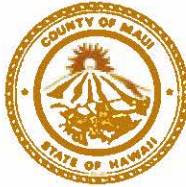


RICHARD T. BISSEN, JR.
Mayor

VICTORIA J. TAKAYESU
Corporation Counsel

MIMI DESJARDINS
First Deputy

LYDIA A. TODA
Risk Management Officer



**DEPARTMENT OF THE CORPORATION COUNSEL
COUNTY OF MAUI
200 SOUTH HIGH STREET, 3RD FLOOR
WAILUKU, MAUI, HAWAII 96793
EMAIL: CORPCOUN@MAUICOUNTY.GOV
TELEPHONE: (808)270-7740**

TRANSMITTAL

May 28, 2025

TO: RICHELLE KAWASAKI, Deputy Director Office of Counsel Services

FROM: JOHN J. GORES, Deputy Corporation Counsel

A handwritten signature in black ink, appearing to read "John J. Gores".

RE: Withdrawal of Resolutions from Council Consideration

ITEM	RESOLUTION NUMBER	DESCRIPTION
1.	25-95	AUTHORIZING SETTLEMENT OF THE CLAM OF MARK D. ROSS AGAINST THE COUNTY OF MAUI, COUNTY OF MAUI RISK FILE 2024-0191;
2.	25-96	AUTHORIZING SETTLEMENT OF THE CLAIM OF THOMAS J. LIU AGAINST THE COUNTY OF MAUI, COUNTY OF MAUI RISK FILE 2024-0180;
3.	25-97	AUTHORIZING SETTLEMENT OF THE CLAIM OF THE HARRIETTE L. HOLT, REVOCABLE LIVING TRUST AGAINST THE COUNTY OF MAUI, COUNTY OF MAUI RISK FILE 2024-0169; AND
4.	25-98	AUTHORIZING SETTLEMENT OF THE CLAIM OF DONNA WATERS AGAINST THE COUNTY OF MAUI, COUNTY OF MAUI RISK FILE 2024-0168

() For Filing and Return
() For Certification
() For your information & files

() Attached as requested
() Per our conversation
(X) For necessary action

Remarks: Please withdraw from consideration by the Council the above referenced and attached Resolution 25-95, Resolution 25-96, Resolution 25-97, and Resolution 25-98.

cc: Victoria Takayesu, Corporation Counsel
Peter Hanano, Esq.

Enclosures

Resolution

No. 25-95

*AUTHORIZING SETTLEMENT OF THE CLAIM OF MARK D. ROSS AGAINST THE
COUNTY OF MAUI, COUNTY OF MAUI RISK FILE 2024-0191*

WHEREAS, Mark D. Ross filed a claim with the County Clerk of the County of Maui on August 27, 2024 for property damage to the driveway located at 11 Kualono Place, Kula, Maui, Hawai'i 96790 occurring November, 2023 in the amount of \$31,245.01; and

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

WHEREAS, the Department of the Corporation Counsel has requested authority to settle this 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 this case and being advised of attempts to reach resolution of this case by way of a negotiated settlement or Offer of Judgment by the Department of the Corporation Counsel, the Council wishes to authorize the settlement; now, therefore,

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

1. That under Maui County Code Section 3.16.20, it approves settlement of the claim of Mark D. Ross filed with the County Clerk of the County of Maui on August 27, 2024, Risk File 2024-0191, under the terms discussed in an executive meeting before its Government Relations, Ethics, and Transparency Committee;
2. That it authorizes the Mayor to execute a Release and Settlement Agreement on behalf of the County in this case, under terms and conditions as may be imposed by the

Resolution No. 25-95

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 this case, under 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 Managing Director, the Director of Finance, the Director of the Department of Public Works, and the Department of Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY:

A handwritten signature in black ink, appearing to read "John J. Gores", written over a horizontal line.

JOHN J. GORES
Deputy Corporation Counsel
County of Maui
Risk 2024-0191

INTRODUCED BY:

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

Upon the request of the Mayor.

Resolution

No. 25-96

***AUTHORIZING SETTLEMENT OF THE CLAIM OF THOMAS J. LIU AGAINST THE
COUNTY OF MAUI, COUNTY OF MAUI RISK FILE 2024-0180.***

WHEREAS, Thomas J. Liu filed a claim with the County Clerk of the County of Maui on August 14, 2024 for property damage to the driveway located at 196 Kulalani Drive, Kula, Maui, Hawai'i 96790 occurring on or about August 8, 2023 in the amount of \$97,444; and

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

WHEREAS, the Department of the Corporation Counsel has requested authority to settle this 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 this case and being advised of attempts to reach resolution of this case by way of a negotiated settlement or Offer of Judgment by the Department of the Corporation Counsel, the Council wishes to authorize the settlement; now, therefore,

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

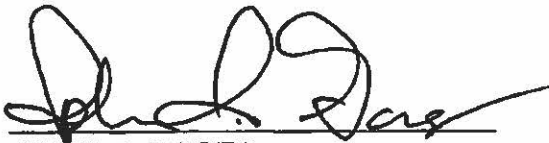
1. That under Maui County Code Section 3.16.20, it approves settlement of the claim of Thomas J. Liu filed with the County Clerk of the County of Maui on August 14, 2024, Risk File 2024-0180, under the terms discussed in an executive meeting before its Government Relations, Ethics, and Transparency Committee;
2. That it authorizes the Mayor to execute a Release and Settlement Agreement on behalf of the County in this case, under terms and conditions as may be imposed by the

Resolution No. 25-96

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 this case, under 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 Managing Director, the Director of Finance, the Director of the Department of Public Works, and the Department of Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY:

A handwritten signature in black ink, appearing to read "John J. Gores", written over a horizontal line.

JOHN J. GORES
Deputy Corporation Counsel
County of Maui
Risk 2024-0180

INTRODUCED BY:

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

Upon the request of the Mayor.

Resolution

No. 25-98

***AUTHORIZING SETTLEMENT OF THE CLAIM OF THE HARRIETTE L. HOLT,
REVOCABLE LIVING TRUST AGAINST THE COUNTY OF MAUI, COUNTY OF
MAUI RISK FILE 2024-0169.***

WHEREAS, the Harriette L. Holt, Revocable Living Trust filed a claim with the County Clerk of the County of Maui on July 25, 2024 for property damage to the driveway located at 15465 Haleakala Highway, Kula, Maui, Hawai'i 96790 occurring on or about August 8, 2023 and a few days afterwards in the amount of \$200,000; and

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

WHEREAS, the Department of the Corporation Counsel has requested authority to settle this 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 this case and being advised of attempts to reach resolution of this case by way of a negotiated settlement or Offer of Judgment by the Department of the Corporation Counsel, the Council wishes to authorize the settlement; now, therefore,

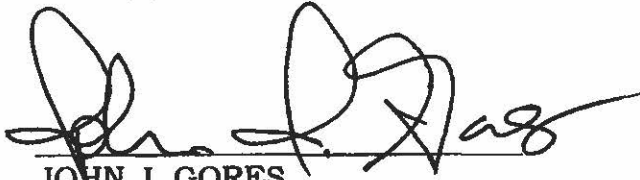
BE IT RESOLVED by the Council of the County of Maui:

1. That under Maui County Code Section 3.16.20, it approves settlement of the claim of the Harriete L. Holt, Revocable Living Trust filed with the County Clerk of the County of Maui on July 25, 2024, Risk File 2024-0169, under the terms discussed in an executive meeting before its Government Relations, Ethics, and Transparency Committee;

Resolution No. 25-97

2. That it authorizes the Mayor to execute a Release and Settlement Agreement on behalf of the County in this case, 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 this case, under 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, the Fire Chief of the Department of Fire and Public Safety, and the Department of Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY:

A handwritten signature in black ink, appearing to read 'John J. Gores', is written over a horizontal line.

JOHN J. GORES
Deputy Corporation Counsel
County of Maui

Risk 2024-0169

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "John A. Lee", is written over a horizontal line.

Upon the request of the Mayor.

Resolution

No. 25-98

***AUTHORIZING SETTLEMENT OF THE CLAIM OF DONNA WATERS AGAINST THE
COUNTY OF MAUI, COUNTY OF MAUI RISK FILE 2024-0168***

WHEREAS, Donna Waters filed a claim with the County Clerk of the County of Maui on July 25, 2024 for property damage to the driveway/road located at 200 Alanuilili Place, Kula, Maui, Hawai'i 96790 occurring August 8, 2023 in the amount of \$69,778; and

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

WHEREAS, the Department of the Corporation Counsel has requested authority to settle this 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 this case and being advised of attempts to reach resolution of this case by way of a negotiated settlement or Offer of Judgment by the Department of the Corporation Counsel, the Council wishes to authorize the settlement; now, therefore,

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

1. That under Maui County Code Section 3.16.20, it approves settlement of the claim of Donna Waters filed with the County Clerk of the County of Maui on July 25, 2024, Risk File 2024-0168, under the terms discussed in an executive meeting before its Government Relations, Ethics, and Transparency Committee;
2. That it authorizes the Mayor to execute a Release and Settlement Agreement on behalf of the County in this case, under terms and conditions as may be imposed by the

Resolution No. 25-98

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 this case, under 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 Managing Director, the Director of Finance, the Director of the Department of Public Works, and the Department of Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY:

A handwritten signature in black ink, appearing to read 'John J. Gores', written over a horizontal line.

JOHN J. GORES
Deputy Corporation Counsel
County of Maui
Risk 2024-0168

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Charles H. Lee", is written over a horizontal line.

Upon the request of the Mayor.

Great Committee

From: Jocelyn C. Moniz <Jocelyn.Moniz@co.maui.hi.us>
Sent: Wednesday, May 28, 2025 2:17 PM
To: Great Committee
Cc: John J. Gores; Kasie M. Takayama
Subject: FW: Withdrawal of Resolutions from Council Consideration
Attachments: 2025-05-28 TM to OCS Kawasaki re withdrawing resolutions.pdf

Good afternoon, GREAT Committee

Please see my email below and per my telephone conversation with Kasie please process.

Thank you!

Jocelyn Moniz
(x7515)

From: Jocelyn C. Moniz
Sent: Wednesday, May 28, 2025 1:38 PM
To: richelle.kawasaki@mauicounty.us
Cc: John J. Gores <John.J.Gores@co.maui.hi.us>; Victoria Takayesu-Hamilton <Victoria.Takayesu-hamilton@co.maui.hi.us>; Peter.hanano@mauicounty.us
Subject: Withdrawal of Resolutions from Council Consideration

Good afternoon, Richelle

Per John's instructions please find attached the following resolutions withdrawing from the County Council consideration.

- 1) Resolution 25-95 – Authorizing Settlement of the Claim of Mark D. Ross
- 2) Resolution 25-96 - Authorizing Settlement of the Claim of Thomas J. Liu
- 3) Resolution 25-97- Authorizing Settlement of the Claim of Harriette L. Holt
- 4) Resolution 25-98 - Authorizing Settlement of the Claim of Donna Waters

Please let me know if you are unable to open the attachment. Hard copies to follow via interoffice mail.

Thank you,

Jocelyn C. Moniz
Law Technician II
Secretary to
Mariana Lowy-Gerstmar
Susan M. Leeder
John J. Gores
County of Maui, Department of the Corporation Counsel
Tel: (808) 270-7741

(ext. 7515)

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