

COUNCIL OF THE COUNTY OF MAUI

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AGENDA

Regular Meeting of March 11, 2014
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 An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify.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 MICHAEL P. VICTORINO
 - C. PLEDGE OF ALLEGIANCE

D. TESTIMONY ON CEREMONIAL RESOLUTIONSE. CEREMONIAL RESOLUTIONS:

NO. _____ - "RECOGNIZING MARCH 2014 AS RED CROSS MONTH IN THE COUNTY OF MAUI"

F. PRESENTATION OF WRITTEN OR ORAL TESTIMONYG. MINUTES:

Regular Meeting of January 10, 2014
Regular Meeting of January 24, 2014
Regular Meeting of February 7, 2014

H. COMMITTEE REPORTS:

NO. 14-36 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution to authorize the Mayor to execute and file an application with the U.S. Department of Housing and Urban Development for a grant of \$1,615,114 under the Community Development Block Grant Program for the 2014 Program Year (Fiscal Year 2015); and
2. **FILING** of communication.

NO. 14-37 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution to transfer \$70,000 from the Council Services Program to the County Auditor Program within the Office of the County Council for additional expenses for the independent annual financial audit of the County of Maui for the Fiscal Year ended June 30, 2013; and
2. **FILING** of communication.

H. COMMITTEE REPORTS (continued):NO. 14-38 - ECONOMIC DEVELOPMENT, ENERGY, AGRICULTURE, AND RECREATION COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution to authorize the acceptance of a lease to the County of Maui from MSM Joint Venture, LLC, of property for use as part of the Kaunakakai Little League Ball Field in Kaunakakai, Molokai, Hawaii; and
2. **FILING** of communication.

NO. 14-39 - ECONOMIC DEVELOPMENT, ENERGY, AGRICULTURE, AND RECREATION COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution to authorize the County to accept a donation of a beach wheelchair valued at approximately \$2,509 from Tri-Isle Resource Conservation & Development Council, Inc., on behalf of Hoaloha `Aina: South Maui Volunteers, to the Department of Parks and Recreation to transport people with disabilities on the beach; and
2. **FILING** of communication.

NO. 14-40 - ECONOMIC DEVELOPMENT, ENERGY, AGRICULTURE, AND RECREATION COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to amend Chapter 3.81, Maui County Code, to establish procedures for the administration of the Economic Development Revolving Fund and require a nonrefundable application processing fee as set forth in the annual budget; and
2. **FILING** of communication.

NO. 14-41 - LAND USE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to extend and amend Ordinance 3492 (2007), a Conditional Permit to allow the continued operation of the West Maui Boys and Girls Club until October 8, 2047, on approximately 2.0 acres in the County Agricultural Zoning District at 280 Shaw Street, Lahaina, Maui, Hawaii; and
2. **FILING** of communication.

I. COMMUNICATIONS:

1. COUNTY COMMUNICATIONS:

- NO. 14-52 - COUNCIL CHAIR BAISA, transmitting a proposed resolution entitled "APPROVING THE APPOINTMENT OF RAYNETTE M. YAP AS A COMMITTEE SECRETARY IN THE OFFICE OF COUNCIL SERVICES".
- NO. 14-53 - COUNCIL CHAIR BAISA, transmitting a proposed resolution entitled "APPROVING THE APPOINTMENT OF SHARON BROOKS AS A LEGISLATIVE ATTORNEY IN THE OFFICE OF COUNCIL SERVICES".
- NO. 14-54 - COUNCIL CHAIR BAISA, transmitting a proposed resolution entitled "RESCHEDULING THE COUNCIL'S MAY 2 AND MAY 16, 2014 MEETINGS".
- NO. 14-55 - COUNCIL CHAIR BAISA, transmitting a proposed resolution entitled "APPROVING A TIME EXTENSION FOR THE COUNCIL TO ENACT THE MAUI ISLAND PLAN IMPLEMENTATION PROGRAM".
- NO. 14-56 - COUNTY AUDITOR, transmitting the County of Maui's Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended June 30, 2013.
- NO. 14-57 - COUNTY AUDITOR, transmitting the County of Maui's Single Audit Reports and the required Auditor's communications letter for the Fiscal Year Ended June 30, 2013.
- NO. 14-58 - COUNTY AUDITOR, transmitting the Department of Water Supply's Financial Statements and Supplemental Schedules for the Years Ended June 30, 2013 and 2012.
- NO. 14-59 - COUNCILMEMBER COUCH, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 13.04.044, MAUI COUNTY CODE, TO PROHIBIT CONSUMPTION OF ALCOHOL AT KAMAOLE BEACH PARK II".
- NO. 14-60 - COUNCILMEMBER GUZMAN, transmitting a proposed resolution entitled "URGING THE ADMINISTRATION TO ADOPT A UNIFIED DEFINITION OF AGRICULTURE AND A SINGLE PROCESS TO VERIFY A PROPERTY'S AGRICULTURAL USE".

1. COUNTY COMMUNICATIONS (continued):

- NO. 14-61 - DIRECTOR OF PUBLIC WORKS, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 10.28, MAUI COUNTY CODE, RELATING TO TRAFFIC-CONTROL DEVICES".
- NO. 14-62 - DIRECTOR OF PUBLIC WORKS, transmitting a proposed resolution entitled "APPROVING THE ACQUISITION OF REAL PROPERTY (PILI STREET) AT WAILUKU, ISLAND OF MAUI, HAWAII FOR THE WAILUKU MUNICIPAL PARKING LOT".
- NO. 14-63 - COUNCILMEMBER WHITE, transmitting a proposed resolution entitled "URGING THE COUNTY CLERK TO INCREASE THE NUMBER OF EARLY WALK-IN VOTING LOCATIONS".
- NO. 14-64 - DIRECTOR OF FINANCE, transmitting a proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL HAWKINS DELAFIELD & WOOD LLP, FOR THE COUNTY OF MAUI 2014 GENERAL OBLIGATION BOND ISSUANCE".
- NO. 14-65 - COUNCIL CHAIR BAISA, transmitting a proposed resolution entitled "APPROVING THE LOCATION AND BOUNDARIES OF A CEMETERY IN MAKAWAO, HAMAKUAPOKO, MAUI, HAWAII (MAKAWAO CEMETERY)".
- NO. 14-66 - DIRECTOR OF WATER SUPPLY, transmitting copies of water use reports for June - December 2013, received from Maui Land & Pineapple Company, Inc.

2. GENERAL COMMUNICATIONS:

NONE.

J. RESOLUTIONS:

NONE.

K. ORDINANCES - SECOND AND FINAL READING:

- BILL NO. 12 (2014) - "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, MOKUHINIA ECOSYSTEM RESTORATION PROJECT; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)"
- BILL NO. 13 (2014) - "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 (MOKUHINIA ECOSYSTEM RESTORATION PROJECT)"
- BILL NO. 14 (2014) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2014 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; COUNTYWIDE, OTHER PROJECTS, COUNTYWIDE EQUIPMENT; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)"
- BILL NO. 15 (2014) - "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 (COUNTYWIDE EQUIPMENT)"
- BILL NO. 16 (2014) - "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, TREASURY PROGRAM; TOTAL OPERATING APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)"
- BILL NO. 17 (2014) - "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 POLICE (PRIVATE CONTRIBUTION (HONUUA`ULA PARTNERS, LLC) FOR KIHEI POLICE STATION)"
- BILL NO. 18 (2014) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2014 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE DEPARTMENT OF WATER SUPPLY, ADMINISTRATION PROGRAM"

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

BILL NO. 19 (2014) - "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, CIVIL DEFENSE AGENCY (PORT SECURITY PROGRAM)"

L. UNFINISHED BUSINESS:

RESOLUTION:

NO. _____ - "APPOINTMENT OF A MEMBER TO THE LIQUOR CONTROL ADJUDICATION BOARD FOR THE COUNTY OF MAUI"

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.