

**COUNCIL OF THE COUNTY OF MAUI**

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**A G E N D A**

Regular Meeting of April 19, 2013  
9:00 a.m.

OFFICE OF THE  
COUNTY CLERK

Meeting Site: Council Chamber, 8th Floor, 200 South High Street, Wailuku, Hawaii

Remote Testimony Sites: Hana Council District Office – Hana Community Center, 5091 Uakea Road, Hana, Hawaii  
Lanai Council District Office – Lanai Community Center, 8th Street, Lanai City, Hawaii  
Molokai Council District Office – 100 Ainoa Street, Kaunakakai, Hawaii

website: <http://www.mauicounty.gov/county/clerkSub/Agenda.php>  
e-mail: [county.clerk@mauicounty.us](mailto:county.clerk@mauicounty.us)

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 An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify.

REMOTE TESTIMONY SITES: Oral testimony may be received by telephone from each of the Council district offices noted above. If the audio connection between the meeting site in the Council Chamber and any of the remote testimony sites is lost, the meeting in the Council Chamber will still continue. Members of the public interested in information about offering testimony on an agenda item from a remote testimony site may contact the Office of the County Clerk (808-270-7748) prior to the meeting. While oral testimony is being received the district offices cannot provide other services. The audio connection will be terminated after all oral testimony has been received.

If written testimony is submitted at the meeting site, 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.

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- A. ROLL CALL
  
  - B. OPENING REMARKS: COUNCILMEMBER ELLE COCHRAN
  
  - C. PLEDGE OF ALLEGIANCE

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D. TESTIMONY ON CEREMONIAL RESOLUTIONS

E. CEREMONIAL RESOLUTIONS:

NO. \_\_\_\_\_ - "CONGRATULATING ISAO NAKAGAWA FOR RECEIVING THE HARVARD KENNEDY SCHOOL'S INNOVATIONS IN AMERICAN GOVERNMENT AWARD"

NO. \_\_\_\_\_ - "CONGRATULATING COCONUT'S FISH CAFÉ FOR BEING NAMED TO CNN'S LIST OF 'TOP 10 PLACES TO EAT LIKE A LOCAL'"

F. PRESENTATION OF WRITTEN OR ORAL TESTIMONY

G. MINUTES:

Regular Meeting of March 15, 2013

H. COMMITTEE REPORTS:

NO. 13-51 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to amend the Fiscal Year ("FY") 2013 Budget, relating to the Affordable Housing Fund, by adding a proviso of \$400,000 for the Lokelani Ohana – Hale Lokelani Ohana project;
2. **FIRST READING** of bill to amend the FY 2013 Budget, relating to the Affordable Housing Fund, by adding a proviso of \$500,000 for the Ka Hale A Ke Ola Homeless Resource Centers, Inc. – Hale Makana O Waiale Rental Rehabilitation project;
3. **REFERRAL** of the matter relating to a review of management of the Hale Makana O Waiale Rental Rehabilitation facility to the Housing, Human Services, and Transportation Committee; and
4. **FILING** of bill to amend the FY 2013 Budget, relating to the Affordable Housing Fund, by adding a proviso of \$200,000 for the Kihei Kauhale Nani Community Association – Water System Upgrades project.

NO. 13-52 - ECONOMIC DEVELOPMENT, ENERGY, AGRICULTURE, AND RECREATION COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution authorizing the acceptance of a statue of Sun Mei and inscription panel to the Department of Parks and Recreation, to be placed in the Sun Yat-sen Park in Keokea, Maui, Hawaii; and
2. **FILING** of communication.

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I. COMMUNICATIONS:

1. COUNTY COMMUNICATIONS:

- NO. 13-128 - DIRECTOR OF FINANCE, transmitting 41 contracts/grants for February 2013.
- NO. 13-129 - DIRECTOR OF PARKS AND RECREATION, transmitting the semiannual report regarding park dedications for each community plan area for the period October 1, 2012 through March 31, 2013.
- NO. 13-130 - DIRECTOR OF WATER SUPPLY, transmitting copies of the Department of Water Supply's Monthly Source Report and Groundwater Use Report for the month ended March 2013.
- NO. 13-131 - COUNCILMEMBER GUZMAN, relating to Council Members' reports on meeting regarding the Central Maui Regional Park held on March 28, 2013.
- NO. 13-132 - COUNCIL CHAIR BAISA, transmitting a proposed resolution entitled "APPROVING THE APPOINTMENT OF MARIA KATRINA C. ZULUETA 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. 13-133 - DIRECTOR OF PARKS AND RECREATION, transmitting a proposed resolution entitled "AUTHORIZING ACCEPTANCE OF DONATION OF ONE (1) 2013 YAMAHA FX HIGH OUTPUT WAVERUNNER AND ONE (1) IWATERMAN RESCUE SLED FROM THE WILL SMITH FOUNDATION, TO THE DEPARTMENT OF PARKS AND RECREATION, COUNTY OF MAUI, PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE".
- NO. 13-134 - DIRECTOR OF PUBLIC WORKS, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 12.40, MAUI COUNTY CODE, TO RENAME WAIHEE (BALL) PARK IN WAILUKU TO THE RICHARD 'PABLO' CALDITO PARK", and related documents.

1. COUNTY COMMUNICATIONS (continued):

- NO. 13-135 - COUNCILMEMBER WHITE, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 16.26B.101, MAUI COUNTY CODE, TO ELIMINATE EXEMPTIONS IN THE BUILDING CODE OF THE COUNTY OF MAUI RELATING TO LANDS WITHIN THE CONSERVATION DISTRICT OR LANDS DESIGNATED AS HAWAIIAN HOME LANDS".
- NO. 13-136 - PLANNING DIRECTOR, transmitting a summary of the Maui, Molokai, and Lanai Planning Commissions' comments to a draft bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.40, MAUI COUNTY CODE, RELATING TO THE DURATION OF CONDITIONAL PERMITS", and minutes of the commissions.
- NO. 13-137 - COUNCILMEMBER HOKAMA, transmitting a proposed resolution entitled "REFERRING TO THE LANAI, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL AMENDING SECTION 19.37.010, MAUI COUNTY CODE, RELATING TO TIME SHARE UNITS AND TIME SHARE PLANS".
- NO. 13-138 - COUNCILMEMBER HOKAMA, transmitting a proposed resolution entitled "AUTHORIZING THE COUNCIL CHAIR TO CONTRACT FOR A FEASIBILITY STUDY FOR OPTING OUT OF THE STATE OF HAWAII EMPLOYEES' RETIREMENT SYSTEM AND EMPLOYER-UNION HEALTH BENEFITS TRUST FUND".
- NO. 13-139 - CHIEF OF POLICE, transmitting a proposed resolution entitled "AUTHORIZING ACCEPTANCE OF A DONATION OF WEIGHTLIFTING EQUIPMENT FROM SUSAN MOULTON, A PRIVATE CITIZEN, TO THE DEPARTMENT OF POLICE, COUNTY OF MAUI, PURSUANT TO SECTION 13-8, REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, AND CHAPTER 3.56, MAUI COUNTY CODE".
- NO. 13-140 - COUNCILMEMBER HOKAMA, transmitting a proposed resolution entitled "EXPRESSING OPPOSITION TO THE PROPOSED BIG WIND PROJECT ON LANAI".

2. GENERAL COMMUNICATIONS:

NONE.

J. RESOLUTIONS:

NONE.

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K. ORDINANCES - SECOND AND FINAL READING:

- BILL NO. 21 (2013) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2013 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 2013 AFFORDABLE HOUSING PLAN, NA HALE O MAUI - COUNTY OF MAUI NEIGHBORHOOD REVITALIZATION PROGRAM"
- BILL NO. 22 (2013) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2013 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 2013 AFFORDABLE HOUSING PLAN, HABITAT FOR HUMANITY MAUI – BUILDING HOUSES, BUILDING HOPE PROJECT"
- BILL NO. 23 (2013) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2013 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 2013 AFFORDABLE HOUSING PLAN, FAMILY LIFE CENTER, INC. – FLC LOWER MAIN STREET PROJECT"
- BILL NO. 24 (2013) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2013 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; WAILUKU-KAHULUI COMMUNITY PLAN AREA, GOVERNMENT FACILITIES, KALANA O MAUI CAMPUS EXPANSION; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)"
- BILL NO. 25 (2013) - "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 3954, BILL NO. 46 (2012), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI (KALANA O MAUI CAMPUS EXPANSION)"
- BILL NO. 26 (2013) - "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL DISTRICT TO URBAN DISTRICT (CONDITIONAL BOUNDARY AMENDMENT) FOR PROPERTY SITUATED AT 500 EAST WELAKAHAO ROAD, KIHEI, MAUI, HAWAII"

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ORDINANCES - SECOND AND FINAL READING (continued):

- BILL NO. 27 (2013) - "A BILL FOR AN ORDINANCE TO AMEND THE KIHEI-MAKENA COMMUNITY PLAN AND LAND USE MAP FROM AGRICULTURE TO HEAVY INDUSTRIAL FOR PROPERTY SITUATED AT 500 EAST WELAKAHAO ROAD, KIHEI, MAUI, HAWAII"
- BILL NO. 28 (2013) - "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO M-2 HEAVY INDUSTRIAL DISTRICT (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT 500 EAST WELAKAHAO ROAD, KIHEI, MAUI, HAWAII"
- BILL NO. 29 (2013) - "A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.88, MAUI COUNTY CODE, RELATING TO THE CULTURAL RESOURCES COMMISSION, AND TITLE 19, ARTICLE III, MAUI COUNTY CODE, RELATING TO MAUI COUNTY HISTORIC DISTRICTS"
- BILL NO. 30 (2013) - "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.36, MAUI COUNTY CODE, RELATING TO THE MAUI COUNTY GRANTS PROGRAM"

L. UNFINISHED BUSINESS:

NONE.

**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.**