

# **Council of the County of Maui**

## **A G E N D A**

Special Meeting of December 13, 2024

9:00 AM

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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](http://mauicounty.us) for more information.

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

e-mail: [county.clerk@mauicounty.us](mailto:county.clerk@mauicounty.us)

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**ROLL CALL****PRESENTATION OF WRITTEN OR ORAL TESTIMONY****COUNTY COMMUNICATIONS:**

[CC 24-30](#) COUNCILMEMBER RAWLINS-FERNANDEZ, transmitting a proposed amendment to Bill 171 (2024), entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.90A, MAUI COUNTY CODE, RELATING TO KĪHEI-MĀKENA PROJECT DISTRICT 9 (WAILEA 670)".

[CC 24-31](#) COUNCILMEMBER PALTIN, transmitting a proposed amendment to Bill 172 (2024), entitled "A BILL FOR AN ORDINANCE TO AMEND ORDINANCE 3554, AS PREVIOUSLY AMENDED ESTABLISHING KIHEI-MAKENA PROJECT DISTRICT 9 (WAILEA 670) ZONING (CONDITIONAL ZONING), FOR APPROXIMATELY 670 ACRES SITUATED AT PAEAHU, PALAUEA, KEAUAHOU, HONUA'ULA, DISTRICT OF MAKAWAO, MAUI, HAWAII".

[CC 24-32](#) COUNCILMEMBER JOHNSON, transmitting a proposed amendment to Bill 172 (2024), entitled "A BILL FOR AN ORDINANCE TO AMEND ORDINANCE 3554, AS PREVIOUSLY AMENDED ESTABLISHING KIHEI-MAKENA PROJECT DISTRICT 9 (WAILEA 670) ZONING (CONDITIONAL ZONING), FOR APPROXIMATELY 670 ACRES SITUATED AT PAEAHU, PALAUEA, KEAUAHOU, HONUA'ULA, DISTRICT OF MAKAWAO, MAUI, HAWAII".

[CC 24-33](#) COUNCILMEMBER RAWLINS-FERNANDEZ, transmitting a proposed amendment to Bill 172 (2024), entitled "A BILL FOR AN ORDINANCE TO AMEND ORDINANCE 3554, AS PREVIOUSLY AMENDED ESTABLISHING KIHEI-MAKENA PROJECT DISTRICT 9 (WAILEA 670) ZONING (CONDITIONAL ZONING), FOR APPROXIMATELY 670 ACRES SITUATED AT PAEAHU, PALAUEA, KEAUAHOU, HONUA'ULA, DISTRICT OF MAKAWAO, MAUI, HAWAII".

**COMMITTEE REPORTS:****Housing and Land Use Committee**

[CR 24-120](#)

Recommending the following:

1. **FIRST READING** of Bill 171, CD1 (2024), to amend the Project District ordinance for Kīhei-Mākena Project District 9 (Wailea 670) for about 670 acres identified for real property tax purposes as tax map keys (2) 2-1-008:056 and 071;
2. **FIRST READING** of Bill 172, CD1 (2024), to amend various Conditions of Zoning in Ordinance 3554, as amended by Ordinance 4849, relating to Kīhei-Mākena Project District 9 (Wailea 670) zoning (Conditional Zoning); and
3. **RECORDATION** of the Unilateral Agreement.

**ORDINANCES - SECOND AND FINAL READING:**[Bill 162](#)  
[\(2024\)](#)

"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF POLICE, HAWAII CRIMINAL JUSTICE DATA CENTER - NATIONAL CRIMINAL HISTORY RECORDS IMPROVEMENT PROGRAM"

[Bill 173](#)  
[\(2024\)](#)

"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF THE PROSECUTING ATTORNEY, VICTIM/WITNESS ASSISTANCE PROGRAM"

[Bill 174](#)  
[\(2024\)](#)

"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART II, GENERAL EXCISE TAX FUND, AND APPENDIX C, DEPARTMENT OF MANAGEMENT, COUNTYWIDE, WILDFIRE PERMANENT DISPOSAL SITE"

[Bill 175](#)  
[\(2024\)](#)

"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, ESTIMATED REVENUES; CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA, SANITATION, BOND FUND; AND APPENDIX C, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA"

[Bill 176](#)  
[\(2024\)](#)

"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 ENVIRONMENTAL MANAGEMENT)"

[Bill 177](#)  
[\(2024\)](#)

"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF WATER SUPPLY, U.S. ENVIRONMENTAL PROTECTION AGENCY - WATER DIVISION, COMMUNITY GRANTS"

Bill 178  
(2024)

"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, U.S. ENVIRONMENTAL PROTECTION AGENCY - WATER DIVISION, COMMUNITY GRANTS"

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](mailto: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](mailto:county.clerk@mauicounty.us) and allow for adequate time to fulfill the request.