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3 COUNTY OF MAUI, STATE OF HAWAII
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8 BOARD OF ETHICS
9 REGULAR MEETING
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15 Held at the Planning Department Conference Room, 250
16 South High Street, Wailuku, Maui, Hawaii, commencing at
17 12:01 p.m., on Wednesday, July 8, 2015.
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21 Reported by: Tonya McDade, CSR, CRR
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1 (Wednesday, July 8, 2015, 12:01 p.m.)
2 * * *
3 CHAIR LEACH: I would like to call the Maui County
4 Board of Ethics Wednesday, July 8th, 2015 meeting to order.
5 We have six of nine members present. We do have a quorum.
6 The first item on the agenda is the review and
7 approval of the June 10th, 2015 minutes. Is there any
8 motion to approve?
9 MEMBER PREY: I motion that we approve June 10th,
10 2015 minutes.
11 CHAIR LEACH: Is there a second?
12 VICE-CHAIR FRANCO: Second.
13 CHAIR LEACH: Any discussion? All in favor, raise
14 your hand, say "aye."
15 (Response.)
16 CHAIR LEACH: That's unanimous.
17 Public testimony, next item agenda. Do we have
18 public testimony?
19 MS. ANDRADE: No.
20 CHAIR LEACH: Seeing none, next agenda item, Old
21 Business.
22 Financial Disclosures, we have none.
23 Communication Items, we have none.
24 Agenda item, Old Business, 4c, Continued
25 Discussion on Gifts and Review of Proposed Ordinance. I

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1 ATTENDANCE
2 BOARD MEMBERS PRESENT:
3 Randol Leach, Chair
4 Sara Gadarian, Secretary
5 Noreen "Dee Dee" Yabuta, Secretary
6 Lois Prey, Member
7 Noreen "Dee Dee" Yabuta, Member
8 Sara Gadarian, Member
9 Matthew Macario, Member
10 STAFF PRESENT:
11 Linden Joesting, Deputy Corporation Counsel
12 Angela Andrade, Executive Secretary
13 ALSO PRESENT:
14 Mike Molina, Executive Assistant to the Mayor
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1 would like to thank our Corp Counsel Linden for the work
2 that she's provided us in this regard. And there's a lot of
3 history with the Board on this item. Linden, do you want
4 to --
5 MS. JOESTING: Talk about it?
6 CHAIR LEACH: Yes.
7 MS. JOESTING: Sure. At the last meeting, we had
8 a discussion on gifts and had a list of the different County
9 ordinances that relate to gifts. And you asked me to look
10 at the revised code of Honolulu to see if there was anything
11 that would explain how they came up with the \$200 figure.
12 So a paralegal in our office, Michelle White, asked for all
13 the materials, including the minutes and the testimony that
14 took place when that ordinance was discussed in Honolulu.
15 And there's nothing that says how they came up with the \$200
16 figure. So I wanted to let you know that that's still kind
17 of a mystery.
18 MEMBER GADARIAN: There was a question as to how
19 old it was.
20 CHAIR LEACH: While Linden is looking for that,
21 also, there's two parts to this. One is reporting gifts,
22 like in our financial statement, it says over \$50, you're
23 required to report. What Linden is looking at and what we
24 were talking about is accepting gifts over \$200. The \$200
25 would be the aggregate limit of accepting gifts from one

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1 person or source.

2 MS. JOESTING: That's right. It was 1994. And it

3 applies only to Council members, the mayor and his appointed

4 department heads. So that led to nothing.

5 But what happened is, then, the other part was the

6 request to draft an ordinance, which is before you. And so

7 what I did is went to look at what we have existing. And

8 part of it talks about a financial disclosure report. And

9 so I noticed that what's required on the Financial

10 Disclosure Statement is at great variance from what's an

11 ordinance.

12 The other gap that's in the ordinance is that the

13 Charter says that when you want to impose a fine, the fine

14 has to be established by ordinance. And that's also not

15 established. So if you folks ever got to the point where

16 you wanted to fine someone who came to the Board of Ethics,

17 you don't have any numbers. So that would need to be added

18 in, too.

19 So it's a bunch of housekeeping in there, along

20 with the \$200.

21 CHAIR LEACH: Linden, could you help us, Linden,

22 on the procedure that if the Board likes this plan, how we

23 would go about recommending or getting this --

24 MS. JOESTING: Introduced to the Council?

25 CHAIR LEACH: Yes.

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1 County?

2 MR. MOLINA: Okay. I will just go ahead and state

3 my name for the record, Mr. Chairman. Mike Molina,

4 Executive Assistant for Mayor Arakawa. Having been on both

5 sides of the -- you know, one on the legislative body as

6 well as the executive body, I actually don't know a

7 prohibition or nothing wrong with it, the Ethics Board

8 wanting to be progressive or to initiate something. I

9 personally, just -- again, just my personal opinion, I think

10 it's healthy for a board to want to take steps, and, of

11 course, with the advisement of Corporation Counsel, as long

12 as everything remains -- you know, there's no -- nothing

13 being violated or the Board going beyond its authority with

14 introducing something like this to a committee. I think

15 it's just worthy having a discussion just on that fact

16 alone. So I would say go ahead, you know, you can, you

17 know, start the process, I think.

18 CHAIR LEACH: What's the process? And we're new

19 to this type of process, so the Mayor or a Council person

20 would introduce this ordinance at a Council meeting?

21 MR. MOLINA: Typically, it will be submitted as a

22 communication to the -- either to the Administration or to

23 the Council Chair or both. Like, for example, any law or

24 ordinance can be initiated, as you have mentioned earlier,

25 by either the Mayor's administration or a particular council

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1 MS. JOESTING: What you could do is you could go

2 and talk to the Mayor and see if he would ask to have it

3 introduced. You could also go to different Council members

4 and see if they would introduce it. And then once it's

5 introduced, it would be put on the agenda, be reviewed by a

6 committee. I am not sure which one. It might be what they

7 call PLA, Policy --

8 MS. ANDRADE: And Intergovernmental Affairs.

9 MS. JOESTING: -- and Intergovernmental Affairs.

10 Then they would decide whether or not to go forward with it,

11 or not.

12 CHAIR LEACH: So this would probably be a first

13 from a commission or board to recommend an ordinance? Have

14 you seen that before?

15 MS. JOESTING: There you go. Maui no ka 'oi.

16 CHAIR LEACH: I see Mr. Molina in the audience.

17 Mr. Molina, would you entertain a question or two --

18 MR. MOLINA: Sure.

19 CHAIR LEACH: -- about this?

20 MR. MOLINA: Sure.

21 CHAIR LEACH: Okay. From your experience, being a

22 Council person and working in the Mayor's Office, what is

23 your feeling on the Board of Ethics, you know, going this

24 route, on trying to introduce an ordinance or have someone

25 follow up on what we think might be a good thing for our

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1 member. Then it would go to the Council Chair's office

2 where he or she will assign the communication to a

3 particular committee. So in this case something like this

4 would most likely go to the Policy and Intergovernmental

5 Affairs Committee. And then it's up to the chair to have

6 the item scheduled.

7 On the county level, in most cases, chairs will

8 introduce their items. I've seen it on the higher levels,

9 like state and federal, sometimes if a committee chair will

10 not, you know, have any interest in the item, they will

11 maybe bury it, or else if they may get pressure from their

12 colleagues to introduce it, have a discussion.

13 But here, at the County level, I can see the

14 Council members taking up the item, at least for discussion.

15 Of course, it all depends when it's introduced. If it's

16 near the end of a term, if it's in an election year where

17 there's some big topic items to deal with, it may get put on

18 the back burner. So there's a lot of variables involved.

19 But I would say, you know, bring it up for

20 discussion, submit it as a letter under your signature as

21 the Chairman that the Board discussed this, this is

22 something, you know, you would like to have discussed on the

23 Council level, and go from there. Or you can address it

24 through the Mayor.

25 CHAIR LEACH: Okay. Good. Thank you.

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1 MR. MOLINA: Okay.
 2 CHAIR LEACH: Is there any discussion, questions
 3 from anyone?
 4 VICE-CHAIR FRANCO: I think \$200, in 1994,
 5 adjusted for inflation, should be like at least \$250 or
 6 something, you know. It seems pretty small, but I don't
 7 know. What do you think?
 8 MEMBER PREY: Well, remember, we raised it from 50
 9 to 200, remember, and --
 10 VICE-CHAIR FRANCO: 200, but --
 11 MEMBER PREY: At our meeting.
 12 VICE-CHAIR FRANCO: You know what our Corp Counsel
 13 discovered was back in '94.
 14 MEMBER PREY: And we decided, because Honolulu was
 15 doing 200, that we would just do it across the board, you
 16 know, leave it at 200 since Honolulu Board of Ethics said
 17 200. You know, it's not to -- in case they wanted to check
 18 with Honolulu's Board of Ethics. So that was the thing.
 19 Now, your advice was to send it to the Mayor or
 20 Mike White, perhaps?
 21 MR. MOLINA: Council Chair, uh-huh.
 22 MEMBER PREY: Mike White, perhaps?
 23 MEMBER YABUTA: But this is not just for the
 24 amount that, you know, elected officials can receive in
 25 benefits or receive in gifts, right? This is also regarding

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1 the fine, if we're going to possibly have one?
 2 MS. JOESTING: Yes.
 3 MEMBER YABUTA: What are the other counties doing
 4 regarding the fine, and do they have it in their ordinance?
 5 MS. JOESTING: I'm sorry, I didn't compare it to
 6 the other counties. I just noticed that we didn't have it
 7 in ours and it needs to be there.
 8 MEMBER GADARIAN: If you have something that's
 9 illegal, you have to have a penalty for doing it.
 10 MEMBER PREY: Well, I read at last week's
 11 meeting -- excuse me -- last month's meeting, and one fellow
 12 in the Board of Ethics was fined \$50,000 in Honolulu, so
 13 I've got the article here from the newspaper, for accepting,
 14 you know, golfing and whatnot, tickets for this or that or
 15 any kind of gifts. So, apparently, they are doing
 16 something, the Board of Ethics in Honolulu.
 17 VICE-CHAIR FRANCO: I think more and more people
 18 are aware. And, you know, Dee Dee brought this article in
 19 about -- written by Richard Borreca. It's an interesting
 20 quote. He says here that good government is good ethics
 21 which is good enforcement. So if you want good government,
 22 you need good ethics and good enforcement. So that's where
 23 the penalties come in.
 24 MEMBER PREY: Yeah.
 25 VICE-CHAIR FRANCO: Got to make it strong enough

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1 so people don't --
 2 MEMBER PREY: It has -- it keeps on increasing,
 3 increasing, the gifts. I mean, it's in the thousands of
 4 dollars now. And I don't know. I mean --
 5 VICE-CHAIR FRANCO: So is this ready to be
 6 submitted?
 7 CHAIR LEACH: Well, do we want to discuss?
 8 MS. JOESTING: Unless you want to make changes.
 9 CHAIR LEACH: We have a consensus from the Board
 10 that, one, we want to go this way, and, two, that we're
 11 comfortable with the ordinance. And I am sure going through
 12 the process, as Mr. Molina had mentioned, you know, this is
 13 just a template, that, you know, the penalties and the gift
 14 amounts and everything, that's not going to come from us.
 15 That's going to come from the Council if it gets to the
 16 floor there. We're really submitting the spirit of an
 17 ordinance with a gift cap, basically. Is that --
 18 MS. JOESTING: And they are going to make the
 19 changes.
 20 CHAIR LEACH: Yeah, they're going to make the
 21 changes.
 22 MR. MOLINA: If I might add, you can throw out a
 23 figure there, but, ultimately, it's the Council that could
 24 amend. They could go with the figure you proposed or they
 25 could tweak it.

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1 VICE-CHAIR FRANCO: They will probably want
 2 justification for the numbers we come up with.
 3 MR. MOLINA: That could be a possibility.
 4 VICE-CHAIR FRANCO: That means we have to be there
 5 for public hearing.
 6 MR. MOLINA: That may be so. It might be a good
 7 idea to have -- well, again, this is a public meeting. And
 8 you did have this agendized. And fortunately, you know --
 9 and I don't know if maybe an evening public hearing might be
 10 something worthwhile, but -- well, it may be something more
 11 in the purview of the Council to do an evening hearing. Let
 12 them do the evening stuff.
 13 VICE-CHAIR FRANCO: So when it gets to the Council
 14 level, we can go make our --
 15 CHAIR LEACH: Give our input.
 16 VICE-CHAIR FRANCO: Give our input.
 17 MS. JOESTING: You can also meet with them ahead
 18 of time, you know, if you want to write a letter and say I'd
 19 like to meet with you to answer any questions that you may
 20 have.
 21 VICE-CHAIR FRANCO: That might be a good way of
 22 just saying this is what we're considering now, we would
 23 like the input before we make a final submission.
 24 MS. JOESTING: That's another possibility.
 25 VICE-CHAIR FRANCO: At least to the -- to the

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1 Mayor and to the Council Chair, right?
 2 CHAIR LEACH: Yeah.
 3 VICE-CHAIR FRANCO: Let them know what's our
 4 deliberation, what we're looking at. And maybe also create
 5 a matrix to show this is what is being done in Hawaii County
 6 and Kauai County, just as a comparison, and bring up some of
 7 the reasons why you're looking at making these adjustments.
 8 CHAIR LEACH: The main part, too, is a cap on the
 9 amount. Because, right now, there's no cap on the gift that
 10 you can accept as long as you report it on the financial
 11 disclosure that you received it.
 12 So let me summarize that we're going to go with
 13 the draft ordinance from our Corp Counsel and present that
 14 to the Council Chair and Mayor for them to, hopefully, get
 15 that to the public policy committee?
 16 MS. JOESTING: PIA.
 17 CHAIR LEACH: Committee to put that on their
 18 agenda item to move this forward.
 19 VICE-CHAIR FRANCO: Okay.
 20 CHAIR LEACH: So let's just have a vote on that.
 21 Is there a motion to go that route?
 22 MEMBER PREY: I motion we go that route.
 23 CHAIR LEACH: Second?
 24 MEMBER GADARIAN: Second.
 25 CHAIR LEACH: Any more discussion?

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1 MEMBER GADARIAN: Yes. I have several items of
 2 discussion on the draft in that the -- in the disclosure
 3 and, also, the form that we're using now, it doesn't
 4 indicate where they're asking for the value of the property.
 5 So it does state -- say that earnings, income or
 6 compensation; however, it does not, in the Item 5, for
 7 example, on the person's personal residence, including the
 8 mortgage holder, amount owed and address of the property.
 9 But where you're at in other areas, it's asking for real
 10 property interest of any kind. But in this ordinance,
 11 you're not asking for the value whereas, on the form the
 12 people have to fill out right now, it does ask for the value
 13 of the real estate that they own.
 14 MS. JOESTING: Are you looking at Item 7?
 15 MEMBER GADARIAN: I am actually -- yeah, the new
 16 Item 5 and Item 7, real property interest of any kind. And
 17 so for -- so in this case, the form, it says the form, and
 18 you're starting with B, form of disclosure, the Financial
 19 Disclosure Statement shall include the following
 20 information. And it's not asking for the value of the
 21 properties that the person owns, whereas on the current
 22 form --
 23 CHAIR LEACH: Well, the current form doesn't ask
 24 for value of real estate.
 25 MS. JOESTING: On personal residence.

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1 CHAIR LEACH: On personal residence.
 2 MS. JOESTING: It does ask for it on the other
 3 properties.
 4 MEMBER GADARIAN: On the other properties.
 5 VICE-CHAIR FRANCO: Item 7, but --
 6 MS. JOESTING: You can add that into Item Number
 7 7.
 8 VICE-CHAIR FRANCO: Yeah. It's a range. It
 9 doesn't -- it don't ask for specific values.
 10 MEMBER GADARIAN: Then it gets to the range.
 11 CHAIR LEACH: Yeah.
 12 MEMBER GADARIAN: That is correct. In the rules,
 13 under the Ethics Commission rules, which is not in the
 14 ordinance, it does say that the values can be stated as
 15 within the following ranges, in the rules that are
 16 promulgated. But the question is, is it of interest that
 17 you ask for the value of other real estate but not the value
 18 of somebody's personal residence? That's the question.
 19 VICE-CHAIR FRANCO: Personal residence usually is
 20 not something you're speculating. In real estate, you know,
 21 you're speculating on investment property. So ranges of
 22 value is important. But in the home, living there, so
 23 unless you're going to be a speculative homeowner, which is
 24 not encouraged, but, you know, people do that.
 25 MEMBER GADARIAN: Well, the only --

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1 VICE-CHAIR FRANCO: I guess you could put it in.
 2 I don't know what purpose it's going to serve. Usually
 3 there's mortgages against it.
 4 MEMBER GADARIAN: The value of the mortgage
 5 against it and who owns the mortgage, but not the value of
 6 the real estate. It seems to be inconsistent to me. And
 7 then the other aspect is that if we're looking at a conflict
 8 of interest where somebody owns a property worth X dollars
 9 in a certain area, and they're serving on a board or
 10 commission or something else, that this is -- may be
 11 something that is -- it seems to be inconsistent. Either
 12 you're asking for the values of everything that they own and
 13 if this is a potential conflict of interest or not.
 14 MS. JOESTING: That would require the Financial
 15 Disclosure Statement form to be revised to include that
 16 value of the property, not just the --
 17 MEMBER GADARIAN: That is correct.
 18 MS. JOESTING: So that would be up to the Board if
 19 they want to do that.
 20 VICE-CHAIR FRANCO: Would it matter if we know
 21 what the value of the personal residence is? Or is that
 22 something that is sort of like not really in our germane or
 23 our deliberation, being that he lives there and he's not
 24 speculating on selling the property? But I guess from your
 25 point of view, it's inconsistent, so I guess there could be

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1 a potential conflict of interest if he has tremendous upside
2 value on a piece of personal property that he owns as his
3 residence. But, you know, from my point of view, I am
4 looking at his investments outside of his personal residence
5 as an indicator of his probable conflict of interest in his
6 deliberation as -- you know, in the commission or as a
7 member of the County Council. I think, from my experience
8 as a realtor, I am not really concerned what the value of
9 his personal property is, his residential property, in this
10 context that we look at. I don't think you need that kind
11 of information. It's up to you guys.

12 CHAIR LEACH: Anyone else have comments? Sara,
13 was there another part?

14 MEMBER GADARIAN: Yes. A typo type of thing.
15 Number 9 on the form, form of disclosure, "Persons, firms or
16 organizations you have." It should be, "Persons, firms or
17 organizations." Shouldn't use the term "you." Persons --

18 MS. JOESTING: Organizations represented?

19 MEMBER GADARIAN: That you have, right --

20 CHAIR LEACH: Persons, firms or organizations.

21 MEMBER GADARIAN: -- represented --

22 CHAIR LEACH: Represented.

23 MEMBER GADARIAN: -- before --

24 CHAIR LEACH: Before County agencies. So strike
25 out "you" and "have?"

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1 MEMBER GADARIAN: Correct.

2 MS. ANDRADE: We're changing the form?

3 MS. JOESTING: Not the form; the ordinance.

4 MS. ANDRADE: Okay.

5 CHAIR LEACH: And this is a draft.

6 MEMBER PREY: Strike out?

7 MS. JOESTING: Correct.

8 CHAIR LEACH: Anything else? Okay. Any more
9 discussion? All in favor of the draft ordinance motion
10 that's on the floor, please raise your hand and say "aye."

11 VICE-CHAIR FRANCO: We're going to amend the
12 things that Sara brought up?

13 CHAIR LEACH: Yeah, with the amendment.

14 MS. JOESTING: As amended.

15 VICE-CHAIR FRANCO: Whatever you have.

16 CHAIR LEACH: Yeah.

17 VICE-CHAIR FRANCO: What about the item above
18 personal residence, the column that says value?

19 MEMBER GADARIAN: I would accept that that's
20 not -- that's okay.

21 VICE-CHAIR FRANCO: Leave it like that.

22 MEMBER GADARIAN: Have the value on Item 7.

23 VICE-CHAIR FRANCO: All right.

24 CHAIR LEACH: Okay. So with the caveat of
25 deleting "you have" on 9.

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1 VICE-CHAIR FRANCO: Okay. All right. Restate
2 the --

3 CHAIR LEACH: So the chair will restate the
4 motion. To go forward with the draft ordinance as amended
5 to introduce to the Chair of the Council and the Mayor's
6 Office. Is there a --

7 MEMBER YABUTA: I'm sorry. Are we changing Number
8 7, you know, excluding personal --

9 CHAIR LEACH: No.

10 MEMBER YABUTA: So we're leaving it the way it is?

11 CHAIR LEACH: Yeah.

12 MEMBER YABUTA: Okay.

13 VICE-CHAIR FRANCO: Number 5 stays the same, too.

14 CHAIR LEACH: Just Number 9.

15 MEMBER GADARIAN: 5 stays the same as the
16 residence.

17 VICE-CHAIR FRANCO: Yeah.

18 MEMBER GADARIAN: And 7.

19 VICE-CHAIR FRANCO: Stays the same.

20 MEMBER GADARIAN: Adds the value.

21 VICE-CHAIR FRANCO: Right. That shows that
22 already, value of the interest or assessment, tax
23 assessment. So that's not going to change.

24 MS. ANDRADE: We're looking at the ordinance,
25 Norman. You're looking at the --

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1 VICE-CHAIR FRANCO: All right. All right. All
2 right.

3 CHAIR LEACH: Over here.

4 VICE-CHAIR FRANCO: All right. Who is on first,
5 what is on second. Here we go. All right.

6 MEMBER MACARIO: I assume the numbering will be
7 changed as well, because it goes from 7 to 3. That will be
8 updated, right?

9 MS. JOESTING: 7 to 3?

10 MEMBER YABUTA: Uh-huh.

11 VICE-CHAIR FRANCO: We're looking at the
12 ordinance.

13 MEMBER MACARIO: Yeah, the draft ordinance.

14 CHAIR LEACH: Yeah.

15 MEMBER MACARIO: The first page.

16 CHAIR LEACH: First page.

17 MEMBER PREY: After 7, it starts with 3, 4, 5.

18 VICE-CHAIR FRANCO: Oh, okay.

19 CHAIR LEACH: Then it goes 3, 4, 5.

20 MS. JOESTING: This is how it got drafted because
21 what's going to be struck out still it needs to be included.
22 But when it actually comes to reprinting the ordinance, then
23 I will change the numbering.

24 MEMBER MACARIO: At some point, yeah, I thought I
25 would note for the record that the numbering seemed to be

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1 off to me.
 2 MS. JOESTING: You're right.
 3 MEMBER YABUTA: I'm sorry. So Number 7, we are
 4 still going to exclude personal residence, is that correct?
 5 MEMBER GADARIAN: No.
 6 MS. JOESTING: No.
 7 MEMBER YABUTA: We will be adding personal
 8 residence. So you need to -- so personal residence, value
 9 of the personal residence needs to be listed?
 10 MS. ANDRADE: No. That was a suggestion to the
 11 Financial Disclosure Statement.
 12 MEMBER YABUTA: Oh.
 13 MEMBER GADARIAN: Number 5.
 14 MS. JOESTING: The form.
 15 MEMBER GADARIAN: It's they disclose what the
 16 personal residence is, including the mortgage holder, amount
 17 owed and the address of the property. That's what they
 18 disclose. They're required to disclose that.
 19 VICE-CHAIR FRANCO: Okay.
 20 CHAIR LEACH: Okay. Going back, we have a motion
 21 on the floor to go forward with the draft ordinance. And I
 22 will call that to a vote. All in favor, say "aye" and raise
 23 your hand.
 24 (Response.)
 25 CHAIR LEACH: That's unanimous, for the record.

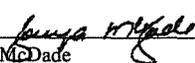
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1 Good job.
 2 Next agenda item, New Business, 5a.
 3 New disclosures, Financial Disclosures, we have
 4 none.
 5 Communication items, under New Business, none.
 6 One Lobbyist Registration for Sonya Niess. And we
 7 will acknowledge receipt of that. Do we need a motion for
 8 that? Yeah. Is there a motion to acknowledge receipt?
 9 MEMBER PREY: I motion that we acknowledge
 10 receipt.
 11 MEMBER GADARIAN: Second.
 12 CHAIR LEACH: Any discussion? All in favor, say
 13 "aye" and raise your hand.
 14 (Response.)
 15 CHAIR LEACH: Opposed?
 16 (No response.)
 17 CHAIR LEACH: Unanimous. Thank you.
 18 Next agenda item, 6, Announcements, we have none.
 19 Our next meeting for the Board of Ethics will be
 20 Wednesday, August 12, 2015 in the Planning Conference Room
 21 at noon.
 22 That ends our Regular Session. And due to
 23 confidentiality and legal assistance, we will now go into
 24 Executive Session. Mike, could you go out?
 25 MR. MOLINA: Yes.

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1 MS. JOESTING: There should be other people out
 2 there waiting.
 3 CHAIR LEACH: Can I entertain a motion to end the
 4 Regular Session and move to Executive Session?
 5 VICE-CHAIR FRANCO: I so move.
 6 CHAIR LEACH: Second.
 7 MEMBER PREY: Second.
 8 CHAIR LEACH: Any discussion? All in favor, say
 9 "aye."
 10 (Response.)
 11 CHAIR LEACH: Unanimous. Thank you.
 12 (Recess to Executive Session, 12:30 p.m. to 2:16
 13 p.m.)
 14 CHAIR LEACH: We are now in Regular Session. Is
 15 there a motion to adjourn?
 16 VICE-CHAIR FRANCO: So move.
 17 CHAIR LEACH: Is there a second?
 18 MEMBER YABUTA: Second.
 19 MEMBER GADARIAN: Second.
 20 CHAIR LEACH: Any discussion? All in favor, say
 21 "aye."
 22 (Response.)
 23 CHAIR LEACH: Unanimous. Meeting is adjourned.
 24 (Meeting adjourned, 2:16 p.m.)
 25

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1 CERTIFICATE
 2
 3
 4 I, TONYA MCDADE, Certified Court Reporter of the
 5 State of Hawaii, do hereby certify that the proceedings
 6 contained herein were taken by me in machine shorthand and
 7 thereafter was reduced to print by means of computer-aided
 8 transcription; and that the foregoing represents, to the
 9 best of my ability, a true and accurate transcript of the
 10 proceedings had in the foregoing matter.
 11 I further certify that I am not an attorney nor
 12 an employee of any of the parties hereto, nor in any way
 13 concerned with the cause.
 14 DATED this 5th day of August, 2015.
 15
 16
 17 
 18 Tonya McDade
 19 Certified Shorthand Reporter #447
 20 Registered Professional Reporter
 21 Certified Realtime Reporter
 22 Certified Broadcast Reporter
 23
 24
 25

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