



# The County of Maui

Council Chamber  
200 South High Street, 8th  
Floor  
Wailuku, Hawaii 96793

## Legislation Text

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**File #:** GREAT-11(5) Reso 23-34, **Version:** 2

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### LITIGATION MATTERS (RESOLUTION 23-34, RELATING TO SPECIAL COUNSEL AUTHORIZATION: NEGOTIATING AN AMENDMENT TO THE ENERGY PERFORMANCE CONTRACT WITH JOHNSON CONTROLS, INC.) (GREAT-11(5))

The Committee is in receipt of the following:

1. Resolution 23-34, entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL RELATED TO THE ENERGY PERFORMANCE CONTRACT." Resolution 23-34's purpose is to authorize the retention of legal counsel qualified to negotiate an amendment to the energy performance contract between the County of Maui and Johnson Controls, Inc.
2. Correspondence dated February 6, 2023, from County Clerk, transmitting a letter from Department of the Corporation Counsel, dated January 18, 2023.

The Committee may consider whether to recommend adoption of Resolution 23-34, with or without revisions. The Committee may also consider the filing of Resolution 23-34 and other related action.

With reference to this agenda item, one or more executive meetings are anticipated in accordance with Section 92-5(a)(4), Hawaii Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee; and Section 92-5(a)(8), Hawaii Revised Statutes, to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential under a State or Federal law, or a court order.