

# **Council of the County of Maui**

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

Regular Meeting of March 23, 2018

10:00 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 An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify.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 ELLE COCHRAN

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

Reso "CONGRATULATING THE SEABURY HALL MIXED PADDLING CREW ON WINNING THE 2018 HAWAIIAN AIRLINES CANOE PADDLING STATE CHAMPIONSHIPS MIXED TITLE"

Reso "CONGRATULATING THE MAUI HIGH SCHOOL OCEAN SCIENCES BOWL 'A' TEAM FOR WINNING THE 2018 OCEAN SCIENCES REGIONAL ALOHA BOWL"

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

NONE.

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

CC 18-102 CHIEF OF POLICE, informing of the intent to expend approximately \$2,449.97 in Federal Forfeiture Funds to purchase a waterproof drone.

CC 18-103 DIRECTOR OF FINANCE, informing of the acceptance of a Warranty Deed for a Road Widening Lot, Haiku Road Drainage Subdivision, TMK: (2) 2-7-003:056 (por).

CC 18-104 DIRECTOR OF FINANCE, informing of the acceptance of Access and Drainage Easements A-1, A-2, D1, and D-3, Haiku Road Drainage Subdivision, TMK: (2) 2-7-011:021 & 034, 2-7-003:056.

CC 18-105 DIRECTOR OF FINANCE, informing of the acceptance of Waterline Easement B, Waikapu Gardens Subdivision, TMK: (2) 3-5-002:003 (por).

CC 18-106 DIRECTOR OF FINANCE, informing of the acceptance of Waterline Easement, Kaae Road 2 Inch Waterline Relocation Project, Paukukalo, Wailuku, TMK: (2) 3-3-001:017 (por).

CC 18-107 COUNTY AUDITOR, transmitting Financial Data Schedules for Section 8 and Home Programs of the County of Maui for the Fiscal Year Ended June 30, 2017.

CC 18-108 COUNCILMEMBER CARROLL, transmitting a proposed resolution entitled

"REFERRING TO THE MAUI PLANNING COMMISSION A PROPOSED BILL TO AMEND THE WAILUKU-KAHULUI COMMUNITY PLAN AND LAND USE MAP FROM OPEN SPACE TO SINGLE-FAMILY FOR PROPERTY SITUATED AT SPRECKELSVILLE, MAUI, HAWAII, IDENTIFIED AS TAX MAP KEY (2) 3-8-001:199".

[CC 18-109](#) COUNCILMEMBER KING, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTERS 2.80B AND 2.90B, MAUI COUNTY CODE, RELATING TO THE KAHOO LAWE COMMUNITY PLAN".

[CC 18-110](#) CHAIR, POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE, transmitting the following proposed resolutions entitled:

1. "APPOINTMENT OF MEMBERS TO THE KULA AGRICULTURAL PARK COMMITTEE FOR THE COUNTY OF MAUI" (Barbara Barry and Kylie Wong - CTAHR);
2. "APPOINTMENT OF A MEMBER TO THE MAUI REDEVELOPMENT AGENCY" (Keone Ball);
3. "APPOINTMENT OF MEMBERS TO THE URBAN DESIGN REVIEW BOARD FOR THE COUNTY OF MAUI" (Caryl Hitchcock-Sprinzel - Molokai and Stuart Marlowe - Lanai); and
4. "APPOINTMENT OF A MEMBER TO THE URBAN DESIGN REVIEW BOARD FOR THE COUNTY OF MAUI" (Darren Okimoto - Alternate).

[CC 18-111](#) COUNCILMEMBER KING, transmitting a proposed resolution entitled "SUPPORTING MAUI PEACE ACTION, MAUI SEASONS FOR PEACE, AND HIROSHIMA/NAGASAKI REMEMBRANCE COMMITTEE FOR THEIR WORK PROMOTING PEACE, DISARMAMENT, AND DIPLOMACY IN OUR COMMUNITY AND AROUND THE WORLD".

[CC 18-112](#) CHIEF OF POLICE, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI THROUGH THE CHIEF OF POLICE TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF HEALTH".

[CC 18-113](#) COUNCILMEMBER COCHRAN, relating to aerial fireworks.

[CC 18-114](#) MAYOR, transmitting a proposed resolution entitled "AUTHORIZING THE DISPOSITION OF APPROXIMATELY 33.373 ACRES OF COUNTY REAL PROPERTY LOCATED IN LAUNIUPOKO, MAUI, HAWAII, TO THE DEPARTMENT OF TRANSPORTATION, STATE OF HAWAII, FOR THE HONOAPIILANI HIGHWAY REALIGNMENT, PHASE 1B-2".

[CC 18-115](#) ECONOMIC DEVELOPMENT DIRECTOR, transmitting a proposed resolution entitled "AUTHORIZING SECOND AMENDMENT TO EXTEND THE TERM FOR THE GRANT OF A LICENSE OF COUNTY REAL PROPERTY FOR THE ELECTRIC VEHICLE QUICK CHARGERS AND LOCAL BATTERY UNITS".

[CC 18-116](#) ECONOMIC DEVELOPMENT DIRECTOR, transmitting a proposed resolution

entitled "APPROVING THE ACQUISITION OF REAL PROPERTY, APPROXIMATELY 262 ACRES, LOCATED IN PULEHUNUI AND OMAPIO, MAKAWAO, MAUI, HAWAII".

[CC 18-117](#) PROSECUTING ATTORNEY, transmitting a proposed resolution entitled "AUTHORIZING THE ACQUISITION OF REAL PROPERTY LOCATED AT 2103 WELLS STREET, WAILUKU, MAUI, HAWAII, AND APARTMENTS A, B AND C OF THE UEOKA BUILDING CONDOMINIUM".

[CC 18-118](#) DEPUTY DIRECTOR OF WATER SUPPLY, transmitting the Department of Water Supply's Monthly Source Report and Groundwater Use Report for the month ending February 2018.

[CC 18-119](#) COUNCILMEMBER ATAY, relating to the operations and management of the Department of Water Supply.

## **2. GENERAL COMMUNICATIONS:**

NONE.

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

#### **Budget and Finance Committee**

[CR 18-42](#) Recommending **FILING** of communication relating to Category VII refuse disposal fees at the Central Maui Landfill.

[CR 18-43](#) Recommending **ADOPTION** of resolution to amend the Fiscal Year 2018 Budget within the Department of Fire and Public Safety by transferring \$40,480 from the Training Program, Category B (Operations) to Category C (Equipment) for uniforms for the next firefighter recruit class; and \$12,200 from the Fire/Rescue Operations Program, Category B (Operations) to Category C (Equipment), for helicopter rescue nets and rescue saws.

[CR 18-44](#) Recommending **FIRST READING** of bill to amend Appendix A, Part I, Grant Revenue - Schedule of Grants by Departments and Programs, Fiscal Year 2018 Budget, by increasing the Department of Transportation Highway Safety Grants under the Department of Police by \$152,500 to purchase speed enforcement equipment and increase roadblock activity.

[CR 18-45](#) Recommending the following:

1. **FIRST READING** of bill to amend the Fiscal Year 2018 Budget for the Department of Parks and Recreation, Section 3.B.10.c, by increasing the equivalent personnel for the Recreation and Support Services Program by 2.0 to assist in the management of operations and maintenance of County park facilities in the Central district; and
2. **FILING** of communication.

[CR 18-46](#)

Recommending the following:

1. **FIRST READING** of bill to amend the Fiscal Year 2018 Budget by 1) increasing Estimated Revenues from Charges for Current Services by \$150,000; 2) amending Section 3.B.3.e., Department of Environmental Management, by increasing the Solid Waste Operations Program - Solid Waste Management Fund, by \$150,000 under Category C (Equipment), and Total Appropriations; and 3) adjusting the totals accordingly, to purchase an automated fee collection and gate system at the Central Maui Landfill; and
2. **FILING** of communication.

[CR 18-47](#)

Recommending the following:

1. **FIRST READING** of bill to amend the Fiscal Year 2018 Budget by 1) increasing Estimated Revenues from the Bond Fund by \$1,500,000; 2) amending Section 4.F.8.a.(1), by adding an appropriation of \$1,500,000 under the Department of Parks and Recreation, Wailuku-Kahului Community Plan Area, Parks and Recreation, Bond Fund, for the Waikapu Community Center Expansion; and 3) adjusting the totals accordingly;
2. **FIRST READING** of bill to amend the Fiscal Year 2018 general obligation bond authorization ordinance by adding an appropriation of \$1,500,000 for the Department of Parks and Recreation, Wailuku-Kahului Community Plan Area, Parks and Recreation, for the Waikapu Community Center Expansion;
3. **FIRST READING** of bill to amend the Fiscal Year 2018 Budget, Appendix C, Capital Improvement Projects, by adding an appropriation of \$1,500,000 and a project description under the Department of Parks and Recreation, Wailuku-Kahului Community Plan Area, for the Waikapu Community Center Expansion; and
4. **FILING** of communication.

[CR 18-48](#)

Recommending the following:

1. **FIRST READING** of bill to amend the Fiscal Year 2018 Budget by 1) increasing Estimated Revenues from the Bond Fund by \$1,852,716; 2) amending Section 4.J.3.a.(1), by adding an appropriation of \$1,852,716 under the Department of Public Works, Kihei-Makena Community Plan Area, Road Improvements, Bond Fund, for the Pavement Rehabilitation at Various Locations - South Maui project; and 3) adjusting the totals accordingly;
2. **FIRST READING** of bill to amend the Fiscal Year 2018 general obligation bond authorization ordinance by adding an appropriation of \$1,852,716 under the Department of Public Works, Kihei-Makena Community Plan Area, Road Improvements, for the Pavement Rehabilitation at Various Locations - South Maui project;
3. **FIRST READING** of bill to amend the Fiscal Year 2018 Budget, Appendix C, Capital Improvement Projects, by adding an appropriation of \$1,852,716 and a project description under the Department of Public Works, Kihei-Makena

Community Plan Area, for the Pavement Rehabilitation at Various Locations - South Maui project; and

4. **FILING** of communication.

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

[CR 18-49](#) Recommending **ADOPTION** of resolution approving the appointment of Dionne Phillips to the Salary Commission for a term expiring on March 31, 2020.

[CR 18-50](#) Recommending **ADOPTION** of resolution approving the appointment of Gerald Rabaino to the Lanai Planning Commission for a term expiring on March 31, 2020.

[CR 18-51](#) Recommending **ADOPTION** of resolution approving the appointment of Janet Driggers to the Affirmative Action Advisory Council for a term expiring on March 31, 2020.

[CR 18-52](#) Recommending the following:

1. **FIRST READING** of bill amending the additional qualifications for the Director of Public Works and the Director of Environmental Management, and establishing additional specific qualifications for the Director of Parks and Recreation and the Director of Transportation; and
2. **FIRST READING** of bill establishing additional specific qualifications for the Director of Housing and Human Concerns.

**J. RESOLUTIONS:**

**NONE.**

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

[Bill 16 \(2018\)](#) "A BILL FOR AN ORDINANCE ESTABLISHING A NEW CHAPTER 3.55, MAUI COUNTY CODE, RELATING TO THE ENVIRONMENTAL PROTECTION AND SUSTAINABILITY FUND, AND AMENDING CHAPTER 3.54, MAUI COUNTY CODE, RELATING TO THE SOLID WASTE MANAGEMENT FUND"

[Bill 17 \(2018\)](#) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2018 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX A, PART I, GRANT REVENUE - SCHEDULE OF GRANTS BY DEPARTMENTS AND PROGRAMS, OFFICE OF THE MAYOR (STATE OF HAWAII DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS)"

[Bill 18 \(2018\)](#) "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 WATER SUPPLY, COUNTYWIDE, COUNTYWIDE FACILITY IMPROVEMENTS"

- [Bill 19 \(2018\)](#) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2018 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 20 \(2018\)](#) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2018 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF PUBLIC WORKS, KIHEI-MAKENA COMMUNITY PLAN AREA, DRAINAGE, SOUTH MAUI DRAINLINE REPAIRS, TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)"
- [Bill 21 \(2018\)](#) "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4454, BILL NO. 63 (2017), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI (SOUTH MAUI DRAINLINE REPAIRS)"
- [Bill 22 \(2018\)](#) "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 PUBLIC WORKS, KIHEI-MAKENA COMMUNITY PLAN AREA, SOUTH MAUI DRAINLINE REPAIRS"
- [Bill 23 \(2018\)](#) "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL DISTRICT TO URBAN DISTRICT FOR PROPERTIES SITUATED AT MAKAWAO, MAUI, HAWAII, TAX MAP KEY (2) 2-4-008:041 AND A PORTION OF TAX MAP KEY (2) 2-4-008:001"
- [Bill 24 \(2018\)](#) "A BILL FOR AN ORDINANCE TO AMEND THE MAKAWAO-PUKALANI-KULA COMMUNITY PLAN AND LAND USE MAP FROM AGRICULTURE TO PUBLIC/QUASI-PUBLIC FOR 14.95 ACRES SITUATED AT MAKAWAO, MAUI, HAWAII, TAX MAP KEY (2) 2-4-008:041 AND A PORTION OF TAX MAP KEY (2) 2-4-008:001"
- [Bill 25 \(2018\)](#) "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT (CONDITIONAL ZONING) FOR 14.95 ACRES SITUATED AT MAKAWAO, MAUI, HAWAII, TAX MAP KEY (2) 2-4-008:041 AND A PORTION OF TAX MAP KEY (2) 2-4-008:001"
- [Bill 26 \(2018\)](#) "A BILL FOR AN ORDINANCE AMENDING SECTION 19.65.030, MAUI COUNTY CODE, TO ESTABLISH OWNERSHIP DURATIONAL REQUIREMENTS FOR SHORT-TERM RENTAL HOME PERMIT APPLICATIONS"

**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.**