

COUNCIL OF THE COUNTY OF MAUI

# GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

November 3, 2023

**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 October 17, 2023, makes reference to Resolution 23-130, entitled "AUTHORIZING SETTLEMENT OF CLAIM NO. 4077284 OF RONALD BROWNING."

Resolution 23-130's purpose is to authorize settlement of the claim, filed on June 8, 2022, in the amount of \$18,107.70. The claim alleges damages to the claimant's property located at 3770 Kula Highway, Kula, Maui, Hawai'i, resulting from flooding that occurred on December 5, 2021, due to a blockage at the County-owned culvert beneath Lower Kula Road.

By correspondence dated April 6, 2023, the Department of the Corporation Counsel provided a copy of the claim.

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.

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

Based on information received and the recommendation of the Department, your Committee voted 8-0 to recommend adoption of Resolution 23-130. Committee Chair U'u-Hodgins, Vice-Chair Paltin, and members Cook, Johnson, Kama, Lee, Rawlins-Fernandez, and Sinenci voted "aye." Committee member Sugimura was excused.

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# GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

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

Your Government Relations, Ethics, and Transparency Committee RECOMMENDS that Resolution 23-130, attached hereto, entitled "AUTHORIZING SETTLEMENT OF CLAIM NO. 4077284 OF RONALD BROWNING," be ADOPTED.

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

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

great:cr:23011(2)aa:rem

# Resolution

No. 23-130

## AUTHORIZING SETTLEMENT OF CLAIM NO. 4077284 OF RONALD BROWNING

WHEREAS, Ronald Browning filed Claim No. 4077284 on June 8, 2022, against the County of Maui for damages to his property located at 3770 Kula Highway, Kula, Maui, Hawai'i 96790; and

WHEREAS, the claimed damages occurred on December 5, 2021, because of flooding resulting from a blockage of the County of Maui-owned culvert beneath Lower Kula Road; and

WHEREAS, the County of Maui and Ronald Browning, 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, 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:

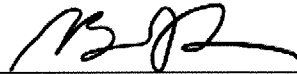
1. That it hereby approves settlement of Claim No. 4077284 in the amount of EIGHTEEN THOUSAND ONE HUNDRED SEVEN AND 70/100 DOLLARS (\$18,107.70); and

**Resolution No.** 23-130

2. That payment is authorized to satisfy settlement of this claim following the execution of the "Property Damage Release" by Ronald Browning; and

3. That certified copies of this Resolution be transmitted to the Mayor, the Director of Finance, the Department of Public Works, and the Corporation Counsel.

APPROVED AS TO FORM  
AND LEGALITY:



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BRADLEY J. SOVA  
Deputy Corporation Counsel  
County of Maui  
RISK - 2022-0712

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Chris Lee", written above a horizontal line.

Upon the request of the Mayor