

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Council of the County of Maui

MINUTES

June 22, 2026

Online Only via Teams

CONVENE: 9:21 a.m.

PRESENT: VOTING MEMBERS:

Councilmember Kauanoe Batangan, Chair
Councilmember Nohelani U‘u-Hodgins, Vice-Chair (In 9:41 a.m.)
Councilmember Tom Cook, Member (In 9:41 a.m.)
Councilmember Gabe Johnson, Member
Councilmember Alice L. Lee, Member
Councilmember Shane M. Sinenci, Member (Out 12:13 p.m.)
Councilmember Yuki Lei K. Sugimura, Member

EXCUSED: VOTING MEMBERS:

Councilmember Tamara Paltin, Member
Councilmember Keani N.W. Rawlins-Fernandez, Member

STAFF:

Keone Hurdle, Legislative Analyst
Jarret Pascual, Legislative Analyst
Joshua Edington, Legislative Analyst
Peter Hanano, Legislative Attorney
Maria Leon, Committee Secretary
Lei Dinneen, Council Services Assistant Clerk
Ryan Martins, Council Ambassador

Residency Area Offices

Roxanne Morita, Council Aide, Lāna‘i Residency Area Office
Chaelin Ryu, Council Aide, South Maui Residency Area Office

ADMIN.:

Thomas Kolbe, Deputy Corporation Counsel, Department of the Corporation
Counsel
Susan M. Leeder, Deputy Corporation Counsel, Department of the Corporation
Counsel

OTHERS: Richard M. Rand, Partner, Marr Jones & Wang LLP

Testifiers

Christopher Salem
Sam Small
Travis Liggett
Testifier 1

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

(10+) additional attendees

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

CHAIR BATANGAN: . . .*(gavel)*. . . Will the Government Relations, Ethics, and Transparency Committee meeting on June 22nd, 2026, come to order. It is 9:21 a.m. I am your Chair, Kauanoë Batangan. Members, in accordance with the Sunshine Law please identify by name who, if anyone, is in the room, vehicle, or workspace with you today. Minors do not need to be identified. Chair Lee.

COUNCILMEMBER LEE: Good morning. And if you are going to Montana or Canada, you could say...greet people with...let's see...from the Cree Nation, tansi. Tansi. And I'm home alone in my workspace. You might hear my animals barking from time to time, but other than that I'm here by myself.

CHAIR BATANGAN: Thank you, Chair Lee. Member Sinenci.

COUNCILMEMBER SINENCI: Aloha, Chair. And tansi, everyone. I'm here at my home office, and I'm also here by myself. No testifiers in Hāna. Thank you.

CHAIR BATANGAN: Thank you, Member Sinenci. Member Sugimura.

COUNCILMEMBER SUGIMURA: Good morning, everybody. Tansi. And looking forward to a interesting meeting. Thank you.

CHAIR BATANGAN: Thank you, Member Sugimura. And Member Johnson.

COUNCILMEMBER JOHNSON: Tansi, Chair, Councilmembers, community members. There's no testifiers here at the Lānaʻi District office. And I'm alone on my side of the office and here and ready to work. Thank you, Chair.

CHAIR BATANGAN: Thank you, Member Johnson. Tansi, everybody. So we have...we have established quorum, but we have heard from two of our colleagues that they are on their way. I had hoped they be back by now, but it seems that they are still in transit. And so, I'd like to give them a few more minutes to join us. My proposal is to recess until 9:40; we'll come back then. I don't know what kind of traffic we have right now, that's keeping people from being in the Chamber, but I'd like to give them an opportunity to hear, especially since, you know, Special Counsel has made it a point to join us today. So that being the case I'd like to...without objections, I'd like to recess until 9:40 a.m.

COUNCILMEMBERS: No objections.

CHAIR BATANGAN: Thank you, Members. This meeting is now in recess. . . .*(gavel)*. . .

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

RECESS: 9:24 a.m.

RECONVENE: 9:41 a.m.

CHAIR BATANGAN: . . .*(gavel)*. . . Will the Government Relations, Ethics, and Transparency Committee meeting of June 22, 2026, please come back to order. The time is now 9:41 a.m. Chair would like to recognize our two...the two Members who have now joined us. Committee Vice-Chair Nohelani U'u-Hodgins.

VICE-CHAIR U'U-HODGINS: Aloha, Chair. I apologize for my tardiness.

CHAIR BATANGAN: Thank you, Vice-Chair. And Councilmember Tom Cook.

COUNCILMEMBER COOK: Aloha, Chair. Thank you for your patience.

CHAIR BATANGAN: Thank you. And then for the record, Member Paltin and Member Rawlins-Fer...Rawlins-Fernandez are both excused as they are representing us at an HSAC meeting at this time. Okay. From the Corporate...from Corporation Counsel we have with us two individuals, Deputy Corporation Counsel Tom Kolbe and--I'm sorry, can I ask you to introduce yourself? I don't have your --

MS. LEEDER: Yes. I'm Deputy Corporation Counsel Susan Leeder.

CHAIR BATANGAN: Thank you, Susan. Okay. And we have with us, as well, our GREAT Committee Staff. Good afternoon, everybody.

ITEM 11(30): CASE UPDATES AND RESOLUTIONS RELATED TO LEO CAIRES V. COUNTY OF MAUI, ET AL., CIVIL FILE 2CCV-26-0000138 (RESOLUTION 26-99)

CHAIR BATANGAN: Okay. So today we are here to discuss a matter of significant institutional and public importance under agenda item GREAT-11(30), Case Updates and Resolutions Related to *Leo Caires v. County of Maui, et al.*, Civil File 2CCV-26-0000138. Our primary goal for today's meeting is twofold. First, to receive a crucial status update. We will be receiving comments from Richard Rand, a representative of Marr Jones & Wang LLP [*sic*], regarding the filing and current standing of this lawsuit. Second, to actively untangle conflicts of interest. We find ourselves in a situation where Special Counsel handling this matter reports to individuals who have conflicts of interest in this case. It is our duty as the GREAT Committee to scrutinize the setup and evaluate how we can best ensure transparency and accountability. To that end, we have before us Resolution 26-99, introduced by myself. This resolution's purpose is to require the County's legal counsel in this case to transmit all written settlement offers under Section 3.16.020, Maui County Code, and to send all invoices to the Office of Council Services for review and approval. Also in the file for this item are a memo from the Committee Chair transmitting a copy of the complaint, available on Granicus as item number 2, and a memo to Corporation Counsel requesting the specific reasons for preventing the

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

Department from reviewing and approving this resolution's form and legality. That is available on Granicus as item number 3. In addition to Deputy Corporation Counsel Tom Kolbe and Susan --

MS. LEEDER: Leeder.

CHAIR BATANGAN: -- Leeder, we have with us today Special Counsel from Marr Jones & Wang, LLP [sic]. If there are no objections, I would like to designate them as resource persons under Rule 18(A) of the Rules of the Council because of their special expertise on this matter.

COUNCILMEMBERS: No objections.

CHAIR BATANGAN: Thank you. Members, before we begin, I want to ground everyone's expectations regarding what can be discussed in both open and executive session today. There's active litigation as well as a criminal investigation related to the events described in this lawsuit. Because of this, our legal boundaries are pretty strict. We may not be able to get all the answers we are looking for today, and I don't want our actions to interfere with the case or the investigation. That being said, let us begin our work. Can I please have opening remarks from Deputy Corporation Counsel?

MS. LEEDER: I'll defer to our Special Counsel. No opening remarks.

CHAIR BATANGAN: Thank you. Special Counsel Richard Rand, do you have any opening remarks?

MR. RAND: Yes. First, thank you for accommodating my schedule; I know this was difficult to schedule. I'm happy to update you on the status. The last time we met, the lawsuit had not been filed. The lawsuit has been filed, and we will be submitting an answer this week. And I'm happy to share where we are on this case and where it's going to go. And to the extent I can address the conflict, issues, as the outsider looking in, I'll do my best.

CHAIR BATANGAN: Oh. Thank you very much. Before moving into discussion, let's receive testimony for GREAT-11(30). Staff, is there anybody signed up to testify?

MR. EDINGTON: Thank you, Chair. There's currently no one signed up to testify.

CHAIR BATANGAN: Okay. I see an individual making his way to the podium. So I'll read the testifier instructions. Testifiers wanting to provide testimony...oh, is he not making his way toward the...I see. Staff, can you please do a last...a countdown.

MR. EDINGTON: Oh, excuse me, Chair. There is somebody online --

CHAIR BATANGAN: Okay.

MR. EDINGTON: -- raising their hand.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

CHAIR BATANGAN: All right.

MR. EDINGTON: Just give me one moment.

CHAIR BATANGAN: So then I will read the testifier script. Testifiers wanting to provide testimony should sign up in the lobby, join the meeting online via the Teams link, or call in to the phone number noted in today's agenda. Written testimony is encouraged and can be submitted via the eComment link at mauicounty.us/agendas as well. Under the Sunshine Law, the Chair will receive oral testimony for agenda items at the beginning of the meeting and as the item is called up. For individuals wishing to testify via Teams, please raise your hand by clicking on the raise-your-hand button. If calling in, please follow the prompts via phone. Star 5 to raise and lower your hand, star 6 to mute and unmute. Staff will add names to the testifier list in the order testifiers sign up or raise their hands. For those on Teams, Staff will lower your hand once your name is added. Staff will then call the name they are logged in under or the last four digits of your phone number when it is your time to testify. At that time, Staff will also enable your microphone and video. Please ensure your name appears in Microsoft Teams as the name you prefer to be referred to as or as "anonymous" if you wish to testify anonymously. If you're in person, please notify Staff that you would like to testify anonymously. Otherwise, please state your name for the record at the beginning of your testimony. Oral testimony is limited to three minutes per item. If you are still testifying beyond that time, I will kindly ask you to complete your testimony. Once you are done testifying, or if you do not wish to testify, you can also view the meeting on *Akakū* Channel 53, Facebook Live, or mauicounty.us/agendas. We will do our best to take each person up in an orderly fashion. We'll now call on testifiers wishing to testify at the beginning of the meeting. Staff.

MR. EDINGTON: Thank you, Chair. First, we have Christopher Salem, followed by Sam Small.

CHAIR BATANGAN: Mr. Salem, you have three minutes.

. . . OPEN PUBLIC TESTIMONY . . .

MR. SALEM: Good morning, Chair Batangan. Just want to confirm that my microphone is on and all the good stuff.

CHAIR BATANGAN: Yes. We can hear you.

MR. SALEM: Okay. Thank you so much. My testimony this morning concerns, obviously, Resolution 26-99 and raises a fundamental question of government accountability. What is actually in play here today? If Corporation Counsel acknowledged conflicts involving a County employee, perhaps that applies to all County employees. An out...an outside counsel has now been retained. Who's reviewing the legal positions being advanced in the County's name? Has any Councilmember attorney within the Office of Council Services been designated to provide oversight? As a former Chief Judge and Prosecuting Attorney, Mayor Bissen has publicly characterized this whistleblower

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

lawsuit as, "100 percent politically motivated and an attempt to revise history". This statement has occurred before any discovery has been completed, or the allegations have been adjudicated by a court. Such public statements are ethically out of bounds, and a former judge knows this is true. They send threatening messages to County employees who witness acts of suspected fraud, misconduct, and abuses of authority. The Mayor should be publicly notified by this Council to cease any form of intimidation, defamation, or influence during this whistleblower judicial process. Certainly, these politically driven statements do not represent a strength to do what is right every day. Furthermore, Council Staff and the Mayor's staff are, themselves, at-will employees. Everybody in the room is an at-will employee and vulnerable to this kind of retaliation. They should...they should...they remain vulnerable to reassignment, demotion, and termination. The recent Spire's fraud risk assessment concluded that County controls are inadequate to report or mitigate fraud risk. If the employees believe there's no safe harbor for reporting wrongdoing, then the County has a serious governance problem. This matter extends beyond one lawsuit; I pertinently...personally know this all too well. The Council authorizes the employment of outside counsel and appropriates massive public funds for legal representation without any formal prior investigation, findings, or written conclusions. The Council takes advice from conflicted attorneys and unleashes powerful attorneys with an open checkbook against whistleblowers under the tainted color of protecting the County. Who is the County? Read the County Charter, Corporation Counsel attorneys, it is adopted by the will of the people, not willful disregard for the rights of County employees and staff who serve local residents with dedication and purpose. With that said, this resolution presents an opportunity for this Committee to establish meaningful oversight, transparency, and accountability in litigation. . . .(timer sounds). . . The...oh, I will finish. The public deserves to know who's making these legal decisions, and who is exercising oversight, and where County employees or citizens can report suspected wrongdoing without the fear of retaliation, which is ongoing in multiple lawsuits. Thank you for your time.

CHAIR BATANGAN: Thank you, Mr. Salem. Staff, next testifier.

MR. EDINGTON: Thank you, Chair. The next and final individual to testify is Sam Small.

MR. SMALL: Oh, there we go. Okay. Got me?

CHAIR BATANGAN: Yes. We can hear you.

MR. SMALL: Thank you so much. As always, it's an honor to be participating in this process. You know, I...I...I called in last week when you were talking about Charter revisions because this reso triggered a Charter revision. What you're...what you're discussing here is a valid Charter revision. The Council must approve settlements over \$25,000 before they can be accepted. Yet the Council never knows those settlement opportunities before they are rejected. The Charter says on one side, but you're kept in the dark if Corp. Counsel rejects a settlement offer. And I believe that would have to be a Charter revision, and that's why I...I wanted to talk about it, but you had a very strict agenda, so it wasn't appropriate there, but I bring it up here. If you're still working with Charter amendments, this is one that is extremely valid. And...and Salem's case is a

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

perfect example of how you are cut out of the process by Corporation Counsel. The County's outside counsel, KSG, offered Mr. Salem \$75,000 to settle. Councilmembers, we believe, were never informed of that offer or subsequent settlement discussions of why they fail.

CHAIR BATANGAN: Can you please keep your testimony to remain to today's item?

MR. SMALL: Well, it's relevant. Those...it is relevant. I...the...as well, settlement offers are not always just financial. There are, very often, administrative remedies that are worked into settlement offers, and you were never appraised that, that Corp. Counsel and KSG said, we can't do that. The...the County will never accept a...a settlement that includes an administrative remedy. None of this information came before you guys, and that's what you need to fix. You're being cut out of the process, and that's why I'm testifying. I support this here. You absolutely need all of the stuff for Leo Caires. And Leo Caires is not an isolated incident. Everything that's going on with Leo Caires also went on with Chris Salem, and there are probably other individuals that have suffered at the hands of Corporation Counsel . . .*(timer sounds)*. . . , and you got to fix it. Thank you.

CHAIR BATANGAN: Thank you, Mr. Salem. Sorry, Mr. Small.

MR. SMALL: Yeah. That's all right. We're often confused.

CHAIR BATANGAN: Staff, is there anybody else signed up to testify?

MR. EDINGTON: Thank you, Chair. Yes. Travis Liggett is signed up to testify next.

CHAIR BATANGAN: Mr. Liggett, you have three minutes.

MR. LIGGETT: Thank you. It was important to close the closet door. How is everyone? Good morning. It's from your tenth Mayoral candidate. And there's just absolutely no probability...just want to give a little general report of...my experience was as I uncovered major...major permit violation and I was fired, with a threat, 20 minutes later. Then I found the Mā'alaea Harbor, no permits of any kind. All those wonderful organizations operating out of there, I won't list them. I got a strongly-worded letter. And it has been just a downward slide since I uncovered this major violation. I reached out to the County. They...they appeared to participate in the side of the person that I uncovered the violation for. Of course, a very high-value tourist destination, and it is just...I'm facing the largest law firm in the world. It's also the law firm that I struggled with with previous work, and it has been very scary. It is at the core of why I have run for Mayor because it's called the Quicksand Model.

CHAIR BATANGAN: Mr. Liggett, can you please keep your testimony focused on the item on today's agenda.

MR. LIGGETT: Yes. So the retaliation model...people need to look up the Quicksand Model. Has words like gang stalking and corporate...I mean it...it's heavy stuff, so far out of my league. And boy, it is a big motivator to stand up and say, oh, this is not okay. And,

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

yeah, I just...as legislators, I encourage you to really get your hands on as many facts as you can because there's a scientific experiment. In closing, it's called the delayed-choice double-slit experiment. Says basically light, and therefore all systems, behave differently when they're observed. In summary, if you take an earlier set of observations, a later entangled set of observations has to be combined with your previous set of observations and maybe your impression of your past beliefs can change. And if that law of science is not obeyed, we get something called dictatorship, et cetera. And the essence is this, the information and facts have to move around, and if the person with them is isolated, kicked out, et cetera, the information is no longer moving, judgements and beliefs become fixed, and that...Houston, we have a problem. I think it might be Houston. So I hope everyone is doing great. And, yeah, this is so serious. This stuff is really serious, and we have to be able to constantly update our impressions of our leaders. In fact, not only the talking stick, the leadership stick might actually need to move around in these situations. And our beliefs about our leaders must . . .(timer sounds). . . be subject to new...to new information, or we're literally violating the laws of physics. And in closing, this experiment was originally believed to cause retrocausality, but that's only true if your...if your beliefs are fixed. So, thank you and have a nice day.

CHAIR BATANGAN: Thank you, Mr. Liggett. Staff, is there anybody else wishing to testify on this item?

MR. EDINGTON: Thank you, Chair. There's currently no one else who is signed up to testify.

CHAIR BATANGAN: Can you please do a last call?

MR. EDINGTON: If anyone in the audience or on Teams would like to testify, please come up to the podium and begin your testimony or use the raise-your-hand function on Teams, and Staff will unmute you. Oh. Excuse me, Chair, someone has just raised their hand on Teams. One moment.

CHAIR BATANGAN: Thank you, Staff. Can you please call their name and promote them for the testimony?

MR. EDINGTON: Thank you, Chair. Yeah. And the next testifier is the Royal House of Hawai'i.

CHAIR BATANGAN: Okay, Mr. House.

TESTIFIER 1: Oh, I don't know if you guys saw that I change my name, yeah. I when go change them, and that's not the name I like go by anymore. I...I change my name on here. But anyway, so since you guys is talking about fraud, right, I believe...and this is a fact, by the way, that all of...all of what the illegal State of Hawai'i is doing is illegal and literally fraud. Also, like, since we're talking about fraud, everybody on --

CHAIR BATANGAN: Kala mai, we are not talking about fraud in the general sense.

TESTIFIER 1: Oh.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

CHAIR BATANGAN: We have before us Case Updates and Resolutions Related to *Leo Caires v. County of Maui, et al.* Can you please keep your testimony germane to the item on today's agenda.

TESTIFIER 1: Yeah. Yeah, can. It's not about fraud? Yeah. So in relations to, like, settlements and stuff, right, like that, whatever, the...there should be...I have a major concern about settlements to the Kānaka people that are on...that are descendants of the Royal Patents of Kamehameha III. And that there is a big concern of fraud happening to all the Kānaka people with the Royal Patented lands, allodial titled lands. And yeah...and that there is a major fraud problem with the lands and that it is illegally being changed on TMKs. So yeah, please fix that. Thank you.

CHAIR BATANGAN: Thank you. Any qual...or clarifying questions for the testifier? Seeing none. Staff, is there anybody else wishing to testify?

MR. EDINGTON: Thank you, Chair. There is currently no one else signed up to testify. May I do final countdown?

CHAIR BATANGAN: Yes, please. Hopefully, third time's a --

MR. EDINGTON: . . .*(laughing)*. . . If there is anyone in the audience or on Teams that would like to testify, please come up to the podium and begin your testimony or use the raise-your-hand function on Teams, and Staff will unmute you. This is your final call to testify. Three, two, one. Chair, no one has indicated they wish to testify.

CHAIR BATANGAN: Thank you. Members, seeing as there are no more individuals wasing...wishing to testify, without objection, I will now close oral testimony on this item.

COUNCILMEMBERS: No objections.

CHAIR BATANGAN: So ordered.

. . . CLOSE PUBLIC TESTIMONY . . .

CHAIR BATANGAN: As a reminder, written testimony will continue to be accepted. Okay. Members, I propose we break up our questioning and commenting into two parts. The first should be focused on the status of the lawsuit since I want to be respectful of Mr. Rand's time with us. And then we can take up questions and deliberation on the resolution. For the first part related to our deliberations on the status of the lawsuit, I propose a three-minute questioning period and then, if needed, and I anticipate we will need this, we can go into executive session after the first round of questions in open session. Okay. I'll start by going down the...the row, starting with Chair Lee. And then --

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

COUNCILMEMBER LEE: Thank you.

CHAIR BATANGAN: -- Members, if there's anything that...I'm just going to ask our OCS attorneys and Corporation Counsel to jump in if there's anything...if we start to veer into some territory that they believe needs to be handled in executive session, I'm just going to ask that they interject. Thank you, Chair. Go...please...please proceed.

COUNCILMEMBER LEE: Okay. Thank you. Hello, Mr. Rand. I --

MR. RAND: Good morning.

COUNCILMEMBER LEE: -- wanted to...wanted to ask you if there have been any official investigations of this case? And if so, by whom?

MR. RAND: Well, I...I don't...official investigation, I know that prior to the lawsuit there were investigations that relate to this case in the sense of OED. There was an investigation of OED. There was sort of a truncated internal investigation of somebody who worked for the Mayor, and that got truncated because that person resigned. So I think there were some investigations relating to the underlying facts raised by this lawsuit, if you will. Since I have been retained, I'm not aware of any other investigations. I think they were already done by the time I got involved, so...

COUNCILMEMBER LEE: Were any of these reports or investigations transmitted to the Council for review?

MR. RAND: You know, I don't know personally. My understanding is things done by the Director of Finance were. I have not been privy to them, but my understanding is information was given to the...not the entire Council but perhaps the Chair at the time and others relating to OED.

COUNCILMEMBER LEE: The Chair of the Council. Well, the Chair of the Council is me.

MR. RAND: Yeah.

COUNCILMEMBER LEE: And I don't keep...I'm not the keeper of records. Anything that comes to me goes to all Councilmembers . . . *(inaudible)*. . . --

MR. RAND: Yeah. I...I don't know the protocol. But my --

COUNCILMEMBER LEE: Okay.

MR. RAND: -- understanding is that what...that . . . *(inaudible)*. . . --

COUNCILMEMBER LEE: Okay. Can I move on because I only have --

MR. RAND: Yes.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

COUNCILMEMBER LEE: -- three minutes? Okay.

MR. RAND: Yes.

COUNCILMEMBER LEE: There...there were no other official...because it seems that we...if anything, we need reports and investigations done by independent parties, not people who work for the Mayor. You understand? So we need --

MR. RAND: Yeah.

COUNCILMEMBER LEE: -- independent information. And so, like, for instance, the Prosecuting Attorney, was...was he involved in any kind...did he provide or conduct any kind of investigation?

MR. RAND: I...I cannot speak for him other than I know there is a ongoing possible effort by his office, too, which I've been very careful about. I know that his office is looking into what happened and has not made a final decision, as far as I know, because I haven't anything...seen anything come out of it.

COUNCILMEMBER LEE: Okay. So when would you identify is the beginning of this? When Mr. Caires presented his settlement offer or his complaint to...to the County? When would that have been? Like, in 2024 . . .*(timer sounds)*. . . when . . .*(inaudible)*. . . --

MR. RAND: Yeah. That was...that was my involvement, late '24, I think early '25. But...but the...this case, story goes back years before that, right. So --

COUNCILMEMBER LEE: So --

MR. RAND: -- but that's when I was asked --

COUNCILMEMBER LEE: Okay.

MR. RAND: -- to help.

COUNCILMEMBER LEE: One last question.

MR. RAND: Sure.

COUNCILMEMBER LEE: You know, this has been languishing for a very long time. You know, it could've been resolved a couple of years ago. So we need to get to the root causes of all the issues and all the causes of this case not being resolved. Thank you.

CHAIR BATANGAN: Thank you, Chair. I guess to your question about investigations, you know, we were never notified about anything. But through the media, we did learn that there is a active criminal investigation that's ongoing. It is currently with the Attorney General's Office. The Committee did reach out to that office, asking if they would be able to send somebody to today's meeting, and we did not receive a response.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

MR. RAND: Yeah. I...I...I stand corrected. My...my understanding is that the Prosecutor on Maui did...I don't know what the word is...refer it to the AG's, perhaps it's a...it's a better term. So that's the...that's the one I was referring to.

CHAIR BATANGAN: Thank you, Mr. Rand.

COUNCILMEMBER LEE: Thank you.

CHAIR BATANGAN: Yeah. Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you very much. So, based upon the information that we have, and we probably need way more information, that's why I appreciate this meeting today. Corp. Counsel, what is Corp. Counsel's positions as...as...as you see it? Because I noticed that this reso. is not signed, which means you are not approving the reso. But as it relates to our Special Counsel?

CHAIR BATANGAN: Can you...I ask that you hold this...deliberations on the resolution until the next round. And then --

COUNCILMEMBER SUGIMURA: Okay.

CHAIR BATANGAN: -- we can...we can address that. But, Corporation Counsel, can you answer the question related to your role in...in overseeing Special Counsel?

MR. KOLBE: Chair, just for clarification, are you asking what, moving forward, the Corporation Counsel's role will be in...in liaising...liaise with Mr. Rand?

COUNCILMEMBER SUGIMURA: Yes.

MR. KOLBE: Yeah. My understanding is that other than providing, I guess, logistical help as needed, we are going to stay out of this one, and OCS is going to be doing the communications moving forward.

CHAIR BATANGAN: Can I clarify that that is assuming that the resolution passes today. Okay.

MR. KOLBE: Yes. I...I think...I...I think that's...that's our position.

COUNCILMEMBER SUGIMURA: Okay. So going back to the question about investigations. The lawsuit that was filed was pretty detailed in terms of people that were involved and things going on. So, Special Counsel, do you have any more information that you would like to share in terms of Office of Economic Development or the staff person? Then there was a \$40,000...I don't know if it's assumption. I don't know where you are in terms of the details or facts on what was being alleged against that person. And then there's the Office of Economic Development staff person that has these...these allegations. Do you have anything you would like to add?

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

MR. RAND: Yeah. I mean, I think it's an understatement to say --

MR. KOLBE: . . . *(Inaudible)*. . . Mr. Rand, hold on one second. Just prior to --

MR. RAND: Yeah.

MR. KOLBE: Prior to you responding, I would just say that if it's related to a public...a fact that's already been open to the public, that'd be okay. Any details related to how various things that might affect the liabilities of the County, I would ask that that be addressed in executive session.

MR. RAND: Okay. I...I will be careful. First, I think it's an understatement that the law...lawsuit is detailed. It's 190 paragraphs, which is extremely unusual. It's...there's a lot of histrionics and drama in it. But I think . . . *(timer sounds)*. . . --oh --

CHAIR BATANGAN: Please --

MR. RAND: -- that --

CHAIR BATANGAN: Please feel free to answer the question, Mr. Rand.

MR. RAND: Yeah. Thank you. I...I don't think it was...I...I think it's a matter of public record that there were investigations of...of OED. I think that's a matter of public record. And so, the lawsuit doesn't tell us anything new. And there's a separate issue with respect to somebody else who Mr. Caires was more involved in. But as far as the investigation into OED, that was not his kuleana. So that...that, I think, needs to be made clear.

COUNCILMEMBER SUGIMURA: I'll...I'll save more questions on that statement --

CHAIR BATANGAN: For --

COUNCILMEMBER SUGIMURA: -- second round.

CHAIR BATANGAN: Okay. Next up, Member Paltin is excused. Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. I...I think I might have questions in executive session. But just to clarify, State...State Attorney General is doing an investigation presently. Is that a yes?

MR. RAND: We don't know. I mean --

COUNCILMEMBER JOHNSON: Okay.

MR. RAND: -- the matter...we...that's the best answer I can give you, Member Johnson. We don't know what --

COUNCILMEMBER JOHNSON: Fair enough.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

MR. RAND: -- the AG is doing.

COUNCILMEMBER JOHNSON: The...I know that Councilmember Sugimura mentioned that the...the reso. is not signed but the request for legal services is not signed as well. Corporation Counsel, do you want to speak on why that one is not signed?

MS. LEEDER: Yes. When that came to us, because the...we have been conflicted out, we did not sign on that, but we don't have an objection to the resolution today. We're not...we just weren't signing off on...on that particular resolution.

COUNCILMEMBER JOHNSON: So your strategy is just don't sign on anything whether it's...you...you're not saying whether this is legal or not. So staying out of it is what I hear.

MS. LEEDER: In this...on this particular one.

COUNCILMEMBER JOHNSON: Okay. So as far as the State Attorney General goes, maybe they're doing an investigation. How about anybody on the County level? Is anybody on a County level doing an investigation?

MR. RAND: I don't...I don't know. My...my role is --

COUNCILMEMBER JOHNSON: Okay.

MR. RAND: -- strictly to defend the lawsuit thing. Yeah.

COUNCILMEMBER JOHNSON: That's all I got for my questions for public, so thank you so much. Thank you, Chair.

CHAIR BATANGAN: Thank you, Member Johnson. Members, we will get into the matter of the resolution being reviewed for form and legality and not signed by Corporation Counsel when we get to that part of today's agenda. I just...I...I've heard it come up twice. I don't want you to think I'm ignoring your request. I just want to be...try to be as respectful as possible to Mr. Rand's time and have us focus on...on the...the lawsuit itself and the portions in which he is involved. Next up...Member Rawlins-Fernandez is excused. Member Cook.

COUNCILMEMBER COOK: Thank you, Chair. So I guess, Mr. Rand, my question would be how much time has been spent on this to date? And what is our projection for the foreseeable future?

MR. RAND: To date, not much. I...I had to draft the response to an answer, which was probably the most complicated answer I've had to draft. So, I'm going to guess I spent 25 hours on that because it's got 190 paragraphs, and I'm a detail person, and I don't...I want to make sure I respond correctly. Going forward, what happens is we...we have a meeting with the judge, we set dates, and both sides are supposed to disclose

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

information. That'll be the next big milestone, if you will. And from there, it really depends on what the parties want to do, including, obviously, the Council.

COUNCILMEMBER COOK: Okay. Thank you. My other clarifying question is what's...why is it taking so long? Is it just...has either side delayed it? Or is it simply a matter of it not being pursued? It just seems like it's been languishing for a long time, and I'm curious --

MR. RAND: Yes.

COUNCILMEMBER COOK: -- why.

MR. RAND: So the...the lawsuit was not filed for quite a while, lawsuit was not filed until April of this year. We had an initial letter, which was sky high, for lack of a better term. And then it kind of went quiet. There was a request to talk before the lawsuit was filed. But my understanding it was not the right time for the Council; you were in budget, so we couldn't really engage. The lawsuit was filed and then not served for two months. So it's been kind of a slow roll. I can't speak to his attorney and his motivation, but we've responded as we've had to.

COUNCILMEMBER COOK: Thank you, sir. I have no further questions, Chair.

CHAIR BATANGAN: Thank you, Member Cook. Vice-Chair U'u-Hodgins.

VICE-CHAIR U'U-HODGINS: Thank you, Chair. Sorry, I stepped away when the conversation was beginning. Are we using this portion to ask Mr. Rand questions? And then we're going to have a conversation later about the reso.

CHAIR BATANGAN: Yeah. So my hope is to do a round of questioning, primarily focusing on the lawsuit itself, since we --

VICE-CHAIR U'U HODGINS: Okay.

CHAIR BATANGAN: -- have Special Counsel.

VICE-CHAIR U'U HODGINS: Yeah.

CHAIR BATANGAN: And then if needed, we can go into executive session to ask questions related to the lawsuit that he can't say in --

VICE-CHAIR U'U HODGINS: Okay.

CHAIR BATANGAN: -- in...in the public. And then following our delibera...or yeah, our deliberations on...on the lawsuit itself --

VICE-CHAIR U'U HODGINS: Yeah.

CHAIR BATANGAN: -- then take up the resolution. So --

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

VICE-CHAIR U'U HODGINS: Got it.

CHAIR BATANGAN: -- there's a lot of mechanical things with the resolution that I think Members will have questions on, but I...I prefer to take that up when we're not taking up Special Counsel's time.

VICE-CHAIR U'U HODGINS: Sounds great. Thank you, Chair. Thank you, Mr. Rand, for being with us today. In your answer to Member Cook, you said you compiled a very complicated answer to the 190-page lawsuit. Can you share that with us?

MR. RAND: . . .*(inaudible)*. . . --

VICE-CHAIR U'U HODGINS: I don't know how you would share that with us. Obviously, I think we would, maybe, need to review that in Special Counsel [sic], but I would like to see our response to this . . .*(inaudible)*. . . --

MR. RAND: So I...I gave a draft to my liaison with Corporation Counsel. I have, like, a handler, if you will, Ms. Leeder.

VICE-CHAIR U'U HODGINS: Oh.

MR. RAND: So that's where it is. And so, I don't know from there if it...when it gets distributed. It's a lot of legalese, and there's a lot of things that I can't admit or deny, too, because of the way they're framed. It's...it's a very...the complaint is very dramatic, is probably best term I could use for it. There's a lot of characterization of things. Instead of typically, you know, I was negligent, or my car hit your car, there's a lot more flourish, if you will, to it. So, it's...there...it's difficult response.

VICE-CHAIR U'U HODGINS: Okay. Thank you. Ms. Leeder, can you please share that with us, whether we're in executive session? Or how can you share that with us or with OCS attorneys?

MS. LEEDER: So, yes, I think Mr. Rand is still finalizing that final version, and when he is ready to...to have that distributed I can let you know. And, like he said, it does have a lot of legalese, just responses specifically admitting, denying, or not enough information to the --

VICE-CHAIR U'U HODGINS: Okay. When is that going to be ready, do you think?

MS. LEEDER: It...and I ask Mr. Rand or his office.

VICE-CHAIR U'U HODGINS: Mr. Rand, do you know when that's going to be ready?

MR. RAND: You could...what I said could be circulated --

VICE-CHAIR U'U HODGINS: Okay.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

MR. RAND: -- because that's pretty much where --

VICE-CHAIR U'U HODGINS: That'd be helpful.

MR. RAND: -- I am.

MS. LEEDER: Okay.

MR. RAND: I...I don't think there's any pukas in it. I'm pretty good about checking every box.

MS. LEEDER: I...I...I have a couple little...little things I'll send --

MR. RAND: Okay.

MS. LEEDER: -- and then we can finalize today, probably.

VICE-CHAIR U'U HODGINS: Okay, great. Well, can we have it while we're in executive session, maybe, so we can have an update to, at least, what the County is feeling regarding to this web...regarding this lawsuit?

MR. KOLBE: Chair, this is Tom Kolbe. I wonder if OCS could weigh in on that, on distributing draft documents in executive session.

VICE-CHAIR U'U HODGINS: We can get it, and it can say draft, then we can give it --

CHAIR BATANGAN: Mr. Hanano.

VICE-CHAIR U'U HODGINS: -- back to you when we're out of exec. sesh [sic].

MR. HANANO: Yeah. We're talking about a draft for the answer?

VICE-CHAIR U'U HODGINS: Yeah.

MR. HANANO: Because I would recommend not circulating a draft. You can ask some questions about the answer, and perhaps maybe when the answer is filed, he can send us a copy of that.

VICE-CHAIR U'U HODGINS: Okay.

MR. HANANO: Because I...I don't want to be discussing anything that's not finalized, that --

VICE-CHAIR U'U HODGINS: Okay.

MR. HANANO: -- will be filed eventually. Thank you.

VICE-CHAIR U'U HODGINS: Okay.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

MR. KOLBE: And I would...I would agree with that position, also. You know, once the answer is filed, it is . . . *(timer sounds)*. . . it's a public document. Of course, you can read it. Prior to that, I think, the opportunity for you to ask questions to Mr. Rand and to address certain issues can had...happen verbally.

VICE-CHAIR U'U HODGINS: Okay. Then...maybe, then, when we go into executive session he can give us, like, a little summary, play-by-play on maybe what he can share with us without having any paper documentation. That'd be...okay. Thank you.

CHAIR BATANGAN: Thank you, Vice-Chair. And just for the record, I saw the attorneys nodding in response to that. You may not have caught that if you're watching from...you know, Members who are watching online. But there was agreement from both our OCS attorneys and Corporation Counsel that that is something we can discuss in executive session. Okay. Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. Just...oh, just clarification for you, Chair. You wrote the resolution.

CHAIR BATANGAN: In coordination with OCS staff, yes.

COUNCILMEMBER SINENCI: Oh, okay.

CHAIR BATANGAN: I...I was the introducer of the resolution, but we worked with our OCS attorneys very closely.

COUNCILMEMBER SINENCI: OCS attorneys. Okay. So do...this wasn't by the...by any...the Mayor or anything? It was just with the --

CHAIR BATANGAN: No. This...this resolution came from the Legislative Branch.

COUNCILMEMBER SINENCI: From the Legislative Branch. Okay. And then for today, it's just to accept the settlement offer; is that correct?

CHAIR BATANGAN: No. Today --

COUNCILMEMBER SINENCI: Oh.

ALL: . . . *(laughing)* . . .

CHAIR BATANGAN: No. Today we are trying to get a status update on the case. And then the resolution does two things. One, it would require all settlement offers to come to the Council rather than just the ones the Administration chooses to transmit for our review and approval. And then two, to have the billings for Special Counsel be reviewed and approved by our OCS attorneys rather than Corporation Counsel.

COUNCILMEMBER SINENCI: Oh, okay. Got it. So, thank you for that clarification. So it

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

means we haven't received...oh, we haven't received any settlement, but it sounds like in the whereas clause --

CHAIR BATANGAN: The County has, the Council has not.

COUNCILMEMBER SINENCI: -- they...the County...the...the Mayor's Office has received a settlement offer.

CHAIR BATANGAN: Mr. Rand, I'll ask...I'll defer to you on that one.

MR. RAND: Initially, there was what...a...a demand letter quite a while ago.

COUNCILMEMBER SINENCI: Demand letter. Okay. And then...and then for clarity, Mr. Rand, the lawsuit was...and I know last year we didn't receive it, but the County did receive the lawsuit on April 24th, yeah?

MR. RAND: It...it was actually filed in a court on April but not served. And that...that's a lawyer's technicality, but nothing really happens until it's served. So it was filed on April 24th and served on June 5th.

COUNCILMEMBER SINENCI: 2nd. June...when?

MR. RAND: I think it was the 5th. My...I know the answer is due the 25th, and it's 20 days. So I believe it was...it was...actually, it was...when was it?. June. Yeah, so the answer is due on the 25th, which would make it served on the 5th.

COUNCILMEMBER SINENCI: Okay. All right.

MR. RAND: You get 20 days.

COUNCILMEMBER SINENCI: Thanks. Thank you for that. Thank you, Chair.

CHAIR BATANGAN: Thank you, Member Sinenci. I guess I'll start my round by talking about scheduling. So, Mr. Rand did mention that the lawsuit was filed in April. If I remember correctly, it was, like, right around the time of decision week for Budget Committee. And so, the Committee did work with Corporation Counsel and Special Counsel to try to schedule this meeting as soon as possible afterwards. This was the first date in which all of our calendars aligned for us to be able to bring that up. So I don't want anybody to think that there was any sort of delaying on behalf of any party within the County on this. We worked pretty hard to...to schedule today's meeting. And I...I want to make...I want to thank the Members who were able to carve out time to be here today because this is not a regularly-scheduled meeting. And then, you know, Mr. Rand mentions the...that there was an initial demand letter. Mr. Rand, was there a written settlement offer included in that demand letter?

MR. RAND: There...there was a monetary amount in that demand letter, yes.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

CHAIR BATANGAN: Okay. I asked for the details of that in executive session. You also mentioned that there...you...you spent about 25 hours drafting the response. Can I ask for a sense of billing to date? Like, how...I guess...and if this is something that can't be shared in open, so be it, but --

MR. RAND: I...I...I don't know what...what they want. I...I can tell you what I've done. So, without the hours, how's that?

CHAIR BATANGAN: Yeah.

MR. RAND: After...so in order to prepare the answer, I have spoken with the Mayor and attorneys in the Department of Corporation Counsel who are kind of not named but referenced in the complaint to get the background so I could file the answer. So I spent some time with them. I don't...I...I don't know off the top of my head how much I spent. You know, obviously, I had to review the complaint. So the real work has started since the lawsuit was filed. There was...I think you were aware, there was a request before the lawsuit was filed to make a...a settlement response and the timing just didn't work, so that was sort of a very minor thing.

CHAIR BATANGAN: Okay. And then you --

MR. RAND: So --

CHAIR BATANGAN: -- you mentioned that there was an opportunity to discuss the matters with the Council during budget but, given our schedule, it was a little difficult. Can you give a little more detail on that?

MR. RAND: Well, I...I talked to OCS, and I said I've got this sort of gun pointing at my head here, that, you know, either we start talking, or they're going to file the lawsuit. And I was advised that you folks were in budget. It...it just...the...the bandwidth wasn't there. You were focused deep into the budget, so it would've been very difficult and probably a distraction to come to you at that point and say, oh, let's...let's start writing checks to him. So that...that was sort of a timing. I did talk to OCS . . .*(timer sounds)*. . . about it so...

CHAIR BATANGAN: Okay. Members, would you indulge me another minute of questioning?

COUNCILMEMBERS: No objections.

CHAIR BATANGAN: Thank you. Okay. So, Mr. Rand, I think I heard you mention in...when you were talking about drafting the response that Deputy Susan...is it, Leeder? Leader? Leeder was reviewing that work. And then, you know, during the preparation for that, you had spoken with the Mayor and others in Corporation Counsel. I guess, for Corporation Counsel, I'm...I'm just trying to understand, if the Department was conflicted out, how is it that you are reviewing work? Or, like, what's the...what's the process for directing and reviewing the work of Special Counsel?

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

MR. RAND: Well, my...I have a liaison, that's Ms. Leeder, who is not involved in the lawsuit. She...she...she was not involved in it, so she's siloed, if you will. And the reason I had to talk to the...there's a lot of allegations in here about...about the Department of Corporation Counsel, what they did or didn't do. And they were very helpful to me in getting the background and understanding what Mr. Caires did and what he didn't do and what the facts are. So, as far as reviewing my work, that's how I was directed. I have been directed, already, to send my invoices to OCS. So that's already being done, if that helps you.

CHAIR BATANGAN: Thank you, Mr. Rand. I guess this does...your response does change my thinking for how I would like to approach this meeting. Can I ask you to stick around for our deliberations on the resolution?

MR. RAND: Yes, absolutely.

CHAIR BATANGAN: Thank you. I see --

MS. LEEDER: Chair --

CHAIR BATANGAN: Yes.

MS. LEEDER: -- may I speak? Yeah. We're...we're not reviewing. I...I received a copy of it. Mr. Rand had some questions that had to do with people in our Department that had...that factual background information. I'm not reviewing it, or drafting it, or anything like that. I simply have it, and he has been talking with people that would have the...or be able to talk with...who has some information to be able to provide the answers in that answer, the responses.

CHAIR BATANGAN: Thank you.

VICE-CHAIR U'U HODGINS: Chair Lee . . . *(inaudible)*. . . --

CHAIR BATANGAN: Oh, thank you, Vice-Chair. Chair Lee. Chair, your microphone is still muted. We can't hear what you're trying to ask.

COUNCILMEMBER LEE: I...I find that some of these answers from Corp. Counsel rather astonishing because I'm not sure why they would be...that Mr. Rand would confer with them on...you know, on his response and not confer with us. See, they...they are being accused of various things, and they get to respond on his response. So I'm finding this very unsettling. Again, we should have, from the very beginning, gotten an independent investigation done and not by the Administration. You don't call that independent. And not by Corp. Counsel because that's not independent too. So...so we are left with having to make a decision based on information that is to be biased, and we need to...to get back on...on the road where we can rely on facts and information that are not colored in any way. It...it has to be straight facts and that's what we need in order to make a...a sensible, and reasonable, and fair, just decision on how to proceed. I don't believe the...you know, for Member U'u-Hodgins to ask for a copy of...of the...Mr. Rand's

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

transmittal to Corp. Counsel, I think that's...that shouldn't be...shouldn't have been necessary. That should've been automatic. Thank you.

CHAIR BATANGAN: Thank you, Chair. I see the Department wanting to respond, and I'll give them an opportunity to do so in a minute. I think I just want to note that, as Chair, I think that's...you know...exactly what you said is my hope for today. You know, we don't have good mechanisms in place for when situations in which, you know, both the Mayor and Corporation Counsel are conflicted in a case. And my...you know, the...the resolution itself is drafted for this particular instance. But my hope is that through this, we, as a Council, can set up systems to disentangle those conflicts, you know, for the future. It's going to be a little messy. We are working through...you know, it's not in abstract. There is a...a...a litigation before us and there is an investigation that we are told is happening through the media. But, you know, as...I just want you to know that, as Chair, that's what I'm attempting to do now. Deputy Corporation Counsel.

MS. LEEDER: Okay. Oh, okay. Oh, there. Okay, sorry. So, yeah, I just want to clarify that the only thing that Mr. Rand was requesting is factual information. There are Corporation Counsel that are witnesses to some of the facts and it...I...I wasn't...because I wasn't there, that's why I'm liaison, just to get the factual information to Mr. Rand so that he can respond in the answer; admit, deny or we don't have enough information. And that...that's solely what I was providing. Okay.

CHAIR BATANGAN: Thank you. And, I guess, I see an appetite for executive session, but before we take that, I...I think I'd like to comment further, given what was just said. You know, I think that there...this is a difficult situation. You know, we see people grappling with...with some of the complexities of the situation. You know, Corporation Counsel was conflicted out on this case and, therefore, could not sign...like the position...the Department, that the entire Department is conflicted out, and no Deputy could have signed our reso to form and legality. That's why we asked OCS attorneys to do that review, even though they can't sign it. But, you know, then it creates an issue when...like, the liaison itself is a Deputy. And, you know, if the Department is going to take in...take the position that in one instance everybody is conflicted out but then, on the other hand say that, you know, this in...individual was not here at the time of the incidents. Therefore, they are not conflicting. You know, there...there is...there is some contention, and that...that's precisely what we're trying to work through here. You know, there are, you know, also issues with what was just shared last week. You know, Mr. Gores sat right there and told us that it was...it'd be difficult for them to receive claims because we are them and we are us, right? Setting up firewalls within the Department is, apparently, very difficult. And I have concerns about, you know, somebody who was not here at the time and, you know, would not have been conflicted normally, but, like, everybody in the chain of command that they report to is conflicted. That's a problem, and that's something that we need to find the solution for. My proposal to you, and, you know, we can see how it works for this case, is to have Special Counsel report to our OCS attorneys, to have our OCS attorneys be that liaison to do that work. And so, I guess, you know, trying to stay within the...the scope of the conversation that I had been trying to push everybody else towards, I...I...I...I think I just wanted to, you know, give you that situational awareness of what we're doing today

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

and how that relates to this case. That being said, I do think that there is appetite for additional discussion, most of which we cannot share in open session. So at this time I'd like to entertain a motion to go into executive session.

COUNCILMEMBER COOK: So moved.

COUNCILMEMBER SUGIMURA: Second.

CHAIR BATANGAN: Okay. So I see...I'll recognize Member Cook and then second by Member Sugimura. Any deliberation on the motion before us to go into executive session?

COUNCILMEMBER U'U HODGINS: Can we just make sure that we're prepared with that answer when...to go into . . . *(inaudible)*. . . by Special Counsel Rand?

CHAIR BATANGAN: Mr. Rand, I think the question before us is would you be able to give us a synopsis of the response that you've prepared once we get into executive.

MR. RAND: Yeah. It's...it's going to be a synopsis because it's got many, many paragraphs. So I'll...I'll do the best I can, assuming no one feels we're violating anything, and OCS is okay with it too.

CHAIR BATANGAN: Okay. Sorry. Members, let me find my notes on going into executive session. Okay. Members, do you have any questions or comments for Corporation Counsel in open session before we consider entering into executive session? Okay. Seeing...oh, Member Sugimura, you have questions in open session at this time?

COUNCILMEMBER SUGIMURA: I...I...I just want to give them the opportunity to say anything they want. Or you think it's not necessary?

MR. KOLBE: Thank you, Member Sugimura. I don't think we have any other comments in...in open session.

COUNCILMEMBER SUGIMURA: Okay.

MR. KOLBE: And I guess we'll address the issue about who's going to be participating in...in the executive session.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR BATANGAN: Thank you, Mr. Kolbe. Okay. Chair will entertain...okay. Then we entertain the motion to convene in a meeting in executive session. I did not read the clauses that I was supposed to. So we will be entertaining a motion to convene executive session in accordance with Section 92-5(a)(4), Hawai'i Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liability *[sic]* of the County, the Council, and the Committee and Section 92-5(a)(8), Hawai'i Revised Statutes, to...to...to deliberate or make a decision upon a matter that requires the consideration of information that must be kept

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

confidential pursuant to a State or Federal law or court order. I do note that we will need an affirmative vote of two-thirds of the Voting Members present. And let's...let me do a quick count. One, two, three, four, five, six, seven. So if there are seven Members, we will need five votes. The motion was made by Member Cook and seconded by Member Sugimura. Any...any further discussion on the motion? Seeing none. All in favor of the motion, please raise your hand and say, "aye".

COUNCILMEMBERS: Aye.

CHAIR BATANGAN: All opposed, nay.

MR. HURDLE: Chair, that's seven "ayes", zero "noes." Members Paltin and Rawlins-Fernandez excused. The motion passes.

VOTE: **AYES:** Chair Batangan, Vice-Chair U‘u-Hodgins, and Councilmembers Cook, Johnson, Lee, Sinenci, and Sugimura.

NOES: **None.**

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmembers Paltin and Rawlins-Fernandez.

MOTION CARRIED.

ACTION: RECESS open meeting and CONVENE executive meeting.

MR. HURDLE: Could you please state for the record the personnel who will be attending the executive session meeting?

CHAIR BATANGAN: Okay. I'm going to go through the Members, and then I might need help from Corporation Counsel or from our OCS attorneys when we get to Staff. For the record, the following personnel will be attending the executive session meeting: all Councilmembers in attendance. That'd be myself, the Committee Chair; the Committee Vice-Chair, Member Nohelani U'u-Hodgins; Member Cook; Member Johnson; Council Chair Lee; Councilmember Shane Sinenci; Councilmember Yuki Lei Sugimura. From the Office of Council Services, we have Mr. Hanano, Legislative Attorney, and Maria Leon, Committee Secretary. Mr. Hanano, can I ask for your recommendation as to whether or not Corporation Counsel should attend this meeting? I am leaning towards no, but I'd...I'd like a second opinion on that matter.

MR. HANANO: That's within your discretion, Chair, to allow them to participate or not. And

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

it's up to them, if they feel that there's any kind of ethical reason why they shouldn't be in the session, to raise that with the Committee. I don't have a preference either way.

CHAIR BATANGAN: Okay. I guess, Mr. Kolbe, since part of the deliberations is trying to untangle conflicts of interest with the departments, I was leaning towards no. But if you feel one way or the other, I'm happy to...I...I guess I'll say I'm open.

MR. KOLBE: Okay. Chair, there are two Deputy Corporation Counsels here today. I am acting in the capacity as the counsel and drafting attorney advising the GREAT Committee. To that extent, we've taken a position that our role is to advise you on legal issues that might come up during an executive session that it wouldn't be appropriate to ask to the Special Counsel or that OCS might not have an answer for. So, to that extent, if you wanted to benefit from that counsel, I can appear in it. Ms. Leeder is here as the...the liaison counsel or attorney for Mr. Rand who, obviously, needs to be in special...needs to be in executive session so you can ask the questions you want of him. Ms. Leeder has already indicated that she doesn't have any factual knowledge about this case. And so, it...it's really up to you whether or not you think that's appropriate for her to be in it. But otherwise, my understanding from what she's testified...or not testified, stated today, she doesn't really review documents. She enables Mr. Rand to get ahold of the people he needs to speak with so that he can make appropriate response in an answer. So, I would say that it's up to you on both of us. If you want me in the meeting, I'm...I'll be as a GREAT attorney. I won't be advising as to anything to do with the preparation of the answer, and the same thing with Ms. Leeder. Thank you.

CHAIR BATANGAN: Okay. Thank you for that. I really appreciate you providing the options before the Body. My personal preference is to lean towards no, given the conflicts that we're trying to untangle. But if any of the Councilmembers really wants to have our Corporation Counsel in the meeting, I'm...I'm open as well. Is there anybody who has...who would really, really like for them to be there? Okay. I...I'm not seeing anybody jumping up to indicate yes. So I guess that being the case, I think, Staff, that would be the entirety of the list. It would be the Councilmembers in attendance and then OCS Staff, Mr. Hanano and Ms. Leon.

MR. HURDLE: Mr. Rand.

CHAIR BATANGAN: And Mr. Rand. We...thank you. That would've been bad. Yes. And Special Counsel Mr. Richard Rand. Is there anybody else I'm forgetting? Because that was...that would've been terrible. Mr. Hanano, anybody else you think I'm...I'm forgetting?

MR. HANANO: No, Chair.

CHAIR BATANGAN: Okay. So that being the case, I would like to call for a ten-minute recess so that we...and then...so that we can get situated. And we will reconvene in executive...in executive meeting. It is 10:42, so we will plan to be back in executive session at 10:52.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

COUNCILMEMBER SINENCI: Chair.

COUNCILMEMBER LEE: Question.

CHAIR BATANGAN: Oh, yes, Chair.

COUNCILMEMBER LEE: Mr. Sinenci. Sinenci.

CHAIR BATANGAN: Oh, Member Sinenci.

COUNCILMEMBER SINENCI: Is Staff going to move us, Chair?

CHAIR BATANGAN: Yes. So you --

COUNCILMEMBER SINENCI: Okay. Thank you.

CHAIR BATANGAN: -- just stay online, as you are. Okay.

COUNCILMEMBER SINENCI: Thank you.

CHAIR BATANGAN: All right. It is 10:42. This meeting is in recess until 10:52. . . .(gavel). . .

RECESS: 10:42 a.m.

RECONVENE: 2:03 p.m.

CHAIR BATANGAN: . . .(gavel). . . The Government Relations, Ethics, and Transparency Committee meeting will reconvene. It is now 2:03 p.m. Members, we have just completed our executive meeting. For the record, we did lose one of our Members during that time; Member Sinenci had to leave. So we are reconvening with everybody that went in minus Member Sinenci. Mr. Hanano, can you please provide a summary in accordance with Hawai'i Revised Statutes, Section 92-4?

MR. HANANO: Yes, Chair. Thank you. Your Government Relations, Ethics, and Transparency Committee met in executive session on the case of *Leo Caires v. County of Maui, et al.*, Civil File 2CCV-26-0000138, to discuss with its attorney, Special Counsel's assessment of the case, settlement considerations, legal advice on the claims alleged, and the County's powers, duties, privileges, immunities, and liabilities. Thank you, Chair.

CHAIR BATANGAN: Thank you, Mr. Hanano. Okay. So, Members, is there any further discussion on the first part of our meeting related to the Leo Caires case? Okay. Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. So I had a question in closed session...or exec session that I was told that I needed to ask in open. Is this the time, or you want to wait?

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

CHAIR BATANGAN: Shoot, I can't remember what...what was --

COUNCILMEMBER SUGIMURA: Oh.

CHAIR BATANGAN: -- the topic on that one?

COUNCILMEMBER SUGIMURA: How it would work?

CHAIR BATANGAN: Oh.

COUNCILMEMBER SUGIMURA: If we pass the resolution, how it --

CHAIR BATANGAN: Okay. Let's...I guess, I was trying to lead up to that. So if that closes the case...or our deliberations on the...on the status of the case, we can move onto the resolution before us. Before we get into the nuts and bolts on that, I think there were a couple other questions that Members wanted to have answered. I'll try to take them up in order, and we'll get to what you had just asked. But the one that a lot of Members had asked, had questions on, initially, was why was this resolution not signed as to form and legality, and is the proposal before us, you know, legally sound. So I guess for the first part of that question, can I ask Deputy Corporation Counsel Leeder.

MS. LEEDER: Yes. Thank you, Chair. So the reason is because within this resolution it specifically states that Corporation Counsel has conflicts in this matter and...that's in the second...second paragraph there. So because of that statement that we were conflicted out, it was not appropriate for us to sign it. But we did communicate with Mr. Hanano to get that --

CHAIR BATANGAN: Okay.

MS. LEEDER: -- reviewed . . .*(inaudible)*. . . --

CHAIR BATANGAN: So since Corporation Counsel was not comfortable signing to form and legality, not because they had issues with the resolution itself, but because of the...the conflict on the matter, we did ask OCS attorneys to review. Mr. Hanano, can you speak to that?

MR. HANANO: Yes, Chair. Thank you. So, I drafted this resolution, and we had to go through our Office of Council Services review process, which included a review and approval by Director David Raatz. So, I can confirm that the resolution is approved as to form and legality. Thank you, Chair.

CHAIR BATANGAN: Thank you, Mr. Hanano. But there's no signature line to form and legality. And can you explain that portion of it?

MR. HANANO: Yes. I think the timing of it...I think we did submit it to Corporation Counsel initially for approval as to form and legality. And as Deputy Corporation Counsel Leeder indicated, it was sent back, and Corporation Counsel declined to provide the approval

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

and review based on the circumstance that they conflicted out.

CHAIR BATANGAN: Thanks. I guess what I was trying to lead you towards was OCS attorneys reviewed and approved it. It is to form and legality, in their opinion. But since there's no mechanism for them to sign attesting that, in discussion with Committee Staff, we...the...the recommendation was to have it stated on the...on the floor for the record rather than us creating a new stamp within the review and approval process for County ordinances and...and resolutions. I think that was the...that was the question that most people had questions on. I just wanted to make sure that we were to clear that up. Was there any other questions on...on that matter? Okay. And then, I guess, to the next question, Member Sugimura. Sorry, can you repeat it for the record?

COUNCILMEMBER SUGIMURA: So I just...if this resolution does pass, then how do we proceed, steps and interact with Corp. Counsel?

CHAIR BATANGAN: Thank you, Member Sugimura. Mr. Hanano.

MR. HANANO: Yeah. So the...this resolution, if passed, would accomplish basically two things. So first, it would require that any settlement offers that are submitted to Special Counsel Rand would in turn be transmitted to the Council. So that's the first one. The second one is that any invoices that Mr. Rand would submit to the County for his services in this case would be sent to the Office of Council Services, who in turn would provide a review and approval of the invoices. Thank you, Chair.

CHAIR BATANGAN: Thank you. Member Sugimura, does that answer your question?

COUNCILMEMBER SUGIMURA: And I wonder...to add onto that last statement. So before a payment can be made, the Council is going to have to meet on it and approve it before a check can be cut. Or is there a whole another process that we have to follow? I don't think it's something we ever did before, so I'm just curious.

MR. HANANO: Yeah. I don't think it's --

CHAIR BATANGAN: Correct, it's not something we've ever done before. Oh, Member...or, Mr. Hanano, you wanted to --

MR. HANANO: Yeah. I don't...I don't think there needs to be Council approval because there already is Council approval --

COUNCILMEMBER SUGIMURA: Oh, okay.

MR. HANANO: -- to, you know, use the funds for Mr. Rand. So I think it's more like OCS looking at the invoices and approving as to, you know, what's on the invoice, and we'll...we'll have to submit it to our Accounting Department, or whatever it's called, to process the payment.

COUNCILMEMBER SUGIMURA: Interesting.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

CHAIR BATANGAN: Thank you. Member Cook.

COUNCILMEMBER COOK: So...Chair, so basically this would give transparency but not, like, control over it. It...it's like we would see what's happening, what's proposed, and the attorney, they're still...the attorney is still going to manage the case. We're basically have visibility over what...when they make an offer, right now, and they make an offer and is it, isn't accepted, we don't know that they made an offer. Is that correct?

CHAIR BATANGAN: Kind of.

COUNCILMEMBER COOK: Okay.

CHAIR BATANGAN: The...there are elements to that. I think it is a little bit more nuanced. As Mr. Hanano said, there is two elements to this. First is that all offers would come to this body. So it wouldn't be just the ones that the Administration feels are worth bringing to our attention. The second part of it is the billing, and I think that's where Member Sugimura had questions because mechanically it's not something we've ever contemplated before, and I think it might, you know, require some conversation with the OCS Director. But essentially, the...the...my intent in doing this is to have Special Counsel, you know, in this case, but, like, I'm also trying to craft just...you know, create precedent in which we could address systemic issues within the County. You know, they would report to people who are not conflicted out. And I think that's part of...you know, we...we see people trying to do the right thing and just...they're being...you know, it's difficult. I think that, you know, we saw with the form and legality, for example, that the Department really is trying to be sensitive both to, you know, the appearance of...of conflict but also, you know, the legal bounds that they have to work within. And, you know, we had good conversations with them to try to figure out a resolution towards that. But there doesn't seem to be...you know, those seem to be piecemeal, and I think this gets us further along in...in that effort to disentangle the conflicts that exist. I think I would also add that with...you know, I...I recognize the...the effort put in to creating effective firewalls. In this case they brought in somebody who was not on...on...on payroll at the time that this all happened. But the...you know, every Deputy Corporation Counsel is an at-will employee, hired, fired, and managed by Corporation Counsel, who ultimately, you know, is hired and fired by the Mayor. And in instances like this, in which everybody in that chain of command has a conflict, I think that is a problem itself. Even if you buy the argument that they could effectively put up a firewall there, you know, the incentive structure is not great, right? Like, the...keeping people in power is, you know, beneficial to that Deputy retaining their job come next cycle. Like, and so, the...the goal for this resolution is to break that, break that cycle and have . . .*(timer sounds)*. . . Special Counsel in these matters report directly to people who are not conflicted out. Now, there might have to be conversations with...with the OCS Director and how he would like to manage this, but I don't necessarily think that needs to be in the resolution or...or that it can't be handled internally by staff. I...I think that, at this point, we have enough to untangle at least the conflicts that we are aware of and try to create better policies and procedures for these type of situations. I heard the timer, but, like, I don't think I gave you your fair shot, so go ahead, Member Cook.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

COUNCILMEMBER COOK: Thank you. Just for our colleagues at Corp. Counsel, if you...what we...what we observed just recently regarding whether the Clerk's Office is going to continue to receive complaints or whether it was going to be accepted and firewalled within the Department. It was really, super aggressively pushed back. No, you can't have that at all. You're going to lose every case. It's...so I'm just sharing with you. I respect both of you, I've never met you much, we deal with each other a lot. This is not a critique of the Department, necessarily. It's all of the things we're talking about. But, for me also, it was just reinforced by Corporation Counsel so strongly that there is no ability to have a firewall, and that was just the other day. Now, that was just...that's not you folks, but I'm just sharing with you. That was really presented by Corp. Counsel here on the floor that a complaint cannot be accepted by someone and partitioned within the Department. It's different, but I'm just sharing with you. I want you to know because this is a awkward thing. And we work together all the time, and I have confidence in you. So, thank you, Chair, for me...allowing to say that.

CHAIR BATANGAN: Thank you, Member Cook. Okay. I did not do a good job of managing deliberations in this round of conversation. But...so I would like to take a more structured approach now. I'll start with the Members who have not yet weighed in on this and see if they have any questions or comments on the resolution part of this. Starting with Chair Lee.

COUNCILMEMBER LEE: I really don't have many comment...any comments to make. I understand the intent of the reso. Thank you for having it drafted, and I will support it. Thank you.

CHAIR BATANGAN: Thank you, Chair. Okay. I'll just go down the line. Member Sugimura.

COUNCILMEMBER SUGIMURA: Okay. Yeah. I support this resolution. Thank you for doing it. And I'm...one of the thoughts I had was if this is going to be for all complaints, I wonder how many complaints come through to Corp. Counsel that we would then be receiving.

CHAIR BATANGAN: This is --

COUNCILMEMBER SUGIMURA: Because this is going to be first --

CHAIR BATANGAN: I don't intend this to be the model for all complaints. I really do think that Corporation Counsel should be handling most of them. This is for instances in which Corporation Counsel and the Mayor --

COUNCILMEMBER SUGIMURA: Or only conflicted.

CHAIR BATANGAN: -- are both conflicted. Correct.

COUNCILMEMBER SUGIMURA: Oh, only that situation.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

CHAIR BATANGAN: And, hopefully, we don't have very many of those situations.

COUNCILMEMBER SUGIMURA: Yeah.

CHAIR BATANGAN: You know, this is not a unique situation, but it is the one before us. And so, it's the vehicle through which I'm trying to address, you know, this systematic --

COUNCILMEMBER SUGIMURA: Okay. For this one, then.

CHAIR BATANGAN: -- issue. Yeah.

COUNCILMEMBER SUGIMURA: Or Bill 9 is the other one I can think of. Forward. Okay. I get it. Thanks.

CHAIR BATANGAN: Thank you, Member Sugimura. Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. I have no questions at this time.

CHAIR BATANGAN: Thank you, Member Johnson. Member Cook, did you have any additional questions?

COUNCILMEMBER COOK: No additional questions. I'm supportive of the resolution.

CHAIR BATANGAN: Thank you, Member Cook. Vice-Chair U'u-Hodgins.

VICE-CHAIR U'U-HODGINS: Thank you, Chair. I don't really have any ques...actually, I do. So when we are provided a settlement request, how will that be transmitted to the Committee? Because it can't be public.

CHAIR BATANGAN: And, Member...or, Mr. Hanano, can you walk through the mechanics of how settlement offers would be transmitted to...I think it's to the Council. I don't know if it would necessarily come to the Committee.

VICE-CHAIR U'U-HODGINS: Okay.

CHAIR BATANGAN: But --

VICE-CHAIR U'U-HODGINS: . . .*(inaudible)*. . . --

CHAIR BATANGAN: Yeah --

MR. HANANO: Yeah.

CHAIR BATANGAN: -- but the...the portion of the Code that we cite has some guidance for that. I just don't have it up in front of me. Section 3.16.020. Mr. Hanano.

MR. HANANO: Thank you, Chair. So in the...on the Resolution 26-99 in the first BE IT

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

RESOLVED clause it does say that written settlement offers to the Council are required to be transmitted via attorney-client-privileged communication. So it's not going to be open to the public. It has to be transmitted via attorney-client privilege, and then, you know, we can go from there as far as whether or not we're going to do a reso or how we're going to proceed.

COUNCILMEMBER U'U HODGINS: So because our work is so public, it would be sent to the Council, then probably, what, like, direct referred to GREAT Committee, and we'll discuss it in GREAT Committee?

MR. HANANO: Yeah. I mean, I think it would depend --

COUNCILMEMBER U'U HODGINS: Oh, your mic.

MR. HANANO: I think it will depend on how Council Chair wants to approach it, but that would be one ways it'd be transmitted to Committee, and then the Committee decides, you know, if they want to propose a resolution to settle the case or...or not...or not.

COUNCILMEMBER U'U HODGINS: Okay. And then this is only as it relates to the...Mr. Caires's case, right, because it does say in that first be-it-resolved in the legal counsel it's required. So we're not necessarily doing it for...I mean, this is a unique situation-ish [sic], and we don't deal with this too often. So only this case will be handling it by this reso. and the style in this, yeah?

MR. HANANO: Yes, absolutely.

COUNCILMEMBER U'U HODGINS: Okay.

MR. HANANO: Oh, it's only for this case and, you know, under the Code, there are, like, some other requirements that Special Counsel will have to fulfill. Basically, it involves providing recommendations and all that stuff too. So I would imagine, you know, that's similar to what we had today in executive session about...talking about, you know, strengths and weaknesses of the case, and the claims, and what he would recommend.

COUNCILMEMBER U'U HODGINS: Okay. Other than that, I don't have any other question. I do...would like to just acknowledge how...how difficult it is to find a firewall. . . .(timer sounds). . . And I do really respect and appreciate Corp. Counsel for all that not only they do for us and as it relates in helping us to try to navigate this case, but all the things you guys do for us. And it's...it's a little weird in this situation, but I do appreciate all you guys and what you folks do. Thank you. Thanks, Chair.

CHAIR BATANGAN: Thank you, Member U'u-Hodgins. I guess, for myself, I just like to clarify that this is...this resolution is specific to this case. It is me...I'm thinking systemically but, you know, the resolution before us is only for this one...one case. And for everybody's situational awareness, you know, it's Section 3.16.020 of the Maui County Code, Part D reads, "The Council shall determine and specify from time to time by resolution claims for which all written offers of settlement are to be transmitted to

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

Council by legal counsel. Upon adoption of such resolution, legal counsel assigned to the claim specified in the Council resolution shall transmit any written offer or settlement to the County promptly but no later than three working days from the receipt of the offer or prior to the expiration date of the offer, if any, whichever occurs first". So, you know, this is us kind of trailblazing how to utilize that portion of the Code to try to disentangle those conflicts. It is something that I hope works out well, and that we can use as a model moving forward. But, you know, to your question, Vice-Chair, it is only applicable to the case before us. Okay. That...make sure that's clear. Deputy Leeder.

MS. LEEDER: Yes. Thank you, Chair. And thank you, Vice-Chair and . . . *(inaudible)*. . . Cook for your...your comments and...and everyone. And I...I just want to say, procedurally, I think that we would still get a notice when there is a settlement offer coming in and a resolution so that we can come up and...and be a part of whatever we need to here. Maybe I can just clarify that but...

CHAIR BATANGAN: All right. Members, any other discussion at this time? Otherwise, I'd like to make a recommendation. Okay. I would like to entertain a motion to recommend the adoption of Resolution 26-99, including any nonsubstantive revisions.

COUNCILMEMBER SUGIMURA: So moved.

COUNCILMEMBER COOK: Second.

CHAIR BATANGAN: Okay. Moved by Member Sugimura, seconded by Member Cook. Any further discussion? Okay. Seeing none. All those in favor of the motion, please raise your hand and say "aye".

COUNCILMEMBERS: Aye.

CHAIR BATANGAN: All opposed say, "nay".

MR. HURDLE: Chair, that's six "ayes", zero "noes." Members Paltin, Rawlins-Fernandez, and Sinenci excused. Motion passes.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

VOTE: **AYES:** **Chair Batangan, Vice-Chair U‘u-Hodgins, and Councilmembers Cook, Johnson, Lee, and Sugimura.**

NOES: **None.**

ABSTAIN: **None.**

ABSENT: **None.**

EXCUSED: **Councilmembers Paltin, Rawlins-Fernandez, and Sinenci.**

MOTION CARRIED.

ACTION: **Recommending ADOPTION of Resolution 26-99.**

CHAIR BATANGAN: Thank you, Members. This item will move onto the full Council for consideration. There is no additional business before us today. But I would like to just let you know and let the public know that the next...the upcoming meetings are going to be of related topics. So our next scheduled GREAT Committee meeting is going to be on the Fraud, Risk and...Fraud, Waste, and Abuse Assessment Report done by the auditors. And then following that we will be taking up the good governance reform bills that we've been working on with the Board of Ethics. So, you know, I think there's a lot of good conversation that came up today. I think some of it fell, maybe, outside of the bounds of this lawsuit specifically . . .*(timer sounds)*. . . but you will have an opportunity in the upcoming GREAT Committee meetings to try to get at some of those broader questions that I know that, you know, have been burning within you. So I thank you for your...your hard work today, and I look forward to, you know, productive meetings coming up the rest...throughout the rest of the summer.

COUNCILMEMBER SUGIMURA: Thank you, Chair.

CHAIR BATANGAN: Thank you, Members. The time is now 2:24 p.m. This GREAT Committee meeting is adjourned. . . .*(gavel)*. . .

ADJOURN: 2:24 p.m.

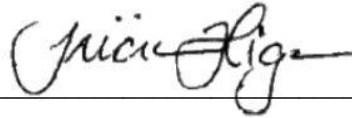
GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

June 22, 2026

CERTIFICATION

I, Tricia Higa, hereby certify that pages 1 through 34 of the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 30th day of June 2026, in Mililani, Hawaii

A handwritten signature in black ink, appearing to read "Tricia Higa", is written over a horizontal line.

Tricia Higa