

**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 April 9, 2015, and received April 10, 2015, the Mayor transmitted a proposed resolution, entitled "APPOINTMENT OF A MEMBER TO THE BOARD OF WATER SUPPLY 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 nomination of Loren Tilley to the Board of Water Supply ("BWS") for a term expiring on March 31, 2016, to fill a vacancy due to the resignation of Kula Gaughen-Haili.

By correspondence dated April 9, 2015, received April 10, 2015, the Mayor transmitted a proposed resolution, entitled "APPOINTMENT OF A MEMBER TO THE COST OF GOVERNMENT COMMISSION 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 Paul Kailiponi to the Cost of Government Commission ("CGC") for a term expiring on March 31, 2019, to fill a vacancy due to the resignation of Kent Hiranaga.

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.

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Your Committee further notes specific provisions for the BWS and CGC are found in Section 8-11.3 and 3-9.3 of the Charter, respectively.

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

At your Committee's request, Mr. Tilley attended the meeting to be interviewed. Mr. Tilley, an attorney in private practice, stated he was familiar with some of the County's water-related issues and was available to attend scheduled meetings.

In response to your Committee's questions, the First Deputy Corporation Counsel stated Mr. Tilley may have to recuse himself from the BWS's decision-making process if his law firm or one of his clients is involved.

A representative of the Mayor said Dr. Kailiponi had extensive knowledge of disaster management, which would be valuable to the CGC.

Your Committee recommended both proposed resolutions be revised by placing the names and terms of the respective nominees on Exhibit "B" for approval.

Your Committee voted 6-1 to recommend adoption of the revised proposed resolution approving the appointment of Loren Tilley to the BWS. Committee Chair Victorino, Vice-Chair Couch, and members Baisa, Guzman, Hokama, and White voted "aye". Committee member Cochran voted "no". Committee members Carroll and Crivello were excused.

Your Committee voted 6-1 to recommend adoption of the revised resolution approving the appointment of Paul Kailiponi to the CGC. Committee Chair Victorino, Vice-Chair Couch, and members Baisa,

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Cochran, Guzman, and White voted "aye". Committee member Hokama voted "no". Committee members Carroll and Crivello were excused.

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.

Your Policy and Intergovernmental Affairs Committee RECOMMENDS the following:

1. That Resolution \_\_\_\_\_, attached hereto, entitled "APPOINTMENT OF A MEMBER TO THE BOARD OF WATER SUPPLY FOR THE COUNTY OF MAUI", be ADOPTED; and
2. That Resolution \_\_\_\_\_, attached hereto, entitled "APPOINTMENT OF A MEMBER TO THE COST OF GOVERNMENT COMMISSION 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 A MEMBER TO THE BOARD OF WATER SUPPLY FOR THE COUNTY OF MAUI

WHEREAS, by letter dated April 9, 2015, 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 Water Supply for the County of Maui, pursuant to Sections 8-11.3 and 13-2, Revised Charter of the County of Maui (1983), as amended, ("Charter"); and

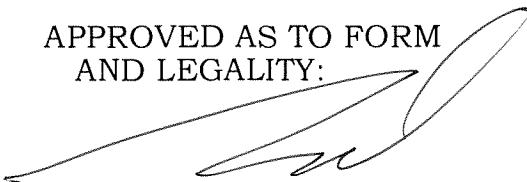
WHEREAS, Section 13-2, Charter, requires the Mayor's nominee to be approved by the Council; and

WHEREAS, Section 13-2(17), Charter, requires the Council to approve or disapprove the nominee 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 person listed in Exhibit "B", attached hereto, as a member to the Board of Water Supply for the County of Maui for the term as specified therein; and
2. That it hereby disapproves the appointment of the person listed in Exhibit "C", attached hereto, as a member to the Board of Water Supply 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 WATER SUPPLY**

Loren Tilley (replacing Kula Gaughen-Haili)

Term Expiration 3/31/16

**APPROVED BOARD MEMBER AND TERM**

**BOARD OF WATER SUPPLY**

Loren Tilley (replacing Kula Gaughen-Haili)

Term Expiration 3/31/16

**DISAPPROVED BOARD MEMBER**

EXHIBIT " C "

# Resolution

No. \_\_\_\_\_

## APPOINTMENT OF A MEMBER TO THE COST OF GOVERNMENT COMMISSION FOR THE COUNTY OF MAUI

WHEREAS, by letter dated April 9, 2015, Mayor Alan M. Arakawa notified the Council that he nominated the person listed in Exhibit "A", attached hereto, as a member to the Cost of Government Commission for the County of Maui, pursuant to Sections 3-9.3 and 13-2, Revised Charter of the County of Maui (1983), as amended, ("Charter"); and

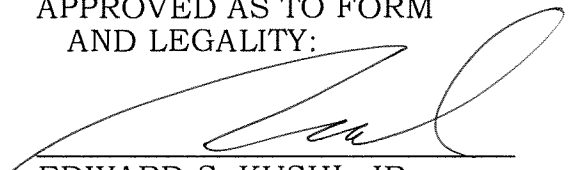
WHEREAS, Section 13-2, Charter, requires the Mayor's nominee to be approved by the Council; and

WHEREAS, Section 13-2(17), Charter, requires the Council to approve or disapprove the nominee 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 person listed in Exhibit "B", attached hereto, as a member to the Cost of Government Commission for the County of Maui for the term as specified therein; and
2. That it hereby disapproves the appointment of the person listed in Exhibit "C", attached hereto, as a member to the Cost of Government Commission 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 MEMBER AND TERM**

**COST OF GOVERNMENT COMMISSION**

Paul Kailiponi (replacing Kent Hiranaga)

Term Expiration 3/31/19

EXHIBIT " A "

**APPROVED COMMISSION MEMBER AND TERM**

**COST OF GOVERNMENT COMMISSION**

Paul Kailiponi (replacing Kent Hiranaga)

Term Expiration 3/31/19

**DISAPPROVED COMMISSION MEMBER**

EXHIBIT " C "