

TRANSCRIPTION

Council of the County of Maui on 2022-12-02 9:00 AM - Regular Meeting

[GAVEL] GOOD MORNING EVERYONE. WILL THE MAUI COUNTY COUNCIL MEETING OF DECEMBER 2ND, 2022, PLEASE COME TO ORDER AND IT'S APPROXIMATELY 9:02 AND THE GREETING IS FROM UKRAINE. >> CHAIR, PROCEEDING WITH ROLL CALL, MEMBERS PARTICIPATING FROM NON-PUBLIC LOCATIONS SHOULD STATE WHO IF ANYONE, EXCEPT MINORS WHO PREPONDERANT AS PART OF ROLL CALL. COUNCIL MEMBER SHANE SINENCI? >> ALOHA KAKAHIKA KAKOU, AND HAPPY TO JOIN THIS FRIDAY COUNCIL MEETING FROM THE HANA DISTRICT OFFICE, WHERE I'M HERE, CHAIR, WITH DISTRICT STAFF, AND CURRENTLY THERE ARE NO TESTIFIERS. >> THANK YOU. >> COUNCIL MEMBER MIKE MOLINA.\r\n\r\n>> ALOHA MADAM CHAIR, MY FELLOW COLLEAGUES AND EVERYONE ELSE JOINING US TODAY. FOR THE RECORD, I'M TRANSMITTING FROM THE WAILUKU COUNCIL CHAMBERS AND WE HAVE NO TESTIFIERS IN THE PA'IA DISTRICT OFFICE. MAHALO. >> THANK YOU. >> COUNCIL MEMBER KELLY TAKAYA KING. >> ALOHA KAKAHIKA, CHAIR AND MY FELLOW COUNCIL MEMBERS, NICE TO BE HERE IN THE CHAMBERS WITH A QUORUM, ACTUALLY PHYSICALLY PRESENT. AND I HAVE NOT GOTTEN ANY WORD FROM OUR DISTRICT OFFICE, BUT I ASSUME THERE'S NO TESTIFIERS IN THE SOUTH MAUI DISTRICT OFFICE, ANONYMOUS OR OTHERWISE HERE WITH DANIEL, AND LOOK FORWARD TO A GOOD MEETING.\r\n\r\n>> THANK YOU. >> COUNCIL MEMBER GABE JOHNSON. >> CHAIR, COMMUNITY MEMBERS, COUNCIL MEMBERS, I AM IN CHAMBERS TODAY. THERE'S NO TESTIFIERS AT THE LANA'I DISTRICT OFFICE. I'M HERE AND READY TO WORK. MAHALO. >> THANK YOU.\r\n\r\n>> COUNCIL MEMBER TAMARA PALTIN. >> ALOHA KAKAHIKA KAKOU AND THERE'S NO TESTIFIERS AT THE LAHAINA DISTRICT OFFICE. >> THANK YOU. >> THANK YOU. >> COUNCIL MEMBER YUKI LEI SUGIMURA. >> I'M HERE IN KULA AT MY HOME OFFICE AND NICE TO SEE ALL OUR COUNCIL MEMBERS TODAY, LOOKING FORWARD TO A PRODUCTIVE MEETING. THANK YOU.\r\n\r\n>> THANK YOU. >> PRESIDING OFFICER PRO TEMPORE TASHA KAMA. >> ALOHA KAKAHIKA, CHAIR AND TO ALL OF MY FELLOW COLLEAGUES, I'M HERE IN THE COUNCIL CHAMBERS AND I'M LOOKING FORWARD TO A VERY EXPEDITIOUS MEETING TODAY. THANK YOU, CHAIR. >> THANK YOU, AND GOD BLESS YOU. >> COUNCIL VICE-CHAIR KEANI RAWLINS-FERNANDEZ. >> ALOHA KAKAHIKA, KAKOU.\r\n\r\nALOHA CHAIR. I AM HERE AT 300 'ALIOMANU BOULEVARD AT THE FEDERAL COURT BUILDING. I'M NOT IN A PUBLIC LOCATION, BUT IN A WITNESS ROOM, WAITING TO TESTIFY, WHICH I WILL BE GOING TO AFTER PROVIDING MY REMARKS THIS MORNING. THERE ARE NO TESTIFIERS AT THE MOLOKA'I DISTRICT OFFICE. OH, THERE'S ONE. OH, CORRECTION. MAHALO, MEMBER JOHNSON FOR MONITORING THE CHAT FOR ME.\r\n\r\nTHERE IS ONE TESTIFIER CURRENTLY AT THE MOLOKA'I DISTRICT OFFICE. MAHALO, CHAIR. >> THANK YOU, VICE-CHAIR. AND OF COURSE, WE'RE WITH YOU, GO GET THEM WHEN IT'S YOUR TURN MR. CLERK. >> AND COUNCIL CHAIR ALICE L. LEE. >> I'M HERE.\r\n\r\n>> CHAIR, THERE ARE NINE MEMBERS PRESENT, A QUORUM IS PRESENT TO CONDUCT THE BUSINESS OF THE COUNCIL. FOR THE RECORD, ALL RIGHT 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 AND JOINING THE MEETING IS FROM THE DEPARTMENT CORPORATION COUNSEL RICHELLE THOMPSON. >> OPENING REMARKS WILL BE PROVIDED BY VICE-CHAIR KEANI RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I'M SO THANKFUL FOR THIS PRIVILEGE TO PROVIDE OPENING REMARKS ON THE SECOND TO THE LAST COUNCIL MEETING OF THIS TERM. AS I SIT HERE IN THE WITNESS ROOM, AT THE FEDERAL COURT BUILDING ON O'AHU, WAITING TO TESTIFY.\r\n\r\nWITH THE BACKGROUND THAT ALMOST LOOKS LIKE A VIRTUAL - - I WANTED TO TAKE THIS OPPORTUNITY TO MY COLLEAGUES AND STAFF, OUR COUNCIL SERVICES STAFF, WHO AMAZINGLY KEPT PACE WITH US THIS TERM AND THE

DEDICATED COMMITTEE MEMBERS, WHOSE HARD WORK IN PASSING COUNCIL-INITIATED LEGISLATION. THIS YEAR WE'LL HAVE GONE THROUGH OVER 300 PIECES OF COUNTY COMMUNICATIONS. 135 COMMITTEE REPORTS, OVER 260 RESOLUTIONS AND 200 BILLS. LAST YEAR, WE HAD 563 COUNTY COMMUNICATIONS, 140 COMMITTEE REPORTS, 149 -- A TOTAL OF 1,120 COUNTY COMMUNICATIONS, 275 COMMITTEE REPORTS, AND 345 DURING THIS TERM. FOR RESIDENCE, THE HONOLULU CITY AND COUNTY COUNCIL PASSED 40 BILLS, JUST FOR THE RECORD. IN THIS TERM, WE LAUNCHED THE NEW DEPARTMENT OF AGRICULTURE, STARTED THE LONG-TERM EXEMPTION AND CONSULTATION CREATED BY POLICY BY LONG-TERM RESIDENTS FOR AFFORDABLE HOUSING, PROVIDED TAX RELIEF FOR LONG-TERM RESIDENTS, AND INCREASED PROPERTY TAXES ON MAUI TRANSIENT ACCOMMODATION AND STARTED CAPPED TRANSIENT ACCOMMODATION IN MOST DISTRICTS THAT HAD PERMITTED IT. REGULATED BIKE TOURS FOR EVERYONE'S SAFETY, FUNDED OVER -- OVERNIGHT SAFE ZONE PARKING LOT FOR INDIVIDUALS CURRENTLY LIVING IN VEHICLES, CREATED DHHL LIAISON POSITION, ASSISTANT FOR THE COUNCIL INITIATED COUNTY ARCHAEOLOGIST, HAWAIIAN LANGUAGE COMMUNICATION SPECIALIST ON COUNCIL AND THE ADMINISTRATION.\r\n\r\nOWNER-OCCUPIED RESIDENT -- MY APOLOGIES. WITH THE HOMEOWNER EXEMPTION FOR PROPERTIES CONDUCTING SHORT-TERM RENTALS, PASSED 'AINA KUPUNA LEGISLATION TO PROTECT FAMILIES FROM BEING PRICED OUT, UPDATED THE 20 PLUS-YEAR-OLD MAUI COMMUNITY PLAN, AND UPDATED THE MAUI WATER USE AND DEVELOPMENT PLAN. CREATED A BUDGET PROCESS THAT WAS DEVELOPED AND REFINED TOGETHER, A BUDGET SOFTWARE OPENGOV THAT STREAMLINED OUR BUDGET SESSIONS MAKING IT FAR LESS PAINFUL FOR STAFF, THE COMMITTEE AND THE PUBLIC. PASSED RESOLUTIONS URGING THE FAA TO REQUIRE PLANES TO USE FLIGHT PATHS AWAY FROM RESIDENTIAL NEIGHBORHOODS AND TOUR HELICOPTERS AND FUNDED PROGRAMS, AND MANAGED AXIS DEER POPULATION, APPROVED HOUSE PROJECTS THAT WERE APPROPRIATE FOR THE LOCATION, AND TRULY AFFORDABLE FOR RESIDENTS, CREATED THE COMMUNITY WATER AUTHORITIES, WORKED WITH THE ADMINISTRATION TO SECURE OVER 500 ACRES IN A CULTURAL PRESERVE AND 23 ACRES -- NEW COUNTY TRANSIENT ACCOMMODATION TAX. FUNDED THE HALAU CULTURAL OVERLAY AND THESE ARE JUST THE HIGHLIGHTS. WHEN THE COMMUNITY HAS A COUNCIL AND ADMINISTRATION THAT IS WORKING FOR THE PEOPLE, THIS IS WHAT IS POSSIBLE. GOVERNMENT IS NOT A SET AND FORGET IT.\r\n\r\nLAWS AREN'T WRITTEN IN STONE AND CAN BE CHANGED AT A WHIM AND WHILE LAWS ARE REFINED AFTER THEY ARE IMPLEMENTED AND THEY ARE IDENTIFIED, THE PUBLIC MUST ALWAYS BE VIGILANT. FUTURE COUNCILS MIGHT NOT HAVE AGREED WITH EVERYTHING THAT THIS COUNCIL PASSED. IT WILL BE IN THE PEOPLE'S HANDS TO PROTECT LAWS FROM BEING REPEALED, SO HOUSES CAN BE AFFORDABLE THROUGH AFFORDABLE HOUSING GUIDELINES THAT PEOPLE MOVING IN DON'T TAKE AFFORDABLE HOUSING FROM ELIGIBLE FOR LONG-TERM RESIDENTS HERE. AND WHILE LIKELY BID FAREWELL TO COUNCIL MEMBER KING AND COUNCIL MEMBER MOLINA AT OUR LAST COUNCIL MEETING I WANTED TO SAY A SINCERE MAHALO TO THEM. THE GOVERNMENT IS FOR THE PEOPLE, OF THE PEOPLE AND THIS LAST TIME WE WORKED REALLY HARD TO MAKE THEM COME TOGETHER. THERE'S STILL SO MUCH WORK TO DO AND WE'LL NEED EVERYONE'S -- NEXT TERM I'M COMMITTED TO CONTINUING COMMUNITY ENGAGEMENT AND EDUCATION, SO WE CAN CONTINUE BUILDING A THRIVING MAUI. MAHALO, CHAIR.\r\n\r\n>> THANK YOU, VICE-CHAIR RAWLINS-FERNANDEZ FOR THAT WONDERFUL REPORT. NOW I ASK YOU TO 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. >> CHAIR, PROCEEDING WITH TESTIMONY ON CEREMONIAL RESOLUTIONS. MEMBERS OF THE PUBLIC MAY TESTIFY IN THE COUNCIL CHAMBERS AT COURTESY TESTIMONY SITES AND INFORMATION LISTED ON THE AGENDA. INDIVIDUALS MAY SIGN UP TO TESTIFY WITH STAFF MEMBER

LOCATED AT THE DESK IN THE 8TH FLOOR LOBBY AND INDIVIDUALS . SHOULD TURN THEM ON WHEN IT'S THEIR TIME TO TESTIFY. TESTIMONY IS LIMITED TO ITEMS LISTED ON THE AGENDA.\r\n\r\nINDIVIDUALS MAY TESTIFY UP TO THREE MINUTES, WITH UP TO ONE MINUTE TO CONCLUDE. WHEN TESTIFYING, PLEASE STATE YOUR NAME AND THE NAME OF ANY ORGANIZATION THAT YOU REPRESENT AS WITH AS EYEWITNESSES YOU WILL BE TESTIFYING, AND PLEASE IDENTIFY TO THE COUNCIL IF YOU ARE A PAID LOBBYIST. INDIVIDUALS MAY BE DISCONNECTED FROM MEETING AT ANY TIME FOR BREAKING DECORUM. AT THIS TIME, INDIVIDUALS MAY TESTIFY ON THE CEREMONIAL RESOLUTION. CHAIR, WE CURRENTLY DO NOT HAVE ANY INDIVIDUALS TO TESTIFY ON THE CEREMONIAL LEGISLATION, BUT WE'LL DO LAST CALL. IF THERE'S ANYONE TO PROVIDE TESTIMONY ON THE CEREMONIAL RESOLUTION, PLEASE IDENTIFY YOURSELF NOW. AGAIN, LAST CALL.\r\n\r\n>> ALOHA, I WOULD LIKE TO TESTIFY. THIS IS LUCIENNE DE NAIE. >> PLEASE PROCEED, GOOD MORNING. >> GOOD MORNING. >> I JUST WANT TO SAY FOR MANY YEARS OUR PA'IA YOUTH AND CULTURAL CENTER HAS BEEN A BRIGHT BEACON IN OUR COMMUNITY. BESIDES JUST GIVING OUR YOUTH A PLACE TO COME THAT IS BEAUTIFUL, AND INSPIRING TO THEM, RIGHT AT THE OCEAN, WHERE MANY ACTIVITIES THAT THEY ENJOY ARE AVAILABLE. IT ALSO OFFERS IMPORTANT LIFE SKILLS, LIKE, COOKING, LIKE, LEARNING HOW TO RUN A RADIO STATION, AND MANY, MANY OTHER THINGS THAT ARE USEFUL, INCLUDING AS WE HAVE SEEN IN THIS INCIDENT, WATER SAFETY INSTRUCTION AND FIRST AID.\r\n\r\nAND WE'RE VERY, VERY PROUD THAT OUR LITTLE COMMUNITY FACILITY THAT IS REALLY UNIQUE, IN ALL OF THE YOUTH CENTERS ON MAUI, HAS LED TO THIS FORTUNATE OUTCOME OF A LIFE BEING SAVED. SO CONGRATULATIONS TO OUR YOUNG HEROINE AND THE SUPPORT SYSTEM OF THE PA'IA YOUTH AND CULTURAL CENTER AND PLEASE REMEMBER THE CENTER IN THE BUDGET. THEY NEED FUNDS EVERY YEAR. IT'S AN OLD BUILDING AND THEY HAVE GREAT PROGRAMS. THANKS FOR YOUR CONSIDERATION AND SO HAPPY FOR THIS OUTCOME AND WE'RE BESTOWING THIS HONOR ON OUR YOUNG LADY HERE. >> THANK YOU. MS.\r\n\r\nDE NAIE. ANY QUESTIONS, MEMBER? IF NOT, THANK YOU VERY MUCH. MR. CLERK, ARE THERE ANY OTHER TESTIFIERS? >> CHAIR, NO ONE ELSE HAS IDENTIFIED THEMSELVES AS WISHING TO TESTIFY ON THIS RESOLUTION. >> ARE THERE ANY OBJECTIONS, MEMBERS, 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 22-263, ENTITLED, "HONORING AND THANKING MAUI COUNTY RESIDENT, EMMA-LEE MCCORD FOR HER ACT OF HEROISM AT PA'IA, MAUI, HAWAI'I ON SEPTEMBER 3RD, 2022." >> COUNCIL MEMBER KING. >> MAHALO, CHAIR. I WILL, FIRST, I WILL MOVE TO ADOPT RESOLUTION 22-263. AND THEN I WILL GO AHEAD AND READ THE RESOLUTION MYSELF.\r\n\r\n>> SECOND. >> MOVED BY COUNCIL MEMBER KING, SECONDED BY MEMBER MOLINA TO ADOPT RESOLUTION 22-263. MEMBER KING. >> THANK YOU, CHAIR. AND MAHALO TO MEMBER MOLINA, APPROPRIATE, BECAUSE THIS IS HIS DISTRICT THAT THE YOUNG LADY IS FROM. THE RESOLUTION HONORING AND THANKING MAUI COUNTY RESIDENT EMMA-LEE MCCORD FOR HER ACT OF HEROISM AT PA'IA, MAUI, HAWAI'I ON SEPTEMBER 3RD, 2022. WHEREAS, EMMA-LEE MCCORD A 7TH GRADE STUDENT AT KALAMA INTERMEDIATE SCHOOL WAS ENJOYING HERSELF AT THE PA'IA YOUTH AND CULTURAL CENTER, WHEN AN INJURED SWIMMER AT NEARBY PA'IA BAY BEACH PARK SUDDENLY NEEDED URGENT HELP; AND WHEREAS, THE SWIMMER HAD BEEN BITTEN BY A SHARK AND THE BEACH-GOERS RAN TO THE PYCC DESPERATELY SEEKING SOMEONE WHO COULD PROVIDE FIRST AID UNTIL EMERGENCY RESPONDERS ARRIVED; AND WHEREAS, EMMA-LEE HAD RECENTLY COMPLETED FIRST AID TRAINING AT THE YOUTH CENTER AND SHE IMMEDIATELY TOOK HEROIC ACTIONS TO EFFECTIVELY RENDER AID AND STABILIZE THE INJURED SWIMMER HELPING TO SAVE HER LIFE; AND WHEREAS, IN A CRITICAL DECISION, EMMA-LEE DIRECTED

ANOTHER HELPER TO STOP POURING WATER ON THE SWIMMER'S HEAD; AND WHEREAS, AS EMMA-LEE TOLD HAWAI'I NEWS NOW, IN A STORY THAT RAN ON OCTOBER 13, 2022 AS SHE LEARNED THROUGH HER TRAINING AT THE PYCC THAT IF YOU PUT WATER ON THEIR HEAD, THEN YOU CAN DROWN THEM;" AND WHEREAS, IN RECOGNITION OF EMMA-LEE'S HEROISM, THE LOCAL RED CROSS CHAPTER HAS NOMINATED HER FOR PRESTIGIOUS NATIONAL LIFE-SAVING AWARD BY THE AMERICAN RED CROSS; AND WHEREAS, THE DEPARTMENT OF POLICE ALSO PLANS TO HONOR EMMA-LEE FOR HER HEROISM; AND WHEREAS, THE EXCEPTIONAL PERFORMANCE AND SELFLESS HEROISM OF EMMA-LEE MCCORD HAS BROUGHT PRIDE AND HONOR TO THE PEOPLE OF THE COUNTY OF MAUI. NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF MAUI: 1 THAT IT HONORS AND THANKS MAUI COUNTY RESIDENT EMMA-LEE MCCORD FOR HER ACT OF HEROISM AT PA'IA, MAUI, HAWAI'I ON SEPTEMBER 3RD, 2022; AND 2, THAT CERTIFIED COPIES OF THIS RESOLUTION BE TRANSMITTED TO EMMA-LEE MCCORD, TAMI HA'ILI PRINCIPAL, SAMUEL E. KALAMA INTERMEDIATE SCHOOL; SUSUN WHITE, EXECUTIVE DIRECTOR PYCC; LOREN LAPOW MAUI HERO PROJECT, PROGRAM ADMINISTER PA'IA YOUTH AND CULTURAL CENTER; BILLY JALBERT, PRESIDENT BOARD OF DIRECTORS AND ADVISORS PA'IA YOUTH AND CULTURAL CENTER; ROBERT KING, CHAIR, MAUI COUNTY AMERICAN RED CROSS ADVISORY COUNCIL; JENNY WORTH, DISASTER PROGRAM MANAGER, MAUI COUNTY AMERICAN RED CROSS OF HAWAI'I ; CHIEF OF POLICE JOHN PELLETIER; AND MAYOR MICHAEL P. VICTORINO AND TO ADD THE NAME IN THE SECOND BE IT RESOLVED, CHAIR. >> ANY OBJECTIONS, MEMBERS?\r\n\r\n>> NO OBJECTIONS. >> SO ORDERED. >> DISCUSSION, MEMBER KING. >> FIRST I WANT TO THANK MY HUSBAND, BECAUSE HE RECENTLY BECAME THE CHAIR OF THE ADVISORY COMMITTEE FOR THE MAUI RED CROSS AND CAME HOME FROM THE HIS FIRST MEETING VERY EXCITED ABOUT THIS YOUNG LADY, WHO THEY HAD DISCUSSED, WHO HAD BEEN SUCH A HERO FOR WATER SAFETY. AND SO THAT IS HOW THIS RESOLUTION TRANSPIRED AND I'M REALLY HAPPY TO BE RECOGNIZING THIS ON WHAT IS THE WEEK BEFORE OUR YOUTH COUNCIL. SO IT'S A VERY GOOD FIT FOR TODAY. ON SEPTEMBER 3RD, 2022, EMMA-LEE SPRUNG INTO ACTION TO PERFORM AN ACT OF HEROISM AFTER AN INDIVIDUAL, WHO WAS A VISITOR FROM FRANCE, WAS BITTEN BY A SHARK OFF OF PA'IA BAY AND UTILIZED HER AMERICAN RED CROSS TRAINING TO PROVIDE EMERGENCY RESPONSE IN A CRITICAL SITUATION THAT CONTRIBUTED TO SAVING A LIFE.\r\n\r\nEMMA-LEE'S COURAGE, SELFLESSNESS AND GENUINE INTENT TO HELP ANOTHER PERSON IN A SITUATION REQUIRING QUICK-THINKING AND A CALM DEMEANOR. AT ONLY 12 YEARS OLD SHE IS AN AMAZING HERO, WE CAN ALL BE PROUD OF, AND I RESPECTFULLY ASK FOR THE COUNCIL'S SUPPORT OF MY MOTION AS AMENDED. AND AS WE FOUND OUT AS A HAPPY COINCIDENCE THAT TODAY IS EMMA-LEE'S BIRTH AND BIRTHDAY AND I WOULD LIKE TO WISH HER A HAPPY BIRTHDAY AS WELL. >> MAHALO, MEMBER MOLINA. >> THANK YOU, MEMBER KING FOR BRINGING THIS RESOLUTION FOR ALL OF US TO RECOGNIZE EMMA-LEE'S AMAZING ACT OF HEROISM. IT'S NOT TOO OFTEN YOU FIND A 12-YEAR-OLD REACTING UNDER DURESS. IT'S TOUGH ENOUGH FOR AN ADULT, BUT TO EXPRESS LEADERSHIP AND COURAGE AND TIME IS OF THE ESSENCE FOR THE PERSON BITTEN BY THE SHARK IS SIMPLY AMAZING.\r\n\r\nWE'RE SO VERY HAPPY AND AT KALAMA INTERMEDIATE, AS I SUBSTITUTE TEACH, MY MOONLIGHTING JOB AND MANY, MANY FOLKS ARE VERY PROUD OF HER. I'M JUST BLOWN AWAY BY THIS TREMENDOUS ACT OF SACRIFICE ON HER PART TOO. MAHALO TO THE CULTURAL CENTER AS WELL. IT WAS MENTIONED EARLIER BY A TESTIFIER BY THE BUDGET AND MONIES FOR THIS CULTURAL CENTER. IN THIS CASE, MADAM CHAIR, THIS WAS MONEY WELL-SPENT WHEN THEY CAN PROVIDE PROGRAMS THAT CAN HELP EDUCATE OUR YOUTH TO RESPOND IN TYPES OF EMERGENCIES LIKE THIS. SO JUST A GREAT EXAMPLE AND WONDERFUL STORY. AND CONGRATULATIONS TO YOU, EMMA-LEE, AND ALSO TO YOUR FAMILY AND EVERYONE ELSE.\r\n\r\nHAPPY BIRTHDAY. MAHALO, MADAM CHAIR. >> THANK YOU. ANY

OTHERS? MEMBER PALTIN. >> THANK YOU, CHAIR. I WOULD LIKE TO EXTEND MY CONGRATULATIONS AND HAPPY BIRTHDAY AS WELL, AND ENCOURAGE THE YOUNG LADY TO JOIN IN THE JUNIOR LIFEGUARD PROGRAM THIS UPCOMING SUMMER.\r\n\r\nTHANK YOU. >> WE HAVE OUR OWN LIFEGUARD ON THE COUNCIL. MEMBER SUGIMURA. >> CONGRATULATIONS, EMMA-LEE AND DEMONSTRATING LEADERSHIP THAT REQUIRES THE INNER CORE TO COME FORWARD. I HAVE ALWAYS SUPPORTED THE PA'IA YOUTH AND CULTURAL CENTER AND THIS IS ANOTHER DISPLAY OF WHY THEY ARE SO IMPORTANT TO BE AN INTEGRAL PART OF OUR COMMUNITY. THANK YOU VERY MUCH. CONGRATULATIONS AND HAPPY BIRTHDAY.\r\n\r\n>> THANK YOU, MEMBER SUGIMURA. MEMBER PRO TEM KAMA. >> THANK YOU, CHAIR. I JUST WANT TO WISH EMMA-LEE A HAPPY BIRTHDAY AND BLESSINGS NOT JUST FOR HER BIRTHDAY TODAY, BUT FOR ALL OF THE DAYS OF HER LIFE, BECAUSE OF THE CONFIDENCE THAT SHE HAD WITHIN HER TO IMMEDIATELY MAKE A SPLIT-SECOND DECISION TO DO WHAT SHE KNEW SHE WAS TRAINED TO DO, COULD DO, AND HAD THE ABILITY AND THE CAPACITY TO DO. IT'S WHAT'S GOING TO TAKE HER INTO A FUTURE THAT WILL BE BRIGHT AND FULFILLING. SO I AM HONORED, ALONG WITH MY COLLEAGUES TODAY TO WISH HER A HAPPY BIRTHDAY, AND BLESSINGS FOR ALL OF THE DAYS OF HER LIVES AND FOR HER SEVEN GENERATIONS TO COME. THANK YOU, CHAIR.\r\n\r\nTHANK YOU, EMMA-LEE. >> THANK YOU PRO TEM KAMA. ANY OTHER COMMENTS OR QUESTIONS? I WOULD LIKE TO OFFER MY CONGRATULATIONS TO EMMA-LEE. IT'S AMAZING WHAT YOU DID TO SAVE ANOTHER PERSON'S LIFE AND WHAT IS INCREDIBLY AWESOME YOU HAD THE PRESENCE OF MIND TO THINK ABOUT WHAT YOU LEARNED, AND HELPED THIS PERSON SURVIVE. THIS IS JUST SIMPLY AMAZING. AND YOU ARE GOING TO BE A ROLE-MODEL FOR NOT ONLY THE KIDS AT THE PA'IA YOUTH CENTER, BUT FOR ALL OF THE MAUI'S YOUTH.\r\n\r\nTHANK YOU VERY MUCH. AT THIS TIME, WE'LL TAKE THE VOTE. MEMBERS, ALL IN FAVOR OF ADOPTING RESOLUTION 22-263, PLEASE RAISE YOUR HAND AND SAY AYE? >> AYE. >> I SEE EIGHT AYES, ONE EXCUSED AND EXCUSED IS VICE-CHAIR RAWLINS-FERNANDEZ. AND ONE MORE THING, HAPPY BIRTHDAY FROM ALL OF US. YES, MEMBER KING.\r\n\r\n>> YES, CHAIR, IF WE MAY TAKE A FEW MINUTES TO PRESENT LEIS AND TAKE PICTURES WITH THE FAMILY. SO MY HOPE -- I WAS HOPING TO GIVE THE LEIS BEFORE, BUT WE DIDN'T HAVE EVERYBODY HERE. SO IF WE COULD PRESENT LEIS AND ASK THEM TO SAY A FEW WORDS, IF THEY WOULD LIKE TO. >> YES. HAPPY BIRTHDAY TO YOU, EMMA-LEE. >> THANK YOU SO MUCH FOR HAVING ME OVER HERE, AND I'M JUST THANKFUL FOR HAVING LOREN TEACH ME HOW TO HELP OTHER PEOPLE, AND I'M THANKFUL FOR MY FAMILY TO SHOW UP TODAY. [APPLAUSE] >> ANYBODY ELSE WANT TO SAY A FEW WORDS, GORDON?\r\n\r\nI'M GORDON GILLIS AND I HAD THE PLEASURE OF TEACHING THE ADULT AND PEDIATRIC FIRST AID CPR AND ADD CLASS TO EMMA SIX DAYS BEFORE THE INCIDENT. SO IT WAS MY PLEASURE AND HONOR TO TEACH THAT CLASS TO YOU EMMA-LEE. I TEACH A LOT OF CLASSES AND OFTEN DON'T KNOW, YOU KNOW, THE BENEFIT IT HAS TO THE COMMUNITY. SO IT'S REALLY NICE TO KNOW THAT SOME OF THE WORK THAT WE DO, REALLY MAKES A DIFFERENCE. SO I'M REALLY THRILLED, AND I'M VERY PROUD OF EMMA-LEE. THANK YOU. [APPLAUSE] >> DO YOU WANT TO SAY A FEW WORDS >> JUST WANTED TO SAY HOW PROUD I AM OF MY DAUGHTER AND HOW SHE STEPPED TO THE PLATE.\r\n\r\nI'M AT A LOSS OF WORDS TO EXPRESS -- I WANT TO THANK EVERYBODY INVOLVED, LOREN, AND EVERYTHING YOU HAVE DONE FOR MY DAUGHTER AND THE FUTURE OF ALL GENERATIONS THAT YOU TEACH. IT'S AMAZING. THANK YOU VERY MUCH. [APPLAUSE] >> GOOD MORNING EVERYONE. HAPPY BIRTHDAY, EMMA, AND CONGRATULATIONS, AND TO YOUR FAMILY, DAD, GRANDPA AND SISTER, REALLY GRATEFUL THAT EMMA TURNED OUT THAT THE WAY SHE DID TO REALLY HONOR AND A BLESSING TO KNOW YOU, AND TO BE PART OF YOUR LIFE AND HOW YOU ARE EVERY DAY AROUND THE YOUTH CENTER AND AROUND YOUR FRIENDS, AND THE WAY HOW YOU ARE TOWARDS PEOPLE YOU NEVER MET BEFORE. YOU KNOW, IT TAKES A LOT OF

COURAGE, AND A LOT OF STRENGTH EVEN WITH ADULTS PRESENT TO INTERVENE AND TAKE THAT STEP TOWARDS LIFE. THAT IS A BIG DEAL IN A LIFETIME TO BE ABLE TO DO THAT.\r\n\r\nSO I'M REALLY GRATEFUL. I'M GRATEFUL TO YOU, GORDON, NOT JUST TAKING THE TIME TO TRAIN EMMA-LEE AND HER CLASS, BUT EVERY CLASS OF KIDS WE HAVE HAD FOR THE LAST NUMBER OF YEARS AT THE MAUI HOREB PROJECT AND PA'IA YOUTH AND CULTURAL CENTER AND IT'S THROUGH OUR COLLABORATION WITH SAFETY SERVICES, THROUGH THE RED CROSS, THANKS, JENNY, FOR ALL OF THE EFFORTS YOU HAVE MADE HERE, THE AMERICAN RED CROSS ON MAUI, TO INITIATE THE RED CROSS CLUBS WITH A NUMBER OF SCHOOLS. INCORPORATING HOW MANY, I DON'T EVEN KNOW, YOUTH, INTO THIS MOVEMENT OF CARE AND COMPASSION TOWARDS PEOPLE IN NEED. IT WAS THE FOUNDATION FOR THE TRAINING TO HAPPEN, AND I'M REALLY GRATEFUL TO THE CERT PROGRAM, EVEN BEFORE THE RED CROSS STEPPED IN. WE WERE COLLABORATING WITH THE TEEN CRT PROGRAM THAT HAS NEW LIFE AND NEW ENERGY THROUGH THE FIRE DEPARTMENT, AND IT'S THROUGH ALL THESE COLLABORATIONS AND ALL OF THESE CONNECTIONS OF HELPING PROFESSIONALS REACHING OUT TO THE YOUNGER GENERATION, THROUGH ORGANIZATIONS LIKE THE YOUTH CENTER, OVER IN PA'IA, THAT ALLOW ACTS LIKE THIS TO BE PERFORMED BY EVERY DAY HEROES AND HEROINES LIKE EMMA. I'M REALLY GLAD, I'M REALLY ENCOURAGED AND AT THE SAME TIME, OUR YOUTH CENTER IN IS REAL NEED. THE MAUI HERO PROJECT IS FUNDED THROUGH THE STATE OFFICE OF YOUTH SERVICES WHEREAS, THE REST OF THE PROGRAMS DEPEND ON COUNTY FUNDS.\r\n\r\nSO WITH THE NEW BUILDING IN THE PLANNING STAGES, WE CAN USE ALL OF THE SUPPORT FOR CONSTRUCTION, PLANNING AND PROGRAMING THAT WE COULD GET. THANK YOU VERY MUCH. [APPLAUSE] >> NICE TO SEE YOU EMMA. MY NAME IS JENNY WORTH, DISASTER PROGRAM MANAGER AT THE AMERICAN RED CROSS, BEEN THERE ABOUT TWO YEARS. WHILE I HAVE BEEN THERE, WE HAVE BUILT RED CROSS CLUBS ACROSS THE COUNTRY INCREASING OUR VOLUNTEER WORKFORCE. NOW YOUTH UNDER 18 ARE 40% OF THE VOLUNTEER WORKFORCE IN THE COUNTY. SO 90 PLUS STUDENTS RIGHT NOW ARE ACTIVELY VOLUNTEERING WITH THE AMERICAN RED CROSS.\r\n\r\nTHAT IS A LOT TO BE PROUD OF. THANK YOU, EMMA, FOR MAKING US ALL SO PROUD. WE'RE VERY PROUD OF YOU. THANK YOU. [APPLAUSE] >> ANYONE ELSE? DID YOU WANT TO SAY A FEW WORDS. >> I JUST WANT TO SAY HAPPY BIRTHDAY TO MY LITTLE SISTER.\r\n\r\nSHE IS NOW 13 AND I FEEL LIKE I WATCHED HER GROW UP IN THE SNAP OF AN EYE. THE FACT THAT SHE SAVED SOMEONE, SHE CALLED ME AND SAID ARE YOU PROUD OF ME, I SAID DOH, WHY WOULDN'T I BE PROUD OF YOU, EMMA? I BLESS YOU WITH EVERYTHING IN LIFE. I MIGHT BE GONE AFTER HIGH SCHOOL, BUT I HOPE YOU HAVE AN AMAZING HIGH SCHOOL YEAR EMMA, BECAUSE YOU ARE GOING TO DO AMAZING THINGS, STAY IN SPORTS. GO INTO THE RED CROSS. DO THE THINGS YOU WANT TO DO, BECAUSE YOU ARE AMAZING EMMA. HAPPY BIRTHDAY, OKAY.\r\n\r\nI LOVE YOU. THANK YOU. [APPLAUSE] THANK YOU. THANK YOU SO MUCH EVERYBODY. >> HOW DO YOU FOLLOW THAT? I DON'T KNOW. >> I THINK WE HAVE OUR FIRST CANDIDATE FOR NEXT YEAR'S YOUTH COUNCIL, CHAIR.\r\n\r\n>> IT SEEMS LIKE IT. 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 TONI RUST, TO BE FOLLOWED BY KAMOLANI >> BOY, I WAS HOPING I WASN'T THE ONE FOLLOWING THAT. [LAUGHTER] CONGRATULATIONS, EMMA, AND TO YOUR SISTER'S SWEET WORDS.\r\n\r\nIT WAS NICE LISTENING TO YOU. GOOD MORNING, COUNCIL CHAIR, AND COUNCIL MEMBERS. MY NAME IS TONIE RUST, AND I'M THE MAUI DIVISION CHIEF FOR HGEA AND THANK YOU FOR THE OPPORTUNITY TODAY TO TESTIFY IN STRONG SUPPORT OF BILL 203. YOU HAVE OUR WRITTEN TESTIMONY BEFORE YOU. SO I WON'T BE RUNNING THROUGH THAT. I SIMPLY CAME HERE TO SAY THAT THE PASSAGE OF BILL 203 WILL ENSURE THAT THE COUNTY OF MAUI FULFILLS ITS OBLIGATIONS UNDER THE TERMS OF THE

FINAL AND BINDING ARBITRATION DECISION REGARDING TEMPORARY HAZARD PAY FOR HGEA BARGAINING UNIT EMPLOYEES. AND TO COMPENSATE AFFECTED EMPLOYEES IN A TIMELY MANNER. THANK YOU FOR YOUR TIME TODAY.\r\n\r\n>> THANK YOU, MISS RUST. WE HAVE QUESTIONS. PRO TEM KAMA AND MEMBER PALTIN. >> THANK YOU, CHAIR. THANK YOU FOR BEING HERE TODAY. MISS RUST. HOW MANY EMPLOYEES ARE WE COMPENSATING WITH THIS BILL?\r\n\r\n>> I WOULD SAY THAT MORE ACCURATE NUMBER WOULD COME FROM THE COUNTY. BUT I SAW THAT IT'S APPROXIMATELY 1300. THAT INCLUDES PEOPLE WHO HAVE RETIRED DURING THE PANDEMIC. >> OKAY. THANK YOU. THANK YOU, CHAIR. >> MEMBER PALTIN. >> THANK YOU, CHAIR.\r\n\r\n\r\nTHANK YOU, MS. RUST FOR YOUR TESTIMONY. I WAS WONDERING IF YOU COULD TELL US WHICH UNITS? >> THIS IS GOING TO BE FOR ALL HGEA UNITS IN THE COUNTY UNITS 2, 3, 4, 13, AND 15 OSOS. >> THANK YOU. >> THANK YOU. >> ANY OTHER QUESTIONS?\r\n\r\n\r\n\r\nANY MORE QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH. >> THANK YOU. >> MAY WE HAVE THE NEXT TESTIFIER? >> THE NEXT PERSON SIGNED UP TO TESTIFY IS KAMALANI >> ALOHA, CAN YOU HEAR ME? >> YES, WE CAN. >> HI, ALOHA.\r\n\r\n\r\n\r\nMAHALO COUNCIL MEMBER KEANI RAWLINS-FERNANDEZ AND TO LINDA AND POEPOE TO FOR KUPUNA BILL. AS I TRICE MYSELF IN HAWAI'I TO BRING TO MY KUPUNA THAT HAVE COME BEFORE ME AND INTRODUCE MY AHUPUA'A WITH THE NAME OF OUR MOUNTAINS, OUR HILLS, OUR FRESHWATER AND OCEAN AND FISHPONDS AND INTRODUCE MY 'AINA KUPUNA STATE OF HAWAI'I ARCHIVES UNDER REGISTERED TESTIMONY, NATIVE TESTIMONY, OF 1848 SHOWS MY KUPUNA DECLARES LANDS IN THE AHUPUA'A "I HAVE ALWAYS KNOWN THESE LANDS AS MY 'OHANA." MY ANCESTORS HE RECORDS SHOW THAT WE HAVE LIVED ON THE LANDS, SINCE ANCIENT TIMES. WE CAN TRACE OUR GENEALOGY TO TIME AND MEMORIAL. MY PARENTS, HUMBLLY LIVE IN THE AHUPUA'A AND I SAY LIVE WITH OUR 'AINA, BECAUSE OUR KUPUNA INSTILLED IN WITH US THAT WE DO NOT LIVE ON 'AINA TO KEEP US HUMBLE THIS 'AINA IS OUR TUTU AND KUPUNA AND THEIR MANA'O FEEDS US AND GUIDES URGE. AS THE NEXT-GENERATION OF GUARDIANS, I AM IN SUPPORT OF THE 'AINA KUPUNA BILL 204, AND SUPPORT KANAKA IWI WITH GENERATION PASSED ON TO THEM. THE HEAVY BURDEN OF PROPERTY TAXES NOT JUST ON KULEANA LANDOWNERS, BUT GENERATIONAL KANAKA IWI LANDS MUST STOP. ONLY WE AS KANAKA IWI OF THE 'AINA UNDERSTAND THE RESPONSIBILITY WE'RE BORN WITH AND THE KAMAMA WE HAVE TO ENDURING AND BALANCE TO PROTECT OUR IWI FOR ONE DAY MY IWI WILL BE PART OF THE KUPUNA.\r\n\r\n\r\n\r\nMAHALO FOR ALLOWING ME TO GIVE TESTIMONY ON THIS BILL: >> THANK YOU. ARE THERE ANY QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH. DO WE HAVE A QUESTION, MEMBER SUGIMURA. >> THANK YOU VERY MUCH, I WANT TO KNOW WHERE AHINA IS, THE LOCATION OF THE PROPERTY >> WHEN I GAVE MY EARLIER INTRODUCTION IN 'OLELO HAWAI'I, IT'S ON THE EASTSIDE OF MOLOKA'I. >> MOLOKA'I, OKAY. THANK YOU VERY MUCH. >> ANY MORE QUESTIONS, MEMBERS?\r\n\r\n\r\n\r\nIF NOT, THANK YOU VERY MUCH. MR. CLERK. >> CHAIR, DID THE TESTIFIER HAVE ANOTHER ITEM TO TESTIFY ON? >> HELLO? >> I DO, BUT I WILL WAIT UNTIL THE END >> YOU CAN TESTIFY NOW. >> I GOT TO JUMP INTO SOMETHING ELSE NOW AND I WILL CIRCLE BACK LATER.\r\n\r\n\r\n\r\n>> OKAY. >> CHAIR, THEN THE NEXT TESTIFIER IS IN THE CHAMBERS, FOLLOWED BY LORI BUCHANAN. >> ALOHA, COUNCIL CHAIR, AND COUNCIL MEMBERS. >> ALOHA. >> SO I'M TESTIFYING TODAY IN SUPPORT FOR BILL 205, AUTHORIZATION FOR THE DEVELOPMENT OF THE LANAI AGRICULTURAL PARK. SO I'M AN ORGANIC FARMER WHO RESIDENCES THERE WITH MY YOUNG FAMILY AND I BELIEVE THAT AGRICULTURAL DEVELOPMENT IS THE KEY TO A SECURE AND SUCCESSFUL SOCIETY. I BECAME A MEMBER OF THE HAWAI'I FARMERS UNION IN 2020 AND GRADUATED FROM THEIR 2021 FARMER APPRENTICE MENTORING PROGRAM.\r\n\r\n\r\n\r\nIN 2022, I HELPED ESTABLISH LANAI COMMUNITY OF FARMERS AND HELPED THE LANAI COMMUNITY OF FARMERS ESTABLISH LANAI CHAPTER WITH THE HFU, WHICH I WAS ELECTED TO THE POSITION OF PRESIDENT. OUR LANAI CHAPTER'S VISION

IS TO EMPOWER THE NEXT-GENERATION OF FARMERS ON LANA'I, WITH THE KNOWLEDGE, SKILLS AND ABILITIES TO BE SUCCESSFUL REGENERATIVE FARMERS IN HAWAI'I. THE AVERAGE AGE OF FARMERS IN STATE OF HAWAI'I IS OVER 60 AND THERE'S A NEW GENERATION OF PEOPLE THAT ARE INTERESTED, AND ARE CURRENTLY BEING TRAINED IN REGENERATIVE FARMING AWARE OF HOW WE GROW OUR FOOD AS BEING INTEGRAL TO OUR HEALTH AND THE LANDS. IT'S ESSENTIAL TO SUPPORT AND ENCOURAGE FARMERS, WHICH CAN BE DONE WITH THE COUNTY COUNCIL'S FAVORABLE AUTHORIZATION OF BILL 205, WHERE THE INTERGOVERNMENTAL AGREEMENT FOR THE PURPOSE OF ESTABLISHING THE LANA'I AGRICULTURAL PARK. I'M TESTIFYING BEFORE YOU TODAY REPRESENTING A GROUP OF YOUNG FARMERS, EACH OF US WHO HAVE A STAKE OF AN AGRICULTURAL PARK ON LANA'I. I KNOW OUR GROUP OF FARMERS ARE PASSIONATE ABOUT THIS OPPORTUNITY TO MAKE THIS PARK SUCCESSFUL. WE'RE INTERESTED ABOUT PARTICIPATING IN THE BETTERMENT OF LANA'I AND MAUI COUNTY BY PROVIDING FOR THE PEOPLE IN OUR COMMUNITY AND TRULY UTILIZE THIS AS AN CATALYST IN OUR FUTURE ENDEAVORS. THANK YOU, COUNCIL MEMBERS AND COUNCIL CHAIR PRESENT, AND SPECIAL THANK YOU TO COUNCIL MEMBER GABE JOHNSON, FOR ALLOWING ME TO TESTIFY TODAY IN STRONG SUPPORT FOR BILL 205 UNDER AUTHORIZATION OF THE DEVELOPMENT OF AGRICULTURAL PARK, AND ON THE IMPORTANCE OF THE AGRICULTURAL PARK FOR LANA'I. WE APPRECIATE THE PURPOSE OF THIS AGRICULTURAL PARK TO INCREASE THE AMOUNT OF LAND AVAILABLE FOR AGRICULTURAL USES BY RESIDENTS, AND TO DEVELOP THE INFRASTRUCTURE NECESSARY TO ENCOURAGE AND SUPPORT THE DEVELOPMENT OF NEW AND EXPANDING AGRICULTURAL ENTERPRISES. THIS PROJECT IS CRITICAL TO THE GROWTH AND DIVERSIFICATION OF LANA'I'S ECONOMY; FOR TOO LONG IT HAS BEEN DEPENDENT ON A SINGLE INDUSTRY, FIRST THE PINEAPPLE INDUSTRY AND NOW LUXURY TOURISM THE PLAN IS THE DIVERSIFICATION OF OUR LANA'I ECONOMY AND THIS AGRICULTURAL PARK OFFERS US AN OPPORTUNITY TO PARTICIPATE IN THE TRANSFORMATION OF LANA'I, TO BE INCLUDED IN THE SUSTAINABLE, REGIONAL AGRICULTURAL SYSTEM FOR MAUI COUNTY.\r\n\r\nTO BUILD ECONOMIC RESILIENCE IN THE AGRICULTURAL SECTOR AND PROVIDE FOOD SECURITY WITH LOCALLY-GROWN FOOD. MAHALO FOR TAKING THE TIME FOR HEARING OUR CONCERNS AND TO LISTENING TO THE CURRENT AND FUTURE AGRICULTURAL PRODUCERS IN LANA'I. THANKS FOR YOUR TIME AND THANKS FOR THE OPPORTUNITY TO GIVE YOUR FAVORABLE SUPPORT IN AUTHORIZING THE DEVELOPMENT OF LANA'I AGRICULTURAL PARK FOR MAUI COUNTY RESIDENTS. >> THANK YOU. QUESTIONS? WE HAVE MEMBER JOHNSON AND MEMBER PALTIN. >> THANK YOU, CHAIR. GOOD MORNING, MANNA, I APPRECIATE YOU COMING OUT.\r\n\r\nI ASSUME YOU TOOK THE FERRY OVER THIS MORNING. >> LAST NIGHT. >> WHAT DEDICATION. MY QUESTION IS VERY SIMPLE, DID YOU EMAIL US YOUR CURRENT -- IS THAT WRITTEN TESTIMONY SENT TO US? >> YES, I DID. >> WONDERFUL. THAT IS MY QUESTION.\r\n\r\nTHANK YOU. >> MEMBER PALTIN. >> THANK YOU, CHAIR. THANK YOU, MR. MANNA FOR YOUR TESTIMONY. I WAS WONDERING, IS IT A TIME-SENSITIVE MATTER THAT THIS NEEDS TO BE PASSED TODAY? >> THAT WOULD BE FAVORABLE FOR OUR COMMUNITY, IF IT WAS FINALIZED, YES, MA'AM.\r\n\r\n>> IT'S TIME-SENSITIVE? >> YES, MA'AM. >> WOULD IT BE OKAY TO ASK MR. MANNA IF HE IS AVAILABLE TO STAY AS A RESOURCE? >> ANY OBJECTIONS, MEMBERS? >> NO OBJECTIONS. >> SO ORDERED.\r\n\r\n>> ARE YOU AVAILABLE? >> YES, MA'AM, THANK YOU. OTHER QUESTIONS FOR CLARIFICATION? MEMBER SUGIMURA. >> MR. MANNA, CAN YOU GIVE ME YOUR FULL NAME. I'M SORRY I MISSED IT WHEN YOU INTRODUCED YOURSELF.\r\n\r\n>> YES, MA'AM, MY NAME IS NEGUS MANNA. I CAN SPELL IT FOR YOU IF YOU WOULD LIKE. NEGUS, LAST NAME MANNA. >> YOU ARE THE PRESIDENT OF THE LANA'I HFU, IS THAT WHAT YOU SAID? >> YES, MA'AM. >> THANK YOU. >> ANY MORE QUESTIONS?\r\n\r\nPRO TEM KAMA. >> THANK YOU FOR BEING HERE, MR. MANNA. YOU MENTIONED IN YOUR TESTIMONY, THERE ARE FARMERS

AND YOUR HOPE IS TO INCREASE THE NUMBER OF FARMERS, SO THAT YOU'LL HAVE MORE PEOPLE TO BE ABLE TO FARM. >> EXACTLY AND TO MENTOR OTHERS. >> HOW MANY FARMERS DO YOU HAVE NOW AND HOW MANY FARMERS DO YOU ANTICIPATE IN THE FUTURE TO BE ABLE TO UTILIZE THE AG PARK? >> THROUGH THE HAWAI'I UNION PROGRAM, WE HAVE FIVE SEATS CURRENTLY OCCUPIED BY LANA'I RESIDENTS TO BE TRAINED IN REGENERATIVE AGRICULTURE, AND EVER YEAR AFTER THAT, WE'LL CONTINUE TO ADD MORE SEATS TO THAT PROGRAM.\r\n\r\nI HAVE ABOUT 20 MEMBERS CURRENTLY IN MY CHAPTER. MORE THAN HALF ARE FARMERS. >> WONDERFUL. THANK YOU. THANK YOU, CHAIR. >> ANY MORE CLARIFYING QUESTIONS? >> IF NOT, THANK YOU VERY MUCH AND WE'LL SEE YOU LATER.\r\n\r\n>> THANK YOU, CHAIR. THANK YOU, COUNCIL. >> MR. CLERK. >> THE NEXT PERSON TO TESTIFY IS LORI BUCK MAN, FOLLOWED BY MALIA AKUTAGAWA. >> ALOHA, HONORABLE COUNCIL MEMBERS. HAPPY HOLIDAYS FROM MOLOKA'I. >> ALOHA.\r\n\r\n>> BEST COUNCIL IN THE WHOLE WIDE WORLD. EVERY CHANCE I WILL TELL YOU THAT. I AM HERE TO TESTIFY QUICKLY BECAUSE I SEE A LONG LIST OF TESTIFIERS. FIRST IN SUPPORT OF THE CR22-262, URGING THE COMMISSION ON WATER RESOURCE MANAGEMENT TO DENY THE REQUEST FOR CONTESTED-CASE BY MOLOKA'I PROPERTIES AND FULLY RESTORE KAWELA STREAM AND TO TESTIFY IN SUPPORT OF BILL 204. THE MAUI COUNTY CODE RELATING TO REAL PROPERTY DEDICATED AS 'AINA KUPUNA AND LASTLY SUPPORTING BILL 154 TO ESTABLISH CULTURAL OVERLAY MAP AND CULTURAL SENSITIVITY DESIGNATION. ON MOLOKA'I, WHEN WE STARTED TO TALK HOW IMPORTANT CULTURAL OVERLAY WOULD BE. I NEVER HAD TO DYE MY HAIR IS HOW LONG AGO IT WAS. I WANT TO STRONGLY ENCOURAGE, IT'S REALLY REALLY IMPORTANT TO ESTABLISH A CULTURAL OVERLAY.\r\n\r\nWHEN IT COMES TO ALL KINDS OF ISSUES IN THE SMA. THANK YOU SO MUCH. AGAIN, HAPPY HOLIDAYS. ALL OF YOU LOOK AWESOME AND I LOVE YOU VERY MUCH. MAHALO. >> MAHALO, LORI. ANY QUESTIONS, MEMBERS?\r\n\r\nWE HAVE ONE. MEMBER PALTIN. >> THANK YOU, CHAIR. THANK YOU, MS. BUCHANAN FOR YOUR TESTIMONY SAME QUESTION IS THE RESO 22-262 TIME-SENSITIVE? >> OH, I WOULD LIKE TO ASK ABOUT -- I DON'T KNOW HOW SENSITIVE THAT IS? MAYBE WE CAN ASK COUNCILWOMAN KEANI RAWLINS-FERNANDEZ?\r\n\r\n>> OKAY, WE'LL ASK HER WHEN THE TIME COMES. >> LOVE YOUR BACK SCREEN, MEMBER PALTIN. MAHALO, EVERYONE. >> MAHALO, HAPPY HOLIDAYS. >> MALIA AKUTAGAWA >> ALOHA, MY NAME IS MALIA AKUTAGAWA AND I'M TESTIFYING IN FULL SUPPORT OF BILL 154, AS WELL AS RESOLUTION 22-262. REGARDING BILL 154, AS A KANAKA IWI OF MOLOKA'I, HAWAIIAN STUDIES PROFESSOR TEACHING LAW IN NATIVE RIGHT AND FOR HAVING PERSONAL KULEANA IN IWI KUPUNA, MALAMA IWI KUPUNA AND WAI KUPUNA, I FULLY SUPPORT THE CULTURAL OVERLAY MAP AND CULTURAL SENSITIVITY DESIGNATION. TO PROTECT OUR IWI KUPUNA, RATHER THAN IN A PIECE MEAL FASHION. I BELIEVE BILL 154 IS A POSITIVE STEP FORWARD IN PROTECTING TRADITIONAL CULTURAL LANDSCAPES AND TRADITIONAL CULTURAL PROPERTIES.\r\n\r\nTHESE ARE OUR HERITAGE AS HAWAIIANS AND IMPORTANT NOT ONLY FOR THEIR HISTORICAL VALUE, BUT FOR THE PERPETRATION OF OUR LIVING CULTURE. REGARDING RESOLUTION 22-262, AS A PERSON BORN AND RAISED ON MOLOKA'I, I SEE THE CONTINUOUS DEVASTATION OF OUR SHORELINE, FISHPONDS AND REACHES IN THE KAWELA AREA AS LANDS ERODE AND SILT IS WASHED TO THE SEA. KAWELA IN ANCIENT TIMES WITH A PERENNIAL FLOWING SPRINGS AND STREAMS, LIMU FISHING AND CRAB GROUNDS AND WAS THE SITE OF THE POE HU NOU AND NOW THEY ARE UNABLE TO COMPLETE THEIR LIFECYCLES. IT'S TIME THAT THE WATERS FLOW AND RETURN TO THE STREAM. SUPPORT THE ESTUARY ENVIRONMENT. SINCE 2008 THIS FOREIGN-OWNED CORPORATION SHUTTERED ITS OPERATIONS AND LET GO YOU WILL OF A EXCEPT FOR A SKELETON CREW. THE RANCH OPPRESSED THE COMMUNITY AND NOW IT'S SELLING OFF IT'S 55,000-ACRE PROPERTY.\r\n\r\nTHE RANCH IS HAS NO NEED FOR THE WATER EXCEPT TO MAKE ITS PROPERTIES

ATTRACTIVE ENOUGH TO A PROSPECTIVE BUYER. THE LAW PROHIBITS CREATING A RELIANCE INTEREST IN WATER FOR AN UNCLEAR FUTURE. THUS, THE RANCH IS NOT HARMED WITHIN THE MEANING OF THE LAW REGARDING PROOF OF STANDING ISSUES TO BRING A CONTESTED-CASE HEARING. I URGE THE MAUI COUNTY COUNCIL TO CONVEY THIS UNDERSTANDING AS WELL TO THE STATE WATER COMMISSION. I THANK THIS COUNCIL FOR YOUR LEADERSHIP, AND FOR TAKING YOUR KULEANA SERIOUSLY TO UPHOLD THE CONSTITUTIONALLY PROTECTED RIGHTS OF BOTH NATIVE HAWAIIANS AND PROTECTION OF THE PUBLIC TRUST, WHICH INCLUDES RESTORING 'AINA WAI AND ECHO SYSTEMS. MAHALO FOR THE OPPORTUNITY TO TESTIFY. >> THANK YOU.\r\n\r\nQUESTIONS? WE HAVE MEMBER PALTIN. >> THANK YOU, CHAIR. THANK YOU, MS. AKUTAGAWA FOR YOUR TESTIMONY. I WAS WONDERING IF YOU HAD THAT IN WRITING YOU COULD SEND IT TO US? >> I CAN SEND THEM IN THE CHAT, DOES THAT SUFFICE?\r\n\r\nDO I NEED TO EMAIL IT? >> IF YOU COULD EMAIL IT TO COUNTY COUNTY.CLERK@MAUICOUNTY.US WOULD BE AWESOME. >> DO YOU WANT TO REPEAT THAT? >> COUNTY.CLERK @MAUICOUNTY.US. THANK YOU. >> THE NEXT PERUVIAN IS WALTER RITTE, FOLLOWED BY JOSIAH. >> GOOD MORNING, WALTER.\r\n\r\n>> MY, GOOD MORNING COUNCIL PEOPLE. CONGRATULATIONS TO ALL OF YOU. IT'S VERY RARE THAT I HAVE THE CHANCE TO TALK-STORY WITH YOU GUYS. SO TODAY I WANT TO TALK ABOUT THREE DIFFERENT THINGS THAT YOU GUYS ARE DOING. SO YOU GUYS MUST BE WORKING HARD DOWN THE STRETCH HERE. FIRST OF ALL, I WANT TO SUPPORT 22-262. WE HAVE BEEN WORKING ON THAT FOR THE LAST THREE YEARS ON MOLOKA'I, WORKING REALLY HARD, AND WE GOT THE STATE TO DO SOME HISTORICAL THINGS. AT FIRST WE JUST WANTED TO FIGURE OUT HOW TO PUT SOME WATER BACK INTO THE RIVER.\r\n\r\nAND IT ENDED UP WHERE WE'RE GOING TO FULLY RESTORE KAWELA RIVER. THAT WAS AN HISTORIC DECISION DEFENSE ATTORNEY BY THE STATE WATER COMMISSION AND NOW MOLOKA'I RANCH IS LAST GRASP TO GET CONTESTED-CASE THAT WOULD DRAG THIS INTO ANOTHER YEAR OF TALK-STORY. WE'RE REALLY GLAD THAT YOU ARE SUPPORTING US AND OUR HARD WORK. WHEN I SAY "US" OUR COMMUNITY AND THE HARD WORK THAT WE HAVE DONE IN ORDER TO GET FULL RESTORATION OF KAWELA RIVER -- ACTUALLY KAWELA STREAM. SO I'M HERE TO ASK THAT YOU GUYS SUPPORT AND DENY MOLOKA'I RANCH'S CONTESTED-CASE. TRY TO INFLUENCE THE STATE TO DENY THEM. THE OTHER THING I WOULD LIKE TO TALK ABOUT IS BECAUSE I'M A KUPUNA, I REALLY SUPPORT BILL 204 FOR THE OBVIOUS REASONS.\r\n\r\nLASTLY, I WANT TO SUPPORT BILL 154. THIS IDEA OF A CULTURAL OVERLAY IS GOING TO ALLOW US ON MOLOKA'I TO FEED OUR FAMILIES IN TRADITIONAL WAYS. IF WE DON'T HAVE AN OVERLAY, WE'RE GOING TO BE TREATED AS A HOTEL, WHEN WE TRY TO COME INTO AN AREA, WHERE WE WANT TO FARM, FISHPONDS OR ALL THOSE KIND OF THINGS, BECAUSE NOBODY IS RECOGNIZING THESE AS CULTURAL ACTIVITIES. SO I SUPPORT BILL 154. IN ORDER FOR US ON MOLOKA'I -- -- I DON'T KNOW WHO IS TALKING, BUT IT'S NOT ME. SO IN SHORT, I SUPPORT BILL 154. I SUPPORT 22-262. AND I SUPPORT 204. AND I WANT TO SAY CONGRATULATIONS TO ALL OF YOU. MAHALO. >> MAHALO WALTER. QUESTIONS, MEMBERS?\r\n\r\nIF NOT, THANK YOU VERY MUCH. MR. CLERK. >> THE NEXT PERSON SIGNED UP TO TESTIFY IS JOSIAH CHING, FOLLOW BY LEILA. >> ALOHA MAI KAKOU, ALOHA CONSCIENCE, MAHALO FOR THE OPPORTUNITY TO SHARE MY MANA'O AND SUBMIT TESTIMONY. EVERYONE ELSE WHO HAS GONE BEFORE ME, UNCLE WALTER, AUNTIE LORI, I SUPPORT RESOLUTION 22-262. IN REGARDS TO KAWELA STREAM AND MPL'S CONTESTED-CASE HEARING IT REALLY DOES SEEM ALL THEY ARE TRYING TO DO IS PROLONG THE PROCESS, IN TERMS OF DOING WHAT IS PONO AND RESTORING THE WATER TO THE PLACES THAT IT BELONGS. IT'S BEEN DECADES THAT THEY HAVE BEEN HORRIBLY MISMANAGING ALL OF THE RESOURCES AND 'AINA AND NOT JUST THE WAI IN THE AREA.\r\n\r\nBORN AND RAISED ON MOLOKA'I AND THIS IS THE WORST SHAPE I HAVE SEEN THE 'AINA IN THE YEARS OF LIVING HERE. IT'S HORRIBLY DEGRADED AS MALIA WAS

MENTIONING. DEVASTATED. AND TRAGIC. AND I ALSO SEE THAT COINCIDING WITH BILL 154, REGARDING THE CULTURAL OVERLAY MAPS, THEY ALSO KIND OF IN MY MIND GO HAND AND HAND AND IF WE HAD CULTURAL OVERLAY MAPS DECADES AGO, IT WOULD HAVE MITIGATED OR LESSENED THE HORRIBLE IMPACTS OF DEVELOPMENT. WE HAVE DEVELOPMENTS WITH ARCHEOLOGIC SITES IN THEIR BACKYARDS. IT'S KIND OF A SLAP IN THE FACE TO KANAKA.\r\n\r\nIT'S ALSO GOES INTO BILL 204, SUPPORTING INCREASED TAXES FOR OUR KUPUNA, WHY ARE THEY EVEN PAYING TAXES TO LIVE IN THE PLACES THAT THEY ARE FROM IN THE FIRST PLACE? BUT THAT IS JUST MY MANA'O. AND THINGS THAT I HAD TO SAY. I WANT TO SAY MAHALO TO KEANI, COUNCIL MEMBER ON MOLOKA'I FOR PUSHING OUR ISSUES AND REPRESENTING MOLOKA'I AND STANDING FIRM IN THEIR COMMITMENT IN THE BEST INTEREST OF NOT MOLOKA'I AND THE HUI ACROSS THE ENTIRE STATE. MAHALO FOR HEARING ME. >> THANK YOU. MEMBERS, QUESTIONS? IF NOT, THANK YOU VERY MUCH.\r\n\r\nMAY WE HAVE THE NEXT TESTIFIER. [READING SPEAKERS' NAMES] >> ALOHA, MAI KAKOU, CHAIR. MY NAME IS MS. RITTE AND I SUPPORT RESOLUTION -- CR22-262 REGARDING KAWELA STREAM TO DENY THE CONTESTED-CASE HEARING AND HAS BEEN DIVERTING WATER AND IT'S TIME TO ALLOW THE WAI TO FLOW ITS NATURAL PATH TO RESTORE THE AHUPUA'A OF KAWELA, WITH A VERY DRY SPECIAL FOR YEARS NOW, GETTING DRIER AND DRIER THERE. SO IT'S TIME TO RESTORE THAT AHUPUA'A AND I ALSO SUPPORT THE BILL REGARDING THE LAND TAXES AND I ALSO SUPPORT BILL 154 REGARDING THE ESTABLISHMENT OF CULTURAL OVERLAP MAPS. MAHALO FOR THE TIME TO TESTIFY. >> THANK YOU.\r\n\r\nMEMBERS, QUESTIONS? NO QUESTIONS. NEXT TESTIFIER. >> THE NEXT PERSON SIGNED UP IS ADRIAN SIBAYAN. >> GOOD MORNING, COUNCIL MEMBERS. MY NAME IS ADRIAN SIBAYAN AND I FULLY -- I STRONGLY SUPPORT RESOLUTION 22-262. SUPPORT THE EFFORT TO DENY M LP'S CONTESTED-CASE AND TO FULLY RESTORE KAWELA STREAM. I ALSO SUPPORT BILL 204, REGARDING 'AINA KUPUNA TO DECREASE LAND TAXES.\r\n\r\nI SUPPORT BILL 154 REGARDING -- I ALSO SUPPORT BILL 154 REGARDING CULTURAL OVERLAY MAPS. MAHALO. >> THANK YOU. MEMBERS, QUESTIONS? I SEE NO QUESTIONS. THANK YOU. NEXT TESTIFIER.\r\n\r\n>> THE NEXT PERSON SIGNED UP TO TESTIFY IS LANA CORPUZ. >> GOOD MORNING EVERYBODY. >> HI. >> I'M HERE TO SUPPORT RESOLUTION 22-262 IT'S A TONG TWISTER, REGARDING KAWELA STREAM. WE HAVE WORKED VERY HARD TO GET THAT WIN, YOU WOULD SAY, BUT IT HASN'T BEEN FOLLOWED THROUGH. AND WE JUST DON'T WANT TO DRAG IT OUT MORE AND MORE. THEY HAVE DONE THIS WITH ANOTHER AQUIFER HERE.\r\n\r\nSO WE'RE JUST TRYING TO STOP THAT. SO I SUPPORT THAT RESOLUTION 100%. I SUPPORT BILL 204 REGARDING OUR KUPUNA. I'M GOING TO BE THERE ONE DAY AND I SUPPORT THAT BILL. I SUPPORT BILL 154 ALSO, BECAUSE WHERE WE WORK IS ONE IS OF THOSE AREAS THAT WE DEFINITELY NEED THE CULTURAL OVERLAY MAPS. SO WE DON'T GET TREATED LIKE, YOU KNOW, A HOTEL. MAHALO. >> THANK YOU.\r\n\r\nQUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER, PLEASE. >> THE NEXT PERSON SIGNED UP TO TESTIFY IS LEELAN CORPUZ, FOLLOWED BY KANAKI. >> GOOD MORNING GOOD MORNING, COUNCIL. MY NAME IS LEELAN CORPUZ AND I'M IN FULL SUPPORT OF RESOLUTION 22-262. REGARDING KAWELA STREAM AND MPL'S CONTESTED-CASE. I HAVE BEEN PART OF THIS FIGHT FOR THE LAST YEAR OR SO AND WE HAVE BEEN WORKING HARD SINCE THEN TO TRY TO RESTORE KAWELA STREAM FULLY.\r\n\r\nAND YEAH, I DON'T THINK IT'S RIGHT THAT MPL SHOULD HAVE EVEN A CHANCE TO PROLONG THIS PROBLEM, AND WITH THAT BEING SAID I SUPPORT BILL 204, REGARDING THE 'AINA KUPUNA AND BILL 154, REGARDING CULTURAL OVERLAY MAPS. MAHALO. >> THANK YOU. MEMBERS, QUESTIONS? IF NOT, THANK YOU VERY MUCH. NEXT TESTIFIER, PLEASE. >> THE NEXT PERSON SIGNED UP TO TESTIFY IS KANAKI, FOLLOWED BY LORETTA.\r\n\r\n>> ALOHA, COUNCIL. >> GOOD MORNING. >> MY NAME IS KANAKI, AND I'M IN SUPPORT OF RESOLUTION 22-262, IN REGARDS TO KAWELA STREAM AND

MPL'S CONTESTED-CASE, AND ASK YOU TO DENY THAT, DON'T WANT TO PROLONG THAT AND SUPPORT BILL 154. MAHALO, HAVE A GOOD DAY. >> QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH. MR. CLERK.\r\n\r\n>> THE NEXT PERSON SIGNED UP TO TESTIFY IS LORETTA RITTE, FOLLOWED BY KANAKI KAPALUA. >> GOOD MORNING. >> GOOD MORNING. THANK YOU FOR THIS OPPORTUNITY TO COME AND TESTIFY. I AM IN FULL SUPPORT OF THE RESOLUTION 22-262 TO DENY MOLOKA'I RANCH'S HEARING CONTESTED-CASE. WE HAVE BEEN -- IT'S LIKE 100 YEARS, THEY HAVE HAD THE WATER FOR 100 YEARS. IT'S TIME TO LISTEN TO THE DECISION OF THE WATER COMMISSION, AND RESTORE THAT STREAM TO ITS FULLNESS AND BRING THE WATER BACK INTO THE KAWELA AHUPUA'A. THAT IS THE PONO THING TO DO.\r\n\r\n\r\nTHAT IS THE ONLY THING THAT SHOULD BE DONE. I ALSO SUPPORT BILL 204 REGARDING 'AINA KUPUNA, BECAUSE I KNOW A LOT OF KUPUNA THAT HAVE FAMILY LAND AND TAXES ARE REALLY HIGH. I REALLY SUPPORT THIS BILL AND SUPPORT BILL REGARDING THE CULTURAL OVERLAY MAPS FOR PROTECTION OF OUR HISTORIC SITES. SO MAHALO, AND HAVE A GOOD DAY. >> THANK YOU. QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH.\r\n\r\n\r\n>> THE NEXT PERSON SIGNED UP TO TESTIFY IS KANAKI KAPALUA, FOLLOWED BY KEO HONOHONO. >> ALOHA COUNTY COUNCIL MEMBERS, MAHALO FOR HAVING ME TODAY. I'M HERE TODAY TO SAY THAT I FULLY SUPPORT THE COUNTY COUNCIL'S RESOLUTION, RESOLUTION 22-262 TO DENY MPL'S CONTESTED-CASE. LIKE MY CO-WORKERS SAID BEFORE ME, WE HAVE BEEN WORKING ON THIS FOR FOUR YEARS NOW AND IT'S FRUSTRATING TO KNOW THAT EVEN THOUGH THE RANCH KNOWS THAT THEY ARE DOING SOMETHING BAD, THEY ARE STILL GOING TO TAKE AND TAKE AND TAKE. AND WE GOT TO STOP THAT. ALSO, I WOULD LIKE TO SUPPORT BILL 154, REGARDING CULTURAL OVERLAY MAPS. HERE AT THE FISHPOND, WE GET HIT WITH -- WHAT DO YOU CALL THAT?\r\n\r\n\r\nWE'RE SUPPOSED TO DO A LOT OF PERMITTING WORK THAT WE DO HERE, BECAUSE WE ARE IN AN SMA AREA, AND IF WE GOT CULTURAL OVERLAY MAPS THAT WOULD GIVE US ACCESS TO DO WHAT WE WANT WITHOUT GETTING PUNISHED FOR THE WORK THAT WE'RE DOING. EVERYTHING THAT WE DO AT OUR FISHPOND IS FOR THE BETTERMENT OF OUR KEIKI AND LAHUI AND NOT BENEFITING OURSELVES. SO I HOPE YOU TAKE THAT INTO CONSIDERATION. THANKS FOR HAVING ME MAHALO. >> THANK YOU. MEMBERS, QUESTIONS? MEMBER PALTIN.\r\n\r\n\r\n>> YES. >> THANK YOU, CHAIR. THANK YOU, MR. PAKALA. I WAS WONDERING IF YOU COULD CLARIFY WHAT YOU MEANT BY THE "BAD THINGS THAT MPL IS DOING?" >> FIRST OFF, THEY OWN A LOT OF LAND ON MOLOKA'I AND TAKING MORE WATER THAN THEY SHOULD. ALSO, NOT LETTING THE WATER FLOW TO THE OCEAN. WHERE THE BEGINNING OF LIFE HAPPENS IN THE OCEAN.\r\n\r\n\r\nLETTING THE WATER RECHARGE THE LAND AND THE OCEAN. >> THANK YOU. THANK YOU, CHAIR. >> MAHALO. >> ANY OTHER QUESTIONS, MEMBERS? IF NOT, THANK YOU. MAY WE HAVE THE NEXT TESTIFIER, PLEASE?\r\n\r\n\r\n>> CHAIR, THE NEXT PERSON SIGNED UP TO TESTIFY IS HONOHONO IN THE CHAMBERS, FOLLOWED BY LUCIENNE DE NAIE. >> ALOHA KAKOU AND MAHALO FOR THE OPPORTUNITY TO BE HERE TODAY IN-PERSON. I LIVE IN VILLAGE AND ACCESS TO INTERNET IS REALLY ROUGH. SO I APPRECIATE BEING HERE TODAY. SORRY, I'M A CRIER. TO SUPPORT 22-262, FOR TOO LONG MANY OF OUR STREAMS AS YOU ARE ALL AWARE, I'M SURE, NOT JUST THROUGH THIS TESTIMONY, HAVE BEEN AS WAS SAID, OVER 100 YEARS. I KNOW THE WORK ON MOLOKA'I HAS BEEN DEDICATED TO BRINGING WATER BACK TO KAWELA AND I HAVE FOLLOWED THEIR WORK AND SO PROUD OF THEM.\r\n\r\n\r\nTHE FACT THAT MOLOKA'I PROPERTIES LTD. CONTINUES TO DISREGARD WHAT WE KNOW IS PONO FOR THE 'AINA FOR MOLOKA'I IS FRUSTRATING AND I HOPE YOU SUPPORT THE DECISION OF THE WATER COMMISSION AND THE VOICE OF THE PEOPLE OF MOLOKA'I, THAT ARE BORN AND RAISED HERE FOR GENERATIONS, WHO ARE STRUGGLING FOR BASIC NEEDS, AND CULTURAL RIGHTS TO LIFE. I HOPE THAT YOU CAN SUPPORT THEM IN THIS. THE NEXT ITEM THAT I WOULD LIKE TO TESTIFY ON IS ITEM 204. THIS ONE IS SOMETHING I'M TESTIFYING FOR YEARS IN

MY LIFETIME, I HAVE SEEN SO MANY OF MY KUPUNA, MY OWN 'OHANA AND MY OWN FRIENDS LOSE EVERYTHING, BECAUSE OF BACK TAXES. PEOPLE THAT ARE FROM THOSE PLACES, FROM THE BEGINNING OF TIME, HAVE BEEN SWEEPED FROM THOSE LANDS, BECAUSE THEY DON'T HAVE THE RESOURCES TO MAINTAIN THEM. AND WHEN WE LOOK AT THE DISPARITIES FOR NATIVE HAWAIIANS, WE KNOW WHY THAT IS TRUE, AND IT'S VERY MUCH BY DESIGN. SO WE CALL UPON YOU FOLKS, WHO HAVE THE POWER TO BE THE VOICE AND THE CHANGE TO PLEASE SUPPORT OUR 'AINA KUPUNA PROPERTIES.\r\n\r\nI PERSONALLY LIVE ON THE PROPERTY OF MY HUSBAND, WHO IS A LINEAL DESCENDANT AND SHOW OUR CONNECTION BEFORE THE MAHELE AND WE'RE ACTUALLY EXEMPT FROM PAYING TAXES. I THINK THAT OPPORTUNITY ALSO NEEDS TO BE SHARED. SO THAT KANAKA KNOW THAT THEY HAVE THAT OPPORTUNITY. IF THE LANDS HAVE NOT BEEN SOLD OUT, AND THEY CAN SHOW THAT THEY ARE LINEAL DESCENDANTS WITH NO BREAK IN THE LINE, THEY SHOULD KNOW NOT ONLY THEY HAVE THOSE TAX BREAKS, BUT ALSO HAVE THOSE TAXES EXEMPT. I KNOW THAT CURRENTLY WHEN I SPEAK TO PEOPLE ABOUT THIS, ALMOST NO ONE KNOWS THAT THIS IS ACTUALLY A POSSIBILITY. I REALLY, REALLY SUPPORT YOU FOLKS AND APPRECIATE YOU FOLKS FOR YOUR EFFORTS TO COME UP WITH THIS BILL. SO WE ALREADY KNOW HOW HOUSING IS A HUGE PROBLEM, AND TALK ABOUT TIME-SENSITIVITY, THIS IS LIKE, DECADES PAST DUE.\r\n\r\nSO PLEASE DO NOT HESITATE, DON'T EVEN THINK TWICE. NOW IS THE TIME. WE HAVE TO PROTECT OUR FUTURE GENERATIONS, SO THAT WE CAN CONTINUE TO BE HERE, AS I MENTIONED, I KNOW HANDFULS OF FAMILIES NOT JUST IN THE PAST FEW YEARS, BUT ESPECIALLY IN THE PAST FEW YEARS, WHO HAVE ACTUALLY HAD TO LEAVE HAWAI'I, THEIR HOME. AND HAWAI'I IS NOT HAWAI'I WITHOUT HAWAIIANS. YEAH, WITHOUT OUR CULTURE, WITHOUT OUR STREAMS, AND THE ALOHA THAT WE CARRY NEXT ONE IS BILL 154. A BILL FOR AN ORDINANCE AMENDING TITLES 216, 18, 19 AND 20. THIS ONE IS VERY TIME-SENSITIVE. AGAIN, THIS IS YEARS OVERDUE. I'M A CULTURAL PRACTITIONER AND I WAS TRAINED BY MY KUPUNA IN THE ART OF HEALING PONO PONO, IN MY INITIAL STAGES OF MY APPRENTICESHIP, MY TRAINING, I WAS TAKEN TO PLACES, AND CEREMONY, THAT I CAN'T EVEN FIND ANY MORE.\r\n\r\nAND I CAN'T EXPLAIN TO YOU IN WORDS HOW PAINFUL IT IS AFTER YEARS OF NOT GOING BACK TO A PLACE THAT IS MY ROOTS OF THIS MEDICINE, OF THESE TEACHINGS. GOING BACK TO FIND THESE PLACES TO GO BACK INTO CEREMONY OR BRING FUTURE GENERATIONS THERE TO UNDERSTAND AND SHARE, AND THEY'RE GONE. THERE'S BIG WALLS, BLACK SHEETS, BUILT UP AROUND THE DEVELOPMENTS, AND THEN WHERE THE HEIAUS OR THE BURIALS, OR ANY OF THESE VERY SPECIAL IRREPLACEABLE AREAS ARE, ONE BIG LUMP OF STONES. THAT DOESN'T DO JUSTICE. IT'S NOT OKAY. AND ON MY WHAT I HAD TO SIGN THIS MORNING, I REPRESENT THE ORGANIZATIONS THAT I REPRESENT, AND ONE IS NA KUPUNA MAUI, SINCE I WAS YOUNG, THEY ARE ALMOST ALL GONE. I THINK THERE'S MAYBE TWO I WOULD STAND WITH, BECAUSE I CARED FOR THEM, I DROVE THEM, AND THEY WERE THE ONES THAT PAVED THE WAY FOR ME TO KNOW HOW IMPORTANT IT IS TO BE STANDING HERE TODAY.\r\n\r\nNA KUPUNA MAUI, THOSE KUPUNA ALMOST ALL PASSED. THEY WOULD TELL YOU NA KUPUNA IS WATCHING, YEAH? NA KUPUNA IS WATCHING. NA KUPUNA IS WATCHING. I WANT YOU TO HEAR THAT, WHEN YOU MAKE THESE CHOICES, BECAUSE THIS OVERLAY MAP SHOULD HAVE BEEN DONE YEARS AGO. IT'S TOO LATE TO REPLACE THE PLACES THAT HAVE BEEN TAKEN ALREADY, BUT IT'S NOT TOO LATE TO DO WHAT WE CAN NOW TO PROTECT THE FUTURE OF WHAT IS LEFT FOR MAUI COUNTY, AND BE A LEADER FOR THE REST OF THE STATE AS WELL TO KNOW HOW IMPORTANT IT IS TO PROTECT OUR IWI AND PROTECT OUR KUPUNA AND YOU WOULD NEVER SEE ANYWHERE IN THE WORLD THEM BULLDOZE BURIALS. MAHALO.\r\n\r\n>> MEMBERS, QUESTIONS? PRO TEM KAMA. >> THANK YOU, CHAIR. THANK YOU FOR BEING HERE AND YOUR TESTIMONY, VERY MOVING. BUT I JUST WANT TO CONCENTRATE ON ONE OF THE ISSUES THAT YOU BROUGHT UP, THE TAX EXEMPTION ON KAHAKULOA, ONE THING

THAT TROUBLES ME, MULTIPLE FAMILIES FROM GENERATIONS, 21 KIDS; RIGHT? AND THEY ARE ALL GONE. >> YES.\r\n\r\n>> BUT THEIR KIDS HAVE HAD KIDS. >> YES. >> AND THEREFORE, THE LAND IS OWNED BY ALL THE DESCENDANTS, AND THEREFORE, THE TAXES HAVE TO BE PAID BY SOMEBODY. >> YES. THAT IS WHY WE END UP PAYING THE TAXES, BUT WE PAY THE TAXES ON THE LANDS THAT WE DON'T ACTUALLY HAVE TO PAY TAXES ON STILL. JUST TO KEEP THEM COVERED. >> CORRECT.\r\n\r\n>> WE PAY OUR AUNTIES' TAXES BECAUSE SHE IS IN HER 80S AND PAID THEM HER WHOLE LIFE >> MY QUESTION, HOW DO YOU HUI THE 'OHANA TOGETHER, TO REALIZE THAT YOU CAN'T AFFORD TO DO THIS ALL THE TIME? THEREFORE, THE DANGER IS THE LOSS OF THAT LAND? >> RIGHT. >> I HAVE BEEN TROUBLED WITH THIS FOR YEARS, BECAUSE IF I KNOW -- TELL ME ABOUT THIS AND I'M TRYING TO FIGURE OUT HOW TO HELP THEM. DO YOU HAVE ANY IDEAS? >> WELL, I KNOW THAT, FIRST AND FOREMOST, I KNOW ONE WAY IS TO BE ABLE TO SEND LETTERS. IT'S VERY SPECIFIC.\r\n\r\nIT SHOWS YOU WHO IS STILL ON. SO YOU CAN CONTACT THEM, WHICH WE HAVE ACTUALLY DONE. WE'RE VERY FORTUNATE, BECAUSE THE MAJORITY OF THE 'AINA THAT WE HAVE COVERED THROUGH THIS EXEMPTION WAS ONE OF THE AUNTIES TO PURCHASE IT FROM TO KEEP IN THE 'OHANA, SHE HAD GO TO HER 'OHANA SO IT'S CLEAR TITLE, ONE OWNER. SO WE'RE BLESSED WITH THAT. THERE'S OTHER PARCELS THAT WE'RE PART OF AS WELL, THAT WE PAY THE TAXES, BECAUSE WE DON'T WANT TO LOSE THE LAND. SO AS FAR AS LETTING PEOPLE -- I THINK EDUCATION IN GENERAL, AND OUTREACH IS A REALLY HUGE PART OF IT, BECAUSE PEOPLE DON'T KNOW, THEY DON'T UNDERSTAND AND A LOT OF PEOPLE HONESTLY DON'T EVEN KNOW IF THEIR NAME IS ON 'AINA. SO THAT IS A PROBLEM, TOO.\r\n\r\nTHEN THERE'S ALL KINDS OF SO MUCH WE COULD GO ON ALL DAY. >> YES. >> BUT MY HUSBAND IS THE ONE THAT HAS GONE TO THE ARCHIVES, DONE ALL OF THE RESEARCH, KAPA'A OLVERA OUR COUSIN HAS A BEAUTIFUL BOOK THAT HAS HELPED SO MANY, BESIDES JUST OURS, TO BE ABLE TO SHOW THE LINEAGE AND HAVE THE ANSWERS. BUT I THINK THAT WE SHOULD HAVE WORKSHOPS, YOU KNOW? A WORKSHOP WHERE YOU HAVE PEOPLE THAT HAVE THE ANSWERS ALONE WOULD BE A WONDERFUL SOLUTION AT LEAST TO START. SO PEOPLE HAVE A PLACE TO SHOW UP TO ASK THE QUESTIONS AND DIG A LITTLE DEEP AND BE ABLE TO BE PROACTIVE IN THE REMEDIES AND SOLUTIONS THAT ARE POSSIBLE. >> THANK YOU SO VERY MUCH FOR THAT THOUGHT PROVOKING RESPONSE.\r\n\r\n>> ABSOLUTELY. THANK YOU, AUNTIE. THANK YOU, COUNCIL MEMBERS FOR YOUR INTEREST. >> MEMBER PALTIN. >> THANK YOU, CHAIR. THANK YOU, MS. KA HONOHONO.\r\n\r\nI WAS WONDERING WOULD ANOTHER SOLUTION BE TO PASS THE BILL TODAY? >> OH, YES, THAT IS WHY I'M HERE. YES, IN FULL SUPPORT OF PASSING THE BILL, BECAUSE IT'S BEEN DOING ON TOO LONG AND NOT EVERYBODY IS ABLE DO WHAT WE HAVE DONE. I'M SAYING THIS IS SOMETHING THAT THIS BILL 154 BEING PASSED IS GOING TO SAVE A LOT OF PEOPLE FROM BEING HOMELESS. HOUSELESS. I KNOW FOR INSTANCE THERE ARE MANY 'OHANA I KNOW PERSONALLY THAT OWE THOUSANDS OF DOLLARS OF BACK TAXES AFTER THEIR OWN KUPUNA PASSED THAT IS NOW ON THEIR SHOULDERS. THAT IS ANOTHER ASPECT TO CONSIDER.\r\n\r\nSOME OF US HAVE COME TO US FOR KAKOU. WE CAN ONLY DO SO MUCH, BUT IT'S AN IMPORTANT ISSUE AND I PLEAD WITH YOU, WITH ALL THAT I AM, TO PLEASE PASS THIS TODAY. >> JUST TO CLARIFY, WE'RE TALKING ABOUT 204 ON THE TAXES, YES? >> YES. I'M SORRY, YES, GOING BACK TO THAT ONE, 204. AND 22-262, 204 AND 154, I'M IN FULL SUPPORT. PLEASE PASS THEM. MAHALO NUI.\r\n\r\n>> ANY MORE QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH. MR. CLERK. >> CHAIR, NEXT PRIME MINISTER SIGNED UP TO TESTIFY IS LUCIENNE DE NAIE. >> ALOHA, GOOD MORNING AGAIN. WOW, JUST IT IS SO MOVING TO HEAR FROM THE PEOPLE WHO ARE AFFECTED BY OUR LAWS.\r\n\r\nI'M SO PROUD OF THIS COUNCIL FOR STEPPING UP TO MAKE LAWS THAT REALLY HELP PEOPLE'S LIVES, YOU KNOW? THIS IS THE END OF A LONG AND VERY BUSY AND PRODUCTIVE

YEAR. YOU ALL SHOULD REST WELL OVER THE HOLIDAYS, KNOWING A LOT OF GOOD HAS BEEN ACCOMPLISHED. I SIGNED UP TO TESTIFY ON A LAUNDRY LIST OF THINGS. I WILL TRY TO BE BRIEF. I KNOW THERE'S OTHERS WAITING FIRST, 22-124, SETTING ORGANIC STANDARDS AND REGULATIONS FOR THE NEW KULA AG PARK. IT'S GREAT.\r\n\r\nTHIS HAS BEEN TALKED ABOUT FOR YEARS TO HAVE A SECTION OF PUBLIC AG PARK THAT WOULD BE DEVOTED TO REGENERATIVE AND ORGANIC FARMING. AND THE NEW AG PARK, THE LAND THERE IS PRETTY BEATEN UP, AND IT'S GOING TO NEED SOME TLC, AND THE REGENERATIVE AGRICULTURAL PROCESSES THAT'S HOW THEY ROLL, YOU KNOW? THEY REBUILD THE SOIL. AND THAT IS A REALLY GOOD FIT TO TRY TO TAKE CARE OF A PLACE, AND LEAVE IT BETTER, AND MAKE IT BETTER. SO THANK YOU FOR GOING THROUGH ALL OF THE LONG HOURS, AND WORKING WITH AGRICULTURAL USERS, AND SETTING THIS UP. PLEASE PASS THIS BILL. GOING ON TO RESOLUTION 22-260, THIS JUST SETS A FORMAT FOR APPROVING MEMBERS OF THE EAST MAUI REGIONAL BOARD FOR THE WATER AUTHORITY FOR EAST MAUI.\r\n\r\nIT'S GREAT THAT THE COUNCIL IS STEPPING UP TO THE PLATE AND THE CHARTER AMENDMENT WAS RESOUNDINGLY PASSED, TWO-THIRDS. NEM EAST MAUI ARE READY TO STEP UP TO PLATE AND COMMUNITY MEETINGS HAVE BEEN HELD WHERE I LIVE AND I THINK UP COUNTRY GROUPS ARE DISCUSSING HOW THEY WOULD PARTICIPATE. SO YEAH, LET'S SET THE STANDARDS ON HOW WE'RE GOING TO DO THIS. AND GET PEOPLE WHO ARE WILLING, APPOINTED AND UP TO SPEED AND GET THIS IMPORTANT NEW CHAPTER OF MAUI'S HISTORY ROLLING OUT. MOVING ON TO RESOLUTION 22-262. I MEAN, ONCE AGAIN, I JUST WANT TO SAY, I APPLAUD THE COUNCIL FOR HAVING AN AFFIRMATIVE ACTION HERE. YEARS AGO, THE COUNCIL, YOUR PREDECESSORS, 15 YEARS AGO OR SO, WERE ASKED TO PASS A RESOLUTION IN SUPPORT OF RESTORING THE STREAM FLOWS, A RADICAL THING AT THE TIME. NOT ONE OF THOSE STREAMS HAD RESTORED FLOWS EXCEPT WHEN IT RAINED.\r\n\r\nTHIS COUNCIL DID PASS A RESOLUTION LIKE THAT. AND IT REALLY GAVE HOPE TO THE COMMUNITY AND THE STREAMS ARE PART OF A LIVING ECOSYSTEM. THIS IS JUST WHAT THE PEOPLE IN KAWELA WANT. I WAS AT THE COMMISSION HEARING, WHERE THIS HISTORIC VOTE WAS TAKEN. THE PASSION AND THE COMMITMENT OF THE YOUNG PEOPLE, THE YOUNG FAMILIES, TO LET THESE STREAMS FLOW, TO RESTORE THEIR LANDS, TO BRING BACK THE DREAMS THAT THEY HEARD FROM THEIR KUPUNA ABOUT HOW THE LANDS WERE IN PREVIOUS DAYS. ANYTHING THIS COUNCIL COULD DO TO TAKE AFFIRMATIVE ACTION AND SAY YES, THIS DECISION SHOULD STAND. THERE'S NO NEED FOR A CONTESTED-CASE.\r\n\r\nI WOULD BE FULLY SUPPORTIVE, PLEASE PASS THIS TODAY. MOVING ON TO BILL 200, 201, 202, AS A PERSON WHO USES THE COMMUNITY FACILITIES IN THE WAILUKU-KAHULUI DISTRICT, WE ALL GO TO EVENTS AND THIS IS WHERE THEY ARE HELD. WE JUST HAD OUR COMMUNITY CENTER IN HAIKU HAVE REPAIRS AND OH, MY GOSH IT'S SO NICE, YOU KNOW? THE WINDOWS WORK AGAIN. THESE ARE OLD BUILDINGS AND THEY ARE MUCH, MUCH LOVED AND MUCH USED. SO THANK YOU FOR STEPPING UP, AND PUTTING THIS IN THE BUDGET, AND TAKING CARE OF THESE PLACES THAT WE ALL NEED IN OUR COMMUNITY. AND THEN MOVING ON TO BILL 204. THIS IS SOMETHING LIVING IN A TRADITIONAL NEIGHBORHOOD, WHERE YOU KNOW, USED TO BE JUST SMALL LITTLE FARMS, AND PEOPLE LIVING IN MODEST HOUSES, AND NOW WE HAVE MILLIONAIRES HERE, AND OUR TAXES ARE COMPLETELY DIFFERENT, AND EVERYBODY STILL HAS THEIR SMALL HOUSES, BUT THEY ARE TAXES ARE NOT SMALL ANYMORE.\r\n\r\nSO ANYTHING THAT WE CAN DO TO HELP OUR KULEANA, AND LONG-TIME KAMA'AINA LANDOWNERS WE SHOULD DO. WE TOOK THE FIRST STEP IN IDENTIFYING THE 'AINA KUPUNA SECTION AND THIS IS A GOOD TWEAK. HOPEFULLY, NEXT YEAR, WE'LL TWEAK IT TO PROPERTIES NOT IN THE SMA, BECAUSE THERE'S PLENTY OF FAMILY HOMES IN KULA AND WAILUKU SIDE, THAT ARE NOT IN THE SMAS, BUT HAVE BECOME ALL OF A SUDDEN VERY DESIRABLE NEIGHBORHOODS. SO THE LITTLE GUY IS SOCKED WITH THE TAXES THAT THEY NEVER

ANTICIPATED AFTER GENERATIONS OF CARING FOR THE LAND, AND LIVING ON THE LAND. AND LIVING WITH THE LAND, AS WE WERE REMINDED, AND THEN LAST, BUT NOT LEAST, BILL 154. THE ORDINANCE ESTABLISHING CULTURAL OVERLAYS. WOW, WE HAVE JUST LOST SO MUCH, YOU KNOW? AS A PERSON WHO HAS BEEN AROUND A LONG TIME, I REMEMBER WHEN THIS WAS DISCUSSED IN THE 1990S. SURE WISH IT WOULD HAVE PASSED THEN.\r\n\r\nIT COULD HAVE SAVED SOME AMAZING PLACES THAT WERE DESTROYED, BURIALS UPROOTED FOR NO REASON OTHER THAN NOBODY LOOKED AT THE BIG PICTURE AND I DON'T CARE IF YOU DUG 15 TRENCHES HERE, EVERYONE I TALKED TO KNOWS THE PLACE IS A BURIAL GROUND. YOU NEED TO STEP ASIDE AND NOT DISINTER, AND MOVE AROUND 100, 200, 300 BURIALS. YOU NEED TO REALIZE THAT THERE ARE THINGS HERE THAT WE DON'T UNDERSTAND YET, BUT ARE CULTURALLY IMPORTANT AND WE NEED TO TALK TO KAMA'AINA AND GIVE THE TIME TO TALK TO KAMA'AINA AND FIND OUT WHAT IS REALLY ON THE LAND? THERE'S STILL PLENTY OF LAND TO BUILD. THINK THIS WILL HELP OUR DECISION-MAKING IN WHERE TO BUILD. WHEN WE BUILD IN THE RIGHT PLACE, THINGS FLOW. WHEN WE BUILD IN THE WRONG PLACE, IT CREATES DISCORD IN THE COMMUNITY.\r\n\r\nTHANK YOU FOR PASSING THESE BILLS TODAY AND HAVE A HAPPY HOLIDAY SEASON. >> THANK YOU. MEMBERS, QUESTIONS? I SEE NO QUESTIONS. THANK YOU VERY MUCH . MEMBERS, IT'S TIME FOR A BREAK. 10:31. LET'S RETURN AT 10:44. MEETING IN RECESS. [GAVEL] [GAVEL] WILL THE COUNCIL MEETING PLEASE RECONVENE.\r\n\r\nCOUNCIL MEETING OF DECEMBER 2ND, 2022. MR. CLERK, PLEASE RESUME TESTIMONY. >> YES, CHAIR. THE NEXT PERSON SIGNED UP TO TESTIFY IS MARYANNE POHAKU, FOLLOWED BY KAUIKI LIND. >> ALOHA, MARY ANNE POHAKU, RESIDENT OF EAST MAUI, WANTING TO ADD A FEW MORE BILLS TO MY TESTIMONY. CR22-124. RESOLUTION 22-260, CR22-262, AND THEN BILL 154 INCLUDING BILL 204. BACK TO 22-124, I SUPPORT THIS BILL, SETTING ORGANIC STANDARDS AND REGULATIONS FOR THE KULA AG PARK, A GOOD EXAMPLE TO THE FARMERS USING PARQUET AND OTHER HARMFUL CHEMICALS. RESOLUTION 22-260, TO APPROVE AND DISAPPROVE APPOINTMENTS TO EAST MAUI REGIONAL COMMUNITY BOARD.\r\n\r\nI WOULD JUST LIKE TO MAHALO YOU GUYS FOR YOUR TIME. EAST MAUI CONTINUES TO ORGANIZE OURSELVES AND MAINTAIN STRONG COMMUNICATION TO ALL STAKEHOLDERS, INVOLVED WITH THE USE OF EAST MAUI WATERS. YOU, COUNCIL, YOUR EFFORTS HAVE BEEN HISTORICAL THIS YEAR. MAHALO. CR22-262, SUPPORTING OUR FELLOW MOLOKA'I AND SUPPORT THE EFFORTS TO FULLY RESTORE KAWELA STREAM AND I KNOW HOW EMOTIONAL FIGHTING FOR WAI CAN BE AND TO MAHALO THE 'OHANA AND ECHO THEIR SUPPORT TO RESTORE. BILL 154, SUPPORTING THE ESTABLISHMENT OF CULTURAL OVERLAY MAP AND CULTURAL SENSITIVITY DESIGNATIONS. SUPPORTING THAT.\r\n\r\nMOVING ON TO BILL 204, THE 'AINA KUPUNA. THERE'S SO MANY SIMILAR STORIES TO 'AINA KUPUNA AND IT'S A VERY EMOTIONAL TOPIC, TRYING TO KEEP THIS SHORT. EVERY DISTRICT, EVERY MOKU HAS THEIR OWN HISTORY OF LAND SALES AND KULEANA. AS MENTIONED IT'S A VERY SENSITIVE ISSUE AND YOU CANNOT ASSUME TO UNDERSTAND EACH 'OHANA'S 'AINA. SOLUTIONS, WE TALKED ABOUT EARLIER, SUCH AS MEDIATION THROUGH THE COUNTY TAX DEPARTMENT, HAVING EXPERIENCE EXPLAINING MYSELF, AND OUR LAND TO OUR COUNTY TAX DEPARTMENT EMPLOYEES IS NOT AN EASY TASK. SOME PEOPLE HARSH -- SOME PEOPLE DO NOT SEEM TO BE QUALIFIED TO BE THERE, OR IN SOME WAYS EXPLAIN THE PROCESS, BECAUSE HAWAI'I HAS SUCH COMPLEX LAND ISSUES. YOU HAVE TO BE PART LAWYER TO UNDERSTAND THE SEVERE LAND HISTORY AND THE PROCESSES WHICH BROUGHT US TO PRESENT-DAY.\r\n\r\nIT'S NOT AN EASY DAY AND TO ECHO THE WORKSHOP SOLUTION, EXPLAINED BY MS. POE HONO HONO EARLIER. GOING TO HISTORICALLY FOUR PARCELS JUST SOLD ON THE PENINSULA. TWO PROPERTIES FOR MORE THAN A MILLION DOLLARS, AND THE OTHER TWO JUST UNDER. SO WHAT DOES THIS DO TO THE KULEANA? THE 'AINA KUPUNA DESCENDANTS THAT SEEK THROUGHOUT ON HAWAI'I. SALES AT SUCH A QUICK RATE, RAISING THE

COST OF LIVING FOR FAMILIES WHO SIMPLY WANT TO PERPETUATE 'OHANA TRADITIONS. THESE ARE DESCENDANTS OF OLD AND NOT 10, 15-YEAR RESIDENTS BUT GENERATIONAL FAMILIES THAT BUILD THE FOUNDATIONS THAT WE SIT ON TODAY.\r\n\r\nIT BROKE MY HEART THIS MORNING ASKING ONE OF MY SISTERS TO JUMP ON THE ZOOM TO TESTIFY FOR THIS BILL, BUT SHE TELLS ME HER 'AINA IS NOT IN SMA. I FELT WRONGFULLY PRIVILEGED OUR 'OHANA HISTORY ARE SIMILAR ERAS AND DOESN'T SEEM RIGHT SOME 'OHANA ARE DISQUALIFIED DUE TO THE CRITERIA, SUCH AS SMA. REGARDING THE KULEANA LAND EXEMPTION, WE HAVE APPLIED FOR THIS. HOWEVER, DOCUMENTS I SUBMITTED TO OHA, THAT WERE PRIOR RECEIVED -- FURTHER PROOF YOUR ANCESTRY VERIFICATION. YOU KNOW, I WAS RAISED GENEALOGY IS VERY SACRED AND CAN'T JUST SCAN OUR MOKU AND GIVE IT TO SOMEONE ON O'AHU. SO IT MUST BE CORRECTED. I DO NOT HAVE TO SHARE EVERY DETAIL OF THE GENEALOGY, BUT TO SHARE THE SURFACE DOCUMENTS AND NOTHING FURTHER.\r\n\r\nFOR ME, THE DOCUMENTS DID NOT SUFFICE OHA'S NEEDS. IF THIS CAN BE CORRECTED, PLEASE DO SO, JUST PUTTING THAT ON THE RECORD. AND I MADE AN EXAMPLE THIS MORNING, THE KALO FAMILIAR MUST SELL 400 POUNDS OF TARO A UPON MONTH TO PAY FOR HIS PROPERTY TAXES BOTH TAHOE AND HOME PARCEL. THIS IS ON TOP OF HIS KULEANA TO FEED HIS FAMILY AND COMMUNITY AND MA ACTUALLY DOUBLE HIS HARVEST, 800 POUNDS A MONTH. THAT MEANS HE MUST PLANT EVERY TWO WEEKS AFTER GASOLINE COSTS, A SIMPLE BILL ENDS UP OVERTAKING HIS 'OHANA TO SUSTAIN THE LIFE OF A SIMPLE KALO MAN. THERE'S MANY FAMILIES THAT HAVE HAD PARCELS MAKAI SIDE -- PERHAPS TAKEN BY THE QUIET TITLE PROCESS. THESE FAMILIES SHOULD NOT BE EXCLUDED BECAUSE OF THE SIMPLE SMA CRITERIA INVOLVED IN THIS BILL.\r\n\r\nI JUST LIKE TO SUPPORT YOU GUYS IN EVERYTHING THAT YOU ARE DOING. IF YOU CANNOT REMOVE THE SMA TODAY, PLEASE PASS THE BILL TO SUPPORT HOUSING OF FAMILIES IN YOUR COUNTY. MAHALO FOR YOUR HISTORICAL EFFORTS THROUGHOUT THIS YEAR AND IF NEEDED, LET'S WORK ON THIS NEXT YEAR. SO I WOULD LIKE TO END UP WITH THE HEALTH OF THE LAND IS IN THE HEALTH OF THE PEOPLE IS THE HEALTH OF THE NATION. WORDS BY DR. NOAH EMMETT ALULI. THANK YOU FOR YOUR TIME.\r\n\r\n>> THANK YOU. MEMBERS, QUESTIONS? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFY EVERY. >> THE NEXT PERSON IS KA YUKI LIND, FOLLOWED BY TWEETIE LIND. >> ALOHA EVERYBODY. ALOHA HONORABLE COUNTY COUNCIL MEMBERS.\r\n\r\nMAHALO FOR HAVING US HERE AND MAHALO FOR WHAT YOU HAVE DONE FOR THE COMMUNITY OF MAUI. I'M HERE TO TESTIFY ON BILL NO. 204, REGARDING THE 'AINA KUPUNA BILL. WHILE WE MAY NOT BE IMPACTED DIRECTLY, I SUPPORT ANY HAWAIIAN FAMILIES WHO CAN MOVE AHEAD AND SUSTAIN THEIR LAND IN THIS CURRENT TAXING BILL WE'RE IN. SO I JUST WENT OVER THE DELINQUENT MAUI LAND TAX LIST AND TOP 25 DELINQUENT ACCOUNTS ON THE MAUI COUNTY WEBSITE, I NOTICED THAT OVER TEN -- OF THE 25, OVER TEN ARE NATIVE HAWAIIANS. SOME IN THE 300,000 DOLLAR RANGE. YOU KNOW?\r\n\r\nIN HANA, WE HAVE THE HIGHEST POVERTY RATE, OBESITY, HOMELESSNESS, YOU NAME IT. MAYBE IT'S NOT A CORRECT RESULT OF THE LAND CONFLICT, BUT IT'S A WAY FOR THE COUNTY COUNCIL TO HELP REMEDIATE AND ASSIST WITHIN THE SCOPE OF THE LAW. SO I'M FOR BILL 154, ESTABLISHING -- I MEAN, BILL 204, ESTABLISHING THE CAN BE AMENDING THE MAUI COUNTY CODE TO INCLUDE 'AINA KUPUNA, AND MAYBE IN THE FUTURE, THIS COULD BE AS THE PROPERTY, THE MAUI COUNTY GROWS, MAYBE THIS COULD TAKE INTO CONSIDERATION AS A FAMILY, WE HAVE THE SMA LINE, BUT IT'S KIND OF TRICKY BECAUSE OF THE WAY WE ACQUIRED IT FROM TUTU'S FAMILY. IT'S ALWAYS BEEN SAID IT'S HER FAMILY'S LAND. MEANWHILE, WE DO HAVE CLEAR TITLE TO IT. WE TRIED THE AGRICULTURAL TAX BREAKS. THEY SAID -- THE COUNTY SAID OH, NO, YOU DON'T HAVE -- YOU HAVE TOO MUCH FOREST, NOT ENOUGH GRASS LANDS, ALL OF THE KIND OF STUFF WE TRIED TO DO.\r\n\r\nTHIS IS ONE OPPORTUNITY TO TAKE IT THERE, WHERE WE CAN HAVE A

TAX BREAK. BESIDES THAT, I SUPPORT THE MOLOKA'I KAWELA STREAM AND TO SUPPORT BILL 154 OVERLAYS. THE PROPERTY THAT WE'RE TRYING TO REGISTER WITH THE 'AINA KUPUNA WAS BULLDOZED IN 2000 WITH -- WHAT WAS HIS NAME? THE STATE OF HAWAI'I -- OUR PROPERTY WAS BULLDOZED. WE CALLED THE COUNTY COPS AND THEY CAME OVER AND IT WASN'T LIKE THEY COULD DIG TO SEE WITH IWI KUPUNA WAS BUT TO MAKE SURE IT'S PROTECTED FOREVER. IF THE LANDOWNERS CHANGE, STUFF LIKE THAT, ESPECIALLY WALLS. OTHER THAN THAT, THANK YOU, AND BLESS YOU GUYS.\r\n\r\nYOU HAVE A HAPPY HOLIDAYS, MERRY CHRISTMAS AND HAPPY NEW YEAR. ALOHA. >> THANK YOU. QUESTIONS, MEMBERS? IF NOT, NEXT. >> CHAIR, THE NEXT PERSON SIGNED UP TO TESTIFY IS TWEETIE LIND FOLLOWED BY TEAVE. >> SHE IS GOING PASS FOR NOW.\r\n\r\nTHANK YOU. SORRY ABOUT THAT MIX UP. >> NO PROBLEM. >> THEN CHAIR, NEXT TESTIFIER IS TEAVE, FOLLOWED BY BARBARA BARRY. >> ALOHA EVERYONE. >> ALOHA. >> I WOULD LIKE TO TESTIFY IN SUPPORT OF CR22-262, BUT I ALSO LIKE TO ADD ON BILL 204 AND BILL 84. REGARDING CR22-262, MY NAME IS TEAVE, AND I'M BORN AND RAISED IN KAWELA AND OVER THESE 40 YEARS I HAVE WITNESSED THE NEGATIVE IMPACTS THAT THIS 100-YEAR-OLD DIVERSION HAS HAD ON THIS AHUPUA'A. SO WHAT WE'RE TRYING TO DO HERE IS JUST SIMPLY REVERSE THOSE DAMAGES BY GIVING KAWELA BACK ITS WAI, BACK ITS WATER, BUT MOLOKA'I RANCH LTD.\r\n\r\nIS MAKING IT DIFFICULT. THE DECISION CAME AFTER TWO MAJOR DETERMINING FACTORS: ONE WAS THE HUNDREDS OF TESTIMONIES WRITTEN AND ORAL, SIGNATURES, SIGNED PETITIONS FROM OUR COMMUNITY MEMBERS ALL IN SUPPORT OF FULL RESTORATION. THE SECOND WAS DATA THAT WAS TAKEN DIRECTLY FROM MOLOKA'I PROPERTY LTD. AND PRESENTED IN STAFF'S SUBMITTALS, IDENTIFYING NOT ONLY THEIR WATER MISMANAGEMENT, BUT IDENTIFYING ADEQUATE ALTERNATIVE WATER SOURCES THAT WOULD SATISFY THEIR WATER NEEDS; WHILE ALLOWING KAWELA TO BE FULLY RESTORED. SO THE DECISION THAT THE WATER COMMISSION MADE WAS BASED ON WHAT THE COMMUNITY WANTS, AND BASED ON WHAT OUR 'AINA NEEDS AND FACTUAL DATA THAT WAS FROM THE SOURCE ITSELF. FROM THE RANCH ITSELF. AND ALL OF THIS DATA UP THE SUPPORTING THE CAPABILITY AND FEASIBILITY OF FULL RESTORATION TO KAWELA.\r\n\r\nSO I DON'T SEE WHAT THEY ARE TRYING TO CONTEST. THE FACTS ARE PRESENTED. SO I'M URGING TO SUPPORT THIS RESOLUTION IN DENYING THEIR REQUEST FOR CONTESTED-CASE, AND HELP US TO SEE THAT THE WATER COMMISSION CONTINUES TO STAND FIRM ON THEIR DECISION, AND SEE THAT THE KAWELA RIVER IS FULLY RESTORED. AS FAR AS BILL 204, I BELIEVE THAT IS THE 'AINA KUPUNA. THE TAXES. ALLEVIATING THE TAX BURDEN FOR OUR KUPUNA, I BELIEVE IS SOMETHING -- DIFFICULT TO EXPLAIN, BECAUSE I DON'T FEEL ANY HAWAIIAN SHOULD PAY LAND TAX FOR THE LAND WE OWN, ESPECIALLY 'AINA KUPUNA. THIS WILL PREVENT MORE HAWAIIANS FROM BEING DISPLACED, AND PREVENT FUTURE, I GUESS, DEVELOPMENT ON THESE LANDS.\r\n\r\nTHEN REGARDING BILL 184, THE ESTABLISHMENT OF A CULTURAL OVERLAY. I THINK THIS IS VITAL FOR KEEPING OUR CULTURE ALIVE AND PROTECTING OUR SACRED SITES AND IWI KUPUNA AND PREVENTING FUTURE DESECRATION AND HOPEFULLY PROMOTING RESTORATION TO THE AREAS. I AGREE WITH AUNTIE LORI WHO MENTIONED IT WOULD HELP THE PLANNING COMMISSIONS IN THEIR DECISION-MAKING PROCESSES. MAHALO FOR YOUR TIME TO TESTIFY. >> THANK YOU. MEMBERS, QUESTIONS? IF NOT, THANK YOU VERY MUCH.\r\n\r\nNEXT. >> THE NEXT PERSON SIGNED UP TO TESTIFY IS BARBARA BARRY. >> ALOHA, CHAIR LEE AND COUNCIL MEMBERS. GOOD TO SEE YOU ALL. THANK YOU SO MUCH FOR THE OPPORTUNITY TO TESTIFY TODAY. MY NAME IS BARBARA BARRY AND I'M A SMALL ORGANIC FARMER IN HAIKU. I AM NOT A LOBBYIST.\r\n\r\nSO I WANTED TO TESTIFY IN STRONG SUPPORT OF CR22-124, BILL 160. AS I HAVE TESTIFIED BEFORE IN THE PAST, ONE OF THE BIGGEST HURDLES TO ORGANIC FARMERS IS AVAILABLE, SECURE, TENANCY WITH LAND THAT WILL NOT BE CONTAMINATED WITH

NEARBY FARMING TECHNIQUES. I SUPPORT THE VARIOUS LEASE APPLICATION REQUIREMENTS AND ADJUSTING THE COMMISSION CATEGORY NUMBERS TO ALLOW REPRESENTATIVE FROM THE HAWAI'I FARMERS UNION UNITED, WHICH I'M A MEMBER OF, AND ALSO A TENANT FROM THE NEW KULA AG PARK. WHEN THE LANA'I AG PARK IS ESTABLISHED, A MEMBER OF THAT PARK SHOULD ALSO SIT ON THE COMMISSION. IT MAY NEED TO GET RENAMED TO THE MAUI AGRICULTURAL PARKS, AS AG PARKS EXPAND THROUGHOUT MAUI COUNTY. TO PRIORITIZING LOCAL FOOD PRODUCTION BEFORE EXPORT AND ESTABLISHING A WAIT-LIST FOR FARMERS. THERE ARE QUALIFIED APPLICANTS WAITING TO BE ALLOWED TO ACCEPT LEASE ASSIGNMENT AND NEW LOT LEASES ARE ALL VERY IMPORTANT TO HAVING A FAIR AND TRANSPARENT PROCESS IN THIS NEW TAXPAYER-FUNDED AG PARK. I'M VERY THANKFUL AS A KULA AG PARK COMMISSIONER TO SEE THESE POSITIVE CHANGES.\r\n\r\nSO ALL OF OUR ORGANIC FARMERS HAVE A CHANCE TO FARM WITHOUT FEAR OF SOILS AND WITHOUT BEING CONTAMINATED AND AS A RESULT, DEVALUE THEIR CROPS. PLEASE PASS BILL 160 TODAY. DECISIONS ARE BEING MADE NOW THAT WILL IMPACT THE NEW AG PARK. SO I FEEL THIS IS REALLY IMPORTANT TO MOVE FORWARD WITH. THE NEXT THING I WOULD LIKE TO TALK ABOUT IS BILL 205, SUPPORTING THE DEVELOPMENT OF THE LANA'I AG PARK. THERE'S A GROWING AND VIBRANT ORGANIC AG COMMUNITY ON LANA'I. NEGUS MANNA WAS ELOQUENT FOR THE IMPORTANCE OF AG FOR MAUI AND IT HAS BEEN IN DISCUSSION FOR MANY YEARS. MAHALO TO COUNCIL MEMBER JOHNSON FOR BRINGING THIS FORWARD.\r\n\r\nI BELIEVE IT NEEDS TO BE ACTED ON RATHER QUICKLY. I WOULD ALSO LIKE TO TESTIFY ON BILL 154 CD 1, FD 1. SUPPORTING THE CULTURAL OVERLAY MAP. THIS IS SO OVERDUE AND SO IMPORTANT. I CAN'T EVEN IMAGINE WHAT IT HAS BEEN LIKE FOR THE HAWAIIANS TO SEE THEIR CULTURAL SITES, THEIR IWI KUPUNA SO MANY THINGS JUST DESTROYED IN THE PAST 100 YEARS. SO THIS WILL REALLY HELP THE PLANNING COMMISSION PROTECT THESE SITES, AND SUPPORT THESE HISTORIC AND SACRED LOCATIONS. THEY NEED TO BE PRESERVED FOR THE FUTURE. SO THAT IS ANOTHER BILL THAT REALLY NEEDS TO BE MOVED ON QUICKLY.\r\n\r\nSO THANK YOU FOR CONSIDERING THAT. BILL 204 SUPPORTING AMENDING CHAPTER 3.48 RELATING TO REAL PROPERTY TAX DEDICATED AS 'AINA KUPUNA. ANOTHER VERY COMPLICATED ISSUE THAT NEEDS TO BE RESOLVED. I BELIEVE THIS BILL IS A GOOD START AND SHOULD BE PASSED TODAY. SO WE CAN'T KEEP LOSING HISTORICAL LAND LIKE THIS TO NOT BEING ABLE TO PAY TAXES, AND HAVE ALL OF THIS HAPPENING, IT'S REALLY WRONG. THANK YOU FOR MOVING FORWARD WITH THAT. RESOLUTION 22-260, APPOINTMENTS TO EAST MAUI REGIONAL COMMUNITY BOARD.\r\n\r\nI SUPPORT THIS DECISION, MAKING PROCESS OF CHOOSING COMMUNITY MEMBERS, SETTING STANDARDS AND ORGANIZING THE BOARD TO START AS SOON AS POSSIBLE, SUPER IMPORTANT AS THIS PUBLIC TRUST IS ONE THAT THE MAUI COUNTY VOTERS HAVE STRONGLY VOTED IN FAVOR OF SUPPORTING, AND PROTECTING. SO DEVELOPING THE BOARD IS THE QUICKEST WAY TO GET THIS UP AND RUNNING. RESOLUTION 22-262, TO URGE THE COUNCIL TO DENY THE REQUEST FOR CONTESTED-CASE BY THE MOLOKA'I RANCH AND TO FULLY RESTORE KAWELA STREAM IS IMPERATIVE. WATER SHOULD NOT BE MANAGED BY A PRIVATE LANDOWNER. IT'S A PUBLIC TRUST AND NOW THAT COUNTY IS MOVING INTO MANAGING THE WATERS OF EAST MAUI AND IN THE FUTURE, THE WATER OF ALL MAUI COUNTY, HOPEFULLY, THIS IS A VERY IMPORTANT THING TO HAVE THIS STREAM FULLY RESTORED, AND ALLOW ALL OF THE WORK THAT THE FOLKS ON MOLOKA'I ARE DOING TO PROTECT THE 'AINA AND THE WATERS, RESTORING THAT FLOW. MAHALO ALL OF THE PEOPLE IN MOLOKA'I, WHO HAVE BEEN WORKING SO HARD ON THIS ISSUE. I HOPE THAT THE WATERS OF KAWELA STREAM ARE RESTORED FULLY AND QUICKLY.\r\n\r\nI JUST WANT TO MAHALO ALL OF YOU FOR ALL OF YOUR HARD WORK THIS LAST YEAR. IT'S BEEN AN ENORMOUS DOCKET AND YOU HAVE ALL RISEN TO THE OCCASION. I SO APPRECIATE ALL OF YOU, AS WELL AS BEING ABLE TO TESTIFY ON SOME OF THESE VERY IMPORTANT MATTERS FROM HOME. SO BLESS YOU

ALL. MELE KALIKIMAKA TO YOU AND YOUR 'OHANA, THANK YOU VERY MUCH. >> THANK YOU. APPRECIATE YOUR TESTIMONY.\r\n\r\nMEMBERS, QUESTIONS? IF NOT, THANK YOU VERY MUCH. >> MAHALO. >> NEXT. >> CHAIR, THE NEXT PERSON SIGNED UP TO TESTIFY IS HANO NAEHU. >> CAN YOU HEAR ME? >> YES.\r\n\r\n>> MY NAME IS HANO NAEHU FROM THE ISLAND OF MOLOKA'I I'M HERE IN SUPPORT OF THREE BILLS, KAWELA STREAM, 'AINA KUPUNA AND CULTURAL OVERLAY AND I AGREE WITH ALMOST EVERYTHING THAT EVERYBODY WHO WENT BEFORE ME SAID. I'M USUALLY SO EXCITED ABOUT COUNTY TESTIFYING, BECAUSE THERE'S ALWAYS AN OPPOSITION, AND AS I'M LISTENING, LIKE THERE'S NOTHING -- THERE'S NO OPPOSITION. NOBODY WANTS MOLOKA'I RANCH TO CONTINUE DEGRADE OUR ENVIRONMENT. THEY ARE ON THEIR WAY OUT. YOU GUYS SHOULDN'T BE FRIENDS WITH YOU. THEY WILL DO NOTHING FOR YOUR POLITICAL CAREER. BEST TO SIDE WITH THE ALOHA 'AINA AND THE COMMUNITY.\r\n\r\nWITH THE 'AINA KUPUNA, FIRST OF ALL, I FEEL SO BLESSED AND THROW ALL ALOHA BACK TO EVERYBODY WHO TESTIFIED BEFORE, FROM UNCLE WALT AND FISHPOND CREW AND ALL OF THE PEOPLE ON MAUI. I HAVE 'AINA KUPUNA LAND IN KAWELA. MY NAEHU FAMILY. I HAVE HUNTED THOSE LANDS AND WALKED THOSE LANDS AND AGREE WITH EVERYTHING THAT EVERYONE SAID. IT'S DRY AND IT DOESN'T DESERVE TO BE THAT WAY. AND AS AN ACTUAL SHARED LANDOWNER IN THAT AREA, I'M ALSO SURROUNDED BY NON-KANAKA, WHO HAVE BOUGHT 'AINA IN THE HAWAIIAN DESERT, AND ARE TRYING TO UP THEIR SALE FOR THEIR HOUSES, WHICH UPS THE LAND TAXES, AND IT LOOKS LIKE EVERY OTHER PART OF AMERICAN WESTERN CULTURE. IF WE DON'T STOP THAT, EVEN YOU GUYS ARE NOT GOING TO HAVE A HOME IN THESE ISLANDS.\r\n\r\nSO I BELIEVE THAT HAVING THIS STEP IS A STEP IN THE RIGHT DIRECTION. BECAUSE WE ALL KNOW IN 2022, THAT THIS IS THE HAWAIIAN KINGDOM, AND IT'S UNDER ILLEGAL OCCUPATION, AND WE'RE STAYING ON ACTIVE GOVERNMENT TO TAKE CARE OUR PEOPLE AND PLACE UNTIL THE WRONG IS MADE RIGHT. WITH THAT BEING SAID, YOU GUYS HELPING THE 'OHANA, AND THE LINEAL DESCENDANTS BE ABLE TO ACTUALLY TRY AND BE A PART OF THE SYSTEM. I GET 'AINA KUPUNA LANDS IN KAMU, WHERE I'M THE KANA HIKI ON THAT SIDE. MY MOM HAD IT PASSED TO HER BY MY GRANDFATHER. I GOT IT FROM MY MOM, WITH AN \$8,000 DEBT, BECAUSE MOM WENT TO THE HAGUE, AND FOUND OUT THAT THE KINGDOM STILL EXISTS, AND THEY WE DON'T HAVE TO PAY IN THE ILLEGAL OCCUPATION AND ALL OF A SUDDEN ME AND MY FAMILY CAME IN AND BE PART OF THE SYSTEM AND MAKE PONO AND NOW ALL OF A SUDDEN WE GOT A BIG TAX THAT WE HAVE TO PAY AND ONLY GOING ON. PAYING TAX ON 'AINA THAT YOU OWN AND YOU WILL RECOGNIZE THERE ARE SPECIAL CASES LIKE OUR 'OHANAS THAT HEY, YOUR 'AINA, YOU SHOULDN'T HAVE TO PAY ANYTHING, BECAUSE EVERYTHING BEING SOLD AROUND YOU IS GOING SO FAR OUT OF THE ROOF, THAT EVENTUALLY NONE OF THE NATIVES ARE GOING TO BE HERE.\r\n\r\nAGAIN, I BELIEVE THIS IS A GOOD MOVE IN THE RIGHT DIRECTION, BUT WE CAN DO MORE. LASTLY, I'M A FISHPOND GUARDIAN AND ON THE AHUPUA'A OF THE EAST END OF MOLOKA'I. I'M A HUNTER AND ALL OF THOSE THINGS NEEDS TO BE RECORDED, NEEDS TO BE IDENTIFIED AND PROTECTED TO KEEP OUR PLACE THE WAY WE WANT IT TO BE, NATURAL, BALANCED, AND HAWAIIAN. I AGREE WITH EVERYTHING THAT MALIA AKUTAGAWA SAID ON THE THREE BILLS, AND THANK YOU FOR LISTENING. MAHALO. >> THANK YOU. QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH.\r\n\r\nNEXT. >> THE NEXT PERSON SIGNED UP TO TESTIFY IS KEIKI PUA DANCIL, FOLLOWED BY EDEN CARNEY. >> ALOHA, CHAIR LEE, COUNCIL MEMBERS. MAHALO FOR THE OPPORTUNITY TO SPEAK TO YOU ON BILL 205-2022. I SUBMITTED WRITTEN TESTIMONY TO THE COUNTY CLERK AND I DID NOT SEE IT ON GRANICUS. SO I WILL SUMMARIZE MY COMMENTS. ON NOVEMBER 10TH, AT THE BOARD OF LAND AND NATURAL RESOURCES MEETING. PRESENT AT THE MEETING AND WAS AND IS SUPPORTIVE OF THE BLNR'S DECISION.\r\n\r\nWE WOULD BE REMISS IF WE CAN'T POINT OUT THE FOLLOWING COMMENTS FROM THE TRANSFER OF LEASE FROM THE

STATE TO THE COUNTY. >> COUNCIL MEMBERS SHOULD REVIEW THE LEASE LANGUAGE AND TERMS IN WHICH THE TRANSFER IS MADE. THE LEASE WAS PROVIDED TO YOU IN BILL 205 PACKET AND NOT INCLUDED IN THE PACKET WAS TERMED REGARDING APPROVAL ON NOVEMBER 10TH. AS MENTIONED ABOVE, THIS WAS ALSO REITERATED IN A LETTER ON NOVEMBER 22ND TO THE COUNTY'S DIRECTOR OF AGRICULTURE FROM THE STATE DEPARTMENT OF LAND AND NATURAL RESOURCES AND DID ASK THE COUNTY TO CONFIRM WHETHER THEY WOULD ASK THE LEASE "AS IS, WHERE IS WITH ALL FAULTS." I INCLUDED THIS LETTER IN MY COMMENTS TO COUNTY CLERK AS ATTACHMENT A. AS OF TODAY, THERE'S BEEN NO RESPONSE TO THE DATA AND THE COMMENTS. THERE ARE MANY CONDITIONS AND TERMS IN THE LEASE. YOU CAN SEE IT IN EXHIBIT 1 IN BILL 205'S PACKET THAT ARE IN DEFAULT TODAY, BECAUSE IT'S SUCH AN OLD LEASE FROM 1994. UPON ASSIGNMENT, THE COUNTY WOULD BE IN DEFAULT ON DAY 1. IN ADDITION IN ORDER TO BE COMPLIANT, IF YOU IGNORE THE DEFAULT A SIGNIFICANT INVESTMENT BY COUNTY WOULD BE NECESSARY. WE RESPECTFULLY REQUEST THAT THE COUNCIL REVIEW THE LEASE TERMS AND CONDITIONS TO DETERMINE WHETHER THIS BURDEN WOULD BE IN BEST INTEREST OF THE COUNTY AND THE RESIDENTS OF LANA'I? AGAIN, MAHALO FOR ALL YOU DO FOR OUR COMMUNITY.\r\n\r\nTHANK YOU FOR THE OPPORTUNITY AND I'M HERE FOR QUESTIONS. >> MEMBER JOHNSON. >> THANK YOU, CHAIR. GOOD MORNING, DR. DANCIL FOR THAT TESTIMONY. I WANT TO CLARIFY SOME OF YOUR TESTIMONY. SO I KNOW THERE WAS AN AMENDMENT SHORTLY AFTER THE LEASE WAS WRITTEN, AND MY QUESTION TO YOU, AS A REPRESENTATIVE OF LANA'I, WOULD PULAMA LANA'I BE OPEN TO AMENDING THE LEASE?\r\n\r\n>> THE TRANSFER OF THE LEASE THAT WE SUPPORT IS AS-IS, WHERE IS WITH ALL FAULTS. WE HAVE BEEN IN COMMUNICATION WITH THE COUNTY, THE MAYOR'S OFFICE, AS WELL AS THE DEPARTMENT'S DEPARTMENT ABOUT OTHER OPTIONS, WHERE THERE WOULD BE NO DEFAULTS. OTHER LANDS IN WHICH THERE ALREADY COMMERCIAL LOTS AVAILABLE, VACANT, IN FACT, AND WHERE THERE'S WATER AND INFRASTRUCTURE AVAILABLE. >> SO YOU ARE SAYING YOU WOULD OFFER UP SOME OF THE LANDS THAT ARE ALREADY OFFERED IN OTHER PARCELS, BUT THAT WOULDN'T BE UNDER THE COUNTY'S PURVIEW? WOULD YOU BASICALLY WOULD YOU ACCEPT 100 ACRES IN A DIFFERENT PARCEL? IS THAT YOUR POSITION?. >> IT'S NOT OUR POSITION AT THE TIME, TO UNDERSTAND THE NEED BECAUSE AS I MENTIONED THERE'S CURRENTLY COMMERCIAL LOTS AVAILABLE FOR LEASE THAT ARE VACANT. >> THOSE COMMERCIAL LOTS, HOW LONG IS THE LEASE FOR?\r\n\r\n>> I BELIEVE WE ADJUSTED TO MATCH WHAT THEY COULD GET FOR USDA LOANS. WE RECOGNIZED IT WAS SUBJECT TO USDA LOANS AND MADE THAT ADJUSTMENT. >> SO PREVIOUSLY THEY WERE 30-DAY LOANS. >> THAT IS NOT CORRECT, THERE IS NEVER 30-DAY LEASES FOR AG LEASES. >> THANK YOU. THANK YOU, CHAIR. >> ANY OTHER QUESTIONS?\r\n\r\nMEMBER SINENCI AND PRO TEM KAMA. MEMBER SINENCI. >> MAHALO, CHAIR. MAHALO, MS. DANCIL FOR YOUR TESTIMONY THIS MORNING. I SAW YOU AND PULAMA AT DLNR MEETING. MY QUESTION WHAT IS THE PULAMA LANA'I'S PURPOSE?\r\n\r\nDID YOU, ONE, NOT SUPPORT THE COUNTY GETTING THE AGRICULTURE DESIGNATION AND YOU GUYS HAVE OTHER PLANS? DID IT NOT GO THROUGH? IS THAT YOUR PURPOSE? >> NO. WE SUPPORT THE TRANSFER. WE SUPPORT THE BLNR'S ACTION, WHICH WAS THE TRANSFER OF THE LEASE, AS-IS, WHERE AS IN ALL FAULTS AND NOT TRANSFERRED BECAUSE IT'S SUCH A LONG LEASE, THE BOARD OF LAND AND NATURAL RESOURCES WOULD LIKE TO TERMINATE IN SIX MONTHS AND THE STATE DOESN'T PLAN TO DEVELOP IT. >> WOULD PULAMA TAKE IT OVER?\r\n\r\nIT IS OUR LAND AND BASICALLY THE LEASE WOULD GO AWAY AND REMAIN IN AGRICULTURE. WE DON'T HAVE PLANS IN THAT AREA AT THIS TIME. >> THANK YOU FOR THAT CLARIFICATION. THANK YOU, CHAIR. >> THEN WE HAD PRO TEM KAMA. >> THANK YOU, CHAIR. I DON'T HAVE A WHOLE LOT OF INFORMATION REGARDING THIS, AND I DON'T UNDERSTAND IT -- CLARIFYING QUESTION, MY QUESTION, CHAIR, WHEN THE ITEM COMES, WOULD WE BE ABLE TO

SEE IF DR.\r\n\r\nDANCIL WOULD BE A RESOURCE? >> DR. DANCIL? >> YES, I ASSUME IT'S SOMETIME THIS AFTERNOON? >> WELL, WE'RE HOPING. [LAUGHTER] WE'LL LET YOU KNOW. WE'LL LET YOU KNOW, BECAUSE WE DIDN'T ANTICIPATE THIS VOLUME OF TESTIMONY.\r\n\r\nSO THERE IS A POSSIBILITY THAT WE MAY CUT-OFF THIS MEETING AT 4:30. >> OKAY. >> PARDON ME? >> IF AVAILABLE - IF I NEED TO BE AVAILABLE, JUST LET ME KNOW AND SEND ME A MESSAGE. >> ALL RIGHT. THANK YOU. >> THANK YOU, CHAIR. THANK YOU, DR.\r\n\r\nDANCIL. >> MEMBER PALTIN. >> THANK YOU, CHAIR. I WAS CLARIFYING THAT THE LAND LEASED TO DNLR IS OWNED BY PULAMA LANA'I? >> ALOHA, COUNCIL MEMBER, THAT IS CORRECT. IT'S OWNED BY PULAMA LANA'I. >> ALOHA, DR. DANCIL. THE OTHER QUESTION I HAD, IN REGARDS TO WHAT YOU WERE SAYING ABOUT AS IS, WHERE IS AND THOSE THINGS.\r\n\r\nIF THE LEASE ENDS AND REVERTS TO PULAMA LANA'I, IS THERE ANYTHING THAT PULAMA LANA'I IS ON THE HOOK FOR, OR IS IT ONLY THE LESSEES, OR WHO THE LEASE GETS TRANSFERRED TO? >> IT'S THE BURDEN OF THE LESSEE, WHICH WOULD BE CURRENTLY IT'S THE STATE RIGHT NOW. IF THE TRANSFER GOES THROUGH, IT WOULD BE THE COUNTY. >> AND MY LAST QUESTION IS THE LAND LEASE GETS REVERTED TO PULAMA LANA'I, WOULD YOU BE OPEN TO COMMUNITY GARDENING? >> WE ACTUALLY HAVE A COMMUNITY GARDEN ALREADY AVAILABLE, AND THERE ARE FAIR AMOUNT OF LOTS THAT ARE STILL OPEN. SO WE HAVE TWO DIFFERENT PARCELS. WE HAVE ONE THAT IS A COMMUNITY GARDEN, WHICH IS SMALLER FOR RESIDENTS.\r\n\r\nIT'S MORE ON THE RESIDENTIAL, AND YOU CAN'T USE THAT FOR COMMERCIAL SALES. SO IT'S ONLY FOR SELF-CONSUMPTION FOR 'OHANA. WE HAVE A SEPARATE AREA - THERE'S LOTS VARIABLE THERE AND THE SEPARATE AREA, IS COMMERCIAL AREA, THAT THERE NEGUS MANNA HAS A LEASE THERE AND USING HALF OF THE ACRES THERE. ON TOP OF THAT, WE HAVE ACRES AVAILABLE FOR LEASE, NO ONE HAS COME TO US AND ASKED US FOR ACRES THERE. >> OKAY. SO YOU FEEL THAT THERE'S ALREADY SUFFICIENT AND YOU WOULD ADDRESS IT IF THERE'S NEED FOR MORE? >> CORRECT.\r\n\r\nWE SHARED THIS WITH THE DIRECTOR AS WELL. >> THANK YOU, DR. DANCIL. THANK YOU, CHAIR. >> ANY MORE QUESTIONS, MEMBERS? I HAVE A QUESTION. DR.\r\n\r\nDANCIL, YOU SAID IF THE TRANSACTION GOES FORWARD, THE COUNTY WOULD BE IN DEFAULT IMMEDIATELY. CAN YOU EXPLAIN THAT? >> YES. IF YOU LOOK AT YOUR EXHIBIT 1, THE LEASE. THERE'S A FAIR AMOUNT OF CONDITIONS IN THERE, AND THE STATE WAS ON -- UPON EXECUTION OF THE LEASE WITHIN SO MANY YEARS, THEY HAD TO DO X, Y, Z. THEY HAD TO PROVE THAT THEY HAD CAPITAL FUNDING TO DO THESE DIFFERENT THINGS. THEY HAD TO SURVEY THE LAND, SUBDIVIDE THE LAND, DO ALL OF THESE DIFFERENT THINGS. AND NONE OF THAT HAS BEEN DONE TO-DATE.\r\n\r\n>> SO WHAT HAPPENS IF YOU ARE IN DEFAULT? WHAT IS THE CONSEQUENCE? >> WE HAVE THE RIGHT TO ENTER INTO IMMEDIATE TERMINATION. >> THAT'S AN ATTENTION-GETTER. THANK YOU. ANY MORE QUESTIONS, MEMBERS? IF NOT, WE'LL BE IN TOUCH.\r\n\r\n>> MAHALO. >> IF WE TAKE THIS UP LATER, WE'LL BE IN TOUCH WITH YOU. >> MAHALO FOR THE OPPORTUNITY AND HAPPY HOLIDAYS EVERYONE. >> YOU TOO. NEXT TESTIFIER. >> CHAIR, THE NEXT PERSON SIGNED UP TO TESTIFY IS EDEN CARNEY, FOLLOWED BY LIKO WALLACE. >> ALOHA KAKOU.\r\n\r\nEDEN CARNEY AND LIVE IN KAWELA MOLOKA'I AND IN SUPPORT OF RESO 22-262. UNFORTUNATELY, MY KIDS AND HUSBAND AND CHILDREN WERE JUST HERE AND WANTED TO TESTIFY WITH ME. BUT WE'RE FARMERS AND WE HAD TO DROP OFF EGGS AT A CERTAIN TIME. SO THEY CAN'T BE HERE. ALOHA TO THE COMMUNITY MEMBERS THAT WALKED US THROUGH THE PROCESS. MY KIDS WERE ABLE TO WRITE TESTIMONY FOR THE WATER COMMISSION AND ABLE TO ATTEND VIRTUAL ONLINE MEETINGS AND ALSO ABLE TO CELEBRATE THE VICTORY THAT THEY HAD IN OCTOBER, SEEING THAT WE WOULD GET FULL RESTORATION OF THE KAWELA STREAM. WE LIVE TO THE WEST OF THE KAWELA STREAM AND IT'S A CONSISTENT THING THAT WE CHECK THE WATER. MY KIDS ARE ALWAYS IN THE MOUNTAINS AND SEE WHAT IS

HAPPENING.\r\n\r\nTHE ONLY TIME WE EVER GET REAL RELEASE OF WATER IF IT'S A FLOOD AND IT'S UNFORTUNATE, BECAUSE WHEN YOU LOOK UP IN MOUNTAINS, FROM WHERE I AM, YOU CAN SEE THERE'S RAIN THERE EVERY DAY AND UNFORTUNATELY THE WATER IS NOT ALLOWED TO FLOW TO WHERE WE ARE. IT'S BEEN A DISAPPOINTMENT TO HEAR THAT MPL HAS CONTESTED THE DECISION AND SO MUCH WORK AND EVIDENCE THAT WAS SHARED EARLIER, THAT THE COMMISSION ACTUALLY DECIDED, AND UPHELD IT, AND ASKED FOR FULL RELEASE. SO WE'RE ASKING YOU TO PLEASE HONOR THE COMMISSION'S DECISION, AND PLEASE RESTORE WATER TO KAWELA. IT'S BEEN 100 YEARS AND WE HOPE THE GENERATIONS OF MY SONS AND THEIR SONS WILL ACTUALLY BE ABLE TO SEE WHAT REVERSAL OF 100 YEARS LOOKS LIKE IN THEIR LIFETIME. THE OTHER THING HUSBAND WANTED TO SAY IS JUST DO WHAT IS RIGHT. MAHALO FOR YOUR TIME AND MAHALO TO 'AINA WARRIORS THAT HAVE WORKED SO CONSISTENTLY FOR THIS. MAHALO NUI.\r\n\r\n>> THANK YOU. QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH. NEXT. >> CHAIR, THE NEXT PERSON SIGNED UP TO TESTIFY IS LIKO WALLACE, FOLLOWED BY SAM SMALL. >> MS. WALLACE.\r\n\r\nTHERE WE ARE. I SEE HER. >> THERE I AM. SORRY, HAVING INTERNET PROBLEMS. MY GOODNESS. WELL, ALOHA EVERYBODY ON THE COUNCIL. LOVE SEEING YOU GUYS' CHEERY FACES.\r\n\r\nMAHALO FOR LETTING ME HAVE THIS OPPORTUNITY TO TESTIFY IN STRONG SUPPORT FOR CR22-262. THE URGING THE COMMISSION ON WATER RESOURCE MANAGEMENT TO DENY THE REQUEST FOR A CONTESTED-CASE BY MOLOKA'I PROPERTIES LTD., AND TO FULLY RESTORE KAWELA STREAM. I'M NOT GOING REPEAT IT. SORRY. IS IT GOING? >> NOW WE CAN HEAR YOU. >> OKAY. SORRY ABOUT THAT.\r\n\r\nBUT I JUST NEED TO MAKE THIS QUICK, BECAUSE I'M GOING JUMP ON A PLANE. SO I JUST WANTED TO GIVE MY STRONG SUPPORT TO -- I'M SO SORRY, I'M JUST FEELING PRESSURED. C22-262, BILL 204, AND BILL 154. I WISH I HAD MORE TIME TO SPEAK ON IT, BUT I'M IN STRONG SUPPORT OF ALL THREE, AND I THANK YOU GUYS FOR HEARING THIS OUT. AND I LOOK FORWARD TO SEEING YOU GUYS IN-PERSON. ALOHA! >> ALOHA. DO WE HAVE QUESTIONS?\r\n\r\nIF NOT, THANK YOU SO MUCH, AND HAVE A GREAT WEEKEND, AND TRAVEL. >> MAHALO, YOU GUYS, TOO. >> MAHALO. >> CHAIR, THE NEXT PERSON IS SAM SMALL, FOLLOWED BY LAHELA AIWOHI. >> THANK YOU. IT'S AN ABSOLUTE HONOR TO BE PARTICIPATING IN THIS PROCESS WITH YOU ALL. ITEM AN EAST COAST TRANSPLANT, IF YOU HAVEN'T FIGURED THAT OUT YET.\r\n\r\n28 YEARS IN MANHATTAN AND GREW UP IN NEW JERSEY BEFORE THE CLEAN AIR ACT AND YOU LITERALLY WOULD THROW UP FROM THE SMELLS OF THE INDUSTRY THAT WAS UNREGULATED, AND CORPORATIONS HAVING JUST ABSOLUTE FREE REIGN TO POLLUTE AND EXPLOIT THE ENVIRONMENT. AND I LEFT ALL OF THAT BEHIND, BECAUSE THE ALLURE OF MAUI, THE ALLURE OF THE HAWAIIAN ISLANDS WAS JUST SO STRONG FOR ME, I GOT AS FAR AWAY FROM MY ORIGINS AS I COULD GET. AND YOU KNOW, SEEING THE VOLCANO GOING OFF ON THE ISLAND OF HAWAI'I, IT'S NO WONDER THAT THE HAWAIIAN CULTURE SAW THOSE VOLCANOES AS SACRED. HUMBLING. AND TO BE HERE AS A RESIDENT NOW ON MAUI FOR 18 YEARS, AND GETTING TO EXPERIENCE AND HEAR FROM THE HAWAIIANS THEIR EXPERIENCE, THE SUPPORT FOR THIS TAX SUPPORT 204, BILL 204. THE SUPPORT FOR THE HAWAIIAN ELDERS IS ABSOLUTELY ESSENTIAL, AND I THANK YOU, AND I LAUD THIS COUNCIL FOR BRINGING THESE MATTERS FORWARD. THIS COUNCIL IS ACTING IN A WAY THAT I ALWAYS HOPED A COUNTY COUNCIL WOULD AND NEVER DID. SO THANK YOU FOR THAT.\r\n\r\nTHE CULTURAL OVERLAY, BILL 154. THE SAME THING. THE RIGHTS OF THE HOST CULTURE HERE IS -- HAVE BEEN VIOLATED SO GROSSLY, AND YOU ARE WORKING RIGHTFULLY TO RESTORE THEIR RIGHTS, AND THE INTEGRITY OF THEIR FAMILIES. SO THANK YOU FOR DOING THAT. SUPPORT FOR ORGANIC FARMERS, AND LOCAL FOOD PRODUCTION, THE SAME THING. THANK YOU FOR DOING ALL OF THAT. I SEE ON YOUR AGENDA ALSO BILL 200, 201 THAT RELATE TO ESTIMATED REVENUE OF PARK FEES. THIS IS AN AREA THAT HAS NOT BEEN ADDRESSED.\r\n\r\nI KNOW FROM MY

NEGOTIATIONS WITH MAYOR VICTORINO IN NEGOTIATING TO GET CHRIS SALEM HIRED BY THE COUNTY, ONE OF THOSE TASKS THAT WAS GIVEN TO HIM, THE REASON THAT HE WAS HIRED WAS TO FIX THE PARK FEES SITUATION. I KNOW OF IT THROUGH THE DEFERRAL AGREEMENTS. THREE PARCELS OR LESS DO NOT PAY PARK FEES. THE LAHAINA AQUATIC CENTER IS FALLING APART. THE KIHEI SWIM MEET WAS JUST CANCELED. THAT IS A MAJOR EVENT FOR THIS COMMUNITY. IT WAS JUST CANCELED, BECAUSE THE PARK DEPARTMENT SAY THEY DON'T HAVE ENOUGH BUDGET.\r\n\r\nWELL, ONE OF THE REASONS THEY DON'T HAVE ENOUGH BUDGET IS THAT THE LAWYERS AND DEVELOPERS FOR DECADES HAVE EXPLOITED THEIR ACCESS TO THE COUNTY COUNCIL TO MAKE OCEANFRONT MULTI-MILLION DOLLAR OCEANFRONT DEVELOPMENTS EXEMPT FROM PAYING PARK FEES. THAT IS A LEGISLATIVE FIX THAT WE INTENDED TO MAKE, AND GOT BLOCKED. COLLECTING ON THE DEFERRAL AGREEMENTS WAS A LEGISLATIVE FIX THAT GOT BLOCKED AND THE AUDITOR HAS SUSPENDED, WHY? BECAUSE IT WILL EXPOSE CORP. COUNSEL'S FOR YEARS AND THEY WILL DO ANYTHING TO PROTECT THEMSELVES FOR THEIR INTERESTS, NOT FOR THE INTERESTS OF THE CITIZENS OF MAUI COUNTY. SO I URGE YOU THAT LEGISLATION NEEDS TO BE ADOPTED TO FIX THAT SITUATION, AND COLLECT, REMOVE THOSE EXEMPTIONS OF PARK FEES FOR OCEANFRONT MULTI-MILLION -- THOSE OWNS, THEY DON'T EVEN KNOW THAT THE DEVELOPERS AND THE LAWYERS GOT THEM EXEMPTED FOR PAYING FOR PARK FEES. THEY DID IT BECAUSE THEY COULD.\r\n\r\nAND IT ABSOLUTELY HURTS EVERY ASPECT OF OUR COMMUNITY, BECAUSE THE LOCAL PEOPLE DO NOT HAVE ACCESS TO PROPER FACILITIES FOR SPORTS. YOU KNOW, SPORTS IS HUGE. SO PLEASE, CONSIDER ADDITIONAL LEGISLATION TO FIX THE SMA RULES. THAT HAS BEEN ON YOUR DOCKET AND IT SITS UNACTED UPON. THAT WAS PART OF THE PACKAGE OF THINGS THAT WERE SUPPOSED TO BE FIXED, AND THEY WEREN'T FIXED. SO PLEASE, SMA, DEFERRAL AGREEMENTS, PARK FEES, THESE ARE THINGS THAT NEED TO BE FIXED GOING FORWARD AND I BEG YOU TO PAY ATTENTION TO THESE ISSUES. THANK YOU VERY MUCH, AND HAVE A WONDERFUL HOLIDAY, AND THANK YOU AGAIN FOR THE GREAT WORK THAT YOU ARE DOING.\r\n\r\n>> THANK YOU, MR. SMALL. ARE THERE ANY QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH, AND HAPPY HOLIDAYS TO YOU AS WELL. NEXT. >> CHAIR, THE NEXT PERSON SIGNED UP TO TESTIFY IS LAHELA AIWOHI, FOLLOWED BY MIKE MORAN. >> ALOHA CHAIR, LEE, VICE-CHAIR RAWLINS-FERNANDEZ, AND COUNCIL MEMBERS.\r\n\r\nMY NAME IS LAHELA AIWOHI, A REGISTERED LOBBYIST AND TESTIFYING ON BEHALF OF THE HAWAI'I HOTEL ALLIANCE. I AM -- THE FIRST I WOULD LIKE TO START BY SAYING THAT I AM TESTIFYING IN SUPPORT OF THE BILL 160. THE EXPANSION OF THE KULA AG PARK. I BELIEVE THAT IS SORELY NEEDED, AS WELL AS THE LANGUAGE THAT COUNCIL MEMBER SINENCI HAS INCLUDED IN THAT, AND TO GO INTO USE OF CERTAIN FERTILIZERS. I BELIEVE THAT IS SOMETHING THAT WE NEED TO LOOK AT DOING IN DIVERSIFYING THE ECONOMY. THE SECOND BILL I'M TESTIFYING TODAY ON IS ON BILL 154. AND I APOLOGIZE, I'M AT THE AIRPORT WAITING TO BOARD A FLIGHT. BUT I'M TESTIFYING IN OPPOSITION OF BILL 154; WHICH IS THE CULTURAL OVERLAY. I'M TESTIFYING IN OPPOSITION OF BILL 154. I STATED IN MY TESTIMONY AT FIRST READING A COUPLE OF WEEKS AGO THE INTENT OF CULTURAL OVERLAY IS GREAT AND WELL-NEEDED TO PROVIDE THE LANDOWNERS AND DEVELOPERS SOME GUIDANCE ON THE AREAS OF FUTURE PROJECT SITES, OR ANY POSSIBLE SITES FOR THAT MATTER.\r\n\r\nIN THAT SENSE, I AGREE WITH TESTIFIERS PRIOR TO ME AND THE COUNTY ARCHAEOLOGIST AND COUNCIL IN SAYING THAT A CULTURAL OVERLAY WOULD HELP TO EXPEDITE OR STREAMLINE THE PROCESS. IN DRAFT THAT WE HAVE IN FRONT OF US TODAY, THAT UNFORTUNATELY ISN'T THE CASE. IT WILL NOT EXPEDITE THE PROCESS. WHEN REVIEWING THIS BILL, I DON'T SEE THIS AS A CLEAN AND CLEAR WRITTEN BILL IN A LEGAL SENSE. PRIOR TO TODAY'S HEARING I HAVE HAD THE OPPORTUNITY TO MEET WITH THE FEW OF COUNCIL MEMBERS TO SHARE PROPOSED REVISIONS OF THIS BILL, THAT AGAIN

WOULD NOT MAKE MYSELF, NOR MY CLIENTS 100% EXCITED ABOUT, NOR WOULD IT MAKE SOME OF THE COUNCIL MEMBERS ENTHUSED ABOUT WHAT IT DID, IT PROVIDED CONTEXT, AND LANGUAGE TO KEEP THE INTENT OF THE BILL IN PLACE, AND TO MAKE THIS BILL MORE LEGALLY DEFENDABLE. I HAVE SHARED A DRAFT OF BILL 154 WITH OUR PROPOSED REVISIONS WITH ALL OF YOU, I BELIEVE. IF I HAVEN'T, I WILL GLADLY GET THAT TO YOU, TO DISCUSS THE LEGALITIES AND THE REASONS OF THE PROPOSALS.\r\n\r\nMY INTENT WAS NEVER BEEN TO KILL THE BILL, BUT TO EXECUTE A BILL THAT APPLIES THE INTENT OF THE CULTURAL OVERLAY. IN THE FIRST READING ON NOVEMBER 18TH, CORP. COUNSEL MADE RECOMMENDATIONS TO TIGHTEN UP THE BILL, SO WHICH I BELIEVE WAS INTENDED TO AVOID ANY LEGAL CHALLENGES. NOT ALL OF THOSE RECOMMENDATIONS WERE TAKEN, WHICH IN OUR PROPOSED REVISIONS ADDRESS THOSE, AND ACTUALLY WORKED IN PART TO ASSIST IN PUTTING IN LANGUAGE THAT AGAIN WILL MAINTAIN ITS INTENT, AND AGAIN, PROVIDING IT TO MAKE IT MORE LEGALLY DEFENSIBLE. IN CLOSING, I LEAVE JUST A FEW COMMENTS OR QUESTIONS, AS AGAIN, WE TAKE A LOOK AT THE BILL IN FRONT OF US. PUTTING SO MUCH AUTHORITY TO ONE PERSON, WHICH IS THE PRINCIPAL ARCHAEOLOGIST. WHAT IS THE CURRENT ROLE OF THE COUNTY ARCHAEOLOGIST AND HOW MANY PROJECTS HAS THE COUNTY ARCHAEOLOGIST WORKED ON AND ASSISTED WITH IN HOW MANY OPEN PROJECTS DOES SHE CURRENTLY HAVE?\r\n\r\nHOW LONG HAS EACH PROJECT TAKEN? AND LASTLY,, AS MUCH AS I AGREE WITH HAVING A CULTURAL OVERLAY, WILL THIS HINDER OR HELP MOVE TOWARDS IN DEVELOPING AFFORDABLE HOUSING? IF THERE IS A DRAFT BILL IN PLACE, WITH REVISIONS THAT MAINTAINS THE INTENT OF THE CULTURAL OVERLAY AND PROVIDES A BILL MORBID LEGALLY DEFENSIBLE, WHY WOULD YOU NOT SUPPORT THE BILL? MAHALO FOR YOUR TIME. >> THANK YOU. WE HAVE QUESTIONS. MEMBER SINENCI.\r\n\r\n>> MAHALO, CHAIR. MAHALO MS. AIWOHI FOR YOUR TESTIMONY THIS MORNING. JUST CURIOUS, DOES THIS BILL AFFECT ANY OF YOUR CLIENTS' PROPERTIES? >> IT ACTUALLY WOULD NOT AFFECT ANY OF MY CLIENTS' PROPERTIES. >> ARE YOU ARE CLIENTS GOING TO CHALLENGE THE BILL LEGALLY? >> I BELIEVE THERE WOULD BE SOME LEGAL CHALLENGE, IF THERE IS EVENT THAT CAME UP, WHERE IT WOULD HINDER ANY OF THEIR FUTURE PLANS.\r\n\r\n>> OKAY, BECAUSE I BELIEVE OUR CORPORATION COUNSEL HAS SIGNED OFF ON THE BILL. THANK YOU. THANK YOU, CHAIR. >> I BELIEVE YOU'RE CORRECT. >> ANY MORE QUESTIONS? MEMBER KING. >> THANK YOU, CHAIR.\r\n\r\nTHANK YOU FOR BEING HERE, MS. AIWOHI. I DON'T THINK I HAVE SEEN -- I DIDN'T MEET WITH YOU. I WASN'T CONTACTED AND I DIDN'T SEE YOUR PROPOSED BILL. SO IF YOU WANT TO SEND IT TO MY OFFICE, I CAN TAKE A LOOK AT IT. MAYBE OVER LUNCH. >> I WILL DEFINITELY DO THAT.\r\n\r\n>> THANK YOU. THANK YOU, CHAIR. >> YOU'RE WELCOME. MEMBER PALTIN. >> THANK YOU, CHAIR. THANK YOU, MS. AIWOHI.\r\n\r\nI JUST WANTED TO OFFER MY CONDOLENCES YOUR LOSS. >> THANK YOU. >> ANYONE ELSE? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER. >> CHAIR, THE NEXT PERSON SIGNED UP TO TESTIFY IS MIKE MORAN, TO BE FOLLOWED BY ZHANTELL LINDO. >> GOOD MORNING, CHAIR LEE, AND COUNCIL MEMBERS.\r\n\r\nMIKE MORAN FOR THE KIHEI COMMUNITY ASSOCIATION. LIKE YOU, CHAIR LEE, WE DIDN'T EXPECT THERE WOULD BE SO MUCH TESTIMONY THIS MORNING. THE ITEM WE'RE ON IS UNDER M, BILLS. WE WERE GOING TO TESTIFY AT THE TIME, BUT NOW WE'RE THINKING YOU MAY NOT GET TO IT TODAY. SO WE JUST WANT TO SQUEEZE IN OUR SUPPORT FOR 198. THOSE ON THE CARE COMMITTEE, JUST REPEATING WHAT WE SAID THERE RECENTLY. THERE WAS A COMPROMISE ACTION TAKEN, BUT AT LEAST THIS IS SOMETHING TO SUPPORT TREES DOING SOME OF THE ABOUT WORK THAT THEY CAN DO. WE FEEL THAT MOST EVERYONE IN THE COMMUNITY KNOWS ALL OF THE -- MOST OF THE BENEFITS OF TREES, AND UNFORTUNATELY, WHEN PEOPLE FOLLOW THE LETTER OF THE LAW, AND THEY PLANT THE REQUIRED NUMBER OF TREES IN THEIR PROJECTS, BUT THEN THEY CUT THEM DOWN SO THAT

THEY REDUCE THE BENEFITS OF THE TREE, IT KIND OF DEFEATS THE PURPOSE.\r\n\r\nBUT THEY HAD THEIR LAWYERS AND SAID THIS IS WHAT WE HAVE TO DO AND WE'RE GOING TO DO IT MOST CONVENIENT WAY FOR US. WE'RE MAKING SLIGHT MODIFICATIONS TO THIS, TO THE LANDSCAPE PLANTING PLAN TO LET THE TREES BE MORE EFFECTIVE. WE IN SOUTH MAUI, WHO WE SPEAK FOR ARE IN DIRE NEED OF THE BENEFITS OF THESE TREES, IN THE COMMERCIAL AREAS PARTICULARLY. ERNIE REZENTES YOU HEARD FROM RECENTLY, SAID DON'T WE ALL PULL INTO PARKING LOT AND LOOK FOR SHADE SPOTS, ESPECIALLY IN SOUTH MAUI, BUT THERE AREN'T ANY BECAUSE THE POOR TREES DON'T HAVE ENOUGH CANOPY TO OFFER SHADE. SO WE HOPE THEY CAN BE MOVED ON TO THE PLANNING COMMISSIONS AND EVEN TO OUR OWN SOUTH MAUI ADVISORY COMMITTEE AND LET IT GO FORWARD TO DO SOME GOOD. SO WE APPRECIATE THE TIME TO TESTIFY. AND I BELIEVE YOU ARE GOING TO HAVE ONE MORE COUNCIL MEETING, BUT IN CASE WE'RE NOT THERE, WE WANT TO REINSTATE WHAT WE HAVE FOR MOST OF THE PAST TWO YEARS, IS BY FAR THE BEST COUNCIL, THIS IS BY FAR THE BEST ONE AND MOST OF YOU WILL BE BACK AND THE TWO WHO WILL NOT HAVE LEFT BIG OPEN SHOES TO FILL.\r\n\r\nSO WE'LL SEE WHAT THE TWO NEW GUYS CAN DO, IF THEY CAN -- EVEN GET KEEP IT ON EVEN PAR, AND IMPROVING IT WOULD BE REALLY TOUGH, BUT MAYBE THEY CAN DO THAT AS WELL. THANK YOU FOR THE OPPORTUNITY AND THANK YOU FOR YOUR HARD WORK THE PAST WOULD YEARS. ALOHA. >> THANK YOU, MIKE. QUESTIONS, MEMBER KING. >> THANK YOU, CHAIR. THANK YOU FOR BEING HERE, MIKE.\r\n\r\nMY GIANT FEET WITHSTANDING, I HAVE A QUESTION FOR YOU, WHEN YOU WERE TALKING ABOUT THE ONE TREE FOR EVERY FIVE SPACES. WAS KCA ABLE TO TOUCH BASE WITH THE ADMINISTRATION ON THAT SECOND PARCEL AT KIAWE KAPU, WHERE THEY TOOK DOWN ALL THE TREES? BECAUSE I HAVE SEEN NOTHING, BUT COMPLAINTS ABOUT THAT ON SOCIAL MEDIA AND APPARENTLY ALL OF THE TREES WERE TAKEN DOWN. WERE YOU AND TO WEIGH-IN ON THAT? >> WE WERE NOT PREPARED -- YOU KNOW, WE CAN GO DOWN THERE TO THE PUBLIC MEETING THAT WAS HELD DOWN THERE THAT YOU ATTENDED, AND THE MAYOR ATTENDED. SO WE DIDN'T EXPECT IT WAS GOING TO BE A CLEAR-CUTTING THING AND THAT IS ALWAYS THE DILEMMA. ONCE THEY ARE CUT, YOU CAN YELL AND SCREAM ALL YOU WANT, OH, SORRY, YOU KNOW SORRY, WE APOLOGIZE.\r\n\r\nSO WE DIDN'T COMMENT ON IT AFTER IT HAPPENED, AND THEN WITH THE CHANGE OF ADMINISTRATION IT SEEMED LIKE WHAT WOULD BE ACCOMPLISHED BY COMPLAINING TO THE CURRENT ADMINISTRATION. I DID TALK JUST PERSONALLY OFF THE RECORD TO OUR COUNTY ARBORIST AFTER OUR LAST CPAC MEETING ABOUT THAT, AND HE JUST KIND OF SAID TO ME, YOU KNOW, I'M THE ONE ARBORIST FOR THE WHOLE COUNTY OF THREE ISLANDS. I SAID WHAT ABOUT THAT? AND THE HOPE IS IN 2023, THERE'S GOING TO BE THREE ARBORISTS, ONE FOR EACH DEPARTMENT THAT IS INVOLVED WITH TREES. SO WE'RE JUST TRYING TO LOOK AHEAD, BUT YES, WE, TOO, HAVE GOTTEN IN A LOT OF COMMENTS. WHAT HAPPENED? I THOUGHT -- DID YOU GUYS SUPPORT THIS?\r\n\r\nNO, WE DIDN'T EXPECT THIS WAS GOING TO HAPPEN. YOU HAVE TO PICK YOUR BATTLES, AS I SAID. A LOT OF REASONS. >> I JUST WONDERED IF THAT WAS SOMETHING THAT YOU WERE FOLLOWING UP ON? IT HAPPENED WHILE I WAS AWAY AND I WAS REALLY SHOCKED, BECAUSE ONE OF THE COMMENTS THAT I MADE AT THAT PUBLIC MEETING WAS HOPEFULLY WE'LL KEEP SOME OF THE TREES IN STRATEGIC POSITIONS TO PROVIDE SHADE AND NOW THEY'LL HAVE TO GO BACK AND PLANT, I GUESS. JUST SOMETHING FOR KCA TO KEEP TRACK OF. >> ABSOLUTELY.\r\n\r\n>> THANK YOU. >> THANK YOU. MEMBERS, ANY MORE QUESTIONS? IF NOT, THANK YOU VERY MUCH, MIKE. ALWAYS A PLEASURE TO HAVE YOUR TESTIMONY. >> THANK YOU SO MUCH, CHAIR. ALOHA.\r\n\r\n>> NEXT. >> CHAIR, THE NEXT PERSON SIGNED UP TO TESTIFY IS ZHANTELL LINDO, FOLLOWED BY LOHIAO PAOA. >> ALOHA, COUNCIL MEMBERS AND CHAIR LEE, I WANT TO ECHO THAT I JUST LOVE THIS COUNCIL. YOU GUYS ARE AWESOME AND I GUESS TO SEE

THE INNER WORKINGS AND MORE SO. I WANT TO SUPPORT CR22-262 AND BILL 204. AND THEN I WANTED TO ADD ON SOME COMMENTS ABOUT CR22-126, THE BILL TO AMEND THE ORDINANCE CONCERNING THE LANA'I YOUTH CENTER. IN NO WAY OR FORM DO I WANT TO TAKE AWAY THE YOUTH CENTER FROM LANA'I AND UNDERSTAND THE VALUE OF THOSE FACILITIES FOR MORE RURAL COMMUNITIES AND THAT MEANS FOR OUR FAMILY AS YOU YOUNG PEOPLE AND TO ASK THE COUNCIL TO PAY SPECIAL ATTENTION TO THE TIMING AND TYPE OF FUNDING THAT WE'RE ASKING TO FUND THESE KINDS OF PROJECTS. I'M NOT THE FINANCE EXPERT, BUT I KNOW SOME THINGS ABOUT BONDS AND INTEREST RATES AND TIMING OF THINGS.\r\n\r\nI DO KNOW A LITTLE BIT FROM WORKING WITH HABITAT FOR HUMANITY ON WITH A KIND OF CONSTRUCTION COSTS WE INCUR AND THE IMPORTANCE OF SEEKING FUNDING IN A SPECIFIC TIME SO WE GET THE BEST, MOST EFFICIENT TO BUILD IN BEST WAYS, AND FISCALLY RESPONSIBLE WAYS. I WOULD LIKE TO URGE FROM HERE ON OUT TO TAKE SPECIAL CONSIDERATION AS WE'RE DEALING WITH CLIMATE CHANGE AND IMPENDING DISASTERS, AND ALL KINDS OF STUFF, THAT ESPECIALLY IN OUR RURAL AREAS IF WE'RE GOING TO SPEND BIG MONEY ON FACILITIES THAT WE DEMAND THAT THEY BE BUILT FROM ITS INCEPTION WITH THE THINGS THAT WE NEED AND NOT TRY TO FIND FUNDING LATER ON TO MAKE THEM OFFICIAL EVACUATION SHELTER, AN OFFICIAL, YOU KNOW? BRING THEM UP TO PAR. LET'S DO IT FROM THE BEGINNING AND DO IT FOR THE QUALITY OF LIFE AND GOOD OF OUR PEOPLE AND GET OUR INVESTMENT MONEY NOT JUST WORTH THE SOCIAL PART, BUT ALSO BEING ABLE TO BE THE KIND OF COUNCIL AND THE KIND OF COUNTY THAT TAKES SPECIAL CONSIDERATION TO THOSE KINDS OF THINGS AS WELL. AND THEN BILL 154, THE CULTURAL OVERLAY, AND CULTURAL SENSITIVITY. I GUESS I'M ESTABLISHING MYSELF AS SAYING WHAT IS ON MY HEART AND NOT TRYING TO BE OFFENSIVE OR ANYTHING. ONE OF THE THINGS FROM MY EXPERIENCE ON THE PLANNING COMMISSION AND SITTING IN THE SEAT, BY THE WAY, I'M TESTIFYING ON MY OWN BEHALF, AND ON MY OWN TIME.\r\n\r\nIS THAT ADMINISTRATIVELY, WHEN YOU DON'T HAVE CERTAIN THINGS IN PLACE, ESPECIALLY WHEN IT COMES TO PLANNING AND LAND USE, IT'S LEFT SUBJECT TO PERSONAL, PROFESSIONAL, AND POLITICAL SUBJECTIVITY. SO THEN WE HAVE A DISCOURSE, OR AND INCONSISTENCY ON THE WAY PLANNING IS DONE AND DOING PLANNING AND ALWAYS TRYING TO FIT IN THE CULTURAL PART. WHAT THE OVER LAY DOES FOR ME AND WHAT I SEE IN THE BILL OR AT LEAST IN ITS INTENT IS TO CREATE A FOUNDATION AND STARTING POINT FROM WHICH PLANS AND LAND USE DEVELOPMENT CAN BE FRAMED, RATHER THAN THE OTHER WAY AROUND. IT STATES OUR INTENT, AND OUR DESIRE TO HOLD THESE THINGS AS IMPORTANT, AND NECESSARY, FOR THE PERPETUITY OF QUALITY OF LIFE FOR OUR CITIZENS, AND OUR HOST CULTURE. AND IT ALSO ALLOWS US TO HAVE ONE BASIC FOUNDATIONALLY PLAYING-FIELD, AND REMOVED ALL OF THE POLITICAL, AND DIFFERENCES OF PERSPECTIVES WHEN IT COMES TO MAKING DECISIONS ON THOSE KIND OF THINGS. THAT IS ONE OF THE BENEFITS. FINALLY, BILL 192. I LOVE THIS BILL.\r\n\r\nBECAUSE I THINK THAT WHAT HAS BEEN HAPPENING WITH THIS COUNCIL, WHETHER OR NOT EVERYBODY AGREES OR DISAGREES, IS THE FACT THAT YOU GUYS HAVE BEEN SUPER AWESOME IN TRYING TO CLEAN UP TAX-EXEMPTIONS, AND TAX CLASSIFICATIONS. AND I REALLY LOVE THE WORK THE TIGS HAS DONE AND REALLY SUPPORT THAT WE CLEAN UP AND CLARIFY THE BENEFITS FOR SUPPORTING LONG-TERM INVESTMENT INTO OUR COMMUNITY. AND NOT ALLOWING MISUSE, OR LESSENING OF THE INTEGRITY TO THOSE BENEFITS THAT ARE AFFORDED TO THE PEOPLE, WHO WANT TO BUILD UP OUR LONG-TERM HOUSING INVENTORY, VERSUS THOSE WHO JUST SEE A BENEFIT THAT MAYBE THEY CAN HAVE JUST BECAUSE. I JUST, AGAIN, WANT TO JUST THANK YOU GUYS FOR ALL YOUR HARD WORK, AND I AM SUPER PROUD TO BE A PART OF WATCHING YOU GUYS, AND BENEFITING FROM ALL OF YOUR GOOD WORK. MAHALO. >> THANK YOU. ANY QUESTIONS?\r\n\r\nWE ALL AGREE WITH YOU. THANK YOU. NEXT TESTIFIER. >> CHAIR, THE NEXT PERSON SIGNED UP

TO TESTIFY IS LOHIAO PAOA, FOLLOWED BY JANET SIX. >> ALOHA COMMISSION. I HAVE BEEN TALKING TO THE COMMISSION FOR THREE YEARS AND NOW TALKING TO THE COUNCIL. THANK YOU FOR ALLOWING ME TO TESTIFY ON BEHALF OF MY 'OHANA AND MYSELF, AND I AM TESTIFYING ON RESO 22-262 WHICH URGES YOUR SUPPORT TO DENY THE CONTESTED-CASE ON THE KAWELA RIVER RESTORATION.\r\n\r\nTHE EVIDENCE IS PRETTY STRONG. THEY TAKE NINE TIMES MORE THAN THEY NEED. THEY HAVE BEEN DELAYING ANY REQUESTS FROM THE COMMISSION IN APRIL THEY WERE TOLD, MPL WAS TOLD TO RESTORE KAWELA AND THEY DIDN'T. AND IT'S JUST OBVIOUS. I URGE YOU GUYS TO LOOK INTO ALL OF THE COMMISSION MEETINGS THAT WE HAD OVER THE PAST THREE YEARS. THEY ARE VERY INTERESTING, AND I ALSO WANT TO ASK FOR YOUR GUYS' SUPPORT IN GETTING MORE MONEY FOR THE WATER COMMISSION. BECAUSE, AS MUCH AS IT WAS MPL, AND THEIR WRONG DOINGS, WHAT I BELIEVE IS, IT'S ALSO THE COMMISSION'S ABILITY TO ENFORCE RULES THAT THEY CREATED. SO THEY ONLY HAVE ONE STAFF MEMBER THAT DOES A LOT OF WORK.\r\n\r\nI THINK IF WE HAD MORE STAFF MEMBERS ON THE WATER COMMISSION, THAT WOULD HELP THINGS MOVE FASTER. THAT'S IT. THANK YOU FOR ALLOWING ME TO TESTIFY. AND ALOHA 'AINA. MAHALO. >> THANK YOU. MEMBERS, ARE THERE ANY QUESTIONS?\r\n\r\nAPPARENTLY NO, DO YOU HAVE ONE, PRO TEM KAMA? >> I DO. THANK YOU, CHAIR. THANK YOU FOR BEING HERE. YOU MENTIONED IN YOUR TESTIMONY THAT -- IT SOUNDS LIKE, MANY TESTIFIERS, I THINK I HAVE HEARD TOO, WERE VIOLATING THE WATER TO FLOW TO THE STREAMS AND OTHER THINGS THAT THEY WERE TOLD TO DO AND THEY WEREN'T. IS THERE AN ENFORCEMENT ARM AND YOU MENTIONED FUNDING FOR CWRM, WERE YOU LOOKING FOR ENFORCEMENT OR REGULAR OFFICE OPERATIONS OR WHAT? >> NOT ENFORCEMENT, BUT MAYBE MORE HYDROLOGICAL. THE SUPER SMART GUYS WHO GO INTO THE RIVERS, AND TEST STREAM STANDARDS, AND THOSE GUYS, THE GUYS -- AND YOU LOOK AROUND ALL ISLANDS THAT HAS WATER PROBLEMS.\r\n\r\nTHIS GUY CAN'T BE EVERYWHERE, YOU KNOW? >> SO YOU ARE LOOKING FOR MORE HYDROLOGICAL STAFFERS? >> YES, FOR A START. >> OKAY. THANK YOU. THANK YOU, CHAIR. >> ANYBODY ELSE?\r\n\r\nQUESTIONS? IF NOT, THANK YOU VERY MUCH. NEXT TESTIFIER. >> CHAIR, THE NEXT PERSON SIGNED UP TO TESTIFY IS JANET SIX. TO BE FOLLOWED BY NOELANI AHIA. >> MS. SIX >> THEN PERHAPS WE'LL RETURN TO MS.\r\n\r\nSIX. THEN THE NEXT TESTIFIER WILL BE NOELANI AHIA. >> ALOHA, MAI KAKOU. CAN YOU HEAR ME? >> YES, WE CAN. >> MAHALO FOR BEING HERE TODAY TO TAKE TESTIMONY. FIRST, ON RESOLUTION, OR COUNTY COMMUNICATION 22-262, I'M IN SUPPORT OF THAT.\r\n\r\nIT'S TIME TO RETURN THE WATER, AND WE SHOULD ENCOURAGE CWRM TO DENY THE REQUEST FOR CONTESTED-CASE, AS YOU HEARD FROM SO MANY TESTIFIERS BEFORE. BILL 204, 'AINA KUPUNA BILL IS SUCH AN IMPORTANT BILL. I REALIZE THIS IS JUST CHANGING THE SPECIFICS A LITTLE BIT TO DECREASE THE AMOUNT OF TAXES FOR THE PAST TEN YEARS THAT IS REQUIRED. THIS IS REALLY, REALLY IMPORTANT AND THIS IS GOING TO HELP PROTECT THEM FROM LOSING THEIR LAND. SO MANY TESTIFIERS HAVE SPOKEN ABOUT BEFORE, AND AS COUNCIL MEMBER KAMA BROUGHT UP IN EARLIER TESTIMONY, THERE'S SO MANY ISSUES WITH 'AINA, BECAUSE OUR PEOPLE HAVE BEEN DISPOSSESSED FROM THE 'AINA AND THOSE WHO HAVE MAINTAINED THOSE RELATIONSHIPS ARE THE FAMILIES THAT WE NEED TO REALLY MODEL, AND UPHOLD THEIR ABILITY TO STAY ON THEIR 'AINA, WITH ALL OF THE DISPOSSESSION THAT HAS HAPPENED. ALSO, THE EDUCATION PIECE FOR THE OTHER FAMILIES, WHO ARE TRYING TO GET BACK ONTO THEIR 'AINA AND HOLD ON TO THAT RELATIONSHIP. COUNCIL MEMBER KAMA HAD ASKED THE QUESTION, WHAT CAN WE DO AND ECHO WHAT WAS SAID IN EDUCATION AND PROVIDING WORKSHOPS.\r\n\r\nLAND TITLE ISSUES ARE COMPLICATED AND VERY DIN FOR DIFFERENT 'OHANA WE NEED TO START TO DO MORE RESEARCH FROM THE COUNTY'S END TO MAKE SURE THAT CORRECT INFORMATION ABOUT LAND TITLE ISSUE. BIGGER ISSUE I WANTED TO SPEAK ABOUT THIS IS THE

HISTORICAL TRAUMA THAT COMES FROM DISPOSSESSION OF LAND. WHEN WE'RE TALKING ABOUT MULTIPLE GENERATION OF PEOPLE OWNING LAND. AS SOME PEOPLE SAID, THEY DON'T EVEN REALIZE THEIR NAME IS ON A PARTICULAR TITLE OR LAND COMMISSION AWARD, BECAUSE IT'S SO MANY GENERATIONS OUT. THESE KIND OF TRAUMAS CREATE SOMETIMES THAT MAKES HAD A HARDER FOR FAMILIES TO COME TOGETHER. SOME OF THE THINGS THAT I RECOMMEND ARE DOING CONSENSUS WORK, DOING HOLO PONO PONO AND CONFLICT RESOLUTION, AND BRINGING 14:03:03 PEOPLE TOGETHER UNTIL WE EXPLORE IT, IT'S VERY DIFFICULT TO COME TOGETHER AND MOVE FORWARD AND PROTECT OUR 'AINA. SO I JUST WANTED TO ADD THAT TO THIS CONVERSATION ABOUT THE 'AINA KUPUNA BILL, AND LAND TITLE ISSUES IN GENERAL AND 'AINA IN HAWAI'I. THAT TAKES ME INTO BILL 154, SOMEWHAT RELATED IN TERMS OF KANAKA MAOLI RELATIONSHIP TO 'AINA.\r\n\r\nBILL 154 IS DESIGNED TO HELP PROTECT OUR HISTORIC SITES. NOT BECAUSE THEY ARE DEFINED AS HISTORIC BUT BECAUSE WE HAVE RELATIONSHIP TO THEM, PILINA WITH THEM. IT'S OUR DNA THAT IS IN THE 'AINA. IT'S OUR BONES IN THE 'AINA, THAT TIES US TO THAT FOREVER. SO THIS BILL, ONE THINGS I WANTED TO JUST BRIEFLY REMIND EVERYBODY IS THAT THIS BILL HAS HAD SO MUCH BROAD SUPPORT OVER THE LAST YEARS AND SO MUCH WORK AND EFFORT HAS GONE INTO IT. I'M A LITTLE CONCERNED THERE'S A HOTEL LOBBYIST MAKING CHANGES THAT WOULD WEAKEN SOMETHING THAT HAS BEEN SO CAREFULLY CRAFTED OVER TWO YEARS, WITH SO MUCH INPUT FROM EVERY DETERMINE AND SIGNED OFF BY CORPORATION COUNSEL. I GOT A CHANCE TO BRIEFLY LOOK AT THE AMENDMENTS THIS MORNING AND I PERSONALLY DON'T LIKE THEM.\r\n\r\nI DON'T AGREE WITH THEM. I DON'T THINK THEY BRING MORE CLARITY. I THINK THEY BRING MORE CONFUSION. I THINK THAT IF WE CAN PASS THIS BILL AS WRITTEN TODAY, IT WILL BE A WIN FOR THIS COUNCIL; IT WILL BE A WIN FOR OUR PEOPLE. IT WILL BE A WIN FOR THE 'AINA. AND IT WILL BE A WIN FOR OUR LAHUI. SO I ENCOURAGE YOU TO PASS THE BILL AS WRITTEN TODAY.\r\n\r\nMAHALO NUI FOR YOUR TIME. ALOHA. >> MEMBERS, QUESTIONS? IF NOT, THANK YOU VERY MUCH NEXT. >> CHAIR, I BELIEVE JANET SIX SHOULD BE ABLE TO TESTIFY NOW. >> CAN YOU FOLKS -- -- CAN YOU FOLKS HEAR ME? >> YES.\r\n\r\n>> GOOD. I'M SORRY FOR SOME REASON MY VIDEO WON'T UNMUTE. YOU KNOW WHAT I LOOK LIKE. I WANT TO SAY THE INTENT OF THIS BILL IS TO STREAMLINE THE PROCESS. IT'S TO FACILITATE THINGS MOVING FORWARD IN A TIMELY FASHION, AND ALSO TO AVOID COSTLY DELAYS. INFORMATION ALLOWED FOR PEOPLE TO MAKE INFORMED DECISIONS. I DON'T HAVE ANY POWER.\r\n\r\nI HAVE POWER TO MAKE RECOMMENDATIONS. LIKE I DID TO THE MAYOR ABOUT WAIOHULI AND THE MAYOR CAN DO WHAT HE WANTS WITH RECOMMENDATION. I'M A SCIENTIST AND LOOK AT DATA SETS AND I HAVE STREAMLINED LOTS OF OUR PROCESSES. SO THE IDEA IS NOT TO CAUSE ANOTHER LAYER AND TO CAUSE THINGS TO SLOW DOWN, BUT TO MOVE THINGS QUICKLY AND RESPONSIBLY AND PRESERVE SITES ANDING SAVE COSTLY DELAYS AND TIME. THAT IS ALL I WANT TO SAY. THE INTENT OF THE BILL IS TO STREAMLINE THE PROCESS. >> QUESTIONS, MEMBER KING?\r\n\r\n>> THANK YOU, CHAIR. ALOHA, JANET. GOOD TO SEE YOU. >> ALOHA. >> OR NOT SEE YOU, BUT HEAR YOU. [LAUGHTER]. >> YOU KNOW WHAT I LOOK LIKE. >> WERE YOU CONTACTED BY MS.\r\n\r\nAIWOHI OR THE FOLKS THAT SEEM TO HAVE ISSUES THINKING THAT YOU HAVE ALL OF THIS POWER? >> NO, I WAS NOT. NO, NO ONE CONTACTED ME. WE HAVE BEEN WORKING ON THIS, AS MS. AHIA MENTIONED AND OTHERS FOR A COUPLE OF YEARS. >> RIGHT. >> THERE'S BEEN MANY ITERATIONS AND WE WANT TO MAKE SURE IT'S NOT ONE PERSON STOPPING THINGS.\r\n\r\nIT'S A TOOL FOR THE COUNTY UNDERSTAND THAT. I JUST BECAUSE THEY KEEP SAYING THAT. THE VERY LEAST THEY SHOULD TALK TO YOU AND UNDERSTAND THAT IS NOT THE CASE. >> THANK YOU. >> THAT IS ALL THE I WANTED TO KNOW IF YOU WERE CONTACTED. THANKS. >> ANY MORE QUESTIONS?\r\n\r\n>> CHAIR? >> MEMBER SINENCI. >> THANK YOU, CHAIR.

MEMBERS, CAN I REQUEST JUST IN CASE YOU HAVE QUESTIONS WHEN THE ITEM COMES UP, REQUEST THAT DR. SIX STAY ON TO ANSWER ANY QUESTIONS? AS A RESOURCE? >> ANY OBJECTIONS, MEMBERS?\r\n\r\n>> NO OBJECTIONS, CHAIR. >> THANK YOU. >> ANYBODY ELSE WITH QUESTIONS, CLARIFYING QUESTIONS? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER. >> CHAIR, THE LAST PERSON WE HAVE SIGNED UP TO TESTIFY DURING THIS TESTIMONY PERIOD IS MAHINA POEPOE. >> GOOD AFTERNOON.\r\n\r\nTHIS IS MAHINA POEPOE. NEWLY-ELECTED DISTRICT 13 REPRESENTATIVE. BUT I HAVE BEEN, I THINK, TESTIFYING ON THESE ISSUES FOR YEARS NOW. SO I'M GOING TO TALK ABOUT 'AINA KUPUNA, CULTURAL OVERLAY AND THE KAWELA STREAM RESTORATION. I THINK THEY CAN ALL BE COMMONLY THEMED UNDER RIGHTING THE WRONGS OF THE PAST. SO STARTING WITH 'AINA KUPUNA, YOU KNOW, OUR GENERATIONAL FAMILIES HAVE FOR MANY, MANY YEARS BEEN INCREASINGLY PRICED OUT OF THEIR ANCESTRAL LANDS. YOU KNOW, A LOT OF THAT DIRECTLY CAUSED BY THE BURDEN OF LAND TAXES.\r\n\r\nSO I'M VERY SUPPORTIVE OF 'AINA KUPUNA, AND YOU KNOW, WE MAY NOT BE ABLE TO REVERSE THE PAST, BUT WE CAN AT LEAST STOP THE CONTINUED DISPLACEMENT BY PASSING THIS BILL TODAY. CULTURAL OVERLAY, VERY SUPPORTIVE OF CULTURAL OVERLAYS AN ACTION PLAN WE WANT TO SEE FOR OUR ISLAND, OUR CULTURAL SITES ARE CONTINUALLY JUST DESECRATED, DESTROYED, BULLDOZED OVER AND A LOT OF TIME IT'S BECAUSE OF IGNORANCE, OR CLAIMED IGNORANCE, THAT OOPS, I DIDN'T KNOW IT WAS THERE, BUT IT'S TOO LATE NOW. SO I THINK THIS CULTURAL OVERLAY PROVIDES AN ADDITIONAL TOOL TO BE USED IN THE PLANNING PROCESS THAT CAN REMOVE THAT EXCUSE, AND JUST HOPEFULLY RELIEVE OUR PEOPLE OF HAVING TO ENDURE THE CONTINUED TRAUMA OF HAVING TO FIGHT SO HARD EVERY TIME TO PROTECT AND STOP THE ERASURE OF OUR HISTORY AND OUR CULTURE. ONTO THE KAWELA STREAM. I'M VERY MUCH IN SUPPORT OF THE RESOLUTION TO ENCOURAGE THE COMMISSION TO DENY THE PETITION FOR A CONTESTED-CASE. I WON'T GO TOO MUCH INTO IT, BECAUSE I THINK A LOT OF EARLIER TESTIMONY COVERED THE POINTS REALLY WELL. MOLOKA'I RANCH, MOLOKA'I PUBLIC PROPERTIES LTD.\r\n\r\nHAS BEEN REALLY BAD STEWARDS AND OWNERS OF THE 'AINA, AND THE CWRM DECISION, I THINK IT'S REALLY IMPORTANT TO POINT OUT THAT THE DECISION THEY MADE STILL ALLOWS MOLOKA'I RANCH TO SATISFY, OR HAVE ACCESS OR OPPORTUNITIES TO WATER RESOURCES THAT WOULD STILL SATISFY THEIR NEEDS OF WATER. SO IT'S REALLY NOT TAKING AWAY FROM THEM FULFILLING THEIR NEEDS FOR WATER. THIS IS A BILL-DOLLAR ENTITY, AND THEY HAVE MADE NO GOOD-FAITH EFFORT DURING THIS PROCESS TIME TO IMPROVE THEIR STORAGE CAPACITY, TO IMPROVE THEIR TRANSMISSIONS AND TO REMOVE THE TRASH THAT THEY HAVE LEFT IN OUR MOUNTAINS. SO I'M JUST VERY SUPPORTIVE OF THE COMMISSION DECISION AND I HAVE BEEN PARTICIPATING AT THAT LEVEL AS WELL AND TO URGE YOU TO SUPPORT THE RESOLUTION AND SUPPORT THE COMMUNITY. THANK YOU. MEMBER PALTIN. >> THANK YOU, CHAIR.\r\n\r\nTHANK YOU, MS. POEPOE FOR YOUR TESTIMONY. SINCE YOU SAID WERE FOLLOWING THE TESTIMONY, COULD YOU CLARIFY FROM THE DECISION ON THE CONTESTED-CASE HEARING IS GOING TO BE MADE? >> I DON'T KNOW WHEN IT'S GOING TO BE MADE. BUT I DO KNOW IT'S SOON, BECAUSE YOU HAVE, I BELIEVE TEN DAYS TO FILE FROM YOUR PAPERWORK FOR CONTESTED-CASE AND THE COMMISSION HAS ONLY SO MANY DAYS TO MAKE THAT DECISION. SO I BELIEVE I WOULD SAY THAT WOULD BE COMING UP PROBABLY IN JANUARY. SO I WOULD SAY IT'S TIME-SENSITIVE.\r\n\r\n>> THANK YOU. >> PRO TEM KAMA. >> THANK YOU, CHAIR. THANK YOU FOR BEING HERE REPRESENTATIVE POEPOE AND CONGRATULATIONS. IT'S NICE TO SEE YOU, AND TO HEAR YOU AGAIN. MY QUESTION TO YOU WAS IN TERMS OF MOLOKA'I PROPERTIES LTD., ARE THEY AN ABSENTEE LANDOWNER? >> YES, THEY ARE AN ABSENTEE LANDOWNER.\r\n\r\nI BELIEVE BASED IN SINGAPORE, TO THE BEST OF MY KNOWLEDGE, I HAVE NOT HEARD THAT THEY HAVE EVER SET FOOT ON OUR ISLAND.

>> SO THEY DON'T KNOW WHAT THEY ARE TRASHING. SORRY, E CHAIR. THANK YOU.
>> MEMBER KING. >> I WANTED TO EXTEND A HEARTY CONGRATULATIONS TO YOU MAHINA AND REALLY EXCITED FOR YOUR FIRST TERM IN THE STATE LEGISLATURE AND WONDERING IF YOU WORKING ON THIS ISSUE FROM THE ASPECT OF STATE LEGISLATION? IF YOU DO, WOULD YOU KEEP US INFORMED AND EVERYBODY WHO TESTIFIED ON KAWELA STREAM.\r\n\r\n>> SHORT ANSWER IS YES, AND YES. >> OKAY. BECAUSE I THINK ALL OF THE CONTACTS WE COULD GIVE YOU ALL OF THE CONTACTS. OCS STAFF COULD FROM THE PEOPLE THAT TESTIFIED. >> THAT WOULD BE WONDERFUL. I'M ALSO IN CONTACT WITH A LOT OF THEM, BUT THAT WOULD BE GREAT. >> OKAY, MAYBE WE'LL SEE YOU AT STATE LEGISLATURE THEN.\r\n\r\n\r\nGOOD LUCK ON EVERYTHING. >> ANY MORE QUESTIONS? MEMBER SINENCI. >> THANK YOU, CHAIR, CONGRATULATIONS, MEMBER POEPOE. NOW THIS HAS PASSED IS THIS SOMETHING THAT THE MOLOKA'I COMMUNITY WOULD CONSIDER? >> I BELIEVE IT WOULD BE OF GREAT INTEREST IN OUR COMMUNITY TO START A WATER AUTHORITY HERE. I HAVEN'T HAD THAT CONVERSATION, BUT MY SUSPICION IS THAT WE'RE REALLY EAGER TO SEE WHAT THE EAST MAUI COMMISSION DOES, WATER AUTHORITY, AND TO FOLLOW THAT LEAD, AND DO IT FOR OURSELVES AS WELL.\r\n\r\n\r\n>> MAHALO FOR YOUR COMMENTS. THANK YOU, CHAIR. >> ANY MORE COMMENTS, QUESTIONS? IF NOT, ON BEHALF OF THE ENTIRE COUNCIL, CONGRATULATIONS, AGAIN, REPRESENTATIVE MAHINA POEPOE. [APPLAUSE] . >> THANK YOU SO MUCH. ANY MORE TESTIFIERS, MR. CLERK?\r\n\r\n\r\n>> CHAIR, NO ONE ELSE HAS IDENTIFIED THEMSELVES AS WISHING TO TESTIFY AT THIS TIME. >> MEMBERS, IT'S TIME FOR LUNCH. SO 1:30, OR 1:45? OKAY. >> CHAIR, QUESTION? CAN WE CLOSE THE MORNING TESTIMONY, AND THEN OPEN TESTIMONY FOR THE FIRST ITEM? SO THAT WE CAN -- WHEN WE COME BACK, WE DON'T HAVE THE MORNING SESSION OPEN ANY MORE, BUT WE HAVE THE SESSION FOR THE NEXT ITEM OPEN? >> WE COULD TAKE ON THE CONSENT CALENDAR, BUT YOU KNOW, THAT IS PRETTY QUICK.\r\n\r\n\r\nDO YOU WANT TO TAKE THAT FIRST? THAT IS THE ONLY THING THAT WE WOULD NOT HAVE TO RECEIVE TESTIMONY ON. EVERYTHING ELSE. >> ANY SUGGESTION WAS TO CLOSE THE MORNING TESTIMONY, WHICH IS TESTIMONY ON EVERYTHING, OPEN UP TESTIMONY FOR THE CONSENT CALENDAR, AND THEN START RECEIVING THAT, AND THEN GO TO LUNCH. BECAUSE OTHERWISE, WHAT I'M AFRAID OF, WE'RE NOT GOING TO GET ANY WORK DONE TODAY, IF WE LEAVE THE MORNING SESSION OPEN AND WE COME BACK AND THERE'S 20 MORE TESTIFIERS. >> THE REST OF THE ITEMS, NOT INCLUDING THE CONSENT CALENDAR, IF WE CLOSE THAT, WE STILL BE OPENED. >> I UNDERSTAND THAT.\r\n\r\n\r\nIF WE COULD JUST CLOSE THE MORNING SESSION AND EACH THE CONSENT CALENDAR TESTIMONY AND WE CAN GO TO LUNCH. >> ANY OBJECTIONS TO DOING THAT? WE CAN DO THAT. THAT SHOULD BE PRETTY FAST. I DO WANT TO LET YOU KNOW THAT WE'RE GOING TO CLOSE -- I MEAN, END AT 4:30 TODAY. THERE'S A NUMBER OF MEMBERS THAT HAVE TO LEAVE AT 4:30. SO I GUESS WE DIDN'T ANTICIPATE THIS MUCH TESTIMONY AND THAT IS THE REASON FOR THAT. ALL RIGHT?\r\n\r\n\r\nSO MR. CLERK. , ANY MORE TESTIFIERS, OR OTHERWISE, CALL UP THE CONSENT CALENDAR. >> CHAIR, PROCEEDING WITH TESTIMONY ON SETTING OF THE CONSENT CALENDAR. THERE'S CURRENTLY NO ONE SIGNED UP TO TESTIFY ON THE SETTING OF THE CONSENT CALENDAR. SO WE'LL DO A LAST CALL FOR THAT NOW. IF THERE IS ANYONE WHO WANTS TO TESTIFY ON THE SETTING OF THE CONSENT CALENDAR PLEASE IDENTIFY YOURSELF NOW.\r\n\r\n\r\nI REPEAT, LAST CALL. CHAIR, NO ONE HAS IDENTIFIED THEMSELVES AS WISHING TO TESTIFY ON THE SETTING OF THE CONSENT CALENDAR. >> MEMBERS, ANY OBJECTION TO CLOSING TESTIMONY AND RECEIVING WRITTEN TESTIMONY FOR THE SETTING OF THE CONSENT CALENDAR. MEMBER PALTIN. >> IF WE CLOSE IT, WE HAVE TO START DISCUSSING IT RIGHT AWAY; RIGHT? >> YES, BUT GENERALLY WE DON'T HAVE MUCH DISCUSSION ON THE CONSENT CALENDAR. >> CHAIR?\r\n\r\n\r\nI DID HAVE DISCUSSION. >> I DO, TOO. >> THAT IS FINE. WE'RE

JUST CLOSING TESTIMONY RIGHT NOW. >> OKAY. >> NOW, MEMBERS, AT THIS TIME, WE'LL SET THE CONSENT CALENDAR AS A REMINDER, THE CONSENT CALENDAR CAN STILL BE ADJUSTED EVEN AFTER ITS SET. ARE THERE ANY REQUESTED CHANGES TO THE CONSENT CALENDAR AT THIS TIME?\r\n\r\nMEMBER KING. >> THANK YOU, CHAIR. I WOULD LIKE TO REMOVE CC 22-293. FROM THE CONSENT CALENDAR. >> ANY OBJECTIONS, MEMBERS? REMOVE 22-293. AND THEN MEMBER PALTIN. >> THANK YOU, CHAIR. I WOULD LIKE TO REMOVE 22-287 AND ADD IT TO THE ANNUAL COMPLIANCE REPORTS THAT I REFERRED TO THE COUNCIL CHAIR FOR ACTION FOR THE 2023-2025 TERM.\r\n\r\n>> DID YOU SAY 297? >> NO, 287. >> 287, OKAY. REMOVE AND REFER TO NEW COUNCIL. >> YES, WITH THAT PACKET OF COMPLIANCE ITEMS FROM PSLU. >> ANY OBJECTIONS, MEMBERS? >> NO OBJECTIONS. >> ALL RIGHT. WE HAVE TWO ITEMS REMOVED.\r\n\r\nAND THEN SO LET'S SEE, ARE THERE ANY OBJECTIONS TO SETTING THE CONSENT CALENDAR? >> NO OBJECTIONS. >> OKAY. CONSENT CALENDAR IS SET. RIGHT. MR. CLERK.\r\n\r\n>> CHAIR, SHALL I PROCEED WITH TAKING TESTIMONY ON ACTION ON THE CONSENT CALENDAR? >> YES. >> CHAIR, PROCEEDING WITH TESTIMONY ON ITEMS ON THE CONSENT CALENDAR. THERE IS CURRENTLY NO ONE SIGNED UP TO TESTIFY ON ANY OF THESE ITEMS. SO WE'LL DO LAST CALL AT THIS TIME. IF THERE'S ANYONE WHO WANTS TO TESTIFY ON ACTION ON THE CONSENT CALENDAR, PLEASE IDENTIFY YOURSELF NOW. I REPEAT, LAST CALL.\r\n\r\n>> ALL RIGHT. >> CAN WE JUST LEAVE TESTIMONY OPEN AND GO TO LUNCH? >> WELL, THE TESTIMONY WILL CONTINUE TO BE OPEN. THE ONLY THING THAT WILL BE CLOSED IS THE CONSENT CALENDAR, AND ANYTHING >> SO WE COME BACK AND TAKE ACTION AND FINISH TESTIMONY AND TAKE ACTION. WE JUST WANTED TO GET THAT OUT TO CLOSE THE MORNING TESTIMONY. >> REMEMBER, MEMBERS, WE'RE GOING TO CLOSE AT 4:30 TODAY. SO WE HAVE TO BE CHOP/CHOP, QUICK/QUICK AND MOVE THINGS ALONG AS EFFICIENTLY AS WE CAN, AND OF COURSE, TAKE TESTIMONY.\r\n\r\nDID YOU SAY LUNCH BREAK UNTIL 1:45? >> CHAIR, JUST TO BE CLEAR, WE'RE LEAVING TESTIMONY OPEN NOW AS TO ACTION ON THE CONSENT CALENDAR? >> YES. >> OKAY. >> MEETING IN RECESS UNTIL 1:45. [GAVEL] [GAVEL] >> GOOD AFTERNOON EVERYONE. WE HAVE RECONVENING THE COUNCIL MEETING OF DECEMBER 2ND, WHICH BEGAN AT 9:00 A.M., ROUGHLY THIS MORNING AND IT'S NOW 1:51 P.M. MR. CLERK, PLEASE RESUME OUR SCHEDULE. >> CHAIR, CONTINUING WITH TESTIMONY ON ITEMS ON THE CONSENT CALENDAR.\r\n\r\nTHERE ARE STILL NO INDIVIDUALS SIGNED UP TO TESTIFY ON ANY OF THESE ITEMS. WE'LL DO LAST CALL AT THIS TIME. IF THERE'S ANYONE TO TAKE TESTIMONY ON ANY ITEMS ON AGENDA ITEM H, ACTION ON THE CALENDAR, PLEASE IDENTIFY YOURSELF NOW. AGAIN, LAST CALL. CHAIR, NO ONE HAS INDICATED THAT THEY WOULD LIKE TO TESTIFY ON ANY OF THESE ITEMS. >> MEMBERS, ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY ON THE CONSENT CALENDAR? >> NO OBJECTIONS.\r\n\r\n>> NO OBJECTIONS. SO ORDERED. MR. CLERK. >> CHAIR, PROCEEDING WITH THE CONSENT CALENDAR. YOU HAVE BEFORE YOU COUNTY COMMUNICATION 22-288, FROM THE DIRECTOR OF FINANCE, TRANSMITTING THE DIRECTOR OF FINANCE'S QUARTERLY REPORT FOR FISCAL YEAR JULY 1ST, 2022 TO JUNE 30, 2023, AS OF SEPTEMBER 30, 2022 AND THE CAPITAL IMPROVEMENT PROJECT REPORT AS OF SEPTEMBER 30, 2022. COUNTY COMMUNICATION 22-289 FROM THE CHIEF OF POLICE, TRANSMITTING A COPY OF THE GRANT AGREEMENT WITH THE STATE OF HAWAI'I DEPARTMENT OF TRANSPORTATION FOR THE MPD SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT IN THE AMOUNT OF \$550,020.05. COUNTY COMMUNICATION 22-290, FROM THE DIRECTOR OF HOUSING AND HUMAN CONCERNS, TRANSMITTING A COPY OF THE LETTER OF INTENT FOR GRANT FUNDING FROM STATE OF HAWAI'I DEPARTMENT OF HEALTH, ALCOHOL AND DRUG ABUSE DIVISION FOR THE STRATEGIC PREVENTION FRAMEWORK PARTNERSHIPS FOR SUCCESS GRANT IN THE AMOUNT OF \$220,000. COUNTY COMMUNICATION 22-291 FROM THE MAYOR, INFORMING OF A VACANCY ON THE LANAI PLANNING COMMISSION DUE

TO THE RESIGNATION OF SHELLY PREZA. COUNTY COMMUNICATION 22-292, FROM THE MAYOR, INFORMING OF A VACANCY ON THE COUNCIL ON AGING DUE TO THE RESIGNATION OF DEBRA CABEBE AND COUNTY COMMUNICATION 22-294 FROM THE DIRECTOR OF FINANCE, INFORMING OF THE ACCEPTANCE OF A WARRANTY DEED FOR ROAD WIDENING LOT 1D DECOITE PARTITION, TAX MAP KEY (2)2-7 001:087 PORTION.\r\n\r\n>> MEMBER PALTIN. >> THANK YOU, CHAIR. I MOVE TO FILE ALL ITEMS ON THE CIVIL WAR. NO DISCUSSION NEEDED. >> MOVED BY MEMBER PALTIN AND SECONDED BY MEMBER KING TO FILE ALL OF THE ITEMS AS READ BY THE CLERK ON THE CONSENT CALENDAR. ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE.\r\n\r\n>> AYE. >> I SEE ALL -- MEMBER SUGIMURA, AYE? OKAY. ALL AYES,. THAT IS EIGHT AYES, ONE EXCUSED, VICE-CHAIR RAWLINS-FERNANDEZ, MOTION CARRIES. MR. CLERK. >> CHAIR, PROCEEDING WITH TESTIMONY ON COUNTY COMMUNICATIONS.\r\n\r\nTHERE'S -- >> GO AHEAD, THEN I HAVE AN ANNOUNCEMENT TO MAKE. >> CHAIR, THERE'S CURRENTLY NO ONE SIGNED UP TO TESTIFY ON COUNTY COMMUNICATIONS. WE'LL DO LAST CALL AT THAT TIME. IF THERE'S ANYBODY WHO WOULD LIKE TO TESTIFY ON ANY COUNTY COMMUNICATION, PLEASE IDENTIFY YOURSELF NOW. I REPEAT, LAST CALL. >> BEFORE I CLOSE THAT, MEMBERS, IT MIGHT BE HELPFUL, SINCE WE HAVE A HARD-STOP OF 4:30 TODAY, WHICH IS TWO-AND-A-HALF HOURS FROM NOW. IF ALL OF YOU LET US KNOW WHAT IS TIME-SENSITIVE?\r\n\r\nAND I MEAN LEGITIMATELY TIME-SENSITIVE. AS AN EXAMPLE, CERTAIN REAL PROPERTY TAX PROPOSALS, BILLS, ARE CLEARLY TIME-SENSITIVE. THEY HAVE TO BE PASSED BY DECEMBER. OKAY? SO THIS IS WHAT I WOULD LIKE TO HEAR FROM YOU, BECAUSE WE CAN TAKE THEM UP AS SOON AS POSSIBLE, AND MOVE -- THEN PROCEED WITH THE OTHER ITEMS THAT DON'T HAVE THESE VERY TIGHT TIME-SENSITIVE REQUIREMENTS. SO CAN WE JUST START WITH YOU, MEMBER KING AND I WILL GO DOWN THE LINE. IS THERE ANYTHING THAT IS TIME-SENSITIVE?\r\n\r\n>> IT HAS TO BE PASSED TODAY, YOU MEAN? >> YES, HAS TO BE PASSED TODAY. >> I DON'T HAVE ANYTHING, CHAIR, ON THIS AGENDA. >> MEMBER JOHNSON. . >> WELL, CHAIR THE INTERGOVERNMENTAL AGREEMENT WITH THE AG PARK, THE STOP IS IN APRIL AND WE HAVE DECEMBER 2ND TODAY FOR FIRST READING, DECEMBER 16TH, FOR SECOND READING. BUT HAVING HEARD SOME OF THE TESTIMONY EARLIER, I'M KIND OF ON THE FENCE WHERE WE'RE AT A CROSSROADS. I THINK MAYBE IT WOULD BE SMART TO BRING IT -- TAKE IT TO COMMITTEE.\r\n\r\nSO MAYBE IT'S NOT? BUT I DON'T KNOW -- IT'S A LOT OF THINGS TO THINK ABOUT, BUT IT'S NOT -- IT'S APRIL IS THE HARD-STOP. BECAUSE WE HAVE 180 DAYS TO TAKE THE LEASE OR NOT? SO IF WE PUT TO NEXT YEAR, WE HAVE APRIL; RIGHT? BUT IF YOU ARE TALKING ABOUT TIME-SENSITIVITY AS FAR AS THIS YEAR, I DON'T THINK IT'S THAT TIME-SENSITIVE FOR THAT. I JUST WANTED TO CLEAR THE AIR FOR THAT. >> THANK YOU.\r\n\r\nMEMBER PALTIN. >> CAN I JUST ADD ONE THING ON THE LANA'I LEASE? >> I HEAR A VOICE. YES, CORPORATION COUNSEL. >> THANK YOU. SO THE DEADLINE IS TO COMPLETE THE TRANSFER. SO IT'S NOT JUST TO TAKE ACTION ON WHETHER OR NOT WE WOULD TRANSFER, BUT IT'S TO GET THE ENTIRE TRANSFER ACCOMPLISHED.\r\n\r\nSO THERE MAY BE SOME TIME SENSITIVITY THERE. >> I STAND CORRECTED. THANK YOU, CHAIR. >> MEMBER SUGIMURA. >> CAN WE ASK RICHELLE TO CLARIFY THAT? WHAT DOES THAT MEAN, TRANSFER COMPLETED? >> SO MY UNDERSTANDING IS THAT DLNR'S APPROVAL OF THIS 180-DAY TIMEFRAME WAS TO ACCOMPLISH THE ENTIRE TRANSFER OF THE LEASE FROM THE STATE TO THE COUNTY.\r\n\r\nSO IT'S NOT JUST THE APPROVAL OF COUNCIL TO GO AHEAD AND MOVE FORWARD WITH THAT, BUT IT'S TO GET EVERYTHING, ALL THE DOCUMENTS AND THE TRANSFER ACTUALLY ACCOMPLISHED WITHIN THAT TIMEFRAME. >> THE TIMEFRAME IS APRIL. >> YES. I BELIEVE SO. I BELIEVE THAT IS WHAT KEIKI DANCIL REFERENCED IN HER TESTIMONY. >> ALL RIGHT. ANY MORE QUESTIONS, MEMBER SUGIMURA?\r\n\r\n>> NO. >> MEMBER MOLINA. >> THANK YOU, MADAM

CHAIR. MY COMMITTEE REPORTS HAVE TO DO WITH BOARD AND COMMISSION NOMINEES. SO THEY CAN FILL THEIR VACANCIES AS SOON AS POSSIBLE. SO I WOULD LIKE TO TAKE ACTION ON THOSE TODAY. MY OTHER ITEM HAS TO DO WITH REFERRING MATTERS OVER TO THE NEXT TERM.\r\n\r\nAT LEAST FOR THE BOARD AND COMMISSION NOMINEES I WOULD LIKE TO TAKE ACTION TODAY, IF POSSIBLE. >> COULD YOU TELL US WHICH ITEMS THOSE ARE? >> LET'S SEE, THEY COME UNDER COMMITTEE REPORTS. >> JAMES, COULD YOU ITEMIZE THEM? >> COMMITTEE REPORT 22-127, COMMITTEE REPORT 22-128, AND COMMITTEE REPORT 22-129. >> OKAY. THANK YOU. >> THANK YOU.\r\n\r\n>> MEMBER PALTIN. >> THANK YOU, CHAIR. I JUST WANTED TO STATE FOR THE RECORD I THINK THIS IS GOING TO TAKE LONGER, BUT CR22-124, CR-125, I GOT A TEXT FROM SOMEBODY ON THE AIRPLANE FOR RESO 22-262 AND BILL 204. >> OKAY. THESE ARE ALL-TIME SENSITIVE? >> YES. >> I'M NOT SURE IF YOU WANT TO CHECK WITH MS. YOSHIMURA ON HER BILLS, WHICH ARE TIME-SENSITIVE.\r\n\r\n>> OKAY. WE'RE TRYING TO GO DOWN THE LINE AND GO BACK. PRO TEM KAMA. >> CHAIR, I DON'T HAVE ANYTHING THAT IS TIME-SENSITIVE. I JUST HAVE ONE BILL TO FILE AND MY REFERRALS. >> THANK YOU. GOING BACK, MEMBER SUGIMURA AND THEN MEMBER SINENCI.\r\n\r\n>> FOR MY COMMITTEE, I DON'T HAVE ANYTHING THAT IS TIME-SENSITIVE. BUT I WOULD LIKE TO HEAR FROM, WHEN APPROPRIATE, MICHELE YOSHIMURA FOR THE \$10 MILLION FOR THE APPROPRIATION FOR THE HAZARDOUS PAY DURING -- YES. SO JUST THAT ONE. I THINK THERE'S URGENCY JUST BECAUSE OF TIMING OF THE YEAR. >> ALL RIGHT. MR. CLERK, DID YOU TAKE A NOTE OF THAT?\r\n\r\nMEMBER SINENCI. >> THANK YOU, CHAIR. FOR SECOND AND FINAL READING I HAVE BILL 154 FOR CONSIDERATION TODAY, AND WE DO HAVE DR. SIX ON FOR TODAY, IF WE NEED ANSWERS TO QUESTIONS. THEN I DO HAVE BILL 160, THE KULA AG PARK THAT NEEDS TWO READINGS BY THE END OF THE YEAR. SO TODAY WOULD COUNT AS ONE. >> OKAY.\r\n\r\nWE'RE STILL ASKING IF SOMETHING IS TIME-SENSITIVE? ALL RIGHT. NOW WE CAN PROCEED, MR. CLERK, BUT BEFORE WE DO, CAN YOU TELL ME HOW MANY CRS WE HAVE? HOW MANY BILLS WE HAVE? THAT ARE TIME-SENSITIVE? >> CHAIR, FOR CRS, WE MARKED DOWN FOR TIME-SENSITIVE SIX.\r\n\r\nRESOLUTIONS, TIME-SENSITIVE, ONE. FOR BILLS, WE MARKED DOWN AS TIME-SENSITIVE, ONE, WITH ONE MAYBE, BILL 203. AND FOR BILLS SECOND AND FINAL READING WE HAVE DOWN TWO. THAT'S IT, CHAIR. >> OKAY. WELL, LET'S TRY AND CONTINUE ON OUR PATH, SEE IF WE CAN MAKE SOME PROGRESS, AND THEN IF NOT, THEN WE'LL START WORKING ON THE TIME-SENSITIVE ITEMS. SO PLEASE PROCEED FROM WHERE YOU LEFT OFF. >> YES, CHAIR.\r\n\r\nSO WE STILL NOT HAVE ANYONE SIGNED UP TO TESTIFY ON COMMUNICATIONS. SO IF THE BODY IS SO INCLINED, IT MAY CLOSE TESTIMONY ON THOSE. >> ANY OBJECTIONS TO CLOSING TESTIMONY ON COMMUNICATIONS? >> NO OBJECTIONS. >> SO ORDERED. >> CHAIR, PROCEEDING WITH COUNTY COMMUNICATIONS. YOU HAVE BEFORE YOU COUNTY COMMUNICATION 22-287, FROM THE DIRECTOR OF HOUSING AND HUMAN CONCERNS TRANSMITTING THE ANNUAL REPORT FOR RESIDENTIAL WORKFORCE HOUSING POLICY INCENTIVES AND EXEMPTIONS FOR THE HALE KAIOLA 100% AFFORDABLE HOUSING PROJECT.\r\n\r\n>> NO OBJECTION. >> NO OBJECTIONS. SO WHAT? >> HE WAS JUST READING THE ITEM. >> OKAY. >> REFERRAL TO THE NEXT TERM >> NO OBJECTIONS? >> NO OBJECTIONS.\r\n\r\n>> ALL RIGHT, SO ORDERED. REFERRAL TO NEXT TERM. >> COUNTY COMMUNICATION 22-293 FROM THE MAYOR INFORMING OF A VACANCY ON THE SOUTH MAUI COMMUNITY PLAN ADVISORY COMMITTEE CUE TO THE RESIGNATION OF THE TOM BLACKBURN-RODRIGUEZ. >> MEMBER KING. >> THANK YOU, CHAIR. THE REASON I WANTED THIS OUT, I HAD QUICK DISCUSSION TO MAKE ON IT. I WILL MAKE A MOTION TO FILE IT, IF I GET A SECOND, I WILL EXPLAIN WHY I WANTED TO DISCUSS IT.\r\n\r\n>> SECOND. >> MOVED BY MEMBER KING AND SECONDED BY MEMBER PALTIN TO FILE. >> MY DISCUSSION, WE HAD A MEMBER, MR. TOM BLACKBURN-RODRIGUEZ, WHO RESIGNED FROM THE CPAC AND THE REASON HE

RESIGNED WAS BECAUSE HE FELT -- HE WAS APPOINTED BY THE MAYOR AND FELT THAT NEXT MAYOR SHOULD BE ABLE TO APPOINT THE CPAC MEMBERS. SO I JUST WANTED TO MAKE THAT POINT THAT I HOPE THAT IF THIS CURRENT ADMINISTRATION DECIDES TO REPLACE HIM WITHIN THE NEXT FEW WEEKS, THAT THEY WOULD DO IT IN CONSULTATION WITH THE INCOMING ADMINISTRATION. SO THAT THE PURPOSE OF MR. BLACKBURN-RODRIGUEZ' RESIGNATION COULD BE MET, WHICH IS TO HAVE THE NEXT MAYOR TO HAVE INPUT INTO THAT POSITION.\r\n\r\n>> ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE. >> AYE. >> EIGHT AYES, ONE EXCUSED. VICE-CHAIR RAWLINS-FERNANDEZ. MOTION CARRIES. >> CHAIR, YOU BEFORE YOU COUNTY COMMUNICATION 22-295 FROM DIRECTOR OF FINANCE, TRANSMITTING 100 CONTRACTS AND GRANTS FOR OCTOBER 2022. >> MEMBER PALTIN.\r\n\r\n>> THANK YOU, CHAIR, I MOVE TO FILE COUNTY COMMUNICATION 22-295, EXCEPT FOR THOSE GRANTS AND CONTRACTS THAT COUNCIL MEMBERS REQUEST FOR REFERRAL TO NEXT TERM. MOVED BY MEMBER PALTIN AND SECONDED BY MEMBER KING TO FILE ALL OF THE CONTRACTS EXTEND EXCEPT THOSE REQUESTED BY MEMBERS FOR NEXT COUNCIL. >> THANK YOU, CHAIR. I WOULD REQUEST TO SEND CONTRACT C6603-2 ON THE SOUTH KIHEI ROAD SIDEWALK IMPROVEMENTS PHASE 3 TO REFER THAT TO NEXT TERM. >> ANY OBJECTIONS, MEMBERS? >> NO OBJECTIONS, CHAIR. >> SO ORDERED.\r\n\r\nANY MORE CONTRACTS? ALL RIGHT JUST ONE, MR. CLERK. >> CHAIR, THE BODY CAN NOW VOTE ON THE MAIN MOTION. >> THE MAIN MOTION IS TO FILE. FILE COUNTY COMMUNICATION 22-295. ALL THOSE IN FAVOR, RAISE YOUR HAND AND SAY AYE? >> AYE.\r\n\r\n>> EIGHT AYES, ZERO NOS. ONE EXCUSED. WHAT IS THAT? >> CHAIR, I JUST WANTED TO MAKE SURE YOU GOT ONE CONTRACT TO PULL OUT FOR REFERRAL. >> YES, WE HAVE THAT ONE OUT. AND THEN MOTION CARRIES. EXCUSED IS VICE-CHAIR RAWLINS-FERNANDEZ.\r\n\r\nMR. CLERK. >> CHAIR, RECOMMENDED FOR REFERRAL TO THE COUNCIL CHAIR FOR THE 2023-2025 COUNCIL TERM IS COUNTY COMMUNICATION 22-296 FROM THE ENERGY COMMISSIONER, TRANSMITTING THE STATUS REPORT FOR THE MAUI COUNTY CLIMATE ACTION AND RESILIENCY PLAN. >> >> MEMBER KING. >> THANK YOU, CHAIR. >> I DON'T HAVE A PROBLEM FORWARDING THIS ON, BUT I WAS TOLD I COULD STILL DO A 7B, BECAUSE I THINK IN OUR LAST CARE COMMITTEE MEETING, WE'RE GOING TO ASK FOR A PRESENTATION ON THIS ISSUE, AND HAVE A DISCUSSION. WE WON'T BE MAKING ANY DECISIONS, BUT THIS HAS BEEN A LONG TIME COMING, AND PROMISED TO US FOR THE PAST EIGHT MONTHS.\r\n\r\nSO I FEEL LIKE WE WANT TO HAVE A LOOK AT IT, WHILE WE'RE STILL IN THE CURRENT ADMINISTRATION, IF THAT IS POSSIBLE? >> SO THIS IS TO BE REFERRED TO YOUR COMMITTEE? >> WELL, WHAT I WAS TOLD TO GO AHEAD AND REFER IT TO THE COUNCIL CHAIR FOR THE NEXT TERM, BUT THAT WE COULD STILL DO A 7B PRESENTATION ON IT IN THE CARE COMMITTEE BEFORE THE END OF THE YEAR. SO THAT IS THE INTENTION. >> ALL RIGHT. MEMBERS, ANY OBJECTIONS TO THAT? SO ORDERED.\r\n\r\nMR. CLERK. >> CHAIR, PROCEEDING WITH TESTIMONY ON COMMITTEE REPORTS. CHAIR, THERE'S CURRENTLY NO INDIVIDUALS SIGNED UP TO TESTIFY ON ANY COMMITTEE. SO WE'LL DO LAST CALL AT THIS TIME. IF THERE'S ANYONE WHO WOULD LIKE TO TESTIFY ON A COMMITTEE REPORT AND HAS NOT DONE SO ALREADY, PLEASE IDENTIFY YOURSELF NOW. I REPEAT, LAST CALL.\r\n\r\nCHAIR, NO ONE HAS INDICATED THAT THEY WISH TO TESTIFY AT THIS TIME. >> ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY? >> NO OBJECTIONS. >> ON COMMITTEE REPORTS, AND RECEIVING WRITTEN TESTIMONY INTO THE RECORD? >> CHAIR? >> MEMBER SINENCI. >> JUST A CLARIFYING QUESTION.\r\n\r\nIF WE'RE NOT GOING TO BE -- IF WE'RE JUST TAKING UP TIME-SENSITIVE ITEMS, AND COMMITTEE REPORTS, ARE WE STILL GOING TO KEEP TESTIMONY OPEN? IF WE'RE GOING TO REFER THEM? >> IF WE'RE GOING TO REFER THEM? >> WE'RE JUST GOING TO TAKE ALL OF THE CRS? >> WELL, WHAT I WANTED TO DO IS IDENTIFY ALL THE TIME-SENSITIVE ITEMS. SO WE MAKE SURE THAT WE

PASS THEM BEFORE 4:30. BUT IN THE MEANTIME, I THOUGHT WE COULD CONTINUE ON-TRACK, NORMAL SCHEDULE UNTIL WE REACH THE TIME THAT WE KNOW WE'RE RUNNING OUT OF TIME. >> ALL RIGHT.\r\n\r\nSORRY FOR THE INTERRUPTION. >> THAT IS OKAY. WHERE WERE WE, MR. CLERK? >> THERE IS NO OBJECTION TO CLOSING TESTIMONY, AND ACCEPTING WRITTEN TESTIMONY. >> NO OBJECTIONS. >> SO ORDERED.\r\n\r\n>> FROM YOUR AGRICULTURE AND PUBLIC TRUST COMMITTEE, COMMITTEE REPORT 22-124 RECOMMENDING THAT BILL 160 CD 1 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING MAUI COUNTY CODE RELATING TO KULA AGRICULTURAL PARK EXPANSION AREA," BE PASSED ON FIRST READING AND ORDERED TO PRINT. >> MEMBER SINENCI. >> MAHALO, CHAIR. MOVE TO ADOPT THE RECOMMENDATIONS IN COMMITTEE REPORT 22-124. >> SECOND. >> MOVED BY MEMBER SINENCI, SECONDED BY MEMBER JOHNSON TO PASS -- TO APPROVE THE COMMITTEE REPORT RECOMMENDATIONS IN 22-124. DISCUSSION, MR. SINENCI. >> MAHALO, CHAIR.\r\n\r\nMOVE TO SUBSTITUTE BILL 160 CD 1 (2022) WITH THE FD 1 VERSION ATTACHED TO THE ASF DISTRIBUTED TODAY. MOVED BY MEMBER SINENCI -- EXCUSE ME, TO SUBSTITUTE THIS BILL AND THIS WE'LL GET INTO THE DISCUSSION. SECONDED BY MEMBER JOHNSON. DISCUSSION, MEMBER SINENCI. >> MAHALO, CHAIR. THE PROPOSED FD 1 VERSION CORRECTS FORMATTING CHANGES INADVERTENTLY OMITTED FROM THE CD 1 VERSION THAT RESULTED IN THE DUPLICATION OF CERTAIN SECTIONS. I WANTED TO MAHALO COUNCIL MEMBER JOHNSON FOR INTRODUCING THIS LEGISLATION.\r\n\r\nYOUR COMMITTEE, CHAIR, MET ON NOVEMBER 1ST AND 15TH OF 2022. AND DISCUSSED BILL 160. THE BILL WILL IMPLEMENT ORGANIC STANDARDS AND REGULATIONS FOR THE KULA AGRICULTURAL PARK. >> SO THE CHANGES PRETTY MUCH REFLECT FORMATTING CORRECTIONS; RIGHT? ANY MORE DISCUSSION ON THIS MATTER? MEMBER JOHNSON, AND THEN MEMBER KING. >> CHAIR, I ALSO WANT TO SUPPORT THIS. YOU KNOW, I DID A SITE VISIT OUT THERE. THAT LAND NEEDS HEALING AND I THINK ORGANIC FARMING IS A GREAT WAY TO RESTORE THE LAND, AND I THINK THIS IS A GREAT WAY FORWARD.\r\n\r\nIT ALLOWS ROOM FOR CONVENTIONAL FARMERS TO KEEP DOING WHAT THEY ARE DOING AND THE HIGH DEMAND OF ORGANIC FARMERS TO HAVE A SPACE. SO I RISE IN FULL SUPPORT AND I HOPE THE OTHER MEMBERS DO, TOO. MAHALO, CHAIR. >> MEMBER KING. >> I WAS LOOKING FOR THE ASF. I HAVEN'T HAD A CHANCE TO LOOK AT IT, TO LOOK AT THE BILL. >> I SEE.\r\n\r\nMEMBERS WE'LL TAKE A FIVE-MINUTE RECESS. >> THANK YOU. [GAVEL] [GAVEL] >> WILL THE COUNCIL MEETING OF DECEMBER 2ND, PLEASE RECONVENE. MEMBERS, HAVE YOU HAD A CHANCE TO READ THE ASF? THERE'S A MOTION ON THE FLOOR. THAT IS TO PASS THE -- APPROVAL THE COMMITTEE REPORT 22-124, AND AN AMENDMENT NOW TO SUBSTITUTE THE BILL WITH THE NEW BILL WITH CORRECTIONS. AND THAT IS WHAT WAS PASSED OUT TO YOU.\r\n\r\nANY FURTHER DISCUSSION? MEMBER KING. >> THANK YOU, CHAIR. AND I APOLOGIZE THAT I WASN'T AT THE COMMITTEE MEETING, BECAUSE I THINK I WAS ON THE -- [INAUDIBLE] I HAD SOME QUESTIONS ON PAGE 10 UNDER SECTION S LIKE SAM. NO. 1 SAYS PESTICIDES AND FERTILIZER ON THE LIST OF PROHIBITED AND ALLOWED, BUT IT DOESN'T SPECIFY FOR ORGANIC PLANTING, IS THAT WHAT THE INTENT IS? THE DESCRIPTION OF IT THAT THIS SECTION OF THE AG PARK WOULD BE FOR ORGANIC FARMING.\r\n\r\nBUT I DON'T SEE THE WORD "ORGANIC" ANYWHERE IN HERE. IF SOMEONE COULD EXPLAIN TO ME? >> COULD YOU TELL US WHAT PAGE YOU ARE ON? >> PAGE 10. >> PAGE 10. >> THE LAST SECTION ON PAGE 10, WHICH IS S, LIKE IN SAM. >> RIGHT. >> THE FIRST PARAGRAPH UNDER THE HEADING PARAGRAPH REFERS TO PESTICIDES AND FERTILIZERS LISTED AS ALLOWED ON THE NATIONAL LIST OF PROHIBITED AND ALLOWED SUBSTANCES, BUT DOESN'T SAY SPECIFICALLY THAT LIST IS A LIST OF SUBSTANCES THAT IS USED FOR ORGANIC FARMING. I AM JUST TRYING TO DETERMINE WHERE THAT WORD -- I HAVEN'T SEEN THAT WORD IN THIS BILL AT ALL.\r\n\r\n>> MEMBER JOHNSON. >> THANK YOU, CHAIR. THANK YOU, MEMBER.

THE FEDS ISSUE LIST OF ALLOWABLE PESTICIDES FOR ORGANIC FARMERS EVERY YEAR. SO WE'RE JUST TELLING IN THIS BILL THAT TO FOLLOW WHAT THE FEDS DO EVERY YEAR, BECAUSE THEY CAN CHANGE IT; RIGHT? SO IF THEY CHANGE IT, AND WE WROTE IT IN HERE, WE WOULD HAVE TO CHANGE IT OURSELVES. WE ACTUALLY DID HAVE A LIST AND WE JUST SAY THAT THE PESTICIDES AND FERTILIZERS LISTED AS ALLOWED ON THAT LIST IS WHAT YOU CAN DO.\r\n\r\nSO IT ALLOWS THE FEDS TO CHANGE THAT. IF I WANT TO BE A CERTIFIED AG FARMER THOSE ARE THE TYPE OF CHEMICALS THAT I WOULD BE ALLOWED AND STILL BE CERTIFIED. >> OKAY. I GUESS MY QUESTION IS, WHAT, IF YOU LOOKED AT THIS, HOW WOULD YOU KNOW THAT IS A LIST FOR ORGANIC FARMERS COULD WE PUT IN HERE, LIKE, ON THE NATIONAL LIST OF ALLOWED AND PROHIBITED SUBSTANCES FOR ORGANIC FARMERS, IF THAT IS WHAT IT'S FOR? THAT WAY IF YOU LOOKED AT THIS, YOU WOULD KNOW TO EXPECT ALL OF THESE WERE SUBSTANCES ALLOWED FOR ORGANIC FARMING. >> I DON'T HAVE A PROBLEM WITH THAT. >> I WOULD MOVE THAT AMENDMENT.\r\n\r\n>> I'M SORRY, GO AHEAD ? GUESS I WOULD LIKE TO MOVE TO AMEND THE SECTION S UNDER NO. 1. TO INSERT THE PHRASE "AFTER THE WORD "SUBSTANCES," TO INSERT "FOR ORGANIC FARMERS," AND IT READS PESTICIDES AND FERTILIZERS LISTED AS A ALLOWED ON THE LIST OF PROHIBITED AND ALLOWED SUBSTANCES FOR ORGANIC FARMERS. THAT WAY SOMEBODY LOOKING AT THAT BILL WOULD UNDERSTAND THE INTENT OF WHY WE'RE SEPARATING OUT THE PHASE 1 EXPANSION >> SO THERE'S A MOTION TO ADD THAT. IS THERE A SECOND? >> SECOND FOR DISCUSSION. >> MEMBER JOHNSON JUST SECONDED. OKAY.\r\n\r\nANY MORE DISCUSSION, MEMBER KING? >> I THINK IT JUST CLARIFIES WHAT THE INTENT WAS. IF THE INTENT WAS THAT LIST IS A LIST OF PESTICIDES ALLOWED FOR ORGANIC FARMING. IT'S JUST CLARIFYING THAT IN THAT PARAGRAPH. >> MEMBER PRO TEM KAMA? >> I JUST HAD A QUESTION REGARDING THAT ALLOWABLE LIST. IS THAT JUST AN ALLOWABLE LIST OR DOES THAT LIST ACTUALLY INCLUDE ORGANIC PESTICIDES, OR NON-ORGANIC?\r\n\r\nDO WE KNOW THIS LIST IS FOR ORGANIC FARMING? IT IS? WE KNOW THAT? IT'S NOT FOR ANY FARMING? >> THAT WAS MY QUESTION TO MEMBER JOHNSON AND HE VERIFIED THAT IS WHAT THAT LIST IS SUPPOSED TO BE. >> ALL RIGHT. I ALSO SEE CORP.\r\n\r\nCOUNSEL THOMPSON ON THE CALL. DO YOU WANT TO CLARIFY ANYTHING? >> YES, THANK YOU, CHAIR. JUST WANTED TO RECOMMEND A SLIGHT CHANGE IN WORDING. AFTER "NATIONAL LIST OF ALLOWED AND PROHIBITED SUBSTANCE." TO CONSIDER ADDING COMMA, WHICH IDENTIFIES SUBSTANCES THAT MAY AND MAY NOT BE USED IN ORGANIC CROP AND LIVESTOCK PRODUCTION. THAT IS TAKEN DIRECTLY FROM THE WEBSITE WHERE THAT LIST IS PUBLISHED. IT'S MORE ABOUT THE TYPE OF CROPS THAN FARMERS IS REALLY THE POINT.\r\n\r\n>> I ACCEPT THAT FRIENDLY AMENDMENT. >> COULD YOU REPRESENT THAT FRIENDLY AMENDMENT RICHELLE. >> SURE. SO AFTER THE WORD "SUBSTANCES," COMMA WHICH IDENTIFIES SUBSTANCES THAT MAY AND MAY NOT BE USED IN ORGANIC CROP AND LIVESTOCK PRODUCTION. >> OKAY. WHICH IDENTIFIES AGAIN. >> I WILL POST IT IN THE CHAT.\r\n\r\n>> OKAY. ANY DISCUSSION ON THAT FRIENDLY AMENDMENT? >> WHAT DOES THAT MEAN? MAY OR MAY NOT IDENTIFY? >> CORP. COUNSEL, DID YOU HEAR THE QUESTION? CAN YOU CLARIFY WHAT "MAY OR MAY NOT" MEANS?\r\n\r\n>> SO WHAT IT MEANS THAT IT LISTS SPECIFICALLY ALLOWED AND PROHIBITED SUBSTANCES THAT CAN BE USED IN ORGANIC CROP PRODUCTION OR LIVESTOCK. GENERALLY SYNTHETIC, READING FROM THE WEBSITE, GENERALLY SYNTHETIC SUBSTANCES ARE PROHIBITED, UNLESS THEY ARE SPECIFICALLY ON THIS LIST. AND THEN NON-SYNTHETIC SUBSTANCES ARE ALLOWED UNLESS SPECIFICALLY PROHIBITED. SO AN EXAMPLE IS, LET'S SEE, ARSENIC IS AN EXAMPLE OF A PROHIBITIVE NATURAL SUBSTANCE. SO NOT ALL NATURAL SUBSTANCES ARE ALLOWED ON CROP PRODUCTION AND SAME WITH SYNTHETIC. SO IT'S BASICALLY A LIST OF YES, YOU CAN AND NO, YOU CAN'T. >> OKAY. ANY MORE COMMENTS OR DISCUSSION?\r\n\r\nDISCUSSION? >> THANK YOU,

MS. THOMPSON. THAT WAS A GOOD ADDITION. >> WHAT IS ON THE FLOOR NOW IS THE AMENDMENT WHICH IS LISTED IN THE CHAT, WHICH WOULD BE ADDED RIGHT AFTER THE WORD "SUBSTANCES," IN NO. 1 UNDER S1 RIGHT AFTER "SUBSTANCES." ALL THOSE IN FAVOR OF THAT AMENDMENT, RAISE YOUR HAND AND SAY AYE? EIGHT AYES, ZERO NOS, ONE EXCUSED.\r\n\r\nVICE-CHAIR RAWLINS-FERNANDEZ. MOTION CARRIES. ARE THERE ANY OTHER AMENDMENTS? OKAY. MEMBER SUGIMURA. >> THANK YOU. I'M LOOKING AT THE COMPOSITION OF THE AG PARK COMMITTEE, WHICH IS 22-04A.070. I HAVE BEEN A COMMITTEE MEMBER FOR ALL OF THE YEARS I HAVE BEEN ON THE COUNCIL, BECAUSE THIS IS MY DISTRICT AREA IN AG.\r\n\r\nI JUST WANTED TO MAKE A NOTE FOR NO. 11, IT SAYS ONE REPRESENTATIVE OF THE KULA AG PARK PHASE 1 EXPANSION AREA, AND AS YOU KNOW, OR MAYBE YOU WILL FIND OUT THAT THEY HAVEN'T STARTED WORKING ON IT YET. SO THERE IS NO TENANT FOR THE AG PARK EXPANSION AREA. I THINK THAT IS WHAT YOU ARE TALKING ABOUT, THE NEW AREA. WE HAVE THE KULA AG PARK IN EXISTENCE, AND WE HAVE REPRESENTATIVES FROM THAT, BUT IF YOU ARE GOING TO PUT THIS IN NOW, THERE WILL BE NO WAY TO FULFILL NO. 11 FOR THE EXPANSION AREA, BECAUSE IT'S NOT EVEN READY FOR A TENANT YET. SO I WANT TO DELETE THAT.\r\n\r\nAND IT COULD BE ADDED ON IN THE FUTURE. I UNDERSTAND THE INTENT OF THAT, BUT I THINK IT'S TOO FAR-REACHING AT THIS MOMENT IN TIME FOR THIS BILL. SO I WANTED TO DELETE THE ONE REPRESENTATIVE TENANT OF THE KULA AG PARK PHASE 1 EXPANSION AREA, BECAUSE IT DOESN'T HAVE ANY TENANTS. >> CAN YOU MAKE A MOTION? >> I MOVE TO AMEND -->> TO DELETE. >> THANK YOU. TO DELETE 11, NO.\r\n\r\n11, ONE REPRESENTATIVE TENANT OF THE KULA AG PARK PHASE 1 EXPANSION AREA. >> SECOND. >> THANK YOU. >> SECONDED BY PRO TEM KAMA. THEN WE HEARD, I THINK WE HEARD YOUR DISCUSSION. >> THANK YOU. >> ANY MORE DISCUSSION ON THIS ITEM?\r\n\r\nQUESTIONS? MEMBER SINENCI. >> THANK YOU, CHAIR. IF MEMBER SUGIMURA IS OPEN, I WOULD LIKE TO AMEND THAT MOTION TO SAY "WHEN APPLICABLE." >> MEMBER SUGIMURA, WOULD YOU ACCEPT THAT? >> WE'RE STILL NOT GOING TO HAVE THE ELEVEN MEMBERS FOR A WHILE. WE WILL EVENTUALLY. WE'RE PUTTING UP FENCING NOW.\r\n\r\nTHE SECOND KULA AG PARK, YOU ARE CALLING PHASE 1 IS BARREN LAND RIGHT NOW. AND UNTIL WE CAN GET IT TO A STAGE THAT WE CAN HAVE A TENANT, I DON'T THINK WE'RE GOING TO ASK FOR ANYBODY TO APPLY FOR THAT BARREN LAND UNTIL WE GET THERE AND CAN TREAT IT, SO WE CAN HAVE A FARMER THERE. BUT IT'S REALLY NOT READY. WE CAN HAVE SOMEBODY COMMENT ON IT, OR OED PROBABLY HAS THE MOST KNOWLEDGE OF WHERE WE ARE, OR DR. KYLE KARAS IN TERMS OF BEING A CURRENT KULA AG PARK CHAIR. I THINK IT'S A LITTLE BIT TOO FAR-REACHING. >> LET'S GO BACK TO MEMBER SINENCI, AND THEN CORP.\r\n\r\nCOUNSEL. >> MAHALO, CHAIR. MAHALO, MEMBER SUGIMURA. WHEN WE ADD "WHEN APPLICABLE." SO WE CAN SET IT UP FOR THE FUTURE AND WE DON'T HAVE TO COME BACK TO IT LATER. WE DON'T HAVE TO COME BACK AND CREATE NEW LEGISLATION. WHEN IT'S TIME TO GO AHEAD AND HAVE THAT BOARD MEMBER, THEN WE CAN GO AHEAD AND COULD THAT. JUST SET THIS LEGISLATION UP FOR THE FUTURE.\r\n\r\n>> LET'S HEAR FROM CORP. COUNSEL, AND THEN GO BACK TO MEMBER SUGIMURA. >> WHAT I SUGGEST BOTH FOR PRACTICAL REASONS, BUT ALSO SO THAT YOU DON'T HAVE TO CHANGE OTHER SECTIONS WITH THE NUMBERING, IS TO AMEND NO. 4 IN THAT LIST. AND SAY TWO REPRESENTATIVES, TWO REPRESENTATIVE TENANTS OF THE KULA AG PARK, AND THEN DELETE NO. 11 AND COME BACK WITH AN AMENDMENT AS COUNCIL MEMBER SUGIMURA SAID, WHEN KULA AG PARK 2 IS UP AND RUNNING AND THERE ARE ACTUALLY TENANTS THERE. >> AGREE.\r\n\r\n>> IT WILL MESS UP YOUR NUMBERING, TOO, AND MAKE MEANINGS HARDER IF YOU HAVE AN EVEN NUMBER OF NUMBERS. >> THAT WAS GOING TO BE MY NEXT COMMENT. THANK YOU VERY MUCH FOR THAT. >> MEMBERS, THERE'S NO MOTION. ARE YOU GOING TO REVISE YOUR MOTION, MEMBER SUGIMURA? >> I WILL REVISE MY MOTION. SO ITEM NO.\r\n\r\n4 AMENDED

TO SAY "TWO REPRESENTATIVES OF TENANT OF THE KULA AG PARK." AND DELETE NO. 11. >> SO THAT IS THE MOTION. SECONDED BY PRO TEM KAMA. DISCUSSION ON THIS REVISED MOTION? MEMBER JOHNSON. >> I'M JUST CURIOUS AS HOW WE WOULD RESERVE A SPOT THAT WOULD BE DESIGNATED FOR THE KULA PHASE 1 PARK EXPANSION PERSON ON THE COMMITTEE? BECAUSE IT JUST SAYS TWO TENANTS OF THE KULA AG PARK NOW AND DOESN'T SAY ONE MUST BE FROM THE KULA AG PARK 1 EXPANSION AREA.\r\n\r\nSO IT'S CHANGING THE INTENT, YOU KNOW WHAT I MEAN? >> MEMBER PALTIN. >> COULD IT SAY TWO REPRESENTATIVE TENANTS OF THE KULA AG PARK 1 AND 2, WHEN 2 HAS TENANTS? >> 1 AND 2, WHEN 2 HAS TENANTS. MEMBER SUGIMURA, DO YOU WANT TO REVISE YOUR MOTION TO SAY THAT? >> I THINK AT THIS POINT, WE SHOULD START CALLING THE KULA AG PARK ITS OFFICIAL NAME, WHICH I CAN'T REMEMBER NOW. THEY DON'T CALL IT KULA AG PARK.\r\n\r\nWE CAN FIX THAT NON-SUBSTANTIVE CHANGE, IF THAT -- I MEAN, IF THAT WILL HOLD A SPACE, AND IF CORP. COUNSEL SAYS THAT WILL BE OKAY, THAT IS FINE. AS LONG AS WE DON'T TRY TO CREATE SOMETHING TODAY, WHERE THERE IS NOTHING. WE'RE NOT READY FOR THAT YET. SO RICHELLE, WHAT DO YOU THINK ABOUT THAT AMENDMENT? >> THANK YOU, CHAIR. THANK YOU, COUNCIL MEMBER SUGIMURA.\r\n\r\nI THINK I WOULD JUST KEEP IT AS AN "OR" TWO REPRESENTATIVE TENANTS OF THE KULA AG PARK, KULA AG PARK -- LET'S SEE, OR THE KULA AG PARK PHASE 1 EXPANSION AREA OR WHATEVER IT'S PROPER NAME IT AND I'M NOT FAMILIAR WITH THAT EITHER. DIRECTOR ARCE IS ON. >> SORRY, THIS IS DEPUTY -- DIRECTOR ARCE IS TRYING TO GET ON RIGHT NOW. >> IN THE MEANTIME, WE HAVE A QUESTION FROM MR. SINENCI. >> THANK YOU, CHAIR. MY ONLY CONCERN, CHAIR, IS I MEAN, WE HAVE TWO FROM THE KULA AG PARK.\r\n\r\nWOULD WE HAVE TO KICK OFF SOMEONE BEFORE THEIR TERM ENDS WHEN THIS POSITION IS FINALLY OPEN? THAT WOULD BE A PROBLEM, IF WE HAVE TO TAKE THEM OFF -- THE INTENT WAS TO HAVE A DEDICATED POSITION HELD OPEN FOR THIS SEAT. >> THAT IS A QUESTION. MR. YAP. YOUR COMMENTS? >> WOULD YOU SPEAK A LITTLE LOUDER, PLEASE.\r\n\r\n>> OKAY. >> I CAN'T HEAR YOU. >> I'M NOT UNMUTED. I APOLOGIZE FOR THAT. CAN YOU REPEAT THE CURRENT LINE OF QUESTIONING. THERE WAS MULTIPLE STRINGS I WAS TRYING TO TRACK. WHAT ARE WE FOCUSED ON RIGHT NOW?\r\n\r\nI APOLOGIZE FOR NOT BEING UP TO SPEED. >> WE WERE TALKING ABOUT THE KULA AG PARK COMMITTEE. >> AND THE MEMBERSHIP COMPOSITION OF THE COMMITTEE? >> YES. >> OKAY. >> THE MEMBERSHIP COMPOSITION. DO YOU HAVE THAT PAGE OPENED?\r\n\r\nWE'RE TALKING ABOUT NO. 4 REVISING NO. 4 POSSIBLY PUTTING TWO REPRESENTATIVES, INSTEAD OF ONE, AND/OR ELIMINATING NO. 11, BECAUSE THE KULA AG PARK PHASE 1 EXPANSION AREA IS NOT OPENED YET. >> OKAY. BECAUSE THE PARK IS NOT OPENED YET, THERE COULD STILL BE GUIDELINES SET IN PLACE WHO WOULD BE PUT ON THE COMMITTEE. SO JUST BECAUSE OF THE PARK ISN'T READY TO BE FILLED WITH TENANTS OR EVEN READY TO HAVE COUNTY MEMBERS APPOINTED, WE COULD AT LEAST SET THE GROUND RULES FOR WHO MIGHT COMPROMISE THE COMMITTEE.\r\n\r\nWOULD THAT BE FAIR? >> MR. YAP, DO YOU HAVE ANOTHER DEVICE ON, LIKE A TV OR SOMETHING? >> OH, SORRY AGAIN, THE ECHO. YES, I DO. PARDON, IT'S AKAKU, THAT IS MY FAULT. >> I THINK NOW WE CAN HEAR YOU BETTER.\r\n\r\nTRY AGAIN. >> OKAY. SORRY FOR THE BACKGROUND NOISE. THE QUESTION IS, I BELIEVE, IS CAN COMMITTEE MEMBERS AT LEAST THE ROLES BE PLACED IN THIS BILL, EVEN THOUGH THERE'S NO EXISTING AG PARK READY FOR TENANTS? AND IF THAT IS THE QUESTION, I BELIEVE WE CAN DEFINE WHO IS ON THE COMMITTEE, AT LEAST ATTEMPT TO, EVEN THOUGH THEY ARE NOT READY TO RENT OUT PARCELS YET. IS THAT THE NATURE OF THE QUESTION? >> YES.\r\n\r\nTHE QUESTION ALSO HAD TO DO WITH INSTEAD OF 11 MEMBERS ON THIS COMMITTEE, THERE WILL BE SHORT ONE MEMBER AS LONG AS THE KULA AG PARK PHASE 1 EXPANSION AREA IS NOT OPEN. >> OKAY. DOES THAT IMPACT

QUORUM? >> YES. >> OKAY. >> WE HAVE A COUNCIL MEMBER WHO HAS A QUESTION. MEMBER KING.\r\n\r\n>> THANK YOU, CHAIR. WOULD IT BE EASIER JUST TO LEAVE NO. 11 IN, AND JUST SAY ONE REPRESENTATIVE TENANT OF THE AGRICULTURAL -- FUL KULA AGRICULTURAL PARK PHASE 1 EXPANSION AREA, COMMA, APPOINTED WITHIN SIX MONTHS OF THE OPENING OF THE EXPANSION. THAT WAY, IT MAKES IT CLEAR THAT PERSON DOESN'T HAVE TO BE APPOINTED UNTIL IT'S OPENED, AND I THINK PUTTING WITHIN SIX MONTHS MIGHT GIVE YOU OPPORTUNITY TO AT LEAST GET A COUPLE OF TENANTS IN THERE. SO IT DOESN'T AUTOMATICALLY BE THE FIRST ONE WHO IS A TENANT GETS ON THIS COMMITTEE. THAT WAS MY THOUGHT. >> THAT DOESN'T TAKE CARE OF THE PROBLEM OF A TEN-MEMBER, EVEN-NUMBERED COMMITTEE.\r\n\r\nI THINK THAT WAS A CONCERN. >> IT WAS EVEN BEFORE. BEFORE IT HAD EIGHT MEMBERS AND THEY ADDED THREE. IT WOULD BE EVEN NUMBER UNTIL THE LAST ONE IS ADDED. >> IT WAS NINE BEFORE. >> MEMBER SUGIMURA. >> I DON'T MEAN TO YELL OUT.\r\n\r\nWHAT THIS DOES IS KULA AG PARK CORRECT, TODAY, HAS NINE MEMBERS. AND WHAT THIS DOES IS ADD TWO MORE; RIGHT? SO IT BECAME ELEVEN WITH THIS, MR. SINENCI'S BILL. SO IT'S NOT EIGHT. IT'S NINE MEMBERS TODAY, AND WHAT WE'RE TRYING TO DO IS GET TO AN ODD NUMBER; RIGHT? SO ELEVEN MEMBERS.\r\n\r\n>> CHAIR? CHAIR, THIS IS DIRECTOR ARCE. MAY I SAY SOMETHING? >> YES, I'M SORRY. I DIDN'T SEE YOU ON THE SCREEN. >> SORRY, I HAD A PHONE CALL EARLIER FROM THE MAYOR'S OFFICE. MAY I SUGGEST THAT THE NUMBER 8 STAY AS ONE REPRESENTATIVE, AND MAYBE HAVE FOR NO.\r\n\r\n9, TWO REPRESENTATIVES FROM BY EITHER OF THOSE ORGANIZATIONS LISTED THERE. THAT WAY IT WILL MAKE ELEVEN, AND POTENTIALLY FARMERS FROM ONE OF THOSE ORGANIZATIONS WILL BE INTERESTED IN THE UPPER MAUI AG PARK. BECAUSE A LOT OF THESE FARMERS THAT WE HAVE COME ACROSS IN THOSE PROGRAMS ARE INTERESTED IN ORGANIC PRODUCTION. >> MEMBER JOHNSON, AND THEN MEMBER SUGIMURA. >> MY AG PARK IS GETTING IN THE WEEDS A LITTLE BIT. ON THE PREVIOUS PAGE, YOU WILL NOTICE, FROM NINE MEMBERS TO ELEVEN MEMBERS. WE KEPT SO IT'S ODD-NUMBER.\r\n\r\nSO I'M NOT SURE WHERE WE'RE GETTING -- >> BECAUSE THERE'S NOBODY IN THE PHASE 1 EXPANSION YET AND IT WILL BE TEN WITH ONE VACANT SEAT. SO WHEN THEY MAKE VOTES -- >> SO I LIKE WHAT COUNCIL MEMBER KING WAS SAYING THAT AFTER SIX MONTHS, AFTER OPENING, THEN YOU PUT IT IN. >> UNTIL THEN, IT WILL BE DEADLOCKED VOTES IS THE SITUATION. >> ALL RIGHT. ANYBODY HAVE COMMENTS ON WHAT THE DIRECTOR JUST SAID? >> I LIKED IT. LET'S DO THAT.\r\n\r\n>> MEMBER KING? >> I MEAN, IF YOU DO THAT AND YOU ADD ANOTHER PERSON FROM THE NEW PHASE, YOU WILL BE EVEN AGAIN. SO THERE'S NO WAY -- YOU ARE GOING TO HAVE AN EVEN NUMBER AT SOME POINT, YOU KNOW, WHETHER YOU DO IT THIS WAY AND YOU END UP WITH AN EVEN NUMBER, OR IF YOU JUST GO IN AN EVEN NUMBER. I GUESS MY QUESTION WOULD BE TO MEMBER SUGIMURA, SINCE YOU HAVE BEEN SITTING ON THIS, HAVE YOU HAD AN INCIDENT, WHERE YOU HAVE BEEN DEADLOCKED LIKE 50/50 AND YOU NEEDED SOMEONE TO BREAK THE TIE? >> MEMBER SUGIMURA. >> SO THE COMPOSITION OF THE AG PARK IS IMPORTANT IN THE NUMBERS, AND WE HAVE HAD A SITUATION WHERE WE'RE WAITING FOR THIS BODY, THIS COMMITTEE -- I MEAN, WHATEVER, GREAT COMMITTEE, BOARDS AND COMMISSIONS, TO ASSIGN. IT CAN GET VERY DIFFICULT QUORUM-WISE AND VOTING WISE.\r\n\r\n>> I WASN'T ASKING ABOUT QUORUM, BUT ASKING ABOUT VOTING 50 /50 AND YOU NEEDED SOMEONE TO BREAK THE TIE? >> WE HAVE HAD A SITUATION LIKE THAT IN COMMITTEE MEETING. >> THE ISSUE WITH ODD OR EVEN NUMBERS IS NOT AN ISSUE, CHAIR, BECAUSE YOU CAN HAVE AN EVEN NUMBER DEPENDING ON WHEN PEOPLE SHOW UP AND YOU HAVE AN EVEN NUMBER. SO YOU ARE GOING TO FACE THAT AT SOME POINT ANYWAY, THE IDEA OF HAVING AN EVEN NUMBER OF PEOPLE ON THAT COMMITTEE. ANYWAY, THAT JUST MY THOUGHT, WE'LL BE HERE FOREVER FIGURING OUT HOW TO MAKE IT ODD NUMBER CONSISTENTLY. >> MEMBER MOLINA HAS HIS HAND UP. >> CHAIR, THANK

YOU. AS I UNDERSTAND IT, YOU WOULD HAVE EIGHT MEMBERS, NOW THE CHAIR OF THE COMMITTEE COULD ABSTAIN FROM VOTING, JUST LET THE SEVEN MEMBERS VOTE, AND YOU HAVE AN ODD SITUATION, AND IT WOULD BE 4-3 OR WHAT HAVE YOU. I THINK IF I'M CORRECT, THE PLANNING COMMISSION, MAYBE CORPORATION COUNSEL CAN CORRECT ME, I THINK THE CHAIR WILL VOTE ONLY IN THE EVENT OF BREAKING TIES. SO I GUESS IT WOULD BE UP TO THE BOARD OR COMMISSION WITH THEIR RULES IF THEY WANTED TO DO THAT. IF THEY HAD EIGHT. BUT FOR NOW, JUST THE CHAIR STEPS AWAY FROM VOTING, UNLESS NECESSARY. IT'S SOMETHING TO MAYBE CONSIDER. THANK YOU.

>> CORPORATION COUNSEL. >> SO IN GENERAL, WE WOULD ALWAYS RECOMMEND THAT A BOARD HAVE AN ODD NUMBER. JUST TO PREVENT THE SITUATION FROM COMING UP, WHERE YOU DO HAVE A DEADLOCK. BECAUSE A DEADLOCK COULD PREVENT THEM FROM TAKING ANY ACTION IT COULD JUST LAST FOR A LONG TIME, AND THEY ARE ADVISORY. SO I DON'T THINK AT THIS POINT, I DON'T THINK IT WOULD RESULT IN ANY SPECIFIC BUSINESS NOT GETTING DONE, BUT THEY COULD JUST DEADLOCK ON CERTAIN ISSUES AND NOT BE ABLE TO MOVE FORWARD. SO IN GENERAL, ODD NUMBERS ARE MUCH BETTER. AS FAR AS THE MAUI PLANNING COMMISSION, YOU KNOW, GENERALLY ALL OF OUR BOARDS AND COMMISSIONS INCLUDING THE COUNTY COUNCIL ARE CONSIDERED SMALL BOARDS UNDER ROBERT'S RULES.

SO WHILE THE CHAIRS, THEY CAN EITHER VOTE LAST, OR ONLY VOTE TO BREAK A TIE, THEY ARE A VOTING MEMBER, UNLESS THEIR RULES WOULD SPECIFY THAT THEY ARE NON-VOTING. SO I DON'T THINK THAT WOULD SOLVE THE PROBLEM, UNFORTUNATELY, WITH THE EVEN NUMBER OF MEMBERS. >> OKAY. WE'RE GOING TO HAVE TO MOVE ON THIS SUBJECT. MEMBER SUGIMURA AND MEMBER PALTIN AND THEN LOOKS LIKE MR. YAP. >> SO I STILL DO LIKE THE RECOMMENDATION FROM CORP. COUNSEL TO AMEND NO. 4, AND DELETE NO. 11 SO WE HAVE TWO REPRESENTATIVE TENANTS OF THE KULA AG PARK, I FORGOT HOW RICHELLE WORDED IT, BUT IT WILL BE A SPACE FOR THE FUTURE KULA AG PARK TENANT. I JUST WANT TO INSERT SOMETHING HERE THAT THE SECOND KULA AG PARK IN ORDER FOR IT TO BE OPERATIONAL, WE'RE LOOKING FOR ANOTHER \$10 MILLION TO DO DRAINAGE AND WATER INFRASTRUCTURE. SO IT'S NOT A PROJECT THAT IS GOING TO BE ACTIVE IN THE NEAR FUTURE, JUST FYI, ALTHOUGH THIS DISCUSSION IS IMPORTANT. RECOMMEND NO. 4 BEING WOULD REPRESENTATIVES FROM THE KULA AG PARK AND WHAT CORP. COUNSEL STATED AND, AS WELL AS DELETING NO. 11 IS MY RECOMMENDATION. >> MEMBER PALTIN. >> CHAIR, THANK YOU. MY RECOMMENDATION WAS IF WE CAN TABLE THIS FOR A LITTLE WHILE AND SEE HOW FAR WE CAN GET ON OTHER STUFF, BECAUSE IT TOOK QUITE A BIT OF TIME HERE. >> MEMBERS, DO YOU WANT TO DO THAT? ANY OBJECTIONS TO HOLDING OFF ON THIS ONE AND MOVING ON? MEMBER KING? >> DO WE HAVE A MOTION ON THE FLOOR? >> WE DO. >> OKAY. BECAUSE I THOUGHT I HEARD -- I KNOW THERE WAS A MOTION THAT MEMBER SUGIMURA MADE THAT I THOUGHT MEMBER SINENCI -- I LOST TRACK. >> WHAT HAPPENED, SHE MADE A MOTION AND HE MADE A SUGGESTION AND I ASKED HER DO YOU WANT TO TAKE ON THIS FRIENDLY AMENDMENT. SHE SAID NO.

SO OTHER PEOPLE WERE MAKING SUGGESTIONS, AND WE HAVEN'T VOTED ON ANY OF THEM YET. >> SO THE MOTION IS JUST TO ELIMINATE NO. 11. I THOUGHT SHE WANTED IT TAKE CORP. COUNSEL'S SUGGESTION. WHICH IS CHANGING NO. 4. >> CHANGING NO. 4 FROM THE WORD "ONE" TO "TWO," AND DELETING NO. 11. THAT IS HER MOTION. >> I SEE, OKAY. OTHER PEOPLE HAD OTHER SUGGESTIONS. SO WHILE WITH ALMOST DONE. WHAT IS THE FINAL, MEMBER SINENCI? >> THANK YOU, CHAIR. I WOULD -- I DON'T KNOW IF MEMBER SUGIMURA MADE THAT, BUT IT'S CALLING TWO MORE CONVENTIONAL FARMERS, AND LATER ON, IT WOULD BE DIFFICULT TO HAVE TWO MORE ORGANIC FARMERS.

I'M OKAY WITH MEMBER KING, ABOUT HAVING TEN MEMBERS FOR SIX MONTHS UNTIL THE ELEVENTH MEMBER COMES ON, AND MAYBE WHEN WE'RE AT A GRIDLOCK, TO FOLLOW MEMBER MOLINA'S SUGGESTION, OR HAVE DIRECTOR OF THE

DEPARTMENT BE THE DECIDING VOTE, CHAIR. >> PRO TEM KAMA. >> DID I HEAR CORRECT >> CAN'T HEAR. >> THAT IS WHAT I THINK -- HAVE THAT ELEVENTH MEMBER. THAT IS NOT SO? >> MEMBER SUGIMURA. DID YOU HEAR THAT?\r\n\r\n>> I COULDN'T HEAR MEMBER KAMA. >> CHAIR? >> >> YES. >> IF I COULD RESPOND? I THINK THE ISSUE, MY SUGGESTION WASN'T THAT IT WAS GOING TO BE READY IN SIX MONTHS. SO THE SUGGESTION WAS JUST THAT THAT POSITION WOULD BE APPOINTED WITHIN SIX MONTHS OF THE OPENING OF PHASE 1. >> I UNDERSTOOD THAT. SO I GUESS MAYBE MY QUESTION COULD BE, WHEN DO WE ANTICIPATE PHASE 1 BEING COMPLETE?\r\n\r\n>> A COUPLE OF YEARS. >> SO WE'LL HOLD THIS PLACE HOLDER NO. 11 FOR A COUPLE OF YEARS IS WHERE I THINK WE'RE AT RIGHT NOW; RIGHT? SHOULD WE HOLD THIS HERE FOR A COUPLE OF YEARS OR NOT HOLD IT? >> THIS MOTION IS NOT ON THE FLOOR RIGHT NOW. IF WE DID GET THIS MOTION ON THE FLOOR, IT'S NOT NECESSARILY HOLDING A POSITION. IT'S JUST SAYING THAT POSITION WILL EXIST AFTER THE APPOINTMENT.\r\n\r\n>> IF WE'RE SAYING ONE REPRESENTATIVE, WHO IS GOING TO BE A TENANT IN KULA AG PARK PHASE EXPANSION. WE'LL STILL END UP WITH TEN PEOPLE AND THIS PERSON WON'T BE HERE FOR A COUPLE OF YEARS. SO THE QUESTION I ASKED MYSELF, IS DO WE WANT TO WAIT A FEW MORE YEARS, MAYBE? I DON'T KNOW. HOW DOES THIS IMPACT QUORUM WORKING WITH TEN PEOPLE? SO THE LEGISLATION SAYS YOU HAVE ELEVEN, BUT THE QUORUM YOU DON'T REALLY ARE HAVE ELEVEN, BUT TEN. THAT IS WHAT THIS LEGISLATION SAYS.\r\n\r\n>> SO WHAT WE'RE GOING TO DO, WE'RE GOING TO VOTE ON IT NOW. AND SEE HOW THAT VOTE GOES. AND THEN WE'LL TAKE THE NEXT STEP. ALSO MAKE ANOTHER AMENDMENT AFTER THAT. SO THE MOTION AGAIN BY MEMBER SUGIMURA IS ON NO. 4, CHANGE THAT TO TWO REPRESENTATIVES, AND DELETE NO. 11. IS EVERYBODY CLEAR ON THAT MOTION?\r\n\r\nWE'LL TAKE A VOTE, SEE HOW THAT GOES. ALL THOSE IN FAVOR OF THE MOTION. >> ROLL CALL, PLEASE. >> ROLL CALL, MR. CLERK. >> CHAIR, PROCEEDING WITH ROLL-CALL VOTE ON THE PROPOSED AMENDMENT. COUNCIL MEMBER SHANE SINENCI?\r\n\r\n>> NO. >> COUNCIL MEMBER MIKE MOLINA? >> NO. >> COUNCIL MEMBER KELLY TAKAYA KING? >> NO. >> COUNCIL MEMBER GABE JOHNSON? >> NO.\r\n\r\n>> COUNCIL MEMBER TAMARA PALTIN? >> NO. >> COUNCIL MEMBER YUKI LEI SUGIMURA? >> YES. >> PRESIDING OFFICER PRO TEMPORE TASHA KAMA? >> YES. >> COUNCIL VICE-CHAIRPERSON RAWLINS-FERNANDEZ?\r\n\r\n>> EXCUSED COUNCIL CHAIR ALICE LEE? >> MOTION, THE MOTION FAILS. >> ARE WE OPEN FOR OTHER AMENDMENTS? MEMBER PALTIN. >> I MOVE TO AMEND NO. 8 AND 11 IS SO THAT BOTH OF THOSE COME ON AT THE SAME TIME WITHIN SIX MONTHS OF THERE BEING TENANTS OF KULA AG PARK PHASE 1 EXPANSION AREA. >> COULD YOU PUT THAT IN THE MOTION, BEGINNING WHEN AGAIN?\r\n\r\n>> I MOVE TO FOR NO. 8, AND 11 OF 22.040A.070, I MOVE TO AMEND NO. 8 TO SAY ONE REPRESENTATIVE GENERAL PUBLIC, TO BE SELECTED WITHIN SIX MONTHS OF THE KULA AG PARK PHASE 1 EXPANSION AREA COMING ONLINE. AND I MOVE TO AMEND NO. 11 TO SAY ONE REPRESENTATIVE TENANT OF THE KULA AG PARK PHASE 1 EXPANSION AREA WITHIN SIX MONTHS OF THAT COMING ONLINE. >> SECOND. IS THERE A SECOND?\r\n\r\n>> SECOND. >> SECONDED BY MEMBER JOHNSON. DISCUSSION, MEMBER PALTIN. >> THANK YOU, CHAIR. THIS WOULD TRY TO MITIGATE ALL OF THINGS THAT WE JUST DISCUSSED FOR THE LAST HALF-HOUR. THANK YOU. >> MEMBER KING.\r\n\r\n>> I JUST THINK THAT MEANS THAT THERE'S NO MEMBER FROM THE GENERAL PUBLIC. SO I GUESS, BECAUSE THE GENERAL PUBLIC MEMBER WOULDN'T COME ON UNTIL THE MEMBER FROM THE PHASE 1 EXPANSION COMES ON. SO I GUESS I WOULD ASK MEMBER SINENCI, THINK THIS IS YOUR BILL. HOW IMPORTANT -- MEMBER JOHNSON, HOW IMPORTANT IS IT TO HAVE A MEMBER OF THE PUBLIC ON THAT COMMITTEE? BECAUSE NOW WE'RE GOING TO HAVE ZERO MEMBERS OF THE GENERAL PUBLIC. >> MEMBER JOHNSON. >> OF COURSE, ALL OF THESE ARE IMPORTANT.\r\n\r\nI THINK THE IMPORTANCE IS THERE, BUT I THINK THE DEBATE WE'RE HAVING IS THE NUMBER AND THE QUORUM AND ALL OF

THAT. SO ALL THESE WERE PUT IN FOR VERY VALID REASONS. >> MEMBER SUGIMURA. >> I WILL SPEAK AGAINST THIS. NO. 8. I UNDERSTAND WHAT TAMARA IS TRYING TO DO. I RESPECT THAT A LOT, BUT FOR THE GENERAL PUBLIC TO BE DEFERRED UNTIL THE EXPANSION AREA OF KULA AG PARK TO NOT COME ON, I THINK WE HAVE A VERY VALUABLE MEMBER OF THE KULA AG PARK, WHICH YOU PROBABLY HEARD FROM HER, WHEN DISCUSSION WAS GOING ON, WHICH IS BARBARA BARRY, WHO IS A GENERAL PUBLIC PERSON, WHICH PROVIDES VALUABLE INPUT WHEN WE HAVE KULA AG PARK MEETINGS.\r\n\r\nGREAT QUESTIONS. SO I WOULD HATE TO SEE THAT REPRESENTATIVE DELETED AND I WILL SPEAK AGAINST THE MOTION, ALTHOUGH I UNDERSTAND WHAT TAMARA PALTIN IS TRYING TO DO IN TERMS OF GETTING THE NUMBERS. >> ANYBODY ELSE WITH DISCUSSION, QUESTIONS? COMMENTS? >> IN THAT CASE, CAN I MAKE A FRIENDLY AMENDMENT TO MY MOTION TO MAKE THAT INSTEAD OF NO. 8, NO. 9, ONE REPRESENTATIVE FARM APPRENTICE MENTORING PROGRAM OR COMPARABLE FARMER EDUCATION PROGRAM?\r\n\r\nSINCE THAT IS A NEW ONE? >> JUST MAKE THE MOTION. >> I WOULD FRIENDLY AMEND IT FOR NO. 9. >> MR. JOHNSON >> CERTAINLY. >> NOW DISCUSSION. >> IT LOOKS LIKE THAT IS ADDED ON WITH THIS BILL.\r\n\r\nSO IT SHOULD BE VACANT AND WE WOULDN'T BE CUTTING ANY VACANT PERSON OUT. >> MEMBER KING. >> SO I JUST WANTED TO BE CLEAR. SO IN ORDER TO -- IF WE TAKE THIS CURRENT FORM IN ORDER TO KEEP IT AN ODD NUMBER, YOU HAVE TO REMOVE TWO MEMBERS. SO THE IDEA IS TO REMOVE TWO OF THE NEW ONES THAT WERE ADDED ON, 9 AND 11, KEEP THE ONE REPRESENTATIVE, WHICH I GUESS IS ONE THE MAUI COUNTY CHAPTERS OF HAWAI'I FARMERS UNION. BECAUSE THEY HAVE SEVERAL. SO I WOULD SUPPORT THAT.\r\n\r\nI THINK THAT MAKES SENSE >> EVERYBODY OKAY WITH THAT? CORPORATION COUNSEL? >> SORRY CHAIR. THE PROBLEM THAT -- TWO QUESTIONS. ONE OF THEM FOR COUNCIL MEMBER PALTIN. WITHIN SIX MONTHS OF THE KULA AG PARK EXPANSION AREA COMING ONLINE, DOES THAT MEAN FIRST LOT GRANTED OR LEASED? I JUST WANT TO MAKE SURE WE ALL UNDERSTAND.\r\n\r\n>> BY COMING ONLINE, I MEAN HAVING TENANTS, WITHIN SIX MONTHS OF HAVING TENANTS. >> OKAY. AND THEN THE OTHER, JUST FROM IT'S GOING YOU ARE PROBABLY GOING TO NEED TO CHANGE C AND D. BECAUSE THAT DICTATES HOW MANY MEMBERS FOR QUORUM. IF THERE'S TWO VACANT SPOTS. >> INCLUDING ALL SUBSTANTIVE AND NON-SUBSTANTIVE REVISIONS NEEDED TO MAKE THAT WORK. >> OKAY, WE'RE BACK TO FIVE. ANY QUESTIONS ON THAT?\r\n\r\nOKAY. MEMBER KING. >> SO I JUST WANT TO MAKE SURE THAT WE'RE NOT CHANGING THE -- SO IT'S GOING TO BE CHANGED FROM TWO REPRESENTATIVES TO ONE REPRESENTATIVE OF THE PUBLIC AND MY UNDERSTANDING IS THAT WE ONLY HAVE ONE PERSON FROM THE PUBLIC ON NOW. SO WE DON'T HAVE TO ASK SOMEONE TO LEAVE, IS THAT CORRECT? IT WOULD CHANGE FROM ONE REPRESENTATIVE FROM THE GENERAL PUBLIC AND WE HAVE THAT REPRESENTATIVE NOW, JUST TO BE CLEAR. OKAY. >> ALL RIGHT, EVERYBODY.\r\n\r\nOKAY? READY TO VOTE? >> SORRY CHAIR. ONE SUGGESTION. I WOULD SUGGEST DELETING C AND D. IT DOESN'T NEED TO BE SAID, YOU KNOW? HOW MANY MEMBERS CONSTITUTE A QUORUM. YOU KNOW, IN AN AFFIRMATIVE VOTE.\r\n\r\nIF YOU TAKE THAT OUT, I THINK IT ADDRESSES SOME OF THE ISSUES. >> FRIENDLY AMENDMENT. >> I WILL ACCEPT THAT. >> FRIENDLY AMENDMENT. EVERYBODY GOT THAT. JUST ADDING ON TO HER AMENDMENT. MEANING MEMBER PALTIN.\r\n\r\nDO WE NEED ROLL CALL? PRO TEM KAMA. >> [INAUDIBLE] HOW DOES THAT GET IMPACTED? >> WE COULDN'T HEAR YOU, WHAT YOU WERE SAYING. I'M SURE THAT HAS TO BE CHANGED, TOO. THE REMAINING SEVEN. >> THE MAYOR WILL APPOINT THOSE PEOPLE, WHEN IT HAS TENANTS.\r\n\r\nTHE REMAINING TEN MEMBERS OF THE COMMITTEE OUTSIDE OF THE COUNCIL MEMBER. BUT WHEN IT'S APPLICABLE, WHICH IS SIX MONTHS FROM WHEN THEY FIRST HAVE TENANTS. >> DOES THAT HAVE TO BE IN B, TOO, THEN? >> I'M NOT A LAWYER, BUT I DON'T THINK SO. >> WHAT IS THE QUESTION EXACTLY? >> IF YOU HAVE TO

CHANGE THE NUMBER 10 IN 22.040A.070B, BECAUSE WHEN THE THING IS STILL ONLY BE STILL NINE MEMBERS. BECAUSE WE'RE WAITING FOR THE LAST TWO MEMBERS, FOR THE KULA AG PARK EXPANSION AREA STARTS TO HAVE TENANTS, SIX MONTHS.\r\n\r\nIT DOESN'T CHANGE THAT THE MAYOR NOMINATES WHO THEY ARE, AND THAT THEY SERVE STAGGERED TERMS OF FIVE YEARS. >> MEMBER KING. >> SO WHY DON'T WE JUST TAKE THE NUMBER OUT THAT SAYS THE REMAINING MEMBERS OF THE COMMITTEE MUST BE NOMINATED BY THE MAYOR AND APPROVED BY THE COUNCIL >> I THINK THAT WORKS. >> FRIENDLY AMENDMENT. >> THE OTHER QUESTION ON C AND D, IF WE TAKE THOSE OUT, DOES THAT MEAN YOU DON'T NEED A QUORUM AT ALL TO MEET? AND YOU DON'T NEED THE VOTE OF THE QUORUM NUMBER TO PASS SOMETHING? MAYBE CORP.\r\n\r\nCOUNSEL CAN ANSWER THAT? >> CORP. COUNSEL? >> THANK YOU, CHAIR. THANK YOU, MEMBER KING. YOU WOULD STILL NEED A QUORUM, AND SO THE QUORUM WOULD CONTINUE TO BE SIX, BECAUSE IT'S AN ELEVEN-MEMBER BOARD. SO YOU WOULD STILL NEED SIX MEMBERS TO TAKE ACTION NO MATTER HOW MANY MEMBERS ARE APPOINTED OR NOT.\r\n\r\n>> OKAY. SO YOU WANTED TO GET RID OF C AND D. SO IF WE STILL NEED SIX, WHY WOULD WE NOT JUST LEAVE THAT IN THERE? >> YOU COULD. I THINK I MIGHT HAVE BEEN UNDER THE MISCONCEPTION THAT YOU WERE REDUCING THE NUMBERS TEMPORARILY. >> WE ARE REDUCING THE NUMBERS TEMPORARILY. ANY CONCERN, IF YOU TAKE D OUT, THE AFFIRMATIVE VOTE, IF YOU TAKE THAT OUT, IT COULD BE MISCONSTRUED THAT YOU JUST NEED A MAJORITY OF WHOEVER SHOWS UP. SAY SIX SHOW UP AND FOUR VOTE ONE WAY, THAT IS STILL ENOUGH OF A VOTE, IS THAT CORRECT?\r\n\r\nYOU STILL NEED WHATEVER THE QUORUM NUMBER IS, THAT IS HOW MANY VOTES YOU NEED IN ORDER TO PASS SOMETHING? >> RIGHT. THAT IS IN STATE LAW >> OH, SO IT'S STILL UNDERSTOOD. >> WE DON'T NEED TO SAY IT. >> THAT IS WHAT I WAS TRYING TO ASCERTAIN. >> MEMBER PALTIN, COULD YOU REPEAT YOUR MOTION? >> I MOVE THAT ONE REPRESENTATIVE GROW FARM HAWAI'I APPRENTICE PROGRAM OR COMPARABLE FARMER EDUCATION PROGRAM BE APPOINTED WITHIN SIX MONTHS OF THE KULA AG PARK PHASE 1 EXPANSION AREA HAVING TENANTS.\r\n\r\nI MOVE THAT ONE REPRESENTATIVE TENANT OF THE KULA AG PARK EXPANSION AREA BE APPOINTED WITHIN SIX MONTHS OF THAT EXPANSION AREA HAVING TENANTS. >> AND DELETING C AND D? >> SURE. >> AND CHANGING -- AND DELETING THE NUMBER 7 AND 10. >> AND DELETING NUMBER 7, AND 10. >> EVERYBODY STRAIGHT >> YES. >> ALL IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE. >> ALL AYES, ZERO NOS, MOTION CARRIES. ONE EXCUSED.\r\n\r\nVICE-CHAIR RAWLINS-FERNANDEZ. >> CHAIR? >> NOW THAT IS JUST THE AMENDMENT. WE STILL HAVE TO GO BACK -- YES, CAN I HEAR SOMEBODY TALKING. >> CAN CORP. COUNSEL SUMMARIZE WHAT WE JUST VOTED ON? BEFORE WE VOTE ON THE MAIN MOTION?\r\n\r\n>> CORP. COUNSEL. >> I BELIEVE SO. SO COUNCIL MEMBER PALTIN PLEASE CORRECT ME IF I DON'T GET THIS RIGHT. NO. 9, AND NO. 11 ARE BOTH GOING TO BE POSITIONS THAT WILL ONLY BE FILLED ONCE KULA AG PARK PHASE 2 EXPANSION AREA HAS TENANTS, EITHER ONE OR MORE TENANTS, BUT ONCE IT'S STARTED TO BE LEASED.\r\n\r\nTHE EFFECT IS THAT THIS IS AN ELEVEN-MEMBER BOARD. SO QUORUM IS STILL GOING TO REMAIN SIX. AND IT WILL TAKE SIX MEMBERS, REGARDLESS OF HOW MANY ARE APPOINTED AT ONE TIME OR ANOTHER, IN ORDER FOR IT TO TAKE ACTION. >> THANK YOU. >> NOW WE HAVE TO STILL VOTE ON THE MOTION, THE SUBSTITUTION. WE HAVE TO VOTE ON THE SUBSTITUTION. ALL RIGHT?\r\n\r\nDO I NEED ROLL CALL ON THE SUBSTITUTION? NO? THE SUBSTITUTION AS AMENDED. DO I NEED ROLL CALL? ALL THOSE IN FAVOR OF THE MOTION, AS AMENDED, THE SUBSTITUTION AS AMENDED? >> AYE. >> ALL AYES, ZERO NOS, MOTION CARRIES.\r\n\r\nAND THAT MEANS ONE EXCUSED. VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, MEMBERS. >> SO MR. CLERK, DID WE COVER IT ALL ON THAT ONE? >> CHAIR, THE BODY STILL -- THE MAIN MOTION AS AMENDED IS BEFORE THE BODY AT THIS TIME. >> THE MAIN MOTION AS

AMENDED.\r\n\r\nOKAY. DO WE NEED ROLL CALL? >> VOICE-VOTE, PLEASE. >> ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE. >> ALL AYES, ZERO NOS. MOTION CARRIES.\r\n\r\nNONE EXCUSED. VICE-CHAIR RAWLINS-FERNANDEZ. WOW. SO MUCH FOR SPEED. NOW WE HAVE TO START MOVING. MR. CLERK.\r\n\r\n>> CHAIR, YOU HAVE BEFORE YOU FROM YOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE COMMITTEE REPORT 22-125 RECOMMENDING THE FOLLOWING: 1, THAT BILL 1635 CD 1 (2022) AMENDING THE FY'2023 BUDGET FOR THE COUNTY OF MAUI AS PERTAINS TO ESTIMATED REVENUES, DEPARTMENT OF TRANSPORTATION WAILUKU -KAHULUI COMMUNITY PLAN AREA, GOVERNMENT FACILITIES BOND FUND, LAPSED BOND FUND, TRANSPORTATION BASEYARD, TOTAL CAPITAL IMPROVEMENT PROJECT TOTAL APPROPRIATIONS OPERATING AND CAPITAL IMPROVEMENT PROJECTS," BE PASSED ON FIRST READING AND ORDERED TO PRINT. 2, THAT BILL 166 (2022) AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C, CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF TRANSPORTATION WAILUKU-KAHULUI COMMUNICATE PLAN AREA, TRANSPORTATION BASEYARD BE PASSED ON FIRST READING AND ORDERED TO PRINT. 3, BILL 167 CD 1 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING ORDINANCE 5394, BILL 71, CD 1, FD 2 (2022) RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI, ISSUANCE, SALE -- BE PASSED ON FIRST READING AND ORDERED TO PRINT. BILL, 16 (2022) BILL 72 (2022) RELATING TO PROCEEDS OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI HEREUNTO FOR ISSUED IN EXCESS OF AMOUNTS REQUIRED FOR THE PURPOSES OF SUCH BONDS INITIALLY ISSUED OR NOT APPLIED TO THOSE PURPOSES AND DIRECTING SUCH PROCEEDS TO OTHER PUBLIC IMPROVEMENTS OR AUTHORIZED PURPOSES OF THE COUNTY OF MAUI BE PASSED ON FIRST READING AND ORDERED TO PRINT. AND 5, THAT RESOLUTION 22-243 ENTITLED, AUTHORIZING THE ACQUISITION OF APPROXIMATELY 12.49 ACRES IDENTIFIED AS TAX MAP KEY (2)3--8-102:001 PORTION SITUATED AT THE KAHULUI, MAUI, HAWAI'I FOR A AMOUNT NOT-TO-EXCEED \$17,413, 152. >> I WOULD LIKE TO ASK THAT WE SKIP OVER THIS NOW AND GO BACK TO IT, ON BECAUSE THE VICE-CHAIR IS IN THE PARKING LOT. >> NO OBJECTIONS. >> CAN WE GO ON TO THE GREAT COMMITTEE.\r\n\r\n\r\nCOMMITTEE REPORT 22-127. >> MR. MOLINA. >> THANK YOU, MAYOR CHAIR, I MOVE TO ADOPT RECOMMENDATIONS OF COMMITTEE REPORT 22-127. >> SECOND. >> MOVED AND SECONDED TO APPROVE COMMITTEE REPORT 22-127, DISCUSSION, MR. MOLINA. >> THANK YOU, MADAM CHAIR. YOUR GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MET ON NOVEMBER 15TH, 2022 TO DISCUSS RESOLUTION 22-127, RESOLUTION PURPOSES A TO APPROVE OR DISAPPROVE THE MAYOR'S MOM NATION OF RICKY AARON SANCHES TO THE URBAN DESIGN REVIEW BOARD FOR A TERM EXPIRING MARCH 31ST, 2023. HE IS THE OWNER OF RICKY'S PLUMBING AND A MEMBER OF THE LANA'I WATER ADVISORY COMMITTEE, ALSO A FORMER MEMBER OF THE MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES.\r\n\r\n\r\nMAYOR'S REPRESENTATIVE SAID, IF APPROVED, MR. SANCHES WOULD FULFILL THE REQUIREMENT FOR ONE MEMBER OF THE BOARD RESIDE ON LANA'I AND VOTED 6-0 FOR APPROVE HIS NOMINATION, AND REFLECT THE NOMINEE'S LEGAL NAME AND ASK FOR THE MEMBERS' FULL SUPPORT. THANK YOU. >> ANY MORE DISCUSSION? IT WAS MOVED BY MR. MOLINA, SECONDED BY MEMBER JOHNSON. ANY MORE DISCUSSION?\r\n\r\n\r\nALL THOSE IN FAVOR OF THE MOTION, PLEASE RAISE YOUR HAND AND SAY AYE? >> AYE. >> EIGHT AYES, ZERO NOS, MOTION CARRIES, ONE EXCUSED, VICE-CHAIR RAWLINS-FERNANDEZ. MR. CLERK. >> CHAIR, YOU BEFORE YOU COMMITTEE REPORT 22-128 RECOMMENDING THAT RESOLUTION 22-225, CD 1, ENTITLED, "APPOINTMENT OF A MEMBER TO THE URBAN DESIGN REVIEW BOARD FOR THE COUNTY OF MAUI" BE ADOPTED. >> MR.\r\n\r\n\r\nMOLINA. >> THANK YOU, MADAM CHAIR. MOVE TO ADOPT THE RECOMMENDATIONS OF COMMITTEE REPORT 22-128. >> MOVED BY MEMBER MOLINA AND

SECOND BY PRO TEM KAMA TO APPROVE COMMITTEE REPORT 22-128. DISCUSSION, MR. MOLINA. >> THANK YOU VERY MUCH, MADAM CHAIR. YOUR GREAT COMMITTEE MET ON THIS MATTER NOVEMBER 15, 2022 TO DISCUSS RESOLUTION 22-225. THE PURPOSE OF THE RESOLUTION IS TO APPROVE OR DISAPPROVE THE MAYOR'S NOMINATION OF ASHLEY NOELANI OTOMO FOR A TERM EXPIRING MARCH 31, 2027. AND INTERVIEWED HERER AND SHE SAYS SERVING OP URBAN DESIGN REVIEW BOARD IS A WAY TO GIVE BACK TO THE COMMUNITY AND AS A CIVIL ENGINEER, HER PROJECTS HAVE GONG THROUGH THE DESIGN REVIEW BOARD PROCESS AND SHE IS FAMILIAR WITH THE ISSUE THAT THE BOARD FACES AND COMMITTEE EXPRESSED CONCERN WITHS POTENTIAL CONFLICTS OF INTEREST, BUT MANY OTOMO SAID SHE WILLING TO RECUSE HERSELF IF NEEDED. I ASK FOR THE MEMBERS' SUPPORT OF THIS MOM KNEE.\r\n\r\nTHANK YOU, MADAM CHAIR. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVORITE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE. >> EIGHT AYES, ZERO NOES, MOTION CARRIES. EXCUSED VICE-CHAIR RAWLINS-FERNANDEZ. MR.\r\n\r\nCLERK. >> YOU HAVE BEFORE YOU COMMITTEE REPORT 22-129 RECOMMENDING THAT RESOLUTION 22-247 CD 1 ENTITLED, "RELATING TO THE APPOINTMENT OF BLAINE APO TO THE MAUI PLANNING COMMISSION" BE ADOPTED. >> MEMBER MOLINA. >> THANK YOU, MADAM CHAIR. MOVE TO ADOPT THE RECOMMENDATIONS OF COMMITTEE 22-129. >> SECOND. >> MOVED BY MEMBER MOLINA AND SECOND BY PRO TEM KAMA TO APPROVE COMMITTEE REPORT 22-129, DISCUSSION? MR.\r\n\r\nMOLINA. >> THANK YOU, MADAM CHAIR. YOUR GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MET ON THIS MATTER NOVEMBER 15, 2022. THE RESOLUTION 22-247'S PURPOSE IS TO APPROVE OR DISAPPROVE THE MAYOR'S NOMINATION FOR THE MAUI PLANNING COMMISSION FOR A TERM EXPIRING MARCH 31, 2027 TO FILL A VACANCY DUE TO THE RESIGNATION OF WILLIAM GORDON GRIGGS. AND YOUR COMMITTEE INTERVIEWED MR. APO, WHO IS FOUNDER AND PRESIDENT DOING BUSINESS AS MAUI CRISP AND VOTED 7-0 TO RECOMMEND ADOPTION OF RESOLUTIONS 22-247 TO APPROVE HIS NOMINATION AND ASK FOR THE MEMBERS' SUPPORT. THANK YOU. >> ANY MORE DISCUSSION?\r\n\r\nALL IN FAVOR, RAISE YOUR HAND AND SAY AYE? EIGHT AYES, ONE EXCUSED, EXCUSED IS VICE-CHAIR RAWLINS-FERNANDEZ. MR. CLERK. >> YOU HAVE BEFORE COMMITTEE REPORT 22-130, RECOMMENDING THAT THE COMMUNICATIONS NOTED ON EXHIBIT A OF THE COMMITTEE REPORT BE REFERRED TO THE COUNCIL CHAIR FOR THE TERM BEGINNING JANUARY 2ND 2023. >> MEMBER MOLINA. >> THANK YOU, MADAM CHAIR. MOVE TO ADOPT THE RECOMMENDATIONS OF COMMITTEE REPORT 22-130. >> SECOND.\r\n\r\n>> MOVED BY MEMBER MOLINA, SECONDED BY MEMBER KING TO APPROVE COMMITTEE REPORT 22-130. MEMBER MOLINA. >> THANK YOU, MADAM CHAIR. YOUR GREAT COMMITTEE MET ON THIS MATTER NOVEMBER 15, 2022 TO DISCUSS THE COMMUNICATIONS FOR REFERRAL TO THE COUNCIL CHAIR FOR THE TERM BEGINNING JANUARY 2ND, 2023, IN ACCORDANCE OF THE RULES OF THE COUNCIL. YOUR COMMITTEE REMOVED ITEMS GREAT 26 RELATING TO THE HAWAI'I WILDLIFE FUND ET AL. VERSUS COUNTY OF MAUI AND ITEM 32 RELATING TO THE CATION OF MCKELVEY VERSUS VICTORINO FROM THE LIST OF RECOMMENDATIONS, BECAUSE THE MATTERS ARE NO LONGER ACTIVE. YOUR COMMITTEE VOTED 7-0 TO RECOMMEND THE COMMUNICATIONS NOTED ON EXHIBIT A AS REVISED AND ATTACHED TO THE COMMITTEE REPORT, AND IT BE REFERRED TO COUNCIL CHAIR FOR TERM BEGINNING JANUARY 2ND, 2023. I ASK FOR THE MEMBERS' SUPPORT. THANK YOU.\r\n\r\n>> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, AND SAY AYE? >> AYE. >> AYE. >> EIGHT AYES, ZEROS NO, ONE EXCUSED, VICE-CHAIR RAWLINS-FERNANDEZ. MR. CLERK.\r\n\r\n>> YOU HAVE BEFORE YOU FROM YOUR HUMAN CONCERNS AND PARKS COMMITTEE, COMMITTEE REPORT 22-131, COMMUNICATIONS BE REFERRED TO THE COUNCIL CHAIR FOR THE TERM BEGINNING JANUARY 2ND, 2023. >> PRO TEM KAMA. >>> I MOVE TO ADOPT THE RECOMMENDATIONS IN COMMITTEE REPORTTE-131 SECOND. >> MOVED BY PRO TEM

KAMA, SECOND BY MEMBER SUGIMURA TO APPROVE COMMITTEE REPORT 23-131, DISCUSSION, PRO TEM KAMA. >> YOUR HUMAN CONCERN AS YOU PARKS COMMITTEE MET NOVEMBER 15TH TO DISCUSS THE COMMUNICATIONS FOR REFERRAL TO THE COUNCIL CHAIR FOR THE TERM BEGINNING JANUARY 2ND, 2023, IN ACCORDANCE WITH RULE 22. YOUR COMMITTEE VOTED 5-0 TO DEVELOPMENT THE COMMUNICATIONS NOTED ON EXHIBIT A, AS REVISED AND ATTACHED TO THE COMMITTEE REPORT BE REFERRED TO THE COUNCIL CHAIR FOR THE TERM BEGINNING JANUARY 2ND, 2023 AND RESPECTFULLY ASK FOR MEMBERS' SUPPORT OF MY MOTION. THANK YOU. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVORITE MOTION, PLEASE RAISE YOUR HAND AND SAY AYE?\r\n\r\n>> AYE. >> EIGHT AYES, ZERO NOS, ONE EXCUSED VICE-CHAIR RAWLINS-FERNANDEZ. MOTION CARRIES. MR. CLERK. >> CHAIR, YOU HAVE BEFORE YOU FROM YOUR INFRASTRUCTURE AND TRANSPORTATION COMMITTEE, COMMITTEE REPORT 22-132, RECOMMENDING THAT RESOLUTION 22-145, CD 1 ENTITLED, "APPROVING DISPOSITION OF NON-EXCLUSIVE WATERLINE EASEMENT DUE TO IMPROVEMENTS IN THE SANDHILLS ESTATES SUBDIVISION," BE ADOPTED. >> MEMBER SUGIMURA.\r\n\r\n>> I MOVE TO ADOPT THE RECOMMENDATIONS IN REPORT 22-13 , CHAIR. >> SECOND. >> MOVED BY MEMBER SUGIMURA, SECONDED BY PRO TEM KAMA TO APPROVE COMMITTEE REPORT 22-132. DISCUSSION, MEMBER SUGIMURA? >> THANK YOU, CHAIR. THANK YOU, MEMBER KAMA. YOUR INFRASTRUCTURE/ TRANSPORTATION COMMITTEE MET ON NOVEMBER 14TH, 2022 TO DISCUSS RESOLUTION 22-145, (2022) ENTITLED, "APPROVING DISPOSITION OF NON-EXCLUSIVE WATER LINE EASEMENT DUE TO RELOCATION OF WATERLINE IMPROVEMENTS TO THE SANDHILLS ESTATES SUBDIVISION." RESOLUTION 22-145'S PURPOSE IS TO APPROVE DISPOSITION PORTION OF AN EXISTING NON-EXCLUSIVE WATERLINE EASEMENT LOCATED WITHIN THE SANDHILLS ESTATES SUBDIVISION, BY WAILUKU, MAUI, HAWAI'I, BY WAY OF CANCELATION. EXISTING EASEMENT TRAVERSES PORTIONS OF PRIVATE PARCELS OF LAND AND INCLUDES LOT 86 AS NOTED AS EXHIBIT C. THE PURPOSE OF THE EASEMENT WAS TO ALLOW THE DEPARTMENT OF WATER SUPPLY TO CONSTRUCT, INSTALL, MAINTAIN, OPERATE, REPAIR, REMOVE, REPLACE AND REINSTALL AN UNDERGROUND WATER LINE.\r\n\r\nYOUR COMMITTEE FURTHER NOTES THAT DUE TO SUBDIVISIONS DEVELOPMENT, WATER LINE IMPROVEMENTS WERE REMOVED FROM WITHIN THE DEVELOPABLE LOTS, AND RELOCATED INTO DRIVEWAYS. A REPRESENTATIVE FROM THE DEPARTMENT OF PUBLIC WORKS CONFIRMED THAT AN EASEMENT IS NO LONGER NECESSARY, AND SUPPORTS RESOLUTION 22-145. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES MR. CLERK. >> CHAIR, YOU HAVE BEFORE YOU COMMITTEE REPORT 22-133 RECOMMENDING THAT THE COMMUNICATIONS NOTED ON EXHIBIT A OF THE COMMITTEE REPORT BE RESERVED TO THE COUNCIL CHAIR FOR THE TERM BEGINNING JANUARY 2ND, 2023. >> MEMBER SUGIMURA.\r\n\r\n>> THANK YOU. I MOVE TO ADOPTED THE RECOMMENDATIONS IN COMMITTEE REPORT 22-133. >> SECOND. >> MOVED BY MEMBER SUGIMURA, SECONDED BY MEMBER PRO TEM KAMA TO APPROVE COMMITTEE REPORT 22-133. DISCUSSION, MEMBER SUGIMURA? >> THANK YOU, CHAIR. YOUR INFRASTRUCTURE/TRANSPORTATION COMMITTEE MET ON NOVEMBER 14TH, 2022 TO DISCUSS THE COMMUNICATIONS FOR REFERRAL TO THE COUNCIL CHAIR FOR THE TERM BEGINNING JANUARY 2ND, 2023 IN ACCORDANCE WITH RULE 22 OF THE RULES OF THE COUNCIL. YOUR COMMITTEE REMOVED ITEM I.T. 101, RELATING TO APPROVING WATERLINE EASEMENTS IN THE SANDHILL ESTATES SUBDIVISION FROM THE LIST OF REFERRALS, BECAUSE RESOLUTION 22-145 WAS ADOPTED BY THE COMMITTEE AND WE TOOK ACTION TODAY. AND REFERRED TO THE COUNCIL FOR FIRST READING.\r\n\r\nYOUR COMMITTEE VOTED 5-0 TO RECOMMEND THE COMMUNICATIONS NOTED IN EXHIBIT A AS REVISED. AND ATTACHED TO THE COMMITTEE REPORT BE REFERRED TO THE COUNCIL CHAIR, BEGINNING JANUARY 2ND, 2023. I RESPECTFULLY ASK FOR SUPPORTED OF MOTION. >> ANY MORE DISCUSSION? ALL IN

FAVOR, RAISE YOUR HAND AND SAY AYE. NINE AYES, DO ISER NOS, MOTION CARRIES. >> CHAIR, YOU BEFORE FROM YOU PLANNING AND SUSTAINABLE LAND USE COMMITTEE, COMMITTEE REPORT 22-134, RELATING TO RESIDENTIAL DISTRICTS BE PASSED ON FIRST READING AND ORDERED TO PRINT. >> MEMBER PALTIN.\r\n\r\n>> THANK YOU, CHAIR. I MOVE TO ADOPT THE RECOMMENDATIONS IN COMMITTEE REPORT 22-134. >> SECOND. >> MOVED BY MEMBER PALTIN. SECONDED BY MEMBER KING TO APPROVE COMMITTEE REPORT 22-134. DISCUSSION, MEMBER PALTIN. >> THANK YOU, CHAIR. I HAVE A BRIEF ASF TO BE DISTRIBUTED TO THE MEMBERS. >> OKAY.\r\n\r\n>> THANK YOU. I MOVE TO AMEND THE CHART IN SECTION 19.08.050 OF BILL 97, CD 1 (2022) UNDER THE COLUMN ENTITLED "MEASUREMENT." FOR THE DESCRIPTION OF WALLS AND FENCES BY STRIKING SIX AND INSERTING SEVEN AS FOLLOWS: MAY NOT EXCEED 7' IN HEIGHT, AND THIS RETURNS IT TO WHAT IT IS NO PERMIT IS NEEDED UP TO 7', BUT THERE'S A PERMIT NEEDED ABOVE 7'. SO JUST PUTTING IT BACK TO WHERE IT WAS. I HAD WRONG INFORMATION IN COMMITTEE. SO JUST RETURNING IT TO CURRENT PRACTICE. SO THAT THERE'S NOT THAT DISCONNECT. >> MOTION TO AMEND. SECOND.\r\n\r\nMOVED BY MEMBER PALTIN AND SECONDED BY MEMBER JOHNSON. WHO? I'M SORRY. KING. >> I SECONDED. >> OKAY. ANY MORE DISCUSSION?\r\n\r\n>> NO MORE DISCUSSION ALL THOSE IN FAVOR OF THE AMENDMENT, RAISE YOUR HAND AND SAY AYE? >> AYE. >> NINE AYES, ZEROS NO, MOTION CARRIES. NOW THE MAIN MOTION AS AMENDED. >> THANK YOU, CHAIR. YOUR PLANNING AND SUSTAINABLE LAND USE COMMITTEE MET ON AUGUST 18TH, OCTOBER 6TH, 2022, AND DISCUSSED BILL 97 (2022) BILL 97'S PURPOSE IS TO CLARIFY PROVISIONS IN CHAPTER 19.04 AND 19.08, MAUI COUNTY CODE, REGARDING YARDS AND SETBACKS TO DEFINE CERTAIN TERMS SUBJECT TO MISINTERPRETATION. 3, INCREASE HOUSING OPTIONS AND SUSTAINABILITY, AND 4, CODIFY PRACTICES REGARDING RESIDENTIAL ZONING DISTRICTS.\r\n\r\nTHE MAUI-MOLOKA'I AND LANA'I PLANNING COMMISSIONS EACH RECOMMENDED APPROVAL OF BILL 97. YOUR COMMITTEE AGREED HAVING THE SAME YARD SETBACK REQUIREMENTS FOR SINGLE AND TWO-FAMILY DWELLING UNITS WOULD ENSURE CONSISTENCY. YOUR COMMITTEE ALSO AGREED THAT REDUCING THE MINIMUM LOT AREA DEVELOPMENT STANDARD MUST INCLUDE DEED RESTRICTION TO REQUIRE UNITS OWNER-OCCUPIED TO PREVENT OR LIMIT SPECULATION. YOUR COMMITTEE FURTHER AGREED TALLER FENCES AND WALLS COULD BE ALLOWED IN CERTAIN CASES, SUCH AS WITH APPROVAL OF THE BOARD OF VARIANCES AND APPEALS, OR THE DEPARTMENT OF PUBLIC WORKS. SO WE DON'T NEED THAT ANY MORE, BECAUSE NOW IT'S AT 7'. YOUR COMMITTEE ALSO DISCUSSED CONCERNS WITHIN EXISTING CODE PROVISION THAT REQUIRES CHURCHES TO ABSTAIN A SPECIAL USE PERMIT AND EXPRESSED SUPPORT FOR THE BILL, NOTING IT WOULD CODIFY CERTAIN RECOMMENDATIONS IN THE 2021 ASSESSMENT OF THE ZONING AND ENFORCEMENT DIVISION, WHICH WAS RECOMMENDED. YOUR COMMITTEE VOTED 6-0 TO RECOMMEND PASSAGE OF BILL 97 CD 1 (2022) I RESPECTFULLY ASK FOR COUNCIL MEMBERS' SUPPORT OF MY MOTION AS AMENDED. >> ANY MORE DISCUSSION? ALL THOSE IN FAVORITE MOTION, RAISE YOUR HAND AND SAY AYE?\r\n\r\n>> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. MR. CLERK. >> CHAIR, YOU HAVE BEFORE YOU COMMITTEE REPORT 22-135, RECOMMENDING THAT BILL 131, CD 1 (2022) ENTITLED, A BILL FOR AN ORDINANCE AMENDING SECTIONS, AND 19.37.010 MAUI COUNTY CODE RELATING TO TIME SHARE PLANS AND TRANSIENT UNITS" BE PASSED ON FIRST READING AND ORDERED TO PRINT. >> MEMBER PALTIN. >> THANK YOU, CHAIR.\r\n\r\nI MOVE TO ADOPT RECOMMENDATIONS IN COMMITTEE REPORT 22-135. >> SECOND. >> MOVED BY MEMBER PALTIN AND SECONDED BY MEMBER KING TO APPROVE COMMITTEE REPORT 22-135. DISCUSSION, MEMBER PALTIN. >> THANK YOU, CHAIR. YOUR PLANNING AND SUSTAINABLE LAND USE COMMITTEE MET ON NOVEMBER 3RD, 2022 TO DISCUSS BILL 131 (2022) AND PURPOSE IS TO AMEND THE COMPREHENSIVE ZONING ORDINANCE TO 1, CLARIFY THAT TEMPORAL-USE OWNERSHIP FALLS WITHIN THE DEFINITION OF

"TIME SHARE PLAN." AND 2, AMELIORATE LODGING CHALLENGES THAT HEALTH CARE PROVIDERS FACE BY EXCLUDING HEALTH CARE PROVIDERS FROM THE DEFINITION OF "TRANSIENT," AND 3, CLARIFY EXISTING CATEGORICAL EXCLUSIONS FROM THE DEFINITION OF "TRANSIENT." YOUR COMMITTEE NOTED THAT THE PLANNING DEPARTMENT'S PROPOSED AMENDMENTS TO INCREASE THE LENGTH OF STAY FOR TIME-SHARES FROM 60 TO 180 DAYS REVISED THE DEFINITION OF "TRANSIENT" TO INCLUDE LLCs AND SIMILAR ORGANIZATIONS THAT USE PROPERTIES FOR LESS THAN 180 DAYS INCLUDE THE TERMS "HEALTH CARE FACILITY," AND "HEALTH CARE PROVIDER," AND CLARIFY PROVISIONS FOR HEALTH CARE PROVIDER ACCOMMODATIONS IN THE DEFINITION OF "TRANSIENT." YOUR COMMITTEE AGREED TO REVISE BILL 131 TO DEFINE "HEALTH CARE FACILITY," TO INCLUDE CARE FACILITIES, DESIGNED SOLELY TO PROVIDE MEDICAL CARE BY A HEALTH CARE PROVIDER. THE BILL ALSO-MONTHS-OLD AN EXCEPTION FROM THE DEFINITION OF "TRANSIENT" FOR FULL-TIME STUDENTS AND TEMPORARY WORKERS HIRE BY CONSERVATION ORGANIZATIONS, AND FOR LODGING PROVIDED BY NON-PROFIT ORGANIZATIONS FOR MARINE RESEARCH PURPOSES, IF NO RENTAL INCOME IS PRODUCED. A DEPUTY CORPORATION COUNSEL CLARIFIES THE 60-DAY REFERENCE TO TIME-SHARE PLAN, CHAPTER 541E, HAWAI'I REVISED STATUTES DOES NOT RESTRICT THE COUNTY FROM IMPOSING A STRICTER DEFINITION FOR LAND USE PURPOSES, SUCH AS INCREASING THE DURATION TO 180 DAYS. YOUR COMMITTEE FURTHER AMENDED BILL 131 TO ADDRESS ENFORCEMENT ISSUES BY IMPLEMENTING ITS CURRENT PRACTICE OF RESPONDING TO COMPLAINTS SUBMITTED BY THE PUBLIC, AND WORKING WITH BOOKING PLATFORMS LIKE AIRBNB AND EXPEDIA THROUGH MEMORANDUM OF UNDERSTANDING.\r\n\r\nTHE BILL ENDS CHAPTER 19.37 TO INCLUDE ADVERTISING AND MARKETING IS PRIMA FACIE EVIDENCE OF TIME-SHARE PLAN AND TO RECOMMEND ON FIRST READING AND RESPECTFULLY ASK FOR MEMBERS' SUPPORT OF MY MOTION. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVORITE MOTION, RAISE YOUR HAND AND SAY AYE? >> NINE AYES, ZERO NOS, MOTION CARRIES. GOING BACK TO THE COMMITTEE REPORT 22-125. MR. CLERK. >> CHAIR.\r\n\r\n>> YOU ALREADY READ IT. SO VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I MOVE TO ADOPT THE RECOMMENDATIONS IN COMMITTEE REPORT 22-125. >> SECOND. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ. SECONDED BY MEMBER JOHNSON TO APPROVE COMMITTEE REPORT 22-125. DISCUSSION, VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR.\r\n\r\nYOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MET ON NOVEMBER 16TH, 2022 TO DISCUSS BILL 165 (2022) BILL 166 (2022) BILL 167, BILL 16 AND RESOLUTIONS 22-243. WHICH WOULD AMEND THE FISCAL YEAR 23 BUDGET APPENDIX C BOND BILL AND LAPSED BILL TO DECREASE BOND FUNDING AND INCREASE LANCED BOND YOU FUNDING BY \$10 MILLION FOR THE DEPARTMENT OF TRANSPORTATION, TRANSPORTATION BASEYARD PROJECT, AND AUTHORIZE ACQUISITION OF 12.49 ACRES IN KAHULUI, MAUI FOR BASEYARD AND MAINTENANCE FACILITY. YOUR COMMITTEE NOTES THESE FUNDS WILL PROVIDE FOR THE ACQUISITION OF THE PROPERTY AS WELL AS PLANNING AND DESIGN OF A COUNTY TRANSPORTATION BASEYARD FACILITY TO ACCOMMODATE A FLEET OF OVER 60 VEHICLES. YOUR COMMITTEE ALSO NOTES THAT THE COUNTY DOES NOT CURRENTLY OWN THE SITES WHERE THE BUSES ARE STORED. AND THE COUNTY IS NOT ELIGIBLE FOR EXTERNAL FUNDS FOR INSTALL ELECTRIC CHARGERS AS THESE FUNDS ARE LIMITED TO CHARGERS INSTALLED ON COUNTY-OWNED PROPERTY. YOUR COMMITTEE VOTED 7-0 TO RECOMMEND PASSAGE OF BILL 165, CD 1 (2022) BILL 166 (2022) BILL 167, CD 1 (2022) AND BILL 168 (2022) ON FIRST READING AND ADOPTION OF RESOLUTION 22-243. I RESPECTFULLY ASK FOR THE MEMBERS' CONTINUED SUPPORT OF THIS BILL. MAHALO. >> ANY MORE DISCUSSION?\r\n\r\nIF NOT, ALL THOSE IN FAVOR, RAISE YOUR HAND AND SAY AYE? >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. MR. CLERK. >> CHAIR, YOU HAVE BEFORE YOU ALSO FROM YOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE COMMITTEE REPORT

22-126. RECOMMENDING THE FOLLOWING: ONE, THAT BILL 185 CD 1 (2022) ENTITLED, A BILL FOR AN ORDINANCE AMENDING FISCAL YEAR 2023 BUDGET FOR COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES, DEPARTMENT OF PARKS AND RECREATION, LANA'I COMMUNICATE PLAN AREA, BOND FUND, LANA'I YOUTH CENTER AND SKATEPARK, TOTAL CAPITAL IMPROVEMENT PROJECTS APPROPRIATIONS, APPROPRIATIONS AND CAPITAL IMPROVEMENT PROJECTS" BE PASSED ON FIRST READING AND ORDERED TO PRINT. 2, THAT BILL 186 (2022) AMENDING FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO CIP CIPS, DEPARTMENT PARKS AND RECREATION, LANA'I COMMUNITY PLAN AREA, LANA'I YOUTH CENTER AND SKATEPARK" BE PACK OR PASSED ON FIRST READING AND ORDERED TO PRINT AND AMENDING ORDINANCE 5394, RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF KAUA'I SALE AND ISSUANCE OF SAID BONDS DEPARTMENT OF PARKS AND RECREATION BE PASSED ON FIRST READING AND ORDERED TO PRINT.\r\n\r\n>> VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I WILL ASK MY COMMITTEE VICE-CHAIR TO MAKE THE MOTION AND I WILL MAKE THE REPORT. >> MEMBER PALTIN. >> THANK YOU, CHAIR. I MOVE TO ADOPT THE RECOMMENDATIONS IN COMMITTEE REPORT 22-126. BOND BILL TO INCREASE APPROPRIATION FOR THE LANA'I YOUTH CENTER AND SKATEPARK BY \$5,168,000. YOUR COMMITTEE NOTES THAT THE BIDDER AGREED TO HOLD THEIR BID UNTIL JANUARY 8TH, 2023. AND THAT THE HIGH BID PRICE CAN BE ATTRIBUTED TO FACTORS, INCLUDING THE INCREASE IN MATERIAL COSTS, LACK OF CURRENT CONTRACTORS, LACK OF CONTRACTOR HOUSING ON LANA'I, AND THE COST TO GET AGGREGATE TO LANA'I. YOUR COMMITTEE ALSO NOTES THAT ALTHOUGH THE LANA'I YOUTH CENTER AND SKATEPARK IS INCLUDED AS ONE LINE ITEM IN THE FISCAL YEAR 2023 BUDGET, THEY ARE TWO SEPARATE PROJECTS. THE DEPARTMENT CONFIRMED THE SKATEPARK CAN PROCEED WITHOUT THESE ADDITIONAL FUNDS.\r\n\r\n\r\nYOUR COMMITTEE REQUESTED THE DEPARTMENT LOOK INTO THE POSSIBILITY OF CONSTRUCTING THE BUILDING TO ENHANCE HURRICANE PROTECTION AREA SHELTER STANDARDS. YOUR COMMITTEE VOTED 6-1 TO RECOMMEND PASSAGE OF BILL 185 THE, CD 1 (2022) BILL 18 (2022) AND BILL 187, CD 1 (2022) ON FIRST READING. YOUR COMMITTEE VOTED 6-1 AND I WAS THE ONE. I VOTED AGAINST THIS PROJECT, BECAUSE I AGREED WITH SOME OF THE DISCUSSION THAT TOOK PLACE IN COMMITTEE. THAT THE DESIGN WAS INITIALLY MUCH LARGER, AND THE INITIAL BID CAME IN ABOUT \$2 MILLION HIGHER. SO THEY SCALED BACK THE PROJECT, AND AFTER GOING BACK OUT TO BID, IT CAME OUT ANOTHER, SORRY, I DON'T HAVE THE NUMBERS RIGHT IN FRONT OF ME AT MOMENT BY ABOUT \$2-3 MILLION HIGHER. A PROJECT THAT WAS ESTIMATED TO COST \$3.2 MILLION IS NOW ABOUT \$9 MILLION, AND LANA'I CURRENTLY HAS A YOUTH CENTER.\r\n\r\n\r\nIF WE'RE GOING TO INVEST THIS KIND OF MONEY INTO A YOUTH CENTER, A COUNTY FACILITY THAT I AGREED WITH THE DISCUSSION THAT WE HAD IN COMMITTEE THAT PERHAPS IT SHOULD HAVE ENHANCED HURRICANE PROTECTION IN THAT FACILITY. SO THAT IT COULD SERVE MORE THAN ONE PURPOSE, AND POSSIBLY QUALIFY FOR FEDERAL FUNDING. THERE ISN'T A RUSH TO DO THIS PROJECT. WHEN THE PROJECT WENT OUT TO BID THE FIRST TIME IT WAS RIGHT WHEN THE PANDEMIC STARTED. AND THEN AS EVERYONE KNOWS, IT'S JUST NOT A GOOD TIME TO BUILD THINGS. ADDITIONALLY, THIS WILL BE BOND FUNDS, AND AS EVERYONE KNOWS, THE COSTS, THE INTEREST RATE IS INCREASING SUBSTANTIALLY. AND THAT I RECEIVED ADVICE FROM FINANCE DEPARTMENT IT'S NOT A GOOD TIME TO SECURE BONDS AT THIS TIME.\r\n\r\n\r\nTHE INTEREST RATE REGARDLESS OF OUR AA+ BOND RATING WILL NOT SECURE THE KIND OF LOW INTEREST RATES WE WERE ENJOYING IN THE LAST TWO YEARS, TWO TO THREE YEARS. SO FOR ALL THESE REASONS, I WILL BE VOTING AGAINST THIS. IT'S NOT TO KILL THE PROJECT. THE PROJECT WILL JUST NOT MOVE FORWARD IN PAYING \$9 MILLION FOR A SCALED-BACK, NOT HURRICANE-PROTECTED SHELTER STANDARD FACILITY. MAHALO, CHAIR. >> ANY MORE

MEETING, BUT I APPRECIATE THIS OPPORTUNITY. >> ANY MORE DISCUSSION? MR. MOLINA. >> THANK YOU, MADAM CHAIR.\r\n\r\nJUST DOVETAILING OFF OF MEMBER KING'S QUESTIONS TO MR. JOHNSON, REGARDING THE STRUCTURE ITSELF. IF I CAN ASK MR. JOHNSON. SO IT'S MADE OUT OF WOOD. HOW STRUCTURALLY SOUND IS IT? HOW LONG -- HOW MANY MORE YEARS IS IT GOOD FOR, BASICALLY?\r\n\r\nBECAUSE I WOULD HATE TO FIND OUT THIS THING IS TERMITE-RIDDEN AND IN A COUPLE OF YEARS, THINGS START FALLING APART. DID THE PARKS DEPARTMENT -- I CAN'T RECALL ALL THE DETAILS, BUT STRUCTURE-WISE, HOW MANY MORE YEARS BEFORE WE NEED A NEW STRUCTURE. >> MR. JOHNSON. >> THANK YOU, CHAIR. HONESTLY, I'M NOT SURE OF THAT ANSWER, COUNCIL MEMBER MOLINA. I KNOW THE COMMUNITY HAS BEEN ASKING FOR A YOUTH CENTER BEFORE MY TIME ON THE COUNCIL.\r\n\r\nI KNOW YOU MEMBERS HAVE BEEN COMING TO LANA'I PRIOR TO COVID. I REMEMBER THAT MEETING I WAS IN THAT MEETING AS A CITIZEN AND THE KIDS WERE ASKING FOR IT THEN, AND IT WAS PRIOR TO COVID BEFORE THE COUNCIL VISITED LANA'I. THOSE CHILDREN ARE GETTING OLDER AND NO LONGER CHILDREN ASKING FOR THE YOUTH CENTER AND SKATEPARK. THOSE THINGS THEY HAVE BEEN ASKING FOR MANY YEARS. WHATEVER IT WAS AT THAT POINT, WHERE THEY DID DECIDE THAT THEY WANTED IT THAT WAS T WAS BANGED UP THAT THEY WOULD ASK FOR ANOTHER ONE. IT HAS NOT GOTTEN ANY BETTER, BUT GOTTEN WORSE BECAUSE TIME HAS COME ON. MY COMMUNITY, AND I'M FIGHTING FOR THEM, THEY HAVE BEEN ASKING THIS FOR WHITE A WHILE THANK YOU. >> THANK YOU, MEMBER JOHNSON.\r\n\r\nTHANK YOU, MADAM CHAIR. >> ANYONE ELSE? PRO TEM KAMA? >> I HAVE A QUESTION FOR MEMBER JOHNSON. ON THE LANA'I YOUTH CENTER WEBSITE IT SAYS THE LANA'I YOUTH CENTER IS 501(C)(3) ORG ESTABLISHED IN 1998 TO PROVIDE SAFE PLACE ATMOSPHERE, SO ON AND SO FORTH. DOES THAT WHEN THE YOUTH CENTER WAS ACTUALLY BUILT? DO YOU KNOW?\r\n\r\n>> I DON'T REMEMBER WHEN IT WAS BUILT, BUT YOU SAID THERE WAS A DATE ON THERE? I COULDN'T HEAR YOU? >> 1998. >> 1998. WELL, I DON'T KNOW, IT'S DEFINITELY OLDER THAN 1998, BECAUSE WE MOVED OUR PLANTATIONS AROUND AND THEY PICK THEM UP AND MOVE THEM. SO I DON'T KNOW IF IT WAS MOVED OR NOT, BUT IT'S DEFINITELY OLDER THAN '98. >> THANK YOU. >> ANY MORE QUESTIONS? VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR FOR MY SECOND AND FINAL.\r\n\r\nI WAS ABLE TO PULL UP THE EXACT NUMBERS. LANA'I YOUTH CENTER PROJECT WAS APPROPRIATED \$3.2 MILLION IN FY'2020. THE PROJECT WENT OUT TO BID IN OCTOBER 2020. AND THE LOWEST QUALIFIED BID AT THE TIME WAS \$6.3 MILLION. AND THEN AS I STATED, THEY DOWN-SCALED AND YOU KNOW, WHEN THE DEPUTY DIRECTOR OF PARKS SHOWED US THE INITIAL DESIGN THAT WAS EXCITING. THAT WAS BEAUTIFUL, AND THEY ESTIMATED \$3.2 MILLION. AND THEN WHEN THEY WENT BACK, AND REDESIGNED TO MAKE EVERYTHING MORE COST EFFICIENT, IT LOOKS LIKE OUR COLLEGE, AND IT WAS KIND OF HEARTBREAKING, KIND OF. AND YOU KNOW, AS A MOLOKA'I RESIDENT, BORN AND RAISED, I KNOW HOW THAT FEELS TO GET COST-EFFICIENT STRUCTURES BECAUSE IT'S SO EXPENSIVE TO BUILD ON OUR ISLANDS. I GET IT.\r\n\r\nAND I'M NOT SAYING VOTE AGAINST THE CHILDREN. I'M NOT SAYING THAT WE'RE GOING KILL THIS PROJECT. I'M SAYING THERE'S A WAR RIGHT NOW IN UKRAINE, THAT IS CAUSING THE COST OF OIL TO BE VERY EXPENSIVE AS WE ALL EXPERIENCE AT THE PUMPS, THOSE WHO HAVE GASOLINE, BIODIESEL AND ELECTRIC, AND THAT WE'RE COMING OUT OF THE PANDEMIC. THERE'S A LOT OF SUPPLY-CHAIN ISSUES. THERE'S JUST A LOT OF THINGS THAT WE'RE STILL RECOVERING FROM. AND AT \$9 MILLION, IF IT HAS TO COST \$9 MILLION, THEN IF WE CAN GET FEDERAL FUNDING TO HELP US PAY FOR THAT COST, I THINK THAT WOULD BE REALLY BENEFICIAL. IF THE BID CAME IN AT \$9 MILLION, WE'LL TAKE OUT A LOAN FOR \$9 MILLION ON A HIGHER INTEREST RATE THAT WILL BE PAID OFF IN 30 YEARS SO THAT INTEREST RATE OF \$9 MILLION AND I CAN GRAB MY CALCULATOR AND CALCULATE IT OUT AND GET THAT INFORMATION, IT'S WELL OVER \$9 MILLION AND IT'S NOT EVEN A HURRICANE

SHELTER.\r\n\r\nFOR CONTEXT, THE FIRE STATION IS A FIRE STATION AND NOT A YOUTH CENTER. THAT IS JUST TO PUT EVERYTHING INTO CONTEXT, BECAUSE IT'S NOT THAT I DON'T SUPPORT A YOUTH CENTER. I WANT LANA'I TO HAVE A BEAUTIFUL YOUTH CENTER. THAT FIRST DESIGN, I WANT THAT ONE FOR LANA'I. I DON'T WANT THE SECOND ONE. AND IF WE CAN GET ONE THAT HAS -- THAT CAN SERVE AS A HURRICANE SHELTER, I THINK THAT WOULD BE EVEN BETTER FOR THE LANA'I COMMUNITY. IF IT BECOMES A HURRICANE SHELTER, JUST LIKE WE DID WITH THE ARTS, TO GET THEM TO ASSIST IN PAYING FOR THAT WELL OVER \$9 MILLION IT WILL COST. MAHALO, CHAIR.\r\n\r\n>> MEMBER JOHNSON. THANK YOU, CHAIR. SECOND AND FINAL. I WILL BE QUICK. SO WE ALL KNOW THE FACTS LANA'I. THERE'S VERY LITTLE THINGS THAT THE COUNTY HAS CONTROL OVER AND THAT IS WHAT I'M FIGHTING FOR IS THE IDEA THAT WE DON'T HAVE TO ASK THE BILLIONAIRE TO HELP US WITH THIS BECAUSE THEY OWN EVERYTHING ELSE. THAT IS WHY I'M GOING CHAMPION THIS, BECAUSE WE DON'T -- EVERYWHERE SURROUNDED IS OWNED BY SOMEONE ELSE AND THIS IS THE ONE THING THAT IS A COMMUNITY PARK FOR OUR KIDS, OUR YOUTH CENTER. IT'S GOING TO BE EXPENSIVE, BUT I KNOW WE HAVE BEEN WAITING AND WAITING AND I DON'T WANT TO HAVE ALL OF THIS OTHER CONSTRUCTION GOING ON AND THE KIDS COULDN'T GET ANYTHING.\r\n\r\nI JUST WANTED TO ADD TO THAT. THANK YOU, CHAIR. >> FOR MY DISCUSSION, I WANT TO SAY, I AGREE WITH YOU. ANYBODY ELSE? READY FOR THE VOTE? PRO TEM KAMA. YOUR MIC.\r\n\r\n>> THANK YOU. I'M READING IN NO. 1, THAT THE ESTIMATED REVENUES FOR THE BOND, LAPSED BOND ARE GOING TO INCREASE BY \$5,168,000 AND THIS IS ALSO AMENDING SECOND, 4.4A (2) TO THE DEPARTMENT OF PARKS FOR THE LANA'I COMMUNITY PLAN AREA. FOR THE BOND FUND INCREASING THE APPROPRIATION FOR THE YOUTH CENTER, AND THE SKATEPARK. SO IF I LOOK AT THIS \$5 MILLION, DO I KNOW HOW MUCH IS GOING TOWARDS THE SKATEPARK AND HOW MUCH IS GOING TOWARDS THE YOUTH CENTER? AND HOW MUCH, OR DO WE NOT KNOW THAT? >> VICE-CHAIR RAWLINS-FERNANDEZ.\r\n\r\n>> MAHALO, CHAIR. SO NONE OF THIS IS FOR THE SKATEPARK. THE SKATEPARK IS ALREADY MOVING FORWARD. THE BID WAS CLOSED. THE PROJECT SECURED. THIS IS ONLY FOR THE YOUTH CENTER. THE SKATEPARK WILL START CONSTRUCTION MID-NEXT YEAR, I BELIEVE.\r\n\r\nTHE FUNDING FOR THE SKATEPARK IS A SEPARATE THING. THIS IS ONLY FOR THE YOUTH CENTER. MAHALO, CHAIR. >> THANK YOU. I JUST WANT TO REMIND YOU, WE HAVE A HARD-STOP AT 4:30. ARE YOU READY FOR THE VOTE? ROLL CALL. >> CHAIR PROCEEDING WITH ROLL-CALL VOTE, COUNCIL MEMBER SHANE SINENCI?\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>> COUNCIL MEMBER TAMARA PALTIN? >> AYE. >> COUNCIL MEMBER YUKI LEI SUGIMURA? >> NO. >> PRESIDING OFFICER PRO TEMPORE TASHA KAMA? >> NO. >> COUNCIL VICE-CHAIR KEANI RAWLINS-FERNANDEZ?\r\n\r\n>> NO. >> AND COUNCIL CHAIR ALICE L. LEE? >> AYE. >> CHAIR, SIX AYES, THREE MONTHS, MOTION CARRIES. RESOLUTIONS. >> CHAIR, PROCEEDING WITH TESTIMONY ON RESOLUTIONS. THERE'S CURRENTLY ONE INDIVIDUAL SIGNED UP TO TESTIFY ON RESOLUTIONS.\r\n\r\nTHAT WOULD BE FAITH CHASE. >> MS. CHASE. WOULD YOU CALL HER AGAIN? >> YES. WE'RE TAKING TESTIMONY ON RESOLUTIONS NOW. FAITH CHASE, IT IS YOUR OPPORTUNITY TO TESTIFY.\r\n\r\nLAST CALL, YOU'RE MUTED ON YOUR END, IF YOU ARE TRYING TO SPEAK, WE CAN'T HEAR YOU. I REPEAT, LAST CALL FOR FAITH CHASE. >> SHE LEFT THE CALL. >> SHE JUST LEFT THE CALL. >> MEMBERS, ANY OBJECTIONS TO CLOSING TESTIMONY AND ACCEPTING WRITTEN TESTIMONY FOR RESOLUTIONS? >> NO OBJECTIONS. >> SO ORDERED.\r\n\r\nMR. CLERK. >> ER RESOLUTION 22-259 ENTITLEMENT," AUTHORIZING THE TRANSFER OF AN UNENCUMBERED APPROPRIATION BALANCE WITHIN THE DEPARTMENT OF PLANNING FISCAL YEAR 2023 BUDGET." COUNCIL VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR, I MOVE TO WAIVE

THE RULES OF COUNCIL. >> SECOND. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ. SECONDED BY MEMBER PALTIN TO WAIVE THE RULES OF THE COUNCIL REGARDING RESOLUTION 22-259. DISCUSSION, VICE-CHAIR RAWLINS-FERNANDEZ.\r\n\r\n>> MAHALO CHAIR, MEMBERS, THESE FUNDS ARE FOR PROFESSIONAL SERVICES RELATED TO THE WETLANDS OVERLAY, AND THIS IS TIME-SENSITIVE TO ENSURE THERE'S NO DELAY IN PROCURING THE SERVICES. MAHALO, CHAIR. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE. >> NINE AYES, ZERO NOES, MOTION CARRIES. VICE-CHAIR.\r\n\r\n>> CHAIR, APOLOGIES. I BELIEVE COUNCIL MEMBER SINENCI IS NOT PRESENT AT THE MOMENT. >> WE'LL TAKE THAT BACK AND SAY EIGHT AYES, ONE EXCUSED. AND MOTION CARRIES. VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO CHAIR. I MOVE TO ADOPT RESOLUTION 22-259. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ, SECOND BY PRO TEM KAMA TO ADOPTS RESOLUTION 22-259, DISCUSSION, VICE-CHAIR RAWLINS-FERNANDEZ.\r\n\r\n>> MAHALO, CHAIR. MEMBERS OF THE PURPOSE OF THIS RESOLUTION IS TO AUTHORIZE CHANGES OF UNENCUMBERED APPROPRIATION BALANCE IN THE DEPARTMENT OF PLANNING IN THE AMOUNT OF \$200,000 FROM ADMINISTRATION, AND PLANNING PROGRAMING CATEGORY A SALARIES FOR THE ADMINISTRATION AND PLANNING PROGRAM CATEGORY B, OPERATIONS AND EQUIPMENT FOR PROFESSIONAL SERVICES. THE TRANSFER OF THESE FUNDS WOULD ENABLE THE DEPARTMENT TO COMPLY WITH ORDINANCE 5421 RELATING TO THE WETLANDS OVERLAY. REPRESENTATIVES FROM THE ADMINISTRATION ARE AVAILABLE TO ANSWER ANY QUESTIONS FROM THE MEMBERS. MAHALO, CHAIR. >> ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE?\r\n\r\n>> SO THAT IS EIGHT AYES, ZERO NOS. ONE EXCUSED. MR. CLERK? >> YES, CHAIR. SO RECOMMENDED FOR REFERRAL TO THE COUNCIL CHAIR FOR THE 2023-2025 COUNCIL TERM ARE RESOLUTION 22-260, ENTITLED, " APPOINTMENTS TO THE EAST MAUI REGIONAL COMMUNITY BOARD." AND RESOLUTION 22-261 ENTITLED, "RELATING TO THE APPOINTMENT OF LAUREEN ANNE KANETA TO THE PUBLIC WORKS COMMISSION FOR THE COUNTY OF MAUI." >> ANY OBJECTIONS TO THE REFERRALS? VICE-CHAIR RAWLINS-FERNANDEZ?\r\n\r\n>> SORRY, YOU DIDN'T READ 22-262. OKAY, MAHALO, NO OBJECTIONS. >> ANY OBJECTIONS, MEMBERS TO 22-260 AND 22-261? MEMBER MOLINA. >> THANK YOU, MADAM CHAIR. FOR THE 22-261, I GUESS FOR POSTPONEMENT OF THIS RESOLUTION UNTIL THE DECEMBER 16TH COUNCIL MEETING. IF THERE'S NO OBJECTIONS? >> OKAY. GOING BACK A LITTLE, INSTEAD OF REFERRING BOTH ITEMS, WE'LL REFER 22-260, AND WE WILL TABLE RESOLUTION 22-261. >> YES, MADAM CHAIR.\r\n\r\n\r\nIF I WOULD BRIEFLY EXPLAIN. WHY WE DIDN'T HAVE TIME TO HEAR THIS ITEM IN COMMITTEE, THE 60-DAY DEADLINE FALLS ON DECEMBER 16 AND TO ALLOW THE COUNCIL MEMBERS TIME TO INTERVIEW THE NOMINEES BEFORE THE NEXT MEETING IF THEY CHOOSE TO DO SO. MY PREFERENCE IF WE COULD MOVE THIS TO THE NEXT COUNCIL MEETING FOR A FINAL DECISION-MAKING, AND MEMBERS CAN CHOOSE TO REACH OUT TO THE NOMINEE AS WELL. THANK YOU. >> MY OBJECTIONS? >> NO OBJECTIONS. >> YOU GOT 22-260 REFERRED AND 22-261 TO BE TABLED UNTIL THE NEXT COUNCIL MEETING.\r\n\r\n\r\nALL RIGHT, NEXT ITEM. >> CHAIR, YOU HAVE BEFORE YOU RESOLUTION 22-262 ENTITLED, "URGING THE COMMISSION ON WATER RESOURCE MANAGEMENT TO DENY THE REQUEST FOR CONTESTED-CASE BY MOLOKA'I PROPERTIES LIMITED AND TO FULLY RESTORE KAWELA STREAM, MOLOKA'I." >> VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I MOVE TO ADOPT RESOLUTION 22-262. >> SECOND. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ. SECOND BY PRO TEM KAMA TO ADOPT RESOLUTION 22-262. DISCUSSION, VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR.\r\n\r\n\r\nMEMBERS, THE PURPOSE OF THIS RESOLUTION IS TO URGE THE STATE'S COMMISSION ON WATER RESOURCE MANAGEMENT TO UPHOLD THEIR DECISION TO RESTORE FULLY RESTORE KAWELA STREAM ON MOLOKA'I, MOLOKA'I PROPERTIES LIMITED, WHICH HAS

DIVERTED THE STREAM FOR OVER A HUNDRED YEARS, REQUESTED A CONTESTED-CASE, WHICH HALTS THE STREAM'S RESTORATION. OUR ISLAND'S RESOURCES HAS BEEN MISUSED FOR FAR TOO LONG, AND IMMEDIATE RESTORATION IS ESSENTIAL. BECAUSE MOLOKA'I PROPERTIES LIMITED CAN FULFILL THEIR NEED FOR WATER, THERE IS NO NEED FOR THE STREAM TO BE DIVERTED. I WON'T BELABOR THIS, BECAUSE I KNOW MY MOLOKA'I COMMUNITY CAME OUT STRONG AND LARGE TO PASS THIS TODAY. I KNOW THERE WAS A QUESTION ABOUT THE TIME-SENSITIVITY. SO CWRM COULD TAKE THIS UP THIS MONTH, OR IT COULD TAKE IT UP EARLY NEXT YEAR. THE PROBLEM IS WE WOULD ONLY HAVE A WEEK NOTICE, AND SO IT'S GOING TO BE TAKEN UP EITHER THIS MONTH OR NEXT FEW MONTHS.\r\n\r\nSO THAT CWRM WILL UNDERSTAND THE POSITION OF THIS COUNCIL IN SUPPORTING THE MOLOKA'I COMMUNITY, WE SHOULD PASS IT TODAY. MAHALO, TODAY. >> ANY MORE DISCUSSION? PRO TEM KAMA? >> THANK YOU, CHAIR. ONE OF THE THINGS I BROUGHT UP WHEN SOME OF THE TESTIFIERS WERE SPEAKING IS IT SEEMS LIKE THERE'S THIS -- SEEMS LIKE PEOPLE KEEP VIOLATING WHAT THEY ARE BEING TOLD TO DO BY THE AGENCIES THAT ARE RESPONSIBLE. SO WE'RE GOING TO NOW URGE CWRM TO DO THIS AND I'M SURE THEY ARE GOING TO DO IT, BUT WHAT IS TO MAKE AND ENSURE THAT THAT MPL IS GOING TO DO WHAT THEY ARE SUPPOSED TO DO?\r\n\r\nI MEAN, SO THIS HAS HAPPENED OVER AND OVER AND NOT JUST ON MOLOKA'I, BUT ALL OVER. WHERE DO WE BEGIN TO SAY THIS IS WHAT YOU HAVE TO DO AN HOW DO WE ENSURE IT'S DONE? HOW MUCH URGENCY IN THIS DO WE NEED TO SAY, SO THAT WHOEVER IS SUPPOSED TO ENFORCE THIS ENSURES THAT IT GETS DONE? I THINK URGING IS GREAT, BUT HOW TO WE MAKE SURE THAT SOMEBODY ENSURES THAT IT ACTUALLY HAPPENS? THAT IS MY QUESTION. >> IT'S A STATE ISSUE, ACTUALLY. >> OUR PEOPLE LIVE HERE.\r\n\r\nI GET THAT. IT'S THE PEOPLE THAT LIVE HERE THAT ARE LOOKING TO US. WE'RE TO URGE THE STATE, BUT HOW DO WE URGE THEM TO ENFORCE WHAT THEY SAY? IT'S LIKE MOM TELLING ME, YOU CAN'T GO TO THE STORE, BUT I'M NOT GOING TO STOP YOU, IF YOU WALK OUT THE DOOR. I MEAN, THAT IS KIND OF LIKE WHAT IS HAPPENING. HOW DO WE AS POLICYMAKERS ENSURE THAT THE STATE WILL CONTINUE TO BE URGED -- I DON'T KNOW, INFLUENCED, OR -- >> SO THE NEXT TIME YOU RUN FOR STATE REPRESENTATIVE, THAT IS HOW WE CHANGE THINGS. ANYBODY ELSE?\r\n\r\nMEMBER KING, AND THEN VICE-CHAIR RAWLINS-FERNANDEZ. >> THANK YOU, CHAIR. JUST WANTED TO SPEAK IN FAVOR OF THIS. IT DOESN'T HAVE THE FORCE AND EFFECT OF LAW, URGING THE STATE, IF YOU WANT TO URGE BEYOND THE RESOLUTION, LOBBY YOUR STATE REPRESENTATIVES, STATE SENATES THAT ARE GETTING READY TO GO INTO SESSION AND NOW WOULD BE A GOOD TIME TO START TALKING WITH THEM. >> VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. AND MAHALO, PRO TEM KAMA FOR YOUR COMMENTS ON THAT, BECAUSE VERY APPROPRIATE.\r\n\r\nSO THIS PROCESS, THE CWRM DID MAKE A DECISION, AND MPL DID HAVE, I THINK, 60 OR 90 DAYS TO FILE A REQUEST FOR A CONTESTED-CASE HEARING. SO THIS IS THE PROCESS. BUT AFTER THE SUBMISSION, OR THE REQUEST FOR CONTESTED-CASE HEARING, AS I UNDERSTAND IT, NO STATUTE REQUIRING CWRM TO EITHER GRANT OR DENY THE REQUEST FOR CONTESTED-CASE HEARING. SO WE'RE HOPING THAT THEY'LL GRANT -- I'M SORRY, THAT THEY WILL DENY THE REQUEST FOR A CONTESTED-CASE HEARING, IN WHICH THEN THE ORDER OF RESTORING KAWELA STREAM WILL STAND THEIR EARLIER DECISION. AND HOW DO WE ENFORCE THAT? WELL, WITH THIS RESOLUTION, AND AS A COUNCIL MEMBER, AND THEN WORKING WITH OUR COUNTERPARTS AT THE LEGISLATURE, WORKING WITH WHOEVER THEN BECOMES EXECUTIVE DIRECTOR OF CWRM, AND THIS STAFF AT CWRM HAS BEEN INCREDIBLE AND I HOPE TO CONTINUE TO WORK WITH HIM IN THAT CAPACITY. BUT HAVING, WHEN THE NEW GOVERNOR NOMINATES THE PERSON TO SERVE IN THOSE DIFFERENT CAPACITIES THAT MAKE THOSE DECISIONS AND DO THE ENFORCEMENT, IT'S INCUMBENT UPON US TO ALSO TESTIFY AT THAT TIME, AND ASK THEM THOSE QUESTIONS, AND IMPRESS UPON THEM

THE IMPORTANCE OF ENFORCEMENT.\r\n\r\nMAHALO, CHAIR. >> PRO TEM KAMA. >> THANK YOU FOR THAT RESPONSE, MEMBER RAWLINS-FERNANDEZ. AND LET'S GO TO WORK. THANK YOU, CHAIR. >> ANY MORE COMMENTS? ALL RIGHT.\r\n\r\nALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND? WAIT A MINUTE, DO I NEED ROLL CALL? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. >> MAHALO, MEMBERS. >> WE HAVE A REQUEST FOR A FIVE-MINUTE BREAK.\r\n\r\nSO IT'S CURRENTLY 4:03. 4:08, MEETING IN RECESS [GAVEL] [GAVEL] >> WILL THE COUNCIL MEETING OF DECEMBER2ND, 2022, PLEASE RECONVENE. MR. CLERK. >> PROCEEDING WITH TESTIMONY ON BILLS. THERE'S CURRENTLY ONE INDIVIDUAL SIGNED UP TO TESTIFY ON BILLS. THAT IS FAITH CHASE. >> GOOD AFTERNOON, CHAIR LEE.\r\n\r\nGOOD AFTERNOON COUNCIL. I JUST WANTED TO EXTEND MY SUPPORT FOR BILL 170. THANK YOU COUNCIL MEMBER TASHA KAMA FOR BRINGING THIS FORWARD. I STILL HAVE QUESTIONS FROM THE AMERICAN RESCUE PLAN, BECAUSE WHAT I READ, IT DOESN'T EXTEND PAST THIS YEAR, BUT I COULD BE WRONG. THANK YOU FOR BILL 198. I'M IN SUPPORT OF IT FOR TREE PROTECTION AND WOULD LIKE TO SEE LANGUAGE IF AT THE END OF THE TREE IS REMOVED, IT'S REPLACED. I SPECIFICALLY WANT TO SPEAK HIGHLY OF 'AINA KUPUNA BILL 294 AND THANKS FOR EVERYBODY WHO SUPPORTED THIS. THESE WERE SOME EMOTIONAL TESTIMONIES TODAY AND INTERESTING COMMENTARY ABOUT AN UNFORTUNATE ADVANTAGE OR SOMETHING TO THAT EFFECT. THIS CAME UP IN THE HEALING SOLUTIONS FOR HOMELESS COMMISSION THE OTHER DAY AND ALSO RECOMMENDED TO DUAL REFERRAL OF THE GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE, AND AFFORDABLE HOUSING COMMITTEE THAT YOU CREATE WORKING GROUPS TO DEAL WITH INTERMEDIARY, INTERGOVERNMENTAL SITUATIONS WITH LAND COMMISSION AWARDS AND TAX MAP KEYS, WHICH WE ARE FINDING ARE NOT LEGAL BASED ON THE FACT THAT OUR YIELDED OUR COUNTRY AND NO ACTUAL OVERTHROW AND THIS BEING ATTENTIONED AS THE NEW BODIES TAKE OFFICE THIS COMING YEAR.\r\n\r\nI'M IN SUPPORT OF THE WORKFORCE HOUSING BILL 103. THANK YOU FOR THE PARKING 180. I LIKE THAT, TOO. I'M IN STRONG SUPPORT FOR THE CULTURAL OVERLAY. IT'S A BEAUTIFUL DAY AND YOU SHOULD BE ALL PROUD OF BILL 154 AND THE PROPERTY TAX CLASSIFICATION BILL 192. THANK YOU VERY MUCH. >> MR. CLERK. ANY MORE? QUESTIONS, MEMBERS?\r\n\r\nANY QUESTIONS? IF NOT, MR. CLERK, ANY MORE TESTIFIERS? >> CHAIR, THERE'S NO ONE ELSE SIGNED UP TO TESTIFY ON BILLS. SO WE'LL DO LAST CALL. IF THERE'S ANYONE ELSE THAT WOULD LIKE TO TESTIFY ON AGENDA SECTION N, BILLS, PLEASE IDENTIFY YOURSELF NOW. I REPEAT, LAX CALL.\r\n\r\n>> ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY FOR BILLS? >> NO OBJECTIONS. >> SO ORDERED. MR. CLERK. >> CHAIR, PROCEEDING WITH BILLS YOU HAVE BEFORE YOU BILL 170 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING TITLE 3, MAUI COUNTY CODE RELATING TO ESTABLISHING A DIVISION OF GRANTS RESEARCH AND WRIGHT UNDER THE DEPARTMENT OF MANAGEMENT ." PRO TEM KAMA. >> THANK YOU, CHAIR.\r\n\r\nIN THE INTEREST OF SAVING TIME, I WOULD LIKE TO MOVE TO FILE BILL 170. >> SECOND. >> MY OBJECTIONS TO FILING BILL 170? >> NO OBJECTIONS. >> IS THAT A MOTION? >> I MOVED TO FILE. >> SECONDED BY VICE-CHAIR RAWLINS-FERNANDEZ TO FILE BILL 170. ANY DISCUSSION? >> AT OUR APT MEETING LAST WEEK, THERE WAS MANY QUESTIONS AS OUR TESTIFIER MENTIONED TODAY, THERE'S MANY QUESTIONS THAT CAME UP, A LOT OF DISCUSSION, AND IT SEEMED LIKE WE PROBABLY NEED TO HAVE MORE DISCUSSION BACK IN COMMITTEE. SO I AM MOVING TO FILE IT AND WE'LL TAKE IT UP NEXT YEAR.\r\n\r\n>> CHAIR? >> YES? >> I THINK MAYBE THE APPROPRIATE MOTION, OR THE APPROPRIATE WOULD BE TO REFER THIS TO THE COUNCIL CHAIR, RATHER THAN -- IF YOU FILE IT, IT WOULDN'T GET REFERRED. >> DID SAY YOU ARE NOT READY FOR IT OR YOU WITH AN IT TO BE DISCUSSED BY ANOTHER COMMITTEE NEXT YEAR?

WHAT WOULD YOU LIKE? >> I WOULD WANT TO HAVE IT BROUGHT UP NEXT YEAR. >> OKAY, THEN YOU CHANGE YOUR MOTION TO REFER THIS TO THE COUNCIL CHAIR.\r\n\r\n>> OKAY. MOVE TO REFER TO COUNCIL CHAIR. THANK YOU. >> SECOND. >> THANK YOU, MEMBER RAWLINS-FERNANDEZ, AND MEMBER KING. THANK YOU. >> VERY GOOD.\r\n\r\nMOVED BY PRO TEM KAMA, SECONDED BY VICE-CHAIR RAWLINS-FERNANDEZ TO REFER BILL 198 TO -- I MEAN 170 TO COUNCIL CHAIR NEXT TERM. ALL THOSE IN FAVOR, RAISE YOUR HAND AND SAY AYE? >> AYE. >> IS IT NINE AYES? NINE AYES. >> I DON'T KNOW WHY MY VIDEO KEEPS GETTING TURNED OFF. >> OKAY.\r\n\r\nTHERE WE ARE. NINE AYES ZERO NOS, MOTION CARRIES BILL 198 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING CHAPTER 12.24 MAUI COUNTY CODE RELATING TO THE LANDSCAPE PLANTING PLAN ." >> NO OBJECTIONS. >> ALL RIGHT, NEXT BILL. >> CHAIR, JUST TO CONFIRM, THERE'S NO OBJECTIONS TO THAT REFERRAL. >> ANY OBJECTIONS TO REFERRING THIS? >> NO OBJECTIONS. >> TO THE NEXT TERM.\r\n\r\nOKAY. BILL 199. >> CHAIR, YOU BEFORE YOU BILL 199 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE DEPARTMENT OF FIRE AND PUBLIC SAFETY, ADMINISTRATION PROGRAM OCEAN SAFETY PROGRAM." >> VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. IN THE INTEREST OF TIME, IF THERE ARE NO OBJECTIONS, MAY I REQUEST ALL THE BILLS UNTIL BILL 202 BE CALLED UP. >> 202, OR 203? >> 202. NO, 203. SORRY. >> OKAY, 203. >> NO OBJECTIONS. >> THANK YOU, MR.\r\n\r\nMOLINA. >> CHAIR, YOU ALSO HAVE BEFORE YOU BILL 200 (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, COUNTYWIDE PARKS AND RECREATION GENERAL FUND, COUNTYWIDE PARK FACILITY WAILUKU-KAHULUI COMMUNITY PLAN AREA, PARKS AND RECREATION BOND FUND, VELMA MCWAYNE SANTOS CENTER IMPROVEMENTS AND GENERAL FUND LIHIKAI SCHOOL PARK SITE IMPROVEMENTS TOTAL CAPITAL IMPROVEMENT PROJECTS PROMOTE APPROPRIATIONS, TOTAL APPROPRIATIONS OPERATING AND CAPITAL IMPROVEMENT PROJECTS ." BILL 201 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING THE FY'2023 BUDGET FOR THE COUNTY OF MAUI AS PERTAINS TO APPENDIX C, CAPITAL IMPROVEMENT PROJECTS DEPARTMENT PARKS AND RECREATION, COUNTYWIDE COUNTYWIDE PARKS FACILITIES WAILUKU-KAHULUI COMMUNITY PLAN AREA, LIHIKAI SCHOOL PARK SITE IMPROVEMENTS VERY WELL MA MCKANE SAN ANTONIO CENTER IMPROVEMENTS ." BILL 202 (2022) ENTITLED, "A BILL FOR AN ORDINANCE RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BOND OF THE COUNTY OF MAUI ISSUANCE, SALE AND DELIVERY OF SAID BONDS DEPARTMENT OF PARKS AND RECREATION." AND BILL 203 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING THE 2023 BUDGET FOR COUNTY OF MAUI AS IT PERTAINS TO TOTAL APPROPRIATIONS, APPROPRIATIONS AND CAPITAL IMPROVEMENT PROJECTS ." >> VICE-CHAIR RAWLINS-FERNANDEZ >> MAHALO, CHAIR. I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT FOR BILL 199 (2022) BILL 200, 201,202, AND BILL 203 (2022) IN ACCORDANCE OF RULE 7G OF RULES OF THE COUNCIL. >> SECOND. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ. SECOND BY MEMBER KING, TO WAIVE THE RULES OF COUNCIL, REGARDING BILLS 200, 201,202, 203 DISCUSSION VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR, MEMBERS BILL 199 IS TIME-SENSITIVE TO ENGAGE THE DEPARTMENT TO MAKE A REQUESTED ADJUSTMENTS AS SOON AS POSSIBLE.\r\n\r\nBILL 201, AND 202 ARE NECESSARY TO IT ALLOW THE PROJECTS TO CONTINUE TO MOVE FORWARD. BILL 203 WOULD PROVIDE A PORTION OF THE EXPENDITURES REQUIRED UNDER THE ARBITRATION DECISION INVOLVING TEMPORARY HAZARD PAY FOR HAWAI'I. AND PASSAGE TODAY WILL INVOLVE THE COUNTY TO PROCEED AS QUICKLY AS POSSIBLE. >> ANY MORE DISCUSSION? MEMBER PALTIN THIS IS ON THE WAIVER. >> OKAY. NEVER MIND. >> OKAY.\r\n\r\nI LIKE THOSE

TECHNICAL TERMS, NEVER MIND. ALL RIGHT. ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I MOVE TO PASS BILL 199 (2022) BILL 200, BILL 201, BILL 202 AND BILL 203 ON FIRST READING.\r\n\r\n>> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ AND SECOND BY PRO TEM KAMA TO MOVE THE STATED BILLS ON FIRST READING. ANY DISCUSSION? VICE-CHAIR RAWLINS-FERNANDEZ? >> MAHALO, CHAIR. MEMBERS, THE PUNISH OF THE BILL 199 IS TO AMEND THE FISCAL YEAR 2023 BUDGET DEPARTMENT OF FIRE AND PUBLIC SAFETY BY INCREASING THE APPROPRIATION FOR OCEAN SAFETY PROGRAM BY \$62,062, AND ONE EQUIVALENT PERSONNEL BY AMENDING THE ADMINISTRATION PROGRAM BY THE SAME AMOUNT, AND EPI. THIS AMENDMENT WOULD TRANSFER BATTALION CHIEF POSITION, WHICH IS CURRENTLY FILLED BY A FIREFIGHTER FROM THE OCEAN SAFETY PROGRAM TO THE ADMINISTRATION PROGRAM AND WOULD ALLOW THE DEPARTMENT TO CREATE A CHIEF POSITION THAT WAS FUNDED IN THE FY'2023 BUDGET. BILLS 200, 201, AND 202 THE PURPOSE OF THOSE BILLS IS IT AMEND FISCAL YEAR 2023 BUDGET BUDGET APPENDIX C AND BOND BILL TO APPROPRIATE AN ADDITIONAL \$1,855,000 IN BOND FUNDING FOR THE DEPARTMENT OF PARKS AND RECREATION.\r\n\r\n\r\nCAPITAL IMPROVEMENT PROJECTS, THEY WOULD INCREASE APPROPRIATION FOR COUNTYWIDE PARKS FACILITIES BY \$346,000 FOR VELMA MCWAYNE SANTOS CENTER BY \$855,000 AND ADD PROJECT DESCRIPTION FOR LIHIKAI PARK SITE IMPROVEMENT FOR \$645,000. BASED ON BID RESULTS FOR THE LIHIKAI SCHOOL PARK SITE IMPROVEMENTS AND VELMA MCWAYNE SANTOS CENTER IMPROVEMENTS ADDITIONAL FUNDING IS NEEDED TO ENCUMBER A CONTRACT. A COPY OF THE BID RESULTS WAS TRANSMITTED WITH THESE BILLS. THE DEPARTMENT, HAS ALSO THE APPROPRIATION FOR COUNTYWIDE PARK FACILITIES TO SUPPLEMENT ANY UNFORESEEN INCREASES DUE ONGOING CAPITAL IMPROVEMENT PROJECTS FOR THE DEPARTMENT. AND FOR BILL 203, THIS BILL IS TO AMEND FISCAL YEAR 2023 BUDGET PBY AMENDING ESTIMATED REVENUES FOR CARRY-OVER SAVINGS FROM THE GENERAL FUND BY \$10 MILLION, AND APPROPRIATING THE FUNDS TO THE DEPARTMENT OF FINANCE COUNTYWIDE COSTS TEMPORARY HAZARD PAY RELATED TO COVID-19 GRIEVANCES. CERTIFICATION OF ADDITIONAL REVENUES WAS TRANSMITTED WITH THIS BILL, EXPENDITURES FOR THE UNITED PUBLIC WORKS EMPLOYEES WERE MADE FROM THIS FUND AS STATED. THE ADDITIONAL FUNDS WOULD PROVIDE A PORTION OF THE EXPENDITURE REQUIRED FOR HGEA MEMBERS. AND FOR ALL OF THESE BILLS, REPRESENTATIVES FROM THE ADMINISTRATION ARE AVAILABLE TO ANSWER ANY OF THE MEMBERS' QUESTIONS.\r\n\r\n\r\nMAHALO, CHAIR. >> MEMBER PALTIN. >> THANK YOU. I AM IN FULL SUPPORT OF BILL 203. MANY OF OUR HGEA UNIT MEMBERS DIDN'T SIGN UP TO BE IN HAZARDOUS POSITIONS, AND I FULLY SUPPORT COMPENSATING THEM FOR THEIR WORK DURING THE PANDEMIC. AMONG THEM OCEAN SAFETY, WHO CAN'T WEAR MASKS IN THE OCEAN, TO PULL PEOPLE OUT AND WHAT NOT. AS FOR BILL 199, I JUST WANTED TO CORRECT THE STATEMENT BEFORE THE BILL THAT SAYS, "THE BATTALION CHIEF POSITION IS CURRENTLY FILLED BY A FIREFIGHTER." IT'S INTENDED TO BE FILLED BY A FIREFIGHTER. BUT IT'S BEEN VACANT SINCE CHIEF TC MOVED TO BECOME AN ASSISTANT CHIEF WHEN CHIEF VENTURA TOOK OVER.\r\n\r\n\r\nAND THE OCEAN SAFETY BUREAU CHIEF HAS NOT BEEN DESCRIBED YET. SO THERE'S TWO VACANCIES AT THE TOP OF OCEAN SAFETY, AND MANY VACANCIES THROUGHOUT. SO I DID SPEAK WITH YOSHIMURA BEFORE SECOND READING TO PROVIDE US WITH ANSWERS TO THE QUESTIONS THAT WE HAD DURING BUDGET. AND I WOULD URGE THE ADMINISTRATION TO RECEIVE MY SUPPORT AT SECOND READING TO PLEASE WORK WITH PERSONNEL, AND THE MD'S OFFICE TO FINISH THE BUREAU CHIEF DESCRIPTION AND FILL THAT POSITION AS SOON AS POSSIBLE. IF WE'RE WORKING WITH YOU TO MOVE THESE MONIES TO DO WHAT YOU NEED, PLEASE DO WHAT OCEAN SAFETY NEEDS TO HIRE THEIR HEAD PERSON. BECAUSE THE TOP TWO POSITIONS HAVE BEEN VACANT FOR A VERY, VERY LONG

TIME, AND THAT IS AFFECTING THINGS. THANK YOU.\r\n\r\n>> ANYBODY ELSE?
VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I MOVE TO AMEND MY MOTION
TO INCLUDE BILL 204, IF WE CAN CALL THAT UP? >> MR. CLERK. >> BILL FOR AN
ORDINANCE AMENDING CHAPTER 3.48.361 MAUI COUNTY CODE RELATING TO REAL
PROPERTY DEDICATED AS 'AINA KUPUNA AND WE HAVE A HARD-STOP AT 4:30
SECOND.\r\n\r\n>> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ. SECOND BY MEMBER
KAMA TO INCLUDE BILL 204 IN THE MOTION. >> CHAIR, SORRY, TO INCLUDE THE
WAIVER OF RULE 7G OF THE RULES OF THE COUNCIL. >> SO FIRST, THE WAIVER.
>> SECOND. >> ALL THOSE IN FAVOR, RAISE YOUR HAND AND SAY AYE? >>
AYE.\r\n\r\n>> OKAY. MOTION CARRIES. AND NOW TO INCLUDE IN THE PASSED ON
FIRST READING, VICE-CHAIR, ANY DISCUSSION ON THAT? >> NO DISCUSSION. >>
READY TO VOTE EVERYBODY? >> AYE. >> ALL THOSE IN FAVOR, SAY AYE, RAISE
YOUR HAND?\r\n\r\n>> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. >>
CHAIR? >> YES. >> APOLOGIES JUST TO CLARIFY, WHAT WAS JUST VOTED ON? WAS
THAT TO VOTE ON AMENDMENT TO INCLUDE BILL 204 AND MOTION TO AMEND IT? >>
CORRECT.\r\n\r\n>> THANK YOU. >> AND THE WAIVER, TOO. ANY MORE DISCUSSION
ON ALL VICE-CHAIR RAWLINS-FERNANDEZ? >> REALLY QUICKLY, THE PURPOSE OF
THAT BILL IS TO DECREASE THE CRITERIA FOR QUALIFICATION FOR AINA KUPUNA
DEDICATION FOR \$50,000 TEN YEARS TO \$10,000 OVER TEN YEARS. MAHALO,
CHAIR. >> ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE?
>> AYE.\r\n\r\n>> FOR ALL OF THOSE BILLS. OKAY. NINE AYES, ZERO NOS,
MOTION CARRIES. WE DO HAVE A HARD-STOP, BUT I WILL TELL YOU, IS THERE ANY
OTHER BILL THAT HAS TO PASS TODAY? >> CHAIR? >> THAT HAS TO -- IT HAS A
REAL-LIFE >> TIME-SENSITIVE FOR BILL 154, CHAIR. >> 154 IS CAN YOU TELL
US WHAT THE TIME-SENSITIVITY IS ON THAT BILL?\r\n\r\n>> MAHALO, CHAIR. WE
HAVE DR. SIX HERE TODAY TO ANSWER ANY QUESTIONS, IF THE MEMBERS MIGHT
HAVE, AND I BELIEVE SHE IS GOING TO BE DOING -- SHE IS OUT NEXT WEEK
DOING SOME REVIEWS ON PROJECTS. >> DR. SIX, ARE YOU ON THE CALL? >> IF WE
CAN GET THE MAP TO IMPLEMENT AND START WITH THAT PROCESS, CHAIR. >> WE
TALKED ABOUT EARLIER ABOUT TIME-SENSITIVE ITEMS THAT ARE BONA FIDE TIME-
SENSITIVE ITEMS . MEMBER JOHNSON.\r\n\r\n>> IF YOU WOULD ALLOW, I WOULD
LIKE TO BRING ON CORPORATION COUNSEL RICHELLE TO SPEAK TO THE TIME-
SENSITIVE ON THE LANA'I AG PARK. >> CHAIR? >> THE ONE THAT WE PASSED? >>
ON THE AG PARK. >> ON THE AG PARK. >> OH, OKAY. RIGHT AFTER WE FINISH
WITH -- WE HAVE TO -- WE'RE TALKING ABOUT TIME-SENSITIVE ITEMS THAT MUST
BE PASSED TODAY, BECAUSE THERE IS SOME KIND OF TIME REQUIREMENT, OR
RESTRICTION.\r\n\r\n>> NOW WE NEED TO KNOW WHAT IS THE TIME CONSTRAINTS OR
DEADLINE FOR THE OVERLAY DISTRICT? >> JUST SO YOU KNOW, IF YOU CAN HEAR
ME, THIS IS DR. SIX AND I CAN UNMUTE FINALLY. >> OKAY. PLEASE PROCEED
WOULD YOU PROCEED? >> YOU WANT ME TO PROCEED? I THOUGHT I WAS HERE AS A
RESOURCE.\r\n\r\n>> DOES ANYONE HAVE QUESTIONS FOR ME REGARDING THE CULTURAL
OVERLAY? >> I GUESS YOU DIDN'T HEAR THE QUESTION THAT WAS POSED TO YOU
EARLIER, WHEN WE THOUGHT YOU WERE ON THE CALL. >> I HAVE BEEN ON THE
CALL. I JUST COULDN'T UNMUTE. SORRY. >> SO THE QUESTION IS WHAT IS THE
TIME-SENSITIVE NATURE OF THE OVERLAY BILL, CULTURAL OVERLAY BILL? >> YOU
ARE ASKING ME?\r\n\r\n>> DR. SIX? >> YES >> COUNCIL MEMBER SINENCI, I THINK
IT'S BASICALLY, I HAVE BEEN HERE ALL TODAY WAITING TO PROVIDE TESTIMONY.
SO I MAY NOT BE AVAILABLE AT THE NEXT MEETING. SO I THINK THAT WAS THE
TIME-SENSITIVITY, AS WELL AS WE HAVE BEEN WORKING ON IT FOR A COUPLE OF
YEARS, BUT I WOULD HAVE TO DEFER TO COUNCIL MEMBER SINENCI. >> COUNCIL
MEMBER SINENCI. >> THAT'S CORRECT, CHAIR.\r\n\r\n>> AND I BELIEVE DR. SIX
ANTICIPATES MORE SITE VISITS. SO SHE WOULDN'T BE AVAILABLE AND JUST TO
GET THE MAPPING WE'RE ON A TIGHT SCHEDULE TO GET THE MAPPING. >> ALL
RIGHT. PRO TEM KAMA. >> A COUPLE OF THINGS CHAIR. ONE, I NEED TO LEAVE,

BECAUSE MY CHILD-CARE GIVER, I NEED TO GO HOME.\r\n\r\nTHE SECOND THING, SO I'M GOING TO HAVE TO LEAVE, BUT COULD WE DO A PUBLIC HEARING ON THIS ISSUE? ONLY BECAUSE I FEEL LIKE WE HAVE MORE PEOPLE -- [INAUDIBLE] >> THERE'S A REQUEST FOR A PUBLIC HEARING. YES, MEMBER SUGIMURA? >> AGREED. SECOND. >> OKAY. IN THE INTEREST OF TIME, I WILL BE THE THIRD PERSON AND I WILL SCHEDULE A PUBLIC HEARING ON THIS OVERLAY DISTRICT.\r\n\r\nNOW GETTING BACK TO THE LANA'I MATTER. >> OKAY. THIS WOULD REQUIRE TWO READINGS; RIGHT? SO THIS IS THE FIRST READING. SECOND READING WE ONLY HAVE ONE OTHER TIME, THAT IS THE 16TH, I BELIEVE. IS THAT RIGHT, THE 16TH, THE SECOND. IN ORDER FOR US TO DO IT TODAY, IT WOULD ALLOW FIRST READING AND SECOND READING ON THE 16TH AND THAT WOULD BE IT.\r\n\r\n>> NOT THAT TIME-SENSITIVITY. WHAT IS THE OTHER -- >> SURE. THE OTHER TIME-SENSITIVITY IS WHAT CORPS COUNSEL BROUGHT UP. WE HAVE SIX MONTHS AND THAT IS APRIL -- THAT IS APRIL WHEN THE DEADLINE IS DUE. TO MAYBE CORPORATION COUNSEL CAN SPEAK ON THEIR END OF IT WHAT THEY NEED TO GET THEIR DUCKS IN A ROW. >> CORPORATION COUNSEL. >> THANK YOU, CHAIR.\r\n\r\nI MISSPOKE. IT'S MAY 10TH OF '23. SO A COUPLE OF WEEKS OFF THERE. SO FROM YOUR APPROVAL, THEN OUR DEPARTMENT WOULD WORK WITH THE DEPARTMENT OF AG TO MAKE SURE THAT THEY UNDERSTAND ALL OF THE OBLIGATIONS IN THE PROPOSED LEASE, SINCE WE WOULD BE TAKING IT OVER BASICALLY VERBATIM. >> SO DO WE NEED TO COMPLETE THE WHOLE TRANSACTION BY MAY? >> RIGHT. SO IF THE NEXT COUNCIL, THE NEXT TERM, IF THE SECOND READING OCCURRED FAIRLY QUICKLY, DOESN'T HOLD UP THE DEPARTMENT FROM MOVING FORWARD, AND LOOKING AT THE LEASE, AND LOOKING AT ANY POTENTIAL ISSUES THERE. SO THAT THEY COULD REPORT-BACK TO YOU, EITHER NEXT COUNCIL MEETING, ON THE 16TH, OR IN THE NEXT TERM.\r\n\r\n>> I'M OKAY WITH IT. I KNOW COUNCIL MEMBER SINENCI HAD HIS HAND UP ABOUT HIS PREVIOUS TOPIC AND I DIDN'T WANT TO CUT HIM OFF. I'M OKAY WITHHOLDING OFF ON THAT. >> OKAY. MR. SINENCI. >> THANK YOU, CHAIR.\r\n\r\nJUST A QUESTION FOR MR. RAATZ, WHAT IS THE PROCESS ON THE PUBLIC HEARING, AND CAN WE GO AHEAD AND SET THAT DATE TODAY? AND MY OTHER QUESTION, WHAT HAPPENS TO ALL OF THE ITEMS THAT WE STILL HAVEN'T GOTTEN TO, CHAIR? >> IT WOULD BE CARRIED OVER TO THE 16TH. THE NEXT COUNCIL MEETING. >> OKAY. SO INCLUDING APT BILL 154? >> IT'S POSSIBLE, YES.\r\n\r\n>> CAN WE GO AHEAD AND SET THE PUBLIC HEARING DATE TODAY? >> WE CAN'T. WHAT HAPPENS IS THAT WE HAVE TO INSTEAD OF JUST A SIX-DAY POSTING, WE ALSO HAVE THE MAUI NEWS TO DEAL WITH, WHICH REQUIRES USUALLY ABOUT A TEN-DAY WINDOW. AND THEN DEPENDING ON WHEN THAT PUBLIC HEARING IS GOING TO BE SCHEDULED, I THEN HAVE TO DO POLLING. SO THERE'S A LOT OF LOGISTICAL THINGS THAT WE HAVE TO DO FIRST, BEFORE WE CAN PINPOINT WHEN HAD A DATE FOR PUBLIC HEARING CAN BE. >> OKAY, CHAIR. I MEAN, SINCE WE HAVE GOT ALL OF THE MEMBERS HERE, CAN WE GO AHEAD AND SET THE DATE FOR DECEMBER 16TH, BEFORE THE NEXT COUNCIL MEETING? THAT WILL GIVE US.\r\n\r\n>> YOU WANT THE PUBLIC HEARING FOR DECEMBER 16TH? >> IF THERE'S NO OBJECTIONS. >> WE CAN TRY THAT. >> YES, BECAUSE EVERYONE IS GOING TO BE AVAILABLE, CHAIR. >> YES. ALL RIGHT. WE'LL SHOOT FOR THAT.\r\n\r\nTHAT GIVES US A LOT OF TIME TO WORK OUT THE DETAILS. AND SUFFICIENT TIME. YES, TODAY'S IS THE 2ND. SO WE HAVE MORE THAN TEN DAYS TO WORK WITH THE MAUI NEWS. >> OKAY. THANK YOU, CHAIR. >> ANY OBJECTIONS, TO HOLDING THE PUBLIC HEARING ON DECEMBER 16TH?\r\n\r\n>> PRIOR TO THAT COUNCIL MEETING, YES, CHAIR. >> YOU MEAN IN THE MORNING? >> YES. >> OR CONCURRENT, YOU MEAN? >> CONCURRENT WITH THE COUNCIL MEETING. >> NO OBJECTIONS. >> WE'RE GOING TO BE HERE ALL NIGHT ANYWAY.\r\n\r\nALL RIGHT. >> WE'RE GOING TO GO OUT WITH A BANG. >> WE'RE GOING TO BRING OR PAJAMAS. DID I SEE SOMEBODY ELSE'S HAND UP? MEMBER MOLINA. >> MY QUESTION WAS ANSWERED ABOUT THE TIME OF THE PUBLIC HEARING. BECAUSE WE HAVE HAD

PUBLIC HEARINGS IN THE EVENING, BUT IN THIS CASE, I GUESS THE BODY WANTS TO DO IT IN THE MORNING, I ASSUME 9:00, UNTIL WHAT?\r\n\r\n10:00, WHEN THE COUNCIL MEETING COUNTS. THAT WAS MY QUESTION, IF IT'S A MORNING PUBLIC HEARING OR EVENING PUBLIC HEARING, LIKE THE NIGHT BEFORE? IF IT'S THE SAME DATE AS THE COUNCIL MEETING, NO OBJECTIONS. >> PROBABLY BEFORE THE COUNCIL MEETING. SAME DAY. 9:00 A.M. BUT PUBLIC HEARING FIRST, AND THEN THE COUNCIL MEETING. >> WE HAVE DONE THAT IN PAST, CORRECT CHAIR?\r\n\r\n>> YES. >> MAHALO. >> I SAW MEMBER JOHNSON'S HAND UP. >> DOESN'T THIS BILL REQUIRE FIRST READING TODAY? NO? OH, OKAY. ALL RIGHT.\r\n\r\nNEVER MIND. THANK YOU, CHAIR. >> OKAY. I'M GOING TO ADJOURN, IF YOU DON'T SAY SOMETHING. >> CHAIR? >> YES. >> CAN I JUST DO A FORMAL LAST CALL, MY UNDERSTANDING IS THAT WE NEED TO ENSURE THERE'S NO TESTIFIERS BEFORE YOU TABLE THE REMAINING ITEMS TO THE NEXT MEETING AND ADJOURN.\r\n\r\nI WILL DO A LAST CALL FOR ANY REMAINING ITEMS ON THE AGENDA. IF THERE'S ANYBODY TO TESTIFY, PLEASE IDENTIFY YOURSELF NOW. WE DON'T HAVE ANYBODY SIGNED UP, BUT IF YOU WISH TO TESTIFY, PLEASE IDENTIFY YOURSELF NOW. I REPEAT, LAST CALL. NO ONE HAS IDENTIFIED THEMSELVES, CHAIR. >> ALL RIGHT. MEMBERS, READY TO ADJOURN?\r\n\r\nVICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO CHAIR,. SO THE ITEMS ON SECOND AND FINAL, AND UNFINISHED BUSINESS WOULD AUTOMATICALLY BE TABLED FOR THE NEXT AGENDA. >> YES. >> JUST CONFIRMING. MAHALO, CHAIR. >> YES, ANY UNFINISHED BUSINESS WILL BE CARRIED TO THE NEXT COUNCIL MEETING. >> THAT ALSO INCLUDES BILL 205, CHAIR.\r\n\r\n>> WELL, YES. THAT IS NOT TIME-SENSITIVE; RIGHT? >> THAT IS JUST THE LAST BILL THAT REMAINS. >> WAS THAT TIME-SENSITIVE? >> THAT IS THE LANA'I AGRICULTURAL PARK, I BELIEVE. >> OKAY. ALL RIGHT.\r\n\r\nREADY TO -- THAT TAKES CARE OF BUSINESS THEN, MR. CLERK? >> YES. OUR UNDERSTANDING IS ALL REMAINING ITEMS WILL BE TABLED TO -- POSTPONED TO THE DECEMBER 16TH COUNCIL MEETING. >> MEMBERS, THANK YOU VERY MUCH. HAVE A GREAT WEEKEND. THIS MEETING IS ADJOURNED.\r\n\r\n[GAVEL]