



The County of Maui

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

Legislation Details (With Text)

File #: GET-11(25) **Version:** 1
Bill 96
Type: Bill **Status:** Agenda Ready
File created: 11/20/2017 **In control:** Governance, Ethics, and Transparency Committee
On agenda: 3/21/2019 **Final action:**
Title: LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO INTERGOVERNMENTAL AGREEMENTS AND APPROVE A GROUNDS MANAGEMENT AND MAINTENANCE PLAN RELATING TO THE MAUI VETERANS CEMETERY IN MAKAWAO; CIVIL 15-1-0209(2)) (GET-11(25))

Sponsors:

Indexes:

Code sections:

Attachments: 1. County Communication 17-6, 2. Bill 96 (2017), 3. Correspondence from Corporation Counsel 03-05-2019, 4. Correspondence to Corp Counsel 03-15-2019_GET-11(25), 5. Correspondence from Isaac Hall 03-19-2019, 6. Correspondence from Corporation Counsel 03-20-2019

Date	Ver.	Action By	Action	Result
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LITIGATION MATTERS (**SETTLEMENT AUTHORIZATION:** AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO INTERGOVERNMENTAL AGREEMENTS AND APPROVE A GROUNDS MANAGEMENT AND MAINTENANCE PLAN RELATING TO THE MAUI VETERANS CEMETERY IN MAKAWAO; CIVIL 15-1-0209(2)) (GET-11(25))

The Committee is in receipt of the following:

1. Bill 96 (2017), entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII DEPARTMENT OF DEFENSE, THE NATIONAL CEMETERY ADMINISTRATION OF THE U.S. DEPARTMENT OF VETERANS AFFAIRS, THE STATE HISTORIC PRESERVATION DIVISION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION TO SET FORTH GUIDELINES TO MAINTAIN THE MAUI VETERANS CEMETERY AT 'SHRINE STATUS,'" with written testimony. The purpose of Bill 96 (2017) is to authorize the Mayor to enter into an intergovernmental agreement with the entities noted in the form of the Memorandum of Agreement attached thereto as Exhibit "1," to set forth guidelines to maintain the Maui Veterans Cemetery in Makawao, Maui, Hawaii, at "Shrine Status."
2. Correspondence dated March 5, 2019, from the Department of the Corporation Counsel, transmitting a revised proposed bill entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO (1) ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII DEPARTMENT OF DEFENSE, THE NATIONAL CEMETERY ADMINISTRATION OF THE U.S. DEPARTMENT OF VETERANS AFFAIRS, THE STATE HISTORIC PRESERVATION DIVISION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION TO SET FORTH GUIDELINES TO MAINTAIN THE MAUI VETERANS CEMETERY AT "SHRINE STATUS"; (2) TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE

OF HAWAII DEPARTMENT OF DEFENSE, OFFICE OF VETERANS SERVICES SETTING FORTH THE MAINTENANCE OF THE MAUI VETERANS CEMETERY TO “SHRINE STATUS”; AND (3) APPROVAL OF THE “MAUI VETERANS CEMETERY GROUNDS MAINTENANCE AND MANAGEMENT PLAN - STANDARD OPERATING PROCEDURES” TO MAINTAIN THE CEMETERY AT “SHRINE STATUS”. The purpose of the revised proposed bill is to authorize the Mayor to enter into intergovernmental agreements with the entities noted in the form of the memoranda attached thereto as Exhibits “1” and “2” and to approve the grounds management and maintenance plan to maintain the Maui Veterans Cemetery in Makawao, Maui, Hawaii, at “Shrine Status.”

The Committee may consider whether to recommend passage of the revised proposed bill on first reading, with or without further revisions. The Committee may also consider the filing of Bill 96 (2017) and 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.