

COUNCIL OF THE COUNTY OF MAUI

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

December 19, 2025

**Committee
Report No. _____**

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Government Relations, Ethics, and Transparency Committee, having met on December 3, 2025, makes reference to Resolution 25-191, entitled “AUTHORIZING SETTLEMENT OF CLAIM 4089446-1 OF ELAINE BOGARD AND ROBERT BOGARD.”

Resolution 25-191’s purpose is to authorize settlement of the claim filed on April 25, 2024, in the amount of \$57,664.74. The claim alleges that on February 8, 2024, a broken water main flooded the Claimants’ residence in Kihei, Hawai‘i. The flooding damaged the residence and personal property, necessitating substantial repairs.

By correspondence dated October 9, 2025, the Department of the Corporation Counsel requested consideration of Resolution 25-191, with a copy of the claim.

Your Committee notes Subsection 3.16.020(B), Maui County Code, requires Council authorization for any settlement of claims or civil litigation in excess of \$25,000.

A Deputy Corporation Counsel provided an overview of the claim and explained that the parties had reached a negotiated settlement, pending Council approval.

Your Committee voted 7-0 to recommend adoption of Resolution 25-191. Committee Chair U‘u-Hodgins, Vice-Chair Paltin, and members Cook, Johnson, Lee, Sinenci, and Sugimura voted “aye.” Committee member Rawlins-Fernandez was excused.

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Your Government Relations, Ethics, and Transparency Committee RECOMMENDS that Resolution 25-191, attached, entitled "AUTHORIZING SETTLEMENT OF CLAIM 4089446-1 OF ELAINE BOGARD AND ROBERT BOGARD," be ADOPTED.

This report is submitted in accordance with Rule 3 of the Rules of the Council.



NOHELANI U'U-HODGINS, Chair

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Resolution

No. 25-191

AUTHORIZING SETTLEMENT OF CLAIM 4089446-1 OF ELAINE BOGARD AND ROBERT BOGARD

WHEREAS, Elaine Bogard and Robert Bogard, filed Claim 4089446-1 on April 25, 2024, against the County of Maui for damages to their property located at 276 Kaiola Place, #102, Kihei, Maui, Hawai'i, 96753, resulting from flooding from a water main break occurring on or about February 8, 2024; and

WHEREAS, the County of Maui, to avoid incurring expenses and the uncertainty of a judicial determination of the parties' respective rights and liabilities, have reached a proposed resolution of this Claim by way of a negotiated settlement; and

WHEREAS, the Department of Corporation Counsel has requested authority to settle this Claim in the amount of \$57,664.74; and

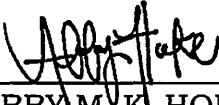
WHEREAS, having reviewed the facts and circumstances regarding this matter and being advised of attempts to reach resolution of this Claim by way of a negotiated settlement by the Department of the Corporation Counsel, the Council wishes to authorize settlement; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That under Maui County Code section 3.16.020, it approves settlement of Claim 4089446-1 of Elaine Bogard and Robert Bogard in the amount of \$57,664.74;
2. That payment is authorized to satisfy settlement of this Claim following the execution of the "Release of Property Damage Claim" by Elaine Bogard and Robert Bogard; and
3. That certified copies of this Resolution be transmitted to the Mayor, Director of Finance, Director of Water Supply, and Corporation Counsel.

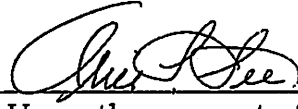
Resolution No. 25-191

APPROVED AS TO FORM
AND LEGALITY:

A handwritten signature in black ink, appearing to read 'Abby M. K. Hoke', written over a horizontal line.

ABBY M. K. HOKE
Deputy Corporation Counsel
County of Maui
RISK 2024-0098

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Sheri Lee", is written over a horizontal line.

Upon the request of the Mayor.