

# **Council of the County of Maui**

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

of April 21, 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

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 An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify.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

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

NONE.

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

[M-170310](#) Regular Meeting of March 10, 2017

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

[CC 17-168](#) CHIEF OF POLICE, informing of the intent to expend \$11,654.91 in Forfeiture Funds to pay for ice machines for the Lanai and Hana Stations.

[CC 17-169](#) DIRECTOR OF TRANSPORTATION, transmitting a copy of the notice of Authorization and Project Agreement for the Maui County Metropolitan Planning Organization FY 2017 Unified Planning Work Program in the amount of \$188,316.80.

[CC 17-170](#) DIRECTOR OF PARKS AND RECREATION, transmitting a copy of the State of Hawaii Appropriation Warrant No. 220 for funds for Valley Isle Timing Association for the Maui Motor Sports Park in the amount of \$2,000,000.00.

[CC 17-171](#) MAYOR, informing of a vacancy on the Cost of Government Commission due to the resignation of Emmanuel Baltazar.

[CC 17-172](#) DIRECTOR OF WATER SUPPLY, transmitting the Department of Water Supply's Monthly Source Report and Groundwater Use Report for the month ending March 2017.

[CC 17-173](#) COUNCILMEMBER CRIVELLO, transmitting a proposed resolution entitled "REFERRING TO THE MOLOKAI PLANNING COMMISSION A PROPOSED BILL TO AMEND THE COMPREHENSIVE ZONING ORDINANCE RELATING TO SHORT-TERM RENTAL HOMES ON MOLOKAI".

[CC 17-174](#) CHAIR, POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE, transmitting a proposed resolution entitled "RELATING TO THE APPOINTMENT OF KELLY PEARSON TO THE COMMISSION ON CHILDREN AND YOUTH".

[CC 17-175](#) CHAIR, POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE, transmitting a proposed resolution entitled "RELATING TO THE APPOINTMENT OF ARTEMIO BAXA TO THE SALARY COMMISSION".

**2. GENERAL COMMUNICATIONS:**

NONE.

**I. COMMITTEE REPORTS:****Budget and Finance Committee**[CR 17-59](#)

Recommending the following:

1. **FIRST READING** of bill to establish a policy for the Department of Parks and Recreation relating to awarding and administering of concessions, sponsorships, and donations; and the establishment of a fund for the deposit and expenditure of all funds received from concessions, sponsorships, and donations; and
2. **FILING** of communication.

**Land Use Committee**[CR 17-60](#)

Recommending the following:

1. **FIRST READING** of bill to grant a request from Lana'i Resorts, LLC, dba Pulama Lana'i, to amend the Lana'i Community Plan and Land Use Map from Business/Commercial to Single-Family to construct three homes on a 22,328-square foot parcel located at Lanai City, Lanai, Hawaii;
2. **FIRST READING** of bill to grant a request from Lana'i Resorts, LLC, dba Pulama Lana'i, for a Change in Zoning from B-CT Country Town Business District to R-1 Residential District (Conditional Zoning) for three homes on a 22,328-square foot parcel located at Lanai City, Lanai, Hawaii;
3. **RECORDATION** of the unilateral agreement; and
4. **FILING** of communication.

**Policy, Economic Development, and Agriculture Committee**[CR 17-61](#)

Recommending **ADOPTION** of resolution approving the appointment of Jamie Davidson (General Public) to the Kula Agricultural Park Committee for a term expiring on March 31, 2022.

**J. RESOLUTIONS:**

NONE.

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

[Bill 42 \(2017\)](#) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2017 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 FIRE AND PUBLIC SAFETY (UNITED STATES DEPARTMENT OF HOMELAND SECURITY (DHS) FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ASSISTANCE TO FIREFIGHTERS GRANT (AFG) PROGRAM - OPERATIONS AND SAFETY PROGRAM)"

[Bill 43 \(2017\)](#) "A BILL FOR AN ORDINANCE AMENDING CHAPTER 16.13, MAUI COUNTY CODE, RELATING TO COMMERCIAL SIGNS"

[Bill 44 \(2017\)](#) "A BILL FOR AN ORDINANCE GRANTING LANA'I RESORTS, LLC, DBA PULAMA LANA'I, A CONDITIONAL PERMIT TO DEVELOP A HELISTOP PAD AND RELATED IMPROVEMENTS WITHIN THE COUNTY AGRICULTURAL DISTRICT, FOR PROPERTY IDENTIFIED AS A PORTION OF TAX MAP KEY NUMBER (2) 4-9-002:001, MANELE, LANAI, HAWAII"

[Bill 45 \(2017\)](#) "A BILL FOR AN ORDINANCE GRANTING LANA'I RESORTS, LLC, DBA PULAMA LANA'I, A CONDITIONAL PERMIT TO ALLOW UP TO 40 SPECIAL EVENTS PER YEAR AT THE CHALLENGE AT MANELE GOLF COURSE, WITHIN THE COUNTY LANAI PROJECT DISTRICT 1 (MANELE), FOR PROPERTY IDENTIFIED AS A PORTION OF TAX MAP KEY NUMBER (2) 4-9-017:008, MANELE, LANAI, HAWAII"

**L. UNFINISHED BUSINESS:****COMMITTEE REPORTS:**

[CR 17-52](#) Recommending the following:

1. **FIRST READING** of bill to amend Appendix A, Part II, of the Fiscal Year 2017 Budget by increasing the proviso amount for County costs related to the September 2016 flooding event by \$910,327 under the Emergency Fund;
2. **REFERRAL** of Miscellaneous Communication dated October 12, 2016, from the County Clerk, referring County Communication 16-223 and related documents associated with the County of Maui September 2016 Flood event and costs, and other related documents to the Policy, Economic Development, and Agriculture Committee; and
3. **FILING** of communication.

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.