

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 1, 2011 (received June 3, 2011), the Mayor transmitted a draft resolution entitled "APPOINTMENT OF MEMBERS TO THE BOARDS AND COMMISSIONS FOR THE COUNTY OF MAUI", along with completed application forms for the nominees. The purpose of the draft resolution is to approve or disapprove the appointment of the Mayor's following nominees to a committee or commission, for terms expiring as indicated:

- A. HANA ADVISORY COMMITTEE
 - 1. Ian Ballantyne, for a term expiring on March 31, 2015.

- B. CIVIL SERVICE COMMISSION
 - 1. Jon Santos (replacing Barbara Haliniak), for a term expiring on March 31, 2012.

Your Committee notes that specific appointment procedures 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 following general appointment procedures apply to the committee and commission for which the Mayor submitted nominations.

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 the vacancy upon its occurrence.

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If the Council disapproves a nominee, it shall immediately notify the Mayor of its action. If the Mayor fails to submit the name of a nominee within the time periods provided, the Council may, within 60 days, nominate and approve the appointment of an individual to fill the vacancy. If the Mayor submits the name of a nominee within this 60-day period, the Mayor's submittal shall be deemed invalid.

Your Committee further notes that specific provisions for the committee and commission are contained in the Charter and the MCC as follows:

- A. Hana Advisory Committee (Sections 2.28.060 and 2.40.130, MCC); and
- B. Civil Service Commission (Section 8-9.4, Charter; Sections 76-71 and 76-47, Hawaii Revised Statutes).

Your Committee also notes that the Council must approve or disapprove the nominations by August 2, 2011, or the nominations will be deemed approved.

Your Committee was satisfied with the information provided on the nominees' application forms and did not request an interview with either nominee.

Your Committee recommended that both appointments be approved. Your Committee voted to amend the draft resolution by adding the nominees' names (and accompanying terms) to Exhibit "B" for approval.

Your Committee voted 7-0 to recommend adoption of the draft resolution 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.

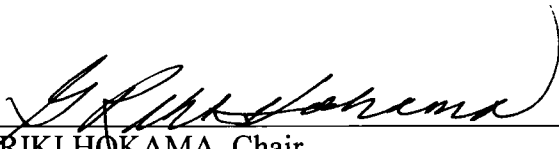
Your Policy Committee **RECOMMENDS** that Resolution No. _____, attached hereto, entitled "APPOINTMENT OF MEMBERS TO THE BOARDS AND COMMISSIONS FOR THE COUNTY OF MAUI", be **ADOPTED**.

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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 MEMBERS TO THE BOARDS AND COMMISSIONS FOR THE COUNTY OF MAUI

WHEREAS, by letter dated June 1, 2011, Mayor Alan M. Arakawa notified the Council that he nominated the persons listed in Exhibit "A", attached hereto, as members to the various boards and commissions 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 nominees to be approved by the Council; and

WHEREAS, Sections 13-2(16) and 13-2(17) of the Charter require the Council to approve or disapprove the nominees within sixty (60) days after the Mayor submits the nominees to the Council; now, therefore,

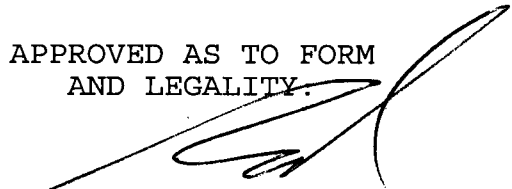
BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby approves the appointment of the persons listed in Exhibit "B", attached hereto, as members to the various boards and commissions for terms as specified therein; and

2. That it hereby disapproves the appointment of the persons listed in Exhibit "C" as members to the various boards and commissions 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 COMMISSIONS MEMBERS AND TERMS

HANA ADVISORY COMMITTEE

Ian Ballantyne

Exp. 3/31/15

CIVIL SERVICE COMMISSION

Jon Santos (replacing Barbara Haliniak)

Exp. 3/31/12

APPROVED COMMISSIONS MEMBERS AND TERMS

HANA ADVISORY COMMITTEE

Ian Ballantyne

Exp. 3/31/15

CIVIL SERVICE COMMISSION

Jon Santos (replacing Barbara Haliniak)

Exp. 3/31/12

DISAPPROVED COMMISSIONS MEMBERS AND TERMS

EXHIBIT "C"