STATUS

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COUNTY CLERK

COUNCIL OF THE COUNTY OF MAUI

AGENDA

Regular Council Meeting of July 8, 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
West Maui: 60 Kenui Street, Lahaina

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

COUNTY COMMUNICATIONS:

CC 25-13 AGRICULTURE, DIVERSIFICATION, ENVIRONMENT AND PUBLIC TRANSPORTATION COMMITTEE CHAIR, transmitting a proposed amendment to Bill 75, CD1 (2025), entitled "A BILL FOR AN ORDINANCE AMENDING TITLE 19, MAUI COUNTY CODE RELATING TO THE COMPREHENSIVE ZONING ORDINANCE ON AGRICULTURAL TOURISM".

file

CC 25-14 WATER AND INFRASTRUCTURE CHAIR, transmitting a proposed amendment to Resolution 25-129, entitled "AUTHORIZING THE ACQUISITION OF 1.724 ACRES IDENTIFIED FOR REAL PROPERTY TAX PURPOSES AS TAX MAP KEYS (2) 4-6-027:027, 029, 030, AND 041; (2) 4-6-027:026, 028, 033, AND 040; AND (2) 4-6-016:041, SITUATED AT LAHAINA, MAUI, HAWAI'I, FOR UP TO $1,950,000, EXCLUSIVE OF CLOSING COSTS AND EXPENSES, UNDER SUBSECTION 3.44.015(C), MAUI COUNTY CODE".

file

COMMITTEE REPORTS:

Agriculture, Diversification, Environment, and Public Transportation Committee

CR 25-41 Recommending **FIRST READING** of Bill 75, CD1 (2025), to establish agricultural tourism as an accessory use on farms in the County Agricultural District.

pass 1st as amended

Budget, Finance, and Economic Development Committee

CR 25-42 Recommending **FIRST READING** of Bill 47, CD1 (2025), to authorize the Mayor to enter into an intergovernmental agreement with the State of Hawai'i, Department of Business, Economic Development and Tourism, and Hawai'i counties for the Hawai'i Creative Economy Collaborative.

pass 1st as amended

Disaster Recovery, International Affairs, and Planning Committee

CR 25-43 Recommending **ADOPTION** of Resolution 23-163, CD1, to refer to the Lāna'i, Maui, and Molokai planning commissions a proposed bill to support the expansion of dedicated parking spaces for electric vehicles under certain conditions.

adopt

Government Relations, Ethics, and Transparency Committee

CR 25-44 Recommending **ADOPTION** of Resolution 25-128, 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*, Civil 1:24-cv-00494-MWJS-WRP.

adopt

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.

Water and Infrastructure Committee

CR 25-45 Recommending **ADOPTION** of Resolution 25-122, authorizing the acceptance of two parcels from First Hawaiian Bank, identified for Real Property Tax purposes as Tax Map Keys (2) 4-9-011:018 and 019, at Lāna'i City, Hawai'i, comprising 14,379 and 10,510 square feet, respectively.

adopt.

RESOLUTIONS:

Reso 25-129 "AUTHORIZING THE ACQUISITION OF 1.724 ACRES IDENTIFIED FOR REAL PROPERTY TAX PURPOSES AS TAX MAP KEYS (2) 4-6-027:027, 029, 030 AND 041; (2) 4-6-027:026, 028, 033, AND 040; AND (2) 4-6-016:041, SITUATED AT LAHAINA, MAUI, HAWAII, FOR UP TO $1,950,000, EXCLUSIVE OF CLOSING COSTS AND EXPENSES, UNDER SUBSECTION 3.44.015(C), MAUI COUNTY CODE"

adopt as amended

Reso 25-133 "APPOINTMENT OF A MEMBER TO THE SALARY COMMISSION FOR THE COUNTY OF MAUI"

adopt as amended

The purpose of this resolution is to consider the appointment of Kelly Shane Davidson.

Reso 25-139 "STATING THE COUNTY'S INTENT TO CONVEY A PORTION OF THE KAHULUI COMMUNITY CENTER PARK SITE TO HALE MAKUA HEALTH SERVICES TO SUPPORT THE DEVELOPMENT OF A WORKFORCE RENTAL HOUSING PROJECT"

WASSP

Reso 25-140 "AUTHORIZING A GRANT OF A LEASE OF COUNTY REAL PROPERTY AT KUALAPU'U PARK AND COMMUNITY CENTER, MOLOKAI, TO HO'ĀHU ENERGY COOPERATIVE MOLOKAI AND HO'ĀHU CBRE 2 KUALAPU'U LLC"

adopt

✓ GREAT Reso 25-141 "AUTHORIZING SETTLEMENT OF JMC CLAIM 4086753, COUNTY OF MAUI, RISK FILE 2023-1128 OF JEFFREY NAVARES"

Reso 25-142 "REFERRING TO THE LĀNA'I, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL TO AMEND CHAPTER 19.35, MAUI COUNTY CODE, ON THE SIZE OF ACCESSORY DWELLINGS"

adopt

RESOLUTIONS - SECOND AND FINAL READING:

(GREAT) Reso 25-135 "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, ON THE PLANNING COMMISSIONS' REVIEW OF GENERAL PLAN AND LAND USE ORDINANCES"

pass 2nd

ORDINANCES:

Bill 86 (2025) "A BILL FOR AN ORDINANCE AMENDING THE CAPITAL PROGRAM FOR THE FISCAL YEAR ENDING JUNE 30, 2026 TO UPDATE APPENDIX B"

pass 1st rdg

ORDINANCES - SECOND AND FINAL READING:

(DRIP) Bill 104, CD1, FD1 (2024) "A BILL FOR AN ORDINANCE AMENDING CHAPTERS 19.04, 19.08, 19.29, AND 19.36B, MAUI COUNTY CODE, RELATING TO KITCHENS, KITCHENETTES, AND WET BARS"

pass as amended

(DRIP) Bill 158, CD1 (2024) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE COUNTY OF KAUA'I FOR FORENSIC TESTING SERVICES BETWEEN THE KAUA'I POLICE DEPARTMENT AND THE MAUI POLICE DEPARTMENT"

pass

(ADEPT) Bill 76, CD1, FD1 (2025) "A BILL FOR AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE ON MOBILE FOOD TRUCKS OR TRAILERS IN THE AGRICULTURAL DISTRICT"

pass as amended (no paf needed)

(GREAT) Bill 83 (2025) "A BILL FOR AN ORDINANCE AMENDING CHAPTERS 2.28 AND 2.40, MAUI COUNTY CODE, ON THE SOUTH MAUI AND PĀ'IA-HA'IKU ADVISORY COMMITTEES TO THE MAUI PLANNING COMMISSION"

pass

(BFED) Bill 84 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET; APPENDIX A, PART I; DEPARTMENT OF ENVIRONMENTAL MANAGEMENT; STATE OF HAWAI'I DEPARTMENT OF HEALTH (CLEAN WATER BRANCH); NEW APPROPRIATION OF $95,600"

pass

(BFED) Bill 85 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET; APPENDIX A, PART I; OFFICE OF THE MAYOR; ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT; NEW APPROPRIATION OF $80,750"

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.