

# GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Council of the County of Maui

## MINUTES

July 22, 2025

Online Only via Teams

**CONVENE:** 1:33 p.m.

**PRESENT:** VOTING MEMBERS:

Councilmember Nohelani U‘u-Hodgins, Chair  
Councilmember Tamara Paltin, Vice-Chair  
Councilmember Tom Cook, Member  
Councilmember Gabe Johnson, Member  
Councilmember Tasha Kama, Member  
Councilmember Alice L. Lee, Member  
Councilmember Keani N.W. Rawlins-Fernandez, Member (In 1:43 p.m.;  
Out 3:03 p.m.; In 3:58 p.m.)  
Councilmember Shane M. Sinenci, Member  
Councilmember Yuki Lei K. Sugimura, Member

**STAFF:**

Kasie Apo Takayama, Senior Legislative Analyst  
Jarret Pascual, Legislative Analyst  
Peter Hanano, Legislative Attorney  
Richelle Kawasaki, Deputy Director of Corporation Counsel  
Maria Leon, Committee Secretary  
Jean Pokipala, Council Services Assistant Clerk  
Ryan Martins, Council Ambassador

Residency Area Offices

Keomailani Hirata, Council Aide, Molokai Residency Area Office  
Roxanne Morita, Council Aide, Lāna‘i Residency Area Office  
Mavis Oliveira, Council Aide, East Maui Residency Area Office  
Chaelin Ryu, Council Aide, South Maui Residency Area Office

**ADMIN.:**

Victoria Takayesu, Corporation Counsel, Department of the Corporation  
Counsel (All)  
Thomas Kolbe, Deputy Corporation Counsel, Department of the Corporation  
Counsel (All)  
Susan Leeder, Deputy Corporation Counsel, Department of the Corporation  
Counsel (All)  
Patrick McCall, Director, Department of Parks and Recreation (GREAT-11(18))

**OTHERS:**

Richard M. Rand, Partner, Marr Jones & Wang (GREAT-5(1))

Testifiers

Jasee Law (GREAT-5(1))

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(15+) additional attendees

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

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CHAIR U‘U-HODGINS: *... (gavel) ...* Will the Government Relations, Ethics, and Transparency Committee meeting of July 22nd, 2025, please come to order. It is 1:33 p.m. I’m your Chair, Nohelani U‘u-Hodgins. 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. Let’s begin with Committee Vice-Chair Tamara Paltin. Good afternoon. Hello. Aloha. All the things.

VICE-CHAIR PALTIN: Good afternoon. Hello. Aloha ‘auinalā kākou.

CHAIR U‘U-HODGINS: Councilmember Tom Cook.

COUNCILMEMBER COOK: Aloha.

CHAIR U‘U-HODGINS: Good afternoon.

COUNCILMEMBER COOK: Good afternoon, Chair.

CHAIR U‘U-HODGINS: Councilmember Gabe Johnson. Aloha. Good afternoon.

COUNCILMEMBER JOHNSON: Aloha, Chair, Councilmembers, community members. There’s no testifiers at the Lāna‘i District Office, and I’m here and ready to work. Mahalo.

CHAIR U‘U-HODGINS: Thank you. Councilmember Tasha Kama is with us online. Aloha and good afternoon.

COUNCILMEMBER KAMA: Aloha, Chair, and hāfa adai.

CHAIR U‘U-HODGINS: Hāfa adai.

COUNCILMEMBER KAMA: I’m in my workspace, and I am alone.

CHAIR U‘U-HODGINS: Thank you very much. Council Chair Alice Lee, aloha and good afternoon.

COUNCILMEMBER LEE: Aloha. Good afternoon, and the other hāfa adai.

CHAIR U‘U-HODGINS: The other half a day is today. Councilmember Keani Rawlins-Fernandez, do we see her online with us? Not yet. Okay. We’ll come back to her. She’ll be with us shortly. Councilmember Shane Sinenci, aloha and good afternoon.

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COUNCILMEMBER SINENCI: Hey. Aloha ‘auinalā, Chair, here in my home office. I’m here by myself, and there’s no testifiers in Hāna, Chair.

CHAIR U’U-HODGINS: Thank you very much. And Councilmember Yuki Lei Sugimura, aloha and good afternoon.

COUNCILMEMBER SUGIMURA: Aloha. Good afternoon. Looking forward to a very interesting meeting.

CHAIR U’U-HODGINS: Um-hum. From Corporation Counsel, we have Mr. Thomas Kolbe, Deputy Corporation Counsel; Ms. Susan Leeder, Deputy Corporation Counsel; and Tori Takayesu, Corporation Counsel. Our Committee Staff include Maria Leon, Committee Secretary; Kasie Apo Takayama, Senior Legislative Analyst; Jarret Pascual, Legislative Analyst; Peter Hanano, Legislative Attorney; Lei Dinneen, Council Services Assistant Clerk; and Jean Pokipala, Council Services Assistant Clerk. Please see the last page of the agenda for information on meeting connectivity. Do we have any testifiers?

MR. PASCUAL: Chair, no testifiers have signed up at the beginning of the meeting.

CHAIR U’U-HODGINS: Okay. You can walk down, and as you’re doing so, I’ll read this. Testifiers wanting to provide testimony should sign up in the lobby, or join on the online meeting via Teams link, or call in to the phone number noted on today’s agenda. Written testimony is encouraged and can be submitted via the eComment link at [mauicounty.us/agendas](http://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’s list in order of the testifier signing up or raising their hands. For those on Teams, Staff will lower your hands once your name is added. Staff will then call the name you 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. Please ensure the name appears in Microsoft as the name you prefer to be referred to, or as anonymous if you wish to testify anonymously. If you are 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, and if you are still testifying beyond that time, I will kindly ask you to complete your testimony. Once you are done testifying or you do not wish to testify, you can also view the meeting on *Akakū* Channel 53, Facebook Live, or [mauicounty.us/agendas](http://mauicounty.us/agendas). We will do our best to take each person up in an orderly fashion. We are now...call on testifiers wishing to testify at the beginning of the meeting. So, Mr. Law, you’re welcome to testify.

**. . . OPEN PUBLIC TESTIMONY AT BEGINNING OF MEETING . . .**

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MR. LAW: Boy, say that in Hawaiian, right? Okay. The second item on the agenda today. Aloha awakea, everybody. Thank you for working for the County. Let me try this out. Ka 'Ōlelo Ho'oholo 25-109, e pili ana i nā mea i ho'opi'i 'ia e Leo Caires, he limahana o ke Kalana O Maui ma mua. That is regarding allegations made by Leo Caires, a former County of Maui employee. I'm...I'm pretty sure Mr. Caires' birthday is coming up next week, and it would be a nice gesture to...we'd just call it a birthday present to him, to just go ahead and settle, and thank him for his work with the County.

CHAIR U'U-HODGINS: Staff, is there anyone else wishing to testify?

MR. PASCUAL: Chair, we don't see any further individuals signed up to testify. Would you like me to do a last call?

CHAIR U'U-HODGINS: Please.

MR. PASCUAL: If anyone would like to testify, please come up to the podium or raise your hand on Teams. This is final call...three, two, one. Seeing none. Chair, no one has indicated that they wish to testify.

CHAIR U'U-HODGINS: Thank you very much.

**... CLOSE PUBLIC TESTIMONY AT BEGINNING OF MEETING ...**

**ITEM 11(18): RESOLUTION 25-141, SETTLEMENT AUTHORIZATION:  
JEFFREY NAVARES, CLAIM 2023-1128 (PROPERTY  
DAMAGE)**

CHAIR U'U-HODGINS: Let's move on to the first item on our agenda. We have before us Resolution 25-141, which would approve the settlement of the claim filed on November 13th, 2023, in the amount of \$62,986.66. The claim alleges negligence against the County from an alleged misdirected water sprinkler occurring on or about August 20...I'm sorry, October 27th, 2023. At this time, if I could request opening comments from Ms. Susan Leeder, and then Parks Director McCall, if you have any comments, you're welcome to provide them as well.

MS. LEEDER: And good afternoon, Council. This is a property damage claim that resulted from a misdirected sprinkler by the Parks and Recreation Department, the park in Central Maui Regional Sports Complex. We did investigate the claim thoroughly. There was an expert that was consulted to determine that the...whether the damage was from the sprinkler, and that...that was considered in this. And the claimant did get three estimates. I provided all three to you. And we are asking to...requesting and recommending settlement at the lowest amount, which is \$62,986.66. And I don't know if you have any questions, or if Mr. McCall would like to say anything.

CHAIR U'U-HODGINS: Director McCall is walking to...do we want to have him sit here or...oh, do you want to...you're welcome to do that if you want.

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MR. MCCALL: Thank you, Chair.

CHAIR U'U-HODGINS: Yeah.

MR. MCCALL: Again, Pat McCall, Director of Department of Parks and Recreation. I just want to specify that what happened was, the sprinkler head actually broke. It was internal parts within the sprinkler head broke, and it went from a 180 to a 360. And the sprinkler heads were...were...once we turned off the irrigation system, then replaced. And it's a...we had to wait for the internal parts to come in, and then now we're changing out that brand of head. I just want to make that clear.

CHAIR U'U-HODGINS: Thank you.

MR. MCCALL: Any questions?

CHAIR U'U-HODGINS: Do you have a clarifying question? Does somebody have a clarifying question? If not, we'll take testimony, and then we can get into a discussion. But if you have a clarifying question, Member Paltin, you're welcome to ask.

VICE-CHAIR PALTIN: Thank you, Chair. Thank you, Director McCall. Just a clarifying question on the broken sprinkler head. Does it look like a hose is shooting at the window, or what...what...

MR. MCCALL: Basically...it's basically a sprinkler going, which would normally water a field, but instead, it's doing a 360 path all the way around. So, it just continues, yeah, to spray the home. Yeah.

VICE-CHAIR PALTIN: Thank you. Just clarifying what...

CHAIR U'U-HODGINS: Thank you. I appreciate that. Before we get into discussion, then I would like to receive any testimony if we have testifiers for Resolution 25-141.

MR. PASCUAL: Thank you, Chair. There's no current individual signed up to testify. I can do a last call if you'd like.

CHAIR U'U-HODGINS: Thank you, please.

MR. PASCUAL: This is the last call for oral testimony. Please come up to the podium or raise your hand on Teams if you would like to testify. The countdown is three...two...one. Seeing none. Chair, no one has indicated that they wish to testify.

CHAIR U'U-HODGINS: Thank you. Members, seeing there are no individuals wishing to testify, without objection, I will now close oral testimony for this item.

COUNCILMEMBERS: No objections.

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**. . . CLOSE PUBLIC TESTIMONY ON ITEM 11(18) . . .**

CHAIR U‘U-HODGINS: Thank you. And as a reminder, written testimony will continue to be accepted. Members, we’re going to go into our three-minute discussion period. So, if you have any questions, please raise your hand. Member Paltin?

VICE-CHAIR PALTIN: Thank you. So, from the clarification, I understand it was going 360. I guess what I...I didn’t really understand is like, it...it really sucks for the individual, but at my house, it rains a lot. Sometimes it rains sideways. How...how did this much damage occur from a sprinkler going 360? I...that’s the part...I mean, I’m not saying he’s not telling the truth, I just don’t understand.

MS. LEEDER: Yeah, in...in his claim, he did specify that he not only had open windows and, you know, screens, it was also going into the vents at the top of the house. It was...it was coming into the attic space.

VICE-CHAIR PALTIN: Oh, okay. Thank you. That...that clarifies it.

CHAIR U‘U-HODGINS: Okay. And I understand that Member Rawlins-Fernandez is...joined us, but her camera is not...okay. There she is. Aloha, Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha ‘auinalā. E kala mai for my tardiness. I am in my vehicle on Maui making my way there.

CHAIR U‘U-HODGINS: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: I am not alone in my vehicle. I have my niece, who is a minor, with me. And there are no testifiers of Molokai District Office. Mahalo, Chair.

CHAIR U‘U-HODGINS: Thank you very much. We’ll see you soon. Any other questions? So, I...I actually have one. Oh, Member...Member Sinenci.

COUNCILMEMBER SINENCI: Mahalo, Chair. I just had a question about the distance of the sprinkler to the property line to the house.

MS. LEEDER: That’s a good question. I don’t know if --

CHAIR U‘U-HODGINS: Director McCall --

MS. LEEDER: -- Director McCall may have --

CHAIR U‘U-HODGINS: -- do you know how far away the sprinkler head is?

MS. LEEDER: -- some more specific information on that.

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MR. MCCALL: Thank you for the question, Councilmember. The sprinkler is along the park's boundary, along the backyard, and therefore, it's a relatively...it has a potential to spray...you know, it's designed to spray into the field, which is why when it goes into the...when it went into the 360 mode, it basically shot at a higher level at...at the house, hitting the claimant's home along the walls, windows, under the eaves, et cetera. We...we got one picture of it that was sent to us at the time, which helped us identify the area, and...and whatnot. But the distance is...I can't give you an exact measurement, but basically, the backyard. Yeah.

COUNCILMEMBER SINENCI: Oh, okay. Thank you. And...and so, the damages, I believe there were two estimates, and the damages were...two...oh, three estimates, and it was to the drywall where it would...what would need to be changed. What was the scope of the...the work of the estimates?

MS. LEEDER: I can go ahead and answer that. Thank you for the question. The scope of work included flooring, masking on the walls, asphalt shingles. It's on the...it's listed on the first estimate that was provided. It's demo the ceiling drywall, demo the ceiling drywall in the office, water-soaked ceiling, kitchen cabinets on an affected wall, drywall...drywall again in the kitchen, in the office, and some other wall areas. A kitchen window seal was broken. An office window seal was broken. Exterior trim around the kitchen, office window. They had to get a new kitchen window, new office window, new exterior trim around the windows, caulk and paint affecting the exterior, installing a wall and ceiling installation, drywall, mud ,tape, texture, that type of thing for wall repair, and resetting the kitchen cabinets, and cleanup.

COUNCILMEMBER SINENCI: Okay. Thank you for that clarification. I just wanted to get a sense of the damages. Thank you.

CHAIR U'U-HODGINS: Thank you, Member Sinenci. Member Kama?

COUNCILMEMBER KAMA: Thank you, Chair. I don't have a whole lot of background about what, and where, and who, and...but that seems like a whole lot of...oh, and then there was a video that he said he had sent, and I wasn't able to access that video. So, at some point in time, can we look at that? Because I think that tells a clearer picture than what I'm trying to figure out. This one sprinkler in somebody's backyard going at 360 degrees and getting...making enough damage, \$60,000 worth of damage in someone's home. How does that happen? How long has that sprinkler been running that that much damage could occur?

CHAIR U'U-HODGINS: Hold on, let's get the answer.

MS. LEEDER: I don't know all...that I did see that there was a security camera video referenced, and I do not have that. Maybe Director McCall has any more information on that. Oh, yes.

COUNCILMEMBER COOK: Thank you, Director. So, is this like an impact sprinkler at the field, so it's...it's throwing water pretty far out?

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MR. MCCALL: Yes, it is.

COUNCILMEMBER COOK: And so, that's part of the issue. It's volume, pressure --

MR. MCCALL: Exactly.

COUNCILMEMBER COOK: -- it's going out in the field, and all of a sudden --

MR. MCCALL: And I...and I'm not...

COUNCILMEMBER COOK: -- it's going 20 feet to the house.

MR. MCCALL: Yeah, and I'm not positive on the GPMs, gallons per minute, but they are high-volume sprinklers. And from my very amateur look, from what I can see, I believe the damage is because of mold that has to be removed...removed as part of the process.

CHAIR U'U-HODGINS: So, to Member Kama's question, do we know how long the sprinkler was on before somebody stopped it?

MR. MCCALL: It would have been the cycle the day that it was broken, and then when they contacted our office, our personnel were dispatched to shut down that line, and just keep the line off until they did an inspection and found the sprinkler, and then replaced it.

CHAIR U'U-HODGINS: Member Kama, did that satisfy your question?

COUNCILMEMBER KAMA: Well, then the other thing comes up with mold. I mean, how long does it take for mold to...to...to show up? I mean, how much damage does it take for mold to actually grow, that we ended up getting a problem with mold?

CHAIR U'U-HODGINS: Do we have a mold expert? Are you...

MS. LEEDER: We did not get a mold expert. He did include mold in his initial claim. However, in the...the estimate of what work was required to repair it, it doesn't specifically have like a remediation of mold, but mostly water damage. So, I'm not seeing that in the estimated repair referenced in there.

CHAIR U'U-HODGINS: Okay. Member Kama, are you satisfied?

COUNCILMEMBER KAMA: And would... . . .(timer sounds). . .

CHAIR U'U-HODGINS: Oh.

COUNCILMEMBER KAMA: For the video that was on YouTube, but we didn't have access to?

CHAIR U'U-HODGINS: Is there a video?

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MS. LEEDER: The claimant did reference a video from a security camera. We did not see that. I don't know if Parks and Recreation saw that, or if the adjuster...I can look into that to provide it if it's available.

MR. MCCALL: We did not...well, I know I did not see the video. I did see the still photo. It...it might have been taken from the video, but we had a still photo.

CHAIR U'U-HODGINS: Yeah. Okay. Member Kama? Do you have any other questions?

COUNCILMEMBER KAMA: I don't have a whole lot. I don't have any more questions. I just have other thoughts and ideas running around my head in terms of what I don't know, but yet I'm supposed to make a decision on reimbursing this...this constituent with very little information. So, I've just got that swirling around. Thank you, Chair.

MS. LEEDER: And --

CHAIR U'U-HODGINS: Go ahead.

MS. LEEDER: -- what I would say is, when he made his initial claim, he made a rough estimate himself of 40,000 in damage. But when he...oh, sorry. When he got the estimates...there were three estimates, and the other two estimates are about 20,000 higher. So, we are looking at settling for the lower estimate. So, it's consistent that there was significant damage, based on the companies that came and evaluated.

CHAIR U'U-HODGINS: Yeah. Does anybody else have any other questions? Member Cook, go ahead.

COUNCILMEMBER COOK: I don't have a clarifying question, but I have a clarifying statement.

CHAIR U'U-HODGINS: Go ahead, please.

COUNCILMEMBER COOK: Generally speaking, when you have water damage, they go over and above to tear stuff out until they identify that there is...they get to a point where the water never reached. Because if they get...if there's water in there, and they don't address it, that's when the mold over time grows up. And mold is one of the big...really big deal with insurance. Because once you get that, it's big. So, the reason is, they're very, very conservative. So, they probably tore off all the drywall, tore off the cabinets, do all this stuff, extensive amount of work to ensure that when they put it all back together, that there's no problem. So, it's just sort of clarification. It seems like a lot of work because they're not just mopping up water. Thank you.

CHAIR U'U-HODGINS: Thank you. Member Paltin?

VICE-CHAIR PALTIN: My other question is, you know, what are we going to do to prevent it in the future if...if it breaks again, or somebody kicks it, or does something? Are we moving the sprinkler head so that if it does go 360, it doesn't reach his house, or like what...we

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don't want this to happen to this guy again after he...or we pay all this money to fix it. Like how...and hopefully it won't happen in any other park, or any other house. So, how do we learn from this going forward to that...not let it happen again?

MR. MCCALL: Thank you for the question. The irrigation section of our beautification section of our Department is changing out that brand of sprinklers where we have that internal part problem. And we're trying to remove it as...from all the parks that we have them in at this time.

VICE-CHAIR PALTIN: Okay. Great. And so...and have you troubleshot that what they're changing it to won't cause this type of problem again? Is it not a high-volume sprinkler that they're changing it to, or are they putting it in the middle so that if it does go 360, it doesn't reach the guys' houses?

MR. MCCALL: No, it's just a different design of sprinkler there is going to...that sprinkler had an internal piece that would give up, and that's what caused the problem.

VICE-CHAIR PALTIN: Okay. So, crossing our fingers.

CHAIR U'U-HODGINS: So, this is like a neighborhood, and it did the most damage to this person's house. Did it hit anybody else's house, the water?

MR. MCCALL: No, it...the sprinkler is right in back of his...in his particular property.

CHAIR U'U-HODGINS: Oh, so he was direct line of impact.

MR. MCCALL: Uh-huh.

CHAIR U'U-HODGINS: Okay. Okay. Anybody else have any other questions before we move on to the recommendation? Okay. Double-, triple-checking.

VICE-CHAIR PALTIN: I just had one other question.

CHAIR U'U-HODGINS: Yeah.

VICE-CHAIR PALTIN: If we're changing out all the sprinklers and it's to a better system that doesn't give out, do we have any recourse to that sprinkler brand? Like, hey, these are faulty, and --

MR. MCCALL: We looked into it --

VICE-CHAIR PALTIN: -- go half-sies with us.

MR. MCCALL: -- and I have not heard back on the warranty situation, but I believe by the age of the park, we'll have already passed the warranty on that sprinkler.

VICE-CHAIR PALTIN: Oh, okay. Okay. Would've been nice to go half-sies with them.

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CHAIR U‘U-HODGINS: Right? Pā‘ia Park could use some sprinklers too, Director, just saying. Anyways. Okay. At this time then, I would like to entertain a motion to recommend adoption of Resolution 25-141, including any nonsubstantive revisions.

COUNCILMEMBER SUGIMURA: So moved.

COUNCILMEMBER LEE: Second.

VICE-CHAIR PALTIN: Second.

CHAIR U‘U-HODGINS: Thank you. I have a motion --

COUNCILMEMBER KAMA: Second.

CHAIR U‘U-HODGINS: -- made by Member Sugimura, second by Chair Lee. Any further discussion? No? Seeing no further discussion. Member Rawlins is going to be with us shortly. All those in favor, please raise your hand and say “aye.”

COUNCILMEMBERS: Aye.

MS. APO TAKAYAMA: Chair, that’s nine “ayes,” zero “noes,” motion carries.

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

**NOES:   None.**

**ABSTAIN:   None.**

**ABSENT:   None.**

**EXCUSED:   None.**

**MOTION CARRIED.**

**ACTION:    Recommending ADOPTION of Resolution 25-141.**

CHAIR U‘U-HODGINS: Thank you. And we’re going to move on. That item we’ll see in full Council, yada, yada, yada. Same spiel. Okay. So, moving on.

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**ITEM 5(1): INITIAL CASE ASSESSMENT, LITIGATION COSTS ASSESSMENT, AND SETTLEMENT OPTIONS FROM SPECIAL COUNSEL UNDER RESOLUTION 25-109, CD1, REGARDING ALLEGATIONS MADE BY LEO CAIRES, A FORMER COUNTY OF MAUI EMPLOYEE (Rule 7(B))**

CHAIR U‘U-HODGINS: I scheduled this item today in accordance with Rule 7(B) of Rules of the Council, and as required by Resolution 25-109, CD1, which notes Marr Jones & Wang, LLLP must prepare and present the Council with an initial case assessment and litigation cost assessment, to include settlement options regarding the allegations made by Leo Caires, a former County of Maui employee, following the approval of that resolution. So, we are now moved on to GREAT...item GREAT-5(1). This...that previously mentioned resolution was adopted June 30th, 2025, and is posted to the GREAT agenda as GREAT-5(1)...GREAT-5(1). And we had a whole bunch of questions the last time this was at Committee, so at this time, I will ask Ms. Leeder to provide what little opening comments we’re probably going to hear in open session.

MS. LEEDER: Yes, and thank you. And I do have special counsel Richard Rand, who is available to answer questions, and I would request that we go to executive session to discuss.

CHAIR U‘U-HODGINS: Okay. Before we do that, if we could please ask Staff if there’s any testifiers wishing to testify at this time.

MR. PASCUAL: Thank you, Chair. There’s no individual signed up to testify. Would you like me to do a last call?

CHAIR U‘U-HODGINS: Please.

MR. PASCUAL: If anyone would like to testify, please come up to the podium or raise your hand on Teams. This is last call. The countdown is three...two...one. Seeing none. Chair, no one has indicated that they wish to testify.

CHAIR U‘U-HODGINS: Thank you. Members, seeing there are no individuals wishing to testify, without objection, I will now close oral testimony for this item.

COUNCILMEMBERS: No objections.

**. . . CLOSE PUBLIC TESTIMONY ON ITEM 5(1) . . .**

CHAIR U‘U-HODGINS: Thank you very much. As a reminder, written testimony will continue to be accepted. Do we have any questions, Members, that may be asked in open session? If not, we will move on to executive session. Member Sugimura?

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COUNCILMEMBER SUGIMURA: Thank you. At one point, before we got to this, that we were to read a complaint that was provided by the Caires', I guess. Are we going to have that opportunity?

MS. LEEDER: Yes. And so, we were just waiting until special counsel was fully retained --

COUNCILMEMBER SUGIMURA: Right.

MS. LEEDER: -- and all the paperwork was taken care of, which we needed the resolution back to do. So, that's all in place now, and I do have that available. And you can schedule to...to come and talk with me about it.

COUNCILMEMBER SUGIMURA: Oh, okay. So, we still need to schedule and go individually to Corp. Counsel. It's not going to be presented today.

MS. LEEDER: Right.

COUNCILMEMBER SUGIMURA: Okay.

COUNCILMEMBER LEE: Why not?

MS. LEEDER: Yeah.

CHAIR U'U-HODGINS: Yeah, why not?

MS. LEEDER: We can give more details in executive session.

CHAIR U'U-HODGINS: Okay. Okay then. Do we need to wait for Member Rawlins-Fernandez to come into the Chambers?

UNIDENTIFIED SPEAKER: . . .*(inaudible)*. . .

CHAIR U'U-HODGINS: Okay. Member Paltin, please go ahead.

VICE-CHAIR PALTIN: I just was wondering if we have an update? Like when we had it, it was pre-litigation. Are we still in pre-litigation, or are we in litigation yet?

MS. LEEDER: Still pre-...pre-litigation.

VICE-CHAIR PALTIN: Oh, okay. And we're not allowed to ask much more things in open session, like why...why we think that he is going to litigate if he hasn't litigated yet?

MS. LEEDER: I think it would be better to address that in executive session, if we could.

VICE-CHAIR PALTIN: Okay. And is there a time frame on it? Is that executive session as well?

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MS. LEEDER: There isn't anything right now.

VICE-CHAIR PALTIN: Okay. So, no time frame. And...and we don't know, because it hasn't gone to litigation, what is being asked...because that'll come when the litigation comes?

CHAIR U'U-HODGINS: Hi, Ciss.

MS. LEEDER: Yeah. Yeah, we do know what he's demanding, but we'll need to address it in executive session.

VICE-CHAIR PALTIN: Oh, okay. I think that's all the questions that I think that could be open session. Probably the rest would be executive session, but I guess I thought some of them were open, but not.

CHAIR U'U-HODGINS: Chair Lee?

COUNCILMEMBER LEE: Yeah, thank you. So, what can be discussed in open session?

CHAIR U'U-HODGINS: Should you answer that, or should special counsel, Mr. Richard Rand, answer that?

MS. LEEDER: If he's available to answer, that...that would be...

COUNCILMEMBER LEE: Is he online?

MS. LEEDER: He is on...he should be online.

MR. RAND: I am, but I'm not sure if I'm allowed to unmute myself because...

CHAIR U'U-HODGINS: We can hear you. We can't --

MR. RAND: Okay.

CHAIR U'U-HODGINS: -- see you, so you're in omnipresent voice, but...okay. Now we can. We can see you now, and we can hear you.

MR. RAND: So, I think not in executive session, we should keep it very limited to the fact that we've received a demand from him. He's retained counsel. It's not in litigation, but to get into kind of more granular details, I would feel more comfortable sort of strategy approach. What the claims are, what the defenses are on that, I would prefer to keep in executive session.

CHAIR U'U-HODGINS: Chair Lee?

COUNCILMEMBER LEE: Okay. At some point...at some point, we should be able...after the...the matter is in litigation, can we then discuss why...the whys, and any other

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information regarding the case, or do we have to wait until the end of it? I mean, at some point, it has to be made public, right?

MR. RAND: Yeah. Yeah, and when we go into executive session, I'll...I'll explain that. But yeah, once litigation is filed, anything that's filed is public, unless it's filed under seal. So, that all becomes public information, and then his theories at that time will be public. Our responses would be public. If depositions are taken, they're public. It's a lot more, I guess, transparent at that point. But things like okay, what's our approach going to be? How do we value the case? That, I think, is still under the realm of something, you know, attorney-client, that you want to keep in executive session.

COUNCILMEMBER LEE: Okay. Thank you.

MS. LEEDER: I was just going to say, I think when...when you come and review the demand letter, you'll have a little more specific information.

CHAIR U'U-HODGINS: Okay. Hold on. If this is Member Rawlins-Fernandez, then we don't need a short recess.

UNIDENTIFIED SPEAKER: . . .*(inaudible)*. . .

CHAIR U'U-HODGINS: Teamwork, teamwork.

COUNCILMEMBER LEE: You have to share the bread.

COUNCILMEMBER SUGIMURA: . . .*(laughing)*. . .

CHAIR U'U-HODGINS: Okay. So, Members, do we have any additional questions that can be answered in open session? Seeing none. I would like to then entertain a motion to convene in executive meeting 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 liabilities of the County, the Council, and Committee; and Section 92-5(a)(8), Hawai'i Revised Statutes, to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential, pursuant to a State or Federal law or court order.

VICE-CHAIR PALTIN: So moved.

COUNCILMEMBER COOK: Second.

CHAIR U'U-HODGINS: Thank you. I have a motion made by Member Paltin, second by Member Cook, to enter into executive session for Resolution 25...no, for res...for GREAT item 5(1). Any further discussion? Seeing none. All those in favor, please raise your hand and say "aye."

COUNCILMEMBERS: Aye.

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MS. APO TAKAYAMA: Chair, that's nine "ayes," zero "noes," motion carries.

**VOTE:       AYES:   Chair U'u-Hodgins, Vice-Chair Paltin, and Councilmembers Cook, Johnson, Kama, Lee, Rawlins-Fernandez, Sinenci, and Sugimura.**

**NOES:   None.**

**ABSTAIN:  None.**

**ABSENT:  None.**

**EXC.:   None.**

**MOTION CARRIED.**

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

CHAIR U'U-HODGINS: Thank you very much. For the record, the following personnel will be attending this executive meeting. All Councilmembers in attendance, including myself, Committee Chair Nohelani U'u-Hodgins, Committee Vice-Chair Tamara Paltin, Councilmember Cook, Councilmember Gabe Johnson, Councilmember Tasha Kama, Council Chair Alice Lee, Councilmember Keani Rawlins-Fernandez, Councilmember Shane Sinenci, and Councilmember Yuki Lei Sugimura. Office of the Council Services Staff include Mr. Peter Hanano, Legislative Attorney; Maria Leon, Committee Secretary; and Richelle Kawasaki, Deputy OCS. From Corp. Counsel, who are we going to have besides Mr. Rand?

MS. TAKAYESU: Chair, given that we have a conflict with our Department, we're going to rely on Mr. Rand to represent the Department --

CHAIR U'U-HODGINS: Okay.

MS. TAKAYESU: -- so all three of us will be leaving.

CHAIR U'U-HODGINS: Okay. I'm so glad we gave all the chairs to you. No, I'm just joking. At this time, then, we are going to take a ten-minute recess, to reconvene at 2:14 in executive meeting, and this GREAT Committee is now in recess. . . .*(gavel)*. . .

**RECESS:       2:04 p.m.**

**RECONVENE:   3:58 p.m.**

CHAIR U'U-HODGINS: . . .*(gavel)*. . . Good afternoon. And will the GREAT Committee please reconvene, it is 3:58 p.m. Members, we have just completed our executive meeting on

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item GREAT-5(1), and at this time, I'm going to refer to Mr. Hanano to provide the summary in accordance with Hawai'i Revised Statutes Section 92-4.

MR. HANANO: Thank you, Chair. Your GREAT Committee met to discuss special counsel's assessment of the case, which included strengths and weaknesses of the claims alleged, settlement options, litigation strategy, as well as the rights and liabilities of the County. Thank you, Chair.

CHAIR U'U-HODGINS: Thank you very much. Members, as I mentioned earlier, this resolution was posted for no legislative action, so I will now defer this item without objection.

**COUNCILMEMBERS VOICED NO OBJECTIONS.**

**ACTION: DEFER pending further discussion.**

CHAIR U'U-HODGINS: Thank you very much. That means this concludes the Government Relations, Ethics, and Transparency Committee meeting. Thank you very much, Members. It is 3:59 p.m., and this meeting is adjourned. . . .(gavel). . .

**ADJOURN:** 3:58 p.m.

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Transcribed by: Daniel Schoenbeck

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CERTIFICATION

I, Daniel Schoenbeck, hereby certify that pages 1 through 17 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 12th day of August 2025, in Wailuku, Hawai'i



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Daniel Schoenbeck