CALL. CHAIR, NO ONE HAS IDENTIFIED THEMSELVES TO TESTIFY. >> MEMBERS, ARE THERE ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY, AND ACCEPTING WRITTEN TESTIMONY FOR COMMITTEE REPORTS? >> NO OBJECTIONS. >> NO OBJECTIONS, SO ORDERED. MR. CLERK.\r\n\r\n>> CHAIR, PROCEEDING WITH COMMITTEE REPORTS. YOU HAVE BEFORE YOU FROM YOUR AFFORDABLE HOUSING COMMITTEE COMMITTEE REPORT 22-119, RECOMMENDING THAT BILL 103, CD 1 (2022) AMENDING MAUI COUNTY CODE RELATING TO RESIDENTIAL WORKFORCE HOUSING DEED RESTRICTIONS AND RESALE BE ORDERED TO PRINT. >> MEMBER JOHNSON. >> THANK YOU, CHAIR. I MOVE RECOMMENDATIONS IN COMMITTEE REPORT. >> SECOND. >> MOVED BY MEMBER JOHNSON AND SECONDED BY MEMBER MOLINA TO APPROVE RECOMMENDATIONS IN COMMITTEE REPORT 22-119, DISCUSSION, MEMBER JOHNSON?\r\n\r\n>> THANK YOU, CHAIR. YOUR COMMITTEE MET AUGUST 18, OCTOBER 18, NOVEMBER 33RD TO DISCUSS BILL 103 TO AMEND RESIDENTIAL WORKFORCE HOUSE DEED RESTRICTIONS TO REQUIRE UNITS TO BE SOLD TO OWNER-OCCUPANTS IN PERPETUITY AND TO INCREASE THE DEED RESTRICTION 10, 8 AND 5 YEARS FOR OWNERSHIP YEARS AND BELOW MODERATE, MODERATE CATEGORIES RESPECTIVELY. YOUR COMMITTEE DISCUSSED THE NEED FOR WORKFORCE UNITS TO REMAIN AFFORDABLE FOR AS LONG AS POSSIBLE AND DETERMINED 30-YEAR DEED RESTRICTION FOR ALL WORKFORCE HOUSES OWNERSHIP WOULD MAINTAIN HOUSE AFFORDABILITY AND INCREASE HOUSING AVAILABILITY. BILL 103 WOULD ALLOW RESIDENTIAL WORKFORCE UNITS TO BE OWNER-OCCUPIED IN PERPETUITY, MEANING THAT EVEN AFTER THE DEED RESTRICTION AFFORDABLE HAS ENDED AND THE UNIT IS OFFERED AT MARKET-RATE IT STILL MANY BE OWNER-OCCUPIED. AS PROVIDED IN MAUI COUNTY CODE, HOMEOWNERS MAY APPEAL TO DEPARTMENT OF HOUSING AND HUMAN CONCERNS IF THEY NEED A WAIVER ON OCCUPANCY REQUIREMENT SUCH AS FOR MEDICAL OR TEMPORARY RELOCATIONS FOR WORK. BILL 103 WOULD ADD FINANCIAL HARDSHIP TO THE SPECIAL CIRCUMSTANCES. IN ALL CASES ANY UNIT THAT IS NOT OWNER-OCCUPIED DUE TO WAIVER MUST BE OFFERED AS A LONG-TERM RENTAL IN THE SAME OR LOWER INCOME QUALIFIED CATEGORY AT THE TIME THE UNIT WAS PURCHASE.\r\n\r\nTHIS WOULD INCLUDE HOUSEHOLDS PARTICIPATING IN THE HOUSING CHEMIST SECT 8 PROGRAM. YOUR

COMMITTEE EXPRESSED BILL AND POTENTIAL TO PROVIDE GREATER AFFORDABILITY, AND SECURITY AND STABILITY FOR WORKFORCE AND FULL-TIME RESIDENTS AND COMMITTEE VOTED 5-2 TO RECOMMEND THE PASSAGE ON FIRST READING. I RESPECTFULLY REQUEST THE COUNCIL MEMBERS' SUPPORT OF MY MOTION. >> DISCUSSION? MEMBER PALTIN? >> THANK YOU, CHAIR. THIS BILL WAS A LONG TIME COMING AND MULTIPLE EFFORTS FROM ME.\r\n\r\nI WOULD LIKE TO PROPOSE AN AMENDMENT TO SECTION 2.96.060B 2A/B AND C, TO SUBSTITUTE 30 YEARS FOR 20 YEARS IN RESPONSE TO THE OVERWHELMING TESTIMONY IN SUPPORT. >> I SECOND THE MOTION. >> MOVED BY MEMBER PALTIN AND SECONDED BY PRO TEM KAMA ON THAT AMENDMENT, CHANGING THE YEARS FOR DEED RESTRICTION. DISCUSSION, MEMBER PALTIN. >> THANK YOU, CHAIR. YOU KNOW, WE ARE GIVING GREAT SUBSIDY TO GET TRULY AFFORDABLE HOUSING, AND THE BIGGEST CHALLENGE WE HAVE IS KEEPING THAT AFFORDABLE HOUSING IN THE AFFORDABLE HOUSING INVENTORY AS PLACES FOR PEOPLE TO LIVE THIS IS ONLY FOR THOSE THOUSANDS THAT HAVE BEEN SUBSIDIZED. IF PEOPLE WANT TO MAKE SPECULATIVE INVESTMENT, THEY CAN STILL DO THAT WITH ALL THEIR OWN MONEY.\r\n\r\nTHANK YOU. >> ANY MORE DISCUSSION? MEMBER JOHNSON? >> THANK YOU, CHAIR. I ALSO WANT TO RISE IN SUPPORT OF THIS, AND THANK COUNCIL MEMBER PALTIN FOR THAT. WE LISTENED TO THE PEOPLE AND WE'RE GOING TO ACT ON IT. THAT IS WHAT A GOOD BODY DOES.\r\n\r\nMAHALO, CHAIR. >> ANY MORE DISCUSSION? PRO TEM KAMA? >> THANK YOU, CHAIR. THANK YOU, MEMBER PALTIN, FOR BEATING ME TO THE PUNCH, BECAUSE YOU KNOW, WE DID HEAR TESTIMONY THIS MORNING. FROM ONE TESTIFIER, WHO SAID, IF I COULD, I WOULD. AND LET'S SEE IF WE CAN DO THIS FOR HER AND MANY OTHERS LIKE HER, THAT IS WAITING CHAIR.\r\n\r\nTHANK YOU, MEMBER JOHNSON, THANK YOU, MEMBER PALTIN FOR BRINGING THE AMENDMENT FORWARD. >> >> ANY MORE DISCUSSION? LET'S HAVE ROLL CALL, PLEASE. >> CHAIR, PROCEEDING WITH ROLL CALL ON THE AMENDMENT, COUNCIL MEMBER SHANE SINENCI? >> AYE. >> COUNCIL MEMBER MIKE MOLINA? >> AYE.\r\n\r\n>> COUNCIL MEMBER KELLY TAKAYA KING? >> AYE. >> COUNCIL MEMBER GABE JOHNSON? >> AYE. >> COUNCIL MEMBER TAMARA PALTIN? >> AYE. >> COUNCIL MEMBER YUKI LEI SUGIMURA?\r\n\r\n>> EXCUSED. >> PRESIDING OFFICER PRO TEMPORE TASHA KAMA ?. >> YES. >> COUNCIL VICE-CHAIR KEANI RAWLINS-FERNANDEZ? >> YES. >> COUNCIL CHAIR ALICE LEE? >> NO. >> CHAIR, SEVEN AYES, ONE NO, ONE EXCUSED, MOTION PASSES.\r\n\r\n>> MR. CLERK. >> THE MOTION AS AMENDED IS ON THE FLOOR. >> ANY MORE AMENDMENTS? IF NOT, ROLL CALL. >> CHAIR, PROCEEDING WITH THE VOTE ON THE MAIN MOTION AS AMENDED. COUNCIL MEMBER SHANE SINENCI?\r\n\r\n>> YES. >> COUNCIL MEMBER MIKE MOLINA? >> AYE. >> COUNCIL MEMBER KELLY TAKAYA KING? >> AYE. >> COUNCIL MEMBER GABE JOHNSON? >> AYE.\r\n\r\n>> COUNCIL MEMBER TAMARA PALTIN? >> AYE. >> COUNCIL MEMBER YUKI LEI SUGIMURA? >> EXCUSED. >> PRESIDING OFFICER PRO TEMPORE TASHA KAMA? >> YES. >> COUNCIL VICE-CHAIR KEANI RAWLINS-FERNANDEZ?\r\n\r\n>> AYE. >> AND COUNCIL CHAIR ALICE LEE? >> NO. >> CHAIR, THERE ARE SEVEN AYES, ONE NO, ONE EXCUSED, MOTION CARRIES. >> OKAY, BEFORE YOU GO ON, I JUST WANT TO ASK MEMBER KING, WHAT TIME IS IT OVER THERE IN JAPAN? >> MY COMPUTER IS SET TO YOUR TIME. LET ME LOOK AT MY PHONE HERE.\r\n\r\nIT'S 6:24 A.M. >> MY GOODNESS. >> THE SUN HAS JUST COME UP AND WE CAN SEE FROM OUR HOTEL WINDOW. >> OKAY. MR. CLERK. >> CHAIR, YOU HAVE BEFORE YOU FROM YOUR AGRICULTURE AND PUBLIC TRUST COMMITTEE, COMMITTEE REPORT 22-120 RECOMMENDING ONE, THAT BILL 154, CD 1 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING TITLE 12, 16, 18, 19 AND 20 MAUI COUNTY CODE TO ESTABLISH CULTURAL OVERLAY MAP AND CULTURAL SENSITIVE DESIGNATIONS" BE PASSED ON FIRST READING AND ORDERED TO PRINT AND WOULD, COUNTY COMMUNICATION 22-266 BE FILED. >> MR.\r\n\r\nSINENCI. >> MAHALO, CHAIR, MOVE TO ADOPT COMMITTEE REPORTS. >> SECOND. >> MOVE BY MEMBER SINENCI AND

SECONDED BY MEMBER JOHNSON TO APPROVE THE RECOMMENDATIONS IN COMMITTEE REPORT 22-120. DISCUSSION, MR. SINENCI. >> MAHALO, CHAIR. MEMBERS, THIS IS THE END OF A VERY LONG TWO-YEAR PROCESS TO CREATE THE FRAMEWORK FOR CULTURAL OVERLAY MAP, AND PERMIT REVIEW PROCESS.\r\n\r\nWE HAVE HAD SIX COMMITTEE MEETINGS, AND OVER SIX PLANNING COMMISSIONS, CRC AND HANA ADVISORY COMMITTEE MEETS ON THIS VERY LEGISLATION. FOR THE PAST TWO YEARS, WORKING WITH DR. SIX, COUNTY ARCHAEOLOGIST FOR THE STATE, AND DIRECTOR MCLEAN AND FORMER PUBLIC WORKS DIRECTOR DAGDAG ANDAYA, WITH CURRENT PLANNING DIRECTOR MOLINA, AND STAFF ON THIS BILL. THE BILL WE'RE VOTING ON TODAY WAS SENT TO US BY THE PLANNING DEPARTMENT. MEMBERS, THESE ARE THE PEOPLE, AND THE DEPARTMENT HEADS THAT WILL BE ADMINISTERING THE BILL. THEIR INPUT AND SUPPORT HAVE BEEN INVALUABLE. THE MAYOR SUPPORTS THE MAPPING PROJECT, AND HAS CREATED A STAFF GIS POSITION TO ASSIST US WITH THE MAPPING.\r\n\r\nI ALSO USED DR. SIX TO REVIEW OTHER COUNTY PROJECTS TO MAKE SURE CULTURAL RESOURCES ARE KNOWN PRIOR TO ANY DECISION. WE HAVE HAD GREAT SUPPORT FROM EVERYONE INVOLVED, BECAUSE THIS BILL BENEFITS PROPERTY OWNERS, DEVELOPERS, KANAKA MAOLI ALL OF MAUI NUI. ONCE CREATED PROPERTY OWNERS WILL BE ABLE TO ACCESS THE MAPPING FOR INFORMATION, TO PURCHASING PROPERTY AND DEVELOPERS TO USE THE MAPS TO DESIGN THEIR PROJECTS SO THEY ARE NOT STOPPED AND FACE COSTLY DELAYS. THE BILL HELPS THE NATIVE HAWAIIAN COMMUNITY, WHO TIME AFTER TIME HAVE SEEN THEIR ANCESTORS IWI KUPUNA DUG UP AND DESECRATED, THEIR CULTURAL RESOURCES DESTROYED THE NAME OF CARELESS PLANNING. THIS BILL HELPS GOVERNMENT OFFICIAL, WHO WILL SPEND LESS TIME DEALING WITH PROJECTS, THAT DOESN'T HAVE THE INFORMATION THAT THEY NEEDED TO PLAN PROPERLY. THIS BILL PROTECTS OUR RESIDENTS, FUTURE GENERATIONS AND EVEN TOURISTS WHO COME FOR THE RICH CULTURE.\r\n\r\nWITH THE GENERAL PLAN TO PRESERVE WHAT MAKES US SPECIAL AND NOT TO ERASE OUR PAST AND THIS IS HOW WE DO IT. YOU HAVE HEARD FROM DEVELOPERS AND THEIR REPRESENTATIVES THAT BENEFIT FROM THE EXISTING BROKEN REVIEW PROCESS. THEY WILL PROTEST AND TRY TO TELL US THAT THE BILL DOESN'T WORK. HOWEVER, THE BILL WORKS TO HIGHLIGHT PROBLEM AREAS AND PREVENTS CARELESS DESECRATION OF CULTURAL RESOURCES AND IWI KUPUNA. WE HAVE WORKED EXTENSIVELY WITH CORP. COUNSEL AND THE PROCESS HAS BEEN THOROUGHLY DISCUSSED AND VETTED FOR LEGALITY. UNDERSTAND THAT CHANGE CAN BE THREATENING, BUT IT'S ONLY THREATENING TO THOSE WHO WANT TO CONTINUE TO OPERATE WITHOUT KNOWLEDGE, CULTURAL RESOURCES AND TO CONTINUE TO DESECRATE AND ERASE OUR CULTURAL PAST.\r\n\r\nCHAIR, YOUR COMMITTEE AGREED THIS WILL FURTHER THE PRINCIPLE GOAL OF THE COUNTY POLICY, COUNTYWIDE POLICY THAT STATES MAUI COUNTY IS UNIQUE IN THE WORLD, AND WILL PRESERVE AND PROTECT FOR GENERATIONS TO COME. YOUR COMMITTEE VOTED 6-0 TO RECOMMEND PASSAGE BILL 154. EXCUSE ME, 153, CD 1 (2022) ON FIRST READING AND RESPECTFULLY ASK THE MEMBERS' SUPPORT OF MY MOTION. THANK YOU PRO TEM KAMA. >> THANK YOU, CHAIR. THANK YOU, MEMBER SINENCI. I DON'T SIT ON THE APT COMMITTEE, BUT I TRUST THE MEMBERS OF THAT COMMITTEE ALWAYS DO WELL FOR OUR COMMUNITY, AS WELL AS OUR OWN KANAKA MAOLI. I'M REALLY IMPRESSED WITH THIS CULTURAL OVERLAY, BUT I'M ALSO LISTENING TO WHAT ONE TESTIFIER SAID THIS MORNING, ABOUT WARNING TO HAVE CONVERSATIONS WITH US AS COUNCIL MEMBERS.\r\n\r\nI DON'T KNOW IF THAT EVER TOOK PLACE WITH ANY OF THEM? I KNOW I DID HAVE A CONVERSATION WITH HER, AND THAT SHE MENTIONED EARLIER THAT SHE CAUGHT WIND OF THIS LATE AND SHE LOOKED AT THE BILL, AND HAD SOME REVISIONS. SO I WANT TO BE ABLE TO SEE HOW WE CAN, IF CHAIR AND CHAIR SINENCI ARE OKAY TO HEAR THOSE REVISIONS? IF WE'RE GOING TO DO THIS FOR OUR PEOPLE, TO MAKE SURE IT'S DONE PROPERLY AND FOR THE BETTERMENT OF OUR ENTIRE COMMITTEE. CHAIR, IF THAT COULD HAPPEN, I WOULD



BE OPENED TO THAT, AND IF THE MEMBERS ARE, TOO. >> MEMBERS, ARE YOU OPEN TO -- -- YES, MR. SINENCI.\r\n\r\n>> MAY I RESPOND TO PRO TEM KAMA? >> YES, GO AHEAD. >> MAHALO, FOR MS. AWAHI'S TESTIMONY AND SHE IS EXACTLY RIGHT. SHE IS JUST COMING IN AT THE TAIL-END OF TWO YEARS' OF WORK, AND TO BRING UP THE CRC AND I WANTED TO SHARE DURING OUR DELIBERATIONS ABOUT THE CRC AND THE PLANNING DEPARTMENT AGREED TO HAVE OUR COUNTY ARCHAEOLOGIST BE THE REVIEWER. WITHIN OUR DISCUSSIONS THE CRC DID NOT POSSESS ANY ARCHAEOLOGICAL EXPERTISE AND WOULD ONLY BE AND TO OPINE ON THE MAP AND NOTHING ELSE. THEY OFTEN COMMENT ON CULTURAL ARCHITECTURE, BUT NOTHING TO DO WITH ARCHAEOLOGY.\r\n\r\nCURRENTLY, AND LATELY, THE CRC HAS BEEN HARD TO GET A QUORUM TO HAVE THEIR MEETINGS. SO THAT IS THE REASONS WHY WE DIDN'T GO THROUGH THE CRC. WE FELT THAT IT WOULD EVEN MAKE THE PROCESS LONGER. >> THANK YOU, MEMBER SINENCI FOR THAT RESPONSE. THANK YOU, CHAIR, FOR ALLOWING ME THE OPPORTUNITY TO BRING THIS FORWARD. AT THE APPROPRIATE TIME, COULD WE ASK DIRECTOR MCLEAN HER COMMENTS ON THIS? >> WELL, NOW WOULD BE THE TIME, BECAUSE WE'RE DISCUSSING THIS ITEM.\r\n\r\nMEMBER KING. >> THANK YOU, CHAIR. I WANTED TO SUPPORT THIS BILL AND WE HAVE DONE THE WORK FOR A LONG TIME. IT'S A LITTLE FRUSTRATING FOR THESE -- [SPEAKER NOT UNDERSTOOD] OUR ANONYMOUS TESTIFIER TEXTED ME, WHO HAS BEEN ON THE CRC, DANIEL KAHELE AND REMINDING EVERYBODY THAT SHPD IS CHRONICALLY UNDERSTAFFED AND UNDERFUNDED AND WITH AUTOMATIC APPROVALS BECAUSE OF THAT UNDERSTAFFING. MR. KANAHELE AS A FORMER MEMBER OF THE CRC WELCOMES THE COUNTY ARCHAEOLOGIST AND CULTURAL OVERLAY. ALSO TO THANK -- FOR BRINGING UP THE FACT THAT WE PUT THE CULTURAL OVERLAY INTO THE MOLOKA'I COMMUNITY PLAN.\r\n\r\nTHAT WAS A BIG ITEM FOR THEM AND WE ACTUALLY BROUGHT CULTURAL EXPERTS OVER FROM MOLOKA'I TO DISCUSS CULTURAL OVERLAY WHEN WE REVIEWED THE COMMUNITY PLAN. SO I THINK WHAT IS GOOD FOR MOLOKA'I IS GOOD FOR MAUI. SO THIS IS GOING TO HELP DEVELOPERS. THIS IS GOING TO HELP GROUPS THAT ARE CONCERNED, AND HOPEFULLY, SAVING A LOT OF OUR LOCAL PEOPLE MONEY FROM HAVING TO BE INVOLVED IN LAWSUITS PROTECTING IWI KUPUNA AND CULTURAL SITES. I WANT TO THANK COUNCIL MEMBER SINENCI FOR BRINGING THIS UP EARLY AND OFTEN, AND FOR HAVING FULL DISCUSSIONS ON THE ISSUE OF CULTURAL OVERLAY BEFORE WE GOT TO POINT OF FIRST READING. THANK YOU. >> ALL RIGHT, OTHER HANDS?\r\n\r\nMEMBER SUGIMURA, MEMBER PALTIN AND MEMBER MOLINA, IN THAT ORDER. >> THANK YOU. MEMBERS, I'M JUST CONCERNED THAT WE'RE GIVING ULTIMATE POWER TO THE COUNTY ARCHAEOLOGIST AND BY HAVING WITH THE CRC TO REVIEW, YOU HAVE A BODY, AS YOU KNOW, THEY ARE LIKE US, BECAUSE EVERYTHING THEY TAKE UP IS PART OF THE COMMUNITY TO GIVE INPUT. SO I BELIEVE THAT IS MY MAJOR CONCERN ABOUT THIS. THAT I THINK IT'S TOO NARROW. AND THAT I BELIEVE THAT IT MAY CAUSE A DELAY IN GET THINGS DOWN, BECAUSE WE'RE ASKING ONE PERSON TO DO A JOB THAT MAYBE REQUIRES MORE? SO THAT IS ONE THING THAT I'M CONCERNED ABOUT AT THIS POINT.\r\n\r\nI THINK MORE DISCUSSION IS NEEDED. THANK YOU. >> MEMBER PALTIN. >> THANK YOU, CHAIR. I DID HAVE AN OPPORTUNITY TO SPEAK WITH MS. AWAHI AS WELL AND OTHERS PRIOR TO THIS MEETING AND IT CAUSED ME TO REWATCH THE MEETING, THE COMMITTEE MEETING LAST NIGHT. AND IN THE WATCHING OF IT, I GOT REFRESHED IN MY MIND THAT MANY OF THESE CONCERNS WERE ADDRESSED IN COMMITTEE.\r\n\r\nWE'RE NOT DELEGATING OUR AUTHORITY TO ONE COUNTY ARCHAEOLOGIST. THE COUNTY ARCHAEOLOGIST IN REVIEWING THE MEETING VIDEO WILL MAKE RECOMMENDATIONS BASED ON DATA, AND WE, THE DECISION-MAKERS, OR THE APPOINTED DIRECTORS WILL EITHER ACT ON THOSE RECOMMENDATIONS OR WON'T ACT ON THE RECOMMENDATIONS. WE DID ADD THINGS THAT WOULD BE MORE TRANSPARENT, THAT THE RECOMMENDATIONS, IF NOT TRANSMITTED AS PART OF THE PACKET, WOULD ALSO BE PROVIDED TO THE MAYOR

AND THE COUNCIL. SO IT'S UNFORTUNATE THAT MEMBERS WHO ARE NOT ON THE COMMITTEE DIDN'T TAKE THE TIME TO WATCH COMMITTEE OR EVEN THE TESTIFIERS THAT TESTIFIED AGAINST IT; WE NEED TO BE INFORMED WHEN WE SPEAK TO ITEMS, AND THEN IT WILL BE BETTER. BEYOND THAT, I THINK, YOU KNOW, WE HAVE A VETERANS' CEMETERY AND SHRINE AND THE HONORING THIS MORNING THAT CARE TAKES THE GRAVES OF THE PEOPLE THAT STARTED THE CHURCH AND NOBODY DISAGREES THAT THOSE ARE WRONG THINGS. IF IT TOOK A FEW MORE DAYS, OR A FEW MORE WEEKS TO ENSURE THOSE AREAS ARE PRESERVED, SO THERE'S NOTHING DIFFERENT IN PEOPLE'S BONES. ALL PEOPLE'S BONES LOOK THE SAME, AND ALL PEOPLE'S BONES SHOULD BE RESPECTED.\r\n\r\nALL PEOPLE'S CHURCHES SHOULD BE RESPECTED. ALL PEOPLE'S CULTURAL RESOURCES SHOULD BE RESPECTED. THAT IS IT ALL WE'RE ASKING FOR, YOU KNOW? THIS IS A BILL THAT WAS PUT FORWARD BY OUR ADMINISTRATION, WHICH I DON'T THINK ANYONE WOULD SAY IS TRYING TO STOP DEVELOPMENT. THEY ARE TRYING TO DO DEVELOPMENT IN THE RIGHT WAY. I WILL SUPPORT THIS BILL. >> MEMBER MOLINA.\r\n\r\n>> THANK YOU, CHAIR. I WANT TO THANK MEMBER SINENCI, WITH HIS WORK, SIX MEETINGS, TWO YEARS, THERE'S BEEN A LOT OF OPPORTUNITY FOR INPUT. I APPRECIATE MS. AWAHI IS DOING HER JOB AND EXPRESSING THE CONCERNS OF THE PEOPLE THAT SHE REPRESENTS. YOU KNOW, WE HAD THIS DISCUSSION BEFORE, CHAIR, DOING COMMITTEE WORK ON THE FLOOR OF COUNCIL. I'M NOT IN FAVOR OF THAT AND WE NEED TO MOVE FORWARD AT THIS POINT. CERTAINLY A RETURNING MEMBER, WHO WOULD LIKE TO CHAMPION THE CONCERNS -- AND WHO KNOWS WHAT AMENDMENT WE CONSIDER AND PASS MAY RESULT IN THIS BILL GETTING SEPARATE SENT BACK TO COMMITTEE.\r\n\r\nTHIS IS IMPORTANT RESOLUTION, ABOUT DIGNITY AND RESPECTS OUR HOST CULTURE NOW AND IN THE PAST. SO I STAND IN FULL SUPPORT OF THIS MADAM CHAIR. I WOULD LIKE TO TAKE ACTION, AND I'M READY. MAHALO. >> THANK YOU. ANYONE ELSE? VICE-CHAIR RAWLINS-FERNANDEZ?\r\n\r\n>> MAHALO, CHAIR. MAHALO MEMBER SINENCI, AND TO ALL THE DEPARTMENT HEADS THAT MEMBER SINENCI NAMED AND COMMUNITY MEMBERS INCLUDING DR. SIX, MS. AHI AND OTHERS PARTICULARLY IN MAUI HIKINI, THIS BILL CAME BEFORE THE MOLOKA'I PLANNING COMMISSION. AS MEMBER KING MENTIONED AND MS. LINDO EXPLAINED IN HER TESTIMONY, THAT THAT CULTURAL OVERLAY WAS IDENTIFIED AS A PRIORITY, AND ACTION ITEM IN THE 2018 UPDATED MOLOKA'I COMMUNITY PLAN. IN 2008, THERE WAS A GIS MAPPING PROJECT THAT THEY WANTED COMPLETED.\r\n\r\nSO THAT WE WOULD BE ABLE TO ESTABLISH TRADITIONAL LAND USE OVERLAY. SO IT'S IN CHAPTER 6,82, ITEM 19 IN OUR COMMUNITY PLAN TO IDENTIFY AND PROTECT THE CULTURAL AND NATURAL RESOURCES THROUGH THE ADOPTION OF TRADITIONAL LAND USE OVERLAY DESIGNATION. MEMBER KING WAS THE CHAIR OF THE COMMITTEE AT THE TIME AND MADE SURE OUR COMMUNITIES' VOICES AND PRIORITIES WERE MEMORIALIZED IN OUR COMMUNITY PLAN. AND THIS CULTURAL OVERLAY BILL DOES, I GUESS, MAKE HAPPEN THIS TRADITIONAL LAND USE OVERLAY, AND MORE, REALLY. AND FOR ALL OF MOLOKA'I AND NOT JUST MOLOKA'I, BUT ALL OF MAUI COUNTY, WHICH I THINK IS BEAUTIFUL. MEMBER SINENCI ATTENDED A LOT OF THOSE MEETINGS. LIKE I SAID, I ATTENDED THE MOLOKA'I PLANNING COMMISSION MEETING, AND I KNOW THAT MEMBER KAMA, YOU KNOW, I APPRECIATE THAT ABOUT HER, BUT I KNOW THAT MS.\r\n\r\nAWAHI IS GOOD AT HER JOB AND JUST AS SHE SAW THE CULTURAL OVERLAY BILL WAS ON THIS AGENDA, I'M SURE SHE MONITORS OTHER AGENDAS AND WOULD HAVE SEEN IT, IN DOING HER DUE DILIGENCE. AND SO OFTEN TIMES, WAITING UNTIL THE LAST MOMENT IS A WAY TO OBSTRUCT BILLS FROM MOVING FORWARD. AND MEMBER PALTIN DID SAY THAT SHE DISCUSSED WITH MS. AWAHI. SO THE CONCERNS BEING SHARED RIGHT NOW HAVE BEEN DISCUSSED AND IN COMMITTEE, WE DISCUSSED FULLY THE AMENDMENTS THAT WERE BEING PROPOSED. THE PROS AND CONS OF EACH AMENDMENT. SO DUE DILIGENCE HAS BEEN DONE.\r\n\r\nI FULLY SUPPORT THE PASSAGE ON FIRST

READING OF THIS BILL TODAY. MAHALO, CHAIR. >> ANYONE ELSE? MEMBER JOHNSON. >> THANK YOU, CHAIR. I ALSO SUPPORT THIS BILL ON FIRST READING. YOU KNOW, I ECHO THE SENTIMENTS OF WHAT MY COUNCIL MEMBER SAID.\r\n\r\nI THANK COUNCIL MEMBER SINENCI AND THE DEPARTMENTS FOR COMING UP WITH THIS. I WANT TO ADD A PERSONAL STORY WHEN I WAS YOUNG AND MAYBE IN MY EARLY 20 I WENT TO OKINAWA, JAPAN TO VISIT MY FAMILY AN THEY ASKED ME, WHAT DO YOU WANT TO DO? I KIND OF WANT TO SEE MY GRANDMOTHER'S FATHER AKA, THE TURTLE BACK TOMB, THE OLD OKINAWAN STYLE TOMB FOR SAMURAI AND NOBODY WOULD REMEMBER WHERE IT WAS, BECAUSE OUR FAMILY LEFT SO LONG AGO, OUR LINEAGE WAS CUT FROM THAT ISLAND. WE HAD TO GO SEARCHING. IT TOOK US A DAY TO FIND IT IN THE JUNGLE AND YOU DO WHAT YOU DO WHEN YOU GO TO THE ACA, YOU PRAY TO YOUR ANCESTORS AND I WAS BLESSED TO DO THAT, BECAUSE THAT WAS STILL IN EXISTENCE. I THINK OF WHAT IS HAPPENING HERE, AND HOW WE DEVELOP OVER THESE PLACES THAT ARE SACRED, WHERE PEOPLE WHO ARE FROM HERE CAN'T DO THAT. I WAS BLESSED TO HAVE DONE THAT.\r\n\r\n\r\nSO THAT IS WHY I THINK THIS BILL WILL ALLOW THOSE FOLKS, WHO OF ARE THAT PLACE TO SAY, I CAN GO TO SEE MY LINEAGE, MY ANCESTORS. I THINK THAT'S EXACTLY WHAT THIS BILL SHOULD BE HELPING OUR FOLKS WHO LIVE HERE TO HAVE THAT CONNECTION. SO I FELT THAT CONNECTION WITH MY SAMURAI GREAT-GRANDFATHER AND I WOULD HOPE THAT PEOPLE OF THESE ISLANDS COULD DO THAT THEMSELVES. THAT IS WHY I'M IN SUPPORT. MAHALO, CHAIR. >> ANYBODY ELSE? MEMBER PRO TEM KAMA.\r\n\r\n>> THANK YOU, CHAIR. FOR MY LAST COMMENT, THANK YOU VERY MUCH, MEMBERS, FOR YOUR COMMENTS. I SO DO APPRECIATE ALL OF YOU, AND YOUR COMMITMENT TO SERVING OUR COMMUNITY, ESPECIALLY OUR INDIGENOUS COMMUNITY. I THANK YOU MEMBER MOLINA FOR REMINDING US ABOUT NOT DOING COMMITTEE WORK ON COUNCIL DAYS. SOMETIMES THAT ESCAPES ME, BUT THANK YOU VERY MUCH. BUT MEMBERS, I AM ALWAYS IN SUPPORT OF WHATEVER THE BODY DECIDES TO DO. I JUST HEARD SOMETHING ON THE FLOOR, AND I THOUGHT I WANTED TO HEAR MORE OF IT, AND IF THAT IS NOT WHAT YOU ALL WANT, I'M OKAY WITH THAT.\r\n\r\n\r\nBUT IF IT'S OKAY WITH YOU, CHAIR, TO INVITE DIRECTOR MCLEAN FOR HER COMMENTS, IF THAT IS OKAY AT THIS TIME? >> IS DIRECTOR MCLEAN ON THE CALL? IN THE MEANTIME, I SEE CORP. COUNSEL RICHELLE THOMPSON. RICHELLE, CAN YOU GIVE YOUR COMMENTS? >> THANK YOU VERY MUCH, CHAIR. AND MY APPRECIATION TO COUNCIL MEMBER SINENCI FOR THE INVOLVEMENT, YOU KNOW, AS HE SAID, THE LAST COUPLE OF YEARS WE HAVE WORKED, MANY OF US HAVE WORKED VERY CLOSELY ON THE BILL.\r\n\r\n\r\nAND SO WE REALLY APPRECIATE THE INVOLVEMENT AND THE INTENT OF THE BILL. WE HAVE JUST FOLLOWING UP ON THE VERY LAST VERSION OF THE BILL, WE HAVE A COUPLE OF WHAT WE CONSIDER TO BE MORE CLARIFYING RECOMMENDATIONS. SO I'LL JUST GO OVER THEM BRIEFLY, IF YOU DON'T MIND? ONE OF THEM IS FOLLOW-UP ON DOCTOR SIX' TESTIMONY EARLIER. THERE ARE TWO PLACES IN THE CURRENT BILL THAT DISCUSS SITE AVOIDANCE AS ONE OF THE TYPES OF MITIGATION. AND WE WANTED TO CLARIFY THAT OUR INTERPRETATION OF THAT TERM "SITE AVOIDANCE," WOULD BE THAT IT'S CONSISTENT AS REFERRING TO THE SPECIFIC HISTORIC SITE, OR BURIAL SITE CONSISTENT WITH H.R.S. 6E. AND NOT SITE ANY MORE BROAD SENSE, AS IN THE ENTIRE TMK OR ENTIRE PARCEL OR ENTIRE PROJECT AREA THAT WE'RE REFERRING TO A SPECIFIC IMPORTANT SITE. SO THAT IS ONE OF THEM.\r\n\r\n\r\nIN TERMS OF WHERE THAT TYPE OF MITIGATION IS MENTIONED, IT'S IN 1946 050B AND D. SECONDLY, WE ACTUALLY RECOMMEND REMOVING THE TERM "SITE AVOIDANCE," BECAUSE IT IS A SPECIFIC TYPE OF MITIGATION. AND OTHER TYPES OF MITIGATION AREN'T MENTIONED IN THE BILL. SO WE DON'T THINK IT NEEDS TO BE CALLED OUT, AND SAID. BECAUSE IT'S ALREADY A TYPE OF MITIGATION THAT COULD BE RECOMMENDED BY THE -- EITHER THE PRINCIPAL ARCHAEOLOGIST OR ANY OF THOSE REVIEWING AGENCIES. THE THIRD THING, THIS IS PAGE 5 OF YOUR BILL, 1946050D, LIKE DOG. WE RECOMMEND

REMOVING THAT SUBSECTION, BECAUSE IT'S DUPLICATIVE. IT'S A LITTLE BIT CONFUSINGLY WRITTEN AND IT'S DUPLICATIVE OF BASICALLY BROAD AUTHORITY IN THE SECTION RIGHT ABOVE IT, C. FOR THE PRINCIPAL ARCHAEOLOGIST TO TRANSMIT EITHER THE REPORT, OR INFORMATION TO BASICALLY ANYONE THAT SHE FEELS IS AN IMPORTANT AGENCY TO BE AWARE OF, AND TO REQUEST INFORMATION AND COMMENT FROM.\r\n\r\nSO WE DON'T THINK THAT D NEEDS TO BE IN THERE, ALSO, BECAUSE IT'S CONFUSINGLY WRITTEN. AND THEN LAST, AND THANK YOU FOR YOUR PATIENCE WITH ME. LAST, IS THAT THERE ARE SEVERAL SECTIONS WHERE THE PRINCIPAL ARCHAEOLOGIST MAY RECOMMEND PERMIT OR OTHER CONDITIONS. WE'RE RECOMMENDING THAT A TIME LIMIT BE INCLUDED, AND THAT IS CONSISTENT WITH H.R.S. 9113.5, WHICH REQUIRES AGENCIES TO PUT REASONABLE TIME LIMITS. SO I DON'T KNOW IF 30 DAYS IS SUFFICIENT? 45? WE'RE JUST RECOMMENDING THAT A TIME LIMIT BE INCLUDED IN THOSE SECTIONS. I DO HAVE A REDLINE IF ANYONE WANTS TO SEE THAT, I COULD EMAIL IT OR SHARE SCREEN.\r\n\r\nTHOSE ARE OUR RECOMMENDATIONS. THANK YOU, CHAIR. >> THANK YOU. MR. SINENCI, ARE YOU GOING TO RESPOND TO CORP. COUNSEL'S COMMENTS, OR -- >> YES. >> OR DID YOU WANT TO HEAR FROM DIRECTOR MCLEAN?\r\n\r\n>> THANK YOU, CHAIR. YES, JUST TO RESPOND TO MS. THOMPSON, WE DIDN'T WANT -- WE WANTED TO KEEP THE SITE LOCATION SHE HAD MENTIONED ON THAT FIRST ONE. THAT WAS PART OF THE OUTREACH THAT WE DID WITH THE COMMUNITY MEMBERS, AND THEY WANTED TO SEE THAT SECTION OF THE BILL TO REMAIN . >> OKAY. ALL RIGHT. DIRECTOR MCLEAN . >> GOOD MORNING, CHAIR AND COMMITTEE MEMBERS. I DIDN'T HEAR THE TESTIMONY EARLIER, BUT WHAT I GATHER WAS THERE'S A DESIRE FOR THESE REVIEWS TO BE CONDUCTED BY THE CULTURAL RESOURCES COMMISSION, RATHER THAN THE COUNTY ARCHAEOLOGIST.\r\n\r\nTHAT IDEA, GO, FOR THOSE OF YOU WHO ARE IN COMMITTEE MEETINGS, THIS BILL HAS GONE THROUGH A NUMBER OF DIFFERENT VERSIONS, AND THE VERSION THAT WAS TRANSMITTED BACK TO THE COUNCIL, BACK TO THE COMMITTEE, WAS ONE THAT WE SUPPORTED, THAT THE CRC REVIEWED. THE CRC DID NOT WANT TO BE MORE INVOLVED IN THIS PROCESS. THEY DID NOT WANT THE MAKE-UP OF THEIR COMMISSION, OR THE WAY THAT THEY FUNCTION CHANGED, WHICH WAS ALSO PROPOSED IN AN EARLIER VERSION, OR THE PLANNING DEPARTMENT, AGAIN WE TALKED YESTERDAY, AND I THINK THE DAY BEFORE, TOO, ABOUT GREEN LIGHTING THE PERMIT REVIEW PROCESS, HAVING THE CRC DO REVIEWS RATHER THAN THE PRINCIPAL ARCHAEOLOGIST WOULD CERTAINLY ADD TIME. THEIR AGENDAS ARE VERY FULL AS IT IS. THEY DIDN'T WANT TO BE PART OF THE REVIEW. WE DON'T FEEL IT'S NECESSARY. WE THINK IT WILL BE MUCH SIMPLIFIED WITH THE COUNTY ARCHEOLOGIST CONDUCTING THE REVIEWS.\r\n\r\nSO WE WOULD RATHER SEE THE BILL IN ITS CURRENT FORM THAN TO SEE CHANGES THAT INVOLVE REVIEW BY THE CRC, BEYOND WHAT IS ALREADY IN THE BILL. THANK YOU, CHAIR. >> ANY MORE COMMENTS OR QUESTIONS? MEMBER PALTIN. >> I WOULD BE OKAY WITH A 90-DAY REVIEW PERIOD, SAME AS SHPD. MEMBERS, REACTION? >> MEMBER PALTIN -- MEMBER KAMA.\r\n\r\n>> THANK YOU CHAIR. DID YOU WANT TO MAKE A MOTION? >> CHAIR? >> YES. >> I HAD MY HAND UP. >> VICE-CHAIR. >> DR.\r\n\r\nSIX PUT IN THE CHAT THAT IT'S 45 DAYS, NOT 90. >> I'M STILL OKAY WITH 90. DOES SHE WANT 45? >> 45 IS BETTER THAN 90. >> DR. SIX, YOU WANT 45? >> IDEALLY, IT WOULD MOVE VERY QUICKLY, BECAUSE WHAT I'M DOING IS TAKING IS A QUICK LOOK AT THE AREA AND REVIEW AND STREAMLINE THE PROCESS. SO I THINK I COULD DO IT WITHIN 45, BUT 90 IS FINE. BECAUSE IT'S A NEW SYSTEM, AND WE'RE GOING TO FIGURE OUT ALL OF THE GLITCHES WE CAN SEE HOW FAST I DID IT. I DID THREE YESTERDAY IN A MATTER OF MINUTES FROM MAYOR'S OFFICE. SO IT'S NOT HARD FOR ME TO TAKE A LOOK AT WHAT IS PROPOSED AND KNOWN ABOUT THE LANDSCAPE AND CREATE A QUICK SUMMARY AND RECOMMENDATIONS TO WHATEVER BODY IS ASKING ME. IT'S WHATEVER YOU FOLKS WHEN.\r\n\r\nWHEN YOU SAID SHPD IS 90, SHPD IS SUPPOSED TO BE 45, ALTHOUGH THEY GET BOGGED

DOWN. I WILL ONLY SEND THINGS TO SHPD THAT NEED TO BE REVIEWED BY THEM.  
>> THANK YOU. >> THANKS. >> DO YOU WANT TO MAKE A MOTION? >> YES. >> IF  
MS.\r\n\r\nTHOMPSON CAN DIRECT ME TO THE PROPER -- >> MS. THOMPSON, ARE  
YOU ON THE CALL? >> YES. >> DO YOU MIND IF I SHARE SCREEN BRIEFLY?  
OTHERWISE, I COULD READ OUT THE SECTIONS. >> SHARE SCREEN. >> THANK  
YOU.\r\n\r\n\r\nHOPEFULLY, EVERYONE CAN SEE I HAVE THE BOTTOM OF PAGE 5 UP.  
SECTION 2. 280B110. AND THERE ARE THE END -- THIS IS THE SAME LANGUAGE  
THAT WE WOULD RECOMMEND THROUGHOUT. RIGHT NOW, I PUT 30 CALENDAR DAYS,  
BUT I DIDN'T CATCH WHAT AMOUNT OF DAYS YOU ARE LOOKING AT, WHETHER IT'S  
45 OR 90? PRINCIPAL ARCHAEOLOGIST MUST PROVIDE RECOMMENDATIONS NO LATER  
THAN X AMOUNT OF CALENDAR DAYS FROM -- 45 FROM THE DATE OF TRANSMITTAL,  
OTHERWISE THE PRINCIPAL ARCHAEOLOGIST IS DEEMED TO HAVE NO  
RECOMMENDATION. THAT WOULD BE THE SAME LANGUAGE THAT WE WOULD RECOMMEND  
FOR, AS YOU CAN SEE, THE AMENDMENT TO 16 04C160. SAME HERE IN SECTION 4,  
1626B105. AND ALSO TO THE SUBDIVISION CODE 1808 100 THAT IS DOWN AT THE  
BOTTOM. AND E. >> ARE YOU GETTING ALL OF THIS MEMBER PALTIN, OR DO YOU  
WANT HELP TO WRITE THE SECTION NUMBERS DOWN? >> I WOULD LIKE TO CHANGE  
FROM THE DATE OF RECEIPT TO THE DATE OF THE COUNTY ARCHAEOLOGIST  
RECEIVING IT, BECAUSE IT CAN TAKE CONSIDERABLE TIME TO TRANSMIT THE  
APPLICATION FROM THE MAYOR'S OFFICE WOULD THAT BE POSSIBLE? >>  
SURE.\r\n\r\n\r\n>> FROM THE DATE OF THE COUNTY ARCHAEOLOGIST RECEIVING IT,  
THEN SHE CAN HAVE 45 DAYS. >> CALENDAR DAYS FROM THE DATE ARE YOU READY  
FOR YOUR MOTION >> I MOVE TO AMEND THE SECTIONS OUTLINED BY CORP. COUNSEL  
THOMPSON TO READ, " THE PRINCIPAL ARCHAEOLOGIST MUST PROVIDE  
RECOMMENDATIONS NO LATER THAN 45 DAYS, CALENDAR DAYS FROM THE DATE OF  
RECEIPT OTHERWISE THE PRINCIPAL ARCHAEOLOGIST IS DEEMED TO HAVE NO  
RECOMMENDATION. >> SECOND. >> I WOULD PUT THAT IN ALL OF THE SECTIONS. >>  
MOVED BY MEMBER PALTIN, SECONDED BY PRO TEM KAMA. >> THAT  
MS.\r\n\r\n\r\nTHOMPSON SHARED WITH US. >> THE INFORMATION THAT MS. THOMPSON  
SHARED WITH US. DISCUSSION, MEMBER PALTIN. >> I'M PLEASED THAT WE HAVE  
DR. SIX ON AS A RESOURCE AND SHE CAN TELL US HOW QUICKLY SHE CAN EXPEDITE  
THE PROCESS. SO IF 45 DAYS IS GOOD WITH HER, THEN IT'S GOOD WITH  
ME.\r\n\r\n\r\nTHANK YOU. >> MEMBER SINENCI. >> I CAN REFER TO DR. SIX, BUT  
NORMALLY 90 DAYS WOULD BE THE PREFERENTIAL, ON BECAUSE 90 DAYS FROM THE  
RECEIPT OF TRANSMITTAL. CHAIR, OTHER DEPARTMENTS GET MORE TIME THAN JUST  
45 DAYS. SO FOR ME, THE 90 DAYS WAS BETTER FROM THE RECEIPT OF  
TRANSMITTAL. THANK YOU, CHAIR.\r\n\r\n\r\n>> ANY OTHER DISCUSSION? >> IT  
LOOKS LIKE DR. SIX IS OKAY WITH 90. >> I CAN ACCEPT THAT AS A FRIENDLY  
AMENDMENT. >> VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I WANTED TO  
CLARIFY I'M SUPPORTIVE OF 90 DAYS. SO ON THE AMENDMENT, IT HAS CALENDAR  
DAYS, AND NOT BUSINESS DAYS.\r\n\r\n\r\nI DON'T KNOW IF DR. SIX WOULD HAVE A  
PREFERENCE FOR CALENDAR DAYS VERSUS BUSINESS DAYS? >> DR. SIX? >> I DON'T  
KNOW IF SHE WORKS ON NON-BUSINESS DAYS -- AT LEAST I HOPE SHE DOESN'T. >>  
I THINK BUSINESS DAYS, BUT I CAN'T IMAGINE I WOULD TAKE 90 DAYS TO DO A  
RECOMMENDATION. SO I THINK IT'S OKAY TO DO EITHER, WHATEVER THIS BODY  
DEEMS APPROPRIATE. I KNOW I DON'T WORK ON WEEKENDS, UNLESS THERE'S  
INADVERTENT FINDS, THEN I WORK ON THEM.\r\n\r\n\r\n>> MS. THOMPSON? >> I  
WOULD RECOMMEND THAT YOU USE CALENDAR DAYS, WITH SOMETHING OF THAT LONG A  
DURATION. IT'S JUST A LOT EASIER TO APPLY THAT. YOU USE BUSINESS DAYS IF  
IT'S SEVEN BUSINESS DAYS OR LESS, JUST WITH A SHORTER QUANTITY OF DAYS.  
90 DAYS, I WOULD USE CALENDAR. >> ANYBODY ELSE?\r\n\r\n\r\nMAKER OF THE  
MOTION, WHICH ONE DO YOU WANT? >> I WOULD LIKE 90 DAYS, YOU KNOW, BECAUSE  
SHE IS A CIVIL SERVICE WORKER, AND SHE IS ENTITLED TO ALL OF THE  
VACATION, AND SICK-LEAVES AND THINGS LIKE THAT. IT WOULD BE GREAT TO HAVE

A SECONDARY PRINCIPAL ARCHAEOLOGIST, BUT I THINK 90 CALENDAR DAYS FROM THE TIME SHE RECEIVES IT IS GOOD. THANK YOU. >> EVERYBODY IN FAVOR OF THAT? SO THE MOTION IS THE TIME LIMIT WOULD BE THE 90 CALENDAR DAYS AS STATED BY THE MAKER OF THE MOTION. ARE YOU READY TO VOTE.\r\n\r\n>> SECOND. >> TO VOTE ON THAT AMENDMENT? WE HAD YOUR SECOND ALREADY, MEMBER KAMA. ANY MORE DISCUSSION ON THIS AMENDMENT? IF NOT, DO WE NEED ROLL CALL? OKAY. ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE?\r\n\r\n>> AYE. >> I SEE EIGHT AYES. MEMBER SUGIMURA, I'M SORRY, I DID NOT SEE YOU. MEMBER SUGIMURA, DID YOU VOTE? >> I VOTED YES. >> SHE VOTED AYE. NINE AYES, ZERO NOS, MOTION CARRIES.\r\n\r\n\r\nNOW ARE THERE ANY OTHER AMENDMENTS? THE MAIN MOTION AS AMENDED. DO WE NEED ROLL CALL? ALL THOSE IN FAVOR OF THE MAIN MOTION AS AMENDED, RAISE YOUR HAND AND SAY AYE? >> AYE. >> ALL AYES. NINE AYES, ZERO NOS, MOTION CARRIES.\r\n\r\n\r\nYES? >> WE'RE NOT SURE HOW COUNCIL MEMBER -- >> MAHALO, MEMBERS. >> MEMBER SUGIMURA, HOW DO YOU VOTE? >> NO. >> ROLL CALL. >> CHAIR PROCEEDING WITH ROLL-CALL VOTE ON THE MAIN MOTION. COUNCIL MEMBER SHANE SINENCI?\r\n\r\n\r\n>> AYE. >> COUNCIL MEMBER MIKE MOLINA? >> AYE. >> COUNCIL MEMBER KELLY TAKAYA KING? >> AYE. >> COUNCIL MEMBER GABE JOHNSON? >> AYE.\r\n\r\n\r\n>> COUNCIL MEMBER TAMARA PALTIN? >> AYE. >> COUNCIL MEMBER YUKI LEI SUGIMURA? >> NO. >> PRESIDING OFFICER PRO TEMPORE TASHA KAMA? >> YES. >> COUNCIL VICE-CHAIR KEANI RAWLINS-FERNANDEZ?\r\n\r\n\r\n>> AYE. >> AND COUNCIL CHAIR ALICE L. LEE? >> AYE. >> CHAIR, EIGHT AYES, ONE NO, MOTION CARRIES. >> MAHALO, MEMBERS. >> NEXT. >> CHAIR, YOU HAVE BEFORE YOU FROM YOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE, COMMITTEE REPORT 22-121 ENTITLED, RECOMMENDING THAT -- APOLOGIES YOU HAVE BEFORE YOU COMMITTEE REPORT 22-121 RECOMMENDING THAT BILL 150 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING TITLE 3 MAUI COUNTY CODE RELATING TO THE ESTABLISHMENT OF A PARKING REVENUE FUND" BE PASSED ON FIRST READING AND ORDERED TO PRINT.\r\n\r\n\r\n>> VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I MOVE TO ADOPT RECOMMENDATIONS IN COMMITTEE REPORT 22-121. >> SECOND, SOMEBODY. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ, SECONDED BY MEMBER PALTIN TO APPROVE THE RECOMMENDATIONS IN COMMITTEE REPORT 22-121. DISCUSSION, VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. YOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MET ON NOVEMBER 2ND TO DISCUSS BILL 150 (2022) WHICH WOULD AMEND TITLE 3 MAUI COUNTY CODE TO ESTABLISH A PARKING REVENUE FUND FOR COUNTY'S PARKING OPERATIONS ,INCLUDING MAINTENANCE AND CARE, SECURITY, SAFETY, IMPROVEMENT, EQUIPMENT, BEAUTIFICATION EXPANSE, STAFF COMPENSATION, PARKING FACILITY BOND PAYMENTS AND OTHER RELATED COSTS. YOUR COMMITTEE NOTES THAT THE PARKING PROGRAM IS INTENDED TO BE FINANCIALLY SELF-SUSTAIN ING.\r\n\r\n\r\nANY SURPLUS FUNDS MAY BE USED FOR MAINTAINING OR IMPROVING COUNTY PARKS, EXPANDING AND ENHANCING PUBLIC TRANSPORTATION, PEDESTRIAN AND BIKE INFRASTRUCTURE OR PROGRAMS, IMPROVING SAFETY, WAYFINDING, OR MAINTENANCE OF NEIGHBORHOOD BUSINESS DISTRICTS, AND PROTECTING THE -- AND ACKNOWLEDGING SENSITIVE, CULTURAL AND ENVIRONMENTAL SITES. YOUR COMMITTEE VOTED 9-0 TO DEVELOPMENT PASSAGE THE BILL ON PIERCE READING AND RESPECTFULLY ASK FOR THE MEMBERS' CONTINUED SUPPORT. MAHALO, CHAIR. >> ANY MORE DISCUSSION? ALL IN FAVOR OF THE MOTION RAISE YOUR HAND AND SAY AYE? >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES, MR.\r\n\r\n\r\nCLERK. >> CHAIR, YOU HAVE BEFORE YOU FROM YOUR GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE, COMMITTEE REPORT 22-122 RECOMMENDING THAT RESOLUTION 22-236 BE FILED. >> MR. MOLINA. >>> THANK YOU, MADAM CHAIR, MOVE TO ADOPT THE RECOMMENDATIONS OF COMMITTEE REPORT 22-122. >> SECOND. >> MOVED BY MEMBER MOLINA, SECOND BY MEMBER JOHNSON TO APPROVE COMMITTEE

REPORT 22-122. DISCUSSION, MEMBER MOLINA. >> THANK YOU, MADAM CHAIR.\r\n\r\nYOUR GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MET ON NOVEMBER 1ST, 2022, TO DISCUSS RESOLUTION 22-236, RESOLUTION 22-236'S PURPOSE IS TO AUTHORIZE THE DEPARTMENT OF THE CORPORATION COUNSEL TO SETTLE THE CLAIM FILED ON APRIL 23, 2021, CLAIM ALLEGES THE PLAINTIFF'S RIGHTS TO PRIVACY AND DUE PROCESS UNDER THE U.S. CONSTITUTION, VIOLATED IN ACCORDANCE WITH 42 USC AND CLAIM FURTHER ALLEGES THAT THE PLAINTIFF WAS DISCRIMINATED AGAINST IN ACCORDANCE WITH HAWAI'I REVISED STATUTES. THE CORPORATION COUNSEL NOTED SHE WAS ORDERED BY THE COURT TO CONVEY SETTLEMENT PROPOSAL TO THE COUNCIL, WHICH SHE SHARED DIRECTLY WITH COUNCIL MEMBERS VIA CONFIDENTIAL TRANSMITTAL. YOUR COMMITTEE HELD AN EXECUTIVE SESSION MEETING TO DISCUSS CONFIDENTIAL INFORMATION RELATED TO THE CLAIM. YOUR COMMITTEE VOTED 8-0 TO RECOMMEND FILING OF RESOLUTION 22-236. THANK YOU, MADAM CHAIR. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE.\r\n\r\n>> AYE. >> MEMBER SUGIMURA? >> NINE AYES, ZERO NOS, MOTION CARRIES. MR. CLERK. >> CHAIR, YOU HAVE BEFORE YOU COMMITTEE 22-123, RECOMMENDING THAT RESOLUTION 22-117 ENTITLED, AMENDING RESOLUTION 18-210, AND AUTHORIZING THE DISPOSITION OF APPROXIMATELY 33.373 ACRES OF COUNTY REAL PROPERTY LOCATED IN LAUNIUPOKO, MAUI, HAWAI'I TO DEPARTMENT OF TRANSPORTATION, STATE OF HAWAI'I, FOR THE HONOAPI'ILANI HIGHWAY REALIGNMENT PHASE 1B-2" BE ADOPTED. >> MAHALO, CHAIR.\r\n\r\nMOVE TO ADOPT THE RECOMMENDATIONS OF COMMITTEE REPORT 22-123. >> SECOND. >> MOVED BY MEMBER MOLINA, SECONDED BY MEMBER JOHNSON TO APPROVE COMMITTEE REPORT 22-123. DISCUSSION, MEMBER MOLINA. >> THANK YOU, MADAM CHAIR. YOUR GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MET ON SEPTEMBER 13TH, 2022, AND NOVEMBER 1ST, 2022 TO DISCUSS RESOLUTION 22-11. BILL 117'S PURPOSE IS TO AMEND RESOLUTION 18-210 AND APPROVE THE DISPOSITION OF 33.373 ACRES OF COUNTY REAL PROPERTY DESCRIBED IN AND SHOWN ON EXHIBITS A-1 AND A-2 CONDITIONED UPON THE COUNTY'S RECEIPT OF PAYMENT IN \$1,251,798 FOR THE ADDITIONAL ACREAGE USED FOR THE LAHAINA BYPASS IN ACCORDANCE WITH SECTION 3.44.020 OF THE MAUI COUNTY CODE. A REPRESENTATIVE FROM THE DEPARTMENT OF FINANCE NOTED RESOLUTION 18-210 ATTACHED AN INCORRECT MAP OF THE PROPERTY AS EXHIBIT 1 AND PROVIDED DETAILED MAPS OF THE PROPERTY IN ADDITION TO THE CORRECTED MAPS ATTACHED TO RESOLUTION 22-117, AS EXHIBITS A-1 AND A-2. YOUR COMMITTEE SUPPORTED AMENDING RESOLUTION 18-210 AND APPROVING THE DISPOSITION OF THE PROPERTY, BUT EXPRESSED CONCERNS ABOUT HOMELESS ENCAMPMENTS IN THE AREA. YOUR COMMITTEE AGREED TO ADDRESS THE CONCERNS UNDER A SEPARATE DISCUSSION WITH THE DEPARTMENT OF PARKS AND RECREATION, AND THE DEPARTMENT OF HOUSING AND HUMAN CONCERNS WILL BE CONSULTED. YOUR COMMITTEE VOTED 9-0 TO RECOMMEND ADOPTION OF 22-117 MAHALO, MALL CHAIR.\r\n\r\n>> MY MORE DISCUSSION? IF NOT, ALL THESE IN FAVOR -- MEMBER PALTIN. >> THANK YOU. I JUST REALLY HOPE THAT THE MONEY- THE COUNTY TAKES THIS MONEY AND CLEANS UP THE AREA. THANK YOU. >> ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE?\r\n\r\n>> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES, MEMBERS WE'RE AT K, RESOLUTIONS. DO YOU WANT TO TAKE UP K AND M, OR WOULD YOU LIKE TO HAVE LUNCH? >> I WOULD LIKE TO TAKE A BREAK. >> LUNCH. >> ALL RIGHT. IT'S 12:09. MEMBERS, HOW ABOUT ONE HOUR.\r\n\r\nIS ONE HOUR ENOUGH? >> CHAIR, 1:30. >> 1:30. THANK YOU, CHAIR. >> ALL RIGHT, MEMBERS, WE'LL TAKE A LUNCH BREAK RIGHT NOW UNTIL 1:30. [ GAVEL ] [ GAVEL ] >> WILL THE COUNCIL MEETING OF NOVEMBER 18TH, 2022, PLEASE RECONVENE. IT'S 1:36 P.M. AND WE HAVE WITH US ABOUT SEVEN PEOPLE, IS IT? MR. CLERK? >> YES, CHAIR.\r\n\r\nTHERE ARE CURRENTLY SIX -

- OH, OKAY, WE'RE BACK TO SEVEN MEMBERS. >> NOW EIGHT. EIGHT -- SEVEN. >> I DON'T SEE -- >> WE HAVE MEMBER SUGIMURA OFFLINE AS WELL. >> AND VICE-CHAIR. >> THAT IS RIGHT. SHE IS COMING.\r\n\r\nSHE IS COMING. ALL RIGHT, LET'S PROCEED WITH RESOLUTIONS. >> YES, CHAIR. PROCEEDING WITH TESTIMONY ON RESOLUTIONS. FIRST PERSON WE HAVE SIGNED UP TO TESTIFY IS MIKE MORAN, TO BE FOLLOWED BY MICHELE MCLEAN. >> GOOD AFTERNOON, CHAIR LEE AND COUNCIL MEMBERS. MIKE MORAN, FOR THE KIHEI COMMUNITY ASSOCIATION.\r\n\r\n\r\nYOU MAY KNOW THAT WE CHANGED OUR BACKGROUND TODAY TO A NAWILIWILI TREE, BECAUSE WE'RE TALKING ABOUT TREES. NOT NECESSARILY WILIWILIS, BUT ALL TREES. THIS IS ON THE RESOLUTION 258. WE DID NOT NOTICE IN THE AGENDA THAT THE WORD "TREE" IS NOT MENTIONED IN THE ITEM. OF COURSE, IT'S MENTIONED IN THE DETAILS, BUT WE FOUND THAT OUT FROM SOME COMMUNITY MEMBERS WHEN WE TOLD THEM OF THE ISSUE. THEY SAID, WE CAN'T FIND ANYTHING ABOUT A TREE IN THE AGENDA. A COUPLE OF THINGS THAT WE LOOK AT. WE'RE HOPING THAT YOU CAN DO WHAT IS ON THE AGENDA, TO PASS IT RIGHT ON TO THE -- IT SAYS TO THE PLANNING COMMITTEES AND ALSO THE SOUTH MAUI AND HAIKU COMMUNITY GROUPS.\r\n\r\n\r\nNOW WE'RE NOT SURE, WE HAVE SEEN THIS HAPPEN BEFORE, AND OUR UNDERSTANDING WAS THAT COUNCIL CANNOT DIRECTLY SEND SOMETHING TO THE REGIONAL COMMITTEES AND CAN ONLY SEND IT TO THE PLANNING COMMISSION. AND THEN THE PLANNING COMMISSION MAKES THAT DECISION, AND WE HAVE SEEN THAT THE LAST TWO ITEMS THAT WAS SOUTH MAUI ISSUES SENT TO THE PLANNING COMMISSION, THEY DECLINED TO SEND THEM TO US, EVEN THOUGH THEY WERE HOUSING PROJECTS IN OUR DISTRICT. SO KIND OF DISAPPOINTING, BUT THAT SEEMS TO BE THE WAY THAT THE RULE IS SET-UP. THAT IT'S THEIR DECISION. SO WHATEVER IT IS, IT IS. BUT WE'RE TRYING TO GET THIS EXPEDITED, AND BY HAPPENSTANCE, THE CPAC, THIS PAST WEDNESDAY, AT OUR MEETING, MUCH OF THIS -- OF THAT PART OF UPDATING OUR COMMUNITY PLAN WAS ADDRESSING THIS ISSUE. WE HAD OUR SEVERAL COMMUNITY MEMBERS, WHO ADDRESSED IT, AND IN THE DRAFT, THAT THE LONG-RANGE PLANNING PRODUCED BASED ON COMMUNITY INPUT SCADS OF ISSUES ON TREES.\r\n\r\n\r\nAND THE ISSUE OF CANOPIES. SO YOU CAN SEE THERE'S A BIG CONCERN IN OUR COMMUNITY, IN THE SOUTH MAUI COMMUNITY, ABOUT THIS, ABOUT WHAT IS HAPPENING? AND PEOPLE WHO LIVE HERE, IT'S VERY OBVIOUS, YOU CAN GO INTO MOST ANY PARKING LOT AND THAT IS WHAT YOU SEE, WHAT ERNIE REZENTES, THE MAN WHO KNOWS MORE ABOUT TREES THAN ANYONE ON MAUI. >> GO AHEAD, AND FINISH UP, MIKE. >> WE'RE HOPING YOU CAN -- WITHOUT GOING BACK TO COMMITTEE, WHICH WOULD DELAY IT FURTHER, BECAUSE THERE'S A GREAT COMMUNITY CONCERN. MAHALO FOR THE OPPORTUNITY. >> THANK YOU.\r\n\r\n\r\nARE THERE ANY QUESTIONS FOR MIKE? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER. >> CHAIR, THE LAST PERSON SIGNED UP TO TESTIFY ON RESOLUTIONS IS MICHELE MCLEAN. >> DIRECTOR. >> ALOHA CHAIR AND MEMBERS. I SUBMITTED SOME TESTIMONY BY EMAIL.\r\n\r\n\r\nI WAS ACTUALLY HOPING THAT YOU WOULD FILE THIS ITEM, BUT AT A MINIMUM, PLEASE REFER IT TO COMMITTEE. AS MY EMAIL TESTIMONY SAID WE HAVE BEEN THERE, DONE THAT AND BEEN THROUGH AMENDMENTS TO 12.24 AND 19.36 AND THE EXISTING LANGUAGE TODAY WAS COLLABORATIVE EFFORT WITH THE PARKS DEPARTMENT AND THE PUBLIC WORKS DEPARTMENT AND CAME ON THE HEELS OF THE ADOPTION OF MAUI COUNTY PLANTING PLAN. IT DOESN'T MEAN -- I'M CERTAINLY OPEN TO DISCUSSING IT, BUT IN TERMS OF REFERRING BILLS TO THE PLANNING COMMISSIONS, THE PLANNING COMMISSIONS DOESN'T NEED TO REVIEW SUCH A LONG AND DETAILED BILL THAT AMENDS CHAPTER -- THAT IS NOT UNDER THEIR AUTHORITY. SO THAT COULD BE SEPARATED OUT, AND THEN JUST BILL RELATING TO THE PARKING CODE COULD GO TO THEM. WHEN IT COMES TO THE AMENDMENTS, 21936B, THE PARKING CODE, AND THE CANOPY COVERAGE REQUIREMENT, WE WENT THROUGH THAT IN DETAIL WHEN THE PLANTING PLAN WAS ADOPTED. WE DO NOT HAVE



THE EXPERTISE TO ADMINISTER THAT KIND OF ENFORCEMENT. WE DO ENFORCE AGAINST TREES THAT ARE LOPPED OFF, OR IMPROPERLY PRUNED.\r\n\r\nWE'RE ABLE TO MAKE THAT KIND OF ASSESSMENT. BUT WE'RE TALKING ABOUT A WHOLE DIFFERENT LEVEL OF -- A WHOLE DIFFERENT ROLE FOR THE COUNTY, AND AGAIN, IT DOESN'T MEAN I'M OPPOSED TO THAT. IT'S JUST THE PLANNING DEPARTMENT IS EQUIPPED TO HANDLE AND THAT CONCEPT NEEDS MUCH MORE DISCUSSION. SO AGAIN, I WOULD ASK THAT THE BILL BE FILED, BUT AT A MINIMUM, PLEASE REFER IT TO COMMITTEE. THANK YOU. >> THANK YOU. QUESTIONS, MEMBER KING?\r\n\r\n>> THANK YOU, CHAIR. THANKS FOR BEING HERE, MICHELE. APPRECIATE YOUR INPUT. WHAT DEPARTMENT, IF YOU ARE SAYING THAT THIS DOESN'T BELONG IN THE PLANNING DEPARTMENT, IS IT PUBLIC WORKS? IF YOU WANT -- IS PUBLIC WORKS GOING TO TELL US TO SEND IT BACK TO YOU? >> WELL, SO WE'RE TALKING ABOUT CHAPTER 12.24. AGAIN, THIS WAS A VERY LONG PROCESS WORKING WITH PARK AND PUBLIC WORKS DETERMINING WHO IS RESPONSIBLE FOR WHICH TREES? AND THE PARKS DEPARTMENT IS RESPONSIBLE FOR TREES IN COUNTY PARKS.\r\n\r\nPUBLIC WORKS IS RESPONSIBLE FOR TREES, FOR STREET TREES AND PLANNING IS RESPONSIBLE FOR TREES IN PARKING LOTS. WHEN IT COMES TO THE HEALTH AND MAINTENANCE OF THOSE TREES, PARKS CONTRACTS OUT, BECAUSE THEY HAVE SO MANY TREES TO TAKE CARE OF. PUBLIC WORKS ALSO CONTRACTS OUT, BUT THEY NOW HAVE THE COUNTY ARBORIST. YOU REMEMBER THE COUNTY ARBORISTS USED TO BE WITH THE PARKS DEPARTMENT AND IT'S NOW WITH PUBLIC WORKS. THE ARBORIST ISN'T RESPONSIBLE FOR THE MAINTENANCE, BUT DOES GO OUT TO CHECK ON THE HEALTH OF TREES, TO ADVISE THE PUBLIC WORKS DEPARTMENT ON WHETHER THEY NEED A CONTRACTOR TO TRIM, OR REMOVE? WHEN IT COMES TO PARKING LOT TREES, WE'RE TALKING ABOUT PRIVATE PROPERTY. THE MAINTENANCE OF THOSE TREES IS THE RESPONSIBILITY OF THOSE PROPERTY OWNERS.\r\n\r\n\r\nSO WHEN IT COMES TO ASSESSING WHETHER OR NOT THOSE TREES ARE BEING PROPERLY MAINTAINED, THERE ISN'T REALLY ANY DEPARTMENT'S RESPONSIBILITY. IF THAT IS SOMETHING THAT THE COUNTY -- THAT YOU WANT THE COUNTY TO TAKE ON, I SUPPOSE WE COULD GET A CONTRACT FOR AN ARBORIST TO MONITOR THE HEALTH OF PARKING LOT TREES. BUT RIGHT NOW, THAT IS NOT SOMETHING WE'RE EQUIPPED TO DOWN NEEDS MUCH MORE DISCUSSION. >> WHEN I WAS HEARING IT CAME FROM THE COMMUNITY, BUT WE WERE HEARING ABOUT THE LACK OF THE PROPER TREES IN PLACES LIKE WAR MEMORIAL. SO IT WASN'T -- NOT JUST PRIVATE PARKING LOTS THAT WE'RE TALKING ABOUT, BUT PUBLIC -- COUNTY PARKING LOTS. >> I BELIEVE THAT PARKING LOT IS SO OLD THAT IT WAS DEVELOPED BEFORE THE REQUIREMENTS WERE IN PLACE. SO THAT IS WHY THIS PARKING LOT DOESN'T HAVE PER THE CODE TODAY.\r\n\r\n\r\nIF THAT PARKING LOT WERE BUILT TODAY IT WOULD HAVE ONE TREE PER FIVE PARKING SPACES. >> RIGHT. THE POINT OF THIS WAS HOW TO FIGURE OUT HOW TO GET PARKING LOTS TO COMPLY. SO YOU ARE SAYING IT DOESN'T NEED TO GO TO THE PLANNING COMMISSION, BUT REFER TO THE COMMITTEE? >> I'M SAYING THAT THE BILL TO AMEND CHAPTER 12.24 WAS RATHER EXTENSIVE AND RATHER DETAILED. I DON'T THINK THAT NEEDS TO GO TO THE PLANNING COMMISSIONS. IT'S NOT WITHIN THEIR AUTHORITIES AND IT'S NOT REQUIRED BY THE CHARTER.\r\n\r\n\r\nBUT IF WE TOOK A BILL TO THEM, THEY WOULD WANT TO REVIEW THE WHOLE THING AND COMMENT ON IT, BUT THAT IS NOT WHAT THEY SHOULD SPEND THEIR TIME DOING. THE 19.36, WOULD AND SAYING SEPARATE IT OUT RATHER THAN GIVING THE PLANNING COMMISSION A BIG TASK NOT WITHIN THEIR AUTHORITY. >> SEPARATE OUT 19.36. >> RIGHT. >> TO THE PLANNING COMMISSION. AND SENT 12.24 -- >> THE 12.24 BILL MAY BE WORK ON 12.24 BILL FIRST, AND SEE WHAT THE RESULT OF THAT IS, IF THE RESULT OF THAT IS SOMETHING THAT REQUIRES A CHANGE TO THE PARKING CODE, THAT CAN COME FROM THAT EFFORT. >> OKAY. SO I THINK WHAT YOU ARE ASKING TO DO IS TO JUST REFER THE PROPOSED BILL TO THE CARE COMMITTEE AND TRY TO FIGURE IT OUT

FROM THERE HOW TO SEPARATE IT OUT?\r\n\r\nBECAUSE MORE HALF OF THIS DOESN'T GO TO THE PLANNING COMMISSION. >> THAT'S CORRECT. >> OKAY. GOT IT. THANK YOU. APPRECIATE IT. THANK YOU, CHAIR.\r\n\r\n>> MEMBER PALTIN. >> THANK YOU, CHAIR. THANK YOU, DIRECTOR MCLEAN. JUST TO CLARIFY, THIS IS KIND OF LIKE THAT OTHER ONE WE TOOK ON WEDNESDAY, WITH THE EV PARKING, AND THE CHAPTER 10 SIMILAR IDEA? >> I DON'T KNOW IF IT'S COMBINING TWO THINGS AND ONLY ONE IS UNDER THE COMMISSION'S AUTHORITY. >> OKAY. THEN MY OTHER QUESTION IS WHEN YOU REFER TO WAR MEMORIAL, IT WAS RECENTLY RESURFACED, AND I THINK I RECALL THE PARKS DEPARTMENT COMING TO US FOR AN EXEMPTION THAT WE WRONGLY PASSED.\r\n\r\nBECAUSE IN THEIR PRESENTATION, THEY SAID THEY WERE GOING TO DO ALL OF THE TREES AROUND THE PERIMETER, AND I GUESS US AS DECISION-MAKERS SHOULD NOT HAVE APPROVED THAT PROBABLY, BECAUSE I HAVE SAT IN THAT WAR MEMORIAL PARKING LOT, AND IT IS VERY HOT. SO WE AS A BODY SHOULD NOT EXEMPT EVEN THE COUNTY PROBABLY. THANK YOU. >> ANY MORE COMMENTS ON THE RESOLUTION 22-258? MR. CLERK, DO WE HAVE MORE TESTIFIERS? >> CHAIR, THERE'S CURRENTLY NO ONE ELSE SIGNED UP TO TESTIFY ON RESOLUTIONS. SO WE'LL DO LAST CALL AT THIS TIME.\r\n\r\nIF THERE'S ANYBODY ELSE WHO WOULD LIKE TO TESTIFY ON EITHER OF THESE ITEMS, PLEASE IDENTIFY YOURSELF NOW. I REPEAT, THIS IS LAST CALL FOR TESTIMONY ON RESOLUTIONS. >> MEMBERS, ARE THERE NO OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY FOR RESOLUTIONS? >> NO OBJECTIONS. >> SO ORDERED. MR. CLERK.\r\n\r\n>> CHAIR, YOU HAVE BEFORE YOU -- CHAIR PROCEEDING WITH RESOLUTIONS YOU HAVE BEFORE RESOLUTION 22-257, ENTITLED, "APPROVING PROPOSALS FOR INCLUSION IN THE 2023 HAWAI'I STATE ASSOCIATION OF COUNTIES' LEGISLATIVE PACKAGE." >> MEMBER PALTIN. >> THANK YOU, CHAIR. I MOVE TO PASS THIS BILL. >> SECOND? MOVED BY MEMBER PALTIN, SECONDED BY MEMBER SINENCI TO PASS THE RESOLUTION. >> SORRY. >> RESOLUTION 22-257 -- TO ADOPT RESOLUTION 22-257. MOVED BY YOU, MEMBER PALTIN, SECONDED BY MEMBER SINENCI AND NOW DISCUSSION, MEMBER PALTIN.\r\n\r\n>> THANK YOU, CHAIR, MEMBERS RESOLUTION 22-257 LISTS FIVE PROPOSALS FOR INCLUSION IN THE 2023 HSAC LEGISLATIVE PACKAGE AS APPROVED BY THE HSAC EXECUTIVE COMMITTEE AT ITS MEETING OF OCTOBER 25, 2022. AT THIS TIME, I WOULD LIKE TO PROCEED WITH A PROPOSED AMENDMENT THAT WILL BE DISTRIBUTED BY THE OFFICE OF THE COUNTY CLERK. >> WAS IT DISTRIBUTED? >> I BELIEVE IT WAS EMAILED. >> IT'S GOING TO BE DISTRIBUTED NOW. THANK YOU. I WOULD LIKE TO MOVE TO AMEND RESOLUTION 22-257 AS FOLLOWS: STRIKE THE THIRD WHEREAS-CLAUSE. ALSO IN THE FOURTH WHEREAS-CLAUSE, REPLACE ONE PROPOSAL WAS WITH "THREE PROPOSALS WERE." AND ALSO, ADD A BILL FOR AN ACT RELATING TO THE REGULATION OF TOBACCO PRODUCTS, AS WELL AS A BILL FOR AN ACT RELATING TO TRAFFIC FINES.\r\n\r\nFROM THE FIFTH WHEREAS-CLAUSE, REPLACE 2022 WITH 2023. AND THAT'S IT. IF I CAN GET A SECOND? >> SECOND? SECOND BY MEMBER SINENCI. OKAY. DISCUSSION, MEMBER PALTIN. >> THANK YOU, CHAIR.\r\n\r\nTHE PROPOSED AMENDMENTS ACCURATELY IDENTIFY THE HAWAI'I COUNTY COUNCIL AS THE LEADER OF VARIOUS PROPOSED STATE BILLS FOR THE 2023 HAWAI'I STATE ASSOCIATION OF COUNTIES' LEGISLATIVE PACKAGE, AND CORRECT THE REFERENCE TO THE YEAR. >> ALL RIGHT, ANY QUESTIONS OR MORE COMMENTS ON THIS PROPOSAL? PROPOSED AMENDMENT? MEMBER KING. >> THANK YOU, CHAIR. JUST WANTED -- MEMBER PALTIN, IF THIS WAS TOBACCO WAS RUN BY THE HSAC IS THAT IN THE HSAC PACKAGE? >> I BELIEVE THE TOBACCO WAS FROM THE PREVIOUS TERM THAT WE WERE CARRYING IT FORWARD.\r\n\r\n>> OH, OKAY. SO FROM THE PREVIOUS TERM. OKAY. THANK YOU. >> ANY MORE COMMENTS OR QUESTIONS? IF NOT, ALL THOSE IN FAVOR OF THE AMENDMENT, RAISE YOUR HAND AND SAY AYE? >> AYE.\r\n\r\n>> I SEE ONE, TWO -- I SEE EIGHT -- SEVEN AYES. SEVEN AYES, TWO EXCUSED. EXCUSED ARE VICE-CHAIR RAWLINS-FERNANDEZ, AND MEMBER

SUGIMURA. NOW THE MAIN MOTION AS AMENDED. >> THANK YOU, CHAIR. RESOLUTION 22-257 LISTS TWO PROPOSALS FROM MAUI COUNTY AND THREE PROPOSALS FROM HAWAI'I COUNTY AS FOLLOWS: STATE BILL RELATING TO THE EMPLOYEE RETIREMENTS PROGRAM TO PROVIDE AN INCENTIVE TO RECRUIT AND RETAIN POLICE OFFICERS. STATE BILL TO EXPAND EXCLUSIONS OF THE DEFINITION OF "DEVELOPMENT" IN CHAPTER 205(A), HAWAI'I REVISED STATUTES TO REDUCE THE NEED FOR SPECIAL MANAGEMENT AREA PERMITS FOR CERTAIN ACTIVITIES.\r\n\r\nHOUSE RESOLUTION REQUESTING THE STATE DEPARTMENT OF HEALTH TO ADOPT RULES FOR A PERMIT TO DISCHARGE POLLUTANTS THAT ARE CONSIDERED MAJOR FACTORS CONSIDERED IN THE FUNCTIONAL EQUIPMENT OF A DIRECT DISCHARGE FOR POINT SOURCES OR NON-POINT SOURCES. STATE BILL TO RE-AUTHORIZE THE COUNTIES TO ENACT RESTRICTIONS OF SALES OF TOBACCO PRODUCTS, INCLUDING ELECTRONIC SMOKING DEVICES BY INSERTING A SUNSET DATE INTO ACT 206 SECTION OF SESSION LAWS OF HAWAI'I 2018. AND STATE BILL TO CLARIFY THAT THE COUNTIES MAY BY ORDINANCE DESIGNATE COUNTY HIGHWAYS WHERE THE STOPPING, STANDING OR PARKING OF VEHICLES ARE RESTRICTED, OR PROHIBITED. EACH OF THE FOUR COUNTIES IS NOW REQUIRED TO REVIEW AND APPROVE THE FINAL PACKAGE OF PROPOSALS AS APPROVED BY THE HSAC EXECUTIVE COMMITTEE FOR THEIR STATE LEGISLATURE. THE HSAC EXECUTIVE COMMITTEE IS REQUESTING THE APPROVED RESOLUTION BE SENT TO THEM BEFORE THEIR NEXT MEETING ON NOVEMBER 22ND, 2022. SO IT IS IMPORTANT WE ACT ON THIS RESOLUTION TODAY. I RESPECTFULLY ASK FOR THE COUNCIL MEMBERS' SUPPORT OF MY MOTION AS AMENDED. >> THANK YOU. ANY MORE DISCUSSION?\r\n\r\nBEFORE WE TAKE THE VOTE ON THE MAIN MOTION AS AMENDED, WE NEED TO VOTE ON RULE 19C. MEMBER PALTIN. >> I MOVE TO WAIVE RULE 19C OF THE RULES OF THE COUNCIL SO THAT WE MAY TAKE ACTION ON THIS ITEM TODAY, BECAUSE IT'S TIME-SENSITIVE. >> NO, BECAUSE THIS IS SECOND AND FINAL READING. >> BECAUSE IT'S FINAL READING AND IT'S TIME-SENSITIVE. >> SECOND. >> ANY MORE DISCUSSION? DID YOU HAVE A SECOND ON THAT?\r\n\r\n>> YES, I SECONDED IT. >> FOR THE RULE WAIVER. >> I SECONDED IT. >> SECONDED MY MEMBER KAMA. MOVED BY MEMBER PALTIN, SECONDED BY MEMBER KAMA, AND ANY MORE DISCUSSION ON THIS? THIS IS ON THE RULE WAIVER OF 19C. IF NOT, ALL THOSE IN FAVOR, RAISE YOUR HAND AND SAY AYE? >> AYE.\r\n\r\n>> OKAY. ALL AYES, ZERO NOS, TWO EXCUSED. MOTION CARRIES, EXCUSED ARE VICE-CHAIR RAWLINS-FERNANDEZ AND MEMBER SUGIMURA. WITH THAT, THAT TAKES CARE -- NOW WE HAVE THE MAIN MOTION AS AMENDED. ANY MORE DISCUSSION ON THE MAIN MOTION AS AMENDED? IF NOT, ALL THOSE IN FAVOR, RAISE YOUR HAND AND SAY AYE? >> AYE.\r\n\r\n>> SEVEN AYES, ZERO NOS, TWO EXCUSED. MOTION CARRIES. EXCUSED ARE VICE-CHAIR RAWLINS-FERNANDEZ, AND MEMBER SUGIMURA. MR. CLERK. >> CHAIR, YOU BEFORE YOU FOR REFERRAL TO THE COUNCIL CHAIR FOR 2023-2025 TERM RESOLUTION 22-258, ENTITLED, " REFERRING TO THE LANA'I, MAUI, AND MOLOKA'I PLANNING COMMISSIONS AND ADVISORY COMMITTEES TO THE MAUI PLANNING COMMISSION A PROPOSED BILL AMENDING CHAPTERS 12.24 AND 19.36 MAUI COUNTY CODE RELATING TO THE LANDSCAPE PLANTING PLAN." >> IS THIS YOU, MEMBER KING? >> YES, IT IS, CHAIR.\r\n\r\n>> OKAY. >> JUST GIVEN THE INPUT FROM THE PLANNING DIRECTOR, I WOULD LIKE TO GET THIS REFERRED TO THE CARE COMMITTEE FOR OUR NOVEMBER 30TH MEETING. AND I WANTED TO ASK MR. RAATZ, IF IT'S POSSIBLE, IF WE -- IF IT'S POSSIBLE TO MAKE THE REFERRAL JUST FOR 19.36? AND SEPARATE OUT THE PROPOSED AMENDMENTS OF CHAPTER 12.24? >> MR. RAATZ? >> THANK YOU, CHAIR LEE, COUNCIL MEMBER KING. THE RESOLUTION COULD BE AMEND, BUT IF IT'S NOT GOING TO ACTUALLY BE ADOPTED TODAY IN AN AMENDED FORM, THE AMENDMENT PROBABLY WOULDN'T BE IN ORDER.\r\n\r\nIT WOULD PROBABLY BE MORE EFFICIENT TO CONSIDER AMENDMENTS IN COMMITTEE. >> SO WE CAN MAKE THOSE -- SO WE COULD MAKE THOSE AMENDMENTS IN COMMITTEE AS FAR AS PASSING

OUT A PROPOSED BILL FOR CHAPTERS 12.24 AND THEN FORWARDING THE 19.36B ONTO THE PLANNING COMMISSION. >> MR. RAATZ? >> THANK YOU, CHAIR LEE AND COUNCIL MEMBER KING. WELL, ACTUALLY, WHAT IS ON TODAY'S AGENDA, WHAT WOULD BE REFERRED IS A RESOLUTION THAT ATTACHES A BILL AS AN EXHIBIT. IF THERE'S GOING TO BE PROPOSED ACTION ON A BILL WITHOUT A RESOLUTION REFERRING THE BILL TO THE PLANNING COMMISSIONS, THAT SEPARATE PIECE OF LEGISLATION WOULD PROBABLY HAVE TO BE INTRODUCED.\r\n\r\nYOU WOULD HAVE TO HAVE A BILL ON CHAPTER 12.24A, AS A STAND-ALONE NEW PROPOSAL. >> OKAY. SO IF WE REFER THE WHOLE THING, WE COULD DO THAT IN COMMITTEE? >> THANK YOU, CHAIR. >> CAN WE MAKE THOSE CHANGES IN COMMITTEE IS WHAT I'M ASKING? >> THANK YOU. I DON'T THINK SO, ACTUALLY.\r\n\r\nBECAUSE YOU WOULD NEED A BILL REFERRED TO COMMITTEE. RIGHT NOW WE HAVE A RESOLUTION THAT IS ON TODAY'S AGENDA, AND THAT IS WHAT WOULD BE REFERRED. SO IT WOULD PROBABLY REQUIRE A SEPARATE INTRODUCTION OF A BILL. >> OKAY. SO IF WE REFER THIS, WE COULD AMEND THE RESOLUTION TO ADDRESS 19.36B SECTION? >> THANK YOU, CHAIR. YES, THAT'S CORRECT.\r\n\r\n>> 12.24 WOULD BE A SEPARATE BILL. OKAY. I THINK THE EASIEST THING TO DO WOULD BE -- WE CAN'T MAKE A REFERRAL TO A BILL RIGHT NOW IS WHAT YOU ARE TELLING ME, SO JUST REFER THIS AND GET IS WHAT I'M HEARING >> MR. RAATZ. >> THANK YOU, CHAIR LEE AND COUNCIL MEMBER KING. YES, THAT IS CORRECT UNDER THE OFFICE OF COUNCIL SERVICES' VIEWPOINT. IT'S POSSIBLE OTHER ACTIONS COULD BE TAKEN IN COMMITTEE, SUCH AS, PERHAPS, KEEPING JUST ONE UNIFIED BILL, BUT MAKING IT EXPLICIT THAT YOU WOULDN'T BE ASKING THE PLANNING COMMISSIONS TO COMMENT ON THE REST -- OUTSIDE OF THE COMPREHENSIVE ZONING ORDINANCE.\r\n\r\n>> CHAIR, I WAS GOING TO TRY TO PASS THIS OUT, BUT IN LIGHT OF THE INPUT FROM OCS AND THE PLANNING DEPARTMENT, I DO REQUEST THIS BE REFERRED TO THE CARE COMMITTEE. >> ANY OBJECTIONS, MEMBERS? >> NO OBJECTIONS. >> NO OBJECTIONS, SO ORDERED. REFER THIS MATTER TO THE CARE COMMITTEE. >> THANK YOU. >> MR.\r\n\r\nCLERK. >> CHAIR, PROCEEDING WITH RESOLUTIONS ON -- PROCEEDING WITH TESTIMONY ON BILLS. CHAIR, THERE ARE CURRENTLY NO INDIVIDUALS SIGNED UP TO TESTIFY ON BILLS. SO WE'LL DO LAST CALL AT THIS TIME. IF THERE IS ANYBODY WHO WOULD LIKE TO TESTIFY ON ANY ITEM IN AGENDA SECTION M, BILLS, PLEASE IDENTIFY YOURSELF NOW. I REPEAT, LAST CALL. CHAIR, NO ONE HAS IDENTIFIED THEMSELVES AS WISHING TO TESTIFY.\r\n\r\n>> MEMBERS, ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY FOR BILLS? >> NO OBJECTIONS. >> NO OBJECTIONS, SO ORDERED. MR. CLERK. >> CHAIR, PROCEEDING WITH BILLS. RECOMMENDED FOR REFERRAL TO YOUR AFFORDABLE HOUSING COMMITTEE IS BILL 191 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.34 MAUI COUNTY CODE RELATING TO GRANTS FOR HOME RESTORATION." >> ANY OBJECTIONS TO REFERRING THIS, MEMBERS?\r\n\r\n>> NO OBJECTIONS. >> SO ORDERED. I SEE THAT FOR THE RECORD THE VICE-CHAIR HAS JOINED THE CALL. NOW WE CAN PROCEED WITH THE REST OF THE BILLS. >> YES, CHAIR. YOU HAVE BEFORE YOU BILL 192 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.48 RELATING TO REAL PROPERTY TAX CLASSIFICATIONS AND EXEMPTIONS." >> VICE-CHAIR RAWLINS-FERNANDEZ, DO YOU WANT TO TAKE THIS ONE BY ONE? OR ALL TOGETHER?\r\n\r\n>> I WILL TAKE UP 192, AND THEN AFTER 192, I WILL TAKE UP 193 THROUGH 195 TOGETHER. >> OKAY. MR. CLERK. YOU ALREADY READ 192. OKAY. I'M CALLING ON YOU, VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR.\r\n\r\nI MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT IN ACCORDANCE WITH RULE 7G OF THE RULES OF THE COUNCIL. >> SECOND. MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ, SECONDED BY MEMBER PALTIN TO WAIVE RULES OF THE COUNCIL REGARDING BILL 192. DISCUSSION, VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. MEMBERS, THIS BILL IS TIME-SENSITIVE AS REAL

PROPERTY TAX ASSESSED VALUES ARE CALCULATED ON JANUARY. >> ANY MORE DISCUSSION? IF NOT, ALL IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE >> AYE.\r\n\r\n>> EIGHT AYES, ONE EXCUSED. MOTION CARRIES. EXCUSED. >> CHAIR? WE'RE MISSING COUNCIL MEMBER JOHNSON. >> ALL RIGHT. >> AYE, SORRY.\r\n\r\n>> EIGHT AYES, ONE EXCUSED. MEMBER SUGIMURA. MOTION CARRIES. NOW AGAIN, BILL 192. VICE-CHAIR RAWLINS-FERNANDEZ >> MAHALO, CHAIR. I MOVE TO PASS BILL 192 (2022) ON FIRST READING. >> SECOND. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ, SECONDED BY MEMBER PALTIN TO PASS BILL 192 ON FIRST READING.\r\n\r\n\r\nDISCUSSION, VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. MEMBERS THE PURPOSE OF THIS BILL IS TO AMEND SECTIONS 3.48.305 AND 3.48.466 TO PROMOTE EQUITY IN OUR REAL PROPERTY TAX LEGISLATION. AS DISCUSSED DURING THE BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MEETING OF NOVEMBER 2, 2022, PROPOSED AMENDMENTS ADDRESS ISSUES WITH THE DEPARTMENT INCLUDING THOSE RENTING TO THEMSELVES AND LONG-TERM RENTAL LEASES THAT LAST FOR ONE YEAR AND ONE DAY, IN ORDER TO QUALIFY FOR WITH YEARS OF EXEMPTIONS. AS YOUR COMMITTEE ALSO DISCUSSED DURING THE NEXT BUDGET SESSION THE COUNCIL MAY WANT TO ADDRESS ADDITIONAL CONCERNS WHILE THE REAL PROPERTY TAX RATES AND THESE AMENDMENTS ARE A START TO ADDRESSING EQUITY CONCERNS RELATED TO MAUI COUNTY REAL PROPERTY TAX LEGISLATION. I RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT. MAHALO, CHAIR.\r\n\r\n\r\n>> ANY MORE DISCUSSION IN MEMBER PALTIN. >> THANK YOU, CHAIR. MS. MARTIN WAS WITH US WHEN WE DISCUSSED THE GENERAL IDEA OF THESE AMENDMENTS IN COMMITTEE AND SHE DID EXPLAIN SOME FOLKS THAT HAVE TVRS WERE SAYING THAT THEY SHOULDN'T BE PAYING THE STR BECAUSE THEY ARE THE SAME AND THESE OTHER LOOPHOLES THAT PEOPLE ARE USING TO GAIN THE SYSTEM. SO I'M IN SUPPORT OF THE BILL, BECAUSE THAT WASN'T THE INTENT OF THE ORIGINAL LEGISLATION, AND SO THEY BROUGHT TO OUR ATTENTION PROBLEMS THAT THEY WERE HAVING, AND THIS IS JUST FIXING IT ON THEIR TERMS. THANK YOU. >> THANK YOU.\r\n\r\n\r\nANY 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 SUGIMURA. MOTION CARRIES. MR.\r\n\r\n\r\nCLERK. THE NEXT THREE. >> CHAIR, YOU BEFORE YOU BILL 193 (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, WAILUKU-KAHULUI COMMUNITY PLAN AREA, PARKS AND RECREATION BOND FUND, WAR MEMORIAL GYM BUILDING IMPROVEMENTS, TOTAL CAPITAL IMPROVEMENT PROJECTS APPROPRIATIONS, TOTAL APPROPRIATIONS, OPERATING AND CAPITAL IMPROVEMENT PROJECTS. BILL 194 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING THE FY'2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE APPENDIX C. BILL 195 (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 PARKS AND RECREATION." >> VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR.\r\n\r\n\r\nI MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT FOR BILL 193, 194 AND 195 IN ACCORDANCE WITH RULE 7G OF THE RULES OF THE COUNCIL. >> SECOND. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ. SECONDED BY MEMBER KAMA TO WAIVE THE RULES OF THE COUNCIL REGARDING BILLS 193, 194, AND 195. VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. MEMBERS, THE BID OPENING FOR THIS PROJECT WAS HELD ON NOVEMBER 2ND, 2022 WITH SOLE BID OF \$28,342,932. RECEIVED FROM CONSTRUCTION, INC. DEPARTMENT HAS \$14,999,972 FROM FY'2022, AND \$10 MILLION FROM FY'2023 AVAILABLE FOR THE PROJECT.\r\n\r\n\r\nWHICH IS INSUFFICIENT BASED ON THE BID OF THE CONTRACTOR HAS AGREED TO HOLD THE BID FOR 60 DAYS FROM BID OPENING DATE, SO ACTION ON THESE BILLS IS TIME-

SENSITIVE. MAHALO, CHAIR. >> ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE. >> EIGHT AYES, ZERO NOS, ONE EXCUSED. MEMBER SUGIMURA.\r\n\r\nMOTION CARRIES. >> CHAIR? >> YES. >> APOLOGIES, CHAIR. I BELIEVE COUNCIL MEMBER KING HAS LEFT THE MEETING. >> SEVEN AYES. TWO EXCUSED.\r\n\r\nTWO EXCUSED WOULD BE MEMBERS KING, AND SUGIMURA, MOTION CARRIES. VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I MOVE TO PASS BILL 193, 194 AND 195 ON FIRST READING. >> SECOND. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ, SECONDED BY MEMBER TASHA KAMA TO PASS BILLS 193, 194 AND 195 ON FIRST READING. DISCUSSION, VICE-CHAIR RAWLINS-FERNANDEZ.\r\n\r\nI THINK YOU ALREADY EXPLAINED IT. >> MEMBERS, THE PURPOSE OF THESE BILLS IS TO AMEND FISCAL YEAR 023 BUDGET BILL, APPENDIX C TO APPROPRIATE \$3,350,000 IN BOND FUNDING FOR THE WAR MEMORIAM GYM IMPROVEMENTS AS PREVIOUSLY STATED THE AMENDMENT IS NECESSARY BECAUSE THE CURRENT APPROPRIATED FUNDS ARE INSUFFICIENT BASED ON THE BY THE RECEIVED AND INCLUDES REPAIRS TO BUILD STRUCTURAL ELEMENTS AND EXTERIOR FINISH. COATING OF ROOF SURFACES, UPGRADE OF BUILDING ELECTRICAL AND VISUAL FIRE ALARM SYSTEMS, ACCESSIBILITY IMPROVEMENTS AT RESTROOM AND LOCKER ROOMS, INSTALLATION OF AIR CONDITIONING IN THE GYM, REPLACEMENT OF GYM WOOD FLOORING, BLEACHERS AND ANCILLARY IMPROVEMENTS TO MEET THE ENHANCED HURRICANE PROTECTION FOR CATEGORY 3 HURRICANE SHELTER. REPRESENTATIVES OF THE ADMINISTRATION ARE AVAILABLE TO ANSWERS ANY QUESTIONS. I RESPECTFULLY ASK FOR MEMBERS' SUPPORT. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR, MOTION, RAISE YOUR HAND AND SAY AYE.\r\n\r\n>> SEVEN AYES, TWO EXCUSED. MOTION CARRIES. THE TWO EXCUSED ARE MEMBERS SUGIMURA AND KING. NEXT. >> CHAIR YOU HAVE BEFORE YOU BILL 196 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE UNITED STATES DEPARTMENT OF THE ARMY, U.S. ARMY REGARDING THE DESIGN AGREEMENT PER IAO STREAM MAUI, HAWAI'I FLOOD RISK MANAGEMENT." >> VICE-CHAIR RAWLINS-FERNANDEZ. >> I MOVE TO WAIVE THE RULES IN ACCORDANCE WITH RULE 7G OF THE RULES OF THE COUNCIL. >> SECOND.\r\n\r\n>> ALL RIGHT. MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ. SECONDED BY MEMBER SINENCI TO WAIVE THE RULES OF THE COUNCIL REGARDING BILL 196. >> DISCUSSION, VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. MEMBERS, FUNDING FOR THIS PROJECT WAS INCLUDED IN THE FISCAL YEAR 2023 BUDGET AND APPROVAL OF THIS BILL AS SOON AS POSSIBLE WILL ALLOW THE U.S. DEPARTMENT OF THE ARMY CORPS OF ENGINEERS TO MOVE FORWARD WITH THE DESIGN PROCESS. MAHALO, CHAIR. >> ANY MORE DISCUSSION?\r\n\r\nIF NOT, ALL THOSE IN FAVOR THE MOS, RAISE YOUR HAND AND SAY AYE? SEVEN AYES, TWO EXCUSED. MOTION CARRIES. EXCUSED ARE MEMBERS KING AND SUGIMURA. VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I MOVE TO PASS BILL 196 ON FIRST READING.\r\n\r\n>> SECOND. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ, SECONDED BY MEMBER SINENCI TO PASS BILL 196 ON FIRST READING. DISCUSSION, VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. MEMBERS, THE PURPOSE OF THIS BILL IS TO AUTHORIZE THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH DEPARTMENT OF ARMY CORPS OF ENGINEERS TO COMPLETE THE DESIGN OF FEDERAL UNDERTAKING AT WAILUKU RIVER FLOOD CONTROL PROJECT. AS PREVIOUSLY MENTIONED FUNDING WAS INCLUDED IN THE FISCAL YEAR 2023 BUDGET, DEPARTMENT OF PUBLIC WORKS IAO STREAM FLOOD CONTROL PROGRAM AND DESIGN COSTS ARE PROJECTED TO BE \$525,000 WITH THE DEPARTMENT OF THE ARMY'S PROJECTED COST ESTIMATED AT \$342,000, AND MAUI COUNTY'S COSTS PROJECTED TO BE \$184,000 AND CURRENTLY REQUESTED FOR THIS PROJECT. REPRESENTATIVES FROM THE ADMINISTRATION ARE AVAILABLE TO ANSWER ANY QUESTIONS, I RESPECTFULLY ASK FOR MEMBERS' SUPPORT.\r\n\r\nMAHALO, CHAIR. >> ANY FURTHER DISCUSSION? IF NOT, ALL

THOSE IN FAVOR OF THE MOTION TO PASS BILL 196 ON FIRST READING, RAISE YOUR HAND AND SAY AYE? >> AYE. >> SEVEN AYES, TWO EXCUSED. MOTION CARRIES. THE TWO EXCUSED ARE MEMBERS KING AND SUGIMURA.\r\n\r\nMR. CLERK. >> CHAIR, RECOMMENDED FOR REFERRAL TO THE COUNCIL CHAIR FOR 2023-2025 COUNCIL TERM IS BILL 197 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING SECTION 2.82.050 MAUI COUNTY CODE RELATING TO GREENPRINT." >> ANY OBJECTIONS TO THIS REFERRAL? NO OBJECTIONS. SO ORDERED. MR. CLERK.\r\n\r\n>> CHAIR, PROCEEDING WITH TESTIMONY ON BILLS FOR SECOND AND FINAL READING. CHAIR, THERE ARE CURRENTLY NO INDIVIDUALS SIGNED UP TO TESTIFY FOR ANY OF THESE ITEMS. SO WE'LL DO A LAST CALL AT THIS TIME. IF THERE'S ANYBODY WHO WANTS TO TESTIFY ON ANY OF THESE ITEMS, PLEASE IDENTIFY YOURSELF NOW. I REPEAT, LAST CALL. >> ARE THERE ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY FOR BILLS ON SECOND AND FINAL READING? >> NO OBJECTIONS.\r\n\r\n>> SO ORDERED. MR. CLERK. >> CHAIR, PROCEEDING WITH BILLS FOR SECOND AND FINAL READING. YOU HAVE BEFORE YOU BILL 124 (2022) ENTITLED, "A BILL FOR AN ORDINANCE ADOPTING THE HAWAI'I STATE FIRE CODE, WITH CERTAIN AMENDMENTS THERETO." >> OKAY. PRO TEM KAMA. >> THANK YOU, CHAIR.\r\n\r\nSO CHAIR, I DO FEEL AN ISSUE THE FINAL BILL OF 124 WAS NOT PUBLISHED IN THE MAUI NEWS -- STATES "DIGEST OF ALL BILLS WHICH PASS FIRST READING AND VOTES THEREIN SHALL BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION IN THE COUNTY AT LEAST THREE DAYS BEFORE FINAL READING. AS NOTICE WAS NOT PUBLISHED, I ASK THAT BILL 124 BE DEFERRED UNTIL THE DECEMBER 2ND, 2022 COUNCIL MEETING. MAHALO, CHAIR. >> MR. CLERK? >> APOLOGIES, CHAIR. THERE WAS ONLY A PRODUCTION ERROR WITH BILL 151, CD 1. ALL OTHER BILLS AND THEIR DIGESTS -- THE DIGESTS FOR THE OTHER BILLS FOR SECOND AND FINAL READING WERE PUBLISHED CORRECTLY IN THE MAUI NEWS.\r\n\r\n>> SO WE CAN PROCEED TO PASS THIS ONE ON SECOND AND FINAL READING. >> IF THE BODY WISHES TO DO SO, YES. >> MEMBER KAMA, IT APPEARS THAT -- WHAT YOU ARE REFERRING TO IS ANOTHER BILL. >> YES, OKAY. >> SO TO DO YOU WANT TO MAKE A MOTION ON BILL 124? >> CHAIR, I MOVE THAT WE APPROVE BILL 124 ON SECOND AND FINAL READING. >> SECOND. >> MOVED BY PRO TEM KAMA, SECOND BY MEMBER MOLINA TO PASS BILL 124 ON SECOND AND FINAL READING.\r\n\r\nDISCUSSION, PRO TEM KAMA. >> WELL, I WAS NOT PREPARED FOR DISCUSSION, CHAIR, BECAUSE I THOUGHT WE WERE GOING TO DEFER IT. BUT I'M IN SUPPORT, AND I SEE NO REASON WHY WE COULD NOT PASS THIS, SINCE WE ALL SAID OKIE DOKIE TO IT AT THE I.T. COMMITTEE MEETING. THANK YOU, CHAIR. >> ANY OTHER COMMENTS? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE.\r\n\r\n>> SEVEN AYES, TWO EXCUSED. MEMBERS SUGIMURA AND KING. MOTION CARRIES. MR. CLERK. >> CHAIR, YOU HAVE BEFORE YOU BILL 126 (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 HEALTH ." MEMBER MOLINA. >> MAHALO, MADAM CHAIR.\r\n\r\nMOVE BILL 126 (2022) ON SECOND AND FINAL READING. >> SECOND. >> MOVED BY MEMBER MOLINA, AND SECONDED BY PRO TEM KAMA TO PASS BILL 126 ON SECOND AND FINAL READING. MR. MOLINA. >> THANK YOU VERY MUCH, MADAM CHAIR. MEMBERS, AS YOU MAY RECALL BILL 126'S PURPOSE WAS TO AUTHORIZE THE MAYOR TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE STATE OF HAWAI'I DEPARTMENT OF HEALTH PROVIDE DOH WITH ACCESS TO DATA FROM AUTOPSY AND POLICE INVESTIGATIVE REPORTS' RELATED TO DEATHS OCCURRING IN MAUI, WITH SUICIDES, HOMICIDES, ACCIDENTALLY DRUG OVERDOSE AND UNDETERMINED DEATHS.\r\n\r\nI RESPECTFULLY ASK FOR SUPPORT OF THIS MOTION. MAHALO. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND SEDAN SAY AYE? >> AYE. >> SEVEN AYES, ZERO NOS,

MOTION CARRIES, TWO EXCUSED. MEMBERS KING AND SUGIMURA.\r\n\r\nMR. CLERK.  
>> CHAIR, YOU HAVE BEFORE YOU BILL 133 CD 1 (2022) ENTITLED, "A BILL FOR AN ORDINANCE TO AMEND TITLE 0 VEHICLES AND TRAFFIC, MAUI COUNTY CODE RELATING TO COMMERCIAL DOCKLESS VEHICLES AND PENALTIES." >> PRO TEM KAMA.  
>> THANK YOU, CHAIR. I MOVE TO PASS BILL 133, CD 1 (2022) ON SECOND AND FINAL READING. >> OKAY. MOVED BY PRO TEM KAMA AND SECONDED BY MEMBER SINENCI TO PASS BILL 133, CD 1 (2022) ON SECOND AND FINAL READING.\r\n\r\nDISCUSSION, MEMBER KAMA. >> THANK YOU, CHAIR. MEMBERS, YOU MAY RECALL BILL 133 CD 1'S PURPOSE IS TO MAKE IT UNLAWFUL TO PARK, LEAVE STANDING OR LYING ABANDON 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 VIOLATION OF TITLE 10 MAUI COUNTY CODE. DOCKLESS VEHICLES PROVIDE INCREASED MOBILITY OPTIONS OVER SHORT DISTANCES THEY POSE CONSIDERABLE SAFETY AND PUBLIC HEALTH CONCERNS, CREATE CHIPPING HAZARDS AND MAKE SIDEWALKS INACCESSIBLE TO THE DISABLED, AND HELP TO CREATE CLUTTERED AND UNSAFE ENVIRONMENTS FOR PEDESTRIANS. I RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT OF THIS MOTION. THANK YOU, CHAIR. >> ANY MORE DISCUSSION?\r\n\r\nALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE. >> SEVEN AYES, ZERO NOS, MOTION CARRIES. TWO EXCUSED MEMBERS KING AND SUGIMURA. CONGRATULATIONS, MEMBER PALTIN, AS WELL. MR. CLERK.\r\n\r\n>> CHAIR, YOU HAVE BEFORE YOU 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 PARKING SYSTEM AND PERMIT PARKING ZONES." >> LET'S SEE, PARKING. I'M SORRY I LOST MY PLACE. PRO TEM KAMA, THIS IS THE ONE I THINK YOU WERE TALKING ABOUT EARLIER. THE MAUI NEWS HAD A PRODUCTION ERROR. >> I DON'T KNOW, DID IT? I'M NOT SURE, BECAUSE I HAVE NOTES THAT SAY MOVE TO ADOPT. >> MR.\r\n\r\nCLERK? >> YES, CHAIR. THIS BILL, BILL 151, CD 1 (2022) THERE WAS A PRODUCE ERROR WITH THE MAUI NEWS AND THE DIGEST WAS NOT PUBLISHED IN TIME FOR THE COUNTY TO ACT ON THIS BILL TODAY. >> SO WE CANNOT PASS THIS TODAY. >> THANK YOU. THANK YOU, CHAIR. >> MR.\r\n\r\nCLERK. >> CHAIR, JUST FOR CLARITY, THE BODY WANTS THIS ITEM POSTPONED TO THE NEXT COUNCIL MEETING. >> YES, TABLED. >> YES. >> THANK YOU, CHAIR. >> CHAIR, YOU HAVE BEFORE YOU 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." >> VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR.\r\n\r\nMAY I -- IF THERE'S NO OBJECTIONS, MAY I REQUEST THAT THE CLERK ALSO CALL UP BILLS 171-176, BILL 178-184 AND BILL 188 THROUGH 190. >> DID YOU GET THAT, MR. CLERK? >> NO OBJECTIONS. >> CHAIR, YOU ALSO HAVE BEFORE YOU BILL 171 (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 PUBLIC WORKS, COUNTYWIDE GOVERNMENT PENDANTS BOND FUND, DPW HIGHWAY DIVISION COUNTYWIDE BASEYARD FACILITIES TOTE CAPITAL IMPROVEMENT PROJECTS APPROPRIATIONS, TOTAL APPROPRIATIONS, OPERATING AND CAPITAL IMPROVEMENT PROJECT." 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 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 187 (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 ENVIRONMENTAL MANAGEMENT SOLID WASTE OPERATIONS PROGRAM, DEPARTMENT OF FINANCE, COUNTYWIDE COMPREHENSIVE PLAN." BILL 175 (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 FINANCE, COUNTYWIDE, COUNTYWIDE EQUIPMENT. BILL 187 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING ORDINANCE 5394, BILL NO.\r\n\r\n71, CD 1, FD 2, (2022) RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE COUNTY OF MAUI ISSUANCE, SALE AND DELIVERY OF SAID BONDS DEPARTMENT OF FINANCE." BILL 188 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS -- >> I'M NOT SURE IF THAT IS INCLUDED? IS THIS ONE INCLUDED? YES, OKAY, SORRY. GO AHEAD. >> MAUI ECONOMIC DEVELOPMENT, ENVIRONMENTAL AND CULTURAL PROGRAMS." BILL 178 (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 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 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, 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." BILL 181 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AS PERTAINS TO APPENDIX A, PART 2 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 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 REFER TRUST AND AGENCY FUND HIGHWAY BEAUTIFICATION." BILL 184 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2023 BUDGET OF THE COUNTY OF MAUI AS IT PERTAINS TO PART II SPECIAL PURPOSE REVENUES -- BILL 188 (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 POLICE, WEST MAUI COMMUNITY PLAN AREA, GOVERNMENT FACILITIES BOND FUND LAHAINA ANTENNA REPLACEMENT, TOTAL CAPITAL IMPROVEMENT PROJECTS, PROJECT 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.\r\n\r\nBILL 190 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 5394, BILL NO. 71, CD 1, FD 2 (2022) RELATING TO ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI ISSUANCE, SALE AND DELIVERY OF SAID BONDS DEPARTMENT OF POLICE. >> CHAIR, THAT BILL WAS NOT INCLUDED, AND IF WE WOULD LIKE TO INCLUDE IT, I MOVE TO PASS BILL

152, BILLS 171 THROUGH 184 AND BILLS 188 THROUGH 190 ON SECOND AND FINAL READING. >> SECOND. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ, SECONDED BY PRO TEM KAMA TO PASS THE BILLS AS MENTIONED ON SECOND AND FINAL READING. VICE-CHAIR RAWLINS-FERNANDEZ DISCUSSION?\r\n\r\n>> MAHALO, CHAIR. BILL 152 (2022) AMENDS FISCAL YEAR 2023 BUDGET APPENDIX PART II SPECIAL PURPOSE RETURNS SCHEDULE OF SPECIAL FUNDS BY ADDING APPROPRIATION FOR AFFORDABLE HOUSING FUND FOR MAUI OCEAN VIEW LLP FOR PULELEHUA AFFORDABLE HOUSING PROJECT IN THE AMOUNT OF \$18 MILLION. BILLS 171,172 AND 173 (2022) AMENDS FISCAL YEAR 2023 BUDGET BILL APPENDIX C AND BOND BILL TO ADD THE PROJECT DESCRIPTION AND APPROPRIATE AN ADDITIONAL \$1,270,000 IN BOND FUNDING FOR THE DEPARTMENT OF PUBLIC WORKS DPW BASEYARD FACILITIES. BILLS 174, 175 AND 176 (2022) AMENDS FISCAL YEAR 2023 BUDGET BILL APPENDIX C AND BOND BILL TO ADD \$785,000 IN ADDITIONAL BOND FUNDING FOR THE DEPARTMENT OF FINANCE, COUNTYWIDE EQUIPMENT. AND TO INCREASE CARRY OVER SAVING FROM THE SOLID WASTE MANAGEMENT FUND BY \$300,000 AND APPROPRIATE THESE FUNDS TO THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT SOLID WASTE OPERATIONS PROGRAM. BILLS 178, 179 AND 180 (2022) AMEND THE FISCAL YEAR 2023 BUDGET, APPENDIX C, AND BOND BILL TO ADD \$3,919,000 IN BOND FUNDING FOR THE DEPARTMENT OF PUBLIC WORKS FEDERAL AID PROGRAM WITH AMENDING THE PROGRAM DESCRIPTION TO ADD THE PAYMENT RECONSTRUCTION PROJECT PHASE 1. BILL 181 (2022) AMENDS APPENDIX A, PART 1 TO CARRY OVER \$9,530,000 FROM THE FISCAL YEAR GRANT UNDER THE DEPARTMENT OF PUBLIC WORKS FOR FEDERAL HIGHWAY ADMINISTRATION FEDERAL AID AND OTHER TRANSPORTATION GRANTS. BILLS 182, 183 AND 184 (2022) AMEND SECTION 3.25.030 MAUI COUNTY CODE AND APPENDICES A PART 1 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 HIGHWAY FUND PUTREFACTION TO INCLUDE THE ABILITY TO MITIGATE ADDRESS IMPACTS TOURISM-RELATED TRAFFIC CONGESTION AND AMEND THE TITLE OF THE RELEVANT FUND TO THE HIGHWAY BEAUTIFY AND ABANDONED VEHICLE AND TRAFFIC REVOLVE FUND, BILLS 188, 189 AND 1910 AMEND FISCAL YEAR BOND BILL TO ADD \$3 MILLION IN ADDITIONAL BOND FUNDING AND PROJECT DESCRIPTION FOR THE DEPARTMENT OF POLICE LAHAINA ANTENNA REPLACEMENT.\r\n\r\nAND I WILL YIELD TO MEMBER SINENCI FOR BILL 177, AND I CAN SEE THAT MEMBER MOLINA REALLY APPRECIATES TAKING THIS ALL UP IN ONE MOTION. AND I BELIEVE THIS MIGHT BE ANOTHER RECORD-BREAKING MOTION. [LAUGHTER ] MAHALO, CHAIR MEMBER SINENCI. >> MAHALO, CHAIR THE BILL 177 AMENDS FISCAL YEAR 2023 BUDGET OFFICE OF MATHEMATICS ECONOMIC DEVELOPMENT PROGRAM SOUTH MAUI ECONOMIC DEVELOPMENT, ENVIRONMENTAL, AND CULTURAL TO ADD AN ADDITIONAL \$10,000 IN FUNDING FOR FIRST FROM AND FOR THE HAWAI'I WILDLIFE FUND KELIA FOR SEA TURTLE PROTECTION, [SPEAKER NOT UNDERSTOOD] FOR CONSULTING FEES FOR SOUTH MAUI ECOVILLAGE. >> ANY MORE DISCUSSION OF ANY OF THE BILLS? IF NOT, ALL THOSE IN FAVOR OF THE MOTION RAISE YOUR HAND AND SAY AYE. ALL THE BUDGET BILLS.\r\n\r\n>> AYE. >> SEVEN AYES, MEMBER PALTIN? SEVEN AYES, ZERO NOS, MOTION CARRIES, TWO EXCUSED. MEMBERS KING AND SUGIMURA. BILL 153, DID YOU DO THAT ONE? >> CHAIR, YOU HAVE YOU BILL 153, CD 1 (2022) ENTITLED, "A BILL FOR AN ORDINANCE REPEALING CHAPTER 16.16B MAUI COUNTY CODE AND ESTABLISHING A NEW CHAPTER 16.16 MAUI COUNTY CODE RELATING TO THE ENERGY CODE." >> MR. SINENCI.\r\n\r\n>> THANK YOU, CHAIR. MOVE TO PASS BILL 153, CD 1 (2022) ON SECOND AND FINAL READING. >> SECOND. >> MOVED BY MEMBER SINENCI, SECONDED BY MEMBER JOHNSON TO PASS BILL 153, ON SECOND AND FINAL READING. MR. SINENCI, DISCUSSION? >> THANK YOU, CHAIR.\r\n\r\nBILL 153'S PURPOSE IS TO ADOPT THE HAWAI'I STATE ENERGY CODE WITH MODIFICATIONS SPECIFYING TO THE COUNTY OF MAUI. THE DEADLINE FOR ADOPTING THE COUNTY'S

ENERGY CODE IS DECEMBER 15TH, 2022. THESE AMENDMENTS WERE DEVELOPED WITH INPUT FROM THE INDUSTRY EXPERTS, AND WE THANK THEM FOR THEIR TIME, AND FOR THEIR CONTRIBUTIONS. AND I ALSO WANTED TO THANK MY COLLEAGUES FOR THEIR WORK ON THIS BILL, AND RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT.

>> ANY MORE DISCUSSION ON BILL 153? IF NOT, ALL THOSE IN FAVOR, RAISE YOUR HAND, SAY AYE AYE. >> SEVEN AYES, ZERO NOS, MOTION CARRIES. EXCUSED ARE MEMBERS KING AND SUGIMURA. MR.\r\n\r\nCLERK. >> CHAIR, THERE'S NO FURTHER BUSINESS BEFORE THE COUNCIL. >> MUSIC TO MY EARS. MEMBERS, ANY FINAL PARTING COMMENTS? ANYTHING? DO YOU WANT US TO STAY LONGER AND TALK-STORY? MEMBER KAMA.\r\n\r\n>> CHAIR, I AM SO THANKFUL, AND SO GRATEFUL FOR OUR BUDGET CHAIR THAT SHE IS ABLE TO HELP NAVIGATE, I THINK IS THE WORD FOR US TO GET THROUGH MANY OF THESE BILLS AND I APPRECIATE THE AMOUNT OF WORK IT TAKES TO MAKE THAT HAPPEN. THANKFUL TO MEMBER SINENCI AND HIS BILL. THANKFUL TO MY COUNCIL MEMBERS AND THE WORK THAT WE DO, WHETHER WE AGREE OR NOT, WE COME TOGETHER TO WORK. THANK YOU CHAIR. THANK YOU EVERYONE. HAVE A GREAT WEEKEND. >> MEMBER MOLINA.\r\n\r\n>> THANK YOU, MADAM CHAIR. I'M THANKFUL TO MEMBER KAMA FOR BRINGING UP BEING THANKFUL. WE HAVE THANKSGIVING NEXT WEEK, EVERYBODY HAVE A SAFE AND HEALTHY THANKSGIVING WEEKEND, TRYING TO LOSE WEIGHT AFTER THANKSGIVING IS ALWAYS MY PROBLEM. MAHALO. >> ANYBODY ELSE? MEMBER SINENCI? >> THANK YOU.\r\n\r\nHAPPY THANKSGIVING TO ALL OF YOU, AND TO OUR HARD-WORKING STAFF, AND FOR THOSE OF YOU WHO ARE TRAVELING DURING THE WEEK, TRAVEL SAFE. THANK YOU. >> THANK YOU. ANYONE ELSE? ALL RIGHT, HAPPY THANKSGIVING EVERYBODY. TAKE CARE, AND WE'LL SEE YOU AGAIN SOON. THIS MEETING IS ADJOURNED.\r\n\r\n[GAVEL]