

**Council of the County of Maui**

**A G E N D A**

Regular Meeting of December 16, 2022  
9:00 AM

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COUNTY CLERK

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**Meeting Site:**

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

**In-Person Testimony and Viewing:**

Council Chamber, Kalana O Maui Building, 8th Floor,  
200 South High Street, Wailuku, Hawai'i

Courtesy Live Broadcast: Akaku - Maui Community Media, Channel 53

website: [www.co.maui.hi.us/Archive.aspx?AMID=226](http://www.co.maui.hi.us/Archive.aspx?AMID=226)

e-mail: [county.clerk@mauicounty.us](mailto:county.clerk@mauicounty.us)

## OFFICIAL TESTIMONY LOCATIONS

Members of the public may view the meeting and provide testimony in person at the following location:

Council Chamber, Kalana O Maui Building, 8th Floor, 200 South High Street, Wailuku, Hawai'i.

If audiovisual connection is lost at the official location for in-person testimony and viewing, the Council will be in recess for up to 30 minutes to restore connectivity. If connectivity cannot be restored within 30 minutes, the meeting will automatically reconvene the following Tuesday at 9:00 a.m., using the same official location for in-person testimony and viewing, unless the Council announces a different date, time, and location.

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>.

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, Ste. 708, Wailuku, Hawai'i, 96793. Written testimony must be received at least 24 hours prior to the meeting; except if a meeting will be held on a Monday, written testimony must be received by 12:00 noon on the business day preceding the meeting.

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.

## COURTESY TESTIMONY SITES – COUNCIL RESIDENCY AREA OFFICES

East Maui: Hāna Cultural Center & Museum, 4974 Uakea Road, Hāna, (808) 248-7513

South Maui: MEDB Building, 1305 North Holopono St., Ste. 9, Kihei, (808) 793-0012

Moloka'i: Moloka'i District Complex, 100 Ainoa Street, Kaunakakai, (808) 553-3888

Lāna'i: 814 Fraser Avenue, Lāna'i City, (808) 565-7094

Makawao-Ha'ikū-Pā'ia: Heritage Hall, 401 Baldwin Ave., Ste. 102, Pā'ia, (808) 793-0099

West Maui: Old Lahaina Center, 845 Waivee Street, Ste. 205, Lahaina, (808) 856-0123

Subject to change and staffing availability without notice. Visit [mauicounty.us](http://mauicounty.us) for more information.

Councilmembers may or may not participate from Courtesy Testimony Sites. If any Courtesy Testimony Site loses its audio connection to the meeting, the meeting will continue without that location, irrespective of whether a Councilmember is participating from there.

## TESTIMONY PROCEDURES

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.

If the connection between any testifier and the video conference is lost, the meeting will still continue.

**A. ROLL CALL**

**B. OPENING REMARKS:**

COUNCIL CHAIR ALICE L. LEE

**C. PLEDGE OF ALLEGIANCE**

**D. PRESENTATION OF WRITTEN OR ORAL TESTIMONY**

**E. CEREMONIAL RESOLUTIONS:**

[Reso 22-265](#) "EXPRESSING APPRECIATION TO MAYOR MICHAEL P. VICTORINO"

[Reso 22-266](#) "EXPRESSING APPRECIATION TO COUNCILMEMBER KELLY TAKAYA KING"

[Reso 22-267](#) "EXPRESSING APPRECIATION TO COUNCILMEMBER MIKE MOLINA"

**F. SET THE CONSENT CALENDAR**

**G. MINUTES:**

[M-220621](#) Regular Meeting of June 21, 2022

**H. ACTION ON THE CONSENT CALENDAR****COUNTY COMMUNICATIONS:**

- [CC 22-297](#) DIRECTOR OF FINANCE, reporting on temporary transfers/loans from the General Fund and Department of Water Supply Revenue Fund to the General Obligation Bonds Series Fund as of October 31, 2022.
- [CC 22-298](#) ECONOMIC DEVELOPMENT DIRECTOR, transmitting a copy of the U.S. Department of Agriculture, Animal and Plant Health Inspection Service Award Notice for the Kula Agricultural Fencing in the amount of \$600,000.
- [CC 22-299](#) ECONOMIC DEVELOPMENT DIRECTOR, transmitting a copy of WIOA Bulletin No. 05-22 from the State of Hawaii, Workforce Development Division, with allocations for the Youth, Adult, Dislocated Worker and Local Administration Programs.
- [CC 22-300](#) CHIEF OF POLICE, transmitting a copy of the grant agreement with the State of Hawaii, Department of Human Services, Office of Youth Services for the Positive Outreach Interventions (POI) grant in the amount of \$85,263.
- [CC 22-301](#) MAYOR, informing of a vacancy on the South Maui Advisory Committee due to the resignation of Randol Leach.
- [CC 22-302](#) MAYOR, informing of a vacancy on the Maui County Cultural Resources Commission due to the resignation of Brandis Sarich.
- [CC 22-303](#) MAYOR, informing of the appointment of Randol Leach to the South Maui Community Plan Advisory Committee.
- [CC 22-304](#) DIRECTOR OF FINANCE, informing of the cancellation of Nonexclusive Easement, Kaluanui Ridge Subdivision, Lots 5, 7-G, 7-F, 7-E, 7-D, Kamole Water Treatment Plant, TMK: (2) 2-5-004:096 POR.
- [CC 22-305](#) DIRECTOR OF FINANCE, informing of the acceptance Access Easement A-1, Kaluanui Ridge Subdivision, Lots 5, 7-G, 7-F, 7-E, 7-D, Kamole Water Treatment Plant, TMK: (2) 2-5-004:096 POR.
- [CC 22-306](#) DIRECTOR OF FINANCE, informing of the cancellation of Nonexclusive Easement, Kaluanui Ridge Subdivision, Lots 5, 7-G, 7-F, 7-E, 7-D, Kamole Water Treatment Plant, TMK: (2) 2-5-004:090, 096, 097, 098, 099 POR.
- [CC 22-307](#) DIRECTOR OF FINANCE, informing of the acceptance Access Easement A-1, Kaluanui Ridge Subdivision, Lots 5, 7-G, 7-F, 7-E, 7-D, Kamole Water Treatment Plant, TMK: (2) 2-5-004:090, 096, 097, 098, 099 POR.
- [CC 22-308](#) DIRECTOR OF FINANCE, informing of the acceptance of Waterline Easements W-1, W-2, & W-3, Maui Beach - Maui Palms Hotel Consolidation, TMK: (2) 3-7-003:007-0002 POR.
- [CC 22-309](#) DIRECTOR OF FINANCE, informing of the acceptance of Waterline Easement W-1, Haleakala Greens Subdivision, TMK: (2) 2-2-024:013 POR.

- [CC 22-310](#) DIRECTOR OF FINANCE, informing of the acceptance of Waterline Easement W-1, Kehalani Modules 3, 6, & 7, TMK: (2) 3-5-001:113 POR.
- [CC 22-311](#) DIRECTOR OF FINANCE, informing of the acceptance of Waterline Easement 4, Waikapu East (Large Lot) Subdivision, TMK: (2) 3-5-002:001 POR.
- [CC 22-312](#) PLANNING DIRECTOR, transmitting the Department of Planning's revised quarterly report on the status of all active conditional permits as of September 30, 2022.
- [CC 22-313](#) DEPUTY DIRECTOR OF WATER SUPPLY, transmitting the Department of Water Supply's Monthly Source and Groundwater Use Reports for the month ending November 2022.
- [CC 22-314](#) DIRECTOR OF WATER SUPPLY, transmitting the State of Hawaii Commission on Water Resource Management water use reports for September 2022 for all registered well reporters in the County of Maui.

**I. COUNTY COMMUNICATIONS:**

**1. COUNTY COMMUNICATIONS:**

- [CC 22-315](#) COUNCILMEMBER PALTIN, transmitting a proposed amendment to Bill 150 (2022), entitled "A BILL FOR AN ORDINANCE AMENDING TITLE 3, MAUI COUNTY CODE, RELATING TO THE ESTABLISHMENT OF A PARKING REVENUE FUND".
- [CC 22-316](#) COUNCILMEMBER SINENCI, transmitting a proposed amendment to Bill 154, CD1, FD1 (2022), entitled "A BILL FOR AN ORDINANCE AMENDING TITLES 2, 16, 18, 19, AND 20, MAUI COUNTY CODE, TO ESTABLISH CULTURAL OVERLAY MAP AND CULTURAL SENSITIVITY DESIGNATIONS".
- [CC 22-317](#) COUNCILMEMBER PALTIN, transmitting a proposed amendment to Bill 154, CD1, FD1 (2022), entitled "A BILL FOR AN ORDINANCE AMENDING TITLES 2, 16, 18, 19, AND 20, MAUI COUNTY CODE, TO ESTABLISH CULTURAL OVERLAY MAP AND CULTURAL SENSITIVITY DESIGNATIONS".
- [CC 22-318](#) COUNCIL VICE-CHAIR RAWLINS-FERNANDEZ, transmitting a proposed amendment to Bill 192 (2022), entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.48, RELATING TO REAL PROPERTY TAX CLASSIFICATIONS AND EXEMPTIONS".

**2. GENERAL COMMUNICATIONS:**

**NONE.**

**J. COMMITTEE REPORTS:****Affordable Housing Committee**

[CR 22-136](#) Recommending **REFERRAL** of communications to the Council Chair for the term beginning on January 2, 2023, relating to: (1) housing projects under Chapter 201H, Hawai'i Revised Statutes; (2) housing projects under Chapter 2.97, Maui County Code; (3) expediting building plan review process by developing a catalog of pre-approved plans; (4) operational and budgetary review of the Housing Division, Department of Housing and Human Concerns; (5) county-owned parcel on North Papa Avenue (former college dorm site) (Kahului); (6) 40-acre parcel owed by Alexander and Baldwin, Inc. for development of affordable housing (Kahului); (7) affordable housing projects status update; (8) experimental and demonstration housing projects; (9) Comprehensive Affordable Housing Plan (Contract C7183; Hawaiian Community Assets, Inc.) (a) right to shelter; and (b) income group distribution for residential workforce housing units; (10) affordable housing fund; (11) homeless programs and related matters; (12) Bill 109 (2022), relating to grants for home restoration; (13) Resolution 22-254, authorizing the purchase of real property at 1488 South Kihei Road (Kihei); and (14) Bill 191 (2022), relating to grants for home restoration.

**Agriculture and Public Trust Committee**

[CR 22-137](#) Recommending **REFERRAL** of communications to the Council Chair for the term beginning on January 2, 2023, relating to: (1) health of Maui County farmers; (2) Lanai Water Advisory Committee; (3) acquisition of real property from the Department of Hawaiian Home Lands for the Mahinahina Water Treatment Facility; (4) Department of Water Supply Strategic Plan, Phase II (Contract WC1027, Harris and Associates Inc.); (5) sustainability and restoration of traditional Hawaiian fishponds; (6) watershed management and protection; (7) Hawaiian cultural restoration; (8) additional water fixtures for commercial farm property; (9) important agricultural lands; (10) wellhead protection overlay district; (11) access through the Hans Michel property for maintenance and operation of Kanaha Valley Stream; (12) EMI water delivery agreement; (13) County Archaeologist; (14) Upcountry reservoirs; (15) food security for Maui County; (16) operational and budgetary review of the Department of Water Supply; (17) Lanai Agricultural Park lease; (18) African tulip tree; (19) protection of historic properties; (20) impacts of activities by imperium companies and affiliates in East Maui; (21) Kula Agricultural Park; (22) important agricultural lands incentives and mapping report (Contract C7126, Christine M. Feinholz dba Pacific Cartography); (23) Maui Invasive Species Committee (MISC); (24) telecommunications regulations; (25) Bill 17 (2022), private restrictions on small-scale agricultural uses and the keeping of animals; (26) Old Hana School improvements (Contract C7547, F&H Construction); (27) adding sustainable agriculture and climate change solutions to the Maui County General Plan objectives; (28) composting; (29) water delivery systems; (30) Bill 53 (2022), creating the Feral Animal Management Fund; (31) Bill 55 (2022), administrative rules for the Molokai

Farming Cost Reimbursement Program Fund; (32) Bill 79 (2022), exemptions for agricultural water consumers from restrictions or mandates during water shortages; (33) Bill 83 (2022), water rates for agricultural consumers on lots with no dwellings; and (34) Bill 104 (2022), notice to property owners and lessees when an account is in arrears.

### **Budget, Finance, and Economic Development Committee**

#### **[CR 22-138](#)**

Recommending **REFERRAL** of communications to the Council Chair for the term beginning January 2, 2023, relating to: (1) purchase of East Maui Irrigation water delivery system; (2) establishing Chapter 3.17, Maui County Code, relating to the reduction of administrative fines; (3) pay equity in the County of Maui; (4) creating and expanding workforce development programs; (5) water rate study; (6) OpenGov software; (7) Hawaiian Cultural Restoration Revolving Fund Annual Revenues and Expenditures Report; (8) regulating rental camping and recreational vehicles; (9) reserved residential parking and tourist parking fees in public beach access parking areas; (10) highway improvement fees for electric vehicles and hybrid vehicles; (11) submittal of the operating budget and capital program; (12) Hawaiian Cultural Restoration and Revolving Fund; (13) relocating the Molokai Police Station; (14) economic development and tourism management; (15) notice of receipt of forfeited items (Department of Police); (16) tiered fees for motor vehicle registration; (17) 'Āina 'Ohana Tax Credit; (18) Huamakāhikina Declaration; (19) fiscal monitoring of grants and grant reporting; (20) General Excise and Use Tax surcharge; (21) County Property Tax Reform; (22) short-term rental real property tax exemption for county residents; (23) Impacts of Climate Change and Sea Level Rise Capital Replacement Fund for the Department of Water Supply; (24) legislation and discussion on the effect of the coronavirus pandemic, rules, CARES Act, and related issues; (25) disposing by sealed bid Sandhills Estates lots 22, 74, and 76 (Wailuku); (26) Maui County grants procedures; (27) Feminist Economic Recovery Plan; (28) permit application fee cost recovery study; (29) land classified and used for agriculture; (30) real property tax exemption claims for county residents; (31) real property tax exemptions for owners of affordable homes with deed restrictions; and (32) real property tax forgiveness for taxpayers between very low income and gap income.

### **Climate Action, Resilience, and Environment Committee**

#### **[CR 22-139](#)**

Recommending **ADOPTION** of Resolution 22-258, CD1 to refer to the Lāna'i, Maui, and Molokai Planning Commissions and Advisory Committees a proposed bill amending Chapter 19.36B, Maui County Code, relating to the landscape planting plan, to require a minimum of 50 percent canopy coverage of the hardscape in parking areas.

#### **[CR 22-140](#)**

Recommending **REFERRAL** of communications to the Council Chair for the term beginning January 2, 2023, relating to: (1) resiliency hubs; (2) sea-level rise, shoreline erosion, and managed retreat; (3) construction and building materials as a solution to combat climate change; (4) recycling, composting, and reducing waste to scale down greenhouse gases; (5) prohibited discharge standards; and (6) the Ma'ālaea Mauka acquisition.

### **Human Concerns and Parks Committee**

[CR 22-141](#) Recommending **ADOPTION** of Resolution 22-252, CD1, urging the Hawai'i State Legislature and the Governor to provide funding for the proposed West Maui Hospital and Medical Center.

### **Planning and Sustainable Land Use Committee**

[CR 22-142](#) Recommending **ADOPTION** of Resolution 22-253, CD1, referring to the Maui Planning Commission a proposed bill to change the zoning for real property situated in Mā'alaea, Maui, Hawai'i, from M-1 Light Industrial District, Proposed Future Roadway, No Zone, and Open Zone District to B-2 Business District for real property identified as Tax Map Key (2) 3-6-008:002 and (2) 3-6-008:011 and M-1 Light Industrial District, Proposed Future Roadway, No Zone, and Open Zone District to B-3 Business District for real property identified as Tax Map Key (2) 3-6-008:003 (Maui Ocean Center).

[CR 22-143](#) Recommending the following:

1. **FIRST READING** of Bill 206 (2022) allowing a grace period to temporarily extend Conditional Permits while applications for extension or renewal are being processed; and
2. **FILING** of communication.

[CR 22-144](#) Recommending **REFERRAL** of communications to the Council Chair for the term beginning January 2, 2023, relating to: (1) District Boundary Amendment and Change in Zoning for Molokai Education Center (Kaunakakai); and (2) annual compliance reports on conditions of zoning.

## **K. RESOLUTIONS:**

[Reso 22-268](#) "AUTHORIZING THE TRANSFER OF AN UNENCUMBERED APPROPRIATION BALANCE WITHIN THE OFFICE OF THE MAYOR, FISCAL YEAR 2023 BUDGET"

*The purpose of this resolution is to transfer funds in the amount of \$50,000 within the Office of the Mayor, Administration Program from Category A (Salaries) to Category B (Operations and Equipment) at the request of Mayor-elect Bissen for anticipated costs related to the inauguration for the new administration.*

[Reso 22-269](#) "RECOGNIZING THE 2022 MAUI COUNTY YOUTH LEGISLATIVE PACKAGE"

*The purpose of this resolution is to recognize the creation and transmittal of the 2022 Maui County Youth Legislative Package.*

## **L. RESOLUTIONS - SECOND AND FINAL READING:**



NONE.

**M. BILLS:**

[Bill 207](#)  
(2022)

"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 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 HOUSING AND HUMAN CONCERNS (AMERICAN RESCUE PLAN ACT OF 2021 - EMERGENCY RENTAL ASSISTANCE PROGRAM #2)"

*The purpose of this bill is to amend Appendix A, Part I of the Fiscal Year 2023 Budget by adding a new grant entitled "American Rescue Plan of 2021 - Emergency Rental Assistance Program #2 for \$5,000,000 and 1.0 equivalent personnel.*

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

[Bill 131, CD1](#)  
(2022)

"A BILL FOR AN ORDINANCE AMENDING SECTIONS 19.04.040 AND 19.37.010, MAUI COUNTY CODE, RELATING TO TIME SHARE PLANS AND TRANSIENT UNITS"

*The purpose of this bill is to amend the Comprehensive Zoning Ordinance to 1) clarify that temporal-use ownership falls within the definition of "time share plan"; 2) ameliorate lodging challenges that health care providers face by excluding "health care providers" from the definition of "transient"; and 3) clarify existing categorical exclusions from the definition of "transient."*

[Bill 165, CD1](#)  
(2022)

"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF TRANSPORTATION, WAILUKU-KAHULUI COMMUNITY PLAN AREA, GOVERNMENT FACILITIES, BOND FUND, LAPSED BOND FUND, TRANSPORTATION BASEYARD; TOTAL CAPITAL IMPROVEMENTS PROJECT APPROPRIATIONS; TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)"

*The purpose of this bill is to amend the Fiscal Year 2023 Budget by: 1) increasing Estimated Revenues for Bond/Lapsed Bond by \$3,436,902; 2) amending Section 4.H.2.a.(1).(i)., Department of Transportation, Wailuku-Kahului Community Plan Area, Government Facilities, Bond Fund, by decreasing the appropriation for the Transportation Baseyard by \$6,563,098; 3) amending Section 4.H.2.a., Wailuku-Kahului Community Plan Area, Government Facilities, by adding Lapsed Bond Fund and a project entitled "Transportation Baseyard" in the amount of \$10,000,000; and 4) adjusting the totals accordingly.*

[Bill 166](#)  
[\(2022\)](#)

"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C - CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF TRANSPORTATION, WAILUKU-KAHULUI COMMUNITY PLAN AREA, TRANSPORTATION BASEYARD"

*The purpose of this bill is to amend the Fiscal Year 2023 Budget, Appendix C, Capital Improvement Projects, Department of Transportation, by increasing the appropriation for the Transportation Baseyard by \$3,436,902.*

[Bill 167, CD1](#)  
[\(2022\)](#)

"A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 5394, BILL NO. 71, CD1, FD2 (2022), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI ISSUANCE, SALE AND DELIVERY OF SAID BONDS (DEPARTMENT OF TRANSPORTATION)"

*The purpose of this bill is to amend Ordinance 5394, Bill 71, CD1, FD2 (2022), to decrease the authorization for the Transportation Baseyard project by \$6,563,098.*

[Bill 168](#)  
[\(2022\)](#)

"A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 5395, BILL NO. 72 (2022), RELATING TO DETERMINING THAT PART OF THE PROCEEDS OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI HERETOFORE ISSUED IS IN EXCESS OF THE AMOUNTS REQUIRED FOR THE PURPOSES FOR WHICH SUCH BONDS WERE INITIALLY ISSUED, OR MAY OR SHOULD NOT BE APPLIED TO THOSE PURPOSES, AND DIRECTING SUCH PROCEEDS TO OTHER PUBLIC IMPROVEMENTS OR AUTHORIZED PURPOSES OF THE COUNTY OF MAUI"

*The purpose of this bill is to authorize the use of \$10,000,000 in Lapsed Bond Proceeds for the Department of Transportation, Wailuku-Kahului Community Plan Area, Government Facilities, Transportation Baseyard;*

[Bill 185, CD1](#)  
[\(2022\)](#)

"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF PARKS AND RECREATION, LANAI COMMUNITY PLAN AREA, PARKS AND RECREATION, BOND FUND, LANAI YOUTH CENTER AND SKATE PARK; TOTAL CAPITAL IMPROVEMENTS PROJECT APPROPRIATIONS; TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)"

*The purpose of this bill is to amend the Fiscal Year 2023 Budget by 1) increasing Estimated Revenues for Bond/Lapsed Bond by \$5,168,000; 2) amending Section 4.E.4.a.(2).(i), Department of Parks and Recreation, Lānaʻi Community Plan Area, Parks and Recreation, Bond Fund, by increasing the appropriation for the Lānaʻi Youth Center and Skate Park by \$5,168,000; and 3) adjusting the totals accordingly.*

[Bill 186](#)  
[\(2022\)](#)

"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C - CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF PARKS AND RECREATION, LANAI COMMUNITY PLAN AREA, LANAI YOUTH CENTER AND SKATE PARK"

*The purpose of this bill is to amend the Fiscal Year 2023 Budget, Appendix C, Capital Improvement Projects, Department of Parks and Recreation, Lānaʻi Community Plan Area, by increasing the appropriation for the Lānaʻi Youth Center and Skate Park by \$5,168,000.*

[Bill 187, CD1](#)  
[\(2022\)](#)

"A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 5394, BILL NO. 71, CD1, FD2 (2022), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI ISSUANCE, SALE AND DELIVERY OF SAID BONDS (DEPARTMENT OF PARKS AND RECREATION)"

*The purpose of this bill is to amend Ordinance 5394, Bill 71, CD1, FD2 (2022) to increase the authorization for the Lānaʻi Youth Center and Skate Park project by \$5,168,000.*

[Bill 199](#)  
[\(2022\)](#)

"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE DEPARTMENT OF FIRE AND PUBLIC SAFETY, ADMINISTRATION PROGRAM, OCEAN SAFETY PROGRAM"

*The purpose of this bill is to amend the FY 2023 Budget, by increasing the Department of Fire and Public Safety, Administration Program by \$62,062 and 1.0 EP.*

[Bill 200](#)  
[\(2022\)](#)

"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF PARKS AND RECREATION, COUNTYWIDE, PARKS AND RECREATION, GENERAL FUND, COUNTYWIDE PARK FACILITIES; WAILUKU-KAHULUI COMMUNITY PLAN AREA, PARKS AND RECREATION, BOND FUND, VELMA MCWAYNE SANTOS CENTER IMPROVEMENTS AND GENERAL FUND, LIHIKAI SCHOOL PARK SITE IMPROVEMENTS; TOTAL CAPITAL IMPROVEMENTS PROJECT APPROPRIATIONS; TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)"

*The purpose of this bill is to amend the FY 2023 Budget by increasing the estimated revenues from the Bond Fund by \$1,855,000 and appropriating the funds to the Department of Parks and Recreation, capital improvement projects.*

[Bill 201](#)  
[\(2022\)](#)

"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C - CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF PARKS AND RECREATION, COUNTYWIDE, COUNTYWIDE PARKS FACILITIES, WAILUKU-KAHULUI COMMUNITY PLAN AREA, LIHIKAI SCHOOL PARK SITE IMPROVEMENTS, VELMA MCWAYNE SANTOS CENTER IMPROVEMENTS"

*The purpose of this bill is to amend Appendix C of the FY 2023 Budget by increasing the appropriation for Countywide Parks Facilities by \$346,000, for Velma McWayne Santos Center Improvements by \$855,000, and by adding a project description and project entitled "Lihikai School Park Site Improvements" for \$654,000.*

[Bill 202](#)  
[\(2022\)](#)

"A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 5394, BILL NO. 71, CD1, FD2 (2022), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI ISSUANCE, SALE AND DELIVERY OF SAID BONDS (DEPARTMENT OF PARKS AND RECREATION)"

*The purpose of this bill is to amend Ordinance No. 5394, Bill No. 71, CD1, FD2 (2022), as amended, to add authorization for the Velma McWayne Santos Center Improvements project.*

[Bill 203](#)  
[\(2022\)](#)

"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF FINANCE, TOTAL OPERATING APPROPRIATIONS; TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)"

*The purpose of this bill is to amend the FY 2023 Budget by increasing the estimated revenues for Carryover/Savings from the General Fund by \$10,000,000 appropriating the funds to the Department of Finance, Countywide Costs, Temporary Hazard Pay related to COVID-19 Grievances.*

[Bill 204](#)  
[\(2022\)](#)

"A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.48, MAUI COUNTY CODE, RELATING TO REAL PROPERTY DEDICATED AS 'ĀINA KŪPUNA"

*The purpose of this bill is to amend Subsection B of Section 3.48.361, Maui County Code, by changing the required aggregate real property taxes assessed on a property for the ten tax years prior to an initial application for a dedication of real property as 'āina kūpuna from exceeding \$50,000 to exceeding \$10,000.*

**O. UNFINISHED BUSINESS:**

**RESOLUTIONS:**

[Reso 22-261](#)

"RELATING TO THE APPOINTMENT OF LAUREEN ANNE KANETA TO THE PUBLIC WORKS COMMISSION FOR THE COUNTY OF MAUI"

*The purpose of this resolution is to approve the appointment of Laureen Anne Kaneta to the Public Works Commission, for a term expiring on March 31, 2023.*

**BILLS - SECOND AND FINAL READING:**

[Bill 103, CD1, FD1 \(2022\)](#) "A BILL FOR AN ORDINANCE AMENDING SECTION 2.96.060, MAUI COUNTY CODE, RELATING TO RESIDENTIAL WORKFORCE HOUSING DEED RESTRICTIONS AND RESALE"

*The purpose of this bill is to amend residential workforce housing deed restriction provisions to require units be sold to owner-occupants in perpetuity and to increase the time period for all other restrictions.*

[Bill 150 \(2022\)](#) "A BILL FOR AN ORDINANCE AMENDING TITLE 3, MAUI COUNTY CODE, RELATING TO THE ESTABLISHMENT OF A PARKING REVENUE FUND"

*The purpose of this bill is to amend Title 3, Maui County Code, to establish a Parking Revenue Fund to generate funding for the County's parking operations, including maintenance, repair, security, safety, improvement, equipment, beautification, expansion, staff compensation, parking facility bond payments, and other related costs.*

[Bill 151, CD1 \(2022\)](#) "A BILL FOR AN ORDINANCE AMENDING TITLE 10, MAUI COUNTY CODE, RELATING TO IMPLEMENTATION OF A PARKING AMBASSADOR PROGRAM TO ENFORCE COUNTY AND STATE PARKING RULES AND LAWS, A PAID PARKING SYSTEM, AND PERMIT PARKING ZONES"

*The purpose of this bill is to authorize a parking ambassador program to assist the Department of Transportation in enforcing County and State parking rules and laws, and implementing a parking payment system through the establishment of paid parking zones and permit parking zones.*

[Bill 154, CD1, FD1 \(2022\)](#) "A BILL FOR AN ORDINANCE AMENDING TITLES 2, 16, 18, 19, AND 20, MAUI COUNTY CODE, TO ESTABLISH CULTURAL OVERLAY MAP AND CULTURAL SENSITIVITY DESIGNATIONS"

*The purpose of this bill is to establish a cultural overlay map, cultural sensitivity designations, and related review processes to preserve cultural resources and promote careful planning.*

[Bill 192 \(2022\)](#) "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.48, RELATING TO REAL PROPERTY TAX CLASSIFICATIONS AND EXEMPTIONS"

*The purpose of this bill is to amend Chapter 3.48, Maui County Code, to promote equity in Real Property Tax, including by replacing the Short-Term Rental home classification with a TVR-STRH classification and ensuring that property owners who are effectively renting to themselves are not eligible to be classified Long-Term Residential.*

[Bill 193](#)  
[\(2022\)](#)

"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF PARKS AND RECREATION, WAILUKU-KAHULUI COMMUNITY PLAN AREA, PARKS AND RECREATION, BOND FUND, WAR MEMORIAL GYM BUILDING IMPROVEMENTS; TOTAL CAPITAL IMPROVEMENTS PROJECT APPROPRIATIONS; TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)"

*The purpose of this bill is to amend Ordinance No. 5392, Bill No. 69, CD1, FD2 (2022), by amending:*

1. *Section 2, Estimated Revenues, by increasing Bond/Lapsed Bond in the amount of \$3,350,000; and by increasing the Total Estimated Revenues in the amount of \$3,350,000;*
2. *Section 4.E.6.a.(1).(ii), Department of Parks and Recreation, Wailuku-Kahului Community Plan Area, Parks and Recreation, Bond Fund by increasing the appropriation for the War Memorial Gym Building Improvements by \$3,350,000;*
3. *Total Capital Improvement Project Appropriations to reflect an increase of \$3,350,000; and*
4. *Total Appropriations (Operating and Capital Improvement Projects) to reflect an increase of \$3,350,000.*

[Bill 194](#)  
[\(2022\)](#)

"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C - CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF PARKS AND RECREATION, WAILUKU-KAHULUI COMMUNITY PLAN AREA, WAR MEMORIAL GYM BUILDING IMPROVEMENTS"

*The purpose of this bill is to amend Ordinance No. 5392, Bill No. 69, CD1, FD2 (2022), by amending Appendix C - Capital Improvement Projects, as it pertains to the Department of Parks and Recreation, Wailuku-Kahului Community Plan Area, War Memorial Gym Building Improvements by increasing the appropriation by \$3,350,000.*

[Bill 195](#)  
[\(2022\)](#)

"A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 5394, BILL NO. 71, CD1, FD2 (2022), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI ISSUANCE, SALE AND DELIVERY OF SAID BONDS (DEPARTMENT OF PARKS AND RECREATION)"

*The purpose of this bill is to amend Ordinance No. 5394, Bill No. 71, CD1, FD2 (2022), by increasing the appropriation for the Department of Parks and Recreation, Wailuku-Kahului Community Plan Area, Parks and Recreation, War Memorial Gym Building Improvements by \$3,350,000 for a total bond principal amount not to exceed \$164,748,838.*

Bill 196  
(2022)

"A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE UNITED STATES DEPARTMENT OF THE ARMY (US ARMY) REGARDING A DESIGN AGREEMENT FOR THE IAO STREAM, MAUI, HAWAII - FLOOD RISK MANAGEMENT"

*The purpose of this bill is to authorize the Mayor to enter into an intergovernmental agreement with the United States Department of the Army, Corps of Engineers, to complete the design of the Iao Stream Flood Control Project.*

**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, STE. 708, 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 MEETING IS BEING CONDUCTED IN ACCORDANCE WITH SECTION 92-3.7, HAWAII REVISED STATUTES. NOTHING SAID IN THE MEETING OR INCLUDED IN THE AGENDA IS INTENDED TO CREATE OBLIGATIONS IN EXCESS OF THOSE REQUIRED UNDER SECTION 92-3.7, HRS.**

**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.**