

COUNCIL OF THE COUNTY OF MAUI

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

April 11, 2023

**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 March 21, 2023, and reconvened on March 30, 2023, makes reference to Resolution 23-102, entitled “RELATING TO THE APPOINTMENT OF BRIAN ANTHONY BILBERRY TO THE AFFIRMATIVE ACTION ADVISORY COUNCIL FOR THE COUNTY OF MAUI.”

Resolution 23-102’s purpose is to approve or disapprove the Mayor’s nomination of Brian Anthony Bilberry to the Affirmative Action Advisory Council for a term expiring March 31, 2025, to fill a vacancy replacing Ipo Mossman.

By correspondence dated March 1, 2023, the Mayor transmitted a completed application form for the nominee.

Your Committee notes general appointment procedures for boards, committees, and commissions are outlined in Section 13-2, Revised Charter of the County of Maui (1983), as amended, and Chapter 2.41, Maui County Code.

Your Committee further notes specific provisions for the Affirmative Action Advisory Council are located in Chapter 2.29 and Section 2.40.080, Maui County Code.

The Council must approve or disapprove the nomination by April 30, 2023, or the nomination will be deemed approved.

Your Committee interviewed Mr. Bilberry.

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Mr. Bilberry said he is interested in serving on the Affirmative Action Advisory Council to have a direct and positive involvement in the community and to engage in public service beyond his current role as a Deputy Corporation Counsel.

The nominee said that while there is no requirement for a lawyer to sit on the board, his legal background and knowledge in Equal Employment Opportunity laws and nondiscrimination policies may be beneficial.

When asked about his ability to attend meetings, Mr. Bilberry said he has no concerns because the board meets once per year.

According to his application, Mr. Bilberry was previously an attorney with law offices Roeca Louie and Hiraoka; Motooka, Yamamoto, and Revere; and Bays, Deaver, Lung, Rose, and Baba. He is also a volunteer with the Maui Self-Help Center where he assists members of Maui County's community seeking legal help.

A representative from the Office of the Mayor said, as a County employee, Mr. Bilberry would fulfill one of three requirements for a board member representing County government.

Your Committee was satisfied with the nomination and recommended Mr. Bilberry be approved.

Your Committee voted 9-0 to recommend adoption of Resolution 23-102. Committee Chair U'u-Hodgins, Vice-Chair Paltin, and members Cook, Johnson, Kama, Lee, Rawlins-Fernandez, Sinenci, and Sugimura voted "aye."

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Your Government Relations, Ethics, and Transparency Committee RECOMMENDS that Resolution 23-102, attached hereto, entitled “RELATING TO THE APPOINTMENT OF BRIAN ANTHONY BILBERRY TO THE AFFIRMATIVE ACTION ADVISORY COUNCIL FOR THE COUNTY OF MAUI,” be ADOPTED.

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



NOHELANI U'U-HODGINS, Chair

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Resolution

No. 23-102

RELATING TO THE APPOINTMENT OF BRIAN ANTHONY BILBERRY TO THE AFFIRMATIVE ACTION ADVISORY COUNCIL FOR THE COUNTY OF MAUI

WHEREAS, by correspondence dated March 1, 2023, Mayor Richard T. Bissen, Jr. notified the Council he nominated Brian Anthony Bilberry to the Affirmative Action Advisory Council for a term expiring on March 31, 2025, to fill a vacancy replacing Ipo Mossman, pursuant to Chapter 2.29 and Section 2.40.080, Maui County Code, and Section 13-2, Revised Charter of the County of Maui (1983), as amended, ("Charter"); and

WHEREAS, Charter Section 13-2 requires the Mayor's nominee to be approved by the Council; and

WHEREAS, Charter Section 13-2(17) requires the Council to approve or disapprove the nomination within sixty days after the Mayor submits the name of the nominee to the Council; now, therefore,

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

1. That it approves the appointment of Brian Anthony Bilberry to serve on the Affirmative Action Advisory Council for a term expiring March 31, 2025;
2. That the Council expresses its gratitude and appreciation to Brian Anthony Bilberry for his willingness to be considered for public service and actively participate in County government; and
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

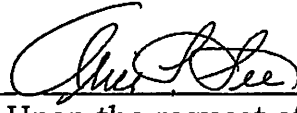
MIMI DESJARDINS

Deputy Corporation Counsel

LF2023-0096

2023-03-01 AAAC Bilberry Replace Mossman Term Expire 2025-03-31.docx

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Sheri Lee", is written above a horizontal line.

Upon the request of the Mayor.