

COUNCIL OF THE COUNTY OF MAUI

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

January 21, 2022

**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 January 4, 2022, makes reference to County Communication 21-228, from Councilmember Michael J. Molina, relating to appointments to the South Maui Advisory Committee.

By correspondence dated December 22, 2021, the Department of the Corporation Counsel transmitted a proposed resolution entitled "APPOINTMENT OF DANIEL KANAHELE TO THE SOUTH MAUI ADVISORY COMMITTEE TO THE MAUI PLANNING COMMISSION FOR THE COUNTY OF MAUI."

The purpose of the proposed resolution is to appoint Daniel Kanahele as a member to the South Maui Advisory Committee, for a staggered term of three or five years, as selected by lot, and to fulfill the membership requirement for an individual with demonstrated expertise in native Hawaiian traditional and customary practices, in accordance with Sections 2.28.050 and 2.28.070, Maui County Code, respectively.

Your Committee notes it previously reported on this matter through Committee Report 21-138. At its meeting of December 17, 2021, the Council adopted the recommendations in Committee Report 21-138 (Resolution 21-209).

Your Committee interviewed Mr. Kanahele.

Mr. Kanahele is a self-employed landscaper. He also works for a maintenance company in South Maui and is a member of the Council's South Maui district office staff.

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According to his application, Mr. Kanahele has a record of being involved in the community. He is a former Director of the Kihei Community Association, and was a board member on a County advisory committee for South Maui and the County's Cultural Resources Commission.

Mr. Kanahele fulfills the requirement for experience in native Hawaiian traditional and customary practices under Section 2.28.070, Maui County Code. He is a founding member of Aha Moku O Honua'ula Council and is interested in historical and cultural preservation and a "sense of place." He feels it is his kuleana to care for South Maui, the area where he resides.

Your Committee notes Section 13-2.7 of the Revised Charter of the County of Maui (1983), as amended, states: "Employees and officers of the State or county shall be eligible to serve on boards and commissions, provided that such service does not result in a conflict of interest."

Despite this, your Committee recommended Mr. Kanahele seek an opinion from the County Board of Ethics which Mr. Kanahele agreed to do.

Your Committee was satisfied with Mr. Kanahele's background and experience and felt that he would be an asset to the South Maui Advisory Committee.

Your Committee voted 9-0 to recommend adoption of the proposed resolution. Committee Chair Molina, Vice-Chair Rawlins-Fernandez, and members Johnson, Kama, King, Lee, Paltin, Sinenci, and Sugimura voted "aye."

Your Government Relations, Ethics, and Transparency Committee RECOMMENDS that Resolution _____, attached hereto, entitled "APPOINTMENT OF DANIEL KANAHELE TO THE SOUTH MAUI ADVISORY COMMITTEE TO THE MAUI PLANNING COMMISSION FOR THE COUNTY OF MAUI," be ADOPTED.

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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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Resolution

No. _____

APPOINTMENT OF DANIEL KANAHELE TO THE SOUTH MAUI ADVISORY COMMITTEE TO THE MAUI PLANNING COMMISSION FOR THE COUNTY OF MAUI

WHEREAS, under Section 2.28.050, Maui County Code, the South Maui Advisory Committee to the Maui Planning Commission, consists of seven members, where five members are appointed by the Council by resolution, and two members are appointed by the Mayor, and up to two alternates appointed by the Council by resolution; and

WHEREAS, each Advisory Committee member must be a resident of the Kihei-Makena Community Plan Area for a period of at least 12 consecutive months immediately preceding the person's appointment; and

WHEREAS, the terms of Advisory Committee members are five years, except initial terms must be staggered, with four members receiving five-year terms and three members receiving three-year terms, as selected by lot, and except that alternates have three-year terms; and

WHEREAS, the Council appointed four of the five members, and two alternates, at its meeting of December 17, 2021 (Resolution 21-209); and

WHEREAS, Section 2.28.070, Maui County Code, requires a member of the South Maui Advisory Committee to have demonstrated expertise in native Hawaiian traditional and customary practices; now, therefore,

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

1. That it approves the appointment of Daniel Kanahele to the South Maui Advisory Committee to the Maui Planning Commission to fulfill the requirement for a native Hawaiian traditional and customary practices expert for a term to be selected by lot, commencing upon this Resolution's adoption;
2. That it requests that the Planning Director perform the term selection by lot and inform the Council of the resulting term;

Resolution No. _____

3. That the Council expresses its gratitude and appreciation to Daniel Kanahele for his willingness to be considered for public service and actively participate in County government; and
4. That certified copies of this Resolution be transmitted to the Planning Director, Mayor, Managing Director, Corporation Counsel, and Daniel Kanahele.

APPROVED AS TO FORM AND LEGALITY:



Deputy Corporation Counsel
County of Maui

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