

COUNCIL OF THE COUNTY OF MAUI

# POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE

May 28, 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 May 16, 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 April 5, 2013, the Mayor transmitted a proposed resolution entitled “APPOINTMENT OF A MEMBER TO THE MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES”, along with a completed application form for the nominee. The purpose of the proposed resolution is to approve or disapprove the nomination of Andrew Valentine to the Maui County Commission on Persons with Disabilities, for a term expiring on March 31, 2016, to fill a vacancy due to the resignation of Yolanda Mau.

By correspondence dated and received April 16, 2013, the Mayor transmitted a proposed resolution entitled “APPOINTMENT OF A MEMBER TO THE COMMISSION ON CULTURE AND THE ARTS”, along with a completed application form for the nominee. The purpose of the proposed resolution is to approve or disapprove the nomination of Kelly McHugh to the Commission on Culture and the Arts, for a term expiring on March 31, 2014, to fill a vacancy due to the resignation of Audrey Rocha Reed.

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

Your Committee further notes specific provisions for the boards are contained in the Charter, MCC, and Hawaii Revised Statutes (“HRS”) as follows:

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- A. Maui County Commission on Persons with Disabilities: Sections 2.32.020 and 2.32.030, MCC; and
- B. Commission on Culture and the Arts: Sections 2.37.020 and 2.40.200, MCC.

Your Committee notes the Council must approve or disapprove the nomination to the Maui County Commission on Persons with Disabilities by June 4, 2013, and the nomination to the Commission on Culture and the Arts by June 15, 2013. Failure to act on either nomination by its deadline would result in the nomination being deemed approved.

Your Committee did not request to interview either nominee. Your Committee noted the application for Mr. Valentine did not include contact information and requested the Mayor provide the information at a later time.

A representative from the Mayor's office noted Mr. Valentine previously served a five-year term on the Maui County Commission on Persons with Disabilities, from 2006-2011. Because of Mr. Valentine's prior experience with the Commission, your Committee was satisfied with Mr. Valentine's nomination.

The Mayor's representative stated Ms. McHugh has a strong background in the arts, and she currently works for Hui No'eau Visual Arts Center. Your Committee was satisfied that Ms. McHugh's educational background and work experience will make her a valuable member of the Commission on Culture and the Arts.

Your Committee recommended both proposed resolutions be revised by placing the names and terms of the respective nominees on Exhibit "B" for approval.

Your Committee voted 6-0 to recommend adoption of the revised proposed resolution approving the appointment of Andrew Valentine to the Maui County Commission on Persons with Disabilities. Committee Chair Hokama, Vice-Chair Couch, and members Carroll, Guzman, Victorino, and White voted "aye". Committee members Baisa, Cochran, and Crivello were excused.

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Your Committee voted 6-0 to recommend adoption of the revised proposed resolution approving the appointment of Kelly McHugh to the Commission on Culture and the Arts. Committee Chair Hokama, Vice-Chair Couch, and members Carroll, Guzman, Victorino, and White voted "aye". Committee members Baisa, Cochran, and Crivello 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 MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES", be ADOPTED; and
2. That Resolution \_\_\_\_\_, attached hereto, entitled "APPOINTMENT OF A MEMBER TO THE COMMISSION ON CULTURE AND THE ARTS", 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

pia:cr:13002(8 and 9)aa:kmh

# Resolution

No. \_\_\_\_\_

## APPOINTMENT OF A MEMBER TO THE MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES

WHEREAS, by letter dated April 5, 2013, Mayor Alan M. Arakawa notified the Council that he nominated the person listed in Exhibit "A", attached hereto, as a member to the Maui County Commission on Persons with Disabilities, pursuant to Section 2.32.020, 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 13-2.17 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,

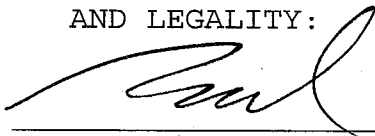
BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby approves the appointment of the person listed in Exhibit "B", attached hereto, as a member to the Maui County Commission on Persons with Disabilities 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 Maui County Commission on Persons with Disabilities 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

**NOMINATED COMMISSION MEMBER AND TERM**

**MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES**

Andrew Valentine (replacing Yolanda Mau)

Term Expiration 3/31/16

**APPROVED COMMISSION MEMBER AND TERM**

**MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES**

Andrew Valentine (replacing Yolanda Mau)

Term Expiration 3/31/16

EXHIBIT B

DISAPPROVED COMMISSION MEMBER

ENHET " C "



# Resolution

No. \_\_\_\_\_

## APPOINTMENT OF A MEMBER TO THE COMMISSION ON CULTURE AND THE ARTS

WHEREAS, by letter dated April 16, 2013, Mayor Alan M. Arakawa notified the Council that he nominated the person listed in Exhibit "A", attached hereto, as a member to the Commission on Culture and the Arts, pursuant to Sections 2.37.020 and 2.40.200, Maui County Code, and 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 nominee to be approved by the Council; and

WHEREAS, Section 13-2(17) 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,

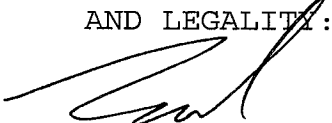
BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby approves the appointment of the person listed in Exhibit "B", attached hereto, as a member to the Commission on Culture and the Arts 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 Commission on Culture and the Arts 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 COMMISSION MEMBER AND TERM**

**COMMISSION ON CULTURE AND THE ARTS**

Kelly McHugh (replacing Audrey Rocha Reed)

Term Expiration 3/31/14

**APPROVED COMMISSION MEMBER AND TERM**

**COMMISSION ON CULTURE AND THE ARTS**

Kelly McHugh (replacing Audrey Rocha Reed)

Term Expiration 3/31/14

**DISAPPROVED COMMISSION MEMBER**