

COUNCIL OF THE COUNTY OF MAUI
POLICY COMMITTEE

April 10, 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 29, 2012, and March 14, 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 (“boards”).

By correspondence dated January 31, 2012, and received February 1, 2012, the Mayor transmitted the following:

1. A proposed resolution entitled “APPOINTMENT OF MEMBERS TO THE KULA AGRICULTURAL PARK COMMITTEE FOR THE COUNTY OF MAUI”, along with completed application forms for the nominees. The purpose of the proposed resolution is to approve or disapprove the nominations of Warren Watanabe, Melanie Stephens, and John Okamura to the Kula Agricultural Park Committee, for terms expiring on March 31, 2017.
2. A proposed resolution entitled “APPOINTMENT OF A MEMBER TO THE MAUI REDEVELOPMENT AGENCY FOR THE COUNTY OF MAUI” (“MRA resolution”), along with a completed application form for the nominee. The purpose of the proposed resolution is to approve or disapprove the nomination of John Noble to the Maui Redevelopment Agency, for a term expiring on March 31, 2017.

Your Committee notes that there is no time limitation for approval or disapproval of nominations for either board.

Your Committee notes that specific provisions for the Kula Agricultural Park Committee are contained in Sections 22.04A.070 and 2.40.180, Maui County Code (“MCC”).

Your Committee further notes that it previously recommended that the nominations of Ms. Stephens and Mr. Okamura to the Kula Agricultural Park Committee

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be approved (Policy Committee Report 12-38). Those recommendations were adopted by the Council at its meeting of March 16, 2012.

Your Committee initially deferred a recommendation on the remaining nominee, Warren Watanabe, at the request of an Executive Assistant, Office of the Mayor, to allow the Mayor additional time to explore the nominee's eligibility to serve on the Kula Agricultural Park Committee. Section 22.04A.070(A), MCC, requires that the Maui County Farm Bureau representative on the Kula Agricultural Park Committee be a board member of the Bureau.

Your Committee received a revised proposed resolution entitled "APPOINTMENT OF MEMBER TO THE KULA AGRICULTURAL PARK COMMITTEE FOR THE COUNTY OF MAUI" ("KAPC resolution"). The purpose of the revised proposed resolution is to approve or disapprove the nomination of Warren Watanabe to the Kula Agricultural Park Committee, for a term beginning on April 1, 2012, and expiring on March 31, 2017.

By correspondence dated March 1, 2012, the Mayor advised your Committee that Mr. Watanabe is not a board member of the Maui County Farm Bureau and, therefore, is ineligible to serve on the Kula Agricultural Park Committee. Accordingly, the Mayor requested that Mr. Watanabe's nomination be disapproved.

Based solely on the Mayor's determination that Mr. Watanabe is ineligible to serve as the Maui County Farm Bureau representative of the Kula Agricultural Park Committee, your Committee recommended that Mr. Watanabe's nomination be disapproved. Your Committee recommended that the KAPC resolution be revised by placing Mr. Watanabe's name on Exhibit "C" for disapproval.

With respect to the MRA resolution, your Committee notes that specific provisions for the Maui Redevelopment Agency are contained in Section 2.40.050, MCC, and Section 53-2, Hawaii Revised Statutes.

Your Committee received public testimony from two owners of commercial property in Wailuku opposing the nomination.

Your Committee interviewed the nominee about his vision for downtown Wailuku and the role of the Maui Redevelopment Agency. Mr. Noble opined that the Maui Redevelopment Agency has not prioritized projects and issues appropriately,

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placing an emphasis on beautification efforts at the cost of needed parking and other pragmatic improvements. He noted that the Maui Redevelopment Agency needs better representation from the business community. Mr. Noble also opined that the proliferation of nonprofit organizations in the downtown area did not help to rebuild the vibrancy or economic viability of the area.

Your Committee expressed some reservations over the nominee's ability to build consensus with other members of the Maui Redevelopment Agency.

Your Committee recommended that the MRA resolution be revised by placing Mr. Noble's name on Exhibit "C" for disapproval.

Your Committee voted 8-0 to recommend adoption of the proposed KAPC resolution, incorporating your Committee's revisions. Committee Chair Hokama and members Baisa, Cochran, Couch, Mateo, Pontanilla, Victorino, and White voted "aye". Committee Vice-Chair Carroll was excused.

When your Committee voted on the proposed MRA resolution, three additional members had left the meeting. Your Committee voted 5-0 to recommend adoption of the proposed MRA resolution, incorporating your Committee's revisions. Committee Chair Hokama and members Baisa, Cochran, Couch, and White voted "aye". Committee Vice-Chair Carroll and members Mateo, Pontanilla, and Victorino were 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 recommendations.

Your Policy Committee RECOMMENDS the following:

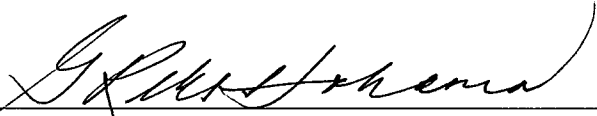
1. That Resolution _____, attached hereto, entitled "APPOINTMENT OF MEMBER TO THE KULA AGRICULTURAL PARK COMMITTEE FOR THE COUNTY OF MAUI", be ADOPTED; and
2. That Resolution _____, attached hereto, entitled "APPOINTMENT OF A MEMBER TO THE MAUI REDEVELOPMENT AGENCY FOR THE COUNTY OF MAUI", be ADOPTED.

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



G. RIKI HOKAMA, Chair

pol:cr:12002(33)ab:cmn

Resolution

No. _____

APPOINTMENT OF MEMBER TO THE KULA AGRICULTURAL PARK COMMITTEE FOR THE COUNTY OF MAUI

WHEREAS, by letter dated January 31, 2012, Mayor Alan M. Arakawa notified the Council that he nominated the person listed in Exhibit "A", attached hereto, as a member to the Kula Agricultural Park Committee for the County of Maui, pursuant to Sections 22.04A.070 and 2.40.180, Maui County Code, and Section 13-2(1), Revised Charter of the County of Maui (1983), as amended ("Charter"); and

WHEREAS, Sections 22.04A.070 and 2.40.180, Maui County Code, and Section 13-2(1) of the Charter require the Mayor's nominee to be approved by the Council; now, therefore,

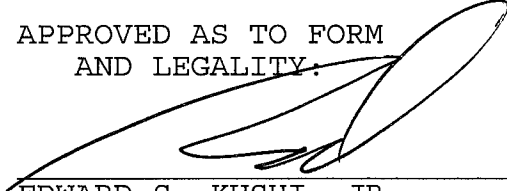
BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby approves the appointment of the person listed in Exhibit "B", attached hereto, as a member to the Kula Agricultural Park Committee as specified therein; and

2. That it hereby disapproves the appointment of the person listed in Exhibit "C" as a member to the Kula Agricultural Park Committee 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 COMMITTEE MEMBER AND TERM

KULA AGRICULTURAL PARK COMMITTEE

Warren Watanabe

Term: 4/1/12 through 3/31/17

APPROVED COMMITTEE MEMBER AND TERM

EXHIBIT "B"

DISAPPROVED COMMITTEE MEMBER

KULA AGRICULTURAL PARK COMMITTEE

Warren Watanabe

EXHIBIT " C "

Resolution

No. _____

APPOINTMENT OF A MEMBER TO THE MAUI REDEVELOPMENT AGENCY FOR THE COUNTY OF MAUI

WHEREAS, by letter dated January 31, 2012, Mayor Alan M. Arakawa notified the Council that he nominated the person listed in Exhibit "A", attached hereto, as a member to the Maui Redevelopment Agency of the County of Maui, pursuant to Section 2.40.050, Maui County Code, and Section 53-2, Hawaii Revised Statutes ("HRS"); and

WHEREAS, Section 53-2, HRS, requires the Mayor's nominee to be approved by the Council; now, therefore,

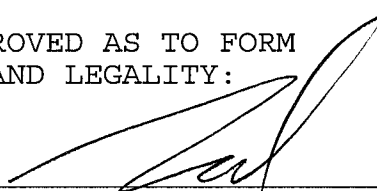
BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby approves the appointment of the person listed in Exhibit "B", attached hereto, as a member to the Maui Redevelopment Agency as specified therein; and

2. That it hereby disapproves the appointment of the person listed in Exhibit "C" as a member to the Maui Redevelopment Agency 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 BOARD/COMMITTEE MEMBER AND TERM

MAUI REDEVELOPMENT AGENCY

John Noble

Term Expiration 3/31/17

APPROVED BOARD/COMMITTEE MEMBER AND TERM

EXHIBIT " β "

DISAPPROVED BOARD/COMMITTEE MEMBER

MAUI REDEVELOPMENT AGENCY

John Noble

EXHIBIT "C"