

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Council of the County of Maui

MINUTES

June 4, 2024

Online Only via TEAMS

CONVENE: 9:08 a.m.

PRESENT: Councilmember Nohelani U‘u-Hodgins, Chair
Councilmember Tamara Paltin, Vice-Chair
Councilmember, Tom Cook, Member
Councilmember Gabe Johnson, Member
Councilmember Tasha Kama, Member
Councilmember Alice L. Lee, Member (left at 2:50 p.m.)
Councilmember Keani N.W. Rawlins-Fernandez, Member (arrived at
9:16 a.m./left at 2:24 p.m.)
Councilmember Shane M. Sinenci, Member
Councilmember Yuki Lei K. Sugimura, Member

STAFF: Kasie Apo Takayama, Senior Legislative Analyst
Clarissa MacDonald, Legislative Analyst
Pauline Martins, Senior Committee Secretary
Richard Mitchell, Legislative Attorney
Criselda Paranada, Committee Secretary
Shelly Espeleta, Supervising Legislative Analyst
David Raatz, Director, Office of Council Services
Lenora Dinneen, Council Services Assistant Clerk

Zhantell Lindo, Council Aide, Molokai Residency Area Office
Roxanne Morita, Council Aide, Lāna‘i Residency Area Office
Mavis Oliveira-Medeiros, Council Aide, East Maui Residency Area
Office
Jade Rojas-Letisi, Makawao-Ha‘ikū-Pā‘ia Residency Area Office
Bill Snipes, Council Aide, South Maui Residency Area Office

ADMIN.: Kristin Tarnstrom, Deputy Corporation Counsel, Department of
the Corporation Counsel
Caleb Rowe, Deputy Corporation Counsel, Department of the
Corporation Counsel
Richard T. Bissen Jr., Mayor
Josiah Nishita, Managing Director, Department of Management
Lori Tsuhako, Director, Department of Housing and Human
Concerns

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OTHERS: Gay Sibonga, Maui Economic Opportunity, Inc. (GREAT-1(9))
Steve Sturdevant (GREAT-21(1) and -21(2))
Lisa Darcy, Share Your Mana (GREAT-1(9))
Darren Vasquez, Share Your Mana (GREAT-1(9))
Michael Lilly (GREAT-21(1) and -21(2))
Johann Peter Lall (GREAT-1(9) and -21(2))
Thelma Akita-Kealoha, Catholic Charities (GREAT-1(9))
Brian Hauser (GREAT-1(9))
Faith Chase (GREAT-1(9))
Junya Nakoa (GREAT-1(9))
Maude Cumming, Family Life Center (GREAT-1(9))
Paul Kobayashi, Catholic Charities (GREAT-1(9))
Eva Hardin (GREAT-1(9))
Sherry Kupau (GREAT-1(9))
Ashley Kelly, Family Life Center (GREAT-1(9))
Lisa Kahaleauki, Family Life Center (GREAT-1(9))
Jason Economou (GREAT-1(9))
Jasee Law (GREAT-21(4))
Plus (22) other people

PRESS: *Akakū Maui Community Television, Inc.*

CHAIR U'U-HODGINS: . . .*(gavel)*. . . Will the Government Relations, Ethics, and Transparency Committee meeting of June 4th, 2024, please come to order. It is 9:08 a.m. Good morning, everyone. 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 Tamara Paltin. The greeting for the morning is...or for today rather, since I have you folks all day long, is osiyo, and it's from the Cherokee Nation.

VICE-CHAIR PALTIN: Osiyo and aloha kakahiaka kākou. Streaming live and direct from Nāpili. I got two unnamed minors with me on summer break and one named pocket pit, Kingy Poo Paltin-Vierra.

CHAIR U'U-HODGINS: Thank you, Kingy Poo Paltin-Vierra and the unnamed. Welcome to summer break. Okay.

VICE-CHAIR PALTIN: And Member Rawlins-Fernandez asked if she could be let in the meeting.

CHAIR U'U-HODGINS: Okay. We can let her in. Thank you so much. Councilmember Tom Cook, good morning and osiyo.

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COUNCILMEMBER COOK: Osiyo and good morning.

CHAIR U‘U-HODGINS: Good morning. Councilmember Gabe Johnson, good morning and osiyo.

COUNCILMEMBER JOHNSON: Osiyo, Chair, Councilmembers, community members. There’s no testifiers at the Lāna‘i District Office, and I’m here and ready to work. Mahalo.

CHAIR U‘U-HODGINS: Thank you. Councilmember Tasha Kama, good morning and osiyo.

COUNCILMEMBER KAMA: Aloha kakahiaka, Chair, and osiyo to everyone.

CHAIR U‘U-HODGINS: Council Chair Alice Lee, osiyo and good morning.

COUNCILMEMBER LEE: Osiyo, Chair. This is the Cherokee greeting as you mentioned, and these are the Native Americans from southeastern United States.

CHAIR U‘U-HODGINS: You’re not going to tell us just in case we run into somebody from...in Foodland, we can say hello? It looks like we can speak their language for two seconds.

COUNCILMEMBER LEE: Yeah. Well, I...I have...I’ve been going to Safeway lately.

CHAIR U‘U-HODGINS: Oh.

COUNCILMEMBER LEE: So, that’s why.

CHAIR U‘U-HODGINS: Safeway then.

UNIDENTIFIED SPEAKER: Okay.

CHAIR U‘U-HODGINS: And Councilmember Rawlins-Fernandez, is she being let in pretty soon? Oh, you don’t see her? Okay. Okay. Let’s let her know. Somebody maybe can contact her. We don’t see her. She’s excused for now. Be with us shortly as she’s trying to join. Councilmember Shane Sinenci...Sinenci, good morning, osiyo.

COUNCILMEMBER SINENCI: Aloha, Chair, osiyo. I see you. And no testimony in Hāna.

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CHAIR U‘U-HODGINS: Thank you very much. Councilmember Yuki Lei Sugimura, good morning, osiyo.

COUNCILMEMBER SUGIMURA: Good morning. Sounds like we should say osiyo and away we go. Let’s have a great meeting. Thank you, Chair.

CHAIR U‘U-HODGINS: Yes. Good morning. Did we get Member Rawlins-Fernandez? Not yet. Okay. I will say good morning to her when she joins us. From Corporation Counsel today, we have Kristin Tarnstrom, Deputy Corporation Counsel. From the Office of the Mayor, we have both Mayor Richard Bissen and Managing Director Josiah Nishita with us in the audience. From the Department of Housing and Human Concerns, we have Lori Tsuhako. As well as our Committee Staff, we have Pauline Martins, Senior Committee Secretary; Kasie Apo Takayama, Senior Legislative Analyst; Clarissa MacDonald, Legislative Analyst; Richard E. Mitchell, Legislative Attorney; Lei Dinneen Council Services Assistant Clerk. And please see the last page of the agenda for information on meeting connectivity. Testimony. Testifiers wishing...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 as well. Under the Sunshine Law, the Chair will receive oral testimony for agenda items at the beginning of the meeting and as the item is called up. For individuals wishing to testify via Teams, please raise your hand by clicking on the raise-your-hand button. If calling in, please follow the prompts via phone, five-star [sic] to raise and lower your hand, six...star-six to mute and unmute. Staff will add names to the testifier list in the order of the testifier 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 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. If you wish to testify anonymously, please notify Staff, otherwise, state your name for the record at the beginning of your testimony. Oral testimony is limited to three minutes per item, and if you’re still testifying beyond that time, I will kindly ask you to complete your testimony. Once you’re done testifying, or if you do not wish to testify, you can also view the meeting on *Akakū* Channel 53, Facebook Live, or mauicounty.us/agendas. We will do our best to take up each person in an orderly fashion, and we will now call on the testifiers wishing to testify at the beginning of the meeting. Staff, if you could please call our first testifier.

MS. MACDONALD: Chair, the first individual signed up to testify is G. Sibonga, to be followed by Steve Sturdevant.

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. . . BEGIN PUBLIC TESTIMONY . . .

MS. SIBONGA: Good morning, Chair U‘u-Hodgins and GREAT Committee Members. My name is Gay Sibonga, and I’m the Chief Operating Officer of Maui Economic Opportunity. Our CEO Debbie Cabebe is currently out of town on business, or she would be here offering testimony today. I am here to testify on Resolution 24-97. MEO fully supports the appointment of Lori Tsuhako as Director of Human Concerns. Ms. Tsuhako understands the challenges that Maui County nonprofits face, but more importantly, she knows Maui County and the needs of our residents. Again, Maui Economic Opportunity supports the appointment of Lori Tsuhako as the Director of Human Concerns. Thank you for your time.

CHAIR U‘U-HODGINS: Thank you. Members, does anybody have any clarifying questions? Seeing none. Thank you very much for your testimony. Staff, if you could please call the next testifier.

MS. MACDONALD: Chair, the next testifier is Steve Sturdevant, to be followed by Lisa Darcy.

MR. STURDEVANT: Good morning, osiyo, and away we go, right? I’m here...aloha, Chair U‘u-Hodgins and Committee. I’m here regarding 24-94 [*sic*] and 24-95. My name is Steve Sturdevant. I am currently serving on the Ethics Board, and this will be my fourth year and will term out in the end of 2025. After attending the Ethics Hawai‘i Conference last year, I was able to witness the service we can provide for the Maui County if we had the full-time Staff. And they...they could provide...and the reason why I’m...I’m combining the two, the 24...the 94 and the 95 is because...because I’m going to be terming out. And I went to this conference, and learned a lot about what the ethics boards could be, you know, ran by, you know, how it could work. And, you know, at...at this point, I’d be termed out and I’d be gone for two or three years and, you know, a new person would be brought in. But if I was to be able to stay on another five years, you know, it would just help the Board be more effective. So, that’s...that’s on 24-94. So, anyway, this...the Staff could provide informal advice, Staff could provide timely ethics advice to public employees and officials, reducing the current wait time to one or two months. Right now, we have a base...base committee members of five, and, you know, we’re...we’re on the cusp of being able to meet every month. So...so, it’d be nice to have another two or three members there too. Training, we currently cannot train employees and officials on ethics rules, a gap...a gap full-time Staff could fill. Conflict avoidance, dedicated Staff could eliminate conflicts of interest involving Corporation Counsel. Investigations, full-time Staff could enable independent investigation and prosecution of ethics violations. Unbiased adjudication, with Staff handling investigations, the Ethics Board could remain impartial. Informal

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dissemination...information dissemination, Staff could regularly update public employees on ethics issues. Streamlined FDS review, which is our...one of our main things that we do right now. Full-time Staff would maintain FDS reviews, bring the board to focus on significant matters. I urge you to approve this essential resolution.

CHAIR U‘U-HODGINS: Thank you. Members, any clarifying questions? Member Sugimura.

COUNCILMEMBER SUGIMURA: I want to thank you for being here. I think for the eight years that I’ve been in office, I’ve never heard anybody from that commission come and testify. And with the commitments that you are sharing, it’s very encouraging, and it’s such an important board. So, I just wanted to thank you personally.

MR. STURDEVANT: All right.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR U‘U-HODGINS: Thank you. Thank you very much. Oh, Member Paltin has a question. But before...Member Paltin, if you don’t mind, I would like to introduce Member Rawlins-Fernandez, who has now joined us. Osiyo and good morning.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha kakahiaka, Chair, from Molokai. I’m at the Molokai District Office, alone on my side of the office. I think that’s everything. No testifiers right now. Mahalo.

CHAIR U‘U-HODGINS: Thank you. Okay. Member Paltin, thank you very much for being patient. You’re welcome to ask your clarifying question.

VICE-CHAIR PALTIN: Thank you, Mr. Sturdevant. Thank you, Chair. I was wondering, if...if you weren’t busy, if you would mind to be a resource, because your expertise on the Board of Ethics. But if you aren’t available, I did have a question for right now.

MR. STURDEVANT: You’re kidding. Yes. Yes, go ahead and ask.

VICE-CHAIR PALTIN: Oh, okay. So, recently, our...our Finance Director was let go. And if the Board of Ethics had a full-time Staff for investigations and whatnot, do you see that playing out differently?

MR. STURDEVANT: I don’t know all the details on that, and it could...it could very well have played out differently. I’m not sure. But with that Staff, we could’ve

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been able to look into it. I...we...our Ethics Committee has been out of the loop on that. So...

VICE-CHAIR PALTIN: Yeah, so have we. That's the problem. Okay. Thank you. I don't know if you're available later on for when the item comes up, but it...it would be nice to have you in case Members had questions. But if you're not available, I understand.

MR. STURDEVANT: Is that today or is that some other time?

CHAIR U'U-HODGINS: That's today, later today.

MR. STURDEVANT: Okay.

CHAIR U'U-HODGINS: If maybe you can provide your phone number to the Clerk outside, and we can call you when the item is up, if you're available.

MR. STURDEVANT: Okay.

CHAIR U'U-HODGINS: Thank you so much. I appreciate it.

MR. STURDEVANT: Thank you.

CHAIR U'U-HODGINS: Next testifier, please.

MS. MACDONALD: Chair, the next testifier is Lisa Darcy, to be followed by Darren Vasquez.

MS. DARCY: Good morning, Chair, and good morning, Council. Two days in a row. Nice to see everyone. My name is Lisa Darcy, and I am the founder of Share Your Mana. I work with individuals who live unhoused and unsheltered, and advocate for a lot of human concerns in the community. Today, I will be testifying on Resolution 24-97. Director Tsuhako has been appointed, from what I understand. And if I don't have everything straight, I'm not always up to speed. I get things a little bit later sometimes. But I understand we bifurcated Housing and Human Concerns. The people voted to separate both of those committees [sic]. So, our Mayor has now gone ahead and made a selection for Human Concerns, and that would be the current director moving over to be now the Director of Human Concerns. So, I'd like to testify on that today. I would like to start out by saying I think that the Director of this position needs to have a lot of joy because this is some of the toughest, grittiest, like most uncomfortable work you can do. There's really not a lot of parameters in Maui County, and I think we need to build a really clear human container. And so, I think...I really spent a lot of time thinking about this because I was like, wow,

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what a great job that would be. And then I realized, of course, it's through appointment when I heard. I was like, ah, shoots, because Mayor, we're not necessarily communicating a lot lately. And I was like, how do I get on that list? That said, you have made an appointment, and I think that Director Tsuhako currently has an extraordinary amount of really important experience with the County, quite a long resume of experience. What I am perplexed about is I don't see the joy in taking on human concerns. And what I mean by that is over the many years of working with Director Tsuhako, really gotten absolutely no response to any of the human concerns that I put forward. And these are some critical...these are some really critical pieces. And I think that this is one of the aspects of this position. It's just not rubber stamping information. It's not going through regular, okay, we're getting this grant, just keep it going. This is a dynamic, moving position. It's going to grow, it's going to expand, it's going to shift. And we really need somebody who's got that real strong desire. And so, while I respect the enormous amount of experience that the Director has, it just doesn't seem like a really good fit. I'm going to encourage this body to reconsider that nomination, to consider that you really need somebody who's going to be responsive. All the...all the years I was...I've been out in...in the field, I've never had the privilege except . . .(timer sounds). . . for one time to have Director Tsuhako come out after I don't even know hundreds of invitations to come out and work with people and get in the dirt, which some of you have come and sat in the dirt with me and previously Councilmembers. So, I also want to say, this is really important that during the...during COVID, that the Director did not recognize or respect the CDC recommendations to keep people...from moving them or from bringing processes that made people move and sweep and those kinds of things.

CHAIR U'U-HODGINS: Ms. Darcy, if you could wrap it up.

MS. DARCY: Yeah, those --

CHAIR U'U-HODGINS: I appreciate it. Thank you.

MS. DARCY: -- those...and there are a lot of people that are on waitlists and waiting for services that have been criminalized because they had no other options. So, this does not seem like a sensible fit.

CHAIR U'U-HODGINS: Okay.

MS. DARCY: And I would...I would really urge the Council to consider how...the gravity of this...of this position. So --

CHAIR U'U-HODGINS: Okay.

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MS. DARCY: -- thank you for the opportunity to speak today.

CHAIR U'U-HODGINS: Thank you. Members, any clarifying questions? Seeing none.
Thank you very much for your testimony.

MS. DARCY: Mahalo.

CHAIR U'U-HODGINS: Oh, sorry. Member Paltin has a question. One second.
Member Paltin?

VICE-CHAIR PALTIN: Thank you, Chair. Thank you, Ms. Darcy. I just was
wondering if you had somebody specific in mind besides Ms. Tsuhako. It seems
you don't want her.

MS. DARCY: Oh, I'm not saying that. Yeah, I just...I have some people that have
spoken with me, but I wasn't prepared to...to say that out loud today.

VICE-CHAIR PALTIN: Oh, okay. Thank you.

MS. DARCY: I mean, does that decision need to be made today or if they put
somebody else in? No.

CHAIR U'U-HODGINS: Well, the resolution is for the support or not support
approving --

MS. DARCY: Right, right.

CHAIR U'U-HODGINS: -- the appointment of Director Lori Tsuhako, so...

MS. DARCY: Okay, yeah. So, I would...

CHAIR U'U-HODGINS: Yeah, maybe you can reach out to her later.

MS. DARCY: Mahalo.

CHAIR U'U-HODGINS: Thank you. Staff, next testifier, please.

MS. MACDONALD: Chair, the next individual signed up to testify is Darren Vasquez,
to be followed by Michael Lilly.

MR. VASQUEZ: Good morning. All right. Aloha. My name is Darren Vasquez, Jr.
And I'm here to testify on behalf of the Share Your Mana Advisory Committee
for Resolution 24-97. I'm also a resource and a vital member for the unhoused
community. I have been here before for Bill 108 that was supposed to be taking

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place, but never resolved, I guess. And I do believe that I could be a good candidate for the position because I have the experience. I have the surveys. I have done surveys in the community to find out what they need, not just for the people of business owners, people in residency, not just for those with disabilities, but also for the unhoused. The unhoused, it's like nothing is being done to help or make it better for the unhoused. It's just making things just more haywire in that community because of no resolutions. And the person that would be perfect for this position would have to be actually making changes in the community for the unhoused also. That will be involved with the community doing surveys and asking them what they need, what is...what is a way to make it better for them, putting more bathrooms so people that are unhoused don't have to be shitting on the streets or going around corners and around businesses just to use the bathroom. People need to be--what would I call it?--they need to be heard, you know. There's everybody else in the community that unhoused, they are being...they are the way they are because they either lost their job, they lost family, then everything just went downhill. They need help, not more rules and regulations. Also, we need someone that would actually take the extra time and extra mile to do things for the unhoused. Takes the time to listen and put things in action, and not just listen and get blown off. And so, for that, I vote nay for Tsuhako.

CHAIR U'U-HODGINS: Okay. Thank you very much for your testimony. Member Johnson with your clarifying question.

COUNCILMEMBER JOHNSON: Thank you, Chair. Good morning, Mr. Vasquez, Jr. I...I recall your testimony and your sitting up here for Bill 108, and I thank you for that. But for today, the clarifying question I have for you is, you mentioned that the community doesn't feel heard. Do you feel heard?

MR. VASQUEZ: No.

COUNCILMEMBER JOHNSON: Okay. Have you...

MR. VASQUEZ: That's why I'm here today.

COUNCILMEMBER JOHNSON: Yeah. Have you reached out to Director Tsuhako? I know Lisa Darcy mentioned she reached it out and no responses. How about yourself, have you reached out to the Department, and have you gotten any responses?

MR. VASQUEZ: Actually, we all reached out through Lisa Darcy and every time that we did reach out, we wouldn't get anything back.

COUNCILMEMBER JOHNSON: Okay.

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MR. VASQUEZ: We've asked for...for two meetups at the...at our office, and nothing happened.

COUNCILMEMBER JOHNSON: So, you asked for meetings, and you didn't get a response --

MR. VASQUEZ: And for...no responses, yeah.

COUNCILMEMBER JOHNSON: -- for meetings? Okay. Thank you so much. Thank you, Chair. No further questions.

CHAIR U'U-HODGINS: Yeah, no worries, Member Johnson. Any other clarifying questions for our testifier? Seeing none. Thank you very much for being with us today.

MR. VASQUEZ: Thank you.

CHAIR U'U-HODGINS: Staff, next testifier, please.

MS. MACDONALD: Chair, the next individual signed up to testify is Michael Lilly, to be followed by Johann Peter Lall. Michael, you are a presenter, so your camera and microphone should be enabled. You may need to unmute.

MR. LILLY: Got it.

MS. MACDONALD: Oh, there you go.

MR. LILLY: All right. Good morning. Thank you for hearing me. I'm...I'm the Vice-Chair of your Ethics Board. By way of background, I spent nine years on the Honolulu Council...Commission...Ethics Commission, a substantial part of that time as the...as the vice-chair. When I retired and moved back to Maui and I got on the Board, I was surprised to find out that, number one, that board members, commission members on Maui can't be reappointed to a successive term unless they're...they cycle off. And all of the boards and commissions I've been on before, State and Honolulu County, board members and commissioners were reappointed. And we just lost Gerri Lewis, a great Chair we had. She had a lot of experience being on the...the Board for five years, and now we've lost her. So, that's...that's why the Board asked that...that we have this resolution, to allow for reappointment of...of board members. The...that and the other one regarding full-time staff, essentially, the intent here is to make the Board of Ethics more responsive, more transparent, more effective. And I mean transparent and responsive to the public because I think there's a perception that we cannot effectively police ethics violation. And...and, you

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know, to some extent, that perception has some reality to it without...without Staff. We're a quasi-judicial body, and we're supposed to adjudicate ethics complaint on unbiased basis, but without full-time staff, we...we wind up having to get involved in...too closely in the minutia of the investigations. In Honolulu, the staff does all the investigations, and then they bring those violations to us. And so, we can remain unbiased and be a proper adjudicatory body. I...I think one of the most important things that a staff will provide is immediate ethics advice to anyone who calls up. When...45 years of practicing law, I...I could call up the Office of Disciplinary Counsel and get ethics advice over the phone on which I could rely. But members of the...the County Council, public employees, boards and commission members who need ethics advice, they have to wind up doing...asking for a formal opinion, and...and then maybe they'll get it in a month if we have quorum problems, which we have now, maybe two months, maybe three months possibly. The...the idea of being able to give immediate, informal advice that people can rely on by just calling up is going to be an outstanding way for us to be more effective and more responsive to everybody in the County. I do ask that you take a look at . . . *(timer sounds)*. . . my friend, retired Judge Vicky Marks, who was the Chair of the Honolulu Ethics Commission, submitted her comments on these two resolutions, but it was...it was logged in on 24-97. So, I...I...I commend her comments on those too. So, I...I really commend...recommend that the Council pass these two resolutions because I think it's going to make not just the Board of Ethics more effective, but it's going...it's going to better the County of Maui.

CHAIR U'U-HODGINS: Thank you, Mr. Lilly.

MR. LILLY: Thank you.

CHAIR U'U-HODGINS: Members, any clarifying questions? Thank you. Oh, Member Paltin?

VICE-CHAIR PALTIN: Thank you. I asked Mr. Sturdevant to stay as a resource for when the item comes up. If you're not able to, I do have a couple questions for you right this minute. Were you able to stay on when the item comes up?

MR. LILLY: I'll stick around.

VICE-CHAIR PALTIN: Okay. I'll hold my questions.

MR. LILLY: This is too...this is too important for me to do anything else.

VICE-CHAIR PALTIN: Thank you. I'll...I'll hold my questions to that time. Thank you, Chair.

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MR. LILLY: Thank you.

VICE-CHAIR PALTIN: Thank you, Mr. Lilly.

CHAIR U‘U-HODGINS: Thank you. Thank you, Mr. Lilly. We will see you shortly. Staff, next testify, please.

MS. MACDONALD: Chair, the next individual signed up to testify is Johann Peter Lall, to be followed by Thelma Akita-Kealoha.

MR. LALL: Johann Lall, I am testifying on my own behalf on Resolution 24-97. I...so, I guess I...I kind of personally know Lori because I worked in the same building as her and would see her pretty often. She’s super nice, very humble. I think it took me like a year to even realize she was in a Director position. But I...I do have concerns. So, I saw recently that there was a sweep of Kahului Harbor, and there was...there was no one there from the County or funded by the County to help those people with finding services and stuff like that. And my understanding is that it is...or there was recently a ruling by the courts that if you don’t provide services and you just remove homeless people, that’s some kind of violation of the Constitution. So, that seems pretty important. And I know this Department, or I guess the former Housing and Human Concerns Department, put a lot of funding into all of these organizations. And it seems like there’s a hundred of them. They all have names like Mālama This, Kōkua This, et cetera, but...so these organizations are getting all this funding, but they don’t seem to be doing much because we have a homeless crisis. And we just heard from a homeless person...or a couple of people involved in helping the homeless community who said that they’re not being heard, and...and it seems like nothing’s being done. So, I...you know, I would ask how she would plan to fix this going forward. There was also testimony by her Department regarding making affordable housing stay affordable longer, and they were opposed to it. And I think the reason they said they were opposed to it is they heard from like the real estate industry or something like that--it may have been that I just assumed that’s who they heard from--but, you know, if the Housing Department is against affordable housing, and is ultimately creating more homelessness, in the long run that seems like a concern. And if it’s because of lobbyists or because of powerful people saying we don’t want this, I think, you know, a person in a director position needs to exercise independence and needs to be strong, and not just go along with what, you know, influential people say. So, I do have concerns. I hope these get brought up in the questioning. So, anyway, that’s my testimony. Mahalo.

CHAIR U‘U-HODGINS: Thank you, Mr. Lall. Members, do we have any clarifying questions? Member Sugimura has a question for you.

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COUNCILMEMBER SUGIMURA: Thank you. Thank you for testifying. So, opening of your testimony, you said you would see her as you're going to work. So, where do you work? And what...you're in...what happened...

MR. LALL: I spent three years at the Planning Department. So, I worked in...in One Main Plaza, and their office is in the same building.

COUNCILMEMBER SUGIMURA: Oh, and you're still there? Just curious.

MR. LALL: No, I'm no longer at the Planning Department.

COUNCILMEMBER SUGIMURA: Oh, okay. Thank you.

CHAIR U'U-HODGINS: Member Paltin?

VICE-CHAIR PALTIN: Thank you, Chair. Thank you, Mr. Lall. I just wanted to clarify, you didn't think the County was doing the sweep at Kahului Harbor, did you?

MR. LALL: No, I know it was the State DLNR, but I think that the County is who would be providing those kind of services. I don't think the State has anyone who...as far as I know, they don't do any of that kind of helping the homeless directly.

VICE-CHAIR PALTIN: The Department of Human Services, no?

MR. LALL: I don't know if they do that kind of thing. I've never...I've never heard of them doing...or being involved in that kind of stuff directly.

VICE-CHAIR PALTIN: Okay. All right. Thank you. Thank you, Chair.

CHAIR U'U-HODGINS: No worries. Thank you. No other clarifying questions? Thank you very much, Mr. Lall. *(clears throat)* Excuse me. Staff, next testifier, please.

MS. MACDONALD: Chair, the next testifier is Thelma Akita-Kealoha, to be followed by Brian Hauser.

MS. AKITA-KEALOHA: Good morning. Aloha. Nice to see everybody. It's all familiar faces. Thank you for allowing me to be here. I'm...I'm testifying on Resolution 24-97 relating to the appointment of Lori Ann Tsuhako as a Director of Human Concerns, or I should say reappointment. My name is Thelma Akita-Kealoha, and as you well know, I work for Catholic Charities Hawai'i as the Maui Community Director. I am supporting this reappointment, and I'm asking you for your support to have Lori remain as the Director of Housing and Human Concerns. I, you know, have worked with Lori for quite some time

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in...in different roles, and lately as the Director of Human Concerns, and I feel like she's really very knowledgeable. She's very intelligent. She has passion. She has compassion for people in the community, and she deeply respects people, and she values honesty. She is probably one of the few people that I recognize as an expert in the...understanding the Homeless Continuum of Care, the HUD requirements, and some of our homeless programs on Maui. And I know that I'm part of VOAD, and I go to MEMA when I'm called in, and the emergency operation...EOC, and I just wanted to say that, you know, every time I went, I saw Lori there. She attended the briefings. She held meetings for Human Concerns, and she...if she wasn't there, her staff was there. They were all actively engaged and worked together. She is still sending out briefings on what's going on as far as the services in Lahaina, and she's still asking for assistance for services that's needed. So, you know, we get requests from the EOC for services, and we put that information out so we can get volunteers. She also has a great working relationship with some of the VOAD folks, especially the feeding programs, like Feed My Sheep, Salvation Army. She understands the island. She understands the community, and she understands the services on the island. And, you know, I...I respect all of you guys, including Lori, because your job is really difficult, and it's very broad, and, you know, the reason why I think you separated Housing and Human Concerns is so we could focus on the things we need to because both those things are important. And when I...when I worked with Lori, which was at the Homeless . . .(timer sounds). . . Programs Office, Lori used to ask us for empty food containers. She would take them home and wash them, and she would fill them up with food so she could give it to people on the streets. She even provided rides to people on the streets if they needed transportation. I mean, I...you know, I saw the things that she did, even outside her role as the Homeless Programs Director and the Director of Human Concerns, and I really respect her a lot and appreciate her.

CHAIR U'U-HODGINS: Thank you, Ms. Akita-Kealoha.

MS. AKITA-KEALOHA: And I thank you for allowing me...

CHAIR U'U-HODGINS: If you could please wrap it up, I'd appreciate it.

MS. AKITA-KEALOHA: Yeah, I was just saying thank you for letting me come forward and to testify.

CHAIR U'U-HODGINS: Thank you for being with us today. Member Johnson, you have a clarifying question?

COUNCILMEMBER JOHNSON: Yes. Thank you, Chair. Good morning, Ms. Akita-Kealoha. Thank you for joining us today. I just have a question for

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you. In your role at the Catholic Charities, did you ever have a hard time scheduling meetings with Director Tshako?

MS. AKITA-KEALOHA: I have not, and...and I believe, you know, there's...the agency is large, and other people have scheduled meetings with her. And, you know, even sometimes I can't make meetings and I have to rearrange those dates, but she was very accommodating.

COUNCILMEMBER JOHNSON: And as you...

MS. AKITA-KEALOHA: And, you know...

COUNCILMEMBER JOHNSON: Okay. And as your...in your role, did you feel like your voice was heard?

MS. AKITA-KEALOHA: Yes. She...I...I think...you know, I do feel like my voice was heard. I feel like she respects my opinion and she respects the opinion of a lot of other people. And I...and she will ask questions, and she will ask for opinions, and you know, I...I give them as freely as I can. Sometimes you got to be careful how you say things, and I'm really terrible at that because I will say stuff and stick my foot in my mouth and realize, oh, I shouldn't have said that, but you know, I appreciate Lori because she takes it all in stride. . . .(laughing) . . .

COUNCILMEMBER JOHNSON: Okay.

MS. AKITA-KEALOHA: I do that a lot. It's bad.

COUNCILMEMBER JOHNSON: Thank you so much. Thank you, Chair. No further questions.

CHAIR U'U-HODGINS: Of course. Members, does anybody else have any clarifying questions? Seeing none. Thank you very much.

MS. AKITA-KEALOHA: Thank you.

CHAIR U'U-HODGINS: Thank you. Staff, the next testifier, please.

MS. MACDONALD: Chair, the next testifier is Brian Hauser, to be followed by Faith Chase.

CHAIR U'U-HODGINS: Welcome back.

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MR. HAUSER: Thank you. Aloha. Good morning. Good morning, Councilmembers. Good morning, Chair. I'm here to testify on Resolution 24-97, which is not...which I understand is not a reappointment, it's an appointment after the bifurcation. So, I want to encourage this body to look carefully at qualifications, and hear what the plans of the new director or Director Tsuhako are. Because I think that after yesterday's testimony, I don't think we need to go through all of those things, but I will bullet out a few...a few items that are problems. First of all, let's stop existing in an echo chamber. Let's stop funding specific organizations, where we put Family Life as a procurement and CC stands for Catholic Charities. Let's open it up a little bit. Let's open it up and see who, you know, nonfaith-based, faith-based...let's open up procurement. I...I've reached out to Director Tsuhako about this. Particularly in recent fundings, there was \$8.3 million in rush funding, and I didn't get a appropriate response to that. The response was that that was being handled by the State. If you want to keep on playing games and saying that this is the State, this is a State problem...these are our residents. This money is to mitigate fires, and to work with housing people who are unhoused. Let's look at all this funding. Let's see where that's going. I invite you to attend the task force and the low-income housing meetings that we attend, and look at...look at these issues. You know, I read the most recent point-in-time count, the Continuum of Care that was online, which I think was 2020 or something. It said that there are 370 homeless people. Could we please stop really thinking that there are 370 homeless people on Maui? Any of you are invited. I'm a very safe driver. I can take you around town. I can identify 370 homeless people in Wailuku Town. We don't need to even go to Kahului. Forget about all the people who are becoming unhoused now as a result of the fires. I've heard Councilmember Paltin talk. I...I read the comments on Maui Mommies [sic] on Facebook as well. . . .(timer sounds). . . . People say that...that we come here and...or you know, that I come here without solutions. There are complicated solutions to these problems. The first thing that has to happen is that we recognize that there are problems, and that we recognize that individuals have disabilities and different types of disabilities. And there's differences between active use and in recovery. There's many...there's many things that we can look at, and look at solutions to help people gain more self-independence --

CHAIR U'U-HODGINS: Sir, if you could wrap it up.

MR. HAUSER: -- and be contributing members. Mahalo.

CHAIR U'U-HODGINS: Thank you.

MR. HAUSER: Thank you so much for allowing me to testify.

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CHAIR U'U-HODGINS: Thank you very much. Members, any clarifying questions? Member Johnson, go ahead.

COUNCILMEMBER JOHNSON: So, same question for you. Have you felt like your voice is being heard in the Department? Have you reached out to Director Tsuhako? Have you been able to schedule meetings?

MR. HAUSER: I have reached out. I did not attempt to schedule a meeting. I think that's a good idea. That, you know, I know that the office was reached out to during the homeless sweep. You know, the State has a moratorium on evictions, but we're going to keep on doing sweeps. I mean, there...there's...there's a problem with housing. We have to have the recognition of that. Thank you.

COUNCILMEMBER JOHNSON: Do you feel your voice is being heard?

MR. HAUSER: I do not.

COUNCILMEMBER JOHNSON: Thank you. Thank you, Chair.

CHAIR U'U-HODGINS: Thank you. Members, any other clarifying questions? Seeing none. Thank you very much for your testimony. Oh, I'm sorry. I'm sorry, Member Sugimura. Go ahead.

COUNCILMEMBER SUGIMURA: Wasn't fast enough. So, in your opening comments, you talked about procurement on a rush, and what...what...what are you talking about?

MR. HAUSER: So, there's...

COUNCILMEMBER SUGIMURA: What funding are you talking about?

MR. HAUSER: HUD has rush funding that they've given for housing, and it...it was in two stages. I think it was one...I'm bad with numbers. It was 1.3, and then it was 7. And where...where are those monies being allocated to, and how...how is that being procured? Is it just going automatically to the favorites in Maui County, or is there a procurement process for that?

COUNCILMEMBER SUGIMURA: Okay. Thank you very much. And we have to follow procurement, so I'm sure it's not any favoritism, but thank you.

MR. HAUSER: Okay.

CHAIR U'U-HODGINS: Thank you.

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MR. HAUSER: Mahalo. Thank you so much.

CHAIR U'U-HODGINS: Thank you, Member Sugimura. Seeing no other clarifying questions, thank you very much for your testimony. Staff, next testifier, please.

MS. MACDONALD: Chair, the next testifier is Faith Chase, to be followed by Junya Nakoa.

MS. CHASE: Committee, I am...I'm...I'm not really in favor of this appointment. I understand the--forgive me for the background noise, I think that's the dishwasher--I'm not...I don't think that your job is going to be very easy with the Mayoral Administration, so I'm very realistic nowadays with the...the...the tug of war, the power plays. So, without skipping a beat, I'll just say that Lori Tshako knows that I've objected to some of her methodologies and her approach to things. So, in a blanket statement, I would say I oppose to this resolution, but for a few things...I'm going to take the opportunity to rattle down some things. When I first met with her, I don't like to...this is the only meeting I come to where I leave and there's no action step. I just speak my mind. I don't go to meetings, I don't take meetings unless there's an action step afterwards. So, I went to meet with Lori Tshako about four years ago, and everybody's like, oh, that's a wrap, and everybody's leaving the room, and I was like, no, wait, like what, can I get your card? Like what's the next step, you know? And so, her answer was, there's a HandsOn volunteer portal that you can...you can sign up to volunteer for. So, I would say, if you do, in fact, get appointed, that you please...you please attention that. you would please attention that those volunteers that...that go to that HandsOn space. The safe sleeping parking lot, you need to advocate to bring that back. Everybody knows that was a debacle that deserves a fair share. We need something now, especially with the Hawai'i State ruling about no sweeps. A statement about no sweeps would be really healthy from the Mayoral Department...or the Mayoral Administration. So, if you are, in fact, appointed by him and your buddies, then please, talk to him about that. That's a nice statement. We need that. We need that for the exact reason where the fellow testifier was talking about, how can we help the guys down at the harbor? I tried. I tried so hard, and everybody's hands off. Oh, oh, oh, that's State jurisdiction. Those are our residents. If it's State jurisdiction, then we should be on the side of the highway with our County agencies helping them as they exit State property. So, fed up with that. DLNR, they're so...their...their...their perspective is so skewed. Coming with bulletproof vests and guns...it's so disgusting. Number four, I cannot believe that homelessness is under Human Concerns. Homelessness should be under the Housing Department if you're going to bifurcate. When asked if there was data on the number of people that were swept, Lori Tshako replied in an email saying that there was no data. They

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don't keep that data. Can we just start to do that? That'd be really nice. That would be nice so that when you partner with people like Thelma, that you actually are talking the same data. Number five, you should really consider the Share Your Mana Advisory Committee. They've been working hard for years. They are your boots-on-the-ground input when you're making decisions. The HIMS [sic] . . .(timer sounds). . . system doesn't work. The coordinated entry system doesn't work. Stop leaning on that as an excuse. All the other community health workers across Hawai'i know that, and you'll see their grant work, and you'll see their work now. They're trying to distill it. They're trying to get their own data. So, stop leaning on that as an excuse. The Kingdom laws. This is the Country of Hawai'i. This is the...you're in...we're in under occupation right now. We're seeking a treaty of peace. You have to educate yourself. If it doesn't come from this Council body, who have a bunch of stellar educated sovereignty--not sovereignty--Country of Hawai'i, Kingdom of Hawai'i background, they know. If it doesn't come from a tutorial or tutelage or enforcement or encouragement from this body, then do it on your own. You need to understand. Because people are carrying that palapala with them, and you need to understand what that is...when you want to sweep them and move them and give them a ticket for \$35 for human habitation, you want to give them a ticket for being human?

CHAIR U'U-HODGINS: Ms. Chase...

MS. CHASE: Last...last point.

CHAIR U'U-HODGINS: Okay. Last point.

MS. CHASE: Council...Councilmember Kama, you...you...where is that DHHL liaison position? Because this will work well with all of these conversations. There's a...it's true, we're in this transitional space, right? But it's time for creative conversations that are healthy. Do what you can to protect the people. Most of them, 98 percent, yeah, Native Hawaiians. Thank you.

CHAIR U'U-HODGINS: Thank you. Members, any clarifying questions? Oh, seeing none. Thank you very much, Ms. Chase. Staff, next testifier, please.

MS. MACDONALD: Chair, the next testifier is Junya Nakoa, to be followed by Maude Cumming, apologies if I mispronounced your name.

CHAIR U'U-HODGINS: Aloha, Mr. Nakoa.

MR. NAKOA: Hey, howzit, good morning.

CHAIR U'U-HODGINS: Good morning.

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MR. NAKOA: You guys can hear me?

CHAIR U'U-HODGINS: We can. *(echoing)*

MR. NAKOA: Yessah. Sorry, you guys. But hey, first things first. So, for clarification, I'm went ask for to talk when the item come up. I went put 'em inside a chat, but for some reason, the chat stay off. So, I'll tell you, this new system is driving us guys nuts of how we got to get on, what I gotta to do. So, I put 'em in the chat that I wanted for talk to the item, not in the beginning, 'cause I like hear the presentation from the Mayor...from the Mayor, and the presentation of da kine before I talk. Okay. . . .*(inaudible)*. . . Buh-bye.

CHAIR U'U-HODGINS: Okay. We will call you before the item comes up.

MR. NAKOA: Yeah.

CHAIR U'U-HODGINS: Okay. Ms. Cummings *[sic]*, you're up next.

MS. MACDONALD: Maude, you have been made a presenter, so your camera and mic...

MS. CUMMING: Hello.

MS. MACDONALD: Oh, there you go.

MS. CUMMING: Hi, my name is Maude Cumming. I'm the CEO of Family Life Center, and I would testify in favor of Lori Tsuhako's appointment. Her Department has always been responsive. And just...just a point of clarification, a testifier talked about the point-in-time count, that data has not been released yet for the neighbor islands. There's a press conference tomorrow at 11:00 to share that data. So, Lori's Department, with Lori as the head, has always been responsive to any questions, any suggestions, and so I would testify in favor of her appointment.

CHAIR U'U-HODGINS: Thank you, Mrs. Cumming. Members, do we have any clarifying questions? Seeing none...oh, Member Paltin?

VICE-CHAIR PALTIN: Thank you, Chair. Thank you, Ms. Cummings *[sic]*, for your testimony. Just clarifying, you said Family Life Center?

MS. CUMMING: Yes.

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VICE-CHAIR PALTIN: And do you know of any other organizations that take in families? Because I hear plenty of folks say that they're on your list, and what I don't understand is if they're on your list for housing, and then they don't get housing, and...and there's a sweep or whatever, where...where are they to go? What are the other organizations?

MS. CUMMING: So...oh, Ka Hale A Ke Ola, Catholic Charities. So, for example, for the harbor, I...for at least three months prior to the cleanup, we had been talking to the DLNR, DOT. And so, our outreach was out there every day, excepting for weekends, sometimes on weekends, but we worked intensely with all the folks down at the harbor. We managed to...we moved...moved one family with a newborn into our shelter. We also housed another family. Anyone who was interested, we would...we have a good relationship with Ka Hale A Ke Ola, and so we would work with Ka Hale A Ke Ola if they're interested to get them into the shelter. So, we are still working with a number of other people to get them into housing. It really comes down to what they're willing to do and what they're interested in. Sometimes we cannot meet their needs because they have some specific conditions that we cannot meet, and so...but we have identified every person that's there. We've let the Department of Housing and Human Concerns know, without revealing or sharing confidential information, it's...it's difficult to do that, but we've let them know the number of people, the configuration, whether they're families with children. Any families with children, we really worked hard to move them out of there, so we're continuing to work with most of the individuals. If they're interested, we're continuing to work with them until today.

VICE-CHAIR PALTIN: So, do you have openings for family with children? Because a few people reached out to me, and they just said they're on your list.

MS. CUMMING: From...specifically from the harbor area, or just in general?

VICE-CHAIR PALTIN: Just in general.

MS. CUMMING: Oh, okay. So, in general, if you're talking about people from Lahaina, we received over 800 applications for our project at Ohana Hope Village. We managed to...we have housed...there are four families in there right now. We're working on...we're slowly going down our list. We talked to a family of 25 that we're hoping that our next phase, when it opens, we can address. We have a family of 11 that will probably be moving in at the end of this week, and so it's, you know, two brothers, their children, and mom and dad. So, we're trying to keep the families together. So, all these people --

VICE-CHAIR PALTIN: Will they take...

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MS. CUMMING: -- on our list from Lahaina, we are slowly working down the list.

VICE-CHAIR PALTIN: Will they take people that aren't fire-displaced? Because I'm also getting calls from folks who are displaced because of the FEMA direct leases and the amount of money, rents, costs. Is there any help available for those folks?

MS. CUMMING: If...if they were impacted by the fire, even if...and one of our big concerns are homeowners who are paying their...paying their mortgage, paying for rent. So, if they were impacted by the fire, their housing was impacted. We talked to someone this week that is in California, that she said she was promised by FEMA for a year assistance, and now it's six months in, and assistance has ended because they're now earning income, and they can't...they have no place to come back to. So, we're trying to address all of those different kinds of situations. If we can locate other housing, of course, we would try to move people into that, but of course, you know, that's limited.

VICE-CHAIR PALTIN: Yeah, I just was seeing that some people that weren't affected by the fire are being affected by the housing, and there's no assistance for them because all of the support is going to the fire survivors...which is understandable, but other people still need help as well. But...

MS. CUMMING: Yes, yes. So, we continue to work with those families.

CHAIR U'U-HODGINS: Okay.

VICE-CHAIR PALTIN: Thank you.

CHAIR U'U-HODGINS: Thank you. Chair Lee?

COUNCILMEMBER LEE: Thank you. Hello, Maude. You said earlier that the point-in-time count will be released tomorrow. Did you say that?

MS. CUMMING: Yes. There's a press conference at 11:00 --

COUNCILMEMBER LEE: Okay.

MS. CUMMING: -- at...at Ohana Hope Village. The...it's the BTG, so it's the neighbor islands. O'ahu's press conference for the point-in-time count, I saw that the Governor did that, but we will be releasing those numbers tomorrow.

COUNCILMEMBER LEE: Okay. Regardless of what the actual numbers will turn out to be, I'm sure you know, from your own experience, what the percentages are in terms of need. Because as we all know, the...the unsheltered population,

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there's subsets of these...of these greater populations, like for instance, X percent are, let's say, have mental issues, mental health issues. X percent has substance abuse issues. X percent are in truly transition, and X percent do not want housing. So, at this point in...you know, right like now, no matter what the number turns out to be, what percent actually can be helped with the resources that we have?

MS. CUMMING: Are you saying what percent are...want to participate in having our assistance, or what percent...

COUNCILMEMBER LEE: Yeah, want to participate. Because we all know that there are many who don't want to participate. So, how many are we...want to participate? So, if we were to consider all the resources you need and others need, the funding that's needed, what...what percent are we talking about of the unsheltered folks? Within your realm.

MS. CUMMING: So...

COUNCILMEMBER LEE: Within your realm. For instance, I would...I would say the mental health folks would have to be served by the State's resources, right? I'm sure that's not something within your capabilities, as far as giving medical attention to folks, right? So, we're talking about housing and social services is what you provide. So, what percent of the population would that be? Is it one-third? Is it one-fourth? What is it?

MS. CUMMING: I would say that at any point in time, we...probably about a third of the population. And so, if...so, what our goal is...my goal is to end homelessness. And...and my goal is that you will probably always see homelessness when you step out your door, but if we can develop a system where within 30 days, anyone who is homeless, or at risk of homelessness who wants to be housed, that we can accommodate them within 30 days, whether that's an emergency shelter, transitional shelter, or permanent housing. If we can get our system to do that, we would be then at the point where we call the same amount of people that are coming into the system, you're also exiting the system into some form of housing. And so, that is what we use HMIS data for. We go over that regularly to...with...with our...our staff to see, are we doing what we say we are trying to do? Does our data show that, indeed, we are housing people at a rate that is going to end homelessness, or get to a point where we call functional zero, where people coming in equals the amount of people going out? If we're not doing that, well, then we're never going to end the problem. But if that's what we use our data for, to inform our decisions, what kind of programs do we need to have? So, right now, we're looking at who...why are people falling out of housing? What is happening? What...what is the issue here? And is our housing meeting those needs? If it's not, then we need to

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develop different kinds of housing. So, right now, we're in the middle of trying to convert some of our space to house the most difficult people who are not making it. We have people that we have housed six, seven times, and they're still falling out of housing. So, what is the problem? If we don't look at those things and change our system to address those, then we're never going to end homelessness. So, that's what we're trying to build right now is a situation where we can take all the ones that are not succeeding because of drug issues, mental health issues, whatever it is. So, we're constantly looking at the data that the HMIS is generating to inform our decisions and determine whether our programs are working or not, and what we need to do to make sure that people stay housed. That homelessness is rare, brief, and nonrecurring. That once we get them housed, they don't fall out of housing again. We have to continue to look at those things.

COUNCILMEMBER LEE: Thank you.

CHAIR U'U-HODGINS: Thank you. Member Sugimura?

COUNCILMEMBER SUGIMURA: Wow. Thank you very much for your passion, Maude. I wanted to...just one quick question. Ohana Hope Village, you mentioned that, so did you get your water situation resolved? I know that Member Cook was working on it with you.

MS. CUMMING: We are on our way to getting it resolved. We're just waiting for a quote for the horizontal drilling, and then we can...with that information, then we can present it to A&B and say this is all the information requested, and so, can we move ahead.

COUNCILMEMBER SUGIMURA: Fabulous. Thank you.

CHAIR U'U-HODGINS: Thank you. Members, any other clarifying questions? Seeing none. Thank you very much, Ms. Cumming. Staff, do we have any other testifiers?

MS. CUMMING: Thank you.

MS. MACDONALD: Chair, yes. The next, and currently the last person signed up to testify, is Paul Kobayashi.

CHAIR U'U-HODGINS: Mr. Kobayashi?

MR. KOBAYASHI: Okay. Good morning, Chair and Committee Members.

CHAIR U'U-HODGINS: Good morning.

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MR. KOBAYASHI: Is it osiyo? Did I say that right? My name is Paul Kobayashi. I'm Vice-President with Catholic Charities Hawai'i. I'm here in support for Ms. Lori Tsuhako as Director for Human Concern. I've known Lori since 2021, and that was a part of the Maui Rental Assistance Program that was initiated for the State of Hawai'i, and Lori represented, of course, Maui. And in that program, the Maui Rental Assistance Program for Maui basically kept in their...in their...members of the community in their households, over 2,000 for Maui Rental Assistance I, and in Maui Rental Assistance II, over 1,000. So, you know, we...since I've known her, I commend her to her passion, her...her compassion, her experience, leadership, and guidance was instrumental, and really invaluable, for the success of...and the execution of the Federal assistance program for the people of Maui and for the State of Hawai'i, really. And...and most importantly, during an unprecedented time for the...for the Island of Maui, as well as the State of Hawai'i, the COVID-19 pandemic, and as well as the...and now the Lahaina wildfire. So, it's important to note that it was quite unprecedented for cause, we also assisted also with City and County of Honolulu as well too. And I would say between the two, Maui was actually running the most efficient...it probably was one of the more efficient programs. And the State of Hawai'i, of course, was...the U.S. Treasury represented that Hawai'i was probably in the top ten for this program, this \$21 billion program. So, I ask that the Committee support the appointment of Ms. Lori Tsuhako. Thank you.

CHAIR U'U-HODGINS: Thank you, Mr. Kobayashi. Members, any clarifying questions? Seeing none. Thank you very much. Staff, next testifier.

MR. KOBAYASHI: Thank you.

CHAIR U'U-HODGINS: Thank you.

MS. MACDONALD: Chair, the next individual who signed up to testify is Eva Hardin. Her camera and mic has just been enabled.

CHAIR U'U-HODGINS: Ms. Hardin?

MS. HARDIN: Good morning, Council. Thank you for the opportunity to share. Keani, you look so beautiful, Molokai. . . .(laughing). . . I'm sorry. Anyways, I...I speak this morning in favor of Lori Tsuhako. I know the last time I had the opportunity of sharing, it was regarding the project that we did, the pallet shelters next to the shelter. I still say it was still a great success because of the fact that I'm still today working with those current individuals. Some did fall out...yes, they have, but most have still continued to retain their housing. But then going forward, talking about more recent events, I was a part of the...I

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don't want to say the cleanup crew, but with seeing our outreach workers go out there daily, when they bring back the names and info, I'm now responsible to hunt for housing, work out a plan for them to see how would...how would they succeed and start to develop something that is driven towards housing each individual. Out of that, the family that Maude was talking about was the family of six that are currently now in our shelter. The good news about them is, there was no plan, there was no income, but long story short, the mother, who was also at the harbor, she actually had a HUD voucher that was about to expire. So, went out to...to go ahead and ask HUD to work with us, to go ahead and reinstate it, and then actually, I'm going to merge the family and I'm about to house them in a really big four-bedroom. The...the timely...the timely benefit of that whole thing actually, for that family, is shortly before...or shortly after, excuse me...the gentleman, the husband, actually got ranned [sic] over and banged by a car. So, he was in head surgery. So, the timing of everything was actually perfect for this household because they could not withstand anymore out there. There was also another individual who was pregnant, and I helped too. I'm the boots on the ground, so that's why I know the people, per se. I can't speak to much of all the other topics as everyone else might mention, but I can say because I'm the one that directs...directly works with them, or addresses this list that the people talk about. And trust me, and I can say this much, that I am trained...or in my heart, my...my compassion for them is, I go out there and creatively beg them to accept services. I definitely know each person by name, what they deal with, who's their family. So, that's why I can speak to most of them. There was also another...another individual that came out of that. She was pregnant, severe mental health issues, severe, severe. But I worked with KHAKO in order to get her moved in like within two hours max, and...and just tried to be the best bridgeway to connecting them directly to service. Yes, we went out months before the actual cleanup, but then even after, when we said, okay, you know what? Let the cleanup happen, and then we'll see what happens. But when the cleanup was happening, I still got involved to the point where, okay, now, everybody who's running and scattering, I will take them all and try to find placement for them. And again, it comes back to those who was willing . . .(timer sounds). . . to receive placement. Sorry, but --

CHAIR U'U-HODGINS: Perfect timing.

MS. HARDIN: -- that's all I have to say.

CHAIR U'U-HODGINS: Thank you very much, Ms. Hardin. Members, any clarifying questions? Member Sugimura, followed by --

COUNCILMEMBER SUGIMURA: Thank you.

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CHAIR U‘U-HODGINS: -- Member Kama.

COUNCILMEMBER SUGIMURA: Thank you. I think I met you and your energy and enthusiasm at the Ohana Hope Village. And thank you for continuing your passion. But I’m connecting the dots. In your testimony, you’re supporting Lori Tsuhako, and you’re saying that through her work, she does the job. That’s what you’re actually telling us, right?

MS. HARDIN: Yes.

COUNCILMEMBER SUGIMURA: And you are a perfect --

MS. HARDIN: Sorry.

COUNCILMEMBER SUGIMURA: -- example of...of hope and compassion and action. So, thank you very much. That’s all.

MS. HARDIN: Thank you.

CHAIR U‘U-HODGINS: Thank you. Member Kama.

COUNCILMEMBER KAMA: Thank you, Chair. Thank you again for being here, Ms. Hardin. And I remember meeting you at Hope Village too. So, my question to you is, how long have you been doing this kind of work? And how difficult is it to be able to get people to move from where they’re at to where you think that they need to be in terms of being sheltered and being safe?

MS. HARDIN: I have been working in this department for about eight years now. I came to work with Family Life Center because I was a product of homelessness, drug addiction, 14 years in and out of jail. So, when I came out, my family and I had nothing to go off on. I needed a lot of help, and mental health issues, I think. But the reason why I...I’m actually a nurse for the State. That is my bread-and-butter job. I am a nurse, but I came back because of the work that was done for me. And I knew the importance of what a healthy advocate, or somebody that knows, now giving back to their community. So, that’s why I stayed. It is a difficult, thankless job. I will say that much. You really have to have a heart for the people and something that drives you. Because at the end of the day, when you’re being spat out, cussed out, booed out, put down, whatever the case, none of that can matter. Because it has to be, why are you here, and what have you come to do? And if it’s not for the people, you might as well bow out. I’ve heard the testimony--and forgive me, I’m not trying to call anybody out on here--but I heard the testimony of Faith. That’s when I jumped on. And that kind of...but it’s really done. I’ve tried to work alongside and even call Share Your Mana personally. I’m not going to say anything bad, I’m just

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going to say this though. When we have such enmity, or when we have such hostility between the agencies that are boots on the ground, it breeds such enmity. The people pick up on that. Then it becomes standoffish to you. So, where you're trying to give them something and trying to help them, suddenly all the stuff that they been hearing, oh no, I should cut off from services from you because so-and-so said this and that. And out of one...and I get it in the people's position, everybody just wants hope. They want a solution. They want help. But if you come in there, and the first thing you want to do is blast everybody who's trying to aid, it doesn't promote such a healthy environment for showing that your community or those working in this field care about you. So, that's where a lot of the hostility gets bred. I've been...I've worked with those that have done...pulled off of service, and then I watch them sit. And then I watch them cry because they thought they were entering into something good. But I've never seen the result. I'm going to say this. I look at the data. We can talk a nice talk all we want, but the proof is in the data. Which family can you show me has benefited from your services? And I can take you time and time and time again, personally, to family members' homes and different individuals who have chose to say, I want to put housing first, let's do this. Yes, they come with plenty problems. They come with eight dogs. I had one of them with eight dogs. Oh, my gosh, can you imagine? How do you sell eight dogs to the landlord who's on a no-pet policy? He just wanted to say no. You know how I did it? I just got on my face and said, please, this is their only hope. This is the only way. So, he said, I'll accept two dogs. And then they said, okay, so you know what? I'll take the mom and dad, and we'll leave behind all the babies. It was a difficult loss. But today, they're still housed. That wife of that...that wife in that family household, she's been restored to all her children. Her mother just passed away, or her grandma, got to see the family restored, set up, living a good and healthy life. It was such a...a sign and a wonder to watch, I'm telling you. So, sorry, I know that answered your question above and beyond, Ms. Kama. I'm sorry.

COUNCILMEMBER KAMA: It did. It did. Thank you so very much. It just confirmed what I already thought I knew, but yes, you did. So, thank you very much. Thank you, Chair.

CHAIR U'U-HODGINS: Of course, Member Kama.

MS. HARDIN: Thank you.

CHAIR U'U-HODGINS: Does anybody else have any clarifying questions? Seeing none. Thank you very much for your testimony. I appreciate your sharing. Staff, next --

MS. HARDIN: Thank you.

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CHAIR U‘U-HODGINS: -- testifier please.

MS. MACDONALD: Chair, the next individual signed up to testify is Sherry Kupau, to be followed by Dr. Kelly.

CHAIR U‘U-HODGINS: Aloha, Ms. Kupau.

MS. KUPAU: Hi. Good morning, Council. So, I want to testify in favor for Lori Tsuhako. I, for many years, have been the secretary for the Maui Homeless Alliance. While I have been the secretary, I was also a student earning my degree for human services. At the time, I was working on my bachelor’s and then have graduated with my master’s. Through that time with the Maui Homeless Alliance, I have grown a lot to learn about the services here in our County. And it’s through the collaboration of many of the organizations there. And a lot of what I have gained is what Lori Tsuhako has really contributed and poured into the Maui Homeless Alliance. I wasn’t sure that I wanted to work in the field of homelessness, but being engaged in the Maui Homeless Alliance and the collaboration and the information that is coming from...from County, from State, from different organizations has really helped me, and given me the knowledge to really honor the work that...that we do here in the community. And so, I would just like to stand in favor for the knowledge that she brings, the response, and just being there and being a part of each and every organization there within the Maui Homeless Alliance. So, thank you.

CHAIR U‘U-HODGINS: Thank you, Ms. Kupau. Members, any clarifying questions? Seeing none. Thank you very much. Next testifier, please.

MS. MACDONALD: Chair, the next and currently last person signed up to testify is Dr. Kelly.

MS. KELLY: Aloha all, and I’m here with Lisa. She’s our team lead who’s been overseeing some of the work--let me turn the camera there a little--she’s been overseeing some of the work down at the harbor. But we just both wanted to come and testify on behalf of Lori Tsuhako. We just greatly admire her dedication to really research-based best practices for ending homelessness. And so, I’m going to turn it to...to Lisa to share some of her experiences in overseeing the work at the harbor.

MS. KAHALEAUKI: Aloha, Councilmembers. My team and I are boots on the ground doing outreach services, and we’ve gone there for several months down at Kahului Harbor. And it’s unfortunate that we have advocates in our community that would like to see people continue to live that way--unsheltered, amongst derelict cars, trash--and it’s difficult when those advocates are against

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the work that we do. And so, unfortunately, people don't take the resources or the assistance during the time prior to any cleanup, and then on the day of the cleanup, we have such resistance because of many advocates in our community that continue to want to see our, you know, Hawaiian people to live unsheltered that way. It really breaks my heart as a team lead and a person that would like to see our Hawaiian people thrive and be successful in housing and wanting to accept those services. So, I am in favor of Lori Tsuhako because she's very, very...she's an expert in ending a person's homeless situation and not keeping them in that situation. So, mahalo.

CHAIR U'U-HODGINS: Thank you very much. I appreciate your testimony. Members, do we have any clarifying questions for our testifiers? Seeing none. Thank you very much.

MS. KELLY: Thank you.

CHAIR U'U-HODGINS: Staff, do we have anybody else wishing to testify at the beginning of the meeting?

MS. MACDONALD: Chair, there is...oh, sorry, nobody else. Would you like me to do a last call?

CHAIR U'U-HODGINS: If you could, and then I'm going to take a short recess, invite Admin down to the front, and then do another last call since we're taking recess in the middle of testimony. But you can do one now.

MS. MACDONALD: Okay. 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 this time.

CHAIR U'U-HODGINS: Thank you. At this time, I'm going to take a five-minute recess and invite Administration up to the front. And when we come back, we will see if there's anybody else wishing to testify at the beginning of the meeting before we move on to Resolution 24-97. So, we will come back at 10:30. . . .(gavel). . .

RECESS: 10:25 a.m.

RECONVENE: 10:39 a.m.

CHAIR U'U-HODGINS: . . .(gavel). . . Good morning again, and will the GREAT Committee please reconvene. It is 10:39 a.m. And before we move on to our Resolution 24-97, Staff, if we could do a last call for testimony for those wishing to testify at the beginning of the meeting.

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MS. MACDONALD: Yes, Chair. There is one individual currently signed up to testify, Jason Economou.

MR. ECONOMOU: Good morning, Chair. Good morning, Committee Members. Thank you for the opportunity to testify. I just...I'll make this really brief. I...I just want to support Lori Tsuhako for this...this position. I...I've gotten to know Lori pretty well over the past six years or so, and she is an incredibly intelligent, dedicated...just the right leader. And...and she's done such a great job as...as the head of the Department of Housing and Human Concerns, and I think she'll do an exceptional job as the head of Human Concerns. And that's all I wanted to say. I'm a big fan, and...and I hope she can continue in her leadership position. So, thank you.

CHAIR U'U-HODGINS: Thank you, Mr. Economou. Members, do we have any clarifying questions? Seeing none. Thank you very much for your testimony. Staff, do we have any other people signed up to testify? If not, can you please do a final call?

MS. MACDONALD: Yes, Chair. There is currently no one else who has signed up to testify. 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.

. . . END OF PUBLIC TESTIMONY AT BEGINNING OF MEETING . . .

GREAT-1(9) APPOINTMENT AND REMOVAL OF ADMINISTRATIVE HEADS OF DEPARTMENTS RESOLUTION 24-97, RELATING TO THE APPOINTMENT OF LORI ANN TSUHAKO AS DIRECTOR OF HUMAN CONCERNS)

CHAIR U'U-HODGINS: Thank you. Moving on to GREAT-1(9), Resolution...we have before for us, Resolution 24-97, entitled "APPROVING THE APPOINTMENT OF LORI ANN TSUHAKO AS THE DIRECTOR OF HUMAN CONCERNS." Resolution 24-97's purpose is to, again, approve the appointment of Lori Ann Tsuhako as the Director of Human Concerns, effective July 1, 2024, in accordance with Section 8-10.2 of the revised Charter of the County of Maui, 1983, as amended. At this time, I'm going to ask for opening comments by our Mayor, followed by opening comments from the current Director of Housing and Human Concerns, Lori Tsuhako.

MR. BISSEN: Aloha kakahiaka and good morning, Chair U'u-Hodgins, Committee Vice-Chair Paltin, and Members of the GREAT Committee. Today, I come before

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you with my support of Resolution 24-97, as well as my recommendation of appointment of Lori Tshako as the Director of Human Concerns. In approaching the bifurcation of Human Concerns and Housing, I'm enthusiastic about the opportunity to bring this...to what this opportunity brings for both departments. I look forward to supporting an administrative structure that supports these two needs separately from one another. I know this is the first step in elevating the work of both Human Concerns and Housing, and I commend the leadership that came before me and this Council for your work in bringing us to this date...this day. Human concerns has framed the work of my entire professional career, and primarily why I chose to run for this office. Human concerns refers to the issues, problems, or the matters that affect people's lives, their well-being, or their interests. These concerns can vary widely, and may include aspects such as health, education, safety, employment, relationships, environment, social justice, and personal fulfillment. While all these things frame why I've served in public service for most of my life, my vision for my Administration is to create a better community for the future of our keiki. This could not align more perfectly than it does with the purpose and renewed vision of the Department of Human Concerns. Director Tshako and I support a shared mission that we are committed to enhancing the social well-being of our people. However, I believe the change we are seeking in elevating this Department will come with a refreshed and renewed approach to this mission. Our goal is to empower our nonprofit community partners to continue collaboration and seek financially innovative solutions to address our community's most complex issue, and to provide a governmental foundation that encourages and supports our partners to provide programmatic support that is more robust, more responsive, and of course, effective. What the bifurcation will allow the Department to focus on a more acutely-focused system of care to address the social service needs of our community, and to encourage diversified funding sources outside of the County. It is our shared vision that the County's role is to encourage and nurture collaborative partnerships so they can grow and strengthen into sustainable programs that no longer solely rely on County support. Director Tshako brings a wealth of experience, having worked under the leadership of three mayors, including Mayor Tavares, Victorino, and myself. She will be responsible for administering the entirety of the Department's divisions and their programs, including the budget, adherence to all requirements as a grants recipient and as a granting entity, and overseeing the compliance and reporting requirements of the County budgeting process. However, I believe one of her greatest responsibilities is taking care of her employees by creating a fair and supportive work environment that encourages employees to grow, learn, and to provide their highest service to our public. Moving forward, Director Tshako and I have agreed that the primary focus of the Department of Human Concerns falls into three focus areas: Addressing and resolving homelessness, which you have heard a great deal about already this morning; continuing our

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support of wildfire recovery efforts, which she plays a key role in; and encouraging the development of programmatic partnerships and collaboration to help nonprofits be successful. In addressing homelessness, the combined efforts of my Office of the Mayor, our Homeless Solutions Coordinator Naomi Crozier, and in partnership with the Department will work together in a collaborative effort to address these complex issues. Director Tsuhako will continue to work with the Office of Recovery to serve as the liaison between recovery needs and nonprofit organizations to ensure that we continue to address the most pressing needs for our community through these most difficult times. And lastly, with the weight of the Housing Department allocated to another capable director, Director Tsuhako will finally be able to focus her...her efforts solely on the departmental enhancement of human concerns, and the ways that we can elevate the Department's work and support our local nonprofits to empower their financial independence and their programmatic effectiveness. It is my belief and intention that these changes will be key to a new cadence for success for this Department. I humbly ask for your support of Director Tsuhako as the Director of Human Concerns, and look forward to moving this Department forward with balanced, dedicated, and as you've heard, passion-driven leadership. Mahalo for the opportunity to address you.

CHAIR U'U-HODGINS: Thank you, Mayor. Thank you very much. Director Tsuhako, any opening comments you'd like to share?

MS. TSUHAKO: Thank you very much, Madam Chair and Members. Good morning. First of all, I thank Mayor Bissen for the opportunity, and the honor of really continuing my public service. And also equally as important, I thank my colleagues at the Department of Housing and Human Concerns, whose hard work and dedication inspire me, and every day, I'm privileged to count myself among them. I think Mayor did a really good job of providing a vision for the Department of Human Concerns. We share that vision to make our social service system better coordinated to address social service needs, but we also want to focus that our social service system should not be solely dependent on County funding. We need to have more collaboration. We need to have nurturing, and creations of additional partnerships in...in order to make our service work better. I would also like to focus on evidence-based practice because it's been proven to be effective. So, there's no sense in dumping money, a lot of money, into things that we don't know will work. I mean, there's a place for that, but there's also places for evidence-based practice. There's a lot of work to be done. I mean, am I a master of understatement? There's a lot of work to be done. And...and the truth is, that money is not going to solve all of our social service problems. Just simply dumping money into a problem is not going to guarantee that we're successful. So, we need to be planful about how those Government funds are prioritized, how they're spent, so that we can achieve the highest results possible for our community. So, I also want to

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thank all of you who made time to meet with me over the past three weeks or so to discuss my nomination. I probably didn't mention this, but I listen to National Public Radio every day--sometimes when I'm driving in to work, sometimes when I'm going home--because I learn something new every day when I listen. One day, this man who had grown up in the projects in New Jersey was interviewed, and he was asked to talk about his life trajectory after growing up in the projects and becoming a superintendent of public schools. He quoted his father, who told him, the biggest room in the house is room for improvement. And at the first stoplight I got to afterwards, I took a little stickum (*phonetic*)--it was bigger than this one--but I took a little stickum and I wrote that down, because you know what? That's...that's a good lesson to learn, it's a good lesson to remember. So, it is my genuine hope that as we continue our discussions today, and I hope to answer the questions that you have, I will earn your support, and that I will always remember to stay in the biggest room in my house. So, thank you.

CHAIR U'U-HODGINS: Thank you very much. I like that. Before we get into the discussion though, Members, if we could do a last call for testimony on this item. I know we have Mr. Nakoa waiting, so if Mr. Nakoa would like to go first, and then we can hear from any other people wishing to testify.

MS. MACDONALD: Junya, your camera and mic should be enabled, if you want to unmute yourself and begin your testimony.

MR. NAKOA: Yo. Okay. You guys can see me? You guys can hear me?

CHAIR U'U-HODGINS: We can hear you but not see you. But you're welcome to...

MR. NAKOA: Oh, maybe you guys lucky then.

CHAIR U'U-HODGINS: Oh, now we can see you. There we go. Okay. Your three minutes starts.

MR. NAKOA: You guys lucky, you guys . . . (*inaudible*) . . .

CHAIR U'U-HODGINS: No, we can see you now.

MR. NAKOA: Oh. You guys ready? Yeah, you guys lucky. Okay. First things first, yeah, Lori Tsuhako, gonna talk about my dealing with her, yeah, and the shortfall, and all that kine stuff I have been caught up dealing with...with her. You know, so, she was in the Housing, so you guys know me, I'm trying to build affordable housing, so, that always when fail. Okay. Now, the wildfire, yeah, everybody, I think you guys all know--Mayor, I hope you know--get the people at Wahikuli, Canoe Beach, yeah, the homeless guys over there, I hope you guys

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go out and go at least talk to them because I do. I ride my bike, I go cruise over there, talk story with them, when I was living down at Kā'anapali. I listen to their issues. Thanks to a lot of us from the canoe club--us, the community--we go talk story to the guys who staying at Canoe Beach. And working together with the community, we even get to have our first regatta, our first canoe regatta, and it was held at Canoe Beach because the community went come work. Lori Tzuhako and Human Concerns, they no come and help us out. Mayor, you never help us out for nothing. So, what I stating is that, you...you two guys just went talk about working together, not always depending on the County, and the money, and all this stuff. Then why you guys no call us up? Mayor, you get my number. Lori Tzuhako, you guys get my number. The whole County of Maui get my...my phone number. Why you guys no use the people who's actually washing their 'ōkole every damn day since October [sic] 8th? Yeah, but you guys no...you guys no call us up. So, if you guys talk about collaboration and working together, you know--and I heard the three people who said they went deal with the people at the...at the Kahului Harbor--hey, go talk...go...if you, Lori Tzuhako, is so good. Me, I'm a baseball coach. Right now, we're in the middle of All-Star. I gotta put together three teams that will challenge each other, who like beat each other all season. Now, I got to make them work together. Now, I got to make them come together for be one solid team. So, that's the thing. That's who I looking for to be the leadership of this Human Concerns. And Lori, so far, you never do nothing. Okay. And the funding, let's talk about funding. Yeah. Lori, when you was the Housing, you wanted to put funding into housing projects in Kihei and Wailuku, and nothing in Lahaina. You went form one...one board of people who we don't even know. We went ask for transparency, but you never come tell us who these people were. So, how are we supposed to trust this Administration and Lori Tzuhako . . .(timer sounds). . . when we, the people, is getting screwed and stepped on? Yeah. You guys do not know how to work together. You guys do not know how to collaborate. If you guys went come together and work with the three people who was helping...hey, mahalo to the guys that helping the family of 6 and 25 and 11. But go...go use the...go use the other guys too, like Lori--what the other wahine?--Lisa Darcy, Faith, all these buggahs. Let's frickin' come together.

CHAIR U'U-HODGINS: Mr. Nakoa, if you could wrap it up, I'd appreciate it.

MR. NAKOA: Let's...let's come together. Mayor, you get my phone number, call me up. Mayor, you get me a phone number, call me up anytime. I help you out anytime. I help you make Maui better.

CHAIR U'U-HODGINS: Mr. Nakoa, we have a clarifying question from Member Johnson. Member Johnson?

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COUNCILMEMBER JOHNSON: Thank you, Chair. Good morning, Mr. Nakoa. Okay. I see you. Have you reached out to Director Tsuhako to have meetings? Have you...do you feel like your voice has been heard? Can you give us some feedback on that?

MR. NAKOA: Yeah. Well, plenty of the issues is about housing and, you know what I mean? So, I think it's kind of time . . . *(inaudible)*. . . anyway, since there was collaborating. A lot of the time I gotta...I gotta bend over backwards, forget about...don't get me wrong, I had one or two meetings with her within the eight years I...or maybe six years I've been dealing with her, but a lot of the time I get the run-around.

COUNCILMEMBER JOHNSON: Yeah.

MR. NAKOA: And then...and actually...and when I actually do have one meeting, it's all one-way. No more she listening to me, it was all her telling me what...what...what going be done and what had...you know, this and that. It wasn't about her listening to my point of view, and I...and that's what made me pissed every time I leave that place.

COUNCILMEMBER JOHNSON: Okay. So, clarifying, you feel like your voice is being heard after you have these meetings?

MR. NAKOA: No. Hell...hell, no. No.

COUNCILMEMBER JOHNSON: Okay.

MR. NAKOA: Only going one way.

COUNCILMEMBER JOHNSON: All right.

MR. NAKOA: Yeah.

COUNCILMEMBER JOHNSON: Thank you, Junya. Thank you, Chair.

CHAIR U'U-HODGINS: You're welcome.

MR. NAKOA: You're welcome.

CHAIR U'U-HODGINS: Member Paltin.

VICE-CHAIR PALTIN: Sorry. Thank you, Chair.

CHAIR U'U-HODGINS: You're welcome.

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VICE-CHAIR PALTIN: Having trouble with the unmute button. Thank you. I guess my clarifying question was, I heard you say after October 8th, and I just wanted to clarify that you meant August 8th?

MR. NAKOA: Oh, yeah. My bad. My bad. I said October because my baby going give birth. Right there. I'm excited.

VICE-CHAIR PALTIN: Congratulations.

MR. NAKOA: Yeah.

VICE-CHAIR PALTIN: That was it, Chair. Thank you. Thank you, Junya.

CHAIR U'U-HODGINS: Thank you. Congratulations. Members, any other clarifying questions? Seeing none. Thank you very much. Staff, do we have anybody waiting to testify on this item?

MS. MACDONALD: Chair, there is currently no one else who has signed up to testify. 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 for this item, GREAT-1(9).

COUNCILMEMBERS: No objections.

. . . END OF PUBLIC TESTIMONY ON GREAT-1(9) . . .

CHAIR U'U-HODGINS: Thank you very much. And as a reminder, written testimony will continue to be accepted. We're now going to move on to the discussion portion, and I'll begin with Member Paltin, and we each have three minutes. Member Paltin?

VICE-CHAIR PALTIN: Thank you, Chair. Before I start, I just wanted to mention that all this time we were...we on the line, online, haven't been able to hear the buzzer, so maybe just like do something like this or something. And then the other clarifying question...or sorry, disclaimer was because it's only three minutes, I might cut you off if I got the answer that I was looking for, or...and I'm not trying to be rude, I just have only three minutes.

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CHAIR U‘U-HODGINS: Okay. I will give you a signal when your --

VICE-CHAIR PALTIN: Okay.

CHAIR U‘U-HODGINS: -- three minutes is up, but it’s beginning now. Thank you, Member Paltin.

VICE-CHAIR PALTIN: Thank you. I guess my first question is from the Mayor, I was...for the Mayor. I was wondering if you could tell me how this vision and mission that presumably you came up along with the Director and the Managing Director, how it differs from the past vision for Human Concerns and mission?

MR. BISSEN: I don’t...I don’t think it differs from the past. I think it’s more focused now that these departments have been separated.

VICE-CHAIR PALTIN: Okay. And so, would you say that it’s been working in the past?

MR. BISSEN: Well, I think it depends who you ask. And I mean, obviously, we heard testimony from people who thinks it’s not working, and I think we have to validate their...their position and their concerns. You know, I think sometimes we...we have a difference of approach about how to get to a solution, but I think we’re all trying to get to the same solution, and I think mostly what I was hearing today is a disagreement in the path to get there. So, I understand that.

VICE-CHAIR PALTIN: Okay. And then the next question would be for Ms. Tsuhako. When we met, that you were saying that Project Vision didn’t participate in the vacancy report, and they’ve been operating in their bubble. I spoke to Ms. Kauhane, and she was saying that it was the Homeless Section that thought that the vacancy report from Pu‘uhonua o Nēnē should not be included in the report because it’s State-run and not County-run. Were you aware of that?

MS. TSUHAKO: Thank you, Member Paltin. I think the...the question was about whether the Pu‘uhonua o Nēnē’s reporting would actually have an impact on our shelter vacancy report because Pu‘uhonua did not verify someone’s homelessness. So, all of the other shelters who participate in that vacancy count on a daily basis have verified the homeless status of the people residing in their shelter, and Pu‘uhonua did not.

VICE-CHAIR PALTIN: Okay. But I don’t understand how that affects if they were going to let you folks know if they had vacancies available to take in more

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people. I don't understand why the Homeless Division wouldn't take their report of how many vacancies they have because they're a State-run agency.

MS. TSUHAKO: Member Paltin, the...the State funding for that project had nothing to do with the reporting of vacancies. The reporting of vacancies is done through the Governor's . . .*(timer sounds)*. . . Coordinator on Homelessness, and not through the County. We're simply passing on information obtained by the Governor's Coordinator to Police, to the outreach workers, et cetera, on a daily basis.

VICE-CHAIR PALTIN: But you're not including the vacancies at Pu'uhonua o Nēnē?

CHAIR U'U-HODGINS: I'm going to let you answer that, and then we're going to move on. Because the buzzer just rang, but I'll let Member Paltin's question get answered.

MS. TSUHAKO: Thank you. The reporting of those vacancies is...is not done by the County. So, for example, if the agency is reporting vacancies to the State, then it's not the County who's prevent...or if they're not reporting, it's not the County who has a decision in making that...that call. The State, the Governor's Office, John Mizuno's office is making that call. We do have--we, meaning the Homeless Alliance and people who rely on HMIS--do have questions about the vacancy report if we cannot verify that the people residing in that shelter and the number of openings is really open for people who are indeed without shelter.

VICE-CHAIR PALTIN: Thank you. My time is up.

CHAIR U'U-HODGINS: We can come back to you after. And right now, we're going to go to Member Sinenci, and work our way down to Member Kama. So, Member Sinenci, your three minutes.

COUNCILMEMBER SINENCI: Mahalo, Chair, and mahalo, Mayor Bissen, for being here, as well as his Staff. So, Ms. Tsuhako, are you currently coordinating your efforts with the Administration, particularly Ms. Naomi Crozier? And then, are you...are you coordinating your efforts with the Administration, as well as, are you look...working with the State Office of Human Concerns in acquiring properties potentially for homelessness...to address homelessness?

MS. TSUHAKO: Thank you, Member Sinenci. We are not working with the Department of Human Services to obtain land. I understand that the...

COUNCILMEMBER SINENCI: With the...the State Office of Human Services.

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MS. TSUHAKO: Yeah. So, the State Office of Human Services is the funder for Pu'uhonua o Nēnē, and there...I...I discussed yesterday, actually, at your Committee meeting, some plans that have been shared about creating a permanent kauhale at the site. So, I talked with Bob Wardlaw from Project Vision about that. I think that needs to be developed further, that's State land, and I don't know how secure those plans are. We have...we work as much as possible in conjunction with Naomi Crozier from the Mayor's Office. The County has not initiated a cleanup of encampments since September of 2021, when Amala Place was cleaned. So, there's not that kind of an overlap.

COUNCILMEMBER SINENCI: Okay.

MS. TSUHAKO: But we...we do work with Naomi quite frequently.

COUNCILMEMBER SINENCI: Okay. Thank you. And then with the bifurcation, I'm not sure how...how many...how...how much employees do you have...would you have under the Department of Human Concerns?

MS. TSUHAKO: Thank you, Councilmember. So, I expect that approximately 150 of the current employees will remain in Human Concerns, and the remainder, approximately 32 or 33 positions, will transition to the Department of Housing.

COUNCILMEMBER SINENCI: Okay. And then that would be enough to conduct your Department objectives?

MS. TSUHAKO: It...it is, Councilmember. We...we currently have about 30 vacancies in our Department for...for the Human Concerns portion. Two of those are expansions that are waiting to be filled, and three positions are actually unfunded through grant funding. So, we'll...we'll work...continue to work really hard on recruitment and hiring to create a more robust Department that can fulfill all the requirements of our programs.

COUNCILMEMBER SINENCI: Okay. And then one testifier . . . *(timer sounds)* . . . oh, I'll...okay. One testifier mentioned the HandsOn volunteer portal. Do you have that up and running?

MS. TSUHAKO: Yes, Councilmember. So, we have a volunteer center that's run by our Volunteer Coordinator, Wendy Stebbins, and that online portal seeks to connect agencies who need volunteers with people who are willing to volunteer.

COUNCILMEMBER SINENCI: Okay. Thank you. Thank you, Chair, for that clarity.

CHAIR U'U-HODGINS: Chair Lee?

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COUNCILMEMBER LEE: Thank you. Thank you for your presentation, Mayor and Director Tsuhako. I just have one question. The State recently passed legislation which allows and encourages repurposing of commercial buildings for housing. And so, I'm wondering if you will actively pursue the possibilities in this area. As you know, to develop brand new housing is much more difficult, and probably to repurpose or reuse existing commercial buildings, which are generally empty...well, not generally, but that are empty, might be...you know, have...might present some good options for the homeless.

MS. TSUHAKO: Yeah, thank you, Council Chair. I think that that's a really excellent idea. I mean, we have...we have examples of existing structures that have been used for housing in the past, and have been reconfigured to create additional housing units, and I think that that continues to be a strategy we need to pursue. We also have buildings, actually just down the block from here, that have commercial space on the bottom and living quarters on the top. And part of what we want to do is to help agencies be able to purchase those units and staff those units so that permanent supportive housing can be implemented there. We'll have support from HUD vouchers in order to maintain the...the building and its, you know, functioning, but I...I do think that has to be part of a solution that we pursue where housing is created to reflect the needs, as...as Maude talked about this morning. Most of the chronically homeless people on Maui are single men. They don't need to live in a three-bedroom, two-bath home, right? They need a small dwelling that they can take care of. And so, that will be something that we'll continue to work with agencies to pursue.

COUNCILMEMBER LEE: Very good. Thank you.

CHAIR U'U-HODGINS: Thank you, Chair. Member Cook?

COUNCILMEMBER COOK: Thank you, Chair. Thank you, Director. Thank you, Mayor. Thank you, Managing Director. I had the opportunity for...to meet with Lori, and my questions were answered. I'm happy to see that the Mayor is here in support. All of the directors, your success will be directly tied to collaboration and support from the Administration, and I just offer whatever assistance from my role on the Council can be. It is a very diverse, complicated, emotionally-challenging task that our community has. It isn't just Maui. It's not just Hawai'i. It's our entire nation. So, if I can be part of the solution and help, I will. I wish you good luck and encouragement, and thank you for your willingness to serve.

CHAIR U'U-HODGINS: Thank you, Member Cook. Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Mayor, Managing Director, Director Tsuhako. Okay. So, under the Human Concerns

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Department is Early Childhood, Office on Aging, Immigrant Services, Kaunoa, Grants Management, Volunteer Center, Homeless Program, and the Commission on Children and Youth, Commission on Persons with Disability, Council on Aging, Commission on Healing Solutions. It sounds like there isn't any dispute on all the divisions, or all the other kuleana, except the...the issue of housing folks. Will you, I guess, Mayor and then Director, speak to why the Homeless Program was chosen to be under Human Concerns instead of Housing?

MR. BISSEN: Actually, I didn't...I didn't decide on any of the things that are under Human Concerns or even Housing. So, I don't know how that was divided up. And that's a great question, but do you think it should be in...in the Housing Division instead? Okay. Maybe that's something we can talk about.

COUNCILMEMBER RAWLINS-FERNANDEZ: Perhaps...okay. Was...was that Council? Did we do that? Or was that...it could have been us. I don't know. But maybe Director knows. And if Director doesn't know, then maybe I can ask Corp. Counsel to help.

MS. TSUHAKO: Councilmember Rawlins-Fernandez, I don't believe it was a Council action. I...I think in the process of...once the...once the voters had voted, and the...the Administration moved on the...the actual process of bifurcation, there were discussions about possibly moving the Homeless Programs to the Department of Housing as it would be created. I think the driving force was that the programs the County funded for homeless outreach, for case management, for homeless services, and...and that...that group of services that we pay for using County funds were actual service-oriented, and were being managed by our Grants Management Division. So, our Homeless Division is responsible for doing some of the coordination work to bring the partners together to work on coordinated entry, but they weren't actually service providers in DHHC. So, the decision was to keep the Homeless Division with Human Concerns because the bulk of the . . .(timer sounds). . . funding and coordination was also remaining with Human Concerns.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Director. I heard the timer, Chair.

CHAIR U'U-HODGINS: Oh, cool.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo.

CHAIR U'U-HODGINS: I'm glad it works now. Thank you. Thank you. Member Johnson?

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COUNCILMEMBER JOHNSON: Thank you, Chair. Good morning, Mr. Mayor, Director, Managing Director. I'm going to start off with first saying, you know, I...I hope my questions aren't too hard. I respect Director as a person, and if I see her, I hug her. Our differences are only professional. So, just...if I can just get into it. So, some of the testifiers we heard were saying that they didn't feel heard, they...some of the responses from, you know, for example, Junya Nakoa, Share Your Mana, and others. I, myself, I did not get an email that you said you reached out to the Councilmembers to talk with us before this meeting. I think the pattern I'm seeing is that maybe you're ghosting folks with professional differences, and basically, how can we do better on that regard? I know some people came and said I feel heard, we have meetings, but not all. So, can you speak on that, Director?

MS. TSUHAKE: Thank you, Councilmember. As a Director, I'm not able to speak with every single person who asked to speak with me. It just sometimes is literally impossible. I think if I can, I do make time to talk with people. Sometimes it's in passing. You and I were...we ended up at the same event, you know, was fortuitous for me, and I got to talk to you. But it doesn't always happen that way. And my schedule is such that I...I...honestly, sometimes I cannot fit people in. And so, you know, to those who feel like they're unheard, I apologize. But I do know what it's like to run a Department of 187 FTE, eight divisions, and to prioritize the limited time that I have to focus on the stuff that I need to get done.

COUNCILMEMBER JOHNSON: Right.

MS. TSUHAKE: And so, I'm sorry if I hurt anybody's feelings, but that's...the truth of it is, I...I don't know personally anybody who can see everybody who wants to see them.

COUNCILMEMBER JOHNSON: Yeah. All right. I understand. I'm short on time, so I'm going to pivot to a different question. The HMIS and the data-driven, I'm just going to say bluntly, I don't feel it's working. I know there's a lot of Federal funds attached to it, and that's why a lot of municipalities go for that kind of data-driven methodologies. But in practice, I don't...I...you have to be certified homelessness. That doesn't make any sense to me. I've had scenarios where people would stay one day on a front yard, that because of a neighbor...one of my Staff, Lisa...Keisa Liu wanted to help somebody. They stayed on their front lawn. And just by staying on your front lawn, you're no longer certified homeless. And they had to go back to the line. This system is so hard for our houseless folks who . . .(timer sounds). . . are try...you got to have your driver's lic--...all this paperwork is so...such a burden. So, I know the bell rang. Maybe we can...in the next round, we can talk about how...reducing the barriers. That's really the question. Reducing the barriers so that folks who...who can

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get success aren't just good at paperwork, right? So, I know my bell rang. Maybe next round we can talk about that.

CHAIR U'U-HODGINS: It did, but I will give her the opportunity --

COUNCILMEMBER JOHNSON: Okay.

CHAIR U'U-HODGINS: -- since you just asked, while it's fresh in our mind, to answer that.

MS. TSUHAKO: Thank you, Madam Chair. Thank you, Councilmember. So, the requirements of...of data collection are, as you...as you noted, imposed by HUD in order for our larger system of care to receive HUD funds. So, that includes permanent supportive housing. It also has ties to CDBG funds. It has ties to Section 8 money. All of the funding sources, HOME and HDF, come with some burdens. The data does speak, though. And we, as a system, have tried to reduce those...those obstacles to getting people into services. But in order to get somebody housed, they need to have an ID. I mean, I don't know of too many property managers who will rent a home to somebody who doesn't have an ID. And so, it's not...and it's not something that necessarily I've imposed or, you know, service providers have imposed, it's something that a property manager would require. And so, I...I think the way to address that concern is to really focus on helping people with those...with those tasks of getting their ID, maintaining those IDs so that they're not lost and you have to go through the process of getting it all over again, but understanding that in order to be housed, you have to have certain documents. Not...not because I said so, or you said so, but because the guy who owns the house said so, right? And so, I think if we do that...and we all can agree that yeah, hey, everybody who helps this person who's living on the street can help them get those things, there'll be a step, two steps, three steps closer to being able to be housed.

CHAIR U'U-HODGINS: Thank you, Director. Member Sugimura?

COUNCILMEMBER SUGIMURA: Ms. Paltin. Oh, okay. Thank you. Oh, she's saying me first?

CHAIR U'U-HODGINS: You went first, and so we're going to go...

VICE-CHAIR PALTIN: I...I went already.

CHAIR U'U-HODGINS: Yeah.

COUNCILMEMBER SUGIMURA: Oh, sorry, sorry.

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CHAIR U‘U-HODGINS: Yeah, yeah, yeah. And then...

COUNCILMEMBER SUGIMURA: Oh, that’s right, Vice-Chair, sorry.

CHAIR U‘U-HODGINS: We’ll...we’ll call on her first in our second round, though.

COUNCILMEMBER SUGIMURA: Okay. I didn’t...I didn’t --

CHAIR U‘U-HODGINS: Thank you.

COUNCILMEMBER SUGIMURA: -- want to be disrespectful to my vacant neighbor. So, thank you very much for being here. Nice seeing you, Mayor and Managing Director. I always love seeing the strength and the pillars of the Administration supporting the Director who is before us today for appointment. I wanted to go back to that one testifier that talked about rush money, and if you could explain. I didn’t quite understand his explanation, although I think that...yeah, could you just explain what he’s talking about?

MS. TSUHAKO: Sure. Thank you, Councilmember. Mr. Hauser was referring to Emergency Solutions grant rush funding from HUD. He brought the subject up at a Commission for Healing Solutions for Homeless meeting a few months ago, and asked how that money was being spent by the County. That money did not come to the County --

COUNCILMEMBER SUGIMURA: Oh.

MS. TSUHAKO: -- that money was granted directly to the State. The State Department of Human Services Homeless Programs Office administered that money, conducted the procurement, made selections, and granted contracts for those funds. It...it did not come to the County. So, I was unable to answer his question about how the procurement was done, how the selection was done, because I didn’t do it.

COUNCILMEMBER SUGIMURA: Oh, okay. He has a wrong level of Government --

MS. TSUHAKO: Correct.

COUNCILMEMBER SUGIMURA: -- that he’s trying to get answers from. So, maybe Mr. Hauser can be better directed somehow to somebody else. The other thing that I’m hoping to see somehow, and I know it’s really Prosecuting Attorney’s Office and a combination of homeless and whatever...the Community Court. If it does become something viable, would that be some...an organization that you would also be included on, or does it just stay in the level of Prosecuting Attorney and public defender, I think?

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MS. TSUHAKO: Thank you, good suggestion. Our Homeless Division has already gone to O'ahu previously to experience the Community Court system and how it works. The involvement of the Department would be to ensure that, to the extent possible, those folks who enter Community Court have support from the social services in our community, right? So, we can work toward housing folks, we can work toward getting them eligible for food stamps or applied for food stamps, to get those basic needs met so that they can experience that success that would be offered to them through the Community Court. So, yes, we would still be involved with that.

COUNCILMEMBER SUGIMURA: Oh, great. And I think we have a perfect Mayor to help push this through, right, with your experience. So, I hope so. Mayor, do you have anything you want to say?

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

COUNCILMEMBER SUGIMURA: Oh, you have anything you want to say on that? . . .*(timer sounds)*. . . Ran out of time.

CHAIR U'U-HODGINS: Maybe you guys can have that conversation later.

COUNCILMEMBER SUGIMURA: Yeah.

CHAIR U'U-HODGINS: You can give him more detail.

COUNCILMEMBER SUGIMURA: Okay. Thank you.

CHAIR U'U-HODGINS: Thank you, Member Sugimura. Member Kama?

COUNCILMEMBER KAMA: Thank you, Chair. Thank you, Mayor, for being here this morning. Thank you, Managing Director, and Director Tsuhako. I really appreciate you folks, all of you, and what you're doing on behalf of our County and our community. So, my question to you, Director Tsuhako, is this morning, we had testifiers that were saying that they don't feel like they're heard, they feel like the Department hasn't been doing anything, that you haven't done enough. And yet, we had testifiers that came and said just the opposite, and...and spoke of all the accolades about you, and some of the things that they're able to achieve because of your support. So, my question to you is, how do you...how do you deal with people that you're trying to help, and at the same time giving you a black eye? That's the best way I could put it, if you could explain.

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MS. TSUHAKE: Thank you, Councilmember, for that really concise description. You take it...I take it, that's...that's what it is. Try my best to listen. I sit in that room that I talked about earlier, room for improvement. You know, we all...we've...we've all heard that saying, yeah, can't teach an old dog new tricks. Well, this old dog can learn some new tricks. You know, there's room for improvement every day. And so, that...you know, I look at that, those opinions, and some might call it a criticism, but I look at that as like, okay, we can do better. And I think if you take a survey of my Staff, they will say the same thing, is that the Director's Office will often look at both successes and lack of successes, and say well, how can we do this better next time? And I think that that's one of the greatest joys is that we have that chance, right? We're here, we're doing the work, we have that chance to get better every day, so...

COUNCILMEMBER KAMA: And my second question, as you just answered, about the joy, you know. Because to me, joy doesn't necessarily mean you're jumping up and down and waving hallelujah, although that is my kind of joy. But...but the joy that you have is where you get your strength, right? So, there's this quote that says, the joy of the Lord is my strength, and that's where I see you get your strength from. So, thank you. Thank you, Chair.

CHAIR U'U-HODGINS: Thank you, Member Kama. It's my opportunity to ask some questions, and I don't necessarily have too many because I had an opportunity to talk to you at the same event Member Johnson was at. But building on this room for improvement, which I too love podcasts, it's something I usually only do when there's nobody else in the car so I can really pay attention. So, good on you for doing so. The...the room for improvement, is there any way that we can help your room for improvement? As Member Rawlins-Fernandez pointed out, you have so many branches that you have to deal with. And she's right, we only heard concerns for one. And I don't think that any one person, including you or really anybody else, can ever manage to tackle all the things you need to do. So, is there any way we can help put comfortable furniture in your room for improvement?

MS. TSUHAKE: If you put a recliner in the room for improvement, I might take a nap.
...*(laughing)*...

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

MS. TSUHAKE: So, thank...thank you very much, Madam Chair. I think, you know, as...at a 30,000-foot level, my...my real wish is that we don't work at cross-purposes --

CHAIR U'U-HODGINS: Um-hum.

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MS. TSUHAKE: -- you know. I think there are times when the...this body may...may feel like, I should have done this, but I did this instead. And...and that's okay to have disagreements. I think policy disagreements are fine. My responsibility is to operationalize policies --

CHAIR U'U-HODGINS: Absolutely.

MS. TSUHAKE: -- and make them work. And if they don't work, then to change course and do that. I think if we can...we can agree on the larger picture, and let the Department do its work at a granular level, it would be very helpful to me.

CHAIR U'U-HODGINS: Okay. Thank you. You also said in your opening statement that money is not the sole solution to address all the human concerns we have in our island community, and I don't disagree. But what would you say is the best formula for the best outcome?

MS. TSUHAKE: Thank you. I think the best formula is to look at piecing together and encouraging partnerships. I'll give you a very quick example. I think Eva might have mentioned it in her testimony, and that is getting a woman who was eight months pregnant who had...had some severe issues. Normally, she would have gone into Ka Hale A Ke Ola's, what they call a dorm, which is a congregate setting.

CHAIR U'U-HODGINS: Um-hum.

MS. TSUHAKE: And the folks at...the outreach workers knew her well enough to say to Ka Hale A Ke Ola, listen, I know that that's how you do it every other time, but trust us, this lady cannot be there. She's not going to...it's not going to work for her. . . .*(timer sounds)*. . .

CHAIR U'U-HODGINS: Um-hum.

MS. TSUHAKE: And so, they...they talked...they talked the management of Ka Hale A Ke Ola into letting her go into a studio, where she could be by herself, and they promised that they would bring in the mental health services to support her being there.

CHAIR U'U-HODGINS: Um-hum.

MS. TSUHAKE: And that's the kind of collaboration that doesn't require me to call, right --

CHAIR U'U-HODGINS: Yeah.

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MS. TSUHAKE: -- the agencies, and go, you know, you should do this, you should do that...because, you know, the County's giving you funding. No, it happened organically, and it happened because that was the best outcome. And I think that I rely and want to encourage those partnerships to move forward so that it doesn't require the Director of Human Concerns to call somebody and go, you know, you really should take this person, or whatever. Let's do that more often so that the community benefits from that. And it doesn't require money, me dangling money, or me threatening money. It just happens because it's the right thing to do.

CHAIR U'U-HODGINS: Thank you for that. And we will go on to our second round. So, we're going to start again with Member Paltin. I'm going to do two minutes, if that's okay, Member Paltin.

VICE-CHAIR PALTIN: Thank you, Chair. I'll talk faster. I really appreciated the answer to that last question. I just was wondering, does that apply to all the agencies? You know, I've asked about the vacancies at Pu'uhonua o Nēnē, and that same collaboration, the refresh, renewed approach, encouraging that particular nonprofit, it seems to be lacking. And if they don't require people to verify they're homeless, then when we have a situation where the lady's living on the front lawn for a night, maybe Pu'uhonua o Nēnē would be an option, you know. But I...I...I hear what you're saying about collaborate, have this relationship, have people work together, but then when it comes to that particular thing--and we don't really have the luxury of being choosy, I feel like, with the enormity of the unsheltered population between us--it...it turns into like, oh, those people need to deal with John Mizuno, or oh, that's the State's thing. And I think that's part of the frustration of some of the testifiers that we heard, is that separation between the County and the State. If this is a unsheltered resource at the Pu'uhonua o Nēnē, or if they need collaboration, are we, the County, not looking out for our residents that live in the County by then collaborating with them? That's my question.

MS. TSUHAKE: Madam Chair? Thank you. Thank you, Councilmember. I think that there is a...definitely a jurisdictional issue that you've highlighted. I don't...you know, I...I don't, and I'm sure the Mayor doesn't either, have the power to call the Director of the Department of Human Services . . .(timer sounds). . . and go, you know what? You need to revoke that contract, or you need to do this, or you need to do that. We don't have that authority. What we do have though...

VICE-CHAIR PALTIN: That wasn't what I was asking. I was asking if you could call up Project Vision and collaborate with them, not call up somebody and end to...ask to end the contract, or get anyone fired.

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MS. TSUHAKO: We do have opportunities to collaborate with Project Vision. We've tried...we've invited them to participate with the Homeless Alliance. Our Staff have made attempts to work with them to learn what their intake process is, so that we understand how people can get in. And we have achieved, I would say, only a modicum of success with that.

VICE-CHAIR PALTIN: I heard the bell. Thank you, Chair.

CHAIR U'U-HODGINS: Thank you. Before I have you start your two minutes--Mr. Sturdevant, I know you're still here with us, and thank you so much. I would just like to let you know, typically we take lunch around 12:00, so you don't have to stay now. Most likely we'll take up the ethics stuff when we come back from lunch. If you...you're welcome to stay and listen. If not, I don't want to keep you here when we don't...

MR. STURDEVANT: Lunch is . . .*(inaudible)*. . .

CHAIR U'U-HODGINS: Typically 12:00.

MR. STURDEVANT: . . .*(inaudible)*. . .

CHAIR U'U-HODGINS: 1:30.

MR. STURDEVANT: 1:30.

CHAIR U'U-HODGINS: Yes. Thank you. Thanks for being with us. Member Sinenci, your two minutes.

COUNCILMEMBER SINENCI: Thank you, Chair. Yeah. Yesterday at my WASSP Committee meeting, Chair Zhantell Lindo couldn't come and present the Commission on Healing Solutions, partly because she didn't have quorum to get the approval to come and...and present their update at my meeting. You spoke about policy. Currently, the Commission doesn't have authority to create policy, and this board, or the last board, has created this commission, you know, with all of the different representations from each district so that we could come up with policy, you know, to help the Department when it comes to the unsheltered. So, how do you see moving forward, and utilizing this commission more in addressing the houseless issue?

MS. TSUHAKO: Thank you, Councilmember. The Commission on Healing Solutions for Homelessness has forwarded one...one recommendation to the Department, and that was to pursue a medical outreach program for unsheltered people. The Department accepted that recommendation. We did further research. I applied for HUD funds, and...and was granted HUD funds so that we could

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operate a program. So, what I will say about the Department's relationship with the Commission is that we have followed through with everything that was asked of us by the Commission, and actually implemented a program that was recommended. I don't know...I mean, I haven't been at every single meeting, but I think that Chair Lindo has tried to move the Commission to be able to provide more recommendations to the Department for follow up. The PowerPoint that I saw looked like more programmatic things than...than . . .(timer sounds). . . policy things. But, you know, the...the Administration has developed a policy on unsheltered homelessness that was issued in July of 2023, and I think that, you know, we can re-share that with the Commission. And if they choose over the next few months to work on that, the Department is very willing to discuss, and I'm sure Ms. Crozier and I can work together with them to further receive some recommendations from them.

COUNCILMEMBER SINENCI: Thank you, Chair.

CHAIR U'U-HODGINS: Of course. Thank you, Member Sinenci. Chair Lee, do you have any questions? No?

COUNCILMEMBER LEE: No questions. Thank you.

CHAIR U'U-HODGINS: Thank you. Member Cook, no questions. Member Rawlins-Fernandez, you have any questions?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Okay. So, I did receive the answer to my question in round one. The answer is found in the new Section 8-10.33, which reads that powers, duties, and functions, implement programs and services for senior citizens, youth, the economically challenged, and homeless. And this was an amendment from the Charter Commission. So, since this is...requirement is under the...the Charter, it...it cannot be changed by us in Code. The division of support and opposition to me seems clear as day. The grantees who testified in support of Director Tsuhako are those who have had the capacity to apply for and report on grants, and whose mission aligns with the approach of...that the Director shared with us today. Those who testified against the nomination of Director Tsuhako are those who have not been able to secure grant funding, and whose approach differs from the Director. The grantees clearly stated that their mission is to get individuals in housing who want housing and will conform to the rules. In the evidence-based approach that Director explained in her opening remarks, what is the strategy of those who either cannot, or are not able to, conform to this approach? I saw one approach in the legislation a few years ago that was introduced by my colleague on the Council that...that sought to deprive folks of services--food and water. It would become illegal to provide food and water to those on the streets until they suffered so much that...that services was a last resort, or they die, or

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they move away, right. And so, it...it made the conditions so extreme that they would conform to this approach. So, whose kuleana is it, and what is the strategy for those that don't want or cannot get into housing and conform to those rules in your evidence-based . . .(timer sounds). . . approach that you spoke to, Director?

CHAIR U'U-HODGINS: The bell just rang, so I'll let you answer, and then we'll move on to Member Johnson.

MS. TSUHAKE: Thank you, Madam Chair. Thank you, Member Rawlins-Fernandez. The answer to that was actually offered earlier by one of the testifiers, and that is that despite being spat on, beside having things thrown at you, besides...you know, despite being sworn at, outreach workers do what is an evidence-based practice, which is assertive outreach, and they continue to engage with people who are living in nonsheltered conditions. There's a certain...you know, I think Chair Lee tried to get to this, number of people who may refuse services, no matter how appealing we might make those services. People that you heard from, all of the testifiers, actually, this morning, who talked about homelessness, will tell you that there might be one day...you may be...you may be told no a thousand times, but the thousand and first time you ask, you sure you no like go with me today? That person might say yes. And so, our job, as a system, is to ensure that when that person says yes, we can ease them into the service in a way they can accept, that would make allowances for whatever issues they have that made them say no a thousand times, and just try to make it work. So, the...the job is not to make people more comfortable, but really, to encourage them to enter into services, and trust that the service providers and those who support people who are living in nonsheltered conditions can help them adjust, and ease into, and accept the help to get them off the street.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Director. I don't think that really still answers because when they say no, then they're...they're...they're still just there. They're not being helped because they said no. So, I know you said that the timer rang, and I heard it. I just...that's...those...that's the...that's the population of unsheltered folks that are not being serviced. So, I...I...you know...mahalo, Chair.

CHAIR U'U-HODGINS: You have an answer? Yeah, you can...you can answer that shortly.

MS. TSUHAKE: Thank you, Madam Chair. Councilmember, I think that...you know, I've said this before, but there's a role that feeding programs, or programs that offer mobile showers, or other types of emotional support play a role in how people are supported and helped while they're in their unsheltered conditions. So, I...I don't think there's a desire by the County to just simply leave people in

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unsheltered conditions because they said no. I think we depend on nonprofits. We depend on church members to help support these folks. And hopefully, at the same time that they're being fed sandwiches or, you know, prepared meals, or however that goes, that they're also being encouraged to engage with those services that are offered that can take them beyond simply that...that sandwich and that canned juice. So, that...that is my hope, and that is what I know takes place when the County is not there with...with funding to different agencies. Churches pick that up. Other nonprofits pick that up. And we appreciate that. There's a role for that in the larger service system. Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Director. Mahalo, Chair.

CHAIR U'U-HODGINS: Of course. Thank you. Member Johnson, your two minutes.

COUNCILMEMBER JOHNSON: Thank you, Chair. Two minutes is short, so I'm just going to jump right into this. You know, my previous term, I was the Chair of Affordable Housing, and we worked hard with Director Tsuhako to try to make some changes--the managed encampments being an example, the safe parking lot bill, the immigration services that were underfunded, Aloha House with the 12-bedroom dorm, Bill 111, the portal that needed to be funded--all these things, I was trying my best with innovative solutions, looking at the problem. And then this year, right after the fire, when our community needed the...the most need I've ever seen in my entire life, we cut...your Department cut the budget. You know, when phones were ringing off the...off the hook for our nonprofits, we cut their budget. Then in your previous statement, you made a really important point. Things...these things happen--when you're talking about bringing that houseless, pregnant woman into a studio, it was the right thing to do. You know, so, I'm trying to find where you can answer with...you're trying to find innovation [*sic*] solutions, and yet still struggling with the idea that you cut budgets right after the fire, that some of the things we did in the previous term still aren't implemented. Aloha House had a 12-bedroom dorm for houseless people struggling with drug addiction. Still hasn't happened. Post-fire, all the trauma, all the stress? If ever there was a time to need a 12-bedroom dorm for Aloha House with drug addiction, it would be now...and just all the other things that I listed. The Office of Aging on Lānaʻi has been struggling to...to find staff, and Roxanne Morita, my office manager, has been carrying the load. Early childhood funds were cut. The amount of services on Maui are so much more than Lānaʻi, and I'll let Councilmember Rawlins-Fernandez speak for Molokai, but I assume that the...if you need services, you have to go to Maui. I know Maui folks don't like when we hear how...how Honolulu-centric our State is. . . .(*timer sounds*). . . Well, outer island guys think that some of the services that you're providing are Maui-centric. So, I know it's a short time, but if you want to respond, thank you.

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CHAIR U‘U-HODGINS: If you could answer, please, Director.

MS. TSUHAKO: Madam Chair, thank you. Councilmember, I want to make something really clear. The Department did not cut nonprofit budgets. We did not grant everything that was requested of us, but we kept most levels of granting for social service agencies the same. I think you’d be hard-pressed to find an agency who actually took a major reduction in funding in Fiscal Year ’25. So, I disagree.

COUNCILMEMBER JOHNSON: Women Helping Women got cut.

MS. TSUHAKO: Women Helping Women did not get cut. I think they didn’t receive the entirety of what additional funds they asked for.

COUNCILMEMBER JOHNSON: Okay. Well, sure.

MS. TSUHAKO: Second of all, the fire...well, second of all, we were given directions--we, meaning the Administration--the different departments came in with budget instructions. I followed those instructions, and I made the...the best decisions that I knew how in order to stay at Fiscal Year ’24 levels. Did I have unlimited number of funds that I could dole out to two different agencies? No, I didn’t. And so, what I gave the Council, what I gave to our Budget Director, was a lean budget, a budget that was not inflated with costs to build up and buy tons of furniture or buy extra reams of paper. I gave this Council and the Mayor a realistic budget. Now, you know, I accept that criticism, that I could have gone way overboard and done all of these other things to satisfy the request of agencies, but I did not. And so, I take responsibility for that. I did not say yes to every agency that asked for more money. However, I’ll give you an example. There was an agency that asked for a little bit more money, that was clearly related to health of people in Hāna. Because of some new equipment, the agency had to buy more needles and more gauze and more bandages because people were coming more frequently every week, but for lesser amounts of time. So, we saved them from driving in. They asked for \$10,000 more. We granted that because it was clearly related to keeping people in their community, and getting service there rather than driving in. And so, I...I don’t think that it’s a very fair characterization to say that there were needs expressed that weren’t addressed through the budget.

COUNCILMEMBER JOHNSON: Thank you. I’ll end on this statement. We...we live in a wealthy nation, under a wealthy State, with a wealthy County, and we shouldn’t act from a position of scarcity. I don’t think you could say we...people were asking to go way overboard for funding. We...the phones were ringing off the hook for suicide hotlines, for everything that was related to trauma. I would

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hate to say, well, we just couldn't...you know, you say going way overboard. I don't think the County was...the Council was asking for your budget to go way overboard, but when you reduce the budget, it seemed to me we're acting from a position of scarcity, and I don't agree with that. So, thank you.

CHAIR U'U-HODGINS: Thank you, Member Johnson. Member Sugimura?

COUNCILMEMBER SUGIMURA: Thank you very much. I...I really would want you to call for the vote, but I...I just want to say something as the Budget Chair, in that I...I respect the responsible position that you have taken regarding budget--hard--because we're talking about people, right, who need services. And your Department touches many people that would be forgotten. And as much as possible, I respect what you did. You were talking about Hāna Dialysis Center, and that is...when one of my friends who loves Hāna, and passionately always likes to follow what's happening to the center, said wow, Maui's getting a good deal, because they work hard, they do extra, but thank you for helping them, and she recognized that. I would also like to say that this body put in \$250,000 category lump sums to different...your different sections because...recognizing that we had to do some cuts, right, so we put money into the budget to help you. That's our responsibility, if we see that also. And many people who came to testify during probably the district meetings, not so much in the...to Council Chambers, expressed to us their needs and wants, you know. And as much as we could, we tried. I believe that...I don't want you to get dinged for doing your job, but I believe that as a body, all nine of us, we worked in tandem with every single department, we hope, you know, in trying to bring forward what our mission is, which is take care of the people of Maui County. That's our job. Provide services, Police, Fire, and all the different departments that provide life-saving...trash, you know, all of that, now we have the landfills, we have the...the wildfire disposal, and there's...there's more added on, you know. But I want to stand by you in being responsible. You know, I never heard you talk about how you went through your...your budget process, and we did hear from some . . . *(timer sounds)*. . . of them that needed help. So, sorry, I think I'm talking more than I should.

CHAIR U'U-HODGINS: Okay.

COUNCILMEMBER SUGIMURA: But you want to say something? Sorry, thanks.

MS. TSUHAKO: No.

CHAIR U'U-HODGINS: You're welcome.

MS. TSUHAKO: Thank you.

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CHAIR U‘U-HODGINS: Okay. I don’t think she has anything to add at this moment, so we’ll move on to Member Kama for your two minutes.

COUNCILMEMBER KAMA: Thank you, Chair. So, you know, I really don’t have any questions, but I have two minutes that I can still use. So, what I want to say about during these two minutes is that we live in a great County, but it is only great if we all make it great, if we all work together to make Maui no ka oi. When we start pushing against each other and giving each other black eyes, that is not a good place to be. Now, I just got one from one of my colleagues about a proposal that didn’t fly. And I thought that that was really underhanded, that the legislation that I was proposing was to ask providers to invite the Department of Human Concerns to provide services to the unsheltered when food was being distributed. Because wraparound services don’t just come, but if you’re providing a food service, how great it would be to have those wraparound services there present. And that’s all that legislation was. It wasn’t saying they had to do anything more than that, but that was so misinterpreted then, as it was interpreted just now, and that’s why stuff gets transmitted that’s not true. There’s misstatements, and I tell you, sometimes it’s directly, deliberately misquoted to make other people look bad. That’s not what we’re here to do, people. We’re here to lift up each other, even those who don’t know that they need to be lifted up. That’s our job. But we act like we were in our own silos, that we’re going to be our own persons, and that’s what we...but that’s not what we are. That’s not what I ran for office. I have 11 kids, and I know what it’s like to have a family of 11 different personalities, 11 different characters, 11 different people who not all going to get what they need come school time. But I’m smart enough to know who gets what first and who going get at the end. But in the end, everybody gets to eat at the dinner table. That’s . . .(timer sounds). . . what we should be concerned about. Thank you, Chair, for my two minutes.

CHAIR U‘U-HODGINS: Of course. Thank you, Member Kama. For my two minutes, before we...I call for the vote, I will just ask Director Tsuhako if she has anything else she’d like to add.

MS. TSUHAKO: Thank you, Madam Chair. No, I’m...I’m done. Thank you.

CHAIR U‘U-HODGINS: You’re all talked out like the rest of us?

MS. TSUHAKO: Yeah.

CHAIR U‘U-HODGINS: Got it. Thank you. At this time, I’d like to entertain a motion to recommend adoption of Resolution 24-97, including any nonsubstantive revisions.

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COUNCILMEMBER KAMA: So moved.

COUNCILMEMBER SUGIMURA: Second.

CHAIR U‘U-HODGINS: Oh, gosh...okay. Motion made by Member Kama, seconded by Councilmember Sugimura. Do we have any further discussion? Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. And mahalo for...Director Tsuhako for answering all of our questions. You know, we did hear a lot from the...from your Department, especially all the other branches that are in support, and for that, I can be supportive of your...your appointment today. However, when it comes to...as Member Rawlins-Fernandez mentioned, when it comes to the...the houselessness issue, and I’m hoping your comments about room for improvement will be focused on this particular branch. As a...as a past special needs teacher, you know, I’m...I was...I had to write curriculum for...for disabled children to...to meet their...their learning styles and their learning needs, and it was...that was the easy part. The hard part was listening to all those children’s advocates that come to the IEP meetings and speak for, you know, for their...for their children. And so, I appreciate all of the...the Lisa Darcy’s and the Faith Chase that come, you know, because they’re speaking, you know, for...for...for the people that they help. So, I’m hoping, should you be confirmed today, that that area of improvement is...is for the houseless programs. Thank you, Chair.

CHAIR U‘U-HODGINS: Thank you, Member Sinenci. Do we have any other discussion points we would all like to answer? Member Paltin, go ahead.

VICE-CHAIR PALTIN: Thank you. For my discussion, I would just say, you know, I don’t feel like we have the luxury of picking and choosing who we can work with or pointing to jurisdictional issues. If...if we have the ability to come to unsheltered folks a thousand times, hoping for that thousand and first times that they will accept the help, I think the same should be said for all of our resources, whether it’s a modicum of success or not. The Pu‘uhonua o Nēnē was stood up in, like, four days, is my understanding. And...and I do...I have heard the criticism yesterday but, you know, any agency that is tasked with taking in people and standing up in four days, you can bet there’s going to be problems. I don’t think that that means that they can’t overcome those problems by that collaboration that we heard about earlier, the refreshed and renewed approach, encouraging our nonprofits, which Project Vision Hawai‘i is one, to be more robust, more responsive, and more effective, and...and help them get...help them to help others get off the street. I...I don’t think it’s...it’s not worthwhile if we don’t know their intake processes, to be able to tell our County Police or our County Fire Department, if they have vacancy. If people

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don't have a place to stay, and we're not aware if they have vacancy, then that's not helpful...that's not giving our best effort. So, I can be supportive, but I...I think, you know, if the Mayor is proposing cuts to social services in the...the middle of the worst social service crisis that we have, with 12,000 people becoming unsheltered overnight, it's my expectation that the Director of Human Services or Human Concerns pushes back against that. You know, if there's 20 times the calls to the suicide line, then we need to push back and give the locally-based suicide line, the women's shelter, more resources, not less. And, you know, nobody's perfect. And so, this is just a learning opportunity, that if we see the...the rising calls for the local women's shelter, like triple, double, quadruple, that we need to respond in kind with resources. If we see the Pu'uhonua o Nēnē running into jurisdictional issues, then we need to be the ones to rise above it because ultimately, it's our residents that are hurting. And it's the Department of Human Concerns that is tasked with rising to the task. So, based on the paperwork knowledge, the nonprofit knowledge, grants management, early childhood services that we did not hear anything negative from, I would say that, you know, that's a good start. And in the room for improvement, those are the improvements that I would like to see...more coordination with all entities that are tasked with helping our unsheltered population. More coordination with folks that, due to the past disasters that we've had, are asking for more help--because they are getting the increased workload. These people aren't able to get like, you know, 22 percent raises, like was proposed for some folks in the Mayor's Department. They continue on with the salaries that they have, despite the additional workload being placed on them. And so, I think we need to support them, and...and I can be supportive. I have some reservations, but I think I...I can count the faces in this room. And...and that's the improvements I'd like to see going forward...push back on behalf of our residents for their explicit needs. This isn't like, you know, Parks and Recreation, which also has needs, but Human Concerns...it's human concerns and the humans we're talking about is our residents. So...so, that's my request. I'll...I'll support it, but that's my request. Thank you.

CHAIR U'U-HODGINS: Thank you, Member Paltin. Do we have any other further discussion? Member Johnson, and then I'll ask for a roll call vote after Member Johnson if there's no further discussion. Go ahead.

COUNCILMEMBER JOHNSON: Thank you, Chair. I'm in support of an innovative approach with fresh blood. If we want to get better, why are we hiring same folks? Let's give some new people a chance. The Administration may consider this a easy choice. I do not. There's some folks, as we heard today in testimony, that we...I find the Administration out of touch with a large group of our community. And reducing funds or not getting fully funded in a time of our...the worst disaster in our lifetimes is like John Candy driving down the

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wrong way of a highway. We're going the wrong way. So, I...I'll ask for a roll call vote. Thank you, Chair.

CHAIR U'U-HODGINS: Thank you, Member Johnson. Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. And mahalo, Mayor, Managing Director, for being with us and answering our questions. Mahalo, Director Tsuhako, for continuing to serve the County and our community, and for answering all of our questions today. Director Tsuhako and I did have an opportunity to meet in my office. And since we only had two rounds, one three-minute, one two-minute, I didn't ask you the same questions today that I had asked in my office. And those included an update on what happened with Bill 111 and Bill 107, that have consistently been brought up, as well as Chair Lee's ADU program, the \$8 million in mortgage relief funds, and the...the website to match housing with folks that need housing. And, you know, several of these were proposals from Member Johnson, and Member Paltin consistently brought up the question about the mortgage relief. And it was, you know, reported in *Civil Beat*, *Maui News* several times, and it...and it took years. And you know, Director Tsuhako explained to me the situation, and where we landed was, you know, doing a better job at communicating with the Councilmembers, or...you know, or their offices, the status updates, so that we're...it...it's not having to be brought up on the floor when some...when there's something kind of related to the issues, so that we can get an update...because that update...that...that communication isn't happening. And so, Director Tsuhako had talked about, you know, improving there. The other two things that I brought up that were concerns for me was how the Affordable Housing Committee members were selected, and ensuring that commissions that fall under the Human Concerns Department are staffed properly, and are empowered, such as the...the Council on Aging and the Commission on Healing Solutions for Homelessness. I...I want to apologize to Member Kama for not including some of that nuance. The legislation that I had cited was...could ultimately have that result that I explained, but it was to require service providers food and water...if they're providing food and water to those...to unsheltered individuals, that there would be wraparound services, but if there wasn't, then they wouldn't be allowed. And so, that's where I was getting at. But without that nuance, it's...it sounded far more brutal than I had intended. So, my apologies, Member Kama. I...I think Director Tsuhako is such a wonderful and caring person, and I love talking story with Director Tsuhako. I...I...even after we left my meeting, I...I hadn't decided how I was going to vote because I...I really want to support Director Tsuhako. I...I...I don't feel assured after today's meeting that there will be that work with more of the entities that came up to explain to us that they are not being see...seen and heard and worked with. So, I...I...I cannot support the nomination today. Mahalo, Chair.

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CHAIR U‘U-HODGINS: Thank you, Member Rawlins-Fernandez. Does anybody else has any more discussion before I ask for a roll call vote? Seeing none. Staff, if you could please...oh, go ahead. Go ahead, Member Kama.

COUNCILMEMBER KAMA: I just want to say, for discussion’s sake, that I think we should be looking at what people need to qualify to do this job. Not that we like them, not that they look good or smell good, but can they do the job? And do we actually know what that job entails? Probably not. Because we do our jobs, and sometimes we’re not even sure what our job is because we’ve got to keep asking Corp. Counsel. So, we should think long and hard about leading this County, what is it going to take, and do we have the people qualified to do that? I believe Lori Tsuhako does, and I have yet to see anybody closer. Thank you, Chair.

CHAIR U‘U-HODGINS: Thank you, Member Kama. Staff, roll call vote, please.

MS. APO TAKAYAMA: Proceeding with roll call vote. Councilmember Cook.

COUNCILMEMBER COOK: Aye.

MS. APO TAKAYAMA: Councilmember Johnson.

COUNCILMEMBER JOHNSON: No.

MS. APO TAKAYAMA: Councilmember Kama.

COUNCILMEMBER KAMA: Yes.

MS. APO TAKAYAMA: Chair Lee.

COUNCILMEMBER LEE: Aye.

MS. APO TAKAYAMA: Councilmember Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: No.

MS. APO TAKAYAMA: Councilmember Sinenci.

COUNCILMEMBER SINENCI: Aye.

MS. APO TAKAYAMA: Councilmember Sugimura.

COUNCILMEMBER SUGIMURA: Very strongly, yes.

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8 OF THE REVISED CHARTER OF THE COUNTY OF MAUI (1983),
AS AMENDED, TO MAKE THE SALARY COMMISSION'S AUTHORITY
CONSISTENT WITH THE CONSTITUTION OF THE STATE OF
HAWAI'I**

CHAIR U'U-HODGINS: Let's do Resolution 24-99; is that okay?

UNIDENTIFIED SPEAKER: No objections.

CHAIR U'U-HODGINS: Thank you very much. Let me find my own place in my notes.
Okay.

COUNCILMEMBER COOK: Chair?

CHAIR U'U-HODGINS: Yes.

COUNCILMEMBER COOK: Could you ask one of the Staff to come over? I'm online,
but it's not --

CHAIR U'U-HODGINS: Okay.

COUNCILMEMBER COOK: -- I'm not showing up.

CHAIR U'U-HODGINS: Sure. We're having tech support right now. In the meantime,
I'm going to read this over, and Kasie will help you. So, we have before us
Resolution 24-99, entitled "PROPOSING AN AMENDMENT TO ARTICLE 8 OF
THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, TO
MAKE THE SALARY COMMISSION'S AUTHORITY CONSISTENT WITH THE
CONSTITUTION OF THE STATE OF HAWAI'I." Resolution 24-99's purpose is to
place on the next general election ballot the question of whether the Revised
Charter of the County of Maui (1983), as amended, should be amended,
effective July 1, 2025, to allow the Salary Commission to determine the salaries,
rather than the compensation, of elected officials and appointed directors and
deputy directors of all departments of the County, consistent with the
Constitution of the State of Hawai'i. At this time, I'm going to ask Member
Rawlins-Fernandez to please introduce this. So, please take it away.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. And mahalo, Members,
for allowing us to take the resolutions out of order. I appreciate your support
with that. So, I asked Chair if we could take up the...this resolution first. I...I
thought it was a little more straightforward. This stemmed from when I had
attempted to provide commuter funding--so, you know, air...airfare--for a

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director of ours that resides on Molokai, and found out that the Charter states that the Salary Commission authority goes beyond salaries and includes anything that would be considered compensation. And so, the...the \$15,000 that, you know, we had supported putting in the budget for travel expenses in order to provide for equity in our four-island County, that it...it would be beyond what the Council is able to do under the Charter. And with the help of Deputy Corporation Counsel Toshikiyo, when she looked into it, she found that all the other salary commissions in our sister counties--and so, it's all outlined in the resolution--authorizes the salary commissions to determine salaries, not compensation. Maui County is the only one that goes above salaries to include anything that could be considered compensation. And so, in the Constitution, it, you know, creates a commission on salaries to specifically review and recommend salaries, not compensation, the latter of which would include other monetary benefits, such as travel costs. And so, my proposal would...to...I'm not going to use the word "simply" because I've seen what happened when we call anything simple. So, it would replace the word "compensation" with "salaries," and you'll see that on page 2 of the resolution, amending Section 8-17.1. So, it would read, two members shall be appointed or reappointed every year, except for that one member shall be appointed or reappointed in fifth year. The commission shall determine the salaries of elected officials and appointed directors and deputy directors of all departments of the County; in establishing the salaries and not compensation of appointed department heads and their deputies, the Salary Commission shall constitute those boards and commissions that have appointing authority for deputy heads. So, that would be the amendment, which would make consistent, really, with the name of the commission, which is Salary Commission and not Compensation Commission. Mahalo, Chair.

CHAIR U'U-HODGINS: Thank you, Member Rawlins-Fernandez. I appreciate that. Before we get into discussion, if we could do a last call on testimony on this item, I'd appreciate it. Staff?

MS. MACDONALD: Yes, Chair. There is currently no one who has signed up to testify. If somebody would like to testify in the Chamber...oh, I see someone approaching the podium.

MR. LAW: Aloha awakea --

CHAIR U'U-HODGINS: Aloha.

MR. LAW: -- Councilmembers. Jasee Law from Kula Uka, Waiakoa ahupua'a. This...thank you, Councilor Rawlins-Fernandez, for putting this first on the agenda. I got down here as soon as I could, and this is probably the one that I would want to talk on if I had a choice of only one. It's got to do with the flags

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and the State of Hawai'i, and is the State of Hawai'i the same as the Kingdom of Hawai'i, and...and why are they using the Kingdom of Hawai'i flag? Thank you for your time.

CHAIR U'U-HODGINS: Thank you. Any clarifying questions? Thank you. Okay. Any other testifiers?

MS. MACDONALD: There is no one else. I can do a last call. 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 for this item, GREAT-21(4).

COUNCILMEMBERS: No objections.

. . . END OF PUBLIC TESTIMONY ON GREAT-21(4) . . .

CHAIR U'U-HODGINS: Thank you very much. As a reminder, written testimony will continue to be accepted. So, now we will go into a three-minute question period, if any Members have any questions for Member Rawlins-Fernandez. Member Paltin?

VICE-CHAIR PALTIN: Shoot, I just wanted...or I also wanted to disclose that the online situation has changed. The two unnamed minors went out to play, and there will be a named adult male, George Vierra, in addition to my pocket pit, Kingy Poo Paltin-Vierra. Other than that, my question, I think, is not for Member Rawlins-Fernandez, but maybe for either Ms. Toshikiyo, or I also see Ms. Tarnstrom. You know, if the Salary Commission sets compensations, HSAC pays for--because I'm an executive committee member, pays for some of my flight to conference, as well as OCS central account. I know that, you know, the Director of Finance sometimes goes to the conferences and things like that. So, I just was wondering, how is that different? Because a lot of times in the budget, we...we do appropriate travel...appropriate money for travel and things like that.

CHAIR U'U-HODGINS: Thank you. Member Paltin, also, thank you very much for letting us know about Mr. Vierra, I appreciate that. Corporation Counsel, if you could please answer.

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MS. TARNSTROM: Thank you, Chair. Thank you, Councilmember. I think there may be a distinction in terms of setting compensation, which would be a benefit of...I guess, it's not just salary all of the time. It can be other compensation involved with that, from what I understand. And the Department budget, which allows Councilmembers to travel, isn't quite the same thing as actual compensation, which is provided to an employee, and they have a right to rely on it, and a right to expect it. So, I think that there's probably a line there. I don't know if Ms. Toshikiyo is online and wants to comment, but that's my understanding of the difference.

CHAIR U'U-HODGINS: Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. So, participation in conferences and other meetings would fall under operating expenses. Commuting from one island to another is where the travel was considered to be compensation. For like myself and Member Johnson, we are required under the Charter to reside on different islands, and so, that's the distinction from the directors, where they're...they're not required to live on another island that's not Maui. However, as noted earlier, and I think you folks all agreed, because of the 15,000 travel budget that, you know, passed unanimously, that recognizing that Molokai, you know, the travel is only by air, and it's become such a financial barrier that it...it...really creating . . .(timer sounds). . . inequity that our residents, sorry, on Molokai and Lānaʻi are treated differently, that we are...our residents aren't able to serve in leadership roles, like director or deputy director and maintain their residence on Molokai or Lānaʻi. So, I hope that answers your question.

VICE-CHAIR PALTIN: Yeah, I think it does. I...I just would feel that then in that case, directors are held to a different standard, because like, you know, our Fire Department, our Police Department, our Councilmembers and like that. So, I...I think this change would make it more fair because of...you know, we shouldn't discriminate against whatever level our residents choose to take a job at within the County, whether if she wanted to be a firefighter, a police officer, or a director of ag, or a councilmember.

CHAIR U'U-HODGINS: Thank you, Member Paltin.

VICE-CHAIR PALTIN: Sorry, I'm over time.

CHAIR U'U-HODGINS: Thank you. Does anybody else have any other questions? Seeing none. Okay. Go ahead, Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I forgot about the question that'll be on the ballot.

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CHAIR U‘U-HODGINS: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: So, the...the ballot question would be, shall the Charter be amended effective July 1st, 2025--so, that would be next July--to require the Salary Commission to determine salaries instead of compensation for elected officials and appointed directors and deputy directors to maintain consistency with the Constitution of State of Hawai‘i, and remove fiscal barriers to create equity through benefits such as reimbursement of travel costs? The...the ballot question only allows for one...one sentence. What we did in the past was provide, you know, inserts in...in like the newspaper and online information for...for our electorate to be able to learn more about what the Charter amendments are. But since we only have one line, that’s the proposed one line for this ballot question, and I’m open to suggestions. Mahalo, Chair.

CHAIR U‘U-HODGINS: Thank you. Does anybody else have any questions, suggestions, or any other discussion before I call for the vote? Okay. Seeing none. At this time, I would like to entertain a motion to recommend the adoption of Resolution 24-99, including any nonsubstantive revisions.

COUNCILMEMBER RAWLINS-FERNANDEZ: So moved.

CHAIR U‘U-HODGINS: I have a motion made by--actually, Member Rawlins-Fernandez, you got two in here. So, I have a motion made by Councilmember Cook, second by Councilmember Sinenci, on your behalf. There we go. Any further discussion? Seeing none. Go ahead, Member Kama.

COUNCILMEMBER KAMA: Sorry, Chair. I was just reading through the...through the resolution. So, we’re doing this because the Salary Commission not only deals with the salaries, but also the issue of compensation, as was discussed in terms of...of the issue with the director having to fly in and out and...and her...and that travel allowance, I guess--I don’t know what you want to call it--that we’re given...we had allowed for falls under the jurisdiction of the Salaries Commission, therefore was not able to get done. So, by doing this, it allows that to happen; is that correct?

CHAIR U‘U-HODGINS: Yes. But Member Rawlins-Fernandez can answer. But I think it was the way they determine compensation, and her language allows them to determine the salary as they are the Salary Commission, and not compensation commission. So, it allows more flexibility in what we’re able to grant certain people, including...and in this specific time, the Director of Ag. But I’ll let Member Rawlins-Fernandez have that conversation with you.

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COUNCILMEMBER KAMA: Thank you.

CHAIR U‘U-HODGINS: Yeah, of course.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Member Kama, for the question. And you’re absolutely correct, Chair. And what I would add to that is, we approved putting condition on the 15,000 travel expense or travel budget, subject approval of the Salary Commission, if necessary. The Salary Commission, I...I think...okay, the Salary Commission was not able to take up the matter before we passed the budget on first reading, and won’t be able to before we take it up tomorrow. And so, we just added that language. And, you know, the Salary Commission could take it up and approve it. And as soon as they approve it, then that budget will be available to the Director. And if they don’t approve it, then if the Charter Amendment is ratified by our electorate, then come June of...well, I guess that funding will have lapsed by June 30th, so, I guess that part is moot. So, yes, they would have to approve it. Mahalo, Chair.

CHAIR U‘U-HODGINS: Thank you. Member Kama, does that answer your question?

COUNCILMEMBER KAMA: Yeah, yeah. So, as long as what Member Rawlins-Fernandez stated, that the Salary Commission wouldn’t have to...would need to approve that expenditure, I’m fine with that.

CHAIR U‘U-HODGINS: Okay.

COUNCILMEMBER KAMA: Thank you.

CHAIR U‘U-HODGINS: Thank you. Any more discussion before I call for a vote? Do we need roll call vote? Go ahead, Member Sugimura.

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

CHAIR U‘U-HODGINS: Oh, okay. I know we did call for the vote, but go ahead, Member Rawlins-Fernandez, and then Member Sugimura can go.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. So, for the 15,000 that we put into the budget this fiscal year, FY ’25, from, you know, July 1st, 2024 to June 30th, 2025, would require the Salary Commission’s approval. If this Charter Amendment is approved by the electorate, it passes, then come FY ’26, the Salary Commission would no longer need to approve that, travel budget because it would no longer be required under the Charter for the Salary Commission.

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CHAIR U‘U-HODGINS: Thank you very much. Okay. Moving on.

**GREAT-21(3) RESOLUTION 24-96, RELATING TO AN AMENDMENT TO ARTICLE
13 OF THE REVISED CHARTER OF THE COUNTY OF MAUI (1983),
AS AMENDED, TO ALLOW REAPPOINTMENT OF MEMBERS OF
BOARDS AND COMMISSIONS TO ONE SUCCESSIVE TERM**

CHAIR U‘U-HODGINS: We are going to take up Resolution 24-96. Okay. Here we go. We have before us Resolution 24-96, entitled “PROPOSING AN AMENDMENT TO ARTICLE 13 OF THE REVISED CHARTER OF THE COUNTY OF MAUI OR MAUI...COUNTY OF MAUI (1983), AS AMENDED, TO ALLOW REAPPOINTMENT OF MEMBERS OF BOARDS AND COMMISSIONS TO ONE SUCCESSIVE TERM.” Resolution 24-96’s purpose is to place on the next general election ballot the question of whether the revised Charter of the County of Maui (1983), as amended, should be amended, effective July 1, 2025, to allow members of boards, committees, and commissions to be reappointed for a second term to the same board, committee, or commission, regardless of the length of the members’ previous term. At this time, I’m going to ask for opening comments by Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. So, my proposal stemmed from the challenge that myself and Member Johnson have had in filling all the many seats on the boards and commissions. Our population is substantially smaller than Maui’s population, and so, we have far less people, a smaller pool to...to choose from who are qualified to sit on, you know, the various boards and commissions. And so, that was the impetus of it, but I didn’t want to deprive Maui Island the opportunity to decide on that, to...to...you know, to be included in this amendment. So, as of right now, it’s...it’s Countywide. So, a member of any board or commission is eligible for a second appointment to the same board or commission. No matter...no, no member of any board or commission may serve beyond the time his or her term expires unless the member is specifically reappointed. Vacancy is automatically created on the expiration of a member’s term, and the vacancy must be filled in accordance with the Charter. So, that...that’s how it would read. And this would actually be inclusive of the Board of Ethics. And so, if this is adopted by us and put on the ballot, then the Board of Ethics would be included in that other Charter...Chair Lee’s charter amendment may not be necessary. So, the ballot question is, shall the Charter be amended effective July 1st, 2025 to minimize the risk of vacancies on boards and commissions generally, and specifically with regard to dedicated seats for members residing in less populous areas by allowing the reappointment of members of boards and commissions for one successive term without an intervening waiting period. Mahalo, Chair.

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CHAIR U'U-HODGINS: Thank you, Member Rawlins-Fernandez. At this time, before we get into discussion, I'd like to do a call for testimony, please, Staff.

MS. MACDONALD: Yes, Chair. There's currently no one who has signed up to testify. 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. At this time, Members, seeing there are no individuals wishing to testify, without objection, I will now close oral testimony for this item, GREAT-21(3). Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: No objection.

COUNCILMEMBERS: No objections.

. . . END OF PUBLIC TESTIMONY ON GREAT-21(3) . . .

CHAIR U'U-HODGINS: Thank you. As a reminder, written testimony will continue to be accepted. And at this time, we are welcome to ask Member Rawlins-Fernandez any questions you may have. Does anybody have any questions? Member Paltin?

VICE-CHAIR PALTIN: So, I'm not sure if it was mentioned, and I didn't hear it, or I didn't understand, but currently, I think if they served a portion of the previous term, like two or three years, then they can serve a successive term. So, the question would be, if they served a portion, like three years, then can they serve a full term and a successive term? So, it would be two full terms and a portion of another term, or--just wanted to clarify because, you know, lawyers.

CHAIR U'U-HODGINS: Great question.

VICE-CHAIR PALTIN: Who knows what they'll...

CHAIR U'U-HODGINS: Member Rawlins-Fernandez, or did you want Corporation Counsel to answer that?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR U'U-HODGINS: Okay.

VICE-CHAIR PALTIN: . . .*(inaudible)*. . . too.

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COUNCILMEMBER RAWLINS-FERNANDEZ: So, this...this amendment, this proposed amendment doesn't touch that section. But I think your question--wait, let me read the whole thing in its entirety and how it...it works with this. And then I don't know if we want to...if Mr. Mitchell is there--because then it would be like...like let's say, one year...filling the remaining term of someone for one year, and then a full five-year term. And then the question is, would another 5-year term...would that person be able to serve an additional 5-year term, for a total of 11 years?

VICE-CHAIR PALTIN: I think three years because isn't that the portion that you said it's not touching?

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah. Okay.

VICE-CHAIR PALTIN: So, if someone's...

COUNCILMEMBER RAWLINS-FERNANDEZ: So, the max. So, three years --

VICE-CHAIR PALTIN: Yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- of a remaining...someone else's remaining term plus five and five. So, would it be, would someone have the ability to serve a maximum of 13 years--what's the word?--without...

VICE-CHAIR PALTIN: Successive.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah.

VICE-CHAIR PALTIN: And...and I'm not sure if it's a legal question or if you had that intention, if you wanted...if you wanted it to be that way, or if you didn't think about it, or...I mean, if...I...I just wanted clarity. Because, you know, sometimes you pass a Charter Amendment, and then it doesn't go like how you thought.

COUNCILMEMBER RAWLINS-FERNANDEZ: Agreed. For...for Molokai and Lāna'i, because our populations are a lot smaller, that's...that's...that would be my preference, like a max of 13 years without an intervening waiting period. For Maui Island, I'm open to, you know, Maui Councilmembers' feedback on that.

VICE-CHAIR PALTIN: I'm okay with it, I just wanted to be clear about what we're getting into. And...I mean, man, if somebody wants to volunteer for the County for 13 years, give that person a lei ...*(timer sounds)*... you know? ...*(laughing)*...

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CHAIR U‘U-HODGINS: Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Definitely, lots of lei. And I guess I’ll just add that what’s being removed is the waiting period. They would still need to come back to Council, they would still need to be nominated by the Mayor if that’s the seat that requires nomination...oh, sorry, Independent Nomination Board, Mayor, Council, if...if that’s the process for that seat. So...so...

VICE-CHAIR PALTIN: Yeah, I’m okay with it if that’s what you intended. I just was seeking clarity so we’re not caught off guard, or no surprises after...if people do intend to vote for this.

COUNCILMEMBER RAWLINS-FERNANDEZ: I appreciate that. Mahalo, Member Paltin. But I just wanted to add that, so that is the safeguard if someone is not, you know, doing a good...a great job. And then there’s still the attendance policy, if they’re not able to make the meetings in our Code would require the removal of someone that’s not able to attend the meetings and affecting quorum.

CHAIR U‘U-HODGINS: Thank you, Member Rawlins-Fernandez. Chair Lee, did you have anything you wanted to add, as your proposed amendment would be kind of included in this? Did you have anything you want to add?

COUNCILMEMBER LEE: Not really. I lost...I lost my place listening to those two go on and on. . . .*(laughing)*. . . What a long conversation they had. Interesting, I feel a little bit reluctant to have somebody’s...have the opportunity to have a consecutive five years because, as you know, the intention was for the Board of Ethics, not everybody. I really don’t know. I’m not totally against it, it’s just that I can see for Molokai because they have a smaller pool, but for Maui...

COUNCILMEMBER RAWLINS-FERNANDEZ: And Lāna‘i.

CHAIR U‘U-HODGINS: And Lāna‘i.

COUNCILMEMBER LEE: And Lāna‘i and Hāna.

CHAIR U‘U-HODGINS: And I know, I won’t...yeah, I was going to say when we’ve been trying to work with Member Sinenci, and they have a smaller pool of...of people to select from. And you kind of have the same people filtering through the different places of the different boards because we need a lot of district representation. And then they kind of do serve in a lot of capacity, and they’re just kind of playing musical chairs with boards and commissions as it relates to the district representation.

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COUNCILMEMBER LEE: Let me ask, what is your...your thinking on this?

CHAIR U'U-HODGINS: I'm kind of with Member Paltin, in that if anybody is willing to volunteer their time for 13 years, you're right, they deserve a lot of lei. I think the safeguard for us is that now we have the INB through the Mayor, through...then through us. So, ultimately, we still have participation and say in who gets it. I think important to note that they're just not automatically approved to sit back on the commission or board or committee. But as you know, we've been finding it so difficult to have people volunteer, not only from Molokai, Lāna'i and Hāna, but just in general. It requires a lot of dedication, a lot of time, a lot of understanding. I mean, we had people sit in this Committee, in this Chamber for days, only to kind of reel it back. And I think I would like to applaud anybody who would want to volunteer their time, as...as we have somebody in our audience and online right now with us all day. And it does require a certain amount of attention, and due diligence, and participation. So, you know, if this wasn't a job that I got paid in, I don't know how much I could actually spend volunteering my time between four kids and a life. So, I'm inclined to support this.

COUNCILMEMBER LEE: Good enough for me. Thank you.

CHAIR U'U-HODGINS: Thank you. Member Cook, and then Member Paltin. Since she had an opportunity, I'll let Member Cook go.

COUNCILMEMBER COOK: Chair, when would be an appropriate time to ask Mr. Sturdevant? Because he was on a board and the Ethics continuity was an issue that I didn't know if...if...started this, but it really resonated with me. So, whenever it's appropriate. I don't really have an opinion. I'd like to sort of hear first-hand experience.

CHAIR U'U-HODGINS: Sure, absolutely. And I think that's what Member Paltin wanted too. There are two other things related to Ethics specifically in that commission. But if you would like to come up and share your thoughts too...and I know we have Mr. Michael Lilly still with us as well. But Mr. Sturdevant, if you would like to come and...

VICE-CHAIR PALTIN: Chair?

CHAIR U'U-HODGINS: Yes.

VICE-CHAIR PALTIN: Part of it too was, I also wanted to know if our Board of Ethics folks wanted their one to stay separate, or if they were okay with just Member Rawlins' one...because although Chair Lee introduced it, she introduced it on

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their behalf. So, if we're asking Chair Lee, we should also ask our resources from the Board of Ethics as well.

CHAIR U'U-HODGINS: Absolutely. And since you asked that, it is good to note--and I know we're not on that other agenda item yet, but the number 5, the language, it differs. So, we should also pay attention to that when Chair Lee's one comes up too, for the Ethics commission. But Mister...if you would like to go and share your opinion, that'd be great.

MR. STURDEVANT: Well, as far as putting them together, I don't see any real issue as far as from the...from my point of view. I know that...that when Gerri was knocked off the board, when her term was ended, it...it really...it really did affect our...the way we do business. We had to...we couldn't...we couldn't do business for at least one month, that I can remember right away. And you know, these people that are put off another...another month or two just to get a, you know, response from us, it could...you know, it's...it's a long time. You know, it's just, it's always...it's always a month, that's a long time in itself, but then to have...not have a quorum, that's really a bad thing. So, anyway, that's my only opinion on that. And maybe...maybe Mr. Lilly might have something to add too.

CHAIR U'U-HODGINS: Okay. Thank you very much. We're not done with you yet, so if you could still hang...no, you can leave the podium, but if you...please don't leave. Thank you. Mr. Lilly, do you have anything you'd like to add?

MR. LILLY: As...as I mentioned earlier, all of the boards and commissions I've been on, on O'ahu and the State, provide for reappointments, and all this...this...and...and...and I...I applaud the...this particular one because when we submitted ours, we obviously were concerned about the Ethics commission, but I personally felt that...that it should be all boards and commissions. And I just think you'll find it'll be a much more effective boards and commissions if you're able to keep that corporate knowledge. And the vacancy issue is just paramount. And so, I commend either.

CHAIR U'U-HODGINS: Thank you, Mr. Lilly. Member Paltin, did you have anything else you'd want to ask? I know you had your hand raised.

VICE-CHAIR PALTIN: Yeah. I guess if you said that the languages aren't identical, if there was a preference from our Board of Ethics' resources as to the language for all the boards and commissions versus the language just for the Board of Ethics. If we combine...I think personally, I...I...if they don't have a problem with it, I prefer to make it into just one Charter commission [sic]. Because just speaking on behalf of myself, when I go to vote in an election and there's 20 Charter commission...Charter Amendments, I feel like I'm taking a test, and I

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don't dig that because I'm pau with school. So, you know, just for people like me out there, less questions, less answers, better experience.

CHAIR U'U-HODGINS: Yeah. I hear you. I think Member Rawlins-Fernandez's language would include the Board of Ethics. So, if this does pass, I don't know if we'll need the Board of Ethics one, as they would be included, but that is up to the body. Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. In reviewing the amendment again, I realized that it...it strikes that...that section of partial term. And so, if the intention is to keep the partial term and two subsequent full terms, which was my preference, then I might need to do a little wordsmithing. Mahalo, Chair.

CHAIR U'U-HODGINS: Okay.

MS. APO TAKAYAMA: Chair?

CHAIR U'U-HODGINS: Yes.

MS. APO TAKAYAMA: My apologies. Just...belatedly, so that the public is aware, can we just clarify that both Mr. Lilly and Mr. Sturdevant are...are resource persons under Rule 18(A) of the Rules of the Council?

CHAIR U'U-HODGINS: Exactly what she said. Is that okay with everyone?

MS. APO TAKAYAMA: Thank you.

CHAIR U'U-HODGINS: Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: No objection.

CHAIR U'U-HODGINS: Thank you. Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I think Chair Lee's proposed Charter Amendment has the same wording as...as mine, that if the intention is for the Board of Ethics to have a partial ter...a partial term and then two full terms, then I don't think that that's how it...it reads. And...because otherwise, it...it...it only accounts for, you know, like two full terms, so two five-year terms, the way it's currently written. So, mahalo, Member Paltin, again, for that question. Mahalo, Chair.

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CHAIR U'U-HODGINS: Thank you. It looks like the attorneys in the room are having an eye conversation. So, if they would like to share with the rest of the class, that'd be appreciated.

MS. TARNSTROM: Thank you, Chair. I don't know if Mr. Mitchell will state this more fluidly than I will, but I think that Member Paltin's catching the three-year term issue was already addressed by Member Rawlins-Fernandez. I also noted that the two-year waiting period is also struck entirely as well. So, this would allow somebody to just serve term after term after term, which is fine if that's the intent, but it doesn't sound like that is the intent. So, I defer to Mr. Mitchell on how to correctly word that, but...

CHAIR U'U-HODGINS: Thank you. Mr. Mitchell, did you want to share with the class?

MR. MITCHELL: Thank you, Chair.

CHAIR U'U-HODGINS: You're welcome.

MR. MITCHELL: So, the first sentence says, a member of any board or commission is eligible for a second appointment to the same board or commission. So, I wouldn't necessarily interpret that as term after term after term after term. They get a second appointment, and in theory, that's it. But the portion that is struck out does create a challenge because in the Chart-...where it says, prior to the expiration of two years, provided that members of any board or commission initially appointed for a term not exceeding three years shall be eligible to succeed themselves for an additional term. That portion's struck out. That creates a bit of a challenge because it's now implying, when it's struck out, that you can or you cannot have a partial term and then two successive terms. So, I do agree with Member Rawlins-Fernandez, we need to be clearer about whether we're allowing a partial term and two successive terms. And so, in the first sentence where it says, a member of any board or commission is eligible for a second--and I would suggest consecutive appointment or second term, something in that...that...that manner right there in the first sentence, we can clarify that there's no break, it's just two consecutive terms--and then...you know...and then excluding any partial term, I would add on the end of that sentence. That way it's clear you're allowed a partial term and you have two consecutive terms, and that's it. I've got it.

CHAIR U'U-HODGINS: Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. And mahalo, Mr. Mitchell, I...I like that amendment. I guess what may not be clear is what would be considered partial. Would anything less than 5 years be considered

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partial...so, 4 years and 11 months? And would we be...and so, that's a policy decision if we wanted to leave it vague like that, which, you know, could be 4 years and 11 months and 29 days partial. So...and...and I would be okay with that. Again, we have safeguards in place with the INB, Mayor's approval, Council nomination, Council's approval. So, I'm...I'm not...I'm not worried about how long that potentially could be. Mahalo, Chair.

CHAIR U'U-HODGINS: Thank you, Member Rawlins-Fernandez. Okay. Does anybody else...good question. Does anybody else have any other questions, thoughts, concerns, discussion they would like to share? Chair Lee.

COUNCILMEMBER LEE: So, is Member Rawlins-Fernandez going to make an amendment?

CHAIR U'U-HODGINS: It looks like she's writing some stuff.

COUNCILMEMBER RAWLINS-FERNANDEZ: We don't have a main motion on the floor right now.

COUNCILMEMBER LEE: But after that --

COUNCILMEMBER RAWLINS-FERNANDEZ: I think we're just discussing.

COUNCILMEMBER LEE: -- when we do have one. Is that the plan?

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair, yeah --

CHAIR U'U-HODGINS: Sure.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- I...I...I think I like Mr. Mitchell's wordsmith proposal. And so, I...I would incorporate that as an amendment, if that's okay. Mahalo, Chair --

CHAIR U'U-HODGINS: Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- and Chair.

CHAIR U'U-HODGINS: You good?

COUNCILMEMBER LEE: Yeah, I'm good. And when it comes to mine, then all I'll do is just file mine then.

CHAIR U'U-HODGINS: Okay.

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COUNCILMEMBER LEE: I mean, request to file. Thanks.

CHAIR U'U-HODGINS: Sounds good. Thank you, Chair. Remi?

MR. MITCHELL: Thank you, Chair. I just want to check to see if Corporation Counsel has any concerns with that proposed amendment.

CHAIR U'U-HODGINS: When the time comes, but you're welcome to share your thoughts now.

MS. TARNSTROM: Oh, thank you, Chair. I just want to be clear. The amendment would be to add, after that first sentence, excluding a partial term. Do I have that right?

CHAIR U'U-HODGINS: Excluding any partial term, I think, is the language you said.

MR. MITCHELL: And in the middle of the sentence, the word consecutive was added...second consecutive appointment.

MS. TARNSTROM: Okay. So, a member of any board of commission is eligible for a second consecutive appointment to the same board of commission...and then excluding any partial term. Okay. I find that just a little confusing on the partial term issue. I think that that's...that's great for the consecutive appointment, I'm just not sure how that could be interpreted, excluding a partial term, because that could mean...

VICE-CHAIR PALTIN: Excluding any previous partial term?

COUNCILMEMBER RAWLINS-FERNANDEZ: I have an idea.

CHAIR U'U-HODGINS: Go ahead, Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Less than full term. Oh, that sounds like pregnancy now, sorry. . . .*(laughing)*. . . Chair Lee, your face. . . .*(laughing)*. . .

MR. MITCHELL: So, Chair, I think --

CHAIR U'U-HODGINS: Yes.

MR. MITCHELL: -- we have the intent --

CHAIR U'U-HODGINS: Yeah. We can make it work.

MR. MITCHELL: -- and we can...correct.

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CHAIR U'U-HODGINS: Okay. Thank you. Do we have any other discussion before we call for the vote? No? Okay. At this time then, I'd like to please entertain a motion to recommend adoption of Resolution 24-96, including any nonsubstantive revisions. Do I have a motion?

COUNCILMEMBER RAWLINS-FERNANDEZ: So moved.

CHAIR U'U-HODGINS: Thank you.

COUNCILMEMBER LEE: Second.

CHAIR U'U-HODGINS: Thank you. Motion made by Councilmember Rawlins-Fernandez, second by Councilmember...Council Chair Lee. Do we have any further discussion? Member Rawlins-Fernandez, any further discussion?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Yeah, I...I was just going to make the motion to amend the resolution. I move to amend the...what is that?--be it resolved, Section 1, to add the word consecutive, and...after the word "second," and to end the sentence with "excluding any partial term," so that it would read, "a member of any board of commission is eligible for a second consecutive appointment to the same board or commission, except...excluding any partial term," and nonsubstantive revision to better clarify the intent --

COUNCILMEMBER LEE: Second.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- of that.

CHAIR U'U-HODGINS: Thank you. I have a motion on the floor by Member Rawlins-Fernandez and a second by Chair Lee. Any further discussion on what we just discussed? Seeing none. All those in favor for the amendment, please raise your hand and say "aye."

COUNCILMEMBERS VOICED AYE.

MS. APO TAKAYAMA: Chair, that's nine "ayes," zero "noes." Motion carries.

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: None.

MOTION CARRIED.

ACTION: FIRST READING OF RESOLUTION 24-96, CD1.

CHAIR U'U-HODGINS: Thank you very much. Thank you, Member Rawlins-Fernandez. Motion passes.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Mahalo, Members.

CHAIR U'U-HODGINS: Thank you.

GREAT-21(1) RESOLUTION 24-49, RELATING TO AN AMENDMENT TO ARTICLE 13 OF THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, TO ALLOW REAPPOINTMENT OF BOARD OF ETHICS MEMBERS FOR ONE SUCCESSIVE TERM

CHAIR U'U-HODGINS: And then if we could please go back to the top of the agenda with Resolution 24-49. One second. Okay. We have before us Resolution 24-49, entitled "PROPOSING AN AMENDMENT TO ARTICLE 13 OF THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, TO ALLOW THE REAPPOINTMENT OF BOARD OF ETHICS MEMBERS FOR ONE SUCCESSIVE TERM." Resolution 24-49's purpose is to place on the next general election ballot the question of whether the revised Charter of the County of Maui (1983), as amended, should be amended, effective July 1, 2025, to allow members of the Board of Ethics to be reappointed for a second term without an intervening period. And at this time, I'm going to request some comments by Chair Lee.

COUNCILMEMBER LEE: Oh, how about a motion? Move...move to file Resolution 24-49.

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CHAIR U‘U-HODGINS: I’m happily going to do that after we do the testimony.

COUNCILMEMBER LEE: Oh, I’m sorry.

CHAIR U‘U-HODGINS: That’s okay. I know. New...new Sunshine Law. So, happy to do that, but first, can we please have some testimony if...if need be?

MS. MACDONALD: Yes, Chair. There’s currently no one who has signed up to testify. 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 GREAT-21-1 [sic]. Thank you.

COUNCILMEMBERS: No objections.

. . . END OF PUBLIC TESTIMONY ON GREAT-21(1) . . .

CHAIR U‘U-HODGINS: Thank you. As a reminder, written testimony will continue to be accepted. Members, do we need any discussion, or can we have a motion to file? Any moment to discuss? Okay. Seeing none.

COUNCILMEMBER PALTIN: So moved.

CHAIR U‘U-HODGINS: Thank you. I have a motion to file by --

COUNCILMEMBER LEE: Second.

CHAIR U‘U-HODGINS: -- Councilmember Paltin, and second by Council Chair Lee. Any further discussion? All those in favor of filing this, please raise your hand and say “aye.”

COUNCILMEMBERS VOICE AYE.

MS. APO TAKAYAMA: Chair, that’s nine “ayes,” zero “noes.” Motion carries.

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: None.

MOTION CARRIED.

ACTION: FILE RESOLUTION 24-49.

CHAIR U‘U-HODGINS: All right, it’s filed.

**GREAT-21(2) RESOLUTION 24-95, RELATING TO AN AMENDMENT TO ARTICLE
10 OF THE REVISED CHARTER OF THE COUNTY OF MAUI (1983),
AS AMENDED, TO AUTHORIZE FULL-TIME STAFF FOR THE MAUI
COUNTY BOARD OF ETHICS**

CHAIR U‘U-HODGINS: Moving on to Resolution 24-95. We have before us Resolution 24-95, entitled “PROPOSING AN AMENDMENT TO ARTICLE 10 OF THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, TO AUTHORIZE FULL-TIME STAFF FOR THE COUNTY OF MAUI BOARD OF ETHICS.” Resolution 24-95’s purpose is to place on the next general election ballot the question of whether the revised Charter of the County of Maui (1983), as amended, should be amended, effective July 1, 2025, to authorize Board of Ethics to appoint Staff, including an executive director, and engage consultants as necessary to assist in the performance of its duties. Attached is the resolution and its correspondence from the Board of Ethics listing several reasons to why full-time Staff is warranted. But at this time, I’m going to ask for any opening comments by the introducer, Chair Lee.

COUNCILMEMBER LEE: Thank you, Chair. The reason why I introduced this is because at the...it was at the request of the Ethics commission. And I do agree that they do need a standing regular Staff to help keep their flow of business moving. And as explained by the...the previous testifier, that this...this is important to...they have a lot of responsibilities. And in order for a lot of the appointees...and whether it’s Councilmembers or directors or boards

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and...members of the boards and commissions, all of their financial statements have to be reviewed, and there's a lot of paperwork and filing that's involved in this process. So, rather than them relying on voluntary Staff, or Staff that have full-time jobs elsewhere, I think they're deserving of a full-time Staff of their own. Thank you.

CHAIR U'U-HODGINS: Thank you, Chair Lee. Before we get into discussion, can we please do a call on testimony for this item, GREAT-21(2)?

MS. MACDONALD: Yes, Chair. There's currently one individual signed up to testify, Johann Peter Lall.

CHAIR U'U-HODGINS: Aloha, Mr. Lall.

MR. LALL: Aloha. This is Johann Lall, testifying on behalf of myself. I'm in support of this. I...I myself didn't realize how much stuff this board has to review constantly until I started paying attention to them after the South Maui Advisory Committee had issues with their...their financial disclosures and all of that. And so, I've been paying more attention to that board, and it's amazing how many financial disclosures they review, how many ethics complaints on top of that. And they have only two people, I think, as their Staff, and they're from Corp. Counsel, and they have a lot of other things to deal with. And so, like if they had Staff who were experts on ethics, and finance, and all these different things, they could get Staff reports written for them and take a lot of the load. Because I'm sure a lot of what they're doing is...when they're in their executive session, we can't see what they...what they're discussing, but I'm sure a lot of it is having things explained by Caleb or whoever is...is staffing that particular meeting. And so, if some of that load could be taken off and done by full-time staffers, and have issues boiled down and kind of guide them to make better decisions, that way I think that would help, and that would be a benefit to the entire community...because all of these boards and staff positions that they review are all really important to all of us. So, this seems like a really critical thing. So, I'm in full support.

CHAIR U'U-HODGINS: Thank you, Mr. Lall. Members, do we have any clarifying questions for him? Seeing none. Thank you very much for your testimony. Staff, do we have any other people wishing to testify?

MS. MACDONALD: Chair, there's currently no one else who has signed up to testify. 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.

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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. Thank you very much.

COUNCILMEMBERS: No objections.

. . . END OF PUBLIC TESTIMONY ON GREAT-21(2) . . .

CHAIR U'U-HODGINS: Thank you. As a reminder, written testimony will continue to be accepted. Before we begin discussion, was this sent over to Member Paltin and Member Rawlins-Fernandez? Okay. Just making sure you got their...their written piece.

VICE-CHAIR PALTIN: Is it the one on Granicus?

CHAIR U'U-HODGINS: Yes. Yes, it is. I think it's dated revised 3/24.

VICE-CHAIR PALTIN: The one they referred to my letter or something?

CHAIR U'U-HODGINS: It is the Maui Board of Ethics Strategic Plan, where they analyze themselves, and there's a list of information, some strengths, weaknesses, and how to resolve them, challenges, opportunities. Did you get that? Is it on Granicus? One second. It'll be useful for discussion. Okay. They emailed it to you folks...Pauline did. While you guys...okay. Thank you. Good. I'm happy you got it. Did you want to come and add anything, Mr. Sturdevant, while we have discussion, and then the Members can ask you folks some questions now that everybody has this document in hand.

MR. STURDEVANT: Yeah, I just...I brought that along just because I just wanted to give you something to read on your spare time, you know. So . . .*(laughing)*. . . it's not...thank you --

CHAIR U'U-HODGINS: Yes.

MR. STURDEVANT: -- Council. So, I just wanted to present that. It's not...hasn't anything to do with what we're talking about today. But if you have questions regarding that, please feel free to call me or any of the commission members about it.

CHAIR U'U-HODGINS: Thank you.

MR. STURDEVANT: Yes.

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CHAIR U‘U-HODGINS: Member Sinenci, go ahead.

COUNCILMEMBER SINENCI: Thank you, Chair. And mahalo, Mr. Sturdevant. I was just curious, do you know anything about O‘ahu or the other counties’ Board of Ethics, if they also have support Staff?

MR. STURDEVANT: The Maui...or excuse me, the O‘ahu does, like Honolulu and the State both have support Staff. I’m not sure if there’s any other counties that have support Staff besides them. But when we went to the Board of Ethics...or the Ethics commission...Ethics in Hawai‘i Convention, it was evident that there were some things that were missing here on Maui. And...and there was other counties represented there also. So, I imagine there’s going to be some movement there also...you know, along with. So, yeah, it was really an eye-opening experience for me. And with Mike Lilly, he’s been on...on those boards, with...I believe with Honolulu City Commission. And he’s been very helpful in showing our commission the way to...to get to the...get to where we can be more effective.

COUNCILMEMBER SINENCI: Okay. Chair, can we ask Mr. Lilly if he could respond?

CHAIR U‘U-HODGINS: Of course we can. Mr. Lilly, would you...do you want to repeat...

MR. LILLY: Thank you. When I started with the Honolulu commission about 12 years ago or so, we had three Staff, and they were overworked. Of course, Honolulu has almost 10,000 employees. so it’s a bigger job than...than Maui. Now, the Honolulu commission has 11 Staff members, and they’re fully employed. And I have to say, my marching orders in the ethics world has always been that our number one job is to educate and train, not to enforce. Enforcement is the last resort. But if you can educate and you can train public employees, then you can help them keep from running afoul of the ethics rules, that they understand what the rules are and how they can be in compliant [sic]. And if we have full-time Staff who can answer...give informal opinions on the phone, on a...on a any time, every day, you’ll be able to be reactive to people who have ethics concerns, and allay their concerns, and...and give people roadmaps to ethical conduct. So, we can’t do that without full-time Staff. We don’t train anybody, it’s...the training is in the Department of Personnel, and it’s done on hiring. So, some people have been employed for 30 years and haven’t been trained in 30 years. So, Honolulu and the State Ethics Commission have a robust training program. It’s an online program, it’s very user-friendly, and it’s easy for Maui to piggyback on that with...with full-time Staff to be able to monitor and keep track of it so we know who’s getting trained, and when they’re getting trained, and we have a database so that we can keep track of it. And

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this...I mean, so to me, that's...that's the essence of having full-time Staff is to be responsive to you and the public employees on Maui.

COUNCILMEMBER SINENCI: Mahalo, Chair. Thank you, Mr. Lilly.

MR. STURDEVANT: Chair, can I add something to that?

CHAIR U'U-HODGINS: Absolutely, please do.

MR. STURDEVANT: A lot of our work in the FDS world is...is figuring out if there needs to be a recusal or not. And we send out a lot of recusals every time we meet. And that's...and also, some of the opinions that we go over, we ask people to recuse themselves also. That's the only educational process we have at this point.

CHAIR U'U-HODGINS: Okay. Thank you. Does anybody else have any questions? Go ahead, Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. Thank you very much for this. And just briefly, I didn't realize you're...under your completed actions, number 9. And you give dates of when the Board of Ethics propose different items. And so, you do more than just hearing from people. And I always...we always think the recusal is one of the reasons why people, you know, go to you. But I didn't realize the in-depth that you do is more than those things.

MR. STURDEVANT: Yeah. Well, we also have a...we have a TIG that works...there's three of us that actually work on special projects, like the strategic plan, and...and, you know, these resolutions, and that type of thing. So, we try to...we're trying to put more into it so we can get more out of it as far as the community.

COUNCILMEMBER SUGIMURA: Yeah. Because it says here, you also...the Board of Ethics transmitted memo recommending Mayor order an audit of nonbid contracts awarded. I mean you go into that depth, I didn't realize that you take it that far. I appreciate that. Another set of eyes. And you also recommend retired judges help with government, is that what you...one of your resolutions?

MR. STURDEVANT: Yes, in Honolulu, that's what they do a lot. They...there's a lot more retired judges in that...in that island. And it'd be nice to...to see some of that cooperation here too, because they're a fountain of knowledge. You know, they have the...they...they don't want to work full-time...like me, I'm a little bit retired. and...but yet, there's so much to share, you know, so much...so much to give.

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COUNCILMEMBER SUGIMURA: Yeah, thank you very much. Wow, great.

CHAIR U‘U-HODGINS: You...you’re good?

COUNCILMEMBER SUGIMURA: Yeah. It’s great.

CHAIR U‘U-HODGINS: Okay. Member Cook?

COUNCILMEMBER COOK: Thank you for be--(*clears throat*)--thank you for being here, Mr. Sturdevant. Could you kind of give me a thumbnail sketch, you would...about how the ethics training would work? Some of the context that you feel would be beneficial, and how it would work?

MR. STURDEVANT: Yeah, that would be onboarding...when people get onboarded into the County or actually, it should be done in a...in a frequency basis, maybe once every...at least once every five years, maybe once every year. But sometimes...and there’s online classes they...you can...you can go to, and you sign in, and you...you’ve taken the class, right? So, it doesn’t have to be real...you know, real formal. It could be informal, on your...you know, just on the Internet. O’ahu or Honolulu, they have really nice videos that they supply to the HR department to help...they work hand-in-hand with HRs, you know, there. So, the idea is to get this top of mind, that, you know, there’s some things that...here’s what prohibitions we have, you know.

COUNCILMEMBER COOK: No, well, it makes sense. Is...does Maui have that? You said Honolulu has that. Is that something that is transferable and available, or do they have different ethics rules?

MR. STURDEVANT: They have pretty much the same ethics rules, I believe. I’m not sure exactly what HR does now. But from what I understand, it’s not to that extent.

COUNCILMEMBER COOK: Well, I...I think it would be really helpful because it sounds...ethics sounds like simple and basic.

UNIDENTIFIED SPEAKER: It’s not.

COUNCILMEMBER COOK: But when it comes into --

UNIDENTIFIED SPEAKER: It’s morality.

COUNCILMEMBER COOK: -- you know, propose to work with someone, or a type of work, or where...where it gets blurry and...so, anyway, I’m really supportive. Hopefully...what do you need to start implementing that? What does the Ethics

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Board need from the Council to implement a program of what you folks have been discussing?

MR. STURDEVANT: Just support, mainly. And if we can start with getting an executive director, and have him or her, you know, hire some people that are knowledgeable in the ethics, then that would be really helpful.

COUNCILMEMBER COOK: So, that would be...the Council would be the financing and the funding, but Director of Personnel Services would be the entity that--I'm asking this--would the Department of Personnel Services be the entity that reviews, and does the job description, and does that hiring? Would they be a County employee?

MR. STURDEVANT: Can we ask Mike Lilly? He's...he would answer that...be able to answer that question better.

CHAIR U'U-HODGINS: Yes.

MR. LILLY: The...the executive director/legal counsel would be an exempt position, and one that'd be...that would be hired and fired on the pleasure of the Board of Ethics. The...the funding, right now, we're attached to the Corp. Counsel, as is the Honolulu Council. And what I would envision in there is there would be a standalone budget within the Corp. Counsel's budget that is allocated only for the Board of Ethics. And then the Corp. Counsel would submit the budget to you, with its budget and our budget as...as combined, but...but...but with a standalone for the Ethics commission. So, we...so, we...we're...we have our own budget, we have our training budget, you know, all...all the administrative stuff and the staffing. I...I have recommended that with the size of Maui County, that having an executive director/legal counsel, secretary, and investigator as an initial staffing would be adequate for what...what we're envisioning, what we need to do. There's going to be a lot of work for that...those three people when they...when they...when they fleet up.

COUNCILMEMBER COOK: Well, thank you for that answer. It's refreshing because it sounds executable and manageable. Thank you.

CHAIR U'U-HODGINS: Thank you.

MR. LILLY: Thank you.

CHAIR U'U-HODGINS: Member Kama, before I call on you, I'm going to call on Member Paltin. Her hand has been raised for a while.

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VICE-CHAIR PALTIN: Thank you, Chair. Thank you to our resources. I...I think this is a great idea. I did have some questions, and I'm not sure if it is for our resources. I think most of them are, but if Corp. Counsel or our Legislative Attorney wanted to weigh in. So, I heard Mr. Lilly say three positions, an executive director...I missed the other two positions, if...if he could repeat them.

MR. LILLY: That's...so an executive director/legal counsel, that's one person. A secretary and an investigator.

VICE-CHAIR PALTIN: Investigator, okay. And so, once you hire an executive director, they could go about helping you with hiring the investigator and the secretary.

MR. LILLY: Yes.

VICE-CHAIR PALTIN: But what would be the process for recruiting and selecting the executive director? Would you folks, as the Board of Ethics, come up with a criteria, job description, minimum qualifications, and --

MR. LILLY: Yeah...

VICE-CHAIR PALTIN: -- then have either Corp. Counsel or Personnel help you with recruitment? Or...and...and do you think that should be up on your website before it gets on the ballot? So, if people wanted to know these types of more information, maybe they can go to your page on the County of Maui and learn more about the Charter proposal, like what you're proposing. Because that was one of my first questions when it said full-time Staff, like how many, what would they be doing? And then you had the answers, which was, you know, executive/legal counsel, secretary, investigator. So, I mean, like somebody said, I think it was the Chair, that you can only have one-sentence Charter amendment, but maybe people...studious people want to learn up more what this one sentence is about. And...and, you know, either there's a pamphlet or a page on the website about what...what the intention is and who...what the minimum qualifications, job description stuff would be.

MR. LILLY: Well, we haven't adopt...we haven't adopted the job descriptions yet, but we have gotten job descriptions from the Honolulu Council and from the State Ethics Commission. So, we have material that we can draw from, but all we're asking here now is to get the authority for the full-time Staff. And then we would have to come to you to...for the funding in order to hire whatever personnel we're seeking to hire. And that's going to be your call again. So, that would sort of be the process. But I agree, we could...we could put a lot of this on the website.

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VICE-CHAIR PALTIN: Okay. And then my following question on the investigator part, and...and part of it was to either contract or hire. Could you tell me like within...since you've been on the Board of Ethics, how many things that you thought you needed to investigate, and what the nature was that you would utilize this investigator, or if the amount of things that came before you that you would like to have investigated was slim, the possibility of contracting out that work?

MR. LILLY: Well, I think the investigator would...would be a resource for the Staff, not just to investigate a particular complaint, but what...what we found at the...in the Honolulu Council was the more we trained, the more we educated, and the more we took...we were able to take action, we started getting complaints by public employees that saw ethics violations. And I can tell you that we've had public employees tell us...one told...one or two told Steve--and he can...he can relate this to you--that somebody had a complaint he thought he could bring, but he realizes the Ethics Commission can't investigate and prosecute complaints, so he's not going to bring the complaint. So, what's happening is there...with the perception out there that we are unable to investigate and prosecute violations, then people just don't bring 'em. So, if people have confidence that we're going to be taking action on violations, then people will be much more comfortable coming forward and making an allegation. And secondly, as they hear through training what constitute a violation, they'll...they'll realize, hey, I've got...I know someone I'm working with using his tra...his County truck for personal business, and...or he's got a side business, he's using his public computer for that. And we've had a lot of those at the county level on O'ahu. And those all require a lot of work. The legwork for the investigator, once you start getting complaints, as people realize that we're going to be proactive, is going to build.

VICE-CHAIR PALTIN: And...and what kind of consequences would there be if the investigation found that people were in the wrong?

MR. LILLY: We can fine violations, and we can issue fines.

VICE-CHAIR PALTIN: And the other question I had, when you said like if people had questions, and they called, and they had this full-time Staff, whether it's the executive director, the secretary, or the investigator that were to answer the phone, they would be basing their advice off of past Board of Ethics' opinions?

MR. LILLY: They'll be...on that...on...on...on what they comfortably feel the Board of Ethics' position would be, if they have a reasonable basis for that, and also on the Code of Ethics. Everybody can read the Code of Ethics. And...and all of those contacts, every time someone calls up with a complaint or an inquiry, everything gets logged. And we would be able to have spreadsheets that

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demonstrate what our Staffs are doing, and how effective we are in carrying out our constitutional duty under the Hawai'i Constitution and the Maui Charter.

CHAIR U'U-HODGINS: Okay.

VICE-CHAIR PALTIN: Okay. I think my last question was for Corp. Counsel.

CHAIR U'U-HODGINS: Oh, you have one more question. Okay. That's fine. And then I'll...I'll move on to Member Kama after your last question.

VICE-CHAIR PALTIN: Thank you. Ms. Tarnstrom, if this were to pass, the Charter Amendment, would we need to enact it with a Code Amendment as well? Like you have enacting legislation to implement the Charter Amendment?

MS. TARNSTROM: Thank you, Councilmember. I...I can get back to you on that, but I don't think you would need necessarily an ordinance in place to get the Charter Amendment moving. It is a little...it is...there are logistical questions, really, about where the Staff would be, and if they should still remain under the Department of Corporation Counsel or if they should be more independent somehow. So, those ordinances, that might be appropriate to better organize it, but I think that the Charter Amendment itself would be kind of self-executing and get it...get it started. And I just...I do have --

VICE-CHAIR PALTIN: Okay.

MS. TARNSTROM: -- just because I'm...I'm on right now, I have just a recommendation of some changing of the language of the ordinance, just to make it more clear that there shall be an executive director and that the term of that director's office should probably be set as well by either this Charter Amendment, or it could be set by ordinance.

VICE-CHAIR PALTIN: And that the oversight would be by the Board of Ethics, like where they would hire or fire, or also give the...what is that called, when you not grade everybody, but they're...

MS. TARNSTROM: Evaluations?

VICE-CHAIR PALTIN: Yeah.

MS. TARNSTROM: Yeah.

VICE-CHAIR PALTIN: Thanks.

MS. TARNSTROM: No problem.

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VICE-CHAIR PALTIN: School's out, so, you know.

MS. TARNSTROM: Yeah, I agree with you. I think it would benefit the Charter Amendment to have that spelled out, who appoints the executive director, for how long do they serve, and how often they should be evaluated. And...and make sure...

VICE-CHAIR PALTIN: How they're hired, fired, and evaluated, yeah.

MS. TARNSTROM: . . .*(inaudible)*. . .

VICE-CHAIR PALTIN: Okay. I'll yield right now. I've been talking too long. Thank you.

CHAIR U'U-HODGINS: Thank you. Member Kama, thank you for being patient. I appreciate it.

COUNCILMEMBER KAMA: Well, I think it's an important issue, that we should take as much time as we need to talk it out so that we know that we're all talking about the same thing and on the same page. So, that's why my question is, in the beginning when we first started, it sounded like the Ethics Commission wanted to...just some Staff. And as we continued the conversation, it almost...now, to me, at this stage--because I'm at the end, I guess--it seems as if...and after what Ms. Tarnstrom just said, that it might have to end up being another department. So, I was thinking, well, maybe...before that, before she spoke, I thought, well, maybe just a division under Corp. Counsel. So, now I'm kind of figuring out where is this thing going, where should it be so that it can be as effective as it possibly can? Because, you know, what's part of the resolution packet over here is all of those issues with the--what's that Milton Choy guy, what he did?--all of the investi--...and all that. So, I think if...if...if...I think if the Board of Ethics was kind of like on the ball like they should have been, and had the resources, maybe stuff like that wouldn't happen, right, because looking into the sole-source vending. So, I thought, well, maybe they should be their own so that they can actually be the real watchdogs that they're supposed to be, if I got that right. Because when I looked at...when we look at ethics, you cannot legislate morality, and that's what we're trying to do here, right? We're all trying to be the best of ourselves that we can possibly be, knowing what we're brought up with in terms of what's right, what's wrong, what's good, what's bad, and what's best for all. And yet, we're human beings, and we're subject to all the temptations and all the mistakes that we as human beings can make. So, my bottom line question is, where...where should it be? And if it's going to be a standalone, what would it look like? Anybody?

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CHAIR U'U-HODGINS: Mr. Lilly?

MR. LILLY: This has been...basically we cockroached from the Honolulu Council...the Charter on Honolulu, for the Honolulu Council. The Honolulu Council was just like us in 1984, and my old friend Patsy Mink helped, and she was a Councilmember on O'ahu at the time. She...she championed this...this Charter Amendment that you have, that...this draft before you, and created the first full-time Staff on O'ahu. Now, the Board of Ethics has to be a semi-independent board. It's attached to the Corp. Counsel, and...and should remain there for administrative purposes, but we're...we have to be an independent body because we're called upon to adjudicate and pass on ethics issues for all public employees, including Corp. Counsel. So, we...we have to be independent in that way. So, we can remain attached there administratively, but our budget and our staffing has to be independent...has to remain independent because that executive director/legal counsel, and the investigator are going to investigate...will be investigating alleged violations by public employees, and it could involve somebody in the...the Corp. Counsel, and we...we can't be a part of it in that sense. Other than administratively, we have to remain unbiased and independent.

COUNCILMEMBER KAMA: So...so, I hear what you're saying, but do you...do you have to...could you not be a standalone independent as opposed to being semi-independent? Yeah, like...

MR. LILLY: The...the...the Honolulu...The Honolulu Council...Commission is. It's totally independent. It's got its own staffing --

COUNCILMEMBER KAMA: Okay.

MR. LILLY: -- its...its offices are separate --

COUNCILMEMBER KAMA: Okay.

MR. LILLY: -- they're...they're attached. Their...their budget goes with the Corp. Counsel's budget, but other than that, they're independent.

COUNCILMEMBER KAMA: Okay. Okay. Well, thank you. Thank you, Chair.

CHAIR U'U-HODGINS: Thank you, Member Kama. Does anybody else have any questions? Mr. Lilly or Mr. Sturdevant, how much do you think this is going to cost, these three employees? And would you guys share your investigation?

MR. STURDEVANT: I can get back to you with that information. I don't know how much that would be at this point.

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CHAIR U'U-HODGINS: Okay. Mr. Lilly --

MR. LILLY: Yeah --

CHAIR U'U-HODGINS: -- would you know?

MR. LILLY: -- I'm not sure.

CHAIR U'U-HODGINS: Okay.

MR. LILLY: I'm not sure. It's...you know, you're going to think of a lawyer, a secretary, an investigator. So, you know, I don't know what it's going to wind up...including administrative costs, 200,000, 250...I don't know.

CHAIR U'U-HODGINS: Okay. I appreciate that. Related to your investigations, I know a lot of it is made public and some of it cannot be, but would you be willing to share what you can when you can?

MR. LILLY: We can't...the...the problem is, we don't...and we can't investigate in the sense that we're a quasi-judicial body. We're supposed to be adjudicating things, but we...unfortunately, we do get involved in complaints. So, we get complaints from members of the public and...about ethical violations, potential ethical violations. We get a lot of requests for opinion, and all of the requests for opinion are...are in writing because we don't have Staff to...to respond verbally. And there's any number...on Honolulu Council, we had lots of people calling because people were using their computer for a private business, or somebody received free golf fees.

CHAIR U'U-HODGINS: Okay.

MR. LILLY: There's...it runs the gamut from gifts to improper use of public property.

CHAIR U'U-HODGINS: Okay. Thank you. Member Paltin, did you have any more questions?

VICE-CHAIR PALTIN: Yeah. I just was wondering, you know, when the resources or folks were talking about an independent body, it really sounds to me a lot like our County Auditor. And I was wondering what...what the thoughts were on housing those Staff under the County Auditor if the executive director would be slash-legal counsel. It sounds as though that you're expecting that person to have a law degree. And so, I --

MR. LILLY: Yes.

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VICE-CHAIR PALTIN: -- was wondering your folks' thoughts about under the County Auditor, having the Board of Ethics Staff in that one. Because when all the things that you are saying about independent may have to investigate Corp. Counsel or whatever, that's what I hear every time Mr. Taguchi talks.

MR. LILLY: I...I...I share your concerns. Some ethics commissions are attached to the legislative body. I frankly...I personally, I'm only speaking for myself, I don't think it...it bothers me where we're attached. We could be attached to the city...the city council, you know, dot, dot, dots, attached to you folks. It's way back when they chose the Corp. Counsel, they did it in Honolulu, and that's...you know, and it's worked, but...but I can see a scenario where we could be attached...you know, attached in an...in an independent way to another body, like the Auditor or even the city council...or the County Council.

VICE-CHAIR PALTIN: Well, I think the Auditor is attached to the County Council. And...and same like you, I don't...I don't necessarily care either way, but I think, based on the way that previous Charter Amendments have gone, for me, I would love to have all the details worked out before people are going to the ballot to vote on it. Because once this moves forward, and it's going to be on the ballot, we're going to get so many questions, and...and I'd love to be as prepared as possible. The web page idea, also educated ourselves. And then, you know, all these things that could be...well, it could be here, or it could be this, or if...if we could have more of a concrete picture, I'm...I'm totally in support of it. Just, you know, the way the whole Independent Nominations Board shook down, it kind of was an eye-opener that, you know, we need to plan for every single sort of contingency so that we do the work in the front end instead of like chickens without a head on the back end, if you know what I mean.

MR. LILLY: I agree with you. We'll work...we'll work up a...job descriptions and...and our best thoughts on budget.

VICE-CHAIR PALTIN: Yeah. And...and I guess, you know, the term, like Ms. Tarnstrom was saying, how the person is hired, how the persons are fired, how the person is...like if...if ultimately we want to have them under the Auditor or a division of Corp. Counsel...if we can...if we can straighten out all of those by first reading or something. I don't know if the Council needs to be involved in that fully or...or not. I mean, so far, everything that we're talking about, I don't have very strong opinions one way or the other. I just would like to know the...the details before we put it on the ballot so that when the public asks us, asks you, goes to the web page, whatever, there's answers for them, and...and they feel as though this is a complete idea rather than the start of the idea. And, you know, we may have to still enact some legislation after or whatever,

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but I'd love for it to be as complete as possible before we put it on the ballot, is just my only...my main concern.

MR. STURDEVANT: Is there a...excuse me.

VICE-CHAIR PALTIN: And I don't know what...I don't know...I don't know that needs to be completed, you know. Because I've been to a couple of Board of Ethics meetings, I've been on the Board of Ethics agenda. I've been a viewer, but I...I'm...I don't feel confident enough that I know all the things that needs to be laid out to get this on the agenda. I just know that I'd love all the things to be laid out.

CHAIR U'U-HODGINS: Okay.

VICE-CHAIR PALTIN: I'm sorry, Mr. Sturdevant, for interrupting you.

MR. STURDEVANT: No, I'm sorry.

CHAIR U'U-HODGINS: Mr. Sturdevant, you're welcome to go, and then we can always connect you folks and...and do all the language that Member Paltin is requesting for it before first reading. Go ahead.

MR. STURDEVANT: That's something we...we can put together, the budget as well as a plan, as far as you're asking for. I'd like to know some kind of a date due by would be really helpful.

CHAIR U'U-HODGINS: Kasie, do we have a date due by? When's the...when will we have this on the agenda for first reading, would you know? June 21st. We'll need it before June 21st...or we'll need it seven days before June 21st for posting...six days.

UNIDENTIFIED SPEAKER: Seven days.

VICE-CHAIR PALTIN: Chair, is June 21st the deadline to get it on the ballot? I mean...or I guess the...and is this a reso that only needs one reading, or is it more than one reading?

CHAIR U'U-HODGINS: You know what? Let me...that's a great question, Member Paltin. Let us take some time to answer that question correctly, and then we can get back to you...if that's okay.

MR. STURDEVANT: Thank you.

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CHAIR U‘U-HODGINS: Of course. Thank you. Do we have any other discussion? No? Okay. Seeing none. We will get back to you. We’ll work with you guys for amendments before first reading. But at this time, I would like to entertain a motion to recommend the adoption of Resolution 24-95, including any nonsubstantive revisions.

COUNCILMEMBER SUGIMURA: So moved.

COUNCILMEMBER KAMA: Second.

CHAIR U‘U-HODGINS: Thank you, motion made by Councilmember Sugimura, second by Councilmember Kama. Any further discussion? Seeing none. All those in favor, please raise your hand and say “aye.”

COUNCILMEMBERS VOICED AYE.

MS. APO TAKAYAMA: Chair, we’re seeing seven “ayes” --

CHAIR U‘U-HODGINS: Two excused.

MS. APO TAKAYAMA: -- two excused, Chair Lee and Member Rawlins-Fernandez. And to answer...sorry, motion carries.

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmembers Lee and Rawlins-Fernandez.

MOTION CARRIED.

ACTION: FIRST READING OF RESOLUTION 24-95.

CHAIR U‘U-HODGINS: Yes.

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MS. APO TAKAYAMA: And to answer Councilmember Paltin's question, the resolution needs two readings at two separate Council meetings, and are required to pass by a vote of six or more members.

CHAIR U'U-HODGINS: Okay. Thank you, Members. And before we move on, Kasie, you had something you wanted to clarify with our last Resolution 24-96, related --

MS. APO TAKAYAMA: Yes.

CHAIR U'U-HODGINS: -- to the question that's going to be posted on the ballot. So, if you could, please?

MS. APO TAKAYAMA: Yes, thank you. So, under GREAT-21(3), which we just took up, amending Resolution 24-96, we just want to make sure it's okay with this body that we also make revisions to...Staff makes revisions in alignment with the amendments made to number 1, to the Be It Resolved, to the ballot question as well, which is number 4, it's the Be It Resolved. So, we're just going to make that ballot question match the intent of the amendments made today, if that's okay with this body.

CHAIR U'U-HODGINS: That's okay with me. Is that okay with everybody else?

VICE-CHAIR PALTIN: Yes.

CHAIR U'U-HODGINS: Consensus.

VICE-CHAIR PALTIN: Can you also...oh, can they also tell us the...the drop-dead deadline that the two readings needs to pass by to get on the ballot?

MS. APO TAKAYAMA: Yeah. So, we...we really only have one meeting of leeway because the amendments are due to the Office of the County Clerk by the end of July. So, we have currently scheduled June 21st as first reading, and July 5th as second reading. But we do --

VICE-CHAIR PALTIN: Got it. Thank you.

MS. APO TAKAYAMA: -- have July 19th as well.

CHAIR U'U-HODGINS: Okay. All good? Okay.

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GREAT-21(5) RESOLUTION 24-100, RELATING TO AN AMENDMENT TO ARTICLE 9 OF THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO USES OF THE OPEN SPACE, NATURAL RESOURCES, CULTURAL RESOURCES, AND SCENIC VIEWS PRESERVATION FUND

CHAIR U‘U-HODGINS: Members, moving on to the last item on our agenda, we have before us Resolution 24-100, entitled “PROPOSING AN AMENDMENT TO ARTICLE 9 OF THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO THE USES OF OPEN SPACE, NATURAL RESOURCES, CULTURAL RESOURCES, AND SCENIC VIEWS PRESERVATION FUND.” Resolution 24-100’s purpose is to place on the next general election ballot the question of whether the revised Charter of the County of Maui (1983), as amended, should be amended, effective June 1, 2025, to authorize the use of Open Space, Natural Resources, Cultural Resources, and Scenic Views Preservation Fund for regular removal and disposal of fuel hazards. And my notes say to request any opening comments from Member Paltin, if you have any comments--but this is my bill--but you’re welcome to...if you have any comments, please do.

VICE-CHAIR PALTIN: Shucks, I do have comments. I don’t want to down your bill because I think it’s a great bill, but I think it would be greater if we made its own fund for that, and Open Space Fund be the Open Space Fund, and the fuel...fuel load reduction have its own source...and...and just because of the purchases that your community wanted to do this past fiscal year, and we didn’t have enough funds to do all the open space purchases. And I think that fuel load reduction is so important that I wouldn’t...I wouldn’t...I would support it having its own dedicated source of funding because I also think open space is also critical to Maui County. So, I guess that’s my opening comments.

CHAIR U‘U-HODGINS: Okay. Thank you.

VICE-CHAIR PALTIN: Sorry.

CHAIR U‘U-HODGINS: No, you’re good, I appreciate it. But before we get into discussion, if we could please do a last call for testimony, Staff.

MS. MACDONALD: Yes, Chair. There’s currently nobody who is signed to testify. 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.

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CHAIR U‘U-HODGINS: Okay. Thank you. Members, seeing there are no individuals wishing to testify, without objection, I would now close oral testimony for this item GREAT-21(5).

COUNCILMEMBERS: No objections.

. . . END OF PUBLIC TESTIMONY ON GREAT-21(5) . . .

CHAIR U‘U-HODGINS: Thank you very much. As a reminder, written testimony will continue to be accepted. And right now, we’re going to go into our question and discussion period. So, go ahead, Member Kama.

COUNCILMEMBER KAMA: Okay. So, the bill as I...the reso as we see it today, the only thing that’s being added is under B, right?

CHAIR U‘U-HODGINS: Yes.

COUNCILMEMBER KAMA: That says include regular removal and disposal of fuel hazards. Well, before when...when the Open Space Fund was there, and people were doing things on the land, and they found things like just whatever hazards they might...maybe junk cars and stuff like that --

CHAIR U‘U-HODGINS: Yeah.

COUNCILMEMBER KAMA: -- they would remove it, right?

CHAIR U‘U-HODGINS: Yes.

COUNCILMEMBER KAMA: Or would they...okay. So...

CHAIR U‘U-HODGINS: At the...typically at their own expense.

COUNCILMEMBER KAMA: Oh, I see. Okay. Now I understand where Member Paltin’s coming from. Okay. I get that. Thank you.

CHAIR U‘U-HODGINS: Yeah. So, for me, this was a funding mechanism for the maintenance of the open space lands that we purchase. Right now, what we’re dealing with in Hamakualoa is they have to constantly ask us for more money. And a lot of their grant funding is spent on removing abandoned cars or cleaning. And so, this would allow that fund to ensure that the land that we buy is preserved in open space instead of allowing abandoned cars to be left there, and then the nonprofits who take care of it need to do that, or even us when we do that. And allow for some fuel mitigation--*(clears throat)* excuse

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me--whether it's grass, or brush abatement, or anything, so that we can preserve the open space as such, as open space. That really is as simple as it is because right now, we have no funding mechanism for the maintenance of the lands that we purchase, and we should be responsible for the maintenance of the lands that we purchase. Did you have anything?

COUNCILMEMBER KAMA: I...I...I just had a thought about not just abandoned cars, but abandoned refrigerators, abandoned washers --

CHAIR U'U-HODGINS: Yeah.

COUNCILMEMBER KAMA: -- abandoned air conditioners...you know, all those items that normally you would have to take to where it needs to go. And you do see it littering the highways. Now, the cars come from a manufacturer. Refrigerators come from some manufacturer, as do air conditioners. Could we not attach something to these guys to make them responsible, that you can't just manufacture this stuff, sell it, and then that's it. I mean...I mean even the tires that our...the cars...the tires in our cars have to go back someplace, right? So, is there a way to figure out how to make manufacturers of these products responsible for taking them back, or recycling them, or charging them something to get it done? Something...I don't know. That's just my thought.

CHAIR U'U-HODGINS: That's a great...that's a great question. I don't know if that would necessarily be here. And I noticed you mentioned highways, and I want to make it clear that this is just for the open space that we buy. That would be, you know, like the highway beautification. I don't disagree that people need to be responsible, but that also includes the user of the item, and not dumping it on the side of the road. We provide collection services, and typically, sometimes at no cost to the user. So, we should also...responsibility needs to be shared everywhere, including, you're right, the manufacturers as well. Member Sugimura, did you have anything you want to add?

COUNCILMEMBER SUGIMURA: So, I think we have an exceptional EP&S Division, that they could probably educate us with those questions. Because I think every time you buy a tire, you have to pay--I want to say \$50, whatever it is, maybe it's \$5--but for the recycling. So, there's already...already some built-in things. And depending on what it is, now you're talking about State legislation, I think, because it would be Statewide. You know, those...it...it gets to be a broader question, but we might want to ask, you know...

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

COUNCILMEMBER SUGIMURA: Yeah.

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CHAIR U'U-HODGINS: Yeah.

COUNCILMEMBER SUGIMURA: They have...they have all this information on recycling and --

CHAIR U'U-HODGINS: Yeah.

COUNCILMEMBER SUGIMURA: -- you know, what costs where and how to figure it out.

CHAIR U'U-HODGINS: By the way, I did actually talk to EP&S about if we could just partner the nonprofit and have them remove cars, and it's apparently not as simple as that. Because the Highway Beautification Fund covers that part, but not open space. Yeah. I will say, back to your question, I've gotten my cars and tires replaced several times, and I've never done them myself. So, the place that I go to recycles the tires. I think that's a good question for people who replace their own tires, which I'm not that capable. Does any...does anybody else have any? Member Sinenci, I know that this was kind of an issue for one of your nonprofits as well.

COUNCILMEMBER SINENCI: Right. Mahalo, Chair. Exactly, some of the nonprofits that were acquiring open spaces. Now we...we need to do land management of those spaces that the property acquires. So, I mean, it's not just about the nonprofits, they...the nonprofits are now have to become these managers of these vast amounts of acreage. So, hopefully we can also address it in the Conservation Committee. My question for you is, it's...I hear very...two different things. I hear abandoned vehicles, and then specifically, in this bill, it says fire...for fire...disposal of fuel hazards. Does that include cars?

CHAIR U'U-HODGINS: Yeah. So, that's a great question. Originally, I was actually working with Remi on it, and he had written organic fuel hazards which, as you know, is dry grass and brush and whatever. But as we also all know, cars are a fuel hazard as well. So, we removed that word organic because cars are not organic, but it's still a fuel hazard. So, this gives more flexibility, and what people can do for the maintenance of their property to help remove cars and help remove the brush. So, it does allow for some flexibility for cars, like I said, or dry grass, brush.

COUNCILMEMBER SINENCI: Yeah, and I'm...I'm supportive. I'm kind of in agreement with Member Paltin, only because, I mean, fire hazard is...is this huge thing, and I, too, believe that we shouldn't be taking away from the Open Space Fund. However, you know, maybe an option would be if we increase...or add a percentage to the Open Space Fund from RPT so that we could cover

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some of the...that would be one option, but I, too, believe that we should secure the Open Space Fund for...for land acquisition.

CHAIR U‘U-HODGINS: Yeah, that’s a great point. I did have the conversation with Ms. Tarnstrom, where we were discussing like a conversation about caps, right? So, every year, we...we, as a Council, have this discussion. So, we will have the discretion to choose where and what and how much. So, if we don’t need any money for maintenance, okay, fine, and then all of it can be used for the purchase of land. And if we need majority of it for the purchase of land, that’s awesome too. And we can use a small percentage for the maintenance and the funding of the maintenance. But as this relates to open space, if you wanted to have another fund, it would just be for the maintenance of open space. And then that kind of seems a bit redundant. And then we would have all these separate fundings and funding mechanisms, as this is just relating to the maintenance of the open space land that we buy with Open Space Preservation Funds. I thought it was appropriate in there, but it’s up to the body as well. Member Cook, I’m going to call on Member Paltin, then I’m going to have you. Go ahead, Member Paltin. Oh, shucks, you’re muted. Okay.

VICE-CHAIR PALTIN: Thanks.

CHAIR U‘U-HODGINS: You’re welcome.

VICE-CHAIR PALTIN: I...I...I do like the idea of possibly increasing it. I guess...my understanding is, you know, the cars and everything at mile marker 13.5, that was an open space purchase. And back in 2019, I tried to put money towards it, and it...it just got way worse during COVID. I imagine like, you know, if we’re removing the fuel...fuel hazards, that it could take the entirety of the Open Space Fund to clean up mile marker 13.5. And...and I mean, I’ve been wanting that cleaned up since like the beginning of time, I guess. And...and I just am concerned. You know, I think that anything that talks about disposal of fuel hazards, it...I’m hoping it would pass a vote because of what just went happen. And it’s import--that important. What...I guess the question would be, what would happen if we use all the Open Space Funds to remove all the fuel hazards on open space lands, and it’s not enough money? Like I could see a million dollars at 13...mile marker 13.5, I know Hāna has some. And then the other...the other concern I would have just, you know, in...in terms of like worst-case scenario, what if folks start then dumping on open space lands because they know it’s going to get cleaned up, which...I mean, that’s taking it to the extreme. Hopefully nobody does that, but just devil’s advocate. But I guess those are some of my concerns. I think it’s a good idea. I don’t know if we say like 2 percent to the Open Space Fund, 1 is for maintenance, 1 is for fuel hazard removal and first, maintenance second, and 1 percent is for acquisition, or whatever the formula is. But part of my concern is, what if we

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don't have enough money for fuel hazard removal, and what would our liability be in that case? I mean, right now, I feel like we do have a pretty high liability because it's County-owned land. So, we're in the same boat as say, Kamehameha Schools, you know. And that's another one of my biggest fears is, if mile marker 13.5 catches fire, and we know there's thousands of abandoned vehicles and other things in there that would harm our firefighters, are we going to then send them into that toxic stew? And we don't know if people are living in there too. So, I mean, maybe if there's any kind of lawyer advice on liabilities.

CHAIR U'U-HODGINS: Yeah. Ms. Tarnstrom, if you would like to answer that?

MS. TARNSTROM: Thank you, Chair, and Councilmember Paltin. I don't think I could speak too broadly as to potential liabilities, either in open session or even just right now. I just...I don't think I'm prepared to, but...but that can be followed up, especially because it probably relates to ongoing litigation as well. That could be discussed with our Litigation Staff as well. But I'll make a note of it and...and request someone to get back in touch with you.

VICE-CHAIR PALTIN: Okay. That's acceptable.

CHAIR U'U-HODGINS: Thank you. To answer some of your questions though, Member Paltin, I don't disagree. I understand when I was looking at the minutes when this fund was first created, that was a concern as well. But I think what allows us as a Council, or this body rather, some flexibility is, we do get to determine, during Budget, what we'd like to use the money on. And I think during Budget, when I was talking to Ms. Tarnstrom earlier, we can discuss a cap, if necessary. But to your point about mile marker 13.5, there might be years that we might need more monies for maintenance and less for land purchasing, or more for land purchasing and maybe less for maintenance. So, I'm happy to discuss a cap, if this passes. I think Ms. Tarnstrom said it's not necessary to include it in here. This just allows us the ability to have that conversation because right now, it doesn't. And so, we can work out those kinks. It doesn't have to be included in this if we determine necessary. And then we would have the ability to use some of that funding for maintenance because right now, it's...it's not possible.

VICE-CHAIR PALTIN: Yeah, I...I...I'm not sure what...what you intend by a cap, like a cap on monies to purchase land, or a cap on monies to maintain land. My...my recollection like, you know, back in 20...2007 or 2009, when we were pushing for the County purchase of Honolua, at that time, the Council was of the opinion that they would not approve any purchase of open space without a commitment on how to maintain it long-term. And then I think it was the Hamakualoa parcel, where the Council took a different direction, that this land

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was so important that we just needed to grab it while we could...which I don't disagree with, but it...it represented a switch in that the maintenance and upkeep and whatnot had to be thought out before the purchase because of the way that land...open space land goes, that we have to grab it while we can, which I also agree on. I guess my concern is, with a cap on maintenance or fuel hazard reduction, if there is fuel hazard that needs to be reduced, or maintenance that needs to be done, personally, I think that should kind of be our priority over purchasing new lands. Because if we can't maintain safely the lands that we have already purchased, then we shouldn't be purchasing more, and then that would make it that if this great land that comes up once in a lifetime opportunity, we may not be able to purchase it. But we could always appropriate more money into the Open Space Fund if that should happen. Similarly, like how we appropriate more money into the Affordable Housing Fund?

CHAIR U'U-HODGINS: Yeah.

VICE-CHAIR PALTIN: Is that --

CHAIR U'U-HODGINS: So, that...

VICE-CHAIR PALTIN: -- how you're seeing it?

CHAIR U'U-HODGINS: To...to your point, that's the reason why the language of a percentage cap or any sort of monies' caps isn't included, so it allows that flexibility, as I was kind of saying earlier. And I think the Open Space Fund, to your point about the Affordable Housing Fund, is also up to us in that moment. If we wanted to put more monies and allocate more monies in that fund, as we see necessary, we could do so as well. But like I said, this funding...this language just really allows for the maintenance of the Open Space Funds. I actually had a conversation with the Auditor related to this, and he also had the same concerns as you just suggested right now, is that if we're buying lands, and we can't maintain them, our liability definitely increases. And so, we should consider how we're going to maintain these lands. It's a question of concern for him and for me.

VICE-CHAIR PALTIN: Man, I...I can see like all the sides, but I don't want to be the one making the decision. Whoop.

CHAIR U'U-HODGINS: Um-hum. Okay. Thank you. Member Sinenci?

COUNCILMEMBER SINENCI: Chair, I just had a question. Are...are we able to propose like a 2 percent increase to the Open Space Fund, or is that an administrative?

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CHAIR U‘U-HODGINS: I think, Member--or I’m sorry, I just made you a Member--but I don’t know if that has to be included in this language, but...as we discussed earlier, but I’m welcome to.

MS. TARNSTROM: I might defer to Mr. Mitchell on procedure on how that should be approached.

MR. MITCHELL: Thank you, Kristin. Thank you, Chair. My initial reaction was that that wouldn’t be outside the scope...an amendment like that wouldn’t be outside of the scope of discussing the resolution. And then I thought for a split second, it’s a budget issue, so perhaps that’s a different discussion altogether. I don’t know, it’s...it’s a tough one. I think it’s within the...oh, it looks like Kasie’s waving her hand.

CHAIR U‘U-HODGINS: Kasie?

MR. MITCHELL: Kasie, do you have some input?

MS. APO TAKAYAMA: Yeah. Just...the Charter notes that a minimum of 1 percent of RPT has to go into open space, so the Council could always appropriate more. If you wanted that minimum amount to be higher, you could introduce...I agree with Remi, that I think it would be a whole separate --

MR. MITCHELL: Yeah.

MS. APO TAKAYAMA: -- proposal, though.

CHAIR U‘U-HODGINS: Okay. Wait, did that answer your question? We’re good to go?

COUNCILMEMBER SINENCI: Yeah, thank you.

CHAIR U‘U-HODGINS: Okay. Member Johnson then, followed by Member Cook.

COUNCILMEMBER JOHNSON: Thank you, Chair. So, this is basically to increase the usage of the fund. And I think that goes back to my...the idea that we keep going back to, it seems, is that we just don’t have enough money in the Open Space Fund to do...purchasing land and maintaining because some of these very important lands are only for sale for a split second, and then they get sold, right? I’m...I’m remembering *The Maui News* building, for example. But, you know, I’m going to step back because that brought kind of an idea to what the...the...the kind of impetus on Open Space Fund is. If the County buys land, it’s not profit-driven, whereas if other companies come and see, for example, *The Maui News* building or a lot that could be built, you know, homes on, it’s

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profit-driven, what makes them decide to buy that land. Open space is preserving open space, and not profit-driven, you know, and I think that's the very valuable use of the fund. And a very important thing that we need to consider is, as a Council, that we don't have...we're not in this game of purchasing lands to make money off of. In fact, it's more conserving and protecting these lands, these open space lands. So, yes, we should buy open space, and yes, we should maintain them. I think the answer is yes to both. And it comes back to the idea we need a bigger pot of money to do both things. So, by incre...by making this have a new use of the funds, I...I think that's one way to do it, but come next budget season, let's remember that this pot of money does run out, and there are limited spaces that are available for us to buy. So, maybe next budget season, we should really look at increasing these funds. That's my point. Thank you, Chair.

CHAIR U'U-HODGINS: Thank you, Member Johnson. Member Cook?

COUNCILMEMBER COOK: Thank you, Chair. This discussion, I...I...I see it as three components. There's the Open Space Fund for the acquisition of properties. And then there's the...what we're discussing now is the maintenance and the funding for the stewardship of the properties. And then the third aspect of it is the removal of derelict vehicles and things like that, which I see that being part of Environmental Management, which we may need to increase the funding and address that because it's a very specific issue that's already overlapping with something that the Department's already doing. We don't need to reinvent the wheel. The...if we put \$300,000 or whatever to implement this so that we could do the mowing and the...and the fire mitigation aspect of it. But I look at this as basically being a meeting during budget for us to identify and acknowledge the fact that when we do purchase property, there's a certain responsibility to maintain it. My conversations with Public Works, to date, the biggest resistance for the County to...to purchase property is not only the mainten--...not only the liability aspect of it, but the maintenance aspect of it. And that's where I've been told, if you're going to buy open space, who do you have lined up? Who's going to be the...the caretaker and the long-term steward of it? So, I think during budget, we can address the big picture. I think that right now, if we narrow it down to the immediate thing, which is somewhat fire prevention, maintenance...doing due diligence and being responsible so that public property isn't a fire hazard. Public Works can do it in some instances, but I think the open space is sort of a different...different aspect of it. Would this be contra...money used to contract out for someone to come and do it? We would have the opportunity if we had funding --

CHAIR U'U-HODGINS: We would have the opportunity if we had funding.

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COUNCILMEMBER COOK: -- for Public Works and people to be able to do that. If it's done within the County's departments, there wouldn't be any expense. If the State Highways, County Highways, Public Works, those departments can and will do maintenance within their capacity. So, I just look at this as being three things: the acquisition of the property, the stewardship of the property, and the environmental mitigation and management of it. And it seems like we're encompassing all of that. We've...we've identified all of those, and I propose that we simplify it for the sake of this resolution, and address these at the appropriate time. If this is the appropriate time, fine, but I think that we can't...I don't see it as being feasible or practical to manage all of these things today.

CHAIR U'U-HODGINS: Yeah, I don't disagree. There will be a time to hash out whatever details necessary required where the funding goes. To your point about the three things, in my head, two and three are actively combined. The stewardship and the maintenance of includes the removal of derelict vehicles or any refrigerators, ACs, dry brush, right? So, it's kind of one in the same. And yes, you're right. When we have budget season, this just allows us the flexibility to ensure maintenance of the lands that we determined was important to buy and preserve. And without a maintenance plan, or a funding for maintenance, then we could potentially lose exactly what we bought it for, which is open space and preservation. If you take a look at mile marker 13.5, we bought it with Open Space Funds, I think, and it's no longer open space.

COUNCILMEMBER COOK: So, my question --

CHAIR U'U-HODGINS: Um-hum.

COUNCILMEMBER COOK: -- is the intent of this to create...to authorize funding today to do something and maintain this?

CHAIR U'U-HODGINS: No, not necessarily. The intention of this is to use the existing funds in open space and allow some of it to be used for maintenance. So, right now, the open space language that we have in our...in our Charter only allows for the purchasing of, but not the maintenance of, open space.

COUNCILMEMBER COOK: So, we have the authority via this to modify that?

CHAIR U'U-HODGINS: This will allow us the opportunity to use that money for maintenance, yes, and that we can determine what maintenance and how many dollars will be spent during budget season.

COUNCILMEMBER COOK: Thank you.

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CHAIR U'U-HODGINS: Of course, thank you. We have any other questions or discussion required? Go ahead, Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. You mentioned that we could put a cap.

CHAIR U'U-HODGINS: If necessary, and I think that doesn't have to be in...in this language, though.

COUNCILMEMBER SINENCI: Oh, okay. All right.

CHAIR U'U-HODGINS: Yeah.

COUNCILMEMBER SINENCI: Thank you.

CHAIR U'U-HODGINS: Yeah, no worries. Member Paltin?

VICE-CHAIR PALTIN: Couple issues, I guess. I...I don't know if I'm supportive of the Open Space Fund because it doesn't address all the County's lands. You know, if we're going to be addressing maintenance of County lands and reduction of fuel load of County lands, I think that's absolutely needed, and we should do it. Doing it this way, it only addresses lands that were purchased with the Open Space Fund, and...and there's more lands, and I think they all should be maintained, and they all should be reduced of fuel hazard. And I feel as though that that should be an annual appropriation and kuleana. So...so, that's just, I guess, discussion.

CHAIR U'U-HODGINS: Okay.

VICE-CHAIR PALTIN: The question part is, like if this were to pass, I don't know how that mile marker 13.5 is. I'm assuming it was Open Space Funds. I think it was back in the '80s or something. It was way before our time, or--well, maybe if Chair Lee was here, I don't know, maybe she might know--but I don't...I don't remember the specifics, if it was part of the Pali to Puamana Parkway or what. But...and I don't know if that's when the...the Council changed direction, that there needs to be a maintenance plan before open space purchases, but Hamakualoa does have a group that's dedicated, and they --

CHAIR U'U-HODGINS: Yeah.

VICE-CHAIR PALTIN: -- they do these cleanups.

CHAIR U'U-HODGINS: Yeah.

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VICE-CHAIR PALTIN: That parcel of land doesn't necessarily. And then there's other lands, whether they're EO'd or whatever they...however the County got in...in control of the lands that don't have anyone. So, would...would it be...like, I think DEM is working right now on pulling cars out of mile marker 13.5. So, if this were to get on the ballot and pass, would money from this fund go to DEM for the removal of things from 13.5, or would it go to anybody, like Mālama Hamakualoa, or would it go to an independent contractor that the County or any organization hires, or all of the above? Just...just wondering.

CHAIR U'U-HODGINS: That's a good question. I think we can prob--...again, if this passes, then we would have the flexibility to allow that in...talk about that in budget. I will say to your earlier point about the lands that we own Countywide, and our responsibility of. I do know that obviously Parks take care of parks, and Public Works take care of all the roads and infrastructure, but I do know that the lands purchased in open space is kind of in a gray area, and so we're buying property. If they don't have a stewardship program, then they kind of sit vacant, and that's when things get...

VICE-CHAIR PALTIN: So, my understanding is 13.5 and Cut Mountain is under the stewardship of Parks, but they're not actively maintaining it. I'm not sure if it was bought with the Open Space Fund and turned over to Parks --

CHAIR U'U-HODGINS: Okay.

VICE-CHAIR PALTIN: -- but there's...they were trying to...I had heard that they were trying to turn that land that the State EO'd to the County by Kai Hele Ku, where the plumeria farmers are staying illegally or whatever into a homeless encampment with John Mizuno, so that they wouldn't have to be responsible for it. But Parks is responsible for 13...oh, have that with their inventory, 13.5, and all that EO'd land down to the triangle section, I believe, at the southern terminus of the bypass, but they don't maintain it. So, just another twist to the --

CHAIR U'U-HODGINS: Thank you for that.

VICE-CHAIR PALTIN: -- narrative, I guess.

CHAIR U'U-HODGINS: Okay. Member Johnson, then Member Sugimura. Thank you, Member Paltin.

COUNCILMEMBER JOHNSON: Well, Councilmember Sugimura can go before I, she hasn't spoke.

CHAIR U'U-HODGINS: Thank you, Member Johnson. Member Sugimura?

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COUNCILMEMBER SUGIMURA: I guess I'm listening to all of this go on, and I understand the intent, and really, a long time ago when Jaws was purchased, that area by the County, and I remember reading...Mayor Arakawa was telling Elle Cochran and Don Guzman, okay, we buy this land, open space, who's going to take care of it? Who's going to maintain it, right? And years have gone by, and now you have Ha'ikū Community Association given, I think--is it \$40,000?--so they have a staff person hired, and it's evolved, you know? So, what we're talking about is a responsibility for open space, and then we're also mixing in now the cleanup, right, of Cut Mountain or whatever, you know, that Member Paltin has been talking about for as...for as long as she's been in office, her concern about that, you know, area. I think a deeper discussion maybe has to happen because it's all important, but I don't know if it can get on the Charter, or somehow if this can be separated out so that we're not...we don't pass a Charter Amendment, and now we've opened up a whole can of worms that we weren't ready for because there's a lot of land that needs to be cared for all over.

CHAIR U'U-HODGINS: Yeah. I mean, I...we brought up mile marker 3...13.5 if it was bought --

COUNCILMEMBER SUGIMURA: Oh, okay.

CHAIR U'U-HODGINS: -- with open space. I'm...I'm not too sure if it was. But I do know that what happened there is what can happen if we don't have a maintenance plan, if we don't have the ability to maintain the land, and if we cannot fund it.

COUNCILMEMBER SUGIMURA: Yeah.

CHAIR U'U-HODGINS: I'm hesitant, when we talk about land--and as you know, like when you buy a car, you have to assume how much insurance you're going to need on this car, how much gas is going to cost, and how much maintenance is going to cost, and all of that should be factored...factored into the cost of the car. No different than when you buy a house, right? You have to figure out how much your electric is going to cost, your water is going to cost, your trash disposal is going to cost, your insurance is going to cost. All of that should always be included into the price of the home because all of those are required for the continuation to live in your home. When we have this Open Space Fund, and we didn't consider maintenance, we're now adding to our liabilities if we cannot maintain the land that we now own. And that's my concern, is that we're not taking into account how much the maintenance of the land that we bought, that we advocated to buy, and then we don't have a plan going forward. And it allows --

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COUNCILMEMBER SUGIMURA: Problems.

CHAIR U'U-HODGINS: -- I think, liability on our end, and we should be aware of that, and we should factor in how much that costs. If not, we should probably factor in how much the liability is going to cost us if something was to happen because we didn't maintain the land that we bought.

COUNCILMEMBER SUGIMURA: Yeah.

CHAIR U'U-HODGINS: Member Johnson, followed by Member Kama.

COUNCILMEMBER JOHNSON: Thank you, Chair. I...you know, this is a pretty interesting discussion here. It's...it's not so clean cut. I'm curious, now, we have...to put this on the Charter, we have a deadline. If we create a fund, a specific fund in our budget, is there a deadline for that?

CHAIR U'U-HODGINS: Do we have a deadline? Oh, I guess that's going back to what we were talking to about the Ethics Commission.

VICE-CHAIR PALTIN: Tomorrow's the deadline, second reading.

CHAIR U'U-HODGINS: Do we have a deadline? If you wanted to...did you want to do that?

COUNCILMEMBER JOHNSON: Okay. So, I think my first reaction, this is a good discussion, let's defer this item so we can speak to EP&S and see what their stance is, to see if we can do a maintenance of County lands fund. And...but then again, my question is, I...I...that's kind...deferring would be good because we can hash that out, but if we have a deadline, and if we can't do, you know, the Charter deadline, as well as if this...if we were to create a fund as a deadline, like what Councilmember Paltin was saying, is tomorrow --

CHAIR U'U-HODGINS: I hear you.

COUNCILMEMBER JOHNSON: -- no can, so...

CHAIR U'U-HODGINS: Okay. I will say that...I mean, I'm happy to talk to EP&S. I don't know if we have the time, but this doesn't...that's only a County entity that we can also help fund, but this also would give us the flexibility to help fund the people who run the nonprofits on the land. So, more than just EP&S, but I...but I hear you. We can...we can figure that out. You want to answer that now? No, yes, maybe so?

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MS. APO TAKAYAMA: So, what I was telling Councilmember Sinenci earlier is that if the body wanted to consider something, you could post another resolution. You know, this obviously isn't usually what the Council prefers, but a resolution for floor action, first reading concurrent with the CRs that will come out of today's meeting on June 21st. And I'm not sure if you...if there's a Committee maybe that could take it up, you know, as a...potentially a 7(B) or something prior. We don't have a June 18th GREAT Committee meeting.

CHAIR U'U-HODGINS: Okay.

MS. APO TAKAYAMA: But yeah, you could look at an option like that. I think what Councilmember Paltin was referring to was putting a fund in Appendix A, Part II of the Budget by second reading. I think that's what she was referring to by that tomorrow deadline.

CHAIR U'U-HODGINS: Oh, oh, oh.

MS. APO TAKAYAMA: But otherwise, yeah, you could get something on the next Council agenda. And as I said, we have technically one meeting of leeway, if needed.

CHAIR U'U-HODGINS: Okay. Member Paltin, followed by Member Sugimura. You're muted still. Thank you.

VICE-CHAIR PALTIN: Sorry, I pressed the lower hand button instead of the unmute button. Thank you so much for bringing up this item. I think it's long overdue, actually. And I...I would prefer to defer this because the way that I feel is, this is a huge topic, and super timely, and I feel like we don't have all the people at the table. My very first budget, 2019, I put \$500,000 for the cleanup of mile marker 13.5. And as we can see, it never got done, COVID and whatnot. But...but just the cleanup, the maintenance, the reduction of fuel loads on all County lands--whether they're under EP&S, Public Works, Parks, whomever--I think is a super huge important topic that we can't put off any longer, regardless of where the money comes from. We have money, and...and we can...we can give it to nonprofits. we can contract out, we can pay our own departments. But I...I think that we need to involve, especially the Administration, and possibly also our nonprofit partners. Because even us putting money in the fund, unless we say like, you know, we're appropriating 40,000 from the Open Space Fund specifically to Mālama Hamakualoa or Ke Ao Hāli'i, other than that, it doesn't necessarily do anything to get our lands cleaned up. Like I put \$500,000 in 2019, and it's worse than it was in 2019, you know. So, I think that this is something that we need to discuss comprehensively with the Administration, as well as our nonprofit partners in the land. And...and maybe not altogether, maybe the Administration first.

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Because from what I see, Mālama Hamakualoa, as well as Ke Ao Hāli'i, we bought the land out in Honokōhau for Na Mamo Aloha 'Āina o Honokōhau. And those kinds of relationships, I think, are great because, you know, they just need the funding. They're putting in the sweat equity. And I...I really appreciate that. I think it's a great partnership. But these lands that were possibly purchased long ago that we don't have good recollection of, or if they were executive ordered, or however it is that the County came to own them, that...they're all a huge liability, you know, and...and it needs to be addressed. Whether we say you can use Open Space Funds or not, it's still likely General Fund money, one way or the other. And I...I don't want to cap it. I don't want to work within the Open Space Fund limit. I want it to just be taken cared [sic] of. And...and what the cost is to reduce that fuel hazard, to maintain the land, I feel like it needs to be done. And it's not something that we can legislate. It's something that we really need to collaborate with the Administration and our nonprofit partners. So, my preference would be to defer for now, and maybe bring it up at a...at a later date if it's within the time to put it on the ballot. That's cool, but I think it's such an important discussion that...and...and thank you for bringing it to the forefront, but not all the players are here. The...the Administration needs to be a part of this conversation, and I...I...I don't feel comfortable moving forward without that component.

CHAIR U'U-HODGINS: I hear you. I will say, I'm...I'm...I strongly agree that we need to maintain our properties, including the open...oh, I'm sorry, Open Space Funded purchases. I'm less married to how we do it. My concern is our liability and the safety of our community. And if we're going to use Open Space Funds, it's the preservation of the open space land. So, I'm happy to defer this, so long as we acknowledge that when we buy lands without a maintenance plan, regardless of what funding we use, we should always be mindful of the maintenance going forward, and the liability that it causes if we do not have a maintenance plan. So, again, less married to how it happens, just so that it happens. Thank you, Member Paltin. Member Sugimura?

COUNCILMEMBER SUGIMURA: I think you addressed my question, but I was --

CHAIR U'U-HODGINS: Okay.

COUNCILMEMBER SUGIMURA: -- going to tell you that I do have a BFED meeting on the 18th, but it's...I'm going to talk about the Johnson Control --

CHAIR U'U-HODGINS: Oh.

COUNCILMEMBER SUGIMURA: -- contract --

CHAIR U'U-HODGINS: Yeah.

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COUNCILMEMBER SUGIMURA: -- which is what I had planned to do. But it sounds like we're going to talk about it later.

CHAIR U'U-HODGINS: Yeah, I'm happy to talk about this later. When we do, I will say, I think the important person to have too, is the County Auditor. His insight was invaluable when we were talking about the maintenance and the liability. So, if we have any other discussion, I'm happy to entertain it. If not, we can defer it and be pau.

COUNCILMEMBER SUGIMURA: Defer. Defer.

CHAIR U'U-HODGINS: Member Paltin?

VICE-CHAIR PALTIN: I just was wondering for next steps, if Corp. Counsel or our Staff has any recommendation, which Committee it would be best housed in to talk about the maintenance of County lands and our liability as well. If it...if this is the Committee, I mean, I'm cool with it. I just...I just wanted to not let it fall by the wayside, and...and have a next steps action plan.

CHAIR U'U-HODGINS: For sure.

VICE-CHAIR PALTIN: If it was me, I just wanted to know if it was me.

CHAIR U'U-HODGINS: I don't know if that's Corp. Counsel, if that's Remi in OCS, that determines what goes where, along with us. But I know I'm leaving on the 14th to come back on the 20-something. So, I'll be out on the 18th, which is why that space is available. But if Remi would like to answer, and I'm happy to have this wherever it makes sense.

MR. MITCHELL: So, typically, that's a discussion between the Director and Chair Lee about where to route proposals. So, I would sort of leave that in their hands. I'm sure they take recommendations on who would like to consider it, but I...I would --

CHAIR U'U-HODGINS: Okay.

MR. MITCHELL: -- leave that in their hands. I'd defer to them.

CHAIR U'U-HODGINS: Okay. We can follow up with you, Member Paltin, on where this goes.

MS. APO TAKAYAMA: If I can add too, I think it depends on what the legislation itself does. Because I think some Committees have specific departments under their

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jurisdiction that, you know, may help with the conversation. Some Committees have items already in them. So, like, for example, you know, Charter Amendments fall under GREAT, but that's not to say that, you know...or like, for example, we have director appointments, right? And then the East Maui Water Authority falls under WASSP. So, the director appointment for that could technically fall under either. I think it just really depends on...and, you know, ultimately up to the body, when something gets referred at a Council meeting, where you all decide to send it. But yeah, if you're looking at a wildfire-related issue, I think that could technically fall under many of the Committees. You know, it just depends what section of the Code you're amending, or Charter, or whatever that is.

VICE-CHAIR PALTIN: I guess, Chair --

CHAIR U'U-HODGINS: Yeah.

VICE-CHAIR PALTIN: -- for...for me, I'm...I'm envisioning that we'll need folks...like in the conversation before legislation begins, folks from Management, DEM, Parks, probably Public Works, maybe even OED or something. And so, I guess that's what it was, maybe before it even comes to Committee, or maybe we have a discussion in Committee on a 7(B) presentation, and that will help us craft the legislation, or...or future Charter Amendment, or what have you. But I think, to me, it would start with getting the players at the table. I think Parks is pretty key for those West Side properties that they have under their jurisdiction, Management for the coordination of multiple departments, DEM because EP&S is already working on it, Public Works, you know, and then Finance, has Guy Hironaka, who is kind of like the de facto land manager. And I guess, you know, this is part of the problem, that we funded a land manager for five years, and nobody's actually done that work. So, it's...it's five years, at least, beyond due, or something.

CHAIR U'U-HODGINS: Okay. Well, if it's going to require a Charter Amendment, then it'll be here...in this Committee, rather, and if anything kind of overlaps and could go into two Committees, it could always fall into here. So, we can continue to have this discussion in my Committee, if that's okay with everybody, and I'm happy to work with you and who you think might be best, and anybody else, open to all the suggestions, then we can make it make sense. Yeah? Okay. So, we're going to defer this item?

COUNCILMEMBERS VOICED NO OBJECTIONS. (Excused AL, KRF)

ACTION: DEFER, pending further discussion.

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CHAIR U'U-HODGINS: Sounds good. Thank you. Okay. Well, this concludes the Government Relations, Ethics, and Transparency Committee meeting. Thank you very much, Members. It is now 3:55, and this meeting is adjourned. . . .(gavel). . .

ADJOURN: 3:55 p.m.

APPROVED BY:



NOHELANI U'U-HODGINS, Chair
Government Relations, Ethics, and
Transparency Committee

great:min:240604:ds

Transcribed by: Daniel Schoenbeck

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CERTIFICATION

I, Daniel Schoenbeck, hereby certify that pages 1 through 119 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 26th day of July 2024, in Wailuku, Hawai'i



Daniel Schoenbeck