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COUNCIL OF THE COUNTY OF MAUI

2019 APR 16 PM 4: 14

A G E N D A

OFFICE OF THE
COUNTY CLERK

Regular Meeting of April 23, 2019
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 An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify.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 SHANE SINENCI

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 January 11, 2019

H. COMMUNICATIONS:

1. COUNTY COMMUNICATIONS:

NO. 19-163 - DIRECTOR OF FINANCE, transmitting 48 contracts/grants for March 2019.

NO. 19-164 - ACTING DIRECTOR OF HOUSING AND HUMAN CONCERNS, transmitting a copy of a grant award letter from the Federal Corporation for National and Community Service for the Retired and Senior Volunteer Program (RSVP) for \$65,850.

NO. 19-165 - CHIEF OF POLICE, informing of the Police Department's intent to expend \$7,000 in Federal Forfeiture Funds to host an introductory and advanced course in behavioral analysis techniques.

NO. 19-166 - CHIEF OF POLICE, informing of the Police Department's intent to expend \$29,449.81 in Federal Forfeiture Funds to purchase a Fourier Transform Infrared Spectrometer (FTIR) used to identify methamphetamine.

NO. 19-167 - MAYOR, informing of a vacancy on the Liquor Control Commission due to the resignation of Jonathan Todd.

NO. 19-168 - MAYOR, informing of a vacancy on the Maui Planning Commission due to the resignation of Lawrence Hudson.

NO. 19-169 - MAYOR, informing of a vacancy on the Salary Commission due to the resignation of Teddy Espeleta.

NO. 19-170 - DIRECTOR OF WATER SUPPLY, transmitting copies of the Department of Water Supply's Monthly Source Report and Groundwater Use Report for the month ended March 2019.

NO. 19-171 - DIRECTOR OF WATER SUPPLY, transmitting copies of the water use reports for the month of February 2019, received from the State of Hawaii Commission on Water Resource Management for all registered well reporters in Maui County.

H. COMMUNICATIONS (continued):

- NO. 19-172 - COUNCIL CHAIR KING, transmitting a proposed resolution entitled, "APPOINTING TRACI FUJITA THE DIRECTOR OF COUNCIL SERVICES AND SETTING THE SALARY".
- NO. 19-173 - COUNCIL CHAIR KING, transmitting a proposed resolution entitled, "APPROVING THE APPOINTMENT OF JULIE M. REED AS A LEGISLATIVE ANALYST IN THE OFFICE OF COUNCIL SERVICES".
- NO. 19-174 - COUNTY AUDITOR, transmitting Financial Data Schedules for Section 8 and Family Self-Sufficiency Programs of the County of Maui for the Fiscal Year Ended June 30, 2018.
- NO. 19-175 - COUNCILMEMBER SINENCI, relating to the matter of food security for the County of Maui.
- NO. 19-176 - COUNCILMEMBER SINENCI, relating to the cultural components of the Kahului Community Center project design.
- NO. 19-177 - COUNCILMEMBER SINENCI, relating to the matter of establishing an agency to address climate change, sustainability, and resiliency.
- NO. 19-178 - COUNCIL CHAIR KING, transmitting a proposed resolution entitled, "REQUIRING SETTLEMENT OFFERS IN HAWAII WILDLIFE FUND, ET AL. V. COUNTY OF MAUI, RELATING TO THE CLEAN WATER ACT, TO BE TRANSMITTED TO THE COUNCIL FOR APPROVAL OR DISAPPROVAL".
- NO. 19-179 - ACTING 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 REGARDING THE CONSTRUCTION OF EMERGENCY HOUSING AT THE UNIVERSITY OF HAWAII, MAUI COLLEGE, DORM SITE".
- NO. 19-180 - MAYOR, transmitting a proposed resolution entitled, "URGING THE HAWAII STATE LEGISLATURE TO EXTEND THE DEADLINE TO ESTABLISH A SURCHARGE ON GENERAL EXCISE TAX".

2. GENERAL COMMUNICATIONS:

NONE.

I. COMMITTEE REPORTS:**NO. 19-46 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:**

Recommending the following:

1. **ADOPTION** of resolution approving the Mayor's appointment of Lori Ann Tshako for Director of Housing and Human Concerns; and
2. **FILING** of resolution disapproving the Mayor's appointment of Lori Ann Tshako for Director of Housing and Human Concerns.

NO. 19-47 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:Recommending **ADOPTION** of resolution authorizing the employment of special counsel to advise and represent the Council on the Mayor's appointment as "interim" administrative heads the same individuals disapproved by the Council.**J. RESOLUTIONS:**

NONE.

K. ORDINANCES - SECOND AND FINAL READING:

BILL NO. 23 (2019) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX A, PART I, GRANTS AND RESTRICTED USE REVENUES – SCHEDULE OF GRANTS AND RESTRICTED USE REVENUES BY DEPARTMENTS AND PROGRAMS, DEPARTMENT OF HOUSING AND HUMAN CONCERNS (HOME DELIVERED MEALS PROGRAM)"

BILL NO. 24 (2019) - "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 PUBLIC WORKS, COUNTYWIDE, COUNTYWIDE FEDERAL AID PROGRAM"

BILL NO. 25 (2019) - "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO (1) ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE NATIONAL CEMETERY ADMINISTRATION OF THE U.S. DEPARTMENT OF VETERANS AFFAIRS, THE HAWAII STATE HISTORIC PRESERVATION OFFICER, THE ADVISORY COUNCIL ON HISTORIC PRESERVATION, THE STATE OF HAWAII DEPARTMENT OF DEFENSE AND OFFICE OF VETERANS SERVICES REGARDING A GRANT TO SUPPORT IMPROVEMENTS TO THE MAUI VETERANS CEMETERY, MAKAWAO, MAUI, HAWAII;

K. ORDINANCES - SECOND AND FINAL READING (continued):

(2) ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII OFFICE OF VETERANS SERVICES REGARDING THE MAINTENANCE OF THE MAUI VETERANS CEMETERY; AND (3) APPROVE THE MAUI VETERANS CEMETERY GROUNDS MANAGEMENT AND MAINTENANCE PLAN – STANDARD OPERATING PROCEDURES (“PLAN”) TO MAINTAIN THE CEMETERY AT ‘SHRINE STATUS”

L. UNFINISHED BUSINESS:

COMMITTEE REPORTS:

NO. 19-41 - ENVIRONMENTAL, AGRICULTURAL, AND CULTURAL PRESERVATION COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to authorize the Mayor to enter into intergovernmental agreements with the State Department of Health relating to contracts for glass recycling and electronic device recycling, pursuant to Section 2.20.020, Maui County Code; and
2. **FILING** of communication.

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.