

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

May 27, 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 May 13, 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 April 4, 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 nomination 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. The Council must approve or disapprove the nomination by June 3, 2014, or the nomination will be deemed approved.

By correspondence dated and received April 8, 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 nomination 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. The Council must approve or disapprove the nomination by June 7, 2014, or the nomination will be deemed approved.

By correspondence dated and received May 1, 2014, the Mayor transmitted 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 nomination of Bradley Bunn to the Lanai Planning Commission, for a term expiring on March 31, 2017,

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to fill a vacancy due to the resignation of Priscilla Felipe. The Council must approve or disapprove the nomination by June 30, 2014, or the nomination will be deemed approved.

By correspondence dated and received May 2, 2014, the Mayor also transmitted the following:

1. 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 nomination 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.
2. 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 nomination 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.
3. A proposed resolution, entitled "APPOINTMENT OF A MEMBER TO THE COST OF GOVERNMENT COMMISSION", along with a completed application form for the nominee. The purpose of the proposed resolution is to approve or disapprove the nomination of 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.

The Council must approve or disapprove the nominations of Mr. Matsuura, Mr. White, and Mr. Thompson by July 1, 2014, or the nominations will be deemed approved.

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

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

- A. Real Property Tax Review Board: Sections 2.40.170 and 3.48.620, MCC;
- B. Liquor Control Adjudication Board: Section 8-13.3, Charter;
- C. Lanai Planning Commission: Section 2.28.025, MCC; and Section 8-8.4, Charter;
- D. Board of Variances and Appeals: Section 8-8.7, Charter;
- E. Affirmative Action Advisory Council: Sections 2.29.010, 2.29.020, and 2.40.080, MCC; and
- F. Cost of Government Commission: Section 3-9.3, Charter.

Your Committee interviewed Mr. Davis, nominee to the Real Property Tax Review Board. Mr. Davis stated he has been a resident of Maui for about eight years, is an attorney licensed to practice in California and Colorado, and has been a real estate broker and developer for the last 25 years. He briefly summarized his real estate background, and noted he believes his background would allow him to make a positive contribution to the board.

The Chair of your Committee noted the Board of Ethics has been asked whether it has concerns with the balance of representation on the Real Property Tax Review Board, which currently has at least two real estate brokers serving as members. The Board of Ethics discussed the Chair's inquiry at its May 14, 2014 meeting.

Your Committee also interviewed Mr. Kauka, nominee to the Liquor Control Adjudication Board, who participated by telephone from the Molokai District Office. Mr. Kauka noted he had been employed by the County for 22 years. He also noted he had already completed five years on the Liquor Control Commission and would like to continue giving back to the community by serving on the Liquor Control Adjudication Board.

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Your Committee interviewed Mr. Thompson, nominee to the Cost of Government Commission. Mr. Thompson noted he is a business owner on Maui and has been involved with organizations around the world.

Your Committee was satisfied with the responses of Mr. Davis, Mr. Kauka, and Mr. Thompson, and recommended their nominations to the Real Property Tax Review Board, Liquor Control Adjudication Board, and Cost of Government Commission, respectively, be approved, and that Exhibit "B" to the proposed resolutions be revised accordingly.

Your Committee interviewed Bradley Bunn, nominee to the Lanai Planning Commission, who participated by telephone from the Lanai District Office. Mr. Bunn responded to questions from your Committee regarding Lanai's history, resources, and development agreements, and the role and responsibilities of the Lanai Planning Commission.

Your Committee expressed appreciation for Mr. Bunn's willingness to serve the community and encouraged him to continue to serve in other areas. However, your Committee voiced concerns about whether Mr. Bunn is sufficiently familiar with the unique challenges facing the island and its people to serve on such a critical board. Your Committee recommended Mr. Bunn's nomination to the Lanai Planning Commission be disapproved, and that Exhibit "C" to the proposed resolution be revised accordingly.

Your Committee was satisfied with the information submitted on application forms for Mr. Matsuura and Mr. White, and did not request an interview with either nominee. Your Committee recommended their nominations to the Board of Variances and Appeals and the Affirmative Action Advisory Council, respectively, be approved, 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, Guzman, Victorino, and White voted "aye". Committee members Carroll and Crivello were excused.

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

Your Policy and Intergovernmental Affairs Committee RECOMMENDS the following:

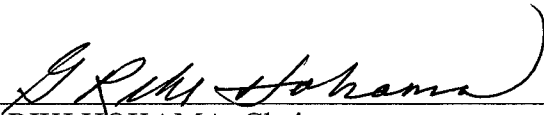
1. That Resolution \_\_\_\_\_, attached hereto, entitled "APPOINTMENT OF A MEMBER TO THE REAL PROPERTY TAX REVIEW BOARD FOR THE COUNTY OF MAUI", be ADOPTED;
2. That Resolution \_\_\_\_\_, attached hereto, entitled "APPOINTMENT OF A MEMBER TO THE LIQUOR CONTROL ADJUDICATION BOARD FOR THE COUNTY OF MAUI", be ADOPTED;
3. That Resolution \_\_\_\_\_, attached hereto, entitled "APPOINTMENT OF A MEMBER TO THE LANAI PLANNING COMMISSION", be ADOPTED;
4. That Resolution \_\_\_\_\_, attached hereto, entitled "APPOINTMENT OF A MEMBER TO THE BOARD OF VARIANCES AND APPEALS", be ADOPTED;
5. That Resolution \_\_\_\_\_, attached hereto, entitled "APPOINTMENT OF A MEMBER TO THE AFFIRMATIVE ACTION ADVISORY COUNCIL", be ADOPTED; and
6. That Resolution \_\_\_\_\_, attached hereto, entitled "APPOINTMENT OF A MEMBER TO THE COST OF GOVERNMENT COMMISSION", be ADOPTED.

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

  
\_\_\_\_\_  
G. RIKI HOKAMA, Chair

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# Resolution

No. \_\_\_\_\_

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

WHEREAS, by letter dated April 4, 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(17) 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,

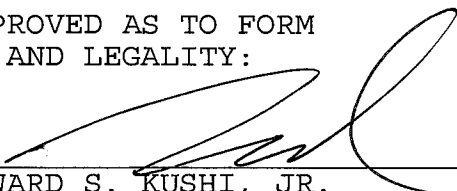
BE IT RESOLVED by the Council of the County of Maui:

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**

Peter Davis (replacing Patrice Matsumoto)

Term Expiration 3/31/15



**APPROVED BOARD MEMBER AND TERM**

**REAL PROPERTY TAX REVIEW BOARD**

Peter Davis (replacing Patrice Matsumoto)

Term Expiration 3/31/15

**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 April 8, 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 Sections 8-13.3 and 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 nominee to be approved by the Council; and

WHEREAS, Section 13-2(17) of the Charter requires the Council to approve or disapprove the nominee within sixty (60) days after the Mayor submits the nominee to the Council; now, therefore,

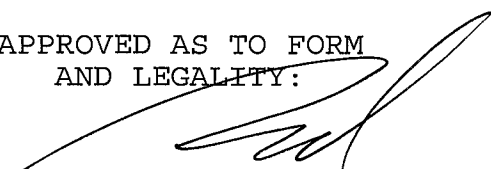
BE IT RESOLVED by the Council of the County of Maui:

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



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

**NOMINATED BOARD MEMBER AND TERM**

**LIQUOR CONTROL ADJUDICATION BOARD**

Henry Kauka, Jr. (replacing Edward Zwick)

Term Expiration 3/31/16

**APPROVED BOARD MEMBER AND TERM**

**LIQUOR CONTROL ADJUDICATION BOARD**

Henry Kauka, Jr. (replacing Edward Zwick)

Term Expiration 3/31/16

**DISAPPROVED BOARD MEMBER**

EXHIBIT " C "

# Resolution

No. \_\_\_\_\_

## APPOINTMENT OF A MEMBER TO THE LANAI PLANNING COMMISSION

WHEREAS, by letter dated May 1, 2014, Mayor Alan M. Arakawa notified the Council that he nominated the person listed in Exhibit "A", attached hereto, as a member to the Lanai Planning Commission of the County of Maui, pursuant to Section 2.28.025, Maui County Code, and Sections 8-8.4 and 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(17) 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,

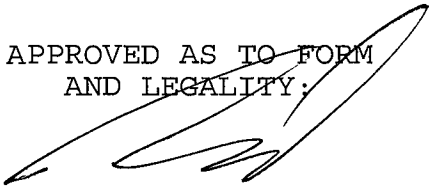
BE IT RESOLVED by the Council of the County of Maui:

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

2. That it hereby disapproves the appointment of the person listed in Exhibit "C" as a member to the Lanai Planning Commission as nominated by the Mayor; and

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

APPROVED AS TO FORM  
AND LEGALITY:



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

**NOMINATED COMMISSION MEMBER AND TERM**

**LANAI PLANNING COMMISSION**

Bradley Bunn (replacing Priscilla Felipe)

Term Expiration 3/31/17



APPROVED COMMISSION MEMBER AND TERM

EXHIBIT " **B** "

**DISAPPROVED COMMISSION MEMBER**

**LANAI PLANNING COMMISSION**

Bradley Bunn (replacing Priscilla Felipe)

**EXHIBIT "C"**

# Resolution

No. \_\_\_\_\_

## APPOINTMENT OF A MEMBER TO THE BOARD OF VARIANCES AND APPEALS

WHEREAS, by letter dated May 2, 2014, Mayor Alan M. Arakawa notified the Council that he nominated the person listed in Exhibit "A", attached hereto, as a member to the Board of Variances and Appeals of the County of Maui, pursuant to Sections 8-8.7 and 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(17) 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,

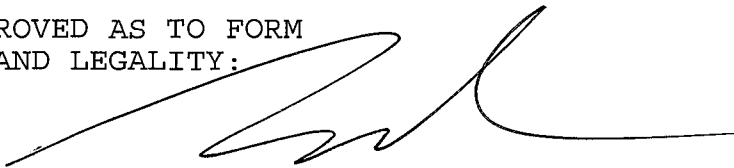
BE IT RESOLVED by the Council of the County of Maui:

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

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

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

APPROVED AS TO FORM  
AND LEGALITY:



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

**NOMINATED BOARD MEMBER AND TERM**

**BOARD OF VARIANCES AND APPEALS**

Scott Matsuura (replacing Bart Santiago Jr.)

Term Expiration 3/31/15

EXHIBIT " A "

**APPROVED BOARD MEMBER AND TERM**

**BOARD OF VARIANCES AND APPEALS**

Scott Matsuura (replacing Bart Santiago Jr.)

Term Expiration 3/31/15

**DISAPPROVED BOARD MEMBER**

EXHIBIT " C "

# Resolution

No. \_\_\_\_\_

## APPOINTMENT OF A MEMBER TO THE AFFIRMATIVE ACTION ADVISORY COUNCIL

WHEREAS, by letter dated May 2, 2014, Mayor Alan M. Arakawa notified the Council that he nominated the person listed in Exhibit "A", attached hereto, as a member to the Affirmative Action Advisory Council of the County of Maui, pursuant to Section 2.29.010, 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(17) 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,

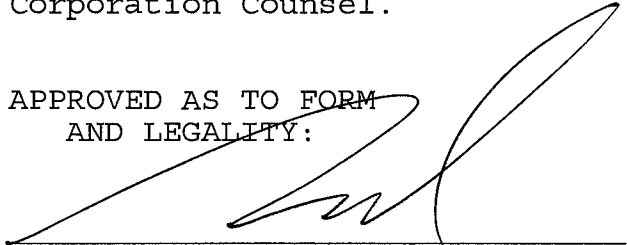
BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby approves the appointment of the person listed in Exhibit "B", attached hereto, as a member to the Affirmative Action Advisory Council 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 Affirmative Action Advisory Council as nominated by the Mayor; and

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

APPROVED AS TO FORM  
AND LEGALITY:



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

**NOMINATED COMMISSION MEMBER AND TERM**

**AFFIRMATIVE ACTION ADVISORY COUNCIL**

Thomas White (replacing Abelardo Corella)

Term Expiration 3/31/17

EXHIBIT " A "



**APPROVED COMMISSION MEMBER AND TERM**

**AFFIRMATIVE ACTION ADVISORY COUNCIL**

Thomas White (replacing Abelardo Corella)

Term Expiration 3/31/17

**DISAPPROVED COMMISSION MEMBER**

EXHIBIT " C "

# Resolution

No. \_\_\_\_\_

## APPOINTMENT OF A MEMBER TO THE COST OF GOVERNMENT COMMISSION

WHEREAS, by letter dated May 2, 2014, Mayor Alan M. Arakawa notified the Council that he nominated the person listed in Exhibit "A", attached hereto, as a member to the Cost of Government Commission of the County of Maui, pursuant to Sections 3-9.3 and 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(17) 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,

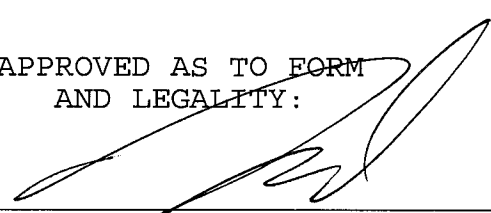
BE IT RESOLVED by the Council of the County of Maui:

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

2. That it hereby disapproves the appointment of the person listed in Exhibit "C" as a member to the Cost of Government Commission as nominated by the Mayor; and

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

APPROVED AS TO FORM  
AND LEGALITY:



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

**NOMINATED COMMISSION MEMBER AND TERM**

**COST OF GOVERNMENT COMMISSION**

Dale Thompson (replacing Steve Aheong)

Term Expiration 3/31/18

EXHIBIT " A "

**APPROVED COMMISSION MEMBER AND TERM**

**COST OF GOVERNMENT COMMISSION**

Dale Thompson (replacing Steve Aheong)

Term Expiration 3/31/18

EXHIBIT " B "

**DISAPPROVED COMMISSION MEMBER**

EXHIBIT " *c* "