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**COUNCIL OF THE COUNTY OF MAUI**

2017 AUG -1 PM 4: 12

**A G E N D A**

OFFICE OF THE  
COUNTY CLERK

Regular Meeting of August 8, 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 An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify.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: VICE-CHAIR ROBERT CARROLL

C. PLEDGE OF ALLEGIANCE

D. TESTIMONY ON CEREMONIAL RESOLUTIONS

E. CEREMONIAL RESOLUTIONS:

NO. \_\_\_\_\_ "RECOGNIZING THE 166<sup>TH</sup> ANNIVERSARY OF THE BIRTH OF LAHAINA STATESMAN WILLIAM PUNOHU'AWEOWEO'ULAOKALANI WHITE"

NO. \_\_\_\_\_ "CONGRATULATING LEELA WATERFORD FOR WINNING THE 2017 KAMAAINA KIDS HAWAII STATE SPELLING BEE"

F. PRESENTATION OF WRITTEN OR ORAL TESTIMONY

G. MINUTES:

Regular Meeting of June 2, 2017

H. COMMUNICATIONS:

1. COUNTY COMMUNICATIONS:

NO. 17-298 - CHIEF OF POLICE, transmitting the Wireless Enhanced 911 Board budget in the amount of \$2,705,104.

NO. 17-299 - CHIEF OF POLICE, informing of the intent to expend \$28,000 in Federal Forfeiture Funds to pay for mules for the Wailuku and Lahaina Patrols.

NO. 17-300 - DIRECTOR OF HOUSING AND HUMAN CONCERNS, transmitting the notice of grant award from the State of Hawaii, Executive Office on Aging, for the Kupuna Care Program in the amount of \$678,778.

NO. 17-301 - DIRECTOR OF HOUSING AND HUMAN CONCERNS, transmitting the notice of grant award from the State of Hawaii, Executive Office on Aging, for the Elder Abuse Prevention Program in the amount of \$26,492.

NO. 17-302 - DIRECTOR OF FINANCE, transmitting two reports on the settlement of claims as of June 30, 2017.

NO. 17-303 - DIRECTOR OF FINANCE, informing of the acceptance of a Warranty Deed for Road Widening Lot 11-B, Pukalani Acres, identified as TMK: (2) 2-3-003:004 (Por).

H. COMMUNICATIONS (continued):

- NO. 17-304 - MAYOR, informing of a vacancy on the Real Property Tax Review Board due to the resignation of Stephanie Stucky.
- NO. 17-305 - COUNCILMEMBER CRIVELLO, relating to a Councilmember's report on the Hawaii State Association of Counties Executive Committee meeting held on July 31, 2017.
- NO. 17-306 - COUNCIL CHAIR WHITE, transmitting a proposed resolution entitled "APPROVING THE APPOINTMENT OF JAMES G. M. KRUEGER AS A LEGISLATIVE ANALYST IN THE OFFICE OF COUNCIL SERVICES".
- NO. 17-307 - COUNCIL CHAIR WHITE, transmitting a proposed resolution entitled "APPROVING THE APPOINTMENT OF SAUMALU S. MATAAFA AS A LEGISLATIVE ANALYST IN THE OFFICE OF COUNCIL SERVICES".
- NO. 17-308 - COUNCIL CHAIR WHITE, transmitting a proposed resolution entitled "APPROVING THE APPOINTMENT OF ALEC J. WAGNER AS A LEGISLATIVE ANALYST IN THE OFFICE OF COUNCIL SERVICES".
- NO. 17-309 - COUNCILMEMBER CRIVELLO, transmitting a proposed resolution entitled "EXPRESSING SUPPORT FROM THE COUNTY OF MAUI FOR THE STATE LEGISLATURE'S APPROVAL OF AN EXTENSION OF THE HONOLULU GENERAL EXCISE AND USE TAX SURCHARGE NECESSARY TO ENABLE THE COMPLETION OF THE MINIMUM OPERABLE SEGMENT (EAST KAPOLEI TO ALA MOANA CENTER) OF THE HONOLULU HIGH-CAPACITY TRANSIT CORRIDOR PROJECT".
- NO. 17-310 - BUDGET DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2018 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF FINANCE, ADMINISTRATION PROGRAM; ACCOUNTS PROGRAM; TOTAL OPERATING APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)", along with the "CERTIFICATION OF ADDITIONAL REVENUES FOR FISCAL YEAR 2018".
- NO. 17-311 - BUDGET DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2018 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF MANAGEMENT, MANAGEMENT PROGRAM; TOTAL OPERATING APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)", along with the "CERTIFICATION OF ADDITIONAL REVENUES FOR FISCAL YEAR 2018".

H. COMMUNICATIONS (continued):

NO. 17-312 - BUDGET DIRECTOR, transmitting the following:

1. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2018 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF PUBLIC WORKS, COUNTYWIDE, ROAD IMPROVEMENTS, GUARDRAIL AND SHOULDER IMPROVEMENTS AT VARIOUS LOCATIONS; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)";
2. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2018 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF PUBLIC WORKS, COUNTYWIDE, GUARDRAIL AND SHOULDER IMPROVEMENT AT VARIOUS LOCATIONS"; and
3. CERTIFICATION OF ADDITIONAL REVENUES FOR FISCAL YEAR 2018".

NO. 17-313 - BUDGET DIRECTOR, transmitting the following:

1. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2018 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF WATER SUPPLY, WAILUKU-KAHULUI COMMUNITY PLAN AREA, WATER SUPPLY, WAILUKU WATER COMPANY ACQUISITION; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)";
2. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2018 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF WATER SUPPLY, COUNTYWIDE, WAILUKU-KAHULUI COMMUNITY PLAN AREA, WAILUKU WATER COMPANY ACQUISITION "; and
3. CERTIFICATION OF ADDITIONAL REVENUES FOR FISCAL YEAR 2018".

NO. 17-314 - BUDGET DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2018 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES – SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2018, LIQUOR EDUCATION FUND".

H. COMMUNICATIONS (continued):

- NO. 17-315 - BUDGET DIRECTOR, transmitting the Budget Implementation Report as of June 30, 2017 (Fiscal Year 2017 Fourth Quarter).
  
- NO. 17-316 - COUNCILMEMBER COCHRAN, relating to Oxybenzone and its effects on the environment.
  
- NO. 17-317 - COUNCILMEMBER COCHRAN, relating to the intersection of Waiale Road and Waiinu Road, Wailuku.
  
- NO. 17-318 - COUNCILMEMBER COCHRAN, relating to placing a lifeguard tower at Pu`u Keka`a.
  
- NO. 17-319 - COUNCILMEMBER SUGIMURA, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND CHAPTER 8.20, MAUI COUNTY CODE, TO PROHIBIT SMOKING IN VEHICLES WHEN PERSONS UNDER THE AGE OF EIGHTEEN ARE PRESENT".

2. GENERAL COMMUNICATIONS:

NONE.

I. COMMITTEE REPORTS:

- NO. 17-101 - PARKS, RECREATION, ENERGY, AND LEGAL AFFAIRS COMMITTEE:

Recommending **ADOPTION** of resolution to authorize settlement of John S. Diaz v. County of Maui, Disability Compensation Division Case 7-04-01704.

*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 Section 92-5(a)(8), Hawaii Revised Statutes, 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.*

I. COMMITTEE REPORTS (continued):

NO. 17-102 - PARKS, RECREATION, ENERGY, AND LEGAL AFFAIRS COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution to indemnify Myles S. Won in Jason Griego and James Sanchez v. County of Maui, et al., Civil 15-00122 SOM-KJM; and
2. **FILING** of correspondence transmitting resolution to authorize settlement of Jason Griego and James Sanchez v. County of Maui, et al., Civil 15-00122 SOM-KJM.

*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 Section 92-5(a)(8), Hawaii Revised Statutes, 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.*

J. RESOLUTIONS:

NONE.

K. ORDINANCES - SECOND AND FINAL READING:

NONE.

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.**