

COUNCIL OF THE COUNTY OF MAUI

A G E N D A

Regular Meeting of March 18, 2008
9:00 a.m.
Council Chamber
8th Floor, Kalana O Maui Building
200 South High Street, Wailuku, Hawaii

website: <http://www.mauicounty.gov/county/clerkSub/Agenda.php>.
e-mail: county.clerk@mauicounty.us

ORAL OR WRITTEN TESTIMONY

ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted. The Council shall receive oral testimony first from persons whose testimony forms are submitted prior to the convening of the meeting. Initially, three (3) minutes will be granted on each item, and at the discretion of the Council Chair, an additional minute may be granted to conclude the testimony; or an additional three (3) minutes on each item will be granted to those who are unable to conclude their testimony, after all others desiring to speak have been heard.

Thereafter, persons whose testimony forms are submitted after the meeting convenes, but before the testimony portion ends, will be allowed to present oral testimony for three minutes on each item. The Chair may grant an additional minute to conclude the testimony.

If written testimony is submitted at the meeting, 15 copies are requested. If written testimony is e-mailed or faxed (808-270-7171), please submit at least 24 hours before the meeting so that copies can be provided to Council Members in a timely manner.

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- A. **ROLL CALL**
 - B. **OPENING REMARKS:** COUNCILMEMBER JOSEPH PONTANILLA
 - C. **PLEDGE OF ALLEGIANCE**
 - D. **TESTIMONY ON CEREMONIAL RESOLUTION**

E. CEREMONIAL RESOLUTION:

NONE

F. PRESENTATION OF WRITTEN OR ORAL TESTIMONYG. MINUTES:

Regular Council Meeting of January 25, 2008

H. COMMITTEE REPORTS:

NONE

I. COMMUNICATIONS:1. COUNTY COMMUNICATIONS:

NO. 08-77 - CHIEF OF POLICE, informing of the Police Department's intent to expend \$25,000 in State Forfeiture Funds for its Employee Development Program.

NO. 08-78 - DIRECTOR OF FINANCE, transmitting 17 contracts for January 2008.

NO. 08-79 - CHAIR, POLICY COMMITTEE, relating to two correspondences dated January 31, 2008, and a correspondence dated February 15, 2008, all from the Mayor, requesting consideration of the nominees to boards, committees, and commissions; and informing of his intention to offer the following motions:

1. A motion that the Policy Committee be DISCHARGED from further consideration of the correspondences;
2. A motion that the requirement of committee referral and recommendation as provided for in Section 5(H) of the Rules of the Council be WAIVED;
3. A motion that the following nominations be APPROVED:
 - A. Nominees to boards, committees, and commissions, requiring Council approval or disapproval within 60 days (for terms expiring on March 31, 2013, unless otherwise indicated):

1. COUNTY COMMUNICATIONS (continued):

1. AFFIRMATIVE ACTION ADVISORY COUNCIL
 - a. Karleen Hultquist (replacing Rudolpho "Rudy" Esquer), for a term expiring on March 31, 2010;
 - b. Jon Herman Schlobohm;
2. BOARD OF CODE APPEALS
 - a. Herman Freitas Nascimento;
3. BOARD OF ETHICS
 - a. C. Gretchen Guy (Reappointment);
 - b. Michael R. Westfall (replacing Peter Soman), for a term expiring on March 31, 2010;
 - c. Marti Anne Wukelic;
4. BOARD OF VARIANCES AND APPEALS
 - a. Sandra Lee Duvauchelle;
 - b. Kevin Takeshi Tanaka;
5. BOARD OF WATER SUPPLY
 - a. Scott Luck (Reappointment)
 - b. Ted Kiyoshi Yamamura;
6. CIVIL SERVICE COMMISSION
 - a. Paula Ann Heiskell;
 - b. Ellen Joy Pelissero (replacing Abe Kaahui), for a term expiring on March 31, 2011;
7. COMMISSION ON CHILDREN AND YOUTH
 - a. Edward Baldonado Garcia;
 - b. Ailina Hakeleleponi Laborte;
 - c. Lis Christina Richardson;
8. COMMISSION ON CULTURE AND THE ARTS
 - a. Craig Lang Gardner;
 - b. Randi Glaser Pack;
9. COMMISSION ON NAMING STREETS, PARKS, AND FACILITIES
 - a. Keoni Kaniela Kali (replacing Karen Arakawa), for a term expiring on March 31, 2010;
 - b. Robert Vafaie (replacing Verna Nahulu), for a term expiring on March 31, 2010;

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1. COUNTY COMMUNICATIONS (continued):
 10. COST OF GOVERNMENT COMMISSION
 - a. Craig Conway Anderson, for a term expiring on March 31, 2010;
 - b. Leo Kaniela Caires (replacing Frederic Schwetmann), for a term expiring on March 31, 2008;
 - c. Malcolm Hearne Findley (replacing Keith Moniz), for a term expiring on March 31, 2008;
 - d. Gina Marie Flammer (replacing Stephen Goldsmith), for a term expiring on March 31, 2008;
 - e. Robert George Hill III, for a term expiring on March 31, 2010;
 - f. Ronald Vaught (replacing Sharron Courter), for a term expiring on March 31, 2009;
 11. COUNCIL ON AGING
 - a. Douglas Scott Harr;
 - b. Deldrine Kauinohea Manera (replacing Karen Holt), for a term expiring on March 31, 2009);
 - c. Marlene Young (Reappointment);
 12. FIRE AND PUBLIC SAFETY COMMISSION
 - a. Kevyn Fujio Correa;
 13. HANA ADVISORY COMMITTEE
 - a. Tina-Marie Leimomi Kahula;
 14. LIQUOR CONTROL ADJUDICATION BOARD
 - a. Ralph Norio Masuda;
 - b. Jason Harvey Medeiros;
 15. LIQUOR CONTROL COMMISSION
 - a. Henry Ahyau Kauka Jr. (Reappointment);
 - b. James Takeshi Viela;
 16. MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES
 - a. John Briley (replacing Don Reaser), for a term expiring on March 31, 2011;
 - b. Charlotte Seales (replacing Kealoha Laemoa), for a term expiring on March 31, 2012;
 17. MAUI COUNTY CULTURAL RESOURCES COMMISSION
 - a. Raymond James Hutaff;

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1. COUNTY COMMUNICATIONS (continued):
 18. MAUI COUNTY GRANTS REVIEW COMMITTEE
 - a. R. Susan Rubenstein (replacing Cynthia Arruiza), for a term expiring on March 31, 2008;
 - b. Phyllis Mie Sato;
 19. MAUI COUNTY OUTDOOR LIGHTING STANDARDS COMMITTEE
 - a. Joseph Michael Ritter, for a term expiring on March 31, 2010;
 - b. Delilah Dela Rosa Salcedo, for a term expiring March 31, 2009;
 - c. Sye Vasquez, for a term expiring March 31, 2010;
 20. MAUI PLANNING COMMISSION
 - a. Donna Lee Domingo;
 - b. Kent M. Hiranaga (Reappointment);
 21. MOLOKAI PLANNING COMMISSION
 - a. Lori Leimamo Buchanan;
 - b. Donald Wayne Williams;
 22. POLICE COMMISSION
 - a. David Marshall Jorgensen;
 - b. Kirk Tadao Tanaka;
 23. REAL PROPERTY TAX REVIEW BOARD
 - a. Susanna Sato;
 24. SALARY COMMISSION
 - a. Monica Ann Revells;
 25. SUBDIVISION ENGINEERING STANDARDS COMMITTEE
 - a. Chadwick Ken Fukunaga; and
 - b. Edward Thomas Lewicke.
 - B. Nominees to boards, committees, and commissions, requiring Council approval or disapproval with no time limitation (for terms expiring on March 31, 2013):
 1. KULA AGRICULTURAL PARK COMMITTEE
 - a. Norman Masato Nagata;
 2. MAUI REDEVELOPMENT AGENCY
 - a. Katharine Olga Popenuk; and
 3. URBAN DESIGN REVIEW BOARD
 - a. Linda Jean Berry (Alternate member).

1. COUNTY COMMUNICATIONS (continued):

4. A motion that the two correspondences dated January 31, 2008, and the correspondence dated February 15, 2008 be FILED;
5. A motion that a record of the Council's action be TRANSMITTED to the Mayor; and
6. A motion that this communication be FILED.

- NO. 08-80 - DIRECTOR OF PARKS AND RECREATION, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 13.16, MAUI COUNTY CODE, RELATING TO THE WAIEHU MUNICIPAL GOLF COURSE".
- NO. 08-81 - PLANNING DIRECTOR, transmitting documents relating to a conditional permit application filed by Frances Feeter for the operation of Hale Maluhia, a Transient Vacation Rental in Puko`o, Molokai.
- NO. 08-82 - COUNCILMEMBER BAISA, relating to the matter of Council Members' compliance with the Sunshine Law.
- NO. 08-83 - DIRECTOR OF PUBLIC WORKS, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 10.56A, MAUI COUNTY CODE, PERTAINING TO LOADING ZONES".
- NO. 08-84 - DIRECTOR OF PUBLIC WORKS, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 10.48.040, MAUI COUNTY CODE, PERTAINING TO STOPPING, STANDING AND PARKING ON WAILANI STREET, WAILUKU".
- NO. 08-85 - DIRECTOR OF PUBLIC WORKS, transmitting a proposed resolution entitled "ACCEPTING DEDICATION OF A ROAD WIDENING LOT FOR THE MAHA WAO SUBDIVISION, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE".
- NO. 08-86 - DIRECTOR OF WATER SUPPLY, transmitting copies of the Monthly Source Report and Groundwater Use Report for the month ended February 2008.

2. GENERAL COMMUNICATIONS:

NONE

J. RESOLUTIONS:

NONE

K. ORDINANCES - SECOND AND FINAL READING:

BILL NO. 21 (2008) - "A BILL FOR AN ORDINANCE REPEALING CHAPTER 19.90, MAUI COUNTY CODE, AND ESTABLISHING A NEW CHAPTER 19.90A, MAUI COUNTY CODE, PERTAINING TO KIHEI-MAKENA PROJECT DISTRICT 9 (WAILEA 670)"

BILL NO. 22 (2008) - "A BILL FOR AN ORDINANCE TO REPEAL ORDINANCE NO. 2171 (1992) AND TO ESTABLISH KIHEI-MAKENA PROJECT DISTRICT 9 (WAILEA 670) ZONING (CONDITIONAL ZONING), FOR APPROXIMATELY 670 ACRES SITUATED AT PAEAHU, PALAUEA, KEAUKOU, MAUI, HAWAII"

BILL NO. 31 (2008) - "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2008 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE DEPARTMENT OF PLANNING"

BILL NO. 32 (2008) - "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2008 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE DEPARTMENT OF PLANNING"

BILL NO. 33 (2008) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2008 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES, LANAI COMMUNITY PLAN AREA - LANAI CITY AFFORDABLE HOUSING PROJECT, TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS, AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS"

BILL NO. 34 (2008) - "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO URBAN FOR PROPERTY SITUATED AT KAEU, HONUAULA, MAKENA, MAUI, HAWAII"

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

BILL NO. 35 (2008) - "A BILL FOR AN ORDINANCE TO AMEND THE KIHEI-MAKENA COMMUNITY PLAN AND LAND USE MAP FROM HOTEL TO SINGLE-FAMILY FOR PROPERTY SITUATED AT KAEO, HONUULA, MAKENA, MAUI, HAWAII"

BILL NO. 36 (2008) - "A BILL FOR AN ORDINANCE TO ESTABLISH R-3 RESIDENTIAL DISTRICT ZONING (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT KAEO, HONUULA, MAKENA, MAUI, HAWAII"

L. UNFINISHED BUSINESS:

NONE

M. ANNOUNCEMENTS

NOTE: ITEMS LISTED ON THE AGENDA MAY BE INSPECTED AT THE OFFICE OF THE COUNTY CLERK, 200 SOUTH HIGH STREET, WAILUKU, HAWAII, PRIOR TO THE MEETING DATE. PHOTOCOPIES MAY BE ORDERED, SUBJECT TO CHARGES IMPOSED BY LAW (MAUI COUNTY CODE, SECTION 2.64.010). PLEASE CONTACT THE OFFICE OF THE COUNTY CLERK TO MAKE ARRANGEMENTS FOR INSPECTION OR PHOTOCOPYING OF DOCUMENTS.

INDIVIDUALS WHO INTEND TO ATTEND THE MEETING AND WHO HAVE DISABILITIES REQUIRING SPECIAL ASSISTANCE SHOULD CALL THE OFFICE OF THE COUNTY CLERK AT 270-7748, AT LEAST THREE DAYS IN ADVANCE.