

# GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Council of the County of Maui

## MINUTES

June 2, 2025

Online Only via Teams

**CONVENE:** 9:07 a.m.

**PRESENT:** VOTING MEMBERS:

Councilmember Nohelani U‘u-Hodgins, Chair  
Councilmember Tamara Paltin, Vice-Chair  
Councilmember Tom Cook, Member  
Councilmember Gabe Johnson, Member  
Councilmember Alice L. Lee, Member  
Councilmember Keani N.W. Rawlins-Fernandez, Member (Out 3:31 p.m.;  
In 4:05 p.m.)  
Councilmember Shane M. Sinenci, Member  
Councilmember Yuki Lei K. Sugimura, Member

**EXCUSED:** VOTING MEMBERS:

Councilmember Tasha Kama, Member

**STAFF:**

Kasie Apo Takayama, Senior Legislative Analyst  
Clarissa MacDonald, Legislative Analyst  
Peter Hanano, Legislative Attorney  
Maria Leon, Committee Secretary  
Jean Pokipala, Council Services Assistant Clerk  
Lei Dinneen, Council Services Assistant Clerk  
Richelle Kawasaki, Deputy Director of Council Services  
Ryan Martins, Council Ambassador

Keomailani Hirata, Council Aide, Molokai Residency Area Office  
Roxanne Morita, Council Aide, Lāna‘i Residency Area Office  
Mavis Oliveira, Council Aide, East Maui Residency Area Office  
Bill Snipes, Council Aide, South Maui Residency Area Office

**ADMIN.:**

Victoria Takayesu, Corporation Counsel, Department of the Corporation Counsel  
(All)  
John J. Gores, Deputy Corporation Counsel, Department of the Corporation  
Counsel (GREAT-11(13), 11(14), 11(15), and 11(16))  
Caleb P. Rowe, Deputy Corporation Counsel, Department of the Corporation  
Counsel (GREAT-11(12))  
Susan Leeder, Deputy Corporation Counsel, Department of the Corporation  
Counsel (GREAT-11(11), 11(12), and 11(15))  
Thomas Kolbe, Deputy Corporation Counsel, Department of the Corporation  
Counsel (GREAT-11(16))  
Kristin Tarnstrom, Deputy Corporation Counsel, Department of the Corporation

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

**June 2, 2025**

---

Counsel (GREAT-11(16))  
Bradley J. Sova, Deputy Corporation Counsel, Department of the Corporation  
Counsel (GREAT-11(11))  
Paul Barany, Deputy Director, Department of Public Works (GREAT-11(14))  
Shayne Agawa, Director, Department of Environmental Management  
(GREAT-11(16))  
Scott Rollins, Civil Engineer IV, Department of Environmental Management  
(GREAT-11(16))  
James “Kimo” Landgraf, Deputy Director, Department of Water Supply  
(GREAT-11(13))  
Wade Maeda, Deputy Chief of Police, Department of Police (GREAT-11(11))  
Lance Taguchi, County Auditor, Office of the County Auditor (GREAT-11(15))

**OTHERS:** Richard M. Rand, Partner, Marr Jones & Wang, LLP (GREAT-11(12))  
Craig K. Shikuma, Partner, Kobayashi Sugita & Goda, LLP (GREAT-11(15))  
Andrew C. Silton, Principal, Beveridge & Diamond PC (GREAT-11(16))

Testifiers

Jasee Law (GREAT-11(12) and 11(16))  
Testifier 1 (GREAT-11(16))

(40+) additional attendees

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

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CHAIR U‘U-HODGINS: Good morning. Will the Government Relations, Ethics, and Transparency Committee meeting of June 2nd, 2025, please come to order. It is 9:07 a.m. I’m your Chair, Nohelani U‘u-Hodgins. Members, in accordance with the Sunshine Law, please identify by name who, if anyone, is in the room, vehicle, or workspace with you today. Minors do not need to be identified. Let’s begin with Committee Vice-Chair Member Paltin. Good morning.

VICE-CHAIR PALTIN: Aloha kakahiaka. Streaming live and direct from my kitchen table in Nāpili. I have three unnamed minors with me: one canine, two humans.

CHAIR U‘U-HODGINS: Summer break, huh? Um-hum. And then Councilmember Cook. Good morning.

COUNCILMEMBER COOK: Aloha, Chair, and good morning.

CHAIR U‘U-HODGINS: Good morning.

COUNCILMEMBER COOK: There’s currently nobody in the Kihei Office for testimony, but we do have people on standby, and I’m looking forward to your meeting today.

CHAIR U‘U-HODGINS: Thank you. Councilmember Gabe Johnson. Good morning. Nice to see you in person.

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

**June 2, 2025**

---

COUNCILMEMBER JOHNSON: Good morning, Chair, Councilmembers, community members. There's no testifiers at the Lānaʻi District Office, and I'm here and ready to work. Mahalo.

CHAIR UʻU-HODGINS: Thank you. Councilmember Tasha Kama. Is she going to be with us today, or is she excused? She's excused. Council Chair Alice Lee. Good morning.

COUNCILMEMBER LEE: Good morning. I'm still restarting my...my computer.

CHAIR UʻU-HODGINS: Okay. She's here and still restarting her computer.

COUNCILMEMBER LEE: Yeah.

CHAIR UʻU-HODGINS: Thank you, Member Sinenci. Councilmember Keani Rawlins-Fernandez. Good morning.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha kakahiaka kākou, mai Molokai nui a Hina. I'm at my private residence alone, and we currently have no testifiers at the Molokai District Office. Mahalo, Chair.

CHAIR UʻU-HODGINS: Thank you. Councilmember Shane Sinenci. Good morning.

COUNCILMEMBER SINENCI: Hey, good morning, Chair, and aloha kakahiaka kākou. Happy to be here. I do have to drop off at noon. And there are no testifiers in Hāna, Chair.

CHAIR UʻU-HODGINS: Thank you. And Councilmember Yuki Lei Sugimura. Good morning.

COUNCILMEMBER SUGIMURA: Good morning. Ready to work, and we have a full agenda. Let's go.

CHAIR UʻU-HODGINS: We do. We have a --

COUNCILMEMBER SUGIMURA: Yeah.

CHAIR UʻU-HODGINS: -- full agenda. Thank you to both Member Cook and Member Sinenci for giving this Committee your time slots today. We appreciate it. From Corporation Counsel, we have Victoria Takayesu, Corporation Counsel; John Gores, Deputy Corporation Counsel; Bradley Sova, Deputy Corporation Counsel; and Caleb Rowe, Deputy Corporation Counsel. I'm not too sure who's this person at the end here.

MS. TAKAYESU: Oh, this is our special counsel.

CHAIR UʻU-HODGINS: Oh, okay. We'll get to him in the next things. Thank you. We also have with us Lance Taguchi, our County Auditor for things later on this agenda; Shayne Agawa, Deputy...oh, I'm sorry, Director of Environmental Management; Eric Nakagawa, Wastewater Division Chief; Paul Barany, Deputy Director of Public Works; Kimo

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

**June 2, 2025**

---

Landgraf, Deputy Director of Water Supply; and Wade Maeda, Deputy Chief of Police. We have our Committee Staff as well: Maria Leon, Committee Secretary; Kasie Apo Takayama, Senior Legislative Analyst; Clarissa MacDonald, Legislative Analyst; Peter Hanano, Legislative Attorney; Richelle Kawasaki, Deputy Director of Council Services; Lei Dinneen, Council Services Assistant Clerk; and Jean Pokipala, Council...Council Assistant Clerk. Okay. Please see the last page of the agenda for information on meeting connectivity.

**ITEM 11(7): RESOLUTION 25-95, SETTLEMENT AUTHORIZATION: MARK D. ROSS; CLAIM 2024-0191 (PROPERTY DAMAGE)**

**ITEM 11(8): RESOLUTION 25-96, SETTLEMENT AUTHORIZATION: THOMAS J. LIU; CLAIM 2024-0191 (PROPERTY DAMAGE)**

**ITEM 11(9): RESOLUTION 25-97, SETTLEMENT AUTHORIZATION: HARRIETTE L. HOLT, REVOCABLE LIVING TRUST; CLAIM 2024-0169 (PROPERTY DAMAGE)**

**ITEM 11(10): RESOLUTION 25-98, SETTLEMENT AUTHORIZATION: DONNA WATERS; CLAIM 2024-0168 (PROPERTY DAMAGE)**

CHAIR U‘U-HODGINS: Committee, on May 28th, 2025, the Department of Corpora...Corporation Counsel requested the following resolutions be withdrawn from the Council's consideration. They include Resolution 25-95, "AUTHORIZING SETTLEMENT OF THE CLAIM OF MARK D. ROSS AGAINST THE COUNTY OF MAUI, COUNTY OF MAUI RISK FILE 2024-0191;" and Resolution 25-96, "AUTHORIZING SETTLEMENT OF THE CLAIM OF THOMAS J. LIU AGAINST THE COUNTY OF MAUI, COUNTY OF MAUI RISK FILE 2024-0180;" and Resolution 25-95, "AUTHORIZING SETTLEMENT OF THE CLAIM OF THE HARRIETTE L. HOLT, REVOCABLE LIVING TRUST AGAINST THE COUNTY OF MAUI, COUNTY OF MAUI...excuse me...RISK FILE 2024-0169;" and Resolution 25-98, "AUTHORIZING SETTLEMENT OF THE CLAIM OF DONNA WATERS AGAINST THE COUNTY OF MAUI, COUNTY OF MAUI RISK FILE 2024-0168." Cancelling of resolutions in the Office of Affirmat...Information...I'm sorry...Practice's opinion letter 05-07, the OIP opine that the Sunshine Law does not restrict the board from changing its agenda by removing items. That said, I would like to accommodate Corporation Counsel's request and cancel these four items from today's agenda: Resolution 25-95, Resolution 25-96, Resolution 25-97, and Resolution 25-98. According to the OIP, this means the board must refrain from any discussion of the item beyond the announcement of its cancellation. In the OIP's opinion letter 07-03 --

VICE-CHAIR PALTIN: No objections.

CHAIR U‘U-HODGINS: Huh? Oh, okay. Thank you.

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

**June 2, 2025**

---

**COUNCILMEMBERS VOICED NO OBJECTIONS.** (Excused: TK)

**ACTION: CANCEL agenda items 11(7), 11(8), 11(9), and 11(10).**

VICE-CHAIR PALTIN: Oh, no objections.

CHAIR U‘U-HODGINS: Thank you very much. In the OIP's opinion letter 07-03, the OIP also notes oral testimony shouldn't be accepted for cancelled items. To clarify, this means we will not be taking oral testimony on these resolutions. Again, it's Resolution 25-95, 96, 97, and 98. We will now receive public testimony for the other items at the start of the meeting. Members, if you do have any questions about the cancellation of the resolutions or why we canceled the resolutions, you can't ask them right now, but please feel free to reach out to Corp. Counsel and they can explain it for you. Now, testimony. Testifiers wanting to provide testimony should sign up in the lobby, join on the online meeting via the Teams link, or call in to the phone number noted on today's agenda. Written testimony is encouraged and can be submitted via the eComment link at [mauicounty.us/agendas](http://mauicounty.us/agendas) as well. Under the Sunshine Law, the Chair will receive oral testimony for agenda items at the beginning of the meeting, as well 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, star-6 to mute and unmute. Staff will add names to the testifier list in the order as the 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 you're logged in under...excuse me...or the last four digits of your phone number when it is your time to testify. At that time, Staff will also enable your microphone and video. Please 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 are 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 per item, and if you are still testifying beyond that time, I will kindly ask you to complete your testimony. Once you are done testifying, or you do not wish to testify, you can also view the meeting on *Akakū* Channel 53, Facebook Live, or [mauicounty.us/agendas](http://mauicounty.us/agendas) as well. We'll do our best to take up each person in an orderly fashion, and we will now call on testifiers wishing to testify at the beginning of the meeting. Staff, if you could please call our first testifier. Thank you.

MS. MACDONALD: Chair, there is currently no one who has signed up to testify, but I do see somebody at the podium.

CHAIR U‘U-HODGINS: Mr. Law, go ahead.

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

MR. LAW: Aloha Monday. Jasee Law from Kula. I'm glad to see that you guys...that...it looked

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

**June 2, 2025**

---

like some of them were settled. Most of the cases were probably the...the concrete driveways with the trucks running over them from the fire up there. And one that I was interested in was the one...Leo Caires. He's up in...up in Kula. He's not in my ahupua'a, but I met him and he's a...it seems like he's doing some good stuff up there on the corner by Waipuna Chapel. So, I'm interested in that one. I probably won't be able to find out much because you guys are . . . *(echoing)*. . . going into confidential meetings. But I...I appreciate everybody working for the County, welcome back to the regular meetings, and I'll do my best to...for due diligence and read the...the book out there so that all the work of the Council Services Office won't be wasted.

CHAIR U'U-HODGINS: Members, any clarifying questions? Seeing none. Staff, do we have any other testifiers?

MS. MACDONALD: No, Chair. Would you like me to do a last call?

CHAIR U'U-HODGINS: Please.

MS. MACDONALD: If somebody would like to testify in the Chamber, please let Staff know, or on Microsoft Teams, please raise your hand. This is final call. Three, two, one...Chair, it appears that nobody wishes to testify at the beginning of the meeting.

COUNCILMEMBERS: No objections.

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

CHAIR U'U-HODGINS: Thank you. We will then move on to the first item on our agenda.

**ITEM 11(12): RESOLUTION 25-109, AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL MARR JONES & WANG, LLLP, IN PRE-LITIGATION NEGOTIATIONS OF ALLEGATIONS MADE BY LEO CAIRES**

CHAIR U'U-HODGINS: So, we have before us Resol...Resolution 25-109, which would authorize the retention of Marr Jones & Wang, LLLP, as special counsel to represent the County of Maui in pre-litigation negotiations regarding allegations made by Leo Caires, a former County of Maui employ...employee for a total compensation not to exceed \$350,000. At this time, I'm going to please ask for opening comments from Corporation Counsel Victoria Takayesu.

MS. TAKAYESU: Good morning, Chair. Good morning, Committee Med...Members. We're here today to discuss our request for special counsel due to a conflict. However, before we get started, I'd like to ask that the resolution be amended to include after pre-litigation negotiations to say and litigation. We do believe litigation will be forthcoming. If we could make that amendment, that would be helpful. And then...

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

**June 2, 2025**

---

CHAIR U‘U-HODGINS: Thank you.

MS. TAKAYESU: And then I can continue on. So, I have received communications from Mr. Caires' attorney. Based on those communications, again, I believe litigation is forthcoming in this action. I also believe that I have...and my department has multiple conflicts with this case. We did discuss this with the Office of Disciplinary Counsel, and I believe once we go into executive session, which I will ask for, that will be evident as to why. Present, I brought today Richard Rand from Marr Jones & Wang. He has, with your approval, agreed to take the case on. He does not have any conflicts. At this time, I would like to request that we could move into executive session to discuss confidential personnel matters as well as litigation issues. Thank you.

CHAIR U‘U-HODGINS: Thank you, Corporation Counsel. But before we do that, can we please move into discussion for Res...I'm sorry, not discussion, testimony for Resolution 25-109. Do we have any testifiers?

MS. MACDONALD: Yes, Chair. There is currently no one who is signed up to testify. I can do a last call if you'd like.

CHAIR U‘U-HODGINS: Please.

MS. MACDONALD: If somebody would like to testify in the Chamber, please let Staff know, or on Microsoft Teams, please raise your hand. This is final call. Three, two, one...Chair, it appears that nobody wishes to testify.

CHAIR U‘U-HODGINS: Thank you. Members, seeing there are no individuals wishing to testify, without objection, I will now close oral testimony for this item.

COUNCILMEMBERS: No objections.

**. . . CLOSE PUBLIC TESTIMONY ON ITEM 11(12) . . .**

CHAIR U‘U-HODGINS: Thank you. As a written remi...as a reminder, written testimony will continue to be accepted. We will now go into discussion. Members, do you have any questions that can be asked in open session? If not, I will happily move into executive session. Double-checking online. Excuse me. Thank you. Okay. Members, seeing we don't have questions for open session, I would like to entertain a motion to convene in executive meeting in accordance with Section 92-5(a)(4), Hawai‘i Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liability of the County, the Council, and the Committee; and Section 92-5(a)(8), Hawai‘i Revised Statutes, to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to a State or Federal law or a court order.

COUNCILMEMBER COOK: So moved.

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

**June 2, 2025**

---

COUNCILMEMBER LEE: Second.

CHAIR U‘U-HODGINS: Thank you. I have a motion made by Member Cook, second by Chair Lee, to enter into executive session for Resolution 25-109. Any further discussion? Seeing none. All those in favor, please raise your hand and say "aye."

COUNCILMEMBERS: Aye.

MS. APO TAKAYAMA: Chair, that's eight "ayes," zero "noes," one excused, Member Kama.

CHAIR U‘U-HODGINS: Thank you.

MS. APO TAKAYAMA: Motion carries.

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

**NOES:   None.**

**ABSTAIN:   None.**

**ABSENT:   None.**

**EXCUSED:   Councilmember Kama.**

**MOTION CARRIED.**

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

CHAIR U‘U-HODGINS: Thank you very much. For the record, the following personnel will be in attendance in this executive meeting: all Councilmembers in attendance, including myself, Committee Chair Nohelani U‘u-Hodgins; Committee Vice-Chair Tamara Paltin; Councilmember Tom Cook; Councilmember Gabe Johnson; Councilmember Kama is excused; Council Chair Alice Lee; Councilmember Keani Rawlins-Fernandez; Councilmember Shane Sinenci; and Councilmember Yuki Lei Sugimura. The Office of Council Services Staff will include Peter Hanano, Legislative Attorney; Richelle Kawasaki, Deputy Director of Council Services; Maria Leon, Committee Secretary. And at this time, if Member...I'm sorry, if Deputy Corporation Counsel...if Corporation Counsel could please state who, from your office and special counsel, will be in attendance in this executive meeting, and your titles, please.

MS. TAKAYESU: Thank you, Chair. Deputy Corporation Counsel Caleb Rowe, Deputy Corporation Counsel Susan Leeder, John Gores. And then I would also request that Attorney Richard Rand also be present.



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

**June 2, 2025**

---

CHAIR U‘U-HODGINS: Sounds good. At this time, we are going to take a ten-minute recess to 9:30 a.m., and we will reconvene in executive meeting. And this GREAT Committee is now in recess. . . .*(gavel)*. . .

**RECESS:** 9:21 a.m.

**RECONVENE:** 10:57 a.m.

CHAIR U‘U-HODGINS: . . .*(gavel)*. . . Welcome, Members. It is 10:57 a.m., and will this GREAT Committee please reconvene. We have just completed our executive session on Resolution 25-109. And at this time, I'm going to refer to Mr. Hanano to please provide the summary in accordance with Act 19 (2023).

MR. HANANO: Thank you, Chair. Your GREAT Committee met to discuss the general nature of the allegations of the claim, basis for the conflict of interest involving the Department of Corporation Counsel, and the rights and liabilities of the County.

CHAIR U‘U-HODGINS: Thank you very much. Is there any further discussion before I move on to our recommendation...my recommendation? Seeing none. At this time, I would like to entertain a motion to recommend the adoption of Resolution 25-109, including any nonsubstantive revisions.

COUNCILMEMBER SUGIMURA: So moved.

COUNCILMEMBER COOK: Second.

CHAIR U‘U-HODGINS: I have a motion made by Member Sugimura and a second by Member Cook. Any discussion? Seeing none. I'd like to entertain a motion to amend the resolution to read pre-litigation and litigation negotiation throughout the reso.

COUNCILMEMBER SUGIMURA: So moved.

COUNCILMEMBER COOK: Second.

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

COUNCILMEMBERS: Aye.

MS. APO TAKAYAMA: Chair, that's eight "ayes," zero "noes," one excused, Member Kama. Motion carries.

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

**June 2, 2025**

---

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

**NOES:**    None.

**ABSTAIN:**    None.

**ABSENT:**    None.

**EXCUSED:**    Councilmember Kama.

**MOTION CARRIED.**

**ACTION:**    **APPROVE amendment.**

CHAIR U‘U-HODGINS: Thank you, Members. And resolution with...with its amendments, all those in favor, please raise your hand and say "aye."

COUNCILMEMBERS: Aye.

MS. APO TAKAYAMA: Chair, eight "ayes," zero "noes," one excused, Member Kama. Motion carries.

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

**NOES:**    None.

**ABSTAIN:**    None.

**ABSENT:**    None.

**EXCUSED:**    Councilmember Kama.

**MOTION CARRIED.**

**ACTION:**    **Recommending ADOPTION of Resolution 25-109, CD1.**

CHAIR U‘U-HODGINS: Thank you very much, Members. This item will move on to full Council for its consideration. Moving on, as you know, Resolutions 25 through 95...25-95 through 25-98 have been cancelled, so we'll move on to the next item on today's agenda.

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

**June 2, 2025**

---

**ITEM 11(15): RESOLUTION 25-120, AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL KOBAYASHI SUGITA & GODA, LLP, TO REPRESENT COUNTY AUDITOR LANCE TAGUCHI IN THE MATTER OF CHRISTOPHER SALEM'S MAY 8, 2025 COMPLAINT FILED WITH THE STATE OF HAWAII DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**

CHAIR U'U-HODGINS: Which inclu...which is, rather, Resolution 25-120, which would authorize the retention of Kobayashi Sugita & Goda, LLP, as special counsel to represent the County Auditor Lance Taguchi as a County employee in the matter of Christopher...Christopher Salem...Christopher Salem's May 8th, 2025, complaint filed with the State of [sic] Department of Commerce and Consumer Affairs for a total compensation not to exceed \$150,000. And at this time, I'm going to ask for comments from Deputy Corporation Counsel John Gores.

MR. GORES: Good morning. We're here today to request the hiring of special counsel to represent Mr. Taguchi with regard to the April 8th, 2025 [sic] complaint Mr. Salem has now brought against Mr. Taguchi at the Department of Commerce and Consumer Affairs concerning Mr. Taguchi's performance of his official duties as County Auditor. This is an extension and a continuation of additional litigation and matters brought by Mr. Salem. Our office has been determined to be disqualified for representation regarding the Chris Salem matters pursuant to the Second Circuit Court decision. Kobayashi Sugita & Goda currently represents the County in the Second Circuit Court matter, and we...they are familiar with this matter, familiar with the allegations, and we're asking to have them appointed.

CHAIR U'U-HODGINS: Thank you, Mr. Gores. Mr. Taguchi, do you have any comments you would like to make? Okay. Then let's move on to testimony. Staff, do we have any testifiers wanting to testify on Resolution 25-120?

MS. MACDONALD: Chair, there's no one signed up to testify. Would you like me to do a last call?

CHAIR U'U-HODGINS: Please.

MS. MACDONALD: If somebody would like to testify in the Chamber, please let Staff know, or on Microsoft Teams, please raise your hand. This is final call. Three, two, one...Chair, it appears that nobody wishes to testify.

CHAIR U'U-HODGINS: Thank you. Members, seeing there are no individuals wishing to testify, without objection, I would now close oral testimony on this item.

COUNCILMEMBERS: No objections.

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

**June 2, 2025**

---

**. . . CLOSE PUBLIC TESTIMONY ON ITEM 11(15) . . .**

CHAIR U‘U-HODGINS: Thank you very much. And as a reminder, written testimony will continue to be accepted. We're now going to go into discussion. Is there anything that we can discuss in open session? Members, do you have any questions that we can ask in open session? I know we're all quite familiar with this case at this time. Is there anything you guys want to add in open session other than what you said in your opening statement?

MR. GORES: I think any discussion would need to be held in executive session. They do touch upon the liabilities, responsibilities, duties concerning Mr. Taguchi, the Council, our office, special counsel.

CHAIR U‘U-HODGINS: Thank you very much. At this time then, I will entertain a motion to convene an executive meeting in accordance with Section 92-5(a)(4), Hawai‘i Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liability of the County, the Council, and the Committee; and Section 92-5(a)(8), Hawai‘i Revi...Revised Statutes, to lib...to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to a State or Federal law or court order.

COUNCILMEMBER COOK: So moved.

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

COUNCILMEMBER SUGIMURA: Second.

CHAIR U‘U-HODGINS: -- second by Member Sugimura. She was on it. To enter into discussion for Resolution 25-120, any further discussion? Seeing none. All those in favor, please raise your hand and say "aye."

COUNCILMEMBERS: Aye.

MS. APO TAKAYAMA: Chair, that's eight "ayes," zero "noes," one excused, Member Kama. Motion carries.

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

**June 2, 2025**

---

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

**NOES:**   **None.**

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

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

**EXCUSED:** **Councilmember Kama.**

**MOTION CARRIED.**

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

CHAIR U‘U-HODGINS: Thank you very much. For the record, the following personnel will be attending this executive meeting: include myself, Committee Vice-Chair Nohe U‘u-Hodgins; Committee Vice-Chair Tamara Paltin; Councilmember Tom Cook; Councilmember Gabe Johnson; Council Chair Alice Lee; Councilmember Keani Rawlins-Fernandez; Councilmember Shane Sinenci; and Councilmember Yuki Lei Sugimura. Office of Council Services Staff include Peter Hanano, Legislative Attorney; Richelle Kawasaki, Deputy Director of Council Services; and Maria Leon, Committee Secretary. From Corporation Counsel...Ms. Takayesu, will you be staying?

MS. TAKAYESU: Yes, Chair. I will be advising as the counseling and drafting attorney.

CHAIR U‘U-HODGINS: Yes. Okay. From Corporation Counsel then, we have Ms. Victoria Takayesu, John Gores, Deputy Corporation Counsel. We also have County Auditor Lance Taguchi. Do we have anybody else from your...

MS. TAKAYESU: Yes, Chair. Deputy Susan Leeder will also be present.

CHAIR U‘U-HODGINS: Susan Leeder. Sounds good. Anybody from special counsel online?

MR. GORES: Yes, Madam Chair. Mr. Craig Shikuma is online.

CHAIR U‘U-HODGINS: Mr. Craig Shikuma is online as well. Thank you very much. At this time, I'm going to call for a five-minute recess to reconvene in executive meeting at 10:09 a.m. [*sic*], and this meeting is now in recess. . . .(*gavel*). . .

**RECESS:**           11:04 a.m.

**RECONVENE:**   11:27 a.m.

CHAIR U‘U-HODGINS: . . .(*gavel*). . . Hello again. Will the GREAT Committee please reconvene.

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

**June 2, 2025**

---

It is 11:27 a.m. Members, we have just completed our executive meeting on Resolution 25-120. At this time, I'm going to refer to Mr. Hanano to please provide us a summary in accordance with Act 19 (2023).

MR. HANANO: Thank you, Chair. Your GREAT Committee met to discuss the rights, obligations, and liabilities of the County. Thank you.

CHAIR U‘U-HODGINS: Thank you very much. Members, are...is there any further discussion before we move on to my recommendation? Seeing none. At this time, I would like to entertain a motion to recommend the adoption of Resolution 25-120, including any nonsubstantive revisions.

COUNCILMEMBER SUGIMURA: So moved.

CHAIR U‘U-HODGINS: I have a motion by Member Sugimura. Do I have a second --

COUNCILMEMBER COOK: Second.

CHAIR U‘U-HODGINS: -- by Member Cook. Any further discussion? Seeing none. All those in favor, please raise your hand and say "aye."

COUNCILMEMBERS: Aye.

MS. APO TAKAYAMA: Chair, that's eight "ayes," zero "noes," one excused, Member Kama. Motion carries.

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

**NOES:       None.**

**ABSTAIN:   None.**

**ABSENT:     None.**

**EXCUSED:   Councilmember Kama.**

**MOTION CARRIED.**

**ACTION:     Recommending ADOPTION of Resolution 25-120.**

CHAIR U‘U-HODGINS: Thank you very much. This item will move on to full Council for its consideration. Members, the next item I'm going to save until after we return from lunch. We have special counsel joining us, and they are prepared to come in, again,

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

**June 2, 2025**

---

after lunch. So, do you guys want to return at...it is 11:30 now, so do you guys want to return at 1:00? Is that okay with those Members online? Is 1:00 okay? If not, we can come back at 1:30. 1:00 is okay? Okay. Great. I appreciate that. It is now 11:28, and this meeting is in recess until 1:00 p.m. . . .*(gavel)*. . .

**RECESS:** 11:28 a.m.

**RECONVENE:** 1:09 p.m.

CHAIR U‘U-HODGINS: . . .*(gavel)*. . . Good afternoon, GREAT Committee. It is 1:09 p.m., and will we please reconvene. We left off this morning, and we have a few more things on the agenda.

**ITEM 11(16): RESOLUTION 25-121, AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL BEVERIDGE & DIAMOND PC TO ASSIST AND REPRESENT THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, COUNTY OF MAUI, WITH THE PERMITTING PROCESS AND LEGAL CHALLENGES ARISING OUT OF THE ISSUANCE OF NPDES PERMIT NO. HI 0021848 FOR THE LAHAINA WASTEWATER FACILITY**

CHAIR U‘U-HODGINS: So, before us, we have Resolution 25-121, which would authorize the retention of...I should have asked you how to pronounce this before we went in. Breveridge [*sic*]? How do we...huh? Beveridge? Okay. Beveridge & Diamond PC as special counsel to assist and represent the Department of Environmental Management, County of Maui, with the permitting process and any legal challenges arising out of the issuance of an NPDES permit for the Lahaina Wastewater Facility for a total compensation not to exceed \$250,000. At this time, I'm going to ask for opening comments by Corporation Counsel.

MS. TARNSTROM: Thank you, Chair, Committee Members. This is a matter relating to the Lahaina Wastewater Treatment Facility and its injection wells. And we all know that there was extensive litigation on this, and this is not really related to that litigation. That litigation finished in 2021, where Judge Mollway told us that these Lahaina injection wells needed a Clean Water Act permit and NPDES permit, and...and that issue is done. We're not challenging that issue anymore. Right now, the County has applied for that permit, that NPDES permit. That is a permit that is facilitated by the State Department of Health, even though it is a Federal Clean Water Act permit. So, the State administers that permit. And it is an incredibly complex permitting process. It is literally the first NPDES permit that's been considered for an injection-well-based water treatment facility. So, this is the first time the State, and at this point, the County of Maui, have had to negotiate and figure out the terms of this unique permit in this circumstance. So, the State and the County have been working together since that decision in 2021, trying to coordinate a workable permit and one that the County can operate under, and that had been successful for a while. The State issued a first draft of an NPDES permit some time ago, and that was workable to the County. It had

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

**June 2, 2025**

---

comments, but it was ultimately a workable draft. Unfortunately, the second draft the DOH released after public comment in April imposed restrictions which might be impossible under current technology for the County wastewater facility to meet, and this puts us in an incredibly difficult position. If that second draft were to be adopted as is, the...we would be in noncompliance immediately with that permit, and that puts us in a position where we might face daily fines that can be pretty extreme. So, that brings us to our...Mr. Silton and the Beveridge & Diamond law firm, with expertise in the Clean Water Act, and specifically in NPDES permitting. The Clean Water Act itself is complex. It requires coordination of Federal statutes and regulations and State statutes and regulations, all of which have to be workable for our Wastewater team to implement all of the standards in order to operate successfully under the permit. And this is, again, where Mr. Silton and Beveridge & Diamond come in. They're not only experienced in the Clean Water Act, but in in NPDES permits specifically and in representing municipalities that have had to figure out how to work under these permits and negotiate with the Department of Health, hopefully on DEM's behalf, to create a workable permit. They also have a deep well of scientific experts to consult, and they essentially just know what they're doing in a very complicated area of law and regulation. And the goal here is to work with DOH to obtain a workable permit, and one that makes sense from a scientific standpoint, and one that our Wastewater guys can actually implement. Again, this has never been issued before, which is part of the reason why we want to make sure we get it right. We'll be operating under this permit for who knows how long, probably decades to come, and hopefully, in a short period of time, we'll be able to obtain the permit and operate under the permit. And in coming years, this will be more of like a rote process, and it won't be so difficult for everybody to wrap their heads around, but we just think it's really important to get this phase right, and...and that's why we want to involve Beveridge & Diamond. And since this is a matter of legal compliance and strategy, we would hope to answer any more questions in executive session, but the Department is here, Director Shayne Agawa is here, as well as Scott Rollins. And Mr. Silton is online, hopefully able to answer questions if you have those too.

CHAIR U'U-HODGINS: Thank you. DEM, do you guys have anything you want to add in opening comments? Director?

MR. AGAWA: Hello, can you guys hear me? Oh, yes. Yeah, thank you, Chair U'u-Hodgins. And just a little to add on what Deputy Corp. Counsel Tarnstrom mentioned, she's absolutely correct. We are not trying to get out of the NPDES permit regulations; however, this next...this current draft is so stringent, and I just want to kind of simplify it that if it passes as is, we will be in violation from day one. We are not capable of following the requirements as is. So, you know, we are seeking additional counsel to help us work with DOH; not against DOH, but work with them to come up with a permit and permit requirements that we can work with and...and follow. Thank you.

CHAIR U'U-HODGINS: Thank you very much. Staff, do we have any testifiers needing to testify...wanting to testify on this item, 25-121?

MS. MACDONALD: Chair, there is currently no one who is signed up to testify. I can do a last



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

**June 2, 2025**

---

call if you'd like.

CHAIR U'U-HODGINS: Please.

MS. MACDONALD: If somebody would like to testify in the Chamber, please let Staff know.  
Oh, I do see somebody just raised their hand.

CHAIR U'U-HODGINS: Okay.

MS. MACDONALD: I have just made The Royal House of Hawai'i a presenter, so they should be able to unmute their camera and mic.

**. . . BEGIN PUBLIC TESTIMONY ON ITEM 11(16). . .**

TESTIFIER 1: Okay.

CHAIR U'U-HODGINS: Aloha.

TESTIFIER 1: Aloha, this is The Royal House of Hawai'i. I'm testifying on...on this an allodial land tenant and Royal Patent heir of Hewahewa, helu 3237, 'āpana 2. And I just wanted to ask if any other beneficiaries of all the Royal Patents, and all of Maui, and the...the entire County was...the descendants of the Royal Patents, were they...what is that called...

CHAIR U'U-HODGINS: Notified.

TESTIFIER 1: Did they get reached out to and discussed...discussions...or have you guys reached out to them? Just wondering. And yeah, to call up all the beneficiaries of all the Royal Patents and...and yeah. And please follow Kamehameha III's laws, which the law is still forever valid. No monarch before or after him could ever change, and...yeah. And we have to call up the descendants of the...of the Royal House, the nobles to change...make any changes. And thank you for hearing me, and...yeah. The Royal House of Hawai'i.

CHAIR U'U-HODGINS: Mahalo, Royal House, for your testimony. Members, any clarifying questions? Seeing none. Next testifier, please. I see we have somebody walking down to the podium. Do we have anybody else signed up other than that?

MS. MACDONALD: Yes, Chair. No, there's no one else signed up to testify, just the individual who has now approached the podium.

CHAIR U'U-HODGINS: Sounds good. Thank you.

MR. LAW: Ko'u inoa Jasee Law. I don't have...I'm...I don't think I'm going to have time by the time you guys finish this agenda item to read the big stack of papers out there, and like they said, it's very complicated. Water is one of my kuleana, and I just wanted...I wasn't

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

**June 2, 2025**

---

going to say anything because I don't have enough information. I do have confidence in Director Agawa, and I was...along...I appreciate the previous testifier because I was a little bit conflicted with why...nobody mentioned the United States, but I guess those are the people that are going to give us the \$60,000-a-day fine. I appreciate you guys giving me a voice today.

CHAIR U‘U-HODGINS: Thank you. Members, any clarifying questions? Seeing none. Can you please do a last call?

MS. MACDONALD: Yes, Chair. If somebody would like to testify in the Chamber, please let Staff know, or on Microsoft Teams, please raise your hand. This is final call. Three, two, one...Chair, it appears that nobody wishes to testify.

CHAIR U‘U-HODGINS: Thank you. Members, without objection, I will now close oral testimony.

COUNCILMEMBERS: No objections.

**. . . CLOSE PUBLIC TESTIMONY ON ITEM 11(16) . . .**

CHAIR U‘U-HODGINS: Thank you. And as a reminder, written testimony will continue to be accepted. We are now going to move on to discussion. Members, if you have any questions to ask in open session, please feel free to do so before we move on to executive session. Member Cook, please go ahead.

COUNCILMEMBER COOK: Thank you, Chair. Director, what...the first draft was acceptable, the second draft came back with some additional, more stringent requirements. Was that as a result of the public input?

MR. AGAWA: Thank...thank you for that question, Member Cook. I can't definitely speak for Department of Health, but that is my understanding. After public input, the second draft was formalized.

COUNCILMEMBER COOK: Okay. Thank you. May I ask what the...what the...what are they asking that we're not capable of doing currently and it's...and it's impractical? Later question?

MR. KOLBE: This is a legal question, yeah --

COUNCILMEMBER COOK: Okay. Thank you.

MR. KOLBE: -- Member Cook. We would just like to say...explain this in executive session.

COUNCILMEMBER COOK: Get it. Mahalo. Thank you, Chair.

CHAIR U‘U-HODGINS: Of course. Thank you. Members, any other questions to ask in open

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

**June 2, 2025**

---

session? If not, seeing none, I would like to entertain...the Chair would like to entertain a motion to convene in executive meeting in accordance with Section 92-5(a)(4), Hawai'i Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liability...liabilities of the County, the Council, and the Committee; and Section 92-5(a)(8), Hawai'i Revised Statutes, to deliberate or make a decision upon a matter that requires consideration of information that must be kept confidential pursuant to a State or Federal law or a court order.

COUNCILMEMBER COOK: So moved.

COUNCILMEMBER SUGIMURA: Second.

CHAIR U'U-HODGINS: Thank you. I have a motion made by Member Cook, second by Member Sugimura for...to enter into executive session for Resolution 25-121. Any further discussion? Seeing none. All those in favor, please raise your hand and say "aye."

COUNCILMEMBERS: Aye.

MS. APO TAKAYAMA: Chair, that's eight "ayes," zero "noes," one excused, Member Kama. Motion carries.

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

**NOES:       None.**

**ABSTAIN:   None.**

**ABSENT:    None.**

**EXCUSED:   Councilmember Kama.**

**MOTION CARRIED.**

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

CHAIR U'U-HODGINS: Thank you very much. For the record, all personnel will be attending this executive meeting include Councilmembers in attendance: myself, Council...I'm sorry, Committee Chair Nohe U'u-Hodgins; Committee Vice-Chair Tamara Paltin; Councilmember Tom Cook; Councilmember Gabe Johnson; Council Chair Alice Lee; Councilmember Keani Rawlins-Fernandez; Councilmember Shane Sinenci; and Councilmember Yuki Lei Sugimura. Office of Council Service Staff will include Peter Hanano, Legislative Attorney; Richelle Kawasaki, Deputy Director of Council Services; and Maria Leon, Committee Secretary. And now if Corp. Counsel could please state all

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

**June 2, 2025**

---

the names and titles, and if DEM is going to be with us too in this executive session meeting.

MS. TAKAYESU: Thank you, Chair. Present for Corporation Counsel are our Deputies Tom Kolbe and Kristin Tarnstrom, as well as, yes, John Gores. And present from Department of Environmental Management, Director Shayne Agawa and Scott Rollins, as well as Attorney Drew Stilton [sic] from Beveridge & Diamond.

CHAIR U‘U-HODGINS: And you too?

MS. TAKAYESU: And...and myself.

CHAIR U‘U-HODGINS: Okay. Good.

MS. TAKAYESU: Thank you.

CHAIR U‘U-HODGINS: Just double-checking.

MS. TAKAYESU: . . .*(laughing)*. . .

CHAIR U‘U-HODGINS: Okay. And at this time then, we will take a five-minute recess to reconvene in executive meeting at 1:27 p.m. . . .*(gavel)*. . .

**RECESS:** 1:22 p.m.

**RECONVENE:** 2:36 p.m.

CHAIR U‘U-HODGINS: . . .*(gavel)*. . . Good afternoon. It is 2:36, and will the GREAT Committee please reconvene. We have just completed our executive meeting on Resolution 25-121, and at this time, I'm now going to refer to Mr. Hanano to provide us a summary in accordance with HRS Section 90...92-4(b).

MR. HANANO: Thank you, Chair.

CHAIR U‘U-HODGINS: Previously known as Act 19.

MR. HANANO: Your GREAT Committee met to discuss rights, liabilities, obligations of the County as it relates to NPDES permit number HI-0021848. Thank you, Chair.

CHAIR U‘U-HODGINS: Thank you. Members, is there any further discussion before we move on to my recommendation? Okay. Thank you very much. Seeing...now I would like to entertain a motion to recommend the adoption of Resolution 25-121, including any nonsubstantive revisions.

COUNCILMEMBER COOK: So moved.

COUNCILMEMBER SUGIMURA: Second.

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

**June 2, 2025**

---

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

COUNCILMEMBERS: Aye.

MS. APO TAKAYAMA: Chair, that's eight "ayes," zero "noes," one excused, Member Kama. Motion carries.

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

**NOES:   None.**

**ABSTAIN:   None.**

**ABSENT:   None.**

**EXCUSED:   Councilmember Kama.**

**MOTION CARRIED.**

**ACTION:    Recommending ADOPTION of Resolution 25-121.**

CHAIR U‘U-HODGINS: Thank you very much. This item will move on to full Council for its consideration. Moving on. Thank you very much. See you later.

**ITEM 11(14):   RESOLUTION 25-116, SETTLEMENT AUTHORIZATION:  
                          FIRST FIRE AND CASUALTY INSURANCE OF HAWAII, INC. V.  
                          COUNTY OF MAUI ET AL., CIVIL 2CCV-24-0001055**

CHAIR U‘U-HODGINS: We have before us Resolution 25-116, which would approve the settlement of the claim filed on December 17th, 2024 with alleges...which alleges negligence, respondeat superior, and vicarious liability relating to an incident that occurred on December 19th, 2022. And at this time, I'm going to please request opening comments by Mr. John Gores.

MR. GORES: Thank you, Madam Chair. This is...we're seeking settlement authority to resolve the lawsuit brought by First Fire and Casualty Insurance of Hawai‘i brought against the County of Maui and the complaint filed on December 17, '24. It is a subrogation claim brought by the insurance company as a result of a County tree falling on the insured's property, causing damage. We have had some negotiations, and I would like to discuss

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

**June 2, 2025**

---

the recommendation as to the amount of the settlement, but would do so in executive session, as it does involve liabilities, obligations, responsibilities of the County.

CHAIR U‘U-HODGINS: Thank you. Do...Mr. Barany from Public Works, I believe you're with us. If you are, do you have any opening comments?

MR. BARANY: No opening comments.

CHAIR U‘U-HODGINS: Okay. Thank you very much. Before we get into discussion, Staff, do we have anybody wanting to testify on this item?

MS. MACDONALD: Chair, there's currently no one who is signed up to testify. Would you like me to do a last call?

CHAIR U‘U-HODGINS: Please.

MS. MACDONALD: If somebody would like to testify in the Chamber, please let Staff know, or on Microsoft Teams, please raise your hand. This is final call. Three, two, one...Chair, it appears that nobody wishes to testify.

CHAIR U‘U-HODGINS: Thank you. Members, seeing there are no individuals wishing to testify, without objection, I will now close oral testimony.

COUNCILMEMBERS: No objections.

**. . . CLOSE PUBLIC TESTIMONY ON ITEM 11(14) . . .**

CHAIR U‘U-HODGINS: Thank you. And as a reminder, written testimony will continue to be accepted. We will move on to discussion period. So, Members...I...apparently, we have to go into executive session again. Is there any questions...do we have for opening session...open session, rather? Seeing none. Okay. I am going to know this language like the back of my hand then. I will now entertain a motion...huh?

VICE-CHAIR PALTIN: Oh.

CHAIR U‘U-HODGINS: Oh, go ahead.

VICE-CHAIR PALTIN: I have a question.

CHAIR U‘U-HODGINS: Go ahead, Member Paltin.

VICE-CHAIR PALTIN: I'm not sure if it's...if it's open session. Can you stop me if it's not?

CHAIR U‘U-HODGINS: Sure.

VICE-CHAIR PALTIN: Was the tree on like...what property of the County was the tree on?

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

**June 2, 2025**

---

MR. GORES: The tree was on the property adjacent to Mr. Gonzales' home.

VICE-CHAIR PALTIN: Was it like a park, or a base yard, or something?

MR. GORES: It just was on a County-owned property. It's a County-owned tree that had uprooted during the heavy winds. It was right next to the house that Mr. Gonzal...Ricky Gonzales lives in. I'm not sure the exact property as I sit here.

VICE-CHAIR PALTIN: What kind of tree was it?

MR. GORES: It was a blue eucalyptus tree.

VICE-CHAIR PALTIN: Oh, you can --

MR. BARANY: I believe it was 1600 block of Pi'iholo Road.

MR. GORES: That sounds like it could be right.

VICE-CHAIR PALTIN: Oh, like Upcountry?

MR. BARANY: Yes, ma'am.

VICE-CHAIR PALTIN: Oh, okay. Okay. Never mind then. Thank you.

CHAIR U'U-HODGINS: Thank you. Members, any other questions before we move into executive session? Double-checking. Okay. No. I will now entertain a motion to convene in executive session in accordance with Section 92-5(a)(4), Hawai'i Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties...duties, privileges, immunities, and liability of the County, the Council, and this Committee; and Section 92-5(a)(8), Hawai'i Revised Statutes, to deliberate or make a decision...decision upon a matter that requires the consideration of information that must be kept confidential pursuant to a State or Federal law or a court order. Thank you.

COUNCILMEMBER SUGIMURA: So moved.

COUNCILMEMBER COOK: Second.

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

COUNCILMEMBERS: Aye.

MS. APO TAKAYAMA: Chair, that's eight "ayes," zero "noes," one excused, Member Kama. Motion carries.

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

**June 2, 2025**

---

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

**NOES:**   **None.**

**ABSTAIN:**   **None.**

**ABSENT:**   **None.**

**EXCUSED:**   **Councilmember Kama.**

**MOTION CARRIED.**

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

CHAIR U‘U-HODGINS: Thank you very much. For the record, the following personnel will be attending this executive session: all Councilmembers in attendance, including myself, Committee Chair Nohelani U‘u-Hodgins; Committee Vice-Chair Member Paltin; Councilmember Tom Cook; Councilmember Gabe Johnson; Council Chair Alice Lee; Councilmember Keani Rawlins-Fernandez; Councilmember Shane Sinenci; and Councilmember Yuki Lei Sugimura. Office of the Council Services Staff include Peter Hanano, Legislative Attorney; Richelle Kawasaki, Deputy Director of Council Services; and Maria Leon, Committee Secretary. I believe we're going to have Corporation Counsel Takayesu, Deputy Corporation Counsel John Gores; Deputy Director of Public Works Paul Barany. Is Mr. Sova joining us as well or are you going to be excused?

MS. TAKAYESU: Do you...we'll add Deputy Corporation Counsel Bradley Sova.

CHAIR U‘U-HODGINS: And Deputy Corporation Sova will be joining us as well. At this time, I'm going to call for a five-minute recess to reconvene in executive session. We are now adjourned. It is 2:43. Five-minute recess to executive session. . . .*(gavel)*. . .

**RECESS:**       2:43 p.m.

**RECONVENE:**   3:07 p.m.

CHAIR U‘U-HODGINS: . . .*(gavel)*. . . Will the GREAT Committee please reconvene. It is 3:07 p.m. Members, we have just completed our executive-session meeting on Resolution 25-116. At this time, I'm going to refer to Mr. Hanano to please provide us a summary in accordance with HRS Section 92-4(b).

MR. HANANO: Thank you, Chair. Your GREAT Committee met to discuss settlement efforts, as well as the rights, obligations and lia...liabilities of the County. Thank you.

CHAIR U‘U-HODGINS: Thank you very much. Members, is there any further discussion before



**June 2, 2025**

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

**June 2, 2025**

---

Mr. John Gores.

MR. GORES: Thank you, Madam Chair. We are requesting settlement authority on this claim as the result of a February 8, '24 water main break in Kihei. The claim as submitted was for \$70,395.73. We have been working with the claimant and have reached a tentative negotiated settlement of 45...\$45,291.47. After looking at the estimates and taking into consideration a number of the items in the claim, claimant's agreeable to this amount.

CHAIR U'U-HODGINS: Thank you, Mr. Gores. I understand we have Deputy Director of Water Mr. Landgraf on with us right now. If you have any opening comments? Maybe he's not on. We can...we can ask him any questions if he's around during discussion if Members have questions for him. We will then move on to testimony. Do we have anybody signed up to testify?

MS. MACDONALD: Chair, there is currently no one who is signed up to testify. Would you like me to do a last call?

CHAIR U'U-HODGINS: Please.

MS. MACDONALD: If somebody would like to testify in the Chamber, please come up to the podium...or please let Staff know, or on Microsoft Teams, please raise your hand. This is final call. Three, two, one...Chair, it appears that nobody wishes to testify.

CHAIR U'U-HODGINS: Thank you. Members, seeing there are no individuals wishing to testify, without objection, I will now close oral testimony.

COUNCILMEMBERS: No objections.

**. . . CLOSE PUBLIC TESTIMONY ON ITEM 11(13) . . .**

CHAIR U'U-HODGINS: Thank you. Written testimony will continue to be accepted. Members, we will have a three-minute discussion period. I believe we can handle this in open session. Yay, us. So, Members, please, if you have any questions, raise your hands. Any questions? Great. Double, triple-checking. None? Great. Then I would like to entertain a motion to recommend the adoption of Resolution 25-110, including any nonsubstantive provisions.

COUNCILMEMBER SUGIMURA: So moved.

COUNCILMEMBER COOK: Second.

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

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

**June 2, 2025**

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COUNCILMEMBERS: Aye.

MS. APO TAKAYAMA: Chair, we see seven "ayes," zero "noes," two excused, Members Kama and Sinenci. Motion carries.

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

**NOES:   None.**

**ABSTAIN:   None.**

**ABSENT:   None.**

**EXCUSED:   Councilmembers Kama and Sinenci.**

**MOTION CARRIED.**

**ACTION:    Recommending ADOPTION of Resolution 25-110.**

CHAIR U‘U-HODGINS: Do...okay. I see Member Rawlins-Fernandez. Okay. Great. This item will then move on to full Council for its consideration. Sorry, her...I have a little message on my screen blocking her face. Okay. Thank you very much, Mr. Gores.

**ITEM 11(11):   RESOLUTION 25-99, SETTLEMENT AUTHORIZATION:  
                          MELISSA MAGONIGLE C. COUNTY OF MAUI POLICE  
                          DEPARTMENT, ET AL., CIVIL 2CCV-23-0000030**

CHAIR U‘U-HODGINS: Moving on, Members, to the last item on our agenda. We have before us Resolution 25-99, which would approve the settlement of the claim filed on May 13th, 2024, which alleges gender discrimination, retaliation, and whistleblower retaliation related to incidents alleged to have occurred between December 17th, 2021, and February 7th, 2024, while the claimant was employed as a business administrator II with the County of the Maui Police Department. At this time, I'm going to request opening comments by Mr. Bradley Sova.

MR. SOVA: Thank you, Chair. I think the synopsis you gave is fairly accurate and it captures all of the opening comments I would make. Yes, this is a claim brought by the former business administrator of the Maui Police Department. It is alleging gender discrimination, retaliation, and whistleblower-law violations in relation to certain employment actions from December of '21 until approximately February of 2024.

CHAIR U‘U-HODGINS: Thank you, Mr. Sova. We have Deputy Chief Maeda. Do you have any

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

**June 2, 2025**

---

opening comments? Okay. Thank you. You are muted, but I...I saw your head move no. Can we just make sure he's unmuted when we do have questions? Thank you. Before, though, moving on for dis...to discussion, do we have any testifiers wanting to testify on this item?

MS. MACDONALD: Chair, there is no one currently signed up to testify. Would you like me to do a last call?

CHAIR U'U-HODGINS: Please.

MS. MACDONALD: If somebody would like to testify in the Chamber, please let Staff know, or on Microsoft Teams, please raise your hand. This is final call. Three, two, one...Chair, it appears that nobody wishes to testify.

CHAIR U'U-HODGINS: Thank you. Members, seeing there are no individuals wishing to testify, without objection, I will now close testimony on this item.

COUNCILMEMBERS: No objections.

***. . . CLOSE PUBLIC TESTIMONY ON ITEM 11(11) . . .***

CHAIR U'U-HODGINS: Thank you. As a written...as a reminder, written testimony will continue to be accepted. Again, we're going to have a three-minute discussion period, which I assume is going to be in executive session, unless you, Members, have questions that can be asked in open session. Seeing none. Then I will entertain a motion to convene in executive meeting in accordance with Section 92-5(a)(4), Hawai'i Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liability of the County, the Council, and the Committee; and Section 92-5(a)(8), Hawai'i Revised Statutes, to de...to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to a State or Federal law or a court order.

COUNCILMEMBER COOK: So moved.

CHAIR U'U-HODGINS: I have a motion made by Member Cook. Okay. Do I have a second?

VICE-CHAIR PALTIN: Second.

CHAIR U'U-HODGINS: Second by Member...Chair...I'm sorry, Vice-Chair Paltin. Any further discussion? Seeing none. All those in favor, please raise your hand and say "aye."

COUNCILMEMBERS: Aye.

CHAIR U'U-HODGINS: Does she have to sit down, or does the walking count? Okay. Let's hana hou. All those in favor, please raise your hand and say "aye."

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

**June 2, 2025**

---

COUNCILMEMBERS: Aye.

MS. APO TAKAYAMA: Chair, that's eight "ayes," zero "noes," one excused, Member Kama. Motion carries.

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

**NOES:       None.**

**ABSTAIN:   None.**

**ABSENT:     None.**

**EXCUSED:   Councilmember Kama.**

**MOTION CARRIED.**

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

CHAIR U‘U-HODGINS: Thank you very much. For the record, the following personnel will be in...in atten...attending this executive meeting: all Councilmembers in attendance, including myself, Committee Chair Nohe U‘u-Hodgins; Committee Vice-Chair Tamara Paltin; Councilmember Tom Cook; Councilmember Gabe Johnson; Council Chair Alice Lee; Councilmember Keani Rawlins-Fernandez; Councilmember Shane Sinenci; Councilmember Yuki Lei Sugimura. The Office of Council Services Staff include Peter Hanano, Legislative Attorney; Richelle Kawasaki, Deputy Corporate...Deputy Director of Council Services, sorry; and Maria Leon, Committee Secretary. And from Corporation Counsel, are we going to have all four of you again? If so, can you please say everybody's names?

MS. TAKAYESU: Yes, Chair. Myself, Victoria Takayesu, Corporation Counsel, as well as Deputy Corporation Counsels Brad Sova, John Gores, Susan Leeder, and we also have Deputy Chief Wade Maeda that we would like to have in executive session.

CHAIR U‘U-HODGINS: Okay. Okay. At this time, I'm going to call for a four-minute recess into...so we can reconvene in executive meeting. This meeting is now adjourned. It is 3:16. See you guys at 3:20. . . .(gavel). . .

**RECESS:       3:16 p.m.**

**RECONVENE:   4:05 p.m.**

CHAIR U‘U-HODGINS: . . .(gavel). . . Welcome back, gang. It is 4:05, and will this GREAT

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

**June 2, 2025**

---

Committee please reconvene. We have just left our meeting in executive session, and now I'm going to refer to Mr. Hanano to please provide us the summary in accordance with HRS Section 92-4(b) as it relates to Resolution 25-99.

MR. HANANO: Thank you, Chair. Your GREAT Committee met to discuss settlement efforts to date, strengths and weaknesses of the case, assessment of the claims alleged, and the rights, obligations, and lia...liabilities of the County. Thank you, Chair.

CHAIR U‘U-HODGINS: Thank you. Is there any further discussion before we move on to my recommendation? Seeing none. I would like to entertain a motion to recommend the adoption of Resolution 25-99, including any nonsubstantive revision.

COUNCILMEMBER SUGIMURA: So moved.

COUNCILMEMBER COOK: Second.

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

COUNCILMEMBERS: Aye.

MS. APO TAKAYAMA: Chair, that's eight "ayes," zero "noes," one excused, Member Kama. Motion carries.

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

**NOES:   None.**

**ABSTAIN:   None.**

**ABSENT:   None.**

**EXCUSED:   Councilmember Kama.**

**MOTION CARRIED.**

**ACTION:    Recommending ADOPTION of Resolution 25-99.**

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

**June 2, 2025**

---

CHAIR U‘U-HODGINS: Thank you. This item will move on to full Council for its consideration. Thank you so much, Members, for sticking with me all day. This concludes the Government Relations, Ethics, and Transparency Committee meeting. Thank you, Corp. Counsel and Staff. The time is now 4:07, and this meeting is adjourned. . . .*(gavel)*. . .

**ADJOURN:** 4:07 p.m.

great:min:250602min:ml:lt

Transcribed by: Logan Tsuji

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

**June 2, 2025**

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CERTIFICATION

I, Logan Tsuji, hereby certify that pages 1 through 31 of the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 9th day of June 2025, in Wailuku, Hawaii

A handwritten signature in black ink, appearing to read "Logan Tsuji", is written over a horizontal line.

Logan Tsuji