

# **Council of the County of Maui**

## **A G E N D A**

Regular Meeting of June 1, 2018

9:00 AM

### **Meeting Site:**

Council Chamber, 8th Floor, 200 South High Street, Wailuku, Hawaii

### **Remote Testimony Sites:**

Hana Council District Office - Hana Community Center, 5091 Uakea Road, Hana, Hawaii

Lanai Council District Office - Lanai Community Center, 8th Street, Lanai City, Hawaii

Molokai Council District Office - 100 Ainoa Street, Kaunakakai, Hawaii

website: [www.co.maui.hi.us/Archive.aspx?AMID=226](http://www.co.maui.hi.us/Archive.aspx?AMID=226)

email: [county.clerk@mauicounty.us](mailto:county.clerk@mauicounty.us)

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### **ORAL OR WRITTEN TESTIMONY**

ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted. Each testifier shall be allowed to speak for up to three minutes on each item. If approved by the presiding officer and announced prior to any oral testimony being taken, the testifier may be allowed one minute to conclude the testimony on the item. The time limits for testimony at a Council meeting 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 An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify.

REMOTE TESTIMONY SITES: Oral testimony may be received from each of the Council district offices noted above. If the connection between the meeting site in the Council Chamber and any of the remote testimony sites is lost, the meeting in the Council Chamber will still continue. Members of the public interested in information about offering testimony on an agenda item from a remote testimony site may contact the Office of the County Clerk (808-270-7748) prior to the meeting. While oral testimony is being received the district offices cannot provide other services. The connection will be terminated after all oral testimony has been received.

If written testimony is submitted at the meeting site, 15 copies are requested. If written testimony is e-mailed or faxed (808-270-7171), it must be received at least 24 hours prior to the meeting; provided, that if a meeting will be held on a Monday, written testimony shall be received by 12:00 noon on the business day preceding the meeting.

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### **A. ROLL CALL**

**B. OPENING REMARKS:**

COUNCILMEMBER RIKI HOKAMA

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

[Reso](#) "CONGRATULATING THE BALDWIN HIGH SCHOOL BASEBALL TEAM FOR WINNING THE 2018 WALLY YONAMINE FOUNDATION/HAWAI'I HIGH SCHOOL ATHLETIC ASSOCIATION DIVISION I STATE BASEBALL CHAMPIONSHIP"

**F. PRESENTATION OF WRITTEN OR ORAL TESTIMONY****G. MINUTES:**

[M-180105](#) Regular meeting of January 5, 2018

[M-180119](#) Regular meeting of January 19, 2018

**H. COMMUNICATIONS:****1. COUNTY COMMUNICATIONS:**

[CC 18-182](#) CHIEF OF POLICE, transmitting a grant agreement with the Office of Youth Services for the Positive Outreach Intervention Program in the amount of \$85,263.

[CC 18-183](#) CHIEF OF POLICE, transmitting a grant modification from the Office of National Drug Control Policy for the High Intensity Drug Trafficking Areas Grant to increase the budget by \$22,910.

[CC 18-184](#) DIRECTOR OF PUBLIC WORKS, informing of the receipt of a grant from the State of Hawaii, Department of Transportation for the Safe Routes to School Program Special Fund in the amount of \$92,955.73.

[CC 18-185](#) BUDGET DIRECTOR, transmitting the Budget Implementation Report as of March 31, 2018 (Fiscal Year 2018 Third Quarter).

[CC 18-186](#) DIRECTOR OF FINANCE, transmitting two reports on the settlement of claims as of March 31, 2018.t

[CC 18-187](#) DIRECTOR OF FINANCE, transmitting the Director of Finance's Quarterly Report for Fiscal Year July 1, 2017 to June 30, 2018 as of March 31, 2018 and the Capital Improvement Project as of March 31, 2018.

[CC 18-188](#) DIRECTOR OF FINANCE, transmitting 65 contracts/grants for April 2018.

- [CC 18-189](#) DIRECTOR OF FINANCE, informing of the acceptance of Waterline Easements W-7A, W-7B, W-7C, and W-7D, Maui Lani Phase 6 Subdivision, TMK: (2) 3-8-099:201 through 204 por.
- [CC 18-190](#) DIRECTOR OF FINANCE, informing of the acceptance of a Warranty Deed for Roadway Lot 2, Kihei Surf School Subdivision, TMK: (2) 3-9-017:095.
- [CC 18-191](#) ACTING MAYOR, informing of the following vacancies:
1. Cost of Government Commission, due to the resignation of Norman Halip; and
  2. Cultural Resources Commission, due to the resignation of Timothy Bailey.
- [CC 18-192](#) MAYOR, informing of a vacancy on the Commission on Children and Youth due to the resignation of Kirstin Hamman.
- [CC 18-193](#) MAYOR, informing of a vacancy on the Board of Variances and Appeals due to the resignation of Ralph Masuda.
- [CC 18-194](#) ACTING MAYOR, informing of the following vacancies:
1. Council on Aging, due to the resignation of David Spicer; and
  2. Cultural Resources Commission, due to the resignation of Cheney-Ann Lima.
- [CC 18-195](#) ECONOMIC DEVELOPMENT DIRECTOR, informing that the Friends of Old Maui High receives an annual grant from the Office of Economic Development to maintain, mow the property, and keep the useable buildings from leaking.
- [CC 18-196](#) CHAIR, FIRE AND PUBLIC SAFETY COMMISSION, transmitting the performance evaluation of the Fire Chief for calendar year 2017.
- [CC 18-197](#) CHAIR, BUDGET AND FINANCE COMMITTEE, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2018 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF FIRE AND PUBLIC SAFETY, ADMINISTRATION PROGRAM, TRAINING PROGRAM, FIRE/RESCUE OPERATIONS PROGRAM, AND FIRE PREVENTION PROGRAM; TOTAL OPERATING APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)".
- [CC 18-198](#) COUNCILMEMBER COCHRAN, transmitting a proposed resolution entitled "URGING THE DEPARTMENT OF PUBLIC WORKS TO INCORPORATE VISITABILITY STANDARDS IN THE COUNTY'S BUILDING CODE FOR NEW RESIDENTIAL CONSTRUCTION".
- [CC 18-199](#) COUNCIL CHAIR WHITE, transmitting a proposed amendment to the bill entitled "A BILL FOR AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE RELATING TO ENFORCEMENT PROCEDURES FOR BED AND BREAKFAST HOMES", attached to Committee Report No. 18-90.

- [CC 18-200](#) COUNCILMEMBER GUZMAN, relating to Greenprinting and strategic conservation planning for open space, natural resources, cultural resources, and scenic views preservation.
- [CC 18-201](#) PLANNING DIRECTOR, relating to Digital Zoning Maps, transmitting copies of minutes and the following proposed bills entitled:
1. "A BILL FOR AN ORDINANCE ADOPTING A DIGITAL ZONING MAP AS THE OFFICIAL ZONING MAP FOR THE ISLAND OF MAUI"; and
  2. "A BILL FOR AN ORDINANCE AMENDING TITLE 19, MAUI COUNTY CODE, RELATING TO ZONING DISTRICTS AND MAPS".
- [CC 18-202](#) COUNCIL CHAIR WHITE, transmitting a proposed resolution entitled "SETTING THE SALARY AND PAY STEPS OF EMPLOYEES IN THE OFFICE OF COUNCIL SERVICES".
- [CC 18-203](#) COUNCILMEMBER SUGIMURA, transmitting a proposed resolution entitled "URGING THE UNITED STATES CONGRESS TO SUPPORT THE GUN CONTROL POLICIES PROMOTED BY MARCH FOR OUR LIVES".
- [CC 18-204](#) COUNCIL CHAIR WHITE, transmitting a proposed resolution entitled "APPROVING THE HAWAII STATE ASSOCIATION OF COUNTIES' OFFICERS AND ANNUAL BUDGET, AND NOMINEES TO THE NATIONAL ASSOCIATION OF COUNTIES AND WESTERN INTERSTATE REGION BOARDS OF DIRECTORS FOR FISCAL YEAR 2019".
- [CC 18-205](#) FIRE CHIEF, transmitting a proposed resolution entitled "AUTHORIZING ACCEPTANCE OF THE DONATION OF 185 PAIRS OF FOOTWEAR TO THE OCEAN SAFETY BUREAU OF THE DEPARTMENT OF FIRE AND PUBLIC SAFETY, PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE".
- [CC 18-206](#) DIRECTOR OF PUBLIC WORKS AND PLANNING DIRECTOR, transmitting a copy of the "PARKING ACTION PLAN WAILUKU TOWN & LAHAINA TOWN" dated February 2018 by Dixon Resources Unlimited.
- [CC 18-207](#) DEPUTY DIRECTOR OF WATER SUPPLY, transmitting the Department of Water Supply's Monthly Source Report and Groundwater Use Report for the month ending April 2018.
- [CC 18-208](#) DEPUTY DIRECTOR OF WATER SUPPLY, transmitting the State of Hawaii's Commission on Water Resources Management water use reports for March 2018 for all registered well reporters in the County of Maui.
- [CC 18-209](#) DEPUTY DIRECTOR OF WATER SUPPLY, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH U.S. GEOLOGICAL SURVEY, PACIFIC ISLANDS WATER SCIENCE CENTER, UNITED STATES DEPARTMENT OF THE INTERIOR".

## **2. GENERAL COMMUNICATIONS:**

**NONE.**

**I. COMMITTEE REPORTS:****Budget and Finance Committee**

- [CR 18-80](#) Recommending **ADOPTION** of resolution to amend the Fiscal Year 2018 Budget within the Department of Parks and Recreation by transferring \$98,781 from the Administration Program, Category B (Operations) to the Recreation and Support Services Program, Category B (Operations) for a shortfall in service contracts; and \$38,837 from the Recreation and Support Services Program, Category A (Salaries) to Category B (Operations) for a shortfall in the Ka Lima O Maui contract for West Maui parks.
- [CR 18-81](#) Recommending **ADOPTION** of resolution to amend the Fiscal Year 2018 Budget within the Department of Environmental Management by transferring \$35,000 from the Solid Waste Operations Program - Solid Waste Management Fund, Category B (Operations) to Category C (Equipment), for the purchase of security cameras for the Central Maui Landfill to ensure security and maintain controlled access to the facility.
- [CR 18-82](#) Recommending **ADOPTION** of resolution to amend the Fiscal Year 2018 Budget within the Department of Police by transferring \$150,000 from the Technical and Support Services Program, Category A (Salaries) to the Investigative Services Program, Category B (Operations) for additional autopsies and investigative expenses; \$400,000 from the Technical and Support Services Program, Category A (Salaries) to Category B (Operations) to repair or replace drain pipes at the Wailuku Police Station; and \$21,000 from the Investigative Services Program, Category A (Salaries) to the Uniformed Patrol Services Program, Category C (Equipment) for increased cost of replacement vehicles.
- [CR 18-83](#) Recommending **ADOPTION** of resolution to amend the Fiscal Year 2018 Budget within the Department of the Prosecuting Attorney by transferring \$47,600 from the General Prosecution Program, Category A (Salaries) to the Administration Program, Category A (Salaries) for overtime costs resulting from staff shortage in the General Prosecution program; \$34,000 from the General Prosecution Program, Category A (Salaries) to the Administration Program, Category B (Operations) for increases in operational costs; and \$100,000 from General Prosecution Program, Category A (Salaries) to Category B (Operations) for additional costs relating to expert witnesses.
- [CR 18-84](#) Recommending **ADOPTION** of resolution to amend the Fiscal Year 2018 Budget within the Department of Water Supply by transferring \$55,000 from the Water Operations Program - Water Fund, Category B (Operations) to Category C (Equipment) for the purchase of a replacement vehicle deemed a total loss as a result of an accident.
- [CR 18-85](#) Recommending **ADOPTION** of resolution to amend the Fiscal Year 2018 Budget within the Department of Public Works by transferring \$100,000 from the Engineering Program, General Fund, Category A (Salaries) to Category B (Operations) for unanticipated costs resulting from flooding and storm damage, elevator repair, and air conditioning repair and maintenance.

[CR 18-86](#) Recommending **ADOPTION** of resolution to amend the Fiscal Year 2018 Budget within the Department of Finance by transferring \$10,000 from the Administration Program, Category A (Salaries) to the Accounts Program, Category A (Salaries); and \$36,330 from the Financial Services Program - General Fund, Category A (Salaries) to the Accounts Program, Category A (Salaries) for a budgetary shortfall in salaries and premium pay.

[CR 18-87](#) Recommending **ADOPTION** of resolution authorizing the acquisition of real property located at 2091 West Vineyard Street, Wailuku, Maui, Hawaii, identified as Tax Map Keys (2) 3-4-013-060 and (2) 3-4-013-102, for the development of the Wailuku Civic Complex.

[CR 18-88](#) Recommending the following:

1. **FIRST READING** of bill to amend the Fiscal Year 2018 Budget by 1) decreasing Estimated Revenues for Charges for Current Services by \$355,000; 2) increasing Estimated Revenues for Interfund Transfers by \$110,000; 3) increasing Estimated Revenues for Carryover/Savings in the General Fund by \$110,000; 4) amending Section 3.B.4.f.(4), Department of Finance, Countywide Costs, Supplemental Transfer to the Golf Fund, by increasing \$110,000 under Category B (Operations), and adjusting the total accordingly; 5) amending Section 3.B.10.d.(1), Department of Parks and Recreation, Waiehu Golf Course Program - Golf Fund, General, by decreasing \$85,000 under Category A (Salaries), decreasing \$160,000 under Category B (Operations), and the Total by \$245,000; and 6) adjusting Total Operating Appropriations and Total Appropriations (Operating and Capital Improvement Projects) accordingly; and
2. **FILING** of communication.

### **Infrastructure and Environmental Management Committee**

[CR 18-89](#) Recommending the following:

1. **ADOPTION** of resolution granting a non-exclusive easement to Mishna Orion, for a private waterline along and through portions of Kaiapa Place and Kaupakalua Road, Haiku, Maui, Hawaii; and
2. **FILING** of communication.

### **Land Use Committee**

[CR 18-90](#) Recommending the following:Date

1. **first reading** of bill to amend the enforcement provisions of Chapter 19.64, Maui County Code, relating to Bed and Breakfast Homes; and
2. **FILING** of communication.

**Parks, Recreation, Energy, and Legal Affairs Committee**

[CR 18-91](#) Recommending **ADOPTION** of resolution to authorize settlement of Mollie M. Klingman v. The County of Maui, et al., Civil 16-00399 ACK-RLP.

*With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee.*

[CR 18-92](#) Recommending **FILING** of correspondence transmitting a proposed resolution to authorize settlement of Claim 30153618793-0001 by Lehuamakanoe Verkerke.

*With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee.*

**Policy, Economic Development, and Agriculture Committee**

[CR 18-93](#) Recommending **ADOPTION** of resolution approving the appointment of Noemi Barbadillo to the Cost of Government Commission for a term expiring on March 31, 2023.

[CR 18-94](#) Recommending **ADOPTION** of resolution approving the appointment of Caryl Hitchcock-Sprinzol (Molokai) to the Urban Design Review Board for a term expiring on March 31, 2023.

[CR 18-95](#) Recommending **ADOPTION** of resolution disapproving the appointment of Dwight Burns to the Police Commission.

[CR 18-96](#) Recommending **FIRST READING** of bill establishing additional specific qualifications for the Managing Director.

**J. RESOLUTIONS:**

NONE.

**K. ORDINANCES - SECOND AND FINAL READING:**

NONE.

**L. UNFINISHED BUSINESS:**

**NONE.**

**ITEMS LISTED ON THE AGENDA MAY BE INSPECTED AT THE OFFICE OF THE COUNTY CLERK, 200 SOUTH HIGH STREET, WAILUKU, HAWAII, PRIOR TO THE MEETING DATE. PHOTOCOPIES MAY BE ORDERED, SUBJECT TO CHARGES IMPOSED BY LAW (MAUI COUNTY CODE, SECTION 2.64.010). PLEASE CONTACT THE OFFICE OF THE COUNTY CLERK TO MAKE ARRANGEMENTS FOR INSPECTION OR PHOTOCOPYING OF DOCUMENTS.**

**INDIVIDUALS WHO INTEND TO ATTEND THE MEETING AND WHO HAVE DISABILITIES REQUIRING SPECIAL ASSISTANCE SHOULD CALL THE OFFICE OF THE COUNTY CLERK AT 270-7748, AT LEAST THREE DAYS IN ADVANCE.**