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COUNCIL OF THE COUNTY OF MAUI 2019 JUN 12 PM 3:11

**A G E N D A**

OFFICE OF THE  
COUNTY CLERK

Special Meeting of June 18, 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](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 An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify.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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ROLL CALL

PRESENTATION OF WRITTEN OR ORAL TESTIMONY

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COUNTY COMMUNICATIONS:

- NO. 19-254 - DIRECTOR OF ENVIRONMENTAL MANAGEMENT, transmitting the notice of grant award from the State Department of Health totaling \$114,800 from the Clean Water Act, Section 604(b) program, to be used for two studies: (1) Countywide PS Inundation Study (CBS-5041) and (2), Countywide Injection Well Alternatives Study (CBS-5053).
- NO. 19-255 - CHIEF OF POLICE, informing of the intent to expend \$2,598.15 in Federal Forfeiture Funds to purchase an explosion-proof refrigerator/freezer used to store flammable materials and the crime lab's reference standards.
- NO. 19-256 - DIRECTOR OF FINANCE, transmitting 47 contracts/grants for May 2019.
- NO. 19-257 - CHAIR, CIVIL SERVICE COMMISSION, transmitting the performance evaluation of the Director of Personnel Services.
- NO. 19-258 - DIRECTOR OF WATER SUPPLY, transmitting the State of Hawaii Commission on Water Resources Management water use reports for April 2019 for all registered well reporters in the County of Maui.
- NO. 19-259 - DIRECTOR OF WATER SUPPLY, transmitting the Department of Water Supply's Monthly Source Report and Groundwater Use Report for the month ending May 2019.
- NO. 19-260 - PRESIDING OFFICER PRO TEMPORE KAMA, relating to Councilmembers' report on the "Visionaries Breakfast" meeting hosted by Hale Makua Health Services on May 30, 2019, at the King Kamehameha Golf Club.
- NO. 19-261 - MAYOR, transmitting Bill No. 35 (2019), entitled "A BILL FOR AN ORDINANCE RELATING TO THE CAPITAL PROGRAM FOR THE FISCAL YEAR ENDING JUNE 30, 2020", and notifying of his veto of items or portions thereof.

*With reference to this agenda item, pursuant to Subsections 4-3.2 and 4-3.3 of the Revised Charter of the County of Maui (1983), as amended, the Council may reconsider the vote upon the bill and may override the Mayor's veto as provided for in Subsection 4-3.1 of the Charter.*

- NO. 19-262 - MAYOR, transmitting Bill No. 36 (2019), Draft 1, entitled "A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET FOR THE COUNTY OF MAUI FOR THE FISCAL YEAR JULY 1, 2019 TO JUNE 30, 2020", and notifying of his veto of items or portions thereof.

*With reference to this agenda item, pursuant to Subsections 4-3.2 and 4-3.3 of the Revised Charter of the County of Maui (1983), as amended, the Council may reconsider the vote upon the bill and may override the Mayor's veto as provided for in Subsection 4-3.1 of the Charter.*

COUNTY COMMUNICATIONS (continued):

- NO. 19-263 - COUNCILMEMBER SUGIMURA, relating to Multimodal Transportation and the Healthy Communities Initiative.
- NO. 19-264 - COUNCILMEMBER SUGIMURA, relating to "Hurricane and Emergency Management Preparedness".
- NO. 19-265 - PLANNING DIRECTOR, transmitting a Change in Zoning application filed by Mike Farina of Nation Land Company LLC, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE CHANGE OF ZONING FROM R-2 RESIDENTIAL TO B-2 COMMUNITY BUSINESS FOR PROPERTIES IDENTIFIED AS TAX MAP KEYS (2) 3-9-003:003 AND (2) 3-9-003:005, LOCATED AT 30 ALAHELE PLACE AND 33 AUHANA ROAD, KIHEI, MAUI, HAWAII", and related documents.

COMMITTEE REPORTS:

- NO. 19-57 - ENVIRONMENTAL, AGRICULTURAL, AND CULTURAL PRESERVATION COMMITTEE:  
 Recommending the following:
  1. **FIRST READING** of bill to prohibit activity requiring a commercial ocean recreational activity permit at Hanakao`o Beach Park, Lahaina (also known as "Canoe Beach"); and
  2. **FILING** of communication.
- NO. 19-58 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:  
 Recommending **ADOPTION** of resolution approving the appointment of Dale Thompson to the Maui Planning Commission for a term expiring on March 31, 2020.
- NO. 19-59 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:  
 Recommending **ADOPTION** of resolution approving the appointment of Paul Kailiponi to the Salary Commission for a term expiring on March 31, 2020.
- NO. 19-60 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:  
 Recommending **ADOPTION** of resolution disapproving the appointment of Lorraine Sablas to the Maui Planning Commission.
- NO. 19-61 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:  
 Recommending **ADOPTION** of resolution approving the appointment of Kaapunialionalaniki`eki`e Aiwohi to the Maui County Cultural Resources Commission for a term expiring on March 31, 2020.

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COMMITTEE REPORTS (continued):

NO. 19-62 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending **ADOPTION** of resolution to authorize settlement of County of Maui v. Pedro Tolentino, Jr., et al., Civil 18-1-0124(1).

*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.*

ORDINANCES - SECOND AND FINAL READING:

BILL NO. 37 (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 DEPARTMENT OF PLANNING (STATE OF HAWAII DEPARTMENT OF HEALTH, COMPLETE STREETS TRAINING)"

**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.**