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**COUNCIL OF THE COUNTY OF MAUI**

2018 JUL 13 PM 4: 03

**A G E N D A**

OFFICE OF THE  
COUNTY CLERK

Regular Meeting of July 20, 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 An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify.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 KELLY T. KING

C. PLEDGE OF ALLEGIANCE

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D. TESTIMONY ON CEREMONIAL RESOLUTIONS

E. CEREMONIAL RESOLUTIONS:

NONE.

F. PRESENTATION OF WRITTEN OR ORAL TESTIMONY

G. MINUTES:

Regular meeting of April 20, 2018

H. COMMUNICATIONS:

1. COUNTY COMMUNICATIONS:

NO. 18-257 - CHIEF OF POLICE, requesting a budget increase in the amount of \$323,896 for the Wireless Enhanced 911 Board.

NO. 18-258 - CHIEF OF POLICE, transmitting a grant agreement with the Office of National Drug Control Policy for the High Intensity Drug Trafficking Areas Grant in the amount of \$128,840.

NO. 18-259 - CHIEF OF POLICE, transmitting the budget approved by the E911 Board for the State E911 Wireless Commission in the amount of \$1,716,134.

NO. 18-260 - CHIEF OF POLICE, transmitting a grant agreement with the State of Hawaii, Department of Health for the Emergency Medical System grant in the amount of \$376,865.83.

NO. 18-261 - DIRECTOR OF PARKS AND RECREATION, transmitting a notice of grant award from the State of Hawaii, Department of Education for the Play and Learn Sessions (PALS) Food Service Program in the amount of \$200,000.

NO. 18-262 - ACTING DIRECTOR OF HOUSING AND HUMAN CONCERNS, transmitting a notice of grant award from the State of Hawaii, Executive Office on Aging for Title III Programs in the amount of \$820,824.

NO. 18-263 - ACTING DIRECTOR OF HOUSING AND HUMAN CONCERNS, notifying of intended voluntary contributions for the Fiscal Year 2019 received from senior program participants totaling \$207,416, with no Letter of Intent.

NO. 18-264 - ACTING DIRECTOR OF HOUSING AND HUMAN CONCERNS, transmitting a contribution award letter from Alexander & Baldwin, Inc. for the Kaunoa Senior Services Program – A&B Kokua Giving Contribution in the amount of \$20,000.

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**H. COMMUNICATIONS (continued):**

- NO. 18-265 - ACTING DIRECTOR OF HOUSING AND HUMAN CONCERNS, notifying that the Assisted Transportation voluntary contributions received from senior program participants has exceeded the FY 2018 budgeted amount by \$1,011.42.
- NO. 18-266 - PROSECUTING ATTORNEY, informing of the intent to expend approximately \$40,000 in Federal Forfeiture Funds for the Employee Development Program to fund training and related expenses.
- NO. 18-267 - PROSECUTING ATTORNEY, transmitting a notice of grant award from the State of Hawaii, Department of the Attorney General Crime Prevention and Justice Assistance Division, for the Special Needs Advocacy Program in the amount of \$777,775
- NO. 18-268 - DEPUTY PROSECUTING ATTORNEY, transmitting a notice of grant award from the State of Hawaii, Department of the Attorney General Crime Prevention and Justice Assistance Division for the Victim Witness Assistance Program in the amount of \$64,864.
- NO. 18-269 - DEPUTY PROSECUTING ATTORNEY, transmitting a notice of grant award from the State of Hawaii, Department of the Attorney General Crime Prevention and Justice Assistance Division for the Career Criminal Prosecution Program in the amount of \$144,736.
- NO. 18-270 - DIRECTOR OF FINANCE, transmitting 81 contracts/grants for June 2018.
- NO. 18-271 - MAYOR, informing of a vacancy on the Liquor Control Commission due to the resignation of Nicole DeRego.
- NO. 18-272 - ACTING DEPUTY DIRECTOR OF WATER SUPPLY, transmitting the Department of Water Supply's Monthly Source Report and Groundwater Use Report for the month ending June 2018.
- NO. 18-273 - COUNCILMEMBER KING, transmitting a proposed resolution entitled "SUPPORTING THE RECOMMENDATIONS IN THE HAWAI'I SEA LEVEL RISE VULNERABILITY AND ADAPTATION REPORT".
- NO. 18-274 - MAYOR, transmitting a proposed resolution entitled "ESTABLISHING A SISTER-CITY RELATIONSHIP WITH THE CITY OF SAN JUAN, METRO MANILA, REPUBLIC OF THE PHILIPPINES".
- NO. 18-275 - COUNCILMEMBER SUGIMURA, transmitting Bill No. 63 (2018), Draft 1, entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE DEPARTMENT OF DEFENSE".
- NO. 18-276 - COUNCILMEMBER SUGIMURA, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE ESTABLISHING A NEW CHAPTER 5.23, MAUI COUNTY CODE, RELATING TO REGULATION OF BICYCLE TOUR AND BICYCLE RENTAL BUSINESSES".

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## 2. GENERAL COMMUNICATIONS:

- NO. 18-5 - CHARLES JENCKS, HONUA`ULA PARTNERS, LLC, submitting an annual compliance report in accordance with Condition 29 of Ordinance No. 3554, establishing Kihei-Makena Project District 9 (Wailea 670) Conditional zoning for approximately 670 acres situated at Paehu, Palauea, Keauhou, Hawaii. (Honua`ula Project).

## I. COMMITTEE REPORTS:

NO. 18-115 - PARKS, RECREATION, ENERGY, AND LEGAL AFFAIRS COMMITTEE:

Recommending **ADOPTION** of resolution to authorize settlement of Claim 30178459821-0001 of Island Insurance Company, Limited, on behalf of its insured, George and Donna Brown for \$8,603.10.

*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.*

NO. 18-116 - PARKS, RECREATION, ENERGY, AND LEGAL AFFAIRS COMMITTEE:

Recommending **ADOPTION** of resolution to authorize settlement of Paula Burns v. County of Maui, Disability Compensation Division Case 7-17-00866.

*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.*

NO. 18-117 - PARKS, RECREATION, ENERGY, AND LEGAL AFFAIRS COMMITTEE:

Recommending **ADOPTION** of resolution to authorize settlement of Donna Takitani v. County of Maui, Disability Compensation Division Cases 7-15-01931 and 7-16-00277.

*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 – SECOND AND FINAL READING:

- NO. 18-124 - "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, AMENDING SECTION 13-6, RELATING TO CLAIMS"
  
- NO. 18-125 - "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO PENALTIES"
  
- NO. 18-126 - "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO USES OF THE OPEN SPACE, NATURAL RESOURCES, CULTURAL RESOURCES, AND SCENIC VIEWS PRESERVATION FUND"

K. ORDINANCES - SECOND AND FINAL READING:

- BILL NO. 63 (2018) - "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 HEALTH AND THE DEPARTMENT OF DEFENSE"
  
- BILL NO. 64 (2018) - "A BILL FOR AN ORDINANCE AMENDING SECTION 10.32.020, MAUI COUNTY CODE, RELATING TO ONE-WAY STREETS"
  
- BILL NO. 65 (2018) - "A BILL FOR AN ORDINANCE AMENDING SECTION 10.60.042, MAUI COUNTY CODE, RELATING TO CROSSWALKS ESTABLISHED"

L. UNFINISHED BUSINESS:

NONE.

**NOTE:** "BOARD PACKETS", AS DEFINED IN SECTION 92-7.5 OF THE HAWAII REVISED STATUTES, ARE AVAILABLE FOR INSPECTION AT THE OFFICE OF THE COUNTY CLERK, 200 SOUTH HIGH STREET, WAILUKU, HAWAII. "BOARD PACKETS" ARE ALSO AVAILABLE ELECTRONICALLY AS SOON AS PRACTICABLE UPON REQUEST.

**ITEMS LISTED ON THE AGENDA MAY BE ACCESSED AT MAUICOUNTY.LEGISTAR.COM.**

**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.**