

**COUNCIL OF THE COUNTY OF MAUI**

**A G E N D A**

Regular Meeting of July 2, 2010  
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: [county.clerk@mauicounty.us](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 An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify.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 SOL P. KAHO'OHALAHALA

C. PLEDGE OF ALLEGIANCE

D. TESTIMONY ON CEREMONIAL RESOLUTIONS

E. CEREMONIAL RESOLUTIONS:

NO. \_\_\_\_\_ - "CONGRATULATING ZACHARY JARMAN FOR BEING NAMED THE  
2010 HAWAII ALLIANCE OF BOYS & GIRLS CLUBS YOUTH OF THE YEAR"

F. PRESENTATION OF WRITTEN OR ORAL TESTIMONY

G. MINUTES:

NONE.

H. COMMITTEE REPORTS:NO. 10-59 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **FILING** of communication relating to a report entitled "COUNTY OF MAUI, STATE OF HAWAII, COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2009";
2. **FILING** of communication relating to a report entitled "DEPARTMENT OF WATER SUPPLY, COUNTY OF MAUI, (A Propriety Fund of the County of Maui), Financial Statements for the Years Ended June 30, 2009 and 2008, Supplemental Schedules for the Year Ended June 30, 2009 and Independent Auditor's Report"; and
3. **FILING** of communication relating to a report entitled "COUNTY OF MAUI, STATE OF HAWAII: Single Audit Reports, Fiscal Year Ended June 30, 2009".

NO. 10-60 - COMMITTEE OF THE WHOLE:

Recommending the following:

1. **APPROVAL** of Ann (Anna) Mary Moe to the *Civil Service Commission*; Anna Pennell (Penny) Wakida to the *Maui Planning Commission*; and Colleen Suyama to the *Salary Commission*; and
2. **TRANSMITTAL** of a copy of the committee report to the Mayor.

NO. 10-61 - INFRASTRUCTURE MANAGEMENT COMMITTEE:

Recommending **FILING** of communication relating to traffic safety measures in the area of Doris Todd Memorial Christian School, located at 519 Baldwin Avenue, Paia, Maui.

NO. 10-62 - INFRASTRUCTURE MANAGEMENT COMMITTEE:

Recommending the following:

1. **FILING** of communication relating to the matter of a new non-potable water transmission line from the Kihei Wastewater Treatment Facility; and
2. **FILING** of communication transmitting a copy of the December 2009, "South Maui R-1 Recycled Water Verification Study", prepared by the Department of Environmental Management and the Department of Water Supply.

H. COMMITTEE REPORTS (continued):NO. 10-63 - INFRASTRUCTURE MANAGEMENT COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution to authorize the acceptance of the donation of a 1983 Blaw-Know PF180H Paver from the Department of Facility Maintenance, City and County of Honolulu; and
2. **FILING** of communication.

NO. 10-64 - LAND USE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill granting a ten-year Conditional Permit to Ameron Hawaii to allow concrete batching, asphalt production, and concrete casting operations within the Agricultural District for approximately 165.6 acres owned by Alexander & Baldwin, Inc., situated at Puunene, Maui, Hawaii (TMK: (2) 3-8-01:001 (por.); (2) 3-8-03:004 (por.), and (2) 3-8-03:021 (por.)); and
2. **FILING** of communication.

NO. 10-65 - PUBLIC SERVICES COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill amending Chapter 6.04, Maui County Code, pertaining to animal control;
2. **FIRST READING** of bill amending Title 5, Maui County Code, pertaining to aquatic life operations; and
3. **FILING** of communication.

NO. 10-66 - WATER RESOURCES COMMITTEE:

Recommending **SECOND AND FINAL READING** of Bill No. 7 (2010) amending Chapter 14.13, Maui County Code, relating to water meter issuance provisions for the Upcountry Water System, to give water service applicants, whose premises are on the Upcountry Priority List and are eligible to receive a water meter reservation, five years to complete required water system improvements.

I. COMMUNICATIONS:1. COUNTY COMMUNICATIONS:

- NO. 10-131 - COUNCILMEMBER NISHIKI, relating to County Employee Recognition Dinners.
- NO. 10-132 - BUDGET DIRECTOR, transmitting the following proposed bills entitled:
1. "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2011 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES – SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2011, KAUNOA SENIOR SERVICES LEISURE PROGRAM REVOLVING FUND";
  2. "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2011 BUDGET FOR THE COUNTY OF MAUI, AS IT PERTAINS TO REVENUES – FEES, RATES, ASSESSMENTS AND TAXES FOR KAUNOA SENIOR SERVICES LEISURE PROGRAM"; and
  3. "A BILL FOR AN ORDINANCE AMENDING TITLE 3, MAUI COUNTY CODE, TO CREATE A REVOLVING FUND FOR THE KAUNOA SENIOR SERVICES LEISURE PROGRAM".
- NO. 10-133 - COUNCILMEMBER NISHIKI, relating to promoting the use of reclaimed water.
- NO. 10-134 - CHIEF OF POLICE, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL MEMORANDUM OF AGREEMENT FOR THE MAUI COUNTY DEPARTMENT OF POLICE TO PARTICIPATE IN THE NATIONAL CRIME INFORMATION CENTER PROTECTION ORDER FILE".
- NO. 10-135 - COUNCILMEMBER KAHO`OHALAHALA, relating to a lease to the Valley Isle Timing Association for the operation of the Maui Raceway Park in Puunene.
- NO. 10-136 - COUNCILMEMBER VICTORINO, transmitting a letter from Johanna Kamaunu of Hui Pono `Ike Kanawai, regarding their organization Hui Pono `Ike Kanawai.
- NO. 10-137 - CHIEF OF POLICE, transmitting a proposed resolution entitled "AUTHORIZING ACCEPTANCE OF DONATION FROM THE MAUI POLICE RELIEF ASSOCIATION, TO THE COUNTY OF MAUI, DEPARTMENT OF POLICE, PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE".

1. COUNTY COMMUNICATIONS (continued):

NO. 10-138 - COUNCIL CHAIR, transmitting a letter from Arthur H. Parr, relating to Molokai Veterans Caring for Veterans' building permit.

2. GENERAL COMMUNICATIONS:

NONE.

J. RESOLUTIONS:

NONE.

K. ORDINANCES - SECOND AND FINAL READING:

BILL NO. 42 (2010) - "A BILL FOR AN ORDINANCE GRANTING MGM PARTNERSHIP A CONDITIONAL PERMIT FOR THE OPERATION OF A MARKET WITHIN THE COUNTY AGRICULTURAL DISTRICT FOR PROPERTY SITUATED AT 4320 HANA HIGHWAY, HAIKU, MAUI, HAWAII"

BILL NO. 43 (2010) - "A BILL FOR AN ORDINANCE GRANTING NAPILI KAI, LTD. A CONDITIONAL PERMIT IN ORDER TO CONVERT THE FIRST FLOOR OF THE GENERAL MANAGER'S SINGLE-FAMILY RESIDENCE INTO AN OFF-SITE ADMINISTRATIVE OFFICE FOR THE NAPILI KAI BEACH RESORT CONDOMINIUM COMPLEX WITHIN THE COUNTY R-2 RESIDENTIAL DISTRICT FOR PROPERTY SITUATED AT 5464 LOWER HONOAPIILANI ROAD, LAHAINA, MAUI, HAWAII"

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.**