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COUNTY CLERK

COUNCIL OF THE COUNTY OF MAUI

AGENDA

Regular Council Meeting of March 21, 2025
9:00 a.m.

Meeting Site: Online via Teams: <http://tinyurl.com/2p9zhjr2>

Phone testimony: 1-808-977-4067, code 234 794 559#
In-Person Testimony and Viewing: Council Chamber, Kalana O Maui Building, 8th Floor,
200 South High Street, Wailuku, Hawai'i

Courtesy Live Broadcast:
Akakū – Maui Community Media, Channel 53

COURTESY TESTIMONY SITES – COUNCIL RESIDENCY AREA OFFICES:

East Maui: Hāna Community Center, 5091 Uakea Road, Hāna, (808) 248-7513

South Maui: MEDB Building, 1305 North Holopono St., Ste. 9, Kihei, (808) 793-0012

Moloka'i: Moloka'i District Complex, 100 Ainoa Street, Kaunakakai, (808) 553-3888

Lāna'i: 814 Fraser Avenue, Lāna'i City, (808) 565-7094

Makawao-Ha'ikū-Pā'ia: Heritage Hall, 401 Baldwin Ave., Ste. 102, Pā'ia, (808) 793-0099

Subject to change and staffing availability without notice. Visit mauicounty.us for more information.

website: <http://co.maui.hi.us/Archive.aspx?AMID=226>

e-mail: county.clerk@mauicounty.us

ROLL CALL**OPENING REMARKS:****COUNCILMEMBER YUKI LEI SUGIMURA****PLEDGE OF ALLEGIANCE****TESTIMONY ON CEREMONIAL RESOLUTIONS****CEREMONIAL RESOLUTIONS:**

[Reso 25-81](#) “CONGRATULATING MIKAH LABUANAN OF KAMEHAMEHA SCHOOLS MAUI AND JAHLIA MIGUEL OF H.P. BALDWIN HIGH SCHOOL FOR HISTORIC MULTIYEAR STATE TITLES AT THE HAWAI’I HIGH SCHOOL ATHLETIC ASSOCIATION STATE WRESTLING CHAMPIONSHIPS”

[Reso 25-82](#) “CONGRATULATING BLAKE ABERNATHY OF KAMEHAMEHA SCHOOLS MAUI AND TEATA MATAAFA GROVE, PITA TAKAFUA, AND BRYSON ADRIC OF H.P. BALDWIN HIGH SCHOOL FOR WINNING STATE TITLES AT THE 2025 HAWAI’I HIGH SCHOOL ATHLETIC ASSOCIATION STATE WRESTLING CHAMPIONSHIPS”

PRESENTATION OF WRITTEN OR ORAL TESTIMONY**COMMITTEE REPORTS:****Budget, Finance, and Economic Development Committee**

[CR 25-9](#) Recommending **FIRST READING** of Bill 22 (2025), to amend the Fiscal Year 2025 Budget, to: 1) amend Section 2, Estimated Revenues, by increasing Carryover/Savings from the General Fund by \$40,000; 2) amend Section 3.B.12.a.(4), Office of the Mayor, Administration Program, by increasing the appropriation for Grant to Akakū: Maui Community Television by \$40,000; and 3) adjust the totals accordingly.

[CR 25-10](#) Recommending **FIRST READING** of Bill 24, CD1 (2025), to amend the Fiscal Year 2025 Budget, to: 1) amend Section 2, Estimated Revenues, by increasing Carryover/Savings from the General Fund by \$300,000; 2) amend Section 3.B.7.c., Department of Fire and Public Safety, Fire/Rescue Operations Program, by increasing the appropriation for Category B - Operations & Equipment by \$300,000; and 3) adjust the totals accordingly.

[CR 25-11](#) Recommending **FIRST READING** of Bill 32 (2025), to amend the Fiscal year 2025 Budget, Appendix A, Part I, Grants and Restricted Use Revenues - Schedule of Grants and Restricted Use Revenues by Departments and Programs for Fiscal Year 2025, to add a new appropriation under the Department of Management entitled, “Community Development Block Grant - Disaster Recovery” in the amount of \$1,639,381,000 with conditional language

to 1) allow for disbursement for salaries and premium pay for up to 56.0 Limited Term Appointment equivalent personnel; and 2) require a copy of the quarterly report transmitted to the United States Department of Housing and Urban Development to also be submitted to the Council.

[CR 25-12](#)

Recommending **FIRST READING** of Bill 34, CD1 (2025), to amend the Fiscal Year 2025 Budget to amend Section 3.B.12.c.(3)(viii), Office of the Mayor, Economic Development Program, by changing the appropriation's name from "Maui Film Festival" to "Maui Economic Development Board, Inc. for the Wailuku Film Festival."

[CR 25-13](#)

Recommending **FIRST READING** of Bill 35, CD1 (2025), to amend the Fiscal Year 2025 Budget, to: 1) amend Appendix A, Part II, Special Purpose Revenues - Schedule of Revolving/Special Funds for Fiscal Year 2025, General Excise Tax Fund, by a) increasing the amount in condition 2 for design, construction, and permitting of the Wildfire Permanent Disposal Site from \$16,000,000 to \$24,000,000; and b) decreasing the amount in condition 3 for operations and maintenance of the Wildfire Permanent Disposal Site from \$17,400,000 to \$9,400,000; and 2) amend Appendix C - Capital Improvement Projects, Department of Management, Countywide, Wildfire Permanent Disposal Site, by increasing the appropriation from \$16,000,000 to \$24,000,000.

[CR 25-14](#)

Recommending **FIRST READING** of Bill 36 (2025), to amend the Fiscal Year 2025 Budget, Appendix A, Part II, Special Purpose Revenues - Schedule of Revolving/Special Funds for Fiscal Year 2025, Managed Retreat Revolving Fund to add a new condition 3 to require up to \$100,000 to be used for the removal of structures, tree stumps, and other debris impacted by shoreline erosion at Baldwin Beach Park.

[CR 25-15](#)

Recommending the following:

1. **FIRST READING** of Bill 37, CD1 (2025), to amend the Fiscal Year 2025 Budget to reflect the transfer of \$25,000,000 from the General Excise Tax Fund to the Water Fund-Restricted for the following projects: \$10,000,000 for Water Supply Infrastructure Repairs and Replacements in wildfire-impacted areas (GET Fund), \$10,000,000 for Integration of Public and Private Water Systems (GET Fund), and \$5,000,000 for Kamole Water Treatment Plant Filter Replacement (GET Fund); and
2. **FIRST READING** of Bill 38 (2024), to amend Chapter 3.100, Maui County Code, to:
 - a. Clarify that 80 percent of all funds derived from the County's General Excise and Use Tax Surcharge will be deposited into the General Excise Tax Fund and 20 percent will be deposited into the General Excise Tax Fund - Department of Hawaiian Home Lands; and
 - b. Provide for funding for water-related projects from either fund to be transferred to the Department of Water Supply for the duration of the project and for remaining funds to be re-deposited in the appropriate fund at the conclusion of the project.

Water and Infrastructure Committee

[CR 25-16](#) Recommending **ADOPTION** of Resolution 25-21, CD1, to authorize the acquisition of 1.811 acres of real property identified as a portion of tax map key (2) 2-3-005:004; a waterline easement across tax map keys (2) 2-3-004:016, (2) 2-3-004:020, and (2) 2-3-005:004, and an access easement across tax map keys (2) 2-3-004:016 and (2) 2-3-005:004, 'Ōma'opio, Kula, Makawao, Maui, Hawai'i for \$451,561.

Water Authority, Social Services, and Parks Committee

[CR 25-17](#) Recommending **ADOPTION** of Resolution 25-50, CD1, to approve the appointment of Jonathan Likeke Scheuer to the East Maui Regional Community Board as the Hawaiian Homes Commission's representative for a term expiring March 31, 2030.

RESOLUTIONS:

[Reso 25-79](#) "AUTHORIZING SETTLEMENT OF KAMALANI T. UEHARA vs. COUNTY OF MAUI, DEPARTMENT OF WATER SUPPLY, ET AL.; CIVIL 2CCV-21-0000378"

[Reso 25-80](#) "AUTHORIZING THE FILING OF AN APPLICATION WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, UNITED STATES OF AMERICA, FOR A GRANT UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM"

ORDINANCES:

[Bill 39 \(2025\)](#) "A BILL FOR AN ORDINANCE AMENDING SECTION 3.68.030, MAUI COUNTY CODE, RELATING TO FIRE HAZARD REMOVAL"

SECOND AND FINAL READING:

[Bill 105, CD1 \(2024\)](#) "A BILL FOR AN ORDINANCE AMENDING SECTIONS 19.39.150 AND 19.500.110, MAUI COUNTY CODE, ON NONCONFORMITIES"

The purpose of this bill is to address nonconforming structures and uses damaged, destroyed, or affected by an emergency or disaster declared by proclamation of the Governor or the Mayor, respectively, under Chapter 127A, Hawai'i Revised Statutes.

[Bill 17, CD1 \(2025\)](#) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, GENERAL BUDGET PROVISIONS, SECTION 18(A)"

The purpose of this bill is to amend the Fiscal Year 2025 Budget, General Budget Provisions, Section 18(A), to increase the maximum aggregate amount of unreimbursed transfers and loans from County funds to the Bond Fund or the Housing Interim Financing and Buy-Back Revolving Fund from \$100,000,000 to \$150,000,000.

[Bill 29 \(2025\)](#) "A BILL FOR AN ORDINANCE AMENDING SECTION 2.88.030, MAUI COUNTY CODE, ON THE MAUI COUNTY CULTURAL RESOURCES COMMISSION'S MEMBERSHIP"

The purpose of this bill is to remove the requirement for the Maui County Cultural Resources Commission to have at least one representative from each island.

[Bill 30 \(2025\)](#) "A BILL FOR AN ORDINANCE AMENDING SECTION 2.41.080, MAUI COUNTY CODE, ON MINIMUM ISLAND REPRESENTATION FOR BOARDS, COMMISSIONS, AND COMMITTEES"

The purpose of this bill is to provide greater flexibility in the residency requirements for the Board of Variances and Appeals, Fire and Public Safety Commission, Liquor Control Adjudication Board, Liquor Control Commission, and Police Commission.

[Bill 31 \(2025\)](#) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART II, AFFORDABLE HOUSING FUND, KAIAULU O KUKUIA"

The purpose of this bill is to amend the Fiscal Year 2025 Budget by increasing the Affordable Housing Fund by \$11,892,593 and adding conditional language appropriating \$250,000 for a grant to A0703 West Maui L.P. for off-site infrastructure.

BOARD PACKETS, as defined in Section 92-7.5, HRS, will be electronically posted as soon as practicable.

ORAL TESTIMONY. For more information on testifying, please visit <https://www.mauicounty.us/teams/>

Oral testimony on any agenda item will be accepted at the beginning of the meeting and prior to Council's deliberation on each section of the agenda. Testimony must pertain to items on the agenda.

In the meeting controls at the top of the Teams screen, select RAISE YOUR HAND. Staff will add your name to the testifier list and will lower your hand. You may check your place in line by accessing the Testifier Log, with the link posted in Chat. When it is your turn to testify, staff will call your name and will allow you to unmute your video and microphone. State your name, if you choose to do so, and also identify the item number(s) on which you wish to testify.

To testify via phone, please call in to the phone number and enter the meeting ID noted on the first page of this agenda. Follow the instructions provided on the call to raise your hand to be added to the testifier list. When it is your turn to testify, the Clerk will call the last four digits of the testifier's phone number. You will be able to unmute yourself when called to testify.

Each testifier will be allowed to speak for up to three minutes on each item. The time limits for testimony 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. If the connection between any testifier and the video conference is lost, the meeting will still continue.

If a meeting participant wishes to testify anonymously, log in to the meeting with "anonymous" as your name and virtually raise your hand as described above.

DECORUM. Any person who behaves in a manner that disrupts, disturbs, or impedes the orderly conduct of any Council meeting can, at the discretion of the presiding officer or a majority of present Council members, be ejected or banned from Council meetings. If participating remotely, participants may be muted or dropped from the meeting for breaking decorum. Examples of disruptive behavior include, but are not limited to: heckling, shouting, use of profanity, threatening or slanderous remarks made to any member of the Council, staff, or general public. Use of the chat feature is restricted to County use only. It shall be considered a breach of decorum for members of the public to use the Chat.

WRITTEN TESTIMONY may be submitted by e-mail to county.clerk@mauicounty.us, by fax to (808) 270-7171, or to the Office of the County Clerk, 200 South High Street, Ste. 708, Wailuku, Hawai'i, 96793. Written testimony should be received at least 24 hours prior to the meeting; except if a meeting will be held on a Monday, written testimony should be received by noon on the business day preceding the meeting. While the Council requests that written testimony be submitted as noted, testimony submitted after that date and time will still be accepted. Members of the public interested in information about offering testimony on an agenda item may contact the Office of the County Clerk at (808) 270-7748 prior to the meeting.

INTERRUPTION IN VIDEO/AUDIO. This meeting is being conducted in accordance with Section 92-3.7, HRS. Nothing said in the meeting or included in the agenda is intended to create obligations in excess of those required under Section 92-3.7, HRS. If Teams connectivity affecting quorum is lost, Council will be in recess. It will not be considered a loss of quorum unless connectivity cannot be restored within 30 minutes. If the Teams connection is prematurely terminated, for whatever reason, please log back into the same link. If connectivity affecting quorum cannot be restored within 30 minutes, the meeting will automatically reconvene the following Tuesday at 9 a.m., using the same virtual connections, unless the Council announces a different date and time.

If any Courtesy Testimony Site loses its connection to the meeting, the meeting will continue without that location, irrespective of whether a Councilmember is participating from that site.

If Akakū prematurely ceases broadcasting the meeting, the meeting will continue via interactive conference technology and a recording will include archived meeting videos.

DISABILITY ACCESS. Anyone requesting an auxiliary aid or service or other accommodation due to a disability should contact the County Clerk as soon as possible prior to the meeting date at (808) 270-7748 or county.clerk@mauicounty.us and allow for adequate time to fulfill the request.