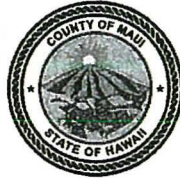


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OFFICE OF THE  
COUNTY CLERK

## COUNCIL OF THE COUNTY OF MAUI

### AGENDA

Regular Council Meeting of November 26, 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](http://mauicounty.us) for more information.

website: <http://co.maui.hi.us/Archive.aspx?AMID=226>  
e-mail: [county.clerk@mauicounty.us](mailto:county.clerk@mauicounty.us)

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A. ROLL CALL

B. OPENING REMARKS:

COUNCILMEMBER TOM COOK

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:

CC 24-29 *File says (exc. Kama)* COUNCILMEMBER PALTIN, transmitting a proposed amendment to Bill 160, FD1 (2024), entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.48, MAUI COUNTY CODE, RELATING TO THE HEALTHCARE PROVIDER RENTAL EXEMPTION".

Note: Amendment passed and then CC 24-29 was FILED.

2. GENERAL COMMUNICATIONS:

NONE.

**K. COMMITTEE REPORTS:**

**Housing and Land Use Committee**

**CR 24-110**      Recommending the following:

*pass 1st rdg*

1. **FIRST READING** of Bill 29, CD1 (2024), to grant a District Boundary Amendment from Agricultural District to Urban District (Conditional District Boundary Amendment) for 14.626 acres located at 454 Ohukai Road, Kihei, Maui, Hawai'i, identified for real property tax purposes as tax map key (2) 3-9-001:034 (por.), for the development of Ohukai Light Industrial Park;

*pass 1st rdg  
as amended  
(2x)*

2. **FIRST READING** of Bill 30, CD1 (2024), to grant a Change in Zoning from County Rural District to M-1 Light Industrial District (Conditional Zoning) for 14.626 acres located at 454 Ohukai Road, Kihei, Maui, Hawai'i, identified for real property tax purposes as tax map key (2) 3-9-001:034 (por.), for the development of Ohukai Light Industrial Park; and

*Bayes (exc. Kama)*

3. **RECORDATION** of the Unilateral Agreements.

**L. RESOLUTIONS:**

**Reso 24-188** "APPROVING EXCEPTIONS FROM THE CONDITIONS OF SECTION 3.35.070, MAUI COUNTY CODE, FOR THE RESIDENTIAL WORKFORCE HOUSING PROJECT OWNED BY WAIKAPU DEVELOPMENT VENTURE LLC AND LOCATED ON A PORTION OF PROPERTY IN WAILUKU, MAUI, HAWAII, AND FURTHER IDENTIFIED FOR REAL PROPERTY TAX PURPOSES AS TAX MAP KEY (2) 3-5-002:011"

*Lay on clerk's desk - 12/6*

**Reso 24-189** "SUPPORTING MAUI COUNTY'S HEALTHCARE WORKERS AND URGING MAUI HEALTH SYSTEM, A KAISER FOUNDATION HOSPITAL LLC, TO NEGOTIATE IN GOOD FAITH WITH THEM"

*adopted as amended  
Bayes (exc. Kama)*

**Reso 24-190** "URGING THE STATE DEPARTMENT OF EDUCATION TO PRIORITIZE HEALTHY RELATIONSHIP AND DOMESTIC VIOLENCE EDUCATION IN SCHOOLS USING LOCAL SERVICE PROVIDERS"

*adopted  
Bayes (exc. Kama)*

**Reso 24-191** "AUTHORIZING THE ACQUISITION OF A CONDOMINIUM UNIT IDENTIFIED AS TAX MAP KEY NO. (2) 3-8-001-001-0003 LOCATED IN PUUNENE, MAUI, HAWAII, FOR AN AMOUNT NOT TO EXCEED \$2,477,550.00"

*adopted  
Bayes (exc. Kama)*

**Reso 24-192** "AUTHORIZING THE ACQUISITION OF REAL PROPERTY IDENTIFIED AS TAX MAP KEY NO. (2) 3-8-001-001-0001 (POR.) LOCATED IN PUUNENE, MAUI, HAWAII, FOR AN AMOUNT NOT TO EXCEED \$1,522,450.00"

*adopted  
Bayes (exc. Kama)*

**M. ORDINANCES:**

Bill 173 • "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, VICTIM/WITNESS ASSISTANCE PROGRAM"

*Pass 1st rdg Taxes - exc. Kama, KRF*

Bill 174 • "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART II, GENERAL EXCISE TAX FUND, AND APPENDIX C, DEPARTMENT OF MANAGEMENT, COUNTYWIDE, WILDFIRE PERMANENT DISPOSAL SITE"

*Pass 1st rdg Taxes - exc. Kama*

Bill 175 • "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, ESTIMATED REVENUES; CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA, SANITATION, BOND FUND; AND APPENDIX C, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA"

*Pass 1st rdg Taxes - exc. Kama*

Bill 176 • "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 5659, BILL NO. 62, CD1 (2024), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI ISSUANCE, SALE AND DELIVERY OF SAID BONDS (DEPARTMENT OF ENVIRONMENTAL MANAGEMENT)"

*Pass 1st rdg Taxes - exc. Kama*

Bill 177 • "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF WATER SUPPLY, U.S. ENVIRONMENTAL PROTECTION AGENCY - WATER DIVISION, COMMUNITY GRANTS"

*Pass 1st rdg Taxes - exc. Kama, KRF*

Bill 178 • "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, U.S. ENVIRONMENTAL PROTECTION AGENCY - WATER DIVISION, COMMUNITY GRANTS"

*Pass 1st rdg Taxes - exc. Kama, KRF*

~~COUNCIL CHAIR~~ Bill 179 "A BILL FOR AN ORDINANCE ADOPTING THE HAWAII STATE FIRE CODE, WITH CERTAIN AMENDMENTS THERETO"

~~FOR THE~~ (2024) *postp 12/6*  
~~2025-2027 TERM~~

**ORDINANCES - SECOND AND FINAL READING:**

~~(WAT)~~ Bill 130, CD1 "A BILL FOR AN ORDINANCE AMENDING SECTION 14.07.090, MAUI COUNTY CODE, TO ALLOW THE DIRECTOR OF WATER SUPPLY TO EXTEND WATER METER RESERVATIONS BASED ON SPECIFIC FINDINGS"

*Pass 2nd final Taxes - (exc. Kama)*

~~(BFED)~~ Bill 138, 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 CULTURE, ARTS, AND TOURISM"

*Pass 2nd final Taxes - (exc. Kama)*

- ~~(BFED)~~ ✓ Bill 140, CD1 (2024) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE 15TH SPACE SURVEILLANCE SQUADRON, AIR FORCE MAUI OPTICAL & SUPERCOMPUTING, AND AIR FORCE RESEARCH LABORATORY FOR FIREFIGHTING, EMERGENCY AND NON-EMERGENCY SERVICES, AND HAZARDOUS MATERIALS INCIDENT RESPONSE"

*pass 2nd final*  
*Boyes (exc. Kama)*  
*Call v. moved items also*
- ~~(BFED)~~ ✓ Bill 141, CD1, FD1 (2024) "A BILL FOR AN ORDINANCE AMENDING CHAPTER 5.16, MAUI COUNTY CODE, RELATING TO TAXICABS"
- ~~(BFED)~~ Bill 142, CD1 (2024) "A BILL FOR AN ORDINANCE AMENDING CHAPTER 16.04D, MAUI COUNTY CODE, RELATING TO THE PROCEDURE FOR NOTICES OF WARNING AND VIOLATIONS"

*File*  
*Boyes (exc. Kama)*
- ~~(BFED)~~ ✓ Bill 145, CD1 (2024) "A BILL FOR AN ORDINANCE TO AMEND SECTION 3.48.558, MAUI COUNTY CODE, RELATING TO THE REAL PROPERTY TAX EXEMPTION FOR CHILD CARE FACILITIES"
- ~~(BFED)~~ ✓ Bill 147, CD1 (2024) "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.48, MAUI COUNTY CODE, RELATING TO AUGUST 2023 MAUI WILDFIRES REAL PROPERTY TAX RELIEF"
- ~~(BFED)~~ ✓ Bill 153 (2024) "A BILL FOR AN ORDINANCE AMENDING SECTION 3.48.415, MAUI COUNTY CODE, RELATING TO EXEMPTIONS ON PROPERTIES IMPACTED BY THE AUGUST 2023 WILDFIRES"
- ~~(HLU)~~ ✓ Bill 159 (2024) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF HAWAIIAN HOME LANDS"
- ~~(BFED)~~ Bill 160, FD1 (2024) "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.48, MAUI COUNTY CODE, RELATING TO THE HEALTHCARE PROVIDER RENTAL EXEMPTION"

*pass 2nd final as amended. FD2*  
*Boyes (exc. Kama)*
- ~~(BFED)~~ ✓ Bill 161 (2024) "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"
- ~~(BFED)~~ Bill 162 (2024) "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"

*postp*  
*12/6*
- ~~(BFED)~~ ✓ Bill 163 (2024) "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"

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

~~(REED)~~ ✓ Bill 165  
(2024)

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

~~(REED)~~ ✓ Bill 168  
(2024)

"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"

~~(REED)~~ ✓ 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"

**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](mailto: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](mailto:county.clerk@mauicounty.us) and allow for adequate time to fulfill the request.