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COUNCIL OF THE COUNTY OF MAUI

2020 MAY -1 PM 4: 30

A G E N D A

OFFICE OF THE
COUNTY CLERK

Regular Meeting of May 8, 2020
9:00 a.m.

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 An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify.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 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 February 7, 2020

Regular Meeting of February 21, 2020

H. COMMUNICATIONS:

1. COUNTY COMMUNICATIONS:

NO. 20-247 - COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM MANAGER, transmitting the notice of grant award from the U.S. Department of Housing and Urban Development, Office of Community Planning and Development in the amount of \$1,104,173.

NO. 20-248 - DIRECTOR OF FINANCE, transmitting 44 contracts/grants for March 2020.

NO. 20-249 - DIRECTOR OF TRANSPORTATION, transmitting a copy of the Awards from the U.S. Department of Transportation's TRAMS system confirming an award in the aggregate amount of \$150,000 to the Maui MPO.

NO. 20-250 - DIRECTOR OF TRANSPORTATION, transmitting a copy of the notice of grant allotment from the State of Hawaii, Department of Transportation for the CARES Act, FTA Section 5307 grant in the amount of \$7,864,323.

NO. 20-251 - MAYOR, informing of a vacancy on the Animal Control Board due to the resignation of Aimee Anderson.

NO. 20-252 - MAYOR, informing of a vacancy on the Liquor Control Adjudication Board due to the resignation of Richard "Chuck" Bergson.

NO. 20-253 - DIRECTOR OF WATER SUPPLY, transmitting the Department of Water Supply's Monthly Source Report and Groundwater Use Report for the month ending March 2020.

NO. 20-254 - DIRECTOR OF FINANCE, informing of the acceptance of Drainage Ditch Easements D-1 & D-2, Kalama Heights Subdivision, TMK: (2) 3- 9- 017:068 POR.

H. COMMUNICATIONS (continued):

- NO. 20-255 - DIRECTOR OF FINANCE, informing of the acceptance of a Waterline Easement, TMK: (2) 4-6-006:096.
- NO. 20-256 - DIRECTOR OF FINANCE, informing of the acceptance of Waterline and Access Easement E, Mahinahina Water Treatment Plant, TMK: (2) 4-4-002:019 POR.
- NO. 20-257 - COUNCIL CHAIR LEE, transmitting proposed Resolution No. 20-60, Draft 1 entitled "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".
- NO. 20-258 - COUNCILMEMBER KING, transmitting a proposed resolution entitled "URGING THE MAYOR TO PROVIDE EMERGENCY FUNDS AND AUTHORIZING COUNCILMEMBERS TO EXPEND FUNDS FOR HOMELESS SERVICES RELATED TO THE COVID-19 PANDEMIC".
- NO. 20-259 - 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, DEPARTMENT OF FINANCE (CORONAVIRUS RELIEF FUND AND OTHER COVID-19 RELATED GRANTS)".
- NO. 20-260 - COUNTY AUDITOR, transmitting the County of Maui Single Audit Report for the Fiscal Year Ended June 30, 2019, submitted by N&K CPAs, Inc.
- NO. 20-261 - DIRECTOR OF FINANCE, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 3.48.810, MAUI COUNTY CODE, RELATING TO THE CIRCUIT BREAKER TAX CREDIT".
- NO. 20-262 - DIRECTOR OF FINANCE, transmitting the Short-Term Investment Report as of March 31, 2020 (Fiscal Year 2020 Third Quarter).
- NO. 20-263 - DIRECTOR OF FINANCE, transmitting the Fiscal Year 2020-2021 certification of the net taxable real property valuation for the County of Maui.
- NO. 20-264 - BUDGET DIRECTOR, transmitting the Budget Implementation Report as of March 31, 2020 (Fiscal Year 2020 Third Quarter).
- NO. 20-265 - MAYOR, transmitting a proposed resolution entitled "APPROVING COST ITEMS FOR UNIT 14, OCEAN SAFETY OFFICERS".

H. COMMUNICATIONS (continued):

- NO. 20-266 - DIRECTOR OF FINANCE, reporting on transfers/loans from the General Fund and Department of Water Supply Revenue Fund to the 2020 Proposed General Obligation Bond Fund as of March 31, 2020.
- NO. 20-267 - COUNCIL CHAIR LEE, transmitting a proposed resolution entitled "APPROVING THE HAWAII STATE ASSOCIATION OF COUNTIES REPRESENTATIVE AND ALTERNATE FOR FISCAL YEAR 2021".
- NO. 20-268 - COUNCILMEMBER HOKAMA, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE MAUI COUNTY CODE, CHAPTER 6.04.040, RELATING TO FEEDING FERAL ANIMALS".
- NO. 20-269 - DIRECTOR OF PARKS AND RECREATION, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 12.24A, MAUI COUNTY CODE, RELATING TO EXCEPTIONAL TREES".
- NO. 20-270 - COUNCIL CHAIR LEE, relating to the acquisition of Lot 6, Haiku Sugar East Subdivision.
- NO. 20-271 - COUNCIL CHAIR LEE, matter relating to the settlement of alleged zoning violations in Paia for the advertising and operation of Nalu Kai Lodge and an unpermitted construction shed.
- NO. 20-272 - PLANNING DIRECTOR, transmitting the 2020 quarterly report for the period ending March 31, 2020 on the status of all active conditional permits.
- NO. 20-273 - PLANNING DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE GRANTING A CONDITIONAL PERMIT TO TRINA T. PINSKY TO ESTABLISH AND OPERATE THE HALEAKALA UPCOUNTRY MARKET TO SELL FLOWERS, VEGETABLES, AND MADE-ON-MAUI PRODUCTS AND TO OPERATE A FOOD TRUCK ON APPROXIMATELY 2.53 ACRES OF LAND IN THE STATE AND COUNTY RURAL DISTRICT AT 16155 HALEAKALA HIGHWAY, TMK: (2) 2-3-013:025-0001, KULA, ISLAND OF MAUI, HAWAII", and related documents.
- NO. 20-274 - PLANNING DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 3377, BILL NO. 24 (2006) TO DELETE CERTAIN CONDITIONS, GRANT A TIME EXTENSION AND TO TRANSFER A CONDITIONAL PERMIT TO HELAINA DIMARTINO FOR THE BANYAN TREE TRANSIENT VACATION RENTAL WITHIN THE RU-1 RURAL ZONING DISTRICT FOR PROPERTY SITUATED AT 3265 BALDWIN AVENUE, HAMAKUAPOKO – MAKAWAO, MAUI, HAWAII", and related documents.

2. GENERAL COMMUNICATIONS:

NONE.

I. COMMITTEE REPORTS:

NO. 20-48 - ECONOMIC DEVELOPMENT AND BUDGET COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution to approve cost items for non-supervisory white collar employees included within Bargaining Unit 03, represented by the Hawaii Government Employees Association, for Fiscal Years 2020 and 2021;
2. **ADOPTION** of resolution to approve cost items for non-supervisory white collar employees excluded from Bargaining Unit 03, represented by the Hawaii Government Employees Association, for Fiscal Years 2020 and 2021;
3. **ADOPTION** of resolution to approve cost items for Supervisory White Collar Employees included within Bargaining Unit 04, represented by the Hawaii Government Employees Association, for Fiscal Years 2020 and 2021;
4. **ADOPTION** of resolution to approve cost items for Supervisory White Collar Employees excluded from Bargaining Unit 04, represented by the Hawaii Government Employees Association, for Fiscal Years 2020 and 2021; and
5. **FILING** of communications.

NO. 20-49 - ECONOMIC DEVELOPMENT AND BUDGET COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to amend the Fiscal Year 2020 Budget by: 1) increasing Bond/Lapsed Bond by \$450,500; 2) amending Section 4.F.2.a.(1), Department of Police, Wailuku-Kahului Community Plan Area, Government Facilities, Bond Fund, by adding a project entitled "Wailuku Police Station Fuel Tank Replacement" in the amount of \$450,500; and 3) adjusting the totals accordingly;
2. **FIRST READING** of bill to amend the Fiscal Year 2020 Budget, Appendix C, Capital Improvement Projects, by adding an appropriation for the Wailuku-Kahului Community Plan Area for a project entitled "Wailuku Police Station Fuel Tank Replacement," under the Department of Police, in the amount of \$450,500, and a description of the project;
3. **FIRST READING** of bill to amend the Fiscal Year 2020 general obligation bond authorization ordinance by adding an appropriation for the Wailuku-Kahului Community Plan Area, Government Facilities, for a project entitled "Wailuku Police Station Fuel Tank Replacement," in the amount of \$450,500, under the Department of Police; and
4. **FILING** of communications.

J. RESOLUTIONS - SECOND AND FINAL READING:

NONE.

K. ORDINANCES - SECOND AND FINAL READING:

BILL NO. 55 (2020) - "A BILL FOR AN ORDINANCE ESTABLISHING A NEW CHAPTER 3.34, MAUI COUNTY CODE, HOME ACQUISITION AND OWNERSHIP PROGRAMS REVOLVING FUND"

BILL NO. 56 (2020) - "A BILL FOR AN ORDINANCE AMENDING SECTION 18.20.040, MAUI COUNTY CODE, RELATING TO EXISTING STREETS"

L. UNFINISHED BUSINESS:

RESOLUTIONS - SECOND AND FINAL READING:

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"

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.