



# PUBLIC MEETING NOTICE

COUNCIL OF THE COUNTY OF MAUI

[www.MauiCounty.us/GREAT](http://www.MauiCounty.us/GREAT)

Committee Chair  
Michael J. Molina

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

Voting Members:  
Gabe Johnson  
Tasha Kama  
Kelly Takaya King  
Alice L. Lee  
Tamara Paltin  
Shane M. Sinenci  
Yuki Lei K. Sugimura

## GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

**Tuesday, November 2, 2021**

**9:00 a.m.**

MEETING SITE:

Online Only

Phone testimony: 1-408-915-6290, meeting code 175 115 369

Video testimony: <https://bluejeans.com/175115369>

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.

## AGENDA

### ILLEGAL FIREWORKS IN MAUI COUNTY (GREAT-29)

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

1. County Communication 21-40, from Council Chair Alice L. Lee, relating to Illegal Fireworks.
2. Correspondence dated October 27, 2021, from Council Vice-Chair Keani N.W. Rawlins-Fernandez, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 8.16, MAUI COUNTY CODE, RELATING TO FIREWORKS." The purpose of the proposed bill is to exercise the Council's authority under Chapter 132D, Hawai'i Revised Statutes, to enact ordinances that are at least as stringent in the control and prohibition of fireworks as State law by amending Chapter 8.16, Maui County Code, to impose strict liability upon a responsible person who is found to have hosted a gathering where a person set off, ignited, discharged, or otherwise caused to explode any fireworks or articles pyrotechnic.

**Status:** The Committee may consider whether to recommend passage of the proposed bill, with or without revisions. The Committee may also consider the filing of County Communication 21-40 and other related action.

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[County Communication 21-40](#)

[Correspondence from Council Vice-Chair 10-27-2021](#)

## **NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (COMMISSION ON CHILDREN AND YOUTH) (GREAT-2(27))**

**Description:** The Committee is in receipt of correspondence dated September 23, 2021 (received on September 24, 2021), from the Mayor, transmitting a proposed resolution, entitled “RELATING TO THE APPOINTMENT OF MERCEDES-NICOLE RITTE TO THE COMMISSION ON CHILDREN AND YOUTH,” with a completed application for the nominee. The purpose of the proposed resolution is to approve or disapprove the Mayor’s nomination of Mercedes-Nicole Ritte to the Commission on Children and Youth, for a term expiring on March 31, 2025, to fill a vacancy due to the resignation of Elizabeth Fujii.

**Status:** The Council must approve or disapprove the nomination by November 23, 2021, 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 09-23-2021](#)

## **NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (CIVIL SERVICE COMMISSION) (GREAT-2(28))**

**Description:** The Committee is in receipt of correspondence dated September 30, 2021 (received on October 1, 2021), from the Mayor, transmitting a proposed resolution, entitled “RELATING TO THE APPOINTMENT OF ARNOLD WUNDER TO THE CIVIL SERVICE 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 Arnold Wunder to the Civil Service Commission, for a term expiring on March 31, 2024, to fill a vacancy due to the resignation of Blake Takayama.

**Status:** The Council must approve or disapprove the nomination by November 30, 2021, 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 09-30-2021](#)

## **CONSERVATION PLANNING COMMITTEE (GREAT-7)**

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

1. County Communication 20-69, from Councilmember Michael J. Molina, relating to the Conservation Planning Committee.

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2. Correspondence dated October 27, 2021, from Committee Chair Michael J. Molina, transmitting a proposed resolution entitled “APPOINTMENT OF MEMBERS TO THE CONSERVATION PLANNING COMMITTEE FOR THE COUNTY OF MAUI.” The purpose of the proposed resolution is to appoint the Council’s three voting members to the Conservation Planning Committee, for staggered terms of three years each: Mahina Poepoe (Moloka’i), Benjamin Ostrander (Lāna’i), and Samuel Akoi IV (East Maui Community Plan Area).

**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 County Communication 20-69 and other related action.

[County Communication 20-69](#)

[Correspondence from Committee Chair 10-27-2021](#)

## 2022 MAUI COUNTY COUNCIL LEGISLATIVE PACKAGE (GREAT-4)

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

1. Correspondence dated August 26, 2021, from Councilmember Tamara Paltin, transmitting a proposed resolution entitled “APPROVING FOR INCLUSION IN THE 2022 MAUI COUNTY COUNCIL LEGISLATIVE PACKAGE A STATE BILL TO ESTABLISH CRIMINAL OFFENSES OF UNLAWFUL CHOP SHOP ACTIVITY.” The purpose of the proposed resolution is to approve for inclusion in the 2022 Maui County Council Legislative Package a proposed State bill, attached as Exhibit “A,” entitled “A BILL FOR AN ACT RELATING TO UNLAWFUL CHOP SHOP ACTIVITY.” The purpose of the proposed State bill is to amend Chapter 708, Hawaii Revised Statutes, to: 1) establish the criminal offenses of unlawful chop-shop activity in the first and second degrees; and 2) provide for the forfeiture of property connected with chop-shop activity.
2. Correspondence dated August 26, 2021, from Councilmember Shane M. Sinenci, transmitting a proposed resolution entitled “APPROVING FOR INCLUSION IN THE 2022 MAUI COUNTY COUNCIL LEGISLATIVE PACKAGE A STATE BILL TO ALLOW COUNTY REGULATION OF NOISE NUISANCES STRICTER THAN DEPARTMENT OF HEALTH RULES.” The purpose of the proposed resolution is to approve for inclusion in the 2022 Maui County Council Legislative Package a proposed State bill, attached as Exhibit “A,” entitled “A BILL FOR AN ACT RELATING TO REGULATION OF CERTAIN PUBLIC NUISANCES.” The purpose of the proposed State bill is to amend Section 46-17, Hawaii Revised Statutes, to allow counties to regulate agricultural noise by ordinance in a manner more exacting and stricter than rule adopted by the State Department of Health on noise nuisances under authority of Chapter 342F, Hawaii

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Revised Statutes.

3. Correspondence dated August 27, 2021, from Councilmember Shane M. Sinenci, transmitting a proposed resolution entitled “APPROVING FOR INCLUSION IN THE 2022 MAUI COUNTY LEGISLATIVE PACKAGE A STATE BILL RELATING TO HIGHWAY IMPROVEMENTS IN THE COUNTY OF MAUI.” The purpose of the proposed resolution is to approve for inclusion in the 2022 Maui County Council Legislative Package a proposed State bill, attached as Exhibit “A,” entitled “A BILL FOR AN ACT RELATING TO HIGHWAY IMPROVEMENTS IN THE COUNTY OF MAUI.” The purpose of the proposed State bill is to appropriate funds for Fiscal Year 2022-2023 for the repair and maintenance of feeder roads and alternate routes for Hāna Highway and Pi‘ilani Highway and any portion of those highways under the jurisdiction of the County of Maui.
4. Correspondence dated August 27, 2021, from Council Vice-Chair Keani N.W. Rawlins-Fernandez, transmitting a proposed resolution entitled “APPROVING FOR INCLUSION IN THE 2022 MAUI COUNTY COUNCIL LEGISLATIVE PACKAGE A STATE BILL TO INCORPORATE KALAUPAPA SETTLEMENT INTO MAUI COUNTY.” The purpose of the proposed resolution is to approve for inclusion in the 2022 Maui County Council Legislative Package a proposed State bill, attached as Exhibit “A,” entitled “A BILL FOR AN ACT RELATING TO KALAWAO COUNTY.” The purpose of the proposed State bill is to amend Section 4-1, Hawaii Revised Statutes, to abolish Kalawao County and incorporate the portion of the island of Moloka‘i known as Kalaupapa, Kalawao, and Waikolu, commonly designated as the Kalaupapa Settlement, into Maui County.
5. Correspondence dated September 20, 2021, from Councilmember Tamara Paltin, transmitting a proposed resolution entitled “APPROVING FOR INCLUSION IN THE 2022 MAUI COUNTY COUNCIL LEGISLATIVE PACKAGE A STATE BILL TO LOWER THE SIZE THRESHOLD FOR HOME CONSTRUCTION THAT IS CONSIDERED “DEVELOPMENT” UNDER THE COASTAL ZONE MANAGEMENT ACT.” The purpose of the proposed resolution is to approve for inclusion in the 2022 Maui County Council Legislative Package a proposed State bill, attached as Exhibit “A,” entitled “A BILL FOR AN ACT RELATING TO THE COASTAL ZONE MANAGEMENT ACT.” The purpose of the proposed State bill is to amend Section 205A-22, Hawaii Revised Statutes, to amend the definition of “development” by lowering the size threshold for a single-family residence to 5,000 square feet under the Coastal Zone Management Act.
6. Correspondence dated September 20, 2021, from Councilmember Kelly Takaya King, transmitting a proposed resolution entitled “APPROVING FOR INCLUSION IN THE 2022 MAUI COUNTY COUNCIL LEGISLATIVE PACKAGE A STATE BILL RELATING TO

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THE USE OF INTOXICANTS WHILE OPERATING A VEHICLE.” The purpose of the proposed resolution is to approve for inclusion in the 2022 Maui County Council Legislative Package a proposed State bill, attached as Exhibit “A,” entitled “A BILL FOR AN ACT RELATING TO THE USE OF INTOXICANTS WHILE OPERATING A VEHICLE.” The purpose of proposed State bill is to amend Section 291E-3, Hawaii Revised Statutes, to lower the threshold of blood-alcohol content for the offense of operating a vehicle while under the influence of an intoxicant.

7. Correspondence dated September 20, 2021, from Councilmember Kelly Takaya King, transmitting a proposed resolution entitled “APPROVING FOR INCLUSION IN THE 2022 MAUI COUNTY LEGISLATIVE PACKAGE A STATE BILL TO ASSESS A CLIMATE CHANGE MITIGATION IMPACT FEE FOR TOURISM-RELATED VEHICLES.” The purpose of the proposed resolution is to approve for inclusion in the 2022 Maui County Council Legislative Package a proposed State bill, attached as Exhibit “A,” entitled “A BILL FOR AN ACT RELATING TO CLIMATE CHANGE MITIGATION.” The purpose of the proposed State bill is to amend Chapter 171, Hawaii Revised Statutes, to establish: 1) a Climate Change Mitigation Impact Fee for persons renting, leasing, or utilizing tourism-related vehicles in the State to be used toward protecting Hawaii’s natural resources and environment; and 2) a Climate Change Mitigation Special Fund to deposit all fees collected in accordance with Section 171-A and any appropriations made by the Hawaii State Legislature for deposit into the Fund.
8. Correspondence dated September 20, 2021, from Councilmember Kelly Takaya King, transmitting a proposed resolution entitled “APPROVING FOR INCLUSION IN THE 2022 MAUI COUNTY COUNCIL LEGISLATIVE PACKAGE A STATE BILL TO ESTABLISH A GREEN FEE SURCHARGE ON TRANSIENT ACCOMODATIONS.” The purpose of the proposed resolution is to approve for inclusion in the 2022 Maui County Council Legislative Package a proposed State bill, attached as Exhibit “A,” entitled “A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION.” The purpose of proposed State bill is to amend Chapter 171, Hawaii Revised Statutes, to establish: 1) a Conservation Workforce Special Fund to deposit all revenues collected under Section 237D, Hawaii Revised Statutes, and any appropriations made by the Hawaii State Legislature for deposit into the Fund; 2) a Conservation Advisory Committee within the Department and the Office of Planning; and 3) a Visitor Green Fee Surcharge.
9. Correspondence dated September 20, 2021, from Councilmember Kelly Takaya King, transmitting a proposed resolution entitled “APPROVING FOR INCLUSION IN THE 2022 MAUI COUNTY LEGISLATIVE PACKAGE A STATE BILL RELATING TO TRANSIENT ACCOMMODATIONS HOSTING PLATFORMS.” The purpose of the

proposed resolution is to approve for inclusion in the 2022 Maui County Council Legislative Package House Bill 504 (2021) and Senate Bill 643 (2021), attached as Exhibits “A” and “B,” respectively, and both entitled “A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS HOSTING PLATFORMS.” The purpose of the proposed State bills is to allow the counties to regulate transient accommodation hosting platforms.

**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 Councilmember Paltin 08-26-2021](#)

[Correspondence from Councilmember Sinenci 08-26-2021](#)

[Correspondence from Councilmember Sinenci 08-27-2021](#)

[Correspondence from Council Vice-Chair 08-27-2021](#)

[Correspondence from Councilmember Paltin 09-20-2021](#)

[Correspondence from Councilmember King 09-20-2021 IWOV](#)

[Correspondence from Councilmember King 09-20-2021 TRV](#)

[Correspondence from Councilmember King 09-20-2021 TA](#)

[Correspondence from Councilmember King 09-20-2021 TAHP](#)

**CONTACT INFORMATION**

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

**COMMITTEE STAFF**

Shelly Espeleta, Kasie Apo Takayama, Pauline Martins, and James Forrest

**BOARD PACKETS**

Board Packets, as defined in Section 92-7.5, HRS, will be electronically posted as soon as practicable under the current conditions.

**CONNECTIVITY**

This online meeting is being conducted in accordance with the Governor's most recent emergency proclamation on COVID-19. The proclamation partially suspends the Sunshine Law, and meetings can be conducted without Councilmembers or members of the public being physically present in the same location. Nothing said today or included in the agenda is intended to create obligations in excess of those required under the Sunshine Law and the emergency proclamation.

If BlueJeans connectivity affecting quorum is lost, the Committee will be in recess. It will not be considered a loss of quorum unless connectivity cannot be restored within 30 minutes. If BlueJeans connectivity is prematurely terminated for whatever reason, please log back into the meeting using the same link. If Akaku is terminated for whatever reason, or prematurely ceases broadcasting the meeting to Channel 53, Akaku will try its best to restore broadcasting. But if it is unable to do so in a reasonable amount of time, the Committee will continue its meeting, record it on BlueJeans, and after the meeting, forward the recording to Akaku to be included with archived meeting videos.

If connectivity affecting quorum cannot be restored within 30 minutes, the meeting will automatically reconvene the following Tuesday at 9 a.m., using the same virtual connections, unless the Committee announces a different date and time.

**TESTIMONY**

Oral testimony via phone by dialing in to 1-408-915-6290 and entering meeting code 175 115 369

Video testimony via BlueJeans link: <https://bluejeans.com/175115369>

Written testimony via eComment. For more information on how to use eComment, please visit

<http://mauicounty.us/ecomment/>

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

**LIVE CABLECAST AND WEBCAST**

Live meeting is available on Akaku: Maui Community Media, Channel 53.

Or go to [mauicounty.us/agendas](http://mauicounty.us/agendas) to access live and archived meeting videos.

**DISABILITY ACCESS**

Anyone requesting an auxiliary aid or service or an accommodation due to a disability should contact the Office of Council Services at least three working days prior to the meeting date at (808) 270-7838 or [county.council@mauicounty.us](mailto:county.council@mauicounty.us).

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Agenda items are subject to cancellation.