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**COUNCIL OF THE COUNTY OF MAUI** 2020 AUG 11 PM 3:10

**A G E N D A**

Regular Meeting of August 18, 2020  
10:00 a.m.

OFFICE OF THE  
COUNTY CLERK

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

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 An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify.

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 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.

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A. ROLL CALL

B. OPENING REMARKS: COUNCILMEMBER KELLY T. KING

C. PLEDGE OF ALLEGIANCE

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D. TESTIMONY ON CEREMONIAL RESOLUTIONS

E. CEREMONIAL RESOLUTIONS:

NO. \_\_\_\_\_ "EXTENDING CONDOLENCES TO THE FAMILY OF THE LATE FRED H. YAMASHIGE"

F. PRESENTATION OF WRITTEN OR ORAL TESTIMONY

G. MINUTES:

Regular Meeting of May 8, 2020  
Emergency Meeting of May 11, 2020  
Regular Meeting/Public Hearing of May 26, 2020

H. COMMUNICATIONS:

1. COUNTY COMMUNICATIONS:

NO. 20-393 - FIRE CHIEF, transmitting a grant agreement from the State of Hawaii Highway Safety Section in the amount of \$21,488.06 for the purchase of Auto Extrication Tools.

NO. 20-394 - DIRECTOR OF HOUSING AND HUMAN CONCERNS, transmitting the notice of grant award from Alexander & Baldwin Kokua Giving Contribution in the amount of \$20,000.

NO. 20-395 - DIRECTOR OF HOUSING AND HUMAN CONCERNS, transmitting the notice of grant award from the State of Hawaii, Executive Office on Aging, for the Healthy Aging Partnership in the amount of \$190,944.

NO. 20-396 - DIRECTOR OF HOUSING AND HUMAN CONCERNS, transmitting the notice of grant award from the State of Hawaii, Executive Office on Aging, for the Aging and Disability Resource Center in the amount of \$1,016,889.

NO. 20-397 - 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 \$1,879,433.

NO. 20-398 - PROSECUTING ATTORNEY, transmitting a copy of a grant award from the State of Hawaii, Department of the Attorney General, Crime Prevention and Justice Assistance Division for the STOP Violence Against Women Formula Grant totaling \$110,452, which includes \$27,613 in matching funds.

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**H. COMMUNICATIONS (continued):**

- NO. 20-399 - PROSECUTING ATTORNEY, transmitting a copy of a grant award from the State of Hawaii, Department of the Attorney General, Crime Prevention and Justice Assistance Division for the Special Needs Advocacy Project totaling \$809,160, which includes \$161,632 in matching funds.
- NO. 20-400 - PROSECUTING ATTORNEY, transmitting a copy of a grant award 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 \$51,891 for FY21.
- NO. 20-401 - PROSECUTING ATTORNEY, transmitting a copy of a grant award from the State of Hawaii, Department of the Attorney General, Crime Prevention and Justice Assistance Division, for the Career Criminal Prosecution Program in the amount of \$115,788 for FY21.
- NO. 20-402 - DIRECTOR OF FINANCE, notifying of the transfer of \$29,500 from the Countywide Costs – Salary Adjustments to various departments.
- NO. 20-403 - DIRECTOR OF FINANCE, transmitting the following:
1. A copy of the State of Hawaii, Department of Transportation's approval letter for the Periodic Motor Vehicle Inspection, Commercial Driver License, State Identification, and Motor Vehicle Registration Programs for Fiscal Year 2020-2021; and
  2. The Extension of the Memorandum of Agreement between the State of Hawaii Disability & Communication Access Board and the Department of Finance, Driver's Licensing Section, for implementation of the Persons with Disabilities Parking Program.
- NO. 20-404 - DIRECTOR OF FINANCE, transmitting 136 contracts/grants for July 2020.
- NO. 20-405 - MAYOR, informing of a vacancy on the Salary Commission due to the resignation of Paul Kailiponi.
- NO. 20-406 - DIRECTOR OF FINANCE, requesting a time extension on the appointment of a committee to review Chapter 5.16 of the Maui County Code as it relates to taxicabs.
- NO. 20-407 - DIRECTOR OF FINANCE, informing of the acceptance of Sewerline Easement 1, Haynes Subdivision – Lot 2, TMK: (2) 3-4-003:044 POR.
- NO. 20-408 - DIRECTOR OF WATER SUPPLY, transmitting the Director of Water Supply's Monthly Source Report and Groundwater Use Report for the month ending July 2020.

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H. COMMUNICATIONS (continued):

- NO. 20-409 - DIRECTOR OF WATER SUPPLY, transmitting the State of Hawaii Commission on Water Resource Management water use reports for June 2020 for all registered well reporters in the County of Maui.
- NO. 20-410 - COUNCIL CHAIR LEE, transmitting a proposed resolution entitled "RESOLUTION SUPPORTING PAY EQUITY IN THE COUNTY OF MAUI".
- NO. 20-411 - COUNCIL CHAIR LEE, transmitting a proposed resolution entitled "PRIORITIZING MAUI COUNTY BUSINESSES AND HIRING LOCALLY FOR PUBLICLY FUNDED JOBS AND PROJECTS".
- NO. 20-412 - COUNCIL CHAIR LEE, transmitting a proposed resolution entitled "RECOGNIZING JUNE 19<sup>TH</sup> AS JUNETEENTH IN MAUI COUNTY".
- NO. 20-413 - DIRECTOR OF FINANCE, transmitting two reports on the settlement of claims as of June 30, 2020.
- NO. 20-414 - CHIEF OF POLICE, transmitting a proposed bill entitled "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 THE ATTORNEY GENERAL, REGARDING GRANT OF FUNDS FOR THE STOP VIOLENCE AGAINST WOMEN FORMULA GRANT PROGRAM".
- NO. 20-415 - BUDGET DIRECTOR, transmitting the following proposed bills entitled:
1. "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2021 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 WATER SUPPLY (STATE OF HAWAII, KANAHA BEACH PARK GREYWATER REUSE DEMONSTRATION PROJECT)"; and
  2. "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2021 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF WATER SUPPLY, STATE OF HAWAII, KANAHA BEACH PARK GREYWATER REUSE DEMONSTRATION PROJECT".
- NO. 20-416 - BUDGET DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.27, MAUI COUNTY CODE, RELATING TO A VEHICLE DISPOSAL FEE FUND".
- NO. 20-417 - BUDGET DIRECTOR, transmitting the Budget Implementation Report as of June 30, 2020 (Fiscal Year 2020 Fourth Quarter).

H. COMMUNICATIONS (continued):

- NO. 20-418 - COUNCILMEMBER KING, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 2.28.070, MAUI COUNTY CODE, RELATING TO PLANNING COMMISSION AND HANA ADVISORY COMMITTEE MEMBERSHIP REQUIREMENTS".
- NO. 20-419 - COUNCIL CHAIR LEE, relating to the State's suspension of laws relating to evictions during the COVID-19 pandemic, including the U.S. Department of Housing and Urban Development's regulations to stop lease payments upon the expiration of a lease.
- NO. 20-420 - PLANNING DIRECTOR, transmitting a report on the status of all active conditional permits.
- NO. 20-421 - PLANNING DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.35, MAUI COUNTY CODE, RELATING TO ACCESSORY DWELLINGS"; and related documents.
- NO. 20-422 - PLANNING DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.69, MAUI COUNTY CODE, RELATING TO URBAN RESERVE DISTRICT"; and related documents.
- NO. 20-423 - PLANNING DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE ESTABLISHING CHAPTER 19.97, MAUI COUNTY CODE, DECLARING A MORATORIUM ON TRANSIENT ACCOMMODATION PERMITS ON LANAI"; and related documents.

2. GENERAL COMMUNICATIONS:

NONE.

I. COMMITTEE REPORTS:NO. 20-95 - ECONOMIC DEVELOPMENT AND BUDGET COMMITTEE:

Recommending **FILING** of communication relating to the estimated revenue shortfall of \$1,957,000 to the General Fund due to a reduced Transient Accommodation Tax (TAT) allocation; and \$2,600,000 to the Solid Waste Management Fund, Charges for Current Services, Solid Waste Division, Department of Environmental Management, due to less tonnage received at the landfills, particularly Central Maui Landfill, for Fiscal Year 2020.

NO. 20-96 - ECONOMIC DEVELOPMENT AND BUDGET COMMITTEE:

Recommending **FIRST READING** of bill to amend Appendix A, Part I, Grants and Restricted Use Revenues – Schedule of Grants and Restricted Use Revenues by Departments and Programs, Fiscal Year 2021 Budget, by adding a new appropriation under the Department of Police entitled "Maui Police Foundation" in the amount of \$51,000, to acquire drones for the Traffic Section and a utility vehicle for the Support Services Section.

I. COMMITTEE REPORTS (continued):NO. 20-97 - ECONOMIC DEVELOPMENT AND BUDGET COMMITTEE:

Recommending **FIRST READING** of bill to amend Appendix A, Part I, Grants and Restricted Use Revenues – Schedule of Grants and Restricted Use Revenues by Departments and Programs, Fiscal Year 2021 Budget, by increasing the grant appropriation for the Department of Police, State E911 Wireless Commission, by \$176,244, to purchase a replacement 911 recorder.

NO. 20-98 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending **ADOPTION** of resolution approving the appointment of Melvin Hipolito to the Maui Planning Commission, for a term expiring on March 31, 2025.

NO. 20-99 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending **ADOPTION** of resolution to authorize settlement of Claim 30166871707-0003 of Alyssa Toth.

*With reference to this agenda item, one or more executive meetings are anticipated in accordance with 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.*

NO. 20-100 - PLANNING AND SUSTAINABLE LAND USE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to adopt a digital zoning map, consistent with previously enacted zoning ordinances, for the island of Lana`i; and
2. **FILING** of communication.

NO. 20-101 - WATER, INFRASTRUCTURE, AND TRANSPORTATION COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill authorizing the Mayor to enter into an intergovernmental agreement with the Department of Land and Natural Resources, State of Hawaii, to provide for surface maintenance of a portion of Mākena-Keone`ō`io Road that runs through the `Āhihi-Kīna`u Natural Area Reserve; and
2. **FILING** of communication.

J. RESOLUTIONS:

NONE.

K. ORDINANCES - SECOND AND FINAL READING:

BILL NO. 78 (2020) - "A BILL FOR AN ORDINANCE ESTABLISHING THE COMMISSION ON HEALING SOLUTIONS FOR HOMELESSNESS"

BILL NO. 79 (2020) - "A BILL FOR AN ORDINANCE AMENDING CHAPTER 12.24A, MAUI COUNTY CODE, RELATING TO EXCEPTIONAL TREES"

BILL NO. 80 (2020) - "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO URBAN FOR PROPERTY SITUATED AT PAIA, MAUI, HAWAII TAX MAP KEY (2) 2-5-005:063 (POR.)"

BILL NO. 81 (2020) - "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM INTERIM DISTRICT TO B-CT COUNTRY TOWN BUSINESS DISTRICT AND PUBLIC/QUASI-PUBLIC (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT PAIA, MAUI, HAWAII, TAX MAP KEY (2) 2-5-005:063 (POR.)"

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. "BOARD PACKETS" ARE ALSO AVAILABLE ELECTRONICALLY AS SOON AS PRACTICABLE UPON REQUEST.

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