

**COUNCIL OF THE COUNTY OF MAUI**

# **GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE**

February 4, 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 18, 2022, makes reference to the following:

1. County Communication 21-490, from the Mayor, transmitting a proposed resolution entitled “REMOVAL OF LEINAALA PERRY FROM THE BOARD OF WATER SUPPLY FOR THE COUNTY OF MAUI.”

The purpose of the proposed resolution is to approve the removal of Leinaala Perry as a member on the Board of Water Supply due to her non-attendance at board meetings.

2. County Communication 21-532, from the Mayor, transmitting a proposed resolution entitled “REMOVAL OF ERIC CUOMO FROM THE COST OF GOVERNMENT COMMISSION FOR THE COUNTY OF MAUI.”

The purpose of the proposed resolution is to approve the removal of Eric Cuomo as a member on the Cost of Government Commission due to his non-attendance at board meetings.

Your Committee notes the Council appointed Ms. Perry as a member to the Board of Water Supply at its meeting of May 7, 2021, for a term expiring on March 31, 2026 (Resolution 21-75, as Amended).

Your Committee further notes the Council appointed Mr. Cuomo as a member to the Cost of Government Commission at its meeting of June 18, 2021, for a term expiring on March 31, 2023 (Resolution 21-102).

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In accordance with Section 2.41.090(E), Maui County Code, “in a six-month period, once a board, commission, or committee record reflects a member’s non-attendance of fifty percent or more meetings, or absences of at least twenty-five percent of meetings, within thirty days of the member’s last excused or unexcused absence, the chairperson of the board, commission, or committee must send a letter to the mayor, with a copy to the council, informing of the member’s attendance record.”

Further, in accordance with the Revised Charter of the County of Maui (1983), as amended, “members of boards and commissions appointed by the mayor, with the approval by the council, may be removed for cause upon recommendation of such removal by the mayor and the approval of two-thirds of the entire membership of the council.”

According to correspondence from the Mayor and a representative of the Board of Water Supply, both dated September 22, 2021, several attempts were made to contact Ms. Perry by phone, email, and certified mail to complete or file the required board paperwork. Ms. Perry did not attend any board meetings since her appointment.

A representative of the Mayor said while it was valuable to have an East Maui representative on the Board of Water Supply, Ms. Perry was involved with other community organizations and was unable to commit her time to serve.

According to correspondence from the Mayor, dated November 8, 2021, and the Chair of the Cost of Government Commission, dated October 28, 2021, Mr. Cuomo did not complete or file the required board paperwork. Mr. Cuomo also did not attend any board meetings since his appointment.

Your Committee found there was cause to remove Ms. Perry from the Board of Water Supply and Mr. Cuomo from the Cost of Government Commission and that they had both been given ample notice of their proposed removal with a meaningful opportunity to be heard.

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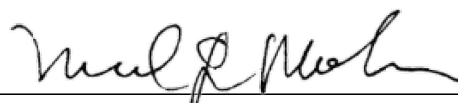
Your Committee voted 8-0 to recommend adoption of the proposed resolutions and filing of the communications. Committee Chair Molina, Vice-Chair Rawlins-Fernandez, and members Johnson, Kama, Lee, Paltin, Sinenci, and Sugimura voted “aye.” Committee member King was excused.

Your Committee is in receipt of revised proposed resolutions, approved as to form and legality by the Department of the Corporation Counsel, incorporating nonsubstantive revisions.

Your Government Relations, Ethics, and Transparency Committee RECOMMENDS the following:

1. That Resolution \_\_\_\_\_, as revised herein and attached hereto, entitled “REMOVAL OF LEINAALA PERRY FROM THE BOARD OF WATER SUPPLY FOR THE COUNTY OF MAUI,” be ADOPTED;
2. That Resolution \_\_\_\_\_, as revised herein and attached hereto, entitled “REMOVAL OF ERIC CUOMO FROM THE COST OF GOVERNMENT COMMISSION FOR THE COUNTY OF MAUI,” be ADOPTED;
3. That County Communication 21-490 be FILED; and
4. That County Communication 21-532 be FILED.

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

  
\_\_\_\_\_  
MICHAEL J. MOLINA, Chair

# Resolution

No. \_\_\_\_\_

## REMOVAL OF LEINAALA PERRY FROM THE BOARD OF WATER SUPPLY FOR THE COUNTY OF MAUI

WHEREAS, by correspondence dated September 22, 2021, Mayor Michael P. Victorino recommended the removal of member Leinaala Perry from the Board of Water Supply for the County of Maui due to her non-attendance at any meetings this year; and

WHEREAS, Mr. Copeland was asked by staff to confirm whether she could continue on the board, and to date, staff has not heard from Ms. Perry, attached as Exhibit “1”; and

WHEREAS, Ms. Perry was appointed to the Board of Water Supply for the County of Maui by Resolution 21-75, adopted on May 7, 2021, for a term expiring on March 31, 2026; and

WHEREAS, Section 13-2(5) of the Revised Charter of the County of Maui (1983), as amended, provides that “members of boards and commissions appointed by the mayor, with the approval of the council, may be removed for cause upon recommendation of such removal by the mayor and the approval of two-thirds of the entire membership of the council”; now, therefore,

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

1. That it approves the removal of Leinaala Perry from the Board of Water Supply for the County of Maui, effective upon adoption of this Resolution; and
2. That certified copies of this Resolution be transmitted to the Mayor, the Managing Director, the Director of Water Supply, and the Corporation Counsel.

**Resolution No. \_\_\_\_\_**

APPROVED AS TO FORM AND LEGALITY:

/s/ Mimi Desjardins

Deputy Corporation Counsel  
County of Maui

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**BOARD OF WATER SUPPLY**  
COUNTY OF MAUI  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.mauewater.org](http://www.mauewater.org)

September 22, 2021

Honorable Michael P. Victorino  
Mayor, County of Maui  
200 South High Street  
Wailuku, Hawaii 96793

Dear Mayor Victorino:

**SUBJECT: Board of Water Supply Member**

Leinaala Perry was appointed to the Board of Water Supply on May 7, 2021. The board packet was mailed to her and an email was sent on May 18, 2021 as a confirmation. Ms. Perry replied that she was on the mainland and that she would take care of it upon her return.

On September 7, 2021 I sent Ms. Perry another packet via certified mail. I received the return receipt on September 14, 2021 with Ms. Perry's signature which verifies that she accepted it, however I still have not heard or received anything back from her.

Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script, reading "Sherilyn Otsubo".

Sherilyn Otsubo  
Commission Support Clerk

**EXHIBIT "1"**

*"By Water All Things Find Life"*

# Resolution

No. \_\_\_\_\_

## REMOVAL OF ERIC CUOMO FROM THE COST OF GOVERNMENT COMMISSION FOR THE COUNTY OF MAUI

WHEREAS, by letter dated November 5, 2021, Mayor Michael P. Victorino recommended the removal of member Eric Cuomo from the Cost of Government Commission for the County of Maui due to his non-attendance at any meetings this year; and

WHEREAS, Mr. Cuomo has not attended any board meetings since his appointment in accordance with a letter dated October 28, 2021, from Chair Michael Williams, attached as Exhibit “1”; and

WHEREAS, Mr. Cuomo was appointed to the Cost of Government Commission for the County of Maui by Resolution 21-102, adopted on June 18, 2021, for a term expiring on March 31, 2023; and

WHEREAS, Section 13-2(5) of the Revised Charter of the County of Maui (1983), as amended, provides that “members of boards and commissions appointed by the mayor, with the approval of the council, may be removed for cause upon recommendation of such removal by the mayor and the approval of two-thirds of the entire membership of the council”; now, therefore,

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

1. That it approves the removal of Eric Cuomo from the Cost of Government Commission for the County of Maui;
2. That such removal will be effective upon adoption of this Resolution; and

**Resolution No. \_\_\_\_\_**

3. That certified copies of this Resolution be transmitted to the Mayor, the Managing Director, and the Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY:

/s/ Mimi Desjardins

Deputy Corporation Counsel  
County of Maui

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Michael Williams  
Chair



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**COST OF GOVERNMENT COMMISSION**

COUNTY OF MAUI

2145 WELLS STREET, SUITE 303  
WAILUKU, MAUI, HAWAII 96793

OFFICE OF THE MAYOR

October 28, 2021

Honorable Michael P. Victorino  
Mayor, County of Maui  
200 South High Street  
Wailuku, Hawaii 96793

Dear Mayor Victorino:

**SUBJECT: COST OF GOVERNMENT COMMISSION REQUEST TO REPLACE  
ERIC CUOMO**

I am writing with respect to the appointment of Eric Cuomo to the Cost of Government Commission. Mr. Cuomo was confirmed by the County Council in June, but he has failed to complete the requisite paperwork (i.e., financial disclosure, oath of office) to participate in Commission meetings. As such, the Commission respectfully requests that Mr. Cuomo's appointment be withdrawn and that a replacement be appointed as soon as possible.

If you have any questions, feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to be "Michael Williams", is written over the typed name and title.

MICHAEL WILLIAMS  
Chair

cc: Alice Lee, Chair, Maui County Council  
Lance Taguchi, County Auditor  
Keola Whittaker, Deputy Corporation Counsel  
Ipo Mossman, Community Liaison and Commission Ex-Officio Member, Office of the Mayor

EXHIBIT " 1 "