STATUS

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2025 MAY -9 PM 4:20
OFFICE OF THE
COUNTY CLERK

COUNCIL OF THE COUNTY OF MAUI

AGENDA

Regular Council Meeting of May 16, 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

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website: **http://co.maui.hi.us/Archive.aspx?AMID=226**
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ROLL CALL

OPENING REMARKS:

COUNCILMEMBER NOHELANI U'U-HODGINS

PLEDGE OF ALLEGIANCE

TESTIMONY ON CEREMONIAL RESOLUTIONS

CEREMONIAL RESOLUTIONS:

Reso 25-117 "CONGRATULATING THE KAMEHAMEHA SCHOOLS MAUI GIRLS FLAG FOOTBALL TEAM FOR WINNING THE INAUGURAL MAUI INTERSCHOLASTIC LEAGUE FLAG FOOTBALL CHAMPIONSHIP"

Adopt

PRESENTATION OF WRITTEN OR ORAL TESTIMONY

COUNTY COMMUNICATIONS:

CC 25-6 COUNCIL CHAIR LEE, transmitting a proposed amendment to Bill 41, CD1 (2025), entitled "A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET FOR THE COUNTY OF MAUI FOR THE FISCAL YEAR JULY 1, 2025 TO JUNE 30, 2026."

file

CC 25-7 COUNCILMEMBER PALTIN, transmitting a proposed amendment to Bill 41, CD1 (2025), entitled "A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET FOR THE COUNTY OF MAUI FOR THE FISCAL YEAR JULY 1, 2025 TO JUNE 30, 2026."

file

CC 25-8 COUNCIL CHAIR LEE, transmitting a proposed amendment to Bill 41, CD1 (2025), entitled "A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET FOR THE COUNTY OF MAUI FOR THE FISCAL YEAR JULY 1, 2025 TO JUNE 30, 2026."

file

CC 25-9 COUNCIL CHAIR LEE, transmitting a proposed amendment to Bill 41, CD1 (2025), entitled "A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET FOR THE COUNTY OF MAUI FOR THE FISCAL YEAR JULY 1, 2025 TO JUNE 30, 2026."

file

CC 25-10 BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT CHAIR, transmitting a proposed amendment to Bill 42, CD1 (2025), entitled "A BILL FOR AN ORDINANCE RELATING TO THE CAPITAL PROGRAM FOR THE FISCAL YEAR ENDING JUNE 30, 2026."

file

CC 25-11 WATER AND INFRASTRUCTURE CHAIR, transmitting a proposed amendment to Resolution 25-86, entitled "ACCEPTING DEDICATION OF ROADWAY LOTS FOR THE KAIMANA AT KEHALANI SUBDIVISION (KEHALANI MAKAI), KEHALANI MAKUA (LARGE-LOT) SUBDIVISIONS, ILIAHI AT KEHALANI ROADWAY LOT SUBDIVISION AND FOR THE SUBDIVISION OF SITE C-1/11 OF WAILUKU PROJECT DISTRICT SITUATED IN WAILUKU, MAUI, HAWAII, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE."

file

COMMITTEE REPORTS:

Budget, Finance, and Economic Development Committee

CR 25-26 Recommending the following:

1. **FIRST READING** of Bill 41, CD1 (2025), to appropriate estimated revenues for the operating and capital improvement budget. Incorporated within Bill 41, CD1 are Appendix A, which lists Grants and Restricted Use Revenues and Special Purpose Revenues; Appendix B, which is the Schedule of Revenues - Fees, Rates, Assessments and Taxes; Appendix B-1, which lists the County's concessions, leases, and licenses by department; and Appendix C, which provides titles and descriptions of Capital Improvement Projects ("Budget bill");

Pass as amended

2. **FIRST READING** of Bill 42, CD1 (2025), to set the Capital Program for Fiscal Years 2026 through 2031. Incorporated within Bill 42, CD1 are Appendix A-1, a report entitled "COUNTY OF MAUI, CAPITAL IMPROVEMENT PROJECTS REPORT," which lists all pending capital improvement projects and appropriations, except for Water Fund projects, as of a date certain; Appendix A-2, a report entitled "County of Maui, Capital Improvement Program by District Job and Index, Fiscal Year Ending 6/30/2025," which includes pending Water Fund capital improvement projects and appropriations as of a date certain; and Appendix B, which is the proposed Capital Program for Fiscal Years 2026 through 2031 ("Capital Program bill");

Pass as amended

3. **FIRST READING** of Bill 43, CD1 (2025), to authorize the issuance of $138,187,284 in general obligation bonds for various capital improvement projects ("Bond Authorization bill");

Pass

4. **FIRST READING** of Bill 44, CD1 (2025), to reauthorize the use of $3,926,861 in lapsed bond proceeds for the Department of Environmental Management, West Maui Community Plan Area, Sewer, Lahaina Wastewater Reclamation Facility Returned Activated Sludge (RAS)/Dewatering Upgrades; and Department of Water Supply, Countywide, Water Supply, Countywide Upgrades and Replacements ("Lapsed Bond bill");

Pass

5. **FIRST READING** of Bill 45, CD1 (2025), to authorize the Mayor to enter into an intergovernmental agreement to finance the Waiko Road Subdivision Sewer System and the Kīhei Wastewater Pump Station 7 Relocation, with funds not to exceed $11,900,000;

Pass

Pass

6. **FIRST READING** of Bill 46, CD1 (2025), to authorize the Mayor to enter into an intergovernmental agreement to finance Countywide Upgrades and Replacements, with funds not to exceed $3,000,000;

Pass

7. **FIRST READING** of Bill 48, CD1 (2025), to revise the salaries of Deputies Corporation Counsel and Deputies Prosecuting Attorney;

Lay on Clerk's table

8. **FIRST READING** of Bill 49, CD1 (2025), to revise the salary pay plan and pay ranges for the Office of Council Services;

Pass

9. **FIRST READING** of Bill 50 (2025), to repeal the Employee Parking Fees Fund and transfer all encumbrances and any balance remaining in the Employee Parking Fees Fund to the General Fund;

Adopt

10. **ADOPTION** of Resolution 25-83, CD1, to adopt the fuel tax rates for the County of Maui, effective July 1, 2025, in accordance with Section 243-5, Hawai'i Revised Statutes, and Section 3.20.010, Maui County Code;

Adopt

11. **ADOPTION** of Resolution 25-89, CD1, to set the salary of the Director of Council Services;

Adopt

12. **ADOPTION** of Resolution 25-90, CD1, to set the salary of the Deputy Director of Council Services; and

Refer to GREAT

13. **REFERRAL** of Bill 54 (2025), to require responsible bidders be signatories to the community workforce agreement for all capital improvement project contracts of more than $500,000, to your Government Relations, Ethics, and Transparency Committee.

With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), Hawaii Revised Statutes ("HRS"): 1) to consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in Section 26-9, HRS, or both; 2) to consider the hire, evaluation, dismissal, or discipline of an officer or employee or of charges brought against the officer or employee, where consideration of matters affecting privacy will be involved; provided that if the individual concerned requests an open meeting, an open meeting shall be held; 3) to deliberate concerning the authority of persons designated by the County, the Council, or the Committee to conduct labor negotiations or to negotiate the acquisition of public property, or during the conduct of such negotiations; 4) 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; 5) to investigate proceedings regarding criminal misconduct; 6) to consider sensitive matters related to public safety or security; 7) to consider matters relating to the solicitation and acceptance of private donations; and 8) to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to a State or Federal law, or a court order.

RESOLUTIONS:

Reso 25-86 "ACCEPTING DEDICATION OF ROADWAY LOTS FOR THE KAIMANA AT KEHALANI SUBDIVISION (KEHALANI MAKAI), KEHALANI MAKUA (LARGE-LOT) SUBDIVISIONS, ILIAHI AT KEHALANI ROADWAY LOT SUBDIVISION AND FOR THE SUBDIVISION OF SITE C-1/11 OF WAILUKU PROJECT DISTRICT SITUATED IN WAILUKU, MAUI, HAWAII, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE"

Adopt as amended

Reso 25-108 "APPOINTMENT OF MEMBERS TO THE MAUI PLANNING COMMISSION FOR THE COUNTY OF MAUI"

Adopt as amended

GREAT **Reso 25-109** "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL MARR JONES & WANG, LLLP, IN PRE-LITIGATION NEGOTIATIONS REGARDING ALLEGATIONS MADE BY LEO CAIRES, A FORMER COUNTY OF MAUI EMPLOYEE"

GREAT **Reso 25-110** "AUTHORIZING SETTLEMENT OF JMC CLAIM 4088770, COUNTY OF MAUI FILE RISK 2024-0068 OF MERC COIMBRA AND ALISA COIMBRA"

Reso 25-111 "APPROVING COST ITEMS FOR BARGAINING UNIT 01, NON-SUPERVISORY, BLUE COLLAR EMPLOYEES"

Adopt

Reso 25-112 "APPROVING COST ITEMS FOR EMPLOYEES INCLUDED IN BARGAINING UNIT 2 (SUPERVISORY BLUE COLLAR), BARGAINING UNIT 3 (NON-SUPERVISORY WHITE COLLAR), BARGAINING UNIT 4 (SUPERVISORY WHITE COLLAR), AND BARGAINING UNIT 13 (PROFESSIONAL AND SCIENTIFIC)"

Adopt

Reso 25-113 "APPROVING COST ITEMS FOR EMPLOYEES EXCLUDED FROM BARGAINING UNIT 3 (NON-SUPERVISORY WHITE COLLAR), BARGAINING UNIT 4 (SUPERVISORY WHITE COLLAR), AND BARGAINING UNIT 13 (PROFESSIONAL AND SCIENTIFIC)"

Adopt

Reso 25-114 "URGING THE MAYOR TO TRANSMIT A RESOLUTION TO ACCEPT HUI ROAD F IN WEST MAUI FROM THE STATE OF HAWAI'I JUDICIARY"

Adopt

Reso 25-115 "REFERRING TO THE MAUI PLANNING COMMISSION AND BOARD OF WATER SUPPLY A PROPOSED BILL TO IMPOSE INTERIM RESTRICTIONS ON NEW PRIVATE SWIMMING POOLS IN THE WEST MAUI COMMUNITY PLAN AREA"

GREAT **Reso 25-116** "AUTHORIZING SETTLEMENT OF FIRST FIRE AND CASUALTY INSURANCE OF HAWAII, INC. v. COUNTY OF MAUI, ET AL.; CIVIL FILE: 2CCV-24-0001055"

Reso 25-118 "AUTHORIZING THE ACQUISITION OF 2 ACRES OF PROPERTY IDENTIFIED AS TAX MAP KEY (2) 3-8-065:018, KAHULUI, MAUI, HAWAI'I, FOR AN AMOUNT NOT TO EXCEED $7,200,000"

Postpone to Bills 61 & 62. Adopt as amended.

Reso 25-119 "URGING THE HAWAI'I TOURISM AUTHORITY BE HELD ACCOUNTABLE TO ENSURE A SAFE AND WELCOMING WORK ENVIRONMENT FOR KANAKA ʻŌIWI AND WOMEN"

Refer to KAA.

ORDINANCES:

BFED **Bill 72 (2025)** "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE UNIVERSITY OF HAWAII, OFFICE OF RESEARCH SERVICES"

Bill 73 (2025) "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, WEST MAUI ECONOMIC DEVELOPMENT, ENVIRONMENTAL, AND CULTURAL PROGRAMS, KAIĀULU INITIATIVES"

Pass

Bill 74 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, OFFICE OF THE MAYOR, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION"

Pass.

ADEPT **Bill 75 (2025)** "A BILL FOR AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE ON AGRICULTURAL TOURISM"

ORDINANCES - SECOND AND FINAL READING:

~~(BFED)~~ **Bill 57, FD1 (2025)** "A BILL FOR AN ORDINANCE TO AMEND CHAPTER 3.34, MAUI COUNTY CODE, TO ESTABLISH A VOLUNTARY DEED RESTRICTION PROGRAM"

Passed.

The purpose of this bill is to enable open-market homes to be converted to deed-restricted properties, preserving the properties for local residents and workforce while addressing the growing housing challenges in Maui County.

~~(BFED)~~ Bill 59 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, ESTIMATED REVENUES; CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF HOUSING, WEST MAUI COMMUNITY PLAN AREA, OTHER PROJECTS, GENERAL FUND, KOMOHANA HALE APARTMENTS REBUILD; AND APPENDIX C, DEPARTMENT OF HOUSING, WEST MAUI COMMUNITY PLAN AREA, KOMOHANA HALE APARTMENTS REBUILD"

Passed

~~(BFED)~~ Bill 60 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, ESTIMATED REVENUES; CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF WATER SUPPLY, COUNTYWIDE, WATER FUND - RESTRICTED; APPENDIX A, PART II, GENERAL EXCISE TAX FUND; AND APPENDIX C, DEPARTMENT OF MANAGEMENT, COUNTYWIDE; AND DEPARTMENT OF WATER SUPPLY, COUNTYWIDE"

Passed

This bill proposes to amend the Fiscal Year 2025 Budget to increase the appropriation for wastewater repairs related to the August 2023 Wildfires in the amount of $1,443,000.

~~(BFED)~~ Bill 61 (2025)

Pass

"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, ESTIMATED REVENUES; CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF PUBLIC WORKS, COUNTYWIDE, GOVERNMENT FACILITIES, BOND FUND, COUNTYWIDE DPW BASEYARD FACILITIES PROGRAM; AND APPENDIX C, DEPARTMENT OF PUBLIC WORKS, COUNTYWIDE DPW BASEYARD FACILITIES PROGRAM"

This bill proposes to amend the Fiscal Year 2025 Budget to increase the appropriation under Capital Improvement Projects, Department of Public Works, Countywide, Government Facilities, Bond Fund, Countywide DPW Baseyard Facilities Program by $4,200,000.

~~(BFED)~~ Bill 62 (2025)

Pass

"A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 5659, BILL 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 PUBLIC WORKS)"

This bill proposes to amend Ordinance No. 5659, to increase the appropriation for the DPW Baseyard Facilities Program by $4,200,000.

~~(BFED)~~ Bill 65 (2025)

Pass

"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, SOUTH MAUI ECONOMIC DEVELOPMENT, ENVIRONMENTAL, AND CULTURAL PROGRAMS"

~~(BFED)~~ Bill 66 (2025)

Pass

"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, WAILUKU ECONOMIC DEVELOPMENT, ENVIRONMENTAL, AND CULTURAL PROGRAMS"

~~(BFED)~~ Bill 68 (2025)

Pass

"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, SPORTS AND EVENTS PROMOTION; AND GRANTS AND DISBURSEMENTS FOR CULTURE, ARTS, AND TOURISM, CULTURE AND ARTS PROGRAM"

~~(BFED)~~ Bill 69 (2025)

Pass

"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 WATER AND ENVIRONMENTAL RESOURCE PROTECTION, DEPARTMENT OF MANAGEMENT, OFFICE OF RECOVERY PROGRAM"

~~(BFED)~~ Bill 70 (2025)

Pass

"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF MANAGEMENT, DEPARTMENT OF WATER SUPPLY; AND APPENDIX C, DEPARTMENT OF MANAGEMENT, DEPARTMENT OF WATER SUPPLY, FIRE FLOW IMPROVEMENTS TO WATER SYSTEM"

~~(BFED)~~, Bill 71 (2025) "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 MANAGEMENT AND DEPARTMENT OF WATER SUPPLY"

Pass

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.