

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE

Council of the County of Maui

Meeting Agenda

Wednesday, September 25, 2013

9:00 a.m.

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

REMOTE TESTIMONY SITES: Hana Council District Office, Hana Community Center, 5091 Uakea Road, Hana, Hawaii
Lanai Council District Office, Lanai Community Center, 8th Street, Lanai City, Hawaii
Molokai Council District Office, 100 Ainoa Street, Kaunakakai, Hawaii

website: <http://www.mauicounty.gov/committees/PIA>

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VOTING MEMBERS

G. Riki Hokama, Chair

Donald G. Couch, Jr., Vice-Chair

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Robert Carroll

Elle Cochran

Stacy Crivello

Don S. Guzman

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 (Kirstin Hamman 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 An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify.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 site, 16 copies are requested to ensure distribution at the meeting.

REMOTE TESTIMONY SITES: Oral testimony may be received by telephone from each of the Council district offices noted above. If the audio connection between the meeting site in the Council Chamber and any of the remote testimony sites is lost, the meeting in the Council Chamber will still continue. Members of the public interested in information about offering testimony on an agenda item from a remote testimony site may contact the Office of Council Services prior to the meeting. While oral testimony is being received, the district offices cannot provide other services. The audio connection will be terminated after all oral testimony has been received.

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.

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**PIA-2(13) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS
(URBAN DESIGN REVIEW BOARD)**

DESCRIPTION: The Committee is in receipt of correspondence dated August 12, 2013 (received August 12, 2013), from the Mayor, transmitting a proposed resolution entitled “APPOINTMENT OF A MEMBER TO THE URBAN DESIGN REVIEW BOARD”, along with a completed application form for the nominee. The purpose of the proposed resolution is to approve or disapprove the nomination of Fiona van Ammers to the Urban Design Review Board, for a term expiring on March 31, 2017, to fill a vacancy due to the resignation of Andrew Carson.

STATUS: There is no time deadline for Council approval or disapproval of the nomination. The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider other related action.

**PIA-2(14) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS
(MAUI COUNTY CULTURAL RESOURCES COMMISSION)**

DESCRIPTION: The Committee is in receipt of correspondence dated August 19, 2013 (received August 19, 2013), from the Mayor, transmitting a proposed resolution entitled “APPOINTMENT OF A MEMBER TO THE MAUI COUNTY CULTURAL RESOURCES COMMISSION”, along with a completed application form for the nominee. The purpose of the proposed resolution is to approve or disapprove the nomination of Francis Skowronski to the Maui County Cultural Resources Commission, for a term expiring on March 31, 2014, to fill a vacancy due to the resignation of Rhiannon R.T. Chandler.

STATUS: The Council must approve or disapprove the nomination by October 18, 2013, 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.

**PIA-2(15) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS
(COUNCIL ON AGING)**

DESCRIPTION: The Committee is in receipt of correspondence dated August 23, 2013 (received August 23, 2013), 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 nomination of Noel Ching-Johnson to the Council on Aging, for a term expiring on March 31, 2017, to fill a vacancy due to the resignation of Clifford Hashimoto.

STATUS: The Council must approve or disapprove the nomination by October 22, 2013, 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.

PIA-1(27) LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: CLAIM OF VINCENT PASSETTI AND MICHELLE PASSETTI; CLAIM 2013-1056-10)

DESCRIPTION: The Committee is in receipt of correspondence dated August 26, 2013, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled “AUTHORIZING SETTLEMENT OF CLAIM NO. 2013-1056-10 OF VINCENT PASSETTI AND MICHELLE PASSETTI” and transmitting a copy of the claim. The claim alleges that on May 3, 2013, a Maui Police Department vehicle collided with the Passetti’s parked vehicles at 1694 Kehakai Street, Kihei, Maui, Hawaii, causing damages to the Passetti’s vehicles. The purpose of the proposed resolution is to authorize settlement of the claim in the amount of \$7,826.39.

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.

PIA-1(28) LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: TAATAAI IOANE V. COUNTY OF MAUI; CASE 07-08-00877)

DESCRIPTION: The Committee is in receipt of correspondence dated September 5, 2013, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled “AUTHORIZING SETTLEMENT OF TAATAAI IOANE V. COUNTY OF MAUI, CASE NO. 7-08-00877” and transmitting a copy of the claim. The claim alleges that on March 24, 2008, Taataai Ioane, a County employee, suffered injuries to his knee when he stepped on a pipe and slipped while on duty. The purpose of the proposed resolution is to authorize settlement of the claim.

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; and Section 92-5(a)(8), Hawaii Revised Statutes, 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.

PIA-41 COUNCIL INVESTIGATION OF OLD WAILUKU POST OFFICE

DESCRIPTION: The Committee is in receipt of the following:

1. Miscellaneous Communication, dated July 9, 2013, from the County Clerk, transmitting the following:

- a. A certified copy of Resolution 13-83, entitled “AUTHORIZING THE POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE TO CONDUCT A FORMAL INVESTIGATION OF THE DEPARTMENT OF MANAGEMENT; DEPARTMENT OF FINANCE; BUDGET OFFICE, OFFICE OF THE MAYOR; DEPARTMENT OF PUBLIC WORKS; AND DEPARTMENT OF THE CORPORATION COUNSEL”, which was adopted by the Council on July 5, 2013. The Resolution authorizes the Policy and Intergovernmental Affairs Committee to conduct an investigation into the potential misuse of County funds appropriated for the rehabilitation of the Old Wailuku Post Office.
- b. A certified copy of Committee Report 13-78.

2. Miscellaneous Communication, dated September 9, 2013, from the County Clerk, transmitting a certified copy of Resolution 13-104, entitled “AUTHORIZING THE OMISSION OF THE DEPARTMENT OF THE CORPORATION COUNSEL FROM THE POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE’S INVESTIGATION PURSUANT TO RESOLUTION 13-83”. The Resolution authorizes the Policy and Intergovernmental Affairs Committee to omit the Department of the Corporation Counsel from the investigation, but leaves all other provisions of Resolution 13-83 unaffected.
3. Correspondence dated September 6, 2013, from the County Auditor, informing the Committee that the Office of the County Auditor is unable to commit to performing a financial or performance audit of the Old Wailuku Post Office project at this time, but that such an audit will be considered for inclusion in the Office’s plan of audits to be initiated in Fiscal Year 2014.

STATUS: The Committee may discuss the correspondence from the County Auditor, and other policy matters relating to the Committee’s authorized investigation. The Committee may also consider the filing of the Miscellaneous Communications dated July 9, 2013, and September 9, 2013, and 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.

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