

COUNCIL OF THE COUNTY OF MAUI

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A G E N D A

Regular Meeting of October 17, 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 An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify.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 THE CENTRAL EAST MAUI LITTLE LEAGUE ALL-STARS FOR WINNING THE 2014 SENIOR LEAGUE STATE CHAMPIONSHIP AND ADVANCING TO THE SENIOR LEAGUE WORLD SERIES"

NO. _____ - "CONGRATULATING HĀLAU KEKUAOKALA'AU'ALA'ILIAHI FOR ITS ACHIEVEMENTS AT THE THIRTY-NINTH ANNUAL QUEEN LILI'UOKALANI KEIKI HULA COMPETITION"

F. PRESENTATION OF WRITTEN OR ORAL TESTIMONYG. MINUTES:

Regular Meeting of September 5, 2014
Regular Meeting of September 19, 2014

H. COMMITTEE REPORTS:

NO. 14-125 - ECONOMIC DEVELOPMENT, ENERGY, AGRICULTURE, AND RECREATION COMMITTEE:

Recommending **ADOPTION** of resolution referring to the Lanai, Maui, and Molokai Planning Commissions a proposed bill to allow for the creation of agricultural conservation lots.

NO. 14-126 - INFRASTRUCTURE AND ENVIRONMENTAL MANAGEMENT COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution to declare that Pili Street, identified by TMK: (2) 3-4-013:075, Wailuku, Maui, Hawaii, has been surrendered for public use and adopted as a County highway; and
2. **FILING** of communication.

NO. 14-127 - INFRASTRUCTURE AND ENVIRONMENTAL MANAGEMENT COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to prohibit sign waiving that creates a safety hazard within certain portions of any highway; and
2. **FILING** of communication.

With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee.

H. COMMITTEE REPORTS (continued):

NO. 14-128 - POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE:

Recommending **ADOPTION** of resolution approving the appointment of Christy Kajiwara-Gusman to the Maui County Cultural Resources Commission, for a term expiring on March 31, 2015.

I. COMMUNICATIONS:

1. COUNTY COMMUNICATIONS:

- NO. 14-251 - DIRECTOR OF FINANCE, transmitting 109 contracts/grants for August 2014.
- NO. 14-252 - DIRECTOR OF FINANCE, reporting on transfers from the General Fund and Department of Water Supply Revenue Fund to the Bond Fund as of August 31, 2014.
- NO. 14-253 - MAYOR, informing of a vacancy on the Public Works Commission due to the resignation of June Davis.
- NO. 14-254 - MAYOR, informing of a vacancy on the Public Works Commission due to the resignation of Alan Fernandez.
- NO. 14-255 - DIRECTOR OF WATER SUPPLY, transmitting copies of the Department of Water Supply's Monthly Source Report and Groundwater Use Report for the month ending September 2014.
- NO. 14-256 - DIRECTOR OF WATER SUPPLY, transmitting the Department of Water Supply water use report for August 2014, and copies of water use reports received from Hawaiian Commercial and Sugar Company and Wailuku Water Company for the same period.
- NO. 14-257 - COUNCIL CHAIR BAISA, transmitting a proposed resolution entitled "APPROVING FOR INCLUSION IN THE 2015 HAWAII STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE A STATE BILL RELATING TO COMMUNITY MEETINGS".
- NO. 14-258 - 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 A, PART I, GRANT REVENUE – SCHEDULE OF GRANTS BY DEPARTMENTS AND PROGRAMS, OFFICE OF THE MAYOR (INNOVATE HAWAII)".

1. COUNTY COMMUNICATIONS (continued):

- NO. 14-259 - DIRECTOR OF FINANCE, transmitting the Finance Director's Quarterly Report for Fiscal Year July 1, 2013 to June 30, 2014 as of June 30, 2014 and the Capital Improvement Project Report as of June 30, 2014.
- NO. 14-260 - DIRECTOR OF HOUSING AND HUMAN CONCERNS, relating to the Maui County Council line item grant process.
- NO. 14-261 - DIRECTOR OF PUBLIC WORKS, transmitting a proposed resolution entitled "AUTHORIZING THE ACCEPTANCE OF BIKEWAY EASEMENTS IN PAIA, MAUI, HAWAII".
- NO. 14-262 - PLANNING DIRECTOR, relating to an application submitted by CMBY 2011 Investment, LLC, transmitting copies of documents and two proposed bills entitled:
1. "A BILL FOR AN ORDINANCE TO AMEND THE KIHEI-MAKENA COMMUNITY PLAN AND LAND USE MAP FROM AGRICULTURE TO HEAVY INDUSTRIAL FOR PROPERTY SITUATED AT PULEHUNUI, DISTRICT OF WAILUKU, MAUI, HAWAII, TAX MAP KEY NUMBER (2) 3-8-008:019, FOR THE PROPOSED PUUNENE HEAVY INDUSTRIAL SUBDIVISION"; and
 2. "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO M-3 RESTRICTED INDUSTRIAL DISTRICT (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT PULEHUNUI, DISTRICT OF WAILUKU, MAUI, HAWAII, TAX MAP KEY NUMBER (2) 3-8-008:019".
- NO. 14-263 - COUNCILMEMBER COUCH, relating to rulings of the State of Hawaii Office of Information Practices.
- NO. 14-264 - COUNCILMEMBER VICTORINO, relating to Water Availability Policy reporting requirements.

2. GENERAL COMMUNICATIONS:

NONE.

J. RESOLUTIONS:

NONE.

K. ORDINANCES - SECOND AND FINAL READING:

BILL NO. 70 (2014) - "A BILL FOR AN ORDINANCE AMENDING SECTION 10.44.040, MAUI COUNTY CODE, RELATING TO STOP REQUIRED-THROUGH STREET INTERSECTING NON-THROUGH STREET"

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.