

COUNCIL OF THE COUNTY OF MAUI

A G E N D A

Regular Meeting of April 10, 2007
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@co.mauhi.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 RESOLUTIONS

E. CEREMONIAL RESOLUTIONS:

NO. _____ - "HONORING MAUI HIGH SCHOOL'S PROJECT EAST TEAM ON BEING NAMED A FOUNDER'S AWARD FINALIST AT THE 2007 NATIONAL ENVIRONMENTAL AND SPATIAL TECHNOLOGY PARTNERSHIP CONFERENCE"

NO. _____ - "RECOGNIZING THE MONTH OF APRIL 2007 AS COMMUNITY ACTION MONTH IN MAUI COUNTY AND CONGRATULATING MAUI ECONOMIC OPPORTUNITY, INC. ON ITS 42ND ANNIVERSARY"

F. PRESENTATION OF WRITTEN OR ORAL TESTIMONYG. MINUTES:

1. Regular Meeting of February 16, 2007
2. Special Meeting of February 26, 2007
3. Regular Meeting of March 2, 2007

H. COMMITTEE REPORTS:

NO. 07-36 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill amending the Fiscal Year 2007 Budget increasing the Carryover/Savings in the Water Supply Fund by \$800,000; decreasing the appropriation for the Engineering Program - Water Supply Fund, Department of Water Supply, by \$200,000; and increasing the appropriation for Plant Operation Program - Water Supply Fund, Department of Water Supply, by \$1,000,000; and
2. **FILING** of communication.

NO. 07-37 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution approving cost items for Unit 11, Fire Fighters; and
2. **FILING** of communication.

H. COMMITTEE REPORTS (continued):NO. 07-38 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution authorizing filing of an application with the Department of Housing and Urban Development, United States of America, for a grant under the Community Development Block Grant Program; and
2. **FILING** of communication.

NO. 07-39 - POLICY COMMITTEE:

Recommending **FILING** of communication relating to a proposed bill to authorize the Mayor to enter into an intergovernmental agreement with the State to compensate the County for services performed under the Memorandum of Agreement for Fiscal Year 2007 relating to the Statewide Program on Parking for Persons with Disabilities.

NO. 07-40 - POLICY COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution appointing Mayor Charmaine Tavares as the State Deputy Director of Civil Defense for the County of Maui; and
2. **FILING** of communication.

NO. 07-41 - POLICY COMMITTEE:

Recommending **ADOPTION** of resolution authorizing a proposed settlement of Lynn S. Potratz, et al. v. County of Maui, et al., Civil No. 04-1-0390(3).

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, and pursuant to Section 92-5(a)(8), Hawaii Revised Statutes, to deliberate upon a matter that requires the consideration of information that must be kept confidential pursuant to a State or Federal law, or a court order.

H. COMMITTEE REPORTS (continued):NO. 07-42 - PUBLIC WORKS AND FACILITIES COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution accepting the dedication of nonexclusive sewerline easements and document the County's rights to locate, maintain, repair, and replace the existing sewerline on property in Lahaina, Maui, identified as TMK: (2) 4-4-08:007; and
2. **FILING** of communication. (Royal Lahaina Resort Bulk Subdivision)

NO. 07-43 - PUBLIC WORKS AND FACILITIES COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution accepting the dedication of road widening Lot B-1-D in Kula, Maui, along Lower Kula Road, consisting of approximately 987 square feet and identified as TMK: (2) 2-3-03:portion of 151, for public purposes; and
2. **FILING** of communication. (Texeira and Medeiros Subdivision)

NO. 07-44 - PUBLIC WORKS AND FACILITIES COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution accepting the dedication of road widening Lot 2 in Wailuku, Maui, along Central Avenue, consisting of approximately 2,999 square feet and identified as TMK: (2) 3-4-12:080 and 113, for public purposes; and
2. **FILING** of communication. (A.D. Furtado Properties Wailuku, LLC)

NO. 07-45 - PUBLIC WORKS AND FACILITIES COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution accepting the dedication of road widening Lot 13 in Wailuku, Maui, along Malaihi Road, consisting of approximately 0.75 acre and identified as TMK: (2) 3-2-13:046, for public purposes; and
2. **FILING** of communication. (Malaihi Ag Subdivision)

H. COMMITTEE REPORTS (continued):NO. 07-46 - PUBLIC WORKS AND FACILITIES COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution accepting the dedication of road widening Lots 2 and 3 in Makawao, Maui, along Makawao Avenue, consisting of approximately 76 square feet and 455 square feet, respectively, and identified as TMK: (2) 2-7-01:portion of 072, for public purposes; and
2. **FILING** of communication. (J.P. Tavares - Makawao Avenue Subdivision)

NO. 07-47 - PUBLIC WORKS AND FACILITIES COMMITTEE:

Recommending the following:

1. **ADOPTION** of resolution accepting the dedication of road widening Lot 430-E-1-A-2-C in Kaunakakai, Molokai, along Kolapa Place, consisting of 0.041 acre and identified as TMK: (2) 5-3-02:169, in order to complete the Kolapa Street Sidewalk Improvements (County of Maui Job No. 06-32); and
2. **FILING** of communication.

NO. 07-48 - PUBLIC WORKS AND FACILITIES COMMITTEE:

Recommending the following:

1. **FIRST READING** of bill streamlining the application process for various permits and approvals processed by the Department of Planning; and
2. **FILING** of communication.

I. COMMUNICATIONS:1. COUNTY COMMUNICATIONS:

NO. 07-102 - DIRECTOR OF FINANCE, transmitting 18 contracts for January 2007.

NO. 07-103 - DIRECTOR OF FINANCE, transmitting 15 contracts for February 2007.

1. COUNTY COMMUNICATIONS (continued):

NO. 07-104 - MAYOR, informing of Elaine Gast's resignation as a member of the Commission on Culture and the Arts.

NO. 07-105 - COUNCIL CHAIR, recommending an adjustment to the Council meeting schedule for 2007, and requesting that the following motions be made:

1. A motion to WAIVE Committee referral and recommendation of this communication;
2. A motion to RESCHEDULE the Friday, May 18, 2007 Council meeting to Tuesday, May 22, 2007;
3. A motion to RESCHEDULE the Friday, July 20, 2007 Council meeting to Thursday, July 26, 2007; and
4. A motion to FILE this communication.

NO. 07-106 - CHAIR, POLICY COMMITTEE, informing of his intention to offer the following motions:

1. A motion to DISCHARGE the Policy Committee from further consideration of a correspondence from Councilmember Pontanilla, relating to the Hawaii State Association of Counties (HSAC) FY 2007 - 2008 revised proposed annual operating budget and the appointment of Councilmember Joseph Pontanilla as the Maui County Council representative, and Councilmember G. Riki Hokama as his alternate, to the HSAC Executive Committee for FY 2007 - 2008;
2. A motion to WAIVE the requirement of committee referral and recommendation;
3. A motion to APPROVE the HSAC FY 2007 - 2008 revised proposed annual operating budget;
4. A motion to APPROVE the appointment of Councilmember Joseph Pontanilla as the Maui County Council representative, and Councilmember G. Riki Hokama as his alternate, to the HSAC Executive Committee for FY 2007 - 2008;
5. A motion to TRANSMIT the record of the Council's action to the HSAC Executive Committee; and
6. A motion to FILE this communication.

1. COUNTY COMMUNICATIONS (continued):

NO. 07-107 - CHAIR, POLICY COMMITTEE, transmitting a proposed resolution entitled "AUTHORIZING SETTLEMENT OF ALL CASES RELATING TO THE REAL PROPERTY LOCATED AT 1377 FRONT STREET, LAHAINA, MAUI, HAWAII"; and informing of his intention to offer the following motions:

1. A motion to WAIVE the requirement of Committee referral and recommendation;
2. A motion to ADOPT the proposed resolution; and
3. A motion to FILE this communication.

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, and pursuant to Section 92-5(a)(8), Hawaii Revised Statutes, to deliberate upon a matter that requires the consideration of information that must be kept confidential pursuant to a State or Federal law, or a court order.

NO. 07-108 - DEPUTY CORPORATION COUNSEL, transmitting the following proposed resolutions entitled:

1. "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL LAW OFFICES OF MICHAEL JAY GREEN, FOR JAMES H. APANA, IN ASGHAR R. SADRI V. JAMES H. APANA, AN INDIVIDUAL; ET AL.; CIVIL NO. CV 07-00109 SOM-BMK";
2. "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL ASHFORD & WRISTON, FOR ALAN M. ARAKAWA, IN ASGHAR R. SADRI V. JAMES H. APANA, AN INDIVIDUAL; ET AL.; CIVIL NO. CV 07-00109 SOM-BMK";
3. "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL CROCKETT & NAKAMURA, FOR JOHN E. MIN, IN ASGHAR R. SADRI V. JAMES H. APANA, AN INDIVIDUAL; ET AL.; CIVIL NO. CV 07-00109 SOM-BMK";
4. "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL ROECA, LOUIE & HIRAOKA, FOR RICHARD MINATOYA, IN ASGHAR R. SADRI V. JAMES H. APANA, AN INDIVIDUAL; ET AL.; CIVIL NO. CV 07-00109 SOM-BMK";
5. "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL AYABE CHONG NISHIMOTO SIA & NAKAMURA, FOR JAMES B. TAKAYESU, IN ASGHAR R. SADRI V. JAMES H. APANA, AN INDIVIDUAL; ET AL.; CIVIL NO. CV 07-00109 SOM-BMK";

1. COUNTY COMMUNICATIONS (continued):

6. "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL WATANABE ING & KOMEIJI LLP, FOR BRIAN T. MOTO, IN ASGHAR R. SADRI V. JAMES H. APANA, AN INDIVIDUAL; ET AL.; CIVIL NO. CV 07-00109 SOM-BMK"; and
7. "INDEMNIFYING JAMES H. APANA, JAMES TAKAYESU, JOHN MIN, RICHARD MINATOYA, ALAN ARAKAWA, AND BRIAN T. MOTO IN ASGHAR R. SADRI V. JAMES H. APANA, AN INDIVIDUAL; ET AL.; CIVIL NO. CV 07-00109 SOM-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, and pursuant to Section 92-5(a)(8), Hawaii Revised Statutes, to deliberate upon a matter that requires the consideration of information that must be kept confidential pursuant to a State or Federal law, or a court order.

NO. 07-109 - MAYOR, transmitting the proposed Fiscal Year 2008 Budget and the following proposed bills entitled:

1. "A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET FOR THE COUNTY OF MAUI FOR THE FISCAL YEAR JULY 1, 2007 TO JUNE 30, 2008";
2. "A BILL FOR AN ORDINANCE RELATING TO THE CAPITAL PROGRAM FOR THE FISCAL YEAR ENDING JUNE 30, 2008";
3. "A BILL FOR AN ORDINANCE AUTHORIZING THE ISSUANCE OF THIRTY FOUR MILLION SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$34,750,000) AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI FOR THE PURPOSE OF PROVIDING FUNDS TO PAY ALL OR A PART OF THE COST OF APPROPRIATIONS FOR PUBLIC IMPROVEMENTS OF AND FOR THE COUNTY OF MAUI; FIXING THE FORM, DENOMINATIONS AND CERTAIN OTHER FEATURES OF SUCH BONDS AND PROVIDING FOR THEIR SALE; AUTHORIZING THE DIRECTOR OF FINANCE TO DETERMINE CERTAIN DETAILS OF THE BONDS; AUTHORIZING THE ISSUANCE AND SALE OF A LIKE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE AND SALE OF SUCH BONDS; AND PROVIDING FOR OTHER ACTIONS RELATED TO THE ISSUANCE, SALE AND DELIVERY OF SAID BONDS";

1. COUNTY COMMUNICATIONS (continued):

4. "A BILL FOR AN ORDINANCE 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 TO OTHER PUBLIC IMPROVEMENTS OR AUTHORIZED PURPOSES OF THE COUNTY OF MAUI";
5. "A BILL FOR AN ORDINANCE AMENDING SECTION 2.68.060, MAUI COUNTY CODE, PERTAINING TO VOTER REGISTRATION COMPUTER TAPES";
6. "A BILL FOR AN ORDINANCE AMENDING SECTION 6.16.080, MAUI COUNTY CODE, PERTAINING TO REDEMPTION OF IMPOUNDED ANIMALS";
7. "A BILL FOR AN ORDINANCE TO AMEND CHAPTER 13.16, MAUI COUNTY CODE, RELATING TO WAIEHU MUNICIPAL GOLF COURSE";
8. "A BILL FOR AN ORDINANCE AMENDING SECTION 18.20.250, MAUI COUNTY CODE, PERTAINING TO SUBDIVISION INSPECTION FEES"; and
9. "A BILL FOR AN ORDINANCE AMENDING SECTION 16.20A.200, MAUI COUNTY CODE, PERTAINING TO MISCELLANEOUS PLUMBING INSTALLATION INSPECTIONS".

NO. 07-110 - BUDGET DIRECTOR, transmitting the following:

1. 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 CIVIL DEFENSE AGENCY"; and
2. A proposed resolution entitled "AUTHORIZING THE ACCEPTANCE OF THREE GRANTS OF FUNDS FROM THE STATE OF HAWAII, DEPARTMENT OF DEFENSE, OFFICE OF THE DIRECTOR OF DEFENSE RELATING TO STATE HOMELAND SECURITY PROGRAM, LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM AND CITIZEN CORPS PROGRAM".

1. COUNTY COMMUNICATIONS (continued):

NO. 07-111 - BUDGET DIRECTOR, transmitting the following:

1. 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"; and
2. A proposed resolution entitled "AUTHORIZING THE ACCEPTANCE OF A GRANT OF FUNDS FROM SPRINT-NEXTEL CORPORATION RELATING TO THE DEPARTMENT OF POLICE SPRINT-NEXTEL RADIO RE-BANDING PROJECT".

NO. 07-112 - BUDGET DIRECTOR, transmitting the following proposed bills entitled:

1. "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR A STATE WATER POLLUTION CONTROL REVOLVING FUND LOAN FOR THE ENVIRONMENTAL PROTECTION AGENCY (EPA) CONSENT DECREE SEWER REHABILITATION, WAILUKU-KAHULUI COMMUNITY PLAN DISTRICT, FISCAL YEAR 2007 BUDGET ORDINANCES (ALSO KNOWN AS CONSENT DECREE SEWER REHABILITATION-CENTRAL)";
2. "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR A STATE WATER POLLUTION CONTROL REVOLVING FUND LOAN FOR THE WAILUKU-KAHULUI WASTEWATER RECLAMATION FACILITY (WWRF) ELECTRICAL AND SOLIDS UPGRADE, WAILUKU-KAHULUI COMMUNITY PLAN DISTRICT, FISCAL YEAR 2007 BUDGET ORDINANCES (ALSO KNOWN AS WAILUKU-KAHULUI WASTEWATER RECLAMATION FACILITY ELECTRICAL/SOLIDS UPGRADE)";
3. "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR A STATE WATER POLLUTION CONTROL REVOLVING FUND LOAN FOR THE ENVIRONMENTAL PROTECTION AGENCY (EPA) CONSENT DECREE SEWER REHABILITATION, KIHEI-MAKENA COMMUNITY PLAN DISTRICT, FISCAL YEAR 2007 BUDGET ORDINANCES (ALSO KNOWN AS CONSENT DECREE SEWER REHABILITATION-KIHEI)";
4. "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR A STATE WATER POLLUTION CONTROL REVOLVING FUND LOAN FOR THE ENVIRONMENTAL PROTECTION AGENCY (EPA) CONSENT DECREE SEWER REHABILITATION, WEST MAUI COMMUNITY PLAN DISTRICT, FISCAL YEAR 2007 BUDGET ORDINANCES (ALSO KNOWN AS CONSENT DECREE SEWER REHABILITATION-LAHAINA)";

1. COUNTY COMMUNICATIONS (continued):

5. "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR A STATE WATER POLLUTION CONTROL REVOLVING FUND LOAN FOR THE LAHAINA WASTEWATER PUMP STATION (WWPS) #1 REPLACEMENT, WEST MAUI COMMUNITY PLAN DISTRICT, FISCAL YEAR 2007 BUDGET ORDINANCES (ALSO KNOWN AS LAHAINA WASTEWATER PUMP STATION NO. 1 REPLACEMENT)";
6. "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR A STATE WATER POLLUTION CONTROL REVOLVING FUND LOAN FOR THE CENTRAL OPERATIONS AND MAINTENANCE FACILITIES, COUNTYWIDE, FISCAL YEAR 2007 BUDGET ORDINANCES (ALSO KNOWN AS CENTRAL OPERATIONS AND MAINTENANCE FACILITY)"; and
7. "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR A STATE WATER POLLUTION CONTROL REVOLVING FUND LOAN FOR THE COUNTYWIDE PUMP STATION RENOVATIONS, COUNTYWIDE, FISCAL YEAR 2007 BUDGET ORDINANCES (ALSO KNOWN AS COUNTYWIDE WASTEWATER PUMP STATIONS RENOVATIONS)".

- NO. 07-113 - PLANNING DIRECTOR, relating to an application filed by Goodfellow Bros., Inc., transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE GRANTING GOODFELLOW BROS., INC. A CONDITIONAL PERMIT FOR USES RELATING TO A ROCK QUARRY WITHIN THE COUNTY AGRICULTURAL DISTRICT FOR PROPERTY SITUATED AT KIHEI, HAWAII", and related documents.
- NO. 07-114 - PLANNING DIRECTOR, transmitting the Board of Variances and Appeals recommendation for approval of the Department of Public Works and Environmental Management's request for a use variance to allow Pacific Biodiesel to process waste cooking oil into biodiesel within the County's Interim District.
- NO. 07-115 - CHAIRMAN, BOARD OF VARIANCES AND APPEALS, relating to parking assessment fees for developments within the B-CT Country Town Business and HD1 and HD2 Historical Districts and transmitting an article from the *Maui Time Weekly*.

1. COUNTY COMMUNICATIONS (continued):

NO. 07-116 - DIRECTOR OF FINANCE, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 14.62, MAUI COUNTY CODE, RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN WEST MAUI, HAWAII".

NO. 07-117 - DIRECTOR OF FINANCE, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 14.68, MAUI COUNTY CODE, RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN KIHEI AND MAKENA, MAUI, HAWAII".

NO. 07-118 - DIRECTOR OF HOUSING AND HUMAN CONCERNS, relating to the Lanai Residence Lots project, transmitting a proposed resolution entitled "AUTHORIZING THE GRANT OF EASEMENTS ON COUNTY OF MAUI REAL PROPERTIES TO THE DEPARTMENT OF HAWAIIAN HOME LANDS, STATE OF HAWAII, AND MAUI ELECTRIC COMPANY, LIMITED".

NO. 07-119 - DIRECTOR OF PARKS AND RECREATION, transmitting a proposed resolution entitled "APPROVING THE WAIVER OF CERTAIN PARK REQUIREMENTS FOR A PRIVATELY OWNED AND MAINTAINED PARK PURSUANT TO SECTION 18.16.320, MAUI COUNTY CODE, FOR THE KIHEI KAUHALE SUBDIVISION, KIHEI, MAUI, HAWAII".

2. GENERAL COMMUNICATIONS:

NONE

J. RESOLUTIONS:

NONE

K. ORDINANCES - SECOND AND FINAL READING:

BILL NO. 8 (2007) - "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO URBAN FOR PROPERTY SITUATED AT MAKENA, MAUI, HAWAII"

BILL NO. 9 (2007) - "A BILL FOR AN ORDINANCE TO AMEND THE KIHEI-MAKENA COMMUNITY PLAN AND LAND USE MAP FROM MULTI-FAMILY TO SINGLE-FAMILY FOR PROPERTY SITUATED AT MAKENA, MAUI, HAWAII"

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

BILL NO. 10 (2007) - "A BILL FOR AN ORDINANCE TO ESTABLISH R-3 RESIDENTIAL DISTRICT ZONING (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT 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.