

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

November 3, 2006

**Committee
Report No.**

06-128

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

Chair and Members:

Your Committee of the Whole, having met on October 17, 2006, makes reference to County Communication No. 05-25, from the Council Chair, regarding proposed contracts for special counsel.

Your Committee is in receipt of correspondence dated October 9, 2006, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled "AUTHORIZING ADDITIONAL COMPENSATION FOR SPECIAL COUNSEL MARR HIPP JONES & WANG, IN JACK HENRY WILLIAMS, JR., ET AL. VS. COUNTY OF MAUI, CIVIL NO. CV05-00278 DAE LEK". The purpose of the proposed resolution is to authorize \$125,000 in additional compensation for Marr Hipp Jones & Wang as special counsel in the case, for a total compensation of \$250,000.

Your Committee notes that this case includes allegations of violations of the Fair Labor Standards Act.

Your Committee further notes that the Council authorized initial compensation of \$40,000 by Resolution No. 05-148, and additional compensation of \$85,000 by Resolution No. 06-86.

At its meeting, your Committee met with a Fire Command Officer, Department of Fire and Public Safety; a Deputy Corporation Counsel; and Steven Nakashima, Esq. of Marr Hipp Jones & Wang.

There was no public testimony. The Deputy Corporation Counsel provided a brief overview of the case and requested the opportunity to discuss the matter in an executive meeting.

Your Committee voted to convene an executive meeting for the purpose of consulting with legal counsel on liability issues in the matter, pursuant to Section 92-5(a)(4), Hawaii Revised Statutes.

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At its executive meeting, your Committee met with a Fire Command Officer, Department of Fire and Public Safety; a Deputy Corporation Counsel; and Steven Nakashima, Esq. of Marr Hipp Jones & Wang.

Following the executive meeting, your Committee reconvened in regular session. Based on the information received and the recommendation of the Department of the Corporation Counsel, your Committee voted to recommend adoption of the proposed resolution.

Your Committee of the Whole RECOMMENDS that Resolution No. _____, attached hereto, entitled "AUTHORIZING ADDITIONAL COMPENSATION FOR SPECIAL COUNSEL MARR HIPP JONES & WANG, IN JACK HENRY WILLIAMS, JR., ET AL. VS. COUNTY OF MAUI, CIVIL NO. CV05-00278 DAE LEK" be ADOPTED.

Adoption of this report is respectfully requested.

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