

COUNCIL OF THE COUNTY OF MAUI

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A G E N D A

Regular Meeting of November 15, 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

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 An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify.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 STACY CRIVELLO
 - C. PLEDGE OF ALLEGIANCE
 - D. TESTIMONY ON CEREMONIAL RESOLUTIONS

E. CEREMONIAL RESOLUTIONS:

NO. _____ - "CONGRATULATING WAIOLA CHURCH ON ITS 190TH ANNIVERSARY"

NO. _____ - "CONGRATULATING SHANE VICTORINO OF THE BOSTON RED SOX FOR WINNING THE 2013 MAJOR LEAGUE BASEBALL WORLD SERIES"

F. PRESENTATION OF WRITTEN OR ORAL TESTIMONYG. MINUTES:

Regular Meeting of September 20, 2013

H. COMMITTEE REPORTS:

NO. 13-147 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to amend the Fiscal Year 2014 Budget by adding a \$14,800 appropriation to the Department of Fire and Public Safety for the Monsanto Grant Program; and
2. **FILING** of communication.

NO. 13-148 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to amend the Fiscal Year 2014 Budget, relating to the Affordable Housing Fund, by revising the proviso for the Family Life Center, Inc. - FLC Lower Main Street Project, to clarify the appropriation may be used for renovation as well as acquisition of the apartment complex on Lower Main Street, Wailuku; and
2. **FILING** of communication.

NO. 13-149 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to amend the Fiscal Year 2014 Budget as it pertains to the Department of Housing and Human Concerns, by increasing the Care Transition Program grant appropriation by \$94,394, from \$175,000 to \$269,394; and
2. **FILING** of communication.

H. COMMITTEE REPORTS (continued):

NO. 13-150 - BUDGET AND FINANCE COMMITTEE:

Recommending **ADOPTION** of resolution to authorize the Council Chair to contract for a new independent appraisal of approximately 186 acres at Launiupoko, Maui, Hawaii.

NO. 13-151 - PLANNING COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill amending Chapter 19.22, Maui County Code, relating to B-R Resort Commercial District, by establishing accessory uses, special uses, and development standards; and
2. **FILING** of communication.

NO. 13-152 - PLANNING COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill amending Section 19.04.040, Maui County Code ("MCC"), and Chapter 19.18, MCC, relating to B-2 Community Business District, by amending certain definitions in Title 19 and establishing standards for accessory uses and transient vacation rentals; and
2. **FILING** of communication.

I. COMMUNICATIONS:

1. COUNTY COMMUNICATIONS:

NO. 13-352 - EMERGENCY MANAGEMENT OFFICER, transmitting a copy of a grant award letter from the Department of Defense, State of Hawaii, for the Fiscal Year 2013 State Homeland Security Grant Program.

NO. 13-353 - DIRECTOR OF FINANCE, transmitting 55 contracts/grants for September 2013.

NO. 13-354 - MAYOR, informing of a vacancy on the Council on Aging due to the resignation of James Jackson.

NO. 13-355 - DIRECTOR OF WATER SUPPLY, transmitting copies of the Department of Water Supply's Monthly Source Report and Groundwater Use Report for the month ending October 2013.

1. COUNTY COMMUNICATIONS (continued):

- NO. 13-356 - CHAIR, PLANNING COMMITTEE, transmitting General Communication 13-4, from Clayton Nishikawa, Kula Ridge LLC, relating to the Kula Ridge Affordable Housing Subdivision Project, in accordance with Modification 13 of Resolution 10-57.
- NO. 13-357 - BUDGET DIRECTOR, transmitting the Budget Implementation Report for Fiscal Year 2014, First Quarter ending September 30, 2013.
- NO. 13-358 - COUNCILMEMBER VICTORINO, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE TO REPEAL SUBSECTIONS 3.48.810(C) AND 3.48.810(F), MAUI COUNTY CODE, RELATING TO CIRCUIT BREAKER TAX CREDIT".
- NO. 13-359 - BUDGET DIRECTOR, 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 PARKS AND RECREATION, AQUATICS PROGRAM; TOTAL OPERATING APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)" along with the "CERTIFICATION OF ADDITIONAL REVENUES FOR FISCAL YEAR 2014".
- NO. 13-360 - BUDGET DIRECTOR, 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; WEST MAUI COMMUNITY PLAN AREA, PARKS AND RECREATION, LAHAINA RECREATION CENTER BALLFIELD LIGHTS; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)".
- NO. 13-361 - BUDGET DIRECTOR, 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; WEST MAUI COMMUNITY PLAN AREA, PARKS AND RECREATION, LAHAINA CIVIC CENTER TENNIS COMPLEX; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)".

1. COUNTY COMMUNICATIONS (continued):

NO. 13-362 - BUDGET DIRECTOR, 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; HANA COMMUNITY PLAN AREA, PARKS AND RECREATION, HANA BALLFIELD; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)" along with the "CERTIFICATION OF ADDITIONAL REVENUES FOR FISCAL YEAR 2014".

NO. 13-363 - COUNCIL CHAIR BAISA, transmitting correspondence from John Blumer-Buell and William D. Tavares, Co-Chairmen, Committee for More Equitable Taxation, relating to the circuit breaker tax credit.

2. GENERAL COMMUNICATIONS:

NONE.

J. RESOLUTIONS:

NONE.

K. ORDINANCES - SECOND AND FINAL READING:

BILL NO. 84 (2013) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2014 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; WAILUKU-KAHULUI COMMUNITY PLAN AREA, GOVERNMENT FACILITIES, KALANA O MAUI CAMPUS EXPANSION DESIGN OF PHASE 1A; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)"

BILL NO. 85 (2013) - "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4041, BILL NO. 40 (2013), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI (KALANA O MAUI CAMPUS EXPANSION DESIGN OF PHASE 1A)"

BILL NO. 86 (2013) - "A BILL FOR AN ORDINANCE AMENDING CHAPTER 6.04, MAUI COUNTY CODE, RELATING TO ANIMAL CONTROL"

K. ORDINANCES - SECOND AND FINAL READING (continued):

BILL NO. 87 (2013) - "A BILL FOR AN ORDINANCE GRANTING AMY WISTHOFF-MARTIN AND DAN MARTIN A CONDITIONAL PERMIT TO HOST AND CONDUCT WEDDINGS AT AN APPROVED BED AND BREAKFAST WITHIN THE COUNTY AGRICULTURAL DISTRICT FOR PROPERTY LOCATED AT TAX MAP KEY: (2) 4-7-009:058, 138 AWAIKU STREET, LAHAINA, MAUI, HAWAII"

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.