

RECEIVED

2019 NOV -7 AM 8:21

MAUI COUNTY BOARD OF ETHICS

**November 13, 2019
12:30 p.m.**

**Department of Planning Conference Room
Kalana Pakui Building
Wailuku, Maui, Hawaii**

OFFICE OF THE
COUNTY CLERK

AGENDA

BOARD MEMBERS

**Matthew Macario, Chair
David Courson, Vice Chair
Sara Gadarian, Secretary
Rachel Phillips
Donna Clayton
William Curtis, Jr.
David Weiss
Geraldine Lewis**

AGENDA ITEMS ARE SUBJECT TO CANCELLATION.

For a confirmation of the meeting date and time, and for scheduling of agenda items, please contact Board Staff at: Department of the Corporation Counsel, 200 S. High Street, 3rd Floor, Wailuku, Hawaii 96793, 808-270-7742, 1-800-272-0117 (toll-free from Molokai and Lanai), 808-270-7152 (fax).

ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted prior to the discussion of each agenda item. If written testimony is submitted at the meeting, 12 copies are requested. If written testimony is e-mailed or faxed, please submit at least 24 hours before the meeting so that copies can be provided to Board members in a timely manner.

INDIVIDUALS WHO INTEND TO ATTEND THE MEETING AND WHO HAVE DISABILITIES REQUIRING SPECIAL ASSISTANCE should call the Department of the Corporation Counsel at least three days in advance.

A. REGULAR SESSION

1. Call to Order
2. Review and Approval of October 09, 2019 minutes.
3. Public Testimony
4. Old Business
 - a. Financial Disclosure Statements:
NONE
 - b. Communication Items:
NONE
 - c. Review and approval of Advisory Opinion No. 19A-11 dated September 20, 2019 from PULMANO, LEILANI, regarding direction on potential conflict of interests with her future participation in discussions or voting on future planning of urban growth boundaries (UGB) specifically, Villages of Lealii

as the chair for Hawaii Housing Finance & Development Corporation (HHFDC).

- d. Status and possible decision on draft revised version two (v2) of the Maui County Board of Ethics Financial Disclosure Statement (FDS) form and instructions for calendar year 2020.

5. New Business

- a. Financial Disclosure Statements: Elected and Appointed

MOLINA, JORDAN

- b. Communication Items:

NONE

- c. Request for an Advisory Opinion No. 19A-12 dated October 28, 2019, from LUTEY, MOANA M., Corporation Counsel, seeking guidance on the acceptance of meals or gifts and the potential violation of Section 10-4(1)(a) of the Revised Charter of the County of Maui, Code of Ethics (1983), as amended.

- d. Request for an Advisory Opinion No. 19A-14 dated November 04, 2019 from FUJITA, TRACI N. T., Director, Office of Council Services, requesting the Boards guidance on whether she may accept an invitation to a holiday party and the potential violation of Section 10-4(1)(a) of the Revised Charter of the County of Maui, Code of Ethics (1983), as amended.

- e. Lobbyist Registration:

NOWAK, SCOTT

6. Announcements

- a. 2020 Board of Ethics calendar with meeting dates, time and location.
- b. Resignation of Napua Greig-Nakasone from the Board effective October, 14, 2019.

7. Schedule Next Meeting Date and Discuss Next Meeting Business

**December 11, 2019
12:30 p.m.
Planning Conference Room**

NOTE: END OF REGULAR SESSION

B. EXECUTIVE SESSION

With reference to the agenda items listed below, one or more executive meetings are anticipated. In particular, the Board of Ethics anticipates it will consider the evaluation, dismissal or disciplining of an officer or employee of the County of Maui, where considerations of matters affecting privacy will be involved. The Board may also consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities and liabilities. Therefore, pursuant to Hawaii Revised Statutes ("HRS") Sections 92-4, 5(a)(2) and (4), the following agenda items may be considered in Executive Session. The Board may also convene in Adjudicatory Session pursuant to HRS Section 92-6. There may also be unanticipated executive sessions if a matter arises on which the Board wishes to consult with its attorney pursuant to the Sunshine Law. HRS Sections 92-4,-5(a)(4).

1. Call to Order
2. Review and Approval of October 09, 2019 minutes.
3. Old Business
 - a. Financial Disclosure Statements: Boards & Commissions
NONE
 - b. Communication Items:
NONE
 - c. Chair's status on Complaint No.19-05. Letter sent notifying Complainant of status and the Resolution seeking appointment of Special Counsel to be heard before the Governance, Ethics, and Transparency ("GET") committee on Monday, November 04, 2019.
 - d. Informal Hearing on Complaint No.19-06 by a member of the public against a County official alleging violations of Sections 10-1., 10-4.1.b., 10-4.1.c., 10-4.1.e., and 10-4.4. of the Revised Charter of the County of Maui, Code of Ethics (1983), as amended.
4. New Business
 - a. Financial Disclosure Statements: Boards and Commissions

FREITAS, KAWIKA S.D.

 - b. Communication Items:
NONE

- c. Chair's report and recommendation of Complaint No.19-07, dated October 15, 2019, by a member of the public against a County official alleging a violation of Section 10-4.1.d., of the Revised Charter of the County of Maui, Code of Ethics (1983), as amended.

5. Announcements

NONE

NEXT REGULAR MEETING

**December 11, 2019
12:30 p.m.
Planning Conference Room**

NOTE: END OF EXECUTIVE SESSION