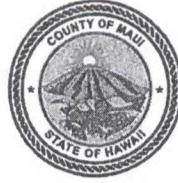


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OFFICE OF THE
COUNTY CLERK

COUNCIL OF THE COUNTY OF MAUI

AGENDA

Regular Council Meeting of October 11, 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: Council Chamber, Kalana O Maui Building, 8th Floor,
200 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 Holocono 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 SHANE SINENCI

C. PLEDGE OF ALLEGIANCE

D. TESTIMONY ON CEREMONIAL RESOLUTIONS

E. CEREMONIAL RESOLUTIONS:

NONE.

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 24-93

Adopt 9-0

Recommending **FIRST READING** of Bill 115, CD1 (2024) to allow property owners who are leasing their property to individuals directly displaced by the August 2023 Maui wildfires to file a claim for a home exemption or long-term rental exemption, or both, by December 31, 2025, for the tax year beginning July 1, 2025.

CR 24-94 Recommending **FILING** of Bill 122, CD1 (2024) and Bill 134 (2024) to amend the Fiscal Year 2025 Budget relating to professional services for a contract to prepare a feasibility study and management or business plan for the new East Maui Water Authority.

Adopt 9-0

Water and Infrastructure Committee

CR 24-95 Recommending **ADOPTION** of Resolution 24-157, CD1, to accept a 45.415-acre parcel from the State of Hawai'i, in Hāna, Maui, Hawai'i, tax map key (2) 1-3-006:017, set aside by Executive Order 4708, for the expansion of Hāna Landfill.

Adopt 9-0

Water Authority, Social Services, and Parks Committee

CR 24-96 Recommending **FIRST READING** of Bill 117, CD1 (2024) to amend Chapter 13.04A, Maui County Code, to exempt Maui County legacy festivals from requiring a special event permit to use a County park or recreational facility for more than five consecutive days.

Adopt 9-0

L. RESOLUTIONS:

Reso 24-162 "AUTHORIZING SETTLEMENT OF JULIEANN NAKI, INDIVIDUALLY, AND AS SPECIAL ADMINISTRATOR OF THE ESTATE OF NATHANIEL JOSHUA NA WA'E WA'E MAKALA KA KAI NAKI, ET AL. V. COUNTY OF MAUI, ET AL., CIVIL CV-23-00383-HG-WRP"

Adopt 7-2

Reso 24-163 "APPOINTMENT OF A MEMBER TO THE MAUI REDEVELOPMENT AGENCY FOR THE COUNTY OF MAUI"

GREAT

Reso 24-164 "AUTHORIZING THE ISSUANCE OF A PERMIT WITH GREATER DURATION THAN FIVE CONSECUTIVE DAYS FOR THE 2024 FESTIVALS OF ALOHA HANA, PURSUANT TO SECTION 13.04A.100, MAUI COUNTY CODE"

Adopt, as amended 9-0

Reso 24-165 "AUTHORIZING THE ISSUANCE OF A PERMIT WITH GREATER DURATION THAN FIVE CONSECUTIVE DAYS FOR THE 2024 ALOHA CLASSIC WINDSURFING TOURNAMENT, PURSUANT TO SECTION 13.04A.100, MAUI COUNTY CODE"

Adopt, as amended 9-0

Reso 24-166 "APPOINTING HEATHER MAKANANI PLACE TO THE MOLOKAI PLANNING COMMISSION"

Adopt 9-0

DRIP Reso 24-167 "URGING THE ADMINISTRATION TO INITIATE UPDATES TO THE WEST MAUI COMMUNITY PLAN IN ALIGNMENT WITH WEST MAUI'S INFRASTRUCTURE PLANS IN THE AFTERMATH OF THE AUGUST 2023 WILDFIRES"

Reso 24-168 "URGING THE COST OF GOVERNMENT COMMISSION TO CONDUCT A STUDY AND PROVIDE RECOMMENDATIONS FOR COST SAVINGS AND EFFICIENCY IN COUNTY BOARDS, COMMITTEES, AND COMMISSIONS"

Adopt 9-0

Reso 24-169 "APPROVING THE APPOINTMENT OF RYAN T. MARTINS AS COUNCIL SERVICES ASSISTANT (FULL-TIME) IN THE OFFICE OF COUNCIL SERVICES"

Adopt 9-0

Reso 24-170 "APPROVING THE APPOINTMENT OF BENJAMIN SILVA AS COMMUNICATIONS SPECIALIST IN THE OFFICE OF COUNCIL SERVICES"
Adopt 9-0

~~HLU~~ Reso 24-171 "REFERRING TO THE LĀNA'I, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL ON MOBILE FOOD TRUCKS OR TRAILERS IN THE AGRICULTURAL DISTRICT"
ADEPT

ADEPT Reso 24-172 "REFERRING TO THE LĀNA'I, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL AMENDING THE COMPREHENSIVE ZONING ORDINANCE ON AGRICULTURAL TOURISM"

M. ORDINANCES:

BFED Bill 140 "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE 15TH SPACE SURVEILLANCE SQUADRON, AIR FORCE MAUI OPTICAL & SUPERCOMPUTING, AND AIR FORCE RESEARCH LABORATORY FOR FIRE AND EMERGENCY/NON-EMERGENCY SERVICES"
(2024)

BFED Bill 141 "A BILL FOR AN ORDINANCE AMENDING CHAPTER 5.16, MAUI COUNTY CODE, RELATING TO TAXICABS"
(2024)

DRIP Bill 142 "A BILL FOR AN ORDINANCE AMENDING CHAPTER 16.04D, MAUI COUNTY CODE, RELATING TO THE PROCEDURE FOR NOTICES OF WARNING AND VIOLATIONS"
(2024)

ORDINANCES - SECOND AND FINAL READING:

~~(BFED)~~ Bill 124, CD1 "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, ESTIMATED REVENUES; DEPARTMENT OF MANAGEMENT, MANAGEMENT PROGRAM; CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF MANAGEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA; AND APPENDIX C, DEPARTMENT OF MANAGEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA"
(2024)
Pass 9-0

~~(BFED)~~ Bill 125, CD1 "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, ESTIMATED REVENUES AND OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM, GRANTS AND DISBURSEMENTS FOR WATER AND ENVIRONMENTAL RESOURCE PROTECTION"
(2024)
Pass 9-0

~~(BFED)~~ Bill 139 "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, ESTIMATED REVENUES AND DEPARTMENT OF 'ŌIWI RESOURCES, 'ŌIWI RESOURCES PROGRAM, SALARIES"
(2024)
Pass 9-0

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.