

**Temporary Investigative Group
of the
Board of Water Supply**

Purpose of investigation:

Explore the Feasibility of Purchasing and Maintaining the EMI Water Delivery System and Examine Other Alternatives for Ensuring That The People of Maui County Have Authority Over the Delivery of Water, Which is A Public Trust

Scope of investigation:

The scope of investigation shall include the following:

- 1) During its investigation, the temporary investigative group (TIG) may:
 - a. Conduct interviews and discussions with County of Maui personnel related to the delivery of water to Upcountry and Central Maui.
 - b. Conduct interviews and discussions with State of Hawaii personnel related to the delivery of water to Upcountry and Central Maui.
 - c. Conduct interviews and discussions with anyone whom the TIG determines has the knowledge, expertise and experience necessary to assist TIG members in increasing their understanding of the scope, operations and maintenance of the EMI Water Delivery System as well as the costs related to the purchase or condemnation of the EMI water delivery system and the cost of its maintenance, including, if necessary, the purchase or condemnation of relevant Mahi Pono lands.
 - d. Conduct interviews and discussions with anyone whom the TIG determines has the knowledge, expertise and experience necessary to assist TIG members in increasing their understanding of potential financial mechanisms and organizational structures necessary for the acquisition and governance of the EMI Water Delivery System, in order to promote system sustainability, ensure fiscal integrity, maximize the public welfare and maintain the public trust.
 - e. Consult with representatives and stakeholders with diverse expertise relating to the TIG investigation.
 - f. Review documents, contracts, studies and other written information relevant to the investigation.
- 3) At the conclusion of its investigation, the temporary investigative group shall:
 - a. Present recommendations to the Board of Water Supply regarding the feasibility of the purchasing or condemnation of the EMI Water Delivery System and, if necessary, the purchase or condemnation of relevant Mahi Pono lands, including the structure of the governing entity that would have authority over the system, and/or
 - b. Other strategies for ensuring that the people of Maui County have authority over the delivery of water, which is a public trust.

General rules:

- 1) Discussion of matters relating to the purpose and scope of the investigation is restricted to only those Board members appointed as TIG members by the Board of Water Supply;
- 2) The physical presence of three TIG members for a discussion called and convened by the TIG Chair shall constitute a quorum;
- 3) Discussion of matters relating to the purpose and scope of the investigation is only permitted during a discussion called and convened by the TIG Chair, or in the absence of the TIG Chair, the TIG Vice-Chair;
- 4) Three affirmative votes shall be required to establish a recommendation of the TIG. Items that do not receive three affirmative votes shall be disclosed as findings;
- 5) The TIG Chair shall submit a report of the group's findings, recommendations and legislative proposals, if any, to the Board of Water Supply;
- 6) The TIG shall be dissolved upon presentation of its findings, recommendations and legislative proposals to the Board of Water Supply.

Membership:

Authority:

_____, TIG Chair

Call, convene, and facilitate TIG discussions; request staff assistance from the Water Department; report findings and recommendations, if any to the Board of Water Supply; establish and enforce parliamentary procedure.

_____, TIG Vice-Chair

In the absence of the Chair, the Vice-Chair shall assume the duties of the Chair.

_____, TIG member Voting member

_____, TIG member Voting member