

POLICY COMMITTEE

Council of the County of Maui

Meeting Agenda

July 3, 2007

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

COMMITTEE 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 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.

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POL-29

EMINENT DOMAIN FOR THE ACQUISITION OF REAL PROPERTY SITUATED AT PAIA (UNIT 2 OF THE MONTANA BEACH CONDOMINIUM)

DESCRIPTION: The Committee is in receipt of County Communication No. 07-190, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled "AUTHORIZING PROCEEDINGS IN EMINENT DOMAIN OF THE ACQUISITION OF REAL PROPERTY SITUATED AT PAIA, MAUI, HAWAII, KNOWN AS UNIT 2 OF THE MONTANA BEACH CONDOMINIUM, FOR PUBLIC PURPOSES". The purpose of the proposed resolution is to authorize proceedings in eminent domain to acquire Unit 2 of the Montana Beach Condominium (TMK: (2)2-5-005-014-0002), adjacent to and abutting H.A. Baldwin Park, for public purposes.

STATUS: The Committee may consider whether to recommend passage of the proposed resolution on first reading, with or without revisions. The Committee may also consider other related action.

NOTE: With reference to this agenda item, one or more executive meetings pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, 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; and Section 92-5(a)(3), Hawaii Revised Statutes, to deliberate concerning the authority

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of persons designated by the County, the Council, or the Committee to conduct labor negotiations or to negotiate the acquisition of public property, or during the conduct of such negotiations.

POL-5(3) SPECIAL COUNSEL AUTHORIZATION (ACQUISITION OF REAL PROPERTY SITUATED AT PAIA, MAUI, HAWAII, KNOWN AS UNIT 2 OF THE MONTANA BEACH CONDOMINIUM)

DESCRIPTION: The Committee is in receipt of correspondence dated May 25, 2007, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL ASHFORD & WRISTON LLP FOR THE ACQUISITION OF REAL PROPERTY SITUATED AT PAIA, MAUI, HAWAII, KNOWN AS UNIT 2 OF THE MONTANA BEACH CONDOMINIUM". The purpose of the proposed resolution is to authorize the employment of Ashford & Wriston LLP as the County's special counsel for the possible acquisition of land, for a total compensation of \$250,000.

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 pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, 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.

POL-5(4) SPECIAL COUNSEL AUTHORIZATION (JOHN LARSON V. COUNTY OF MAUI, CASE NO. CC2007080652RC)

DESCRIPTION: The Committee is in receipt of correspondence dated June 7, 2007, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL CLARK W. WATKIN, ESQ. IN JOHN LARSON VS. COUNTY OF MAUI, CASE NO. CC2007080652RC". The purpose of the proposed resolution is to authorize the employment of Clark W. Watkin, Esq., as the County's special counsel in the case, for a total compensation of \$2,000. The complaint, filed in the State of Arizona, alleges that the County is liable for an "unpaid balance."

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 pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, 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.