

POLICY COMMITTEE

Council of the County of Maui

Meeting Agenda

October 2, 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

RECEIVED
2007 SEP 26 AM 9:00
OFFICE OF THE
COUNTY CLERK

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, 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(7)

NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (VARIOUS)

DESCRIPTION:

The Committee is in receipt of correspondence dated August 20, 2007, 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. ANIMAL CONTROL BOARD

1. Demian Dressler (replacing Roger Kehler), for a term expiring on March 31, 2009.

B. BOARD OF ETHICS

1. C. Gretchen Guy (replacing Jim Stewart), for a term expiring on March 31, 2008; and
2. Peter Soman (replacing John Pele), for a term expiring on March 31, 2010.

MORE →

- C. COUNCIL ON AGING
 - 1. Marlene Young (replacing Diane Fujii), for a term expiring on March 31, 2008;
 - 2. Kathi Mukai (replacing Jeana Gamboa), for a term expiring on March 31, 2010; and
 - 3. Masami Hironaka (replacing Joel Whitley), for a term expiring on March 31, 2011.
- D. LANAI PLANNING COMMISSION
 - 1. Stanley Ruidas, for a term expiring on March 31, 2012.
- E. MAUI PLANNING COMMISSION
 - 1. Douglas Ward Mardfin, for a term expiring on March 31, 2012.
- F. SALARY COMMISSION
 - 1. Peggy Haake (replacing Mario Arruiza), for a term expiring on March 31, 2011.
- G. SUBDIVISION ENGINEERING STANDARDS COMMITTEE
 - 1. Ty Takeno, for a term expiring on March 31, 2012.

STATUS: The Council must approve or disapprove the nominations by October 19, 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-5(5) SPECIAL COUNSEL AUTHORIZATION (POTENTIAL ACQUISITION OF NA WAI ‘EHA WATERSHED LANDS AND/OR WATER-RELATED ASSETS OWNED BY WAILUKU WATER COMPANY)

DESCRIPTION: The Committee is in receipt of correspondence dated August 16, 2007, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled “AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL ALSTON HUNT FLOYD & ING TO ADVISE THE COUNTY OF LEGAL ISSUES AND LEGAL STRATEGIES RELATING TO THE POTENTIAL ACQUISITION OF NA WAI ‘EHA WATERSHED LANDS AND/OR WATER-RELATED ASSETS OWNED BY WAILUKU WATER COMPANY”. The purpose of the proposed resolution is to authorize the employment of Alston Hunt Floyd & Ing as the County’s special counsel for the possible acquisition of Na Wai ‘Eha watershed lands and/or water-related assets owned by Wailuku Water Company, for a total compensation of up to \$75,000.

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-3(3) HAWAII STATE ASSOCIATION OF COUNTIES (HSAC) (2008 LEGISLATIVE PACKAGE)

DESCRIPTION: The Committee is in receipt of the following:

- 1. Correspondence dated September 13, 2007, from Councilmember Joseph Pontanilla, transmitting correspondence dated July 2, 2007, from the HSAC President, requesting that proposals for the HSAC 2008 Legislative Package be submitted to the HSAC Executive Committee by October 1, 2007.

2. Correspondence dated September 24, 2007, from the Council Chair, transmitting a draft State bill entitled "A BILL FOR AN ACT RELATING TO PROCUREMENT" and a justification sheet for the bill. The purpose of the proposed State bill is to remove the requirement that local governments comply with rules adopted by the Procurement Policy Board and to place the decision-making power to use cooperative contracts within the discretion of local governments.
3. Correspondence dated September 24, 2007, from Councilmember Gladys C. Baisa, transmitting a draft State bill entitled "A BILL FOR AN ACT RELATING TO GRAY WATER" and a justification sheet for the bill. The purpose of the proposed State bill is to allow the use of gray water for landscape irrigation.
4. Correspondence dated September 24, 2007, from Councilmember Joseph Pontanilla, transmitting a draft State bill entitled "A BILL FOR AN ACT RELATING TO HOUSING" and a justification sheet for the bill. The purpose of the proposed State bill is to extend the 45-day window for a legislative body to approve, approve with modification, or disapprove an affordable housing project under Section 201H-38, Hawaii Revised Statutes, to 90 days.

STATUS: The Committee may consider whether to recommend that the draft State bills and corresponding justification sheets be submitted to the HSAC Executive Committee for consideration as part of the HSAC 2008 Legislative Package. The Committee may also consider other related action.

POL-1(13)

**SETTLEMENT AUTHORIZATION OF CLAIMS AND LAWSUITS
(LISA LOUIS V COUNTY OF MAUI, DEPARTMENT OF POLICE, CASE
NOS. 7-01-03652 AND 7-04-00050)**

DESCRIPTION: The Committee is in receipt of correspondence dated September 11, 2007, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled "AUTHORIZING SETTLEMENT OF LISA LOUIS VS. COUNTY OF MAUI, DEPARTMENT OF POLICE, CASE NOS. 7-01-03652 AND 7-04-00050". The claim alleges work-related injuries on October 4, 2001 and January 1, 2004. 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 and Section 92-5(a)(8), Hawaii Revised Statutes, 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.