

# MINUTES

of the

## COUNCIL OF THE COUNTY OF MAUI

August 2, 2013

THE REGULAR MEETING OF THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, WAS HELD IN THE COUNCIL CHAMBER, KALANA O MAUI BUILDING, WAILUKU, HAWAII, ON FRIDAY, AUGUST 2, 2013, BEGINNING AT 9:00 A.M., WITH CHAIR GLADYS C. BAISA PRESIDING.

CHAIR BAISA: Will the regular meeting of the Council of the County of Maui come to order. Today is August 2, and it's nine o'clock.

Mr. Clerk, would you please call the roll.

### ROLL CALL

PRESENT: COUNCILMEMBERS ELEANORA COCHRAN, DONALD G. COUCH JR., S. STACY CRIVELLO, G. RIKI HOKAMA, MICHAEL P. VICTORINO, MICHAEL B. WHITE, VICE-CHAIR ROBERT CARROLL, AND CHAIR GLADYS C. BAISA.

EXCUSED: COUNCILMEMBER DONALD S. GUZMAN.

COUNTY CLERK JEFFREY T. KUWADA: Madam Chair, there are eight Members present and one Member excused. A quorum is present.

CHAIR BAISA: Thank you very much, Mr. Clerk.

If everyone would please rise and join me in the Pledge of Allegiance.

### PLEDGE OF ALLEGIANCE

The Members of the Council, and others in attendance, rose and recited the Pledge of Allegiance.

CHAIR BAISA: Thank you. Okay, Members, we are going to have some opening remarks from our new cowgirl.

COUNCILMEMBER COCHRAN: Thank you.

CHAIR BAISA: Elle Cochran, please.

COUNCILMEMBER COCHRAN: Thank you, Ms. Baisa.

### OPENING REMARKS

The opening remarks were offered by Councilmember Eleanora Cochran.

CHAIR BAISA: Thank you very much, Ms. Cochran.

And now it's my pleasure, Members, if you'll indulge me. I'd like to introduce the young folks who are with us this morning. And to do the introductions, we are going to have Mr. Jeremiah Savage come to the podium.

Good morning, Mr. Savage.

MR. JEREMIAH SAVAGE: Good morning, Chairman and Councilmembers. Two years ago, we introduced to this Council a proposal to have a sister city with Goyang in South Korea. During that time, if I remember right, our hesitation was that we had very many sister cities. However, this particular one we had promised to pursue a very deep relationship. A couple of those were to, to, to move forward on some economic proposals and some projects that we have.

This year we just returned from Goyang City during their flower festival where we had hired and procured Tihati. We brought over five hula dancers along with a local ukulele player, Derick Sebastian and we played in front of a venue of almost two million people. We partnered with Hawaiian Airline and brought over, over ten crates of flowers over there and participated for two weeks.

I remember a couple years ago when we signed this MOU, particularly noted, one of those things was to pursue education and the youth of our future in both cities. I'm very proud to, to be able to introduce to you Mr. Kim Ji Min. Can you stand up please? He's representing Goyang as a government official, and Mrs. Choi Hee Suk.

This program, we have brought over 25 hand selected, that they had to go through a very rigorous interview with the Goyang officials. They were selected because their English proficiency was very high, but also, they showed characteristics of being future leaders. This particular program is not just for an English program for them to increase their proficiency and be able to communicate in the English language, but rather to be future leaders in this world.

So, this exchange, they are going to be participating in the "Read Aloud America Program". They will be going to Maui elementary schools and reading to them, learning how to public speak. They'll also, we are also partnered with of course UH, the, the, the program, the language program, as well as Rotary International has a program called RYLA, which is Rotary Youth Leader Awards, and partnered with Joanne and Larry Laird. There, we've integrated a two-week program and they're going to learn all of these skills.

Finally, it is our hope that in the future we're going to be able to create a program where we can do a fair exchange, not only welcoming the Korean students over here to Maui, but also send some of the local Maui kids over to Korea next year. That is our hope.

So anyway, with no further ado, please welcome our Goyang Global Youth Leadership Program children.

CHAIR BAISA: If you'd all rise, students, so we can see you.

Mr. Savage, what are the ages of the young folks?

MR. SAVAGE: The youngest one is eight years old. And he, could you raise your hand, he's wearing the hat back here.

CHAIR BAISA: Can't see him.

MR. SAVAGE: So, we have elementary students, we have middle-school students, we have high school students, and we also have university students.

CHAIR BAISA: Wonderful. Thank you and welcome to Maui. We hope that we become very close sisters. Thank you for coming.

Thank you, Mr. Savage.

MR. SAVAGE: We do have a small gift. But to save time, I'll just go ahead and give it to, to the persons over here and you can distribute that, just to save you--

CHAIR BAISA: Thank you very, very much. We really appreciate this. This is good work. And this is what sister cities are all about. Have a good time on Maui and travel safe. Thank you.

Okay. Mr. Clerk, we can proceed.

COUNTY CLERK: Madam Chair, proceeding with ceremonial resolutions.

### CEREMONIAL RESOLUTIONS

RESOLUTION  
NO. 13-87

CONGRATULATING SACRED HEARTS  
SCHOOL ON ITS 150<sup>TH</sup> ANNIVERSARY

CHAIR BAISA: Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair.

AND, I MOVE TO, THAT THE PROPOSED RESOLUTION  
ENTITLED "CONGRATULATING SACRED HEARTS SCHOOL  
ON ITS 150<sup>TH</sup> ANNIVERSARY", BE ADOPTED.

COUNCILMEMBER VICTORINO:

SECOND, MADAM CHAIR.

CHAIR BAISA: We have a motion by Ms. Cochran, seconded by Mr. Victorino.

Ms. Cochran.

COUNCILMEMBER COCHRAN: Chair, at this time, can I get the Clerk to please the resolution in its entirety?

CHAIR BAISA: Mr. Clerk.

*(The resolution was read in its entirety.)*

CHAIR BAISA: Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. And, I think the resolution and the, the words expressed by, by Mr. Kuwada really says it all. And I just want to say this school, the church, has been such a prominent, you know, it's just the foundation in the town that I grew up in.

And, it's, it's, you know, taught a lot of children, a lot of leaders in our community. And it, and it teaches that perseverance as we can see the challenges the church, the school has gone through, and, and teaches perseverance. The kids have solid foundations, like I mentioned in my opening comments in, in growing up to be leaders in our community.

And, I just recall playing around it, going to the church and feeling a sense of, you know, just a sense of protection and a sense of, of peace when I went in there. Not realizing what church or religion was about at the time as a child and lighting the candles and sort of following the motions of others. But, you know the cemetery also has some very prominent, there's a princess that's buried there, I have family members that are buried there. And so, for me, it is, you know, it hits directly to my heart, to my soul, and it's a presence in this community, I think, that, that is shared by a lot of people.

So, I just want to say thank you to the school and looking for support of my fellow Councilmembers in supporting this resolution and congratulating Sacred Hearts for 150 years. And that's a huge milestone. So, thank you for this opportunity, Chair.

CHAIR BAISA: Thank you very much, Ms. Cochran. Any further discussion?

COUNCILMEMBER VICTORINO: Chair.

Mr., Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you. And, thank you, Ms. Cochran for bringing this forward. For myself, I have spent many a weekend cooking for your bazaar. And because my grand, both my older, my oldest two grandchildren, the two oldest grandchildren, excuse me, attended Sacred Hearts and really gave them a great foundation for their future and I want to thank you.

A lot of other family members have been there and attended Sacred Hearts. And so I'm very, very thankful for the opportunity for additional education, especially in our

faith, the Catholic faith, understanding that, you know, I don't want to get too religious on this matter. But, I'm very thankful that they're there to continue to inspire our youngsters to persevere, like Ms. Cochran said, and become great leaders.

Also, please don't stop the bazaar because that is an annual event that all of us look forward to. I have had smoke inhalation from cooking the shoyu chicken and all that, the teri, but that's okay, I still love doing that. And, you know, I've told them that my volunteers will come out anytime they need help. So, you can count on that. Madam Chair, thank you for my opportunity.

CHAIR BAISA: Is there any further discussion?

Mr. White.

COUNCILMEMBER WHITE: Thank you, Madam Chair. I had three kids that attended Sacred Hearts and it was a wonderful school. And the combination of the school and Maria Lanakila Church provide a real sense of grounding for the community, and as it has for many, many years; decades. And, I congratulate them on 150 years.

And, more so congratulate them for being such an important part of our, our community in Lahaina. Having spent a lot of my time living on that side and still working on that side, I recognize their leadership in the community and they should be honored. And so for that, I'm, I'm very grateful and I add my, my support for this resolution. Mahalo, Chair.

CHAIR BAISA: Thank you. Any further discussion?

Chair would just like to say congratulations to Sacred Hearts. Having been involved in trying to keep a Catholic School going for many, many years, I worked very hard with St. Joseph School. I know what a feat it is to keep a Catholic School in the black for 150 years. And I congratulate all of you for a wonderful community and all the support and the good work that you've done. This is really an occasion. A 150 years is a big deal.

Any further discussion? Seeing none, all those in favor say "aye".

AYES: COUNCILMEMBERS COCHRAN, COUCH,  
CRIVELLO, HOKAMA, VICTORINO, WHITE,  
VICE-CHAIR CARROLL, AND CHAIR BAISA.

CHAIR BAISA: Opposed "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER GUZMAN.

CHAIR BAISA: Motion carries with eight "ayes" and one Member "excused"; Member Guzman.

Ms. Cochran, would you like to--

COUNCILMEMBER COCHRAN: Thank you.

CHAIR BAISA: --mosey on over to the podium--

COUNCILMEMBER COCHRAN: Yeah, with no objections from Members.

CHAIR BAISA: --and get the folks down here?

COUNCILMEMBER COCHRAN: Yeah, I'd like to bring up the Principal of the school, Ms. Susan Hendricks.

CHAIR BAISA: Okay, Members, we'll congratulate them. Come on up, come on over.

COUNCILMEMBER COCHRAN: Thank you, Chair for this opportunity. And I'd like to introduce the Principal of Sacred Hearts School, Ms. Susan Hendricks, and also present her with the resolution that's supported by the Council here. Thank you, congratulations. And if you'd like to say a few words?

MS. SUSAN HENDRICKS: I would, actually.

COUNCILMEMBER COCHRAN: Okay, wonderful. Thank you.

MS. HENDRICKS: I know how valuable your time is so I will try to be brief and concise. I appreciate Councilwoman Cochran's opening remarks about Abraham Lincoln, because it was during his presidency that our school was up and running, 1862, and actually a few years before that. But, you know, sometimes we're a little slow on Maui to actually get things official. There actually are a few different dates of the founding of the school in a couple of different historical documents, but we go with 1862 proudly.

So, I, Susan Hendricks, Susan Lucille Hendricks, I am filled with unembarrassed joy and honor to accept this amazing congratulatory resolution from all of you, from the County of Maui, our home. I thank you on behalf of the entire Sacred Hearts School community, which includes my dedicated teachers, who are at school right now in a workshop. So, I apologize that they aren't here with me, but they are here in spirit. As is, the parishioners of our church Maria Lanakila, who are so very generous year after year as the judiciary, as the, my administrators, Father Joseph and Father K, as the fiduciary board that helps keep our vision going to make sure and ensure that we have many more years besides 150, to keep giving good excellent education in our community.

It seems everywhere you go someone knows someone who has gone to Sacred Hearts School. So, that's always fun to wear the t-shirt or, or find people in Foodland that, that come and tell you a little story here and there.

The giants you spoke of, the Sacred Hearts Congregation, the Sacred Hearts Priest, we should all remember that Father Damien, St. Damien was of that congregation. He said mass and stayed on the grounds of Sacred Hearts School and Maria Lanakila Church before he went to Oahu to be ordained and then onward to Molokai.

The nuns that you mentioned, the Third Order of the Franciscans from Syracuse, New York, we were honored last year with Rome canonizing St. Mother Marianne Cope who began and worked at St. Anthony Catholic School for many years with her nuns. And as she was in Oahu, starting St. Francis Hospital and the St. Francis School for girls' now coed school over in on Oahu. They are the giants upon whose shoulders I personally stand to get a better view to see that my vision is, is acute, is clear that we can continue to serve the children and the youth, the whole society whether they, the kids we teach stay on Maui or go elsewhere.

We do offer them opportunities of excellence. We believe in the aloha spirit and all of the values that our host culture Hawaii here has taught all of us: stewardship, working together, working for the joy of the work and not expecting anything in return. True aloha spirit. And, so I very proudly, excuse me, accept this. It's quite an honor. Thank you so much, Elle.

The children will see the picture we took earlier and I will promise to toot our own horn a little bit more. We go by year after year after year doing ordinary works, you know, with extraordinary people. And we hope to prepare our children for their future college and heaven, but also for their contribution back into whatever community they live in. And that is the real goal for me for education. That we provide those values



and we continue just doing the work we do. And, thank you for all of your support and for this incredible honor. Aloha.

CHAIR BAISA: Thank you.

COUNCILMEMBER COCHRAN: And thank you, Chair, for this opportunity. Mahalo.

CHAIR BAISA: Thank you, Ms. Cochran. If you'll just pause for a moment. I think that you'll all want to get a good look at Ms. Cochran. She's modeling the, the new uniform here. Everybody refer, returned from Texas with their cowboy stuff and Ms. Cochran really helped the economy of Tarrant County, Texas. And so, very good Ms. Cochran. Good job. She was going to bring her horse but we told her no.

MS. HENDRICKS: I'm due back at my workshop, so I excuse myself. Thank you and aloha.

CHAIR BAISA: Aloha. Thank you.

We'll just pause for a few moments, Members, while the children leave.

Okay, Mr. Clerk.

COUNTY CLERK: For the record, RESOLUTION 13-87.

Madam Chair, proceeding with the presentation of testimony on agenda items. We have established limited telephone interactive communication that enables individuals from Hana, Lanai, and Molokai, to provide testimony from our District Offices.

Individuals who wish to offer testimony from Hana, Lanai, and Molokai, should now sign up with the District Office staff. Individuals who wish to offer testimony in the chamber, please sign up at the desk located in the eighth floor lobby just outside the chamber door. Testimony at all locations is limited to the items listed on today's agenda.

Pursuant to the Rules of the Council, each testifier is allowed to testify for up to three minutes with one minute to conclude. When testifying, please state your name and the name of any organization you represent.

Hana Office, please identify yourself and introduce your first testifier.

MS. DAWN LONO: Aloha, good morning. This is Dawn Lono at the Hana Council Office and I have no one waiting to testify.

COUNTY CLERK: Thank you.

Lanai Office, please identify yourself and introduce your first testifier.

MS. DENISE FERNANDEZ: Good morning. This is Denise Fernandez at the Lanai Office and we have no one waiting to testify.

COUNTY CLERK: Thank you.

Molokai Office, please identify yourself and introduce your first testifier.

MS. ELLA ALCON: Good morning, Chair. This is Ella Alcon on Molokai and there is no one here waiting to testify.

COUNTY CLERK: Thank you very much.

Madam Chair, we have received no requests to offer testimony from individuals in the chamber.

CHAIR BAISA: Is, is there anyone in the chamber who would like to testify? Seeing none, there's nobody in the, in the, in the gallery that would like to testify; no one in the District Offices.

Mr., Mr. Clerk.

COUNTY CLERK: Let me check once more with the District Offices.

Hana Office, are there any testifiers?

MS. LONO: The Hana Office has no one waiting to testify.

COUNTY CLERK: Thank you.

Lanai Office, are there any testifiers?

MS. FERNANDEZ: The Lanai Office has no one waiting to testify.

COUNTY CLERK: Thank you.

Molokai Office, are there any testifiers?

MS. ALCON: There is no one here on Molokai waiting to testify.

COUNTY CLERK: Thank you very much.

Madam Chair, I would note that we are in receipt of written testimony.

CHAIR BAISA: Members, we'd like to, with no objection, include written testimony in the record.

MEMBERS VOICED NO OBJECTION.

CHAIR BAISA: So, so ordered.

THERE BEING NO OBJECTION, WRITTEN TESTIMONY RECEIVED FROM JIM SMITH WAS MADE A PART OF THE RECORD OF THIS MEETING:

CHAIR BAISA: Mr. Clerk, nobody in the District Offices and it appears nobody in the gallery. So, Members, without objection, the Chair will close public testimony for today.

MEMBERS VOICED NO OBJECTION.

CHAIR BAISA: Public testimony is closed.

Mr. Clerk.

COUNTY CLERK: Madam Chair, proceeding with minutes.

## MINUTES

The minutes of the Council of the County of Maui's regular meeting of July 5, 2013 was presented at this time.

CHAIR BAISA: Mr. Vice-Chair.

VICE-CHAIR CARROLL: Thank you, Chair.

I MOVE THAT THE MINUTES OF THE REGULAR MEETING  
OF JULY 5, 2013, BE APPROVED.

COUNCILMEMBER VICTORINO:

MADAM CHAIR, I SECOND THE MOTION.

CHAIR BAISA: We have a motion by Mr. Carroll, seconded by Mr. Victorino.

Mr. Carroll.

VICE-CHAIR CARROLL: No discussion.

CHAIR BAISA: Members, any discussion?

Seeing none, all those in favor say "aye".

AYES: COUNCILMEMBERS COCHRAN, COUCH,  
CRIVELLO, HOKAMA, VICTORINO, WHITE,  
VICE-CHAIR CARROLL, AND CHAIR BAISA.

CHAIR BAISA: Opposed "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER GUZMAN.

CHAIR BAISA: Motion carries with eight "ayes" and one Member "excused"; that's Member Guzman. And I will not be repeating that again.

Mr. Clerk.

COUNTY CLERK: Madam Chair, proceeding with committee reports.

## COMMITTEE REPORTS

### COMMITTEE REPORT

NO. 13-87 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. That Bill 56 (2013), entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2014 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX A, PART I, GRANT REVENUE – SCHEDULE OF GRANTS BY DEPARTMENTS AND PROGRAMS, DEPARTMENT OF PLANNING (UNIVERSITY OF HAWAII SEA GRANT COLLEGE PROGRAM)", be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 13-192, from the Budget Director, be FILED.

CHAIR BAISA: Mr. White.

COUNCILMEMBER WHITE: Thank you, Madam Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN  
COMMITTEE REPORT 13-87.

COUNCILMEMBER HOKAMA:

SECOND.

CHAIR BAISA: We have a motion by Mr. White, seconded by Mr. Hokama.

Mr. White.

COUNCILMEMBER WHITE: Thank you, Madam Chair. This measure provides \$130,000 for Planning to develop a reconstruction guideline protocols that can be quickly implemented after a major coastal catastrophe. As we saw after the tsunami, we had some minor damage and this funding will allow us to prepare in case something more drastic happens. We'll have things in place already that will allow for the reconstruction in a more rapid way than might otherwise be possible under current rules. So, I ask for all the Members to support this measure.

CHAIR BAISA: Is there any discussion? Seeing none, all those in favor say "aye".

AYES: COUNCILMEMBERS COCHRAN, COUCH,  
CRIVELLO, HOKAMA, VICTORINO, WHITE,  
VICE-CHAIR CARROLL, AND CHAIR BAISA.

CHAIR BAISA: Opposed "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER GUZMAN.

CHAIR BAISA: Motion carries with eight "ayes" and one Member "excused".

Mr. Clerk.

COUNTY CLERK: For the record, BILL NO. 56 (2013).

COMMITTEE REPORT

NO. 13-88 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. That Bill 57 (2013), entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 3.48.130, MAUI COUNTY CODE, RELATING TO NOTICE OF ASSESSMENTS", be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 13-101, from the Director of Finance, be FILED.

CHAIR BAISA: Mr. White.

COUNCILMEMBER WHITE: Thank you, Madam Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN  
COMMITTEE REPORT 13-88.

COUNCILMEMBER HOKAMA:

SECOND.

CHAIR BAISA: We have a motion by Mr. White, seconded by Mr. Hokama.

Mr. White.

COUNCILMEMBER WHITE: Thank you, Madam Chair. Your Budget and Finance Committee met on July 16, to consider a bill that aims to simplify the real property tax assessment notice process and allow owners of real property the option to receive their real property tax assessment notice through electronic means and thereby reducing postage and printing costs.

It should be noted the proposed bill maintains the existing real property tax assessment notice requirement of separately setting forth the value placed on buildings and the value placed on land.

Your Committee recommended passage of the bill on first reading and filing of the communication. Thank you, Chair.

CHAIR BAISA: Is there any further discussion? Seeing none, all those in favor say "aye".

AYES: COUNCILMEMBERS COCHRAN, COUCH,  
CRIVELLO, HOKAMA, VICTORINO, WHITE,  
VICE-CHAIR CARROLL, AND CHAIR BAISA.

CHAIR BAISA: Opposed "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER GUZMAN.

CHAIR BAISA: Motion carries and we mark it eight "ayes" and one Member "excused".

Mr. Clerk.

COUNTY CLERK: For the record, BILL 57 (2013).

COMMITTEE REPORT  
NO. 13-89 - INFRASTRUCTURE AND ENVIRONMENTAL MANAGEMENT  
COMMITTEE:

Recommending the following:

1. That Bill 58 (2013), entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 10.76, MAUI COUNTY CODE, RELATING TO PARKING LOTS AND PIERS", be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 13-155, from the Managing Director, be FILED.

CHAIR BAISA: Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN  
COMMITTEE REPORT 13-89.

COUNCILMEMBER COUCH:

SECOND.

COUNCILMEMBER VICTORINO: Second, Madam Chair.

CHAIR BAISA: We have a motion by Ms. Cochran, seconded by Mr. Couch.

Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. Your Infrastructure and Environmental Management Committee met on July 15, 2013, and recommended passage on first reading of a proposed bill to eliminate the parking restrictions at the Old Wailuku Post Office parking lot and County parking lot along Kaohu Street fronting Kalana Pakui Building at 250 South High Street. Your Committee also recommended filing of the county communication.

Section 10.76.030 of the Maui County Code, designates approximately 15 stalls that were located behind the Old Wailuku Post Office for a certain usage. This bill deletes reference to the designation of these 15 stalls from the Code.



The bill also deletes current time limitations on stalls on Kaohu Street side of Kalana Pakui Building. These nine stalls have been designated for some time for use by County vehicles and are currently labeled County intermittent in front a yellow painted curb.

In reference to the power to so designate, Section 10.76.010 of the Code states, "unless otherwise specifically designated by the Director of Public Works and Waste Management and appropriately marked". Your Committee supported deleting the parking restrictions at both sites in order to conform with the current usage.

I respectfully ask for this Council's support and thank you for this, thank you for this opportunity, Chair.

CHAIR BAISA: Thank you, Ms. Cochran.

Is there further discussion? Seeing none, all those in favor say--

Oh, oh I'm sorry, Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Chair. I had an earlier chat with the Committee Chair and I, and I thank her for her willingness to share some information out of this meeting, which I was excused from.

My concern, Chair and Members, is that the Council has already authorized an investigation of this site. I have my concerns about culpability by additional actions that may take away from already a decision by Council to allow the Policy Committee to go and secure facts and information that we would then submit to the Council for its decision on what to do with that information.

Upon hearing what Corp. Counsel has, I believe rendered to Budget Chairman White, regarding a future actions and how that would then eliminate any wrongdoing of the past without us fully us understanding our actions, Madam Chair, I would not support the motion at this time.

I would ask the Members and our, my, our Committee Chair Ms. Cochran to consider either a deferral of this and allow the Policy Committee to conduct its work prior to making, since part of the investigation is also the parking lot that the Council agreed to review.

So, I just share those comments and allow the Members to make the best-informed decision. Thank you.

CHAIR BAISA: Is there further discussion?

VICE-CHAIR CARROLL: Chair.

CHAIR BAISA: Yes, Mr. Carroll.

VICE-CHAIR CARROLL: I am hard to see over here.

CHAIR BAISA: That's alright, I just have to keep sweeping back and forth.

VICE-CHAIR CARROLL: Thank you, Chair. We discussed this in Committee and everyone is aware of what Mr. Hokama had brought up. And in Committee, we felt that this is the appropriate action at this time. And I support the Committee's recommendation to pass at first reading. Thank you.

CHAIR BAISA: Is there further discussion?

COUNCILMEMBER COCHRAN: Chair.

CHAIR BAISA: Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you. And, I appreciate comments from Mr. Hokama; I value them a lot. And, I have a recent correspondence from Corporation Counsel who has stated that, I can read it right here for the record, Chair. Corporation Counsel considers the proposed bill to be defensible and continues to note the authority granted the Director of Public Works to designate and appropriately mark parking stalls. And it cites the ordinance number and the years that this presumably had occurred initially.

So, I, I hear the, I support the investigation in, in Mr. Hokama's Committee and I feel confident that this won't hinder that in any way. And so, I just continue to want to have support on this, on this measure. Thank you, Chair.

CHAIR BAISA: Thank you, Ms. Cochran.

Is there further discussion? Seeing none, all those in favor, yes, Mr., no. All those in favor say "aye".

COUNCILMEMBER COCHRAN: Aye.

VICE-CHAIR CARROLL: Aye.

COUNCILMEMBER COUCH: Aye.

CHAIR BAISA: Opposed "no".

COUNCILMEMBER WHITE: No.

COUNCILMEMBER HOKAMA: No.

CHAIR BAISA: Mr. Clerk, if you could please do a roll call, please.

COUNTY CLERK: Councilmember Stacy Crivello.

COUNCILMEMBER CRIVELLO: AYE.

COUNTY CLERK: Councilmember Elle Cochran.

COUNCILMEMBER COCHRAN: AYE.

COUNTY CLERK: Councilmember Don Couch.

COUNCILMEMBER COUCH: AYE.

COUNTY CLERK: Councilmember Riki Hokama.

COUNCILMEMBER HOKAMA: NO. NO.

COUNTY CLERK: Councilmember Mike White.

COUNCILMEMBER WHITE: NO.

COUNTY CLERK: Councilmember Don S. Guzman.

CHAIR BAISA: EXCUSED.

COUNTY CLERK: Councilmember Michael P. Victorino.

COUNCILMEMBER VICTORINO: NO.

COUNTY CLERK: Vice-Chair Robert Carroll.

VICE-CHAIR CARROLL: AYE.

COUNTY CLERK: Chair Gladys Coelho Baisa.

CHAIR BAISA: AYE.

AYES: COUNCILMEMBERS COCHRAN, COUCH,  
CRIVELLO, VICE-CHAIR CARROLL, AND CHAIR  
BAISA.

NOES: COUNCILMEMBERS HOKAMA, VICTORINO, AND  
WHITE.

EXCUSED: COUNCILMEMBER GUZMAN.

COUNTY CLERK: Madam Chair, there are five "ayes", three "noes", and one "excused".  
The motion passes.

CHAIR BAISA: Thank you very much, Mr. Clerk. Moving on.

COMMITTEE REPORT

NO. 13-90 - INFRASTRUCTURE AND ENVIRONMENTAL MANAGEMENT  
COMMITTEE:

Recommending the following:

1. That Bill 59 (2013), entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 10.48.040, MAUI COUNTY CODE, RELATING TO STOPPING, STANDING AND PARKING ON ONAONA STREET, WAILUKU", be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 09-115, from the Director of Public Works, be FILED.

CHAIR BAISA: Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you again, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN  
COMMITTEE REPORT 13-90.

COUNCILMEMBER VICTORINO:

SECOND, MADAM CHAIR.

CHAIR BAISA: We have a motion by Ms. Cochran, seconded by Mr. Victorino.

Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. Your Infrastructure Management and Environmental Committee met on July 15, 2013, and recommended passage on first reading of a proposed bill to prohibit parking on both sides of Onao, Onaona Street in Wailuku. Your Committee also recommended filing of this County Communication.

The proposed bill was initiated by residents who claimed their driveways are being blocked when cars are parked directly across the narrow street. The parked vehicles often prevent residents from exiting their homes safely and gaining access to the street of substandard width.

The Traffic Safety Council expressed support of this proposed bill also. And with that, I respectfully ask for my, the Council's support of the recommendations. Thank you, Chair.

CHAIR BAISA: Is there further discussion? Seeing none, all those in favor say "aye".

AYES: COUNCILMEMBERS COCHRAN, COUCH,  
CRIVELLO, HOKAMA, VICTORINO, WHITE,  
VICE-CHAIR CARROLL, AND CHAIR BAISA.

CHAIR BAISA: Opposed "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER GUZMAN.

CHAIR BAISA: Motion carries with eight "ayes" and one Member "excused".

Mr. Clerk.

COMMITTEE REPORT  
NO. 13-91 - INFRASTRUCTURE AND ENVIRONMENTAL MANAGEMENT  
COMMITTEE:

Recommending the following:

1. That Bill 60 (2013), entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 10.48.040, MAUI COUNTY CODE, RELATING TO STOPPING, STANDING AND PARKING IN LAHAINA DISTRICT", be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 12-47, from the Director of Public Works, be FILED.

CHAIR BAISA: Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you again, Ms. Chair.

CHAIR BAISA: You're a busy girl today.

COUNCILMEMBER COCHRAN: I know. It's a good, good job. Your Infrastructure and Environmental Management Committee met again July 15, 2013, and recommended passage on first reading of a proposed bill to prohibit parking on both sides of Front Street from Honoapiilani Highway, north toward Shaw in Lahaina. Your Committee also recommended filing of this County Communication.

The Director of Public Works felt obligated to install signage prohibiting parking where--

CHAIR BAISA: Ms., Ms. Cochran.

COUNCILMEMBER COCHRAN: Sorry.

CHAIR BAISA: If I could interrupt.

COUNCILMEMBER COCHRAN: No problem.

CHAIR BAISA: We need a motion please before you go on.

COUNCILMEMBER COCHRAN: Oh sorry.

I MOVE TO ADOPT THE RECOMMENDATIONS IN REPORT  
NO. 13-91.

COUNCILMEMBER COUCH:

SECOND.

CHAIR BAISA: We have a motion by Ms. Cochran, seconded by Mr. Couch.

We just get carried away here; there's so much to get done.

COUNCILMEMBER COCHRAN: Yes.

CHAIR BAISA: You can continue.

COUNCILMEMBER WHITE: It's, it's the hat.

COUNCILMEMBER COUCH: It's the hat.

COUNCILMEMBER COCHRAN: Okay, so, so I already started the reasoning behind why we want to pass this motion through. And, Director of Public Works felt obligated to install signage prohibiting parking where he had the authority to do so because of safety concerns, pending passage of the proposed bill. Signage was installed wherever marked travel lanes did not allow for park vehicles. The Department recommends passage of the bill to codify the Director's authority to install signage and allow for further signage as needed.

Also, the Traffic Safety Council expressed its support for the proposed bill at its meeting of January 4, 2012. I therefore respectfully ask for my fellow Councilmembers support of the recommendations. Thank you again, Chair.

CHAIR BAISA: Thank you. Is there further discussion? Seeing none, all those in favor say "aye".

AYES: COUNCILMEMBERS COCHRAN, COUCH,  
CRIVELLO, HOKAMA, VICTORINO, WHITE,  
VICE-CHAIR CARROLL, AND CHAIR BAISA.

CHAIR BAISA: Opposed "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER GUZMAN.

CHAIR BAISA: Motion carries; we mark it eight "ayes" and one Member "excused".

Mr. Clerk.

COUNTY CLERK: For the record BILL 60 (2013).

Madam Chair, proceeding with county communications.

### COUNTY COMMUNICATIONS

NO. 13-228 - ALAN M. ARAKAWA, MAYOR,  
(dated July 22, 2013)

Informing of a vacancy on the Maui County Arborist Committee due to the resignation of Joseph Kanahuna on July 18, 2013.

CHAIR BAISA: Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Chair. With the Members agreement and no objections, I would ask the Clerk to bring up all communications up to and including 13-232.

CHAIR BAISA: Members, any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR BAISA: So ordered.

Mr. Clerk, if you'd call those up please.



NO. 13-229 - ALAN M. ARAKAWA, MAYOR,  
(dated July 22, 2013)

Informing of a vacancy on the Maui County Cultural Resources Commission due to the resignation of Rhiannon R.T. Chandler on July 22, 2013.

NO. 13-230 - ALAN M. ARAKAWA, MAYOR,  
(dated July 24, 2013)

Informing of a vacancy on the Urban Design Review Board due to the resignation of Andrew Carson on July 23, 2013.

NO. 13-231 - ALAN M. ARAKAWA, MAYOR,  
(dated July 23, 2013)

Informing of the appointment of Cynthia Santiago (replacing Dennyse Grace) to the Committee on the Status of Women.

NO. 13-232 - ALAN M. ARAKAWA, MAYOR,  
(dated July 24, 2013)

Informing of the appointment of Gerald Yoza (replacing Joseph Kanahuna) to the Maui County Arborist Committee.

CHAIR BAISA: Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Chair.

I MOVE THAT COUNTY COMMUNICATIONS 13-228 UP TO  
AND INCLUDING 13-232, BE FILED.

COUNCILMEMBER COUCH:

SECOND.

CHAIR BAISA: We have a motion by Mr. Hokama, seconded by Mr. Couch.

Mr. Hokama.

COUNCILMEMBER HOKAMA: No further discussion, Chair.

CHAIR BAISA: Members, any further discussion? Seeing none, all those in favor say "aye".

AYES: COUNCILMEMBERS COCHRAN, COUCH,  
CRIVELLO, HOKAMA, VICTORINO, WHITE,  
VICE-CHAIR CARROLL, AND CHAIR BAISA.

CHAIR BAISA: Opposed "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER GUZMAN.

CHAIR BAISA: Motion carries with eight "ayes" and one Member "excused".

Mr. Clerk.

NO. 13-233 - DAVID TAYLOR, DIRECTOR OF WATER SUPPLY,  
(dated July 17, 2013)

Transmitting copies of the water use reports for April through May 2013.

CHAIR BAISA: Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Madam Chair.

I MOVE TO FILE COUNTY COMMUNICATION 13-233.

COUNCILMEMBER WHITE:

SECOND THE MOTION, MADAM CHAIR.

CHAIR BAISA: We have a motion by Mr. Victorino, seconded by Mr. White.

Mr. Victorino.

COUNCILMEMBER VICTORINO: No discussion.

CHAIR BAISA: Members, any discussion? Seeing none, all those in favor say "aye".

AYES: COUNCILMEMBERS COCHRAN, COUCH,  
CRIVELLO, HOKAMA, VICTORINO, WHITE,  
VICE-CHAIR CARROLL, AND CHAIR BAISA.

CHAIR BAISA: Opposed "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER GUZMAN.

CHAIR BAISA: Motion carries with eight "ayes" and one Member "excused".

Mr. Clerk.

NO. 13-234 - MICHAEL P. VICTORINO, COUNCILMEMBER,  
(dated July 25, 2013)

Relating to Council Members' reports on the Hawaii State Association of Counties Executive Committee meeting held on July 26, 2013.

CHAIR BAISA: Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Madam Chair.

Madam Chair, Maui hosted the executive, the HSAC's Executive Committee meeting that was held on July 26, 2013. Members such as yourself Chair Baisa, Don Couch, and I attended the Hawaii State Association of Counties Executive Board Meeting on July 26, 2013, held here on the seventh floor.

I am making my report in pursuance to the State Sunshine Law, specifically Section 92-2.5 of the Hawaii State, Hawaii Revised Statutes as amended in 2012 by Act 177.

A quorum of the Council was not present at the meeting. The HSAC Executive Committee meeting was not specifically and exclusively organized or, for or directed towards Members of the Council, but was the regular monthly meeting of the Executive Committee.

The meeting was open to the public. No comments relating to the vote on any of the Council business was made or sought at at the meeting.

Madam Chair, basically, I want to thank you and your staff along with my staff for organizing the meeting and assisting in the refreshments and food that was served afterwards. I thought it was a very good meeting.

Our Mayor and yourself came and explained our legislative aspects and package that we want to bring forward, our legislative, I don't know what you, I haven't, we haven't figured out a word for that one yet; analyst or assistant, or whatever it might be. Anyhow, thank you very much, Madam Chair and, and, and, and those who were in attendance, the staff that made it possible.

AND, WITH NO OBJECTIONS, MADAM CHAIR, I MOVE TO  
FILE COUNTY COMMUNICATION 13-234.

COUNCILMEMBER COUCH:

SECOND.

CHAIR BAISA: We have a motion by Mr. Victorino, seconded by Mr. Couch.

Further discussions? Any Members?

Chair would like to take the opportunity to thank everybody for their help, particularly the staff who worked so hard in getting everything together for us to have a enjoyable and worthwhile meeting.

Seeing none, no further discussion, all those in favor say "aye".

AYES: COUNCILMEMBERS COCHRAN, COUCH,  
CRIVELLO, HOKAMA, VICTORINO, WHITE,  
VICE-CHAIR CARROLL, AND CHAIR BAISA.

CHAIR BAISA: Opposed "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER GUZMAN.

CHAIR BAISA: Motion carries with eight "ayes" and one Member "excused".

Mr. Clerk.

COUNTY CLERK: Madam Chair, proceeding with communications for referral. The following county communications are recommended for referral to the following Committees as noted:

NO. 13-235 - SANANDA K. BAZ, BUDGET DIRECTOR,  
(dated July 26, 2013)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2014 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX A, PART I, GRANT REVENUE – SCHEDULE OF GRANTS BY DEPARTMENTS AND PROGRAMS, DEPARTMENT OF HOUSING AND HUMAN CONCERNS (CONGREGATE MEALS AND HOME DELIVERED MEALS PROGRAMS)".

The recommended action is that County Communication No. 13-235 be referred to the Budget and Finance Committee.

NO. 13-236 - SANANDA K. BAZ, BUDGET DIRECTOR,  
(dated July 26, 2013)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2014 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF FINANCE, COUNTYWIDE COSTS, GENERAL COSTS; TOTAL OPERATING APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)" along with the "CERTIFICATION OF ADDITIONAL REVENUES FOR FISCAL YEAR 2014" and a report from the Director of Finance.

The recommended action is that County Communication No. 13-236 be referred to the Budget and Finance Committee.

NO. 13-237 - DAVID C. GOODE, DIRECTOR OF PUBLIC WORKS,  
(dated July 15, 2013)

Transmitting a proposed resolution entitled "ACCEPTING DEDICATION OF A ROAD WIDENING LOT FOR THE D.T. HILL SUBDIVISION, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE".

The recommended action is that County Communication No. 13-237 be referred to the Infrastructure and Environmental Management Committee.

NO. 13-238 - G. RIKI HOKAMA, COUNCIL MEMBER,  
(dated July 24, 2013)

Transmitting a document from Cain & Herren A Law Corporation, relating to a request for an investigation into subdivision deferral agreements.

The recommended action is that County Communication No. 13-238 be referred to the Policy and Intergovernmental Affairs Committee.

NO. 13-239 - GLADYS C. BAISA, COUNCIL CHAIR,  
(dated July 24, 2013)

Transmitting a letter from Lynn P. McCrory, Pulama Lana`i, requesting to be allowed to do a presentation on the proposed Desalination Facility for the Island of Lana`i.

The recommended action is that County Communication No. 13-239 be referred to the Water Resources Committee.

NO. 13-240 - MICHAEL P. VICTORINO, COUNCILMEMBER,  
(dated July 26, 2013)

Relating to enactment of a water conservation plan.

The recommended action is that County Communication No. 13-240 be referred to the Water Resources Committee.

CHAIR BAISA: Members, you've heard the referrals as read by the Chair. Are there any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR BAISA: Seeing none, so ordered.

Mr. Clerk.

COUNTY CLERK: Madam Chair, there is no further business before the Council.

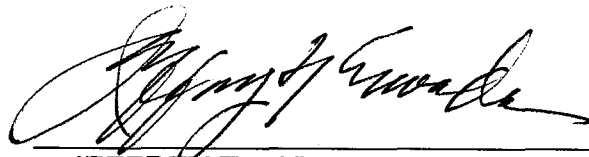
CHAIR BAISA: Members, there is no further business to come before the Council. We've done a great job of getting through our business this morning and some wonderful special recognitions.

Chair would like to thank everyone who helped put the meeting together. Thank you for being here today. And thank the staff and Corp. Counsel for being, our Deputy Corp. Counsel for being here with us today. It's nice to have you once in a while.

And, we have no further business, Members. So, without that, this meeting is adjourned.

## ADJOURNMENT

The regular meeting of August 2, 2013 was adjourned by the Chair at 9:49 a.m.



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JEFFREY T. KUWADA, COUNTY CLERK  
COUNTY OF MAUI, STATE OF HAWAII