

COUNCIL OF THE COUNTY OF MAUI

A G E N D A

Regular Meeting of February 17, 2012
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

RECEIVED
2012 FEB 10 PM 2:
OFFICE 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 An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify.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:

Regular Meeting of January 6, 2012
Regular Meeting of January 20, 2012

H. COMMITTEE REPORTS:**NO. 12-19 = BUDGET AND FINANCE COMMITTEE:**

Recommending the following:

1. **FIRST READING** of bill amending the Fiscal Year 2012 Budget by adding a \$2,000,000 appropriation for the Kamaole Tank Replacement project;
2. **FIRST READING** of bill amending the Fiscal Year 2012 general obligation bond authorization ordinance by adding \$2,000,000 for the Kamaole Tank Replacement project, for the Makawao-Pukalani-Kula Community Plan area;
3. **REFERRAL** of the matter relating to alternative Capital Improvement Project financing sources, to the Budget and Finance Committee; and
4. **FILING** of communication.

NO. 12-20 = BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill amending the Fiscal Year 2012 Budget by adding a \$1,000,000 appropriation for the Kaupakalua Road Waterline Replacement project;
2. **FIRST READING** of bill authorizing the Mayor to enter into an intergovernmental agreement for a \$1,000,000 loan from the State's Drinking Water Treatment Revolving Loan Fund for the Kaupakalua Road Waterline Replacement project;
3. **REFERRAL** of the matter relating to the County's debt levels, to the Budget and Finance Committee; and
4. **FILING** of communication.

NO. 12-21 = BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill amending the Fiscal Year 2012 Budget by changing the name of the project from "Waikamoi Flume Improvements" project to "Waikamoi Flume Replacement" project, and increasing the appropriation for the project by \$12,999,999, from \$1 to \$13,000,000;
2. **FIRST READING** of bill authorizing the Mayor to enter into an intergovernmental agreement for a \$13,000,000 loan from the State's Drinking Water Treatment Revolving Loan Fund for the Waikamoi Flume Replacement project; and
3. **FILING** of communication.

H. COMMITTEE REPORTS (continued):NO. 12-22 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill amending the Fiscal Year 2012 Budget by increasing the appropriation for Carryover/Savings in the General Fund by \$200,000; and adding a grant of \$200,000 to the Molokai Veterans Caring for Veterans organization for construction of the Molokai Veterans Center; and
2. **FILING** of communication.

NO. 12-23 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill amending the Fiscal Year ("FY") 2012 Budget, relating to the Affordable Housing Fund, by adding a proviso that \$350,000 be for the "Hale O Ekolu project of the Arc of Maui County";
2. **FIRST READING** of bill amending the FY 2012 Budget, relating to the Affordable Housing Fund, by adding a proviso that \$400,000 be for the "Harbor Lights Project of Habitat for Humanity";
3. **FIRST READING** of bill amending the FY 2012 Budget, relating to the Affordable Housing Fund, by adding a proviso that \$340,000 be for the "Aloha House Clean and Sober Rental Project"; and
4. **FIRST READING** of bill amending the FY 2012 Budget, relating to the Affordable Housing Fund, by adding a proviso that \$300,000 be for the "Hale Makana O Waiale Rehabilitation Project of Ka Hale A Ke Ola Homeless Resource Center".

NO. 12-24 - INFRASTRUCTURE MANAGEMENT COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to update the Plumbing Code to incorporate the Uniform Plumbing Code, 2006 Edition, with certain other revisions recommended by the Department of Public Works; and
2. **FILING** of communications.

H. COMMITTEE REPORTS (continued):NO. 12-25 - LAND USE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill granting a request from Todd and Debra Preseault for a five-year Conditional Permit to allow for business and office uses known as the Waiakoa Hale Offices on approximately 1.296 acres within the RU-0.5 Rural District at 4230 Lower Kula Road, Kula, Maui, Hawaii; and
2. **FILING** of communication.

I. COMMUNICATIONS:1. COUNTY COMMUNICATIONS:

- NO. 12-30 - CHIEF OF POLICE, informing of the Police Department's intent to expend \$50,000 in Federal and State Forfeiture Funds for their Employee Development Program to be used to fund training and related expenses.
- NO. 12-31 - CHIEF OF POLICE, informing of the acquisition of a 2000 Ford Ranger Pickup Truck from the U.S. Marshals Service.
- NO. 12-32 - DIRECTOR OF FINANCE, transmitting 104 contracts/grants for December 2011.
- NO. 12-33 - MAYOR, informing of the following appointments:
1. Richard Campas and Kimberly Skog to the *Maui County Arborist Committee*; and
 2. Paul Dean to the *Traffic Safety Council*.
- NO. 12-34 - MAYOR, informing of a vacancy on the *Real Property Tax Review Board* due to the resignation of Joshua Lindsey.
- NO. 12-35 - DIRECTOR OF WATER SUPPLY, transmitting copies of the Department of Water Supply's Monthly Source Report and Groundwater Use Report for the month ended January 2012.

1. COUNTY COMMUNICATIONS (continued):

NO. 12-36 - COUNCIL CHAIR MATEO, transmitting a proposed resolution entitled "APPROVING THE APPOINTMENT OF JOSIAH NISHITA AS A LEGISLATIVE ANALYST IN THE OFFICE OF COUNCIL SERVICES"; and requesting that the following motions be offered:

1. A motion to ADOPT the proposed resolution; and
2. A motion to FILE this communication.

NO. 12-37 - COUNCIL VICE-CHAIR PONTANILLA, informing of his intention to offer the following motions:

1. A motion to DISCHARGE the Policy Committee from further consideration of County Communication 12-21, transmitting a proposed resolution entitled "ESTABLISHING A SISTER-CITY RELATIONSHIP WITH GOYANG CITY, GYEONGGI PROVINCE, SOUTH KOREA";
2. A motion to WAIVE the requirement of committee report as provided for in Rule 7(E) of the Rules of the Council;
3. A motion to ADOPT the revised proposed resolution attached to this communication;
4. A motion to FILE County Communication 12-21; and
5. A motion to FILE this communication.

NO. 12-38 - DIRECTOR OF FINANCE, transmitting a report of short term investments for the quarter ended December 31, 2011.

NO. 12-39 - DIRECTOR OF FINANCE, transmitting copies of the Finance Director's Quarterly Report for Fiscal Year July 1, 2011 to June 30, 2012 as of December 31, 2011, and the Capital Improvement Project Report as of December 31, 2011.

NO. 12-40 - COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM MANAGER, transmitting a proposed resolution entitled "AUTHORIZING THE FILING OF AN APPLICATION WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, UNITED STATES OF AMERICA, FOR A GRANT UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM", and related documents.

1. COUNTY COMMUNICATIONS (continued):NO. 12-41 - BUDGET DIRECTOR, transmitting the following:

1. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2012 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; WAILUKU-KAHULUI COMMUNITY PLAN AREA, GOVERNMENT FACILITIES, ACQUISITION OF REAL PROPERTY AT WAIKAPU; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)";
2. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 3837, BILL NO. 31 (2011), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI (ACQUISITION OF REAL PROPERTY AT WAIKAPU)"; and
3. A proposed resolution entitled "APPROVING THE ACQUISITION OF REAL PROPERTY AT WAIKAPU, MAUI, HAWAII".

NO. 12-42 - COST OF GOVERNMENT COMMISSION, transmitting the "COST OF GOVERNMENT COMMISSION, COUNTY OF MAUI, REPORT OF FINDINGS AND RECOMMENDATIONS FOR COMMISSION TERM 2011 - 2012".NO. 12-43 - DIRECTOR OF PUBLIC WORKS, transmitting the annual report on new utility poles approved for installation by the Director of Public Works for calendar year 2011.NO. 12-44 - COUNCIL VICE-CHAIR PONTANILLA, relating to a presentation on a proposal to hire an Executive Director for the Hawaii State Association of Counties.NO. 12-45 - MAYOR, transmitting a proposed resolution entitled "AUTHORIZING THE DISPOSAL OF STRUCTURES AT KAPUKA'ULUA (FORMERLY KNOWN AS MONTANA BEACH) LOCATED IN PAIA, MAUI, HAWAII, PURSUANT TO SECTION 3.44.020, MAUI COUNTY CODE".2. GENERAL COMMUNICATIONS:

NONE.

J. RESOLUTIONS:

NONE.

K. ORDINANCES - SECOND AND FINAL READING:

BILL NO. 9 (2012) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2012 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX A, PART II, SPECIAL PURPOSE REVENUES - SCHEDULE OF REVOLVING/SPECIAL FUNDS, AFFORDABLE HOUSING FUND, FISCAL YEAR 2012 AFFORDABLE HOUSING PLAN, NEIGHBORHOOD REVITALIZATION PROGRAM"

BILL NO. 10 (2012) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2012 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX A, PART II, SPECIAL PURPOSE REVENUES - SCHEDULE OF REVOLVING/SPECIAL FUNDS, AFFORDABLE HOUSING FUND, FISCAL YEAR 2012 AFFORDABLE HOUSING PLAN, KULAMALU AFFORDABLE HOUSING PROJECT"

L. UNFINISHED BUSINESS:ORDINANCES - SECOND AND FINAL READING:

BILL NO. 8 (2012) - "A BILL FOR AN ORDINANCE GRANTING CHERIE ATTIX AN EXTENSION OF A CONDITIONAL PERMIT TO ALLOW THE CONTINUED OPERATION OF THE TRANSIENT VACATION RENTAL, HALE HOOKIPA INN, FOR PROPERTY SITUATED AT TAX MAP KEY NO. (2) 2-4-018:063, 32 PAKANI PLACE, MAKAWAO, MAUI, HAWAII"
DRAFT 1

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.