

POLICY COMMITTEE

Council of the County of Maui

Meeting Agenda

August 5, 2008 , 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

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(13)

NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (VARIOUS)

DESCRIPTION:

The Committee is in receipt of correspondence dated July 02, 2008, from the Mayor, requesting consideration of the following nominees to boards, committees, and commissions requiring Council approval or disapproval within 60 days, for terms expiring as indicated:

A. CIVIL SERVICE COMMISSION

1. David Hunkins (replacing Brian Cremer), for a term expiring on March 31, 2010;

B. MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES

1. Warren Gouveia (replacing Patricia Duckworth), for a term expiring on March 31, 2009;

MORE →

C. MOLOKAI PLANNING COMMISSION

- 1. Taryn Waros (replacing Linda Kauhane), for a term expiring on March 31, 2012; and

D. REAL PROPERTY TAX REVIEW BOARD

- 1. Joshua Lindsey (replacing Jay Armstrong), for a term expiring on March 31, 2009.

STATUS: The Council must approve or disapprove the nominations by August 31, 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-46 INTERGOVERNMENTAL AGREEMENT/MEMORANDUM OF UNDERSTANDING BETWEEN HALEAKALA NATIONAL PARK/U.S. NATIONAL PARK SERVICE AND THE COUNTY OF MAUI (FIREFIGHTING, LAW ENFORCEMENT, AND EMERGENCY SERVICES “MUTUAL AID” RELATIONSHIP)

DESCRIPTION: The Committee is in receipt of County Communication No. 08-74, from the Mayor, transmitting a proposed bill entitled “A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT/MEMORANDUM OF UNDERSTANDING TO DOCUMENT A FIREFIGHTING, LAW ENFORCEMENT, AND EMERGENCY SERVICES “MUTUAL AID” RELATIONSHIP BETWEEN HALEAKALA NATIONAL PARK/U.S. NATIONAL PARK SERVICE AND THE COUNTY OF MAUI, STATE OF HAWAII”. The purpose of the proposed bill is to authorize the Mayor, on behalf of the County of Maui, to enter into an Intergovernmental Agreement/Memorandum of Understanding to document a firefighting, law enforcement and emergency services “mutual aid” relationship with Haleakala National Park and U.S. National Park Service to protect citizens and visitors of the County.

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 County Communication No. 08-74 and other related action.

POL-1(22) SETTLEMENT AUTHORIZATION OF CLAIMS AND LAWSUITS (DONALD GUNN, CLAIM NO. 2005-022)

DESCRIPTION: The Committee is in receipt of correspondence dated July 22, 2008, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled “AUTHORIZING SETTLEMENT OF CLAIM NO. 2005-022 OF DONALD GUNN” and transmitting a copy of the claim. The claim alleges damages sustained during a car accident on September 11, 2004. The purpose of the proposed resolution is to authorize settlement of the case for \$15,000.

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 (HRS), 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; and Section 92-5(a)(8), HRS, to deliberate or make a decision 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.

POL-4(7) INDEMNIFICATION AUTHORIZATION (BARRY H. SHAPIRO V. MAUI COUNTY POLICE DEPARTMENT, ET AL., CIVIL NO. CV07-00517 SPK KSC)

DESCRIPTION: The Committee is in receipt of correspondence dated July 23, 2008, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled “INDEMNIFYING THOMAS PHILLIPS, GARY YABUTA, MELVIN W. LORENZO, GREGG A ROWE, AND CORRINE C. CHANG IN BARRY H. SHAPIRO V. MAUI COUNTY POLICE DEPARTMENT, ET AL., CIVIL NO. CV07-00517 SPK KSC” and transmitting a copy of the complaint. The complaint alleges loss of income, emotional distress, and deprivation stemming from violations of Plaintiff’s constitutional and civil rights. The purpose of the proposed resolution is to indemnify police officers, Thomas Phillips, Gary Yabuta, Melvin W. Lorenzo, Gregg A. Rowe, and Corrine C. Chang in this case.

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.

POL-50(1) LITIGATION INVOLVING THE COUNTY OR THE COUNCIL (DANIEL K. KANAHELE, ET AL. V. MAUI COUNTY COUNCIL, ET AL., CIVIL NO. 08-1-0115(3))

DESCRIPTION: The Committee is in receipt of correspondence dated July 29, 2008, from the Chair of the Policy Committee, requesting the opportunity to consult with the Department of the Corporation Counsel concerning the status of, and strategies relating to, Daniel K. Kanahele, et al. vs. Maui County Council, et al.; Civil No. 08-1-0115(3).

STATUS: The Committee may consult with the Department of the Corporation Counsel. 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.