

COUNCIL OF THE COUNTY OF MAUI

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

November 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 October 18, 2022, makes reference to Resolution 22-189, entitled "REMOVAL OF ROBERT JOHNSON FROM THE PUBLIC WORKS COMMISSION FOR THE COUNTY OF MAUI."

Resolution 22-189's purpose is to approve the removal of Robert Johnson from the Public Works Commission due to non-compliance with the attendance policy since being appointed by the Council on March 9, 2018, for a term expiring on March 31, 2023, in accordance with Section 13-2(5) of the Revised Charter of the County of Maui (1983), as amended ("Charter").

Your Committee notes Charter Section 13-2(5) provides 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.

The Mayor's representative said Mr. Johnson has served on the Public Works Commission since 2018 and met the attendance requirements until August 26, 2020.

By correspondence dated July 21, 2022, the Chairperson of the Public Works Commission notified the Mayor that Mr. Johnson was non-compliant with the attendance policy for boards, commissions, and committee meetings, in accordance with Section 2.41.090(E), Maui County Code.

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The Mayor's representative noted Mr. Johnson did not exhibit character issues and the recommendation for his removal was based solely on his non-attendance and the inability to get in contact with him.

Your Committee voted 8-0 to recommend adoption of Resolution 22-189. Committee Chair Molina, Vice-Chair Rawlins-Fernandez, and members Johnson, Kama, King, Lee, Paltin, and Sinenci voted "aye." Committee member Sugimura was excused.

Your Government Relations, Ethics, and Transparency Committee RECOMMENDS that Resolution 22-189, attached hereto, entitled "REMOVAL OF ROBERT JOHNSON FROM THE PUBLIC WORKS COMMISSION FOR THE COUNTY OF MAUI," be ADOPTED.

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



MICHAEL J. MOLINA, Chair

great:cr:22062aa:kmatt

Resolution

No. 22-189

REMOVAL OF ROBERT JOHNSON FROM THE PUBLIC WORKS COMMISSION FOR THE COUNTY OF MAUI

WHEREAS, by correspondence dated August 5, 2022, Mayor Michael P. Victorino recommended the removal of member Robert Johnson from the Public Works Commission ("Commission") for the County of Maui due to non-compliance with the attendance policy; and

WHEREAS, Mr. Johnson was appointed to the Commission by Resolution 18-43, adopted on March 9, 2018 for a term expiring on March 31, 2023; and

WHEREAS, Section 2.41.090.F, Maui County Code, requires the chairperson of a board to advise the Mayor and the Council if an individual member fails to attend the required number of meetings; and

WHEREAS, by letter dated July 21, 2022, the chairperson of the Commission advised the Mayor that Mr. Johnson failed to attend any Commission meetings within the prior six months; 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 hereby approves the removal of Robert Johnson from the Public Works Commission for the County of Maui;
2. That such removal shall be effective upon adoption of this resolution;
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

MIMI DESJARDINS
Department of the Corporation Counsel
County of Maui
2022-0020
2022-07-29 PWC Reso Remove Johnson

Resolution No. 22-189

INTRODUCED BY:



Upon the request of the Mayor.