

# GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Council of the County of Maui

## MINUTES

November 15, 2022

Online Only via BlueJeans Link

**CONVENE:** 9:03 a.m.

**PRESENT:** Councilmember Michael J. Molina, Chair  
Councilmember Keani N.W. Rawlins-Fernandez, Vice-Chair (In at 9:09 a.m.)  
Councilmember Gabe Johnson, Member  
Councilmember Tasha Kama, Member (In at 9:26 a.m.)  
Councilmember Alice L. Lee, Member  
Councilmember Tamara Paltin, Member  
Councilmember Shane M. Sinenci, Member

**EXCUSED:** Councilmember Kelly T. King, Member  
Councilmember Yuki Lei K. Sugimura, Member

**STAFF:** Laksmi Abraham, Legislative Analyst  
Paige Greco, Legislative Analyst  
David Raatz, Deputy Director  
James Forrest, Legislative Attorney  
Shelly Espeleta, Supervising Legislative Analyst  
Pauline Martins, Committee Secretary  
Stacey Vinoray, Committee Secretary  
Jean Pkipala, Council Services Assistant Clerk  
Lenora Dinneen, Council Services Assistant Clerk  
Nālani Fujihara, Hawaiian Language Communications Specialist

Anabelle Hernandez, Council Aide, Makawao-Ha'ikū-Pā'ia District Office  
Christian Balagso, Council Aide, West Maui District Office  
Daniel Kanahale, Council Aide, South Maui District Office  
Denise Fernandez, Council Aide, Lāna'ī District Office  
Mavis Oliveira-Medeiros, Council Aide, East Maui District Office  
Roxanne Morita, Council Aide, Lāna'ī District Office  
Zhantell Lindo, Council Aide, Moloka'ī District Office

Angela Lucero, Executive Assistant to Councilmember Paltin  
Davideane Sickels, Executive Assistant to Councilmember Kama  
Dawn Lono, Executive Assistant to Councilmember Sinenci  
Ellen McKinley, Executive Assistant to Councilmember King  
Evan Dust, Executive Assistant to Councilmember Kama  
Jade Rojas-Letisi, Executive Assistant to Councilmember Molina  
Kate Griffiths, Executive Assistant to Councilmember Johnson  
Laura McDowell, Executive Assistant to Councilmember Molina

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Lois Whitney, Executive Assistant to Councilmember Kama  
Sarah Sexton, Executive Assistant to Councilmember King

**ADMIN.:** Ipo Mossman, Executive Assistant, Office of the Mayor  
Richelle Thomson, First Deputy Corporation Counsel, Department of the  
Corporation Counsel

**OTHERS:** Francine Aaronson  
Faith Chase  
Brandon Maka'awa'awa  
Plus (2) other people

**PRESS:** Akakū Maui Community Television, Inc.

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CHAIR MOLINA: . . .*(gavel)*. . . The Government Relations, Ethics, and Transparency Committee meeting for Tuesday, November 15, 2022, will now come to order. The time is three minutes after the hour of 9:00 a.m. I'm Committee Chair Mike Molina, and I am transmitting this morning out of the Council Chambers here in Wailuku, and there are no reports of testifiers at the Pā'ia District Office. Before we continue with the Committee roll call, Members, in accordance with the Sunshine Law, please identify by name who, if anyone, is in the room, vehicle, or workspace with you today. Minors do not need to be identified. So, let's start off by going out to...well, staying right here in Wailuku, and check in on Council Chair Alice Lee. Good morning. And we are awaiting your cultural greeting for the day.

COUNCILMEMBER LEE: Okay.

CHAIR MOLINA: Good morning, Chair Lee.

COUNCILMEMBER LEE: Good morning, Vietnam. Okay. So, the greeting is xin chao. Xin chao, Mr. Chair. I am here in my workspace, we had some rain last night...you know, actually, we've been having pretty good rain lately, so I thank God for that. Look forward to your meeting. Thank you.

CHAIR MOLINA: Mahalo and xin chao to you, Chair Lee. Speaking about wet weather, let's go out to East Maui, and check in on Councilmember Sinenci. Xin chao and aloha, Councilmember Sinenci.

COUNCILMEMBER SINENCI: Xin chao, Chair, and aloha kakahiaka, mai Maui Hikina. Happy to join this meeting this morning from the Hāna District Office, where I am here by myself. I anticipate my Staff to be coming in soon. And currently there are no testifiers, Chair.

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CHAIR MOLINA: Okay. Mahalo, Councilmember Sinenci. Let's go all the way out to the Island of Lānaʻi, and check in on Councilmember Gabe Johnson. Xin chao and aloha.

COUNCILMEMBER JOHNSON: Xin chao to you, Chair Molina, and Councilmembers, and all of the community members out there. I am alone in my office on Lānaʻi. The rain is pouring, the dog is snoring, there's no testifiers at the Lānaʻi District Office. And I've got some māmaki tea that I'm drinking because I feel like winter is here. So, tea in the morning, and little chilly last night. Thank you, Chair.

CHAIR MOLINA: All right. Mahalo, Councilmember Johnson. And yeah, hope join you for tea one of these days out there on Lānaʻi. Must taste extra good out there, right? Okay. Let's check in on Councilmember Paltin out in beautiful West Maui. Xin chao and aloha.

COUNCILMEMBER PALTIN: Xin chao, aloha kakahiaka kākou. Surf's up. Broadcasting live and direct from historic Lāhainā Town. We got a little bit of rain in the mountains, and rain in Nāpili last night, so that's always good. With me I have Angela Lucero and Christian Balagso, and we have no testifiers waiting to testify at the Lāhainā District Office. Thank you.

CHAIR MOLINA: Okay. Mahalo, Member Paltin. And the Committee has been informed that Member Sugimura and Kama will be late. Member King is, I believe, off island at this time. And we've yet to hear from our Committee Vice-Chair Keani Rawlins-Fernandez, but I anticipate she'll be joining us soon. And Members, we are at bare quorum, so if you do have something personal you need to address, please inform the Chair ASAP, and we will take the necessary recess if we have to, okay? All right. Also joining us this morning we have, from the Office of the Mayor, Ipo Mossman. He'll be joining us for Committee items GREAT-2(45), GREAT-2(57), and GREAT-2(58). And also, our nominees for these respective Boards and Commissions, which are the Urban Design Review Board, and Maui Planning Commission; Ricky Aaron Sanches, Ashely Noelani Mikie Otomo, and Blaine Apo will be on the call for any questions that you may have for them. Members, from the Corporation Counsel (*audio interference*) Office we have Deputy Corporation Counsel Mr. Keola Whittaker. Boy, what was that? Nothing like a little sound effects here, huh. Okay, I appreciate that. Make it more...little more dramatic, and wake everybody up this morning, good. Okay. And we have our wonderful hard-working Committee Staff joining us. We have Legislative Analysts Laksmi Abraham and Paige Greco; Committee Secretary Pauline Martins, and also Stacey Vinoray; and we have Legislative Attorney James Forrest; and Jean Pokipala, Council Services Assistant Clerk, as well as Lei Dinneen, Council Services Assistant Clerk, standing by and helping us make our meeting possible this morning. Members, we have a...well, what would...some would call a somewhat light agenda for a GREAT Committee meeting, we have four items. I anticipate we can get through this pretty fast, and give you guys some extra time in between meetings. We, of course, have APT under Councilmember Sinenci's leadership later on today at 1:30. So, let's go ahead and start with public testimony. Oral testimony via phone or video conference will be accepted. And please note that if you are signed in, you are on the list to testify even if you did not

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request to testify. So, please let the Staff know in chat if you are signed on and do not intend to testify. In accordance with the Sunshine Law, testimony can occur at the beginning of the meeting, but cannot be limited to the start of the meeting. The Chair will receive oral testimony for agenda items at the beginning of the meeting, and as the items are called up on the agenda. So, now when testifiers sign up to testify, they must let the Staff know whether they wish to testify at the beginning of the meeting or before an agenda item, otherwise Staff will assume the testifier will testify at the start of the meeting. And testifiers wanting to provide video or audio testimony, you can join the online meeting via the BlueJeans link or phone number noted on the agenda. Written testimony is encouraged, and can be submitted via the eComment link at [mauicounty.us/agendas](http://mauicounty.us/agendas). And oral testimony will be limited to three minutes per item. And if you are still testifying beyond that time, we will kindly ask you to complete your testimony. You will likely hear a bell or some form of a noise maker to alert you that your time for testimony will be nearing its end. And unless you want to testify anonymously, please clearly identify your name, organization, and items you would like to testify on in the chat. And we ask that you state your full name, but if you prefer to testify anonymously, Staff will identify and refer to you as testifier and assign you a number. Please also include the agenda item or items you are testifying on. And of course, if you are a lobbyist, please inform the Staff of that as well...Committee, I should say. And also, again, as I stated earlier, if you do not...if you're in chat and you don't wish to testify, please let the Staff know, okay. And please be courteous to others by turning off your video and muting your microphone while waiting for your turn to testify. And once you are done testifying, or if you do not wish to testify, you can also view the meeting on *Akakū* Channel 53, Facebook Live, or [mauicounty.us/agendas](http://mauicounty.us/agendas). And hopefully, if we don't have any technical glitches...we're praying for that, but if we do, please be patient with us.

**. . .BEGIN PUBLIC TESTIMONY. . .**

CHAIR MOLINA: Okay. At this time let me check with Committee Staff to see if we have any testifiers for today's agenda. Ms. Abraham or Ms. Greco.

MS. GRECO: Chair, we currently have one testifier signed up, and that is Francine Aarona.

CHAIR MOLINA: Okay. All righty. And let's go in and check in on Ms. Aarona. Good morning.

MS. AARONA: Good morning, everyone, on this beautiful rainy morning in Pā'ia. I'm just calling--or wanting to share my concerns--because I'm looking at the agenda. And the biggest concern is the litigation matters that have a long list of things that have not been taken cared of. You got a long list, Mr. Molina. I'm sure it was passed on, but I really would like to see that disappear coming the next Council. So, I will be on somebody's toes . . .*(laughing)*. . . especially in the litigation matters. It's very interesting to see the agendas, or what has been put back on the burner which, to me, are important matters. So, I hope to see that it gets cleared up, if not in your time, but it will...maybe you can say Auntie Mopsy will be looking at you for the next agenda. But anyway, mahalo for all

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that you have done for us in the community. I really wanted to personally thank all of you, especially when you get not so good emails from me, but I mahalo, mahalo, mahalo your dedication to our community. And for those of you that we...will remain on board, see you next year. So, aloha and mahalo for all that you do.

CHAIR MOLINA: And aloha and mahalo to you, Aunty Mopsy. And let me tell you, if we can get through all these litigation matters by the end of the term, we can all walk on water, let me tell you that. . . .*(laughing)*. . . But there are several factors as to why, you know, we can't address certain things because, you know, court dates --

MS. AARONA: Right.

CHAIR MOLINA: -- and of course, the Corporation Counsel has to prepare themselves for the case, and those things take time. But, yeah, I agree with you, there's a lot on the laundry list to get to, but I'm confident that the next Council will get through a lot of this stuff. Okay. Before I call on --

MS. AARONA: Okay.

CHAIR MOLINA: -- for questions for you, Aunty Mopsy, Chair would like to recognize our Committee Vice-Chair Keani Rawlins-Fernandez. Good morning and aloha.

VICE-CHAIR RAWLINS-FERNANDEZ: Aloha kakahiaka, Chair, mai Maui nui a kama. I am at Kalana Pakui alone in this office, and I believe I saw no testifiers at the Moloka'i District Office. Mahalo.

CHAIR MOLINA: Okay. Mahalo, Vice-Chair. All right. Members, any need to clarify Aunty Mopsie's testimony, or any nice things to say about Aunty Mopsy? The floor is now open for you. . . .*(laughing)*. . . Okay. All right. I think the Members are satisfied with your testimony, Aunty *(audio interference)* --

MS. AARONA: Mahalo.

CHAIR MOLINA: Thank you, as always. Mahalo. And thank you as always for participating.

MS. AARONA: Take care. A hui hou.

CHAIR MOLINA: A hui hou. And we appreciate you helping us be our eyes and ears out there in the North Shore area. Mahalo.

MS. AARONA: Mahalo.

CHAIR MOLINA: Okay, Ms. Greco or Ms. Abraham, please announce our next testifiers.

MS. GRECO: Chair, the next testifier is Faith Chase.

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CHAIR MOLINA: Good morning, Ms. Chase.

MS. CHASE: Good morning, Chair Mike Molina. I echo all the gratitude that Aunty Mopsy shared. Thank you so much. I need more time to write you a real thank you, so I will do that another time. I wanted to just...I don't know what is the number...I have a small screen...the Bank of...is it CC 19-108 communication? No, that's not the one.

CHAIR MOLINA: . . .*(inaudible)*. . . --

MS. CHASE: 19-107, relating to the United States Federal Reserve Systems order requiring the Bank of America to provide mortgages on Hawaiian Home Lands. You know...how do I say...this is...this is very, very, very important. I understand the push back, the kick the can down the road, the excuses, the delays, all those litigious terms about, you know, deferrals, whatever that is, I get it. But more, now than ever, this piece is important because the Department of Hawaiian Home Lands homesteaders and waitlisters have been gathering to put forward a budget for the \$600 million to the new Governor. And all political ties and rhetoric aside, you are going to see...you're going to see the most fierce, empowered homesteaders and waitlisters. Because your waitlisters of Hawaiian Home Land has...are the ones that are suffering with finding places to live, the ones that decided to, you know, make camp for a long time. And they're going to be empowered, and they also going to have a budget. And so, I guess this message is to whoever...whomever Councilmember takes on this Committee, or one that serves as the Government Relations, Ethics, and Transparency, sort of, work, that you need to read everything about this, and you need to read all the testimonies that are about this subject matter. Because if you're not making wise decisions coming out the gates, you will be having those old Maui County Council meetings that go until 3:00 a.m. So, I just wanted to...I don't know who's going to take this Committee, right on, hollah, but I will be at every single meeting, and this is very, very important. And I just want to also say thank you to all the people, for years, that have made sure to hold this body, Bank of America, accountable. Thank you for your time.

CHAIR MOLINA: Okay. Thank you very much for your testimony, Ms. Chase. Members, any need to clarify Ms. Chase's testimony? Seeing none. Mahalo, Faith, for your testimony.

MS. CHASE: A hui hou.

CHAIR MOLINA: Okay. A hui hou. Staff, please continue in announcing our next testifiers.

MS. GRECO: Chair, there is no one else that has indicated they wish to testify at this time.

CHAIR MOLINA: Okay, very good. We'll close public testimony once we get to our items...or at least after...just after the start of our items.

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**GREAT-2(45) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS**  
**(RESOLUTION 22-127, URBAN DESIGN REVIEW BOARD)**  
**(CC 19-24)**

CHAIR MOLINA: So, with that said, we'll start with our first Committee item that's on the agenda here today, and that is GREAT Item 2(45) relating to the appointment of Ricky Aaron Sanches to the Urban Design Review Board. Resolution 22-127's purpose is to approve or disapprove the Mayor's nomination of Ricky Aaron Sanches to the Urban Design Review Board for a term expiring March 31st, 2023, to fill a vacancy replacing Stuart Marlowe. And from the Mayor's Administration, we have Mr. Mossman on the call, if you could give us a brief overview on the nominee. Good morning, Mr. Mossman.

MR. MOSSMAN: Good morning, everyone. Thank you, Chair Mike Molina, and xin chao. Ricky is no...Ricky Sanches is no stranger to our Boards and Commissions, he's been a great representative from the Lānaʻi Island. And he has...he has put in a application back in April to sit in on the Urban Design, and I thank you guys for taking the time and getting this up on the agenda. And if Ricky...I talked to him yesterday. If he's not on, that means that he had...he's not going to be able to join the meeting, and I don't see him on there. So, with that...that is our nomination for this Board, and we ask for your support.

CHAIR MOLINA: Okay. Thank you very much, Mr. Mossman. Staff, can you confirm if Mr. Sanches is on the call?

MS. GRECO: Chair, we do not see Mr. Sanches on the call.

CHAIR MOLINA: Okay. All right. Well, that's it. Members, any questions for Mr. Mossman? I'll go to island...Lānaʻi Island representative, we'll start with Mr. Johnson. Do you have any questions, or comments about the nominee? Please, go ahead.

COUNCILMEMBER JOHNSON: Sure. Thank you, Councilmember Molina. Yeah, I know the Sanches, I know Ricky pretty well, born and raised Lānaʻi. I'm happy that he's stepped up to do some...you know, contribute to our community through a board and commission. I have a question for Mr. Mossman. I know he put his...and you mentioned it, he put his application back in April. Why so long? And was it just he was waiting for an opening, or was he applying for other boards and commissions?

MR. MOSSMAN: Thank you for that --

CHAIR MOLINA: Mr. Mossman.

MR. MOSSMAN: -- Councilmember Johnson. He had put in for the replacement of Christopher Curtis back then, and it's just because of the...I believe it was just waiting to get on agenda. And it's because there's no timeline on this actual board, I believe that it was when your board opened through the GREAT...maybe Chair Mike Molina can give more information on that.

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COUNCILMEMBER JOHNSON: Okay. So, unfortunately, he's not here today, so I'm just going to ask you, Mr. Mossman. You know, he's...he's a plumber, and he owns his own company. What kind of contribution could he have for urban design? Is it...is that....is that a...it's hard to ask you, but I mean maybe you can help us understand like (*audio interference*) --

CHAIR MOLINA: Mr. Johnson, Mr. Mossman, if I could just interrupt for just a second. I've been informed by Staff to announce if we have any other testifiers before we continue the line of questioning. So, Staff, do we have any other testifiers for GREAT Item 2(45), at this point?

MS. GRECO: Chair, we do not have anyone on the call that has indicated they wish to testify on this item.

CHAIR MOLINA: Okay. Members, Chair's recommendation is to close public testimony on this item. Any objections?

COUNCILMEMBERS: No objections.

CHAIR MOLINA: Okay. So ordered, close public testimony on that item.

**. . .END OF PUBLIC TESTIMONY FOR GREAT-2(45). . .**

CHAIR MOLINA: And, Mr. Johnson, my apologies again. Mr. Mossman, do you need the question repeated to you from Mr. Johnson?

MR. MOSSMAN: No.

CHAIR MOLINA: (*Audio interference*) --

MR. MOSSMAN: Okay. Thank you, Councilmember Johnson. You know, Ricky...we...because of the lack of applicants from the Island of Lānaʻi...I have a few other pending boards right now. But when we talked, I asked Ricky because he was...he was available, wanted to serve, and we talked about it. And he said, you know...you know, put me on a Board that we can do. So, we...we put him on the Urban Board because we are...you know, by Charter, I need to have someone from Lānaʻi on there. And that was the...I think the main reason for the applicant to...and for our nomination, due to the fact that we had a Lānaʻi applicant that was willing to serve on the Board. Now, from the standpoint of, you know, what he brings to the table, nothing more than the willingness to serve his community, and to give back to his community. And I...I think that's the best way to wrap it up.

COUNCILMEMBER JOHNSON: Okay. Thank you. Thank you, Chair.



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CHAIR MOLINA: Okay. Thank you, Member Johnson. Members, any other questions for Mr. Mossman as it relates to the nominee, Mr. Sanches, for the Urban Design Review Board? Okay. Oh, go ahead, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Mr. Mossman.

MR. MOSSMAN: Good morning.

VICE-CHAIR RAWLINS-FERNANDEZ: Do they meet once a month?

MR. MOSSMAN: Yes. Yes.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. I mean, I'm sure you wouldn't nominate him if you were concerned about his attendance, but he's not here. So, I was...I know you've been good about sharing with each nominee the attendance policy. I just wanted to get assurance on his attendance. And part of the reason I'm asking is in his application, it says, please indicate why you're interested in serving and what skills you may have to contribute. And it just says, I am in building construction, and then that's it. So, there isn't a real...seemingly strong interest. And so, there's a bit of a concern about attendance if there isn't a strong interest that's clear to see.

MR. MOSSMAN: Thank you, Vice-Chair Rawlins-Fernandez, . . .*(inaudible)*. . . But, you know, we did have this conversation. And when Ricky and I did talk about it, he was with the Board...Commission on Persons with Disability with an outstanding record of attendance. So, that was not a problem at all from the standpoint. Again, I...Ricky has been one of those that, over and beyond, has been available. And when this happened, and I...I had been...and I know...and I know Councilmember Johnson knows that I been trying to get people from Lānaʻi...applicants. And so, with Ricky stepping up, we just...I thought it was a good fit for what we needed at the point. And so, that's...you know, we support him wholeheartedly, he's a very good member.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Mossman, for that assurance about attendance --

MR. MOSSMAN: Yes.

VICE-CHAIR RAWLINS-FERNANDEZ: -- that he has a good record of attendance on a previous board or commission. And generally, you know, I'd like to see new, you know, individuals on boards and commissions, but I...as a Molokaʻi resident, I totally understand the challenges of, you know, getting new individuals on boards and commissions from Molokaʻi, Lānaʻi, Hāna.

MR. MOSSMAN: Absolutely.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo. Mahalo, Chair.

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CHAIR MOLINA: Okay. Mahalo, Vice-Chair Rawlins-Fernandez. Before I recognize Member Johnson, any other Members have any questions with regards to the nominee for Mr. Mossman? Okay, seeing none. Let's go back to Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair, this is just a quick calcification. So, this is Ricky Sanches, Senior, not Ricky --

MR. MOSSMAN: *(Audio interference)* --

COUNCILMEMBER JOHNSON: -- Sanches, Junior, right?

MR. MOSSMAN: Yes.

COUNCILMEMBER JOHNSON: Because if you folks remember, Ricky Sanches, Junior, came before us, and applied once, and I...I don't think he got approved. So, this is his father, and I had...I was looking over. I was like, where's the birthday because they're both Ricky...and so, now after hearing that, it is the father now, Members. So, that's a point of clarification. Thank you, Chair.

MR. MOSSMAN: My fault, I --

CHAIR MOLINA: And thank you, Member Johnson, that's an important clarification, appreciate that. Okay, Members --

MR. MOSSMAN: Councilmember Johnson, my fault. I should have --

CHAIR MOLINA: Oh.

MR. MOSSMAN: -- I should have clarified that right from the start. Thank you.

CHAIR MOLINA: Okay. Thank you, Mr. Mossman. Members, any other questions for Mr. Mossman before the Chair makes his recommendation? Okay, Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Mossman. I just was wondering, was this Mr. Sanches, Senior's, first choice of boards and commissions?

MR. MOSSMAN: Thank you, Member Paltin. Well, it was basically something that we needed to fill with someone from the Lānaʻi Island. And so, with him being gracious enough to step up and wanting to serve his community, that was basically the forerunning decision on the nominee...on the nomination for this person.

COUNCILMEMBER PALTIN: Okay. And Urban Design and Review Board has a requirement that every district be represented --

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MR. MOSSMAN: Yes.

COUNCILMEMBER PALTIN: -- or represented? Oh, okay.

MR. MOSSMAN: Yes.

COUNCILMEMBER PALTIN: Great.

MR. MOSSMAN: Yes.

COUNCILMEMBER PALTIN: Thank you.

CHAIR MOLINA: Okay. Thank you very much, Member Paltin. Members, any last questions for Mr. Mossman before the Chair makes a recommendation? Okay. Seeing none. All right. Members, the Chair is going to recommend adoption of Resolution 22-127, approving the nomination of Ricky Sanches, Junior [sic]--Ricky Aaron Sanches, Junior, [sic], I should say, to the Urban Design Review Board for the County of Maui. Chair, will entertain a motion to approve.

COUNCILMEMBER JOHNSON: So moved.

CHAIR MOLINA: Okay. Moved by --

COUNCILMEMBER PALTIN: *(Audio interference)* --

CHAIR MOLINA: -- Member Johnson, seconded by Member Paltin. Any final discussion on the nominee? Seeing none. Then the Chair will call for the vote. All those in favor, signify by saying aye and raising your hand. Aye.

**COUNCILMEMBERS VOICED AYE.**

CHAIR MOLINA: Okay. All those disapprove? Okay. Seeing none. For the record, Chair will mark it six ayes with three excusals, Members Sugimura, Kama, and King. So, Mr. Sanches' nomination will be moved forward to the next Council meeting for final decision making.

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**VOTE: AYES: Chair Molina, Vice-Chair Rawlins-Fernandez,  
Councilmembers Johnson, Lee, Paltin, and Sinenci.**

**NOES: None.**

**ABSTAIN: None.**

**ABSENT: None.**

**EXC.: Councilmembers Kama, King, and Sugimura.**

**MOTION CARRIED.**

**ACTION: ADOPTION OF RESOLUTION 22-127, APPROVING NOMINATION  
OF RICKY AARON SANCHES TO THE URBAN DESIGN REVIEW  
BOARD.**

CHAIR MOLINA: All right. Thank you very much for your work on that, Members.

**GREAT-2(57) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS  
(RESOLUTION 22-225, URBAN DESIGN REVIEW BOARD)  
(CC 19-24)**

CHAIR MOLINA: Okay. Moving onto our next...second agenda item listed, which is GREAT Item 2(57), Appointment of a Member to the Urban Design Review Board for the County of Maui. Resolution 22-225's purpose is to approve or disapprove the Mayor's nomination of Ashley Noelani Mikie Otomo to the Urban Design Review Board for a term expiring March 31st, 2027. Go ahead, Mr. Mossman, please provide opening comments on this nominee. And right after you're done, we'll see if there's any other testifiers for this matter. Mr. Mossman, go ahead.

MR. MOSSMAN: Thank you, Chair Molina. Ashley Otomo comes to us from a background of engineering. And she has been...she has sent in an application, and we do need engineers on this Urban Board. It was kind of...you know, we...we talk about attendance, we talked about a lot of different things that...and with her credentials that she has, we welcome her to this...this board because it's so difficult to find architects, engineers, et cetera, to the board. So, with that being said, you know, we're happy to have her on board, if approved. And I believe she is on the call, and you...you know, I thank you.

CHAIR MOLINA: Okay. Thank you very much, Mr. Mossman. All right. Staff, do we have any testifiers at this point?

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MS. GRECO: Chair, we do not have any testifiers signed up for this item.

CHAIR MOLINA: Okay. Staff, would it be okay to ask Ms. Otomo to provide opening comments, and then we'll decide to close public testimony after the nominee's opening comments?

MS. GRECO: Yes, Chair.

CHAIR MOLINA: Okay, great. All right. Now, I believe Ms. Otomo is on the call. If you're there...good morning, Ms. Otomo.

MS. OTOMO: Good morning.

CHAIR MOLINA: Thank you for being here to...to respond to any questions the Committee may have. We'd like to ask...you know, maybe take about a minute or two, and indicate to the Committee why you would like to be considered for this Committee. So, please go ahead and do so.

MS. OTOMO: Sure. Thank you, Chair Molina, and Councilmembers, for your time this morning. So, I put in the application to serve on the Urban Design Review Board because I think it's a good way to give back to my community in a meaningful and impactful way. As Ipo indicated, I have a background in civil engineering, and many of my projects have gone before Urban Design Review Board in the past. So, I feel that I am very...I guess I'm very familiar with their issues, and what they're concerned about for our community, and the proposed developments for our community. And as a civil engineer, I think I can bring good technical perspective to some of these projects.

CHAIR MOLINA: Okay, great. Thank you very much for your opening comments. Before we consider public testimony, Chair would like to recognize the presence of Member Kama to our proceedings this morning. Good morning.

COUNCILMEMBER KAMA: Good morning. Aloha kakahiaka, Chair, and xin chao to my colleagues. I beg your forgiveness for being late today, I had a early morning appointment, but I'm glad to be here. Thank you very much, Chair.

CHAIR MOLINA: All right. Thank you very much, Member Kama. No need for...ask for forgiveness, we just appreciate you being here. All right. Staff, so I assume there are no testifiers on the call. Oh, *(audio interference)* --

MS. GRECO: Chair, we did have one person --

CHAIR MOLINA: Oh.

MS. GRECO: -- join the call, that is Brandon Maka'awa'awa.

CHAIR MOLINA: Okay. I believe...Mr. Maka'awa'awa, we are taking testimony right now for

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GREAT Item 2(57), would you like to testify on that, Mr. Maka'awa'awa?

MR. MAKA'AWA'AWA: Oh, aloha, Chair. Is 2(57) the...the Bank of America thing? I just got this notice early this morning, so I just wanted to listen in.

CHAIR MOLINA: Sorry, Mr. Maka'awa [sic], that is our next...one of our Committee items that's --

MR. MAKA'AWA'AWA: Oh.

CHAIR MOLINA: -- posted for later on the agenda. But once we get to that item, if you're willing to wait, we can entertain your testimony on that, if you like.

MR. MAKA'AWA'AWA: Okay. Okay. I'll hang around.

CHAIR MOLINA: Okay. We'll come back to you. All right. Thank you.

MR. MAKA'AWA'AWA: Okay. Aloha.

CHAIR MOLINA: Okay. Staff, so, any other testifiers on the call for GREAT Item 2(57)?

MS. GRECO: Chair, there are no other testifiers for this item.

CHAIR MOLINA: Okay. Thank you very much, Ms. Greco. All right. Members, if no objections, the Chair will close public testimony for GREAT Item 2(57) related to the nomination of Ms. Ashley Otomo to the Urban Design Review Board. Any objections to closing public testimony?

COUNCILMEMBERS: No objections.

CHAIR MOLINA: Okay. So, ordered.

**. . .END OF PUBLIC TESTIMONY FOR GREAT-2(57). . .**

CHAIR MOLINA: All right, very good. So, Members, now...the floor is now open for either Mr. Mossman or Ms. Otomo to respond to questions. I'll go ahead and start first, and then I'll recognize Member Johnson. Again, thank you very much, Ms. Otomo, for being here. I'm going to steal one of the questions that's typically asked by my Vice-Chair Keani Rawlins-Fernandez about attendance. Now, certainly, you're very...a very busy, busy person. I believe the Urban Design Review Board...I don't know if they meet on an as-needed basis, or they have a scheduled once a month meeting. Mr. Mossman, can you confirm, Urban Design Review Board, they have a regularly scheduled once a month meeting, or do they meet more on an as-needed basis?

MR. MOSSMAN: In fact--thank you, Chair Molina. In fact, they...they have a two times a

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month that they're scheduled, but they normally meet once a month, for sure. But they do have...and it's on every Tuesday of the month...every first Tuesday and third Tuesday of the month, which is scheduled, and then they go off of what is needed.

CHAIR MOLINA: Okay. Thank you for that clarification, Mr. Mossman. So, with that said, Ms. Otomo, I assume that shouldn't be a problem then, the minimum once a month meeting for you. Because obviously, you...you're in a very, very busy profession. So, just to get that reassurance from you, so no problems with attending the meetings that time.

MS. OTOMO: No problems. I'll be committed to attending the meetings.

CHAIR MOLINA: All right, very good. Okay. The floor is now open for additional questions. We'll go with Member Johnson. Go ahead.

COUNCILMEMBER JOHNSON: Thank you, Chair. Good morning, Ms. Otomo. Thank you for your willingness to serve. I have a question for Mr. Mossman. Under the Urban Design Review Board, are there requirements on this Board to have engineers? And if not...I mean...and do we have any engineers on the Board, as it stands?

MR. MOSSMAN: Thank you, Councilmember Johnson. Yes, we need to have a minimum of two engineers on the Board. One engineer will be going out, coming this mass nomination, on March 31st. We have, right now, two on the Board. Ashley will be...Ms. Otomo will be the third person, pretty much, in place of that vacancy that's coming up.

COUNCILMEMBER JOHNSON: Okay. I don't know how you're finding all these engineers, Mr. Mossman. The County's been looking for engineers for years, but it's good to have an excess. Thank you. Thank you, Chair.

MR. MOSSMAN: I appreciate...thank you. And I totally agree with you. I appreciate Ms. Ashley Otomo stepping up and...and giving back to the community. We appreciate that.

COUNCILMEMBER JOHNSON: Yeah, most definitely. Mahalo for...for your willingness to serve, Ms. Otomo. Thank you, Chair.

CHAIR MOLINA: Mahalo, Member Johnson. Members, any other questions for Ms. Otomo or Mr. Mossman? We'll go with Member Sinenci, followed by Committee Vice-Chair Rawlins-Fernandez. Member Sinenci.

COUNCILMEMBER SINENCI: Mahalo, Chair. And aloha, Ms. Otomo, for your willingness to serve...for being here this morning. Just curious, you know, we've been working hard lately about--for my Committee anyway--protections for any cultural inventory with our Cultural Overlay Bill, as well as discussing about some wetlands bill, and...and drainage, particularly in South Maui. So, as...as an engineer, how do you prepare

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yourself for these types of things should they come up before the Planning Commission? You're on the Urban Design Review Board, are you willing to...what kind of advice would you be giving the Planning Commissions about these certain . . . *(inaudible)* . . . ?

MS. OTOMO: Right. Based on past experience with projects that have gone before Urban Design Review Board for engineering-related questions, drainage is one of the biggest concerns. So, I think based on a project-by-project basis, you kind of look at where it is in relation to sensitive areas on the island, and that's kind of where you go with your recommendations, or the kinds of questions you would ask of the project applicants. I know Kihei is a regional concern for drainage issues. There's also other spots...low lying spots on the island that would be of concern as well.

COUNCILMEMBER SINENCI: Okay. And then for those areas with sensitive...the cultural sensitivities, at what point in the design phase do you, you know, not necessarily stop a project, but revamp or...or, you know, look at changing the design to protect some of these burial sites and such?

MS. OTOMO: You know, I think that's a good question. I think sometimes when projects come before Urban Design Review Board, some of those issues are not fully fleshed out. There are some projects that don't encounter those issues until construction. And there's other projects that have done due diligence, and they know about these issues. So, I think it will be on a case-by-case basis. But the Urban Design Review Board, from my understanding, is...is not a decision-making board, it's a advisory board to the Planning Commission. So, I don't know that they would have the ability to stop a project.

COUNCILMEMBER SINENCI: Thank you, Ms. Otomo, for your responses. Thank you, Chair.

CHAIR MOLINA: Okay. Thank you, Mr. Sinenci. Committee Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Ms. Otomo. Mahalo for your willingness to serve on the Board. I just have one question since the Chair asked one of my questions already. . . . *(laughing)* . . . And you answered an earlier question that I usually ask, which is what's your experience. So, you've already come before the Urban Design Review Board in the past, with past projects. So, if in the future, you have...your engineering company has any projects, will you be recusing yourself?

MS. OTOMO: Yeah. Right, I believe that is the normal protocol, is to recuse yourself from projects that you are a part of the project team.

VICE-CHAIR RAWLINS-FERNANDEZ: And you would have a coworker present before the board? Or how would that *(audio interference)*?

MS. OTOMO: I don't think that would be the case. In past projects that I had gone before Urban Design, the engineers are not, particularly, part of the presentation. We're there for technical support if questions are asked. And I believe that we're allowed to answer



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questions, just not be a presenter.

VICE-CHAIR RAWLINS-FERNANDEZ: So, a coworker would then be there to field questions on your company's behalf?

MS. OTOMO: No, it's my understanding that we...if you're a member of the Urban Design, you can answer questions as part of the project team, but you're not allowed to present as part of like the PowerPoint presentation, but you can answer technical questions. This came up at the last Urban Design Review Board meeting, actually, with one of the members who had to recuse himself. He was able to answer questions after the presentation, but not be a part of the project presentation to the board.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay, that's different. But I guess the board is not a decision-making body, it's just advisory. Huh. That's still...that's still awkward for me. Usually if you're a voting member of a body, you wouldn't also serve as a resource person to that body that you sit on. But I understand that it's challenging to get...to fill this board because it requires engineers. Yeah. Okay. Mahalo, Ms. Otomo. Mahalo, Chair.

MS. OTOMO: Thank you.

CHAIR MOLINA: Okay. Mahalo, Vice-Chair Fernandez [sic]. That is certainly a good issue to bring up. I think, yeah, you would be there more as an information, a resource, but cannot directly participate in the discussions, and obviously not...I guess it's something that, you know...and of course, it's up to the Committee, too, how they want to handle it too, yeah. So, there's a fine line, I guess, to everything. Members, any other questions for Ms. Otomo or Mr. Mossman? Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Ms. Otomo, for your willingness to serve. I just was wondering, are you doing realtoring [sic] and civil engineering at the same time, or is that part of your profession finish?

MS. OTOMO: No, I have a active real estate license, I don't necessarily use it very often. I've done a couple of transactions for family members, but I do not actively seek real estate business.

COUNCILMEMBER PALTIN: Oh, okay. And if that were...you would recuse on the real estate end too, if it was like your real estate client coming up?

MS. OTOMO: Yeah, sure.

COUNCILMEMBER PALTIN: Okay. Cool. Thank you.

CHAIR MOLINA: Okay. Thank you, Member Paltin. Members, any other questions for Ms. Otomo or Mr. Mossman? Okay. I see Mr. Sinenci, go ahead.

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COUNCILMEMBER SINENCI: Mahalo, Chair, for my second...yeah, this is just a question for Mr. Mossman. It looks like there are three vacancies, and we did just go ahead and approve Mr. Sanches. Are you looking to include any future appointments that may have, you know, water...so, water experience, or environmental experience on this board?

MR. MOSSMAN: Thank you, Chair and Mr. Sinenci. You know, at this particular board, we were having such a hard time trying to find architects and engineers, period. But if the need did come up for someone that had qualifications, we would very much so. It leaves us with two openings for the general side after you go through the specifics. And so, with the land architect...two different architects with two different engineers, and all that. So, the difficulty here is finding the professional side. But yes, very open to having that conversation, as it arises, if we were able to put in somebody, you know, along with the districts, et cetera...you know, the...that we follow.

COUNCILMEMBER SINENCI: Yeah...yeah, and as Member Johnson said, it's hard to find those types of engineers, maybe like some type of environmental engineer, or some sort. Thank you.

MR. MOSSMAN: Yeah (*audio interference*) --

COUNCILMEMBER SINENCI: Thank you, Chair.

CHAIR MOLINA: Okay. Thank you very much, Mr. Sinenci. Member Paltin.

COUNCILMEMBER PALTIN: Yeah. Sorry, I just had another question for Mr. Mossman. I was wondering, how many females are currently on the Board?

MR. MOSSMAN: Councilmember Paltin, let me read that right now. On the Urban...sorry, I wasn't really prepared for that question. But right now, I have --

COUNCILMEMBER PALTIN: (*Audio interference*) --

MR. MOSSMAN: -- actually...I would say I have...there's one on the alternate, and three...three total women on this Board.

COUNCILMEMBER PALTIN: Okay. Oh, that's good then. Because now, we're getting more gender balance.

MR. MOSSMAN: Yeah.

COUNCILMEMBER PALTIN: Okay. Thank you.

CHAIR MOLINA: Okay. Thank you very much, Member Paltin. Members...go ahead, Vice-Chair Rawlins-Fernandez.

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VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Just a quick question for Mr. Mossman. The...what is this called? The list that I'm looking at right now, with the Urban Design Review Board, there are two vacancies in the alternates, and two men. So, I don't see a woman as one of the alternates.

MR. MOSSMAN: Sorry.

VICE-CHAIR RAWLINS-FERNANDEZ: Is there an update?

MR. MOSSMAN: There's a...I'm sorry, not on the alternate side. There was three here that we have with Miss...there's a Mandy Kimmey...no, Marie --

VICE-CHAIR RAWLINS-FERNANDEZ: Marie.

MR. MOSSMAN: -- Kimmey, yeah.

VICE-CHAIR RAWLINS-FERNANDEZ: Caryl.

MR. MOSSMAN: And a Mandy Saito, and --

VICE-CHAIR RAWLINS-FERNANDEZ: Caryl.

MR. MOSSMAN: -- Caryl, right. And then that would be four with Ashley, if approved, and nothing on. Now, when you look at the...the list, I know you're seeing that right now, you can see that where we need the biggest help right now is architects, and...you know, the professional side.

VICE-CHAIR RAWLINS-FERNANDEZ: Yeah.

MR. MOSSMAN: And so, that's where we're really having the...you know, the...the challenges of finding those people, you know, and...to meet the...the District, the gender, et cetera, becomes a challenge.

VICE-CHAIR RAWLINS-FERNANDEZ: Yeah. Mahalo, Mr. Mossman. I just (*audio interference*) --

MR. MOSSMAN: Thanks for the correction.

VICE-CHAIR RAWLINS-FERNANDEZ: Oh, okay. Okay. So, clarifying that there is an...a woman on the alternate. There are two vacancies, right?

MR. MOSSMAN: Yes.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Mr. Mossman. Mahalo, Chair.



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MS. OTOMO: Thank you.

CHAIR MOLINA: Thank you. Your matter will go for a final decision making at a future Council meeting. And so, we appreciate you spending the time with us. Thank you for your work, Members, and Mr. Mossman.

**GREAT-2(58) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS**  
**(RESOLUTION 22-247, MAUI PLANNING COMMISSION) (CC 19-24)**

CHAIR MOLINA: And we've got one more GREAT item to address, and that is GREAT Item 2(58). This relates to the appointment of Blaine Apo to the Maui Planning Commission. Resolution 22-247's purpose is to approve or disapprove the Mayor's nomination of Blaine Apo to the Maui Planning Commission for a term expiring March 31st, 2027 to fill a vacancy due to the resignation of William Gordon Greig. And we have, again, Mr. Mossman to provide us an overview on the nominee. Go ahead, Mr. Mossman.

MR. MOSSMAN: Thank you, Chair Molina. In replacing Mr. Willy Greig, you know, we were looking for a Kula member of the Planning Department. And, you know, we...again, we have to pretty much hunt around, and ask tough questions, and find someone that...from the Upcountry. Mr. Blaine Apo, being a...having his own company with Maui Crisps, and also a...you know, his own company with Advanced Trucking, really interested in...in giving back to his community, and we...we really welcome the...his enthusiasm, the joy, and in such a huge Commission as the Maui Planning Commission. And so, with that being said, I...I asked him to be on the call. I believe he is on the call so that he can answer some questions. We went through the attendance, and et cetera. And as you know, they meet twice a month, the...the Maui Planning...twice a month on the second and fourth Thursday. So, with all that being discussed with him, we went and...and, you know, we really...we're happy to have him as a...as a nominee from the Mayor's Office, and ask for your support.

CHAIR MOLINA: Okay. Thank you very much, Mr. Mossman. I guess...Mr. Apo, I'd like to ask you to...there you are. Aloha, Mr. Apo. Thank you for coming to the Committee meeting this morning. We'd like to ask you to maybe share about a minute or two about yourself, and why you would like to be considered for the Maui Planning Commission. Please go ahead.

MR. APO: Thank you. Aloha, Chair Molina, Councilmembers. Mahalo for this opportunity. I was born and raised here, local resident Maui, live Upcountry my whole life, now reside in Kula for the last 15 years. I've been an entrepreneur since 23 years old, and started a trucking company back then, manage Ilima Shell Service Station. I created our current company, Maui Crisps, which we manufacture dehydrated beef into thin crispy chips. I've been a part of community, coaching baseball, fundraisers for children battling cancer. We've done golf tournaments. I've also worked with Rise Hawai'i doing

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a educational video that was supported by the Maui...I mean Hawai'i Public Charter Schools and Kamehameha Schools trying to share my story, and other local entrepreneur stories around the state with high school students, and exposing them to becoming entrepreneurs themselves. I've been involved with community meetings. I followed this Commission for some years now, watching on *Akakū*, and hearing different topics arise, and talking to other people in the community. I felt, you know, this is...I feel it's my time to . . . *(inaudible)*. . . my willingness to learn...to learn and assist with this Planning Commission feels important for me to give back to my community, and at least try, and see what we can do to make this board and commission a success.

CHAIR MOLINA: Okay. Mahalo for your opening remarks, Mr. Apo. Before I turn matters over to the Committee for any questions they may have, Staff, do we have any testifiers for GREAT Item 2(58)?

MS. GRECO: Chair, we have no individuals signed up for this item.

CHAIR MOLINA: Okay. Members, if there are no objections, Chair will close public testimony on GREAT Item 2(58) relating to the nomination of Mr. Apo to the Maui Planning Commission. Any objections?

COUNCILMEMBERS: No objections.

**. . .END OF PUBLIC TESTIMONY FOR GREAT-2(58). . .**

CHAIR MOLINA: Okay. So, noted. All right. Mr. Apo, well, first of all, my goodness, you got my appetite going mentioning about the crispy beef, and all that stuff. You folks doing any crispy deer, by any chance? That could come in handy too, if you are *(audio interference)*.

MR. APO: You know *(audio interference)* sorry.

CHAIR MOLINA: Go ahead. Go ahead.

MR. APO: We've been doing testing for about a year now with the deer, especially with the influx of deer going through people's yards, and the local farmers getting hit by it. But, yeah, we did. It actually is very good.

CHAIR MOLINA: Wow. Okay. Well, I think that was my question. But no, in all...seriously, but congratulations on your success with being an entrepreneur, and, you know, thank you for willing...your willingness to put your name out there to be considered for this very important and busy commission. So, at this point, Members, the floor is now open for questions for either Mr. Apo or Mr. Mossman. Okay. We'll start with Mr. Sinenci, go ahead.

COUNCILMEMBER SINENCI: Okay. Mahalo, Chair. My first question is for Mr. Mossman. It

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looks like we've got a full Commission. Would Mr. Apo, technically, be taking someone's...an outgoing member?

MR. MOSSMAN: Yes. Yes, sir. He is going...he's replacing William Greig on the list. So, we do have...that's the only vacancy we have right now. Yes.

COUNCILMEMBER SINENCI: Oh, okay. Thank you. And then mahalo, Mr. Apo, for your willingness to serve. Our Planning Commission is one of our pretty heavy-duty commissions. And so, should you be elected, you'd be able to kind of chime in on a lot of the different...whether it be developments, and such, around the...around the County. And so, I just kind of wanted to get your feel. You know, we...you know, we are concerned about our water resources, particularly Upcountry where we have the water meter list. And so there's certain...we're trying to focus on certain areas where we can have affordable housing, where development should...we're looking at moving mauka some of the areas for climate change. So, what is your general consensus about where, you know, we should be looking at development in Maui County --

MR. APO: *(Audio interference)* --

COUNCILMEMBER SINENCI: -- considering all of these...considering all of these factors?

MR. APO: Well, speaking as a Upcountry resident, for me, seeing all these other local families on the list waiting for water meters, or even housing developments, I think the first priority, to me, would be securing our water access before we do start doing any more development. I'm not saying I'm against it, but I think every year living Upcountry we get water droughts because they restrict our water usage, and I feel...I mean I'm not really deep into it on what exactly is causing all this, and how we can expand our...our holding systems, or catchment, or it be a lot more to dig into, but then definitely interested in that topic, and want to be a part of that, for sure.

COUNCILMEMBER SINENCI: Okay. I appreciate that. *(Audio interference)* for that. Thank you, Chair.

CHAIR MOLINA: Okay. Thank you very much, Mr. Sinenci. Members, any other questions for Mr. Apo or Mr. Mossman at this time? Okay. I see Member Paltin with her hand up. Go ahead.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Apo, for your willingness to serve. Love the crisps. I just was wondering, you know, the...I'm stoked to hear that you've been watching some of the Planning Commission meetings. It's kind of a heavy load to get into as a volunteer, so, stoked on that, your willingness to apply. Just was wondering, you know, because the Planning Commission has the sole authority in the special management area, how familiar you are with, you know, the issues that we're facing, such as sea level rise, coastal erosion, and like that...like your familiarity with the sea level rise exposure area, the PacIOOS website, and things like that.

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MR. APO: Thank you. Yes. So, the recent one I was...been following along is the Mama's Fish House sand replenishment on the beach. Prior to that was a...I believe is an...I call it Camp One but it's down in Naskas where those private owners were bringing in sand from the land. So, as a avid diver for tako, I've seen the grounds underwater, the reef and whatnot get kind of covered by the soot, and just watching all this stuff go on. I mean that's...there's a lot more...being in trucking, there was a issue in the mainland with the soot covering up the reef, and they would wash the sand prior to that. But as far as here in Hawai'i, I'm not too sure how we could go about it. I'm definitely willing to investigate and look into it. But, yeah, I been...shoreline, for sure, is number one, also land access for locals...yeah.

COUNCILMEMBER PALTIN: Thank you. And I just was wondering if you could speak to, like, your methodology. Like this past four years I was chairing the Land Use Commission, which has a lot of similarities, but when there's super controversial decisions come up, and, you know, maybe you don't have a dog in the fight, like how would you come to a decision? Like what...what is your methodology for decision making? I could use some pointers too.

MR. APO: Shoots, I...my father-in-law is a marine biologist, so I...I . . . *(inaudible)*. . . consult with him. And like maybe a lot of the stuff, I would seek...either investigating myself, getting information myself on how to go about it. But, yeah, I...I been seeing...it's tough. I mean not...you cannot know everything, right. So, I would just...basically looking for...like get evidence, and bring it to the table, and show the other board members, you know, that here's what the real side of it is, is the effects, the pros and cons of it, and have everybody bring their pros and cons to the table so they work together to get it going. But, yeah, it is...I been following, you know. It's been in me for a couple of years to sign up, and I kind of been hesitant, but I feel, you know, at this time, I...I think I can, or at least I have to try.

COUNCILMEMBER PALTIN: Right on, stoked. Thank you for applying.

MR. APO: Thank you. Mahalo.

CHAIR MOLINA: Okay. Mahalo, Member Paltin. And mahalo for your responses, Mr. Apo. I see Committee Vice-Chair Rawlins-Fernandez. Proceed with your questions for Mr. Apo or Mr. Mossman.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Mr. Apo.

MR. APO: Aloha.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo for your willingness to serve. Are you related to the Apos on Moloka'i?



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MR. APO: Yes, those are (*audio interference*).

VICE-CHAIR RAWLINS-FERNANDEZ: All right. I should have asked you on the side. But my first question is regarding your...or second...is regarding your attendance. As everyone, you know, has kind of spoke to, and as you are aware, there's a lot of meeting material. So, a lot of reading before the meeting, and...and you've seen how long the...the meetings can be. Do you foresee any concerns with your ability to attend all the...all the meetings twice a month for the length of time?

MR. APO: Yeah, I'm committed fully. I am no longer coaching, I stepped back from that. So, that allowed...that opened up a lot of space.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo. And then...okay. So, you responded to my question regarding...you already spoke to your experience of the Planning Commission. What do you...how do you foresee contributing, if you would like to speak anymore? You kind of shared some, but if you'd like to share any more about what you...how you foresee contributing to the Commission?

MR. APO: Just development, in general. Looking and making sure are we doing the right thing for both local residents and incoming residents. Yeah, it's...it's a tough one, but yeah. I mean whatever I can do...I mean as...and look it thoroughly through, everything...that decision-making process.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo. And my last question, I like that you have that relationship to the natural environment. I think it'll speak to your ability to be able to balance the built environment to the natural environment, ensuring that the impact of the built environment is not destroying our natural environment. Otherwise, you won't be able to gather he'e anymore. And so, you know, the...the controversy that's...that generally comes up is that balance between, you know, building too much and, you know, building enough for who. And, you know, we say we don't want to build in the wetlands, or on the shoreline anymore, generally speaking. And generally speaking, we don't want Maui to look as urbanized as O'ahu does. But when we take projects piecemeal, those...you know, that...those broader ideas kind of get put on the...the sideline. So, will you speak to your thoughts on trying to achieve that balance of, you know, ensuring that we...I don't know if you don't want Maui to look like O'ahu, or what your thoughts are on continuing to build along the shoreline and the...the wetland.

MR. APO: Yeah, so overdevelopment is definitely one of my topics...priorities that I would like to have a little say in. It seems like every time...over the years, Kihei has...has been just...everything near the shoreline has been developing. Doing some research, talking to some kūpunas about the wetlands, and how it was back in the days is...we're building in swampland knowingly. And to have the County fork the bill to clean up all the roads with all the...the runoff and whatnot that's being diverted around properties, I feel it's...it's kind of not...it doesn't make sense to me. Should do a better job on...on looking at the total big picture, preserving all the...because then...then again, it's all that soot

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and whatnot...same thing that...that'll cover the reef. And as a local person, I'd want to have something to hand down to my kids, and show them, you know, what it's like to live on an island. We're surrounded by water. We have enough food to access on the island from...from mauka to makai to survive here. So, in case something drastic...something big happens out there in the world, so...but, yeah, my willingness to open up and...and really speak my feelings, yes, for sure.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Apo, for all your responses, and for applying. I will be supporting your nomination. Mahalo (*audio interference*) --

MR. APO: Mahalo.

VICE-CHAIR RAWLINS-FERNANDEZ: -- this nomination. Mahalo, Chair.

CHAIR MOLINA: Okay. Mahalo, Vice-Chair. Members, any other questions for Mr. Apo before the Chair makes a recommendation? Okay. Seeing none. Then, well, the Chair's recommendation is to approve Mr. Apo's nomination to the Maui Planning Commission for a term expiring on March 31st, 2027, to fill a vacancy due to the resignation of William Gordon Greig. So, again, Chair's motion is to approve Resolution 22-247 approving Mr. Apo's nomination. Chair will entertain a motion.

COUNCILMEMBER KAMA: So moved.

CHAIR MOLINA: Okay. Moved by Member Kama, seconded by Committee Vice-Chair Rawlins-Fernandez. Members, any discussion? Okay.

UNIDENTIFIED SPEAKER: No.

CHAIR MOLINA: Seeing none. Then the Chair will--oh, did I hear a voice? Someone wanted to make a comment? No. Okay. Must be hearing things. All right. Members, Chair will call for the vote then. All those in favor of the motion to approve Mr. Apo's nomination to the Maui Planning Commission, signify by raising your hand and saying aye. Aye.

**COUNCILMEMBERS VOICED AYE.**

CHAIR MOLINA: Okay. Anyone oppose? Okay. Chair, will mark it seven ayes, with two excusals, Member Sugimura, and Member King.

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**VOTE: AYES: Chair Molina, Vice-Chair Rawlins-Fernandez,  
Councilmembers Johnson, Kama, Lee, Paltin, and  
Sinenci.**

**NOES: None.**

**ABSTAIN: None.**

**ABSENT: None.**

**EXC.: Councilmembers King and Sugimura.**

**MOTION CARRIED.**

**ACTION: ADOPTION OF RESOLUTION 22-247, APPROVING NOMINATION  
OF BLAINE APO TO THE MAUI PLANNING COMMISSION.**

CHAIR MOLINA: Mahalo, Mr. Apo, for spending time with the Committee. Congratulations. Your matter will go before the full Council in a couple of weeks for a final decision making, but thank you very much for sharing your mana'o.

MR. APO: Mahalo to all. Have a great day. Aloha.

CHAIR MOLINA: *(Audio interference)* thank you. Okay. And thank you, Mr. Mossman. I think this does it for us with you for today. Thank you for all of your hard work in responding to all of our questions as well, Mr. Mossman. Mahalo.

**COMMUNICATIONS FOR REFERRAL TO THE COUNCIL CHAIR FOR  
THE 2023-2025 COUNCIL TERM**

CHAIR MOLINA: Okay. Members, we are on our last item for today. You guys want a break, or you going to just want to power through this? Power through? Okay. All right. I like your energy, Members. This matter is the Communications for Referral to the Council Chair for the 2023-2025 Council Term. Members, your Chair has posted a number of communications pending before the Committee for your consideration to, again, refer to the next term, or refer to the Council Chair for the term beginning January 2nd, 2023, in accordance with Rule 23 of the Rules of the Council. These items are currently listed on the Committee's master agenda which, if not referred, will be deemed filed at the end of this term. And Members, as a reminder, requests can be made to remove items from the discretionary referral list, but at this point, no items can be added. And please, also, keep in mind that any filed item can be reintroduced in the next Council term. Committee Staff, I believe we did have Mr. Maka'awa'awa who wanted to testify. So, we'll start with him. Are there any others besides

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Mr. Maka'awa'awa who wanted to testify after him? Okay. Seeing none. I believe, Mr. Maka'awa'awa, you're our one testifier for this item. Please proceed. Aloha.

MR. MAKA'AWA'AWA: Oh, aloha. Aloha, Chair. Welcome back. Yeah, I just wanted to make sure that we keep this item, kind of, on the list, the Bank of America thing. Because, you know I...I think we've all done a lot of great work keeping this going, and have put a lot of pressure on Bank of America to fulfill this commitment...so much so that...that, you know, our...our own lawsuit is proceeding right now, and we just waiting for a ruling from Judge Seabright. But I think because of the funds that was committed to this item, because of everybody's work, I mean we...you know, we been in this Chamber for almost three years...or over three years working on this. I would hate to see us lose momentum, and let this thing drop, you know. I think the issues weren't with this Council, more so the...the Corp. Counsel and...and other things. And, you know, we found information that, you know, our...the...the Corp. Counsel was communicating with, you know, Bank of America's lawyer. So, you know, I...I...you know, I didn't want that to hinder the...the work we've been doing. But, hopefully, with...with our new Mayor, new Administration, new Corp. Counsel, maybe they can say that, you know, there really is a case going on here to hold Bank of America accountable. And I would like this Council, because of, you know, you guys' commitment, this...this has been going on way too long, and we've come way too far to...to let this thing drop off, so...I'll just share that for now. And yeah, that's...that's about it.

CHAIR MOLINA: Okay. Mahalo for your testimony, Mr. Maka'awa'awa. And thank you too, for your input on this matter. Certainly this will be taken up, assuming, by the rest of the Members...and returning Members, and whoever chairs this Committee. This is certainly something worth continuing to explore. So, with that said, Members, any need to clarify Mr. Maka'awa'awa's testimony this morning? Mr. Sinenci, go ahead.

COUNCILMEMBER SINENCI: Mahalo, Chair. And aloha, Mr. Maka'awa'awa, and mahalo again for always coming on, and...you know, and...and speaking to this. You mentioned three years now, and the more we...we wait on it--I just wanted to get your comments--the more we wait, the more we continue this...you know, what do you see the...the ramifications are as we continue to, you know, kick this can down the road, and continue to...you know, not to address it more sooner? You know, where...where do we see, you know, the things that...the ramifications of this?

MR. MAKA'AWA'AWA: Well, you know, first off, justice delayed is justice denied, you know, and...and the fact that we actually have a case that...that is...that is being taken very seriously by the Federal Court should...should tell you something. You know, Judge Seabright had every opportunity to dismiss our case over the last few months, and he hasn't, he's let it proceed. And so, we're...we're getting to a point where we're reaching a critical mass where we...we can, you know, leverage Bank of America into a settlement because they know, you know, this...this was a wrong done to our people. You know, they trying to save face, or whatever it is, maybe it got personal between the bank and us for some reason, which is crazy to think. But I think with the...the County's

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involvement, it just lends more legitimacy that, you know, they...they got to just stop playing the games. They got to stop playing the political game here in Hawai'i. Because what...the real barriers we've been facing here haven't even been Bank of America, it's been politics, it's been lawyers, it's been...you know, the...the influence that Bank of America has here is...is dangerous. And they shouldn't be allowed to get away with something like this. Because the ramifications of that is like...it's open season in Hawai'i. We need to hold these big banks, these big corporations accountable, just like how you folks are trying to do, at every level, we cannot let one slip by, you know. And so, we just trying do our end with...with Bank of America, but get plenty other corporations, and banks operating in Hawai'i, getting contracts, getting deals, and they don't deserve them. You know, they deserve to make our people whole, they deserve to live up to their commitments to the Hawaiian people. So, I...I think the ramifications of letting this go, it just kind of compounds the...the problems we already face here...the housing shortage, the lack of...the lack of avenues for our homesteaders to actually access loans. And so, actually, with...you know, with...with this...you know, with this fight with Bank of America, and with our lawsuit, we've...we've been even opening up communications with the banks here that haven't been lending on Hawaiian Home Lands. This is because our lawsuit, the...the banks here are getting afraid. Because the banks here are doing the exact same thing Bank of America did. They're redlining. You know, they're not lending to our people. We created a report, and we did a report card on all the banks here that...who actually lend to Hawaiian homesteaders, and it's sad. Most of the loans are going out to HomeStreet Banks, there's no local banks that...that really take on this kuleana that...that everybody should be taking on. And so, I think if we let this slip by, we sending a message to not just Bank of America, and the big corporations coming here, that they can just walk over Hawai'i and Hawaiians, but we also sending a message here to the other banks that, oh, yeah, we...we can just keep ignoring, and redlining against Hawaiians because, you know, nobody going stop us. So, that's the ramifications, I think, Councilmember. And I just like to tell you congratulations.

COUNCILMEMBER SINENCI: . . . *(Inaudible)*. . . mahalo, Mr. Maka'awa'awa. And hey, ha'aeo wau, kū kia'i, he mea a kou kanaka. . . So, mahalo.

MR. MAKAWA'AWA: Mahalo.

CHAIR MOLINA: Okay. Mahalo, Member Sinenci. Members, any other need to clarify Mr. Maka'awa'awa's testimony? Committee Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. And I want to thank you, Chair, for keeping this at the forefront of our discussions this term. That was really important that you continued to schedule it so that we continue to get updates from our attorneys, and to check on the status, and to show that this is something that was important to this Council. And so, mahalo, Mr. Maka'awa'awa, for your testimony this morning to continue to, you know, put that pressure on our different decision-making bodies. So, today we're...we're just...we're referring all the items to the next term, and that's...that's

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the process in which we take. And then in the next...in the new term, at the beginning of the term, we set up new Committees. So, we don't really know what the Committees are going to be yet, and where these items are going...what Committees the items will be placed in. I just wanted to ask if you were concerned that this would end up being backburnered [*sic*], and if you would be able to testify when this item is being referred to the...the new...the new Committee in the new term?

MR. MAKA'AWA'AWA: Thank you. Mahalo, Councilmember Fernandez. Yes, I was slightly concerned because I have to be...you know, we been doing this for years (*audio interference*), and I would have hated for something like that to have happened in...in this Council. And, you know, I...I trust that the...the Councilmembers here are...you know, are good people that would want to see something like this puka through. And so, I was kind of concerned, but, you know, hopefully, you know, we can...we can continue this...this matter. Because, you know, now that we have our lawsuit going, I just think that the lawsuit that Maui County was...was preparing to...to put out was actually...the input is for us to do ours. And so, you know, I...I want...I want everybody to...to come along for this journey with us, you know, and just kind of understand how important it is to hold these banks and these corporations accountable to their commitments to any of our people, regardless if we Hawaiian or not. If they make a commitment to anybody in Hawai'i, we need to hold these people accountable, especially if they're going to get contracts. Like Bank of America got the P-Card contract for the State of Hawai'i, and that just happened recently again. You know, so, these...these people should not be getting contracts...big money contracts from our state when they have, you know, very prevalent injustices that...that have still not been addressed. And so, I want this to be on the forefront of everybody's mind. It's a really complicated case because Bank of America has made it complicated, and the...and the politics that have gone on has made it very complicated and confusing. But I just want you guys to know that as long you guys are here to fight with us, I'm here to fight with you. And I want to be involved, and...and I want...I want us all to be able to...to protect our people's rights, and...and, you know, protect our assets, you know, as...as a community, as a State, as a County. And so, I say holomua, and I'll be right alongside with you folks. And, yes, I'd like to testify during that first meeting, and...and kind of give you guys a more in-depth update. Yeah, but thank you. And congratulations --

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo.

MR. MAKA'AWA'AWA: -- too.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo --

MR. MAKA'AWA'AWA: (*Audio interference*) --

VICE-CHAIR RAWLINS-FERNANDEZ: -- Mr. Maka'awa'awa. A hiki a lanakila.. Mahalo. Mahalo, Chair.

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CHAIR MOLINA: Okay. Mahalo, Vice-Chair. And thank you for your kind words, Vice-Chair. And, you know, the reality is...also...too, everybody had showed their support to have this matter heard, certainly a very important one. And it may not happen overnight, as we've seen, but certainly progress has been made just by having the discussion. So, that's --

MR. MAKA'AWA'AWA: Yes.

CHAIR MOLINA: -- that's certainly been very, very big...big positive step. And I'm sure, Mr. Maka'awa'awa, whoever takes over this Committee next term, you'll be the first one...you'll be called upon to not only testify, but serve as a resource as well because I think you certainly provide a very important perspective on this matter.

MR. MAKA'AWA'AWA: *(Audio interference)* --

CHAIR MOLINA: Now, we have a question for you from Member Kama. Go ahead.

COUNCILMEMBER KAMA: Thank you, Chair. Thank you for being here, and for just hanging there for the long haul. I do appreciate it, and I'm just thankful that you are where you are today...that you're still young enough, and have the energy enough to see this thing through until fruition. So, thank you for that. So, my question is, is there a way that we can communicate with you so that you don't find out about these things last minute, and then you figure out that you got to get there? I mean do we have a method to be able to communicate with you? Or how would you like that to happen so that you don't know about these things last minute, but you're...you know, you're apprised of it at some ahead of time schedule?

MR. MAKA'AWA'AWA: Yes. Mahalo, Councilmember Kama, and also congratulations. And, yeah, I can...I can leave my...my contact information, you know, with...with someone. Maybe I can give it to --

COUNCILMEMBER KAMA: In the chat.

MR. MAKA'AWA'AWA: -- yeah. Yeah. Or maybe I'll...I'll give it to Councilmember Rawlins-Fernandez.

COUNCILMEMBER KAMA: Okay.

MR. MAKA'AWA'AWA: I'll text it over, and then...and then she can share that, yeah, with --

COUNCILMEMBER KAMA: *(Audio interference)* --

MR. MAKA'AWA'AWA: -- with whoever we got to...be shared with. And, yeah, I was...I wasn't too sure what...what this meeting was this morning. I got...I got a notification from Auntie Faith, and...and she told me, hey, you better get over there. I was like, oh, okay.

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Wait, I get one meeting, but I can step out and talk story. And, you know...and I --

COUNCILMEMBER KAMA: *(Audio interference)* -

MR. MAKA'AWA'AWA: -- I didn't understand that this was just, kind of like, referring to the...the next meeting. But, yeah, I would...I would...I would appreciate that if...but, you know, the fact that it didn't happen today is not...not a problem, and --

COUNCILMEMBER KAMA: Right. Right.

MR. MAKA'AWA'AWA: -- but in the future, that...that would be good --

COUNCILMEMBER KAMA: Yes.

MR. MAKA'AWA'AWA: So, appreciate that, and appreciate you, Councilmember.

COUNCILMEMBER KAMA: Thank you. And then the last thing is, you know, you mentioned about you had done reports on the banks. Is that --

MR. MAKA'AWA'AWA: Right.

COUNCILMEMBER KAMA: -- *(audio interference)* reports available for public viewing *(audio interference)*?

MR. MAKA'AWA'AWA: Yes. Yes. Yes, we can...we can give you a copy. I've also...I gave testimony to Department of Hawaiian Home Lands at their last meeting in Maui --

COUNCILMEMBER KAMA: Uh-huh.

MR. MAKA'AWA'AWA: -- and shared with them on...on this report, and asked them if I can...if they can, you know, do something about them. I don't know. But I...I will share the report with you all too.

COUNCILMEMBER KAMA: Thank you.

MR. MAKA'AWA'AWA: It's just a preliminary report, but it just kind of gives a overview of...of what we seeing here with the redlining continuing to go on. And there's a lot of...there's a lot more items that we can go deeper into. So, it's just a preliminary report, but the preliminary report is just kind of...it's still shocking to me that...that it's still happening here --

COUNCILMEMBER KAMA: Uh-huh.

MR. MAKA'AWA'AWA: -- the redlining with our local banks because we...we aren't given an opportunity to refinance our homes, we aren't given an opportunity to do all of these



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things --

COUNCILMEMBER KAMA: *(Audio interference)* --

MR. MAKA'AWA'AWA: -- that everybody else can do --

COUNCILMEMBER KAMA: Yes.

MR. MAKA'AWA'AWA: -- with their local banks. You know, because we all have local bank accounts, we should be able to do that.

COUNCILMEMBER KAMA: *(Audio interference)* --

MR. MAKA'AWA'AWA: But we can't do that because the local banks don't give us mortgages, so...

COUNCILMEMBER KAMA: Right. So, we might reconsider where we put our savings, and our checking, and...you know, just...that's why I want the report. Thank you.

MR. MAKA'AWA'AWA: Yes.

COUNCILMEMBER KAMA: *(Audio interference)* --

MR. MAKA'AWA'AWA: Thank you, appreciate you.

CHAIR MOLINA: Thank you very much, Member Kama. You know, Mr. Maka'awa'awa, I was just following up on Member Kama's question about notification when the item comes up. Staff, I'm going to ask Ms. Abraham to give us an overview. Because it's changing over into a new term, there is the --

MR. MAKA'AWA'AWA: Right.

CHAIR MOLINA: -- possibility this Committee could be renamed and renumbered. So, just so there's no confusion, yeah. But I'll...I'll ask Ms. Abraham to kind of elaborate further.

MS. ABRAHAM: After the start of the new term, he can just go to [mauicounty.us](http://mauicounty.us) and sign up with the new Committee where the item has been located. But it's going to be dependent on the name of the new Committee, or if they retain the GREAT title for this Committee. So --

MR. MAKA'AWA'AWA: Okay.

MS. ABRAHAM: -- yes, he can sign up to receive notifications of whenever this item is scheduled.

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MR. MAKA'AWA'AWA: Okay. That sounds good. And, you know, Chair, I...I really appreciate your commitment to this, and, you know, staying on this, and...and, you know, I just thank you for these years, and all of that, and...and good luck with...with the rest of your future, and your life, and enjoy what you...you know, whatever journey you go on, you know, it's good. Mahalo. Appreciate you.

CHAIR MOLINA: Oh. Well, mahalo for those kind words, Brandon, it's been...been wonderful to work with you as well. But, you know, life certainly does begin after politics too, as they say, so, looking forward to the next *(audio interference)* --

MR. MAKA'AWA'AWA: I hope it gets better, yeah.

CHAIR MOLINA: Me too. And I hope I'm still --

MR. MAKA'AWA'AWA: Yeah.

CHAIR MOLINA: -- I can live a long time to enjoy it too, yeah.

MR. MAKA'AWA'AWA: Right *(audio interference)* --

CHAIR MOLINA: And I'm sure...well, you know, I also...I wanted to mention, Member Kama was very instrumental in...in contacting me about getting this on the agenda early on. So --

MR. MAKA'AWA'AWA: Yes.

CHAIR MOLINA: -- you have a lot of supporters of this matter on this Council...the returning Members. So, I'm sure whoever chairs this Committee in the future, I would encourage that this matter be brought forth early on...before we go into Budget. So, I believe...Vice-Chair Rawlins-Fernandez, Budget typically will start around, what, third...third week of March. So, whenever this Committee comes to fruition, this matter can be taken up well before then, yeah. So, that way we don't have that long wait between March and June before the next Committee meetings start, yeah.

MR. MAKA'AWA'AWA: Yeah. Thank you. Mahalo.

CHAIR MOLINA: Thank you. Mahalo. All right. Any other clarification questions for Mr. Maka'awa'awa on this matter? Seeing none. Mahalo for stopping by, Brandon, and always good to see you. And Members, I'm sure we'll see you again sometime next year.

MR. MAKA'AWA'AWA: Aloha. Take care, everyone. A hui hou.

CHAIR MOLINA: A hui hou. Staff, are there any other testifiers for our last agenda item today?

MS. GRECO: Chair, we have no other testifiers signed up.

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CHAIR MOLINA: Okay. Members, if there are no objections, the Chair will close public testimony on this matter. Any objections?

COUNCILMEMBERS: No objections.

CHAIR MOLINA: Okay. So noted.

**. . .END OF PUBLIC TESTIMONY FOR COMMUNICATIONS FOR REFERRAL TO NEXT  
COUNCIL CHAIR. . .**

CHAIR MOLINA: All right. Members, you see the list of items that the Chair is going to be recommending carryover to the next term. You want me to read all those items into the record? No, just kidding. There is a ton of stuff. So, I guess you can see by the visuals, so anyway. Member Paltin, you have a question? Go ahead.

COUNCILMEMBER PALTIN: Yeah, I just had a few...one, two...like three, four of them that I guess I thought was pau. And so, I was wondering why we're still referring to it...referring it on. Maybe the first one would be GREAT-11 Subitem 18.

CHAIR MOLINA: GREAT-11 . . .*(inaudible)*. . . which --

COUNCILMEMBER PALTIN: I heard that *(audio interference)* the decision on that one at some...some court, so I was wondering if we needed --

CHAIR MOLINA: It was a court matter? Okay. Okay. Let me get some assistance here from maybe Legislative Attorneys as well, and Corp. Counsel. Again, could you state that GREAT item again? GREAT Item 11 and the page . . .*(inaudible)*. . . --

COUNCILMEMBER PALTIN: Subitem 18 regarding the *Spirit of Aloha Temple, et al. v.* --

CHAIR MOLINA: Oh.

COUNCILMEMBER PALTIN: -- *County of Maui*. I thought that --

CHAIR MOLINA: Okay.

COUNCILMEMBER PALTIN: -- they decided that *Spirit of Aloha* won.

CHAIR MOLINA: Well, let's get input from Corp. Counsel. I believe we have Mr. Whitaker, if he's available to respond to that. Oh, we have Ms. Thomson to provide us an update --

MS. THOMSON: *(Audio interference)* --

CHAIR MOLINA: -- on that item. Go ahead, Ms. Thomson.

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MS. THOMSON: Thank you. Keola is actually attending a conference. So, I'm here on his...his behalf. There...I understand that the Spirit of Aloha matter is still live, so it should remain on the matters that are forwarded to the next Council. I don't know the specific outcome, but it may have been referred back to a lower court, or to the Planning Commission for a further action. So, at this time, I think that it should remain live on your agenda.

COUNCILMEMBER PALTIN: Okay. And then I guess the next one would be Subitem 28, Special Counsel Authorization to Advise and Represent the Maui County Council Related to Interpretation of the Charter of the County of Maui Regarding Legislative and Executive Authority. Is that still live as well?

MS. THOMSON: You know, I don't know that this body ever took that up. So, it would...it would really be this body's decision whether or not to...to keep that...keep that live.

COUNCILMEMBER PALTIN: Okay. And then the next one would be Subitem 32, Special Counsel Authorization to Advise and Represent the Maui County Council in the case of *McKelvey v. Victorino*.

MS. THOMSON: So, I believe that matter is...is no longer active or alive. So, that one, I think, could be taken off of the floor.

COUNCILMEMBER PALTIN: Okay. And then I think my last one that I was questioning was GREAT-26, I thought that one is done, *Hawai'i Wildlife Fund, et al. v. County of Maui*, U.S. District Court, District of Hawai'i.

MS. THOMSON: That is also completed, so it...it does not need to...to remain on your agenda.

COUNCILMEMBER PALTIN: Okay. So, Chair, would it be appropriate at this time to move to file GREAT-26 and GREAT-11 Subitem 32?

CHAIR MOLINA: Yeah, go ahead, if you want to get...by the way, Members, yeah, you do have that option to go ahead and file some of these, if you...if you feel the need to. And upon hearing the comments from Corporation Counsel, who does...it seems like we can do this...it's not...seems like it's going to be addressed in the future, so...so, go ahead. All right. Could you state your motion again, Member Paltin?

COUNCILMEMBER PALTIN: Sure thing. I move to file GREAT-26 and GREAT-11 Subitem 32.

CHAIR MOLINA: Okay, is there a second? Okay. Seconded by Member Johnson. Any additional discussion on the motion to file these matters? Okay. Seeing none.

COUNCILMEMBER PALTIN: *(Audio interference)* --





**GOVERNMENT RELATIONS, ETHICS, AND  
TRANSPARENCY COMMITTEE**

**Council of the County of Maui**

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CHAIR MOLINA: Excellent. Thank you very much for your hard work, Members. Also to Committee Staff, to Administration, and also to our comments from our testifiers as well. So, for the record, today this GREAT Committee meeting for Tuesday, November 15, 2022, the time is 10:30 a.m. This meeting is now adjourned. . . .(gavel). . .

**ADJOURN: 10:30 a.m.**

APPROVED BY:



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MICHAEL J. MOLINA, Chair  
Government Relations, Ethics, and  
Transparency Committee

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Transcribed by: Tricia Higa

**GOVERNMENT RELATIONS, ETHICS, AND  
TRANSPARENCY COMMITTEE**  
Council of the County of Maui

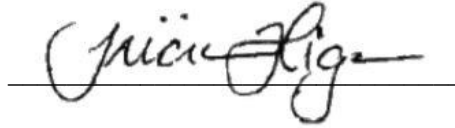
**November 15, 2022**

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CERTIFICATION

I, Tricia Higa, hereby certify that pages 1 through 39 of the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 15th day of December 2022, in Mililani, Hawai'i

A handwritten signature in black ink, appearing to read "Tricia Higa", is written over a horizontal line.

Tricia Higa