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COUNCIL OF THE COUNTY OF MAUI

2018 JAN 12 PM 3: 54

A G E N D A

OFFICE OF THE
COUNTY CLERK

Regular Meeting of January 19, 2018
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 An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify.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 RIKI HOKAMA

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 November 17, 2017

H. COMMUNICATIONS:**1. COUNTY COMMUNICATIONS:**

- NO. 18-22 - CHIEF OF POLICE, informing of the receipt of \$3,787.75 in Forfeiture Funds from the Department of the Attorney General, State of Hawaii.
- NO. 18-23 - CHIEF OF POLICE, transmitting a copy of a grant agreement with the State of Hawaii, Department of the Attorney General for the Statewide Multi-Jurisdictional Drug Task Force grant in the amount of \$46,599.
- NO. 18-24 - PROSECUTING ATTORNEY, transmitting a notice of grant award from the State of Hawaii, Department of Transportation for the Highway Safety Grant Program in the amount of \$8,490.
- NO. 18-25 - DIRECTOR OF FINANCE, informing of the acceptance of a Warranty Deed for Road Widening Lot 4-C-3, in conjunction with the Haleakala Homesteads Subdivision, TMK: (2) 2-4-013:199 POR.
- NO. 18-26 - DIRECTOR OF FINANCE, transmitting "MAUI COUNTY CODE SECTION 3.44.015(I) ACQUISITIONS WITHOUT COUNCIL APPROVAL CALENDAR YEAR 2017".
- NO. 18-27 - MANAGING DIRECTOR, informing of a vacancy on the Commission on Persons with Disabilities due to the resignation of Kealoha Laemoa.
- NO. 18-28 - CHAIR, MAUI LIQUOR CONTROL COMMISSION, transmitting the annual review and evaluation of the Director of Liquor Control.
- NO. 18-29 - 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 FINANCE, COUNTYWIDE COSTS; TOTAL OPERATING APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)";
 2. Communication to landlord, regarding lease terms and rates; and
 3. "CERTIFICATION OF ADDITIONAL REVENUES FOR FISCAL YEAR 2018".

H. COMMUNICATIONS (continued):

- NO. 18-30 - COUNTY AUDITOR, transmitting the County of Maui Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended June 30, 2017, submitted by N&K CPAs, Inc.
- NO. 18-31 - COUNTY AUDITOR, transmitting the Department of Water Supply Financial Statements and Supplementary Information with Independent Auditor's Report for Fiscal Years Ended June 30, 2017 and 2016, submitted by N&K CPAs, Inc.
- NO. 18-32 - COUNCILMEMBER ATAY, relating to Exploring the Development Services Administration's (DSA's) Twenty-nine (29) Minute Permit Processing Model as a Template.
- NO. 18-33 - COUNCILMEMBER GUZMAN, transmitting a proposed resolution entitled "URGING THE GOVERNOR AND THE STATE OF HAWAII DEPARTMENT OF TRANSPORTATION TO TEMPORARILY SUSPEND THE HONOAPIILANI HIGHWAY IMPROVEMENTS, KAPUNAKEA TO KEAWE, AND LAHAINA BYPASS PHASE 1B-2 PROJECTS".
- NO. 18-34 - PLANNING DIRECTOR, transmitting a Conditional Permit application submitted by Maui Dragon Fruit Farm LLC, transmitting documents and a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4295 (2016), GRANTING MAUI DRAGON FRUIT FARM LLC A CONDITIONAL PERMIT TO CONDUCT AGRICULTURAL RELATED ACTIVITIES, SELL NON-AGRICULTURAL RELATED ITEMS AND AGRICULTURAL PRODUCTS NOT GROWN ON THE PROPERTY, AND TO CONDUCT CERTAIN SPECIAL EVENTS WITHIN THE COUNTY AGRICULTURAL DISTRICT AND TO ALLOW THE TRANSIENT VACATION RENTAL (TVR) OF A TWO BEDROOM FARM DWELLING IN THE COUNTY AND STATE AGRICULTURAL DISTRICTS ON AN APPROXIMATELY 3.0 ACRE PORTION OF A 27.528 ACRE PARCEL OF LAND, LOCATED AT 833 PUNAKEA LOOP, LAHAINA, MAUI, HAWAII".
- NO. 18-35 - DEPUTY DIRECTOR OF PUBLIC WORKS, transmitting a proposed resolution entitled "AUTHORIZING ACCEPTANCE OF THE DONATION OF A PORTABLE ECO-COUNTER MOBILE MULTI COUNTING DEVICE TO THE DEPARTMENT OF PUBLIC WORKS, PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE".
- NO. 18-36 - COUNCILMEMBER ATAY, relating to an Audit of the Department of Planning and the Development Services Administration's (DSA's) Permit Processes.
- NO. 18-37 - DIRECTOR OF WATER SUPPLY, transmitting the Department of Water Supply's Monthly Source Report and Groundwater Use Report for the month ending December 2017.

2. GENERAL COMMUNICATIONS:

- NO. 18-1 - ERIN MUKAI, MUNEKIYO HIRAGA, submitting a copy of the "ANNUAL COMPLIANCE REPORT, CHANGE IN ZONING CONDITIONS FOR MAKENA RESORT AREA, JANUARY 5, 2018" in accordance with Condition 22 of Ordinance 3613.

I. COMMITTEE REPORTS:**NO. 18-4 - 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 replacing the existing grant title, "National Highway Transportation Safety Administration (NHTSA) Highway Safety Grant," with "State of Hawaii Department of Transportation Highway Safety Grants" to accurately reflect the granting agency.

NO. 18-5 - 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 Police, High Intensity Drug Trafficking Areas (HIDTA), by \$110,000 for overtime costs, training, and equipment to reduce drug trafficking.

NO. 18-6 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to amend the Fiscal Year 2018 Budget by 1) increasing Estimated Revenues for Licenses/Permits/Others by \$1,659,979; 2) amending Section 3.B.3.c, Department of Environmental Management, Wastewater Operations Program – Sewer Fund, by decreasing Category B (Operations) by \$763,493 and adjusting the totals accordingly; 3) amending Section 4.A.8.b.(1), Department of Environmental Management, West Maui Community Plan Area, Sewer, Sewer Fund, by adding the Lahaina Wastewater Reclamation Facility (WWRF) Primary Electrical System Replacement in the amount of \$2,423,472; and 4) adjusting the totals accordingly;
2. **FIRST READING** of bill to amend Appendix A, Part II, Special Purpose Revenues – Schedule of Revolving/Special Funds for the Fiscal Year 2018 Budget, as it relates to the Countywide Sewer Capital Improvement Reserve Fund, by adding a proviso for the replacement of three electrical switchgears and associated work at the Lahaina Wastewater Reclamation Facility in the amount of \$1,659,979 and a description of the project;
3. **FIRST READING** of bill to amend the Fiscal Year 2018 Budget, Appendix C, Capital Improvement Projects, by adding a project under the Department of Environmental Management, West Maui Community Plan Area, for the Lahaina Wastewater Reclamation Facility (WWRF) Primary Electrical System Replacement in the amount of \$2,423,472 and a description of the project; and
4. **FILING** of communication.

I. COMMITTEE REPORTS (continued):

NO. 18-7 - POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE:
Recommending **ADOPTION** of resolution approving the appointment of Leonora Espaniola to the Molokai Planning Commission, for a term expiring on March 31, 2021.

NO. 18-8 - POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE:
Recommending **ADOPTION** of resolution approving the appointment of Leslie-Ann Yokouchi to the Liquor Control Commission, for a term expiring on March 31, 2021.

NO. 18-9 - POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE:
Recommending the following:
1. **FIRST READING** of bill amending Chapter 8.20, Maui County Code, to prohibit smoking in any motor vehicle operated on a public roadway or a private roadway open to the public, when persons under the age of eighteen are present; and
2. **FILING** of communication.

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.