



PUBLIC MEETING NOTICE

COUNCIL OF THE COUNTY OF MAUI

www.MauiCounty.us/PRL

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, October 3, 2017

1:30 p.m.

MEETING SITE:

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

2017 SEP 27 PM 3:23
OFFICE OF THE
COUNTY CLERK

RECEIVED

AGENDA

PRESENTATIONS BY THE OFFICE OF THE MAYOR, OFFICE OF ECONOMIC DEVELOPMENT (PRL-20(4))

Description: Pursuant to Rule 7(B) of the Rules of the Council, the Committee is in receipt of the following:

1. Correspondence dated September 26, 2017, from the Energy Commissioner, Office of Economic Development, transmitting a document, entitled "Energy Assessment Audit Report: War Memorial Complex," prepared by Austin Van Heusen, CEA.
2. Correspondence dated September 26, 2017, from the Energy Commissioner, Office of Economic Development, transmitting a presentation for the Committee's October 3, 2017, meeting, entitled "Parks, Recreation, Energy, and Legal Affairs Committee: War Memorial Facility - Energy Audit."

Status: The Committee may receive a presentation from the Energy Commissioner, Office of Economic Development, on matters within the Committee's subject-matter jurisdiction, including an update on the Energy Assessment Audit for the War Memorial Complex. The Committee may also discuss related matters. No legislative action will be taken.

Correspondence from Economic Development 09-26-2017 (1)

Correspondence from Economic Development 09-26-2017 (2)

LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: LESLI

MORE →

**LYN OTANI V. COUNTY OF MAUI, ET AL.; CIVIL 17-00281
DKW-KJM) (PRL-1(19))**

Description: The Committee is in receipt of the following:

1. Correspondence dated September 21, 2017, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled "AUTHORIZING SETTLEMENT OF LESLI LYN OTANI V. COUNTY OF MAUI, ET AL., CIVIL NO. 17-00281 DKW-KJM." The purpose of the proposed resolution is to authorize settlement of the case.
2. Correspondence dated September 26, 2017, from the Department of the Corporation Counsel, transmitting a copy of the Complaint in the case. The Complaint alleges violations of the First Amendment to the United States Constitution, the Constitutional right to privacy, public policy, the Constitutional right to due process, and Hawaii's Whistleblower Statute, arising from Lesli Otani's non-retention as Chief of Field Operations and Maintenance for the Department of Public Works at the expiration of her probationary appointment to the position.

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 09-21-2017

Correspondence from Corporation Counsel 09-26-2017

**LITIGATION MATTERS (SETTLEMENT AUTHORIZATION:
AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER
INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE
OF HAWAII DEPARTMENT OF DEFENSE, THE NATIONAL
CEMETERY ADMINISTRATION OF THE U.S. DEPARTMENT OF
VETERANS AFFAIRS, THE STATE HISTORIC PRESERVATION
DIVISION OF THE DEPARTMENT OF LAND AND NATURAL
RESOURCES, AND THE ADVISORY COUNCIL ON HISTORIC
PRESERVATION; CIVIL 15-1-0209(2)) (PRL-1(25))**

Description: The Committee is in receipt of correspondence dated September 26, 2017, from the Department of the Corporation Counsel, requesting consideration of a proposed bill entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF

MORE →

HAWAII DEPARTMENT OF DEFENSE, THE NATIONAL CEMETERY ADMINISTRATION OF THE U.S. DEPARTMENT OF VETERANS AFFAIRS, THE STATE HISTORIC PRESERVATION DIVISION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES, AND, THE ADVISORY COUNCIL ON HISTORIC PRESERVATION IN ORDER TO DEFINE OPERATION AND MAINTENANCE GUIDELINES TO MAINTAIN THE MAUI VETERANS CEMETERY AT "SHRINE STATUS." The purpose of the proposed bill is to authorize the Mayor to enter into an intergovernmental agreement with the entities noted in the form of the Memorandum of Agreement attached as Exhibit "1" to the proposed bill. Attached to the correspondence is a copy of the Complaint filed in The Makawao Cemetery Association, Inc. v. The Office of Veterans Services, Department of Defense, et al., Civil 15-1-0209(2), Circuit Court of the Second Circuit, State of Hawaii.

Status: The Committee may consider whether to recommend passage of the proposed bill on first reading, with or without revisions. The Committee may also consider the filing of the correspondence 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.

Correspondence from Corporation Counsel 09-26-2017

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

Maggie Clark, Carla Nakata 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

People with disabilities requiring special accommodations should contact the Office of Council Services at least three working days prior to the meeting date.

LIVE CABLECAST

Available on Akaku: Maui Community Media, Channel 53.

Agenda items are subject to cancellation.