

# GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Council of the County of Maui

## MINUTES

Online Only via BlueJeans Link

August 31, 2021

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

**PRESENT:** Councilmember Michael J. Molina, Chair  
Councilmember Keani N.W. Rawlins-Fernandez, Vice-Chair  
Councilmember Gabe Johnson, Member  
Councilmember Kelly T. King, Member  
Councilmember Alice L. Lee, Member  
Councilmember Tamara Paltin, Member  
Councilmember Shane M. Sinenci, Member  
Councilmember Yuki Lei K. Sugimura, Member

**EXCUSED:** Councilmember Tasha Kama, Member

**STAFF:** Shelly Espeleta, Supervising Legislative Analyst  
James Forrest, Legislative Attorney  
Kasie Apo Takayama, Legislative Analyst  
Richard Mitchell, Legislative Attorney  
Pauline Martins, Committee Secretary  
Lenora Dinneen, Council Services Assistant Clerk

Roxanne Morita, Executive Assistant to Councilmember Johnson  
Stacey Moniz, Executive Assistant to Councilmember Johnson  
Kate Griffiths, Executive Assistant to Councilmember Johnson  
Ellen McKinley, Executive Assistant to Councilmember King  
Evan Dust, Executive Assistant to Councilmember Kama  
Lois Whitney, Executive Assistant to Councilmember Kama  
Davideane Sickels, Executive Assistant to Councilmember Kama  
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  
Ipo Mossman, Executive Assistant, Office of the Mayor

**OTHERS:** Anna Mabbutt

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

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

**August 31, 2021**

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CHAIR MOLINA: . . .*(gavel)*. . . The GREAT Committee meeting for Tuesday, August 31st, 2021 will now come to order. I'm Mike Molina, your Committee Chair. And for the record, I'm broadcasting from my residence here in Makawao. And my wife is in the other room. It is time right now for roll call to find out who else is joining us here for our GREAT Committee meeting for this wonderful Tuesday. Let's first recognize our Council Chair, Alice Lee, who'll give us our greeting of the day as well. Good morning, Chair.

COUNCILMEMBER LEE: Morning, Chair. Voyage sûr et agréable. So that means safe...have a safe and pleasant voyage or trip.

CHAIR MOLINA: Okay, mahalo, Chair. And of course, we...we all know who we're talking about, right? Let's...let's go. All right. Let's go to the person who's going to be leaving us real soon, West Maui Councilmember Tamara Paltin. Voyage and everything else that goes with it. I got to work on my...my French here. Good morning, Member Paltin.

COUNCILMEMBER PALTIN: Merci. Aloha kakahiaka, voyage sûr et agréable, and au revoir.

CHAIR MOLINA: Same back...the same back at you, Member Paltin. Let's go to Committee Vice-Chair Keani Rawlins-Fernandez. Good morning and voyage.

VICE-CHAIR RAWLINS-FERNANDEZ: Aloha kakahiaka, Chair, bonjour kākou, mai Moloka'i nui Ahina. I'm alone in the Moloka'i district office, and I guess we're all saying it to Member Paltin, voyage sûr et agréable.

CHAIR MOLINA: Okay. Mahalo, Vice-Chair. All right, let's go now to South Maui, and wish a voyage and...and everything else that goes with it, to Councilmember Kelly King. Aloha.

COUNCILMEMBER KING: Great. Aloha kakahiaka, bonjour, voyage sûr et agréable to Member Paltin, and bon voyage as well. I am alone in my spare... the spare bedroom in my house, and my husband is in the other room. No one else is in the...on the premises.

CHAIR MOLINA: Okay. Mahalo, Member King. Let's go out to East Maui and check out Councilmember Sinenci. Aloha, and voyage to you, Member Sinenci.

COUNCILMEMBER SINENCI: Okay. Aloha, and bonjour, Chair. Contente devoir to le collègues, and voyage sûr et agréable to Member Paltin.

CHAIR MOLINA: Mahalo, Mr. Sinenci. Boy, I tell you what, I am so impressed. We have such wonderful French-speaking Councilmembers today. Awesome. Let's go out to...up to Upcountry and check in on Member Sugimura. Aloha, and voyage to you, Member Sugimura.

COUNCILMEMBER SUGIMURA: Aloha, and voyage. I...I just want to say, Mike Molina, I love your shirt, great colors. To Tamara, I want to say, when you go to France, you don't have to continue working with us to...knowing you, you going to try to call in and try to

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

**August 31, 2021**

---

vote and, you know, have the agenda. I mean, enjoy your trip, learn, do that, and come back and share with us. So enjoy yourself and...and have a safe travel. She'll be back on September the 9th. We'll be waiting for you...on the 10th, we'll be waiting for you. Thank you.

CHAIR MOLINA: Okay. And mahalo, Member Sugimura. And let's go to Lāna'i and check in on Councilmember Gabe Johnson. Oh, you're muted, Gabe. If you could, unmute yourself? Having some technical difficulties there, Councilmember Johnson?

VICE-CHAIR RAWLINS-FERNANDEZ: Chair? Chair, Staff...Staff would have to unmute him.

CHAIR MOLINA: Oh, okay.

VICE-CHAIR RAWLINS-FERNANDEZ: It's muted on our end.

CHAIR MOLINA: Thank you for that. Staff, could you unmute Councilmember Johnson?

COUNCILMEMBER JOHNSON: Mic check.

CHAIR MOLINA: There we go.

MS. ESPELETA: *(audio interference)*

COUNCILMEMBER JOHNSON: Okay, you got me now? Beg your pardon, I totally forgot what I was going to say. No, it's voyage sûr et agréable. How's that? Good morning, everyone. I'm happy to be here. And I am home alone, just like in the movie. All right. Thank you.

CHAIR MOLINA: All right. Thank you, Councilmember Johnson. I couldn't have said that French greeting any better. Chair Lee gave us a hard one this morning, yeah. But it's all good. It's all good. All right. Very good Members. Along with, you know, you and I, we also have from Corporation Counsel, Gary Murai; from the Office of the Mayor, Ipo Mossman; and our wonderful, hardworking Committee Staff; Shelly Espeleta, Kasie Apo Takayama, James Forrest, Pauline Martins and Lei Dinneen. And we have a...we have four items on our agenda today. And before we do that, we're going to entertain public testimony. First of all, oral testimony via phone or video conference will be accepted. Testifiers wanting to provide video testimony should join the online meeting via the BlueJeans meeting link at 175115369, and testifiers wanting to provide audio testimony can participate via phone conference by dialing 1-408-915-6290 and entering the meeting code that was mentioned. The Committee intends to keep the same meeting link and phone number for future GREAT meetings this term for the ease and convenience of the public...or for the public. Written testimony is highly encouraged using the eComment link listed for today's agenda on [mauicounty.us/agendas](http://mauicounty.us/agendas). And instructions on how to submit testimony via eComment can also be found at [mauicounty.us/ecomment](http://mauicounty.us/ecomment). And I've been informed that I believe *Akakū* is broadcasting

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

**August 31, 2021**

---

on channel 54, instead of the usual 53. We ran into some technical difficulties yesterday, so I guess those technical difficulties are continuing on through today. If anything changes, we'll be sure to notify you of that. Oral testimony will be limited to three minutes per item, and if you are still testifying beyond that time, I'll kindly ask you to complete your testimony. Before I continue on, Ms. Espeleta, do we have anyone signed up for testimony?

MS. ESPELETA: Chair, we have a possible testifier, Mr. David...I apologize if I mispronounce the last name, Mabbutt?

CHAIR MOLINA: Okay.

MS. ESPELETA: M-A-B-B-U-T-T.

CHAIR MOLINA: Okay, great. Well, let me just finish up with my opening comments on testimony. While testifying, please state your first and last name. And if you are testifying on behalf of an organization or if you are a paid lobbyist, please inform the Committee of that. 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 while testifying, please be courteous by turning off your video and muting your microphone while waiting for your turn to testify. So I've given you a mouthful, Members. With that said, let's go ahead and start with our first testifier. Ms. Espeleta, please introduce him.

MS. ESPELETA: Chair, your testifier is David Mabbutt, M-A-B-B-U-T-T.

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

CHAIR MOLINA: Okay. Thank you very much. Good morning, Mr. Mabbutt. Mr. David Mabbutt?

MS. MABBUTT: Good morning. It's actually...my name's Anna Mabbutt, but I'm not going to be testifying. I was just listening. Thank you.

CHAIR MOLINA: Oh, okay. All right. Thank you very much. Ms. Espeleta, please continue, and let us know if there are other testifiers.

MS. ESPELETA: Chair, there are no additional testifiers signed up to testify.

CHAIR MOLINA: Okay. We'll give the public another...a few more seconds if they would like to testify. Going once, twice, three times. Okay, no more testifiers, Ms. Espeleta, at this point? I just wanted to confirm that.

MS. ESPELETA: Chair, you are correct.

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

**August 31, 2021**

---

CHAIR MOLINA: All right, Members, if there are no objections, the Chair will close public testimony for today's agenda items, as well as accept any written testimony. Any objections?

**COUNCILMEMBERS VOICED NO OBJECTIONS.**

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

**ITEM-2(20):    NOMINATIONS    TO    BOARDS,    COMMITTEES,    AND  
COMMISSIONS (COST OF GOVERNMENT COMMISSION)**  
(CC 21-42)

CHAIR MOLINA: So...fantastic, so ordered. All right, let's get right down to business with our first agenda item, which is GREAT item 2(20), Nominations to Boards, Committees and Commissions, Cost of Government Commission. This relates to the appointment of Spencer Lau to the Cost of Government Commission for the County of Maui. The purpose of the proposed resolution is to approve or disapprove the Mayor's nomination of Mr. Lau to this Commission for a term expiring on March 31st, 2024, to fill a vacancy due to the resignation of Michelle Del Rosario. For opening comments, I would like to call upon Mr. Mossman to give us his thoughts on the nominee. Mr. Mossman, if you could unmute yourself? Or Staff?

MR. MOSSMAN: You hearing me? No?

CHAIR MOLINA: Okay. There you go. Now...now you're good, Mr. Mossman. If you could, go ahead and start again.

MR. MOSSMAN: Good morning, Chair Molina and...and Councilmembers. And Alice, I'm sorry, Chair...Chair Lee, I just can't get through that French. So aloha no kākou, and good morning to everyone. Okay, let's just introduce. I wanted to introduce Mr. Spencer Lau, who is self-employed, a resident of Makawao, and he very much interested in the Cost of Government, as we had our conversation that I normally do with most of our appointments. And as a business owner, he's very involved in service efficiencies and...and watching money. So he's a graduate of the University of Hawai'i, and has a bachelor's of science. He worked for Executive Assistant to Council Mike White from February of 2013 through July of 2016. Presently is an insurance agent. And with that, I'd like to introduce, I mean, as far as that's our nomination from the Mayor's office.

CHAIR MOLINA: Okay. Thank you very much, Mr. Mossman. And for the record, we had three members that asked for Mr. Lau's attendance. That was Members [sic] Paltin, Member Sinenci, and Members [sic] King. We didn't get the four total Members to get the...to have...have the nominee come in. However, if he is in, I guess, online, we

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

**August 31, 2021**

---

certainly would welcome his thoughts if he is here. But if he is not, then what I will do, I'll recognize Member Paltin if she has any questions for Mr. Mossman. Before I do that, Mr. Espeleta, is Mr. Lau on...online? Just as an --

MS. ESPELETA: No, Chair.

CHAIR MOLINA: -- FYI?

MS. ESPELETA: I apologize. No, Chair, he's not on the call.

CHAIR MOLINA: Okay. All right. Okay. I'll go ahead and continue with the line of questioning for Mr. Mossman first. Member Paltin, do you have any questions for Mr. Mossman regarding --

COUNCILMEMBER PALTIN: Oh, Chair, can --

CHAIR MOLINA: -- Mr. Lau?

COUNCILMEMBER PALTIN: -- can you come back to me? I got to pull up my notes real quick.

CHAIR MOLINA: Okay, no worries. All right. Let's go to Member Sinenci. Any questions for Mr. Mossman regarding Mr. Lau?

COUNCILMEMBER SINENCI: Mahalo, Chair, and aloha, Mr. Mossman. Yeah, no, I...I understand that Mr. Mossman and the Department goes ahead and...and kind of vets them to see if they can make the meetings or if they're seeing current Cost of Government meetings. I guess my only question was, do...does he potentially have any conflicts of interests, should he be confirmed, Mr. Mossman?

CHAIR MOLINA: Mr. Mossman?

MR. MOSSMAN: No. Thank you, Councilmember Shane Sinenci. No, to this point, I don't believe there's a conflict of interest at all. I do like the fact that he does have a little bit of experience from the standpoint of working for Councilmember White...Mike White, back when. What...what I liked after his interview was the ability for him to recognize and be very, very anxious and excited about working with the...the Cost of Government through this new commission, based on...on bringing something fresh and new. And so, you know, that's...that was one of the reasons why I believe we...we look very highly on his nomination.

COUNCILMEMBER SINENCI: Okay. Thank you, Mr. Mossman, for that. Thank you, Chair.

CHAIR MOLINA: Okay. Thank you, Mr. Sinenci. And Members, Mr. Lau's application is in Granicus, if you have any questions about that. Let's go back...oh, I'm sorry. Let's go to Member King. Any questions for Mr. Mossman regarding Mr. Lau's nomination?

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

**August 31, 2021**

---

Member King, if you could unmute yourself?

COUNCILMEMBER KING: Sorry about that.

CHAIR MOLINA: There we go.

COUNCILMEMBER KING: Three times. It's like...like Dorothy, I guess, in The Wizard of Oz; click your heels three times. So...but one of my questions was asked by Member Sinenci, so thank you for that, Member Sinenci. You know, the conflict of interest was the thing that came up last time. But thank you for the application info. Appreciate your thoughtfulness. I was going to ask the applicant, what...if this was his first choice for Board or Commission, and why he wanted to serve on this one? So I don't know if that's something that you can answer.

MR. MOSSMAN: Yes. Thank you very much, Councilmember King. He has, and it was his only choice that he had on his application. And that kind of stemmed us to have that conversation with him. So we're very comfortable with, basically, what he will bring to the table.

COUNCILMEMBER KING: Okay. And then when you say, you know, has a fresh approach, what do you mean by that?

MR. MOSSMAN: I'm sorry, I couldn't --

COUNCILMEMBER KING: You made...you made the statement about him, that you thought he had a fresh approach to the Commission. So can you expound on what you meant by that?

MR. MOSSMAN: Well, the...it's...it's...it's...thank you again, Councilmember King. It's...it's one of the questions that we ask, if he's ever been a part of any of the commissions, and is he...does he understand what the...how the commissions work and all that. So during my conversation with him, no, this is his first commission that he's...he's put in for. And so as we spoke, you know, he just came across with some very good understanding. And again, as I mentioned earlier, there are a lot of the...we go through that preparation and...and the preparation, he had an opportunity to watch a few of the meetings with...

COUNCILMEMBER KING: Okay.

MR. MOSSMAN: Okay, so again, so it just shows me that he's very proactive.

COUNCILMEMBER KING: Oh, good. Okay, that's what we like. It's nice to have proactive, contributing commission members. And I also really like seeing people get involved in the Boards and Commissions for the first time. You know, we do a lot of recycling members, but it's always good to get new blood in there. So thank you for the nomination, Mr. Mossman. I'm...I'm...I'm good, Chair. Thank you.

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

**August 31, 2021**

---

CHAIR MOLINA: Okay. Thank you, Member King. All right. Let's go back to Member Paltin. Any questions for Mr. Mossman regarding Mr. Lau's nomination?

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you for allowing me that time to pull up my notes. I'm kind of bummed out that we're not able to see him, but I guess my first question for Mr. Mossman. Is he committed to filling out the entire duration of the term? We've seen a lot of folks, it seems, and...and not to put it on him or you, but if it was a question that you asked. We've seen a lot of folks that we just seem to vote on, and then we're getting notice of resignation...which, you know, to some extent is understandable during these uncertain times. But has he made a commitment to fulfilling the duration of the term?

MR. MOSSMAN: Thank you, Council Chair [sic] Tamara. Yes, as part of my conversation with them, one of my questions is, is the duration of their length of their commission expiration time. And...and that is very...as far as the conversation went, yes, he understands it. He is fully in. His connectivity on BlueJeans, the virtual app, happens to work in favor of his ability to do his...the...his attending the meetings. So yes, I think positively that, yes, he has a positive approach to that actual question. Yes.

COUNCILMEMBER PALTIN: Okay, and I just was wondering if he has an overarching, like, company that he's an insurance agent with. Is it like State Farm, or is it just...

MR. MOSSMAN: He's...thank you again, Council Chair [sic]...I mean, sorry, Councilmember. But I just know that he's an insurance agent. He's on his own. He's got...he represents himself. And I did not get into the full details of who he works for, or represents. We can get that information for you, if you do want that.

COUNCILMEMBER PALTIN: I guess it...it doesn't matter that much, I just was curious. And then my last question is, you know, I see that his educational background is in travel industry and whatnot, and...and that he had worked for former Councilmember Mike White. And I...I guess, like, you know, some of my concern is, during those years we invested so much millions in the MVB and whatnot. And we're seeing without even that MVB investment right now, it's like we can't get folks to stop coming here. You know, there are hospitals overflowing and stuff like that. And I guess, you know, if he was here, I just would ask him, like, his thoughts along those regards. Not, like, specific, but if that 4 million repeatedly was a good investment of the County's taxpayer dollars that could have possibly been spent in other ways. But being that he's not here, my inclination would be not to support the nominee, just because I don't have the answer to that questions. But thank you.

CHAIR MOLINA: Okay --

MR. MOSSMAN: I'll...I'll --



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

**August 31, 2021**

---

CHAIR MOLINA: -- thank you very much. Mr. Moss...Mr. Mossman, go ahead.

MR. MOSSMAN: Yeah. Chair Molina, would it be best for the question that was just answered [sic], to see if we can get him on, so that those questions can be ask...asked? Versus, you know, that might...that might give you a little bit. And the reason why, and...and...and when we go through this, I get a...I get a...a input of if the person should be on the meeting or not. So when I am told that they don't have...you don't need him on, I don't...you know, during my conversations with them, I...it's up to them. In this case, I would be more than happy to try and get him on the line, if that would support some of the discussion that's happening right now with the Council, with the GREAT Committee.

CHAIR MOLINA: Well, let me just first state, all Members have the contact information of the nominee, so they can go ahead and contact the member [sic] on their own if they like. And of course, the nominee, himself, whether he's asked to attend or not, he can join the meeting. We cannot stop any nominee from the public from participating, or at least listening in. How long do you think this would take? Because I do have other matters on my agenda. If he can...if he...if you can get him on real quick, I would be open to that. But if we're going to have to wait, I'd just prefer to move on and take...take action on his nomination.

MR. MOSSMAN: Okay. So thank you, Chair. I appreciate that, so...

CHAIR MOLINA: Okay. All right. Let me recognize Member Sugimura, followed by Member King, and Member Johnson.

COUNCILMEMBER SUGIMURA: Thank you. I just want to speak in favor of...of the nominee. And just on a side note, hardworking. Not only is...is he an insurance agent or whatever he brought...his credentials, but they have a family farm, and he actually gets busy with persimmon. They have a persimmon farm, and I get these emails from their family saying, you know, that it's season and whatever. And I...I've seen hard work, hardworking farmers. So if that can be additional...a character base for him, I just want to state that, because as you know, it's hard work to do your job, and then to do farming on the side. Anybody who's tried it. So in...in terms of his character and...and yeah, who he is as a person. I've met...I've met Spencer over time and through community things and cultural things, festivals that he's participated and volunteered, so hardworking. I just want to vouch for him. And I believe that he stands on his own by being able to make decisions, do things in the community, as well as do his job strongly and...and forthright. So I support him.

CHAIR MOLINA: Okay. Thank you, Member Sugimura. Member King.

COUNCILMEMBER KING: Chair, I just wanted to ask if we...because we've done this before, where we've taken action, and if it passes, we ask the person to be present at the Council meeting. So if that's possible, then that could mean we could follow up then.

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

**August 31, 2021**

---

CHAIR MOLINA: Yeah, that's a...that's a very good consideration. Yeah. So assuming if he moves out of Committee, then prior...then we can extend the invitation to Mr. Lau to appear at the Council meeting to respond to any questions Committee Members may have. Of course, just as a courtesy to Chair Lee, that is something that we would consider, if you are also open to that, Chair Lee?

COUNCILMEMBER LEE: Oh, I'm very open, Mr. Chair.

CHAIR MOLINA: Okay. Very good. All right. Thank you, Member King. Let's go to Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. This is a question for Mr. Mossman, thank you for joining us today. It's in regards to his travel industry background. Now, I don't know the rest of the members on the...on the Cost of Government Commission. So do you know, Mr. Mossman, if there are other members who have a travel industry background?

MR. MOSSMAN: Thank you for that question, Councilmember, but no, I don't...I don't have it, and I'd...I'd hate to say I do, but no, I don't have that information readily now. I could forward you that information, or...or maybe get that back to you.

COUNCILMEMBER JOHNSON: Sure. That's...that's fine. Okay, well, that's the only question I had, so thank you, Mr. Mossman. Thank you. Thank you, Chair. Mahalo.

CHAIR MOLINA: Thank you, Mr. Johnson. Any other questions for Mr. Mossman from Members who have not asked...had the opportunity to ask Mr. Mossman a question? Okay, seeing none, then the Chair is going to make a recommendation. Chair is going to recommend adoption of the proposed resolution to approve the nomination of Spencer Lau to the Cost of Government Commission for a term expiring on March 31st, 2024. Chair will entertain a motion.

COUNCILMEMBER SUGIMURA: So moved, Chair.

CHAIR MOLINA: Okay, moved by Member Sugimura. Is there a second?

COUNCILMEMBER KING: Second.

CHAIR MOLINA: Seconded by...seconded by Member King. Any discussion? Member Sugimura, as the movant, do you have any further comments on Mr. Lau?

COUNCILMEMBER SUGIMURA: I think, like I said, and I stand by my strength in supporting him. And I believe that, you know, if...we were talking about his insurance background, and I think that having that business perspective will also be important or valuable to the Cost of Government. Thank you.

# Council of the County of Maui

**August 31, 2021**

CHAIR MOLINA: Okay. Thank you very much, Member Sugimura. And of course, Members, as...if Mr. Lau passes out of Committee, well, we will ask Mr. Lau to appear at the County Council to respond to any questions from the Members. Okay, any final comments on the motion before the Chair calls for the vote? Okay, if not, the Chair will call for the vote. All those in favor signify by raising your hand and saying "aye."

**COUNCILMEMBERS VOICED AYE.**

CHAIR MOLINA: All those opposed?

**COUNCILMEMBERS VOICED NO.**

CHAIR MOLINA: We have one, two...okay, Chair will mark it six ayes, with two noes, Members Paltin and Member Sinenci.

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

**NOES: Councilmembers Paltin and Sinenci.**

**ABSTAIN: None.**

**ABSENT: None.**

**EXC.: Councilmember Kama.**

**MOTION CARRIED.**

**ACTION: ADOPTION OF RESOLUTION TO APPROVE SPENCER LAU TO THE COST OF GOVERNMENT COMMISSION.**

CHAIR MOLINA: Okay, Mr. Lau's nomination passes, and will be heard at the next Council meeting. Okay, very good. Thank you very much for your work, Members. And thank you very much, Mr. Mossman.

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

**August 31, 2021**

---

**ITEM-33: APPOINTMENTS TO SOUTH MAUI ADVISORY COMMITTEE**  
(CC 21-228)

**ITEM-34: APPOINTMENTS TO PAIA-HAIKU ADVISORY COMMITTEE**  
(CC 21-229)

CHAIR MOLINA: All right, Members. Moving on to our next two agenda items. Matter of fact, if there are no objections, I'm going to take up GREAT items, -33 and GREAT-34 together, which has to do with the appointments to the South Maui Advisory Committees and Pā'ia-Ha'ikū Advisory Committees. Any objections to taking these two items up simultaneously?

**COUNCILMEMBERS VOICED NO OBJECTIONS.**

CHAIR MOLINA: Okay. All right, Members, the...this has to do more with the deadline for the app...for applications for these respective advisory committees. As you recall, Members, the Committee last met on this matter back on July 20th, 2021. The Committee set a deadline of August 23rd, 2021, 4:30 p.m. to receive applications to these advisory committees. As of the deadline, the Committee has received three applications for South Maui, and seven applications for Pā'ia and Ha'ikū. Staff has sent Members copies of these applications to start reviewing under Section 2.28.050(C) of the Code. The advisory committee must consist of seven members. Council is responsible for appointing five members, and the Mayor is responsible for appointing the remaining two members. Now, in accordance with the newly-enacted Bill 71, each advisory committee must also consist of two alternates. So therefore, the purpose of today's discussion is to consider extending the application deadline for both the South Maui and Pā'ia-Ha'ikū advisory committees, to expand the pool of applicants. Members, if there are no objections, I would like to propose extending the application deadline to 4:30 p.m., September 30th, 2021 for both South Maui and Pā'ia-Ha'ikū advisory committees, and we'll be also issuing a press release announcing the new deadline. And of course, a future GREAT meeting will be scheduled to discuss and consider applicants. Members, the floor is now open for any comments or questions about this proposal. Councilmember King.

COUNCILMEMBER KING: Thank you, Chair, and thank you for the extension. Do we need a...a...a motion on this? Or we're just...we're just...we...I'm not sure if it's something we're supposed to be voting on.

CHAIR MOLINA: Good question. Let's ask Corporation Counsel if we...we need to do a formal motion to extend the deadline. Mr. Murai?

MR. MURAI: Mr. Chair, for the sake of clarity, I'd...I'd recommend it.

CHAIR MOLINA: Okay.

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

**August 31, 2021**

---

COUNCILMEMBER KING: So I...I...well, I guess I'll...I'll make a motion first to extend the deadline to September 30th.

COUNCILMEMBER LEE: Second.

CHAIR MOLINA: Okay. Motion made by Member King to extend the application deadline to September 30th, 2021.

ROBOTIC VOICE: -- the information about him. But I found something else. Do you want to know --

CHAIR MOLINA: Okay, some additional comments, I guess, in the background. Well, continuing my spiel, the motion is, of course, to extend the deadline for the Pā'ia-Ha'ikū advisory and South Maui advisory committees to September 30th, 4:30 p.m. Motion made by Member King, seconded by Member Sugimura. Additional discussion? Member King, as the movant.

COUNCILMEMBER KING: Thank you, Chair. And I really...I appreciate this extension, because I really want to work a little bit more on this. One of the difficulties in...in my community for the applicants, is, then the...we now, you know, we had a volunteer group, which I think a lot of those folks assumed they would just roll over into the new group, and are still in the process of the application. There was one person who meant to send his application in, but sent it to the Mayor's Office instead. And then we had...we're searching... one of the things I'm trying to do is make sure there's a balance of the different communities within South Maui. And we've had a...in Mā'alaea, we've had one person who would have been the applicant, except he moved out of Mā'alaea. We have a new board chair who is in Alaska right now. So there's something...juggling that I'm doing to make sure that...that the...that the committee is balanced geographically. Also, the requirements for the environmental specialists and the native Hawaiian culture specialists are...we've got one of those met, and I'm still reaching out to somebody else, who I think will apply if we extend this deadline. But there's just been...there's a lot of requirements for this committee, and I'm taking it very seriously, trying to balance out between demographics, geographically, and gender balance, and all of that. So it's taking a little bit more time than I thought, just to get this committee correct. And I appreciate the extra time to...to reach out again to the different...the various communities in South Maui.

CHAIR MOLINA: Okay. Thank you very much, Member King. Any other comments on the motion to extend the deadline? Councilmember Johnson, followed by Councilmember Paltin.

COUNCILMEMBER JOHNSON: Thank you, Chair. The...hearing what Councilmember Kelly King was talking about, I just want to speak to that. You know, I...I watched the Lāna'i Planning Commission try to fill those roles, and it's not easy. So I...I just want to be real quick. I support the extension, because we do want a balanced commission and a

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

**August 31, 2021**

---

balanced committee. It's really important. And I appreciate you guys trying to juggle that. It's not easy...a easy...easy situation. So full support. Thank you.

CHAIR MOLINA: Okay. Thank you, Councilmember Johnson. Councilmember Paltin?

COUNCILMEMBER PALTIN: Yes, I agree as well, thank you. But nothing against the three applicants that did turn it in by the deadline, I think they're all wonderful applicants. But it's kind of a hetero or homogeneous mix of folks. Good folks, which is better than a homogeneous mix of bad folks, I guess. I mean, not that folks are bad, but it's...it would be difficult to approve these folks without knowing the entire makeup. And if it's all the same type of person and they're going to agree on everything, it's not going to be beneficial, I think, because you always got to hear out all the sides, and that's the work that we want them to do before it gets to the Commission, or before it gets to us, is hear out all the sides and come up with a good solution. And if everyone is on the same page, then I don't think we can do that. Like, you need, like, a female perspective, or a younger person's perspective, or a born-and-raised perspective. So support.

CHAIR MOLINA: Thank you very much for...for your comments in support of this proposal, Member Paltin. Any other discussion as it relates to the motion on the floor, which is to extend the application deadline for both of these advisory committees? Okay, seeing none, then Chair will call for the vote. All those in favor signify by saying, "aye."

COUNCILMEMBERS VOICED AYE.

CHAIR MOLINA: And raising your hand. Yeah. All those opposed? Okay, thank you. The Chair will mark it eight ayes, with one excusal, Member Kama.

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

**NOES:   None.**

**ABSTAIN:   None.**

**ABSENT:   None.**

**EXC.:   Councilmember Kama.**

**MOTION CARRIED.**

**ACTION:   EXTEND THE DEADLINE TO 09/30/2021.**

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

**August 31, 2021**

---

CHAIR MOLINA: So Members, for the two items...oh, sorry, go ahead, Member King.

COUNCILMEMBER KING: Just...thank you for that vote. Just for the...going forward, is it possible that your Committee could send a letter to the Planning Department just to find out where they're at, as far as hiring the support people for these two committees? And you know, are we in sync with their...their actions to move forward as well?

CHAIR MOLINA: Sure, that is a very good request. We'll have Committee Staff make note of that, and make the...ask the...the Department for an update as to...as to where they're at regarding staffing for these two respective advisory committees. Good suggestion. We will do that, okay? And Members, for the two items itself, we will defer GREAT Items 33 and GREAT Items 34. Any objections to the deferral?

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

CHAIR MOLINA: Okay. Before I move forward, Staff, any other thing the Chair needs to be made aware of as it relates to these two advisory committees?

MS. ESPELETA: Chair --

CHAIR MOLINA: And I believe --

MS. ESPELETA: Oh, I --

CHAIR MOLINA: Okay, thank you.

MS. ESPELETA: -- apologize, Chair. We will issue out a press release on your behalf, announcing the new deadline, as well as the application link will reflect the new application deadline on the bottom of the form.

CHAIR MOLINA: All right, very good. And also, just with regards to the previous item, clarifying the vote, it was six to two, and one excusal. I don't think I mentioned the excusal, so if you could make note of that, Staff, with regards to the vote on Mr. Lau. So we...I didn't mention the one excusal that was Member Kama, so...

MS. ESPELETA: Yes, Chair.

CHAIR MOLINA: I just -- want to state that (*audio interference*).

MS. ESPELETA: Thank you.

**ACTION: DEFER pending further discussion.**

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

**August 31, 2021**

---

**ITEM-6(1):        AMENDMENTS TO THE RULES OF THE COUNCIL (VARIOUS)**  
(MISC)

CHAIR MOLINA: Okay. Wow, we are moving like the speed of light here. My goodness, it's 9:30, and we're almost done. We just got one last agenda item. All right, let's go to that, GREAT item 6(1), which relates to the amendments to the Rules of the Council. And this matter has to do with the miscellaneous communication dated January 5th, 2021 from the County Clerk relating to the Rules of the Council. And then number 2, a correspondence dated August 25th, 2021 from Council Vice-Chair Keani Rawlins-Fernandez, transmitting a legislative proposal establishing a temporary investigative group, to make findings and recommendations on proposed amendments to the Rules of the Council. Before I...I turn matters over to Vice-Chair Rawlins-Fernandez as it relates to the TIG proposal, for the record, I was informed by Committee Staff and Staff that there was this proposal being made by Vice-Chair Rawlins-Fernandez, so there was a meeting. I was not a part of that meeting. I was just informed that there was this proposal and a consideration to put this on the agenda. So I put it on the agenda, even though I was not part of the initial discussions. I'm always open to hearing new ideas, so I just want the Committee Staff to know that...that this is news...news to me as well. So...and we'll go from there. And Members, if you'll note, the proposal from Member Rawlins-Fernandez has been uploaded to your Granicus. So how we'll proceed, we'll go ahead and have Member Rawlins-Fernandez make the opening comments and request for proposal. And then I'll do a pulse check with all of you as to if you'd like to proceed with a TIG, or go status quo, as we have with our previous two meetings in dealing with the proposed Rule changes for the Council. So that is how we will move forward today. So with that said, I will turn matters over to Vice-Chair Rawlins-Fernandez with her proposal. Vice-Chair?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. My...my understanding was that we were going to take up the rules one last time, and with the number of amendments that were proposed last year, we asked OCS attorneys to spearhead the effort of updating our Council Rules. And they invested a tremendous amount of time into meeting with every one of us, and getting feedback from every Councilmember on what kind of updates each Member wanted to see in the rules, and so they did that. I spent probably about a total of six to eight hours with OCS, working on updating these rules. And it became obvious in my review of the rules in its totality, that it hasn't been updated in that way in some time. And so I...I worked with our OCS attorneys to put things in an order that flows better, that is a better reflection of how we operate, and to ensure that the rules are helping us with our operation and not just becoming a...a stumbling block in the things that we're...we're trying to be effective and efficient on doing. And so a lot of these are refreshed rules, they're housekeeping, but as I...as I mentioned, like some of the things are moved from one location to another to improve flow, or from one section to another section. And each time we've taken up the rules in Committee, it's...we...we've gotten through like maybe...maybe about three to four rules each time, and at that pace, we're likely not going to get through all the proposed amendments. I didn't count how many amendments I had. Member Molina has three, Member



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

**August 31, 2021**

---

Sugimura had one. And so the proposal is to establish this TIG that would meet maybe one or two times, like for maybe three or four hours each time, so that we can just really focus and get through all of it, to...to honor the...the time that was invested into improving these rules for our Council. So that's the rationale behind the idea of establishing a TIG. It wouldn't be a prolonged TIG. The scope would only be to review the proposed rules. Out of the TIG, the recommendations would be ASF, so amendment summary forms, so that when we do come back to Committee, we would be able to review them clearly with other Councilmembers having given feedback. And I'm not saying that every proposal that I have made is like an automatic in. I...you know, I...I am open to feedback, so that we can craft it so that it works best for us. But I...I just...I just didn't want us to take it up one more time, and that's it. And so that was where the idea of creating a TIG came from. Mahalo, Chair.

CHAIR MOLINA: Mahalo, Vice-Chair Rawlins-Fernandez. Members, the floor is now open for any comments on the proposal, any questions for Member Rawlins-Fernandez. If this is something the body would like to...a majority of you would like to pursue, that if having the discussions in Committee as we've had previously, if you'd like to turn matters over to a TIG, as I understand it, the TIG would, I guess, meet on their own, then come back with recommendations at a future GREAT Committee meeting to firm up Council Rules. I guess that's how I understand how this will work. Member Sugimura, you have any questions for Vice-Chair Rawlins-Fernandez on this proposal?

COUNCILMEMBER SUGIMURA: I...I think this might be a question for you, Chair. So where is the thought coming from, that this is the last...or only one more meeting to take up rules and that's it. Where...where did that come from?

CHAIR MOLINA: Well, may...maybe I think it...it was maybe I could have used a better choice of words. It was my personal hope that we could wrap all of this up within one meeting. But if --

COUNCILMEMBER SUGIMURA: Okay.

CHAIR MOLINA: -- there's going to be any prolonged discussions, I mean, it's not the end all. Sure, we could consider having an off-week meeting, but now with the new policy, with off-week meetings being it has to be time sensitive matters, that sort of complicates this as well. So it...that's why, as you know, this Committee, we've got a lot of stuff.

COUNCILMEMBER SUGIMURA: Right.

CHAIR MOLINA: That's why I have to add this to whatever other items we have. And given our three hours, we have to make...make the best of it. So you know, I'm always trying to see if we can get things done in an efficient way --

COUNCILMEMBER SUGIMURA: Okay.

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

**August 31, 2021**

---

CHAIR MOLINA: -- as fast as we can. But that was --

COUNCILMEMBER SUGIMURA: That was an open statement.

CHAIR MOLINA: -- my personal hope, was for --

COUNCILMEMBER SUGIMURA: Yeah.

CHAIR MOLINA: the...yeah.

COUNCILMEMBER SUGIMURA: Okay. So you didn't say this is it, right?.

CHAIR MOLINA: But, if, you know, we're not, not...yeah. Nah, no, no, I mean, personally, I was hope...I...I would have hoped this would be it, but if we're not finished, we're not finished, and we have to continue, regardless of my...my personal goals or opinions.

COUNCILMEMBER SUGIMURA: So if I could just continue, and I'll turn the floor over, but I personally find that...I understand what TIGs are, and for the years I've been on the Council, that this is the first Council that used a TIG, which was the real property tax. And it was last term, or this term, but the...the TIG concept in general, I know it was done before, but that's before I was on the Council, right, with housing or whatever that was done with Elle Cochran, I think, and...and Don Couch. But I wasn't part of that Council at that time. That's what I'm saying, Tamara, as I see you nodding your head. And...but I...I will tell you that my feeling on TIGs, it becomes a private meeting. And I think that because of the way the Council was organized, that we are transparent, and that we represent the people, that I like to have discussions open and not happen behind a private meeting that everybody else is not included, unless if you are invited by the TIG. So I personally would like to see us complete this, Chair, with your process that you are undertaking. I don't remember you ever saying that we can only...I mean, I...I appreciate you explained what you just said, but I didn't even take it as, that was it. You know, I mean, I think you're always been open. You have a full agenda, as well as, you know, Budget and Finance, you know, Committee or the BFED Committee or others, Tamara's Committee. But I think you've always made time to do the things that we needed to do. So I...I would like you to continue, Chair, on your process. And for the Councilmembers, I would...I would like it to be an open process, and not have the Council Rules be finalized by a...a special, elite committee. So that's my...that's my opinion. Thank you.

CHAIR MOLINA: Okay. thank you very much, Member Sugimura. Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair, for my opportunity. I don't mind the creation of a TIG on one condition; I don't have the capacity to be on it. So as long as I'm not chosen, okay. I'm on, like, all the Committees, and one other TIG, and so I just don't have that kind of capacity. I got to, you know, sometimes you got to say no, even if you don't want to. But other than that, if other folks get out the stuff, and I don't have to

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

**August 31, 2021**

---

be there, and I'm okay with it.

CHAIR MOLINA: Thank you for your honesty, Member Paltin.

COUNCILMEMBER PALTIN: Oh --

CHAIR MOLINA: And we know you're a very, very busy person too.

COUNCILMEMBER PALTIN: One clarification question. These would only be in effect for like a year and a half more, though, right...these rules? And then every term we'll vote on them. But most likely, if they work, they would carry on. Because the old rules that we had, like, was never changed or something. But realistically, guarantee a year and a half more.

CHAIR MOLINA: Yeah, that is my understanding. And of course, every Council that comes in, they can modify the rules too. So nothing is ever etched in stone as far as the Council Rules. They're from Council to Council, so. And I guess for years, you know, Member Paltin made the point that the rules have not been looked at. I guess it's just up to each particular Council if they...they want to change rules. So we just happen...happen to be in a time where, you know, some of you would prefer to change directions. I mean, I had a couple of proposals too, on...on...on a number of things, but...yeah, so it's...it's something that could change...be changed by the next Council. We can make changes now or we can defer on it. I mean, it's...it's...it's up to us. And there is no, I guess, time sensitivity, I guess, to it, but if...depending on the sense of urgency from each and every one of you, if you want to make changes, then I guess there is a time sensitivity to it, because we certainly would like to have some time to have any new rule changes, to see what its impact is, before the end of the term.

COUNCILMEMBER PALTIN: Okay. Thanks for clarifying that, and under that condition that I had, I...I got no problem with a TIG, I mean, just --

CHAIR MOLINA: Okay.

COUNCILMEMBER PALTIN: -- nobody nominate me, please.

CHAIR MOLINA: All right. Thank you, Member Paltin. Let's see, Councilmember Sinenci, your thoughts?

COUNCILMEMBER SINENCI: Yeah, mahalo, Chair. Yeah, and I wanted to mahalo Member Rawlins-Fernandez for proposing the TIG. I think it's just right up her wheelhouse, especially when you're looking at...when you're talking about law journals and caseloads. I definitely have benefited from Member Rawlins-Fernandez's law background throughout this process. And I'm sure I would benefit too, if I was part of the TIG. That said, however, I'm hoping to...to finish up the WUDP and...and dive headlong into the Department of Agriculture. So that said, I would probably support, if

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

**August 31, 2021**

---

it's going through it through your Committee, but I'm open to other suggestions from the Members.

CHAIR MOLINA: Thank you, Mr. Sinenci. Any other Members who would like to comment on this proposal before we continue? Councilmember King.

COUNCILMEMBER KING: Thank you, Chair. I'm...I was just looking through the proposal and I didn't see...I see...is this a...is this proposing that there be four members on the TIG?

CHAIR MOLINA: I believe so. If maybe Vice-Chair Rawlins-Fernandez can clarify that?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Yeah, four is the maximum, and my thought process behind proposing four is that the more Councilmembers that are on it, the more feedback, and then there will be more of...more of a majority or...not a majority, but more Members that understand the proposed amendments, so that there wouldn't be too much of a need to explain. Because then Members would kind of have a better understanding of what each of the proposals are. Mahalo, Member King. Mahalo, Chair.

COUNCILMEMBER KING: Thank you for that explanation. Chair, I kind of feel like...I mean, I...I'm in the same position as Member Paltin. I don't have the capacity to join another group, especially since I'm (*audio interference*) with...for the EPA advisory group on top of everything else. I have a feeling that whatever comes out of the TIG, we're still going to have to discuss it in this Committee anyway, and you know, have a full discussion for those who aren't on the TIG. So, you know, I mean, if folks want to get together...if there's a few of you who want to get together and hash all this out ahead of time, I think it's important to include somebody from OCS and somebody from the County Clerk's Office, because these rules will affect how we do business with them as well. And I also, you know, have some issues with the issue of...with the idea of transparency, because of the fact that these discussions don't happen in the open like the Committee, and even the Council Chair meetings happen...you know, are open to the public. So you know, I'm...I'm kind of neutral on the whole thing, but I think we're going to have just as full a discussion in Committee even after the TIG makes its recommendations. So and...and you know, I...for...for me personally, the...the processes we have in place right now are fine, and I'm more...I'm more focused on content and getting stuff done in my Committee than, you know, creating new processes. So that's...that's my feeling about it.

CHAIR MOLINA: Okay. Thank you very much, Councilmember King. Any other Members for comments? Councilmember Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. I...you know, I...I'm open to the idea of a...of a TIG group, but I also want to...I have a lot on my plate. There's a lot. Oh, my goodness. I'm kind of getting...you know, there's the capacity issue that you guys mentioned is totally true. Trying to get...you know, juggle plates, spin plates, as they say. So I'm...I'm for it, but I think it's...it's...it's a lot to...for me personally to...to get

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

**August 31, 2021**

---

more involved in these other things when I've got this big plate in front of me. So that's all I have to add, Chair. Thank you.

CHAIR MOLINA: Okay. Thank you, Mr. Johnson. Anyone else? Let me first recognize if Chair Lee has comments, and then we'll go back to you, Member Paltin. Chair Lee?

COUNCILMEMBER LEE: I feel like most of the Members that, you know, all of us are really bogged down with a lot of work and a lot of upcoming deadlines and so forth. However, you know, if...I'll go with your recommendation, but...but if Member Rawlins-Fernandez wants to take this on as her project, that's fine too. Because in...in...in the end, we're all going to have to discuss it as a group. So if she wants to organize that information, you know, that's...that's fine with me. But I await your recommendation. Thank you.

CHAIR MOLINA: Okay. Thank you, Chair Lee. Member Paltin.

COUNCILMEMBER PALTIN: Thank you. I didn't mean to start a trend or anything, but I guess what I would say is, you know, we still have two hours left in this meeting. And if the TIG idea doesn't come to fruition, I'm not sure, I don't...I don't feel strongly either way, but...other than I can't do it. But I mean, just wondering, Chair, your thoughts on making the Council Rules being a standing item on your agenda for any time where we get through things faster, then where we move into, like, talking about the Council Rules. And that way, it's like, you know, we...for me, if I know it's a Committee week or there's a Committee, I set aside my full time and attention to those matters. I read the issues as best as possible, unless there's like emergency or something. And so any time, like, you know, instead of just like, oh, we get two extra hours, which is always fun and good, I love it. But, you know, this is the time that we set aside to do the work. So like right now, we have two hours to hopefully get through some...some of the rules. And...and that...that would just be my suggestion, if nobody will volunteer to be on the TIG.

CHAIR MOLINA: Okay. Well, thank you for your thoughts. And yes, you know, if a TIG is not approved, then it can be left as a standing item on future agendas. And of course, we have the option of meeting in an off week, although I know the preference of late has not been to take up items that are, you know, not considered time sensitive. But as we...we close in on one year on this term, some could argue that this is...could be time sensitive if we want to change. If the rules really need to be changed, if it really matters that much, it would be something for the approving authority who has been ordained. I guess Member Rawlins-Fernandez has been ordained as the approving authority for any off-week meetings. That could be a consideration. But let me first state I'm open to the TIG, but again, I will not...I will respectfully decline being a participant. And I guess you need a minimum of two people. So if we take a vote, and the prevailing side authorizes a TIG, I would go with no more than two Member...Councilmembers, I guess that's the minimum. And based on what I'm hearing from other Councilmembers not having the time, I think we...that might potentially be the case. Only two Members, the minimum. So I'm open to it, provided, of course, if that's the...the will of the majority.

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

**August 31, 2021**

---

If it's not, then we proceed as we have. We'll...we'll take what we have to take up today, and maybe look at a future meeting or two to further discuss the rules, which I hope won't take up that many meetings. So that's where I'm at, Members. Comments? Member King.

COUNCILMEMBER KING: Oh, I just...I just wanted to let you know that I got a text from Member Sugimura, that she got disconnected.

CHAIR MOLINA: Oh, yeah, I just got...I got that text too. Okay, okay, thank...thanks for that. So once we get Member Sugimura back online, hopefully we can get comments from her. Members, any comments on the...I guess I saw Vice-Chair Rawlins-Fernandez. Your thoughts after hearing from all the Members?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. As you all know, process is important to me. I have a very full schedule as well, but we all know that you make time for things that are important. And so this is important, and I would make time for it. But that's fine, if the other Members don't want to...in a TIG. I'm not going to fight for a TIG, that wasn't my preference. I only proposed doing a TIG because I was told this was going to be the last time we're going to take up Council Rules, and I just felt that it was disrespectful to our Staff and to those who worked really hard on the proposals, myself included. It's not something that I...you know, would just benefit me, it was something that I felt would benefit all of us as a Council. There are a couple of ideas that I think would increase transparency that are new, but most of them are really just housekeeping stuff. So as you alluded to, Chair, if...if Members wanted to instead take this up on an off week, not on a Tuesday, I would be open to that if we just took up the Council Rules, and then we can just get through it, just from beginning to end, and just be done with it. But I'm okay with the...you know, the...the standing item idea, but sometimes, some of these things are...like the consensus calendar, or the consent calendar, like, it took a...a lot longer than I anticipated to explain, and then we had to, you know, establish baby steps for us. And I mean, I...I feel that it's been a good thing, but...and it was something that all the Members said that they wanted. And so I worked on it. It...it had...Council Rules has been my project. I've been working on it by myself, with my Staff, with our...our OCS attorneys. I've invested a lot of time into this, into ideas that came from the Members and trying to wordsmith it, put it down in writing. So yeah, I'm...I'm open to an off-week meeting, if we take up the Council Rules item by itself, and then just get through it. Mahalo, Chair.

CHAIR MOLINA: Okay, mahalo, Vice-Chair Rawlins-Fernandez. And I don't think anyone has any disrespect for our Staff, for all the work and time that you and others have put into this process as...as it relates to the Council rules. So it's unfortunate that this term, the GREAT Committee has been inundated with a lot of time-sensitive matters. Not only the Boards and Commissions, which they have a deadline, we also...prior to the budget process, we had to entertain hearing from all the departments, which took up some of this Committee's time as well. And we're all trying to do it, squeeze it in, before we go into the budget process, which is, of course, probably the most important process the

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

**August 31, 2021**

---

Council has to deal with. And then, of course, we had the Charter Commission process. That took time to go through and interview all of the applicants. And we also had to deal with the advisory committees...well, at least dealing with that legislation. But not so much that, but we also had other time-sensitive issues I can't think of...oh, the number of resignations on the Boards and Commissions, and of course, the Council, we have only so much time to act on it. So which means this Committee had to take up time for that. Because this has been an unusual term, an unusually high number of resignations from our various boards and commissions throughout the community...and of course, rejections the Council made as well. So packing all of that in, that is why, you know, as your Committee Chair, I decided to place, as a priority, all of these items first before the Council Rules. And we all have to deal with matters that are...no disrespect to the Council Rules itself, but the issues that really matter the most to this community have to deal with the environment, housing, and public safety as it relates to COVID. So you have all of this, I guess, perfect storm converging all at once, I guess, unfortunately, sort of pushed back the process a little bit on the Council Rules, and we didn't have the sufficient time, regular committee time, for it. So I appreciate the...you know, the offer of doing the TIG. It would seem like, Members, maybe if I'm gauging this right, open to the idea, but not having the time to participate on a TIG. And of course, the issue of transparency that I think Members King and Member Sugimura had...had mentioned might have created some discomfort for some. So I'm going to...well, Members, do you want to vote on this, or do we just have consensus, or an agreement that we will forego the TIG, and then go with Member Rawlins' suggestion, or that she's open to approving an off-week meeting, that we could devote a full day to address the Council Rules and get...get it over with once and for all, as much as we can, hopefully in a full day. Is that the preference of you, Committee Members, or would you prefer going the TIG route? Chair...floor is open for your comments, Members. Member Sugimura.

COUNCILMEMBER SUGIMURA: So just by listening to the Members, it sounds like probably scheduling it another day through your Committee would be my preference, Chair. And I'm...I'm curious, why not a Tuesday? I...I...that...I don't know who said that, but why not on a Tuesday? What...I know Tuesday... oh, I don't know. That was my question.

CHAIR MOLINA: Yeah, Tuesday is my normal Committee meeting day, but I guess --

COUNCILMEMBER SUGIMURA: But on a off week, right?

CHAIR MOLINA: Oh, the off week...yeah, Tuesdays. That's, I guess, been the day designated for off-week meetings.

COUNCILMEMBER SUGIMURA: Yeah. So. I...I'm just curious why, but I...I'm open to scheduling it through your meeting, through GREAT, having it on an off week if we want to designate a whole day to it or whatever time. But do it through the Committee and not through a TIG is my preference.

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

**August 31, 2021**

---

CHAIR MOLINA: Okay. Thank you very much, Member Sugimura. Members, any other comments as it relates to the proposal of foregoing having a TIG, and then just meeting during an off week? Member Paltin?

COUNCILMEMBER PALTIN: I just...I guess if...if we're voting on it, is there anyone willing to be on the TIG, because it seemed like everyone tapped out, so then that would leave the other option.

CHAIR MOLINA: Well, let's see. I know I've excused myself from it, Member...I guess, Member Paltin, you've excused yourself, Member Johnson, Members King and Sugimura have stated objections to having a TIG. Chair Lee, I know you've deferred to my recommendation. So it...Member Sinenci, I...I...I'm not sure where you're at on it as far as participating on a TIG? No? Okay. So it seems like no one is willing to participate on a TIG, other than Member Rawlins-Fernandez. So I guess that's where we're at right now. And we're considering, instead of a TIG, just devote a full day during an off week to address the Council Rules.

COUNCILMEMBER PALTIN: We probably shouldn't volunteer Member Kama then.

CHAIR MOLINA: Yeah, that's another...yeah, yeah, yeah. That's a...that's a good point. Member Johnson?

COUNCILMEMBER JOHNSON: Chair, I...I just got...I want to clarify some stuff, so I understand. So a little active listening here. So if we don't do a TIG, we're all going to come on and...come in on a Tuesday. If we do do a TIG, you need minimum...was it two?

CHAIR MOLINA: Yeah.

COUNCILMEMBER JOHNSON: And then...there...that would be --

CHAIR MOLINA: Up to four.

COUNCILMEMBER JOHNSON: -- two sessions of...okay, yeah, two to four. And that's two sessions of up...up to eight hours; is that right? So...

CHAIR MOLINA: Well, it...it would be up to the TIG, as far as how long they want to meet, how many meetings prior to submitting their recommendations to the GREAT Committee. And then the GREAT Committee then would schedule a meeting to hear the recommendations from the TIG. Maybe we can ask for additional comments from Vice-Chair Rawlins-Fernandez to your question.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Yeah, having two members wouldn't really achieve the goal of the...of the...creating the TIG.



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

**August 31, 2021**

---

COUNCILMEMBER JOHNSON: Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo (*audio interference*).

COUNCILMEMBER JOHNSON: Just trying to help. All right. Thank you. Thank you, Chair.

CHAIR MOLINA: Okay. Thank you, Member Johnson. Okay, Members, any other comments on the proposal to forgo a TIG, and then considering devoting a full day off...during an off week to address the rules? Councilmember King.

COUNCILMEMBER KING: Yeah, I'm...I'm open to that, Chair, whatever your recommendation is, but hopefully it wouldn't take a full day. But I think you also have to recognize that, you know, there was...there was one of the Council Rules that we did...that we did seem to approve, I don't know if we did it formally, was that you wouldn't use the off week for nonemergency. So we're going to do that, then...then we're already setting aside one of the Council Rules. So I just wanted to...to make that mention, because, you know, in the end, the Council Rules are not really enforceable. They're...they...I...I mean, there's...there's things in the Council Rules about behavior which, you know, I've seen violated in...in the...in the years I've been on the Council, and nobody got reprimanded, and nobody got, you know, sanctioned or anything. So you know, that's why I'm saying that, you know, for me, I'm...I'm good with where the Council Rules are right now. But...but I don't think they're...they're...they rise to the level of an ordinance or a regulation, because they're just...they're just, you know, basically guidelines for how we want to do business and the agreements that are made. And I've just...I haven't seen...and...and then this comes up all the time, while, you know, while we're doing ordinances, you know, is that, you know, the enforcement side of it becomes a big issue. So I just wanted to make that point, that I think we're making a huge deal out of something that...that is not enforceable anyway. Thank you.

CHAIR MOLINA: Okay. Thank you, Member King. And yeah, on top of what you said, you know, the beauty of...I guess some would call it the beauty of Council Rules, a Council can suspend its own rules anyway. So there's a lot of flexibility with Council Rules in itself. So Members, any other comments as it relates to this matter? So it looks like even if we had two members on...on...on the TIG, it might not achieve the goal, as Vice-Chair Rawlins-Fernandez stated. So at this point, as your Committee Chair sees it, we...we're just going to devote a full day. Hopefully we can get it all done in that full day during an off week, to address the Council Rules. And my intent, of course, I would like to get this meeting before the end of the...this year anyway, at the very least. So I'm going to have to go back and sort of review my three-month calendar, and see where...what week we can squeeze this in that would work for everybody. So that's how I'm going to approach it. Members, any other thoughts or suggestions? Okay, Vice-Chair Rawlins-Fernandez, followed by Member Paltin.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I just wanted to correct the record that the time sensitivity issue of scheduling off-week meetings is...is not a Council Rule. It

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

**August 31, 2021**

---

was just something that we agreed to in a...a Chair's Meeting, that that is how we would operate. We didn't put it into the rule. So it was just something that we all agreed to. And so that would be something that we're doing here, is agreeing that while this doesn't fit the parameters of what we agreed to in the Chair's Meeting, that it's something that we're saying is important, because it's our Council Rules. I...I...I'm a little, I don't know. I don't know what the word is. Kind of, I guess, surprised at some of the comments about how our rules kind of mean nothing. But it...it's...it's rules of order that we all agree to. And yeah, we can waive rules, but it's also the way we...we...we operate. So like trying to be more efficient, particularly at like Council meetings, trying to increase transparency, these are items that I...I think we all agree are important. So that... that's the goal of the rules, and I mean, it...it matters to me, our Council Rules. Yeah, so if we want to agree to have an off-week meeting outside of the parameters that we agreed to regarding time sensitivity, that...that's all I'm saying, is that we...we can all agree to that. Any of us can be overruled by a majority. Any Chair can be overruled by a majority. That's how Rules of Order work. I...so that...those are my thoughts. I...I would support your recommendation, Chair. Mahalo.

CHAIR MOLINA: Thank you very much, Vice-Chair Rawlins-Fernandez. Member Paltin.

COUNCILMEMBER PALTIN: Oh, I just wanted to say feel free to schedule it while I'm in France, I won't have hurt feelings. I trust you guys for the most part.

CHAIR MOLINA: Unfortunately, Member Paltin, I'm going to wait until you come back, we need your input on it. I...I...I want all nine Members here, so...but I appreciate the gesture, but...but enjoy yourself in France, learn a lot, and then be prepared to come back and participate in the...addressing our Council Rules. But thank you for that.

COUNCILMEMBER PALTIN: And I hope you guys be more efficient. But, you know, ultimately, your...your call.

CHAIR MOLINA: Thank you. Members, any final thoughts on this? Okay, let...just let me say, you know, thank you to, you know, Vice-Chair Rawlins-Fernandez. I...I respect your...your take on process. As a...as a former school teacher, and currently what I...I'm sort of regimented, and...and I kind of have the same line of thinking with you too, it's order, structure, that kind of thing. I'm...I'm not used to taking things...having things deviated or changed on the fly, so I can kind of relate to where you come from. So and...and thank you for being a very original thinker and trying to help the process. So...and...and I certainly respect your efforts, as I do every...you know, all the efforts of my colleagues as well. You know, we all are nine different individuals, and we sometimes operate...we...we can all look at the same thing, but have a different take on it. So I will continue my admiration and respect for...for all of you Members, and all...myself, am always open to any new innovative ideas that you can share, as...and as I was told when I was a kid, no...if you have any questions, no shame, ask. Or if you have any new ideas, no...no...no shame, share it. Because then otherwise, potentially everyone loses when...when you don't have an idea or a...or a question that needs to be

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

**August 31, 2021**

---

asked. So with that said, you know, this conversation has been quite draining, but very educational. And what I'm going to do, Members, I'm going to defer. Let's give Member Paltin some time to pack, and give you guys some time off. I know GREAT meetings typically take three hours or more. And, you know...you know, your Chair has to show some leniency to all of you guys as very hard-working individuals. So my intent is to defer, and then we'll come up with a date after Member Paltin's return from France during off...an off week. I will consult with Vice-Chair Rawlins-Fernandez on...on a date that'll work for everybody, and then we'll go from there. And my intent is to devote a full day from 9:00 a.m. to, say, 4:30 p.m., if we have to go that long, and devote it exclusively to Council Rules. Does that work for everybody? Okay, Councilmember King?

COUNCILMEMBER KING: I don't mind deferring and coming up with a date, but if you're deferring this item, this is just the TIG, right?

CHAIR MOLINA: The item itself...let me get clarification on that from Staff. So the proposal was for a TIG, that's on the agenda. Now, do we file it, or can we just defer it?

MS. ESPELETA: Chair, the Staff's recommendation is to defer the matter, but it's up to the body.

CHAIR MOLINA: Okay, I will --

MS. ESPELETA: As to...as to filing the correspondence, but you can defer the matter. That would achieve.

CHAIR MOLINA: Yeah, okay.

COUNCILMEMBER KING: So we're putting these back up under the same heading, though. Would we...would it still be...would it be just about the TIG, or would it be about the Council Rules?

CHAIR MOLINA: We'd --

MS. ESPELETA: Chair?

CHAIR MOLINA: -- have to agendize that specifically with...towards Council rules, as far as...you're talking about our next...our off-week meeting? Is that...

COUNCILMEMBER KING: Yeah, to get...to...to actually look at the Council Rules, to consider Council Rules versus the TIG.

MS. ESPELETA: Chair?

CHAIR MOLINA: Vice-Chair Rawlins-Fernandez . . . (inaudible). . .

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

**August 31, 2021**

---

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. So what is agendized is Amendments to the Rules of the Council, and what we posted was the TIG proposal under this item that is titled...entitled Amendments to the Rules of the Council. And so we don't want to file this, we want to defer it. As far as the memo to establish the TIG, that would just be an item within this communication.

CHAIR MOLINA: Committee item.

VICE-CHAIR RAWLINS-FERNANDEZ: Yeah, within the Committee item.

CHAIR MOLINA: Okay. So my recommendation would be to just go ahead and defer this item and leave everything else open. Vice-Chair Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. You know, I also saw that Member Sinenci canceled one of his APT meetings. I think that was the one in October. And so there's also that option, where if we had APT or GREAT swap, and having, like, a full-day meeting, or since Member Sinenci canceled one of his APT meetings, we could have a GREAT all day on that day instead.

CHAIR MOLINA: I think that that...was that October 19th, I believe? And yeah, as a matter of fact, I'm glad you brought that up, because I was --

MS. ESPELETA: Yes, Chair.

CHAIR MOLINA: -- thinking of using...using that day, the full day since Member Sinenci had decided to decline having that APT meeting for that day. That's a date I...I...I could consider. Let me meet with Staff, and then we'll get back to you, Member Rawlins-Fernandez, to see where we...if that's a workable date. And of course, poll all the Members. That...of course, that Committee week was move...that...those...that set of committee meetings was moved to...the...was originally scheduled for the previous week, but because Member Sinenci and I will be off island attending a DWIR conference, it was decided to move the whole Committee week and Council week to the week of the 18th to the 22nd. So yeah, we can also consider that date as well to address...to include Council Rules, because I did have a number of items scheduled for that day as well. But we'll...we'll look at that...that date, the 19th, potentially, so...okay, Members. So yeah, consider that date that as a potential date, October 19th. Now, that is a normal...would be considered now a normal Committee week, so just for the record, yeah? But because Mr. Sinenci is not going to have his APT meeting, the GREAT Committee will use his time slot as well. Member Sugimura?

COUNCILMEMBER SUGIMURA: I...if you look in chat, I think Member Sinenci's going to be on his way...on his trip is what he said, so he won't be present. It wouldn't accomplish the goals.

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

**August 31, 2021**

---

CHAIR MOLINA: Oh, yeah.

COUNCILMEMBER SUGIMURA: October 9th [sic], I will be en route...oh, from Utah. Sorry, from Utah.

CHAIR MOLINA: Yeah, forget...yeah, yeah, that's right. Yeah. If we have that meeting on the 19th, we would not have Mr. Sinenci's --

COUNCILMEMBER SUGIMURA: Yeah --

CHAIR MOLINA: -- participation.

COUNCILMEMBER SUGIMURA: -- because I thought we wanted all the Members.

CHAIR MOLINA: Yeah. So like Member Paltin, yeah. Yeah. Member Sinenci, I...I...I would prefer you be...be here for a Council Rules meeting, so I think we may have to scrap that...putting it on that date. Well, let's look at some time later in September or sometime later in October other than the 19th as a consideration then. We...we want to ensure that we have all nine members to address the rules. So we'll work on a date...coming up with a date, Members. We'll leave it to the Chair and Staff, and we'll consult with Vice-Chair Rawlins-Fernandez on a date that'll work for everybody, yeah. Members, any final thoughts on that? Before we defer? Okay, see none. Then for the record, we will defer GREAT item 6(1).

**COUNCILMEMBERS VOICED NO OBJECTIONS.** (excused TK)

**ACTION: DEFER pending further discussion.**

CHAIR MOLINA: Committee Staff, any objections to the deferral? Okay, so noted. Staff, is there anything Chair needs to be made aware of before we close?

MS. ESPELETA: No, Chair, nothing further.

CHAIR MOLINA: All right. Thank you very much. Chair would like to thank all of you Members for your hard work, and to our...and...and the Administration, and of course, to our Committee Staff and *Akakū*, and everyone else involved. So this GREAT Committee meeting for August 31st, 2021 is now about to be adjourned. But before that, don't forget we have an APT meeting with Mr. Sinenci at 1:30 p.m. today. So GREAT Committee meeting for August 31st, 2021, time is 10:20 is now adjourned. . . .(gavel). .

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

**August 31, 2021**

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**ADJOURN: 10:20 a.m.**

APPROVED BY:



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

great:min:210831

Transcribed by: Kaliko Reed

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

**August 31, 2021**

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CERTIFICATION

I, Kaliko Reed, hereby certify that pages 1 through 30 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 6th day of October 2021, in Wailuku, Hawai'i



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Kaliko Reed