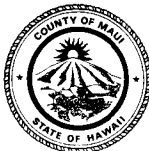


DANNY A. MATEO
County Clerk



EAR-11
JOSIAH K. NISHITA
Deputy County Clerk

OFFICE OF THE COUNTY CLERK

COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
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May 28, 2014

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OFFICE OF THE
COUNTY COUNCIL

Honorable Don S. Guzman, Chair
Economic Development, Energy, Agriculture,
and Recreation Committee
Council of the County of Maui
Wailuku, Hawaii 96793

Dear Chair Guzman:

Pursuant to the adoption of Committee Report No. 14-60 on May 27, 2014, the matter relating to a potential redesign of the South Maui gymnasium in Kihei to a multi-purpose center was referred to your Committee. Transmitted herewith is a copy of Exhibit "2" which is attached to Committee Report No. 14-60.

Respectfully yours,

A handwritten signature in black ink, appearing to read "J. Nishita", is written over a horizontal line.

JOSIAH K. NISHITA
Deputy County Clerk

/jym

Enclosure

cc: Director of Council Services

Exhibit “2” - Referrals

To your Budget and Finance Committee:

1. **The matter relating to reallocation, reassignment, and creation of positions.**
 - In response to the significant costs of expansion positions, your Committee recommended the Administration explore the reallocation of existing positions to meet department needs. Discussion during deliberations indicated reallocating positions within and between departments is a burdensome process. The matter is to evaluate improvements to ease the process.
2. **The matter relating to additional emergency medical services (“EMS”) funding from the State.**
 - The majority of fire call-outs are EMS-related, which is a State function established under Chapter 321, Hawaii Revised Statutes. Hawaii County receives funding from the State to offset its EMS call-out expenses. The referred matter is to evaluate how Maui County can pursue a similar funding arrangement with the State to offset costs incurred by the Department of Fire and Public Safety.

To your Economic Development, Energy, Agriculture, and Recreation Committee:

1. **The matter relating to a potential redesign of the South Maui gymnasium in Kihei to a multi-purpose center.**
 - Your Committee expressed interest in maximizing the County’s return on investment for the proposed South Maui Community Park gymnasium by evaluating the feasibility of expanding the project scope to include a multi-purpose facility capable of hosting conferences, tournaments, and other events that can generate economic activity. This matter is to evaluate expansion of the project scope, in collaboration with the Department of Parks and Recreation.
2. **The matter relating to an evaluation of the Maui Community Correctional Center Work Line Program, Department of Parks and Recreation.**
 - This matter is to examine the County’s return on investment for the Work Line Program. Your Committee expressed interest in determining the dollar value of the services received to evaluate the continued partnership between the County and the program.
3. **The matter relating to volunteer agreements for park maintenance.**
 - Your Committee noted the City and County of Honolulu utilizes community volunteers in the maintenance of certain parks. This matter is to examine the County’s existing authority to establish park-maintenance agreements with community volunteers and develop enabling legislation to establish such agreements.

To your Housing, Human Services, and Transportation Committee:

1. **The matter relating to animal management revolving fund fees and their use.**
 - This matter is to evaluate expanded uses of the animal management revolving fund, and to specifically evaluate whether funding of the Molokai Humane Society through the animal management revolving fund is permissible.
2. **The matter relating to equitably spreading the cost of animal control services to animal owners.**
 - Currently, animal control costs are incurred only by dog owners, via dog license fees. This matter is to evaluate methods of more equitably distributing the costs associated with animal control among all animal owners.

To your Infrastructure and Environmental Management Committee:

1. **The matter relating to an evaluation of the Waiko Road Subdivision sewer system project, including community outreach regarding costs and impacts to homeowners.**
 - The proposed project will require homeowners to incur significant costs to connect their homes to the County's sewer system. The matter is to evaluate the County's outreach efforts.
2. **The matter relating to bridge-design bundling and related cost efficiencies.**
 - Your Committee noted National Association of Counties ("NACo") member counties realize cost savings on bridge-replacement projects by bundling the design component. This approach has yielded credits that can then be applied toward a county's share of Federal projects undertaken in that jurisdiction. This matter is to evaluate the feasibility of Maui County pursuing a similar approach.
3. **The matter relating to conversion of the Wailuku Municipal Parking Lot to a paid or metered system.**
4. **The matter relating to the County's information technology infrastructure, including updates from the Management Information Systems program and development of the County's computer security preparedness plan.**
5. **The matter relating to universal trash pickup fees and associated cost recovery considerations.**
6. **The matter relating to "sustainability", how it is defined, and its relationship to Section 8-15.3(4) of the Revised Charter of the County of Maui (1983), as amended.**

- Council members noted the term “sustainability” has broad application. For implementation of the Charter provision, “sustainability” needs to expand beyond environmental considerations to include economic, cultural, and other factors.

7. The matter relating to expansion positions for the Solid Waste Division, Department of Environmental Management.

- This matter is to evaluate staffing levels necessary to maintain compliance with regulatory statutes and to avoid fines that result from non-compliance.

To your Planning Committee:

1. The matter relating to requirements imposed on the County for compliance with Federal Metropolitan Planning Organization (“MPO”) obligations.

- The County Director of Transportation stated the County is federally mandated to pursue compliance activities regardless of whether the Council executes an intergovernmental agreement. This matter is to evaluate MPO-compliance requirements imposed on the County.

2. The matter relating to form-based codes and their efficacy.

- This matter is to further evaluate amending the County’s current zoning code to a form-based zoning code. Your Committee recommended identifying municipalities currently using a form-based zoning code to understand the potential impacts and challenges.

To your Policy and Intergovernmental Affairs Committee:

1. The matter relating to “cyber breach” insurance as a part of the County’s risk management activities.

Coverage for cyber-liability insurance, arising from data breaches, is an issue of concern for counties, as recently discussed at the 2014 NACo National Cyber Symposium. This referral will allow discussion on the need for “cyber breach” insurance for Maui County.

2. The matter relating to cost recovery for rescues.

- This matter is to evaluate cost-recovery options for nuisance rescues, and to consider legislation establishing fines and penalties for individuals who disregard posted warnings related to hazardous environmental conditions.

3. The matter relating to water flow requirements for fire control in rural areas.

- This matter is to evaluate the potential for reducing flow rate requirements in rural areas, with the intent of lowering water infrastructure development costs.

To your Water Resources Committee:

- 1. The matter relating to optimizing the \$12,600,000 investment in countywide mainline and water infrastructure improvements.**
- 2. The matter relating to categories of agricultural water rates.**
 - Your Committee received testimony recommending adjustments to the agricultural water rate structure by lowering the top-tier threshold. The testimony suggested the community has a misunderstanding of the agricultural water rate tier structure, which results in unnecessary waste through water dumping.
- 3. The matter relating to water system development fee adjustments, including possible subsidies, availability of affordable housing fund assistance, minimizing impacts on real estate speculation, and rates for Molokai residents and applicants on the Upcountry priority list.**
 - Family subdivisions are a mechanism for providing affordable housing, but water meter fees and other associated fees are often cost prohibitive. This matter is to evaluate alternative methods of financing water system development costs for family subdivisions, such as payback programs through specialized monthly water rates or use of affordable housing funds.

bf:2015bgt:CR Exhibit 2 Referrals attached to CR