

**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, 3<sup>RD</sup> FLOOR  
WAILUKU, MAUI, HAWAII 96793  
EMAIL: CORPCOUN@MAUICOUNTY.GOV  
TELEPHONE: (808)270-7740

RECEIVED

2025 APR 11 PM 2:11

OFFICE OF THE  
COUNTY CLERK

April 11, 2025

Via email only at [alice.lee@maui.hawaii.gov](mailto:alice.lee@maui.hawaii.gov)  
Honorable Alice L. Lee, Chair  
and Members of the Council  
County of Maui  
Wailuku, Hawai'i 96793

SUBJECT: Settlement Authorization - AUTHORIZING SETTLEMENT OF THE  
CLAIM OF THOMAS J. LIU AGAINST THE COUNTY OF MAUI,  
COUNTY OF MAUI RISK FILE 2024-0180

Dear Chair Lee and Council Members:

Please find attached separately a Proposed Resolution entitled "AUTHORIZING SETTLEMENT OF THE CLAIM OF THOMAS J. LIU AGAINST THE COUNTY OF MAUI, COUNTY OF MAUI RISK FILE 2024-0180." The purpose of the proposed resolution is to discuss settlement authority with regards to the above-referenced claim filed with the County Clerk for the County of Maui.

I request that the proposed resolution be scheduled for discussion and action, or referral to the appropriate standing committee. For further information, I have also attached the Claim for Damage or Injury Mr. Thomas J. Liu filed with the County Clerk for the County of Maui on August 14, 2024 and the additional information regarding the August 14, 2024 filed with the County Clerk on August 19, 2024.

An Executive session may be necessary to discuss questions and issues pertaining to the powers, duties, privileges, immunities and liabilities of the County, the Council, and/or the Committee.

If you have any questions or concerns, please do not hesitate to contact me. Thank you for your anticipated assistance in this matter.

Honorable Alice L. Lee, Chair  
April 11, 2025  
Page | 2

Sincerely,

A handwritten signature in black ink, appearing to read 'John J. Gores', written in a cursive style.

JOHN J. GORES  
Deputy Corporation Counsel

cc: Managing Director Josiah Nishita  
Director of the Department of Public Works Jordan Molina

Attachments:

- (1) Proposed Resolution: "AUTHORIZING SETTLEMENT OF THE CLAIM OF THOMAS J. LIU AGAINST THE COUNTY OF MAUI, COUNTY OF MAUI RISK FILE 2024-0180;"
- (2) Claim for Damage or Injury filed August 14, 2024;
- (3) Additional Information regarding August 14, 2024 claim

MOANA M. LUTEY  
County Clerk



RICHELLE M. THOMSON  
Deputy County Clerk

**OFFICE OF THE COUNTY CLERK**

COUNTY OF MAUI  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.mauicounty.gov/county/clerk](http://www.mauicounty.gov/county/clerk)

August 14, 2024

John Mullen & Company, Inc. (JMC)  
Via email: [claims@johnmullen.com](mailto:claims@johnmullen.com)

Attn: Unit Code 99

Respectfully transmitted is a copy of a claim against the County of Maui filed by Thomas J. Liu, of 196 Kulalani Drive, Kula, which was received by our office on August 14, 2024.

Respectfully,

  
MOANA M. LUTEY  
County Clerk

Attachment

cc: Mayor  
Corporation Counsel  
Council Chair

/djy

**COUNTY OF MAUI**  
**CLAIM FOR DAMAGE OR INJURY**

2024 AUG 14 PM 3:07

PLEASE PRINT CLEARLY

1. Claimant: Mr. ☒ Mrs. ☐ Ms. ☐ THOMAS J. LIU OFFICE OF THE COUNTY CLERK
2. Address: 196 KULALANI DRIVE KULA, HI 96790
3. Telephone No. 808-298-3446 Email: TOMLIU@HAWAII.PR.COM
4. Date of Accident: 8-8-23
5. Location of Accident: 196 KULALANI DRIVE KULA, HI 96790
6. Amount of Claim: Property Damage \$ \_\_\_\_\_ Personal Injury \$ \_\_\_\_\_
7. Describe the accident in detail. Indicate all the facts, causes, persons involved, witnesses, extent of damage, etc., and why you think the County is responsible. Attach additional sheets as needed.
- AFTER THE WILD FIRE OF 8/8/23 DESTROYED MY HOUSE AND COTTAGE, FEMA, USA CDE, MAUI COUNTY & ECC COORDINATED TO CONDUCT DEBRIS REMOVAL OF BURNED ZONE. DURING DEBRIS REMOVAL, HEAVY TRUCKS WITH FULLY LOADED CONCRETE, HOUSE HOLD GOODS, SOIL, ROCK ETC. WERE GOING OVER MY 350 FT OF DRIVEWAY 15-18 TIME IN A SPAN OF 3 DAYS SEVERELY DAMAGED MY DRIVEWAY. (ATTACHED PHOTOS OF SAME DAMAGED AREA)
8. If you carry insurance applicable to this claim, please provide the name and address of the insurance company and your policy number.

No

Policy No. \_\_\_\_\_

A. Did you file a claim with your insurance company? \_\_\_\_\_

If yes, amount claimed \$ \_\_\_\_\_

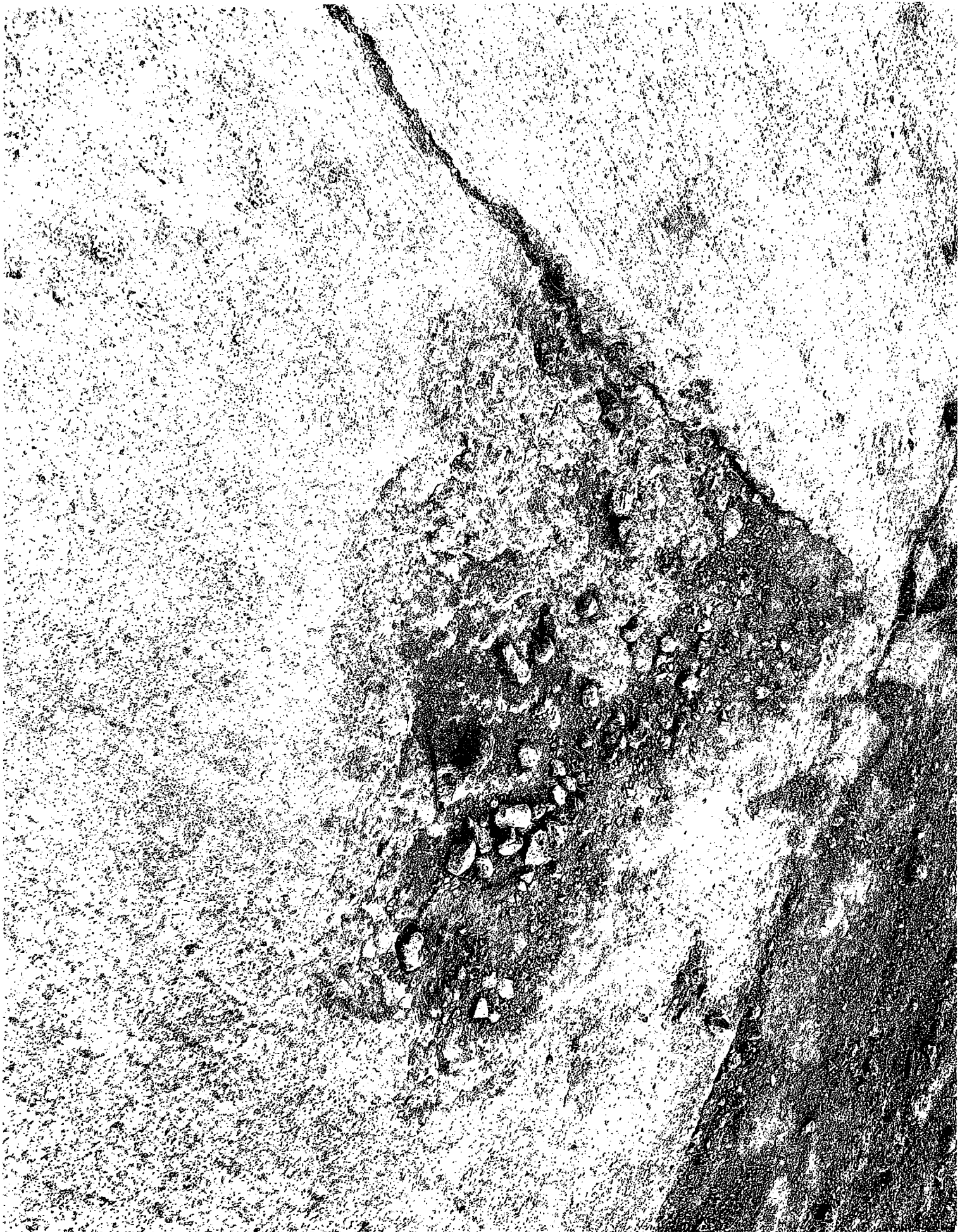
Deductible amount \$ \_\_\_\_\_

B. If a claim was filed with your insurance company, what action do they intend to take?

I HEREBY DECLARE THAT THE FOREGOING STATEMENTS ARE TRUE AND CORRECT.

Thomas J. Liu  
(Signature of Claimant)

8/14/24  
(Date)



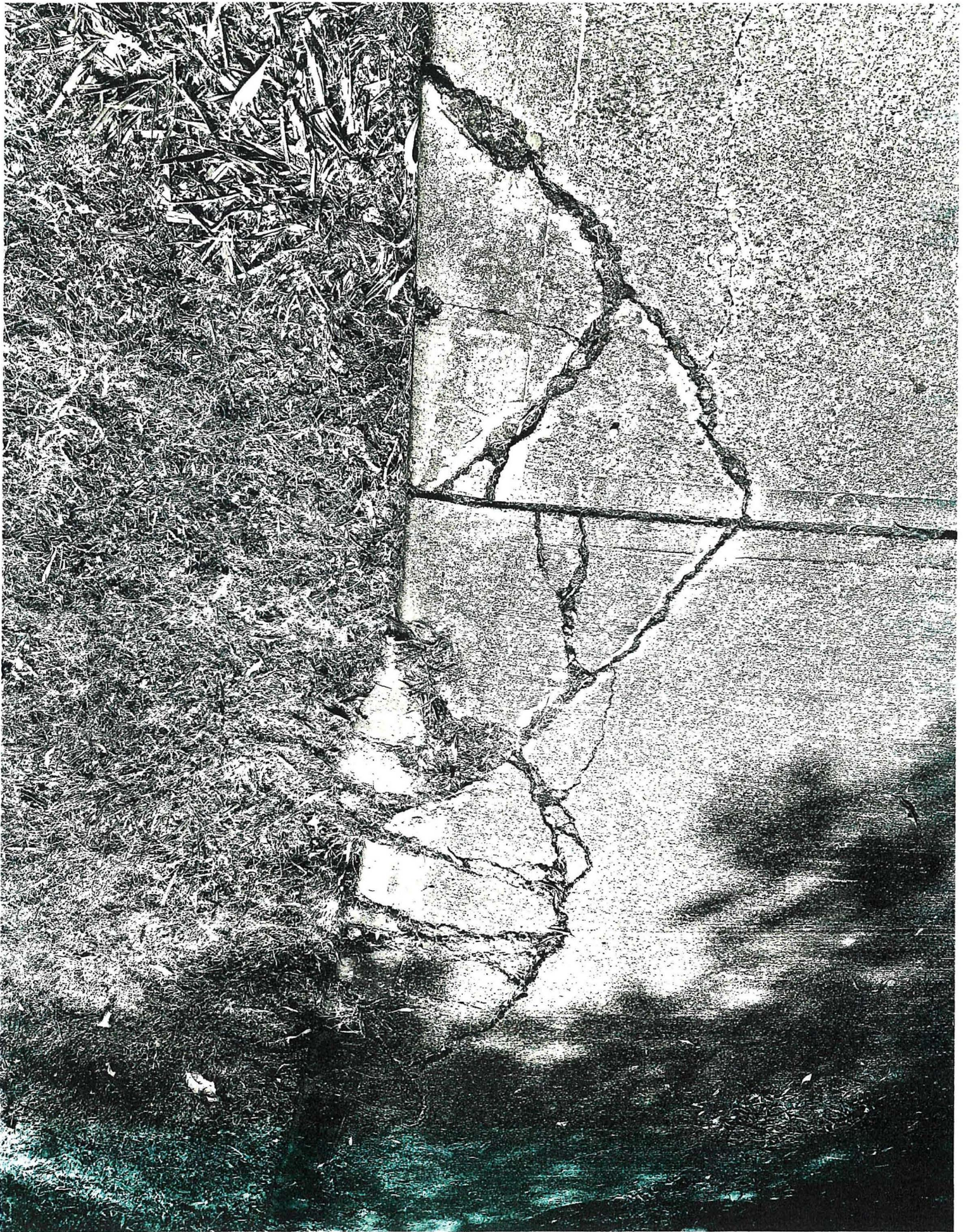


















**QUOTE FOR DAMAGED DRIVEWAY**

<b><u>EXIBIT A</u></b>	Damaged driveway removal	\$32,975.00
<b><u>EXIBIT B</u></b>	Pouring of concrete and finishing the driveway	\$64,469.00
<b><u>Total</u></b>		\$97,444.00

Thomas Liu  
196 Kalalani Drive  
Kula HI 96790

REQUESTED FOR BID:

② RCX SERVICES LLC

③ 808 C & CM.



From JAVO ENT. LLC

BID QUOTE GOOD FOR 30 Days

7/29/24

TO: LIU, THOMAS J.  
196 KULALANI DR.  
KULA, HI. 96790

OLD CONCRETE AND ROOT REMOVAL, AGGREGATE INSTALLATION & COMPACT  
DRIVEWAY

Scope of work: Remove 12ft. X 345ft. Approx. Existing cracked and or damaged concrete driveway.  
Haul off site, Disposal fee. See ref. Map work area  
Remove roots that are in the 12 to 18 inches under existing concrete where needed.  
Add Select borrow and compact in lifts. DFG Masonry to set all grade heights.  
Grassing with RYE grass seed after on edges Watering by others or on seperate contract. \_\_\_Intl.

Special Note: All grade heights and water direction is to be set by owner and mason DFG. \_\_\_Intl.  
All cleanup and dust control to be provided by owners spicket. \_\_\_Intl.  
Toning will be called in in case there is existing underground electrical existing.  
Owner to disclose if there is any water or utilities. \_\_\_Intl.  
JAVO not responsible for any damage to utilities not disclosed but will dig to help fix. \_\_\_Intl.  
All existing concrete owner to have DFG saw cut to preserve any walls or existing to remain. \_\_\_Intl.

Grand Total \$32,975.00 Hauling, Select aggregate and installation, Concrete disposal fee,  
aggregate on the edges after new concrete forms removed Edge protection, (roots) green waste  
recycling fees

Payable JAVO ENT. LLC  
P.O.BOX 274  
KULA, HI. 96790  
LIC C-31773  
PUC 4129-C

Cert Arborist WE 11652-A 808-281-6889 [javoent@gmail.com](mailto:javoent@gmail.com)

we do accept visa, mastercard, amex and discover with an additional 3.57% service fee

Payment schedule 60% down to get on our schedule  
20% down once 3 tandem loads moved  
20% down once gravel has been installed

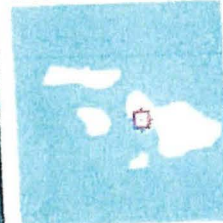




Work zone highlighted



Overview



Legend

Parcels 2024

Parcel ID	230220730000	Situs/Physical Address	196 KULALANI DR	Assd Land Value	\$0	Last 2 Sales			
Acreage	0.8816	Mailing Address	LIU, THOMAS J TRUST	Assd Building Value	\$0	Date	Price	Reason	Qual
Class	OWNER OCCUPIED HOMEOWNER		196 KULALANI DR KULA HI 96790	Total Assd Value	\$0	10/16/2020	0	n/a	U
				Exempt Value	\$0	10/16/2020	0	n/a	U
				Taxable Value	\$0				
Brief Tax Description: LOT 11 B KULA ORCHARD STP 6/9 POR LCAW 781 B 38,413 SF DES TMK 2322-23 & 25 (AS GIVEN)									

Map created 10/10/2020  
Map last updated 10/10/2020 12:01 PM

Map by Schneider



**From:** Dominick Gentile <[dfgmasonry@gmail.com](mailto:dfgmasonry@gmail.com)>

**Date:** July 30, 2024 at 5:58:03 PM HST

**To:** Steve <[kiana.ohana@gmail.com](mailto:kiana.ohana@gmail.com)>

**Subject:** Proposal 196 Kulalani driveway 345'x12' ---

Proposal

D.F.G Masonry, INC.

Contractor Lic. #C-22746

12 Mano Drive

KULA, HAWAII 96790

(808)978-0223

Email : [dfgmasonry@gmail.com](mailto:dfgmasonry@gmail.com)

-----  
PROPOSAL SUBMITTED TO: Tom Liu

PHONE:

DATE: 7-30-24  
-----

-----  
STREET: 196 Kulalani

JOB NAME: Liu resident  
-----



We Propose hereby to furnish material and labor – complete in accordance with specifications below, for the sum of:  
**\$64,469.00.00 tax included**

Payment to be made as follows: 1/2 down upon starting job.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices any alteration or deviation from specifications be extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Authorized  
Signature \_\_\_\_\_

Note: This proposal may be withdrawn by us if not accepted  
90 days



-----We hereby submit and estimates for:

- 1. Demo and removal done by others**
- 2. D.F.G. Will layout and form driveway 345'x12' x 6" thick**
- 3. Place wire mesh & Pour driveway with a broom finish .**

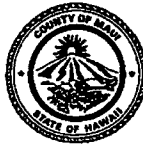
**\* All quotes are based on knowledge gained by onsite visual inspection and are subject to change if conditions change.**

**Acceptance of Proposal – The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.**

**Date of Acceptance:**

**Signature**

MOANA M. LUTEY  
County Clerk



RICHELLE M. THOMSON  
Deputy County Clerk

**OFFICE OF THE COUNTY CLERK**  
COUNTY OF MAUI  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.mauicounty.gov/county/clerk](http://www.mauicounty.gov/county/clerk)

August 19, 2024

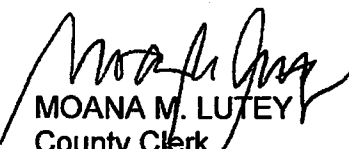
John Mullen & Company, Inc. (JMC)  
Via email: [claims@johnmullen.com](mailto:claims@johnmullen.com)

Attn: Unit Code 99

Respectfully transmitted is additional information regarding a claim against the County of Maui filed by Thomas J. Liu, of 196 Kulalani Drive, Kula, which was received by our office on August 19, 2024.

Mr. Liu initially filed a claim on August 14, 2024.

Respectfully,

  
MOANA M. LUTEY  
County Clerk

Attachment

cc: Mayor  
Corporation Counsel  
Council Chair

/lks



RECEIVED

2024 AUG 19 AM 10:49

OFFICE OF THE  
COUNTY CLERK



## PROPOSAL

414 HOLUA DRIVE • KAHULUI, HI 96732

808CCLU2W-P

(808) 357-0509

We hereby submit specifications and estimate for:

PROPERTY DRIVEWAY \$ 97,000.00

August 15, 2024

- Demolition of existing concrete driveway.
- Approximately 34.5ft x 12 ft
- Excavate, regrade, & base to proper driveway layout
- Install forming
- Installation of wire mesh
- Pouring of concrete driveway with broom finish
- Cleaning & removal of all forming material

P O BOX 6283  
KAHULUI, HI 96733

(808) 740-2973

THOMAS J. LIU FAMILY TRUST  
194 KULALANI DRIVE  
PROPERTY DRIVEWAY

THIS PROPOSAL INCLUDES THE CONDITIONS NOTED:  
Equipment, mobilization of equipment,  
materials and labor costs. \$ 97,000.00  
4.712%  
\$ 4,570.54

THIS PROPOSAL EXCLUDES THE CONDITIONS NOTED:  
None listed at this time \$ 101,570.54

50% Upon acceptance

25% After Forming Complete

25% Completion of Project

TBD UPON ACCEPTANCE  
OF PROPOSAL

By signing below, you accept all terms of this proposal. Any alteration or deviation from above specifications involving extra cost after the acceptance, will be associated upon written orders, and will become an extra charge over and above the estimate plus 10% tax. All agreements ending not upon strike, accidents, acts, fires, unavailability of material, extreme prices of materials, acts of God or delays beyond our control. This proposal may be withdrawn by RCL Services LLC if not accepted within 30 days. Please Note: Proposal prices subject to 15% increase if job commences after 2 months of acceptance.

Respectfully Submitted: Ronald Alexander  
RONALD ALEXANDER / RCL Services LLC

08/15/24  
Date

Acceptance of Proposal:

*Halea lan nana Business!*