

COUNCIL OF THE COUNTY OF MAUI
POLICY AND INTERGOVERNMENTAL
AFFAIRS COMMITTEE

March 15, 2013

Committee
Report No. _____

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Policy and Intergovernmental Affairs Committee, having met on February 25, 2013, makes reference to County Communication 13-42, from Council Chair Gladys C. Baisa, relating to nominations to boards, committees, and commissions (“boards”).

By correspondence dated and received January 29, 2013, the Mayor transmitted a proposed resolution entitled “APPOINTMENT OF MEMBERS TO THE BOARDS AND COMMISSIONS 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 following nominees to fill 48 vacancies on 24 various boards (for terms beginning on April 1, 2013, and expiring on March 31, 2018, unless otherwise indicated). The vacancies are due to the anticipated expiration of current board members’ terms on March 31, 2013.

- A. AFFIRMATIVE ACTION ADVISORY COUNCIL
 - 1. Sunny Gutierrez;
 - 2. Dorothy Buck; and
 - 3. Anthony Arakaki.

- B. ANIMAL CONTROL BOARD
 - 1. Anthony Vargas, Jr. (Reappointment);
 - 2. Lawrence Winer; and
 - 3. Larry Shapiro.

- C. BOARD OF ETHICS
 - 1. Abel Kahooohanohano Jr.; and
 - 2. Herman Nascimento.

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- D. BOARD OF VARIANCES AND APPEALS
 - 1. Chadwick Fukunaga; and
 - 2. Howard Seigo Kameaaloha Kihune.

- E. BOARD OF WATER SUPPLY
 - 1. Cyrus Kodani (Reappointment); and
 - 2. Thomas Watanabe.

- F. CIVIL SERVICE COMMISSION
 - 1. Alice Lee (Reappointment).

- G. COMMISSION ON CHILDREN AND YOUTH
 - 1. Noel Ching-Johnson;
 - 2. James Wisthoff; and
 - 3. Ciara Rodrigues.

- H. COMMISSION ON CULTURE AND THE ARTS
 - 1. Oliver Caberto; and
 - 2. Jamie Clark.

- I. COMMISSION ON NAMING STREETS, PARKS, AND FACILITIES
 - 1. Kala`e Tangonan (Molokai).

- J. COST OF GOVERNMENT COMMISSION
 - 1. Rick Tanner (Reappointment), for a term expiring on 03/31/2015;
 - 2. Gregory Evans (Reappointment), for a term expiring on 03/31/2015;
 - 3. Sunny Gutierrez, for a term expiring on 03/31/2015; and
 - 4. Adrienne Kawano, for a term expiring on 03/31/2015.

- K. COUNCIL ON AGING
 - 1. Dionne Phillips;
 - 2. Rosie Poree-Hogin; and
 - 3. Tania Joao (Molokai).

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- L. FIRE AND PUBLIC SAFETY COMMISSION
 - 1. Robyne Nishida Nakao.

- M. HANA ADVISORY COMMITTEE
 - 1. Scott Paul Crawford (Reappointment); and
 - 2. Douglas Mardfin.

- N. LANAI PLANNING COMMISSION
 - 1. Beverly Zigmund; and
 - 2. Kelli Gima.

- O. LIQUOR CONTROL ADJUDICATION BOARD
 - 1. Donald Fujii; and
 - 2. Wayne Pagan.

- P. LIQUOR CONTROL COMMISSION
 - 1. Darren Lopez (Lanai); and
 - 2. Dana Souza.

- Q. MAUI COUNTY CULTURAL RESOURCES COMMISSION
 - 1. Janet Six.

- R. MAUI COUNTY GRANTS REVIEW COMMITTEE
 - 1. Robin Ritchie; and
 - 2. Jenny Worth.

- S. MAUI COUNTY OUTDOOR LIGHTING STANDARDS COMMITTEE
 - 1. Michael Maberry.

- T. MAUI PLANNING COMMISSION
 - 1. Sandra Duvauchelle; and
 - 2. Jason Medeiros.

- U. MOLOKAI PLANNING COMMISSION
 - 1. Sherry Tancayo (Reappointment); and
 - 2. William Buchanan III.

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- V. POLICE COMMISSION
 - 1. Kevin Tanaka; and
 - 2. Howard Hanzawa.

- W. REAL PROPERTY TAX REVIEW BOARD
 - 1. Brent Johnson.

- X. SALARY COMMISSION
 - 1. Joseph Talon; and
 - 2. Gail Kanetani.

Your Committee notes that general appointment procedures for the boards are outlined in Section 13-2, Revised Charter of the County of Maui (1983), as amended (“Charter”), and Chapter 2.41, Maui County Code (“MCC”).

The following general appointment procedures apply to the various boards for which the Mayor submitted nominations.

The Mayor is required to submit nominees 60 to 70 days before the prior members’ terms expire, and the Council must approve or disapprove the nominee within 60 days thereafter. If the Council fails to approve or disapprove the Mayor’s nominee within the time period provided, the nominee shall be deemed appointed to fill the vacancy upon its occurrence. If the Council disapproves a nominee, it shall immediately notify the Mayor of its action.

Accordingly, the Council has until March 30, 2013, to approve or disapprove the Mayor’s nominees, or the nominees shall be deemed appointed.

Your Committee interviewed the following nominees: Sunny Gutierrez, Donald Fujii, Wayne Pagan, Darren Lopez, Dana Souza, Robin Ritchie, Jason Medeiros, Brent Johnson, and Douglas Mardfin. Your Committee noted that for certain major boards, it was important for your Committee and members of the public to have an opportunity to meet the nominees.

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Your Committee questioned the nominees about their availability to attend meetings, their interest in serving on the boards for which they had been nominated, and life experiences that would contribute to their service as board members. Your Committee carefully considered the nominees' responses to questions posed by your Committee.

A representative from the Office of the Mayor advised your Committee that Rick Tanner, nominee for reappointment to the Cost of Government Commission, had requested that his name be withdrawn from consideration. Therefore, your Committee recommended that his nomination be disapproved, and that Exhibit "C" to the proposed resolution be revised accordingly.

Sunny Gutierrez, nominee to the Affirmative Action Advisory Council and the Cost of Government Commission, indicated to your Committee that she would prefer to only serve on the Cost of Government Commission. Therefore, your Committee recommended that her nomination to the Affirmative Action Advisory Council be disapproved, and that Exhibit "C" to the proposed resolution be revised accordingly.

Your Committee noted that Dana Souza is currently serving on the Liquor Control Adjudication Board and that his term on that board is not due to expire until March 31, 2016. Your Committee, therefore, expressed concern with his nomination to the Liquor Control Commission. Mr. Souza informed your Committee that he would prefer to serve on the Liquor Control Commission and, if appointed to that board, would immediately resign from the Liquor Control Adjudication Board.

Robyne Nishida Nakao, nominee to the Fire and Public Safety Commission, provided testimony seeking your Committee's support of her nomination.

Your Committee noted that none of the nominees to the Fire and Public Safety Commission and the Police Commission are from Lanai, leaving both commissions without representation from the island. Your Committee further noted that it has been several years since the Mayor has nominated individuals from Lanai to these commissions, although individuals from Lanai have applied.

Although your Committee expressed a desire to have nominees from Lanai considered for the Fire and Public Safety Commission and the Police Commission, your

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Committee was, nevertheless, impressed with the qualifications of the Mayor's nominees. Your Committee felt that the nominees were familiar enough with Lanai to effectively represent the island's interests on the commissions.

Your Committee strongly encouraged the Mayor to nominate individuals from Lanai to the Fire and Public Safety Commission and the Police Commission at his next opportunity.

Your Committee noted that legislation is pending with your Committee proposing to eliminate the Maui County Grants Review Committee. Therefore, your Committee deferred a recommendation on nominees Robin Ritchie and Jenny Worth.

Your Committee was satisfied with the information provided by the remaining nominees in their applications and, therefore, did not interview these nominees.

Your Committee noted that Douglas Mardfin, nominee to the Hana Advisory Committee, would fill a vacancy that occurred on March 31, 2012. Therefore, if appointed, his term will end on March 31, 2017. Your Committee voted to revise the proposed resolution to reflect the correct term expiration date.

Your Committee recommended that the following 44 nominees be approved for the boards and terms for which they had been nominated: Dorothy Buck, Anthony Arakaki, Anthony Vargas Jr., Lawrence Winer, Larry Shapiro, Abel Kahoohanohano Jr., Herman Nascimento, Chadwick Fukunaga, Howard Seigo Kameaaloha Kihune, Cyrus Kodani, Thomas Watanabe, Alice Lee, Noel Ching-Johnson, James Wisthoff, Ciara Rodrigues, Oliver Caberto, Jamie Clark, Kala'e Tangonan, Gregory Evans, Sunny Gutierrez (Cost of Government Commission), Adrienne Kawano, Dionne Phillips, Rosie Poree-Hogin, Tania Joao, Robyne Nishida Nakao, Scott Paul Crawford, Douglas Mardfin, Beverly Zigmond, Kelli Gima, Donald Fujii, Wayne Pagan, Darren Lopez, Dana Souza, Janet Six, Michael Maberry, Sandra Duvauchelle, Jason Medeiros, Sherry Tancayo, William Buchanan III, Kevin Tanaka, Howard Hanzawa, Brent Johnson, Joseph Talon, and Gail Kanetani. Your Committee recommended that Exhibit "B" to the proposed resolution be revised accordingly.

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Your Committee recognized the work of the Office of the Mayor in presenting nominees who had demonstrated a commitment to their communities and the County.

Your Committee voted 9-0 to recommend adoption of the proposed resolution, incorporating your Committee's revisions. Committee Chair Hokama, Vice-Chair Couch, and members Baisa, Carroll, Cochran, Crivello, Guzman, Victorino, and White voted "aye".

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

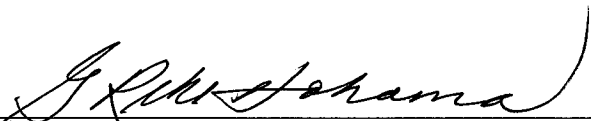
Your Policy and Intergovernmental Affairs Committee RECOMMENDS that Resolution _____, attached hereto, entitled "APPOINTMENT OF MEMBERS TO THE BOARDS AND COMMISSIONS FOR THE COUNTY OF MAUI", be ADOPTED.

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



G. RIKI HOKAMA, Chair

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Resolution

No. _____

APPOINTMENT OF MEMBERS TO THE BOARDS AND COMMISSIONS FOR THE COUNTY OF MAUI

WHEREAS, by letter dated January 29, 2013, Mayor Alan M. Arakawa notified the Council that he nominated the persons listed in Exhibit "A", attached hereto, as members to the various boards and commissions of the County of Maui, pursuant to 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 nominees to be approved by the Council; and

WHEREAS, Section 13-2(16) of the Charter requires the Council to approve or disapprove the nominees within sixty (60) days after the Mayor submits the nominees to the Council; now, therefore,

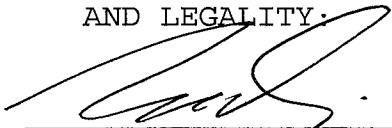
BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby approves the appointment of the persons listed in Exhibit "B", attached hereto, as members to the various boards and commissions for terms as specified therein; and

2. That it hereby disapproves the appointment of the persons listed in Exhibit "C" as members to the various boards and commissions 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:

 3/6/13
EDWARD S. KUSHI, JR.
First Deputy Corporation Counsel
County of Maui

NOMINATED BOARD/COMMITTEE MEMBERS AND TERMS

AFFIRMATIVE ACTION ADVISORY COUNCIL

Sunny Gutierrez Term Expiration 3/31/18
Dorothy Buck Term Expiration 3/31/18
Anthony Arakaki Term Expiration 3/31/18

ANIMAL CONTROL BOARD

Anthony Vargas Jr. (Reappointment) Term Expiration 3/31/18
Lawrence Winer Term Expiration 3/31/18
Larry Shapiro Term Expiration 3/31/18

BOARD OF ETHICS

Abel Kahooohanohano Jr. Term Expiration 3/31/18
Herman Nascimento Term Expiration 3/31/18

BOARD OF VARIANCES AND APPEALS

Chadwick Fukunaga Term Expiration 3/31/18
Howard Seigo Kameaaloha Kihune Term Expiration 3/31/18

BOARD OF WATER SUPPLY

Cyrus Kodani (Reappointment) Term Expiration 3/31/18
Thomas Watanabe Term Expiration 3/31/18

CIVIL SERVICE COMMISSION

Alice Lee (Reappointment) Term Expiration 3/31/18

COMMISSION ON CHILDREN AND YOUTH

Noel Ching-Johnson Term Expiration 3/31/18
James Wisthoff Term Expiration 3/31/18
Ciara Rodrigues Term Expiration 3/31/18

COMMISSION ON CULTURE AND THE ARTS

Oliver Caberto Term Expiration 3/31/18
Jamie Clark Term Expiration 3/31/18

COMMISSION ON NAMING STREETS, PARKS, AND FACILITIES

Kala'e Tangonan (Molokai) Term Expiration 3/31/18

COST OF GOVERNMENT COMMISSION

Rick Tanner (Reappointment) Term Expiration 3/31/15
Gregory Evans (Reappointment) Term Expiration 3/31/15
Sunny Gutierrez Term Expiration 3/31/15
Adrienne Kawano Term Expiration 3/31/15

COUNCIL ON AGING

Dionne Phillips Term Expiration 3/31/18
Rosie Poree-Hogin Term Expiration 3/31/18
Tania Joao (Molokai) Term Expiration 3/31/18

FIRE AND PUBLIC SAFETY COMMISSION

Robyne Nishida Nakao

Term Expiration 3/31/18

HANA ADVISORY COMMITTEE

Scott Paul Crawford (Reappointment)

Douglas Mardfin

Term Expiration 3/31/18

Term Expiration 3/31/17

LANAI PLANNING COMMISSION

Beverly Zigmund

Kelli Gima

Term Expiration 3/31/18

Term Expiration 3/31/18

LIQUOR CONTROL ADJUDICATION BOARD

Donald Fujii

Wayne Pagan

Term Expiration 3/31/18

Term Expiration 3/31/18

LIQUOR CONTROL COMMISSION

Darren Lopez (Lanai)

Dana Souza

Term Expiration 3/31/18

Term Expiration 3/31/18

MAUI COUNTY CULTURAL RESOURCES COMMISSION

Janet Six

Term Expiration 3/31/18

MAUI COUNTY OUTDOOR LIGHTING STANDARDS COMMITTEE

Michael Maberry

Term Expiration 3/31/18

MAUI PLANNING COMMISSION

Sandra Duvauchelle

Jason Medeiros

Term Expiration 3/31/18

Term Expiration 3/31/18

MOLOKAI PLANNING COMMISSION

Sherry Tancayo (Reappointment)

William Buchanan III

Term Expiration 3/31/18

Term Expiration 3/31/18

POLICE COMMISSION

Kevin Tanaka

Howard Hanzawa

Term Expiration 3/31/18

Term Expiration 3/31/18

REAL PROPERTY TAX REVIEW BOARD

Brent Johnson

Term Expiration 3/31/18

SALARY COMMISSION

Joseph Talon

Gail Kanetani

Term Expiration 3/31/18

Term Expiration 3/31/18

APPROVED BOARD/COMMITTEE MEMBERS AND TERMS

AFFIRMATIVE ACTION ADVISORY COUNCIL

Dorothy Buck Term Expiration 3/31/18
Anthony Arakaki Term Expiration 3/31/18

ANIMAL CONTROL BOARD

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Scott Paul Crawford (Reappointment)
Douglas Mardfin

Term Expiration 3/31/18
Term Expiration 3/31/17

LANAI PLANNING COMMISSION

Beverly Zigmond
Kelli Gima

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Term Expiration 3/31/18
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Brent Johnson

Term Expiration 3/31/18

SALARY COMMISSION

Joseph Talon
Gail Kanetani

Term Expiration 3/31/18
Term Expiration 3/31/18

DISAPPROVED BOARD/COMMITTEE MEMBERS

AFFIRMATIVE ACTION ADVISORY COUNCIL

Sunny Gutierrez

COST OF GOVERNMENT COMMISSION

Rick Tanner (Reappointment)

EXHIBIT " C "