

COUNCIL OF THE COUNTY OF MAUI

A G E N D A

Regular Meeting of June 6, 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 JO ANNE JOHNSON
 - C. PLEDGE OF ALLEGIANCE
 - D. TESTIMONY ON CEREMONIAL RESOLUTIONS

E. CEREMONIAL RESOLUTIONS:

NO. _____ - "CONGRATULATING AND THANKING AMERICORPS NATIONAL CIVILIAN COMMUNITY CORPS FOR PERFORMING SERVICE PROJECTS IN MAUI COUNTY"

NO. _____ - "CONGRATULATING 'SIMPLY SOLID' 2008 BROWN BAGS TO STARDOM WINNERS"

F. PRESENTATION OF WRITTEN OR ORAL TESTIMONYG. MINUTES:

NONE

H. COMMITTEE REPORTS:

NO. 08-60 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill amending Appendix A of the Fiscal Year 2008 Budget for the County of Maui as it pertains to the Department of Planning; and
2. **FILING** of communication. (Hawaii Ocean Resources Management Plan (HORMP) Study)

NO. 08-61 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to amend Fiscal Year 2008 Budget by (1) increasing Interfund Transfers by \$500,000; (2) increasing Carryover/Savings in the General Fund by \$500,000; (3) increasing Total Estimated Revenues by \$1,000,000; (4) increasing the Supplemental Transfer to the Solid Waste Fund in the Department of Finance, Countywide Costs, by \$500,000; (5) increasing Total Operating Appropriations by \$500,000; (6) adding an appropriation for the "Lanai Landfill Storm Water System Reconstruction", Lanai Community Plan Area, Sanitation, from the Solid Waste Funds for \$500,000; (7) increasing Total Capital Improvement Project Appropriations by \$500,000; and (8) increasing Total Appropriations (Operating and Capital Improvement Projects) by \$1,000,000; and
2. **FILING** of communication.

H. COMMITTEE REPORTS (continued):NO. 08-62 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill to amend Fiscal Year 2008 Budget by (1) decreasing Countywide Costs, Fringe Benefits, in the Department of Finance by \$1,381,640; (2) increasing the Transfer to the Post-Employment Obligations Fund by \$1,381,640; and (3) by amending Appendix A as it pertains to Part II, Special Purpose Revenues – Schedule of Revolving/Special Funds to add an appropriation in the Post-Employment Obligations Fund for a "FY08 Actuarially Required Contribution in the amount of \$13,000,000"; and
2. **FILING** of communication.

NO. 08-63 - POLICY COMMITTEE:

Recommending the following:

1. **APPROVAL** of the revised proposed Hawaii State Association of Counties (HSAC) annual operating budget for Fiscal Year 2008-2009; and
2. **TRANSMITTAL** of copy of the committee report to the HSAC Executive Committee.

NO. 08-64 - POLICY COMMITTEE:

Recommending the following:

1. **APPROVAL** of Kaye Lehua Jackson and Deborah Ellen Schulman to the *Affirmative Action Advisory Council*; Delbert Wayne Derego to the *Civil Service Commission*; Gary Yukio Ohashi to the *Commission on Naming Streets, Parks and Facilities*; Leo Kaniela Caires, Malcolm Hearne Findley, and Gina Marie Flammer to the *Cost of Government Commission*; Councilmember Bill Kauakea Medeiros to the *Council on Aging*; Leticia Castillo, Darlene Janice Endrina, and Gerald Gerry Rabaino to the *Lanai Planning Commission*; R. Susan Rubenstein to the *Maui County Grants Review Committee*; Andrea Emily Baer, Wendy Aiko Fujinaka, and Marge Grace Kelm to the *Maui County Outdoor Lighting Standards Committee*; Jay Bradley Armstrong and Dean K. Frampton to the *Real Property Tax Review Board*; Paula Heiskell to the *Kula Agricultural Park Committee*; and Darryl Eugene Canady, Linda Okamoto, and Mary Randall Wagner to the *Urban Design Review Board*; and
2. **TRANSMITTAL** of a copy of the committee report to the Mayor.

H. COMMITTEE REPORTS (continued):

NO. 08-65 - POLICY COMMITTEE:

Recommending **ADOPTION** of resolution indemnifying Michael Foley, former Planning Director, in Evelyn Goo, et al. v The County of Maui, et al., Civil No. 08-00172 DAE BMK.

With reference to this agenda item, one or more executive meetings pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, are anticipated to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee.

I. COMMUNICATIONS:

1. COUNTY COMMUNICATIONS:

NO. 08-132 - PROSECUTING ATTORNEY, informing of the Department of the Prosecuting Attorney's intent to expend approximately \$25,000 in Forfeiture Funds to purchase printers and scanning equipment.

NO. 08-133 - DIRECTOR OF FINANCE, reporting on transfers from the General Fund and Department of Water Supply Revenue Fund to the Bond Fund as of April 30, 2008.

NO. 08-134 - MAYOR, informing of the re-appointment of Robert Hobdy to the Maui County Arborist Committee.

NO. 08-135 - COUNCIL CHAIR, transmitting a proposed resolution entitled "RECOGNIZING THE CENTENNIAL OF THE HISTORIC WAILUKU COURTHOUSE" and informing of his intention to offer the following motions:

1. A motion to ADOPT the proposed resolution; and
2. A motion to FILE this communication.

NO. 08-136 - COUNCIL CHAIR, transmitting a report from the State Department of Accounting and General Services regarding certain State appropriations for capital improvement projects involving the County for the period ending March 31, 2008.

1. COUNTY COMMUNICATIONS (continued):

- NO. 08-137 - BUDGET DIRECTOR, transmitting the "FISCAL YEAR 2008 - THIRD QUARTER CAPITAL IMPROVEMENT PROJECTS IMPLEMENTATION REPORT" as of March 31, 2008.
- NO. 08-138 - DIRECTOR OF FINANCE, transmitting copies of the Finance Director's Quarterly Report for Fiscal Year July 1, 2007 to June 30, 2008 as of March 31, 2008, and the Capital Improvement Project Report as of March 31, 2008.
- NO. 08-139 - COUNCILMEMBER ANDERSON, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 14.11, MAUI COUNTY CODE, RELATING TO THE FILING FEE FOR APPEALS TO THE BOARD OF WATER SUPPLY".
- NO. 08-140 - COUNCILMEMBER JOHNSON, transmitting documents relating to real property tax classifications and exemptions.
- NO. 08-141 - COUNCILMEMBER MOLINA, transmitting the following draft resolutions entitled:
1. "URGING THE UNITED STATES TO TAKE IMMEDIATE ACTION TO EASE THE BURDEN OF ESCALATING GASOLINE PRICES ON CONSUMERS AND REDUCING OUR DEPENDENCE ON OIL"; and
 2. "URGING THE STATE OF HAWAII TO TAKE IMMEDIATE ACTION TO REDUCE OUR DEPENDENCE ON OIL".
- NO. 08-142 - COUNCILMEMBER JOHNSON, transmitting a proposed resolution entitled "URGING THE COUNTY OF MAUI TO BECOME ONE OF THE BEST WORKPLACES FOR COMMUTERS".
- NO. 08-143 - CHAIR, POLICY COMMITTEE, relating to proposed Charter amendments.
- NO. 08-144 - COUNCILMEMBER MATEO, transmitting a proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL WITH RESPECT TO POSSIBLE LEGAL CLAIMS ARISING FROM THE ANNOUNCED CLOSURE OF PRIVATE WATER AND WASTEWATER OPERATIONS ON MOLOKAI IN AUGUST 2008" and related documents.

1. COUNTY COMMUNICATIONS (continued):

NO. 08-145 - DIRECTOR OF PARKS AND RECREATION, informing that the closure of Kanaha Beach Park Campground has been extended through July 1, 2008.

2. GENERAL COMMUNICATION:

NONE

J. RESOLUTIONS:

NONE

K. ORDINANCES - SECOND AND FINAL READING:

NONE.

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.