

COMMITTEE OF THE WHOLE
Council of the County of Maui

MINUTES

June 30, 2015

Council Chamber, 8th Floor

CONVENE: 3:12 p.m.

PRESENT: Councilmember Don S. Guzman, Chair
Councilmember Stacy Crivello, Vice-Chair
Councilmember Gladys C. Baisa
Councilmember Robert Carroll
Councilmember Elle Cochran
Councilmember Don Couch (out 5:03 p.m.)
Councilmember Riki Hokama
Councilmember Michael P. Victorino
Councilmember Mike White

STAFF: Carla Nakata, Legislative Attorney
Clarita Balala, Committee Secretary

Ella Alcon, Council Aide, Molokai Council Office (via telephone conference bridge)

Denise Fernandez, Council Aide, Lanai Council Office (via telephone conference bridge)

Dawn Lono, Council Aide, Hana Council Office (via telephone conference bridge)

Morris Haole, Executive Assistant to Councilmember Robert Carroll

ADMIN.: Patrick K. Wong, Corporation Counsel, Department of the Corporation Counsel
Jeffrey Ueoka, Deputy Corporation Counsel, Department of the Corporation Counsel
Moana M. Lutey, Deputy Corporation Counsel, Department of the Corporation Counsel
Caleb P. Rowe, Deputy Corporation Counsel, Department of the Corporation Counsel
Richelle Thomson, Deputy Corporation Counsel, Department of the Corporation Counsel
Victor Ramos, Police Inspector, Department of Police
Deborah Stone-Walls, County Executive on Aging, Department of Housing and Human Concerns

OTHERS: Rosemary Robbins
Colleen P. Doyle, Esq., Hunton and Williams LLP
(2) additional attendees

COMMITTEE OF THE WHOLE MINUTES
Council of the County of Maui

June 30, 2015

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

CHAIR GUZMAN: . . .*(gavel)*. . . Good afternoon. I'm Don Guzman. I'm the Chair of the Committee of the Whole and it shall now come to order. I would like to, before we begin, remind everyone to please put their cell phones on silence. I would like to introduce our Members today. Our Vice-Chair is Stacy Crivello. Good afternoon.

VICE-CHAIR CRIVELLO: Aloha, Chair. Good afternoon.

CHAIR GUZMAN: Good afternoon. We have Gladys Baisa.

COUNCILMEMBER BAISA: Good afternoon, Chair.

CHAIR GUZMAN: We have Bob Carroll. Elle Cochran.

COUNCILMEMBER COCHRAN: Aloha, Chair.

CHAIR GUZMAN: Don Couch.

COUNCILMEMBER COUCH: Aloha and good afternoon, Chair.

CHAIR GUZMAN: Riki Hokama.

COUNCILMEMBER HOKAMA: Chairman.

CHAIR GUZMAN: Mike White.

COUNCILMEMBER WHITE: Aloha, Chair.

CHAIR GUZMAN: And Mike Victorino.

COUNCILMEMBER VICTORINO: Chair.

CHAIR GUZMAN: Thank you. For the Department, we have our Deputy Corporation Counsel Jeff Ueoka.

MR. UEOKA: Good afternoon.

CHAIR GUZMAN: Thank you. And we also have a representative from the Department of Housing and Human Concerns here.

MS. STONE-WALLS: Good afternoon.

CHAIR GUZMAN: Good afternoon. And we also...we have Carla Nakata who is our Legislative Attorney, as well as Clarita Balala is our Secretary...Committee Secretary.

COMMITTEE OF THE WHOLE MINUTES
Council of the County of Maui

June 30, 2015

Before we begin I'd like to remind everyone if you would like to testify, please sign up at the lobby. You'll be limited to today's agenda items. When you testify, please identify yourself and/or any organization which you represent. I'd like to check in with our District Offices right now. So Ms. Lono from Hana, are you there?

MS. LONO: Good afternoon, Chair. This is Dawn Lono at the Hana Office.

CHAIR GUZMAN: Wow, that's quite loud. Can Staff turn that down? Ms. Fernandez from Lanai.

MS. FERNANDEZ: Good afternoon, Chair. This is Denise Fernandez on Lanai.

CHAIR GUZMAN: Good afternoon. And Ms. Alcon from Molokai, are you there?

MS. ALCON: Good afternoon, Chair. This is Ella Alcon on Molokai.

CHAIR GUZMAN: Good afternoon. Ms. Nakata, if you can please call our first testifier?

MS. NAKATA: Yes, Mr. Chair. First testifier is Rosemary Robbins. She'll be testifying on Item COW-1(3).

CHAIR GUZMAN: Thank you.

. . .BEGIN PUBLIC TESTIMONY. . .

MS. ROBBINS: Good afternoon, everybody. If you feel as though you've been here before with this particular item, you have and before that you have and before that you have. This keeps coming up in the quest of hiring other attorneys in addition to our own attorneys has gone from \$250,000 to \$2 million. And is it 250 or 2,500,000? No, 2,250,000. And each time there has been an increase in the amount of money that the taxpayers are going to have to foot the bill for. It says not to exceed 250,000, not to exceed 750,000, not to exceed, it's like—I don't know—it's just so frustrating not even to have a phrase change in that. It's like, oh, we didn't hear you the first time or the second time, the third time, or the fourth time. We'll give it another whirl. You've got a community out there that's really upset about this. First of all, the issue is having contaminated water which is a health risk. Yikes! We keep hearing about the money it's going to cost in order to pay for extra attorneys. We're not hearing a whole lot about how we make this a more healthful situation. If the money has to be raised, we'd like to see it go to the improved health, not to where it has been going. And in the agenda today it refers to two different other documents. I got them, I read them, I went through them, but I also discovered that there were all sorts of other documents and the time frames when we knew about the clean water requirements. They're Federal requirements. They've been around since '72. We keep saying at this microphone. It's not just I who has been up here. But nobody is kind of paying a whole lot of attention to that. And one of the documents that's missing—it's in the binder—everybody knows I hope that on the seventh floor we have binders with all this information in it. If I can read it, anybody can read it. You're welcome to go ahead up.

COMMITTEE OF THE WHOLE MINUTES
Council of the County of Maui

June 30, 2015

The Staff are wonderful about providing. Just ask them. On March 10, 2015, and I'm quoting from this "Exhibits are voluminous and have not been included," whoa, not been included, "however we will provide any or all of those exhibits at the Committee's request. Where does that leave the concerned citizens?"

MS. NAKATA: Three minutes.

MS. ROBBINS: There's a real, real problem here. So I am truly hoping that you will not up the ante on that.

CHAIR GUZMAN: Yes, Ms. Robbins.

MS. ROBBINS: Thank you.

CHAIR GUZMAN: Thank you. Any comments or questions for the testifier? Seeing none. Thank you very much for your testimony, Ms. Robbins.

MS. ROBBINS: You're welcome.

MS. NAKATA: Mr. Chair, no one else has signed up to testify in the Chamber.

CHAIR GUZMAN: Thank you. I'm going to turn to our District Offices. In Hana Office, is there anyone wishing to testify?

MS. LONO: The Hana Office has no one waiting to testify, Chair.

CHAIR GUZMAN: Lanai Office, is there anyone wishing to testify?

MS. FERNANDEZ: No one waiting to testify on Lanai.

CHAIR GUZMAN: Thank you. Anyone on Molokai wishing to testify?

MS. ALCON: There is no one here on Molokai waiting to testify.

CHAIR GUZMAN: Thank you, Ladies. We will go ahead and disconnect communications at this time. Members, without objections I'd like to close public testimony.

COUNCIL MEMBERS: No objections.

CHAIR GUZMAN: Thank you.

...END OF PUBLIC TESTIMONY...

ITEM 4: SPECIAL COUNSEL AUTHORIZATION: LEGAL AID SOCIETY OF HAWAII (LEGAL SERVICES ADMINISTERED THROUGH OFFICE ON AGING) (CC 15-145)

COMMITTEE OF THE WHOLE MINUTES
Council of the County of Maui

June 30, 2015

CHAIR GUZMAN: Members, we are gonna go ahead and turn to our first item on today's agenda, COW-4, Special Counsel Authorization: Legal Aid Society of Hawaii (Legal Services Administered Through Office on Aging). The Committee's in receipt of the following: County Communication 15-145, from the Director of Housing and Human Concerns, transmitting a proposed resolution to authorize the employment of the Legal Aid Society of Hawaii as special counsel to provide legal services to qualified individuals, pursuant to Section 3-6(6) of the Revised Charter of the County of Maui (1983), as amended, administered through the Office on Aging, with total compensation for the two-year period not to exceed \$70,000 per year. Correspondence dated June 22, 2015, from the Department of the Corporation Counsel, transmitting a revised proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL LEGAL AID SOCIETY OF HAWAII FOR LEGAL SERVICES ADMINISTERED THROUGH THE OFFICE ON AGING". The revised proposed resolution incorporates nonsubstantive revisions. The Committee may consider whether to recommend adoption of the revised proposed resolution, with or without further revisions. The Committee may also consider the filing of County Communication 15-145 and other related action. I would like to go ahead and call on the representative of the Department of Housing and Human Concerns to provide any brief comments regarding this resolution and/or the contract for the Special Counsel.

MS. STONE-WALLS: Thank you, Chair. Deborah Stone-Walls, Maui County Executive on Aging, and thank you, Members of the Committee, for letting me address you today. The Older Americans Act actually with the money that passes down from the Federal...from Congress to the State through the Hawaii Executive Office on Aging, requires that each area agency on aging provide legal services to seniors and to grandparents raising grandchildren. So this resolution request is to allow us, through our RFP process, Legal Aid Services of Hawaii has made a successful bid to help us be in compliance with that Federal standard to provide legal services to seniors throughout Maui County.

CHAIR GUZMAN: Thank you. Members, any questions for the representative? Seeing none...oh, yeah, Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. So you're saying that we're required to do this by Federal mandate?

MS. STONE-WALLS: Yes, sir.

COUNCILMEMBER COUCH: But they're not giving us money?

MS. STONE-WALLS: No, we get money for it. It's...they require that we use a percentage of our overall allotment to go specifically towards legal services for seniors and grandparents raising grandchildren and they provide the money to do so.

COUNCILMEMBER COUCH: Gotcha. Okay. So this is just more to hire the special counsel using the money that they gave us.

COMMITTEE OF THE WHOLE MINUTES
Council of the County of Maui

June 30, 2015

MS. STONE-WALLS: Yes, sir.

COUNCILMEMBER COUCH: Okay. Great. Thanks.

CHAIR GUZMAN: Members, any other further questions? Mr. Hokama.

COUNCILMEMBER HOKAMA: So whose year are we using? The County's year or the Federal year? Whose year are we using regarding the contract?

MS. STONE-WALLS: This year we are actually moving towards...all of our contracts towards Federal fiscal year. So right now we're on an extension period but beginning October 1 we will be utilizing the Federal fiscal year for our contracts for services for seniors.

COUNCILMEMBER HOKAMA: Okay. Mr. Ueoka, the term is 'till when? What is the end of the term of two years?

MS. STONE-WALLS: No. It will begin October 1 of 2015 and end September 30 of 2017.

CHAIR GUZMAN: Mr. Ueoka.

MR. UEOKA: Thank you, Chair. At this point, we're still requesting permission so we haven't entered into any agreements yet, Mr. Hokama.

COUNCILMEMBER HOKAMA: Okay, the recommendation is the Federal year?

MR. UEOKA: Yeah, that's what they're aiming for. I believe. . .

COUNCILMEMBER HOKAMA: Uh-huh. Chair. . .

MR. UEOKA: Oh, sorry.

COUNCILMEMBER HOKAMA: No, no, no, no. Let's hear what you. . .

MR. UEOKA: I believe a lot of their funding is Federal funding for the Office on Aging so it made sense for them to move towards that Federal fiscal year. Thank you.

COUNCILMEMBER HOKAMA: I would ask, Chairman, you consider that the authorization be within the term of the sitting Council. That's my recommendation. I would let the next Council make up their mind regarding special counsel authorization and approvals.

CHAIR GUZMAN: With that being said, Mr. Hokama, that triggers a question on what are you going to do with the gap because there's a gap period? If you're expiring on June 30th and you're starting a Federal fiscal year or is this up. . .

COMMITTEE OF THE WHOLE MINUTES
Council of the County of Maui

June 30, 2015

MS. STONE-WALLS: Right now we're currently under contract. Our current contract period ends...we did an extension until December 31st because the last money was not fully used. So we've extended the time period until December 31st so there will be no gap.

CHAIR GUZMAN: Okay. So if you extended it, there's provisions in that contract that says that any substantive changes has to be approved by the County...by the Council. So I guess my question to Corporation Counsel would now be is that a substantial change in which an extension needed to be approved by the Council.

MS. STONE-WALLS: We extended the time.

MR. UEOKA: It was just a time extension to use up the rest of the funding. It wasn't anything beyond that. We thought it was non-substantive.

CHAIR GUZMAN: Okay. Mr. Hokama.

COUNCILMEMBER HOKAMA: Chair, I would agree of your concern. One of the reasons I can tell you we are here today is during the initial interview with Mr. Wong, the Policy Committee asked his thoughts on special counsel requirements. And part of what we have this afternoon, Chairman, I can say is that Mr. Wong is fulfilling his commitment to Council that everything he believed was truly a special counsel consideration he would send to the appropriate standing committee for review and decision-making. So, one, I want to thank Mr. Ueoka to pass it on to his boss that Mr. Wong is fulfilling his commitment to Council in putting forth this type of consideration so that Council makes the decision. So I thank him for that. But I'm with you though, Chairman. If this has something to do with even extension of the current contract --

CHAIR GUZMAN: Right.

COUNCILMEMBER HOKAMA: --if this is before us as special counsel, then any other contract should have come before us also.

CHAIR GUZMAN: Yeah, it's an extension of the contract.

COUNCILMEMBER HOKAMA: Correct, Chairman. I would agree with you on that. Other than that I can support the general intent of the request before the Committee to allow a special counsel be provided for services that again is a push down requirement from the Federal government. So other than that, Chairman, I'm okay except I would like to see it within the term of the sitting Council except for that's appropriate for us to make that call. Thank you, Chairman.

CHAIR GUZMAN: Is that...can we make that amendment to I guess, Mr. Ueoka, in terms of putting it as the authorization for the Council?

MR. UEOKA: Chair, thank you. I guess I'm a little...I'm a little confused. Right now in front of the Council asking for permission for moving forward for the next term for the special counsel. We're still finishing up the last one. We didn't really make any

COMMITTEE OF THE WHOLE MINUTES
Council of the County of Maui

June 30, 2015

changes. It's just they have to use up the money...the grant money. So it's kind of more...it's a grant, yeah? . . . *(speaking to Ms. Stone-Walls)*. . . It's a grant that we contact services through. So we're just using up the grant money. I apologize. We didn't feel it was a substantive change to just use up the grant money. Sorry.

CHAIR GUZMAN: Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman. No, Mr. Ueoka, all this Committee needs to know this afternoon is—I'm okay with the extension—did you utilize an outside attorney at acting as a special counsel now? That's our main concern. Are you acting with this special counsel without authorization from Council? That's what we want to know.

MR. UEOKA: Chair?

CHAIR GUZMAN: Yes.

MR. UEOKA: We had special...we had authorization the first time for this grant two years ago and we just haven't used up the grant money in that two-year period. So they're using up the grant money right now and we're asking for permission to enter into a...we rebid it because a new Federal cycle was coming up. So we're asking for permission to enter into a new contract with which what happens to be the existing vendor but under a new bid. That's what we're trying. So I...thank you.

COUNCILMEMBER HOKAMA: This program has a spend down issue like other Federal programs that we need to be aware about?

MR. UEOKA: I don't believe they've had any issues with the spend down for this particular program. Thank you.

COUNCILMEMBER HOKAMA: Thank you, Chairman.

CHAIR GUZMAN: Okay, Members, is there any other questions that we...Ms. Baisa.

COUNCILMEMBER BAISA: Thank you very much, Chair. I don't have a question but I would like to speak in support of this. You know, this program in helping seniors with legal services has been around for a very long time and it used to be handled by a direct grant to Legal Aid. And it was determined...I was on the Council I think couple years ago for the first time when this was brought to us to approve because it was deemed that it was something that Council had to approve and we could no longer just do it through a direct grant like you do with giving grants to all the other grantees that you do. And so this is vital. Seniors certainly count on this kind of assistance and Legal Aid has been doing it for many, many years very successfully and very economically because we don't have a whole lot of money and we have a lot of seniors that need a lot of help. So I'm in full support and I understand the discussion but I would like to see this move forward. Thank you.

CHAIR GUZMAN: Thank you. Any other questions? Mr. Carroll.

COMMITTEE OF THE WHOLE MINUTES
Council of the County of Maui

June 30, 2015

COUNCILMEMBER CARROLL: Just quickly. I want to say really how important this program is. I could give examples of why it's necessary but I think everybody knows about the problems that seniors have with legal difficulties and other things and this program is a really, really good program for them. Thank you.

CHAIR GUZMAN: Any other questions? Seeing none. I have one more question for the Exhibit A on here on the budget on the period ending June 30, 2015. So if this current reso that we have before us passes, are you using the money that is appropriated here in this budget? Is that tied in with this, this June 30, 2015?

MS. STONE-WALLS: Our current...this is the budget for the coming...for the coming two-year period. Since we put out our RFP after consulting with Corporation Counsel one of the issues we come into if we end our fiscal year on June 30th because of the legal requirements and contracting, we don't have enough time to legally procure services to begin July 1st so we are extending this year only our current contracts for three years...sorry, three months—saving us all money—for three months so that we can be on a Federal fiscal year contract procurement. So we don't have the worries our seniors gonna get their in-home care, their meals, all those types of services that we have to be sure happen July 1. So this money, yes, is gonna be the money utilized basically for the next 27 months. Our procurement process allows us legally to extend our current contracts three months and then to begin a new contract period on October 1st.

CHAIR GUZMAN: Very good. Thank you for that clarification. Members, any other questions? Seeing none. At this time I would like to entertain a motion and recommend adoption to the revised proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL LEGAL AID SOCIETY OF HAWAII WITH RESPECT TO PROVIDING LEGAL SERVICES TO QUALIFIED ELDERLY PEOPLE FOR THE DEPARTMENT OF HOUSING AND HUMAN CONCERNS" [*sic*] and any filing of the communications.

VICE-CHAIR CRIVELLO: So moved, Chair.

CHAIR GUZMAN: Moved. . .

COUNCILMEMBER VICTORINO: Second, Mr. Chair.

CHAIR GUZMAN: Moved by Ms. Crivello, seconded by Mr. Victorino. Any further discussion? Seeing none, all those in favor say aye.

COUNCIL MEMBERS: Aye.

CHAIR GUZMAN: We have nine ayes, zero noes. All those opposed say no. No noes and motion carries. Thank you, Members. Thank you very much.

COMMITTEE OF THE WHOLE MINUTES
Council of the County of Maui

June 30, 2015

VOTE: AYES: Chair Guzman, Vice-Chair Crivello, and Councilmembers Baisa, Carroll, Cochran, Couch, Hokama, Victorino, and White.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: None.

MOTION CARRIED.

ACTION: Recommending ADOPTION of revised resolution and FILING of communication.

CHAIR GUZMAN: Moving on to the next agenda item, Members.

ITEM 1(10): LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: COULSON JOY V. COUNTY OF MAUI, DISABILITY COMPENSATION DIVISION CASE 7-11-01426) (CC 15-6)

CHAIR GUZMAN: We have agenda Item, I believe, COW-1(10), Litigation Matters, Settlement Authorization: Coulson Joy v. County of Maui, Disability Compensation Division Case No. 7-11-01426. The Committee is in receipt of the correspondence dated April 24, 2015 [sic], from the Department of the Corporation Counsel, requesting consideration of a proposed resolution, entitled "AUTHORIZING SETTLEMENT OF COULSON JOY V. COUNTY OF MAUI, DISABILITY COMPENSATION DIVISION CASE NO. 7-11-01426". The claim alleges that Mr. Joy sustained work-related injuries on August 2, 2011. The purpose of the proposed resolution is to authorize settlement of this case. The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions and/or considered other related actions. Deputy Corporation Counsel Rowe is here today. I believe this is your case and you could go ahead and start with your opening statement in public session.

MR. ROWE: Thank you, Chair. This is a industrial injury that occurred on August 2, 2011. Employee, Coulson Joy, at the time was a 32-year old police recruit. He was injured in a Arrest and Defense Tactic Training Program. We have been able to reach a settlement on this issue with the claimant. However, that settlement is outside of the Corporation Counsel's authority to settle without Council approval. Because this issue is in current litigation and because it involves confidential medical records I would like to request an executive session.

CHAIR GUZMAN: Members, do you have any questions in open session? Seeing none. At this time we have a request to convene into executive session. I'd like to entertain a motion to convene an executive meeting pursuant to Section 92-5(a)(4) of the Hawaii

COMMITTEE OF THE WHOLE MINUTES
Council of the County of Maui

June 30, 2015

V. COUNTY OF MAUI, CIVIL NO. 12-00198 SOM BMK". The First Amended Complaint, transmitted by correspondence dated January 27, 2015, alleges violations under the Federal Water Pollution Control Act, also known as the Clean Water Act, caused by discharge of wastewater into the ocean from injection wells operated by the County at the Lahaina Wastewater Reclamation Facility. The purpose of the proposed resolution is to authorize \$500,000 in additional compensation for Hunton & Williams LLP as special counsel in this case, for a total compensation not to exceed \$2,250,000. Members, for your information the Committee has received by correspondence dated June 25, 2015 from the Department of Corporation Counsel a copy of the Order Denying Defendant's Motion for Summary Judgment Based on Lack of Fair Notice and Granting Plaintiffs' Motion for Partial Summary Judgment Regarding Civil Penalties filed in this case on June 25, 2015. A copy of the transmittal has been distributed before you, Members. I would like to ask our Deputy Corporation Counsel, Ms. Thomson, as well as our Special Counsel, Ms. Colleen Doyle and/or Ms. Moana Lutey to provide any comments or an addition to any opening statements they may have that they can disclose in open session. Thank you.

MS. THOMSON: Thank you, Chair. Just as a summary of today's agenda. We, as you stated, we forwarded a resolution for the Committee's consideration authorizing an increase in fees for Special Counsel, and additionally, the recent court order on our Motion for Summary Judgment related to fair notice is in your binders and we'll discuss the order and the ramifications in terms of Special Counsel fees and legal strategy going forward in executive session, if that's your preference. As far as the status update, as you know on May 30, 2014, and then again on January 23, 2015, Judge Mollway granted Plaintiffs' motions related to Clean Water Act liability. So liability has been established. We move on to the penalty phase of the trial starting on August 11, so in five weeks. On June 25th just last week the court denied the County's Motion for Summary Judgment relating to lack of fair notice and granted the Plaintiffs Partial Motion for Summary Judgment ordering that each of the four injection wells at the Lahaina Facility as a separate point source and that factors into how a penalty will be calculated once we get to the penalty phase. On July 24, 2015, we have the final pre-trial conference with Judge Kurren scheduled and then as I said the penalty phase begins August 11th. That's all I have in open session, but I would appreciate the opportunity to provide some insight into what our options are moving forward in executive session.

CHAIR GUZMAN: Members, do you have any questions that you'd like to ask in open session?

COUNCILMEMBER HOKAMA: Chairman?

CHAIR GUZMAN: Mr. Hokama.

COUNCILMEMBER HOKAMA: What does fair notice mean?

CHAIR GUZMAN: Corporation Counsel.

COMMITTEE OF THE WHOLE MINUTES
Council of the County of Maui

June 30, 2015

MS. THOMSON: Thank you. Fair notice is a legal term of art and it means that a person would have ascertainable certainty that a regulation applies to you or that something you are doing is prohibited. We argued in essence that none of the regulatory agencies, the Department of Health or the EPA, informed the County that the Clean Water Act applied to discharges to groundwater through underground injection wells. We also argued that the, you know, that those agencies knew all along the circumstances surrounding the discharges to the wells and chose to regulate those under the UIC permits and the Judge did not agree with us.

COUNCILMEMBER HOKAMA: Okay. Thank you, Chair.

CHAIR GUZMAN: Members, any further questions in open session. Seeing none, we have a request to convene executive session. I would like to entertain a motion to convene an executive session meeting pursuant to Section 92-5(a)(4) of the Hawaii Revised Statutes, to consult with our legal counsel on any questions or issues that pertain to the powers, duties, privileges, immunities, and liabilities of the County, the Council, or this Committee.

VICE-CHAIR CRIVELLO: So moved, Chair.

CHAIR GUZMAN: Moved --

COUNCILMEMBER VICTORINO: Second.

CHAIR GUZMAN: --moved by Ms. Crivello, seconded by Mr. Victorino. Any further discussion? Seeing none, all those in favor say aye.

COUNCIL MEMBERS: Aye.

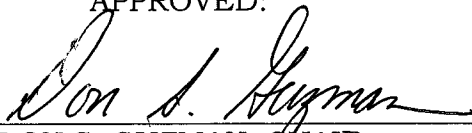
CHAIR GUZMAN: All those opposed say no. Nine ayes, zero noes. Motion carries.

COMMITTEE OF THE WHOLE MINUTES
Council of the County of Maui

June 30, 2015

ADJOURN: 5:05 p.m.

APPROVED:



DON S. GUZMAN, CHAIR
Committee of the Whole

cow:min:150630

Transcribed by: Clarita Balala