

# **COUNCIL OF THE COUNTY OF MAUI**

## **A G E N D A**

Regular Meeting of June 20, 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](mailto:county.clerk@mauicounty.us)

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### **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:**      VICE-CHAIR DANNY A. MATEO
  - C. **PLEDGE OF ALLEGIANCE**
  - D. **TESTIMONY ON CEREMONIAL RESOLUTION**

E. CEREMONIAL RESOLUTION:

NO. \_\_\_\_\_ - "CONGRATULATING MAUI CHEER BABES FOR WINNING THE JAMZ XTREME CHAMPIONSHIPS AND THE JAMZ CHEER AND DANCE ALL-STAR NATIONAL CHAMPIONSHIP"

F. PRESENTATION OF WRITTEN OR ORAL TESTIMONYG. MINUTES:

Regular meeting of February 8, 2008

H. COMMITTEE REPORTS:NO. 08-66 - LAND USE COMMITTEE:

Recommending **ADOPTION** of resolution referring to the Maui Planning Commission a draft bill to change the zoning from A-2 Apartment District to PK-4 Golf Course Park District for property situated at Kaanapali, Maui, Hawaii (TMK: (2) 4-4-08:009, (2) 4-4-08:010; and (2) 4-4-08:014)

NO. 08-67 - POLICY COMMITTEE:

Recommending **FILING** of correspondence dated May 16, 2008, requesting consideration of the possible settlement of Daniel K. Kanahale, et al. v. Maui County Council, et al.; Civil No. 08-1-0115(3).

*With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, 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.*

NO. 08-68 - PUBLIC WORKS AND FACILITIES COMMITTEE:

Recommending **FILING** of communication informing the County Council of the closure of Kanaha Beach Park campground from April 16, 2008 through June 3, 2008 for major maintenance.

H. COMMITTEE REPORTS (continued):NO. 08-69 - PUBLIC WORKS AND FACILITIES COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution accepting the dedication of road widening Lot 9 for the Maha Wao Subdivision, along Maha Road, Makawao, Maui, consisting of approximately 4,042 square feet, TMK: (2) 2-4-06:portion of 028; and
2. **FILING** of communication.

NO. 08-70 - PUBLIC WORKS AND FACILITIES COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill designating 13 stalls on the makai side of South Market Street, fronting Iao Intermediate School, as a loading zone, from 7 a.m. to 8 a.m., and from 1 p.m. to 3 p.m. on school days; and
2. **FILING** of communication.

I. COMMUNICATIONS:1. COUNTY COMMUNICATIONS:

NO. 08-146 - CHIEF OF POLICE, informing of the Police Department's intent to expend \$50,000 in Federal Forfeiture Funds for its Employee Development Program.

NO. 08-147 - MAYOR, informing of a vacancy on the Committee on the Status of Women due to the resignation of Debbie Boteilho.

NO. 08-148 - COUNCIL CHAIR, transmitting the Management Letter, which was issued in conjunction with the independent financial audit of the County of Maui for the Fiscal Year Ended June 30, 2007.

NO. 08-149 - COUNCIL CHAIR, transmitting the County of Maui's Single Audit Report for the Fiscal Year Ended June 30, 2007.

1. COUNTY COMMUNICATIONS (continued):

- NO. 08-150 - COUNCIL CHAIR, transmitting the County of Maui's Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2007.
- NO. 08-151 - COUNCIL CHAIR, transmitting the Department of Water Supply's Financial Audit Report for the Fiscal Year Ended June 30, 2007.
- NO. 08-152 - CHAIR, BUDGET AND FINANCE COMMITTEE, pertaining to County Communication No. 08-105, relating to contracting for the independent annual financial audit of the County of Maui, informing of his intention to offer the following motions:
1. A motion that the Budget and Finance Committee be DISCHARGED from further consideration of County Communication No. 08-105;
  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 to AMEND the draft resolution by inserting the name of a certified public accounting firm;
  4. A motion to ADOPT the amended draft resolution;
  5. A motion to file County Communication No. 08-105; and
  6. A motion that this communication be FILED.
- NO. 08-153 - COUNCIL VICE-CHAIR MATEO, transmitting correspondence relating to Molokai Properties Limited terminating water and waste water system services on Molokai.
- NO. 08-154 - DIRECTOR OF PARKS AND RECREATION, transmitting a proposed resolution entitled "AUTHORIZING ACCEPTANCE OF DONATION OF A JET SKI, TRAILER, AND OTHER ACCESSORIES FROM TRI-ISLE RESOURCE CONSERVATION & DEVELOPMENT COUNCIL, INC., ON BEHALF OF THE WILL SMITH FOUNDATION, TO THE DEPARTMENT OF PARKS AND RECREATION, COUNTY OF MAUI, PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE".
- NO. 08-155 - DIRECTOR OF PUBLIC WORKS, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 18.04, MAUI COUNTY CODE, PERTAINING TO SUBDIVISION GENERAL PROVISIONS".

1. COUNTY COMMUNICATIONS (continued):

NO. 08-156 - DIRECTOR OF WATER SUPPLY, transmitting copies of the Department of Water Supply's Monthly Source Report and Groundwater Use Report for the month ended May 2008.

2. GENERAL COMMUNICATION:

NONE

J. RESOLUTIONS:

NONE

K. ORDINANCES - SECOND AND FINAL READING:

BILL NO. 56 (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. 57 (2008) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2008 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES, DEPARTMENT OF FINANCE COUNTYWIDE COSTS, LANAI COMMUNITY PLAN AREA SANITATION, TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS, AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)"

BILL NO. 58 (2008) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2008 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO DEPARTMENT OF FINANCE AND APPENDIX A, PART II, SPECIAL PURPOSE REVENUES – SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2008, POST-EMPLOYMENT OBLIGATIONS FUND"

BILL NO. 59 (2008) - "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"

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.**