

COUNCIL OF THE COUNTY OF MAUI

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

June 6, 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 May 11, 2023, makes reference to the following:

1. Resolution 23-94 entitled “APPOINTMENT OF A MEMBER TO THE CONSERVATION PLANNING COMMITTEE FOR THE COUNTY OF MAUI.”

Resolution 23-94’s purpose is to approve or disapprove the Mayor’s nomination of Michelle Lynne Gould (Reappointment, University of Hawai‘i, Maui College (“UHMC”)) to the Conservation Planning Committee for a term expiring March 31, 2026.

2. Resolution 23-95 entitled “APPOINTMENT OF MEMBERS TO THE KULA AGRICULTURAL PARK COMMITTEE FOR THE COUNTY OF MAUI.”

Resolution 23-95’s purpose is to approve or disapprove the Mayor’s nominations of Kyle Cody Caires (Reappointment, University of Hawai‘i (“UH”) College of Tropical Agriculture and Human Resources) and Richard “Buddy” Anthony Nichols to the Kula Agricultural Park Committee for terms expiring March 31, 2028.

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3. Resolution 23-96 entitled “APPOINTMENT OF A MEMBER TO THE MAUI REDEVELOPMENT AGENCY FOR THE COUNTY OF MAUI.”

Resolution 23-96’s purpose is to approve or disapprove the Mayor’s nomination of Wakon John Childers to the Maui Redevelopment Agency for a term expiring March 31, 2028.

4. Resolution 23-97 entitled “APPOINTMENT OF MEMBERS TO THE URBAN DESIGN REVIEW BOARD FOR THE COUNTY OF MAUI.”

Resolution 23-97’s purpose is to approve or disapprove the Mayor’s nominations of Harry Richard Hecht, Ricky Aaron Sanches (Reappointment), and Phillip Warren Stephens for terms expiring March 31, 2028.

By correspondence dated February 21, 2023, and received on February 23, 2023, the Mayor transmitted completed application forms for the nominees.

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 (“Charter”), and Chapter 2.41, Maui County Code.

Your Committee further notes specific provisions for the Conservation Planning Committee are located in Section 2.82.040, Maui County Code.

Your Committee further notes specific provisions for the Kula Agricultural Park Committee are located in Sections 2.40.180 and 22.04A.070, Maui County Code.

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Your Committee further notes specific provisions for the Maui Redevelopment Agency are located in Section 2.40.050, Maui County Code, and Section 53-2, Hawai'i Revised Statutes.

Your Committee further notes specific provisions for the Urban Design Review Board are located in Sections 2.26.030 and 2.40.100, Maui County Code.

There is no time limit for the Council to approve or disapprove the nominations to the Conservation Planning Committee, Kula Agricultural Park Committee, Maui Redevelopment Agency, and Urban Design Review Board.

Your Committee received introductions to the nominees from the Mayor's representative. Your Committee also interviewed nominees to the Conservation Planning Committee, Kula Agricultural Park Committee, Maui Redevelopment Agency, and Urban Design Review Board.

Michelle Lynne Gould is the Biological Sciences Instructor for UHMC, key personnel on the United States Department of Agriculture ("USDA") Mauka to Makai program, and was previously employed as a research assistant at the University of Nevada, Reno. Ms. Gould said through research and instruction, she is able to discern a whole-systems approach and has background in water-quality standards, sustainability, and environmental best practices that would be beneficial to the Conservation Planning Committee.

Dr. Kyle Cody Caires is the Livestock Extension Agent for Maui County through University of Hawai'i Mānoa. He previously served on the Maui Cattlemen's Association, Maui County Agriculture Working Group, and Maui County Farm Bureau. Dr. Caires said his diverse experiences are the result of having been born and raised in Maui County and through his advanced degrees in Agricultural Sciences, and helps him to ensure the viability of agriculture in Maui County.

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Richard “Buddy” Anthony Nichols is the Farm Loan Chief for the USDA Farm Service Agency and was the previous owner of Nichols Family Farm before turning operations over to his daughters. Mr. Nichols is a fourth-generation farmer and has always been involved in community services associations such as 4-H, Farmers Union United, and serving on county water and planning boards. He said he is interested in serving on the Kula Agricultural Park Committee because he is passionate about giving back to the community and plans to continue expanding, while also passing on the knowledge he has to others.

Wakon John Childers is the President of Bowman Termite & Pest Management, LLC, the Hawai‘i Pest Control Association Maui Island Director, and a National Pest Management Association Fumigation Committee member. Mr. Childers said, having lived and worked in Maui County for 18 years and as an employer of over 50 members of Maui’s community, he feels it is time to take a more active and public role in volunteering his time to boards like the Maui Redevelopment Agency, which can impact the future of Maui County.

Ricky Aaron Sanches is the owner of Ricky’s Plumbing and a member of the Lāna‘i Water Advisory Committee. He also previously served on the Maui County Commission on Persons with Disabilities. A representative of the Office of the Mayor said Mr. Sanches has been a great contributor to the Urban Design Review Board, both with his time and resources.

Phillip Warren Stephens is self-employed and was previously employed by Aloha Airlines, Tihati Productions, Molokai Ranch, and Sylvan Dale Ranch. Mr. Stephens is also President of the Kalama‘ula Mauka Homestead Association and a member of the Lāhainā and Ho‘olehua Hawaiian Civic Clubs. Mr. Stephens said he would like to serve on the Urban Design Review Board because he sees Maui County undergoing changes and would like to be part of the decision-making for those changes.

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By correspondence dated May 11, 2023, the Mayor informed your Committee that Urban Design Review Board nominee Harry Richard Hecht withdrew from consideration.

Your Committee thanked Mr. Hecht for his willingness to serve, but recommended his nomination be disapproved and Resolution 23-97 be revised accordingly.

Your Committee notes the Mayor must submit the name of another nominee within 10 days after being notified of the Council's action, in accordance with Charter Section 13-2(17).

Your Committee was satisfied with the remaining nominations and thanked them for their willingness to serve. Your Committee recommended the nominees be approved and that Exhibit "B" to the proposed resolutions be revised accordingly.

Your Committee voted 8-0 to recommend adoption of Resolutions 23-94, CD1; 23-95, CD1; and 23-96, CD1. Committee Chair U'u-Hodgins, Vice-Chair Paltin, and members Cook, Johnson, Lee, Rawlins-Fernandez, Sinenci, and Sugimura voted "aye." Committee member Kama was excused.

Your Committee voted 6-0 to recommend adoption of Resolution 23-97, CD1. Committee Chair U'u-Hodgins, Vice-Chair Paltin, and members Cook, Johnson, Rawlins-Fernandez, and Sugimura voted "aye." Committee members Kama, Lee, and Sinenci were excused.

Your Committee is in receipt of Resolutions 23-94, CD1; 23-95, CD1; 23-96, CD1; and 23-97, CD1, approved as to form and legality by the Department of the Corporation Counsel, incorporating your Committee's recommended revisions and nonsubstantive revisions.

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

1. That Resolution 23-94, CD1, as revised herein and attached hereto, entitled "APPOINTMENT OF A MEMBER TO THE CONSERVATION PLANNING COMMITTEE FOR THE COUNTY OF MAUI," be ADOPTED;
2. That Resolution 23-95, CD1, as revised herein and attached hereto, entitled "APPOINTMENT OF MEMBERS TO THE KULA AGRICULTURAL PARK COMMITTEE FOR THE COUNTY OF MAUI," be ADOPTED;
3. That Resolution 23-96, CD1, as revised herein and attached hereto, entitled "APPOINTMENT OF A MEMBER TO THE MAUI REDEVELOPMENT AGENCY FOR THE COUNTY OF MAUI," be ADOPTED; and
4. That Resolution 23-97, CD1, as revised herein and attached hereto, entitled "APPOINTMENT OF MEMBERS TO THE URBAN DESIGN REVIEW BOARD 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

Resolution

No. 23-94, CD1

APPOINTMENT OF A MEMBER TO THE CONSERVATION PLANNING COMMITTEE FOR THE COUNTY OF MAUI

WHEREAS, by correspondence dated February 21, 2023, Mayor Richard T. Bissen, Jr. notified the Council he nominated the person listed in Exhibit “A,” as attached, as a member to the Conservation Planning Committee for the County of Maui, in accordance with Section 2.82.040, Maui County Code; and

WHEREAS, Charter Section 2.82.040, Maui County Code, requires the Mayor’s nominee to be approved by the Council; now, therefore,

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

1. That it approves the appointment of the person listed in Exhibit “B,” as attached, as a member to the Conservation Planning Committee for the term specified;
2. That it disapproves the appointment of the person listed in Exhibit “C,” as attached, as a member to the Conservation Planning Committee as nominated by the Mayor;
3. That the Council expresses its gratitude and appreciation to the appointed member for her 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 Mayor, the Managing Director, and the Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY:



Deputy Corporation Counsel
County of Maui

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NOMINATED MEMBER AND TERM

CONSERVATION PLANNING COMMITTEE

Michelle Gould (Reappoint, UH Maui College)

Term Expiration 3/31/2026

APPROVED MEMBER AND TERM

CONSERVATION PLANNING COMMITTEE

Michelle Gould (Reappoint, UH Maui College)

Term Expiration 3/31/2026

DISAPPROVED MEMBER

CONSERVATION PLANNING COMMITTEE

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Alice L. Lee".

ALICE L. LEE

Upon the request of the Mayor.

Resolution

No. 23-95, CD1

APPOINTMENT OF MEMBERS TO THE KULA AGRICULTURAL PARK COMMITTEE FOR THE COUNTY OF MAUI

WHEREAS, by correspondence dated February 21, 2023, Mayor Richard T. Bissen, Jr. notified the Council he nominated the persons listed in Exhibit "A," as attached, as members to the Kula Agricultural Park Committee for the County of Maui, in accordance with Sections 2.40.110 and 2.88.030, 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 nominees to be approved by the Council; and

WHEREAS, Charter Section 13-2(16) requires the Council to approve or disapprove the nominations within sixty days after the Mayor submits the names of the nominees to the Council; now, therefore,

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

1. That it approves the appointments of the persons listed in Exhibit "B," as attached, as members to the Kula Agricultural Park Committee for the terms specified;
2. That it disapproves the appointments of the persons listed in Exhibit "C," as attached, as members to the Kula Agricultural Park Committee as nominated by the Mayor;
3. That the Council expresses its gratitude and appreciation to the appointed members for their 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 Mayor, the Managing Director, and the Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY:



Deputy Corporation Counsel
County of Maui

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NOMINATED MEMBERS AND TERMS

KULA AGRICULTURAL PARK COMMITTEE

Kyle Cody Caires (Reappoint, CTAHR)
Richard “Buddy” Anthony Nichols

Term Expiration 3/31/2028
Term Expiration 3/31/2028

APPROVED MEMBERS AND TERMS

KULA AGRICULTURAL PARK COMMITTEE

Kyle Cody Caires (Reappoint, CTAHR)
Richard “Buddy” Anthony Nichols

Term Expiration 3/31/2028
Term Expiration 3/31/2028

DISAPPROVED MEMBERS

KULA AGRICULTURAL PARK COMMITTEE

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Alice L. Lee".

ALICE L. LEE

Upon the request of the Mayor.

Resolution

No. 23-96, CD1

APPOINTMENT OF A MEMBER TO THE MAUI REDEVELOPMENT AGENCY FOR THE COUNTY OF MAUI

WHEREAS, by correspondence dated February 21, 2023, Mayor Richard T. Bissen, Jr. notified the Council he nominated the person listed in Exhibit “A,” as attached, as a member to the Maui Redevelopment Agency for the County of Maui, in accordance with Section 2.40.050, Maui County Code, and Section 53-2, Hawaii Revised Statutes (“HRS”); and

WHEREAS, Subsection 53-2(a), HRS, requires the Mayor’s nominee to be approved by the Council; now, therefore,

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

1. That it approves the appointment of the person listed in Exhibit “B,” as attached, as a member to the Maui Redevelopment Agency for the term specified;
2. That it disapproves the appointment of the person listed in Exhibit “C,” as attached, as a member to the Maui Redevelopment Agency as nominated by the Mayor;
3. That the Council expresses its gratitude and appreciation to the appointed member 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 Mayor, the Managing Director, and the Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY:



Deputy Corporation Counsel
County of Maui

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NOMINATED MEMBER AND TERM

MAUI REDEVELOPMENT AGENCY

Wakon John Childers

Term Expiration 3/31/2028

APPROVED MEMBER AND TERM

MAUI REDEVELOPMENT AGENCY

Wakon John Childers

Term Expiration 3/31/2028

DISAPPROVED MEMBER

MAUI REDEVELOPMENT AGENCY

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Alice L. Lee".

ALICE L. LEE

Upon the request of the Mayor.

Resolution

No. 23-97, CD1

APPOINTMENT OF MEMBERS TO THE URBAN DESIGN REVIEW BOARD FOR THE COUNTY OF MAUI

WHEREAS, by correspondence dated February 21, 2023, Mayor Richard T. Bissen, Jr. notified the Council he nominated the persons listed in Exhibit "A," as attached, as members to the Urban Design Review Board for the County of Maui, in accordance with Sections 2.26.030 and 2.40.100, 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 nominees to be approved by the Council; and

WHEREAS, Charter Section 13-2(16) requires the Council to approve or disapprove the nominations within sixty days after the Mayor submits the names of the nominees to the Council; now, therefore,

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

1. That it approves the appointments of the persons listed in Exhibit "B," as attached, as members to the Urban Design Review Board for the terms specified;
2. That it disapproves the appointments of the persons listed in Exhibit "C," as attached, as members to the Urban Design Review Board as nominated by the Mayor;
3. That the Council expresses its gratitude and appreciation to the appointed members for their 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 Mayor, the Managing Director, and the Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY:



Deputy Corporation Counsel
County of Maui

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NOMINATED MEMBERS AND TERMS

URBAN DESIGN REVIEW BOARD

Harry Richard Hecht

Ricky Aaron Sanches (Reappoint)

Phillip Warren Stephens

Term Expiration 3/31/2028

Term Expiration 3/31/2028

Term Expiration 3/31/2028

APPROVED MEMBERS AND TERMS

URBAN DESIGN REVIEW BOARD

Ricky Aaron Sanches (Reappoint)
Phillip Warren Stephens

Term Expiration 3/31/2028
Term Expiration 3/31/2028

DISAPPROVED MEMBER

URBAN DESIGN REVIEW BOARD

Harry Richard Hecht

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Alice L. Lee".

ALICE L. LEE

Upon the request of the Mayor.