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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 November 20, 2020
9:00 a.m.

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

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 An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify.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

A. ROLL CALL

B. OPENING REMARKS: COUNCILMEMBER TASHA KAMA

C. PLEDGE OF ALLEGIANCE

D. TESTIMONY ON CEREMONIAL RESOLUTIONS

E. CEREMONIAL RESOLUTIONS:

NONE.

F. PRESENTATION OF WRITTEN OR ORAL TESTIMONYG. MINUTES:

Regular Meeting of October 9, 2020

H. COMMUNICATIONS:1. COUNTY COMMUNICATIONS:

- NO. 20-562 - COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM MANAGER, transmitting a notice of grant award from the U.S. Department of Housing and Urban Development, Office of Community Planning and Development for the CDBG-CV2 grant in the amount of \$699,975.
- NO. 20-563 - DIRECTOR OF PARKS AND RECREATION, transmitting the quarterly report regarding Fiscal Year 2020 Countywide Park Facilities for the period of July 1, 2020 through September 30, 2020.
- NO. 20-564 - DIRECTOR OF PUBLIC WORKS, transmitting a copy of the FFY 2019-2022 Maui Transportation Improvement Program Revision #7 Administrative Modification which includes the Kahana Nui Bridge Replacement Project, Federal-Aid Project BR-3080(009).
- NO. 20-565 - DIRECTOR OF FINANCE, transmitting 73 contracts/grants for October 2020.
- NO. 20-566 - MAYOR, informing of a vacancy on the Salary Commission due to the resignation of Michele Heile.
- NO. 20-567 - DIRECTOR OF WATER SUPPLY, transmitting the Department of Water Supply's Monthly Source and Groundwater Use Report for the month ending October 2020.
- NO. 20-568 - DIRECTOR OF FINANCE, informing of the acceptance of Waterline Easements "U-1", "U-2", and "U-3", Kehalani Modules 12 & 13 Subdivision, Wailuku, TMK: (2) 3-5-001:095, 097, & 102.
- NO. 20-569 - COUNCILMEMBER SUGIMURA, transmitting a proposed resolution entitled "URGING THE GOVERNOR TO EXTEND THE EVICTION MORATORIUM INTO 2021 AND URGING THE STATE OF HAWAII TO EXPEDITE ACCESS TO CARES ACT FUNDING BY RESIDENTS WHO APPLIED FOR RENTAL OR MORTGAGE ASSISTANCE PRIOR TO 2021".

H. COMMUNICATIONS (continued):

- NO. 20-570 - COUNCILMEMBER KING, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 16.16B.R401.2, MAUI COUNTY CODE, RELATING TO ENERGY CODE COMPLIANCE FOR LARGE RESIDENTIAL BUILDINGS".
- NO. 20-571 - 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 September 23, 2020.
- NO. 20-572 - COUNCIL CHAIR LEE, transmitting a proposed bill entitled "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, OFFICE OF THE COUNTY CLERK, (CENTER FOR TECH AND CIVIC LIFE GRANT)".
- NO. 20-573 - BUDGET DIRECTOR, transmitting the following:
1. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2021 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF FINANCE, GOVERNMENT FACILITIES, BOND FUND, ACQUISITION OF 60 SOUTH CHURCH STREET BUILDING AND PROPERTY; TOTAL CAPITAL IMPROVEMENTS PROJECT APPROPRIATIONS; TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)";
 2. A proposed bill entitled "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 FINANCE, ACQUISITION OF 60 SOUTH CHURCH STREET BUILDING AND PROPERTY";
 3. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 5101, BILL NO. 66 (2020), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI ISSUANCE, SALE AND DELIVERY OF SAID BONDS (DEPARTMENT OF FINANCE – ACQUISITION OF 60 SOUTH CHURCH STREET BUILDING AND PROPERTY)"; and
 4. A proposed resolution entitled "AUTHORIZING THE ACQUISITION OF APPROXIMATELY 41,257 SQUARE FEET IDENTIFIED AS TAX MAP KEY NOS. (2) 3-4-013:010, AND (2) 3-4-013:023 (POR.), SITUATED AT WAILUKU, MAUI, HAWAII, FOR AN AMOUNT NOT TO EXCEED \$3,720,000.00".

H. COMMUNICATIONS (continued):

- NO. 20-574 - DIRECTOR OF PARKS AND RECREATION, transmitting the semiannual report regarding park dedications for each community plan area for the period of April 1, 2020 through September 3, 2020.
- NO. 20-575 - COUNCILMEMBER PALTIN, transmitting a proposed resolution entitled "REFERRING TO THE MAUI PLANNING COMMISSION A PROPOSED BILL RELATING TO UNLAWFUL CONSUMPTION OF INTOXICATING LIQUOR IN HISTORIC DISTRICTS 1 AND 2 (LAHAINA)".
- NO. 20-576 - DIRECTOR OF ENVIRONMENTAL MANAGEMENT, transmitting a proposed resolution entitled "AUTHORIZING THE PURCHASE OF LAND LOCATED AT HONOKOWAI RESERVOIR, ISLAND AND COUNTY OF MAUI, PURSUANT TO CHAPTER 3.44, MAUI COUNTY CODE".

2. GENERAL COMMUNICATIONS:

NONE.

I. COMMITTEE REPORTS:

NO. 20-146 - ECONOMIC DEVELOPMENT AND BUDGET COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to amend Chapter 3.48, Maui County Code, to make affordable-housing projects eligible for a Real Property Tax exemption if they are operating under regulatory agreements with the State, Federal, or County government; and
2. **FILING** of communication.

NO. 20-147 - ECONOMIC DEVELOPMENT AND BUDGET COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to authorize the Mayor to enter into an intergovernmental agreement with the Office of the Auditor, State of Hawaii, to 1) conduct an audit for Fiscal Years 2020, 2021, and 2022, of the Hawaii Employer-Union Health Benefits Trust Fund to meet the reporting requirements under Governmental Accounting Standards Board Statement Number 75; and 2) authorize payment of \$3,500, \$3,700, and \$3,800 for the respective fiscal years by the County of Maui; and
2. **FILING** of communication.

I. COMMITTEE REPORTS (continued):NO. 20-148 - 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 appropriation for the Department of Police, High Intensity Drug Trafficking Areas (HIDTA), by \$65,450.

NO. 20-149 - ECONOMIC DEVELOPMENT AND BUDGET COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to amend Chapter 3.48, Maui County Code, to add a "Long-term rental" real property classification; and
2. **FIRST READING** of bill to amend Chapter 3.48.305, Maui County Code, to 1) improve tax rate classification parity between condominium/planned development real property and non-condominium real property; 2) improve tax relief program parity; 3) create an incentive for owners to convert vacant residential real property into long-term rentals; 4) improve real property tax parity between real property with similar permitted uses; 5) improve revenue stability; and 6) improve real property tax parity between condominium and non-condominium vacant land zoned agricultural.

NO. 20-150 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending the following:

1. **REFERRAL** of resolution relating to a proposed amendment to Section 6-2 of the Revised Charter of the County of Maui (1983), as amended, to prohibit the Mayor from appointing a temporary appointee as an administrative head of any department if that person was previously denied appointment as a department head within the same mayoral term, to the Council Chair for the next Council term, for transmittal to the next Charter Commission; and
2. **FILING** of correspondence dated March 22, 2019.

J. RESOLUTIONS:

NONE.

K. ORDINANCES - SECOND AND FINAL READING:

- BILL NO. 114 (2020) - "A BILL FOR AN ORDINANCE TO CHANGE THE ZONING FROM OPEN ZONE TO R-1 RESIDENTIAL DISTRICT (CONDITIONAL ZONING) FOR 6.943 ACRES IN KIHEI, MAUI, HAWAII, IDENTIFIED AS TAX MAP KEY (2) 3-9-004:141"
- BILL NO. 115 (2020) - "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, OFFICE OF THE MAYOR, COVID-19 DISASTER RECOVERY GRANT, COVID-19 EMPLOYMENT RECOVERY GRANT"
- BILL NO. 116 (2020) - "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, OFFICE OF THE MAYOR, STATE OF HAWAII – UPCOUNTRY MAUI AGRICULTURAL PARK"
- BILL NO. 117 (2020) - "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, OFFICE OF THE MAYOR, MAKAWAO-PUKALANI-KULA COMMUNITY PLAN AREA, STATE OF HAWAII – UPCOUNTRY MAUI AGRICULTURAL PARK"
- BILL NO. 118 (2020) - "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 PLANNING, WEST MAUI TRANSIT-ORIENTED DEVELOPMENT (TOD) CORRIDOR PLAN"
- BILL NO. 119 (2020) - "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 PLANNING, WEST MAUI COMMUNITY PLAN AREA, WEST MAUI TRANSIT-ORIENTED DEVELOPMENT (TOD) CORRIDOR PLAN"
- BILL NO. 120 (2020) - "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 THE PROSECUTING ATTORNEY, CHILDREN'S PEACE CENTER; DEPARTMENT OF PUBLIC WORKS, COUNTYWIDE ROAD RESURFACING AND PAVEMENT PRESERVATION, COUNTYWIDE FEDERAL AID PROGRAM"

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

BILL NO. 121 (2020) - "A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.56, MAUI COUNTY CODE, RELATING TO BOARD OF ETHICS ADVISORY OPINIONS"

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.