

COMMITTEE OF THE WHOLE

Council of the County of Maui

Meeting Agenda

February 15, 2001

1:30 p.m.

Council Chamber, 8th Floor

200 South High Street, Wailuku, Maui, Hawai`i

website: <http://www.co.maui.hi.us/committees/COW/index.html>

e-mail: cow.committee@co.maui.hi.us

COMMITTEE MEMBERS

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G. Riki Hokama, Vice-Chair

Alan M. Arakawa

Robert Carroll

Jo Anne Johnson

Patrick S. Kawano

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AGENDA ITEMS ARE SUBJECT TO CANCELLATION. For a confirmation of the meeting date and time, and for tentative scheduling of agenda items, please contact the Committee Staff (Richelle Kawasaki or Pauline Martins) at: Office of Council Services, 200 South High Street, Wailuku, HI 96793, 808-270-7838, 1-800-272-0026 (toll-free from Moloka`i), 1-800-272-0098 (toll-free from Lana`i), 808-270-7686 (fax).

ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted prior to the discussion of each agenda item. Oral testimony shall be limited to three minutes. An additional minute to conclude oral testimony may be granted subject to discretion of the Committee Chair. If oral testimony is incomplete, an additional three minutes will be given after all others have been heard. If written testimony is submitted at the meeting, 15 copies are requested. If written testimony is e-mailed or faxed, please submit at least 24 hours before the meeting so that copies can be provided to Council members in a timely manner.

INDIVIDUALS WHO INTEND TO ATTEND THE MEETING AND WHO HAVE DISABILITIES REQUIRING SPECIAL ASSISTANCE should call the Office of Council Services at least three days in advance.

DOCUMENTS ON FILE WITH THE COMMITTEE, which may include correspondence relating to the agenda items below, may be inspected prior to the meeting date. Photocopies may be ordered, subject to charges imposed by law (Maui County Code, Sec. 2.64.010). Please contact the Office of Council Services to make arrangements for inspection or photocopying of documents.

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COW-30

RULES OF THE COUNCIL

DESCRIPTION:

The Council Chair transmitted County Communication No. 01-59 regarding the Rules of the Council. Included in the transmittal is a copy of Resolution No. 01-4, entitled "ADOPTING THE RULES OF THE COUNCIL". Resolution No. 01-4 was adopted at the Council meeting of January 2, 2001.

STATUS:

The Committee will meet to discuss possible amendments to the Rules of the Council (Resolution No. 01-4). The Committee may consider other related action including the filing of County Communication No. 01-59.

MORE →

COW-3(4) STATUS REPORTS ON LEGAL MATTERS (Sunshine Law)

DESCRIPTION: The Committee Chair, by memorandum dated September 19, 2000, requested that the Corporation Counsel provide a compliance report on the consent decree in James R. Smith v. Linda Lingle, Mayor of Maui County, et al., Civil No. 97-0536(2) (State court), a lawsuit that charged County officials and entities with violating the State Sunshine Law (Part I, Chapter 92, Hawai'i Revised Statutes). This item has been scheduled to allow the Committee the opportunity to discuss the County's and the Council's compliance with the consent decree and with the Sunshine Law, generally.

STATUS: The prior Committee of the Whole met on this item on October 3, 2000 and deferred action pending further discussion. The Committee will consider whether any legislative action is warranted on this item. The Committee may also consider other related action, including the filing of the Committee Chair's above-referenced memorandum.

NOTE: With reference to this agenda item, one or more executive meetings pursuant to Section 92-5(a)(4), HRS, are anticipated 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.

**COW-11(3) SETTLEMENT AUTHORIZATION OF CLAIMS AND LAWSUITS
(Workers' Compensation Case for Alice Prito)**

DESCRIPTION: By letter dated February 6, 2001, the Department of the Corporation Counsel requested that the Committee consider the possible settlement of the Workers' Compensation case for Alice Prito, Case No. AB99-618 (M) (7-83-00422) by recommending approval of a proposed resolution attached to the letter, entitled "APPROVING A PROPOSED SETTLEMENT OF ALICE PRITO V. COUNTY OF MAUI, CASE NO. AB99-618 (M)".

STATUS: The Committee will consider whether to recommend that settlement authority be provided in this case by recommending adoption of the proposed resolution. The Committee may also consider other related action, including the possible filing of the above-referenced letter from the Department of the Corporation Counsel.

NOTE: With reference to this agenda item, one or more executive meetings pursuant to Section 92-5(a)(4), HRS, are anticipated 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.