

COUNCIL OF THE COUNTY OF MAUI

A G E N D A

Regular Meeting of May 15, 2009
10:00 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: county.clerk@mauicounty.us

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 An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify.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.

A. ROLL CALL

B. OPENING REMARKS: COUNCILMEMBER JO ANNE JOHNSON

C. PLEDGE OF ALLEGIANCE

D. TESTIMONY ON CEREMONIAL RESOLUTIONS

E. CEREMONIAL RESOLUTIONS:

NO. _____ - "HONORING EDWIN 'ED' LINDSEY JR., A BELOVED MAUI TREASURE"

F. PRESENTATION OF WRITTEN OR ORAL TESTIMONY

G. MINUTES:

NONE

H. COMMITTEE REPORTS:

NO. 09-40 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution approving the acquisition of real property known as the Old Wailuku Post Office, 70 Wells Street (70 South High Street), Wailuku, Maui, Hawaii;
2. **FIRST READING** of bill amending Section 16.26.107.2, Maui County Code, pertaining to building permit fees;
3. **FIRST READING** of bill amending Chapter 16.04B, Maui County Code, relating to the Fire Code;
4. **FIRST READING** of bill amending Chapter 13.04, Maui County Code, pertaining to recreational area regulations;
5. **FIRST READING** of bill repealing Section 3.36.180, Maui County Code, relating to the Recycling Grant-Loan Revolving Fund;
6. **FIRST READING** of bill repealing Section 3.30, Maui County Code, relating to First-Time Home Buyers' Revolving Fund;
7. **FIRST READING** of bill repealing Section 3.08.030, Maui County Code, relating to e-check fees;
8. **FIRST READING** of bill amending Chapter 2.64, Maui County Code, relating to the fee schedule for public records;
9. **FIRST READING** of bill authorizing the Mayor of the County of Maui to enter into an intergovernmental agreement for a State Water Pollution Control Revolving Fund Loan for the Countywide collections storage renovations (also known as Central Operations and Maintenance Facility);
10. **FIRST READING** of bill authorizing the Mayor of the County of Maui to enter into an intergovernmental agreement for a State Water Pollution Control Revolving Fund Loan for the Countywide pump station renovations;

H. COMMITTEE REPORTS (continued):

11. **FIRST READING** of bill amending Section 3.48.590, Maui County Code, relating to the minimum rate for real property tax;
12. **FIRST READING** of bill to reauthorize the use of lapsed bond proceeds for public improvements;
13. **FIRST READING** of bill to authorize the issuance of \$36,790,000 of general obligation bonds for public improvements;
14. **FIRST READING** of bill to set forth the Capital Program for the Fiscal Year ending June 30, 2010;
15. **FIRST READING** of bill to appropriate estimated revenues for operations and capital improvement projects for the Fiscal Year July 1, 2009 to June 30, 2010; and
16. **FILING** of communications.

NO. 09-41 - COMMITTEE OF THE WHOLE:

Recommending the following:

1. **APPROVAL** of Patricia Eason to the *Board of Water Supply*; Nelton Waikiki to the *Commission on Children and Youth*; Veronica Yamanoha to the *Commission on Culture and the Arts*; Candice Carter to the *Council on Aging*; Feliciano Sales and Elsie Santos to the *Maui County Commission on Persons with Disabilities*; Nathaniel Bacon to the *Maui Planning Commission*; Stephen West to the *Salary Commission*; and
2. **TRANSMITTAL** of a copy of the committee report to the Mayor.

I. COMMUNICATIONS:1. COUNTY COMMUNICATIONS:

NO. 09-134 - DIRECTOR OF FINANCE, transmitting the Fiscal Year 2009-2010 certification of the net taxable real property value within the County of Maui.

NO. 09-135 - MAYOR, informing of a vacancy on the Council on Aging due to the resignation of Deldrine Manera.

1. COUNTY COMMUNICATIONS (continued):

- NO. 09-136 - DIRECTOR OF FINANCE, transmitting two reports on settlement of claims as of March 31, 2009.
- NO. 09-137 - BUDGET DIRECTOR, transmitting the "FISCAL YEAR 2009 - THIRD QUARTER CAPITAL IMPROVEMENT PROJECTS IMPLEMENTATION REPORT" as of March 31, 2009.
- NO. 09-138 - MAYOR, transmitting the following proposed bills entitled:
1. "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO INTERGOVERNMENTAL AGREEMENTS FOR A LOAN FROM THE DRINKING WATER TREATMENT REVOLVING LOAN FUND FOR THE LOWER PAIA WATER TANK REPLACEMENT";
 2. "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO INTERGOVERNMENTAL AGREEMENTS FOR A LOAN FROM THE DRINKING WATER TREATMENT REVOLVING LOAN FUND FOR THE KAMOLE WATER TREATMENT PLANT HIGH LIFT PUMPS"; and
 3. "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO INTERGOVERNMENTAL AGREEMENTS FOR A LOAN FROM THE DRINKING WATER TREATMENT REVOLVING LOAN FUND FOR THE OMAOPIO ROAD TANK REPLACEMENTS".
- NO. 09-139 - COUNCIL CHAIR, transmitting the County of Maui's Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2008.
- NO. 09-140 - COUNCIL CHAIR, transmitting the Department of Water Supply's Financial Statements for the Years Ended June 30, 2008 and June 30, 2007, Supplemental Schedules for the Year Ended June 30, 2008 and Independent Auditor's Report.
- NO. 09-141 - COUNCIL CHAIR, transmitting a letter from Daryl Yamamoto, expressing concern and questioning specific County operations and procedures.
- NO. 09-142 - COUNCILMEMBER BAISA, relating to the repair of Polipoli Bridge, culvert and middle road due to storm damage.

1. COUNTY COMMUNICATIONS (continued):

- NO. 09-143 - DIRECTOR OF PUBLIC WORKS, transmitting a proposed resolution entitled "AUTHORIZING PROCEEDINGS IN EMINENT DOMAIN FOR THE ACQUISITION OF REAL PROPERTY INTERESTS AT WAILUKU, MAUI, HAWAII FOR MARKET STREET IMPROVEMENTS (WELLS STREET TO MOKUHAU ROAD), FEDERAL AID PROJECT STP-3405(1)".
- NO. 09-144 - MAYOR, transmitting a proposed resolution entitled "SUPPORTING THE PROTECTION AND LONG-TERM MANAGEMENT OF MAUI COUNTY'S WATERSHEDS".
- NO. 09-145 - DIRECTOR OF HOUSING AND HUMAN CONCERNS, transmitting the following:
1. A proposed resolution entitled "AUTHORIZING A GRANT OF A LEASE OF COUNTY REAL PROPERTY TO MENTAL HEALTH KOKUA";
 2. A copy of the proposed Lease between the County of Maui and Mental Health Kokua, for approximately 0.662 acres and 4,500 square feet of building space located at 503 A Ua Place, Wailuku, Maui, Hawaii; and
 3. A copy of the proposed Grant Agreement for a Lease of County Real Property.
- NO. 09-146 - DIRECTOR OF HOUSING AND HUMAN CONCERNS, transmitting the following:
1. A proposed resolution entitled "AUTHORIZING A GRANT OF A LEASE OF COUNTY REAL PROPERTY TO KA LIMA O MAUI, LTD.";
 2. A copy of the proposed Lease between the County of Maui and Ka Lima O Maui, Ltd., for approximately two acres of real property located at 95 Mahalani Street, Wailuku, Maui, Hawaii;
 3. A copy of the proposed Grant Agreement for a Lease of County Real Property; and
 4. A letter from Chantal Ratte, Executive Director of Ka Lima O Maui, Ltd.
- NO. 09-147 - DIRECTOR OF WATER SUPPLY, transmitting copies of the Department of Water Supply's Monthly Source Report and Groundwater Use Report for the month ended April 2009.

2. GENERAL COMMUNICATIONS:

NONE.

J. RESOLUTIONS:

NONE.

K. ORDINANCES - SECOND AND FINAL READING:

NONE.

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.