



# PUBLIC MEETING NOTICE

COUNCIL OF THE COUNTY OF MAUI

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Committee Chair  
Michael J. Molina

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

Voting Members:  
Riki Hokama  
Tasha Kama  
Kelly T. King  
Alice L. Lee  
Tamara Paltin  
Shane M. Sinenci  
Yuki Lei K. Sugimura

## GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE

**Tuesday, September 3, 2019**

**9:00 a.m.**

MEETING SITE:

Council Chamber  
Kalana O Maui Building, 8th Floor  
200 South High Street  
Wailuku, Hawaii

## AGENDA

### **HAWAII WILDLIFE FUND, ET AL. V. COUNTY OF MAUI, CIVIL 12-00198 SOM BMK, U.S. SUPREME COURT DOCKET 18-260 (GET-26)**

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

1. County Communication 19-178, from Council Chair Kelly T. King, transmitting a proposed resolution entitled "REQUIRING SETTLEMENT OFFERS IN HAWAII WILDLIFE FUND, ET AL. V. COUNTY OF MAUI, RELATING TO THE CLEAN WATER ACT, TO BE TRANSMITTED TO THE COUNCIL FOR APPROVAL OR DISAPPROVAL." The purpose of the proposed resolution is to direct the Department of the Corporation Counsel, consistent with Section 3.16.020, Maui County Code, to transmit all settlement offers in Hawaii Wildlife Fund, et al. v. County of Maui, United States Supreme Court Docket 18-260, to the Council for approval or disapproval.
2. Correspondence dated May 2, 2019, from the Department of the Corporation Counsel, notifying the Committee that a settlement proposal or revision has been received by the Department in the case, and transmitting a copy of the Settlement Agreement and Order re: Remedies filed in the District Court on September 24, 2015.
3. Correspondence dated May 23, 2019, from the Department of the Corporation Counsel, requesting consideration of a revised proposed resolution, entitled "AUTHORIZING SETTLEMENT IN HAWAII WILDLIFE FUND, ET AL. V. COUNTY OF MAUI, CIVIL NO. 12-00198

**MORE →**

SOM BMK, U.S. SUPREME COURT CASE NO. 18-260,” and attaching as exhibits proposed settlement communications dated April 26, 2019, and May 9, 2019, from plaintiffs’ attorneys. The purpose of the revised proposed resolution is to authorize settlement of the case.

4. Correspondence dated August 27, 2019, from the Mayor, requesting consideration of a revised proposed resolution, entitled “AUTHORIZING SETTLEMENT IN HAWAII WILDLIFE FUND, ET AL. V. COUNTY OF MAUI, CIVIL NO. 12-00198 SOM BMK, U.S. SUPREME COURT NO. 18-260.” The purpose of the revised proposed resolution is to authorize settlement of the case.

**Status:** The Committee may consider whether to recommend adoption of the revised proposed resolutions in paragraphs 3 and 4, with or without further revisions. The Committee may also consider the filing of County Communication 19-178 and other related action.

**Note:** With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee.

[County Communication 19-178](#)

[Correspondence from Corporation Counsel 05-02-2019](#)

[Correspondence from Corporation Counsel 05-23-2019](#)

[Correspondence from Mayor 08-27-2019](#)

**REMOTE TESTIMONY SITES**

Hana	Lanai	Molokai
Council District Office	Council District Office	Council District Office
Hana Community Center	Lanai Community Center	100 Ainoa Street
5091 Uakea Road	8th Street	Kaunakakai, Hawaii
Hana, Hawaii	Lanai City, Hawaii	

**CONTACT INFORMATION**

Office of Council Services	(808) 270-7838 (phone)	(808) 270-7686 (fax)
200 South High Street	(800) 272-0098 (toll-free from Lanai)	
Wailuku, Hawaii 96793	(800) 272-0026 (toll-free from Molokai)	

**COMMITTEE STAFF**

Shelly Espeleta and Pauline Martins

**BOARD PACKETS**

Board packets, as defined in Section 92-7.5 of the Hawaii Revised Statutes, are available for inspection at the Office of Council Services. Board packets are also available electronically as soon as practicable upon request.

**TESTIMONY**

Oral or written testimony on any agenda item will be accepted. Each testifier shall be allowed to speak for three minutes on each item. For more information on testifying please visit [www.MauiCounty.us/how-to-testify](http://www.MauiCounty.us/how-to-testify) or contact the Office of Council Services. If written testimony is submitted at the meeting site, 16 copies are requested. Email testimony to [get.committee@mauicounty.us](mailto:get.committee@mauicounty.us).

**DISABILITY ACCESS**

People with disabilities requiring special accommodations should contact the Office of Council Services at least three working days prior to the meeting date.

**LIVE CABLECAST**

Available on Akaku: Maui Community Media, Channel 53.

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Agenda items are subject to cancellation.