

COUNCIL OF THE COUNTY OF MAUI
POLICY COMMITTEE

March 2, 2012

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 February 15, 2012, makes reference to County Communication 11-31, from Council Chair Danny A. Mateo, relating to the matter of nominations to boards, committees, and commissions (collectively referred to as "boards").

By correspondence dated and received January 27, 2012, the Mayor transmitted a proposed resolution entitled "APPOINTMENT OF MEMBER TO THE CIVIL SERVICE COMMISSION", along with a completed application form for the nominee. The purpose of the proposed resolution is to approve or disapprove the appointment of Alice Lee to the Civil Service Commission, for a term expiring on March 31, 2013, to fill an existing vacancy due to the resignation of Delbert DeRego.

By correspondence dated February 1, 2012, and received February 2, 2012, the Mayor transmitted a proposed resolution entitled "APPOINTMENT OF MEMBER TO THE COUNCIL ON AGING", along with a completed application form for the nominee. The purpose of the proposed resolution is to approve or disapprove the appointment of Martha Foit to the Council on Aging, for a term expiring on March 31, 2013, to fill an existing vacancy due to the resignation of Douglas Harr.

Your Committee notes that general appointment procedures for the boards are provided 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 specific provisions for the boards are contained in the Hawaii Revised Statutes ("HRS"), the Charter, and the MCC, as follows:

- A. Civil Service Commission (Sections 76-71 and 76-47, HRS; Section 8-9.4, Charter); and
- B. Council on Aging (Sections 2.34.020, 2.34.030, and 2.40.010, MCC).

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Your Committee also notes that, by Resolution 12-10, the Council disapproved the Mayor's nomination of Roxanne Teshima to fill the vacancy on the Civil Service Commission, due to concerns over potential incompatibilities in appointing a current, collective-bargaining-unit employee to the Civil Service Commission. The Mayor timely submitted the name of his second nominee, Ms. Lee, upon notification of the Council's action. The Council must approve or disapprove the nomination of Ms. Lee by March 27, 2012, or the nomination will be deemed approved.

Your Committee further notes that the Council must approve or disapprove the nomination of Ms. Foit by April 2, 2012, or the nomination will be deemed approved.

Your Committee interviewed Ms. Lee. Ms. Lee noted her prior experience on the Maui County Council and as a Director of Housing and Human Concerns. She explained that she had applied to serve on the Civil Service Commission because she is interested in the matters covered by the board, and would like to have the opportunity to share any knowledge and experience she had garnered from her years working with the County. Your Committee noted the tremendous contribution Ms. Lee could make through her service on the board, and recommended that her appointment be approved.

With respect to Ms. Foit's nomination, your Committee was satisfied with the information provided on the nominee's application form and did not request an interview. Your Committee recommended that her appointment be approved.

Your Committee recommended that both proposed resolutions be revised by placing the respective nominee's name and term on Exhibit "B" for approval.

Your Committee voted 8-0 to recommend adoption of the proposed resolutions, as revised. Committee Chair Hokama, Vice-Chair Carroll, and members Baisa, Couch, Mateo, Pontanilla, Victorino, and White voted "aye". Committee member Cochran was excused.

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

COUNCIL OF THE COUNTY OF MAUI
POLICY COMMITTEE

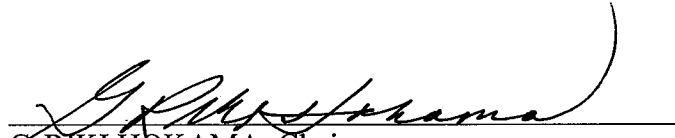
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Your Policy Committee RECOMMENDS the following:

1. That Resolution _____, attached hereto, entitled "APPOINTMENT OF MEMBER TO THE CIVIL SERVICE COMMISSION", be ADOPTED; and
2. That Resolution _____, attached hereto, entitled "APPOINTMENT OF MEMBER TO THE COUNCIL ON AGING", be ADOPTED.

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



G. RIKI HOKAMA, Chair

Resolution

No. _____

APPOINTMENT OF MEMBER TO THE CIVIL SERVICE COMMISSION

WHEREAS, by letter dated January 27, 2012, Mayor Alan M. Arakawa notified the Council that he nominated the person listed in Exhibit "A", attached hereto, as a member to the Civil Service Commission, pursuant to Sections 8-9.4 and 13-2 of the Revised Charter of the County of Maui (1983), as amended ("Charter"), and Chapter 76 of the Hawaii Revised Statutes; 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,

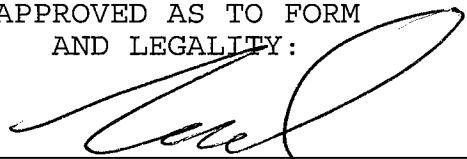
BE IT RESOLVED by the Council of the County of Maui:

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

2. That it hereby disapproves the appointment of the person listed in Exhibit "C" as a member to the Civil Service 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

CIVIL SERVICE COMMISSION

Alice Lee (replacing Delbert DeRego)

Term Expiration: 3/31/13

APPROVED COMMISSION MEMBER AND TERM

CIVIL SERVICE COMMISSION

Alice Lee (replacing Delbert DeRego)

Term Expiration: 3/31/13

DISAPPROVED COMMISSION MEMBER AND TERM

EXHIBIT " C "

Resolution

No. _____

APPOINTMENT OF MEMBER TO THE COUNCIL ON AGING

WHEREAS, by letter dated February 1, 2012, Mayor Alan M. Arakawa notified the Council that he nominated the person listed in Exhibit "A", attached hereto, as a member to the Council on Aging, pursuant to Section 2.34.020, Maui County Code, and 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 Council of Aging 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 Council on Aging 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

COUNCIL ON AGING

Martha Foit (replacing Douglas Harr)

Term Expiration: 3/31/13

APPROVED COMMISSION MEMBER AND TERM

COUNCIL ON AGING

Martha Foit (replacing Douglas Harr)

Term Expiration: 3/31/13

DISAPPROVED COMMISSION MEMBER AND TERM

EXHIBIT " C "