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**COUNCIL OF THE COUNTY OF MAUI** 2017 JUN -9 PM 2: 34

**A G E N D A**

OFFICE OF THE  
COUNTY CLERK

Regular Meeting of June 16, 2017  
9:00 a.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 shall be allowed to speak for up to three minutes on each item. If approved by the presiding officer and announced prior to any oral testimony being taken, the testifier may be allowed one minute to conclude the testimony on the item. The time limits for testimony at a Council meeting may be modified, if the modification is initiated by the presiding officer and approved by a majority of the Council; provided that a modification would apply equally to all testifiers and all items. No further oral testimony by the testifier on the item shall be permitted. An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify.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**

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D. TESTIMONY ON CEREMONIAL RESOLUTIONS

E. CEREMONIAL RESOLUTIONS:

NO. \_\_\_\_\_ "EXTENDING CONDOLENCES TO THE FAMILY OF THE LATE MAY FUJIWARA"

F. PRESENTATION OF WRITTEN OR ORAL TESTIMONY

G. MINUTES:

Public Hearing of April 26, 2017  
Special Meeting of May 1, 2017

H. COMMUNICATIONS:

1. COUNTY COMMUNICATIONS:

- NO. 17-232 - DIRECTOR OF FINANCE, transmitting 56 contracts/grants for April 2017.
- NO. 17-233 - DIRECTOR OF HOUSING AND HUMAN CONCERNS, transmitting a copy of the notice of grant award from the State of Hawaii, Executive Office on Aging, for the Nutrition Services Incentive Program in the amount of \$61,076.
- NO. 17-234 - CHIEF OF POLICE, transmitting a copy of a grant agreement with the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for the FY17 Domestic Cannabis Eradication/Suppression Program in the amount of \$45,000.
- NO. 17-235 - CHIEF OF POLICE, informing of the receipt of \$152,837.95 from the U.S. Marshals Service.
- NO. 17-236 - DIRECTOR OF FINANCE, reporting on transfers/loans from the General Fund and Department of Water Supply Revenue Fund to the Bond Fund as of April 30, 2017.
- NO. 17-237 - DIRECTOR OF FINANCE, transmitting a notice of transfer of appropriations from Countywide Terminal Pay/Salary Adjustments to Department of Fire and Public Safety's Ocean Safety Division and to various Departments.
- NO. 17-238 - MAYOR, transmitting a proposed resolution entitled "APPROVING EMPLOYER UNION TRUST FUND COST ITEMS FOR ALL COUNTY OF MAUI EMPLOYEES".
- NO. 17-239 - DIRECTOR OF PUBLIC WORKS, transmitting a copy of a Memorandum of Agreement from the State of Hawaii, Department of Health for the Phase 1 portion of work for the GIS Storm Water Infrastructure Mapping of West Maui, Job No. 17-36.

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**H. COMMUNICATIONS (continued):**

- NO. 17-240 - PLANNING DIRECTOR, transmitting a Conditional Permit Application submitted by Jeana Iwalani Naluai, transmitting documents and a proposed bill entitled "A BILL FOR AN ORDINANCE GRANTING JEANA IWALANI NALUAI, A CONDITIONAL PERMIT TO CONDUCT CLASSES IN HAWAIIAN CULTURAL AND MEDICINAL PRACTICES, AND OPERATE THE HO'OMANA SPA AND BATHHOUSE, FOR PROPERTY IDENTIFIED AS TMK (2) 2-4-013:142, MAKAWAO, MAUI, HAWAII".
- NO. 17-241 - COUNCILMEMBER SUGIMURA, relating to the Economic Development Revolving Fund.
- NO. 17-242 - DIRECTOR OF WATER SUPPLY, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 14.05.050, MAUI COUNTY CODE, RELATING TO REIMBURSEMENT FOR SUBDIVISION WATER MAIN EXTENSION".
- NO. 17-243 - DIRECTOR OF WATER SUPPLY, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 14.06A, MAUI COUNTY CODE, RELATING TO WATER SHORTAGE DECLARATIONS".

**2. GENERAL COMMUNICATIONS:**

- NO. 17-4 - GRANT CHUN, A&B PROPERTIES, INC., submitting the 2017 annual report in accordance with Condition No. 19 of Ordinance No. 3559, relating to Maui Business Park Phase II – Change in Zoning.

**I. COMMITTEE REPORTS:**

- NO. 17-80 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution to approve cost items for Supervisory Blue Collar Employees included within Bargaining Unit 2, represented by the Hawaii Government Employees Association, for Fiscal Years 2018 and 2019;
2. **ADOPTION** of resolution to approve cost items for Non-Supervisory White Collar Employees included within Bargaining Unit 3, and Supervisory White Collar Employees included within Bargaining Unit 4, represented by the Hawaii Government Employees Association, for Fiscal Years 2018 and 2019;
3. **ADOPTION** of resolution to approve cost items for Non-Supervisory White Collar Employees excluded from Bargaining Unit 3, and Supervisory White Collar Employees excluded from Bargaining Unit 4, for Fiscal Years 2018 and 2019;
4. **ADOPTION** of resolution to approve cost items for Professional and Scientific Employees included within Bargaining Unit 13, represented by the Hawaii Government Employees Association, for Fiscal Years 2018 and 2019;

I. COMMITTEE REPORTS (continued):

5. **ADOPTION** of resolution to approve cost items for Professional and Scientific Employees excluded from Bargaining Unit 13, for Fiscal Years 2018 and 2019; and
6. **FILING** of communications.

NO. 17-81 - BUDGET AND FINANCE COMMITTEE:

Recommending **ADOPTION** of resolution to amend the Fiscal Year 2017 Budget within the Department of Fire and Public Safety by transferring funds from the Administration/Maintenance Program, \$3,849 from Category C (Equipment); Training Program, \$74,000 from Category A (Salaries), \$4,000 from Category B (Operations), and \$4,312 from Category C (Equipment); Fire/Rescue Operations Program, \$624 from Category C (Equipment); Fire Prevention Program, \$119,000 from Category A (Salaries) and \$295 from Category C (Equipment); and Ocean Safety Program, \$230,000 from Category B (Operations) to Fire/Rescue Operations Program Category A (Salaries) for a projected shortfall in salaries and premium pay.

NO. 17-82 - BUDGET AND FINANCE COMMITTEE:

Recommending **ADOPTION** of resolution to amend the Fiscal Year 2017 Budget within the Department of Finance, Countywide Costs by transferring \$880,000 from Insurance Programs and Self Insurance, Category B (Operations) to Fringe Benefits, Category B (Operations) for a projected shortfall in the appropriation for the Employer-Union Trust Fund.

NO. 17-83 - HOUSING, HUMAN SERVICES, AND TRANSPORTATION COMMITTEE:

Recommending **ADOPTION** of resolution authorizing a grant of a 30-year lease of County real property to Hale Makua Health Services for the continued occupancy of two parcels located at Wailuku, Maui, Hawaii, commencing November 1, 2018, for the purposes of providing a home for the aged and disabled, and an office for a Medicare Certified Home Health Agency.

NO. 17-84 - LAND USE COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution approving with modifications the Makila Kai Affordable Housing Project pursuant to Section 201H-38, Hawaii Revised Statutes, in the area of Launiupoko in West Maui, mauka of the Honoapiilani Highway and the Lahaina Bypass Highway corridor, identified for real property tax purposes as tax map keys (2) 4-7-013:003, 004, and 005;
2. **FILING** of resolution approving the Makila Kai Affordable Housing Project pursuant to Section 201H-38, Hawaii Revised Statutes; and
3. **FILING** of resolution disapproving the Makila Kai Affordable Housing Project pursuant to Section 201H-38, Hawaii Revised Statutes.

I. COMMITTEE REPORTS (continued):NO. 17-85 - LAND USE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill granting a request from Makila Kai LLC for a State Land Use District Boundary Amendment from Agricultural District to Rural District for approximately 14.594 acres located along Haniu Street, Polanui, Launiupoko, Lahaina, Maui, Hawaii, identified for real property tax purposes as portions of tax map keys (2) 4-7-013:004 and (2) 4-7-013:005, to facilitate the development of a Chapter 201H, Hawaii Revised Statutes, affordable housing project;
2. **RECORDATION** of the unilateral agreement; and
3. **FILING** of communication.

NO. 17-86 - PARKS, RECREATION, ENERGY, AND LEGAL AFFAIRS COMMITTEE:Recommending **ADOPTION** of resolution authorizing settlement of Rana Kaiama, et al. v. County of Maui, et al., Civil 16-1-0048(2).

*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 to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to a State or Federal law, or a court order, pursuant to Section 92-5(a)(8), Hawaii Revised Statutes.*

NO. 17-87 - POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE:Recommending **ADOPTION** of resolution approving the appointment of Sharen Sylva to the Police Commission for a term expiring March 31, 2021.NO. 17-88 - POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill amending the information required on financial disclosure statements for all real property currently owned in whole or in part, to include either a tax map key number or a street address, rather than both, as currently required; and
2. **FILING** of communication.

J. RESOLUTIONS:

NONE.

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K. ORDINANCES - SECOND AND FINAL READING:

BILL NO. 66 (2017) - "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, WASTEWATER OPERATIONS PROGRAM - SEWER FUND, ENVIRONMENTAL PROTECTION AND SUSTAINABILITY PROGRAM - SOLID WASTE MANAGEMENT FUND; TOTAL OPERATING APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)"

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.