

POLICY COMMITTEE
Council of the County of Maui

Meeting Agenda

Wednesday, October 3, 2012
9:00 a.m.
Council Chamber, 8th Floor
200 South High Street, Wailuku, Hawaii

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COUNTY CLERK

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VOTING MEMBERS

G. Riki Hokama, Chair
Robert Carroll, Vice-Chair
Gladys C. Baisa
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 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 An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify.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(43)

**NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS
(COUNCIL ON AGING)**

DESCRIPTION:

The Committee is in receipt of correspondence dated September 13, 2012 (received September 13, 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 Clifford Hashimoto to the Council on Aging, for a term expiring on March 31, 2017, to fill an existing vacancy due to the resignation of Maria Zielinski.

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STATUS: The Council must approve or disapprove the nomination by November 12, 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-4(2) MAUI COUNTY LEGISLATIVE PACKAGE (2013 MAUI COUNTY LEGISLATIVE PACKAGE)

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication 11-33, from the Council Chair, relating to matters pertaining to the Maui County Legislative Package.
2. Correspondence dated September 5, 2012, from Councilmember Gladys C. Baisa, transmitting a proposed resolution entitled "APPROVING FOR INCLUSION IN THE 2013 MAUI COUNTY LEGISLATIVE PACKAGE A STATE BILL AUTHORIZING COUNTY LIQUOR COMMISSIONS TO PROVIDE FUNDING FOR ALCOHOL ABUSE TREATMENT AND PREVENTION". The purpose of the proposed resolution is to approve for inclusion in the 2013 Maui County Legislative Package a State bill authorizing the County liquor commissions to provide funding for alcohol abuse treatment and prevention.

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.

POL-17 MAUI BUSINESS PARK PHASE II PROJECT

DESCRIPTION: The Committee is in receipt of County Communication 09-68, from former Councilmember Wayne Nishiki, relating to the status of land to be provided by Alexander & Baldwin, Inc., for affordable housing, a community multi-purpose center, and park purposes in Kahului, Maui, pursuant to Condition 7 of Ordinance 3559 (2008).

STATUS: The Committee may discuss the status of compliance with this condition of zoning. The Committee may also consider the filing of County Communication 09-68 and other related action.

POL-1(28) LITIGATION MATTERS (WILLIAM REVIS, ANTHONY LEVOY V. KENT R. SMITH, ET AL., CIVIL 10-1-0672(1); KAHAKULOA ACRES PRIVATE WATER COMPANY, INC., ET AL. V. KENT R. SMITH, ET AL., CIVIL 08-1-0617(3))

DESCRIPTION: The Committee is in receipt of correspondence dated September 26, 2012, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled "AUTHORIZING SETTLEMENT OF WILLIAM REVIS, ANTHONY LEVOY V. KENT R. SMITH, ET AL., CIVIL NO. 10-1-0672(1); AND KAHAKULOA ACRES PRIVATE WATER COMPANY, INC. ET AL. V. KENT R. SMITH ET AL.; CIVIL NO. 08-1-0617(3)" and transmitting a copy of the complaints. The complaints allege damages arising from the construction and development of a private water system located within the Kahakuloa District. The purpose of the proposed resolution is to authorize settlement of the cases.

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, 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.