

# **Council of the County of Maui**

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

Regular Meeting of September 22, 2017

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 An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify.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 YUKI LEI SUGIMURA

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

NONE.

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

[M-170508s](#) Special Meeting of May 8, 2017

[M-170616](#) Regular Meeting of June 16, 2017

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

[CC 17-371](#) PROSECUTING ATTORNEY, informing of the intent to expend \$40,000 in State Forfeiture Funds for the Employee Development Program to fund training and related expenses.

[CC 17-372](#) DIRECTOR OF FINANCE, informing of the acceptance of a Warranty Deed for Roadway Lot 5-E, Kamahiwa Parkway, Pulehunui Plains Subdivision, TMK: (2) 3-8-004:030 (por).

[CC 17-373](#) MAYOR, informing of a vacancy on the Molokai Planning Commission due to the resignation of Robert Stephenson.

[CC 17-374](#) DIRECTOR OF WATER SUPPLY, transmitting the Department of Water Supply's Monthly Source Report and Groundwater Use Report for the month ending August 2017.

[CC 17-375](#) BUDGET DIRECTOR, 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 APPENDIX C - CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF PARKS AND RECREATION".

[CC 17-376](#) DIRECTOR OF PERSONNEL SERVICES, informing of the abolishment of positions in various County departments.

[CC 17-377](#) COUNCIL CHAIR WHITE, relating to Category VII Refuse Disposal Fees at the Central Maui Landfill.

[CC 17-378](#) DIRECTOR OF PUBLIC WORKS, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 10.48.040, MAUI COUNTY CODE, RELATING TO PARKING PROHIBITIONS ON CERTAIN STREETS AND HIGHWAYS".

[CC 17-379](#) COUNCILMEMBER CARROLL, relating to the Department of Planning's Audit of Title 19, Maui County Code.

[CC 17-380](#) COUNCIL CHAIR WHITE, relating to Maui County's Emergency Management Officer.

## **2. GENERAL COMMUNICATIONS:**

[GC 17-10](#) DAVID COHAN, U.S. DEPARTMENT OF ENERGY, relating to the adoption of the Hawaii State Energy Conservation Code.

### **I. COMMITTEE REPORTS:**

#### **Land Use Committee**

[CR 17-115](#) Recommending **FILING** of communication transmitting a bill to amend Chapter 19.10, Maui County Code, to establish D-1 and D-2 zoning districts and accessory uses, consolidate and clarify development standards, and provide the Planning Director with rule-making authority.

[CR 17-116](#) Recommending the following:

1. **FIRST READING** of bill to grant a request from Jeana Iwalani Naluai for a ten-year Conditional Permit to conduct classes in Hawaiian cultural and medicinal practices and operate the Ho'omana Spa and Bathhouse on 2.01 acres of land at 1550 Piihola Road, Makawao, Maui, Hawaii; and
2. **FILING** of communication.

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

[CR 17-117](#) Recommending **ADOPTION** of resolution approving the appointment of Wayne Hedani to the Real Property Tax Review Board for a term expiring March 31, 2019.

[CR 17-118](#) Recommending **ADOPTION** of resolution approving for inclusion in the 2018 Hawaii State Association of Counties Legislative Package a State bill to increase the State minimum wage to \$15.00 per hour through a 5-step graduated scale for employers with 25 employees or less, and a 3-step graduated scale for employers with 26 employees or more, with the first steps beginning on January 1, 2019.

#### **Water Resources Committee**

[CR 17-119](#) Recommending **FILING** of communication relating to a review of Chapter 14.06A, Maui County Code, relating to water conservation and control of water usage during water shortage.

**J. RESOLUTIONS:**

NONE.

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

[Bill 77 \(2017\)](#) "A BILL FOR AN ORDINANCE GRANTING 355 HAIKU ROAD LLC A CONDITIONAL PERMIT TO OPERATE A TRANSIENT VACATION RENTAL WITHIN THE COUNTY AGRICULTURAL DISTRICT, FOR PROPERTY SITUATED AT 355 HAIKU ROAD AND IDENTIFIED AS A PORTION OF TAX MAP KEY NUMBER (2) 2-7-003:087, HAIKU, MAUI, HAWAII"

[Bill 78 \(2017\)](#) "A BILL FOR AN ORDINANCE GRANTING KAOHU LLC, A DOMESTIC LIMITED LIABILITY COMPANY, A CONDITIONAL PERMIT TO ALLOW BUSINESS/OFFICE USE IN A RESIDENTIAL HOME LOCATED IN THE R-2, RESIDENTIAL ZONING DISTRICT ON APPROXIMATELY 3,600 SQUARE FEET OF LAND LOCATED AT 293 WAIALE ROAD, WAILUKU, MAUI, HAWAII"

**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.