

COMMITTEE OF THE WHOLE

Council of the County of Maui

Meeting Agenda

October 30, 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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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.

TO LEARN MORE ABOUT COUNCIL-RELATED ISSUES, tune in to Akaku: Maui Community Television (see attached Akaku Taping and Playback Schedule).

COW-11(4)

SETTLEMENT AUTHORIZATION OF CLAIMS AND LAWSUITS (USAA ON BEHALF OF JOHN E. QUISTGARD, CLAIM NO. 2000-126)

DESCRIPTION:

By correspondence dated October 10, 2001, the Department of the Corporation Counsel requested consideration of a proposed resolution entitled "APPROVING A PROPOSED SETTLEMENT OF USAA, ON BEHALF OF INSURED, JOHN E. QUISTGARD; CLAIM NO. 2000-126" and transmitted a copy of the claim. The claim alleges damages due to a motor-vehicle accident. The purpose of the proposed resolution is to authorize settlement of the claim for \$3,680.78.

MORE →

STATUS: The Committee will consider whether to recommend adoption of the proposed resolution with or without revisions. The Committee may also consider other related action, including the possible filing of the above-referenced correspondence 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.

COW-46(8) SPECIAL COUNSEL (REAPPORTIONMENT BASE)

DESCRIPTION: By correspondence dated October 22, 2001, the Department of the Corporation Counsel requested consideration of a proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL REGARDING THE REAPPORTIONMENT BASE". The purpose of the proposed resolution is to authorize the employment of Bronster Crabtree & Hoshibata as special counsel regarding the reapportionment base.

STATUS: The Committee will consider whether to recommend adoption of the proposed resolution with or without revisions. The Committee may also consider other related action, including the possible filing of the above-referenced correspondence 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.

COW-46(9) SPECIAL COUNSEL (BOARD OF WATER SUPPLY LAND PURCHASE AGREEMENT)

DESCRIPTION: By correspondence dated October 22, 2001, the Department of the Corporation Counsel requested consideration of a proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL REGARDING LAND PURCHASES AND ASSOCIATED WATER IMPROVEMENTS". The purpose of the proposed resolution is to authorize the employment of special counsel for the Board of Water Supply, regarding a land purchase agreement.

STATUS: The Committee will consider whether to recommend adoption of the proposed resolution with or without revisions. The Committee may also consider other related action, including the possible filing of the above-referenced correspondence 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.

COW-46(10) SPECIAL COUNSEL AND/OR INDEMNIFICATION (HALE O KAULA CHURCH, ET AL. VS. THE MAUI PLANNING COMMISSION, ET AL., CIVIL NO. CV01-00615 SPK KSC)

DESCRIPTION: By correspondence dated October 24, 2001, the Department of the Corporation Counsel requested consideration of a proposed resolution entitled "INDEMNIFYING SAMUEL KALALAU III, JEREMY F. KOZUKI, BERNICE LU, STAR MEDEIROS, SUSAN MOIKEHA, HERMAN NASCIMENTO, JOSEPH PONTANILLA, MONA RICHARDSON, JOHN MIN, AND

JUDITH NEUSTADTER FUQUA, IN CIVIL NO CV01-00615 SPK KSC, HALE O KAULA CHURCH, ET AL. VS. THE MAUI PLANNING COMMISSION, ET AL.” and transmitted a copy of the first amended complaint. The complaint alleges civil rights violations. The purpose of the proposed resolution is to authorize the indemnification of a County employee, an administrative hearing officer retained by the Maui Planning Commission, and various Maui Planning Commission members in Hale O Kaula Church, et al., vs. The Maui Planning Commission, et al., Civil No. CV01-00615 SPK KSC. In the alternative, the correspondence requests consideration of the authorization of special counsel for the aforementioned individuals.

STATUS: The Committee will consider whether to recommend adoption of the proposed resolution with or without revisions. The Committee may also consider other related action, including the possible filing of the above-referenced correspondence 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.

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