

COUNCIL OF THE COUNTY OF MAUI

# GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

March 22, 2024

**Committee  
Report No.** \_\_\_\_\_

Honorable Chair and Members  
of the County Council  
County of Maui  
Wailuku, Maui, Hawaii

Chair and Members:

Your Government Relations, Ethics, and Transparency Committee, having met on February 27, 2024, makes reference to Resolution 24-13, entitled "AUTHORIZING ADDITIONAL COMPENSATION RELATED TO THE EMPLOYMENT OF SPECIAL COUNSEL KOBAYASHI SUGITA & GODA, LLP, IN CHRISTOPHER SALEM V. COUNTY OF MAUI, ET AL., CIVIL NO. 2CCV-21-0000048."

Resolution 24-13's purpose is to authorize additional compensation, in the amount of \$75,000, to Kobayashi Sugita & Goda, LLP, as special counsel to represent the County of Maui, Richard T. Bissen, Jr. in his official capacity, and Kate Blystone, as successor to Kathleen Aoki, in her official capacity, in Christopher Salem v. County of Maui, et al., Case 2CCV-21-0000048.

Your Committee notes Section 3.16.020(B), Maui County Code, requires Council authorization for any settlement of claims or civil litigation in excess of \$7,500.

The Corporation Counsel provided an overview of the claims and explained the basis for the request for additional compensation, pending Council approval, and further requested an executive meeting to discuss confidential information related to the claims.

Your Committee voted to convene an executive meeting, closed to the public, to consult with legal counsel in accordance with Sections 92-5(a)(4) and 92-5(a)(8), Hawaii Revised Statutes.

COUNCIL OF THE COUNTY OF MAUI

# GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

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Following the executive meeting, your Committee reconvened in regular session.

Based on information received in executive session and the recommendation of the Department, your Committee voted 8-0 to recommend adoption of Resolution 24-13. Committee Chair U‘u-Hodgins, Vice-Chair Paltin, and members Johnson, Kama, Lee, Rawlins-Fernandez, Sinenci, and Sugimura voted “aye.” Committee member Cook was excused.

Your Government Relations, Ethics, and Transparency Committee RECOMMENDS that Resolution 24-13, attached hereto, entitled “AUTHORIZING ADDITIONAL COMPENSATION RELATED TO THE EMPLOYMENT OF SPECIAL COUNSEL KOBAYASHI SUGITA & GODA, LLP, IN CHRISTOPHER SALEM V. COUNTY OF MAUI, ET AL., CIVIL NO. 2CCV-21-0000048,” be ADOPTED.

This report is submitted in accordance with Rule 8 of the Rules of the Council.

  
\_\_\_\_\_  
NOHELANI U‘U-HODGINS, Chair

# Resolution

No. 24-13

AUTHORIZING ADDITIONAL COMPENSATION RELATED  
TO THE EMPLOYMENT OF SPECIAL COUNSEL KOBAYASHI SUGITA &  
GODA, LLP, IN CHRISTOPHER SALEM V. COUNTY OF MAUI, ET AL.,  
CIVIL NO. 2CCV-21-0000048

WHEREAS, by Resolution No. 23-187, the Council authorized the employment of special counsel Kobayashi Sugita & Goda, LLP ("special counsel") to represent the County of Maui, and Michael P. Victorino and Michelle C. McLean in their official capacities in Christopher Salem v. County of Maui, et al.

WHEREAS, the Second Circuit Court, by order dated November 8, 2023 in Christopher Salem v. County of Maui, et al., substituted Richard T. Bissen, Jr. in his official capacity for Michael P. Victorino in his official capacity, and Kathleen Aoki in her official capacity as Director of the Department of Planning for Michelle C. McLean in her official capacity; and

WHEREAS, the Department of the Corporation Counsel has requested authorization to raise the compensation limit for the employment of special counsel by an additional \$75,000 for a total compensation not exceeding \$125,000 for motions, responses, other Court filings and Court requirements, and trial preparation; now, therefore,

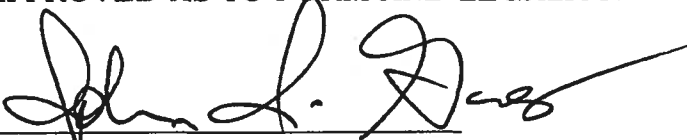
BE IT RESOLVED by the Council of the County of Maui:

1. That the Council hereby approves and authorizes an increase in compensation for the employment of special counsel Kobayashi Sugita & Goda, LLP for the representation of the County of Maui, Richard T. Bissen, Jr. in his official capacity, and Kathleen Aoki in her official capacity in this case by \$75,000 for a total compensation not exceeding \$125,000; and

**Resolution No.** 24-13

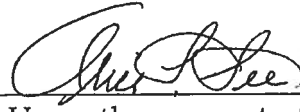
2. That certified copies of this resolution be transmitted to the Corporation Counsel, the Director of Finance, and Kobayashi Sugita & Goda, LLP.

APPROVED AS TO FORM AND LEGALITY:

A handwritten signature in black ink, appearing to read "John J. Gores", written over a horizontal line.

JOHN J. GORES  
Deputy Corporation Counsel  
County of Maui  
LIT 6247

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "James R. Lee". The signature is written in black ink and is positioned above a horizontal line.

Upon the request of the Mayor.