

Council of the County of Maui

A G E N D A

Regular Meeting of July 19, 2019, reconvened on date of July 26, 2019

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

email: county.clerk@mauicounty.us

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 An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify.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

A. ROLL CALL

B. OPENING REMARKS:

COUNCILMEMBER MICHAEL J. MOLINA

C. PLEDGE OF ALLEGIANCE

D. TESTIMONY ON CEREMONIAL RESOLUTIONS

E. CEREMONIAL RESOLUTIONS:

[Reso](#) "CONGRATULATING THE HONORABLE JOSEPH E. CARDOZA UPON HIS RETIREMENT FROM THE BENCH OF THE SECOND CIRCUIT COURT OF THE STATE OF HAWAII"

F. PRESENTATION OF WRITTEN OR ORAL TESTIMONY

G. MINUTES:

[M-190308](#) Regular Meeting of March 8, 2019

[M-190322](#) Regular Meeting of March 22, 2019

[M-190405](#) Regular Meeting of April 5, 2019

H. COMMUNICATIONS:

1. COUNTY COMMUNICATIONS:

[CC 19-293](#) DIRECTOR OF FINANCE, transmitting 125 contracts/grants for June 2019.

[CC 19-294](#) DIRECTOR OF HOUSING AND HUMAN CONCERNS, transmitting Modification Order No. 7 from the State of Hawaii, Department of Health, for the Strategic Prevention Framework Partnerships for Success Grant in the amount of \$100,000.

[CC 19-295](#) DIRECTOR OF HOUSING AND HUMAN CONCERNS, notifying of intended voluntary contributions for Fiscal Year 2020 received from senior program participants totaling \$207,879, with no Letter of Intent.

[CC 19-296](#) DIRECTOR OF HOUSING AND HUMAN CONCERNS, transmitting a copy of the contribution award letter from Alexander & Baldwin, Inc., for the A & B Kokua Giving Contribution Program in the amount of \$20,000.

[CC 19-297](#) CHIEF OF POLICE, transmitting a grant agreement with the State of Hawaii, Department of Health for the Emergency Medical System grant in the amount of \$376,865.83.

[CC 19-298](#) CHIEF OF POLICE, transmitting a grant agreement with the Office of Youth Services for the KALO Program in the amount of \$89,000.

[CC 19-299](#) CHIEF OF POLICE, transmitting a grant agreement with the Office of National Drug Control Policy for the High Intensity Drug Trafficking Areas Grant in the

amount of \$156,800.

- [CC 19-300](#) CHIEF OF POLICE, transmitting a copy of the budget approved by the E911 Board for the State E911 Wireless Commission in the amount of \$1,811,530.
- [CC 19-301](#) DIRECTOR OF WATER SUPPLY, transmitting the State of Hawaii Commission on Water Resource Management water use reports for May 2019 for all registered well reporters in the County of Maui.
- [CC 19-302](#) PRESIDING OFFICER PRO TEMPORE KAMA, relating to the Councilmembers' report on the blessing of the Kalama Kai workforce housing project on July 8, 2019.
- [CC 19-303](#) PRESIDING OFFICER PRO TEMPORE KAMA, relating to Councilmembers' report on the active shooter training on June 25, 2019, on the eighth floor of the County Building.
- [CC 19-304](#) COUNTY AUDITOR, transmitting the plan of audits proposed to be conducted during Fiscal Year 2020.
- [CC 19-305](#) COUNCILMEMBER SINENCI, relating to the curbside-recycling program known as the "3 Can Plan".
- [CC 19-306](#) COUNCILMEMBER SUGIMURA, relating to managing feral chickens.
- [CC 19-307](#) PLANNING DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 19.530.030, MAUI COUNTY CODE, RELATING TO CIVIL FINES FOR UNPERMITTED TRANSIENT ACCOMMODATIONS".

2. GENERAL COMMUNICATIONS:

NONE.

I. COMMITTEE REPORTS:

Affordable Housing Committee

[CR 19-81](#)

Recommending the following:

1. **ADOPTION** of resolution disapproving the Polanui Gardens workforce housing project pursuant to Section 201H-38, Hawaii Revised Statutes, in Lahaina, Maui, identified for real property tax purposes as tax map keys (2) 4-7-013:001 and 002;
2. **ADOPTION** of resolution disapproving the Makila Rural-East workforce housing project pursuant to Section 201H-38, Hawaii Revised Statutes, in Lahaina, Maui, identified for real property tax purposes as tax map keys (2) 4-7-013:006, 007, 008, and 010;
3. **FILING** of resolution approving the Polanui Gardens workforce housing project pursuant to Section 201H-38, Hawaii Revised Statutes;

4. **FILING** of resolution approving with modifications the Polanui Gardens workforce housing project pursuant to Section 201H-38, Hawaii Revised Statutes;
5. **FILING** of resolution approving the Makila Rural-East workforce housing project pursuant to Section 201H-38, Hawaii Revised Statutes;
6. **FILING** of resolution approving with modifications the Makila Rural-East workforce housing project pursuant to Section 201H-38, Hawaii Revised Statutes; and
7. **FILING** of communications.

Economic Development and Budget Committee

CR 19-82

Recommending the following:

1. **ADOPTION** of resolution approving the Director of Finance to compromise a claim relating to real property taxes for tax map key (2) 2-1-013:079 in an amount up to \$2,600 in penalties and interest accrued on delinquent real property tax payments, provided the property owner pays the delinquent taxes by July 31, 2019; and
2. **FILING** of communication.

Governance, Ethics, and Transparency Committee

CR 19-83

Recommending **ADOPTION** of resolution approving the appointment of Brian Hauser to the Council on Aging for a term expiring on March 31, 2021.

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 19-84

Recommending **ADOPTION** of resolution to authorize settlement of Allstate Insurance Company, on behalf of Adolfo Casanova Martinez, Claim 30181567461-0001.

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 19-85

Recommending **ADOPTION** of resolution to authorize settlement of First Insurance Company of Hawaii, Ltd., on behalf of Dean Bowman, Claim 30191690556-0002.

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 19-86](#)

Recommending **ADOPTION** of resolution to authorize settlement of Kelly Pauole v. County of Maui Police Department, et al., Civil 18-1-0007(2).

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; and Section 92-5(a)(8), Hawaii Revised Statutes, to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to a State or Federal law, or a court order.

Planning and Sustainable Land Use Committee

[CR 19-87](#)

Recommending the following:

1. **FIRST READING** of bill to grant a District Boundary Amendment from Agricultural to Rural for 14.775 acres in Makawao, Maui, Hawaii, identified for real property tax purposes as tax map key (2) 2-4-002:011 and a portion of tax map key (2) 2-4-002:006, for Hui Noeau;
2. **FIRST READING** of bill to grant a Community Plan Amendment from Agricultural to Public/Quasi-Public for approximately 4.306 acres in Makawao, Maui, Hawaii, identified for real property tax purposes as a portion of tax map key (2) 2-4-002:006, for Hui Noeau;
3. **FIRST READING** of bill to grant a Change in Zoning from Interim District and Agricultural District to P-1 Public/Quasi-Public District (Conditional Zoning) for 14.775 acres in Makawao, Maui, Hawaii, identified for real property tax purposes as tax map key (2) 2-4-002:011 and a portion of tax map key (2) 2-4-002:006, respectively;
4. **RECORDATION** of the unilateral agreement; and
5. **FILING** of communication.

J. RESOLUTIONS:

NONE.

K. ORDINANCES - SECOND AND FINAL READING:

[Bill 39 \(2019\)](#)

"A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.44, MAUI COUNTY CODE, RELATING TO BOND COVERAGE FOR MEMBERS AND SUBORDINATES OF THE MAUI REDEVELOPMENT AGENCY"

L. UNFINISHED BUSINESS:

NONE.

"BOARD PACKETS", AS DEFINED IN SECTION 92-7.5 OF THE HAWAII REVISED STATUTES, ARE AVAILABLE FOR INSPECTION AT THE OFFICE OF THE COUNTY CLERK, 200 SOUTH HIGH STREET, WAILUKU, HAWAII. "BOARD PACKETS" ARE ALSO AVAILABLE ELECTRONICALLY AS SOON AS PRACTICABLE UPON REQUEST.

ITEMS LISTED ON THE AGENDA MAY BE ACCESSED AT MAUICOUNTY.LEGISTAR.COM.

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.