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COUNCIL OF THE COUNTY OF MAUI

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A G E N D A

OFFICE OF THE
COUNTY CLERK

Regular Meeting of March 27, 2020
9:00 a.m.

Meeting Site: Council Chamber, 8th Floor, 200 South High Street, Wailuku, Hawaii

website: <http://co.mauhi.us/Archive.aspx?AMID=226>
e-mail: county.clerk@mauicounty.us

WRITTEN TESTIMONY

This meeting will not be open to the public but will be televised on Akaku: Maui Community Media, Channel 53, and livestreamed at <http://mauicounty.us/videos/>. ORAL TESTIMONY will not be accepted.

WRITTEN TESTIMONY will be accepted. Please submit written testimony by e-mail or fax (808-270-7171), at least 24 hours prior to the meeting.

A. ROLL CALL

B. OPENING REMARKS: COUNCILMEMBER KELLY T. KING

C. PLEDGE OF ALLEGIANCE

D. TESTIMONY ON CEREMONIAL RESOLUTIONS

E. CEREMONIAL RESOLUTIONS:

NONE.

F. PRESENTATION OF WRITTEN TESTIMONY

G. MINUTES:

Regular Meeting of January 24, 2020

H. COMMUNICATIONS:

1. COUNTY COMMUNICATIONS:

NO. 20-200 - DIRECTOR OF FINANCE, informing that funds from the Countywide Costs, Self-Insurance Program in the amount of \$26,731.72 have been transferred to the Department of Police, Technical and Support Services, Motor Pool, relating to the purchase of a replacement vehicle.

H. COMMUNICATIONS (continued):

- NO. 20-201 - PROSECUTING ATTORNEY, transmitting a notice of grant agreement from the State of Hawaii, Department of the Attorney General, Crime Prevention and Justice Assistance Division for the Victim Witness Assistance Program in the amount of \$64,864 for FY20 and \$64,864 for FY21.
- NO. 20-202 - DIRECTOR OF WATER SUPPLY, transmitting the State of Hawaii Commission on Water Resource Management water use reports for January 2020 for all registered well reporters in the County of Maui.
- NO. 20-203 - FIRE CHIEF, transmitting a proposed resolution entitled "AUTHORIZING ACCEPTANCE OF THE DONATION OF FIREFIGHTING EQUIPMENT FROM THE HAWAII PROFESSIONAL FIREFIGHTERS FOUNDATION TO THE DEPARTMENT OF FIRE AND PUBLIC SAFETY, PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE".
- NO. 20-204 - COUNCIL CHAIR LEE, relating to the matter of the discharge of an item before the Water, Infrastructure, and Transportation Committee.
- NO. 20-205 - COUNCIL CHAIR LEE, relating to legislation and discussion on the effects of the coronavirus pandemic and related issues under the Affordable Housing Committee's authority.
- NO. 20-206 - COUNCIL CHAIR LEE, relating to legislation and discussion on the effects of the coronavirus pandemic and related issues under the Climate Action and Resilience Committee's authority.
- NO. 20-207 - COUNCIL CHAIR LEE, relating to legislation and discussion on the effects of the coronavirus pandemic and related issues under the Economic Development and Budget Committee's authority.
- NO. 20-208 - MAYOR, transmitting a proposed resolution entitled "APPROVING COST ITEMS FOR UNIT 4, SUPERVISORY WHITE COLLAR EMPLOYEES".
- NO. 20-209 - MAYOR, transmitting a proposed resolution entitled "APPROVING COST ITEMS FOR EMPLOYEES EXCLUDED FROM BARGAINING UNIT 4, SUPERVISORY WHITE COLLAR EMPLOYEES".
- NO. 20-210 - COUNCILMEMBER MOLINA, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTIONS 5.22.050 AND 5.22.060, MAUI COUNTY CODE, RELATING TO PENALTIES FOR UNLAWFUL BIKE TOUR OPERATIONS".
- NO. 20-211 - COUNCIL CHAIR LEE, relating to legislation and discussion on the effects of the coronavirus pandemic and related issues under the Environmental, Agricultural, and Cultural Preservation Committee's authority.

H. COMMUNICATIONS (continued):

- NO. 20-212 - COUNCIL CHAIR LEE, relating to legislation and discussion on the effects of the coronavirus pandemic and related issues under the Governance, Ethics, and Transparency Committee's authority.
- NO. 20-213 - COUNCIL CHAIR LEE, relating to legislation and discussion on the effects of the coronavirus pandemic and related issues under the Healthy Families and Communities Committee's authority.
- NO. 20-214 - COUNCIL CHAIR LEE, relating to legislation and discussion on the effects of the coronavirus pandemic and related issues under the Planning and Sustainable Land Use Committee's authority.
- NO. 20-215 - COUNCIL CHAIR LEE, relating to legislation and discussion on the effects of the coronavirus pandemic and related issues under the Water, Infrastructure, and Transportation Committee's authority.

I. COMMITTEE REPORTS:NO. 20-42 - AFFORDABLE HOUSING COMMITTEE:

Recommending **FILING** of communication relating to the creation of a County housing authority, including a feasibility study.

NO. 20-43 - ECONOMIC DEVELOPMENT AND BUDGET COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution to amend the Fiscal Year 2020 Budget within the Office of the County Council, Council Services Program, by transferring \$133,800 from Category B (Operations) to Category A (Salaries); and transferring \$12,922 from Category B (Operations) to Category C (Equipment); and
2. **FILING** of communication.

NO. 20-44 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending **ADOPTION** of resolution approving the appointment of Bruce U'u to the Liquor Control Commission for a term expiring on March 31, 2023.

NO. 20-45 - PLANNING AND SUSTAINABLE LAND USE COMMITTEE:

Recommending **FILING** of communication relating to land use entitlements for the Hanzawa Variety Store located at 1833 Kaupakalua Road, Haiku, Maui, Hawaii; and adjacent property located at 21 Awalau Road, Haiku, Maui, Hawaii.

J. RESOLUTIONS:

NONE.

K. ORDINANCES - SECOND AND FINAL READING:

BILL NO. 40 (2020) - "A BILL FOR AN ORDINANCE RELATING TO AN ACCOUNTS PAYABLE SPECIALIST IN THE LEGISLATIVE BRANCH"

BILL NO. 41 (2020) - "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, OPEN SPACE, NATURAL RESOURCES, CULTURAL RESOURCES, AND SCENIC VIEWS PRESERVATION FUND (HAIKU SUGAR EAST SUBDIVISION (LOT 6))"

BILL NO. 42 (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 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)"

BILL NO. 43 (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 ENVIRONMENTAL MANAGEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA (CENTRAL MAUI LANDFILL LAND PURCHASE)"

BILL NO. 44 (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 LAND PURCHASE)"

BILL NO. 45 (2020) - "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"

K. ORDINANCES - SECOND AND FINAL READING:

- BILL NO. 46 (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, OFFICE OF THE MAYOR (HAWAII STATE ENERGY OFFICE)"
- BILL NO. 47 (2020) - "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)"
- BILL NO. 49 (2020) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2020 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE DEPARTMENT OF FINANCE AND THE DEPARTMENT OF HOUSING AND HUMAN CONCERNS (HAWAII EMERGENCY LAULIMA PARTNERSHIP: A TEMPORARY EMERGENCY CRISIS ASSISTANCE PROGRAM (H.E.L.P.))"

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

- 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. 20-163 - 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. 20-187 - 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".

COMMITTEE REPORTS: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. 20-39 - 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.

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.