

**MAUI COUNTY BOARD OF ETHICS**

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**February 12, 2020  
12:30 p.m.**

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

OFFICE OF THE  
COUNTY CLERK

**AGENDA**

**BOARD MEMBERS**

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

**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, 3<sup>rd</sup> 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/Roll Call
2. Review and Approval of December 11, 2019 minutes.
3. Public Testimony on Agenda Items
4. Announcements
  - a. Appointment and welcoming of new Board of Ethics Member, Seward E. Akahi for a term expiring March 31, 2022. Mr. Akahi is filling a vacancy replacing Napua Greig-Nakasone.
  - b. Resignation and Resolution for former Vice-Chair, David Courson, effective January 01, 2020.
  - c. The Board of Ethics Meeting scheduled to meet in the Department of Planning Conference Room on June 10, 2020, will now be held in the Mayor's Conference Room, 9<sup>th</sup> Floor of the Kalana O' Maui Building, Wailuku, Maui, Hawaii, due to a room conflict.

5. Election of Vice-Chair to fulfill remainder of the Board Year due to former Vice-Chair David Courson's resignation.

6. Old Business

a. Financial Disclosure Statements:

**NONE**

b. Communication Items:

**NONE**

c. Review and approval of Advisory Opinion No. 19A-13 dated October 30, 2019 from LUCERO, ANGELA, Executive Assistant to Councilmember Tamara Paltin, on her position with the West Maui Community Plan Advisory Committee ("West Maui CPAC") and whether her employment poses a conflict of interest being a member of CPAC.

d. Review and approval of Advisory Opinion No. 19A-15 dated November 18, 2019 from SILVA, MIKE, Chair, Public Works Commission (PWC), who is also a registered professionally engineer (PE), and any potential conflict of interest with PWC's PE members' future participation in discussions and/or voting on Street Naming Applications, when PWC member has a professional affiliation with a subdivision project related to the application.

e. Review and approval of Advisory Opinion No. 19A-16 dated October 28, 2019 from PAYNE, DYLAN, member of the West Maui Community Plan Advisory Committee ("West Maui CPAC"), who is also a licensed Realtor associated with West Maui Land Company Inc. Real Estate Division whose brokerage firm is one of a number affiliate companies of West Maui Land Company Inc., and his future participation in discussions and/or voting on issues related to lands owned by the various "affiliate" companies located within the CPAC area.

f. Status update from Corporation Counsel regarding making County of Maui ("COM") Advisory Opinions "Public" and available on the COM Board of Ethics web page.

7. New Business

a. Financial Disclosure Statements: Elected and Appointed FDS CY2020 see pg. 3

Alibin, May-Ann A.
Fujita, Traci N.T.
Kau, Helene H.
Kushi Jr., Edward S.
Lutey, Moana M.
Molina, Jordan K.K.
Paltin, Tamara A.M.
Pearson, Jeffrey T.
Taguchi, Lance T.
Teruya, Scott K.
Tsuhako, Lori Ann Y.

- b. Communication Items:

**NONE**

- c. Request for an Advisory Opinion No. 19A-17 dated December 31, 2019 from HOAG, MARCIE, Safety Specialist III, Risk Management Division, Department of the Corporation Counsel, requesting direction as to whether County of Maui employees may accept a “one-time discount coupon” towards their first produce box order from Island Fresh Delivery, a partner with the Blue Zone Hawaii-Central Maui, with the County of Maui Kalana O’Maui building being the drop-off location, as the County is endeavoring for this building to become the first certified Blue Zone Worksite, and opinion as to any potential violation of Section 10-4(1)(c) of the Revised Charter of the County of Maui, Code of Ethics (1983), as amended.
- d. Request for an Advisory Opinion No. 20A-01 dated January 10, 2020 from MOLINA, MICHAEL J., County Councilmember, regarding direction on any potential conflict of interests with his daughter’s place of employment and her position as a research analyst for Munekiyo Hiraga, a consulting firm providing urban planning, permitting, advisory services, and project management, which in some instances, the firm will need to represent their clients on projects appearing before the Maui County Council, and opinion as to any potential violation of Section 10-4(1)(c) of the Revised Charter of the County of Maui, Code of Ethics (1983), as amended.
- e. Formation of a Temporary Interaction Group (TIG), pursuant to HRS Section 92-2.5(b)(1), to investigate and create a Maui County Board of Ethics “Quick Guide On Gifts” (1-sheet handout), for Maui County employees to reference.

f. Lobbyist Registration:

Middlebrook, Matthew

8. Schedule Next Meeting Date and Discuss Next Meeting Business

**March 11, 2020**  
**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 (a)(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 on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities, pursuant to HRS Sections 92-4,-5(a)(4).

1. Call to Order/Roll Call
2. Review and Approval of December 11, 2019 minutes.
3. Old Business
  - a. Financial Disclosure Statements Boards & Commissions:  
**NONE**
  - b. Communication Items:  
**NONE**
4. New Business
  - a. Financial Disclosure Statements Boards & Commissions:
    - Janet Nalani Kaninau (CY2019)
    - FDS CY2020, see list on pg. 6.

Abbott, Gene C.
Akahi, Seward E.
Albino, Louella OW
Becraft, Jamie J.
Burns, Dwight K.
Carnicelli, Lawrence P.
Celiz, Yvette J.
Curtis, William M.
Delacruz, John R.
De Mello, Jerrybeth L.M.
Helm, Zachary Z.
Kaninau, Janet N.
La Costa, P. Denise
Lundberg, Gregg A.
Moore, William B.
Ridao, Jo-Ann T.
Simmons, Sarah M.
Sprinzell, John
Ueoka, Gwen H.
Vares, Lisa O.

b. Communication Items:

**NONE**

5. Announcements

The Informal Hearing on Complaint No.19-07 by a member of the public against a County official alleging a violation of Section 10-4.1.(d.), has been rescheduled to be heard on, March 11, 2020.

NEXT REGULAR MEETING

**March 11, 2020**  
**12:30 p.m.**  
**Planning Conference Room**

**NOTE: END OF EXECUTIVE SESSION**