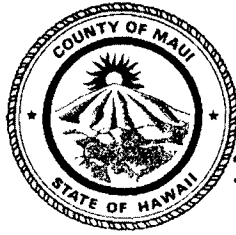


MICHAEL P. VICTORINO  
Mayor

MOANA M. LUTEY  
Corporation Counsel

EDWARD S. KUSHI, JR.  
First Deputy

LYDIA A. TODA  
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MEMO TO: Keani N.W. Rawlins-Fernandez, Chair  
Economic Development and Budget Committee

FROM: David A. Galazin, Deputy Corporation Counsel 

DATE: January 21, 2020

SUBJECT: **LOTS AT THE FAIRWAYS AT MAUI LANI** (EDB-41)

This memorandum serves as this Department's response to your request of January 8, 2020, regarding the possible disposal of the lots at the Fairways at Maui Lani, which was discussed at the July 25, 2019, meeting of your Economic Development and Budget (EDB) Committee. As you noted in your January 8 request:

The Committee discussed with the Deputy Corporation Counsel at the meeting the possible waiver of the County's dues by the Maui Lani Community Association. Has the question been researched? If so, what was the outcome of the research? If not, when can the Committee expect this to happen?

As Managing Director, Sandy Baz, noted during the EDB Committee hearing on July 25, 2019, the Administration had already discussed this with the Maui Lani Community Association (MLCA), any waiver of association dues for County-owned lots at the Fairways would need to be voted on by all owners and lienholders in the entire Maui Lani Project District. The Managing Director's opinion at that time was that the likelihood of convincing all voters to exempt the County lots from payment of dues was "[not] very probable."

Keani Rawlins-Fernandez, Council Vice-Chair

January 21, 2020

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By separate communication, however, I have contacted general counsel for the MLCA directly and asked whether there were any other legal avenues through which the MLCA might be able to reconsider the Committee's request. As of the time of the writing of this memorandum, MLCA's counsel anticipated providing my Department with further information by Friday, January 24, 2020. As soon as I receive updated information from the MLCA, I will contact you again.

In the meantime, please do not hesitate to contact me at 270-7581 if you have any other specific questions.

LF2019-0098

2020-01-21 Memo to EDB Chair