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OFFICE OF THE
COUNTY CLERK

COUNCIL OF THE COUNTY OF MAUI

AGENDA

Regular Council Meeting of November 15, 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 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 GABE JOHNSON

C. PLEDGE OF ALLEGIANCE

D. TESTIMONY ON CEREMONIAL RESOLUTIONS

E. CEREMONIAL RESOLUTIONS:

adopted Reso 24-185 "CONGRATULATING THE 2024 CENTRAL EAST MAUI MAJOR ALL-STARS FOR WINNING THE HAWAII STATE LITTLE LEAGUE BASEBALL DIVISION WEST REGION CHAMPIONSHIP AND ADVANCING TO THE UNITED STATES SEMIFINALS IN THE LITTLE LEAGUE WORLD SERIES"

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 24-101 Recommending **FIRST READING** of Bill 138, CD1 (2024), to amend the Fiscal Year 2025 Budget, by: 1) amending Section 2, Estimated Revenues, by increasing Carryover/Savings from the General Fund by \$55,285; 2) amending Section 3.B.12.c.(3), Office of the Mayor, Economic Development Program, Grants and disbursements for culture, arts, and tourism, by adding a new appropriation entitled "Alexander Academy Performing Company" in the amount of \$55,285; and 3) adjusting the totals accordingly.

passed 1st rdg

9-0

CR 24-102 Recommending **FIRST READING** of Bill 140, CD1 (2024), to authorize the Mayor to enter into an intergovernmental agreement with the 15th Space Surveillance Squadron, Air Force Maui Optical & Supercomputing, and Air Force Research Laboratory to detail the firefighting, emergency and non-emergency services, and hazardous materials incident response provided by the Department of Fire and Public Safety for the protection of specified military facilities on Maui.

passed 1st rdg

9-0

CR 24-103 Recommending **FIRST READING** of Bill 141, CD1 (2024), to: 1) increase the rates of fare taxicab drivers, owners, licensees, and operators may charge; 2) authorize a \$10 additional charge for the transport of each motorized wheelchair unaccompanied by its user, large pet crate, bicycle, and surfboard; 3) require no charge for the transport of motorized and non-motorized wheelchairs when accompanied by their users; 4) authorize a \$5 airport pick-up fee; 5) establish a \$20 flat rate when the distance traveled is three miles or less; 6) provide a 20 percent fare discount for passengers not travelling together but agreeing to share the taxicab to the same destination or along the same route; and 7) delete provisions relating to signage for a taxicab in personal use and not for hire.

*passed 1st rdg
as revised*

9-0

CR 24-104 Recommending **FIRST READING** of Bill 145, CD1 (2024), to increase the Real Property Tax exemption for child care facilities from \$50,000 to \$200,000.

*passed 1st
rdg 9-0*

CR 24-105 Recommending **FIRST READING** of Bill 147, CD1 (2024), to extend the August 2023 Maui wildfires Real Property Tax relief through the tax year ending June 30, 2026.

*Passed 1st
rdg 9-0*

CR 24-106 Recommending **FIRST READING** of Bill 153 (2024), to conditionally allow exemptions that were in effect for tax year 2024, where improvements were destroyed, damaged, or made inaccessible by the August 2023 Maui wildfires, to remain in effect through December 31, 2026.

*passed 1st
rdg 9-0*

Disaster, Resilience, International Affairs, and Planning Committee

CR 24-107 Recommending **FIRST READING** of Bill 142, CD1 (2024), to amend the Fire Code by: 1) requiring the Department of Fire and Public Safety to send copies of notices of warning and violations on County property to the Office of the Mayor, Managing Director, and Council Chair; 2) allowing for civil fines collected under the Fire Code to be deposited into the Fire Hazard Removal Revolving Fund; and 3) authorizing the Department of Fire and Public Safety to require violators to submit a fire prevention plan when a second violation occurs.

passed 1st rdg
9-0

Water and Infrastructure Committee

CR 24-108 Recommending **FIRST READING** of Bill 130, CD1 (2024), to amend the County Water Code by granting the Director of Water Supply conditional authority to extend water-meter reservations beyond five years, retroactive to July 1, 2019.

passed 1st rdg
9-0

L. RESOLUTIONS:

~~HLU~~ Reso 24-179 "STATING COUNTY'S INTENT TO ENTER INTO MEMORANDUMS OF UNDERSTANDING WITH IKAIKA OHANA TO DEVELOP AFFORDABLE HOUSING PROJECTS ON COUNTY OWNED PROPERTY ON LANAI AND NAPILI, MAUI"

adopt
9-0

Reso 24-180 "APPOINTING FRANCINE AARONA TO THE MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES"

adopt 9-0

Reso 24-181 "APPROVING THE APPOINTMENT OF KEONE J. HURDLE AS LEGISLATIVE ANALYST IN THE OFFICE OF COUNCIL SERVICES"

adopt 9-0

Reso 24-182 "APPROVING PROPOSALS FOR INCLUSION IN THE 2025 HAWAII STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE"

adopt 9-0

~~GREAT~~ Reso 24-183 "APPROVING FOR INCLUSION IN THE 2025 MAUI COUNTY COUNCIL LEGISLATIVE PACKAGE A STATE BILL RELATING TO LICENSED MIDWIVES"

adopt. 9-0

Reso 24-184 "APPROVING A TIME EXTENSION FOR THE MAUI PLANNING COMMISSION TO FORWARD ITS RECOMMENDED REVISIONS ON THE DRAFT SOUTH MAUI COMMUNITY PLAN TO THE PLANNING DIRECTOR"

adopt 8-0
as revised Johnson exc.

M. ORDINANCES:

HLU Bill 154 "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 5334 (2021), THE WEST MAUI COMMUNITY PLAN, RELATING TO THE AREA BETWEEN FRONT STREET AND HONOAPI'LANI HIGHWAY FROM KAHOMA STREAM TO KENUI STREET" *(Note: Council public hearing to be scheduled in Lahaina).*
passed 1st rdg
8-0 Johnson exc

Bill 155 "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.48, MAUI COUNTY CODE, RELATING TO AUGUST 2023 MAUI WILDFIRES REAL PROPERTY TAX RELIEF"
File 0-0 Johnson exc

DRIP Bill 158 "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE COUNTY OF KAUAI FOR FORENSIC TESTING SERVICES BETWEEN THE KAUAI POLICE DEPARTMENT AND THE MAUI POLICE DEPARTMENT"
(2024)

Bill 159 "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF HAWAIIAN HOME LANDS"
(2024)

passed 1st rdg 8-0 Johnson exc.
BFED Bill 160 "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.48, MAUI COUNTY CODE, RELATING TO THE HEALTHCARE PROVIDER RENTAL EXEMPTION"
(2024)

passed 1st rdg 8-0 Johnson exc.
BFED Bill 161 "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, DEPARTMENT OF PARKS AND RECREATION, ADMINISTRATION PROGRAM AND PARKS PROGRAM"
(2024)

Bill 162 "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF POLICE, HAWAII CRIMINAL JUSTICE DATA CENTER - NATIONAL CRIMINAL HISTORY RECORDS IMPROVEMENT PROGRAM"
(2024)

passed 1st rdg
8-0 Johnson exc.
BFED Bill 163 "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART II, IMMIGRANT SERVICES DIVISION UNITED STATES PASSPORT APPLICATION ACCEPTANCE FACILITY"
(2024)

Bill 164 "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 VISITOR INDUSTRY, TOURISM MANAGEMENT GRANT FUND AND APPENDIX A, PART II, HIGHWAY BEAUTIFICATION, ABANDONED VEHICLE, AND TOURISM-RELATED TRAFFIC CONGESTION REVOLVING FUND"
(2024)

Bill 165 "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, DEPARTMENT OF MANAGEMENT, OFFICE OF RECOVERY PROGRAM"
(2024)

Bill 168 "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF THE PROSECUTING ATTORNEY, CAREER CRIMINAL PROGRAM"
(2024)

passed 1st rdg
8-0 Johnson exc.
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BFED
passed
(str rdg)
8-0
BFED

Bill 169
(2024)

"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, ESTIMATED REVENUES AND DEPARTMENT OF TRANSPORTATION, HUMAN SERVICES TRANSPORTATION PROGRAM - GENERAL FUND"

Bill 170
(2024)

"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, ESTIMATED REVENUES; CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF MANAGEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA, GOVERNMENT FACILITIES, GENERAL FUND, 60 SOUTH CHURCH STREET BUILDING RENOVATIONS; APPENDIX C, DEPARTMENT OF MANAGEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA, 60 SOUTH CHURCH STREET BUILDING RENOVATIONS"

ORDINANCES - SECOND AND FINAL READING:

(GREAT) Bill 132, CD1
(2023)

passed 2nd 8-0 Johnson Exc.

"A BILL FOR AN ORDINANCE AUTHORIZING THE COUNTY CLERK TO MAKE CORRECTIONS AND DELETE INOPERATIVE PROVISIONS IN THE CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED"

(BFED) Bill 137, CD1
(2024)

"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, ESTIMATED REVENUES AND DEPARTMENT OF WATER SUPPLY, WATER OPERATIONS PROGRAM, FITTING AND VALVE REPLACEMENTS"

passed
2nd rdg

(BFED) Bill 143
(2024)

"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"

(BFED) Bill 144
(2024)

"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"

8-0
Johnson
exc

(BFED) Bill 148
(2024)

"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"

(BFED) Bill 149
(2024)

"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"

(BFED) Bill 150
(2024)

"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"



*Passed
and rdg
8-0
Johnson
Exc*

(BFED) Bill 151
(2024)

"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"

(BFED) Bill 152
(2024)

"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, DEPARTMENT OF MANAGEMENT, MANAGEMENT PROGRAM"

N. UNFINISHED BUSINESS:

Reso 24-178

DRIP

"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"

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.