

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

August 19, 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 August 11, 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 July 1, 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 Bryan Esmeralda to the Real Property Tax Review Board, for a term expiring on March 31, 2018, to fill a vacancy due to the resignation of Brent Johnson. The Council must approve or disapprove the nomination by August 30, 2014, or the nomination will be deemed approved.

By correspondence dated and received July 30, 2014, the Mayor transmitted 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 Raymond Sung to the Board of Variances and Appeals, for a term expiring on March 31, 2016, to fill a vacancy due to the resignation of Jacqueline Haraguchi. The Council must approve or disapprove the nomination by September 28, 2014, or the nomination 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. Specific provisions for the Real Property Tax Review Board are located in Sections 2.40.170 and 3.48.620, Maui County Code, while specific provisions for the Board of Variances and Appeals are located in Charter Section 8-8.7.

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Your Committee interviewed both nominees.

Mr. Esmeralda noted he is a planner with Munekiyo & Hiraga, Inc. and is interested in serving the County. An Executive Assistant, Office of the Mayor, noted Mr. Esmeralda is educated in Hawaiian history and political science. He further informed your Committee Mr. Esmeralda's employer has authorized him to take the time needed to serve on the Real Property Tax Review Board.

Mr. Sung described his background and training, noting he is a transactional attorney licensed to practice in Hawaii and California. He noted the importance of serving the community and his current volunteer work on the boards for Seabury Hall and his homeowners' association. He explained his work for the homeowners' association includes deciding on applications for variances and appeals.

Your Committee was satisfied with the information provided and thanked the nominees for their willingness to serve the County.

Your Committee recommended the appointment of Mr. Esmeralda to the Real Property Tax Review Board, for a term expiring on March 31, 2018, be approved. Your Committee further recommended the proposed resolution be revised to add Mr. Esmeralda's name (and accompanying term) to Exhibit "B" for approval.

Your Committee also recommended the appointment of Mr. Sung to the Board of Variances and Appeals, for a term expiring on March 31, 2016, be approved. Your Committee further recommended the proposed resolution be revised to add Mr. Sung's name (and accompanying term) to Exhibit "B" for approval.

Your Committee voted 9-0 to recommend adoption of the proposed resolutions, incorporating your Committee's revisions. Committee Chair Hokama, Vice-Chair Couch, and members Baisa, Carroll, Cochran, Crivello, Guzman, Victorino, and White voted "aye".

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.

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Your Policy and Intergovernmental Affairs Committee RECOMMENDS the following:

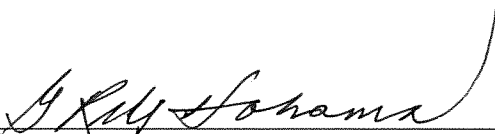
1. That Resolution _____, attached hereto, entitled "APPOINTMENT OF A MEMBER TO THE REAL PROPERTY TAX REVIEW BOARD FOR THE COUNTY OF MAUI", be ADOPTED; and
2. That Resolution _____, attached hereto, entitled "APPOINTMENT OF A MEMBER TO THE BOARD OF VARIANCES AND APPEALS", be ADOPTED.

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Committee
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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 July 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 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

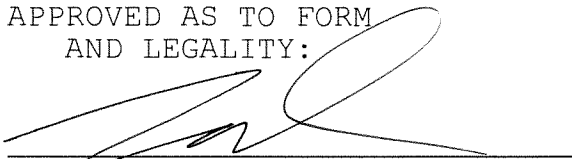
WHEREAS, Section 13-2 of the Charter requires the Mayor's nominees to be approved by the Council; and

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

Bryan Esmeralda (replacing Brent Johnson)

Term Expiration 3/31/18

EXHIBIT " A "

APPROVED BOARD MEMBER AND TERM

REAL PROPERTY TAX REVIEW BOARD

Bryan Esmeralda (replacing Brent Johnson)

Term Expiration 3/31/18

DISAPPROVED BOARD MEMBER

EXHIBIT " C " 

Resolution

No. _____

APPOINTMENT OF A MEMBER TO THE BOARD OF VARIANCES AND APPEALS

WHEREAS, by letter dated July 30, 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,

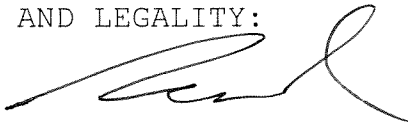
BE IT RESOLVED by the Council of the County of Maui:

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

Raymond Sung (replacing Jacqueline Haraguchi)

Term Expiration 3/31/16

APPROVED BOARD MEMBER AND TERM

BOARD OF VARIANCES AND APPEALS

Raymond Sung (replacing Jacqueline Haraguchi)

Term Expiration 3/31/16

DISAPPROVED BOARD MEMBER

EXHIBIT " C "