

# GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE

Council of the County of Maui

## MINUTES

Council Chamber

March 12, 2019

**CONVENE:** 9:00 a.m.

**PRESENT:** Councilmember Michael J. Molina, Chair  
Councilmember Keani N.W. Rawlins-Fernandez, Vice-Chair  
Councilmember Riki Hokama (excused from 9:52 a.m. to 10:00 a.m.)  
Councilmember Tasha Kama  
Councilmember Kelly T. King  
Councilmember Alice L. Lee  
Councilmember Tamara Paltin  
Councilmember Shane M. Sinenci  
Councilmember Yuki Lei K. Sugimura (arrived at 9:10 a.m.)

**STAFF:** Shelly Espeleta, Legislative Analyst  
Carla Nakata, Legislative Attorney  
Christy Chung, Legislative Analyst  
Pauline Martins, Committee Secretary

Don Atay, Executive Assistant to Councilmember Sinenci

Zhantell Lindo, Council Aide, Molokai Council Office (via telephone conference bridge)

Denise Fernandez, Council Aide, Lanai Council Office (via telephone conference bridge)

Mavis Medeiros, Council Aide, Hana Council Office (via telephone conference bridge)

**ADMIN.:** Edward S. Kushi, Jr., First Deputy Corporation Counsel, Department of the Corporation Counsel  
Brian Bilberry, Deputy Corporation Counsel, Department of the Corporation Counsel  
Christie Trenholme, Deputy Corporation Counsel, Department of the Corporation Counsel  
Jordan Hart, Deputy Director, Department of Planning  
Jay Arakawa, Supervising Zoning Inspector, Zoning Administration and Enforcement Division, Department of Planning  
Sterling Kiyota, Assistant Chief, Department of Police  
Donald S. Guzman, Acting Prosecuting Attorney, Department of the Prosecuting Attorney

**OTHERS:** Artemio Baxa

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Elizabeth Ayson  
Susan Grubbs  
Sean Lester  
Zaldy Ugalina  
Rick Nava  
Annette Niles  
Norma Barroga Cronkite  
Patricia Hunt  
Andrew Martin  
Zandra Amaral Crouse  
Sam Small  
Jasee Lau  
Albert Hahn  
Plus (12) other people

**PRESS:** *Akaku Maui Community Television, Inc.*  
*Melissa Tanji, The Maui News*  
*Alan Johnson, Hawaii News Now*  
*Chelsey Davis, Hawaii News Now*  
*Susan Halas, Maui Time*

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CHAIR MOLINA: . . . *(gavel)* . . . The Governance, Ethics, and Transparency Committee meeting for March 12, 2019 will now come to order. It is 9:00 a.m. on Tuesday. Good morning Members. Chair would like to recognize first representing the Hana area Mr. Shane Sinenci.

COUNCILMEMBER SINENCI: Good morning, Chair.

CHAIR MOLINA: Good morning. Chair recognizes Council Chair Kelly King.

COUNCILMEMBER KING: Good morning, Aloha.

CHAIR MOLINA: Aloha. And Wailuku Member Alice Lee.

COUNCILMEMBER LEE: Good morning, Chair.

CHAIR MOLINA: And from Molokai our Committee Vice-Chair, Keani Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Aloha kakahiaka, Chair.

CHAIR MOLINA: And representing the island of Lanai, Councilmember Riki Hokama. And from the west side we have Councilmember Paltin.

COUNCILMEMBER PALTIN: Aloha kakahiaka, Chair.

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CHAIR MOLINA: Good morning. And from the Kahului area Ms. Tasha Kama.

COUNCILMEMBER KAMA: Aloha kakahiaka, Chair.

CHAIR MOLINA: Good morning. And we have one excusal this morning, I believe on her way is Councilmember Yuki Lei Sugimura. Members, we have three items on our agenda today, but of course before we address those items, we will take public testimony from not only here, but also from the island of Molokai and Lanai. We have roughly six people that have signed up for public testimony at this point. For those of you that will be testifying this morning the Chair would like to go over some ground rules for you first. You'll be given three minutes to testify. When you're up at the podium you'll see a yellow light. The yellow light will signify to you that you have 30 seconds to conclude your testimony and please keep your testimony confined to the items that are on our agenda today. So, with that being said, if there's no other questions for the Chair...oh yes, the Chair would like to recognize Staff. We have Ms. Shelly Espeleta, along with Ms. Pauline Martins. And also, we have Ms. Cynthia [sic] Chung as well joining us, so welcome. And from Corporation Counsel's Office we have Mr. Ed Kushi. So, with that being said we will call for our first testifier this morning. We'd like to call up on Mr. Artemio Baxa and Mr. Baxa will be followed by Ms. Elizabeth Ayson. Mr. Baxa, please proceed to the podium. And Mr. Baxa will be testifying on GET-1(3).

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

MR. BAXA: Honorable committee Chair, honorable Chair of the Council, Vice-Chair and other honorable Members of the Council. My name is Artemio Baxa. I have been a resident of Maui County for 52 years. About 20 years ago I met Mr. Don Guzman and his loving and devoted wife, Dr. Rose Guzman. I have been to their home. I have been invited there, but I had later on intermittently or only casually met with him, mostly in community events. I learned from Mr. Guzman that before he graduated from law school he was able to secure a position as judicial law clerk intern with the respected Honorable James Burns then Chief Judge of the Intermediate Court of Appeals of the State of Hawaii. Knowing that Mr. Guzman had passed the bar, I was one of those who encouraged him to apply for a position as a Deputy Prosecuting Attorney with the County of Maui. After that he was accepted, then practiced law for some time. Incidentally the County Charter requires that an aspirant for this position of County Prosecuting Attorney must have at least five years' experience. I was happy that he served as a judicial intern because that is an honor. Later on, he ran for Council for three terms and served for six years. With those various experiences I think that he's earned his qualification to become a prosecuting attorney for the County of Maui and I support him. I support the Mayor's nomination of him for that position.

CHAIR MOLINA: Judge? Sorry. Your testimony time has run out so...

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MR. BAXA: Hoping that this Council will confirm him and that he will serve all the people of Maui with fairness and justice for all. Without . . . *(inaudible)* . . .

CHAIR MOLINA: Judge? Sorry, I have to stop your testimony because the time has run out, but --

MR. BAXA: Yes, Mr. Chair.

CHAIR MOLINA: --I'll ask you to remain. Members, is there a need to clarify Judge Baxa's testimony? Seeing none, thank you very much, Judge, for your testimony.

MR. BAXA: Yeah.

CHAIR MOLINA: We're honored by your presence.

MR. BAXA: Thank you.

CHAIR MOLINA: Thank you. Next to testify we have Elizabeth Ayson who'll be testifying on the same item and Chair would like to just remind all testifiers please state your full name for the record and if you are a lobbyist please let the Staff know as well, and state your full name for the record, and if you are also representing any particular organization. Good morning, Ms. Ayson.

MR. AYSON: Good morning, Chair Molina, and good morning to all of our esteemed Councilmembers. I thank you for your service and today I would like to be of service. So, let me begin by saying to you that I don't have my glasses, but you have what I sent to you, so I'd like just to speak to you today from my heart about a subject that's very, very important to us. I would like to see the confirmation of Attorney Guzman because he represents for me a person who will enforce the concepts of law and following the law. As an educator and a mother, that is usually our first lessons that we teach and we hope everyone teaches their children, that there is right and wrong, and we make mistakes, but when we do wrong, we own up to our mistakes so that we can ask for forgiveness and then correct those mistakes and work really hard not to do them again even though we know we're not perfect and we might make more mistakes. I believe the Prosecuting Attorney's Office has a very important charge which is to try to help folks who have done wrong to go on a better path. I have seen the courage that Attorney Guzman has exercised in the following of this concept. Not only once, but many times. Not only in the correction of his own children, but himself, and I very much respect that. The kind of respect that we will do so much better with in our community is first self-respect because without that we cannot respect others. And until we can respect others there's no peace, and that's all I wanted to tell us today is to remember that Attorney Guzman represents, exercises that kind of integrity and follow through to give us a greater community. That we can all live together in peace. Thank you.

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CHAIR MOLINA: Thank you, Ms. Ayson. Members, any need to clarify Ms. Ayson's testimony? Seeing none, thank you very much for your testimony. Next to testify we have Susan Grubbs and she'll be also testifying on GET item 1(3) to be followed by Sean Lester. As while we await Ms. Grubbs as she approaches the podium, Chair would like to recognize Councilmember Sugimura to our proceedings this morning.

COUNCILMEMBER SUGIMURA: Good morning, Chair.

CHAIR MOLINA: Good morning. Good morning, Ms. Grubbs.

MS. GRUBBS: Good morning. My name is Susan Grubbs. I am a 21-year resident of Wailuku Heights and active in our neighborhood affairs and issues. I would like to go on record as endorsing Mr. Guzman as Maui County Prosecutor. I had experience dealing with Mr. Guzman as a Maui County Councilperson on a very controversial issue in 2017 regarding commercial business in Wailuku Heights residential neighborhood. I found Mr. Guzman to be honest, fair, trustworthy, and impartial with, dealing with both sides of the issue. He asked many issues of both sides before forming an opinion. Mr. Guzman is the best choice for the position of Maui County Prosecutor and I urge you to nominate...to confirm his nomination. Thank you.

CHAIR MOLINA: Thank you very much, Ms. Grubbs. Members, any need to clarify Ms. Grubbs' testimony? Chair King?

COUNCILMEMBER KING: Just a quick question. Thank you for being here, Ms. Grubbs. I just wanted to clarify you said you were with Wailuku Heights. Are you speaking as an individual or as a representative?

CHAIR MOLINA: Ms. Grubbs, prior to responding could you bring the microphone closer? There you go. Thank you.

COUNCILMEMBER KING: A representative of the housing organization?

MS. GRUBBS: I would say both.

COUNCILMEMBER KING: Okay, great. Thank you.

MS. GRUBBS: Thank you.

CHAIR MOLINA: Thank you. Members, any other need to clarify Ms. Grubbs' testimony? Seeing none, thank you very much. Next to testify we have Sean Lester to be followed by Zaldy Ugalina. And Mr. Lester will be testifying on also GET-1(3). Good morning, Sean.

MR. LESTER: Aloha, Mr. Chair and Members. I'm...my name is Sean Lester. I'm here for myself, but also as an echo of a lot of things that Councilmember Guzman has done

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over a period of time. I highly recommend Don Guzman for this position. Having spent time with Councilmember on his mayoral run as well as time with him as a Councilmember, I have found Mr. Guzman to be of the highest integrity. We're living in times right now where these decisions that are made in this body carry a huge amount of weight as we've seen with the things that have happened over the last week or so. So, in order for us to be able to have a person of this integrity come into a job where kindness and compassion as well as relevance of law has to be balanced, it's in my opinion, in my 30 years here, I'd have a hard time finding someone better than Mr. Guzman to fill this position. So, I'm asking you, a high recommendation, I'm asking you to please vote for him for this position. Thank you very much.

CHAIR MOLINA: Okay. Thank you, Mr. Lester. Members any need to clarify Mr. Lester's testimony? Seeing none, thank you. Next to testify we have Zaldy Ugalina, followed by Rick Nava. Mr. Ugalina will also be testifying on GET item 1(3).

MR. UGALINA: Good morning, Chair and --

CHAIR MOLINA: Good morning.

MR. UGALINA: -- Members. My name is Zaldy Ugalina. I was raised in Happy Valley Piihaha and now live in Maui Meadows. I'm here to testify for Mr. Don Guzman. I think Mr. Don Guzman's experience as Deputy Prosecutor and a Councilmember for the County of Maui makes Don very qualified to head the office of, the Prosecuting Attorney's Office. Don is fair and has so much care and love for the community, and County, and its people, that I believe Don will do an outstanding job for Maui County. So, I highly recommending Don to the Council by approving him to be the next Prosecuting Attorney. Thank you.

CHAIR MOLINA: Okay. Thank you very much, Mr. Ugalina. Members, any need to clarify Mr. Ugalina's testimony? Seeing none, thank you very much. Next, we have Mr. Rick Nava who will testify on item GET-1(3) and after that we'll go out to both Molokai and Hana to see if we have testifiers out there as well. Good morning, Mr. Nava?

MR. NAVA: Good morning, Chair Molina. Good morning, Councilmembers. My name is Rick Nava and I am here to speak and support attorney and former Councilmember Don Guzman as the next head Prosecuting Attorney. I have known Attorney Guzman for over 15 years. I know him as a loving father and a husband whose work ethic is supreme and very dedicated to his profession and community. Attorney Guzman and I work closely together in a lot of community projects. I enjoyed working side by side with Attorney Guzman because of his commitment to ensure that every project he's a part of be done properly. I must admit, at times it does get a little frustrating working with him because he will put on his lawyer's hat; however, at the end of the meeting and at the end of the day when all is said and done, it gives me a sense of pride and appreciation that I'm involved with a person who is very committed and very passionate to do what is right and what is best for the community. Attorney Guzman is very diligent, not afraid

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to ask tough questions, honest, and fair. I thank Attorney Guzman and the students of Maui for creating a tobacco-free zone at all Maui County parks and the beaches, and acquisition of acres along the Maui North Shore, and for setting up the Lahaina Junior Golf Club as a 501(c)(3) corporation pro bono. I highly recommend and ask this body to please confirm Attorney Guzman as the next Maui County head Prosecuting Attorney. Attorney Guzman was an asset to the Maui County when he was a councilmember and will continue to be an asset for all of us as the head Prosecuting Attorney. Thank you for allowing me to speak on behalf of Attorney Guzman. Thank you.

CHAIR MOLINA: Thank you, Mr. Nava. Members, any need to clarify Mr. Nava's testimony? Seeing none, thank you, Mr. Nava.

MR. NAVA: Thank you.

CHAIR MOLINA: Okay, right now let's head out to our Molokai Office. Molokai, do we have anyone standing by to testify?

MS. LINDO: Aloha, Chair. This is Zhan from the Molokai District Office. There are no testifiers here.

CHAIR MOLINA: Okay, mahalo. Do we anyone out of our Lanai Office set to testify?

MS. FERNANDEZ: Good morning, Chair. This is Denise Fernandez on Lanai and there is no one waiting to testify.

CHAIR MOLINA: Okay, mahalo. And let's go out to Hana. Hana Office, do we have anyone set to testify?

MS. MEDEIROS: Good morning, Chair. This is Mavis Oliveira-Medeiros in the Hana Office and there is no one here waiting to testify.

CHAIR MOLINA: Okay, mahalo, Mavis. Okay, let us continue with testimony here in our Chambers here in Wailuku. We have Ms. Annette Niles who will be testifying on item GET-1(3) to be followed by Norma Barroga Cronkite.

MS. NILES: Good morning, Chair.

CHAIR MOLINA: Good morning.

MS. NILES: Good morning, Council. My name is Annette Niles. I'm a rancher, farmer, added-value products, and I also had an opportunity to work with Mr. Don Guzman. About six years ago he had put...when he got into Council, he didn't know too much about ag, but put a group together which is we're called the Ag Working Group was formed when ranchers and farmers and, you know, all walks of life in farming and ranching, but, you know, he was always, always there for us to learn, he learned from

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us and we learned from him. And our learning from him was that he was always, always caring about what happens to Maui and in the County. As an attorney like Mr. Nava said, he would put his...many times we go into arguments, but he would put that thinking cap on of that attorneys' way and you couldn't find a better person to work with. You know, he has been a great friend, he's done a lot for Maui County, and he deserves to be someplace in there that would help this County out in the prosecuting office. And that's all I have to say. Thank you.

CHAIR MOLINA: Thank you, Ms. Niles. Members, any need to clarify Ms. Niles' testimony? Seeing none, thank you. Next to testify on item GET-1(3) we have Ms. Norma Barroga Cronkite to be followed by Patricia Hunt. Good morning, Ms. Barroga Cronkite.

MS. CRONKITE: Good morning, Mr. Chair Mike Molina, Council Chair Ms. Kelly King, and Councilmembers. My name is Norma Barroga, retired educator and school administrator. It takes a lot of courage to come before you today and I would have been remiss in my civic responsibility if I did not come today. And I debated long and hard, but I would like you to hear what I have to say. I have a great concern about the confirmation of Mr. Don Guzman, nominee for the Prosecuting Attorney position. I have known Don Guzman when he first came to Maui in the 1990's through his involvement in the Maui Filipino Community Council and the United Filipino Council of Hawaii. Some people say that he is an example of a lawyer who can make crooked things straight and crooked things...or straight things crooked to his advantage. Some people say that Don Guzman exemplifies the cliché that some lawyers are liars. No offense to lawyers in the audience. He may be an intelligent person; however, he uses his intelligence in a manner that would not benefit the common good but perhaps himself. An example of this is when he was running for the President of the United Filipino Council in the early 2000s he needed enough votes to win the election on Molokai, that was where the convention was. So, he asked me to bring the Maui High School students over to Molokai, and they went, they endured the rough ferry ride, and lo and behold Mr. Guzman became the president of the UFCH. However, the following election was held at Maui Beach Hotel and as intelligent as he may be as a lawyer, he amended the provisions of the bylaws concerning the youth. He removed them, he removed their rights to vote. They had been doing it for the past many, many years but he did it because he knew that they will not vote for him. So, that's what he was, and he had an incident with a woman friend of mine, we went to the grand opening at ILWU hall on Lanai and he was there at the buffet line, my friend was going to get her food, and he said don't serve this woman food. He also had an incident with Mr. Alan Fukuyama, they almost got into a fist fight at Lahaina Civic Center had Mr. Azcueta didn't intervene. Please...

CHAIR MOLINA: Ms. Barroga Cronkite, sorry I have to ask you to stop your testimony.

MS. CRONKITE: I'm going to wrap up.

CHAIR MOLINA: Yeah.

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MS. CRONKITE: So, I have a great concern. Maui County deserves the best Maui Prosecuting Attorney and the people of Maui deserve one with highest integrity, honest and fair, and just to all people, especially the youth because they are very dear to my heart. So again, I would like you to really look at Mr. Guzman and you don't want the same thing that happen to--

CHAIR MOLINA: Alright. Thank you very much for your testimony.

MS. CRONKITE: --with Mr. Pat Wong.

CHAIR MOLINA: Okay --

MS. CRONKITE: Thank you --

CHAIR MOLINA: --hang on, Ms. Barroga...

MS. CRONKITE: --for this opportunity to testify.

CHAIR MOLINA: You're welcome. Members, any need to clarify Ms. Barroga Cronkite's testimony? Seeing none, thank you for your testimony, Ms. Barroga Cronkite.

MS. CRONKITE: Thank you.

CHAIR MOLINA: Thank you. Next to testify we have Patricia Hunt who will be testifying on item GET-1(3) to be followed by Andrew Martin.

MS. HUNT: Good morning. I apologize I have a cold again, so apparently, it's going around. I want to thank Committee Chair Mr. Molina, Vice-Chair Kelly King, and Councilmembers for letting me speak today. I am speaking in reference to the GET matter having to do with voting Councilman Guzman in. I have met him actually on the side of the road when he was trying to get votes, and I saw the way he was with a lot of the people in Maui. I felt he was real, and I pray he's honest, but I got that impression when I met him in front of one of the banks where he was holding up his sign for voting. He didn't have anybody but just himself with him that day. I actually had seen him help somebody who had their car broke down and try to help him. He seems, from what I've seen, to be, and I pray, a fair man and somebody who actually does care about Maui County. And I actually I am praying that whoever you get into Maui County that he is honest and that he will do a good job for Maui County because of what's recently happened. And as soon as he gets in office, I would like to have a meeting with him. I did have a meeting with Mr. Kim. I felt Mr. Kim was exhausted and he was very drained with what had happened. And in all fairness, I don't know Mr. Kim, but he was very polite and very professional to me. I am also going to ask a meeting with whoever the new County Council is replacing Mr. Wong temporarily while he's on leave because I still am dealing with public statute 92F-21 and 24 and 25 about correcting public

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records which I've been trying to clear my name now for months with a billionaire's family. You don't get months, and this has been a character assassination. What is going on with Mr. Wong I feel should be moved out of this County and it should be before the Attorney General in another county. But as far as Mr. Guzman's concerned, I do believe that he is a nice man. I feel he's genuine and honest, and I've researched his law background. I think he will do and try to do the best job for the County. I don't know what your other candidates are at this point but I just hope that you guys do get somebody, you do get him in as soon as possible to do his job, and as soon as he gets in, I would request a meeting with him in his office. Thank you so much for your time and have a blessed day.

CHAIR MOLINA: Thank you very much, Ms. Hunt. Members, any need to clarify Ms. Hunt's testimony? Seeing none, thank you very much for your testimony, Ms. Hunt. Next to testify on item GET-1(3) we have Andrew Martin and Mr. Martin will be followed by Zandra Amaral Crouse.

MR. MARTIN: Good morning to those of the, Members of the Council who know me already. Good morning to those who don't, my name is Andrew Martin. I'm a Deputy Prosecuting Attorney for the County of Maui where for the last four years I've held the position of supervising Deputy in charge of circuit court. I come here today to testify in support of the appointment of Don Guzman for Prosecuting Attorney. I do so in an effort to express to you what I feel we see, or certainly I see, as Don coming in as he said a breath of fresh air. In order to do that I have to give you some context. I do so not to denigrate the previous Director of our Department, but I don't believe you can understand exactly what this breath of fresh air means without me explaining a little bit about the way our Department was run for the last four years that I have been there. For the last four years what I have observed is that our Department has been run from the top with too many unilateral decisions being made by a single person. Against the advice of his management team, his First Deputy, or simply ignoring that advice. Particularly I have observed the frustrations seen by our First Deputy Robert Rivera who held a much different management style and approach to the way the Department should be operated than Mr. Kim. Mr. Rivera promoted and attempted Mr. Kim to enable or enact a communicative management approach, one that stressed a team approach to decision making, to divisional issues, but that was routinely rejected in favor of unilateral decisions that went against that advice by our First Deputy and the management team. It resulted in decisions that reflected poorly on the Department, leaving Robert and others to basically repair that damage. When Don came in on his first day, one of the first things he did was held a management meeting. This was the first management meeting that had been held in our Department in two years. And one of only four, before that only four such meetings had been held while I had been there. A department of 84 people and only four management meetings in four years. Don came in, and I believe he comes in at a time that is truly unique in our Department. It is a time when we have experienced trial attorneys who are going to be retiring, when we have growth issues with respect to our infrastructure. He comes in with a commitment to our team that we have in place, to listening to on his very first day the issues that we have seen over the

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past four years, a commitment not only to listen to our observations and issues but in order...a commitment to put together a plan to address those serious issues that are coming in the next 4, 8, 10, 12 years.

CHAIR MOLINA: Mr. Martin...

MR. MARTIN: It must be addressed now.

CHAIR MOLINA: Sorry your time's run out.

MR. MARTIN: I understand.

CHAIR MOLINA: Members...we have a question for you or to clarify your testimony. Councilmember Kama?

COUNCILMEMBER KAMA: Thank you for being here, Mr. Martin. I want to know in some of the decisions that have been made in your office by your previous Prosecuting Attorney, do you feel that those decisions were made maybe erroneously on behalf of those people that you were prosecuting?

MR. MARTIN: That decisions were made inappropriately --

COUNCILMEMBER KAMA: Yes.

MR. MARTIN: --with respect to individual defendants that were being prosecuted?

COUNCILMEMBER KAMA: Yes.

MR. MARTIN: That's a broad question. I believe that decisions were made without consulting the team that absolutely reflected poorly on the Department and gave the community, I think, a sense of, a negative impression of our Department. And I, in saying that I'm specifically actually referring to the issue in District Court with respect to the Hawaiian language issue that was handled there, yes.

COUNCILMEMBER KAMA: Thank you, Chair. Thank you, sir.

CHAIR MOLINA: Okay. Thank you, Ms. Kama. Council Chair King?

COUNCILMEMBER KING: Thank you, Chair. Thank you so much for being here. I think your testimony is a breath of fresh air and it's good to hear from somebody who's already experienced some of the leadership that we're debating today. My question to you is do you support Robert Rivera continuing as First Deputy?

MR. MARTIN: Unequivocally.

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COUNCILMEMBER KING: Okay.

MR. MARTIN: Robert is the heart and soul of our trial attorneys. He is, if not, one of the most qualified...he is in my mind the most experienced trial prosecutor in the State with respect certainly to homicides, sexual assaults. He has committed, I think, his 25-plus years of service to our victims and truly our most vulnerable victims. If you look at his track record and commitment, his membership on Statewide boards and organizations that have sought to advance the way we approach sexual assault cases in this State, I don't know that anyone has had more of an influence on that particular area than Robert Rivera.

COUNCILMEMBER KING: Okay, and then so aside from the experience which seems to be, you know, considerable, do you feel like he will be a force to help change the culture of your Department?

MR. MARTIN: Undoubtedly.

COUNCILMEMBER KING: Okay.

MR. MARTIN: Undoubtedly. Unfortunately, part of what I observed is routine clashes between Mr. Rivera and the prior Director with how certain issues were to be handled. I was front and center to see those for myself and to say that it was frustrating is, I think, an understatement.

COUNCILMEMBER KING: Okay.

MR. MARTIN: But I think for Robert now to be in a position with a Director who comes in humbly asking for his advice, humbly asking for what can be changed and saying we are going to make a team approach to this, we're gonna do this together instead of I'm gonna do this by myself, that's the breath of fresh air.

COUNCILMEMBER KING: Okay, thank you very much for being here.

MR. MARTIN: Yeah, no problem.

COUNCILMEMBER KING: Thank you, Chair.

CHAIR MOLINA: Thank you, Members. Any other need to clarify Mr. Martin's testimony? Councilmember Sugimura?

COUNCILMEMBER SUGIMURA: Thank you, Chair. Thank you for being here. I will tell you that in my research on Mr. Guzman your name came up as being an exceptional supervising attorney is your title, but just in that office. So, your words are...I take it very heavily and appreciate your endorsements. So, in the Prosecuting Attorney's Office

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can you tell me all the different divisions that are there that this and how important is this team approach to helping the Department attorneys finding solutions?

CHAIR MOLINA: Sorry, Mr. Martin, before you answer that again please tie in your response to Mr. Guzman's role 'cause I just want to make sure that we keep our focus on Mr. Guzman here and I know we did discuss Mr. Rivera, but he's not on the agenda, but and of course we have no say in the Deputy Prosecutor, so again in your response Mr. Martin, if you could tie in...

COUNCILMEMBER SUGIMURA: Chair, I'm just trying to find out what this team approach would do as it helps the Department move forward.

CHAIR MOLINA: Okay thank you for that clarification. Again, I just want to remind everybody please tie in Mr. Guzman into this. Thank you.

MR. MARTIN: And I will do so, Chair. Thank you. So, obviously at the top we have our administration which is our Prosecuting Attorney and his or her First Deputy. We then have the Circuit Court Division which has myself as a supervisor, I believe we currently have 16 attorneys and 13 staff members in that Division. We also have a District Court Division. The Circuit Court Division handles all felony matters. This includes homicides, sexual assaults, violent crimes, property crimes, at the felony level, as well as misdemeanor abuse cases which are jury trial cases. The District Court handles all traffic and misdemeanor matters. Those are typically bench trial cases that appear before the District Court. We have a screening division, a felony screening division, which is the division which cases come to from the Maui Police Department. That division has I believe have five attorneys and an attorney supervisor. The District Court Division has an attorney supervisor. We have an appellate section which has three attorneys involved and essentially the team approach involves the, obviously the Prosecutor, the First Deputy, and then the supervising attorneys for each of those divisions, as well as the supervisor for our Victim Witness Division, the supervisor for our investigators, as well as the administrative officer in the office. So, that is Mr. Guzman's vision as I understand it for the executive or management team that he is putting together.

COUNCILMEMBER SUGIMURA: Thank you. So, the executive management team then would meet on some kind of regular basis--is what you're hoping--to go over the different cases?

MR. MARTIN: I believe, and Mr. Guzman can better detail this for you, but I believe his approach is to have biweekly meetings and I mean that is a huge...that is absolutely welcomed by those of us on the management team. So, every two weeks that group is gonna meet to discuss departmental and divisional issues.

COUNCILMEMBER SUGIMURA: Thank you.

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MR. MARTIN: You're welcome.

CHAIR MOLINA: Thank you, Member Sugimura. Committee Chair Rawlins-Fernandez, you have the floor:

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Mr. Martin.

MR. MARTIN: Aloha.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo for your testimony today. Regarding this team approach and, you know, Mr. Guzman as being seen as a breath of fresh air, are you confident that he will be able to win the respect of the management team and those that are in your Department?

MR. MARTIN: Everything that I have seen so far indicates that he will be, and mind you what I've seen is a week old. Okay. Let's be honest. On his first day I think he spent about three and a half, maybe even four hours, and went around throughout the Department and personally introduced himself to every single person. I think he came in to a very difficult situation, I don't know in the history of the Department that an attorney from outside the Department has been nominated as its prosecuting attorney. In my limited knowledge of the Department I don't know that that's ever been the case. He came in and went around and individually introduced himself to each person and didn't just say hi my name is Don, who are you, but spent time talking to them, asking them about what they do for the Department, how long they've been there. For those in the Department, of course, he knew several people from his time in the Department previously, spent time asking about their family. I think that went a long way with people. You know with the changeover in Administration only time will tell, but I can speak to what I've seen over the last week and it's all been positive.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay, mahalo. Mahalo, Chair.

CHAIR MOLINA: Okay. Thank you, Member Rawlins-Fernandez. Members, any other need to clarify testimony from Mr. Martin? Thank you, Mr. Martin. I know we kept you quite busy here this morning. Appreciate your thoughts and responses.

MR. MARTIN: Thank you very much. Thank you.

CHAIR MOLINA: Next to testify on item GET-1(3) we have Zandra Amaral Crouse to be followed by Sam Small.

MS. CROUSE: Good morning, Committee Chair Molina, Councilmembers, and Council Chair Kelly King. I humbly ask all of you to confirm Don Guzman and the reason for that is because some of you have worked with him on the Council. A lot of the attorneys in the Prosecutor's Office, including Robert Rivera, worked with him while he was in the Prosecuting Office. I had the opportunity to really get to know Don when, not only when

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I was working as volunteer at the courthouse under Judge Mossman but during the campaign trail, and Kelly's smiling at me because she knows exactly like you all do what I'm talking about. He is a man of integrity. He is a man who stands firm on what he believes to be right. I do know that Robert would make a great assistant to him not only because he's my nephew-in-law but any of the attorneys and the many committees and community organizations that Robert is involved with will tell you that family and people come first. He's sensitive, he's intelligent, and I speak for both of them. Foremost, their integrity and their work record, and that's what I humbly ask all of you to do. If in doubt check their record and you will find that both Robert Rivera and Don Guzman is desperately needed to create a collaboration within the Prosecuting Office which already is really hard for the attorneys who work there. They're dealing with abused children. They're dealing with some of them related to them maybe, some of them related to me or you maybe, and that's difficult. So, we definitely need two individuals with the soul and the heart of the community at the center. I humbly ask you, let the office become collaborative again. These two gentlemen will do absolutely right, and I humbly ask that you confirm Dr. Guzman for this position. Mahalo, guys.

CHAIR MOLINA: Thank you very much, Ms. Amaral Crouse. Committee Members, any need to testify [*sic*] on Ms. Crouse's testimony? Seeing none, thank you. Next to testify we have Mr. Sam Small and at this point Mr. Small is the last person to have signed up for testimony and Mr. Small will be testifying on item GET-1(3). Good morning, Mr. Small.

MR. SMALL: Good morning, Chair. Thank you very much. A pleasure as always to be involved in the democratic process. Where do you go when a County official has acted outside their authority or has actually manufactured false government records? Prosecutor Kim certainly wasn't willing to hear such issues. That's why he's not here today and Mr. Guzman is. Our Charter empowers this Council to investigate matters, to investigate such matters as I've mentioned, but no Council before has ever had the political will to do it. For decades the sole authority in Maui County has been Corporation Counsel. But what if Corporation Counsel is the one that is doing the harm? Take item 32. The three lot or less subdivision roadway improvement deferral agreements that you've heard me speak of before that for decades Public Works and Corporation Counsel wrote for private developers. Thousands of debts which have never ever been accounted for or collected on.

COUNCILMEMBER SUGIMURA: Chair?

CHAIR MOLINA: Yes.

COUNCILMEMBER SUGIMURA: Excuse me, is this on the agenda? We're not talking about Corp. Counsel...

CHAIR MOLINA: I know Mr. Small is trying to tie in, I assume --

MR. SMALL: Absolutely.

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CHAIR MOLINA: --to Mr. Guzman, so I'll permit it.

MR. SMALL: Absolutely.

CHAIR MOLINA: Please get to Mr. Guzman as soon as possible.

MR. SMALL: These are relevant examples. I appreciate your tolerance. They do relate back to Mr. Guzman. By their negligence perhaps hundreds of millions of dollars' worth of developers' obligations have been shifted to Maui's taxpayers by these secret exemptions. For six years under the direction of Pat Wong, Corporation Counsel tampered with County records, made false written representations to Councilmembers, and obstructed item 32 from being heard in Committee. When Ms. King came on, she requested item 32 be moved to her Planning Committee and Mr. White denied her. Rather than do nothing, Mr. Guzman at least got the Council to kick the matter down the curb and asked the County's independent Auditor to do an audit. If the Auditor is reading the same documents I've read, his report will reveal layers of fraud and malfeasance by developers, their consultants, and generations of County officials. I've got a petition, actually, Maui Causes has a petition of over 2,000 signatures to add SMA permit application fraud to that investigation. As a Councilmember and an attorney, Mr. Guzman was made aware of many of the conflicted and illegal acts by administrative officials which previous Councils refused to take up. What action will Mr. Guzman take now that he is not hamstrung by a Counsel unwilling to do the right thing? Will he be able to use the authority of the Prosecutor's Office or has that precedent been set on matters so close to home as Mr. Wong's domestic violence charges have been referred to the State AG.

CHAIR MOLINA: Mr. Small, I'm sorry I have to stop --?

MR. SMALL: Yeah.

CHAIR MOLINA: --your testimony, you're at the time limit, but thank you. Members? Any need to clarify Mr. Small's testimony and again related to Mr. Guzman? Okay. Seeing none, okay thank you very much for your testimony, Mr. Small.

MR. SMALL: Thank you.

CHAIR MOLINA: Okay, Chair...we do see someone that would like to sign up for testimony. Sir, you can come up and testify, state your name for the record, and then sign up, do the sign up after your testimony.

MR. LAU: Yes, sir.

CHAIR MOLINA: Good morning.

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MR. LAU: My name is Jasee Lau, I'm from Kula. Aloha. Bruddah Don Guzman has to get one on the agenda. It's interesting even though he ran against Victorino for Mayor he was nominated by Mayor Mike. I got a hypothetical ethical question for bruddah Don. Supposed as County Prosecutor a simple trespassing case came across his desk wherein a good friend of his was being persecuted by the administration of the same religious organization to which he belong. How would he handle that? Thank you for your time.

CHAIR MOLINA: Okay, thank you for your testimony. Members, any need to clarify the gentleman's testimony? Seeing none, Staff, do we have any other additional signups for testimony? Okay. Thank you, none in the Chambers here. Molokai...excuse me, I'm sorry we do have one other individual here in Maui. Okay please come up the podium, sir, and state your full name for the record and please be sure you have signed up for testimony after, upon the completion of your testimony.

MR. HAHN: Okay. Hi, my name is Albert Hahn. I'm a resident of Wailuku. I'm here to testify in favor of confirming Mr. Guzman as the Prosecutor. I just wanted to share a little bit of experience that I had with him. My neighbors and I had a issue in our community and some of you, I mean, the previous Council we met with most of you, and I would like to share that my experience with Don Guzman was very positive. You know, I'm not a friend of his, I don't socialize with him, this is just as a community member reaching out to our community representatives, yeah, and he was very thoughtful, and he just didn't give us lip service, yeah, so we would talk to him and express our concerns. He not only sympathized with our concerns, but he actually took it and was one of the most outspoken people when that issue came in front of Council. So, I wanted to share with you folks that, you know, in my experience he's not just, you know, 'cause he was a politician right before, so he wasn't just a politician he was actually representing the people yeah. And, you know, we got a new Council and a lot of you are not career politicians, so you know, I think that's something to look up to, I think. You know, remember where your roots are yeah in the community. So, and I also wanted to share one other story. So, for whatever reason, I'm not a police officer, but for whatever reason I have a lot of police officer friends, and when I spoke with them about Don Guzman their impression was similar to mine. He's a member of the community that's willing to work with them. They felt like...and let me also say this, you know, these aren't necessarily the chiefs and the captains, but, you know, the boots-on-the-ground people. They felt like they can actually work with this guy, you know, that it wasn't...I think that says a lot. You know if the people that you're supposed to represent, not only the community, but the police are supporting you, and I'm not talking about, you know, God bless the Chief and the captains, but if you're one of the regular Joes in the force, if you're...if you have their support I think that speaks a lot. I think that speaks volumes about you yeah. Thank you for allowing me to speak.

CHAIR MOLINA: Thank you very much for your testimony, sir. Members, any need to clarify the gentleman's testimony? Seeing none, thank you very much for your testimony. Staff, do we have any other additional signups here in the Chamber for testimony? Do we have any signups on Molokai? Molokai, do we...

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MS. LINDO: Aloha, Chair, there are no testifiers on Molokai.

CHAIR MOLINA: Okay, mahalo. Do we have any signups for testimony on the island of Lanai?

MS. FERNANDEZ: There is no one waiting to testify at the Lanai office.

CHAIR MOLINA: Thank you very much. And finally, out to Hana, do we have any testifiers out in Hana?

MS. MEDEIROS: There is no one waiting to testify in Hana.

CHAIR MOLINA: Mahalo, Mavis. Okay with that being said, Members, if there are no objections the Chair will close public testimony for our agenda items today.

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR MOLINA: Okay, so ordered.

**... END OF PUBLIC TESTIMONY ...**

**GET-11(51) LITIGATION MATTERS (STATUS AND SETTLEMENT AUTHORIZATION:  
COUNTY OF MAUI V. PEDRO TOLENTINO, JR., ET AL.; CIVIL 18-1-0124(1))  
(CC 17-6)**

CHAIR MOLINA: Alright, Members, let's get right into our first matter on the agenda which is GET item 11(51) which has to do with Litigation Matters (Settlement Authorization: County of Maui versus Pedro Tolentino Jr., et al.; Civil Case No. 18-01-0124(1)). From the Corporation Counsel's Office we have Mr. Brian Bilberry who will provide opening remarks as it relates to this case. Good morning, Mr. Bilberry.

MR. BILBERRY: Good morning, Chair. Thank you. Members, thank you for being here today. This is a case that was being handled by one of our deputies who has recently departed. So, it came to me in pretty much a settlement posture and I can tell you a little bit in open session what the case is about and then I'll have to request an executive session to talk about the proposed settlement terms. But basically, it's a zoning violation involving a defendant, Pedro Tolentino and an Eddie Braceros who were apparently running an auto salvage and auto repair business at a residential location on the island of Lanai. And so, there was a Code enforcement action in about March 2018 and again this was an enforcement action to enforce the Zoning Code for the use of the residential or running this salvage operation in a Residential District. At some point the violators removed all the vehicles, cleaned up the property, and kinda came into compliance. Final inspection showed that all of the offending vehicles that were parked on the property were removed and so the only remaining issue are civil fines. And as I

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understand it, as reported to me, they have in excess of \$1 million in fines, but, you know, this is not uncommon. I mean the fines were accruing at a thousand dollars a day after an initial thousand dollar fine. And they accrue until the violation is corrected and apparently this one took a while to correct. So, in any event a settlement was proposed by the County and has been agreed upon by the defendants, and the terms of that I'm not prepared to discuss in open session at this juncture because it's gonna depend on whether you approve the terms as to, you know, whether it becomes public or not. I'm happy to answer any questions otherwise regarding the underlying facts of the violation at least to the best I can.

CHAIR MOLINA: Alright, thank you very much, Mr. Bilberry. Members, any questions in open session for Mr. Bilberry? Chairman King?

COUNCILMEMBER KING: Thank you, Chair. Yeah, my question is, because I don't think that this is an anomaly having businesses in residential areas, but how are they policed? Do you wait till...I mean does our County, I know that you're not the police here of this, but is this all complaint driven?

MR. BILBERRY: That's my understanding. Most of the time zoning violations, permitting violations, they are complaint driven.

COUNCILMEMBER KING: Okay, so the County hears from...which office hears from...is it the Planning Department that hears from a complaint? There's a complaint and then investigates it and then it eventually winds up in with the violations?

MR. BILBERRY: Yeah, that would be the typical course.

COUNCILMEMBER KING: Okay.

MR. BILBERRY: But I'm assuming that any resident or citizen that wanted to make a complaint could probably call any office or department. Like I'm sure our Department gets complaints. The Department of Public Works may get complaints and the Department of Planning.

COUNCILMEMBER KING: Okay, thank you. Thank you, Chair.

CHAIR MOLINA: Okay, thank you, Ms. King. Members, any other questions in open session for Mr. Bilberry? We have Ms. Paltin followed by Ms. Kama.

COUNCILMEMBER PALTIN: Hi. So, I just was wondering is the civil fines is to the complainant party or that's to the County?

MR. BILBERRY: Oh, they're to the zoning violators. They were...

COUNCILMEMBER PALTIN: So, who does the parties need to pay the fines to?

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MR. BILBERRY: Oh, the payments would come to the County, yes.

COUNCILMEMBER PALTIN: Oh okay, thank you.

CHAIR MOLINA: Thank you, Ms. Paltin. Ms. Kama?

COUNCILMEMBER KAMA: No questions, thank you. Tamara asked it.

CHAIR MOLINA: Okay, thank you. Members, seeing no other requests for questions in open session and based on the recommendation from Mr. Bilberry regarding executive session, the Chair will thus entertain a motion to convene in executive session meeting pursuant to Section 92-5(a)(4) of Hawaii Revised Statutes to consult with legal counsel on questions and issues pertaining to the powers, during, privileges, immunities, and liabilities of the County, the Council, and the Committee. Chair is asking for a motion.

COUNCILMEMBER KAMA: So moved.

COUNCILMEMBER KING: Second.

CHAIR MOLINA: It's moved by Member Kama seconded by Chair King. Any discussion? And we do need six votes to go into executive session as an FYI. Seeing no other discussion, all those in favor signify by saying "aye."

COUNCILMEMBERS VOICED AYE.

CHAIR MOLINA: All those opposed? Thank you. The Chair will mark it eight "ayes" with one excusal Member Hokama.

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**VOTE: AYES: Chair Molina, Vice-Chair Rawlins-Fernandez, Councilmembers Kama, King, Lee, Paltin, Sinenci, and Sugimura.**

**NOES: None.**

**ABSTAIN: None.**

**ABSENT: None.**

**EXC.: Councilmember Hokama.**

**MOTION CARRIED.**

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

CHAIR MOLINA: Okay, Members, and also members of the public to convene in executive session we have to clear the Chambers and close the doors for the sake of the matter which is a --

COUNCILMEMBER KING: Chair?

CHAIR MOLINA: -- confidential situation.

COUNCILMEMBER KING: Chair?

CHAIR MOLINA: Mr. Kushi, Corporation Counsel? Okay, Members, an option has been presented where we also have an item that will likely go into, a need to go into executive session, so rather than addressing it one item at a time we could take both items and discuss both items in executive session, so therefore I would need to have Corporation Counsel to provide us an opening.

**GET-11(3) LITIGATION MATTERS (STATUS AND SETTLEMENT AUTHORIZATION: JACOB FIRTH AND ELVA MARIE ESPINOSA BRUMBLAY V. COUNTY OF MAUI, ET AL.; CIVIL 18-1-0234(2)) (CC 17-6)**

CHAIR MOLINA: And, Members, if you look at your agenda this is GET item 11(3) which is Litigation Matters (Status and Settlement Authorization: Jacob Firth and Elva Marie Espinosa Brumblay versus the County of Maui, et al.; Civil Case No. 18-1-0234(2)), and this is GET item again 11(3). Joining Mr. Bilberry we have Ms. Christine Trenholme. So, again if you could provide us opening remarks on this particular case.

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MR. BILBERRY: This matter is being handled primarily by Christie Trenholme. It is a fairly significant case and there's a lot of work to be done, so I've been asked to assist Ms. Trenholme. She's gonna tell you about the facts of the case. I just wanted to give you some procedural history and why we're here today. It's a pretty significant claim involving a brain injury. There's been a substantial demand that was presented to the previous Council which was rejected but has been renewed. We requested mediation. We did get the case in mediation. We are going through that process now. Our mediator is Keith Hunter. We'll be doing some discovery before we really start having serious settlement discussions because of the complexity of the case, but we wanted to bring the case and present it to you in advance so that we're not coming here and presenting it to you for the first time asking for settlement authority because, you know, in fairness to you, you know, to assess a case of this level of complexity and then being asked at the same time to potentially, you know, give some significant settlement authority just it's, again, we wanted to make sure that you were aware of the case before we come back later to discuss that. That being said, there's some other procedural complexities involving our judge which we can probably talk about in executive session and I'll let Christie go ahead and tell you about what is an interesting case, but again has a level of complexity that we probably also want to discuss in executive session.

CHAIR MOLINA: Okay, thank you. Ms. Trenholme?

MS. TRENHOLME: Okay, thank you, Brian. So, in this case plaintiff Jacob Firth was arrested on February 21, 2018 by the Maui Police Department and he was held in police custody overnight and then on February 22 he was transferred to the Wailuku Courthouse and turned over to the State Sheriffs, and while he was waiting for his court hearing in the cell block he suffered a seizure and then suffered some pretty severe brain injury and was taken to the hospital and then airlifted to Queen's Medical Center. So, now plaintiff Firth and his mother have brought a lawsuit against the County of Maui and the State alleging that Mr. Firth is an alcoholic and he was suffering from alcohol withdrawal during his time in custody with the County and State and that is what caused his seizure. And that is a brief summary of the case but again we can go into more details in executive session.

CHAIR MOLINA: Members, any need for questions in open session regarding this particular case? Okay. Seeing none, just need a clarification with regards to procedure. We already took the executive session vote on the first item do we need to do another re-vote for this particular item? Okay for the sake of procedure we will then. All right, in short, the Chair will then ask for a motion to go into executive session based on Section 92-5(a)(4) of Hawaii Revised Statutes to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, Council, and the Committee.

VICE-CHAIR RAWLINS-FERNANDEZ: So moved.

COUNCILMEMBER SUGIMURA: Second.



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CHAIR MOLINA: So, again we will clear the Chambers and we will be discussing first the first of two items GET-11(51) to be followed by GET-11(3) both in executive session. So, we will take a recess to clear the Chambers. Members, meeting in recess. . . . *(gavel)* . . .

**RECESS: 10:05 a.m.**

**RECONVENE: 12:02 p.m.**

CHAIR MOLINA: . . . *(gavel)* . . . The GET Committee meeting for Tuesday March 12, 2019 is now reconvened in open session.

**GET-11(51) LITIGATION MATTERS (STATUS AND SETTLEMENT AUTHORIZATION:  
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(CC 17-6)**

**GET-11(3) LITIGATION MATTERS (STATUS AND SETTLEMENT AUTHORIZATION:  
JACOB FIRTH AND ELVA MARIE ESPINOSA BRUMBLAY V. COUNTY OF MAUI,  
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CHAIR MOLINA: Members based on the information and discussion regarding Committee items GET-51 and GET-11(3) the Chair is gonna recommend for both items deferral. Any objections to deferral?

**COUNCILMEMBERS VOICED NO OBJECTIONS.**

**ACTION: DEFER.**

CHAIR MOLINA: Thank you very much, Members. So ordered.

**GET-1(3) APPOINTMENT AND REMOVAL OF ADMINISTRATIVE HEADS OF  
DEPARTMENTS (DEPARTMENT OF PROSECUTING ATTORNEY) (CC 19-1)**

CHAIR MOLINA: We have our last item on our agenda which is GET item 1(3); however, we are under some very significant time constraints. We do have a 1:30 committee meeting under the leadership of Mr. Sinenci. The Chair had originally considered coming back here at six o'clock tonight, however, we do have the State of the County address from the Mayor up at King Kekaulike High School so that suggestion for a further discussion on the matter is out the window. So, the Chair has submitted a proposed recess date for this Committee to consider the nomination of Mr. Guzman. The proposed date for recess is this Friday, March 15<sup>th</sup> 9:00 a.m. right back here in the Council Chambers. Any objections to the proposed recess date?

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COUNCILMEMBERS: No objections.

CHAIR MOLINA: Okay. So ordered. So, Members, it is two minutes after the hour of 12 o'clock. The GET meeting for March 12, 2019 is now in recess till Friday, March 15<sup>th</sup> 9:00 a.m. Meeting in recess. . . . *(gavel)* . . .

**RECESS: 12:03 p.m.**

APPROVED BY:



MICHAEL J. MOLINA, Chair  
Governance, Ethics, and Transparency  
Committee

get:min:190312:ja

Transcribed by: Jasmin Andrion

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CERTIFICATE

I, Jasmin Andrion, hereby certify that 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 4th day of April 2019, in Kahului, Hawaii

  
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Jasmin Andrion