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**COUNCIL OF THE COUNTY OF MAUI**

2018 JUN -8 PM 3:35

**A G E N D A**

OFFICE OF THE  
COUNTY CLERK

Regular Meeting of June 15, 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](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 An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify.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 YUKI LEI SUGIMURA

C. PLEDGE OF ALLEGIANCE

D. TESTIMONY ON CEREMONIAL RESOLUTIONS

E. CEREMONIAL RESOLUTIONS:

NO. \_\_\_\_\_ "CONGRATULATING SHANE VICTORINO FOR BEING INDUCTED INTO THE 2018 HAWAII SPORTS HALL OF FAME"

F. PRESENTATION OF WRITTEN OR ORAL TESTIMONY

G. MINUTES:

Regular meeting of February 2, 2018  
Regular meeting of February 16, 2018  
Special meeting of February 27, 2018  
Regular meeting of March 9, 2018

H. COMMUNICATIONS:

1. COUNTY COMMUNICATIONS:

NO. 18-210 - CHAIR, BOARD OF REVIEW, transmitting a copy of the "REAL PROPERTY TAX BOARD OF REVIEW, MAUI COUNTY YEAR END REPORT 2017/18".

NO. 18-211 - DIRECTOR OF HOUSING AND HUMAN CONCERNS, transmitting a copy of the executed State Recipient Agreement from the Hawaii Housing Finance and Development Corporation granting HOME Program funds in the amount of \$2,883,961.

NO. 18-212 - DIRECTOR OF ENVIRONMENTAL MANAGEMENT, transmitting a copy of the Memorandum of Understanding grant award from the State of Hawaii, Department of Health, for the Environmental Protection & Sustainability's E-Cycling Program, in the amount of \$45,000.

NO. 18-213 - MAYOR, informing of a vacancy on the Maui Planning Commission due to the resignation of Richard Higashi.

NO. 18-214 - MAYOR, informing of a vacancy on the Kula Agricultural Park Commission due to the resignation of Paul Otani.

NO. 18-215 - DIRECTOR OF FINANCE, informing of the acceptance of Waterline Easement A-3, Waikapu Ranch, Inc. Subdivision, TMK: (2) 3-5-004:114 Por.

NO. 18-216 - CHAIR, BUDGET AND FINANCE COMMITTEE, transmitting a proposed resolution entitled "AUTHORIZING THE TRANSFER OF AN UNENCUMBERED APPROPRIATION BALANCE WITHIN THE DEPARTMENT OF FIRE AND PUBLIC SAFETY, FISCAL YEAR 2018 BUDGET".

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H. COMMUNICATIONS (continued):

- NO. 18-217 - CHAIR, BUDGET AND FINANCE COMMITTEE, transmitting a proposed resolution entitled "AUTHORIZING THE TRANSFER OF AN UNENCUMBERED APPROPRIATION BALANCE WITHIN THE OFFICE OF THE MAYOR, FISCAL YEAR 2018 BUDGET".
- NO. 18-218 - COUNCILMEMBER HOKAMA, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE EFFECTIVE DATE OF ORDINANCE 4851 (2018), RELATING TO HIGHWAY IMPROVEMENT FEES AND VEHICLE DISPOSAL FEES".
- NO. 18-219 - DIRECTOR OF PERSONNEL SERVICES, informing of the abolishment of positions in various County departments.
- NO. 18-220 - 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 April 30, 2018.
- NO. 18-221 - DIRECTOR OF FINANCE, transmitting a proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL HAWKINS, DELAFIELD & WOOD, LLP, FOR THE COUNTY OF MAUI 2018 GENERAL OBLIGATION BOND ISSUANCE".
- NO. 18-222 - COUNCILMEMBER HOKAMA, relating to the 250<sup>th</sup> Celebration of Queen Kaahumanu, Grant G4607.
- NO. 18-223 - DIRECTOR OF HOUSING AND HUMAN CONCERNS, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION FOR THE HOUSING TRUST FUND PROGRAM".
- NO. 18-224 - COUNCILMEMBER COCHRAN, relating to the review of the permitted use/overuse and management of the Banyan Tree in the Lahaina Historic District.
- NO. 18-225 - COUNCILMEMBER COCHRAN, relating to Traffic Safety and Environmental Concerns Resulting from Development in Makena.
- NO. 18-226 - CHAIR, PLANNING COMMITTEE, transmitting a proposed resolution entitled "APPROVING A TIME EXTENSION FOR THE COUNCIL TO ENACT THE MOLOKAI COMMUNITY PLAN".
- NO. 18-227 - COUNCILMEMBER CRIVELLO, relating to Councilmember's report on Lawmakers Listen public townhall meeting recapping the 2018 legislative session of the 29<sup>th</sup> Legislature.

H. COMMUNICATIONS (continued):

NO. 18-228 - CHIEF OF POLICE, transmitting a proposed resolution entitled "AUTHORIZING ACCEPTANCE OF THE DONATION OF (200) 2CT NALOXONE NASAL SPRAY UNITS, TRAINING/TRAVEL EXPENSES TO THE DEPARTMENT OF POLICE, PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE".

NO. 18-229 - CHIEF OF POLICE, transmitting a proposed resolution entitled "AUTHORIZING ACCEPTANCE OF THE DONATION OF TWO HUMMER H2'S TO THE DEPARTMENT OF POLICE, PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE".

NO. 18-230 - FIRE CHIEF, transmitting a proposed resolution entitled "AUTHORIZING ACCEPTANCE OF THE DONATION OF 61 PAIRS OF KAENON SUNGLASSES TO THE OCEAN SAFETY DIVISION OF THE DEPARTMENT OF FIRE AND PUBLIC SAFETY, PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE".

2. GENERAL COMMUNICATIONS:

NO. 18-2 - DANIEL Y. YASUI, A&B PROPERTIES HAWAII, LLC., submitting the 2018 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. 18-97 - HOUSING, HUMAN SERVICES, AND TRANSPORTATION COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution authorizing purchase of the real property identified as tax map key (2) 3-5-036:046 and an undivided one-half interest in the real property identified as tax map key (2) 3-5-036:057, pursuant to the buyback provisions contained in the Waikapu Gardens Phase II affordable housing agreement, as amended; and
2. **FILING** of communication.

NO. 18-98 - LAND USE COMMITTEE:

Recommending **FILING** of communication relating to the Department of Planning's Audit of Title 19, Maui County Code.

J. RESOLUTIONS:

NONE.

K. ORDINANCES - SECOND AND FINAL READING:

BILL NO. 58 (2018) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2018 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF FIRE AND PUBLIC SAFETY, ADMINISTRATION PROGRAM, TRAINING PROGRAM, FIRE/RESCUE OPERATIONS PROGRAM, AND FIRE PREVENTION PROGRAM; TOTAL OPERATING APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)"

BILL NO. 59 (2018) - "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, DEPARTMENT OF PARKS AND RECREATION, WAIEHU GOLF COURSE PROGRAM – GOLF FUND; TOTAL OPERATING APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)"

BILL NO. 60 (2018) - "A BILL FOR AN ORDINANCE ESTABLISHING ADDITIONAL QUALIFICATIONS FOR THE MANAGING DIRECTOR"

L. UNFINISHED BUSINESS:

NO. 18-90 - LAND USE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to amend the enforcement provisions of Chapter 19.64, Maui County Code, relating to Bed and Breakfast Homes; and
2. **FILING** of communication.

**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.