

# **Council of the County of Maui**

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

Regular Meeting of June 2, 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

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 An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify.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

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

[Reso -](#) "CONGRATULATING KALANI PE'A FOR WINNING THE BEST REGIONAL ROOTS ALBUM AT THE 59TH ANNUAL GRAMMY AWARDS"

[Reso -](#) "CONGRATULATING THE MAUI HIGH SCHOOL BASEBALL TEAM FOR WINNING THE 2017 WALLY YONAMINE FOUNDATION DIVISION I STATE CHAMPIONSHIP"

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

[M-170407](#) Regular Meeting of April 7, 2017

[M-170421](#) Regular Meeting of April 21, 2017

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

[CC 17-223](#) DIRECTOR OF FINANCE, informing of the acceptance of a Warranty Deed for a 5-Foot Wide Road Widening Lot, Lot 5, Holokai Road Subdivision, TMK: (2) 2-8-004:068.

[CC 17-224](#) MAYOR, informing of a vacancy on the Commission on Children and Youth due to the resignation of James Wisthoff.

[CC 17-225](#) DIRECTOR OF FINANCE, informing of the acceptance of a 15-Foot Wide Waterline Easement, WL-1, Haliimaile Residential Large Lot Subdivision, Lot 3, TMK: (2) 2-5-003:030.

[CC 17-226](#) COUNCIL CHAIR WHITE, transmitting a proposed resolution entitled "APPROVING NOMINEES TO THE NATIONAL ASSOCIATION OF COUNTIES AND WESTERN INTERSTATE REGION BOARD OF DIRECTORS FOR FISCAL YEAR 2018".

[CC 17-227](#) DIRECTOR OF FINANCE, transmitting the Finance Director's Quarterly Report for Fiscal Year July 1, 2016 to June 30, 2017 as of March 31, 2017 and the Capital Improvement Projects Report as of March 31, 2017.

[CC 17-228](#) DIRECTOR OF FINANCE, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII RELATING TO THE ACQUISITION OF A GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENT NO. 68 REPORT".

- [CC 17-229](#) DIRECTOR OF FINANCE, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE OFFICE OF THE AUDITOR, STATE OF HAWAII, TO AUDIT THE SCHEDULE OF ALLOCATIONS OF THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII (ERS)".
- [CC 17-230](#) COUNCILMEMBER COCHRAN, relating to Commercial Ocean Recreational Activities (CORA) administrative rules and fee schedule.
- [CC 17-231](#) COUNCILMEMBER COCHRAN, relating to visitor impacts to County environmental and infrastructural resources.

## **2. GENERAL COMMUNICATIONS:**

- [GC 17-3](#) CHARLES JENCKS, HONUUA`ULA PARTNERS, LLC, submitting an annual compliance report in accordance with Condition 29 of Ordinance No. 3554, establishing Kihei-Makena Project District 9 (Wailea 670) Conditional zoning for approximately 670 acres situated at Paehu, Palaua, Keauhou, Hawaii. (Honua`ula Project).

## **I. COMMITTEE REPORTS:**

### **Budget and Finance Committee**

- [CR 17-70](#) Recommending **ADOPTION** of resolution to amend the Fiscal Year 2017 Budget within the Department of Public Works, by transferring \$100,000 from the Special Maintenance Program - General Fund, Category B (Operations) to Category C (Equipment) for additional funding for replacement fuel tanks for the Wailuku baseyard.
- [CR 17-71](#) Recommending **ADOPTION** of resolution to amend the Fiscal Year 2017 Budget within the Department of Parks and Recreation, Recreation and Support Services Program, by transferring \$426,000 from Category A (Salaries) to Category B (Operations), for a projected shortfall in sewer, water delivery, cesspool pumping, and pool chemical expenditures.
- [CR 17-72](#) Recommending the following:
1. **FIRST READING** of bill to amend the Fiscal Year 2017 Budget by 1) increasing estimated revenues for Interfund Transfers by \$175,789; 2) decreasing the appropriations by \$50,000 from Category A (Salaries) and \$125,789 from Category C (Equipment) under the Wastewater Operations Program - Sewer Fund; 3) increasing the appropriation by \$175,789, Category B (Operations) under the Wastewater Operations Program - Sewer Fund; 4) increasing the appropriation by \$175,789, Category B (Operations) under the Environmental Protection and Sustainability Program - Solid Waste Management Fund; and 5) adjusting the totals accordingly; and
  2. **FILING** of communication.

**Parks, Recreation, Energy, and Legal Affairs Committee**

[CR 17-73](#) Recommending ADOPTION of resolution to authorize settlement of Patricia Ann Marino-Johnson v. County of Maui, Disability Compensation Division Case 7-12-01211.

*With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee; and Section 92-5(a)(8), Hawaii Revised Statutes, to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to a State or Federal law, or a court order.*

[CR 17-74](#) Recommending ADOPTION of resolution to authorize settlement of William A. Melton v. County of Maui, Disability Compensation Division Case 7-14-02000.

*With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee; and Section 92-5(a)(8), Hawaii Revised Statutes, to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to a State or Federal law, or a court order.*

[CR 17-75](#) Recommending ADOPTION of resolution to authorize settlement of Dukie J. Racadio v. County of Maui, et al., Civil 14-1-0451(2).

*With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee; and Section 92-5(a)(8), Hawaii Revised Statutes, to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to a State or Federal law, or a court order.*

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

[CR 17-76](#) Recommending **ADOPTION** of resolution approving the appointment of Gwen Hiraga to the Maui Redevelopment Agency for a term expiring March 31, 2022.

[CR 17-77](#) Recommending **ADOPTION** of resolution approving the appointment of Christie Balcomb to the Animal Control Board for a term expiring March 31, 2022.

[CR 17-78](#) Recommending **ADOPTION** of resolution approving the appointment of Lori Buchanan to the Molokai Planning Commission for a term expiring March 31, 2019.

[CR 17-79](#)

Recommending **ADOPTION** of resolution approving the appointment of Barbara Mattson to the Cost of Government Commission for a term expiring March 31, 2019.

**J. RESOLUTIONS:**

**NONE.**

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

**NONE.**

**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.**