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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 12:00 p.m., on Wednesday, March 9, 2016.
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21 Reported by: Tonya McDade, CSR, CRR
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1 ATTENDANCE
2 BOARD MEMBERS PRESENT:
3 Norman Franco, Vice-Chair
4 Sara Gadarian, Secretary
5 Noreen "Dee Dee" Yabuta
6 Abel Kahooohanohano, Jr., Member
7 Sydney Kikuchi, Member
8 Herman Nascimento, Member
9 Lois Prey, Member
10 Matthew Macario, Member
11 STAFF PRESENT:
12 Gary Y. Murai, Deputy Corporation Counsel
13 Angela Andrade, Executive Secretary
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1 (Wednesday, March 9, 2016, 12:00 p.m.)
2 * * *
3 VICE-CHAIR FRANCO: Call this Maui County Board of
4 Ethics to order. I am stand-in second-stringer.
5 Today, I kind of wanted to start a little
6 differently. Last night, I was asked by a friend of mine to
7 be an observer at the Republican caucus for Wailuku and
8 Kahului. And as a former vet, my brother Herman there --
9 any other veterans? No. This is why we were called to our
10 nation. To see this process occur was quite remarkable.
11 There was no pushing or shoving. Everybody was orderly. We
12 got kind of overwhelmed, ran out of registration forms.
13 From 70 people -- according to the chairman of the
14 Kahului/Wailuku, 70 people last time around. We had 324.
15 And it doesn't matter what party you belong to, but the fact
16 that we, as ordinary citizens, have input into the process.
17 And it was really heartwarming to see the young families
18 there, you know, mothers and fathers with the babies,
19 participate in the process.
20 So that in mind, with getting Gary's approval, I
21 brought my flag.
22 MR. MURAI: Actually, what I said was, Norman, you
23 may ask the other Members if --
24 VICE-CHAIR FRANCO: If you guys don't mind, I
25 thought we should stand up and have Pledge of Allegiance to

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1 the flag before we start the meeting. And this is our last
2 time with Lois and Sydney here. Okay. All right. Veterans
3 can salute, by the way.
4 MEMBER NASCIMENTO: I know.
5 VICE-CHAIR FRANCO: We'll be part of the gang,
6 right?
7 BOARD MEMBERS: I pledge allegiance to the Flag of
8 the United States of America, and to the republic for which
9 it stands, one nation, under God, indivisible, with liberty
10 and justice for all.
11 VICE-CHAIR FRANCO: Thank you very much. Okay.
12 First matter on the agenda is to review and approve of the
13 February 10th meeting minutes.
14 MEMBER PREY: I motion that we approve February
15 10th, 2016 minutes.
16 MEMBER KAHOOOHANOANO: Second.
17 VICE-CHAIR FRANCO: Okay. It's been moved and
18 second. All in favor?
19 (Response.)
20 VICE-CHAIR FRANCO: Is there any public testimony?
21 MS. ANDRADE: No.
22 VICE-CHAIR FRANCO: Okay. Now, it says farewell
23 to Sydney and Lois. What are you guys going to do now?
24 Sydney, how are you going to occupy your free time?
25 MEMBER KIKUCHI: I got a full schedule.

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1 VICE-CHAIR FRANCO: Okay.
2 MEMBER KIKUCHI: I help my wife out at the store,
3 I babysit, I golf. I got a whole bunch of things. Life is
4 good.
5 MEMBER PREY: Yeah, life is good.
6 VICE-CHAIR FRANCO: Well, we hate to lose your
7 talent. We hope you participate in other boards and
8 commissions.
9 MEMBER PREY: Right.
10 VICE-CHAIR FRANCO: And, Lois, what you --
11 MEMBER PREY: Oh, God. I serve on four boards at
12 one time, so --
13 VICE-CHAIR FRANCO: Oh, my.
14 MEMBER PREY: So I am really busy.
15 VICE-CHAIR FRANCO: You're a professional
16 volunteer.
17 MEMBER PREY: Yeah. Well, I've done it for 25
18 years. And I also worked the polls, election, for 25 years,
19 never missed a primary or a general. And so I am very much
20 involved in the community. And I was selected to the
21 Council on Aging.
22 VICE-CHAIR FRANCO: Okay.
23 MEMBER PREY: So that's the next step and whatever
24 else comes up, you know, but --
25 VICE-CHAIR FRANCO: Thank you very much for your
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1 participation.
2 MEMBER PREY: Thank you.
3 VICE-CHAIR FRANCO: The two of you will be really
4 missed. I am very happy to be associated with this fine
5 group of people. Sydney, we're going to miss your goodies.
6 We're going to be missing your charm. You can stop by, huh,
7 a little lunch wagon there for us. All right. I will be
8 frequenting the operation there, you and the wife. Any
9 other parting words?
10 MEMBER KIKUCHI: Yeah. I did want to, actually,
11 thank the Mayor and the Council for allowing me to be on the
12 Board, first of all. It was a good learning experience for
13 me, even with my -- my -- with my background. And I think
14 they did a good job in diversifying, diversification of the
15 members on this particular Board. We've come from all kind
16 of different backgrounds.
17 VICE-CHAIR FRANCO: Yeah. Yeah.
18 MEMBER KIKUCHI: And different thought processes
19 and everything. And I did learn a lot. I enjoyed it. And
20 I did want to thank the current Board and the past Board
21 Members for being patient with me, especially with some of
22 my thoughts and such. But like I said, I did learn a lot.
23 And I hope in the future, for the future of this Board, that
24 it continues to move forward, progress, and maybe with a
25 little bit more -- actually, it's not enforcement powers,
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1 but a little more -- I would just say a little more bite.
2 VICE-CHAIR FRANCO: More bite.
3 MEMBER KIKUCHI: Yeah, a little more bite to the
4 powers of the Board. I think that's long overdue. But
5 thank you, again, all of you.
6 VICE-CHAIR FRANCO: All right. Well, thank you
7 very much. And --
8 MEMBER PREY: I also hope, Angela, you continue
9 the gift of the hammer and sickle, you know, to continue it
10 on, the Board of Ethics. It was a gift from me.
11 MS. ANDRADE: To the Board? So we're keeping it?
12 MEMBER PREY: Exactly.
13 MS. ANDRADE: I forgot to put it out. Sorry. So
14 you don't have to use your thumb to pound on the table.
15 VICE-CHAIR FRANCO: Oh, okay.
16 MS. ANDRADE: I forgot.
17 VICE-CHAIR FRANCO: I want to take your picture
18 with your nameplate. And if we can take a picture of all of
19 us together. And, you know, maybe we can have Gary --
20 MR. MURAI: We can do it after the meeting.
21 VICE-CHAIR FRANCO: After the meeting.
22 MEMBER PREY: After the meeting.
23 MEMBER GADARIAN: Oh, my goodness.
24 MEMBER YABUTA: Very nice.
25 MEMBER PREY: That stays with the Board of Ethics.
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1 VICE-CHAIR FRANCO: Oh, this is just going to be
2 dedicated to the Board of Ethics.
3 MEMBER PREY: Yeah.
4 VICE-CHAIR FRANCO: Wow. Okay. Thank you very
5 much, Lois.
6 MEMBER PREY: Yeah. I appreciate everything and I
7 enjoyed everyone on the Board. And I am going to miss all
8 of you --
9 VICE-CHAIR FRANCO: Yeah.
10 MEMBER PREY: -- very, very much.
11 MR. MURAI: You can come visit.
12 VICE-CHAIR FRANCO: Yeah, you know, it's open to
13 the public, you know, except executive sessions.
14 MEMBER PREY: Okay. Between what board meeting
15 that I go to do you suggest?
16 VICE-CHAIR FRANCO: Okay.
17 MEMBER KAHOOHANO HANO: Well, you know, before you
18 move on, I want to say something, too. I appreciate your --
19 you two being here and how you guys participate. You know,
20 I always felt that -- this is the first board I've ever been
21 appointed to. Tried for 12 years, and, finally, I got on
22 the Ethics Board. But I always felt that if you on a board,
23 speak up, because that's what you're there for. And you two
24 have done a great job of that, give great input on very
25 controversial issues, lot of times. And I really appreciate
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1 it. Thank you.
 2 VICE-CHAIR FRANCO: Yeah, thank you very much.
 3 Yeah.
 4 MEMBER PREY: Yes.
 5 VICE-CHAIR FRANCO: Everybody in this Board is
 6 well-placed and well-cherished. And, Sydney, I hope to have
 7 one of Maui's finest retired like you to come on our Board.
 8 One of your retired police officers, tell 'em, eh, you know,
 9 you guys have something to offer, you know, to serve here
 10 after time in the police department.
 11 Dee Dee's former chief's wife, we appreciate her
 12 being here. She just had hip surgery. And is doing fine,
 13 thank God. Anyway, okay.
 14 Financial --
 15 MR. MURAI: Norman, you know what, I know there's
 16 nobody in the gallery, but we need to call for public
 17 testimony and note for the record that there is none.
 18 VICE-CHAIR FRANCO: Okay. So call for public
 19 testimony. Seeing none, let's move on. Okay. Financial
 20 Disclosures. Communication Items, none. That's Old
 21 Business. Moving on to New Business.
 22 MEMBER PREY: Wait a minute. Wait a minute. Wait
 23 a minute. I have a couple things I want to -- I would like
 24 to point out, please.
 25 VICE-CHAIR FRANCO: Go ahead.

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1 MEMBER PREY: Okay. Alan Arakawa, on Number 10,
 2 gifts.
 3 VICE-CHAIR FRANCO: Okay, now we're on Item 6,
 4 right?
 5 MR. MURAI: Yeah, we are now moving on to Number
 6 6, New Business. We're finishing up Old Business.
 7 VICE-CHAIR FRANCO: You had Old Business, any more
 8 Old Business?
 9 MR. MURAI: No, no Old Business items.
 10 VICE-CHAIR FRANCO: Okay. Moving on to New
 11 Business, Number 6.
 12 MEMBER PREY: Yeah.
 13 VICE-CHAIR FRANCO: Shall we have the reading of
 14 all the -- do we have the reading first of the ones we're
 15 going to review?
 16 MR. MURAI: Why don't we do it this -- well, it's
 17 up to you folks how you want to do it, but why don't we do
 18 it this way? If the Members have, you know, issues or
 19 concerns about individual ones, maybe we can go through them
 20 one by one and, at the end, once we've resolved them all, we
 21 can adopt or acknowledge receipt of all of them all at once.
 22 Does that work?
 23 VICE-CHAIR FRANCO: All right.
 24 MR. MURAI: So maybe, Lois, since you started, you
 25 can go down with your list.

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1 MEMBER PREY: All right. I just have -- out of
 2 the list, I am not going to -- I picked out three that --
 3 and it's pertaining to gifts, Number 10. Alan Arakawa
 4 received \$4,840 in gifts; Gladys Baisa, \$948; and Elle
 5 Cochran, \$2,662 in gifts. And that's item -- all three are
 6 Item 10.
 7 VICE-CHAIR FRANCO: Okay. So let's look at those
 8 items. Let's first take Arakawa's, the Mayor's. Everybody
 9 have the disclosure -- Financial Disclosure, Alan Arakawa?
 10 So do you have any specific gifts you want to -- or just
 11 aggregate amount you're calling into question about on
 12 Arakawa?
 13 MEMBER GADARIAN: I would begin with the Maui
 14 Invitational Basketball Tournament to the tune of \$4,080.
 15 We discussed that at a previous meeting -- with other
 16 elected officials in the last meeting.
 17 VICE-CHAIR FRANCO: Yeah.
 18 MEMBER GADARIAN: And ask that this particular
 19 matter be brought forward as -- as a matter of the agenda.
 20 I am to understand that the agenda that was supposed to be
 21 brought on this meeting was deferred.
 22 VICE-CHAIR FRANCO: Right.
 23 MEMBER GADARIAN: But I still have -- and I know
 24 Lois does -- and other Members of the Ethics Board, have
 25 reservations, problems, issues and think this is -- that

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1 this type of gift is a violation of the Code of Ethics. Not
 2 only the amount of the gift, but the fact that it involves
 3 use of County facilities for a private enterprise.
 4 VICE-CHAIR FRANCO: Yeah, Gary, you said that this
 5 is going to be taken up at the next meeting, what has been
 6 discussed so far?
 7 MR. MURAI: Well, we have to remember what is in
 8 front of us. What is in front of us are Financial
 9 Disclosure Statements.
 10 MEMBER GADARIAN: Yes.
 11 MR. MURAI: Any issue -- if you're referring to --
 12 Sara, if you are referring to the resolution that was
 13 submitted to the Council through Randol Leach, that matter
 14 is, you know -- well, I don't know the status of that. It
 15 has been submitted to Council, but, as far as I know,
 16 Council has not given it a resolution number or calendared
 17 it for hearing.
 18 MEMBER GADARIAN: Yes. Well, the other item that
 19 I am referring to is that, at the last public meeting, we
 20 had two individuals who had reported gifts from the -- from
 21 the Maui Invitational Basketball Tournament. And those
 22 individuals, I raised an objection or concern about it. And
 23 we went into Executive Session to discuss possible actions
 24 that could be taken.
 25 MR. MURAI: I would caution you not to discuss

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1 what was discussed in Executive Session --
2 MEMBER GADARIAN: I understand.
3 MR. MURAI: -- in open session.
4 VICE-CHAIR FRANCO: Okay. I will tell you what
5 Gary is saying.
6 MEMBER GADARIAN: I'm sorry, but --
7 VICE-CHAIR FRANCO: Go ahead.
8 MEMBER GADARIAN: -- my understanding was that
9 something was going to be put on the agenda as a result of
10 the Executive Session.
11 VICE-CHAIR FRANCO: Okay. Well, I guess that will
12 be taken up at our next meeting. We talked about it
13 already, and we are -- it's in the process, okay. At this
14 point, all we have to do is verify that this information
15 is -- is presented and see if there's any discrepancies.
16 MR. MURAI: Well, I am not sure what the concern
17 is. I know Lois brought it up, but I am not sure what --
18 whether -- you know, what action, if anything, you know,
19 Board Member Prey wants to do about it. I do note that --
20 well --
21 MEMBER PREY: Well, it was --
22 MR. MURAI: What this item asks -- asks the filer
23 to do is to disclose, disclose their gifts, and they've done
24 so.
25 MEMBER PREY: Okay. Let me add, this has been

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1 going on since 2015 or '14. No. Wait a minute. Yeah, '14.
2 And where it's gotten into the thousands of dollars, where
3 the councilmembers are receiving these gifts. And to my
4 understanding, there was supposed to be some kind of a
5 letter or something that was made up by Council as a --
6 well, as a precautionary measure to the Council on accepting
7 these gifts. Now, I don't know if I am wrong or if anybody
8 remembers -- Norman, you were in on this way, way back when
9 we, you know, started discussing all this.
10 VICE-CHAIR FRANCO: Yeah. I think under the
11 previous -- before Randol -- was it Michael?
12 MEMBER PREY: Yeah, Michael Westfall.
13 VICE-CHAIR FRANCO: Westfall, yeah. And we set a
14 dollar amount.
15 MEMBER PREY: Yeah. He had started --
16 VICE-CHAIR FRANCO: 250.
17 MEMBER PREY: Exactly. He had really started it,
18 so --
19 VICE-CHAIR FRANCO: Well, it's -- it's -- the
20 process has taken, you know, longer than --
21 MEMBER PREY: Right.
22 VICE-CHAIR FRANCO: -- we expected.
23 MEMBER PREY: Right.
24 VICE-CHAIR FRANCO: And we hope we're now on a
25 track to get some action. I think we had two choices. One

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1 of them is being pursued by the County Council, to bring it
2 up to them to make it an ordinance or something.
3 MR. MURAI: You know, I suggest we stick to the --
4 VICE-CHAIR FRANCO: Okay.
5 MR. MURAI: -- Financial Disclosures.
6 VICE-CHAIR FRANCO: Okay.
7 MR. MURAI: But I do want to point out, you know,
8 Board Member Gadarian has opined that she believes that
9 there is an ethical violation. If the Board wishes to
10 discuss the Board's powers, duties, liabilities, we should
11 go into Executive Session.
12 VICE-CHAIR FRANCO: Why don't we defer it until --
13 MR. MURAI: But my opinion, there is no violation
14 of the Board's -- or the Maui County Code of Ethics as it is
15 written because the Code only requires that they disclose
16 their gifts. And the only gifts that are prohibited are
17 gifts that are meant to influence the action of the
18 recipient or to reward the County officer or employee for
19 having done something in the past. So, in other words, it
20 is only improper if it is an inducement to do something or
21 reward for having done something. If any Board member feels
22 that this is a violation, I would caution the Board from
23 concluding that there is a violation, however, the Board may
24 issue -- may -- the Board, if it agrees and at least three
25 members want to sign a complaint, the Board may file a

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1 complaint, serve it on the County officer or employee and
2 give them an opportunity to explain before we decide or
3 anyone decides that there is any kind of ethical violation.
4 MEMBER PREY: Okay. Can I just give you this,
5 what we had received, you know, financial disclosures? I
6 don't know if you have received a copy of it or not.
7 MR. MURAI: Lois, I will give this back to you.
8 MEMBER PREY: Oh, okay.
9 MEMBER YABUTA: I am just curious, how much are
10 those basketball tickets?
11 MR. MURAI: Well, apparently --
12 MEMBER KAHOOHANO HANO: I never got one, so --
13 MEMBER PREY: Well, what they do, they lump sum
14 it, you know, a lot. And some -- they -- they lump it into,
15 you know, the price. So they don't say tickets such and
16 such, they don't break it down.
17 MR. MURAI: Sometimes they do.
18 MEMBER PREY: Yeah, sometimes they do. Sometimes
19 they don't. Another someone on the Council, in order to
20 sort of, what I call, camouflage, they used one of the
21 letters, you know, where -- you know, the finances where
22 they give you -- you know, they -- they put it in that
23 category. So I don't know, I mean, but it is in the
24 thousands of dollars.
25 MR. MURAI: Board Member Prey, I would caution you

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1 to not say camouflage because our rules --
2 MEMBER PREY: Oh, sorry.
3 MR. MURAI: -- allow them to -- to --
4 MEMBER PREY: Sorry.
5 MR. MURAI: -- to have ranges.
6 MEMBER PREY: Ranges, yes. Pardon me. Ranges.
7 Strike that.
8 MEMBER KAHOOHANO HANO: Just let me say this. I
9 been involved in this since I came in 2014. And probably
10 has gone on before that because I know this basketball
11 tournament been going on long before that. But this is what
12 I think we decided, is that we take a slower approach, to
13 give them a chance to change the way that they're doing
14 things, and then, later on, if it doesn't work, then we move
15 towards, you know, sending the letter to the Council and
16 maybe putting them on the -- what do you call the -- what do
17 you call that?
18 VICE-CHAIR FRANCO: The agenda.
19 MEMBER KAHOOHANO HANO: Yeah, for the -- no. For
20 the --
21 VICE-CHAIR FRANCO: Public hearing?
22 MEMBER KAHOOHANO HANO: Charter.
23 VICE-CHAIR FRANCO: Charter.
24 MEMBER KAHOOHANO HANO: Thank you. Yeah, so we --
25 we decided to go that route.

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1 MEMBER PREY: Right.
2 MEMBER KAHOOHANO HANO: So, you know, this is just
3 the process. And so until that point, when it -- it comes
4 out where, you know, it's -- the decision is that this is
5 what we decided, then everybody is going to keep on doing
6 what they doing until we get -- we wanted more teeth,
7 more --
8 MEMBER PREY: Yeah. It was my suggestion that a
9 letter -- just a letter, you know, as a cautionary process,
10 to be sent to the Council and to let them know that the
11 Board of Ethics is not sleeping over here.
12 VICE-CHAIR FRANCO: Is that something we can do,
13 is a letter to the Mayor saying, look, we felt this amount
14 was a little bit over the top?
15 MR. MURAI: Well, that's up to the Board, if the
16 Board decides they want to send a letter to the Mayor.
17 Again, but I remind you folks -- well, if you feel that you
18 want advice, my advice, I suggest we go into Executive
19 Session. However, I've already said that, under our rules,
20 in this case the Mayor has done exactly what the rules
21 require.
22 VICE-CHAIR FRANCO: Okay. You want to defer this
23 to Executive Session?
24 MEMBER GADARIAN: Let me --
25 VICE-CHAIR FRANCO: Go ahead.

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1 MEMBER GADARIAN: I'm sorry. Let me go back to
2 this. I believe the rules say that if, upon examining a
3 Financial Disclosure, that the Board of Ethics finds
4 something that is in violation that they can take action
5 accordingly. Our -- our duty, as I understand it, is to
6 examine these financial statements.
7 MR. MURAI: Do you believe --
8 MEMBER GADARIAN: And if -- if something is -- we
9 know they've disclosed it, so we're not going to penalize
10 them for disclosing it, but if something is -- warrants
11 investigation as to -- it warrants investigation as to
12 violation of the Code of Ethics, namely use of -- reward for
13 granting use of public facilities or using their powers of
14 office to --
15 MR. MURAI: You know what, I recommend we go into
16 Executive Session.
17 VICE-CHAIR FRANCO: Yeah, I was going to defer
18 this to Executive Session, but --
19 MEMBER GADARIAN: Okay.
20 VICE-CHAIR FRANCO: Why don't we put this off and
21 have further discussion? Because we have so much more to
22 review.
23 MR. MURAI: Actually, you know what, in that case,
24 then, I suggest that, because these were matters that were
25 meant to be discussed in open session, if you want to go

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1 down -- if you want to explore the Board's powers, duties,
2 liabilities with me as the Board's assigned Deputy
3 Corporation Counsel, we should probably have a motion that
4 that will be -- you know what, I would probably rather keep
5 it cleaner and discuss this one in a separate Executive
6 Session, if that's what the Board wants to do. I would not
7 recommend that you lump it together with the other Executive
8 Session Financial Disclosures because those are, by rule,
9 confidential. This one here we're going into Executive
10 Session for a different reason because these are meant to be
11 public and we're going into Executive Session for -- well,
12 you're thinking of going into Executive Session for a
13 limited purpose.
14 VICE-CHAIR FRANCO: Okay. So Chair entertains a
15 motion to go into Executive Session now to discuss the
16 Mayor's --
17 MR. MURAI: Or you could vote to put -- to discuss
18 this one later in Executive Session.
19 VICE-CHAIR FRANCO: Executive Session. So, you
20 know, you want to defer it or you want to take it up now,
21 that's the question. We can take it up now in Executive
22 Session now, the Mayor's Financial --
23 MEMBER GADARIAN: I would move to -- to recess to
24 Executive Session to discuss the powers and duties of the
25 Board in relation to gifts.

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1 VICE-CHAIR FRANCO: Okay. So the motion is to
2 defer to Executive Session to discuss the question of gifts.
3 All in favor, say "aye."
4 (Response.)
5 VICE-CHAIR FRANCO: All against?
6 (No response.)
7 VICE-CHAIR FRANCO: Okay. So we defer that to
8 Executive Session. Moving on to the next one, we have
9 Gladys Baisa. What is the specific item you're calling to
10 attention on that one, Lois?
11 MEMBER PREY: Oh, \$948, Number 10 on the form.
12 VICE-CHAIR FRANCO: Okay. Let me look at that
13 now. Is that also the matter of question about tickets or
14 is this another gift that --
15 MEMBER PREY: No. It's tickets.
16 VICE-CHAIR FRANCO: Tickets again, okay. Look
17 like that's another item for Executive Session. Why don't
18 we defer that one?
19 MEMBER PREY: And then one more is Cochran,
20 \$2,662.
21 VICE-CHAIR FRANCO: Okay. So Elle Cochran is also
22 a matter of tickets situation, right?
23 MEMBER PREY: Right.
24 MEMBER GADARIAN: And there are two --
25 VICE-CHAIR FRANCO: She has one -- she filed as a

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1 candidate for County Council and one as a present standing
2 Council Member. So it's supposed to be identical. I don't
3 see either of them really scrutinized them that much, but
4 according to this, she got something like \$1,500 -- well,
5 more than that, right? \$1,590 plus 600.
6 MEMBER PREY: What are you looking at, Cochran?
7 VICE-CHAIR FRANCO: Well -- Cochran, yeah.
8 MEMBER PREY: Well, I tallied it up to \$2,662,
9 yeah.
10 VICE-CHAIR FRANCO: Two hundred -- 2,062?
11 MEMBER PREY: Yes. \$2,662.
12 VICE-CHAIR FRANCO: Okay. Why don't we defer that
13 one, too, since we will be discussing these in Executive
14 Session?
15 Okay. Any other questions on the Financial
16 Disclosure Statements?
17 Gary flagged one of them. If you look at Napua
18 Greig-Nakasone. Napua Greig-Nakasone, and she signed it as
19 J.K.L. Nakasone. There seems to be a discretion --
20 discrepancy between the person signing and the person named
21 on the Financial Disclosure. Now, we can send it back or we
22 can say that maybe there's a --
23 MR. MURAI: Chair, may I explain before you decide
24 whether to send it back or not? Angela checked -- Angela
25 caught it first. And so, Angela, correct me if I misstate

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1 anything, apparently this is a candidate filing. They're
2 required by our rules, when they file their nomination
3 papers, to also concurrently file this Financial Disclosure
4 Statement. Apparently, Napua Greig-Nakasone's legal name is
5 Jaye, J-A-Y-E, K.L. Nakasone. However, she goes by Napua
6 Greig-Nakasone. So, you know, they're the same person.
7 Is this wrong? Well, our rules only say that you
8 must -- you must provide the full name of the person filing
9 the disclosure. And it formally asks for your name. It
10 doesn't say your legal name, it doesn't say provide your
11 legal name and any other names you are known as. So,
12 technically, I would say that she's filled it out correctly,
13 maybe a little bit confusingly, but it's correct. I think
14 the best way she could have filed this, or a better way,
15 might have been to file it as Jaye Nakasone also known as
16 Napua Greig-Nakasone. Now --
17 MEMBER PREY: Aka?
18 MR. MURAI: Yeah. That's generally what --
19 MEMBER PREY: Aka.
20 MR. MURAI: Generally what that stands for. Now,
21 I suggest that when this -- assuming that -- now, of course,
22 if you want to send it back, that's fine, that's your
23 decision. If you do approve it as it is written, my only
24 recommendation would be, when it is posted on our website,
25 it be posted as Jaye Nakasone, which is her given name, also

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1 known as Napua Greig-Nakasone. So that when the public
2 reads -- sees that, they'll -- they'll know who that person
3 is.
4 MEMBER GADARIAN: Question -- oh. Yes. What --
5 you're talking about posting on the website. So Financial
6 Disclosures of candidates are posted on the website?
7 MR. MURAI: Candidates and elected officers -- all
8 elected officials, all department heads and their -- and all
9 deputy directors and all candidates who are running for
10 office.
11 MEMBER GADARIAN: And once -- once they've been
12 received and acknowledged by the Board, then it goes to the
13 website?
14 MR. MURAI: Yes.
15 VICE-CHAIR FRANCO: What's your --
16 MEMBER YABUTA: I move that we kick it back to her
17 and have her put aka, you know, with her other name on it,
18 on the form.
19 MEMBER GADARIAN: Second.
20 VICE-CHAIR FRANCO: Okay. It's moved by Dee Dee
21 and second by Sara.
22 MEMBER PREY: Yeah. I agree.
23 VICE-CHAIR FRANCO: Discussion.
24 MEMBER PREY: I agree.
25 VICE-CHAIR FRANCO: All in favor, say "aye."

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1 MR. MURAI: Discussion.
2 VICE-CHAIR FRANCO: Discussion.
3 MEMBER GADARIAN: It's not up to us to tell her
4 how to fill it out. I mean --
5 VICE-CHAIR FRANCO: Well, it's an element of
6 confusion. If it's going to be posted, the public will kind
7 of get confused, also.
8 MEMBER PREY: Right.
9 MEMBER KAHOOHANO HANO: I know why she did it,
10 because that's what everybody knows her by, but I think it
11 should be her legal name. I mean, you should put that out
12 there. I am known as Butch, but, you know -- and somebody
13 calls me Butch, I know it's a close friend or close
14 acquaintance. But, yeah, I mean, I always put my legal name
15 down. I don't put Abel "Butch" Kahoohanohano. So, yeah, I
16 think it should be --
17 VICE-CHAIR FRANCO: Should be --
18 MEMBER KAHOOHANO HANO: Yeah, I think so.
19 VICE-CHAIR FRANCO: -- properly. Syd?
20 MEMBER KIKUCHI: You know, not to put extra work
21 on Angela, but she's done some clarifications before. Is it
22 something that she could just put for Napua?
23 MS. ANDRADE: I can write it in for her. Is that
24 what you're saying?
25 MEMBER KIKUCHI: Just put "aka."

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1 MS. ANDRADE: I can ask her. I called her because
2 I caught it. And the reason she signed it Jaye Nakasone is
3 because she was instructed by the Clerk's Office that her
4 nomination papers had to be her legal name. So that's what
5 she -- she did what she was told.
6 VICE-CHAIR FRANCO: She's running for office,
7 right?
8 MS. ANDRADE: She's running for Council.
9 VICE-CHAIR FRANCO: Most politicians like to put
10 the name that the most people will --
11 MS. ANDRADE: Right. But she was instructed by
12 the Clerk's Office that she had to put her legal name on the
13 ballot and sign the Financial Disclosure form by her legal
14 name.
15 VICE-CHAIR FRANCO: Okay. So it wouldn't be hard
16 for her to change it and get it done properly.
17 MS. ANDRADE: Or as Sydney suggested, I can just
18 put -- I can fill it in for her with her permission.
19 VICE-CHAIR FRANCO: Well, what's the wishes of the
20 Board?
21 MEMBER YABUTA: That's fine.
22 VICE-CHAIR FRANCO: She can do it that way to save
23 and just bring it back next time properly done. Okay. All
24 right. We all know the person, so it's not like there's two
25 different people. It's just a matter of doing it properly.

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1 So why don't we just let Angela take care of it
2 administratively? Okay. Thank you very much.
3 Any other questions? Any other disclosures?
4 MEMBER GADARIAN: I would like to note for the --
5 for the record, that Council Member Riki Hokama received no
6 gifts and --
7 VICE-CHAIR FRANCO: Okay.
8 MEMBER GADARIAN: -- Councilmember Robert Carroll
9 received a gift bag only. It was -- it was in excess of
10 \$50.
11 VICE-CHAIR FRANCO: Okay.
12 MEMBER GADARIAN: But just to -- just to indicate
13 that it is not --
14 VICE-CHAIR FRANCO: It's not.
15 MEMBER GADARIAN: -- wide throughout the entire --
16 MEMBER PREY: It's below the -- you know, the --
17 MEMBER GADARIAN: Yeah.
18 VICE-CHAIR FRANCO: -- the threshold amount.
19 MEMBER PREY: Right.
20 VICE-CHAIR FRANCO: Okay. It's noted. Any
21 other -- okay. Let's see.
22 MEMBER KAHOOHANO HANO: Just Elle Cochran, just a
23 point of clarification. I mean, is it -- is she supposed to
24 fill out two, or just one would be -- suffice?
25 MR. MURAI: Yes, because she is a candidate. So

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1 all candidates are required, by our rules, to submit their
2 Financial Disclosure Statement, together with their
3 nomination papers as a candidate filing, as a sitting
4 Council Member, she's required to submit an annual update.
5 So that's why there are two -- there are two financial
6 disclosures, but they're all submitted under different hats.
7 So she's wearing -- when she's wearing her candidate hat,
8 that's her candidate disclosure; when she's wearing her
9 Council Member hat, she only needs to file an annual update,
10 even if it's the identical information.
11 MEMBER KAHOOHANO HANO: The reason why I bring it
12 up, it's the first time it's happened.
13 MS. ANDRADE: It's not.
14 MEMBER KAHOOHANO HANO: Since I've been here.
15 MS. ANDRADE: It's not, actually, Abel. They've
16 been doing it by our rules. They did it last year.
17 MR. MURAI: You know, Abel, maybe you have not
18 seen it done this way before because, in Bob Carroll and
19 Elle Cochran's case, they filed early. They filed their --
20 MEMBER KAHOOHANO HANO: Oh, okay.
21 MR. MURAI: -- their nomination papers. You have
22 until June.
23 VICE-CHAIR FRANCO: Yeah.
24 MR. MURAI: The deadlines for the candidate -- for
25 the County -- the current elected officials is --

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1 MS. ANDRADE: April 15th.
2 MR. MURAI: -- April 15th. So you'll see all the
3 candidate -- I mean all the sitting officers file now. And
4 if they file their nomination papers in May or June, then
5 you'll see them later.
6 MEMBER KAHOOHANOHANO: That's probably what
7 happened. Yeah. Okay, I get it.
8 VICE-CHAIR FRANCO: All right. Moving on. Item
9 b, Communication Items, got a letter.
10 MEMBER GADARIAN: Excuse me.
11 MR. MURAI: We have to --
12 VICE-CHAIR FRANCO: Oh, I'm sorry.
13 MR. MURAI: -- acknowledge receipt of the ones
14 that we are okay with. And we'll be deferring the ones that
15 we want to discuss in the Executive Session now. Just so we
16 kind of have a roadmap of where we're going.
17 VICE-CHAIR FRANCO: Okay.
18 MR. MURAI: So if you were going to set aside the
19 Mayor's Financial Disclosure until we discuss it in
20 Executive Session, we'll do it then, then, when we come out
21 of Executive Session, we'll -- the members will vote whether
22 to acknowledge receipt, send it back or whatever.
23 VICE-CHAIR FRANCO: Okay. So it was recommended
24 that we put aside Mayor Alan Arakawa's Financial Disclosure
25 Statement, Elle Cochran's and Gladys Baisa, to be discussed

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1 in Executive Session. And the rest of them will be --
2 MR. MURAI: So you're going to have -- you're
3 going to entertain a motion to acknowledge receipt.
4 VICE-CHAIR FRANCO: Entertain a motion to
5 acknowledge receipt of Dani Agsalog --
6 MEMBER GADARIAN: I move to --
7 MR. MURAI: Go ahead.
8 MEMBER GADARIAN: -- accept the -- oh, all right.
9 You can state it.
10 MR. MURAI: Oh, no, no. You need to make the
11 motion, so --
12 MEMBER GADARIAN: Okay. I need --
13 MR. MURAI: So the motion will be to acknowledge
14 receipt.
15 MEMBER GADARIAN: Yeah. I move to acknowledge
16 receipt of the following Financial Disclosures: Danilo
17 Agsalog, Butch Buenconsejo --
18 MR. MURAI: Buenconsejo.
19 MEMBER GADARIAN: -- Robert Carroll, Rowena
20 Dagdag-Andaya, Richard DeLeon, Napua Greig-Nakasone --
21 MR. MURAI: Subject to the --
22 MEMBER GADARIAN: Subject to, yeah --
23 VICE-CHAIR FRANCO: The change.
24 MEMBER GADARIAN: Lance Hiromoto, Riki Hokama,
25 Edward Kushi, Jr., Michele McLean, Jeffrey Murray, David

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1 Raatz, Jr., Carol Reimann, Dean Rickard, Janice Shishido,
2 William Spence, David Taylor.
3 VICE-CHAIR FRANCO: Okay.
4 MEMBER MACARIO: Second.
5 VICE-CHAIR FRANCO: Second. All in favor to
6 acknowledge receipt of those aforementioned?
7 (Response.)
8 VICE-CHAIR FRANCO: Done properly, sir?
9 MR. MURAI: Good. Good enough for me.
10 VICE-CHAIR FRANCO: Okay. All right. Can we move
11 on now?
12 Communication Items. Again, letter from Brooke
13 Wilson dated February 18, 2016, requesting to be removed as
14 a lobbyist for the Hawaii Carpenters Union Market Recovery
15 Fund dba Pacific Resource Partnership, effective February
16 29, 2016. Do you all have that in your packets? Okay.
17 Now, in this letter, it says he was a government relations
18 manager. So I guess that's a lobbyist and we acknowledge
19 his being no longer a lobbyist for the Hawaii Carpenters
20 Union. Any questions about that? Okay. So just
21 acknowledge, right?
22 MR. MURAI: Yeah, because it's a ministerial
23 thing. So you don't need to vote on it.
24 VICE-CHAIR FRANCO: Okay.
25 MR. MURAI: I guess, Angela, what do we do? We

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1 just take his name off the list of lobbyists, yeah?
2 MS. ANDRADE: I don't take the list off. The way
3 I put it is there's a -- it's a spreadsheet. And it says
4 when he was entered as a lobbyist and then there's like a
5 date that he is removed, but his name still stays on there,
6 just the date that --
7 MR. MURAI: Okay.
8 VICE-CHAIR FRANCO: Okay. Then the next one is
9 Lobbyist Registration for Alvin Pelayo. And he's with
10 Monsanto Company, subject of lobbying is agriculture. We
11 just have to acknowledge it? Okay. That's done.
12 Item 7, Announcements, none.
13 Schedule for our next general meeting is 13th of
14 April, high noon, right here. First stringer will be back
15 here, before I get into trouble. Randol will be back at
16 that time. Okay.
17 Now we're moving on to Executive Session.
18 MEMBER PREY: I motion that we accept February
19 10th, 2016 minutes.
20 VICE-CHAIR FRANCO: Okay.
21 MR. MURAI: Wait. I'm sorry. Did we have a
22 motion to go into Executive Session?
23 MEMBER PREY: Oh, I motion.
24 VICE-CHAIR FRANCO: I need a motion to go into
25 Executive Session.

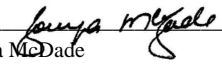
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1 MEMBER PREY: Yeah, motion we go into Executive
2 Session.
3 MEMBER NASCIMENTO: Second.
4 VICE-CHAIR FRANCO: Second.
5 MR. MURAI: That will be for the reasons listed
6 under -- on Page 3 of the agenda.
7 VICE-CHAIR FRANCO: Okay.
8 MR. MURAI: Just so it's clear.
9 VICE-CHAIR FRANCO: Yeah. Shall I read this
10 paragraph?
11 MR. MURAI: No. It's okay.
12 VICE-CHAIR FRANCO: We all understand.
13 MR. MURAI: We referenced it. You can call
14 Executive Session to order, Norman.
15 VICE-CHAIR FRANCO: Wait a minute.
16 (Recess to Executive Session, 12:41 p.m. to 1:09
17 p.m.)
18 VICE-CHAIR FRANCO: Okay. We're back to Regular
19 Session. At this point, we got to take up Arakawa, Cochran
20 and Baisa. Chair entertains a motion that we acknowledge
21 receipt.
22 MEMBER YABUTA: I move that we acknowledge receipt
23 of Cochran, Arakawa and Baisa Financial Disclosure
24 Statements.
25 MEMBER MACARIO: Second.

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1 VICE-CHAIR FRANCO: Moved by Dee Dee, second by
2 Matt. All in favor, say "aye."
3 (Response.)
4 VICE-CHAIR FRANCO: Okay. Okay. Calling for
5 adjournment.
6 MR. MURAI: No. Was it unanimous?
7 VICE-CHAIR FRANCO: Yeah, did anybody have any
8 objection? It's unanimous. Okay. All right. End of the
9 meeting. Do you have any other items, sir?
10 MR. MURAI: Next meeting, April 13th, same time,
11 noon.
12 VICE-CHAIR FRANCO: Let it be.
13 MR. MURAI: Angela, anything else?
14 VICE-CHAIR FRANCO: Adjourn ourself the last time
15 for the goodies brought by Sydney. All right. The
16 beautiful kukui nut lei, how about that?
17 Lois, we just have a lei of aloha for you.
18 MEMBER PREY: Thank you. Thank you.
19 (Meeting adjourned, 1:10 p.m.)
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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 6th day of April, 2016.
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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