

# COUNCIL OF THE COUNTY OF MAUI

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

Regular Meeting of February 6, 2009  
9:00 a.m.  
Council Chamber  
8th Floor, Kalana O Maui Building  
200 South High Street, Wailuku, Hawaii

website: <http://www.mauicounty.gov/county/clerkSub/Agenda.php>.  
e-mail: <mailto:county.clerk@mauicounty.us>

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### ORAL OR WRITTEN TESTIMONY

ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted. Each testifier shall be allowed to speak for three minutes on each item. If additional time is requested, the testifier shall be allowed one minute to conclude the testimony on the item. No further oral testimony by the testifier on the item shall be permitted. An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify.

If written testimony is submitted at the meeting, 15 copies are requested. If written testimony is e-mailed or faxed (808-270-7171), it must be received at least 24 hours prior to the meeting; provided, that if a meeting will be held on a Monday, written testimony shall be received by 12:00 noon on the business day preceding the meeting.

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- A. ROLL CALL
  - B. OPENING REMARKS: COUNCILMEMBER JO ANNE JOHNSON
  - C. PLEDGE OF ALLEGIANCE
  - D. TESTIMONY ON CEREMONIAL RESOLUTIONS
  - E. CEREMONIAL RESOLUTIONS:  
NONE
  - F. PRESENTATION OF WRITTEN OR ORAL TESTIMONY
  - G. MINUTES:  
NONE

H. COMMITTEE REPORTS:

NONE

I. COMMUNICATIONS:1. COUNTY COMMUNICATIONS:

- NO. 09-34 - DIRECTOR OF FINANCE, transmitting 112 contracts for December 2008.
- NO. 09-35 - DIRECTOR OF FINANCE, transmitting the report of short term investments for the quarter ended December 31, 2008.
- NO. 09-36 - COUNCILMEMBER KAHO`OHALAHALA, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.80B, MAUI COUNTY CODE, RELATING TO DEADLINES FOR COUNCIL ACTION ON THE GENERAL PLAN AND COMMUNITY PLANS" and informing of his intention to offer the following motions:
1. A motion to WAIVE the requirement of committee referral and report;
  2. A motion to PASS ON FIRST READING and ORDER TO PRINT the proposed bill; and
  3. A motion to FILE this communication.
- NO. 09-37 - COUNCILMEMBER PONTANILLA, transmitting a proposed resolution entitled "URGING SUPPORT FOR CONTINUED STATE FUNDING FOR THE HAWAII HEALTHY START PROGRAM" and informing of his intention to offer the following motions:
1. A motion to ADOPT the proposed resolution; and
  2. A motion to FILE this communication.
- NO. 09-38 - DIRECTOR OF FINANCE, transmitting two reports on settlement of claims as of December 31, 2008.
- NO. 09-39 - BUDGET DIRECTOR, requesting a time extension to submit the Capital Improvement Project Implementation Report as of December 31, 2008.

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1. COUNTY COMMUNICATIONS (continued):

- NO. 09-40 - BUDGET DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2009 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, WASTEWATER RECLAMATION FACILITIES PROGRAM – SEWER FUND, TOTAL OPERATING APPROPRIATIONS, AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)", along with the "CERTIFICATION OF ADDITIONAL REVENUES FOR FISCAL YEAR 2009".
- NO. 09-41 - BUDGET DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2009 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE DEPARTMENT OF HOUSING AND HUMAN CONCERNS, STATE OF HAWAII MENTAL HEALTH TRANSFORMATION – STATE INCENTIVE GRANT".
- NO. 09-42 - BUDGET DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2009 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE OFFICE OF THE MAYOR, REED ACT FUNDS".
- NO. 09-43 - BUDGET DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2009 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES, DEPARTMENT OF PARKS AND RECREATION, WAILUKU-KAHULUI COMMUNITY PLAN AREA, PARKS AND RECREATION, WAR MEMORIAL COMPLEX IMPROVEMENTS, TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS, AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)", along with the "CERTIFICATION OF ADDITIONAL REVENUES FOR FISCAL YEAR 2009".
- NO. 09-44 - PLANNING DIRECTOR, relating to an application submitted by Sandy Baz, Executive Director, Maui Economic Opportunity, Inc., transmitting copies of documents and two proposed bills entitled:
1. "A BILL FOR AN ORDINANCE TO AMEND THE WAILUKU-KAHULUI COMMUNITY PLAN AND LAND USE MAP FROM AGRICULTURE TO LIGHT INDUSTRIAL FOR PROPERTY SITUATED AT KAHULUI, MAUI, HAWAII"; and
  2. "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO M-1 LIGHT INDUSTRIAL DISTRICT (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT KAHULUI, MAUI, HAWAII".

1. COUNTY COMMUNICATIONS (continued):

- NO. 09-45 - PLANNING DIRECTOR, relating to an application submitted by Kahana Nui, LLC, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE GRANTING WILLIAM MOFFETT A CONDITIONAL PERMIT FOR THE OPERATION OF A SINGLE-FAMILY RESIDENCE AS A TRANSIENT VACATION RENTAL WITHIN THE R-3 RESIDENTIAL DISTRICT FOR PROPERTY SITUATED AT 4591 HONOAPIILANI ROAD, KAHANA, MAUI, HAWAII", and related documents.
  
- NO. 09-46 - COUNCILMEMBER NISHIKI, relating to the matter of funding to help stabilize Maui County's communities and to provide affordable and workforce housing in Maui County.
  
- NO. 09-47 - DIRECTOR OF WATER SUPPLY, transmitting copies of the Department of Water Supply's Monthly Source Report and Groundwater Use Report for the month ended December 2008.
  
- NO. 09-48 - DIRECTOR OF WATER SUPPLY reporting on waterline easement conveyances for the second quarter of Fiscal Year 2009.
  
- NO. 09-49 - COUNCILMEMBER VICTORINO, relating to the "Ready to Go" water-related projects.
  
- NO. 09-50 - COUNCILMEMBER VICTORINO, transmitting the report entitled "FY 2008 WATER RATE STUDY", conducted for the Department of Water Supply by R.W. Beck, Inc.

2. GENERAL COMMUNICATIONS:

NONE

J. RESOLUTIONS:

NONE.

K. ORDINANCES - SECOND AND FINAL READING:

- BILL NO. 1 (2009) - "A BILL FOR AN ORDINANCE TO AUTHORIZE PARKS SECURITY OFFICERS TO ENFORCE CHAPTER 13.04, MAUI COUNTY CODE"

L. UNFINISHED BUSINESS:

NONE.

M. ANNOUNCEMENTS

**NOTE: ITEMS LISTED ON THE AGENDA MAY BE INSPECTED AT THE OFFICE OF THE COUNTY CLERK, 200 SOUTH HIGH STREET, WAILUKU, HAWAII, PRIOR TO THE MEETING DATE. PHOTOCOPIES MAY BE ORDERED, SUBJECT TO CHARGES IMPOSED BY LAW (MAUI COUNTY CODE, SECTION 2.64.010). PLEASE CONTACT THE OFFICE OF THE COUNTY CLERK TO MAKE ARRANGEMENTS FOR INSPECTION OR PHOTOCOPYING OF DOCUMENTS.**

**INDIVIDUALS WHO INTEND TO ATTEND THE MEETING AND WHO HAVE DISABILITIES REQUIRING SPECIAL ASSISTANCE SHOULD CALL THE OFFICE OF THE COUNTY CLERK AT 270-7748, AT LEAST THREE DAYS IN ADVANCE.**