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**COUNCIL OF THE COUNTY OF MAUI**

2021 MAY 14 PM 2:46

**A G E N D A**

OFFICE OF THE  
COUNTY CLERK

Regular Meeting of May 21, 2021  
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](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 An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify.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 video conference. To join the meeting by phone, call 1-408-317-9253 and input meeting code 295235670. To join by video conference, use the following link: <https://maui.bluejeans.com/295235670>.

Testifiers will be asked to disconnect from the video conference meeting once their testimony has concluded. Once the testimony period has closed, only the Councilmembers, staff, and designated resource persons will be connected to the video conference meeting. All other individuals will be disconnected. Individuals wanting to view the remainder of the meeting may do so on Akaku Channel 53 or on <https://mauicounty.legistar.com/>. Individuals may be disconnected from the meeting for breaking decorum.

If the connection between any testifier and the video conference 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:** COUNCIL CHAIR ALICE LEE

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**C. PLEDGE OF ALLEGIANCE****D. TESTIMONY ON CEREMONIAL RESOLUTIONS****E. CEREMONIAL RESOLUTIONS:**

NO. \_\_\_\_\_ "RECOGNIZING AFFORDABLE HOUSING DEVELOPER DOUGLAS BIGLEY AND IKAIKA OHANA"

NO. \_\_\_\_\_ "EXPRESSING APPRECIATION TO RETIRED HAWAII STATE SENATE MAJORITY LEADER AND FORMER MAUI COUNTY COUNCILMEMBER J. KALANI ENGLISH FOR HIS DISTINGUISHED PUBLIC SERVICE"

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

Regular Meeting of March 19, 2021

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

NO. 21-233 - DIRECTOR OF WATER SUPPLY, transmitting the Department of Water Supply's Monthly Source Report and Groundwater Use Report for the month ending April 2021.

NO. 21-234 - PROSECUTING ATTORNEY, informing of the expenditure of State Asset Forfeiture Funds for the third quarter of FY 2021.

NO. 21-235 - COUNTY AUDITOR, transmitting Report No. 20-02, "Report on the Fiscal Sustainability and Financial Condition of the County of Maui".

NO. 21-236 - DIRECTOR OF FINANCE, transmitting 67 contracts/grants for the month of April 2021.

NO. 21-237 - ACTING CHIEF OF POLICE, transmitting a grant modification with the State of Hawaii, Department of Health for the Emergency Medical System grant to increase the budget by \$109,050.

NO. 21-238 - MAYOR, informing of a vacancy on the Cost of Government Commission due to the resignation of Michelle Del Rosario.

NO. 21-239 - EXECUTIVE DIRECTOR, MAUI METROPOLITAN PLANNING ORGANIZATION, transmitting the "Vision Zero Maui Action Plan".

NO. 21-240 - DIRECTOR OF FINANCE, informing of the acceptance of a Water Easement, Lot 3, Maui Preparatory Academy Subdivision, TMK: (2) 4-3-001:087 POR.

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**H. COMMUNICATIONS (continued):**

- NO. 21-241 - DIRECTOR OF FINANCE, informing of the acceptance of Waterline Easement 5, Lot 3 & Lot 7 – Napilihau Street, Maui Preparatory Academy Subdivision, TMK: (2) 4-3-001:087 & 91.
- NO. 21-242 - PLANNING DIRECTOR, relating to the ongoing construction at 5385 Lower Honoapiilani Road, Napili, Island of Maui, TMK: 4-3-002:057.
- NO. 21-243 - COUNCIL CHAIR LEE, relating to a proposed amendment to the Fiscal Year 2022 Budget Bill for Wailuku Economic Development, Environmental, and Cultural Programs.
- NO. 21-244 - COUNCILMEMBER SINENCI, relating to a proposed amendment to the Fiscal Year 2022 Budget Bill relating to funding for invasive species.
- NO. 21-245 - DIRECTOR OF FINANCE, transmitting a proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL KATTEN MUCHIN ROSENMAN LLP, FOR THE COUNTY OF MAUI 2021 GENERAL OBLIGATION BOND ISSUANCE".
- NO. 21-246 - DIRECTOR OF FINANCE, transmitting the Director of Finance's Quarterly Report for Fiscal Year July 1, 2020 to June 30, 2021 as of March 31, 2021 and the Capital Improvement Project report as of March 31, 2021.
- NO. 21-247 - COUNCIL VICE-CHAIR RAWLINS-FERNANDEZ, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 3.04.020, MAUI COUNTY CODE, RELATING TO SUBMITTAL OF THE OPERATING BUDGET AND CAPITAL PROGRAM".
- NO. 21-248 - BUDGET DIRECTOR, transmitting the following:
1. 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 – WAIALE LAND ACQUISITION)";
  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, WAIALE LAND ACQUISITION"; and
  3. An appraisal prepared by R.J. Kirchner SRA, Paradise Appraisals LLC, relating to the Waiale Land Acquisition.
- NO. 21-249 - COUNCIL VICE-CHAIR RAWLINS-FERNANDEZ, transmitting a proposed bill entitled "REQUIRING MOLOKAI AND EAST MAUI MEMBERSHIP ON THE BOARD OF WATER SUPPLY".
- NO. 21-250 - PLANNING DIRECTOR, relating to the status of all active conditional permits.

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**I. COMMITTEE REPORTS:****NO. 21-29 - BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE:**

Recommending the following:

1. **FIRST READING** of bill to appropriate estimated revenues for the operating and capital improvement budget for Fiscal Year July 1, 2021 to June 30, 2022;
2. **FIRST READING** of bill to set forth the Capital Program for Fiscal Year 2022 through Fiscal Year 2027;
3. **FIRST READING** of bill to authorize the issuance of \$85,580,900 of general obligation bonds for various capital improvement projects;
4. **FIRST READING** of bill to reauthorize the use of \$1,872,000 in lapsed bond proceeds for the Department of Management, Wailuku-Kahului Community Plan Area, Government Facilities, 60 North Church Street Building Renovation;
5. **FIRST READING** of bill to authorize the Mayor to enter into an intergovernmental agreement to finance various wastewater projects, with funds not to exceed \$12,900,000;
6. **FIRST READING** of bill to authorize the Mayor to enter into an intergovernmental agreement to finance the West Maui Source Development, with funds not to exceed \$4,250,000;
7. **FIRST READING** of bill to amend Chapter 3.81, Maui County Code, to include cultural programs and remove the expiration date of the fund;
8. **FIRST READING** of bill to amend Section 3.48.561(B), Maui County Code, to establish tiers for the real property tax long-term rental classification;
9. **FIRST READING** of bill to amend Section 3.34.020, Maui County Code, to add an individual development account program under the Home Acquisition and Ownership Programs Revolving Fund;
10. **FIRST READING** of bill to amend Section 2.08.010, Maui County Code, establishing a Deputy Director of Council Services, a Communications Specialist, and revising pay ranges for Council Services staff;
11. **ADOPTION** of resolution appointing David M. Raatz, Jr. the Deputy Director of Council Services and setting the salary;
12. **ADOPTION** of resolution amending Resolution 21-10 relating to annual step increases for employees in the Office of Council Services;
13. **ADOPTION** of resolution relating to fuel tax rates for the County of Maui, effective July 1, 2021;

I. COMMITTEE REPORTS (continued):

14. **REFERRAL** of bill to amend Section 3.38.020, Maui County Code, to allow funds to be used for the preservation and restoration of Kamehameha Iki Park, Lahaina, Maui, Hawaii, to the Budget, Finance, and Economic Development Committee;
15. **REFERRAL** of resolution to authorize the acquisition of approximately 9,097 and 1,500 square feet of real property identified as tax map key numbers (2) 4-6-011:011 and (2) 4-6-011:028, respectively, Lahaina, Maui, Hawaii, for an amount not to exceed \$650,000, to the Budget, Finance, and Economic Development Committee;
16. **FILING** of County Communication 21-30; and
17. **FILING** of County Communication 21-173.

J. RESOLUTIONS:

NONE.

K. ORDINANCES - SECOND AND FINAL READING:

NONE.

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.**

**THIS ONLINE MEETING IS BEING CONDUCTED IN ACCORDANCE WITH THE GOVERNOR'S MOST RECENT EMERGENCY PROCLAMATION ON COVID-19. IF BLUEJEANS CONNECTIVITY AFFECTING QUORUM IS LOST, THE COUNCIL WILL BE IN RECESS. IT WILL NOT BE CONSIDERED A LOSS OF QUORUM UNLESS CONNECTIVITY CANNOT BE RESTORED WITHIN 30 MINUTES. IF CONNECTIVITY AFFECTING QUORUM CANNOT BE RESTORED WITHIN 30 MINUTES, THE MEETING WILL AUTOMATICALLY RECONVENE THE FOLLOWING TUESDAY AT 9:00 A.M., USING THE SAME VIRTUAL CONNECTIONS, UNLESS THE COUNCIL ANNOUNCES A DIFFERENT DATE AND TIME.**