

POLICY COMMITTEE

Council of the County of Maui

Meeting Agenda

Tuesday, June 26, 2012

1:30 p.m.

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

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Robert Carroll, Vice-Chair

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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 modified pursuant to the Rules of the Council, provided a modification 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 An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify.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 to ensure distribution at the meeting.

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.

TO LEARN MORE ABOUT COUNCIL-RELATED ISSUES, tune in to Akaku: Maui Community Television.

POL-2(31)

NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (MOLOKAI PLANNING COMMISSION)

DESCRIPTION:

The Committee is in receipt of correspondence dated May 23, 2012 (received May 23, 2012), from the Mayor, transmitting a proposed resolution entitled "APPOINTMENT OF MEMBERS TO THE MOLOKAI PLANNING COMMISSION", along with completed application forms for the nominees. The purpose of the proposed resolution is to approve or disapprove the appointments of Douglas Rogers and Michael Jennings to the Molokai Planning Commission, for terms expiring on March 31, 2017, to fill existing vacancies due to the term expirations of Debra Napua Kelly and Michelle Pescaia, respectively.

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STATUS: The Council must approve or disapprove the nominations by July 22, 2012, or the nominations 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-2(37) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS
(SALARY COMMISSION)**

DESCRIPTION: The Committee is in receipt of correspondence dated June 8, 2012 (received June 12, 2012), from the Mayor, transmitting a proposed resolution entitled "APPOINTMENT OF A MEMBER TO THE SALARY COMMISSION", along with a completed application form for the nominee. The purpose of the proposed resolution is to approve or disapprove the appointment of Grace Shimabuku to the Salary Commission, for a term expiring on March 31, 2014, to fill an existing vacancy due to the resignation of Pamela J. L. English.

STATUS: The Council must approve or disapprove the nomination by August 11, 2012, 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-2(38) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS
(COUNCIL ON AGING)**

DESCRIPTION: The Committee is in receipt of correspondence dated June 8, 2012 (received June 12, 2012), from the Mayor, transmitting a proposed resolution entitled "APPOINTMENT OF A 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 Autumn Arase to the Council on Aging, for a term expiring on March 31, 2016, to fill an existing vacancy due to the resignation of Josiah Sutton.

STATUS: The Council must approve or disapprove the nomination by August 11, 2012, 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-27(1) COMMUNITY PLAN ADVISORY COMMITTEE SELECTION (LANAI
COMMUNITY PLAN ADVISORY COMMITTEE)**

DESCRIPTION: The Committee is in receipt of the following:

1. 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.
2. Correspondence dated June 19, 2012, from the Chair of the Policy Committee, transmitting a proposed resolution entitled "APPOINTMENTS TO THE LANAI COMMUNITY PLAN ADVISORY COMMITTEE", along with completed application forms for the nominees. The purpose of the proposed resolution is to appoint the following 9 members to the 13-member Lanai Community Plan Advisory Committee, as authorized by Section 2.80B.080(C), Maui County Code: Jeofrey Baltero, Christine Costales, Deborah dela Cruz, Joseph Felipe, Reynold ("Butch") Gima, Ernest Magaoay, Matthew Mano, Ron McOmber, and Stanley Ruidas.

STATUS: The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider the filing of County Communication 11-164 and other related action.

NOTE: With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(2), Hawaii Revised Statutes, to consider the hire, evaluation, dismissal, or discipline of an officer or employee or of charges brought against the officer or employee, where consideration of matters affecting privacy will be involved; provided that if the individual concerned requests an open meeting, an open meeting shall be held.

POL-44 DISPOSAL OF STRUCTURES AT KAPUKA`ULUA (FORMERLY KNOWN AS MONTANA BEACH) (PAIA)

DESCRIPTION: The Committee is in receipt of County Communication 12-45, from the Mayor, transmitting a proposed resolution entitled "AUTHORIZING THE DISPOSAL OF STRUCTURES AT KAPUKA`ULUA (FORMERLY KNOWN AS MONTANA BEACH) LOCATED IN PAIA, MAUI, HAWAII, PURSUANT TO SECTION 3.44.020, MAUI COUNTY CODE". The purpose of the proposed resolution is to authorize the disposal of structures at Kapuka`ulua (formerly known as Montana Beach), located at TMK: (2) 2-5-05:014, Condominium Property Regime 0001, Apartment A, in Paia, Maui, Hawaii, pursuant to Section 3.44.020, Maui County Code.

STATUS: The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider the filing of County Communication 12-45 and other related action.

POL-1(25) LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: CLAIM OF SHANNON FERREIRA; CLAIM 2012-002)

DESCRIPTION: The Committee is in receipt of correspondence dated June 14, 2012, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled "AUTHORIZING SETTLEMENT OF CLAIM NO. 2012-002 OF SHANNON FERREIRA" and transmitting a copy of the claim. The claim alleges damages arising out of an automobile accident with a County vehicle at the intersection of Piilani Highway and Ohukai Road, Kihei, Maui, Hawaii, on November 10, 2011. The purpose of the proposed resolution is to authorize settlement of the claim for \$12,385.33.

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), Hawaii Revised Statutes ("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.