

COUNCIL OF THE COUNTY OF MAUI
POLICY COMMITTEE

March 2, 2007

**Committee
Report No.**

07-21

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Policy Committee, having met on February 13, 2007, makes reference to County Communication No. 07-55, from the Director of Finance, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO A SUPPLEMENTAL AGREEMENT TO MEMORANDUM OF AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF HEALTH".

The purpose of the proposed bill is to authorize the Mayor to enter into a supplemental agreement with the State to compensate the County an additional \$9,495 for services performed under the Memorandum of Agreement (relating to the Statewide Program on Parking for Persons with Disabilities) executed on April 17, 2006.

At its meeting, your Committee met with the Director of Finance; the Administrator for the Motor Vehicle and Licensing Division, Department of Finance; and the First Deputy Corporation Counsel.

There was no public testimony.

The Director of Finance provided a brief overview of the matter. He stated that the Supplemental Agreement amends the Memorandum of Agreement to provide for additional reimbursement to the County by the State Department of Health in the amount of \$9,495 for services performed in Fiscal Year (FY) 2006 in connection with the parking placard program.

The Administrator for the Motor Vehicle and Licensing Division added that the State is merely releasing the second half of monies that was originally withheld from the County for reimbursement under the program in FY 2006.

Your Committee expressed dissatisfaction that the County has continued to provide services on behalf of the State while not being adequately reimbursed for program expenses. The Administrator for the Motor Vehicle and Licensing Division

COUNCIL OF THE COUNTY OF MAUI
POLICY COMMITTEE

March 2, 2007
Page 2

Committee
Report No. 07-21

noted that the County's costs to implement the State's parking placard program in FY 2006 were approximately \$50,000. He further noted that the County's costs were calculated based in part on the Maui County Department of Motor Vehicles & Licensing User Fee Study, dated May 2006, prepared by Maximus, Inc.

Your Committee notes that although the State allowed the County to retain \$4,200 in revenue collected from the distribution of temporary and replacement parking placards, the total State reimbursement for FY 2006 was approximately \$14,000, or 28 percent of the County's total expenses. Your Committee further notes that with the additional \$9,495 that the supplemental agreement provides, the total State reimbursement for FY 2006 will be approximately \$23,000, still less than half of the County's expenditures for the program.

Your Committee discussed the lack of enforcement for disabled parking stalls. The Administrator for the Motor Vehicle and Licensing Division stated that enforcement of the parking placard program in the City and County of Honolulu is volunteer-driven; however, he believes that the Department of Police would oversee enforcement in the other three counties.

A member of your Committee noted that even with the additional reimbursement, the total reimbursement from the State, including the revenue collected from the distribution of temporary and replacement parking placards, is still substantially less than the total amount of expenses incurred by the County. He further stated that he was in favor of having the State run its own parking placard program.

Your Committee voted to recommend passage of the bill on first reading and filing of the communication.

Your Policy Committee **RECOMMENDS** the following:

1. That Bill No. _____ (2007), attached hereto, entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO A SUPPLEMENTAL AGREEMENT TO MEMORANDUM OF AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF HEALTH", be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication No. 07-55 be FILED.

COUNCIL OF THE COUNTY OF MAUI
POLICY COMMITTEE

March 2, 2007
Page 3

Committee
Report No. 07-21

Adoption of this report is respectfully requested.

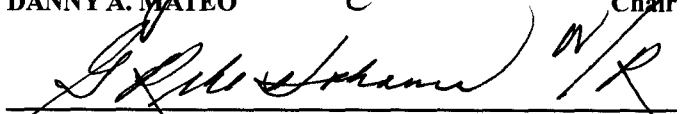
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COUNCIL OF THE COUNTY OF MAUI
POLICY COMMITTEE

March 2, 2007
Page 4

Committee
Report No. 07-21


DANNY A. MATEO Chair


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ORDINANCE NO. _____

BILL NO. _____ (2007)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO A SUPPLEMENTAL AGREEMENT TO MEMORANDUM OF AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF HEALTH

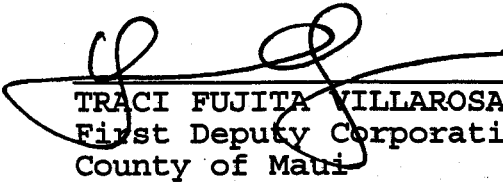
BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Purpose. Pursuant to Ordinance No. 3362, authorizing an intergovernmental agreement between the County of Maui and the State of Hawaii, Department of Health ("DOH"), the County of Maui entered into that certain Memorandum of Agreement with DOH on April 17, 2006, to implement the Statewide Program on Parking for Persons with Disabilities ("Parking Program"). DOH now proposes additional funds to the County of Maui to continue implementation of the Parking Program in substantial conformance with the Supplemental Agreement to the Memorandum of Agreement ("Supplemental Agreement"), attached hereto as Exhibit "1".

SECTION 2. Council Authorization. Pursuant to Section 2.20.020 of the Maui County Code, the Council hereby authorizes the Mayor to execute the Supplemental Agreement, and all other necessary documents relating to the Parking Program, including any amendments thereto.

SECTION 3. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM
AND LEGALITY:



TRACI FUJITA VILLAROSA
First Deputy Corporation Counsel
County of Maui

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SUPPLEMENTAL AGREEMENT TO
MEMORANDUM OF AGREEMENT
between the
STATE OF HAWAII
DEPARTMENT OF HEALTH
DISABILITY AND COMMUNICATION ACCESS BOARD
and the
COUNTY OF MAUI
DEPARTMENT OF FINANCE
DRIVER LICENSING SECTION

This Supplemental Agreement is made this _____ day _____, 2006, by and between the Disability and Communication Access Board, Department of Health, State of Hawaii, hereinafter referred to as ("DCAB") and the Driver Licensing Section, Department of Finance, County of Maui, hereinafter referred to as ("COUNTY"), to implement the Statewide Program on Parking for Persons with Disabilities, which issues parking permits (placards and special license plates) and identification cards to qualified persons with disabilities who are residents of the State of Hawaii.

1. Purpose of Supplemental Agreement: The purpose of this Supplemental Agreement to Memorandum of Agreement is to amend the Memorandum of Agreement to compensate the COUNTY by an additional sum of money for services performed under the Memorandum of Agreement made on April 17, 2006.
2. Compensation and Payment Schedule: For services performed by the COUNTY under the Memorandum of Agreement, the DCAB shall transfer a total sum of money not to exceed nine thousand four hundred ninety-five dollars and no/100 (\$9,495.00) of state funds.

DEPARTMENT OF HEALTH
STATE OF HAWAII

By: _____
Date _____ Its Director

COUNTY OF MAUI

By: _____
Date _____ Its Mayor

By: 1/12/07
Date _____ Its Corporation Counsel

EXHIBIT " 1 "