

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE

Council of the County of Maui

2014 MAY -7 PM 2:33

Meeting Agenda

May 13, 2014

9:00 a.m.

OFFICE OF THE
COUNTY CLERK

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

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

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

VOTING MEMBERS

G. Riki Hokama, Chair

Donald G. Couch, Jr., Vice-Chair

Gladys C. Baisa

Robert Carroll

Elle Cochran

Stacy Crivello

Don S. Guzman

Michael P. Victorino

Mike White

AGENDA ITEMS ARE SUBJECT TO CANCELLATION. For a confirmation of the meeting date and time, and for tentative scheduling of agenda items, please contact the Committee Staff (Carla Nakata or Tammy Frias) at: Office of Council Services, 200 South High Street, Wailuku, HI 96793, 808-270-7838, 1-800-272-0026 (toll-free from Molokai), 1-800-272-0098 (toll-free from Lanai), 808-270-7686 (fax).

ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted. Each testifier shall be allowed to speak for three minutes on each item. If additional time is requested, the testifier shall be allowed one minute to conclude the testimony on the item. These time limits may be modified pursuant to the Rules of the Council, provided a modification would apply equally to all testifiers and all items. No further oral testimony by the testifier on the item shall be permitted. An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify. To ensure its distribution prior to the meeting, written testimony must be received in the Office of Council Services at least 24 hours prior to the meeting; provided, that if a meeting will be held on a Monday, written testimony shall be received by 12:00 noon on the business day preceding the meeting. If written testimony is submitted at the meeting site, 16 copies are requested to ensure distribution at the meeting.

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

INDIVIDUALS WHO INTEND TO ATTEND THE MEETING AND WHO HAVE DISABILITIES REQUIRING SPECIAL ASSISTANCE should call the Office of Council Services at least three days in advance.

DOCUMENTS ON FILE WITH THE COMMITTEE, which may include correspondence relating to the agenda items below, may be inspected prior to the meeting date. Photocopies may be ordered, subject to charges imposed by law (Maui County Code, Sec. 2.64.010). Please contact the Office of Council Services to make arrangements for inspection or photocopying of documents.

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**PIA-2(23) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS
(REAL PROPERTY TAX REVIEW BOARD)**

DESCRIPTION: The Committee is in receipt of correspondence dated April 4, 2014 (received April 4, 2014), from the Mayor, transmitting 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 Peter Davis to the Real Property Tax Review Board, for a term expiring on March 31, 2015, to fill a vacancy due to the resignation of Patrice Matsumoto.

STATUS: The Council must approve or disapprove the nomination to the Real Property Tax Review Board by June 3, 2014, or the nomination will be deemed approved. The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider other related action.

**PIA-2(24) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS
(LIQUOR CONTROL ADJUDICATION BOARD)**

DESCRIPTION: The Committee is in receipt of correspondence dated April 8, 2014 (received April 8, 2014), from the Mayor, transmitting 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 Henry Kauka, Jr. to the Liquor Control Adjudication Board, for a term expiring on March 31, 2016, to fill a vacancy due to the resignation of Edward Zwick.

STATUS: The Council must approve or disapprove the nomination to the Liquor Control Adjudication Board by June 7, 2014, or the nomination will be deemed approved. The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider other related action.

**PIA-2(25) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS
(BOARD OF VARIANCES AND APPEALS)**

DESCRIPTION: The Committee is in receipt of correspondence dated May 2, 2014 (received May 2, 2014), from the Mayor, transmitting a proposed resolution entitled "APPOINTMENT OF A MEMBER TO THE BOARD OF VARIANCES AND APPEALS", along with a completed application form for the nominee. The purpose of the proposed resolution is to approve or disapprove the appointment of Scott Matsuura to the Board of Variances and Appeals, for a term expiring on March 31, 2015, to fill a vacancy due to the resignation of Bart Santiago Jr.

STATUS: The Council must approve or disapprove the nomination to the Board of Variances and Appeals by July 1, 2014, or the nomination will be deemed approved. The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider other related action.

**PIA-2(26) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS
(LANAI PLANNING COMMISSION)**

DESCRIPTION: The Committee is in receipt of correspondence dated May 1, 2014 (received May 1, 2014), from the Mayor, transmitting a proposed resolution entitled "APPOINTMENT OF A MEMBER TO THE LANAI PLANNING COMMISSION", along with a completed application form for the nominee. The purpose of the proposed resolution is to approve or disapprove the appointment of Bradley Bunn to the Lanai Planning Commission, for a term expiring on March 31, 2017, to fill a vacancy due to the resignation of Priscilla Felipe.

STATUS: The Council must approve or disapprove the nomination to the Lanai Planning Commission by June 30, 2014, or the nomination will be deemed approved. The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider other related action.

**PIA-2(27) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS
(AFFIRMATIVE ACTION ADVISORY COUNCIL)**

DESCRIPTION: The Committee is in receipt of correspondence dated May 2, 2014 (received May 2, 2014), from the Mayor, transmitting a proposed resolution entitled "APPOINTMENT OF A MEMBER TO THE AFFIRMATIVE ACTION ADVISORY COUNCIL", along with a completed application form for the nominee. The purpose of the proposed resolution is to approve or disapprove the appointment of Thomas White to the Affirmative Action Advisory Council, for a term expiring on March 31, 2017, to fill a vacancy due to the resignation of Abelardo Corella.

STATUS: The Council must approve or disapprove the nomination to the Affirmative Action Advisory Council by July 1, 2014, or the nomination will be deemed approved. The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider other related action.

**PIA-2(28) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS
(COST OF GOVERNMENT COMMISSION)**

DESCRIPTION: The Committee is in receipt of correspondence dated May 2, 2014 (received May 2, 2014), from the Mayor, transmitting a proposed resolution entitled "APPOINTMENT OF A MEMBER TO THE COST OF GOVERNMENT COMMISSION", along with a completed application form for the nominee. The purpose of the proposed resolution is to approve or disapprove the appointment of Dale Thompson to the Cost of Government Commission, for a term expiring on March 31, 2018, to fill a vacancy due to the resignation of Steve Aheong.

STATUS: The Council must approve or disapprove the nomination to the Cost of Government Commission by July 1, 2014, or the nomination will be deemed approved. The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider other related action.

PIA-10(10) PROPOSED CHARTER AMENDMENTS (AFFORDABLE HOUSING FUND)

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication 09-229, from Councilmember Michael J. Molina, relating to proposed Charter amendments.
2. Correspondence dated October 31, 2013, from Councilmember Donald G. Couch, Jr., transmitting a proposed resolution to amend Section 9-20 of the Revised Charter of the County of Maui (1983), as amended ("Charter") to extend, until 2021, the requirement that two per cent minimum of the certified real property tax be appropriated to the affordable housing fund.
3. Correspondence dated November 20, 2013, from the Department of the Corporation Counsel, transmitting a revised proposed resolution entitled "PROPOSING AN AMENDMENT TO SECTION 9-20 OF THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, PERTAINING TO THE AFFORDABLE HOUSING FUND". The revised proposed resolution incorporates nonsubstantive revisions to the October 31, 2013, proposal from Councilmember Couch, and has been approved as to form and legality.
4. County Communication 14-50, from Mayor Alan M. Arakawa, transmitting a proposed resolution entitled "PROPOSING AN AMENDMENT TO SECTION 9-20 OF THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO THE AFFORDABLE HOUSING FUND". The purpose of the proposed resolution is to amend Section 9-20 of the

Charter to extend, until 2023, the requirement that two per cent minimum of the certified real property tax be appropriated to the affordable housing fund.

5. Correspondence dated March 28, 2014, from Councilmember Michael P. Victorino, transmitting a proposed resolution entitled "PROPOSING AN AMENDMENT TO SECTION 9-20 OF THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO THE AFFORDABLE HOUSING FUND". The purpose of the proposed resolution is to amend Section 9-20 of the Charter to extend, until 2019, the requirement that two per cent minimum of the certified real property tax be appropriated to the affordable housing fund.

STATUS: The Committee may consider whether to recommend passage of the revised proposed resolution in paragraph 3 above, or a proposed resolution in paragraph 4 or 5 above, on first reading, with or without further revisions. The Committee may also consider the filing of County Communication 14-50 and other related action.

PIA-10(9) PROPOSED CHARTER AMENDMENTS (PENALTIES)

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication 09-229, from Councilmember Michael J. Molina, relating to proposed Charter amendments.
2. Correspondence dated January 3, 2012, from Councilmember Donald G. Couch, Jr., transmitting a proposed resolution entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO PENALTIES". The purpose of the proposed resolution is to amend Section 13-10 of the Charter to remove the limitation on the amount of penalties that may be imposed.

STATUS: The Committee may consider whether to recommend passage of the proposed resolution on first reading, with or without revisions. The Committee may also consider other related action.

PIA-10(11) PROPOSED CHARTER AMENDMENTS (MAXIMUM AMOUNT OF PENALTIES)

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication 09-229, from Councilmember Michael J. Molina, relating to proposed Charter amendments.
2. Correspondence dated December 11, 2013, from the Chair of the Committee, transmitting a proposed resolution to amend Section 13-10 of the Charter to increase the maximum penalty from \$1,000 to \$10,000 for violations of the Charter and violations of ordinances and rules having the force and effect of law.
3. Correspondence dated January 2, 2014, from the Department of the Corporation Counsel, transmitting a revised proposed resolution entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO MAXIMUM AMOUNT OF PENALTIES". The revised proposed resolution incorporates a nonsubstantive revision and has been approved as to form and legality.

STATUS: The Committee may consider whether to recommend passage of the revised proposed resolution on first reading, with or without further revisions. The Committee may also consider other related action.

PIA-10(2) PROPOSED CHARTER AMENDMENTS (COST OF GOVERNMENT COMMISSION)

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication 09-229, from Councilmember Michael J. Molina, relating to proposed Charter amendments.

2. Correspondence dated March 31, 2014, from the Chair of the Committee, transmitting a proposed resolution entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO ABOLISHING THE COST OF GOVERNMENT COMMISSION". The purpose of the proposed resolution is to abolish the Cost of Government Commission, whose functions have been subsumed by the newly established Office of the County Auditor.

STATUS: The Committee may consider whether to recommend passage of the proposed resolution on first reading, with or without revisions. The Committee may also consider other related action.

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