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**COUNCIL OF THE COUNTY OF MAUI**

2022 MAR 11 PM 3:01

**A G E N D A**

Regular Meeting of March 18, 2022  
9:00 a.m.

OFFICE OF THE  
COUNTY CLERK

Meeting Site:

Online only via BlueJeans link <https://maui.bluejeans.com/295235670>  
Courtesy Live Broadcast: Akaku: Maui Community Media, Channel 53

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 An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify.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 at <https://mauicounty.legistar.com>. Individuals may be disconnected from the meeting for breaking decorum.

Written testimony may be submitted by e-mail to [county.clerk@mauicounty.us](mailto:county.clerk@mauicounty.us), by fax to (808) 270-7171, or to the Office of the County Clerk, 200 South High Street, Suite 708, Wailuku, Hawaii, 96793. Written testimony 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.

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.

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A. ROLL CALL

B. OPENING REMARKS: COUNCILMEMBER MICHAEL J. MOLINA

C. PLEDGE OF ALLEGIANCE

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D. TESTIMONY ON CEREMONIAL RESOLUTIONS

E. CEREMONIAL RESOLUTIONS:

NONE

F. SET THE CONSENT CALENDAR

G. PRESENTATION OF WRITTEN OR ORAL TESTIMONY

H. MINUTES:

Regular Meeting of December 17, 2021

I. ACTION ON THE CONSENT CALENDAR

COUNTY COMMUNICATIONS:

- NO. 22-62 - DIRECTOR OF HOUSING AND HUMAN CONCERNS, transmitting a copy of the notice of grant award from the U.S. Department of Housing and Urban Development for the Family Self Sufficiency Coordinator Grant, in the amount of \$45,850.
- NO. 22-63 - DIRECTOR OF HOUSING AND HUMAN CONCERNS, transmitting a copy of the notice of grant award from Federal Corporation for National and Community Service for the Retired and Senior Volunteer Program, in the amount of \$73,350.
- NO. 22-64 - ACTING DIRECTOR OF PUBLIC WORKS, transmitting a copy of the Traffic Impact Fee Agreement for West Maui Project District 2 – Kapalua Mauka, and a copy of a check for traffic impact fees, for the Mahana estates development, in the amount of \$164,500.
- NO. 22-65 - DIRECTOR OF FINANCE, transmitting a summary schedule and detailed reports of the Special Management Area (SMA) Revolving Fund as of December 31, 2021.
- NO. 22-66 - MAYOR, informing of a vacancy on the Maui County Arborist Committee due to the resignation of Cody Clark.
- NO. 22-67 - MAYOR, informing of a vacancy on the Commission on Children and Youth due to the resignation of Mercedes-Nicole Ritte.
- NO. 22-68 - CHAIR, CIVIL SERVICE COMMISSION, transmitting the performance evaluation of the Director of Personnel Services.

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**J. COMMUNICATIONS:****1. COUNTY COMMUNICATIONS:**

- NO. 22-69 - DIRECTOR OF FINANCE, transmitting the Hawaiian Cultural Restoration Revolving Fund annual revenues and expenditures report.
- NO. 22-70 - COUNTY AUDITOR, transmitting the County of Maui Annual Comprehensive Financial Report (ACFR) for the Fiscal Year Ended June 30, 2021, submitted by N&K CPAs, Inc.
- NO. 22-71 - COUNTY AUDITOR, transmitting the Department of Water Supply Financial Statements and Supplementary Information with Independent Auditor's Reports for Fiscal Years Ended June 30, 2021 and 2020, submitted by N&K CPAs, Inc.
- NO. 22-72 - DIRECTOR OF WATER SUPPLY, transmitting the Department of Water Supply's Monthly Source and Groundwater Use Reports for the month ending February 2022.
- NO. 22-73 - DIRECTOR OF WATER SUPPLY, transmitting the State of Hawaii Commission on Water Resource Management water use reports for December 2021 for all registered well reporters in the County of Maui.

**K. COMMITTEE REPORTS:****NO. 22-23 - AFFORDABLE HOUSING COMMITTEE:**

Recommending **FIRST READING** of Bill 61 (2022), amending Title 3, Maui County Code, to clarify and expand the allowable use of the Affordable Housing Fund.

**NO. 22-24 - AGRICULTURE AND PUBLIC TRUST COMMITTEE:**

Recommending the following:

1. **ADOPTION** of Resolution 22-79 referring bills to the Lāna'i, Maui, and Moloka'i Planning Commissions and the Maui County Cultural Resources Commission relating to cultural overlay districts; and
2. **FILING** of communication.

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**K. COMMITTEE REPORTS (continued):****NO. 22-25 - GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE:**

Recommending the following:

1. **ADOPTION** of Resolution 22-27, CD1 approving the appointment of Casey Nicole Josiah to the Affirmative Action Advisory Council, for a term expiring on March 31, 2027;
2. **ADOPTION** of Resolution 22-28, CD1 approving the appointments of Scott Randall Luck and Leslie Ann Aiko Yokouchi to the Animal Control Board, for terms expiring on March 31, 2025;
3. **ADOPTION** of Resolution 22-29, CD1 approving the appointments of Kelly Lanilei Maluo-Pearson and Kathryn Reeves Shroder to the Board of Ethics, for terms expiring on March 31, 2027;
4. **ADOPTION** of Resolution 22-30, CD1 approving the appointments of Leon Salacup Bolosan and Harry Richard Hecht to the Board of Variances and Appeals, for terms expiring on March 31, 2027;
5. **ADOPTION** of Resolution 22-31, CD1 approving the appointments of Kalikolehua Elizabeth Keanueneonalani Storer and Ralph Jude Thomas to the Board of Water Supply, for terms expiring on March 31, 2027;
6. **ADOPTION** of Resolution 22-32, CD1 approving the appointment of Sharon Mie Suzuki to the Civil Service Commission, for a term expiring on March 31, 2027;
7. **ADOPTION** of Resolution 22-33, CD1 approving the appointments of Heidi Angela Drahn and Brian Thomas McCafferty to the Commission on Children and Youth, for terms expiring on March 31, 2027; and disapproving the appointment of Ericka Ashley Chavez;
8. **ADOPTION** of Resolution 22-34, CD1 approving the appointments of Valerie Mapuana Kalaniopio-Cook, Michael Alexander Lilly, and John Anson Hau'oli Tomoso (Reappoint) to the Council on Aging, for terms expiring on March 31, 2027;
9. **ADOPTION** of Resolution 22-35, CD1 approving the appointment of Luke Makani Bailey to the Fire and Public Safety Commission, for a term expiring on March 31, 2027; and disapproving the appointment of John LeRoy Buck III;
10. **ADOPTION** of Resolution 22-36, CD1 approving the appointments of Erin Simone Trevino Atacador and Reynold Masaji Gima to the Lanai Planning Commission, for terms expiring on March 31, 2027; and disapproving the appointment of Jay S. Margulies;
11. **ADOPTION** of Resolution 22-37, CD1 approving the appointments of Harold Cathcart and Rhonda Iwalani Lai Loo to the Liquor Control Adjudication Board, for terms expiring on March 31, 2027;

**K. COMMITTEE REPORTS (continued):**

12. **ADOPTION** of Resolution 22-38, CD1 approving the appointments of Patrice Masae Matsumoto and William Kaimohala Richardson to the Liquor Control Commission, for terms expiring on March 31, 2027;
13. **ADOPTION** of Resolution 22-39, CD1 approving the appointments of Mahina Yasmin Filiotama Hannemann-Gago, Melissa Ann Johnson (Reappoint), and David Wainee Tallant III to the Maui County Commission on Persons with Disabilities, for terms expiring on March 31, 2027;
14. **ADOPTION** of Resolution 22-40, CD1 approving the appointment of Kapono Palani Kamaunu (Reappoint) to the Maui County Cultural Resources Commission, for a term expiring on March 31, 2027;
15. **ADOPTION** of Resolution 22-41, CD1 approving the appointment of William Gordon Greig to the Maui Planning Commission, for a term expiring on March 31, 2027; and disapproving the appointment of Jerry Edlao (Reappoint);
16. **ADOPTION** of Resolution 22-42, CD1 disapproving the appointments of Kaleialoha Moss (Reappoint) and John Robert Sabas to the Molokai Planning Commission;
17. **ADOPTION** of Resolution 22-43, CD1 approving the appointment of Lahela Kaleiohawane Aiwohi to the Police Commission, for a term expiring on March 31, 2027; and disapproving the appointment of Calmentina "Tina" (Pedro) Gomes;
18. **ADOPTION** of Resolution 22-44, CD1 approving the appointment of Noah Kekaimalu Walin to the Public Works Commission, for a term expiring on March 31, 2027; and disapproving the appointment of Keshia Leiana Adolpho;
19. **ADOPTION** of Resolution 22-45, CD1 approving the appointment of Carolyn Mildred Franklin (Reappoint) to the Real Property Tax Review Board, for a term expiring on March 31, 2027; and
20. **ADOPTION** of Resolution 22-46, CD1 approving the appointment of Uvette Josette Sakamoto to the Salary Commission, for a term expiring on March 31, 2027.

**NO. 22-26 - GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE:**

Recommending **ADOPTION** of Resolution 22-25, CD1 relating to Charter Amendments from the 2021-2022 Maui County Charter Commission Final Report.

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**K. COMMITTEE REPORTS (continued):****NO. 22-27 - PLANNING AND SUSTAINABLE LAND USE COMMITTEE:**

Recommending **FIRST READING** of Bill 13, CD1 (2022) to amend Section 19.40.080, Maui County Code, to amend conditions, amendments, and modifications of conditional permits.

**L. RESOLUTIONS:**

- NO. 22-75 "AUTHORIZING EMPLOYMENT AND ADDITIONAL COMPENSATION RELATED TO THE SPECIAL COUNSEL KATTEN MUCHIN ROSENMAN LLP, AS THE COUNTY OF MAUI'S BOND AND DISCLOSURE COUNSEL FOR THE NEXT GENERAL OBLIGATION BOND ISSUANCE, OTHER BONDS, AND OTHER LEGAL SERVICES"
- NO. 22-76 "RELATING TO THE APPOINTMENT OF MARCY MIKI SASADA-PAIVA TO THE REAL PROPERTY TAX REVIEW BOARD"
- NO. 22-77 "URGING THE ADMINISTRATION TO DEVELOP A ZERO WASTE MASTER PLAN FOR THE COUNTY OF MAUI"
- NO. 22-78 "AUTHORIZING SETTLEMENT OF LYNCH, DONNA V. KA HALE A KE OLA HOMELESS RESOURCE CENTERS, INC.; ET AL., CASE 09-21-5673-8"
- NO. 22-80 "ADOPTING THE FUEL TAX RATES FOR THE COUNTY OF MAUI, EFFECTIVE JULY 1, 2022"
- NO. 22-81 "ADOPTING THE WEIGHT TAX RATES FOR THE COUNTY OF MAUI, EFFECTIVE JULY 1, 2022"
- NO. 22-82 "ADOPTING THE REAL PROPERTY TAX RATES FOR THE COUNTY OF MAUI, EFFECTIVE JULY 1, 2022"
- NO. 22-83 "APPROVING THE APPOINTMENT OF CLAYTON CARVALHO, JR. TO THE ENVIRONMENTAL SEAT ON THE HANA ADVISORY COMMITTEE TO THE MAUI PLANNING COMMISSION"
- NO. 22-84 "AUTHORIZING THE DISPOSITION OF REAL PROPERTY TO HOUSING AND LAND ENTERPRISE OF MAUI, DBA NA HALE O MAUI AND FOR WAIVER OF OUTSTANDING REAL PROPERTY TAXES"
- NO. 22-85 "AUTHORIZING THE DISPOSITION OF REAL PROPERTY TO THE MAUI HEALTH FOUNDATION AND FOR WAIVER OF OUTSTANDING REAL PROPERTY TAXES"

**M. RESOLUTIONS - SECOND AND FINAL READING:**

NONE.

**N. BILLS:**

BILL NO. 60 (2022) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX B, REVENUES – FEES, RATES, ASSESSMENTS AND TAXES, DEPARTMENT OF FINANCE, GENERAL FUND, SPECIAL LICENSE PLATES"

BILL NO. 62 (2022) - "A BILL FOR AN ORDINANCE RELATING TO A SHORT-TERM RENTAL REAL PROPERTY TAX EXEMPTION FOR COUNTY RESIDENTS"

BILL NO. 63 (2022) - "A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.12, MAUI COUNTY CODE, RELATING TO COUNTY DEPARTMENTS"

BILL NO. 64 (2022) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF FINANCE, COUNTYWIDE COSTS, BOND ISSUANCE AND DEBT SERVICE; TOTAL OPERATING APPROPRIATIONS; TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)"

**O. BILLS - SECOND AND FINAL READING:**

BILL NO. 147, FD1 (2021) - "A BILL FOR AN ORDINANCE AMENDING SECTION 19.06.020, MAUI COUNTY CODE, ADOPTING DIGITAL ZONING MAP (3) AS THE OFFICIAL ZONING MAP FOR THE ISLAND OF MAUI"

BILL NO. 51 (2022) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C, CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF PUBLIC WORKS (COUNTYWIDE DRAINLINE REPLACEMENT PROGRAM, COUNTYWIDE ROAD RESURFACING AND PAVEMENT PRESERVATION (OKOLANI CULVERT REPAIRS))"

BILL NO. 57 (2022) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM, SOUTH MAUI ECONOMIC DEVELOPMENT, ENVIRONMENTAL, AND CULTURAL PROGRAMS"

BILL NO. 58 (2022) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX D – CONDITIONAL LANGUAGE, OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM, SOUTH MAUI ECONOMIC DEVELOPMENT, ENVIRONMENTAL, AND CULTURAL PROGRAMS"

**P. 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 [HTTPS://MAUICOUNTY.LEGISTAR.COM](https://mauicounty.legistar.com).**

**THIS ONLINE MEETING IS BEING CONDUCTED IN ACCORDANCE WITH THE GOVERNOR'S MOST RECENT EMERGENCY PROCLAMATION ON COVID-19. THE PROCLAMATION PARTIALLY SUSPENDS THE SUNSHINE LAW, AND MEETINGS CAN BE CONDUCTED WITHOUT IN-PERSON TESTIMONY. NOTHING SAID IN THE MEETING OR INCLUDED IN THE AGENDA IS INTENDED TO CREATE OBLIGATIONS IN EXCESS OF THOSE REQUIRED UNDER THE SUNSHINE LAW.**

**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 THE BLUEJEANS CONNECTION IS PREMATURELY TERMINATED, FOR WHATEVER REASON, PLEASE LOG BACK INTO THE SAME LINK. 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.**

**IF AKAKU PREMATURELY CEASES BROADCASTING THE MEETING, THE MEETING WILL CONTINUE VIA INTERACTIVE CONFERENCE TECHNOLOGY AND A RECORDING WILL BE SENT TO AKAKU TO BE INCLUDED WITH ARCHIVED MEETING VIDEOS.**

**ANYONE REQUESTING AN AUXILIARY AID OR SERVICE OR AN ACCOMMODATION DUE TO A DISABILITY SHOULD CONTACT THE OFFICE OF THE COUNTY CLERK AT LEAST THREE WORKING DAYS PRIOR TO THE MEETING DATE AT (808) 270-7748 OR [COUNTY.CLERK@MAUICOUNTY.US](mailto:COUNTY.CLERK@MAUICOUNTY.US).**