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COUNCIL OF THE COUNTY OF MAUI

2015 FEB 11 PM 4: 07

**A G E N D A**

Regular Meeting of February 18, 2015  
1:30 p.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](mailto:county.clerk@mauicounty.us)

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ORAL OR WRITTEN TESTIMONY

ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted. Each testifier may be allowed to speak for three minutes on each item. If additional time is requested, the testifier may 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 An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify.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 ROBERT CARROLL

C. PLEDGE OF ALLEGIANCE

D. TESTIMONY ON CEREMONIAL RESOLUTIONSE. CEREMONIAL RESOLUTIONS:

NONE.

F. PRESENTATION OF WRITTEN OR ORAL TESTIMONYG. MINUTES:

Organizational Meeting of January 2, 2015  
Regular Meeting of January 16, 2015

H. COMMITTEE REPORTS:NO. 15-9 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to amend the Fiscal Year 2015 Budget by adding a \$1,000 appropriation for the Department of Housing and Human Concerns, to enable the County to receive a donation from the Banfield Charitable Trust for the Kaunoa Senior Services Meals on Wheels Program; and
2. **FILING** of communication.

NO. 15-10 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to amend the Fiscal Year 2015 Budget by adding an \$89,000 appropriation for the Department of Police, to enable the County to receive a grant from the State of Hawaii, Office of Youth Services, for the KALO Program, a cultural program for at-risk youths on Maui; and
2. **FILING** of communication.

NO. 15-11 - HOUSING, HUMAN SERVICES, AND TRANSPORTATION COMMITTEE:

Recommending **FILING** of communication relating to a grant of a license to Tri-Isle Resource Conservation and Development Council, Inc., for the use of the Pioneer Mill Office Building, 380 Lahainaluna Road, Lahaina, Maui, Hawaii.

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H. COMMITTEE REPORTS (continued):

NO. 15-12 - INFRASTRUCTURE AND ENVIRONMENTAL MANAGEMENT COMMITTEE:

Recommending **ADOPTION** of resolution recognizing the importance of saving, protecting, and enhancing the reef ecosystems of Maui County for their cultural, ecological, subsistence, and economic benefits.

NO. 15-13 - POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill authorizing the Mayor to enter into an intergovernmental agreement with the Honolulu Board of Water Supply to continue to provide services relating to the billing of water service charges for County of Maui customers through September 30, 2024; 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.*

NO. 15-14 - POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution approving the appointment of John D. Kim as the Prosecuting Attorney;
2. **FILING** of correspondence dated January 16, 2015, from the Department of the Corporation Counsel, transmitting a resolution disapproving the appointment of John D. Kim as the Prosecuting Attorney; and
3. **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; and Section 92-5(a)(2), Hawaii Revised Statutes, to consider the hire, evaluation, dismissal, or discipline of an officer or employee or of charges brought against the officer or employee, where consideration of matters affecting privacy will be involved; provided that if the individual concerned requests an open meeting, an open meeting shall be held.*

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I. COMMUNICATIONS:

1. COUNTY COMMUNICATIONS:

- NO. 15-52 - MAYOR, informing of the appointment of Ana Sorote and Ellie Marshman Castillo to the Committee on the Status of Women.
- NO. 15-53 - MAYOR, informing of the appointment of William Myrter, Jackie Brainard, and Casey Foster to the Maui County Arborist Committee.
- NO. 15-54 - MAYOR, informing of a vacancy on the Affirmative Action Advisory Council due to the resignation of Michael Kawagishi.
- NO. 15-55 - DIRECTOR OF WATER SUPPLY, transmitting copies of the Department of Water Supply water use reports for November and December 2014 and copies of water use reports received from Hawaiian Commercial and Sugar Company and Wailuku Water Company for the same period.
- NO. 15-56 - DIRECTOR OF WATER SUPPLY, transmitting the Department of Water Supply's Monthly Source Report and Groundwater Use Report for the month ending January 2015.
- NO. 15-57 - BUDGET DIRECTOR, transmitting the following proposed bills entitled:
1. "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2015 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF FINANCE, COUNTYWIDE COSTS; TOTAL OPERATING APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)"; and
  2. "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2015 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES – SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2015, POST-EMPLOYMENT OBLIGATIONS FUND".
- NO. 15-58 - BUDGET DIRECTOR, transmitting the Budget Implementation Report as of December 31, 2014 (Fiscal Year 2015 Second Quarter).

1. COUNTY COMMUNICATIONS (continued):

- NO. 15-59 - 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 ESTIMATED REVENUES; WAILUKU-KAHULUI COMMUNITY PLAN AREA, OTHER PROJECTS, WAILUKU UNION CHURCH/COUNTY ADDITIONAL PARKING LOT; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS).
- NO. 15-60 - 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, DEPARTMENT OF PUBLIC WORKS (STATE OF HAWAII DEPARTMENT OF TRANSPORTATION – SAFE ROUTES TO SCHOOL PROGRAM SPECIAL FUND).
- NO. 15-61 - COUNCILMEMBER CRIVELLO, relating to paratransit services operated by Maui Economic Opportunity, Inc.
- NO. 15-62 - DIRECTOR OF PUBLIC WORKS, relating to roadway issue on Baldwin Avenue, Paia.
- NO. 15-63 - PLANNING DIRECTOR, transmitting an application submitted by the State of Hawaii, Department of Education, transmitting copies of documents and three proposed bill entitled:
1. "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO URBAN DISTRICT (CONDITIONAL BOUNDARY AMENDMENT) FOR PROPERTY SITUATED AT HO`OLEHUA, MOLOKA`I, HAWAI`I";
  2. "A BILL FOR AN ORDINANCE TO AMEND THE MOLOKAI COMMUNITY PLAN AND LAND USE MAP FROM AGRICULTURE TO PUBLIC/QUASI-PUBLIC FOR PROPERTY SITUATED AT HO`OLEHUA, MOLOKA`I, HAWAI`I, TAX MAP KEY NUMBER (2) 5-2-015:001 (POR)., FOR THE MOLOKA`I HIGH SCHOOL"; and
  3. "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM INTERIM DISTRICT TO PUBLIC/QUASI-PUBLIC DISTRICT FOR 18.009 ACRES, FROM AGRICULTURAL DISTRICT TO PUBLIC/QUASI-PUBLIC DISTRICT FOR 4.410 ACRES, AND INTERIM DISTRICT TO PUBLIC/QUASI-PUBLIC DISTRICT FOR 11.802 ACRES FOR PROPERTY SITUATED AT HO`OLEHUA, MOLOKA`I, HAWAI`I, FOR THE MOLOKA`I HIGH SCHOOL".

1. COUNTY COMMUNICATIONS (continued):

NO. 15-64 - PLANNING DIRECTOR, relating to an application submitted on behalf of Newport Hospital Corporation, transmitting copies of documents and three proposed bills entitled:

1. "A BILL FOR AN ORDINANCE TO AMEND THE WEST MAUI COMMUNITY PLAN AND LAND USE MAP FROM P-1 PUBLIC/QUASI-PUBLIC TO AGRICULTURAL FOR PROPERTY SITUATED AT LAHAINA, MAUI, HAWAII";
2. "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM URBAN TO AGRICULTURAL FOR PROPERTY SITUATED AT LAHAINA, MAUI, HAWAII"; and
3. "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM P-1 PUBLIC/QUASI-PUBLIC TO AGRICULTURAL DISTRICT FOR PROPERTY SITUATED AT LAHAINA, MAUI, HAWAII".

NO. 15-65 - PLANNING DIRECTOR, relating to an application submitted on behalf of Newport Hospital Corporation, transmitting copies of documents and four proposed bills entitled:

1. "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 2476 (1996), THE WEST MAUI COMMUNITY PLAN, RELATING TO THE PROJECT DISTRICT 3 (KAANAPALI-NORTH BEACH MAUKA) SITUATED AT HONOKOWAI, MAUI, HAWAII";
2. "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO URBAN FOR PROPERTY SITUATED AT HONOKOWAI, MAUI, HAWAII, FOR THE WEST MAUI HOSPITAL AND MEDICAL CENTER";
3. "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM R-3 RESIDENTIAL DISTRICT TO WEST MAUI PROJECT DISTRICT 3 (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT HONOKOWAI, MAUI, HAWAII FOR THE WEST MAUI HOSPITAL AND MEDICAL CENTER"; and
4. "A BILL FOR AN ORDINANCE ESTABLISHING PERMISSABLE LAND USES AND STANDARDS OF DEVELOPMENT FOR WEST MAUI PROJECT DISTRICT 3 (KAANAPALI-NORTH BEACH MAUKA) FOR APPROXIMATELY 14.99 ACRES FOR PROPERTY SITUATED AT HONOKOWAI, LAHAINA, MAUI, HAWAII FOR THE WEST MAUI HOSPITAL AND MEDICAL CENTER AND TO ALLOW THE PLANNING DIRECTOR TO APPROVE JOINT-USE PARKING IN ADDITIONAL CIRCUMSTANCES AND AMENDING THE DEFINITION FOR 'MINOR MEDICAL CENTER'".

1. COUNTY COMMUNICATIONS (continued):

NO. 15-66 - PLANNING DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.04, MAUI COUNTY CODE, RELATING TO GENERAL PROVISIONS AND DEFINITIONS".

NO. 15-67 - DIRECTOR OF HOUSING AND HUMAN CONCERNS, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION".

NO. 15-68 - COUNCILMEMBER HOKAMA, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 2.08.010, MAUI COUNTY CODE, RELATING TO THE OFFICE OF COUNCIL SERVICES".

NO. 15-69 - COUNTY AUDITOR, transmitting the Department of Water Supply Financial Statements and Supplemental Schedules for the Fiscal Years Ended June 30, 2014 and 2013, submitted by N&K CPAs, Inc.

2. GENERAL COMMUNICATIONS:

NO. 15-2 - KERRY WASANO AND ANN CUA, MAUI HIGH SCHOOL BAND, expressing appreciation for the Council's support for the Maui High School Band and Color Guard's performance at the 2015 Rose Parade.

J. RESOLUTIONS:

NONE.

K. ORDINANCES - SECOND AND FINAL READING:

BILL NO. 1 (2015) - "A BILL FOR AN ORDINANCE GRANTING HAWAIIAN CEMENT A CONDITIONAL PERMIT TO OPERATE A CONCRETE BATCHING PLANT WITHIN THE COUNTY R-3 RESIDENTIAL DISTRICT, TAX MAP KEY NUMBER (2) 4-4-002:039 (POR), HONOKOWAI, LAHAINA, MAUI, HAWAII"

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.