

**COUNCIL OF THE COUNTY OF MAUI**  
**POLICY COMMITTEE**

July 8, 2008

**Committee**  
**Report No.**

08-75

Honorable Chair and Members  
of the County Council  
County of Maui  
Wailuku, Maui, Hawaii

Chair and Members:

Your Policy Committee, having met on June 17, 2008, makes reference to County Communication No. 07-7, from the Council Chair, relating to the matter of nominations to boards, committees, and commissions.

By correspondence dated May 5, 2008 (received May 6, 2008), the Mayor transmitted a listing of nominees to the various boards, committees, and commissions, along with their personal history forms. The nominees, and the dates on which their terms will expire, are as follows:

1. Nominees to boards, committees, and commissions that require Council approval or disapproval within 60 days:
  - A. LIQUOR CONTROL COMMISSION
    1. James Gomes (replacing James Viela), for a term expiring on March 31, 2013.
2. Nominees to boards, committees, and commissions that require Council approval or disapproval with no time limitation:
  - A. MAUI REDEVELOPMENT AGENCY
    1. Robert Horcajo (replacing Linda Tamanaha), for a term expiring on March 31, 2010.

Your Committee notes that specific appointment procedures are outlined in Section 13-2, Revised Charter of the County of Maui (1983), as amended, and Chapter 2.41, Maui County Code. Your Committee further notes the following general appointment procedures for the various boards, committees, and commissions.

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1. For most of the boards, committees, and commissions, the Mayor is required to submit nominees 60 to 70 days before the prior members' terms expire, and the Council must approve or disapprove the nominee within 60 days thereafter or the nominee is deemed appointed. If the Council disapproves a nominee, it shall immediately notify the Mayor of its action. In the event that the Council fails to approve or disapprove the Mayor's nominee within the time period provided, the nominee shall be deemed appointed to fill the vacancy upon its occurrence. This procedure applies to the following boards, committees, and commissions:
  - A. Liquor Control Commission (Maui County Charter, Sections 8-13.2 and 13-2).
  
2. For the following boards, committees, and commissions, the Mayor is required to submit nominees for Council approval, but there is no time limitation for the Council's approval:
  - A. Maui Redevelopment Agency (Maui County Code, Section 2.40.050; Hawaii Revised Statutes, Section 53-2).

Your Committee further notes that the deadline for the Council to approve or disapprove the nominee who is subject to the 60-day Council approval process is July 5, 2008.

At its meeting, your Committee met with an Executive Assistant to the Mayor and the Corporation Counsel.

There was no public testimony.

The Corporation Counsel confirmed that there was no conflict of interest in appointing the husband of the Director of Parks and Recreation to the Maui Redevelopment Agency.

Your Committee thanked the nominees, and the volunteers who had resigned from these boards and commissions, for their service.

Your Committee voted to recommend approval of the nominations.

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Your Policy Committee RECOMMENDS the following:

1. That the following nominees to County boards, committees, and commissions be APPROVED:
  - A. LIQUOR CONTROL COMMISSION
    1. James Gomes (replacing James Viela), for a term expiring on March 31, 2013.
  - B. MAUI REDEVELOPMENT AGENCY
    1. Robert Horcajo (replacing Linda Tamanaha), for a term expiring on March 31, 2010.
2. That a copy of this committee report be TRANSMITTED to the Mayor of the County of Maui.

Adoption of this report is respectfully requested.

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