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COUNCIL OF THE COUNTY OF MAUI 2017 NOV -9 PM 4:04

A G E N D A

OFFICE OF THE
COUNTY CLERK

Regular Meeting of November 17, 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 An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify.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: COUNCIL CHAIR MIKE WHITE

C. PLEDGE OF ALLEGIANCE

D. TESTIMONY ON CEREMONIAL RESOLUTIONS

E. CEREMONIAL RESOLUTIONS:

NONE.

F. PRESENTATION OF WRITTEN OR ORAL TESTIMONY

G. MINUTES:

Regular Meeting of October 6, 2017

H. COMMUNICATIONS:

1. COUNTY COMMUNICATIONS:

NO. 17-440 - MAYOR, informing of a vacancy on the Maui County Arborist Committee due to the removal of Mark Dobbertin.

NO. 17-441 - CHAIR, PLANNING COMMITTEE, transmitting a proposed resolution entitled "APPROVING A TIME EXTENSION FOR THE COUNCIL TO ENACT THE MOLOKAI COMMUNITY PLAN".

NO. 17-442 - BUDGET DIRECTOR, transmitting the Budget Implementation Report as of September 30, 2017 (Fiscal Year 2018 First Quarter).

NO. 17-443 - 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 ESTIMATED REVENUES; DEPARTMENT OF PUBLIC WORKS, KIHEI-MAKENA COMMUNITY PLAN AREA, ROAD IMPROVEMENTS, PAVEMENT REHABILITATION AT VARIOUS LOCATIONS - SOUTH MAUI; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)";
2. "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4454, BILL NO. 63 (2017), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI (PAVEMENT REHABILITATION AT VARIOUS LOCATIONS - SOUTH MAUI)"; and
3. "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, KIHEI-MAKENA COMMUNITY PLAN AREA, PAVEMENT REHABILITATION AT VARIOUS LOCATIONS - SOUTH MAUI".

H. COMMUNICATIONS (continued):

- NO. 17-444 - BUDGET DIRECTOR, transmitting the following proposed bills entitled:
1. "A BILL FOR AN ORDINANCE AMENDING CHAPTERS 12.24A AND 18.20, MAUI COUNTY CODE, RELATING TO LANDSCAPE PLANTING AND BEAUTIFICATION"; 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 PARKS AND RECREATION, PARKS PROGRAM, DEPARTMENT OF PUBLIC WORKS, SPECIAL MAINTENANCE PROGRAM".
- NO. 17-445 - COUNCILMEMBER HOKAMA, relating to funding, implementation, and status of the security and workers compensation programs under the Risk Management Division, Department of the Corporation Counsel.
- NO. 17-446 - COUNCILMEMBER KING, relating to the "Use of Vehicles for Human Habitation".
- NO. 17-447 - COUNCILMEMBER CRIVELLO, relating to the Funding Sources for Affordable Housing Projects.
- NO. 17-448 - COUNCILMEMBER CRIVELLO, relating to the Council's appropriation of \$250,000 for an affordable housing policy and implementation analysis.
- NO. 17-449 - COUNCILMEMBER KING, relating to a change in zoning for the Southpointe at Waiakoa condominium property, situated at 480 Kenolio Road, Kihei, Hawaii, Tax Map Keys (2) 3-9-001:064, (2) 3-9-001:099 and (2) 3-9-001:153.
- NO. 17-450 - FIRE CHIEF, transmitting a proposed resolution entitled "AUTHORIZING ACCEPTANCE OF THE DONATION OF 183 PAIRS OF OLUKAI FOOTWEAR TO THE OCEAN SAFETY BUREAU OF THE DEPARTMENT OF FIRE AND PUBLIC SAFETY, PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE".
- NO. 17-451 - CHAIR, POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE, transmitting a proposed resolution entitled "APPROVING FOR INCLUSION IN THE 2018 MAUI COUNTY LEGISLATIVE PACKAGE A STATE BILL TO REINSTATE AND REAUTHORIZE LIABILITY PROTECTION FOR COUNTY LIFEGUARD SERVICES".
- NO. 17-452 - DIRECTOR OF WATER SUPPLY, transmitting the Department of Water Supply's Monthly Source and Groundwater Use Report for the month ending October 2017.

2. GENERAL COMMUNICATIONS:

NONE.

I. COMMITTEE REPORTS:NO. 17-160 - BUDGET AND FINANCE COMMITTEE:Recommending **FILING** of communications relating to short-term investments.NO. 17-161 - BUDGET AND FINANCE COMMITTEE:Recommending **ADOPTION** of resolution to authorize the Council Chair to contract for an independent audit of the Director of Finance's accounts upon the death, resignation, or removal of the Director of Finance, pursuant to Section 9-13 of the Revised Charter of the County of Maui (1983), as amended.NO. 17-162 - BUDGET AND FINANCE COMMITTEE:Recommending **FIRST READING** of bill to amend Appendix A, Part I, Grant Revenue – Schedule of Grants by Departments and Programs, Fiscal Year 2018 Budget, by increasing the grant to the Department of Public Works, Federal Highway Administration, Federal-Aid and other Transportation Grants, by \$121,200 for the Maui Bicycle and Pedestrian Route Development and Wayfinding project.NO. 17-163 - BUDGET AND FINANCE COMMITTEE:Recommending **FIRST READING** of bill to amend Appendix A, Part I, Grant Revenue – Schedule of Grants by Departments and Programs, Fiscal Year 2018 Budget, by adding a new grant for the Department of Housing and Human Concerns, entitled "Kupuna Caregivers Program," in the amount of \$83,898, to assist working caregivers by providing home and community-based services for their loved ones.NO. 17-164 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to amend the Fiscal Year 2018 Budget, Appendix C, Capital Improvement Projects, to clarify and add to the project descriptions provided for several Capital Improvement Projects for the Department of Parks and Recreation; and
2. **FILING** of communication.

I. COMMITTEE REPORTS (continued):NO. 17-165 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to amend Appendix A, Part II, Special Purpose Revenues – Schedule of Revolving/Special Funds, Fiscal Year 2018 Budget, relating to the Liquor Education Fund (Hawaii Revised Statutes 281-16, 281-17(2), and 281-17(3)), by adding an appropriation of \$68,287 for operations and services; and
2. **FILING** of communication.

NO. 17-166 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to amend Chapter 3.48, Maui County Code, to amend the phase-out schedule of the circuit breaker tax credit by increasing the homeowner's gross building assessed values by \$100,000 and to delete expired references to 2015 tax appeal deadlines; and
2. **FILING** of communication.

NO. 17-167 - INFRASTRUCTURE AND ENVIRONMENTAL MANAGEMENT COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill establishing a new chapter 20.40, Maui County Code, declaring a moratorium on sand mining of central Maui inland sand; and
2. **FILING** of communications.

NO. 17-168 - LAND USE COMMITTEE:

Recommending **FILING** of BILL 67 (2017), relating to the 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, relating to the development of a Chapter 201H, Hawaii Revised Statutes, affordable housing project known as Makila Kai.

NO. 17-169 - PARKS, RECREATION, ENERGY, AND LEGAL AFFAIRS COMMITTEE:

Recommending **ADOPTION** of resolution to authorize settlement of Claim 30177967397-0001 of The Hertz Corporation for \$19,823.10.

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.

I. COMMITTEE REPORTS (continued):

NO. 17-170 - POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution approving the appointment of Mark Walker as the Director of Finance;
2. **FILING** of resolution disapproving the appointment of Mark Walker as the Director of Finance; and
3. **FILING** of communication.

NO. 17-171 - POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution authorizing acceptance of the donation of a 2005 Ford 350 Econoline van for the POI and PALS programs on Molokai, from the Queen Liliuokalani Children's Center to the County of Maui, Department of Police; and
2. **FILING** of communication.

J. RESOLUTIONS:

NONE.

K. ORDINANCES - SECOND AND FINAL READING:

BILL NO. 93 (2017) - "A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.96, MAUI COUNTY CODE, RELATING TO THE RESIDENTIAL WORKFORCE HOUSING RESTRICTIONS"

BILL NO. 94 (2017) - "A BILL FOR AN ORDINANCE AMENDING CHAPTERS 16.18B, 16.20B, AND 16.26B, MAUI COUNTY CODE, RELATING TO FEES"

BILL NO. 95 (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 4356 HANA HIGHWAY, HANA, MAUI, HAWAII, TAX MAP KEY NO. (2) 1-3-004:001 (POR.), CONTAINING A TOTAL OF 7.226 ACRES"

BILL NO. 96 (2017) - "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII DEPARTMENT OF DEFENSE, THE NATIONAL CEMETERY ADMINISTRATION OF THE U.S. DEPARTMENT OF VETERANS AFFAIRS, THE STATE HISTORIC PRESERVATION DIVISION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION TO SET FORTH GUIDELINES TO MAINTAIN THE MAUI VETERANS CEMETERY AT 'SHRINE STATUS'"

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.