



PUBLIC MEETING NOTICE

COUNCIL OF THE COUNTY OF MAUI

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Committee Chair
Don S. Guzman

Committee
Vice-Chair
Kelly T. King

Voting Members:
Alika Atay
Robert Carroll
Elle Cochran
Stacy Crivello
Riki Hokama
Yuki Lei K. Sugimura
Mike White

PARKS, RECREATION, ENERGY, AND LEGAL AFFAIRS COMMITTEE

Tuesday, March 7, 2017

1:30 p.m.

MEETING SITE:

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

RECEIVED
2017 MAR - 1 PM 2:09
OFFICE OF THE
COUNTY CLERK

AGENDA

DONATION TO THE COUNTY OF MAUI, DEPARTMENT OF PARKS AND RECREATION, MAINTENANCE DIVISION, FROM BEYOND PESTICIDES FOR SOIL ANALYSIS AND REVIEW OF CURRENT TURF MAINTENANCE PRACTICES (PRL-23)

Description: The Committee is in receipt of County Communication 17-100, from the Director of Parks and Recreation, transmitting a proposed resolution entitled "AUTHORIZING ACCEPTANCE OF A DONATION TO THE COUNTY OF MAUI, DEPARTMENT OF PARKS AND RECREATION, MAINTENANCE DIVISION, FROM BEYOND PESTICIDES FOR SOIL ANALYSIS AND REVIEW OF CURRENT TURF MAINTENANCE PRACTICES, PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE." The purpose of the proposed resolution is to accept a donation for soil analysis, and review the Department of Parks and Recreation's current turf maintenance practices.

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 17-100 and other related action.

County Communication 17-100

PRESENTATIONS BY THE DEPARTMENT OF PARKS AND RECREATION (PRL-20(1))

Description: Pursuant to Rule 7(B) of the Rules of the Council, the Committee

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intends to receive a presentation from the Department of Parks and Recreation on the Parks System Overview.

Status: The Committee may receive a presentation from the Department of Parks and Recreation and discuss related matters. No legislative action will be taken.

CHRISTOPHER SALEM V. ALAN ARAKAWA, ET AL., CIVIL 15-00384 LEK-KSC (PRL-2)

Description: The Committee is in receipt of County Communication 16-309, from Council Vice-Chair Don S. Guzman relating to Christopher Salem v. Alan Arakawa, et. al., Civil 15-00384 LEK-KSC.

Status: The Committee may receive a status update on the case from the Department of the Corporation Counsel. No legislative action will be taken.

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.

County Communication 16-309

LITIGATION MATTERS (STATUS: OCEAN RESORT VILLAS VACATION OWNERS ASSOCIATION, ET AL. V. COUNTY OF MAUI, ET AL., CIVIL 13-1-0848(2); OCEAN RESORT VILLAS VACATION OWNERS ASSOCIATION, ET AL. V. COUNTY OF MAUI, ET AL., CIVIL 15-1-0435(1)) (PRL-1(2))

Description: The Committee is in receipt of the following:

1. Correspondence dated January 9, 2015, from the Department of the Corporation Counsel, requesting the opportunity to provide a status update on Ocean Resort Villas Vacation Owners Association, et al. v. County of Maui, et al., Civil 13-1-0848(2), and transmitting a copy of the First Amended Complaint filed on August 24, 2014.
2. Correspondence dated November 4, 2016, from the Department of the Corporation Counsel, requesting the opportunity to provide a status update on Ocean Resort Villas Vacation Owners Association, et al. v. County of Maui, et al., Civil 13-1-0848(2). The Second Amended Complaint, filed on August 12, 2016, alleges violations of the Due Process and Equal Protection Clauses of the United States and Hawaii Constitutions, and violations of Chapter 92, Part I, Hawaii Revised Statutes, known as the "Sunshine Law," in the determination of the timeshare real property tax rates for the County for Fiscal Years 2014 and 2015, and amended assessments issued for tax years 2006, 2007, and 2008.

Status: The Committee may receive a status update on the case from the

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Department of the Corporation Counsel. No legislative action will be taken.

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.

Correspondence from Corporation Counsel 01-09-2015

Correspondence from Corporation Counsel 11-04-2016

LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: IN THE MATTERS OF THE TAX APPEALS OF KAHEAWA WIND POWER, LLC AND KAHEAWA WIND POWER II, LLC, TAX APPEALS 14-1-0266, 16-1-0272, 16-1-0326, 14-1-0267, 16-1-0273, 16-1-0327) (PRL-1(10))

Description: The Committee is in receipt of correspondence dated February 28, 2017, from the Department of the Corporation Counsel, transmitting a proposed resolution entitled "AUTHORIZING SETTLEMENT IN THE MATTERS OF THE TAX APPEALS OF KAHEAWA WIND POWER, LLC AND KAHEAWA WIND POWER II, LLC, TAX APPEAL NOS. 14-1-0266, 16-1-0272, 16-1-0326, 14-1-0267, 16-1-0273, 16-1-0327." The purpose of the proposed resolution is to authorize settlement of the appeals.

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.

Correspondence from Corporation Counsel 02-28-2016

LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: IN THE MATTERS OF THE TAX APPEALS OF AUWAHI WIND ENERGY, LLC, TAX APPEALS 15-1-0238, 16-1-0275, 16-1-0328) (PRL-1(11))

Description: The Committee is in receipt of correspondence dated February 28, 2017, from the Department of the Corporation Counsel, transmitting a proposed resolution entitled, "AUTHORIZING SETTLEMENT IN THE MATTERS OF THE TAX APPEALS OF AUWAHI WIND ENERGY, LLC, TAX APPEAL NOS. 15-1-0238, 16-1-0275, 16-1-0328." The purpose of the proposed resolution is to authorize settlement of the appeals.

Status: The Committee may consider whether to recommend adoption of the

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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.

Correspondence from Corporation Counsel 02-28-2017

REMOTE TESTIMONY SITES

Hana	Lanai	Molokai
Council District Office	Council District Office	Council District Office
Hana Community Center	Lanai Community Center	100 Ainoa Street
5091 Uakea Road	8th Street	Kaunakakai, Hawaii
Hana, Hawaii	Lanai City, Hawaii	

CONTACT INFORMATION

Office of Council Services	(808) 270-7838 (phone)	(808) 270-7686 (fax)
200 South High Street	(800) 272-0098 (toll-free from Lanai)	
Wailuku, Hawaii 96793	(800) 272-0026 (toll-free from Molokai)	

COMMITTEE STAFF

Traci Fujita and Pauline Martins

TESTIMONY

Oral or written testimony on any agenda item will be accepted. Email testimony to prl.committee@mauicounty.us.

For more 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.

DISABILITY ACCESS

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