

Council of the County of Maui

A G E N D A

Regular Meeting of December 17, 2021

9:00 AM

Meeting Site:

Online Only via BlueJeans link <https://maui.bluejeans.com/295235670>

Remote Testimony Sites:

None.

Meeting will be televised on Akaku: Maui Community Media, Channel 53, and
livestreamed on <https://mauicounty.legistar.com>

website: www.co.maui.hi.us/Archive.aspx?AMID=226

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 An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify.

Individuals may provide oral testimony by phone or video conference. To join the meeting by phone, call 1-408-317-9253 and input meeting code 295235670. To join by video conference, use the following link: <https://maui.bluejeans.com/295235670>.

Testifiers will be asked to disconnect from the video conference meeting once their testimony has concluded. Once the testimony period has closed, only the Councilmembers, staff, and designated resource persons will be connected to the video conference meeting. All other individuals will be disconnected. They will be able to view the remainder of the meeting on Akaku Channel 53 or on <https://mauicounty.legistar.com/>. Individuals may be disconnected from the meeting for breaking decorum.

If the connection between any testifier and the video conference is lost, the meeting will still continue. Members of the public interested in information about offering testimony on an agenda item may contact the Office of the County Clerk (808-270-7748) prior to the meeting.

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:

COUNCIL CHAIR ALICE LEE

C. PLEDGE OF ALLEGIANCE

D. TESTIMONY ON CEREMONIAL RESOLUTIONS

E. CEREMONIAL RESOLUTIONS:

Reso

"HONORING THE EXTRAORDINARY AND FRUITFUL LIFE OF THE LATE PETER DAMON BALDWIN"

F. SET THE CONSENT CALENDAR**G. PRESENTATION OF WRITTEN OR ORAL TESTIMONY****H. MINUTES:**

[M-211001](#) Regular Meeting of October 1, 2021

I. ACTION ON THE CONSENT CALENDAR

NONE.

J. COUNTY COMMUNICATIONS:**1. COUNTY COMMUNICATIONS:**

[CC 21-556](#) MAYOR, notifying of his veto of Bill No. 111 (2021), entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.96, MAUI COUNTY CODE, RELATING TO RESIDENTIAL WORKFORCE HOUSING POLICY APPLICANT SELECTION PRIORITY".

With reference to this agenda item, the Council may reconsider the vote upon the bill and may override the Mayor's veto as provided for in Subsection 4-3.1 of the Revised Charter of the County of Maui (1983), as amended.

[CC 21-557](#) MAYOR, providing comments relating to Bill 135 (2021), entitled "A BILL FOR AN ORDINANCE ESTABLISHING CHAPTER 20.42, MAUI COUNTY CODE, TO PROHIBIT THE SALE, USE, OR DISTRIBUTION OF NON-MINERAL SUNSCREENS".

[CC 21-558](#) MAYOR, providing comments relating to Bill 118 (2021), Draft 1, entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.48, MAUI COUNTY CODE, RELATING TO REAL PROPERTY DEDICATED AS 'ĀINA KŪPUNA".

[CC 21-559](#)

BUDGET DIRECTOR, transmitting the following:

1. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES - SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2022, EMERGENCY FUND (DEPARTMENT OF PUBLIC WORKS, DECEMBER SEVERE WEATHER EVENT)";
2. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C - CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF PUBLIC WORKS (DECEMBER SEVERE WEATHER EVENT)";
3. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX D - CONDITIONAL LANGUAGE, EMERGENCY FUND (DEPARTMENT OF PUBLIC WORKS, DECEMBER SEVERE WEATHER EVENT)"; and
4. A copy of the Mayor's Emergency Proclamation, effective December 5, 2021.

[CC 21-560](#)

BUDGET DIRECTOR, transmitting the following proposed bills entitled:

1. "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES - SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2022, OPEN SPACE, NATURAL RESOURCES, CULTURAL RESOURCES, AND SCENIC VIEWS PRESERVATION FUND (KE AO HALI'I)"; and
2. "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX D - CONDITIONAL LANGUAGE, OPEN SPACE, NATURAL RESOURCES, CULTURAL RESOURCES, AND SCENIC VIEWS PRESERVATION FUND (KE AO HALI'I)".

[CC 21-561](#)

FIRE CHIEF, transmitting a proposed resolution entitled "AUTHORIZING THE COUNTY TO ENTER INTO AN AGREEMENT REGARDING THE PLACEMENT AND MAINTENANCE OF RESCUE TUBES AT MAUI COUNTY BEACH PARKS".

[CC 21-562](#)

ACTING CHIEF OF POLICE, transmitting a proposed resolution entitled "AUTHORIZING ACCEPTANCE OF THE DONATION OF BOMB SQUAD EQUIPMENT AND SAFETY GEAR FROM THE HAWAII DEPARTMENT OF DEFENSE, OFFICE OF HOMELAND SECURITY TO THE COUNTY OF MAUI, PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE".

[CC 21-563](#) COUNCILMEMBER KING, transmitting a proposed resolution entitled "APPROVING THE HAWAII STATE ASSOCIATION OF COUNTIES' OFFICERS AND ALTERNATES FOR THE TERM ENDING JANUARY 31, 2023".

2. GENERAL COMMUNICATIONS:

[GC 21-7](#) CAROL K. REIMANN, VICE PRESIDENT, A&B PROPERTIES HAWAII, LLC, SERIES T, submitting the 2021 Annual Report pursuant to Condition No. 2 of Ordinance No. 4385, Wai'ale Project District South change in zoning.

[GC 21-8](#) NOAH WALIN, PROJECT COORDINATOR, CMBY 2011 INVESTMENT, LLC, submitting the 2021 Annual Report in accordance with Condition No. 22 of the State Land Use Commission Findings of Fact, Conclusions of Law and Decision and Order, in Docket No.: A13-797.

K. COMMITTEE REPORTS:

Budget, Finance, and Economic Development Committee

[CR 21-131](#) Recommending the following:

1. **ADOPTION** of resolution authorizing the acquisition of 10,878 square feet of real property identified as tax map key (2) 5-6-002:002, situated at Kaunakakai, Molokai, Hawaii, to be used for the relocation of the Puko'o Fire Station, for an amount not to exceed \$300,000 and customary expenses; and
2. **FILING** of communication.

[CR 21-132](#)

Recommending the following:

1. **FIRST READING** of bill to amend the Fiscal Year 2022 Budget by: 1) increasing Bond/Lapsed Bond revenues by \$484,650; 2) amending Section 4.A.4.b.(1), Department of Environmental Management, Wailuku-Kahului Community Plan Area, Sanitation, Bond Fund, by adding a project entitled "Central Maui Landfill Entrance Facility Traffic Improvements" in the amount of \$484,650; and 3) adjusting the totals accordingly;
2. **FIRST READING** of bill to amend the Fiscal Year 2022 Budget, Appendix C, Capital Improvement Projects, by adding a project and project description under the Department of Environmental Management, Wailuku-Kahului Community Plan Area, for Central Maui Landfill Entrance Facility Traffic Improvements in the amount of \$484,650; and
3. **FIRST READING** of bill to amend the Fiscal Year 2022 general obligation bond authorization ordinance by adding an appropriation for the Wailuku-Kahului Community Plan Area, Sanitation, for a project entitled "Central Maui Landfill Entrance Facility Traffic Improvements," in the amount of \$484,650, under the Department of Environmental Management.

[CR 21-133](#)

Recommending the following:

1. **FIRST READING** of bill to amend the Fiscal Year 2022 Budget by: 1) increasing Bond/Lapsed Bond revenues by \$248,108; 2) amending Section 4.H.2.a, Department of Transportation, Wailuku-Kahului Community Plan Area, Government Facilities, by adding "Bond Fund" and a project entitled "Central Maui Transit Hub" in the amount of \$248,108; and 3) adjusting the totals accordingly;
2. **FIRST READING** of bill to amend the Fiscal Year 2022 Budget, Appendix C, Capital Improvement Projects, by increasing the appropriation for the Department of Transportation, Wailuku-Kahului Community Plan Area, Central Maui Transit Hub, in the amount of \$248,108; and
3. **FIRST READING** of bill to amend the Fiscal Year 2022 general obligation bond authorization ordinance by adding an appropriation for the Wailuku-Kahului Community Plan Area, Government Facilities, for a project entitled "Central Maui Transit Hub," in the amount of \$248,108, under the Department of Transportation.

Government Relations, Ethics, and Transparency Committee

[CR 21-134](#)

Recommending the following:

1. **ADOPTION** of resolution establishing a sister-city relationship with San Cristobal Island, Galapagos, Republic of Ecuador; and
2. **FILING** of communication.

[CR 21-135](#) Recommending the following:

1. **ADOPTION** of resolution approving the appointment of Edwina Wilson-Snyder to the Council on Aging, for a term expiring on March 31, 2025; and
2. **ADOPTION** of resolution approving the appointment of John Tomoso to the Council on Aging, for a term expiring on March 31, 2022; and

[CR 21-136](#) Recommending **ADOPTION** of resolution approving the appointment of Alma Tassi to the Commission on Children and Youth, for a term expiring on March 31, 2023.

[CR 21-137](#) Recommending **ADOPTION** of resolution approving the appointment of Rainey Matthews to the Maui County Commission on Persons with Disabilities, for a term expiring on March 31, 2024.

[CR 21-138](#) Recommending **ADOPTION** of resolution approving the appointments of Advisory Committee Members Debra Hughes, Robin Knox, Mike Moran, and Robert Weltman; and Alternates Bruce Bond and Raymond Phillips, to the South Maui Advisory Committee.

[CR 21-139](#) Recommending **ADOPTION** of resolution approving the appointments of Advisory Committee Members Adrian Boone, Lucienne de Naie, Andrea Kealoha, Rebecca O'Day, and Timothy Wolfe; and Alternates Matthew McDonald and Nikhilaranda, to the Pāi'a-Ha'iku Advisory Committee.

Human Concerns and Parks Committee

[CR 21-140](#) Recommending the following:

1. **ADOPTION** of resolution authorizing a grant of a 50-year lease of County recreational space located at Pa'ia, Maui, Hawaii, of approximately 1.46 acres, to Pa'ia Youth Council, Inc.; and
2. **FILING** of communication.

L. RESOLUTIONS:

NONE.

M. ORDINANCES - SECOND AND FINAL READING:

[Bill 149 \(2021\)](#) "A BILL FOR AN ORDINANCE AMENDING SECTION 2.80B.070, MAUI COUNTY CODE, TO ADOPT THE UPDATED WEST MAUI COMMUNITY PLAN"

N. UNFINISHED BUSINESS:

Bill 147
(2021)

"A BILL FOR AN ORDINANCE AMENDING SECTION 19.06.020, MAUI COUNTY CODE, ADOPTING DIGITAL ZONING MAP (3) AS THE OFFICIAL ZONING MAP FOR THE ISLAND OF MAUI"

"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.

THIS ONLINE MEETING IS BEING CONDUCTED IN ACCORDANCE WITH THE GOVERNOR'S MOST RECENT EMERGENCY PROCLAMATION ON COVID-19. IF BLUEJEANS CONNECTIVITY AFFECTING QUORUM IS LOST, THE COUNCIL WILL BE IN RECESS. IT WILL NOT BE CONSIDERED A LOSS OF QUORUM UNLESS CONNECTIVITY CANNOT BE RESTORED WITHIN 30 MINUTES. IF CONNECTIVITY AFFECTING QUORUM CANNOT BE RESTORED WITHIN 30 MINUTES, THE MEETING WILL AUTOMATICALLY RECONVENE THE FOLLOWING TUESDAY AT 9:00 A.M., USING THE SAME VIRTUAL CONNECTIONS, UNLESS THE COUNCIL ANNOUNCES A DIFFERENT DATE AND TIME.

ANYONE REQUESTING AN AUXILIARY AID OR SERVICE OR AN ACCOMMODATION DUE TO A DISABILITY SHOULD CONTACT THE OFFICE OF THE COUNTY CLERK AT LEAST THREE WORKING DAYS PRIOR TO THE MEETING DATE AT (808) 270-7748 OR COUNTY.CLERK@MAUICOUNTY.US.