



# 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 Takaya King  
Alice L. Lee  
Tamara Paltin  
Shane M. Sinenci  
Yuki Lei K. Sugimura

## GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE

**Tuesday, June 16, 2020**

**9:00 a.m.**

MEETING SITE:

Online Only

OFFICE OF THE  
COUNTY CLERK

2020 JUN 10 PM 4:00

RECEIVED

Phone testimony: 1-408-915-6290, meeting code 551 273 481

Video testimony: <https://bluejeans.com/551273481>

View live: Akaku, Channel 53 or [mauicounty.us/agendas](http://mauicounty.us/agendas)

\*Subject to change without notice. Visit [mauicounty.us](http://mauicounty.us) for more information.

## A G E N D A

### **BANK OF AMERICA'S COMMITMENT TO PROVIDE MORTGAGES FOR NATIVE HAWAIIANS ON HAWAIIAN HOME LANDS (GET-19)**

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

1. County Communication 19-107, from Councilmember Michael J. Molina, relating to the United States Federal Reserve System's order requiring the Bank of America to provide mortgages on Hawaiian Home Lands.
2. County Communication 19-108, from Presiding Officer Pro Tempore Tasha Kama, relating to Bank of America's \$150,000,000 loan commitment for Native Hawaiians on Hawaiian Home Lands.
3. County Communication 19-337, from Presiding Officer Pro Tempore Tasha Kama, transmitting a proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL TO INVESTIGATE AND LITIGATE ACTIONABLE CLAIMS AGAINST BANK OF AMERICA AND THE BANKING AND MORTGAGE INDUSTRY." The purpose of the proposed resolution is to authorize the employment of special counsel to investigate and litigate actionable claims against Bank of America and the banking and mortgage industry.
4. County Communication 19-338, from Council Chair Kelly T. King,

**MORE →**

attaching copies of County Communication 19-107 from Councilmember Michael J. Molina, and County Communication 19-108 from Presiding Officer Pro Tempore Tasha Kama, relating to this matter.

5. Correspondence dated June 10, 2020, from the Department of the Corporation Counsel, transmitting a proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL TO FILE LEGAL CLAIMS AGAINST BANK OF AMERICA AND OTHER MORTGAGE LENDERS FOR FAILURE TO FULFILL LOAN COMMITMENTS, FRAUDELENT FORECLOSURES, AND SIMILAR UNLAWFUL CONDUCT." The purpose of the proposed resolution is to authorize the employment of special counsel to file legal claims against Bank of America and other mortgage lenders for failure to fulfill loan commitments, fraudulent foreclosures, and similar unlawful conduct.

**Status:** The Committee may consider whether to recommend adoption of the proposed resolution noted in paragraph 5, with or without revisions. The Committee may also consider the filing of County Communications 19-107, 19-108, 19-337, and 19-338, 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.

[County Communication 19-107](#)

[County Communication 19-108](#)

[County Communication 19-337](#)

[County Communication 19-338](#)

[Correspondence from Corporation Counsel 06-10-2020](#)

## LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: AVID AMIRI, INDIVIDUALLY AND AS TRUSTEE OF THE DEUTSCHE INTERNATIONAL TRUST II V. COUNTY OF MAUI, CIVIL 19-CV-00373) GET-11(39)

**Description:** The Committee is in receipt of correspondence dated May 15, 2020, from the Department of the Corporation Counsel, transmitting a proposed resolution entitled "AUTHORIZING SETTLEMENT OF AVID AMIRI, INDIVIDUALLY AND AS TRUSTEE OF THE DEUTSCHE INTERNATIONAL TRUST II VS. COUNTY OF MAUI, CIVIL NO. 19-CV-00373." The purpose of the proposed resolution is to authorize settlement of the claim. The claim alleges negligence with the construction, inspection, maintenance, and repair of the culvert and roadway providing access to 372 Puu Way, Haiku, Maui, Hawaii.

**MORE →**

**Status:** The Committee may consider whether to recommend adoption of the proposed resolution, with or without 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.

[Correspondence from Corporation Counsel 05-15-2020](#)

## **NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (ANIMAL CONTROL BOARD) (GET-2(37))**

**Description:** The Committee is in receipt of correspondence dated and received on May 8, 2020, from the Mayor, transmitting a proposed resolution, entitled "RELATING TO THE APPOINTMENT OF NOEL (CHIVO) CHING-JOHNSON TO THE ANIMAL CONTROL BOARD," with a completed application for the nominee. The purpose of the proposed resolution is to approve or disapprove the Mayor's nomination of Noel (Chivo) Ching-Johnson to the Animal Control Board, for a term expiring on March 31, 2023, to fill a vacancy due to the resignation of Aimee Anderson.

**Status:** The Council must approve or disapprove the nomination by July 7, 2020, 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 05-08-2020](#)

## **NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (LIQUOR CONTROL ADJUDICATION BOARD) (GET-2(38))**

**Description:** The Committee is in receipt of correspondence dated and received on May 8, 2020, from the Mayor, transmitting a proposed resolution, entitled "RELATING TO THE APPOINTMENT OF MELISSA PADILLA TO THE LIQUOR CONTROL ADJUDICATION BOARD 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 Melissa Padilla to the Liquor Control Adjudication Board, for a term expiring on March 31, 2023, to fill a vacancy due to the resignation of Richard Bergson.

**Status:** The Council must approve or disapprove the nomination by July 7, 2020, 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.

**MORE →**

[Correspondence from Mayor 05-08-2020](#)**NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS  
(REAL PROPERTY TAX REVIEW BOARD) (GET-2(39))**

**Description:** The Committee is in receipt of a correspondence dated June 8, 2020 (received on June 9, 2020), from the Mayor, transmitting a proposed resolution, entitled "RELATING TO THE APPOINTMENT OF CAROLYN FRANKLIN TO THE REAL PROPERTY TAX REVIEW BOARD 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 Carolyn Franklin to the Real Property Tax Review Board, for a term expiring on March 31, 2022, to fill a vacancy due to the resignation of Jonathan Lubera.

**Status:** The Council must approve or disapprove the nomination by August 7, 2020, 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 06-08-2020](#)**NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS  
(URBAN DESIGN REVIEW BOARD) (GET-2(36))**

**Description:** The Committee is in receipt of correspondence dated and received on April 14, 2020, from the Mayor, transmitting a proposed resolution, entitled "RELATING TO THE APPOINTMENT OF JOSHUA CIRCLE-WOODBURN TO THE URBAN DESIGN REVIEW BOARD 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 Joshua Circle-Woodburn (Landscape Architect) to the Urban Design Review Board, for a term expiring on March 31, 2025, to fill a vacancy due to the resignation of Christopher Curtis.

**Status:** There is no time limitation for Council approval or disapproval of the nomination. 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 04-14-2020](#)**MORE →**

**CONTACT INFORMATION**

Office of Council Services (808) 270-7838 (phone)  
200 South High Street  
Wailuku, Hawaii 96793

**COMMITTEE STAFF**

Shelly Espeleta, James Forrest, and Pauline Martins

**BOARD PACKETS**

The requirements of Chapter 92, HRS, have been suspended under Governor Ige's Supplementary Proclamation issued on April 25, 2020. While the Governor's proclamation is in effect, no failure to comply with Chapter 92, HRS, will invalidate a public agency's deliberations or actions taken.

**TESTIMONY**

Oral or written testimony on any agenda item will be accepted. Each testifier will be allowed to speak for three minutes on each item.

Oral testimony via phone by dialing in to 1-408-915-6290 and entering meeting code 551 273 481

Video testimony via BlueJeans link <https://bluejeans.com/551273481>

Email written testimony to [get.committee@mauicounty.us](mailto:get.committee@mauicounty.us)

For more information on testifying, please visit [www.MauiCounty.us](http://www.MauiCounty.us) or contact the Office of Council Services.

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Agenda items are subject to cancellation.