

COUNCIL OF THE COUNTY OF MAUI

GOVERNMENT RELATIONS COMMITTEE

March 19, 2004

Committee
Report No. 04-55

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

Chair and Members:

Your Government Relations Committee, having met on March 3, 2004, makes reference to County Communication No. 03-25, from the Council Chair, relating to the matter of nominations to boards, committees and commissions.

By correspondence dated January 30, 2004, the Mayor transmitted a listing of nominees to the various boards, committees and commissions, along with their personal history forms. The nominees are as follows:

- A. AFFIRMATIVE ACTION ADVISORY COUNCIL
 - 1. Robyn Klein, expiring on March 31, 2009.

- B. ANIMAL CONTROL BOARD
 - 1. Gayle Loranger-Rose, expiring on March 31, 2007; and
 - 2. Chester Anderson, expiring on March 31, 2007.

- C. BOARD OF CODE APPEALS
 - 1. Daniel Grantham (reappointment), expiring on March 31, 2009.

- D. BOARD OF ETHICS
 - 1. Alan Kaufman, expiring on March 31, 2009.

- E. BOARD OF VARIANCES AND APPEALS
 - 1. Warren Shibuya, expiring on March 31, 2009.

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F. BOARD OF WATER SUPPLY

1. Sarah "Sally" Raisbeck (reappointment), expiring on March 31, 2009;
2. Ralph Johansen, expiring on March 31, 2009; and
3. Michele Chouteau McLean, expiring on March 31, 2009.

G. CIVIL SERVICE COMMISSION

1. Carol Summers, expiring on March 31, 2009.

H. COMMISSION ON CULTURE AND THE ARTS

1. Jeanice Barcelo, expiring on March 31, 2009.

I. COMMISSION ON NAMING STREETS, PARKS, AND FACILITIES

1. Rosaline "Rosie" Poree-Hogin (reappointment), expiring on March 31, 2009; and
2. Jody Yoshida, expiring on March 31, 2009.

J. COMMITTEE ON STATUS OF WOMEN

1. Joy Brann (reappointment), expiring on March 31, 2008.

K. COST OF GOVERNMENT COMMISSION

1. Diane Morgan (reappointment), expiring on March 31, 2006;
2. Todd Hondo, expiring on March 31, 2006;
3. Harvey Janis, expiring on March 31, 2006;
4. Christen Svendsen, expiring on March 31, 2006; and
5. Roy Silva, expiring on March 31, 2006.

L. COUNCIL ON AGING

1. Winifred Basques, expiring on March 31, 2009; and
2. Karen Holt, expiring on March 31, 2009.

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M. FIRE AND PUBLIC SAFETY COMMISSION

1. Denise Laitinen, expiring on March 31, 2009; and
2. William "Butch" Soares, expiring on March 31, 2009.

N. KULA AGRICULTURAL PARK COMMITTEE

1. Cecilia "Sam" Vessel, expiring on March 31, 2009.

O. LIQUOR CONTROL ADJUDICATION BOARD

1. John Urauchi, expiring on March 31, 2009.

P. LIQUOR CONTROL COMMISSION

1. Verna Boonstra, expiring on March 31, 2009.

Q. MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES

1. Patricia Duckworth, expiring on March 31, 2009;
2. Norita DeLima, expiring on March 31, 2009; and
3. Laura Gima (replacing Ricky Melchor), expiring on March 31, 2007.

R. MAUI COUNTY CULTURAL RESOURCES COMMISSION

1. Perry Artates, expiring on March 31, 2009; and
2. Samuel Kalalau III, expiring on March 31, 2009.

S. MAUI COUNTY GRANTS REVIEW COMMITTEE

1. Stephen Kealoha, expiring on March 31, 2009; and
2. Robert McElroy (replacing Ronald Maielua), expiring on March 31, 2007.

T. MAUI PLANNING COMMISSION

1. William Iaconetti, expiring on March 31, 2009.

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U. MAUI REDEVELOPMENT AGENCY

1. Sandi Amaral, expiring on March 31, 2009.

V. MOLOKAI PLANNING COMMISSION

1. Sherman Napoleon, Jr., expiring on March 31, 2009;
2. Michael Tancayo, Jr., expiring on March 31, 2009; and
3. William "Bill" Feeter (reappointment), expiring on March 31, 2009.

W. POLICE COMMISSION

1. Blake Takayama, expiring on March 31, 2009.

X. REAL PROPERTY TAX REVIEW BOARD

1. Marlene Ritts, expiring on March 31, 2009.

Y. SALARY COMMISSION

1. Jason Williams, expiring on March 31, 2009;
2. Anthony Lemmo, expiring on March 31, 2009; and
3. Douglas Levin (replacing Cynthia Arruiza), expiring on March 31, 2005.

Z. STREET LIGHTING COMMITTEE

1. Margie Kelm (reappointment), expiring on March 31, 2009;
and
2. Delilah Salcedo, expiring on March 31, 2009.

AA. SUBDIVISION ENGINEERING STANDARDS COMMITTEE

1. Robert Riebling (reappointment), expiring on March 31, 2009; and
2. Marc Zaremba, expiring on March 31, 2009.

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BB. TRAFFIC SAFETY COUNCIL

1. Ululani Kalua, expiring on March 31, 2009; and
2. John Henry, expiring on March 31, 2009.

CC. URBAN DESIGN REVIEW BOARD

1. Hunton Conrad, expiring on March 31, 2009;
2. Demetrios Callinicos (Architect), expiring on March 31, 2009; and
3. Russ Riley (Landscape Architect), expiring on March 31, 2009.

Your Committee notes the following appointment procedures for the various boards, committees and commissions:

1. For most of the boards, committees and commissions, the Mayor is required to submit nominees 60 to 70 days before the prior members' terms expire, and the Council must approve or disapprove the nominee within 60 days thereafter or the nominee is deemed appointed. If the Council disapproves of a nominee, it shall immediately notify the Mayor of its action. In the event that the Council fails to approve or disapprove of a nominee within the time period provided, the nominee shall be deemed appointed to fill the vacancy upon its occurrence. This procedure applies to the following boards, committees and commissions:
 - A. Affirmative Action Advisory Council (Maui County Code, Sections 2.29.010, 2.29.020, and 2.40.080; Maui County Charter, Section 13-2);
 - B. Animal Control Board (Maui County Code, Section 6.04.095; Maui County Charter, Section 13-2.17);
 - C. Board of Code Appeals (Maui County Code, Sections 2.40.190 and 16.20A.190; Maui County Charter, Section 13-2);

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- D. Board of Ethics (Maui County Charter, Sections 10-2, 13-2);
- E. Board of Variances and Appeals (Maui County Charter, Sections 8-8.7 and 13-2);
- F. Board of Water Supply (Maui County Charter, Sections 8-11.3 and 13-2);
- G. Civil Service Commission (Maui County Charter, Sections 8-9.4, 13-2; Hawaii Revised Statutes, Sections 76-71 and 76-47);
- H. Commission on Children and Youth (Maui County Code, Section 2.39.010; Maui County Charter, Section 13-2);
- I. Commission on Culture and the Arts (Maui County Code, Chapter 2.37 and Section 2.40.200; Maui County Charter, Section 13-2);
- J. Commission on Naming Streets, Parks, and Facilities (Maui County Code, Sections 2.38.030 and 2.40.140; Maui County Charter, Section 13-2);
- K. Commission on Persons With Disabilities (Maui County Code, Sections 2.32.020 and 2.32.030; Maui County Charter, Section 13-2);
- L. Cost of Government Commission (Maui County Charter, Sections 8-15.2, 3-15.3, and 13.2);
- M. Council on Aging (Maui County Code, Sections 2.34.020, 2.34.030, and 2.40.010; Maui County Charter, Section 13-2);
- N. Fire and Public Safety Commission (Maui County Charter, Section 8-7.2 and 13-2);
- O. Hana Advisory Committee (Maui County Code, Sections 2.28.060 and 2.40.130; Maui County Charter, Section 13-2);

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- P. Lanai Planning Commission (Maui County Code, Section 2.28.025; Maui County Charter, Sections 8-8.4 and 13-2);
- Q. Liquor Control Adjudication Board (Maui County Charter, Sections 8-13.3 and 13-2);
- R. Liquor Control Commission (Maui County Charter, Sections 8-13.2 and 13-2);
- S. Maui County Cultural Resources Commission (Maui County Code, Sections 2.88.030 and 2.40.110; Maui County Charter, Section 13-2);
- T. Maui County Grants Review Committee (Maui County Code, Sections 2.40.160 and 3.36.020; Maui County Charter, Section 13-2);
- U. Maui Planning Commission (Maui County Code, Section 2.28.010; Maui County Charter, Sections 8-8.4 and 13-2);
- V. Molokai Planning Commission (Maui County Code, Section 2.28.020; Maui County Charter, Sections 8-8.4 and 13-2);
- W. Police Commission (Maui County Charter, Sections 8-12.2 and 13-2);
- X. Real Property Tax Review Board (Maui County Code, Sections 2.40.170 and 3.48.620; Maui County Charter, Section 13-2);
- Y. Salary Commission (Maui County Code, Section 2.40.210 and Chapter 2.42; and Maui County Charter, Sections 8-16.1 and 13-2);

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- Z. Street Lighting Committee (Maui County Code, Sections 2.40.030, 12.17.010, and 12.17.020; Maui County Charter, Section 13-2);
 - AA. Subdivision Engineering Standards Committee (Maui County Code, Sections 2.40.020 and 18.40.010; Maui County Charter, Section 13-2); and
2. For the following boards, committees and commissions, the Mayor is required to submit nominees for Council approval, but there is no time limitation for the Council's approval. These boards, committees and commissions are:
- A. Kula Agricultural Park Committee (Maui County Code, Sections 2.40.180 and 22.04.070);
 - B. Maui Redevelopment Agency (Maui County Code, Section 2.40.050; Hawaii Revised Statutes, Section 53-2);
 - C. Napili Bay Civic Improvement District Advisory Committee (Maui County Code, Section 19.34.030); and
 - D. Urban Design Review Board (Maui County Code, Sections 2.26.030 and 2.40.100; Maui County Charter, Section 13-2.1).
3. For the following boards, committees and commissions, members are appointed by the Mayor with notice to, but without approval by, the County Council. These boards, committees and commissions are:
- A. Committee on the Status of Women (Maui County Code, Section 2.40.090; Hawaii Revised Statutes, Section 367-4);
 - B. Maui County Arborist Review Board (Maui County Code, Section 12.24A.030; Maui County Charter, Section 13-2); and

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C. Traffic Safety Council (Maui County Code, Section 2.36.010;
Hawaii Revised Statutes, Section 266-6).

Your Committee further notes that the deadline for the Council to approve or disapprove of the nominees who are subject to the 60-day Council approval process is March 30, 2004.

By correspondence dated February 3, 2004, your Committee asked the Mayor to provide: (1) the personal history form for Russ Riley, nominee to the Urban Design Review Board; (2) a five-year history of appointments for the Committee on Status of Women; and (3) a complete updated listing of all boards and commissions.

By correspondence dated February 17, 2004, your Committee's Chair inquired whether there were any requests among the members of the Council to interview the nominees to the various boards, committees and commissions.

Your Committee did not receive any request from members of the Council to interview nominees.

By correspondence dated February 20, 2004, your Committee asked the Corporation Counsel to provide guidance on whether or not the Administration is allowed to swap nominees after the names have been submitted to the Council. Further, if swapping is allowable, your Committee requested guidance on appropriate procedures.

By correspondence dated March 1, 2004, the Mayor requested that the Council reject the nominations of Blake Takayama and Verna Boonstra so that their names could be resubmitted for different commissions.

At its meeting, your Committee met with the Senior Executive Assistant to the Mayor and the Corporation Counsel.

Your Committee received public testimony from two individuals. The first testifier spoke in support of Sandi Amaral's nomination to the Maui Redevelopment Agency. The second individual, Stephen Kealoha, spoke on his own behalf as a nominee to the Maui County Grants Review Committee and asked for your Committee's support of his nomination.

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The Senior Executive Assistant to the Mayor provided your Committee with Mr. Riley's personal history form and a current listing of all the boards, committees and commission members, in response to your Committee's request of February 3, 2004.

The Senior Executive Assistant to the Mayor noted that he was unable to provide the five-year history of the appointments to the Committee on the Status of Women. However, he admitted that there were errors in previous appointment notices to the Council, and that he would clarify the appointments to maintain the integrity of the records.

Your Committee Chair stated that although the Council is not required to vote on nominees to the Committee on the Status of Women, he would appreciate being notified of any corrections to the Administration's records.

Your Committee Chair asked the Corporation Counsel if, upon receiving the correction to the record of the appointments to the Committee on the Status of Women, the Council would be required to take any formal action.

The Corporation Counsel noted that no formal action is required by the Council, other than receiving notification from the Mayor's office of any corrections relating to the Committee on the Status of Women.

In regard to the Mayor's correspondence dated March 1, 2004, the Senior Executive Assistant to the Mayor noted that when it was discovered that the nominee to the Police Commission is a former police officer, the Mayor felt it would be inappropriate for the nominee to serve on the Police Commission. He stated that the nominee for the Police Commission and the nominee for the Liquor Control Commission were willing to swap positions.

However, the Corporation Counsel advised the Mayor that swapping nominees after the list of names had been submitted to the Council was not appropriate. Therefore, the Senior Executive Assistant to the Mayor requested that both nominees be disapproved without prejudice, so that their names could be resubmitted for different commissions.

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Based on public testimony and the information received, your Committee voted to recommend approval of the nominations of Robyn Klein, Gayle Loranger-Rose, Chester Anderson, Daniel Grantham, Alan Kaufman, Warren Shibuya, Sarah "Sally" Raisbeck, Ralph Johansen, Michele Chouteau McLean, Carol Summers, Jeanice Barcelo, Rosaline "Rosie" Poree-Hogin, Jody Yoshida, Diane Morgan, Todd Hondo, Harvey Janis, Christen Svendsen, Roy Silva, Winifred Basques, Karen Holt, Denise Laitinen, William "Butch" Soares, Cecilia "Sam" Vessel, John Urauchi, Patricia Duckworth, Norita DeLima, Laura Gima, Perry Artates, Samuel Kalalau III, Stephen Kealoha, Robert McElroy, William Iaconetti, Sandi Amaral, Sherman Napoleon, Jr., Michael Tancayo, Jr., William "Bill" Feeter, Marlene Ritts, Jason Williams, Anthony Lemmo, Douglas Levin, Margie Kelm, Delilah Salcedo, Robert Riebling, Marc Zaremba, Hunton Conrad, Demetrios Callinicos, and Russ Riley; and disapproval of the nominations of Verna Boonstra and Blake Takayama.

Your Government Relations Committee RECOMMENDS the following:

1. That the following nominees to County boards, committees and commissions be APPROVED:
 - A. AFFIRMATIVE ACTION ADVISORY COUNCIL
 1. Robyn Klein, expiring on March 31, 2009.
 - B. ANIMAL CONTROL BOARD
 1. Gayle Loranger-Rose, expiring on March 31, 2007;
and
 2. Chester Anderson, expiring on March 31, 2007.
 - C. BOARD OF CODE APPEALS
 1. Daniel Grantham (reappointment), expiring on March 31, 2009.
 - D. BOARD OF ETHICS
 1. Alan Kaufman, expiring on March 31, 2009.

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E. BOARD OF VARIANCES AND APPEALS

1. Warren Shibuya, expiring on March 31, 2009.

F. BOARD OF WATER SUPPLY

1. Sarah "Sally" Raisbeck (reappointment), expiring on March 31, 2009;
2. Ralph Johansen, expiring on March 31, 2009; and
3. Michele Chouteau McLean, expiring on March 31, 2009.

G. CIVIL SERVICE COMMISSION

1. Carol Summers, expiring on March 31, 2009.

H. COMMISSION ON CULTURE AND THE ARTS

1. Jeanice Barcelo, expiring on March 31, 2009.

I. COMMISSION ON NAMING STREETS, PARKS, AND FACILITIES

1. Rosaline "Rosie" Poree-Hogin (reappointment), expiring on March 31, 2009; and
2. Jody Yoshida, expiring on March 31, 2009.

J. COST OF GOVERNMENT COMMISSION

1. Diane Morgan (reappointment), expiring on March 31, 2006;
2. Todd Hondo, expiring on March 31, 2006;
3. Harvey Janis, expiring on March 31, 2006;
4. Christen Svendsen, expiring on March 31, 2006; and
5. Roy Silva, expiring on March 31, 2006.

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K. COUNCIL ON AGING

1. Winifred Basques, expiring on March 31, 2009; and
2. Karen Holt, expiring on March 31, 2009.

L. FIRE AND PUBLIC SAFETY COMMISSION

1. Denise Laitinen, expiring on March 31, 2009; and
2. William "Butch" Soares, expiring on March 31, 2009.

M. KULA AGRICULTURAL PARK COMMITTEE

1. Cecilia "Sam" Vessel, expiring on March 31, 2009.

N. LIQUOR CONTROL ADJUDICATION BOARD

1. John Urauchi, expiring on March 31, 2009.

O. MAUI COUNTY COMMISSION ON PERSONS WITH
DISABILITIES

1. Patricia Duckworth, expiring on March 31, 2009;
2. Norita DeLima, expiring on March 31, 2009; and
3. Laura Gima (replacing Ricky Melchor), expiring on
March 31, 2007.

P. MAUI COUNTY CULTURAL RESOURCES COMMISSION

1. Perry Artates, expiring on March 31, 2009; and
2. Samuel Kalalau III, expiring on March 31, 2009.

Q. MAUI COUNTY GRANTS REVIEW COMMITTEE

1. Stephen Kealoha, expiring on March 31, 2009; and
2. Robert McElroy (replacing Ronald Maielua), expiring
on March 31, 2007.

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- R. MAUI PLANNING COMMISSION
 - 1. William Iaconetti, expiring on March 31, 2009.
- S. MAUI REDEVELOPMENT AGENCY
 - 1. Sandi Amaral, expiring on March 31, 2009.
- T. MOLOKAI PLANNING COMMISSION
 - 1. Sherman Napoleon, Jr., expiring on March 31, 2009;
 - 2. Michael Tancayo, Jr., expiring on March 31, 2009; and
 - 3. William "Bill" Feeter (reappointment), expiring on March 31, 2009.
- U. REAL PROPERTY TAX REVIEW BOARD
 - 1. Marlene Ritts, expiring on March 31, 2009.
- V. SALARY COMMISSION
 - 1. Jason Williams, expiring on March 31, 2009;
 - 2. Anthony Lemmo, expiring on March 31, 2009; and
 - 3. Douglas Levin (replacing Cynthia Arruiza), expiring on March 31, 2005.
- W. STREET LIGHTING COMMITTEE
 - 1. Margie Kelm (reappointment), expiring on March 31, 2009; and
 - 2. Delilah Salcedo, expiring on March 31, 2009.
- X. SUBDIVISION ENGINEERING STANDARDS COMMITTEE
 - 1. Robert Riebling (reappointment), expiring on March 31, 2009; and
 - 2. Marc Zarembo, expiring on March 31, 2009.

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Y. URBAN DESIGN REVIEW BOARD

1. Hunton Conrad, expiring on March 31, 2009;
 2. Demetrios Callinicos (Architect), expiring on March 31, 2009; and
 3. Russ Riley (Landscape Architect), expiring on March 31, 2009.
2. That the following nominees to County boards, committees and commissions be DISAPPROVED:
- A. POLICE COMMISSION
1. Blake Takayama, expiring on March 31, 2009.
- B. LIQUOR CONTROL COMMISSION
1. Verna Boonstra, expiring on March 31, 2009.
3. That a copy of this committee report be TRANSMITTED to the Mayor of the County of Maui.

Adoption of this report is respectfully requested.

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DAIN P. KANE Chair

MICHAEL J. MOLINA Member

G. RIKI HOKAMA Vice-Chair

CHARMAINE TAVARES Member

DANNY A. MATEO Member