

MINUTES

of the

COUNCIL OF THE COUNTY OF MAUI

February 27, 2018

THE SPECIAL 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 TUESDAY, FEBRUARY 27, 2018, BEGINNING AT 1:05 P.M., WITH CHAIR MICHAEL B. WHITE PRESIDING.

CHAIR WHITE: This Special meeting of the Maui County Council shall please come to order.

Mr. Clerk, please call the roll.

ROLL CALL

PRESENT: COUNCILMEMBERS ALIKA ATAY, ELEANORA COCHRAN, S. STACY CRIVELLO, DONALD S. GUZMAN, G. RIKI HOKAMA, KELLY T. KING, YUKI LEI K. SUGIMURA, VICE-CHAIR ROBERT CARROLL, AND CHAIR MICHAEL B. WHITE.

DEPUTY COUNTY CLERK JOSIAH K. NISHITA: Mr. Chair, there are nine Members present. A quorum is present to conduct the business of the Council.

CHAIR WHITE: Thank you, Mr. Clerk. And, if we could all please put our phones on silent mode, I would appreciate it.

And, let's proceed with the agenda.

DEPUTY COUNTY CLERK: Mr. Chair, proceeding with the presentation of testimony on agenda items. We have established limited interactive communication that enables individuals from Hana, Lanai, and Molokai to provide testimony from our District Offices. Individuals who wish to offer testimony from Hana, Lanai, and Molokai should now sign up with District Office staff.

Individuals who wish to offer testimony in the chamber, please sign up at the desk located in the eighth floor lobby just outside the chamber door.

Testimony at all locations is limited to the items listed on today's agenda. When testifying, please state your name and the name of any organization you represent.

Mr. Chair, we currently have one individual who has signed up to testify in the Council chamber. Okay, scratch that, Mr. Chair. We have no individuals signed up to testify in the Council chamber.

Hana Office, please identify yourself and introduce your first testifier.

MS. DAWN LONO: Good afternoon, Chair. This is Dawn Lono at the Hana Office, and there is no one waiting to testify.

DEPUTY COUNTY CLERK: Thank you.

Lanai Office, please identify yourself and introduce your first testifier.

MS. DENISE FERNANDEZ: Good afternoon, Chair. This is Denise Fernandez on Lanai, and there is no one waiting to testify.

DEPUTY COUNTY CLERK: Thank you.

Molokai Office, please identify yourself and introduce your first testifier.

MS. ELLA ALCON: Good afternoon, Chair. This is Ella Alcon on Molokai, and there is no one here waiting to testify.

DEPUTY COUNTY CLERK: Mr. Chair, there are no individuals in the District Offices nor the chamber who wish to offer testimony.

CHAIR WHITE: Thank you, Mr. Clerk.

Have we received any written testimony?

DEPUTY COUNTY CLERK: Yes, Mr. Chair, we have received written testimony.

CHAIR WHITE: Without objection, Members, I will receive it into the record.

MEMBERS VOICED NO OBJECTION.

THERE BEING NO OBJECTION, WRITTEN TESTIMONY
RECEIVED FROM THE DEPARTMENT OF PUBLIC WORKS WAS
MADE A PART OF THE RECORD OF THIS MEETING.

CHAIR WHITE: Thank you.

And without objection, we'll close public testimony.

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Thank you. Public testimony is closed for the day.

Mr. Clerk.

COMMITTEE REPORTS

COMMITTEE REPORT

NO. 18-27 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. That Resolution 18-15, entitled "APPROVING THE ACQUISITION OF REAL PROPERTY, APPROXIMATELY 15,351 SQUARE FEET, LOCATED IN KIHEI, MAUI, HAWAII," be ADOPTED;
2. That Bill 15 (2018), entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2018 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES – SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2018, OPEN SPACE, NATURAL RESOURCES, CULTURAL RESOURCES, AND SCENIC VIEWS PRESERVATION FUND," be PASSED ON FIRST READING and ORDERED TO PRINT; and
3. That County Communication 18-9, from the Budget Director, be FILED.

VICE-CHAIR CARROLL: Mr. Hokama.

COUNCILMEMBER HOKAMA:

CHAIRMAN, CHAIRMAN, I MOVE THAT COMMITTEE REPORT 18-27 WITH ITS RECOMMENDATIONS OF ADOPTION OF THE PROPOSED RESOLUTION TO APPROVE ACQUISITION OF REAL PROPERTY, AS WELL AS PASSAGE OF FIRST READING BE ORDERED TO PRINT A BILL FOR AN ORDINANCE TO AMEND THE FISCAL YEAR 2018 BUDGET UNDER OPEN SPACE, NATURAL RESOURCE, CULTURAL RESOURCE, AND SCENIC VIEW PRESERVATION FUND FOR, WITH A PROVISO FOR A SPECIFIC AMOUNT OF 2.35 MILLION FOR ACQUISITION OF PUBLIC ACCESS AT KENOLIO BEACH RESERVE.

Thank you.

COUNCILMEMBER KING:

SECOND.

CHAIR WHITE: We have a motion from Mr. Hokama, and a second from Ms. Sugimura *[sic]*.

Mr. Hokama.

COUNCILMEMBER COCHRAN: Oh, no, King.

CHAIR WHITE: Oh, I'm sorry; Ms. King.

COUNCILMEMBER KING: That's okay.

COUNCILMEMBER HOKAMA: Chairman, thank you. Your Committee vetted this request. We did get the appraisals. We did have discussions with the current property owner, the family. We are, I am able to recommend consideration and adoption this afternoon, Mr. Chairman.

The parties agreed, we had a discussion. And through mutual agreement, we have been able to reduce the acquisition price by a sizable amount due to the cooperation of the property owner. And I wish to acknowledge the Kozuki family for their willingness to reconsider and agree to a price that I'm able to recommend support for this afternoon.

If there are any questions, I'm happy to respond to those concerns, Chairman. But, in my review of all the factors that impact this property, I'm happy to move this request forward. Thank you.

CHAIR WHITE: Thank you, Mr. Hokama.

Members, any further discussion on this item? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, CRIVELLO, GUZMAN,
HOKAMA, KING, SUGIMURA,
VICE-CHAIR CARROLL, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: COUNCILMEMBER COCHRAN.

CHAIR WHITE: Measure passes with eight "ayes", and one "no"; Ms. Cochran.

Mr. Clerk.

DEPUTY COUNTY CLERK: For the record, RESOLUTION 18-15 and BILL 15 (2018).

Mr. Chair, proceeding with ordinances, second and final reading.

ORDINANCES

ORDINANCE NO. _____
BILL NO. 14 (2018)

A BILL FOR AN ORDINANCE AMENDING APPENDIX A
OF THE FISCAL YEAR 2018 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES –
SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2018,
EMERGENCY FUND

CHAIR WHITE: Thank you, Mr. Clerk.

Mr. Hokama.

COUNCILMEMBER HOKAMA:

CHAIRMAN, I MOVE THAT BILL 14 PASS SECOND AND
FINAL READING.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR WHITE: We have a motion from Mr. Hokama, and a second from Ms. Sugimura.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Again, Chairman, thank you very much. I wish to acknowledge and recognize the efforts of the Committee. During our review of this specific request, we had options, we made a decision. And we are grateful, also, that Piihola Ranch representatives have agreed to cooperate and work with us, whereby we can address the issue regarding the dangerous trees along the Piihola Road area, as well as for the tax base, provide the sufficient resources to address it and get it corrected. So, I'm happy to move this forward with full support, Chairman.

CHAIR WHITE: Thank you, Mr. Hokama.

Any further discussion, Members?

COUNCILMEMBER COCHRAN: Chair.

CHAIR WHITE: Yes, Ms. Cochran.

COUNCILMEMBER COCHRAN: Do we know, thank you, Chair. This is out of the Emergency Fund, I see. And so, I think I was, I wasn't able to attend the discussion in Committee. And, it looks, it says may also be used for cost-sharing. So, have we determined that there is a definitive cost-sharing of sorts with the Piihola Ranch entity at this time?

CHAIR WHITE: The Chair can address that.

COUNCILMEMBER COCHRAN: Oh, okay. Thank you.

CHAIR WHITE: They, there were two bids; one to remove all 360 trees at a cost of around \$450,000. And, the cost to remove just the County's 60 trees, which would involve hauling all of them away would have cost about 350,000. So, the, the Committee approved the cost of 350,000, I'm using rough numbers, to remove our 60 trees. And then the Piihola Ranch said that they would put up the additional 100,000, and at the same time allow us, that would entail allowing us to leave all the trees from both our property and theirs on their property, and eliminate the hauling. So, there, therefore, the \$100,000 differential. And so, we're covering the cost that would be for us to do the 60 trees. They're covering the balance in order to do the, the full 360.

COUNCILMEMBER COCHRAN: Okay. Alright. Okay, thank you for that clarification.

CHAIR WHITE: Any other questions?

Mr. Atay.

COUNCILMEMBER ATAY: Chair, so, I kind of want to be clear. The 60 trees as the County trees, could those trees be, because of the safety that the public has brought forward, of the 360 trees, is it like they're just going to, could the 60 trees that's in the County property be prioritized to be cut first, and get it safely out of the way?

CHAIR WHITE: I, you know, I can't answer that question. I'm assuming that the contractor is going to start in such a way that he can drop the trees as he goes without, so, to say that the 60 can be handled before the others, I just don't know. I don't know what their game plan is.

COUNCILMEMBER ATAY: Right.

Any further discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, GUZMAN, HOKAMA, KING,
SUGIMURA, VICE-CHAIR CARROLL, AND
CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

CHAIR WHITE: Measure passes with nine "ayes".

Mr. Clerk.

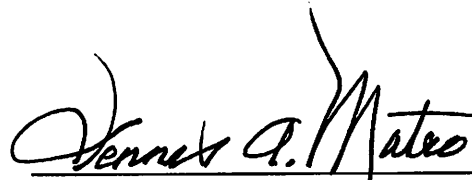
DEPUTY COUNTY CLERK: Mr. Chair, there is no further business before the Council.

CHAIR WHITE: Thank you all for being here, and being here so promptly.

And with that, we are adjourned.

ADJOURNMENT

The special meeting of February 27, 2017 was adjourned by the Chair at 1:15 p.m.



DENNIS A. MATEO, COUNTY CLERK
COUNTY OF MAUI, STATE OF HAWAII



The Department of Public Works responds to fallen trees on Piipolo Road on
Sunday, February 25, 2018.

RECEIVED AT Canal MEETING ON 2/27/18
Chair White