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OFFICE OF THE
COUNTY CLERK

COUNCIL OF THE COUNTY OF MAUI

AGENDA

Regular Council Meeting of February 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 GABE JOHNSON****PLEDGE OF ALLEGIANCE****TESTIMONY ON CEREMONIAL RESOLUTIONS****CEREMONIAL RESOLUTIONS:**

[Reso 25-56](#) "CONGRATULATING THE KAMEHAMEHA SCHOOLS MAUI FOOTBALL TEAM FOR WINNING THE 2024 FIRST HAWAIIAN BANK/HAWAII HIGH SCHOOL ATHLETIC ASSOCIATION DIVISION II STATE FOOTBALL CHAMPIONSHIP"

[Reso 25-71](#) "CELEBRATING FEBRUARY 2025 AS BLACK HISTORY MONTH IN THE COUNTY OF MAUI"

PRESENTATION OF WRITTEN OR ORAL TESTIMONY**COMMITTEE REPORTS:**

[CR 25-1](#) Recommending **FIRST READING** of Bill 7, CD1 (2025), to amend the Fiscal Year 2025 Budget by: 1) amending Section 2, Estimated Revenues, by increasing Carryover/Savings from the General Fund by \$1,500,000; 2) amending Section 3.B.12.c.(2), Office of the Mayor, Economic Development Program, Grants and disbursements for business development and technology, by adding a new appropriation, entitled "Festivals of Aloha, Inc. for the 2025 Maui County Fair," in the amount of \$1,500,000; and 3) adjusting the totals accordingly.

RESOLUTIONS:

[Reso 25-23](#) "APPOINTMENT OF A MEMBER TO THE AFFIRMATIVE ACTION ADVISORY COUNCIL FOR THE COUNTY OF MAUI"

[Reso 25-24](#) "APPOINTMENT OF MEMBERS TO ANIMAL CONTROL BOARD FOR THE COUNTY OF MAUI"

[Reso 25-25](#) "APPOINTMENT OF A MEMBER TO THE BOARD OF ETHICS FOR THE COUNTY OF MAUI"

[Reso 25-26](#) "APPOINTMENT OF A MEMBER TO THE BOARD OF VARIANCES AND APPEALS FOR THE COUNTY OF MAUI"

[Reso 25-27](#) "APPOINTMENT OF A MEMBER TO THE CIVIL SERVICE COMMISSION FOR THE COUNTY OF MAUI"

- [Reso 25-28](#) "APPOINTMENT OF MEMBERS TO THE COMMISSION ON CHILDREN AND YOUTH FOR THE COUNTY OF MAUI"
- [Reso 25-29](#) "APPOINTMENT OF MEMBERS TO THE CONSERVATION PLANNING COMMITTEE FOR THE COUNTY OF MAUI"
- [Reso 25-30](#) "APPOINTMENT OF A MEMBER TO THE COUNCIL ON AGING FOR THE COUNTY OF MAUI"
- [Reso 25-31](#) "APPOINTMENT OF MEMBERS TO THE FIRE AND PUBLIC SAFETY COMMISSION FOR THE COUNTY OF MAUI"
- [Reso 25-32](#) "APPOINTMENT OF MEMBERS TO THE HOUSING ADVISORY BOARD FOR THE COUNTY OF MAUI"
- [Reso 25-33](#) "APPOINTMENT OF A MEMBER TO THE LIQUOR CONTROL ADJUDICATION BOARD FOR THE COUNTY OF MAUI"
- [Reso 25-34](#) "APPOINTMENT OF A MEMBER TO THE LIQUOR CONTROL COMMISSION FOR THE COUNTY OF MAUI"
- [Reso 25-35](#) "APPOINTMENT OF MEMBERS TO THE MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES FOR THE COUNTY OF MAUI"
- [Reso 25-36](#) "APPOINTMENT OF MEMBERS TO THE MAUI COUNTY CULTURAL RESOURCES COMMISSION"
- [Reso 25-37](#) "APPOINTMENT OF A MEMBER TO THE MAUI PLANNING COMMISSION FOR THE COUNTY OF MAUI"
- [Reso 25-38](#) "APPOINTMENT OF A MEMBER TO THE MAUI REDEVELOPMENT AGENCY FOR THE COUNTY OF MAUI"
- [Reso 25-39](#) "APPOINTMENT OF A MEMBER TO THE POLICE COMMISSION FOR THE COUNTY OF MAUI"
- [Reso 25-40](#) "APPOINTMENT OF A MEMBER TO THE REAL PROPERTY TAX REVIEW BOARD FOR THE COUNTY OF MAUI"
- [Reso 25-41](#) "APPOINTMENT OF MEMBERS TO THE SALARY COMMISSION FOR THE COUNTY OF MAUI"
- [Reso 25-42](#) "APPOINTMENT OF MEMBERS TO THE URBAN DESIGN REVIEW BOARD FOR THE COUNTY OF MAUI"
- [Reso 25-51](#) "AUTHORIZING ACCEPTANCE OF THE DONATION OF A FORD F-350 PICKUP TRUCK WITH A DARLEY SKID UNIT FROM THE DANIEL R. SAYRE MEMORIAL FOUNDATION TO THE DEPARTMENT OF FIRE AND PUBLIC SAFETY, PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE"

- [Reso 25-52](#) "AUTHORIZING ADDITIONAL COMPENSATION RELATED TO THE EMPLOYMENT OF SPECIAL COUNSEL ES&A, INC., A LAW CORPORATION, IN CHELSE EVANS, INDIVIDUALLY AND AS THE PERSONAL REPRESENTATIVE OF THE ESTATE OF TRE' PU'UWAILA'AHIAOLOPAKAAMELEHUANANI EVANS-DUMARAN, DECEASED, vs. SCOTT MARTIN, CIVIL 2CCV-24-0000034."
- [Reso 25-54](#) "REQUESTING THE CONSERVATION PLANNING COMMITTEE TO REVIEW AND PROVIDE RECOMMENDATIONS ON PARCELS IDENTIFIED AS WETLANDS IN THE MAUI COUNTY WETLANDS MAP"
- [Reso 25-55](#) "REFERRING TO THE MAUI PLANNING COMMISSION PROPOSED BILLS RELATING TO A COMMUNITY PLAN AMENDMENT FROM HEAVY INDUSTRIAL AND AGRICULTURE TO HEAVY INDUSTRIAL AND A CHANGE IN ZONING FROM URBAN RESERVE DISTRICT TO B-CT COUNTRY TOWN BUSINESS DISTRICT FOR PROPERTY IN PĀ'IA, MAUI, HAWAI'I, TAX MAP KEY (2) 2-5-005-020 (POR.) (PĀ'IA TRAIN DEPOT)"
- [Reso 25-57](#) "APPROVING USE OF THE MANAGED RETREAT REVOLVING FUND FOR PROPERTY ACQUISITION BY THE LAHAINA COMMUNITY LAND TRUST"
- [Reso 25-58](#) "APPROVING THE HAWAI'I STATE ASSOCIATION OF COUNTIES' OFFICERS AND ALTERNATES"
- [Reso 25-59](#) "SUSPENDING RULE 20 OF THE RULES OF THE COUNCIL FOR PUBLIC HEARINGS RELATED TO THE FISCAL YEAR 2026 AND FISCAL YEAR 2027 BUDGETS"
- [Reso 25-60](#) "REFERRING TO THE LĀNA'I, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL TO AMEND THE BUILDING CODE AND THE COMPREHENSIVE ZONING ORDINANCE RELATING TO AGRICULTURAL PRODUCT STANDS, AGRICULTURAL RETAIL STRUCTURES, AND FARMER'S MARKETS"
- [Reso 25-61](#) "APPOINTING PAUL KUMAR AS AN ALTERNATE TO THE URBAN DESIGN AND REVIEW BOARD"
- [Reso 25-62](#) "APPOINTING WILMONT KAMAUNU KAHAIALII TO THE MAUI COUNTY CULTURAL RESOURCES COMMISSION"
- [Reso 25-63](#) "APPOINTING JEREMY DELOS REYES TO THE MAUI PLANNING COMMISSION"
- [Reso 25-64](#) "APPOINTING LAAKEA KALEOLANIKAUANUI POEPOE TO THE MAUI COUNTY CULTURAL RESOURCES COMMISSION"
- [Reso 25-65](#) "APPOINTING EVEEVA UILANI SULUNGA TO THE LIQUOR CONTROL COMMISSION"
- [Reso 25-66](#) "APPOINTING EVEEVA UILANI SULUNGA TO THE POLICE COMMISSION"
- [Reso 25-67](#) "APPOINTING DWIGHT KALEO BURNS TO THE MAUI PLANNING COMMISSION"

- [Reso 25-68](#) "APPOINTING MIRIAM ANUHEA ARAKAWA TO THE MAUI COUNTY CULTURAL RESOURCES COMMISSION"
- [Reso 25-69](#) "APPOINTING CRICHTON KA'UIKI LIND TO THE MAUI PLANNING COMMISSION"
- [Reso 25-70](#) "APPROVING EXCEPTIONS FROM THE CONDITIONS OF SECTION 3.35.070, MAUI COUNTY CODE, FOR A GRANT TO THE LAHAINA COMMUNITY LAND TRUST"
- [Reso 25-72](#) "APPOINTING SANDI IOAKIMI TO THE BOARD OF VARIANCES AND APPEALS"

ORDINANCES:

- [Bill 51 \(2023\)](#) "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.35, MAUI COUNTY CODE, RELATING TO THE AFFORDABLE HOUSING FUND"

The purpose of this bill is to provide a stable and continuing source of funding to be used for planning, administering, and constructing affordable and workforce housing projects and to provide a policy for the use of the funding.

- [Bill 3 \(2024\)](#) "A BILL FOR AN ORDINANCE AMENDING SECTION 2.56.060, MAUI COUNTY CODE, RELATING TO FINANCIAL DISCLOSURE STATEMENTS"

- [Bill 53 \(2024\)](#) "A BILL FOR AN ORDINANCE AMENDING SECTION 2.44.010, SALARIES OF OFFICERS, IN ACCORDANCE WITH THE CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED"

The purpose of this bill is to amend Section 2.44.010, relating to salaries of officers.

- [Bill 16 \(2025\)](#) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS, HAWAII OCCUPATIONAL SAFETY AND HEALTH DIVISION, FOR THE SETTLEMENT OF ALLEGED VIOLATIONS AT THE KIHEI WASTEWATER RECLAMATION FACILITY"

The purpose of this bill is for the settlement of alleged violations at the Kihei Wastewater Reclamation Facility.

- [Bill 18 \(2025\)](#) "A BILL FOR AN ORDINANCE ESTABLISHING SECTION 2.56.080, MAUI COUNTY CODE, TO ESTABLISH PAY SCALES FOR THE BOARD OF ETHICS"

- [Bill 19 \(2025\)](#) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE U.S. GEOLOGICAL SURVEY"

The purpose of this bill is to enter into a joint funding agreement with USGS on groundwater availability study in West Maui.

[Bill 20 \(2025\)](#) "A BILL FOR AN ORDINANCE AMENDING SECTION 3.48.565, MAUI COUNTY CODE, RELATING TO NOTICE FOR THE INCREASE OR DECREASE OF REAL PROPERTY TAX RATES AND TIERS"

The purpose of this bill is to expand the Council's options for providing public notice of changes in Real Property Tax rates and tiers.

[Bill 21 \(2025\)](#) "A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.36B, MAUI COUNTY CODE, RELATING TO EXEMPTING PARKING IN A SPECIFIC BOUNDARY AREA OF LĀNA'Ī CITY"

The purpose of this bill is to amend MCC Chapter 19.63B to exempt parking in a specific boundary area of Lāna'ī City.

[Bill 22 \(2025\)](#) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, ESTIMATED REVENUES AND OFFICE OF THE MAYOR, ADMINISTRATION PROGRAM, GRANT TO AKAKŪ"

The purpose of this bill is to 1) increase Carryover/Savings in the General Fund and Total Estimated Revenues by \$40,000; 2) increase the appropriation under Office of the Mayor, Administration Program for Grant to Akakū: Maui Community Television by \$40,000; and 3) increase both Total Capital Improvement Project Appropriations and Total Appropriations by \$40,000.

[Bill 23 \(2025\)](#) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM, GRANTS AND DISBURSEMENTS FOR BUSINESS DEVELOPMENT AND TECHNOLOGY, MAKAWAO-PĀ'IA-HA'IKŪ ECONOMIC DEVELOPMENT, ENVIRONMENTAL, AND CULTURAL PROGRAMS"

The purpose of this bill is to add a line item for the Makawao Parade Committee for the Kaupakalua Roping Club & Youth Rodeo in the amount of \$10,000 and reducing the appropriation for the Makawao-Pā'ia-Ha'ikū residency area clean-up efforts, security, beautification, maintenance, community outreach, educational events, and economic development from \$25,000 to \$15,000.

[Bill 24 \(2025\)](#) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, ESTIMATED REVENUES AND DEPARTMENT OF FIRE AND PUBLIC SAFETY, FIRE/RESCUE OPERATIONS PROGRAM"

The purpose of this bill is to 1) increase Carryover/Savings in the General Fund and Total Estimated Revenues by \$300,000; 2) increase the appropriation for Department of Fire and Public Safety, Fire/Rescue Operations Program, Category B - Operations & Equipment by \$300,000; and 3) increase both Total Capital Improvement Project Appropriations and Total Appropriations by \$300,000.

[Bill 25 \(2025\)](#) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF POLICE, DEPARTMENT OF TRANSPORTATION HIGHWAY SAFETY GRANTS"

The purpose of this bill is to increase the appropriation for Department of Transportation Highway Safety Grants by \$425,000.

[Bill 26 \(2025\)](#) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, APPENDIX B, DEPARTMENT OF FIRE AND PUBLIC SAFETY"

The purpose of this bill is to reflect Ordinance 5754 and to add fines and fees for the Fire Hazard Removal Fund in accordance with the Hawaii Revised Statutes §132-13.

[Bill 27 \(2025\)](#) "A BILL FOR AN ORDINANCE AMENDING SECTION 2.41.050, MAUI COUNTY CODE, ON VACANCIES FOR COUNTY BOARDS, COMMISSIONS, AND COMMITTEES"

ORDINANCES - SECOND AND FINAL READING:

[Bill 10, FD1 \(2025\)](#) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII DEPARTMENT OF HEALTH, BEHAVIORAL HEALTH ADMINISTRATION FOR AN EMERGENCY RESPONSE GRANT"

The purpose of this bill is to provide the Behavioral Health Administration the opportunity for training initiatives to build capacity within Maui to deliver mental health services.

[Bill 11 \(2025\)](#) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF PUBLIC WORKS, UNITED STATES DEPARTMENT OF AGRICULTURE, NATURAL RESOURCES CONSERVATION SERVICE ADDITIONAL FUNDING"

The purpose of this bill is to amend the Fiscal Year 2025 Budget, to increase the appropriation under the Department of Public Works entitled "United States Department of Agriculture, Natural Resources Conservation Service" by \$2,574,250.

[Bill 12 \(2025\)](#) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF POLICE, PAUL COVERDELL FORENSICS SCIENCE IMPROVEMENT ACT"

The purpose of this bill is to amend the Fiscal Year 2025 Budget, to increase the appropriation under the Department of Police entitled "Paul Coverdell Forensics Sciences Improvement Act" by \$112,478.

[Bill 13 \(2025\)](#) “A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, ESTIMATED REVENUES AND CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF MANAGEMENT; MAKAWAO-PUKALANI-KULA COMMUNITY PLAN AREA”

The purpose of this bill is to amend the Fiscal Year 2025 Budget relating to the Von Tempsky Kula Property Acquisition.

[Bill 14 \(2025\)](#) “A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 5659, BILL NO. 62, CD1 (2024), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI ISSUANCE, SALE AND DELIVERY OF SAID BONDS (DEPARTMENT OF MANAGEMENT)”

The purpose of this bill is to amend Ordinance 5659, relating to the Von Tempsky Kula Property Acquisition.

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.