



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 17, 2019

9:00 a.m.

MEETING SITE:

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

A G E N D A

NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (MAUI PLANNING COMMISSION) (GET-2(14))

Description: The Committee is in receipt of correspondence dated August 14, 2019 (received on August 15, 2019), from the Mayor, transmitting a proposed resolution entitled "RELATING TO THE DESIGNATION OF KAWIKA FREITAS AS THE NATIVE HAWAIIAN TRADITIONAL AND CUSTOMARY PRACTICES EXPERT TO THE MAUI PLANNING COMMISSION," with a completed application for the nominee. The purpose of the proposed resolution is to designate Kawika Freitas as the Native Hawaiian Traditional and Customary Practices Expert to the Maui Planning Commission, pursuant to Section 2.28.070, Maui County Code, for a term expiring on March 31, 2023, to fill a vacancy due to the resignation of Alalani Hill.

Status: The Council must approve or disapprove the nomination by October 14, 2019, or the nomination will be deemed approved. The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider other related action.

[Correspondence from Mayor 08-14-2019](#)

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BANK OF AMERICA'S COMMITMENT TO PROVIDE MORTGAGES FOR NATIVE HAWAIIANS ON HAWAIIAN HOME LANDS (GET-19)

Description: The Committee is in receipt of the following:

1. County Communication 19-107, from Councilmember Michael J. Molina, relating to the United States Federal Reserve System's order requiring the Bank of America to provide mortgages on Hawaiian Home Lands.
2. County Communication 19-108, from Presiding Officer Pro Tempore Tasha Kama, relating to Bank of America's \$150,000,000 loan commitment for Native Hawaiians on Hawaiian Home Lands.
3. County Communication 19-337, from Presiding Officer Pro Tempore Tasha 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." The purpose of the proposed resolution is to authorize the employment of special counsel to investigate and litigate actionable claims against Bank of America and the banking and mortgage industry.
4. County Communication 19-338, from Council Chair Kelly T. King, attaching copies of County Communication 19-107 from Councilmember Michael J. Molina, and County Communication 19-108 from Presiding Officer Pro Tempore Tasha Kama, relating to this matter.
5. Correspondence dated June 28, 2019, from Council Chair Kelly T. King, transmitting a proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL TO PURSUE SANCTIONS AND OTHER REMEDIES FOR FRAUDULENT FORECLOSURES." The purpose of the proposed resolution is to authorize the employment of special counsel to pursue sanctions and other remedies for fraudulent foreclosures.
6. Correspondence dated July 29, 2019, from the Department of the Corporation Counsel, transmitting the following:
 - a. A revised proposed resolution entitled "ENCOURAGING THE STATE ATTORNEY GENERAL TO EMPLOY OUTSIDE COUNSEL TO PURSUE LEGAL REMEDIES FOR FRAUDULENT BANKING ACTIVITY." The purpose of the revised proposed resolution is to encourage State Attorney General Clare E. Connors to employ outside counsel to pursue legal remedies for fraudulent banking activity.
 - b. Comments related to the proposed resolution, entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL TO PURSUE SANCTIONS AND OTHER REMEDIES FOR FRAUDULENT FORECLOSURES," as noted in paragraph 5.

Status: The Committee may consider whether to recommend adoption of

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proposed resolutions noted in paragraph 3, and the revised proposed resolution noted in paragraph 6(a), with or without further revisions. The Committee may also consider the filing of County Communications 19-107, 19-108, 19-337, and 19-338, 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 19-107](#)

[County Communication 19-108](#)

[County Communication 19-337](#)

[County Communication 19-338](#)

[Correspondence from Council Chair 06-28-2019](#)

[Memo from Corporation Counsel 07-29-2019](#)

AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE DEPARTMENT OF THE ATTORNEY GENERAL, STATE OF HAWAII (GET-20)

Description: The Committee is in receipt of County Communication 19-343, from the Chief of Police, transmitting a proposed bill entitled “a bill for an ordinance authorizing the mayor of the county of maui to enter into an intergovernmental agreement with the department of the attorney general, state of hawaii.” The purpose of the proposed bill is to authorize the Mayor to enter into an intergovernmental agreement with the Crime Prevention and Justice Assistance Division, Department of the Attorney General, State of Hawaii, for a grant award in the amount of \$54,962 to the Department of Police, Contract Project 17-WF096, to develop and strengthen effective law enforcement and prosecutorial strategies and victim services in cases involving crimes against women.

Status: The Committee may consider whether to recommend passage of the proposed bill on first reading, with or without revisions. The Committee may also consider the filing of County Communication 19-343 and other related action.

[County Communication 19-343](#)

REMOTE TESTIMONY SITES

Lanai	Molokai
Council District Office	Council District Office
Lanai Community Center	100 Ainoa Street
8th Street	Kaunakakai, 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 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.

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.

Agenda items are subject to cancellation.