

**COUNCIL OF THE COUNTY OF MAUI**  
**POLICY COMMITTEE**

July 22, 2011

**Committee**  
**Report No.** \_\_\_\_\_

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

Chair and Members:

Your Policy Committee, having met on June 29, 2011, makes reference to County Communication No. 11-31, from Council Chair Danny A. Mateo, relating to the matter of nominations to boards, committees, and commissions.

By correspondence dated June 7, 2011 (received June 8, 2011), the Mayor transmitted a draft resolution entitled "APPOINTMENT OF MEMBER TO THE MOLOKAI PLANNING COMMISSION", along with a completed application form for the nominee. The purpose of the draft resolution is to approve or disapprove the appointment of the Mayor's nominee, Janice Kalanihuia, to the Molokai Planning Commission, for a term expiring on March 31, 2014, to fill a vacancy created by the resignation of Napua Leong.

Your Committee notes that it previously recommended the adoption of a proposed resolution approving Oliver DeGray Vanderbilt to fill the vacancy (Committee Report No. 11-48). At the Council's meeting of May 24, 2011, Mr. Vanderbilt submitted written notification to the Council of his withdrawal from consideration for the appointment, pursuant to Section 2.41.060, Maui County Code ("MCC"). The Council was, therefore, unable to consider Mr. Vanderbilt to fill the vacancy.

By correspondence dated May 25, 2011, the Council Chair notified the Mayor of Mr. Vanderbilt's withdrawal. Your Committee notes that Section 2.41.060, MCC, provides the Mayor 21 days after receipt of notification from the Council to submit the name of another nominee to fill the vacancy. The Mayor's nomination of Ms. Kalanihuia, received on June 8, 2011, was therefore timely.

Your Committee further notes that specific provisions for the Molokai Planning Commission are contained in Section 2.28.020, MCC, and Section 8-8.4 of the Revised Charter of the County of Maui (1983), as amended.

The Council must approve or disapprove Ms. Kalanihuia's nomination by August 7, 2011, or the nomination will be deemed approved.

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Your Committee was satisfied with the information provided on the nominee's application form and did not request an interview.

Your Committee noted that Ms. Kalanihuia is a bright and articulate businesswoman in the Molokai community who understands the needs of the community. Members of your Committee spoke highly of her accomplishments and demonstrated commitment to Molokai and noted their perception that she would maintain objectivity in proceedings before the Molokai Planning Commission.

Your Committee recommended that the appointment of Ms. Kalanihuia to the Molokai Planning Commission, for a term expiring on March 31, 2014, be approved. Your Committee voted to amend the draft resolution by adding Ms. Kalanihuia's name (and accompanying term) to Exhibit "B" for approval.

Your Committee voted 7-0 to recommend adoption of the draft resolution relating to Ms. Kalanihuia's appointment, incorporating your Committee's requested revisions. Committee Chair Hokama, Vice-Chair Carroll, and members Cochran, Couch, Mateo, Pontanilla, and Victorino voted "aye". Committee members Baisa and White were excused.

Your Committee is in receipt of a proposed resolution, approved as to form and legality by the Department of the Corporation Counsel, incorporating your Committee's recommended revisions.

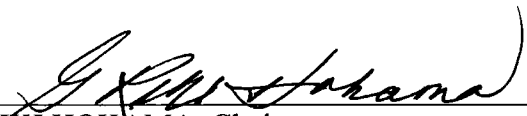
Your Policy Committee **RECOMMENDS** that Resolution No. \_\_\_\_\_, attached hereto, entitled "APPOINTMENT OF MEMBER TO THE MOLOKAI PLANNING COMMISSION", be **ADOPTED**.

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This report is submitted in accordance with Rule 8 of the Rules of the Council.

  
\_\_\_\_\_  
G. RIKI HOKAMA, Chair

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# Resolution

No. \_\_\_\_\_

## APPOINTMENT OF MEMBER TO THE MOLOKAI PLANNING COMMISSION

WHEREAS, by letter dated June 7, 2011, Mayor Alan M. Arakawa notified the Council that he nominated the person listed in Exhibit "A", attached hereto, as a member to the Molokai Planning Commission of the County of Maui, pursuant to Section 13-2, Revised Charter of the County of Maui (1983), as amended ("Charter"); and

WHEREAS, Section 13-2 of the Charter requires the Mayor's nominee to be approved by the Council; and

WHEREAS, Section 13-2(17) of the Charter requires the Council to approve or disapprove the nominee within sixty (60) days after the Mayor submits the nominee to the Council; now, therefore,

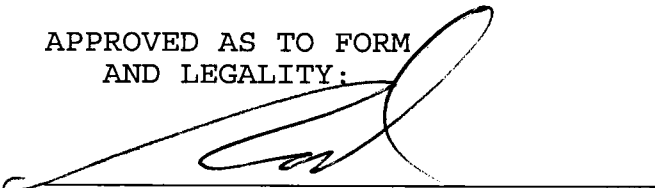
BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby approves the appointment of the person listed in Exhibit "B", attached hereto, as a member to the Molokai Planning Commission for the term as specified therein; and

2. That it hereby disapproves the appointment of the person listed in Exhibit "C" as a member to the Molokai Planning Commission as nominated by the Mayor; and

3. That certified copies of this Resolution be transmitted to the Mayor, the Managing Director, and the Corporation Counsel.

APPROVED AS TO FORM  
AND LEGALITY:



EDWARD S. KUSHI, JR.  
First Deputy Corporation Counsel  
County of Maui

**NOMINATED COMMISSION MEMBER AND TERM**

**MOLOKAI PLANNING COMMISSION**

Janice Kalanihuia (replacing Napua Leong)

Exp. 3/31/14

EXHIBIT "A"

**APPROVED COMMISSION MEMBER AND TERM**

**MOLOKAI PLANNING COMMISSION**

Janice Kalanihuia (replacing Napua Leong)

Exp. 3/31/14

EXHIBIT " B "

**DISAPPROVED COMMISSION MEMBER**

EXHIBIT " C "