

COUNCIL OF THE COUNTY OF MAUI
POLICY COMMITTEE

April 10, 2007

**Committee
Report No.**

_____ 07-40 _____

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

Chair and Members:

Your Policy Committee, having met on March 13, 2007, makes reference to County Communication No. 07-93, from the Mayor, transmitting correspondence dated January 16, 2007, from Major General Robert G. F. Lee, State Civil Defense Director, appointing the Mayor as the Deputy Director of Civil Defense for the County of Maui.

Your Committee notes that Section 128-3(d), Hawaii Revised Statutes, which is part of the Civil Defense and Emergency Act, states:

The director shall, with the approval of the county council, appoint for each political subdivision a deputy director who may be removed by the director. Deputy directors shall serve without compensation from the State but shall receive such compensation as may be provided by the political subdivision pursuant to chapter 77. Chapter 76 shall apply to full-time deputy directors. Part-time deputy directors may hold other office or employment in the state government, or any political subdivision. Each deputy director, subject to the direction and control of the director, shall be the head of all local organizations for civil defense within the political subdivision for which the deputy director is appointed.

In his January 16, 2007 correspondence, Major General Lee stated that it has been State policy to appoint the senior elected official who has ultimate responsibility for all county actions and decisions during non-crisis as well as emergency or disaster situations; therefore, it is the Mayor who has been appointed as the State Deputy Director of Civil Defense.

By correspondence dated March 5, 2007, the Chair of your Committee requested that the Department of the Corporation Counsel prepare a resolution approving the Mayor's appointment.

By correspondence dated March 6, 2007, the Department of the Corporation Counsel transmitted a proposed resolution entitled "APPROVING THE

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APPOINTMENT OF MAYOR CHARMAINE TAVARES AS THE STATE DEPUTY DIRECTOR OF CIVIL DEFENSE FOR THE COUNTY OF MAUI". The purpose of the proposed resolution is to appoint Mayor Charmaine Tavares as the State Deputy Director of Civil Defense for the County of Maui.

At its meeting, your Committee met with the Mayor and a Deputy Corporation Counsel.

There was no public testimony.

The Mayor requested your Committee's adoption of the proposed resolution. She expressed her eagerness to fulfill the responsibilities of Deputy Director of Civil Defense for the protection of Maui County's residents and visitors. She further advised your Committee that civil defense and public safety are priorities of the Tavares Administration.

Your Committee voted to recommend adoption of the proposed resolution and filing of the communication.

Your Policy Committee RECOMMENDS the following:


1. That Resolution No. _____, attached hereto, entitled "APPROVING THE APPOINTMENT OF MAYOR CHARMAINE TAVARES AS THE STATE DEPUTY DIRECTOR OF CIVIL DEFENSE FOR THE COUNTY OF MAUI", be ADOPTED; and
2. That County Communication No. 07-93 be FILED.

Adoption of this report is respectfully requested.

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DANNY A. MATEO Chair

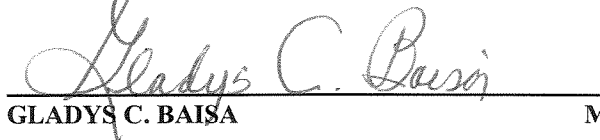

BILL KAUAKEA MEDEIROS Member


G. RIKI HOKAMA Vice-Chair


MICHAEL J. MOLINA Member

MICHELLE ANDERSON Member


JOSEPH PONTANILLA Member


GLADYS C. BAISA Member

MICHAEL P. VICTORINO Member

JO ANNE JOHNSON Member

Resolution

No. _____

APPROVING THE APPOINTMENT OF
MAYOR CHARMAINE TAVARES AS THE STATE DEPUTY DIRECTOR
OF CIVIL DEFENSE FOR THE COUNTY OF MAUI

WHEREAS, pursuant to § 128-3(d), Hawaii Revised Statutes, the State Director of Civil Defense shall, with the approval of the Council of the County of Maui, appoint a Deputy Director of Civil Defense for the County of Maui; and

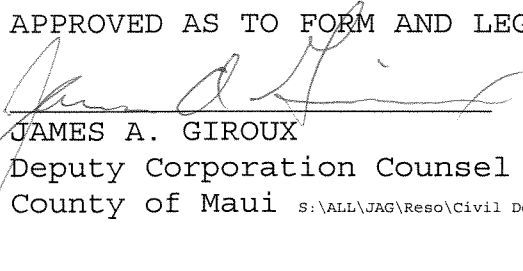
WHEREAS, Major General Robert G. F. Lee, State Director of Civil Defense, has tendered the appointment to Mayor Charmaine Tavares effective January 2, 2007, subject to the approval of Council; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby approves the appointment of Mayor Charmaine Tavares as the State Deputy Director of Civil Defense for the County of Maui for a term ending at twelve o'clock meridian, January 2, 2011; and

2. That certified copies of this resolution be transmitted to the Mayor of the County of Maui, State Director of Civil Defense, and County of Maui Civil Defense Administrator.

APPROVED AS TO FORM AND LEGALITY:



JAMES A. GIROUX
Deputy Corporation Counsel
County of Maui

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