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**COUNCIL OF THE COUNTY OF MAUI**

2015 DEC 11 PM 3:18

**A G E N D A**

Regular Meeting of December 18, 2015  
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://co.mauhi.us/Archive.aspx?AMID=226>  
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 approved by the presiding officer and announced prior to any oral testimony being taken, 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 An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify.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 from each of the Council district offices noted above. If the 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 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 RIKI HOKAMA
  - C. PLEDGE OF ALLEGIANCE
  - D. TESTIMONY ON CEREMONIAL RESOLUTIONS

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E. CEREMONIAL RESOLUTIONS:

NO. \_\_\_\_\_ - "CONGRATULATING THE MAUI HIGH SCHOOL 'SABER' MARCHING BAND AND COLOR GUARD FOR WINNING TOP HONORS AT THE 19TH ANNUAL MILILANI HIGH SCHOOL TROJAN BANDFEST"

F. PRESENTATION OF WRITTEN OR ORAL TESTIMONY

G. MINUTES:

Special Meeting of October 29, 2015.

H. COMMITTEE REPORTS:

NO. 15-172 - BUDGET AND FINANCE COMMITTEE:

Recommending **ADOPTION** of resolution to transfer, from Category B (operations or services) to Category C (equipment), \$6,000 within the Fiscal Year 2016 Budget, Department of Finance, Countywide Costs, General Costs, for copying machine expenses.

NO. 15-173 - BUDGET AND FINANCE COMMITTEE:

Recommending **ADOPTION** of resolution to transfer, from Category B (operations or services) to Category C (equipment), \$3,000 within the Fiscal Year 2016 Budget, Department of Finance, Accounts Program, for the purchase of a scanner.

NO. 15-174 - BUDGET AND FINANCE COMMITTEE:

Recommending **ADOPTION** of resolution to transfer, from Category B (operations or services) to Category C (equipment), \$17,000 within the Fiscal Year 2016 Budget, Department of the Corporation Counsel, Legal Services Program, for the purchase of scanners.

NO. 15-175 - BUDGET AND FINANCE COMMITTEE:

Recommending **ADOPTION** of resolution to transfer, from Category B (operations or services) to Category C (equipment), \$3,577 within the Fiscal Year 2016 Budget, Department of Housing and Human Concerns, Human Concerns Program, for a copier lease for Kaunoa Senior Services.

NO. 15-176 - BUDGET AND FINANCE COMMITTEE:

Recommending **FIRST READING** of bill to amend the Fiscal Year 2016 Budget by (1) increasing the appropriation for the Department of Water Supply, Administration Program - Water Fund by \$65,000; and (2) decreasing the appropriation for the Department of Water Supply, Water Operations Program - Water Fund by \$65,000, to lease a copier and purchase meter-reading equipment.

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**H. COMMITTEE REPORTS (continued):****NO. 15-177 - BUDGET AND FINANCE COMMITTEE:**

Recommending **ADOPTION** of resolution to transfer, from Category B (operations or services) to Category C (equipment), the following appropriations within the Fiscal Year 2016 Budget, Department of Fire and Public Safety, for equipment purchases: \$6,391 within the Administration/Maintenance Program for the lease of a copier and the purchase of laptops and software, \$9,608 within the Training Program for two automatic external defibrillators, \$8,655 within the Fire/Rescue Operations Program for firefighting equipment, and \$1,159 within the Fire Prevention Program for a water tank.

**NO. 15-178 - BUDGET AND FINANCE COMMITTEE:**

Recommending **ADOPTION** of resolution to transfer, from Category B (operations or services) to Category C (equipment), \$7,205 within the Fiscal Year 2016 Budget, Department of Transportation, Public Transit Program - Highway Fund, for the purchase of CAD (computer-aided design) software and a computer.

**NO. 15-179 - BUDGET AND FINANCE COMMITTEE:**

Recommending **FIRST READING** of bill to amend the Fiscal Year 2016 Budget by (1) increasing the appropriation to the Department of Public Works, Highways Administration Program - Highway Fund, by \$2,000; (2) increasing the appropriation to the Department of Public Works, Road, Bridge, and Drainage Maintenance Program - Highway Fund, by \$55,000; and (3) decreasing the appropriation to the Department of Public Works, Traffic Management Program - Highway Fund, by \$57,000, for projected premium pay shortfalls.

**NO. 15-180 - BUDGET AND FINANCE COMMITTEE:**

Recommending **ADOPTION** of resolution to transfer, from Category B (operations or services) to Category C (equipment), \$4,000 within the Fiscal Year 2016 Budget, Department of Environmental Management, Solid Waste Administration Program - Solid Waste Management Fund, for a copier lease.

**NO. 15-181 - BUDGET AND FINANCE COMMITTEE:**

Recommending the following:

1. **FIRST READING** of bill to amend the Fiscal Year 2016 Budget by (1) increasing Bond/Lapsed Bond revenues by \$3,341,700; and (2) adding an appropriation of \$3,341,700 from the Bond Fund, Wailuku-Kahului Community Plan Area, Sewer, for the Wailuku-Kahului Treatment Plant Upgrades project; and
2. **FIRST READING** of bill to amend the Fiscal Year 2016 general obligation bond authorization ordinance by adding \$3,341,700 for the Wailuku-Kahului Community Plan Area, Sewer, Wailuku-Kahului Treatment Plant Upgrades project.

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H. COMMITTEE REPORTS (continued):

NO. 15-182 - INFRASTRUCTURE AND ENVIRONMENTAL MANAGEMENT COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to (1) increase the minimum purchase price for real property acquisitions that require Council approval; (2) allow the Director of Finance to accept conveyances and exchange real property for infrastructure purposes; and (3) allow the Director of Finance to waive the appraisal of real property acquired or exchanged for infrastructure purposes; and
2. **FILING** of communications.

I. COMMUNICATIONS:

1. COUNTY COMMUNICATIONS:

NO. 15-298 - DIRECTOR OF WATER SUPPLY, transmitting the water use reports for September 2015 received from the State of Hawaii Commission on Water Resources Management for all registered well reporters for Maui County.

NO. 15-299 - DIRECTOR OF WATER SUPPLY, transmitting copies of the Department of Water Supply's Monthly Source Report and Groundwater Use Report for the month ending November 2015.

NO. 15-300 - COUNCIL CHAIR WHITE, transmitting a proposed resolution entitled "APPROVING PROPOSALS FOR INCLUSION IN THE 2016 HAWAII STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE"

NO. 15-301 - 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, 2015.

NO. 15-302 - DIRECTOR OF PARKS AND RECREATION, transmitting a proposed resolution entitled "AUTHORIZING ACCEPTANCE OF A DONATION OF MATERIALS AND SUPPLIES TO INSTALL THREE BACKBOARDS TO THE DEPARTMENT OF PARKS AND RECREATION, COUNTY OF MAUI, PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE".

NO. 15-303 - DIRECTOR OF PUBLIC WORKS, transmitting a proposed resolution entitled "RESOLUTION GRANTING PERMISSION TO PLACE UTILITY POLES ALONG A PUBLIC HIGHWAY FOR THE KAHOMA VILLAGE PROJECT".

1. COUNTY COMMUNICATIONS (continued):

NO. 15-304 - PRESIDING OFFICER PRO TEMPORE VICTORINO, transmitting a proposed resolution entitled "URGING THE DEPARTMENT OF PUBLIC WORKS TO INSTALL SIGNAGE RECOGNIZING WAILUKU RIVER".

NO. 15-305 - COUNCILMEMBER HOKAMA, transmitting a proposed resolution "PROPOSING AN AMENDMENT TO THE CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, TO REQUIRE COUNCIL APPROVAL OF THE MAYOR'S APPOINTMENT OF DEPARTMENT DIRECTORS".

NO. 15-306 - COUNCILMEMBER BAISA, relating to water conservation.

2. GENERAL COMMUNICATIONS:

NO. 15-11 - BLANCA L. LAFOLETTE, PROJECT COORDINATOR, FOR CMBY 2011 INVESTMENT, LLC, submitting a copy of the 2015 Annual Compliance Report for State Land Use Commission Docket No. A13-797/CMBY 2011 Investment, LLC: TMK (2) 3-8-008:019.

J. RESOLUTIONS:

NONE.

K. ORDINANCES - SECOND AND FINAL READING:

BILL NO. 80 (2015) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2016 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; WAILUKU-KAHULUI COMMUNITY PLAN AREA, GOVERNMENT FACILITIES, ACQUISITION OF REAL PROPERTY AT 2154 KAOHU STREET; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)"

BILL NO. 81 (2015) - "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4228, BILL NO. 35 (2015), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI (ACQUISITION OF REAL PROPERTY AT 2154 KAOHU STREET)"

BILL NO. 82 (2015) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2016 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 (STATE OF HAWAII - KULA AGRICULTURAL PARK EXPANSION)"

**K. ORDINANCES - SECOND AND FINAL READING:**

BILL NO. 83 (2015) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2016 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; MAKAWAO-PUKALANI-KULA COMMUNITY PLAN AREA, OTHER PROJECTS, KULA AGRICULTURAL PARK EXPANSION; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)"

BILL NO. 84 (2015) - "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4228, BILL NO. 35 (2015), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI (KULA AGRICULTURAL PARK EXPANSION)"

BILL NO. 85 (2015) - "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 3143, RELATING TO CHAPTER 5.24, MAUI COUNTY CODE, RELATING TO OCEAN RECREATIONAL ACTIVITY BUSINESS PERMITS, AND CHAPTER 13.04, MAUI COUNTY CODE, RELATING TO RECREATIONAL AREA REGULATIONS"

BILL NO. 86 (2015) - "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4128, BILL NO. 32 (2014), AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO INTERGOVERNMENTAL AGREEMENTS FOR LOANS FROM THE STATE OF HAWAII'S DRINKING WATER TREATMENT REVOLVING LOAN FUND FOR VARIOUS WATER PROJECTS, FISCAL YEAR 2015 BUDGET ORDINANCE"

**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.**