

COUNCIL OF THE COUNTY OF MAUI  
**BUDGET AND FINANCE COMMITTEE**

October 1, 2010

**Committee  
Report No.** \_\_\_\_\_

Honorable Chair and Members  
of the County Council  
County of Maui  
Wailuku, Maui, Hawaii

Chair and Members:

Your Budget and Finance Committee, having met on September 14, 2010, makes reference to County Communication No. 10-193, from the Director of Finance, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF HEALTH".

The purpose of the proposed bill is to authorize the Mayor to enter into an intergovernmental agreement with the State Department of Health to implement the Statewide Program on Parking for Persons with Disabilities. Under the program, the County issues placards, special license plates, and identification cards to qualified residents with disabilities.

The Director of Finance noted that the proposed bill would allow the County to continue the existing program.

Your Committee voted 7-0 to recommend passage of the proposed bill on first reading and filing of the communication. Committee Chair Pontanilla, Vice-Chair Mateo, and members Baisa, Medeiros, Molina, Nishiki, and Victorino voted "aye". Committee members Johnson and Kaho`ohalahala were excused.

Your Budget and Finance Committee RECOMMENDS the following:

1. That Bill No. \_\_\_\_\_ (2010), attached hereto, entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF HEALTH", be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication No. 10-193 be FILED.

COUNCIL OF THE COUNTY OF MAUI  
**BUDGET AND FINANCE COMMITTEE**

October 1, 2010  
Page 2

**Committee**  
**Report No.** \_\_\_\_\_

This report is submitted in accordance with Rule 7 of the Rules of the Council.

  
JOSEPH PONTANILLA, Chair

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ORDINANCE NO. \_\_\_\_\_

BILL NO. \_\_\_\_\_ (2010)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR  
OF THE COUNTY OF MAUI TO ENTER INTO AN  
INTERGOVERNMENTAL AGREEMENT WITH THE  
STATE OF HAWAII, DEPARTMENT OF HEALTH

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Purpose. The County of Maui ("County") wishes to enter into an agreement, in substantial conformance with the Memorandum of Agreement attached hereto as Exhibit "1", with the State of Hawaii, Department of Health ("DOH") to implement the Statewide Program on Parking for Persons with Disabilities ("Parking Program"), which issues parking permits (placards and special license plates) and identification cards to qualified persons with disabilities who are residents of the State of Hawaii.

SECTION 2. Council Authorization. Pursuant to Section 2.20.020 of the Maui County Code, the Council hereby authorizes the Mayor to execute all necessary intergovernmental agreements and documents between the State of Hawaii and the County of Maui relating to the Parking Program.

SECTION 3. Effective Date. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
TRACI FUJITA VILLAROSA  
First Deputy Corporation Counsel  
County of Maui

**MEMORANDUM OF AGREEMENT  
BETWEEN THE  
DEPARTMENT OF HEALTH  
DISABILITY AND COMMUNICATION ACCESS BOARD  
AND THE  
COUNTY OF MAUI**

This Memorandum of Agreement (MOA) is made this 1st day of October, 2010, by and between the Disability and Communication Access Board, Department of Health, State of Hawaii, hereinafter referred to as (DCAB), and the County of Maui, Department of Finance, Driver Licensing Section, hereinafter referred to as the (COUNTY), to implement the Statewide Program on Parking for Persons with Disabilities, hereinafter referred to as (PARKING PROGRAM), in adherence to Chapter 291, Part III, Hawaii Revised Statutes and Title 11, Chapter 219, Hawaii Administrative Rules.

1. The COUNTY shall:

- A. Issue first-time removable windshield placards, temporary removable windshield placards, license plates and identification cards to qualified persons with disabilities.
- B. Refer all applicants and applications for renewal to DCAB; provide written information on the renewal process supplied by DCAB to all walk-in applicants; and forward renewal applications that are received by mail to DCAB for processing.
- C. Collect and retain a transaction fee of twelve dollars (\$12) for all placards as authorized by Title 11, Chapter 219, Hawaii Administrative Rules.
- D. Invoice DCAB at a rate of twelve dollars (\$12) per placard for placards issued for which a transaction fee is not authorized by Title 11, Chapter 219, Hawaii Administrative Rules, upon receipt of a quarterly statistical report from DCAB (see Section 2.D). The COUNTY shall submit invoices after each quarter.
- E. Obtain and maintain computer hardware, software, and Internet service at the expense of the COUNTY to gain access to the parking permit database system.
- F. Ensure that the placards and expiration decals are stored securely at all issuance stations to protect them from loss, damage, or theft.
- G. Coordinate with DCAB to retain original or scanned applications processed, including the forwarding of such information to DCAB as appropriate.

**2. The DCAB shall:**

- A. Establish and maintain a parking permit database system in the DCAB office on Oahu and provide ongoing, troubleshooting, technical assistance and training to the COUNTY via telephone, facsimile, or email with respect to the system. The database shall be accessible to the COUNTY via high-speed Internet connection.**
- B. Mail renewal notices to consumers whose placard will expire informing them that all applications for renewal will be processed only by mail by DCAB and providing information on the renewal process.**
- C. Issue all renewals for removable windshield placards by mail.**
- D. Retain original applications consistent with state record retention requirements.**
- E. Provide identification cards and a computer template, application forms, parking placards and expiration decals to the COUNTY.**
- F. Provide a report to the COUNTY after each quarter of the fiscal year indicating the total number of placards issued by the COUNTY in the same period.**
- G. Arrange and pay for the shredding of application forms and expired placards annually.**
- H. Reimburse the COUNTY, upon receipt of an invoice, for each first-time removable windshield placard issued at the rate of twelve dollars (\$12) per placard. The reimbursement shall be issued after each quarter.**
- I. Delete records of persons confirmed deceased as verified by the Office of Vital Records, family members, or legal counsel of the estate.**
- J. Maintain a web site with information about the PARKING PROGRAM to include but not be limited to the application form, informational brochures, a parking space design video, and instruction sheets.**
- K. Initiate a public education campaign to outreach to consumers, enforcement personnel, and public and private agencies to explain the changes to the PARKING PROGRAM per Act 141 and Hawaii Administrative Rules, Title 11, Chapter 219.**

**3. Terms of Agreement:**

**This MOA shall be effective from October 1, 2010, and shall continue through July 31, 2011, unless this Agreement is extended or sooner terminated as hereinafter provided.**

4. Extension of Agreement:

Unless terminated, this MOA may be extended for not more than two (2) additional twelve (12) month periods upon mutual consent of the parties in writing at least thirty (30) days prior to expiration of this Agreement.

5. Termination of Agreement:

This MOA may be terminated by either party, but only after sixty (60) days written notice of such intention is received by the other party.

\_\_\_\_\_  
CHARMAINE TAVARES  
Mayor  
County of Maui

\_\_\_\_\_  
Date

*Francine Wai*  
\_\_\_\_\_  
FRANCINE WAI  
Executive Director  
Disability and Communication Access  
Board  
Department of Health

*7/22/10*  
\_\_\_\_\_  
Date

APPROVED AS TO FORM:

APPROVED AS TO FORM  
AND LEGALITY  
*Traoi Fujita Villarosa*  
\_\_\_\_\_  
TRAOI FUJITA VILLAROSA  
First Deputy Corporation Counsel  
County of Maui

*Michelle Nakata*  
\_\_\_\_\_  
MICHELLE NAKATA  
Deputy Attorney General

*7/22/10*  
\_\_\_\_\_  
Date