

Council of the County of Maui

A G E N D A

Regular Meeting of April 15, 2016

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

ORAL OR WRITTEN TESTIMONY

ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted. Each testifier may be allowed to speak for three minutes on each item. If approved by the presiding officer and announced prior to any oral testimony being taken, the testifier shall be allowed one minute to conclude the testimony on the item. No further oral testimony by the testifier on the item shall be permitted. An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify.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 remote testimony sites noted above. If the connection between the meeting site and any of the remote testimony sites is lost, the meeting 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 remote testimony sites 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 STACY CRIVELLO

C. PLEDGE OF ALLEGIANCE

D. TESTIMONY ON CEREMONIAL RESOLUTIONS

E. CEREMONIAL RESOLUTIONS:

[TMP-0782](#) "RECOGNIZING THE HAWAII STEM CONFERENCE ON MAY 6-7, 2016"

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

NONE.

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

[CR 16-58](#) Recommending **FILING** of communication from Councilmember Mike White relating to the disparity of real property assessments for agricultural versus non-agricultural lands, including the matter of an investigative group as permitted under Section 92-2.5, Hawaii Revised Statutes.

[CR 16-59](#) Recommending **FILING** of communication from the County Auditor, transmitting a report relating to the Department of Water Supply's financial statements and supplemental information for the year ended June 30, 2015.

[CR 16-60](#) Recommending **FILING** of communication from the Director of Finance, transmitting reports relating to the County's cost allocation plan, which assigns costs for the County's central support services.

[CR 16-61](#) Recommending **FILING** of communications from the Director of Personnel Services, relating to the reclassification of positions that were transferred from one compensation plan to another for calendar years 2014 and 2015

[CR 16-62](#) Recommending **FIRST READING** of bill to amend the Fiscal Year 2016 Budget by 1) increasing Carryover/Savings from the General Fund by \$60,000; and 2) adding a \$60,000 grant appropriation for the Office of the Mayor, Economic Development Program, Grants and disbursements for culture, arts, and tourism, for The Royal Order of Kamehameha I, for its 150th year Jubilee.

[CR 16-63](#) Recommending **FIRST READING** of bill to amend Appendix A of the Fiscal Year 2016 Budget by adding \$7,410 for the Department of Police, for the Paul Coverdell Forensic Sciences Improvement Act grant, to purchase three portable gunshot residue and explosives detection systems.

[CR 16-64](#) Recommending **FIRST READING** of bill to amend Appendix A of the Fiscal Year 2016 Budget by adding a \$46,000 grant from the State of Hawaii - Wellhead Protection Program, for the Department of Water Supply, to address wellhead protection and water quality for potable wells in the County.

[CR 16-65](#) Recommending **FIRST READING** of bill to amend Appendix A of the Fiscal Year 2016 Budget by adding a \$110,000 grant from the State of Hawaii, Strategic Prevention Framework Partnerships for Success, for the Department of Housing and Human Concerns, for County coordination of a substance abuse prevention program.

[CR 16-66](#) Recommending **FIRST READING** of bill to amend Appendix A of the Fiscal Year 2016 Budget by adding a \$400,000 grant for the Department of Parks and Recreation for the "State of Hawaii - Molokai Athletic Complex."

Committee of the Whole

[CR 16-67](#) Recommending **ADOPTION** of resolution to authorize settlement of Lars M. Gascon v. County of Maui, Disability Compensation Division Case 7-11-01155; Labor and Industrial Relations Appeals Board Case AB 2015-319(M).

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 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, pursuant to Section 92-5(a)(8), Hawaii Revised Statutes.

[CR 16-68](#) Recommending **ADOPTION** of resolution to authorize settlement of Janet Sim, et al. v. County of Maui, et al., Civil 15-1-0571(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 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, pursuant to Section 92-5(a)(8), Hawaii Revised Statutes.

[CR 16-69](#) Recommending **ADOPTION** of resolution to authorize settlement of Claim 30153921887-0001 of Merlino Fetalvero.

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 16-70](#) Recommending **ADOPTION** of resolution to authorize settlement of Nadja Vitavec nka Nadja Neidhart v. County of Maui, et al., Civil 15-1-0181(1).

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 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, pursuant to Section 92-5(a)(8), Hawaii Revised Statutes.

Economic Development, Energy, Agriculture, and Recreation Committee

[CR 16-71](#) Recommending **FILING** of communication to add Waiale Park, located in Wailuku, Maui, Hawaii, to the list of parks at which consumption of any intoxicating liquor is prohibited under Section 13.04.044, Maui County Code.

Planning Committee

[CR 16-72](#) Recommending the following:

1. **FIRST READING** of bill to update the requirements and permitting procedures for short-term rental homes, pursuant to Section 16 of Ordinance 3941 (2012); and
2. **FILING** of communication.

I. COMMUNICATIONS:

1. COUNTY COMMUNICATIONS:

[CC 16-64](#) DIRECTOR OF FINANCE, transmitting 52 contracts/grants for February 2016.

[CC 16-65](#) CHAIR, PLANNING COMMITTEE, transmitting a proposed resolution entitled "APPROVING A TIME EXTENSION FOR THE COUNCIL TO ENACT THE LANAI COMMUNITY PLAN".

[CC 16-66](#) COUNCIL CHAIR WHITE, transmitting a proposed resolution entitled "APPOINTING A REPRESENTATIVE AND ALTERNATE TO THE EXECUTIVE COMMITTEE OF THE HAWAII STATE ASSOCIATION OF COUNTIES".

[CC 16-67](#) CHAIR, POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE, transmitting a proposed resolution entitled "RELATING TO THE APPOINTMENT OF EMMANUEL BALTAZAR TO THE COST OF GOVERNMENT COMMISSION".

- [CC 16-68](#) DIRECTOR OF PARKS AND RECREATION, 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 THE STATE OF HAWAII, BOARD OF LAND AND NATURAL RESOURCES, RELATIVE TO THE OPERATION, USE AND MAINTENANCE OF THE CENTRAL MAUI REGIONAL SPORTS COMPLEX".
- [CC 16-69](#) PLANNING DIRECTOR, transmitting the 2016 Annual Status Report on the Implementation of the Countywide Policy Plan and Maui Island Plan.
- [CC 16-70](#) PLANNING DIRECTOR, transmitting the 2016 Annual Status Report on the Implementation of the Maui County Community Plans.

2. GENERAL COMMUNICATIONS:

NONE.

J. RESOLUTIONS:

NONE.

K. ORDINANCES - SECOND AND FINAL READING:

- [Bill No. 32 \(2016\)](#) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2016 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX A, PART I, GRANT REVENUE - SCHEDULE OF GRANTS BY DEPARTMENTS AND PROGRAMS, DEPARTMENT OF PUBLIC WORKS (FEDERAL HIGHWAY ADMINISTRATION, FEDERAL-AID AND OTHER TRANSPORTATION GRANTS)"
- [Bill No. 33 \(2016\)](#) "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2016 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES - SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2016, HIGHWAY BEAUTIFICATION AND DISPOSAL OF ABANDONED VEHICLES REVOLVING FUND"
- [Bill No. 34 \(2016\)](#) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2016 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF FINANCE, COUNTYWIDE COSTS; TOTAL OPERATING APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)"
- [Bill No. 35 \(2016\)](#) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2016 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; COUNTYWIDE, OTHER PROJECTS, COUNTYWIDE EQUIPMENT; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)"

[Bill No. 36](#)
[\(2016\)](#) "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4228, BILL NO. 35 (2015), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI (COUNTYWIDE EQUIPMENT)"

[Bill No. 37](#)
[\(2016\)](#) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2016 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, WASTEWATER ADMINISTRATION PROGRAM - SEWER FUND, DEPARTMENT OF FINANCE, COUNTYWIDE COSTS; TOTAL OPERATING APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)"

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.