

GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE

Council of the County of Maui

M I N U T E S

Online via BlueJeans Link

December 1, 2020

CONVENE: 9:01 a.m.

PRESENT: Councilmember Michael J. Molina, Chair
Councilmember Keani N.W. Rawlins-Fernandez, Vice-Chair
Councilmember Riki Hokama
Councilmember Tasha Kama
Councilmember Kelly T. King
Councilmember Alice L. Lee
Councilmember Tamara Paltin (left at 11:41 a.m.)
Councilmember Shane M. Sinenci
Councilmember Yuki Lei K. Sugimura

STAFF: Shelly Espeleta, Legislative Analyst
James Forrest, Legislative Attorney
Kasie Apo Takayama, Legislative Analyst
Wilton Leauanae, Legislative Analyst
Pauline Martins, Committee Secretary
Jean Pokipala, Council Services Assistant Clerk

Karen Kamakaokalani, Executive Assistant to Councilmember Hokama
Laura McDowell, Executive Assistant to Councilmember Molina
Kate Griffiths, Executive Assistant to Councilmember King
Davideane Sickels, Executive Assistant to Councilmember Kama
Lois Whitney, Executive Assistant to Councilmember Kama
Trinette Furtado, Executive Assistant to Councilmember Rawlins-Fernandez
Sarah Pajimola, Executive Assistant to Councilmember Rawlins-Fernandez

ADMIN.: Gary Murai, Deputy Corporation Counsel, Department of the Corporation Counsel
Moana M. Lutey, Corporation Counsel, Department of the Corporation Counsel
Richelle Thomson, First Deputy Corporation Counsel, Department of the Corporation Counsel
Stephanie Chen, Deputy Corporation Counsel, Department of the Corporation Counsel
Caleb Rowe, Deputy Corporation Counsel, Department of the Corporation Counsel

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Ipo Mossman, Executive Assistant, Office of the Mayor
Layne Silva, Director, Department of Liquor Control
Victor Ramos, Assistant Chief, Department of Police
John Jakubczak, Assistant Chief, Department of Police
Brandon Phillips, Sergeant, Juvenile Crime Prevention Division,
Department of Police
Jonathan Honda, Officer, Juvenile Crime Prevention Division,
Department of Police
Shayne Agawa, Deputy Director, Department of Environmental
Management
Brandon Segal, Deputy Prosecuting Attorney, Department of the
Prosecuting Attorney

OTHERS: Jo-Ann Inamasu
Kapua Chang
Junya Nakoa
Faith Chase
Kai Nishiki
Shay Manlapo
Beverly Stanich
Leil Koch
Emmett Rodrigues
Rick Collins, Project Director, Hawaii Public Health Institute, Maui
Coalition for Drug-Free Youth
Andrea Snow, Community Coalition Coordinator, Hawaii Public
Health Institute, Maui Coalition for Drug-Free Youth
Ashlee Klemperer, Community Coalition Coordinator, Hawaii Public
Health Institute, Maui Coalition for Drug-Free Youth
Plus (5) other people

PRESS: *Akaku Maui Community Television, Inc.*

CHAIR MOLINA: . . . *(gavel)* . . . The GET Committee meeting for Tuesday, December 1, 2020 is now in session. I'm Mike Molina, Chair of the Committee. And welcome to all. And my goodness, it's the first meeting of December, last month of 2020. It's been certainly quite a year. Let's find out who's joining us for our meeting this morning. I see Chairman Alice Lee. Good morning.

COUNCILMEMBER LEE: Mr. Chair, selamat pagi, and that means good morning in Malaysian.

CHAIR MOLINA: Good morning to you. Selamat pagi. Sounds good to me. And let's go out to East Maui and check in on Mr. Sinenci. Good morning.

COUNCILMEMBER SINENCI: Aloha kakahiaka, Chair. Mai Maui Hikina and selamat pagi kākou.

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CHAIR MOLINA: Selamat pagi kākou. Boy, I tell you, you guys are the most creative Councilmembers I've ever worked with when it comes to these types of greetings. And let's go out to South Maui and check in on Councilmember King. Good morning.

COUNCILMEMBER KING: Selamat pagi, everyone. And aloha kakahiaka.

CHAIR MOLINA: Hi, back at you, Councilmember King. Let's go out to Napili and check in on Member Paltin. Good morning.

COUNCILMEMBER PALTIN: Aloha kakahiaka, kākou. And selamat pagi to you all.

CHAIR MOLINA: Selamat pagi back to you. And aloha kākou. And let's see how the neighborhood is doing in Central Maui. Good morning, Councilmember Kama.

COUNCILMEMBER KAMA: Aloha kakahiaka, Chair. It's a beautiful day in the neighborhood of Kahului, and selamat pagi to you also.

CHAIR MOLINA: Awesome. Awesome. And I believe my Committee Vice-Chair, Member Rawlins-Fernandez, she'll be checking in with us. She's a little bit under the weather, but she's a real trooper. She's still going to participate nonetheless. And I believe Member Hokama and...will be coming in shortly. And I see Member Sugimura from Upcountry. Good morning.

COUNCILMEMBER SUGIMURA: Good morning here at the County Building, looking at the Ka'ahumanu Church.

CHAIR MOLINA: Wow, beautiful. You've got a nice backdrop too. All righty, excellent. All righty, Members. We've got quite the agenda today, but we'll get to that a little bit later. Joining us for our proceedings today from Corporation Counsel, we have Stephanie Chen, Caleb Rowe, and Corporation Counsel Moana Lutey, and Mr. Gary Murai. And from the Police Department, we have Sergeant Brandon Phillips, Officer Jonathan Honda, and Assistant Chief John Jacubczak. John, I hope I pronounced that correctly, Chief. But we'll get to that later. And we'll also have from the Prosecuting...Prosecutor's Office, Acting Prosecuting Attorney Robert Rivera. And we also have Liquor Director, Mr. Layne Silva. And, of course, we have Mr. Mossman from the Mayor's Office, who will be joining us shortly. And also, from the Department of Environmental Management, Shayne Agawa. And we also have outside resource personnel for our Social Host Bill, which is GET-60, Mr. Rick Collins, Andrea Snow, and Ashlee Chapman. And last but not least, our very hardworking Committee Staff, Pauline Martins, Committee Secretary; Jean Pokipala, Support Staff; Shelly Espeleta, Casey Apo Takayama, Legislative Analysts; and of course, Wilton Leauana. And thank you, I saw the pronunciation spelled out specifically for me because I keep messing up your last name, Wilton, but thank you for being part of the team. And of course, James Forest, Legislative Attorney, joining us. So as I stated earlier, Members, we've got seven agenda items. I...it's highly unlikely we're going to complete our business today, so as you know, the Chair has set aside a recess date for next week, December 9th. But before we do start our business, we're going to take up public testimony. Anyone wanting to

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provide testimony...video testimony should join the online meeting via the BlueJeans link, which is 551273481. If you'd like to give audio testimony, you can participate by phone by dialing 1-408-915-6290, and then entering the meeting code which I just mentioned. And written testimony, of course, is highly encouraged using the eComment link listed for today's agenda on mauicounty.us/agendas. And instructions on how to submit testimony via eComment can also be found at that same site. Oral testimony will be limited to three minutes per item. And if you are still testifying beyond that time, I will kindly ask you to complete your testimony. And when testifying, please state your first and last name. And if you are testifying on behalf of an organization or if you are a paid lobbyist, please inform the Committee of that, okay? And once you're done testifying, you'll be asked to disconnect from the call. However, you are welcome to continue to view the remainder of the meeting on *Akakū* Channel 53 or on mauicounty.us. And testifiers, please be aware that Committee Members may have questions to clarify your testimony as well. So please be mindful of that. And please don't use the chat for any types of inappropriate discussion. We'd really appreciate that. And let's see, what else. Let me make sure I cover everything here. Please be aware we, on occasion, we do run into some technical difficulties, so please be patient with us at this time. So nonetheless, let's go ahead and start. Ms. Espeleta, can you announce our first testifier?

MS. ESPELETA: Yes, Mr. Chair. Your first testifier is Jo-Ann Inamasu, testifying on GET-2(47). Followed by Kapua Chang for GET-60.

CHAIR MOLINA: Good morning, Ms. Inamasu.

. . . BEGIN PUBLIC TESTIMONY . . .

MS. INAMASU: Good morning, everybody. Welcome --

COUNCILMEMBER SUGIMURA: Hi.

MS. INAMASU: --and aloha, Chair and Members. It's nice to be here this morning. I am Jo-Ann Inamasu. I am testifying this morning as a private citizen on Item number GET-2(47). I'm here this morning in support of the nomination of Emmett Rodrigues to the Police Commission. I have known Emmett for over ten years, both professionally and personally. In my previous years with the County, I had the opportunity to work with Emmett on different projects in his capacity as Deputy Sheriff. He has always maintained his professionalism, and was courteous and friendly to everyone he encountered. When I became Governor Abercrombie's Maui Liaison, the working relationship continued, as our office worked closely with the Sheriff's Division. Emmett was selected as one of two Maui Deputy Sheriffs that was selected to on take [sic] special training to support and protect Lieutenant Governor...former Lieutenant Governor Shan Tsutsui while he is here within the County. Shan speaks very highly of Emmett and his ability to execute his job. Part of protecting the Lieutenant Governor is also protecting and ensuring the safety of Lieutenant Governor's family, and Emmett took this responsibility very seriously, just as he should. Over the past nine years, I've had the

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pleasure of coordinating the Kurt Suzuki All-Pono Baseball Clinic that hosted 150 youth from throughout the County. As you know, with 150 youth from parents and friends and family as spectators and supporters, which is a wonderful thing by all means, and Emmett has been one of the volunteers over these past nine years supporting not only doing crowd control, but honoring and helping the coaches, and everything else that you could ask him for. Emmett comes with a very strong work ethic. He's knowledgeable, he's compassionate, trustworthy, professional, reasonable, and very understanding; all great assets to have as a Police Commissioner. I would like to ask your favorable consideration of Emmett Rodrigues for the Police Commission. Thank you for the opportunity to offer testimony in support of Emmett. If you have any questions, I'm more than happy to help you with that.

CHAIR MOLINA: Okay. Thank you very much for your testimony, Ms. Inamasu. Before I open up the floor for any questions from the Members, Chair would like to recognize first Mr. Hokama, Councilmember from Lānaʻi. Good morning.

COUNCILMEMBER HOKAMA: Good morning, Chairman. Thank you.

CHAIR MOLINA: Good morning, Mr. Hokama. And also, our Committee Vice-Chair, Ms. Rawlins-Fernandez. Good morning.

VICE-CHAIR RAWLINS-FERNANDEZ: Aloha kakahiaka, Chair. Mai Molokai nui ahina.

CHAIR MOLINA: Okay, aloha kakahiaka to you too. Okay, Members, do you have any need to clarify Ms. Inamasu's testimony? Okay, seeing none, we'll move on to our next testifier. Thank you for your testimony, Ms. Inamasu. Okay, Ms. Espeleta, please proceed.

MS. ESPELETA: Mr. Chair, your next testifier is Kapua Chang for GET-60, followed by an individual signed in as Anonymous.

CHAIR MOLINA: Okay, all right. Good morning, Ms. Chang.

MS. CHANG: Aloha, good morning. Can you hear me okay?

CHAIR MOLINA: Coming in fine.

MS. CHANG: Awesome. Good morning, Committee Chair and Councilmembers. My name is Kapua Chang, Chair of the Maui Coalition for Drug-Free Youth. And I'm also a parent and a resident of Pukalani. It is really cold this morning, so excuse my voice if it's a little shaky. On behalf of the Maui Coalition for Drug-Free Youth, we just wanted to thank the members of Corporation Counsel and the Prosecuting Attorney's Office for their hard work on clarifying and strengthening the language of GET-60, the Social Host Liability Regulation. The Coalition believes the ordinance is stronger than ever, and the language has been clarified to make it easier to enforce, and better targets the problem of underage drinking at house parties. We are grateful to those who have dedicated time and energy to GET-60, and thank you, Councilmembers, for prioritizing such an

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important issue. The Social Host Liability Regulation is a necessary step for Maui County to protect our youth and support our families. So again, mahalo nui, and we really, really appreciate you folks. Aloha.

CHAIR MOLINA: Okay. Mahalo for your testimony, Ms. Chang. Committee Members, any need to clarify Ms. Chang's testimony? Seeing none. Thank you for your testimony. Okay, Ms. Espeleta, please proceed.

MS. ESPELETA: Mr. Chair, your next testifier is an individual signed in under the name Anonymous, followed by Junya Nakoa.

CHAIR MOLINA: Okay, good morning, anonymous testifier. Please state your full name. Mr. or Ms. Anonymous, if you're there, this is your opportunity to testify, but please state your full name for the record.

MS. ESPELETA: Mr. Chair, the individual has been unmuted.

CHAIR MOLINA: Okay. You have been unmuted so please speak while you can. Okay, tell you what. Let's come back to the anonymous testifier at a later point. Let's move on to our next testifier, Ms. Espeleta.

MS. ESPELETA: Junya Nakoa, followed by Karen Kamakaokalani.

CHAIR MOLINA: Aloha, Mr. Nakoa. Good morning.

MR. NAKOA: Morning, morning, morning. My bad. I was just going listen to the stuff about the social one, yeah? But I just like say something. What you call? Us guys, we make big parties, yeah. We make some huge parties where sometimes we don't know who coming and going, you know, and like that. So this whole...the hosting thing, I support 'em. If the buggas stay at my house, it's my fault. But if I'm doing 'em at the Civic Center, or someplace else, and then somebody come and I don't know, it's going to be hard for me control that because us guys, when we make big parties, we get plenty for do, you know? We got to cook, we got to organize, we got to...you know, we get all kind, I get all kind people who do certain stuff. So, I sorry, what if somebody come all jack up and then that's my fault. I just saying, try look at 'em more better so the thing is no get, like, us guys who trying to help out people make good parties like that, we get busted for their screw up, you know what I mean? But if it is at my house, I should get busted, you know what I mean? But if it's, yeah, I sorry, I wasn't planning on talking but, yeah. Please try to look into it more better so the thing no get us guys all busted for making somebody's graduation awesome, somebody's baby luau awesome, and then some dummy come over there screw 'em up for us, you know what I mean? Us guys, we kokua plenty. We go Lahaina and if people like party, we going help 'em out. But we no like get busted, yeah? But if they come my house, my fault. That's all I get for say. Sorry, my bad. Mahalo, you guys, for your time.

CHAIR MOLINA: No, mahalo for your testimony, Mr. Nakoa. Members, any need to clarify Mr. Nakoa's testimony? Seeing none. Thank you for the testimony, Junya.

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MR. NAKOA: Mahalo.

CHAIR MOLINA: Okay, Ms. Espeleta, please continue with our next...let's go back to our anonymous testifier. Anonymous testifier, if you're there, you have an opportunity right now to speak. Please state your full name for the record. Okay, I guess it could be they're having technical difficulties. All right. We have to move on to our next testifiers. So please continue, Ms. Espeleta.

MS. ESPELETA: Mr. Chair, your last two testifiers are Faith Chase, followed by Kai Nishiki.

CHAIR MOLINA: Good morning, Ms. Chase.

MS. CHASE: Aloha, Chair. Good morning, Council. I do not have a prepared testimony, but I was wondering...I've been acquainting myself with eComment, and it's a little fractured in the way you need to divide up items. And I understand the discretionary referrals are just one block item. And I was wondering if I might have permission...I like the process, don't get me wrong. I'm familiarizing myself with it, and I'll get a little bit more fluid with it, but if I may have permission today to submit my testimony in writing to the email address like you have throughout these years because it's difficult for me to break it up. So I just wanted to say that. I'd like to speak on the discretionary...the GET-19, I'm really glad to see that this is...it looks like maybe how you say a dual referral of Committees. with Tamara and Councilmember Kama, the Bank of America's commitment to provide mortgages for Native Hawaiians and Hawaiian Homelands. I'm glad to see so many different communications regarding this. Thank you for pushing this over to the 2021 Council Calendar. I wanted to make comment on the Communication 20-355. I know I've promised this body that I would provide more information about the work that I've done, that I kind of giggled a couple weeks ago about how nobody ever asks me what my job is. That information has been going through editors and other administrators, through proofing, but we're close to having all our correspondence and press releases done. And this specific item is actually directly related to some of the work that I do. And I just want to say that it...we...Hawaiian Nationals are already protected as prisoners of war. And so while...in a strange way I'm glad to see that Hawaiian Nationals is even on any County agenda, I just need to make that statement clear. So perhaps as this hits the Committee, maybe it can be morphed into something where...to read something different than it does now. Because we are already a protected peoples. I just wanted to say that. In relation to the appointments to the Commission on Healing Solutions for Homelessness, GET-63, I would note this in my written testimony, and I've left a message for my district representative that while this is not been my area of expertise or interest, a lot of you know that I've focused on trash or water concerns. Since the COVID alarm, helping volunteers and grassroots organizations, I have a new concern. And quite frankly, after...I'm interested in this area of our community. Quite frankly, there is no...I have zero ability to turn the cheek, my cheek, to...I can't ignore what's in front of me. The things that I've learned since COVID started around the homelessness have just got me aghast. You know, I'm so puhiwa. So if there is an opportunity to consider being a Commissioner on this Commission, please, I would like to be it on public record that

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I'm putting my name forward, and I would like to know the application process as soon as it is complete. Thank you so much for your time today.

CHAIR MOLINA: Thank you very much for your testimony, Ms. Chase. Members, need to clarify Ms. Chase's testimony? Councilmember King?

COUNCILMEMBER KING: Thank you, Chair. Aloha, Faith. Thank you for being here again. So I just wanted to ask you about County Communication 20-355 that you brought up, that speaks to creating Hawaiian Nationality. As you said, that's already been created. So do you think it's still valuable to have that on as an item and perhaps change the wording to working group to develop recommendations and strategies that focus on Hawaiian Nationality?

MS. CHASE: I would be really pleased to see that language lomilomi, that language be massaged that way, you know. It's...Hawai'i is now and has been for the last 127 years under an unlawful foreign occupation by the United States. We know this. The Federal Government Services Corporation Article 28, Section 3002, line 15. You know, there's a lot of laws that I could rattle off that support this. I think...but I also...I'm kind of torn because, like I said, it's a very rare moment that you get to see Hawaiian National on a County agenda. I've always thought you, this body, to be quite progressive in the scheme of the State as it is now. And so yes, please try to morph the language a bit, and that way I would be very pleased.

COUNCILMEMBER KING: Okay, thank you. Aloha.

CHAIR MOLINA: Thank you, Councilmember King. Members, any other request to clarify Ms. Chase's testimony? Seeing none. Mahalo for your testimony, Faith.

MS. CHASE: A hui hou.

CHAIR MOLINA: A hui hou. Okay, Ms. Espeleta, please continue with the testimony.

MS. ESPELETA: Mr. Chair, your last two testifiers are Kai Nishiki, followed by Shay Manlapo.

CHAIR MOLINA: Good morning, Ms. Nishiki.

MS. NISHIKI: Good morning. Testifying on GET-60. Kai Nishiki, testifying on my own behalf. I am a mother of three. I have a 18-year-old, a 20-year-old, and a 21-year-old. My home has always been open to all of my kids' friends, and we usually had many kids staying at our house, sometimes living with us for months at a time. When my two kids were caught drinking a few years back with their friends at a lookout, I was way more upset that one of them was going to be driving home intoxicated than about the consumption of alcohol. My kids went through the POI project, positive outreach intervention, which is a great program, informative and helpful to educate on the dangers of alcohol and drug abuse. However, it really didn't stop the behavior. All that it did was make my kids smarter at avoiding detection. As a parent, I want my kids to learn to drink and smoke responsibly, which means staying where you get intoxicated or having a sober

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driver. I am very concerned about drinking and driving. This bill will encourage intoxication in cars, parks, lookouts, forests, beaches, parks, and then even more intoxicated kids on the road after that. I started off as a very idealistic parent with big plans for my kids. When my kids turned into teens, I definitely needed to adjust my expectation to match the reality that hits you in the face really hard when you realize no matter what you say, kids and teens are going to find a way to do what they want. I would suggest filing this bill or changing it significantly. I don't believe it's an effective way to achieve what I believe is the main...the intent, which is good, to reduce deaths from teen drinking or curb underage drinking. I do believe that this bill is completely unenforceable as a host. Even if you wanted to be the best host of a party, and be considerate, and know that you don't want this to be on some permanent record of yours. And I'm just looking at like if I was to throw a party. You would need to interrogate or drug or alcohol test every single person who is under 21, and ask them where did they come from? They could already be intoxicated before they came to your party, and then you would be held liable. What if someone goes to the store? Do you have to test them? What if another adult who's 25 and comes to the party and shares their beer with a 20-year-old? I'm liable for that? How can you have a party and control the consumption? Do we have to have beer gardens and hire security at a family event? A graduation? A barbecue at your house? To protect yourself and your reputation, it seems like that's what you have to do. I don't think that you can follow everyone at a party around. Do you have to go in the bathroom with them? . . .*(timer sounds)*. . . You have to go with them to their cars? I think this should be focused on instilling personal responsibility and finding other ways to curb underage drinking than to make people responsible for parties in their homes or at a community center. It's really onerous. Thank you very much.

CHAIR MOLINA: Thank you for your testimony, Ms. Nishiki. Committee Members, any need to clarify Ms. Nishiki's testimony? Seeing none. Mahalo for your testimony, Kai.

MS. NISHIKI: Mahalo.

CHAIR MOLINA: Okay. Ms. Espeleta, please continue with public testimony.

MS. ESPELETA: Mr. Chair, that was your last testifier.

CHAIR MOLINA: Okay. I guess we'll do one last call for the anonymous testifier, if you're listening. Mr. or Ms. Anonymous, if you're out there, please let us know your intentions if you would like to testify. Going once, twice, three times. Okay. Of course, to the anonymous testifier, you have the opportunity to submit written testimony as well, so you have that privilege as well. So being that we're not hearing from you, if there are no objections, Members, the Chair will close public testimony for our agenda items. Any objections?

COUNCILMEMBERS VOICED NO OBJECTIONS

CHAIR MOLINA: Okay. So ordered. Any objections to accepting written testimony as well?

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COUNCILMEMBERS VOICED NO OBJECTIONS

. . . END OF PUBLIC TESTIMONY . . .

CHAIR MOLINA: Very good, Members. So ordered. All right, Members, let's get right down to business. I'm going to make an unusual request. I know we have the Social Host item up first, but we do have some nominees for some of our Boards and Commissions. I would like to ask for your consideration for the Chair to take the agenda out of order to address the Board and Commission nominees first. And then once we're done with that, then we'll spend the rest of the morning, what time we have left for today on the Social Host Bill. And like I said, we have a very big agenda, we've got seven items. And I've asked for your consideration, and I believe all of you said you would be available next week Wednesday, the 9th, to continue the rest of the agenda for this particular meeting, December 1st meeting. So any objections to taking the agenda out of order?

COUNCILMEMBERS VOICED NO OBJECTIONS

CHAIR MOLINA: Okay, very good.

GET-2(50) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES) (CC 19-24)

CHAIR MOLINA: What I'd like to do first is take up GET Item 2(50), which is the nomination to the Commission on Persons with Disabilities. And we have as the nominee from the Mayor, Ms. Beverly Stanich, to the County...Maui County Commission on Persons with Disabilities for a term expiring March 31, 2025 to fill a vacancy due to the resignation of former Councilmember Robert Carroll. And I believe we have Mr. Mossman. Good morning, Mr. Mossman. If you could give us a brief overview of the nominee, and then we'll recognize Ms. Stanich to provide us a quick summary of why she's interested in serving on this Commission. Mr. Mossman, good morning.

MR. MOSSMAN: Good morning, Chair Mike Molina and Councilmembers. I'd like to relate Mayor Victorino is very pleased in the nomination of Ms. Beverly Stanich to the Maui County Commission of Persons with Disability. Her...Beverly is a graduate of Kamehameha School Kapalama, has retired...is a retired, or has retired as a principal of Wailuku Elementary School, a BA in Special Education, along with being a resident of Maui for over 40 years. We look forward to her joining us here, and we...I'd like to really introduce her because she brings a lot to the table. So, Beverly. Thank you.

CHAIR MOLINA: All right. Thank you, Mr. Mossman. Good morning, Ms. Stanich.

MS. STANICH: Hi. Good morning. Good morning, everyone. Good morning, Chairperson Molina and Councilmembers. I am really honored to be considered to fill the role held by former Commission Member and Councilmember from Hāna, Mr. Bob Carroll, for the Commission on Persons with Disabilities. I know you have my

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application in front of you, so I didn't think it would be necessary to go through all the years and years and things that I've done. So I just wanted to kind of go over, if I might, what I could contribute. So my focus this morning is on support for the Commission with Persons with Disabilities. And I feel like that I could bring to this commission three things. First of all, my experiences within the educational system of the law that relates to the rights of the disabled as I have experienced it within the school system over the years. Secondly, a desire to give back to our community and finally my availability to make that commitment now that I've retired from the Department of Education. And then finally, the third thing is a skillset that I could bring to the Commission, which comes from having worked within the Department of Education. And my years as a teacher and as an Administrator, which is my willingness to learn, you know. Teachers are always learning, and I'm definitely that kind of a person. Willingness to learn and the ability to work productively within groups that I joined and I'm a member of. So those are the three things that I feel like I could contribute if I were approved to be on the Commission.

CHAIR MOLINA: Okay. Thank you very much for your opening remarks, Ms. Stanich. Before I open up the floor for questions from the Members. First, Members, I do want to disclose to you that Ms. Stanich was my former boss way back in the day, in the late 1980s when I had a head full of jet-black hair, and I was much younger. So she took a chance on hiring me to be part of her staff at Lahaina Intermediate. So I served there from 1988 to 1990. Oh, okay! Sorry, I've just been informed *Akakū* is offline right now Members. I tell you what, let's do this Members. We're gonna take a short recess to find out what's going on, and once we get *Akakū* back online, we'll be back on the air. Okay. Meeting in recess subject to the call of the Chair. . . . (*video interference*) . . .

RECESS: 9:30 a.m.

RECONVENE: 9:51 a.m.

CHAIR MOLINA: The GET Committee meeting for Tuesday, December 1st, is now back in session. Members, thank you for your patience, and everyone else in the public. We experienced an unexpected technical glitch. Apparently, it's been rectified by *Akakū*, so we are supposedly back on the air. And I was told that we went off the air during Ms. Stanich's opening remarks. So if I could call on Ms. Stanich again to just sort of recap her opening remarks for us, and then we will proceed. Again, this is for Item 2(50). Ms. Stanich is the Mayor's nominee to the Maui County Commission on Persons with Disabilities. Ms. Stanich, can you go ahead and provide us your opening remarks again? Ms. Stanich?

MS. STANICH: Oh, yeah. I'm right here. Sorry.

CHAIR MOLINA: Okay, sorry. Go ahead with your opening remarks.

MS. STANICH: Okay. So I just wanted to recap that I feel like I can contribute to being part of the Commission by three things that I mentioned earlier. The first being that I have some years of experience within the educational system regarding the law as it relates

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to the rights of the disabled. So that would be one thing that I would be able to bring to the Commission, that knowledge, that...those experiences as well. And then secondly, a desire to give back to our community. And finally, my availability to make the commitment that's needed to be on the Commission since I have retired within the last year. And then the third thing that I wanted to say that I could contribute to being on the Commission is the skills that I learned from being an educator over the years, as a teacher and then as an Administrator, which is a willingness to learn, to always be a learner, and the ability to work with a group of people and to be productive within that group. I feel like those are the three things that I would be very happy to contribute to the Commission being an effectively run group.

CHAIR MOLINA: Okay. Thank you very much for your opening remarks again, Ms. Stanich. And Members, again, I would like to disclose to you before we went off the air that Ms. Stanich was my former boss when she hired me 32 years ago at Lahaina Intermediate as a teacher, so I was a member of her staff. And when we do get to decision-making time, if you as a body feel uncomfortable with me participating in the vote, please inform me of that. And if that is the case, I will certainly honor your request. So with that being said, I'll open up the floor for questions to Ms. Stanich. Members, any need to clarify her statements? We'll start with Member Sugimura, followed by Committee Vice-Chair Rawlins-Fernandez.

COUNCILMEMBER SUGIMURA: Thank you. So I think you definitely live by good people can never retire. I do know you from your years of community work, as well as from Wailuku Elementary. And I heard you had retired. I saw a Facebook post about your...you know, a picture in front of the building, and I just thought wow, you know, that's a big loss for our education system. But I would like to just lend my great support to bring you on as a Commissioner, and I will definitely vote for you when the time is appropriate. And Mr. Molina, I think you will be fair in your...by voting for her. And thank you for disclosing that, but your years of education definitely reflects her good work too. So thank you.

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

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Ms. Stanich. Mahalo for your willingness to serve on this Board. Do you foresee any reason that you would have issues with attending?

MS. STANICH: No, actually, none at all. Since I've been retired, I know what the attendance policy is that the Council has put into place, and it's very reasonable, and it's not an issue at all for me.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay, great. Mahalo. It looks like you have pretty good internet and hardware for the meetings, but just to confirm that...because it sounds like the previous person, former Councilmember Carroll, wasn't...didn't have good internet where he was. So you have good internet for the Board meetings?

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MS. STANICH: Yeah, absolutely. I live right in Wailuku, so it's not a problem.

VICE-CHAIR RAWLINS-FERNANDEZ: And last question, do you have any experience with this Board? Like, have you watched any of the meetings or attended or read through any of the minutes or anything?

MS. STANICH: I haven't watched any of the meetings. I have gone back through the minutes to take a look at what the previous issues have been that the Board has been working through. So I did see some work on mission statements, and I also saw quite a bit of discussion that I found really interesting on the issues that came up before the Commission. So I'm really kind of excited about learning more about the issues that they're exploring.

VICE-CHAIR RAWLINS-FERNANDEZ: Great. Is there anything in particular you'd like to see happen while you're on the Board?

MS. STANICH: No.

VICE-CHAIR RAWLINS-FERNANDEZ: Any issues --

MS. STANICH: I don't...

VICE-CHAIR RAWLINS-FERNANDEZ: -- that...

MS. STANICH: Yeah, I don't really come in with any preconceived notions about what I want to accomplish. I really am a learner when it comes to this particular Commission. Where it's appropriate, I'd be glad to contribute. I'm kind of like a listener at the beginning, when I first enter into anything that's new, and I learn as I'm listening. So I don't really have anything that I come in with, you know, a passion for, I need to do this and get this accomplished, but definitely learning along the way.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Ms. Stanich. I'd be happy to support your nomination. And Chair, I don't have any concerns with you voting on this item. Mahalo.

CHAIR MOLINA: Thank you. Mahalo, Committee Vice-Chair Rawlins-Fernandez. Okay, we have Member King with a question for Ms. Stanich.

COUNCILMEMBER KING: Aloha, Beverly. So good to see you, and thank you for putting all of those years into the DOE and still being willing to serve your community. So...okay, I really appreciate that. The one thing, a list of questions I had for you were answered, but the one thing I wanted to make sure of is, you realize this is a five-year commitment? I was kind of surprised myself because I thought that would seem like a long time to actually be taking somebody's term over. I'm not sure. Maybe Ipo could tell us what the actual term...because you're taking over for Mr. Carroll, who's leaving --

MS. STANICH: Right.

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COUNCILMEMBER KING: -- but it says your term expires in March of 2025.

MS. STANICH: Right, I saw that. Yeah, that's fine with me. I don't have any plans to do anything other than be involved with the community at this point. So I'm good with that.

COUNCILMEMBER KING: Okay, great. Well, thank you for that commitment.

MS. STANICH: Uh-huh.

COUNCILMEMBER KING: That's a longer commitment than a lot of people would make but, you know, we also want to make sure that people are married to these commitments because we've had a lot of people dropping out of Boards and Commissions and some within a few months of their appointments. So --

MS. STANICH: Yeah.

COUNCILMEMBER KING: -- the more knowledge you have about the Board or Commission you're joining, the better. But thank you very much, and I support your nomination. I don't have any issue with Councilmember Molina voting on this issue. Some people would go the opposite way with their boss.

CHAIR MOLINA: She was a great boss, Councilmember King. All right. Thank you. Okay, we had Member Kama with her hand up, followed by Chair Lee.

COUNCILMEMBER KAMA: Thank you, Chair. I actually don't have a question, but I do want to respond to you. I don't have an issue with you voting on this matter either. I believe that you are fair, you've always been fair in your deliberations with us, and I do trust your judgment. So I just wanted to get that out of the way with you. But I wanted to also comment on Mrs. Stanich. You may not remember this, but my daughter, who's now 33, her very first school was Wailuku El. And we didn't live in the school district, but I heard that Wailuku El had the best special education program for children with Down Syndrome. And she should have been at Waihe'e, but I went...and I went and had a meeting with you, and asked you if it was okay for us to get a district exception because I believed in the program at Wailuku El, and you said yes. And I've been impressed ever since that time. But you got to remember that was like 30, what, 20-something years ago because she's 33 now. And she went to school when she was only three and a half, special ed, she came right out of Imua Rehab. And so I was very much impressed with you at that time. And here we are, years and years and years later, and you can see...at least I see in my daughter, I see in Mr. Molina --

MS. STANICH: Yes.

COUNCILMEMBER KAMA: -- you know, the work that you've already done with these two people. And I am very much impressed with that. And I know that your work that you will do on the Commission with Persons with Disabilities is just going to be one more

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contribution to you. So thank you so very much. Thank you, Chair.

MS. STANICH: Oh, that's very kind. Thank you.

CHAIR MOLINA: Thank you, Member Kama, for those kind words. Chair Lee, and I believe Mr. Hokama had his hand up.

COUNCILMEMBER LEE: Oh, thank you, Mr. Chair. Since we're going down memory lane, Bev, weren't you...weren't we together on the Maui County Committee on the Status of Women?

MS. STANICH: Yes, we were.

COUNCILMEMBER LEE: Thirty years ago. Thirty-something years ago.

MS. STANICH: Yes, we were.

COUNCILMEMBER LEE: And I...and I'm very happy that you're still active and want to serve. I remember seeing you and Ted at church all the time. And so, you know, you have a very well-rounded background, and you have a lot to offer. And I really appreciate you...your willingness to serve. And I certainly support you, and I certainly support our Chairman voting for you. Thank you.

MS. STANICH: Mahalo.

CHAIR MOLINA: Thank you, Chair Lee. Okay, Mr. Hokama.

COUNCILMEMBER HOKAMA: Obviously you wasn't booting out of school, Chairman, so it wasn't that bad an experience. I don't know Mrs. Stanich personally, I just know...I've just seen outcomes under her leadership, or it's one of her words in her resume, her mentorship of youth. Both of my sister's boys, my nephews, went to the Wailuku Central Maui program, and I felt that they came out very grounded, with a good basic foundation of understanding of right and wrong, values, that our community endorses and promulgates. So that comes from the leadership from the principal on down to the faculty, and then on to our youth. So I thank Ms. Stanich for that leadership. But one question I do have for you this morning, if you don't mind, Ms. Stanich, is from what I've read, I like that you shared you're part of our Native Hawaiian community, that's part of who you are. You're a retiree and a caregiver also to one of your parents, and that's hard work in itself. You know, we all...I've had two aged parents that passed already, so I understand caregiving to a degree. But I was kind of interested in maybe your thoughts if you get on this Board, because you use mentoring as one of your traits that you enjoy, do you think there's something about mentoring and bringing a Native Hawaiian practices of how we deal with aging and the kupunas and bring something unique back to our County within this program area as how Native Hawaiians practiced it? You know?

MS. STANICH: You know, that sounds really fascinating. And that's an...definitely a thing

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close to my heart. So if that opportunity arose, I would certainly be open to it.

COUNCILMEMBER HOKAMA: Yeah, that...I'm really happy to hear that because I know we all learn from each other --

MS. STANICH: Yes.

COUNCILMEMBER HOKAMA: -- and one thing about Okinawans, which have very similar historical lines, parallel lines with Native Hawaiians, is that the...their seniors, their kupunas, their old folks tend to spend a lot of time with one another and encourages and nurture each other on a daily basis. And somehow that energy just stays, you know, solid within that core group where they're one of the most oldest living people on earth.

MS. STANICH: Yeah, so I've heard.

COUNCILMEMBER HOKAMA: So yeah, I was just trying to convert that...use the Native Hawaiian practices for our kupuna and see if there's things that we can learn and then also, teach others.

MS. STANICH: Yes.

COUNCILMEMBER HOKAMA: And I was hoping to look at you as one of the mentors for this type of activity. Yeah, I...you got any thoughts about maybe moving that forward, Beverly?

MS. STANICH: Well, if I am part of the Commission for People with Disabilities, I think I would start with learning the most about that first, and give my full focus and attention to that. And along the way, you know, if there are other issues that come up that also kind of speak to my heart, then I certainly would try and learn more about that. But I'm the kind of a person where if I have something that I'm committed to, I want to do that well. And so I don't want to do it at the expense of something else. So I would start with this first.

COUNCILMEMBER HOKAMA: Thank you for your time today, and thank you for volunteering to serve not only your family, but the greater family of Maui County. Thank you.

MS. STANICH: Thank you.

COUNCILMEMBER HOKAMA: Mahalo.

CHAIR MOLINA: Thank you, Mr. Hokama. I believe I saw Mr. Sinenci's hand up. Mr. Sinenci.

COUNCILMEMBER SINENCI: Mahalo, Chair. And mahalo, Ms. Stanich, for your service to our community and your willingness to serve. My question for this morning, you know, this COVID pandemic has, you know, kind of put a...pushed on the brakes of things, and especially a lot of the funding and services that's...that we have, particularly for our

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citizens with disabilities. So as a potential candidate for the Commission, do you know of any issues to continue some of those services, perhaps bus services, or access to internet services, so that our citizens with disabilities can access, whether it be online appointments with their doctors, or participating in public meetings? Can you speak briefly to that?

MS. STANICH: Sure. I really am pretty much of a newcomer to looking at the services that the County provides at this point for persons with disabilities. So I don't think that I can come up with anything that are answers to that very valid question without knowing a little bit more about what services are being offered and how those costs are being borne by the County at this point. But, you know, in any endeavor, whenever there's a budget crunch going on, we're always looking for alternative ways to help fund it. Even when I was within the school system, it wasn't a matter of relying exclusively on the State and the Department of Education. We were always out looking for grants and for donations. So I would assume, without knowing much more, that that's always an option that everyone could be looking at when it comes to trying to find money for essential services.

COUNCILMEMBER SINENCI: Mahalo for that. I appreciate that looking outside of the box. And as a special needs teacher myself, I know that you're an advocate for student rights and the parental rights as well. So happy to support your nomination. Thank you, Chair.

MS. STANICH: Thank you. Thank you. Mahalo.

CHAIR MOLINA: Okay, thank you, Mr. Sinenci. I see Committee Vice-Chair Rawlins-Fernandez with a question.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Just a quick follow up. Ms. Stanich, are you familiar with the Maui Disabilities Alliance?

MS. STANICH: Maui Disabilities Alliance. Not...no. Not really.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. I think just in response to your question to Member Sinenci that I think they would...you know, they could serve as a good resource in...with issues that's going on in the community.

MS. STANICH: Good to know.

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

CHAIR MOLINA: Mahalo, Committee Vice-Chair Rawlins-Fernandez. Any other questions for Ms. Stanich before the Chair makes a recommendation? Okay, seeing none, Chair will, prior to the recommendation--I have no questions for you, Ms. Stanich. But taking a trip down memory lane, as Chair Lee said, and Member Kama mentioned she had a child that was at your school and so did I, my youngest daughter, Malia. And she was there from K through five and I want to thank you and your wonderful staff for helping

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shape her into the person she is today. She's now 24 years old, and not to date you, Ms. Stanich, I know time sure flies. But I just want to thank you for all what you did for her and of course your wonderful staff at Wailuku Elementary. So with that said-- and Members, thank you for allowing me as the Chair to participate in the vote on this. So with that being said, the Chair will entertain a motion to recommend adoption of the proposed resolution to support the nomination of Beverly Stanich to the Commission on Persons with Disabilities. Chair will entertain a motion from the floor.

COUNCILMEMBER KING: So move.

CHAIR MOLINA: Moved by Member King --

COUNCILMEMBER SUGIMURA: Second.

CHAIR MOLINA: -- seconded by Member Sugimura. Members, any discussion? Seeing none-- oh, sorry, Member Paltin.

COUNCILMEMBER PALTIN: Oh, thank you. I didn't have any question, and I just wanted to disclose that I haven't met Ms. Stanich prior to today, but I speak in support of the motion and I feel like we, as Maui County, are very lucky to have her from the interactions that I just seen right now. And so I just wanted to thank Ms. Stanich for her willingness to serve. Thank you.

CHAIR MOLINA: Thank you very much, Member Paltin. Members, any other discussion? Okay, the Chair will call for the vote. All those in favor of the nomination of Beverly Stanich to the Maui County Commission on Persons with Disabilities, signify by saying, "aye" and raising your hand.

COUNCILMEMBERS VOICED AYE.

CHAIR MOLINA: All those opposed?

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: None.

MOTION CARRIED.

ACTION: ADOPTION OF RESOLUTION approving nomination to the Maui County Commission on Persons with Disabilities (Beverly Stanich).

CHAIR MOLINA: Okay, Chair will mark it unanimous, nine ayes, zero in opposition. Congratulations, Mrs. Stanich. Your matter will go to the Council for a final vote in the near future. Thank you for participating.

MS. STANICH: Thank you. Thank you, everyone.

CHAIR MOLINA: Thank you.

MR. MOSSMAN: Thank you.

GET-2(48) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (BOARD OF ETHICS) (CC 19-24)

CHAIR MOLINA: All right, Members, moving on to our next agenda item. Again, if you'll allow me, I'd like to go to GET item 2(48), which has to do with the nomination and approving the appointment of Ilima Greig-Hong to the Board of Ethics. This nomination was submitted by Member Paltin because the Administration did not meet the deadline that was given to them. And the 60-day deadline for our approval, Council approval or disapproval of this nomination is December 27th of this month. We've had some...an update in the status of Ms. Greig-Hong, who is not here today. So I'd like to recognize Councilmember Paltin to give us an update on this matter. Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. You know, I had spoken with Ms. Greig-Hong and I thought she would have been an excellent candidate and I nominated her. She's currently a vice-principal, not retired. And I guess, you know, upon further reflection and looking through the materials, the time frame of the day was not conducive to her work during, you know, COVID and being in the school. So I was going to move...make

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a motion, and then I need to amend it to say disapprove because we didn't have that option. So I move to nominate and approve the appointment of Ilima Greig-Hong to the Board of Ethics.

CHAIR MOLINA: Okay. Member Paltin, before I recognize the motion, procedurally, Corporation Counsel or Staff, would it be appropriate to just make the motion to disapprove her nomination, rather than ask for a motion on the resolution support and then amend by disapproving? I'm trying to think which was a more cleaner way to approach this. Mr. Murai, your thoughts?

MR. MURAI: Mr. Chair, either path would work. But I think as you point out, the reso to disapprove is probably the most direct.

CHAIR MOLINA: Okay. Thank you, Mr. Murai. Member Paltin, would you like to restate the motion? Oh, before I do that, let me recognize Committee Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Would an option also be to file? Just, you know, disapproving sounds bad.

CHAIR MOLINA: Mr. Murai?

VICE-CHAIR RAWLINS-FERNANDEZ: Mr. Murai?

MR. MURAI: It...I...well, I agree, Member Rawlins-Fernandez. But either way, the effect is the same. Simply filing would achieve the same result.

CHAIR MOLINA: Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR MOLINA: All right. Thank you. Thank you for asking that. All right, Member Paltin. Well, I guess you have the option of...sorry, Mr. Sinenci's got a question. Go ahead, Mr. Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. Just clarification on Member Rawlins-Fernandez's question about filing. Filing doesn't require the disapproval to go through any readings at the Council?

MR. MURAI: Mr. Chair, do you want me to answer?

CHAIR MOLINA: Yeah, go ahead.

MR. MURAI: I believe not, Mr. Chair.

COUNCILMEMBER SINENCI: Thank you.

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CHAIR MOLINA: Yeah, I think if we disapprove, it would have to go to Council for one reading, whereas if we file, it could just end right here, as I understand it, yeah? Okay, if there are no other questions, I'd like to go back to Member Paltin. So Member Paltin, what is your pleasure? Your preference to file or to submit a motion to disapprove? We'll leave it to you.

COUNCILMEMBER PALTIN: I'll submit a motion to file.

CHAIR MOLINA: Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: Second.

COUNCILMEMBER PALTIN: Okay.

CHAIR MOLINA: Motion has been made by Member Paltin to file, and it's seconded by Committee Vice-Chair Rawlins-Fernandez. Any discussion? Okay, first of all, I'd like to just thank Ms. Hong for submitting her name for consideration. And it's just one of those things that she's not able to...and it's very honorable of her to tell us now, rather than have her accept the nomination, get approved, and then within a month or so then having to resign. So I appreciate that heads up she's given us. And, of course, Members, as I stated, we have until December 27, 2020 to fill this vacancy, otherwise it goes back to the Mayor for the nomination process. Mr. Sinenci, you had a question on the motion?

COUNCILMEMBER SINENCI: No question, Chair. I just wanted to recognize Ms. Greig-Hong. I'm...I've known her in the capacity of an educator, so I can understand her reasoning, especially during this COVID time in the Department of Education. So hopefully maybe at another time, her service. But until then, her service is required at the school as well. So mahalo, Chair, for the opportunity.

CHAIR MOLINA: Okay. Mahalo, Mr. Sinenci. Committee Vice-Chair Rawlins-Fernandez, followed by Member Sugimura.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I just wanted to quickly thank Member Paltin for bringing forward this applicant. I was really looking forward to supporting her nomination. She looks very qualified for the position though. Mahalo, Member Paltin. Mahalo, Chair.

CHAIR MOLINA: Mahalo, Committee Vice-Chair Rawlins-Fernandez. Councilmember Sugimura.

COUNCILMEMBER SUGIMURA: Yeah, I just wanted to express my appreciation to Member Paltin for having that conversation so that, you know, we're not at a...at having to get a resignation at the...at a future meeting and losing some valuable time. So Chair, after this vote then, you're going to allow us...you're going to give us some kind of time frame or direction as to how to fill this, yeah? Okay, thank you.

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CHAIR MOLINA: Okay. Yes. Thank you, Member Sugimura. Chair will again remind you, we have until December 27th, so if any of you have someone in mind, please let the Committee know ASAP so we don't miss our deadline. All right. Any other questions or comments as it relates to the motion on the floor? And again, for...get a full understanding of what we're doing. So we're filing the resolution to support the appointment of Ms. Ilima Greig-Hong; am I correct? This involve any other filing of additional communications or so? Ms. Espeleta or Mr. Murai?

MS. ESPELETA: No, Mr. Chair. By filing, you are no longer going to act on the reso. It just is filed, and no longer up for the Committee's consideration.

CHAIR MOLINA: Okay, all right. Thank you for the clarification. Member Paltin?

COUNCILMEMBER PALTIN: Yeah, my only discussion would be, you know, we have two great candidates for the next Board and Commission and, you know, Board of Ethics and Police Commission. I would...I just hope that whoever isn't chosen for one might consider Board of Ethics. Because, you know, ethics and police are...go hand in hand.

CHAIR MOLINA: Well, certainly, some...

COUNCILMEMBER PALTIN: That would be my only comment.

CHAIR MOLINA: Yeah, no. Certainly some food for thought, Member Paltin. Thank you for that. All right. Chair's going to call for the vote on GET item number 2(48), which is to file. All those in favor, signify by saying, "aye" and raising your hand.

COUNCILMEMBERS VOICED AYE.

CHAIR MOLINA: All those opposed?

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: None.

MOTION CARRIED.

ACTION: FILING OF CORRESPONDENCE.

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CHAIR MOLINA: Thank you. The Chair marks it unanimous. The matter has been filed, and I want to thank Ms. Greig-Hong for submitting her name for consideration. And thank you, Member Paltin, for bringing her name to the Committee.

GET-2(47) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (POLICE COMMISSION) (CC 19-24)

CHAIR MOLINA: All right, very good, Members. Moving on. Let us now go on to, no objections, to GET item 2(47). We have two nominees to the vacant Police Commission...vacant position on the Police Commission. The first nominee was submitted to us by Councilmember Sugimura, and that is for the nominating and approving the appointment of Emmett Rodrigues to the Police Commission. And the second nominee was submitted to us by Councilmember Paltin, which is the nomination and approval of Leil Koch to the Police Commission. The Chair will recognize first Member Sugimura. She did submit Mr. Rodrigues' name first to the Committee. So we'll...I'll ask Member Sugimura to provide us some opening comments, and then we'll recognize Mr. Rodrigues for comments as well. So Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair and Members. Today I'm really honored to bring forward Emmett Rodrigues for your consideration for the Maui Police Commission. And Mr. Rodrigues is born and raised on Maui. He grew up in Waihe'e. And he is...has served a lifetime of employment with the State Police or the Sheriff Department for 34 years before he retired. So he does have time to attend Commission meetings. Something very interesting, when I got to know him, to...about this, it is something that he's wanted to do, and he mentioned that he thought about it when Charmaine Tavares was the Mayor, which gives you some kind of time frame as to a range of time that this was in his thoughts. He will tell you more about his mentors and what took him into this profession, but I think with his years of experience working in the State Police or the Sheriff Department and his depth of experience, in the role of the Commission, he can understand the management side, as well as understanding the importance of rules, understanding what police go through in their jobs, as part of the Police Commission receives complaints from the community, so he would have an understanding of what is required to fulfill the job of a police officer. I'm impressed with the amount of study that he did just to get to this point of being nominated, and I look forward to hearing more from him so all of you can get to know him. But when I really thought about him, I thought he's that boy next door that has done well, who worked hard, who did all the things in the community by giving back with his training and education to sit and...or stand before you today and wanting to fulfill another life dream, which is to be on the Police Commission. So Members, I look forward to hearing more from Mr. Rodrigues, and thank you very much for letting me have the honor of nominating him. Thank you.

CHAIR MOLINA: Okay, thank you very much, Mister...excuse me, Ms. Sugimura. Sorry. All righty, let's see if Mr. Rodrigues is on the line. My understanding was he was having some problems with his computer as far as the video portion, but he is available via audio or telephone. Mr. Rodrigues, are you available to provide us some opening

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remarks?

MR. RODRIGUES: Yes, can you hear me?

COUNCILMEMBER SUGIMURA: Yes.

CHAIR MOLINA: Oh, yeah. You're coming in fine. Yeah, Mr. Rodrigues --

MR. RODRIGUES: Good morning.

CHAIR MOLINA: -- you can take about a minute or so just to tell us why you'd like to be considered for the Police Commission and a little something about yourself.

MR. RODRIGUES: Okay. Good morning, Councilmembers. My name's Emmett Rodrigues. I was born and raised on Maui. I was raised up in Waihe'e and moved to Wailuku. And then in my high school years, I moved to Kahului and lived with my parents. I graduated from Maui High School in 1985...no. I graduated from high school, then in 1985, started my career in the Department of Public Safety Sheriff's Division, and retired in May 2019 with 34 years of service. Now that I'm retired, I want to give back more and be involved with my community. Serving on the Commission would be a good way to achieve it because of my interest in what happens in government. I feel that my 34 years' experience in the law enforcement would bring a lot to the table, and I'm confident that I can be fair and impartial. And the reason why I wanted to be on this Commission is I used to...since I retired, I used to watch the County Council hearings and the Commission hearings on *Akakū*. And it, you know, kind of sparked my interest in the community and government by watching it on *Akakū*. I enjoyed all of my previous involvement in the community. I am willing to continue to give back now that I'm retired and have more time to do so. My grandfather was very involved in the community, and he cared very much about the people of Maui. I would like to have the opportunity to follow in his footsteps. And it will be an honor if I am selected for this position. Thank you for your time and everybody's support.

CHAIR MOLINA: Thank you very much, Mr. Rodrigues. I'm going to open up the floor now for questions from the Members if they have any for you. So Members, any questions for Mr. Rodrigues with regards to his nomination to the Police Commission by Councilmember Sugimura? Okay. Committee Vice-Chair Rawlins-Fernandez, you have the floor.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Mr. Rodrigues. Mahalo for your willingness to serve on this...on the Police Commission. Do you foresee any concerns with your attendance?

MR. RODRIGUES: No, Vice-Chair. Since I'm retired, I have time on my hands right now.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Do you foresee any issues with technology? You know, since the meetings are going to be video conference meetings?

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MR. RODRIGUES: No, I don't. This morning I tried to log on and I've been having problems with my tablet because I guess this is an old one. So...but, it'll be fine. I'll take care of the problem.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Okay, and you said you've watched some meetings. How do you see yourself contributing to the Commission?

MR. RODRIGUES: Well, that stuff, you know, 34 years of law enforcement, I see many side of the, you know, the law. I'm familiar with the Hawai'i laws, but I'm not able to give you legal advice, but I can point you, you know, in the right direction...seeing an attorney or, you know, looking up the Revised Statutes. When I was escorting inmates into courtrooms, I had the opportunity to sit and listen to both sides of the courtroom as I sat in the hearings. You know, I've been in the T.A. Sergeant. I've got experience of different kind of challenges facing the lead position of law enforcement and human resources staffing, making adjustments with short-handed staffing, safeties in the deputies in the courthouse and the staffs, and I understand the union contract. I was assigned to the warrants division on Maui doing arrests, outstanding arrest warrants for Maui County, utilizing assistance from Maui Police Department and utilizing my organization in planning. I also was sworn with the U.S. Marshall's fugitive task force for about 15 years in the warrants division. I worked alongside with the DEA, the FBI, Secret Service, Immigrations, and all the police departments throughout the State. I experienced different things, different styles or ways of the division, and learned a lot of work working with them, and got my strengths at using high-tech equipment and materials available out there. I was assigned to the U.S.--I mean, the Sheriff's Executive Branch, which is the Lieutenant Governor's detail. I was trained on the U.S. Department of Diplomat Security Service, and I trained on...I had training on the job and planning and preparation on community scales, and I was assigned to Lieutenant Governor detail until I retired. Thank you.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo for that very thorough response. And then my last question, one of the responsibilities of this Commission is hiring or deciding who the next Police Chief will be. Do you feel prepared for that responsibility?

MR. RODRIGUES: Yes. I would have to look at all, you know, applicants as fair, as well with my other Commissioners, and see who's most qualified and go from there.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Rodrigues. I have one question for Mr. Mossman, Chair.

CHAIR MOLINA: Go ahead, Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mr. Mossman. Oh. Okay, he might not be there. It's okay. All right. Mahalo, Chair.

CHAIR MOLINA: Okay, mahalo. And if Mr. Mossman gets linked up again with us, I can...you can ask him your question when we get to that point. Okay, Members --

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VICE-CHAIR RAWLINS-FERNANDEZ: Sounds good.

CHAIR MOLINA: -- any other questions for nominee, Mr. Rodrigues? We have Member King, followed by Member Sinenci, and Member Paltin. Member King.

COUNCILMEMBER KING: Thank you, Chair. I think Member Sinenci had his hand up first, so if you want to go.

CHAIR MOLINA: Okay. If you have no objections, we'll go with you, Mr. Sinenci, courtesy of Member King. Thank you. Mr. Sinenci.

COUNCILMEMBER SINENCI: Chair...mahalo, Member King. Yeah, just, I had a general question for Mr. Rodrigues. And mahalo for your willingness to serve on the Commission. And it's pretty general. I know, you know, during this presidential election, in this last campaign, we've...we heard, especially on the continent, a lot about police reform. So I just wanted to get your mana'o on, you know, additional funding, or defunding, or looking for police trainings for de-escalation, particularly when dealing with some of our own issues on the islands, like homelessness and maybe we see a lot of Hawaiian Rights, like the TMT and stuff. So just your general responses to some of these issues we have.

MR. RODRIGUES: Well, yeah, I would like to, you know, ask for more funding and try to keep...my number one thing is, you know, trying to keep our local boys here, and women who wants to, you know, be in the Department, try to get them more, you know, get applicants with a lot of local boys they...and the girls...women, they try and they won't make it. As far as training for the homeless, I think we need more--how you say the word now--we need more agencies to help in that section. If the Police have other more important things to handle too, you know, instead of just taking the time out on the homeless. I think we need more others involved to take care of that.

COUNCILMEMBER SINENCI: And we've also seen a lot of...you know, on Mauna Kea and we have, you know, some of our cultural practitioners. Is there any trainings for dealing with some of our Kanaka rights here on the island?

MR. RODRIGUES: Yes, I think there should...I mean, some training should be done. But it's between the State and the County and attorneys, I think, should look at it and, you know, kind of see to let the law enforcement know what they want, you know, where the line is at.

COUNCILMEMBER SINENCI: All right. Okay. Thank you, Mr. Rodrigues. Mahalo for those...for your answers. Thank you, Chair.

MR. RODRIGUES: Thank you.

CHAIR MOLINA: Thank you, Mr. Sinenci. Ms. King.

COUNCILMEMBER KING: Thank you, Chair. Aloha, Mr. Rodrigues. I guess we don't have

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you on video, we just have you by phone?

MR. RODRIGUES: Yes.

COUNCILMEMBER KING: Okay. But that...so that's not going to be an issue for you as far as attending video conferences with the Commission, is it?

MR. RODRIGUES: No.

COUNCILMEMBER KING: Okay. Just a temporary today thing? You know, I had a couple questions. One I wanted to ask you, Chair. This is a very unusual situation where we seem to have two candidates for one position. I'm assuming that that's because the nominations came from the Council and not from the Mayor, is that...okay.

CHAIR MOLINA: That is correct.

COUNCILMEMBER KING: It's just I've never encountered it before where we have two...we have two candidates to choose from.

CHAIR MOLINA: Yeah.

COUNCILMEMBER KING: It's not a bad problem to have. I think it's always good to, you know, have more people nominated. So Mr. Rodrigues, I wanted to ask you, since you had former associations in law enforcement, do you have any relationships or alliances that might be a conflict of interest for you serving on the Commission?

MR. RODRIGUES: No, not at all. I can be fair and impartial.

COUNCILMEMBER KING: Okay. And do you feel like the...do you feel like there's an issue with enforcement as far as some of the COVID-19 gatherings have gone, you know, for the police? Because I'm hearing from the community that there's been a bit of a lack of enforcement. I wonder if you think that that's something that you could deal with on the Commission?

MR. RODRIGUES: Well, it's a...it's hard right now with this COVID thing. There's no really good guidelines for the police and, you know, the community.

COUNCILMEMBER KING: Where do you think those guidelines should come from?

MR. RODRIGUES: I think every County should have their own guidelines because every County is different.

COUNCILMEMBER KING: Right, but do you think that they --

MR. RODRIGUES: Run differently.

COUNCILMEMBER KING: -- should come from the Commission, or from the Council, or from

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the Administration? Where would...where do you see those guidelines coming from, being, I guess, either created and or enforced?

MR. RODRIGUES: Corporation Counsel, the attorneys, they know the laws and, you know, they can look up what can be done and what cannot be done. And then go down there from there, approve by, you know, the County Council and then Corp. Counsel, the Commission.

COUNCILMEMBER KING: Okay. So you don't see the Commission as having a hand in that then, in creating those kinds of guidelines? I'm just asking because I'm not really sure what their authority would be, but it seems like it's a body that should be able to address some of these issues.

MR. RODRIGUES: Yeah, I think...but we would have to...I would check with the professionals, like the attorneys, first for the guidelines of what we can do and what we cannot do.

COUNCILMEMBER KING: Okay. I think that's all the questions I have. Thank you for putting yourself out there for this position, appreciate it.

MR. RODRIGUES: Thank you.

CHAIR MOLINA: Okay, thank you, Member King. Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Sorry, I just took a call from my kids, they're distance learning alone. But I just had a couple questions. Thank you so much, Mr. Rodrigues. My first question was, what do you see as the differences in law enforcement for the State and law enforcement for the County?

MR. RODRIGUES: Well, I think the County, they have more...they deal with the County...everything on the streets and, you know, they're the first responders, I guess you can say. Compared to the State, we're kind of back, you know, in the back...more the back scenes.

COUNCILMEMBER PALTIN: Okay. And then I just was wondering, what do you think the top three issues are for Maui Police Department?

MR. RODRIGUES: Oh. Manpower and...yeah, manpower, budget, and trying to get the respect of the community, I guess, again.

COUNCILMEMBER PALTIN: Okay. And what are you looking for in the qualities of a police chief?

MR. RODRIGUES: His background and his...you know, where he came from and his education, I guess. And, yeah, his background more.

COUNCILMEMBER PALTIN: Okay. Thank you.

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CHAIR MOLINA: Okay.

MR. RODRIGUES: Thank you.

CHAIR MOLINA: Thank you very much, Member Paltin. Members, any other questions for the Mr. Rodrigues, the first of two nominees to the Police Commission? Member Kama. Member Kama, could you unmute?

COUNCILMEMBER KAMA: Thank you, Chair.

CHAIR MOLINA: There you go.

COUNCILMEMBER KAMA: Yes. Thank you, Chair. So Mr. Rodrigues, I just wanted to ask you just one question. Have you read the minutes of the last Commission meeting?

MR. RODRIGUES: No, I haven't.

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

CHAIR MOLINA: Okay. Thank you, Member Kama. Committee Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Real quick. Mr. Rodrigues, I saw that you had a...you served on the Police Commission one year previously. Would you be able to explain why it ended up being so short?

MR. RODRIGUES: No, I haven't, Ms. Rawlins. I tried...just applied for any commission when Charmaine Tavares was Mayor.

VICE-CHAIR RAWLINS-FERNANDEZ: Oh.

MR. RODRIGUES: Then I tried when Mr. Arakawa.

VICE-CHAIR RAWLINS-FERNANDEZ: Sorry.

MR. RODRIGUES: And then I just tried recently too, and I mean, yeah, last year and they said...I had a letter saying thank you, but it was all full. So I tried again. So I haven't served before.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Rodrigues. Mahalo, Chair.

CHAIR MOLINA: Mahalo, Committee Vice-Chair Rawlins-Fernandez. Members, any other questions for Mr. Rodrigues at this time? Okay, seeing none. Thank you for responding to the questions, Mr. Rodrigues. And thank you, Members, for your questions to him. Let's move on now to the second nominee for the Police Commission. And this nominee, Mr. Leil Koch, was nominated by Councilmember Paltin. I'd like to recognize Member Paltin first, and then we'll go to Mr. Koch for opening comments and then

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questions. Member Paltin, you have the floor.

COUNCILMEMBER PALTIN: Thank you, Chair Molina. Yeah, I had a conversation with Mr. Koch. He...I believe he emailed all of us and, you know, I think that his previous experience, having gone through it, he also sits on many national committees representing Hawai'i. He lives in Kula. He's able to bring global guidance and perspective to our island community, especially in light of the historic police atrocities. You know, and we need a highly skilled communicator. He's kind of been through this process of selecting a police chief before, which I'm sure he can explain more if there's questions. And so I'm just very happy that he is willing to serve, and that's about it. Thanks.

CHAIR MOLINA: All right. Thank you very much, Member Paltin, for your nomination. And let's now recognize Mr. Koch. And let me first start up by asking you, am I pronouncing your last name correctly, or your first name? Just to make sure I got your name pronounced correctly. Mr. Koch? There we go, we can hear you. Sorry, you seem to be muted. If you could unmute if possible. Staff, do we have Mr. Koch muted, by any chance? Or is he...

MS. ESPELETA: Mr. Chair --

CHAIR MOLINA: Is there...

MS. ESPELETA: -- he appears to be unmuted on our end.

CHAIR MOLINA: Oh, okay. Can you hear us, Mr. Koch? Okay, we can see you, but we can't hear you at this time. Can you try again? Okay, there you go. Mr. Koch, can you go ahead and...we can see your video fine, but we can't hear your audio. Members, tell you what, let's take a recess subject to the call of the Chair, and let's consult Mr. Koch and see what we can do. If worse comes to worse, we can get him to do an audio interview for us. So recess subject to the call of the Chair. . . . *(gavel)* . . .

RECESS: 10:42 a.m.

RECONVENE: 10:47 a.m.

CHAIR MOLINA: . . . *(gavel)* . . . GET Committee meeting for Tuesday, December 1, 2020, will now come back into session. Members, we are on Committee Item GET-2(47) the Nominees for the Police Commission, and we have the nomination of Mr. Leil Koch to consider right now. Mr. Koch was nominated by Councilmember Paltin. And thank you, Mr. Koch, we've apparently...hopefully cleared up the technical glitch that we had earlier. At this point, I'd like to recognize you to take a minute or so to give us some opening remarks as to why you would like to serve on the Police Commission. Mr. Koch, if you could go and please correct me if I've been mispronouncing your name.

MR. KOCH: Thank you, can you hear me? Okay, cool. Aloha and good morning, Councilmembers. I want to thank you for the opportunity to speak with you this morning. My name is Leil Koch, pronounced [Koach], just like the football coach. And

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I'm honored to be considered. I've always look for ways to give back to the community, especially in areas of personal interest. Many years ago, through the Maui Ki-Aikido, I had the privilege in assisting in the training over many years approximately 200 Maui police recruits in self-defense and awareness training. And in subsequent years, I was appointed to the Police Commission at a time when we searched and hired for a new Chief of Police. We helped negotiate budgets with County Council during difficult economic times, and we also worked with the Salary Commission at that time, there were some salary issues that we worked through from the Police Commission standpoint. I believe I have the skills and experience to step right into the role of the departing commissioner so that the Commission does not skip a beat, which usually includes yearly Chief evaluations, which have either been done already or are...should be teed up to be done here very shortly. My skillset includes leadership training, strategic planning, finance and budget, and management. I own a real estate company, which I personally handle commercial real estate. I own and run, along with my daughter, an olive orchard and farm, making extra virgin olive oil, coffee, honey, and raising goats up in Kula, and have a lot of other variety of interests in development and music and what have you. But I have a passion for the Department. When I was training in Ki-Aikido, Suzuki Sensei, who was the one that helped teach all of the police recruits for ages, asked me to look after the Department, which caused me to pursue being on the Police Commission. I think I provide a unique experience to this position, having been there, having hired a Chief, having gone through the budgetary process, and also help training the officers or the recruits when they were just starting off provides a unique perspective in the operation of the ongoing operations. So anyway, I want to thank you for your time and consideration. And if you have any questions, I'd be happy to answer.

CHAIR MOLINA: Okay, thank you very much, Mr. Koch, and my apologies for mispronouncing your last name. So anyway --

MR. KOCH: Everybody does.

CHAIR MOLINA: -- with that said...thank you. Members, questions for Mr. Koch with regards to his nomination to the Police Commission. Councilmember King?

COUNCILMEMBER KING: Thank you, Chair. And thank you, Member Paltin, for your diligence in bringing these candidates forward. I really appreciate it, as your colleague. Mr. Koch, thank you for being here and for being willing to serve again. I wanted to ask you the same questions I asked the previous candidate, which are one, do you have...I know having served in the capacity before, do you have any alliances or relationships that might cause a conflict of interest further down the line?

MR. KOCH: No conflicts of interest. No.

COUNCILMEMBER KING: Okay. And you feel like you'll be able to serve objectively?

MR. KOCH: Yes. Especially...I think that's the one of the strengths that I bring to the table of being able to...the role of the Police Commission is extremely important. It's the conduit

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between the public and the Department. You're there to help guide the Chief in the operation of the Department, so you're in a unique position to sort of facilitate both sides of that issue. So yes, I can be extremely impartial in that process as we go forward.

COUNCILMEMBER KING: Well, I love that you have experience in strategic planning because I think that's one of the things that's needed...we need more of that in County Government. And can you just share what you see as the Commission's role in helping the Department in that, you know, strategic planning, as well as possible enforcement guidelines for where we're at right now in the COVID pandemic.

MR. KOCH: Well, part of the process, and the role of the Commission is to work with the Chief. The Chief needs to have a vision of how he wants to operate the Department, what goals, and that's sort of the annual evaluation that happens, of sort of scoring those goals throughout the year. You need to work with the Chief to say, what are your goals, what do you want to accomplish, how can the Commission aid him to be a better Chief as he works with his upper staff, and it folds down into the patrol officers. And so that's a matter of working sort of hand in hand with the guidance of that vision. The Police Commission can't come up with their own vision, that has to be sort of in tune and with direction to the Chief to say, we would like to see you operate or to have this as a goal going forward into 2021, or we would like to see you expand this part of the Department and to do that. Then it's the Chief's job to turn around and sort of enact those suggestions, incorporating into his own goals. To your second point, with regards to where we are with the COVID thing, I think it's a partnership. And that partnership kind of comes down in umbrellas. Right now we're sort of governed by the big umbrella, that would be the Governor's Office. The next umbrella down would be from the Mayor's Office. I think it's extremely important that the Mayor provide the guidance and the details of what he expects Maui County to do with...in response to the COVID. Whether that is the testing part, whether it's the enforcement part, those directions working hand in hand with the Chief of Police, with the hospitals, with everybody need to be sort of a cohesive operation as we're moving forward to be able to handle an unprecedented time of strife here at the moment. So those...it's not necessarily put onto the Commission, although the Commission could be a vehicle to help guide the Chief and encourage cooperation with the Mayor's Office and the other departments, to be able to handle enforcement and to work our way out to post-vaccine time.

COUNCILMEMBER KING: Okay. And then just one last question, Chair, if I may. I just wanted to ask Mr. Koch...so if somebody...we get calls...you know, as Councilmembers, we get calls all the time about lack of enforcement, or what are the rules. And do you see the Commission being able to take those kinds of calls from the public?

MR. KOCH: Well, the...one of the main responsibilities of the Commission is, like I had mentioned before, is the conduit between the public and the Police Department. And so as such, it handles complaints. When I was on the Commission, we actually had hearings of members of the public coming in, and tried to facilitate that with the Department. These kind of things, I think, would also fall in the same kind of category that the Police Commission is there to be the receptacle of some of that. And given what it is, would be brought to the attention of the Chief of Police. Then it's his job to sort

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of incorporate, and as I said, with the...hand in hand with the Mayor's Office and all the other things to come up with a cohesive plan to move forward. The problem that we've had over the last little bit is we've kind of had inconsistent and overriding different directives from the Governor's Office to the Mayor's Office, which causes a lot of problems with enforcement and sort of actually what you're trying to do. So that's a long answer to your question, but yes, the Police Commission can provide some guidance and the conduit to the public to be able to try to address some of those issues.

COUNCILMEMBER KING: Okay. Well, thank you very much for those answers. I really appreciate the thoughtfulness in, you know, you already have a little bit of an idea of where you seem to want to go. So thank you. And thank you for being willing to serve. I appreciate it. I hope you can...with all the activities that you have going on, I'm hoping that this is going to be the first commitment, and you'll be able to put the time to it. Sounds like you have a lot going on in your life.

MR. KOCH: Well, one of my --

COUNCILMEMBER KING: Okay.

MR. KOCH: -- greatest strengths is time management and stuff. So I have no problem with doing this, as well as all the other things that I'm responsible for.

COUNCILMEMBER KING: Oh, okay. Well that's why they say if you want something done, ask a busy person. Yes. Thank you, Chair.

CHAIR MOLINA: Okay. Thank you, Member King. Members, questions for Mr. Koch? Committee Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Mr. Koch. Mahalo for your willingness to serve.

MR. KOCH: Aloha.

VICE-CHAIR RAWLINS-FERNANDEZ: So I guess you said that there...you don't foresee any concerns with your attendance?

MR. KOCH: No. No concerns.

VICE-CHAIR RAWLINS-FERNANDEZ: And you have a reliable internet connection for video conferencing meetings until the pandemic is over?

MR. KOCH: I do, both from my office...I've got from my office here, from my home, from my phone...I've got two cell phones, and all of them would be connected in some fashion. Today, with the anomaly of having dialed in, I'm not sure what happened with my audio, but yes, no problems.

VICE-CHAIR RAWLINS-FERNANDEZ: Yeah, today seems to be a day of technical issues. So

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how...you served on the Police Commission before for how long?

MR. KOCH: A five-year term. So that was from 2007. The last year that I was there, I was honored to be elected as Chair of the Commission. So as Chair of the Commission, you have direct sort of interaction between the Chief and the Chair. We would meet and discuss items relating to agendas and everything else. It's a little bit different structure as a Chairperson. But yes, it was a full five-year term, and the last year was as Chair.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo for that. And you said that when you were on the Commission, the Commission held public hearings? Was that --

MR. KOCH: Oh, yes.

VICE-CHAIR RAWLINS-FERNANDEZ: -- the decision of the Chair at the time?

MR. KOCH: We did have public hearings a lot of times throughout the five years, and some of them were from complaints. We would have complaints. They weren't...those particular ones were not public...public, they would be done in executive session. But we did have hearings with public complaints that would come in. At that time, we did bring the...it was part of the idea of to be more transparent with everybody. So we were taking the show, quote, unquote, on the road. So we would do our Police...our monthly Police Commission meetings all over the place...from Hāna, to Kīhei, to West Maui. And so we would assemble not only MPD leadership, but the Police Commission, and open it up to the public. Public would come, give their questions and concerns of traffic, of all sorts of things that we were there to help facilitate discussion. And if there were issues that arose during those public events, then we would have the Department contact them later to talk about neighborhood watches, to talk about putting speed bumps on roads, and doing all sorts of different things. And that's the role of the Police Commission, is to be that conduit, to be able to help facilitate that, and to help guide the Department and the Chief to better serve the Maui County residents. So...and that was a fun thing to do, to be able to take that show on the road.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo for that. So you mentioned going all over Maui. Did you ever go to Moloka'i or Lāna'i while you were --

MR. KOCH: Yeah.

VICE-CHAIR RAWLINS-FERNANDEZ: -- five years?

MR. KOCH: Yes. Both of those, yes. During our term, we hit both spots. Moloka'i and went to Lāna'i for that. And so that was not all the time, but we took a concerted effort to make sure that we picked out spots to sort of bring the Police and the Police Commission to the local folks, as opposed to expecting them to all come to the station, which can be a little bit overwhelming, or other things. So we were trying to encourage that to say we're here, we're open, we want to hear your thoughts and concerns. And then tried to hold the Chief to those guidelines and things. So it's important to have that dialogue in anything. So if we're talking about the COVID thing or speed bumps, or enforcement,

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or whatever that is, you need to have conversation. You need to have dialogue. You need to have goals of how you're going to address things moving forward down the road.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo for that. And so do you know if the Commission has continued that practice, or if they stopped? And if you're nominated, would you like to see that continue, if it's not already?

MR. KOCH: I don't know if they have. I know over the last bit that some of the Police Commissioners did move their meetings from the...from Wailuku out to MCC. There was a couple times they did that, and so they were trying to make it in more open places. And I'm presuming that they are still doing some of that because it's a lot to get people to come in and get buzzed into the police building, whether it's down in Kihei or in Wailuku. It can be awfully daunting. If you're a member of the public, and say I've got a complaint, and all of a sudden you're met with sort of the buzzing...it can be intimidating. So you need to take that barrier away from that. You need to be able to do that. That was the reason that we did that. And yes, my role being on the Commission. Of course, you've got the Chair. It's up to the Chair to determine how they want to run the Police Commission and their meetings. If we were to be asked, I would love to try to bring back that taking the show on the road because it's important to demystify not only processes, but the Department and show that they're actually integrating doing the drug programs, doing the...all that stuff. They need to...you need to bring it down to the local level. And that would be Moloka'i, Lāna'i, it'd be Hāna and going out. And so I think over the time, they should be doing that again, in my opinion.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo for the responses, Mr. Koch. I have more questions, but I'll yield the floor to my colleagues, and maybe they'll ask them. Mahalo, Chair.

MR. KOCH: Okay. Thank you.

CHAIR MOLINA: Thank you very much, Committee Vice-Chair Rawlins-Fernandez. I see Member Sugimura with a question for Mr. Koch.

COUNCILMEMBER SUGIMURA: Yeah. Thank you. Thank you very much. I'm glad to see your application. I know that you sent my office your resume also, and thank you very much for your years of service, especially your story about Suzuki Sensei. I didn't realize that part, which somebody very dear to me through the years of being involved with Japanese Cultural Society and the community. So appreciate learning that. I did not know that about you. I also emailed you when you sent me your application that I had already nominated Emmett for this position. And I do know that through the years, I said in my email that I met your family from Montessori, early days of your daughter and my son. And years ago...and of course your...you know, Amy. And...but thank you very much for putting yourself out there in your very busy schedule. I was just curious, with your many...I can see all the plaques on your walls and with your many commitments, so I guess I...one of my first thoughts was already asked, was about your availability to do more with the Commission than what you know that you were asked to do in the past. So...

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MR. KOCH: Again, thank you for those kind words. And just a short note, yes, Suzuki Sensei, I was honored to be his otomo, which in the dojo world is looking after your sensei. And so I...in the last years of his life, and during my training when I was doing that, I was honored to be asked to be his otomo. So I was looking after him, driving him around, and he took me aside because he was the last major of the major as a rank in the Maui Police Department. They have no majors now. And so he...and there's a dojo at the Department named after him. So he asked me to keep an eye on the Department, which he spent all of his years running, and then doing things for them...everything. So he's extreme...in fact, I have a picture of him still in my Day-Timer to remind me of the things that he pounded into me to remember to go forward. But yes, I still have...I have plenty of time to offer to the Police Commission from a time standpoint. I do have lots of things that I do, and as I mentioned earlier, I'm passionate about what I do. And if I'm passionate about it, it...you just do what you do. And so I'm looking forward, if I'm so honored to be appointed to that, to serve Maui County and the Police Commission well.

COUNCILMEMBER SUGIMURA: Thank you. Thank you. Nice seeing you.

MR. KOCH: Good to see you too.

CHAIR MOLINA: Okay. Thank you, Member Sugimura. Before I go back to Committee Vice-Chair Rawlins-Fernandez, any other questions for Mr. Koch? Mr. Sinenci, followed by Member Kama.

COUNCILMEMBER SINENCI: Chair. Mahalo, Mr. Koch, for your willingness to serve. I just had the same question I asked Mr. Rodrigues. Do you feel that our Department needs...is there a need for additional training or even reform, specifically when dealing with some of our issues of our unsheltered population or our Native Hawaiian rights?

MR. KOCH: I appreciate that question. And yes, having been involved in the training of recruits many years ago, which was an integral part to A, keep them safe, as well as providing awareness training. I am a big believer in training for all of the recruits having the tools and means necessary to be able to do their job appropriately. And I also think there needs to be training in sensitivity towards homeless populations and in addressing all sorts of that Native Hawaiian populations. All of that needs to be integrated into the goals and objectives from the Chief's perspective that he integrates from the top down. All of those policies need to be integrated into what they do all the way down to the patrol people. So I'm a big believer in trying to provide additional training, whether that be more awareness training, more physical training. The Department went away from teaching Aikido techniques, which back then I thought was sort of a different direction to go, but that was the direction of...one of the past Chief of Police decided that there were other means to do. It's always important to continue to move forward and address all these issues.

COUNCILMEMBER SINENCI: Mahalo, Mr. Koch. And mahalo for your past service. Thank you, Chair.

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CHAIR MOLINA: Thank you, Mr. Sinenci. And let's go to Member Kama, and I believe Member Lee, Chair Lee has a question after Member Kama. Proceed, Ms. Kama.

COUNCILMEMBER KAMA: Thank you, Chair. Thank you, Mr. Koch, for being here. I just want to ask you one question. Have you read the minutes of the last Commission meeting?

MR. KOCH: I've downloaded the last three sets of agendas. I've glanced over the last one. I have not read them. Just...I was waiting to see what was all going to be happening with this whole process. But I have downloaded the last three sets of meeting minutes.

COUNCILMEMBER KAMA: But you haven't read them yet?

MR. KOCH: I just glanced over the last one, which was in...October, I think, was the last minutes that were provided.

COUNCILMEMBER KAMA: Okay. Thank you.

CHAIR MOLINA: Okay. Thank you, Member Kama. And Chair would like to recognize Chair Lee, if she's online right now.

COUNCILMEMBER LEE: Yep. I am.

CHAIR MOLINA: Okay. Oh, there you are. My apologies for missing you, I guess you had your hand up earlier for questions for Mister...

COUNCILMEMBER LEE: No, that's okay.

CHAIR MOLINA: Please proceed.

COUNCILMEMBER LEE: Thank you, Mr. Chair. Hello, Mr. Koch. I have a question. Since you were on the Commission previously, those were the days that we tend to have...tended to have a lot of vacancies on the force and a lot of carryover savings. And that became a huge problem, you know, fiscally and as far as enforcement was concerned. But since then, I believe that has been addressed somewhat through year-round recruitment. So I would think that was one of the major problems before, but what do you see are one of the major problems today facing the --

MR. KOCH: Well, I...

COUNCILMEMBER LEE: -- Department?

MR. KOCH: I think that recruitment continues to be an ongoing issue of finding capable recruits coming into the Department. A lot of that has to do with some of the economic...and this is a little bit pre-COVID, but a lot of it was the economic standpoint from other departments coming in and fishing and hiring away our recruits, whether that be from Oregon, Washington, parts of California, and even within Hawai'i.

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Honolulu Department would come in and offer more money to try to get recruit...our recruits off, which was always a constant battle then, to try to bring more recruits in. Having been through that training process, I have seen...when you get a class of 20 or 25 recruits coming in, it is very grueling. And by the time you get to graduation, out of that 25, you may end up with only like 10 or 8. And of those, as you are all discussing about people that have been appointed to commissions, some of them, as soon as they get sworn and they're on duty, they find out that, hey, I don't necessarily like this job, after working so hard to get to that position. And then after a month or two, they end up quitting the Department. So those are all the issues that the Chief needs to be able to foresee and to try to handle, to get enough people in the pipeline and the right kind of people in the pipeline to be able to provide a compassionate, well-trained, police force that will keep...

COUNCILMEMBER LEE: Okay. Mr. Koch...Mr. Koch --

MR. KOCH: Sorry?

COUNCILMEMBER LEE: -- I just have a limited time --

MR. KOCH: Sorry.

COUNCILMEMBER LEE: -- so I need to keep asking you questions. So because of this issue, wouldn't you think that one of the responsibilities of the Commission is to help raise money for the Department, in terms of advocating, whether it's to the Mayor or to the Council? Isn't that part of your role to be a resource to the Chief and to the Department?

MR. KOCH: Oh, no. I totally agree with that, and that's...I have done that in the past where we would come up and would testify and would negotiate with the County Council on budget items with the Department, whether it be automobiles or personnel. I asked...

COUNCILMEMBER LEE: Okay, Mr. Koch. Okay, thank you. So then some of the other issues that come to us a lot are issues having to do with a lack of sensitivity training by officers. So maybe...this is for you to jot down, not to respond to. Also, at the bottom of the rung, but continually, we get the calls for fireworks violations all the time when we have nothing to do with enforcement. You know, and sometimes it gets very frustrating when we constantly get the same calls. And then the other one is for those instances where, let's say, homeless are violating the law, yeah? And, you know, they just continue to go on, and we get the complaints again. So these are the kinds of issues, these are everyday issues, just for your information, that need to be addressed and that cannot continue to be dismissed, you know. So that's food for thought for you. But anyway, I appreciate you coming again to apply. And it sounds like you have a very good background for this position. Thank you.

MR. KOCH: Thank you.

CHAIR MOLINA: Thank you, Chair Lee. And Chair Lee, if you could turn on your video. I think...I don't know if you have a video issue, but --

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COUNCILMEMBER LEE: Oh, I'm sorry.

CHAIR MOLINA: -- we can hear you fine. Yeah. There you go.

COUNCILMEMBER LEE: Oh.

CHAIR MOLINA: We missed your presence.

COUNCILMEMBER LEE: Oh. No wonder you couldn't see my hand. Thank you.

CHAIR MOLINA: That may have been it, you know. Anyway, thanks for your line of questioning. Okay, if there are no other Members that have questions, I'll go back to Committee Vice-Chair Rawlins-Fernandez for a second round of questions for Mr. Koch. Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Just last two questions. One, I guess it's been mentioned by two of the Councilmembers now, but do you think that, like, our...those in the community that are unsheltered right now should be under the kuleana of the Police Department? Or should it be more appropriately responded to by social service workers, or something else?

MR. KOCH: I think it's a combination of a lot of different departments. I don't think that it's...I think that the Department is looked to for enforcement of some of that, or from a nuisance value, which, you know, is...it may be the wrong way to look at it. It's not necessarily, and shouldn't be looked at that way as a nuisance. It needs to be in conjunction with a whole bunch of different departments. So I think from a County level, as well as a Governor level, that they need to address these issues, integrating a whole bunch of departments--social service, medical, Police Department--all of them need to be having a concerted plan to address the ongoing issue, which is amplified during the COVID period of time here.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo for your response. And my last question is regarding the hiring of the next Police Chief. If you would share the qualities, traits, and background that you would be looking for.

MR. KOCH: Well, having seen that process play out when I was on the Commission, it was an extremely good process. We at that time, I think interviewed...I forget, it was like eight or nine applications that came in for Chief of Police. And so from the process of the Police Commission, we interviewed all eight of them, and whittled it down based on their background, their vision...and I think to me, it's important for a new Chief of Police to be able to voice their goals, their vision of what the Department should do, how they're going to implement that. I mean, a lot of people are going to have a bunch of goals, but how are they going to implement that? Usually, with the Chief, you bring in sort of the top management along with that, how are they going to integrate that to be able to work that all the way down to the patrol officers? Because a leader needs to be able to send out a vision that everybody can buy into and do. So those are the issues of going through

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the interview process of finding out what their background is. We had applicants from the mainland looking to be Chief of Police over here. From Honolulu, we had some officers. So background's important, vision is important, their connection to the culture and community of Maui County, it's special. It's not big city, it's us. So it's important for them to be able to integrate that in that process. So those are all the traits that I look for, and it's more of a personal interaction. As you're there watching someone answer questions, you go through the process to read their resume, to hear what they want to do, what they want to accomplish. Those are the important things, to me, to be able to hire a good Chief of Police, which would last, you know, five, seven years is typically what you're looking for of a run of a Chief of Police. If you can get them longer, if they're doing a good job and have the belief of the men, they can go a lot longer than that. But it's...typically, you will see that kind of operation. And then plus, our interactions with the other Police Commissions of all the islands. It's very eye-opening to be able to have joint meetings and see how the HPD does their process with their commissions. And all of them are different. Like I said, you'd have to bring it back to the local Maui County. It's very important. Sorry for the long answer.

VICE-CHAIR RAWLINS-FERNANDEZ: No, mahalo for your thorough response, Mr. Koch. Mahalo, Chair.

CHAIR MOLINA: Mahalo, Committee Vice-Chair Rawlins-Fernandez. Well, seeing, I guess, no other questions for Mr. Koch, I'd like to thank him for responding to the many questions from the Committee. All right. Well, Members, we are now at a point where the Chair has to offer you a recommendation. But before I do that, I'd like to thank both of these nominees, and this is one of those rare instances where this Committee will have to decide on one of two individuals for only one position. I'll just say, I think both of these nominees are outstanding...certainly very outstanding, and we're certainly graced with their presence. You know, we have Mr. Koch with his prior experience, and we have Mr. Rodrigues with his law enforcement experience. Either one of these individuals would be great additions to the Police Commission. And just for your information, whoever doesn't make the cut today, there are two vacancies that will be opening up on the Police Commission. The Mayor has to submit the names of these two nominees to the Council, I believe, by January 31st. So whoever doesn't move on today to fill the vacancy that was left by Mr. Dixon, there is that option of applying with the Mayor for consideration for the...either one of the two vacancies on the Police Commission. And of course, that will come back to the GET Committee for a vote as well. So with that said, you know, we've had many difficult decisions we've had to make on this Committee, and this is one of those rare instances. I mean, if I had my way and we had two vacancies, I'd have no problem with supporting both of these nominees. So what I'll do, Members, I'll just leave the floor open for a recommendation for either one of these two nominees.

COUNCILMEMBER PALTIN: Chair.

CHAIR MOLINA: Okay, Member Paltin, you have the floor.

COUNCILMEMBER PALTIN: I move to adopt the reso relating to Leil Koch appointment to the

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Police Commission, and filing of the resolution relating to Emmett Rodrigues.

CHAIR MOLINA: Okay, is there a second to the motion?

COUNCILMEMBER KING: Second.

CHAIR MOLINA: Second made by Member King. Member Paltin, as the maker of the motion, you have the floor.

COUNCILMEMBER PALTIN: Yes. I just, you know, most times I don't think of bringing people back. But in this situation that we're in right now, with COVID and the need to appoint a new Police Chief, and Mr. Koch's extensive knowledge and interests, I just think that he's the best fit, although I really appreciate Mr. Rodrigues' answers, and I thank him for his willingness to serve. Both of them. Thank you.

CHAIR MOLINA: Okay. Thank you, Member Paltin. Members, any other discussion as it relates to the motion on the floor on the nomination of Mr. Koch to the Police Commission? Councilmember Sugimura.

COUNCILMEMBER SUGIMURA: Oh, I'm going to be, of course, you know, supporting my nominee, so speaking against the motion. And I just want to speak towards Emmett Rodrigues' years of experience of actually working, and being on the front line, and doing the things that are really what the police do, you know. From the State side, and understanding what the actual Department does, I think he has, like, front line experience. And I think there's great value. Born and raised here, he has taken the interest of doing some research before he took this application, or took the...submitted his application. I value that he did his own research when I spoke to him. And he has given back to the community in ways through education. And I think it speaks volumes when you have Shan Tsutsui, who sent a written testimony in for all of us to review also, and who has great respect because not only did Mr. Rodrigues take care of Shan, but he also had to take care of his family too, right? So his duty was greater and bigger than just only taking care of the Lieutenant Governor. But in everything he did, his giveback to the Kurt Suzuki with 150 kids that Jo-Ann Inamasu said, he knows how to, you know, take care of the community and give back, and I really support him. So, I'm sorry, Leil Koch is actually somebody that, you know, I've kind of known of him probably more. But I cannot support the motion. So thank you.

CHAIR MOLINA: Thank you, Member Sugimura. Member Kama.

COUNCILMEMBER KAMA: Thank you, Chair, very much for this opportunity to speak. You know, I will be voting against the motion too. Because I will tell you what touched my heart is that...and I don't know either of the two gentlemen except what I've read, and what I've heard, and the questions and answers that have happened in this...in today's GET, but I was touched by the fact that Mr. Rodrigues served on the detail of our Lieutenant Governor. That tells me that this guy is willing to put his life at risk for Lieutenant Governor. That's the kind of guys that put their lives at risk for us. It impressed me. And so that's why I'll be voting against this. So thank you very much,

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Chair.

CHAIR MOLINA: Thank you, Member Kama. Chair Lee.

COUNCILMEMBER LEE: Thank you, Mr. Chair. I really wish we didn't have two people to vote on. The only consolation I see in this whole situation is that there are going to be two openings in January. And that makes a big difference in how I'm going to vote. Because since Mr. Koch already served five years, he can try again, and I'm sure he would be highly recommended by the Mayor. The reason why...I don't know Mr. Rodrigues either, what I like about him is he brings fresh eyes and new experience...a new experience, but with experience in a related field. So I would like to give him a chance, but I would wholeheartedly support Mr. Koch if he were nominated again. Thank you.

CHAIR MOLINA: Okay. Thank you very much, Chair Lee. Members, any other discussion as it relates to the motion on the floor? Councilmember Sinenci.

COUNCILMEMBER SINENCI: Chair. And yes, very difficult situation. Both of them seem like great candidates so I'm just hoping that whoever gets picked as the Chair of the Commission, and the other one may want to go ahead and put their application in for some of the upcoming openings. Thank you, Chair.

CHAIR MOLINA: Thank you, Councilmember. Members, any other comments on the motion on the floor? Committee Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I speak in support of the motion. I think everything...you know, I echo a lot of what the Members before me have said, that it's a qualified...and that Mr. Rodrigues, you know, served well as a sheriff and did his job and did that position well. And I appreciated his responses to the questions, and I hope that he puts his name in again for one of the seats that will come available next March. One is for Moloka'i, but the other one can be for Maui. And I think serving on the Commission is a different position than doing the job of a enforcement officer, but it's good to have that perspective as well. I think during this time that we're in, I really appreciated Mr. Koch's response to recognizing the enormous kuleana that the Police Department has taken on during this time, particularly with handling those in our community who are unsheltered, and recognizing that it should be a more integrated approach where it shouldn't fall solely on the police, and that we should be looking at how to better respond to those situations. So I guess, like, for me, as we're looking at where we are and recognizing that some of the systems that have put in place, there's room for improvement, and I would like to see improvement and evolution. So for that reason, I'll be voting in support of the motion. Mahalo, Chair.

CHAIR MOLINA: Thank you very much Committee Vice-Chair Rawlins-Fernandez. Councilmember King.

COUNCILMEMBER KING: Thank you, Chair. I speak in support of the motion, and I want to thank our colleagues for bringing both of these candidates forward, and both candidates

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for putting themselves out there. I'm not disappointed that there's two candidates because this is what we've been asking for for all terms, so we could see more than one candidate for some of these positions. So, you know, I was...I'm happy that we're able to talk to a couple of people who are both qualified. What I heard from Mr. Koch was a little more visionary and strategic thinking as far as going forward and solving problems, as well as collaboration and the willingness to start up community meetings again if they're not happening and engage the public. I don't know if Chair Lee was here when I asked the question that she later brought up, which was can you...you know, can the Commission take some of these calls that the Council is consistently getting of complaints that we have no way to solve because...but, you know, we're the first line of defense for all the phone calls. And, you know, the willingness of the Commission to hear these complaints in public, I think, is going to be really important going forward, especially as we are...may see a spike in the COVID cases, and may need to have better enforcement response to that. So I like the idea of the Commission getting more involved, and knowing how to do that from past experience is important, I think. So, you know, honoring both men who have stepped forward, I support the motion that's on the floor right now for...and I don't know either of these two gentlemen, just from today, from what we've heard today, so I didn't come in with any previous bias or anything, but that's my position. Thank you.

CHAIR MOLINA: Thank you, Member King. Any other comments before the Chair closes with some comments and then calling for the vote? Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, thank you very much for my opportunity on this matter. Gosh, I don't know if it's years of service or what, I don't find it that hard for me to make a decision this morning, Chairman. So when we do the vote I'm going to be ready, but just let me say this. I've had a chance to watch this Department from the '70s. From the days of the old olive drab uniform, to the light baby blue shirts, to what is now their current uniform. From revolvers and the old six-shooters types, you know, all the way to the Glocks and now they have the 9mm specials. So I think I've seen a lot of changes in the Department. One thing is clear though, the Commission is set within the boundaries of the Charter's parameters, okay? I don't care what they would like to do, they only are tasked to do specific work. Shouldn't be involving in operations that is not under their jurisdiction. But I would agree with Ms. King, sometimes we, as the Members ourselves, tend to forget that if we ever read a complaint about the Department, the first place that we should be redirecting it to is to the Commission. They are to receive the complaints. They are to review and investigate the complaints. Our role is basically appropriations and oversight of the whole Department. But regarding the Chief and whatnot, that's the Commission's job. They're the hiring and firing authority. So for me, I like new blood. You know, I was listening to, you know, what people were saying during the campaign, the last few terms and, you know, so we have what we have now. People wanted to see some new freshness, a new name, newness and balance enough with some people who have the experience and institutional knowledge, Chairman. So this morning, I have no problem...I don't know both men very, very well. I know both men, you know, I mean, they've been part of this community for years. The only difference for me is I've seen and heard a lot more of Mr. Rodrigues' service outside of the work environment, what he has done in the community

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with youth programs, whether it's Kurt Suzuki baseball, but I've seen him at Pono events assisting in cooking and handing out refreshments and food for youth teams. I've seen him volunteer and assisting seniors in some of their difficulties at transportation areas. And he was not on duty, which showed me about what this man is built upon and what his...foundation of what his true values are. And so I have no questions about supporting Mr. Rodrigues today. Thank you, Chairman.

CHAIR MOLINA: Okay. Thank you, Mr. Hokama. Yeah, I believe everybody has had their say on the motion. I'll just say...conclude by saying that I appreciate both people. I mean, it says a lot for having prior experience on the Commission, but it also says a lot for having law enforcement experience as well. I would hope that whoever does not make the cut today in this very, very difficult decision apply with the Mayor's Office for a...actually it would be a five-year commitment. Because of this...what we're considering today will only be up until March 31st, 2023, basically a little over two years, whereas with the vacancies that will occur on the Commission that the Mayor has to submit to us by January 31st, I believe those would be five-year commitments. And I guess one position is reserved for a Moloka'i, and thank you for reminding that to us. And the other is a West Maui position, but I don't believe there's any other geographical requirements. It's more of a preference, but certainly, it's...there's some flexibility at least for one of the positions. So yeah, it is...this is difficult, in all honesty, one of those...two outstanding individuals. So I'll leave it at that. So Members, the motion on the floor is to support the nomination of Mr. Leil Koch to the Maui Police Commission for a term expiring on March 31st, 2023. All those in favor, signify by saying "aye."

SEVERAL COUNCILMEMBERS VOICED AYE.

CHAIR MOLINA: Okay. All those opposed?

[Note: Several Councilmembers raised their hands.]

CHAIR MOLINA: The motion?

MR. KOCH: Four, five-four.

COUNCILMEMBER LEE: Mr. Chair?

CHAIR MOLINA: Staff, correct me. Yes, Chair Lee?

COUNCILMEMBER LEE: I made a mistake. I should have...I shouldn't have said "aye."

CHAIR MOLINA: Okay.

COUNCILMEMBER LEE: I should have said...I should have waited.

CHAIR MOLINA: Okay. Members, any objections to Member Lee changing her vote? So you'll be voting against the motion on the floor?

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[Note: Councilmember Lee nodded.]

COUNCILMEMBER KING: Voice vote, Chair.

CHAIR MOLINA: Okay, roll call vote. Okay. The . . . Ms. Espeleta, please do a roll call. Again, the motion is for the nomination of Mr. Koch to the Police Commission.

MS. ESPELETA: Alphabetical order, starting with Member Hokama.

COUNCILMEMBER HOKAMA: Okay, thank you. No.

MS. ESPELETA: Member Kama?

COUNCILMEMBER KAMA: No.

MS. ESPELETA: Member King?

COUNCILMEMBER KING: Aye.

MS. ESPELETA: Member Lee?

COUNCILMEMBER LEE: No.

MS. ESPELETA: Member Paltin? Member Paltin?

COUNCILMEMBER PALTIN: Sorry. Aye.

MS. ESPELETA: Member Sinenci?

COUNCILMEMBER PALTIN: Distance learning.

MS. ESPELETA: Oh, sorry about that. Member Sinenci?

COUNCILMEMBER SINENCI: Aye.

MS. ESPELETA: Aye?

COUNCILMEMBER SINENCI: Aye.

MS. ESPELETA: Member Sugimura?

COUNCILMEMBER SUGIMURA: No.

MS. ESPELETA: Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: Aye.

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MS. ESPELETA: Chair Molina?

CHAIR MOLINA: No.

MS. ESPELETA: The vote is four Ayes, five Noes. Motion fails.

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

NOES: **Chair Molina, Councilmembers Hokama, Kama, Lee,
and Sugimura.**

ABSTAIN: **None.**

ABSENT: **None.**

EXC.: **None.**

MOTION FAILS.

CHAIR MOLINA: Okay. Thank you very much, Members. The motion fails. Is there another consideration from the floor? We have...okay, Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, I move to send the name of Emmett Rodrigues forward to the County Council for approval to the Maui Planning Commission [sic] for the term designated as agendized.

COUNCILMEMBER LEE: Police.

CHAIR MOLINA: Okay.

COUNCILMEMBER KAMA: Second.

COUNCILMEMBER LEE: Police Commission.

CHAIR MOLINA: And is there a second?

COUNCILMEMBER KAMA: Second.

CHAIR MOLINA: Okay. Who was that made by? Member Kama? Okay. Motion made by Mr. Hokama, seconded by Ms. Kama to nominate and approve the appointment of Emmett Rodrigues to the Police Commission. Any discussion? Okay. Seeing none, Ms. Espeleta, let's do a roll call vote again.

MS. ESPELETA: Starting with Member Hokama.

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COUNCILMEMBER HOKAMA: Aye.

MS. ESPELETA: Member Kama?

COUNCILMEMBER KAMA: Yes.

MS. ESPELETA: Member King?

COUNCILMEMBER KING: No.

MS. ESPELETA: Member Lee?

COUNCILMEMBER LEE: Aye.

MS. ESPELETA: Member Paltin? Member Paltin?

COUNCILMEMBER LEE: I see her.

CHAIR MOLINA: She's still on.

COUNCILMEMBER PALTIN: Sorry, I got a situation with my kids.

CHAIR MOLINA: Oh.

MS. ESPELETA: Oh.

COUNCILMEMBER PALTIN: I gotta take it.

MS. ESPELETA: Oh.

CHAIR MOLINA: All right. We'll come back to you, Member Paltin. Okay. Ms. Espeleta, proceed with the next Councilmember.

MS. ESPELETA: Proceeding with Member Sinenci.

COUNCILMEMBER SINENCI: I'll go ahead and support, Aye.

MS. ESPELETA: Aye. Member Sugimura?

COUNCILMEMBER SUGIMURA: Aye.

MS. ESPELETA: Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: Aye.

MS. ESPELETA: Chair Molina?

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CHAIR MOLINA: Aye.

MS. ESPELETA: Returning to Councilmember Paltin, if she's available?

CHAIR MOLINA: Member Paltin? Okay, I know she has a situation at home right now. Ms. Espeleta, what is the current count? I believe we covered everybody, eight members.

MS. ESPELETA: Mr. Chair, we have seven Ayes and one No...Member King.

CHAIR MOLINA: Okay. Last call for Member Paltin, for your vote. Otherwise, we'll move forward. Okay. With that being said, the Chair will call the count for the vote. The vote is seven Ayes, one No. The nomination of Mr. Emmett Rodrigues to the Police Commission will move forward to the Council at a future date. Congratulations, Mr. Rodrigues. Mr. Hokama?

COUNCILMEMBER HOKAMA: Yeah, Chairman, I just was going to ask...I thought by our rules, if a Member chooses not to vote, then the vote is cast with the majority vote side?

CHAIR MOLINA: Okay, let me get clarification. Chair Lee.

COUNCILMEMBER LEE: Yeah. I think you have the ability to excuse her.

CHAIR MOLINA: Okay.

COUNCILMEMBER LEE: So it would be --

CHAIR MOLINA: Yeah...

COUNCILMEMBER LEE: -- every other one, excused.

CHAIR MOLINA: Now is there more flexibility with Committee rules versus Council rules on that? I mean...just curious because I think...because Council rules, I certainly see how that would apply what Mr. Hokama said.

COUNCILMEMBER LEE: Yeah.

CHAIR MOLINA: The Committee rules...

COUNCILMEMBER LEE: Normally...

CHAIR MOLINA: Yeah.

COUNCILMEMBER LEE: Mr. Chair...

CHAIR MOLINA: So the Committee has the option of just not recognizing Member Paltin's participation on the vote then?

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COUNCILMEMBER LEE: Right, she's not even here.

CHAIR MOLINA: Okay.

COUNCILMEMBER LEE: If somebody was present and said nothing, that's an Aye. But if they're not present, then you can't consider that an Aye. You can't consider that an Aye or a No.

CHAIR MOLINA: Okay.

COUNCILMEMBER LEE: That person is excused.

CHAIR MOLINA: Okay, yeah. Mr. Hokama, does that clarify for you?

COUNCILMEMBER HOKAMA: I understand what Chair Lee is saying during this type of video meetings, Chairman. And I just hope that the...we keep the consistency that that's how it's going to be allowed. Because I agree, yeah, we cannot see Ms. Paltin, and therefore...even if she was there, we not sure she is there or connected to this meeting.

CHAIR MOLINA: Yeah.

COUNCILMEMBER HOKAMA: So I'm fine with the...your ruling, Chair. I just would ask that we stay consistent in how we apply it though. Thank you.

CHAIR MOLINA: All right. Thank you, Mr. Hokama. You certainly bring up some good points, and something for us to consider in the future in the event we have something like this occur again. So the Chair will let the vote stand at seven Ayes, one No, Member King, and I guess we'll call it an excusal for Member Paltin, 7-1.

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

NOES: Councilmember King.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmember Paltin.

MOTION CARRIED.

ACTION: ADOPTION OF RESOLUTION nominating and approving Emmett Rodrigues to the Police Commission, and FILING OF RESOLUTION nominating and approving Leil Koch to the Police Commission.

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CHAIR MOLINA: All right, Members. And again, I want to thank Mr. Koch as well for his participation because he certainly was a very worthwhile candidate, and I would hope that he would consider submitting his name to the Mayor for the future vacancies that will occur on the Police Commission come January. And we also have...as Member Paltin mentioned earlier, we have a vacancy on the Ethics Board that the Council has to fill by December 27th, if that is an option he would like to consider applying for as well. All right. Members, it is about 11:45. We still...we never got a chance to get to the Social Host Bill. I think it's better we start fresh. The Chair, of course, has mentioned we do have a recess date of Wednesday, December 9th at 9:00 a.m. So the Chair's preference would be to recess until December 9th. We will take up this bill ASAP on that day, and I hear the Civil Defense siren going off. Maybe that's a...I guess, a sign for us to recess at this point. So if there are no objections, the GET Committee meeting for December 1st, 2020 will go into recess. Let me recognize Mr. Hokama first before we recess.

COUNCILMEMBER HOKAMA: Chairman, thank you very much and very quickly, I will use this as a point of privilege, Chairman. I will try and join you as best as I can on Wednesday, December 9th for the recessed meeting. As I shared with you earlier, I'd like to let the other Members know that I have been fortunate to be chosen by the PEW, P-E-W, Charitable Trust to participate in a National Conference regarding County and Municipal Budgeting as it regards to the fiscal challenges of 2021. So I'll be giving some comment and I...fiscal outlook forecast from my experience to this PEW Foundation group that does a lot of international and advocacy work for conservation environment, as well as other community challenges. So I just wanted to share that so that the community knows that it's not that I don't want to be part of your meeting, but I'll be trying to do two meetings at once, Chairman. Thank you.

CHAIR MOLINA: Wow, thank you, Mr. Hokama. We all appreciate you giving us a heads up, and we're certainly very honored to have you as a speaker representing Maui County on this very important issue that you're, you will be speaking on on December 9th. All right. Before we recess, Ms. Espeleta, is there anything the Chair needs to be made aware of before we recess?

MS. ESPELETA: Mr. Chair, do you want to restate the meeting link for the record for your recessed meeting on December 9th?

CHAIR MOLINA: Oh, okay. All righty. Again, the meeting will be recessed until Wednesday, December 9th. And the meeting link again is 551273481 via BlueJeans. And for those who would like to participate by phone, that's 1-408-915-6290. And for the public's information, testimony has been closed for the recessed GET meeting of December 1st, which will occur on the recessed date...or continue on the recessed date of December 9th, 2020. Is that clear...crystal to everybody?

COUNCILMEMBER LEE: Yes.

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CHAIR MOLINA: Okay. Very good. All right. If there's nothing else then, the GET meeting for Tuesday, December 1st, 2020 will be recessed until Wednesday, December 9th at 9:00 a.m. Meeting in recess. . . . *(gavel)* . . .

RECESS: 11:48 a.m.

APPROVED BY:

Michael J. Molina

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

get:min:201201:cs

Transcribed by: Crystal Sakai

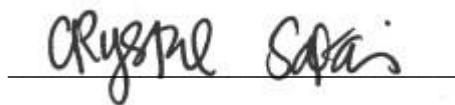
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CERTIFICATION

I, Crystal Sakai, hereby certify that pages 1 through 51 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 25th day of January 2021, in Wailuku, Hawai`i

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

Crystal Sakai