

COMMITTEE OF THE WHOLE

Council of the County of Maui

MINUTES

March 4, 2016

Council Chamber, 8th Floor

CONVENE: 1:32 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
Councilmember Riki Hokama
Councilmember Michael P. Victorino

EXCUSED: 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)

ADMIN.: Edward S. Kushi, First Deputy Corporation Counsel, Department of the Corporation Counsel
Brian A. Bilberry, Deputy Corporation Counsel, Department of the Corporation Counsel
Moana M. Lutey, Deputy Corporation Counsel, Department of the Corporation Counsel

Seated in the gallery:

Patrick K. Wong, Corporation Counsel, Department of the Corporation Counsel (Item No. 1(2))

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

CHAIR GUZMAN: ...*(gavel)*... Good afternoon. I'm Don Guzman, the Chair of the Committee of the Whole. Before I begin with the roll call, if you have a cell phone, please put it on silence. I'm going to introduce our Members for today's meeting. We have Stacy Crivello who will be joining us shortly. She is the Vice-Chair of the Committee. We have Bob Carroll.

COUNCILMEMBER CARROLL: Good afternoon, Chair.

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CHAIR GUZMAN: Good afternoon. Ms. Gladys Baisa.

COUNCILMEMBER BAISA: Good afternoon, Chair.

CHAIR GUZMAN: Elle Cochran.

COUNCILMEMBER COCHRAN: Aloha, Chair.

CHAIR GUZMAN: Don Couch.

COUNCILMEMBER COUCH: Good afternoon, Chair.

CHAIR GUZMAN: Riki Hokama.

COUNCILMEMBER HOKAMA: Mr. Chairman.

CHAIR GUZMAN: Mike Victorino.

COUNCILMEMBER VICTORINO: Aloha, Chair.

CHAIR GUZMAN: Thank you. And for our Staff today we have our Committee Secretary, Clarita Balala; our Legislative Attorney, Carla Nakata; and also we have for our Corporation Counsel, Deputy Moana Lutey and Brian Bilberry.

MS. LUTEY: Good afternoon.

CHAIR GUZMAN: Good afternoon. So we'll go ahead and start with the first item...oh, sorry. We have any testimony today, Clarita?

MS. BALALA: No.

CHAIR GUZMAN: Seeing none, we'll check in with our district offices. . .

COUNCILMEMBER VICTORINO: Chair?

CHAIR GUZMAN: Oh, yes. I would like to recognize our beautiful lady from Molokai, Ms. Stacy Crivello.

VICE-CHAIR CRIVELLO: Aloha, Chair.

CHAIR GUZMAN: Thank you.

COUNCILMEMBER VICTORINO: Chair? Excused?

CHAIR GUZMAN: Oh, excused is Mr. Mike White as well. I'm going to check in with our district offices. In Molokai, are you present?

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

CHAIR GUZMAN: Okay, Ms. Alcon, is there anyone wishing to testify?

MS. ALCON: There's no one here waiting to testify.

CHAIR GUZMAN: Okay. Thank you. In Lanai, are you present?

MS. FERNANDEZ: Good afternoon, Chair. This is Denise Fernandez on Lanai and there is no one waiting to testify.

CHAIR GUZMAN: Okay. Thank you. I'll check back in with Ms. Clarita Balala. Is there anyone wishing to testify in the Chambers?

MS. BALALA: No, Mr. Chair.

CHAIR GUZMAN: Okay. Members, without any objections, I'd like to close public testimony.

COUNCILMEMBERS: No objections.

CHAIR GUZMAN: Thank you.

COW-5: SPECIAL COUNSEL AUTHORIZATION: CHRISTOPHER SALEM V. ALAN ARAKAWA, ET AL., CIVIL 15-00384 LEK-KSC (CCs 15-219 and 15-257)

CHAIR GUZMAN: Moving on to the first item on today's agenda. We have Chris Salem v. Alan Arakawa, et al., Civil No. 15-00384 LEK-KSC, COW-5. Members, by Resolution 15-135, the Council authorized the employment of special counsel Kobayashi Sugita & Goda to represent the Defendants, Alan Arakawa, Patrick Wong, Keith Regan, David Goode, Milton Arakawa, William Spence, John Min, and Jeffrey Hunt, who have been identified as the Defendants in their individual capacities in the Christopher Salem v. Alan Arakawa case for a total compensation not to exceed \$50,000. The Council adopted the resolution on October 16, 2015. By correspondence dated January 26, 2016, the Department of the Corporation Counsel, transmitted a proposed resolution to authorize an increase in compensation for special counsel by an additional \$75,000 for a total compensation not to exceed \$125,000. The complaint in this case alleges Christopher Salem owned Lot 48C of the Mailepai Hui Partition Subdivision along Lower H'piilani Road until the property was auctioned for sale on January 20, 2015. The Complaint alleges damages arising from the actions and omissions of the Defendants, including a failure to administer and enforce conditions imposed on the developers through subdivision agreements for subdivisions including three lots or less. The Committee began its discussion on this and request additional compensation at its meeting of February 5, 2016, but ran out of time. Today we have from our Corporation Counsel Office, Deputy Bilberry, who is present today and so I believe this is your case, Mr. Bilberry, and if you could go ahead and present in open session any opening remarks that you may have.

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MR. BILBERRY: I believe the last time we were here I did give an update in open session before asking for an executive session so that we could discuss the strategy and I can give you an update as to the litigation. So at this point having already given the update at the last session I'll just request that we go into executive session so I can discuss the strategy for the case and give you an idea of where the case is now presently.

CHAIR GUZMAN: Members, do you have any questions in open session that you may have. Seeing none, there has been a request to enter into executive session. The Chair will entertain a motion to convene executive meeting pursuant to Section 92-5(a)(4) of the HRS to consult with our legal counsel on questions and legal issues pertaining to the powers, duties, privileges, immunities, and liabilities of this Committee, this County, and this Council.

VICE-CHAIR CRIVELLO: So moved, Chair.

CHAIR GUZMAN: Moved by Ms. Crivello.

COUNCILMEMBER VICTORINO: Second, Mr. Chair.

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

COUNCILMEMBERS: Aye.

CHAIR GUZMAN: All those opposed say no. We have eight ayes, zero noes, one excused. Motion carries.

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmember White.

MOTION CARRIED.

ACTION: APPROVE; RECESS open meeting and CONVENE executive meeting.

CHAIR GUZMAN: Thank you, Members.

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COW-1(2): LITIGATION MATTERS (STATUS: OCEAN RESORT VILLAS VACATION OWNERS ASSOCIATION, ET AL. V. COUNTY OF MAUI, ET AL., CIVIL 13-1-0848(2); OCEAN RESORT VILLAS VACATION OWNERS ASSOCIATION, ET AL. V. COUNTY OF MAUI, ET AL., CIVIL 15-1-0435(1)) (CC 15-6)

CHAIR GUZMAN: Moving on to the next item on the agenda. We have COW-2, Ocean Resort Villas Vacation Owners Association, et al. v. County of Maui, et al., Civil No. 13-1-0848(2); Ocean Resort Villas Vacation Owners Association, et al. v. County of Maui, et al., Civil No. 15-1-0435(1). Members, the complaints in this...in these cases brought by Ocean Resort Villas Vacation Owners Association allege violations of the U.S. and Hawaii Constitutions and violations of the Sunshine Law in the determination of the timeshare real property tax rates for the County for Fiscal Years 2015, 2014, and 2016. Deputy Corporation Counsel Brian Bilberry has requested this opportunity to provide the Committee with status updates on this case. Mr. Bilberry, this is your case. The floor is yours for presentation.

MR. BILBERRY: Yeah, this case is currently in litigation. We have a trial date set for September which I don't believe is firm because I understand that the Judge is double set for that month. Nevertheless, I would like...I wanted to come and give an update as to the status of the case and talk about strategy going forward so I would request that we go into executive session and have that conversation as well.

CHAIR GUZMAN: Okay. There's been a request to enter into executive session. The Chair will entertain a motion to convene an executive meeting pursuant to Section 92-5(a)(4) of the HRS to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and this Committee.

VICE-CHAIR CRIVELLO: I so move, Chair.

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.

COUNCILMEMBERS: Aye.

CHAIR GUZMAN: All those opposed say no. Eight ayes, zero noes, and one excused. Motion carries.

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

NOES: **None.**

ABSTAIN: **None.**

ABSENT: **None.**

EXC.: **Councilmember White.**

MOTION CARRIED.

ACTION: **APPROVE; RECESS open meeting and CONVENE executive meeting.**

CHAIR GUZMAN: Thank you, Members.

COW-1(32): **LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION V. COUNTY OF MAUI POLICE DEPARTMENT, ET AL., CIVIL 13-00698 LEK-KSC) (CC 15-6)**

CHAIR GUZMAN: Moving on to the next item on today's agenda, COW-1(32), Settlement Authorization, U.S. Equal Employment Opportunity Commission v. County of Maui Police Department, et al., Civil No. 13-00698 LEK-KSC. The Department of Corporation Counsel is requesting consideration of the proposed resolution to authorize settlement of the case of the U.S. Equal Employment Opportunity Commission v. County of Maui Police Department. The complaint in this case alleges Lars Sandstrom applied for employment with the Department of Police but was not hired due to age discrimination and the County of Maui violated the Age Discrimination in Employment Act of 1967, as amended. The Committee met to consider this matter once before on October, excuse me, February 5, 2016. This case is I believe Moana Lutey's case. Deputy Corporation Counsel, you may present.

MS. LUTEY: Thank you, Chair. We did meet previously on February 5, 2016 and I provided this body with some information in executive session. During that meeting there were additional questions raised and I have gotten the information that was requested and am able to provide that in executive session. It will need to be handled in executive because this matter is actively being litigated and the settlement request and so forth are confidential.

CHAIR GUZMAN: Thank you. Members, any questions in open session? Seeing none, there's been a request to enter into executive session. The Chair will entertain a motion to convene an executive meeting pursuant to Section 92-5(a)(4) of HRS to consult with legal counsel on questions and issues pertaining to the powers, duties,

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in Kahului, Maui, Hawaii, on August 8, 2015. The purpose of the proposed resolution is to authorize the Department to settle the claim of Ms. Morales' insurance, First Insurance Company of Hawaii, Ltd., on behalf of its insured for \$21,250.05. This is also Ms. Moana Lutey's case and the floor is now yours.

MS. LUTEY: Thank you. I believe that this is something we may be able to handle in open session. I've provided you with all the documentation I have on this claim. Basically, the facts are that on August 8, 2015 at about 6:40 in the evening, one of our police officers was looking at another vehicle while he was traveling east on Kaahumanu Avenue, ran a red light, and struck the claimant's vehicle causing the damages that have been outlined on the recap sheet. It's probably about page 10 or thereabouts in your packet of materials. The insurance company has subrogated to the County for what they have paid for this vehicle and the total amount is \$21,250.05. That includes the deductible that was paid by Ms. Morales and I am asking for settlement authority in that amount.

CHAIR GUZMAN: Thank you. Members, any questions that you may have. I believe we're not going into executive session at this...in this case.

COUNCILMEMBER VICTORINO: Recommendation?

CHAIR GUZMAN: The Chair will recommend authorization of this settlement amount of \$21,250.05.

VICE-CHAIR CRIVELLO: So moved, Chair.

COUNCILMEMBER VICTORINO: Second, Mr. Chair.

CHAIR GUZMAN: Moved by Ms. Crivello...oh, Mr. Hokama, do you have any questions?

COUNCILMEMBER HOKAMA: If I may, Chairman, please. So we're acknowledging full responsibility and fault of this accident?

MS. LUTEY: Yes.

COUNCILMEMBER HOKAMA: Is the officer terminated?

MS. LUTEY: No. If you want to get though into his employment record, we're gonna need to have the Chief present. I know he's coming today and discuss that in executive.

COUNCILMEMBER HOKAMA: I just was wondering how the Department handled the officer to avoid similar instances.

MS. LUTEY: I can tell you that typically when there's any type of motor vehicle accidents involving police officers that they are put back into remedial driving classes, and if discipline is appropriate, then they would address it that way. But whether or not this officer received any, I just don't know and it's not something we could discuss in open.

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COUNCILMEMBER BAISA: Here he comes.

MS. LUTEY: He just showed up. The Chief just walked in.

CHAIR GUZMAN: I think...Chief, can you come down to the floor? Thank you.

COUNCILMEMBER HOKAMA: Do you need time to consult with the Chief, Counselor?

CHAIR GUZMAN: Okay. Are you. . .

MS. LUTEY: I've given him the update.

CHAIR GUZMAN: Okay. Thank you very much. So Chief if you could please state your name for the record.

MR. FAAUMU: Tivoli Faaumu and I'm Police Chief.

CHAIR GUZMAN: Okay, and I believe that the Corporation Counsel has briefed you on that question provided by Mr. Hokama.

MR. FAAUMU: Yes, Mr. Chairman.

CHAIR GUZMAN: Would you mind responding or having any type of explanation?

MR. FAAUMU: Normally what we do if a police officer get involved in an accident, we conduct an investigation and then with the investigation it will go to our Administrative Review Board. They'll review it and then their recommendation will come to me. I will then look at the history of the police officer, whether it's a first time incident or a continuation of the same act, and then I will then issue a discipline. I will discipline the officer to include the remedial driving training.

COUNCILMEMBER HOKAMA: So the review and findings by your appropriate personnel, Chief, is still ongoing and you have yet to address any disciplinary or corrective measures?

MR. FAAUMU: At this point, I did put in a request. The Administrative Review Board had reviewed the case and issued a recommendation. I don't know what we had issued the officer at this point.

COUNCILMEMBER HOKAMA: Would you say that this is a decreasing area of incidents for the Department or is this an area of...you know, for me this is...I see this more often than I would like to within this Committee's purview. And so I was wondering if you see a growth in this type of cases—if we could call it that, Chief—whereby maybe you need some draconian adjustments on how to get corrective mentality more accepting than not?

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MR. FAAUMU: I know it's something that I always talk about to my command staff about it and you know one thing about issuing a discipline or looking into this type of case, I see it whether you back up the car and bump into something we initiate an investigation so all the way up to the nature and to the severity of this incident. So we do take corrective action and I don't see it increased. Again, we keep reminding and I think if you look at the time that they out on the road compared to what the accident reported to us, I think I don't see an increase. I think it's pretty controlled by the Department.

COUNCILMEMBER HOKAMA: Thank you for that, Chief. And I ask you that because I support your Department and I wanted our community to know that our Chiefs...our management of this Department is well aware of the issues and I'm looking forward to...and looking at ways of improving the service that your officers provide including traffic safety. So I appreciate you being willing to one, state that in an open session meeting that Mr. Guzman is conducting, as well as reassuring not only the Council, but the community at large that you and your Chiefs are very much on this type of improvements within your operations. So I thank you very much, Chief.

MR. FAAUMU: Thank you, Councilmember.

CHAIR GUZMAN: Thank you. I'll do a quick follow-up with Mr. Hokama's question. So maybe about 15 years ago they used to have where when a police officer would get into an accident, a required I guess retraining of driving training or something like that, I vaguely remember. Do you...does your Department still I guess implement such a policy?

MR. FAAUMU: Yes, it is what we continue doing that now. There was one of the first things I noticed when I...when I think when I first get exposed to sitting in front of you and ask for money. I was a captain at the time and I remember you ask some tough questions. So when I became a Chief I asked my training staff and my command staff about it and I said what are we doing to address those issue, you know, from the Council. And yes, we did a research with our training section, reached out to other counties, and they do have a retraining...retrainer...retraining for their police officer involved. So we use the same training for our purpose.

CHAIR GUZMAN: Okay. Thank you, Chief. Is there any other questions that we have in open session? Okay. I believe that we have a motion on the floor by Ms. Crivello, as well as a second by Mr. Victorino. Any further discussion? I'm gonna call for the vote. All those in favor say aye.

COUNCILMEMBERS: Aye.

CHAIR GUZMAN: All those opposed say no. We have eight ayes, no noes, one excused. Motion carries.

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CHAIR GUZMAN: --so that the Members. . .

MS. LUTEY: I've attached the complaint for you and basically what happens is that the Police get a 911 call and the allegations at that time were that there was a burglary, terroristic threatening case associated with a man named David Maniatis who was living in Wailea. He had come out to Maui and hired some former police officers from MPD and also brought with him the two Plaintiffs in this case. They were at Wailea. Mr. Maniatis fired Griego and Sanchez while he was at a restaurant. They just had a falling out of some sort and then Mr. Maniatis alleged to Police that both of these Plaintiffs appeared at his home, that they were armed, and threatened him, and then he called 911 and Police responded. Well, when Police found the now Plaintiffs in this case, they did recover firearms for them. They were not registered in our State. They certainly did not have open carry permits and so both were arrested. They were held for short periods of time and then released. And after the fact, the Plaintiffs claimed that because they were qualified law enforcement officers that the arrest were improper, but we do have registration laws in our State regardless of what the Federal law may require them or allow them to carry in terms of firearms. At the time of this incident, Mr. Griego was the Chief of Cuba, New Mexico's Police Department. I think there were a total of five officers total. He was a political appointee. And Mr. Sanchez was the Fire Chief, also in Cuba, New Mexico. I don't believe that either of them are currently holding those positions and I think that Mr. Sanchez actually was a volunteer police officer under Mr. Griego's charge at the time. So it's our allegation...it's our belief that the officers acted appropriately in this situation and that this lawsuit really doesn't have merit.

CHAIR GUZMAN: Chief, do you have any comments about this case?

MR. FAAUMU: Not at this time, Mr. Chairman. I believe Ms. Lutey had addressed our concern and our request in this case and I know that after reviewing the report that our officers did act appropriately.

CHAIR GUZMAN: Okay. Members, do you have any questions? Mr. Hokama.

COUNCILMEMBER HOKAMA: Just a...well, might be a small technical point, Chairman, but as I understand what is open to us in this meeting and part of our records, both Plaintiffs are law enforcement officials of Sandoval County, New Mexico?

CHAIR GUZMAN: Yes.

COUNCILMEMBER HOKAMA: And I assume they went through their training and like we put our trainees before they become official Officer I or II in our Department. This issue about the firearms, I'm making the assumption that even the transport to the State was a lawful thing or is that still also part of the question of how the firearm entered the State and whether or not it's a legal...they entered it under legal pretenses or not?

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CHAIR GUZMAN: Ms. Lutey.

MS. LUTEY: Thank you. What happened here is that Griego was a law enforcement officer and he was the one that transported the firearms. The transportation of the firearms in State was properly done, but he had five days to register them and this came after the fifth day. He never registered it. He's claiming that one of the former MPD officers told him that it was appropriate, but it's his obligation to check the law on that. So I don't think that's really in dispute. They don't dispute that part of it. Mr. Sanchez was a volunteer law enforcement officer but he received no training from their law enforcement academy. I don't know how they run their volunteer section, but when I requested his training records, they told me there's nothing responsive.

COUNCILMEMBER HOKAMA: Okay, and the record does state he is a reserved officer so he has standing of some sort as I would consider in the document --

MS. LUTEY: Yeah.

COUNCILMEMBER HOKAMA: --and yet there is no official training to be a reserve officer in that state?

MS. LUTEY: No. Nothing. According to their...I subpoenaed both the Police Department, their training facility, his fire records, you name it, I subpoenaed it. So we were going out there to serve it anyhow so we served everybody and he has no training records whatsoever on this specific issue and so the firearms actually belong to Griego who was the chief of five --

COUNCILMEMBER HOKAMA: Okay.

MS. LUTEY: --and then he brought them out.

COUNCILMEMBER HOKAMA: And Mr. Maniatis is in no way involved in this case at all except that he hired the two Plaintiffs as personal protection personnel?

MS. LUTEY: Right. Yeah.

COUNCILMEMBER HOKAMA: Even if one was the Chief of Police?

MS. LUTEY: Right.

COUNCILMEMBER HOKAMA: Interesting.

MS. LUTEY: Yeah. It's a really interesting case actually.

COUNCILMEMBER VICTORINO: That's putting it mildly.

MS. LUTEY: Yeah.

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CHAIR GUZMAN: Thank you, Members. Moving on to the next item I believe...oh, that's it. So we are going to take a recess at the call of the Chair so that we can set up for executive session. . . .(gavel). . .

RECESS: 2:00 p.m.

RECONVENE: 3:12 p.m.

CHAIR GUZMAN: . . .(gavel). . . Committee of the Whole shall now reconvene in open session.

COW-5: SPECIAL COUNSEL AUTHORIZATION: CHRISTOPHER SALEM V. ALAN ARAKAWA, ET AL., CIVIL 15-00384 LEK-KSC (CCs 15-219 and 15-257)

CHAIR GUZMAN: Members, pursuant to our discussion in executive session I will be calling case...the Item No. COW-5, this is special counsel authorization for Christopher Salem v. Alan Arakawa, et al., Civil No. 15-00384 LEK-KSC. The Chair will entertain a motion to recommend adoption of the proposed resolution entitled "AUTHORIZING AN INCREASE IN COMPENSATION RELATED TO THE EMPLOYMENT OF SPECIAL COUNSEL KOBAYASHI SUGITA & GODA, LLP, IN CHRISTOPHER SALEM V. ALAN ARAKAWA, ET AL., CIVIL NO. CV 15-00384 LEK-KSC, UNITED STATES DISTRICT COURT FOR THE DISTRICT OF HAWAII," and filing of County Communications 15-219 and 15-257.

VICE-CHAIR CRIVELLO: So moved, Chair.

COUNCILMEMBER VICTORINO: Second, Mr. Chair.

CHAIR GUZMAN: We have a motion on the floor by Stacy Crivello, seconded by Mr. Victorino. Any further discussion?

COUNCILMEMBER COUCH: Just out of curiosity, filing?

CHAIR GUZMAN: Yes.

COUNCILMEMBER VICTORINO: Yeah, he said.

CHAIR GUZMAN: I did.

COUNCILMEMBER COUCH: No, I was wondering why we would want to file that if we're gonna still have this open?

CHAIR GUZMAN: Because it's basically the compensation portion of the special counsel.

COUNCILMEMBER VICTORINO: Thank you for the clarification.

COUNCILMEMBER COUCH: Thank you for the clarification.

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CHAIR GUZMAN: Okay. Thank you. Any further discussion?

COUNCILMEMBER VICTORINO: No.

CHAIR GUZMAN: Seeing none, all those in favor say aye.

COUNCILMEMBERS: Aye.

CHAIR GUZMAN: All those opposed say no. Eight ayes, zero noes, one excused. Motion carries.

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmember White.

MOTION CARRIED.

ACTION: Recommending ADOPTION of resolution and FILING of communications 15-219 and 15-257.

CHAIR GUZMAN: Thank you, Members.

COW-1(2): LITIGATION MATTERS (STATUS: OCEAN RESORT VILLAS VACATION OWNERS ASSOCIATION, ET AL. V. COUNTY OF MAUI, ET AL., CIVIL 13-1-0848(2); OCEAN RESORT VILLAS VACATION OWNERS ASSOCIATION, ET AL. V. COUNTY OF MAUI, ET AL., CIVIL 15-1-0435(1)) (CC 15-6)

CHAIR GUZMAN: Moving on to the next item pursuant to our discussion in executive session, I'm calling up COW-1(2), Ocean Resort Villas Vacation Owners Association, et al. v. County of Maui, et al., Civil No. 13-1-0848(2); and Ocean Resort Villas Vacation Owners Association, et al. v. County of Maui, et al., Civil No. 15-1-0435(1). Without objections, Members, I'd like to defer this item.

COUNCILMEMBERS VOICED NO OBJECTIONS. (Excused: MW)

ACTION: DEFER PENDING FURTHER DISCUSSION.

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CHAIR GUZMAN: Thank you very much, Members. That will conclude today's agenda and have a very safe and well enjoyed weekend. Aloha. . . .*(gavel)*. . .

ADJOURN: 3:15 p.m.

APPROVED:



DON S. GUZMAN, CHAIR
Committee of the Whole

cow:min:160304

Transcribed by: Clarita Balala