

Resolution

No. 22-250

AUTHORIZING SETTLEMENT OF CLAIM NO. 4072812 OF HALE MAHAOLU

WHEREAS, Hale Mahaolu, filed Claim No. 4072812 on October 12, 2021, against the County of Maui for damages to their property located at 200 Hina Avenue, Kahului, Maui, Hawaii 96732, resulting from flooding due to a heavy rain event and failure of a drainage basin within Kahului Community Center Park; and

WHEREAS, the County of Maui and Hale Mahaolu, 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. 40721812 in the amount of TWO HUNDRED EIGHT THOUSAND ONE HUNDRED EIGHTY FIVE AND 57/100 Dollars (\$208,185.57); and

2. That payment is authorized to satisfy settlement of this claim following the execution of the "Property Damage Release" by Hale Mahaolu; 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:



CALEB P. ROWE
Deputy Corporation Counsel
County of Maui
RISK - 2021-0500

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INTRODUCED BY:

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

Upon the request of the Mayor.