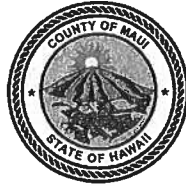


STATUS



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OFFICE OF THE
COUNTY CLERK

COUNCIL OF THE COUNTY OF MAUI

AGENDA

Regular Council Meeting of March 7, 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 TOM COOK

PLEDGE OF ALLEGIANCE

PRESENTATION OF WRITTEN OR ORAL TESTIMONY

COMMITTEE REPORTS:

Budget, Finance, and Economic Development Committee

CR 25-2 Recommending **FIRST READING** of Bill 17, CD1 (2025), to amend the Fiscal Year 2025 Budget, General Budget Provisions, Section 18(A), to increase the maximum aggregate amount of unreimbursed transfers and loans from County funds to the Bond Fund or the Housing Interim Financing and Buy-Back Revolving Fund from \$100,000,000 to \$150,000,000.
Passed

Disaster Recovery, International Affairs, and Planning Committee

CR 25-3 Recommending **FIRST READING** of Bill 105, CD1 (2024), to address nonconforming structures and uses damaged, destroyed, or affected by an emergency or disaster declared by proclamation of the Governor or the Mayor, respectively, under Chapter 127A, Hawai'i Revised Statutes.
Passed

CR 25-4 Recommending **ADOPTION** of Resolution 25-49, CD1, to authorize the acquisition of land at 968 Limahana Place, Lahaina, Maui, Hawai'i, comprising 24,018 square feet and identified for real property tax purposes as tax map key (2) 4-5-007:028, for an amount not to exceed \$1,700,000, plus closing costs and expenses.
Adopted

Government Relations, Ethics, and Transparency Committee

CR 25-5 Recommending **ADOPTION** of Resolution 24-90, CD1, reappointing Lance T. Taguchi as the County Auditor of the County of Maui, effective July 1, 2025, for a term ending June 30, 2031, unless terminated earlier.
Adopted

CR 25-6 Recommending **ADOPTION** of Resolution 25-13, CD1, authorizing settlement of Hawaiian Telcom, Inc. v. County of Maui; Abraham Park, et al., Civil 2CCV-23-0000401, in the amount of \$111,127.45.

Adopted

With reference to this agenda item, one or more executive meetings are anticipated in accordance with Section 92-5(a)(4), Hawai'i Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee; and Section 92-5(a)(8), Hawai'i Revised Statutes, to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential under State or Federal law, or a court order.

CR 25-7 Recommending **ADOPTION** of Resolution 25-43, authorizing settlement of Komar Maui Properties I LLC v. County of Maui, et al., Civil 1:24-CV-00178.

Adopted

With reference to this agenda item, one or more executive meetings are anticipated in accordance with Section 92-5(a)(4), Hawai'i Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee; and Section 92-5(a)(8), Hawai'i Revised Statutes, to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential under State or Federal law, or a court order.

CR 25-8 Recommending **ADOPTION** of Resolution 25-46, authorizing settlement of Conservation Council for Hawai'i and American Bird Conservancy v. Hawaiian Electric Company, Inc. and Maui Electric Company Ltd. and County of Maui, Case 1:24-cv-00494-MWJS-WRP.

Adopted

With reference to this agenda item, one or more executive meetings are anticipated in accordance with Section 92-5(a)(4), Hawai'i Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee; and Section 92-5(a)(8), Hawai'i Revised Statutes, to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential under State or Federal law, or a court order.

RESOLUTIONS:

Reso 25-73 "AUTHORIZING ACCEPTANCE OF THE DONATION OF A 1997 JEEP MPVH MOTOR VEHICLE TO THE DEPARTMENT OF FIRE AND PUBLIC SAFETY, PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE"

Adopted, as amended, Rule 19 susp.

Reso 25-74 "AUTHORIZING THE ACQUISITION OF A CONDOMINIUM UNIT IDENTIFIED AS TAX MAP KEY NO. (2) 4-3-006:004:0110 LOCATED IN LAHAINA, MAUI, HAWAII, FOR AN AMOUNT NOT TO EXCEED \$280,000.00"

Adopted, as amended, Rule 19 susp.

GREAT

Reso 25-75 "AUTHORIZING ADDITIONAL COMPENSATION RELATED TO THE EMPLOYMENT OF SPECIAL COUNSEL KOBAYASHI SUGITA & GODA, LLP, IN CHRISTOPHER SALEM V. COUNTY OF MAUI, ET AL., CIVIL 2CCV-21-0000048"

- CREAT** Reso 25-76 "REFERRING TO THE MAUI PLANNING COMMISSION A PROPOSED BILL TO AMEND THE MAUI ISLAND PLAN'S DIRECTED GROWTH MAP S1 (NORTH KIHEI) BY INCLUDING 85.57 ACRES DESCRIBED FOR REAL PROPERTY TAX PURPOSES AS A PORTION OF TAX MAP KEY (2) 2-2-002:084"
Adopted

- Reso 25-77 "APPROVING THE APPOINTMENT OF JAIMELYN K.P. PAA AS ACCOUNTS PAYABLE SPECIALIST IN THE OFFICE OF COUNCIL SERVICES"
Adopted

- Reso 25-78 "URGING THE MAYOR TO REACH A FAIR SETTLEMENT TO PROVIDE TEMPORARY HAZARD PAY TO ELIGIBLE MAUI COUNTY HAWAII FIRE FIGHTERS ASSOCIATION MEMBERS FOR PERFORMING ESSENTIAL WORK DURING THE COVID-19 PUBLIC-HEALTH EMERGENCY"
Adopted

ORDINANCES - FIRST READING AND FINAL READING:

- WAI** Bill 28 (2025) "A BILL FOR AN ORDINANCE AMENDING CHAPTER 16.29, MAUI COUNTY CODE, RELATING TO FLOOD HAZARD AREAS"

The purpose of this bill is to establish a process to expand the special flood hazard areas regulated in Chapter 16.29 of the Maui County Code.

- Bill 29 (2025) "A BILL FOR AN ORDINANCE AMENDING SECTION 2.88.030, MAUI COUNTY CODE, ON THE MAUI COUNTY CULTURAL RESOURCES COMMISSION'S MEMBERSHIP"
Passed

The purpose of this bill is to remove the requirement for the Maui County Cultural Resources Commission to have at least one representative from each island.

- Bill 30 (2025) "A BILL FOR AN ORDINANCE AMENDING SECTION 2.41.080, MAUI COUNTY CODE, ON MINIMUM ISLAND REPRESENTATION FOR BOARDS, COMMISSIONS, AND COMMITTEES"
Passed

The purpose of this bill is to provide greater flexibility in the residency requirements for the Board of Variances and Appeals, Fire and Public Safety Commission, Liquor Control Adjudication Board, Liquor Control Commission, and Police Commission.

- Bill 31 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART II, AFFORDABLE HOUSING FUND, KAIAPULU O KUKUIA"
Passed

The purpose of this bill is to amend the Fiscal Year 2025 Budget by increasing the Affordable Housing Fund by \$11,892,593 and adding conditional language appropriating \$250,000 for a grant to A0703 West Maui L.P. for off-site infrastructure.

ORDINANCES - SECOND AND FINAL READING:

- ~~(DRAFT)~~ Bill 7, CD1 (2025) Passed "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"
- ~~(DRAFT)~~ Bill 20, FD1 (2025) Passed, as amended
Rule 19 susp. "A BILL FOR AN ORDINANCE AMENDING SECTION 3.48.565, MAUI COUNTY CODE, RELATING TO NOTICE FOR THE INCREASE OR DECREASE OF REAL PROPERTY TAX RATES AND TIERS"

The purpose of this bill is to expand the Council's options for providing public notice of changes in Real Property Tax rates and tiers.
- ~~(DRAFT)~~ Bill 23 (2025) Passed "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, MAKAWAO-PĀ'IA-HA'IKŪ ECONOMIC DEVELOPMENT, ENVIRONMENTAL, AND CULTURAL PROGRAMS"

The purpose of this bill is to add a line item for the Makawao Parade Committee for the Kaupakalua Roping Club & Youth Rodeo in the amount of \$10,000 and reduce the appropriation for the Makawao-Pā'ia-Ha'ikū residency area clean-up efforts, security, beautification, maintenance, community outreach, educational events, and economic development from \$25,000 to \$15,000.
- ~~(DRAFT)~~ Bill 25 (2025) Passed "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF POLICE, DEPARTMENT OF TRANSPORTATION HIGHWAY SAFETY GRANTS"

The purpose of this bill is to increase the appropriation for Department of Transportation Highway Safety Grants by \$425,000.
- ~~(DRAFT)~~ Bill 27, FD1 (2025) Passed,
as amended,
Rule 19 susp. "A BILL FOR AN ORDINANCE AMENDING SECTION 2.41.050, MAUI COUNTY CODE, ON VACANCIES FOR COUNTY BOARDS, COMMISSIONS, AND COMMITTEES"

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.