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COUNCIL OF THE COUNTY OF MAUI 2020 MAR -6 PM 5: 56

A G E N D A

OFFICE OF THE
COUNTY CLERK

Regular Meeting of March 13, 2020
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 An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify.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 RIKI HOKAMA

C. PLEDGE OF ALLEGIANCE

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

NO. _____ "CONGRATULATING JESSICA GLEASON, 2019 LIBRARIAN OF THE YEAR"

NO. _____ "CONGRATULATING MAUI COUNTY WINNERS AT THE 30TH ANNUAL NA PO'E PA'AHANA AWARDS"

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

Regular Meeting of December 20, 2019
Special Meeting of December 27, 2019
Regular Meeting of January 10, 2020

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

NO. 20-146 - CHIEF OF POLICE, transmitting a grant modification with the State of Hawaii, Department of Health for the Emergency Medical System grant to increase the budget by \$98,355.

NO. 20-147 - CHIEF OF POLICE, transmitting a grant agreement with the State of Hawaii, Department of the Attorney General for the Cybercrime Unit Enhancement grant in the amount of \$63,980.

NO. 20-148 - CHIEF OF POLICE, transmitting a grant agreement with the State of Hawaii, Department of the Attorney General for the Update Drug Analysis Instrument grant in the amount of \$130,363.

NO. 20-149 - CHIEF OF POLICE, transmitting a grant agreement with the State of Hawaii, Department of the Attorney General for the Statewide Multi-Jurisdictional Drug Task Force grant in the amount of \$44,304.

NO. 20-150 - CHIEF OF POLICE, transmitting a grant agreement with the State of Hawaii, Department of Transportation for the MPD Child Restraint grant in the amount of \$54,230.

NO. 20-151 - COUNTY AUDITOR, transmitting Report No. 20-01, Implementation Status of the Audit Recommendations made in Report No. 14-01, Examination of the Treasury Function of the Department of Finance.

NO. 20-152 - PROSECUTING ATTORNEY, transmitting a copy of the approved highway safety reimbursement project from the State of Hawaii, Department of Transportation, for the Impaired Driving Program in the amount of \$72,000.

H. COMMUNICATIONS (continued):

- NO. 20-153 - DIRECTOR OF FINANCE, transmitting the detailed report of the Special Management Area Revolving Fund as of December 31, 2019.
- NO. 20-154 - DIRECTOR OF FINANCE, transmitting 52 contracts/grants for February 2020.
- NO. 20-155 - MAYOR, informing of a vacancy on the Lanai Planning Commission due to the resignation of Mililani Martin.
- NO. 20-156 - DIRECTOR OF FINANCE, informing of the acceptance of Utility Easements U-1, U-2, U-3, U-4 & U-5, TMK: (2) 4-6-016:004 POR, :038 POR & :039 POR.
- NO. 20-157 - DIRECTOR OF WATER SUPPLY, transmitting the Department of Water Supply's Monthly Source Report and Groundwater Use Report for the month ending February 2020.
- NO. 20-158 - PRESIDING OFFICER PRO TEMPORE KAMA, relating to Councilmembers' report on MEO Core Four Business Planning Course Bankers' Dinner/Graduation.
- NO. 20-159 - PRESIDING OFFICER PRO TEMPORE KAMA, relating to Councilmembers' report on the National Association of Counties (NACo) 2020 Legislative Conference.
- NO. 20-160 - COUNCILMEMBER PALTIN, relating to Councilmembers' report on Maui Economic Opportunity, Inc.'s Annual Volunteer Luncheon held on February 14, 2020.
- NO. 20-161 - COUNCILMEMBER SINENCI, relating to Councilmembers' report on the "Ground War – Film Screening and Discussion" event that took place on February 18, 2020.
- NO. 20-162 - COUNCIL CHAIR LEE, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE RELATING TO AN ACCOUNTS PAYABLE SPECIALIST IN THE LEGISLATIVE BRANCH".
- NO. 20-163 - CHAIR, PLANNING AND SUSTAINABLE LAND USE COMMITTEE, relating to the matter of the discharge of an item before the Planning and Sustainable Land Use Committee.
- NO. 20-164 - COUNCILMEMBER MOLINA, relating to the matter of the discharge of County Communication 20-71, relating to operational and budgetary review of the Department of Corporation Counsel.
- NO. 20-165 - COUNCILMEMBER MOLINA, relating to the matter of the discharge of County Communication 20-72, relating to operational and budgetary review of the Department of Fire and Public Safety.

H. COMMUNICATIONS (continued):

- NO. 20-166 - COUNCILMEMBER MOLINA, relating to the matter of the discharge of County Communication 20-73, relating to operational and budgetary review of the Department of Personnel Services.
- NO. 20-167 - COUNCIL CHAIR LEE, transmitting a proposed resolution entitled "URGING THE GOVERNOR TO DELAY IMPLEMENTATION OF THE NEW DEPARTMENT OF HUMAN SERVICES' NEW HEALTHCARE CONTRACT AWARDS UNTIL THE RAMIFICATIONS FOR ALL RESIDENTS HAVE BEEN CONSIDERED IN PUBLIC DISCUSSIONS IN MAUI COUNTY".
- NO. 20-168 - CHAIR, ECONOMIC DEVELOPMENT AND BUDGET COMMITTEE, transmitting the following:
1. Miscellaneous Communication, from the County Clerk, reporting that on August 23, 2019, the Council referred the matter relating to the Central Maui Landfill Land Purchase Project (CBS-3567);
 2. County Communication 20-51, from the Budget Director, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4985, BILL NO. 34 (2019), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI ISSUANCE, SALE AND DELIVERY OF SAID BONDS (DEPARTMENT OF ENVIRONMENTAL MANAGEMENT – CENTRAL MAUI LANDFILL LAND PURCHASE)"; and
 3. Correspondence dated February 13, 2020, from the Budget Director, transmitting the following:
 1. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2020 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA, SANITATION, BOND FUND, CENTRAL MAUI LANDFILL LAND PURCHASE; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)";
 2. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2020 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA (CENTRAL MAUI LANDFILL LAND PURCHASE)"; and
 3. A revised proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4985, BILL NO. 34 (2019), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI ISSUANCE, SALE AND DELIVERY OF SAID BONDS (DEPARTMENT OF ENVIRONMENTAL MANAGEMENT – CENTRAL MAUI LANDFILL LAND PURCHASE)".

H. COMMUNICATIONS (continued):

- NO. 20-169 - DIRECTOR OF HOUSING AND HUMAN CONCERNS, transmitting the Department of Housing and Human Concerns' 2020 Affordable Housing Fund Annual Plan.
- NO. 20-170 - COUNCILMEMBER KING, relating to carbon pricing and credits.
- NO. 20-171 - COUNCILMEMBER KING, relating to the Environmental Protection Agency's Refrigerant Management Regulations under Section 608 of the Clean Air Act.
- NO. 20-172 - COUNCILMEMBER KING, transmitting a proposed resolution entitled "URGING THE 116TH UNITED STATES CONGRESS TO SUPPORT H.R. 763 (2020), THE ENERGY INNOVATION AND CARBON DIVIDEND ACT".
- NO. 20-173 - COUNCILMEMBER KING, transmitting a proposed resolution entitled "URGING THE 30TH LEGISLATURE OF THE STATE OF HAWAII TO SUPPORT SENATE BILL 3150 (2020) TO ADDRESS CARBON EMISSIONS".
- NO. 20-174 - COUNCILMEMBER KING, relating to building materials as a solution to combat climate change.
- NO. 20-175 - EMERGENCY MANAGEMENT ADMINISTRATOR, transmitting a proposed resolution entitled "RECOGNIZING THE 2019-2020 UPDATE TO THE COUNTY OF MAUI HAZARD MITIGATION PLAN".
- NO. 20-176 - DIRECTOR OF FINANCE, reporting on temporary transfers/loans from the General Fund and Department of Water Supply Revenue Fund to the 2020 Proposed General Obligation Bond Fund as of January 31, 2020.
- NO. 20-177 - DIRECTOR OF FINANCE, transmitting the Hawaiian Cultural Restoration Revolving Fund Annual Revenues and Expenditures Report.
- NO. 20-178 - DEPUTY DIRECTOR OF WATER SUPPLY, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE ESTABLISHING A NEW CHAPTER 3.93, MAUI COUNTY CODE, CREATING THE IMPACTS OF CLIMATE CHANGE AND SEA LEVEL RISE CAPITAL REPLACEMENT FUND FOR THE DEPARTMENT OF WATER SUPPLY".
- NO. 20-179 - BUDGET DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2020 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES - SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2020, EMPLOYEE PARKING FEES FUND".

H. COMMUNICATIONS (continued):

- NO. 20-180 - BUDGET DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2020 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, OFFICE OF THE MAYOR (HAWAII STATE ENERGY OFFICE)".
- NO. 20-181 - BUDGET DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2020 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM (SOUTH MAUI ECONOMIC DEVELOPMENT AND CULTURAL PROGRAMS)".
- NO. 20-182 - BUDGET DIRECTOR, transmitting a proposed resolution entitled "AUTHORIZING THE TRANSFER OF AN UNENCUMBERED APPROPRIATION BALANCE WITHIN THE DEPARTMENT OF PARKS AND RECREATION, FISCAL YEAR 2020 BUDGET".
- NO. 20-183 - BUDGET DIRECTOR, transmitting a proposed resolution entitled "AUTHORIZING THE TRANSFER OF AN UNENCUMBERED APPROPRIATION BALANCE WITHIN THE DEPARTMENT OF THE PROSECUTING ATTORNEY, FISCAL YEAR 2020 BUDGET".
- NO. 20-184 - DIRECTOR OF FINANCE, transmitting the Director of Finance's Quarterly Report for Fiscal Year July 1, 2019 to June 30, 2020 as of December 31, 2019 and the Capital Improvement Project Report as of December 31, 2019.
- NO. 20-185 - COUNCILMEMBER HOKAMA, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.48, MAUI COUNTY CODE, RELATING TO USE OF THE TERM "POLICE".
- NO. 20-186 - COUNCILMEMBER PALTIN, relating to the Planning Director's and other officials' authority to settle, compromise, or otherwise resolve violations of the Maui County Code, related to administrative rules, and related permits.
- NO. 20-187 - COUNCILMEMBER MOLINA, transmitting a proposed resolution entitled "PROPOSING AN AMENDMENT TO SECTION 9-20 OF THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO THE AFFORDABLE HOUSING FUND".
- NO. 20-188 - COUNCILMEMBER SUGIMURA, relating to the social and economic impact of Coronavirus on residents and visitors.
- NO. 20-189 - COUNCILMEMBER MOLINA, transmitting a proposed resolution entitled "URGING THE ADMINISTRATION TO NEGOTIATE FOR THE ACQUISITION OF APPROXIMATELY 41.25 ACRES OF LAND NEAR THE MAUI VETERANS CEMETERY AND MAKAWAO CEMETERY FOR AN EQUESTRIAN FACILITY IN MAKAWAO".

H. COMMUNICATIONS (continued):

- NO. 20-190 - DIRECTOR OF PARKS AND RECREATION, transmitting a proposed resolution entitled "AUTHORIZING ACCEPTANCE OF THE DONATION OF FOUR 8'X24' AND FOUR 6'6"X18'6" SOCCER GOALS FROM THE HAWAII YOUTH SOCCER ASSOCIATION MAUI TO THE DEPARTMENT OF PARKS AND RECREATION, PURSUANT TO CHAPTER 13.04A, MAUI COUNTY CODE".
- NO. 20-191 - PLANNING DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE THE ZONING FROM OPEN ZONE TO R-1 RESIDENTIAL DISTRICT FOR 6.943 ACRES IN KIHEI, MAUI, HAWAII, IDENTIFIED AS TAX MAP KEY (2) 3-9-004:141", and related documents.
- NO. 20-192 - PLANNING DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE ADOPTING THE DIGITAL ZONING MAP AS THE OFFICIAL ZONING MAP FOR THE ISLAND OF LANAI".
- NO. 20-193 - COUNCILMEMBER HOKAMA, transmitting a proposed resolution entitled "REFERRING TO THE LANAI PLANNING COMMISSION A PROPOSED BILL TO ESTABLISH A MORATORIUM ON TRANSIENT ACCOMMODATION PERMITS ON LANAI".
- NO. 20-194 - COUNCILMEMBER PALTIN, transmitting a proposed resolution entitled "REFERRING TO THE MAUI AND LANAI PLANNING COMMISSIONS A PROPOSED BILL TO AMEND THE COMPREHENSIVE ZONING ORDINANCE RELATING TO SHORT-TERM RENTAL HOME PERMITS ON MAUI AND LANAI".
- NO. 20-195 - COUNCILMEMBER SUGIMURA, relating to Stormwater Management and Stormwater Utilities.
- NO. 20-196 - COUNCILMEMBER SUGIMURA, relating to the Drainage Master Plan for Maui County.
- NO. 20-197 - DIRECTOR OF WATER SUPPLY, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT WITH THE BOARD OF LAND AND NATURAL RESOURCES, STATE OF HAWAII, REGARDING THE PURCHASE OF WATER ALLOCATION CREDITS FROM THE CAMP MALUHIA SITE NO. 1 WELL DEVELOPMENT FOR STATE PROJECTS".

2. GENERAL COMMUNICATIONS:

NONE.

I. COMMITTEE REPORTS:**NO. 20-32 - ECONOMIC DEVELOPMENT AND BUDGET COMMITTEE:**

Recommending the following:

1. **FIRST READING** of bill to amend Appendix A, Part II, Special Purpose Revenues – Schedule of Revolving/Special Funds, Fiscal Year 2020 Budget, Open Space, Natural Resources, Cultural Resources, and Scenic Views Preservation Fund by: 1) increasing the proviso for tax map key (2) 2-7-007:005, Haiku Sugar East Subdivision (Lot 6), Kuiaha, Maui, Hawaii, by \$1,700,000; and 2) changing the title of the parcel from Hamakualoa Coastal Open Space Preserve to Haiku Sugar East Subdivision;
2. **ADOPTION** of resolution to authorize the acquisition of approximately 48.774 acres identified as tax map key (2) 2-7-007:005, situated at Hamakualoa, Makawao, Maui, Hawaii, being more particularly described as Lot 6, Haiku Sugar East Subdivision, for an amount not to exceed \$1,700,000; and
3. **FILING** of communication.

NO. 20-33 - ENVIRONMENTAL, AGRICULTURAL, AND CULTURAL PRESERVATION COMMITTEE:Recommending **FIRST READING** of bill amending Chapter 20.26, Maui County Code, to regulate the use and sale of plastic disposable foodware.**NO. 20-34 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:**

Recommending the following:

1. **ADOPTION** of resolution approving the appointment of James "Ipo" Mossman (Reappointment) to the Affirmative Action Advisory Council for a term beginning on April 1, 2020 and expiring on March 31, 2025;
2. **ADOPTION** of resolution approving the appointment of Linda Kay Okamoto and Shanna Willing to the Board of Ethics for terms beginning on April 1, 2020 and expiring on March 31, 2025;
3. **ADOPTION** of resolution approving Colin Yamamoto to the Civil Service Commission for a term beginning on April 1, 2020 and expiring on March 31, 2025;
4. **ADOPTION** of resolution approving Elizabeth Fujii to the Commission on Children and Youth for a term beginning on April 1, 2020 and expiring on March 31, 2025;
5. **ADOPTION** of resolution approving Agnes Groff and Arleen Gerbig to the Council on Aging for terms beginning on April 1, 2020 and expiring on March 31, 2025;

I. COMMITTEE REPORTS (continued):

6. **ADOPTION** of resolution approving Max Kincaid, Jr. and Punahale Alcon to the Fire and Public Safety Commission for terms beginning on April 1, 2020 and expiring on March 31, 2025;
7. **ADOPTION** of resolution approving Douglas Mardfin and Dean Wariner to the Hana Advisory Committee for terms beginning on April 1, 2020 and expiring on March 31, 2025;
8. **ADOPTION** of resolution approving James Jones (Reappointment) and Curtis Tom (Agricultural Lending or Banking Community) to the Kula Agricultural Park Committee for terms beginning on April 1, 2020 and expiring on March 31, 2025;
9. **ADOPTION** of resolution approving Sally Kaye and John Ornellas to the Lanai Planning Commission for terms beginning on April 1, 2020 and expiring on March 31, 2025;
10. **ADOPTION** of resolution approving Colleen Cluney to the Liquor Control Adjudication Board for a term beginning on April 1, 2020 and expiring on March 31, 2025;
11. **ADOPTION** of resolution disapproving Pedro Venenciano (Reappointment) and Linda Fernandez to the Liquor Control Commission;
12. **ADOPTION** of resolution approving Robert Carroll (Reappointment) and John Copeland to the Maui County Commission on Persons with Disabilities for terms beginning on April 1, 2020 and expiring on March 31, 2025;
13. **ADOPTION** of resolution approving Dale Thompson (Reappointment) to the Maui Planning Commission for a term beginning on April 1, 2020 and expiring on March 31, 2025 and disapproving the appointment of Jennifer Salisbury;
14. **ADOPTION** of resolution approving George Kaho'ohanohano to the Maui Redevelopment Agency for a term beginning on April 1, 2020 and expiring on March 31, 2025;
15. **ADOPTION** of resolution approving Frank De Rego, Jr. and Janet Kuwahara to the Police Commission for terms beginning on April 1, 2020 and expiring on March 31, 2025;
16. **ADOPTION** of resolution approving Georgina Kawamura to the Real Property Tax Review Board for a term beginning on April 1, 2020 and expiring on March 31, 2025;
17. **ADOPTION** of resolution approving Paul Kailiponi (Reappointment) and Edwin Misaki to the Salary Commission for terms beginning on April 1, 2020 and expiring on March 31, 2025; and

I. COMMITTEE REPORTS (continued):

18. **ADOPTION** of resolution approving Marie Kimmey (Architect), Mandy Saito (Civil Engineer), John Gerdel (Alternate) (Architect), and Paul Areus (Alternate) (Architect) to the Urban Design Review Board. Except for Mandy Saito, who will continue her current term expiring on March 31, 2024, the terms will begin on April 1, 2020 and expire on March 31, 2025.

NO. 20-35 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution approving Caron Green to the Board of Variances and Appeals for a term beginning on April 1, 2020 and expiring on March 31, 2025;
2. **ADOPTION** of resolution approving Emily Spenser and Brandis Sarich to the Maui County Cultural Resources Commission for terms beginning on April 1, 2020 and expiring on March 31, 2025 and disapproving Marinel Yumol; and
3. **ADOPTION** of resolution approving Christopher Curtis (Land Architect) and Joshua Circle-Woodburn (Alternate) (Land Architect) to the Urban Design Review Board for terms beginning on April 1, 2020 and expiring on March 31, 2025.

NO. 20-36 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution approving Ivan Lay to the Board of Variances and Appeals for a term beginning on April 1, 2020 and expiring on March 31, 2025; and
2. **ADOPTION** of resolution approving Robbie Sanches to the Liquor Control Adjudication Board for a term beginning on April 1, 2020 and expiring on March 31, 2025.

NO. 20-37 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending **ADOPTION** of resolution approving Travis Thompson to the Board of Ethics for a term expiring on March 31, 2021, to fill a vacancy due to the resignation of David Courson.

NO. 20-38 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending **ADOPTION** of resolution authorizing settlement of Claim No. 30181452447-0003 of Kevin Barham.

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.

I. COMMITTEE REPORTS (continued):NO. 20-39 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending **FIRST READING** of resolution to place on the next General Election ballot the question of whether the Charter should be amended, effective January 2, 2021, to change the Council and mayoral terms to start on the first Monday in December following a general election.

NO. 20-40 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending **FIRST READING** of resolution to place on the next General Election ballot the question of whether the Charter should be amended to reorganize the executive branch to promote professionalism in the management of the County by 1) establishing an Office of the Managing Director, where a Managing Director would be hired by the Mayor through a recruitment and selection process involving an ad hoc committee comprised of the Mayor, Council Chair, and a three-member citizen group; 2) allowing the Managing Director to function as the County's chief operating officer responsible for daily operations, the appointment and removal of most department heads, and the implementation of County policy; 3) making the Mayor the County's chief executive officer responsible for supervising the managing director's work, representing the County in intergovernmental affairs, having the authority to approve or veto bills, nominating board and commission members, and enforcing provisions of the Charter, County ordinances, and all applicable laws; and 4) authorizing various housekeeping revisions.

NO. 20-41 - PLANNING AND SUSTAINABLE LAND USE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill granting Christine Ward a Conditional Permit to operate a neighborhood store and lunch counter business within a 20,045-square-foot portion of the southeast corner of the property and immediately adjacent to Kamehameha V Highway, of a larger 70.994-acre parcel at 8615 Kamehameha V Highway, Puko`o, Moloka`i, Hawai`i, identified for real property tax purposes as tax map key (2) 5-7-005:004; and
2. **FILING** of communication.

J. RESOLUTIONS:

NONE.

K. ORDINANCES - SECOND AND FINAL READING:

BILL NO. 29 (2020) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2020 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF PARKS AND RECREATION, PAIA-HAIKU COMMUNITY PLAN AREA, PARKS AND RECREATION, BOND FUND, ALFRED "FLAKO" BOTEILHO, SR. GYM IMPROVEMENTS; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)"

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

- BILL NO. 30 (2020) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2020 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF PARKS AND RECREATION; LANAI COMMUNITY PLAN AREA, LANAI YOUTH CENTER AND SKATE PARK; PAIA-HAIKU COMMUNITY PLAN AREA, ALFRED "FLAKO" BOTEILHO, SR. GYM IMPROVEMENTS"
- BILL NO. 31 (2020) - "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4985, BILL NO. 34 (2019), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI ISSUANCE, SALE AND DELIVERY OF SAID BONDS (DEPARTMENT OF PARKS AND RECREATION – ALFRED "FLAKO" BOTEILHO, SR. GYM IMPROVEMENTS"
- BILL NO. 32 (2020) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2020 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 (HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION, DWELLING UNIT REVOLVING FUND, KAHULUI EMERGENCY HOUSING)"
- BILL NO. 33 (2020) - "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR A LOAN FROM THE STATE OF HAWAII'S DRINKING WATER TREATMENT REVOLVING LOAN FUND FOR WEST MAUI RELIABLE CAPACITY, FISCAL YEAR 2020 BUDGET ORDINANCE"
- BILL NO. 34 (2020) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2020 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF WATER SUPPLY, WEST MAUI COMMUNITY PLAN AREA, WATER SUPPLY, WATER FUND – RESTRICTED, WEST MAUI RELIABLE CAPACITY; STATE REVOLVING LOAN FUNDS; WEST MAUI RELIABLE CAPACITY; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)"
- BILL NO. 35 (2020) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2020 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF WATER SUPPLY, WEST MAUI COMMUNITY PLAN AREA (WEST MAUI RELIABLE CAPACITY)"

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

- BILL NO. 36 (2020) - "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4985, BILL NO. 34 (2019), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI ISSUANCE, SALE AND DELIVERY OF SAID BONDS (DEPARTMENT OF ENVIRONMENTAL MANAGEMENT – CENTRAL MAUI LANDFILL EXPANSION)"
- BILL NO. 37 (2020) - "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4985, BILL NO. 34 (2019), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI ISSUANCE, SALE AND DELIVERY OF SAID BONDS (DEPARTMENT OF ENVIRONMENTAL MANAGEMENT – CML PHASE VB EXTENSION LEACHATE RECIRCULATION SYSTEM)"
- BILL NO. 38 (2020) - "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4985, BILL NO. 34 (2019), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI ISSUANCE, SALE AND DELIVERY OF SAID BONDS (DEPARTMENT OF ENVIRONMENTAL MANAGEMENT – CML EXTENSION OF PRIMARY LITTER SCREEN AND DRAINAGE IMPROVEMENTS)"
- BILL NO. 39 (2020) - "A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.41, MAUI COUNTY CODE, RELATING TO ATTENDANCE AT BOARD, COMMISSION, AND COMMITTEE MEETINGS BY APPOINTED MEMBERS"

L. UNFINISHED BUSINESS:**COUNTY COMMUNICATIONS:**

- NO. 20-141 - FIRE CHIEF, transmitting a proposed resolution entitled "AUTHORIZING ACCEPTANCE OF THE DONATION OF \$80,000 FROM THE HAWAII PROFESSIONAL FIREFIGHTERS FOUNDATION TO THE DEPARTMENT OF FIRE AND PUBLIC SAFETY, FOR THE PURCHASE OF FIREFIGHTING EQUIPMENT, PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE".

RESOLUTIONS - SECOND AND FINAL READING:

- NO. 20-12 "PROPOSING AN AMENDMENT TO SECTION 9-20 OF THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO THE AFFORDABLE HOUSING FUND"

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 REQUIRE AN AUXILIARY AID, SERVICE OR OTHER ACCOMMODATION DUE TO A DISABILITY SHOULD CALL THE OFFICE OF THE COUNTY CLERK AT 270-7748, AT LEAST THREE DAYS IN ADVANCE.