

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE
Council of the County of Maui

MINUTES

February 11, 2014

Council Chamber, 8th Floor

CONVENE: 9:04 a.m.

PRESENT: Councilmember G. Riki Hokama, Chair
Councilmember Donald G. Couch, Jr., Vice-Chair
Councilmember Gladys C. Baisa, Member
Councilmember Elle Cochran, Member (In 9:19 a.m.)
Councilmember Stacy Crivello, Member
Councilmember Don S. Guzman, Member
Councilmember Michael P. Victorino, Member
Councilmember Mike White, Member

EXCUSED: Councilmember Robert Carroll, Member

STAFF: Carla Nakata, Legislative Attorney
Tammy M. Frias, Committee Secretary
Ella Alcon, Council Aide, Molokai Council Office (via telephone conference bridge)
Denise Fernandez, Council Aide, Lanai Council Office (via telephone conference bridge)
Dawn Lono, Council Aide, Hana Council Office (via telephone conference bridge)

ADMIN.: Michael J. Molina, Executive Assistant, Office of the Mayor (Items PIA-2(21) and -2(22))
David C. Goode, Director, Department of Public Works (Item PIA-2(21))
Edward S. Kushi, Jr., First Deputy Corporation Counsel, Department of the Corporation
Counsel

OTHERS: Eugene Tihada (Item PIA-2(21))
Teri Costa (Item PIA-2(21))
May Fujiwara (Item PIA-2(21))
Ralph Raymond Cabebe (Item PIA-2(21))
John Watling (Item PIA-2(21))
Archie Kalepa (Item PIA-2(21))
Tammie Ann Matsuura (Item PIA-2(21))
Additional attendees (3)

PRESS: *Akaku--Maui County Community Television, Inc.*

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

CHAIR HOKAMA: . . .(*gavel*). . . The Council's Committee on Policy and Intergovernmental Affairs shall come to order. This morning, we have present from the Committee is our Vice-Chairman, Mr. Couch.

VICE-CHAIR COUCH: Morning, Mr. Chair.

CHAIR HOKAMA: Good morning. And then we have Committee Members: Ms. Baisa --

COUNCILMEMBER BAISA: Good morning.

CHAIR HOKAMA: --good morning--Mr. White --

COUNCILMEMBER WHITE: Morning, Chair.

CHAIR HOKAMA: --Mr. Guzman --

COUNCILMEMBER GUZMAN: Good morning, Chair.

CHAIR HOKAMA: --and Mr. Victorino.

COUNCILMEMBER VICTORINO: Hello and good morning, Chair.

CHAIR HOKAMA: And Ms. Crivello present.

COUNCILMEMBER CRIVELLO: Good morning.

CHAIR HOKAMA: Excused are Mr. Carroll and Ms. Cochran. Members, we have couple of items on the agenda for today; but, before we do that, we'll take up public testimony. And, at this time, we'll ask everyone at the district offices and the Chambers to please turn off your phone or place it on the vibrate/mute mode, please. When your name is called up, please come forward, state your name for the record; if you represent an entity, please, state that organization's name. You have three minutes to give your testimony to the Committee; we shall assist you. At the two-minute-thirty-second mark, the yellow light will go on indicating you have 30 seconds to conclude; at the three-minute mark, the red light will go on; and if you need more time, you shall request that of the Chair and the Chair shall consider the request and may grant up to one additional minute for conclusion.

. . .BEGIN PUBLIC TESTIMONY. . .

CHAIR HOKAMA: With that, we'll ask, Mr. Eugene Tihada, if you would please come forward and share your comments with the Committee, please?

MR. TIHADA: First of all, I wanna say, I'm very, very, nervous, okay.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

CHAIR HOKAMA: Okay. Well, take your time, don't be nervous.

MR. TIHADA: Okay. Good morning, ladies and gentlemen and Council members. My name is Eugene Tihada, I was born and raised in Lahaina, I'm a retired fire captain for the County of Maui and I'm a Army vet. I'm speaking in behalf of Archie Kalepa. I gotta get my paper here 'cause or not I going speak only pidgin. I have known Archie most of my life, most of his life. Had the pleasure of working with his grandfather, the late Frank Sylva, Sr. And I know most of his family on the island of Maui. Archie is a honest, brave, courageous, dependable, with great attitude and will volunteer to anything concerning the ocean. If someone calls for help in the ocean, boat trouble or whatever, Archie will be there to help and I know that as a fact. With him, there is no if or buts, he's on his way to help. Archie has saved hundreds of lives in his lifeguard profession. I, personally, has worked with Arch while I was a active captain at the Lahaina Fire Station during Hurricane Iniki. Archie saved many a lives that day and properties, like the boats and things like that. Archie came out of nowhere. I was assessing the situation and here came Arch on his jet ski. He came right in. He tell me, "eh, Cap, need help? I'm here." So one of my guys went out with him, and I don't know how much people he pulled off the boats that day. I mean, 'as guts. I mean the waves was big and Mala Wharf got destroyed at that same day. Anyway, going back to the paper. Archie--this is what I wrote last night with my wife--but Archie is the administrator in improving the standard and the safety of the lifeguards and victims, for example, getting jet skis as a life-saving equipment. Before they had the jet skis, man, they only had one surfboard, one surfboard; and Archie was instrumental in getting that jet ski, 'cause I know, I was there in Lahaina when he was trying to do that. And I mean the public was against him at first until they seen what he did on that --

MS. NAKATA: Three minutes.

MR. TIHADA: --jet skis.

CHAIR HOKAMA: You need some time to finish, Mr. Tihada?

MR. TIHADA: Yes, just a little bit more.

CHAIR HOKAMA: Sure. Go ahead, please.

MR. TIHADA: Archie is instrumental in extensive training for all the lifeguards on Maui. Archie was instrumental in merging the lifeguards with the Fire Department and has volunteered his time to the Junior Lifeguard. Currently, he's training eight high school coaches on safety and ocean risk assessment. I know without a doubt, this man, Archie Kalepa, would be a great asset as a Fire Commission because of his extensive background, knowledge and experience. Mahalo, thank you.

CHAIR HOKAMA: Thank you very much for your thoughts, Mr. Tihada. Any questions for Mr. Tihada, Members? Well, no questions. You did such a good job, no questions, no questions. Thank you for being here this morning. Next is Teri Costa.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

MS. COSTA: Good morning.

CHAIR HOKAMA: Good morning.

MS. COSTA: I would like to speak on Archie's behalf. I've lived on Maui for 10 years. I was fortunate...

CHAIR HOKAMA: State your name for the record please, Ms. Costa.

MS. COSTA: Oh, my name is Teri Costa, and I've been a resident on Maui for 10 years. I was fortunate enough to move next door to him at one point and got to know him and his wife. He has become a very good friend of mine and more like family. I've seen Archie do a lot of amazing things. He is great at anything that he puts his mind to do. And not only would he help somebody in the water, but he would help somebody on land or wherever. He's very courageous and he's a very strong person. I think he would be great on the Fire Commission. I think he would probably bring assets and maybe great ideas. I just think that...I know Archie that he would give the shirt off of his back to somebody if he needed. I have actually seen him take people off the street, bring them into his home and feed them Thanksgiving dinner. I am also a foster parent here on the island and have adopted two little girls who he stood up with me in court. And I've asked him to be the godparents of my two little girls; I would never do that if I didn't think he was an amazing, wonderful person. I just think he's a great man. And anything that he sets his mind to do, he's gonna do it 100 percent, maybe 110 percent. He's very strong and he's a great person, a great man and would never...very humble, is a good way to describe him, a very, very humble person. Always puts people before him, and that's one of the things that I've always loved about him. And he's a great father and he is my two daughters' godparents.

CHAIR HOKAMA: Are you done?

MS. COSTA: Yeah.

CHAIR HOKAMA: Thank you very much. Any questions for the lady on her testimony this morning, Members? Having none, thank you very much for being here.

MS. COSTA: Thank you.

CHAIR HOKAMA: We'll check with Ms. Lono in the Hana Office. Anyone wishing to provide testimony this morning, please?

MS. LONO: Good morning, Chair. This is Dawn Lono at the Hana Office, and there's no one waiting to testify.

CHAIR HOKAMA: Okay. Thank you very much. Ms. Fernandez, anyone wishing to testify on Lanai?

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

MS. FERNANDEZ: Good morning, Chair. This is Denise Fernandez on Lanai, and there is no one waiting to testify.

CHAIR HOKAMA: Thank you. Ms. Alcon, Molokai, please?

MS. ALCON: Good morning, Chair. This is Ella Alcon on Molokai, and there is no one here waiting to testify.

CHAIR HOKAMA: Okay. Thank you very much, ladies. We'll ask May Fujiwara if she would like to come and share her thoughts, please?

MS. FUJIWARA: Good morning --

CHAIR HOKAMA: Good morning.

MS. FUJIWARA: --Policy and Intergovernmental Affairs Committee Chairperson Hokama and Members of the Committee. Thank you for allowing me to testify. My name is May Fujiwara. I was born and raised on the west side, and have lived in Lahaina for many, many years. I've known Archie and the Kalepa family for years. In fact, Archie's grandfather, Dallas Kalepa, lived next door to my family; and I grew up with Archie's dad. The Kalepa family is a well-known and well-respected family on the west side as are his in-laws, the Sylva family. The late Mr. Frank Sylva was a firefighter for years and years. I'm here to urge you to approve the appointment of Archie Kalepa to the Fire and Public Safety Commission. What other candidate would be more qualified than this young man? Anyone who would be inducted into the Hawaii Waterman Hall of Fame must be an outstanding individual, and this I think is Archie Kalepa. As head honcho of the Ocean Safety group, he can add his knowledge and expertise in ocean safety to this Commission, especially that the Ocean Safety group will probably be integrated with the Fire and Public Safety Department. Archie is a hardworking, intelligent young man. I've known him to be an honest person with a great deal of integrity. He would never do anything to jeopardize his good family name. Long ago, he may have had an issue with his department, that was a long, long time ago; and he was never convicted of a crime. If the Council would not consider anyone who has ever been detained or arrested, then I imagine, perhaps, a great number of us would currently not be able to serve on any commission or qualify to hold public office. I urge you again to approve the Mayor's appointment of Archie Kalepa to the Fire and Public Safety Commission. I also would like to say something about Charles Hirata, also. I've known Captain Hirata for some time. He was Captain for many, many years in the Lahaina department. He was very well liked. He was one captain that we always saw, I think, you know. He was always visible, he was accessible, he walked and patrolled the streets along with his fellow officers; and we really appreciated his checking on us, the seniors entertaining when the cruise ships come in on the harbor. And he used to come once in a while and check on us to see that we were doing okay. And, incidentally, you know he has a very lovely singing voice; you ought to ask him to sing for you, too. So thank you for allowing me to testify.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

CHAIR HOKAMA: Thank you. Any questions for the lady on her testimony, Members?

COUNCILMEMBER BAISA: Chair?

CHAIR HOKAMA: Yes, Ms. Baisa?

COUNCILMEMBER BAISA: Chair, just a quick question. And thank you very much, Ms. Fujiwara, for being here this morning. You seem to, you know, have a really good knowledge of the position. I understand you served on the Fire Commission.

MS. FUJIWARA: Yes, along with Councilmember Crivello.

COUNCILMEMBER BAISA: So you really have, I think, a good understanding of the responsibilities of that Commission.

MS. FUJIWARA: Oh, yes, uh-huh.

COUNCILMEMBER BAISA: My question is, do you see a conflict of interest with Archie's background and the work?

MS. FUJIWARA: Not at all. I think he would be an asset to the Commission.

COUNCILMEMBER BAISA: Thank you very much for coming this morning; I know it's an effort, thank you.

CHAIR HOKAMA: Okay. Any other questions for the lady? Having none, thank you for being here this morning, thank you. Anyone else wishing to provide testimony this morning? Please make yourself known. Okay. Having none, I'll ask Hana, has anyone else come by wishing to give testimony, please, Ms. Lono?

MS. LONO: The Hana Office has no one waiting to testify, Chair.

CHAIR HOKAMA: Thank you. Anyone else, Lanai Office, Ms. Fernandez?

MS. FERNANDEZ: There is no one waiting to testify on Lanai.

CHAIR HOKAMA: Thank you. And, Ms. Alcon, Molokai, anyone there wishing to give testimony?

MS. ALCON: There's no one here on Molokai waiting to testify.

CHAIR HOKAMA: Okay. Thank you very much, ladies. Members, there's no further request for testimony, so we shall close testimony for today's meeting. Any objections?

COUNCIL MEMBERS: No objections.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

CHAIR HOKAMA: Thank you very much.

...END OF PUBLIC TESTIMONY...

ITEM PIA-2(21): NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS
(VARIOUS) (CC 13-42)

CHAIR HOKAMA: We shall now move on to Policy-2(21) under the title of Nominations to Boards, Committees, and Commissions. Prior to starting, we have some nominees who have made themselves available to the Committee for review. I'll ask Mr. Molina if he has some additional comments prior to the start of reviewing nominees, if he has additional comments for the Committee.

MR. MOLINA: Good morning, Mr. Chairman and Committee Members. No additional comments. As you've stated earlier, some of the nominees are here in the gallery and are available for questioning to the respective boards and commissions. Thank you, Mr. Chairman.

CHAIR HOKAMA: Thank you. The first one, we'll ask if he would come forward and give us some ideas and some comments is Mr. Cabebe, please? Mr. Cabebe is being nominated to the Board of Water Supply, Members, I believe for a term expiring 2019. Good morning.

MR. CABEBE: Good morning. Good morning, Committee Members; and good morning, Chair. My name is Raymond Cabebe. If you noticed, it's Ralph Raymond Cabebe. Ralph is actually my legal name, but I go by Raymond. There's a story behind that, but I won't share that with you today. But I've decided to try to make a meaningful contribution to the community by volunteering for the Board of Water Supply. My parents were volunteers in the community for a long time. And when my children were growing up, I volunteered with the schools, with church and I continue to do that. And, you know, I always encourage the kids that I coached to volunteer, also. I've taken my soccer teams to do volunteer work at Hale Kau Kau and also at the homeless shelter. And so this is just something...take another step in my life to do something that's more in line with my experience and my training.

CHAIR HOKAMA: Okay. Thank you for those comments, Mr. Cabebe. I'll ask the Committee for their questions for you if they have any. Ms. Baisa?

COUNCILMEMBER BAISA: Yes, Chair, just a quick question. And thank you very much, Raymond, for volunteering. I know you have a very responsible job. And the fact that you're, you know, able to take on a commission, I think, is very admirable. Thank you for volunteering. But, you know, the Water Board, as you know, at this point, is advisory. Does that cause any concern for you? You know, there's a frustration with the Board taking a position and it doesn't have the ability to say, you gotta do it. Does that concern you at all?

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

MR. CABEBE: No, that doesn't concern me. If you look on my resume, I'm sure you'll see that I worked for the Department of Water Supply for almost 12 years. And, in that time, the Board was semi-autonomous and had little bit more power, and I realized that the Board, now, is more advisory and I have no problem with that.

COUNCILMEMBER BAISA: Thank you very much. And, again, thanks for volunteering.

MR. CABEBE: Welcome.

CHAIR HOKAMA: Thank you. Ms. Crivello?

COUNCILMEMBER CRIVELLO: I have no questions, but, you know, I appreciate you stepping forward to continue your wearing your volunteer hat. And I think you make our community a healthier community by your contributions, so mahalo.

MR. CABEBE: Thank you.

CHAIR HOKAMA: Ms. Cochran, any questions?

COUNCILMEMBER COCHRAN: Good morning, Chair; and pardon my tardiness.

CHAIR HOKAMA: No, that's...

COUNCILMEMBER COCHRAN: Good morning, thank you, Mr. Cabebe --

MR. CABEBE: Good morning.

COUNCILMEMBER COCHRAN: --for being here and of course, as the others have said, your willingness to serve. And looking at your past experience, I guess, twelve years with our Maui County Water Department.

MR. CABEBE: That's correct.

COUNCILMEMBER COCHRAN: Having been there that amount of time, do you know...you obviously know the ins and outs and, you know, pitfalls and things that are functioning. But did you feel like you can bring, I don't know, more insight as to improvements on things or, you know, do you recall things that could've been, you know, worked on and maybe you see, today, haven't or can be, you know, guided in a more positive direction type thing, I guess?

MR. CABEBE: Yeah, there's ways to, I think, to make the Department more efficient and, you know, if a situation comes up where I would be given the opportunity to maybe contribute in that way to, you know, as far as suggestions and, you know, things that might have changed over the last, what, 11 years that I've been away, so, you know, I'd take a look at that.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

COUNCILMEMBER COCHRAN: Okay. Thank you for your willingness to serve, again, thank you.

CHAIR HOKAMA: Mr. Couch, no questions?

VICE-CHAIR COUCH: No questions.

CHAIR HOKAMA: Mr. White?

COUNCILMEMBER WHITE: No further questions.

CHAIR HOKAMA: Mr. Guzman?

COUNCILMEMBER GUZMAN: No questions, Chair. I know Mr. Cabebe personally --

CHAIR HOKAMA: Uh-huh.

COUNCILMEMBER GUZMAN: --as well as professionally. I think he's well qualified and suited for the Commission. Thank you.

CHAIR HOKAMA: Okay. Mr. Victorino?

COUNCILMEMBER VICTORINO: Yeah, thank you, Mr. Chair. Thank you, Mr. Cabebe, for being here. Although Chair Baisa mentioned that you are just advisory, you also understand that you do have adjudication powers to overturn the Director's decisions in water matters?

MR. CABEBE: Yes.

COUNCILMEMBER VICTORINO: You understand that that is part of it. So it's not the just an advisory anymore, because I had, you know, as you well know, was on the Board when it had both semi-autonomous powers and then went to advisory. We gave you back or the Board was given back, a few years back, the ability to adjudicate issues that the decision made by the Director to issue water meters and other issues like that and you guys can overturn or have the ability to overturn if that substantiating facts come forward, that you understand that's part of the duties of your Board?

MR. CABEBE: Yes, I understand.

COUNCILMEMBER VICTORINO: Okay. So long as you know. And you've been around long enough, I think...and I've known you for a long time so I know you can do a great job, so thank you. Thank you, Chair.

CHAIR HOKAMA: Okay. Any other questions for the nominee? Mr. Cabebe, have you been following some of the work Mr. Couch's Committee has done especially with regards to an interesting topic called, the Maui Island Implementation Plan?

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

MR. CABEBE: A little bit. I'm little familiar with it, yes.

CHAIR HOKAMA: Yeah, you know, many of the things that the County...and it's only partially completed, you know. We have yet to complete community plans updates, so but that Island Plan, you know, has some goals and some projects that, you know, deal with water in regards to development, population growth, improving the current system. You know, you're on a...be on a Board that advises and, as Mr. Victorino said, has some additional responsibilities. As a Board of Water Supply member...and, you know, you've been in the Department, you've been with those that support development initiatives. What do you see your role and in guiding the County in your role as a Board of Water Supply member with development?

MR. CABEBE: As far as development and how it connects with the Island Plan, you know, the growth has to be accommodated by, you know, the water sources and water transmission. And there's things that, I believe, the Board, you know, has input as far as, you know, as it relates to the plan. So that's something that, you know, I'd be able to contribute some insight --

CHAIR HOKAMA: Uh-huh.

MR. CABEBE: --to that, I believe.

CHAIR HOKAMA: You're in engineering by profession, Mr. Cabebe?

MR. CABEBE: No.

CHAIR HOKAMA: Okay.

MR. CABEBE: My training was in architecture, actually.

CHAIR HOKAMA: Okay. But you have some understanding of the discipline of the engineering components...

MR. CABEBE: Yes, I've worked with engineers for many, many years.

CHAIR HOKAMA: Yeah, so with your architectural experience and profession, then you have some sense of projections with budget and those type of expenses and debt requirements, borrowing requirements?

MR. CABEBE: Yes.

CHAIR HOKAMA: You have some understanding of that?

MR. CABEBE: Yes.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

CHAIR HOKAMA: I'd be interested in how you approach the Department's financial requirements. You feel comfortable to make any comment, this morning, regarding how you would recommend planning to approach the fiscal requirements of the Department?

MR. CABEBE: I haven't looked into the fiscal aspect as far as the Department's concerned. I realize that they do review the budgets every year and is something that, you know, I'd have to...the fiscal kinda information is not my strength --

CHAIR HOKAMA: Uh-huh.

MR. CABEBE: --I would say. I am familiar as far as, you know, in my work at Chris Hart & Partners as a consultant, you know, we always look at what kind of budgets the projects are...what kind of budgets they have as far as, you know, their development. And so I am peripherally, like, involved in something like that.

CHAIR HOKAMA: Okay. Alright. You or your company have clients actively requiring Department of Water Supply approvals?

MR. CABEBE: Not directly. We deal more with Planning Department, Planning Commission, Council, of course; and we haven't had any cases before the Board...

CHAIR HOKAMA: Okay. I'm sure you'll consult with Corporation Counsel regarding any potential issues, conflict of interest, ethics conflicts.

MR. CABEBE: Yes.

CHAIR HOKAMA: Okay. Thank you. Last chance for questions to Mr. Cabebe on his nomination to the Board of Water Supply, Members. Having none, Mr. Cabebe, thank you for making yourself present this morning. Any closing comments you wish to share?

MR. CABEBE: No, thank you.

CHAIR HOKAMA: Okay. Thank you very much for your presence, we appreciate it. Next, we'll have Mr. John Watling who has been nominated for the Cost of Government Commission to please come forward and share some comments with the Committee. Mr. Watling is also for a term expiring March 31, 2019.

MR. WATLING: Aloha, good morning, Chair.

CHAIR HOKAMA: Good morning.

MR. WATLING: Morning, Council.

COUNCIL MEMBERS: Morning.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

CHAIR HOKAMA: Why don't you share some thoughts with us, maybe some background --

MR. WATLING: Sure.

CHAIR HOKAMA: --introduce yourself to us, please.

MR. WATLING: Absolutely. My name's John Watling. I moved to Maui in late 2006. And part of the reason I moved here was because of a fantastic mentor, Mr. Kai Pelayo. Working for Mr. Pelayo, has inspired me directly and indirectly to become a little bit more civically minded, in jest, but with seriousness as well. He asked, what have you given back to your community today, what have you done to support, you know, your local group? And it's embarrassing every once in a while when you have to say, well, not anything today; and he gives you the disapproving look. And which, you know, I've now lived here for seven years and it is time for me to bring my business experience to bear and to support my community.

CHAIR HOKAMA: Okay. Thank you for your comments. Ms. Crivello, any questions for the gentleman?

COUNCILMEMBER CRIVELLO: Thank you, Chair. Mr. Watling, thank you. Thank you very much for responding, first of all, to Mr. Pelayo's efforts to get you people involved with community work. You mentioned here that you have gained skills which includes fiscal responsibility. So how do you see that skill applicable to that of being on Cost of Government --

MR. WATLING: Sure.

COUNCILMEMBER CRIVELLO: --and is this your first choice of commission that you wanted to serve on?

MR. WATLING: To answer them in order, being that this is my first jump into the pool from a governmental angle, I always have to rely on my prior business skills. And it's...to oversimplify the philosophy, you have revenue coming in, you have expenses going out; and if those two are disjointed, there's somebody you're gonna end up being held accountable to who's gonna ask the questions, why was this your revenue versus this, your expense, and why didn't we make any money? You know, I understand that we're...the government isn't in a revenue-generating situation, but certainly on the expense side, the vast majority of my business experiences in looking at systems and processes, just with a critical eye. It's, sometimes, you'll look at something and say, no, that's actually the best way it can work right now. And then other times, you're like, what synergies can be found, you know, to make it so two people aren't doing the same job if you can have one person do it with the same result? And that's a big part of what I do.

COUNCILMEMBER CRIVELLO: Thank you.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

MR. WATLING: The second part of your question, was this my first choice? It actually wasn't, but the more I found out about it, the more interesting it's become to me. I have some prior experience in criminal justice; there was a vacancy on the Police Commission. And, also, with my background in the hospitality industry, the Liquor Commission seats, I wanted to put my name in the hat in areas that I had prior experience in. And, you know, I just wanted to help. So...

COUNCILMEMBER CRIVELLO: Thank you.

MR. WATLING: Thank you, ma'am.

CHAIR HOKAMA: Ms. Cochran?

COUNCILMEMBER COCHRAN: Yeah, thank you. No comments at the time...or questions.

CHAIR HOKAMA: Mr. Couch?

VICE-CHAIR COUCH: No comments at this time.

CHAIR HOKAMA: Mr. White?

COUNCILMEMBER WHITE: Nothing further. Thank you, Chair.

CHAIR HOKAMA: Mr. Guzman?

COUNCILMEMBER GUZMAN: Thank you, Chair. Just to clarify, how long will his term be if appointed?

CHAIR HOKAMA: He is being nominated for a term expiring March 31, 2019.

COUNCILMEMBER GUZMAN: 2019. Just, Mr. Watling, thank you very much for coming down and presenting yourself. It sounds as though you do have the experience in terms of analyzing systems and processes. My question would be very simple. Do you plan to stay in Maui for the entire term or do you have...have you established yourself here --

MR. WATLING: I will share...

COUNCILMEMBER GUZMAN: --in terms of staying this...this is going to be your home?

MR. WATLING: I'll share a story that my wife said knowing that, you know, the hospitality industry is a fairly transient business --

COUNCILMEMBER GUZMAN: Yes...

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

MR. WATLING: --people like to get transferred around, and promoted and all these things, so your question is very valid. And so I asked my wife, I'm like, hey honey, if I get dangled that golden carrot to have this great job in Kansas? Her response to me is, I will miss you terribly. So, with that, Maui's our home. We just purchased a home in May, and we love it here. I've no aspirations to leave Maui anytime soon.

COUNCILMEMBER GUZMAN: Okay. Thank you, Chair.

CHAIR HOKAMA: Mr. Victorino?

COUNCILMEMBER VICTORINO: Thank you. And thank you for being here.

MR. WATLING: Thank you, sir.

COUNCILMEMBER VICTORINO: And I do appreciate and I think Kai has always been very civic minded; and to get others to become civic minded I think is very, very, very important. I guess, the only question I have for you, Mr. Watling, is real simple. Looking at how government continues to grow --

MR. WATLING: Uh-huh?

COUNCILMEMBER VICTORINO: --and whereas the private sector in many cases has had to cut personnel, get more efficient because it's a dollar-and-cent game in the private sector, whereas sometimes in government, we have this theory that, eh, you know, if we can't, you know, we don't have enough money, we'll just raise somebody's taxes, which we do not like at all, okay. So let me be very frank about that. However, just really, you see that picture from a private sector, how would you--in two sentence, three sentences--how would you help us implement that in this Cost of Government Commission?

MR. WATLING: The biggest thing I've learned in my experience--and this goes back to, you know, when I was a housekeeping director --

COUNCILMEMBER VICTORINO: Uh-huh?

MR. WATLING: --you know, as far as...and this is so minutia, but, you know, people, you know, buying things in bulk. You go into paper supplies and things like that, and just the soft cost of putting a whole bunch of imagined rolled up paper towels on a truck, okay. The soft cost of doing that movement, if I can fill that whole truck, goes down by half versus having to split it up and then spread it out over a couple of months. Little things like that that can...you don't realize that there is a cost, but when you look at it on a P&L statement over the course of a year, you're like, oh my gosh, I just saved \$10,000 in shipping paper products.

COUNCILMEMBER VICTORINO: Uh-huh.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

MR. WATLING: Little things like that that if you stack 'em up on top of one another. In the private sector, it's amazing to see if you just look at it with a critical eye and ask lots of questions that the answers kinda just rise to the top.

COUNCILMEMBER VICTORINO: Very good, you know, and I think that's something I can share with you, 'cause my years in McDonalds taught me that it isn't the dollars that hurt us, it's the pennies we don't pay attention to.

MR. WATLING: Absolutely a true statement.

COUNCILMEMBER VICTORINO: Yeah, thank you. Thank you, Mr. Chair.

CHAIR HOKAMA: Okay. Thank you very much. Ms. Baisa?

COUNCILMEMBER BAISA: Thank you very much, Chair, for the opportunity. And thank you, Mr. Watling, for being here.

MR. WATLING: Thank you, ma'am.

COUNCILMEMBER BAISA: And I know how convincing Kai Pelayo can be.

MR. WATLING: Yes, ma'am.

COUNCILMEMBER BAISA: He's very involved in our community, and I'm glad he's out recruiting. And if he thought that you were a good candidate, I support you 100 percent. And thank you very, very much for volunteering. You know, coming into a new community, it's really important to be a part of it.

MR. WATLING: Uh-huh.

COUNCILMEMBER BAISA: And you'll, you know, find the experience so wonderful. And thank you very much for bringing your time and expertise to us, thank you.

MR. WATLING: Thank you, ma'am.

CHAIR HOKAMA: Other questions? Mr. White?

COUNCILMEMBER WHITE: Thank you, Chair. Your comment about the paper towels and the truck reminded me of something I heard.

MR. WATLING: I'm gonna regret this analogy.

COUNCILMEMBER WHITE: Well, it reminded me of something that I learned when I went to get something printed here, locally. And the printer looked at me and said, you know, one of the

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

things that I don't understand is that the County...for the County, we print seven different vacation request forms for different departments. And I've completely spaced that out until your comments about the towels. So that's maybe something you can look into first if we don't get there before you.

MR. WATLING: Well, and we had a similar situation at the Grand Wailea where when I came in as the Rooms Director. Again, new kid coming in from the Mainland, oh, who is this Mainland kid who thinks he knows everything. But we had four different types of guest stationery. We had the ones that go in the room and then the ones that go in the drawer in the room, then the one that we hand the guest. And I'm like, do you think a guest is gonna notice that each one is about half an inch smaller or taller, can we just have one? Nobody noticed; it was fantastic.

COUNCILMEMBER WHITE: That's right. So thank you for being here.

MR. WATLING: Thank you, sir.

COUNCILMEMBER WHITE: Appreciate it. Thank you, Chair.

CHAIR HOKAMA: Okay. Other questions for the nominee? Ms. Cochran?

COUNCILMEMBER COCHRAN: Thank you, Chair. And, yeah, I was just browsing through and at the very end of your resume, it says, King County Park Maintenance Specialist.

MR. WATLING: Yeah.

COUNCILMEMBER COCHRAN: And that was how long of a term were you there or...

MR. WATLING: I was there...more history probably than you wanna know. My mother retired from King County Parks Department, so I grew up literally living in parks. She was a park ranger. So that was my municipality that I got to see from growing up. And as soon as I graduated high school, you know, they needed summer help; and so I went to work in a different district. And I did it actually all the way through college over summers, you know, preparing ball fields, cleaning restrooms, things like that. And it was fun, it was a great summer job, you get to work outside and see lots of people.

COUNCILMEMBER COCHRAN: And, Chair, the reason why for my question is...I mean, not to pick on Parks and Rec, but they are going through a whole revamping of their --

MR. WATLING: Uh-huh.

COUNCILMEMBER COCHRAN: --programs and permitting and everything, so I thought maybe with your background on Parks, perhaps, you know, you could lend a helping hand and a different set of eyes on --

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

MR. WATLING: Sure.

COUNCILMEMBER COCHRAN: --how to be a more efficient-run department and what have you. So I think that could be quite helpful; so to keep it in mind when you folks do discussions in Cost of Government in that aspect.

MR. WATLING: Sure.

COUNCILMEMBER COCHRAN: Thank you.

MR. WATLING: Thank you.

COUNCILMEMBER COCHRAN: Thank you, Chair.

CHAIR HOKAMA: Okay. Thank you. You are aware that we have a County Auditor, currently --

MR. WATLING: Yes, sir.

CHAIR HOKAMA: --which I support strongly. Do you see yourself, as a potential Cost of Government Commissioner, being in differences of opinion regarding County programs and departments operations that you feel to...I mean do you realize there's a line in that the Auditor, you know, is to do his job, be independent of all branches of the two counties, but, also, we don't expect Cost of Government to do the Auditor's job, either?

MR. WATLING: No, I understand. You know, and I think it's important, you know. I, you know, I do my job and where I am at currently, and every piece of paper I sign goes to our finance office which then gets audited. They ask a question, you know, if the guest is unhappy and I decide, you know, Mr. Smith, I'm gonna, you know, give you, you know, I'm gonna take care of one of your room nights. There is a chit that gets filled out, that goes to the finance folks, and the finance folks audit that. So I see the need for that delineation, somebody who is removed --

CHAIR HOKAMA: Uh-huh.

MR. WATLING: --and somebody who is closer to the actual guest.

CHAIR HOKAMA: Okay. Well, I think you have the ability to make a positive difference for our community. You have a skill that no one picked up, but it's there. So I'm gonna ask you, what were you a finalist for in the State Solo Competition.

MR. WATLING: 1989, my senior year of high school, I was lyric first tenor. And I went through all the regionals and all the way up to...I took third place in the state of Washington in 1989.

CHAIR HOKAMA: So you're a junior Pavarotti?

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

MR. WATLING: I will answer that question depending on if you want me to sing next. No, it actually...it was great, it paid for couple of years of college for me. And, unfortunately, I don't do it much anymore, but it helped me in public speaking in situations like this. So it had some great residual benefits.

CHAIR HOKAMA: Well, you have a very well-rounded experience and talents, so thank you very much for volunteering for our community's benefit. Any other questions for the gentleman, Members? Having none, Mr. Watling, thank you for making the time. I know you're a very busy man, but thank you for being present and letting us put a face to the name.

MR. WATLING: Great. Thank you, Chair; thank you, Council.

CHAIR HOKAMA: Thank you. We'll ask Mr. Kalepa if he would come up forward next, please?

MR. KALEPA: Good morning, Chair Hokama --

CHAIR HOKAMA: Good morning.

MR. KALEPA: --Members of the Council.

CHAIR HOKAMA: Why don't you share some comments with us regarding your nomination and we'll take it from there, Mr. Kalepa?

MR. KALEPA: Well, first, I'd like to apologize, my throat's a little scratchy. I'm a little under the weather.

CHAIR HOKAMA: No apologies.

MR. KALEPA: You know, I think I can...I wanna continue to contribute to this island, the community. And I think with my background, not only as Ocean Safety Officer but in a public safety realm, that I can help shed some light on this Fire Public Safety Commission that will ultimately benefit our community. And I think that's, you know, that's, for me, I'm looking at the bigger picture, looking at ways that I can continue to share and contribute some of the things that I've learned through my travels around the world in sharing my public safety lifeguarding background. And, you know, it's a big responsibility to sit on a commission, number one. You gotta be dedicated, you gotta make sure you make your meetings; but, ultimately, when I look and I see that jet ski driving by on the water and I see that fire truck going down the road or that EMS picking up somebody, to know that we can help contribute on ways to make it more efficient for both the patient, the person getting rescued, and the overall service of the public. I think there's ways that I can contribute by being on this board and being ears, listening to some of the concerns, but also giving some sound, good advice on direction.

CHAIR HOKAMA: Are you done, Mr. Kalepa?

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

MR. KALEPA: Yeah.

CHAIR HOKAMA: Okay. Thank you very much. I will ask the Committee for their questions.
Mr. Couch?

VICE-CHAIR COUCH: Thank you, Mr. Chair; and thank you, Mr. Kalepa, for being there.

MR. KALEPA: Thank you.

VICE-CHAIR COUCH: There's a concern about conflict of interest in this position. Can you give us your thoughts on how your experience could help or hinder if you were on the Fire Public Safety Commission?

MR. KALEPA: Well, in terms of conflict of interest, I don't see a conflict of interest, because my interest is just to make it better. Looking above and beyond Ocean Safety and the Lifeguards merging together, I think, the process is already starting, you know, so I don't see it being a conflict of interest. I've never seen myself in that kind of light, more in the way of contributing and sharing and listening on how we can help this County operate more efficiently, effectively and overall safely.

VICE-CHAIR COUCH: Okay. Thank you, Chair.

CHAIR HOKAMA: Thank you. Mr. White?

COUNCILMEMBER WHITE: Thank you, Chair. Thank you for being here today, Archie.

MR. KALEPA: Thank you, Mr. White.

COUNCILMEMBER WHITE: You know, we've worked together on several projects and, of course, you've been in Lahaina longer than I have and that's about...I've been there 28 years, and I know you to be confident, fearless and selfless and all the things that the testifiers mentioned about you are, I think, are very well known in the community.

MR. KALEPA: Uh-huh.

COUNCILMEMBER WHITE: I'd like to give you an opportunity to respond to the concerns that were addressed at our last meeting --

MR. KALEPA: Sure.

COUNCILMEMBER WHITE: --regarding your use of County equipment. Because I think that's a concern that needs to be addressed. Because I think, personally, I don't see a conflict of interest. You're retired, you bring a level of understanding of the new responsibilities that the Fire

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

Department's taking on that no one else has. I don't think anyone else has your experience in the water.

MR. KALEPA: Uh-huh.

COUNCILMEMBER WHITE: And the water's, obviously, a very big part of the County's responsibility as you know better than anyone else. So I have a whole lot of confidence that you would bring something very important to the Commission; but, at the same time, I know there are Members that are concerned --

MR. KALEPA: Yes.

COUNCILMEMBER WHITE: --about your use of County equipment. So I'd just like to give you an opportunity to address that, if you don't mind?

MR. KALEPA: Well, thank you, Mr. White, for asking that question. You know, looking back at when this all took place, it was...back then, it was the Wild Wild West. Lifeguards were beach boys, they did what they want. There was no sense of responsibility on their part, more irresponsible. And, you know, the County, they bought us a jet ski, but they didn't buy us a sled. Then they bought us one sled and sled got broken, so I was loaning my equipment to the County and it went back and forth, my personal equipment. And this was in the early days. And...

CHAIR HOKAMA: Mr. Kalepa, can you put a time --

MR. KALEPA: Yeah.

CHAIR HOKAMA: --to when you say, early days?

MR. KALEPA: Ah, this was probably, like, 1993, '94, '95, somewhere around there. I don't exactly remember.

CHAIR HOKAMA: Okay. Thank you.

MR. KALEPA: But, you know, I was the one that lost the sled, but I was also the one that reported it missing. And I was also the one that had turned in my boss at the time who had the sled. And I remember going to all the lifeguards asking them, what should I do? Because he took me to his house and said, Archie, do you see something? And I looked and I said, no. And he said, look up there. And I saw the sled and my heart dropped, because in my heart I thought that was wrong. He's my boss, he has a piece of County equipment, he gets it back, but he keeps it. Long story short, there's this big investigation, I'm one of the key witnesses, the defense tries to turn it around back on me, blaming that I did lose the sled. But I did come forward and said, I did lose the sled, that's how it was reported to the police. But, what I've learned from that, from when that happened and some good six, seven years later and I came into that position was, we wrote a manual and from that day on, anybody that we hired, went through recruit training. It wasn't no

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

more, here's your keys, go to work, do what you want. There was, everybody knew what they had to do, when they had to do it and how they had to do it; and there was no excuses. And that's what I learned from that. And I think it really changed the Ocean Safety, lifeguarding section from that day on, because I think everybody walked away learning a lot from that period.

COUNCILMEMBER WHITE: Thank you. Thank you, Chair.

MR. KALEPA: Thank you.

COUNCILMEMBER WHITE: Appreciate your comments.

CHAIR HOKAMA: Mr. Guzman?

COUNCILMEMBER GUZMAN: Thank you, Chair. Thank you, Mr. Kalepa, for coming down and --

MR. KALEPA: Thank you.

COUNCILMEMBER GUZMAN: --I know that your reputation precedes you as being a very helpful and good man in the community. And I support that and I support that sentiment. I wanna ask you some difficult questions.

MR. KALEPA: Sure.

COUNCILMEMBER GUZMAN: And the reason why I'm asking these questions is because there has been some evidence that has been presented to us on the Council that I wanted to be very clear on --

MR. KALEPA: Uh-huh.

COUNCILMEMBER GUZMAN: --and have some clarification as to what it points to. And what it points to is it's basically an argument or an attack on your credibility not necessarily a conflict of interest of your experience. I believe that your experience in Ocean Safety will be an asset to the Commission. But this opinion by Judge Acoba has come to light wherein it does question your ability to be credible at some point. So I'm gonna ask you, when you were involved in that incident back in 1998 --

MR. KALEPA: Yes.

COUNCILMEMBER GUZMAN: --when it finally went to the indictment process, which is the Grand Jury. At that point, I do know that witness are held to an oath before they take --

MR. KALEPA: That's correct.

COUNCILMEMBER GUZMAN: --the witness stand.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

MR. KALEPA: Yeah.

COUNCILMEMBER GUZMAN: So when you were given that oath to tell the truth, nothing but the truth, at that point you, according to the transcripts of the judge in the Supreme Court --

MR. KALEPA: Uh-huh.

COUNCILMEMBER GUZMAN: --I see a, I would think it was Supreme Court, that did say that you perjured yourself.

MR. KALEPA: Yeah.

COUNCILMEMBER GUZMAN: So I wanted to know, at what point did you make that turnaround to finally come truth and tell the truth and what point did you realize and what circumstance made you go into a Grand Jury room and point the finger at someone else that could, you know, the defendant at that point was being accused of theft and was facing jail time. And that's putting a person into really harms jeopardy --

MR. KALEPA: Uh-huh.

COUNCILMEMBER GUZMAN: --at the Grand Jury level. So I guess, for me, it's all about what was going on in your mind and what credibility issues have you learned from that?

MR. KALEPA: I think what I've learned from that is, number one, you gotta...as a profession or as a County employee that, you know, you gotta do the right thing regardless if, in the beginning, you did the wrong thing. The hardest thing that people have to do is admit their wrongs. When you can do that, when you can admit your wrongs, you can turn your life around. And, you know, it was a milestone. Because of the pressures of...it was like a murder trial. That thing was like a murder trial. It went on for months. And there was a lot of digging, you know, digging of information between the County and each one of us personally. And so it really, really woke me up. But as far as it turning my life around, I think having integrity and being honest was always a part of me and it was just, every now and then, you needed to get reawakened and getting the right guidance every now and then. And as you get older, you get wiser. You know, you realize what you can and cannot do, and then you become a role model and you try and do the right things all the time.

COUNCILMEMBER GUZMAN: Thank you, Chair. Thank you for that response. I believe in that.

MR. KALEPA: Uh-huh.

COUNCILMEMBER GUZMAN: I believe that people do need second chances and they do need wake-up calls in order to keep them...or at least bring them back on the road. Sometimes people get diverted. And maybe this incident did put you back on track. And, from that point on, it

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

seems as though you cleaned up the Department. So thank you for that response. Thank you, Chair.

MR. KALEPA: Thank you.

CHAIR HOKAMA: Mr. Victorino?

COUNCILMEMBER VICTORINO: Thank you, Chair. And thank you, Mr. Kalepa, for being here. You know, Archie, when I first came on this Council, you were one of the guys that took me to Oahu and had me meet with all of the different departments that had been changed over from, you know, under Parks and Rec into Ocean Safety with the Fire Department --

MR. KALEPA: Yes.

COUNCILMEMBER VICTORINO: --and the logistics and the efficiency of the program. So I've been a real supporter of that and I'd like to see that done in the not-too-distant future. And I think you bring a unique qualification to the table. Secondly, I wanna say, thank you for your honest answers to the questions brought up by my colleagues. I have no doubt in my mind, mistakes, if we're all to be judged by just the mistakes we made, then we...for sure as heck, I wouldn't be here, you know. I think a lot of us wouldn't be here.

MR. KALEPA: Yeah.

COUNCILMEMBER VICTORINO: You know, some people may try to elevate themselves in a different status, but I'm just a regular person who's made mistakes, who's gotten speeding tickets and others, you know. Hey, you know, I'm sorry. But I think you've said what you needed to say and I'm confident in what you've done and what you will bring to the table with the Fire Safety and...I should say, Public Safety and Fire Commission. I think you'll be a great asset. I've heard some very distinguished people and people I know that support you, and I'm very happy with that. And I'll wait for the Chair's recommendation, but I can say, through the years I've known you and the things you've done with our family, things you've helped us with, Chair, this is one of our outstanding citizens, yeah. Hey, in our youthful days, Mr. Chair, many of us made mistakes. But owning up to 'em and moving on is something very important and teaching the lessons to the young so that they don't repeat what we did, you know. I think that's very, very important. And if that was a reason not to serve in this community, well, there's other people out there that maybe they shouldn't even be trying to serve, also, because they have checkered pasts --

MR. KALEPA: Uh-huh.

COUNCILMEMBER VICTORINO: --but we forgive and move on.

MR. KALEPA: Yeah.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

COUNCILMEMBER VICTORINO: We forgive and move on. So thank you, Archie, for facing the facts. I just, you know, and this letter here was very scathing, you know.

MR. KALEPA: Uh-huh.

COUNCILMEMBER VICTORINO: And, unfortunately, this young lady believes in what she wrote. And, no, I have no question about that. But then the other part was in that back, she had a comment or a article from *The Maui News*, "Bill to make lying to authorities a crime", you know. I think that's interesting, but I thought it was a very interesting statement right at the bottom by an attorney who said, what if a scenario where you're pulled over for speeding and the officer asked whether you knew you were going too fast. And if you said you didn't know what you're actually doing, then you have committed a misdemeanor. How many of us really know how fast we're going when we're driving? I mean how many of us really pay attention to the speedometer, Mr. Chair? I thought that was an interesting, you know, just beyond him, beyond Archie, an interesting scenario when you talking something like that, Mr. Chair. So I just thought it kinda would put some little light into the day in the saying, you know, that, yeah, I could see one policeman...I've been pulled over and he says, do you know how fast you were going? And my response is, obviously too fast because you stopped me, but I honestly don't know how fast I was going. Eh, and times I've paid the price with a ticket, but it's the way life is. Thank you, Mr. Chair.

MR. KALEPA: Thank you, Mr. Victorino.

CHAIR HOKAMA: Thank you. Ms. Baisa?

COUNCILMEMBER BAISA: Thank you very much, Chair. Thank you, Mr. Kalepa, for being here this morning.

MR. KALEPA: Thank you.

COUNCILMEMBER BAISA: It's been a very difficult situation here to deal with your nomination, for me. First of all, I'm gonna disclose that we are distant cousins, and so I've known Mr. Kalepa since he was a little kid and I knew his parents and I know his family.

MR. KALEPA: Uh-huh.

COUNCILMEMBER BAISA: But really, Archie and I haven't known each other very much as grownups. We knew each other as kids, and I found him when I was elected to the Council. And I was just so overwhelmed when he came here to be inducted into the Waterman Hall of Fame. And I started looking into his background; and, man, I was blown away, you know, to think that how far he's come. And, you know, when you're put in a category with people like Duke Kahanamoku, I mean that's really an accomplishment. Also, recently, I've learned a little bit more about, you know, his background and what he's done in his job and learned about all the improvements that he made with the equipment and the fact that he literally has saved hundreds

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

of lives. And every time he saved a life, he put his own life on the line. You know, what more do we want? And, yes, he made a mistake, but he's not the first person who made a mistake and he's not gonna be the last one. But one of the things that I admire and so love about Maui is that we care about each other and we generally don't air dirty linen in public. And it bothers me that we would be sitting here conducting some kind of a quasi-trial. You know, Mr. Kalepa has volunteered, he brings outstanding skills and, yes, some bit of stuff in his past, but that was a long time ago, and he has proven that he cares about our community, he cares about our people, he has skills that we can't get from anyone else. And as the Department goes through this transition of bringing the lifeguards over to Fire, he brings information and I think value, because he's gonna be able to be very skilled at evaluating equipment requests, personnel requests, procedural requests, because he's not talking about something he doesn't know. This is firsthand information from somebody who's been out there. So I wanna say that I am in full support of the nomination. I wanna tell you, Mr. Kalepa, my heart aches about all of what we've had to listen to. I'm glad it came up because it may come up later, so might as well get it over with; but it is a sad sign of the new Maui. Thank you.

MR. KALEPA: Thank you.

CHAIR HOKAMA: Thank you. Ms. Crivello?

COUNCILMEMBER CRIVELLO: Thank you. Thank you, Mr. Kalepa.

MR. KALEPA: Thank you.

COUNCILMEMBER CRIVELLO: I, personally, wanna thank you for all of your years that I've read about or heard about of all of your contributions to our islands, including Molokai --

MR. KALEPA: Uh-huh.

COUNCILMEMBER CRIVELLO: --so mahalo.

MR. KALEPA: Thank you.

COUNCILMEMBER CRIVELLO: In regards to your role as a board member of the Public Safety and Fire Commission and your experience and history as Ocean Safety, and I recall back when you were the key advocator --

MR. KALEPA: Uh-huh.

COUNCILMEMBER CRIVELLO: --for this to become a reality that Ocean Safety be part of Fire, or if we wanna put it that way. So coming from that, share with us why you value, why did you...and I'm sure today you still value that, but why were you such a strong proponent of transferring Ocean Safety from Parks and Recreation to the Fire Department?

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

MR. KALEPA: Well, I think Ocean Safety has outgrown the capacity to serve in the Parks Department, because the Parks and Recreation is a more recreation-minded component. And Ocean Safety is a public safety service that they provide. And having going around the world and training different agencies whether it be fire, police; seeing how other municipalities operate; how other agencies provide services, I think, it can help streamline cost, it can help operate more efficient. And, you know, really, I think, Ocean Safety's already there in regards to, they're already part of 911, they respond to the same ocean calls as the Fire Department does. And, you know, what people don't realize is, when the lifeguards respond, it's just like a fire truck. The fire truck has to drive down the highway, get to the scene, where the lifeguards already going on the water. When the fire truck gets there, they wait for orders or if the Lifeguard Captain gets there, they wait for orders. If not, they already bringing the person to shore. It's minimized cost in the fact that we don't have to put the bird in the air to respond to this call, because the lifeguards were able to get this person and bring this person in. So I think it's just the Cost of Government being able to streamline the efficiency of government. And, you know, there's this talk about, oh, it's the State's jurisdiction, it's their responsibility; but, you know what, the bottom line, it's our responsibility, it's Hawaii's responsibility and, you know, we share those responsibilities along with the State and the County. And I've talked to legislatures and said, you know what, there's a big gray area right now between the high-water mark, the water mark and whose jurisdiction is, whose responsibility is it. But if that was your family member that was out there, we don't care whose responsibility it is, go get that person. And I think, you know, we gotta work towards that. And one of the ways is being more efficient, more cost efficient. We can find ways to work together with the State, the County and everybody to help support, you know, our public safety agencies throughout the State.

COUNCILMEMBER CRIVELLO: So, Mr. Kalepa, being that if you have the opportunity to serve on the Commission and, you know, we recognize so far the transition isn't complete.

MR. KALEPA: Uh-huh, correct.

COUNCILMEMBER CRIVELLO: And, apparently, there's some potholes or some detours or some obstacles that probably they're facing, and I don't really know what...

MR. KALEPA: Yeah.

COUNCILMEMBER CRIVELLO: So with the, like you say, the Cost of Government and recognizing, perhaps, what the administration from Fire are looking for --

MR. KALEPA: Uh-huh.

COUNCILMEMBER CRIVELLO: --to make that transition, I guess --

MR. KALEPA: Yeah.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

COUNCILMEMBER CRIVELLO: --cost effective and whatever they're looking for, can you also be open to what they're, if we wanna say the pilikia or whatever would be?

MR. KALEPA: Oh, absolutely. And I think there's, you know, there's two components: it's the Fire way of thinking and then there's the Ocean way of thinking. So I think being on this Commission, I'll be more ears and I will be, you know, voicing. I wanna hear and listen to what are some of the concerns that the Fire Department has and help find solutions to ways that we can help make this merger happen. So, definitely for sure, listen to what they, you know, some of the issues or concerns that they have. And, you know, not necessarily go by what people think the way they operate, but let's get all the facts on the table, lay it all out, come up with a good, sound plan that's good for everybody: the lifeguards, the firefighters, ultimately, the public. I think that can be done, from me especially.

COUNCILMEMBER CRIVELLO: One more question, Chair, if I may ask? Real fast, I note here that your new career path is a spokesperson for OluKai company, can you expand on what does this mean and if there is any kind of integration for lifeguarding or Fire with the product?

MR. KALEPA: Well, it's a private company. We provide casual, comfortable footwear to the public. But, along the way, we've, the company, we found ways to contribute back to the communities. We don't sponsor athletes. We do find ways to give back to the community where these community groups that we give to are actually giving back to the community. And I think I know where you're going with this. One of the things that we do do is, we make a donation to the HLA, which is the Hawaiian Lifeguard Association, which every member, every Ocean lifeguard in the State of Hawaii, is a member of. And we also sell the HLA slippers and shoes and a percentage of that actually gets...the proceeds that we sell, a portion of that, gets given back to the HLA. They divide the money to all of the...every island and that helps offset some of the traveling cost for the State Junior Lifeguard Championships. So, last year, we gave \$19,000 to HLA, which in turn was distributed to every island which in turn help the kids fly over--which Maui hosted the State Junior Lifeguard Championships--and we also sent the Hawaii teams for the first time to the nationals --

COUNCILMEMBER CRIVELLO: Wonderful.

MR. KALEPA: --and HLA, OluKai, was a contributor in that. But we don't give the slippers or shoes to the County. It's actually given to the HLA and HLA, the chapters, distributes to the lifeguards.

COUNCILMEMBER CRIVELLO: Thank you for expounding on that. And I applaud the HLA in supporting our Junior Lifeguard Program. Thank you, Mr. Kalepa.

MR. KALEPA: Thank you.

CHAIR HOKAMA: Councilmember Cochran ?

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

COUNCILMEMBER COCHRAN: Thank you, Chair; and thank you, Mr. Kalepa, for being here and wanting to, you know, willing to serve and continue your contribution to this community in this capacity.

MR. KALEPA: Thank you.

COUNCILMEMBER COCHRAN: And I, too, concur with all my Members who have said some very praising and positive comments about you. And I guess it is hard, you know, 'cause I have been in the shoes that you have been where people wanna pull out your past and mistakes that you've done.

MR. KALEPA: Uh-huh.

COUNCILMEMBER COCHRAN: But, you know, a person can change and turn around and learn from those mistakes and become a better person, a stronger person. And so I know you have done that, and I don't think anybody can hold, you know, a candle to what you know, the skills that you bring and the heart and the passion. And, you know, you travel internationally. People seek out your expertise. And you have taught just how to save lives all over, and I just think that, you know, it's quite sad that anybody would think otherwise. So I just wanna say that I completely support you, and you know I always have.

MR. KALEPA: Yeah.

COUNCILMEMBER COCHRAN: And the whole merger I know has been a dream and a vision of yours, and I told you well before I even got here in this seat that I will be here to support you and I will continue to do that. And I think that in this Commission you will bring the skills and knowledge that can make that happen, you know. And all the players that will be at that table, and you will be very open minded and open to listening and hopefully vice versa, you know. And that's the only way that the pilikia, the issues and concerns, can be worked out. So I am completely in support, Chair, to have Mr. Kalepa be a part of this Commission. He brings such...I can't even explain how, you know, the grandeur of the potential that he has to offer and for others to learn by. Because you've already proven it on the ocean, in the water, on the beaches and through this County. And thank you for your service to us.

MR. KALEPA: Thank you.

COUNCILMEMBER COCHRAN: So I just wanna say thank you, and completely support your nomination.

MR. KALEPA: Thank you, Council Cochran.

CHAIR HOKAMA: Other questions for the gentleman? Okay. The Committee's understanding, Mr. Kalepa, is, one, regarding donations, whether individually or from OluKai, was never donated or presented to the County or the Parks Department or the Fire Department.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

MR. KALEPA: That's correct, yeah.

CHAIR HOKAMA: Okay. Is those donations utilized at the work site, though? Is that something that is replaced by the County if --

MR. KALEPA: No.

CHAIR HOKAMA: --it is used, lost, damaged?

MR. KALEPA: No.

CHAIR HOKAMA: Okay. You have any, Mr. Molina, any comments you wish to share about Mr. Kalepa's nomination?

MR. MOLINA: Mr. Chair and Committee Members, I think the Committee has certainly expounded a lot of the positives of Mr. Kalepa that the Administration shares. And we would, on behalf of the Mayor and the Administration, would be certainly grateful of your support of Mr. Kalepa. His deeds certainly speak for themselves. As a matter of fact, I believe the Council did a resolution in honor of Mr. Kalepa about a year or so ago. And on top of his...he's quite an athlete as well. But more so, it's about the lives that Mr. Kalepa has contributed towards saving in our community. I think there's no value or no dollar amount that can be placed on that contribution to our community. It also helps our visitor industry as well and protecting our residents. So there's many facets of this community that Mr. Kalepa has contributed to to help make Maui County a better place. So, with that being said, again, the Administration would be very appreciative of your support, Committee Members and Mr. Chairman. Thank you.

CHAIR HOKAMA: Okay. Thank you. Any additional comments you wish to share, Mr. Kalepa?

MR. KALEPA: I'd just like to thank everybody for asking good, hard questions. You know, I just wanna continue to serve this community; it's just in a different capacity now. And hopefully we can make a lot of good things happen if I do get an opportunity to sit on this Commission. Thank you.

CHAIR HOKAMA: Okay. Any last questions for Mr. Kalepa or a quick comment?

COUNCILMEMBER VICTORINO: Chair?

CHAIR HOKAMA: Mr. Victorino?

COUNCILMEMBER VICTORINO: Thank you. And, again, Archie, thank you very much for what you've done, what you will do in this community. My final comment to you, Archie, and to the people out there is that, again, if we judge everybody by their past, we can never make the future better.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

MR. KALEPA: Uh-huh.

COUNCILMEMBER VICTORINO: An opportunity has arisen, you've cleared the matter in my mind and I think in a lot of people's mind what happened. There were different times and different situations; today, that's not tolerated.

MR. KALEPA: Yeah.

COUNCILMEMBER VICTORINO: Even as a politician, there was a different time when things were done differently in this community, and you can attest to that, Mr. Chair, 'cause you've been around a long time. But we change with the times and we make it better. But your heart is here for the people of Maui County and for the State and the nation at large, because you've gone all over. I know you came down the Colorado River, which, you know, if you've ever come down the Colorado River, this man, that's an amazing feat, and a whole bunch of other things I can talk about, but this is not the time and place. So, Mr. Chair, when you bring your recommendation forward, I would like to state that I could support this man in this capacity because I think he brings something that nobody else can bring to the table as Archie can. Thank you, Mr. Chair.

MR. KALEPA: Thank you.

CHAIR HOKAMA: Thank you. Well, I will say, from the Chair's standpoint, I think Mr. Kalepa brings a lot of experience, a lot of knowledge. I glad to hear he has an ear to listen. You know, for those of us that sit in this Chamber, we need an ear or two or three, 'cause we tend to listen a lot. But I'm open to Mr. Kalepa because I would like him to convince me, 'cause I'm not convinced that Ocean Safety belongs in Fire Department, personally. So we can have those discussions in the future --

MR. KALEPA: Sure.

CHAIR HOKAMA: --Mr. Kalepa --

MR. KALEPA: Absolutely.

CHAIR HOKAMA: --and I look forward to you sharing your ideas with me and I'll share mine with you and we'll see if we get some common ground.

MR. KALEPA: I know how I can convince you. I going tell you right now. I going take you out and drop you off in 20-foot surf and you wave when . . . *(inaudible)* . . . come pick you up with the jet ski --

COUNCIL MEMBERS: . . .*(laughter)*. . .

CHAIR HOKAMA: Yeah.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

MR. KALEPA: --then you going see.

CHAIR HOKAMA: And, you know, Mr. Kalepa --

MR. KALEPA: I'm just kidding, I'm just kidding.

CHAIR HOKAMA: --no, no, no, but that was a great example --

MR. KALEPA: Yeah.

CHAIR HOKAMA: --but as my old man told me, no be one stupid fool...

MR. KALEPA: Yeah.

CHAIR HOKAMA: Okay. So you ain't going get me in those 20-foot waves. You know, most local people learn real quick about water, which is never turn your back on it at any time.

MR. KALEPA: Yeah, exactly.

CHAIR HOKAMA: So I appreciate your common-sense approach. I thank you for making yourself present for the Committee to ask you their questions. And I thank you for being very candid and honest in your responses to the Members. So, again, thank you for presence this morning.

MR. KALEPA: Thank you very much. Thank you, everyone.

CHAIR HOKAMA: Okay. We have Ms. Matsuura present. She wasn't requested, but since she made the time, I'll ask her if she'll come. Why don't you come down? And you can say a few words regarding your nomination to the Salary Commission. And for those that may not know you, we can put your face to your name. And for those leaving, thank you for being here. Okay. So thank you for being present. Tammie Matsuura is being recommended for Salary Commission, Members. And as Mr. Molina presented it, it's for a term, March 31, 2019. Good morning.

MS. MATSUURA: Good morning, Mr. Chair and Members.

CHAIR HOKAMA: I know you didn't choose to speak, but since you're here, why don't you give us a few thoughts.

MS. MATSUURA: Oh, thank you.

CHAIR HOKAMA: And you can use the mic, please, Tammie, thank you.

MS. MATSUURA: It's not there? Sorry about that. Okay. The reason I wanted to serve on the Commission...is it to...

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

COUNCILMEMBER VICTORINO: Yeah, can hardly hear you. You so soft, already.

MS. MATSUURA: Okay. The reason I would like to serve on the Salary Commission was, we are part of Pack 40, Cub Scouts, and my son is a Webelos this year. And we were doing our citizenship badge with the kids. And we really stress, or especially myself, I stress service within the community. So when I was asked if I wanted to serve on a commission, my son and I had a conversation about it. And he thought that it would be a really good thing for me to do because he said, you know, you're always talking about giving back; and this is an opportunity to do so. Also, I worked for hotel and a land development company, and I think I worked with every department within the County and I've also learned a lot about the different departments. We spent a lot of time in Council. And as far as Salary goes, I think that I'd like a part in seeing that we'll compensate these people for the jobs that they do, because there are very long hours at times. But, mainly, I'm here because I would like to give back to the community.

CHAIR HOKAMA: Okay. Thank you very much for sharing your ideas. Ms. Baisa, any questions for the lady?

COUNCILMEMBER BAISA: No, Chair. Thank you very much, and thank you for volunteering.

MS. MATSUURA: Thank you.

CHAIR HOKAMA: Okay. Ms. Crivello, any questions for the lady?

COUNCILMEMBER CRIVELLO: No questions, but thank you for stepping up to the plate and serving our community, mahalo.

MS. MATSUURA: Thank you.

CHAIR HOKAMA: Thank you. Mr. Couch?

VICE-CHAIR COUCH: No questions. But again, thank you, Tammie, for being here.

MS. MATSUURA: Thank you, Mr. Couch.

CHAIR HOKAMA: Mr. White?

COUNCILMEMBER WHITE: No, I think I'm comfortable. Thank you, Chair.

CHAIR HOKAMA: Okay. Mr. Guzman?

COUNCILMEMBER GUZMAN: Nothing further. Thank you, Chair.

CHAIR HOKAMA: Mr. Victorino?

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

COUNCILMEMBER VICTORINO: Thank you. Tammie, did you think I was just going let everybody slide.

MS. MATSUURA: No, I knew somebody wasn't going to.

COUNCILMEMBER VICTORINO: Yeah, yeah. No, no, basically, your background through the years as I've read through your employment history has been in the area where much of what I would consider financial interest was part of what you needed to be accountable for, right, in your positions, yeah?

MS. MATSUURA: Yes.

COUNCILMEMBER VICTORINO: Okay. So you feel that will help qualify you to help us in that area when you're talking looking at compensation for different areas for which we do not have any bargaining ability, these are just directors and others that management that, you know, that do their work, but really have no ability and there's no negotiating a salary?

MS. MATSUURA: Yes.

COUNCILMEMBER VICTORINO: So that's something you could endeavor in and look at the whole picture to see what the person does, the hours put in, the responsibilities, et cetera and come up with some rational and fair compensation for that position?

MS. MATSUURA: Yes, because I've worked for the President of this land development company, and being that I worked directly with him, we worked with all the upper management and no one, you know, when everybody goes home, there are many hours that we put in besides what everybody else is there within the office. Even in the hotel industry that I was at, I worked for the General Manager and, you know, even though you say it's a 8:00 to 4:00 day, it's never an 8:00 to 4:00 day.

COUNCILMEMBER VICTORINO: Thank you. And I just wanted the public to understand, this lady is very qualified. And I agree with the scouting, and we'll see you in a couple of weeks on Sunday.

MS. MATSUURA: And thank you very much for being our keynote speaker with Jocelyn.

COUNCILMEMBER VICTORINO: No, not a problem. Thank you, Mr. Chair.

CHAIR HOKAMA: Okay. Thank you very much. I'll let Ms. Cochran rejoin the Committee and ask if she has a question or not. Thank you, Ms. Cochran. Do you have a question for the nominee?

COUNCILMEMBER COCHRAN: Oh, no. Thank you for, yeah, waiting, but, no, I don't. Thank you for just willingness to serve --

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

MS. MATSUURA: Thank you.

COUNCILMEMBER COCHRAN: --and, yeah, taking time out of, I'm sure, you're a busy person, too.

MS. MATSUURA: Thank you.

COUNCILMEMBER COCHRAN: So just thank you for your services.

MS. MATSUURA: Of course.

CHAIR HOKAMA: Okay. Well, I'm glad that you were present today. Thank you for your time on TV, we appreciate it.

MS. MATSUURA: Thank you, Chairman Hokama.

CHAIR HOKAMA: Okay. There's no other nominees that was either requested to the Chair, and so we going take a short break. I will let you know, after the short recess, we have Director Goode that's gonna come join us and give us some comment as we try and establish the very first Public Works Commission. And we'll take that up after the recess. So we'll take a ten-minute recess till 10:40. . . .(gavel). . .

RECESS: 10:27 a.m.

RECONVENE: 10:43 a.m.

CHAIR HOKAMA: . . .(gavel). . . Okay. The Policy Committee shall return to order. We are still on Policy Item 2(21), Nominations to Boards, Committees, and Commissions. Again, we have a master nomination list from Mayor Arakawa. And, again, Members, the Council must make a decision by end of next month or, by Charter, those nominees will be deemed approved unless other Council action. This morning, we have Director Goode from the Department of Public Works. We do have a new Commission called, Public Works Commission. We are planning to sunset a couple of former commissions and making one major commission called Public Works. As you see, we have various nominees, 11: 2 alternates, 9 members. You also see various dates of terms to start this Commission moving forward as part of the implementation schedule. And I'll ask Director Goode if he would, please, give us some comment as to the approach of the nominees. And we also have requirements to sit on this Commission, particularly engineers. And so the Director will give his comments on certain nominees and how they fulfill requirements to sit on this Commission as well as when the Commission actually becomes fully activated and official. Director Goode, please?

MR. GOODE: Thank you, Chair. Good morning, Members.

COUNCIL MEMBERS: Good morning.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

MR. GOODE: Dave Goode here, Public Works. This is, I guess, for Boards and Commissions, this is an exciting moment for us because we came to you previously, we passed the ordinance that consolidated four of our existing boards and commissions. And for everyone's collective memory, that was the Subdivision Engineering Standards Committee; Traffic Safety Council; Outdoor Lighting; and a Commission on Naming Streets, Parks and Facilities. So all those four, we took their responsibilities, made some minor adjustments to them, not much, and then folded them into the Public Works Commission. Couple of years ago, we had taken the Board of Code Appeals and folded that into the Board of Variances and Appeals. So, you know, moving forward from here on out, we'll have one Commission, the Public Works Commission; they'll be reporting to the Department. And we really look forward to that, both Rowena and I. Rowena, our Deputy Director, and I plan on attending the meetings. We also plan on having them fulfill the responsibilities for those four previous boards, but we also see them as a, lack of better term, a sounding board for other ideas and initiatives within the Department. So we really look forward to implementing. And implementation will begin when these names or any adjustments are official. So I believe with the passing of the resolution by the full Council of all 11 members, that's the way the ordinance was structured that it would become up and running at that moment, and the other boards and commissions would cease to exist. So in putting together the names, we work really closely with the gentleman here to my left, Mr. Molina. I wanna thank him publicly, now, for the hard work he's put into this, 'cause it's not often when you start off with a new board and commission. And, like the Chair mentioned, we had to fulfill certain requirements. We needed three professional engineers on the board and one person knowledgeable in Hawaiian language was I think the way we set it up. And we have two alternates, which is a little unusual; and one of the alternates had to be a professional engineer. And of those 9 member...we had to have one from Lanai and one from Molokai. So I think we've accomplished that. We were able to find, actually, I think about four folks are from our existing boards and commissions, so we will be taking some of the knowledge that exist on some of our existing boards and commissions and putting it on. We have three local engineers; one of which you're very familiar with, that's Ms. Charlene Shibuya. Recently retired from the State Department of Transportation and she used to also work for us, our Engineering Division in Traffic, so that whole traffic safety portion will be well represented. Derek Ono and Darren Okimoto, younger engineers here in the County. June Davis, currently on our Street Naming Commission, is knowledgeable in the Hawaiian language, she's been very instrumental in helping that commission and she's agreed to serve with us. Ms. Cynthia Catugal is a driver, I believe, for Roberts. And so she's gonna bring the real-world experience, especially driving larger vehicles in the County, which will help us in certainly traffic safety matters and subdivision engineering standards and, to some degree, outdoor lighting. Steven Arce is probably another one that you folks all know. He's a current Public Works employee, he will be retiring, he tells us, on June 30th; and that'll give him about 100 years of public service, just kidding. He's been with us a long time, he's very knowledgeable of the island and will bring a Molokai perspective, certainly, to the Board. Mr. Alan Fernandez is from Lanai, also retired. He's been in the hospitality industry most his life. I don't know Mr. Fernandez personally, but I understand he can represent the island. Gregg Nelson is the General Manager of the Napili Kai and serves on our Subdivision Engineering Standards Committee. He had approached me a

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

couple times during this whole transition and was the eager beaver, really wanted to continue serving, so wanted to honor that request. Pat Matsumoto is with the bank, CPB, Kahului Branch, is interested in public service. I think she also serves on a current commission, so maybe Mike will address that. Our two alternates: Paul Mikolay is a Planner, actually, an existing member...a Planner with the County, an existing member of the Subdivision Engineering Standards Committee and helps bring a planning perspective to our discussions. And, finally, Harry Hecht is a transplant, if you will, but he's a retired Public Works Director. So I've always enjoyed talking to Mr. Hecht. He serves on the Kihei Community Association Board. He has a really good understanding of what...on the Administration side, what we have to deal with, and will be a valuable alternate. So we're thrilled. I think we've got a really great lineup. Once, if all members pass here and we get started, we have secured the fourth Wednesdays of every month in the Planning Conference Room will be when and where we meet. I think the first fourth Wednesday would be in April because the Kuhio Day is the one in March. We have drafted rules of order, worked with Corp. Counsel on that; so part of their first order of business, they'll be adopting rules of order. And they'll be voting, of course, on a Chair and Vice-Chair. So I think we've got it all teed up. And, again, we really look forward to this final implementation in which was really a Cost of Government recommendation about three years ago, I think is how it all started. I think that's enough from me.

CHAIR HOKAMA: Thank you. You did a good job, Director. Mr. Molina, any comments you wish to share with the Committee?

MR. MOLINA: Thank you, Mr. Chairman and Committee Members. None much else as Director Goode certainly expounded on and gave a very thorough overview of the up-and-coming Public Works Commission. On behalf of the Administration, they would like you and the Committee to consider some possible amendments to the terms of two of the members making that adjustment, first, to Ms. Matsumoto to change her term to 2017 and to change Mr. Fernandez's term to 2016, if that is something the Committee would like to consider. And I've also spoken to Ms. Matsumoto. As Director Goode had mentioned, she is a member of one of our boards and commissions currently, she currently sits on the Real Property Tax Review Board. But on a conversation I had this morning with Ms. Matsumoto, I did share with her that the demands of this particular committee will be many; and she has agreed, if she is confirmed to this Commission, that she would resign her position on the Real Property Tax Review Board to devote all of her time to this Commission. And she is also a very busy person. She is an executive for one of our local banks, so it actually would help her with her schedule. So she has a preference to serve on this particular board, devote her time to this, if that is something the Committee would like to consider.

CHAIR HOKAMA: Okay. Thank you.

MR. MOLINA: So, without any further...anything else to say, also open for questions from the Committee Members, Mr. Chair.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

CHAIR HOKAMA: Thank you, Mr. Molina. The Chair supports Mr. Molina's requests from the Administration. For one, I would like to have Molokai, Lanai on separate years of transition. I would like the neighbor island experience to at least not terminate and start at the same terms, so that would be my comment to our Committee Members. As well as I thank Ms. Matsumoto for understanding the roles of two major boards and commissions that she made her choice, and I have no problem honoring that consideration from Ms. Matsumoto. Mr. Couch?

VICE-CHAIR COUCH: Thank you, Mr. Chair; and thank you, Mr. Molina and Mr. Goode for working hard on this one. Mr. Molina, it looks...at least on Ms. Matsumoto's application that her Real Property Tax Review Board membership expires in March 2014.

MR. MOLINA: Yeah, thank you, Council member, that is a good question. Mr. Chair, with your permission, I'd like to make a clarification to that?

CHAIR HOKAMA: Proceed.

MR. MOLINA: On her application, it incorrectly states 2014. Her actual term goes to 2015.

VICE-CHAIR COUCH: Oh, okay.

MR. MOLINA: We were, at first, under the impression her term was going to expire in 2014, but for whatever reasons, maybe there was a miscommunication or misunderstanding about when her term ended. We did clarify that and confirmed that with Council Staff as well. She was confirmed to Council in March of 2010 for a five-year term, which would then make her expiration in 2015.

VICE-CHAIR COUCH: Okay. And the other question I have is for Mr. Goode. When you say, rules of order, is it just how to conduct a meeting or is it rules of the whole committee? 'Cause I remember on the Board of Ethics, we had a big list, I mean there's a large list of rules that we had to follow as well. Have you done those rules? And I think those had to be public hearing rules, too, but I'm not sure if these rules have to be that. I guess Mr. Kushi might be able to answer that as well.

CHAIR HOKAMA: Okay. We'll let the Director speak to procedural rules versus administrative rules which is two different things to the Chair. And, again, administrative procedures is allowed through the Hawaii Revised Statutes legislation, but I'll let Mr. Goode speak about this specific rules that he share with the Committee.

MR. GOODE: Thank you, Chair. For Mr. Couch, I'm probably gonna have to defer to Corp. Counsel. I think they're just procedural rules, how they'll conduct the business of the Commission.

CHAIR HOKAMA: Mr. Kushi, please?

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

MR. KUSHI: Yes, Mr. Chair. I'm not sure what Deputy's doing it, but I'm assuming Michael Hopper. But they're generally called, Rules of Practice and Procedure; and these: conduct the meetings, quorum, et cetera, nothing very substantive. If you get into substantive rules, then you do another set of rules regarding street lighting, rules regarding street naming, et cetera. And Chair is right, you need to, even with the housekeeping rules, you still need a public hearing, publish in the paper and then sign off by the Mayor.

VICE-CHAIR COUCH: And who holds those public hearing, it would be that Commission itself?

MR. KUSHI: Yeah, the Commission will hold the public hearing based on the public hearing, adjust their rules, proposals based on the comments; but the final, this one was the Mayor.

VICE-CHAIR COUCH: Okay. And then, Mr. Goode, the next question would be, do you anticipate some administrative rules that you're gonna need? 'Cause it seems like that this Commission would need some sort of rules and guidelines. And do you anticipate kind of that would be some of the first few things that they're gonna have to deal with?

CHAIR HOKAMA: Director?

MR. GOODE: Mr. Chair and Mr. Couch, there is existing Outdoor Lighting rules, and so those will just migrate into it; so, to a degree, they need to adjust those.

VICE-CHAIR COUCH: Right.

MR. GOODE: In general, we promulgate rules if we need...well, number one, we need rule-making authority, under the ordinance, to do that. And rules are there really to clarify the ordinance --

VICE-CHAIR COUCH: Right.

MR. GOODE: --and maybe to make specific certain mechanisms on how we work with the ordinance. So to the degree it's needed, we will. I guess, for these procedural rules, what the Commission would do in their first business is to just review 'em as draft and see if they're ready to go out to be published.

VICE-CHAIR COUCH: Okay. Thank you. Thank you, Chair.

CHAIR HOKAMA: Okay. Thank you. Before I go down to the rest of the Members, I need one short recess with the Staff, please. . . .(gavel). . .

RECESS: 10:57 a.m.

RECONVENE: 11:01 a.m.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

CHAIR HOKAMA: . . .(*gavel*). . . We shall bring back to order the Policy Committee. Thank you for that short recess, Members. For the record, as the Chair understands it in consultation with Director Goode and First Deputy Kushi, our understanding of the ordinance that created the Public Works Commission also stated that upon Council confirming all members to the Commission that the Commission takes effect. As we posted, we posted that saying that the terms begin April 1, 2014. In reality, this Commission, if we say, adopted today, officially, by Council, they're created as of today when the Mayor signs. So that's a technical thing. I think, for the record, we'll state that we are aware of this requirements by ordinance and that we'll make the appropriate adjustments in the resolution to allow this to move forward. Any questions for the Chair or any objections to the way the Chair would like to proceed? If you have questions, there's myself, Mr. Goode and Mr. Kushi available for response and comment. But that is how your Chair sees it and how I would like to move forward. Mr. Couch?

VICE-CHAIR COUCH: Thank you, Mr. Chair. And I'm perfectly fine with that and if that's okay in the law. Otherwise, since this isn't an official board until we confirm the nominations, then I'm guessing that the whole deadline that we have is not a valid deadline at this point because it's not a Commission yet. So we might be able to...I would like to see it start on April 1st; but, you know, if we have that deadline, which I don't think would exist because it's not really a Commission yet...so if we can work that out so we're not in any kind of conflict. Because once this Commission is seated, the other commissions all go away.

CHAIR HOKAMA: They sunset, correct.

VICE-CHAIR COUCH: Yeah. So we might have a month or two where we don't have either commission or something. I don't know.

CHAIR HOKAMA: No. The Public Works Commission is established by ordinance --

VICE-CHAIR COUCH: But right.

CHAIR HOKAMA: --as I understand it. It is established by ordinance. We have not confirmed members to the Commission, but the Commission by ordinance is created, is the Chair's position. One second. Mr. Kushi, any comments?

MR. KUSHI: Yes. It's a existing floating ship without members. But, you're right, the way it was set up was, now you have five, existing commissions: the four old ones and this new one. But the new one is in existence, but had no members, they can't act. So that's why we kept the four of 'em alive. So once this Commission is staffed or has full membership, then you can do away with the other ones. And, to me, as long as you meet the deadline of March 30th, based on when the Mayor submitted the names, that's fine and well.

CHAIR HOKAMA: Mr. Couch?

VICE-CHAIR COUCH: And then the other question is, if we make it by March...30th or 31st?

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

MR. KUSHI: I think Staff said, 30th.

VICE-CHAIR COUCH: My only concern, again--and it's a technicality--is, if we were to do it by the end of this month, which means there's one more month, then the people who have five-year terms will actually be five years and one month. Would that be against the Charter?

MR. KUSHI: You'd have to adjust the ending term, the ending date.

VICE-CHAIR COUCH: So you would have to adjust the ending date --

CHAIR HOKAMA: Uh-huh.

MR. KUSHI: Right, because --

VICE-CHAIR COUCH: --which kinda makes it...

MR. KUSHI: --it can't go over five years.

CHAIR HOKAMA: Yeah, the Charter.

VICE-CHAIR COUCH: Right, but we usually don't end terms except for on March 31st of a certain year, right? So I'm just saying if we can get...I would love to see 'em end at March 31, 2019, for those that are set and I would love to have everything work, but I just wanna make sure it's all legal and --

CHAIR HOKAMA: No, no, we understand and --

VICE-CHAIR COUCH: --t's are crossed.

CHAIR HOKAMA: --again, we want to send this ship off on good seas, okay. So we're gonna do this the right way. Again, if there's some issues, the Chair will recommend that we opt out the Public Works from final decision making. The Chair is reviewing the calendars to see if, again, within the deadline of March 31st, the ability to hold one more meeting for couple of commissions that the Chair thought was important for us to have additional opportunities with the nominee; that would be the Maui County Culture Resource Commission. I won't be asking for a decision on Cost of Government Commission and Public Works Commission today.

COUNCILMEMBER VICTORINO: Is that what you're recommending, Mr. Chair?

CHAIR HOKAMA: That would be my recommendation when we get to that part of the meeting, Mr. Victorino. I would like us to finish up Public Works Commission's discussion and concerns.

COUNCILMEMBER VICTORINO: And then...okay, that's fine.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

CHAIR HOKAMA: Yeah. But, right now, that was brought up to the Chair about the ordinance that establishes it, so that, you know, as soon as we fill, they become active. But, you know, I think Mr. Couch brought up good points. We would like to have consistency on ending terms, so that the Mayor can appropriately, you know, review it all at once instead of having his designee go through, every month, what term is expiring now, which commission gotta go down to Council. And so I prefer uniformity --

COUNCILMEMBER VICTORINO: Right.

CHAIR HOKAMA: --myself. And if that's not an issue for the Committee, then we'll continue to work with Mr. Molina and the Mayor and see if we can resolve this mutually and without any negative impact to a nominee.

COUNCILMEMBER VICTORINO: Chair?

CHAIR HOKAMA: Yes, Mr. Victorino?

COUNCILMEMBER VICTORINO: Yeah, and just, too, so that we're clarified. If, you know, you're saying, hold off on it basically and, you know, we'll have another meeting sometime in March and, at that point, if we approve it, then we at the next Council meeting following that, the final approval is given, right? 'Cause you had mentioned once we give yes today, it would exist; and I'm like, I thought we still had to go to the Council level.

CHAIR HOKAMA: No, no, I said, if the Council should --

COUNCILMEMBER VICTORINO: Yeah, okay. Just...

CHAIR HOKAMA: --approve it today --

COUNCILMEMBER VICTORINO: Yeah.

CHAIR HOKAMA: --that was the exact...if we did it today, then...

COUNCILMEMBER VICTORINO: So the Council meeting would be the final approval --

CHAIR HOKAMA: Yes.

COUNCILMEMBER VICTORINO: --for the nominees?

CHAIR HOKAMA: Correct.

COUNCILMEMBER VICTORINO: And, okay, just so that I was straight on that. And I misunderstood, you know, I didn't want the public or myself being confused, and I apologize.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

CHAIR HOKAMA: Yeah, no.

COUNCILMEMBER VICTORINO: But, okay. So long as I understand that, I can concur in your, when would they finish, whatever your recommendation is.

CHAIR HOKAMA: Okay. Thank you. So that's your Chair's understanding. We just wanna make sure we take care of all the t's and the i's, but that's where we are. Any questions for Mr. Goode or Mr. Kushi regarding the nominees or regarding the actual implementation of term? We'll start with Mr. White.

COUNCILMEMBER WHITE: A couple of observations. It looks as though we have three engineers-- is that correct?--Ms. Shibuya, Mr. Ono and Mr. Okimoto. And I don't recall whether we had a number of engineers that was required. I know you wanted to have engineers on there, but is three out of nine enough in your view?

CHAIR HOKAMA: Director Goode?

MR. GOODE: Yeah, Mr. Chair and Mr. White, yeah, I think three was required under the ordinance with one of the alternates, as well, being PEs. And so, yeah, we went through a number of iterations internally on what appropriate amount would be and three's a good number with us.

COUNCILMEMBER WHITE: Okay. Then the other question I had, just an observation that two of the engineers work for the same company. And I know they do a lot of Public Works type of engineering jobs for the County, and I'm just wondering if that might give the appearance that we're leaning towards one company a little more than others. I don't know how many engineering companies there are, but just having the two members out of three engineers working for the same company when there may be others available. Just like your thoughts on that.

CHAIR HOKAMA: Director?

MR. GOODE: It's mostly, I'd say, it's all coincidence at this point. They both work for Unemori Engineering, which is actually I think one of the larger local Maui firms, and so they're more likely, I guess, to have folks willing to serve. My understanding is that something they want within the company is to encourage their staff to participate civically. And so I don't think we had a lot of other applicants as well. So we can work with them in that regard. You know, as it relates to procuring of engineering services, under State law, the director's office is removed from that process; so within our engineering division where most of the activity takes place, it's really at a staff level. And so take out any perceived impropriety or there may...some relationship with, you know, appointed or elected officials; that's the way the thing works. So if there's other engineers that would like to apply, we'd certainly like to spread it out.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

COUNCILMEMBER WHITE: Mr. Molina, are you aware of any other engineers that have thrown their hat in the ring for commissions...

MR. MOLINA: Councilmember White, just to follow up on Director Goode's comments, there are very limited pool of applicants. It's sometimes like pulling teeth to try and get engineers to serve, especially if things start to heat up in the private sector. I did wanted to add, the Department did present the option of having an alternate engineer on there. Mr. Hecht, I think, Mr. Goode said he's retired. So in the event, say, two of the engineers, as was stated earlier, worked for the same company, depending on what's on the agenda, if it could put them in potential conflict, the Department has the option to call on Mr. Hecht to fill in one of those slots on the Board should there ever be agenda items that could potentially put them in conflict just so they could provide a voting member without conflict with regards to, you know, any engineering topics that could come up. Thank you.

COUNCILMEMBER WHITE: Okay. Thank you, Chair.

CHAIR HOKAMA: Okay. Thank you. Mr. Guzman?

COUNCILMEMBER GUZMAN: Oh, Chair, mine was more of a technical question, and I'm not sure if this is a appropriate time.

CHAIR HOKAMA: No, you can ask the question now.

COUNCILMEMBER GUZMAN: Okay. It probably could be answered by Corp. Counsel or Mr. Goode. In regards to the transitional period when we do finally create or at least appoint or approve the commissioners and the Public Works Commission is then fully functional, what happens with the transition in terms of like, for instance I'm gonna give you an example, Commission on Naming Streets and Parks? They have in the ordinance itself under 2.38.020, it gives the standard procedures in how to go about adopting. And so does that then...is there going to be some type of an amendment in terms of allowing the new Public Works Commission to adopt or function within the old provisions? And the reason why I'm asking is that in the general public, if we're submitting an application, what process do we do go from there if we're following the old ordinance of the process of submitting a nomination for a tree or...I mean a street or facility? I am kind of cloudy or I need clarification on how that works.

CHAIR HOKAMA: Okay. That's a good question to pose. Director Goode, Mr. Kushi, if one of you would respond, please?

MR. KUSHI: Yes, if I may? The ordinance that created this new commission at Sections 2.98.040 and it goes on for almost three pages, it's quite extensive. And it says, criteria for naming streets, parks and facilities; and, basically, it was copied from the existing Street Naming Commission ordinance, so it's in here already. I don't think there needs to be anymore administrative rules to clarify it because it's just a very comprehensive and thorough procedure. So they can start, you know, running, hitting the road right away.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

COUNCILMEMBER GUZMAN: Okay. So, for the general public, if they were to follow the old ordinances--and I'm just talking about the transitional period--and they submit, I guess, the paperwork with the previous street commission name on it--and this is just for an example--will that be applicable to the new commission or will they have to resubmit?

MR. KUSHI: I would think administratively, it can just be transferred over. I know for a fact that the Street Naming Commission is meeting this week or next week to review couple of facilities. So they already have something to work on.

COUNCILMEMBER GUZMAN: Right. I'm just, you know, for an example, that's why.

MR. KUSHI: I don't think there should be a problem.

COUNCILMEMBER GUZMAN: Okay. Thank you.

MR. KUSHI: Your same staff, basically.

COUNCILMEMBER GUZMAN: Okay.

CHAIR HOKAMA: Okay. Thank you. Mr. Victorino?

COUNCILMEMBER VICTORINO: No, I think my questions have been answered. And I think I'd like to see when the final package gets together, when they bring it to us. And that a point, maybe I'd have more questions; but, right now, I've read what you presented to us and I'm okay with the idea that you'd like to wait until we have another meeting and then kinda make it running concurrent with the rest of the boards and commissions. I think that's an excellent idea. Thank you, Mr. Chair.

CHAIR HOKAMA: Okay. Thank you, Mr. Victorino. Ms. Baisa?

COUNCILMEMBER BAISA: No, questions.

CHAIR HOKAMA: Thank you. Ms. Crivello?

COUNCILMEMBER CRIVELLO: Thank you, Chair. A question for Mr. Goode or Mr. Kushi, you know, thank you for finding a way to clone Mr. Arce so that we can, you know, keep him going with Public Works. But I want to be assured that there's no conflict as far as he being an employee of the County of Maui Public Works. You know, if we can convince him not to retire then, you know, he'll continue to be on. But I would not like to see him put in this position and then someone would say, oh, how is there an oversight being that he is an existing employee?

CHAIR HOKAMA: Director?

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

MR. GOODE: Yeah, that's a good question and certainly legitimate concern. I think it's important to remember that the items that would be before the Public Works Commission, that Mr. Kushi mentioned in the ordinance that was passed, are virtually all advisory to the Department. So their final decision-making powers is really only limited to, I believe, the naming of private streets. 'Cause a public street would eventually come to the Council, so they're very limited. So the potential for a conflict is almost nonexistent. It might behoove Mr. Arce to go to the Board of Ethics just to be sure. In fact, I think they need...doesn't all commission board members...right, they have an ethics disclosure; so that board may have some questions and comments along those lines. But due to the fact that they're virtually all advisory, I think that helps to eliminate any conflicts.

COUNCILMEMBER CRIVELLO: Okay. Thank you for that clarification, appreciate it.

CHAIR HOKAMA: Thank you. Ms. Cochran?

COUNCILMEMBER COCHRAN: Thank you, Chair. And, yeah, I think it does make sense to merge the four and we've discussed this and the reasonings. And I'm looking at the makeup of the body and, you know, the comment that Mr. White made in regards to having the two Unemori engineers there and then the comment is, there's not many I guess engineering firms. I guess a couple of 'em are with the Hawaii Society of Professional Engineers, so I Googled it and went to see who all's in the chapter for Maui. And there's other, I mean, there's Fukumoto Engineering, I think I guess Brown and Caldwell is another engineering...and we seem to use them quite a bit. So there's others so, you know, I guess you folks decided these are the best fit at this time; but I mean there are other options out there and whether they denied wanting, you know, being a part of. And I really like this Mr. Harry Hecht person, too, but he's a...I don't know him personally, but just reading his resume, I guess he's just an alternate like you stated, Mr. Molina. And so I'm just wondering why because he seems to have quite a bit of extensive credentials into, for me anyways, being a layman reading his resume that he'd be really a perfect fit and it would offset this sort of, is there a conflict or not or there gonna be, you know, you're gonna have to switch 'em out and alternate 'em out. Then if the Unemori thing, you know, becomes an issue, then we have him as a backup. So I just kinda want a comment as to why he wasn't one of the top choices and just as an alternate.

MR. MOLINA: Chair?

CHAIR HOKAMA: Mr. Molina, if you will?

MR. MOLINA: Council member, I believe maybe Director Goode could give you --

COUNCILMEMBER COCHRAN: Oh, okay, or Mr. Goode.

MR. MOLINA: --better insight in regards to the decision to make Mr. Hecht an alternate.

CHAIR HOKAMA: Director, if you would, please?

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

MR. GOODE: I don't think I have a really great answer. A lot of this, we just kinda guessed, you know. The hard part with the, you know, alternates, is it's not used very often. I think Urban Design Review Board has it. And we had to stagger the terms per the Charter, and so that was another exercise, well, who gets five, who gets four, who gets three? And it was almost became pull names out of a hat. But, you know, I think those are good points, and it's something maybe we could consider. And if we come back here in a month's time or so and take a look at that. Again, we didn't have a whole lot of names for engineers. And I personally recruited Ms. Shibuya, Mr. Ono and Mr. Hecht and made some personal calls to gauge their interest, 'cause I really wanted to make sure this Commission got fully staffed. So and Mr. Ono, he's the past President of the HSPE, so he's, you know, has helped at HSPE Maui, you know, and all those engineers, so he has a good understanding of all the folks that are out there. So that was kinda how we went about it, but I think, you know, I think you guys bring up some good points as it relates to, you know, two individuals, actually it's same initials, DO, from the same engineering company. It's something we can take a look at here before we come back.

COUNCILMEMBER COCHRAN: Okay. Well, appreciate the open mindedness and again, you know, we have this ship without crew members, so we have to just wait and see how everyone can pull together and where we need the adjustments. So I'm glad that you're open to that. So thank you, Chair.

CHAIR HOKAMA: Thank you. Mr. Molina?

MR. MOLINA: Yes, Mr. Chairman and Councilmember Cochran, just to further expound on Director Goode's comments. And certainly the Administration appreciates the questions you bring up about the engineers as well as Councilmember White. When it was, you know, decided who to get as far as what engineers, it was a combination of looking at youth. I believe Mr. Ono is probably a young engineer--and no disrespect to the other two engineers in terms of age--so, perspective, a young engineer versus that of a veteran engineer. And, also, people who have already established themselves on our boards and commissions, like for example, Mr. Okimoto had served admirably on the Subdivision Engineering Committee. So we're looking at their ability to attend.

COUNCILMEMBER COCHRAN: Uh-huh.

MR. MOLINA: And as you very well know, in a lot of our boards and commissions in the past, we've had difficulty getting quorum because of attendance issues, which is partially I think one of the reasons four of these commissions were eliminated to consolidate, you know, more efficiently into one big commission. You can have a variety of agenda items now and saving in terms of resources to the County in terms of staff time, paperwork and so forth. So that was, I guess, part of the rationale. If Director Goode would like to confirm that for me as to why we looked at some of these people initially to serve. And because this is a new board and commission, so it's off on its so-called maiden voyage even though it doesn't have a crew, yet, but we wanted to look

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

at some folks who are already established in terms of attendance and experience, so a combination of those things.

COUNCILMEMBER COCHRAN: Sure.

MR. MOLINA: Thank you, Mr. Chairman.

COUNCILMEMBER COCHRAN: Thank you.

CHAIR HOKAMA: Okay. Thank you. Did I ask if you had...or Mr. Kushi?

MR. KUSHI: Yeah, one more to Mr. Chair and Members. I think it's the first time I've sat in on establishing a new commission. And because it's new, we go by the Charter provisions of staggered terms, you know, so many five, so many four, so many three and the balance, two. Now, you may think that the people who have two-year terms are being short sighted. However, when their reappointment comes up, they're entitled to another five. So if you have a good one, technically, you can keep 'em for seven years; if you have a good one for three years, they're short sighted, they can't get a reappointment, so that's a technicality.

CHAIR HOKAMA: Okay. Thank you for that.

COUNCILMEMBER COCHRAN: So--sorry, Chair --

CHAIR HOKAMA: Yes?

COUNCILMEMBER COCHRAN: --so follow-up on Mr. Kushi's comments, then. So only the two-year term gets reappointment, they take a break and...

CHAIR HOKAMA: Qualify for reappointment by Charter requirements.

COUNCILMEMBER COCHRAN: Only the two-year person. So the three, five, like you stated --

CHAIR HOKAMA: No.

COUNCILMEMBER COCHRAN: --doesn't?

MR. KUSHI: They can't be reappointed.

CHAIR HOKAMA: Yeah.

COUNCILMEMBER COCHRAN: Cannot?

MR. KUSHI: They would have to wait out for two years.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

COUNCILMEMBER COCHRAN: Oh, you have to wait out two years and then...sorta like the Council, we can wait out and then come back?

CHAIR HOKAMA: Yeah. Then you can be reconsidered, yes.

COUNCILMEMBER COCHRAN: Okay. Got it.

CHAIR HOKAMA: Okay. Short recess. . . .(gavel). . .

RECESS: 11:25 a.m.

RECONVENE: 11:26 a.m.

CHAIR HOKAMA: . . .(gavel). . . Okay. Thank you for that short recess. We are on discussion of the Public Works Commission. Any other questions for your Chair, Director Goode or Mr. Kushi regarding this? Okay.

COUNCILMEMBER COCHRAN: So wait, Chair, sorry.

CHAIR HOKAMA: Yes, ma'am?

COUNCILMEMBER COCHRAN: Yes. So because we're merging four other commissions into one, obviously, we're not bringing all the bodies from the other four commissions into this one. So those who are currently serving, obviously, have been notified; and were they asked, I guess, given first priority to join this vessel that we're launching or not or how did that go about?

CHAIR HOKAMA: Director?

MR. GOODE: Yes, essentially that's what happened. We had gone to all the boards and commission, I guess, couple years ago when we first started this, and so they're aware of it. And then we did ask...actually, we did, first as I went with my staff, and I said, let's go through every board and commission existing members and let's find out, do they show up and do they participate? And, from there, there's some that, you know, for whatever reason they couldn't participate or show up much, so we concentrated on the folks that had.

COUNCILMEMBER COCHRAN: Uh-huh.

MR. GOODE: And so we wanted to get a sampling of those that are current members, and that's why we ended up with, I think, three or four current members.

COUNCILMEMBER COCHRAN: Right. Okay.

MR. GOODE: Yeah.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

COUNCILMEMBER COCHRAN: Okay. Very good, thank you. Thank you, Chair.

CHAIR HOKAMA: Okay. Any other questions? Okay. Regarding Policy Item 2(21), the Chair is gonna recommend that, at this time, the Cost of Government Commission nominees, the Maui County Cultural Resource nominees and Public Works Commission nominees be deferred to the next Committee meeting which will be before the deadline so that we have sufficient time for Council to make its appropriate, final decision. But the Chair is open to a master motion on all other commissions and nominees for all terms as noted, basically, expiring on March 31st of various years, the majority is 2019, I believe, Staff.

VICE-CHAIR COUCH: So moved, Mr. Chair.

COUNCILMEMBER WHITE: Second.

CHAIR HOKAMA: Okay. I have a motion made by Mr. Couch, seconded by Mr. White. Is there any need to clarify what is before the Committee, everyone is clear what we're voting on? It is approval of all nominees to the stated commissions as on the agenda, except for Cost of Government, Cultural Resources and Public Works. Yes, Mr. Couch?

VICE-CHAIR COUCH: And that is also to move their name...do we have that Exhibit A versus...

CHAIR HOKAMA: You know what? I'm sure we do, but let me double check.

VICE-CHAIR COUCH: Yeah. Where is it? Oh, yeah, here it is.

CHAIR HOKAMA: Yes, okay. So, yeah, the motion, Members, would be for the placement of all names of nominees to the various commissions, except the three the Chair is asking to be omitted, to be placed on Exhibit B for approve...

VICE-CHAIR COUCH: Exactly. Yeah, that's what...

CHAIR HOKAMA: ...for approval.

VICE-CHAIR COUCH: Yeah.

CHAIR HOKAMA: Okay. That's the motion made by Mr. Couch, seconded by Mr. White. We are under discussion. Mr. Couch?

VICE-CHAIR COUCH: Thank you, Mr. Chair. And thank you for bringing those that testified both today and last week, really appreciate hearing from those folks. And I just wanted to say that, you know, regarding Mr. Kalepa for sure, I've paddled with him and I would be honored at any time and proud to have him steering my canoe any time. And, also, he created a training program where none existed before, and it's a very good, world-class training program. So I just wanted to get those words in for Mr. Kalepa --

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED

ACTION: APPROVE amendment.

CHAIR HOKAMA: We are back to the main motion as amended. We are under discussion. Okay. We had Mr. Couch. Anyone wishes to give additional discussion? Having none, all in favor of the motion, please say, "aye".

COUNCIL MEMBERS: Aye.

CHAIR HOKAMA: Opposed, say, "no". Motion passes with eight "ayes", one "excused", Mr. Carroll.

VOTE: **AYES:** **Chair Hokama, Vice-Chair Couch, and Councilmembers Baisa, Cochran, Crivello, Guzman, Victorino, and White.**

NOES: None.

EXC.: **Councilmember Carroll.**

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED

ACTION: **Recommending ADOPTION of revised resolution approving the nominations to boards, committees, and commissions (except Cost of Government Commission, Maui County Cultural Resources Commission, and Public Works Commission), and disapproving the nomination of Timothy Means to the Real Property Tax Review Board.**

DEFER pending further discussion (nominees to the Cost of Government Commission, Maui County Cultural Resources Commission, and Public Works Commission).

ITEM PIA-2(22): NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (KULA AGRICULTURAL PARK COMMITTEE; MAUI REDEVELOPMENT AGENCY; AND URBAN DESIGN REVIEW BOARD) (CC 13-42)

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

CHAIR HOKAMA: Members, the Chair would like to defer Policy Item 2(22) and place it on the next Committee calendar, any objections to that, Members?

COUNCIL MEMBERS: No objections.

COUNCIL MEMBERS VOICED NO OBJECTIONS (excused: RC).

CHAIR HOKAMA: Thank you.

ACTION: DEFER (NO DISCUSSION).

CHAIR HOKAMA: We have concluded the work of the Committee today. So thank you for your presence. This meeting is adjourned. . . .(gavel). . .

ADJOURN: 11:33 a.m.

APPROVED:



G. RIKI HOKAMA, Chair
Policy and Intergovernmental Affairs Committee

pia:min:140211:ry

Transcribed by: Raynette Yap

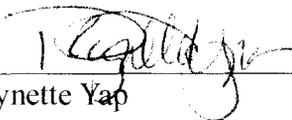
POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 11, 2014

CERTIFICATE

I, Raynette Yap, hereby certify that the foregoing represents to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 21st day of February, 2014, in Kihei, Hawaii



Raynette Yap