

COUNCIL OF THE COUNTY OF MAUI
POLICY AND INTERGOVERNMENTAL
AFFAIRS COMMITTEE

May 26, 2015

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 May 6, 2015, makes reference to County Communication 15-5, from Councilmember Mike White, relating to nominations to boards, committees, and commissions ("boards").

By correspondence dated and received January 30, 2015, the Mayor transmitted a proposed resolution, entitled "APPOINTMENT OF MEMBERS TO THE BOARDS AND COMMISSIONS FOR THE COUNTY OF MAUI", along with completed application forms for the nominees. The purpose of the proposed resolution is to approve or disapprove the Mayor's nominees to various boards for terms beginning on April 1, 2015, and expiring on March 31, 2020, unless otherwise indicated.

Your Committee notes it previously recommended disapproving a nominee to the Lanai Planning Commission ("LPC") and a nominee to the Fire and Public Safety Commission ("FPSC") by Policy and Intergovernmental Affairs Committee Report 15-24. The recommendations were adopted by the Council at its meeting of March 30, 2015 (Resolution 15-30). By correspondence dated April 6, 2015, the Council Chair notified the Mayor of the Council's actions.

By correspondence dated April 9, 2015, received April 10, 2015, the Mayor transmitted a proposed resolution, entitled "APPOINTMENT OF MEMBERS TO THE BOARDS AND COMMISSIONS FOR THE COUNTY OF MAUI", along with completed application forms for the nominees. The purpose of the proposed resolution is to approve or

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disapprove the Mayor's nominations of Edwin Misaki to the FPSC and Marlene Baltero to the LPC, for terms expiring on March 31, 2020.

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 ("MCC").

Your Committee further notes specific provisions for the boards are contained in the Charter and MCC as follows:

- A. FPSC: Section 8-7.2 of the Charter; and Section 2.41.080, MCC.
- B. LPC: Section 8-8.4 of the Charter; and Section 2.28.025, MCC.

Section 13-2(16) of the Charter states the Mayor is required to submit nominees 60 to 70 days before the prior members' terms expire, and the Council must approve or disapprove the nominees within 60 days thereafter. If the Council fails to approve or disapprove any of the Mayor's nominees within the time period provided, the nominee shall be deemed appointed to fill the vacancy upon its occurrence. If the Council disapproves a nominee, it shall immediately notify the Mayor of its action.

Accordingly, the Council has until June 9, 2015, to approve or disapprove the Mayor's nominees, or the nominees shall be deemed appointed.

Your Committee notes that Mr. Misaki resides on Molokai and would fulfill the MCC requirement that at least one member of the FPSC be a resident from the island of Molokai.

In an interview with your Committee, Ms. Baltero stated her interest in serving on the LPC was to be a voice for the children of Lanai.

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Your Committee voted 6-1 to recommend approval of the nominations of Edwin Misaki to the FPSC and Marlene Baltero to the LPC, for terms expiring on March 31, 2020, and recommended Exhibit "B" to the proposed resolution be revised accordingly. Committee Chair Victorino, Vice-Chair Couch, and members Baisa, Guzman, Hokama, and White voted "aye". Committee member Cochran voted "no". Members Carroll and Crivello were excused.

Your Committee is in receipt of a revised proposed resolution, approved as to form and legality by the Department of the Corporation Counsel, incorporating your Committee's recommended revisions.

Your Policy and Intergovernmental Affairs Committee RECOMMENDS that Resolution _____, attached hereto, entitled "APPOINTMENT OF MEMBERS TO THE BOARDS AND COMMISSIONS FOR THE COUNTY OF MAUI", be ADOPTED.

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



MICHAEL P. VICTORINO, Chair

Resolution

No. _____

APPOINTMENT OF MEMBERS TO THE BOARDS AND COMMISSIONS FOR THE COUNTY OF MAUI

WHEREAS, by letter dated April 9, 2015, Mayor Alan M. Arakawa notified the Council that he nominated the persons listed in Exhibit "A", attached hereto, as members to the various boards and commissions for the County of Maui, pursuant to Section 13-2, Revised Charter of the County of Maui (1983), as amended ("Charter"); and

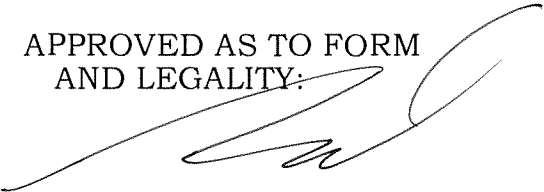
WHEREAS, Section 13-2 of the Charter requires the Mayor's nominees to be approved by the Council; and

WHEREAS, Section 13-2(16) of the Charter requires the Council to approve or disapprove the nominees within sixty (60) days after the Mayor submits the nominee 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 persons listed in Exhibit "B", attached hereto, as members to the various boards and commissions for the terms as specified therein; and
2. That it hereby disapproves the appointment of the persons listed in Exhibit "C", attached hereto, as members to the various boards and commissions 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 COMMISSION MEMBERS AND TERMS

FIRE AND PUBLIC SAFETY COMMISSION

Edwin Misaki (Molokai)

Term Expiration 3/31/20

LANAI PLANNING COMMISSION

Marlene Baltero (Lanai)

Term Expiration 3/31/20

APPROVED COMMISSION MEMBERS AND TERMS

FIRE AND PUBLIC SAFETY COMMISSION

Edwin Misaki (Molokai)

Term Expiration 3/31/20

LANAI PLANNING COMMISSION

Marlene Baltero (Lanai)

Term Expiration 3/31/20

DISAPPROVED COMMISSION MEMBERS