

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE

Council of the County of Maui

2014 JUL 22 PM 1:00

Meeting Agenda

July 28, 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 An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify.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(26) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS
(LANAI PLANNING COMMISSION)**

DESCRIPTION: The Committee is in receipt of correspondence dated June 6, 2014 (received June 6, 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 Romeo Eleno 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 August 5, 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-3(6) HAWAII STATE ASSOCIATION OF COUNTIES ("HSAC") (2015 HSAC
LEGISLATIVE PACKAGE)**

DESCRIPTION: The Committee is in receipt of County Communication 14-176, from Council Chair Gladys C. Baisa, relating to 2015 Hawaii State Association of Counties ("HSAC") legislative proposals.

STATUS: The Committee may discuss the timeline associated with members' proposals for the 2015 HSAC legislative package. The Committee may also consider other related action.

PIA-77 COMPOSITION OF THE REAL PROPERTY TAX REVIEW BOARD

DESCRIPTION: The Committee is in receipt of County Communication 14-164, from Councilmember G. Riki Hokama, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.48, MAUI COUNTY CODE, RELATING TO THE COMPOSITION OF THE REAL PROPERTY TAX REVIEW BOARD". The purpose of the proposed bill is to provide that no more than two real estate agents or brokers shall serve as members of the Real Property Tax Review Board at any one time to accommodate a more balanced range of professions on the board.

STATUS: The Committee may consider whether to recommend passage of the proposed bill on first reading, with or without revisions. The Committee may also consider the filing of County Communication 14-164 and other related action.

**PIA-1(34) LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: DOUGLAS
LEONE, ET AL. V. COUNTY OF MAUI, ET AL., CIVIL 07-1-0496(3))**

DESCRIPTION: The Committee is in receipt of the following:

1. Correspondence dated March 5, 2014, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled "AUTHORIZING SETTLEMENT OF DOUGLAS LEONE AND PATRICIA A. PERKINS-LEONE V. COUNTY OF MAUI, ET AL., CIVIL NO. 07-1-0496(3)" and transmitting a copy of the complaint. The complaint alleges inverse condemnation, denial of substantive due process rights, and denial of equal protection, and demands damages, including punitive damages, arising out of a dispute concerning plaintiffs' proposal to construct a single-family residence on property located at 4492 Makena Keoneoio Road, Makena, Hawaii, consisting of approximately 20,343 square feet. The purpose of the proposed resolution is to authorize settlement of the case.

2. Correspondence dated June 26, 2014, from the Department of the Corporation Counsel, requesting further consideration of the proposed resolution transmitted by correspondence dated March 5, 2014.

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

NOTE: With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee.

PIA-1(35)

LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: WILLIAM L. LARSON, ET AL. V. COUNTY OF MAUI, ET AL., CIVIL 09-1-0413(2))

DESCRIPTION:

The Committee is in receipt of the following:

1. Correspondence dated March 5, 2014, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled "AUTHORIZING SETTLEMENT OF WILLIAM L. LARSON, ET AL. V. COUNTY OF MAUI, ET AL., CIVIL NO. 09-1-0413(2)" and transmitting a copy of the complaint. The complaint alleges inverse condemnation, denial of substantive due process rights, and denial of equal protection, and demands damages including punitive damages, arising out of a dispute concerning plaintiffs' proposal to construct a single-family residence on each of two properties located at 4500 Makena Keoneoio Road, Makena, Hawaii, consisting of approximately 24,829 square feet, and 4508 Makena Keoneoio Road, Makena, Hawaii, consisting of approximately 19,166 square feet. The purpose of the proposed resolution is to authorize settlement of the case.
2. Correspondence dated June 26, 2014, from the Department of the Corporation Counsel, requesting further consideration of the proposed resolution transmitted by correspondence dated March 5, 2014.

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

NOTE: With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee.

PIA-1(38)

LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: RONALD L. SANDATE V. COUNTY OF MAUI, DISABILITY COMPENSATION DIVISION CASE 7-04-02253)

DESCRIPTION:

The Committee is in receipt of correspondence dated July 2, 2014, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled "AUTHORIZING SETTLEMENT OF RONALD L. SANDATE V. COUNTY OF MAUI, DISABILITY COMPENSATION DIVISION CASE NO. 7-04-02253". The claim alleges Mr. Sandate sustained work-related injuries on July 23, 2004. The purpose of the proposed resolution is to authorize settlement of the case.

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

NOTE: With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee; and Section 92-5(a)(8), Hawaii Revised Statutes, to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to a State or Federal law, or a court order.

PIA-1(39)

LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: ARNOLD L. TORRES V. COUNTY OF MAUI, DISABILITY COMPENSATION DIVISION CASE 7-07-01901)

DESCRIPTION: The Committee is in receipt of correspondence dated July 2, 2014, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled "AUTHORIZING SETTLEMENT OF ARNOLD L. TORRES V. COUNTY OF MAUI, DISABILITY COMPENSATION DIVISION CASE NO. 7-07-01901". The claim alleges Mr. Torres sustained work-related injuries on June 25, 2007. The purpose of the proposed resolution is to authorize settlement of the case.

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

NOTE: With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee; and Section 92-5(a)(8), Hawaii Revised Statutes, to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to a State or Federal law, or a court order.

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