



# PUBLIC MEETING NOTICE

## POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE

COUNCIL OF THE COUNTY OF MAUI

[www.MauiCounty.us/PIA](http://www.MauiCounty.us/PIA)

Committee Chair  
Michael P. Victorino

Committee Vice-Chair  
Don Couch

Voting Members:  
Gladys C. Baisa  
Robert Carroll  
Elle Cochran  
Stacy Crivello  
Don S. Guzman  
Riki Hokama  
Mike White

**Monday, August 31, 2015**  
**9:00 a.m.**

MEETING SITE:  
Council Chamber  
Kalana O Maui Building, 8<sup>th</sup> Floor  
200 South High Street  
Wailuku, Hawaii

RECEIVED  
2015 AUG 25 PM 3:23  
OFFICE OF THE  
COUNTY CLERK

### AGENDA

#### **HAWAII STATE ASSOCIATION OF COUNTIES ("HSAC") (2016 HSAC LEGISLATIVE PACKAGE) (PIA-3(1))**

**DESCRIPTION:**

The Committee is in receipt of the following:

1. County Communication 15-157, from Presiding Officer Pro Tempore Michael P. Victorino, relating to matters pertaining to HSAC.
2. Correspondence dated August 17, 2015, from the Chair of the Committee, transmitting correspondence dated June 30, 2015, from the HSAC President, transmitting a timeline of pertinent dates relating to submission of the 2016 HSAC Legislative Package to the State Legislature.
3. Correspondence dated August 25, 2015, from the Chair of the Committee, transmitting a proposed resolution entitled "APPROVING FOR INCLUSION IN THE 2016 HAWAII STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE A BILL TO ENABLE COUNCILMEMBERS TO FREELY ATTEND COMMUNITY AND EDUCATIONAL MEETINGS." The purpose of the proposed resolution is to approve for inclusion in the 2016 HSAC Legislative Package a proposed State bill, attached to the resolution as Exhibit "A," amending the State Sunshine Law (Part I, Chapter 92, Hawaii Revised Statutes), to allow two or more members of a County Council to attend and speak at community, educational, or informational meetings that are open to the public.

**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.

#### **INTERGOVERNMENTAL AGREEMENTS WITH U.S. DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE, FOR SETTLEMENT OF ALLEGED VIOLATIONS AT THE WAILUKU-KAHULUI RECLAMATION FACILITY AND LANAI WASTEWATER TREATMENT FACILITY (PIA-49)**

MORE →

- DESCRIPTION:** The Committee is in receipt of the following:
1. County Communication 15-216, from the Director of Environmental Management, transmitting the following:
    - a. A proposed bill authorizing the Mayor to enter into an intergovernmental agreement with the U.S. Department of the Interior, Fish and Wildlife Service (“FWS”), to negotiate a settlement of alleged violations under the Federal Migratory Bird Treaty Act regarding the take of endangered birds and migratory birds, nests, or eggs at the Wailuku-Kahului Wastewater Reclamation Facility.
    - b. A proposed bill authorizing the Mayor to enter into an intergovernmental agreement with FWS to negotiate a settlement of alleged violations under the Federal Endangered Species Act and Migratory Bird Treaty Act regarding the take of endangered birds and migratory birds, nests, or eggs at the Lanai Wastewater Treatment Facility.
  2. Correspondence dated August 10, 2015, from the Department of the Corporation, Counsel, transmitting the following:
    - a. A revised proposed bill entitled “A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE U.S. DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE, FOR THE SETTLEMENT OF ALLEGED VIOLATIONS AT THE WAILUKU-KAHULUI WASTEWATER RECLAMATION FACILITY.” The purpose of the proposed bill is authorize the Mayor to enter into an intergovernmental agreement with FWS for settlement of the alleged violations.
    - b. A revised proposed bill entitled “A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE U.S. DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE, FOR THE SETTLEMENT OF ALLEGED VIOLATIONS AT THE LANAI WASTEWATER TREATMENT FACILITY.” The purpose of the proposed bill is to authorize the Mayor to enter into an intergovernmental agreement with FWS for settlement of the alleged violations.

**STATUS:** The Committee may consider whether to recommend passage of the revised proposed bills on first reading, with or without revisions. The Committee may also consider the filing of County Communication 15-216 and other related action.

**NOTE:** With reference to this agenda item, one or more executive meetings pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, are anticipated 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.

## **RESOLUTION SUPPORTING TRANSPARENCY REGARDING RATE SETTING FOR PATIENT SERVICES (PIA-53)**

**DESCRIPTION:** The Committee is in receipt of County Communication 15-221, from Councilmember Elle Cochran, transmitting a proposed resolution entitled “URGING THE BOARD OF DIRECTORS FOR THE MAUI REGION OF HAWAII HEALTH SYSTEMS CORPORATION TO REQUIRE TRANSPARENCY REGARDING RATE SETTING FOR PATIENT SERVICES.” The purpose of the proposed resolution is to urge the Board of Directors for the Maui Region-Hawaii Health Systems Corporation, to require transparency regarding rate setting for patient services from any entity selected for a partnership authorized under Act 103 (2015).

**STATUS:** The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider the filing of County Communication 15-221 and other related action.

**AMENDMENTS TO THE RULES OF THE COUNCIL (ROLL CALL VOTING) (PIA-6(2))**

**DESCRIPTION:** The Committee is in receipt of the following:

1. County Communication 15-186, from Councilmember Don Couch, transmitting a proposed resolution to amend Rule 10 of the Rules of the Council relating to roll call voting.
2. Correspondence dated August 25, 2015, from the Department of the Corporation Counsel, transmitting a revised proposed resolution entitled “AMENDING RULE 10, RULES OF THE COUNCIL, RELATING TO ROLL CALL VOTING.” The purpose of the proposed resolution is to amend Rule 10 of the Rules of the Council to clarify that, for a roll call vote, a failure to vote by any non-abstaining member who is present shall constitute an affirmative vote in accordance with Rule 9(B) of the Rules of the Council.

**STATUS:** The Committee may consider whether to recommend adoption of the revised proposed resolution, with or without further revisions. The Committee may also consider the filing of County Communication 15-186 and other related action.

<b>REMOTE TESTIMONY SITES</b>		
<p><b>Hana</b> Council District Office Hana Community Center 5091 Uakea Road Hana, Hawaii</p>	<p><b>Lanai</b> Council District Office Lanai Community Center 8<sup>th</sup> Street Lanai City, Hawaii</p>	<p><b>Molokai</b> Council District Office 100 Ainoa Street Kaunakakai, Hawaii</p>
<b>CONTACT INFORMATION</b>	<p>Office of Council Services 200 South High Street Wailuku, Hawaii 96793 <b>www.MauiCounty.us/PIA</b></p> <p>Committee Staff: Kimberley Willenbrink and Tammy Frias</p>	
<b>TESTIMONY</b>	<p>For information on testifying please visit <b>www.MauiCounty.us/how-to-testify</b> or contact the Office of Council Services.</p> <p>If written testimony is submitted at the meeting site, 16 copies are requested to ensure distribution at the meeting.</p>	
<b>DISABILITY ACCESS</b>	<p>People with disabilities requiring special accommodations should contact the Office of Council Services at least three working days prior to the meeting date.</p>	
<b>LIVE CABLECAST</b>	<p>Available on Akaku: Maui Community Media, Channel 53.</p>	

*AGENDA ITEMS ARE SUBJECT TO CANCELLATION.*