

POLICY COMMITTEE

Council of the County of Maui

Meeting Agenda

Wednesday, October 19, 2011

9:00 a.m.

Council Chamber, 8th Floor
200 South High Street, Wailuku, Hawaii

website: <http://www.mauicounty.gov/committees/POL>

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VOTING MEMBERS

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Robert Carroll, Vice-Chair

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Elle Cochran

Donald G. Couch, Jr.

Danny A. Mateo

Joseph Pontanilla

Michael P. Victorino

Mike White

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 (Carla Nakata or Tammy Frias) 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. Each testifier shall be allowed to speak for three minutes on each item. If additional time is requested, the testifier shall be allowed one minute to conclude the testimony on the item. These time limits may be suspended pursuant to the Rules of the Council, provided a suspension would apply equally to all testifiers and all items. No further oral testimony by the testifier on the item shall be permitted. An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify. To ensure its distribution prior to the meeting, written testimony must be received in the Office of Council Services at least 24 hours prior to the meeting; provided, that if a meeting will be held on a Monday, written testimony shall be received by 12:00 noon on the business day preceding the meeting. If written testimony is submitted at the meeting, 16 copies are requested.

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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POL-2(22)

NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (SUBDIVISION ENGINEERING STANDARDS COMMITTEE)

DESCRIPTION:

The Committee is in receipt of correspondence dated September 23, 2011 (received September 23, 2011), from the Mayor, transmitting a proposed resolution entitled "APPOINTMENT OF MEMBER TO THE SUBDIVISION ENGINEERING STANDARDS COMMITTEE", along with a completed application form for the nominee. The purpose of the proposed resolution is to approve or disapprove the appointment of Demetrios Callinicos, for a term expiring on March 31, 2013, to fill an existing vacancy due to the resignation of Ryder Swatek.

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STATUS: The Council must approve or disapprove the nomination by November 22, 2011, or the nomination will be deemed approved. The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider other related action.

POL-33 DONATION FROM THE DEPARTMENT OF THE ATTORNEY GENERAL TO THE DEPARTMENT OF POLICE

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication 11-246, from the Chief of Police, transmitting a proposed resolution to authorize the acceptance of a donation of forensic equipment from the State Department of the Attorney General to the County Department of Police.
2. Correspondence dated October 10, 2011, from the Department of the Corporation Counsel, transmitting a revised proposed resolution entitled "AUTHORIZING ACCPETANCE OF A DONATION OF FORENSIC EQUIPMENT FROM THE DEPARTMENT OF THE ATTORNEY GENERAL, STATE OF HAWAII, TO THE DEPARTMENT OF POLICE, COUNTY OF MAUI, PURSUANT TO SECTION 13-8, REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, AND CHAPTER 3.56, MAUI COUNTY CODE". The revised proposed resolution incorporates nonsubstantive revisions.

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 11-246 and other related action.

POL-27 COMMUNITY PLAN ADVISORY COMMITTEE SELECTION

DESCRIPTION: The Committee is in receipt of County Communication 11-164, from the Planning Director, requesting that the process to establish Community Plan Advisory Committees for the Molokai and Lanai Community Plan Areas be initiated.

STATUS: The Committee may discuss the process for establishing the Community Plan Advisory Committees. The Committee may also consider the filing of County Communication 11-164 and other related action.

POL-20 MAUI COUNTY GRANTS

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication 09-120, from the Director of Housing and Human Concerns, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.36, MAUI COUNTY CODE, PERTAINING TO THE MAUI COUNTY GRANTS PROGRAM". The purposes of the proposed bill are to limit the role of the County's Grants Review Committee to advising the Mayor on requests for Community Partnership, Youth Center, Youth Program, and Culture and the Arts Grants; establish that advice to the Mayor on requests for Real Property Grants shall be provided by the agency that administers the property; and incorporate other adjustments to the County grants procedures.
2. Miscellaneous Communication, dated May 26, 2011, from the County Clerk, referring the matter relating to County grants and disbursements, including amendments to Chapter 3.36, Maui County Code, relating to the Maui County Grants Program, and the Budget and Finance Committee Chair's correspondence dated May 6, 2011, relating to the General Budget Provisions.

STATUS: The Committee may discuss the administration of the Maui County Grants Program and General Budget Provisions relating to grants. The Committee may recommend passage of the proposed bill on first reading, with or without revisions. The Committee may also consider the filing of County

Communication 09-120 and the Miscellaneous Communication dated May 26, 2011, and other related action.

POL-1(19) LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: LEONOR RAFAEL V. COUNTY OF MAUI, ET AL.)

DESCRIPTION: The Committee is in receipt of correspondence dated October 4, 2011, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled "AUTHORIZING SETTLEMENT OF LEONOR RAFAEL V. COUNTY OF MAUI, ET AL., CIVIL NO. 09-1-0009(1)" and transmitting a copy of the Complaint. The Complaint alleges damages as a result of a collision between the vehicle being driven by Ms. Rafael and the vehicle being driven by Police Officer Kyle Badayos at the intersection of Kaimana Street and Molokai Akau Street in Kahului, Maui, Hawaii, on July 12, 2008. The purpose of the proposed resolution is to authorize settlement of the case on behalf of the County and Officer Badayos.

STATUS: The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also 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), HRS, 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; and Section 92-5(a)(8), HRS, to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to a State or Federal law, or a court order.

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