

STATUS



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OFFICE OF THE
COUNTY CLERK

COUNCIL OF THE COUNTY OF MAUI

AGENDA

Regular Council Meeting of December 19, 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: 80 Hau'oli Road, Hāna, (808) 866-4488

South Maui: MEDB Building, 1305 North Holopono St., Ste. 4A, 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:****COUNCIL CHAIR ALICE LEE****PLEDGE OF ALLEGIANCE****TESTIMONY ON CEREMONIAL RESOLUTIONS****CEREMONIAL RESOLUTIONS:**

Adopted, as amended,
(PAF needed) [Reso 25-227](#) "EXTENDING CONDOLENCES TO THE FAMILY OF THE LATE FLORENCIO LAWRENCE CABANILLA"

PRESENTATION OF WRITTEN OR ORAL TESTIMONY**COMMITTEE REPORTS:****Government Relations, Ethics, and Transparency Committee**

Adopted [CR 25-87](#) Recommending **ADOPTION** of Resolution 25-191, authorizing settlement of Claim 4089446-1, of Elaine Bogard and Robert Bogard, in the amount of \$57,664.74.

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.

Adopted [CR 25-88](#) Recommending **ADOPTION** of Resolution 25-192, authorizing settlement of Aissa Nishiyama v. County of Maui Police Department, et. al.; Civil 2CCV-23-0000346.

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.

Adopted [CR 25-89](#) Recommending **ADOPTION** of Resolution 25-196, CD1, authorizing settlement of Claim 4A25055GZP0-0001, of Kanani Kealoha-Faleafine, in the amount of \$55,668.18.

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.

Adopted [CR 25-90](#) Recommending **ADOPTION** of Resolution 25-201, authorizing settlement of County of Maui, Department of Environmental Management v. Komar Maui Properties I LLC, Case 1:24-cv-00203-KJM.

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.

Adopted [CR 25-91](#) Recommending **FIRST READING** of Bill 105, CD1 (2025), to allow alternate members to fill mid-term vacancies on County boards and commissions on an interim basis.

RESOLUTIONS:

Adopted, as amended, (PAF needed) [Reso 25-223](#) "APPOINTMENT OF MAX TSAI TO THE POLICE COMMISSION FOR THE COUNTY OF MAUI"

Adopted [Reso 25-224](#) "AUTHORIZING ACCEPTANCE OF A DONATION OF \$250 FROM C&S WHOLESALE GROCERS, LLC TO THE DEPARTMENT OF 'ŌIWI RESOURCES, COUNTY OF MAUI, UNDER SECTION 3.56.030, MAUI COUNTY CODE"

ADEPT [Reso 25-225](#) "REFERRING TO THE LĀNA'I, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL AMENDING CHAPTER 2.80B, MAUI COUNTY CODE, TO ADDRESS FOOD SYSTEMS AND FOOD SECURITY IN THE COUNTYWIDE POLICY PLAN"

GREAT [Reso 25-226](#) "AUTHORIZING SETTLEMENT OF THE ESTATE OF MATTHEW LOUIS PERREIRA, DECEASED, ET AL. VS. PATRICK GEORGE VENTURA; COUNTY OF MAUI; STATE OF HAWAII; ALEXANDER & BALDWIN, LLC; CIVIL 2CCV-22-0000045"

Adopted [Reso 25-228](#) "EXTENDING THE TERM OF THE SPECIAL COMMITTEE ON REAL PROPERTY TAX REFORM"

Adopted	<u>Reso 25-229</u>	"APPOINTING TINA ANN BOTEILHO TO THE BOARD OF WATER SUPPLY"
Tabled	<u>Reso 25-230</u>	"REFERRING TO THE LĀNA'I, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL AMENDING THE COMPREHENSIVE ZONING ORDINANCE TO ESTABLISH THE H-3 AND H-4 HOTEL DISTRICTS"
Adopted (PAF needed, non-substantive)	<u>Reso 25-231</u>	"AUTHORIZING EMPLOYMENT OF BEST BEST & KRIEGER LLP AS SPECIAL COUNSEL TO ASSIST AND REPRESENT AS CO-COUNSEL THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, COUNTY OF MAUI, WITH THE PERMITTING PROCESS AND ANY LEGAL CHALLENGES ARISING OUT OF THE ISSUANCE OF A NPDES PERMIT FOR THE LAHAINA WASTEWATER FACILITY (NPDES PERMIT NO. HI 0021848)"
Adopted	<u>Reso 25-232</u>	"URGING THE HAWAII STATE LEGISLATURE TO ENSURE THE LONG-TERM SUSTAINABILITY AND FUNDING OF PUBLIC, EDUCATIONAL, AND GOVERNMENTAL ACCESS MEDIA IN HAWAII"
Tabled	<u>Reso 25-233</u>	"AUTHORIZING A GRANT OF GROUND LEASE TO A0745 LANAI, L.P., FOR REAL PROPERTY LOCATED ON LĀNA'I, HAWAII, IDENTIFIED FOR REAL PROPERTY TAX PURPOSES AS TAX MAP KEY (2) 4-9-002:058, UNDER SECTIONS 3.40.200 AND 3.36.090, MAUI COUNTY CODE"
Filed	<u>Reso 25-234</u>	"APPOINTING KYLE ELLISON TO THE BOARD OF WATER SUPPLY"

ORDINANCES:

WAI	<u>Bill 176</u> <u>(2025)</u>	"A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE STATE OF HAWAII, DEPARTMENT OF LAND AND NATURAL RESOURCES RELATED TO PI'HOLO, OLINDA AND ALA LUANA ROADS"
Passed	<u>Bill 182</u> <u>(2025)</u>	"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, APPENDIX A, PART I, DEPARTMENT OF 'ŌIWI RESOURCES, PRIVATE DONATIONS, NEW APPROPRIATION OF \$1,000"
Passed	<u>Bill 183</u> <u>(2025)</u>	"A BILL FOR AN ORDINANCE AMENDING ORDINANCE 5334 (2021), THE WEST MAUI COMMUNITY PLAN, AS AMENDED, ON BUILDING HEIGHTS FOR NEW CONSTRUCTION IN THE LĀHAINĀ NATIONAL HISTORIC LANDMARK DISTRICT"
Passed	<u>Bill 184</u> <u>(2025)</u>	"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, INCREASING ESTIMATED REVENUES, CARRYOVER/SAVINGS, GENERAL FUND BY \$5,000,000, CAPITAL IMPROVEMENT PROJECTS AND APPENDIX C, DEPARTMENT OF PARKS AND RECREATION, COUNTYWIDE, INCREASE APPROPRIATION FOR COUNTYWIDE PARKS FACILITIES BY \$1,200,000, PĀ'IA-HA'IKŪ COMMUNITY PLAN AREA, ADD NEW APPROPRIATION FOR LOWER PAIA PARK PARKING LOT IN THE AMOUNT OF \$300,000, WAILUKU-KAHULUI COMMUNITY PLAN AREA, ADD NEW APPROPRIATIONS FOR WAR MEMORIAL GYM BUILDING IMPROVEMENTS IN THE AMOUNT OF \$2,000,000, AND WAR MEMORIAL FOOTBALL STADIUM AND TRACK REHABILITATION IN THE AMOUNT OF \$1,500,000"

Passed	<u>Bill 185</u> <u>(2025)</u>	"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, INCREASING ESTIMATED REVENUES, CARRYOVER/SAVINGS, HIGHWAY FUND BY \$75,000, AND DEPARTMENT OF TRANSPORTATION, ADMINISTRATION PROGRAM - HIGHWAY FUND, INCREASE APPROPRIATION BY \$75,000"
Passed	<u>Bill 186</u> <u>(2025)</u>	"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, INCREASING ESTIMATED REVENUES, CARRYOVER/SAVINGS, GENERAL FUND BY \$500,000, CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF THE PROSECUTING ATTORNEY, WAILUKU-KAHULUI COMMUNITY PLAN AREA, GOVERNMENT FACILITIES, NEW APPROPRIATION FOR 24 NORTH CHURCH STREET BUILDING RENOVATIONS FOR \$500,000, AND APPENDIX C, DEPARTMENT OF THE PROSECUTING ATTORNEY, WAILUKU-KAHULUI COMMUNITY PLAN AREA, NEW APPROPRIATION FOR 24 NORTH CHURCH STREET BUILDING RENOVATIONS FOR \$500,000"
Passed	<u>Bill 187</u> <u>(2025)</u>	"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET. DEPARTMENT OF FINANCE, COUNTYWIDE COSTS, INCREASE THE CONDITIONAL LANGUAGE APPROPRIATION UNDER INSURANCE PROGRAMS AND SELF INSURANCE IN THE AMOUNT OF \$400,000"
Passed	<u>Bill 188</u> <u>(2025)</u>	"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, APPENDIX B, DEPARTMENT OF FINANCE, GENERAL FUND, SALES OF SPECIAL LICENSE PLATES: SPECIAL LICENSE PLATES, DEPARTMENT OF FINANCE, SPECIAL REVENUE/TRUST AND AGENCY FUND, OUTRIGGER DUKE KAHANAMOKU FOUNDATION COMMEMORATIVE LICENSE PLATES"
Passed	<u>Bill 189</u> <u>(2025)</u>	"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, APPENDIX A, PART I, DEPARTMENT OF PUBLIC WORKS, NEW APPROPRIATION FOR DEPARTMENT OF TRANSPORTATION, HAWAII SAFE ROUTES TO SCHOOL SPECIAL FUND OF \$2,850,000, AND APPENDIX C, DEPARTMENT OF PUBLIC WORKS, COUNTYWIDE, INCREASE THE APPROPRIATION FOR COUNTYWIDE TRAFFIC AND SAFETY PROGRAM BY \$2,850,000"
Passed	<u>Bill 190</u> <u>(2025)</u>	"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, INCREASING ESTIMATED REVENUES, CARRYOVER/SAVINGS, GENERAL FUND BY \$800,000, CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF POLICE, COUNTYWIDE, INCREASE APPROPRIATION FOR COUNTYWIDE POLICE FACILITIES IN THE AMOUNT OF \$800,000, APPENDIX C, DEPARTMENT OF POLICE, INCREASE APPROPRIATION FOR COUNTYWIDE, COUNTYWIDE POLICE FACILITIES, FOR WAILUKU STATION GENERATOR, IN THE AMOUNT OF \$800,000"
Passed	<u>Bill 191</u> <u>(2025)</u>	"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM, WAILUKU ECONOMIC DEVELOPMENT, ENVIRONMENTAL, AND CULTURAL PROGRAMS, UPDATE CONDITIONAL LANGUAGE FOR MAUI NUI RESILIENCY HUI"
Passed	<u>Bill 192</u> <u>(2025)</u>	"A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, OFFICE OF THE MAYOR, ADMINISTRATION PROGRAM, UPDATING CONDITIONAL LANGUAGE FOR HOUSELESS SOLUTIONS"

- Passed [Bill 193](#) [\(2025\)](#) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, DEPARTMENT OF MANAGEMENT, BOARD OF ETHICS PROGRAM, INCREASE EQUIVALENT PERSONNEL BY 2.0"
- Passed [Bill 194](#) [\(2025\)](#) "A BILL FOR AN ORDINANCE ESTABLISHING CHAPTER 2.03, MAUI COUNTY CODE, ON COUNTY COUNCIL VACANCIES IN OFFICE"

ORDINANCES - SECOND AND FINAL READING:

- Passed [Bill 160, CD1](#) [\(2025\)](#) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR THE WAI MAOLI: FRESH WATER INITIATIVE"
- Passed [Bill 169, CD1](#) [\(2025\)](#) "A BILL FOR AN ORDINANCE TO ESTABLISH VALUATIONS FOR SHARED-EQUITY DEED AND GROUND LEASE RESTRICTED REAL PROPERTY ADMINISTERED BY A QUALIFIED ENTITY"
- Passed [Bill 170, CD1](#) [\(2025\)](#) "A BILL FOR AN ORDINANCE AMENDING SECTION 3.48.810, MAUI COUNTY CODE, ESTABLISHING A NEW CIRCUIT BREAKER TAX CREDIT CATEGORY"
- Passed [Bill 171, CD1](#) [\(2025\)](#) "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.48, MAUI COUNTY CODE, EXTENDING MAUI WILDFIRES REAL PROPERTY TAX RELIEF"
- Passed [Bill 175](#) [\(2025\)](#) "A BILL FOR AN ORDINANCE AMENDING SECTION 10.48.040, MAUI COUNTY CODE, TO PROHIBIT PARKING ON A PORTION OF AHEAHE PLACE, PUKALANI, HAWAII"
- Passed [Bill 179](#) [\(2025\)](#) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, APPENDIX A, PART I, DEPARTMENT OF POLICE, DEPARTMENT OF TRANSPORTATION HIGHWAY SAFETY GRANTS, INCREASE APPROPRIATION BY \$495,000"
- Passed [Bill 180](#) [\(2025\)](#) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM, GRANTS AND DISBURSEMENTS FOR BUSINESS DEVELOPMENT AND TECHNOLOGY, SOUTH MAUI ECONOMIC DEVELOPMENT, ENVIRONMENTAL, AND CULTURAL PROGRAMS, NEW CONDITIONAL LANGUAGE FOR LOKAHI PACIFIC FOR KULANIHAKO'I HIGH SCHOOL ACTIVITIES IN THE AMOUNT OF \$15,000"

UNFINISHED BUSINESS:**CEREMONIAL RESOLUTIONS:**

- Tabled [Reso 25-213](#) "CONGRATULATING KUMU HULA IOLA BALUBAR ON 50 YEARS OF HULA EXCELLENCE"

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.