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**COUNCIL OF THE COUNTY OF MAUI** 2016 AUG 26 PM 3: 26

**A G E N D A**

OFFICE OF THE  
COUNTY CLERK

Regular Meeting of September 2, 2016  
1:30 p.m.

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.maui.hi.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 An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify.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:** VICE-CHAIR DON S. GUZMAN
  - C. **PLEDGE OF ALLEGIANCE**
  - D. **TESTIMONY ON CEREMONIAL RESOLUTIONS**

E. CEREMONIAL RESOLUTIONS:

NO. \_\_\_\_\_ "CONGRATULATING THE CENTRAL EAST MAUI MAJOR ALL-STARS FOR WINNING THE 2016 HAWAII STATE LITTLE LEAGUE BASEBALL DIVISION CHAMPIONSHIP"

NO. \_\_\_\_\_ "CONGRATULATING THE MAUI BIG LEAGUE ALL-STARS FOR WINNING THE UNITED STATES CHAMPIONSHIP AT THE 2016 BIG LEAGUE WORLD SERIES"

F. PRESENTATION OF WRITTEN OR ORAL TESTIMONY

G. MINUTES:

Regular Meeting of June 17, 2016  
 Special Meeting of June 28, 2016  
 Regular Meeting of July 1, 2016

H. COMMITTEE REPORTS:

NO. 16-131 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution to approve the acquisition of four parcels comprising a total of 267.74 acres, identified for real property tax purposes as tax map keys (2) 2-7-007:079, (2) 2-7-007:081, (2) 2-7-007:082, and (2) 2-7-007:083, in Kuiaha, Hamakualoa, Maui, Hawaii, for \$9,495,000;
2. **REFERRAL** of the matter relating to the use of the Properties to your Economic Development, Energy, Agriculture, and Recreation Committee; and
3. **FILING** of communication.

NO. 16-132 - HOUSING, HUMAN SERVICES, AND TRANSPORTATION COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to amend the exemptions from wastewater assessment fees for the expansion of the Kihei wastewater treatment plant and the upgrade and expansion of the Kihei wastewater transmission system, and the expansion of the Wailuku/Kahului wastewater treatment plant, respectively, to allow the exemptions to apply to developments that are comprised of 100 percent residential workforce housing units, as defined in Section 2.96.020, Maui County Code;
2. **REFERRAL** of the matter relating to wastewater assessment fees other than those relating to Chapter 2.96, Maui County Code, the County's Residential Workforce Housing Policy, or housing projects, to your Infrastructure and Environmental Management Committee, along with a copy of the Department of Environmental Management's response dated June 29, 2016; and
3. **FILING** of communication.

I. COMMUNICATIONS:

1. COUNTY COMMUNICATIONS:

- NO. 16-190 - CHIEF OF POLICE, informing of the intent to expend \$149,005.42 in Federal Forfeiture Funds to pay for a Leica ScanStation P16 Package for use at crime scenes.
  
- NO. 16-191 - CHIEF OF POLICE, informing of the receipt of \$5,615.71 in Forfeiture Funds from the Department of the Attorney General.
  
- NO. 16-192 - PROSECUTING ATTORNEY, transmitting a copy of a notice of grant award from the State of Hawaii, Department of the Attorney General Crime Prevention and Justice Assistance Division for the Career Criminal Prosecution Program, for the period of July 1, 2016 thru June 30, 2017 in the amount of \$144,736.00
  
- NO. 16-193 - DIRECTOR OF FINANCE, transmitting 122 contracts/grants for July 2016.
  
- NO. 16-194 - PRESIDING OFFICER PRO TEMPORE VICTORINO, relating to the scheduling of Committee Item on amending community plan requirements relating to land use designations.
  
- NO. 16-195 - CHAIR, POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE, transmitting a proposed resolution entitled "RELATING TO THE APPOINTMENT OF MICHAEL "KALEPO" ROPA TO THE MAUI COUNTY CULTURAL RESOURCES COMMISSION".
  
- NO. 16-196 - CHAIR, POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE, transmitting a proposed resolution entitled "RELATING TO THE APPOINTMENT OF ADELA OLBINADO TO THE LANAI PLANNING COMMISSION".
  
- NO. 16-197 - BUDGET DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2017 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 THE PROSECUTING ATTORNEY (SPECIAL NEEDS ADVOCACY PROGRAM)".
  
- NO. 16-198 - DIRECTOR OF FINANCE, reporting on transfers from the General Fund and Department of Water Supply Revenue Fund to the 2017 Proposed General Obligation Bond Fund as of June 30, 2016.
  
- NO. 16-199 - DIRECTOR OF FINANCE, reporting on transfers from the General Fund and Department of Water Supply Revenue Fund to the 2017 Proposed General Obligation Bond Fund as of July 31, 2016.

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I. COMMUNICATIONS (continued):

NO. 16-200 - COUNCILMEMBER COCHRAN, relating to the Review of Kamalani Subdivision (North Kihei) Affordable Housing Qualification Requirements.

NO. 16-201 - DIRECTOR OF HOUSING AND HUMAN CONCERNS, relating to the Fair Market Rents for Maui County.

NO. 16-202 - PLANNING DIRECTOR, transmitting the Conditional Permit application for a transient vacation rental, located at 100 Pulelehua Street, Pineapple Hill, Lahaina, Island of Maui, Hawaii; TMK (2) 4-2-007:009, filed by Steiner Family Trust 2010, Julie Steiner, Trustee.

2. GENERAL COMMUNICATIONS:

NONE.

J. RESOLUTIONS:

NONE.

K. ORDINANCES - SECOND AND FINAL READING:

BILL NO. 83 (2016) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2017 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 ENVIRONMENTAL MANAGEMENT (GLASS RECOVERY PROGRAM)"

BILL NO. 84 (2016) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2017 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, ENVIRONMENTAL PROTECTION AND SUSTAINABILITY PROGRAM – SOLID WASTE MANAGEMENT FUND, DEPARTMENT OF FINANCE, COUNTYWIDE COSTS; TOTAL OPERATING APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)"

BILL NO. 85 (2016) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2017 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX B, REVENUES – FEES, RATES, ASSESSMENTS AND TAXES, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, SOLID WASTE MANAGEMENT FUND, CHARGES FOR CURRENT SERVICES, FEES – REFUSE DISPOSAL"

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

BILL NO. 86 (2016) - "A BILL FOR AN ORDINANCE AMENDING TITLE 16, MAUI COUNTY CODE, TO ELIMINATE EXEMPTIONS IN THE ELECTRICAL CODE, PLUMBING CODE, AND BUILDING CODE OF THE COUNTY OF MAUI RELATING TO LANDS WITHIN THE CONSERVATION DISTRICT"

BILL NO. 87 (2016) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT WITH THE STATE OF HAWAII, CITY AND COUNTY OF HONOLULU, AND COUNTY OF KAUAI FOR LEGAL SERVICES RELATING TO THE INTEREST ARBITRATION HEARING OF THE CONTESTED ARTICLES OF THE BARGAINING UNIT 11 (FIRE FIGHTERS) COLLECTIVE BARGAINING AGREEMENT, AND TO ENTER INTO AN EXPERT CONSULTING AND SUPPORT SERVICES AGREEMENT WITH THE STATE OF HAWAII, CITY AND COUNTY OF HONOLULU, COUNTY OF KAUAI, AND COUNTY OF HAWAII FOR CONSULTATION SERVICES RELATING TO THE INTEREST ARBITRATION HEARING OF THE CONTESTED ARTICLES OF THE BARGAINING UNIT 11 (FIRE FIGHTERS) COLLECTIVE BARGAINING AGREEMENT"

**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.**