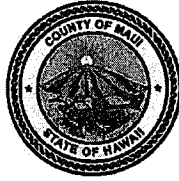


STATUS



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OFFICE OF THE
COUNTY CLERK

COUNCIL OF THE COUNTY OF MAUI

AGENDA

Regular Council Meeting of January 17, 2025
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

ROLL CALL

OPENING REMARKS:

COUNCILMEMBER TAMARA PALTIN

PLEDGE OF ALLEGIANCE

PRESENTATION OF WRITTEN OR ORAL TESTIMONY

COUNTY COMMUNICATIONS:

CC 25-3 COUNCIL CHAIR LEE, transmitting an amendment to Bill 3 (2025), entitled "A BILL FOR AN ORDINANCE TO RATIFY ORDINANCE 5702 (2024), AMENDING THE LĀNA'I COMMUNITY PLAN FOR 268.349 ACRES LOCATED IN LĀNA'I CITY, LĀNA'I, HAWAII, IDENTIFIED AS TAX MAP KEYS (2) 4-9-001:021, 024, 030; (2) 4-9-002:001 (POR.), 061 (PORS.); (2) 4-9-018:002 (PORS.), 003 (PORS.), 005; AND (2) 4-9-021:009 (LĀNA'I PROJECT DISTRICT 2 (KŌ'ELE))"

*Filed
8-0 Tkrxc*

RESOLUTIONS:

~~GREAT~~ Reso 25-12 "AUTHORIZING ADDITIONAL COMPENSATION RELATED TO SPECIAL COUNSEL, KATTEN MUCHIN ROSENMAN LLP, AS THE COUNTY OF MAUI'S BOND AND DISCLOSURE COUNSEL FOR THE NEXT GENERAL OBLIGATION BOND ISSUANCE, OTHER BONDS, AND OTHER LEGAL SERVICES"

adopt 9-0

~~GREAT~~ Reso 25-13 "AUTHORIZING SETTLEMENT OF HAWAIIAN TELCOM, INC. V. COUNTY OF MAUI; ABRAHAM PARK, ET AL., CIVIL NO. 2CCV-23-0000401"

*rescinded
Filed 9-0*

Reso 25-14 "APPOINTMENT OF A MEMBER TO THE SOUTH MAUI ADVISORY COMMITTEE TO THE MAUI PLANNING COMMISSION FOR THE COUNTY OF MAUI"

↪

~~HEU~~ Reso 25-15 "APPROVING EXCEPTIONS FROM THE CONDITIONS OF SECTION 3.35.070, MAUI COUNTY CODE, FOR THE KILOHANA MAKAI PROJECT"

adopt 9-0

Reso 25-16 "APPROVING EXEMPTIONS FROM AND MODIFICATIONS TO THE REQUIREMENTS OF SECTION 3.35.070, MAUI COUNTY CODE, FOR AIKANAHA RESIDENCES PHASE I AND II, IN THE WAIKAPU COUNTRY TOWN DISTRICT"

adopt 9-0

Reso 25-17 "AUTHORIZING ADDITIONAL COMPENSATION RELATED TO THE EMPLOYMENT OF SPECIAL COUNSEL ES&A, INC., A LAW CORPORATION, IN ALEXA JACOBS V. CLIFTON PERREIRA, ET AL., CIVIL 2CCV-23-0000185"

adopt 9-0

Reso 25-18 "AUTHORIZING USE OF MANAGED RETREAT REVOLVING FUNDS FOR REHABILITATION OF PRIVATELY OWNED PROPERTY, OWNED BY MANTOKUJI MISSION OF PAIA, MAUI"

adopt. 9-0

Reso 25-19 "AUTHORIZING ACCEPTANCE OF A DONATION FROM THE CITY OF TOMBSTONE, ARIZONA, TO HELP THE COUNTY'S RECOVERY FROM THE AUGUST 8, 2023 MAUI WILDFIRES"
adopt 8-0 exc TK

Reso 25-20 "AMENDING RESOLUTION 24-77, CD1, APPROVING THE GRANT AND DISPOSITION OF REAL PROPERTIES LOCATED AT 266 DICKENSON STREET, LAHAINA, HAWAII, TO LAHAINA COMMUNITY LAND TRUST"
8-0 adopt exc. TK

WAI Reso 25-21 "AUTHORIZING THE ACQUISITION OF REAL PROPERTY CONSISTING OF 1.811 ACRES IDENTIFIED AS TAX MAP KEY NO. (2) 2-3-005-004 SITUATED AT OMAOPIO, KULA, MAKAWAO, MAUI, HAWAII, FOR AN AMOUNT NOT TO EXCEED \$451,561.00"
Refer

Reso 25-22 "APPLAUDING MAUI COUNTY'S HEALTHCARE WORKERS' APPROVAL OF A NEW CONTRACT FOLLOWING LABOR DISPUTE WITH MAUI HEALTH SYSTEM, A KAISER FOUNDATION HOSPITALS LLC"
8-0 adopt exc. TK

ORDINANCES:

Bill 2 (2025) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE UNITED STATES ARMY CORPS OF ENGINEERS AND THE HAWAII STATE HISTORIC PRESERVATION OFFICER REGARDING THE DEMOLITION OF THE HISTORIC SPRING HOUSE AND THE LAHAINA PUBLIC LIBRARY IN RESPONSE TO THE 2023 LAHAINA WILDFIRES"
pass 1st rdg 8-0 exc. TK

Bill 3 (2025) "A BILL FOR AN ORDINANCE TO RATIFY ORDINANCE 5702 (2024), AMENDING THE LĀNA'I COMMUNITY PLAN FOR 268.349 ACRES LOCATED IN LĀNA'I CITY, LĀNA'I, HAWAII, IDENTIFIED AS TAX MAP KEYS (2) 4-9-001:021, 024, 030; (2) 4-9-002:001 (POR.), 061 (PORS.); (2) 4-9-018:002 (PORS.), 003 (PORS.), 005; AND (2) 4-9-021:009 (LĀNA'I PROJECT DISTRICT 2 (KŌ'ELE))"
pass 1st rdg as amended 8-0 exc TK

Bill 4 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF POLICE, STATE AND FEDERAL ASSETS FORFEITURE PROGRAM"
pass 1st rdg 8-0 exc. TK

Bill 5 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF MANAGEMENT, PRIVATE DONATIONS"
pass 1st rdg 8-0 exc. TK

The purpose of this bill is to amend the Fiscal Year 2025 Budget relating to "Private Donations" received in the amount of \$6,040.

~~B.F.F.D.~~ Bill 6 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, DEPARTMENT OF HOUSING, HOUSING PROGRAM, GENERAL"
pass 1st rdg 9-0

The purpose of this bill is to amend the Fiscal Year 2025 Budget to increase the equivalent personnel from 17 to 23 in the Department of Housing.

~~BFED~~ Bill 7 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, ESTIMATED REVENUES; OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM, GRANTS AND DISBURSEMENTS FOR BUSINESS DEVELOPMENT AND TECHNOLOGY; MAUI FAIR"

refer

The purpose of this bill is to amend the Fiscal Year 2025 Budget relating to the Maui County Fair.

~~BFED~~ Bill 8 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART II, OPEN SPACE, NATURAL RESOURCES, CULTURAL RESOURCES, AND SCENIC VIEWS PRESERVATION FUND"

refer

The purpose of this bill is to amend the Fiscal Year 2025 Budget relating to the acquisition of 104A Lower Waiehu Beach Road, Wailuku, for \$500,000.

ORDINANCES - SECOND AND FINAL READING:

~~(KA'A)~~ Bill 117, CD1 (2022) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE UNIVERSITY OF HAWAII FOR THE PROVISION OF HAWAIIAN LANGUAGE AND HAWAIIAN STUDIES WORKSHOPS FOR EMPLOYEES OF THE COUNTY OF MAUI"

pass 9-0

~~(KA'A)~~ Bill 127, CD1 (2024) "A BILL FOR AN ORDINANCE TO IMPLEMENT CHARTER SECTION 13-17 REQUIRING THE COUNTY TO OPERATE AS A BILINGUAL GOVERNMENT AND TO PUBLISH OFFICIAL MEETING AGENDAS IN ENGLISH AND 'ŌLELO HAWAI'I"

pass 9-0

~~(WAT)~~ Bill 146, CD1 (2024) "A BILL FOR AN ORDINANCE AMENDING THE WATER CODE ON THE METHODOLOGY FOR CALCULATING DOMESTIC WATER DEMAND"

pass 9-0

~~(BFED)~~ Bill 170, CD1 (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"

pass 9-0

~~(WAT)~~ Bill 180, CD1 (2024) "A BILL FOR AN ORDINANCE AMENDING TITLES 14 AND 16, MAUI COUNTY CODE, RELATING TO PRIVATE WATER CATCHMENT SYSTEMS"

pass 9-0

~~(BFED)~~ Bill 187 (2024) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART II, HOMEOWNER PROGRAMS REVOLVING FUND, 'OHANA ASSISTANCE PROGRAM"

pass 9-0

~~(BFED)~~ Bill 188, FD1 (2024) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART II, MANAGED RETREAT REVOLVING FUND, MANTOKUJI MISSION OF PAIA, MAUI"

pass 9-0

~~(BPEP)~~ Bill 189
(2024)

pass 9-0

"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 DEPARTMENT OF TRANSPORTATION HIGHWAY SAFETY GRANTS"

~~(GREAT)~~ Bill 1 (2025)

Pass 9-0

"A BILL FOR AN ORDINANCE AMENDING SECTION 2.08.060, MAUI COUNTY CODE, TO REVISE THE PAY PLAN IN THE OFFICE OF COUNCIL SERVICES"

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.