

STATUS



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OFFICE OF THE
COUNTY CLERK

COUNCIL OF THE COUNTY OF MAUI

AGENDA

Regular Council Meeting of October 25, 2024
9:00 a.m.

Meeting Site: Online via Teams: <http://tinyurl.com/2p9zhjr2>

Phone testimony: 1-808-977-4067, code 234 794 559#
In-Person Testimony and Viewing: Planning Conference Room, Kalana Pakui Building,
250 South High Street, Wailuku, Hawai'i

Courtesy Live Broadcast:
Akakū – Maui Community Media, Channel 53

COURTESY TESTIMONY SITES – COUNCIL RESIDENCY AREA OFFICES:

East Maui: Hāna Community Center, 5091 Uakea Road, Hāna, (808) 248-7513

South Maui: MEDB Building, 1305 North Holopono St., Ste. 9, Kihei, (808) 793-0012

Moloka'i: Moloka'i District Complex, 100 Ainoa Street, Kaunakakai, (808) 553-3888

Lāna'i: 814 Fraser Avenue, Lāna'i City, (808) 565-7094

Makawao-Ha'ikū-Pā'ia: Heritage Hall, 401 Baldwin Ave., Ste. 102, Pā'ia, (808) 793-0099

Subject to change and staffing availability without notice. Visit mauicounty.us for more information.

website: <http://co.maui.hi.us/Archive.aspx?AMID=226>

e-mail: county.clerk@mauicounty.us

A. ROLL CALL

B. OPENING REMARKS:

COUNCILMEMBER KEANI RAWLINS-FERNANDEZ

C. PLEDGE OF ALLEGIANCE

D. TESTIMONY ON CEREMONIAL RESOLUTIONS

E. CEREMONIAL RESOLUTIONS:

F. SET THE CONSENT CALENDAR

G. PRESENTATION OF WRITTEN OR ORAL TESTIMONY

H. MINUTES:

NONE.

I. ACTION ON THE CONSENT CALENDAR

J. COMMUNICATIONS:

1. COUNTY COMMUNICATIONS:

NONE.

2. GENERAL COMMUNICATIONS:

NONE.

K. COMMITTEE REPORTS:

Budget, Finance, and Economic Development Committee

CR 24-97
Adopted (9-0)

Recommending **FIRST READING** of Bill 137, CD1 (2024), to amend the Fiscal Year 2025 Budget by: 1) amending Section 2, Estimated Revenues, by increasing Carryover/Savings from the Water Fund by \$1,700,000; 2) amending Section 3.B.21.c., Department of Water Supply, Water Operations Program - Water Fund, by increasing Category B - Operations & Equipment and Total appropriations by \$1,700,000; and 3) adjusting the totals accordingly.

Government Relations, Ethics, and Transparency Committee

CR 24-98 Recommending **FIRST READING** of Bill 132, CD1 (2023), implementing an amendment to the Revised Charter of the County of Maui (1983), as amended ("Charter"), designated as Charter Commission Proposal 8, and approved by the electorate at the 2022 General Election, which authorizes the County Clerk, subject to the approval of the Corporation Counsel and the Council, to make certain amendments to the Charter, including correcting errors and omissions and deleting provisions that have become inoperative.
 Adopted (9-0)

CR 24-99 Recommending **ADOPTION** of Resolution 24-129, CD1, approving the appointment of Gina M. Young as Director of the East Maui Regional Water Authority, effective October 1, 2024.
 Adopted (9-0)

Water and Infrastructure Committee

CR 24-100 Recommending **ADOPTION** of Resolution 24-161, CD1, to urge the Administration to prioritize the increased production and expansion of the distribution of recycled R-1 water to preserve potable water for the construction of affordable housing, and to support fire protection, greenbelts, agriculture, and cultural uses in the County of Maui.
 Adopted (9-0)

L. RESOLUTIONS:

Reso 24-58 "REAPPOINTING THE COUNTY CLERK AND DEPUTY COUNTY CLERK" Rule 7(g) waived
 FD1 Adopted (9-0), as amended. Discharged per Rule 5(e)

Reso 24-163 "APPOINTMENT OF A MEMBER TO THE MAUI REDEVELOPMENT AGENCY FOR THE COUNTY OF MAUI" Rule 7(g) waived
 FD1 Adopted (9-0) Discharged per Rule 5(e)

Reso 24-173 "AUTHORIZING ACCEPTANCE OF THE DONATION OF APPROXIMATELY TWELVE MEDIUM MULTI-GRIP, RIP-STOP SANDBAGS TO THE DEPARTMENT OF FIRE AND PUBLIC SAFETY, OCEAN SAFETY OFFICERS PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE" Rule 7(g) waived
 Adopted (9-0)

Reso 24-174 "REFERRING TO THE MAUI PLANNING COMMISSION A PROPOSED BILL TO AMEND ORDINANCE 3889 (2011), RELATING TO THE CHANGE IN ZONING (CONDITIONAL ZONING) FOR WEST MAUI PROJECT DISTRICT 5 (PULELEHUA) FOR PROPERTY SITUATED AT MAHINAHINA, KAHANA, LAHAINA, MAUI, HAWAII" Rule 7(g) waived; Rule 19(c) waived
 FD1 Adopted (9-0)

Reso 24-175 "APPROVING THE APPOINTMENT OF KIRSTEN E. SZABO AS LEGISLATIVE ANALYST IN THE OFFICE OF COUNCIL SERVICES"
 Adopted (9-0)

Reso 24-176 "AUTHORIZING THE TRANSFER OF AN UNENCUMBERED APPROPRIATION BALANCE WITHIN THE DEPARTMENT OF POLICE, FISCAL YEAR 2025 BUDGET" Rule 7(g) waived
 Adopted (9-0)

~~BFED~~ Reso 24-177 "AUTHORIZING THE TRANSFER OF AN UNENCUMBERED APPROPRIATION BALANCE WITHIN THE OFFICE OF THE MAYOR, FISCAL YEAR 2025 BUDGET"
 Filed (9-0)

Reso 24-178 "URGING THE ADMINISTRATION TO PROVIDE FOR THE ESTABLISHMENT OF THE PROPOSED WEST MAUI HOSPITAL AND MEDICAL CENTER THROUGH THE GUARANTEE OF STATE SPECIAL PURPOSE REVENUE BOND ISSUANCE"

Lay on the clerks table

M. ORDINANCES:

- passed Bill 143 "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF FIRE AND PUBLIC SAFETY, STATE OF HAWAII, MAKENA LIFEGUARD SERVICES" Rule 7(g) waived
(9-0) (2024)
- passed Bill 144 "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, DEPARTMENT OF AGRICULTURE, GRANTS AND DISBURSEMENTS FOR AGRICULTURE PROMOTION, AGRICULTURAL MICRO GRANTS PROGRAM" Rule 7(g) waived
(9-0) (2024)
- WAI** Bill 146 "A BILL FOR AN ORDINANCE AMENDING THE WATER CODE ON THE METHODOLOGY FOR CALCULATING DOMESTIC WATER DEMAND"
(2024)
- BEED** Bill 148 "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART II, SPECIAL MANAGEMENT AREA REVOLVING FUND, MALAMA KAKANILUA" Rule 7(g) waived
passed (9-0) (2024)
- BEED** Bill 149 "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, ESTIMATED REVENUES AND DEPARTMENT OF PARKS AND RECREATION, PARKS PROGRAM" Rule 7(g) waived
passed (9-0) (2024)
- Bill 150 "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM, GRANTS AND DISBURSEMENTS FOR BUSINESS DEVELOPMENT AND TECHNOLOGY, PUKALANI-KULA-'ULUPALAKUA ECONOMIC DEVELOPMENT, ENVIRONMENTAL, AND CULTURAL PROGRAMS" Rule 7(g) waived
passed (9-0) (2024)
- Bill 151 "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM, GRANTS AND DISBURSEMENTS FOR BUSINESS DEVELOPMENT AND TECHNOLOGY, KAHULUI ECONOMIC DEVELOPMENT, ENVIRONMENTAL, AND CULTURAL PROGRAMS" Rule 7(g) waived
passed (9-0) (2024)
- passed Bill 152 "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, DEPARTMENT OF MANAGEMENT, MANAGEMENT PROGRAM" Rule 7(g) waived
(9-0) (2024)
- WAI** Bill 153 "A BILL FOR AN ORDINANCE AMENDING TITLES 14 AND 16, MAUI COUNTY CODE, RELATING TO PRIVATE WATER CATCHMENT SYSTEMS"
(2024)

ORDINANCES - SECOND AND FINAL READING:

~~REED~~ Bill 115, CD1 "A BILL FOR AN ORDINANCE TO AMEND CHAPTER 3.48, MAUI COUNTY
passed (2024) CODE, RELATING TO THE DEADLINE FOR FILING CLAIMS FOR REAL
(9-0) PROPERTY TAX EXEMPTIONS"

~~WASSP~~ Bill 117, CD1 "A BILL FOR AN ORDINANCE AMENDING CHAPTER 13.04A, MAUI COUNTY
passed (2024) CODE, RELATING TO A SPECIAL EVENT PERMIT EXEMPTION FOR MAUI
(9-0) COUNTY LEGACY FESTIVALS"

N. UNFINISHED BUSINESS:

NONE.

BOARD PACKETS, as defined in Section 92-7.5, HRS, will be electronically posted as soon as practicable.

ORAL TESTIMONY. For more information on testifying, please visit <https://www.mauicounty.us/teams/>

Oral testimony on any agenda item will be accepted at the beginning of the meeting and prior to Council's deliberation on each section of the agenda. Testimony must pertain to items on the agenda.

In the meeting controls at the top of the Teams screen, select RAISE YOUR HAND. Staff will add your name to the testifier list and will lower your hand. You may check your place in line by accessing the Testifier Log, with the link posted in Chat. When it is your turn to testify, staff will call your name and will allow you to unmute your video and microphone. State your name, if you choose to do so, and also identify the item number(s) on which you wish to testify.

To testify via phone, please call in to the phone number and enter the meeting ID noted on the first page of this agenda. Follow the instructions provided on the call to raise your hand to be added to the testifier list. When it is your turn to testify, the Clerk will call the last four digits of the testifier's phone number. You will be able to unmute yourself when called to testify.

Each testifier will be allowed to speak for up to three minutes on each item. The time limits for testimony may be modified, if the modification is initiated by the presiding officer and approved by a majority of the Council; provided that a modification would apply equally to all testifiers and all items. No further oral testimony by the testifier on the item shall be permitted. An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify. If the connection between any testifier and the video conference is lost, the meeting will still continue.

If a meeting participant wishes to testify anonymously, log in to the meeting with "anonymous" as your name and virtually raise your hand as described above.

DECORUM. Any person who behaves in a manner that disrupts, disturbs, or impedes the orderly conduct of any Council meeting can, at the discretion of the presiding officer or a majority of present Council members, be ejected or banned from Council meetings. If participating remotely, participants may be muted or dropped from the meeting for breaking decorum. Examples of disruptive behavior include, but are not limited to: heckling, shouting, use of profanity, threatening or slanderous remarks made to any member of the Council, staff, or general public. Use of the chat feature is restricted to County use only. It shall be considered a breach of decorum for members of the public to use the Chat.

WRITTEN TESTIMONY may be submitted by e-mail to county.clerk@mauicounty.us, by fax to (808) 270-7171, or to the Office of the County Clerk, 200 South High Street, Ste. 708, Wailuku, Hawai'i, 96793. Written testimony should be received at least 24 hours prior to the meeting; except if a meeting will be held on a Monday, written testimony should be received by noon on the business day preceding the meeting. While the Council requests that written testimony be submitted as noted, testimony submitted after that date and time will still be accepted. Members of the public interested in information about offering testimony on an agenda item may contact the Office of the County Clerk at (808) 270-7748 prior to the meeting.

INTERRUPTION IN VIDEO/AUDIO. This meeting is being conducted in accordance with Section 92-3.7, HRS. Nothing said in the meeting or included in the agenda is intended to create obligations in excess of those required under Section 92-3.7, HRS. If Teams connectivity affecting quorum is lost, Council will be in recess. It will not be considered a loss of quorum unless connectivity cannot be restored within 30 minutes. If the Teams connection is prematurely terminated, for whatever reason, please log back into the same link. If connectivity affecting quorum cannot be restored within 30 minutes, the meeting will automatically reconvene the following Tuesday at 9 a.m., using the same virtual connections, unless the Council announces a different date and time.

If any Courtesy Testimony Site loses its connection to the meeting, the meeting will continue without that location, irrespective of whether a Councilmember is participating from that site.

If Akakū prematurely ceases broadcasting the meeting, the meeting will continue via interactive conference technology and a recording will include archived meeting videos.

DISABILITY ACCESS. Anyone requesting an auxiliary aid or service or other accommodation due to a disability should contact the County Clerk as soon as possible prior to the meeting date at (808) 270-7748 or county.clerk@mauicounty.us and allow for adequate time to fulfill the request.