

COUNCIL OF THE COUNTY OF MAUI
POLICY AND INTERGOVERNMENTAL
AFFAIRS COMMITTEE

December 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 December 8, 2014, makes reference to County Communication 13-41, from Council Chair Gladys C. Baisa, regarding litigation matters.

By correspondences dated August 13, 2013, Council Chair Gladys C. Baisa transmitted correspondences 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 ("investigation").
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 the investigation.

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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 the investigation.
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 the investigation.
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 the investigation.
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 the investigation.

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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 Aagsalog, Director of Finance, in connection with the investigation.
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, County Capital Improvement Program Coordinator, in connection with the investigation.
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 Improvements Project Coordinator, in connection with the investigation.
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

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authorize the employment of special counsel to advise and represent Jay Buzianis, Capital Improvements Project Coordinator, in connection with the investigation.

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 the investigation.

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, Chief of Field Operations and Maintenance, in connection with the investigation.

Your Committee notes that by County Communication 14-17, the County Auditor informed the Council an audit of expenditures from the Fiscal Year ("FY") 2012 Budget appropriation for the Old Wailuku Post Office Rehabilitation Project had been included in the Office of the County Auditor's plan of audits, proposed to be conducted in the remaining six months of FY 2014.

Your Committee further notes that by County Communication 14-171, the County Auditor informed the Council the audit of expenditures from the FY 2012 Budget appropriation for the Old Wailuku Post Office Rehabilitation Project is an ongoing project for FY 2015.

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Because the County Auditor has undertaken the audit, it appears unnecessary for the Council to pursue its own investigation at this time. Therefore, special counsel to advise and represent the individuals listed above is also unnecessary, and the correspondence transmitting the proposed resolutions can be filed.

Your Committee voted 7-0 to recommend filing of the correspondence. Committee Chair Hokama, Vice-Chair Couch, and members Carroll, Cochran, Crivello, Victorino, and White voted "aye". Committee members Baisa and Guzman were excused.

Your Policy and Intergovernmental Affairs Committee RECOMMENDS that correspondences dated August 13, 2013, from Council Chair Baisa, transmitting correspondences dated August 12, 2013, from the Mayor, transmitting the proposed resolutions, be FILED.

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



G. RIKI HOKAMA, Chair