# **COUNCIL OF THE COUNTY OF MAUI**

# AGENDA

2012 MAY 11 PM 2: 00

Regular Meeting of May 18, 2012 9:00 a.m. Council Chamber 8th Floor, Kalana O Maui Building 200 South High Street, Wailuku, Hawaii

OPFICE OF THE

website: <a href="http://www.mauicounty.gov/county/clerkSub/Agenda.php">http://www.mauicounty.gov/county/clerkSub/Agenda.php</a>.
<a href="e-e-mail:county.clerk@mauicounty.us">e-mail:county.clerk@mauicounty.us</a>

# 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 An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify.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.

Α.	ROLL CALL
B.	OPENING REMARKS: COUNCILMEMBER G. RIKI HOKAMA
C.	PLEDGE OF ALLEGIANCE
D.	TESTIMONY ON CEREMONIAL RESOLUTIONS
E.	CEREMONIAL RESOLUTIONS:
	NO "CONGRATULATING HANA HIGH AND ELEMENTARY SCHOOL ON ITS 100 <sup>TH</sup> ANNIVERSARY"
F.	PRESENTATION OF WRITTEN OR ORAL TESTIMONY
G.	MINUTES:

NONE

### H. COMMITTEE REPORTS:

# NO. 12-52 - POLICY COMMITTEE:

Recommending **FILING** of correspondence dated April 20, 2012, from Council Chair Danny A. Mateo, transmitting correspondence dated April 18, 2012, from the Department of the Corporation Counsel, regarding the status of <u>Hawaii Wildlife Fund</u>, <u>Sierra Club - Maui Group</u>, <u>Surfrider Foundation</u>, and <u>West Maui Preservation Association v. County of Maui</u>; Civil 12-00198 SOM BMK.

With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee.

## NO. 12-53 - POLICY COMMITTEE:

Recommending **ADOPTION** of resolution approving the following appointments to the Hawaii State Association of Counties Executive Committee for Fiscal Year 2013: (a) Councilmember Joseph Pontanilla as an officer; and (b) Councilmember G. Riki Hokama as an alternate.

# NO. 12-54 - POLICY COMMITTEE:

Recommending **ADOPTION** of resolution authorizing settlement of <u>Lilia Cardones and Noel Cardones v. County of Maui, et al.</u>, Civil 11-1-0293(1).

With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), HRS, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee; and Section 92-5(a)(8), HRS, to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to a State or Federal law, or a court order.

# NO. 12-55 - POLICY COMMITTEE:

Recommending **FIRST READING** of resolution proposing an amendment to Section 3-4 of the Revised Charter of the County of Maui (1983), as amended, relating to vacancy in the office of any Council member.

## I. COMMUNICATIONS:

## 1. <u>COUNTY COMMUNICATIONS</u>:

- NO. 12-94 DIRECTOR OF FINANCE, transmitting 35 contracts/grants for March 2012.
- NO. 12-95 <u>DIRECTOR OF WATER SUPPLY</u>, transmitting copies of the Department of Water Supply's Monthly Source Report and Groundwater Use Report for the month ended April 2012.
- NO. 12-96 DIRECTOR OF PUBLIC WORKS, transmitting a proposed bill entitled, "A BILL FOR AN ORDINANCE AMENDING SECTION 10.60.042, MAUI COUNTY CODE, RELATING TO THE ESTABLISHMENT OF A CROSSWALK ON A PORTION OF KANALOA AVENUE AND ON A PORTION OF WELLS STREET, WAILUKU, MAUI, HAWAII."
- NO. 12-97 COUNCILMEMBER VICTORINO, relating to Upcountry Water Meter Issuance.

### GENERAL COMMUNICATIONS:

NONE.

### J. RESOLUTIONS:

NONE.

### K. ORDINANCES - SECOND AND FINAL READING:

NONE.

#### L. UNFINISHED BUSINESS:

ORDINANCES - SECOND AND FINAL READING:

BILL NO. 35 (2012) - "A BILL FOR AN ORDINANCE AMENDING TITLE 19, MAUI COUNTY CODE, RELATING TO SHORT-TERM RENTAL HOMES"

### 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.