



PUBLIC MEETING NOTICE

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE

COUNCIL OF THE COUNTY OF MAUI

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

Wednesday, June 1, 2016
9:00 a.m.

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

RECEIVED
2016 MAY 26 PM 3:15
OFFICE OF THE
COUNTY CLERK

AGENDA

NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (BOARD OF WATER SUPPLY) (PIA-2(25))

DESCRIPTION: The Committee is in receipt of correspondence dated May 6, 2016 (received May 6, 2016), from the Mayor, transmitting a proposed resolution, entitled "RELATING TO THE APPOINTMENT OF ZOLTAN MILASKEY TO THE BOARD OF WATER SUPPLY," along with a completed application form for the nominee. The purpose of the proposed resolution is to approve or disapprove the appointment of Zoltan Milaskey to the Board of Water Supply, for a term expiring on March 31, 2021, to fill a vacancy due to the resignation of Lucienne de Naie.

STATUS: The Council must approve or disapprove the nomination by July 5, 2016, or the nomination will be deemed approved. The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider other related action.

PROPOSED CHARTER AMENDMENTS (COUNCIL INITIATED REMOVAL OF THE CORPORATION COUNSEL) (PIA-10(1))

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication 09-229, from Councilmember Michael J. Molina, relating to proposed Charter amendments.
2. County Communication 14-313, from former Council Vice-Chair Robert Carroll, transmitting a proposed resolution entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, ALLOWING THE COUNCIL TO INITIATE REMOVAL OF THE CORPORATION COUNSEL." The purpose of the proposed resolution is to place on the next General Election ballot the question of whether Charter Section 8-2.2 should be amended to allow the Council to remove the Corporation Counsel by resolution approved by a two-thirds vote of the entire Council with the approval of the Mayor.

MORE →

STATUS: The Committee may consider whether to recommend passage of the proposed resolution on first reading, with or without revisions. The Committee may also consider the filing of County Communication 14-313 and other related action.

PROPOSED CHARTER AMENDMENTS (COST OF GOVERNMENT COMMISSION) (PIA-10(2))

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication 09-229, from Councilmember Michael J. Molina, relating to proposed Charter amendments.
2. Resolution 14-70 (recommitted), entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, TO CLARIFY THE DUTIES OF THE COST OF GOVERNMENT COMMISSION." The purpose of Resolution 14-70 is to place on the next General Election ballot the question of whether Charter Section 3-9.3 should be amended to state the Cost of Government Commission acts only upon the request of the County Auditor, to whom it is advisory.

STATUS: The Committee may consider whether to recommend passage of Resolution 14-70 on second and final reading, with or without revisions. The Committee may also consider the filing of Resolution 14-70 and other related action.

PROPOSED CHARTER AMENDMENTS (CODE OF ETHICS) (PIA-10(3))

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication 09-229, from Councilmember Michael J. Molina, relating to proposed Charter amendments.
2. Correspondence dated April 1, 2014, from Councilmember Mike White, transmitting a proposed resolution entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO THE CODE OF ETHICS." The purpose of the proposed resolution is to place on the next General Election ballot the question of whether: (1) Charter Section 10-2 should be amended to require the Board of Ethics to render advisory opinions after hearings, which shall include findings of fact, conclusions of law, and recommendations; and (2) a new Section should be added to Charter Article 10, Code of Ethics, to prohibit elected or appointed officers or employees from: (a) using their position to provide special treatment to themselves or any person beyond that which is available to all persons, and (b) hiring, promoting, supervising, or otherwise participating in the employment of a relative, except if the relative is on a list of eligible employees.

STATUS: The Committee may consider whether to recommend passage of the proposed resolution on first reading, with or without revisions. The Committee may also consider the filing of the correspondence and other related action.

PROPOSED CHARTER AMENDMENTS (ATTORNEYS WITHIN THE OFFICE OF COUNCIL SERVICES) (PIA-10(5))

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication 09-229, from Councilmember Michael J. Molina, relating to proposed Charter amendments.
2. County Communication 14-165, from Councilmember Don S. Guzman, transmitting a proposed resolution entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO ATTORNEYS WITHIN THE OFFICE OF COUNCIL SERVICES." The purpose of the proposed resolution is to place on the next General Election ballot the question of

whether Charter Sections 3-7 and 8-2.3 should be amended to allow the Office of Council Services attorneys to serve as legal advisors to, and legal representatives of, the Council and its members, in addition to the Department of the Corporation Counsel attorneys.

STATUS: The Committee may consider whether to recommend passage of the proposed resolution on first reading, with or without revisions. The Committee may also consider the filing of County Communication 14-165 and 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.

PROPOSED CHARTER AMENDMENTS (COUNCIL APPROVAL OF MAYOR'S APPOINTMENT OF DEPARTMENT DIRECTORS) (PIA-10(7))

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication 09-229, from Councilmember Michael J. Molina, relating to proposed Charter amendments.
2. County Communication 15-305, from Councilmember Riki Hokama, transmitting a proposed resolution entitled "PROPOSING AN AMENDMENT TO THE CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, TO REQUIRE COUNCIL APPROVAL OF THE MAYOR'S APPOINTMENT OF DEPARTMENT DIRECTORS." The purpose of the proposed resolution is to place on the next General Election ballot the question of whether Charter Sections 6-2, 8-1.2, 8-4.2, 8-5.2, 8-6.2, 8-8.2, 8-10.2, 8-14.2, and 8-15.2 should be amended to require Council approval of the Mayor's appointments of departmental directors.
3. Correspondence dated April 21, 2016, from the Department of the Corporation Counsel, transmitting a revised proposed resolution entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, TO REQUIRE COUNCIL APPROVAL OF THE MAYOR'S APPOINTMENT OF DEPARTMENT DIRECTORS." The purpose of the revised proposed resolution is to place on the next General Election ballot the question of whether Charter Sections 6-2, 8-1.2, 8-4.2, 8-5.2, 8-6.2, 8-8.2, 8-10.2, 8-14.2, and 8-15.2 should be amended to require Council approval of the Mayor's appointments of departmental directors.

STATUS: The Committee may consider whether to recommend passage of the revised proposed resolution on first reading, with or without revisions. The Committee may also consider the filing of County Communication 15-305 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 liability of the County.

PROPOSED CHARTER AMENDMENTS (MAUI COUNTY EMERGENCY MANAGEMENT AGENCY) (PIA-10(8))

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication 09-229, from Councilmember Michael J. Molina, relating to proposed Charter amendments.
2. Correspondence dated April 8, 2016, from Councilmember Don Couch, transmitting a proposed resolution entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, TO CHANGE THE NAME OF THE CIVIL DEFENSE AGENCY TO THE MAUI COUNTY EMERGENCY

MANAGEMENT AGENCY.” The purpose of the proposed resolution is to place on the next General Election ballot the question of whether Charter Sections 8-7.2 and 8-16.1 should be amended to rename the Civil Defense Agency to the Maui County Emergency Management Agency and the Civil Defense Administrator to the Maui County Emergency Management Administrator.

STATUS: The Committee may consider whether to recommend passage of the proposed resolution on first reading, with or without revisions. The Committee may also consider the filing of the correspondence and other related action.

PROPOSED CHARTER AMENDMENTS (COUNCIL APPROVAL OF MAYOR’S APPOINTMENT OR REMOVAL OF THE DIRECTOR OF FINANCE) (PIA-10(9))

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication 09-229, from Councilmember Michael J. Molina, relating to proposed Charter amendments.
2. Correspondence dated April 28, 2016, from Council Vice-Chair Don S. Guzman, transmitting a proposed resolution entitled “PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, TO REQUIRE COUNCIL APPROVAL OF THE MAYOR’S APPOINTMENT OF THE DIRECTOR OF FINANCE.” The purpose of the proposed resolution is to place on the next General Election ballot the question of whether Charter Sections 6.2 and 8-4.2 should be amended to provide for: (1) Council approval and removal of the Director of Finance; and (2) written notice to the Council from the Mayor within 60 days of a vacancy of the Director of Water Supply and the Director of Finance.

STATUS: The Committee may consider whether to recommend passage of the proposed resolution on first reading, with or without revisions. The Committee may also consider the filing of the correspondence and other related action.

PROPOSED CHARTER AMENDMENTS (PROHIBIT THE CORPORATION COUNSEL AND THE PROSECUTING ATTORNEY, AND THEIR DEPUTIES, FROM AIDING IN THE ELECTION OR DEFEAT OF ANY CANDIDATE FOR COUNTY PUBLIC OFFICE) (PIA-10(10))

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication 09-229, from Councilmember Michael J. Molina, relating to proposed Charter amendments.
2. Correspondence dated April 27, 2016, from Councilmember Riki Hokama, transmitting a proposed resolution entitled “PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, TO PROHIBIT THE CORPORATION COUNSEL AND THE PROSECUTING ATTORNEY, AND THEIR DEPUTIES, FROM AIDING IN THE ELECTION OR DEFEAT OF ANY CANDIDATE FOR COUNTY PUBLIC OFFICE.” The purpose of the proposed resolution is to place on the next General Election ballot the question of whether Charter Sections 8-2.2 and 8-3.2 should be amended to prohibit the Corporation Counsel and the Prosecuting Attorney, and their Deputies, from aiding in the election or defeat of any candidate for County public office.

STATUS: The Committee may consider whether to recommend passage of the proposed resolution on first reading, with or without revisions. The Committee may also consider the filing of the correspondence and other related action.

PROPOSED CHARTER AMENDMENTS (DESIGNATING PLANNING COMMISSION SEATS FOR LEADERS OF HAWAIIAN CULTURAL AND ENVIRONMENTAL PROTECTION GROUPS) (PIA-10(11))

- DESCRIPTION:** The Committee is in receipt of the following:
1. County Communication 09-229, from Councilmember Michael J. Molina, relating to proposed Charter amendments.
 2. Correspondence dated April 28, 2016, from Councilmember Elle Cochran, transmitting a proposed resolution entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, TO DESIGNATE PLANNING COMMISSION SEATS FOR LEADERS OF HAWAIIAN CULTURAL AND ENVIRONMENTAL PROTECTION GROUPS." The purpose of the proposed resolution is to place on the next General Election ballot the question of whether Charter Section 8-8.4 should be amended to require each planning commission to include at least one member (1) whose purpose is to preserve, perpetuate, celebrate, research, or study the Hawaiian culture or Hawaiian cultural resources or practices; and (2) who is an officer of a domestic nonprofit corporation, whose purpose is to promote the protection, conservation, preservation, or stewardship of environmental or natural resources.
 3. Correspondence dated May 26, 2016, from Councilmember Elle Cochran, transmitting a revised proposed resolution entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO MEMBERSHIP QUALIFICATIONS OF THE PLANNING COMMISSIONS." The purpose of the revised proposed resolution is to place on the next General Election ballot the question of whether Charter Section 8-8.4 should be amended to: (1) require at least one member from each planning commission to have a background in conservation and natural resources and a different member to have expertise in native Hawaiian traditional and customary practices; and (2) require each new member to participate in a native Hawaiian law training course and report in writing their participation to the Council within one year of the member's appointment.

STATUS: The Committee may consider whether to recommend passage of the proposed resolution or revised proposed resolution on first reading, with or without revisions. The Committee may also consider the filing of the correspondence and other related action.

PROPOSED CHARTER AMENDMENTS (REQUIRE AT LEAST TWO MEMBERS OF THE BOARD OF ETHICS TO BE MEMBERS OF THE HAWAII STATE BAR ASSOCIATION) (PIA-10(12))

- DESCRIPTION:** The Committee is in receipt of the following:
1. County Communication 09-229, from Councilmember Michael J. Molina, relating to proposed Charter amendments.
 2. Correspondence dated April 28, 2016, from Councilmember Elle Cochran, transmitting a proposed resolution entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, TO REQUIRE AT LEAST TWO MEMBERS OF THE BOARD OF ETHICS TO BE MEMBERS OF THE HAWAII STATE BAR ASSOCIATION." The purpose of the proposed resolution is to place on the next General Election ballot the question of whether Charter Section 10-2 should be amended to require at least two members of the Board of Ethics to be members of the Hawaii State Bar Association.

STATUS: The Committee may consider whether to recommend passage of the proposed resolution on first reading, with or without revisions. The Committee may also consider the filing of the correspondence and other related action.

PROPOSED CHARTER AMENDMENTS (PROHIBIT COUNTY EMPLOYEES FROM MAKING CAMPAIGN CONTRIBUTIONS TO SUPPORT OR OPPOSE ANY CANDIDATE FOR MAYOR OR COUNTY COUNCIL) (PIA-10(13))

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication 09-229, from Councilmember Michael J. Molina, relating to proposed Charter amendments.
2. Correspondence dated April 29, 2016, from Council Chair Mike White, transmitting a proposed resolution entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, TO PROHIBIT COUNTY EMPLOYEES FROM MAKING CAMPAIGN CONTRIBUTIONS TO SUPPORT OR OPPOSE ANY CANDIDATE FOR MAYOR OR COUNTY COUNCIL." The purpose of the proposed resolution is to place on the next General Election ballot the question of whether Charter Section 10-4.1 should be amended to prohibit any officer or employee of the County from making political contributions to support or oppose any candidate for Mayor or County Council.

STATUS: The Committee may consider whether to recommend passage of the proposed resolution on first reading, with or without revisions. The Committee may also consider the filing of the correspondence and other related action.

REMOTE TESTIMONY SITES		
Hana	Lanai	Molokai
Council District Office Hana Community Center 5091 Uakea Road Hana, Hawaii	Council District Office Lanai Community Center 8 th Street Lanai City, Hawaii	Council District Office 100 Ainoa Street Kaunakakai, Hawaii
CONTACT INFORMATION	Office of Council Services 200 South High Street Wailuku, Hawaii 96793 www.MauiCounty.us/PIA	(808) 270-7838 (phone) (800) 272-0098 (toll-free from Lanai) (800) 272-0026 (toll-free from Molokai) (808) 270-7686 (fax)
TESTIMONY	Committee Staff: Kimberley Willenbrink and Tammy Frias	
DISABILITY ACCESS	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.	
LIVE CABLECAST	People with disabilities requiring special accommodations should contact the Office of Council Services at least three working days prior to the meeting date. Available on Akaku: Maui Community Media, Channel 53.	

AGENDA ITEMS ARE SUBJECT TO CANCELLATION.