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OFFICE OF THE
COUNTY CLERK

COUNCIL OF THE COUNTY OF MAUI

AGENDA

Regular Meeting of May 3, 2024
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 Cultural Center & Museum, 4974 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: 841 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

A. ROLL CALL

B. OPENING REMARKS:

COUNCILMEMBER NOHELANI U‘U-HODGINS

C. PLEDGE OF ALLEGIANCE

D. TESTIMONY ON CEREMONIAL RESOLUTIONS

E. CEREMONIAL RESOLUTIONS:

NONE.

F. SET THE CONSENT CALENDAR

G. PRESENTATION OF WRITTEN OR ORAL TESTIMONY

H. MINUTES:

NONE.

I. ACTION ON THE CONSENT CALENDAR

J. COMMUNICATIONS:

1. COUNTY COMMUNICATIONS:

NONE.

2. GENERAL COMMUNICATIONS:

NONE.

K. COMMITTEE REPORTS:**Housing and Land Use Committee**[CR 24-48](#)

Recommending the following:

1. **FIRST READING** of Bill 83 (2024) granting a Conditional District Boundary Amendment from Agricultural District to Urban District for tax map keys (2) 5-3-003:013 and (2) 5-3-003:014, comprising 5.27 acres, located at 375 Kamehameha V Highway, Kaunakakai, Molokai, Hawai'i, for the University of Hawai'i Maui College, Molokai Education Center;
2. **FIRST READING** of Bill 84 (2024) granting a Conditional Change in Zoning from Interim District to P-1 Public/Quasi Public District for tax map keys (2) 5-3-003:013 and (2) 5-3-003:014, comprising 5.27 acres, located at 375 Kamehameha V Highway, Kaunakakai, Molokai, Hawai'i, for the University of Hawai'i Maui College, Molokai Education Center;
3. **RECORDATION** of the Unilateral Agreements; and
4. **FILING** of communication.

L. RESOLUTIONS:[Reso 24-89](#)

"AUTHORIZING THE TRANSFER OF AN UNENCUMBERED APPROPRIATION BALANCE WITHIN THE DEPARTMENT OF WATER SUPPLY, FISCAL YEAR 2024 BUDGET"

The purpose of this resolution is to authorize the transfer of \$184,000 from the Administration Program - Water Fund, Category B (Operations & Equipment), to Departmental Expenses - Water Fund, Insurance, Category B (Operations & Equipment), in order to cover \$184,000 in increased insurance costs.

M. ORDINANCES:[Bill 54 \(2024\)](#)

"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, REVENUES AND DEPARTMENT OF FINANCE, COUNTYWIDE COSTS, INSURANCE PROGRAMS AND SELF INSURANCE, MAUI WILDFIRES COMPENSATION PROGRAM"

The purpose of this bill is to 1) increase Carryover/Savings in the General Fund and Total Estimated Revenues by \$10,000,000; and 2) amend Department of Finance, Countywide Costs by increasing the appropriation for Insurance Programs and Self Insurance, Category B in the amount of \$10,000,000 and increase the Total Operating Appropriations and Total Appropriations by the same amount.

[Bill 79 \(2024\)](#) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY FOR SETTLEMENT OF ALLEGED VIOLATIONS"

The purpose of this bill is to settle alleged violations related to large capacity cesspools located in County facilities in Hana.

[Bill 80 \(2024\)](#) "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.48, MAUI COUNTY CODE, RELATING TO EXEMPTIONS ON PROPERTIES IMPACTED BY THE AUGUST 2023 WILDFIRES"

This purpose of this bill is to extend the application period for the exemption through June 30, 2024.

[Bill 81 \(2024\)](#) "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"

The purpose of this bill is to provide the Department of Planning with funds for training and capacity-building to implement multi-modal transportation safety policies and projects.

[Bill 82 \(2024\)](#) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF PLANNING, STATE OF HAWAI'I, DEPARTMENT OF HEALTH"

The purpose of this bill is to amend the Fiscal Year 2024 Budget to add a new appropriation for State of Hawai'i, Department of Health in the amount of \$75,000.

[Bill 85 \(2024\)](#) "A BILL FOR AN ORDINANCE AMENDING SECTION 3.48.810, MAUI COUNTY CODE, RELATING TO THE CIRCUIT BREAKER TAX CREDIT"

The purpose of the bill is to increase the maximum credit from \$6,500 to \$8,200, increase the maximum household income limit from \$100,000 to \$126,000, and change the building value qualifications from a maximum of \$750,000 to \$1,000,000 for 100 percent of the credit.

ORDINANCES - SECOND AND FINAL READING:

[Bill 72 \(2024\)](#) "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.35 AND SECTION 16.28.010, MAUI COUNTY CODE, RELATING TO DEPARTMENT OF HOUSING REVOLVING FUNDS"

The purpose of this bill is to update Chapter 3.35 and Section 16.28.010 to amend references to the Department of Housing and Human Concerns, which was bifurcated by 2022 Charter amendment.

N. UNFINISHED BUSINESS:

[Reso 24-79](#)

"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"

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.