

REQUEST FOR LEGAL SERVICES

RECEIVED

By Dept. of the Corporation Counsel at 12:54 pm, Nov 22, 2024

Date: November 22, 2024
From: Keani Rawlins-Fernandez, Chair
Efficiency Solutions and Circular Systems Committee

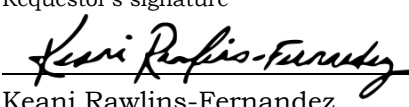
TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Andrew Nelson, Esq.

Subject: BILL 117 (2022), RELATING TO RELATING TO AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE UNIVERSITY OF HAWAII FOR THE PROVISION OF HAWAIIAN LANGUAGE AND HAWAIIAN STUDIES WORKSHOPS FOR COUNTY EMPLOYEES (ESCS-2)

Background Data: Please provide the proposed CD1 version of Bill 117 and IGA template as requested in the RLS submitted on October 15, 2024.

Work Requested: FOR APPROVAL AS TO FORM AND LEGALITY
 OTHER: See below.

Requestor's signature  Keani Rawlins-Fernandez	Contact Person <u>Ellen McKinley or Megan Moniz</u> (Telephone Extension: <u>7661 or 7145, respectively</u>)
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ROUTINE (WITHIN 15 WORKING DAYS) RUSH (WITHIN 5 WORKING DAYS)
 PRIORITY (WITHIN 10 WORKING DAYS) URGENT (WITHIN 3 WORKING DAYS)

SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): November 25, 2024
REASON: The Efficiency Solutions and Circular Systems Committee intends to consider Bill 117, CD1 (2022), at its meeting of December 4, 2024. Posting of the agenda must occur by November 27, 2024, and prior to that, time is needed for staff to translate the agenda into 'Ōlelo Hawai'i.

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO: AVN	ASSIGNMENT NO. 2023-0139	BY: ALH for MAA
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TO REQUESTOR: APPROVED DISAPPROVED OTHER (SEE COMMENTS BELOW)
 RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE): _____
Please see email from me to escs.committee@mauicounty.us dated 11/27/24.

DEPARTMENT OF THE CORPORATION COUNSEL

Date 11/27/24

By Andrew Nelson

(Rev. 7/03)

ORDINANCE NO. _____

BILL NO. 117, CD1 (2022)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF
THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL
AGREEMENT WITH THE UNIVERSITY OF HAWAII FOR THE PROVISION OF
HAWAIIAN LANGUAGE AND HAWAIIAN STUDIES WORKSHOPS FOR
EMPLOYEES OF THE COUNTY OF MAUI

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. The County of Maui (the “County”) wishes to enter into a contract with the University of Hawaii, an agency of the State of Hawaii, for the purpose of providing workshops for County employees geared towards building an understanding of a more inclusive and complete history of Maui through a Hawaiian lens, as more fully described in the Memorandum of Agreement between the County and the University of Hawaii (the “MOA”) attached hereto and incorporated herein as Exhibit "1".

Section 2.20.020, Maui County Code, provides, “Unless authorized by ordinance, the mayor shall not enter into any intergovernmental agreement or any amendment thereto which places a financial obligation upon the county or any department or agency thereof.”

SECTION 2. Under Section 2.20.020, Maui County Code, the Council authorizes the Mayor or the Mayor’s authorized representative to enter into an intergovernmental agreement with the University of Hawaii, including execution

of all other necessary documents relating to the MOA, and any amendments thereto.

SECTION 3. This Ordinance takes effect on approval.

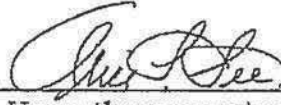
APPROVED AS TO FORM AND LEGALITY:



Department of the Corporation Counsel
County of Maui

LF2022-0784
2024-11-18 C7670 Auth IGA

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Mr. Lee", written over a horizontal line.

Upon the request of the Mayor.

Exhibit "1"

**MEMORANDUM OF AGREEMENT
BETWEEN THE COUNTY OF MAUI
AND UNIVERSITY OF HAWAII**

This Memorandum of Agreement ("MOA") is effective as of the last date of the signatures of the parties shown hereafter, between the COUNTY OF MAUI (hereinafter "County") and the UNIVERSITY OF HAWAII, for the benefit of the UNIVERSITY OF HAWAII MAUI COLLEGE (hereinafter "UH").

1. UH, through the University of Hawaii Maui College, agrees to provide workshops for County employees geared toward building an understanding of a more inclusive and complete history of Maui through a Hawaiian lens, as described in Exhibit A.
2. The schedule and payment terms for such workshops will be as mutually agreed in writing. Workshops may be conducted using video technology and may be recorded and made available to County employees via the County's electronic training platform at no additional cost to the County. The County will not distribute or otherwise make available the electronically recorded workshops to the general public.
3. Either party may cancel this Agreement upon written notice.
4. This Amendment may be executed in two or more counterparts, each of which shall be deemed to be an original, but all of which shall constitute one and the same instrument. The parties agree that they may utilize and shall be bound by their electronic signatures, pursuant to Chapter 489E, Hawaii Revised Statutes.

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the parties hereto have executed the Memorandum of Agreement on the dates below.

UNIVERSITY OF HAWAII

By: _____
Name _____
Its: _____
Date: _____

COUNTY OF MAUI

RICHARD T. BISSEN, JR.
Its: Mayor

APPROVAL RECOMMENDED:

KAPONO‘AI MOLITAU
Director of ‘Ōiwi Resources

APPROVED AS TO FORM
AND LEGALITY:

Deputy Corporation Counsel
County of Maui

EXHIBIT "A"

WORKSHOP	TOPIC	LENGTH OF WORKSHOP
Introduction to Hawaiian Language	Brief history of the development of the Hawaiian language and introduction to alphabet and pronunciation.	1.5 hours
Basic Hawaiian	Overview of alphabet and pronunciation with practical applications. Introduction to common vocabulary and phrases.	1.5 hours
Mapping Maui	Survey of traditional Maui land divisions.	1.5 hours
Maui Place Names	Survey of significant places and place names.	1.5 hours
Hawaiian History 1	Survey of the histories of Hawaiian migrations to Hawaii and other Pacific relationships.	1.5 hours
Hawaiian History 2	Survey of Maui history and chiefly genealogies.	1.5 hours
Hawaiian History 3	Survey of Maui history through the Kingdom period with an emphasis on the development of government offices.	1.5 hours
Hawaiian History 4	Survey of Maui history during the Republic and Territorial periods with an emphasis on the development of government offices.	1.5 hours
Hawaiian History 5	Survey of contemporary Hawaiian issues specific to Maui.	1.5 hours
Cultural Sensitivity Training	Enhance awareness and understanding of Hawaiian cultural traditions and perspectives to promote competency across cultural boundaries.	1.5 hours
Maui Ola	Basics of Hawaiian health and wellness.	1.5 hours
Mele Hawai'i/Oli Hawai'i	Overview of traditional/contemporary	1.5 hours

	songs and chants specific to governance and Hawaiian political perspectives.	
Iwi Kūpuna	History of Iwi Kūpuna issues in Hawai‘i and specifically across Maui County.	1.5 hours
Nā Wahi Pana O Maui Nui	Sacred and Storied Places of Maui, Moloka‘i, Lāna‘i and Kaho‘olawe.	1.5 hours

ESCS Committee

From: Andrew V. Nelson <Andrew.V.Nelson@co.maui.hi.us>
Sent: Wednesday, November 27, 2024 4:51 PM
To: ESCS Committee
Cc: Megan K. Moniz; Melody A. Andrion; Kekai Robinson; John K. Molitau; Josiah K. Nishita; Keani N. Rawlins; Sarah N. Sexton; Keomailani H. Hirata; Zhantell K. Lindo
Subject: RE: ESCS: CD1 Bill 117
Attachments: Bill 117, CD1 (2022) (AN 241127v2).pdf

Hi everyone,

Attached is the revised submittal.

Thank you.

Andrew Nelson
Deputy Corporation Counsel
Dept. of the Corporation Counsel
County of Maui
200 S. High Street
Wailuku, HI 96793
Ph: (808) 270-7522

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From: ESCS Committee <ESCS.Committee@mauicounty.us>
Sent: Wednesday, November 27, 2024 3:44 PM
To: Andrew V. Nelson <Andrew.V.Nelson@co.maui.hi.us>
Cc: ESCS Committee <ESCS.Committee@mauicounty.us>; Megan K. Moniz <megan.moniz@mauicounty.us>; Melody A. Andrion <Melody.Andrion@co.maui.hi.us>; Kekai Robinson <Kekai.Robinson@co.maui.hi.us>; John K. Molitau <John.K.Molitau@co.maui.hi.us>; Josiah K. Nishita <Josiah.K.Nishita@co.maui.hi.us>; Keani N. Rawlins <Keani.Rawlins@mauicounty.us>; Sarah N. Sexton <Sarah.Sexton@mauicounty.us>; Keomailani H. Hirata <Keomailani.Hirata@mauicounty.us>; Zhantell K. Lindo <Zhantell.Lindo@mauicounty.us>
Subject: RE: ESCS: CD1 Bill 117
Importance: High

Thank you, Andrew. Would you please resubmit the bill with Chair Lee's signature page following your signature page? We also would like the RLS memo to be signed off and included with the bill.

Mahalolo!

Ellen



Ellen McKinley

Legislative Analyst
County of Maui | Office of Council Services
Email: ellen.mckinley@mauicounty.us
Office: (808) 270-7661 | Cell: (808) 861-0062

From: Andrew V. Nelson <Andrew.V.Nelson@co.maui.hi.us>
Sent: Wednesday, November 27, 2024 3:10 PM
To: ESCS Committee <ESCS.Committee@mauicounty.us>
Cc: Ellen B. McKinley <Ellen.Mckinley@mauicounty.us>; Megan K. Moniz <megan.moniz@mauicounty.us>; Melody A. Andrion <Melody.Andrion@co.maui.hi.us>; Kekai Robinson <Kekai.Robinson@co.maui.hi.us>; John K. Molitau <John.K.Molitau@co.maui.hi.us>; Josiah K. Nishita <Josiah.K.Nishita@co.maui.hi.us>
Subject: RE: ESCS: CD1 Bill 117

Hi everyone,

Attached is an updated Bill 117, CD1 (2022), including a new MOU attached as Exhibit "1". ESCS Comm., please let me know if any edits are required.

Thank you.

Andrew Nelson
Deputy Corporation Counsel
Dept. of the Corporation Counsel
County of Maui
200 S. High Street
Wailuku, HI 96793
Ph: (808) 270-7522

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From: Andrew V. Nelson
Sent: Friday, November 22, 2024 4:17 PM
To: 'Ellen B. McKinley' <Ellen.Mckinley@mauicounty.us>; 'megan.moniz@mauicounty.us' <megan.moniz@mauicounty.us>; John K. Molitau <John.K.Molitau@co.maui.hi.us>; Josiah K. Nishita <Josiah.K.Nishita@co.maui.hi.us>
Cc: 'ESCS Committee' <ESCS.Committee@mauicounty.us>; Melody A. Andrion <Melody.Andrion@co.maui.hi.us>; Mimi Desjardins <MIMI.Desjardins@co.maui.hi.us>
Subject: RE: ESCS: CD1 Bill 117

Hi everyone,

Earlier today I received two calls from OCS on behalf of the ESCS Committee asking for the status of Bill 117, CD1 (2022). Attached is the current version of the bill, which is pending Exhibit "1". Finalization of the bill, including whether the existing MOU, a revised MOU, or a new MOU will be attached to the bill, is pending input from either Director Molitau or Managing Director Nishita, who I have CC'd here. Please let me know if I can assist further on this.

Thank you.

Andrew Nelson
Deputy Corporation Counsel
Dept. of the Corporation Counsel
County of Maui
200 S. High Street
Wailuku, HI 96793
Ph: (808) 270-7522

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From: Andrew V. Nelson
Sent: Friday, November 22, 2024 2:59 PM
To: 'Ellen B. McKinley' <Ellen.Mckinley@mauicounty.us>; 'megan.moniz@mauicounty.us' <megan.moniz@mauicounty.us>
Cc: 'ESCS Committee' <ESCS.Committee@mauicounty.us>; Melody A. Andrion <Melody.Andrion@co.maui.hi.us>
Subject: RE: ESCS: CD1 Bill 117

Hi Megan and Ellen,

Megan, thank you for your time on the phone earlier. Per our discussion, please note the following:

- Revised Bill 117, CD1 (2022)
 - Thank you for pointing out the typo in the version that I sent to you on 11/19.
 - Please note that the Exhibit "1" is still pending.
- Status
 - I haven't heard back yet on how Director Molitau would like to proceed and whether an updated MOA will be requested from UHMC. I am not sure if an update will be available prior to the posting deadline.
- IGA template
 - The attached document titled "Bill 135 (2024) Revised" was provided to C&D team as a reference for drafting IGAs. I used it in connection with the draft CD1 for the subject bill.

Please let me know if you have any questions.

Thank you.

Andrew Nelson
Deputy Corporation Counsel
Dept. of the Corporation Counsel
County of Maui
200 S. High Street
Wailuku, HI 96793
Ph: (808) 270-7522

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From: Andrew V. Nelson <Andrew.V.Nelson@co.maui.hi.us>
Sent: Tuesday, November 19, 2024 4:25 PM
To: Ellen B. McKinley <Ellen.Mckinley@mauicounty.us>
Cc: ESCS Committee <ESCS.Committee@mauicounty.us>; Melody A. Andrion <Melody.Andrion@co.maui.hi.us>
Subject: RE: ESCS: CD1 Bill 117

Hi Ellen,

I am checking in with an update. Can you please review the attached Bill 117, CD1 and let me know if you have any revisions? Please note that the draft bill doesn't include the exhibit, because the exhibit attached to the original bill may be replaced by an updated MOA. I also asked the MD and/or Director Molitau to confirm UHMC's ongoing willingness to offer the program.

Thank you.

Andrew Nelson
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Ph: (808) 270-7522

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From: Ellen B. McKinley <Ellen.Mckinley@mauicounty.us>
Sent: Wednesday, November 13, 2024 10:11 AM
To: Andrew V. Nelson <Andrew.V.Nelson@co.maui.hi.us>
Cc: Shelly K. Espeleta <Shelly.Espeleta@mauicounty.us>; Keani N. Rawlins <Keani.Rawlins@mauicounty.us>; Sarah N. Sexton <Sarah.Sexton@mauicounty.us>; Keomailani H. Hirata <Keomailani.Hirata@mauicounty.us>; Zhantell K. Lindo <Zhantell.Lindo@mauicounty.us>; ESCS Committee <ESCS.Committee@mauicounty.us>
Subject: RE: ESCS: CD1 Bill 117

Mahalo!

Ellen



Ellen McKinley
Legislative Analyst
County of Maui | Office of Council Services
Email: ellen.mckinley@mauicounty.us
Office: (808) 270-7661 | Cell: (808) 861-0062

From: Andrew V. Nelson <Andrew.V.Nelson@co.maui.hi.us>
Sent: Wednesday, November 13, 2024 10:09 AM
To: Ellen B. McKinley <Ellen.Mckinley@mauicounty.us>
Subject: ESCS: CD1 Bill 117

Hi Ellen,

Thank you for the VM re: this assignment. I haven't completed it, but will do so and get it reviewed. I'll provide you with an update next week.

Thank you.

Andrew Nelson
Deputy Corporation Counsel
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200 S. High Street
Wailuku, HI 96793
Ph: (808) 270-7522

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