

Resolution

No. 24-88

AUTHORIZING THE SETTLEMENT OF
RICHARD D. MAYER V. DANNY RAY BLACKBURN, ET AL.,
SP NO. 2CSP-24-0000020

WHEREAS, by the Council's adoption of Resolution 24-36, FD1, on March 22, 2024, the County appointed a volunteer member of the Maui Planning Commission for a five-year term beginning on April 1, 2024; and

WHEREAS, the appointment was challenged in Second Circuit Court on April 5, 2024, by Richard D. Mayer, seeking the ouster of the volunteer member of the Maui Planning Commission in a quo warranto petition; and

WHEREAS, the County of Maui, to avoid incurring expense and the uncertainty of a judicial determination of the parties' respective rights and liabilities, will attempt to reach a resolution of the case by way of a negotiated settlement; and

WHEREAS, the County's Special Counsel has requested authority to settle the case under the terms presented in an executive meeting before the Government Relations, Ethics, and Transparency Committee; and

WHEREAS, having reviewed the facts and circumstances regarding the case and being advised of attempts to reach resolution of the case by way of negotiated settlement by Special Counsel, the Council wishes to authorize the settlement; now, therefore,

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

1. That, under Section 3-6 of the Revised Charter of the County of Maui (1983), as amended, and Section 3.16.020, Maui County Code, it approves settlement of Richard D. Mayer v. Danny Ray Blackburn, et al., SP No. 2CSP-24-0000020, under the terms discussed in an executive meeting before the Government Relations, Ethics, and Transparency Committee;
2. That it authorizes the Mayor to execute a Release and Settlement Agreement on the County's behalf, under terms

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and conditions as may be imposed by the County's Special Counsel consistent with the Council's settlement authority;

3. That certified copies of this Resolution be transmitted to the Mayor, Managing Director, the County's Special Counsel, and Corporation Counsel.

paf:rem:24-098d

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Alice L. Lee". The signature is written in black ink and is positioned above a horizontal line.

ALICE L. LEE