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Director of Council Services  
Traci N. T. Fujita, Esq.

**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

June 7, 2021

Ms. Geraldine Lewis, Chair  
and Members of the Board of Ethics  
c/o Department of the Corporation Counsel  
Wailuku, Hawai'i 96793

Dear Ms. Lewis:

SUBJECT: **MORATORIUM ON VISITOR ACCOMMODATIONS  
DEVELOPMENT** (CARE-50)

At its meetings of May 19, 2021, May 25, 2021, and June 2, 2021, the Council's Climate Action, Resilience, and Environment Committee discussed a moratorium on visitor accommodations development.

Councilmember Paltin recused herself from voting on legislation because of a potential conflict of interest relating to her husband's employment at the Nāpili Kai Beach Resort in Lahaina. She said her voting participation is pending an opinion from the Board of Ethics.

The Board of Ethics dismissed complaints against former Councilmember Mike White for advocating for increased funding for the Maui Visitors Bureau while a hotel general manager, as noted in an attached *Star Advertiser* article dated May 1, 2011.

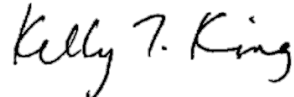
May I please request a copy of the Board of Ethics opinion relating to former Councilmember White's participation in hotel-industry issues despite working in the industry.

May I further request you transmit your response by **Tuesday, June 15, 2021**. To ensure efficient processing, please transmit your response to [care.committee@mauicounty.us](mailto:care.committee@mauicounty.us), and include the relevant Committee item number in the subject line of your response.

Ms. Geraldine Lewis  
June 7, 2021  
Page 2

Should you have any questions, please contact me or the Committee staff (Nicole Siegel at 270-8008, or Rayna Yap at 270-8007).

Sincerely,

A handwritten signature in black ink that reads "Kelly 7. King". The signature is written in a cursive, flowing style.

KELLY TAKAYA KING, Chair  
Climate Action, Resilience, and  
Environment Committee

care:ltr:050a02:nas

Enclosures

cc: Mayor Michael P. Victorino  
Department of the Corporation Counsel

TOP NEWS

# Maui ethics board dismisses complaint against council member

By Associated Press • May 1, 2011

WAILUKU, Maui >> The Maui County Board of Ethics has dismissed complaints filed last month against a county council member concerning his ties to the visitor industry.

Mike White's office announced Friday that the board has rejected claims that he acted improperly when he advocated in council meetings for increased funding for the Maui Visitors Bureau.

The complaints said White's continued role as general manager of the Ka'anapali Beach Hotel and his former position on the visitors bureau board represent a conflict of interest.

One of the people who filed the complaints was Kai Nishiki, who ran unsuccessfully against White in the 2010 election.

In an email to the Maui News, Nishiki called the ethics board's decision inconsistent. She says other council members who serve on nonprofit boards have been asked not to vote on grants and legislation affecting those agencies.



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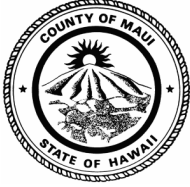
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Non-Voting Members:  
Tasha Kama  
Keani N.W.  
Rawlins-Fernandez

## CLIMATE ACTION, RESILIENCE, AND ENVIRONMENT COMMITTEE

**Wednesday, May 19, 2021**

**9:00 a.m.**

MEETING SITE:

Online Only

Phone testimony: 1-408-915-6290, meeting code 470 076 045

Video testimony: <https://bluejeans.com/470076045>

View live: Akaku, Channel 53 or [mauicounty.us/agendas](http://mauicounty.us/agendas)

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## **A G E N D A**

### **RECOGNIZING CLIMATE CHANGE AND RESILIENCE IN THE COUNTYWIDE POLICY PLAN (CARE-47)**

**Description:** The Committee is in receipt of County Communication 21-190, from the Planning Director, transmitting the Lāna'i, Maui, and Moloka'i Planning Commissions' recommendations on the proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 2.80B, MAUI COUNTY CODE, TO ADD 'MITIGATE CLIMATE CHANGE AND WORK TOWARD RESILIENCE' AS A GOAL OF THE COUNTYWIDE POLICY PLAN," attached to Resolution 20-170. The purpose of the proposed bill is to amend the Countywide Policy Plan to incorporate the amended Section IV by adding "Mitigate Climate Change and Work Toward Resilience" as a theme and goal.

**Status:** The Committee may consider whether to recommend passage of the proposed bill attached to Resolution 20-170 on first reading with or without further revisions. The Committee may also consider the filing of County Communication 21-190 and other related action.

[County Communication 21-190](#)

**MORE →**

## MORATORIUM ON VISITOR ACCOMMODATIONS DEVELOPMENT (CARE-50)

**Description:** The Committee is in receipt of the following:

1. County Communication 21-232, Councilmember Kelly Takaya King, transmitting a proposed bill relating to a moratorium on building permits for visitor accommodations.
2. Correspondence dated May 11, 2021, to the Department of the Corporation Counsel, transmitting a revised proposed bill entitled "AMENDING THE BUILDING CODE TO ADD CHAPTER 40 RELATING TO A MORATORIUM ON BUILDING PERMITS FOR VISITOR ACCOMMODATIONS." The purposes of the revised proposed bill are to lower carbon-emissions levels, mitigate climate-change impacts, and limit the rate of global warming by pausing visitor accommodation development and the related increase in tourism; and to temporarily maintain the status quo in West Maui and South Maui until their respective community plans are updated.

**Status:** The Committee may receive a presentation or remarks from Dick Mayer, former Vice-Chair of the Maui General Plan Advisory Committee; former member of the Maui Planning Commission; and retired Professor of Economics and Geography, Maui Community College, relating to how visitor accommodation development and the related increase in tourism cause negative impacts on the natural environment and discuss related matters. The Committee may consider whether to recommend passage of the revised proposed bill on first reading, with or without further revisions. The Committee may also consider the filing of County Communication 21-232 and other related action.

[County Communication 21-232](#)

[Correspondence to Corp Counsel 05-11-2021](#)

**CONTACT INFORMATION**

Office of Council Services           (808) 270-7838 (phone)  
200 South High Street  
Wailuku, Hawaii 96793

**COMMITTEE STAFF**

Nicole Siegel, Wilton Leauanae, Rayna Yap, and James Forrest

**BOARD PACKETS**

Board Packets, as defined in Section 92-7.5, HRS, will be electronically posted as soon as practicable under the current conditions.

**CONNECTIVITY**

This online meeting is being conducted in accordance with the Governor's most recent emergency proclamation on COVID-19. The proclamation partially suspends the Sunshine Law, and meetings can be conducted without Councilmembers or members of the public being physically present in the same location. Nothing said today or included in the agenda is intended to create obligations in excess of those required under the Sunshine Law and the emergency proclamation.

If BlueJeans connectivity affecting quorum is lost, the Committee will be in recess. It will not be considered a loss of quorum unless connectivity cannot be restored within 30 minutes. If the BlueJeans connection is prematurely terminated, for whatever reason, please log back into the same link. If Akaku, for whatever reason, prematurely ceases broadcasting the meeting to Channel 53, Akaku will try its best to restore broadcasting. But if its unable to do so in a reasonable amount of time, we will continue with our meeting, record it on BlueJeans, and send it to Akaku to be included with archived meeting videos.

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**TESTIMONY**

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**LIVE CABLECAST**

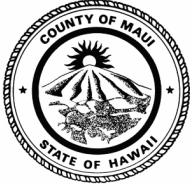
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**Reconvened from 5/19/2021 at 9:00 a.m.**



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Non-Voting Members:  
Tasha Kama  
Keani N.W.  
Rawlins-Fernandez

## **CLIMATE ACTION, RESILIENCE, AND ENVIRONMENT COMMITTEE**

**Tuesday, May 25, 2021**

**1:30 p.m.**

MEETING SITE:

Online Only

Phone testimony: 1-408-915-6290, meeting code 470 076 045

Video testimony: <https://bluejeans.com/470076045>

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[County Communication 21-190](#)

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[County Communication 21-232](#)

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**TESTIMONY**

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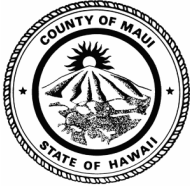
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Non-Voting Members:  
Tasha Kama  
Keani N.W.  
Rawlins-Fernandez

## CLIMATE ACTION, RESILIENCE, AND ENVIRONMENT COMMITTEE

**Wednesday, June 2, 2021**

**9:00 a.m.**

MEETING SITE:

Online Only

Phone testimony: 1-408-915-6290, meeting code 470 076 045

Video testimony: <https://bluejeans.com/470076045>

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### **MORATORIUM ON VISITOR ACCOMMODATIONS DEVELOPMENT (CARE-50)**

**Description:**

The Committee is in receipt of the following:

1. County Communication 21-232, Councilmember Kelly Takaya King, transmitting a proposed bill relating to a moratorium on building permits for visitor accommodations.
2. Correspondence dated May 27, 2021 from Council Vice-Chair Keani N.W. Rawlins-Fernandez, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE ESTABLISHING A NEW CHAPTER 20.41, TITLE 20, ENVIRONMENTAL PROTECTION, MAUI COUNTY CODE, DECLARING A MORATORIUM ON TOURIST ACCOMODATIONS." The purposes of the proposed bill are to establish a moratorium to comply with the Maui Island Plan by pausing the increase of tourist accommodations and the related increase in tourism; and to maintain the number of current tourist accommodation units until the Council passes legislation implementing recommendations presented by a Council-established Tourism Management Temporary Investigative Group.

**Status:**

The Committee may consider whether to recommend passage of the proposed bill on first reading, with or without revisions. The Committee

**MORE →**

may also consider the filing of County Communication 21-232 and other related action.

[County Communication 21-232](#)

[Correspondence from Council Vice-Chair 05-27-2021](#)

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