

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

March 11, 2005

**Committee
Report No.**

05-14
As Amended

NOTE: This committee report was amended by the Council at its meeting on March 11, 2005, by deleting the bracketed material and underscoring the new material. This committee report was then adopted as amended.

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 February 15, 2005, makes reference to County Communication No. 05-20, from the Council Chair, relating to the matter of nominations to boards, committees, and commissions.

By correspondence dated January 26, 2005 (received January 31, 2005), the Mayor transmitted a listing of nominees to the various boards, committees, and commissions, along with their personal history forms. The nominees, whose terms expire on March 31, 2010, unless otherwise indicated, are as follows:

1. Nominees to boards, committees, and commissions that require Council approval or disapproval within 60 days:
 - A. AFFIRMATIVE ACTION ADVISORY COUNCIL
 1. Rudolpho "Rudy" Esquer (County employee).
 - B. BOARD OF CODE APPEALS
 1. Robert Bowlus (Architect).
 - C. BOARD OF ETHICS
 1. Randol Leach; and
 2. John Pele.

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

March 11, 2005
Page 2

Committee
Report No. 05-14
As Amended

- D. BOARD OF VARIANCES AND APPEALS
 - 1. Harjinder Ajmani; and
 - 2. James Shefte.

- E. CIVIL SERVICE COMMISSION
 - 1. Francis Kau.

- F. COMMISSION ON CHILDREN AND YOUTH
 - 1. Felecia Shin; and
 - 2. Duke Sevilla.

- G. COMMISSION ON CULTURE AND THE ARTS
 - 1. Janet Agapay; and
 - 2. Marilyn Hirashima.

- H. COMMISSION ON NAMING STREETS, PARKS, AND FACILITIES
 - 1. Verna Nahulu; and
 - 2. Karen Arakawa.

- I. COST OF GOVERNMENT COMMISSION
 - 1. Jack Skillicorn, for a term expiring on 3/31/07;
 - 2. James Loomis, for a term expiring on 3/31/07;
 - 3. Sandra Swanson, for a term expiring on 3/31/07; and
 - 4. Sean Cunningham, for a term expiring on 3/31/07.

- J. COUNCIL ON AGING
 - 1. Robin Ridley; and
 - 2. Veronica Yamanoha.

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

March 11, 2005
Page 3

Committee
Report No. 05-14
As Amended

K. FIRE AND PUBLIC SAFETY COMMISSION

1. Frank Pikrone; and
2. Angel Allas.

L. HANA ADVISORY COMMITTEE

1. Kau`i Kanaka`ole; and
2. Melissa Mauiola.

M. LANAI PLANNING COMMISSION

1. Dwight Gamulo; and
2. Charles Kaukeano.

N. LIQUOR CONTROL ADJUDICATION BOARD

1. Lance Collins; and
2. Darren Lopez.

O. LIQUOR CONTROL COMMISSION

1. Victor Fink; and
2. Curt Morimoto.

**P. MAUI COUNTY COMMISSION ON PERSONS WITH
DISABILITIES**

1. Darren Quinn; and
2. Marguerite Rowland.

Q. MAUI COUNTY CULTURAL RESOURCES COMMISSION

1. Dorothy Pyle (Historian);
2. Lee Kalei Moikeha; and
3. Evalina "Nani" Watanabe (Lanai).

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

March 11, 2005
Page 4

Committee
Report No. 05-14
As Amended

R. MAUI COUNTY GRANTS REVIEW COMMITTEE

1. Rita Whitford; and
2. Donald Stewart.

S. MAUI PLANNING COMMISSION

1. Bruce U`u; and
2. Wayne Hedani.

T. POLICE COMMISSION

1. Doreen Gomes; and
2. John Ornellas.

U. REAL PROPERTY TAX REVIEW BOARD

1. Carmela Zimmermann.

V. SALARY COMMISSION

1. Douglas Levin; and
2. Andrew Herrera.

W. STREET LIGHTING COMMITTEE

1. Charles Hirata.

X. SUBDIVISION ENGINEERING STANDARDS COMMITTEE

1. Brooks Aoki (Engineer); and
2. Garrett Tokuoka (Engineer).

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

March 11, 2005
Page 5

Committee
Report No. 05-14
As Amended

2. Nominees to boards, committees, and commissions that require Council approval or disapproval with no time limitation:
 - A. KULA AGRICULTURAL PARK COMMITTEE
 1. Gregory Knue (Banker); and
 2. Craig Rasmussen (Rep. from Tenants Assoc.).
 - B. MAUI REDEVELOPMENT AGENCY
 1. Linda Tamanaha.
 - C. URBAN DESIGN REVIEW BOARD
 1. Eric Nakagawa (Engineer);
 2. Anthony Riecke-Gonzales (Architect);
 3. Russ Riley (Landscape Architect);
 4. Raymond Phillips (Engineer, alternate); and
 5. Christopher "Chris" Hart (Landscape Architect, alternate).
3. Nominees to boards, committees, and commissions that are appointed by the Mayor with notice to, but without approval by, the Council:
 - A. COMMISSION ON STATUS OF WOMEN
 1. Leanne Calandrella, for a term expiring on 3/31/09;
and
 2. Nadine Newlight, for a term expiring on 3/31/09.
 - B. MAUI COUNTY ARBORIST COMMITTEE
 1. Sue Lipp;
 2. Harlan Hughes; and
 3. Eric Molina.

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

March 11, 2005
Page 6

Committee
Report No. 05-14
As Amended

C. TRAFFIC SAFETY COUNCIL

1. Thomas Thomas, Sr.;
2. Charles Casicas; and
3. Robert Evans.

Your Committee notes that specific appointment procedures are outlined in Section 13-2, Revised Charter of the County of Maui (1983), as amended, and Chapter 2.41, Maui County Code. Your Committee further notes the following general appointment procedures for the various boards, committees, and commissions.

1. For most of the boards, committees, and commissions, the Mayor is required to submit nominees 60 to 70 days before the prior members' terms expire, and the Council must approve or disapprove the nominee within 60 days thereafter or the nominee is deemed appointed. If the Council disapproves a nominee, it shall immediately notify the Mayor of its action. In the event that the Council fails to approve or disapprove the Mayor's nominee within the time period provided, the nominee shall be deemed appointed to fill the vacancy upon its occurrence. This procedure applies to the following boards, committees, and commissions:
 - A. Affirmative Action Advisory Council (Maui County Code, Sections 2.29.010, 2.29.020, and 2.40.080; Maui County Charter, Section 13-2);
 - B. Animal Control Board (Maui County Code, Section 6.04.095; Maui County Charter, Section 13-2.17);
 - C. Board of Code Appeals (Maui County Code, Sections 2.40.190 and 16.20A.190; Maui County Charter, Section 13-2);
 - D. Board of Ethics (Maui County Charter, Sections 10-2, 13-2);

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

March 11, 2005
Page 7

Committee
Report No. 05-14
As Amended

- E. Board of Variances and Appeals (Maui County Charter, Sections 8-8.7 and 13-2);
- F. Board of Water Supply (Maui County Charter, Sections 8-11.3 and 13-2);
- G. Civil Service Commission (Maui County Charter, Sections 8-9.4, 13-2; Hawaii Revised Statutes, Sections 76-71 and 76-47);
- H. Commission on Children and Youth (Maui County Code, Section 2.39.010; Maui County Charter, Section 13-2);
- I. Commission on Culture and the Arts (Maui County Code, Chapter 2.37 and Section 2.40.200; Maui County Charter, Section 13-2);
- J. Commission on Naming Streets, Parks, and Facilities (Maui County Code, Sections 2.38.030 and 2.40.140; Maui County Charter, Section 13-2);
- K. Commission on Persons With Disabilities (Maui County Code, Sections 2.32.020 and 2.32.030; Maui County Charter, Section 13-2);
- L. Cost of Government Commission (Maui County Charter, Sections 8-15.2, 3-15.3, and 13-2);
- M. Council on Aging (Maui County Code, Sections 2.34.020, 2.34.030, and 2.40.010; Maui County Charter, Section 13-2);
- N. Fire and Public Safety Commission (Maui County Charter, Section 8-7.2 and 13-2);
- O. Hana Advisory Committee (Maui County Code, Sections 2.28.060 and 2.40.130; Maui County Charter, Section 13-2);

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

March 11, 2005
Page 8

Committee
Report No. 05-14
As Amended

- P. Lanai Planning Commission (Maui County Code, Section 2.28.025; Maui County Charter, Sections 8-8.4 and 13-2);
- Q. Liquor Control Adjudication Board (Maui County Charter, Sections 8-13.3 and 13-2);
- R. Liquor Control Commission (Maui County Charter, Sections 8-13.2 and 13-2);
- S. Maui County Cultural Resources Commission (Maui County Code, Sections 2.88.030 and 2.40.110; Maui County Charter, Section 13-2);
- T. Maui County Grants Review Committee (Maui County Code, Sections 2.40.160 and 3.36.020; Maui County Charter, Section 13-2);
- U. Maui Planning Commission (Maui County Code, Section 2.28.010; Maui County Charter, Sections 8-8.4 and 13-2);
- V. Molokai Planning Commission (Maui County Code, Section 2.28.020; Maui County Charter, Sections 8-8.4 and 13-2);
- W. Police Commission (Maui County Charter, Sections 8-12.2 and 13-2);
- X. Real Property Tax Review Board (Maui County Code, Sections 2.40.170 and 3.48.620; Maui County Charter, Section 13-2);
- Y. Salary Commission (Maui County Code, Section 2.40.210 and Chapter 2.42; and Maui County Charter, Sections 8-16.1 and 13-2);

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

March 11, 2005
Page 9

Committee
Report No. 05-14
As Amended

- Z. Street Lighting Committee (Maui County Code, Sections 2.40.030, 12.17.010, and 12.17.020; Maui County Charter, Section 13-2); and
 - AA. Subdivision Engineering Standards Committee (Maui County Code, Sections 2.40.020 and 18.40.010; Maui County Charter, Section 13-2).
2. For the following boards, committees, and commissions, the Mayor is required to submit nominees for Council approval, but there is no time limitation for the Council's approval, except for the representative from Council who shall be appointed by the Council for a two-year term:
- A. Kula Agricultural Park Committee (Maui County Code, Sections 2.40.180 and 22.04.070);
 - B. Maui Redevelopment Agency (Maui County Code, Section 2.40.050; Hawaii Revised Statutes, Section 53-2); and
 - C. Urban Design Review Board (Maui County Code, Sections 2.26.030 and 2.40.100; Maui County Charter, Section 13-2.1).
3. For the following boards, committees, and commissions, members are appointed by the Mayor with notice to, but without approval by, the Council:
- A. Maui County Arborist Committee (Maui County Code, Section 12.24A.030; Maui County Charter, Section 13-2); and
 - B. Traffic Safety Council (Maui County Code, Section 2.36.010; Hawaii Revised Statutes, Section 286-6).

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

March 11, 2005
Page 10

Committee
Report No. 05-14
As Amended

Your Committee further notes that the deadline for the Council to approve or disapprove the nominees who are subject to the 60-day Council approval process is April 1, 2005.

Your Committee received requests from members of the Council to interview the following nominees to boards, committees, and commissions, requiring Council approval or disapproval within 60 days:

A. LANAI PLANNING COMMISSION

1. Dwight Gamulo; and
2. Charles Kaukeano.

B. MAUI PLANNING COMMISSION

3. Bruce U`u; and
4. Wayne Hedani.

By correspondence dated January 28, 2005, the Mayor provided information regarding the appointment of Charles Kaukeano to the Lanai Planning Commission.

By correspondence dated February 2, 2005, the Chair of your Committee requested that the Mayor provide missing application forms, signed applications, and verification of political affiliation on several of the nominees; and a list of who each nominee is to replace.

By correspondence dated February 7, 2005, the Mayor provided some of the requested information, and indicated that corrected political affiliation on several applications will be provided as soon as possible.

At its meeting, your Committee met with the Senior Executive Assistant to the Mayor and the First Deputy Corporation Counsel.

There was no public testimony.

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

March 11, 2005
Page 11

Committee
Report No. 05-14
As Amended

Your Committee proceeded to conduct interviews with Bruce U`u and Wayne Hedani. Dwight Gamulo and Charles Kaukeano were not able to attend your Committee meeting.

Your Committee discussed the possibility of disapproving various nominees from Lanai to allow the Administration additional time to gather information on these individuals.

Your Committee discussed concerns regarding possible conflicts of interest when an employee of the Carpenter's Union must consider and decide on matters before the Maui Planning Commission.

Your Committee discussed appointing alternate members to the Urban Design Review Board. The Senior Executive Assistant to the Mayor indicated that positions on this board are difficult to fill due to the specific professional qualifications required for service on the board. Appointees often have scheduling conflicts and a lack of quorum is often an issue. Alternates with the appropriate professional qualifications are needed to allow this board to conduct its business.

Based on the information received, your Committee voted to recommend disapproval of the nominations of Angel Allas, Charles Kaukeano, and Victor Fink, and approval of all other nominees.

Your Committee is in receipt of correspondence dated March 8, 2005, from the Mayor notifying the Council that Robin Ridley had withdrawn from consideration as a nominee to the Council on Aging.

Your Committee is in receipt of correspondence dated March 10, 2005, from Robin Ridley withdrawing from consideration as a nominee to the Council on Aging.

Your Committee notes that Maui County Code Section 2.41.060 allows nominees to boards, commissions, and committees to withdraw from consideration upon written notification to the Council signed by the nominee.

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

March 11, 2005
Page 12

Committee
Report No. 05-14
As Amended

Your Committee of the Whole RECOMMENDS the following:

1. That the following nominees to County boards, committees, and commissions be APPROVED (for terms expiring on March 31, 2010, unless otherwise indicated):
 - A. AFFIRMATIVE ACTION ADVISORY COUNCIL
 1. Rudolpho "Rudy" Esquer (County employee).
 - B. BOARD OF CODE APPEALS
 1. Robert Bowlus (Architect).
 - C. BOARD OF ETHICS
 1. Randol Leach; and
 2. John Pele.
 - D. BOARD OF VARIANCES AND APPEALS
 1. Harjinder Ajmani; and
 2. James Shefte.
 - E. CIVIL SERVICE COMMISSION
 1. Francis Kau.
 - F. COMMISSION ON CHILDREN AND YOUTH
 1. Felecia Shin; and
 2. Duke Sevilla.
 - G. COMMISSION ON CULTURE AND THE ARTS
 1. Janet Agapay; and
 2. Marilyn Hirashima.

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

March 11, 2005
Page 13

Committee
Report No. 05-14
As Amended

H. COMMISSION ON NAMING STREETS, PARKS, AND FACILITIES

1. Verna Nahulu; and
2. Karen Arakawa.

I. COST OF GOVERNMENT COMMISSION

1. Jack Skillicorn, for a term expiring on 3/31/07;
2. James Loomis, for a term expiring on 3/31/07;
3. Sandra Swanson, for a term expiring on 3/31/07; and
4. Sean Cunningham, for a term expiring on 3/31/07.

J. COUNCIL ON AGING

1. [Robin Ridley; and
- 2.] Veronica Yamanoha.

K. FIRE AND PUBLIC SAFETY COMMISSION

1. Frank Pikrone.

L. HANA ADVISORY COMMITTEE

1. Kau`i Kanaka`ole; and
2. Melissa Mauiola.

M. LANAI PLANNING COMMISSION

1. Dwight Gamulo.

N. LIQUOR CONTROL ADJUDICATION BOARD

1. Lance Collins; and
2. Darren Lopez.

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

March 11, 2005
Page 14

Committee
Report No. 05-14
As Amended

- O. LIQUOR CONTROL COMMISSION
 - 1. Curt Morimoto.

- P. MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES
 - 1. Darren Quinn; and
 - 2. Marguerite Rowland.

- Q. MAUI COUNTY CULTURAL RESOURCES COMMISSION
 - 1. Dorothy Pyle (Historian);
 - 2. Lee Kalei Moikeha; and
 - 3. Evalina "Nani" Watanabe (Lanai).

- R. MAUI COUNTY GRANTS REVIEW COMMITTEE
 - 1. Rita Whitford; and
 - 2. Donald Stewart.

- S. MAUI PLANNING COMMISSION
 - 1. Bruce U`u; and
 - 2. Wayne Hedani.

- T. POLICE COMMISSION
 - 1. Doreen Gomes; and
 - 2. John Ornellas.

- U. REAL PROPERTY TAX REVIEW BOARD
 - 1. Carmela Zimmermann.

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

March 11, 2005
Page 15

Committee
Report No. 05-14
As Amended

V. SALARY COMMISSION

1. Douglas Levin; and
2. Andrew Herrera.

W. STREET LIGHTING COMMITTEE

1. Charles Hirata.

X. SUBDIVISION ENGINEERING STANDARDS COMMITTEE

1. Brooks Aoki (Engineer); and
2. Garrett Tokuoka (Engineer).

Y. KULA AGRICULTURAL PARK COMMITTEE

1. Gregory Knue (Banker); and
2. Craig Rasmussen (Rep. from Tenants Assoc.).

Z. MAUI REDEVELOPMENT AGENCY

1. Linda Tamanaha.

AA. URBAN DESIGN REVIEW BOARD

1. Eric Nakagawa (Engineer);
2. Anthony Riecke-Gonzales (Architect);
3. Russ Riley (Landscape Architect);
4. Raymond Phillips (Engineer, alternate); and
5. Christopher "Chris" Hart (Landscape Architect, alternate).

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

March 11, 2005
Page 16

Committee
Report No. 05-14
As Amended

2. That the following nominees to County boards, committees, and commissions be DISAPPROVED:
 - A. FIRE AND PUBLIC SAFETY COMMISSION
 1. Angel Allas.
 - B. LANAI PLANNING COMMISSION
 1. Charles Kaukeano.
 - C. LIQUOR CONTROL COMMISSION
 1. Victor Fink.
3. That a copy of this committee report be TRANSMITTED to the Mayor of the County of Maui.

Adoption of this report is respectfully requested.

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

March 11, 2005
Page 17

Committee
Report No. 05-14
As Amended

MICHAEL J. MOLINA **Chair**

JO ANNE JOHNSON **Member**

DAIN P. KANE **Vice-Chair**

DANNY A. MATEO **Member**

MICHELLE ANDERSON **Member**

JOSEPH PONTANILLA **Member**

ROBERT CARROLL **Member**

CHARMAINE TAVARES **Member**

G. RIKI HOKAMA **Member**