

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

July 2, 2010

Committee
Report No. _____

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

Chair and Members:

Your Committee of the Whole, having met on June 17, 2010, makes reference to County Communication No. 09-15, from Michael J. Molina, Chair of your Committee, relating to the matter of nominations to boards, committees, and commissions.

By correspondence dated May 5, 2010 (received May 5, 2010), Mayor Charmaine Tavares transmitted the nomination of Anna Pennell (Penny) Wakida to the Maui Planning Commission, for a term expiring on March 31, 2015. The deadline for the Council to approve or disapprove Ms. Wakida's nomination to the Maui Planning Commission is July 4, 2010.

By correspondence dated May 10, 2010 (received May 11, 2010), Mayor Charmaine Tavares transmitted the nomination of Colleen Suyama (replacing Monica Ann Revells) to the Salary Commission, for a term expiring on March 31, 2013; and the nomination of Ann (Anna) Mary Moe (replacing George Fontaine) to the Civil Service Commission, for a term expiring on March 31, 2014. The deadline for the Council to approve or disapprove the nominees to the Salary Commission and the Civil Service Commission is July 10, 2010.

Your Committee notes that general appointment procedures for the nominees to the Civil Service Commission, Maui Planning Commission, and Salary Commission are outlined in Section 13-2, Revised Charter of the County of Maui (1983), as amended ("Charter"), and Chapter 2.41, Maui County Code ("MCC").

Your Committee further notes that 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. When a vacancy occurs due to death, resignation, or removal, the Mayor is required to submit a nominee within 30 days from the date of the occurrence, and the Council shall have 60 days thereafter to approve or disapprove the nominee. If the Council fails to approve or disapprove the Mayor's nominee within the time period provided, the nominee shall be deemed appointed to fill

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

July 2, 2010
Page 2

Committee
Report No. _____

the vacancy upon its occurrence. If the Council disapproves a nominee, it shall immediately notify the Mayor of its action.

Your Committee further notes that specific provisions for the above-referenced boards, committees, and commissions are contained in the Charter and the MCC as follows:

- A. Civil Service Commission (Section 8-9.4, Charter; Sections 76-71 and 76-47, Hawaii Revised Statutes (HRS));
- B. Maui Planning Commission (Section 2.28.010, MCC; Section 8-8.4, Charter); and
- C. Salary Commission (Section 2.40.210 and Chapter 2.42, MCC; and Section 8-18.1, Charter).

Your Committee interviewed Ms. Wakida. Your Committee was impressed with Ms. Wakida's extensive community involvement and her commitment to a five-year term. Your Committee was satisfied with Ms. Wakida's ability to serve as a productive member of the Maui Planning Commission.

Your Committee voted 8-0 to recommend approval of Ms. Wakida to the Maui Planning Commission. Committee Chair Molina, Vice-Chair Mateo, and members Baisa, Johnson, Kaho'ohalahala, Medeiros, Pontanilla, and Nishiki voted "aye". Committee member Victorino was excused.

Your Committee also interviewed Ms. Moe. Your Committee expressed concerns about the potential conflicts that could arise because Ms. Moe is currently serving on the Cost of Government Commission and her spouse is serving on the Board of Ethics. The Corporation Counsel assured your Committee that the Charter does not prohibit a person from serving on more than one board, committee, or commission at the same time. Moreover, if any conflicts were to occur from her service or because of her husband's service, Ms. Moe must abstain from participating in the matter from which the conflict arises. Ms. Moe assured your Committee that she is willing and able to serve on both commissions. Your Committee was impressed with Ms. Moe's commitment and qualifications.

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

July 2, 2010
Page 3

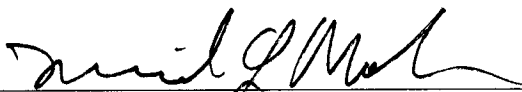
Committee
Report No. _____

Your Committee voted 6-0 to recommend approval of Ms. Moe to the Civil Service Commission and Ms. Suyama to the Salary Commission. Committee Chair Molina, Vice-Chair Mateo, and members Baisa, Johnson, Kaho`ohalahala, and Nishiki voted "aye". Committee members Medeiros, Pontanilla, and Victorino were excused.

Your Committee of the Whole RECOMMENDS the following:

1. That the following nominees to County boards, committees, and commissions be APPROVED for terms expiring as indicated:
 - A. CIVIL SERVICE COMMISSION
 1. Ann (Anna) Mary Moe, for a term expiring on March 31, 2014.
 - B. MAUI PLANNING COMMISSION
 1. Anna Pennell (Penny) Wakida, for a term expiring on March 31, 2015.
 - C. SALARY COMMISSION
 1. Colleen Suyama, for a term expiring on March 31, 2013.
2. That a copy of this committee report be TRANSMITTED to the Mayor of the County of Maui.

This report is submitted in accordance with Rule 7 of the Rules of the Council.



MICHAEL J. MOLINA, Chair