

# MINUTES

of the

## COUNCIL OF THE COUNTY OF MAUI

March, 6, 2015

THE REGULAR MEETING OF THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, WAS HELD IN THE COUNCIL CHAMBER, KALANA O MAUI BUILDING, WAILUKU, HAWAII, ON FRIDAY, MARCH 6, 2015, BEGINNING AT 9:01 A.M., WITH CHAIR MICHAEL B. WHITE PRESIDING.

CHAIR WHITE: This regular meeting of the Maui County Council will please come to order.

And, Mr. Clerk please call the roll.

### ROLL CALL

PRESENT: COUNCILMEMBERS GLADYS C. BAISA, ELEANORA COCHRAN, DONALD G. COUCH JR., S. STACY CRIVELLO, G. RIKI HOKAMA, MICHAEL P. VICTORINO, VICE-CHAIR DONALD S. GUZMAN, AND CHAIR MICHAEL B. WHITE.

EXCUSED: COUNCILMEMBER ROBERT CARROLL.

COUNTY CLERK DENNIS A. MATEO: Mr. Chair, we have eight Members present, one Member excused; quorum is present to conduct the business of the Council.

CHAIR WHITE: Thank you, Mr. Clerk.

And, this morning we have opening remarks by Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair.

### OPENING REMARKS

The opening remarks were offered by Councilmember Michael P. Victorino.

CHAIR WHITE: Thank you. Great remarks to start our meeting off with.

Members, will you please rise and recite the Pledge of Allegiance.

### PLEDGE OF ALLEGIANCE

The Members of the Council, and others in attendance, rose and recited the Pledge of Allegiance.

CHAIR WHITE: And, before we proceed with the agenda, if all of you could do what I just did a couple minutes ago, and please put your phones on the silent mode. And, with that, we'll proceed.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, no one has signed up to provide testimony on the ceremonial resolutions, both in the chamber and the District Offices. Shall we proceed with the ceremonial resolution?

CHAIR WHITE: Yes, please do so.

### CEREMONIAL RESOLUTIONS

RESOLUTION  
NO. 15-21

RECOGNIZING MARCH 2015 AS RED CROSS  
MONTH IN THE COUNTY OF MAUI

CHAIR WHITE: Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair.

ON YOUR BEHALF, I MOVE TO ADOPT THE PROPOSED  
RESOLUTION ENTITLED "RECOGNIZING THE MARCH 2015  
AS RED CROSS MONTH IN THE COUNTY OF MAUI".

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: We have a motion by Mr. Guzman with a second from Mr. Victorino.

Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair. May I please request the Clerk to read the resolution in its entirety?

CHAIR WHITE: Yes. Mr. Clerk.

*(The resolution was read in its entirety.)*

CHAIR WHITE: Thank you.

Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair. It is my pleasure to help recognize the month of March 2015, as the Red Cross Month in the County of Maui. The American Red Cross is one of the oldest human services organizations in the United States and is recognized worldwide as the first responder to disasters, offering assistance anytime and anywhere.

Just this past August, we had a situation that could have been much worse with Hurricane Iselle. But, the Red Cross was there ready and prepared to assist the community and played an important role in Puna's recovery.

The Red Cross's success and endurance is also embedded in the principle of volunteerism. The organization provides appropriate training and helps to turn our residents and neighbors into local heroes in times of an emergency and crisis.

I would like to say thank you to all the Red Cross leaders, administration, and volunteers, and especially for those who are, who have the willingness to continue the efforts.

I urge my fellow Members to adopt this resolution, which will bring deserved attention and focus to the essentials of this valued organization. Thank you, Chair.

CHAIR WHITE: Thank you, Mr. Guzman.

Members, the floor is open for discussion.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you. And, thank you Mr. Chair for bringing this forward. You know, and I, an organization which many times is recognized nationwide for major disasters, excuse me, and, many times not recognized for the everyday things they do.

I was watching the news this morning. Another fire occurred in Oahu and the Red Cross was there assisting the family in finding shelter and other needs in this time. And so, it is, it is heartwarming to know that they're there for any emergency whether it's an Iselle or just a fire. When this community needs volunteers this is a classic example of volunteers waiting in the wings to come out and help us, and help the ones in need at the most trying time right after the disasters occur.

So, I want to also echo my support and say that this is another organization, receives no government funding, is dependent on donations from the community-at-large throughout this country. And, so I also encourage people to remember, when the Red Cross is called out and the need for money or blood, or for whatever it may be called for, please step up because they are the number one responding agency whenever a disaster occurs throughout this country.

So, I want to again say thank you very much. Congratulations to, to the Red Cross. But, more importantly, congratulations to all the volunteers. Their dedication, their focus, their service to this community is invaluable. Thank you.

CHAIR WHITE: Thank you. And, thank you for tying your remarks this morning to the, to the reso that, that followed.

Members, other discussion? Seeing none, on, I would just like to add my gratitude to the Red Cross for all the work that they do. I think, I know everyone in, in my industry depends on the Red Cross for first responder training and CPR training. And, I know that we're not the only ones that they, that they touch. And, the, the dedication of the volunteers is really a wonderful, wonderful thing for our community, as Mr. Victorino mentioned.

They do so without any Federal funding which I think in a lot of cases people think that the Red Cross is funded by, by the Federal government because they're all over

the place and they're doing such an incredible amount of work in responding to a wide variety of emergencies. And, it is important that we remember that that fund, their funds don't come from the Federal government. They come from local communities and, and individuals.

So, once again, I would like to just echo the accolades of Mr. Guzman and, and Victorino in congratulating them for the great work that they do.

CHAIR WHITE: Ms. Baisa.

COUNCILMEMBER BAISA: Thank you very much, Chair. You know, the Red Cross is another of those agencies that we all think or assume is part of what happens. And we just kind of expect them to be there. But, then if you stop a moment and you think, what would happen if they were not here when there's an emergency; a fire or whatever it is. It would be a real different thing and I think they'd be much more on our radar screen.

It's funny, you know, when services are there and available, we all kind of accept them and assume that they're going to be there. And, so this is a great opportunity for us to call out what they do and the volunteerism and say thank you very much. So, thank you for the opportunity.

CHAIR WHITE: Thank you for your remarks. Anyone else?

Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair. I also would like to thank you for bringing forth this, this resolution. Honestly, I never knew until I got into office that the Red Cross was not funded by the Federal government. I, entire, my entire life I just thought they were. And, I just wanted to recognize that without the Red Cross being available internationally especially having its, its inception in the Philippines, that it really means a lot to have them recognized, at least for me in this way. Thank you.

CHAIR WHITE: Thank you. Any further discussion, Members?

COUNCILMEMBER COCHRAN: Chair.

CHAIR WHITE: Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you. And, I guess we do this every year, but for some reason, reading through the reso this year, what jumped out at me was the reference to Princess Kaiulani and Queen Liliuokalani, which obviously I've heard it

before but for some reason didn't really sink in that wow. I mean what a statement that is that our, you know, ancestors previously they've been around that long, number one, but also that our, the Hawaiian Kingdom and, and the leaders and ali'i embraced it and, you know, utilized their services too to assist the people.

So, I just want to point that out. And, definitely appreciate, appreciative of them being here. And, like you in the hotel industry, have gone through their training for the CPR classes and what have you. So, definitely wonderful work they do. Thank you, Chair.

CHAIR WHITE: Thank you.

Seeing no further discussion, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, COCHRAN, COUCH,  
CRIVELLO, HOKAMA, VICTORINO, VICE-CHAIR  
GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER CARROLL.

CHAIR WHITE: Measure carries with eight "ayes", zero "noes", and one "excused";  
Mr. Carroll.

Mr. Clerk.

Oh, I'm sorry, Mr. Guzman.

VICE-CHAIR GUZMAN: Oh, thank you, Chair. With your permission, I'd like to call on Michele Liberty to come to the podium and say a few words, and also receive the resolution. She is the Maui County Director.

CHAIR WHITE: Happy to do so. Ms. Liberty and Members, let's.

Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair. It is with great honor, on behalf of the Council, to give this resolution to the Red Cross and as well as representing the Red Cross is Michele Liberty. And, we'll have her say a few words, Chair.

CHAIR WHITE: Certainly.

MS. MICHELE LIBERTY: Hi, good morning. I just want to thank all of you for your continued support. I loved the comments that you were saying and you're right, I can't imagine what the world looks like without Red Cross. We are always there; sometimes its two o'clock in the morning, sometimes it's in the middle of the day.

But, it doesn't seem to matter to our volunteers. You know how when you have young kids and you're going off for a trip, maybe taking them to Disneyland and you're constantly hearing them say, "are we there yet, are we there yet"? That's much like what I hear from our volunteers in Maui County when a storm is on top of us or a disaster is headed our way, or a disaster has just happened, because they truly love the work that they're doing. And, there's something that draws them to Red Cross, something from the heart where they just, they want to be there and they want to help. So, it's a pretty amazing thing.

I want to take a minute. I've got one of our volunteers here with me this morning, Rebecca King. And, this year we're recognizing Rebecca King as our volunteer of the year for the American Red Cross. Becca's done some amazing work. She has awful lot of responsibilities with her job with County. She's part of the All Hazards Incident Management Team. And in addition to that, she works so closely with us. She's part of our volunteer leadership team.

This past year, she was able to hop on a plane with a moment's notice and fly off to Guam to help our Red Cross offices over there get ready in case a typhoon came their way. I'm still teasing her about that because apparently, she slept through the storm and who does that? But, she's, she's a pretty amazing person. So, congratulations, Bec, for that.

And, and you're right, last summer when Tropical Storm Iselle was headed our way, and then in October when Tropical Storm Ana was headed our way, we were ready. Our volunteers were out in force. They were standing by to help however, they could. The preparations were well under way. It really was an amazing thing to see. And, it was even better because Maui, although we sustained some damages Upcountry, we didn't have the level of damage that our other volunteers experienced on the Big Island, and our residents experienced over there after that storm.

So, again, thank you to our volunteers. And, thank you for your continued support.

CHAIR WHITE: Thank you.

Mr. Clerk, let's proceed.

COUNTY CLERK: Mr. Chair, for the record, RESOLUTION 15-21.

Mr. Chair, proceeding with presentation of testimony on agenda items. We have received limited telephone interactive communication that enables individuals from Hana, Lanai, and Molokai, to provide testimony from our District Offices.

Individuals who wish to offer testimony from Hana, Lanai, and Molokai, should now sign up with the District Office staff. Individuals who wish to offer testimony in the chamber, please sign up at the desk located on the eighth floor lobby outside the chamber door. Testimonies at all locations is limited to the items listed on today's agenda.

And, pursuant to the Rules of the Council, each testifier is allowed to testify for up to three minutes with one minute to conclude if requested. When testifying, please state your name and the name of the organization you represent.

Hana Office, please identify yourself and introduce your first testifier.

MS. DAWN LONO: Good morning. This is Dawn Lono at the Hana Office and there is no one waiting to testify.

COUNTY CLERK: Thank you.

Lanai Office, please identify yourself and introduce your first testifier.

MS. DENISE FERNANDEZ: Good morning, Chair. This is Denise Fernandez on Lanai and there is no one waiting to testify.

COUNTY CLERK: Thank you.

Molokai Office, please identify yourself and introduce your first testifier.

MS. TINA THOMPSON: Good morning. This is Tina Thompson at the Molokai Office and there is no one waiting to testify.



COUNTY CLERK: Thank you.

Mr. Chair, we have one individual who have signed up to provide testimony in the, in the Council chamber.

The first person to testify this morning is Mr. Dick Mayer, testifying on County Communication No. 15-79.

PRESENTATION OF WRITTEN OR ORAL TESTIMONY

MR. DICK MAYER (testifying on County Communication No. 15-79):

Chair, I'd like to ask that the testimony that I submitted be handed out to the Councilmembers.

COUNCILMEMBER COUCH: We have it.

MR. MAYER: They have it, you have it? Very good, thank you.

You have before you item 79, communication 79 dealing with implementation. And, I'm hoping that you'll pass that; that's part of a package that could have been done a year ago. And, it's funny coming to you and I think it's a very important part of the Maui Island Plan.

In addition, I would like to add that all of your efforts for the past three or four years now at the Council level, before that at the Planning Commission, and before that at the GPAC, and before that the Planning Department's efforts. It's probably a expenditure of well over a million, maybe several million dollars to get all the studies done, to get all the work done, the salaries and everything else, may all be in vain unless this plan is implemented. Otherwise, it'll be another, one of those plans that sits on a shelf.

So, I'm bringing before you this, this concept to help implement the plan. Planning Director Will Spence required by our County Charter and by the Maui County Code to make an annual report to the Council on the implementation and enforcement of the General Plan. Those are the words in there, which includes the Countywide Policy Plan, the Maui Island Plan, and all Community Plans. I believe that the Planning Director has never fulfilled that obligation which would provide the Council with useful information during the Budget process.

It would also compel the various County departments to review a General Plan on a regular basis. And I cite here two documents; one is the County Charter. And, this is the direct charge to the Planning Director. "The Planning Director shall issue a report annually providing a detailed explanation of the implementation and enforcement of the General Plan and the Community Plans to the Mayor and the Council." I don't think you have ever seen a Planning Director give you that report.

And, secondly, within the County Code, and I'm going to skip over some of the earlier stuff. Go down to the part that's highlighted there, "The Planning Director shall issue a report annually providing a detailed explanation of the implementation and enforcement of the General Plan and the Community Plans to the Mayor and the Council." That is after getting reports from each of the departments.

You have spent so much time. You had a whole committee working for several years just to develop the Maui Island Plan and the Countywide Policy Plan. Now, that effort should be utilized to get information back to you and to the public on how that plan is operating. It's supposed to guide the County over the long-term. It should help you make the budget decisions whether you should build roads, whether you should improve the water system, where things go. Those are the things in there.

And, as the various parts of the General Plan are implemented and the Community Plan implemented, then you can leave those behind and work on those new areas that need to still be done.

Please require the Planning Director to give you the information that you will need to make much better budget decisions. And, thank you.

CHAIR WHITE: Thank you, Mr. Mayer.

Members, any need for clarification? Seeing none, thank you very much for your testimony this morning.

MR. MAYER: Thank you.

CHAIR WHITE: Mr. Clerk.

COUNTY CLERK: Mr. Chair, the last individual that have signed up to testify this morning is Mr. John Duey, testifying on County Communication No. 15-80.

MR. JOHN DUEY (testifying on County Communication No. 15-80):

Morning, Chair White, Councilmembers.

CHAIR WHITE: Good morning.

MR. DUEY: Just a short note, 15-80 is the coming forth resolution to rename, or restore the name to, the Wailuku River what is called now Iao Stream.

I talked to Mr., Councilmember Victorino, I think, last October. And, I wrote up an, a resolution which has been condensed somewhat. I had a quite a, I don't think I, they have the documents yet that I submitted. I don't think so. I submitted a bunch of documents to back up my, there's 11 documents.

I did meet before the Board of Geographic Names last Wednesday, on the 18th whenever that was. They were receptive but they didn't vote. They're waiting for resolution and the other information to come in. But, I think we'll talk about this more later. But, I'm here in support of the resolution. So, I think I'll have a chance to testify at another time on this. Thank you.

CHAIR WHITE: Thank you for your work on this Mr. Duey.

And, Members, any need for clarification? Okay, thank you so much.

MR. DUEY: Thank you.

CHAIR WHITE: Thanks for coming this morning.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, Mr. Duey was the last individual that signed up to provide testimony in the chamber. If there's any additional individuals in the chamber or at the District Offices that would like to provide testimony, please identify yourself to the appropriate staff and proceed to the testimony lectern or District Office phone at this time.

Hana Office, are there any additional testifiers?

MS. LONO: The Hana Office has no one waiting to testify.

COUNTY CLERK: Lanai Office, any additional testifiers?

MS. FERNANDEZ: There is no one waiting to testify on Lanai.

COUNTY CLERK: Molokai Office, any additional testifiers?

MS. THOMPSON: There is no one waiting to testify at the Molokai Office.

COUNTY CLERK: Mr. Chair, there are no other individuals in the District Offices nor the chamber who wish to offer testimony.

CHAIR WHITE: Thank you, Mr. Clerk. Have we received written testimony this morning.

COUNTY CLERK: Mr. Chair, we have received written testimony.

Members, without objection we'll note that the written testimony is received and put into the record.

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: So ordered.

THERE BEING NO OBJECTION, WRITTEN TESTIMONY RECEIVED FROM THE FOLLOWING WERE MADE A PART OF THE RECORD OF THIS MEETING:

1. Dick Mayer; and
2. Kamalu Kaho`okele, Nahiku Community Association.

CHAIR WHITE: With no objections, we'll close public testimony.

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Thank you.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, proceeding with committee reports.

COMMITTEE REPORTS

COMMITTEE REPORT

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

Recommending that Resolution 15-22, entitled "APPOINTMENT OF MEMBERS TO THE BOARDS AND COMMISSIONS FOR THE COUNTY OF MAUI", be ADOPTED.

*Approving the appointment of the following members to the boards, committees, and commissions for the County of Maui (for terms beginning on April 1, 2015, and expiring on March 31, 2020):*

*AFFIRMATIVE ACTION ADVISORY COUNCIL*

*Karen Kiang*

*BOARD OF ETHICS*

*Sara Gadarian*

*Matthew Macario*

*CIVIL SERVICE COMMISSION*

*Carol Reimann*

*COUNCIL ON AGING*

*Kathleen Harrowby*

*David Spicer*

*HANA ADVISORY COMMITTEE*

*Gale Notestone*

*Dawn Lono*

*LIQUOR CONTROL ADJUDICATION BOARD*

*Bruce U`u*

*LIQUOR CONTROL COMMISSION*

*Roy Umeno*

*Dawn Bicoy*

*MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES*

*David Courson*

*Sheila Villanueva*

*MAUI PLANNING COMMISSION*

*Thurston Robinson  
Lawrence Hudson*

*POLICE COMMISSION*

*Gwen Ohashi Hiraga  
Lawrence Feinberg*

*REAL PROPERTY TAX REVIEW BOARD*

*Daren Suzuki*

*SALARY COMMISSION*

*Wallace Tom  
Christian Tackett*

*Disapproving the appointment of the following members to the boards, committees,  
and commissions for the County of Maui:*

*BOARD OF VARIANCES AND APPEALS*

*Scott Matsuura  
Joaquin Freitas*

*MAUI COUNTY CULTURAL RESOURCES COMMISSION*

*Jane Marshall*

CHAIR WHITE: Thank you, Mr. Clerk.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN  
COMMITTEE REPORT 15-15.

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: Been moved by Mr. Victorino and seconded by Mr. Couch.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair. At our meeting of February 18, 2015, your Policy and Intergovernment Affairs Committee recommended approval of the Mayor's nominations of certain members to various boards, commissions, and committees for a term beginning April 1, 2015, and expiring March 31, 2020.

Your Committee also recommended the disapproval of three nominees. Of the three disapprovals, two of the disapprovals are because the vacant seat call for residents of Lanai and Molokai. Both residents, both nominees were residents of Maui County. The third nominee requested the withdrawal due to further considerations and a changing of her job requirements.

Your Committee was satisfied that the other nominees were qualified to fulfill the duties and responsibilities related to the board and in which they are being appointed. I respectfully request the Council's consideration on this motion. Thank you, Mr. Chair.

CHAIR WHITE: Thank you. Members, any further discussion?

Seeing none, all those in favor of adopting the recommendations in Committee Report 15-15, signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, COCHRAN, COUCH,  
CRIVELLO, HOKAMA VICTORINO, VICE-CHAIR  
GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER CARROLL.

CHAIR WHITE: Measure passes; eight "ayes", zero "noes", and Mr. Carroll is "excused".

Mr. Clerk.

COUNTY CLERK: For the record, RESOLUTION 15-22.

COMMITTEE REPORT

NO. 15-16 - POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE:

Recommending that Resolution 15-23, entitled "APPOINTMENT OF A MEMBER TO THE MAUI REDEVELOPMENT AGENCY FOR THE COUNTY OF MAUI", be ADOPTED.

*Approving the appointment of Frank De Rego Jr. to the Maui Redevelopment Agency, for a term beginning on April 1, 2015, and expiring on March 31, 2020.*

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair.

With your permission, I would like to call up, also, 15-17.

CHAIR WHITE: Mr. Clerk, please do so.

COMMITTEE REPORT

NO. 15-17 - POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE:

Recommending that Resolution 15-24, entitled "APPOINTMENT OF MEMBERS TO THE URBAN DESIGN REVIEW BOARD FOR THE COUNTY OF MAUI", be ADOPTED;

*Approving the appointment of the following nominees to the Urban Design Review Board, for terms beginning on April 1, 2015, and expiring on March 31, 2020:*

*URBAN DESIGN REVIEW BOARD:*

*Demetrios Callinicos  
Raymond Phillips*

*ALTERNATES*

*Gray Ringsby  
Peter Jacobsen*

CHAIR WHITE: Mr. Victorino.



COUNCILMEMBER VICTORINO: Thank you, Mr. Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN  
COMMITTEE REPORTS 15-16 AND COMMITTEE  
REPORT 15-17.

COUNCILMEMBER COUCH:

MR. CHAIR, I SECOND.

CHAIR WHITE: Thank you. We have a motion by Mr. Victorino and a second by Mr. Couch to adopt the recommendations in Committee Reports 15-16 and 15-17.

Members, any further discussion?

Oh, I'm sorry, Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair. At our February 18, 2015, meeting, your Policy and Intergovernment Affairs Committee recommended the approval of the Mayor's nominations to the members of the Maui redevelopment, to the member, to the Maui Redevelopment Agency, and the members of the Urban Design Review Board, for terms beginning April 1, 2015, and expiring on March 31, 2020.

Your Committee was satisfied that the nominees are qualified to fulfill their duties and responsibilities related to the board in which they were appointed to. I respectfully request my Members consideration on this motion. Thank you, Mr. Chair.

CHAIR WHITE: Thank you, Mr. Victorino.

Members, any further discussion? Seeing none, all those in favor of the motion, please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, COCHRAN, COUCH,  
CRIVELLO, HOKAMA, VICTORINO, VICE-CHAIR  
GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER CARROLL.

CHAIR WHITE: Measure passes; eight "ayes", zero "noes", and one "excused".

Mr. Clerk.

COUNTY CLERK: For the record RESOLUTIONS NO. 15-23 and 15-24, respectively.

Mr. Chair, proceeding with county communications.

### COUNTY COMMUNICATIONS

NO. 15-70 - DANILO F. AGSALOG, DIRECTOR OF FINANCE,  
(dated February 6, 2015)

Transmitting 110 contracts/grants for the month ending December 2014.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, thank you.

I would ask my colleagues, if there are any specific contracts they would request to be separated at this time for referral to Committee for finance component review to make your, your request known at this time.

OTHER THAN THAT, MR. CHAIRMAN, I MOVE THAT COUNTY COMMUNICATION 15-70 AND ITS CONTRACTS ATTACHED THEREFORE, EXCEPT FOR THE FOLLOWING BE FILED: C5626, C5656, C5717, C5434-1 BE REFERRED TO COMMITTEE.

COUNCILMEMBER VICTORINO:

I SECOND THE MOTION, MR. CHAIR.

CHAIR WHITE: Okay, it's been moved by Mr. Hokama to, to file County Communication 15-70 with some modifications as noted, and it's been seconded by Mr. Victorino.

Mr. Hokama, further discussion?

COUNCILMEMBER HOKAMA: No further discussion, Chairman.

CHAIR WHITE: Members, any other discussion on this matter? Seeing no, seeing none, all those in favor of the filing as noted by Mr. Hokama of County Communication 15-70, please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, COCHRAN, COUCH,  
CRIVELLO, HOKAMA VICTORINO, VICE-CHAIR  
GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER CARROLL.

CHAIR WHITE: Measure passes; eight "ayes", zero "noes", one "excused".

Mr. Clerk.

NO. 15-71 - MIKE WHITE, COUNCIL CHAIR,  
(dated February 27, 2015)

Transmitting a proposed resolution entitled "RESCHEDULING THE COUNCIL'S  
MAY 1 AND MAY 15, 2015 MEETINGS".

CHAIR WHITE: Mr. Guzman.

VICE-CHAIR GUZMAN:

CHAIR, I MOVE TO ADOPT THE RESOLUTION ENTITLED  
"RESCHEDULING THE COUNCIL'S MAY 1 AND MAY 15, 2015  
MEETINGS".

COUNCILMEMBER VICTORINO:

SECOND, MR. CHAIR.

CHAIR WHITE: Mr. Clerk, do we need a waiver? Yea.

Mr. Guzman, if you can provide a, a motion on the waiver of the Rules first, since we are going to adopt it in this meeting.

VICE-CHAIR GUZMAN: Okay.

COUNTY CLERK: Mr. Chair, one. Mr. Chair.

CHAIR WHITE: I'm sorry.

VICE-CHAIR GUZMAN: I think we need.

COUNCILMEMBER VICTORINO: Recess.

CHAIR WHITE: Quick recess for the Chair.

(THE MEETING WAS RECESSED BY THE CHAIR AT 9:36 A.M., AND WAS RECONVENED AT 9:37 A.M., WITH ALL MEMBERS PRESENT, EXCEPT MEMBER CARROLL, EXCUSED.)

CHAIR WHITE: Meeting of the County Council of Maui will come back to order.

Sorry, Mr. Guzman, please proceed. I'd forgotten that we had eliminated the need to waive the Rules on these items.

VICE-CHAIR GUZMAN: Thank you, Chair.

CHAIR WHITE: Please proceed.

VICE-CHAIR GUZMAN:

I WOULD LIKE TO RENEW MY MOTION TO ADOPT THE RESOLUTION ENTITLED "RESCHEDULING THE COUNCIL'S MAY 1 AND MAY 15, 2015 MEETING".

COUNCILMEMBER VICTORINO:

SECOND, MR. CHAIR.

CHAIR WHITE: Been moved by Vice-Chair Guzman and seconded by Mr. Victorino to, to pass the resolution "RESCHEDULING THE COUNCIL'S MAY 1 AND MAY 15, 2015 MEETINGS".

Any further discussion?

VICE-CHAIR GUZMAN: Thank you, Chair. I, I believe that there is some scheduling issues as well as some events that require, I believe some of the Members to be off-island. So, I request that these changes be supported as well as implemented. Thank you.

CHAIR WHITE: Okay, thank you.

Any further discussion, Members? Seeing none, all those in favor, please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, COCHRAN, COUCH,  
CRIVELLO, HOKAMA, VICTORINO, VICE-CHAIR  
GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER CARROLL.

CHAIR WHITE: Measure passes; eight "ayes", zero "noes", and one "excused".

Mr. Clerk.

COUNTY CLERK: Mr. Chair, for the record, RESOLUTION 15-25.

Mr. Chair, the following county communications are recommended for referral to the following Committees as noted:

NO. 15-72 - MIKE WHITE, COUNCIL CHAIR,  
(dated February 17, 2015)

Relating to the Kalana O Maui Campus Expansion, Phase 1A.

The recommended action is that County Communication No. 15-72 be referred to the Budget and Finance Committee.

NO. 15-73 - DANILO F. AGSALOG, DIRECTOR OF FINANCE,  
(dated February 13, 2015)

Transmitting the Finance Director's Quarterly Report for the Fiscal Year July 1, 2014 to June 30, 2015 as of December 31, 2014 and the Capital Improvement Project as of December 31, 2014.

The recommended action is that County Communication No. 15-73 be referred to the Budget and Finance Committee.

(Councilmember Baisa was excused from the meeting at 9:40 a.m.)

NO. 15-74 - SANANDA K. BAZ, BUDGET DIRECTOR,  
(dated February 25, 2015)

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 MOLOKAI COMMUNITY PLAN AREA, GOVERNMENT FACILITIES, MOLOKAI BASEYARD DESIGN AND CONSTRUCTION";
2. "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4130, BILL NO. 34 (2014), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI (MOLOKAI BASEYARD DESIGN AND CONSTRUCTION)"; and
3. "A BILL FOR AN ORDINANCE DETERMINING THAT PART OF THE PROCEEDS OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI HERETOFORE ISSUED IS IN EXCESS OF THE AMOUNTS REQUIRED FOR THE PURPOSES FOR WHICH SUCH BONDS WERE INITIALLY ISSUED, OR MAY OR SHOULD NOT BE APPLIED TO THOSE PURPOSES, AND DIRECTING SUCH PROCEEDS TO OTHER PUBLIC IMPROVEMENTS OR AUTHORIZED PURPOSES OF THE COUNTY OF MAUI".

The recommended action is that County Communication No. 15-74 be referred to the Budget and Finance Committee.

NO. 15-75 - SANANDA K. BAZ, BUDGET DIRECTOR,  
(dated February 24, 2015)

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; 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)" along with the "CERTIFICATION OF ADDITIONAL REVENUES FOR FISCAL YEAR 2015".

The recommended action is that County Communication No. 15-75 be referred to the Budget and Finance Committee.

(Councilmember Baisa returned to the meeting at 9:41 a.m.)

NO. 15-76 - KA'ALA BUENCONSEJO, DIRECTOR OF PARKS AND RECREATION,  
(dated February 17, 2015)

Transmitting a proposed resolution entitled "AUTHORIZING ACCEPTANCE OF A DONATION FROM MAUI TIMESHARE VENTURE, LLC TO THE DEPARTMENT OF PARKS AND RECREATION, COUNTY OF MAUI, PURSUANT TO SECTION 13-8, REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, AND CHAPTER 3.56, MAUI COUNTY CODE".

The recommended action is that County Communication No. 15-76 be referred to the Budget and Finance Committee.

NO. 15-77 - DAVID TAYLOR, DIRECTOR OF WATER SUPPLY,  
(dated February 23, 2015)

Transmitting a proposed resolution entitled "APPROVING THE WATER SOURCE DEVELOPMENT AGREEMENT FOR WAILUKU WELL 2, TANK AND TRANSMISSION PIPELINE IN WAILUKU, MAUI, HAWAII".

The recommended action is that County Communication No. 15-77 be referred to the Infrastructure and Environmental Management Committee.

NO. 15-78 - WILLIAM SPENCE, PLANNING DIRECTOR,  
(dated February 11, 2015)

Transmitting an application submitted by Munekiyo & Hiraga, Inc. on behalf of ABC Development Company, LLC, transmitting copies of documents and three proposed bills entitled:

1. "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO URBAN FOR PROPERTY SITUATED AT WAILUKU, MAUI, HAWAII";
2. "A BILL FOR AN ORDINANCE TO AMEND THE WAILUKU-KAHULUI COMMUNITY PLAN AND LAND USE MAP FROM AGRICULTURE TO LIGHT INDUSTRIAL FOR PROPERTY SITUATED AT WAILUKU, MAUI, HAWAII";  
and
3. "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO M-1 LIGHT INDUSTRIAL DISTRICT FOR PROPERTY SITUATED AT WAILUKU, MAUI, HAWAII".

The recommended action is that County Communication No. 15-40 be referred to the Land Use Committee.

NO. 15-79 - WILLIAM SPENCE, PLANNING DIRECTOR,  
(dated February 24, 2015)

Relating to the matter of amending the Maui Island Plan, Chapter 10, Implementation Program.

The recommended action is that County Communication No. 15-79 be referred to the Planning Committee.

NO. 15-80 - MICHAEL P. VICTORINO, COUNCILMEMBER,  
(dated February 17, 2015)

Transmitting a proposed resolution entitled "URGING THE HAWAII STATE BOARD ON GEOGRAPHIC NAMES TO RENAME IAO STREAM TO WAILUKU RIVER".

The recommended action is that County Communication No. 15-80 be referred to the Policy and Intergovernmental Affairs Committee.



NO. 15-81 - DAVID TAYLOR, DIRECTOR OF WATER SUPPLY,  
(dated February 18, 2015)

Transmitting a proposed resolution entitled "AUTHORIZING THE GRANTING OF A NON-EXCLUSIVE PERPETUAL EASEMENT ON COUNTY OF MAUI REAL PROPERTY SITUATED AT HONUULA, WAILEA, MAUI, HAWAII, TO MAUI ELECTRIC COMPANY, LIMITED, FOR ELECTRICAL".

The recommended action is that County Communication No. 15-81 be referred to the Water Resources Committee.

CHAIR WHITE: Members, are there any objections to the referrals as read by the Clerk?

MEMBERS VOICED NO OBJECTIONS.

CHAIR WHITE: Thank you very much. We'll send those to the Committees as noted.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, proceeding with ordinances for second and final reading.

## ORDINANCES

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 2 (2015)

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 HOUSING AND HUMAN CONCERNS  
(BANFIELD CHARITABLE TRUST)

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA:

CHAIRMAN, I MOVE THAT BILL 2 OF (2015) PASS SECOND  
AND FINAL READING.

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: It's been moved by Mr. Hokama and seconded by Mr. Victorino to pass Bill No. 2 (2015) on second and final reading.

Mr. Hokama.

COUNCILMEMBER HOKAMA: No further discussion, Chairman.

CHAIR WHITE: Any discussion, Members?

Seeing none, all those in favor, please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, COCHRAN, COUCH,  
CRIVELLO, HOKAMA, VICTORINO, VICE-CHAIR  
GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER CARROLL.

CHAIR WHITE: Measure passes; eight "ayes", zero "noes", and one "excused".

Mr. Clerk.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 3 (2015)

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 POLICE (KALO PROGRAM)

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA:

I MOVE THAT BILL 3 OF (2015) PASS SECOND AND FINAL  
READING.

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: It's been moved by Mr. Hokama, and seconded by Mr. Victorino to pass  
Bill No. 3 for (2015) on second and final reading.

Mr. Hokama.

COUNCILMEMBER HOKAMA: No discussion, Chairman.

CHAIR WHITE: Any other discussion, Members? Seeing none, all those in favor please  
signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, COCHRAN, COUCH,  
CRIVELLO, HOKAMA, VICTORINO, VICE-CHAIR  
GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER CARROLL.

CHAIR WHITE: Measure passes; eight "ayes", zero "noes", and one "excused".

Mr. Clerk.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 4 (2015)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE  
COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT  
WITH THE HONOLULU BOARD OF WATER SUPPLY

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you.

I MOVE TO PASS BILL NO. 4 ON SECOND AND FINAL  
READING.

COUNCILMEMBER COUCH:

MR. CHAIR, I SECOND.

CHAIR WHITE: Been moved by Mr. Victorino and seconded by Mr. Couch to pass Bill  
No. 4 for (2015) on second and final reading.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair. The, both Department of Water  
Supply, Honolulu Board and the Maui Board of Water Supply have both been in favor  
of this agreement.

This is just an, really, what we consider a stopgap measure till we are able to go on  
our own and have our own billing system. So, I would ask my Members for favorable  
approval.

CHAIR WHITE: Thank you.

Any further discussion, Members? Seeing none, all those in favor please signify by  
saying "aye".

AYES: COUNCILMEMBERS BAISA, COCHRAN, COUCH,  
CRIVELLO, HOKAMA, VICTORINO, VICE-CHAIR  
GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER CARROLL.

CHAIR WHITE: Measure passes; eight "ayes", zero "noes", and one "excused".

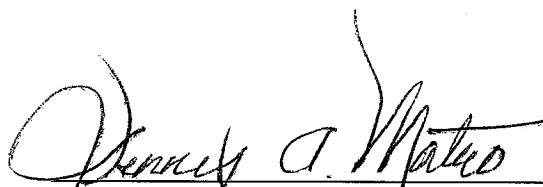
Mr. Clerk.

COUNTY CLERK: Mr. Chair, there is no further business before the Council.

CHAIR WHITE: Thank you, Mr. Clerk. Thank all the Members for their attendance this morning and for the assistance of Mr. Wong although we didn't make much use of your talents this morning. Thank our staff for their work in putting this meeting together. And with that, Members, we are adjourned.

### ADJOURNMENT

The regular meeting of March 6, 2015 was adjourned by the Chair at 9:47 a.m.

A handwritten signature in black ink, reading "Dennis A. Mateo". The signature is written in a cursive style with a large initial "D" and "M".

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DENNIS A. MATEO, COUNTY CLERK  
COUNTY OF MAUI, STATE OF HAWAII