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**COUNCIL OF THE COUNTY OF MAUI**

2018 SEP 14 PM 3:43

**A G E N D A**

OFFICE OF THE  
COUNTY CLERK

Regular Meeting of September 21, 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 An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify.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 STACY CRIVELLO

C. PLEDGE OF ALLEGIANCE

D. TESTIMONY ON CEREMONIAL RESOLUTIONS

E. CEREMONIAL RESOLUTIONS:

NO. \_\_\_\_\_ "CONGRATULATING HALEAKALA RANCH FOR BEING AWARDED THE 2018 REGIONAL ENVIRONMENTAL STEWARDSHIP AWARD"

NO. \_\_\_\_\_ "RECOGNIZING THE MONTH OF SEPTEMBER AS NATIONAL SUICIDE PREVENTION AWARENESS MONTH IN MAUI COUNTY"

F. PRESENTATION OF WRITTEN OR ORAL TESTIMONY

G. MINUTES:

Regular Meeting of June 1, 2018  
Regular Meeting of June 15, 2018  
Special Meeting of June 15, 2018

H. COMMUNICATIONS:

1. COUNTY COMMUNICATIONS:

NO. 18-322 - CHIEF OF POLICE, transmitting a grant agreement with the Office of Youth Services for the KALO Program in the amount of \$89,000.

NO. 18-323 - DIRECTOR OF FINANCE, informing of the acceptance of Waterline Easement W-1, Wong Tract at Waiohuli-Keokea, TMK: (2) 2-2-004-054 POR.

NO. 18-324 - DIRECTOR OF FINANCE, informing of the acceptance of the Dedication of Sewerline Easement S-1, West Maui Animal Clinic, TMK: (2) 4-6-010:011 POR.

NO. 18-325 - DIRECTOR OF PARKS AND RECREATION, transmitting a proposed resolution entitled "AUTHORIZING ACCEPTANCE OF A DONATION OF \$5,000.00 FROM THE WAILUKU HEIGHTS EXTENSION COMMUNITY ASSOCIATION FOR PARK IMPROVEMENTS TO THE WAILUKU HEIGHTS PARK, PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE".

NO. 18-326 - DIRECTOR OF FINANCE, transmitting the Director of Finance's Quarterly Report for Fiscal Year July 1, 2017 to June 30, 2018 as of June 30, 2018 and the Capital Improvement Project as of June 30, 2018.

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**H. COMMUNICATIONS (continued):**

NO. 18-327 - BUDGET DIRECTOR, transmitting the following:

1. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF WATER SUPPLY, HANA COMMUNITY PLAN AREA, WATER SUPPLY, KAUPU WATER TANK IMPROVEMENTS; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)";
2. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF WATER SUPPLY, HANA COMMUNITY PLAN AREA, KAUPU WATER TANK IMPROVEMENTS"; and
3. "CERTIFICATION OF ADDITIONAL REVENUES FOR FISCAL YEAR 2019".

NO. 18-328 - BUDGET DIRECTOR, transmitting the following:

1. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF FINANCE, COUNTYWIDE, OTHER PROJECTS, COUNTYWIDE EQUIPMENT; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)";
2. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4858, BILL NO. 54 (2018), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI ISSUANCE, SALE AND DELIVERY OF SAID BONDS (COUNTYWIDE EQUIPMENT)";
3. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF FINANCE, COUNTYWIDE, COUNTYWIDE EQUIPMENT"; and
4. "BID RESULTS COUNTY OF MAUI DEPARTMENT OF FINANCE-PURCHASING DIVISION".

NO. 18-329 - COUNCILMEMBER HOKAMA, transmitting a proposed resolution entitled "URGING THE STATE AUDITOR TO CONDUCT A PERFORMANCE AND FISCAL AUDIT OF THE HAWAII STATE DEPARTMENT OF EDUCATION".

H. COMMUNICATIONS (continued):

- NO. 18-330 - COUNCILMEMBER CRIVELLO, relating to amendments to the Maui County Code relating to expediting the permitting process for workforce housing projects.
  
- NO. 18-331 - COUNCILMEMBER CRIVELLO, relating to amendments to the Maui County Code relating to a strategic plan for affordable housing.
  
- NO. 18-332 - COUNCILMEMBER COCHRAN, relating to the proposed crosswalk improvements on Waiale Road near Hale Makana and Ka Hale A Ke Ola Homeless Resource Center.
  
- NO. 18-333 - DIRECTOR OF PARKS AND RECREATION, transmitting a proposed resolution entitled "AUTHORIZING A GRANT OF A LEASE OF COUNTY REAL PROPERTY TO MAUI IN-LINE HOCKEY ASSOCIATION, INC".
  
- NO. 18-334 - CHAIR, PARKS, RECREATION, ENERGY, AND LEGAL AFFAIRS COMMITTEE, transmitting a proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL KEKER, VAN NEST & PETERS LLP TO REPRESENT THE COUNTY OF MAUI, PRO BONO, IN AN AMICUS BRIEF BEFORE THE UNITED STATES SUPREME COURT IN GEORGE K. YOUNG, JR. V. STATE OF HAWAII, ET AL., UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT NO. 12-17808, D.C. NO. 1:12-CV-00336-HG-BMK".
  
- NO. 18-335 - CHAIR, PLANNING COMMITTEE, transmitting a proposed resolution entitled "APPROVING A TIME EXTENSION FOR THE COUNCIL TO ENACT THE MOLOKAI COMMUNITY PLAN".
  
- NO. 18-336 - COUNCIL CHAIR WHITE, transmitting a proposed resolution entitled "APPROVING THE APPOINTMENT OF LESLEE D. MATTHEWS AS A LEGISLATIVE ANALYST IN THE OFFICE OF COUNCIL SERVICES".

2. GENERAL COMMUNICATIONS:

NONE.

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**I. COMMITTEE REPORTS:****NO. 18-150 - BUDGET AND FINANCE COMMITTEE:**

Recommending the following:

1. **FIRST READING** of bill to amend the Fiscal Year 2019 Budget by 1) increasing Estimated Revenues for Carryover/Savings from the General Fund by \$600,000; 2) amending Section 4.G.8.a., Department of Public Works, Wailuku-Kahului Community Plan Area, Drainage, by adding an appropriation of \$600,000 from the General Fund for the Iao Stream Flood Control Project; and 3) adjusting the totals accordingly;
2. **FIRST READING** of bill to amend the Fiscal Year 2019 Budget, Appendix C, Capital Improvement Projects, by adding an appropriation of \$600,000 for the Iao Stream Flood Control Project under the Department of Public Works, Wailuku-Kahului Community Plan Area, and a description of the project;
3. **FIRST READING** of bill to authorize the Mayor to enter into an intergovernmental agreement for a Feasibility Cost Sharing Agreement between the County of Maui Department of Public Works and the United States Department of the Army to establish procedures and responsibilities for shared study costs related to evaluating design alternatives for the existing Iao Stream Flood Control Project; and
4. **FILING** of communication.

**NO. 18-151 - BUDGET AND FINANCE COMMITTEE:**

Recommending the following:

1. **FIRST READING** of bill to amend the Fiscal Year 2019 Budget, Appendix C, Capital Improvement Projects, by 1) amending the project description for the Department of Finance, Countywide, Countywide Equipment, by changing the location of one 1500 Gallons Per Minute Pumper Truck from the Wailuku Fire Station to the Kihei Fire Station; and 2) amending the project description for the Department of Management, Countywide, Public Safety Radio System Replacement project, by deleting the existing description of items included in the Fiscal Year 2019 scope and replacing it with "Replacement of microwave links and related equipment and completion of additional work at Waiakeakua (Lanai)"; and
2. **FILING** of communication.

**NO. 18-152 - PLANNING COMMITTEE:**

Recommending the following:

1. **ADOPTION** of resolution to support the recommendations in the Hawai'i Sea Level Rise Vulnerability and Adaptation Report; and
2. **FILING** of communication.

I. COMMITTEE REPORTS (continued):

NO. 18-153 - PLANNING COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to adopt a digital zoning map, consistent with previously enacted zoning ordinances, for the island of Maui;
2. **FIRST READING** of bill to establish updated County policy on determining boundaries for zoning districts, and comprehensively update the digital zoning map for the island of Maui; and
3. **FILING** of communication.

NO. 18-154 - PLANNING COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to establish a Special Management Area Revolving Fund for the deposit of all civil fines collected pursuant to Chapter 205A, Hawaii Revised Statutes, application fees for special management area assessments and permits, shoreline setback variances, and revenue from grants, donations, and other sources, as set forth in the annual budget; and
2. **FILING** of communication.

J. RESOLUTIONS:

NONE.

K. ORDINANCES - SECOND AND FINAL READING:

BILL NO. 75 (2018) - "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"

BILL NO. 76 (2018) - "A BILL FOR AN ORDINANCE ESTABLISHING A NEW CHAPTER 2.82, MAUI COUNTY CODE, RELATING TO OPEN SPACE CONSERVATION AND LAND MANAGEMENT"

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](http://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.**