

# WATER RESOURCES COMMITTEE

Council of the County of Maui

## Meeting Agenda

February 12, 2007

9:00 a.m.

Council Chamber, 8<sup>th</sup> Floor

200 South High Street, Wailuku, Hawaii

website: [www.mauicounty.gov/committees/WR/](http://www.mauicounty.gov/committees/WR/)

e-mail: [wr.committee@mauicounty.us](mailto:wr.committee@mauicounty.us)

### COMMITTEE MEMBERS

Michelle Anderson, Chair

Michael P. Victorino, Vice-Chair

Gladys C. Baisa

Danny A. Mateo

Joseph Pontanilla

*AGENDA ITEMS ARE SUBJECT TO CANCELLATION. For a confirmation of the meeting date and time, and for tentative scheduling of agenda items, please contact the Committee Staff (Kimberley Willenbrink or Clarita Balala) at: Office of Council Services, 200 South High Street, Wailuku, HI 96793, 808-270-7838, 1-800-272-0026 (toll-free from Molokai), 1-800-272-0098 (toll-free from Lanai), 808-270-7686 (fax).*

*ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted. If written testimony is submitted at the meeting, 16 copies are requested. If written testimony is e-mailed or faxed, please submit by 12 noon on the business day preceding the meeting so that copies can be provided to Council members in a timely manner.*

*INDIVIDUALS WHO INTEND TO ATTEND THE MEETING AND WHO HAVE DISABILITIES REQUIRING SPECIAL ASSISTANCE should call the Office of Council Services at least three days in advance.*

*DOCUMENTS ON FILE WITH THE COMMITTEE, which may include correspondence relating to the agenda items below, may be inspected prior to the meeting date. Photocopies may be ordered, subject to charges imposed by law (Maui County Code, Sec. 2.64.010). Please contact the Office of Council Services to make arrangements for inspection or photocopying of documents.*

*TO LEARN MORE ABOUT COUNCIL-RELATED ISSUES, tune in to Akaku: Maui Community Television.*

### WR-1

### WATER SUPPLY RULES

#### DESCRIPTION:

The Committee is in receipt of the following:

1. County Communication No. 05-46, from Councilmember Michelle Anderson, relating to Water Supply Rules.
2. Correspondence dated February 9, 2005, from the Chair of the Committee, transmitting a document entitled "Rules and Regulations of the Department of Water Supply".
3. Correspondence dated October 11, 2006, from the Department of the Corporation Counsel, transmitting a draft bill entitled "A BILL FOR AN ORDINANCE AMENDING TITLE 14, MAUI COUNTY CODE, RELATING TO PUBLIC SERVICES". The purpose of the draft bill is to codify rules and regulations of the Department of Water Supply.

#### STATUS:

The Committee shall begin review of the draft bill. In addition, the Committee may review the Rules and Regulations of the Department of Water Supply, including those relating to Upcountry water meters, for possible modification and incorporation into the draft bill. The Committee may also consider the filing of County Communication No. 05-46 and other related action.

#### NOTE:

With reference to this agenda item, one or more executive meetings are anticipated to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and

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liabilities of the County, the Council, and the Committee, pursuant to Section 92-5(a)(4), Hawaii Revised Statutes (HRS); and to deliberate 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, pursuant to Section 92-5(a)(8), HRS.

**WR-19****SPECIAL COUNSEL FOR WATER-RELATED MATTERS****DESCRIPTION:**

The Committee is in receipt of the following:

1. County Communication No. 05-42, from Councilmember Michelle Anderson, transmitting copies of Resolution No. 03-146, Resolution No. 04-13, and Resolution No. 04-122, all pertaining to the employment of special counsel for water-related matters.
2. Correspondence dated July 25, 2005, from the Chair of the Committee, requesting that the Corporation Counsel provide advice on whether the Council may continue maintaining the report, entitled "Maui Water Issues and Recommendations Regarding Questions Presented in Resolution 03-146", as a confidential document; if so, requesting the justification for maintaining its confidentiality; and asking how the Council can waive the attorney-client privilege to make the document available to the public.

**STATUS:**

The Committee may discuss the matter. The Committee may also consider the filing of County Communication No. 05-42 and other related action.

**NOTE:**

With reference to this agenda item, one or more executive meetings are anticipated 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, pursuant to Section 92-5(a)(4), Hawaii Revised Statutes (HRS); and to deliberate 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, pursuant to Section 92-5(a)(8), HRS.