

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Council of the County of Maui

MINUTES

May 13, 2025

Online Only via Teams

CONVENE: 1:37 p.m.

PRESENT: VOTING MEMBERS:

Councilmember Nohelani U‘u-Hodgins, Chair
Councilmember Tamara Paltin, Vice-Chair
Councilmember Tom Cook, Member
Councilmember Gabe Johnson, Member (Out 4:30 p.m.)
Councilmember Alice L. Lee, Member
Councilmember Keani N.W. Rawlins-Fernandez, Member
Councilmember Shane M. Sinenci, Member
Councilmember Yuki Lei K. Sugimura, Member

EXCUSED: VOTING MEMBERS:

Councilmember Tasha Kama, Member

STAFF:

Clarissa MacDonald, Legislative Analyst
Peter Hanano, Legislative Attorney
Megan Moniz, Legislative Attorney
Maria Leon, Committee Secretary
Jean Pokipala, Council Services Assistant Clerk
Richelle Kawasaki, Deputy Director of Council Services
Ryan Martins, Council Ambassador

Zhantell Lindo, Council Aide, Molokai Residency Area Office
Keomailani Hirata, Council Aide, Molokai Residency Area Office
Roxanne Morita, Council Aide, Lāna‘i Residency Area Office
Mavis Oliveira, Council Aide, East Maui Residency Area Office
Bill Snipes, Council Aide, South Maui Residency Area Office

ADMIN.:

Victoria Takayesu, Corporation Counsel, Department of the Corporation
Counsel (All)
Yukari Murakami, Deputy Corporation Counsel, Department of the Corporation
Counsel (GREAT-2(2))
Glen R. Pascual, Deputy Corporation Counsel, Department of the Corporation
Counsel (GREAT-11(6))
John J. Gores, Deputy Corporation Counsel, Department of the Corporation
Counsel (GREAT-11(6), 11(7), 11(8), 11(9), and 11(10))
Susan Leeder, Deputy Corporation Counsel, Department of the Corporation
Counsel (GREAT-11(6), 11(7), 11(8), 11(9), and 11(10))
Jody Yoshida, Boards and Commissions Liaison, Office of the Mayor (GREAT-2(2))

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Ryssa Tam Ho, Boards and Commissions Liaison, Office of the Mayor (GREAT-2(2))

OTHERS: Christopher Jon Elizares (GREAT-2(2))
Crichton Ka'uiki Lind (GREAT-2(2))

Testifiers

Mark Ross (GREAT-11(7))

Linden Holt Joesting (GREAT-11(9))

Tom Liu (GREAT-11(8))

Donna Waters (GREAT-11(10))

Leahi Hall (GREAT-2(2))

Kyle Ellison (GREAT-11(7), 11(8), 11(9), and 11(10))

Leslie Iczkovitz (GREAT-2(2))

Ashley Lindsey (GREAT-2(2))

Cynthia Lallo, Chief of Staff, Office of the Mayor (GREAT-2(2))

Testifier 1 (GREAT-11(6))

(13+) additional attendees

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

CHAIR U'U-HODGINS: . . .*(gavel)*. . . Will the Government Relations, Ethics, and Transparency Committee meeting of May 13th, 2025, please come to order. It is 1:37 p.m. I'm your Chair, Nohelani U'u-Hodgins. Members, in accordance with the Sunshine Law, please identify by name who, if anyone, is in the room, vehicle, or workspace with you today. Minors do not need to be identified. Let's begin with Committee Vice-Chair Tamara Paltin. Good afternoon.

VICE-CHAIR PALTIN: Good afternoon, kākou.

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

COUNCILMEMBER COOK: Afternoon.

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

COUNCILMEMBER JOHNSON: Good afternoon, Chair, Councilmembers, community members. There's no testifiers here at the Lāna'i District office and I'm alone on my side of the office. Mahalo, Chair.

CHAIR U'U-HODGINS: Thank you very much. Councilmember Tasha Kama is excused for today. Council Chair Alice Lee, good afternoon.

COUNCILMEMBER LEE: Good afternoon and aloha.

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

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha ‘auinalā kākou. Mai Molokai nui a Hina. I am at the Molokai District office alone on my side of the office. And there are currently no testifiers at the Molokai District office. Mahalo.

CHAIR U‘U-HODGINS: Thank you. Councilmember Shane Sinenci, good afternoon.

COUNCILMEMBER SINENCI: Aloha. Good afternoon, Chair. There are no testifiers in Hāna.

CHAIR U‘U-HODGINS: Thank you. Did they all come and join us in person? Let's hope. Councilmember Yuki Lei Sugimura, good afternoon.

COUNCILMEMBER SUGIMURA: Good afternoon.

CHAIR U‘U-HODGINS: From Corporation Counsel we have Victoria Takayesu, Corporation Counsel; Yukari Murakami, Deputy Corporation Counsel. For the items posted on the agenda for later today, we have Mr. Glen Pascual, Deputy Corporation Counsel; and John Gores, Deputy Corporation Council. We have with us from the Administration Jody Yama...Yoshida, I'm sorry, Boards and Commissions Liaison, Office of the Mayor; as well as Ryssa Tam Ho, Boards and Commissions Liaison. We have Director Jordan Molina, Director of Public Works; and Mr. Bradford Ventura our Fire Chief. Our Committee Staff include Maria Leon, Committee Secretary, Megan Moniz, Legislative Attorney, Clarissa McDonald, Legislative Analyst, Richelle Kawasaki, Deputy Director of Council Services; Jean Pokipala, Council Services Assistant Clerk. Please see the last page of the agenda for information on meeting connectivity. I assume we have testifiers today so I'll read...I will read this blurb. Testifiers wanting to provide testimony should sign up in the lobby, join on the online meeting via Teams link, or call into the phone number noted today's agenda. Written testimony is encouraged and can be submitted via the eComment link under Maui County...@mauicounty.us/agendas as well. Under the Sunshine Law, the Chair will receive oral testimony for the agenda at the beginning of the meeting and as the item is called up. For individuals wishing to testify via Teams, please raise your hand by clicking on the raise-your-hand button. If calling in, please follow the prompts via phone, star 5 to raise and lower your hand, and Star 6 to mute and unmute. Staff will add names to the testifier list in the order the testifiers sign up or raise their hands. For those on Teams, Staff will lower your hand once your name is added. Staff will then call on the name you are logged in under or the last four digits of your phone number when it is your turn to testify. At that time, Staff will also enable your microphone and video. Please ensure your name appears in Microsoft Teams as the name you prefer to be referred to or as anonymous if you wish to testify anonymously. If you are in person, please notify Staff if you would like to testify anonymously, otherwise, please state your name for the record at the beginning of your testimony. Oral testimony is limited to three minutes per item, and if you are still testifying beyond that time I will kindly ask you to complete your testimony. 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. We will do our best to take up each person in an orderly fashion. And we will now call on testifiers wishing to testify

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at the beginning of the meeting. Staff, can you please call up our first testifier? Thank you.

MS. MACDONALD: Yes, Chair. The first testifier is Mark Ross, to be followed by Linden Holt Joesting.

. . . OPEN PUBLIC TESTIMONY AT BEGINNING OF MEETING . . .

MR. ROSS: Good afternoon, everyone. Thank you for allowing us to be here to testify. Like to also put a special thanks out to Yuki Lei and Jennifer Matsumoto for doing the work that they've done for us Upcountry. I'm here to testify for my personal property and also for some of my neighbors. During the...well, on the aftermath of the fire we had the Army Corps of Engineers come in and do the cleanup. And I was there for the majority of it and we were assured that...basically, my property, everything was burnt completely. Except the only thing that was left was my driveway. And we had different points of entry. You could enter through the driveway or there was a fence on the side that could've been removed and they could've come in that way. When I did arrive to the site, they had these huge foam...not foam but actual rubber pads that they said they were going to put down on top of the driveway because they were going to bring heavy equipment in to start hauling things into the...the loaders and take them out; so we just assumed that was going to happen. That never happened. And what we have is...we have video...I mean, not video but picture evidence of that...of the damage that's caused by these...I mean, you've had to use machines that weigh, you know, 20, 30 tons that are going to come across your driveway; it's going to cause damage. But I didn't have a huge driveway. I mean, nothing like Tom's, who...over 100 something feet long and...but that was all that's left. And my house, unfortunately for me, was the first one to burn because I was closest to the point of ignition. So, all we had was this little driveway that we were, hopefully, to repurpose down the road but now it's completely damaged. Edges...I mean, I've got...I did send picture evidence. And when I did contact the Army Corps after, basically, they said, you didn't read your right of entry form. And I said, I did read my right of entry form. He said, go to number 7, or so forth, and read it and it, basically, says incidental damage. So...well, this is more than incidental damage, this is damage. I can't reuse my driveway. And I'm in the construction business so I know what it takes to tear that out, regrade, and go through all that stuff. So, I have...I had three contractors come out within a day, and they all sent in written estimates. So with pictures, and so on and so forth, which we sent over to Yuki...Yuki's Department. So, it just seemed to me that they didn't take due care to...I mean, I'm grateful that they took the debris away, but to damage the driveway which was completely avoidable, as far as I was concerned. So...and I've seen some of my neighbors' property and they're actually worse...it's worse than mine. And mines completely unusable, at this point, it's just...and we're in...we're in the construction phase, at this point. So, we are part of, you know, forming the pad, and so forth, of the garage, and stuff. The driveway is critical. So, the one we have now is not usable so we...we have to tear it out. So...so, we're kind of at that point of...hopefully get some funds to offset...and, obviously, the cost . . .(timer sounds). . . has changed since the initial...you know since we've sent those estimates, the costs have, obviously, risen. But whatever we get out of this is...will be a benefit.

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CHAIR U‘U-HODGINS: Thank you, Mr. Ross.

MR. ROSS: Thank you.

CHAIR U‘U-HODGINS: Members, any clarifying questions? Member Cook.

COUNCILMEMBER COOK: Thank you, sir. My clarifying question, so you have the driveway that's damaged. Is it like all cracked, and bust, or...

MR. ROSS: Yeah, it's just...they're...all the corners, all the edges. I mean, they're...and there's...they've got tracks...you know heavy metal tracks, basically --

COUNCILMEMBER COOK: So --

MR. ROSS: -- dug into the driveway.

COUNCILMEMBER COOK: Sorry, to be brief, just my --

MR. ROSS: Yeah.

COUNCILMEMBER COOK: -- don't have that much time for everybody.

MR. ROSS: Yeah.

COUNCILMEMBER COOK: So, it needs to be...it needs to be removed --

MR. ROSS: Yeah.

COUNCILMEMBER COOK: -- disposed, and replaced.

MR. ROSS: Exactly.

COUNCILMEMBER COOK: Okay. Thank you, sir.

MR. ROSS: Thank you.

CHAIR U‘U-HODGINS: Thank you, Member Cook. Member Paltin.

VICE-CHAIR PALTIN: Thank you, Mr. Rapp...Ross?

MR. ROSS: Ross.

VICE-CHAIR PALTIN: Ross. I saw some of the pictures. Was yours the 2 or the 1?

MR. ROSS: It's a single driveway.

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VICE-CHAIR PALTIN: Oh, okay. Not with the tire.

MR. ROSS: No, no, no.

VICE-CHAIR PALTIN: Okay.

MR. ROSS: It's a...it was a single pad.

VICE-CHAIR PALTIN: That was yours. Okay.

MR. ROSS: Yeah, it was a single pad leading into...leading into our carport area.

VICE-CHAIR PALTIN: My...my question is, did you have home insurance that had debris removal spelled out?

MR. ROSS: No, it...our...our...our policy did not cover debris removal.

VICE-CHAIR PALTIN: Okay. So, then you don't have to remit anything to the Army Corps of Engineers.

MR. ROSS: As far as...

VICE-CHAIR PALTIN: I guess, in Lahaina, some of the people that have a debris removal line item have to turn that over.

MR. ROSS: Yeah, we haven't --

VICE-CHAIR PALTIN: But that's not you guys.

MR. ROSS: -- yeah, we don't have to turn anything into them.

VICE-CHAIR PALTIN: Okay.

MR. ROSS: So...

CHAIR U'U-HODGINS: Thank you, Member Paltin. Mr. Ross, so you said there was supposed to be rubber pads.

MR. ROSS: Yeah, they were there actually on site.

CHAIR U'U-HODGINS: They were there but they weren't put down on the driveway.

MR. ROSS: They...they were not...they were dropped off. There were probably 30 of them --

CHAIR U'U-HODGINS: Okay.

MR. ROSS: -- and they were meant to cover the entire space --

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CHAIR U‘U-HODGINS: Okay.

MR. ROSS: -- so they could bring these large machines on.

CHAIR U‘U-HODGINS: Okay.

MR. ROSS: And, at that point, I did ask one of the leaders of the Army Corps...I said, there's a fence here that's 8 feet, if I take that out --

CHAIR U‘U-HODGINS: Uh-huh.

MR. ROSS: -- that would give you 14 to 15 feet because there was a space between that.

CHAIR U‘U-HODGINS: Uh-huh.

MR. ROSS: And he said, don't worry about it. It's not a big deal. Don't...don't...leave the fence. It's...it's all you got. Just --

CHAIR U‘U-HODGINS: Okay.

MR. ROSS: -- leave the fence, we'll take care of the driveway, and that obviously didn't happen.

CHAIR U‘U-HODGINS: Okay. And then were the rubber pads removed or are they --

MR. ROSS: Yeah, the...the rubber pads stayed in the stack the entire time.

CHAIR U‘U-HODGINS: Oh. Okay.

MR. ROSS: And we were told not to worry about it, we'll...we'll be very careful. And, obviously, like I said, based on the pictures...I even have some active pictures of a skip loader with a bucket on the back chip...actually chip the edge of the driveway as he was going in.

CHAIR U‘U-HODGINS: Okay.

MR. ROSS: And you could see the tracks going across all the entire driveway.

CHAIR U‘U-HODGINS: Okay. Thank you very much.

MR. ROSS: Okay. Thank you.

CHAIR U‘U-HODGINS: Any other clarifying questions? Seeing none. Thank you for your testimony.

MR. ROSS: Thank you.

CHAIR U‘U-HODGINS: Next testifier, please.

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MS. MACDONALD: Chair, the next testifier is Linden Holt Joesting, to be followed by Tom Liu.

MS. JOESTING: Good afternoon, Madam Chair, other Committee Members here, and afar. I'm here to talk, actually, on behalf of my mom. She is elderly. She's actually 98, going to turn 99 next month. And we are coming here to ask for assistance in repairing the driveway. We had a lot of fire trucks, which we were very grateful to have, come up the driveway, water tankers to resupply the fire trucks because we're right across the gulch from Mark. So, it came up very early. And we're the two strips of concrete that go up. We'd like to rebuild the driveway and put in a grade for...to make it easier for emergency vehicles to turn and come on up. In addition to that, we're planning to put in deep enough concrete...or wide enough...yeah, deep enough concrete so that it can bear the weight of those vehicles. So, we're here making a request. It would be extremely helpful to have it covered. And if you notice the distance...excuse me, the amount that's been put in for the estimate to do the repair is less than what we ask for. And the difference is because we want to use that to get an engineer to give us the specs on the road grading and all that kind of stuff. And any questions?

CHAIR U'U-HODGINS: Thank you very much. Members, any clarifying questions? Member Paltin.

VICE-CHAIR PALTIN: Thank you, Ms. Jostring [sic].

MS. JOESTING: Joesting.

VICE-CHAIR PALTIN: Joesting.

MS. JOESTING: Yeah.

VICE-CHAIR PALTIN: Same question, did you have homeowner's insurance that called out debris removal?

MS. JOESTING: We...we did have homeowner's insurance. To be honest, I'm not sure if it covers debris removal.

VICE-CHAIR PALTIN: Oh, okay.

MS. JOESTING: Yeah.

VICE-CHAIR PALTIN: But you don't have to pay...you're not...under your understanding, you don't have to pay the Army Corps of Engineers anything at all.

MS. JOESTING: No. That's...we didn't have any work done by the Army Corps of Engineers. And actually haven't had any Federal support.

VICE-CHAIR PALTIN: Oh, so this is your neighbor...your neighbor had a cleanup and then your driveway got messed up or --

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MS. JOESTING: I...yeah, it got bust up from all the fire trucks coming up and down, the water trucks. And then --

VICE-CHAIR PALTIN: And...and they saved your house?

MS. JOESTING: Yes, they did. We were very, very lucky. Yeah.

VICE-CHAIR PALTIN: Okay.

MS. JOESTING: We're not planning to take the pieces of the driveway offsite. We're going to reincorporate them into the concrete.

VICE-CHAIR PALTIN: Got it. Thank you.

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

COUNCILMEMBER COOK: Thank you. My clarifying question, what was the age of the driveway? Like how long?

MS. JOESTING: The driveway is old. It must be from the 30s, I think. Yeah. And so what happens is if one part breaks, then there's additional pressure on the next one. So, it's like --

COUNCILMEMBER COOK: Yeah.

MS. JOESTING: -- yeah, falling dominoes.

COUNCILMEMBER COOK: So...and are you requesting for County replace the entire...the entire thing?

MS. JOESTING: We are. We are.

COUNCILMEMBER COOK: Okay.

MS. JOESTING: Yeah.

COUNCILMEMBER COOK: Okay. Thank you.

MS. JOESTING: Thank you.

CHAIR U'U-HODGINS: Thank you. Members, any other clarifying questions? Seeing none. Thank you very much for your testimony.

MS. JOESTING: Thank you, Madam Chair, Councilmembers.

CHAIR U'U-HODGINS: Thank you. Next testifier, please.

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MS. MACDONALD: Chair, the next testifier is Tom Liu, to be followed by Donna Waters.

MR. LIU: Thank you, Members of the Committee. I don't know mine is a testimony or question unanswered. On November 13, 2023, FEMA, Corps of Engineers, and ECC, the local contractor who did the job, assembled on my property to start the debris removal. And as the process were going four of us, the three of the representative, was standing by the driveway watching this heavy-loaded truck rumbling down my...through my driveway and we all noticed my driveway was cracking. So, I asked them...I said, what are you going to do about that. The answer was, don't worry, we'll take care of it. And then the comment is what bothers me, and I need the answer, is these driveways are built for passenger cars not these kind of heavy loads. I ask you...Corps of Engineers, FEMA have done zillion times across the country. They know this is going to happen and they said that. Why didn't they warn us at all the meetings good Councilwoman Yuki Lei organize every week, talked about it and never came up. Now, they said they will report up the chain and to be...for me to be...expect that a claim form will come through the mail. I didn't hear anything so I followed up dozen phone...dozen of phone calls with Corps of Engineers. Finally, the ECC local contractor, I met them twice on my property going through my driveway. In fact, they offered solutions and they say, we can't set precedent to repair the entire...it's a 360-foot driveway...but we can take care of the heavily damaged area, and I thought that was fair. Nothing happened. I call, they came back again. We measure the second time, the area, and they'll get back to me. So, finally I kept on calling Corps of Engineers. They came up twice, the Corps of Engineers, to examine my driveway. . . .*(timer sounds)*. . . The time up? Oh.

CHAIR U'U-HODGINS: You can finish your sentence.

MR. LIU: And they said they will get back to me and they never did. Now, my question is if they knew this can happen, why didn't they discuss with us, like Mark said, are there another way? They...they can...each individual case is different; some is a long driveway, some don't have driveway. But in my case I told...like I said, I have 360 foot.

CHAIR U'U-HODGINS: Thank you.

MR. LIU: Why didn't they give...give me an option to offer them? And which...in fact, my house is being built right now, my main house, and the trucks are not using my driveway. They don't want to damage anymore. And because the...it's cracked all the way across with a sinkhole.

CHAIR U'U-HODGINS: Okay.

MR. LIU: So --

CHAIR U'U-HODGINS: Thank you very much, Mr. Liu.

CHAIR U'U-HODGINS: I'm going to ask the Members if they have any clarifying questions now. Thank you. Member Paltin, followed by Chair Lee.

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VICE-CHAIR PALTIN: Thank you. Same question that...did you have homeowner's insurance --

MR. LIU: Yes.

VICE-CHAIR PALTIN: -- Mr. Liu? And did it spell out the debris removal? The --

MR. LIU: I never even looked at it because FEMA was going to take care of it and we signed the form --

VICE-CHAIR PALTIN: So --

MR. LIU: -- the ROE form.

VICE-CHAIR PALTIN: -- do you know if you have to reimburse FEMA, Army Corps of Engineers for the debris removal? Are you aware?

MR. LIU: Well, yes, I'm aware of a case. This lady from California came over, United Policyholder, twice we met --

VICE-CHAIR PALTIN: Sherry Peterson.

MR. LIU: -- twice we met in Kula.

VICE-CHAIR PALTIN: Okay.

MR. LIU: And she, specifically, said her...she was...her house was damaged during the Paradise fire.

VICE-CHAIR PALTIN: Mmm.

MR. LIU: And her driveway was totally damaged but they replaced it. Now, I have...I have all these people's name and phone numbers, and for us not to worry.

VICE-CHAIR PALTIN: Okay.

MR. LIU: So, I never even pursue that . . . *(inaudible)*. . . --

VICE-CHAIR PALTIN: So, you --

MR. LIU: And also the meetings I have...with all four times, two with FEMA...I mean, Corps of Engineers, two with the...the ECC people, they...they...they said, yes, you know. We even measured how long...how much of a driveway is going to repair, I never questioned that until...until June 17th I got the phone call says, sorry, we're not responsible, from...from Corps of Engineers, because you sign the...the ROE. Here's my question, we signed the ROE before they started it. There was no...before November 13. They

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had eight months with that piece of paper, and now the conclusion, eight months later, say, oh, you signed the paper. Come on.

VICE-CHAIR PALTIN: And...and to clarify, so you're asking that the County engage with the Army Corps of Engineers or --

MR. LIU: Well, I would...if I was the County Member here...and I want to...this opportunity to thank the County for helping us, especially our Representative Yuki Lei Sugimura. Unbelievable what you did...help that you had given us. But County has done everything to help us. Now, they say...and all of us have the same feeling that we're claiming against the County. I hope...and I told the Mayor...you know he came up to the house with the...mine was the first...first cottage to be built. I said, I hope you go after the Federal Government for reimbursement. I'll be your first...first to testify for you.

VICE-CHAIR PALTIN: Okay. So --

MR. LIU: Okay.

VICE-CHAIR PALTIN: -- so, you don't know if you have debris removal spelled out in your policy?

MR. LIU: . . .*(inaudible)*. . . --

VICE-CHAIR PALTIN: You're not aware if you have debris removal spelled out as a line item in your insurance policy.

MR. LIU: No.

VICE-CHAIR PALTIN: Okay. Thank you.

MR. LIU: No, I mean we've been in...under contact all through this...this time, that never came out once.

VICE-CHAIR PALTIN: Okay. Thank you.

MR. LIU: Yeah.

CHAIR U'U-HODGINS: Thank you, Member Paltin. Chair Lee.

MR. LIU: Okay. Thank you.

COUNCILMEMBER LEE: Mister...Mr. Liu.

MR. LIU: Oh.

COUNCILMEMBER LEE: I have a question for you. When signing the ROE, did you absolve

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them of any damages or any liability to your property?

MR. LIU: Okay. Okay. Here...here's...here's...I said it's question and answer, right? I would really like to see the ROE form those people in Paradise fire signed because Corps of Engineers hanging on the one that we signed. Say, you signed it so it's County's responsibility. So...so, what kind of ROE they have to sign...the people in...after the Paradise fire. We were pressured because that's never happened here. And they have developed the form...the County had developed the form. Did a super job, tried to shorten the time because we were all in a hurry to get it going. Got the form. We were under stress because everybody has to sign before they can start. So, we were pressured into...get it signed, get it signed. There was a community email said -- we need to sign it. You want it or not? You know, so what...I, myself...to tell you the truth, I never read it. I just went ahead...in fact, was right after one of the meeting...the weekly meeting. The two representative from the County came up, help...help us to fill the...you know, complete that form. When they gave us the form, say, you sign it, goes to the Corps of Engineers, signed it without reading. And I think most of us, probably, did the same thing because who had the experience except them. I say...I'm sorry, them, the Federal people. We don't have the experience. We never even dreamed that the...that the driveway is going to get this damaged. So, we --

COUNCILMEMBER LEE: Thank you.

MR. LIU: -- we didn't hesitate; we signed it.

COUNCILMEMBER LEE: Thank you.

CHAIR U‘U-HODGINS: Thank you very much, Mr. Liu, for your testimony. We appreciate it.

MR. LIU: Thank you.

CHAIR U‘U-HODGINS: Thank you. Next testifier, please.

MS. MACDONALD: Chair, the next testifier is Donna Waters, to be followed by Leahi Hall.

MS. WATERS: Good afternoon, everyone. I have a similar but slightly different story. I live on a small, one-lane, dead-end road, Alanuilili, which was also in the burn zone. It services about 15 homes and cottages. Three of my neighbors' homes burned to the ground. So, in the ensuing months we had FEMA, EPA, Army Corps of Engineers, dozens of vehicles up and down this road for months with, at one point, crane, dumpsters, flatbed truck, water tankers. You name it, it was down there. So, as a result of that our one-lane road, first of all, became cracked from the weight of all this because it wasn't built to sustain commercial equipment. It's a small residential road. So, first, the road cracked. And then the cracks got bigger. And then the sides of the road cracked as equipment had not a wide enough road, really, to navigate. So it went off one side, went off the other side, it chipped off the sides, and then it made potholes. And so for months the Mori girls and I got bags of asphalt, which weigh a ton, a pounding stick, tried to fix this thing ourselves. And all along FEMA and Army Corps guys were telling us, it'll be taken

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care of, it'll be taken care of. So, I been pursuing this for almost a year and a half and nothing has happened. Everybody has tried to help; Yuki, I called Alice Lee's office, I've called the Governor, the Mayor, anybody...anybody who would listen to me. And no one had a real answer. So, I was talking to the head of the cleanup crew, his name was Rodney Downs. I don't know what agency he worked for; he was here from the mainland, very sympathetic, very helpful. And he was the one who told me that they had similar things happen on the mainland and those residents actually had to go to their...their counties and their...their cities to get their roads repaired because Army Corps [sic] was not going to do it due to the right-of-entry forms that Tom was just talking about. So, three of the people on our road signed right-of-entry forms. They had to do this for any debris cleanup to begin. Okay. So, the other 12 of us owners didn't sign any forms but yet we're kind of left holding the bag. And for the three homes...homeowners . . . *(timer sounds)*. . . who burned to the ground, they barely got enough money to rebuild, let alone rebuild a road. So, the estimates that I got said it's got to be...the top layer has got to be taken off, smoothed out, and then an overlayment put, and the cost of that is about \$69,000. So, I'm asking for some kind of help to get this resolved for myself and for my neighbors. Thank you.

CHAIR U'U-HODGINS: Thank you, Mrs. Waters. Members, any clarifying questions? Member Cook, followed by Member Sugimura.

COUNCILMEMBER COOK: So, this isn't...this is...thank you for coming and explaining this. Is this an asphalt road and not concrete?

MS. WATERS: It's asphalt, yes.

COUNCILMEMBER COOK: Okay. Approximately, how wide is it? Is it like one lane?

MS. WATERS: It's one lane, 12, 13 feet wide, maybe.

COUNCILMEMBER COOK: Okay.

MS. WATERS: I'm at the dead end of it.

COUNCILMEMBER COOK: Thank you.

CHAIR U'U-HODGINS: Thank you, Member Cook. Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. Nice seeing you here and apologies for all that you're going through. I notice that on your form you also included some of your neighbors. So, you're the representative as you all share the roads.

MS. WATERS: Yes.

COUNCILMEMBER SUGIMURA: This road, rather.

MS. WATERS: Yeah.

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COUNCILMEMBER SUGIMURA: Okay.

MS. WATERS: Yeah.

COUNCILMEMBER SUGIMURA: Because I see there's Judge Shackley Raffetto --

MS. WATERS: Correct.

COUNCILMEMBER SUGIMURA: -- the...the Mori family, and yourself, and it says and the rest of the neighbors.

MS. WATERS: Right.

COUNCILMEMBER SUGIMURA: So, this is --

MS. WATERS: They all know I'm here. And, actually, Shackley, at one point, got a call from a captain from the Army Corps and he was told that they're not responsible for anything.

COUNCILMEMBER SUGIMURA: Okay.

MS. WATERS: Yeah. Yeah.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR U'U-HODGINS: Of course. Thank you, Member Sugimura. Thank you very much, Ms. Waters.

MS. WATERS: You're welcome.

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

MS. MACDONALD: Chair, the next testifier is Leah Hall, to be followed by Kyle Ellison.

MS. HALL: Aloha, Chair and Councilmembers. My name is Leah Hall. I'm actually going to be testifying on behalf of my mom who is in the Chambers but she just has a soft voice. And this is in support of the nomination of CJ Elizares to the Maui Planning Commission. So, here it goes from my mom. Just as the nāulu rains suddenly appears at the end of a cloud bridge that straddles the uplands of Pu'umāhoe to the southern end of Kaho'olawe, CJ Elizares would serve as a bridge to the Maui Planning Commission on matters involving Native Hawaiian traditional cultural practices and places. Appropriately, he serves as the Director of Nāulu Farm in Honua'ula, where he nurtures seedlings for reforestation efforts and cultivates native plants. I will confine my testimony largely to Mr. Elizares's experience in and knowledge of Honua'ula which qualify him for the cultural practitioner seat and the Upcountry seat. Mr. Elizares was 4 years old when he first traveled to Kaho'olawe on his uncle's sampan as a grown man, he has been a member of the PKO for 17 years often in leadership positions. Among his

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responsibilities as akua is water safety for those traveling to the island. He continues to participate in and lead ipu-a-Kāne ceremonies. Most of all, Mr. Elizares has mana kupua, the ability to shape shift. If you ask him what this means he would probably say, go sit under the kukui tree. Finally, Mr. Elizares would bring his knowledge of Native Hawaiian traditional and customary practices and the places where these practices occur to the Maui Planning Commission's decision-making. He would bring balance and fairness to the decision making, good judgment and reason. It would be as though Kamapua'a was spotted in the understory of a native forest. I wholeheartedly recommend CJ Elizares's nomination to the Maui Planning Commission. And perhaps just a quick personal story. There was a white out...it doesn't happen all the time but there was a white out between Kaho'olawe and the Mākena area. And CJ was...and CJ and his water crew, the last few guys returning from a Kaho'olawe access, were in the Zodi [sic] that CJ was driving. And even though nobody could see which way was forward, back, whatever, CJ felt this one breeze coming down, that he knows comes down at this particular season at this particular time, from the mountain down into the ocean. And so he was able to navigate the Zodi back to island because of that one breeze. And that's, perhaps, a good image to leave with you about the importance of somebody with integrity who also has natural and cultural resource skill, is no matter the social context, no matter the confusion that's happening, or the depth of emotion that's happening at that moment, you want somebody who is able to navigate those tough times, who has proven over his lifetime of caring for natural and cultural resources, the integrity of who he is as a person, and that he always prioritizes natural and cultural resources. So, that's the kind of guy I would want driving the Zodi. Mahalo.

CHAIR U'U-HODGINS: Thank you, Ms. Hall and Mrs. Hall, for your testimony. Members, any clarifying question? Member Sugimura.

COUNCILMEMBER SUGIMURA: I just want to say thank you to your mom. Thank you for that.

CHAIR U'U-HODGINS: Mahalo, Aunty.

COUNCILMEMBER SUGIMURA: It certainly sounds like you, so appreciate it.

MS. HALL: Thank you.

COUNCILMEMBER SUGIMURA: Thank you.

MS. HALL: It does sound like her.

COUNCILMEMBER SUGIMURA: Yeah.

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

MS. HALL: Thank you.

CHAIR U'U-HODGINS: Next testifier, please.

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MS. MACDONALD: Chair, the next testifier is Kyle Ellison, to be filed by Leslie Iczkovitz. Apologies if I mispronounce your name.

MR. ELLISON: Aloha, everyone. That was beautiful testimony. Thank you for sharing that. My name is Kyle Ellison and I am testifying today just as a resident of Kula that lives in the burn zone here. Also, I am the one that accompanied multiple groups of Army Corps personnel around Kula on the site visits to inspect all of these driveways and was the one that toured all of Kula with them. So, I felt I should be here today as I been involved in this kind of since the beginning. And I'll be honest; I don't really want to be here...I don't want any of us to be here today dealing with this. I'm very appreciative to the County of everything that the County has done through this entire ordeal and the support that has been provided. And in my mind, it's just unfortunate that this is kind of due to the negligence and apathy of the Federal Government that has left our fire-affected residents and the County kind of holding the bag on this. And I'm upset and frustrated the County has to deal with this at all because I do appreciate the lengths that you've gone to. So...and, yes, as I...at the end of the day, though, you know driveways and roads are falling apart with every winter rain that we get. And they are...the potholes are bad, the cracks are bad, the runoff is bad, the rock. . . people's vehicles are getting damaged. Like it's real when someone has to pay for it, so here...here we are today because it does need fixing, right. And as I currently understand it, which has been explained so far, is, yes, because these property owners signed the right-of-entry with the County of Maui who hired the Army Corps of Engineers to do the debris removal process, that regular wear and tear and incidental damage absolves the subcontractors from any claims such as these. And in many, many, many appeals with the Army...U.S. Army Corps of Engineers it was, essentially, put so bluntly as the person in Alaska that Judge Raffetto spoke to was, you need to take it up with the County. It's not our problem. They hired us. Go talk to them. So, that's where the Army Corps left us in this. Kula was the first community to be cleaned by the Army Corps and, yeah, people wanted it cleaned up. We sat in meetings where it was saying, sign your right-of-entry. Opt in to the program because, you know, people were living in and amongst burned houses for three months with ash blowing around in the air and tangled burned metal right next door to them. They wanted it gone. They were going, you know, we want to move on and so let's opt in to this and let's sign. And in these meetings...in these community meetings it was saying, if you don't sign...if you don't opt in with the Army Corps you're going to have to pay and it could be like 150 grand that you got to pay to take...to clean this up. Just opt in, it's free, we'll take care of it, don't worry about it. And people were going, let's get it done, let's get it done; so people opt in. But yet here we are, people have bills of 70, 80, 150 grand that now they have to pay even after they were told, opt in because then you're not going to have to pay. But then the trucks show up, damages their driveways and are told that they have to pay for it at the end of it. And to me, it's just upsetting that we have...we have veterans, we have civil service agents, we have people who have worked in public service and have served their country for their entire life, they're over 80 years old and their house burned down. . . .*(timer sounds)*. . . And now we're telling them that they have to pay for the driveway for the truck that they didn't hire that came in that was supposed to help them that did the damage, and then they have to pay for it out of pocket after

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serving their country their whole life; it just doesn't seem right. So, I'm here to represent my neighbors and our Kula community, and provide a little backstory if I can on all this. Thank you.

CHAIR U‘U-HODGINS: Thank you. Members, any clarifying questions? Seeing none. Thank you very much --

MR ELLISON: Thank you.

CHAIR U‘U-HODGINS: -- for your testimony.

MR ELLISON: Appreciate it.

CHAIR U‘U-HODGINS: Next testifier, please.

MS. MACDONALD: Chair, the next testifier is Leslie Iczkovitz, to be followed by Kahele Dukelow.

MR. ICZKOVITZ: Aloha, Councilmembers. My name is Leslie Iczkovitz and I'm here to testify on Resolution 25-108. I am sure that Mr. Elizares is very, very knowledgeable about cultural matters but I'm here to testify against his nomination to the Planning Commission. I have spent the morning trying to locate information that should be public knowledge regarding his employment history, who his current employer is, and what his educational background is. That information is not publicly available and I'm just really curious why. But we do know that Christopher is employed by Mākena Golf and that is not being disclosed to the public in the information that is publicly available. And I think that there's an obvious conflict of interest for Christopher, who's...who...from one of the major land owners who is constantly doing developments down here in South Maui. I live in Maui Meadows. I don't think it's right at all for him to be a member of the Planning Commission. He doesn't testify on behalf of Mākena [sic] but whenever he does speak he adopts positions of Mākena. But it's interesting that his cousins, when they testify, they testify against Mākena's [sic]. So, he's doing something in favor of his employer that his cousins don't agree with. And a big issue is when you have...right now, Planning Commission only has five members and you can't do any...you can't have quorum without five members. If Christopher is made a member of the Planning Commission he's going to have to constantly recuse himself and it's going to have...cause even more quorum issues and I just think that it's wrong for a member...you wouldn't want to have somebody who's working for Ledcor, or for Honua‘ula Partners, or Mākena; these are the three people who are developing. They want to build 7,000 new...you know, the 7,000 new homes that they want to build in South Maui. And the Planning Commission...it all goes in front of the Planning Commission and I think it's absolutely wrong for a Commission member to have that kind of conflict of interest. There are plenty of people down here in South Maui...or all over Maui who can be members of the Planning Commission, who can fill those four vacancies that doesn't have these conflicts. And I just, mostly, want to know why he...it wasn't disclosed. It appears there's two different types of applications. There's the public application that specifically requests who's your current employer, who

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is...what's your employment history, what's your educational background. And then there's the application that was disclosed to the public that's attached to the agenda today's meeting. And that...that also makes no sense to me, don't know why there's two different applications where there should be one. So, he fills out one application, then somebody must be transferring that information to another application form because they're not the same application. And so that's all I have to say but I stand strongly against Mr. Elizares' nomination because failure to disclose, upfront, that he works for Mākena. I'm not saying he hid it...well...but I'm not saying he did...hid it because he could've put it on the form. And whoever decided not to put it on the form . . .*(inaudible)*. . . not disclose that to the public. Thank you.

CHAIR U‘U-HODGINS: Thank you. Members, any clarifying questions? Member Paltin.

VICE-CHAIR PALTIN: Thank you, Chair. Thank you, Mr. Ickovitz...Iczkovitz.

MR. ICZKOVITZ: Call me Les. Call me Les.

VICE-CHAIR PALTIN: Thank you. Thank you, Les. As it wasn't disclosed, I was wondering how you know.

MR. ICZKOVITZ: Well, I know because somebody told me.

VICE-CHAIR PALTIN: Oh, okay. Thank you. And . . .*(inaudible)*. . . --

MR. ICZKOVITZ: Also, when I did call...I did call the Mayor's office and asked today, I...I did call the Mayor's office and asked them for his employment history. And the person who answered the phone, I can't remember her name, said, well, what do we know...do we know who he's employed by and she said, well, he's employed by Mākena Golf...Mākena Resort. So, that's one of the sources of information I had as to how I know that because the Mayor's office knew. But the Mayor's office chose not to disclose that to the public in a forum...in a written form that normally would be attached to the agenda.

VICE-CHAIR PALTIN: And the other clarifying question of what you said is, are...you're aware of upcoming projects that Mākena Golf Resort is putting before the Planning Commission?

MR ICZKOVITZ: I don't...no, I don't have specific but I just assume as a major developer...a major land owner, I know that there...there's been some...some things that...that have come before the Commission. I don't know what's...what's next coming. But regardless, as a major land owner, it's...it's very likely in the...in the next however many years his term would be, that multiple Mākena projects will be involved and the conflict of interest...it's like...you know, it's...it's like putting somebody who...who...you know, who owns Wailea 670 on the Commission and...or somebody who owns Ledcor, who owns Wailea. I mean, that's just so obviously wrong when you have candidates...you know he can be a cultural...he can be a cultural advisor but...but being a Commission member gives him a full and equal vote that impact the lives of thousands of people who live in South Maui, which I'm one of them.

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VICE-CHAIR PALTIN: Thank you.

MR ICZKOVITZ: I'm just a renter here in Maui Meadows.

VICE-CHAIR PALTIN: Thank you for your clarification.

CHAIR U‘U-HODGINS: Thank you, Member Paltin. Members, any other clarifying questions. Seeing none. Thank you very much for your testimony. Next testifier, please.

MS. MACDONALD: Chair, the next testifier signed up is Kahele Dukelow but I don't see them on the call anymore. If...if they are on...if they're able to raise their hand by clicking the raise-hand button on the top of the...your browser or Teams app. And they're currently the last individual signed up to testify. I don't see anybody raising their hand. Would you like me to do a last call?

CHAIR U‘U-HODGINS: Sure.

MS. MACDONALD: If somebody would like to testify in the Chamber, please let Staff know, or on Microsoft Teams, please raise your hand. This is final call for the beginning of the meeting testimony; three, two, one. Chair, it appears that nobody wishes to testify.

CHAIR U‘U-HODGINS: Thank you. I didn't see her on the list so...or in participants. If she comes back, we can hear her testimony later.

. . . CLOSE PUBLIC TESTIMONY AT BEGINNING OF MEETING . . .

ITEM 2(2): RESOLUTION 25-108, APPOINTMENT OF MEMBERS TO THE MAUI PLANNING COMMISSION

CHAIR U‘U-HODGINS: Okay. Members, moving on to Resolution 25-108, Appointment of Members to the Maui Planning Commission. By a correspondence dated April 30th, 2025, the Mayor transmitted Resolution 25-108 to consider Christopher Jon Elizares and Crichton Ka‘uiki...Ka'uiki...okay...Lind as nominees to the Maui Planning Commission for terms expiring March 31st, 2030. The Council's 30-day deadline to approve or disapprove the nominations is May 30th, 2025. Copies of the board listing and updated application for Christopher Jon Elizares has been uploaded to Granicus. And if...you have...may noticed that on the agenda this item is posted for no legislative action today as our deadline to approve or disapprove the nominees is May 30th. This resolution is posted on Friday's Council agenda for consideration then. So, my intention today, Members, is to hear from the Boards and Commissions liaisons, Ms. Jody Yoshida and Ryssa Tam Ho, to provide opening remarks on the Mayor's nominations and ask any opening or...and have them provide us opening comments for each of the nominees. Following that I'll ask for testimony, again, on the item, close public testimony, and then get into discussion. And we'll also hear from the nominees, themselves [sic]. And we will do this work today so we don't have to do it on Friday. So,

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at this time, I would like to receive Resolution...or testimony, rather, for Resolution 25-180.

MS. MACDONALD: Yes, Chair, we have one individual signed up to testify and that would be Ashley Lindsey.

. . . OPEN PUBLIC TESTIMONY ON RESOLUTION 25-108 . . .

MS. LINDSEY: Hi. My name is Ashley Lindsey. I'm the Vice Chair of the Maui Planning Commission. I was supposed to be here...I wasn't supposed to be here today to testify on Resolution 25-08 [sic] regarding the appointment of members to the Maui Planning Commission. Instead, I'm supposed to be sitting next door in the Kalana Pukui Building doing what you folks are doing, serving our community. Today would've been the first of two normally scheduled meetings this month but we didn't have quorum and it's unlikely we will have quorum at our second regularly scheduled meeting this month. Currently, we have five Commissioners representing four of your districts. Being bare quorum, every vote needs to be unanimous to pass or deny. And both Chair Thayer and I will be terming out in less than nine months. As a mother of young children, it's hard to be there at every Commission meeting, oftentimes, ten hours a day, at least twice a month. During the South Maui Community Plan, we often...we often put in extra days and sometimes 12-hour days to get it all done. I've had to choose between sick keiki, 'ohana, work, social engagements, sleep, and serving as a Commissioner. So, that's what we did, that's...we made the sacrifices to get it done while we have quorum because our community is that important. Lately, it's been running into...we've been running into the problem of agenda items getting automatically approved because we just don't have enough time or votes, and that's the rules. Meanwhile, our shorelines continue to change, Lahaina is waiting to be rebuilt, and our community plans are sorely outdated. I don't fault anyone and instead blame the system, rules, and process. But we desperately need people on our Commission so we can continue to serve our community. That being said, I only know one person on the agenda today, CJ Elizares and I would...I wouldn't say CJ and I were friends since small kid time, but having both grown up Upcountry at the same time, I've known him since intermediate school. What I remember about him is he's never been there for the credit, the palapala, the recognition, or the resume, but always for something greater than himself. He has always been deeply committed to his community. He stands on his values and is honest to a fault. While I've served on my Planning Commission, he's testified a handful of time, oftentimes, on site of the item at hand via Webex. At one meeting at the beginning of our South Maui Community Plan meetings, we had bare quorum, an excited South Maui audience, an extensive testimony list, and no Commissioner from South Maui. Most of the testimony circled around not having a South Maui voice on the Commission. When it was his turn, he stood there, one of the few 'oiwi in the room and asked us if he could sit in that seat and represent his Moku, Honua'ula, which includes parts of Upcountry, South Maui, and Kaho'olawe Districts but couldn't because, of course, the appointment process. That day, I could tell the crowd respected what he had to say and validated his involvement in the community. In addition, through his testimony over the last four years, he's shown that he has a deep knowledge for native plants, animals, archeology, the movement of water, drainage, building community, agriculture, and 'ike

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kūpuna. There were times where you could tell, he's read through all the information in our Commissioner packets, which at times were hundreds to thousands of pages. But regardless of the subject, his testimony has always been welcomed because of his perspective and insight he offers is different than that of any other Commissioner. Because of these things, he would be a great addition to our Commission. I would also like to note that Hāna needs a voice on the Planning Commission or even better . . . *(timer sounds)*. . . its own Planning Commission. The needs of that community are so specific and nuanced that the current process doesn't serve it justice. Mahalo for your time.

CHAIR U‘U-HODGINS: Thank you, Ms. Lindsey. Members, any clarifying questions? Thank you --

MS. LINDSEY: Thank you.

CHAIR U‘U-HODGINS: -- so much for your time and your testimony. Do we have anybody else signed up?

MS. MACDONALD: Chair, there is currently no one else who signed up to testify. Would you like me to do a last call? Oh. I see someone.

CHAIR U‘U-HODGINS: Ms. Lallo is coming up to provide us some words as well, I think. She doesn't want to be trapped here at the desk and I don't blame her. So, she only gets three minutes.

MS. LALLO: You caught me. . . *(laughing)*. . . Thank you so much.

CHAIR U‘U-HODGINS: Thanks.

MS. LALLO: Good afternoon. I just wanted to make some opening comments as we have some new folks before you today for the Administration and Boards and Commissions. So, good afternoon, Chairs and Members of the GREAT Committee. Mahalo for the opportunity to provide a brief update and introduce two new team members who will be supporting the important work of Maui County's Boards and Commissions. We are pleased to welcome Ms. Jody Yoshida and Ms. Ryssa Tam Ho to our team. Ms. Yoshida brings a wealth of experience, from both State and County Government, offering valuable insight and a strong understanding of public service operations. Ms. Tam Ho comes to us with a robust background in the private sector and she's already demonstrating exceptional attention to detail, timeliness, and organizational efficiency. As the responsibility of the Independent Nomination Board grow and with over 40 active boards and commission under our purview, this expanded team is a timely and strategic step to help us manage the increasing workload with greater efficiency and effectiveness. Additionally, I wanted to let you know, we're excited to be implementing Granicus. That work should be happening in the next couple of weeks and we'll be onboarding and utilizing that for our boards and commissions within six to eight weeks. So, we're hoping that that will significantly improve transparency, communication, and workflow. Mahalo for your continued support. Thank you.

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CHAIR U‘U-HODGINS: Thank you, Ms. Lallo. Members, any clarifying questions? We have their staff and we have the nominees with us, so thank you so much. I appreciate it. Any other testifiers?

MS. MACDONALD: Chair, there is no one else signed up to testify. I can do a last call.

CHAIR U‘U-HODGINS: Please.

MS. MACDONALD: If somebody would like to testify in the Chamber, please let Staff know, or on Microsoft Teams, please raise your hand. This is final call; three, two, one. Chair, it appears that nobody wishes to testify.

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

COUNCILMEMBERS: No objections.

. . . CLOSE PUBLIC TESTIMONY ON RESOLUTION 25-108 . . .

CHAIR U‘U-HODGINS: Thank you. Written testimony will continue to be accepted. Members, if you don't have a preference, I will begin with Mr. Elizares and call him down to the floor and we will begin our interview of him; if you don't mind beginning with him. Yes. Mr. Elizares, if you could please join us at the front and introduce yourself. And then the Members will have their opportunity to ask questions. We will be limiting the questioning period to a three-minute questioning first round, and a one-minute follow-up round, if necessary. So, Mr. Elizares, if you could introduce yourself. Thank you.

MR. ELIZARES: Aloha. My name is Christopher Jon Elizares but it's usually only Christopher if I'm in trouble. So, I prefer CJ but if I'm in trouble, that's one way you can let me know. And usually I run away before we can have nice words said about us and I got to read the...the testimony. And to have one of my heroes in this room today, is just special for me. So, welcome back to the Chambers, ‘Ohana Hall.

CHAIR U‘U-HODGINS: Did you want to say anything else? If not, the Members can start asking questions, if you don't mind.

MR. ELIZARES: I'm...I'm open and ready for questions.

CHAIR U‘U-HODGINS: Yes. Oh, did you guys want to introduce him as well? Okay. Please do that.

MS. YOSHIDA: Thank you, Chair. Okay. So, CJ Elizares, he is the lineal cultural genealogical descendent of Honua‘ula. And he's also a farmer with a lot of ancestral knowledge that's passed on to him. He is currently the Director of ‘Ōiwi Resources and Stewardship at Mākena Golf and Beach Club. He also oversees the Naalu...Nāulu Farm in Mākena . It's a...it's a place-based ecosystem knowledge that he has. He's also the kahu of Nāulu

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Koa, a rain shrine in 'Ulupalakua. It's because of his knowledge of the rain, the sun, and the winds is what he is...is...ties him to the ocean, land, and people. He was also part of Kaho'olawe Island Reserve Commission as well, working on the land over there as a cultural advisor. And he was also a member and captain of the Open Ocean Hawaiian Voyaging crew called Hui O Wa'a Kaula...Kaulua. But, yeah, he has the focus on creating a regenerative space for all. One of his quotes that I found on him was bring back the forest, and you bring back the people, and have a relationship with the 'āina. That's all I have.

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

MS. YOSHIDA: Uh-huh.

CHAIR U'U-HODGINS: Members, we're going to begin questioning, so please raise your hand if you have a question. Again, we're going to have a three-minute round followed with a one-minute round. Member Sugimura, followed by Member Cook.

COUNCILMEMBER SUGIMURA: Thank you. Thank you, Chair. Welcome and beautiful testimony to support you; that was nice. One of the testifiers said, and I don't think it...it was ever hidden about his Mākena connection. So, maybe that's really a question for Staff, not necessarily for CJ. So, Jody, the...you heard the testifier say that his employment was being hidden. Maybe you have an answer for that. Okay.

MS. MURAKAMI: Thank you, Chair. Thank you, Member Sugimura, for the question. I believe, maybe, the confusion might have been that the...the application that was submitted, the copy did not...does not list that employee...employment information and you know it's something that you can ask...the Councilmembers can ask on the floor at any time. But we...the application is modeled or formed after the County Code, 2.41.020. So, we follow that...that...that sets out the minimum requirements of what information is submitted to Council. So, that...that's all it was but we can take a look at it again if . . . *(inaudible)*. . . --

COUNCILMEMBER SUGIMURA: Okay. Thank you very much. Yeah, I didn't think that it was a secret or, you know, there was any kind of intention of it being like that. I did have a chance to speak to the applicant and appreciate, you know, his commitment to the community. And I...I asked him, also, because his application says Kahului but it's...you're representing Upcountry. So, you want to make a statement about that?

MR. ELIZARES: Yeah. Sure. So, I did...I think Vice-Chair of the Planning Commission mentioned, I...I volunteered during the South Maui Community Plan to sit on the Planning Commission in a South Maui seat not knowing...well, I kind of knew the rules about not having an address in the space and, at that point, was when I decided to actually apply for the Commission. At that point in time, I was residing in Kahului. I lived Upcountry my whole life...well, I lived all over but mom's house was always Upcountry. And then in 2020, because of COVID, we moved downtown to...to Kahului. And recently, within the past year, I moved back up to Pukalani.

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COUNCILMEMBER SUGIMURA: Thank you.

CHAIR U‘U-HODGINS: Thank you. Member Cook.

COUNCILMEMBER COOK: Thank you. Good afternoon. Thank you for your willingness to serve. The Maui County Planning Commission represents Maui County, which is all three islands but mostly for Maui. So, do you have any...would you...would you recuse yourself if you felt that the issue before you had something to do with an employer, or a relative, or it was inappropriate?

MR. ELIZARES: Oh, for sure. Yeah, anything to do with...with those types of actions, I would check in with Corp. Counsel. I know that that's always been...I see it happening throughout different meetings, right. And when the short-term rental things came up some of our Commissioners had to recuse themselves. So, I would always check with Corp. Counsel but, yeah, if I don't feel good inside. And, I guess, that's a leap of trust but, yeah, I would recuse myself.

COUNCILMEMBER COOK: No. Thank you very much. Thank you.

CHAIR U‘U-HODGINS: Thank you. Maui Planning Commission represents Maui. And then they have Lāna‘i Planning Commission, Molokai Planning Commission, and Hāna does have its own Advisory Committee. So, I want to just make that clear, that you would be speaking on behalf of Maui County. I do have a clarifying question...well, I guess it's a question but it is for you. Member Sugimura kind of touched it, but specifically I wanted to make sure that there are not two applications. There is just the one, as discussed, of which does not necessarily list his current employer, yes? So, when Mister...or Mr. Les called and was requesting information on Mr. Elizares, did we provide him information that wasn't available to the public without Mr. Elizares' consent? Did we say where he works without it being listed on the publicly-interfaced application? If you don't know, that's okay to say you don't know if he didn't specifically talk to you. But I just want to make sure we're not sharing any information by our applicants without their consent. As we discuss so many times in this Committee, there's a big difference between an application...or an applicant and a nominee. So, I just...I'm just making sure that we don't do that.

MS. MURAKAMI: Right. Yeah.

CHAIR U‘U-HODGINS: Thank you. Mr. Elizares, I can appreciate that you work really wherever you choose to work and feed your family. And I will say as somebody who also has a job that also is a lifelong member of this island, this is a job. This is what I do and I have to make decisions here. But this is a hat that I wear just as long...just as much as I wear a hat of being a mom, and a aunty, and a wife, and a mother. And I assume you too, like so many of us, wear all the different hats. And not one hat determines how you feel about all the things, yes?

MR. ELIZARES: Yes.

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CHAIR U‘U-HODGINS: Do you feel the same?

MR. ELIZARES: Exactly, but they told me to take off my hat before you start.

CHAIR U‘U-HODGINS: Yes, exactly. So, I would assume, just like I have to do here, I make decisions based on myself and not necessarily my former employer or this employer is the County. But I do what I think is right for myself, and I assume you'll do the same, yes?

MR. ELIZARES: Yes.

CHAIR U‘U-HODGINS: That's what I think too. Members, do you guys have any other questions? Chair Lee.

COUNCILMEMBER LEE: I really don't have...did you have anything to add? As far as I'm concerned, I've read your application. I heard the outstanding testimony from the Hall family. And that, of course...you know that made me, for sure, want to support you. But is there anything that, maybe, you meant to say and you didn't have a chance to?

MR. ELIZARES: I'm just...I'm ready to serve. I think our community needs it. I am ready to help...well, we'll see if it's help when it comes to the Wailuku Community Plan coming up, the finishing of the South Maui Community Plan, Lahaina rebuilds, and all of that; I just want to help our community get to the...the place that they need to get but by being careful on recognizing what our cultural and natural resources are in...in the right way.

COUNCILMEMBER LEE: Great. Thank you. Thank you, Chair.

CHAIR U‘U-HODGINS: Thank you. Member Sinenci, please.

COUNCILMEMBER SINENCI: Mahalo, Chair. And mahalo, CJ, for stepping up and agreeing to...to serve. In our work here...my work, we've been working specifically with iwi kūpuna. And they...they mentioned that you're also the ‘Ōiwi Resources. We have our own ‘Ōiwi Resources here at the County but I just wanted to...you mentioned cultural inventory. And so your...your service on the Planning Commission would, you know, potentially...you know you'll be agreeing to...to some of the development. And some...and, of course, we're on an island with a lot of cultural inventory. So, when you're faced with, you know, this hard decision about, you know, protecting our cultural resources, can you speak a little bit to that?

MR. ELIZARES: I think the Ka Pa‘akai analysis made it really easy for us, yeah.

COUNCILMEMBER SINENCI: Ka Pa‘akai made it easy.

MR. ELIZARES: Yeah, because we just identify the resource. I know the three steps, right. Identify the resource, recognize its sanctity and what the potential impacts are to it. And then number three is mitigation or protection. Like my...my hero's in this room,

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we get to be around very important historical and cultural important artifacts and...and parts of our history. And we've made decisions over...well, for me, it's been at least 14 years to make hard decisions to protect or mitigate around...around these items. So, I have a little bit of experience on that. And I'm really happy about the Ka Pa'akai analysis.

COUNCILMEMBER SINENCI: Okay. Thank you for that. Great response. Thank you, Chair.

CHAIR U'U-HODGINS: Of course. Thank you, Member Sinenci. Member Paltin.

VICE-CHAIR PALTIN: Thank you, Chair. Before I begin, thank you, Mr. Elizares, for your willingness to serve. I wish I could ask Corp. Counsel on recusing things but actually it's not Corp. Counsel, its Board of Ethics. And so if you see it coming up on the agenda, you may want to get a advisory opinion fast because...or put in because they meet every so often and so you cannot just ask Corp. Counsel.

MR. ELIZARES: Shoots.

VICE-CHAIR PALTIN: I wish but, yeah, you got to get...you got to get on the agenda for the Board of Ethics, and stuff like that. So, just clearing that. I was wondering how familiar you were, specifically, with the new shoreline rules and I think the SMA rules, the new ones, is under challenge. So, I was wondering, I guess, how familiar you were with the new shoreline rules and the old SMA rules.

MR. ELIZARES: If...is that the one, like, pre-2022? Or . . .(inaudible). . . --

VICE-CHAIR PALTIN: The special management area. Yeah, I think it was --

MR. ELIZARES: Oh, so the...I thinking about SLR-XA '22....2022 it changed, right? So, that's more of the shoreline --

VICE-CHAIR PALTIN: Yeah, shoreline got accepted.

MR. ELIZARES: -- or sea level rise, and all of that.

VICE-CHAIR PALTIN: Yeah.

MR. ELIZARES: I am familiar with the SMAs...just the SMA lines and...and where it goes. I was kind of...I actually just pulled it up this morning, last night, and throughout --

VICE-CHAIR PALTIN: Okay.

MR. ELIZARES: -- the past week but I was looking at this line...I did have a question. I know it's not for this but when you look at the Kahikinui area and how high that estimated boundary goes, I can't --

VICE-CHAIR PALTIN: I think it depends on the...if it's the SLR-XA you're talking about,

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depends on the topography --

MR. ELIZARES: No, on that one that's the SMA that --

VICE-CHAIR PALTIN: SMA, I think, is fairly arbitrary but my question was in the rebuild of Lahaina --

MR. ELIZARES: Uh-huh.

VICE-CHAIR PALTIN: -- how do you weigh, like, what was there and what was intended to be there? As in like, you know, the historic district or the shoreline. There's a situation for Jodo Mission where because of the wharf there's a big accretion of sand. And because there isn't that red SLR-XA line I think it defaults to, like, 200 feet back, or 50 feet back, or something like that, but that's where the most sand is and sand can move. So, I...I wonder how you...how you would balance people that want to build back, what exactly they are building back, and...and all the things in your mind?

MR. ELIZARES: I think I would have to look. I know there's one going through right now, and I was wondering about that, how the estimated lines changed specifically after the fire. I know there's one going through Commission right now. There are...I'd have to know more information about each one but I would advise...I think I would advise...and there's another guy on the Commission, Deakos, . . . *(timer sounds)*. . . he knows a lot about water...ocean stuff. I would...I would ask his, what is it, expertise...or expert advice on what they should be doing. Because even that SLR-XA line, it's only 80 percent right...positive...or confidence that the house isn't going to be damaged, or whatever. So, yeah, just based on that.

VICE-CHAIR PALTIN: My...my time is up.

MR. ELIZARES: Oh.

VICE-CHAIR PALTIN: Thank you.

CHAIR U'U-HODGINS: Well, let's see if anybody else has any other questions, then you can ask your follow up. Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. But Member Paltin can ask her follow up. I'm...I'm happy to yield to her.

CHAIR U'U-HODGINS: Okay. Did you want to continue? And then we can move to Member Rawlins-Fernandez. Thank you.

VICE-CHAIR PALTIN: Part of the situation with the Lahaina rebuild, as well as maybe the National Historic Landmark District wasn't strictly enforced the first time around. So, I guess, what are your thought about letting people rebuild something that wasn't in strict compliance with the historical designations or letting them rebuild as close as they were? And if you done contract work for Cades Schutte, would that be a reason to

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recuse if they were the ones before the Planning Commission? Those are my follow up. Sorry getting them all in under one minute.

CHAIR U‘U-HODGINS: That's okay. Mr. Elizares.

MR. ELIZARES: I lost track. How much questions was that? Two?

VICE-CHAIR PALTIN: Three, I think.

MR. ELIZARES: Three. Yeah, for Lahaina, for real, I...I would have to get more information about...and I don't know what the specific laws are for how to build stuff. I wouldn't want to give anybody bad advice or...or make a bad decision against a existing law. And then we also got to take into consideration the...the times and the things that people are grandfathered into to doing. I do think there's...there's some...it's not the smartest thing to...to put it back where...where it was, how it was. But we cannot...I'm not sure that we can handcuff everybody and...to do that unless it's the law then you can handcuff them, right? I think that answers one. I don't remember two or three. What is KD *(phonetic)*?

VICE-CHAIR PALTIN: Like Cal Chipchase and Trever Asam, if you've done consulting work with them, would that be a reason to get a Board of Ethics advisory opinion . . .*(inaudible)*. . . --

MR. ELIZARES: I...I can ask. Yeah, I can ask. I wouldn't know if it would be against my personal or for my work. I know that my work works with them, so...

VICE-CHAIR PALTIN: So, would you get a Board of Ethics opinion before you got sat? Because of the timing issue, they only meet every so often.

MR. ELIZARES: Yeah, if...if that's what's required if appointed, yeah.

VICE-CHAIR PALTIN: Okay. Thank you.

CHAIR U‘U-HODGINS: Thank you, Member Paltin. Member Rawlins-Fernandez, you have some questions?

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah. Mahalo, Chair. Aloha, Mr. Elizares. Mahalo for your willingness to serve in this capacity. So, first, two questions I ask...I, generally ask all the nominees, your attendance...so, this is twice a month, and then your experience. And I believe I heard you said you've attended meetings, so you're experienced. So, are you confident in your ability to attend, as you heard about the quorum issues?

MR. ELIZARES: Yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, great. And your experience, so would you share with us your educational background?

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MR. ELIZARES: I graduated from Kekaulike High School in 2003. I did do some college over time but I learned everything that I...that I know in the field or by experts that, you know, are makua.

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, okay. So, you...you didn't get a degree in Hawaiian Studies or anything like...so, someone had mentioned that you may have that's why.

MR. ELIZARES: No. No, I didn't. I don't have a --

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay.

MR. ELIZARES: -- a degree. I don't have a degree.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Mahalo. And then are there any other potential conflicts of interest that you would need to disclose to the Board of Ethics beforehand so that you and others would know whether you should be engaging in deliberations and...or voting on...on a issue?

MR. ELIZARES: Not that I'm aware of.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. So, just the Mākena Resort, your employment with Discovery?

MR. ELIZARES: Yeah, Mākena Golf and Beach Club, that's the only people I'm employed with.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. And so to clarify Member Paltin's question, you did not do independent contracting with Cades Schutte?

MR. ELIZARES: No.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. And then to dovetail off of Member Sinenci's...the response you gave to Member Sinenci's question, how do you decide when to protect and when to mitigate? And I under...and...and I'm assuming when you say protect, you mean to prevent any damage from happening rather than reducing the damage that would happen.

MR. ELIZARES: Yeah, protect would be like, yeah, kapu all the way. How do I decide and as it pertains to sitting on the Commission because it is for the entire island and...and Kaho'olawe, I think, too. I would go to whoever the people of that place are, the...the recognized practitioners of that area, recognized families. Try to find out...same...same things along lines with . . . *(timer sounds)* . . . what SHPD does. That's...that's one way...that...that would be my first step. And then the next step would be to...well, I guess, see what the larger community of that space, if I'm not from there. Or go to the chants and go through all the...what are those things called? Well, we have...we have rules, right, and in the different practices that we follow that we don't share if you're not

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in that practice. So, I would...I would go find those people, find those books, find those spaces; and go to that. And then just give whatever I could...whatever data I was ever able to find for that. Or use whatever data I was able to find for whatever we were protecting or creating mitigation for.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo. And then this is the cultural practitioner seat. Okay. Chair, you're looking at me like I'm...the alarm...the timer may have gone off but if it did I didn't hear it. Oh, okay. Okay. Okay.

CHAIR U'U-HODGINS: It did but you can finish.

COUNCILMEMBER RAWLINS-FERNANDEZ: How do you--oh. Okay. Last question.

CHAIR U'U-HODGINS: Yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: So, you're being requested to be considered for the cultural...the cultural...well, not advisor, shoot. It just threw me off. Anyway, the cultural . . .*(inaudible)*. . . --

MR. ELIZARES: The...the Hawaiian cultural practitioner.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- Hawaiian cultural seat. Yeah, practitioner. How do you envision contributing on the Planning Commission, generally, and then, you know, protecting the integrity of the cultural practitioner seat?

MR. ELIZARES: How do I envision that? I don't know just...just do it. One thing I...I didn't...wasn't shared is my...I guess my favorite practice...my main practice is...is fishing. Well, it's not fishing, right, it's...it's catching because we know our resource. So, I think that's how I can...one part how I can benefit all the...especially within the SMA and...and the shoreline areas on the...on the Commission. I have...because of the people that I've learned all the things through; I have a pretty good contact list to be able to lean on mentors and...and heroes to...to help the Commission where...where needed. I...I'm also aware that the 'Ōiwi Resources...the County 'Ōiwi Resources Department has been showing up at these Commission meetings, so I'd also talk story with those guys.

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh. And just to clarify, they're...they're not just showing up. They're...they're required to be consulted --

MR. ELIZARES: Sweet.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- as we amended the Charter. Yeah, yeah. Give it more power than...than just, you know --

MR. ELIZARES: Showing up.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- bystanders. Yeah. Pololei. Mahalo. Mahalo,

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Chair.

CHAIR U‘U-HODGINS: Yes. Thank you. Sorry, I wasn't looking at you. Somebody had raised their hand like they were going to testify, which kind of threw me off, because testimony, at least for this item, is closed. So, no, I was just trying to figure out who was raising their hand but thank you. Members, is there any other questions we have for Mr. Elizares? Member Paltin.

VICE-CHAIR PALTIN: Oh, not for Mr. Elizares, for Ms. Murakami.

CHAIR U‘U-HODGINS: Of course, please.

VICE-CHAIR PALTIN: We got this paper here about the seats on the Planning Commission.

CHAIR U‘U-HODGINS: Uh-huh.

VICE-CHAIR PALTIN: And when it says membership requirements, I...I read that as, like, one long run-on sentence where it says at least one and no more than two residents...blah, blah, blah...one member. So, are we limited to one person that has expertise in Native Hawaiian traditional and customary practices? Or could we designate more than one?

CHAIR U‘U-HODGINS: No, please do. Thank you.

MS. MURAKAMI: Thank you, Chair. The ordinance actually just says at least one member must have...just the only other requirement or the limitation is that the native practitioner and ecology expert can't be the same person. So, other than that there's no restrictions or you're not restricted from having more than one name.

VICE-CHAIR PALTIN: Okay. So, we could designate . . .*(timer sounds)*. . . both of our options today as Native Hawaiian traditional and customary practice.

MS. MURAKAMI: That's possible. That's not...yeah.

VICE-CHAIR PALTIN: Okay. Thank you.

CHAIR U‘U-HODGINS: Thank you, Member Paltin. Members, any other questions before I let Mr. Elizares go? And, again, we will be voting on Friday. So, today is just talk story. Seeing none. Thank you so much.

MR. ELIZARES: Okay. Mahalo.

CHAIR U‘U-HODGINS: We...we appreciate your time. Thank you. Up next we have Mr. Lind. Aloha, Mr. Lind. While he's walking down, perhaps, you can give us his bio that you guys have curated. Thank you.

MS. YOSHIDA: Thank you, Chair. Crichton Lind, also known as Ka‘uiki Lind, he is a current graduate of the UH West O‘ahu, which he just graduated this past Saturday, with a

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Bachelor of Arts degree in Humanities with a concentration in Hawaiian Pacific Studies. He is also, currently, the watch coordinator for the Kīpahulu Community-Based Subsistence Fishing Area. He is also a part of Kupu Americorps that...he also worked at The Nature Conservancy as well with the fisheries. Was also a Park Ranger in Kīpahulu as well. He also has extensive ties to his community in Kīpahulu and the East Maui side. But one of his things that he also likes to do is he also has a roadside produce stand called Kaulana Fruits as well.

CHAIR U‘U-HODGINS: Thank you very much. Mr. Lind if there is anything you wanted to add, please feel free to provide us your opening comments before Members ask you questions.

MR. LIND: Aloha. E komo mai e Maui hikina. The sacred East, where the lā, the sunrise, first touches the land. You're entering a storied ‘āina. Home and...home to Hāna, Ko‘olau, Kīpahulu, and Kaupō, and parts of Kahikinui where ‘āina and kānaka, or humans, are bound by generations of kuleana. I'm a descendant of my tūtū, Kaikalāmaka‘ole, a keiki o Kahikinui, a Hansen Disease patient now resting in Kalaupapa. She and our ‘ohana were kama‘āina, traditional salt makers of East Maui. I take it to my birthplace, Hāna Medical Center, Kaululua and Kawaipapa, Hāna Moku, my ‘iewe, according the custom of my kupuna, where it was returned to the earth. Planted beneath an ‘ulu maoli tree of the slopes of Pu‘u Ka‘uiki, as was done by my tūtū kāne, Joseph Ka‘iewe, born in Nu‘u Kaupō, a custodian of the House of Heulu, assigned to the generations of kamali‘i, especially Mō‘i Kalākaua at Kānewai, Hāna, Maui, Mū‘olea Ahupua‘a. In my youth I live in Waikoloa, our coastal home, inundated by the ocean surges by the surf at Keanini. And to bring it to the end, I'm here to stand in your presence Honorable Chair U'u...Nohe U'u-Hodgins and honorable Members of this GREAT Committee, to ask for your consideration for a position on the Maui Planning Commission, East Maui seat. Aloha.

CHAIR U‘U-HODGINS: Thank you. We also stand in your great presence, Mr. Lind.

MR. LIND: Oh, no great presence.

CHAIR U‘U-HODGINS: So, thank you very much for being --

MR. LIND: -- No, great.

CHAIR U‘U-HODGINS: -- with us today.

MR. LIND: Thank you.

CHAIR U‘U-HODGINS: Members, questions? Please raise your hand. Member Paltin.

VICE-CHAIR PALTIN: Thank you, Chair. Thank you, Mr. Lind, for your willingness to serve. I think we had his name forwarded us to...forward to us previously as the Native Hawaiian cultural person. Would you be willing to also be a Native Hawaiian traditional and customary practices member with expertise?

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MR. LIND: If...yeah, if...if that's okay with everyone, I would be willing to have that, you know, kāko'o that --

VICE-CHAIR PALTIN: In...in this case I feel like more is better because, you know...the other question I had is are you a believer in sea level rise?

MR. LIND: I believe that the ocean is changing, yeah. And I understand, like, the erosion . . . *(inaudible)*. . . hazard lines at 80 percent. You know the warning lines that we are supposed to be aware...above. I took Coastal and Geomorphology once, interesting. Never really...this...looking through photographs on Kaua'i during the storm surges. And you could see where the surges were coming in way past the kahakai, which means to carve out, you know, by water, kai. And so...well, that was interesting and the...and the...and the...and the study of it. So, I am aware...like, you know, when the moon, and the...and the...the earth, and the sun is in alignment, we get king tides and compounded maybe with a rise in the sea level could make...could make situations terrible. So, I'm aware of decisions if I get on the Planning Commission that can have this kind of...yeah.

VICE-CHAIR PALTIN: Okay. And one of the previous testifiers...I'm...I'm really not trying to scare you away. I...I'd like to keep you for the whole...both of you until 30...2030 but you heard the Vice-Chair of the Commission say sometimes they work 10 to 12-hour days. You're down for that?

MR. LIND: Yeah.

VICE-CHAIR PALTIN: Okay. Perfect.

MR. LIND: I'm good. I...I'm the Makai Watch Coordinator, right now, part-time. And I'm willing to, you know, take it easy. So, it's a good position to oversee, Kīpahulu, and help educate the...the visitors...or the...the fisherman, especially, in our Moku Kīpahulu.

VICE-CHAIR PALTIN: And you're familiarity with Lahaina and...and...I mean, I know the Cultural Resources Commission will somewhat do the Historic District, and Urban Review and Design will talk about design. But what is your thoughts about letting people rebuild and...and how close to the ocean, and things like that?

MR. LIND: That's a tough question, actually. You know that's a sensitive question with what had happen in Lahaina. And I would love to gather the information. If the permits were put before us and we are allowed to review it, that would be an interesting review process with . . . *(timer sounds)*. . . the rest of the...the members of the Commission. Sorry.

VICE-CHAIR PALTIN: Thank you. Thank you, Chair.

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

COUNCILMEMBER SINENCI: Mahalo, Chair. And mahalo, Ka'uiki. And...and thank you for...for stepping up. And, of...of course, congratulations on your recent graduation at West O'ahu, your --

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MR. LIND: Thank you. Aloha.

COUNCILMEMBER SINENCI: -- your bachelors --

MR. LIND: Yeah.

COUNCILMEMBER SINENCI: -- Bachelors of Arts. Oh, my first question to Ms. Murakami, we received Mr. Lind's resume. Was that...that was posted for us...for people to see, yeah? Oh, okay. And in your...and this might be a question, maybe, for our South Maui representative, but in your...in your experience with the Nature Conservancy, Kupu Americorps, and as a Park Ranger...you know we see a lot of flooding in certain areas, particularly in South Maui. And so...and South Maui is one of the...the fastest growing communities on the island. So, when we're looking at how do we design from...from...for water...large amounts of water running from mauka to makai and then coming through, how do you see...well, your experiences in the Nature Conservancy...how do your experiences help with...with kind of designing the built environment using those knowledge that you have?

MR. LIND: So, is that like Ka'ono'ulu Stream, the one down by the...that's the...the...the big pilikia. Okay. So, I'm aware of that. My tūtū had a...my tūtū's cousin had a house down there before, in the old days. So, I'm part of the...my...my tūtū, Agnes Ka'iewe Aikau, was...told us...told stories of the mountain coming down in the 1860s. And so we was always worried about that, you know, when we go out to the...the...the steep of the mountain, the slopes, and how it would rain, and, you know, deforestation, how that can trigger that kind of, you know, flooding. My cousin had a house up in, I believe it was Waiohuli, that got moved by the...at the Hawaiian Homes, you know. And so as far as mitigation, I would defer to the experts. You know there's...you know if it includes reforestation, you know, creating systems that, you know, might be contentious; I would also want to see the plan if...by the experts first before review and see...especially, you know, because there's a lot of people over there in Kihei, Wailea...especially the area, yeah. Wailea is more high up in the...you know, like Keahou (*phonetic*), Wailea, Mākena. But down there the one Kula flood, you know when you coming up from Pūlehu, you know, you no pick that road when the flood run because you going have to cross that . . . (*timer sounds*). . . you know, you take Halekabalā Highway. So, yeah, it's not only about the residents down there but it's also about Kula come...what's up coming down. Yeah.

CHAIR U'U-HODGINS: Thank you, Member Sinenci. Members, any other questions? Member Johnson.

COUNCILMEMBER JOHNSON: . . . (*audio interference*). . . , Chair. Good afternoon, Mr. Lind. And thank you for your willingness to serve. Members, I went to Hāna before the budget hearings and I met Mr. Lind and several folks in regards to my...my food truck bill. And I'll just say the...the conversation was contentious. We were...we...we didn't see eye to eye but that's okay. I mean, that's...that's how this kind of job works. But, you know, afterwards I...I kind of felt like there was some misinformation being spread about the

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bill. But that comes to my question, I want...I'm curious to how...you know, what do you do in those scenarios when you really don't agree with...with folks? Can you tell me a little bit about your conflict resolution philosophy? Like what do you, you're going to be serving on a board. You might not always agree, so can you kind of tell me...like what...what goes through your minds for your conflict resolutions?

MR. LIND: You know that...I...I just wanted to add my...my mana'o on that...that day. It was a...it was...thank you for hearing me out. Yeah, we --

COUNCILMEMBER JOHNSON: Of course.

MR. LIND: Yeah. So, conflict resolution, pilikia, you know nobody wants that kind of...of, you know, problems. But, you know, besides talking a lot, just hearing it out. In that case maybe it should've been forwarded to the Hāna Advisory Committee, which we recommended in the Lāna'i Planning Commission for that specific context, and then reroute it back to the...to the Planning Commission. In that case...and I would...all the ethics which I just learned would...would have to recuse myself because I already made comments and I think I sent some documents to...you guys' way. But, I...I think...yeah, is...is a time and place for that and if I feel passionate about it, I'll speak up and try and make pono decisions, especially in regards to food trucks in the agriculture zone in East Maui. And, again, that...like I said forwarded it back the Hāna Advisory Committee, yeah.

COUNCILMEMBER JOHNSON: You know, the...so, when...when we get to issues that we all, you know, have opinions on, you know, there's one thing...like hear someone out, and then share your mana'o, and have your side. But also I'm really, like, questioning my intent on why I'm, right, doing these kinds of works. I think that's a little bit out of order, but I'm just saying that. So...but what I wanted to kind of follow up is that question in regards to Councilmember Paltin about, you know, she often asks, and many of us are very concerned, about sea level rise. And you responded to sea level rise, but I want to kind of get down a little bit to the nitty-gritty of it, just to follow up on it. So, do you think pollution is the cause of sea level rise?

MR. LIND: I would look at the...the...if...I think you...you know, the...the facts, yeah. The...the...what is it...like the facts presented by scientists on this topic and not like just . . . *(timer sounds)*. . . people that may not have expertise. You know all that...the causes of greenhouse gases, perhaps, that's what we were taught in school. And the ozone layer and all that...that fancy stuff that come with the environmental --

COUNCILMEMBER JOHNSON: Uh-huh.

MR. LIND: -- protection of the earth. So, I would look at the...the data and if...hopefully...hopefully there's no...you know the expertise of those ones who can produce that deep analysis of climates and the change. Yeah. Hope that answers the question.

COUNCILMEMBER JOHNSON: So, do you believe that...yeah, sure. Do you believe CO2 gases

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is the cause of climate change?

MR. LIND: I think if you were in a closed system and...you know, like a garage that...you know, we already know that...that CO2 is carbon dioxide. So, yeah, it...it's pollution. You know if you look into other states across the world, I mean, China, if they're in a doldrum, their whole city in Beijing may be covered...their factories are --

COUNCILMEMBER JOHNSON: Uh-huh.

MR. LIND: -- covered in smog.

CHAIR U‘U-HODGINS: Uh-huh.

MR. LIND: I mean, we get industrial smog when we get the Kona on the...I mean, not industrial smog, we get the vog from the Kilauea when it erupts. And so you can see when the . . .*(inaudible)*. . . die down we get the Kona wind coming into Hāna, and then they spread further north if the...the conditions of the winds are...are...are not strong...trades. So, I'm aware of pollution and if it's human made and, of course, I...I believe in that. I...I like to find the truth and sincerely in factual science too.

CHAIR U‘U-HODGINS: Member Johnson, your bell rang.

COUNCILMEMBER JOHNSON: Thank you.

CHAIR U‘U-HODGINS: I'm sorry if you can't hear it. Do you have another question you would like to finish up with?

COUNCILMEMBER JOHNSON: That's fine. Thank you so much, Chair.

CHAIR U‘U-HODGINS: Okay. Thank you so much. Member Paltin, I'm going to ask Member Cook to go first since he hasn't had an opportunity. And then I will follow up with you. Thank you. Member Cook.

COUNCILMEMBER COOK: Thank you Mr. Lind. Thank you, sir, for your willingness to serve. On a practical measure, will you be able to come this side for the meetings and...or would you be doing remote? And have you watched...have you watched many Planning Commission meetings?

MR. LIND: I have. I have. I've...I...I been on record already. So, I just wanted to be transparent with the County. You can Google my name. You can see that in the County record. But, yeah, I'm willing. There's Mokulele, there's planes, trains, automobiles, you know.

COUNCILMEMBER COOK: But would...would you plan on, basically --

MR. LIND: Yes.

COUNCILMEMBER COOK: -- attending in person?

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MR. LIND: I'm...I'm interested. If I'm --

COUNCILMEMBER COOK: Okay.

MR. LIND: -- allowed the opportunity, yes, to...I can...and I can attend all those meetings, yeah.

COUNCILMEMBER COOK: Okay. Thank you, sir.

MR. LIND: Yes.

COUNCILMEMBER COOK: That's it, Chair.

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

VICE-CHAIR PALTIN: Thank you. I just wanted to be sure that you understood that it is within you folks authority to refer things to the Advisory Committee...the Hāna Advisory Committee. Like --

MR. LIND: Okay.

VICE-CHAIR PALTIN: -- we can suggest it, but it's the Planning Commission, ultimately, that decides that. We cannot say, oh, we want you folks to send it to the Hāna Advisory Committee. I believe it's the decision of the Maui Planning Commission to ask for the recommendation of the Advisory Committee. Is that correct, Ms. Murakami? We cannot do that, they do that, right?

MR. LIND: Okay.

MS. MURAKAMI: Thank you, Chair. The Council does not have control over who . . .*(inaudible)*. . . --

VICE-CHAIR PALTIN: It's the Maui Planning Commission. And if Mr. Lind was on the Planning Commission and he wanted a item to be sent to the Advisory Committee . . .*(timer sounds)*. . . for their recommendation, does he just need to convince four of his colleagues? Or can he solely request that?

MS. MURAKAMI: Sorry. Sorry, Chair. I would need to look at the rules...rules of the Planning Commission on how the referral process works.

VICE-CHAIR PALTIN: Okay. Something for you to just --

MR. LIND: Look up. Yeah. Be aware of.

VICE-CHAIR PALTIN: -- educate yourself of --

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MR. LIND: Yes.

VICE-CHAIR PALTIN: -- so that --

MR. LIND: Thank you.

VICE-CHAIR PALTIN: -- you know all your rights and responsibilities.

MR. LIND: Yes. Mahalo.

COUNCILMEMBER SINENCI: Chair, just to add, too, sometimes it's the timing when...when the Advisory will be meeting, that they have enough time to take up an item, and then have it return back to the...to the Planning Commission.

CHAIR U'U-HODGINS: Thank you. Thank you, Member Sinenci. Thank you, Member Paltin. Member Rawlins-Fernandez, I was waiting for you to raise your hand.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Okay. All right. Attendance. Okay. Member Cook kind of took my question a little bit, and you spoke to it. I know, for me, sometimes like I'm in route to be in person. So, you could also join, like, online while you're on your way there, if that ever that comes up because I know Hāna Highway can be unpredictable. So...so, as far as attendance, you don't foresee any trouble attending meetings?

MR. LIND: You know, where I live, Kīpahulu, we're off the grid, yeah. Sorry, to interrupt, Councilmember, but...so it will be nice...I think I would have to report to the County office just for transparency, yeah. So, in Hāna if anything like that does come up, I think so, yeah. Yeah. Okay. Okay. Yeah, can. Hiki nō.

COUNCILMEMBER RAWLINS-FERNANDEZ: When you say County office, you mean Member Sinenci's office or --

MR. LIND: The Hāna County offices. Or if...I mean, we have --

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah. Okay.

MR. LIND: -- the...the satellite now. The...it's just a game changer with the Hawaiian Tel and the other system that we...we have --

COUNCILMEMBER RAWLINS-FERNANDEZ: Uh-huh.

MR. LIND: -- out at Kīpahulu. Before was dial up, you know, when I was a kid, Yahoo, and now we have satellite, and now we have this that's orbiting the universe...I mean, the...our planet...satellites, yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: Uh-huh.

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MR. LIND: I can't remember the name of the system --

COUNCILMEMBER RAWLINS-FERNANDEZ: Awesome.

MR. LIND: -- so I'm sorry.

COUNCILMEMBER RAWLINS-FERNANDEZ: It's okay. You don't need to say the name. I know the name. I ain't saying it. But I forgot to say, aloha, Mr. Lind. And mahalo for your willingness to serve on the Planning Commission. All right. Okay. So, I did see in your application that you also participated, testified, observed the Maui Planning Commission.

MR. LIND: Yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: And your degree is in Hawai'i Pacific Studies.

MR. LIND: Yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. How do you envision contributing to the Maui Planning Commission? And, second part, if also designated the cultural practitioner designation as well, how would you envision protecting the integrity of that?

MR. LIND: I think with that position I...well, I believe with that position it'll be the awareness of what's going on, on the island. You know, reading the paper, reading the news, reading literature, watching stuff go on. But I think that's what I...what I'll bring is, like, a...I guess, like a...maybe . . . *(timer sounds)*. . . something different from East Maui, you know. I...I don't know how to explain it in simple terms but in my response I...this aloha 'āina. I think that we all have that in us, the good parts of us to do good stuff. You know, not...not necessarily political but just the...the...the good deeds that we hope we can carry out and not be wrong about it and not make other people be affected by our decision making, especially, I hope, yeah. Yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: Integrity to our eldest ancestor, our 'āina.

MR. LIND: 'Ae. 'Ae.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah. Chair, I did hear the timer. So --

CHAIR U'U-HODGINS: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- mahalo, Mr. Lind, for answering my questions. I do have a question for our Staff.

CHAIR U'U-HODGINS: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: How quickly can you get...will you be able to get our folks sworn in and seated? Because I...it's very distressing what we heard in

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testimony about the Maui Planning Commission not having quorum today and not having quorum likely in their...at their next meeting. So, the quicker this can be done, the better. How quickly can it happen?

CHAIR U‘U-HODGINS: And if you could add when they would need to finish their financial disclosure. That's on Friday, right? And then please answer Member Rawlins-Fernandez's question. Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Right, because they could...they could complete that financial disclosure on Friday if they're approved. They could get it done electronically. So, it can all be done very quickly.

CHAIR U‘U-HODGINS: Please, thank you.

MS. MURAKAMI: Oh. And this is maybe more for Mr. Lind. I believe Mr. Elizares have submitted his financial disclosure statement already. So, Mr. Lind, if you haven't done yet --

MR. LIND: Yes.

MS. MURAKAMI: -- you can do it online, yeah --

MR. LIND: Yes, I will submit it. Yeah.

MS. MURAKAMI: -- by Friday, if you can. Yeah, so if that's done then as soon as, let's see...if the...if everyone's able to do it on Monday, we have staff available, I believe, to get the notary. Yeah. Okay. Ms. Yoshida is nodding, yes, she can get the...she can notarize the oath of office. So, next week some time would be...soon as early next week. Oh.

CHAIR U‘U-HODGINS: Are you guys going to be with us on Friday during our Council meeting as we vote on this? Okay. Great. Are you guys...are you going to be here on Friday?

MR. LIND: I can. Yeah.

CHAIR U‘U-HODGINS: Okay.

MR. LIND: . . .*(inaudible)*. . . --

CHAIR U‘U-HODGINS: I mean, if you can that would be great. If not, can you please email ASAP --

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR U‘U-HODGINS: -- if it does go through? Thank you, Member Rawlins-Fernandez --

MR. LIND: Yeah.

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CHAIR U‘U-HODGINS: -- but that's a great point.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah. And then that way may...maybe...maybe they could have quorum at their next meeting if it's done before the posting deadline.

CHAIR U‘U-HODGINS: Yeah. Thank you for that. Member Paltin.

VICE-CHAIR PALTIN: Not for Mr. Lind, but I don't know if it's for Admin or Corp. Counsel, and it doesn't need to be answered today but at some point. The other two vacancies, seat 3 and 5, are we going to be addressing those? Because even if you get to seven, the whole board is nine. So --

CHAIR U‘U-HODGINS: Oh, yeah.

VICE-CHAIR PALTIN: -- just...I mean it's on the paper. So, is somebody going to let us know if it's in our court or somebody else's court?

CHAIR U‘U-HODGINS: Please answer, yes. Thank you. Oh, mic.

MS. MURAKAMI: Sorry.

CHAIR U‘U-HODGINS: No, it's okay. Thank you.

MS. MURAKAMI: Thank you, Chair. Thank you, Member Paltin. So, I would need to look at the...the time line to make sure whose court it's in and then . . .*(inaudible)*. . . --

VICE-CHAIR PALTIN: So, you only had two acceptable applicants, that's why we got two instead of four. Or we don't know whose court it is in.

MS. MURAKAMI: No, we don't know whose court is in...for those other --

VICE-CHAIR PALTIN: Got it.

MS. MURAKAMI: -- but that's a separate...yeah, separate process that we're only doing.

CHAIR U‘U-HODGINS: Can we find that out too?

VICE-CHAIR PALTIN: . . .*(inaudible)*. . . --

CHAIR U‘U-HODGINS: Can we find out where the seats 3 and 5 . . .*(inaudible)*. . . --

MR. HANANO: Yes, Chair, we can...we can...can do that.

CHAIR U‘U-HODGINS: Thank you so much.

MR. HANANO: Yeah, I think, today is probably not...it's not agendized so --

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CHAIR U‘U-HODGINS: Yeah.

MR. HANANO: -- . . .*(inaudible)*. . . --

VICE-CHAIR PALTIN: Sorry.

MR. HANANO: Yeah. Thank you.

VICE-CHAIR PALTIN: Just --

CHAIR U‘U-HODGINS: Well --

VICE-CHAIR PALTIN: -- we got a testifier.

CHAIR U‘U-HODGINS: And it was...and this was given to us where it clearly says what's vacant so...okay. We will hold off on that but thank you.

VICE-CHAIR PALTIN: Sorry, one more.

CHAIR U‘U-HODGINS: Yes.

VICE-CHAIR PALTIN: Is there anything specific that we need to do before Friday to have two members with expertise...designated members with expertise in Native Hawaiian traditional and customary practices? Or do we just say the word on Friday and vote . . .*(inaudible)*. . . --

CHAIR U‘U-HODGINS: That's a great question for somebody else. Corp. Counsel, do you want to answer that?

VICE-CHAIR PALTIN: Because I...I believe previously he was...I don't know if he went through the INB or how that worked, but previously he was as well and the more the merrier. In case someone's absent we still have one, or whatever.

CHAIR U‘U-HODGINS: Do you want them to get back to you before Friday?

COUNCILMEMBER RAWLINS-FERNANDEZ: Choose me.

CHAIR U‘U-HODGINS: Oh.

VICE-CHAIR PALTIN: Before...oh.

COUNCILMEMBER RAWLINS-FERNANDEZ: Choose me.

CHAIR U‘U-HODGINS: Choose her. Choose her. Member Rawlins-Fernandez --

COUNCILMEMBER RAWLINS-FERNANDEZ: I got the answer.

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CHAIR U‘U-HODGINS: -- you are chosen. . . .*(laughing)* . . .

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR U‘U-HODGINS: Yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: And so you would amend the be it resolved section and we would designate both of them. I've done this before.

CHAIR U‘U-HODGINS: Perfect.

COUNCILMEMBER RAWLINS-FERNANDEZ: That's how I did it.

VICE-CHAIR PALTIN: Game plan. Got it.

CHAIR U‘U-HODGINS: Okay. Sounds great. Members, any other questions for Mr. Lind before we continue on with the rest of our agenda? Seeing none. Thank you so much for joining us.

MR. LIND: Mahalo nui loa. Aloha. A hui hou.

CHAIR U‘U-HODGINS: Thank you. Drive safe.

MR. LIND: Yeah.

CHAIR U‘U-HODGINS: Okay. Members, before we move on I do have a quick question for you guys. Our next item will probably, most likely, definitely require executive session. We are...typically, we have another hour or so left but we have a bunch more things to do. Would you guys like to continue to take our recess when we go into executive session? Or do you want to recess now and then, obviously, take a shorter recess when we move into executive session? You want to just hold the recess and we'll take...we'll take, like, a ten-minute...or when we have to go into exec session. Is that okay with everybody?

COUNCILMEMBER RAWLINS-FERNANDEZ: Yes.

CHAIR U‘U-HODGINS: That'll be great for me too because we've got some stuff to do. Oh. Oh, sorry. Okay, yeah. With--thank you. Without objection I would defer our last item before we move on.

COUNCILMEMBERS VOICED NO OBJECTIONS. (Excused: TK)

ACTION: DEFER pending further discussion.

CHAIR U‘U-HODGINS: Thank you very much. And, again, it's going to be on Friday's agenda

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as discussed about 14 times. Okay. Moving on.

**ITEM 11(6): RESOLUTION 25-79, SETTLEMENT AUTHORIZATION:
KAMALANI T. UEHARA V. COUNTY OF MAUI, DEPARTMENT
OF WATER SUPPLY, ET AL., CIVIL 2CCV-21-0000378**

CHAIR U‘U-HODGINS: We have Resolution 25-79--thank you, Yukari--a Settlement Authorization with *Kamalani T. Uehara v. County of Maui, Department of Water Supply, et al.*, Civil 2CCV-21-0000378. We have before us Resolution 25-79 which would approve the settlement of the claim filed on December 10th, 2021. The claim alleges a hostile or sexually hostile work environment, sex discrimination, retaliation, negligent training, retention, and supervision, intentional infliction of emotional distress, negligent infliction of the emotional distress, and respondeat superior and vicarious liability relating to incidents that occurred between April 2020 and October 2021 with the...when the claimant was employed with the County. And at this time, I'm going to ask for an opening statement from Deputy Corporation Counsel Glen Pascual. Mr. Pascual.

MR. PASCUAL: Good afternoon, Chair U‘u-Hodgins, Vice-Chair Paltin, and Members of the GREAT Committee. The *Uehara v. County of Maui* matter involves a civil lawsuit filed by Plaintiff Kamalani Uehara for sexual harassment, hostile work environment, and retaliation. The complaint alleges that a supervisor of another division within the Department of Water Supply had made inappropriate jokes of a sexual nature in her presence. She made a complaint about it and alleges that her job duties were modified afterward in a retaliatory manner. The complaint that was attached to my transmittal does set forth the allegations with a lot of specificity, so I'm not going to regurgitate the allegations. However, this matter is set for trial on December 1, 2025 before the Honorable Judge Peter Cahill. The parties have explored mediation on two occasions with retired Judge Joel August and the mediation is still ongoing as the parties conduct additional discovery. Because this case involves ongoing litigation, I'm requesting the opportunity to convene an executive meeting to discuss questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, as well as settlement-related matters.

CHAIR U‘U-HODGINS: Thank you, Mr. Pascual. Before getting into discussion, let's receive testimony for this item, Resolution 25-79. Staff, do we have anybody signed up to testify?

MS. MACDONALD: Yes, Chair, we had one individual sign up to testify earlier, that is the Royal House of Hawai‘i.

. . . OPEN PUBLIC TESTIMONY ON RESOLUTION 25-79 . . .

CHAIR U‘U-HODGINS: Aloha, Royal House. Do you have anything to say regarding --

TESTIFIER 1: Aloha.

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CHAIR U‘U-HODGINS: -- Resolution 25-79?

TESTIFIER 1: Yes.

CHAIR U‘U-HODGINS: Okay.

TESTIFIER 1: Aloha. I'm here to testify...I'm here to testify as a land...allodial land tenant and Royal Patent tenant—Hewahewa, helu 357, ‘āpana 2. And I demand...I'm here to notify you guys that all these decisions that are being discussed, and planned, and made has to be made with the descendants of each single Royal Patent and allodial title of Hawai‘i because all...every single parcel of land in Hawai‘i is Royal Patented allodial title to a specific person . . .*(inaudible)*. . .paperwork as I see that it's being changed . . .*(audio interference)*. . . small kind weird. But, yeah...and . . .*(inaudible)*. . . beneficiaries...all the descendants of each Royal Patent, allodial title, and for people to become stewards in Crown Lands to live free and to bring back the waters again. We don't...we're not seeing land and water that we once saw and it really needs help, Hawai‘i is crying. If get one war, breakout, oh, girl, I swear. But, yeah, thank you guys so much. And please we got...we...yes, let's return all the people to the ‘āina, girl, and we go take...call back the water, yeah, girl. But, yes...okay. Thank you. Mahalo, ke akua pū and God bless all of you.

CHAIR U‘U-HODGINS: Thank you. God bless you too. Is there a name you would like us to call you or do you prefer that I say thank, the Royal House of Hawai‘i? How would you like me to address you? Oh, okay. We missed you. I will, then, say thank you to the Royal House of Hawai‘i. Staff, do we have any other testifiers?

MS. MACDONALD No, Chair. Would you like me to do a last call?

CHAIR U‘U-HODGINS: Please.

MS. MACDONALD: Is somebody would like to testify in the Chamber, please let Staff know, or on Microsoft Teams, please raise your hand. This is final call; three, two, one. Chair, it appears that nobody wishes to testify.

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

COUNCILMEMBERS: No objections.

. . . CLOSE PUBLIC TESTIMONY ON RESOLUTION 25-79 . . .

CHAIR U‘U-HODGINS: Thank you very much. As a reminder, written testimony will continue to be accepted. We are now going to move onto decision and discussion. So...or rather discussion...at this time, do we have any questions that we can ask before we go into executive session? Members, do you have any questions? I don't think there's much to ask before we go into executive session. Member Paltin, please.

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VICE-CHAIR PALTIN: I just...is she...is the individual still working for the County? Everybody involved in the case still working for the County.

MR. PASCUAL: Thank you. That's a good question.

CHAIR U'U-HODGINS: Uh-huh.

MR. PASCUAL: As far as I know, the Plaintiff is no longer working with the County. Several members of the Department of Water Supply, who are involved in the case, are still working with the County.

VICE-CHAIR PALTIN: Okay. Thank you.

CHAIR U'U-HODGINS: Thank you. Members, any other questions? If not, I would like to entertain a motion to convene in executive meeting in accordance with Section 92-5(a)(4), Hawai'i Revised Statutes to consult with legal counsel on questions and issues pertaining to the powers, duties, and 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 consideration of information that must be kept confidential pursuant to a State, or a Federal law, or a court order.

COUNCILMEMBER COOK: So moved.

COUNCILMEMBER LEE: Second.

CHAIR U'U-HODGINS: Thank you. I have a motion made by Member Cook, second made by Chair Lee to go into executive session for Resolution 25-79. Any further discussion? Seeing none. All those in favor, please raise your hand and say "aye."

COUNCILMEMBERS: Aye.

MS. MACDONALD: Chair, that's eight "ayes;" one excused, Councilmember Kama. Motion passes.

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

NOES: **None.**

ABSTAIN: **None.**

ABSENT: **None.**

EXC.: **Councilmember Kama.**

MOTION CARRIED.

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

CHAIR U‘U-HODGINS: Thank you very much. For the record, the following personnel will be attending this 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...Councilmember Tasha Kama is excused, she will not be attending, Council Chair Alice Lee, Councilmember Keani Rawlins-Fernandez, Councilmember Shane Sinenci, and Councilmember Yuki Lei Sugimura. From Office of the Council Service Staff; we have Megan Moniz, Legislative Attorney, Richelle Kawasaki, Deputy Director of Council Services, Maria Leon, Committee Secretary, and Peter Hanano, Legislative Attorney. We will also be having...Corp. Counsel, if you could please say, are you all three attending?

MS. TAKAYESU: Excuse me, Council Chair, yes. Victoria Takayesu, Corporation Counsel, Glen...Deputy Corporation Counsels Glen Pascual, Susan Leeder, and John Gores will also be present.

CHAIR U‘U-HODGINS: Okay. Thank you very much. At this time, then, I would like to call for a ten-minute recess. And we will convene at 3:41 p.m. This meeting of Government Relations, Ethics, and Transparency Committee is now in recess until 3:41. . . .*(gavel)*. . .

RECESS: 3:31 p.m.

RECONVENE: 4:48 p.m.

CHAIR U‘U-HODGINS: . . .*(gavel)*. . . Will the Government Relations, Ethics, and Transparency Committee meeting please reconvene. It is 4:48 p.m. Members, we have just completed our executive meeting on Resolution 25-79. And at this time I'm going to refer to Megan to provide us a summary in accordance with Act 19 (2023). Oh, is it Megan or is it Mister...sorry, my notes say Megan. Mr. Hanano. Sorry, Megan.

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MR. HANANO: Thank you, Chair. Yeah, GREAT Committee met in executive session to discuss defenses to the allegations that's set forth in the complaint, strength and weaknesses of the case, settlement efforts to date, as well as the potential liabilities to the County. Thank you, Chair.

CHAIR U'U-HODGINS: Thank you very much. Members, any further discussion before we go to the recommendation? Seeing none. At this time, then, I would like to entertain a motion to recommend the adoption of Resolution 25-79, including any nonsubstantive revisions.

COUNCILMEMBER SUGIMURA: So moved.

COUNCILMEMBER LEE: Second.

CHAIR U'U-HODGINS: Thank you. I have a motion made by Member Sugimura, second by Chair Lee. Any further discussion? Seeing none. All those in favor, please raise your hand and say, "aye."

COUNCILMEMBERS: Aye.

MS. MACDONALD: Chair, that's seven "ayes," two excused, Councilmember Johnson and Councilmember Kama.

CHAIR U'U-HODGINS: Thank you.

MS. MACDONALD: Motion passes.

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmembers Johnson and Kama.

MOTION CARRIED.

ACTION: Recommending ADOPTION of Resolution 25-79.

CHAIR U'U-HODGINS: Thank you very much. Members, at this time, it is 4:50. I'm going to

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take testimony for each of the next four agenda items, defer them, and hear them at our June 3rd GREAT Committee meeting, if that's okay with you folks. Thank you so much. So, we will just continue moving on, take testimony, as needed, as it is agendized.

**ITEM 11(7): RESOLUTION 25-95, SETTLEMENT AUTHORIZATION:
MARK D. ROSS; CLAIM 2024-0191 (PROPERTY DAMAGE)**

CHAIR U‘U-HODGINS: So, at this time we have before us--thank you, Mr. Pascual--Resolution 25-95 which would approve the settlement of the claim filed on August 27th, 2024 in the amount of \$31,245.01. The claim alleges property damaged to the driveway located at 11 Kualono Place, Kula, Maui, Hawai‘i on...in November of 2023. I will not need any opening comments from Mr. Gores; we will save them. Nor am I going to take comments from Public Works but I will take testimony. So, if we have any testifiers at this time for Resolution 25-95.

MS. MACDONALD: Chair, there is currently no one who has signed up to testify. Would you like me to do a last call?

CHAIR U‘U-HODGINS: Please.

MS. MACDONALD: If there is anybody in the Chamber who would like to testify, please let Staff know, or on Microsoft Teams, please raise your hand. This is 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 wishing to testify, without objection, I would now close oral testimony for this item.

COUNCILMEMBERS: No objections.

. . . CLOSE PUBLIC TESTIMONY ON RESOLUTION 25-95 . . .

CHAIR U‘U-HODGINS: Thank you very much. Written testimony will continue to be accepted. And without objection I would now defer this item. Yes, Chair Lee.

COUNCILMEMBER LEE: Yeah, did I hear you say deferred until June 3rd?

CHAIR U‘U-HODGINS: Yeah. So, the GREAT Committee...I know it's going to be a super fun day. So...

COUNCILMEMBER LEE: Second reading.

CHAIR U‘U-HODGINS: That's in the morning. And then --

COUNCILMEMBER LEE: That's in the morning.

CHAIR U‘U-HODGINS: That's in the morning.

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COUNCILMEMBER LEE: Okay.

CHAIR U‘U-HODGINS: So, we're going to have the best worst day altogether. And then the GREAT Committee is scheduled and posted for the afternoon.

COUNCILMEMBER LEE: Okay. All right.

CHAIR U‘U-HODGINS: It'll be...yeah, we got to keep it positive. Yeah. We have other things that are time-sensitive on that agenda. So, we'll take the most time-sensitive up...that lawsuit up first, and then we'll take these. I did ask if there is a time we must meet, and the answer is no. So, if for second reading is super bananas we'll see what we have to do then, but as of right now that is the plan.

COUNCILMEMBER LEE: If everybody's well behaved on May 16th, then June 3rd should be pretty good.

CHAIR U‘U-HODGINS: Yeah.

VICE-CHAIR PALTIN: I wouldn't count on it. . . .*(laughing)*. . .

CHAIR U‘U-HODGINS: Yeah, I guess that's little subjective, yeah. Okay. Without objections, I would now defer this item.

COUNCILMEMBERS VOICED NO OBJECTIONS. (Excused: GJ and TK)

ACTION: DEFER pending further discussion.

CHAIR U‘U-HODGINS: Okay. Thank you very much, Members. We'll move onto the next resolution.

**ITEM 11(8): RESOLUTION 25-96, SETTLEMENT AUTHORIZATION:
THOMAS J. LIU; CLAIM 2024-0180 (PROPERTY DAMAGE)**

CHAIR U‘U-HODGINS: We have before us Resolution 25-96, would approve...which would approve the settlement of the claim filed on August 14th, 2024 in the amount of \$97,444. The claim alleges property damage to the driveway located at 196 Kulalani Drive, Kula, Maui, Hawai‘i on or about August 8th, 2023. I will not be receiving opening comments. But at this time I would like to receive testimony for Resolution 25-96. Staff, if we have any testifiers.

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

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to testify.

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

COUNCILMEMBERS: No objections.

. . . CLOSE PUBLIC TESTIMONY ON RESOLUTION 25-96 . . .

CHAIR U‘U-HODGINS: Thank you. And as a reminder, written testimony will continue to be accepted. Also, without objection, I would like to defer this item.

COUNCILMEMBERS VOICED NO OBJECTIONS. (Excused: GJ and TK)

ACTION: DEFER pending further discussion.

CHAIR U‘U-HODGINS: Thank you very much. Moving on.

**ITEM 11(9): RESOLUTION 25-97: SETTLEMENT AUTHORIZATION:
HARRIETTE L. HOLT, REVOCABLE LIVING TRUST; CLAIM
2024-0169 (PROPERTY DAMAGE)**

CHAIR U‘U-HODGINS: We have before us Resolution 25-97, which will approve the settlement of the claim filed on July 25th, 2024, in the amount of 200 and...\$200,000. The claim alleges property damage to the driveway loco...located at 15465 Halekakalā Highway, Kula, Maui, Hawai‘i on or about August 8th, 2023. Again, Members, no opening comments, but if we have anybody signed up to testify for this item, Resolution 25-97.

MS. MACDONALD: Chair, there is currently no one who is signed up to testify. If somebody would like to testify in the Chamber, please let Staff know, or on Microsoft Teams, please...please raise your hand. This is 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 wishing to testify, without objection, I will now close oral testimony for this item.

COUNCILMEMBERS: No objections.

. . . CLOSE PUBLIC TESTIMONY ON RESOLUTION 25-97 . . .

CHAIR U‘U-HODGINS: Thank you. Again, as a reminder, written testimony will continue to be accepted. Excuse me. At this time, without objection, I would like to defer this item.

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COUNCILMEMBERS VOICED NO OBJECTIONS. (Excused: GJ and TK)

ACTION: DEFER pending further discussion.

CHAIR U‘U-HODGINS: Thank you very much. Moving on.

**ITEM 11(10): RESOLUTION 25-98, SETTLEMENT AUTHORIZATION:
DONNA WATERS; CLAIM 2024-0168 (PROPERTY DAMAGE)**

CHAIR U‘U-HODGINS: We have before us Resolution 25-98 which would approve the settlement of the claim filed on July 25th, 2024 in the amount of \$69,778. The claim alleges property damage to the driveway and road located at 200 Alanuilili...Alanuilili, that's an interesting one...Place, Kula, Maui, Hawai'i on or about August 8th 2023. There will be, again, no opening comments but testimony on Resolution 25-98. Staff?

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

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

COUNCILMEMBERS: No objections.

. . . CLOSE PUBLIC TESTIMONY ON RESOLUTION 25-98 . . .

CHAIR U‘U-HODGINS: Thank you very much. As a reminder, written testimony will continue to be accepted. And at this time, without objection, I would like to defer this item.

COUNCILMEMBERS VOICED NO OBJECTIONS. (Excused: GJ and TK)

ACTION: DEFER pending further discussion.

CHAIR U‘U-HODGINS: Thank you very much. That concludes the GREAT Committee meeting. Thank you very much, Members. I appreciate your patience. It is now 4:55 p.m. And this meeting is adjourned. . . .(gavel). . .

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ADJOURN: 4:55 p.m.

great:min:250513min:ml

Transcribed by: Tricia Higa

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CERTIFICATION

I, Tricia Higa, hereby certify that pages 1 through 54 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 24th day of May 2025, in Mililani, Hawaii

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

Tricia Higa