

PURSUANT TO CHAPTER 91 AND 92, PART 1, HAWAII REVISED STATUTES, AS AMENDED; NOTICE IS HEREBY GIVEN OF A PUBLIC MEETING OF THE COST OF GOVERNMENT COMMISSION (“COGC”)

**COST OF GOVERNMENT COMMISSION  
AGENDA**

Thursday, May 13, 2021  
10:00 a.m.

Meeting Site: Online Only via Blue Jeans\*

To listen to the meeting or provide oral testimony via phone, dial 1-408-915-6290, and enter meeting code 206 525 434

To attend the meeting or provide testimony via videoconference, use meeting link:  
<https://bluejeans.com/206525434>

To provide written testimony: email [CostofGov@mauicounty.us](mailto:CostofGov@mauicounty.us)

\*SUBJECT TO CHANGE WITHOUT NOTICE

**COMMISSIONERS**

Michael Williams, Chair  
Noemi Barbadillo  
Paula Heiskell  
Lu Ann Lankford-Faborito  
Patrick O’Neil  
Susan Pu  
Sarah Simmons

**STAFF**

Keola Whittaker,  
Deputy Corporation Counsel  
  
Shelley Pellegrino,  
Technical Writer for the Commission

AGENDA ITEMS ARE SUBJECT TO CANCELLATION. For a confirmation of the meeting date and time, please contact the Office of the County Auditor at 808-463-3192, 1-800-272-0026 (toll-free from Molokai), 1-800-272-0098 (toll-free from Lanai), or Shelley Pellegrino, Technical Writer for the Commission, at 808-344-3348.

ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted prior to the discussion of each agenda item, and oral testimony shall be limited to three (3) minutes.

INDIVIDUALS WHO INTEND TO ATTEND THE MEETING AND WHO HAVE DISABILITIES REQUIRING SPECIAL ASSISTANCE should call the Office of the County Auditor at least three (3) working days in advance of the meeting.

BOARD PACKETS: Documents on file with the Commission, which may include correspondence relating to the agenda items below, are available via hyperlinks on this agenda.

For further information or assistance regarding Board Packet materials, please contact the Commission at [costofgov@mauicounty.us](mailto:costofgov@mauicounty.us).

The requirements of Chapter 92, HRS, have been suspended under [Governor Ige’s Nineteenth Supplementary Proclamation issued on April 9, 2021](#).  
[https://governor.hawaii.gov/wp-content/uploads/2021/04/2104031-ATG\\_Nineteenth-Emergency-Proclamation-for-COVID-19-distribution-signed.pdf](https://governor.hawaii.gov/wp-content/uploads/2021/04/2104031-ATG_Nineteenth-Emergency-Proclamation-for-COVID-19-distribution-signed.pdf)

**I. CALL MEETING TO ORDER**

**II. ROLL CALL**

**III. PUBLIC TESTIMONY**

**IV. REVIEW CORRESPONDENCE RECEIVED**

- [April 15, 2021 Email from Chris Salem to Cost of Government Commission Regarding “Unaccounted For Development Agreements”](#) transmitting the following documents:
  - [Document entitled, “Corp Counsel Hopper”](#)
  - [Proposal prepared by Urban Futures entitled, “Maui County Statement of Qualifications: Study and Implementation of Proposed Fairness Bill” \(April 3, 2019\)](#)
  - [January 16, 2013 Maui Time article entitled, “Unpaid Debts: Will the County of Maui Ever Collect its Deferral Agreements?”](#)
  - [March 22, 2021 letter from Terrance M. Revere, Revere & Associates, LLLLC, to Lance T. Taguchi, CPA, Office of the County Auditor, regarding “Audit of Roadway Infrastructure Agreements, AKA ‘Deferral Agreements’ \(Project 19-01\)](#)
- [May 4, 2021 Email from the Office of the County Auditor](#) transmitting the following documents:
  - [March 15, 2021 Letter from Lance T. Taguchi, County Auditor, to Rowena Dagdag-Andaya, Director, Department of Public Works, Regarding “Audit of Improvement Agreements Related to Three Lots or Less Subdivisions, AKA Deferral Agreements \(Project 19-01\)](#)
  - [Complaint, Salem v. County of Maui, Civ. No. 2CCV-21-0000048 \(Second Circuit, filed February 16, 2021\)](#)
- [May 7, 2021 Email from the Department of the Corporation Counsel](#) transmitting the following documents:
  - [Copy of a Motion to Dismiss, dated March 22, 2021, in the case entitled Salem v. County of Maui](#)
  - [Order dated March 15, 2016, granting in part a motion for partial dismissal of claims in the Salem v. Arakawa litigation, Civ. No. 15-00384 LEK-KSC \(U.S. District Court, Hawaii\)](#)

**V. REVIEW AND APPROVE [APRIL 8, 2021 MEETING MINUTES](#)**

**VI. ELECTION OF COMMISSION VICE CHAIR FOR 2021 – 2022 COMMISSION TERM**

**VII. COUNTY AUDITOR'S UPDATE**

**VIII. UPDATE ON FISCAL YEAR 2022 BUDGET FOR COST OF GOVERNMENT COMMISSION**

**IX. DISCUSS EXTENSION OF CONTRACT FOR TECHNICAL WRITER FOR FISCAL YEAR 2022**

**X. UPDATE ON COST OF GOVERNMENT COMMISSION ANNUAL REPORT**

**XI. UPDATE ON COUNTY FUNDING OF MAUI VISITORS BUREAU FOR FISCAL YEAR 2022**

- [April 25, 2021 The Maui News article entitled, "Budget panel cuts Visitors Bureau funding: \\$500,000 would go to tourism management grants instead"](#)

**XII. TEMPORARY INVESTIGATIVE GROUP (TIG) UPDATES**

- A. Visitor Accommodations — Policy Options for Management (Chair Williams, Commissioner Barbadillo)
- B. Capital Improvement Project Budgets of Department of Water Supply and Department of Environmental Management (Chair Williams, Commissioner O'Neil)
- C. Wildfire Costs and Responsibility of Private Landowners (Commissioner O'Neil, Commissioner Heiskell)
  - Document to Review
    - 1. [Wildfire Prevention and Cost Recovery on Maui](#)
- D. Homelessness Issues in Maui County (Chair Williams, Commissioner Lankford-Faborito)
- E. County Road Safety (Commissioner Pu, Commissioner Heiskell)

**XIII. INVESTIGATION (NON-TIG) UPDATES**

- A. Private Financing of the Wailuku Parking Garage Via Opportunity Zones (Chair Williams)
- B. Information Technology Issues (Commissioner Simmons)
  - Report to Review and Approve
    - 1. ["Strengthening the County of Maui's Technology Infrastructure"](#)
- C. Access to Public Documents Filed in County Litigation (Chair Williams)

D. County Real Property Tax Policies Regarding Agricultural Lands (Chair Williams)

- Document to Review
  1. [Proposed Expansion of Scope of Investigation into Real Property Tax Issues](#)

E. Proposed Charter Amendments or Recommendations (Chair Williams)

- Document to Review and Approve
  1. [Draft Letter to Charter Commission Regarding Proposed Charter Amendments and Recommendations](#)

**XIV. DISCUSS OTHER POTENTIAL TOPICS TO REVIEW AND ESTABLISHMENT OF TEMPORARY INVESTIGATIVE GROUPS (TIGS)**

*Discussion and possible action regarding the establishment of Temporary Investigative Groups (TIGs), the subject of the investigation, appointment of members, and setting of the parameters and scope of the investigation and review.*

**XV. DETERMINE NEXT MEETING DATE AND AGENDA**

**XVI. ADJOURNMENT**

The Board may consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities. Therefore, as needed, the Board may consider an item in Executive Session pursuant to the Sunshine Law. HRS §§ 92-4, -5(a)(4).