

**BUDGET, FINANCE, AND ECONOMIC
DEVELOPMENT COMMITTEE**
Council of the County of Maui

MINUTES

February 10, 2026

Online Only via Teams

CONVENE: 9:07 a.m.

PRESENT: Councilmember Yuki Lei K. Sugimura, Chair
Councilmember Tom Cook, Member
Councilmember Gabe Johnson, Member (left at 12:05 p.m.)
Councilmember Alice L. Lee, Member (left at 11:55 a.m.)
Councilmember Tamara Paltin, Member (arrived at 9:13 a.m.)
Councilmember Keani N.W. Rawlins-Fernandez, Member
Councilmember Shane M. Sinenci, Member
Councilmember Nohelani U'u-Hodgins, Member

EXCUSED: Councilmember K. Kauanoë Batangan, Vice-Chair

STAFF: Kirsten Szabo, Legislative Analyst
Pauline Martins, Senior Committee Secretary
David Raatz, Director, Office of Council Services
James Krueger, Senior Legislative Analyst
Peter Hanano, Legislative Attorney
Lenora Dinneen, Council Services Assistant Clerk
Ryan Martins, Council Ambassador

Residency Area Office (RAO):

Mavis Oliveira-Medeiros, Council Aide, East Maui Residency Area Office
Roxanne Morita, Council Aide, Lānaʻi Residency Area Office
Keomailani Hirata, Council Aide, Molokai Residency Area Office

ADMIN.: Kristie Wrigglesworth, Deputy Corporation Counsel, Department of the Corporation Counsel
Thomas Kolbe, Deputy Corporation Counsel, Department of the Corporation Counsel
Lesley Milner, Budget Director, Office of the Mayor
Wade Maeda, Deputy Chief, Department of Police
Joy Medeiros, Assistant Chief, Department of Police
Cynthia M. Razo-Porter, Director, Department of Personnel Services
Marcy Martin, Director, Department of Finance
Guy Hironaka, Real Property Management Specialist, Department of Finance
Cynthia Lallo, Chief of Staff, Office of the Mayor
Koa Hewahewa, Deputy Director, Department of Agriculture
Richard "Remi" Mitchell, Director, Department of Housing
Jolie Jenkins, CDBG Program Manager, Department of Housing

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OTHERS: Jake Carton, Maui Indivisible
Stephen Beidner
P. Denise La Costa
Ann Pitcaithley
Dr. Kahala Johnson
Shay Chan Hodges
Selene Legare
Rev. Dennis Barger
Laurie Tanner
Patricia Pearce
David Yoshida
Devi Wood
Jake Carton
Robert Pollock
Lori Jay
Alice Riddle
Gail Swanson
Kelly King
Lisa Seikai Darcy
Cesar Gaxiola, Executive Director, Cameron Center
Torben Jensen
Dick Mayer
Lala Johnson
Others (17)

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

CHAIR SUGIMURA: . . .*(gavel)*. . . Good morning, everybody. Welcome to the Budget, Finance, Economic Development Committee. Today is February 10th. It is now 9:07 a.m. My name is Yuki Lei Sugimura. I'm the Chair of this Committee, and I'd like to welcome everyone. This meeting is being conducted in accordance with the Sunshine Law, and as a reminder, when your name is called, if you are not in the Council Chamber, please identify by name who, if anyone, is in the room, vehicle, or workspace with you today. Minors do not need to be identified. Member Batangan is excused today. Good morning, Member Cook.

COUNCILMEMBER COOK: Good morning, Chair.

CHAIR SUGIMURA: Good morning. Good morning, Member Johnson. I see you are in Lānaʻi.

COUNCILMEMBER JOHNSON: Good morning, Chair, Councilmembers, community members. There's no testifiers here at the Lānaʻi District Office, and I'm alone on my side of the office here and ready to work. Thank you, Chair.

CHAIR SUGIMURA: Is it raining?

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COUNCILMEMBER JOHNSON: Boy, has it ever been, but now, today, it hasn't. So --

CHAIR SUGIMURA: Okay. Good. So, you're...

COUNCILMEMBER JOHNSON: -- it's...it's getting better.

CHAIR SUGIMURA: You're safe. Very good. Chair Lee, good morning.

COUNCILMEMBER LEE: Good morning. We actually have sunshine this morning. It's still breezy, but much better than the last two days.

CHAIR SUGIMURA: Yes.

COUNCILMEMBER LEE: I'm here alone in my workspace and ready to go. Thank you.

CHAIR SUGIMURA: Great. Member Paltin is going to be late, but she will be joining us. Member Rawlins-Fernandez, good morning.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha kakahiaka kākou, mai Molokai Nui a Hina. I'm at my private residence alone here, and there are currently no testifiers at the Molokai District Office. It's nice and sunny here in Kaunakakai.

CHAIR SUGIMURA: Very good. Member Sinenci, good morning.

COUNCILMEMBER SINENCI: Aloha, Chair, and good morning.

CHAIR SUGIMURA: Good morning. Member U'u-Hodgins, good morning.

COUNCILMEMBER U'U-HODGINS: Good morning, Chair. Good morning, everyone.

CHAIR SUGIMURA: Okay. So, assisting with this meeting today is...I'm going to introduce our resources from the Administration. From the Administration, we have Budget Director, Chief of Staff. We had asked for, not confirmed. I will skip over Economic Development, not confirmed. Department of Agriculture, not confirmed. Director of Environmental Management, we will have as a resource. Director of Finance, Deputy Director of Finance, Land Acquisition Officer...Officer Hironaka. Director of Housing is not confirmed. Housing CDBG Manager, Deputy Chief of Police, Director of Personnel Services, and Deputy Corp. Counsel Wrigglesworth. To assist us today, I've also invited Jake Carton, Maui Indivisible. And Members, if there are no objections, I'd like to designate Mr. Carton of Maui Indivisible as a resource person under Rule 18(A) of the Rules of the Council based upon their role and experience.

COUNCILMEMBERS: No objections.

CHAIR SUGIMURA: Thank you. Please see the last page of the agenda for information on meeting connectivity. Members...and I would also like to welcome our Staff who's helping us today, which is Pauline Martins, Secretary; Kirsten Szabo, OCS Council Staff;

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as well as . . .*(laughing)*. . . Senior Executive Researcher, which is . . .*(laughing)*. . . James...James Krueger. All right. So, please see the last page of the agenda for information on meeting connectivity. Thank you, Members, for attending today's BFED Committee. We have three items on the agenda. I'm going to read it now and not read it when we go into each item. So, BFED-4, Bill 92, CD1 (2025), Authorizing the Mayor to Enter into an Intergovernmental Agreement with the Federal Bureau of Investigation for a Joint Terrorism Task Force; Bill 17 *[sic]*...BFED-17, Bill 116 (2024), Amending Chapter 33 *[sic]*...3.36, Maui County Code, Relating to the Maui County Grants Program and Chapter 3.40, Maui County Code, Relating to Concessions, Awards, and Rental or Lease of County Property; BFED-20(12), Administration and Management of Grants. Let's...so, at this time, do we have any testifiers? We will. So, before we go into testimony, I want to hear basically from our resources. So, at this time, I'd like to ask...I'd like to ask...okay. So, the opening comments...let me just go through all of this first. If anybody's wishing to testify at this time, I'm going to do resources first.

**ITEM 4: BILL 92 (2025), AUTHORIZING THE MAYOR TO ENTER INTO
AN INTERGOVERNMENTAL AGREEMENT WITH THE
FEDERAL BUREAU OF INVESTIGATION FOR A JOINT
TERRORISM TASK FORCE**

CHAIR SUGIMURA: Members, so the first item on today's agenda, Bill 92, CD1 (2025). Bill 92 would authorize the Mayor to enter into an intergovernmental agreement with the Federal Bureau of Investigation for participation in Honolulu Division Joint Terrorism Task Force. This Committee last discussed this bill on September 5th, 2025. By a seven-one vote, the Committee recommended passage on first reading. The Council adopted that recommendation at the September 25th, '25 Council meeting. Prior to second reading on the bill, Chair Lee canceled the item from October 10, '25...'25 Council agenda and referred Bill 92 back to this Committee. The Disaster Recovery, Informational *[sic]* Affairs and Planning Committee chaired by Member Paltin held a discussion on this topic at the meeting on January 28, 2026. At the DRIP Committee meeting...at the DRIP meeting, Members received...

COUNCILMEMBER PALTIN: Oh, that's International Affairs, not informational affairs.

CHAIR SUGIMURA: Oh, I'm sorry.

COUNCILMEMBER PALTIN: International.

CHAIR SUGIMURA: Okay. Fine. Let's see. As a...as the DRIP meeting, Members received comments from the Police Department and a presentation from Maui Indivisible prior to the discussion. Thank you, Member Paltin, for hearing this discussion in your Committee, and I heard your voice, so let's welcome you to the meeting. Good morning, Member Paltin.

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COUNCILMEMBER PALTIN: Aloha kakahiaka kākou, streaming live and direct from Honolulu Airport. I have a bunch of travelers around me, and I'll be getting on a plane at lunch break to join you guys in the afternoon.

CHAIR SUGIMURA: Okay. Nice to see you. Let me continue. Materials presented and discussed at the January 28th DRIP meeting have been transmitted to BFED and are available to Members and the public under the BFED Committee item as well. Today, we'll have the opportunity to continue discussion. Afterwards, I am inclined to recommend filing the bill as I shared during the DRIP Committee. Joining us today to assist with our discussions are Deputy Chief of Police Maeda and Jake Carton from Maui Indivisible, and I have asked to have the resources give an opening comment five minutes each...five minutes each. We have structured the meeting to allow time for opening comments, testimony, and members of the public, as well as deliberations and questions from the Members. We do have this item, as well as a time-sensitive housing item next, so we will be keeping to the agenda and hoping to go through our agenda. I am reminded from the next Committee meeting, which is the Government Relations...GREAT Committee, that we have a long agenda, so we need to complete our meeting...this meeting on a timely basis. I'm asking for opening comments from the Maui Indivis...Maui Indivisible, and then from Deputy Chief of Police Maeda. I ask that our resources focus their comments in any new information that needs to be shared, and to address any issues that were not dealt with at the DRIP Committee...at the DRIP meeting. Maui Indivisible, do you have any opening comments? Nice to see you here, Mr. Carton. Five minutes.

MR. CARTON: Thank...aloha and thank you, Honorable Councilmembers, Council Staff, and participating Maui residents, for this opportunity. My name is Jake Carton, Maui voting resident, speaking on behalf of Maui Indivisible. Marnie Masuda, Lead Organizer for Maui Indivisible, is teaching today. We are asking the Budget Committee today to recommend a resounding no vote, as pledged by Council Chair Lee on the Council record last week on Trump's FBI JTTF contract with the Maui Police. Trump's FBI JTTF contract is abusing America, abusing our democracy, and this new contract abuses Maui. When the Minneapolis FBI JTTF team leader killed Renee Good, this mother and poet's last words were, I'm not mad at you, dude. Yet, Trump instantly called her a domestic terrorist and called in the FBI JTTF to investigate her and her grieving family as domestic terrorists. If that's not abuse, I don't know what is. The Budget Chair sent out a notice for this hearing in this slide that avoids her public pledge last week. Missing in that notice is that option to vote no. Why is a no vote important? Trump and the MPD needs to get the message that the Council opposes this contract. Three weeks ago, the Corporation Counsel's position was the Police Chief could execute this JTTF contract on behalf of the whole County by passing a vote of the Council. All the Council had to do was file Bill 92 to give the power to an unelected Police Chief. That Corporation Counsel position, which has flip-flopped three times in the last three months, did not arise randomly. Next slide, please. This position was prompted by an October 14th memo from the Budget Chair after the full Council retreated from approving the JTTF contract because it learned from hundreds of Maui Indivisible activists how vastly unpopular this JTTF contract is. In fact, this bypasses exactly what the Council did a few months ago when it filed the contract that the Police Chief made

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with the National Guard on Maui. This contract helps Trump deploy the Guard to militarized places like LA, Minneapolis, Chicago. The MPD guards this Maui base from intruders as top priority over responding to Maui resident 911 calls. This will really impact us when the base is emptied on a Trump deployment. It is clear that if the Council files Bill 92, it will leave the door open to an unelected Police Chief again by passing around holding a Council vote. Vote no today, vote no at the full Council, and protect our democracy. We recognize that the Budget Chair has restricted our time to five minutes. In that short time, we will not be able to correct all the falsehoods that the Budget Chair spent hours collecting to support the Council's original approval of the proposed JTTF contract, nor will we have time to run through all of the one-sided Trump dictates and Maui pays, abusive master-servant aspects of this JTTF contract. Fortunately, the DRIP Committee Chair allowed us to put it on the Council record last week, and now we are putting it in writing. Please ask me questions if you still are unsure the contract places no financial obligation on the County. Next slide, please. With our remaining time, we will focus on the one aspect of this proposed JTTF contract which is most abusive of all...that is the ability of the County to escape it. To get out, we have to get permission from the abuser. By the way, the MPD and FBI searched for their current JTTF contract, and finally found a 19-year-old contract a few days ago. Let's compare. For context, under this current 19-year-old JTTF contract, the Council could vote today to terminate it, and our County would be out from under it in 60 days. Next slide, please. To put this proposed JTTF termination clause in another context, the Police's contract with Trump's Homeland Security now embedded inside the Maui Police Station has a good escape clause. Also, since the Police Chief executed this contract on behalf of the County without the vote of the Council, the Council could just declare this contract void today. Another context is the reasonable time limit in the Police Chief's contract with Trump's National Guard mentioned earlier. By the way, did the National Guard ever sign and date this contract? We'd better look into that. Better to withdraw from that contract before they date it and try to bind us for a whole 'nother year of Trumpian deployments. We would have more examples of termination clauses to share, but the MPD is obstructing our legal rights, leading to the State Office of Information Practices intervening many times while the MPD continues not to comply with our formal requests. It's safe to assume, though, that it's standard to put in a reasonable time limit or have an unconditional escape clause. Skip ahead two more slides. I think I'm running out of time. I'm just going to summarize, Chair.

CHAIR SUGIMURA: Thank you.

MR. CARTON: Thank you. To summarize, the Committee should vote to take a companion action with a vote no recommendation, and that is to write formally to the FBI JTTF to terminate the existing contract and start that process before we find ourselves in deep trouble when Trump expands immigration enforcement and militarization to Maui. The Budget Committee ...*(timer sounds)*... should also begin the process of ending collaboration with Trump's Homeland Security and National Guard. Thank you.

CHAIR SUGIMURA: Thank you.

AUDIENCE: ...*(applause)*...

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CHAIR SUGIMURA: Thank you very much. Gallery, please. Thank you. We are going to be conducting this meeting and ask for you to participate in decorum of the Council. Next, we'll have five minutes max from the Police Department. Deputy Director [sic] Maeda?

MR. MAEDA: Good morning, Chair, good morning, Councilmembers, good morning, community members. I am Deputy Chief Wade Maeda, and I'm testifying on behalf of Chief John Pelletier. I apologize, he's not available to testify today. Thank you for the opportunity to provide testimony on the proposal...on the proposed authorizing the...on the proposal authorizing the Mayor to enter an intergovernmental agreement with the Federal Bureau of Investigation for participating in the Joint Terrorism Task Force. The safety and security of our community remains the highest priority for the Maui Police Department. In today's evolving threat environment, no single agency can effectively prevent or respond to acts of terrorism. The Joint Terrorism Task Force represents a proven model of collaboration that strengthens our collective ability to detect, prevent, and respond to threats before they impact our residents, visitors, and critical infrastructure. Participating in the task force enhances real-time intelligence sharing, expands investigative capabilities, and provides access to specialized federal resources, training, and technology. Just as importantly, it ensures that our Department has a seat at the table when threat information is identified, allowing us to act quickly and decisively to protect our country. Early information is often the difference between prevention and response. The partnership is not about expanding local authority beyond its lawful scope. Rather, it's about ensuring that our officers are informed, prepared, and connected to the broader public safety network. Terrorism prevention relies heavily on coordinated communication, and formal participation strengthens our ability to safeguard the community through proactive policing strategies. The information presented here is consistent with guidance and best practices from the International Association of Chiefs of Police, which emphasizes the importance of interagency collaboration, intelligence-led policing, and lawful jurisdiction boundaries to enhance public safety while maintaining community trust. The Illegal Immigration Reform and Immigration Responsibility Act of 1996 created Section 287(g), which authorizes U.S. Immigration and Customs Enforcement...Enforcement to deputize selected state and local law enforcement officers to perform certain immigration enforcement functions under federal supervision. Without a 287(g) agreement, local law enforcement officers do not have the authority to detain or arrest individuals solely for suspected civil immigration violations. In my 28 years as a police officer, we have never entered into a 287(g) with any federal government agency. In addition, our officers are mandated not to ask an immigration status of a person, nor do we arrest strictly on immigration, nor do we bias...do bias-based profiling. We have internal general orders that can ultimately lead to the termination of an officer if they do so. Entering into this agreement does not alter those legal limitations. Instead, it provides a structured and accountable framework for collaboration focused specifically on terrorism and threats to our public safety. For our island community, preparedness is essential. While we are geographically isolated, we are not immune to the risks facing the rest of the nation. Our economy, large public gatherings, and critical infrastructure all require vigilant protection. Participating in the Joint Terrorism Task Force strengthens our readiness, while reinforcing our

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commitment to prevent...to prevention rather than reaction. Equally important is maintaining the trust of the community we serve. To effect...effective policing depends on strong relationships, transparency, and adherence to constitutional policing practices. Participation in the Federal Task Forces is mostly successful when it supports public safety, while respecting civil rights and clearly defining jurisdictional roles. Authorizing this agreement demonstrates a commitment to proactive policing safety, interagency cooperation, and responsible governance. It ensures that our Department remains aligned with the nation's best practices while continuing to focus on the unique needs of our County...sorry, our country, not County. Mahalo for the opportunity to testify for your continued support of initiatives that enhance the safety of our community. Chair, I just want to make...point out something else too. You know, I know Chief Pelletier mentioned this, but in light of transparency too, we're...we're fine...if the community is not comfortable, we're...we're okay with pulling the...deferring the...the bill so that we can add the language to enhance and force that we will not do any of that . . .(timer sounds). . . immigration enforcement. Thank you.

CHAIR SUGIMURA: Thank you. Thank you very much. So, Ms. Milner, do you want to say anything? Budget Director?

MS. MILNER: Thank you, Chair. Thank you, Councilmembers. Yes, just briefly. As you all know, Section 2.20.020 of the Maui County Code requires that any agreements that have a financial obligation, the Mayor needs Council approval before entering into. And I just want to reiterate that the Corporation Counsel, the Budget Office, and the Department of Finance, even though there's no specific dollar amount mentioned in this agreement, do feel that it creates a financial obligation. So, if it is filed today, it will not be signed until Council approval is received, if it is received. Thank you, Chair.

CHAIR SUGIMURA: Thank you very much. Corp...Corp. Counsel, do you have any opening comments? Do you have anything to add?

MS. WRIGGLESWORTH: Not at this time.

CHAIR SUGIMURA: Okay. Thank you. All right. So, Members, at this time then, I'm going to ask for testimony. Do we...looks like we have testifiers signed up, right? So, Members...okay. Hang on. I can skip the... So, testifiers wanting to provide testimony should sign up...sign up with Staff and join the on...or jon...join the online meeting via Teams link or call in to the phone number noted on today's agenda. Written testimony is encouraged and can be submitted via the comment...eComment link at mauicounty.us/agendas as well. Under the Sunshine Law, the Chair will receive oral testimony for agenda items at the beginning of the meeting and as the item is called up. For individuals wishing to testify via Teams, please raise your hand by clicking on the raise-your-hand button. If calling in, please follow the prompts via phone, star-5 to raise and lower your hand or star-6 to unmute and unmute. Staff will add na...you...add names on the testifier's list in the order testifiers sign up or raise their hands. For those on Teams, Staff will lower your hand once your name is added. Staff will then call the name of...you're logged in under the four digits of your phone number when it is your time to testify. At this time, Staff will also enable your microphones and videos. Please

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ensure your name appears in Microsoft Teams as the name you prefer to be referred to, or as anonymous if you wish to testify anonymously. If you're in person, please notify Staff that you would like to testify anonymously, otherwise please state your name for the record at the beginning of your testimony. Oral testimony is limited to three minutes, and if you're not done, you will be given another 30 seconds to complete. If you're...and once you've done testifying, or if you do not wish to testify, you can also view the meeting on *Akakū* 53, Facebook...Facebook Live, or mauicounty.us/agendas. We will do our best to take each person up in an orderly fashion. And we'll now call on testifiers wishing to testify at the beginning of the meeting. Staff, please call up the first testifier.

MR. KRUEGER: Chair, the first person signed up to testify is Stephen Beidner, to be followed by Denise La Costa.

CHAIR SUGIMURA: Good morning.

. . . OPEN PUBLIC TESTIMONY FOR ITEM 4 . . .

MR. BEIDNER: Good morning, Chair. Good morning, Councilmembers. My name is Stephen Beidner. I live in Kula. I haven't testified at...before the Council or its Committees in quite some time, but this important issue, Bill 92, brought me down the hill today. I will be brief. I'm not sure why this issue is even an issue. Why would anyone in local government, local law enforcement, or any Maui resident want to...want to have anything to do with the current U.S. Department of Justice or FBI under Pam Bondi and Kash Patel, politicized organizations with total disregard for civil rights, civil liberties, or the rule of law? They seem to think that it's just fine to drag people out of their homes and cars without warrants, gun people down in the streets, incarcerate people in so-called detention camps...or actually concentration camps, racially profile, spread wild conspiracy theories, and selectively enforce the law. These are no longer legitimate agencies in my opinion. We are a racially and ethnically-diverse community in Maui County. Who amongst us wants any...anyone here to live in fear, be targeted by masked thugs, or have us become the next Minneapolis? Does anyone want to live in a totalitarian, authoritarian society, a show-me-your-papers-please society? I urge this Committee, the entire Council, Maui Police Department, and Maui County in general to have no agreement and no cooperation with this regime. Local law enforcement should be able to handle local problems on their own. Thank you.

CHAIR SUGIMURA: Thank you very much. Any questions for the...one moment, any questions for the testifier, Members? Seeing none. Thank you coming...for coming down the mountain, as you described. Next testifier, please.

MR. KRUEGER: Chair, the next person signed up to testify is Denise La Costa, to be followed by Ann Pitcaithley.

MS. LA COSTA: Aloha --

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CHAIR SUGIMURA: Ms. La Costa?

MS. LA COSTA: -- kakahiaka.

CHAIR SUGIMURA: Good morning.

MS. LA COSTA: Mahalo. P. Denise La Costa, and I am testifying on my behalf and of the citizens of Maui. Maui is still healing. People are still rebuilding their lives, and their sense of safety, and their trust in institutions. Any decisions to introduce fear, confusion, or mistrust right now just takes us backward. This proposal may be well-intentioned, but intent is not enough. If policies cause neighbors to be afraid of neighbors, to be anxious, to be targeted, to be dragged out of their home in their underwear, then it is not strengthening our community, it is continuing to divide it. Unfortunately, events around the country have caused people to worry about the federal government's overreach. This is not time for such anxiety and division. What we need to do is we need to have our authorities--our police departments, the Sheriff [sic] Department--be prepared together in case there is any kind of issue. There also should be time for them to call in the National Guard at the governor's behest. So, I just don't think that it is anything that we need to introduce right now to our communities. Unity does not happen by accident. It requires action over inaction to solve problems. It requires leaders to slow down, listen carefully, and please choose people over processes. Mahalo.

CHAIR SUGIMURA: Thank you. Any questions for the testifier? Seeing none. Thank you very much for being here.

MS. LA COSTA: Mahalo. And happy birthday.

CHAIR SUGIMURA: Oh, thank you. Next testifier, please.

MR. KRUEGER: Chair, the next person signed up to testify is Ann Pitcaithley, to be followed by Dr. Kahala Johnson on Teams.

CHAIR SUGIMURA: Ann Pitcaithley?

MR. KRUEGER: Ann Pitcaithley? Or Ann Picarthly [sic]?

CHAIR SUGIMURA: Oh, here she comes. Who's the next testifier after?

MR. KRUEGER: She'll be followed by Dr. Kahala Johnson on Teams.

CHAIR SUGIMURA: Thank you. *(pause)*

MS. PITCAITHLEY: Aloha, Committee Chair and Committee Members. My name is Ann Pitcaithley, and I'm testifying...I'm urging you to all vote no on Bill 92, and to terminate any current existing MOU with the JTTF Task Force...I mean, with the JTTF. We are witnessing a radical change in our political climate, evidenced by an

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unprecedented crackdown of our human and civil rights and civil liberties, along with the continued demonization and lawless violence against immigrants and including U.S. citizens, as we have seen in Minneapolis, and the horrifying treatment of children and adults held in concentration camps. So, on...shortly after the Council voted for 92 with only one dissenter, Trump issued an executive order...exhit...he issued the NSPM, National Security Presidential Memo, which considers anybody that is a political dissenter as a domestic terrorist. And then two days after that, Trump issued an executive order to designate Antifa as a terrorist organization. There's no such thing as Antifa, by the way. It's not an organization at all. So, these action [sic] make politi...like I said, political dissent an act of terrorism, stifling free speech, even when it comes to no threat to national security. This is laying the groundwork for a police state, which is characteristic of all or...authoritarian regimes. Pam Bondi, Attorney General of the Department of Justice, who oversees the FBI, has a record of deeply hostil...hostility to LGBTQ+ rights, civil liberties. She supports racial profiling, was Trump's election denier and promoter of Project '25. She recently called on Minnesota Governor Walz, offering to end the chaos and violence by ICE in Minneapolis if he would just turn over the voter rolls and data of Medicaid and SNAP recip...recipients. That's totally illegal because states control that and can...and private. And it's also an act of ter...of extortion. FBI Kash Patel holds the top authority over the agency's operation, including JTTF. He's proudly called himself a member of Donald Trump's army, and has been highly paid as a consultant for Trump's Truth Social media platform owned by Trump. And I'm sure you saw the depiction of the...the image posted on Truth Social with Obamas as looking as...like apes. He's used the investigative and surveillance powers of the FBI to target journalists, civil servants, political opponents, or other individuals based on their ideology, speech, journalism, or political or religious activity, including race, ethnicity, and national origin. These radical extremists are not playing by the rules. They don't care about the rules and they want to change the rules, an...and do not defy the Constitution. How can we, as Maui County residents, have any trust, faith, or confidence in federal law enforcement? Mau...MPD is completely subordinate to them. Our Police Chief stated the FBI . . . *(timer sounds)*. . . JTTF contract would not involve immigration enforcement, but they have no authority --

CHAIR SUGIMURA: 30 seconds.

MS. PITCAITHLEY: -- and is at the whim and mercy of whatever role the JTTF assigns to them. I urge you to look at documents released by ACLU and also the Brennan Center for Justice about how bad these...these JTTF involvement conflicts with local laws. They're practicing conflicts with local laws, and also inappropriate targeting of peaceful political activity that have nothing to do with terrorism.

CHAIR SUGIMURA: Thank you --

MS. PITCAITHLEY: Thank you.

CHAIR SUGIMURA: -- very much. Any questions, Members? No questions? Okay. Thank you very much. Next testifier.

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MR. KRUEGER: Chair, the next person signed up to testify is Dr. Kahala Johnson on Teams, to be followed by Shay Chan Hodges on Teams.

CHAIR SUGIMURA: Very good.

MR. JOHNSON: Hi. Hello. Everybody can hear me?

CHAIR SUGIMURA: Dr. Johnson, we can hear you.

MR. JOHNSON: Awesome. My name is Dr. Kahala Johnson. I'm testifying in strong opposition to Bill 92, and encourage the County to vote no, as well as to cancel any MOUs existing now. Bill 92 is a Trojan horse for American fascism, one that will amp...amplify the types of deadly violence we are witnessing on the continent right now, including the killings of nurse practitioner Alex Pretti and legal observer Renee Good. As a descendant of kūpuna who were stolen by government agents during the Kalaupapa leprosy abductions in the late 18...late 1800s, I'm opposed to any collaborations between MPD and FBI, which are designed to amplify oppression against Kānaka and immigrants. And as a political scientist, I want to verify that the --

UNIDENTIFIED SPEAKER (from the audience): Can't hear.

MR. JOHNSON: -- bill's reference to national security...

CHAIR SUGIMURA: Oh, could you speak closer into the mic?

MR. JOHNSON: I want to verify that the bill's reference to national security in the ostensible interest of counterterrorism is in fact a dog whistle used to advance authoritarian policing and surveillance programs designed to protect the terror of American empire.

UNIDENTIFIED SPEAKER (from the audience): Can't hear.

MR. JOHNSON: To be clear, the United States is a terror state.

CHAIR SUGIMURA: One moment, please, Dr. Johnson. Can we make it louder? Yeah. Could you speak closer into the mic? Thank you. Thank you very much.

MR. JOHNSON: Testing.

CHAIR SUGIMURA: Okay. We can hear you. We can hear you.

MR. JOHNSON: Okay. Perfect. To be clear, the United States is a terror state. It is a settler state. The U.S. exists because of genocide against indigenous nations and the enslavement of African peoples. Calls to defend national security are nothing more than calls to protect this ongoing legacy of terrorism against black and indigenous peoples of color across the global south. That is to say, we have seen this pattern before. In the Pacific, American imperialism has long relied on the language of national security to justify its terrorism...the nuclear destruction of Bikini Atoll, the military occupation of

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the Philippines, the bombing of Kaho‘olawe, and the violent overthrow and ongoing occupation of the Hawaiian Kingdom. During World War II, the U.S. Government used national security and conscious subversion rhetoric to justify the mass incarceration of Japanese communities. Over 120,000 people, the majority U.S. citizens, were stripped of home, family, and livelihoods based solely on race. Entire communities were treated as inherently suspect and subjected to collective punishment in the internment camps. Under the banner of national security, federal programs like COINTELPRO hunted and murdered U.S. citizens, including members of the American Indian Movement, Black Panther Party, Young Lords, the Women’s Liberation Movement, the Gay Liberation Front, and the International Longshore and Warehouse Union, while simultaneously destabilizing countries across the global south. After 9/11, the same national security was redeployed against Muslim, Arab, South Asian, and Sikh communities. Surveillance, informants, raids, watch lists, and prosecutions expanded dramatically. Currently, violence against these communities intensifies as our support for the end of the Israeli occupation of Palestine continues. And today, under the ongoing terrorism of ICE, immigrants have once again become the primary targets of the American police state. National security rhetoric has been used to justify raids, detention centers, family separation, and collaboration between local police and federal agencies. Undocumented people, asylum seekers, refugees, and mixed-status families are framed as threats. And those who defend immigrants, provide mutual aid, or resist deportation are being surveilled, criminalized, and killed. In closing, inviting the FBI and Joint Terrorism . . . *(timer sounds)* . . . Task Force into Maui embeds our County deeper into this violent history and present. Furthermore, given the FBI’s absolute failure to stop the terror of Epstein and bring justice to its survivors, we must denounce the agency as a shield of the very systems that allow for that type of harm and violence. Bill 92 does not make us safer. If we truly seek to counter fear and terror, we must invest in our community’s mutual aid and community defense here. I urge this Council to reject Bill 92, and choose a path grounded not in terror, but in justice.

CHAIR SUGIMURA: Thank you. Any questions for the testifier? Member U‘u-Hodgins?

COUNCILMEMBER U‘U-HODGINS: Thank you, Chair. Thank you very much, Mister...Dr. Johnson, I’m sorry. Could you please submit that in writing? In the beginning we had a difficult time hearing you, and I know people in the audience wanted to hear what you had to say. Sorry for the interruption. We were trying to make sure that people could hear. But it looks like you had it written down, but I would appreciate it in writing. Thank you.

CHAIR SUGIMURA: Thank you.

MR. JOHNSON: No worries. Will do.

CHAIR SUGIMURA: Thank you very much.

COUNCILMEMBER U‘U-HODGINS: Mahalo.

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CHAIR SUGIMURA: Thank you. Anybody else have any questions? Seeing none. Next testifier is Shay Chan Hodges. I see her online. Good morning.

MS. HODGES: Good morning. Aloha. Yes, my name is Shay Chan Hodges, and I'm a resident of Ha'ikū. I am respectfully asking the County Council to end Maui's participation in federal policing frameworks that put our civil rights and community safety at risk. I appreciate that Budget Chair Sugimura has pledged to vote no on the new FBI Joint Terrorism Task Force contract, Bill 92. However, that pledge is not meaningful if the old JTTF contract remains in place and continues to govern Maui Police Department's cooperation with federal agencies. The Council must end the existing JTTF contract now, withdraw from the agreement that allows federal agents to be embedded inside the Maui Police Station, and withdraw from the contract with the National Guard that enables federal deployment of military forces into our civilian spaces. The core problem with the JTTF framework is that it permits people in our community to be treated as domestic terrorists based on their race, religion, or national origin. That is fundamentally incompatible with our constitutional protections, our local values, and the spirit of aloha. On Maui, where a large share of our residents are not white, and many are not Christian, this kind of framework is not just abstractly dangerous, it creates a real and direct risk that we will all be targeted simply for who we are. Hawai'i has a painful firsthand experience with what happens when federal security partnerships are allowed to operate on the basis of prejudice and fear. During World War II, Japanese-American community leaders from Maui were taken from their homes and sent to internment camps, not because of any proven crime, but because of their ancestry and perceived allegiance. That history is a warning. When we give broad domestic terror...counterterrorism powers to agencies without strong local oversight and clear civil rights protections, it is communities like ours who pay the highest price. We all know about the murders in Minnesota, the abduction of children, including babies and toddlers, separation of families, and the deplorable conditions that men, women, and children are enduring in detention centers right now as we speak, all of which demonstrate how easily labels can be weaponized to justify intrusive surveillance, militarized enforcement, and the erosion of due process. The killing of Renee Good by a JTTF team leader stands as a grim reminder of the deadly consequences when such justifications go unchecked. Furthermore, when people know they can be watched, questioned, and physically harmed because of how they look, where their families come from, or how they worship, they begin to feel that the system is not really meant to protect them, and they are less likely to report crimes and cooperate with law enforcement. They are also more at risk for exploitation. Ending Maui's participation in the JTTF and related agreements is a concrete step you can take today to uphold our constitutional rights, prevent discrimination, and honor our history instead of repeating its worst mistakes. As the federal government continues to escalate its attacks on people of color and those with the courage to stand up for them . . . *(timer sounds)*. . . our elected officials need to make it very clear whether they have the courage and aloha to protect the rights and safety of all of Maui's residents. The time to stand up and be counted is now. Mahalo.

CHAIR SUGIMURA: Thank you. Members...

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AUDIENCE: *(Applause)*

CHAIR SUGIMURA: Please may I ask for your respect for the Council meetings? Thank you. Anybody have questions? Seeing none. Okay. Thank you very much. Next testifier, please.

MR. KRUEGER: Chair, the next person signed up to testify is Selene Legare in the Chamber, to be followed by Reverend Dennis Banger [sic].

MS. LEGARE: Aloha.

CHAIR SUGIMURA: Aloha.

MS. LEGARE: My name is Selene Legare, and I'm here as a private citizen, but I also teach sociology. I know some of the signs of a society starting to slide from democracy to authoritarianism, and I know how critical it is to stand up to authoritarianism early on, even when it feels safer in the moment to go along, to get along. I also know how important checks and balances are, and even budget and procurement policies. When powerful people like the Police Chief make unilateral decisions, other people pay the price. So, I want to share my concerns on Bill 92 and urge you to vote against it. During normal times, this bill would read like a standard agreement on administrative details for a shared mission of catching the bad guys. These are not normal times. Given the current federal administration's consolidation of power and reinterpretation of laws, it's alarming that the County of Maui would sign on to this. The President's recent National Security Memo, NSPM-7, says joint terrorism task forces will be involved in domestic terrorism investigations...and now, those include political speech, motivations, and beliefs, not just violent behaviors. Labor union strikes, donations to protest groups, civil disobedience, Hawaiian sovereignty, civil rights and social justice movements, and even non-Christian religions could fall under that umbrella. Under the broad definitions and the NSPM-7, we are all potentially bad guys, and it's critical to see Bill 97 in this context. This agreement could turn our police force against citizens who are merely exercising constitutionally-protected free speech rights. And I appreciate you providing this opportunity for us to speak today. Mahalo.

CHAIR SUGIMURA: Thank you very much. Any questions for the testifier? Seeing none. Thank you very much. Next testifier, please.

MR. KRUEGER: Chair, the next person signed up to testify is Reverend Dennis Banger [sic], to be followed by Laurie Tanner.

MR. BARGER: Aloha kakahiaka, Councilmembers and Cou...and Committee Chair. My name is Dennis Barger, and I'm a retired clergyman and have been so in Kihei, Maui for 13 years or more. I just want to present a brief context for consideration today and to urge your no vote. Bill 92 was put before the Council and approved some months ago. And yet, it was also subsequently referred to this Committee, the Budget and Finance Committee, because of certain questions about inaccuracies and falsehoods that we would like to address either at this time or another time...but they must be corrected

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for the record. I remind the Committee that the legal duties of the Council concerning intergovernmental agreements are described in State law 46-7 under the section that reads, in part, agreements with federal government in use of funds. "The governing body or the planning commission or the department of the various counties with the consent of the Council may enter into agreements with the federal government." But it also says that we must furnish, expend, and receive any funds or other assistance in connection with those projects or to be undertaken in the future. The Council can give its consent to the IGA when certain conditions are met after thorough public fact-finding efforts. The fact-finding that the Council needs to complete is partly defined in the County Code Chapter 2.20, entitled Intergovernmental Agreements. Unless authorized by ordinance...this is a quote. "Unless authorized by ordinance, the Mayor shall not enter into any intergovernmental agreement or any amendment thereto which places a financial obligation upon the County or any department or agency thereof." Section B defines obligation as any commitment, promise, or similar representation contained in an intergovernmental agreement that the County or agency thereof will provide funds, documents, statistical data, or any other "professional or technical service, et cetera." Since the Council has not completed the public and thorough fact-finding effort on the...the FBI JTTF IGA...IGA on whether it contains any financial obligation on Maui County, a no vote should be taken clearly to declare that the IGA places no . . . *(timer sounds)*. . . financial obligation on the County. That is to say, there should not be a vote declaring that the financial obligation will not in...impact the County. So, until the Maui County Council publicly examines the IGA for any financial obligation placed on the County and votes to...on that finding, it is...it has not met its legal statutory responsibility to give that consent.

CHAIR SUGIMURA: Thank you.

MR. BARGER: Thank you for your attention.

CHAIR SUGIMURA: Thank you very much. Members, any questions for the testifier? Oh.

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

CHAIR SUGIMURA: Sorry. All right. Sorry. Thank you very much. Next testifier.

MR. KRUEGER: Chair, the next person signed up to testify is Laurie Tanner, to be followed by Patricia Pearce.

MS. TANNER: Aloha. Thank you all for hearing my testimony as a former Hawai'i State employee, licensed Hawai'i educator, voter, member of Indivisible. I speak to the financial obligation of this County Code requirement found in the IGA, the FBI JTTF contract acknowledged in the previous Budget Committee record. Page 2 of IGA between the Maui Police Department and the FBI JTTF, "Supervision and control. All JTTF personnel once on board will be under the supervision of the FBI while working on the JTTF to which they are assigned." Page 8 says, "Salary, overtime, compensation, funding, the participating agency shall be responsible for the pay/overtime/leave relating to its employees detailed to an FBI JTTF." Page 3 says, "Staffing and

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commitment responsibilities in light of the significant cost and effort in onboarding new JTTF personnel, as well as the need for continuity to successfully combat national security, criminal and cyber threats, attacks and intrusions, the participating agency agrees to provide its personnel to the FBI JTTF for a period of at least two years.” This is not an expectation of the JTT staffer, this is a contractual obligation of the County agency. Page 5 says, “The participating agency will not knowingly act unilaterally on any matter affecting the JTTF.” The Budget Committee’s September report to Council on Bill 92 says, “The proposed agreement would commit the County to provide personnel whose salaries, benefits, agency-required training remain County costs.” No IGA sections establish any Maui Police Department supervision or operational control in the JTTF chain of command. Thus, the argument that MPT...MPD retains full supervision of JTTF officers deputized from the Maui Police Department is not supported anywhere in the IGA agreement. The County pays for officers while the FBI JTTF commands. On pages 2 through 8, many more IGA sections prohibit the Maui Police Department from chain of command and operational control, among other restrictions on MPD activity. The MPD is paying our County tax dollars to JTTF staff, but the County doesn’t have full control, is locked into that financial obligation for two years. The contract establishes a one-sided relationship between the master FBI JTTF and the servant MPD. It is not collaborative in decision-making. . . .*(timer sounds)*. . . When we are going back to the County Code, the County is financially obligated to pay for professional and technical services, MPD officers in the JTTF, over which the FBI JTTF is in full control by contract. Thank you for your careful deliberation.

CHAIR SUGIMURA: Thank you very much. Members, any questions for the testifier? Seeing none. Thank you very much. Next testifier, please.

MR. KRUEGER: Chair, the next person signed up to testify is Patricia Pearce, to be followed by David Yoshida.

CHAIR SUGIMURA: Ms. Pearce?

MS. PEARCE: I’m Patricia Pearce. I live in Makawao, and I stand with Indivisible. The Council Budget Committee needs to correct its record with a proper fact-finding hearing on the legally-binding IGA itself. Past practices or Maui PD promises regarding supervision and pay are irrelevant to a vote on Bill 92. In fact, the Council has yet to begin to fact-find into dangerous parts of this proposed contract. For example, the County Budget Committee should do proper fact-finding on how many MPD officers are in the current JTTF, their tenure, and what are the average annual hours spent in the last five years. The MPD has yet to reveal those joint task officers’ terms of service and current numbers as instructed by the Council two weeks ago. Deputy Maeda named four MPD officers in his 8/5/25 memo to this Committee. Another MPD representative stated only one part-timer on the Council record last week. Chief Pelletier evaded this question completely in his 2/4/26 memo to the DRIP Committee Chair. Answering these very simple questions have to stop being a moving target. Will this Committee do fact-finding on the Jan...task force contract’s overbearing dominance on Maui County’s independence and free voice? Especially on pages 4 to 7, this proposed FBI Task Force IGA binds a muzzle to the Maui Police Department, Council, and County independence.

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It's not just dissenters' rights at stake, it's our County Government also. Trump's FBI gets to define terrorism in this contract. How has Trump's FBI definition changed lately in light of Trump's NSPM-7 memorandum with charges now lodged against deceased victims, Renee Good and Alex Pretti? Why does this matter? Because this proposed contract gives the FBI JTTF a free hand to define any investigation as about terrorism. This then triggers FBI nondisclosure agreements. What do these nondisclosure agreements look like and require? It also triggers the FBI JTTF banning the Maui Police Department and the County from holding press conferences, issuing press releases, releasing task force-related body camera footage, and any information deemed by the task force as under investigation by them. Will this Committee do fact-finding on how this contract signs away Maui County's right to access evidence, investigate, and adjudicate crime and liability? When the FBI has a free hand to name any alleged act as terrorism, it also then triggers a page 5 clause in the contract that prevents the County and the MPD performing its own police and prosecutorial work. This matters because we are watching in real time FBI's behavior and practice in Minneapolis and across our nation preventing . . . *(timer sounds)* . . . local police from investigating killings, kidnappings, and brutality by federal agents of white citizens with no criminal record in residential neighborhoods and in broad daylight. If Trump's police state is doing this to them, imagine what it is doing to people of color, immigrants, people who are criminally charged but not convicted who also have these same rights. Thank you.

CHAIR SUGIMURA: Thank you. Any questions for the testifier? Seeing none. Next testifier, please.

MR. KRUEGER: Chair, the next person signed up to testify is David Yoshida, to be followed by Deri [sic] Wood.

MR. YOSHIDA: Good morning. My name is David Yoshida. I'm a retired Maui Fire Department Captain, on behalf of Maui Indivisible. Here's another correction the Budget Committee needs to make prior...to its prior report on the proposed IGA with the FBI JTTF. Will the Budget Committee investigate whether there is a current executed FBI JTTF contract that Bill 92 intends to replace? Four ye...four days ago, the Budget Committee made public with absolutely no fanfare that the FBI and MPD searched their records and could find only a 19-year-old contract that might be a current contract between the FBI and JTTF and the County's MPD. Hidden on the Budget Committee website for this agenda, this contract is labeled Correspondence from Committee Chair, 2/4/26. This might be the contract that the Budget Chair and BFED has recommended to replace with Bill 92. The Committee should, in fact, fact-find to resolve this question whether the Council is being asked to replace this contract with Bill 92. It should also fact-find whether the Council ever approved, and the Mayor ever signed, this 19-year-old contract. Is it properly executed, and has MPD act...been acting as if it is in effect today? Did the County ever terminate this 19-year-old contract? Might there be other later contracts that the FBI and MPD just can't find now? And if so, who believes this and what is the evidence that these later contracts exist? There are too many follow-up questions to list now. On behalf of myself, thank you, Deputy Chief Maeda, for pointing out all of the good points with the arrangement. Sharing of knowledge and tech is...is good. I...we get that. This, in and of itself, is not a bad thing. I've worked hand-in-hand

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with MPD officers for years, my whole career, and I respect and trust them. I don't trust our President, DOJ, and FBI. Under them, anyone can be classified and deemed a domestic terrorist. I think we can all agree that for years, this has been a nonissue because we all had trust in the way the DOJ, and FBI, and even ICE operated. That is not the case now. Immediately upon the murders of Renee Good and Alex Pretti, the Trump Administration deemed them domestic terrorists, and their investigations were seized by the FBI. No one here can now claim that we don't see where this is going. There...there's no gray area. It's scary to think that around our country, local police are our last firewall between improper actions of federal agents and our communities, our people. How the FBI would utilize our officers, we don't know...but we know enough. Firefighters and Police both follow orders from their chain of command, and we all know that. The last thing we need is our local police being under federal control. I spent 28 years, almost half my life, in public safety as a firefighter. Your jobs, everybody here, is no different. I look at . . . *(timer sounds)*. . . all of you as my brothers and sisters in public safety because you, through policymaking, have the same responsibility and trusted duty to protect our communities, our neighbors, and our people. So, to quote Maya Angelou, "When we know better, we do better." Thank you for your time.

CHAIR SUGIMURA: Well done. Any questions for the testifier? Seeing none. Thank you for your 28 years of service. Next testifier.

MR. KRUEGER: Chair, the next person signed up to testify is Deri [sic] Wood, to be followed by Jake Carton.

MS. WOOD: Good morning, Honorable Chair and Councilmembers, everybody else, and thank you for being here today. My name is Devi Jacqueline Wood. I live in Ha'ikū. I'm a Maui Indivisible person, and I'm also a former journalist. We are asking the Budget Committee to propose...or to look at some other corrections to make to its prior report on a proposed IGA with the FBI JTTF. Please fix the falsehoods in the Budget Committee record, especially the important ones. For example, the BFED report to Council on Bill 92, authored by Budget Chair Sugimura, says that the MPD, and I quote, "Emphasize that the Department would retain supervisory responsibility over assigned County JTTF personnel, and the discretion to decline participation in any JTTF action." However, this contract really clearly demonstrates that it is patently untrue...it's false. And upon this false finding, as we know, the BFED recommended passing this bill, Bill 92, the IGA, this last fall. This should be fixed in the new BFED report to the full Council. The Committee has also yet to examine what is not in the proposed FBI JTTF contract. One of those things is minimum percentage of full-time equivalent, or FTE, of an officer position assigned to the JTTF. A second thing is limits on the number of MPD officers assigned to the JTTF, as well as limits on the JTTF using mandatory on-call status on MPD staff in the JTTF. The agreement on page 3 says, and I quote, "During periods of heightened threats and emergencies, the JTTF may need to operate 24 hours a day for an extended period of time. During these periods, all these JTTF personnels are expected to support JTTF activities unless released to the participitating [sic] agency." Sorry. And so, this means that the JTTF can define and declare a threat, and then can take exclusive control over even part-time MPD officers to force them to work 24/7. Now, why does this all matter? The County is taking great

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risk in our view that a hypothetical new, unelected, and authoritarian Trumpian police chief would permit the FBI to deputize the entire MPD Staff. When the JTTF declares a heightened threat at their discretion, it can then mandate the entire MPD to be under its command. Do we want the risk of one person standing in...between Trump and this takeover of what is, after all, an \$83 million County Department? This Budget Committee needs to fact-find more unreasonable limits and require contracts to be negotiated with clear safeguards to Trump's takeover of the MPD and our civil liberties. Let's be on the right side of history here today. These are indeed terrifying times. We've all witnessed it in the news. We are all sitting at home watching our news in...in terror. I'm a mother of two young adults . . . *(timer sounds)*. . . they're both women, and they are terrified. They tell me this daily. So, we can all make a difference today, and this FTTJ [sic] MOU is where it starts here. We can really make a difference. Thank you.

CHAIR SUGIMURA: Thank you. Any questions for the testifier? Seeing none. Oh, Member Paltin. One moment. Could you come back? Ms. Ward [sic]? Ms. Wood. Wood. Member Paltin?

MS. WOOD: I can't...I can't hear you.

CHAIR SUGIMURA: Oh, she hasn't spoken yet.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Ms. Wood. I...I just wanted to clarify, you're saying to look into it more rather than to vote against it?

MS. WOOD: No, we definitely vote...want you to vote against it, and we want you to vote against it after doing all this research so that you really fully understand what is currently in place, what is on the table to be going forward with it, and of course, looking at all the differences we've seen since Minneapolis. So, no, it's definitely still a no vote. However, be aware of all the leakage that is happening in this con...existing contract already.

COUNCILMEMBER PALTIN: Thank you.

MS. WOOD: Thank you, Ms. Paltin.

CHAIR SUGIMURA: Thank you. Thank you very much. All right. Next testifier, please.

MR. KRUEGER: Chair, the next person signed up to testify is Jake Carton, to be followed by Robert Pollock.

CHAIR SUGIMURA: Mr. Carton?

MR. CARTON: Aloha, Councilmembers, again. Thank you for letting me double dip as a public testifier. The Council has a choice today...file it, or vote no. Budget Chair is advocating to file this bill, and...this bill being the Trump police state contract that we're talking about. That is very different from a no vote. What has the Police Chief done when the Council files proposed contracts with the Trump Administration? The Police Chief signs

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them, and then implements them. He did that with the Homeland Security contract, and now they are embedded inside the police station. The Council needs to evict them. He did that with the National Guard, which Trump commands. The Council needs to terminate that contract. And even today, we hear that MPD is still advocating for the JTTF contract. Filing Bill 92 in real life is supporting this collaboration with Trump's police state. It is leaving the door open, wide open to Trump's fascism. Voting no is exactly what it means. No procedural maneuver like a filing will deceive Maui residents. We all know what filing this contract means. Please vote no, and move on to even more important work like terminating the Police-signed contracts in effect with Trump's JTTF, Trump's Homeland Security, which supervises ICE, Trump's National Guard, and other contracts yet to be known when the Council mandates the MPD to fully disclose all contracts with the federal government. Thank you.

CHAIR SUGIMURA: Thank you. Any questions for Mr. Carton? Seeing none. Next testifier.

COUNCILMEMBER COOK: Chair?

CHAIR SUGIMURA: Oh, sorry. One moment. Member Cook?

COUNCILMEMBER COOK: Thank you. For clarification question, you said that Trump...the President, the Federal Government controls the National Guard. I thought the...our Governor controls the National Guard, and Trump has distorted that.

MR. CARTON: Correct. Trump has distorted it and gotten away with it through federal courts. There have been lawsuits that states have failed to win. And so...I mean, we can look at Los Angeles --

COUNCILMEMBER COOK: Okay.

MR. CARTON: -- we can look at --

COUNCILMEMBER COOK: So, thank you. Thank you.

MR. CARTON: -- lots of places.

COUNCILMEMBER COOK: You answered my question. I --

CHAIR SUGIMURA: Thank you.

COUNCILMEMBER COOK: -- and I'm just...

MR. CARTON: Yeah.

COUNCILMEMBER COOK: Yeah, thanks.

MR. CARTON: Yes.

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COUNCILMEMBER COOK: So, if we follow the law the way it's supposed to be and not the way he's interpreting it, the Governor controls our National Guard, and it's hopefully we get it back like that. Thank you.

CHAIR SUGIMURA: Thank you.

MR. CARTON: Yes, hopefully.

CHAIR SUGIMURA: Thank you very much. Any more questions? Seeing none. Next testifier.

MR. KRUEGER: Chair, the next person signed up to testify is Robert Pollock, to be followed by Lori Jay.

MR. POLLOCK: Thank you very much for this opportunity to testify. I'm in complete alignment with Indivisible and their remarkable and thorough investigation of this issue. Voting no on 92 is essential. It's a step. But we have to realize that...myself, Robert Pollock, I'm a son of immigrants, holocaust survivors from Hungary, who came over apparently three weeks before I was born here in the United States. And that makes me particularly patriotic as well. So, I empathize entirely with the Maui Police Department. They have a tremendous burden now, morally, as to how to proceed. It's not that we're approaching authoritarianism or, you know, preventing it from happening. No, we're in it, ladies and gentlemen. We are in it. It's 1984. And we need to assess what we can do, first of all, to destroy or remove ICE as it's currently formulated, replace it eventually with a reasonable set of rules, and we have to refer, in my case, and certainly for the rest of us, hopefully, to the art. We've been told this. Sinclair Lewis, *It Can't Happen Here*. That's over 100 years ago. It outlines exactly what's happening today. Jack London, *The Iron Heel*, the same. Those works of art remain despite all of the changes. And we must invoke the best of our heritage in order to combat what is currently in place. So, I, again, urge a no vote and commend Indivisible for their remarkable, thorough work. Thank you.

CHAIR SUGIMURA: Thank you. Any questions for the testifiers [*sic*]? Seeing none. Next testifier, please.

MR. KRUEGER: Chair, the next person signed up to testify is Lori Jay, to be followed by Alice Riddle.

MS. JAY: Aloha.

CHAIR SUGIMURA: Aloha.

MS. JAY: I don't have any notes because I always speak from the heart, and those of you that know me know that. I'm 71 years old. I live in Wailuku, and I worked at Tent City. I advocate and do homeless outreach as a volunteer for many, many organizations that represent the vulnerable...people that have homes, but from the fires, they have to...people that don't have homes. I totally respect the Police Department. You handle everything really, really well. I've been in the sweeps. What I see now and what I hear

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now from all these people...because what I do is I listen. I ask people questions. I ask them how they're feeling. I ask them what's going on with them. And most of them are terrified. Doesn't matter what the color is. I live in Wailuku, and my neighbors are scared to go out and they give me a list. Yes, we're in Maui and we don't see them, but most of my friends are not my color. And that doesn't matter anymore because two people are dead that are, that were just doing what they felt was right...as humans, as humanity. And love is more powerful than hate. And we got to all pull together. Maui Indivisible is...every Indivisible all over the country, millions of people. March 28th, there's going to probably be 9 or 10 million. What does that say about the country and how we feel about the people that we brought? My ancestors come from Hungary, from Bulgaria, from Romania, my grandparents. And I'm a proud, proud generational immigrant, I guess. I'm Jewish. What is that going to mean? I don't know. You know, my houseless friends that live around the corner, what is that going to mean to them? The Maui Police Depart...this is Maui. I mean, it's different because we're out here and we have each other. Look what happened after the fire. I got chicken skin. Okay? But 120,000 Japanese were locked up from the...on the mainland here. Now what's going to happen? We don't know, but history repeats itself. And I urge you to vote no. Please, please, please, please vote no. Please, please. That's all I got.

CHAIR SUGIMURA: Thank you. Any questions for the testifier? Seeing none. Thank you very much. Next testifier, please.

MR. KRUEGER: Chair, the next person signed up to testify is Alice Riddle, to be followed by Gail Swanson.

MS. RIDDLE: Good morning. My name is Alice Riddle. I'm a resident up in Kula. And I've...and certainly, I'm a voter here on Maui. I had a lot of notes. I'm not going to read them all because the people who've come before me have said it so well. In response to Chief Pelletier and Officer Maeda's reading, I really think that it seems to me that collaboration is possible without relinquishing local control, for sure. I respectfully urge the Council to carefully consider, fact-find the long-term implications of entering into a contract that shifts authority over our local police to the Federal Government, as proposed in Bill 92. Keep Maui law enforcement local to those of us who are, after all, paying for it. Vote against Bill 92, and consider a proactive ordinance to protect local control over our local forces, such as model legislation proposed by Indivisible that has been thoroughly researched and advocated for the last five months. Thank you.

CHAIR SUGIMURA: Thank you. Any questions for the testifier? Seeing none. Next testifier, please.

MR. KRUEGER: Chair, the next person signed up to testify is Gail Swanson, to be followed by Kelly King.

MS. SWANSON: Aloha. My name's Gail Swanson. I've lived here 42 years, I live in Ha'ikū. And I really appreciate what everybody has said so far. I also want to take some common ground here. We all do want the best for everybody here. You guys, everybody, MPD, I get that. But I think it's all getting down to like specifics in these contracts. I guess my

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main question is, how many contracts exist that put us in danger of ICE coming in here and mistreating us? How many exist? I would love that answer. And I think the public needs more information on all of this. I don't trust this administration at all. Trump is a psychopath, and we are being run by an authoritarian government completely. But, you know, I would just ask you to picture Minneapolis, how it looked on that road in front of Ka'ahumanu Avenue. If we're out there speaking out and exercising our First Amendment rights, I'm singing a protest song, I don't want to get shot in the head. And I think it can happen here. I would also point out, Trump loves to go after the people he doesn't like. He hates Obama. Obama was born in Hawai'i. It would be very easy for them to come in here and occupy our island. This is a very easy...they could make this a big example and go, let's just go in and take over this island. They don't know what they're doing, right? They could come in...we have all colors of skin here, they could come in and just do whatever they want. And like somebody else mentioned, there's no rules anymore. They don't care about the Constitution. The Constitution is a piece of toilet paper on the bottom of Trump's shoe. Like they don't care. So, even though MPD is looking out for us, they will push them aside and do whatever they want. So, that's my concern. I would say definitely vote no on 92. And I don't think there's a doubt in my mind that that's going to happen today. I think you're all going to vote no. But again, I want to know what other contracts exist. I appreciate MPD said they're willing to withdraw the current contract, amend it, do whatever needs to be happening. If ICE comes in here, it needs to have mask laws, badges, you know, common sense rules. And honest to God, I just don't want to get shot for doing...standing up for what I believe in. I was born an activist. My mom was an activist. I was born a Democrat. Like I'm fighting this with all I got. So, what else can I say here? I took little notes. JTTF agent shot Renee Good. That's JTTF. So, if there's any confusion between ICE and JTTF, there's no difference. What else? God, I'm all nervous talking up here to you guys. Thanks. . . .*(laughing)*. . . .*(timer sounds)*. . . Okay. I guess that's it. Just citizens with whistles against thugs with guns and pepper spray. We don't want to see it here. Maui has way too much aloha for that. So, thank you so much --

CHAIR SUGIMURA: Thank you.

MS. SWANSON: -- for doing everything you can to keep them out.

CHAIR SUGIMURA: Thank you. Any questions for the testifier? Seeing none. Next testifier.

MR. KRUEGER: Chair, the next person signed up to testify is Kelly King, to be followed by Lisa Seikai Darcy on Teams.

MS. KING: Aloha, Councilmembers. Wish I could say it's great to see you all in Chambers, but the reason for the public presence here is extremely disturbing. First of all, I cannot state strongly enough my disappointment in this Council for previously passing this measure seven to one through this Committee, through first reading, and if it had not been for Maui Indivisible, I think we would have had it through second reading. So, I just want to say, and you've heard this quote before, "If you don't stand for something, you'll fall for anything." And it felt like this Council fell for Trump's tactics. Mahalo to Councilmember Rawlins-Fernandez for being the lone vote against this bill. Thank you

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for your voice. We appreciate it. And your excuse for not being in Chambers . . . *(laughing)*. . . because you did the right thing. And...and to Maui Indivisible for bringing the facts, and waking up citizens to what was happening back then. We would all appreciate an apology from the seven of you who voted in favor of turning our Police Department over to the current corrupt directors of the FBI, Department of Homeland Security, and Department of Defense. Yes, it's still officially Department of Defense, not Department of War. The message to Council to vote no on 92 would be a hollow victory since an existing contract continues, assuming someone has found the most current version by now. I know you...last I heard, you were still looking for it. Budget Chair Sugimura should end and unwind the old Maui Police Department contract with Trump's FBI JTTF, the same force Trump is using to frame murder victims Renee Good and Alex Pretti as domestic terrorists. Someone on this Council needs to lead the order for MPD to withdraw its officers from under this task force as soon as possible, write a contract termination request to the FBI immediately, and give the 60-day written notice to the FBI to withdraw from participating in all ways. The Council should also sanction the Police Chief, and--you know, I...nothing personal against John--for signing with Trump's Homeland Security to embed their agents against the Maui Police...inside the Maui Police station, among other collaborations, as the Chief had no authority to sign on behalf of the County. The Council also should immediately withdraw from the contract that the Police Chief signed with the National Guard. This contract enables Trump to deploy the guard to invade civilian spaces while the MPD protects their base as...as a top priority over responding to Maui residents' 911 calls. To cancel, the Council needs to give written notice to the National Guard that the County intends to terminate as soon as possible, and then publish what the exact 2026 date is. Please help fix all of the falsehoods about the FBI JTTF contract put on the Council record by the MPD and Budget Committee by acknowledging the Maui Individual's stated corrections made during their presentation, and the...many of the testifiers who reiterated those corrections. I understand Budget Chair Sugimura has restricted Maui Indivisible's opening presentation today to five minutes, which they stated was enough time . . . *(timer sounds)*. . . so thank you for giving them the additional three minutes. I'm almost done. Addressing the previous false testimony that became a part of the...the record when the Budget Committee heard this the first time. Do the right thing and get us out of this deadly contract as soon as possible. And I also want to read a brief statement, since she couldn't be here, if you can give me an extra ten seconds, from Annie Nelson, who wanted to be here but couldn't be here. And her statement is, I don't want my tax dollars paying people who don't know me . . . *(timer sounds)*. . . to murder me in the streets while exercising my First Amendment rights, or defending the plethora of brown folks in my community because a bunch of bounty hunters don't know one language from another. So, that's Annie Nelson's very brief testimony.

CHAIR SUGIMURA: Thank you. Any question for the testifiers? Seeing none. Thank you. Next testifier.

MR. KRUEGER: Chair, the next person signed up to testify is Lisa Seikai Darcy, to be followed by Cesar Graxiola [*sic*].

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MS. DARCY: Good afternoon, Chair. Can you hear me?

CHAIR SUGIMURA: Yes, we can hear you.

MS. DARCY: Okay. I know --

CHAIR SUGIMURA: Can you speak louder?

MS. DARCY: -- I often have trouble with my volume, so I'm going to holler. Okay. Thank you so much for this opportunity to testify. I strongly abo...oppose Bill 92, and I'm here to amplify the previous testimony from Maui Indivisible. My name is Lisa, and I'm a Maui County resident writing to strongly oppose Bill 92, recognizing many contracts already exist within this framework. The time is now to oppose Bill 92 and terminate the current contract, the old Maui Police Department contract with Trump's FBI JTTF task force, the same force being used to frame constitutionally-protected Renee Good and Alex Pretti as domestic terrorists. As you may or may not know, I was arrested by Maui County Police with the support of both the Mayor's Office and the...the Chief of Police by merely attempting to provide transporter...putrans...parency, which you know I have done in partnership for a decade in the basic due process. All charges were dismissed with prejudice, and I have yet to receive any acknowledgement for the hardship this created for me and the many who worked tirelessly to prove my innocence. Sitting in that jail cell, knowing I was arrested with no evidence of my wrongdoing was an exercise in wasted resources and emotional financial hardship no one should have to go through. These contracts are on steroids compared to the hardship that I encountered for upholding my constitutional rights. The ripple effect is both damaging to the spirit of this County and to the reputation of those elected and paid to protect us...and in fact, are sometimes doing the opposite. I understand that mistakes are made. I understand that we learn new information and we can change our position, and I urge you today to change your position and correct history so that we can all move forward, and allow due process and our constitutional rights to be the center of this focus. And I urge you to vote no. I will yield the rest of my testimony, which I will submit in writing because everything that I wanted to say was said much better . . . *(laughing)* . . . by many of the testifiers before me. I still appreciate your time, and I appreciate whatever it takes for you to go ahead and make a decision that will help us all fall on the right side of history. Much appreciation.

CHAIR SUGIMURA: Thank you, Ms. Darcy. Any questions for Lisa? Seeing none. Next testifier, please.

MR. KRUEGER: Chair, the next person signed up to testify is Cesar Gaxiola, to be followed by Torben Jensen.

MR. GAXIOLA: Good morning...good morning, Committee Chair Sugimura, and happy birthday.

CHAIR SUGIMURA: Oh, thank you.

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MR. GAXIOLA: Councilmembers, Committee Members, good morning. My name is Cesar Gaxiola, and today I'm going to testify on behalf of myself and also representing the Hawai'i LULAC, League of United Latin American Citizens, which is across 32 states. So, today, my testimony is as a...as an immigrant myself, I came to Maui in 1990 with a contract for six months to work in the pineapple fields, and I worked there for four years. Twenty-nine years ago, I became a U.S. citizen, and then after that, I got many different jobs and stuff. In fact, one of my volunteer jobs, which I did for almost ten years, was with the Maui Police Department, going there every single month, and for a couple of hours, teach the officers and the staff Spanish history, what it...what it means to be Hispanic, what it means to be Latino, what it means to be from Mexico, what it means to be from Argentina, Costa Rica, Brazil, Venezuela, Panama...21 countries. And so, with that, I wanted to share that for the past 13 months, we...we...we afraid, we scared, we got to carry with ourselves our passports, we got to show proof that we are legally in this country because what is happening on the mainland is hap...is already happening on Maui. In the past 13 months, almost 40 people were taken away from Maui. Not everybody is illegal. That's a false statement. They...there are 11 or 18 or 20 or 200 million people illegal in this country...that is not true. That is a false statement. If they...if there are illegals, maybe 3 million, maybe 4 million, but whoever says it's more than that, they don't have any proof. That is not true. We here doing work that many people doesn't want to do. When I came to pick pineapples, the local community went to work for the hotels. They went to work for Ka'ahumanu, they went to work for everybody else. They didn't want to pick pineapples. I don't blame them. If I was local myself and I grew up here and I had the opportunity to work for the hotel and somebody else, I would do it myself. That's why they brought Filipinos, that's why they brought Japanese, that's why they brought Portuguese . . .*(timer sounds)*. . . that's why they brought us to do that kind of work. So, I will say no to Bill 92. Thank you.

CHAIR SUGIMURA: Thank you, Cesar. Any questions for Mr. Gaxiola? Seeing none. Thank you very much.

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

CHAIR SUGIMURA: Oh, questions from the Council, not from the audience. Go ahead. Thank you. Yeah, thank you, Cesar. Next testifier, please.

MR. KRUEGER: Chair, the next person signed up to testify is Torben Jensen, to be followed by Dick Mayer.

MR. JENSEN: Good morning, Council.

CHAIR SUGIMURA: Good morning.

MR. JENSEN: And I'm a little surprised. I...my name is Torben Jensen. I'm a citizen of the United States, and I live here in Maui. When I look over here and I see how few people there's in here, it tells me there's a lot of people that's not coming even today because they're afraid to show of being against anything in front of the Police Department potentially. Even people that want to come and demonstrate now that I talked to don't

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want to go. They're actually scared of going up there. So, I want to tell you, we are already living in the police state, including here. Including here. And what I don't understand, Councilmembers, you all know history. You should know history. And you all know what's happening here. This is ridiculous that we are going through with this longevity, with this number 92. How come it takes so long? You all know where the end is. And how do we allow a police chief to be doing the correspondence with the FBI or CIA or whatever they are called out there? You have a problem by allowing the police here to do this thing here. This is totally, totally wrong. So, again, you got to vote no. You cannot wait. It is happening. You can see it happening everywhere in this country. Everywhere. Please, do not wait. Vote no. Thank you very much.

CHAIR SUGIMURA: Thank you very much. Any questions for the testifier? Seeing none. Next testifier, please.

MR. KRUEGER: Chair, the next person signed up to testify is Dick Mayer on Teams, to be followed by Lala Johnson. *(pause)*

CHAIR SUGIMURA: Mr. Mayer?

MR. MAYER: Can you hear me?

CHAIR SUGIMURA: Oh, yes, we can hear you.

MR. MAYER: Yes, thank you. I very much appreciated the letter that Councilmember Yukimura [*sic*] sent out on January 28th, and where she stated that several members of her family were interned during the Second World War. I too have had that experience where several members of my own family were interned during the Second World War. And I'm very much concerned about those actions happening again on a much broader scale within the United States. I urge you also...and she also said in her let...in that letter that I am supporting...I'm supporting of disapproving Bill 92. I hope that in fact you do vote no on this bill--not defer it, not file it--but vote no on this bill as the rec...as the Chair of this Committee has recommended. A question that should come up for all of us is, could and would Trump's team order a surge in Hawai'i like they did in Minnesota? Many people may think that Hawai'i is geographically isolated from the U.S. mainland, so we don't really have a...we don't really have a problem. We don't need protection over here. Politically, Hawai'i is the most Democratic Party state in the United States on the national level. And as we know, almost all of...or maybe even all of the surges that have been taking place in California, Oregon, Illinois, et cetera, Minnesota, all of Democratic states. And what we need to be concerned is that Hawai'i is the most Democratic of all the states in national elections. So, we're no...no innocent person here. We should be very much aware of this. And ethically, Hawai'i is a state with the highest percentage of people with...of people of color. Again, another reason why people in Hawai'i should be very concerned about this particular memorandum of agreement. Distance from Washington DC is no protection at all. With regard to the agreement itself, we ha...there are some real significant problems here. There are many aspects of the agreement that would put Maui police officers in some kind of jeopardy. They would be under the FBI's control. And one of

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the things that is in that agreement is no...is not in the agreement are any geographic limits. If...once a Maui police officer is placed under the...the task force jurisdiction under the FBI's control, they could be sent anywhere in the United States. Just as we have seen in Minnesota that many of the people there in the surge are from out of state, they're not Minnesota residents. So, could you imagine our Maui police officers being sent to Mississippi, or Tennessee, or any other state in the United States to carry out FBI requirements? And they could be held there for two years if this agreement were to ack...similarly, we could expect that other police officers who are members of this joint task force from other states could be sent into Maui, where they have no appreciation for the cultural differences and the culture . . . *(timer sounds)* . . . of Hawai'i. So, for many reasons, this is a very dangerous agreement, and I strongly urge you to vote no on this and to rescind the other previously-adopted memorandum of agreement that the Police Chief sent. Please have those all canceled as soon as possible. And I thank you very much.

CHAIR SUGIMURA: Thank you. Any questions for Dick Mayer? Seeing none. Thank you. Nice to see you, Mr. Mayer. Next testifier.

MR. KRUEGER: Chair, the last person signed up to testify on Bill 92 is Lala Johnson.

MS. JOHNSON: Aloha mai kākou, Chair and Councilmembers. O Lala ko'u inoa. I testify today as a Kānaka Maoli. Under international law, including the United Nations Charter and the UN Declaration on the Rights of Indigenous People, Kānaka Maoli have the right to self-determination. Many of us lawfully believe in Hawai'i as an illegally-occupied nation. That belief is protected political expression under the int...international law and the U.S. Constitution. Yet under the logic now being used by federal task forces, that belief alone could be used to label me as a domestic terrorist. This is not hypothetical. The FBI, JTTF, is currently being used to frame community members, such as Renee Good and Alex Pretti and others, for their political beliefs in organizin...organizing. So, Budget Chair Sugimura has pledged to vote no on the new FBI JTTF contract, Bill 92, is not meaningful if the existing MPD contract with the FBI JTTF remains in place. Civil rights are not protected by symbolism. The Council has the authority and responsibility to act by commanding MPD to withdraw officers as their JTTF terms expire by sending an immediate termination request to the FBI, by issuing the required 60-day written notice to withdraw Maui County from participation. The Coun...the Council must also terminate federal contracts signed without Council authority, including the Homeland Security agreement embedding federal agents inside MPD, which requires 30-days written notice, and the National Guard contract, which enables federal deployment into civilian spaces. The poli...the public deserves a clear published 2026 termination date. Culturally, this is about pono and kuleana, right? Action and responsibility to our people. Legally, it is about Council authority, transparency, and protection of political and indigenous rights. Maui has always stood for self-determination. We ask this Council to do the same. Mahalo.

CHAIR SUGIMURA: Thank you, Ms. Johnson. Any questions for the testifier? Seeing none. Thank you very much. Nice to see you. Next testifier.

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MR. KRUEGER: Chair, there's currently no other individual signed up to testify on Bill 92, so we'll do a last call. If there is anyone else who'd like to testify on Bill 92, please identify yourself now. On Teams, you can do that by raising your hand. We'll do a countdown...three, two, one. Chair, no one else has identified themselves as wishing to testify.

CHAIR SUGIMURA: Thank you. Thank you very much. Last call, and seeing none, I'm going to be asking to close public testimony and receive written testimony.

COUNCILMEMBERS: No objections.

. . . CLOSE PUBLIC TESTIMONY FOR ITEM 4 . . .

CHAIR SUGIMURA: Thank you. All right. So, I stated my desire to file this item, but before we act, I want some information on the record for...of accuracy for Members who may take a...a different view. Before we begin with the Members' questions, I wanted to ask the following. So...it's come up, so I would like to find out from OCS. For the record, what are our voting procedures if the intent is to disapprove the bill? And in no way do I want to give the impression that we are circumventing anyone...anything? OCS? Mr. Hanano?

MR. HANANO: Thank you, Chair. So, there's been discussions about filing the bill, and it seems like that was the Chair's initial intent. So, if the bill is filed, the Police Chief cannot unilaterally sign the intergovernmental agreement, as Maui County Code 2.20.025 requires Council approval for any governmental agreement that places a financial burden on the County. We have a...an opinion from Corporation Counsel dated January 20, 2026, that there is a financial obligation under the intergovernmental agreement in the Joint Terrorism Task Force agreement. The option to file the bill will essentially result in a Committee report having to be generated, and then that will be forwarded to the Council for consideration. . . .*(inaudible)*. . .

CHAIR SUGIMURA: Thank you, Mr. Hanano. And can the Council direct the activities of the Police Department, and what is the author...authority of the Council, the Police Commission, and the Mayor in terms of oversight over the Police Department, Department actions, and Department's personnel?

MR. HANANO: You asking me, Chair?

CHAIR SUGIMURA: Yes, please.

MR. HANANO: Okay. Yeah. So, under the Charter, there's...and this is Section 3-8, Restrictions on Council and Councilmembers. Unless otherwise provided in this Charter, neither the Council nor any of its Members shall, in any manner, dictate the appointment or removal of any officer or employee appointed by the Mayor or by the Mayor's subordinates. Section 2, neither the Council nor its Members shall give orders to any County employees or County officers other than those appointed pursuant to

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Section 3-7, which basically covers Office of Council Services, or Article V, which covers Office of County Clerk, either publicly or privately. Willful violation of these provisions may be sufficient grounds for the Councilmembers' removal from office by impeachment. So, essentially, you know, the Council cannot dictate to any department, you know, basically anything that relates to operations or anything like that under this section, and, you know, to do so would result in possible impeachment.

CHAIR SUGIMURA: Thank you.

MR. HANANO: Yeah. So, basically for the police, they...they're covered by...under the Charter, by the Police Commission. So, the Police Commission oversees, you know, the...the Maui Police Department as far as, you know, their duties and obligations under the Charter.

CHAIR SUGIMURA: Thank you.

MR. HANANO: Thank you.

CHAIR SUGIMURA: Thank you very much. So, basically, then you're saying that our actions would be to vote no on this agreement before us. That is the appropriate action? Mr. Hanano?

MR. HANANO: Well, that would be up to the Committee, whether they want to vote to file it or, you know, some other action.

CHAIR SUGIMURA: Okay. So, file is the appropriate action based upon our...

MR. HANANO: Well, that would be...yeah, that would be up to the...the Committee to decide.

CHAIR SUGIMURA: Yes. Okay. Okay. So...and then, for an agreement of this type to be enacted by the County, Mr. Hanano, does the Mayor's signature need to be fully executed on the document?

MR. HANANO: My understanding is yes, and, you know, I would...I would like to defer to Corporation Counsel for more guidance --

CHAIR SUGIMURA: Okay.

MR. HANANO: -- on that.

CHAIR SUGIMURA: Ms. Wrigglesworth?

MS. WRIGGLESWORTH: Thank you, Chair. Yes, the Mayor does need to sign this agreement unless the...the Police have been authorized by ordinance or resolution to sign.

CHAIR SUGIMURA: Okay. Thank you very much. Members, thank you for allowing me to ask these initial questions. Please let me know if you have any objections to proceeding

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under the guidance that the agreement attached to Bill 92 does create a financial obligation, and that was what we were told by Corporation Counsel. Members, we'll start with an initial round of three minutes each, and I'll start with Member U'u-Hodgins. Yeah. Thank you.

COUNCILMEMBER U'U-HODGINS: Thank you, Chair. Did we find the new contract, or the most previous...most recent contract? Or is it only the one from a few years back?

CHAIR SUGIMURA: Yeah, it was 2007. James or Kirsten?

MR. KRUEGER: Chair, yes. The...that...Police responded to DRIP Committee Chair Paltin's correspondence from the DRIP Committee meeting, and that corres...that response has been uploaded to Granicus for this Committee meeting and this Committee file. It's Granicus number 17.

COUNCILMEMBER U'U-HODGINS: And that one is the newest one, Mr. Krueger?

CHAIR SUGIMURA: It is.

MR. KRUEGER: According to the correspondence, that's the most recent one that...that was...been provided to us by the Department of Police.

COUNCILMEMBER U'U-HODGINS: Okay. Thank you. Give me a minute while I pull that up. In the interim, would you mind, Assistant Chief, ask...or answering some of the questions that some of the testifiers asked? Did we...do we know how many people in...how many officers currently work on this task force?

CHAIR SUGIMURA: Deputy Chief Maeda?

MR. MAEDA: Yes, thank you for the question. Great...currently, we have four participating members and one part-time task force officer.

COUNCILMEMBER U'U-HODGINS: Okay. How many hours do they dedicate to this task force?

MR. MAEDA: They actually dedicate zero right now. The only dedication is the Chief goes to a quarterly meeting in O'ahu to meet with the other joint task force members to discuss terrorism topics and such. So, he attends a quarterly meeting. It costs the County approximately 1,300 a year total for airfare, per diem, and rental vehicle.

COUNCILMEMBER U'U-HODGINS: For the Chief to go over there --

MR. MAEDA: Yes.

COUNCILMEMBER U'U-HODGINS: -- and...and participate in this meeting? Okay. I think that's all I have, Chair, for now, and I'm happy to support your recommendation if we file or vote no, however it makes the most sense.

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CHAIR SUGIMURA: Okay. Thank you.

COUNCILMEMBER U'U-HODGINS: And whatever we normally do. Thank you.

CHAIR SUGIMURA: Thank you very much. Member Cook? I'll just go straight down and back to you, Member Sinenci. Thank you. Member Cook?

COUNCILMEMBER COOK: Thank you, Chair. So, Deputy Chief, how much...the world's changed a lot. And all the testimonies, like the news, everything, very deep, meaningful, I think we all get it, and the fear factor. What's your perspective, as the Deputy Chief, insofar as Maui County capacity to basically be able to be forewarned and do anything about some of these things that are happening in other places?

MR. MAEDA: I'm...I'm glad you asked that question. First of all, the Chief and I are against the immigration enforcement. We've said this before, and we continue to say this. We have...we have general orders in place that we do not profile people or do anything like that based on them. They...our officers gets...can get sanctioned or terminated. We also implemented a new general order that allows illegal immigrants...encourages them to...to report crimes, because we've found out that...we've met with groups, and...and groups have told us that immigrants of...are hesitant to report crimes, and so we've made it that they will not be sanctioned by reporting the crime, and that we'll take action of the crime...of the crime that they reported. So, nothing will be done against that person, that particular person. You know, it's crazy times, and, you know, people say that the FBI can just order us to do immigration, and that's not the case. So, first of all, we do not have a full-time task force member, so the FBI's jurisdiction does not supersede MPD's jurisdiction on our officers. So, if the FBI tells our guy to do something quirky, we will tell our officer, you're not to do that. And if he disobeys us, we'll take away his police powers, and we'll sit him at a desk. No ifs...no...no ifs, ands, or buts about it. What's in the...the...what's in the agreement is...is basically, it's...it's an information sharing to prevent the citizens from attacks from terrorism. Nothing to do with enforcement at all. We've never done enforcement...immigration enforcement, and we won't...we won't. We...we said it before, we'll say it again. Regardless of who the president is, that's our stance, that's MPD's stance. You know, if the President decides to send federal officers, we have no jurisdiction over that. I hope you guys...I...I hope you guys understand that. We control what we can control. We'll protect you guys for what we can protect you guys. What the federal government does on their own volition, we have no control over that.

COUNCILMEMBER COOK: Thank...thank you for that perspective. It's really challenging for our community, because MPD, I mean, has a good reputation. I mean, not...not everybody, nobody's satisfied . . .(timer sounds). . . with everything. But thanks. Chair, can I make a comment?

CHAIR SUGIMURA: Yes.

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COUNCILMEMBER COOK: Just to the public, today's...today's meeting...I mean, this whole thing is very deep and meaningful. And I think the enabling people to clap during the testimonies is unique. And I think that this sort of just a reflection of the Council's acknowledgement of this issue. I'm hoping that in the future, today's concession doesn't get like used against us...like, well, you've let other people do it. Normally, clapping for one side or the other is not allowed because of decorum, so that we can have an unbiased, free flow of information. So, I just wanted to convey that. There's a lot of aloha, and there's a lot of acceptance, and a lot of support for what's in...going on today. And...but, you know, please honor the decorum when we're asked not to do expressing in the future. Thank you for your allowing that.

CHAIR SUGIMURA: Thank you, Member Cook. I totally agree, and appreciate that. We'll keep ourselves back in order. Member Rawlins-Fernandez, followed by Member Johnson, Member Paltin, Chair Lee, then Member Sinenci.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. And aloha, Deputy Chief Maeda. Mahalo for being with us and answering our questions. Before I ask my questions, I just want to start by stating for the record that no human is illegal. What is illegal was the U.S.-backed overthrow of my kingdom, and then the continued occupation of my country. That's what's illegal. Okay. So, in this Committee's September 5th meeting, Deputy Chief Maeda, you informed us that you were advised to have the MOU updated annually. And so, I'm trying to understand how that advice was not implemented if the most updated MOU we have is from 2007. Do you know why that is?

MR. MAEDA: Thank you for the question. You know, we reached out to the FBI because...because they're the ones that asked for the MOU to be signed, that we asked them to research their records. And so far, the Maui Post of Duty (*phonetic*) could only produce the 2007 MOU. However, we have contacted the Honolulu office as well, and we're trying to get more recent copies of whatever MOUs they have so we can furnish it for the public as well.

CHAIR SUGIMURA: Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo for that concise response. And if the timer went off, I didn't hear it. I still have more questions.

CHAIR SUGIMURA: Yeah . . .(*inaudible*) . . .

COUNCILMEMBER RAWLINS-FERNANDEZ: So, the timer went off?

CHAIR SUGIMURA: No. So, proceed.

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, okay. Can I get my time back? Thanks. All right. And so, you know, I...I hear your response to my colleague's question about what has happened in yesteryears. And this year, this past year, and now it's just...it's...it's not like what it was before. The U.S. is violating its own constitution, violating the Fourth Amendment, the Fourteenth Amendment. The lower cour...courts are, you

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know, like demanding that the administration follow the laws . . . *(laughing)*. . . and it refuses to. So, one, what is the definition of terrorism for you folks? Because that has changed under this administration. Domestic terrorism is...is kind of vague, and intentionally vague so that it can deter actions that may not be pleasing to this administration. As we heard by testifiers, it could include folks that just disagree with things that the administration is doing. It...it could be those that are not...are in opposition of fascism, of capitalism, of . . . *(timer sounds)*. . . anyway. So, your definition of terrorism under this agreement, and what types or how much terrorism have you...has the Department uncovered since the beginning of this MOU in 2002?

MR. MAEDA: Thank you for the question. So, I understand where you're coming from. The...you know, the definition of domestic terrorism can be a little vague. However, I want to ensure the...you...you and the public and the Councilmembers that we enforce...we enforce the law only. We don't enforce political views, differences of political views. We don't enforce any civil things. And so, that if...if a crime has been committed, that we will take action. But not...not...let...let me put this in reference. If...if someone...if someone defines does...domestic terrorism as such and such, and the Maui Police Department feels that the law hasn't...has not been broken, we will not enforce that law. I hope that clarifies it.

CHAIR SUGIMURA: Thank you. Time is up.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Deputy Chief Maeda.

CHAIR SUGIMURA: Yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: I heard the timer. Thanks.

CHAIR SUGIMURA: Thank you. Member Johnson, followed by Member Paltin, then Chair Lee.

COUNCILMEMBER JOHNSON: Thank you, Chair. Boy, I...there was a lot of testimony, a lot of heartfelt testimony. I appreciate all the...all the folks that came out and testified. One thing I will say for me personally that moved me a lot was when Cesar came up. And as we all know, Cesar...all the work he's done in their community, and for him to say that we are afraid, that makes me not feel good. A lot of us here on the...on the Council have very close immigrant ties. We have friends, family. We are...all the...all the...the stories that they're sharing, a lot of those stories are our stories. So, I...I still am unclear on the status of the present JTTF agreement, and maybe Chief...Deputy Chief could...could speak on that. That's my question for you, Deputy Chief, the status of the current JTTF.

CHAIR SUGIMURA: Thank you. Deputy Chief?

MR. MAEDA: Thank...thank you for the question. So, our understanding is that the current...the current MOU is still in place and still active as it...as it stands right now.

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And that's why we've come forward with the new MOU that will supersede that and effectively --

COUNCILMEMBER JOHNSON: Okay.

MR. MAEDA: -- yeah, discontinue the old one.

COUNCILMEMBER JOHNSON: I needed to hear that. And I hope the public hears that, that if we vote, whatever our decision is today, will supersede the old one, right? That's what you just said. So, if we vote to file this, it's...we kill the bill. If we vote and we all vote no, it's done as well. Is that correct, Chief?

MR. MAEDA: No, that's not correct. So, the MOU --

COUNCILMEMBER JOHNSON: Okay.

MR. MAEDA: -- is existing right now, and the vote is to kill the bill, Bill 92. So, that bill...if...if you guys vote that bill down, then that bill will be deferred or killed...be killed, sorry. But the existing MOU will still exist under those...the current contract.

COUNCILMEMBER JOHNSON: So, if we vote as a majority, no--and maybe Corporation Counsel can get in this--what...what happens?

CHAIR SUGIMURA: Corporation Counsel Wiggle...Wigglesworth?

COUNCILMEMBER JOHNSON: I think you went over this, but now I'm...I'm...

MS. WRIGGLESWORTH: Thank you, Chair. Tom, would you like to?

MR. KOLBE: Sure.

MS. WRIGGLESWORTH: I'm going to defer to my colleague.

MR. KOLBE: I can address this.

CHAIR SUGIMURA: Oh, I'm sorry.

MR. KOLBE: So --

CHAIR SUGIMURA: Mr. Kolbe?

MR. KOLBE: -- the...the current bill, if it doesn't take effect, it doesn't supersede the existing MOU, which, from what we can gather, goes back to the 2007 one that was provided by the FBI. It would...it would be...my reading of the law, that there would be a different act or a different action to rescind --

COUNCILMEMBER JOHNSON: Okay.

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MR. KOLBE: -- a prior agreement. . . .(timer sounds). . .

COUNCILMEMBER JOHNSON: That...that...that's...all right. That's my time, but we got to...it sounds like there's a step one and a step two. But I heard my time, Chair, and I...I'll probably...I won't need a second round, but I will say that my first vote was really the stochastic terrorism of the ever-changing way terrorism has been. I thought it would be a tool in the MPD's toolbox, but just...they're off the rails. The Feds are off the rails right now, and I...I'm...I don't want to support...I want to end this. That's what I'm going to say. So, however we get to that, I'm here for it. Thank you, Chair.

CHAIR SUGIMURA: Thank you very much. Member Paltin, followed by Chair Lee, then Mis...Member Sinenci.

COUNCILMEMBER PALTIN: Thank you. I'd like Mr. Hanano to clarify the difference between filing and voting no. It seems like filing would say that we don't need a Committee report, and voting no would mean that we do need a Committee report, but otherwise, it's the same. Is that...is that what you said in like the layman's term?

CHAIR SUGIMURA: Mr. Hanano?

MR. HANANO: Thank you, Chair. I think...I think it's the opposite, actually. If...

UNIDENTIFIED SPEAKER: . . .(inaudible). . . corner. I didn't know there was that . . .(inaudible). . . right there.

CHAIR SUGIMURA: Whose mic is on?

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

COUNCILMEMBER PALTIN: Sorry. That's some other travelers . . .(inaudible). . . --

CHAIR SUGIMURA: Oh, okay.

COUNCILMEMBER PALTIN: -- my husband.

CHAIR SUGIMURA: Okay. Very good.

MR. HANANO: So, I think it's the opposite, Chair. If the Committee votes to file the bill, then a Committee report will be submitted or generated. I don't think voting to disapprove it is an option. It's either approve or file, is...is my understanding. If the...like I said, if the Committee...I mean if the bill is filed, then the Committee will have a chance to incorporate...you know, it's...whatever it discusses or determines from the meeting today --

CHAIR SUGIMURA: Okay.

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MR. HANANO: -- in the Committee report. Thank you.

COUNCILMEMBER PALTIN: So, if we...you're saying if we vote no, there's no Committee report?

MR. HANANO: Chair?

CHAIR SUGIMURA: Yes, please.

MR. HANANO: Okay. So, let me...let me get this straight now. If it's no to approve it, or is it no to not...not file it?

COUNCILMEMBER PALTIN: So, we have Bill 92 before us, and it says, who votes for Bill 92, and everyone says no, won't there be a Committee report?

MR. HANANO: Well, that would be basically a motion to recommend approval, right? Is that what you're asking?

COUNCILMEMBER PALTIN: A motion to recommend disapproval.

MR. HANANO: Yeah, I don't think that's an option. I don't think you can vote to...

COUNCILMEMBER PALTIN: Why isn't that an option to vote no on Bill 92? You can vote yes --

MR. HANANO: Well...

COUNCILMEMBER PALTIN: -- or no, that's free choice, right?

MR. HANANO: Right, I mean, it would be basically a no to...to approve it.

COUNCILMEMBER PALTIN: Okay.

MR. HANANO: Yeah.

COUNCILMEMBER PALTIN: So, if we vote no to approving it, is there a Committee report?

MR. HANANO: I...I'm not...I'm not sure. I think...if I can get maybe James or Kirsten to comment on that?

COUNCILMEMBER PALTIN: Oh yeah, that'd be good. Sorry, James or Kirsten.

MR. KRUEGER: Chair?

CHAIR SUGIMURA: Yes, Mr. Krueger.

MR. KRUEGER: So, Staff's understanding before the Committee today, so it's Bill 92, so it's typical Committee standard procedure. If the Committee wanted to proceed with the

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bill, they would make a motion to recommend the...passage on first reading of the bill. If the Committee did not want to proceed with the bill and...and wanted it gone off the Committee slate, the Committee would make a motion to recommend filing the bill. So, the Committee's passing recommendations on to the Council. So, in this instance, you know, the Committee Staff's understanding is that disapproval isn't a typical option of the Committee. If the Committee wants to recommend to the Council to not pass the bill--to, you know, kill the bill--then the Committee's recommendation would be to file it. Thank you, Chair.

CHAIR SUGIMURA: Thank you.

COUNCILMEMBER PALTIN: What...what happens if we recommend approval and everyone votes no? . . .*(inaudible)*. . .

MR. KRUEGER: Oh, apologies. So...so, Chair, in that instance then, the Committee can either take a different motion or to...or make a different recommendation or to deferral. So, in the instance that Councilmember Paltin's talking about, that's...let's say the Committee makes a motion to recommend passage of...on first reading of the bill and the vote fails, you know, zero to eight. You know, nothing happens at that stage because only successful recommendations make it to the Council. Failed recommendations don't do anything. So, the Committee can then choose to make a different recommendation, you know, recommend filing. And then if that succeeds, then that generates a Committee report that goes to Council. Thank you, Chair.

COUNCILMEMBER PALTIN: So, we would not be able to recommend disapproval of Bill 92.

MR. KRUEGER: Chair. So, I guess basically Committee Staff's understanding is that that's not really a typical option that the Council has done in the past. When the Council's choosing to kill bills or not act on bills, they...they usually do a disapproval. I...I suppose I'll say that there's some instances where the Council needs to affirmatively disapprove certain things, but that's because the Code or the Charter says that the Council needs to affirmatively disapprove it. That's things like committee...like commission appointments that have a timer on it, the Council needs to affirmatively disapprove those. But in this instance, because there's no indication that the Council needs to affirmatively disapprove this, you know, filing it basically is disapproval because the...the IGA can't proceed without a Council affirmative approval. That's...that's Committee Staff's understanding. Thank you, Chair.

COUNCILMEMBER PALTIN: And...and filing will have a Committee report, you're saying?

CHAIR SUGIMURA: Yes.

MR. KRUEGER: Yes, Chair.

COUNCILMEMBER PALTIN: Sorry, did you say filing would have a Committee report?

CHAIR SUGIMURA: Yes.

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COUNCILMEMBER PALTIN: Okay. All right. Thank you.

CHAIR SUGIMURA: Thank you. Next we have Chair Lee, followed by Member Sinenci.

COUNCILMEMBER LEE: I'd like to ask Corp. Counsel the very same question.

CHAIR SUGIMURA: Oh, Mr. Kolbe?

COUNCILMEMBER LEE: Why...I'd like to know why we can't vote no on this bill.

MR. KOLBE: Chair Lee, I don't have a lot to add to the comments that have already been made. The bill before is for approval of the action, and the...and if you vote no, that you're not approving it, then from what I can understand from a procedural point of view, it...it acts as a filing and a Committee report is generated that you didn't approve it. I am not a legislative expert, and so I have to defer to OCS and to...and to your Staff, but that's my understanding.

COUNCILMEMBER LEE: So...so, we can, without a problem, vote no on Bill 9, regardless if it ends up to be like a filing? The fact that is...the fact is, it doesn't pass. Right?

CHAIR SUGIMURA: Mr. Kolbe?

MR. KOLBE: That...that's...that's correct. It doesn't pass. You haven't...you haven't recommended approval. You haven't voted to approve it, to pass it out to the Council.

COUNCILMEMBER LEE: No, I...I feel that...that we should be able to vote no because a...a filing is like no...in a sense, not taking action. And that might be interpreted as the Council deferring to the Administration. And that's not the intent here. The intent is to...to end it, to say no to Bill 9 [sic], period. And then people need to understand that the previous bill can't...cannot be taken up with this one. We're only dealing with bill...you know, this bill, not the other one...92, not the other one. We can take up the other one separately at a different time, under a different agenda. Okay. That's my question. And Chair, I'm hoping that we can...I have an appointment at 11:45.

CHAIR SUGIMURA: Okay.

COUNCILMEMBER LEE: So...yeah.

CHAIR SUGIMURA: We want you to vote.

COUNCILMEMBER LEE: I just want to let you know.

CHAIR SUGIMURA: Okay. Thank you.

COUNCILMEMBER LEE: I'd love to vote too.

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CHAIR SUGIMURA: Yeah. Member Sinenci?

COUNCILMEMBER SINENCI: Thank you, Chair. Just continuing on the questions. So, it sounds like the Chair's recommendation is to file, but many Members want to vote no. So, would we have to amend to vote no? Is...is there an extra step if we wanted to vote no --

CHAIR SUGIMURA: Okay. So, I'm going to...

COUNCILMEMBER SINENCI: -- to the process, Mr. Krueger?

CHAIR SUGIMURA: I have spoken to OCS, Mr. Krueger. So, what we're going to do...my recommendation is to file, which is a no, right, for...is my recommendation. And in the Committee report, which is something that we really want to happen, the clarity will be that when they write the Committee report, it will say file with a clear no vote on this bill. So, just...that's how we're going to cover it because our process is to, as Corp. Counsel and everybody...Mr. Krueger has said, the process is we're going to file this. It's going to mean a no vote. It's going to generate a Committee report, which is what we want to happen. And that's the action I'm going to recommend. And it's a no vote.

COUNCILMEMBER SINENCI: A no vote...so we'll approve to file, is that what you're saying?

CHAIR SUGIMURA: I'm going to recommend a filing of this.

COUNCILMEMBER SINENCI: Would be the...it would be the same as a no vote?

CHAIR SUGIMURA: Yeah.

COUNCILMEMBER SINENCI: Okay.

CHAIR SUGIMURA: Going to file Bill 92, CD1 (2025), is my next step.

COUNCILMEMBER SINENCI: Okay. All right. Mahalo.

COUNCILMEMBER PALTIN: So, we got to vote yes for it to mean no is what you're saying?

CHAIR SUGIMURA: No, no. . . .*(laughing)*. . .

COUNCILMEMBER SINENCI: Because I...I...you know, I...I agree with...

COUNCILMEMBER PALTIN: Because we got to vote yes to file it, and then that will mean no on 92.

CHAIR SUGIMURA: Oh.

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COUNCILMEMBER SINENCI: And I...and I agree with Chair Lee that we want...I mean, our vote wanted to be a resounding --

CHAIR SUGIMURA: Disapproval.

COUNCILMEMBER SINENCI: -- negative. Yeah.

CHAIR SUGIMURA: Yeah.

COUNCILMEMBER SINENCI: Okay.

CHAIR SUGIMURA: Okay.

COUNCILMEMBER SINENCI: Thank you.

CHAIR SUGIMURA: Okay. All right. Anybody have any more questions on this? Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo. First, I...I just wanted to follow up on my round one question about the...the impact that this JTTF has had since 2002, and the types and number of terrorism that it's discovered and stopped.

CHAIR SUGIMURA: Is that a question for Police? Is that what you're asking, Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Yes, unless you have the answer.

CHAIR SUGIMURA: Deputy Chief?

MR. MAEDA: Thank you for the question. I don't have the exact number of times the information from the JTTF has assisted or resulted in the arrest of...of somebody. I can try to get that information for you. But the most recent one that I can recall is the one where...you guys remember where the unexploded ordnance was found by Kahului Elementary School, and we needed assistance in that one. There was other bombs set off. There was one bomb set off in Pukalani. And then we requested the assistance from the JTTF, who sent over bomb technicians to help us process the scenes and...which led to the arrest of a local individual. But if you need statistics, I...I can try to get you statistics on...on how many times that the information has assisted or led to the arrest of...of somebody. If that's your question.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yes. Mahalo, Deputy Chief Maeda.

MR. MAEDA: Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: And then my second question is for Corp. Counsel. So, in the last DRIP Committee meeting when we were discussing the contract itself, at the bottom of that...the IGA that's...or the MOU that's attached to

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Bill 92, and then to the response that we received from the Police Department on the 2007 MOU, before the signatures on the last page of the MOU, it has amendments. And it says, this agreement may be amended only by mutual written consent of the parties. And in that Committee meeting, we discussed whether our disapproval, because it requires mutual consent, would mean that Maui County is no longer participating in the JTTF, that the FBI would need to mutually consent. Did...Corp. Counsel, did we figure out if like we say no, that a no means no, and it would be accepted? I know this administration does not like to accept no's as an answer, but...

MR. KOLBE: So, I...I'm trying to understand. The amendment section basically says that any of the provisions within the MOU itself can't be changed except by mutual agreement, meaning that both sides have to agree to it. The durational section, which is . . .(timer sounds). . . actually in here twice on the...on the 2007 one, it seems to say the same thing, is one of those provisions. So, we have the right to, with 60-day notice provided to the other party, terminate the MOU, and then that would result in various things happening. I don't think that the section on amendments would allow the FBI to modify the durational section. And so --

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay.

MR. KOLBE: -- therefore, we still --

COUNCILMEMBER RAWLINS-FERNANDEZ: So, you're saying --

MR. KOLBE: -- have the ability to withdraw.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- the MOU may be terminated at will by any party provided written notice is provided to the other party of not less than 60 days upon termination, dot, dot, dot, dot. So, just 60 days under the current 2007 MOU. So, I guess my...my last question regarding Bill 92 itself, looking at the bill, bill for an ordinance authorizing the Mayor to enter into an intergovernmental agreement, and thinking about how my colleagues and myself would like to do more than just file it, that I...I am considering, and I would like Corp. Counsel to opine on...opine on this, is a bill for an ordinance rescinding the authorization of the Mayor's agreement with that...in this MOU, in this IGA. And so, that would be an amendment to the Bill 92, which would rescind the 2007.

CHAIR SUGIMURA: Corp. Counsel?

MR. KOLBE: Thank you. That's a complicated question, obviously. It goes to the Charter responsibilities and...and the ability of the Mayor as the person who can enter into an intergovernmental agreement, as opposed to the general powers of the County Council to approve certain things, or to be the power of the purse when a financial obligation is in play. So, I...I'm not really prepared to give you a definitive answer one way or the other, whether or not this Council could file something...a resolution to rescind. I think that we probably have to figure out the balance since the power to be...to enter into intergovernmental agreements, and therefore probably to withdraw from them, lies with

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the...the Mayor. But if...if you want to send a request for additional research on this, we could look into it. Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. But the continuation of public resources would still be invested in this JTTF. And we heard from the public that they would like their money to no longer be invested in this. And it's our taxpayers' money. And we are...you know, are supposed to represent our...our...our residents. So, it's their money, and they would like their resources to no longer be used in this way. And that's our authority as the Legislative Branch to say stop.

CHAIR SUGIMURA: Okay. You want . . . *(inaudible)*. . . to respond?

COUNCILMEMBER RAWLINS-FERNANDEZ: Sure.

MR. HANANO: Chair?

CHAIR SUGIMURA: Oh, Mr. Hanano? Or who wants to respond? Which attorney?

MR. HANANO: Yeah, I hear what Councilmember Rawlins-Fernandez is saying. The concern we...we have...I don't know if she's proposing to do that today, but the concern we have is notice requirements.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yes, I was proposing to do that today.

MR. HANANO: Okay. So, the concerns...concerns that we would have with that is Sunshine Law issues because that wasn't part of the agenda for this item. I think, as Deputy Corporation Counsel Kolbe has suggested, that maybe in the future, something can be proposed to address Councilmembers' concerns. Thank you.

CHAIR SUGIMURA: Okay. Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: And by something, Mr. Hanano, you're saying a resolution. I heard someone say a resolution. Is that what it would be?

MR. HANANO: I would have to look into that as well. But I think a resolution would probably be the vehicle to do it because in the prior governmental agreement, there was no approval by Council. So, I'm not sure if Council could unilaterally revoke it, or if a resolution would be the more appropriate means to recommend that the County withdraw from that agreement...or terminate the agreement. Thank you, Chair.

COUNCILMEMBER PALTIN: Even if they're spending 1,300 annually?

MR. HANANO: Yeah. I mean, whatever --

COUNCILMEMBER PALTIN: Because...

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MR. HANANO: -- whatever the terms of the agreement that is currently being effectuated, I think, you know, there needs to be a separate type of vehicle, or legislative act to either recommend or rescind the prior agreement.

CHAIR SUGIMURA: Okay. Thank you. Members, I'm going to call a recess until 11:30 and take a little break, because we haven't had one, and then continue this discussion.
...*(gavel)*...

RECESS: 11:23 a.m.
RECONVENE: 11:42 a.m.

CHAIR SUGIMURA: ...*(gavel)*... Welcome back. It's 10:42, and I am going to continue this discussion. We had David Raatz, who is our Director of Office of Council Services, come to this body so that we can hear about our Council process. I want to just state that I am of the same opinion, disapproving this Bill 92. So, that is my position, to disapprove...and I think I hear it unanimously, but we're now stuck on words. So, I want to ask Director Raatz to please tell us what the process is for Council, and what our actions may be.

MR. RAATZ: Thank you, Chair. For the record, David Raatz, Director of Council Services. So, a couple of quick background points. This Committee, like the other standing Committees of the Council, exists to make recommendations to the Council on legislation that has been referred. So, the meeting agenda today, and the status section for Bill 92, explains what the Committee's options are. You can recommend passage of the bill in its original form, or in amended form, or you can recommend filing of the bill. Filing, under the Rules of the Council, is the way that bills are disposed of or disapproved. And the Committee report, in explaining the rationale, can express that this recommendation for filing is based on the Committee's disapproval of the bill. Thank you, Chair.

CHAIR SUGIMURA: Thank you. Anybody have questions for Mr. Raatz? Okay. So, we...oh, Member Paltin, did you have a question? Your finger went up.

COUNCILMEMBER PALTIN: No, that was...that was super clear in layman's terms. I like that.

CHAIR SUGIMURA: Okay. Okay. Good. So, to dispose of this bill from this Committee, which is what I hear everybody wanting to do, Director Raatz is recommending that we take action by filing. Is that what you just said?

MR. RAATZ: Thank you, Chair. That would be the way for the Committee to recommend that the Council dispose of and disapprove the bill, is to recommend filing. Thank you.

CHAIR SUGIMURA: Okay. Okay. Member Sinenci?

COUNCILMEMBER SINENCI: Thank you, Chair. I was just curious, should this body do not get the support to file?

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CHAIR SUGIMURA: Oh, you...what are you asking? Sorry. You're asking what if we don't...what if the Members do not want to file the bill?

COUNCILMEMBER SINENCI: Yeah. What would be our options with the bill?

CHAIR SUGIMURA: Director Raatz?

MR. RAATZ: Thank you, Chair. So, you need five affirmative votes to make a recommendation to the Council. If you don't have five votes to file or to pass, to take any of those options that are...are listed, then the bill would be regarded as deferred and would remain with the Committee. At the end of the term, it would be automatically filed under the Rules of the Council, but...so deferral is the default action if you don't get five votes to either pass or file. Thank you.

COUNCILMEMBER SINENCI: Okay. Thank you, Chair.

CHAIR SUGIMURA: Okay. All right. Member Cook?

COUNCILMEMBER COOK: Thank you, Chair. So, what I hear, we vote to file the bill. There will be a Committee report that will be forwarded to the Council that the bill...that this bill was not supported, and therefore, it...it won't be voted on by the Council. It will be heard in...in a Committee report, but it will be, for all intents and purposes, pau from our filing it and transfer...transmitting it to the full Council without support, correct?

CHAIR SUGIMURA: Correct.

COUNCILMEMBER COOK: Thank you.

CHAIR SUGIMURA: Okay. Any more questions? All right. So, Chair Lee?

COUNCILMEMBER LEE: In answer to Member Cook, this would go to the Council, and then the Council would have to vote on it.

CHAIR SUGIMURA: Yes.

COUNCILMEMBER LEE: This is the recommendation from this Committee, yeah?

CHAIR SUGIMURA: Yes. Yes.

COUNCILMEMBER COOK: So...

COUNCILMEMBER LEE: But...but it sounds like...honestly, it sounds like we have no choice, if...for those of us who want to vote no, we have no choice but to recommend filing.

CHAIR SUGIMURA: Yes, as an action of the Council...of the BFED Committee. Member Cook?

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COUNCILMEMBER COOK: Thank you, Chair...Chair Sugimura. So, Chair Lee, it sounds like we have the opportunity to vote no twice.

CHAIR SUGIMURA: Once here and once in Council. Okay. So, I'm going to entertain a motion to recommend filing of Bill 92, CD1 (2025).

COUNCILMEMBER U'U-HODGINS: So move.

CHAIR SUGIMURA: Thank you.

COUNCILMEMBER COOK: So moved [*sic*].

COUNCILMEMBER JOHNSON: Second.

CHAIR SUGIMURA: Thank you. Thank you. So, motion made by Member U'u-Hodgins, second by Member Cook. And any discussions? Member Rawlins-Fernandez...and then Chair Lee.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Mahalo. And mahalo to everyone for coming out to testify. So, I...I will be supporting the motion to file. I understand that my colleagues would have liked to have had the opportunity to take a more affirmative action of saying no more than just filing. But I just drafted the resolution to rescind the...and I draft...I...I wrote it, rescinding the currently enacted...inac...intergovernmental agreement with the Federal Bureau of Investigation for a Joint Terrorism Task Force. So, I already drafted it up and sent it to Director Raatz. And then, do...do we know when the Committee report will be on the full Council? And then, when...whenever the Committee report will be on the full Council, perhaps the resolution that I drafted can be on the same Council agenda, and then, you know, everyone will have that opportunity to do more than just passively file what's before us, and then let it, you know, auto file at the end of the term in December or January.

CHAIR SUGIMURA: Okay. Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Do we know?

CHAIR SUGIMURA: Thank you very much. Do we know when the --

COUNCILMEMBER RAWLINS-FERNANDEZ: Do we know the answer to my question?

CHAIR SUGIMURA: -- this will be...I'm finding it out. When will the Committee report be done and sent to full Council?

MR. KRUEGER: Chair. So, the...the current intent would be for the Committee report to be prepared for the first Council meeting in March.

CHAIR SUGIMURA: March. Okay. All right. Thank you.

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COUNCILMEMBER RAWLINS-FERNANDEZ: Okay.

CHAIR SUGIMURA: Very good. Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo.

CHAIR SUGIMURA: Anybody else have any more discussion? Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. As Member Cook had mentioned, that we'll be able to express our votes at the Council meeting. And I can support the motion on the floor to file, and I'll be voting no in Council. Thank you.

CHAIR SUGIMURA: Thank you. All right. Any other comments? Member Paltin?

COUNCILMEMBER PALTIN: Thank you, Member Sugi...or Chair Sugimura, good job. So, I just wanted to clarify, I'll be voting yes on filing here and at Council, but I rea...what I really mean is no to the JTTF, but I'll be saying yes, but what I mean is no to the agreement.

UNIDENTIFIED SPEAKERS: . . .*(laughing)*. . .

COUNCILMEMBER PALTIN: So, it's all very wacky times we're living in. Yes means no, up is down, and so on and so forth...but I'll be voting yes, but I mean no.

CHAIR SUGIMURA: Thank you, Member Paltin. Chair Lee, and then Member U'u-Hodgins.

COUNCILMEMBER LEE: Yeah, same with me. You know, I was looking forward to voting no, and now I'm disappointed I have to vote yes, which actually means no. However, I do want to make a point about thanking the testifiers today. They were...they provided substantive information to us and a strong foundation for the vote we are taking today, which means actually no, even though we're voting yes. Thank you.

CHAIR SUGIMURA: Thank you. And Member Paltin?

COUNCILMEMBER PALTIN: Oh, I went already. I don't --

CHAIR SUGIMURA: You went.

COUNCILMEMBER PALTIN: -- have anything else.

CHAIR SUGIMURA: Oh, did anybody else have anything to...oh, I'm sorry, Miss...Member U'u-Hodgins.

COUNCILMEMBER U'U-HODGINS: Thank you, Chair. Thank you for navigating this with us. I know this is not a common thing we typically do. I wanted to express my gratitude to the testifiers, especially Cesar. We all...this Council loves him so much. So, I do

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appreciate him coming out and speaking up on behalf of his people. And I can appreciate how rough it is for not only him, even though he's an American citizen, how scared it...he is for his community. I would also like to express my appreciation to MPD. They are good people who do good things in this community. And if you cannot tell by the way they look, I'm sure they also am terrified of what's going on in this nation as well. We are all a group of minorities, and we do have each other's back. And whether or not...this situation is very confusing for all of us. So, I did want to express my appreciation to MPD. Thank you for being with us today. And thank you for your support for this community and having our backs as well. Thank you. Thank you, Chair.

CHAIR SUGIMURA: Thank you. Anybody else have any comments? Member Johnson, go ahead.

COUNCILMEMBER JOHNSON: Thank you, Chair. Yeah, these are very odd times, to say the least. Never would in my life, I imagine this is the state our country's in. And there was something that we can do on a local level, I'm here to support it. I...I echo the sentiments of what the folks in the test...in the test...all the testifiers had said in...in their testimonies. It's an...it's an important issue. Just...just letting everybody out there...you know, there's a lot of fear in our communities because of what's going on on the mainland. This Council has supported Roots Reborn, which is going out there trying to help folks navigate this process, this immigration process. So, we actually put our money where our mouth is. And if you're watching this and...and, you know, and you're scared, reach out to Roots Reborn. They're...they're out there helping. They are doing a lot of the outreach and grassroots kind of style work for this kind of thing. So, if you are afraid, there are people out there trying to help you. And I'll just leave it at that. Thank you, Chair.

CHAIR SUGIMURA: Thank you. Yes. All right. Members, are we ready? All right. Okay. I'm going to recommend filing of Bill 92, CD1. All in favor, raise your hand and say "aye."

COUNCILMEMBERS: Aye.

CHAIR SUGIMURA: I think there's eight of us. Member Batangan is excused, so it passes. So, eight "ayes."

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

NOES: **None.**

ABSTAIN: **None.**

ABSENT: **None.**

EXC.: **Vice-Chair Batangan.**

MOTION CARRIED.

ACTION: **Recommending FILING of Bill 92, CD1 (2025).**

CHAIR SUGIMURA: This is being filed. And all of you in the audience and in TV land, you heard that means no to this, right? This is our process. And thank you, Mr. Raatz, for coming to clarify this as a final say. Member Cook?

COUNCILMEMBER COOK: Thank you, Chair. When will the Committee report be published?

CHAIR SUGIMURA: Oh. At...at the next Council meeting.

COUNCILMEMBER COOK: Okay. So --

CHAIR SUGIMURA: Yeah.

COUNCILMEMBER COOK: -- the public will basically be able to see --

CHAIR SUGIMURA: Yeah. Yeah.

COUNCILMEMBER COOK: -- the...the texture and the meaning of this.

CHAIR SUGIMURA: Right.

COUNCILMEMBER COOK: Thank you.

CHAIR SUGIMURA: And the discussion that came up. All right. So --

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair? Chair?

CHAIR SUGIMURA: -- this is done.

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair?

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CHAIR SUGIMURA: Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: So, the next Council meeting is on February 18th. The Committee report will be on March 6th.

CHAIR SUGIMURA: Oh, I'm sorry. It'll be on March...in March. I think they said March, so...

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah, yeah.

CHAIR SUGIMURA: Thank you for the clarification.

COUNCILMEMBER RAWLINS-FERNANDEZ: I know, next...next week is kind of like an odd Council meeting scheduling, so --

CHAIR SUGIMURA: Yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- yeah.

CHAIR SUGIMURA: Thank you. Okay. So, it's March 6th. All right. This...this is filed, done, and we'll get the Committee report. All of you will get to see it. Jake, thank you for...very much for being here. And this item is done. So, if anybody needs to leave, Police, anybody, we are done with this one item. It is filed. Thank you. So, we have on our agenda two more items, which is --

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, Chair? Sorry.

CHAIR SUGIMURA: -- Bill 116.

COUNCILMEMBER RAWLINS-FERNANDEZ: Point...point of --

CHAIR SUGIMURA: Yes --

COUNCILMEMBER RAWLINS-FERNANDEZ: -- point of clarification.

CHAIR SUGIMURA: -- Ms. Rawlins-Fernandez, I just saw you.

COUNCILMEMBER RAWLINS-FERNANDEZ: I mean, it's done in the Committee. It's recommended to be filed. It's not filed yet. It'll be filed on March 6th.

CHAIR SUGIMURA: Yes. It'll be recommended to file at the Council meeting. Thank you very much. So, thank you very much, all the testifiers and the people in the Chambers. I'm going to change to the next item on the agenda. I know Chair Lee had to leave...looks like she left. I may be losing quorum.

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ITEM 17: BILL 116 (2024), AMENDING CHAPTER 3.36, MAUI COUNTY CODE, RELATING TO THE MAUI COUNTY GRANTS PROGRAM, AND CHAPTER 3.40, MAUI COUNTY CODE, RELATING TO CONCESSION AWARDS AND RENTAL OR LEASE OF COUNTY PROPERTY

CHAIR SUGIMURA: So, Bill 116, which is BFED-17. The second item on the agenda, which proposes amendments to Chapter 3.36 and Chapter 3.40, Maui County Code, to support the timely implementation of affordable housing and residential workforce housing programs by exempting below-market leases from certain procedural requirements, including approval of the leases by the Council. We first met on this item on June 17, 2025, and we deferred action, given various drafting corrections that were needed. For today's meeting, I've posted an amendment summary form with a revised CD1 version that incorporates the needed reversions along...revisions along with some other proposed changes to increase oversight through budget...budget and annual financial reporting for all grants. Assisting us from [sic] our discussion today is...is it Director Remi Martin [sic]? Oh, he's online. Remi...okay. Director of Housing, Mr. Mitchell, is online. And do we have CDBG also? Jolie, I didn't see her. Jolie, you want to come down? Yeah, thank you. Jolie, our CDBG manager. I'll be asking for opening comments from the Director of Housing first, as well as Jolie from CDBG for any opening comments, and then we'll do testimony and proceed. But it's almost 12:00. Can Members stay? Okay. We'll just finish this as fast as possible so we can do GREAT. Thank you.

UNIDENTIFIED SPEAKER: 12:00.

CHAIR SUGIMURA: You have a 12:00 meeting? Okay. Oh, sit down. Thank you. Do you have any opening comments regarding this? *(pause)* Is Director Mitchell here? Go ahead.

MR. MITCHELL: Yes, I'm on the line, Member Sugimura...Chair Sugimura.

CHAIR SUGIMURA: Oh, okay. Do you have any opening comments? And then we can defer to Jolie Jenkins. Sorry about that.

MR. MITCHELL: I do, thanks. And thank you for the opportunity to testify in support of Bill 116. As indicated in the transmittal, it was first transmitted to Council for consideration in 2024...July, 2024. And since then, the CDBG Office, which was previously the Mayor's Office, has been transferred to the Department of Housing. I've reviewed the ASF that was agendized, and agree with the technical corrections, as well as the additional reporting requirements. But I'm testifying to support the underlying policy of allowing the Department to streamline the process to get these leases approved. It creates an incredible challenge for both the CDBG folks, as well as Department of Housing, to have an additional layer of processing. When...for this program in particular, we are supporting our kūpuna in housing that we are providing, and that's, you know, the focus of this program. If there are any questions, I will gladly

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take those questions. And I know that Ms. Jenkins is there as a resource for the Committee to support this item. Thank you, Chair.

CHAIR SUGIMURA: Thank you very much, Director. Ms. Jenkins?

MS. JENKINS: Good morning, BFED Chair and Committee Members. I'm Jolie Jenkins, the Community Development Block Grant Program Manager, and I'm here in strong support of Bill 116. This bill proposes a practical solution to the critical barrier that is preventing programs such as Na Hale Kūpuna from reaching their full potential and effectiveness. Those barriers are sections of the Maui County Code, which currently requires CDBG to receive Maui County Council approval of direct leases between CDBG and the Na Hale Kūpuna tenants. As noted in the original transmittal of the bill, the requirement of Council approval for these leases add to the already heavy workload of the Council, delays leasing up to our kūpuna, and also presents privacy issues due to the tenants of the NHK program needing to meet eligibility requirements related to income. Passing Bill 116 will help transform a good program into a great one, ensuring that our kūpuna receive timely housing support and that County resources are used in the most effective way possible. I humbly urge your support of this measure, and available for any questions.

CHAIR SUGIMURA: Thank you. Anybody else? Oh, you want to say something? Corp. Counsel.

MS. WRIGGLESWORTH: We did...I did review this with my colleague, Andrew Nelson, and we just wanted to make sure that there would be no confidential personal information provided in the reporting for the kūpuna that are part of this program.

CHAIR SUGIMURA: Point well taken. Thank you. All right. So, those were the opening comments from the resources. Are there any public testimony? You do have? Okay. Please proceed with public testimony.

MR. KRUEGER: Chair, there's currently one individual signed up to testify, that would be Cesar Gaxiola.

CHAIR SUGIMURA: Oh, his program. Hey, Cesar.

. . . OPEN PUBLIC TESTIMONY FOR ITEM 17 . . .

MR. GAXIOLA: Aloha. Here again. Committee Chair and Councilmembers, thank you for this opportunity to...to speak in front of you. And also, big mahalo from the bottom of my heart for your work this morning. I'm not going to read the testimony, I did present written testimony already to you. But in short, I...looking at the time, I just wanted to empha...emphasize the...I...I do want to acknowledge myself and my staff, want to acknowledge the CDBG Staff for all their work, and for being very responsive and responsible when...whenever we have questions or anything like that. And we are in favor of this bill. Thank you very much.

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CHAIR SUGIMURA: Thank you. Thank you very much for doing this...management of these leases. You came forward when we needed you again.

MR. GAXIOLA: Thank you.

CHAIR SUGIMURA: Thank you very much. Any questions for the testifier? Seeing none. Thank you very much, Cesar. All right. Any more testifiers?

MR. KRUEGER: Chair, there's currently no one else signed up to testify on this item, so we'll do a last call. If there is anyone else who'd like to testify on this item, please identify yourself now. On Teams, you can do that by raising your hand. We'll do a countdown...three, two, one. Chair, there's no one else to testify on this item.

CHAIR SUGIMURA: Thank you. Member Johnson?

COUNCILMEMBER JOHNSON: Chair, I'm sorry, I do have a 12:00, and they just arrived.

CHAIR SUGIMURA: Okay.

COUNCILMEMBER JOHNSON: So, are we at bare quorum now?

CHAIR SUGIMURA: Are we at...are...do we have quorum? I know Chair Lee left.

UNIDENTIFIED SPEAKER: We're at six right now.

CHAIR SUGIMURA: We're at six and with him, you'll be...okay. We'll be at five, bare quorum.

COUNCILMEMBER JOHNSON: Okay.

CHAIR SUGIMURA: So, thank you. Thank you very much.

COUNCILMEMBER JOHNSON: I'm sorry, I had this meeting, and I...I have to go.

CHAIR SUGIMURA: Yeah.

COUNCILMEMBER JOHNSON: Thank you.

CHAIR SUGIMURA: Yeah, everybody, thanks for spending the time talking about our first bill, appreciate it. So, we have one, two, three, four...we have five...six of us. There's six. Yeah. Okay. That's Member Paltin. All right. So, at this time then, I'm going to close public testimony, receive written testimony.

... CLOSE PUBLIC TESTIMONY FOR ITEM 17 ...

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CHAIR SUGIMURA: I'm going to try to do this as fast as possible. You have an ASF that was submitted from...from me, and if you will look at it. So, at this time, I'd like to entertain a motion to recommend passage on first reading of Bill 116 (2024), incorporating any nonsubstantive revisions.

COUNCILMEMBER COOK: So move.

COUNCILMEMBER U'U-HODGINS: Second.

CHAIR SUGIMURA: Member Cook, Chair...second by Member U'u-Hodgins. Okay. I'll now entertain the motion to amend Bill 116 (2024), by replacing it with CD1 versions attached to my posted ASF.

COUNCILMEMBER U'U-HODGINS: So move.

CHAIR SUGIMURA: Thank you. So --

COUNCILMEMBER PALTIN: Second.

CHAIR SUGIMURA: -- the motion is...would somebody like to read it? Okay. I'll do it. The proposed CD1 version, Bill 116, requires real property tax [sic] granted for lease or rental to be reported in Appendix B-1 of the annual budget ordinance. Requires County agencies with grants to provide an annual compliance summary under Chapter 3.36, and a financial summary that includes the total amount awarded for each grant recipient and for grants related to leases of real property, costs, revenue sources, total taxpayer subsidy, and a justification to continue the leases in the next fiscal year. C, incorporates technical and conforming revisions, including revisions to account for the passage of other legislation. I move to replace 1...Bill 116 with the attached CD1 version, and the effect of this will...with...adds text as highlighted, and deleted text shown in strike...strikethrough. We did a grant...a bill showing it. Attached proposed bill revisions and a markup of proposed bill revisions. So, that's what this CD1 version is about. And I guess one question is, you would be able to create this report, right?

MS. JENKINS: Correct, Chair.

CHAIR SUGIMURA: Okay. Any other discussion? Okay. No discussion? All in favor of the ASF...Member Cook? Oh, are you making the motion?

COUNCILMEMBER COOK: I'm voting.

CHAIR SUGIMURA: Oh, you're voting? Okay. All in favor of the ASF raise your hand and say "aye."

COUNCILMEMBERS: Aye.

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CHAIR SUGIMURA: So, do we have five? Keani...one, two, three, four, five, six. Okay. So, who is absent is Chair Lee and Member Johnson had to leave. Member Paltin's still there. Okay. Yay, ASF passes.

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

**EXC.: Vice-Chair Batangan and Councilmembers
Johnson and Lee.**

MOTION CARRIED.

ACTION: SUBSTITUTE Bill 116 (2024)

CHAIR SUGIMURA: Main motion as amended. All in favor, raise your hand and say "aye."

COUNCILMEMBERS: Aye.

CHAIR SUGIMURA: Thank you.

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

**EXC.: Vice-Chair Batangan and Councilmembers
Johnson and Lee.**

MOTION CARRIED.

ACTION: Recommending FIRST READING of Bill 116, CD1 (2024).

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CHAIR SUGIMURA: Okay. So, this is great. This is excellent. So, Department of Housing, we will move forward with the leases that we need to. And again, this...this bill is to try to make this process easier. I had a really good idea that came from Staff that said one day we should make this kūpuna housing like other housing projects where we...the example would be for Cameron Center to be in charge of it, and they take care of all of it so we're not piecemealing it the way that we're doing. And it's probably a great idea, and if we can work on legislation to make that happen and tighten it. So, that would be the next steps for me if...if you could think about it. And thanks for the good idea, Michele Yoshimura.

ITEM 20(12): ADMINISTRATION AND MANAGEMENT OF GRANTS

CHAIR SUGIMURA: All right. So, I'm going to go to the last item on the agenda, which is grants, Members. And we are not going to have time to take it up, but I am required to take public testimony on it. And after that, we'll adjourn this meeting. So, do we have any testifiers? Thank you, Jolie.

. . . OPEN PUBLIC TESTIMONY FOR ITEM 20(12) . . .

MR. KRUEGER: No...no one signed up to testify on this item, Chair. So, briefly, last call. If anyone would like to testify, please identify yourself now. Here's the countdown...three, two, one. Chair, there's no one to testify.

CHAIR SUGIMURA: All right. So, I'd like to thank...oh, open...we're going to close public testimony, receive written testimony on this last item, which is about grants.

. . . CLOSE PUBLIC TESTIMONY FOR ITEM 20(12) . . .

CHAIR SUGIMURA: And I wanted to bring this up, Members, so that we can get ready for our Fiscal Year '27 Budget. It was...the intent was to talk about Agriculture and DEM, those grants that are in those departments, because I think we've talked a lot about OED, the grants that are in OED, and we wanted to get ready for...for these two departments. Thank you, Shayne Agawa, for hanging on and being available as a resource for this item. But we are not going to have enough time to take it, and I will take it up in March at one of the BFED meetings so that we can talk about grants. I also want to thank Gabe Johnson. He left the meeting. He has a survey out to nonprofits, which...I can ask his office maybe to send out that survey if you haven't seen it already, but it's for nonprofits to give feedback on processing grants and the challenges that they have been expressing to us, as well as Member Johnson. So, he put the effort together. Thank you, Kate, for doing this, and I will tell him separately, because he already left the meeting, appreciate this, and we'll hear it again. So, Members, this item will be deferred.

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COUNCILMEMBERS VOICED NO OBJECTIONS (excused: KB, GJ, AL).

ACTION: DEFER.

CHAIR SUGIMURA: And thank you very much for working hard today, and this meeting is now adjourned. . . .*(gavel)*. . .

ADJOURN: 12:08 p.m.

bfed:min:260210:ds

Transcribed by: Daniel Schoenbeck

BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES
Council of the County of Maui

February 10, 2026

CERTIFICATION

I, Daniel Schoenbeck, hereby certify that pages 1 through 58 of the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 6th day of March 2026, in Wailuku, Hawai'i



Daniel Schoenbeck