

COUNCIL OF THE COUNTY OF MAUI

GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE

December 18, 2020

**Committee
Report No.** _____

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Governance, Ethics, and Transparency Committee, having met on December 1, 2020, and reconvened on December 9, 2020, makes reference to the communications noted on Exhibit "A," attached hereto and incorporated herein.

Your Committee notes Rule 23 of the Rules of the Council provides for the end-of-term filing or referral of communications pending before committees.

In preparation for the new Council term, your Committee recommended certain pending matters be referred to the Council Chair for the term beginning January 2, 2021, in accordance with Rule 23(B) of the Rules of the Council.

Your Committee voted 6-0 to recommend the communications noted on Exhibit "A" be referred for consideration next term. Committee Chair Molina, Vice-Chair Rawlins-Fernandez, and members Kama, Paltin, Sinenci, and Sugimura voted "aye." Committee members Hokama, King, and Lee were excused.

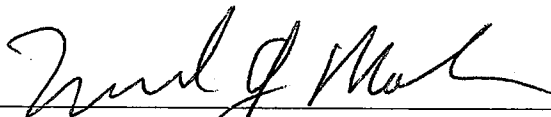
Your Governance, Ethics, and Transparency Committee **RECOMMENDS** that the communications noted on Exhibit "A" be **REFERRED** to the Council Chair for the term beginning January 2, 2021.

COUNCIL OF THE COUNTY OF MAUI
**GOVERNANCE, ETHICS, AND
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Committee
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This report is submitted in accordance with Rule 8 of the Rules of the Council.



MICHAEL J. MOLINA, Chair

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EXHIBIT "A"

GET-2 NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
01/11/2019	CC 19-24	Council Chair King, relating to nominations to boards, committees, and commissions.

<u>REFERENCE</u>	<u>SUBJECT</u>
12/04/2019	Sub-item (26) CONSERVATION PLANNING COMMITTEE

Letter from Mayor, dated and received on 12/04/2019, transmitting a proposed resolution, entitled "APPOINTMENT OF MEMBERS TO THE CONSERVATION PLANNING COMMITTEE FOR THE COUNTY OF MAUI," along with completed application forms for the following nominees: Claire Carroll (General Public), for a term expiring on 03/31/2022; Anela Evans (General Public), for a term expiring on 03/31/2023; and Laura Kaakua (Conservation/Land Trust), for a term expiring on 03/31/2024.

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
11/10/2020	Sub-item (49)	URBAN DESIGN REVIEW BOARD

Memo from the Director of Council Services, dated 11/10/2020, informing the Council to nominate and approve the appointment of an individual.

GET-9 PERFORMANCE AUDIT OF THE DEPARTMENT OF LIQUOR CONTROL

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
01/05/2018	CC 18-19	Councilmember Sugimura, relating to a performance audit of the Department of Liquor Control.

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
01/19/2018	CC 18-28	Chair, Maui Liquor Control Commission, transmitting the annual review and evaluation of the Director of Liquor Control.

GET-19

**BANK OF AMERICA'S COMMITMENT TO PROVIDE
MORTGAGES FOR NATIVE HAWAIIANS ON
HAWAIIAN HOME LANDS**

DATE REFERRED REFERENCE
03/08/2019 CC 19-107

SUBJECT
Councilmember Molina, relating to the United States Federal Reserve System's order requiring the Bank of America to provide mortgages on Hawaiian Home Lands.

DATE REFERRED REFERENCE
03/08/2019 CC 19-108

SUBJECT
Presiding Officer Pro Tempore Kama, relating to Bank of America's \$150,000,000 loan commitment for Native Hawaiians on Hawaiian Home Lands.

DATE REFERRED REFERENCE
08/23/2019 CC 19-337

SUBJECT
Presiding Officer Pro Tempore 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."

DATE REFERRED REFERENCE
08/23/2019 CC 19-338

SUBJECT
Council Chair King, transmitting County Communications 19-107 from Councilmember Michael J. Molina and 19-108 from Presiding Officer Pro Tempore Kama, relating to Bank of America's commitment to provide mortgages for Native Hawaiians on Hawaiian Home Lands.

GET-26 HAWAII WILDLIFE FUND, ET AL. V. COUNTY OF MAUI, CIVIL 12-00198 SOM-KJM, U.S. DISTRICT COURT, DISTRICT OF HAWAII

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
04/23/2019	CC 19-178	Memo from Council Chair King, dated 04/15/2019, transmitting a proposed resolution entitled "REQUIRING SETTLEMENT OFFERS IN <u>HAWAII WILDLIFE FUND, ET AL. V. COUNTY OF MAUI</u> , RELATING TO THE CLEAN WATER ACT, TO BE TRANSMITTED TO THE COUNCIL FOR APPROVAL OR DISAPPROVAL."

GET-32 FISCAL AUDIT OF THE MAUI COUNTY COUNCIL

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
10/29/2019	GC 19-4	Ricardo Cepin, MGT of America Consulting, LLC, transmitting a copy of the final report, entitled "Fiscal Audit, Phase 1: Maui County Council."

GET-38 AUTHORIZING THE ADOPTION OF A REVISED RECORDS DISPOSITION SCHEDULE FOR THE DEPARTMENT OF POLICE IN ACCORDANCE WITH SECTION 46-43, HAWAII REVISED STATUTES

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
11/08/2019	CC 19-447	Chief of Police, transmitting a proposed resolution entitled "AUTHORIZING THE ADOPTION OF A REVISED RECORDS DISPOSITION SCHEDULE FOR THE DEPARTMENT OF POLICE PURSUANT TO SECTION 46-43, HAWAII REVISED STATUTES."

GET-42 CONSERVATION PLANNING COMMITTEE

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
01/24/2020	CC 20-69	Councilmember Molina, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 2.82.040, MAUI COUNTY CODE, RELATING TO CONSERVATION PLANNING COMMITTEE."

**GET-55 AMENDING CHAPTER 1.08, MAUI COUNTY CODE,
RELATING TO THE COUNTY SEAL**

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
07/10/2020	CC 20-352	Councilmember King, relating to the County seal.

**GET-58 URGING THE NATIVE HAWAIIAN CONVENTION TO
CONVENE A WORKING GROUP TO CREATE
HAWAIIAN NATIONALITY AS A PROTECTED CLASS
FOR PURPOSES OF HAWAII'S ANTI-
DISCRIMINATION LAWS**

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
07/10/2020	CC 20-355	Presiding Officer Pro Tempore Kama, transmitting a proposed resolution entitled "URGING THE NATIVE HAWAIIAN CONVENTION TO CONVENE A WORKING GROUP TO DEVELOP RECOMMENDATIONS AND STRATEGIES TO CREATE HAWAIIAN NATIONALITY AS A PROTECTED CLASS FOR PURPOSES OF HAWAII'S ANTI-DISCRIMINATION LAWS."

**GET-59 AMENDING CHAPTER 1.16, MAUI COUNTY CODE,
RELATING TO PUBLIC INSPECTION OF
ADMINISTRATIVE RULES**

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
07/24/2020	CC 20-389	Council Vice-Chair Rawlins-Fernandez, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 1.16, MAUI COUNTY CODE, RELATING TO PUBLIC INSPECTION OF ADMINISTRATIVE RULES."

GET-62 COUNTY RECORDS MANAGEMENT SYSTEM

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
09/25/2020	CC 20-477	Councilmember Molina, relating to the County records management system.

GET-63

**APPOINTMENTS TO COMMISSION ON HEALING
SOLUTIONS FOR HOMELESSNESS**

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
10/09/2020	CC 20-502	Councilmember Molina, relating to appointments to the Commission on Healing Solutions for Homelessness.

END OF EXHIBIT "A"