

COUNCIL OF THE COUNTY OF MAUI

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE

May 6, 2014

**Committee
Report No.** _____

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Policy and Intergovernmental Affairs Committee, having met on April 16, 2014, makes reference to County Communication 13-42, from Council Chair Gladys C. Baisa, relating to nominations to boards, committees, and commissions (“boards”).

By correspondence dated and received January 29, 2014, the Mayor transmitted a proposed resolution entitled “APPOINTMENT OF MEMBERS TO THE BOARDS AND COMMISSIONS FOR THE COUNTY OF MAUI”, along with completed application forms for the nominees. The purpose of the proposed resolution is to approve or disapprove nominees to fill 40 vacancies on 18 various boards (for terms beginning on April 1, 2014, and expiring on March 31, 2019, unless otherwise indicated). The vacancies are due to the expiration of current board members’ terms on March 31, 2014, and the establishment of the new Public Works Commission by Ordinance 4078 (2013).

Your Committee notes it previously made recommendations on 22 of the 40 nominations by Policy and Intergovernmental Affairs Committee Report 14-31, including the recommended disapproval of Timothy Means to the Real Property Tax Review Board. Recommendations on all nominations, except the recommended approval of Edwin Yokouchi to the Liquor Control Adjudication Board, were adopted by the Council at its meeting of February 21, 2014 (Resolution 14-20, as amended). By correspondence dated March 3, 2014, the Council Chair notified the Mayor of the Council’s disapproval of Timothy Means’ nomination.

Your Committee further notes, subsequent to making its recommendation to approve Edwin Yokouchi to the Liquor Control Adjudication Board, Mr. Yokouchi requested his name be withdrawn from consideration. The Council subsequently adopted Resolution 14-35, as amended, disapproving the nomination. By correspondence dated March 18, 2014, the Council Chair notified the Mayor of the Council’s disapproval of Edwin Yokouchi’s nomination.

COUNCIL OF THE COUNTY OF MAUI

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE

Page 2

Committee
Report No. _____

Your Committee further notes it previously made recommendations on the remaining 18 nominations by Policy and Intergovernmental Affairs Committee Report 14-45. Recommendations on all nominations, except the nomination of Calmentina Gomes to the Cost of Government Commission, were adopted by the Council at its meeting of March 25, 2014 (Resolution 14-38, as amended).

At that meeting, the Council voted to recommend approval of Calmentina Gomes' nomination to the Cost of Government Commission. Your Committee had previously been unable to reach a recommendation to approve or disapprove her nomination. Her name was, therefore, moved from Exhibit "D" of the resolution to Exhibit "B" for approval.

By correspondence dated and received March 13, 2014, the Mayor transmitted a proposed resolution entitled "APPOINTMENT OF A MEMBER TO THE REAL PROPERTY TAX REVIEW BOARD FOR THE COUNTY OF MAUI", along with a completed application form for the nominee. The purpose of the proposed resolution is to approve or disapprove the appointment of Stephanie Stucky to the Real Property Tax Review Board, for a term expiring on March 31, 2019.

By correspondence dated and received March 21, 2014, the Mayor transmitted a proposed resolution entitled "APPOINTMENT OF A MEMBER TO THE LIQUOR CONTROL ADJUDICATION BOARD FOR THE COUNTY OF MAUI", along with a completed application form for the nominee. The purpose of the proposed resolution is to approve or disapprove the appointment of Jerrybeth De Mello to the Liquor Control Adjudication Board, for a term expiring on March 31, 2019.

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

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

- A. Real Property Tax Review Board (Sections 2.40.170 and 3.48.620, MCC);
and

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

Page 3

**Committee
Report No.** _____

B. Liquor Control Adjudication Board (Section 8-13.3, Charter).

Your Committee also notes the Council must approve or disapprove the nomination to the Real Property Tax Review Board by May 12, 2014, and the nomination to the Liquor Control Adjudication Board by May 20, 2014, or the nominations will be deemed approved.

Your Committee interviewed Stephanie Stucky, nominee to the Real Property Tax Review Board. Ms. Stucky retired from the Department of Education in 2009, after having taught for 40 years. She owns a brokerage company and her own condominium on Maui. Your Committee found she has the background and education that qualify her to serve on the Real Property Tax Review Board.

Your Committee was satisfied with the information provided by Jerrybeth De Mello in her application and, therefore, did not interview her.

Your Committee recommended approval of both nominees and that Exhibit "B" to the proposed resolutions be revised accordingly.

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

Your Committee is in receipt of revised proposed resolutions, approved as to form and legality by the Department of the Corporation Counsel, reflecting your Committee's recommendations.

Your Policy and Intergovernmental Affairs Committee **RECOMMENDS** the following:

1. That Resolution _____, attached hereto, entitled "APPOINTMENT OF A MEMBER TO THE REAL PROPERTY TAX REVIEW BOARD FOR THE COUNTY OF MAUI", be ADOPTED; and

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

Page 4

Committee
Report No. _____

2. That Resolution _____, attached hereto, entitled "APPOINTMENT OF A MEMBER TO THE LIQUOR CONTROL ADJUDICATION BOARD FOR THE COUNTY OF MAUI", be ADOPTED.

This report is submitted in accordance with Rule 8 of the Rules of the Council.



G. RIKI HOKAMA, Chair

Resolution

No. _____

APPOINTMENT OF A MEMBER TO THE REAL PROPERTY TAX REVIEW BOARD FOR THE COUNTY OF MAUI

WHEREAS, by letter dated March 13, 2014, Mayor Alan M. Arakawa notified the Council that he nominated the person listed in Exhibit "A", attached hereto, as a member to the Real Property Tax Review Board of the County of Maui, pursuant to Sections 2.40.170 and 3.48.620, Maui County Code, and Section 13-2, Revised Charter of the County of Maui (1983), as amended, ("Charter"); and

WHEREAS, Section 13-2 of the Charter requires the Mayor's nominees to be approved by the Council; and

WHEREAS, Section 13-2(16) of the Charter requires the Council to approve or disapprove the nominees within sixty (60) days after the Mayor submits the nominees to the Council; now, therefore,

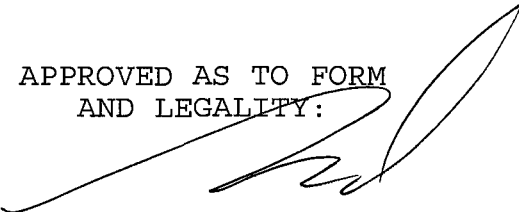
BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby approves the appointment of the person listed in Exhibit "B", attached hereto, as a member to the Real Property Tax Review Board for the term as specified therein; and

2. That it hereby disapproves the appointment of the person listed in Exhibit "C" as a member to the Real Property Tax Review Board as nominated by the Mayor; and

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

APPROVED AS TO FORM
AND LEGALITY:



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

NOMINATED BOARD MEMBER AND TERM

REAL PROPERTY TAX REVIEW BOARD

Stephanie Stucky

Term Expiration 3/31/19

APPROVED BOARD MEMBER AND TERM

REAL PROPERTY TAX REVIEW BOARD

Stephanie Stucky

Term Expiration 3/31/19

DISAPPROVED BOARD MEMBER

EXHIBIT " C "

Resolution

No. _____

APPOINTMENT OF A MEMBER TO THE LIQUOR CONTROL ADJUDICATION BOARD FOR THE COUNTY OF MAUI

WHEREAS, by letter dated March 21, 2014, Mayor Alan M. Arakawa notified the Council that he nominated the person listed in Exhibit "A", attached hereto, as a member to the Liquor Control Adjudication Board of the County of Maui, pursuant to Section 13-2, Revised Charter of the County of Maui (1983), as amended ("Charter"); and

WHEREAS, Section 13-2 of the Charter requires the Mayor's nominees to be approved by the Council; and

WHEREAS, Section 13-2(16) of the Charter requires the Council to approve or disapprove the nominees within sixty (60) days after the Mayor submits the nominees to the Council; now, therefore,

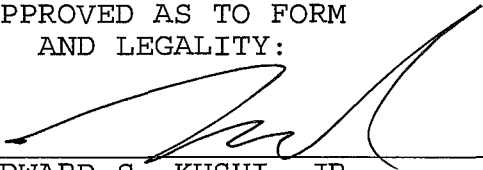
BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby approves the appointment of the person listed in Exhibit "B", attached hereto, as a member to the Liquor Control Adjudication Board for the term as specified therein; and

2. That it hereby disapproves the appointment of the person listed in Exhibit "C" as a member to the Liquor Control Adjudication Board as nominated by the Mayor; and

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

APPROVED AS TO FORM
AND LEGALITY:



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

NOMINATED BOARD MEMBER AND TERM

LIQUOR CONTROL ADJUDICATION BOARD

Jerrybeth De Mello

Term Expiration 3/31/19

APPROVED BOARD MEMBER AND TERM

LIQUOR CONTROL ADJUDICATION BOARD

Jerrybeth De Mello

Term Expiration 3/31/19

EXHIBIT " B "

DISAPPROVED BOARD MEMBER

EXHIBIT " C "