

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

**MINUTES**

**November 28, 2023**

**Online Only via BlueJeans Link**

**CONVENE:** 1:35 p.m.

**PRESENT:** Councilmember Nohelani U‘u-Hodgins, Chair  
Councilmember Tamara Paltin, Vice-Chair  
Councilmember Tom Cook, Member  
Councilmember Gabe Johnson, Member (left at 4:03 p.m.)  
Councilmember Tasha Kama, Member  
Councilmember Alice L. Lee, Member  
Councilmember Keani N.W. Rawlins-Fernandez, Member (left at 4:16 p.m.)  
Councilmember Shane M. Sinenci, Member  
Councilmember Yuki Lei K. Sugimura, Member (left at 3:27 p.m.)

**STAFF:** Kasie Apo Takayama, Senior Legislative Analyst  
Clarissa MacDonald, Legislative Analyst  
Pauline Martins, Senior Committee Secretary  
Shelly Espeleta, Supervising Legislative Analyst  
David Raatz, Director, Office of Council Services  
Richelle Kawasaki, Deputy Director, Office of Council Services  
Richard Mitchell, Legislative Attorney  
Megan Moniz, Legislative Attorney  
Jarret Pascual, Legislative Analyst  
Ellen McKinley, Legislative Analyst  
Sam Tanck, Legislative Analyst  
Jean Pokipala, Council Services Assistant Clerk  
Cara Bolte, Project Assignment Specialist

Zhantell Lindo, Council Aide, Moloka‘i Residency Area Office  
Roxanne Morita, Council Aide, Lāna‘i Residency Area Office  
Mavis Oliveira-Medeiros, Council Aide, East Maui Residency Area Office  
Christian Balagso, Council Aide, West Maui Residency Area Office

Angela Lucero, Executive Assistant to Councilmember Paltin  
Axel Beers, Executive Assistant to Councilmember Johnson  
Dawn Lono, Executive Assistant to Councilmember Sinenci  
Don Atay, Executive Assistant to Councilmember Sinenci  
Evan Dust, Executive Assistant to Councilmember Kama  
Jared Agtunong, Executive Assistant to Councilmember Cook  
Kate Griffiths, Executive Assistant to Councilmember Johnson

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Laura McDowell, Executive Assistant to Councilmember U'u-Hodgins  
Sarah Sexton, Executive Assistant to Councilmember Rawlins-Fernandez  
Susan Clements, Executive Assistant to Councilmember U'u-Hodgins

**ADMIN.:** Victoria J. Takayesu, Corporation Counsel, Department of the  
Corporation Counsel  
Kristin Tarnstrom, Deputy Corporation Counsel, Department of the  
Corporation Counsel  
Thomas Kolbe, Deputy Corporation Counsel, Department of the  
Corporation Counsel  
John Gores, Deputy Corporation Counsel, Department of the Corporation  
Counsel  
Josiah Nishita, Deputy Managing Director, Department of Management  
Maria Zielinski, Budget Director, Office of the Mayor  
Lesley Milner, Budget Specialist, Office of the Mayor  
Shayne Agawa, Director, Department of Environmental Management  
Ryan Otsubo, Battalion Chief, Department of Fire and Public Safety  
Saumalu Mataafa, Deputy Director, Department of Housing and Human  
Concerns  
Gregg Okamoto, Assistant Chief, Department of Police  
Patrick McCall, Director, Department of Parks and Recreation  
Marc Takamori, Director, Department of Transportation  
Kathleen Aoki, Director, Department of Planning

**OTHERS:** Christopher Fishkin  
John Sarter  
Carmelita Martinez  
Sam Small  
Eric Fulton  
David Minkin, McCorriston Miller Mukai MacKinnon, LLP  
John Fiske, Baron & Budd, P.C.  
Deborah Fox, Meyers Nave  
Jordan Inafuku, McCorriston Miller Mukai MacKinnon, LLP  
Craig Shikuma, Kobayashi Sugita & Goda  
Stephen Kaneshiro, Kobayashi Sugita & Goda  
Jasee Law  
Plus (7) other people

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

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CHAIR U'U-HODGINS: . . .*(gavel)*. . . Will the Government Relations, Ethics, and  
Transparency Committee meeting of November 28th, 2023, please come to  
order. It is 1:35 p.m. I'm your Chair, Nohelani U'u-Hodgins. Members, in

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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. Let's begin with Committee Vice-Chair Tamara Paltin. Good afternoon.

VICE-CHAIR PALTIN: Aloha 'auinalā, Hau'oli Lā Kū'oko'a. Streaming live and direct from Nāpili with my dog.

CHAIR U'U-HODGINS: Thank you. Councilmember Tom Cook, good afternoon.

COUNCILMEMBER COOK: Good afternoon, Chair.

CHAIR U'U-HODGINS: Councilmember Gabe Johnson, good afternoon.

COUNCILMEMBER JOHNSON: Aloha, Chair, Councilmembers, Committee Members. There's no testifiers at the Lāna'i office. I'm here in my house with my snoring dog, and the rain has stopped, and I'm here ready to work. Mahalo, Chair.

CHAIR U'U-HODGINS: All right. Councilmember Tasha Kama, good afternoon.

COUNCILMEMBER KAMA: Aloha 'auinalā, Chair.

CHAIR U'U-HODGINS: Aloha. Council Chair Alice Lee, good afternoon.

COUNCILMEMBER LEE: Madam Chair, whappen.

CHAIR U'U-HODGINS: Whappen. Councilmember Keani Rawlins-Fernandez, good afternoon.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha 'auinalā kākou, mai Moloka'i nui Ahina. I'm at the Moloka'i District Office, alone on my side of the office. It looks like there are currently no testifiers here at the Moloka'i District Office. Lonoikamakahiki with all that rain, and Hau'oli Lā Kū'oko'a.

CHAIR U'U-HODGINS: Mahalo. Councilmember Sinenci, good afternoon.

COUNCILMEMBER SINENCI: Good afternoon. Hau'oli Lā Kū'oko'a, whappen and whip 'em.

CHAIR U'U-HODGINS: Whappen and whip 'em. Thank you. Councilmember Yuki Lei Sugimura, good afternoon.

COUNCILMEMBER SUGIMURA: Good afternoon. I guess pray for rain, yeah.

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CHAIR U'U-HODGINS: Well, I guess you don't have to pray that hard, I think it's coming.

COUNCILMEMBER SUGIMURA: It's coming. Yay.

CHAIR U'U-HODGINS: Okay.

COUNCILMEMBER SUGIMURA: I hope the drought gets lifted.

CHAIR U'U-HODGINS: Yes. Amen to that. Deputy...we have with us Corporation Counsel Kristin Tarnstrom, Deputy Corporation Counsel Thomas Kolbe, Deputy Corporation Counsel John Goren [sic], and we also have Victoria Takayesu, Corporation Counsel. From Administration we have Office of Recovery Directed...Director Josiah Nishita, and several other Department Directors on standby in case we have any questions for them. Our Committee Staff includes Pauline Martins, Kasie Apo Takayama, Clarissa MacDonald, Richard E. Mitchell, and Jean Pokipala. Please see the last page of the agenda for information on meeting connectivity. I will begin this testifier language so we can move on. So, testifiers wanting to provide testimony should have signed up in the lobby, joined the online meeting via BlueJeans link, or called in to the phone noted on today's agenda. Written testimony is encouraged, and can be submitted via the eComment link at [mauicounty.us/agendas](http://mauicounty.us/agendas) as well. Under the Sunshine Law, the Chair will receive oral testimony for agenda items at the beginning of the meeting, and as the item is called up. Chat should not be used to provide comments or discussion beyond signing up to testify, or to notify Staff you do not wish to testify. If you do wish to testify, please state in chat your full name, organization, and the agenda items you would like to testify on, and your preference to testify at the beginning of the meeting or as the agenda item is called up. If you wish to testify anonymously, please notify Staff. Oral testimony is limited to three minutes per item, and if you are still testifying beyond that time, I will kindly ask you to wrap it up. Please be courteous to others by turning off your video and muting your microphone while waiting for your turn to testify. Once you are done testifying, or 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). We will do our best to take up each person in an orderly fashion. We will now call on testifiers wishing to testify at the beginning of the meeting. Staff, can you please call the first testifier.

MS. MACDONALD: Chair, the first individual signed up to testify is Christopher Fishkin, to be followed by John Sarter.

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

MR. FISHKIN: Can you hear me? (*Echoing*).

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CHAIR U‘U-HODGINS: We can hear you, but maybe you have two microphones turned on and you might want to . . .*(inaudible)*. . .

MR. FISHKIN: Can you...can you put me at the end of the testifiers?

CHAIR U‘U-HODGINS: We absolutely can. Can we move him to the back, and we can call the next testifier. Thank you.

MS. MACDONALD: Yes, Chair. The next individual signed up to testify is John Sarter.

MR. SARTER: Aloha, Councilmembers. Thank you for having this meeting today. I...I’m not sure entirely what this resolution’s about, I think it is just to start developing a pathway and guidelines for developing, rebuilding, and resilience. And a little bit about myself. I work for a company called, dcbel, it’s a bidirectional EV technology company now, but I’ve been a sustainable designer/builder for over 40 years. And a couple years ago I was the program manager for the North Bay Community Resilience Initiative following the fires in Northern California. So, I have a lot of experience in rebuilding with fire resistance and energy resilience. And as such, I’d...I’d be happy to offer my services to the Council when developing this program and those guidelines. Mahalo.

CHAIR U‘U-HODGINS: Thank you. Members, any clarifying questions? Thank you. Staff, next testifier, please.

MS. MACDONALD: The next testifier is Carmelita Martinez, and then we can return to Christopher Fishkin.

MS. MARTINEZ: Good afternoon. Yes, I’m testifying for the Resolution 23-227. Did this Council see and authorize the terms the attorneys wrote that you had to specially retain and we the residents have to pay for because the County Attorneys are conflicted? The law firm is demanding that Chris Salem agrees to refuse to work for the County again. Did the Council see those terms? Are the lawyers he retained getting them...getting that terms from Corporation Counsel, who are conflicted from these action? Is that a violation of the Constitutional rights? So, essentially, what you’re saying is, if you see wrongdoing in the County of Maui, bury it. And then the other way, if you’re getting to work for the County and tell the truth about what’s going on, and provide all the evidence of it, then you’d be...then we don’t want you here. Everyone knows that the work Chris does brings recovery to the County, he’s been doing it for 20 years. Why was he hired by the Mayor in the first place? And we all know how badly we need more people like him. And he continued to serve the County, despite the fact he and his family were horribly harmed by it. I know

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Judge Cahill. Obviously, Judge saw right through the conflicts. County officials covering...covering up for the wrongdoing by County officials and private corporations, one of which the County official is a private...and Corporation Counsel attacks the citizen whistleblower because they have to cover up the fact that they participate in the County corruption. So, when does this end? Do something right for a change. Make things...make things right with Mr. Salem. And thank you for...you know, you should thank him, you know, for doing a good job. And invite him to do more of what he does so for the community. Thank you.

CHAIR U'U-HODGINS: Thank you. Members, do we have any clarifying questions? Seeing none. Thank you very much.

MS. MARTINEZ: Thank you.

CHAIR U'U-HODGINS: Staff, next testifier please.

MS. MACDONALD: Chair, the next individual signed up to testify is Christopher Fishkin.

MR. FISHKIN: Hello. I'm testifying first on the McCorriston...retaining McCorriston Law Firm for the wildfires.

CHAIR U'U-HODGINS: Okay.

MR. FISHKIN: I just want to say that...on that real briefly that they're a tremendous law firm. They've actually worked quite successfully at fighting for the rights of residents against County wrongdoing, and so, I'm sure they'll do a great job for the County. In matter of fact, McCorriston represented Mr. Salem in that other case at one point, and I included in my testimony...written testimony letters from the McCorriston firm that actually support his claims of wrongdoing by the County. And I really hope that you get to read those...those letters from the McCorriston firm since you're actually going to be hiring them anyway to represent you. They validate all of Mr. Salem's legitimate claims. Going on to testimony, 23-227. As a paralegal, I assisted Attorney Brad Salter, who represented Mr. Salem in the instant case, I'm quite familiar with it. You know, this case could have resulted in a global settlement by the parties who committed fraud, which included the County, Unemori Engineering, Munekiyo Hiraga and developer Tim Farrington and his associates. I recently praised PB Sullivan contractor publicly for its help to protect the County from wildfires. It was PB Sullivan that did the independent evaluation of Unemori's order of magnitude estimate in that case, which was ten times more than what Unemori provided. I presented you with a video in my testimony giving the County notice about Unemori's fraud and wrongdoing. Essentially, the fraud by both the County and the developer and their consultants resulted in two liens put on

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Mr. Salem's \$4.5 million property and home that he couldn't remove. One lien prevented his selling the property, the other fraudulent lien caused the property's foreclosure. Both the developer, its consultants, and the County concealed and withheld records which resulted in those false liens, they destroyed his perfect credit, ruined his professional life, he lost his property and harmed his creditors. You know, it's in both Count III of his lawsuit, and in one of his whistleblowing claims, this County is looking at launching into another 15 to \$30 million in damages at the end of the day if you don't come to an amicable settlement with Mr. Salem. It's just happening all over again. The reason why Corp. Counsel never held the...the private...the private companies responsible, and why they never issued a notice of noncompliance for a subdivision that to this day is unlawful, is because then...then they'd have to go after County officials who participated in the fraud themselves. Milton...Milton Arakawa, it's all documented, it's all there, it's going to all come out, and it's going to be really bad for the County to dish up 30 million bucks for a whole host of stuff. And Unemori should be coming, I...Unemori should be coming and paying for some of these damages, if not all of them. Otherwise they should lose their professional license, its engineering license, its contracts with the County. And that's your consideration, County, for getting them to come to the table and pay for his damages. And I've already given...personally given them notice as Maui public advocacy, Unemori should have otherwise no more contracts with this County, and they should lose their professional license. And I'm encouraging Mr. Salem to personally seek to amend his lawsuit to name former Director of Corp. Counsel, your County Clerk Moana Lutey now, Unemori Engineering, and additional parties, as well as new counts for fraud and conspiracy based upon newly discovered evidence in this case. And let me just warn you, County Council, that basically that newly discovered evidence, despite whatever KSG might tell you, he can use to launch some pretty massive additional legal actions in this...in this matter. There's no more *res judicata* in this case, it's that KSG is actually acknowledged in its discovery...*(timer sounds)*... the stuff that--one second--and the stuff that we've been searching for that's been concealed for decades, they've admitted to it and acknowledged it. So, I hope you guys do the right thing, and I hope you amicably settle with Mr. Salem. Thank you.

CHAIR U'U-HODGINS: Thank you, Mr. Fishkin. Members, any clarifying questions? Seeing none. Thank you. Staff, next testifier please.

MS. MACDONALD: Chair, there's currently no one else who is signed up to testify. If somebody would like to testify in the Chamber or on BlueJeans, please let Staff know. I'll do a final call...three, two, one. Oh.

MR. SMALL: Hang on, I'm here.

CHAIR U'U-HODGINS: Mr. Small, you're --

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MR. SMALL: Hello...hello.

CHAIR U‘U-HODGINS: -- welcome to testify. Your three minutes will start now.

MR. SMALL: Thank you much. I really appreciate it. As always, it's an honor to participate in this process. You know, I've been watching Mr. Salem's case, and reading the documents. I read the admissions and the new, previously withheld documents. My reason for being involved in it is because of my interest in the deferral agreements which goes back, you know, almost 40 years. I've testified as an expert witness to the Council about the deferral agreements. I was instrumental in getting the Auditor to address the deferral agreements, and that audit has been stalled. So, I've looked at this very closely, with great interest, and I've seen the documentation that now basically proves that Corporation Counsel interfered with the audit, that Corporation Counsel has lied to the Court, they were recused for misstating their interests and...in the deferral agreements. Corp. Counsel is protecting themselves at the County's expense because of their involvement with the deferral agreements. You can look up...I mean it...it...there've been...this has been going on for years. *Maui Time Weekly* did an extensive article in...eight years ago on the deferral agreements. Corp. Counsel has been...is conflicted, they've been removed from the case, Judge Hamman was removed from the case because she worked for Council Services dealing with the deferral agreements. She did not admit that to the Court initially, and she was recused because she tried to cover up the deferral agreements. I've seen the documentation. I can tell you that...that the County is going to lose this case. The Judge is increasingly seeing how Corporation Counsel has manipulated the deferral agreements, and how they are obstructing. They've withheld (*audio interference*) does not favor at all. I mean that's what...Rudy Giuliani is getting screwed because he withheld documents. Well, Corp. Counsel withheld documents. They've been recused from the case, and those documents are coming out that show what's been going on. And Chris Salem has been damaged by this cover-up. And you have an opportunity to...to...to settle now. If it does go, you know, longer, it's going to cost the County a heck of a lot more money. So, I think now is the time that you guys have to bite the bullet, realize what Corp. Counsel has been doing, and take responsibility for it. I'm not sure what else to say, you know, the Corp. Counsel...we all know that Corp. . . .(*timer sounds*). . . Counsel, you know, has...has...that's fine, you got it, you understand. Thank you very much for your consideration.

CHAIR U‘U-HODGINS: Thank you, Mr. Small. Members, is any...doing any of you have clarifying questions? Seeing none. Thank you very much. Staff, do we have anybody else signed up to testify?

MS. MACDONALD: Chair, no, there's no one else signed up to testify. I can do a --

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MR. FULTON: Can you hear me?

MS. MACDONALD: -- final call. Oh.

MR. FULTON: Hello...hello?

MS. MACDONALD: We can hear you.

MR. FULTON: Can you hear me?

CHAIR U‘U-HODGINS: Yes, we can.

MR. FULTON: Oh, thank you so much.

CHAIR U‘U-HODGINS: Please state your name, and then your three minutes will start.

MR. FULTON: Okey dokey. My name is Eric Fulton, I live on West Maui, and my house was lost in the recent fires. Regarding the ethics, I want to read to you a quote from Corporation Counsel Deputy Tarnstrom from a recent court hearing before Judge Cahill. Start quote, “Even if it shows corporation...cooperation by Corp. Counsel we intentionally tried to hurt Mr. Salem, that has nothing to do with like what his claims are,” end quote. Does anyone in this room really believe that Corporation Counsel has not been running the campaign to destroy this man’s life and his family? What has he done to deserve this retaliation? Clearly, Mayor Victorino witnessed Chris’ professional knowledge and public service spanning a period of decades, and made him part of his Staff. Yes, it’s true that Chris discovered how Corporation Counsel has been serving private developers’ financial interests at the public expense through those thousands of bogus deferral agreements. Chris also discovered maleficence of the Upcountry Water Bill. That was not a mistake, it was one of Corporation Counsel’s shifty ways to make sure that taxpayers paid for developers’ financial obligations. So, now, we all lose twice. Corporation Counsel obstructs the collection of the developer agreements while spreading...spending our money to defend their own misconduct. It appears as though the Judge saw through their conflicts, so we pay again for special counsel instead of holding the developers accountable to their obvious misdealings. Chris’ property title was slandered by Milton Arakawa. Clear Title (*audio interference*) was his mortgage lender. Who wrote those terms on behalf of his bank? The very same KSG Law Firm who was previously hired to defend Milton Arakawa...very same KSG Law Firm that has been hired again in this action. How is that not an adverse relationship with conflict? Was this Council made aware of these facts? From my view, the deck has once again been stacked against the enforcement of our laws, or should I say, your laws. So, let’s wrap this up with the harsh reality we all

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suffer. Years ago, Chris' family was forced out of their home on Thanksgiving Day through wrong...wrongful foreclosure. Mayor Victorino promised to hold those responsible for these unlawful acts, and move forward with recovery of developer debts owed to...which Chris discovered. I think it's fair to say that for every Hawaiian in this room who feels as though your land was stolen through manipulation of your land titles, the Salem family shares your pain. County cannot allow this to continue. Those developers have deep pockets, and their consultants have insurance. They must be held accountable in some way. But unfortunately, Corporation Counsel has shifted the burden back on us. . . .(timer sounds). . . So, maybe it's too late. Councilmembers, we need Chris' expertise and dedication to rebuild my community, the Lāhainā community. Please put the brakes on Corporation Counsel's conflicted motives, and stand up for the laws which you have created to protect us from harm. Please resolve this today. Thank you.

CHAIR U'U-HODGINS: Thank you. Members, any questions for our testifier? Seeing none. Thank you very much. Staff, do we have anybody else signed up to testify.

MS. MACDONALD: Chair, there's currently no one else who's signed up to testify. If you'd like, I can do a last call.

CHAIR U'U-HODGINS: Please.

MS. MACDONALD: If anybody would like to testify in the Chamber or on BlueJeans, please let Staff know. This is the final call...three, two, one. Chair, it appears that nobody wishes to testify.

**. . . END OF PUBLIC TESTIMONY AT BEGINNING OF MEETING . . .**

**GREAT-14      RESOLUTION   23-194,   RELATING   TO   DEVELOPING   A  
COMPREHENSIVE RECOVERY AND RESILIENCY PLAN IN  
RESPONSE TO THE ISLAND OF MAUI'S TRAGIC WILDFIRES OF  
AUGUST 2023)**

CHAIR U'U-HODGINS: Thank you. Okay, let's proceed with the first item on our agenda. We have before us Resolution 23-194, entitled "DEVELOPING A COMPREHENSIVE RECOVERY AND RESILIENCY PLAN IN RESPONSE TO THE ISLAND OF MAUI'S TRAGIC WILDFIRES OF AUGUST 2023." For the past few months, we have been hearing from our community and members of our Administration. Today, our focus is to wrap up these discussions so we can proceed with getting the work done. After we close testimony and we get into deliberations on the resolution, I will provide my recommendations on how to move forward. But before doing so, I'd like to ask the Office of Recovery,

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Director Josiah Nishita, to please provide us with an update on the work being done regarding recovery and resiliency. Director Nishita?

MR. NISHITA: Thank you very much, Chair U'u-Hodgins and Members of the Committee. I...I recently sent in to Committee Staff--and I apologize for the...the late notice--but I recently just sent in to them a draft of our recovery needs assessment. So, it...it would be helpful, if it hasn't been distributed yet to the Members present, or...or posted for the Members not present, to be referencing that as we go through. It's quite a long bit of pages. So, it might take them a while to print.

CHAIR U'U-HODGINS: It is.

MR. NISHITA: But I would just note for you, as...as we kind of go through it, that it is a...a draft. I know I was hoping to be prepared today with the...the final version of it that we'll be able to work from, but just for our discussion today, so you folks can kind of see where we're heading. It is a draft, there are typos, there are grammar stuff that's still being worked on, as well as formatting issues, and just overall cleaning up the document. But it does provide sort of a...a framework for us to be able to meet with the community about, about the items that we've heard expressed from the community, as well as kind of like the...the guiding document as we move forward into developing specific projects and strategies in implementing actions to...to meet the needs of the community. I did see posted on Granicus, I forget exactly what it was called, but it was basically a...a list of possible topics to go to each of the different Committees. And as you reference the recovery needs assessment--of course, both were created independently--but I...I think you'll see a significant amount of overlap in what we've heard from the community, as what...as well as what I think you folks have identified through that. In terms of...we do have Staff compiling, which I hope to be able to provide to you maybe by the ending of this week or sometime next week, a compilation of a variety of testimony that's been received by the...the Council, as well as in other stakeholder meetings, and town hall meetings, and whatnot. Just a summary document compiling all the feedback we've heard thus far. Part of the...part of the...the means for that is to ensure that all of our partners are on the same page about what our community is expressing, but also, we've heard significantly from the community, as well as I think you folks have too, that there is a desire for them not to have to keep coming back out and repeating themselves, and wanting to ensure that we did hear them, and we're documenting that in some capacity. So, we are going through that effort so people can understand we did hear them, and we're...we're documenting their...their feedback, and then we'll be able to kind of plan further from that as we go forward. Just on a side note, before I get into it, real quick. I'm sure as you folks are going throughout this process, there are a...a variety of different initiatives maybe you're looking into, or research and whatnot, possibly issued through PAFs or...or other means through your Staff,

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and I just wanted to open up the communication too. If...if there's anything you folks want to know of what we're working on, or the path we're headed down, or whether, you know, maybe your proposal is on the right track, or whatever the case is, I would be happy to have a dialogue with each and every one of you, you know, either during your process of identifying maybe legislative matters to take up, or proposals, or whatnot, or as you're developing them. So, I just wanted to make sure that you folks know that that's available at any time as well. Chair, are you able to confirm, did the needs assessment get distributed to everybody yet?

CHAIR U'U-HODGINS: It is uploaded on Granicus because it's such a lengthy document, it would take a long time to print. So, Members, the draft needs assessment is on Granicus for your viewing pleasure.

MS. MACDONALD: Chair, sorry. In the meantime, we've emailed it to the Members, it's just taking a little bit of time.

CHAIR U'U-HODGINS: Okay. Thank you.

MR. NISHITA: Thanks, Chair. And yeah, I apologize to...to Staff, we've been really rushing through to get it to a point where at least we could tell you something here today. I'm going to share my screen real quick. Okay. Just to...to briefly go over, so everyone's on the same page. The Recovery Needs Assessment is an initial phase of kind of our post-disaster recovery process that we're going through, which will lead into the long-term recovery plan. It delves into really understanding the impacts of a disaster, and facilitates the collection of data and information to uncover the key issues and challenges that our recovery partners must address. It's implemented jointly by our local, State, and Federal recovery support function partners, and it provides a snapshot of known recovery issues to date. So, think of the Recovery Needs Assessment as a very high-level view, just like sort of how you folks have put together some topic areas to possibly look at. And based off of those kind of high-level needs, there will be overarching goals developed, and projects specific to those...those measures that will be developed as a result of it. And it...it...it's really just kind of the foundational piece to ensure that we're all headed in the same direction. As I stated earlier, it's iterative process, so we'll continue to reevaluate, the priorities of the community may shift as we go on. And as we prioritize projects either based on funding, manpower, time it will take, it will be able to give the community a sense of what we're leveraging other projects against, and you know, what the key takeaways for the community will be. The methodology itself that we're going through is, of course, data collection, to gather that quantitative and qualitative data about the recovery needs. We have had initial stakeholder engagement, and it's continuing, to understand expected needs and, of course, to help our recovery partners understand our...our community's desires. And then, on analysis, we'll be processing the collected data to identify

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patterns, critical areas of need, and potential gaps in the recovery efforts. Our overarching themes to the Recovery Needs Assessment, from what we've heard from community members, is; environmental restoration and protection to ensure rebuilding efforts go hand-in-hand with environmental conservation, restoration, and enhancement, as well as consider the effects on historic and cultural resources; cultural sensitivity, to highlight the importance of integrating and honoring Maui's distinctive cultural legacy and customs throughout the post-disaster recovery phase; community engagement should include active, inclusive, and continuous community engagement to ensure the success of long-term recovery efforts; sustainability and resilience, long-term recovery strategies should focus on rebuilding sustainably to ensure reconstructed communities are more resilient to future disasters; and capacity building for recovery gaps to ensure that we're addressing these capacity gaps, which will be critical for long-term recovery and self-sufficiency. I'll stop sharing right there, and just highlight a few of the items of the Recovery Needs Assessment that should be before you right now, the...highlighting some of the key principles and overview of the incident itself. The document also explains kind of the application of how we're utilizing it, as well as a draft kind of process in which we'll undergo, and talking about the different themes that we address. Of course, you folks know the different recovery support functions that have already been identified through our Office of Recovery, as well as through our Federal and State partners. And then as you get into each recovery support function, you'll see a variety of different recovery needs that have been identified. And I'll just go to the...just recognize the first one, and then I'll...I'll stop my opening comments. But I did see on...like expedited permitting process was on your folks' list of possible topics for consideration, and you'll see that as Recovery Need 1 under the Community Planning RSF. Chair, as we kind of go through this more, I'd be happy to answer questions or help the Committee in any way possible, but I just wanted to make sure to provide that document to the Committee to make sure you folks understand where we're headed with the Needs Assessment. Thank you.

CHAIR U'U-HODGINS: Thank you, Director. Well, before the Members have an opportunity to start asking you questions, let's do one last call on testimony for this item please, GREAT-14?

MS. MACDONALD: Chair. There's currently no one who is signed up to testify. If somebody would like to testify in the Chamber or on BlueJeans, please let Staff know. This is the final call...three, two, one. Chair, it appears that nobody wishes to testify.

CHAIR U'U-HODGINS: Thank you. Members, without objection, I will now close oral testimony for this item.

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**COUNCILMEMBERS: VOICED NO OBJECTIONS.**

**ACTION: Close oral testimony for GREAT-14.**

CHAIR U‘U-HODGINS: Thank you. Written testimony is still...continue to be accepted. Okay, Members, so before we kind of get into discussion, I’d like to make a quick statement and let you know how I hope to proceed with this resolution. So, I don’t believe it’s in my purview, nor do I ever want to, tell you guys what you should and shouldn’t do in your own Committee. So, with that said, my intent and my preference with this resolution is to adopt the resolution as it is, and include in the Committee report on the item a detailed description of our discussions and the recommendations. For example, I want to note in the Committee report, which we can then refer to as necessary, the Committee’s recommendations for which topic matters should be heard and focused on in each Committee. That way, the Administration which...knows which Committee Chair they can go to for that specific matter be heard...to be heard, and we know, more or less, how we can divide and conquer all this work that is before us so we can move forward. So, to provide us a starting point, I’d ask Staff to upload to Granicus the list of topics needing to be addressed. As we’ve heard through testimony and from Councilmembers along the way, my recommendations of which the Committee we felt would best tackle each issue, and I want to hear your thoughts on this proposal, and we can rearrange the topics as necessary, and/or add any topics as necessary. So, we...that’s uploaded? Yes. Okay, good. Members, do you have any questions for me, or do you have any questions for Josiah? It is now our time to have our discussion. We will have three minutes. Member Paltin.

VICE-CHAIR PALTIN: Thank you, Chair. So those topics and proposed Committee assignments is from you and the Staff?

CHAIR U‘U-HODGINS: Yes.

VICE-CHAIR PALTIN: Okay.

CHAIR U‘U-HODGINS: We used...see, in the beginning of this term, right, we had our discussion, and we kind of figured out what kind of goes where. So, yeah, that’s kind of where we assumed most of the topics would fit into what Committee.

VICE-CHAIR PALTIN: There were a couple of items that I didn’t see on there, but people been asking me about.

CHAIR U‘U-HODGINS: Okay.

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VICE-CHAIR PALTIN: Redemption and recycling for West Maui. Maybe it could go into ADEPT because Environmental, or something else?

CHAIR U‘U-HODGINS: Okay.

VICE-CHAIR PALTIN: And then also, kind of in alignment with Mr. Nishita, the topic of Resiliency Hubs. I was hoping that...you know, I’ve been throwing the 50-acre park out there for housing, but it doesn’t seem to be sticking.

CHAIR U‘U-HODGINS: Okay.

VICE-CHAIR PALTIN: And maybe it will be some housing, but it would be great if we could develop that 50-acre park with the Resiliency Hub in mind kind of thing?

CHAIR U‘U-HODGINS: Okay.

VICE-CHAIR PALTIN: And then, the last one that people have been bringing up to me, and...and let me know if you think it’s something, but there’s still about over 6,000 people in the hotels, and one of the requests that I’ve been receiving is if there can be a place where families could just go and cook for themselves. Because that’s one of the main reasons of getting evicted from the hotels, there’s no hotplates allowed, or butane canisters, or propane.

CHAIR U‘U-HODGINS: A community kitchen?

VICE-CHAIR PALTIN: If...yeah, yeah. And I guess what was suggested was the Civic downstairs is a kitchen, and there’s been some push to get folks in the resilience...or, in the community hubs out of the elements. And so, they were thinking why they can’t use the Civic Center, and it has a kitchen in the downstairs, and get them out of the elements. And just throwing that out there because they feel like they’re the community, and it’s their community center, and folks just want to cook a dinner.

CHAIR U‘U-HODGINS: Okay. Okay, so your suggestion, to reiterate--correct me if I’m wrong--so, you would like to see recycling and redemption added to ADEPT?

VICE-CHAIR PALTIN: If Member Johnson is willing.

CHAIR U‘U-HODGINS: Okay, cool. We can add that in. Yes, Kasie? Okay, we’re doing that now. And then for you, Resiliency Hub as it relates to those 50 acres in your Committee? Sounds good. And then probably --

VICE-CHAIR PALTIN: Unless Member Sinenci wants it, but I’ll take it if...if --

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CHAIR U‘U-HODGINS: You want that? That is the 50-acres parcel that Member Paltin talks about, as a Resiliency Hub? Would you like to address that item, or would you like to put that in DRIP? It’s in Parks, but...

COUNCILMEMBER SINENCI: *(Inaudible)*.

CHAIR U‘U-HODGINS: Yeah, I was probably going to put Community Kitchen because it’s the Civic Center in yours, so up to you. What would you like?

COUNCILMEMBER SINENCI: *(Inaudible)*.

CHAIR U‘U-HODGINS: Okay. Member Paltin, you want the Resiliency Hub in DRIP?

VICE-CHAIR PALTIN: Sure.

CHAIR U‘U-HODGINS: Okay.

VICE-CHAIR PALTIN: Sure.

CHAIR U‘U-HODGINS: Let’s do that, and then Community Kitchen, as it relates to Parks then, in Member Sinenci’s Committee. Does that work for you?

VICE-CHAIR PALTIN: Yes. Thank you very much.

CHAIR U‘U-HODGINS: Thank you. Anybody else have any other item they might want to add? Member Johnson, followed by Chair Lee.

COUNCILMEMBER JOHNSON: Thank you, Chair. Okay, so the bypass, the Lāhainā bypass extension, maybe that would be better off in the WAI Committee, and I’d like to hear Councilmember Cook, if he’d be okay with taking up that one?

CHAIR U‘U-HODGINS: Member Cook?

COUNCILMEMBER COOK: I would accept that.

CHAIR U‘U-HODGINS: Okay. State bypass, we’ll put that in yours.

COUNCILMEMBER JOHNSON: The E in ADEPT is economic diversity...or no, I’m sorry, the...the D is for diversity. So, can I get some economic diversity in my Committee?

CHAIR U‘U-HODGINS: Sure.

COUNCILMEMBER JOHNSON: Okay. And then the...so environmental bills are also in my Committee. Like, how about restoration/protection of...of the...let’s see

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here. As long as it's econ...or environmentally-related. So, environmental restoration and environmental protection as something in my Committee, like, those types of topics? And then the other one is...so, you have in the WAI Committee R-1 water infrastructure expansion. I'm already working on a bill in regards to R-1 water. I would ask again, Councilmember Cook, would you be...would you be amenable to having that come into my Committee, if...if that's okay with you?

COUNCILMEMBER COOK: No, I'd like it to stay in my Committee because I've been working on it extensively, and...but I'm...I welcome you to work with me on it. But I'd like it to stay in the WAI Committee.

COUNCILMEMBER JOHNSON: Okay. How about sharing it, then? How about we both do that topic?

COUNCILMEMBER COOK: Yes, I totally embrace that.

COUNCILMEMBER JOHNSON: Okay. So, just for the record, it'll also be in my Committee, as well as Councilmember Cook's Committee.

CHAIR U'U-HODGINS: Okay.

COUNCILMEMBER JOHNSON: And that's what I got so far, Chair. Thank you.

CHAIR U'U-HODGINS: Okay. Before I call on you, Member Sugimura, Chair Lee.

COUNCILMEMBER LEE: Yes. If Member Sinenci doesn't mind, taking redevelopment of the West Maui Senior Center and Redevelopment of the West Maui Resource Center, okay?

CHAIR U'U-HODGINS: Okay.

COUNCILMEMBER LEE: Those are really important.

CHAIR U'U-HODGINS: Senior Center, Resource Center, Redevelopment?

COUNCILMEMBER LEE: Yeah.

CHAIR U'U-HODGINS: Okay. Anything else? Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. I would like to, as...because I have Economic Development in my Committee, I want the economic diversity to be where...in my Committee, which was requested by Member Johnson. So, if you could put it in my Committee for Economic Development?

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COUNCILMEMBER JOHNSON: How about we share it, Councilmember, and we can do both?

CHAIR U‘U-HODGINS: Well, we really don’t have any specific items. So, if you both wanted to come up with something regarding economic diversity, that would be on you.

COUNCILMEMBER SUGIMURA: Okay.

CHAIR U‘U-HODGINS: Anything else?

COUNCILMEMBER COOK: Chair?

COUNCILMEMBER SUGIMURA: And one more thing --

CHAIR U‘U-HODGINS: Yeah?

COUNCILMEMBER SUGIMURA: -- is the CEDS, the...MEDB is working on that CEDS, and I would like to have a discussion with that because it’s tied to the EDA federal funds that could come to West Maui --

CHAIR U‘U-HODGINS: Okay.

COUNCILMEMBER SUGIMURA: -- through that CEDS report. So, if you could add that, I think that’s something very important.

CHAIR U‘U-HODGINS: Sure.

COUNCILMEMBER COOK: Chair?

CHAIR U‘U-HODGINS: Member Cook?

COUNCILMEMBER COOK: If Member Sinenci is applicable...or --

CHAIR U‘U-HODGINS: Amenable?

COUNCILMEMBER COOK: Amenable, if he...we could both have West Maui Water Authority in his Committee and mine, similar to what we just said about the R-1. There’s...that comes into discussion as like the Department of Water Supply purchasing private water systems, and in general, the West Maui Water. I think that we would work well together. Is that okay with you?

COUNCILMEMBER SINENCI: Yeah. We’ll keep it in here and we can work with the Water Use Development Plan too. How’s that? In tandem.

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CHAIR U'U-HODGINS: Okay? Well, he just said they're going to keep it in WASSP, and then we can all work together. Or do you want to put it...you're going to share-share?

COUNCILMEMBER COOK: Yeah. Can we put it in both committees, but basically spearheading it?

COUNCILMEMBER SINENCI: Only if you share the WUDP with me.

COUNCILMEMBER COOK: . . .*(laughing)*. . . We...we will work closely together on it.

COUNCILMEMBER SINENCI: Okay.

CHAIR U'U-HODGINS: All right. Member Paltin, followed by Member Johnson.

VICE-CHAIR PALTIN: Thank you. And just was wondering if Member Kama would be open to, you know, land owned by the County that had housing on top, or could have housing on top, like Lāhainā Crossroads, or whatever other housing stuff? I...I think the...does the County own the land under Kupuohi as well that we had leased to them? Like, just wondering if...if that's a thing to be categorized, and if...if Member Kama would take it. If not, I'll take it, but whatever.

CHAIR U'U-HODGINS: Member Kama? She said she'll take it. Her mic's not on. Is that okay with you?

VICE-CHAIR PALTIN: Yeah, yeah. So, I don't know what the official title would be, but it's, I guess, County-owned land.

CHAIR U'U-HODGINS: Housing and County --

VICE-CHAIR PALTIN: Yeah.

CHAIR U'U-HODGINS: Okay.

VICE-CHAIR PALTIN: That'd be good.

CHAIR U'U-HODGINS: Okay, good. Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. You know, in regards to Councilmember Sugimura's and my Committee, we do have some...some overlap. But I don't...I think in this case, not necessarily. Because mine is economic diversity, thinking outside besides tourism, and her topic is more economic development, developing the economy. So, I'm trying to do something a bit more specific than what Councilmember Sugimura's doing. So, I know I

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can just schedule it for 7(B)s and all, but I figured...just to clarify for the record, I'm...I'm doing economic diversity, and Councilmember Sugimura's doing economic development. So, I'd prefer to have the diversity in mine and the development in hers. That's kind of where I'd like to have my Committee, so it's very clear. But Councilmember Sugimura, what do you think?

COUNCILMEMBER SUGIMURA: So, I think that they're jointly...the same subject, right? Economic development, diversity, that's where we're trying to go for revitalization of the West Maui community as it stands today. So, I'm not sure what you mean because I wouldn't pull the two apart. And --

COUNCILMEMBER JOHNSON: Okay.

COUNCILMEMBER SUGIMURA: -- the discussion --

COUNCILMEMBER JOHNSON: Sure.

COUNCILMEMBER SUGIMURA: And you know what? The other thing that is...is happening is that we only have so much time, and our Committees are...we have this one year, you know, in advance...or to...to plan all of this. So, I hope that whatever we're taking on, we have enough time to do because there's so much to do.

CHAIR U'U-HODGINS: Yeah.

COUNCILMEMBER SUGIMURA: Like, so much to do.

CHAIR U'U-HODGINS: Okay.

COUNCILMEMBER JOHNSON: I mean, there's a large difference between diversity and development, right? So, I think there is differences. For example, you know, our major tourism...our major economic driver right now is tourism. I'm trying to diversify and think outside the box, besides tourism, what else kind of...what...you know, what other kinds of economies can we get going in our County? So, I...I would argue it's different, Councilmember Sugimura. So, I'm just trying to say that for the record, so that it's very clear, you know, that they're not really the same. So, I won't be doing much economic development in my Committee, that would be more for yours. Mine's more for, you know, diversity. For example, we got Bill 138 coming up here in my Committee, right? That's on Tourism Commission Committee...or, Commission on Managing Tourism. So, that is something that would probably fit in my Committee because we're trying to, you know, find other...other sources of economic development...diversity, I should say. So, okay? I...I've made my point. Thank you.

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CHAIR U‘U-HODGINS: Thank you. Member Sinenci?

COUNCILMEMBER SINENCI: Thank you, Chair. Just a comment for Member Johnson. I did put in the chat about the...the Harbor --

CHAIR U‘U-HODGINS: The Harbor --

COUNCILMEMBER SINENCI: -- district, that would fall under transportation, and that could be a...a source of revenue and economic development as well. Thank you.

COUNCILMEMBER JOHNSON: True. Yeah.

CHAIR U‘U-HODGINS: Okay. Okay.

MS. APO TAKAYAMA: Chair, if I can just clarify for the record. Because we don't have a mechanism, nor is it our practice, to dual refer legislation. We...we...I guess, we --

CHAIR U‘U-HODGINS: . . .*(inaudible)*. . .

MS. APO TAKAYAMA: -- just want to clarify what the intent would be, or how you would decide, I guess, which Committee would then get each item if you have, you know, duplicates?

CHAIR U‘U-HODGINS: Considering it's Makahiki season, I want a circle, and then you guys are going to chicken fight for it, is what's going to happen. Go ahead, grab your leg. Honestly...

COUNCILMEMBER COOK: Is that something we can work on?

CHAIR U‘U-HODGINS: Yeah. We can.

COUNCILMEMBER RAWLINS-FERNANDEZ: Hakamoa champ, right here.

CHAIR U‘U-HODGINS: . . .*(laughing)*. . . Well, it's not my Committee to decide for you folks, so however you see fit. I already literally said my suggestion, so...but otherwise...and this is as it relates to R-1, diversity v. development for economics, and the West Maui Water Authority, yes...the three?

MS. APO TAKAYAMA: Yeah, and the...and the Water Use and Development Plan.

CHAIR U‘U-HODGINS: Let me remind you, we all make decisions together. We're all in each other's Committee, so splitting hairs is probably not in our best interest right now. But again, not my place.

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MS. APO TAKAYAMA: So, I think that'll just be something you need to, if you do have these, you know, topics in multiple committees, then at, like, a Council meeting or something, decide who would get the legislation as it comes up.

CHAIR U'U-HODGINS: Okay. We can do that, yeah? Chair Cook...Member Cook? Do you have anything else you want to say?

COUNCILMEMBER COOK: No, I was going to say if it's overly problematic, then West Maui Water Authority could stay in WASSP --

CHAIR U'U-HODGINS: Okay.

COUNCILMEMBER COOK: -- and R-1 would stay in mine. I mean, I don't...I like the concept of being able to collaborate and work. If it's problematic as far as scheduling, et cetera, I understand that. I plan on working with Member Sinenci and Member Johnson quite a lot.

CHAIR U'U-HODGINS: Sure.

COUNCILMEMBER COOK: So, anyway, that's just my feedback. If they could make it work, work. If it can't, then we can leave it the way it is.

CHAIR U'U-HODGINS: Sounds good. Thank you. Member Johnson, followed by Member Paltin.

COUNCILMEMBER JOHNSON: Okay, Chair, I got a compromise.

CHAIR U'U-HODGINS: Yeah?

COUNCILMEMBER JOHNSON: If I write a bill, it should go in my Committee on that topic. If I write a bill that's in someone else's topic, then they can have it, okay. But if I write a bill, I should...it should come in my Committee, right? That's...that kind of makes sense to me.

CHAIR U'U-HODGINS: It's up to Chair Lee when we disseminate the bills during Council. Chair Lee?

COUNCILMEMBER LEE: Yes, Chair. Gabe, it's going to be very difficult if we handle the business that way. That's the reason why we set up the Committees at the beginning of the year, and...and we try to come to some kind of consensus on the description of each Committee. And there will be times that, you know, there'll be some duplication or some conflict over --

COUNCILMEMBER JOHNSON: Yeah.

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COUNCILMEMBER LEE: -- you know, whose...whose property it is, in a sense. But we can't --

COUNCILMEMBER JOHNSON: I just --

COUNCILMEMBER LEE: -- we can't do it that way, Mr. Johnson. It'll be too confusing, yeah?

COUNCILMEMBER JOHNSON: I...I...let me clarify, then. If it's...if it's...the subject-matter is in my Committee, you know, that's where I would say that. So, if the subject-matter is in my Committee and we both, like, you know, the WAI...the R-1 water being an example, right? That one I'd like to have in my Committee because I wrote the bill, the subject-matter's in my Committee. That's kind of where I'm coming from.

COUNCILMEMBER LEE: Again, we can't determine the assignment of a...of a subject-matter based on the author of a reso or a bill, you know, because at the very beginning of the year, we all decided who would have which Committee, and the description of each Committee. But over time, of course, you're going to have certain subjects that of...are of special interest to maybe two people in particular. But again, if Water is Mr. Cook's Committee, then we have to defer to that. But I thought I heard him talk about, you know, working together with you on...on that subject, and...and maybe you folks can come to some kind of agreement that, you know, is satisfactory to both of you. But essentially, right now, it's...it would be in his Committee.

CHAIR U'U-HODGINS: Okay, thank you. Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I...I wanted to first make a clarification that love you, Chair Lee, but Chair Lee is not our boss or our mom, which I know she (*audio interference*),

COUNCILMEMBER LEE: Thank God. I thank God for that.

COUNCILMEMBER RAWLINS-FERNANDEZ: . . .(*laughing*). . .

CHAIR U'U-HODGINS: We all do, too, because this would be highly incestuous and really awkward, but yes. (. . .(*laughing*)). . . Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: But Chair Lee, herself exclusively, does not choose where items go. We can gather as a body, make that decision --

CHAIR U'U-HODGINS: Yep.

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COUNCILMEMBER RAWLINS-FERNANDEZ: -- when legislation goes to what Committee. We have examples of items going to Committees that don't belong in that subject-matter, and we together decide if that person's willing to prioritize it, and schedule it as soon as possible, and spearhead the work, and that is great, and we're going to empower that Committee Chair to go and do it. Like debris removal did not really belong in BFED, but go ahead. You want to schedule it and do the work? Awesome. We'll show up to the meetings. Great. My understanding of this whole exercise was that we're going to make this list. There was going to be a whole bunch of things that was going to be outside of our subject-matters because there's going to be like a whole bunch of Budget things, a whole bunch of Housing things, and (*audio interference*) only has three hours for their Committee, (*audio interference*) days a week (*audio interference*), that's it. So, in order for everyone to share the workload, my understanding is that was the whole point of this, and it doesn't seem like that's happening at all, to where we're basically just sticking within the confines of our subject-matter. And if that's the...that's what we're going to do, then I think we should just like end discussion already. What's the point? I...I really don't see the value in this at all, but, you know, it's like organizing...it's like an organizing meeting all over again, and I really don't see any benefit. So...but I appreciate the list, Chair U'u-Hodgins and Staff. Mahalo for putting that together. And I think everyone's just kind of going to do their thing, so, mahalo.

CHAIR U'U-HODGINS: You're right. This is just a suggested list that we heard from our community that we just attempted to organize. And it is up to each subject-matter Chair to hear or do whatever they see fit, which is why I said there's no point of splitting hairs. Thank you.

COUNCILMEMBER LEE: Chair?

CHAIR U'U-HODGINS: Chair Lee?

COUNCILMEMBER LEE: Yeah. Thank you. And thank you, Member Rawlins-Fernandez, for your point of view. But, you know, factually, there are in excess of 56 items that you put down here, Chair U'u-Hodgins, and congratulations for being able to do that. And there's only two areas of contention out of 56. I say that's a high success. So...and everybody's adults, and as Member Rawlins-Fernandez said earlier, that we...we do run into this situation from time to time, and I'm the first one to suggest to everybody, can you guys work it out? I always say that. So, again, today, I...I would suggest the same. But if you're going to ask me for my decision, I'll give you one, I'm not going to hesitate. And if you don't like it, we can always vote on it. And I...and I welcome that. Because, you know, why drag this thing out? Let's deal with it, take a vote, and move on. Thank you.

CHAIR U'U-HODGINS: Thank you. Member Paltin.

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VICE-CHAIR PALTIN: I wanted to amend what said for Member Kama's Committee. Instead of County land for housing, if we could go bigger and just say, like, Government land for housing?

CHAIR U'U-HODGINS: Okay.

VICE-CHAIR PALTIN: Because I think that would include like, you know, Lāhainā Surf, or Hale Mahaolu, and all those other housing that we lost.

CHAIR U'U-HODGINS: We can do that, yes, Kasie?

MS. APO TAKAYAMA: . . .*(inaudible)*. . .

CHAIR U'U-HODGINS: Sounds good? Thank you. Okay. Members, anything else? No chicken fighting today? Member Sinenci.

VICE-CHAIR PALTIN: Jan Ken Po.

CHAIR U'U-HODGINS: . . .*(laughing)*. . .

COUNCILMEMBER SINENCI: Thank you, Chair. I did notice on Pro Tem Kama's HLU, she did have the...the Front Street Park, and...and I remember a lot of the residents of West Maui speaking about turning, you know, that Front Street area into some kind of memorial park. It does fall under the Parks, but I can see where for Land Use, and...and it'll fall under Pro Tem Kama. I don't know if we did have, like, a redevelopment agency that would maybe fall under her that would be more appropriate for Pro Tem Kama, some kind of redevelopment agency?

CHAIR U'U-HODGINS: Okay. Redevelop...no...dissimilar to what we have for Lāhainā--I mean --

COUNCILMEMBER SINENCI: Yeah.

CHAIR U'U-HODGINS: -- Wailuku, but for Lāhainā?

COUNCILMEMBER SINENCI: Parks or something for...for me. Thank you.

CHAIR U'U-HODGINS: Thank you, Member Sinenci. Okay. Any other suggestions before we move on? Okay. Do we want to give them a new list now, or when should we get them the new list of suggested items? No, we are not. Do we want to provide them the list in full Council, or we want to do that right now, Kasie?

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MS. APO TAKAYAMA: *(Inaudible)*.

CHAIR U‘U-HODGINS: Okay. Okay. We can do that. Members, if it’s okay with you, we’re going to defer this item right now, so we can massage this suggested list, and we can come back. Is that all right with you guys? Based on all the things we just added right now? Okay. So, we shall defer. Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Defer, like, to the end of the day? Or like --

CHAIR U‘U-HODGINS: Yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- to another --

CHAIR U‘U-HODGINS: Yeah, sorry, to the end of the day, just so that they can update the list, and then we’ll get it to you guys, so we can be pau today with this. Thank you. Okay. Thank you. Okay. Let’s move on. Hold on, let me get a Post-it note, so I know where I’m coming back to. Okay, gang, moving on.

**ACTION: DEFER.**

**GREAT-11(31) LITIGATION MATTERS (RESOLUTIONS 23-223 THROUGH 23-225, RELATING TO SPECIAL COUNSEL AUTHORIZATION FOR LITIGATION MATTERS ARISING FROM THE AUGUST 2023 WILDFIRES)**

CHAIR U‘U-HODGINS: We have before us Resolution 23-223, CD1, Resolution 23-224, CD1, and Resolution 23-225, CD1, authorizing the employment of special counsel in litigation matters arising from the August 2023 fires on the Island of Maui. During our November 13th GREAT meeting, we were introduced to the proposed special counsels, and then asked them our questions. As discussed in our last meeting, we brought this item back after revisiting and adding more detail to the resolutions in collaboration with Corporation Counsel. The result of that work is what you see on today’s agenda. At this time, I am going to request opening comments. You’re still sitting up here, you’re supposed to come down here, Mr. Kolbe. And then, Corporation Counsel, Victoria Takayesu. If you would like to provide some opening comments, please?

MS. TAKAYESU: Yes. Thank you --

CHAIR U‘U-HODGINS: Thank you.

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MS. TAKAYESU: -- Committee Chair. What I would like to start out with is a request for an amendment to our Resolution 23-224. We are going to recommend a revision to the first paragraph of the resolution after "Be it resolved," It should say that it ratifies and authorizes, et cetera, et cetera, the County of Maui litigation, as described in this resolution on a contingency fee basis. That fee basis is 18 percent for the retention of Baron & Budd to represent us in our suit against HECO. And I believe that we have thoroughly discussed the issues present in these cases before us at our last meeting, but I welcome any questions. If there is items that are sensitive, I would request that we go into executive session. Thank you.

CHAIR U'U-HODGINS: Thank you. Mr. Kolbe, do you have anything to add?

MR. KOLBE: No, not at this time.

CHAIR U'U-HODGINS: Okay, thank you. Members, before we get into the discussion, can we do a last call on testimony for this, item GREAT-11(31)?

MS. APO TAKAYAMA: Chair, there's currently no one who has signed up to testify. If somebody would like to testify in the Chamber or on BlueJeans, please let Staff know. I'll do a final call...three, two, one. Chair, it appears that nobody wishes to testify.

CHAIR U'U-HODGINS: Thank you. Members, seeing there are no individuals wanting to testify on this item, without objection, I will now close oral testimony.

**COUNCILMEMBERS: VOICED NO OBJECTIONS.**

**ACTION: Close oral testimony for GREAT-11(31).**

CHAIR U'U-HODGINS: Thank you. Written testimony will continue to be accepted. Members, we're going to move on to a discussion period. We will have a three-minute round if needed, and a one-minute follow up round. We also might need to go into executive session for this conversation as well, so...any questions? Member Paltin.

VICE-CHAIR PALTIN: Thank you, Chair. Just wanted to clarify. Did Ms. Takayesu say 1-5 contingency fee? 1-5 percent?

CHAIR U'U-HODGINS: 8.

MS. TAKAYESU: 1-8, I'm sorry.

CHAIR U'U-HODGINS: 18.

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VICE-CHAIR PALTIN: Oh, 1-8, okay. So, that means, like, if we get a settlement from the electric company, they take 18 percent as their fee for doing the work?

MS. TAKAYESU: That's correct.

VICE-CHAIR PALTIN: And then if we get nothing, they get nothing?

MS. TAKAYESU: That's correct.

VICE-CHAIR PALTIN: Okay. I think that concludes my questions.

CHAIR U'U-HODGINS: Sounds good. Do we have any other...Member Sugimura?

COUNCILMEMBER SUGIMURA: Thank you. So, my question was going to be, how did you come up with the 18 percent?

MS. TAKAYESU: That was proposed to us by Mr. Fiske. He has...and he's online as well, and he can assist in answering that. But when we discussed it, that was sort of a special municipal rate. He has represented municipalities on the mainland, and that is a rate that he gives. It's far below the normal rate that you would expect from a plaintiff's attorney.

COUNCILMEMBER SUGIMURA: Thank you very much.

CHAIR U'U-HODGINS: Thank you. Mr. Fiske?

MR. FISKE: Well, I was just going to answer the question, and I think Corporation Counsel answered it exactly as I would have.

CHAIR U'U-HODGINS: Okay. Okay. Thank you. Any other questions? Seeing none, okay, let's move...Members, if you don't have any additional questions or comments for Corporation Counsel in open session before we consider moving into executive session? Member Paltin.

VICE-CHAIR PALTIN: Oh, shoot. One more question.

CHAIR U'U-HODGINS: Of course.

VICE-CHAIR PALTIN: So, my understanding is, last time this came up, our OCS attorneys had issue with the way that this was drafted. And I just wanted to inquire if all the attorneys in the room are onboard with it the way that it's written right now?

CHAIR U'U-HODGINS: I believe they are, but I can allow Remi to speak for himself.

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MR. MITCHELL: Thank you, Chair U‘u-Hodgins, and Member Paltin. Yes, we’re all in agreement with this...the one revision as proposed by Corporation Counsel Takayesu to Resolution 23-224.

VICE-CHAIR PALTIN: Okay. Good job, guys, way to get along.

CHAIR U‘U-HODGINS: They did their Makahiki games behind closed doors. (*Audio interference*) to do it on the floor. Okay. So at this time, we’re going to entertain a motion to convene in executive meeting in accordance with Section 92-5(a)(4), Hawai‘i Revised Statute...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), Hawai‘i Revised Statutes, to deliberate or make a decision upon a matter that requires a consideration of information that must be kept confidential pursuant to a State or Federal law, or court order. Do I have a motion?

COUNCILMEMBER LEE: So moved.

COUNCILMEMBER SUGIMURA: Second.

CHAIR U‘U-HODGINS: Thank you, Chair. Motion made by Chair Lee, second by Member Sugimura, to enter into executive session for item GREAT 11-31. Any further discussion? Seeing none. All those in favor, please raise your hand and say “aye.” All those opposed say “no.” Nine “ayes,” zero “noes,” motion approved.

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MR. MITCHELL: Chair, if we could get the email addresses to the individuals not in Chambers that will be joining the executive session, that would be helpful, please?

CHAIR U'U-HODGINS: Okay, thank you. Do you have their email address? Okay. And Members joining us online, we will also send you the email address...or I'm sorry, the BlueJeans link. Member Paltin?

VICE-CHAIR PALTIN: I just had a question. Do we need to discuss more stuff in executive session? I mean thought we...is there more things that we had to discuss?

CHAIR U'U-HODGINS: I think things we need to just follow up and solidify, and then we can go back into open session.

VICE-CHAIR PALTIN: Oh, okay.

CHAIR U'U-HODGINS: Yeah. Thank you. Okay. So, at this time, we are going to take a ten-minute recess to prepare for executive session, to return at 2:55. And this meeting...this GREAT meeting is in recess. . . .(gavel). . .

**RECESS:                2:45 p.m.**

**RECONVENE:        3:29 p.m.**

CHAIR U'U-HODGINS: . . .(gavel). . . Will the Government Relations, Ethics, and Transparency Committee meeting please reconvene. It is 3:29 p.m. Members we had just...have just completed our executive meeting on GREAT 11-31. Remi, can you please provide us the summary in accordance with Act 19 (2023)?

MR. MITCHELL: Thank you, Chair. The body discussed facts and liabilities related to the litigation as to the concern of Resolutions 23-223 through 23-225. There was one topic that was raised, but not discussed. It might be for open session, that refers to the Angel Fund. And that's all, Chair.

CHAIR U'U-HODGINS: Thank you, Remi. Is there any further discussion before we move on to the recommendation? Chair, did you want to ask about the Angel Fund?

COUNCILMEMBER LEE: Yes. Any status report on the Angel Fund, Corp. Counsel?

MS. TAKAYESU: We sent a proposed resolution for settlement authority. So, we're just waiting for that to be referred to Committee, and we can bring it before you.

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COUNCILMEMBER LEE: Okay, thank you.

CHAIR U‘U-HODGINS: Thank you. Okay, Members, due to the time sensitivity for each of today’s litigation items, their respective resolutions have been concurrently posted on Friday’s Council meeting agenda for consideration and potential action...floor action. That said, I’ll be recommending deferral of all items on GREAT-11 today. Any objections to that? Okay. Thank you. I will now defer this item.

CHAIR U‘U-HODGINS: Oh, Member Paltin?

MR. MITCHELL: Chair?

CHAIR U‘U-HODGINS: Yes?

VICE-CHAIR PALTIN: Oh, thank you, Chair. I just needed to disclose that there’s two minor children and one adult male named George Vierra in the house.

CHAIR U‘U-HODGINS: Okay. Aloha, Paltin ‘ohana. Okay. We will be deferring this item and moving on.

**ACTION: DEFER.**

**GREAT-11(32) LITIGATION MATTERS (RESOLUTION 23-227, RELATING TO  
SETTLEMENT AUTHORIZATION: CHRISTOPHER SALEM V.  
COUNTY OF MAUI, ET AL.; CIVIL 2CCV-21-0000048(2))**

CHAIR U‘U-HODGINS: We have before us Resolution 23-227, authorizing settlement of Christopher Salem v. County of Maui, et al.; Civil 2CCV-21-0000048(2), filed on February 18, 2021. The claim alleges breach of contract, tortious injury, unlawful termination, and seeks special, general, and punitive damages. At this time, I’m going to request opening comments from our Legislative Attorney Richard Mitchell. Remi?

MR. MITCHELL: Thank you, Chair. Can you refresh my recollection on the issues or concerns you’d like me to comment on?

CHAIR U‘U-HODGINS: I think you were going to give us a quick breakdown of what we are going to be doing regarding this item, so we don’t have to have a full discussion as we are appointing special counsel.

MR. MITCHELL: Thank you for the refreshment there. So I think this might be better handled by Corporation Counsel, Mr. Kolbe, and I’ll prompt him where I think you’re going, and that is there’s a settlement conference coming up in the Salem

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matter I believe on January 19<sup>th</sup>, and it is Corporation Counsel's interest in having this resolution passed in advance of that. But I'll leave it to Mr. Kolbe to, or special counsel to follow up on that.

CHAIR U'U-HODGINS: Thank you, Remi. Mr. Kolbe?

MR. KOLBE: Chair, I'm going to defer the Mr. Gores, who has been liaison in this case.

MR. GORES: Madam Chair, Members of the Council, my name is John Gores. I'm the appointed liaison for the County between the County and special counsel. I'm here to introduce Craig Shikuma and Stephen Kaneshiro with Kobayashi Sugita & Goda firm. We're here today to seek settlement authority under Reso 23-227.

CHAIR U'U-HODGINS: Thank you, Mr. Gores. Before we get into discussion, I'm going to do a last call for testimony on this item GREAT-11(32). Staff, do we have anybody signed up to testify?

MS. MACDONALD: Chair, there is currently no one who is signed up to testify. If somebody would like to testify in the Chamber or on BlueJeans, please let Staff know. This is final call – three, two, one. Chair, it appears that nobody wishes to testify.

CHAIR U'U-HODGINS: Okay. Thank you. Members, seeing there are no individuals wishing to testify on this item, I would now close oral testimony. Thank you very much and as a reminder, written testimony will continue to be accepted.

**COUNCILMEMBERS VOICED NO OBJECTIONS.**

**ACTION: Close oral testimony for GREAT-11(32).**

CHAIR U'U-HODGINS: We're going to be implementing a three-minute questioning round with a one-minute follow-up round if necessary in open session, and move into executive session if necessary. Members, do we have any questions for open session? No? All right. It's hana hou executive session then. So let me find my notes. Members, seeing as we do not have any questions or comments for Corporation Counsel during open session, let's please consider entering into executive session. I would now entertain a motion to convene an executive session meeting in accordance with 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, 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

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of information that must be kept confidential pursuant to a state or federal law, or a court order.

COUNCILMEMBER LEE: So ordered.

CHAIR U‘U-HODGINS: Thank you. I have a motion made by Chair Lee. Do I have a second?

COUNCILMEMBER KAMA: Second.

CHAIR U‘U-HODGINS: Thank you. I have a second made by Member Kama to enter into executive session for this item GREAT-11(32). All those in favor, please raise your hand and say “aye.”

COUNCILMEMBERS VOICED AYE.

MS. APO TAKAYAMA: Chair, that’s eight “ayes,” zero “noes,” and one excused – Councilmember Sugimura. Motion carries.

**VOTE:           AYES:   Chair U‘u-Hodgins, Vice-Chair Paltin,  
                                  Councilmembers Cook, Johnson, Kama,  
                                  Lee, Rawlins-Fernandez, and Sinenci.**

**NOES:   None.**

**ABSTAIN:   None.**

**VICE-CHAIR PALTIN: None.**

**EXC.:   Councilmember Sugimura.**

**MOTION CARRIED.**

**ACTION:                   APPROVE; RECESS open meeting and  
                                  CONVENE executive meeting.**

CHAIR U‘U-HODGINS: Thank you very much. Members, for the record, the following personnel will be attending the executive session meeting. All Councilmembers in attendance – including myself, Committee Chair Nohelani U‘u-Hodgins, Committee Vice-Chair Tamara Paltin, Councilmember Tom Cook, Councilmember Gabe Johnson, Councilmember Tasha Kama, Council Chair Alice Lee, Councilmember Keani Rawlins-Fernandez, Councilmember Shane Sinenci. Office of Council Services Staff include Richard E. Mitchell, Legislative Attorney; Megan Moniz, Legislative Attorney; and Pauline Martins, Senior

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Committee Secretary. And now, can I please ask Corporation Counsel to state who they're going to ask. They're going to state it. Okay. One second. Corporation Counsel or special counsel to state who from the Department of Corporation Counsel, Administration, or special counsel will be in executive session, and their titles please.

MR. GORES: Corporation Counsel Victoria Takayesu, Mr. Thomas Kolbe, Deputy Corporation Counsel, myself, John Gores, Deputy Corporation Counsel, Mr. Craig Shikuma, special counsel, Mr. Stephen Kaneshiro, special counsel.

CHAIR U'U-HODGINS: Okay. This . . . Members, please . . . we will be using the same BlueJeans link for the executive session. So right now, I'm going to call a three-minute recess to move into executive session. This Government Relations, Ethics, and Transparency Committee meeting is now in recess. It is 3:38 p.m. . . . *(gavel)* . . .

**RECESS: 3:38 p.m.**

**RECONVENE: 4:28 p.m.**

CHAIR U'U-HODGINS: . . . *(gavel)* . . . Good afternoon, Members. Will the Government Relations, Ethics, and Transparency Committee meeting please reconvene. It is 4:28 p.m. Members, we have just completed our executive meeting on item GREAT-11(32) and right now, I'm going to ask Remi to provide us a summary in accordance with Act 19 (2023). Remi?

MR. MITCHELL: Thank you, Chair. The body discussed the facts and various litigation issues related to the proposed settlement agreement concerning Mr. Salem and versus the County of Maui in GREAT matter 11(32). There were no other matters discussed. And chair, I would, at this juncture, invite Deputy Corporation Counsel John Gores to discuss how this litigation is being coordinated.

CHAIR U'U-HODGINS: Thank you. Mr. Gores?

MR. GORES: Thank you, Madam Chair and Mister Remi. First of all, I am the designated liaison between the County and special counsel. To begin with, I did not work for the County at any time Mr. Salem matters took place. In fact, I didn't even live in the state, which is one of the reasons why I'm designated liaison. I know the least about Mr. Salem's case. Number two, I had nothing to do with the presentation, nor did anyone from Corporation Counsel, that was put together today by special counsel. In fact, the proposal and the discussion that was had was a complete surprise to me in terms of what was discussed, and it was the first I'd ever heard it, so I want to be clear on that, so that's the situation.

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MR. MITCHELL: And Chair, if we could just state that special counsel is the sole entity representing the County in this matter.

CHAIR U‘U-HODGINS: Thank you.

MR. GORES: I would agree with that statement.

CHAIR U‘U-HODGINS: Okay. Thank you very much for that clarification. Is there any further discussion before we move on to the Chair’s recommendation? Seeing none. Okay. Members, if there are no objections, I will also defer this item. As previously stated, we’re going to be deferring all the litigation items to take floor action on Friday. Do we have any objections? Okay. Thank you.

**COUNCILMEMBERS VOICED NO OBJECTIONS.** (Excused GJ, KRF, YLS)

**ACTION: DEFER.**

**GREAT-11(29) LITIGATION MATTERS (RESOLUTION 23-205, RELATING TO  
SPECIAL COUNSEL AUTHORIZATION: ALEXA JACOBS V.  
CLIFTON PERREIRA, ET AL., CIVIL 2CCV-23-0000185)**

CHAIR U‘U-HODGINS: Moving on, we have before us Resolution 23-205, authorizing the retention of ES&A, Inc. as special counsel to represent Clifton Perreira, JeRemi Pallone-De La Torre, Andrew Cabral, and Nolan Wada in the case of *Alexa Jacobs v. Clifton Perreira, et al.*, Case 2CCV-23-0000185, as described in the resolution. Right now, we’re going to request opening comments from Deputy Corporation Counsel John Gores.

MR. GORES: Thank you, Madam Chair, Members of the Council. I’m here to talk about our request for appointment of special counsel to defend the officers that have been sued in this matter. It’s important to note the County is not a party to this lawsuit. The officers were sued in their individual or officer capacities concerning a person...a physical fitness assessment that had happened on February 4, 2022, according to the complaint, where apparently, the plaintiff sustained heat stroke. The Police Commission determined and authorized an approved County defense for this matter. However, as we set forth in the proposed reso, there...to prevent the appearance or actual conflict of interest, we are requesting the appointment of special counsel to defend the officers.

CHAIR U‘U-HODGINS: Thank you. Before we get into discussion, I’d like to do a last call for testimony on this item, GREAT-11(29).

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MS. APO TAKAYAMA: Chair, Staff has not received any requests for testimony on this item. We'll do a last call...three, two, one. Seeing no other individuals wishing to testify.

CHAIR U'U-HODGINS: Thank you. Members if...seeing there are no individuals wishing to testify on this item, without objection, I will now close oral testimony for this item.

**COUNCILMEMBERS VOICED NO OBJECTIONS.**

**ACTION: Close oral testimony for GREAT-11(29).**

CHAIR U'U-HODGINS: Thank you very much. And as a reminder, written testimony will continue to be accepted. We're going to be implementing a three-minute questioning period with a one-minute follow-up round if required. We will go into executive session as well, so please ask the questions we can during open session before we continue on into executive session. Members, we have any questions? Shall we move on to executive session? Yes? Move on? Member Paltin, do you have any questions?

VICE-CHAIR PALTIN: I'm not sure, you can let me know if this is correct for open or closed.

CHAIR U'U-HODGINS: Okay.

VICE-CHAIR PALTIN: How is the determination made that we would represent an entity who is being sued in their personal capacity or they would have to hire their own attorney?

CHAIR U'U-HODGINS: Corporation Counsel?

MR. GORES: In this instance, the officers were engaged in their professional duties as officers when the incidents that occurred are alleged to have occurred pursuant to Hawai'i Revised Statute. When that situation arises, the Police Commission holds a hearing and makes a determination as to whether or not the officers were engaged in their professional duties. And the Police Commission here did, and therefore, the Police Commission authorized and approved County-provided defense.

VICE-CHAIR PALTIN: Thank you.

CHAIR U'U-HODGINS: Thank you, Member Paltin. Okay, Members, seeing we don't have any additional questions or comments for Corporation Counsel in open session, we will move on to executive session. So, I will entertain a motion to convene an executive meeting in accordance with Section 92-5(a)(4), Hawai'i

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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. Also, Section 92-5(a)(8), Hawai'i Revised Statutes, to deliberate or make a decision upon a matter that requires a consideration of information that must be kept confidential pursuant to a State, Federal law, or court order.

COUNCILMEMBER KAMA: So moved.

COUNCILMEMBER LEE: Second.

CHAIR U'U-HODGINS: Thank you. I have a motion made by Member Kama, second by Chair Lee, to enter into executive session for this item, GREAT 11--hold on, I have it, I have it, one second--29. Thank you so much. All those in favor? Kasie? Six "ayes," zero "noes"? Motion carries?

MS. APO TAKAYAMA: Yes, thank you.

CHAIR U'U-HODGINS: Three excused. Thank you very much.

**VOTE:**      **AYES:**    Chair U'u-Hodgins, Vice-Chair Paltin,  
                         Councilmembers Cook, Kama, Lee, and  
                         Sinenci.

**NOES:     None.**

**ABSTAIN:     None.**

**VICE-CHAIR PALTIN: None.**

**EXC.: Councilmembers Johnson, Rawlins-Fernandez, and Sugimura.**

**MOTION CARRIED.**

**ACTION: APPROVE; RECESS open meeting and CONVENE executive meeting.**

CHAIR U'U-HODGINS: Thank you very much. For the record, the following personnel will be attending the executive meeting. Councilmembers in attendance, including myself, Committee Chair Nohe U'u-Hodgins; Committee Vice-Chair Tamara Paltin; Councilmember Tom Cook; Councilmember Tasha Kama; Council Chair Alice Lee; and Councilmember Shane Sinenci. Office of Counsel

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Services Staff include Richard E. Mitchell, Legislative Attorney; Megan Moniz, Legislative Attorney; and Pauline Martins, Senior Committee Secretary. And at this time, I'm going to ask Deputy Corporation Counsel to state who, from the Department of Corporation Counsel, Administration, or Special Counsel will be with us in executive session and their titles, please?

MR. GORES: Thank you, Madam Chair. Corporation Counsel Victoria Takayesu, Deputy Corporation Counsel Thomas Kolbe, Deputy Corporation Counsel John Gores.

CHAIR U'U-HODGINS: Thank you very much. And at this time, we are going to take a four-minute recess to return at 4 --

MS. APO TAKAYAMA: Chair?

CHAIR U'U-HODGINS: Yeah?

MS. APO TAKAYAMA: I'm sorry, I just want to make sure that no one else from the Administration also is going to be in this executive session?

CHAIR U'U-HODGINS: Yes, thank you. Do we have anybody else that needed to be included?

MR. GORES: Gregg Okamoto.

CHAIR U'U-HODGINS: Thank you very much. Chief Okamoto will also be joining us. Okay. We are going to take a four --

MR. MITCHELL: Chair, just one more quick check on attendees in executive session.

CHAIR U'U-HODGINS: Yes?

MR. MITCHELL: We received an email from Ms. Tarnstrom...Deputy Corporation Tarnstrom, indicating she wanted to be in the executive session. Is that the case or not the case?

CHAIR U'U-HODGINS: Is Deputy Corporation Counsel Kristin --

MR. MITCHELL: I see that Corporation Counsel --

CHAIR U'U-HODGINS: -- Tarnstrom is not going to be --

MR. MITCHELL: -- Takayesu is saying no. Okay, thank you.

CHAIR U'U-HODGINS: Okay, thank you.

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UNIDENTIFIED SPEAKER: *(Audio interference)* thank you very much, Remi.

CHAIR U‘U-HODGINS: Okay. Okay, well now it’s turned into a three-minute recess to go into executive session. We shall return at 4:40. This GREAT meeting is now in recess. . . .*(gavel)*. . .

**RECESS: 4:37 p.m.**

**RECONVENE: 4:58 p.m.**

CHAIR U‘U-HODGINS: . . .*(gavel)*. . . Will the GREAT Committee please reconvene. It is 4:58 p.m. Members, we have just completed our executive session meeting on GREAT-11(29). Remi, if you could please provide us a summary in accordance with Act 19 (2023)?

MR. MITCHELL: Thank you, Chair. The body discussed the facts and legal issues requiring the engagement of special counsel, and no other matters were discussed.

CHAIR U‘U-HODGINS: Thank you very much, Remi. So, Members, do we need any more discussion before we move on to our recommendation? Seeing none, thank you. If there are no objections, I would now defer this item for all the reasons we mentioned earlier. We’re going to be discussing this on Friday.

**COUNCILMEMBERS VOICED NO OBJECTIONS.** (Excused GJ, KRF, YLS)

**ACTION: DEFER.**

**GREAT-14 RESOLUTION 23-194, RELATING TO DEVELOPING A COMPREHENSIVE RECOVERY AND RESILIENCY PLAN IN RESPONSE TO THE ISLAND OF MAUI’S TRAGIC WILDFIRES OF AUGUST 2023)**

CHAIR U‘U-HODGINS: Okay, thank you very much. Let’s move on to the final item, which is the very first item on our agenda, we can finish that up. We have before us Resolution 23-194, entitled “DEVELOPING A COMPREHENSIVE RECOVERY AND RESILIENCY PLAN IN RESPONSE TO THE ISLAND OF MAUI’S TRAGIC WILDFIRES OF AUGUST 2023.” Now, as a reminder, Members, we basically had our discussion and we post...we put this to the end so we could finish up our new list, which is now posted on Granicus. We added the few items that Member Paltin had suggested, and kind of shifted some things around. Please take a look at those now, and if you don’t have any further additions or concerns, then we can vote on it and continue to work in our

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subject-matter Committees. Can we hand these out to the Members who are here? Member Cook, did you get the list? You did? You good? Oh, okay. The new one is coming. For Member Paltin, since you're joining us online, it is...we did post it on Granicus. Okay. Thank you. There's another one with the additional things that Member Paltin had discussed. Okay. Do we have any other thoughts, concerns, or additions? Again, Members, this is just a suggestion. You are free to do whatever you see fit in your own Committee, so long as, apparently, we all vote on it. Are we good? Member Paltin, followed by Member Sinenci.

VICE-CHAIR PALTIN: I just wanted to clarify, on the Government land for housing.

CHAIR U'U-HODGINS: Yep.

VICE-CHAIR PALTIN: I was...I was meaning for rebuilding housing that...that previously existed, but it's fine the way it was. I just...I just wanted to let all the Members understand where I was coming from. Like, you know, the Lāhainā Crossroads was housing before, can we rebuild housing? Kupuohi was housing before, can we rebuild housing? Lāhainā Surf...that's just a clarification.

CHAIR U'U-HODGINS: Okay. Thank you. Member Kama is here, and since this is in her Committee, yep, she's...she's taking notes. Thank you. Member Sinenci?

COUNCILMEMBER SINENCI: Thank you, Chair. I just wanted to personally thank you and your Staff for --

CHAIR U'U-HODGINS: Oh, thank you.

COUNCILMEMBER SINENCI: -- holding those meetings and being adamant about having those meetings out in Lāhainā, and to all the Lāhainā residents that came out to share their mana'o to generate this list. So, we're...we're...I'm happy that we can finally address their immediate needs. I'm hoping that maybe we can continue, as we go forward, meet with the Office of Recovery, which is under yours --

CHAIR U'U-HODGINS: Yep.

COUNCILMEMBER SINENCI: -- and maybe with Mr. Nishita's handout that he gave us, that we could somehow correlate this list with some of his objectives. Thank you, Chair.

CHAIR U'U-HODGINS: Absolutely. Thank you, Member Sinenci. I really appreciate your kind words, and I...I know our Staff does, too. So, thank you so much. Chair Lee, did you have anything to add?

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COUNCILMEMBER LEE: Nothing. Just to say ditto, and thank you again for all of...all the work you guys have done, and --

CHAIR U‘U-HODGINS: Thank you.

COUNCILMEMBER LEE: -- you know, we almost came out of this unscathed.

CHAIR U‘U-HODGINS: Almost. Member Cook?

COUNCILMEMBER COOK: I’d like to thank you for your leadership and persistence --

CHAIR U‘U-HODGINS: Thank you.

COUNCILMEMBER COOK: -- in this, and it was really, really tough. And you and the Staff worked well on it, and I’m glad that we’re at this step, and we can move forward. Thank you.

CHAIR U‘U-HODGINS: Thank you. Yes, this Committee has amazing Staff. Are we good? We need anything else before we move on to recommendation? Nope. Okay, thanks. Okay, so at this time, I’d like to entertain a motion to recommend the adoption of Resolution 23-194, including any nonsubstantive revisions.

COUNCILMEMBER KAMA: So moved.

CHAIR U‘U-HODGINS: Thank you. So, motion made by Councilmember Kama, second by Councilmember Cook. Any further discussion? Seeing none. All those in favor, please raise your hand and say “aye,” Aye. Tam? Thank you.

MS. APO TAKAYAMA: Chair, that’s six “ayes,” zero “noes,” three excused, Councilmembers Sugimura, Rawlins-Fernandez, and Johnson. Motion carries.

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**VOTE: AYES: Chair U‘u-Hodgins, Vice-Chair Paltin,  
Councilmembers Cook, Kama, Lee, and  
Sinenci.**

**NOES: None.**

**ABSTAIN: None.**

**VICE-CHAIR PALTIN: None.**

**EXC.: Councilmembers Johnson,  
Rawlins-Fernandez, and Sugimura.**


**MOTION CARRIED.**

**ACTION: ADOPTION OF RESOLUTION 23-194.**

CHAIR U‘U-HODGINS: Thank you very much. Thank you very much, Members. I really appreciate everybody’s hard work and willingness to work together. Let me find the end of my notes, so we can adjourn this meeting. Okay, so this concludes the Government Relations, Ethics, and Transparency meeting. Members, thank you so much. It is now 5:04 p.m., and this meeting is adjourned. . . .*(gavel)*. . .

**ADJOURN: 5:04 p.m.**

APPROVED BY:

  
NOHELANI U‘U-HODGINS, Chair  
Government Relations, Ethics, and  
Transparency Committee

great:min:231128:cvk/kr

Transcribed by: Cheryl von Kugler  
& Kaliko Reed

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CERTIFICATIONS

I, Cheryl von Kugler, hereby certify that pages 1 through 12 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 3rd day of January 2024, in Wailuku, Hawai'i

  
Cheryl von Kugler

I, Kaliko Reed, hereby certify that pages 12 through 43 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 3rd day of January 2024, in Wailuku, Hawai'i

  
Kaliko Reed