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OFFICE OF THE  
COUNTY CLERK

## **COUNCIL OF THE COUNTY OF MAUI**

### **AGENDA**

Regular Meeting of April 5, 2024  
9:00 a.m.

Meeting Site: Online via Teams: <http://tinyurl.com/2p9zhjr2>

Phone testimony: 1-808-977-4067, code 234 794 559#  
In-Person Testimony and Viewing: Council Chamber, Kalana O Maui Building, 8<sup>th</sup> Floor,  
200 South High Street, Wailuku, Hawai'i

Courtesy Live Broadcast:  
Akakū – Maui Community Media, Channel 53

#### **COURTESY TESTIMONY SITES – COUNCIL RESIDENCY AREA OFFICES:**

East Maui: Hāna Cultural Center & Museum, 4974 Uakea Road, Hāna, (808) 248-7513

South Maui: MEDB Building, 1304 North Holopono St., Ste. 9, Kihei, (808) 793-0012

Moloka'i: Moloka'i District Complex, 100 Ainoa Street, Kaunakakai, (808) 553-3888

Lāna'i: 841 Fraser Avenue, Lāna'i City, (808) 565-7094

Makawao-Ha'ikū-Pā'ia: Heritage Hall, 401 Baldwin Ave., Ste. 102, Pā'ia, (808) 793-0099

Subject to change and staffing availability without notice. Visit [mauicounty.us](http://mauicounty.us) for more information.

website: <http://co.maui.hi.us/Archive.aspx?AMID=226>

e-mail: [county.clerk@mauicounty.us](mailto:county.clerk@mauicounty.us)

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**A. ROLL CALL****B. OPENING REMARKS:**

COUNCIL CHAIR ALICE LEE

**C. PLEDGE OF ALLEGIANCE****D. TESTIMONY ON CEREMONIAL RESOLUTIONS****E. CEREMONIAL RESOLUTIONS:**

[Reso 24-75](#) "CONGRATULATING ELIZABETH 'BETSY' KNIGHT AS 2023 LIBRARIAN OF THE YEAR"

[Reso 24-76](#) "CONGRATULATING ANN WALLNER ON RECEIVING THE 2023 EXCELLENCE IN SERVICE AWARD"

**F. SET THE CONSENT CALENDAR****G. PRESENTATION OF WRITTEN OR ORAL TESTIMONY****H. MINUTES:****I. ACTION ON THE CONSENT CALENDAR****J. COMMUNICATIONS:****1. COUNTY COMMUNICATIONS:**

[CC 24-11](#) COUNCILMEMBER COOK, transmitting a proposed amendment to Resolution 24-47, CD1, entitled "AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO A WATER SOURCE DEVELOPMENT AGREEMENT WITH FREE MARKET VENTURES, LLC, IN ACCORDANCE WITH CHAPTER 14.01, MAUI COUNTY CODE".

[CC 24-12](#) COUNCIL CHAIR LEE, transmitting a proposed amendment to Bill 56 (2024), entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM, GENERAL, PAUKUKALO PARK FENCING".

**2. GENERAL COMMUNICATIONS:**

NONE.

**K. COMMITTEE REPORTS:****Budget, Finance, and Economic Development Committee****CR 24-42**

Recommending the following:

1. **ADOPTION** of Resolution 24-52 to authorize the acquisition of a one-bedroom, one-bathroom unit at the Kahana Manor condominium project, consisting of 631 square feet, located at 4310 Lower Honoapiilani Road, Apt. No. 617, Lahaina, Maui, Hawaii, for \$530,000, exclusive of closing costs and expenses;
2. **ADOPTION** of Resolution 24-53 to authorize the acquisition of a one-bedroom, one-bathroom unit at the Parkview Square condominium project, consisting of 696 square feet, located at 1129 Lower Main Street, Apt. No. 303, Wailuku, Maui, Hawaii, for \$440,000, exclusive of closing costs and expenses; and
3. **ADOPTION** of Resolution 24-54 to authorize the acquisition of a two-bedroom, one-bathroom unit at the Keonekai Villages condominium project, consisting of 625 square feet, located at 160 Keonekai Road, Unit 13-101, Kihei, Maui, Hawaii, for \$625,000, exclusive of closing costs and expenses.

**CR 24-43**

Recommending the following:

1. **FIRST READING** of Bill 48, CD1 (2024) to amend the Fiscal Year 2024 Budget, by: 1) amending Section 2, Estimated Revenues, by increasing Other Intergovernmental by \$1,502,403; 2) amending Section 4.H.1.a., Department of Water Supply, Countywide, Water Supply, by adding a new appropriation for State Revolving Loan Fund, entitled "Lead and Copper Rule Revision Compliance," in the amount of \$1,502,403; 3) adjusting the totals accordingly; and 4) amending Appendix C - Capital Improvement Projects, Department of Water Supply, Countywide, by adding a new project and project description, entitled "Lead and Copper Rule Revision Compliance," in the amount of \$1,502,403; and
2. **FIRST READING** of Bill 49 (2024) to authorize the Mayor to enter into an intergovernmental agreement with the State of Hawaii for a loan from the Drinking Water State Revolving Fund in the amount of \$1,502,403 for Lead and Copper Rule Revision Compliance.

**Housing and Land Use Committee****CR 24-44**

Recommending **ADOPTION** of Resolution 23-226, urging the Mayor to establish a Housing Coordinator for the County of Maui.

**Water and Infrastructure Committee**

[CR 24-45](#) Recommending **ADOPTION** of Resolution 24-47, CD1, to authorize the Department of Water Supply to enter into a Water Delivery Agreement with Free Market Ventures, LLC, to secure a water source that would provide reliable water delivery in Upcountry.

[CR 24-46](#) Recommending **ADOPTION** of Resolution 24-50, CD1, to authorize the Council Chair to issue a Request for Proposals and contract for the preparation of a comprehensive West Maui Master Plan that identifies public infrastructure, road improvements, and road extension needs to address the redevelopment of wildfire-affected areas in Lahaina, consistent with the West Maui Community Plan and with input from West Maui residents.

**Water Authority, Social Services, and Parks Committee**

[CR 24-47](#) Recommending **ADOPTION** of Resolution 24-48, CD1 to authorize the grant and disposition of 8.02 acres of real property located at 472 Laau Street, Kahului, Maui, Hawai'i, and identified for real property tax purposes as tax map key (2) 3-8-007:084, to Hale Makua Health Services.

**L. RESOLUTIONS:**

[Reso 24-69](#) "AUTHORIZING THE ACQUISITION OF A CONDOMINIUM UNIT IDENTIFIED AS TAX MAP KEY NO. (2) 4-3-006:004:0065 LOCATED IN LAHAINA, MAUI, HAWAII, FOR AN AMOUNT NOT TO EXCEED \$430,000.00"

[Reso 24-70](#) "AUTHORIZING THE ACQUISITION OF A CONDOMINIUM UNIT IDENTIFIED AS TAX MAP KEY NO. (2) 4-3-006:004:0050 LOCATED IN LAHAINA, MAUI, HAWAII, FOR AN AMOUNT NOT TO EXCEED \$460,000.00"

[Reso 24-72](#) "APPROVING THE APPOINTMENT OF CRISELDA R. PARANADA AS COMMITTEE SECRETARY IN THE OFFICE OF COUNCIL SERVICES"

[Reso 24-73](#) "AUTHORIZING SETTLEMENT OF TIFFANY CHAPMAN V. COUNTY OF MAUI, ET AL., CIVIL NO. 2CCV-22-0000018"

**RESOLUTIONS - SECOND AND FINAL READING:**

[Reso 24-57](#) "AUTHORIZING PROCEEDINGS IN CONDEMNATION BY EMINENT DOMAIN FOR THE ACQUISITION OF REAL PROPERTY INTERESTS KNOWN AS LOT 1-B, CENTRAL MAUI SANITARY LANDFILL SUBDIVISION FOR PHASE VI EXPANSION OPERATIONS"

**M. ORDINANCES:**

[Bill 66 \(2024\)](#) "A BILL FOR AN ORDINANCE AMENDING ORDINANCE 5581 RELATING TO AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE UNITED STATES GOVERNMENT AND THE STATE OF HAWAII REGARDING THE AUTHORIZATION FOR MAUI WILDFIRE DEBRIS REMOVAL FOR COUNTY-OWNED PROPERTIES"

[Bill 67 \(2024\)](#) "A BILL FOR AN ORDINANCE TO CHANGE THE WAILUKU-KAHULUI COMMUNITY PLAN LAND USE DESIGNATION FROM HEAVY INDUSTRIAL TO BUSINESS/COMMERCIAL FOR APPROXIMATELY 6.75 ACRES IN KAHULUI, MAUI, HAWAII IDENTIFIED AS TAX MAP KEYS (2) 3-7-002:020 (POR.) AND (2) 3-7-002:027 (QUEEN KA'AHUMANU CENTER), AND TO AMEND THE TEXT OF THE WAILUKU-KAHULUI COMMUNITY PLAN (2002), AS AMENDED"

[Bill 68 \(2024\)](#) "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM M-2 HEAVY INDUSTRIAL DISTRICT TO B-3 CENTRAL BUSINESS DISTRICT (CONDITIONAL ZONING) FOR APPROXIMATELY 33.8 ACRES IN KAHULUI, MAUI, HAWAII, IDENTIFIED AS TAX MAP KEYS (2) 3-7-002:020, (2) 3-7-002:021, (2) 3-7-002:023, (2) 3-7-002:025, AND (2) 3-7-002:027 (QUEEN KAAHUMANU CENTER)"

[Bill 69 \(2024\)](#) "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM URBAN RESERVE TO BUSINESS COUNTRY TOWN (CONDITIONAL) FOR APPROXIMATELY 21,711 SQUARE FEET IN HANA, MAUI, HAWAII, IDENTIFIED AS TAX MAP KEY (2) 1-4-013:001"

#### **ORDINANCES - SECOND AND FINAL READING:**

[Bill 7 \(2024\)](#) "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.47, MAUI COUNTY CODE, RELATING TO THE COUNTY TRANSIENT ACCOMMODATIONS TAX"

*The purpose of this bill is to address recommendations made by the Office of the County Auditor in its "Evaluation of the Assessment and Collection of Maui County Transient Accommodations Tax," Report 23-01, dated December 2023.*

[Bill 26, CD1 \(2024\)](#) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI, TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH PURDUE UNIVERSITY"

*The purpose of this bill is to commit \$20,000 to be used for the purchase of experimental supplies, labor and travel, as well as unspecified in-kind contributions of staff time and expertise to support and collaborate for the Water Research Foundation fire project.*

[Bill 33 \(2024\)](#) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, DEPARTMENT OF AGRICULTURE, AGRICULTURE PROGRAM, AND GRANTS AND DISBURSEMENTS FOR AGRICULTURAL PROMOTION"

*The purpose of this bill is to amend the Fiscal Year 2024 Budget, by 1) deleting "the" from the Department title; 2) reducing the appropriation for Agriculture Program, Category B - Operations and Equipment by \$28,239; 3) reducing the appropriation for Grants and disbursements for Agricultural Promotion, Feral Animal Recovery by \$781,500; 4) reducing the appropriation for Grants and disbursements for Agricultural Promotion, Agricultural Education and Apprenticeship by \$51,600; 5) increasing the appropriation for Grants and disbursements for Agricultural Promotion, Agricultural Promotion/Technology by \$861,339, and 6) reducing the amount of the condition under Grants and disbursements for Agricultural Promotion, Agricultural Promotion/Technology for infrastructure improvements by \$45,000.*

[Bill 37 \(2024\)](#) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, APPENDIX C, DEPARTMENT OF FIRE AND PUBLIC SAFETY, WAILUKU-KAHULUI COMMUNITY PLAN AREA"

*The purpose of this bill is to amend the Fiscal Year 2024 Budget, Appendix C - Capital Improvement Projects, Department of Fire and Public Safety, Wailuku-Kahului Community Plan Area to update the project description for Administration Building Acquisition to delete "site selection and land acquisition to construct" and to insert "planning and conceptual drawings for".*

[Bill 41, CD1 \(2024\)](#) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE U.S. DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE RELATED TO THE KULANIHAKOI STREAM SEDIMENT REMOVAL EMERGENCY WATERSHED PROTECTION PROJECT"

[Bill 42, CD1, FD1 \(2024\)](#) "A BILL FOR AN ORDINANCE AMENDING THE DEFINITIONS OF 'FARM' AND 'FARM LABOR DWELLING' IN THE COMPREHENSIVE ZONING ORDINANCE"

[Bill 50 \(2024\)](#) "A BILL FOR AN ORDINANCE AMENDING ORDINANCE 5546 TO CORRECT THE PLACEMENT OF THE DEFINITION OF 'NONDWELLING AGRICULTURAL CONSUMER'"

*The purpose of this bill is to correct the error in Ordinance 5546, which inadvertently placed a new Water Code definition in the wrong Maui County Code section.*

[Bill 55 \(2024\)](#) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, REVENUES; DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, SOLID WASTE OPERATIONS PROGRAM; DEPARTMENT OF FINANCE, COUNTYWIDE COSTS, SUPPLEMENTAL TRANSFER TO THE SOLID WASTE FUND; CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA, SANITATION; AND APPENDIX C, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA"

*The purpose of this bill is to 1) increase interfund transfers by \$5,854,000, increase Carryover/Savings in the General Fund by \$5,854,000, and adjust Total Estimated Revenues accordingly; 2) amend Department of Environmental Management, Solid Waste Operations Program to increase the appropriation for Category B - Operations & Equipment in the amount of \$1,279,000, and adjust the total appropriation accordingly; 3) amend Department of Finance, Countywide Costs, Supplemental Transfer to the Solid Waste Fund, by increasing Category B - Operations & Equipment in the amount of \$5,854,000 and adjusting the total accordingly; 4) adjust the Total Operating Appropriations to reflect an increase of \$7,133,000 in Category B - Operations & Equipment and adjusting the total accordingly; 5) amend Capital Improvement Projects, Department of Environmental Management, Wailuku-Kahului Community Plan Area, to add a new appropriation under Sanitation, Solid Waste Management Fund, entitled "Lāhainā Wildfire Disposal Sites" in the amount of \$4,575,000; 6) amend the Total Capital Improvement Project Appropriations to reflect an increase of \$4,575,000; 7) adjust the Total Appropriations (Operating and Capital Improvement Projects) to reflect an increase of \$11,708,000; and 8) amend Appendix C, Department of Environmental Management, Wailuku-Kahului Community Plan Area, to add a new project and project description entitled "Lāhainā Wildfire Disposal Sites" in the amount of \$4,575,000.*

[Bill 56 \(2024\)](#) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM, GENERAL, PAUKUKALO PARK FENCING"

*The purpose of this bill is to amend the Fiscal Year 2024 Budget, Office of the Mayor, Economic Development Program, General to delete "Department of Hawaiian Home Lands" and insert "Paukukalo Hawaiian Home Community Association, Inc."*

[Bill 58 \(2024\)](#) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM, GRANTS AND DISBURSEMENTS FOR BUSINESS DEVELOPMENT AND TECHNOLOGY, KAHULUI, MAKAWAO-PĀ'IA-HA'IKŪ, PUKALANI-KULA-'ULUPALAKUA, MOLOKAI, SOUTH MAUI, AND WEST MAUI ECONOMIC DEVELOPMENT, ENVIRONMENTAL, AND CULTURAL PROGRAMS"

*The purpose of this bill is to amend the Fiscal Year 2024 Budget, Office of the Mayor, Economic Development Program, Grants and disbursements for business and technology to 1) condition Kahului Economic Development, Environmental, and Cultural Programs by adding line items for Hale Mahaolu, Meals on Wheels Program, in the amount of \$30,000 and Maui Economic Opportunity, Inc. Head Start Early Head Start Program for Workforce Development in the amount of \$35,000; 2) condition Makawao-Pā'ia-Ha'ikū Economic Development, Environmental, and Cultural Programs by adding a line item for Hale Mahaolu, Meals on Wheels Program, in the amount of \$5,000 and reducing the appropriation for Makawao-Ha'ikū-Pā'ia residency area clean-up efforts, security, beautification, maintenance, community outreach, and education events from \$80,000 to \$75,000; 3) condition Pukalani-Kula-'Ulupalakua Economic Development, Environmental, and Cultural Programs by adding a line item for Hale Mahaolu, Meals on Wheels Program, in the amount of \$30,000; 4) reduce the appropriation for Ka Molokai Makahiki, Inc. from \$30,000 to \$22,000 and increase the appropriation for Sust'ainable Molokai from \$30,000 to \$38,000 under Molokai Economic Development, Environmental, and Cultural Programs; 5) condition South Maui Economic Development, Environmental, and Cultural Programs by adding line items for Hale Mahaolu, Meals on Wheels Program, in the amount of \$30,000 and Maui Economic Development Board, Inc. for the STEM Program in South Maui in the amount of \$20,000 and deleting the condition for youth sports and youth educational programs; 6) condition West Maui Economic Development, Environmental, and Cultural Programs by adding a line item for Indigenous events in the amount of \$5,000.*

[Bill 59 \(2024\)](#) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF HOUSING AND HUMAN CONCERNS, FEDERAL DISASTER RELIEF GRANT FUNDS"

*The purpose of this bill is to amend the Fiscal Year 2024 Budget Appendix A, Part I, Department of Housing and Human Concerns, to add a new appropriation for Federal Disaster Relief Grant Funds in the amount of \$1,081,528.*

**N. UNFINISHED BUSINESS:**

**NONE.**



BOARD PACKETS, as defined in Section 92-7.5, HRS, will be electronically posted as soon as practicable.

ORAL TESTIMONY. For more information on testifying, please visit <https://www.mauicounty.us/teams/>

Oral testimony on any agenda item will be accepted at the beginning of the meeting and prior to Council's deliberation on each section of the agenda. Testimony must pertain to items on the agenda.

In the meeting controls at the top of the Teams screen, select RAISE YOUR HAND. Staff will add your name to the testifier list and will lower your hand. You may check your place in line by accessing the Testifier Log, with the link posted in Chat. When it is your turn to testify, staff will call your name and will allow you to unmute your video and microphone. State your name, if you choose to do so, and also identify the item number(s) on which you wish to testify.

To testify via phone, please call in to the phone number and enter the meeting ID noted on the first page of this agenda. Follow the instructions provided on the call to raise your hand to be added to the testifier list. When it is your turn to testify, the Clerk will call the last four digits of the testifier's phone number. You will be able to unmute yourself when called to testify.

Each testifier will be allowed to speak for up to three minutes on each item. The time limits for testimony may be modified, if the modification is initiated by the presiding officer and approved by a majority of the Council; provided that a modification would apply equally to all testifiers and all items. No further oral testimony by the testifier on the item shall be permitted. An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify. If the connection between any testifier and the video conference is lost, the meeting will still continue.

If a meeting participant wishes to testify anonymously, log in to the meeting with "anonymous" as your name and virtually raise your hand as described above.

DECORUM. Any person who behaves in a manner that disrupts, disturbs, or impedes the orderly conduct of any Council meeting can, at the discretion of the presiding officer or a majority of present Council members, be ejected or banned from Council meetings. If participating remotely, participants may be muted or dropped from the meeting for breaking decorum. Examples of disruptive behavior include, but are not limited to: heckling, shouting, use of profanity, threatening or slanderous remarks made to any member of the Council, staff, or general public. Use of the chat feature is restricted to County use only. It shall be considered a breach of decorum for members of the public to use the Chat.

WRITTEN TESTIMONY may be submitted by e-mail to [county.clerk@mauicounty.us](mailto:county.clerk@mauicounty.us), by fax to (808) 270-7171, or to the Office of the County Clerk, 200 South High Street, Ste. 708, Wailuku, Hawai'i, 96793. Written testimony should be received at least 24 hours prior to the meeting; except if a meeting will be held on a Monday, written testimony should be received by noon on the business day preceding the meeting. While the Council requests that written testimony be submitted as noted, testimony submitted after that date and time will still be accepted. Members of the public interested in information about offering testimony on an agenda item may contact the Office of the County Clerk at (808) 270-7748 prior to the meeting.

INTERRUPTION IN VIDEO/AUDIO. This meeting is being conducted in accordance with Section 92-3.7, HRS. Nothing said in the meeting or included in the agenda is intended to create obligations in excess of those required under Section 92-3.7, HRS. If Teams connectivity affecting quorum is lost, Council will be in recess. It will not be considered a loss of quorum unless connectivity cannot be restored within 30 minutes. If the Teams connection is prematurely terminated, for whatever reason, please log back into the same link. If connectivity affecting quorum cannot be restored within 30 minutes, the meeting will automatically reconvene the following Tuesday at 9 a.m., using the same virtual connections, unless the Council announces a different date and time.

If any Courtesy Testimony Site loses its connection to the meeting, the meeting will continue without that location, irrespective of whether a Councilmember is participating from that site.

If Akakū prematurely ceases broadcasting the meeting, the meeting will continue via interactive conference technology and a recording will include archived meeting videos.

DISABILITY ACCESS. Anyone requesting an auxiliary aid or service or other accommodation due to a disability should contact the County Clerk as soon as possible prior to the meeting date at (808) 270-7748 or [county.clerk@mauicounty.us](mailto:county.clerk@mauicounty.us) and allow for adequate time to fulfill the request.