

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Council of the County of Maui

MINUTES

Online Only via BlueJeans Link

February 9, 2021

CONVENE: 9:01 a.m.

PRESENT: Councilmember Michael J. Molina, Chair
Councilmember Keani N.W. Rawlins-Fernandez, Vice-Chair
Councilmember Gabe Johnson, Member
Councilmember Tasha Kama, Member
Councilmember Kelly T. King, Member (excused from 11:16 a.m. to
12:22 p.m.; and excused from 12:44 p.m. to 12:48 p.m.)
Councilmember Alice L. Lee, Member
Councilmember Tamara Paltin, Member
Councilmember Shane M. Sinenci, Member
Councilmember Yuki Lei K. Sugimura, Member

STAFF: Shelly Espeleta, Legislative Analyst
David Raatz, Supervising Legislative Attorney
James Forrest, Legislative Attorney
Wilton Leauanae, Legislative Analyst
Pauline Martins, Committee Secretary
Rayna Yap, Committee Secretary
Jean Pokipala, Council Services Assistant Clerk

Axel Beers, Executive Assistant to Councilmember King
Michelle Del Rosario, Executive Assistant to Councilmember King
Kate Griffiths, Executive Assistant to Councilmember Johnson
Keisa Liu, Executive Assistant to Councilmember Johnson
Lois Whitney, Executive Assistant to Councilmember Kama
Davideane Sickels, Executive Assistant to Councilmember Kama
Gina Young, Executive Assistant to Councilmember Sinenci
Jordan Helle, Executive Assistant to Councilmember Sugimura
Sarah Pajimola, Executive Assistant to Councilmember
Rawlins-Fernandez

ADMIN.: Gary Murai, Deputy Corporation Counsel, Department of the
Corporation Counsel

OTHERS: Lori Buchanan
Kai Nishiki
Douglas Ward Mardfin
La'akea Low
Lucienne deNaie
Walter Ritte
Carol Lee Kamekona

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Aja Eyre
Clare Apana
Kelson Kauano Batangan
Doreen Canto
Grant Chun
Lance Collins
Paul Deslauriers
Keoni Kuoha
Ashley Olson
George Purdy IV
David Mabbutt
Plus (2) other people

PRESS: *Akaku Maui Community Television, Inc.*

CHAIR MOLINA: . . . *(gavel)* . . . Government Relations, Ethics, and Transparency Committee meeting for Tuesday, February 9th, 2021, will now come to order. I'm Mike Molina, your Committee Chair. Time for Committee roll call. Let's go check in first out in Wailuku and...and check in on our wonderful multi-cultural language specialist, Council Chair Alice Lee. Good morning.

COUNCILMEMBER LEE: Mr. Chair, I must say you look very dapper this morning. So anyway --

CHAIR MOLINA: Oh, flattery will get you everywhere . . . *(chuckling)* . . . just kidding.

COUNCILMEMBER LEE: Okay. So if you traveling to China and you want to say good morning to the folks over there, you would say, zǎo ān...zǎo ān.

COUNCILMEMBER SUGIMURA: Zǎo ān.

CHAIR MOLINA: Right on, zǎo ān, back to you. Awesome. Let's go out to Moloka'i and check on Committee Vice-Chair, Keani Rawlins-Fernandez. Good morning. Aloha kakahiaka.

VICE-CHAIR RAWLINS-FERNANDEZ: Aloha kakahiaka, Chair, mai Moloka'i nui ahina, and zǎo ān kākou.

CHAIR MOLINA: Okay, I like that, cool. All right, let's travel out to Kihei and check in on Councilmember Kelly King. Good morning.

COUNCILMEMBER KING: Aloha kakahiaka, zǎo ān, and hauoli la hānau to Councilmember Sugimura *(audio interference)* it's your birthday. . . *(inaudible)* . . .

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CHAIR MOLINA: Awesome, awesome, and that's a nice segue. Let's go check in on the birthday girl this morning out in Kula. Good morning, Councilmember Sugimura.

COUNCILMEMBER SUGIMURA: It's actually tomorrow...for your next meeting tomorrow is my birthday, but I wanted to say zǎo ān, and I changed my background...virtual background to The Great Wall of China to be in the spirit of our Chair's greeting. And this is a photo that my son took years ago, and waited eight hours before he could actually take this picture with nobody on it. But anyway, zǎo ān, and good morning, everybody, from the County building.

CHAIR MOLINA: All right. Zǎo ān, and right on. Great background, Councilmember Sugimura. All right, let's go take a trip out to Lāna'i, and check in on Councilmember Johnson. Good morning.

COUNCILMEMBER JOHNSON: Good morning, Chair. Aloha and zǎo ān to all. I'm looking forward to an exciting debate today and seeing some great candidates. Mahalo.

CHAIR MOLINA: Great. All right, we're looking forward too, as well. Great. Great. All right, I see Mr. Sinenci out in Hāna, good morning.

COUNCILMEMBER SINENCI: Yeah. Aloha kakahiaka, Chair, mai Maui Hikina, and zǎo ān, everyone.

CHAIR MOLINA: All right. Mahalo, Mr. Sinenci. And I see Councilmember Kama has...has made it to...to the Chambers. Good morning, Councilmember Kama. How's the neighborhood doing?

COUNCILMEMBER KAMA: Aloha kakahiaka, Chair, and the neighborhood is still as beautiful as ever. Good morning.

CHAIR MOLINA: Good morning. And as I mentioned earlier, Councilmember Paltin is on her way, and will be joining us shortly. So that's it for our roll call this morning. From Corporation Counsel, joining us is Mr. Gary Murai, and of course our hardworking Committee Staff, Pauline Martins, Jean Pokipala, Shelly Espeleta, Wilton Leauanae, and James Forrest, who will be part of the proceedings today. And thank you again, Members, for making yourselves available for another off week, and as I've stated before, you could've been using this week to meet with your constituents or taking care of other needs, so the Chair certainly appreciates your presence here today. Today's meeting will focus on the Council's nominations for the Charter Commission. And to provide a brief recap on the timeline for the Charter Commission process as the Committee agreed upon, on January 19th, the Committee discussed the process for the Charter Commission applications, and after a meeting...the meeting, a press release was issued and a link to the application and Charter was provided to the public, and Councilmembers were given access to a shared folder to review applications as they came in. The deadline was, of course, February 1st at 12 noon,

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and we received 28 applications by the deadline. On February 3rd, the deadline for Councilmembers to submit the name of their nominee for posting, that was the deadline for the...today's agenda, so that was the deadline for Councilmembers to submit their nominees. And of course, today's the meeting, and by February 19th, the Council meeting on that day will be needed to approve the Councilmembers' nine nominations. And the Mayor will notify the Council of his two appointees to the Charter Commission. And starting on March 1st, the 16-month term begins for 11 members of the Charter Commission, and the term expires on July 1st, 2022. And of course, we have invited all of the nine nominees to participate in today's meetings, and we will then take them up in order. Aside from the Chair, the Chair will exercise his privilege and have his nominee up first today, and then we will follow the order as posted on the Resolution. Each Members'...well, let's do this. Let's take public testimony first, and after testimony is complete, we'll then go over the procedures as recommended by the Chair as to how we will vet our nominees today. So let's do that. Testifiers, you'll be given three minutes, and make sure you join the online meeting via our link, 175 115 369, the BlueJeans link. And if you'd like to provide audio testimony, you can participate by phone by dialing 1-408-915-6290, and entering the meeting code that I just mentioned. And the Committee intends to keep the same link and phone number for future GREAT meetings this term. And written testimony is highly encouraged, using the eComment link listed for today's agenda on mauicounty.us/agendas. And oral testimony, as I mentioned, will be limited to three minutes, and please, state your full name for the record. And if you happen to be a lobbyist or representing an organization, please inform the Committee of that. And please be mindful of the use of chat during the meeting. Chat should not be used to provide testimony or chat with other testifiers. And please turn off any cell phones or any types of electric...electronic devices you may have that could potentially cause a distraction as a courtesy. And if you'd like to view the meeting, of course, just put on the good old television on to *Akakū*, Channel 53. So with that said, Mr. Leauanae, how many testifiers do we have signed up for today?

MR. LEAUANAE: Currently, we...there is four on the list.

CHAIR MOLINA: Okay. All right, let's go ahead and proceed with testimony and announce our first testifiers, Mr. Leauanae.

... BEGIN PUBLIC TESTIMONY ...

MR. LEAUANAE: Thank you, Chair. First testifier is Lori Buchanan, followed by Kai Nishiki.

CHAIR MOLINA: Okay. Good morning, Ms. Buchanan.

MS. BUCHANAN: Good morning. Oh, nice to be "B" and you can go first every time ...*(laughing)*. . . Aloha, Councilmembers, thank you for the opportunity to speak with

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you today on nominations. I was pleasantly surprised to see that Keoni Kuoha was nominated by Keani to serve and, I believe also, to represent the island of Moloka'i, albeit he lives on the island of Maui. I have had the opportunity to work with Keoni in the past when we petitioned then President Obama to expand Papahānaumokuākea, which we were successful, and I also shared some time with Keoni during a lot of other Native Hawaiian organizations, and during really highly political gatherings and stuff like that, and I have always found Keoni to be of...of high intelligence. And the Charter Commission is not for the faint of heart, and so when...when I saw that he said that he was willing to serve, I was so excited, and I fully, fully support Keoni being on this Charter Commission. And I...I feel really happy that he's willing to serve because I have so much confidence in his ability, and I'm sure that he's submitted a resume to you. He's so humble about all of his great works and accomplishments and education, and that's what I really love about Keoni, you know, that he is so very respectful and humble of process. And so I sit here fully supporting him today. And I just went back, and I just did one fast check on the other nominations, and...and so you no have to circle back to me, I also would like to support Lance Collins and George Purdy as well, as...as your choices to the Charter Commission. And thank you again for this opportunity. Mahalo.

CHAIR MOLINA: Okay. Mahalo, Ms. Buchanan. Members, any need to clarify Ms. Buchanan's testimony? Seeing none, mahalo for your testimony, Lori. Aloha. Okay, Mr. Leauanae, please continue.

MR. LEAUANAE: Thank you, Chair. Next testifier is Kai Nishiki, followed by a person with the phone number ending in 3079.

CHAIR MOLINA: Good morning, Ms. Nishiki.

MS. NISHIKI: Good morning, Chair, Committee Members. It's great to see so many...Kai Nishiki speaking on my own behalf. It is great to see so many community members volunteering for public service. In reviewing all of the applications for the Charter Commission, there's an opportunity to add some new and fresh perspectives to the mix, and provide a way for those who have not served on Boards and Commissions a chance to participate. I'm continually impressed and inspired by the progressive actions taken by this Council. So I was a bit surprised and concerned that the nominees presented by Councilmembers didn't really reflect the diversity and balance we expect in this pivotal time in history, where our government accurately represents our community. Perhaps it was an oversight with Councilmembers working on their own to bring forth the most qualified individuals. Maybe now that you're all together, you could work collaboratively to...to bring a bit more balance and nominate a few more women to the Commission to accurately represent our community. I see there are quite a few well-qualified and knowledgeable women within the pool of candidates, and I hope that you will consider them. Mahalo.

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CHAIR MOLINA: Okay. Mahalo, for your testimony, Ms. Nishiki. Members, any need to clarify Ms. Nishiki's testimony? Mr. Sinenci?

COUNCILMEMBER SINENCI: Mahalo, Kai, for your testimony. I haven't got the chance to go ahead and look at some of the other women, but were...did you have any applicants that you would support as well?

MS. NISHIKI: I think that Noelani Ahia and Kaimana Brummel are...would be great representatives on the Commission, and I would hope that a couple of you would nominate both of them. Thank you.

COUNCILMEMBER SINENCI: Thank you. Thank you, Chair.

CHAIR MOLINA: Okay. Thank you, Mr. Sinenci. Members, any other need to clarify Ms. Nishiki's testimony? If none, mahalo for your testimony, Kai.

MS. NISHIKI: Mahalo. Have a great day.

CHAIR MOLINA: Thank you. And Members, before we continue with testimony, Chair would like to recognize Councilmember Paltin to our proceedings this morning. Good morning.

COUNCILMEMBER PALTIN: Aloha kakahiaka kākou from overcast Wailuku town.

CHAIR MOLINA: Okay, good morning. All righty, Mr. Leauanae, please continue with testimony.

MR. LEAUANAE: Thank you, Chair. Next testifier is person with phone number ending in 3079, followed by Ward. Please press star 4 to unmute...unmute yourself.

CHAIR MOLINA: Okay. Good morning testifier number 3079, please identify yourself for the record. Testifier number 3079, please state your name for the record and proceed with your testimony. Okay, you know what, maybe there's a technical glitch in there somewhere. So Mr. Leauanae, please continue with the next testifier, and we'll come back to testifier number 3079 at a later point.

MR. LEAUANAE: Thank you, Chair. Next testifier is Ward, followed by La'akea Low.

CHAIR MOLINA: Good morning, Ward.

MR. MARDFIN: Good morning. I thought I was supposed to come later, but that's okay. I'm not testifying in general, I'm just here for the...your decision making.

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CHAIR MOLINA: Okay. Thank you, Mr. Mardfin. Yeah, we'll...we'll come to you at a later point where you can make some opening remarks, and then the Committee will ask you questions with regards to your nomination to the Charter Commission.

MR. MARDFIN: Mahalo.

CHAIR MOLINA: Okay. Mahalo, thank you. Okay, Mr. Leauanae, please continue with testimony.

MR. LEAUANAE: Chair, next testifier is La'akea Low, followed by Lucienne deNaie.

CHAIR MOLINA: Okay. Good morning, Mr. Low.

MR. LOW: Aloha mai kākou. 'O La'akea Low ko'u inoa. No ka moku o Hamakuapoko mai au ma ke ahupua'a o Makawao. Ke one wau ma uka o ka moku o Kula i keia manawa. Just want to testify today on the nominees. You know, one of my favorite questions that nominees are usually asked is, who are you accountable to? And by your folks' picks, we can see who some of you might be accountable to, so we appreciate that transparency. For...just want to mention about eComment. I just figured out, like, how to use it. Took little while so couldn't really review all the applications. It was easier to use, like, when it's in the...when it's just as a link on like the Resolution or whatever. But anyway, just wanted to mention...talk about some of the nominees. Going to do my best not to mention names but, you know, it's troubling. Some of these people have been...as one...some people have been, like, serving for years and years on these Boards and Commissions, and I just think it's time for like new perspectives. You know, some of those people who served years and years are part of the reason we find ourselves in some of the hewa right now. And so like, one of the nominees has links to, like, A&B and, you know, hewa that happened at Lāhainā Surf where the affordable apartments were like...people thought they were going to get, like, raised rent, like double. And, like, A&B with the dewatering [sic] of our communities for their luxury developments. So that was one nominee that is pretty suspect. And for that area, there's another nominee I seen on the list that's...that works for Maui Tomorrow, there might be a better nominee for that area. Another one has links to Hale Kahana (*phonetic*) permits, someone, you know, who goes through the permit process for all these big development projects. Oh, kala mai. For the one from A&B...rep, I think that was another area, but yeah, someone better for that area might be one of the . . . (*timer sounds*). . . people from Mauna Medic. Another...wrapping up real quick...nominee of course, Muneiko [sic] & Hiraga have a Wailuku hotel, and another one has served many years on an Advisory Committee to the Planning Commission, advocated not to have archaeology...archaeologists on site for pretty much a quarry on the East Side. So anyway, that's my mana'o. Mahalo.

CHAIR MOLINA: Okay. Mahalo for your testimony, Mr. Low. Committee Members, any need to clarify Mr. Low's testimony? Seeing none. Mahalo for your testimony, Mr. Low.

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MR. LOW: Aloha.

CHAIR MOLINA: Okay, aloha. Mr. Leauanae, please continue with testimony.

MR. LEAUANAE: Thank you, Chair. Next testifier is Lucienne deNaie, followed by Walter Ritte.

CHAIR MOLINA: All right. Good morning, Ms. deNaie.

MS. DENAIE: Good morning. Thank you for letting me get on. My chat function is grayed out, I can't...can't chat with you folks. Anyway, I echo the...I'm testifying as a private individual. I'm not a lobbyist, I'm just a retired person who has some time, but I've watched many confirmations for Boards and Commissions, including several Charter Commissions, and it...it's great that so many people applied and there are some choices, but I'd like to echo what Kai Nishiki says, that we don't have much gender balance on...on this. And you...you all picked people who I'm sure were excellent and qualified people and, you know, of course, you want to get someone in your geographic area, so that, you know, counts for something. But we...we really need more ladies on this Commission, and unless we hope that the Mayor is going to balance it out, I...I would urge you to look carefully at your list and see if there is a qualified woman from the district who might serve and provide some balance. I think most of the people who applied would do a good job so, I...I agree that Noelani guys have really distinguished themselves in presenting great testimony over the years and explaining things very clearly, and certainly would be well qualified. So that might be a consideration when you're going over the list. Can we...is there a way that the Council itself can appoint more ladies and have the gender balance reflect our community more. So thank you for your consideration.

CHAIR MOLINA: Thank you for your testimony, Ms. deNaie. Committee Members, any need to clarify Ms. deNaie's testimony? Seeing none. Thank you for your testimony, Ms. deNaie. Mr. Leauanae, please continue.

MR. LEAUANAE: Thank you, Chair. Next testifier is Walter Ritte, followed by Carol Lee Kamekone...kona, sorry.

CHAIR MOLINA: Good morning, Mr. Ritte.

MR. RITTE: Good morning. I don't know how to operate this thing. Can you hear me?

CHAIR MOLINA: We can hear you fine. And we can see you now.

MR. RITTE: Okay, aloha. I'm calling to support Keoni Kuoha. So that's my short and sweet. Aloha to all of you.

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CHAIR MOLINA: Okay, that's real short, but...okay. Members, any need to clarify, Mr. Ritte's testimony? Seeing none. Mahalo, Mr. Ritte, nice to hear from you.

MR. RITTE: Yeah. You guys doing good job. Keep it going. Keep it going. Aloha.

CHAIR MOLINA: Aloha. Okay, Mr. Leauanae, before proceeding with our next testifier, let's check in on testifier number 3079, if they're available. Testifier 3079, please identify yourself for one last opportunity to testify if you're there...3079.

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

CHAIR MOLINA: Okay, you have also been unmuted as well, so...one more time, if you're out there...okay, Mr. Leauanae, please move on with testimony.

MR. LEAUANAE: Thank you, Chair. Next testifier is Carol Lee Kamekona.

CHAIR MOLINA: Good morning, Ms. Kamekona.

MS. KAMEKONA: Aloha kakahiaka, i kou kākou. Kou inoa o Carol Lee Kamekona. Mahalo nui nui for this opportunity to come before you to speak on behalf of the Charter Commission nominees. I do echo what previous testifiers, Kai Nishiki and Lucienne deNaie, has mentioned, that I do see you should at least try and add a balance with the gender. However, I would like to show my support for Keoni Kuoha. I had an opportunity to work with him when he was the Executive Director of Papahana Kuaola on O'ahu as a Cultural Protocol Specialist. I believe that he has a lot to bring to the table with regards to 'āina and resource preservation. With regards to Lance Collins, I believe that he can bring the legalese that is needed, along with that kanaka lens, in order to provide what is needed. I also do support Paul Deslauriers. In working with him through Mahi Pono, as a Progressive, he believes in the 'āina, and he believes in protecting cultural resources. And I also support Kauanoë Batangan as a young and up and coming advocate for the betterment of our lāhui and our 'āina. I think he would do a good job. So those are my remarks. Mahalo, Chair, for allowing me to come forward, and I wish you all a blessed day. A hui hou.

CHAIR MOLINA: Okay. A hui hou. Mahalo for your testimony, Ms. Kamekona. Members, any need to clarify Ms. Kamekona's testimony? Seeing none. Mahalo for your testimony, Ms. Kamekona. Mr. Leauanae, please continue with testimony.

MR. LEAUANAE: Thank you, Chair. Next testifier is Aja Eyre.

CHAIR MOLINA: Good morning, Ms. Eyre.

MS. EYRE: Aloha, I am just calling...sorry, my name is Aja Eyre, and I am calling to testify in behalf of Paul Deslauriers, who was nominated by Councilmember Kelly King. I too have worked with Paul a lot over the last about seven months, and can attest to his

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intelligent and very well meaning approach to the County and its operations. He's very familiar with the Charter, he's familiar with the ways that it affects our daily life, and he's familiar with the way that it affects many different people and different communities here on the island, and I applaud Kelly King for nominating him. He's a great...he would do a great job on the Council. I think there's something else...or sorry, on the Committee...something else that is important is just someone who can help everyone work together, and see clearly how all of these different viewpoints that are coming to this Commission can work together. So I appreciate him...I appreciate his nomination. And I also want to echo what Carol Lee Kamekona said to the other nominees that she mentioned, they also are really great choices. So thank you for your careful consideration of all of those nominees. Aloha.

CHAIR MOLINA: Aloha. Thank you for your testimony, Ms. Eyre. Committee Members, any need to clarify Ms. Eyre's testimony? Seeing none. Thank you for your testimony, Aja. Okay, Mr. Leauanae, please continue.

MR. LEAUANAE: Thank you, Chair. There are no other testifiers signed up at this time.

CHAIR MOLINA: Okay, with that being said, Members, any objections to closing public testimony for our --

MS. APANA: Clare Apana would like to testify.

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR MOLINA: Oh sorry, is there someone...oh, okay. All right. Okay, we have testifier Clare Apana. Go ahead, Ms. Apana.

MS. APANA: Thank you. I...I just want to thank all the people who put their...who have their names in, and I just want to remind Council that there are women, and we want to have a balanced Board, so I hope that you will remember that. I...I do know two of the women who...the two women who are on the list, that's Carol Lee Kamekona and Noelani Ahia, and they are both excellent...excellent choices to represent our community. I've worked with both of them, and they've worked tirelessly in support of our community and the betterment of Maui, and I think that they would do...be excellent candidates. Thank you, Chair.

CHAIR MOLINA: Thank you, Ms. Apana. Members, any need to clarify Ms. Apana's testimony? Seeing none. Mahalo for your testimony. Mr. Leauanae --

MS. APANA: Mahalo, Chair.

CHAIR MOLINA: -- mahalo. Mr. Leauanae, any more sign-ups for testimony?

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MR. LEAUANAE: Thank you, Chair. No other person has signed up. We are still having issues with the chat feature, so if okay, we'd like to invite anyone who would like to testify to make themselves known.

CHAIR MOLINA: Okay, last call. If anyone out there who's tuning in to the meeting, if you would like to testify, please let it be known. Okay, going once, twice, three times. Okay, we will then close public testimony if there are no objections. Members?

COUNCILMEMBERS VOICED NO OBJECTIONS.

. . . END OF PUBLIC TESTIMONY . . .

CHAIR MOLINA: Okay, so noted. And any objections to receiving written testimony?

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR MOLINA: Okay, so noted. All right, very good, Members. All right, let's go ahead and start...get right into it. But before I do that, I'd like to recognize Committee Vice-Chair Rawlins-Fernandez for some comments at this point with regards to the process and anything else that's on your mind that you'd like to share?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. So really quickly, so as we heard in testimony, only two out of the nine nominees are female. And this Council has worked so hard at ensuring that all Boards and Commissions are gender-balanced and, you know...geographical balance. And this is the first time that we're doing this process because the Charter was amended for us to...for Council to be able to nominate and appoint together, nine out of the eleven Charter Commission Members. And because of the Sunshine Law, we weren't able to see who each other would nominate until it was posted on Granicus, and so it's...because of the Sunshine Law, we have that as a challenge. We weren't able to, you know, talk story to ensure gender balance, and I...I know Members would...would try...would've tried to reach out more to ensure gender balance if we knew that each other, you know, who each other were going to nominate. And so we're...we're now going to be taking up each resolution one at a time without really being able to discuss together how we would be able to address this unintentional imbalance. We all tried our best to find people from our own district, and as hard as I tried, I...I wasn't able to get anyone from Moloka'i to apply by the deadline. And I know not every district had women who applied, such as South Maui. There was only one applicant, and it was a male, and so we're...we're kind of at this point of considering what is more important...geographic representation of residency, or ensuring that there is balance, you know, from female perspective. And you know...I know that the Mayor will have two nominees, and even if both nominees are females, it'll be four out of the eleven, which is less than half...36 percent to be exact. And...yeah...so I...mahalo, Chair, I...I...I had expressed this concern beforehand, and

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that's...that's why I...I was hoping that we could just discuss this before we start making motions and adopting resolutions...you know, nominating, that way we...this is our first time being able to discuss collectively all the nominees. And so if there's any room for ensuring, you know, more women being represented, then I think this will probably be our opportunity to try to. Mahalo, Chair.

CHAIR MOLINA: Mahalo for your comments, Member Rawlins-Fernandez, in shedding light on this unfortunate set of circumstances. Again, you know, like as you mentioned, we're sort of hamstrung by the Sunshine Law where you can't really network with each other to discuss, you know, who do you have and all of that, so...it's so...but thank you for making that very excellent...some excellent points. Chair Lee?

COUNCILMEMBER LEE: Yes, Mr. Chairman, there's all kinds of balance to me. You have people on the left who vote toward the left, you have people who vote toward the right, you have people who vote in the middle, and that's...that's one important aspect of balance. The gender part of it is...I personally asked two females first before any males, and they declined. And you know why they declined? Because sometimes this Council can be pretty strident in their review of nominees and they didn't want to subject themselves to that. So then I turned to people who I've worked with in the past, people who are familiar with government. And for me, the next choice would have been somebody who had experience, who did not have to go through a huge learning curve, who doesn't know how the County operates, et cetera...doesn't know...not familiar with any of the Administrative Departments or the Legislative Branch. So although I agree that, you know, women would have been nice to have...more women would have been nice to have on this Charter Commission, I hope we're not going to resort to denying Members from picking their own nominees. I mean, we're...that was the whole intent. Everybody...every person on this Council who was elected gets to choose their own nominees versus the Mayor, not versus each other. It was versus the Mayor. So I...I...I hope you folks remember that part of it as well. Thank you.

CHAIR MOLINA: Thank you for your comments, Chair Lee.

GREAT-5 COUNCIL'S APPOINTMENTS TO THE CHARTER COMMISSION (CC 21-47)

CHAIR MOLINA: All righty, Members, let's proceed. Chair would just like to lay the basic ground rules for today. How we're going to go with this, if there're no objections, I'm going to first recognize the Councilmember and their nominee, and I'll ask the Councilmember to make a motion to support the nominee for Charter Commission. And right after that, as the maker of the motion, the Councilmember would just give a brief...brief overview of the nominee...maybe about a minute, not more than that, because we're under some time constraints and we've got nine individuals to vet by 1:00 today. And right after that, then we will recognize the nominee to say a few words, take a couple of minutes just to state why they would like to be on the Charter Commission, and right after that, then the floor will be opened up for questions if you

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have any. Now of course, the nominator has already done their vetting process, so I'm not going to recognize the nominator for any Q&A, I will just recognize the other Members who have not had a chance to ask questions if they have any. So everybody have a general understanding of how we're going to proceed today? Yes, okay? Clear as mud? Okay. We'll do our best. All righty. The Chair will exercise the privilege of going first. So I guess...I have to set the example, and what I'd like to do right now is I'd like to ask my Vice Chair to assume the rostrum, so I can make the motion from the floor for my nominee. So I will ask Committee Vice-Chair Rawlins-Fernandez to facilitate, and I will step down. So now Committee Chair Rawlins-Fernandez, you have the rostrum.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair Molina . . . *(laughing)*. . . what I call you when I'm the Chair now . . . *(laughing)*. . . Okay. So I will recognize Member Molina to make his nomination and motion on the first resolution.

CHAIR MOLINA: Correct. Okay. Thank you very much, Madam Chair. I move to approve the name of Lance Collins for the Charter Commission.

COUNCILMEMBER KING: Second.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo. Moved by Member Molina, seconded by Member King. Member Molina?

CHAIR MOLINA: Thank you very much, Madam Chair. You know, Mr. Collins' resume speaks for himself. He's been very active in the community in all types of things that I...I don't need to further elaborate on. So with that being said, when you deem it appropriate, Madam Chair, I'd like to have Mr. Collins give some opening remarks to the Committee.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Molina. Mr. Collins, are you on? There you are. Aloha, Mr. Collins, would you like to provide the Committee some opening remarks, and then we'll open it up for questions by the Members. Mr. Collins?

MR. COLLINS: Okay. Aloha kakahiaka, kākou, and dājiā xia zǎo ān. Mahalo to Councilmember Molina for nominating me, and mahalo to you all for having me here today. My name is Lance Collins, I'm a resident of Makawao. I'm also an attorney in private practice, and I have PhD in Political Science from the University of Hawai'i. I was a compiler and indexer of the 17 volume proceedings of the Charter Commissions of the County of Maui, 1964-2012. For many years, I've published and presented on the legal history both of Hawai'i and the Philippines, and I've also edited a couple of books about local Maui history. I served on the Liquor Control Adjudication Board in 2005 and '06, and I was also on this Council's former Subcommittee to update the Maui County Code from 1997-1998. I believe that my knowledge and experience can be particularly helpful to the Commission in evaluating ideas. My practical experience

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VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Okay...first comments and then motion?

CHAIR MOLINA: If you like, go ahead and make the motion and then right after the motion, then I'll recognize you for comments.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay, mahalo, Chair. Okay, I move to adopt the resolution appointing Keoni Kuoha for the Charter Commission.

COUNCILMEMBER KING: Second.

CHAIR MOLINA: Okay. It's been moved by Vice-Chair Rawlins-Fernandez, and seconded by Member King. Committee Vice-Chair Rawlins-Fernandez, you have the floor.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I'm so grateful that someone of Mr. Kuoha's caliber and passion was willing to serve our County as a volunteer on the Charter Commission. He has a Bachelor of Arts in Political Science from Notre Dame. Policy Development...a Master of Arts degree...shucks. Okay, well, I will let Mr. Kuoha explain his education since I don't have that right in front of me. What I would really like to speak to is his wealth of experience. He is steeped in Hawaiian culture, his decision making is community centered. As you heard in testimony, he has a reputation of high intelligence and high integrity. He has a deep understanding of process and systems thinking, and he would bring new perspective and, I think, good insight to the Charter that definitely use some...some improvement here and there. So I...I encourage the Members to support my motion of nominating Mr. Kuoha. Mahalo, Chair.

CHAIR MOLINA: Okay, Committee Vice-Chair Rawlins-Fernandez. And I will recognize Mr. Kuoha now for some opening comments if you'd like to take a minute or two just to share with the Committee why you would like to serve on the Charter Commission. Please proceed.

MR. KUOHA: Aloha kākou. Zǎo ān. Thank you very much for this opportunity to...to address you folks. First of all, I just want to mention it's funny that zǎo ān is today's word because the word ān...I studied Chinese in undergraduate, and the word ān means peace, and central to that character is a woman character, or the female character. So I...I hear the gender balance question, and appreciate that. I also wanted to...to recognize those who testified in support of me, I'm extremely humbled by their testimonies. Carol Lee Kamekona, Uncle Walter Ritte who has been a community advocate for a long time, and Auntie Lori Buchanan. And especially, you know, having worked with Auntie Lori, she's a real stickler for process and integrity, and for her...and I've...I've...you know, she's never praised me in any way in person, but for her to say those things are very...I'm very humbled by her comments, and so much aloha to all of them. I come before you folks because I...I do see an opportunity to...to serve in this capacity. I think the expression of community is...and the will of

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community and the...the citizenry of Maui County is really important, and I look to be a facilitator for that. I...I think that no matter what my sort of personal dreams or whatnot might be, but the...the role of the Commission is...is to take community feedback and mold it as best we can to maximize the effective...effectiveness of our Charter. And...and so I look forward to that opportunity. Another sort of insight, I...I have stood before public hearings before, I...I...when I worked for Papahānaumokuākea Marine National Monument under NOAA, I got a feeling for the...the different dynamics of public meetings, and I...I learned a lot from that, how to turn sort of challenging public meetings to...to become more productive, and...and part of that is really listening, that's...that's one of the number one roles of the Charter Commission is to be an ear to the community. And then part of it is...is really understanding where people are coming from, and so I...I always strive to understand where our community is coming from in order to...to translate that in...as best we can into a Charter that improves the lives of every person in Maui. So I appreciate your time, and open to questions at this point. Aloha.

CHAIR MOLINA: Thank you very much, Mr. Kuoha. I...I just have one quick question. On your application, you mentioned government is a force for good in the lives of its citizens when citizens take responsibility and tend to the levers of our government. Can you just briefly expound on that?

MR. KUOHA: So one of the primary levers that citizens take to is voting, and...and I think ensuring that our voting system and...and districting system maximizes the ability of people to understand the choices in front of them. I...I think that's...that's very important. And then the other side of it is...is...well, multiple sides, but being in contact with our Councilmembers and our elected representatives, expressing to them our views because you...you can only work with the information that you have. And so, you know, the community needs to step up and express their views to you. And then finally, because the County has so many Boards and Commissions, and...and the purpose of these Boards and Commissions are to translate the perspective from and expand the perspective to more diverse views, I think service on...on Boards and Commissions are...are really important for our community to engage in.

CHAIR MOLINA: Okay. Mahalo for that clarification. Committee Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair, and mahalo again, Mr. Kuoha for your willingness to serve our County. I wanted to...as I...as I mentioned earlier, Members, I...I tried...I actually was planning to have a woman from Moloka'i, you know, I was hoping that a woman from Moloka'i would serve on the Charter Commission, but like Chair Lee expressed, that...that urging hadn't panned out as planned. And so in seeing, you know, Mr. Kuoha's interest and passion for this type of work, I reached out to him to...and my own work experience with Mr. Kuoha in drafting constitutions, actually, I reached out to him to see if he would be willing to kind of serve as our...our messenger...Moloka'i's messenger and champion, and to see if he would be willing to

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work with...with our community having, you know, community meetings to ensure that the Moloka'i's voice is being represented, even though Mr. Kuoha resides on Maui. And since we're, you know, now having all of our meetings online, that his residency on Maui would really not make a difference in being able to have online meetings with the Moloka'i community. So I...I wanted Mr. Kuoha to kind of speak to that, so that the public wouldn't need to take my word for it alone, that it's something that he's committed to and feels really strongly about.

MR. KUOHA: Yes. So I...I do commit to...to being a conduit for the people of Moloka'i. I...I...perspectives and...and life experience of the various districts of our County, I think people that have those...those experiences and are...are living with the...the realities of our...our...of their experience need to have a voice because there's no one else from Moloka'i. And because Member Rawlins-Fernandez is putting my name forward, I commit to holding any kind of meetings that make sense for people of Moloka'i. I've actually organized and led community facilitations on...on Moloka'i as well, so I'm happy to...to be in that role, and actually, I think it's...it's critical in order to translate the voice of...of Moloka'i into this process, otherwise, I don't know where else their voice would be . . . *(timer sounds)*. . . heard except for, I guess within the open Charter Commission meetings.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Kuoha, and that's my time, but I...I wanted to again thank Mr. Kuoha to...for being, you know, there to support Moloka'i's community because we didn't have any applications, but you know, as we heard in testimony that there are Moloka'i residents that also appreciate you stepping up to bring your experience and skillset to be our champion. So mahalo. Mahalo, Chair.

CHAIR MOLINA: Okay, mahalo Vice-Chair Rawlins-Fernandez. Questions for Mr. Kuoha? Councilmember Kama?

COUNCILMEMBER KAMA: Thank you, Chair. Thank you for being here, Keoni. I don't know if you remember, but you said this years ago, and that was one of the first things that gave me a great impression about you. You said self-determination is a fundamental human expression that can only exist where it is cultivated in the hearts, minds, and relationships of people. You want to share a little bit about what you meant by that?

MR. KUOHA: First of all, aloha, long time no see. I...I...I think...for one, as...because, you know, there's so many...so many different turns and twists that our individual lives take us, sometimes we don't remember that...that we have this innate power in ourselves, and...and...and essentially, a right to express what is best for ourselves. And you know, oftentimes we also miss the opportunity to see the whole and how we express and our...our...our...our best intentions as a whole, be it as...as a County citizens, citizens of Hawai'i, and/or...or Native Hawaiians, which is where my heart is...is very centered. And so in order to support that perspective of self-determination for everyone who lives here, I...I think that our...our founding document, the County

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Charter, there...there are ways in there to...to encourage people to see themselves in their government because sometimes they don't...they don't see themselves in their government. There are ways in there that...that can encourage the system to...to be more transparent and to express the will of our...of people more clearly. And when...when citizens of Maui see that expressed, they have more confidence in government, more trust in government, and they get more involved. And so I...I just see it as a very productive cycle for our community to be engaged in those ways.

COUNCILMEMBER KAMA: Thank you very much. Thank you, Chair.

CHAIR MOLINA: Thank you, Member Kama. Members, any other questions for Mr. Kuoha before the Chair calls for the vote? We have Member Sugimura.

COUNCILMEMBER SUGIMURA: Keoni, I don't have a question really for you --

MR. KUOHA: Aloha.

COUNCILMEMBER SUGIMURA: -- but I...I just want to tell the Committee and the community that I met you out in the community, and when you had really helped the Maui AIDS Foundation pull itself together when it was going through some challenges, and I was super impressed with your work, and had also heard the appreciation from some of my friends in the community. So thank you very much for all that you do, and I...I definitely support you and...and hope that you bring that spirit to the Charter Commission meetings, and the strength that I saw of what you were able to do to help a community that was looking for help. So thank you very much.

MR. KUOHA: Thank you so much.

CHAIR MOLINA: Thank you very much, Member Sugimura. Any other questions for Mr. Kuoha before the Chair calls for the vote? Okay, seeing none. The Chair will...will call for the vote on the motion to support Keoni Kuoha to the Charter Commission. All those in favor, signify by raising your hand and saying aye.

COUNCILMEMBERS VOICED AYE.

CHAIR MOLINA: All those opposed?

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

EXC.: None.

**ACTION: ADOPTION OF RESOLUTION TO APPROVE
KEONI KUOHA.**

COUNCILMEMBER SUGIMURA: Second.

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CHAIR MOLINA: Okay, it's moved been moved by Member Paltin, seconded by Member Sinenci to support the nomination of Ashley Olson to the Charter Commission. You have the floor, Ms. Paltin.

COUNCILMEMBER PALTIN: Thank you, I just got so excited, you know? I'd like to introduce Ashley Olson, she's a longtime resident of West Maui and a public school teacher at Lahainaluna High School. And she's very involved in, you know, of course the students, but also HSTA to, you know, make it better for everyone...the students, the teachers. And she notified me early of her interest to serve on the Charter Commission, and just, you know, working with her and seeing all the things that the students have to say about her, I couldn't be more happy to recommend Ashley for...to represent West Maui on the Charter Commission. Thank you.

CHAIR MOLINA: Okay, thank you, Member Paltin. Ms. Olson, if you're there, please make yourself available to the Committee by first expressing your thoughts as to why you'd like to serve on the Charter Commission. Ms. Olson? Is Ms. Olson in...

MS. OLSON: Good morning.

CHAIR MOLINA: Okay, yeah, I heard that you were locked out temporarily --

MS. OLSON: ...*(inaudible)*... tone.

CHAIR MOLINA: -- okay, Ms. Olson, good morning. Okay, I see you there.

MS. OLSON: *(audio interference)*

CHAIR MOLINA: Okay, we can see you fine. Please go ahead and share your thoughts with the Committee as...as to why you would like to be on the Charter Commission. Go ahead.

MS. OLSON: And...and turn off my video because internet here on West Maui is not great today. Again, my name is *(audio interference)*, I've lived on the West Side for nearly 30 years, and I've been at Lahainaluna for almost that long as well. *(audio interference)*, I worked in hospitality and retail, and I come to you today as a little bit of a dilettante in that I have an interest, but it's going to be a steep learning curve. I just...the words of the...the previous nominee, Mr. Kuoha, spoke to me. The idea of allowing citizens to see themselves in government, that's critical to gaining *(audio interference)* more, and I think that there are...there's room within the Charter to invite more community participation. There's room within the Charter to further...further the needs of the...of the residents of Maui County. And I hope that you've been able to hear me.

CHAIR MOLINA: We hear you fine, Ms. Olson. Question is, can you hear us? Okay. All right. Okay, Members, the floor is now open for questions for Ms. Olson, Member

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Paltin's nominee. Questions for Ms. Olson? Members, just signify with a hand up. Okay, we'll go with Committee Vice-Chair Rawlins-Fernandez. You have the floor.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Ms. Olson, mahalo for your willingness to serve our County on this Commission. I...so you have...your...your job is like a 9 to 5, 8 to 4 kind of a job, Monday through Friday, as an educator?

MS. OLSON: That is correct.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. So my question will be about meeting times. My understanding is when the Commission is seated and comes together, they'll be able to determine what works best for everyone. Will you be advocating for some...some...for meeting times after work, or would you be able to take off during your work time?

MS. OLSON: I do have some flexibility, especially right now that we're engaged in distance learning. Obviously, after 2:00 is the easiest for me, but I'm also committed to this. And if I need to...if I need to take time away (*audio interference*) Jeri Dean, and I would like to think that she too would allow me to further serve my community.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Ms. Olson. Mahalo, Chair.

CHAIR MOLINA: Okay. Thank you very much Committee Vice-Chair Rawlins-Fernandez. Members, any other need to question our nominee, Ms. Olson? Mr. Sinenci, you have the floor.

COUNCILMEMBER SINENCI: Mahalo, Chair, and aloha, Ms. Olson, hope you're well. I've got the privilege to...to work in collaboration with Ms. Olson as an educator as well, so...and she's been a participant with the HSTA Union. So my question for Ms. Olson is just how is that experience as a representative for the Union...how can those skillsets help with the Charter? What are some of the duties that you do on...as the representative?

MS. OLSON: So I think I've heard your question correctly. Again, internet is not great, but in terms of functioning within a committee, that has definitely been a...a skill that has grown through my work with HSTA. Things like picking apart words and syntax to get to the true meaning of...of the intent of...of things that have been written. I've certainly participated in meetings, and I do know a lot more about Robert's Rules of Orders than I did 10 or 20 years ago. But I think that ultimately, the single biggest thing that I have...that I've earned or learned or gained through HSTA is the ability to work toward a common goal, even though people might be coming at from thoroughly opposite directions. It doesn't always work smoothly, but nine times out of ten, you can reach some kind of consensus, and I think that's very, very important. And the other thing that I've learned is input. You've got to look outside of your bubble for

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other people's opinions, and some of those opinions are better than others, so that's why you need a foundation of factual information.

COUNCILMEMBER SINENCI: Okay. Mahalo, Ms. Olson, I appreciate those comments today. Thank you, Chair.

CHAIR MOLINA: Thank you very much, Mr. Sinenci. Members, any other need to question Ms. Olson regarding her nomination for the Charter Commission, otherwise the Chair will call for the vote. Okay, seeing no other requests for questions, then the Chair will call for the vote to support the...the motion for Ms. Ashley Olson to be on the Charter Commission. All those in favor, signify by saying aye and raising your hand.

COUNCILMEMBERS VOICED AYE.

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: None.

MOTION CARRIED.

**ACTION: ADOPTION OF RESOLUTION TO APPROVE
 ASHLEY OLSON.**

CHAIR MOLINA: Chair will mark it nine ayes with zero noes. Congratulations, Ms. Olson. Your matter will advance for the...to the full Council for a final vote in the near future.

MS. OLSON: Thank you so much.

CHAIR MOLINA: Thank you for making yourself available, and thank you for that nomination, Member Paltin. Okay. Next I'd like to call upon Council Chair Alice Lee. You have the floor.

COUNCILMEMBER LEE: Thank you, Mr. Chair. I would like to move to approve Grant Chun as a nominee to the Charter Commission.

CHAIR MOLINA: Is there a second?

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COUNCILMEMBER SUGIMURA: Second.

CHAIR MOLINA: Okay, it's been moved by Chair Lee, and seconded by Member Sugimura to approve the nomination of Grant Chun to the Charter Commission. Chair Lee, you have the floor.

COUNCILMEMBER LEE: Thank you, Mr. Chairman. I...I met Grant Chun, actually, when we both were widely involved with non-profits, and both he and I sat on many, many Boards together. Then I got to know him better when he became Managing Director of the County, and I found him to be a very good listener. He has a calm demeanor, just like all of you. He's objective, he's impartial, he's passionate about the Seniors that he's working with now at Hale Mahaolu. I hope that all of you can support him. He's very, very intelligent...Maui boy, born and raised here. Thank you.

CHAIR MOLINA: Thank you, Chair Lee, and I'd like to kind of echo those sentiments as well. If I could date myself, I remember Grant and I went to the same high school, and even back then, Mr. Chun was a leader. He was a student body president, a great musician on the trumpet, and he...again, had a very calm, but very great demeanor...he got along well with people from all...all areas in the socioeconomic status. So anyway, I was not in the elite status like Mr. Chun was back then, you know, he was in the...all the very highly intelligent classes, I just was one of the more middle of the road guys, but he still was very friendly to everyone. So with that said, Grant, good morning, Mr. Chun. Thank you for making yourself available. Members, the floor is open for questions to Mr. Chun. Committee Vice-Chair Rawlins-Fernandez, you have the floor.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I have a question for Chair Lee. In clarification of her opening remarks, so Mister...Mr. Chun is...has a calm demeanor like me?

COUNCILMEMBER LEE: Yes, just like you.

COUNCILMEMBERS: ...*(laughing)*...

COUNCILMEMBER LEE: And if you believe that, I have a bridge to sell you in Nahiku.

COUNCILMEMBERS: ...*(laughing)*...

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair Lee. Mahalo, Mr. Chun for your willingness to serve our County on this Commission. That was my only question. Mahalo, Chair.

CHAIR MOLINA: Okay, that was fast. Okay, Members, any other need to question Mr. Chun, who by the way, also was, of course...was a former Managing Director of the County of Maui, so he's had a wide array of experiences in the community, both on

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a non-profit level and a government level. Any questions for Mr. Chun? Going once...okay, I see Member Paltin, you have the floor.

COUNCILMEMBER PALTIN: Thank you, Chair Molina. Thank you, Mr. Chun, for your willingness to serve. I just was wondering, you know, it says that you were the Managing Director from '99 - 2002, and that the Charter should be reviewed for advancements in technology and safety protocols. And I just was wondering, you know, like...I think to me that a lot has changed since 2002 in terms of just how the County is run and the population size, and I was wondering if you had any, like, specific items in the Charter that you were looking at?

CHAIR MOLINA: Mr. Chun?

MR. CHUN: Thank you. Thank you all for having me here. I didn't get a chance to say good morning, and offer an introductory comments, but before I do, I'd just like to remind everyone that as the...as the President of the Maui Chinese Cultural Society, Chinese New Year is this Friday, so Kung Hei Fat Choy to all of you. So yeah, what I was actually referring to in my comments was that there are some provisions of the Charter which kind of really date it. There are references to the Council actually meeting in person, and I know that technically that hasn't been possible this past year, and yet, there've been some great work arounds, obviously, this meeting being a case in point. And just to keep the...ensure that the Charter is providing a...a good strong foundation for the work that the Maui County Government conducts on behalf of the community, I think just a general sort of...what I was referring to is just a general sort of review of provisions like that, that maybe are a little dated. As you indicated, Ms. Paltin, also...of course, the innovations in technology that have become available of recent, and will continue to advance, of course, in the coming years, should probably at least be referenced in the generic...probably not by specific technology because as we all know, it's going to change, it tends to change every...every couple of months. So that's essentially what I was referring to, just keeping the document current and vibrant and dynamic and responsive to the needs of the community.

COUNCILMEMBER PALTIN: And along those lines, we're all elected non-partisan and yet we still have this requirement on Boards and Commissions, like, to ask folks what their political affiliation is. I just was wondering your thoughts on that continuing?

MR. CHUN: Yeah, I'm not exactly sure why that's still in place. I think that . . . (timer sounds). . . I think that requirement pertaining to political party balance on Boards and Commissions is a remnant of the past when the Council itself was...was not non-partisan, right? Folks would run in a primary election amongst their party members. However, that's no longer the case, but the protocol as it pertains to Boards and Commissions hasn't been changed. So that's something that probably should be considered, but I'm not sure that's a Charter thing, necessarily, but...

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COUNCILMEMBER PALTIN: Okay, thank you for my opportunity, and thank you for allowing me to ask you questions, Mr. Chun.

CHAIR MOLINA: Thank you --

MR. CHUN: Nice to see you.

CHAIR MOLINA: -- thank you very much, Member Paltin. And Members, my bad, I guess I was...I know...I've known Mr. Chun so well, so I get...I forgot to ask him, you know, to share his thoughts with the Committee as to why he wants to be on the Charter Commission. My bad, Grant. I'll give you up to two minutes, Mr. Chun, if you'd like to share your thoughts with the Committee as to why you would like to be considered for the Charter Commission. Please go ahead.

MR. CHUN: Oh, sure. Thank you very much, Mr. Molina. And Mr. Molina, as you all are aware, was an outstanding saxophonist. The legend of the Molina's musical prowess is not a legend, it's...it's...it's very, very true. I just like to say good morning and thank you all for, you know, leaping into this process the way you have. As Ms. Lee mentioned, I...I'm, you know, from Maui. I grew up in Kahului, Maui, went to Maui High School. My educational background is...I went to college at USC, the University of Southern California, and Law School at UC Hastings College of the Law. I'm a lawyer by profession, and worked in private practice prior to becoming the Managing Director of the County of Maui. And subsequent to that, I was as one of the speakers mentioned, employed with A&B...A&B properties to be specific...and as of 2017, I am the Executive Director of Hale Mahaolu where our focus and mission and, of course, passion is to provide for affordable rental housing, particularly focused on our kupuna, our senior community. So yeah, we...we're excited about the work we do here at Hale Mahaolu, and to whatever extent that the Charter lays the foundation for accommodating for the needs of our community, that would...that would really be my focus in participating in this...in this body. I realize that the document itself is, you know...it's broad and it's...it lays a framework if you will for...for future initiative and future good works on behalf of the community. And to the extent that I am able to . . . *(timer sounds)* . . . contribute to the process and utilize my experience to assist in whatever way I can, I'm happy to do that. Thank you for having me.

CHAIR MOLINA: Thank you. Thank you very much, Mr. Chun. Committee Members, any other questions for Mr. Chun. Councilmember King?

COUNCILMEMBER KING: Aloha, Grant. Thank you, Chair. Aloha, Grant, good to see you. Just wanted to make a really quick comment because I've known you a while too, and I've seen you...you know, your effectiveness in these kinds of meetings that the issue of putting your...your party affiliation on those applications is a Charter issue, so it may be something that you might want to look at when you get on the Commission. But yeah, thank you for stepping up yet again. You know, I think it's part of the

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balance of bringing new people and some experienced people, so...that's all I have to say. Thank you, Chair.

CHAIR MOLINA: Thank you very much, Member King. Members, any need for questions from Mr. Chun? I see Councilmember Sinenci. Mr. Sinenci, you have the floor.

COUNCILMEMBER SINENCI: Mahalo, Chair, and aloha, Mr. Chun for your willingness to serve. I just had one question. You know, in the November election, our electorate voted to create a new County Department of Agriculture. And so with your experience and...and on the Commission, you have any ideas on how to promote...this is a new, you know, something new from us. We were transitioning from...from old plantation days now to food security that...that our communities want to see, more food security. So did you have any ideas about promoting the Department as a Commissioner?

MR. CHUN: Not specifically, Mr. Sinenci, but I think that because it's a brand new administrative body within the purview of the County of Maui, it's important for the Council, together with whomever is selected from the Administration side, to lead that Department, that there be a...a common understanding as far as what is and is not within the County's purview. Because similar to the Department of Transportation, where there's a State Department of Transportation and a County Department of Transportation, here there'll be a State Department of Agriculture, as well as a County Department of Agriculture. And to whatever degree there can be a minimizing of overlap and greater synergy and cooperation, and maybe less duplication of effort...minimizing duplication of effort, I think that's important because as we all know, resources are limited. And so to whatever degree the County's approach to supporting agriculture in this community supplements and, you know, sort of enhances the work that the State is already doing I think is important, and that there not be jurisdictional back and forth or clashes so much between the County and the State. Let's...I think...I always think that the County should always try and ensure that it has a clear vision of what...what is...what is its kuleana and focus on that.

COUNCILMEMBER SINENCI: Okay, great. Mahalo, Mr. Chun. Mahalo, Chair.

CHAIR MOLINA: Okay. Thank you, Councilmember Sinenci. Members, any other need to ask Mr. Chun questions for his nomination to the Charter Commission? Okay. Seeing none, then the Chair will call for the vote. All those in favor of the motion to support Grant Chun to the Maui County Charter Commission, signify by saying aye and raising your hands.

COUNCILMEMBERS VOICED AYE.

CHAIR MOLINA: All those opposed?

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

EXC.: None.

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to Paul for stepping up and being willing to serve on this, and his...he's also got a very calm demeanor. He's very experienced in facilitating meetings, and also, the...the thing about Paul because he's been working with the Pono Network, he does lean towards the left, the Progressive side, but he also represents tens of thousands of people across the island, and that perspective of potential Charter Amendments. So I'm very pleased. I'm going to go...turn it over to Mr. Deslauriers, let him speak a little bit about his experience and his time on Maui.

CHAIR MOLINA: Thank you, Councilmember King. Mr. Deslauriers, you have the floor. You can take up to two minutes to share with the Committee as to why you would like to be considered for the Charter Commission. Proceed.

MR. DESLAURIERS: Thank you, Chairman Molina, and thank you, Kelly King, for your nomination. And to the Chair and to all the County Councilmembers, aloha. And I want to also acknowledge the *(audio interference)* can put forth the Charter Amendments. That really had made this situation possible right now. It just shows me the importance and power of this Commission, which I greatly respect and will work diligently to support all the different issues that may come up. My background is diverse, so I bring a lot of different types of backgrounds so that I can support a lot of the different issues. I have a Master's degree in Ocean Engineering, I worked for MIT in Woods Hole as an oceanographer. I became a consultant...I was one of three consultants on the National Spill Response Team, I got involved whenever there was a major oil spill or hazardous chemical spill. I started a consulting company in Anchorage, Alaska, and I was involved with doing the environmental assessments for most of the drilling sites along the Alaskan Coast. So I am familiar with environmental impact statements and coastal ecology. I also started a...later in my life, a non-profit, where we served the 40 percent of the lower income bracket of our community in Berkshire County, Massachusetts. And we had a day center for the homeless and unemployed, an overnight cot shelter, we had seven community gardens, we had five houses where we housed people recovering from addiction. So I have a...experience in understanding of a lot of the different issues that our community faces. I was here...I lived here 15 years ago, and I helped start Na Hale O Male *[sic]* which is...really was the first community land trust *(audio interference)*. I really feel that it is maybe an important alternative for us to consider when we look at housing issues . . . *(timer sounds)*. . . and so...so I look forward to really working collaboratively, and listening to the community, and really bringing those issues forth on this Charter. Thank you very much.

CHAIR MOLINA: Okay. Thank you, Mr. Deslauriers. Members, questions for Mr. Deslauriers? Okay. Oh, go ahead, Councilmember Sugimura?

COUNCILMEMBER SUGIMURA: Thank you. So Ms. King said for your time on the island, so how long have you been living here?

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MR. DESLAURIERS: I lived here for six years, and then I was away for 15 years, and part of what I did was that non-profit organization. And when I came back four years ago, then I've been very much involved with the community and really looking at issues and supporting discussions and dialogue. So I reach out in a lot of different ways, and we have a team that helps in that reaching out also. So I'd be able to keep pulse of the different issues and needs within our community.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR MOLINA: Okay. Thank you, Member Sugimura. Councilmember Kama?

COUNCILMEMBER KAMA: Thank you, Chair. So good morning, Paul. Good to see you.

MR. DESLAURIERS: Good to see you, Tasha.

COUNCILMEMBER KAMA: So you know, I just want to share with you that I received a testimony from a Madge Schaefer that calls into question some of your past dealings at some places on the mainland. Did you see that...did you see that...that...that testimony?

MR. DESLAURIERS: Yes, I did.

COUNCILMEMBER KAMA: Okay. Can you speak to that for a few moments?

MR. DESLAURIERS: Sure. There was one...I think one of the main things was that when I had the non-profit for six years, it was very successful, and really had a big impact in Berkshire County. We had a minister, Ralph Howe, who tried a hostile takeover and put some pretty derogative remarks in the press, and that's what we were referring to. There were 98 members of the organization, and then we had a vote of 98 to 0 to remove that person from the organization who was trying this, and he was putting out that bad press. So...so I continued to be the Director of the organization until my departure before coming here.

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

CHAIR MOLINA: Okay, thank you, Member Kama. Mr. Deslauriers, just staying on that same, I guess...what Member Kama had mentioned about the, you know, testimony received from that same citizen. There's another article related to the 9/11 truth movement, which shares an alternate theory of the attacks on September 11th, 2001, and I guess it states...you were quoted in the article as saying, "we believe this was an inside job." I guess, do you still believe this, and I guess, are you still a member of this 9/11 truth movement? And I'm sorry, it makes me a little uncomfortable to ask you these questions, but you know, as the Chair, I got to sometimes ask these questions when we have testimony like this from the public. Please go ahead and share your thoughts with us on that.

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MR. DESLAURIERS: No, I...I'm not involved with the 9/11 truth movement whatsoever. I was, and was doing organizational work at the time, but I had not been involved since, I think, 2007. I have not been involved with that organization.

CHAIR MOLINA: Okay. Thank you, Mr. Deslauriers. Members, any other questions for Mr. Deslauriers before the Chair calls for the vote? Committee Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Mr. Deslauriers, mahalo for your willingness to serve our County on the Charter Commission. And so I...I just wanted to follow up on questions about your residency...the duration of time that you've been on Maui or in Maui County. And Chair...Member King spoke about your network around the island, and communication...two-way communication with that network in being able to receive feedback. So do you think having a...a network of...I'm not...I can't remember how many people it was, but...so if you could speak to the amount of people in this network and the benefit of being...like it...how valuable would it be to have a network to have a two-way communication with while serving on the Commission?

MR. DESLAURIERS: Thank you, Keani, for the question. And I think it's very important that there be exchange happening with the community on an ongoing basis. I'm a big believer in teamwork and really assessing the full scope of issues. And having the network that we've developed through the Maui Pono Network, we're able to really get in touch with a lot of the different perspectives. And I think that's important when we're dealing with these Charter Commission issues. So I think that it would bring an interesting perspective, a broad perspective from the community at large. We'll be able to help and support...engaging the community through social media and other means that we have. I think that it's a way of really creating and supporting transparency in the process also. And again, I think that starting to create more transparency and openness and collaboration among the community is one of our objectives, and I think that through our group, that we'll be able to support that in many different ways.

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

CHAIR MOLINA: Mahalo, Vice-Chair Rawlins-Fernandez. Members, any other questions? I see Member Sugimura. Proceed.

COUNCILMEMBER SUGIMURA: Thank you. So we received that testimony in Granicus or...and going back to the 9/11 truth movement, the *Berkshire Eagle*, February 19th, 2007, talks about the theories of that organization. And what was it and what was your position there?

MR. DESLAURIERS: I was involved in coordinating grass-root organizations. There were a lot of different grass-root groups that were formed, and with my background as being

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an organizational development consultant and working with systems, I helped support those types of organizing so that there could be a voice of the people who had concern about what happened on 9/11. So it was...it was a way of getting the community voice and...and different groups to be focused and support an issue that was important at the time, I thought. And...

COUNCILMEMBER SUGIMURA: And that was something you believed in?

MR. DESLAURIERS: Well, I was involved with an organization back at the time...back in 2000...from 2004 to 2007, and so I participated in that. I am no longer involved in any single --

COUNCILMEMBER SUGIMURA: Did...did you believe in...in...

MR. DESLAURIERS: -- I am no longer involved in any way. I do...I do have concerns about the Federal Government, and...but that does not...and that's why I think County governance is so important.

COUNCILMEMBER SUGIMURA: So I have a friend that died in 9/11, and it is not something that I take lightly. I'm a little bit concerned that you would participate and be a leader in this movement, and at that time you believed in it, otherwise you...or did you not believe in it, and you just did it because it was a job?

MR. DESLAURIERS: No, at the time, I believed in it, and so...you know, it was...it was something that as a concerned citizen I got involved in, just like I think having anyone who has concerns about issues and needs within a community, that they express themselves. It may not be in alignment with everyone else's view; however, in our democracy, it was something that we felt several...several of us felt very important to express and to question what happened. It was just questioning, and that's what my involvement was. So it...it's not about belief, it's not about conviction, it's not about any of that, it's really about community participation, getting involved with issues, and supporting a dialogue around those issues.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair, point of order. I...I...this line of questioning is really not relevant to the Charter Commission . . . *(timer sounds)*. . . so I'm going to object to any more of those kinds of questions.

CHAIR MOLINA: Okay. Your point is noted. Member Sugimura, can you . . . *(inaudible)*. . .

COUNCILMEMBER SUGIMURA: I'm asking the...I'm asking the questions because we're talking about participation and governance, and...and I probably wouldn't have brought it up if...if I didn't think that it had any kind of relevance. I'm not trying to, you know, bring up anything that's negative, but we're...we're speaking of joining...having participation in our governance and...and what that belief is, and so therefore, I thought it was relevant. Thank you for this opportunity.

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CHAIR MOLINA: Thank you, Member Sugimura. Members, any other questions for Mr. Deslauriers? Member Kama?

COUNCILMEMBER KAMA: I don't have a question for Mr. Deslauriers, Chair, but I just wanted to address the body that I'm just feeling a really high level of discomfort about this, and the fact that we don't know what he believes. I mean, does he or does he not believe that there's a conspiracy theory that the U.S. Government, in fact, brought down the World Towers, and does he believe that that's happening here on Maui too? I don't know, and we can't talk about those things, but it's just troubling to me, and it makes me feel uncomfortable, but that's all. Thank you, Chair.

CHAIR MOLINA: Okay, thank you, Member Kama. Member King?

COUNCILMEMBER KING: Thank you, Chair. I agree with Member Rawlins-Fernandez, this is...we haven't asked these types of questions of anybody else as far as their, you know, specific beliefs about this. This came from a Member of the...the community who hosts a Facebook page that has told a lot of lies and smeared a lot of negative issues about a lot of us on the Council. And so I think we should keep our...our discussion to a higher level of what we're looking for for the Charter Commission. I think Paul is highly qualified, and I just hope we can support him and move on. Thank you.

CHAIR MOLINA: Okay. Thank you, Member King. Okay, Chair would like to respectfully ask the Members, I think we've exhausted the line of questioning for these two issues that came up in written testimony from the public, and so the Chair would like to move on from that. Although I...honestly, it did sort of raise my eyebrows when I saw these comments, but anyway, I'll leave it at that. Are there any other questions not related to the written testimony that was submitted for Mr. Deslauriers? Okay. Chair will just state his support out of Committee for Mr. Deslauriers with some reservations, but I will still support his nomination out of Committee. If there is no other questions, then the Chair will call for the vote. All those in favor of supporting Mr. Paul Deslauriers to be on the Maui County Charter Commission, signify by raising your hand and saying aye.

COUNCILMEMBERS VOICED AYE.

CHAIR MOLINA: All those opposed?

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

EXC.: None.

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what I found about this young man is that he is young, he is energetic, he's vested in this community. He's born and raised here, Kamehameha School graduate, actively engaged in the community. He is vested in this place he calls his home, and he comes with great experiences on the Federal, State, as well as the County level. So I would just ask that you would approve him so that we can continue to have our youth involved in our government. Thank you.

CHAIR MOLINA: Okay. Thank you, Member Kama, well stated. Good morning, Mr. Batangan. I'd like to give you up to two minutes to share your thoughts with the Committee as to why you would like to be considered for the Charter Commission. Please proceed.

MR. BATANGAN: Lina mai, kākou a me zǎo ān. Good morning, Councilmembers. It's good to see you again. My name is Kauanoë Batangan, I'm kama'āina to this island...grew up in Kahului and moved back here after ten years in the mainland and abroad, where I worked on the Federal, State, and County level. I've also had experience working in other countries and with native nations, and I think those perspectives and experiences can offer unique . . . *(inaudible)* . . . to the Charter Commission. I love this community. I love the mission-driven aspect of public service. And since moving to the private sector, I have been looking for ways to get back involved with helping the community, and thought that the Charter Commission would be a great opportunity to do so. So I look forward to...or hope that I have the opportunity to serve with your permission. Thank you.

CHAIR MOLINA: Okay. Thank you very much, Mr. Batangan. Committee Members, questions for Mr. Batangan in his quest to serve on the Charter Commission? Okay, well, seeing none...well, okay, Vice-Chair Rawlins-Fernandez, you have the floor.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Mr. Batangan, mahalo for your willingness to serve on the Charter Commission. I have a question about your response to question 3 on the application. You say, I believe in the...I believe overall the Commission should review the division of powers and responsibilities of the Legislative and Executive Branches. Will you please expound on that, and include...yeah...expound on that.

MR. BATANGAN: Sure.

VICE-CHAIR RAWLINS-FERNANDEZ: Then I'll ask my next question.

MR. BATANGAN: While I was serving as an EA to Councilmember Sugimura, there were a number of times when the...when the Council and the Administration clashed over interpretations of the Charter. And I think that now that we have an opportunity to go and clarify some of those discrepancies, we should take the opportunity to do so.

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VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo for your response. Do you...do you think that there is balance, currently, between the Executive and Legislative Branch, and if there is not, where...how would that balance be established?

MR. BATANGAN: That's a good question. I...I don't really think there are different roles that each of the branches of government play, and I do think that there are a lot of powers that the Executive Branch has that I think that the Council could exert more control over. That being said, there's nothing specific that I would point to that I would want to change at this time. I think when you review a document, you have to look at it in its totality, and there's nothing related to the balance of power right now that I would specifically want to change.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo. And so as far as Corporation Counsel in its role as being a neutral party to both branches, do you think that right now it is able to be a neutral advisor to both the Executive and Legislative Branch?

MR. BATANGAN: I think that there are definitely cases to be made for either side. I know that there are definitely feelings that they are not able to do so. To that point, I think that the Council has OCS attorneys that it can lean on to represent it if it doesn't agree with the opinion of Corporation Counsel, and should do so.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo for your response. So the Charter currently states that Corporation Counsel is the chief representative and advisor...legal advisor...legal representative. And so as the Charter is currently written . . . *(timer sounds)* . . . what they *(audio interference)* carries more weight than our OCS attorneys because our OCS attorneys are not the chief legal representatives and legal advisors. And so is that where you would help to give more balance, is that what you're saying?

MR. BATANGAN: Well, when I first made that statement, I was specifically referring to the appointment of Directors. I thought the nominees who were not appointed to their posts...I thought there was a circumvention of the Council's will, and would probably bring that up, should I get the opportunity to do so at the Charter Commission. I think that the balance of power with Corporation Counsel is one that we should also look at. I mean, there's definitely feelings of...of...of it not being able to represent both sides, and I think that it's something that we would have to look at. I don't have any specific policy prescription at the moment, but I'm definitely open to exploring that.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Batangan, and I...I will be happy to support your nomination. I think your education and experience and perspectives will be an asset on the Commission, and I...I really like that this is your first time serving on a Board or Commission, even though you worked in Member Sugimura's office, that you're a new name that we can consider and will bring insights to this Commission. Mahalo, Chair.

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CHAIR MOLINA: Thank you, Vice-Chair Rawlins-Fernandez. Members, any other questions for Mr. Batangan. I see Councilmember King.

COUNCILMEMBER KING: Thank you, Chair. Thank you for stepping up, Mr. Batangan. I kind of wanted to follow up on the question that Councilmember Rawlins-Fernandez just had about, you know, your statement about imbalance of power. When I first read that, I thought that to mean more, you know, I was looking more at what's happening with Corp. Counsel because of the fact that even though we approve Corp. Counsel as a Council, once they're approved, we have no authority to fire . . . *(inaudible)*. . . so they end up...you know, so that whole...the whole situation that happened with the injection well thing...that they ended up supporting the Mayor's position, and we didn't...we didn't really have a position because we didn't have legal representation. So do you have any thoughts on that? Is that part of what you were talking about with imbalance of power?

MR. BATANGAN: No, it was the general feeling of there being mistrust, and that the other was trying to circumvent the will...or one was trying to circumvent the will of the other, and I think that there needs to be ways to manage disputes like this. You know, in other democracy...in other levels of our democracy, we have the Judiciary that we can go to, and there's a clear path forward to resolution, and there doesn't seem to be that here. So it's not so much any specific issue that I'm talking about, it's a path forward to resolve issues that should come up.

COUNCILMEMBER KING: So you'd be willing to look at the process that's outlined in the Charter and address that.

MR. BATANGAN: Correct, and it's...it's more process than outcome driven, yes.

COUNCILMEMBER KING: Okay. Yeah, no, I agree with that. I don't agree that we should be working off of feelings, but I do agree that we should be looking at the processes that have and have not worked. So I appreciate that response. Thank you. Thank you, Chair.

CHAIR MOLINA: Thank you very much, Member King. Questions? We have Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Batagan or Mister...sorry, Batangan, for your willingness to serve. I just was wondering...I think one of the testifiers had mentioned your place of employment, and I was wondering if you could speak a little bit to, like, if there could be any possibility of conflict of interest, and if there were, how you would handle it.

MR. BATANGAN: Sure. So I work for Munekiyo & Hiraga, it's a planning and land use company here on Maui. I don't believe that there's any specific projects that will be in conflict with the Charter. The Charter document is more of a guideline for how the County operates rather than, you know, something that gets into specific policies that

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would affect permitting or land use. But if there is a conflict of interest, I would excuse myself, just as any other person who has a conflict of interest on any other Board or Commission does. And I fully trust that the attorneys and my peers would notify me if I was getting into territory where I would need to recuse myself from any decision making.

COUNCILMEMBER PALTIN: Thank you. Thank you, Chair.

CHAIR MOLINA: Thank you, Member Paltin, and thank you for that question because that was on my mind too, based on what the testifier had expressed. But I can see if Mr. Batangan was up for nomination to the Maui Planning Commission or Community Plan Advisory Committee because of his employer. I guess they're basically a land use consulting firm. I can see potential conflict with that, but with the Charter Commission, it's basically our plan of government and the inner workings, so I...you know, I personally don't see any conflict that could occur, but certainly with Mr. Batangan going on record stating that if there is conflict, he would certainly recuse himself, so I much appreciate that response. Members, any other questions for Mr. Batangan before the Chair calls for the vote? Mr. Sinenci?

COUNCILMEMBER SINENCI: Mahalo, Chair, and aloha Kauanoe, nice to see you, and I'll just follow up on some the past...the other Members' questions about the...the Charter Commission. We did send the Committee some issues to look at that did have some...some language that was...that was uncertain, and it could be misconstrued or go two different ways. So...so...and...and in the past we've...we had to hire special counsel just so that we...we didn't get into any disagreements with...with both the Legislation and the Administration. So happy to support and happy to...you know, should you get confirmed, that you look at some of these and...and just try to look at the language to see what...the original intent that was...that was provided. Just wanted to state that. Mahalo, Chair.

CHAIR MOLINA: Okay. Mahalo, Councilmember Sinenci. Any other last questions for Mr. Batangan before the Chair calls for the vote? Okay, seeing none...oh, sorry. Member King?

COUNCILMEMBER KING: Yeah, I just had one more question, and it was brought up...the idea of conflict of interest. So just wanted to check...Kauanoe, if there's something that comes up because of the fact that SMA right now permitting rests in the Planning Commission purview, and if there is something that came up like that that was a Charter Amendment question about, you know, changing that purview, is that something that you would recuse yourself on because it's a planning issue? ...*(inaudible)*...

MR. BATANGAN: Possibly. I would probably defer for a legal opinion on that one. My gut in that if it's relating to process, that doesn't...it would probably be okay because it's not

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like it's an SMA for a specific job before our company, but I...I don't know, and would have to defer to...to somebody with more expertise on...on the matter.

COUNCILMEMBER KING: Okay. So you wouldn't feel pressure from your employer or pressure because of your position to vote one way or another on, you know, matters of...because it is process, you're right --

MR. BATANGAN: Um-hum.

COUNCILMEMBER KING: -- but it's also process that affects how decisions are made, and you know, there may be a desire to go one way or another by certain developers or consultants. So I just want to make sure you either would...in that situation, recuse yourself, or...or at least distance yourself from the influence of, you know, your employer.

MR. BATANGAN: Yeah, I...oh, sorry, go ahead.

COUNCILMEMBER KING: Go ahead and finish.

MR. BATANGAN: Oh, sorry. Yeah, I...I...conflict of interest is something that I will definitely keep at the forefront of my mind. With that specific example, I think it would get down to the details as to whether or not my position would affect my ability to serve unbiasedly on this Commission. And I think I would probably defer to...to the legal opinion of whoever's assigned to...to our Board or Commission.

COUNCILMEMBER KING: Okay. All right. Thank you.

CHAIR MOLINA: Okay, thank you, Member King. Committee Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. So this is in response to Member...Member King's question and Mr. Batangan's response. So conflicts of interest and ethical questions are not under the purview of Corporation Counsel. It's actually under the Board of Ethics, and so perhaps we can request if Mr. Batangan is confirmed, that he can get...he can proactively get an opinion because it does take a few weeks for it to go onto the agenda for Board of Ethics to make a determination and issue an opinion, and then that way on the SMA issue, Mr. Batangan would be able to have guidance beforehand to know how he should proceed in discussing and voting if that issue comes up. Because Corporation Counsel will not advise on that, that...that is not under their purview.

MR. BATANGAN: I appreciate that, Member Rawlins-Fernandez, and yes...I mean, that's in line with my intent. I...I don't want to be making these judgment calls on my own. I would appreciate some proactive guidance on the matter and will take that into, you know, consideration...or sorry, would follow that advice.

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VICE-CHAIR RAWLINS-FERNANDEZ: Okay. So Mr. Batangan, you're...you're saying that you...you will make that request of the Board of Ethics, and that way you can have that information...that opinion from the Board of Ethics beforehand, and then that way you can proceed accordingly.

MR. BATANGAN: Yes.

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

CHAIR MOLINA: Okay. Mahalo Vice-Chair Rawlins-Fernandez. Councilmember Kama?

COUNCILMEMBER KAMA: Oh, are we asking Mr. Batangan before he gets confirmed today to go and get an opinion from Ethics?

CHAIR MOLINA: I don't think so. I think only if the...it...

COUNCILMEMBER KAMA: At the time it...it occurs, right? That's when he would have to go do that? Okay.

CHAIR MOLINA: Yeah. Yeah. Are we correct in interpreting you...that...Member Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: So we're going to take a vote now, and that vote will likely not change when it gets to Council. So yes, the request is for after we take a vote, if the vote confirms Mr. Batangan, then he would go and get that opinion from Board of Ethics. Because it takes several weeks for them to get it onto the agenda, to take up the issue, and then to draft the opinion...I think it takes like over a month, and they're going to meet on March 1st.

CHAIR MOLINA: Right.

VICE-CHAIR RAWLINS-FERNANDEZ: Yeah, so...yeah, that...the request is for after this meeting, if he does get the votes, which it sounds like he will, that he can go now to...to...you know, go...you know...this week to get it. And then when we get to Council, he won't have to, you know, prove anything to us, it's going to be on his integrity to...to follow through on that, as he said he would if he gets the confirmation at Committee. And then when we get to Council, you know, we would likely vote the same way. I...I don't...I wouldn't anticipate there being *(audio interference)*.

COUNCILMEMBER KAMA: So Chair, what is the timeline like?

CHAIR MOLINA: Yeah, good...good --

COUNCILMEMBER KAMA: That's my concern.

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CHAIR MOLINA: -- you brought that up. Well, February 19th --

COUNCILMEMBER KAMA: That's my concern, Chair.

CHAIR MOLINA: Yeah, assuming Mr. Batangan passes out of Committee today, then the final vote would occur at the February 19th Council meeting because the Charter Commission has to be, I guess, formed by March 1st...or in place. So now...I...I'm not sure what the Ethics Board timeline is, so it will...my guess is they...at the earliest, they could likely meet on Mr. Batangan, if not during the month of February, possibly the month of March. Member Rawlins-Fernandez, you have the schedule, by any chance, of the Board of Ethics?

VICE-CHAIR RAWLINS-FERNANDEZ: . . .*(laughing)*. . . No, I don't have the schedule, Chair, but I wanted to clarify because it sounds like I was still possibly not clear. So an...an opinion from the Board of Ethics would likely not come before Mr. Batangan is confirmed at Council, and I'm okay with that. What...what I was saying is that before the Charter Commission gets to that part in the Charter, that he would have an opinion so that he would know how to proceed. And you know, it's...it's for his own, you know, protection that he have that opinion from the Board of Ethics. And I anticipate the first couple of meetings will just be the Charter Commission organizing themselves, and getting acquainted with the Charter, and understanding their role and the Charter, and how they're, you know, agreeing to a...a calendar for them for the next 16 months. So I think there's going to be a lot of administrative things that will be taken care of in the first, you know, March and then April. And so that would give him, you know, enough time to...to get an opinion from the Board of Ethics before they, you know, get to that part in the Charter that deals with SMA and Planning Commissions. Mahalo, Chair.

CHAIR MOLINA: Okay, thank you --

MR. MURAI: Mr. Chair?

CHAIR MOLINA: -- Ms. Rawlins-Fernandez. Mr. Murai from Corporation Counsel, go ahead.

MR. MURAI: Yeah. Thank you, Mr. Chair. I don't mean to butt in, but I'm a little bit familiar with the Board of Ethics. And so for the Committee's information, the Board typically meets on the second Wednesday of the month. So in...and...so I think they're having a meeting, like I think, this week. Their next meeting will be the second Wednesday of March. A wrinkle for Mr. Batangan is that you need to be a County employee or officer to request an opinion, so...but I...I figure, assuming that he gets confirmed on the 19th, he could either make his request then, and have that, you know, timely get on the Board of Ethics' calendar. Now, I can't speak for the Board, but it is also possible for someone who's asking for an advice or opinion to request an expedited opinion. In other words, the Board would notify the requestor, you know, as

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Committee. Thank you. All righty, Members, it looks like, by the looks of your faces, you guys deserve a break, okay? Especially your Chair needs to take care of some personal needs, got to go on to the restroom, so let's take a break, Members. We're moving right along at the speed of light here. We've gone through seven of the nine nominees, we've just got two more to go, so appreciate your hard work and due diligence, Members. So we will call this GREAT Committee meeting for February 19th [sic], 2021 into recess to reconvene...Members, you want 10 minutes, 15 minutes? What's the call? Ten minutes? Okay. Yeah, let's reconvene. Meeting in recess until 11:15. ... (gavel) ...

RECESS: 10:59 a.m.

RECONVENE: 11:16 a.m.

CHAIR MOLINA: ... (gavel) ... The GREAT Committee meeting of Tuesday, February 9th, 2021 is now back to order. Thank you very much for that break, Members. We are, of course, on the Charter Commission nominees, and we're moving along like the speed of light here. We've taken a vote on six of the nine nominees thus far. We have now the nominee from the island of Lānaʻi, and the Chair would like to recognize Councilmember Johnson.

COUNCILMEMBER JOHNSON: Mahalo, Chair, greeting Councilmembers. I move to adopt the resolution to approve George Purdy, IV as a nominee for the Charter Commission.

COUNCILMEMBER SUGIMURA: Second.

CHAIR MOLINA: Okay, the motion has been made by Councilmember Johnson, and seconded by Councilmember Sugimura to approve the nomination of George Purdy, IV for the Maui County Charter Commission. Councilmember Johnson, you have the floor.

COUNCILMEMBER JOHNSON: Okay. George Purdy is a father, a firefighter, and he's an ideas man. We've had long talks and debates over issues that concern our community. I stand before you in strong support of George Purdy, IV. Thank you for his consideration. Mahalo.

CHAIR MOLINA: Okay. Thank you very much Councilmember Johnson. Mr. Purdy, if you're there, we'd like you to turn on your video, and we'd like to invite you to share with the Committee...about maybe two minutes, just share with us as to why you would like to be considered for the Charter Commission. Go ahead, Mr. Purdy.

MR. PURDY: Aloha, Council. I'm George Purdy, Island of Lānaʻi. I'm interested in being part of this Commission because I want to keep representation to Lānaʻi. I bring the public safety management part into the Commission in understanding the Charters. I'm also the UAS Director for the State of Hawaiʻi, so I understand policies and procedures and

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growing new programs. And then for Lānaʻi itself, with COVID that's going on right now, and the opportunity to help our County community as a whole is part of the economic development. So by updating the Charter itself, giving you folks the tools that can, you know, grow our community much larger and better and dig ourselves out of this hole. But other than that, I've been representing this community in the fire service at the airport. I've been able to work in many emergency situations. If you folks remember 2014, the Planning Commission crash, that was actually a pre-planned drill that the State, County, private entities all got together, practice such a scenario, and then seven months later it happened. But that shows the efficiency in where I've learned my management skills, understanding of policies between departments and how we're able to work well together and get the job done. So thank you for your time, and I'm here to answer any other questions that you folks may have.

CHAIR MOLINA: Okay, thank you very much, Mr. Purdy. Committee Members, the floor is now open for questions to Mr. Purdy as it relates to his nomination to the Charter Commission. Okay...sorry, I'll...I'll go first, and then I'll recognize Committee Vice-Chair Rawlins-Fernandez. One quick question, George. In your application, you mentioned, you know, you have military and State Fire Department experience that can help you on this Commission. Can you share your thoughts on that? I think you just mentioned it in your last statement, but any other ways how this experience in the military and with the State Fire Department, it could, you know, formulate your...your thoughts and ideas for the Charter Commission?

MR. PURDY: Sure. So you know, born and raised on Maui, growing up in 'Ulupalakua, yeah, I only knew what was living in the States, enjoying island life. I joined the military at 17, did the U.S. Navy for five years, and then I also joined the Air Force right after to figure out what else I wanted to do, and that's where I became a fireman. So understanding the policies...and I wasn't a college person right off the bat, I was more the hands-on working, so the military gave me that understanding and foundation of what the rules are...how you learn about rules and then how do you make decisions off of those rules and based off of facts, not feelings. So that's how I feel that I can help with understanding this Charter Commission and the Board and Members that you folks have already chosen in the beginning, I see a really great team that, you know, we could really clean up and streamline certain things so we're moving forward into the future, everything is factual, and it makes easy decisions.

CHAIR MOLINA: Okay, thank you for your response, Mr. Purdy. Committee Vice-Chair Rawlins-Fernandez, you have the floor.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Mr. Purdy. Mahalo for your willingness to serve the County on the Charter Commission. In your application, you...you talked about 5G. And I know like for our last term, that was a really controversial issue. And I understand that when it was brought to the community on whether they would support 5G, that when it seemed like there was a majority of the

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community that didn't, you were inclined to listen to the majority of the community. So is that...is that kind of how you operate? That even...even if it's something that you may disagree with the community, in listening to the majority of the community and, you know...whether their griefs or their concerns or their support, is...is that kind of how you make decisions?

MR. PURDY: Yes, Keani, and that's part of my training under risk management. So sharing the project, there were concerns about the 5G, but the 5G was also just a payload. The other part that was missing out of that whole article was actually I was flying a drone to 80,000 feet. You know, that's a feat in itself that would put Maui County and Hawai'i in the aviation world...in the aviation map. You know, these are untapped potential of jobs for our kids here in Hawai'i. I mean, for example, you look at now, we're lacking on airlines coming to Lāna'i and Moloka'i, Hāna, Kalaupapa. You know, in the future, we've got future drone taxis that could be flying interisland and, you know, delivering supplies. This past week, we had no barge until Sunday...on football day, which Tampa Bay won, yay. But these are the things that I forecast. And when I see a goal that I want to achieve, I reverse engineer that. And that's where today, being asked to be a part of this Commission is one step to get to that end goal, and that's the way I look at it. And risk management for me in the fire service, you gotta take the whole community, and the whole community has say. And then, you know, certain things of these projects, I've done it on the international level. I wasn't going to use one tax dollar. So I had to go outside of my community, and not get any support from any State member, and bring it here. So I do shake the tree a little, but I also want to show my community members and the students that I taught at Lāna'i High and Elementary where Women in Technology gave me the opportunity to teach the first drone classes in Hawai'i here on Lāna'i. And from Women in Technology, that course that we developed went to about 32 other schools in the State of Hawai'i. . . .(timer sounds). . . You know, these are things where I start planting that seed way back in 2014, 2015 to achieve where we got today, and here I am for Maui County, a country boy, and I'm heading up the State of Hawai'i's UAS project for operations in Hawai'i. And based on how we are able to use these drones in the future...

CHAIR MOLINA: Mr. Purdy?

MR. PURDY: Yes?

CHAIR MOLINA: Yeah, sorry, your time is up and --

MR. PURDY: Okay.

CHAIR MOLINA: -- I think you gave us a very well-rounded response on that. So Member Rawlins-Fernandez, I'll go recognize other Members for any questions for Mr. Purdy. Okay, Members, any other need for questions...

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VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Purdy for responding to my question.

CHAIR MOLINA: I'm sorry, go ahead.

VICE-CHAIR RAWLINS-FERNANDEZ: Oh, I...I was just...I just wanted to thank Mr. Purdy for responding to my question, and that the...the core of my question was about decision making and taking into consideration the community's voice. It...it wasn't so much to deliberate on the merits of 5G and drones, but mahalo for that additional information. Mahalo, Chair.

CHAIR MOLINA: All right. Thank you. Thank you for...

MR. PURDY: Thank you. I'm sorry.

CHAIR MOLINA: No worries. Okay. Members, any questions for Mr. Purdy? Member Paltin? Oh no, your hand was up? Was your hand up? Questions for Mr. Purdy? No? Yes?

COUNCILMEMBER PALTIN: I don't really have questions for Mr. Purdy, I was just plugging in my device so I don't lose you all.

CHAIR MOLINA: Okay, all right. Good to know. All right, we have Council Chair Lee.

COUNCILMEMBER LEE: Hi, George.

MR. PURDY: Hello.

COUNCILMEMBER LEE: Thank you for your willingness to serve. The last time I saw you on Lānaʻi was about 25 years ago. Are your children all graduated and off to somewhere else now?

MR. PURDY: Yeah...yes, my son just came back, and I think he's going to join the military now. And now my daughter wants to study abroad, so she got accepted to University...UH Hilo, and then she wants to go to Japan to start up international relationships.

COUNCILMEMBER LEE: Wow, terrific. So you know, with all your activities, do you have time to spend on this Commission because it's going to be pretty intense when...when it gets organized.

MR. PURDY: Well, in this COVID time, my personal side business kind of went down, so I do have time now to try to get our economy back going. And by helping with this Charter, it gives me a better outlook if I ever want to restart another company down the road.

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COUNCILMEMBER LEE: Thank you, George.

CHAIR MOLINA: Thank you, Chair Lee. Any other questions for Mr. Purdy? Any follow up? No? Okay, before the Chair calls for the votes, last call. All righty, Chair will call for the vote. All those in favor of the motion to support the nomination of George Purdy, IV to the Maui County Charter Commission, 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 Johnson, Kama, Lee, Paltin,
 Sinenci, and Sugimura.**

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmember King.

MOTION CARRIED.

**ACTION: ADOPTION OF RESOLUTION TO APPROVE GEORGE
 PURDY.**

CHAIR MOLINA: Okay, Chair will mark it unanimous. Nine ayes, zero opposition. Congratulations, Mr. Purdy, your matter will go before --

MR. PURDY: Thank you.

CHAIR MOLINA: -- the full Council on February 19th.

COUNCILMEMBER LEE: I don't think Kelly King is there.

CHAIR MOLINA: Oh, oh, yes, yes, sorry. We have one excusal, Member King did tell us she did have an appointment. So sorry, I stand to correct the record, it will be eight ayes with one excusal, Member King. Nonetheless, Mr. Purdy's nomination advances to the full Council on February 19th, so thank you. Thank you very much, Members, moving right along, we're down to our last two nominees for today. Chair would like to recognize the nomination from the Councilmember of Hāna. Mr. Sinenci, you have the floor.

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COUNCILMEMBER SINENCI: Aloha and mahalo, Chair. I move to approve the name Douglas Mardfin to the Charter Commission.

COUNCILMEMBER LEE: Second.

CHAIR MOLINA: Motion made by Member Sinenci, seconded by Chair Lee, to approve the nomination of Douglas Ward Mardfin to the Maui County Charter Commission. Mr. Sinenci, you have the floor.

COUNCILMEMBER SINENCI: Mahalo, Chair. Mr. Mardfin has been a community advocate for East Maui and an educator for our kaiāulu. He has institutional knowledge in government affairs, economics, and history specific to East Maui, and he will ensure that rural Hāna has a voice on the Commission. So with that, I'll let him speak and answer any questions. Thank you, Chair.

CHAIR MOLINA: Thank you, Councilmember Sinenci, and good morning, I guess. We're still in the morning phases of the day. Mr. Mardfin from Hāna, please...you have up to two minutes to share with the Committee as to why you would like to be considered for the Charter Commission. Please proceed, sir.

MR. MARDFIN: Mahalo. Aloha kakahiaka, and I guess we're saying zǎo ān today. Yes, I'm probably the oldest person you're considering, I'm 76 years old now. I've been a lifelong educator and while I wasn't born and raised here, I felt reborn here. I came...I was raised in a New York suburb, and I came out here when I was 17 years old with a friend, and we spent the whole summer in Kīpahulu. I fell in love with Maui and Hāna district. I begged my parents to let me finish my senior year of high school here, which they declined to allow, but I finished high school, came...and I actually skipped graduation. I came back on...after I took my final exams. I again went to Kīpahulu. I had the opportunity to walk around the island of Maui in six days so I could register with the draft board. Halfway through that summer, I was taken in by a man named Francis Lono, Jr. and his...and became part of the Lono ohana. At the end of that summer, I went to college, lasted three semesters and flunked out because I was homesick for Hāna. I came back and worked as...picking papayas, and then I wound up teaching 5th grade as a permanent substitute. It was at that time that I got first involved with Maui County government. The Chairman of the Board of Supervisors was Eddie Tam, and there was a problem in Hāna, the lights didn't go on at the ballpark. So my Hawaiian friends asked me to...haole's have big mouths, and so they asked me if I could do something. And I called up the Mayor...not the Mayor...he was Chairman of the Board of Supervisors...called him up and told him about the problem. The very next day, the lights were on in the park. . . .(timer sounds). . . I...is that my two minutes?

CHAIR MOLINA: Yeah, unfortunately, your two minutes are up, but don't worry, we'll...we'll make sure we keep you busy here, Mr. Mardfin.

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MR. MARDFIN: Okay.

CHAIR MOLINA: It's time now for questions from the Committee Members, but I'd just like to open up by saying I have no questions for you, Mr. Mardfin. You're very well entrenched in the community in East Maui, and you've been very active in the community, serving on various Boards and Commissions. And you've always had an excellent attendance record, so you have my full support, Mr. Mardfin. All right, Members, the floor is open for questions for Mr. Mardfin. Okay. Any hands going up here? Okay, we have Committee Vice-Chair Rawlins-Fernandez. You have the floor.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Mr. Mardfin, mahalo for your willingness to serve our County on the Charter Commission. So on your...in response to question 3 on the application, you said the...the Executive Branch is important because of the possibility of a change in the power of the Mayor vis-à-vis, a Managing Director. Would you expound on that, please?

MR. MARDFIN: Yeah. I know there's been a lot of discussion about the powers of the Mayor versus having a professional Managing Director to do a lot of things. I haven't totally made up my mind on it, but I think it certainly deserves a good look at by the Charter Commission. This...this is the perfect time to think about, in a comprehensive way, what needs to be done and could be done to balance out the Executive and...and Legislative powers, and to keep things on a very professional level rather than have it be into politics alone. When Elmer Cravalho got elected the first Mayor of Maui, that's...I think things got politicized quite a bit. I can remember when the Council got changed from a partisan body to a non-partisan body. So there's a lot of things I've...well, I'm old, I've been around for a while. My working life was on O'ahu teaching college, but I think that the experiences I've had will help me analyze problems and try to figure out the best way forward for Maui County.

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

CHAIR MOLINA: Thank you very much, Vice-Chair Rawlins-Fernandez. And you know, I apologize, I said I wouldn't have a question for you, Mr. Mardfin. If Committee Members, you'll allow me to just ask one question. Mr. Mardfin, you noted on your application about having more local advisory committees similar to the Hāna Advisory Committee. So in your own opinion, do you believe that each Council district seat should have an advisory committee?

MR. MARDFIN: Well, I started out by being from Hāna on the Maui Planning Commission. There used to be one there all the time. I was the last one that served, and I've been on the Hāna Advisory...Hāna Advisory Committee to the Maui Planning Commission. This is my second time. I do...I know there's some people looking around at putting more advisory committees on. Hāna's been the only one that's had both an advisory committee and subject to the Maui Planning Commission. Some people in Hāna think

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that we ought to have our own Hāna Planning Commission. I'm actually somewhat against that, but I'm open to whatever people think. You asked if other places should have it, and I understand that there are at least two other areas that want one, and they're looking at how to do it and what the powers should be. I think that's an issue that ought to be well looked at by the Charter Commission. I think there are a lot of advantages in having local people hold the local public hearings where people can get to, and having the local people make the recommendations to the Maui Planning Commission.

CHAIR MOLINA: Okay. Thank you for your comments, Mr. Mardfin. I see Member Paltin had her hand up. Go ahead, Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Mardfin, for your willingness to serve. My question was...I had a few questions, but going off of Member Molina's last question, and...and possibly your previous service on the Planning Commission, I was wondering if you could elaborate why you're not for other areas getting their own Planning Commissions as our Planning Commissions...our Maui Planning Commission schedule seems to be very rigorous in that, you know, I think they meet the most and the longest, and part of that is because they have to take into effect the entire island of Maui, what's going on. And...and I did notice, you know, a lot of folks that give the advisory or, you know, put in time and work on being on a Board and gives an advice, and then to not be listened to on the next level of government kind of is something that makes them feel like their time wasn't well spent or, you know, those types of feelings. So I just was wondering if you could elaborate on your feelings of not having full-on Planning Commissions instead of an advisory situation where it's like instead of moving us through the process quicker, we're kind of adding another layer perhaps or...or just, you know, maybe non-substantive in that the Planning Commission doesn't necessarily need to follow the guidance.

MR. MARDFIN: Yes, I'm actually very much in support of Lānaʻi and Molokaʻi having their own Planning Commissions, but Maui, I think, does need a (*audio interference*) Maui Planning Commission because there's a lot of interaction among...among the various regions on Maui. I'm not against each region having an advisory committee, but I'm also...think that there's a role for a central Maui Planning Commission that can balance out the issues between all the different areas. I happen to be fortunate to be on the Maui Planning Commission when we looked at the Maui County Plan before it went to the Council, and I kept trying to put in motions to have every policy in the Maui County Plan have a little thing at the end saying, subject to the Advisory Committees so that we could have exceptions because Hāna's very, very different from the rest of Maui. We're a quarter of the island, and yet two percent of the population. So we're very undense [*sic*] in terms of what's going on. I think that...

COUNCILMEMBER PALTIN: If I can just stop you there because I'm on a time frame.

MR. MARDFIN: Sorry.

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COUNCILMEMBER PALTIN: I was wondering if you could briefly speak to some of the testifiers that mentioned, you know, the lack of gender balance or . . . *(timer sounds)* . . . folks having previously served?

MR. MARDFIN: Well, I'm not going to get a sex change operation at age 76, but I am concerned about...I agree with them. And it's an unfortunate situation, I would prefer more gender balance. I don't know what else to tell you.

COUNCILMEMBER PALTIN: Thank you.

MR. MARDFIN: Oh, I have a lot of other experience. I've taught in Fiji for three years, I taught in Luxembourg and in Europe. I've seen a bunch of governments, I've seen two coups in Fiji, so I'm...I'm aware of a lot of different political situations. I even served...when I spent 30 years on Maui...on...excuse me, on O'ahu, teaching a college, I served on the neighborhood board for St. Louis Heights, Kapahulu, and Diamond Head.

COUNCILMEMBER PALTIN: Thank you, Mr. Mardfin. Thank you, Chair.

CHAIR MOLINA: Thank you, Member Paltin. Members, any other questions for Mr. Mardfin before the Chair calls for the vote? Okay...oh, sorry, Mr. Sinenci?

COUNCILMEMBER SINENCI: Mahalo, Chair for the opportunity. I just wanted to let the Members that we did have women candidates considered. However, our...our first choice is at home with two younglings on virtual...on virtual learning. So...and...and looking at some of the other applicant women, I've...I know a majority of them, and...and I plan to work with them moving forward, so I just wanted to add that. Thank you, Chair.

CHAIR MOLINA: Thank you, Member Sinenci. Members, any other questions for Mr. Mardfin before the Chair calls for the vote? Seeing none, then the Chair will call for the vote, and the motion is to support Mr. Ward Mardfin to the Maui County Charter Commission. All those in favor, 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 Johnson, Kama, Lee, Paltin,
Sinenci, and Sugimura.

EXC.: Councilmember King.

ACTION: ADOPTION OF RESOLUTION TO APPROVE DOUGLAS MARDFIN.

CHAIR MOLINA: Do I have a second? Okay. Motion made by Member Sugimura, seconded by Member Kama, to support the nomination of Doreen Pua Canto to the Maui County Charter Commission. Member Sugimura, you have the floor.

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COUNCILMEMBER SUGIMURA: Thank you, I got ahead of myself. So I think that one of things that her application does not say is that she lives in the Hawaiian Homes in Kula. And when my son was in elementary school, that's when the Hawaiian Homes were being considered to be built in the community. And there was a cry for the community to understand what that meant for the greater community, and that's when I first met Doreen. And she became the President, I think at that point, of the Kula Community Association, and educated all of us in many ways that she could about the brand new community that was being built in Kula. Through her years, she has been...and I don't know how many times you've been the President of the Kula Community Association, because you are again, the President. She's also served on Commissions for Police, Fire, as well as Maui Planning Commission, so she's...she's not a stranger to County governance. And I...I want to just ask you to support her because this is something she shared with me. She said that this is the third time she's applied to be part of the Maui County Charter Commission...that she had wanted to in previous opportunities and she valued this...this nomination, and I hope you will allow her to serve us.

CHAIR MOLINA: Okay. Thank you very much, Councilmember Sugimura. And now I'd like to turn matters over to Ms. Canto. Thank you for being so patient. We know you're the last nominee, and thank you for staying all the way with us through the proceedings. So I would like to offer you up to two minutes to share with the Committee as to why you would like to be considered for the Charter Commission.

MS. CANTO: Thank you. Aloha mai, kākou e Committee Chair Molina, Committee Vice-Chair Keani Rawlins-Fernandez, and Members of the Council and viewing public. My name is Doreen Napua Canto, or known to many, as Yuki Lei had mentioned, "Pua". You know, vested in public service, I take pride in volunteerism, and while holding full-time jobs, if confirmed this morning...well, this afternoon, is my hope to support the Charter Commission in an effort to study and review the operations of this government as it relates to the structure and organization of the County of Maui. Before I move on, I did want to offer a thank you to Vice-Chair Rawlins-Fernandez for her opening statement. It showed some sensitivity to the process that you folks needed to go through in order to get this going. You know, volunteerism is...it's in my blood. Like for many of us, it's a matter of wanting to serve and it's just something I've been doing forever. The appreciation that we get from the public, from those that we serve is...is so gratifying that it's just something that I need to do. So Yuki Lei has mentioned everything that has encompassed my...my life when it comes to volunteerism. This is no different. It was at least 30 years ago that I had anticipated to somehow get on this Charter Commission, by hook or crook, I...I...it's just, you know, I believe that...some of you weren't even born....some of these nominees weren't even born when I first showed an interest in...in this Commission . . .(timer sounds). . . but here I am today. Thank you. Thank you for listening.

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CHAIR MOLINA: Okay. Thank you, Ms. Canto. Okay, Members, the floor is open for questions for Ms. Canto. Councilmember Johnson.

COUNCILMEMBER JOHNSON: Aloha, Pua. Thank you, Chair. I...after hearing this, I'm really curious, was you applied for...so three times in a row, basically, to get on the Commission because it's every ten years. What --

MS. CANTO: Correct.

COUNCILMEMBER JOHNSON: -- what would be your number one priority. Is it...is it...has it changed over the time, or is there one thing that you're really wanting to change about our Commission? Why...why after 30 years you applied every time, and what is your number one priority?

MS. CANTO: Well, for me, I do have an interest in public...you know, Section...what was that...the building permit section is...is an issue. I hear about this all the time. I do have a part-time job that, you know, blends right into what's happening in...in that division. So there was a time where we were talking about a one-stop shop. I don't know what happened to that. The Mayor had spoken about this a year or so ago, and I do want to see that come to the table again for discussion, and see how we can better help our Development Services Administration within the County. They need help. And...and so I feel it's important for not just myself, but for the community to have an easier means of getting through this process. It's very time consuming. And thank you for your question. But yes, it was 30 years ago when I first started. You weren't even born.

COUNCILMEMBER JOHNSON: Okay. Well, --

CHAIR MOLINA: Okay. Oh, go ahead, Mr. Johnson, go ahead.

COUNCILMEMBER JOHNSON: -- Staff can follow up on that. Did...is...is it...is it your...your opinion that younger people don't have the experience? Is that...is that...

MS. CANTO: Oh, not at all.

COUNCILMEMBER JOHNSON: Okay.

MS. CANTO: Not at all. I don't want to even comment on that, you...no.

COUNCILMEMBER JOHNSON: Okay. Just...all right. Okay. That's all. That's all my questions. Thank you.

CHAIR MOLINA: Okay. Thank you, Mr. Johnson. And you know, just following up, Ms. Canto, on Mr. Johnson's questions about the permit process. Yeah, you did note on your application, our community shares disappointment of the length of time it

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takes to obtain permit. And I can appreciate that because myself and other Members of the Council have been contacted by various members of the public about, I guess, this so-called lack of responsiveness, service, and length of time it takes to get permits through various departments. Now, your comments is...or your opinion is mostly focused...would that be the Planning Department or Water Department...any specific Departments that your concerns lie with?

MS. CANTO: It would be waste...I'm hearing complaints from people within the County regarding Wastewater and Planning, and...and so...you know, everybody has differences of opinions, and I...I just believe that these Departments need help. They need more people, more staff.

CHAIR MOLINA: Okay.

MS. CANTO: But that's just my opinion. So...

CHAIR MOLINA: Okay. So in your role as a Charter Commissioner, what could you do to address these type of concerns?

MS. CANTO: Well, I want to take that section and dissect it with the rest of the...the Commissioners to...to see how we can better support this Department. It's...it's well known that they...they do great work, they're great people, but they need help.

CHAIR MOLINA: Thank you very much for that response.

MS. CANTO: You're welcome.

CHAIR MOLINA: Member Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair, and thank you, Ms. Canto, for your willingness to serve. I just was wondering if you had...based on that question...I had other questions, but just follow up on that question, I was wondering if you had reviewed the 2006 Zucker Audit of the Planning Department?

MS. CANTO: I did not, but if it's something that I should, you know, then I'd be willing to do that.

COUNCILMEMBER PALTIN: Okay, yeah, because I mean it...the audit was done in 2006, and many of the problems remain, and so you know --

MS. CANTO: Right.

COUNCILMEMBER PALTIN: -- I mean, I don't think another audit would help, it would maybe make sense to listen to the first audit or something, or make progress on it. And that just came up because of Mr. Molina's question. But my other question that I

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wanted to ask was, you know, based on your experience with Hawaiian Homes, we have close to 800 acres in West Maui that are...you know, some of it is for Ag subsistence and one...some is for residential, and there's been talk all around with folks talking about providing infrastructure for projects to help affordable housing move forward. And being that, you know, Hawaiian Homes was like...like a Federal thing that passed, and I believe it's a condition of Statehood, I just was wondering if, you know, if we're going to be providing infrastructure for affordable homes, and seeing as how Hawaiian Homes are a mandate of the Federal and State government, like, where do you feel the County falls in that...fulfilling that type of mandate, and...and if we're going to be talking about providing infrastructure for affordable homes, and Hawaiian Homes are pretty much affordable in perpetuity, I just was wondering your thoughts on that matter.

MS. CANTO: Regarding...regarding what's going on with the...the State and the Department of Hawaiian Home Lands, we all know that they're looking towards building a casino, if you might. So to me, it's where did we miss...we missed something, you know? What happened to the affordable housing? Why are we putting a casino in front of the needs of our people? So I'm not at liberty...well, not at liberty, but you know, I'm not in a position where I'm sitting in front of the Chair and the Commission having this kind of dialogue, so I don't know what's happening within the Commission on a day-to-day basis. You know, I'm all for supporting our...our Native Hawaiians, and...and I just cannot see this kind of an entity coming before any kind of affordable housing project be it in Lāhainā or throughout the State of Hawai'i, you know. And I...

COUNCILMEMBER PALTIN: I guess to clarify, like you know, at one time Hawaiian Homes had sewer credits with the Department of Environmental Management, and they've since expired. Like would you be supportive of . . . *(timer sounds)* . . . of the County, you know, supporting Department of Homes...Hawaiian Homes in that way, in like, you know... Kā'anapali Land Management Corp. also had sewer credits but somehow those ones never expired. So I just was wondering, like, your thoughts on supporting the infrastructure for Hawaiian Homes in ways that the County could...being that it's a State and Federal mandate to provide housing for Native Hawaiians on Hawaiian Home Lands.

MS. CANTO: Given all the facts that should come before...or would come before me before I can make a decision, yeah, I would support that.

COUNCILMEMBER PALTIN: Okay. Thank you. Thank you, Ms. Canto, and thank you, Chair.

MS. CANTO: You're welcome. Nice to see you.

COUNCILMEMBER PALTIN: Nice to see you.

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CHAIR MOLINA: Okay. Thank you, Member Paltin. Members, any other questions for our nominee? I see Committee Vice-Chair Rawlins-Fernandez, you have the floor.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Ms. Canto.

MS. CANTO: Aloha.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo for your willingness to serve on the Charter Commission. I wanted to also dovetail (*audio interference*) regarding building permits. So my understanding of what was being discussed is in Code and not in Charter. Do you know where in the Charter you would like to amend to address concerns that you have cited?

MS. CANTO: I believe it was Section 5, the...do you mind if I looked at your Bible? I think it was Section 5, yeah. It was the Director of Planning or Public Works, I'm sorry.

VICE-CHAIR RAWLINS-FERNANDEZ: That's Section 8.

MS. CANTO: Section 8, yeah.

VICE-CHAIR RAWLINS-FERNANDEZ: Planning is Section 8.

MS. CANTO: Article...Article 8.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Where in Article 8?

MS. CANTO: In Article 8, it would be...

VICE-CHAIR RAWLINS-FERNANDEZ: In the Charter it (*audio interference*).

MS. CANTO: I'm sorry, Keani.

VICE-CHAIR RAWLINS-FERNANDEZ: So the Charter is...is more like, you know, broad, it doesn't talk about like specific processes in permitting, so that's where the Code comes in. So the...Section 8 talks about each Department's powers, duties, and functions at a broad level, and then it's up to Ordinance to fill in the gaps on carrying out the broad level powers, duties, and functions. So the intent of the Charter is to be...not like...not like, you know, not more vague, but just broad, and then Code is where it comes in to explain in detail the...the processes.

MS. CANTO: Okay, so I...I suppose for me, while reading through the Charter, I was looking at Section 8-8.3, it would entail the powers and duties and functions. And you know, if it's something that the Commission could bring to the table and have a discussion, or have...share some dialogue, could there be changes there and...or not. It's just something that, you know, if is there anything more that the Commission could

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support with giving them the work or help that they need in that department. I see a lot of need for that.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. So I mean, I think we all agree with you that the permitting process could definitely be expedited.

MS. CANTO: Yeah.

VICE-CHAIR RAWLINS-FERNANDEZ: But...so my question was about if you have any ideas on what you would recommend or what would, you know, contribute . . . *(timer sounds)*. . . wordsmithing the Charter in order to address the concerns that you brought up.

MS. CANTO: I understand your question, but at this time, I do not...I can't bring it to the...to the table right now. It would be something that I would like to further have dialogue with the rest of the Commission --

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Ms. Canto.

MS. CANTO: -- if...if approved. Thank you.

CHAIR MOLINA: Okay. Thank you, Committee Vice-Chair Rawlins-Fernandez. Councilmember Kama, questions for Ms. Canto? Proceed.

COUNCILMEMBER KAMA: Thank you, Chair. Good morning, Pua, nice to see you.

MS. CANTO: Good morning.

COUNCILMEMBER KAMA: So you know, in that...referencing the same section, Article 2, Section 2-1, it talks about the powers of the County...it says, the County shall have all powers possible for a County to have under the constitutional laws of the State of Hawai'i. I think in many ways that's what I think maybe I was alluding to in terms of where you'd want to maybe wordsmith that process of including the Constitution and the part that...that references that...the Department of Hawaiian Home Lands. And as they...as the...the State of Hawai'i is responsible to administer that program, that the County would too also follow suit. So I was just wanting to know if that's something or someplace you'd be able to say something like that.

MS. CANTO: Absolutely. Yeah, that...that'd be something that I'd have to go ahead and...and look into and...before I can give you any kind of verbiage, Member Kama.

COUNCILMEMBER KAMA: Okay, thank you.

MS. CANTO: Thank you.

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COUNCILMEMBER KAMA: Thank you. Thank you, Chair.

CHAIR MOLINA: Okay, thank you, Member Kama. Members, any other questions for Ms. Canto before the Chair calls for the vote? Committee Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. That first question took a little longer than I anticipated. I...I...I wanted to follow up on one of the questions that Member Johnson asked about uplifting the next upcoming leaders. I can't remember exactly how he phrased it, but that you...I wanted to clarify, you said that you were supportive in that way?

MS. CANTO: Did you want to reiterate the question, I'm sorry, from Member Johnson?

VICE-CHAIR RAWLINS-FERNANDEZ: I don't know if Member Johnson remembers, but it had...Member Johnson, do you remember exactly the question that you asked?

COUNCILMEMBER JOHNSON: If...if you believe that younger people have the life experience to serve on a Commission such as *(audio interference)*?

MS. CANTO: You want me to answer Member Johnson then at this point?

VICE-CHAIR RAWLINS-FERNANDEZ: I wanted to...so you...you answered him and you said, no, that you believed that...oh, actually I think you said you didn't want to *(audio interference)*.

MS. CANTO: I think...I mean, if I could add more to that. You know, I believe that today's generation are very akamai. There's...there's no doubt that the leaders of tomorrow are...are...what do you call that...they're voting now. I have two 19 year olds that just started voting, and the knowledge that they carry is so fine-tuned into the political arena that I...I see a lot of future for people...for...for the younger generation of today to step into Boards and Commissions.

VICE-CHAIR RAWLINS-FERNANDEZ: So if...if there was someone that was qualified in the district, is that something that you would be supportive of uplifting...if like a applicant in the district worthy --

MS. CANTO: Yes.

VICE-CHAIR RAWLINS-FERNANDEZ: -- of the upcoming leaders. So...

MS. CANTO: Yes. Yes. And I say that because I'd have to look at the end result, you know. Is this person willing and able to make it all better for our County, you know. Is this person all this? So yeah, I would support that.

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VICE-CHAIR RAWLINS-FERNANDEZ: On...on the last day, we got a flood of applications, and one came in from Kaimana Brummel --

MS. CANTO: Yes.

VICE-CHAIR RAWLINS-FERNANDEZ: -- who I think is a...is a really strong leader in the community...up and coming, and hasn't had an opportunity to serve on Boards and Commissions. And you know, just wondering if she would be someone that you would support being on...on this Charter Commission.

MS. CANTO: If it came to that...I know Kaimana personally. If it came to that, I...I would support Kaimana, and...and that's coming from the heart as a Hawaiian. You know how we always speak from the heart. I...I know Kaimana personally as a Member of the Maui Native Hawaiian Chamber of Commerce and through the Seabury Hall Academy. So in answer to...directly to your question, yes, I would support Kaimana. Don't cry. It's okay.

CHAIR MOLINA: Okay.

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

CHAIR MOLINA: Okay. All right. Thank you, Committee Vice-Chair Rawlins Fernandez. All righty, I...unless someone else has another question, Chair's going to call for the vote, but...oops, I see Member Sinenci with a question. Go ahead.

COUNCILMEMBER SINENCI: *(audio interference)* my opportunity, and aloha, Ms. Canto. Just clarification, Member Paltin mentioned Office of Hawaiian Affairs. Were you...and I did not see that on your application.

MS. CANTO: No, I was part of the Department of Hawaiian Home Lands. It was not on the --

COUNCILMEMBER SINENCI: Oh, DHHL.

MS. CANTO: Yeah.

COUNCILMEMBER SINENCI: Oh, okay. And from what year?

MS. CANTO: Gosh, 2005 through 2009.

COUNCILMEMBER SINENCI: 2005...

MS. CANTO: I'm sorry, 2014 to 2017.

COUNCILMEMBER SINENCI: Oh, okay. Because --

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MS. CANTO: Thank you.

COUNCILMEMBER SINENCI: -- you know, following up on Member Paltin's question, Hāna has, you know, has upwards of 900 acres in DHHL lands --

MS. CANTO: Correct.

COUNCILMEMBER SINENCI: -- that we're looking to provide housing for. And so...but the...the question is we have a serious need in rural...East Maui to...to house our immediate families, and oftentimes, you know, if we're not on the list or we've already seen an exodus of families to Upcountry or to other areas for housing because we don't have the opportunity here in East Maui. So I just wanted to ask, would you support some kind of community-driven plan where, you know, a section of those acres are given to...for...for community use before...before going out to...to the rest of the beneficiaries, something very similar to Lāna'i, where Lāna'i has...is trying to create something that...for Lāna'i residents to have first...first priority over some of these much-needed housing. What's your thoughts?

MS. CANTO: Member Sinenci, personally, I would. But to get a better feel for what is currently happening within the Commission, Commissioner Randy Awo could better answer your question. But for me, personally, I...I would support that concept.

COUNCILMEMBER SINENCI: Okay, great. Thank you.

MS. CANTO: You're welcome.

COUNCILMEMBER SINENCI: Thank you, Chair.

CHAIR MOLINA: Thank you, Member Sinenci. Okay, if there are no other questions...okay, oh...okay, record has Member Sugimura, followed by Vice-Chair Rawlins-Fernandez.

COUNCILMEMBER SUGIMURA: Thank you. Thank you, Pua, for wanting to be on the Charter Commission, and for sticking through all these years and still having your end goal...end goal be on the table today. I just want to let the Members know that when I saw that Kaimana had applied, I did call her, and I asked if, you know, we could continue conversation and maybe, you know, keep her involved in the community. I did not know that she was interested in the Charter Commission specifically, but she is a wonderful person. I totally support Pua to sit before the...be a Member of the Charter Commission to represent my community, and I think she'll be inclusive and be able to bring people together as I've seen her do with the Kula community, and put herself up as a Kula Community Association President, not...I think twice...is it three times that you have done it? But I...

MS. CANTO: At least three times.

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COUNCILMEMBER SUGIMURA: Many times, and that I agree, you know, volunteerism is part of your blood and veins, and I think that she would, you know, represent Maui County well. Thank you.

CHAIR MOLINA: Okay, thank you, Member Sugimura. One quick question before I recognize Vice-Chair Rawlins-Fernandez. Ms. Canto, on your application you noted that ten years to review the Charter is too long. What do you feel then would be an appropriate time between reviews of the Charter...every two years, every five years? Can you share your thoughts with that on us?

MS. CANTO: Probably...probably five years because I've looked at some the amendments, you know, within the Charter, and they...they go as far back as 2002 and 1986...'66, it's just a matter of just keeping everyone in sync. A lot of things don't exist, as Grant Chun mentioned, you know, there...they've been superseded by something else and/or other, but I think five years is...is good enough, but again, you know, that's for the Commission to decide.

CHAIR MOLINA: Okay, thank you for that. Okay, Committee Vice-Chair Rawlins-Fernandez, before we close...Chair calls for vote, go ahead.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Mahalo for that question, that was actually going to be one of the questions I wanted to find out. So the...the Charter says that there will be a Charter Commission every ten years. It doesn't say that we can't have a Charter Commission more frequently than that. It's...it's the floor, not the ceiling, so at least every ten years, we're...we should assemble...we're supposed to, by Charter, assemble a Charter Commission. So if at...you know, at a time when we feel...like Ms. Canto eloquently spoke, that there are too many things that need cleaning up, that we should have a Charter Commission...that we could have a Charter Commission before the ten-year mark. Is that something that you think the Charter Commission could take up, instead of mandating a time certain only that it would be allowed that it...the Charter could clarify that if deemed appropriate, that a Charter Commission could be assembled before the ten-year mark?

MS. CANTO: Yes. I don't believe that it needs to be mandated at five years, but I do believe that the...revisiting it every five years is a good time to, you know, go through the process again. I just think every five years to...to mandate something like that is...it's just not enough time. I...I don't believe that it should be mandated at five years, but I would like to revisit it every five years once it's in stone after this, you know, this session.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay, mahalo. So my...my...my last question is regarding the...the last question I had asked previously, which was your support of upcoming leaders, and...and I...I'm going to support your nomination. I was wondering if there would be a way...because as...as it's set now, both you and Kaimana...Ms. Brummel, indicated that...you know, this opportunity only comes up

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every ten years, and...and so it...do you see yourself, like, working together with Ms. Brummel while you're serving on the Charter Commission?

MS. CANTO: Affirmative. Yes. That's what the Hawaiians do, they work together.

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

CHAIR MOLINA: All right. Thank you, Committee Vice-Chair Rawlins-Fernandez, and I see Member King is here. Member King, do you have any questions for our nominee, Ms. Canto?

COUNCILMEMBER KING: Not at this point, Chair, thank you though. Yeah, I was...was locked out of the meeting for a little bit there, so they finally let me in.

MS. CANTO: Hi, Kelly.

COUNCILMEMBER KING: Hi, nice to see you back.

MS. CANTO: You too.

CHAIR MOLINA: Okay. Thank you, Member King. Mr. Sinenci?

COUNCILMEMBER SINENCI: Mahalo, Chair. My question is just for you or for...or procedural question. So if...if there is a...I mean, we've...we've also picked, like, an alternative choice as well. So what happens should, you know, whatever circumstances...life calls and some of our appointees cannot serve, would...would...what is the process, just for procedure?

CHAIR MOLINA: Well...well, briefly for today's meeting, if someone's vote had failed...a nominee did not make it, then Chair would recognize the nominator to consider a name as their...bring out their alternate name, and then we could vet that person and then vote. Now, the Chair is aware...now, this matter...all the nominees...well, assuming Ms. Canto moves forward to the Council meeting, certainly things could happen at the Council level. Members could change their votes, and then we'd have to look at...I...you know, we...we could have a potential problem because of the deadline, the March 1st deadline. So if for whatever reason somebody does not make it at the Council level...I don't know, that's...that's something we may need to discuss. I don't know if it's today or at the Council meeting. Let me ask Mister...Mr. Murai. But you know what...tell you what...let's...let's...let's do this, let's take the vote on Ms. Canto first, and we'll continue the discussion on this matter. How's that, Members? Can we do that? Okay. All right. I assume there's no more questions for Ms. Canto, so therefore, the Chair will call for the vote on the nomination of Ms. Canto to the...to the Charter Commission. All those in favor signify by saying aye and raising your hand.

COUNCILMEMBERS VOICED AYE.

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CHAIR MOLINA: All those opposed?

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: None.

MOTION CARRIED.

**ACTION: ADOPTION OF RESOLUTION TO APPROVE DOREEN
 CANTO.**

CHAIR MOLINA: Okay, the Chair will mark it nine "ayes" with zero opposition.
 Congratulations Ms. Canto, your matter will move forward --

COUNCILMEMBER SUGIMURA: Thank you, Members. Thank you, Pua.

CHAIR MOLINA: -- to the February 19th Council meeting.

MS. CANTO: Thank you.

CHAIR MOLINA: Okay, thank you. Okay, let's get back to that question that was brought up by Mr. Sinenci. Let me ask Corp. Counsel first...his thoughts. If one of our nominees for whatever reasons gets voted down at the Council meeting of the 19th, then what would be the next appropriate step to take in light of the deadline of March 1st?

MR. MURAI: Mr. Chair, thank you. You know, this...this discussion did come up when we were planning these...these hearings with...with the Staff, and I don't believe we came to a consensus. You know, what we were hoping for is that things would go smoothly and we would not disturb our March 1st deadline. However, should something like this happen, then I think that the...the Member who nominated the failed nominee would have the opportunity to offer another name, but that person would have to go through, you know...their confirmation would have to be agendized, and...now, what I've not...what we've not thought far ahead enough would be like how does this affect our March 1st formation of the Commission. Because the way the Charter is written, I believe that the...the Commission could not go forward, and until...until there are...there are 11 seated Members.

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CHAIR MOLINA: Okay. And of course now, if this goes forward to Council on the 19th, the list of applicant's names would move forward as well. So if a nominee gets shot down at the Council level, then the nominator could consider that name on the list and take a vote at Council, I presume, where procedurally that would be appropriate, Mr. Murai?

MR. MURAI: I'm sorry, Mr. Chair, say that again. I...I didn't catch part of it.

CHAIR MOLINA: Yeah, say if nominee...a nominee who made it out of Committee, then it goes to Council, the nominee for whatever reasons gets voted down, then the applicant list that we have in Committee, that moves forward to Council, am I correct, with everything else? And then after --

MR. MURAI: Everything else...I believe so, your Honor...I mean, Mr. Chair, I believe you are correct.

CHAIR MOLINA: Oh, I like the title. But yeah...

MR. MURAI: Sorry, old habit.

CHAIR MOLINA: Yeah, yeah. So at that Council meeting...at that...say at that February 19th Council meeting, the nominator, the Councilmember, could choose or announce their alternate for consideration for vote at the Council meeting then, yeah?

MR. MURAI: You know, Mr. Chair, I'm not certain about that. I think the...I...you know, I...fortunately, we have some time to think this through --

CHAIR MOLINA: Yeah.

MR. MURAI: -- but I'd...I'd consult with...with folks like Forrest and Mr. Raatz and...and Ms. Espeleta because I...I'm...my...my fear is that any new nominee would have to first come back to the GREAT Committee, unless we can somehow consider it a direct referral. And on matters of the Council's rules and procedure, I would defer to my colleagues on that.

CHAIR MOLINA: Yeah, yeah, okay. I see Vice-Chair Rawlins-Fernandez, you wanted to add something to the conversation?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I have an idea on how to prevent...you know, to plan for the worse case scenario because I hear your concern and I share your concern. What if we take an informal vote on who the alternates for each Councilmember would be, and then those names...those additional names could go...be posted on the agenda as well.

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CHAIR MOLINA: Are you asking like a vote today as the alternates?

VICE-CHAIR RAWLINS-FERNANDEZ: Well, we...we would vote on the...yeah, the list of alternate names, and then at least the alternate names are the...the people who, you know, could end up filling in as alternates...could have a...would be notified beforehand, and could potentially be prepared to be vetted at Council. And so they...they would have a heads up and they could be prepared to have questions asked at Council so that we could meet the deadline that you're talking about.

CHAIR MOLINA: Yeah, okay. Let me first address some of the questions that...well, Member Sinenci, your question certainly sparked a lot of interest here. And you know, something else to consider too, we could have a nominee even withdraw, you know, that possibility could happen. I've seen the...I've seen it happen. It's a rare instance, but I've seen nominees withdraw before their final vote. So anyway...all right. I saw Member Kama's hand go up, followed by Member Sugimura, then Member King. Member Kama?

COUNCILMEMBER KAMA: So Chair, I understood at the time when you're giving instructions to all of us, that you told us to go ahead and look for an alternative also, and that we were supposed to come...and I thought, to give those two names to the Committee...they would be part of the overall. So I assumed that when those 28 names came forth, that there were...each of us had gotten two and other people from the community had put in their names into the hat, and that's why. So my assumption is that all of our seconds would've been part of the...the nominations that we already vetted when we went through the previous meeting. So unless I misunderstood that...and now, in the event that a...we don't have an approved nominee, then we're going to have to go outside of that vetting that we've already done and get new people to vet again, is that what I'm hearing, Chair?

CHAIR MOLINA: No. Well, first let me state Exhibit B would move forward with whatever action we take on our nominees. Exhibit B moves forward to the Council so that's potentially where your list of alternates could be. So...but again, I'd ask you guys, be prepared in the event for today's meeting...your nominee does not make the cut, then you could do it at this meeting to extract the name or your alternate for consideration today. I hope that explanation helps.

MR. MURAI: Mr. Chair, if...I'm sorry.

CHAIR MOLINA: Mr. Murai?

MR. MURAI: If I may, you know, I think...well, my...my concern would be if we start, you know, proposing names of alternates now, I have a concern that...you know, that that possibility was not agendized, nor were the...the names of any alternates proffered. So my...my concern might...would be that the public has not had the opportunity to...to weigh in, and neither have the other Members had a chance to weigh in on the

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alternate. And I think you'd be kind of fundamentally changing the nature of confirmations, you know, if we start to have, you know, backups. Now, I'm not saying that that's prohibited, it's just very different.

CHAIR MOLINA: Okay. So are you saying they...the...the current list of applicants, the ones who have not been nominated today, so if that moved forward, that could be a problem?

MR. MURAI: Well, you know, I'm...I...I understand that the list of all applicants was provided so that the public would know who else was out there. What I'm not certain of, and this is just my opinion, what...what's not clear in my mind is that there was a linkage between that list. In other words, was the list of all of the applicants meant to be a pool that could be drawn from should any nominee fail for whatever reason.

CHAIR MOLINA: Um-hum.

MR. MURAI: Now if...if I'm mistaken on that, then I stand to be corrected, but that...that was my take on it, that...that the...the list of nine...nine nominees were the final nominees of each Member and...but...you know, in an effort to...to demonstrate to the public, you know, who all...who the pool was and how the names were drawn, I...my understanding was that that list was provided, you know, for the public's information --

CHAIR MOLINA: Right.

MR. MURAI: -- and necessarily as a backup list to fill any pukas that might be created. If I'm wrong, I stand to be corrected, but that's how I viewed it.

CHAIR MOLINA: All right. Let's go to Member Sugimura, followed by Member King, then Vice-Chair Rawlins-Fernandez.

COUNCILMEMBER SUGIMURA: I think Mr. Murai answered my question, so thank you.

CHAIR MOLINA: Okay, thank you. Member King?

COUNCILMEMBER KING: Thank you, Chair. So I guess if Mr. Murai is still there, you know, my thought was that if we get to the full Council, and some...somehow somebody doesn't get the votes that...couldn't we just vote for a waiver...propose a waiver from the Council rules to fill in that extra position? Mr. Murai, would we be able to do that? We could do it on the floor, and get it done in time for the March 1st...

MR. MURAI: I...I...I think so. Now, I defer to you folks in the interpretation of Council rules, but looking at it from the Sunshine Law perspective, I believe that if the February 19th meeting is agendized so that it...it considers that possibility, then...then I'd say, yeah.

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You know, again, my...my larger concern was avoiding any violation of the Sunshine Law.

COUNCILMEMBER KING: Right. So if we did...if we kept that same pool of names, you know, until the full Council meeting, and then somebody for some reason doesn't get the votes, then we could draw from the same pool of names. We could...we could decide to waive the Council rules and fill in that spot on the 19th. And then since all those names are on the agenda, and if we do agendize it as a possibility, then people would have a chance to, you know, to come and testify on anybody that they thought was on that list that they wouldn't want to see or...or would want to see be an alternate.

MR. MURAI: Mr. Chair?

CHAIR MOLINA: Go ahead, Mr. Murai.

MR. MURAI: You know, Councilmember King, I think that's...what you're suggesting is probably the best way to set it up.

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

CHAIR MOLINA: Okay. Thank you. And we...we can have that discussion with the OCS attorneys as well prior to first reading, yeah? Or the one reading at the February 19th Council meeting. Okay, we have Committee Vice-Chair Rawlins-Fernandez, followed by Councilmember Sugimura.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. So what Member King explained is exactly what I said, except that we narrow down the list that was posted with only the alternates. So instead of having the...the entire list of all the applicants, it would only be the names of the alternates instead, and then that way the alternates would be, you know...it...it would be a shorter list, it would only be nine, and they could be prepared to be at the Council meeting so that we can ask them questions. Because we didn't ask the alternates questions at this Committee Meeting, you know what I mean?

CHAIR MOLINA: Um-hum. Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: Yeah. And so...and then to answer Mr. Murai's question about whether he was on point or not...so that list of applicants, we created that pool with the intention to be able to swap out names from that list of applicants if that's what this Committee wanted to do, and that's why it was posted the way it was. And it can be posted the same way for Council. Mahalo, Chair.

CHAIR MOLINA: Thank you. Okay, we have Member Sugimura, followed by Member Kama. Member Sugimura, you had your hand up?

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COUNCILMEMBER SUGIMURA: You know --

CHAIR MOLINA: . . . *(inaudible)*. . . oh, there you go.

COUNCILMEMBER SUGIMURA: -- Chair Lee has had her hand up, so why don't we let her speak? Hard to see everybody, yeah?

CHAIR MOLINA: Okay, sorry. Go ahead, Chair Lee. Sorry about that.

COUNCILMEMBER LEE: Okay, thank you. Thank you, Member Sugimura. I think...I think Member King's interpretation comes as close as we can get to what I think is correct procedure, and I believe the Vice-Chair also agreed to that as well. The...the part where I seem to separate from other people is that I didn't think that today's...nowhere on the agenda did today's entire list show or explain or say any...make any reference to alternates or backups. So those kinds of words have to be clear when they...when this matter is posted, if you want to use that list as backups. But you have to keep in mind...you know, I...I feel confident that nobody's going to get sick and nobody...and everything is going to go forward, yeah? But if something came up, Mr. Molina would...let's say Mr. Collins decided that, oh, he got an appointment from President Biden, so he can't serve on the Charter Commission, okay. So are you saying that you're okay with the rest of us choosing your...your member? That's kind of what it's coming down to, you know what I mean?

CHAIR MOLINA: Yeah, well, no. My...my preference, as I stated in previous meetings that let's leave it to the nominator. So you know, for example, if my nominee --

COUNCILMEMBER LEE: You have to make that really, really clear, yeah?

CHAIR MOLINA: -- yeah, yeah. That's...I...I want it heavily...I believe that I've emphasized that. But yeah...but I think the discussion right now is more about if somebody gets voted down and then what next? The issue is about the applicant pool, I think right now, and its appropriateness as it relates to the Sunshine Law. I think that's where --

COUNCILMEMBER LEE: Okay.

CHAIR MOLINA: -- I guess that's how maybe Mr. Sinenci formulated that question as it relates to alternate. I don't think it had anything to do with, you know, someone jumping into someone else's district and . . . *(inaudible)*. . .

COUNCILMEMBER LEE: No, no, no, no, no, no. I think...Mr. Chair, I did mention that that list should be considered as the alternate pool --

CHAIR MOLINA: Right.

COUNCILMEMBER LEE: -- but not at this meeting.

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CHAIR MOLINA: Yeah, yeah.

COUNCILMEMBER LEE: Not at this meeting.

CHAIR MOLINA: Right, and it would move forward to your Council meeting --

COUNCILMEMBER LEE: Right.

CHAIR MOLINA: -- the whole list, yeah, yeah?

COUNCILMEMBER LEE: Exactly.

CHAIR MOLINA: Right.

COUNCILMEMBER LEE: And then everybody needs to be clear that the nominator who would have the...would nominate somebody first...right?

CHAIR MOLINA: First opportunity, yeah.

COUNCILMEMBER LEE: Yeah, okay. Okay, now we got it.

CHAIR MOLINA: Okay. Okay, who did we...I think we're at Member Sugimura, right, and then...Member Kama, did you have your hand up after Member Sugimura? Okay, go ahead, Member Sugimura.

COUNCILMEMBER SUGIMURA: Yeah. So I agree with Chair in that the whole list then would be moving forward, but I was more concerned interviewing them as we did the nominees today...all the rest that could be possible alternatives, you know. So that...that's a whole other meeting, I think, Chair, or at the Council meeting, but I think that we would be interested in knowing all these other people that would be you know, alternates, so...

COUNCILMEMBER LEE: Yuki, if you're asking me a question, we could call a special Council meeting at any time, so don't worry about that part.

COUNCILMEMBER SUGIMURA: Okay.

CHAIR MOLINA: Okay, thank you. All right.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR MOLINA: Member Kama, followed by Vice-Chair Rawlins-Fernandez.

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COUNCILMEMBER KAMA: Thank you, Chair. So I just wanted to go a step further. Like in the event the nominator, right, goes to round two, what if...what if the round two nominator's nominee gets voted down? And then how far...how many...when...when do we say enough is enough?

CHAIR MOLINA: Well, Member Kama, I certainly hope it doesn't get to that point. I mean then, I guess if your second...your alternate gets voted down, then we go back to you until we get it done. That's how I see it.

COUNCILMEMBER KAMA: Thank you, Chair.

CHAIR MOLINA: But my goodness, I hope we don't get to that point, but yeah, you got to be ready for all possibilities I guess, yeah? Okay. All right, Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. So to Chair Lee's concern about the nominator choosing the second person, another idea which is, you know, probably never been done before, but it's a...you know, a creative potential solution. For the resolution, what if we did a name or name as the...for the Charter Commission? Like...so my person is Keoni Kuoha, and then for...and I'll just take the first person on the list of applications...Jennifer Ahia. And then the resolution would have Keoni Kuoha or Jennifer Ahia.

CHAIR MOLINA: I think we should get a comment from OCS as far as agendizing that. Certainly, it's a creative solution. Any thoughts? I don't know if Mr. Raatz or Mr. Forrest is...comment on that...using that process?

MS. ESPELETA: Mr. Chair, can we call a quick recess please?

CHAIR MOLINA: Yeah, let's do that. Okay. Yeah, Members, we'll try to get this thing fixed prior to the February 19th meeting. So I just want to thank Mr. Sinenci for bringing this topic up. Boy, this really went pretty deep, but Members, let's take a seven-minute recess. Recess until 12:40. . . . *(gavel)* . . .

RECESS: 12:33 a.m.

RECONVENE: 12:44 a.m.

CHAIR MOLINA: . . . *(gavel)* . . . The GREAT Committee meeting for Tuesday, February 9th, 2021 is now back in session. Thank you for that recess, Members. Your Chair has had the opportunity to confer with Staff on this lingering concern. As it was stated earlier, the Exhibit B with the list of applicants will move forward to the Council. Now, if any changes occur...if a nominee withdraws, a nominee gets...you know, the vote changes...well, looking at today, of our nine nominees, eight of them advanced with 9-0 votes, and one member advanced with a 7-2 vote. So if you look at...looking at it,

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you know, from that standpoint, it looks good for the nine nominees unless something drastically changes. So if it does, you can amend the reso. So if your nominee gets taken down, then you have the Exhibit B that's attached, and then the nominator, which we all agreed to...nominator which we all agreed from prior meetings would make the first...or have the first opportunity to choose someone from that applicant list. So I'm...I'm hoping to try and keep this understanding as simple as possible. And as Chair Lee stated, if we're in a time deadline crunch, a Council meeting can be called prior to the March 1st deadline, if say, that February 19th meeting just goes beyond the normal times, we could always come back the following week with an emergency Council meeting. Am I correct, Chair Lee?

COUNCILMEMBER LEE: Yes, you are.

CHAIR MOLINA: Okay. So does everybody understand where we're at with this? Anybody needs clarification from OCS or Corp. Counsel? We're good? Okay. All righty. And certainly, if anything changes that you anticipate with your nominee, please advise the Committee as well, but yeah, it's always good to keep in mind just...as a just in case issue if something does happen to your nominee, either at the February 19th meeting or prior to that where you're getting wind that your nominee has decided to change course and withdraw their nomination. So I think by having that Exhibit B accompanying it, everything else, I think is our...what's that...our safety net if you will, if we have to find someone else, and it should comply with all Sunshine Law issues, I presume. Okay. Any questions? Mr. Sinenci, yes, sir?

COUNCILMEMBER SINENCI: Mahalo, Chair, I didn't mean to make trouble, but...so just clarification, so the Exhibit B was the applicant list, yeah, that will move forward?

CHAIR MOLINA: Correct...that we all agreed to make transparent to the public so everybody sees who applied.

COUNCILMEMBER SINENCI: Okay.

CHAIR MOLINA: And I guess from a legal standpoint, it carries over to the full Council, and that is the list that we could choose from. Now we cannot accept any new applications, okay, let me make that point real clear. So no new applications can be taken prior to the February 19th meeting. It would just...

COUNCILMEMBER SINENCI: Because some, I guess, of that list...some Members had more applicants than others, yeah?

CHAIR MOLINA: Correct, yeah.

COUNCILMEMBER SINENCI: Okay. All right. Thank you.

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CHAIR MOLINA: Okay. Thank you, thank you for that. But certainly, this was a great exercise in preparing for the unexpected, yeah? This is certainly a new process for all of us. So...but good to learn.

COUNCILMEMBER SINENCI: Definitely...definitely for the Charter Commission.

CHAIR MOLINA: Yeah, that's for sure, a very important one at that, so...all righty. Anything else? Any other questions before we adjourn for today? Okay. Let me check with Staff. Staff is the...anything the Chair needs to be made aware of before we close?

MS. ESPELETA: No, there's nothing further, Mr. Chair.

CHAIR MOLINA: Okay, very good. All right, I'd like to thank all of you...doing your due diligence today. I think we got through a lot in...in...in...under the 1:00 time. I actually thought we might have to recess based on how we were moving with the nominations from the other Boards and Commissions, so I was prepared to give you a recess date, but we won't need that. You guys worked very hard and very expeditiously, so I want to thank you all, and of course giving up your off-week time for another GREAT Committee meeting. And yes, Members, I know it's very busy at the start of the year, but once we're done with this process and we head into budget, things should sort of mellow out or slow down a little bit for the GREAT Committee, we...we hope. And then we get budget, all the fun with Budget Chair Rawlins-Fernandez for all the excitement with budget. And speaking of excitement, at 2:00, we have a recessed PSLU meeting under Councilmember Paltin to look forward to at 2:00. So anyway, with that being said, if there are no other concerns, the GREAT Committee meeting for February 9th, 2021 is now adjourned. . . . *(gavel)* . . .

ADJOURN: 12:49 p.m.

APPROVED BY:



MICHAEL J. MOLINA, Chair
Government Relations, Ethics, and
Transparency Committee

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Transcribed by: Jaylene K. Hamilton

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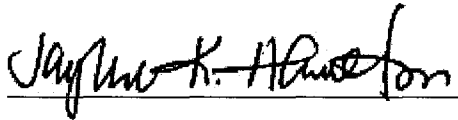
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CERTIFICATION

I, Jaylene K. Hamilton, hereby certify that pages 1 through 72 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 16th day of March 2021, in Wailuku, Hawai'i

A handwritten signature in black ink, reading "Jaylene K. Hamilton", is written over a horizontal line.

Jaylene K. Hamilton