

# COMMITTEE OF THE WHOLE

Council of the County of Maui

## Meeting Agenda

March 14, 2002

3:00 p.m.

Council Chamber, 8<sup>th</sup> Floor

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

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

e-mail: [cow.committee@co.maui.hi.us](mailto:cow.committee@co.maui.hi.us)

### COMMITTEE MEMBERS

Dain P. Kane, Chair

G. Riki Hokama, Vice-Chair

Alan M. Arakawa

Robert Carroll

Jo Anne Johnson

Patrick S. Kawano

Michael J. Molina

Wayne K. Nishiki

Charmaine Tavares

*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. 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.*

### **COW-46(10) SPECIAL COUNSEL [B.K.B. V. MAUI POLICE DEPARTMENT, COUNTY OF MAUI AND COUNTY OF MAUI, NO. 99-17087/17158; D.C. NO. CV- 98-00184 -SOM]**

**DESCRIPTION:** By correspondence dated March 4, 2002, the Department of the Corporation Counsel requested consideration of a proposed resolution entitled "AUTHORIZING ADDITIONAL COMPENSATION FOR THE EMPLOYMENT OF SPECIAL COUNSEL TORKILDSON, KATZ, FONSECA, JAFFE, MOORE & HETHERINGTON IN B.K.B. V. MAUI POLICE DEPARTMENT, COUNTY OF MAUI AND COUNTY OF MAUI, NO. 99-17087/17158; D.C. NO. CV- 98-00184 -SOM". The purpose of the proposed resolution is to authorize additional compensation for special counsel Torkildson, Katz, Fonseca, Jaffe, Moore & Hetherington in B.K.B v. Maui Police Department, County of Maui and County of Maui, No. 99-17087/17158; D.C. No. CV-98-00184-SOM.

**STATUS:** The Committee may 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.

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**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(11) SPECIAL COUNSEL [ATAHAN, ET AL. V. COUNTY OF MAUI, ET AL., CIVIL NO. 95-0160 (1)]**

**DESCRIPTION:** By correspondence dated March 4, 2002, the Department of the Corporation Counsel requested consideration of a proposed resolution entitled "AUTHORIZING ADDITIONAL COMPENSATION FOR THE EMPLOYMENT OF SPECIAL COUNSEL ROBBINS & RHODES IN ATAHAN, ET AL. V. COUNTY OF MAUI, ET AL., CIVIL NO. 95-0160 (1)". The purpose of the proposed resolution is to authorize additional compensation for special counsel Robbins & Rhodes in Atahan, et al. v. County of Maui, et al., Civil No. 95-0160 (1).

**STATUS:** The Committee may 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-41 CHARTER COMMISSION RECOMMENDATIONS (OPEN SPACE PRESENTATION)**

**DESCRIPTION:** The Committee is in receipt of County Communication No. 02-25 from the Council Chair, relating to the matter of Charter Commission recommendations.

**STATUS:** The Committee may receive an informational presentation on open space and other land acquisition programs from Teresa McHugh of The Trust for Public Land. The Charter Commission is currently considering proposals relating to open space. No legislative action will be taken. The item will be deferred, pending further discussion.