

COUNCIL OF THE COUNTY OF MAUI

A G E N D A

Regular Meeting of May 18, 2010
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

RECEIVED
MAY 11 PM 1:52
CLERK OF THE
COUNTY CLERK

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 An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify.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 MICHAEL P. VICTORINO
 - 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:NO. 10-46 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution authorizing the Director of Finance to compromise the penalties and interest portion of real property taxes assessed against Hawaiian Home Lands Homestead lessees in exchange for the Department of Hawaiian Home Lands making payment of real property taxes owed by Hawaiian Home Lands Homestead lessees;
2. **ADOPTION** of resolution adopting the fuel tax rates for the County of Maui, effective July 1, 2010;
3. **FIRST READING** of bill relating to real property tax, director duties and responsibilities, and adjustments and refunds;
4. **FIRST READING** of bill relating to motor vehicle weight tax and motor vehicle drivers' license;
5. **FIRST READING** of bill relating to certain officers and employees of the legislative branch;
6. **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 Kihei No. 2 Force Main Replacement project;
7. **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 Lahaina No. 3 Force Main Replacement project;
8. **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 Alamaha Force Main Replacement project;
9. **FIRST READING** of bill authorizing the Mayor of the County of Maui to enter into an intergovernmental agreement for a loan from the Drinking Water Treatment Revolving Loan Fund for the Kamole Water Treatment Plant High Lift Pumps project;
10. **FIRST READING** of bill authorizing the Mayor of the County of Maui to enter into an intergovernmental agreement for a loan from the Drinking Water Treatment Revolving Loan Fund for the Piiholo Water Treatment Plant Improvements-Organic Carbon Reduction project;

H. COMMITTEE REPORTS (continued):

11. **FIRST READING** of bill authorizing the Mayor of the County of Maui to enter into an intergovernmental agreement for a loan from the Drinking Water Treatment Revolving Loan Fund for the Wakiu Well Replacement project;
12. **FIRST READING** of bill to authorize the issuance of \$23,900,000 of general obligation bonds for public improvements;
13. **FIRST READING** of bill to set forth the Capital Program for the Fiscal Year ending June 30, 2011;
14. **FIRST READING** of bill to appropriate estimated revenues for operations and capital improvement projects for the Fiscal Year July 1, 2010 to June 30, 2011;
15. **REFERRAL** of bill amending Section 3.48.305, Maui County Code, pertaining to real property tax land classification to the appropriate standing committee;
16. **REFERRAL** of bill amending Section 3.48.450, Maui County Code, pertaining to real property tax home exemption to the appropriate standing committee; and
17. **FILING** of communications.

I. COMMUNICATIONS:

1. COUNTY COMMUNICATIONS:

- NO. 10-97 - CHIEF OF POLICE, informing of the receipt of \$286.00 in Forfeiture Funds from the Department of the Attorney General, State of Hawaii.
- NO. 10-98 - CHIEF OF POLICE, informing of the receipt of \$4,809.79 in Forfeiture Funds from the U.S. Department of Justice, Drug Enforcement Administration.
- NO. 10-99 - DIRECTOR OF PERSONNEL SERVICES, informing of the abolishment of positions in various County departments.
- NO. 10-100 - DIRECTOR OF FINANCE, transmitting two reports on settlement of claims as of March 31, 2010.
- NO. 10-101 - MAYOR, informing of a vacancy on the Civil Service Commission due to the resignation of George Fontaine.

1. COUNTY COMMUNICATIONS (continued):

- NO. 10-102 - CHAIR, COMMITTEE OF THE WHOLE, informing of his intention to offer the following motions:
1. A motion to DISCHARGE the Committee of the Whole from further consideration of a correspondence dated March 25, 2010, from the Mayor, transmitting her nominations of Linda Fernandez to the Liquor Control Adjudication Board and William Soares to the Maui Planning Commission, for terms expiring on March 31, 2015;
 2. A motion to WAIVE the requirement of committee referral and report;
 3. A motion to APPROVE the nomination of Linda Fernandez to the Liquor Control Adjudication Board for a term expiring on March 31, 2015;
 4. A motion to FILE the correspondence dated March 25, 2010;
 5. A motion to TRANSMIT the record of the Council's action to the Mayor; and
 6. A motion to FILE this communication.
- NO. 10-103 - DIRECTOR OF PUBLIC WORKS, transmitting the Fiscal Year 2010 Second and Third Quarter status reports on County road resurfacing projects.
- NO. 10-104 - COUNCIL CHAIR, transmitting the County of Maui's Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2009.
- NO. 10-105 - COUNCIL CHAIR, transmitting the Department of Water Supply's Financial Statements for the Years Ended June 30, 2009 and June 30, 2008, Supplemental Schedules for the Year Ended June 30, 2009 and Independent Auditor's Report.
- NO. 10-106 - COUNCIL CHAIR, transmitting the County of Maui's Single Audit Report for the Fiscal Year Ended June 30, 2009.
- NO. 10-107 - COUNCIL CHAIR MATEO, transmitting a letter from Grant Chun, Vice President, Maui, A&B Properties, Inc., submitting an annual compliance report in accordance with Condition 19 of Ordinance No. 3559, change in zoning from Agricultural, M-2 Heavy Industrial, and R-1 Residential Districts to M-1 Light Industrial District, Conditional zoning, for property situated at Kahului, Maui, Hawaii. (Maui Business Park Phase II Project).

1. COUNTY COMMUNICATIONS (continued):

NO. 10-108 - COUNCIL CHAIR, transmitting a letter from Christopher L. Lau, Commissioner providing notification of the foreclosure sale for the Makena Resort property.

NO. 10-109 - DIRECTOR OF TRANSPORTATION, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING TITLE 11, MAUI COUNTY CODE, RELATING TO PUBLIC TRANSIT".

NO. 10-110 - 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 2010.

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.