

Resolution

No. 22-212

AUTHORIZING SETTLEMENT OF CLAIM NO. 4067712 OF PAULINE TIU

WHEREAS, Pauline Tiu, filed Claim No. 4067712 on December 8, 2020, against the County of Maui for damages to her property located at 237 West Papa Avenue, Kahului, Maui, Hawaii 96732, resulting from a sewage overflow; and

WHEREAS, the County of Maui and Pauline Tiu, 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. 4067712 in the amount of \$34,837.53; and
2. That payment is authorized to satisfy settlement of this claim following the execution of the "Property Damage Release" by Pauline Tiu; and

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

APPROVED AS TO FORM
AND LEGALITY:

A handwritten signature in black ink, appearing to read 'Caleb P. Rowe', written over a horizontal line.

CALEB P. ROWE
Deputy Corporation Counsel
County of Maui
RISK - 2020-0266

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INTRODUCED BY:

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

Upon the request of the Mayor.