

COUNCIL OF THE COUNTY OF MAUI
POLICY COMMITTEE

December 21, 2012

Committee
Report No. _____

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

Chair and Members:

Your Policy Committee, having met on November 26, 2012, makes reference to the referrals listed on Exhibit "A", which is attached hereto and incorporated herein.

Your Committee notes that Rule 23 of the Rules of the Council provides for the filing or referral of communications pending before committees at the end of the Council term.

The Chair of your Committee recommended that the listed communications be referred to the Council Chair for the term beginning January 2, 2013.

Your Committee voted 5-0 to approve the recommendation to refer the following: County Communication 09-120 and Miscellaneous Communications dated May 26, 2011, and May 25, 2012, relating to Maui County grants; and County Communication 11-164, relating to the selection of the Molokai Community Plan Advisory Committee. Committee Chair Hokama and members Baisa, Mateo, Victorino, and White voted "aye". Committee Vice-Chair Carroll and members Cochran, Couch, and Pontanilla were excused.

Your Committee also voted 5-0 to approve the recommendation to refer the remaining communications in Exhibit "A". Committee Chair Hokama and members Baisa, Cochran, Mateo, and White voted "aye". Committee Vice-Chair Carroll and members Couch, Pontanilla, and Victorino were excused.

Your Policy Committee **RECOMMENDS** that the communications noted on Exhibit "A" be **REFERRED** to the Council Chair for the term beginning January 2, 2013.

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This report is submitted in accordance with Rule 8 of the Rules of the Council.



G. RIKI HOKAMA, Chair

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EXHIBIT "A"

POL-10 PROPOSED CHARTER AMENDMENTS

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
08/25/2009	CC 09-229	Chair, Committee of the Whole, relating to proposed Charter Amendments.

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
10/21/2011	Sub-item (8)	PLANNING COMMISSION REVIEW OF LAND USE ORDINANCES

Memo from Councilmember Couch, dated 10/21/2011, transmitting a proposed resolution entitled "PROPOSING AN AMENDMENT TO SECTION 8-8.4 OF THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO PLANNING COMMISSION REVIEW OF LAND USE ORDINANCES".

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
01/03/2012	Sub-item (9)	PENALTIES

Memo from Councilmember Couch, dated 01/03/2012, transmitting a proposed resolution entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO PENALTIES".

POL-13 KULA RIDGE AFFORDABLE HOUSING AGREEMENT

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
06/17/2011	CC 11-177	Director of Housing and Human Concerns, transmitting a proposed resolution entitled "APPROVING THE KULA RIDGE AFFORDABLE HOUSING SUBDIVISION RESIDENTIAL WORKFORCE HOUSING AGREEMENT".

10/07/2011 CC 11-254 Council Chair, transmitting copy of letter from Clayton Nishikawa, Kula Ridge LLC, submitting a status update on the Kula Ridge Affordable Housing Subdivision project in accordance with Modification 13 of Resolution 10-57, "APPROVING WITH MODIFICATION THE KULA RIDGE AFFORDABLE HOUSING SUBDIVISION PROJECT PURSUANT TO SECTION 201H-38, HAWAII REVISED STATUTES".

11/02/2012 CC 12-237 Council Chair, transmitting copy of letter from Clayton Nishikawa, Kula Ridge LLC, submitting a status update on the Kula Ridge Affordable Housing Subdivision project in accordance with Modification 13 of Resolution 10-57.

POL-20 MAUI COUNTY GRANTS

<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".

05/24/2011 MISC County Clerk, reporting that on 05/24/2011, the Council referred the matter relating to County grants and disbursements, including amendments to Chapter 3.36, Maui County Code, relating to the Maui County Grants Program, and the Budget and Finance Committee Chair's correspondence dated May 6, 2011, relating to the General Budget Provisions.

05/24/2012 MISC County Clerk, reporting that on 05/24/2012, the Council referred the matter relating to a needs capacity and duplication of services study for all County grantees.

**POL-27 COMMUNITY PLAN ADVISORY COMMITTEE
SELECTION**

DATE REFERRED REFERENCE SUBJECT
06/07/2011 CC 11-164 Planning Director, requesting the process to establish Community Plan Advisory Committees (CPAC) for the Molokai and Lanai Community Plans be initiated.

DATE REFERRED REFERENCE SUBJECT
Sub-item (2) MOLOKAI COMMUNITY PLAN ADVISORY COMMITTEE

Letter to Planning Director, dated 08/13/2012, transmitting copy of the following: (1) Molokai Community Plan Advisory Committee (“CPAC”) Information Sheet; (2) CPAC Application Form; and (3) press release; and informing that these documents were posted on the County website, including the press release inviting the public to apply.

POL-29 MANAGEMENT OF RECORDS

DATE REFERRED REFERENCE SUBJECT
11/06/2009 CC 09-314 Council Chair, transmitting a letter (dated 10/23/2009) from the Department of the Corporation Counsel, transmitting a proposed bill entitled “A BILL FOR AN ORDINANCE RELATING TO MANAGEMENT OF RECORDS”.

POL-37 REPORT ON SETTLEMENT OF CLAIMS

DATE REFERRED REFERENCE SUBJECT
08/21/2012 CC 12-172 Director of Finance, transmitting two reports on the settlement of claims as of June 30, 2012.

POL-43 PROPOSED PUBLIC SAFETY COMPLEX (PUUNENE)

DATE REFERRED REFERENCE SUBJECT
02/02/2012 CC 12-29 Council Chair, transmitting a letter (dated 01/18/2012) from Albert “Alapaki” Nahale-a, Chairman, Hawaiian Homes Commission, State Department of Hawaiian Home Lands, relating to a proposed Public Safety Complex in Puunene, Maui.

POL-46 DEDICATION OF REAL PROPERTY FROM OLD STABLE, LLC (SPRECKELSVILLE)

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
03/16/2012	CC 12-66	Director of Housing and Human Concerns, transmitting a proposed resolution entitled "AUTHORIZING THE ACCEPTANCE OF A DEDICATION OF REAL PROPERTY FROM OLD STABLE, LLC TO THE COUNTY OF MAUI, PURSUANT TO SECTION 3.44.015.C, MAUI COUNTY CODE".

POL-50 PROPOSED TRANSFER OF GRANTS MANAGEMENT PROGRAM FROM DEPARTMENT OF HOUSING AND HUMAN CONCERNS TO DEPARTMENT OF FINANCE

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
05/24/2012	MISC	County Clerk, reporting that on 05/24/2012, the Council referred the matter relating to the proposed transfer of the Grants Management Program from the Department of Housing and Human Concerns to the Department of Finance.

POL-52 KAPAAKEA CEMETERY AND HOOLEHUA VETERANS CEMETERY (MOLOKAI)

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
06/06/2012	CC 12-121	Director of Public Works, relating to the status of acquiring additional land for the Kapaakea Cemetery and additional niches at the Hoolehua Veterans Cemetery, Molokai, and transmitting related documents.

POL-55

ROADS IN LIMBO IN MAUI COUNTY AND STATEWIDE

DATE REFERRED
08/21/2012

REFERENCE
CC 12-181

SUBJECT
Director of Public Works, transmitting copies of the following, and requesting review, discussion and guidance on the Council’s willingness to participate in the acceptance of these roads:

1. Senate Resolution 17, S.D.1, entitled “REQUESTING THE DEPARTMENT OF TRANSPORTATION TO FORM A WORKING GROUP TO EXPEDITIOUSLY RESOLVE THE ISSUE OF ROADS IN LIMBO IN MAUI COUNTY”; and
2. Senate Concurrent Resolution 49, S.D.1, H.D.1, entitled “REQUESTING THE DEPARTMENT OF TRANSPORTATION TO FORM A WORKING GROUP TO EXPEDITIOUSLY RESOLVE THE ISSUE OF ROADS IN LIMBO STATEWIDE”.

POL-57

ANIMAL CONTROL

DATE REFERRED
09/21/2012

REFERENCE
CC 12-201

SUBJECT
Councilmember Baisa, transmitting a proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING CHAPTER 6.04, MAUI COUNTY CODE, RELATING TO ANIMAL CONTROL”.

POL-62

U.S. FISH AND WILDLIFE SERVICE PROPOSAL TO ADD TO THE FEDERAL ENDANGERED SPECIES LIST AND DESIGNATE CRITICAL HABITAT FOR MOLOKAI, LANAI, KAHOO LAWE, AND MAUI

DATE REFERRED
11/02/2012

REFERENCE
CC 12-236

SUBJECT
Councilmember Couch, transmitting information (and compact disc) on a proposal from the U.S. Fish and Wildlife Service to add 38 species to the Federal Endangered Species List and to designate critical habitat for 135 species found on Molokai, Lanai, Kahoolawe, and Maui.

POL-64

**AFFORDABLE HOUSING FUND PROGRAM ANNUAL
PLAN FOR FISCAL YEAR 2013**

DATE REFERRED
11/16/2012

REFERENCE
CC 12-242

SUBJECT
Director of Housing and Human Concerns,
transmitting copy of the Department's Affordable
Housing Fund Plan recommendations for Fiscal
Year 2013.

END OF EXHIBIT "A"