

# COMMITTEE OF THE WHOLE

Council of the County of Maui

## Meeting Agenda

March 5, 2009

9:00 a.m.

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

200 South High Street, Wailuku, Hawaii

website: [www.mauicounty.gov/committees/COW](http://www.mauicounty.gov/committees/COW)

e-mail: [cow.committee@mauicounty.us](mailto:cow.committee@mauicounty.us)

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### VOTING MEMBERS

Michael J. Molina, Chair

Danny A. Mateo, Vice-Chair

Gladys C. Baisa

Jo Anne Johnson

Sol P. Kaho'ohalahala

Bill Kauakea Medeiros

Wayne K. Nishiki

Joseph Pontanilla

Michael P. Victorino

*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 (Kirstin Hamman or Camille Sakamoto) at: Office of Council Services, 200 South High Street, Wailuku, HI 96793, 808-270-7838, 1-800-272-0026 (toll-free from Molokai), 1-800-272-0098 (toll-free from Lanai), 808-270-7686 (fax).*

*ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted. If written testimony is submitted at the meeting, 16 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-57**

### **RESOLUTION AUTHORIZING PROCEEDINGS IN EMINENT DOMAIN FOR ACQUISITION OF REAL PROPERTY INTERESTS AT LAHAINA (LAHAINA WATERSHED FLOOD CONTROL PROJECT)**

**DESCRIPTION:**

The Committee is in receipt of County Communication No. 08-255, from the Director of Public Works, transmitting a proposed resolution entitled "AUTHORIZING PROCEEDINGS IN EMINENT DOMAIN FOR THE ACQUISITION OF REAL PROPERTY INTERESTS AT LAHAINA, MAUI, HAWAII FOR LAHAINA WATERSHED FLOOD CONTROL PROJECT". The purpose of the proposed resolution is to authorize proceedings in eminent domain to acquire approximately 20.572 acres, 2.311 acres, and 9.919 acres located in Lahaina, Maui for drainage easement, access easement, and construction easement purposes, respectively (TMK: (2) 4-7-01:portions of 026, TMK: (2) 4-7-02:portions of 004, TMK: (2) 4-7-02:portions of 012, TMK: (2) 4-7-03:portions of 028, TMK: (2) 4-7-03:portions of 031, TMK: (2) 4-7-03:portions of 032, and TMK: (2) 4-7-03:portion of 033).

**STATUS:**

The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider the filing of County Communication No. 08-255 and other related action.

**COW-2(2)**

**NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS  
(VARIOUS)**

**DESCRIPTION:**

The Committee is in receipt of correspondence dated January 30, 2009, from the Mayor, requesting consideration of the following nominees to boards, committees, and commissions:

1. Nominees to boards, committees, and commissions, requiring Council approval or disapproval within 60 days (for terms expiring on March 31, 2014, unless otherwise indicated):
  - A. AFFIRMATIVE ACTION ADVISORY COUNCIL
    1. Antoinette Davis.
  - B. ANIMAL CONTROL BOARD
    1. Allan Almeida.
  - C. BOARD OF CODE APPEALS
    1. Paul Laub.
  - D. BOARD OF ETHICS
    1. Bob Pure.
  - E. BOARD OF VARIANCES AND APPEALS
    1. John "Maynard" Torchiana.
  - F. BOARD OF WATER SUPPLY
    1. Donald Gerbig;
    2. John Hoxie Jr.; and
    3. Jeffrey Rebugio.
  - G. CIVIL SERVICE COMMISSION
    1. George Fontaine.
  - H. COMMISSION ON CULTURE AND THE ARTS
    1. Audrey Rocha Reed.
  - I. COMMISSION ON NAMING STREETS, PARKS, AND FACILITIES
    1. Robin Ritchie; and
    2. Gilberto Sanchez.

## J. COST OF GOVERNMENT COMMISSION

1. Yarrow Flower, for a term expiring on March 31, 2011;
2. Bradford Ing, for a term expiring on March 31, 2011;
3. Rebecca Kikumoto (Reappointment), for a term expiring on March 31, 2011; and
4. Ann Moe, for a term expiring on March 31, 2011.

## K. COUNCIL ON AGING

1. Nancy Tamashiro.

## L. FIRE AND PUBLIC SAFETY COMMISSION

1. Robert Motooka; and
2. Mark Vaught.

## M. LIQUOR CONTROL ADJUDICATION BOARD

1. William Kinaka.

## N. LIQUOR CONTROL COMMISSION

1. Mary-Doreen "M.D." Alborano.

## O. MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES

1. Tracy Souza.

## P. MAUI COUNTY CULTURAL RESOURCES COMMISSION

1. Rhiannon Chandler.

## Q. MAUI COUNTY OUTDOOR LIGHTING STANDARDS COMMITTEE

1. Andrea Baer (Reappointment);
2. Charles Hirata (replacing Kaiulani Piper), for a term expiring on March 31, 2012;  
and
3. Delilah Salcedo (Reappointment).

## R. MAUI PLANNING COMMISSION

1. Warren Shibuya.

## S. MOLOKAI PLANNING COMMISSION

1. Napua Leong;
2. John Sprinzel; and
3. Bruce Yamashita.

## T. POLICE COMMISSION

1. Ronald Vaught.

U. REAL PROPERTY TAX REVIEW BOARD

- 1. Joshua Lindsey (Reappointment); and
- 2. Patrice Matsumoto (replacing Carmela Noneza), for a term expiring on March 31, 2010.

V. SALARY COMMISSION

- 1. Pamela English.

W. SUBDIVISION ENGINEERING STANDARDS COMMITTEE

- 1. Gregg Nelson; and
- 2. Daren Suzuki.

- 2. Nominees to boards, committees, and commissions, requiring Council approval or disapproval with no time limitation (for terms expiring on March 31, 2014):

A. KULA AGRICULTURAL PARK COMMITTEE

- 1. Leonard Smock-Randall.

B. MAUI REDEVELOPMENT AGENCY

- 1. Warren Suzuki.

C. URBAN DESIGN REVIEW BOARD

- 1. John Ryan.

**STATUS:** The Council must approve or disapprove the nominations that have a deadline by March 31, 2009, or the nominations will be deemed approved. The Committee may consider whether to recommend approval or disapproval of the nominations. The Committee may also consider the filing of the correspondence and other related action.

**COW-15      RESOLUTION AUTHORIZING THE SALE OF STRUCTURES AT  
KAPUKA‘ULUA (FORMERLY KNOWN AS MONTANA BEACH), PAIA,  
MAUI**

**DESCRIPTION:** The Committee is in receipt of the following:

- 1. County Communication No. 09-21, from the Director of Finance, transmitting a proposed resolution to authorize the Mayor and Director of Finance to dispose of all structures on a County-owned parcel referred to as Kapuka‘ulua (formerly known as Montana Beach), Condominium Property Regime No. 0001, Apt. No. A (TMK: 2-5-05:014), by public auction in accordance with Section 3.44.030, Maui County Code.
- 2. Correspondence dated February 25, 2009, from the Department of the Corporation Counsel, transmitting a revised proposed resolution entitled “AUTHORIZING THE SALE OF STRUCTURES AT KAPUKA‘ULUA (FORMERLY KNOWN AS MONTANA BEACH) LOCATED IN PAIA, MAUI, HAWAII, PURSUANT TO SECTION 3.44.020, MAUI COUNTY CODE”. The purpose of the revised proposed resolution is to approve the sale of the subject structures.

**STATUS:** The Committee may consider whether to recommend adoption of the revised proposed resolution, with or without further revisions. The Committee may also consider the filing of County Communication No. 09-21.

cow:090305:kmh