

COUNCIL OF THE COUNTY OF MAUI

RECEIVED

2013 DEC 13 PM 2: 23

A G E N D A

OFFICE OF THE
COUNTY CLERK

Regular Meeting of December 20, 2013
9:00 a.m.

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 An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify.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

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

D. TESTIMONY ON CEREMONIAL RESOLUTIONS

E. CEREMONIAL RESOLUTIONS:

NO. _____ - "CONGRATULATING MAUI HIGH SCHOOL'S MARCHING BAND AND COLOR GUARD FOR CAPTURING THE SWEEPSTAKES AWARD IN THE AAA DIVISION OF THE 17TH ANNUAL MILILANI HIGH SCHOOL TROJAN BANDFEST"

F. PRESENTATION OF WRITTEN OR ORAL TESTIMONY

G. MINUTES:

NONE.

H. COMMITTEE REPORTS:

NO. 13-162 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution to approve the cost items for Bargaining Unit 13, Professional and Scientific Employees represented by the Hawaii Government Employees Association, for Fiscal Years 2014, 2015, 2016, and 2017;
2. **ADOPTION** of resolution to approve the cost items for Professional and Scientific Employees excluded from Bargaining Unit 13, represented by the Hawaii Government Employees Association, for Fiscal Years 2014, 2015, 2016, and 2017; and
3. **FILING** of communications.

NO. 13-163 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to amend the Fiscal Year 2014 Budget by (1) increasing estimated revenues for Special Assessments, Park Assessment Fund, by \$33,000, from \$4,615,000 to \$4,648,000; and (2) increasing the appropriation for the Lahaina Recreation Center Ballfield Lights project, West Maui Community Plan Area, by \$33,000, from \$365,000 to \$398,000; and
2. **FILING** of communication.

H. COMMITTEE REPORTS (continued):

NO. 13-164 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to amend the Fiscal Year 2014 Budget by (1) increasing estimated revenues for Special Assessments, Park Assessment Fund, by \$335,000, from \$4,648,000 to \$4,983,000; and (2) adding a \$335,000 appropriation for the Lahaina Civic Center Tennis Complex, West Maui Community Plan Area; and
2. **FILING** of communication.

NO. 13-165 - PLANNING COMMITTEE:

Recommending **FILING** of communication relating to small wind energy systems.

NO. 13-166 - POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE:

Recommending **ADOPTION** of resolution approving the appointment of E. Gayle Long to the Cost of Government Commission, for a term expiring on March 31, 2018.

I. COMMUNICATIONS:

1. COUNTY COMMUNICATIONS:

NO. 13-388 - DIRECTOR OF WATER SUPPLY, transmitting copies of the Department of Water Supply's Monthly Source Report and Groundwater Use Report for the month ending November 2013.

NO. 13-389 - CHAIR, INFRASTRUCTURE AND ENVIRONMENTAL MANAGEMENT COMMITTEE, relating to County Communication No. 13-378, transmitting a proposed resolution entitled "APPROVING THE ACQUISITION OF REAL PROPERTY AT MAALAEA, ISLAND OF MAUI, HAWAII FOR THE HAUOLI STREET DRAINAGE IMPROVEMENTS PROJECT".

NO. 13-390 - COUNCILMEMBER COUCH, transmitting a proposed resolution entitled, "APPROVING A TIME EXTENSION FOR THE COUNCIL TO ENACT THE MAUI ISLAND PLAN IMPLEMENTATION PROGRAM".

1. COUNTY COMMUNICATIONS (continued):

- NO. 13-391 - MAYOR, transmitting the summary of cost items for Bargaining Unit 11, Fire Fighters, and the following proposed resolutions entitled:
1. "APPROVING COST ITEMS FOR BARGAINING UNIT 11, FIRE FIGHTERS" and
 2. "APPROVING COST ITEMS FOR EMPLOYEES EXCLUDED FROM BARGAINING UNIT 11, FIRE FIGHTERS".
- NO. 13-392 - COUNCILMEMBER VICTORINO, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.48, MAUI COUNTY CODE, RELATING TO REAL PROPERTY TAX EXEMPTIONS FOR WIND ENERGY CONVERSION".
- NO. 13-393 - CHAIR, BUDGET AND FINANCE COMMITTEE, transmitting a proposed resolution entitled "URGING THE DIRECTOR OF FINANCE TO NEGOTIATE FOR THE PURCHASE OF 70.506 ACRES AT LAUNIUPOKO, MAUI, HAWAII (TAX MAP KEYS (2) 4-7-001:030(POR.) AND (2) 4-7-001:026(POR.))"
- NO. 13-394 - 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 ENVIRONMENTAL MANAGEMENT, DEPARTMENT OF FINANCE, DEPARTMENT OF LIQUOR CONTROL, DEPARTMENT OF PUBLIC WORKS, AND DEPARTMENT OF WATER SUPPLY; TOTAL OPERATING APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)" along with the "CERTIFICATION OF ADDITIONAL REVENUES FOR FISCAL YEAR 2014".
- NO. 13-395 - BUDGET DIRECTOR, transmitting the following proposed bills entitled:
1. "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, SANITATION, CENTRAL MAUI LANDFILL WIND TURBINE; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS"; and
 2. "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 (CENTRAL MAUI LANDFILL WIND TURBINE)".

1. COUNTY COMMUNICATIONS (continued):

- NO. 13-396 - 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 ENVIRONMENTAL MANAGEMENT, SOLID WASTE OPERATIONS PROGRAM; DEPARTMENT OF FINANCE, COUNTYWIDE COSTS; TOTAL OPERATING APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)" along with the "CERTIFICATION OF ADDITIONAL REVENUES FOR FISCAL YEAR 2014".
- NO. 13-397 - 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 HOUSING AND HUMAN CONCERNS, HOUSING PROGRAM; TOTAL OPERATING APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)" along with the "CERTIFICATION OF ADDITIONAL REVENUES FOR FISCAL YEAR 2014".
- NO. 13-398 - DIRECTOR OF PARKS AND RECREATION, transmitting a proposed resolution entitled "AUTHORIZING ACCEPTANCE OF THE DONATION OF ONE (1) CUSTOM REPLACEMENT COVER FOR THE EXISTING TENT FRAME AT THE LAHAINA AQUATICS CENTER, INCLUDING ALL SALES TAX AND INSTALLATION FROM THE WILL SMITH FOUNDATION, TO THE DEPARTMENT OF PARKS AND RECREATION, COUNTY OF MAUI, PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE".
- NO. 13-399 - COUNCILMEMBER GUZMAN, relating to a new Kahului Community Center Facility.
- NO. 13-400 - DIRECTOR OF PUBLIC WORKS, transmitting a proposed resolution entitled "ACCEPTING DEDICATION OF A ROAD WIDENING LOT FOR THE CORYELL-HUGHES SUBDIVISION, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE".
- NO. 13-401 - PLANNING DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE ADOPTING THE MAUI ISLAND PLAN IMPLEMENTATION PROGRAM", and recommendations from the General Plan Advisory Committee's Investigative Review Committee, the Maui Planning Commission, and the Planning Director.

1. COUNTY COMMUNICATIONS (continued):

NO. 13-402 - PLANNING DIRECTOR, transmitting a summary of the Maui, Molokai, and Lanai Planning Commissions' comments to Resolution No. 13-66 entitled "REFERRING TO THE LANAI, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL AMENDING SECTION 19.510.040, MAUI COUNTY CODE, RELATING TO CHANGE OF ZONING PROTESTS", and minutes of the commissions.

NO. 13-403 - COUNCILMEMBER COUCH, transmitting a proposed resolution entitled "REFERRING TO THE LANAI, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL TO AMEND SECTIONS 19.12.020 AND 19.37.010, MAUI COUNTY CODE, PERTAINING TO TRANSIENT VACATION RENTALS IN THE APARTMENT DISTRICT".

2. GENERAL COMMUNICATIONS:

NONE.

J. RESOLUTIONS:

NONE.

K. ORDINANCES - SECOND AND FINAL READING:

BILL NO. 93 (2013) - "A BILL FOR AN ORDINANCE AMENDING SECTION 2.44.030, MAUI COUNTY CODE, RELATING TO BOND COVERAGES REQUIRED"

BILL NO. 94 (2013) - "A BILL FOR AN ORDINANCE GRANTING GRACE PACIFIC LLC A CONDITIONAL PERMIT TO REESTABLISH A HOT MIX ASPHALT PLANT OPERATION WITHIN THE COUNTY AGRICULTURAL DISTRICT FOR PROPERTY LOCATED AT TAX MAP KEY NUMBER (2) 5-2-011:030 (POR.), HOOLEHUA, MOLOKAI, HAWAII"

BILL NO. 95 (2013) - "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.48, MAUI COUNTY CODE, RELATING TO THE CIRCUIT BREAKER TAX CREDIT"

BILL NO. 96 (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 IA)"

L. UNFINISHED BUSINESS:COUNTY COMMUNICATIONS:

NO. 13-374 - COUNCIL VICE-CHAIR, relating to County Communication 13-202, transmitting the following:

1. 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, OTHER PROJECTS, WEST MAUI LAND ACQUISITION; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)";
2. A proposed bill entitled "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 (WEST MAUI LAND ACQUISITION)"; and
3. A proposed resolution entitled "APPROVING THE ACQUISITION OF REAL PROPERTIES AT LAUNIUPOKO, MAUI, HAWAII".

NO. 13-375 COUNCIL VICE-CHAIR, transmitting the following:

1. A revised 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, OTHER PROJECTS, WEST MAUI LAND ACQUISITION; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)";
2. A revised proposed bill entitled "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 (WEST MAUI LAND ACQUISITION)"; and
3. A revised proposed resolution entitled "APPROVING THE ACQUISITION OF APPROXIMATELY 186 ACRES IDENTIFIED AS TAX MAP KEY (2) 4-7-001:030 AND TAX MAP KEY (2) 4-7-001:026 (POR.), LAUNIUPOKO, MAUI, HAWAII".

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.