

COUNCIL OF THE COUNTY OF MAUI

A G E N D A

Regular Meeting of January 5, 2007
9:00 a.m.
Council Chamber
8th Floor, Kalana O Maui Building
200 South High Street, Wailuku, Hawaii

website: <http://www.co.maui.hi.us/county/clerkSub/>
e-mail: <mailto: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.

A. ROLL CALL

B. OPENING REMARKS: COUNCILMEMBER ANDERSON

C. PLEDGE OF ALLEGIANCE

D. TESTIMONY ON CEREMONIAL RESOLUTION

E. CEREMONIAL RESOLUTION:

NO. _____ - "EXPRESSING APPRECIATION TO MAYOR ALAN M. ARAKAWA"

F. PRESENTATION OF WRITTEN OR ORAL TESTIMONYG. MINUTES:

NONE

H. COMMITTEE REPORTS:

NONE

I. COMMUNICATIONS:1. COUNTY COMMUNICATIONS:

NO. 07-1 - DIRECTOR OF FINANCE, reporting on transfers from the General Fund to the Bond Fund as of November 30, 2006.

NO. 07-2 - PROSECUTING ATTORNEY, transmitting a copy of a grant award letter from the Department of the Attorney General for the Domestic Violence Investigations Program.

NO. 07-3 - MAYOR, informing of Diane Shepherd's resignation as a member of the Maui Planning Commission.

NO. 07-4 - COUNCIL CHAIR, relating to referral of matters from the 2005-2007 Council term that were referred to the Council Chair for the 2007-2009 term at the Council meetings of December 1, 2006 and December 19, 2006.

NO. 07-5 - COUNCIL CHAIR, relating to referral of various matters pending at the end of the 2005-2007 Council term that were referred to the Council Chair for the 2007-2009 term.

NO. 07-6 - COUNCIL CHAIR, relating to referral of various matters that were referred to the Council Chair for the 2007-2009 term pursuant to committee reports adopted on December 19, 2006.

NO. 07-7 - COUNCIL CHAIR, relating to nominations to boards, committees, and commissions.

1. COUNTY COMMUNICATIONS (continued):

- NO. 07-8 - COUNCIL CHAIR, relating to matters pertaining to the Maui County Legislative Package.
- NO. 07-9 - COUNCIL CHAIR, relating to requests for indemnification authorization.
- NO. 07-10 - COUNCIL CHAIR, relating to matters pertaining to the Hawaii State Association of Counties.
- NO. 07-11 - COUNCIL CHAIR, relating to requests for settlement authorization submitted by the Department of the Corporation Counsel.
- NO. 07-12 - COUNCIL CHAIR, relating to requests for authorization of special counsel submitted by the Department of the Corporation Counsel.
- NO. 07-13 - COUNCIL CHAIR, relating to requests for Council approval of affordable housing projects pursuant to Chapter 201H, Hawaii Revised Statutes.
- NO. 07-14 - DIRECTOR OF PARKS AND RECREATION, transmitting a proposed resolution entitled "AUTHORIZING ACCEPTANCE OF DONATION FROM MAUI ECONOMIC OPPORTUNITY, INC., TO THE DEPARTMENT OF PARKS AND RECREATION, COUNTY OF MAUI, PURSUANT TO SECTION 13-8, CHARTER OF THE COUNTY OF MAUI (2003), AND CHAPTER 3.56, MAUI COUNTY CODE".
- NO. 07-15 - DIRECTOR OF PUBLIC WORKS AND ENVIRONMENTAL MANAGEMENT, transmitting a proposed resolution entitled "ACCEPTING DEDICATION OF SEWERLINE EASEMENTS FOR THE ROYAL LAHAINA RESORT BULK SUBDIVISION, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE".
- NO. 07-16 - BUDGET DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2007 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE DEPARTMENT OF POLICE".
- NO. 07-17 - BUDGET DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2007 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL MANAGEMENT".

1. COUNTY COMMUNICATIONS (continued):

- NO. 07-18 - BUDGET DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2007 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE DEPARTMENT OF WATER SUPPLY".
- NO. 07-19 - BUDGET DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2007 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES, THE DEPARTMENT OF PARKS AND RECREATION, TOTAL OPERATING APPROPRIATIONS, AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)".
- NO. 07-20 - COUNCILMEMBER ANDERSON, relating to the matter of Maui Lani Project District Phase III approvals.
- NO. 07-21 - COUNCILMEMBER ANDERSON, relating to the matter of shoreline access.
- NO. 07-22 - COUNCILMEMBER ANDERSON, relating to condominium property regimes in Maui County Agricultural Districts.
- NO. 07-23 - COUNCILMEMBER JOHNSON, transmitting a draft resolution entitled "REFERRING TO THE MAUI PLANNING COMMISSION BILLS TO, RESPECTIVELY, ENACT A STATE LAND USE DISTRICT CLASSIFICATION AMENDMENT, A COMMUNITY PLAN AMENDMENT, AND A CHANGE IN ZONING FOR PROPERTY SITUATED AT LAHAINA, MAUI, HAWAII FOR THE PROPOSED WEST MAUI HOSPITAL AND RELATED ANCILLARY MEDICAL FACILITIES".
- NO. 07-24 - DIRECTOR OF PLANNING, relating to applications submitted by Grace Condos, on behalf of 120 Hanna Highway LLC, for the Paia Town Center, transmitting pertinent documents and the following:
1. A proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE PAIA-HAIKU COMMUNITY PLAN AND LAND USE MAP FROM SINGLE FAMILY RESIDENTIAL TO BUSINESS/COMMERCIAL FOR PROPERTY SITUATED AT PAIA, MAUI, HAWAII"; and
 2. A proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM INTERIM DISTRICT TO B-CT COUNTRY TOWN BUSINESS DISTRICT (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT PAIA, MAUI, HAWAII".

1. COUNTY COMMUNICATIONS (continued):

NO. 07-25 - DIRECTOR OF PUBLIC WORKS AND ENVIRONMENTAL MANAGEMENT, transmitting a proposed resolution entitled "ACCEPTING DEDICATION OF A ROAD WIDENING LOT FOR THE TEXEIRA AND MEDEIROS SUBDIVISION, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE."

NO. 07-26 - DIRECTOR OF PUBLIC WORKS AND ENVIRONMENTAL MANAGEMENT, transmitting a proposed resolution entitled "ACCEPTING DEDICATION OF A ROAD WIDENING LOT FOR THE STICE SUBDIVISION, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE."

2. GENERAL COMMUNICATIONS:

NONE

J. RESOLUTIONS:

NONE.

K. ORDINANCES - SECOND AND FINAL READING:

BILL NO. 79 (2006) - "A BILL FOR AN ORDINANCE GRANTING EDWIN YOUNG A CONDITIONAL PERMIT FOR THE OPERATION OF NAHIKU MARKET PLACE, FORMERLY KNOWN AS BLUE POOL MARKET PLACE, WITHIN THE COUNTY AGRICULTURAL DISTRICT FOR PROPERTY SITUATED AT NAHIKU HOMESTEAD, HANA, MAUI, HAWAII"

BILL NO. 80 (2006) - "A BILL FOR AN ORDINANCE AMENDING TITLE 14, MAUI COUNTY CODE, RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN HANA, MAUI, HAWAII"

BILL NO. 81 (2006) - "A BILL FOR AN ORDINANCE AMENDING TITLE 14, MAUI COUNTY CODE, RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN PAIA-HAIKU, MAUI, HAWAII"

BILL NO. 82 (2006) - "A BILL FOR AN ORDINANCE AMENDING TITLE 14, MAUI COUNTY CODE, RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN MAKAWAO-PUKALANI-KULA, MAUI, HAWAII"

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

BILL NO. 83 (2006) - "A BILL FOR AN ORDINANCE AMENDING TITLE 14, MAUI COUNTY CODE, RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN WAILUKU-KAHULUI, MAUI, HAWAII"

BILL NO. 84 (2006) - "A BILL FOR AN ORDINANCE AMENDING CHAPTER 5.22, MAUI COUNTY CODE, RELATING TO BICYCLE TOUR BUSINESS"

BILL NO. 85 (2006) - "A BILL FOR AN ORDINANCE AMENDING SECTION 2.40.030, REPEALING CHAPTER 12.17, AND AMENDING TITLE 20, MAUI COUNTY CODE, RELATING TO OUTDOOR LIGHTING STANDARDS"

BILL NO. 86 (2006) - "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2007 BUDGET FOR THE COUNTY OF MAUI, AS IT PERTAINS TO REVENUES - RATES, FEES AND ASSESSMENTS FOR THE RESIDENTIAL WORKFORCE HOUSING REQUIREMENT"

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.