

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

June 1, 2001

**Committee
Report No.**

01-99

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Committee of the Whole, having met on May 15, 2001, makes reference to County Communication No. 01-91, from the Council Chair, regarding proposed contracts for special counsel.

Your Committee is in receipt of a letter dated May 8, 2001, from the Corporation Counsel, requesting consideration of a proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL TO INVESTIGATE THE MAKAWAO HIGHLANDS HOUSING PROJECT". The purpose of the proposed resolution is to authorize the employment of Margery S. Bronster, Esq. of Bronster Crabtree & Hoshibata as special counsel at the maximum hourly compensation rate of \$200 per hour to investigate the Makawao Highlands Housing Project.

Your Committee notes that the Council authorized special counsel in this matter by Resolution No. 00-72. Resolution No. 00-72 limited the hourly compensation rate for special counsel to \$150 per hour.

At its meeting, your Committee met with the Corporation Counsel, the First Deputy Corporation Counsel; two Deputy Corporation Counsel; and Margery S. Bronster, Esq. of Bronster Crabtree & Hoshibata.

There being no public testimony, the Corporation Counsel provided a brief overview of the case and requested the opportunity to discuss the matter in an executive meeting.

Your Committee voted to convene an executive meeting for the purpose of consulting with legal counsel on liability issues in the matter, pursuant to Section 92-5(a)(4), Hawaii Revised Statutes.

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At its executive meeting, your Committee met with the Corporation Counsel, the First Deputy Corporation Counsel, two Deputy Corporation Counsel, and Margery S. Bronster, Esq. of Bronster Crabtree & Hoshibata. Based on the information received and the recommendation of the Department of the Corporation Counsel, your Committee voted on the matter.

Following the executive meeting, your Committee reconvened in regular session and announced the result of the vote taken in the executive meeting. Your Committee announced that it had agreed to recommend adoption of the proposed resolution to approve the settlement of the matter under the terms proposed in the executive meeting.

Your Committee is in receipt of a revised proposed resolution, approved as to form and legality, incorporating the revisions to the resolution as discussed in the executive meeting.

Your Committee of the Whole **RECOMMENDS** that Resolution No. _____, as revised herein and attached hereto, entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL TO INVESTIGATE THE MAKAWAO HIGHLANDS HOUSING PROJECT" be **ADOPTED**.

Adoption of this report is respectfully requested.

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