



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, May 31, 2016
1:30 p.m.

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

RECEIVED
2016 MAY 25 PM 2:13
OFFICE OF THE
COUNTY CLERK

A G E N D A

LITIGATION MATTERS (INDEMNIFICATION AUTHORIZATION AND SETTLEMENT AUTHORIZATION: TRACY N. TAKAMINE V. COUNTY OF MAUI, ET AL., CIVIL 14-00335 JMS-KSC) (COW-1(40))

DESCRIPTION:

The Committee is in receipt of correspondence dated May 20, 2016, from the Department of the Corporation Counsel, attaching a copy of the complaint, and requesting consideration of the following:

1. A proposed resolution entitled "INDEMNIFYING KYLE GINOZA IN TRACY N. TAKAMINE V. COUNTY OF MAUI, ET AL., CIVIL NO. 14-00335 JMS-KSC." The purpose of the proposed resolution is to indemnify Kyle K. Ginoza, former Director of Environmental Management, who has been named in his individual capacity as a defendant in the case.
2. A proposed resolution entitled "AUTHORIZING SETTLEMENT OF TRACY N. TAKAMINE V. COUNTY OF MAUI, ET AL., CIVIL NO. 14-00335 JMS-KSC." The purpose of the proposed resolution is to authorize settlement of the case.

The complaint alleges, among other things, constitutional violations, defamation, and intentional infliction of emotional distress arising out of Tracy N. Takamine's March 2014 termination as the Solid Waste Division Chief for the County's Department of Environmental Management.

STATUS:

The Committee may consider whether to recommend adoption of one or both of the proposed resolutions, 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: IN THE MATTER OF THE GRIEVANCE ARBITRATION BETWEEN THE STATE OF HAWAII ORGANIZATION OF POLICE OFFICERS, ON BEHALF OF CLINTON GOUVEIA AND COUNTY OF MAUI, MAUI POLICE DEPARTMENT; SHOPO CASE M-2014-009) (COW-1(25))

DESCRIPTION: The Committee is in receipt of correspondence dated May 18, 2016, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled “AUTHORIZING SETTLEMENT OF IN THE MATTER OF THE GRIEVANCE ARBITRATION BETWEEN THE STATE OF HAWAII ORGANIZATION OF POLICE OFFICERS, ON BEHALF OF CLINTON GOUVEIA AND COUNTY OF MAUI, MAUI POLICE DEPARTMENT, SHOPO CASE NO. M-2014-009.” The proposed resolution states the State of Hawaii Organization of Police Officers has filed a grievance on behalf of former Maui Police Department Officer Clinton Gouveia. 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.

| REMOTE TESTIMONY SITES | | |
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| <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> |
| CONTACT INFORMATION | <p>Office of Council Services 200 South High Street Wailuku, Hawaii 96793 www.MauiCounty.us/COW</p> <p>Committee Staff: Carla Nakata and Clarita Balala</p> | |
| TESTIMONY | <p>For information on testifying please visit www.MauiCounty.us/how-to-testify 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> | |
| DISABILITY ACCESS | <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> | |
| LIVE CABLECAST | <p>Available on Akaku: Maui Community Media, Channel 53.</p> | |

AGENDA ITEMS ARE SUBJECT TO CANCELLATION.