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COUNCIL OF THE COUNTY OF MAUI

2017 JUN 30 PM 3: 53

A G E N D A

OFFICE OF THE
COUNTY CLERK

Regular Meeting of July 7, 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

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 An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify.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.

A. ROLL CALL

B. OPENING REMARKS: COUNCILMEMBER YUKI LEI SUGIMURA

C. PLEDGE OF ALLEGIANCE

D. TESTIMONY ON CEREMONIAL RESOLUTIONS

E. CEREMONIAL RESOLUTIONS:

NO. _____ "CONGRATULATING THE HAWAII ALL STARS KAPRINCESSES FOR WINNING THE SUMMIT VARSITY ALL STAR CHEERLEADING CHAMPIONSHIP"

NO. _____ "CONGRATULATING THE SEABURY HALL GIRLS TRACK AND FIELD TEAM FOR CAPTURING THE HAWAII HIGH SCHOOL ATHLETIC ASSOCIATION'S 2017 ISLAND MOVERS STATE TRACK AND FIELD CHAMPIONSHIPS"

F. PRESENTATION OF WRITTEN OR ORAL TESTIMONY

G. MINUTES:

Public Hearing of April 18, 2017
Special Meeting of May 9, 2017
Public Hearing of May 12, 2017

H. COMMUNICATIONS:

1. COUNTY COMMUNICATIONS:

NO. 17-244 - PROSECUTING ATTORNEY, transmitting a notice of grant award from the State of Hawaii, Department of Transportation Highway Safety Reimbursement Program for the Maui Prosecutors Office in the amount of \$21,468.75.

NO. 17-245 - DIRECTOR OF PUBLIC WORKS, informing of the receipt of a Fiscal Year 2017 grant from the State of Hawaii, Department of Transportation for the Safe Routes to School Program Special Fund in the amount of \$92,955.73.

NO. 17-246 - DIRECTOR OF HOUSING AND HUMAN CONCERNS, transmitting a notice of grant award from the U.S. Department of Housing & Urban Development (HUD), for the Section 8 Housing Assistance Program and the Family Self-Sufficiency Program.

NO. 17-247 - CHIEF OF POLICE, informing of the intent to expend \$13,033.40 in Federal Forfeiture Funds to pay for ice machines for the Kihei and Lahaina stations.

NO. 17-248 - DIRECTOR OF FINANCE, transmitting 57 contracts/grants for May 2017.

H. COMMUNICATIONS (continued):

- NO. 17-249 - DIRECTOR OF FINANCE, informing of the acceptance of a Warranty Deed for the Makawao Avenue Reconstruction Subdivision Road Widening Lot, TMK: (2) 2-7-001:014 (Portion).
- NO. 17-250 - ACTING MAYOR, informing of a vacancy on the Molokai Planning Commission due to the resignation of Marshall Racine.
- NO. 17-251 - MAYOR, informing of a vacancy on the Urban Design Review Board due to the resignation of Demetreos Callinicos.
- NO. 17-252 - DIRECTOR OF WATER SUPPLY, transmitting the Department of Water Supply's Monthly Source Report and Groundwater Use Report for the month ending May 2017.
- NO. 17-253 - CHAIR, COST OF GOVERNMENT COMMISSION, transmitting the COST OF GOVERNMENT COMMISSION - ANNUAL REPORT COMMISSION TERM 2016 – 2017.
- NO. 17-254 - COUNCILMEMBER HOKAMA, relating to amendments to Appendix A, Grant Revenue – Schedule of Grants by Departments and Programs for Fiscal Year 2018.
- NO. 17-255 - COUNCILMEMBER HOKAMA, relating to amendments to the Fiscal Year 2018 Budget to authorize transfers between categories of use that are within a program or department.
- NO. 17-256 - DIRECTOR OF FINANCE, reporting on transfers/loans from the General Fund and the Department of Water Supply Revenue Fund to the 2017 Proposed General Obligation Bond Fund as of May 31, 2017.
- NO. 17-257 - BUDGET DIRECTOR, transmitting the following proposed bills entitled:
1. "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2018 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 (COMMUNITY ORIENTED POLICING SERVICES (COPS) PROGRAM)"; and
 2. "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2018 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE DEPARTMENT OF POLICE, TECHNICAL AND SUPPORT SERVICES PROGRAM".

H. COMMUNICATIONS (continued):

- NO. 17-258 - COUNCIL CHAIR WHITE, relating to an audit of the Department of Public Works, Highways Division.
- NO. 17-259 - COUNTY AUDITOR, transmitting the plan of audits proposed to be conducted during Fiscal Year 2018.
- NO. 17-260 - PLANNING DIRECTOR, transmitting comments and recommendations from the Planning Commissions and Planning Department relating to Resolution No. 16-93, "REFERRING TO THE LANAI, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL AMENDING THE COMPREHENSIVE ZONING ORDINANCE RELATING TO ENFORCEMENT PROCEDURES FOR BED AND BREAKFAST HOMES AND SHORT-TERM RENTAL HOMES".
- NO. 17-261 - COUNCILMEMBER KING, relating to Traffic Impact Fees.
- NO. 17-262 - COUNCILMEMBER SUGIMURA, relating to the One Farm Plan.
- NO. 17-263 - COUNCILMEMBER SUGIMURA, relating to the Molokai Diversified Agricultural Revolving Loan Program.
- NO. 17-264 - COUNCILMEMBER ATAY, relating to a review of Chapter 14.06A, Maui County Code, relating to water conservation and control of water usage during water shortage.

2. GENERAL COMMUNICATIONS:

- NO. 17-5 - BLANCA LAFOLETTE, PROJECT COORDINATOR, CMBY 2011 INVESTMENT, LLC, submitting the Conditions of Zoning Compliance Report for Ordinance No. 4220, CMBY 2011 Investment, LLC, TMK: (2) 3-8-008:019.
- NO. 17-6 - KATHRYN S. MATAYOSHI, SUPERINTENDENT, DEPARTMENT OF EDUCATION, STATE OF HAWAII, submitting the 2017 Annual Report in accordance with Condition 3 of Ordinance No. 4135, Kihei High School change in zoning.

I. COMMITTEE REPORTS:

NO. 17-89 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill authorizing the Mayor to enter into an intergovernmental agreement with the Employees' Retirement System, State of Hawaii, to obtain a Governmental Accounting Standards Board Statement No. 68 Report, "Accounting and Financial Reporting for Pensions," for four fiscal years beginning with the Fiscal Year ending June 30, 2017 for a total cost for Maui County of \$6,500; and
2. **FILING** of communication.

NO. 17-90 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill authorizing the Mayor to enter into an intergovernmental agreement with the Office of the Auditor, State of Hawaii, to audit the schedule of allocations of the State Employees' Retirement System, as required by Governmental Accounting Standards Board Statement No. 68, for three fiscal years beginning with the Fiscal Year ended June 30, 2016 for a cost of \$3,900 per year to the County; and
2. **FILING** of communication.

NO. 17-91 - LAND USE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill granting a request for a Community Plan Amendment from Park to Business/Commercial for a parcel consisting of 0.049 acre at TMK (2) 4-4-001:010 and (2) 4-4-014:006, Lahaina, Maui, Hawaii, to bring parity to a land exchange;
2. **FIRST READING** of bill granting a request for a Change in Zoning from PK General Park District to B-2 Community Business District for a parcel consisting of 0.049 acre at TMK (2) 4-4-001:010 and (2) 4-4-014:006, Lahaina, Maui, Hawaii, to bring parity to a land exchange; and
3. **FILING** of communication (Charles James Nunes, Jr. and Angela Marie Nunes).

I. COMMITTEE REPORTS (continued):NO. 17-92 - LAND USE COMMITTEE:

Recommending **FIRST READING** of bill amending Chapters 19.04 and 19.30A, Maui County Code, to authorize certain subdivisions and uses that are not detrimental to public health, safety, or welfare; allow Department of Planning to collect fees; and exempt roadway lots and restricted use lots from complying with minimum lot area, lot width and coverage requirements.

NO. 17-93 - LAND USE COMMITTEE:

Recommending **FILING** of communication transmitting a Change in Zoning request from Brian Hecktman, Graymark Waiale Road Associates, LLC, from R-3 Residential District to M-1 Light Industrial District for a 30,166 square-foot property located at 485 Waiale Road, Wailuku, Maui, Hawaii.

NO. 17-94 - POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE:

Recommending **ADOPTION** of resolution approving the appointment of Cheney-Ann Lima to the Maui County Cultural Resources Commission for a term expiring March 31, 2021.

NO. 17-95 - POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE:

Recommending **ADOPTION** of resolution approving the appointment of Petrina Castillo to the Maui County Commission on Persons with Disabilities for a term expiring March 31, 2022.

NO. 17-96 - POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE:

Recommending **ADOPTION** of resolution approving the appointment of Clifford Libed to the Commission on Children and Youth for a term expiring March 31, 2018.

J. RESOLUTIONS:

NONE.

K. ORDINANCES - SECOND AND FINAL READING:

BILL NO. 67 (2017) - "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL DISTRICT TO RURAL DISTRICT (CONDITIONAL BOUNDARY AMENDMENT) FOR PROPERTY SITUATED AT POLANUI, LAUNIUPOKO, LAHAINA, MAUI, HAWAII, TAX MAP KEY NOS. (2) 4-7-013:004 (POR.) AND (2) 4-7-013:005 (POR.), CONTAINING A TOTAL OF 14.594 ACRES"

BILL NO. 68 (2017) - "A BILL FOR AN ORDINANCE AMENDING SECTION 2.56.060, MAUI COUNTY CODE, RELATING TO FINANCIAL DISCLOSURE STATEMENTS"

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.