

IEM Committee

From: Jim or Belinda <2jbhome@hawaiiantel.net>
Sent: Sunday, July 10, 2016 5:23 PM
To: IEM Committee
Subject: TESTIMONY IEM - 9 RELATED TO BUILDING PERMITS ON CONSERVATION LANDS
Attachments: 07_11_16 IEM mtg Testimony.odt; Council Minutes re Committee report 12-27 MIN 03_02_12 Council Meeting Bills 24 and Bill 25.pdf

hello,

Please find attached here a copy of testimony I present to the Committee regarding Item IEM-9. There is an attachment that is a portion of the minutes of the Council meeting referenced in the testimony. It is from the minutes of the Council's 03_02_12 regular meeting.

thank you

jim smith
07_10_11

Jim Smith
99 Kapuai Road
Haiku, Maui, Hawaii 96708

July 10, 2016

Chairperson Elle Cochran and Members of
the Infrastructure and Environmental Management Committee (IEM)
200 S. High Street
Wailuku, Maui, Hawaii 96732

TESTIMONY: Related to IEM- 09

On March 14, 2016, this Committee received an informal presentation by the Director of Public Works supporting the repeal of an exemption give to obtaining building permit approval building located in a State designate Conservation District. He provided no factual basis for its repeal and communicated the idea that the provision was unnecessary to begin with.

The Council amended the Code to contain the exemption in 2012, based upon two county communications identified as C. C.12 – 14 and C. C. 12 – 14 transmitted by the Director of Public Works. These were identified at Committee Report 12 – 27 approved at the Council's March 02, 2012 meeting. Minutes of the March 2012 meeting, report that Committee Chair Cochran stated in part: "This is a time-sensitive matter – must be adopted by 4/16/12 or State Building Code will take over."

The Director failed to provide this Committee with the number of private properties affected; an analysis of the building of residential or commercial buildings on these properties since the exemption entered into law and a current listing of subdivision developments in Haiku abutting or in State Conservation Districts that will impact public infrastructure.

Director inform, bring up or address the impression left to the Chair in 2012, that the granting of the exemption was time sensitive, and how if the Council did not approved the exemption home rule would be somehow diminished or lost. (See portion of Council minutes attached to this testimony.)

It appears that the mayor's misconception of law as a "formality"

invoked in connection with the demolition of the Wailuku Post Office has expanded to include appearances by directors before a legislative committee.

This is the impression I am left with when reviewing the remarks of Director Goode at this Committee's March 14, 2016 meeting. Please keep this matter in Committee until your duty is taken seriously.

Thank you so much

Jim Smith

07_10_16

MINUTES

of the

COUNCIL OF THE COUNTY OF MAUI

March 2, 2012

THE REGULAR MEETING OF THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, WAS HELD IN THE COUNCIL CHAMBER, KALANA O MAUI BUILDING, WAILUKU, HAWAII, ON FRIDAY, MARCH 2, 2012, BEGINNING AT 9:09 A.M., WITH CHAIR DENNIS A. MATEO PRESIDING.

CHAIR MATEO: Council of the County of Maui regular meeting of March 2, 2012 will come to order.

Mr. Clerk, may we have the roll call please.

ROLL CALL

PRESENT: COUNCILMEMBERS GLADYS C. BAISA, ROBERT CARROLL, ELEANORA COCHRAN, MICHAEL P. VICTORINO, MICHAEL B. WHITE, VICE-CHAIR JOSEPH PONTANILLA, AND CHAIR DENNIS A. MATEO.

EXCUSED: COUNCILMEMBERS DONALD G. COUCH JR. AND G. RIKI HOKAMA.

COUNTY CLERK: Mr. Chairman, seven Members of the Council are present and two are excused. A quorum is present.

CHAIR MATEO: Thank you very much. Members, this morning our, our colleague from the Makawao-Paia area will be providing the opening remarks for us.

Mr. White.

OPENING REMARKS

The opening remarks were offered by Councilmember Michael B. White.

CHAIR MATEO: Thank you, Mr. White. Will everyone please rise and join us in reciting the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

The Members of the Council, and others in attendance, rose and recited the Pledge of Allegiance.

CHAIR MATEO: Again, thank you, thank you, Mr. White, for your opening remarks this morning.

Mr. Clerk.

COUNTY CLERK: Mr. Chairman, we have received no requests for testimony on ceremonial resolutions. Shall we proceed with ceremonial resolutions?

CHAIR MATEO: Proceed.

CEREMONIAL RESOLUTIONS

RESOLUTION
NO. 12-17

RECOGNIZING MARCH 2012 AS
RED CROSS MONTH IN THE COUNTY OF MAUI

CHAIR MATEO: Thank you.

Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Thank you, Chairman.

ON YOUR BEHALF, I MOVE THAT THE PROPOSED
RESOLUTION ENTITLED "RECOGNIZING MARCH 2012 AS
RED CROSS MONTH IN THE COUNTY OF MAUI".

COUNCILMEMBER VICTORINO:

SECOND, MR. CHAIR.

VICE-CHAIR PONTANILLA: It's been moved by Mr. Pontanilla and second by Mr. Victorino to adopt the proposed resolution.

Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Chairman, may I have the County Clerk read the resolution in its entirety?

CHAIR MATEO: Mr. Clerk, please read the resolution.

(The resolution was read in its entirety.)

CHAIR MATEO: Thank you.

Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Thank you, Chairman. I join with you in your support in adopting this resolution recognizing the month of March 2012 as Red Cross Month in Maui County.

The American Red Cross is one of the oldest human service organizations in the United States. This year marks Hawaii American Red Cross Chapter's 95th Anniversary.

While the resolution remind us in brief detail of the services the Red Cross provides, the true legacy of the Red Cross and its mission lies in the testimonials of the multitudes of people that have been impacted through Red Cross assistance and training efforts. As I have mentioned before, I served in the military overseas and I have witnessed time and time again the Red Cross in helping soldiers in need in, in return to their loved ones.

The Red Cross success and endurance is founded upon principle of volunteerism. Provided with the appropriate training, our residents and neighbors turn into local heroes in times of emergency and crisis. During the recent past emergencies we have had in Maui County, these volunteers are out there supporting and protecting our community as well as our visitors.

I would just like to say thank you to all of the Red Cross leaders, administration, and especially the volunteers for their willingness and continued efforts. I urge the Members support of adopting this resolution, bringing deserved attention and focus to this most essential and valued organization and their effort. And also I'd like to thank the Clerk for reading the resolution in its entirety. Thank you.

CHAIR MATEO: Thank you, Mr. Pontanilla. Members, further discussion?

The Chair would also like to express my, my gratitude to the Red Cross. When you consider that this is not a government agency, this is an agency that primarily depends on a lot of donations, both of time and money, from a lot of people across not only our state but across of our nation. Usually in time of need, it is this organization that, that is the forefront. They are the face of help, they are the face of aid, and we are just so delighted and proud that today we take the time in recognizing the organization, its Director, its volunteers, and the like, for providing the much needed services in time of emergencies and needs for all of our people.

So, Members, go ahead, Mr. Victorino.

COUNCILMEMBER VICTORINO: Quickly and I apologize, Chair. I think another very important, as is said here, 4,000 volunteers statewide, but nationwide we're talking literally millions of volunteers who when times of emergencies are uprooted from their comfortable homes and go to disaster areas throughout the world, not only throughout the United States, throughout the world, Mr. Chair.

I was at one of their celebrations recognizing the volunteers and they're everyday citizens in this community that have traveled abroad as well as nationwide to help during disaster. So let us not forget all the millions and the thousands of volunteers throughout this state and throughout the nation and the world that when the call is heeded, they're out there giving up their comforts, living in tents, living in conditions that many of us would not even think or dream of to help those in need at that time. So let us not forget that, Mr. Chair, along with all the what as, what else has been said.

I want to thank the Red Cross and all of the many people that make it possible. And the next time you get that little, little donation letter and asking for help, please reach deep in your heart because they help a lot of needy people at the most crucial time after a disaster. Thank you, Mr. Chair.

CHAIR MATEO: Thank you, Mr. Victorino.

Ms. Baisa.

COUNCILMEMBER BAISA: Yes, thank you very much, Chair. I too would like to offer my support for the resolution and congratulate the Red Cross on the great work it does. Just on a personal note, I have had experience with Red Cross in other countries. And here we think about them when it's fires or floods or tidal waves or whatever, but in the community that we visit every year there is no emergency service other than

that is provided by Red Cross. All of the ambulances are Red Cross and they're known as Cruz Roja. And in the case of things that are life threatening like scorpion bites for children, if it wasn't for the Red Cross those children would die.

And so they are a front line, not just here in Maui, but throughout the world as Mr. Victorino says and I think they play an even bigger role in other countries than they do here. So my hearty congratulations and thank you to all of the Red Cross people.

CHAIR MATEO: Thank you, Ms. Baisa. Members, further discussion? All those in favor of the motion to adopt the resolution entitled "RECOGNIZING MARCH 2012 AS RED CROSS MONTH IN THE COUNTY OF MAUI", signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, VICTORINO, WHITE, VICE-CHAIR
PONTANILLA, AND CHAIR MATEO.

CHAIR MATEO: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS COUCH AND HOKAMA.

CHAIR MATEO: Motion is carried with seven "ayes", two Members "excused".

Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Thank you, Chairman. With your permission I'd like to call Michele Liberty, the Maui County Director, American Red Cross Hawaii State Chapter, to come forward to receive the resolution.

CHAIR MATEO: Thank you.

Ms. Liberty, please join us at the podium.

CHAIR MATEO: Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Thank you, Chairman. It is my pleasure now to have Ms. Liberty provide us with a few comments regarding American Red Cross. Thank you.

CHAIR MATEO: Thank you.

MS. MICHELE LIBERTY: Well, I want to thank the Council for taking the time to recognize Red Cross this morning. It means a lot to us. And I can't even begin to tell you how incredible these volunteers are that I get to work with every day. You know we talk about, you know, I just listen to some of the words that were said talking about people leaving their homes and going. You know I, I had the opportunity last year to be able to deploy out to Tennessee and Mississippi. One of the volunteers, Rebecca, that I brought along this morning, she was out in Pennsylvania following some of the disasters. So we go but we go, we go because we want to help and we love what we do.

But we also go because we know Hawaii is remote and we're vulnerable out here. And at some point something may happen, people say it will, and we're going to need to have all of the experience here for Maui County, here for the State of Hawaii, that's, that we can possibly have. So we absolutely love it when our volunteers get out nationally to deploy and internationally. So I feel very, very honored, not only to be here and to be recognized by the Council, but to be able to work with the people that I do. So thank you again for taking the time.

CHAIR MATEO: Ms. Liberty, will you introduce your volunteers?

MS. LIBERTY: I abso, this is Anna Foust, many of you know Anna. Anna is one of our lead instructors. She's also a fully trained volunteer and has been for years. In the Red Cross shirt, this is Rebecca King. Rebecca King works for County doing GIS mapping. She also helps with a lot of our planning, working client casework, disaster assessment. She's also fully trained. She deployed to Pennsylvania as a caseworker this past year. And then we have Aloha Smith, and Aloha lives out in Kaupo and she's part of our Hana team in that direction. And she's working on setting up some shelter for the people on the backside of the island. She's undertaken this project pretty much on her own and she's making great progress with that. So, fantastic people all the way around that we have.

VICE-CHAIR PONTANILLA: Thank you, Chairman.

CHAIR MATEO: Thank you, Mr. Pontanilla.

Mr. Clerk.

COUNTY CLERK: Mr. Chairman, for the record RESOLUTION 12-17.

Mr. Chairman, proceeding with testimony on agenda items. We have received no requests from individuals wishing to offer testimony.

CHAIR MATEO: Thank you. Members, we have no one signed up for testimony this morning. We do have a, a rather busy a, agenda this morning. With no objections, the Chair would like to close public testimony at this time. Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR MATEO: Thank you. So ordered.

Mr. Clerk, proceed.

COUNTY CLERK: Mr. Chairman, I would note that we have received written testimony.

CHAIR MATEO: Fine. Members, in our folders on your desk, we are in receipt of written testimony. With no objections, we will receive it into the record. Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR MATEO: Thank you.

THERE BEING NO OBJECTION, WRITTEN TESTIMONY
RECEIVED FROM THE FOLLOWING WERE MADE A PART
OF THE RECORD OF THIS MEETING:

1. Ramoda Anand; and
2. Jim Smith.

CHAIR MATEO: Mr. Clerk.

COUNTY CLERK: Mr. Chairman, proceeding with Committee Reports.

COMMITTEE REPORTS

COMMITTEE REPORT

NO. 12-26 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. That Bill 22 (2012) entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2012 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; HANA COMMUNITY PLAN AREA, GOVERNMENT FACILITIES, NAHIKU COMMUNITY CENTER; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL

APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)", be PASSED ON FIRST READING and be ORDERED TO PRINT;

2. That Bill 23 (2012) entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 3837, BILL NO. 31 (2011), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI (NAHIKU COMMUNITY CENTER)", be PASSED ON FIRST READING and be ORDERED TO PRINT; and
3. That County Communication 11-327, from the Budget Director, be FILED.

CHAIR MATEO: Thank you.

Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Thank you, Chairman.

I MOVE TO ADOPT THE RECOMMENDATIONS SET FORTH
IN COMMITTEE REPORT NO. 12-26.

COUNCILMEMBER CARROLL:

SECOND.

CHAIR MATEO: It's been moved by Mr. Pontanilla, second by Mr. Carroll to adopt the recommendations in Committee Report No. 12-26.

Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Chairman, the committee report details the Committee's review and recommendation of two revised proposed bills that facilitate amending the Fiscal Year 2012 Budget to reflect an appropriation of \$250,000 from the bond fund to provide funding for the Nahiku Community Center project. The project had previous appropriation in Fiscal Years 2011 Budget, which had lapsed in December 31, 2011.

Passage of the bills will provide re-appropriated funding to further the project upon receipt of notification of State contribution being granted for the project. The report states that the Committee's recommendation for passage of the revised bills and filing of the county communication.

CHAIR MATEO: Thank you, Mr. Pontanilla. Members, further discussion? All those in favor of the motion to adopt the recommendations in Committee Report No. 12-26, signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, VICTORINO, WHITE, VICE-CHAIR
PONTANILLA, AND CHAIR MATEO.

CHAIR MATEO: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS COUCH AND HOKAMA.

CHAIR MATEO: Motion is carried with seven "ayes", two "excused".

Mr. Clerk.

COUNTY CLERK: For the record, BILLS 22 (2012) and 23 (2012), respectively.

COMMITTEE REPORT
NO. 12-27 - INFRASTRUCTURE MANAGEMENT COMMITTEE:

Recommending the following:

1. That Bill 24 (2012) entitled "A BILL FOR AN ORDINANCE REPEALING CHAPTER 16.26A, MAUI COUNTY CODE, AND ESTABLISHING A NEW CHAPTER 16.26B, MAUI COUNTY CODE, RELATING TO THE BUILDING CODE", be PASSED ON FIRST READING and be ORDERED TO PRINT;
2. That Bill 25 (2012) entitled "A BILL FOR AN ORDINANCE REPEALING CHAPTER 16.08, MAUI COUNTY CODE, AND ESTABLISHING A NEW CHAPTER 16.08A, MAUI COUNTY CODE, RELATING TO THE RESIDENTIAL CODE", be PASSED ON FIRST READING and be ORDERED TO PRINT;
3. That County Communication 12-14, from the Director of Public Works, be FILED; and
4. That County Communication 12-15, from the Director of Public Works, be FILED.

CHAIR MATEO: Thank you.

Ms. Cochran.

COUNCILMEMBER COCHRAN: Aloha. Thank you so much, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN
COMMITTEE REPORT NO. 12-27.

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR MATEO: It's been moved by Ms. Cochran, second by Mr. Victorino to adopt the recommendations in Committee Report No. 12-27.

Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you again, Chair. Your Infrastructure Management Committee met on January 30, 2012 and February 13, 2012 and recommended that the Council pass on first reading, two bills.

The first updates the existing Building Code to reflect the International Building Code, 2006 Edition. The second updates the existing Housing Code to reflect the International Residential Code, 2006 Edition. Both bills include certain other revisions recommended by the Department of Public Works.

The County is currently operating under the 1997 Edition of the Uniform Building Code. Numerous technical changes reflecting new equipment and technology have occurred in the last two decades requiring an update.

Finally, this is a time sensitive matter. The counties must adopt their version of the building and residential codes by April 16, 2012, or the State Building Code will prevail.

Your Committee recommended passage of these bills and filing of the communication. I therefore respectfully ask for the Council's support of these recommendations. Thank you so much, Chair.

CHAIR MATEO: Thank you, Ms. Cochran. Members, further discussion? All those in favor of the motion to adopt the recommendations in Committee Report No. 12-27, signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, VICTORINO, WHITE, VICE-CHAIR
PONTANILLA, AND CHAIR MATEO.

CHAIR MATEO: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS COUCH AND HOKAMA.

CHAIR MATEO: Motion is carried with seven "ayes", two "excused".

Mr. Clerk.

COUNTY CLERK: For the record, BILLS 24 (2012) and 25 (2012), respectively.

COMMITTEE REPORT

NO. 12-28 - LAND USE COMMITTEE:

Recommending the following:

1. That Bill 26 (2012) entitled "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL DISTRICT TO RURAL DISTRICT (CONDITIONAL BOUNDARY AMENDMENT) FOR PROPERTY SITUATED AT 125 PAUWELA ROAD, HAIKU, MAUI, HAWAII", be PASSED ON FIRST READING and be ORDERED TO PRINT;
2. That Bill 27 (2012) entitled "A BILL FOR AN ORDINANCE TO ESTABLISH RU-0.5 RURAL DISTRICT ZONING (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT 125 PAUWELA ROAD, HAIKU, MAUI, HAWAII", be PASSED ON FIRST READING and be ORDERED TO PRINT;
3. That the County Clerk RECORD the unilateral agreements; and
4. That County Communication 11-282, from the Planning Director, be FILED.

CHAIR MATEO: Thank you.

Mr. Carroll.

COUNCILMEMBER CARROLL: Thank you, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN LAND USE
COMMITTEE REPORT 12-28.

COUNCILMEMBER WHITE:

CHAIR, I SECOND THE MOTION.

CHAIR MATEO: It's been moved by Mr. Carroll, second by Mr. White to adopt the recommendations in Committee Report No. 12-28.

Mr. Carroll.

COUNCILMEMBER CARROLL: Thank you, Chair. This bill would allow Pauwela Farms, LLC to develop a rural four-lot subdivision. Your Committee added a condition prohibiting further subdivision of the four lots for 10 years. The prohibition will minimize development for a 10 year period but will permit the managers of Pauwela Farms, LLC to further subdivide after the 10 year period for their children when their children are older.

Pauwela Farms, LLC intends to use private catchment system to provide water for domestic and irrigational purposes to the four lots under water, until water meters can be issued.

Your Committee was assured that the proposed four-lot subdivision would not take away limited water resources from other properties in the Upcountry water system area.

I thank the Council for its consideration of my motion to adopt the recommendations contained in Land Use Committee Report 12-28.

CHAIR MATEO: Thank you, Mr. Carroll. Members, further discussion?

COUNCILMEMBER COCHRAN: Chair.

CHAIR MATEO: Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you. This is a, you know, kind of a tough one and I just want to mahalo my fellow Members for supporting the amendments I had made towards this particular item. Therefore, you know, made me a lot more comfortable in having a, a favorable vote on this. So, just a little comment. Thank you, Chair.

CHAIR MATEO: Thank you, Ms. Cochran. Members, further discussion? All those in favor of the motion to adopt the recommendations in Committee Report No. 12-28, signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, VICTORINO, WHITE, VICE-CHAIR
PONTANILLA, AND CHAIR MATEO.

CHAIR MATEO: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS COUCH AND HOKAMA.

CHAIR MATEO: Motion is carried with seven "ayes", two "excused".

Mr. Clerk.

COUNTY CLERK: For the record, BILLS 26 (2012) and 27 (2012), respectively.

COMMITTEE REPORT
NO. 12-29 - POLICY COMMITTEE:

Recommending the following:

1. That Resolution 12-18 entitled "APPOINTMENT OF MEMBER TO THE CIVIL SERVICE COMMISSION", be ADOPTED; and
2. That Resolution 12-19 entitled "APPOINTMENT OF MEMBER TO THE COUNCIL ON AGING", be ADOPTED.

Nominating and approving the appointment of Alice Lee (replacing Delbert DeRego) to the Civil Service Commission, for a term expiring on March 31, 2013.

Nominating and approving the appointment of Martha Foit (replacing Douglas Harr) to the Council on Aging, for a term expiring on March 31, 2013.

CHAIR MATEO: Thank you.

Mr. Carroll.

COUNCILMEMBER CARROLL: Thank you, Chair.

MOVE TO ADOPT THE RECOMMENDATIONS IN POLICY
COMMITTEE REPORT 12-29.

COUNCILMEMBER BAISA:

MR. CHAIR, I SECOND THE MOTION.

CHAIR MATEO: It's been moved by Mr. Carroll, second by Ms. Baisa to adopt the recommendations in Committee Report No. 12-29.

Mr. Carroll.

COUNCILMEMBER CARROLL: No discussion.

CHAIR MATEO: Members, discussion? All those in favor of the motion to adopt the recommendations in Committee Report No. 12-29, signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, VICTORINO, WHITE, VICE-CHAIR
PONTANILLA, AND CHAIR MATEO.

CHAIR MATEO: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS COUCH AND HOKAMA.

CHAIR MATEO: Motion is carried, seven "ayes", two "excused".

Mr. Clerk.

COUNTY CLERK: For the record, RESOLUTIONS 12-18 and 12-19, respectively.

COMMITTEE REPORT
NO. 12-30 - POLICY COMMITTEE:

Recommends that Resolution 12-20 entitled "APPOINTMENT OF MEMBERS TO THE BOARDS AND COMMISSIONS FOR THE COUNTY OF MAUI", be ADOPTED.

Approving the appointment of the following members to the boards, committees, and commissions for the County of Maui (for terms beginning on April 1, 2012 and expiring on March 31, 2017, unless otherwise indicated:

AFFIRMATIVE ACTION ADVISORY COUNCIL
Abelardo Corella (Reappointment)

ANIMAL CONTROL BOARD
Doreen Forsberg

BOARD OF CODE APPEALS
Gerald Lee

BOARD OF ETHICS
Norman Franco

BOARD OF VARIANCES AND APPEALS
Teddy Espeleta
Gene Abbott

BOARD OF WATER SUPPLY
Michael Suzuki
Robert Joslin

COMMISSION ON CHILDREN AND YOUTH
Autumn Arase
Colin Hanlon

COMMISSION ON CULTURE AND THE ARTS
Clifford Libed (Reappointment)
Stephen Hynson

COMMISSION ON NAMING STREETS, PARKS, AND FACILITIES
Eric Cuomo
Alan Fukuyama

COST OF GOVERNMENT COMMISSION
Jeffrey Halpin, for a term expiring on 03/31/2014
Ronald Kawahara, for a term expiring on 03/31/2014 (Reappointment)
Frank De Rego, Jr., for a term expiring on 03/31/2014 (Reappointment)
Alexander Gat, for a term expiring on 03/31/2014
Victoria Johnson, for a term expiring on 03/31/2014

COUNCIL ON AGING

*Mary Margaret Baker
William Myrter
Maria Zielinski*

FIRE AND PUBLIC SAFETY COMMISSION

*Doreen Gomes
Patrick Borge*

LIQUOR CONTROL ADJUDICATION BOARD

Doris Tanaka

LIQUOR CONTROL COMMISSION

*William Kennison
Neldon Mamuad*

MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES

*Mikey Tomita (Reappointment)
Joseph Felipe
Gayle Burton*

MAUI COUNTY CULTURAL RESOURCES COMMISSION

Gaylord Kubota

MAUI COUNTY GRANTS REVIEW COMMITTEE

*William Lawson
Susan Liscombe*

MAUI PLANNING COMMISSION

*Maxwell Tsai
Wayne Hedani*

POLICE COMMISSION

*Lawrence Ing
Michael Wilson*

REAL PROPERTY TAX REVIEW BOARD

Bruce Erfer

SALARY COMMISSION

Edward Tamori (Reappointment)

SUBDIVISION ENGINEERING STANDARDS COMMITTEE
Darren Okimoto

*Disapproving the appointment of the following members to the boards, committees,
and commissions for the County of Maui:*

MOLOKAI PLANNING COMMISSION
Karen Ashley
Amy Maeda

CHAIR MATEO: Mr. Carroll.

COUNCILMEMBER CARROLL: Thank you, Chair. And, this is on behalf of the Chair of the Policy Committee, Councilmember Hokama, who was also, I was representing the first time as Vice-Chair of the Committee.

I MOVE TO ADOPT THE RECOMMENDATIONS IN POLICY
COMMITTEE REPORT 12-30.

COUNCILMEMBER BAISA:

MR. CHAIR, I SECOND THE MOTION.

CHAIR MATEO: It's been moved by Mr. Carroll, second by Ms. Baisa to adopt the recommendations of Committee Report No. 12-30.

Mr. Carroll.

COUNCILMEMBER CARROLL: No discussion.

CHAIR MATEO: Members, further discussion? All those in favor of the motion to adopt the recommendations of Committee Report No. 12-30, signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, VICTORINO, WHITE, VICE-CHAIR
PONTANILLA, AND CHAIR MATEO.

CHAIR MATEO: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS COUCH AND HOKAMA.

CHAIR MATEO: Motion is carried with seven "ayes", two "excused".

Mr. Clerk.

COUNTY CLERK: For the record, RESOLUTION 12-20.

COMMITTEE REPORT

NO. 12-31 - POLICY COMMITTEE:

Recommending that County Communication 12-20, from the Director of Finance, transmitting two reports on the Settlement of Claims as of December 31, 2011, be FILED.

CHAIR MATEO: Mr. Carroll.

COUNCILMEMBER CARROLL: Thank you, Chair.

ON BEHALF OF CHAIR HOKAMA, I MOVE TO FILE
COMMITTEE REPORT 12-31.

COUNCILMEMBER BAISA:

MR. CHAIR, I SECOND THE MOTION.

CHAIR MATEO: It's been moved by Mr. Carroll, second by Ms. Baisa to adopt the recommendations of Committee Report No. 12-31.

Mr. Carroll.

COUNCILMEMBER CARROLL: No discussion.

CHAIR MATEO: Members, discussion? All those in favor of the motion to adopt the recommendations in Committee Report 12-31, signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, VICTORINO, WHITE, VICE-CHAIR
PONTANILLA, AND CHAIR MATEO.

CHAIR MATEO: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS COUCH AND HOKAMA.

CHAIR MATEO: Motion is carried, seven "ayes", two "excused".

Mr. Clerk.

Members, we're going to take a very short recess.

(THE MEETING WAS RECESSED BY THE CHAIR AT 9:40 A.M., AND WAS RECONVENED AT 9:42 A.M., WITH ALL MEMBERS PRESENT, EXCEPT COUNCILMEMBERS COUCH AND HOKAMA, EXCUSED.)

CHAIR MATEO: Council of the County of Maui regular meeting of March 2, 2012 will reconvene.

Mr. Clerk.

COUNTY CLERK: Mr. Chairman, proceeding with communications. The following County Communications are recommended for referral to the following Committees as noted.

COUNTY COMMUNICATIONS

NO. 12-46 - LANCE T. HIROMOTO, DIRECTOR OF PERSONNEL SERVICES,
(dated February 9, 2012)

Transmitting a report of the reclassification of positions that were transferred from one compensation plan to another for calendar years 2010 and 2011.

The recommended action is that County Communication No. 12-46 be referred to the Budget and Finance Committee.

NO. 12-47 - DAVID C. GOODE, DIRECTOR OF PUBLIC WORKS,
(dated January 27, 2012)

Transmitting a proposed bill entitled, "A BILL FOR AN ORDINANCE AMENDING SECTION 10.48.040, MAUI COUNTY CODE, RELATING TO STOPPING, STANDING AND PARKING IN LAHAINA DISTRICT".

The recommended action is that County Communication No. 12-47 be referred to the Infrastructure Management Committee.

NO. 12-48 - KYLE K. GINOZA, DIRECTOR OF ENVIRONMENTAL MANAGEMENT, (dated February 13, 2012)

Transmitting the "WEST MAUI RECYCLED WATER VERIFICATION STUDY".

The recommended action is that County Communication No. 12-48 be referred to the Infrastructure Management Committee.

NO. 12-49 - MICHAEL P. VICTORINO, COUNCILMEMBER,
(dated February 17, 2012)

Transmitting a proposed resolution entitled "URGING THE ADMINISTRATION TO PURSUE PUBLIC-PRIVATE PARTNERSHIPS TO DEVELOP NEW WASTEWATER RECLAMATION FACILITIES".

The recommended action is that County Communication No. 12-49 be referred to the Infrastructure Management Committee.

NO. 12-50 - DANNY A. MATEO, COUNCIL CHAIR,
(dated February 14, 2012)

Submitting a copy of the "ANNUAL COMPLIANCE REPORT, CHANGE IN ZONING CONDITIONS FOR MAKENA RESORT AREA" received from Mei Lee Wong, Keaka LLC, in accordance with Condition 22 of Ordinance No. 3613.

The recommended action is that County Communication No. 12-50 be referred to the Planning Committee.

NO. 12-51 - DONALD G. COUCH, JR., COUNCILMEMBER,
(dated February 16, 2012)

Transmitting a proposed resolution entitled "ESTABLISHING A COMPLETE
STREETS POLICY FOR THE COUNTY OF MAUI".

The recommended action is that County Communication No. 12-51 be referred to the
Planning Committee.

CHAIR MATEO: Thank you. Members, is there are, a request for consideration at this
time? Hearing none, with no objections, each of these communications will be
referred to the respective committees as recognized by the Clerk. Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR MATEO: Thank you, so ordered.

Mr. Clerk, proceed please.

COUNTY CLERK: Mr. Chairman, proceeding with ordinances, second and final reading.

ORDINANCES

ORDINANCE NO. _____
BILL NO. 11 (2012)

A BILL FOR AN ORDINANCE AMENDING
THE FISCAL YEAR 2012 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO ESTIMATED REVENUES;
MAKAWAO-PUKALANI-KULA COMMUNITY PLAN AREA, WATER SUPPLY,
KAMAOLE TANK REPLACEMENT;
TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND
TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)

CHAIR MATEO: Thank you.

Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Thank you, Chairman. I, I'd like to have Bill No. 12 also be included in this one motion that I'd like to make. There are some relationship between, with Bill 11 and 12.

CHAIR MATEO: Thank you. Before the Chair recognize the motion, Mr. Pontanilla, I will ask the Clerk to please call up Bill No. 12.

ORDINANCE NO. _____
BILL NO. 12 (2012)

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 3837,
BILL NO. 31 (2011), RELATING TO THE ISSUANCE OF
GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI
(KAMAOLE TANK REPLACEMENT)

CHAIR MATEO: Thank you.

Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Thank you.

AS BOTH BILLS ARE RELATED IN ACTION, I WOULD LIKE
TO REQUEST IN ONE MOTION TO PASS ON SECOND AND
FINAL READING, BILLS NO. 11 AND 12.

COUNCILMEMBER CARROLL: Second.

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR MATEO: It's been moved by Mr. Pontanilla, second by Mr. Victorino that Bills No. 11 and 12 pass on second and final reading.

Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Thank you, Chairman. In collaboration, these bills increase the authorization for the issuance and appropriation of general obligation bonds to provide \$2,000,000 in funding for the Kamaole Tank Replacement Project.

The project in, includes replacement of an existing rusting tank located above the Kula Hospital with a new tank of the same size. Thank you, Chairman.

CHAIR MATEO: Thank you, Mr. Pontanilla. Members, further discussion? All those in favor of the motion that Bills No. 11 and 12 (2012) pass on second and final reading, signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, VICTORINO, WHITE, VICE-CHAIR
PONTANILLA, AND CHAIR MATEO.

CHAIR MATEO: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS COUCH AND HOKAMA.

CHAIR MATEO: Seven "ayes", two "excused", Members Hokama and Couch. Motion is carried.

Mr. Clerk.

ORDINANCE NO. _____
BILL NO. 13 (2012)

A BILL FOR AN ORDINANCE AMENDING
THE FISCAL YEAR 2012 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO ESTIMATED REVENUES;
MAKAWAO-PUKALANI-KULA COMMUNITY PLAN AREA, WATER SUPPLY,
KAUPAKALUA ROAD WATERLINE REPLACEMENT;
TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND
TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)

CHAIR MATEO: Thank you.

Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Thank you. Similar to the last motion, I'd like to, to have Bill No. 14 also brought forward.

CHAIR MATEO: Thank you.

Mr. Clerk, call up Bill No. 14, please.

ORDINANCE NO. _____
BILL NO. 14 (2012)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF
THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL
AGREEMENT FOR A LOAN FROM THE DRINKING WATER TREATMENT
REVOLVING LOAN FUND FOR THE KAUPAKALUA ROAD WATERLINE
REPLACEMENT PROJECT, MAKAWAO-PUKALANI-KULA COMMUNITY
PLAN AREA, FISCAL YEAR 2012 BUDGET ORDINANCE

CHAIR MATEO: Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Thank you, Chairman.

AS BOTH BILLS ARE RELATED IN ACTION, I WOULD LIKE
TO REQUEST IN ONE MOTION TO PASS ON SECOND AND
FINAL READING, BILLS NO. 13 AND 14.

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR MATEO: It's been moved by Mr. Pontanilla, second by Mr. Victorino that Bills
No. 13 and 14 (2012) pass on second and final reading.

Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Thank you, Chairman. In collaboration these bills provide
appropriation of \$1,000,000 in funding for the Kaupakalua Road Waterline Project
and authorize the Mayor to enter into an intergovernmental agreement for a State
Revolving Fund Loan in equal amount of the appropriation to finance the project,
which includes upgrade and replacement of approximately 3,000 feet of 30 year old
waterline. Thank you.

CHAIR MATEO: Thank you, Mr. Pontanilla. Members, further discussion? All those in
favor of the motion that Bills No. 13 and 14 (2012) pass on second and final reading,
signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, VICTORINO, WHITE, VICE-CHAIR
PONTANILLA, AND CHAIR MATEO.

CHAIR MATEO: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS COUCH AND HOKAMA.

CHAIR MATEO: Motion is carried, seven "ayes", two "excused", Members Hokama and Member Couch.

Mr. Clerk.

ORDINANCE NO. _____
BILL NO. 15 (2012)

A BILL FOR AN ORDINANCE AMENDING THE
FISCAL YEAR 2012 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO ESTIMATED REVENUES;
DEPARTMENT OF MANAGEMENT, MANAGEMENT PROGRAM;
TOTAL OPERATING APPROPRIATIONS; AND
TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)

CHAIR MATEO: Thank you.

Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Thank you, Chairman.

I MOVE TO PASS ON SECOND AND FINAL READING BILL
NO. 15.

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR MATEO: It's been moved by Mr. Pontanilla and second by Mr. Victorino that Bill No. 15 (2012) pass on second and final reading.

Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Thank you, Chairman.

I MOVE TO AMEND BILL NO. 15 AS FOLLOWS:

BY AMENDING SECTION 1 OF THE BILL BY STRIKING THE NUMBER "\$44,727,751" AFTER THE WORDS "OTHER INTERGOVERNMENTAL" AND INSERTING THE NUMBER "\$31,727,752" IN ITS PLACE; STRIKING THE BRACKETED NUMBER "\$581,429,430" AFTER THE WORD "TOTAL ESTIMATED REVENUES" AND INSERTING THE BRACKETED NUMBER "\$568,429,431" IN ITS PLACE; AND STRIKING THE UNDERSCORED NUMBER "\$581,629,430" AND INSERTING THE UNDERSCORED NUMBER OF "\$568,629,431" IN, IN ITS PLACE; AND

FURTHER BY AMENDING SECTION 2 OF THE BILL BY INSERTING THE PHRASE "AS AMENDED," AFTER THE PHRASE "FISCAL YEAR 2012 BUDGET,"; AND

FINALLY, BY AMENDING SECTION 3 OF THE BILL BY STRIKING THE BRACKETED NUMBER "\$581,429,430" AFTER THE PHRASE "TOTAL APPROPRIATION (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)" AND INSERTING THE BRACKETED NUMBER "\$568,429,431" IN ITS PLACE; AND STRIKING THE UNDERSCORED NUMBER "\$581,629,430" AND INSERTING THE UNDERSCORED NUMBER "\$568,629,431" IN ITS PLACE.

COUNCILMEMBER VICTORINO:

SECOND, MR. CHAIR.

CHAIR MATEO: Members, we have an, we have amendment on the floor made by Mr. Pontanilla and second by Mr. Victorino. Members, we are all in receipt of the proposed amendment just made by Mr. Pontanilla. Is there a need for a short recess for the Members to review the, the memo or may we continue?

COUNCILMEMBER BAISA: Continue.

COUNCILMEMBER VICTORINO: Continue, Chair.

CHAIR MATEO: Thank you.

Chair recognize, Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Thank you, Chairman. The amendment as noted in the summary provided for the Members is corrective in nature. Bill No. 15 (2012) needs to be amended to correct certain balances and appropriation totals, because the Council changed the order in which it passed a series of budget amendments. Thank you.

CHAIR MATEO: Thank you. Members, further discussion? Hearing none, all those in favor of the motion to amend Bill No. 15 (2012), as proposed by Mr. Pontanilla, signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, VICTORINO, WHITE, VICE-CHAIR
PONTANILLA, AND CHAIR MATEO.

CHAIR MATEO: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS COUCH AND HOKAMA.

CHAIR MATEO: Motion is carried with seven "ayes", two "excused".

Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Thank you, Chairman. This bill amends the Fiscal Year 2012 Budget by providing increase to estimated Carryover/Savings revenues in the General Fund by \$200,000 and adding appropriation for a grant in the same amount to the Molokai Veterans Caring for Veterans organization for construction of the Molokai Veterans Center. The certified Carryover/Savings will be used for construction and construction related expenses to finish the construction and advance the long awaited opening of the Molokai Veterans Center, Chairman.

CHAIR MATEO: Thank you, Mr. Pontanilla. Members, we're addressing the main motion, further discussion? All those in favor of the motion to, that Bill No. 15 (2012) be passed on second and final reading as amended, signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, VICTORINO, WHITE, VICE-CHAIR
PONTANILLA, AND CHAIR MATEO.

CHAIR MATEO: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS COUCH AND HOKAMA.

CHAIR MATEO: Motion is carried with seven "ayes", two "excused".

Mr. Clerk.

ORDINANCE NO. _____
BILL NO. 16 (2012)

A BILL FOR AN ORDINANCE AMENDING
THE FISCAL YEAR 2012 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO APPENDIX A, PART II, SPECIAL PURPOSE REVENUES -
SCHEDULE OF REVOLVING/SPECIAL FUNDS,
AFFORDABLE HOUSING FUND,
FISCAL YEAR 2012 AFFORDABLE HOUSING PLAN,
HALE O EKOLU PROJECT

CHAIR MATEO: Thank you.

Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Thank you, Chairman. If I could ask for Bills No. 17 and 18 also to be included in this one motion.

CHAIR MATEO: Mr. Clerk, please.

VICE-CHAIR PONTANILLA: Is it, it's all related.

CHAIR MATEO: Mr. Clerk, please call up Bills No. 17 and 18 (2012), please.

ORDINANCE NO. _____
BILL NO. 17 (2012)

A BILL FOR AN ORDINANCE AMENDING
THE FISCAL YEAR 2012 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO APPENDIX A, PART II, SPECIAL PURPOSE REVENUES –
SCHEDULE OF REVOLVING/SPECIAL FUNDS,
AFFORDABLE HOUSING FUND
FISCAL YEAR 2012 AFFORDABLE HOUSING PLAN,
HARBOR LIGHTS PROJECT

ORDINANCE NO. _____
BILL NO. 18 (2012)

A BILL FOR AN ORDINANCE AMENDING
THE FISCAL YEAR 2012 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO APPENDIX A, PART II, SPECIAL PURPOSE REVENUES –
SCHEDULE OF REVOLVING/SPECIAL FUNDS,
AFFORDABLE HOUSING FUND,
FISCAL YEAR 2012 AFFORDABLE HOUSING PLAN,
ALOHA HOUSE CLEAN AND SOBER RENTAL PROJECT

CHAIR MATEO: Thank you.

Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Thank you, Chairman.

AS THESE, THESE BILLS ARE RELATED IN NATURE TO
USE OF THE AFFORDABLE HOUSING FUND, I WOULD LIKE
TO REQUEST IN ONE MOTION TO PASS ON SECOND AND
FINAL READING, BILLS 16, 17, AND 18.

COUNCILMEMBER VICTORINO:

SECOND, MR. CHAIR.

CHAIR MATEO: It's been moved by Mr. Pontanilla and second by Mr. Victorino that Bills
No. 16, 17, and 18 (2012), pass on second and final reading.

Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Thank you, Chairman. Again, these series of bills amend the Fiscal Year 2012 Budget to provide for the addition of three provisos under the Affordable Housing Fund.

Bill 16 provides \$350,000 from the Affordable Housing Fund for the Hale O Ekolu project of the Arc of Maui County for acquisition and rehabilitation of a dwelling for special needs housing provided upon money being put into escrow for the project.

Bill 17 provides \$400,000 for the Harbor Lights Project of Habitat for Humanity for acquisition and rehabilitation of 10 dwelling units to be sold to applicants at 80 percent or below the median income.

And Bill 18 provides \$340,000 in funding from the Affordable Housing Fund for the Aloha House Clean and Sober Rental Project for acquisition of a dwelling unit for special needs housing provided upon money being put into escrow for the project.

I ask the Members for their favorable con, consideration to move forward funding for these projects that will enhance affordable housing opportunities in this County. Thank you.

CHAIR MATEO: Thank you, Mr. Pontanilla. Members, further discussion? All those in favor of the motion that Bills No. 16, 17, and 18 (2012), pass on second and final reading, signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, VICTORINO, WHITE, VICE-CHAIR
PONTANILLA, AND CHAIR MATEO.

CHAIR MATEO: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS COUCH AND HOKAMA.

CHAIR MATEO: Motion is carried with seven "ayes"; two Members, "excused", Mr. Couch and Mr. Hokama.

Mr. Clerk.

ORDINANCE NO. _____
BILL NO. 19 (2012)

A BILL FOR AN ORDINANCE AMENDING
THE FISCAL YEAR 2012 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO APPENDIX A, PART II, SPECIAL PURPOSE REVENUES –
SCHEDULE OF REVOLVING/SPECIAL FUNDS,
AFFORDABLE HOUSING FUND,
FISCAL YEAR 2012 AFFORDABLE HOUSING PLAN,
HALE MAKANA O WAIALE REHABILITATION PROJECT

(Councilmember Victorino was excused from the meeting at 9:58 a.m.)

CHAIR MATEO: Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Thank you, Chairman.

I MOVE TO PASS ON SECOND AND FINAL READING, BILL
NO. 19.

COUNCILMEMBER WHITE:

CHAIR, I SECOND THE MOTION.

CHAIR MATEO: It's been moved by Mr. Pontanilla and second by Mr. White that Bill No. 19 (2012) pass on second and final reading.

Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Thank you, Chairman. This bill amends the Fiscal Year 2012 Budget to provide for proviso under the Affordable Housing Fund to provide \$300,000 in funding from the Affordable Housing Fund for the Hale Makana O Wailea, O Waiale Rehabilitation Project for Ka Hale A Ke Ola Homeless Resource Center for the renovation of the roofing systems, flooring, and bathroom fixtures of the 200 unit affordable housing multi-family apartment complex.

CHAIR MATEO: Thank you, Mr. Pontanilla. Members, further discussion? All those in favor of the motion that Bill No. 19 (2012) pass on second and final reading, signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, WHITE, VICE-CHAIR PONTANILLA,
AND CHAIR MATEO.

CHAIR MATEO: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS COUCH, HOKAMA, AND
VICTORINO.

CHAIR MATEO: Motion is carried, six "ayes"; three "excused", Mr. Hoka, Mr. Couch,
Mr. Hokama, and Mr. Victorino.

Mr. Clerk.

(Councilmember Victorino returned to the meeting at 9:59 a.m.)

ORDINANCE NO. _____
BILL NO. 20 (2012)

A BILL FOR AN ORDINANCE REPEALING CHAPTER 16.20A,
MAUI COUNTY CODE, AND ESTABLISHING A NEW CHAPTER 16.20B,
MAUI COUNTY CODE, RELATING TO THE PLUMBING CODE

CHAIR MATEO: Thank you.

Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair.

I MOVE TO PASS BILL 20 ON SECOND AND FINAL
READING.

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR MATEO: It's been moved by Ms., Ms. Cochran and second by Mr. Victorino that Bill
No. 20 (2012) pass on second and final reading.

Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. Your Infrastructure Management Committee met on January 23, 2012 and recommended that the Council pass on first reading a bill to incorporate the Uniform Plumbing Code, 2006 Edition, with certain other revisions recommended by the Department of Public Works.

The County is currently operating under the 1991 Edition of the Uniform Plumbing Code. Numerous technical changes reflecting new equipment and technology have occurred in the last two decades requiring an update. I am particularly encouraged to see the proposed bill allow for gray water systems however minimal.

Finally, this is a time sensitive matter. The counties must adopt their version of the Plumbing Codes by April 16, 2012 or the State Building Code will prevail. So your Committee recommended passage of the bill before the Council today and I respectfully ask for the Council's full support of this bill. Thank you so much, Chair.

CHAIR MATEO: Thank you, Ms. Cochran. Members, further discussion? All those in favor of the motion that Bill No. 20 (2012) pass on second and final reading, signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, VICTORINO, WHITE, VICE-CHAIR
PONTANILLA, AND CHAIR MATEO.

CHAIR MATEO: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS COUCH AND HOKAMA.

CHAIR MATEO: Motion is carried with seven "ayes" and two "excused", Members Couch, Hokama.

Mr. Clerk.

ORDINANCE NO. _____
BILL NO. 21 (2012)

A BILL FOR AN ORDINANCE GRANTING TODD AND DEBRA PRESEULT
A CONDITIONAL PERMIT TO ALLOW BUSINESS/OFFICE USES
WITHIN THE COUNTY RU-0.5 RURAL DISTRICT, FOR PROPERTY
SITUATED AT KULA, MAUI, HAWAII

CHAIR MATEO: Mr. Carroll.

COUNCILMEMBER CARROLL: Thank you, Chair.

MOVE TO PASS BILL 21 ON SECOND AND FINAL READING.

COUNCILMEMBER WHITE:

MR. CHAIR, I SECOND THE MOTION.

CHAIR MATEO: It's been moved by Mr. Carroll and second by Mr. White that Bill No. 21 (2012) pass on second and final reading.

Mr. Carroll.

COUNCILMEMBER CARROLL: Thank you, Chair. Enactment of the bill will grant a five-year Conditional Permit to allow for business and office uses known as the Waiakoa Hale Offices on approximately 1.296 acres located at 4230 Lower Kula Road, Kula, Maui, Hawaii.

I thank the Council for its consideration of my motion to pass Bill 21 (2012) on second and final reading.

CHAIR MATEO: Thank you, Mr. Carroll. Members, further discussion?

COUNCILMEMBER COCHRAN: Chair.

CHAIR MATEO: Go ahead, Ms. Cochran.

COUNCILMEMBER COCHRAN: Yeah, just, I know I explained myself during Committee work on this particular item. I believe I am the sole "no" vote on it so I just want to reiterate again. It's nothing against the, the applicants themselves but there were some concerns in the nearby community and I just, you know, felt the need to represent those voices, so I therefore am not in support of this. Thank you, Chair.

CHAIR MATEO: Thank you, Ms. Cochran.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Real, real, real quickly. And I did support it and I will continue to support it. I think putting the five year and, and, and being able to come back and evaluate it, I think rest a lot of those people that we were, that came to me

and asked for consideration. They at least feel a little more comfortable giving the opportunity to see how this will all work out. So those concerns, although not all met, they feel a lot better. They want to give this an . . . and so these people that I represent the same as anybody else in this room all feel at least given an opportunity to see how this works out, will work out. We'll give those, that business a chance to prove themselves.

So I'm glad to support it. I have not changed my attitude. I want to see business grow, even in the Upcountry, especially in those areas where those services are so direly needed and they have to go to either Makawao or Pukalani or come back to town. If some of those services, gas is not going down may I remind everyone, it's not going down, it's going up. So whatever we can do to help people, have services more adjacent to their homes is a, is a big plus for us here in Maui County. Thank you, Chair.

CHAIR MATEO: Thank you, Mr. Victorino.

Ms. Baisa.

COUNCILMEMBER BAISA: Thank you very much, Chair. As the area representative, I will be keeping my position of support on the bill. I have spoken with many of the people in the area and I think that although there may be a slight impact that I don't, and many of them feel that it'll be minimal, and with a five year limitation on the permit, we'll be able to assess this better and make sure that, you know, it's not really causing any serious disruption in the community.

I too like to see services moving up the hill. You know having lived Upcountry almost all of my life, I really feel that it would be a big advantage to us to have many services coming closer to us. If you have not lived up there you don't understand the inconvenience of having to come to town for everything you need. So I think that I am excited about what the Preseault's will be offering. I think office space and professional space will be much appreciated. So I will be in support and I'd like to thank my colleagues for their support.

CHAIR MATEO: Thank you, Ms. Baisa. Members, further discussion? All those in favor of the motion that Bill No. 21 (2012) pass on second and final reading, signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
VICTORINO, WHITE, VICE-CHAIR PONTANILLA,
AND CHAIR MATEO.

CHAIR MATEO: Those opposed say "no".

NOES: COUNCILMEMBER COCHRAN.

EXCUSED: COUNCILMEMBERS COUCH AND HOKAMA.

CHAIR MATEO: Motion is carried with six "ayes"; one "no", Ms. Cochran; and two "excused", Members Couch and Hokama. Motion is carried.

Mr. Clerk.

COUNTY CLERK: Mr. Chairman, proceeding with unfinished, unfinished business.

UNFINISHED BUSINESS

COMMITTEE REPORT

NO. 12-21 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. That Bill 28 (2012) entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2012 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; MAKAWAO-PUKALANI-KULA COMMUNITY PLAN AREA, WATER SUPPLY, WAIKAMOI FLUME REPLACEMENT; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)", be PASSED ON FIRST READING and be ORDERED TO PRINT;
2. That Bill 29 (2012) entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR A LOAN FROM THE DRINKING WATER TREATMENT REVOLVING LOAN FUND FOR THE WAIKAMOI FLUME REPLACEMENT PROJECT, MAKAWAO-PUKALANI-KULA COMMUNITY PLAN AREA, FISCAL YEAR 2012 BUDGET ORDINANCE", be PASSED ON FIRST READING and be ORDERED TO PRINT; and
3. That County Communication 11-325, from the Budget Director, be FILED.

CHAIR MATEO: Thank you.

Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Thank you, Chairman.

I MOVE TO ADOPT THE RECOMMENDATIONS SET FORTH
IN COMMITTEE REPORT NO. 12-21.

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR MATEO: It's been moved by Mr. Pontanilla and second by Mr. Victorino to adopt the
recommendations in Committee Report No. 12-21.

Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Thank you, Chairman.

I MOVE TO AMEND THE PROPOSED BILL AMENDING THE
FISCAL YEAR 2012 BUDGET ATTACHED TO COMMITTEE
REPORT 12-21 AS FOLLOWS:

BY AMENDING SECTION 1 OF THE PROPOSED BILL BY
STRIKING THE NUMBER "\$26,078,189" AFTER THE WORDS
"BOND/LAPSED BOND" AND INSERTING THE NUMBER
"26,328,189" IN ITS PLACE; STRIKING THE BRACKETED
NUMBER "568,429,431" AFTER THE WORDS "TOTAL
ESTIMATED REVENUES" AND INSERTING THE
BRACKETED NUMBER "568,879,431" IN ITS PLACE; AND
STRIKING THE UNDERSCORED NUMBER "581,429,430"
AND INSERTING THE UNDERSCORED NUMBER
"581,879,430" IN ITS PLACE; AND

FURTHER, BY AMENDING SECTION 3 OF THE PROPOSED
BILL BY STRIKING THE BRACKETED NUMBER "104,952,430"
AFTER THE WORDS "TOTAL CAPITAL IMPROVEMENT
PROJECT APPROPRIATIONS" AND INSERTING THE
NUMBER "105,202,430" IN ITS PLACE; AND IN, AND
STRIKING THE UNDERSCORED NUMBER "117,952,429"
AND INSERTING THE UNDERSCORED NUMBER
"118,202,429" IN ITS PLACE; AND

FINALLY, BY AMENDING SECTION 4 OF THE PROPOSED BILL BY STRIKING THE BRACKETED NUMBER "568,429,431" AND AFTER THE PHRASE "TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)" AND INSERTING THE BRACKETED NUMBER "568,879,431" IN ITS PLACE; AND STRIKING THE UNDERSCORED NUMBER "581,429,430" AND INSERTING THE UNDERSCORED NUMBER "581,879,430" IN ITS PLACE.

COUNCILMEMBER VICTORINO:

SECOND, MR. CHAIR.

VICE-CHAIR PONTANILLA: That was long.

CHAIR MATEO: It's been moved by Mr. Pontanilla and second by Mr. Victorino to amend Committee Report No. 12-21.

Members, before the Chair recognize Mr. Pontanilla, I once again have you refer to the communication we received from Mr. Pontanilla this morning regarding his proposed amendment. Is there a need for the Members to take a short recess to review the proposed amendment or do we continue?

COUNCILMEMBER VICTORINO: Continue.

COUNCILMEMBER COCHRAN: Continue.

CHAIR MATEO: Thank you.

Chair recognize, Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Thank you, Chairman. The amendment as noted in the summary provided to the Members is corrective in nature. The proposed bill relating to the Waikamoi Flume Replacement Project needs to be amended to correct certain balances and appropriation totals because the Council changed the order in which it passed a series of budget amendments.

CHAIR MATEO: Thank you. Members, further discussion on, on the motion? All those in favor of the motion to amend Committee Report No. 12-21 as proposed by Mr. Pontanilla, signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, COUCH, WHITE, VICE-CHAIR
PONTANILLA, AND CHAIR MATEO.

CHAIR MATEO: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS HOKAMA AND VICTORINO.

CHAIR MATEO: Motion is carried with seven "ayes", two "excused".

Members, we're back to the main motion, and the Chair recognize, Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Thank you, Chairman. This report details the Budget and Finance Committee's review and recommended approval of two revised bills that in companion renames the project of the Waikamoi Flume Replacement; increases an existing one dollar appropriation to \$13,000,000 for the project; and authorizes the Mayor to enter in an, into an intergovernmental agreement for a State Revolving Fund Loan for \$13,000,000 to finance the projects appropriation.

The project includes replacement of approximately one mile of wooden water flume within the Waikamoi Forest Reserve that transports water into the Kahakapao reservoir. The current existing conditions of the flume are deemed to impact the County's ability to capture surface water.

An appropriation of one dollar was assigned to the project when the budget was developed in anticipation of being further informed by the department of construction and permitting requirements. Your Committee was informed that the per, permit requirements have been identified and the department is on track to request for bids in the summer.

Having requested at the last Council meeting that this matter be deferred for today's meeting and after discussion with the Director of the department, and we had a testifier at that meeting testified in regards to some issues that was brought forward, I am confident at this time to move forward the recommendation of the report for passage of the two revised bills and filing of the County Communication.

CHAIR MATEO: Thank you, Mr. Pontanilla. Members, further discussion? All those in favor of the motion to adopt Committee Report No. 12-21, as amended, signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, COUCH, WHITE, VICE-CHAIR
PONTANILLA, AND CHAIR MATEO.

CHAIR MATEO: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS HOKAMA AND VICTORINO.

CHAIR MATEO: Motion is carried with seven "ayes"; two "excused", Members Couch and Hokama.

Mr. Clerk.

COUNTY CLERK: For the record, BILLS 28 (2012) and 29 (2012), respectively.

Mr. Chairman, nothing further is scheduled to come before the Council.

CHAIR MATEO: Thank you. Members, we've concluded our business for, for the day. The Chair would like to acknowledge those individuals that continue to provide support to this Council: our Corporation Counsel, Mr. Pat Wong; our County Clerk, Mr. Jeff Kuwada; the ever present Director of Council Services, Ken Fukuoka; as well as our support staff, Joyce Murashige and Theresa Valdez.

Before the Chair adjourn this meeting, I also would like to acknowledge those Members who will be heading to Washington D.C. for the National Association of Counties Conference: Vice-Chair Pontanilla, Mr. Victorino. Mr. Hokama and Mr. Couch, are already there. We wish you safe travel and we look forward to your return so you can share the information with the rest, rest of your colleagues back here.

COUNCILMEMBER VICTORINO: Thank you.

CHAIR MATEO: Have a safe, have a safe journey.

Members, I thank you for your work today. The regular meeting of the Council of the County of Maui for March 2, 2012 is now adjourned.

Regular Meeting of the Council of the County of Maui
March 2, 2012
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ADJOURNMENT

The regular meeting of March 2, 2012 was adjourned by the Chair at 10:14 a.m.



JEFFREY T. KUWADA, COUNTY CLERK
COUNTY OF MAUI, STATE OF HAWAII

120302/lka:jm

IEM Committee

From: Jim or Belinda <2jbhome@hawaiiantel.net>
Sent: Sunday, July 10, 2016 7:51 PM
To: IEM Committee
Subject: Fwd: DIRECTOR GOODE Concerns related to exemption of conservation development from building code
Attachments: 07_11_16 IEM mtg Testimony.odt; IEM item 9 pages 9 to 11 MIN 03_2_12 Council Meeting.pdf

Please find attached a revised testimony...for transmittal to this committee. This is a copy of transmittal to the Director David Goode

----- Forwarded Message -----

Subject: DIRECTOR GOODE Concerns related to exemption of conservation development from building code

Date: Sun, 10 Jul 2016 19:41:38 -1000

From: Jim or Belinda <2jbhome@hawaiiantel.net>

To: public.works@mauicounty.gov

Director Goode,

I have submitted testimony to the Intergovernmental and management committee regarding Item 09. the testimony references a position you took in 2012. I want you to have a copy prior to the meeting scheduled for tomorrow at 1;30 pm. I transmit to you the testimony and attachment. And will try to forward

You should know that there is a major development occurring above 5 corners off kaupakalua road that abuts a state conservation district that is a forest.. I am told a tree fell on a person's house in that area. I know you have many items on your plate. This item concerns me, well...read my testimony.

Jim Smith
07_10_16

Jim Smith
99 Kapuai Road
Haiku, Maui, Hawaii 96708

July 10, 2016

Chairperson Elle Cochran and Members of
the Infrastructure and Environmental Management Committee (IEM)
200 S. High Street
Wailuku, Maui, Hawaii 96732

TESTIMONY: Related to IEM- 09 (REVISED)

On March 14, 2016, this Committee received an informal presentation by the Director of Public Works supporting the repeal of an exemption give to obtaining building permit approval building located in a State designate Conservation District. He provided no factual basis for its repeal and communicated the idea that the provision was unnecessary to begin with.

The Council amended the Code to contain the exemption in 2012, based upon two county communications identified as C. C.12 – 14 and C. C. 12 – 14 transmitted by the Director of Public Works. These were identified at Committee Report 12 – 27 approved at the Council's March 02, 2012 meeting. Minutes of the March 2012 meeting, report that Committee Chair Cochran stated in part: "This is a time-sensitive matter – must be adopted by 4/16/12 or State Building Code will take over."

The Director failed to provide this Committee with the number of private properties affected; an analysis of the building of residential or commercial buildings on these properties since the exemption entered into law and a current listing of subdivision developments in Haiku abutting or in State Conservation Districts that will impact public infrastructure.

Director failed to inform, bring up or address the impression left to the Chair in 2012, that the granting of the exemption was time sensitive, and how if the Council did not approved the exemption home rule would be somehow diminished or lost. (See portion of Council minutes attached to this testimony.)

It appears that the mayor's misconception of law as a "formality"

invoked in connection with the demolition of the Wailuku Post Office has expanded to include appearances by directors before a legislative committee.

This is the impression I am left with when reviewing the remarks of Director Goode at this Committee's March 14, 2016 meeting. Please keep this matter in Committee until your duty is taken seriously.

Thank you so much

Jim Smith

07_10_16

CHAIR MATEO: Thank you, Mr. Pontanilla. Members, further discussion? All those in favor of the motion to adopt the recommendations in Committee Report No. 12-26, signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, VICTORINO, WHITE, VICE-CHAIR
PONTANILLA, AND CHAIR MATEO.

CHAIR MATEO: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS COUCH AND HOKAMA.

CHAIR MATEO: Motion is carried with seven "ayes", two "excused".

Mr. Clerk.

COUNTY CLERK: For the record, BILLS 22 (2012) and 23 (2012), respectively.

COMMITTEE REPORT

NO. 12-27 - INFRASTRUCTURE MANAGEMENT COMMITTEE:

Recommending the following:

1. That Bill 24 (2012) entitled "A BILL FOR AN ORDINANCE REPEALING CHAPTER 16.26A, MAUI COUNTY CODE, AND ESTABLISHING A NEW CHAPTER 16.26B, MAUI COUNTY CODE, RELATING TO THE BUILDING CODE", be PASSED ON FIRST READING and be ORDERED TO PRINT;
2. That Bill 25 (2012) entitled "A BILL FOR AN ORDINANCE REPEALING CHAPTER 16.08, MAUI COUNTY CODE, AND ESTABLISHING A NEW CHAPTER 16.08A, MAUI COUNTY CODE, RELATING TO THE RESIDENTIAL CODE", be PASSED ON FIRST READING and be ORDERED TO PRINT;
3. That County Communication 12-14, from the Director of Public Works, be FILED; and
4. That County Communication 12-15, from the Director of Public Works, be FILED.

CHAIR MATEO: Thank you.

Ms. Cochran.

COUNCILMEMBER COCHRAN: Aloha. Thank you so much, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN
COMMITTEE REPORT NO. 12-27.

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR MATEO: It's been moved by Ms. Cochran, second by Mr. Victorino to adopt the recommendations in Committee Report No. 12-27.

Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you again, Chair. Your Infrastructure Management Committee met on January 30, 2012 and February 13, 2012 and recommended that the Council pass on first reading, two bills.

The first updates the existing Building Code to reflect the International Building Code, 2006 Edition. The second updates the existing Housing Code to reflect the International Residential Code, 2006 Edition. Both bills include certain other revisions recommended by the Department of Public Works.

The County is currently operating under the 1997 Edition of the Uniform Building Code. Numerous technical changes reflecting new equipment and technology have occurred in the last two decades requiring an update.

Finally, this is a time sensitive matter. The counties must adopt their version of the building and residential codes by April 16, 2012, or the State Building Code will prevail.

Your Committee recommended passage of these bills and filing of the communication. I therefore respectfully ask for the Council's support of these recommendations. Thank you so much, Chair.

CHAIR MATEO: Thank you, Ms. Cochran. Members, further discussion? All those in favor of the motion to adopt the recommendations in Committee Report No. 12-27, signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, VICTORINO, WHITE, VICE-CHAIR
PONTANILLA, AND CHAIR MATEO.

CHAIR MATEO: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS COUCH AND HOKAMA.

CHAIR MATEO: Motion is carried with seven "ayes", two "excused".

Mr. Clerk.

COUNTY CLERK: For the record, BILLS 24 (2012) and 25 (2012), respectively.

COMMITTEE REPORT

NO. 12-28 - LAND USE COMMITTEE:

Recommending the following:

1. That Bill 26 (2012) entitled "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL DISTRICT TO RURAL DISTRICT (CONDITIONAL BOUNDARY AMENDMENT) FOR PROPERTY SITUATED AT 125 PAUWELA ROAD, HAIKU, MAUI, HAWAII", be PASSED ON FIRST READING and be ORDERED TO PRINT;
2. That Bill 27 (2012) entitled "A BILL FOR AN ORDINANCE TO ESTABLISH RU-0.5 RURAL DISTRICT ZONING (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT 125 PAUWELA ROAD, HAIKU, MAUI, HAWAII", be PASSED ON FIRST READING and be ORDERED TO PRINT;
3. That the County Clerk RECORD the unilateral agreements; and
4. That County Communication 11-282, from the Planning Director, be FILED.

CHAIR MATEO: Thank you.

Mr. Carroll.