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COUNCIL OF THE COUNTY OF MAUI

2014 JUL -1 PM 3: 08

A G E N D A

Regular Meeting of July 8, 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 An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify.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 STACY CRIVELLO
- C. PLEDGE OF ALLEGIANCE

D. TESTIMONY ON CEREMONIAL RESOLUTIONS

E. CEREMONIAL RESOLUTIONS:

NO. _____ - "CONGRATULATING MAUI COUNTY 2014 NA HOKU HANO HANO AWARD WINNERS"

F. PRESENTATION OF WRITTEN OR ORAL TESTIMONY

G. MINUTES:

NONE.

H. COMMITTEE REPORTS:

NO. 14-68 - BUDGET AND FINANCE COMMITTEE:

Recommending **FIRST READING** of bill amending Chapter 3.48, Maui County Code, to modify the eligibility criteria for the circuit breaker tax credit and to establish an appeals process for a homeowner who fails to qualify for the credit.

NO. 14-69 - ECONOMIC DEVELOPMENT, ENERGY, AGRICULTURE, AND RECREATION COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill amending Section 13.04.044, Maui County Code, prohibiting consumption of alcohol at Kamaole Beach Park II; and
2. **FILING** of communication.

NO. 14-70 - ECONOMIC DEVELOPMENT, ENERGY, AGRICULTURE, AND RECREATION COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution authorizing acceptance of a donation of a batting cage to the Department of Parks and Recreation, County of Maui, pursuant to Chapter 3.56, Maui County Code; and
2. **FILING** of communication.

H. COMMITTEE REPORTS (continued):

NO. 14-71 - INFRASTRUCTURE AND ENVIRONMENTAL MANAGEMENT COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution to accept "Lot 1-E" along Piiholo Road, consisting of 0.336 acre, for road-widening purposes, in compliance with the requirements of Subdivision File 2.3126, applicable to property identified as Tax Map Key (2) 2-4-013:040, Makawao, Maui, Hawaii; and
2. **FILING** of communication.

NO. 14-72 - INFRASTRUCTURE AND ENVIRONMENTAL MANAGEMENT COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution to accept "Lot B-3", consisting of 0.460 acre and comprising the portion of Haiku Road that passes through private property identified as Tax Map Keys (2) 2-7-010:047 and (2) 2-7-010:058, Haiku, Maui, Hawaii; and
2. **FILING** of communication.

NO. 14-73 - INFRASTRUCTURE AND ENVIRONMENTAL MANAGEMENT COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to establish a loading zone on Front Street, Lahaina, Maui, Hawaii, fronting King Kamehameha III Elementary School, as an "active" loading zone, for the immediate loading and unloading of passengers and to prohibit unattended vehicles in the loading zone; and
2. **FILING** of communication.

NO. 14-74 - INFRASTRUCTURE AND ENVIRONMENTAL MANAGEMENT COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to correct a misspelled road name, in Hana, Maui, Hawaii, by renaming "Waikoloa Road" to "Waikaloa Road"; and
2. **FILING** of communication.

NO. 14-75 - LAND USE COMMITTEE:

Recommending **ADOPTION** of resolution to refer to the Maui Planning Commission a proposed bill to change the zoning for a County owned parcel leased to Ka Lima O Maui, Ltd. from R-3 Residential District to P-1 Public/Quasi-Public District in Wailuku, Maui, Hawaii (TMK: (2) 3-8-046:016).

H. COMMITTEE REPORTS (continued):

NO. 14-76 - LAND USE COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution approving the location and boundaries of the Makawao Cemetery on approximately 7.454 acres, Makawao, Hamakuapoko, Maui (TMK: (2) 2-4-002:001), pursuant to Chapter 441, Hawaii Revised Statutes; and
2. **FILING** of communication.

NO. 14-77 - LAND USE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill granting a request for a Community Plan Amendment from Agriculture to Rural for property situated at 101 A, B, and C Kuau Place, Paia, Maui, Hawaii (TMK: (2) 2-6-009:024);
2. **FIRST READING** of bill granting a request for a Change in Zoning from Agricultural District to RU-0.5 Rural District for property situated at 101 A, B, and C Kuau Place, Paia, Maui, Hawaii (TMK: (2) 2-6-009:024); and
3. **FILING** of communication.

NO. 14-78 - PLANNING COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill amending Chapter 19.20, Maui County Code, relating to B-3 Central Business District, by establishing accessory uses, special uses, and development standards; and
2. **FILING** of communication.

NO. 14-79 - POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution recommending the removal of Autumn Arase from the Council on Aging because of attendance concerns, pursuant to Section 13-2(5) of the Revised Charter of the County of Maui (1983), as amended; and
2. **FILING** of communication.

I. COMMUNICATIONS:

1. COUNTY COMMUNICATIONS:

- NO. 14-168 - DIRECTOR OF PERSONNEL SERVICES, transmitting a report of the reclassification of positions that were transferred from one compensation plan to another for the calendar year 2013.
- NO. 14-169 - DIRECTOR OF FINANCE, reporting on transfers from the General Fund and Department of Water Supply Revenue Fund to the Bond Fund as of May 31, 2014.
- NO. 14-170 - CHIEF OF POLICE, informing of the receipt of \$33,204.60 in Forfeiture Funds from the U.S. Marshals Service.
- NO. 14-171 - COUNTY AUDITOR, transmitting the plan of audits proposed to be conducted during Fiscal Year 2015.
- NO. 14-172 - BUDGET DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2015 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX B, REVENUES – FEES, RATES, ASSESSMENTS AND TAXES, GENERAL FUND, CHARGES FOR CURRENT SERVICES, MAUI FAIR ALLIANCE".
- NO. 14-173 - COUNCILMEMBER GUZMAN, relating to the War Memorial Stadium Field Complex Improvement Project.
- NO. 14-174 - DIRECTOR OF ENVIRONMENTAL MANAGEMENT, transmitting a proposed resolution entitled "ACCEPTING DEDICATION OF SEWERLINE EASEMENT FOR THE LAHAINA NO. 4 FORCE MAIN REPLACEMENT PROJECT, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE".
- NO. 14-175 - COUNCILMEMBER GUZMAN, transmitting a proposed resolution entitled "REFERRING TO THE LANAI, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL TO ALLOW FAMILY CHILD CARE HOMES WITHIN THE AGRICULTURAL DISTRICT".
- NO. 14-176 - COUNCIL CHAIR BAISA, relating to the 2015 Hawaii State Association of Counties legislative proposals.

2. GENERAL COMMUNICATIONS:

NONE.

J. RESOLUTIONS - SECOND AND FINAL READING:

NO. 14-69 - "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO MAXIMUM AMOUNT OF PENALTIES"

NO. 14-70 - "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, TO CLARIFY THE DUTIES OF THE COST OF GOVERNMENT COMMISSION"

K. ORDINANCES - SECOND AND FINAL READING:

NONE.

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.