

**MAUI COUNTY COUNCIL
SPECIAL COUNCIL MEETING
MINUTES**

**November 3, 2025
9:00 AM**

Pursuant to §92-3.7, Hawaii Revised Statutes, the meeting was conducted as a remote meeting by interactive conference technology, via Microsoft Teams, <http://tinyurl.com/2p9zhjr2>.

In person testimony and viewing: Council Chamber, Kalana O Maui Building, 8th Floor, 200 S. High Street, Wailuku, Hawaii.

Video recording of meeting available at: www.mauicounty.legistar.com

TIME MEETING CALLED TO ORDER: 9:09 a.m.

ROLL CALL

Councilmember	Pres.	Abs.	Exc.	Time(s) In/Out (during meeting)
Vice Chair Yuki Lei Sugimura	√			
CM Tamara Paltin	√			
CM Gabe Johnson	√			
CM Keani Rawlins-Fernandez	√			
CM Tom Cook	√			
CM Nohelani U‘u-Hodgins	√			
CM Shane Sinenci	√			
Chair Alice L. Lee	√			
TOTAL PRESENT	8			

RESOLUTIONS:

Resolution 25-202 "ESTABLISHING THE PROCESS TO FILL THE COUNCIL VACANCY FOR THE KAHULUI RESIDENCY AREA FOR THE REMAINDER OF THE 2025-2027 TERM"

	AYE	NO	EXC	Time Deliberations Began	9:57 a.m.
				Time Motion Made	9:57 a.m.

VC Sugimura	√			Motion	ADOPT, as amended
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Second	Cook
CM Rawlins-Fernandez	√			Time Vote Taken	12:34 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8			MOTION PASSED	

	AYE	NO	EXC		
				Time Motion Made	11:46 a.m.
VC Sugimura	√			Motion	AMEND 1(a)
CM Paltin		√		Maker	Sugimura
CM Johnson		√		Second	Cook
CM Rawlins-Fernandez		√		Time Vote Taken	11:51 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci		√			
Chair Lee	√				
TOTAL VOTES	4	4		MOTION FAILED	

	AYE	NO	EXC		
				Time Motion Made	11:54 a.m.
VC Sugimura		√		Motion	AMEND 1(a)
CM Paltin		√		Maker	Rawlins-Fernandez
CM Johnson	√			Second	Johnson
CM Rawlins-Fernandez	√			Time Vote Taken	11:56 a.m.
CM Cook		√			
CM U'u-Hodgins		√			
CM Sinenci	√				
Chair Lee		√			
TOTAL VOTES	3	5		MOTION FAILED	

	AYE	NO	EXC		
				Time Motion Made	11:57 a.m.
VC Sugimura		√		Motion	AMEND 1(a)
CM Paltin	√			Maker	Rawlins-Fernandez

CM Johnson	√			Second	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	11:59 a.m.
CM Cook		√			
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee		√			
TOTAL VOTES	5	3		MOTION PASSED	

	AYE	NO	EXC		
				Time Motion Made	12:03 p.m.
VC Sugimura	√			Motion	AMEND delete 1(b)
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Second	U'u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	12:04 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8			MOTION PASSED	

	AYE	NO	EXC		
				Time Motion Made	12:08 p.m.
VC Sugimura	√			Motion	AMEND
CM Paltin	√			Maker	Rawlins-Fernandez
CM Johnson	√			Second	U'u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	12:08 p.m.
CM Cook		√			
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7	1		MOTION PASSED	

	AYE	NO	EXC		
				Time Motion Made	12:08 p.m.
VC Sugimura	√			Motion	APPLY Rule 13(C) and SUSPEND Rule 19
CM Paltin	√			Maker	Paltin

CM Johnson	√			Seconder	U'u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	12:10 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8			MOTION PASSED	

TIME MEETING ADJOURNED: 12:35 p.m.

TRANSCRIPTION

Council of the County of Maui on 2025-11-03 9:00 AM - Special Meeting

[GAVEL] >> Good morning Council Members and Staff, Members of the public, the special Council meeting of November 3rd, 2025 will now come to order. Before we start roll call, I just want to say that and before we take a moment of silence, this is one of the saddest responsibilities we as Council Members will ever have, and that is to begin the process to select a replacement for someone who has passed away. Let's just do our best to honor our friend and colleague, Pro Tem Kama. May we have a moment of silence. (moment of silence taken) Ms. Clerk, please proceed with roll call. >> Thank you, Madam Chair.\r\n\r\nProceeding with roll call. Any members who are not present, who are present from a non-public location should stay who if anyone, except minors, is present with them as part of roll call. Vice-Chair Yukilei Sugimura. >> Here, present. >> Council Member Tamara Paltin. >> Aloha Kakahiaka Kakou. >> Council Member Gabe Johnson.\r\n\r\n>> Good morning, Chair, Council Members, community members no testifiers at the Lana'i District Office and I'm alone in my office, thank you. >> Council Member Keani Rawlins-Fernandez. >> Aloha Kakahiaka, Chair, Kakou. Can you hear me okay? >> I can hear you, but I can't see you. Can anybody see her? We can hear you.\r\n\r\n>> Council Member Tom Cook? >> Aloha. >> Now we can see you, okay. >> Okay. I'm alone in my private residence and there are currently no testifiers at the Moloka'i District Office. >> Thank you. >> Council Member Tom Cook?\r\n\r\n>> Aloha, good morning. There's no testifiers in the Kihei office. >> Council Member Nohelani Uu-Hodgins? >> Aloha, Chair, Aloha everyone. >> Council Member Shane Sinenci? >> Aloha and good morning. >> Council Chair Alice Lee?\r\n\r\n>> Good morning. Aloha Kakou. >> Chair there are eight members present, a quorum is present to conduct the business of Council, for the record, I'm the Deputy County Clerk Richelle Thomson and to my right is County Clerk Moana Lutey and Legislative Division Staff Joy Murashige, Lauren Saldana, Dell Yoshida and Arthur Suyama. Assisting the Council with maintaining order and decorum is Council Ambassador Ryan Martins withing the meeting from the Office of Council Services is Director David Raatz and Attorney Megan Moniz and from the Department of Corporation Counsel Corporation Counsel Victoria Takayesu and First Deputy Mimi DesJardins. Before we proceed with today's agenda, may I please request that everyone keep their microphones muted unless it's your turn to speak. As a reminder testimony must pertain to the item on the meeting agenda. Today's meeting is for the purpose of Council Members coming into agreement on the process for Council to fill a vacancy in the Kahului residency seat held by our esteemed colleague and friend Tasha Kama.\r\n\r\nThis meeting is not to discuss potential nominees. We will hold another special Council Meeting November 20th to discuss and decide upon the nominees. A remind, when testifying please direct your remarks to the Council and not to any individual Council Member or Member of the public. Each testifier will be allowed to speak up to three minutes on each item for individuals wishing to testify on teams, please click your raise your hand button to be added to the testifier log. If you are calling in, please follow the phone prompts to be added to the testifier log. If you wish to testify anonymously, please sign in an anonymous and you will be given a testifier number. Decorum be maintained at all times.\r\n\r\nAny person who behave in a manner that disrupts, disturbs or impedes the orderly conduct of any Council Meeting can the at discretion of the Presiding Officer or a majority of present Council Members be ejected or banned from the Council Meeting. Or if participating remotely, muted or dropped from the meeting examples of disruptive

behavior include, but are not limited to heckling, shouting, use of profanity, threatening or slanderous remarks made to any Member of the Council, Staff or general public. All meeting attendees whether online or in-person are expected to wear clothing which should not display profanity Ms. Clerk, please proceed. >> Thank you, Madam Chair. At this time, individuals may testify on the Resolution 25-202 relating to the establishing the process for filling the Council vacancy for the Kahului residency area for the remainder of 2025-2027 term. Chairs first to testify is Zandt Kraus testifying on the Resolution to be followed by Kathy Fleming.\r\n\r\n>> >> Aloha Kakahiaka, Luna ho Malu. I'm in Legislative Analyst. Zandra Kraus (speaking Hawaiian) 25-202. I first would like to express our family's sincere condolences to Tasha's 'Ohana, and to all of you, which I know Tasha considered her family as well. Feeling Tasha's shoes will be a challenge presented to whoever you choose to fill this vacancy. We trust you to do due diligence in your choice. The Charter, County of Maui Article 3, County Council Section 3-2 election of Council in terms of office Section, Section 3-2 vacancy in office. A vacancy in the Office of Any Council Member shall be filled for the remainder of the unexpired term in the following manner: No. 1, if the expired term is less than 15 months the remaining Members of the Council shall appoint a person by Resolution adopted by the majority of its remaining members to fill the vacancy for the current unexpired term. 2 -- not 2, should the Council fail to fill any vacancy within 30 days after its occurrence, the Mayor shall appoint a person to fill the vacancy for the current six unexpired terms. The person appointed by Council or the Member shall have the same qualifications required of a candidate elected by the voters. No. 2, if the unexpired term is more than 15 months, the vacancy shall be filled by a special election to be called by this Council within 30 days and to be held within 90 days of occurrence of the vacancy. The electors of the County shall then elect -- in a special election, the successor with requirement qualifications to fill the vacancy for the remainder of the term. At special election the candidate receiving the highest numbers will be elected.\r\n\r\nThese guidelines for your -- from your Charter, Council Members, and Council Chair, should assist you in making your decision, which will serve the residents of Maui County Nui at-large. Mahalo Hua. >> Thank you. Any questions for -- The testifier? If not - [INAUDIBLE] >> Kathy Fleming followed by Evan Dust. >> May I allow Evan Dust to go first? >> All right, Evan Dust will be next followed by Kathy Fleming.\r\n\r\n>> Chair, Vice-Chair, Members of Council, it's hard for me to say good morning. At first, let me thank all of you for the kind expressions of condolences on behalf of myself, and my extended 'Ohana. Thank you so much. You have returned to our 'Ohana the love that Tasha expressed to you. My mother-in-law was very much one to emphasize transparency. She wanted the public to know looking over the process which is the subject of this meeting she would say, yep, that gives quite a bit of transparency, everybody can see all of the moving parts. But she also was one who valued efficiency, and effectiveness.\r\n\r\nSo as you consider this process, keep that in mind, if there are ways to tighten the process, and get to an answer sooner, Tasha would appreciate that. And of course, I would be remiss in not noting that she charged me with doing everything humanly possible to see that her final wishes were carried out. I will leave you with that. Thank you so much. >> Thank you, Evan. Are there any questions? If not, thank you very much.\r\n\r\n>> Chair, the next testifier is Kathy Fleming, to be followed by John Pele. >> Good morning, Chair Lee, and Council Members. Kathy Fleming, President of Wailuku. We are here under such very sad circumstances. The loss of Tasha hurt us personally, because she loved us, and we really loved her

back. But I must speak today, because I fear some Council Members will see her death as an opportunity to advance their own political agenda. This would be a morally bankrupt act.\r\n\r\nTasha was elected by us, the interest of the voters must come first. We voted for her, and by extension, we trust her to name her replacement. To not support her choice is anti-Democratic. If she had recommended someone unqualified, it would be a different matter. But she has recommended Mr. Batangan, a leader with irreproachable qualifications. So please honor the voters and not personal selfish interests.\r\n\r\nThank you. >> Thank you, any questions? No questions. Thank you. >> Chair, the next testifier is John Pele, followed by the Royal House of Hawai'i. >> Aloha and good morning, Council Members. Can you all hear me? >> Yes, good morning.\r\n\r\n>> It is with a heavy heart that I testify before you today. But I thought I would share my opinions. Testifying on resolution 25-202. And over the years, I have gained some respect for what you guys do. And I respect the work that you guys put in to your craft. I think a lot of people in our community don't realize how hard it is to perform the jobs that you guys perform, on a daily basis. One of those factors I have really become accustomed to that you got elected. It's a lot of work.\r\n\r\nI can relate to that work of that process. So I'm just asking you to consider in the process of filling the Kahului seat, that you take into heavy consideration auntie Tasha's request at her replacement. Because let's understand as many of you sitting there, she was not only elected once. She was elected four times by constituents of this County, based on her beliefs, based on her values, based on what she would bring to the community. In naming her replacement, she has solidified for the rest of her term, the vision of what she believed in. And I just hope that you consider what she believed in to represent this community that she was elected to do, and part of your process to fill her vacancy. November 3rd, I think it's November 3rd, 2026, the people speak, and the votes will be counted and we'll move on.\r\n\r\nTo fulfill her vision of what the people voted on, please consider her request. Thank you so much, and I appreciate the work that you guys do on a daily basis. Thank you. >> Thank you. Any questions? Thank you very much, John. >> Chair, the next testifier is the Royal House of Hawai'i and currently he is the last person signed up to testify.\r\n\r\n>> Aloha. This is the Royal House of Hawai'i. A Member of the Royal House of Hawai'i and a descendant and Allodial land tenant testifying before you today on hava hava Nui, and hava hava Nui. But what is that called Sorry for your loss, but the person that is going to be elected, are they going to have the correct qualifications? Because okay, so a little class session right now. So where are we right now, you guys? Not the State of Hawai'i now. We stay in the Kingdom of Hawai'i, okay?\r\n\r\nHello. So there's Hawai'i Revised Statutes basing laws off the kingdom laws, so we're going to have to be basing qualifications on kingdom laws, too to see their qualifications, yeah? I agree with ending the rentals, but not only just ending the rentals, you guys should meet or you guys actually have to call the descendants of those specific lands of all of the lands, because all of Hawai'i is Royal Patented Allodial title land Commission Award granted or titled royal property land Commission award from 1800's. From the Mahele. And Hawai'i Revised Statutes 172-11, the lands supposed to go back to the descendants, yeah. But the descendants never get called up, so call them up. Yeah. And correct me if I'm wrong, I think can be I don't think, I know I write you.\r\n\r\nI write you by law. You have to follow the Royal Patents and give the land back for real, because again, we never got contacted, and yeah, call the descendants of the Royal Patents, because the Royal Patents last forever, here in the Kingdom of Hawai'i, yeah? Get it right. Mahalo. >> Time. >> Thank you. Any

questions?\r\n\r\nIf not, thank you very much. Next testifier. >> Chair, there's currently no one else signed up to testify. So this will be last call and I see Mr. Lau making his way to the podium. >> Aloha Kakou, Aloha -- J.C. Lau from Ahupua'a. A little bit of sunshine is gone from the kingdom, another Hawaiian bites the dust, Nalei Kama. I was walking by the apartments the other day, and I saw a guy busting up some old furniture in the back of his truck and I asked him is that Tasha's stuff and he said yeah.\r\n\r\nSo I recommend taking up a collection for her family, because the furniture wasn't new or anything, it was the old stuff that you get from -- the restore over there. The Hawaiian word of the day is Pele ka ma, meaning close relationship, but not by blood. The Macron is over the first a. I appreciate the Royal House of Hawai'i kind of grounding us there with the process, and I think you all should look into the Hawaiian Constitution and make sure you're not crossing that up. And there's probably pretty sad when Lili'uokalani died, too and I think Tasha looked a little like Lili'uokalani and I think you should get a Hawaiian in there, for anybody who has any influence over the matter. So the runner-up from the last election was -- is Hawaiian. So that would be my first choice. Thank you for your time.\r\n\r\n>> Thank you. Questions? If not, thank you. >> Chair, the next testifier is Stacey Alapai, followed by Travis Liggett. >> Aloha, Council Members. I just want to take a moment to recognize the Kama family, and give everybody my condolences. I wasn't planning to testify today, but I felt like somebody needed to express support for the process laid out in the Resolution.\r\n\r\nI read through it, and I think that this process is fair to not that this are necessarily sides, but fair to all perspectives for the Council Members to come up with a list by the 10th, for the public to review that list, and provide testimony on those nominees. I think it's the most fair and Democratic way possible to go about this really difficult process of appointing someone to that vacant seat. I also think it's really important that this process not hold up the work of the Council as a whole, and the important Bills that are on the table waiting to be heard. It would be disrespectful, I think, to Tasha's legacy to put all of the important work of the people, and the people she represents on hold to fill one seat. Quorum is five members. We have quorum today with eight. And that shouldn't hold up the rest of the work of the Council.\r\n\r\nI don't think that that would be respectful of anyone's legacy or respectful to this body or to all the people that you represent. So please don't -- don't -- we all need time to grieve, but there's also work to be done. So we need to continue that work. We should hear Bill 9 and all of the other important bills on the table, and I just really appreciate this process of a list, because I don't think that any one person should be appointing the seat. Mahalo for your careful attention to this matter, and for handling this very difficult situation with so much grace, especially to Chair Lee and the rest of the Members, who I know are also grieve right now. >> Thank you, any questions? Member Paltin?\r\n\r\n>> Thank you, Chair. Thank you, Ms. Alapai. I just was wondering were you able to sign up for testimony online from the agenda oral testimony link? >> I just joined and raised my hands, because I'm pretty familiar with the process. I didn't use any link this time. I have it saved in my team's account.\r\n\r\n>> Oh, okay. Because we're getting some messages that the link is not working on the English agenda, but you didn't use the link. >> No, I have it saved in my teams folder, but I noticed that the agenda looked weird today. I was trying to click on the way I normally access the Resolutions and everything, the links were kind of broken and why I went through my own saved documents. >> Okay. Thank you. Good job.\r\n\r\n>> Thank you. >> Chair, the next testifier is Travis Liggett and currently he is the last person signed up

to testify. >> Ms. Clerk, can you check on what the previous testifier just said? >> Yes, I just checked and the hot link that directions testimony to the County Clerk at MauiCounty.US is working in terms of clicking on it and getting to the email that would be sent to the County Clerk's testimony for testimony. >> I meant the oral testimony link for folks wanting to testify online. >> Instructions that we have are that it's online with teams.\r\n\r\nSo we have the teams link, and then we say raise your hand, if you are testifying online. >> Chair? >> Member Paltin, are you saying some people texted you, or emailed you that they are not able to access this meeting? The testimony? >> Yeah, and then when I click on the oral testimony link, it says "the site can't be reached." From the agenda. It says "oral testimony linked to teams." This is what it looks like on my computer. >> Ms.\r\n\r\nClerk, do you need some time to check on it? >> It says oral testimony for information on testifying please visit and there's a link to the MauiCounty.US/teams web page when I check on it, I see that link is broken, but it's only a general link to teams information. At the very top of the meeting says "meeting site online via teams." That link is working. >> I'm referring to the one on page 2, where it says "oral testimony for more information on testifying please visit -- >> That one is not work . you're right. That one, I agree, it's not currently working, but all that leads to is a link that gives you general information on teams meeting platform itself. But the link to the meeting is working. >> Okay.\r\n\r\n>> And the instructions are clear, raise your hand in teams. >> Okay. Vice-Chair Sugimura. >> So I just wanted -- I get a text from Pam Tumpap, who says she is online to testify. >> We have someone before her. >> Thank you. >> Anybody else with a question or comment for our Members?\r\n\r\nIf not, Ms. Clerk, please proceed. >> Mr. Liggett will be followed by C Rose Riley. >> Aloha, good morning, Council. I thank you for the opportunity to testify . It's a very sad day, and just want to share a couple of thoughts to inform this process: One is a little story my first times presenting, I was so nervous and I wasn't sure if this public engagement thing was for me. And Member Kama just said a kind word to me, something about the -- I had a bottle of LIMU and that small kindness, like kind of -- it was just what I needed in that moment, and it was just something special about her, and I really think that her successor should have that quality of just being kind and open and just holding space the way that she did.\r\n\r\nSecond, I lost a partner about two years ago, and it has been trial by Fire. So there has been a couple of small lessons that were shared with me that I would like to share with everyone about grief, and it's a simple concept that was shared with me, which is the idea that grief is love that has nowhere to go. And the solution that I developed was to invest that love in other people and projects, and not to let it stagnate, and I end up telling the people close to me how much I cared about them more than ever. And that the trick is to keep the love moving, and that my husband was son of two immigrant refugees, born in a refugee camp in Austria, just about the kindest person ever, and -- so that is all I have to say. I sent some proposals for different Memorial projects, but my last thought is that I believe that the person who is still with us in physical form, who has the most votes would be the most logical choice, and I sincerely appreciate your time, and I thank you for your important work. Thank you. >> Thank you.\r\n\r\nMembers, any questions? If not, next testifier. >> Chair, the next testifier is C Rose Riley, followed by Pam Tumpap. >> What does it mean to steal? If you steal a car, it's a felony, if you steal a heritage, can I steal a minute of your time and how many minutes I have I stolen from busy lives and busy schedules over stressed families just trying to survive, just to pass a message, a hope, a vision, of way of being, it is seven

years that it's been since we elected Tasha Kama. I helped her get elected going to meetings and listening to what she had to say, coming up with a platform, coming up with things to express to others so she can gain support, getting someone elected the first time is the hardest. I heard this year that on the first day she was in office, the door was closed and she was threatened for hours.\r\n\r\nHer and her family, that is seven years of votes stolen from me, from this community, and from the water. The votes that have been passed during that time have been completely egregious. Going back against the community that passed laws in the Council before previously going through and doing that as first agendas egregious mismanagement, and theft. Since we have been stolen from, the first thing that people always say when I look to them in the community is are you going to give it back to the Hawaiians? Because I want to give it back to the Hawaiians, and this is what everybody has wants. I have rallied, educated and gathered, and spread for the change and vision that kept inspired me as a youth and the people in place, that sparked my infinity hope and vision for the divinity in humanity. This body doesn't seem to have the capacity to act Hawaiian enough.\r\n\r\nHow many times does Keana Sai have to come in and talk about the illegal occupation? So what happened, the GMO moratorium, Tom Cook has been getting double the salary from investors since he got elected. We have been standing by each other in all of these meetings. So what? I am not getting paid. I'm taking off work and I'm giving up my career and he is on unemployment. >> Please Chair?\r\n\r\n>> Excuse me, don't interrupt me, I have time. >> Zero water solutions, fight us tooth and nail and just acting Lahaina burning down is yesterday's news. This is what is happen right now. This is what is happening in this Council. Next person I have gotten into being able to have a platform is Carol Lee Kamekona. >> Point of order? Point of order.\r\n\r\n>> All of these different ways that this community is educated on her platform and capacity. So business as usual is over. >> Thank you. Any questions? If not, thank you very much. >> I would like to remind the rest of the people coming to testify to please focus on the topic on the agenda and that has to do with process. We're not talking about other people, we're actually honoring our colleague who passed away.\r\n\r\nMember Cook. >> Thank you, Chair. I would ask the general public, people have a lot of strong feelings. It hasn't been a week since Tasha passed. Can we please be civil? Passion is respected, but it should take its place. Anyway, just ask people to please be civil and understand that this is a sad time that we're having this meeting to decide how we're moving forward.\r\n\r\nThank you, Chair. >> Thank you. Well-said. Next? >> Chair, the next testifier. >> Wait, wait, Member Rawlins-Fernandez. >> Mahalo, Chair.\r\n\r\nI agree with what you instructed the testifiers. That to focus on the process, and not be advocating for people, because that is not what this meeting is about. And that is what happened in the first few testimonies is that they were advocating for specific people, and so if we're going to say focus on the process, and not be advocating for any people right now, then it should apply to everyone. Mahalo, Chair. >> Yes, it does apply to everyone, but I really wasn't talking about that. I was talking about when people point out other Council Members, who are not on the agenda. It's really hard to separate people talking about their sadness about Tasha passing away, and us having to replace her with someone.\r\n\r\nIt's really hard to do that. But anyway, we're at the end, almost the end of the testifier list, and for those of you left on the list, please try to focus on the process to the extent possible. Thank you. >> Chair, currently the last person signed up to testify is Pam Tumpap. Ms. Tumpap. >> Was she on?\r\n\r\nOr does it look like she is still on? >> She is on by phone. >> Do you

see her? Ms. Clerk? >> I believe she is calling in from extension 2320. And unmuted on our end. Press star 6 on your end to unmute . It looks like you may have just muted and unmuted.\r\n\r\nThere you are unmuted now. >> Aloha, yes >> We hear you. Aloha. >> Awesome, thank you so much. Well, first of all, I just really want to say and express to the family, and all of Tasha's friends, and supporters, my condolences. I know this has just hit us with very heavy hearts and certainly unexpected. What I did want to say is that as many of you know, as she -- you know, went into the hospital, she was working tirelessly and she hadn't previously thought about whether she would run in the future and if she did or didn't, what kind of leader she would like to see?\r\n\r\nShe put a lot of thought and I know she was doing that up until the final hours when I was very blessed to get to say goodbye to her and she worked tirelessly to find someone who would be a good leader. We appreciate this process and we appreciate that it's moving forward quickly because it's a crucial role in our community. I do want to say and I know I'm last, we support honoring her wishes and by way of saying "we" the Maui Chamber of Commerce and our Board of Directors supported her wishes and we stand for that and we appreciate there will be a fair process and the community has a chance to weigh-in. She wanted to ensure that the work she was doing and the commitment to the people of Maui County was honored and we stand for that. So I want to thank you for the opportunity and thank you all for the tremendous work you are doing. >> Thank you. Anyone else?\r\n\r\nIf not, may we have the next testifier. >> Chair, we have signed up to testify anonymously and they are online. >> Aloha >> Call them up. >> Aloha. >> Yes? Aloha. >> Hi.\r\n\r\nHi. Sending so much Aloha and love to you folks during this time, grief and being able to function through hard times is definitely probably not what you all signed up for, and it's what you have been faced with a long time since COVID. So process what an opportunity for you all to let Tasha's light and her spirit still remain with us in the present, as her culture, you know, and her faith allows. So when the gentleman was speaking earlier about grief, we can still give her the love. She will still feel it. We believe that here, you know, in Hawai'i. And you know, with Tasha practiced a religion that also maintained everlasting life. So let us honor her and her wishes, and the process that you folks have in place, and the grace that she would have loved to share and to have that voice.\r\n\r\nYou folks can honor her soul in the present and let her have that voice without any coming on you folks -- she is our best friend, and now, you know, truly hope to take this opportunity to tip the scales for her soul and her 'Ohana, and us, her 'Ohana to that beautiful Aloha honoring -- you know, the thing that will make you cry inside that maybe we can't do, because of how the world worked yesterday, two days ago, three days ago, now. Let us honor her soul, so it works the way she would have dreamed and her 'Ohana dreams. So may each breath you to that love that you could give her so you never feel the pain grief and only the love that she shares for us all and the truth that she is now free to express through her Aloha forever. God bless you all, and may the peace that her beauty when you think of her in your heart, before your minds, guide you with this process, and to the grace that what a powerful opportunity that you have. God bless you all. >> Time. >> Thank you.\r\n\r\nAre there any questions, Members? If not, thank you very much. Ms. Clerk. >> Chair, there's currently no one else signed up to testify. So in is last call. If there's anybody who would like to testify, this is your opportunity.\r\n\r\nI see Mr. Williams making his way to the podium. If you are online, you can raise your hand. >> Aloha Kakou. My name is Kan le Williams and first to start by expressing condolences for Tasha Kama. But I also want us to be

very clear as well that none of these Council seats, nobody sitting is a King or Queen, okay? These are not thrones.\r\n\r\nIf these were, then we might as well admit we're in the Hawaiian kingdom and act like we're anyway kingdom with Kings and Queens, but that is what we're doing here; right? This is American government and we're playing American politics and so through that process that Democratic process of American government, meaning that last wills and wishes don't decide who gets put into the seat. It's not decided like airship like it's throne. I am saying this -- as someone with traditional ka Huna, as you for those are ignorant and not knowledgeable about Hawaiian culture, a Kahuna ana ana is a traditional Hawaiian priest, that cast curses, that pray people to death and make them sick, okay? People sitting in politics are very vulnerable so that because that is an ancient tradition in these Highlands that people need to be aware of when they are make the decisions that they're doing in these seats. So that is all I wanted to say to Malama what you are doing, make good choices and be pono with what you do, because if you are not able to protect yourself against a Kahuna ana and ana and probably the best chance of protecting themselves is Keani because she is from Moloka'i. If you don't understand Moloka'i history, if you don't, it's good to learn some stuff.

Okay.\r\n\r\nThat is all I wanted to say. >> Thank you, Members, any questions? If not, next testifier. >> Chair, there's currently no one else signed up to testify. If there's anyone in the Chambers who would like to make your way to the podium. This is last call, if you are online raise your hand. The countdown -- oh, we have someone signed up as Kahala to testify.\r\n\r\n>> Online? >> Yes. >> Okay. Aloha, can you folks hear and see me? >> Aloha. >> Thank you. Aloha.\r\n\r\nOkay. Any I my name is ka Hala and live in Happy Valley and say Lords, ladies and peasants of the County of Maui, I prostrate myself before you today as a ivy tower trained politic wizard as one of your most loyal subjects as one of the lowly dirt born ceremonies of Maui, who sings daily praises to your role, I come in humility to beseech the Council appoint a new overlord. We desperately need a new royal heir to restore balance and harmony to the vision of the mushroom kingdom. And so in this spirit, the big 5, I wish to make a big suggestion on this appointment procedure No. 1 use trial by combat a classic feudal society or candidates can compete the death of glory and treasure, if you want more information on trial by combat, you can see "game of thrones," season 4 episode 8 time stamp 47:30 where my husband over in Martel was slain tragically by Gregor, the mountain clicking No. 2, other procedure mystical quest for amulet of Democracy. And you can send candidates on a journey to the treacherous lands of Continental United States to seek that rare and elusive political ideal.\r\n\r\nNo. 3, magic ideal election, where we can get the talking animals, birds and fish and plants of Kahului. To vote alongside for their favorite candidate alongside humans elves, doors, hobbits, trolls, fairies, NATO 4, you can hire me as a wiz yard consultant and if all spell you could get it over with and appoint the People's champion auntie Carlo Lee. I guess but when is the magical drama, is that right? Anyways long live the realm, long live King's. Long live the kingdom of Maui County Aloha. >> Thank you. Questions, Members?\r\n\r\n>> If not, next testifier. >> Chair, there's currently no one else signed up to testify. So this is again last call. Countdown is 3, 2, 1. Chair, there's no one indicating a desire to testify. >> Members, any objections to closing public testimony and accepting written testimony? So ordered. Ms.\r\n\r\nClerk. >> Chair, before you is resolution 25-202, establishing the process to fill the Council vacancy for Kahului residency area for the remainder of the 2025-2027 term. >> Vice-Chair Sugimura. >> Chair, I move to adopt resolution 20-202. >> Moved by Vice-Chair Sugimura, seconded

by Member Cook to adopt resolution 25-202. Discussion? Vice-Chair Sugimura? >> I believe that the Resolution establishes the process for us to move forward with this sad vacancy that we're being asked to replace. And I appreciate the deadlines established, the Clerk's participation, and the work that OCS put in to develop this process.\r\n\r\nThank you. >> Anybody else? Discussion? Member Cook? >> No, thank you, Chair. I think this is a well-outlined process well for the Charter and for us to hopefully work collectively with mutual respect and move forward to address some of the serious issues that are facing us in the community. >> Thank you.\r\n\r\n>> Members, do you want the Resolution read? >> Maybe for the public. >> Before I call on you, Member Sinenci. Okay? Ms. Clerk. >> Thank you, Madam Chair, this is resolution 25-202, establishing the process to fill the Council vacancy for the Kahului residency area for the remainder of the 2025-2027 term.\r\n\r\nWhereas, the Council and residents of Maui County were saddened to learn of the passing of Council Pro Tempore Natalie Tasha Kama on October 26th, 2025; And whereas, Council Member Kama was elected to the Council seat for the Kahului residency area, and served the public with dedication and integrity; And whereas, Council Member Kama's passing created a Council vacancy for the remainder of the 2025-2027 term, which expires at noon on January 2nd, 2027; And whereas, because the vacancy is less than 15 months the Council must fill the vacancy within 30 days of its occurrence under Section 3-4, revised Charter of the County of Maui 1983 as amended; and whereas, the Council wishes to establish a process to fill the Council. Now, therefore, be resolved for the Council of the County of Maui one that establishes the following process to fill the Kahului residency area for the remainder of the 2025-2027 term, and any Council Member may submit to the County Clerk by noon on November 10th, 2025, one, proposed Resolution to appoint a qualified nominee, modeled after resolution 02-90; and 2, the nominees completed financial disclosure statement form, exhibit a and application for a nomination paper exhibit b. B, before submitted Resolution is eligible for posting on an agenda, the County Clerk must verify to the Council Chair that the nominee meets qualifications enumerated in the Charter and 3, one or more Resolutions to fill a vacancy will be considered at a special Council Meeting and concurrent Public Hearing before the Council deadline to fill the vacancy. D-at special Council Meeting members may interview nominees in an Open Session except that an affirmative vote of two-thirds of the members present may ask an Executive Session to discuss matters affecting privacy under part 1 Chapter 92 Hawai'i Revised Statutes and certified copies of this Resolution be transmitted too the Mayor, the County Clerk and the Corporation Counsel. >> Member Sinenci. >> Thank you, Chair. Like many of the testifiers this morning, I too, wanted to send our Aloha and condolences to the Kama 'Ohana to her office Staff Lei, Nalini and Evan and I just wanted to express our gratitude to working with them closely. Thank you.\r\n\r\n>> Thank you. Any comments on the Resolution? Members? >> Chair? >> Member Rawlins-Fernandez. >> Mahalo, Chair. Okay, two things.\r\n\r\nSo the Resolution 25-202 references resolution 02-90, and I just tried looking that up, and I couldn't find it online. I would like to have that Resolution attached as an exhibit just so that since it's being referenced and it can't be immediately found online, that if we're going to reference it, then we should, you know, provide -- make it accessible to the public to be able to see it. Do you want me to make a motion for that or are you just going to attach that? >> No, I'm just going to ask the County Clerk if they can attach it, and also put it online, yes. >> Yes, Chair. We'll post the link to the Resolution in the chat. >> Mahalo.\r\n\r\nBecause I did look on the meeting details, and it wasn't -- it wasn't in the meeting details

either. There's only public mana'o and written testimony in the meeting details. So the Resolution 02-90 wasn't available there either. Is that considered a non-substantive Amendment to add that? >> Well, >> Well, Richelle? >> You can do that by consensus or with a formal motion, either way. >> I think no one objects any objects to adding the Resolution 02-90 as an attachment?\r\n\r\nOkay, so ordered. And what was your second question? >> Mahalo, Chair. The second thing is so the Council Meeting -- -- is it not on here? I know you mentioned it verbally, that it would -- the special Council Meeting where we would vote to fill the seat would be on November 20. But that's not noted on the Resolution itself. I don't see it. go ahead.\r\n\r\n\r\nokay. >> I was going to say, we did -- delay, you talk. >> Okay. So if it is going to be scheduled on the 20th, or any time between November 20 -- sorry, November 13 through November 24th, I would like to request that the meeting be recessed . I already had planned to not be available during that time, and I will be available on the 25th after 11:00 a.m. And I would be able to participate in-person. So I would like to have that opportunity to participate in-person on November 25th, when we take that vote. >> I think, David, that is the deadline for us, the 25th? Is that the 30th day?\r\n\r\n\r\n>> Thank you, Chair. Yes, Staff calculations indicate that November 25th is the last day for Council action under the Charter, thank you. >> Anyway, you can join us from New Zealand? >> Yes. >> Is that where you are going to be? >> What time does the vote need to take place? >> Well, the Council special Council Meeting started at 9:00, what time the vote is taken is anybody's guess.\r\n\r\n\r\n>> Not November 20th, I'm asking what time on the 25th by 11:59 p.m., the 25th? >> David, what time on the 25th is the deadline? >> Thank you, Chair. The Charter is silent as to the time of day. I do note that the County government of course officially closes its work day at 4:30 p.m. So that might be the safest approach. I don't know that we could guaranty that County Clerk would be able to certify, for instance, after 4:30 p.m.. >> County Clerk? >> Thank you, Madam Chair.\r\n\r\n\r\nI believe that as long as the meeting is closed prior to midnight, the Council's action would have taken place prior to the deadline on the 25th. >> Prior to 12 midnight Hawai'i time? >> Yes. So I will be back in-person. >> By 11:59 >> On the 25th in the morning, so I would like to be able to participate in-person. >> Members? Comments?\r\n\r\n\r\nMember Cook? >> Thank you, Chair. I would like to respectfully accommodate my colleague, but I really don't think it's wise to postpone this until the very last day on the very last-minute. Is there any way that we could coordinate timing with Member Rawlins-Fernandez, Member Paltin was just in New Zealand and participated in many, many occasions. I recognize the difficulty and it took a lot of effort, but my personal vote is not to leave it to the last day of the last-minute for this decision to be done. Thank you. >> Other comments?\r\n\r\n\r\nWe're going to decide by consensus. Member Uu-Hodgins? >> Thank you, Chair. I would prefer not -- I understand, Member Rawlins-Fernandez situation, and I would hope we wouldn't wait to the last day, only because the last time we did this, we got into a lawsuit good mass nominations on when we were able to submit and when we can take in nominations and I think it was a whole issue about what constituents the end of day? And whether that is 4:00 p.m. or whether that is midnight, maybe Corp. Counsel can kind of speak to that, I'm sure we all remember getting sued for mass nominations. I want to be able to accommodate everybody, but I want to make sure we're within our timeframe.\r\n\r\n\r\n>> Corporation Counsel. >> Thank you, Chair. We agree with Deputy Clerk that midnight would be the appropriate deadline, but the think to consider if not done by midnight and you have to recess your meeting that would take you beyond the deadline. >> Member Paltin. >> I'm ready

when Nohe is done? >> I'm good, I just wanted it on the record, so we -- not that I don't trust clerks, because I do. But that we got into this issue before with mass nominations.\r\n\r\nSo I just wanted to clarify it on all ends. Thank you. Thank you, Member Paltin. >> Member Paltin. >> I wanted to clarify Member Rawlins-Fernandez what she had said did she want us to do the 20th meeting, and then recess before a vote was taken? >> Mahalo. >> Member Rawlins-Fernandez.\r\n\r\n>> Clarifying question. Yes. So my request was to keep November 20th as the date that testimony is received, that enough deliberation happens so that you can recess the meeting. And then we complete the work on the 25th. So I know that testimony is generally the part of the meeting that we can't anticipate how long it will be. We don't know if, you know, it will be all of November 20th, and you have to recess again to continue taking testimony on the 21st? So that part, I'm not asking for it to be delayed, because that is the part that we don't have control over.\r\n\r\nWe only have control over ourselves and when we stop deliberation and when we decide to vote, and vote in time to meet the deadline. The reason for making this request for me to be there in-person, is because yes, I'm participating remotely right now. I can do that from anywhere. But I know that when there are big things, like this, that are happening, and the meeting recesses, talk happens. I know this, the public knows this, and if I'm not there in-person, then I won't be able to be privy to whatever is being discussed, advised, deals being made, whatever. I know this, and that is why I'm asking to be there in-person for this very important vote. Mahalo, Member Paltin.\r\n\r\n>> And then I wanted to further clarify is it just the testimony? Because the Resolution part D, 1D says at the special Council meeting Council Members may interview nominees in Open Session, except that upon affirmative vote of two-thirds of the members present may request an Executive Session to discuss matters affecting privacy under part I, Chapter 92 H.R.S.. Is that part on the 20th also? >> Mahalo, Member Paltin, for that follow-up question. Yes. So you know, all the way up until we start deliberating on the vote itself. So interviewing candidates, if we're go into Executive Session, I can figure that out remotely in being a secured location to be able to participate online. But I would like us to recess before we complete that portion of the meeting.\r\n\r\n>> Okay, thanks for the clarification. I will yield to my colleagues, if there's other questions? I'm okay with it. >> Member Sinenci. >> Thank you. If our OCS Staff, Mr. Raatz, if that is okay?\r\n\r\nI'm open to it as well, Chair. I did want to address 1A, that there may be other submittals to the -- from Council Members, for of other potential candidates for the position. And so would that make it to the -- if we submit it by November 10th, that will make it for the November 20th. I know one testifier requested that a list be posted prior to the November 20th meeting so that people could see the list. >> Yes. We're going to make sure that anybody who is -- has applied -- well, actually, through a Member, through a Member. >> There is no open application, only a Member?\r\n\r\n>> No open application that I know of. David, we can talk about that with the final decision was to have the members nominate one person? >> Thank you, Chair. Well, actually, it's the purpose of this meeting is to consider this Resolution and establish the process. So the Resolution of course can be amended, if a majority of the Council would like to do so. But the Resolution is drafted right now does not limit the number of potential Resolutions by the body cumulatively or by any single Council Member. Thank you, Chair.\r\n\r\n>> We talked about that before and the problem with that, and of course, if there's consensus to accept that, we can go with that. But what is going to be time-consuming is verifying people's applications. See, because once they apply, then the County Clerk

has to verify their residency and that might have to -- entail checking on bills, let's say, to ensure that they were there for one year, electric Bill, telephone Bill, things like that. So that part might be time-consuming. So we try to leave as much time as possible before all of that to be verified because all of that, because the names have to be posted for the next meeting. Yeah? For the meeting on the 20th.\r\n\r\nAll of the names have to be posted. So whether you want to include all names of people who volunteer, or just the members submitting one name. That is what we have to discuss. But did I answer your question? >> Yes. Thank you, Chair. >> Member Paltin.\r\n\r\n>> For whoever can answer just wanted to also clarify so to be considered a nominee, you need to have your financial disclosure in by the 10th and it needs to be done correctly. Just -- I don't know, maybe it's a lawyer question? >> It's a County Clerk question. And I was told no, but go ahead. >> Thank you, Chair. Just having the financial disclosure statement would be information for the Council Members, and for the public in terms of potential testimony, or your consideration. >> So it's not a requirement?\r\n\r\n>> No, it would be prior to them starting in the position officially. But not necessarily as part of your process to consider a nominee. In the normal course, in normal elections as you all know, you have to file your financial disclosure statement at the time you file your application for nomination papers. So that was the reason it was included as to give the public and yourselves the same information. >> And so can you clarify for us what is needed for a nominee to be accepted by you guys? It's just you put a name on a paper with an address where they live on November 10th by 12:00, is that all that is needed? Or what specifically is needed by you folks to consider that nominee is legit to submit?\r\n\r\n>> What we have discussed, Chair, thank you. What we have discussed with Director Raatz is that any nominees submitted that that information belongs to the Council. So we will check their voter registration, and the information that we have, and we will pass that onto you, whether or not they may have live in the residency area for the last year according to voter registration. But the ultimate decision is going to be yours in terms of whether they qualify. >> So is that what we're doing right now right here is saying what needs to be turned in by November 10th at noon for a nominee to be considered legitimate? >> I think that's, yes, I believe that is part of what you are considering. So the financial disclosure statement being part of that package is up to you folks.\r\n\r\nThe Charter requires its Charter Section 3-3, they must be a citizen of the U.S., a voter in the County, and a resident of area of the County from which the person seeks for a period of not less than one year. So those requirements would apply to the Kahului residency seat. >> Do you mind clarifying the boundaries of the Kahului residency area, because some people think Sandhills is Wailuku or Kahului, or all of the things? >> Yes. So the actual description and it is, I agree a little bit cumbersome. We can provide a map >> Would you post it to Granicus? >> Yes, we can do that.\r\n\r\nIt's Section 3-1 of the Charter, and it is Section No. 4 the Kahului residency District area shall be described as follows: And gives you the spatial definition. Yes, we can post a map. >> And that Section of the Charter as well? >> Sure. >> Thank you. I will yield to my colleagues, if they have any clarifying questions.\r\n\r\n>> We should stay on this subject. So qualifications and what requirements we will place on them as far as submittals before we go on to anything else. Any comments on this subject? Vice-Chair Sugimura. >> So I just want clarification of what was said. >> Your mic. >> Okay.\r\n\r\nHere. I just want clarification. According to the Resolution, the nominees would complete qualified nominees would complete after Resolutions 02-90, and the nominees completed

financial disclosure statement form exhibit A and application for a nomination paper. You are saying it doesn't have to be completed? It can request be their name on a piece of paper, where their address is? Or -- that is what I'm asking about. >> Ms.\r\n\r\nClerk. >> So the reason that we -- our office suggested using the application for nomination paper as the application is that that gives the same information this all of you had to provide when you were running for office. >> Yes. >> So we thought that would be useful information for you to have, and also the public may want to testify. And the financial disclosure statement as I said, it's not required in terms of the Charter doesn't require that to be filed in this situation. But it's also information that under normal circumstances the public would have available. >> So that is what I wanted to know.\r\n\r\n\r\nSo if we wanted the nominees to fill out the application, as well as the financial disclosure, we can ask for it now. >> Yes. And I think that is exactly what you folks are deciding right now is what you want the application to include. >> Okay. I would like that. Consistency. >> Any other requirements?\r\n\r\n\r\nMembers? So yes, Member Uu-Hodgins? >> Thank you so much. So not to dissimilar to what we do, not all of it will be public; right? Like their financial disclosure, if we do request that it's in similar to what we do for all other nominees, and for us. I think for people to fill comfortable to fill it out. Can you tell them not everything is going to be public?\r\n\r\n\r\n>> So would be up to you folks. If you want to have it public? So when you file your nomination papers you have to concurrently file a financial disclosure statement, which is public. So it's up to you whether or not you want to have the financial disclosure statement be private? Whoever is ultimately nominated by you folks and appointed will have to be public, because they'll have to file once they're official. >> Thank you. >> Any more questions?\r\n\r\n\r\nMember Paltin. >> So clarify what Member Uu-Hodgins was asking, anybody that pulls papers when they file to run for office, their financial disclosure statement is public whether they win-or-lose. >> Yes. >> Okay. I thought I say Member Johnson had his hand up. >> Member Johnson? Do you have a question?\r\n\r\n\r\n>> Yes, Chair. I just, like, I wanted to make sure you were done discussing that, because I had something else. But I just wanted to say that I support starting on the 20th and recessing to vote on the 25th. I support that. And I guess my question, and if it's not relevant, and you still want to go on to what you were discussing, you know? We had in 2002 a Council Member Moloka'i Council Member ka WANO pass away and had to do this process then. I'm curious, has the process been the same?\r\n\r\n\r\nHas it changed? Did you look at that as a reference? I know it's a Charter in all of this, but you know, this is not the first time and I'm wondering how that played into how this is working now. >> Yes, it has changed and I will ask David Raatz to explain it to you, residency requirements, as well as posting requirements. David. >> Thank you, Chair. Yes, at your request, Staff looked into the 2002 preference, excuse me, precedent, that Council Member Johnson referenced.\r\n\r\n\r\nIn some respects the process is very similar in that the Council scheduled a special Council Meeting just as you are having today, to talk about the process. And then a Resolution at that time was not adopted. There was just consensus reached during the discussion. Today you do have a Resolution before you, so you can get a formal agreement among the body, if you so choose on the process. At that time, the Council agreed on an open nomination process, where Members of the Public who met the requirements including living in the applicable residency area, could fill out a form Districted via e press release and nominate themselves. A total of eight Members of the Public did fill out the form and an appointment was made at a later special Council Meeting which the

Council adopted resolution 02-90. That time, in that era, 2002, Office of Information practices did not have firm guidance on whether nominees names needed to be mentioned -- excuse me, on the body of the agenda, on the face of the agenda. Since then OIP has revised their advice, at least in an informal money and told us that to ensure Members of the public have the ability to provide well-informed testimony, that names should be referenced on the face of the meeting agenda, when the appointment is going to be made, and they also suggested that the best way to do that to have names submitted would be in the form of legislative proposal such as a Resolution.\r\n\r\nSo those are some similarities and differences between the prior situation and what we're looking at today. Thank you, Chair. >> Okay. Thank you. >> Other questions, Members? Member Rawlins-Fernandez? >> Mahalo, Chair.\r\n\r\nJust for everyone's reference, the Resolution 02-90 is on Granicus as well; and in the chat. >> Members, are you still trying to decide -- either take a vote or back on consensus? Agree on what people need to submit? Member Paltin. >> I would propose that it be as close to real election, or real filing for running for office as possible to include the nomination, and the accepted financial disclosure form, if the form is not filled out correctly, I would give them until the 20th to resubmit it correctly. But that is what I would propose, because this person is going to be serving in the same manner as the rest of us, and should come in with the same disclosures as the rest of us, including how Member Tasha came in. >> Anybody else?\r\n\r\nVice-Chair Sugimura. Clerks' office. >> Thank you, Chair. For notice purposes, once your Resolution is filed, I believe that whatever has been submitted should be submitted at that time. Of course, you will be able to ask questions when you are interviewing the nominee, if there are questions, or things in your opinion that weren't filled out properly. But the financial disclosure statements if they are made a part of that process won't be reviewed by the Board of Ethics and will just be accepted they're just going to be whatever the nominee submits. >> So for you to do they have to be accepted by the Board of Ethics before we become a candidate?\r\n\r\n>> No, they are just required to be filed. >> So to clarify what you were saying is that it doesn't necessarily matter if it's filled out correctly or incorrectly as long as they submit the nomination and the FDS and if there's not blanks where they are supposed to be filled in, it will be deemed legitimate nomination because they met the criteria? >> Right. Like I was saying earlier, whether or not say one of the candidates or nominees you propose lives outside of the residency area, we're going to provides you with our opinion, but ultimately you will be making the decision. We're not going to eliminate anyone from the list because we know you folks are the ones making the actual decision on who is going to replace Member Kama. >> Wait, I need clarification on that. We have to pick someone in a lives in Kahului, or else we're not following the law.\r\n\r\n>> Correct. >> So you are just going to give us the rope, and say, what you do with it what you will? >> And the reason for that is we, and the County Clerk, we didn't want to put ourselves in the position of making a decision that could potentially be challenged. So we didn't want to hang up your process by a potential legal challenge that we made the incorrect decision based on something. >> So you are just going to tell us it's our decision, this person doesn't live in the District, that is being replaced and you guys do with what you will and don't blame us kind of thing? >> We can ask for a clarification from the individual when they are before you, too. So they might have a reason for why their voter registration wasn't updated or something like that.\r\n\r\nBut we just didn't want to put ourselves in a position of inhibiting your ability to vet every nominee that the Council puts forth. >> Okay. I'm okay

with the process being to be considered a legitimate nominee that completed FDS and nomination paper be submitted at the time of nomination prior to November 10th, 2025 at noon, prior; right? >> Yes. >> I'm okay with that. >> We need ten days. Do you want to explain why, Madam Clerk?\r\n\r\n>> Yes. So the 11th as you know is a holiday. So the 10th allows us to submit that for Public Hearing notice to the paper for hearing on the 20th. >> So I saw your hand. Member Uu-Hodgins. >> Thank you, Chair. First, I will start with I agree with Member Paltin, but then I need some clarification.\r\n\r\nSo you are not going to tell us if they live in Kahului or not? If they don't, for whatever reason. But to accommodate the Charter, where it said it must meet the same call of the qualifications, isn't our only qualification living in the District for one year, and the other things you have to be a voting adult, but for the specifics. >> That is the most important. And looking at the next of resolution 02-90, which OCS has recommended using as your template. Under the first be it resolved says at that time that Danny Matteo meets the requirements as provided by law for appointment to fill a Council vacancy in accordance with Section 3-4 of the Charter. So the Council at that time made the finding that Danny Matteo did meet the qualifications and you folks will be doing the same.\r\n\r\n>> Okay, we're doing to do that, doing our own due diligence is what you are basically saying. You won't be doing that for us, but we'll appoint someone from the Kahului area. >> We will provide that you information that you be sure for your consideration. I appreciate that. Thank you. I'm good with that and I'm good with Member Paltin's suggestion that I'm good we take up testimony on the 20th and it spills over to the 21st, if necessary. And wait until the 25th to do the final vote.\r\n\r\nUnfortunately, I hope we would never have to do this again and considering that I really hope we never have to do this again, I would prefer that we're all here in-person, to more than select the person, we're going to have, but really to honor Member Kalua. So I would want Member Rawlins-Fernandez here in-person. >> We agree to that. Any objections? No objections. As far as the information required, no objections to what is laid out in the Resolution? Okay.\r\n\r\nSo then we come to there's only -- would only the members be able to propose -- . >> Chair, that wasn't laid out in the Resolution. That was stated orally. >> Which one? >> In order to consider a nominee legitimate they need to turn in their nomination form and their financial disclosure before noon on November 10th. That was their suggestion. I would like to say that we're going to follow their suggestion. >> Okay.\r\n\r\nI think we understood that. I'm trying to just get consensus. So we can add that to the Reso, you know, clarification. >> Yes. I think what you could do, if you want to, is under the be it resolved, it's 1A, and it says any Council Member may submit. So any Council Member must submit, and that has the proposed Resolution to appoint. Also, the completed financial disclosure statement and the application for a nomination paper, and those are currently attached as exhibits to the Reso.\r\n\r\n>> Okay. I have a question on that. Any Council Member may submit? Why was -- why does it have to be "must submit?" >> It doesn't necessarily, but if Member Paltin feels if you wanted to have more teeth -- meaning one or more nominations, that you have to have your person with the application and the financial disclosure. >> It's just that if there are a few people nominating the same person, you know? You don't want four or five different Resos on the same person. That is what I'm trying to avoid.\r\n\r\n>> Well, I don't necessarily think there would be any problem with that. Under Sunshine Law, you may or may not know who the other people are nominating. >> Member Paltin. >> I think the point was what are we considering a legit nomination without the "must" in there? I would write

somebody's name and their address, and that is a legit nomination without the financial disclosure, without the nomination paper, as it's written for "may" is that correct? And then it would be legitimate as written in the Resolution that I turned in a name and an address. Because it doesn't say I must include the nomination form and the financial disclosure for it to be considered a legitimate nomination.\r\n\r\n>> Okay. So Ms. Clerk, could you reword A? So that the reader knows that the following items must be provided in order to have a legitimate application. But not every Council Member must submit. a nominee. >> Chair Sorry to interrupt, our Council Services Staff had suggested language along the lines of what you were thinking for the first be it resolved clause. >> Okay.\r\n\r\n>> Which we can offer for the body's consideration. Any Council Member wishing to nominate an individual to fill the Council vacancy must submit to the County Clerk by noon on November 10, 2025: So then you have "must" embedded within that introductory clause, so that A would be the Resolution, and B would be the completed financial disclosure statement and nomination paper. >> Okay, any objections to that clarification? So we're on the subject of do does any Member of the public have an opportunity it nominate themselves or somebody else or just a Council Member? Discussion on that? Member Paltin. >> I would be for just the Council Member.\r\n\r\nBut I'm open to hearing other people's points of view. >> Member Rawlins-Fernandez? >> Mahalo, Chair. I would be supportive of allowing the public to submit their name directly to the Clerk's office. I think I heard earlier the reason that there are concerns is regarding the timing. That it would take time to verify the person's residency for at least one year in Kahului, and Sunshine Law posting. But I guess that would be part of the timing.\r\n\r\nSo if that timeline could be described just a little bit clearer with a little more detail? So I understand and the public understands that challenge, if that is the challenge. >> Chair, I'm sorry, if OCS could interject one more time? >> Sure, David. >> For context. Another difference between our current situation and 2002, which I failed to mention earlier is that any Resolution or Bill that is going to be considered by the Council needs to be listed on a meeting agenda. So not just names, but in this case, an actual Resolution.\r\n\r\nSo Members of the public obviously can't introduce Resolutions. So one of the nine Council Members would have to introduce the Resolution to get a Member of the public before the body as a candidate. So Members of the public in effect could nominate themselves by contacting Council Members and asking to be included on the Resolution, but I don't think there's a mechanism for Members of the Public to directly get themselves on a Council agenda without a Resolution. Thank you. >> David, that is an area can a Council Member nominate more than one person? >> Thank you, Chair. Yes.\r\n\r\nThere's no limitation as this procedure is currently outlined. Thank you. >> Chair? >> Member Rawlins-Fernandez. >> Mahalo, Chair. Mahalo, Director Raatz for that information. So what if I drafted up a Resolution, and just had an exhibit that whoever applied directly to the Clerk's office would -- their names would be added to that exhibit, and that would be the Resolution?\r\n\r\n>> David? >> Thank you, Chair. That model would be workable under the Sunshine Law. We've seen similar mechanisms for Board/Commission appointment. So if the Council accepts that process, it would be workable under the law. Thank you. >> Mahalo, Director Raatz.\r\n\r\n>> Is that what you are suggesting? Is that What you are suggesting Member Rawlins-Fernandez? >> Yeah. I mean could just be how it is, it could all be one Resolution, too. I'm not opposed to it being multiple Resolutions. >> Any other comments, Members? Madam Clerk, could you clarify what language you will be adding to the Resolution, if we adopt -- if we included that

suggestion?\r\n\r\n>> I need to take just a short break to be able to come up with language. But I think one of the -- I have lost my thought. We could be -- we could receive public nominations. I think one of the things that all of you are going to have to obviously keep in mind is the timeline and time constraints, and this gets into something else, that I'm sure you will talk about in a little bit, which is will you start the interviews process on the 20th? And how far? And I know that you have to get into deliberation before you recess. So that is something you may want to talk to OCS about in terms of how far you get into the deliberations,? And if you have many, many nominees it's going to take longer?\r\n\r\n>> Chair? >> Member Rawlins-Fernandez? >> Mahalo, Chair. So that -- be it resolved clause could be worded as any individual -- sorry -- let me clear my throat. Any individual interested in filling the Council seat for the residency area of Kahului may submit an application or form, or whatever, directly to the Clerk's office by -- and we can set a time that would work for the Clerks in order to give them the amount of time that they would need to verify the residency of any individuals that are submitting that information, and it doesn't have to be a requirement. But we could add information on the Reso or elsewhere, probably on the Reso right now is helpful information to assist the Clerks in verifying residency for at least one year include an electric Bill from that far back, or whatever. Whatever other forms of verification that the Clerks need.\r\n\r\n>> Madam Clerk? >> So when we start getting into residency requirements, there's a whole host of information that we can look at to determine whether or not a voter has the residency requirement to vote. By extension that also leads into candidates for Council offices. So it's going to be very difficult, and potentially impossible, if there's situations that are very questionable in terms of someone's residency. So they are certifying that they are a resident. What we can go on that is readily available us is their voter registration. So if they currently live in -- reside in the Kahului residency area, even if they moved homes, as long as they moved homes within the residency area and they have lived there for one year prior to the submission of their nomination form, that's what we would intend to look at.\r\n\r\nGetting deeper into this, in terms of trying to do back and forth with the nominee, you know, getting all kinds of additional information and all of that is going to be like I said, it's going to be very difficult if not impossible in this compressed timeframe. Just related to that, what I wanted to request the Council amend on the Resolution you are considering is 1 B in the be it resolved Section to remove that first clause. So before "a submitted Resolution is eligible for posting on an agenda, "Like to remove that A clause and just have it start with the County Clerk must verify that the Council Chair and the nominee meet those qualifications enumerated in the Section 3-3 of the Charter and so those who you are talking about it and really revolves around the one-year in the Kahului residency area and that they are a voter in the County. Both of those things we can verify we would be using the voter registration data just so everyone's clear. >> Okay. I didn't hear how long you would need to verify the information? So that is why I'm asking if we were to ask -- so I know if an individual is registered to vote in the District, is the easiest and quickest way.\r\n\r\nThere's water, and sewer bills, that's information that belongs to the County. That possibly could help. Because if someone is not registered, I guess they have to register to vote in order to be considered eligible. But if they lived in the area and registered the day before? >> Ms. Clerk. >> Thank you, Madam Chair.\r\n\r\nWhat we can provide to you is pretty quick. In terms of the voter registration data, and how long they have maintained their residency in that area in

the Kahului residency area. I think that if there's some questions, you know, on -- we'll provide that, and it will be publicly provided to the Chair for posting in the meeting materials. If there are questions on say candidate, you know, nominee A, that would be something that the Council would want to follow-up on in terms of its inquiry. But I truly don't think that, given the compressed timeline, that we're going to be able to go out and get additional sources of information to try to qualify someone based on like different records that we would have more time for in the normal voter challenge situation. >> Okay. That is fine.\r\n\r\nTheir voting record or where they are -- if they are registered to vote in Kahului would be the sole way to verify their residency is what you are saying, Ms. Thomson? >> That is the information that we can definitely tell you that we can provide to you. >> Okay. I just understanding the dynamics of power, I don't feel comfortable just being the gate keepers of the Council Members. I would like to give the public an opportunity to apply directly with the County Clerk's office. And if that is the only way they would be able to apply with the County Clerk's office is through being registered as a voter in Kahului for at least a year, then that is more than they would have had without it.\r\n\r\n>> Well, the issue is time. If we had more time, then they could check further. Yes. >> Yes. I understand. So that would be my preference is to enable individuals to apply directly and then the verification would be a registered voter in Kahului for at least a year. >> Okay.\r\n\r\nWe already have that; right? Ms. Clerk? Ms. Clerk? >> I'm not clear on what was said. If I could clarify?\r\n\r\n>> You or the Clerk's office? To clarify? >> I wasn't clear on what Member Rawlins-Fernandez said, if I could clarify. >> Member Rawlins-Fernandez, could you repeat what you said? >> Mahalo, Chair. >> I wanted to clarify -- >> You want to clarify what she said. Go ahead.\r\n\r\n>> Is it only by being a registered voter in Kahului that we're accepting for a year, or that is one way to verify? Or did you mean -- that that is the only way that they can qualify is if they were registered to vote in Kahului for one -- -- at least one year? >> I guess that process, that detail of the process would be a little different for those that are applying directly to the Clerk's office and not through a Council Member. >> So if someone applies directly to the Clerk's office, you are saying the requirement would be that they were registered in Kahului for at least a year. But if they are applying through a Council Member, any evidence that they were living in Kahului residency area for at least a year is acceptable, is that what you meant? >> Yes. >> Okay.\r\n\r\nThank you. >> Are you sure you want us to be the ones to verify their residency? >> Yes. Well, I mean she is saying that there could be a variety of ways that somebody that we nominate could be verified, but if someone is nominating themselves they have to be a registered voter in the area that -- in Kahului, in order to nominate themselves directly to the Clerk's office, as a standard. But if we nominate them, we could get an electric Bill in their name for a year, something, if they are not registered to vote, or some other way, because there's more than one way to verify that somebody has lived in the District for at least a year; right? >> Okay. Does everybody understand that?\r\n\r\nThat we can accept telephone -- I mean electric bills? Ms. Clerk? >> It might be time for a morning break. There's a couple of things that we would like to talk to OCS about, if you don't mind? >> Okay. Members, we'll come back at 11:15. Thank you, meeting in recess.\r\n\r\n[GAVEL] >> 11:15? Yes. [GAVEL] >> Will the special meeting of November 3rd, please reconvene. It's 11:28. Ms. Clerk, do you have clarifying sentences for us, so we can continue our process? >> Thank you, Madam Chair. So before the break, during the break, we were speaking with Director Raatz, and he was strongly recommending that the Council

go one way or the other, so either the nominees go through the Council Members by Resolution, or if it's going to be anyone can basically self-nominate, by submitting an application, and whatever supporting documents you want us to ask for to our office, then that would be listed. Their names would be listed in a Resolution under the Council Chair for consideration on the 20th.\r\n\r\n>> Members, what do you think of that? Pardon me? Member Cook? >> Can you clarify the options? >> Could you repeat what you just said. >> Sure. The first option would be what Council Chair presented today, which is that Resolution 25-202. That is where the Council Members themselves would submit Resolutions would their nominees' names and you could submit more than one.\r\n\r\nYou are not limited to more than one, from what I understand. The other way would be that the Council Members don't submit Resolutions and that Members of the Public themselves or whoever wishes to be a nominee submit the application to our office and we clerk collect all of that information and names to put them on a like an exhibit to the Resolution submitted by the Council Chair. Because the Resolution is the only vehicle to get it before the body basically. >> So you are saying not both, one or the other? >> Yes okay, thank you. >> Member Cook? >> I'm in favor of option 1. I think the timeline that we're under, the criteria that it's outlined in the Charter it meets with our needs are and hopeful that this can move forward without being to the last-minute.\r\n\r\n>> Thank you. So option 1 is only the Council Members would submit. One or more Resolutions. Any more feedback? >> Chair? >> Member Uu-Hodgins. >> I can wait for Member Rawlins-Fernandez.\r\n\r\n>> Mahalo, Chair. Mahalo, Member Uu-Hodgins. Still revolved not super clear to me why we have to choose one or the other. Would you please explain that a little clearer? >> Madam Clerk. I didn't meet with them. They met by themselves, so they came up with these options.\r\n\r\nMadam Clerk I will ask Director Raatz to give his opinions. I think one of the differences would be just logistics, really. But Director Raatz. >> Director Raatz. >> Thank you, Chair. Thank you, Council Member Rawlins-Fernandez for the question. Really we think it's about clarity for both the public, and Council Members considering the short timeframe that the body needs to work under.\r\n\r\nYou know, we don't have legal precedent to point to exactly, but there's been a thought/discussion among our legal team, could even be potential violation of equal protection, if there's different procedures that are set-up. So it just a suggestion that it would promote clarity to either go with the single Resolution option that lists all of the self-nominated Members of the Public and qualified Members of the Public as the Deputy County Clerk was outlining, which with take an Amendment to the Resolution that you have before you today, or 2, to stick with what Resolution 25-202 envisions, which is Council Members in effect that interested Members of the Public, and make a nomination through submitting a Resolution. Thank you, Chair. >> Member Rawlins-Fernandez? >> Mahalo, Chair. So if we have to choose one or the other, I would choose to enable individuals to apply directly or submit their names directly to the Clerk's office. Anyone that was intending to submit a Resolution, any of the Council Members intending to submit a Resolution can just have the individual apply directly with the Clerk's office.\r\n\r\nI think it would also be a little more fair, because then it wouldn't have the immediate endorsement of any individual Council Member. Everyone would have fairer playing ground/field, whatever, for applications. Everyone would be applying or submitting their name themselves, and without necessarily having the backing of a politician. Mahalo, Chair. >> Any other comments? Preferences? Member Uu-Hodgins first and then Member Paltin.\r\n\r\n>> I'm happy we're going to select one way. I think that's the most efficient way to do

things. Which way, I think I'm still leaning towards the Council Member version of supporting it as one, that is what it's here in this Resolution, and two, we are on a short timeline. So it would give us the opportunity to vet, because I think we're having discussions about residency and how to verify that? It would give the Council Member a time to vet and work with you folks and continue that discussion on the floor. Otherwise, I think it would be a lot of work for you folks, if we let's say, had a whole bunch of names come in your direction, and we only have what was 30 days and now we're at 20 something days. So I just want to make sure we're making our timeline and to make it the most efficient, I think it would be the Council version of the Resolution, considering we can all do a whole bunch, our emails are public.\r\n\r\nThey can reach out to us. That is where I'm leaning towards, but I figured I would just say that. Thanks, Chair. >> Member Johnson, do have any comments? >> Okay, so I would like to hear from the Clerks like how much of a burden that would be if we allow John Q. public, Suzy Q. public to do that way as opposed to each individual Council Member? If a Council Member wants to put a name forward? >> Ms.\r\n\r\nClerk? >> Thank you. Well, for one of the variables we won't know how many people may be submitting nominations. So initially, by currently it's noon next Monday, we would have to have all of names submitted. In terms of the posting the Public Hearing notice, we would have the names attached to the Reso from the Council Chair. But following those submissions we would have to do what we can in terms of verifying their residency and the other information. But I think the caveat to that is any nominee could submit whatever they want to submit in terms of supporting documents either at the time of their filing or as testimony when the Council does hear the Resolution.\r\n\r\nSo the answer is really it depends. >> Your answer is it depends. You are not just going to look at the voter registration, and that's -- I think to my mind it sounds like a doable process. But you're saying it depends on what the voters do or the people, the applicants do? It doesn't require you to -- like they might load you up with 20 documents, but all you really need to look at is like the voter registration, is that correct? >> That's correct in terms what we can readily access and all the prep that goes into what is involved with the legislative division Staff in terms of Public Hearing notice and ensuring that the copies are sent out and all of the logistics that it takes to run these council meetings. So it's not just, you know, putting names on paper and checking voter registration.\r\n\r\n>> Okay. Thank you anyone else have comments? Member Paltin. >> Before I have any comments, could I have a question? The person that is going to fill the council vacancy for Kahului how many votes from Council Members needed is it super majority? Is it majority? And only one person can get five or six votes?\r\n\r\nWhat if more than one person has five or six votes? >> I can answer the first part of that is it's a simple majority. But in terms of the multiple nominees getting multiple five votes, I would like to defer to Director Raatz. >> Director Raatz. >> Thank you, Chair. Thank you, Council Member Paltin, for the question. So again, the Council under the Charter only acts by Ordinance and Resolution and what is in this process is acting by Resolution, as Deputy County Clerk mentioned.\r\n\r\nit would be simple majority. So you would hope to come out of that next special Council meeting with one Resolution adopted. If during the course of the Resolution, two different Resolutions attain five votes we would recommended that the body not adjourn until there's a motion to reconsider, so you end up with only run Resolution coming out of in a meeting. Thank you. >> Okay. So I guess for my discussion on it, I don't really care personally. I don't want to gate keep, but the whole process is being gate kept by five people, and if an applicant

can't get one Member to sponsor them, can they get one vote much less five votes would be the reality I'm tracking.\r\n\r\nThe alternative to not being gate-kept is to pull papers in February, because then that is the process for anybody to self-nominate; right? So I guess I would lean towards members submitting Resolutions because if they can't get one Member to sponsor them, are they able to Garner the needed five votes? But at the end of the day, I don't really care, I mean, personally. >> Anybody else? Member Rawlins-Fernandez? >> Mahalo, Chair. I saw Member Sugimura's hand up as well.\r\n\r\nI don't know who came first? She hasn't spoken yet. I'm happy to yield to Member Sugimura and speak after. >> Please proceed, I will speak after. >> She will wait for you. Member Rawlins-Fernandez, you can go first. >> Mahalo, Chair.\r\n\r\nI understand my colleague's concerns. For the last comment, I don't -- I don't think just because someone may not have the votes of the Council Members that they shouldn't even have an opportunity to put their name forward. I'm in favor of, I'm a proponent for as much transparency, accessibility, inclusivity and Democracy as possible. I'm happy to accommodate our Clerk's Office to try to make it as least administratively difficult as possible. But I would just -- as someone who came from a family that was not politically engaged, that was not involved at all in any government, I know how intimidating government can be. I know how intimidating it would be to contact a Council Member, when you don't have a pre-existing relationship. And I'm very aware and mindful of how those power dynamics can oppress our people, and I want to -- I don't want to deny anyone the ability to be able to put their name forward.\r\n\r\nThere could be amazing people that we don't know living in that district, who would do an amazing job at filling this seat. And I don't want to deprive the District of Kahului, and the rest of our County that opportunity to be represented by someone that we just don't happen to know. And so I guess, I'm advocating pretty strongly at this point for it could be as open a process as possible, and to apply directly with the Clerk's office. Mahalo, Chair. >> Anyone else? I'm going to be asking for a motion on this, so we can deal with it and move on to the next? Member Cook?\r\n\r\n>> No, thank you, Chair. I would just like to point out and remind us all there's going to be an election next year; right? After this. So all of the fairness, participation, and potential people to bring to this office is going to be an election next year. This is somebody to fulfill the seat immediately. So I recognize it would be great -- it is a good process that we currently have that anyone who would meet the criteria could sign up to run for the Kahului seat. This process right now is replacing one of our colleagues for the rest of this term.\r\n\r\nSo right around the corner, anybody who wants to sign up and run, can. Right now, hopefully, we can keep it the way that the Reso is written, the Council will select someone within 30 days. If we don't, then the Mayor is going to. So thank you. >> Yes. It's no longer 30 days. More like 23. Vice-Chair Sugimura.\r\n\r\n>> So could I ask, which I think is connected to this, David Raatz earlier in the meeting he talked about a proposed language for 1A, where he talked about a Council Member wishing or whatever he said, could David Raatz say that again? >> David, do you remember what you said on 1A? >> Thank you, Chair. Yes, I think the language was any Council Member wishing to nominate an individual to fill the Council vacancy must submit to the County Clerk noon on November 10, 2025: , and then there was a Resolution for the A and B for the paperwork. >> Okay. So moved. >> Okay. We had agreed on that.\r\n\r\nLet's make it real clear, nor the record. Okay, seconded. Moved by Member Vice-Chair Sugimura and seconded by Member Cook to adopt the language as stated by Director Raatz, with regard to No. 1A. Any discussion? Member Rawlins-Fernandez? >> Mahalo, Chair. I

think what you were going for was like a poll for each Council Member to state their position first.\r\n\r\nBecause otherwise, I'm going to move to amend to make it so that individuals interested in filling the Kahului seat can apply directly to the Clerk's office. >> I think that would be a separate Amendment. I think this was more to clarify when I said earlier that any Council Member -- I think it was "must" I thought it was "must." But anyway, the clarification of giving the Council Member a choice. It didn't have anything to do with what you are talking about. >> I understand. But I heard you ask us to dispose of this first, and by adopting this, the "must" because that becomes irrelevant, if we're going to allow the public to apply directly with the Clerk's office. This whole correction of "may" or "must" becomes irrelevant, because that choice wouldn't be there.\r\n\r\n>> So I thought you wanted both a choice? >> So you just want either or? >> Right. >> I mean it can be both. >> Chair, point of information? >> Yes, Member Paltin. >> I thought with we came back perfect recess that the Clerks and Mr.\r\n\r\nRaatz said it would be to be either/or because of legal challenges, is that not what happened? >> Go ahead, David. >> Thank you, Chair. Thank you, Council Member Paltin. I wouldn't say that it has to be either/or, that was a suggestion we don't have to have specific precedent we can point to on a situation like this. Thank you. >> Okay.\r\n\r\nSo I didn't understand that correctly. Can you repeat what was said when we came back from recess? Because I thought you could do this or you could do that. Tch I thought the Clerk said something right after recess, not you, Clerk. >> Chair? >> Member Rawlins-Fernandez. >> What Council Member Paltin is saying is that when we came back from recess that there was their recommendation.\r\n\r\nBut as the final decision-makers we have the authority to make the final decision on whether we take their advice and choose one or the other, or we decline to accept their advice and we put both. They both, both Director Raatz and Ms. Thomson explained their concerns with putting both, and so we're not legally prohibited from putting both. It's just their advice that we choose one or the other. I would be happy to put both. :okay so the motion on the floor is just one right now and you can argue against it and vote no. And make your motion.\r\n\r\nEverybody clear on the motion? This is only for the Council Members to make a proposal through a Resolution? Not that other exhibits that was referred to earlier in discussion. Any more discussion on the motion on the floor? All those in favor -- roll call. I thought I saw Member Johnson's hand up. Roll call.\r\n\r\n>> Vice-Chair Sugimura? >> Aye. >> Council Member Paltin? >> Kakanilua. >> Council Member Johnson? >> Can you repeat the motion? >> Okay.\r\n\r\nMember Vice-Chair Sugimura it was your motion; right? >> So basically it takes a first suggestion; right? That the Council Members would submit the Resolution, and taking into consideration the nomination paper, and financial statement, Financial Disclosure Statement as part of the Resolution. >> I want -- I want to be able to have the people submit. >> So you vote no. >> No. Thank you, Chair.\r\n\r\n>> One no. Next. >> Council Member Rawlins-Fernandez? >> Chair? I know we're voting? >> Yes. >> But the explanation that you just gave Member Johnson was contrary to what you just told me before we started taking the vote, which was this is cleaning up the Section to enable both, and so if we wanted choose one or the other, we would not put this one on and would only have the other.\r\n\r\nAll right, I'm just going to vote no. No. >> Okay. I thought I said that they were separating the two. It's not a combined thing. This is only with the Council Members providing Resolutions to nominate someone. >> Aye.\r\n\r\n>> Council Member Cook votes aye. Council Member Uu-Hodgins? >> Aye. >> Council Member Sinenci? >> No. >> Council Chair Lee? >> Aye.\r\n\r\n>> And returning to Council Member Paltin? >> No. >>

Chair, there are five nos, four ayes. Motion fails. I'm sorry, it's 4-4. The dreaded score. 4-4. And this is the reason why we need a ninth person. All right, Members, we need to make a decision.\r\n\r\nAre you going to now make a motion to include both ways to self-nominate and have the Council -- yes, Member Rawlins-Fernandez? >> Mahalo, Chair. I am going to make the first motion to be only applying directly to the Clerk's office. And then if that fails, I'll make a motion for it to be in addition to the Council Members applying directly. Because my preference would be just for everyone to apply directly to the Clerk's office. So I move to amend the Resolution to strike the clause that Council Members may submit to the County Clerk by noon on November 10th. And to replace it with any individual interested in applying may submit their application to the County Clerk by noon on November 10th, 2025. >> Second.\r\n\r\n>> Member Johnson seconded. Moved by Member Rawlins-Fernandez, seconded by Member Johnson. Now this is allowing the public to apply at the County Clerk's office; right? In addition to? >> Only. >> Only. >> Only.\r\n\r\n>> Just only. >> Right. >> So in other words, Council Members will also have to have their nominees go to the Clerk's office and apply. >> Correct. Correct. If this fails, then I will make a motion to make it both. >> Any more discussion?\r\n\r\n>> Chair? >> Member Uu-Hodgins? Where? Member Johnson. >> Thank you, Chair. As the seconder, this process is so political and I think this is a good way to take the politics out of it. We have -- we have to mourn our Council Member's passing.\r\n\r\nAnd one way to do is for us to be respectful and take the politics out of this. I think this is a way that we can just move forward, look at a list, and then go from there. It's a delicate balance and who would have thought these series of events would have led to? But members let's try to make it so it's not so darn political. That is my second, Chair. Thank you. >> Member -- discussion, Member Uu-Hodgins?\r\n\r\n>> Thank you, Chair. I'm going to be voting no on this. I do support both processes, if we need to do that. I don't want to throw this on the Clerk's shoulders, and we have only 19 something days to figure this out. So I'm going to be voting no, but I'm happy to support both processes. So long as both processes are similar in what we determine as qualifications on what they need to submit, so we can ensure that it's the same. It might be a different Avenue to get to the same place, but as long as it's the same.\r\n\r\nThank you. >> Any more discussion? If not, roll call. >> Vice-Chair Sugimura? >> No. >> Council Member Paltin? >> No.\r\n\r\n>> Council Member Johnson? >> Yes. >> Council Member Rawlins-Fernandez? >> Aye. >> Council Member Cook? >> No. >> Council Member Uu-Hodgins?\r\n\r\n>> No. >> Council Member Sinenci? >> Aye. >> Council Chair Lee? >> No. >> Chair, there are three ayes, five nos. Motion fails.\r\n\r\n>> Member Rawlins-Fernandez? >> Mahalo, Chair. I move to amend the Resolution to add a new whereas-clause subsection B, that would enable interested individuals to apply directly to the Clerk's office by noon on November 10th, 2025, and have the same submission requirements as the Council Members' process to submit. >> Okay, I think David or Madam Clerk, it would not be a whereas, but more under the be it resolved is No. 2 maybe? >> Oh, I'm sorry, did I say whereas? I meant be it resolved.\r\n\r\nYou're correct, Chair. That was my bad. >> Okay everybody got that? >> Second. >> Moved by Member Rawlins-Fernandez, seconded by Member Sinenci that we add another item under be it resolved, I guess it would be No. 2. And as stated, No. 1 establishes the process under A a Council Member may submit and we're also going to add a Section that says the public may self-submit.\r\n\r\nOkay? >> Self-nominate? >> Chair, if I may for clarification, you could modify under be it resolved 1a, any Council Member or any individual interested in applying. >> Okay,

that is good; right? >> Friendly Amendment. >> That's good. It was seconded by Member Sinenci.\r\n\r\nAny more discussion? Member Cook? >> Thank you, Chair. I won't be supporting this. Anyway, in my career I have learned to listen to the people who are doing the work. If the Clerk's office and OCS, who aren't political, who are basically doing their job are basically recommending one or the other, I'm going to abide by that. So my preference is No.\r\n\r\n1, just letting the people know. Thank you. >> Any more discussion? Roll call? >> Vice-Chair Sugimura? >> No. >> Council Member Paltin?\r\n\r\n>> Yes. >> Council Member Johnson? >> Yes. >> Council Member Rawlins-Fernandez? >> Aye. >> Council Member Cook? >> No.\r\n\r\n>> Council Member Uu-Hodgins? >> Aye. >> Council Member Sinenci? >> Aye. >> Council Chair Lee? >> No. >> Chair, motion passes 5-3. >> Okay, that one is done.\r\n\r\nWhat else do we have here? >> To be a legitimate nominee, either they submit or we submit a Reso to the Clerk's office, and it needs to have their nomination form, as well as their FDS completed. We did agree on that? >> Yes. >> And it would be the "must" or the language that Mr. Raatz had said previously is -- that consensus agreed that, and now we said it could be either/or, that consensus agreement applies to both. >> Right, David, do you want to comment on your comment?\r\n\r\n>> Thank you, Chair. I'm sorry, I think it's actually a procedural question for the Parliamentarian on where we stand in amending the Resolution at this point. >> Madam Clerk. >> So I think that you are bringing up a good point, Council Member Paltin. Under 1Ai says a proposed Resolution to appoint a qualified nominee model of a resolution 02-90, and for clarification, that would only apply to Council Members. But applicants would submit under No. 2, the nominee's completed Financial Disclosure Statement form and their application for nomination paper.\r\n\r\nSo if it's a public person nominating themselves, they would submit those two items under No. 2. And Council Members would submit both little i, and iis. >> For clarification, Madam Clerk, when the public submits their nomination, it would come onto my Resolution; right? >> Yes. >> I take on all of the public nominees >> Correct, yes. >> Okay. Vice-Chair Sugimura.\r\n\r\n>> Thank you. I was going to ask that question, because usually there's a process; right? For the Resolutions to come forward it's not just general public that -- >> I'm it. >> You're it. Thank you. >> Okay. All right.\r\n\r\nEverybody clear on that? So what else do we have to vote on to get to the main motion? >> Chair? >> Just currently this one Amendment is before you, but I would also request amending it's be it resolved 1B to remove the first clause, and so that it would just start "with the County Clerk must verify to the Chair that the nominee meets the qualifications enumerated in Section 3-3 of the County Charter." >> I believe we agreed on that by consensus. But Vice-Chair? You moved. >> To delete before a Resolution is eligible for posting on an agenda, delete that part.\r\n\r\n>> Second. >> Moved by Vice-Chair Sugimura, seconded by Member Uu-Hodgins to delete before a submitted Resolution is eligible for posting on an agenda. Discussion? Any more discussion? Member Paltin. >> So this doesn't stop the Clerk from letting us know their benchmarks entered for somebody to be eligible, but they won't take action on it and just let us know that the benchmark standard of them being eligible it has been met or hasn't been met or has not been met and they we proceed accordingly. >> Madam Clerk?\r\n\r\n>> Yes, that is correct. We will verify the information that we can in terms of voter registration status, et cetera and provide that for you in order for decision-making. >> Thank you, sometimes I need English clarified to regular English. >> All right, all those in favor of the motion, raise your hand, say aye. >> Aye. >> One excused -- no, not one excused we only have eight, motion carried

unanimously. Thank you.\r\n\r\n>> Chair, I have a question? >> Yes. >> Earlier it was discussed that we were going to be taking up final vote on this, on the deadline for the Council, 25th of October. >> Of what? >> I'm sorry, November. >> So what if we're not able to come to an decision, it automatically triggers that the Mayor makes a decision? >> Yes, if we pass midnight, I guess.\r\n\r\n>> Okay. >> Member Cook. >> Chair, do you project we would be having testimony on the 25th, the last date? >> That would be a reconvened meeting. >> So no testimony. >> No testimony, just deliberations. Okay.\r\n\r\nFingers crossed, and knock on wood and whatever. Anything else that needs to be clarified? >> Chair. >> Member Rawlins-Fernandez? >> Mahalo, Chair. So quickly again for that same clause be it resolved A, 1A, little i. Do we think that is clear to the public any Council Member or individual may submit to the County Clerk by noon on November 10th, 2025 a proposed Resolution to appoint a qualified nominee? So are we asking them -- I know here we're saying that they would just do little ii?\r\n\r\nBut I don't know if having that little i -- >> Well A covers the public. A covers the public. >> Yes. But are we asking individuals to submit a proposed Resolution? That is how the entire sentence would read; right? Any Council Member or individual may submit to the County Clerk by noon on November 10, 2025 a proposed resolution to appoint a qualified nominee. >> Okay.\r\n\r\nWe have some clarification, Madam Clerk. >> If Council wishes those to be separate, so it's cleaner, you could do A, as Stated. And then B, a new Section and we could renumber it, B the public, any individual interested in applying may submit, and then list only the documents that are in ii. >> Okay. >> You want to make a motion to that effect? So moved. Second?\r\n\r\nAnybody? Member Uu-Hodgins seconded that. As you know to clarify what the public should do, because they are not going to submit a Resolution. They are just going to submit their application. Okay. So this clears it up for the public. Any further discussion?\r\n\r\nIf not, roll call. >> Vice-Chair Sugimura? >> Aye. >> Council Member Paltin? >> Aye. >> Council Member Johnson? >> Yes.\r\n\r\n>> Council Member Rawlins-Fernandez? >> Aye. >> Council Member Cook? >> No. >> Council Member Uu-Hodgins? >> Aye. >> Council Member Sinenci?\r\n\r\n>> Aye. >> Council Chair Lee? >> Aye. >> Chair, seven ayes, one no. Motion carries. >> All right, any need for any further clarification, additions or omissions? >> Chair, if I could.\r\n\r\n>> Member Paltin? Are you going to give us something that we need to do? >> If, yes. If you would, OCS and our office can we please ask for rule 19 -- sorry 13c authority, which would allow us to make non-substantive changes to the Resolution and also rule 19 suspension, due to the Amendments? >> So moved. >> I was going to call on you first. You had your hand up.\r\n\r\n>> I can do that after this Amendment. >> Okay. >> Second. seconded by Member Uu-Hodgins. Moved by Member Tamara Paltin. The motion as stated by the County Clerk. Any more discussion?\r\n\r\n>> This is necessary so that we can take final action today, as well as to allow for any non-substantive revisions, or changes. >> Correct. >> Do we need a roll call, Mr. Cook? >> No. >> All those in favor of the motion, please raise your hand, say aye? >> Aye.\r\n\r\n>> All ayes, zero -- all ayes, zero nos motion carries. Now you had something else you wanted to do, Member Paltin? >> Yes. I just wanted to say that this process that the Clerks and OCS set up for us to fill vacancy was very transparent, very Democratic, very fair. And thank you for your work on this to make it be so. Also, deepest condolences to the Kama 'Ohana, and Staff. I also wanted to say that the process of scheduling meetings has not been Democratic, transparent or fair when the Chair unilaterally decides to push back items for months with no good reasoning.\r\n\r\nThis is the exact reason why Council Member Molina upset Kelly King for not putting items on the agenda in a timely manner. This right here is how

fairness, Democratic process, transparency opens unilaterally saying we're not going to schedule it for months, when the process started two years ago is not fair, is not Democratic, is not transparent. And this is why Council Chairs have been unseated in the past. So I would like to put that back on the agenda the November 12th Bill 9. >> And it's not on this agenda. >> The process for moving forward after a Council Member has a vacancy is on the agenda, and I feel like it's sufficiently broad. >> No. We're talking about the process to fill a vacancy >> At some point, it needs to be addressed.\r\n\r\n>> We can address it in another meet if you would like me to continue to participate in this process, it all need to be Democratic, transparent, and fair. Not one process be Democratic, transparent and fair, and another one beyond closed doors undemocratic, untransparent, and unfair. It all needs to be, if we're doing our work, it all needs to be Democratic, transparent, and fair. Not pick and choose which process are Democratic, transparent and fair? >> Yes, I think all that we're doing is transparent. You have a different point of view, and if you read my press release, you would see the chronology and the timeline, and that until this day, I do not have the Committee Report that I know of. So check the facts.\r\n\r\nShall we take the vote? >> Chair? >> No. No. No. You didn't call for discussion I thought you were discussing it. >> So only I get to discuss?\r\n\r\n>> Le well, I didn't see anybody raising their happened. >> Chair? >> Anybody else? Member Rawlins-Fernandez. >> Mahalo, Chair. I'm asking you to schedule Bill 9 which we agreed on November 12th because this is the on opportunity to ask you publicly and so that you aren't making unilateral decisions without any consent of your colleagues, Chair. >> I don't believe in blindsided discussions.\r\n\r\nWe need an open and fair discussion that is agendized. And after eight years, I'm surprised you guys don't know the process. I'm calling for the vote. Madam Clerk. >> Chair, this is an abuse of power, Chair. Don't abuse your power in this way, Chair. You have been such a good Chair all the way up until this and I don't you don't support Bill 9. I know you is been undermining all of it.\r\n\r\n>> You know what? Recess [GAVEL] [GAVEL] >> Will the November 3rd special Council Meeting please reconvene. Members, we have the Resolution 25-202 before us with the Amendments. We're ready for the vote on the main motion as amended. Any further discussion? Member Paltin? >> I don't like being ambushed with a press release.\r\n\r\nWe haven't had a Chair's meeting since I asked violence in the workplace by you against me to be put on the agenda. So this is where we're discussing it. It's not a fair process. It's not transparent. And it's not a Democratic process. >> Any more discussion? Roll call.\r\n\r\n>> Vice-Chair Sugimura? >> Yes. >> Council Member Paltin? >> Yes. >> Council Member Johnson? >> Aye. >> Council Member Rawlins-Fernandez?\r\n\r\n>> Aye. >> Council Member Cook? >> Aye. >> Council Member Uu-Hodgins? >> Aye. >> Council Member Sinenci? >> Aye.\r\n\r\n>> Council Chair Lee? >> Aye. >> Chair, there are eight ayes, zero nos. Motion passes. >> Okay. Thank you, Members, for your participation. And this meeting is adjourned.\r\n\r\n[GAVEL]