

COUNCIL OF THE COUNTY OF MAUI

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE

November 1, 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 October 14, 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 September 26, 2013, the Mayor transmitted a proposed resolution entitled “APPOINTMENT OF A MEMBER TO THE BOARD OF ETHICS”, along with a completed application form for the nominee. The purpose of the proposed resolution is to approve or disapprove the nomination of Lei Fagan to the Board of Ethics, for a term expiring on March 31, 2014, to fill a vacancy due to the resignation of Donald Sheridan.

By correspondence dated and received October 3, 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 nomination of George Shimada to the Cost of Government Commission, for a term expiring on March 31, 2014, to fill a vacancy due to the resignation of Victoria Johnson.

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.

Your Committee further notes specific provisions for the boards are provided in the Charter as follows:

- A. Board of Ethics: Section 10-2, Charter; and
- B. Cost of Government Commission: Section 3-9.3, Charter.

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Your Committee notes the Council must approve or disapprove the nomination to the Board of Ethics by November 25, 2013, and the nomination to the Cost of Government Commission by December 2, 2013. Failure to act on either nomination by its deadline would result in the nomination being deemed approved.

Your Committee was satisfied with the information submitted on the application forms and did not request interviews with the nominees.

Your Committee was impressed with Ms. Fagan's experience as a teacher and her commitment to community service work. Your Committee felt Ms. Fagan will be a valuable addition to the Board of Ethics and expressed appreciation for her willingness to serve the community in this capacity.

Your Committee was equally impressed with Mr. Shimada, noting he has worked in Maui's business community since the early 1960s. Your Committee noted Mr. Shimada has a degree in business administration and is a small business owner. Given Mr. Shimada's extensive business background, your Committee felt he will be an excellent fit for the Cost of Government Commission.

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

Your Committee voted 9-0 to recommend adoption of the revised proposed resolutions approving the appointment of Lei Fagan to the Board of Ethics and George Shimada to the Cost of Government Commission. Committee Chair Hokama, Vice-Chair Couch, and members Baisa, Carroll, Cochran, Crivello, Guzman, Victorino, and White voted "aye".

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:

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**Committee
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1. That Resolution _____, attached hereto, entitled "APPOINTMENT OF A MEMBER TO THE BOARD OF ETHICS", be ADOPTED; and
2. That Resolution _____, attached hereto, entitled "APPOINTMENT OF A MEMBER TO THE COST OF GOVERNMENT COMMISSION", 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 BOARD OF ETHICS

WHEREAS, by letter dated September 26, 2013, Mayor Alan M. Arakawa notified the Council that he nominated the person listed in Exhibit "A", attached hereto, as a member to the Board of Ethics, pursuant Section 10-2, 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,

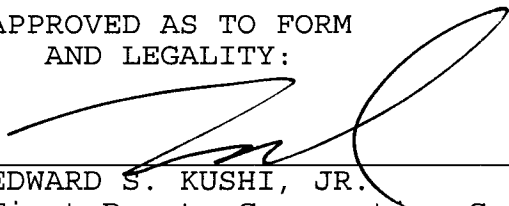
BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby approves the appointment of the person listed in Exhibit "B", attached hereto, as a member to the Board of Ethics 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 Board of Ethics 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

BOARD OF ETHICS

Lei Fagan (replacing Donald Sheridan)

Term Expiration 3/31/14

EXHIBIT " A "

APPROVED BOARD MEMBER AND TERM

BOARD OF ETHICS

Lei Fagan (replacing Donald Sheridan)

Term Expiration 3/31/14

EXHIBIT " B "

DISAPPROVED BOARD MEMBER

EXHIBIT " C "

Resolution

No. _____

APPOINTMENT OF A MEMBER TO THE COST OF GOVERNMENT COMMISSION

WHEREAS, by letter dated October 3, 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(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,

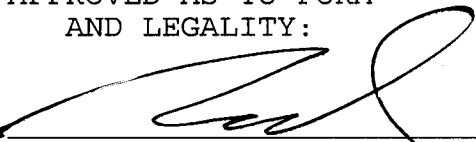
BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby approves the appointment of the person listed in Exhibit "B", attached hereto, as a member to the 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, 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

COST OF GOVERNMENT COMMISSION

George Shimada (replacing Victoria Johnson)

Term Expiration 3/31/14

EXHIBIT " A "

APPROVED COMMISSION MEMBER AND TERM

COST OF GOVERNMENT COMMISSION

George Shimada (replacing Victoria Johnson)

Term Expiration 3/31/14

EXHIBIT " B "

DISAPPROVED COMMISSION MEMBER

EXHIBIT " C "