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COUNCIL OF THE COUNTY OF MAUI

2014 NOV 28 PM 2:30

A G E N D A

Regular Meeting of December 5, 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 An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify.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.

A. ROLL CALL

B. OPENING REMARKS: COUNCILMEMBER DONALD G. COUCH JR.

C. PLEDGE OF ALLEGIANCE

D. TESTIMONY ON CEREMONIAL RESOLUTIONSE. CEREMONIAL RESOLUTIONS:

NONE.

F. PRESENTATION OF WRITTEN OR ORAL TESTIMONYG. MINUTES:

Regular Meeting of October 17, 2014

H. COMMITTEE REPORTS:

NO. 14-148 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to amend the Fiscal Year ("FY") 2015 Budget by (1) increasing the Bond/Lapsed Bond Fund by \$1,381,750; and (2) adding a \$1,381,750 appropriation from the Bond Fund for the Makawao-Pukalani-Kula Community Plan Area, Road Improvements, for the Old Haleakala Highway and Makani Road Pavement Rehabilitation project;
2. **FIRST READING** of bill to amend the FY 2015 general obligation bond authorization ordinance by adding a \$1,381,750 appropriation for the Makawao-Pukalani-Kula Community Plan Area, Road Improvements, for the Old Haleakala Highway and Makani Road Pavement Rehabilitation project;
3. **FIRST READING** of bill to amend Appendix A of the FY 2015 Budget by increasing the appropriation for the Department of Public Works, Federal Highway Administration/Intermodal Surface Transportation Efficiency Act (ISTEA) Highway and other Transportation Grants by \$3,527,000; and
4. **FILING** of communication.

H. COMMITTEE REPORTS (continued):NO. 14-149 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to amend the Fiscal Year ("FY") 2015 Budget by (1) increasing the Bond/Lapsed Bond Fund by \$1,562,000; and (2) increasing the Bond Fund appropriation by \$1,562,000, for the Kihei-Makena Community Plan Area, Road Improvements, for the Wailea Alanui Drive and Wailea Ike Drive Pavement Rehabilitation project;
2. **FIRST READING** of bill to amend the FY 2015 general obligation bond authorization ordinance by increasing the appropriation by \$1,562,000, for the Kihei-Makena Community Plan Area, Road Improvements, for the Wailea Alanui Drive and Wailea Ike Drive Pavement Rehabilitation project;
3. **FIRST READING** of bill to amend Appendix A of the FY 2015 Budget by increasing the appropriation for the Department of Public Works, Federal Highway Administration/Intermodal Surface Transportation Efficiency Act (ISTEA) Highway and other Transportation Grants by \$4,248,000; and
4. **FILING** of communication.

NO. 14-150 - HOUSING, HUMAN SERVICES, AND TRANSPORTATION COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill amending Chapter 2.96, Maui County Code, relating to the Residential Workforce Housing Policy, and amending Chapter 3.35, Maui County Code, relating to the Affordable Housing Fund; and
2. **FILING** of communication.

NO. 14-151 - PLANNING COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill amending Section 2.80B.030, Maui County Code, to clarify how the General Plan – composed of the Countywide Policy Plan, Maui Island Plan, and community plans – is applied to ministerial actions and the processing of ministerial permits;
2. **FIRST READING** of bill amending Chapter 2.80B, Maui County Code, to establish that public hearings on nondecennial amendments to the Maui Island Plan need only be held on the island of Maui; and
3. **FILING** of communication.

H. COMMITTEE REPORTS (continued):

NO. 14-152 - WATER RESOURCES COMMITTEE:

Recommending **FILING** of communication relating to the matter of Waikamoi Flume Renovations.

NO. 14-153 - WATER RESOURCES COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to implement a water conservation and water shortage policy that supports the preservation of potable water and regulation of unrestricted water use for nonessential needs during times of water shortage; and
2. **FILING** of Bill 13 (2013).

I. COMMUNICATIONS:

1. COUNTY COMMUNICATIONS:

NO. 14-286 - DIRECTOR OF FINANCE, transmitting 77 contracts/grants for September 2014.

NO. 14-287 - DIRECTOR OF FINANCE, reporting on transfers from the General Fund and Department of Water Supply Revenue Fund to the Bond Fund as of October 31, 2014.

NO. 14-288 - MAYOR, informing of a vacancy on the Affirmative Action Advisory Council due to the passing of Dorothy Buck.

NO. 14-289 - DIRECTOR OF WATER SUPPLY, transmitting the Department of Water Supply water use report for September 2014, copies of water use reports received from Hawaiian Commercial and Sugar Company and Wailuku Water Company for the same period, and East Maui Irrigation Company's 2013 annual ground water use report.

NO. 14-290 - CHAIR, POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE, transmitting the following proposed resolutions entitled:

1. "APPOINTMENT OF A MEMBER TO THE PUBLIC WORKS COMMISSION" (Flordeline Vila); and
2. "APPOINTMENT OF A MEMBER TO THE PUBLIC WORKS COMMISSION" (Cynthia Santiago).

1. COUNTY COMMUNICATIONS (continued):

- NO. 14-291 - DIRECTOR OF FINANCE, transmitting the Finance Director's Quarterly Report for Fiscal Year July 1, 2014 to June 30, 2015 as of September 30, 2014 and the Capital Improvement Project Report as of September 30, 2014.
- NO. 14-292 - ECONOMIC DEVELOPMENT DIRECTOR, transmitting a proposed resolution entitled "AUTHORIZING A GRANT OF A LICENSE OF COUNTY REAL PROPERTY FOR THE INSTALLATION, OPERATION, AND MAINTENANCE OF ELECTRIC VEHICLE QUICK CHARGERS AND LOCAL BATTERY UNITS".
- NO. 14-293 - DIRECTOR OF PUBLIC WORKS, transmitting a proposed resolution entitled "AUTHORIZING THE GRANTING OF NON-EXCLUSIVE EASEMENTS FOR PRIVATE WATERLINE PURPOSES TO HALEAKALA RANCH COMPANY, KAONOULU RANCH LLLP, AND MAUI LAND & PINEAPPLE COMPANY INC.".
- NO. 14-294 - COUNCILMEMBER HOKAMA, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.20, MAUI COUNTY CODE, TO REQUIRE COUNCIL APPROVAL OF INTERGOVERNMENTAL AGREEMENTS".

2. GENERAL COMMUNICATIONS:

NONE.

J. RESOLUTIONS:

NONE.

K. ORDINANCES - SECOND AND FINAL READING:

- BILL NO. 73 (2014) - "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.48, MAUI COUNTY CODE, TO CLASSIFY REAL PROPERTY USED AS SHORT-TERM RENTAL HOMES AS "COMMERCIAL" FOR TAX VALUATION PURPOSES"
- BILL NO. 74 (2014) - "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.48, MAUI COUNTY CODE, TO EXPAND THE AVAILABLE REAL PROPERTY USE CLASSIFICATIONS FOR UNITS IN PLANNED DEVELOPMENTS WHERE TRANSIENT VACATION RENTALS ARE ALLOWED"

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

BILL NO. 75 (2014) - "A BILL FOR AN ORDINANCE AMENDING SECTIONS 19.12.020, 19.32.040, AND 19.37.010, MAUI COUNTY CODE, RELATING TO TRANSIENT VACATION RENTALS IN THE APARTMENT DISTRICT"

BILL NO. 76 (2014) - "A BILL FOR AN ORDINANCE AMENDING TITLE 19, MAUI COUNTY CODE, RELATING TO HOME BUSINESSES"

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.