

COUNCIL OF THE COUNTY OF MAUI

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

February 19, 2021

**Committee
Report No.** _____

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

Chair and Members:

Your Government Relations, Ethics, and Transparency Committee, having met on February 9, 2021, makes reference to County Communication 21-47, from Council Chair Alice L. Lee, relating to the Council's appointments to the Charter Commission.

By correspondence dated and received on February 3, 2021, your Committee Chair transmitted a proposed resolution entitled "APPOINTMENT OF MEMBERS TO THE CHARTER COMMISSION FOR THE COUNTY OF MAUI."

The purpose of the proposed resolution is to approve the Council's nominations, as indicated on Exhibit "A," attached to the proposed resolution:

- Grant Chun, nominated by Council Chair Alice L. Lee;
- Keoni Kuoha, nominated by Council Vice-Chair Keani N.W. Rawlins-Fernandez;
- Kelson Kauano Batangan, nominated by Presiding Officer Pro Tempore Tasha Kama;
- George Purdy IV, nominated by Councilmember Gabe Johnson;
- Paul Deslauriers, nominated by Councilmember Kelly Takaya King;
- Lance Collins, nominated by Councilmember Mike Molina;
- Ashley Olson, nominated by Councilmember Tamara Paltin;
- Douglas Mardfin, nominated by Councilmember Shane Sinenci;
and
- Doreen Canto, nominated by Councilmember Yuki Lei Sugimura.

COUNCIL OF THE COUNTY OF MAUI

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Page 2

**Committee
Report No. _____**

Your Committee noted a total of 28 applicants applied by the February 1, 2021 noon deadline. The list of applicants is indicated on Exhibit "B," attached to the proposed resolution.

Your Committee notes Section 14-3 of the Revised Charter of the County of Maui (1983), as amended ("Charter"), requires that the Council nominate nine members, and the Mayor appoint the remaining two members, of the 11-member Charter Commission, after the voters passed a Charter amendment in the 2020 General Election.

The Charter Commission is convened once every ten years to study and review the operation of County government under the Charter. The Charter Commission may propose amendments to the Charter or draft a new Charter for submission to the voters of the County. The proposed resolution provides that members of the Charter Commission will serve for a 16-month term from March 1, 2021 to July 1, 2022.

Your Committee notes Chapter 50, Hawaii Revised Statutes, as it pertains to the County's Charter Commission, is no longer applicable. The County Charter governs the process for the selection of Charter Commission members.

Your Committee met with each of the Council's nine nominees.

Your Committee met with Lance Collins. A resident of Makawao, Dr. Collins is an attorney and former instructor at the University of Hawaii, Maui College, and University of Hawaii, Manoa. According to his application, he has practical experience with the law on the County's structure and organization, having been a member on the Council's Subcommittee to Update the Maui County Code. He was involved in compiling and indexing the 17-volume proceedings of the County's Charter Commissions for the period 1964 to 2012 and was a member of the Liquor Control Adjudication Board.

COUNCIL OF THE COUNTY OF MAUI

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Page 3

**Committee
Report No.** _____

Your Committee met with Keoni Kuoha. According to his application, Mr. Kuoha would like to ensure the Charter provides a clear, cohesive, and equitable foundation for good County governance. He is available to attend meetings.

Mr. Kuoha is an Upcountry Maui resident, but has committed to having community meetings with residents of Molokai to ensure their voice in the review of the Charter is heard.

Your Committee was impressed with his extensive knowledge and experience in government and policy development and believes it will be an asset to the Commission.

Your Committee met with Ashley Olson. According to her application, Ms. Olson is a resident of West Maui and a teacher at Lahainaluna High School.

Ms. Olson said the Charter must be updated to encourage greater community participation through technology and increase checks and balances to meet the needs of the community. She has a great interest in serving her community. She understands she will have a steep learning curve and is willing to learn. She is available to attend meetings.

Your Committee met with Grant Chun. According to his application, Mr. Chun is a resident of Wailuku and is currently the Executive Director at Hale Mahaolu. Born and raised on Maui, he possesses experience in government and nonprofit sectors, including serving as the County's Managing Director from 1999 to 2002.

He would like to see the Charter updated to appropriately accommodate advancements in technology and safety protocols that have evolved since its last review.

Your Committee met with Paul Deslauriers. According to his application, Mr. Deslauriers is a resident of South Maui and Director of Maui Pono Network. He started Na Hale O Maui, Hawaii's first housing community land trust.

COUNCIL OF THE COUNTY OF MAUI

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Page 4

**Committee
Report No. _____**

He worked for 36 years as a development consultant to optimize the performance of organizations. He would like to use that experience to optimize County operations and can offer a broad perspective to the Charter Commission's discussions.

Your Committee questioned Mr. Deslauriers's length of residency in Maui County and his past affiliation with an organization known for controversial views.

Your Committee met with Kelson Kauano Batangan. According to his application, Mr. Batangan resides in Kahului and is employed with Munekiyo & Hiraga, Inc. as a Senior Associate. He has experience with multiple levels of government and has been involved in the community in various capacities, including with the Maui Historical Society and Royal Order of Kamehameha I.

Your Committee agreed Mr. Batangan would bring a fresh perspective to the Charter Commission. He is invested in the community and has been looking for ways to support County government and ensure it is responsive and efficient.

Your Committee expressed concern with a possible conflict of interest because of Mr. Batangan's employment. Your Committee recommended Mr. Batangan seek an advisory opinion from the Board of Ethics if his nomination is approved.

Your Committee met with George Purdy IV. According to his application, Mr. Purdy is a Lanai resident, airport firefighter, and co-owner of a drone-services company. He is familiar with public safety management and is interested in bringing the voice of Lanai to the Charter Commission.

Mr. Purdy can also commit to attending Charter Commission meetings.

COUNCIL OF THE COUNTY OF MAUI

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Page 5

**Committee
Report No. _____**

Your Committee met with Douglas Mardfin. According to his application, Mr. Mardfin is a long-term East Maui resident and was a mathematics and economics lecturer at the University of Hawaii, Manoa. He believes in good governance and feels he possesses the skills necessary to provide a thorough review of the Charter.

Mr. Mardfin has past experience with County government, including serving as a member on the Maui Planning Commission from January 2008 through March 2012, and as a member on the Hana Advisory Committee to the Maui Planning Commission from April 2013 through March 2017, and again from March 2020 to present.

Your Committee met with Doreen Canto. According to her application, Ms. Canto is an Upcountry resident and a small business owner. She is President of the Kula Community Association and served on County boards, including the Maui Planning Commission, Police Commission, and Fire and Public Safety Commission.

Ms. Canto takes pride in volunteerism and will commit to attending meetings and ensure a thorough study of the review and operations of County government. She is particularly interested in reviewing the building permit process. She added that she has applied three times previously for the Charter Commission, but was not selected.

Your Committee expressed concern with gender equity on the Charter Commission. Your Committee noted that of the Council's nine nominees, seven were men.

Your Committee agreed that each Councilmember should be given the opportunity to nominate one individual each, as the Charter states, irrespective of the undesirable lack of gender inequality.

Your Committee was satisfied with the Council's nine nominations and recommended they be approved. Your Committee expressed gratitude to all community members who applied and were willing to dedicate their time to reviewing the Charter.

COUNCIL OF THE COUNTY OF MAUI

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Page 6

**Committee
Report No. _____**

Your Committee voted 9-0 to recommend the proposed resolution be adopted to include approval of the nominations of Kelson Kauano Batangan, Doreen Canto, Grant Chun, Lance Collins, Keoni Kuoha, and Ashley Olson. Committee Chair Molina, Vice-Chair Rawlins-Fernandez, and members Johnson, Kama, King, Lee, Paltin, Sinenci, and Sugimura voted “aye.”

Your Committee voted 8-0 to recommend the proposed resolution be adopted to include approval of the nominations of Douglas Mardfin and George Purdy IV. Committee Chair Molina, Vice-Chair Rawlins-Fernandez, and members Johnson, Kama, Lee, Paltin, Sinenci, and Sugimura voted “aye.” Committee member King was excused.

Your Committee voted 7-2 to recommend the proposed resolution be adopted to include approval of the nomination of Paul Deslauriers. Committee Chair Molina, Vice-Chair Rawlins-Fernandez, and members Johnson, King, Lee, Paltin, and Sinenci voted “aye.” Committee members Kama and Sugimura voted “no.”

With all nominees recommended for approval, no amendments to the proposed resolution were necessary.

Your Government Relations, Ethics, and Transparency Committee RECOMMENDS that Resolution _____, attached hereto, entitled “APPOINTMENT OF MEMBERS TO THE CHARTER COMMISSION FOR THE COUNTY OF MAUI,” be ADOPTED.

COUNCIL OF THE COUNTY OF MAUI
**GOVERNMENT RELATIONS, ETHICS,
AND TRANSPARENCY COMMITTEE**

Page 7

**Committee
Report No.** _____

This report is submitted in accordance with Rule 8 of the Rules of the Council.

MICHAEL J. MOLINA, Chair

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Resolution

No. _____

APPOINTMENT OF MEMBERS TO THE CHARTER COMMISSION FOR THE COUNTY OF MAUI

WHEREAS, Section 14-3 of the Revised Charter of the County of Maui (1983), as amended (“Charter”), states in part, “not later than the first day of March 2021, a charter commission composed of eleven members must be appointed, with two appointed by the mayor, and nine appointed by the council, with each councilmember nominating one of the nine members”; and

WHEREAS, the Charter Commission is convened for a 16-month term once every 10 years to review and consider proposing revisions to the Charter, the local government’s constitutional document; and

WHEREAS, the Council’s deadline to receive applications for consideration to the Charter Commission was February 1, 2021 at 12:00 noon; and

WHEREAS, the Council received a total of 28 applications from individuals countywide, as listed in Exhibit “B,” for terms beginning on March 1, 2021, and expiring July 1, 2022; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That it approves the appointment of the nine persons listed in Exhibit “A,” as attached, as members to the Charter Commission for a 16-month term beginning on March 1, 2021 through July 1, 2022;
2. That the Council expresses its gratitude and appreciation to the applicants for their willingness to be considered for public service and actively participate in County government; and
3. That certified copies of this Resolution be transmitted to the Mayor, the Managing Director, and the Corporation Counsel.

APPOINTED CHARTER COMMISSION MEMBERS

Nominator

Council Chair Alice L. Lee
Council Vice-Chair Keani N.W. Rawlins-Fernandez
Presiding Officer Pro Tempore Tasha Kama
Councilmember Gabe Johnson
Councilmember Kelly Takaya King
Councilmember Mike Molina
Councilmember Tamara Paltin
Councilmember Shane Sinenci
Councilmember Yuki Lei Sugimura

Nominee

Grant Chun
Keoni Kuoha
Kelson Kauanoë Batangan
George Purdy IV
Paul Deslauriers
Lance Collins
Ashley Olson
Douglas Mardfin
Doreen Canto

APPLICANTS

Ahia, Jennifer Noelani
Batangan, Kelson Kauano
Brummel, Kaimanamalie
Canto, Doreen
Chun, Grant
Collins, Lance
Deslauriers, Paul
Economou, Jason
Eyre, Aja
Fuhrmann, William
Hain, Charlotte
Helle, Jordan
Hocker, Jordan
Horcajo, Robert
Hudson, Lawrence
Kamekona, Carol Lee
Kuoha, Keoni
Mabbutt, Anmarie
Mardfin, Douglas
Martin, Mahina
Moylan, Christopher
Nikhilananda
Olson, Ashley
Perez, Albert
Purdy IV, George
Von Schmauder, Jeff
Westfall, Michael
Williams, Michael