

COUNCIL OF THE COUNTY OF MAUI
POLICY AND INTERGOVERNMENTAL
AFFAIRS COMMITTEE

May 7, 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 April 12, 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 the nominees’ application forms. The purpose of the proposed resolution is to approve or disapprove the Mayor’s 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 expiration of board members’ terms on March 31, 2013.

Your Committee notes it previously made recommendations on the 48 nominations by Policy and Intergovernmental Affairs Committee Report 13-30. Those recommendations were adopted by the Council through Resolution 13-24 at its meeting of March 15, 2013.

Your Committee further notes the Council disapproved one of the Mayor’s nominees to the Cost of Government Commission and one of the Mayor’s nominees to the Affirmative Action Advisory Council. By correspondence dated and transmitted on March 19, 2013, Council Chair Gladys C. Baisa notified the Mayor of the Council’s action.

By correspondence dated and received March 21, 2013, the Mayor transmitted a proposed resolution entitled “APPOINTMENT OF A MEMBER TO THE COST OF GOVERNMENT COMMISSION”, along with a completed application form for the nominee. The purpose of the proposed resolution is to approve or disapprove the

COUNCIL OF THE COUNTY OF MAUI
POLICY AND INTERGOVERNMENTAL
AFFAIRS COMMITTEE

Page 2

Committee
Report No. _____

appointment of Steve Aheong to the Cost of Government Commission for a term expiring on March 31, 2015.

By correspondence dated and received March 25, 2013, the Mayor transmitted a proposed resolution entitled "APPOINTMENT OF A MEMBER TO THE AFFIRMATIVE ACTION ADVISORY COUNCIL", along with a completed application form for the nominee. The purpose of the proposed resolution is to approve or disapprove the appointment of Anthony Edington to the Affirmative Action Advisory Council for a term expiring on March 31, 2018.

Your Committee notes Section 3-9.3 of the Revised Charter of the County of Maui (1983), as amended ("Charter"), provides that the Cost of Government Commission shall be appointed by the Mayor with the approval of the Council in accordance with Section 13-2 of the Charter. Section 13-2 of the Charter states that, unless otherwise provided, the members of all boards or commissions shall serve for staggered terms of five years. Therefore, at the request of the Chair of your Committee, the Department of the Corporation Counsel transmitted a revised proposed resolution, approved as to form and legality, to approve or disapprove the appointment of Steve Aheong to the Cost of Government Commission for a five-year term, expiring on March 31, 2018.

Your Committee notes general appointment procedures for the boards are provided in Section 13-2, Charter, and Chapter 2.41, Maui County Code ("MCC").

Your Committee further notes specific provisions for the boards are contained in the MCC as follows:

- A. Affirmative Action Advisory Council (Chapter 2.29 and Section 2.40.080, MCC); and
- B. Cost of Government Commission (Section 3-9.3, Charter).

Your Committee further notes the Council must approve or disapprove the nomination to the Cost of Government Commission by May 20, 2013, and the nomination to the Affirmative Action Advisory Council by May 24, 2013.

COUNCIL OF THE COUNTY OF MAUI
POLICY AND INTERGOVERNMENTAL
AFFAIRS COMMITTEE

Page 3

Committee
Report No. _____

Your Committee notes Chapter 2.29, MCC, requires that the Affirmative Action Advisory Council consist of seven members, including three representatives of the County government. According to a representative from the Office of the Mayor, there are currently only two representatives of County government serving on the Affirmative Action Advisory Council. If approved, Mr. Edington would fill the vacancy for a third required representative of County government. However, your Committee noted Mr. Edington's application indicates he is not a representative of County government. Therefore, your Committee agreed his nomination should be disapproved to give the Mayor the opportunity to submit a nominee who is a County government representative, in compliance with Chapter 2.29, MCC. Your Committee further recommended that the proposed resolution be revised to add Mr. Edington's name to Exhibit "C" for disapproval.

Your Committee interviewed Steve Aheong, nominee to the Cost of Government Commission. Mr. Aheong stated he has a strong interest in serving on the Cost of Government Commission and has studied the Commission's year-end reports. He also stated he has followed the recent changes to the Charter to add an independent County Auditor and to revise the responsibilities of the Cost of Government Commission. Based on Mr. Aheong's work experience, familiarity with the Commission, and willingness to serve, your Committee was satisfied Mr. Aheong would serve the Commission well.

Your Committee noted the revised proposed resolution to approve or disapprove Mr. Aheong to the Cost of Government Commission did not include Mr. Aheong as an intended recipient of the resolution. Therefore, your Committee recommended his name be added to the resolution.

Your Committee recommended the appointment of Steve Aheong to the Cost of Government Commission, for a term expiring on March 31, 2018, be approved. Your Committee further recommended the revised proposed resolution be further revised to add Mr. Aheong's name (and accompanying term) to Exhibit "B" for approval.

Your Committee voted 7-0 to recommend adoption of the revised proposed resolution relating to the Cost of Government Commission, incorporating your Committee's requested revisions. Committee Chair Hokama, Vice Chair Couch, and members Carroll, Cochran, Crivello, Guzman, and White voted "aye". Committee members Baisa and Victorino were excused.

COUNCIL OF THE COUNTY OF MAUI
**POLICY AND INTERGOVERNMENTAL
AFFAIRS COMMITTEE**

Page 4

**Committee
Report No.** _____

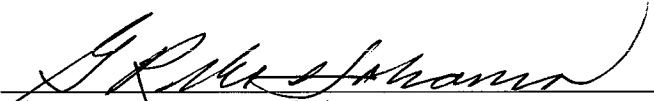
Your Committee voted 6-0 to recommend adoption of the proposed resolution relating to the Affirmative Action Advisory Council, incorporating your Committee's requested revisions. Committee Chair Hokama, Vice Chair Couch, and members Cochran, Crivello, Guzman, and White voted "aye". Committee members Baisa, Carroll, 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 recommended revisions.

Your Policy and Intergovernmental Affairs Committee RECOMMENDS the following:

1. That Resolution _____, attached hereto, entitled "APPOINTMENT OF A MEMBER TO THE COST OF GOVERNMENT COMMISSION", be ADOPTED; and
2. That Resolution _____, attached hereto, entitled "APPOINTMENT OF A MEMBER TO THE AFFIRMATIVE ACTION ADVISORY COUNCIL", 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 A MEMBER TO THE COST OF GOVERNMENT COMMISSION

WHEREAS, by letter dated March 21, 2013, Mayor Alan M. Arakawa notified the Council that he nominated the person listed in Exhibit "A", attached hereto, as a member to the Cost of Government Commission of the County of Maui, pursuant to Section 3-9.3, 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(16) 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,

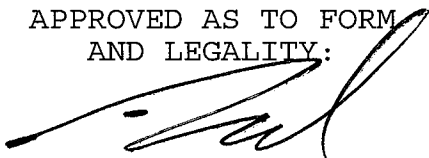
BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby approves the appointment of the person listed in Exhibit "B", attached hereto, as a member to the Cost of Government Commission 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 Cost of Government Commission as nominated by the Mayor; and

3. That certified copies of this Resolution be transmitted to the Mayor, the Managing Director, the Corporation Counsel, and Steve Aheong.

APPROVED AS TO FORM
AND LEGALITY:



EDWARD S. KUSHI, JR.
First Deputy Corporation Counsel
County of Maui

NOMINATED COMMISSION MEMBER AND TERM

COST OF GOVERNMENT COMMISSION

Steve Aheong

Term Expiration 3/31/18

EXHIBIT " A "

APPROVED COMMISSION MEMBER AND TERM

COST OF GOVERNMENT COMMISSION

Steve Aheong

Term Expiration 3/31/18

EXHIBIT " B "

DISAPPROVED COMMISSION MEMBER

EXHIBIT " C "

Resolution

No. _____

APPOINTMENT OF A MEMBER TO THE AFFIRMATIVE ACTION ADVISORY COUNCIL

WHEREAS, by letter dated March 25, 2013, Mayor Alan M. Arakawa notified the Council that he nominated the person listed in Exhibit "A", attached hereto, as a member to the Affirmative Action Advisory Council, pursuant to Section 2.29.010, Maui County Code; and

WHEREAS, Section 13-2, Revised Charter of the County of Maui (1983), as amended ("Charter") requires the Mayor's nominee to be approved by the Council; and

WHEREAS, Section 13-2.16 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,

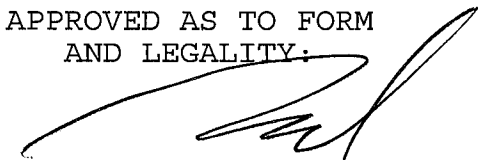
BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby approves the appointment of the person listed in Exhibit "B", attached hereto, as a member to the Affirmative Action Advisory Council 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 Affirmative Action Advisory Council 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 MEMBER AND TERM

AFFIRMATIVE ACTION ADVISORY COUNCIL

Anthony Edington

Term Expiration 3/31/18

EXHIBIT "A"

APPROVED BOARD MEMBER AND TERM

EXHIBIT "B"

DISAPPROVED BOARD MEMBER

AFFIRMATIVE ACTION ADVISORY COUNCIL

Anthony Edington

EXHIBIT " C "