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Director of Council Services
David M. Raatz, Jr., Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

December 23, 2016

Mr. Danny A. Mateo, County Clerk
Office of the County Clerk
County of Maui
Wailuku, Hawaii 96793

RECEIVED
2016 DEC 23 PM 1:12
OFFICE OF THE
COUNTY CLERK

Dear Mr. Mateo:

**SUBJECT: REFERRAL OF VARIOUS MATTERS ANTICIPATED
TO BE PENDING AT THE END OF THE 2015-2017
COUNCIL TERM (PAF 16-199)**

May I request the matter of referral of various matters anticipated to be pending before standing committees at the end of the 2015-2017 Council term, listed in the attached exhibits, be placed on the next Council meeting agenda.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike White".

MIKE WHITE
Council Chair

paf:gjg:16-199c

Attachments

COUNTY COMMUNICATION NO. 17-3

EXHIBIT "A"

MATTERS ANTICIPATED TO BE PENDING
BEFORE THE BUDGET AND FINANCE
COMMITTEE AT THE END OF THE 2015-2017
COUNCIL TERM

BF-13 AFFORDABLE HOUSING FUND PROGRAM ANNUAL PLAN

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
	Sub-item (3)	FISCAL YEAR 2017 (JULY 1, 2016 TO JUNE 30, 2017)

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
11/04/2016	CC 16-272	Budget Director, transmitting the following:

1. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2017 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES - SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2017, AFFORDABLE HOUSING FUND, HALE MAHAOLU EWALU SENIOR PROJECT PHASE II";
2. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2017 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES - SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2017, AFFORDABLE HOUSING FUND, FABMAC AFFORDABLE HOUSING PROJECT"; and
3. Related documents.

BF-92 SECTION 8 HOUSING PROGRAM GRANT

DATE REFERRED REFERENCE
10/07/2016 CC 16-224

SUBJECT
Budget Director, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2017 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX A, PART I, GRANT REVENUE - SCHEDULE OF GRANTS BY DEPARTMENTS AND PROGRAMS, DEPARTMENT OF HOUSING AND HUMAN CONCERNS (SECTION 8 HOUSING PROGRAM)".

BF-95 AMENDING FISCAL YEAR 2017 BUDGET: DEPARTMENT OF MANAGEMENT (WAIKAPU BASEYARDS)

DATE REFERRED REFERENCE
08/05/2016 CC 16-167

SUBJECT
Budget Director, transmitting the following:

1. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2017 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF MANAGEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA, GOVERNMENT FACILITIES, WAIKAPU BASEYARDS; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)";
2. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4331, BILL NO. 59 (2016), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI (BOND FUND - WAIKAPU BASEYARDS)"; and
3. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2017 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C - CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF MANAGEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA, WAIKAPU BASEYARDS"; and

4. A report entitled "COUNTY OF MAUI, WAIKAPU FACILITIES MASTER PLAN, Final Submission – April 2015," prepared by HDR Engineering, Inc.

BF-104 BILL 97 (2010), RELATING TO REAL PROPERTY TAX REVIEW BOARDS

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
03/04/2011	Bill 97 (2010)	"A BILL FOR AN ORDINANCE AMENDING TITLES 2 AND 3, MAUI COUNTY CODE, RELATING TO REAL PROPERTY TAX REVIEW BOARDS".

BF-105 AMENDING FISCAL YEAR 2017 BUDGET: EMERGENCY FUND

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
10/07/2016	CC 16-223	County Clerk, reporting that on 10/07/2016, the Council referred the following:

1. County Communication 16-223, from the Budget Director, transmitting the following: 1) a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE APPENDIX A OF THE FISCAL YEAR 2017 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES – SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2017, EMERGENCY FUND"; 2) the Disaster Proclamation signed by the Mayor on September 14, 2016; 3) the Disaster Proclamation signed by Governor David Ige on September 16, 2016; and 4) Governor Ige's request for a Presidential Disaster Declaration dated September 27, 2016;
2. A letter October 5, 2016, from the Mayor, transmitting a revised proposed bill replacing the bill attached to County Communication 16-223;
3. A document entitled "County of Maui September 2016 Flood Event Preliminary Costs Incurred"; and

4. A copy of Bill 102 (2016), entitled “A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2017 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES – SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2017, EMERGENCY FUND.”

**BF-113 AMENDING THE FISCAL YEAR 2017 BUDGET:
ESTABLISHMENT OF A DISASTER AND EMERGENCY
MANAGEMENT FUND**

DATE REFERRED REFERENCE
10/07/2016 CC 16-226

SUBJECT
Budget Director, transmitting the following:

1. A proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING TITLE 3, MAUI COUNTY CODE, RELATING TO THE ESTABLISHMENT OF A DISASTER AND EMERGENCY MANAGEMENT FUND”;
2. A proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2017 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)”;
3. A proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2017 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES – SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2017, DISASTER AND EMERGENCY MANAGEMENT FUND”; and
4. A Certification of Additional Revenues for Fiscal Year 2017, dated 09/28/2016, for \$172,000 in Carryover/Savings from the General Fund.

BF-114

AMENDING FISCAL YEAR 2017 BUDGET: DEPARTMENT OF HOUSING AND HUMAN CONCERNS (KA HALE A KE OLA HOMELESS RESOURCE CENTER - EMERGENCY HOUSING UNITS)

DATE REFERRED REFERENCE
10/07/2016 CC 16-227

SUBJECT

Budget Director, transmitting the following:

1. A proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2017 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF HOUSING AND HUMAN CONCERNS, WAILUKU-KAHULUI COMMUNITY PLAN AREA, OTHER PROJECTS, KA HALE A KE OLA HOMELESS RESOURCE CENTER – EMERGENCY HOUSING UNITS; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)”;

2. A proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4331, BILL NO. 59 (2016), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI (KA HALE A KE OLA HOMELESS RESOURCE CENTER – EMERGENCY HOUSING UNITS)”; and

3. A proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2017 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF HOUSING AND HUMAN CONCERNS, WAILUKU-KAHULUI COMMUNITY PLAN AREA, KA HALE A KE OLA HOMELESS RESOURCE CENTER – EMERGENCY HOUSING UNITS.”

**BF-117 AMENDING THE FISCAL YEAR 2017 BUDGET: DEPARTMENT
OF HOUSING AND HUMAN CONCERNS (ACQUISITION OF
REAL PROPERTY AT 1325 LOWER MAIN STREET, WAILUKU)**

DATE REFERRED REFERENCE
10/07/2016 CC 16-228

SUBJECT
Budget Director, transmitting the following:

1. A proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2017 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF HOUSING AND HUMAN CONCERNS, WAILUKU-KAHULUI COMMUNITY PLAN AREA, OTHER PROJECTS, ACQUISITION OF REAL PROPERTY AT 1325 LOWER MAIN STREET; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)”;

2. A proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4331, BILL NO. 59 (2016), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI (ACQUISITION OF REAL PROPERTY AT 1325 LOWER MAIN STREET)”;

3. A proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2017 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF HOUSING AND HUMAN CONCERNS, WAILUKU-KAHULUI COMMUNITY PLAN AREA, ACQUISITION OF REAL PROPERTY AT 1325 LOWER MAIN STREET.”

BF-118 AMENDING THE FISCAL YEAR 2017 BUDGET: DEPARTMENT OF HOUSING AND HUMAN CONCERNS (ACQUISITION OF REAL PROPERTY AT 95 KANE STREET, KAHULUI)

DATE REFERRED REFERENCE
10/07/2016 CC 16-229

SUBJECT
Budget Director, transmitting the following:

1. A proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2017 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF HOUSING AND HUMAN CONCERNS, WAILUKU-KAHULUI COMMUNITY PLAN AREA, OTHER PROJECTS, ACQUISITION OF REAL PROPERTY AT 95 KANE STREET; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)”;

2. A proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4331, BILL NO. 59 (2016), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI (ACQUISITION OF REAL PROPERTY AT 95 KANE STREET)”;

3. A proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2017 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF HOUSING AND HUMAN CONCERNS, WAILUKU-KAHULUI COMMUNITY PLAN AREA, ACQUISITION OF REAL PROPERTY AT 95 KANE STREET.”

BF-121 AMENDMENTS TO THE FISCAL YEAR 2017 BUDGET TO AUTHORIZE TRANSFERS RELATING TO CATEGORIES OF USE BUT WITHIN A PROGRAM OR DEPARTMENT

DATE REFERRED REFERENCE
06/17/2016 CC 16-110

SUBJECT
Councilmember Hokama, relating to amendments to the Fiscal Year 2017 Budget to authorize transfers between categories of use that are within a program or department.

BF-122

AMENDING THE FISCAL YEAR 2017 BUDGET: DEPARTMENT OF PARKS AND RECREATION (UPCOUNTRY SKATE PARK)

DATE REFERRED REFERENCE
10/07/2016 CC 16-231

SUBJECT
Budget Director, transmitting the following:

1. A proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2017 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF PARKS AND RECREATION, MAKAWAO-PUKALANI-KULA COMMUNITY PLAN AREA, PARKS AND RECREATION, UPCOUNTRY SKATE PARK; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)”;
2. A proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4331, BILL NO. 59 (2016), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI (UPCOUNTRY SKATE PARK)”; and
3. A proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2017 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF PARKS AND RECREATION, MAKAWAO-PUKALANI-KULA COMMUNITY PLAN AREA, UPCOUNTRY SKATE PARK.”

END OF EXHIBIT “A”

EXHIBIT "B"

MATTERS ANTICIPATED TO BE PENDING BEFORE THE COMMITTEE OF THE WHOLE AT THE END OF THE 2015-2017 COUNCIL TERM

COW-1 LITIGATION MATTERS

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
01/18/2013	CC 13-41	Council Chair, relating to litigation matters, including settlements and claims, indemnification requests, special counsel requests, and status reports on litigation involving the County or the Council. (CC 15-1)
01/02/2015	CC 15-6	Councilmember White, relating to litigation matters.

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
01/18/2013	Sub-item (5)	SETTLEMENT AUTHORIZATION: <u>COUNTY OF MAUI V. FELICIA PROVENCAL, ET AL.</u>; CIVIL 12-1-0255(1)

Memo from Deputy Corporation Counsel Kolbe, dated 01/18/2013, transmitting a proposed resolution, entitled "AUTHORIZING SETTLEMENT OF COUNTY OF MAUI V. FELICIA PROVENCAL, CIVIL NO. 12-1-0255(1)," and a copy of the Complaint.

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
02/12/2015	Sub-item (6)	SETTLEMENT AUTHORIZATION AND STATUS: <u>DOUGLAS LEONE, ET AL. V. COUNTY OF MAUI, ET AL.</u>; CIVIL 07-1-0496(2)

Memo from Deputy Corporation Counsel Bilberry, dated 02/12/2015, transmitting a copy of the Complaint and Resolution 14-93, entitled "AUTHORIZING SETTLEMENT OF DOUGLAS LEONE AND PATRICIA A. PERKINS-LEONE V. COUNTY OF MAUI, ET AL., CIVIL NO. 07-1-0496(3)," and requesting the opportunity to discuss ongoing settlement negotiations and the status of the case.

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
04/04/2013	Sub-item (7)	SETTLEMENT AUTHORIZATION: <u>JUSTIN DOBBS V. COUNTY OF MAUI, ET AL.</u>; CIVIL 12-1-0812(2)

Memo from Deputy Corporation Counsel Rost, dated 04/04/2013, transmitting a proposed resolution, entitled "AUTHORIZING SETTLEMENT OF JUSTIN DOBBS V. COUNTY OF MAUI, ET AL., CIVIL NO. 12-1-0812(2)," and a copy of the Complaint.

DATE REFERRED REFERENCE
05/06/2016 Sub-item (26)

SUBJECT
STATUS AND SETTLEMENT AUTHORIZATION:
DUKIE J. RACADIO V. COUNTY OF MAUI, ET AL.;
CIVIL 14-1-0451(2)

Memo from Deputy Corporation Counsel Bilberry, dated 05/06/2016, transmitting a proposed resolution entitled "AUTHORIZING SETTLEMENT OF DUKIE RACADIO V. COUNTY OF MAUI, ET AL., CIVIL NO. 14-1-0451(2)" and a copy of the complaint.

DATE REFERRED REFERENCE
01/26/2016 Sub-item (33)

SUBJECT
SETTLEMENT AUTHORIZATION AND STATUS:
SPIRIT OF ALOHA TEMPLE, ET AL. V. COUNTY OF
MAUI, ET AL.; CIVIL 14-00535 SOM-RLP

Memo from Deputy Corporation Counsel Bilberry, dated 01/26/2016, transmitting a proposed resolution, entitled "AUTHORIZING SETTLEMENT OF SPIRIT OF ALOHA TEMPLE, ET AL. V. COUNTY OF MAUI, ET AL., CIVIL NO. CV 14-00535 SOM-RLP," and a copy of the complaint and errata to complaint.

DATE REFERRED REFERENCE
04/29/2016 Sub-item (39)

SUBJECT
SETTLEMENT AUTHORIZATION: COUNTY OF MAUI
V. LANAI WASTE REMOVAL, INC., ET AL.;
CIVIL 15-1-0476(2)

Memo from Deputy Corporation Counsel Tarnstrom, dated 04/29/2016, transmitting a proposed resolution, entitled "AUTHORIZING SETTLEMENT OF COUNTY OF MAUI V. LANAI WASTE REMOVAL, INC., ET AL., CIVIL NO. 15-1-0476(2)," and a copy of the complaint.

DATE REFERRED REFERENCE
11/10/2016 Sub-item (49)

SUBJECT
**SETTLEMENT AUTHORIZATION: COUNTY OF MAUI
V. KEHALANI HOLDINGS COMPANY, INC., ET AL.;
CIVIL 11-1-0311(3)**

Memo from Deputy Corporation Counsel Bilberry, dated 11/10/2016, transmitting a proposed resolution entitled "AUTHORIZING SETTLEMENT OF COUNTY OF MAUI V. KEHALANI HOLDINGS COMPANY, INC., ET AL., CIVIL NO. 11-1-0311(3)" and a copy of the complaint.

END OF EXHIBIT "B"

EXHIBIT "C"

**MATTERS ANTICIPATED TO BE PENDING
BEFORE THE ECONOMIC DEVELOPMENT,
ENERGY, AGRICULTURE, AND RECREATION
COMMITTEE AT THE END OF THE 2015-2017
COUNCIL TERM**

**EAR-41 MAUI ISLAND PLAN, CHAPTER 4, ECONOMIC DEVELOPMENT
RELATING TO TOURISM**

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
09/04/2015	CC 15-153	Councilmember Couch, referring the matter relating to the Maui Island Plan, Chapter 4, Economic Development, relating to tourism.

END OF EXHIBIT "C"

EXHIBIT "D"

**MATTERS ANTICIPATED TO BE PENDING
BEFORE THE LAND USE COMMITTEE AT THE
END OF THE 2015-2017 COUNCIL TERM**

**LU-9 CONDITIONAL PERMIT FOR THE HALE AKUA GARDEN FARM
RETREAT CENTER (HUELO)**

DATE REFERRED REFERENCE
07/22/2011 CC 11-199

SUBJECT

Planning Director, transmitting documents relating to a request from Sunrise Center, Inc. for a Conditional Permit to continue operating an agricultural and personal well-being education program, known as "Hale Akua Garden Farm Retreat Center," on approximately 7.65 acres comprised of three contiguous parcels within the County Agricultural District at 110 Door of Faith Road, Huelo, Maui, Hawaii (TMK: (2) 2-9-007:053; (2) 2-9-007:056; and (2) 2-9-007:057).

1. Proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO RURAL FOR PROPERTY SITUATED AT KIHEI, MAUI, HAWAII";
2. Proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM INTERIM DISTRICT TO PUBLIC/QUASI-PUBLIC DISTRICT (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT HANA, MAUI, HAWAII"; and
3. Other related documents.

**LU-15 COMMUNITY PLAN AMENDMENT AND CHANGE IN ZONING
FOR CHOPRA HALE APARTMENTS (KAUNAKAKAI)**

DATE REFERRED REFERENCE
05/26/2015 CC 15-151

SUBJECT
Planning Director, transmitting proposed Community Plan Amendment from Single-Family Residential to Multi-Family Residential and Change in Zoning from Interim District to A-1 Apartment District applications filed by LDE Group, LLC, for 1.04 acres, located at 190 Makaena Place, Kaunakakai, Molokai, Hawaii (TMK: (2) 5-3-004:028).

1. Molokai Planning Commission recommendation of denial following public hearing; and
2. Other related documents.

**LU-19 COMMUNITY PLAN AMENDMENT AND CHANGE IN ZONING
FOR THE KAHANA SUNSET CONDOMINIUM AT 4909 LOWER
HONOAPIILANI ROAD (LAHAINA)**

DATE REFERRED REFERENCE
02/26/2016 CC 16-39

SUBJECT
Planning Director, transmitting proposed Community Plan Amendment from Single-Family to Hotel and Change in Zoning from R-3 Residential District to H-M Hotel District, filed by Kahana Sunset AOA, for 4.467 acres, located at 4909 Lower Honoapiilani Road, Lahaina, Hawaii (TMK: (2) 4-3-003:015).

1. Proposed bill entitled “A BILL FOR AN ORDINANCE TO AMEND THE WEST MAUI COMMUNITY PLAN AND LAND USE MAP FROM SINGLE-FAMILY TO HOTEL FOR PROPERTY SITUATED AT LAHAINA, MAUI, HAWAII, AND IDENTIFIED AS TAX MAP KEY (2) 4-3-003:015, FOR THE KAHANA SUNSET AOA”;
2. Proposed bill entitled “A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM R-3 RESIDENTIAL DISTRICT TO H-M HOTEL DISTRICT (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT LAHAINA, MAUI, HAWAII, AND IDENTIFIED AS TAX MAP KEY (2) 4-3-003:015, FOR THE KAHANA SUNSET AOA”;

3. Community Plan Map CP-822 and Land Zoning Map L-871; and
4. Other related documents.

LU-20 COMMUNITY PLAN AMENDMENT AND CHANGE IN ZONING FOR 0.049 ACRE; CHARLES JAMES NUNES, JR., AND ANGELA MARIE NUNES (LAHAINA)

DATE REFERRED REFERENCE
 05/23/2016 CC 16-97

SUBJECT
 Councilmember Gladys C. Baisa, transmitting a proposed resolution entitled “REFERRING TO THE MAUI PLANNING COMMISSION A PROPOSED BILL TO CHANGE THE WEST MAUI COMMUNITY PLAN DESIGNATION FROM PARK TO BUSINESS AND A PROPOSED BILL TO CHANGE ZONING FROM PK GENERAL PARK DISTRICT TO B-2 COMMUNITY BUSINESS DISTRICT FOR PROPERTIES SITUATED AT TAX MAP KEYS (2) 4-4-001:010 (POR.) AND (2) 4-4-014:006 (POR.), LAHAINA, MAUI, HAWAII,” attaching the following proposed bills as exhibits:

1. A proposed bill entitled “A BILL FOR AN ORDINANCE TO AMEND THE WEST MAUI COMMUNITY PLAN AND LAND USE MAP FROM PARK TO BUSINESS, FOR PROPERTIES SITUATED AT LĀHAINĀ, MAUI, HAWAII.” The purpose of the proposed bill is to amend the West Maui Community Plan and Land Use Map from Park to Business for 0.049 acre located at Lahaina, Maui, Hawaii (“subject property”); and
2. A proposed bill entitled “A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM PK GENERAL PARK DISTRICT TO B-2 COMMUNITY BUSINESS DISTRICT FOR APPROXIMATELY 0.049 ACRE FOR PROPERTIES SITUATED AT LĀHAINĀ, MAUI, HAWAII.” The purpose of the proposed bill is to change the zoning from PK General Park District to B-2 Community Business District for the subject property.

**LU-21 CONDITIONAL PERMIT FOR STEINER FAMILY TRUST 2010
(LAHAINA)**

DATE REFERRED REFERENCE
09/02/2016 CC 16-202

SUBJECT
Planning Director, transmitting a request from Julie Steiner and the Steiner Family Trust 2010 for a Conditional Permit for the establishment and operation of a transient vacation rental home at 100 Pulelehua Street, Pineapple Hill Subdivision, Kapalua, Maui, Hawaii in an existing four-bedroom single-family dwelling on approximately 24,390 square feet of land. TMK: (2) 4-2-007:093.

**LU-22 DISTRICT BOUNDARY AMENDMENT AND CHANGE IN ZONING
FOR HANZAWA'S VARIETY STORE AND ADJACENT
PROPERTY (HAIKU)**

DATE REFERRED REFERENCE
06/23/2009 CC 09-181

SUBJECT
Planning Director, transmitting a request from The William Spence Company, on behalf of Matthew and Sandra Daniells, for a District Boundary Amendment from Agricultural to Urban, and a Change in Zoning from Interim District to B-CT Country Town Business District for approximately 2.00 acres at 1833 Kaupakalua Road (TMK: (2) 2-7-014:044 (por.)), to allow for the expansion of Hanzawa's Variety Store and other uses; and on behalf of Matthew and Sandra Daniells and Ralph Hanzawa for a District Boundary Amendment from Agricultural to Rural and a Change in Zoning from Interim District to RU-0.5 Rural District for approximately 1.945 acres, at 1833 Kaupakalua Road and 21 Awalau Road, Haiku, Maui, Hawaii (TMK: (2) 2-7-014:044 (por.) and 052).

1. Proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO URBAN FOR PROPERTY SITUATED AT HAIKU, MAUI, HAWAII";
2. Proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO RURAL FOR PROPERTY SITUATED AT HAIKU, MAUI, HAWAII";

3. Proposed bill entitled “A BILL FOR AN ORDINANCE TO ESTABLISH COUNTRY TOWN BUSINESS DISTRICT ZONING (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT HAIKU, MAUI, HAWAII”;
4. Proposed bill entitled “A BILL FOR AN ORDINANCE TO ESTABLISH RU-0.5 RURAL DISTRICT ZONING (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT HAIKU, MAUI, HAWAII”; and
5. Other related documents.

LU-24 CONDITIONAL PERMIT FOR AAAAA RENT-A-SPACE (LAHAINA)

DATE REFERRED REFERENCE
 10/21/2016 CC 16-247

SUBJECT
 Planning Director, transmitting a request from AAAAA Rent-A-Space for a Conditional Permit for the establishment and operation of a paved parking lot for off-street stalls, portable self-storage pods, small boats, and vehicles on 0.9 acres of land at 3560 Lower Honoapiilani Road in Honokowai, Maui, Hawaii; TMK: (2) 4-4-001:026.

1. Proposed bill entitled “A BILL FOR AN ORDINANCE GRANTING AAAAA RENT-A-SPACE-MAUI, A LIMITED PARTNERSHIP A CONDITIONAL PERMIT TO ALLOW THE DEVELOPMENT OF A 29,900 SQUARE FOOT PAVED PARKING LOT FOR OFF-STREET STALLS AND PLACEMENT OF TEMPORARY PORTABLE SELF-STORAGE PODS, SMALL BOATS, AND VEHICLES WITHIN THE COUNTY R-3 RESIDENTIAL DISTRICT, FOR PROPERTY SITUATED AT 3560 LOWER HONOAPIILANI ROAD, LAHAINA, MAUI, HAWAII”; and
2. Other related documents.

**LU-25 COMMUNITY PLAN AMENDMENT AND CONDITIONAL PERMIT
FOR MAUI OCEANFRONT INN AND SARENTO'S ON THE
BEACH RESTAURANT (KIHEI)**

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
09/04/2009	CC 09-246	Planning Director, transmitting a request from Western Apartment Supply & Maintenance Co. for a Community Plan Amendment from Single-Family to Hotel to reflect the existing hotel use on approximately 1.119 acres of State-owned property situated at 2980 South Kihei Road, Kihei, Maui, Hawaii (TMK: (2) 3-9-004:029); and a two-year Conditional Permit to allow for the construction and use of an offsite parking lot on approximately 35,932 square feet of State-owned property within the County Park District, on South Kihei Road, Kihei, Maui, Hawaii (TMK: (2) 3-9-004:149).
		<ol style="list-style-type: none">1. Proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE KIHEI-MAKENA COMMUNITY PLAN AND LAND USE MAP FROM SINGLE-FAMILY TO HOTEL FOR PROPERTY SITUATED AT KIHEI, MAUI, HAWAII";2. Proposed bill entitled "A BILL FOR AN ORDINANCE GRANTING A CONDITIONAL PERMIT TO WESTERN APARTMENT SUPPLY & MAINTENANCE CO. FOR THE CONSTRUCTION AND USE OF AN OFFSITE PARKING LOT WITHIN THE COUNTY PARK DISTRICT FOR PROPERTY SITUATED AT KIHEI, MAUI, HAWAII"; and3. Other related documents.

**LU-28 COMMUNITY PLAN AMENDMENT AND CHANGE IN ZONING
FOR LANAI AVENUE RESIDENTIAL HOMES PROJECT**

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
11/04/2016	CC 16-276	Planning Director, transmitting proposed Community Plan Amendment from Business/Commercial to Single-Family and Change in Zoning from B-CT, Country Town Business District to R-1, Residential District, filed by Lanai Resorts, LLC, dba Pulama Lanai, for 22,328 square feet, located at 605, 615, 623 Lanai Avenue, Lanai, Hawaii (TMK: (2) 4-9-006:050).

1. Proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE LANAI COMMUNITY PLAN AND LAND USE MAP FROM BUSINESS/COMMERCIAL TO SINGLE-FAMILY FOR PROPERTY SITUATED AT LANAI CITY, LANAI, HAWAII TAX MAP KEY (2) 4-9-006:050;
2. Proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM B-CT COUNTRY TOWN BUSINESS DISTRICT TO R-1 RESIDENTIAL DISTRICT FOR PROPERTY SITUATED AT LANAI CITY, LANAI, HAWAII TAX MAP KEY (2) 4-9-006:050; and
3. Community Plan Map CP-207 and Land Zoning Map L-2621; and other related documents.

**LU-29 CHANGE IN ZONING FOR SOULSPACE RANCH, LLC
(MAKAWAO)**

DATE REFERRED REFERENCE
06/20/2014 CC 14-162

SUBJECT
Planning Director, transmitting an application from Jordan Hart, Chris Hart & Partners, Inc., on behalf of Xorin Balbes, Soulspace Ranch, LLC, for a Change in Zoning from Interim District to P-1 Public/Quasi-Public District, for approximately 5.66 acres located at 1813 Baldwin Avenue, Makawao, Maui, Hawaii, the site of the Fred Baldwin Memorial Home, now operating as Lumeria Maui (TMK: (2) 2-5-004:007).

1. Proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM INTERIM DISTRICT TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT FOR PROPERTY SITUATED AT 1813 BALDWIN AVENUE, TAX MAP KEY NO. (2) 2-5-004:007, MAKAWAO, MAUI, HAWAII";
2. Land Zoning Map L-1089; and
3. Other related documents.

LU-32 CONDITIONAL PERMIT FOR PROPOSED HELISTOP PADS AND RELATED IMPROVEMENTS (LANAI)

DATE REFERRED REFERENCE
11/04/2016 CC 16-277

SUBJECT
Planning Director, transmitting documents relating to a request from Lanai Resorts, LLC, dba Pulama Lanai for a Conditional Permit to develop a helistop pad and related improvements within the County Agricultural District for property identified as a portion of tax map key (2) 4-9-002:001, Manele, Lanai, Hawaii; and a recommendation of denial of a Conditional Permit for a similar helistop pad and related improvements in Koele, Lanai, Hawaii.

1. Proposed bill entitled “A BILL FOR AN ORDINANCE GRANTING LANA’I RESORTS, LLC, DBA PULAMA LANA’I, A CONDITIONAL PERMIT TO DEVELOP A HELISTOP PAD AND RELATED IMPROVEMENTS WITHIN THE COUNTY AGRICULTURAL DISTRICT, FOR PROPERTY IDENTIFIED AS A PORTION OF TAX MAP KEY NUMBER (2) 4-9-002:001, MANELE, LANAI, HAWAII”;
2. Letter from Planning Director, dated 06/20/2016, with Commission’s recommendation for Council approval of the Conditional Permit and the State Land Use Commission Special Permit for the Manele helistop, and Commission’s recommendation for denial of the Conditional Permit and the State Land Use Commission Special Permit for the Koele helistop; and
3. Other related documents.

LU-33 CONDITIONAL PERMIT FOR THE CHALLENGE AT MANELE GOLF COURSE (LANAI)

DATE REFERRED REFERENCE
11/18/2016 CC 16-295

SUBJECT
Planning Director, transmitting documents relating to a request from Lanai Resorts, LLC, dba Pulama Lanai for a Conditional Permit to allow special events at the Challenge Manele Golf Course on property located at 150 Challenge Drive at Manele, Lanai, Hawaii identified as a portion of TMK: (2) 4-9-017:008.

1. Proposed bill entitled "A BILL FOR AN ORDINANCE GRANTING LANA'I RESORTS, LLC, DBA PULAMA LANA'I, A CONDITIONAL PERMIT TO ALLOW UP TO 40 SPECIAL EVENTS PER YEAR AT THE CHALLENGE AT MANELE GOLF COURSE, WITHIN THE COUNTY LANAI PROJECT DISTRICT 1 (MANELE), FOR PROPERTY IDENTIFIED AS PORTIONS OF TAX MAP KEY NUMBER (2) 4-9-017:008, MANELE, LANAI, HAWAII"; and
2. Other related documents.

LU-34 LAND USE ENTITLEMENTS FOR SEABURY HALL (MAKAWAO)

DATE REFERRED REFERENCE
 11/18/2016 CC 16-296

SUBJECT
 Council Chair Mike White, transmitting a proposed resolution, entitled "REFERRING TO THE MAUI PLANNING COMMISSION PROPOSED BILLS TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION, ENACT A COMMUNITY PLAN AMENDMENT, AND CHANGE THE ZONING FOR 14.950 ACRES AT 305 MEHA ROAD (PORTION) AND 480 OLINDA ROAD, MAKAWAO, HAWAII."

1. Proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL DISTRICT TO URBAN DISTRICT FOR 14.950 ACRES AT 305 MEHA ROAD (PORTION) AND 480 OLINDA ROAD, MAKAWAO, HAWAII";
2. Proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE MAKAWAO-PUKALANI-KULA COMMUNITY PLAN AND LAND USE MAP FROM AGRICULTURAL TO PUBLIC/QUASI-PUBLIC FOR 14.950 ACRES AT 305 MEHA ROAD (PORTION) AND 480 OLINDA ROAD, MAKAWAO, HAWAII"; and

3. Proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE THE ZONING FROM AGRICULTURAL DISTRICT TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT FOR 14.950 ACRES AT 305 MEHA ROAD (PORTION) AND 480 OLINDA ROAD, MAKAWAO, HAWAII".

**LU-37 CHANGE IN ZONING FOR GRAYMARK WAIALE ROAD
ASSOCIATES, LLC (WAILUKU)**

DATE REFERRED REFERENCE
02/19/2010 CC 10-42

SUBJECT

Planning Director, transmitting a request from Brian Hecktman, Graymark Waiale Road Associates, LLC, for a Change in Zoning from R-3 Residential District to M-1 Light Industrial District to allow for neighborhood M-1 use consistent with the Light Industrial designation in the Wailuku-Kahului Community Plan, for approximately 30,166 square feet at 485 Waiale Road, Wailuku, Maui, Hawaii (TMK: (2) 3-4-003:009).

1. Proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM R-3 SINGLE FAMILY RESIDENTIAL DISTRICT TO M-1 LIGHT INDUSTRIAL DISTRICT (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT TAX MAP KEY NUMBER (2) 3-4-003:09, WAILUKU, MAUI, HAWAII"; and
2. Other related documents.

END OF EXHIBIT "D"

EXHIBIT "E"

**MATTERS ANTICIPATED TO BE PENDING
BEFORE THE PLANNING COMMITTEE AT THE
END OF THE 2015-2017 COUNCIL TERM**

**PC-3 ESTABLISHING SHORT-TERM RENTAL HOMES AS AN
AGRICULTURAL TOURISM ACTIVITY IN AGRICULTURAL
DISTRICTS**

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
07/05/2013	CC 13-207	Councilmember Couch, transmitting proposed resolution, entitled "REFERRING TO THE LANAI, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL AMENDING TITLE 19, MAUI COUNTY CODE, RELATING TO SHORT-TERM RENTAL HOMES", with a proposed bill, entitled "A BILL FOR AN ORDINANCE AMENDING TITLE 19, MAUI COUNTY CODE, RELATING TO SHORT-TERM RENTAL HOMES", attached as an exhibit.

**PC-19 AMENDING THE COMPREHENSIVE ZONING ORDINANCE TO
ALLOW AGRICULTURAL CONSERVATION LOTS IN THE
AGRICULTURAL DISTRICT**

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
05/26/2015	CC 15-152	Planning Director, transmitting the Planning Director's report on Resolution 14-114 entitled "REFERRING TO THE LANAI, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL TO ALLOW FOR THE CREATION OF AGRICULTURAL CONSERVATION LOTS."

PC-41 MOLOKAI COMMUNITY PLAN UPDATE

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
05/20/2016	CC 16-98	Planning Director, transmitting the following: <ol style="list-style-type: none">1. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 2.80B.070, MAUI COUNTY CODE, TO ADOPT THE UPDATED MOLOKAI COMMUNITY PLAN (without labeled Exhibit "1" attached);"

2. Document entitled “Attachment 3: Key Differences Between CPAC and Commission Recommendations;”
3. Document entitled “Attachment 4: Agency Recommendations;” and
4. Document entitled “Moloka`i Community Plan Update: Planning Department/CPAC/Molokai PC Draft,” dated May 2016, including “Chapter 11, Subarea Descriptions, East End Policy Statement – 2016 edition, Maunaloa Policy,” with various appendices.

END OF EXHIBIT “E”

EXHIBIT "F"

**MATTERS ANTICIPATED TO BE PENDING
BEFORE THE WATER RESOURCES COMMITTEE
AT THE END OF THE 2015-2017 COUNCIL TERM**

WR-16 LANAI WATER ADVISORY COMMITTEE

DATE REFERRED REFERENCE
06/15/2012 CC 12-133

SUBJECT
Chair of the Board of Water Supply, transmitting the Board of Water Supply's recommendations relating to a proposed bill establishing a Lanai Water Advisory Committee ("LWAC").

DATE REFERRED REFERENCE
11/02/2012 CR 12-124

(Recommitted)

SUBJECT
Water Resources Committee, recommending the following:

1. FIRST READING of bill amending Title 2, Maui County Code, establishing LWAC; and
2. FILING of communication.

WR-19 WATER AVAILABILITY POLICY

DATE REFERRED REFERENCE
1/22/2016 CC 16-15

SUBJECT
Councilmember Gladys Baisa, relating to the water availability policy.

WR-20 WATER SERVICES

DATE REFERRED REFERENCE
02/26/2016 CC 16-40

SUBJECT
Director of Water Supply, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 14.04, MAUI COUNTY CODE, RELATING TO WATER SERVICES."

DATE REFERRED REFERENCE
10/07/2016 CR 16-156

(Recommitted)

SUBJECT
Water Resources Committee, recommending the following:

1. FIRST READING of bill requiring installation of backflow preventers on premises to prevent the backflow of possible contaminated water into the County's water system; and
2. FILING of communication.

END OF EXHIBIT "F"

paf:gjg:16-199d