

POLICY COMMITTEE

Council of the County of Maui

Meeting Agenda

June 17, 2008

1:30 p.m.

Council Chamber, 8th Floor
200 South High Street, Wailuku, Hawaii

website: <http://www.mauicounty.gov/committees/POL/>

e-mail: pol.committee@mauicounty.us

RECEIVED
2008 JUN 10 AM 9:58
OFFICE OF THE
COUNTY CLERK

VOTING MEMBERS

Danny A. Mateo, Chair

G. Riki Hokama, Vice-Chair

Michelle Anderson

Gladys C. Baisa

Jo Anne Johnson

Bill Kauakea Medeiros

Michael J. Molina

Joseph Pontanilla

Michael P. Victorino

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 (Gayle Revels, Kirstin Hamman, or Camille Sakamoto) 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 at least 24 hours before 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.

POL-2(12)

NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (VARIOUS)

DESCRIPTION:

The Committee is in receipt of correspondence dated May 5, 2008, from the Mayor, requesting consideration of the following:

1. Nominees to boards, committees, and commissions, requiring Council approval or disapproval within 60 days, for a term expiring on March 31, 2013:

A. LIQUOR CONTROL COMMISSION

1. James Gomes (replacing James Viela).

2. Nominees to boards, committees, and commissions, requiring Council approval or disapproval with no time limitation, for a term expiring on March 31, 2010:

A. MAUI REDEVELOPMENT AGENCY

1. Robert Horcajo (replacing Linda Tamanaha).

MORE →

STATUS: The Council must approve or disapprove the nominations by July 5, 2008, or the nominations will be deemed approved. The Committee may consider whether to recommend approval or disapproval of the nominations. The Committee may also consider other related action.

POL-39 AMENDING TITLE 19 RELATING TO ADMINISTRATIVE ENFORCEMENT AFFECTING TITLES 12, 14, 16, 18, 19, AND 20, MCC

DESCRIPTION: The Committee is in receipt of County Communication No. 07-334, from Councilmember Michael J. Molina, transmitting the following:

1. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 19.530.030, MAUI COUNTY CODE, PERTAINING TO ADMINISTRATIVE ENFORCEMENT". The purpose of the proposed bill is to amend Section 19.530.030 of the Maui County Code, to clarify the administrative enforcement authority of the Director of Environmental Management and the Planning Director.
2. A draft resolution entitled "REFERRING TO THE LANAI, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL AMENDING SECTION 19.530.030, MAUI COUNTY CODE, PERTAINING TO ADMINISTRATIVE ENFORCEMENT". The purpose of the draft resolution is to refer the proposed bill to the appropriate planning commissions for review and comment.

STATUS: The Committee may consider whether to recommend adoption of the draft resolution, with or without revisions and other related action.

POL-43 ACCEPTING DONATION FROM GOODFELLOW BROS., INC. (DEPARTMENT OF FIRE AND PUBLIC SAFETY)

DESCRIPTION: The Committee is in receipt of County Communication No. 08-43, from the Interim Fire Chief, transmitting a proposed resolution entitled "AUTHORIZING ACCEPTANCE OF DONATION FROM GOODFELLOW BROS., INC. TO THE COUNTY OF MAUI, DEPARTMENT OF FIRE AND PUBLIC SAFETY, PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE". The purpose of the proposed resolution is to authorize the acceptance of a donation of a Bullard, Cobalt Blue Thermal Imager and accessories, collectively valued at approximately \$14,000 from Goodfellow Bros., Inc. to the Department of Fire and Public Safety.

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 No. 08-43 and other related action.

POL-30 CURFEW EXCEPTIONS

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication No. 07-202, from Councilmember Danny A. Mateo, transmitting a proposed bill amending Section 9.24.030, Maui County Code, to ensure the constitutionality of the County curfew ordinance, Chapter 9.24, Maui County Code, by establishing new exceptions, consistent with Nunez v. City of San Diego, 114 F.3d 935 (9th Cir. 1997).
2. Correspondence dated May 20, 2008, from the Department of the Corporation Counsel, transmitting a revised proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 9.24, MAUI COUNTY CODE, PERTAINING TO CURFEW". The purpose of the revised proposed bill is to ensure the constitutionality of the County curfew ordinance, Chapter 9.24, Maui County Code, by establishing new exceptions, consistent with Nunez v. City of San Diego, 114 F.3d 935 (9th Cir. 1997).

STATUS: The Committee may consider whether to recommend passage of the revised proposed bill on first reading, with or without revisions. The Committee may also consider the filing of County Communication No. 07-202 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.

pol:080617:ghr/kmh