

Meeting recessed to Thursday, March 1, 2007 at 10:00 a.m. in the Council Chamber

POLICY COMMITTEE
Council of the County of Maui

Meeting Agenda

February 27, 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 (Shelly Espeleta 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(3) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (VARIOUS)

DESCRIPTION: The Committee is in receipt of correspondence dated January 31, 2007, from the Mayor, requesting consideration of the following:

1. Nominees to boards, committees, and commissions, requiring Council approval or disapproval within 60 days (for terms expiring on March 31, 2012, unless otherwise indicated):

A. AFFIRMATIVE ACTION ADVISORY COUNCIL

1. Sherry Duong.

MORE →

B. ANIMAL CONTROL BOARD

1. Nancy Fisher, for a term expiring on March 31, 2010;
2. Frances Joswick, for a term expiring on March 31, 2010; and
3. Ronald Larsen, for a term expiring on March 31, 2010.

C. BOARD OF CODE APPEALS

1. Emily De Costa; and
2. Tamio Iwado.

D. BOARD OF ETHICS

1. Sheri-Ann Daniels; and
2. Rebecca Woods.

E. BOARD OF VARIANCES AND APPEALS

1. Stephen Castro, Sr.; and
2. Rachel Phillips.

F. BOARD OF WATER SUPPLY

1. Phyllis Robinson.

G. CIVIL SERVICE COMMISSION

1. Barbara Haliniak.

H. COMMISSION ON CHILDREN AND YOUTH

1. Wayne Yamashige; and
2. Mary Wolfe.

I. COMMISSION ON CULTURE AND THE ARTS

1. Sherry Gabriele; and
2. Teri Gorman.

J. COMMISSION ON NAMING STREETS, PARKS, AND FACILITIES

1. Verna Podlewski; and
2. David Olsten.

K. COST OF GOVERNMENT COMMISSION

1. John Del Gatto, for a term expiring on March 31, 2009;
2. Sharron Courter, for a term expiring on March 31, 2009;
3. Warren Suzuki, for a term expiring on March 31, 2009; and
4. Rebecca Kikumoto, for a term expiring on March 31, 2009.

L. COUNCIL ON AGING

1. Branch Isole;
2. Genevieve Clubb; and
3. Amy Kastens.

M. FIRE AND PUBLIC SAFETY COMMISSION

1. Ella Alcon (Reappointment); and
2. Wendy Osher.

N. LIQUOR CONTROL ADJUDICATION BOARD

1. Jerrybeth DeMello; and
2. Marilyn Colvin.

O. LIQUOR CONTROL COMMISSION

1. Merlyn Winters; and
2. Robert Tanaka.

P. MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES

1. Karen Hue Sing-Ledesma;
2. Alexander Yray; and
3. Kealoha Laemoa.

Q. MAUI COUNTY CULTURAL RESOURCES COMMISSION

1. Raymond Phillips.

R. MAUI COUNTY GRANTS REVIEW COMMITTEE

1. Kenneth Rothman (Reappointment); and
2. Christina Paleka (Reappointment).

S. MAUI COUNTY OUTDOOR LIGHTING STANDARDS COMMITTEE

1. Kaiulani Piper.

T. MAUI PLANNING COMMISSION

1. Robin Knox; and
2. Joan Pawsat.

U. MOLOKAI PLANNING COMMISSION

1. Michelle Pescaia; and
2. Linda Kauhane.

V. POLICE COMMISSION

1. Ronald Vaught; and
2. Calmentina Pedro.

W. REAL PROPERTY TAX REVIEW BOARD

1. Matthew Driggers.

X. SALARY COMMISSION

1. Paulette McFaul.

2. Nominees to boards, committees, and commissions, requiring Council approval or disapproval with no time limitation (for terms expiring on March 31, 2012, unless otherwise indicated):

A. KULA AGRICULTURAL PARK COMMITTEE

1. Benjamin Buttaro.

B. MAUI REDEVELOPMENT AGENCY

1. Alexa Basinger.

C. URBAN DESIGN REVIEW BOARD

1. Gary Brauner; and
2. Susan Liscombe.

3. Nominees to boards, committees, and commissions, appointed by the Mayor with notice to, but without approval by, the Council (for terms expiring on March 31, 2012, unless otherwise indicated):

A. COMMITTEE ON THE STATUS OF WOMEN

1. Debbie Boteilho (replacing Nancy Brauer), for a term expiring on March 31, 2011.

B. MAUI COUNTY ARBORIST COMMITTEE

1. Richard Kempf (replacing Kelvin Nelson).

STATUS: With the exception of the Committee on the Status of Women and the Maui County Arborist Committee, the Council must approve or disapprove the nominations by April 1, 2007, 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-2(4) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (VARIOUS)

DESCRIPTION: The Committee is in receipt of correspondence dated February 20, 2007, from the Mayor, requesting consideration of the following:

1. Nominees to boards, committees, and commissions, requiring Council approval or disapproval within 60 days, for terms expiring as noted:

A. LIQUOR CONTROL COMMISSION

1. Henry Kauka (replacing Zachary Helm), for a term expiring on March 31, 2008.

B. POLICE COMMISSION

1. Leil Koch, for a term expiring on March 31, 2012.

STATUS: The Council must approve or disapprove the nominations by April 21, 2007, 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-19 HAWAII SUPERFERRY

DESCRIPTION: The Committee is in receipt of County Communication No. 07-56, from Councilmember Danny A. Mateo, pertaining to the Hawaii Superferry, including the potential impact on County core services and the lawsuit seeking an Environmental Impact Statement for Kahului Harbor improvements (Maui Tomorrow Foundation, Inc. v. The Department of Transportation of the State of Hawaii, et al., Civil No. 06-1-0027(1)).

STATUS: The Committee may discuss the matter. The Committee may also consider the filing of County Communication No. 07-56 and 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-1(4) SETTLEMENT AUTHORIZATION OF CLAIMS AND LAWSUITS (CONSTANCE C. DEANS ET AL. V. COUNTY OF MAUI ET AL., CIVIL NO. 06-1-0175(1))

DESCRIPTION: The Committee is in receipt of correspondence dated January 18, 2007, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled "AUTHORIZING SETTLEMENT OF CONSTANCE C. DEANS, ET AL. VS. COUNTY OF MAUI, ET AL., CIVIL NO. 06-1-0175(1)" and transmitting a copy of the complaint. The complaint alleges general and special damages arising from injuries sustained on August 11, 2005 in Lahaina, Maui. The purpose of the proposed resolution is to authorize settlement of the 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 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-1(2) SETTLEMENT AUTHORIZATION OF CLAIMS AND LAWSUITS
(DAT NGUYEN, ET AL., V. COUNTY OF MAUI, CIVIL NO. 06-1-0012(1))**

DESCRIPTION: The Committee is in receipt of correspondence dated January 11, 2007, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled "AUTHORIZING SETTLEMENT OF DAT NGUYEN AND CHAU NGUYEN, VS. COUNTY OF MAUI, CIVIL NO. 06-1-0012(1)" and transmitting a copy of the complaint. The complaint alleges physical injuries sustained during a motor-vehicle collision with a County vehicle on August 18, 2005 in Kahului, Maui. 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 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-1(6) SETTLEMENT AUTHORIZATION OF CLAIMS AND LAWSUITS
(DOUGLAS R. WHITE V. COUNTY OF MAUI, ET AL., CIVIL NO. 05-1-0026(1) AND
DOUGLAS R. WHITE V. MAUI PLANNING COMMISSION, CIVIL NO. 06-1-0119(3))**

DESCRIPTION: The Committee is in receipt of correspondence dated February 8, 2007, from the Department of the Corporation Counsel, requesting an opportunity to update and report on settlement options with respect to real property situated at 1377 Front Street, Lahaina, Maui.

STATUS: The Committee may discuss the matter. 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.