

# GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Council of the County of Maui

## MINUTES

March 18, 2025

Online Only via Teams

**CONVENE:** 1:34 p.m.

**PRESENT:** VOTING MEMBERS:

Councilmember Nohelani U‘u-Hodgins, Chair  
Councilmember Tamara Paltin, Vice-Chair  
Councilmember Tom Cook, Member  
Councilmember Gabe Johnson, Member  
Councilmember Tasha Kama, Member  
Councilmember Alice L. Lee, Member  
Councilmember Keani N.W. Rawlins-Fernandez, Member  
Councilmember Shane M. Sinenci, Member  
Councilmember Yuki Lei K. Sugimura, Member

**STAFF:**

Kasie Apo Takayama, Senior Legislative Analyst  
Clarissa MacDonald, Legislative Analyst  
Peter Hanano, 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  
Roxanne Morita, Council Aide, Lāna‘i Residency Area Office  
Bill Snipes, Council Aide, South Maui Residency Area Office  
Jade Rojas-Letisi, Council Aide, Makawao-Ha‘ikū-Pā‘ia Residency Area Office

**ADMIN.:**

Cody Minatodani, Deputy Corporation Counsel, Department of the Corporation  
Counsel (All)  
Caleb P. Rowe, Deputy Corporation Counsel, Department of the Corporation  
Counsel (Bill 3 (2024))  
Glen R. Pascual, Deputy Corporation Counsel, Department of the Corporation  
Counsel (Resolution 25-52)  
John J. Gores, Deputy Corporation Counsel, Department of the Corporation  
Counsel (Resolution 25-75)  
Moana Lutey, County Clerk, Office of the County Clerk (Bill 3 (2024))  
Richelle Thomson, Deputy County Clerk, Office of the County Clerk (Bill 3 (2024))  
Bradford Ventura, Fire Chief, Department of Fire & Public Safety (Resolution 25-52)

**OTHERS:**

Craig Shikuma, Partner, Kobayashi Sugita & Goda, LLP (Resolution 25-75)

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

**March 18, 2025**

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Testifiers

Jasee Law (Resolution 25-52)

(10+) additional attendees

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

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CHAIR U‘U-HODGINS: . . .*(gavel)*. . . Good afternoon, and will the Government Relations, Ethics, and Transparency Committee meeting of March 18th, 2025, please come to order. It is 1:34 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: Ya’at’eeh, Chair, and aloha ‘auinalā kākou.

CHAIR U‘U-HODGINS: Ya’at’eeh. Councilmember Tom Cook, ya’at’eeh, and good afternoon.

COUNCILMEMBER COOK: Ya’at’eeh, and aloha, and afternoon.

CHAIR U‘U-HODGINS: Aloha. Councilmember Gabe Johnson, ya’at’eeh and good afternoon.

COUNCILMEMBER JOHNSON: Ya’at’eeh, Chair, Councilmembers, community members. There is no testifiers at the Lāna‘i District Office. I’m alone in my workspace, and here and ready to work. Mahalo, Chair.

CHAIR U‘U-HODGINS: Thank you very much. Councilmember Tasha Kama, good afternoon and ya’at’eeh.

COUNCILMEMBER KAMA: Aloha kakahiaka, Chair, and ya’at’eeh.

CHAIR U‘U-HODGINS: I wish it was still morning, but...yeah, aloha. Aloha ‘auinalā.

COUNCILMEMBER KAMA: Oh, that’s right. I’m so sorry.

CHAIR U‘U-HODGINS: That’s okay.

COUNCILMEMBER KAMA: Thank you.

CHAIR U‘U-HODGINS: We can redo the morning. Give us time again.

COUNCILMEMBER KAMA: . . .*(laughing)*. . . Yes. Aloha ‘auinalā.

CHAIR U‘U-HODGINS: Aloha ‘auinalā. Good afternoon and ya’at’eeh, Council Chair Alice Lee.

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

**March 18, 2025**

---

COUNCILMEMBER LEE: Ya'at'eeh, and that of course is from the Navajo Nation and the Navajo Indians live in the United States...New Mexico, Arizona, and Utah. Thank you.

CHAIR U'U-HODGINS: Thank you. Councilmember Rawlins-Fernandez, good afternoon, ya'at'eeh.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha 'auinalā kākou, mai Molokai Nui a Hina. I'm at the Molokai District Office, alone on my side of the office. There are currently no testifiers here. And sorry, I'm on my phone right now, just waiting for my Internet to connect on my laptop.

CHAIR U'U-HODGINS: Okay. Okay, thanks for letting us know. Let us know if you have any issues when we...especially when we move over into executive session later. Thank you for that. Councilmember Shane Sinenci, good afternoon and ya'at'eeh.

COUNCILMEMBER SINENCI: Aloha 'auinalā, Chair and ya'at'eeh. I'm here at my home office. I'm here by myself, and there are no testifiers at the Hāna District Office, Chair.

CHAIR U'U-HODGINS: Thank you. Councilmember Yuki Lei Sugimura, good afternoon and ya'at'eeh.

COUNCILMEMBER SUGIMURA: Good afternoon, ya'at'eeh, and looking forward to a productive meeting.

CHAIR U'U-HODGINS: Same. From Corporation Counsel, we have Cody Minatodani, Deputy Corporation Counsel; Caleb Rowe will be here for the first item; then we have Mr. Glen Pascual, Deputy Corporation Counsel, will be here for the second item; and John Gores, Deputy Corporation Counsel will be here for our third item. We also have with us Moana Lutey, County Clerk; Richelle Thomson, Deputy County Clerk; and Brad Ventura, Fire Chief. Our Committee Staff includes Maria Leon, Committee Secretary; Kasie Apo Takayama, Senior Legislative Analyst; Clarissa MacDonald, Legislative Analyst; Peter Hanano, Legislative Attorney; Richelle Kawasaki will be here later, Deputy Director of Council Services; and Jean Pokipala, Council Services Assistant Clerk. Please see the last page of the agenda for information on meeting connectivity. Testimony. Testifiers wanting to provide testimony should sign up in the lobby, join on the online meeting via Teams link, or call in to the phone number noted on today's agenda. Written testimony is encouraged, and can be submitted via eComment link at [mauicounty.us/agendas](http://mauicounty.us/agendas) as well. Under the Sunshine Law, the Chair will receive oral testimony for agenda items at the beginning of the meeting and as the item is called up. 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 five--via phone, I'm sorry--star-5 to raise and lower your hand, star-6 to mute and unmute. Staff will add names to the testifier list in the order the testifier signed up or raised their hands. For those on Teams, Staff will lower your hand once your name is added. Staff will then call the name you're 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. If you wish to testify anonymously, please notify Staff. Otherwise, please state your name for the record at

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

**March 18, 2025**

---

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](http://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 at the beginning of the meeting. Staff, if you could please call our first testifier.

MS. MACDONALD: Yes, Chair. Nobody signed up to testify, but it looks like somebody is approaching the podium.

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

MR. LAW: Aloha kakahiaka, this is Jasee Law. I didn't know this was on the agenda today. Tre' Pu'uwaita'ahiaolopakaamelehuanani Evans-Dumaran. I don't envy you guys, this is one of the ones where like...shoo (*phonetic*). So, I met his grandfather at the Kihei Community meeting, and he said something about...yeah, you know, it's like...he just said I don't...I don't have any proof or anything, but something about he was clearing branches for like a rich guy or something like that--I don't know what's going on with this because it's closed. Thank you for your time. I just wanted to say that I'm...that I'm thinking about this very...very strongly.

CHAIR U'U-HODGINS: Do we have anybody else wishing to testify?

MS. MACDONALD: No, Chair. Would you like me to 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 at the beginning of the meeting.

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

**BILL 3 (2024), RELATING TO FINANCIAL DISCLOSURE STATEMENTS**  
(GREAT-8)

CHAIR U'U-HODGINS: Thank you. We will move on to Bill 3. We have before us Bill 3 (2024), entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 2.56.060, MAUI COUNTY CODE, RELATED [*sic*] TO FINANCIAL DISCLOSURE STATEMENTS." Bill 3's purpose is to one, implement Section 10-3 of the Charter of the County of Maui (1983), as amended, approved by the...approved by the electorate at the 2022 General Election, and update the procedure for filing of financial disclosure statements; and two, increase security for County election officials. At this time, I'm going to please ask for opening comments from County Clerk Moana Lutey, and Deputy County Clerk Richelle Thomson.

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

**March 18, 2025**

---

MS. THOMSON: Thank you, Madam Chair. I'll keep this brief. As I...our main purpose is to obviously update the chart...update the County Code with the changes that were approved by the voters to Section 10-3 of the Charter back in the 2022 General Election. In addition to that, we are requesting that the Council approve including a provision that the Clerk and Deputy Clerk's financial disclosure statements are among those types of FDS that are confidential. And the reason that we're asking is, you've all read in the newspapers about some of the incidents and the tax on election officials nationwide. And while thankfully we have not experienced physical violence, it's...I think the election season has just drawn out people's heightened emotions. And so, we would prefer that people who may be disgruntled with the election process, or with us personally, don't come to visit us at home basically. And some of the information in the financial disclosure statements does involve our personal residence and things like that, that could be used to track us down in our private lives. So, that is the reason for the inclusion of that provision under number 3, it's 2.50...2.56.060, number 3 is what I'm talking about. Thank you very much for your consideration.

CHAIR U'U-HODGINS: Thank you. Do we have Mr. Rowe online with us? Okay. Does he have...oh, he's online. Yeah, thank you. We just wanted to know --

MR. ROWE: Hello.

CHAIR U'U-HODGINS: -- hi--if you have any opening comments.

MR. ROWE: You know, my opening comment is similar to what Richelle just stated. The main purpose of this is to make the Maui County Code consistent with what the Charter says. The language that's currently under that section for the deadline for filing an FDS are inconsistent with the new Charter language. The Board of Ethics has been following the Charter language as to when things are due, but we just think that it's a good idea to have them be consistent with one another.

CHAIR U'U-HODGINS: Thank you. Before we get into discussion, let's receive testimony for this item if we have any testifiers, please.

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 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 on this item, without objection, I will now close oral testimony.

COUNCILMEMBERS: No objections.

**. . . CLOSE PUBLIC TESTIMONY ON BILL 3 (2024) . . .**

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

**March 18, 2025**

---

CHAIR U‘U-HODGINS: Thank you. And as a reminder, written testimony will continue to be accepted. We’re going to be implementing a three-minute questioning period, with a follow-up round if needed. So, if you have any questions, I’m not going to go down the line, please just raise your hand. Member Paltin.

VICE-CHAIR PALTIN: Thank you. I’m working off the correspondence from Corporation Counsel version, and I had three questions. The first question is, the part where it says the disclosure must be filed prior to taking office or a reso appointing...approving the appointment--which I guess the prior to taking office one would be like for deputies maybe. But just because it’s filed with the Board of Ethics, does it mean that they have reviewed it? And so, then what happens if they review it, and...and they have taken issue? That’s the first question. The second question, sworn under oath...is that just you sign it, it doesn't need to be notarized? And then the third question is, it looks like the public disclosure section has been taken out in its entirety, and if I’m mistaken, if you could point me to where it is.

CHAIR U‘U-HODGINS: You want Deputy Corporation Counsel Rowe to answer your questions, Member Paltin?

VICE-CHAIR PALTIN: Whoever is capable.

CHAIR U‘U-HODGINS: Okay.

MR. ROWE: Okay. So, I can kind of go through those one at a time. So, as to when they’re received. So, the way that it currently works is, you are required to file it if you’re an appointed officer, or if you are a member of a board or commission...we require that it be submitted prior to the date of the resolution approving of your appointment. If you do that, then you can participate in the next meeting, for example, if you are a member of a board and commission. And if you don’t, then you have to wait until the Board has reviewed it. So, the Board does...when it’s filed, it means that it’s been sent to the Board, it’s been filed with them. Then the Board reviews it and acknowledges it as received...or if they have questions, they send it back for clarification. And potentially, if there are concerns, they could either launch an investigation, or they could initiate a complaint process. So, that’s kind of what the process is for it.

VICE-CHAIR PALTIN: So, they would be serving before the Board of Ethics gets a chance to review it. And if they have concerns, they either launch a complaint or call somebody in for questions. But do they have the ability if they have strong enough concerns to say, oh, wait a minute, I don’t think you should be on this board?

MR. ROWE: So, the Board does not currently have the power to reject a Council-selected appointee . . .(timer sounds). . . basically. If, you know, we get it when the Council has kind of already made their determination of that, we don’t have the opportunity to cancel. We do have...you know, the Board does have the power to impeach officers, so that’s one of the things that they have. They can also send it to the appointing authority, raising the concerns with the appointing authority, who can then institute kind of its own...its own method. So, if it were someone from a board or commission, we could

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

**March 18, 2025**

---

send it either to the department that...that sponsors the board or commission, or we could send it to the Council, mentioning the concerns.

VICE-CHAIR PALTIN: I guess...

MR. ROWE: But the --

VICE-CHAIR PALTIN: From my perspective, that's kind of messy like. I wouldn't want to have someone on the board, and then like oh, we might to impeach them...or oh, we send our concerns to the appointing authority. Like to me, I would almost amend it to say reviewed by the Board of Ethics prior to taking office, or a reso approved...approving their appointment, so that all of that is settled before that happens.

MR. ROWE: I...that's a well-taken point. Just one thing that I will raise is that a problem that we had--less so this year because we did have more members of the Board of Ethics--is we were having trouble getting quorum. So, there were a lot of boards and commissions that had pending applicants that we weren't able to review, and so they weren't able to participate in there, so it's causing a backlog in a lot of things. I think that the current system kind of addresses that. You can kind of start participating as long as you submit it in time, but the Board still has an opportunity to review it, and take action if they feel it's necessary. So, the issues...I understand the issue that you mentioned, but there was kind of a...there were problems based on us having quorum, and it affecting other boards and commissions doing business.

VICE-CHAIR PALTIN: Okay, I heard my bell.

CHAIR U'U-HODGINS: Thank you, Member Paltin. Members, does anybody else have any questions? I think...okay. Member Sugimura.

COUNCILMEMBER SUGIMURA: I see the value in this. But with all this trouble that we've been having with the INB Board, and how confusing it has gotten, this and that, and the Mayor this, and INB that, and this just adds another layer of...I hope we can make it happen. That's all I want to say. But I support it.

CHAIR U'U-HODGINS: Thank you. Any other questions? We have County Clerks here, as well as Deputy Corporation Counsel. Member Paltin, do you have any more questions? Feel free to ask.

VICE-CHAIR PALTIN: Sure. I didn't get an answer to the second and third question. Does sworn under oath just mean you affirm and you sign it, or does it need to get notarized? And then public disclosure, if that's in another section. I guess related to that would be, would it be okay with the County Clerk situation if we just redacted any personal information? Like when we get the applications from board and commission, there's personal information of how to contact them, and their address, and that part is not posted...is that an option also?

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

**March 18, 2025**

---

MR. ROWE: So, I can answer...I can attempt to answer both of those questions. So, that is correct, that it only requires a signature, it doesn't require...there's no notarization requirement. You guys...for example, you guys file hard copies of your financial disclosures, but most of the other officers and employees do it electronically. And so, that...you know, that just involves a simple signature and not a...not any sort of notarization. Regarding the...the...you had asked a question about public inspection on here, I believe?

VICE-CHAIR PALTIN: Yeah.

MR. ROWE: Could you remind me of what that question was? I kind of got lost a little bit in answering the other one.

VICE-CHAIR PALTIN: Sure. At the bottom of the third page of the bill, there's a Section D, Filing Requirements of Public Financial Disclosure. So, that has been bracketed out. Is that...like I didn't see it tucked in any other place. And so, what is the information of public financial disclosure? How do people know that it's required to be available for inspection, and that the confidential ones aren't? Like why did we repeal that section?

MR. ROWE: So, that was actually my recommendation, just because I felt that was redundant, but...it was redundant, but I don't feel real strongly about it. So, if you look up earlier under Section A, it says...you know, it says all candidates to elective office must file a public financial disclosure statement--so it says there that it's public. It states that officers with significant discretionary power must file a public disclosure...financial disclosure statement. And then, under boards and commissions, it says that they must file a confidential financial disclosure statement. So...but the only reason that I took that out is because I thought it was redundant to specify that the...that candidates and employees and officers designated were public, and that boards and commissions were confidential in the section specifically referring to them, and then also saying, you know, these are public and these are confidential. But I don't feel strongly about that, I just thought it was repetitive.

VICE-CHAIR PALTIN: Yeah, yeah. I see the repetitive part. I guess the one part that isn't repeated is "and shall be public records available for inspection," which...I mean I guess could be inferred, but we've had a case before where like as of the deadline of the filing...the filing deadline, the financial disclosure wasn't available for public inspection, but it was on the confidential side--I don't know if you remember that situation--and that candidate got disqualified. So, just saying it's a public record, and then leaving out that available...and shall be public records available for inspection, I feel that part should be in there. So, that...you know, if somebody can't find the public record, they can point it to it like, hey, it says right here that it shall be available for public inspection. And I think that's more clear for your average person, that they have a right to see it.

MS. MINATODANI: So --

CHAIR U'U-HODGINS: Okay, wait. Hold on. Is your mic on?

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

**March 18, 2025**

---

MS. MINATODANI: I noticed the same thing you noticed, Member...Vice-Chair Paltin. And when Caleb and I were preparing for this hearing, I asked him the exact same question...number 3. And he gave me the same answer he just gave you too. So, I think you're correct in saying that it requires sort of an inference with regard to inspection. So, I asked him the same thing.

VICE-CHAIR PALTIN: Yeah. I think...for me, I would like to keep in, "shall be"--I don't care where it is, but--and "shall be public record available for inspection" because not everyone makes that jump, that they're entitled to inspect it.

MS. MINATODANI: And I think Mr. Rowe said he didn't feel that strongly about it too, so I'll leave that up to him to decide...or see what he's going to say.

CHAIR U'U-HODGINS: Thank you. Member Rawlins-Fernandez, did you have a question?

COUNCILMEMBER RAWLINS-FERNANDEZ: Yes. Mahalo, Chair. Aloha, everyone. So, I was looking at all the, you know, financial disclosure statements, and mine in particular, and to see where the address, since that was one of the concerns. On Molokai, our mailing addresses are all P.O. boxes. So, like for me, I don't have that same concern that was shared earlier, but I am supportive of having that section redacted. I do submit my financial disclosure online, and I'm sure that, you know, whoever does our software, our IT folks, or whatever, can have that section like blacked out or, you know, whatever. But the rest of the information, I don't think is...you know, I think it's important to have public. So, in looking at Bill 3, the section...Subsection D that Member Paltin is talking about...filing requirements, all financial disclosure statements, et cetera. If the concern...if part of the concern that Mr. Rowe is talking about is that the public financial disclosure statement and all confidential financial disclosure statements is redundant, I would be supportive of deleting the last sentence, and then we just leave in the first sentence. Is that...would that make a difference, Mr. Rowe?

MR. ROWE: Again, I don't feel real strongly either way about it. Yeah, I...if Member Paltin wants to, you know, offer an amendment that just takes out that bracket, I think it makes sense to address her concern. I will just raise, I remember the second question regarding just kind of blocking out addresses, even for the public filers. And the only thing I'll mention on that is, you know, when people are looking at these financial disclosure statements to try and find out if there's a conflict of interest, you know, they'll look at where the person owns property, and if they're making a decision that directly affects property like that. And if they can't see where the property is, that could potentially, you know, undermine kind of the ability of the public to kind of look at these things and hold people accountable. That's just one thing that I'll mention regarding redacting addresses.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. But redacting the...like the house address, you can leave in the city and the zip code, like that...because then that doesn't give someone the exact place that you live. And so, if the concern is what kind of influence is your residence or property that you may own have in your decision making, then the city . . . *(timer sounds)*. . . that you live in should be sufficient, right?

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

**March 18, 2025**

---

MR. ROWE: I mean...for example, if it has Wailuku in there and, you know, there's a vote before the Planning Commission on a specific development. Or for example, it's a property that's TVR, just saying that it's in Kā'anapali won't necessarily say that. But, you know, you're probably right, that leaving off the address or the apartment number would address...or potentially address those concerns because you'd still be able to identify, you know, the important stuff. And, you know, that was just something that I mentioned that's kind of a policy concern, that's not really, you know, a legal concern, I don't think.

COUNCILMEMBER RAWLINS-FERNANDEZ: My last follow-up question to that is, does the County then have the discretion to redact the house address or apartment address, or is that something that we would have to provide the authority in this bill? Whoever?

VICE-CHAIR PALTIN: Oh, can I have a point of information for Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, yes, please.

VICE-CHAIR PALTIN: I just wanted to clarify what you're asking...we're not redacting it from the Boards of Ethics review, we're just redacting it from public view, correct? Is that what you meant?

COUNCILMEMBER RAWLINS-FERNANDEZ: Yes.

VICE-CHAIR PALTIN: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: Because I agree with you about leaving in Subsection D. And so, if it's all going to be, you know, continue to be uploaded to the documents . . . *(inaudible)* . . . on the County's website that shows everyone's financial disclosures from as long as they've been running for office, then they can just go in there and redact the house address, right? So, in that Subsection D, does the County have that authority, or do we have to get that authority to do that?

MR. ROWE: So, the only thing that I would mention regarding that is, you know, both the Board of Ethics and administrative rules, as well as if you look at this Section (B)(2), you know, those have what's required to be included in the financial disclosure statement. And in here, (B)(2), it says the tax map key or street address of all real property that is currently owned. So, an idea that might make that work is if you added a provision to Section D, since that's where we're making clear that financial public disclosure statements are public records available for inspection, you could add, you know, a clause in there maybe stating that except house numbers may be redacted, or something like that. Because I think that would make it clear that that's an exception to the public inspection. And then that way--because it is...would be legislative--and also really wouldn't require a rule amendment because the Maui County Code would supersede the administrative rules of the Board.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo for that. I appreciate it. Mahalo, Chair.

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

**March 18, 2025**

---

CHAIR U‘U-HODGINS: Good discussion. Thank you. Members, you guys have any more discussion?

MS. LUTEY: Chair, if I could just add a couple of things?

CHAIR U‘U-HODGINS: Please.

MS. LUTEY: Thank you. So, back when the election season started, or maybe about six months in advance of that, everyone in my office that works elections, which is every employee, we had all of our home addresses taken off of the real property tax site. So, if you happen to know where any of us lived at that time, and you were to try to search us now, you will not find us there, and that’s part of this security measure. We also, through the FBI and Homeland Security, were able to apply for a program called Delete Me, which basically scrubs all public sites and removes any identifiable information for us, such as our home addresses, and phone numbers, and so forth. So, in terms of the importance of us being able to keep that confidential, although we haven’t had direct threats at our homes, it’s...this is a nationwide action that goes on for all election workers, and that’s why we’re asking for support for that today.

CHAIR U‘U-HODGINS: Thank you. Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. For Ms. Lutey, which specific provision are you referencing in the bill? Sorry.

MS. LUTEY: It’s 2.56.060(3). It’s the County Clerk and Deputy --

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Thank you.

MS. LUTEY: -- County Clerk, that section.

COUNCILMEMBER RAWLINS-FERNANDEZ: Got it. Mahalo.

MS. LUTEY: Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: And I’m so sorry that this has become such scary times to all of our election workers.

CHAIR U‘U-HODGINS: Yeah, exactly right. Any other questions? Member Paltin.

VICE-CHAIR PALTIN: Oh, I just wanted to clarify. So, if Section 3...or 2.56.060(A)(3) were to say County Clerk and Deputy County Clerk for purposes of election official security, the County Clerk and Deputy County Clerk must file a public financial disclosure statement with all addresses redacted from the public disclosure, that’s not acceptable?

MS. LUTEY: Member Paltin, you’re saying that when we submit it, it would not have that information in it?

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

**March 18, 2025**

---

VICE-CHAIR PALTIN: Well, like you submit the information to the Board of Ethics, and then when it's posted publicly, all the addresses are redacted.

MS. LUTEY: I think the biggest concern for us on that is human error, and whether or not that actually is secure. But we also have our...we have to put our phone numbers on it too. And so, typically I'll put in my cell phone, although lots of people have that, but that's part of what also goes on there. So --

VICE-CHAIR PALTIN: Like all personal contact information be redacted, but the rest of it be public? No?

MS. LUTEY: Yes. We just don't want people to be able to find us.

VICE-CHAIR PALTIN: Is other jurisdictions have the Clerk and Deputy Clerk financial disclosure confidential?

MS. LUTEY: I'm not sure if they file financial disclosures in the manner that we do because it's specific to jurisdictions. But what I can tell you, that all of us work with the FBI, SISA, and the Fusion Center, which is a branch of the FBI, to participate in Delete Me, so that all of this is scrubbed for everyone-- . . .*(clears throat)*. . . excuse me--that works in elections. And we've heard horror stories, right, when we meet. We do have security meetings that are run by the State Office of Elections where they bring in retired clerks, and also the FBI and other members of the federal law enforcement branch, to talk about how there have been people that have shown up and taken captives in the homes of clerks, or followed them, made death threats, and so forth. It hasn't been here in our community, but this is a nationwide concern.

VICE-CHAIR PALTIN: Okay. Thank you.

CHAIR U'U-HODGINS: Yikes. Members, any other questions? No? Okay. Seeing none. I would like to entertain a motion to recommend passage on first reading of Bill 3 (2024), including any nonsubstantive revisions.

COUNCILMEMBER COOK: So moved.

COUNCILMEMBER LEE: Second.

CHAIR U'U-HODGINS: Thank you. I have a motion made by Member Cook. Second by Chair Lee. Any further discussion?

COUNCILMEMBER COOK: Chair?

CHAIR U'U-HODGINS: Please.

COUNCILMEMBER COOK: I think that this is...we're fortunate on our island home that we have not had this type of problem, but I totally am supportive, and I think it's prudent

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

**March 18, 2025**

---

to identify and protect the people who work in the office as much as possible. Thank you.

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

VICE-CHAIR PALTIN: I move to amend...this bill is not numbered on pages, but I guess...in the substitution --

CHAIR U‘U-HODGINS: Would you mind if I make my amendment first, and then we can work on the CD1 version, and then you can make your amendment on the CD1 version so we can keep it consistent?

VICE-CHAIR PALTIN: So moved.

CHAIR U‘U-HODGINS: Thank you. Okay. I would like to entertain a motion to amend Bill 3 (2024) by substituting Bill 3 with the CD1 version attached to the May 21st, 2024, correspondence from Corporation Counsel, posted on today’s agenda.

VICE-CHAIR PALTIN: So moved.

CHAIR U‘U-HODGINS: I have a motion made by Member Paltin.

COUNCILMEMBER KAMA: Second.

CHAIR U‘U-HODGINS: And a second by Member Kama. This version includes boards and commissions established on or after July 1st, 2024, under the financial disclosure filing requirements, and is approved to form and legality by the Department of Corporation Counsel. Member Paltin, did you have any other additional amendments you’d like to make?

VICE-CHAIR PALTIN: Yes, please. I’d like to move to amend 2.56.060, the bracketed portion of letter D, and to move it...that first bracket to the sentence that says, “All confidential financial disclosure statements shall be filed with the Board of Ethics and shall be confidential.”

CHAIR U‘U-HODGINS: Okay. I have motion made by Member Paltin.

COUNCILMEMBER KAMA: Second.

COUNCILMEMBER RAWLINS-FERNANDEZ: Second.

CHAIR U‘U-HODGINS: And a second by both Member Kama and Member Rawlins-Fernandez. Okay.

VICE-CHAIR PALTIN: And I just wanted to verify with the County Clerk, there is no Federal database of elected officials getting harassed, right?...at their houses?

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

**March 18, 2025**

---

MS. LUTEY: I know of some cases of it, but it's not as common as it is for election officials. And one other thing that I would point out that seems to be commonplace when we've met with the FBI, is that it's typically targeted towards women...because the majority of clerks...or County Clerks across the country are females, so...but I don't know about you guys. Yeah.

VICE-CHAIR PALTIN: So, in that case, maybe add in before that first bracket, that personal contact information can be redacted...must be redacted for that part D. So, it would read, "Filing requirements"...

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair?

VICE-CHAIR PALTIN: Oh, go ahead.

CHAIR U'U-HODGINS: We're going to say that's a friendly amendment? Member Paltin, would you like to work on this as a friendly amendment?

VICE-CHAIR PALTIN: Yes, please.

CHAIR U'U-HODGINS: Super friendly. Okay. Did you have anything else you wanted to add? And then I'm going to call on Member Rawlins-Fernandez.

VICE-CHAIR PALTIN: Just that it would say, "D, Filing requirements. All public financial disclosure statements shall be filed with the County Clerk, and shall be public records available for inspection, and that personal contact information for dwelling and telephone must be redacted." Like residence, not extra properties, or anything.

CHAIR U'U-HODGINS: Member Rawlins-Fernandez, you had something to add?

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah. So, I wrote something for consideration as well. Similar, it would just be after the and, except for the filer's residential address. So, I put the home address, but I can add the phone too, and then --

VICE-CHAIR PALTIN: Friendly amendment.

COUNCILMEMBER RAWLINS-FERNANDEZ: And then...yeah.

CHAIR U'U-HODGINS: Okay, will you do me a favor...I'm sorry, a favor then, Member Rawlins-Fernandez? Would you...I don't see it on anything. Would you read out what D would read then with your amendments?

COUNCILMEMBER RAWLINS-FERNANDEZ: Yep.

CHAIR U'U-HODGINS: Thank you.

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

**March 18, 2025**

---

COUNCILMEMBER RAWLINS-FERNANDEZ: "Filing requirements. All public financial disclosure statements shall be filed with the County Clerk and, except for the filer's residential address and phone number, shall be public records available for inspection."

CHAIR U'U-HODGINS: Okay. Do you accept that?

VICE-CHAIR PALTIN: I accept that friendly amendment.

CHAIR U'U-HODGINS: Okay, sounds good. Shall we vote?

COUNCILMEMBER LEE: Can we still have discussion?

CHAIR U'U-HODGINS: Yes, please.

COUNCILMEMBER LEE: Okay. My discussion is to ask County Clerk your opinion on this amendment?

MS. THOMSON: If I could, I believe that would mean that all...that would apply to all public financial disclosure statements, that the home address, the residential address, and personal phone number would be not public, so potentially redacted.

COUNCILMEMBER LEE: Is this something that you are in favor of? I thought I heard you say earlier that the thing about...the thing with redaction is the possibility of human error. You still feel the same, and therefore not in favor of this amendment?

MS. THOMSON: This amendment...yes. If this amendment applies to the Clerk and Deputy Clerk positions, we would not be in favor of this amendment. Because we believe that the financial disclosure statements contain a significant quantity of information that somebody who knows a little bit of their way around the Internet could put it together and figure out...you know, basically it's not only where we live that we are in fear of somebody coming to our homes with a gun or something like that, but causing us financial harm by messing around with our accounts--you know, hacking us, doing different things. So, there's a lot of information in financial disclosure statements that a savvy person could use to attack you...maybe not physically, it could be, like I said, online. So, we would be in...we're really hoping that you keep in number 3, which would make our financial disclosure statements confidential.

COUNCILMEMBER LEE: Okay. Thank you.

MS. THOMSON: Thanks.

CHAIR U'U-HODGINS: For the record, this current amendment only addresses Section D, and does not touch item number 3. So, it's for, I think, the rest of us who have to file disclosures, that our personal address and contact information is not made public, but Section 3, relating to the County Clerk and Deputy County Clerk is still in there as a confidential financial disclosure --

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

**March 18, 2025**

---

COUNCILMEMBER LEE: Okay.

CHAIR U‘U-HODGINS: -- to be clear. Yes. Yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: That’s correct.

CHAIR U‘U-HODGINS: Yeah, I want to make that clear. So, that is for all public financial disclosure statements shall be filed with personal contact information redacted with the County Clerk. So, that’s all of ours...our personal information is not made public, but the County Clerk and Deputy County Clerk, their number 3 is still in there, and their financial disclosure statement is confidential, and is not public like the rest of everybody else’s.

COUNCILMEMBER RAWLINS-FERNANDEZ: Correct.

COUNCILMEMBER LEE: So, is that okay?

MS. THOMSON: Thank you. Yes.

CHAIR U‘U-HODGINS: I would prefer to keep our County Clerks as safe as we possibly can, and that includes everybody who works in their office as well. And like Member Rawlins-Fernandez said, I’m so sorry we’re even living in these times. Members, do we have any other amendments? I just got word, with the new rules, that we can vote on this amendment with the CD1, and we can do it at one time. One time, which is so exciting. We still have to vote twice, but anyways. Okay. So, all those in favors for the amendments, please raise your hand and say “aye.”

COUNCILMEMBERS: Aye.

MS. APO TAKAYAMA: Chair, there’s nine “ayes,” zero “noes.” Motion carries.

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

**March 18, 2025**

---

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

**NOES: None.**

**ABSTAIN: None.**

**ABSENT: None.**

**EXC.: None.**

**MOTION CARRIED.**

**ACTION: APPROVE amendments.**

CHAIR U‘U-HODGINS: Thank you. Members, any discussion before we vote on the main motion as amended? Okay? Well, in that case...oh, Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Really quick.

CHAIR U‘U-HODGINS: Yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: I did send my amendment to Staff, and so I just wanted to include nonsubstantive revisions to that amendment so they can clean it up and make it nice for the Committee report.

CHAIR U‘U-HODGINS: Thank you. Got it? Thank you. Okay. Well, if there’s no further discussion, all those in favor, please raise your hand and say “aye” for motion as amended.

COUNCILMEMBERS: Aye.

MS. APO TAKAYAMA: Chair, that’s nine “ayes,” zero “noes.” Motion carries.

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

**March 18, 2025**

---

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

**NOES:**    **None.**

**ABSTAIN:** **None.**

**ABSENT:** **None.**

**EXC.:**    **None.**

**MOTION CARRIED.**

**ACTION:**    **Recommending FIRST READING of Bill 3, CD1 (2024).**

CHAIR U‘U-HODGINS: Thank you very much. Thank you so much. See you guys later.

**RESOLUTION 25-52, AUTHORIZING ADDITIONAL COMPENSATION FOR SPECIAL COUNSEL ES&A, INC., A LAW CORPORATION, IN CHELSEIE EVANS, INDIVIDUALLY AND AS THE PERSONAL REPRESENTATIVE OF THE ESTATE OF TRE’ PU‘UWAILA‘AHIAOLOPAKAAMELEHUANANI EVANS-DUMARAN, DECEASED, V. SCOTT MARTIN, CIVIL 2CCV-24-0000034**  
(GREAT-11(4))

CHAIR U‘U-HODGINS: Okay, we have before us Resolution 25-52, which would approve and authorize an increase in compensation for the employment of Special Counsel ES&A, Inc., a Law Corporation for the representation of Scott Martin in the case...in this case by 150,000, for a total compensation not to exceed 200,000. At this time, I’m going to ask for opening comments by Deputy Corporation Counsel Glen Pascual. Mr. Pascual?

MR. PASCUAL: Good afternoon, Chair U‘u-Hodgins, Vice-Chair Paltin, and Members of the GREAT Committee. As you know, the Council previously authorized the retention of ES&A, Inc., as Special Counsel to represent Captain Scott Martin in the lawsuit filed by Chelsie Evans, the mother and personal representative of the Estate of Tre’ Evans-Dumaran. I believe Anna Elento-Sneed, the Lead Attorney from ES&A, Inc., is present via video conference. We are here today...I’m here today requesting authorization to raise the compensation limit for the employment of Special Counsel, ES&A, Inc., from \$50,000 to \$200,000. This increase is requested in anticipation of the increased time and expenses that will be incurred in litigating and defending Scott Martin to trial. Currently there is no trial date set as I understand it; however, a scheduling conference is scheduled on May 14, 2025, at which time a trial date will be set. Anticipated time and expenses would be for things such as conducting and reviewing discovery, reviewing documents, depositions, expert witnesses, motions, other pleadings, and attending court hearings. I don’t anticipate having to go into executive

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

**March 18, 2025**

---

session, but...however, if the questions you ask infringes upon something that may require executive session, I reserve the right to request executive session. Thank you.

CHAIR U‘U-HODGINS: Thank you very much. We have Fire Chief Ventura on the line, and will be available during discussion. He does not have any opening comments. Before we get into discussion though, can we please ask for any testifiers on this Resolution 25-52?

MS. MACDONALD: Yes, Chair. There is currently no one who is signed up to testify, so 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 individuals wishing to testify, without objection, I will now close oral testimony for this item.

COUNCILMEMBERS: No objections.

**. . . CLOSE PUBLIC TESTIMONY ON RESOLUTION 25-52 . . .**

CHAIR U‘U-HODGINS: Thank you. And as a reminder, written testimony will continue to be accepted. At this time, we’re going to do another three-minute questioning period, with a follow-up round if necessary. Members, if we do need to go into executive session, we can do that as well. But I’m not going to be going down any row, so if you have any questions, please raise your hand. Member Paltin.

VICE-CHAIR PALTIN: Thank you, Chair. My question is--you know, I’m not a lawyer--sometimes they say that whoever is the winner has to pay the other person’s legal fees. Is this that kind of case?

MR. PASCUAL: Thank you for your question, Vice-Chair Paltin. In most civil cases, potentially that could be the case. Certain conditions have to be met. But this case is still kind of too early in the process to determine whether or not the attorney fees of the other party, or of one party or the other, will be recoverable by the other party.

VICE-CHAIR PALTIN: So, the answer is possibly, but we don’t know yet.

MR. PASCUAL: Yes.

VICE-CHAIR PALTIN: Okay. I’m just breaking it down to my non-lawyer level.

MR. PASCUAL: That was a good question. Not a problem.

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

**March 18, 2025**

---

CHAIR U‘U-HODGINS: Anybody else have any questions? Member Kama.

COUNCILMEMBER KAMA: Thank you, Chair. So, Mr. Pascual, so we’re asking for...you’re asking for an increase of \$150,000 more than what we gave you earlier, which was \$50,000, is that correct?

MR. PASCUAL: Yes.

COUNCILMEMBER KAMA: So, what do you anticipate this whole case costing at the end of the road?

MR. PASCUAL: It’s hard to say. The amount that we asked for was based on...was kind of an estimated amount of time that would typically be put into these types of cases. Every case is different. I think...yeah, it’ll be hard to say what the amount will be. It all depends on, you know, how many motions are filed, how many depositions are taken, and so forth.

COUNCILMEMBER KAMA: At some point...for me, at some point in time, you’ve got to cut your losses, right? I just want to figure out where are we at in that? Are you saying this is too soon in the development of this lawsuit to determine that?

MR. PASCUAL: I think...the amount that we’re asking for, I think, fits within the budget of what would be anticipated to occur, all the way up to the trial. If we go to...if the case does go to trial for Scott Martin, then depending on...at that point, we may have to come back and ask for more. But I don’t have a crystal ball. I can’t really tell how litigious this case will be. But the amount that we’re asking for is actually kind of based on looking at what kind of work would be done up to the point of trial...as I understand it.

COUNCILMEMBER KAMA: Okay. Okay, thank you so much. Thank you, Chair.

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

VICE-CHAIR PALTIN: Thank you, Chair. I just wanted to clarify, we don’t decide whether or not we’re going to provide counsel for the person, we’re just deciding if we’re going to pay. Because the Fire and Public Safety Commission decided that the Captain is entitled to legal representation. So, if we don’t fund it, then we’re in violation of what they chose to do? We don’t...is this just...I don’t know the right word, but it’s something like is it just the formality? Because they already determined that we need to repre...we, the County, needs to represent him acting in his official capacity, right?

MR. PASCUAL: Just to clarify, Vice-Chair Paltin, it wasn’t the Fire Commission that requires the County to provide representation for Mr. Martin, it’s actually State law.

VICE-CHAIR PALTIN: Oh, okay. Wrong entity.

MR. PASCUAL: Yeah.

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

**March 18, 2025**

---

VICE-CHAIR PALTIN: It's required. So, I mean is this like you coming to us for a vote? If we vote no, then we're in violation of State law.

MR. PASCUAL: Let me just read to you what the statute provides. And this is Hawai'i Revised Statute 46-35, Duty to Defend. "Whenever any firefighter is sued in any civil case for acts done in performance of the firefighter's duty as a firefighter, the firefighter shall be represented and defended. In a civil case, the firefighter is to be defended by the Corporation Counsel or County attorney." Again, this is just a duty to defend, it's not a duty to indemnify. So, we're not...if there is a judgment against Mr. Martin, then the County Council...the County isn't paying for that. But we do have to provide counsel representation for Mr. Martin.

VICE-CHAIR PALTIN: And the reason we're going with an outside, not the Deputy Corp. Counsel, is because we're conflicted?

MR. PASCUAL: That is correct.

VICE-CHAIR PALTIN: So, I mean I feel like we don't necessarily have a choice, we got to comply with State law.

MR. PASCUAL: Yeah, as far as providing representation. I guess the choice that's here today before you is the amount.

VICE-CHAIR PALTIN: I mean I understand the intent of the law, and it's not saying you should provide shitty representation, or junk representation. So, I mean...I'm inferring the intent is to provide good representation.

MR. PASCUAL: Yeah. I think that goes without saying that you want to get competent, adequate representation. . . .(timer sounds) . . .

VICE-CHAIR PALTIN: Thank you.

CHAIR U'U-HODGINS: Ms. Minatodani?

MS. MINATODANI: Vice-Chair, I think it is what Mr. Pascual said, it's two separate issues. One is for HRS 46-35, and then the other issue would be the cost. And I think it's just a matter of trying to keep it reasonable and appropriate, the amount of money too.

CHAIR U'U-HODGINS: Add? Do you have anything to add?

MR. PASCUAL: No. I don't have anything else to add.

CHAIR U'U-HODGINS: Okay, thank you. Members, do we have any other questions? Member Kama.

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

**March 18, 2025**

---

COUNCILMEMBER KAMA: Who decides what law firm we go...we...that we, or you all, are going to hire to represent, you know, our County employees when we have to defend them?

MR. PASCUAL: Yeah. I think at this point I may have to ask for...because the question may kind of deal with an issue pertaining to the powers, duties, privileges, immunities, and liabilities of the County, I would have to request executive...that we convene in executive meeting to discuss that.

COUNCILMEMBER KAMA: Let me think how important the question...the answers could be to do that.

UNIDENTIFIED SPEAKER: . . .*(inaudible)*. . .

COUNCILMEMBER KAMA: I'm just...I was going with the thought of that ES&A was the attorneys, right? We gave them \$50,000, and now they want three times as much again because they anticipate...I mean, are they good? Are they good? That's what I want to know.

CHAIR U'U-HODGINS: Do you have a preapproved list of special counsel that you pull on when you need to defend on "X," and they specialize on "X?"

MR. PASCUAL: Yeah. Again I think I would have to ask that we go into executive meeting if we're going to discuss the process.

CHAIR U'U-HODGINS: Members, do you guys have any other questions that we need asked in open session before we convene in executive session to answer Member Kama's question? Member Paltin.

VICE-CHAIR PALTIN: I won't be voting to go into executive session because I trust Mr. Pascual.

CHAIR U'U-HODGINS: I'd prefer not to, but...especially if we only have one question. But if anybody else has any other questions that we might need answered, I'm happy to do so. I'm happy to accommodate executive session if necessary for Member Kama, but...do you want to have a separate discussion with Corporation Counsel without us?

COUNCILMEMBER KAMA: I could --

CHAIR U'U-HODGINS: Okay.

COUNCILMEMBER KAMA: -- so that everybody doesn't have to go into executive session.

CHAIR U'U-HODGINS: Is that okay, Mr. Pascual?

MR. PASCUAL: Sure. That's --

CHAIR U'U-HODGINS: Is that okay with us?

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

**March 18, 2025**

---

MR. PASCUAL: -- that's fine with me.

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

COUNCILMEMBER KAMA: Yep.

CHAIR U'U-HODGINS: Thank you.

MR. PASCUAL: Thank you.

CHAIR U'U-HODGINS: Members, any other questions? No? Okay. Seeing none. I would like to entertain a motion to recommend adoption of Resolution 25-52--and I didn't read it earlier, so I'll do so now--"AUTHORIZING ADDITIONAL COMPENSATION FOR SPECIAL COUNSEL ES&A, INC., A LAW CORPORATION, IN CHELSEA EVANS, INDIVIDUALLY, AND AS THE PERSONAL" representative..."REPRESENTATIVE," I'm sorry, "OF THE ESTATE OF TRE' PU'UWAILA'AHIAOLOPAKAAMELEHUANANI EVANS-DUMARAN, DECEASED, V. SCOTT MARTIN," Civil 2CCV-24-0000034, including any nonsubstantive revisions.

COUNCILMEMBER COOK: So moved.

COUNCILMEMBER SUGIMURA: Second.

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

COUNCILMEMBERS: Aye.

MS. APO TAKAYAMA: Chair, that's nine "ayes," zero "noes," motion carries.

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

**March 18, 2025**

---

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

**NOES:**    **None.**

**ABSTAIN:** **None.**

**ABSENT:** **None.**

**EXC.:**   **None.**

**MOTION CARRIED.**

**ACTION:**    **Recommending ADOPTION of Resolution 25-52.**

CHAIR U‘U-HODGINS: Thank you very much. This item will move on to full Council for its consideration. Do you guys want a break? We’re on our last item. Okay.

VICE-CHAIR PALTIN: Only if you need one, Chair.

CHAIR U‘U-HODGINS: I’m okay for now anyway, but if anybody else needs one, this one might require executive session, so you want to take a ten-minute break? Sure. We will take a ten-minute break. It is 2:33, and we will return at 2:43. . . . *(gavel)* . . .

**RECESS:**       2:33 p.m.

**RECONVENE:**   2:48 p.m.

CHAIR U‘U-HODGINS: . . . *(gavel)* . . . Welcome back GREAT Committee, it is 2:48 and let’s please reconvene.

**RESOLUTION 25-75, AUTHORIZING ADDITIONAL COMPENSATION FOR SPECIAL COUNSEL KOBAYASHI SUGITA & GODA, LLP, IN CHRISTOPHER SALEM V. COUNTY OF MAUI, ET AL., CIVIL 2CCV-21-0000048**  
(GREAT-11(5))

CHAIR U‘U-HODGINS: We have before us Resolution 25-75, Authorizing Additional Compensation for Special Counsel Kobayashi Sugita & Goda...Gouda? No, that’s not the cheese gouda...LLP in *Christopher Salem v. County of Maui, et al.*, Civil 2CCV-21-0000048, which was authorized an increase in compensation for the employment of Special Counsel for the representation of the County of Maui, Richard T. Bissen, Jr. in its official capacity, and Kate Blystone in her official capacity, by \$475,000 for a total compensation not to exceed \$925,000. And at this time, I’m going to ask for

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

**March 18, 2025**

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opening comments by Deputy Corporation Counsel John Gores before we go into testimony. Mr. Gores.

MR. GORES: Thank you, Madam Chair, Members of the Council. This is my third time coming back on this matter. I think the Council is well aware of the underlying matter. We're here requesting the additional compensation for Special Counsel to continue and proceed through trial, which trial now is set...this is the second trial that is set for June. And Special Counsel Mr. Shikuma is available today here by video. I'm happy to entertain any questions, but I anticipate most of what we will be discussing will be in executive session.

CHAIR U'U-HODGINS: Mr. Shikuma, do you have any opening comments?

MR. SHIKUMA: No, Madam Chair. I would reserve any comments for executive session.

CHAIR U'U-HODGINS: Okay. At this time, Staff, can we please see if we have any testifiers?

MS. MACDONALD: Yes, Chair. There is currently no one who is signed up to testify. Would you like me to 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 individuals wishing to testify, without objection, I will now close oral testimony for this item.

COUNCILMEMBERS: No objections.

**. . . CLOSE PUBLIC TESTIMONY ON RESOLUTION 25-75 . . .**

CHAIR U'U-HODGINS: Thank you very much. As a reminder, written testimony will continue to be accepted. At this time, I am going to ask you folks to raise your hand, we will again have a three-minute questioning period for any questions that can be asked during open session before we move on to executive session. So, Members, if you have any questions, please raise your hand now. No questions? Okay. Okay. Seeing we have no questions for open session, I would now entertain a motion to convene in executive meeting in accordance with Section 92...sorry, give me a second...92-5(a)(4), Hawai'i Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liability...liabilities...whew, sorry...of the County, the Council, and the Committee; and Section 92-5(a)(8), Hawai'i Revised Statutes, to deliberate or make a decision upon a matter that requires a consideration of information that must be kept confidential pursuant to a State or Federal law, or court order. Can I have a motion?

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

**March 18, 2025**

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COUNCILMEMBER SUGIMURA: So moved.

COUNCILMEMBER LEE: Second.

CHAIR U‘U-HODGINS: I have a motion made by Member Sugimura, seconded by Chair Lee, to enter into executive session for Resolution 25-75. Any discussion? Seeing none. All those in favor, please raise your hand and say “aye.”

COUNCILMEMBERS: Aye.

MS. APO TAKAYAMA: Chair, that’s nine “ayes, zero “noes,” motion carries.

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

**NOES:   None.**

**ABSTAIN:   None.**

**ABSENT:   None.**

**EXC.:   None.**

**MOTION CARRIED.**

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

CHAIR U‘U-HODGINS: Thank you. For the record, all...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 Tasha Kama, Council Chair Alice Lee, Councilmember Keani Rawlins-Fernandez, Councilmember Shane Sinenci, and Councilmember Yuki Lei Sugimura. Office of Council Services Staff that will be attending is Peter Hanano, Legislative Attorney; Richelle Kawasaki, Deputy Director of Council Services...is she here? Okay. Sorry, I didn’t see you over there in the corner; and Maria Leon, Committee Secretary. From Corporation Counsel who would be attending this meeting will be Cody Minatodani, Deputy Corporation Counsel...yes? Okay. John Gores, Deputy Corporation Counsel; and Mr. Shikuma, Special Counsel of Kobayashi Sugita and Goda, LLP. Anybody else? Did I miss? Okay. At this time, I would like to call for a five-minute recess, to 3:58 p.m., and we will convene in executive meeting. Yes? I’m sorry, 3:58...2:50...oh, we’re earlier than I thought. Okay. I was giving us less time. This is new for me. This is really early

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

**March 18, 2025**

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for us. Okay. Thank you so much for catching that. Will this GREAT Committee please go into recess for executive session. . . . *(gavel)* . . .

**RECESS:** 2:54 p.m.

**RECONVENE:** 4:14 p.m.

CHAIR U‘U-HODGINS: . . . *(gavel)* . . . Will the Government Relations, Ethics, and Transparency Committee meeting reconvene. It is 4:14 p.m. Members, we have just completed our executive meeting on Resolution 25-75. And at this time, I’m going to ask Mr. Hanano to provide a summary in accordance with Act 29 (2023).

MR. HANANO: Thank you, Chair. Your GREAT Committee met in executive session, where there was a discussion regarding Special Counsel’s assessment and mental impressions of the case, which also included a discussion of legal strategies, settlement efforts, as well as the rights and liabilities of the County. Thank you, Chair.

CHAIR U‘U-HODGINS: Thank you. Is there any further discussion before we go to my recommendation? Seeing none online. At this time then, I would like to entertain a motion to recommend the adoption of Resolution 25-75, including any nonsubstantive revisions.

COUNCILMEMBER SUGIMURA: So moved.

COUNCILMEMBER KAMA: Second.

CHAIR U‘U-HODGINS: Thank you. I have a motion made by Member Sugimura, seconded by Member Kama. Any further discussion? All those in favor, please raise your hand and say “aye.”

COUNCILMEMBERS: Aye.

MS. APO TAKAYAMA: Chair, that’s nine “ayes,” zero “noes,” motion carries.

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

**March 18, 2025**

---

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

**NOES:**   **None.**

**ABSTAIN:** **None.**

**ABSENT:** **None.**

**EXC.:**   **None.**

**MOTION CARRIED.**

**ACTION:**   **Recommending ADOPTION of Resolution 25-75**

CHAIR U‘U-HODGINS: Thank you. This item will move on to full Council for its consideration. At this time, this concludes the Government Relations, Ethics, and Transparency Committee meeting. Thank you very much, Members. It is 4:15 p.m., and this meeting is adjourned. . . .(*gavel*). . .

**ADJOURN:**   4:15 p.m.

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Transcribed by: Terianne Arreola

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

**March 18, 2025**

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CERTIFICATION

I, Terianne Arreola, hereby certify that pages 1 through 28 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 9th day of April 2025, in Makawao, Hawai'i.



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Terianne Arreola