

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE

Council of the County of Maui

Meeting Agenda

Monday, December 8, 2014
9:00 a.m.

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>

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COUNTY CLERK

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 An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify.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, 12 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(40) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS
(BOARD OF WATER SUPPLY)**

DESCRIPTION: The Committee is in receipt of correspondence dated November 25, 2014 (received November 25, 2014), from the Mayor, transmitting a proposed resolution, entitled "APPOINTMENT OF A MEMBER TO THE BOARD OF WATER SUPPLY", along with a completed application form for the nominee. The purpose of the proposed resolution is to approve or disapprove the appointment of Kula Gaughen-Haili to the Board of Water Supply, for a term expiring on March 31, 2016, to fill a vacancy due to the death of James Rust.

STATUS: The Council must approve or disapprove the nomination by January 24, 2015, 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-1(3) LITIGATION MATTERS (SETTLEMENT AUTHORIZATION, STATUS, AND
SPECIAL COUNSEL ADDITIONAL COMPENSATION: HAWAII WILDLIFE FUND,
ET AL. V. COUNTY OF MAUI; CIVIL 12-00198 SOM BMK)**

DESCRIPTION: The Committee is in receipt of the following:

1. Correspondence dated January 18, 2013, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution to authorize settlement of the case and a copy of the complaint. The complaint alleges violations of the Clean Water Act arising out of the County's operation of injection wells at the Lahaina Wastewater Reclamation Facility, Lahaina, Maui.
2. Correspondence dated November 17, 2014, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled "AUTHORIZING ADDITIONAL COMPENSATION FOR SPECIAL COUNSEL HUNTON & WILLIAMS LLP, IN HAWAII WILDLIFE FUND, ET AL. V. COUNTY OF MAUI, CIVIL NO. 12-00198 SOM BMK". The purpose of the proposed resolution is to authorize \$400,000 in additional compensation for Hunton & Williams LLP as special counsel in the case, for a total compensation not to exceed \$1,250,000.

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(44) LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: JAMES P.
NELSON V. COUNTY OF MAUI, DISABILITY COMPENSATION DIVISION CASE
7-11-00780)**

DESCRIPTION: The Committee is in receipt of correspondence dated October 23, 2014, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled "AUTHORIZING SETTLEMENT OF JAMES P. NELSON V. COUNTY OF MAUI, DISABILITY COMPENSATION DIVISION CASE NO. 7-11-00780". The claim alleges work-related injuries sustained on April 16, 2011. 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(46) LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: TOMMY RUSSO V. COUNTY OF MAUI, ET AL.; CIVIL 13-00165 HG RLP)

DESCRIPTION: The Committee is in receipt of correspondence dated October 28, 2014, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution, entitled “AUTHORIZING SETTLEMENT OF TOMMY RUSSO V. COUNTY OF MAUI, ET AL., CIVIL NO. 13-00165 HG RLP”, and transmitting a copy of the complaint. The complaint alleges civil rights violations and physical injuries arising from an incident involving the Department of Police on April 12, 2011. 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(11) LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: JOSHUA NAKAGAWA V. COUNTY OF MAUI, ET AL., CIVIL 11-00130 LEK BMK; AND ANTHONY LUM-JOHN V. COUNTY OF MAUI, ET AL., CIVIL 12-00569 JMS RLP (CONSOLIDATED))

DESCRIPTION: The Committee is in receipt of the following:

1. Correspondence dated February 27, 2014, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution, entitled “AUTHORIZING SETTLEMENT OF JOSHUA NAKAGAWA V. COUNTY OF MAUI, ET AL., CIV. NO. 11-00130 LEK BMK AND ANTHONY LUM-JOHN V. COUNTY OF MAUI, CIVIL NO. 12-00569 JMS RLP (CONSOLIDATED)”, and transmitting a copy of the complaints. The complaints allege Mr. Nakagawa and Mr. Lum-John suffered injury and damages when police officers shot them during an incident that occurred on or about July 18, 2010, along Honoapiilani Highway near Punalau Beach. The purpose of the proposed resolution is to authorize settlement of the consolidated cases on behalf of the County and individual defendants Jun Hattori, Erik Losvar, Russell Kapahulehua, and Harry Matsuura.
2. Correspondence dated November 19, 2014, from the Department of the Corporation Counsel, providing an update on the status of the consolidated cases, and requesting that the proposed resolution be filed.

STATUS: The Committee may receive an update on the status of the consolidated cases. The Committee may consider whether to recommend filing of the correspondence transmitting the proposed resolution and 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(40) LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: COUNTY OF MAUI V. VICTOR CAMPOS, ET AL.; CIVIL 11-1-0289(3))

DESCRIPTION: The Committee is in receipt of correspondence dated July 30, 2014, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution, entitled “AUTHORIZING SETTLEMENT OF COUNTY OF MAUI V. VICTOR CAMPOS, ET AL., CIVIL NO. 11-1-0289(3)”, and transmitting a copy of the complaint. The complaint alleges Victor Campos and Myrna J. Campos, owners of 1215 Lower Main Street, Wailuku, Hawaii, have been using the property in violation of zoning laws since at least 2009. The purpose of the proposed resolution is to authorize settlement of the case.

STATUS: The Committee may receive an update on the status of the case. The Committee may consider whether to recommend filing of the correspondence transmitting the proposed resolution and 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(18) LITIGATION MATTERS (SPECIAL COUNSEL AUTHORIZATION TO ADVISE AND REPRESENT THE COUNCIL ON POTENTIAL MISUSE OF COUNTY FUNDS)

DESCRIPTION: The Committee is in receipt of correspondence dated May 17, 2013, from Councilmember Mike White, requesting consideration of a proposed resolution entitled “AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL TO ADVISE AND REPRESENT THE COUNCIL REGARDING THE POTENTIAL MISUSE OF COUNTY FUNDS”. The purpose of the proposed resolution is to authorize the employment of special counsel, for a sum not to exceed \$20,000, to advise and represent the Council regarding the potential misuse of County funds appropriated for rehabilitation of the Old Wailuku Post Office.

STATUS: The Committee may consider whether to recommend filing of the correspondence dated May 17, 2013, from Councilmember Mike White, transmitting the proposed resolution. The Committee may also consider other related action.

PIA-1(26) LITIGATION MATTERS (SPECIAL COUNSEL AUTHORIZATION: FORMAL INVESTIGATION OF COUNTY EMPLOYEES, RELATING TO RESOLUTION 13-83)

DESCRIPTION: The Committee is in receipt of correspondence dated August 13, 2013, from Council Chair Gladys C. Baisa, transmitting correspondence dated August 12, 2013, from the Mayor, transmitting the following:

1. A proposed resolution entitled “AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL TO ADVISE AND REPRESENT GREG KING, CENTRAL PURCHASING AGENT, REGARDING THE FORMAL INVESTIGATION TO BE CONDUCTED BY THE POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE PURSUANT TO RESOLUTION NO. 13-83”. The purpose of the proposed resolution is to authorize the employment of special counsel to advise and represent Greg King, Central Purchasing Agent, in connection with an investigation on the demolition of the Old Wailuku Post Office and the master plan for the Kalana O Maui Campus Expansion.
2. A proposed resolution entitled “AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL TO ADVISE AND REPRESENT PATRICK WONG, CORPORATION COUNSEL, REGARDING THE FORMAL INVESTIGATION TO BE CONDUCTED BY THE POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE PURSUANT TO RESOLUTION NO. 13-83”. The purpose of the proposed resolution is to authorize the employment of special

- counsel to advise and represent Patrick Wong, Corporation Counsel, in connection with an investigation on the demolition of the Old Wailuku Post Office and the master plan for the Kalana O Maui Campus Expansion.
3. A proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL TO ADVISE AND REPRESENT ALAN M. ARAKAWA, MAYOR, REGARDING THE FORMAL INVESTIGATION TO BE CONDUCTED BY THE POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE PURSUANT TO RESOLUTION NO. 13-83". The purpose of the proposed resolution is to authorize the employment of special counsel to advise and represent Alan M. Arakawa, Mayor, in connection with an investigation on the demolition of the Old Wailuku Post Office and the master plan for the Kalana O Maui Campus Expansion.
 4. A proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL TO ADVISE AND REPRESENT KEITH REGAN, MANAGING DIRECTOR, REGARDING THE FORMAL INVESTIGATION TO BE CONDUCTED BY THE POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE PURSUANT TO RESOLUTION NO. 13-83". The purpose of the proposed resolution is to authorize the employment of special counsel to advise and represent Keith Regan, Managing Director, in connection with an investigation on the demolition of the Old Wailuku Post Office and the master plan for the Kalana O Maui Campus Expansion.
 5. A proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL TO ADVISE AND REPRESENT EDWARD KUSHI, FIRST DEPUTY CORPORATION COUNSEL, REGARDING THE FORMAL INVESTIGATION TO BE CONDUCTED BY THE POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE PURSUANT TO RESOLUTION NO. 13-83". The purpose of the proposed resolution is to authorize the employment of special counsel to advise and represent Edward Kushi, First Deputy Corporation Counsel, in connection with an investigation on the demolition of the Old Wailuku Post Office and the master plan for the Kalana O Maui Campus Expansion.
 6. A proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL TO ADVISE AND REPRESENT SANANDA BAZ, BUDGET DIRECTOR, REGARDING THE FORMAL INVESTIGATION TO BE CONDUCTED BY THE POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE PURSUANT TO RESOLUTION NO. 13-83". The purpose of the proposed resolution is to authorize the employment of special counsel to advise and represent Sananda Baz, Budget Director, in connection with an investigation on the demolition of the Old Wailuku Post Office and the master plan for the Kalana O Maui Campus Expansion.
 7. A proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL TO ADVISE AND REPRESENT DANILO AGSALOG, FINANCE DIRECTOR, REGARDING THE FORMAL INVESTIGATION TO BE CONDUCTED BY THE POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE PURSUANT TO RESOLUTION NO. 13-83". The purpose of the proposed resolution is to authorize the employment of special counsel to advise and represent Danilo Agsalog, Director of Finance, in connection with an investigation on the demolition of the Old Wailuku Post Office and the master plan for the Kalana O Maui Campus Expansion.
 8. A proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL TO ADVISE AND REPRESENT WENDY TAOMOTO, COUNTYWIDE CIP COORDINATOR, REGARDING THE FORMAL INVESTIGATION TO BE CONDUCTED BY THE POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE PURSUANT TO RESOLUTION NO. 13-83". The purpose of the proposed resolution is to authorize the employment of special counsel to advise and represent Wendy Taomoto, Countywide Capital Improvement Projects Coordinator, in connection with an investigation on the demolition of the Old Wailuku Post Office and the master plan for the Kalana O Maui Campus Expansion.
 9. A proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL TO ADVISE AND REPRESENT BARON SUMIDA, CIP PROJECT COORDINATOR, REGARDING THE FORMAL INVESTIGATION TO BE CONDUCTED BY THE POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE PURSUANT TO RESOLUTION NO. 13-83". The purpose of the proposed resolution is to authorize the employment of special counsel to advise and represent Baron Sumida, Capital Improvement

Projects Coordinator, in connection with an investigation on the demolition of the Old Wailuku Post Office and the master plan for the Kalana O Maui Campus Expansion.

10. A proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL TO ADVISE AND REPRESENT JAY BUZIANIS, CIP COORDINATOR, REGARDING THE FORMAL INVESTIGATION TO BE CONDUCTED BY THE POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE PURSUANT TO RESOLUTION NO. 13-83". The purpose of the proposed resolution is to authorize the employment of special counsel to advise and represent Jay Buzianis, Capital Improvement Projects Coordinator, in connection with an investigation on the demolition of the Old Wailuku Post Office and the master plan for the Kalana O Maui Campus Expansion.
11. A proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL TO ADVISE AND REPRESENT DAVID GOODE, PUBLIC WORKS DIRECTOR, REGARDING THE FORMAL INVESTIGATION TO BE CONDUCTED BY THE POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE PURSUANT TO RESOLUTION NO. 13-83". The purpose of the proposed resolution is to authorize the employment of special counsel to advise and represent David Goode, Director of Public Works, in connection with an investigation on the demolition of the Old Wailuku Post Office and the master plan for the Kalana O Maui Campus Expansion.
12. A proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL TO ADVISE AND REPRESENT BRIAN HASHIRO, HIGHWAYS DIVISIONS CHIEF, REGARDING THE FORMAL INVESTIGATION TO BE CONDUCTED BY THE POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE PURSUANT TO RESOLUTION NO. 13-83". The purpose of the proposed resolution is to authorize the employment of special counsel to advise and represent Brian Hashiro, Highways Divisions Chief, in connection with an investigation on the demolition of the Old Wailuku Post Office and the master plan for the Kalana O Maui Campus Expansion.

STATUS: The Committee may consider whether to recommend filing of the correspondence dated August 13, 2013, from Council Chair Gladys C. Baisa, transmitting correspondence dated August 12, 2013, from the Mayor, transmitting the 12 proposed resolutions. The Committee may also consider other related action.

PIA-38

HAWAII STATE FIRE CODE

DESCRIPTION:

The Committee is in receipt of the following:

1. County Communication 13-181, from the Fire Chief, transmitting a proposed bill, together with a copy of the Hawaii State Fire Code Based on the NFPA 1 Uniform Fire Code 2006. The purpose of the proposed bill is to adopt the Hawaii State Fire Code as adopted by the State of Hawaii on January 1, 2010, subject to certain amendments.
2. Correspondence dated December 1, 2014, from the Fire Chief, transmitting a revised proposed bill entitled "A BILL FOR AN ORDINANCE ADOPTING THE HAWAII STATE FIRE CODE, WITH CERTAIN AMENDMENTS THERETO". The purpose of the revised proposed bill is to adopt the Hawaii State Fire Code Based on the NFPA 1 Uniform Fire Code 2012, as amended in August 2014.

STATUS: The Committee may consider whether to recommend passage of the revised proposed bill on first reading, with or without further revisions. The Committee may also consider the filing of County Communication 13-181 and other related action.

NOTE: THE COMMITTEE MAY RECOMMEND THE FOLLOWING COMMUNICATIONS BE REFERRED TO THE COUNCIL CHAIR FOR THE TERM BEGINNING JANUARY 2, 2015, PURSUANT TO RULE 23 OF THE RULES OF THE COUNCIL.

PIA-6 AMENDMENTS TO THE RULES OF THE COUNCIL

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
01/18/2013	CC 13-45	Council Chair, relating to amendments to the Rules of the Council.

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
02/11/2014	Sub-item (3)	AMENDMENT TO RULE 17(B), ORAL TESTIMONY

Memo from Committee Chair, dated 02/11/2014, transmitting a proposed resolution entitled "AMENDING THE RULES OF THE COUNCIL RELATING TO ORAL TESTIMONY".

PIA-10 PROPOSED CHARTER AMENDMENTS

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
08/25/2009	CC 09-229	Chair, Committee of the Whole, relating to proposed Charter Amendments.

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
04/01/2014	Sub-item (3)	CODE OF ETHICS

Memo from Councilmember White, dated 04/01/2014, transmitting a proposed resolution entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO THE CODE OF ETHICS".

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
	Sub-item (5)	ATTORNEYS WITHIN THE OFFICE OF COUNCIL SERVICES
06/20/2014	CC 14-165	Councilmember Guzman, transmitting a proposed resolution entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO ATTORNEYS WITHIN THE OFFICE OF COUNCIL SERVICES".

PIA-19 DEPARTMENT OF FIRE AND PUBLIC SAFETY AND DEPARTMENT OF POLICE OPERATIONS

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
02/01/2013	CC 13-65	Councilmember Hokama, relating to the operations of the Department of Fire and Public Safety and Department of Police based on the Fiscal Year 2013 Budget.

PIA-26 FEASIBILITY STUDY TO OPT OUT OF STATE EMPLOYEES' RETIREMENT SYSTEM AND EMPLOYER-UNION HEALTH BENEFITS TRUST FUND

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
04/19/2013	CC 13-138	Councilmember Hokama, transmitting a proposed resolution entitled "AUTHORIZING THE COUNCIL CHAIR TO CONTRACT FOR A FEASIBILITY STUDY FOR OPTING OUT OF THE STATE OF HAWAII EMPLOYEES' RETIREMENT SYSTEM AND EMPLOYER-UNION HEALTH BENEFITS TRUST FUND".

PIA-29 MANAGEMENT OF RECORDS

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
11/06/2009	CC 09-314	Council Chair, transmitting a letter (dated 10/23/2009) from the Department of the Corporation Counsel, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE RELATING TO MANAGEMENT OF RECORDS".

PIA-33 TRANSFER OF SHORELINE AND OCEAN RESCUE AND SAFETY FUNCTIONS TO DEPARTMENT OF FIRE AND PUBLIC SAFETY

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
05/28/2013	MISC	County Clerk, reporting that on 05/28/2013, the Council referred the matter relating to transfer of the functions of shoreline and ocean rescue and safety from Department of Parks and Recreation to Department of Fire and Public Safety.

PIA-34 COST RECOVERY OF HELICOPTER SERVICE PROVIDED BY DEPARTMENT OF FIRE AND PUBLIC SAFETY

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
05/28/2013	MISC	County Clerk, reporting that on 05/28/2013, the Council referred the matter relating to cost recovery of the helicopter service provided by Department of Fire and Public Safety.

PIA-37 REPORT ON SETTLEMENT OF CLAIMS

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
05/07/2013	MISC	County Clerk, reporting that on 05/07/2013, the Council referred the matter relating to Civil 09-1-0245(1), <u>Cabebe, et al. v. New Sand Hills</u> listed in two reports on the settlement of claims as of March 31, 2013.

PIA-42 CYBERSECURITY

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
07/25/2013	CC 13-226	Councilmember Hokama, relating to cybersecurity, including the County's role in cybersecurity and its current practices in dealing with cybersecurity issues.

PIA-50 PROPOSED TRANSFER OF GRANTS MANAGEMENT PROGRAM FROM DEPARTMENT OF HOUSING AND HUMAN CONCERNS TO DEPARTMENT OF FINANCE

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
05/24/2012	MISC	County Clerk, reporting that on 05/24/2012, the Council referred the matter relating to the proposed transfer of the Grants Management Program from the Department of Housing and Human Concerns to the Department of Finance.

PIA-51 NOISE CONTROL

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
10/18/2013	CC 13-329	Councilmember Couch, relating to noise complaints stemming from automobiles, motorcycles, animals, or other nuisances which may be detrimental to health, safety, or general welfare, or which may interfere with the free use and enjoyment of property, along with memo from Councilmember Couch, dated 10/18/2013, transmitting a copy of "Chapter 16 - NOISE" from Simi Valley, California, Code of Ordinances.

PIA-52 KAPAAKEA CEMETERY AND HOOLEHUA VETERANS CEMETERY (MOLOKAI)

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
06/06/2012	CC 12-121	Director of Public Works, relating to the status of acquiring additional land for the Kapaakea Cemetery and additional niches at the Hoolehua Veterans Cemetery, Molokai, and transmitting related documents.

PIA-55 ROADS IN LIMBO IN MAUI COUNTY AND STATEWIDE

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
08/21/2012	CC 12-181	Director of Public Works, transmitting copies of the following, and requesting review, discussion and guidance on the Council's willingness to participate in the acceptance of these roads:

1. Senate Resolution 17, S.D.1, entitled “REQUESTING THE DEPARTMENT OF TRANSPORTATION TO FORM A WORKING GROUP TO EXPEDITIOUSLY RESOLVE THE ISSUE OF ROADS IN LIMBO IN MAUI COUNTY”; and
2. Senate Concurrent Resolution 49, S.D.1, H.D.1, entitled “REQUESTING THE DEPARTMENT OF TRANSPORTATION TO FORM A WORKING GROUP TO EXPEDITIOUSLY RESOLVE THE ISSUE OF ROADS IN LIMBO STATEWIDE”.

PIA-56 AUTHORIZING ACCEPTANCE OF SEIZED PROPERTY PURSUANT TO FEDERAL LAW

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
11/01/2013	CC 13-349	Chief of Police, transmitting a proposed resolution entitled “AUTHORIZING THE ACCEPTANCE OF PROPERTY SEIZED PURSUANT TO THE FEDERAL LAW”.

PIA-72 CYBER BREACH INSURANCE

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
05/27/2014	MISC	County Clerk, reporting that on 05/27/2014, the Council referred the matter relating to “cyber breach” insurance as a part of the County’s risk management activities.

PIA-73 COST RECOVERY FOR RESCUES

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
05/27/2014	MISC	County Clerk, reporting that on 05/27/2014, the Council referred the matter relating to cost recovery for rescues.

PIA-74 WATER FLOW REQUIREMENTS FOR FIRE CONTROL IN RURAL AREAS

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
05/27/2014	MISC	County Clerk, reporting that on 05/27/2014, the Council referred the matter relating to water flow requirements for fire control in rural areas.

**PIA-76 INTERGOVERNMENTAL AGREEMENT WITH STATE OF HAWAII
EMPLOYER-UNION HEALTH BENEFITS TRUST FUND FOR A
CONFIDENTIALITY AGREEMENT TO CONTINUE TO RECEIVE
MONTHLY REPORTS**

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
06/20/2014	CC 14-163	Director of Finance, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND, STATE OF HAWAII".

**PIA-84 MEMORANDUM OF AGREEMENT WITH STATE DEPARTMENT OF
TRANSPORTATION FOR REIMBURSEMENT OF ACTIVITIES
SPONSORED UNDER THE HAWAII LOCAL TECHNICAL
ASSISTANCE PROGRAM**

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
11/07/2014	CC 14-279	Director of Public Works, transmitting for the Council's information an executed copy of a Memorandum of Agreement between the County of Maui, Department of Public Works, and the State Department of Transportation, relating to reimbursement for participating in various activities sponsored under the Hawaii Local Technical Assistance Program.

**PIA-85 COMMUNICATIONS FROM DEPARTMENT HEADS TO THE
COUNCIL**

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
11/21/2014	CC 14-285	Councilmember Couch, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE REPEALING SECTION 2.60.010, MAUI COUNTY CODE, RELATING TO COMMUNICATIONS FROM DEPARTMENT HEADS TO THE COUNCIL".