

RECEIVED

COUNCIL OF THE COUNTY OF MAUI 2020 APR -9 PM 1: 56

A G E N D A

Regular Meeting of April 17, 2020
9:00 a.m.

OFFICE OF THE
COUNTY CLERK

Meeting Site: Online Only via BlueJeans link <https://maui.bluejeans.com/295235670>

*Meeting link subject to change without notice.

Please contact the Office of the County Clerk for more information.

Meeting will be televised on Akaku: Maui Community Media, Channel 53, and
livestreamed on <https://mauicounty.legistar.com>

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 An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify.

Individuals may provide oral testimony by phone or videoconference. To join the meeting by phone, call 1-408-317-9253 and input meeting code 295235670. To join by videoconference, use the following link: <https://maui.bluejeans.com/295235670>.

If the connection between any testifier and the videoconference 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 may contact the Office of the County Clerk (808-270-7748) prior to the meeting.

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 TAMARA PALTIN

C. **PLEDGE OF ALLEGIANCE**

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

NONE.

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

NONE.

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

NO. 20-231 - DIRECTOR OF PUBLIC WORKS, transmitting a copy of the Request for Project Authorization, Agreement, and/or Modification approving the Federal funds to commence research activities for the assessment of Maui County Coastal Roads for effects of climate change, sea level rise, and shoreline erosion.

NO. 20-232 - CHIEF OF POLICE, transmitting a copy of the grant modification from the Office of National Drug Control Policy for the 2019 HIDTA grant to increase the budget by \$25,000.

NO. 20-233 - PROSECUTING ATTORNEY, transmitting a copy of the grant agreement from the State of Hawaii, Department of the Attorney General, Crime Prevention and Justice Assistance Division, for the Domestic Violence Investigation Program in the total amount of \$73,283.

NO. 20-234 - COUNTY AUDITOR, transmitting the following documents from N&K CPAs, Inc.:

1. COUNTY OF MAUI DEPARTMENT OF HOUSING AND HUMAN CONCERNS SECTION 8 HOUSING CHOICE VOUCHERS PROGRAM: INDEPENDENT AUDITOR'S REPORT ON SUPPLEMENTARY INFORMATION, Fiscal Year Ended June 30, 2019;
2. COUNTY OF MAUI DEPARTMENT OF HOUSING AND HUMAN CONCERNS FAMILY SELF-SUFFICIENCY PROGRAM: INDEPENDENT AUDITOR'S REPORT ON SUPPLEMENTARY INFORMATION, Fiscal Year Ended June 30, 2019; and
3. COUNTY OF MAUI DEPARTMENT OF HOUSING AND HUMAN CONCERNS: INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED-UPON PROCEDURES, Fiscal Year Ended June 30, 2019.

NO. 20-235 - MAYOR, informing of a vacancy on the Urban Design Review Board due to the resignation of Christopher Curtis.

H. COMMUNICATIONS (continued):

- NO. 20-236 - DIRECTOR OF FINANCE, informing of the acceptance of a Warranty Deed for Road Widening Lot 51-C-11-C, Mailepai Hui Lands, TMK: (2) 4-3-003:048 POR.
- NO. 20-237 - DIRECTOR OF FINANCE, informing of the acceptance of the Dedication of Sewerline Easement "S-1", Kahului Townsite Subdivision being a portion of grant 3343 to Claus Spreckels affecting Lot 1-B, TMK: (2) 3-7-005:003 POR.
- NO. 20-238 - DIRECTOR OF WATER SUPPLY, transmitting the State of Hawaii Commission on Water Resource Management water use reports for February 2020 for all registered well reporters in the County of Maui.
- NO. 20-239 - COUNCIL CHAIR LEE, transmitting a proposed resolution entitled "APPROVING THE APPOINTMENT OF LAKSMI ABRAHAM AS LEGISLATIVE ANALYST IN THE OFFICE OF COUNCIL SERVICES".
- NO. 20-240 - COUNCIL CHAIR LEE, transmitting a proposed resolution entitled "APPROVING THE APPOINTMENT OF NICOLE SIEGEL AS LEGISLATIVE ANALYST IN THE OFFICE OF COUNCIL SERVICES".
- NO. 20-241 - COUNCILMEMBER MOLINA, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 2.96.030, MAUI COUNTY CODE, RELATING TO WORKFORCE HOUSING AND 201H HAWAII REVISED STATUTES HOUSING PROJECTS".
- NO. 20-242 - COUNCILMEMBER KING, transmitting a proposed resolution entitled "RECOGNIZING EARTH DAY'S 50TH ANNIVERSARY AND PLEDGING TO CONTINUE MAUI COUNTY'S EFFORTS TO BUILD UPON THE PARIS CLIMATE AGREEMENT".
- NO. 20-243 - DIRECTOR OF HOUSING AND HUMAN CONCERNS, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE ESTABLISHING A NEW CHAPTER 3.34, MAUI COUNTY CODE, HOME ACQUISITION AND OWNERSHIP PROGRAMS REVOLVING FUND".
- NO. 20-244 - COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM MANAGER, transmitting a proposed resolution entitled "AUTHORIZING THE FILING OF AN APPLICATION WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, UNITED STATES OF AMERICA, FOR A GRANT UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM".
- NO. 20-245 - CHAIR, ECONOMIC DEVELOPMENT AND BUDGET COMMITTEE, transmitting a proposed resolution entitled "ADOPTING THE FUEL TAX RATES FOR THE COUNTY OF MAUI, EFFECTIVE JULY 1, 2020".

H. COMMUNICATIONS (continued):

NO. 20-246 - PLANNING DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTERS 19.12, 19.24, AND 19.37, MAUI COUNTY CODE, RELATING TO TRANSIENT VACATION RENTALS IN THE APARTMENT DISTRICTS AND INDUSTRIAL DISTRICTS AND DWELLING UNITS IN THE INDUSTRIAL DISTRICTS", and related documents.

2. GENERAL COMMUNICATIONS:

NONE.

I. COMMITTEE REPORTS:

NO. 20-46 - ECONOMIC DEVELOPMENT AND BUDGET COMMITTEE:

Recommending the following:

1. **FILING** of communication relating to the Department of Water Supply's financial statements and supplementary information for the Fiscal Years ended June 30, 2019 and 2018, as submitted by the County's contractor, N&K CPAs, Inc.; and
2. **FILING** of communication relating to the Comprehensive Annual Financial Report for the County of Maui for the Fiscal Year Ended June 30, 2019, as submitted by the County's contractor, N&K CPAs, Inc.

NO. 20-47 - PLANNING AND SUSTAINABLE LAND USE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to require improvements to existing streets for two lot subdivisions;
2. **FILING** of Committee Report 19-100; and
3. **FILING** of communications.

J. RESOLUTIONS - SECOND AND FINAL READING:

NO. 20-59 "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. 20-60 "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, TO REORGANIZE THE EXECUTIVE BRANCH TO ESTABLISH AN OFFICE OF THE MANAGING DIRECTOR AND PROVIDE FOR THE APPOINTMENT OF THE MANAGING DIRECTOR AS THE COUNTY'S CHIEF OPERATING OFFICER"

K. ORDINANCES - SECOND AND FINAL READING:

BILL NO. 50 (2020) - "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"

BILL NO. 52 (2020) - "A BILL FOR AN ORDINANCE AMENDING CHAPTER 20.26, MAUI COUNTY CODE, RELATING TO THE SALE AND USE OF PLASTIC DISPOSABLE FOODWARE"

BILL NO. 54 (2020) - "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF LAND AND NATURAL RESOURCES, BOARD OF LAND AND NATURAL RESOURCES FOR A RIGHT-OF-ENTRY PERMIT FOR THE WEST MAUI WELL DEVELOPMENT"

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 DURING THE HOURS OF 10:00 A.M. AND 2:00 P.M. BY APPOINTMENT ON REGULAR BUSINESS DAYS. "BOARD PACKETS" ARE ALSO AVAILABLE ELECTRONICALLY AS SOON AS PRACTICABLE UPON REQUEST.

ITEMS LISTED ON THE AGENDA MAY BE ACCESSED AT MAUICOUNTY.LEGISTAR.COM.