

COUNCIL OF THE COUNTY OF MAUI

# GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

February 28, 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 February 6, 2024, makes reference to Resolution 23-242, entitled "AUTHORIZING SETTLEMENT OF VARIOUS 2023 WILDFIRE CLAIMS INVOLVING DEATH OR SERIOUS BODILY INJURY."

Resolution 23-242's purpose is to authorize settlement of various claims related to the August 2023 wildfires involving death or serious bodily injury.

By correspondence dated January 31, 2024, the Department of the Corporation Counsel transmitted a proposed CD1 version of Resolution 23-242, incorporating a proposed settlement amount of \$10,000,000 and nonsubstantive revisions.

Your Committee notes Section 3.16.020(B), Maui County Code, requires Council authorization for any settlement of claims or civil litigation in excess of \$7,500.

The Corporation Counsel provided an overview of the claims and explained the basis for the request for settlement, pending Council approval, and further 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.

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# GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

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**Committee  
Report No.** \_\_\_\_\_

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

Based on information received in executive session and the recommendation of the Department, your Committee voted 7-0 to recommend adoption of Resolution 23-242, CD1. Committee Chair U‘u-Hodgins, Vice-Chair Paltin, and members Cook, Lee, Rawlins-Fernandez, Sinenci, and Sugimura voted “aye.” Committee members Johnson and Kama were excused.

Your Government Relations, Ethics, and Transparency Committee RECOMMENDS that Resolution 23-242, CD1, as revised herein and attached hereto, entitled “AUTHORIZING SETTLEMENT OF VARIOUS 2023 WILDFIRE CLAIMS INVOLVING DEATH OR SERIOUS BODILY INJURY,” 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. 23-242, CD1

### AUTHORIZING SETTLEMENT OF VARIOUS 2023 WILDFIRE CLAIMS INVOLVING DEATH OR SERIOUS BODILY INJURY

WHEREAS, in August of 2023, several large wildfires devastated the island of Maui causing significant loss of life, immense damage to public and private property, and untold economic damage; and

WHEREAS, claims involving death or serious bodily injury are anticipated to be, or have been filed with the court (“Wildfire Claims”) by affected parties (“Claimants”); and

WHEREAS, the County of Maui, and Claimants, to avoid incurring expenses and the uncertainty of a judicial determination of the parties’ respective rights and liabilities, will attempt to reach resolution of these Wildfire Claims by way of negotiated settlements; and

WHEREAS, the Department of the Corporation Counsel has requested authority to settle these Wildfire Claims before the Government Relations, Ethics, and Transparency Committee; and

WHEREAS, having reviewed the facts and circumstances regarding these Wildfire Claims and being advised of attempts to reach resolution of these claims by way of negotiated settlements by the Department of the Corporation Counsel, the Council wishes to authorize these settlements; now, therefore,

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

1. That it approves settlement of various 2023 Wildfire Claims involving death or serious bodily injury in the amount of \$10,000,000;
2. That it authorizes the Mayor to execute Release and Settlement Agreements on behalf of the County in these Wildfire Claims, under terms and conditions as may be imposed by the Corporation Counsel consistent with the Council’s settlement approval;
3. That it authorizes the Director of Finance of the County of Maui to satisfy settlement of these Wildfire Claims, under

**Resolution No. 23-242, CD1**

terms and conditions as may be imposed by the Corporation Counsel consistent with the Council's settlement approval; and

4. That certified copies of this Resolution be transmitted to the Mayor, the Director of Finance, and the Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY:

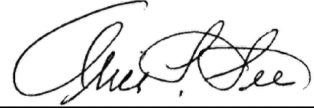


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VICTORIA J. TAKAYESU  
Corporation Counsel  
County of Maui

LF 2023-1405  
2024-01-31 Reso Auth Settle of Claims Death or Injury

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Alice L. Lee".

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ALICE L. LEE

Upon the request of the Mayor.