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COUNCIL OF THE COUNTY OF MAUI

2018 JUL 27 PM 3: 37

A G E N D A

OFFICE OF THE
COUNTY CLERK

Regular Meeting of August 3, 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 An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify.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 DON S. GUZMAN

C. PLEDGE OF ALLEGIANCE

D. TESTIMONY ON CEREMONIAL RESOLUTIONS**E. CEREMONIAL RESOLUTIONS:**

NO. _____ "CONGRATULATING OFFICER MARVIN TEVAGA OF THE DEPARTMENT OF POLICE FOR RECEIVING THE 2018 FLOYD LEDBETTER NATIONAL SCHOOL RESOURCE OFFICER OF THE YEAR AWARD"

NO. _____ "CONGRATULATING MAUI WINNERS AT THE 2018 HAWAI'I ACADEMY OF RECORDING ARTS NA HOKU HANO HANO AWARDS"

F. PRESENTATION OF WRITTEN OR ORAL TESTIMONY**G. MINUTES:**

Public hearing of April 18, 2018
Regular meeting of May 4, 2018
Public hearing of May 11, 2018

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

NO. 18-277 - FIRST 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 Domestic Violence Investigation Program, in the amount of \$73,840.

NO. 18-278 - CHIEF OF POLICE, transmitting a grant agreement with the State of Hawaii, Department of the Attorney General for the Combating Domestic Violence and Sexual Assault in Maui County grant in the amount of \$73,840.

NO. 18-279 - DIRECTOR OF FINANCE, informing of the acceptance of Sewerline Easement S-1, 224 Mamo Place, Wailuku, identified as TMK: (2) 3-4-025:046

NO. 18-280 - DIRECTOR OF FINANCE, transmitting a report of short-term investments for the quarter ended June 30, 2018.

NO. 18-281 - 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 June 30, 2018.

NO. 18-282 - BUDGET DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES - SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2019, AFFORDABLE HOUSING FUND".

H. COMMUNICATIONS (continued):

- NO. 18-283 - DIRECTOR OF PUBLIC WORKS, transmitting a proposed draft bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTIONS 10.48.220 AND 10.56A.010, MAUI COUNTY CODE, RELATING TO TOW-AWAY ZONES AND LOADING ZONES".
- NO. 18-284 - COUNCILMEMBER GUZMAN, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 18.20.040, MAUI COUNTY CODE, RELATING TO EXISTING STREETS".
- NO. 18-285 - PLANNING DIRECTOR, transmitting a Conditional Permit application submitted by Ho`omoana Foundation for the Ho`omoana Campground, transmitting documents and a proposed bill entitled "A BILL FOR AN ORDINANCE GRANTING HO`OMOANA FOUNDATION, A HAWAII NONPROFIT CORPORATION, A CONDITIONAL PERMIT TO ALLOW THE DEVELOPMENT OF THE HO`OMOANA OVERNIGHT CAMPGROUND FOR PROPERTY SITUATED AT HOKIOKIO PLACE AND LAHAINA BYPASS ROAD AND IDENTIFIED AS TAX MAP KEY NO. (2) 4-7-003:031 (POR), LAHAINA, MAUI, HAWAII".
- NO. 18-286 - MAYOR, informing of the appointment of Gladys Baisa as Director of the Department of Water Supply.
- NO. 18-287 - COUNCIL CHAIR, transmitting a proposed resolution entitled "APPROVING THE HAWAII STATE ASSOCIATION OF COUNTIES EXECUTIVE COMMITTEE'S NOMINATION OF COUNCILMEMBER RIKI HOKAMA OF THE MAUI COUNTY COUNCIL TO THE WESTERN INTERSTATE REGION BOARD OF DIRECTORS FOR THE TERM ENDING JUNE 30, 2019".
- NO. 18-288 - COUNCIL CHAIR, transmitting a proposed resolution entitled "APPROVING THE APPOINTMENT OF JAMES B. FORREST AS A LEGISLATIVE ATTORNEY IN THE OFFICE OF COUNCIL SERVICES".

2. GENERAL COMMUNICATIONS:

- NO. 18-6 - CRAIG K. HIRAI, EXECUTIVE DIRECTOR, HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION, relating to the proposed 200-unit affordable family rental project north of the Keawe Street Extension in Lahaina, Maui, Hawaii, to be named, "Keawe Street Apartments at the Villages of Leiali`i". TMK No. (2) 4-5-021:003 (por.).
- NO. 18-7 - CRAIG K. HIRAI, EXECUTIVE DIRECTOR, HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION, relating to the proposed Kahului Civic Center Mixed Use Project consisting of office space/civic center uses, a new Maui Bus hub, affordable housing, parking and ancillary uses at 153 West Kaahumanu Avenue, Kahului, Maui, Hawaii, and 70 South High Street, Wailuku, Maui, Hawaii.

I. COMMITTEE REPORTS:**NO. 18-118 - BUDGET AND FINANCE COMMITTEE:**

Recommending the following:

1. **ADOPTION** of resolution to authorize the employment of Hawkins Delafield & Wood LLP, as Bond and Disclosure Counsel to represent the County of Maui during its 2018 General Obligation Bond Issuance, for total compensation not to exceed \$85,000; and
2. **FILING** of communication.

NO. 18-119 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to amend Chapter 3.08, Maui County Code, by adding a new Section 3.08.040, relating to County investments by requiring the County to: 1) establish an investment policy regarding the investment of County moneys; 2) create an investment committee; and 3) procure the services of a third-party investment advisor; and
2. **FILING** of communication.

NO. 18-120 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to authorize the Mayor to enter into an intergovernmental agreement with the State of Hawaii Housing Finance and Development Corporation for the Housing Trust Fund Program, in the amount of \$1,425,000; and
2. **FILING** of communication.

NO. 18-121 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to amend the Fiscal Year 2019 Budget, Appendix B, Revenues – Fees, General Fund, Charges for Current Services, Schedule of Fees and Deposits, by amending the fees for use of park facilities and equipment by 25 percent over Fiscal Year 2018 fees; and
2. **FILING** of communication.

NO. 18-122 - BUDGET AND FINANCE COMMITTEE:

Recommending **FIRST READING** of bill to amend Appendix A, Part II, Special Purpose Revenues – Schedule of Revolving/Special Funds for the Fiscal Year 2019 Budget, by adding a proviso under the Affordable Housing Fund for the appraisal and other preparations for the condemnation of the ground lease for the Front Street Apartments affordable housing project, in the amount of \$250,000.

I. COMMITTEE REPORTS (continued):**NO. 18-123 - BUDGET AND FINANCE COMMITTEE:**

Recommending **FIRST READING** of bill to amend Appendix A, Part I, Grants and Restricted Use Revenues – Schedule of Grants and Restricted Use Revenues by Departments and Programs, Fiscal Year 2019 Budget, by adding a new grant for the Department of Public Works, entitled "State of Hawaii – Old Haleakala Highway Sidewalk," in the amount of \$3,000,000 for improvements to include planning, land acquisition, design, construction, and equipment for a sidewalk along one side of the Old Haleakala Highway from Makawao Avenue to Pukalani Street.

NO. 18-124 - BUDGET AND FINANCE COMMITTEE:

Recommending **FIRST READING** of bill to amend Appendix A, Part I, Grants and Restricted Use Revenues – Schedule of Grants and Restricted Use Revenues by Departments and Programs, Fiscal Year 2019 Budget, by amending the title of the grant from "State of Hawaii Department of Agriculture – Kula Agricultural Park Expansion" to "State of Hawaii – Upcountry Maui Agricultural Park, Maui Expansion," for land acquisition, engineering, irrigation infrastructure, ground and site improvements, equipment, and appurtenances for the park.

NO. 18-125 - BUDGET AND FINANCE COMMITTEE:

Recommending **FIRST READING** of bill to amend Appendix A, Part I, Grants and Restricted Use Revenues – Schedule of Grants and Restricted Use Revenues by Departments and Programs, Fiscal Year 2019 Budget, by adding the Department of Water Supply and a new grant entitled "State of Hawaii – Upcountry Maui Agricultural Park, Maui Water System Improvements," in the amount of \$3,500,000 for improvements to the water system, including planning, design, construction, and equipment for a water pump, ground and site improvements, equipment, and appurtenances.

NO. 18-126 - HOUSING, HUMAN SERVICES, AND TRANSPORTATION COMMITTEE:

Recommending **FIRST READING** of bill amending the public transit definition of "Student" in Section 11.01.020, Maui County Code, to include college, university, and vocational school students.

NO. 18-127 - INFRASTRUCTURE AND ENVIRONMENTAL MANAGEMENT COMMITTEE:

Recommending **FIRST READING** of bill establishing Chapter 20.40A, Maui County Code, declaring a continued moratorium on sand mining of central Maui inland sand.

NO. 18-128 - POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE:

Recommending **REFERRAL** of communication relating to a proposed Constitutional amendment to allow a surcharge on real property taxes to fund public education, to the Budget and Finance Committee.

I. COMMITTEE REPORTS (continued):

NO. 18-129 - POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE:

Recommending **ADOPTION** of resolution approving the appointment of Roberta Patnode to the Police Commission for a term expiring on March 31, 2022.

NO. 18-130 - POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE:

Recommending **ADOPTION** of resolution approving the appointment of Louella Albino to the Maui County Cultural Resources Commission for a term expiring on March 31, 2021.

NO. 18-131 - POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution approving the appointment of William Spence as the Director of Housing and Human Concerns;
2. **ADOPTION** of resolution approving the appointment of Michele McLean as the Planning Director; and
3. **FILING** of communication.

J. RESOLUTIONS – SECOND AND FINAL READING:

NONE.

K. ORDINANCES - SECOND AND FINAL READING:

NONE.

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.