

KATHY L. KAOHU
County Clerk



JAMES G.M. KRUEGER
Deputy County Clerk

OFFICE OF THE COUNTY CLERK

COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/county/clerk

April 4, 2022

Honorable Michael J. Molina, Chair
Government Relations, Ethics, and Transparency Committee
Council of the County of Maui
Wailuku, Hawaii 96793

Dear Chair Molina:

Respectfully transmitted are copies of the following documents that were referred to your Committee by the Council of the County of Maui at its meeting of April 1, 2022:

RESOLUTION:

- No. 22-86 - "APPROVING THE APPOINTMENT OF HELENE KAU AS THE DIRECTOR OF WATER SUPPLY"
- No. 22-87 - "AUTHORIZING SETTLEMENT OF CLAIM NO. 4063291 OF LORI DONALDSON"
- No. 22-95 - "AUTHORIZING SETTLEMENT OF CLAIM NO. 4073176 OF FIRST INSURANCE COMPANY OF HAWAII, LTD. ON BEHALF OF ITS INSURED ANITA MOSUELA"

BILL:

- No. 65 (2022) - "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF LAND AND NATURAL RESOURCES, REGARDING THE ISSUANCE OF A MANAGEMENT RIGHT-OF-ENTRY FOR BRUSH CLEARING AND PUBLIC PARKING PURPOSES"

OFFICE OF THE
COUNTY CLERK

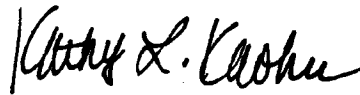
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Honorable Michael J. Molina, Chair
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Also transmitted for your convenience are copies of communications received from the Mayor pertaining to Resolution Nos. 22-86 and 22-87, Deputy Corporation Counsel relating to Resolution No. 22-95, and Budget Director pertaining to Bill No. 65 (2022).

Respectfully,

A handwritten signature in black ink, appearing to read "Kathy L. Kaohu". The signature is written in a cursive, flowing style.

KATHY L. KAOHU
County Clerk

/jym

Enclosures

cc: Director of Council Services

Resolution

No. 22-95

AUTHORIZING SETTLEMENT OF CLAIM NO. 4073176
OF FIRST INSURANCE COMPANY OF HAWAII, LTD.
ON BEHALF OF ITS INSURED ANITA MOSUELA

WHEREAS, First Insurance Company of Hawaii, Ltd., filed Claim No. 4073176 on November 1, 2021, against the County of Maui for damages to Anita Mosuela's vehicle resulting from a collision involving a County of Maui fleet vehicle at the intersection of Lahainaluna Road and Mill Street, Lahaina, Maui, Hawaii on July 21, 2021; and

WHEREAS, Anita Mosuela is insured for such damage by First Insurance Company of Hawaii, Ltd.; and

WHEREAS, First Insurance Company of Hawaii, Ltd., as subrogee of this claim, has alleged that the County of Maui is liable for the expense paid by First Insurance Company of Hawaii, Ltd.; and

WHEREAS, the County of Maui and First Insurance Company of Hawaii, Ltd., 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 negotiated settlement, and

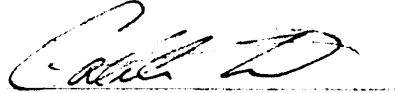
WHEREAS, having reviewed the facts and circumstances regarding this matter and being advised of attempts to reach resolution of this claim by way of a negotiated settlement by the Department of the Corporation Counsel, the Council wishes to authorize settlement; now, therefore,

Resolution No. 22-95

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

1. That it hereby approves settlement of Claim No. 4073176 in the amount of Eleven Thousand Seven Hundred Thirty-Nine and 62/100 Dollars (\$11,739.62); and
2. That payment is authorized to satisfy settlement of this claim following the execution of the "Release of Property Damage Claim" by First Insurance Company of Hawaii, Ltd.; and
3. That certified copies of this Resolution be transmitted to the Mayor, the Director of Finance, the Department of Water Supply, and the Corporation Counsel.

APPROVED AS TO FORM
AND LEGALITY:



CALEB P. ROWE
Deputy Corporation Counsel
County of Maui
RISK 2021-0523

Resolution No. 22-95

INTRODUCED BY:

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

Upon the request of the Mayor.