



PUBLIC MEETING NOTICE

COUNCIL OF THE COUNTY OF MAUI

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Committee Chair
Michael J. Molina

Committee
Vice-Chair
Keani N.W.
Rawlins-Fernandez

Voting Members:
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Tasha Kama
Kelly T. King
Alice L. Lee
Tamara Paltin
Shane M. Sinenci
Yuki Lei K. Sugimura

GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE

Tuesday, July 23, 2019

9:00 a.m.

MEETING SITE:

Council Chamber
Kalana O Maui Building, 8th Floor
200 South High Street
Wailuku, Hawaii

OFFICE OF THE
COUNTY CLERK

2019 JUL 17 AM 9:22

RECEIVED

AGENDA

NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (LIQUOR CONTROL COMMISSION) (GET-2(11))

Description: The Committee is in receipt of correspondence dated and received on June 21, 2019, from the Mayor, transmitting a proposed resolution, entitled "RELATING TO THE APPOINTMENT OF JAMIE BECRAFT TO THE LIQUOR CONTROL COMMISSION FOR THE COUNTY OF MAUI," with a completed application for the nominee. The purpose of the proposed resolution is to approve or disapprove the Mayor's nomination of Jamie Becraft to the Liquor Control Commission, for a term expiring on March 31, 2023, to fill a vacancy due to the resignation of Jonathan Todd.

Status: The Council must approve or disapprove the nomination by August 20, 2019, or the nomination will be deemed approved. The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider other related action.

[Correspondence from Mayor 06-21-2019](#)

NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (MAUI PLANNING COMMISSION) (GET-2(14))

Description: The Committee is in receipt of correspondence dated and received on June 21, 2019, from the Mayor, transmitting a proposed resolution entitled "RELATING TO THE DESIGNATION OF ARCHIE KALEPA AS THE

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NATIVE HAWAIIAN TRADITIONAL AND CUSTOMARY PRACTICES EXPERT TO THE MAUI PLANNING COMMISSION,” with a completed application for the nominee. The purpose of the proposed resolution is to designate Archie Kalepa as the Native Hawaiian Traditional and Customary Practices Expert to the Maui Planning Commission, pursuant to Section 2.28.070, Maui County Code, for a term expiring on March 31, 2023, to fill a vacancy due to the resignation of Alalani Hill.

Status: The Council must approve or disapprove the nomination by August 20, 2019, or the nomination will be deemed approved. The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider other related action.

[Correspondence from Mayor 06-21-2019](#)

REMOVAL OF RONALD KIMBALL FROM THE COST OF GOVERNMENT COMMISSION (GET-21)

Description: The Committee is in receipt of the following:

1. County Communication 19-120, from the Mayor, transmitting a proposed resolution to remove Ronald Kimball from the Cost of Government Commission, pursuant to Section 13-2(5) of the Revised Charter of the County of Maui (1983), as amended.
2. Correspondence dated July 15, 2019, from the Department of the Corporation Counsel, transmitting a revised proposed resolution entitled “REMOVAL OF RONALD KIMBALL FROM THE COST OF GOVERNMENT COMMISSION.” The revised proposed resolution reflects Ronald Kimball’s removal from the Cost of Government Commission, retroactive to February 11, 2019.

Status: The Committee may consider whether to recommend adoption of the revised proposed resolution, with or without further revisions. The Committee may also consider the filing of County Communication 19-120 and other related action.

[County Communication 19-120](#)

[Correspondence from Corp Counsel 07-15-2019](#)

LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: SPIRIT OF ALOHA TEMPLE, ET AL. V. COUNTY OF MAUI, ET AL.; CIVIL 14-00535 SOM-WRP) (GET-11(18))

Description: The Committee is in receipt of correspondence dated July 8, 2019, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution, entitled “AUTHORIZING SETTLEMENT OF SPIRIT OF ALOHA TEMPLE, ET AL. V. COUNTY OF MAUI, ET AL., CIVIL NO. CV 14-00535 SOM-WRP,” and transmitting a copy of the Complaint. The

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purpose of the proposed resolution is to authorize settlement of the case. The Complaint alleges discriminatory and unreasonable land use regulations and intentional conduct, including the denial of a State Special Use Permit, prohibited the Spirit of Aloha Temple, located at 800 Haumana Road, Haiku, Maui, Hawaii, from conducting religious services and activities in the exercise of its religious beliefs. The Complaint further alleges these actions were in violation of the Religious Land Use and Institutionalized Persons Act of 2000, the Hawaii State Constitution, and the First and Fourteenth Amendments of the United States Constitution.

Status: The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider the filing of the correspondence and other related action.

Note: With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee.

[Correspondence from Corp Counsel 07-08-2019](#)

LITIGATION MATTERS (STATUS AND SETTLEMENT AUTHORIZATION: JACOB FIRTH AND ELVA MARIE ESPINOSA BRUMBLAY V. COUNTY OF MAUI, ET AL., CIVIL 18-1-0234(2)) (GET-11(3))

Description: The Committee is in receipt of the following:

1. Correspondence dated February 25, 2019, from the Department of the Corporation Counsel, requesting the opportunity to provide a status update on Jacob Firth and Elva Marie Espinosa Brumblay v. County of Maui, et al., Civil 18-1-0234(2), and consideration of a proposed resolution to authorize settlement of the case, and transmitting a copy of the complaint. The complaint alleges negligence by the County and the State of Hawaii while Plaintiff Jacob Firth was in their custody during the period of February 21, 2018 to February 22, 2018, resulting in injuries and damages to Mr. Firth, as well as loss of companionship for Jacob Firth's mother, Elva Marie Espinosa Brumblay.
2. Correspondence dated June 27, 2019, from the Department of the Corporation Counsel, requesting the opportunity to provide a pretrial status report and transmitting a revised proposed resolution, entitled "AUTHORIZING SETTLEMENT OF JACOB FIRTH AND ELVA MARIE ESPINOSA BRUMBLAY v. COUNTY OF MAUI, ET AL., CIVIL NO. 18-1-0234(2)," and another copy of the complaint. The purpose of the revised proposed resolution is to authorize settlement of the case.

Status: The Committee may consider whether to recommend adoption of the revised proposed resolution, with or without further revisions. The Committee may also consider the filing of the correspondence and other

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related action.

Note: With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee; and Section 92-5(a)(8), Hawaii Revised Statutes, to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to a State or Federal law, or a court order.

[Correspondence from Corporation Counsel 02-25-2019](#)

[Correspondence from Corporation Counsel 06-27-2019](#)

REMOTE TESTIMONY SITES

Hana	Lanai	Molokai
Council District Office	Council District Office	Council District Office
Hana Community Center	Lanai Community Center	100 Ainoa Street
5091 Uakea Road	8th Street	Kaunakakai, Hawaii
Hana, Hawaii	Lanai City, Hawaii	

CONTACT INFORMATION

Office of Council Services	(808) 270-7838 (phone)	(808) 270-7686 (fax)
200 South High Street	(800) 272-0098 (toll-free from Lanai)	
Wailuku, Hawaii 96793	(800) 272-0026 (toll-free from Molokai)	

COMMITTEE STAFF

Shelly Espeleta and Pauline Martins

BOARD PACKETS

Board packets, as defined in Section 92-7.5 of the Hawaii Revised Statutes, are available for inspection at the Office of Council Services. Board packets are also available electronically as soon as practicable upon request.

TESTIMONY

Oral or written testimony on any agenda item will be accepted. Each testifier shall be allowed to speak for three minutes on each item. For more information on testifying please visit www.MauiCounty.us/how-to-testify or contact the Office of Council Services. If written testimony is submitted at the meeting site, 16 copies are requested. Email testimony to get.committee@mauicounty.us.

DISABILITY ACCESS

People with disabilities requiring special accommodations should contact the Office of Council Services at least three working days prior to the meeting date.

LIVE CABLECAST

Available on Akaku: Maui Community Media, Channel 53.

Agenda items are subject to cancellation.