

PUBLIC SERVICES COMMITTEE
Council of the County of Maui

Meeting Agenda

December 1, 2010
9:00 a.m.
Council Chamber, 8th Floor
200 South High Street, Wailuku, Hawaii

website: www.mauicounty.gov/committees/PS

VOTING MEMBERS

Wayne K. Nishiki, Chair

Joseph Pontanilla, Vice-Chair

Jo Anne Johnson

Sol P. Kaho'ohalahala

Danny A. Mateo

Bill Kauakea Medeiros

Michael P. Victorino

NON-VOTING MEMBERS

Gladys C. Baisa

Michael J. Molina

AGENDA ITEMS ARE SUBJECT TO CANCELLATION. For a confirmation of the meeting date and time, and for tentative scheduling of agenda items, please contact the Committee Staff (Scott Jensen, Scott Kaneshina, or Clarita Balala) at: Office of Council Services, 200 South High Street, Wailuku, HI 96793, 808-270-7838, 1-800-272-0026 (toll-free from Molokai), 1-800-272-0098 (toll-free from Lanai), 808-270-7686 (fax).

ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted. If written testimony is submitted at the meeting, 16 copies are requested. If written testimony is e-mailed or faxed, please submit at least 24 hours before the meeting so that copies can be provided to Council members in a timely manner.

INDIVIDUALS WHO INTEND TO ATTEND THE MEETING AND WHO HAVE DISABILITIES REQUIRING SPECIAL ASSISTANCE should call the Office of Council Services at least three days in advance.

DOCUMENTS ON FILE WITH THE COMMITTEE, which may include correspondence relating to the agenda items below, may be inspected prior to the meeting date. Photocopies may be ordered, subject to charges imposed by law (Maui County Code, Sec. 2.64.010). Please contact the Office of Council Services to make arrangements for inspection or photocopying of documents.

TO LEARN MORE ABOUT COUNCIL-RELATED ISSUES, tune in to Akaku: Maui Community Television.

PS-25

AQUATIC LIFE ANIMAL CONTROL

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication No. 09-337, from Council Vice-Chair Michael J. Molina, relating to aquatic life animal control.
2. Public Services Committee Report No. 10-65 (recommitted), recommending passage on first reading of legislation relating to aquatic life animal control.
3. Correspondence dated November 23, 2010, from the Department of the Corporation Counsel, transmitting a revised proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 6.04, MAUI COUNTY CODE, PERTAINING TO ANIMAL CONTROL". The purpose of the revised proposed bill is to set minimum guidelines for the humane treatment of aquatic life.

MORE →

STATUS: The Committee may consider whether to recommend passage of the revised proposed bill on first reading, with or without further revisions. The Committee may also consider the filing of County Communication No. 09-337 and other related action.

PS-3(3) CHAPTER 201H, HAWAII REVISED STATUTES, AFFORDABLE HOUSING PROJECTS (KAIWAHINE VILLAGE)

DESCRIPTION: The Committee is in receipt of correspondence dated November 10, 2010, from the Director of Housing and Human Concerns, transmitting the following:

1. An application for the development of the proposed Kaiwahine Village in Kihei, Maui, Hawaii, TMK: (2) 3-8-04:028, pursuant to Section 201H-38, Hawaii Revised Statutes (HRS). The proposed project consists of approximately 120 multi-family units;
2. A proposed resolution entitled "APPROVING THE KAIWAHINE VILLAGE PURSUANT TO SECTION 201H-38, HAWAII REVISED STATUTES". The purpose of the proposed resolution is to approve the proposed project with various exemptions from requirements contained in the Maui County Code and Hawaii Administrative Rules relating to planning, zoning, construction standards for subdivisions, the development and improvement of land, and the construction of dwelling units;
3. A proposed resolution entitled "APPROVING WITH MODIFICATION THE KAIWAHINE VILLAGE PURSUANT TO SECTION 201H-38, HAWAII REVISED STATUTES". The purpose of the proposed resolution is to approve the proposed project with the modifications in Exhibit "1" and various exemptions from requirements contained in the Maui County Code and Hawaii Administrative Rules relating to planning, zoning, construction standards for subdivisions, the development and improvement of land, and the construction of dwelling units; and
4. A proposed resolution entitled "DISAPPROVING THE KAIWAHINE VILLAGE PURSUANT TO SECTION 201H-38, HAWAII REVISED STATUTES". The purpose of the proposed resolution is to disapprove the proposed project.

STATUS: Pursuant to Section 201H-38, HRS, the Council shall approve, approve with modification, or disapprove the proposed project by December 27, 2010, or it will be deemed approved. The Committee may consider whether to recommend adoption of a proposed resolution, with or without revisions. The Committee may also consider other related action.

NOTE: THE COMMITTEE CHAIR HAS RECOMMENDED THAT THE FOLLOWING COMMUNICATIONS BE REFERRED TO THE COUNCIL CHAIR FOR THE TERM BEGINNING JANUARY 2, 2011, PURSUANT TO RULE 21 OF THE RULES OF THE COUNCIL.

PS-1 APPEALS TO THE RESIDENTIAL WORKFORCE HOUSING POLICY

| <u>DATE REFERRED</u> | <u>REFERENCE</u> | <u>SUBJECT</u> |
|----------------------|------------------|--|
| 01/29/2009 | CC 09-24 | Council Chair Danny A. Mateo, relating to appeals to the Residential Workforce Housing Policy. |

PS-2 AMENDMENTS TO THE RESIDENTIAL WORKFORCE HOUSING POLICY

| <u>DATE REFERRED</u> | <u>REFERENCE</u> | <u>SUBJECT</u> |
|----------------------|------------------|--|
| 01/29/2009 | CC 09-25 | Council Chair Danny A. Mateo, relating to amendments to the Residential Workforce Housing Policy. |
| 04/17/2009 | CC 09-121 | Director of Housing and Human Concerns, transmitting the "2009 Affordable Sales Price Guidelines" and the "2009 Income Limits and Affordable Rent Guidelines". |

PS-3 CHAPTER 201H, HAWAII REVISED STATUTES, AFFORDABLE HOUSING PROJECTS

| <u>DATE REFERRED</u> | <u>REFERENCE</u> | <u>SUBJECT</u> |
|----------------------|------------------|--|
| 01/29/2009 | CC 09-26 | Council Chair Danny A. Mateo, relating to requests for Council approval of proposed affordable housing projects pursuant to Chapter 201H, Hawaii Revised Statutes. |

PS-8 MAUI BUSINESS PARK PHASE II PROJECT

| <u>DATE REFERRED</u> | <u>REFERENCE</u> | <u>SUBJECT</u> |
|----------------------|------------------|--|
| 02/20/2009 | CC 09-68 | Councilmember Wayne K. Nishiki, relating to the status of the approximately 40 acres of land for affordable housing purposes required of Alexander & Baldwin, Inc. pursuant to Ordinance No. 3559. |

PS-9 HOUSING AND LAND ENTERPRISE OF MAUI

| <u>DATE REFERRED</u> | <u>REFERENCE</u> | <u>SUBJECT</u> |
|----------------------|------------------|--|
| 03/06/2009 | CC 09-83 | Director of Housing and Human Concerns, transmitting a draft agreement entitled "AGREEMENT CONCERNING RESALE OF DEED RESTRICTED AFFORDABLE HOUSING UNITS" between Housing and Land Enterprise of Maui (dba Na Hale O Maui) and the County of Maui. |

PS-10 ACQUISITION OF LAND FOR AFFORDABLE HOUSING

| <u>DATE REFERRED</u> | <u>REFERENCE</u> | <u>SUBJECT</u> |
|----------------------|------------------|---|
| 03/20/2009 | CC 09-92 | Councilmember Wayne K. Nishiki, relating to the acquisition of land for affordable housing. |

PS-14 MAUI COUNTY GRANTS PROGRAM

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| <u>DATE REFERRED</u> | <u>REFERENCE</u> | <u>SUBJECT</u> |
| 04/17/2009 | CC 09-120 | Director of Housing and Human Concerns, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.36, MAUI COUNTY CODE, PERTAINING TO THE MAUI COUNTY GRANTS PROGRAM". |

PS-15 AFFORDABLE HOUSING FUND PLAN RECOMMENDATIONS FOR FISCAL YEAR 2010

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|----------------------|------------------|---|
| <u>DATE REFERRED</u> | <u>REFERENCE</u> | <u>SUBJECT</u> |
| 05/01/2009 | CC 09-131 | Director of Housing and Human Concerns, transmitting the Department of Housing and Human Concern's Affordable Housing Fund Plan Recommendations for Fiscal Year 2010. |

PS-20 HUMAN SERVICE NEEDS ASSESSMENT

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| <u>DATE REFERRED</u> | <u>REFERENCE</u> | <u>SUBJECT</u> |
| 06/05/2009 | CC 09-168 | Director of Housing and Human Concerns, transmitting a study prepared by SMS Research & Marketing Services, Inc. entitled "COUNTY OF MAUI HUMAN NEEDS ASSESSMENT, 2008". |

PS-25 AQUATIC LIFE ANIMAL CONTROL

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| <u>DATE REFERRED</u> | <u>REFERENCE</u> | <u>SUBJECT</u> |
| 12/04/2009 | CC 09-337 | Council Vice-Chair Michael J. Molina, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 6.04, MAUI COUNTY CODE, PERTAINING TO ANIMAL CONTROL". |

PS-26 NA HALE O MAUI NEIGHBORHOOD STABILIZATION PROGRAM

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| <u>DATE REFERRED</u> | <u>REFERENCE</u> | <u>SUBJECT</u> |
| 03/05/2010 | CC 10-53 | Councilmember Joseph Pontanilla, transmitting a letter from John M. Andersen, Executive Director of Na Hale O Maui, relating to the Na Hale O Maui Neighborhood Stabilization Program. |