

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 the communications noted on Exhibit "A", attached hereto and incorporated herein.

Your Committee notes Rule 23 of the Rules of the Council provides for the end-of-term filing or referral of communications pending before committees.

In preparation for the new Council term, your Committee recommended certain pending matters be referred to the Council Chair for the term beginning January 2, 2015, pursuant to Rule 23(B) of the Rules of the Council.

Your Committee voted 8-0 to recommend the communications noted on Exhibit "A" be referred for consideration next term. Committee Chair Hokama, Vice-Chair Couch, and members Carroll, Cochran, Crivello, Guzman, Victorino, and White voted "aye". Committee member Baisa was excused.

Your Policy and Intergovernmental Affairs Committee **RECOMMENDS** that the communications noted on Exhibit "A" be **REFERRED** to the Council Chair for the term beginning January 2, 2015.

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

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

## EXHIBIT "A"

### 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 Mateo, 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-38                    HAWAII STATE FIRE CODE**

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
06/06/2013	CC 13-181	Fire Chief, transmitting the following:  <ol style="list-style-type: none"><li>1. Proposed bill entitled “A BILL FOR AN ORDINANCE ADOPTING THE HAWAII STATE FIRE CODE, WITH CERTAIN AMENDMENTS THERETO”; and</li><li>2. “HAWAII STATE FIRE CODE Based on the NFPA 1 Uniform Fire Code™ 2006”.</li></ol>

**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> 11/01/2013	<u>REFERENCE</u> CC 13-349	<u>SUBJECT</u> 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> 05/27/2014	<u>REFERENCE</u> MISC	<u>SUBJECT</u> 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> 05/27/2014	<u>REFERENCE</u> MISC	<u>SUBJECT</u> 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> 05/27/2014	<u>REFERENCE</u> MISC	<u>SUBJECT</u> 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".

**END OF EXHIBIT "A"**