



# The County of Maui

Council Chamber  
200 South High Street, 8th  
Floor  
Wailuku, Hawaii 96793

## Legislation Details (With Text)

**File #:** COW-1(42) **Version:** 1  
**Type:** Direct Referral **Status:** Agenda Ready  
**File created:** 8/12/2016 **In control:** 16 Committee of the Whole  
**On agenda:** 8/18/2016 **Final action:**  
**Title:** LITIGATION MATTERS (SPECIAL COUNSEL AUTHORIZATION: IN THE MATTER OF THE INTEREST ARBITRATION BETWEEN BARGAINING UNIT 11, REPRESENTED BY THE HAWAII FIRE FIGHTERS ASSOCIATION, AND THE STATE OF HAWAII, CITY AND COUNTY OF HONOLULU, COUNTY OF HAWAII, COUNTY OF MAUI, AND COUNTY OF KAUAI) (COW-1(42))

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. County Communication 15-6, 2. Memo from Corporation Counsel, dated 08-12-2016, 3. Memo to Chair White, dated 08-15-2016, 4. Section 89-11, Hawaii Revised Statutes

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**LITIGATION MATTERS (SPECIAL COUNSEL AUTHORIZATION: IN THE MATTER OF THE INTEREST ARBITRATION BETWEEN BARGAINING UNIT 11, REPRESENTED BY THE HAWAII FIRE FIGHTERS ASSOCIATION, AND THE STATE OF HAWAII, CITY AND COUNTY OF HONOLULU, COUNTY OF HAWAII, COUNTY OF MAUI, AND COUNTY OF KAUAI ) (COW-1(42))**

The Committee is in receipt of correspondence dated August 12, 2016, from the Department of the Corporation Counsel, transmitting the following:

1. A proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF TORKILDSON KATZ MOORE HETHERINGTON & HARRIS AS SPECIAL COUNSEL IN THE MATTER OF THE INTEREST ARBITRATION BETWEEN BARGAINING UNIT 11, REPRESENTED BY THE HAWAII FIRE FIGHTERS ASSOCIATION, AND THE STATE OF HAWAII, CITY AND COUNTY OF HONOLULU, COUNTY OF HAWAII, COUNTY OF MAUI, AND COUNTY OF KAUAI." The purpose of the proposed resolution is to authorize the employment of Torkildson Katz Moore Hetherington & Harris as special counsel to jointly represent the State of Hawaii, City and County of Honolulu, County of Maui, and County of Kauai ("Employer Group") in an arbitration regarding the Bargaining Unit 11 collective bargaining agreement, pursuant to Section 89-11, Hawaii Revised Statutes, with the County of Maui's pro rata share of total compensation for special counsel not to exceed \$50,000.
2. A proposed bill entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT WITH THE STATE OF HAWAII, CITY AND COUNTY OF HONOLULU, AND COUNTY OF KAUAI FOR LEGAL SERVICES RELATING TO THE INTEREST ARBITRATION HEARING OF THE CONTESTED ARTICLES OF THE BARGAINING UNIT 11 (FIRE FIGHTERS) COLLECTIVE BARGAINING AGREEMENT, AND TO ENTER INTO AN EXPERT CONSULTING AND SUPPORT SERVICES AGREEMENT WITH THE STATE OF HAWAII, CITY AND COUNTY OF HONOLULU, COUNTY OF KAUAI, AND COUNTY OF HAWAII FOR CONSULTATION SERVICES RELATING TO THE INTEREST ARBITRATION HEARING OF THE CONTESTED

ARTICLES OF THE BARGAINING UNIT 11 (FIRE FIGHTERS) COLLECTIVE BARGAINING AGREEMENT.” The purpose of the proposed bill is to authorize the Mayor to enter into an intergovernmental agreement, pursuant to Section 2.20.020, Maui County Code, with the other members of the Employer Group for legal services relating to an arbitration regarding the Bargaining Unit 11 collective bargaining agreement; and to authorize the Mayor to enter into an intergovernmental agreement with the other members of the Employer Group and the County of Hawaii for consultation and expert witness services relating to the arbitration.

The Committee may consider whether to recommend adoption of the proposed resolution and passage of the proposed bill on first reading, with or without revisions. The Committee may also consider other related action.

With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, 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.