

COMMITTEE OF THE WHOLE
Council of the County of Maui

Meeting Agenda

November 19, 2009

9:00 a.m.

Council Chamber, 8th Floor

200 South High Street, Wailuku, Hawaii

website: www.mauicounty.gov/committees/COW

e-mail: 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.

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COW-18

RESOLUTION AUTHORIZING GRANT OF LICENSE OF COUNTY REAL PROPERTY TO KIHEI YOUTH CENTER

DESCRIPTION:

The Committee is in receipt of the following:

1. County Communication No. 09-99, from the Director of Housing and Human Concerns, transmitting a proposed resolution to authorize a grant of a 20-year license to Kihei Youth Center for approximately 3,868 square feet located at 131 South Kihei Road, Kihei, Maui, Hawaii, to operate a youth center.
2. Correspondence dated September 10, 2009, from the Director of Parks and Recreation, transmitting a revised proposed resolution entitled "AUTHORIZING A GRANT OF A LICENSE OF COUNTY REAL PROPERTY TO KIHEI YOUTH CENTER". The purpose of the revised proposed resolution is to authorize a grant of a 20-year license to Kihei Youth Center for approximately 3,989 square feet (building and adjacent basketball court) located at 131 South Kihei Road, Kihei, Maui, Hawaii, to operate a youth center.

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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. 09-99 and other related action.

COW-1(20) LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: KAMAOLE POINTE DEVELOPMENT LP, ET AL. VS. COUNTY OF MAUI, ET AL.; CIVIL NO. 07-00447 DAE LEK)

DESCRIPTION: The Committee is in receipt of correspondence dated November 2, 2009, from the Department of the Corporation Counsel, transmitting a proposed resolution entitled "AUTHORIZING SETTLEMENT OF KAMAOLE POINTE DEVELOPMENT LP, ET AL. V. COUNTY OF MAUI, ET AL., CIVIL NO. 07-00447 DAE LEK". The complaint alleges that Ordinance No. 3418 (2006), establishing a Residential Workforce Housing Policy, is unconstitutional facially and as applied. The purpose of the proposed resolution is to authorize settlement of the case.

STATUS: The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may consider other related action.

NOTE: With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, 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-2(9) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (MAUI PLANNING COMMISSION)

DESCRIPTION: The Committee is in receipt of correspondence dated October 16, 2009 (received October 16, 2009), from the Mayor, requesting consideration of the nomination of Orlando Tagorda (replacing John B. Guard) to the Maui Planning Commission, for a term expiring on March 31, 2011; and transmitting a copy of Mr. Tagorda's application form.

STATUS: The Council must approve or disapprove the nomination by December 15, 2009, or the nomination will be deemed approved. The Committee may consider whether to recommend approval or disapproval of the nomination. The Committee may also consider other related action.