

COUNCIL OF THE COUNTY OF MAUI

# GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

May 21, 2024

**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 May 1, 2024, makes reference to Resolution 24-88, entitled “AUTHORIZING THE SETTLEMENT OF RICHARD D. MAYER V. DANNY RAY BLACKBURN, ET AL., SP NO. 2CSP-24-0000020.”

Resolution 24-88’s purpose is to authorize settlement of the claims filed on April 5, 2024, under terms discussed in an executive meeting.

The Special Counsel provided an overview of the claims in regular session. The claims seek the removal of a volunteer member of the Maui Planning Commission in a quo warranto petition, and a declaratory judgment for the proper computation of time for the nomination and appointment process for boards and commissions under the Revised Charter of the County of Maui (1983), as amended.

The Special Counsel requested an executive meeting to discuss confidential information related to the claims.

Your Committee voted to convene an executive meeting, closed to the public, to consult with legal counsel in accordance with Sections 92-5(a)(4) and 92-5(a)(8), Hawaii Revised Statutes.

Following the executive meeting, your Committee reconvened in regular session.

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Based on information received in executive session and the recommendation of Special Counsel, your Committee voted 5-0 to recommend adoption of Resolution 24-88. Committee Chair U‘u-Hodgins, Vice-Chair Paltin, and members Cook, Johnson, and Lee voted “aye.” Committee members Kama, Rawlins-Fernandez, Sinenci, and Sugimura were excused.

Your Government Relations, Ethics, and Transparency Committee RECOMMENDS that Resolution 24-88, attached hereto, entitled “AUTHORIZING THE SETTLEMENT OF RICHARD D. MAYER V. DANNY RAY BLACKBURN, ET AL., SP NO. 2CSP-24-0000020,” be ADOPTED.

This report is submitted in accordance with Rule 8 of the Rules of the Council.

  
\_\_\_\_\_  
NOHELANI U‘U-HODGINS, Chair

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# 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

**Resolution No. 24-88**

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