

**COUNCIL OF THE COUNTY OF MAUI**

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

April 4, 2025

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

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

Chair and Members:

Your Government Relations, Ethics, and Transparency Committee, having met on March 18, 2025, makes reference to Resolution 25-75, entitled “AUTHORIZING ADDITIONAL COMPENSATION RELATED TO THE EMPLOYMENT OF SPECIAL COUNSEL KOBAYASHI SUGITA & GODA, LLP, IN CHRISTOPHER SALEM V. COUNTY OF MAUI, ET AL., CIVIL 2CCV-21-0000048.”

Resolution 25-75’s purpose is to authorize additional compensation, in the amount of \$475,000, for a total compensation not to exceed \$925,000, to Kobayashi Sugita & Goda, LLP, as special counsel to represent the County of Maui, Richard T. Bissen, Jr. in his official capacity, and Kate Blystone, as successor to Kathleen Aoki, in her official capacity, in Christopher Salem v. County of Maui, et al., Civil 2CCV-21-0000048.

Your Committee notes that the Council is authorized to retain or employ special counsel by resolution adopted by two-thirds vote in accordance with Section 3-6(6) of the Revised Charter of the County of Maui (1983), as amended.

By correspondence dated February 20, 2025, the Department of the Corporation Counsel transmitted a copy of the First Amended Complaint filed on November 9, 2021, which alleges claims involving breach of contract, protection under Chapter 378, Hawai’i Revised Statutes, and unlawful termination in contravention of public policy.

A Deputy Corporation Counsel provided a status update of the claim in open session.

COUNCIL OF THE COUNTY OF MAUI

# GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Page 2

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

The Deputy Corporation Counsel requested an executive meeting to discuss confidential information related to the claim and to explain the necessity for additional compensation for special counsel.

Your Committee voted to convene an executive meeting, closed to the public, to consult with legal counsel under Section 92-5(a)(4), Hawai‘i Revised Statutes, and to deliberate upon a matter that requires the consideration of confidential information under Section 92-5(a)(8), Hawai‘i Revised Statutes.

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

Based on information received in the executive meeting and the recommendation of the Department, your Committee voted 9-0 to recommend adoption of Resolution 25-75. Committee Chair U‘u-Hodgins, Vice-Chair Paltin, and members Cook, Johnson, Kama, Lee, Rawlins-Fernandez, Sinenci, and Sugimura voted “aye.”

Your Government Relations, Ethics, and Transparency Committee RECOMMENDS that Resolution 25-75, attached, entitled “AUTHORIZING ADDITIONAL COMPENSATION RELATED TO THE EMPLOYMENT OF SPECIAL COUNSEL KOBAYASHI SUGITA & GODA, LLP, IN CHRISTOPHER SALEM V. COUNTY OF MAUI, ET AL., CIVIL 2CCV-21-0000048,” be ADOPTED.

COUNCIL OF THE COUNTY OF MAUI

# GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Page 3

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

This report is submitted in accordance with Rule 3 of the Rules of the Council.

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

great:cr:25011(5)aa:pah

# Resolution

No. 25-75

AUTHORIZING ADDITIONAL COMPENSATION RELATED  
TO THE EMPLOYMENT OF SPECIAL COUNSEL KOBAYASHI SUGITA &  
GODA, LLP, IN CHRISTOPHER SALEM V. COUNTY OF MAUI, ET AL.,  
CIVIL 2CCV-21-0000048

WHEREAS, by Resolution 23-187, the Council authorized the employment of special counsel Kobayashi Sugita & Goda, LLP ("special counsel") to represent the County of Maui, and Michael P. Victorino and Michelle C. McLean in their official capacities in Christopher Salem v. County of Maui, et al.

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

WHEREAS, the Second Circuit Court, by order dated March 6, 2024 in Christopher Salem v. County of Maui, et al., substituted Kate Blystone in her official capacity as Director of the Department of Planning for Kathleen Aoki in her official capacity; and

WHEREAS, by Resolution 24-13, the Council authorized raising the compensation limit for the employment of special counsel by an additional \$75,000 for a total compensation not exceeding \$125,000;

WHEREAS, by Resolution 24-71 the Council authorized raising the compensation limit for the employment of special counsel by an additional \$325,000 for a total compensation not exceeding \$450,000;

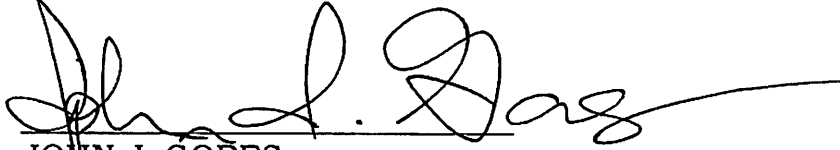
WHEREAS, the Department of the Corporation Counsel has now requested to raise the compensation limit for the employment of special counsel by an additional \$475,000 for a total compensation not exceeding \$925,000 for ongoing motions, responses, other Court filings and Court requirements, and trial preparation; now, therefore,

**Resolution No. 25-75**

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

1. That the Council hereby approves and authorizes an increase in compensation for the employment of special counsel Kobayashi Sugita & Goda, LLP for the representation of the County of Maui, Richard T. Bissen, Jr. in his official capacity, and Kate Blystone in her official capacity in this case by \$475,000 for a total compensation not exceeding \$925,000; and
2. That certified copies of this resolution be transmitted to the Corporation Counsel, the Director of Finance, and Kobayashi Sugita & Goda, LLP.

APPROVED AS TO FORM AND LEGALITY:

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

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

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Chris Lee", is written over a horizontal line.

Upon the request of the Mayor.