



PUBLIC MEETING NOTICE

COMMITTEE OF THE WHOLE

COUNCIL OF THE COUNTY OF MAUI

www.MauiCounty.us/COW

Committee Chair
Don S. Guzman

Committee Vice-Chair
Stacy Crivello

Voting Members:
Gladys C. Baisa
Robert Carroll
Elle Cochran
Don Couch
Riki Hokama
Michael P. Victorino
Mike White

Tuesday, January 12, 2016
9:00 a.m.

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

RECEIVED
2016 JAN -6 PM 2:03
OFFICE OF THE
COUNTY CLERK

A G E N D A

LITIGATION MATTERS (STATUS AND SETTLEMENT AUTHORIZATION: DUKIE J. RACADIO V. COUNTY OF MAUI, ET AL.; CIVIL 14-1-0451(2)) (COW-1(26))

DESCRIPTION:

The Committee is in receipt of the following:

1. Correspondence dated October 22, 2015, from the Department of the Corporation Counsel, requesting an opportunity to discuss the status of Dukie J. Racadio v. County of Maui, et al., Civil 14-1-0451(2), and transmitting a copy of the Complaint. The Complaint alleges disability discrimination relating to Dukie J. Racadio's termination as a police officer on or about December 31, 2013.
2. Correspondence dated December 23, 2015, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled "AUTHORIZING SETTLEMENT OF DUKIE RACADIO v. COUNTY OF MAUI, ET AL., CIVIL NO. 14-1-0451(2)," and an opportunity to provide a status update. The purpose of the proposed resolution is to authorize settlement of the case.

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.

NOTE:

With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, 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; and Section 92-5(a)(8), Hawaii Revised Statutes, to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to a State or Federal law, or a court order.

MORE →

LITIGATION MATTERS (SETTLEMENT AUTHORIZATION, SPECIAL COUNSEL AUTHORIZATION, AND STATUS: HAWAII WILDLIFE FUND, ET AL. V. COUNTY OF MAUI, CIVIL 12-00198 SOM BMK) (COW-1(3))

- DESCRIPTION:** The Committee is in receipt of the following:
1. Correspondence dated December 3, 2015, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution to authorize settlement of Plaintiffs' claim for attorneys' fees and costs related to the case. The case involves allegations of violations under the Federal Water Pollution Control Act, also known as the "Clean Water Act," caused by the discharge of wastewater into the ocean from injection wells operated by the County at the Lahaina Wastewater Reclamation Facility.
 2. Correspondence dated December 23, 2015, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution, entitled "AUTHORIZING AN INCREASE IN FUNDING RELATED TO THE EMPLOYMENT OF SPECIAL COUNSEL HUNTON & WILLIAMS LLP, IN HAWAII WILDLIFE FUND, ET AL. V. COUNTY OF MAUI, DOCKET NO. 15-17447, UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT," and an opportunity to provide a status update. The purpose of the proposed resolution is to authorize \$300,000 in additional compensation for special counsel Hunton & Williams LLP for the appeal in this case, for a total compensation not to exceed \$3,050,000.

STATUS: The Committee may consider whether to recommend adoption of the proposed resolution noted in paragraph 2 above, with or without revisions. The Committee may also consider other related action.

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

LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: FARMERS INSURANCE HAWAII, INC., ON BEHALF OF ITS INSURED, VERONICA GRAY; CLAIM 30153984350-0001) (COW-1(27))

- DESCRIPTION:** The Committee is in receipt of the following:
1. Correspondence dated October 23, 2015, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution, entitled "AUTHORIZING SETTLEMENT OF CLAIM NO. 30153984350-0001 OF FARMERS INSURANCE HAWAII, INC., ON BEHALF OF ITS INSURED, VERONICA GRAY," and transmitting a copy of the claim. The claim alleges damages to Veronica Gray's vehicle resulting from a collision with an unsecured park gate at Kanaha Beach Park on April 19, 2015. The purpose of the proposed resolution is to authorize settlement of the claim for \$11,319.14.
 2. Correspondence dated January 5, 2016, from the Department of the Corporation Counsel, informing the Committee that the claim has been settled and the matter may be filed.

STATUS: The Committee may consider whether to recommend filing of the correspondence dated October 23, 2015, transmitting the proposed resolution. The Committee may also consider other related action.

REMOTE TESTIMONY SITES		
<p>Hana Council District Office Hana Community Center 5091 Uakea Road Hana, Hawaii</p>	<p>Lanai Council District Office Lanai Community Center 8th Street Lanai City, Hawaii</p>	<p>Molokai Council District Office 100 Ainoa Street Kaunakakai, Hawaii</p>
<p>CONTACT INFORMATION</p>	<p>Office of Council Services 200 South High Street Wailuku, Hawaii 96793 www.MauiCounty.us/COW Committee Staff: Carla Nakata and Clarita Balala</p>	
<p>TESTIMONY</p>	<p>For information on testifying please visit www.MauiCounty.us/how-to-testify or contact the Office of Council Services. If written testimony is submitted at the meeting site, 16 copies are requested to ensure distribution at the meeting.</p>	
<p>DISABILITY ACCESS</p>	<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>	
<p>LIVE CABLECAST</p>	<p>Available on Akaku: Maui Community Media, Channel 53.</p>	

AGENDA ITEMS ARE SUBJECT TO CANCELLATION.

cow:160112:cmn