

POLICY COMMITTEE
Council of the County of Maui

Meeting Agenda

December 18, 2007
9:00 a.m.
Council Chamber, 8th Floor
200 South High Street, Wailuku, Hawaii

website: <http://www.mauicounty.gov/committees/POL/>
e-mail: pol.committee@mauicounty.us

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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.

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NON-COMMITTEE MEMBER PARTICIPATION IN COMMITTEE MEETINGS

DESCRIPTION:

The Committee is in receipt of the following:

1. County Communication No. 07-323, from the Council Chair, as it relates to the following:
 - a. A proposed resolution entitled "AMENDING THE RULES OF THE COUNCIL RELATING TO COMMITTEES". The purpose of the proposed resolution is to clarify that certain provisions for committee members will apply to voting committee members and, by implication, not to non-voting committee members.
 - b. A draft resolution entitled "ESTABLISHING THE STANDING COMMITTEES OF THE COUNCIL, DEFINING THEIR DUTIES, AND APPOINTING THEIR MEMBERS". The purpose of the draft resolution is to allow the chair of a standing committee, with the consent of the committee, to appoint up to four additional Council members to serve as non-voting members of the committee.
2. Correspondence dated December 12, 2007, from the Chair of the Committee, transmitting a draft resolution entitled "ESTABLISHING THE STANDING COMMITTEES OF THE COUNCIL,

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DEFINING THEIR DUTIES, AND APPOINTING THEIR MEMBERS”. The purpose of the draft resolution is to allow all Council members who are not voting members of a committee to serve as non-voting members of the committee and participate in the proceedings, but not be counted toward quorum for the committee.

STATUS: The Committee may consider whether to recommend adoption of the proposed resolution and/or adoption of either draft resolution, with or without revisions. The Committee may also consider the filing of County Communication No. 07-323 and other related action.

**POL-1(5) SETTLEMENT AUTHORIZATION OF CLAIMS AND LAWSUITS
(ASGHAR R. SADRI V. MAUI PLANNING COMMISSION; CIVIL NO. 04-1-0366(2);
ASGHAR R. SADRI V. KURT ULMER, ET AL.; CIVIL NO. CV06-00430 ACK KSC;
ASGHAR R. SADRI V. JAMES H. APANA, ET AL., CIVIL NO. CV07-00109 SOM BMK)**

DESCRIPTION: The Committee is in receipt of correspondence dated December 11, 2007, from the Department of the Corporation Counsel, transmitting a revised proposed resolution entitled “AUTHORIZING SETTLEMENT OF ASGHAR R. SADRI V. KURT ULMER, ET AL., CIVIL NO. CV06-00430 ACK KSC, ASGHAR R. SADRI V. JAMES H. APANA, ET AL., CIVIL NO. CV07-00109 SOM BMK, AND ASGHAR R. SADRI V. MAUI PLANNING COMMISSION, CIVIL NO. 04-1-0366(2)”. The purpose of the revised proposed resolution is to authorize settlement of the cases. The complaints allege constitutional violations arising from the rescission of an exemption for a Special Management Area permit for the Montana Beach Condominium (Apartment B, Lot 2).

STATUS: The Committee may consider whether to recommend adoption of the revised proposed resolution, with or without further 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.