



# PUBLIC MEETING NOTICE

COUNCIL OF THE COUNTY OF MAUI

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Committee Chair  
Michael J. Molina

Committee  
Vice-Chair  
Keani N.W.  
Rawlins-Fernandez

Voting Members:  
Riki Hokama  
Tasha Kama  
Kelly T. King  
Alice L. Lee  
Tamara Paltin  
Shane M. Sinenci  
Yuki Lei K. Sugimura

## GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE

Tuesday, August 20, 2019

9:00 a.m.

MEETING SITE:

Council Chamber  
Kalana O Maui Building, 8th Floor  
200 South High Street  
Wailuku, Hawaii

OFFICE OF THE  
COUNTY CLERK

2019 AUG 14 PM 12: 27

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## AGENDA

### NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (AFFIRMATIVE ACTION ADVISORY COUNCIL) (GET-2(20))

**Description:** The Committee is in receipt of correspondence dated and received on July 16, 2019, from the Mayor, transmitting a proposed resolution, entitled "RELATING TO THE APPOINTMENT OF JAMES "IPO" MOSSMAN TO THE AFFIRMATIVE ACTION ADVISORY COUNCIL FOR THE COUNTY OF MAUI," with a completed application for the nominee. The purpose of the proposed resolution is to approve or disapprove the Mayor's nomination of James "Ipo" Mossman to the Affirmative Action Advisory Council, for a term expiring on March 31, 2020, to fill a vacancy due to the resignation of Janet Driggers.

**Status:** The Council must approve or disapprove the nomination by September 14, 2019, or the nomination will be deemed approved. The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider other related action.

Correspondence from Mayor 07-16-2019

### NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (COST OF GOVERNMENT COMMISSION) (GET-2(21))

**Description:** The Committee is in receipt of correspondence dated and received on July 16, 2019, from the Mayor, transmitting a proposed resolution, entitled

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“RELATING TO THE APPOINTMENT OF PATRICK O’NEIL TO THE COST OF GOVERNMENT COMMISSION FOR THE COUNTY OF MAUI,” with a completed application for the nominee. The purpose of the proposed resolution is to approve or disapprove the Mayor’s nomination of Patrick O’Neil to the Cost of Government Commission, for a term expiring on March 31, 2024, to fill a vacancy due to the resignation of Bonnie DeRose.

**Status:** The Council must approve or disapprove the nomination by September 14, 2019, or the nomination will be deemed approved. The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider other related action.

Correspondence from Mayor 07-16-2019

**NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES) (GET-2(22))**

**Description:** The Committee is in receipt of correspondence dated and received on July 22, 2019, from the Mayor, transmitting a proposed resolution, entitled “RELATING TO THE APPOINTMENT OF ROBERT CARROLL TO THE MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES,” with a completed application for the nominee. The purpose of the proposed resolution is to approve or disapprove the Mayor’s nomination of Robert Carroll to the Maui County Commission on Persons with Disabilities, for a term expiring on March 31, 2020, to fill a vacancy due to the resignation of Sheila Villanueva.

**Status:** The Council must approve or disapprove the nomination by September 20, 2019, or the nomination will be deemed approved. The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider other related action.

Correspondence from Mayor 07-22-2019

**HAWAII STATE ASSOCIATION OF COUNTIES (HSAC) (2020 HSAC LEGISLATIVE PACKAGE) (GET-3(1))**

**Description:** The Committee is in receipt of the following:

1. County Communication 19-25, from Council Chair Kelly T. King, relating to matters pertaining to the Hawaii State Association of Counties.
2. Correspondence dated August 5, 2019, from Councilmember Shane Sinenci, transmitting a proposed resolution entitled “APPROVING FOR INCLUSION IN THE 2020 HAWAII STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE A STATE BILL TO INCREASE FUNDING FOR AGRICULTURE.” The purpose of the proposed

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resolution is to approve for inclusion in the 2020 HSAC Legislative Package a proposed State bill, attached to the proposed resolution as Exhibit "A," entitled "A BILL FOR AN ACT RELATING TO AGRICULTURE." The purpose of the proposed State bill is to increase State funding to support agriculture to promote economic development, food security, environmental protection, and quality of life.

3. Correspondence dated August 5, 2019, from Councilmember Shane Sinenci, transmitting a proposed resolution entitled "APPROVING FOR INCLUSION IN THE 2020 HAWAII STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE A STATE BILL TO AUTHORIZE SUPPLEMENTAL CATEGORICAL FUNDING FOR REMOTE SCHOOLS AND APPROPRIATE FUNDS." The purpose of the proposed resolution is to approve for inclusion in the 2020 HSAC Legislative Package a proposed State bill, attached to the proposed resolution as Exhibit "A," entitled "A BILL FOR AN ACT RELATING TO EDUCATION." The purpose of the proposed State bill is to authorize remote schools to receive supplemental categorical funding, in addition to the allocation determined under the weighted student formula, based on their remote status, and to appropriate funds for this purpose.
4. Correspondence dated August 5, 2019, from Councilmember Shane Sinenci, transmitting a proposed resolution entitled "APPROVING FOR INCLUSION IN THE 2020 HAWAII STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE A STATE BILL TO PROMOTE TRAFFIC SAFETY ON TWO-LANE ROADWAYS." The purpose of the proposed resolution is to approve for inclusion in the 2020 HSAC Legislative Package a proposed State bill, attached to the proposed resolution as Exhibit "A," entitled "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY." The purpose of the proposed State bill is to require the driver of the lead vehicle, on two-lane roadways where passing is unsafe and five or more vehicles are backed up behind the lead vehicle, to use turnouts and permit vehicles following the lead vehicle, to pass safely.

**Status:** The Committee may consider whether to recommend adoption of the proposed resolutions, with or without revisions. The Committee may also consider the filing of the correspondence and other related action.

Correspondence from Committee Chair 07-19-2019

Correspondence from Councilmember Sinenci 08-05-2019 agriculture

Correspondence from Councilmember Sinenci 08-05-2019 schools

Correspondence from Councilmember Sinenci 08-05-2019 traffic

## MAUI COUNTY LEGISLATIVE PACKAGE (2020 MAUI COUNTY LEGISLATIVE PACKAGE) (GET-4(1))

**Description:** The Committee is in receipt of the following:

1. County Communication 19-26, from Council Chair Kelly T. King,

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- relating to matters pertaining to the Maui County Legislative Package.
2. Correspondence dated August 5, 2019, from Councilmember Shane Sinenci, transmitting a proposed resolution entitled "APPROVING FOR INCLUSION IN THE 2020 MAUI COUNTY LEGISLATIVE PACKAGE A STATE BILL TO INCREASE FUNDING FOR AGRICULTURE." The purpose of the proposed resolution is to approve for inclusion in the 2020 Maui County Legislative Package a proposed State bill, attached to the proposed resolution as Exhibit "A," entitled "A BILL FOR AN ACT RELATING TO AGRICULTURE." The purpose of the proposed State bill is to increase State funding to support agriculture to promote economic development, food security, environmental protection, and quality of life.
  3. Correspondence dated August 5, 2019, from Councilmember Shane Sinenci, transmitting a proposed resolution entitled "APPROVING FOR INCLUSION IN THE 2020 MAUI COUNTY LEGISLATIVE PACKAGE A STATE BILL TO AUTHORIZE SUPPLEMENTAL CATEGORICAL FUNDING FOR REMOTE SCHOOLS AND APPROPRIATE FUNDS." The purpose of the proposed resolution is to approve for inclusion in the 2020 Maui County Legislative Package a proposed State bill, attached to the proposed resolution as Exhibit "A," entitled "A BILL FOR AN ACT RELATING TO EDUCATION." The purpose of the proposed State bill is to authorize remote schools to receive supplemental categorical funding, in addition to the allocation determined under the weighted student formula, based on their remote status, and to appropriate funds for this purpose.
  4. Correspondence dated August 5, 2019, from Councilmember Shane Sinenci, transmitting a proposed resolution entitled "APPROVING FOR INCLUSION IN THE 2020 MAUI COUNTY LEGISLATIVE PACKAGE A STATE BILL TO PROMOTE TRAFFIC SAFETY ON TWO-LANE ROADWAYS." The purpose of the proposed resolution is to approve for inclusion in the 2020 Maui County Legislative Package a proposed State bill, attached to the proposed resolution as Exhibit "A," entitled "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY." The purpose of the proposed State bill is to require the driver of the lead vehicle, on two-lane roadways where passing is unsafe and five or more vehicles are backed up behind the lead vehicle, to use turnouts and permit vehicles following the lead vehicle to pass safely.

**Status:** The Committee may consider whether to recommend adoption of the proposed resolutions, with or without revisions. The Committee may also consider the filing of the correspondence and other related action.

Correspondence from Committee Chair 07-19-2019

Correspondence from Councilmember Sinenci 08-05-2019 agriculture

Correspondence from Councilmember Sinenci 08-05-2019 schools

Correspondence from Councilmember Sinenci 08-05-2019 traffic

## **FIREWORKS ON MAUI (GET-29)**

**Description:** The Committee is in receipt of County Communication 19-285, from Councilmember Alice L. Lee, relating to fireworks on Maui.

**Status:** The Committee may discuss the matter. The Committee may also consider the filing of County Communication 19-285 and other related action.

County Communication 19-285

## **LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: KAMOKU CONTRACTING, LLC V. COUNTY OF MAUI; CIVIL 18-1-0180(2)) (GET-11(15))**

**Description:** The Committee is in receipt of the following:

1. Correspondence dated June 13, 2019, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution to authorize settlement of the case, along with a copy of the Complaint. The Complaint alleges breach of a contract between Kamoku Contracting, LLC and the County relating to a construction project at Papohaku Park, Wailuku, Maui, Hawaii.
2. Correspondence dated July 23, 2019, from the Department of the Corporation Counsel, transmitting a revised proposed resolution to authorize settlement of the case.
3. Correspondence dated August 13, 2019, from the Department of the Corporation Counsel, transmitting a further revised proposed resolution, entitled "AUTHORIZING SETTLEMENT OF KAMOKU CONTRACTING, LLC VS. COUNTY OF MAUI, CIVIL NO. 18-1-0180(2)," incorporating nonsubstantive revisions.

**Status:** The Committee may reconsider its recommendation to adopt the revised proposed resolution noted in paragraph 2, above. The Committee may consider whether to recommend adoption of the further revised proposed resolution noted in paragraph 3, above, with or without further revisions. The Committee may also consider the filing of the correspondence and other related action.

**Note:** 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.

**MORE →**

Correspondence from Corporation Counsel 06-13-2019

Correspondence from Corporation Counsel 07-23-2019

Revised Resolution 08-13-2019

REMOTE TESTIMONY SITES

Hana	Lanai	Molokai
Council District Office	Council District Office	Council District Office
Hana Community Center	Lanai Community Center	100 Ainoa Street
5091 Uakea Road	8th Street	Kaunakakai, Hawaii
Hana, Hawaii	Lanai City, Hawaii	

CONTACT INFORMATION

Office of Council Services	(808) 270-7838 (phone)	(808) 270-7686 (fax)
200 South High Street	(800) 272-0098 (toll-free from Lanai)	
Wailuku, Hawaii 96793	(800) 272-0026 (toll-free from Molokai)	

COMMITTEE STAFF

Shelly Espeleta and Pauline Martins

BOARD PACKETS

Board packets, as defined in Section 92-7.5 of the Hawaii Revised Statutes, are available for inspection at the Office of Council Services. Board packets are also available electronically as soon as practicable upon request.

TESTIMONY

Oral or written testimony on any agenda item will be accepted. Each testifier shall be allowed to speak for three minutes on each item. For more information on testifying please visit [www.MauiCounty.us/how-to-testify](http://www.MauiCounty.us/how-to-testify) or contact the Office of Council Services. If written testimony is submitted at the meeting site, 16 copies are requested. Email testimony to [get.committee@mauicounty.us](mailto:get.committee@mauicounty.us).

DISABILITY ACCESS

People with disabilities requiring special accommodations should contact the Office of Council Services at least three working days prior to the meeting date.

LIVE CABLECAST

Available on Akaku: Maui Community Media, Channel 53.

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Agenda items are subject to cancellation.