



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, August 21, 2018

1:30 p.m.

MEETING SITE:

Council Chamber

Kalana O Maui Building, 8th Floor

200 South High Street

Wailuku, Hawaii

OFFICE OF THE
COUNTY CLERK

2018 AUG 15 AM 9:54

RECEIVED

AGENDA

LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: CASSANDRA MARTIN; CLAIM 30180290038-0001) (PRL-1(42))

Description: The Committee is in receipt of correspondence dated July 31, 2018, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution, entitled "AUTHORIZING SETTLEMENT OF CLAIM NO. 30180290038-0001 OF CASSANDRA MARTIN," and transmitting a copy of the claim and related documents. The purpose of the proposed resolution is to authorize settlement of the claim for \$8,309.07. The claim alleges damage to Cassandra Martin's vehicle caused by the discharge of sulfuric acid from an exhaust fan at the Department of Environmental Management's Wastewater Reclamation Facility lab building in Kihei between March 19, 2018 and March 23, 2018.

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 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 07-31-2018

LITIGATION MATTERS (SPECIAL COUNSEL AUTHORIZATION:
MORE →

**COUNTY OF MAUI REQUEST FOR RETENTION OF TAX COUNSEL)
(PRL-1(44))**

Description: The Committee is in receipt of correspondence dated August 14, 2018, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution, entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL CHUN KERR LLP, A LIMITED LIABILITY LAW PARTNERSHIP, TO REPRESENT THE COUNTY OF MAUI BEFORE STATE AND FEDERAL TAXING AUTHORITIES AND IN ANTICIPATION OF RELATED LITIGATION," and transmitting a copy of Ray Kamikawa's resume. The purpose of the proposed resolution is to authorize the employment of Chun Kerr LLP, A Limited Liability Law Partnership, as special counsel to represent the County before State and Federal taxing authorities and in anticipation of related litigation, for a total compensation not to exceed a flat fee of \$150,000.

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 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 08-14-2018

**LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: JEANNE
M. BERRY V. KILOHANA WAENA CORPORATION, ET AL.; CIVIL
17-1-0175(2)) (PRL-1(43))**

Description: The Committee is in receipt of correspondence dated August 13, 2018, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution, entitled "AUTHORIZING SETTLEMENT OF JEANNE M. BERRY V. KILOHANA WAENA CORPORATION; KILOHANA WAENA ASSOCIATION, INC.; COUNTY OF MAUI, ET AL.; CIVIL NO. 17-1-0175(2)," and transmitting a copy of the First Amended Complaint. The purpose of the proposed resolution is to authorize settlement of the case. The First Amended Complaint alleges damage to property located at 60 Hoolapa Place, Kihei, Maui, Hawaii, resulting from flooding that occurred on December 11, 2016, and June 11, 2017. As it relates to the claims against the County, the Complaint alleges the County failed to maintain a drainage easement and owns and operates an improperly designed drainage system which were factors in the flooding.

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.

MORE →

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 08-13-2018

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

Carla Nakata and Pauline Martins

BOARD PACKETS

Board packets, as defined in Section 92-7.5 of the Hawaii Revised Statutes, are available for inspection at the Office of Council Services. Board packets are also available electronically as soon as practicable upon request.

TESTIMONY

Oral or written testimony on any agenda item will be accepted. Email testimony to pri.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.