

COUNCIL OF THE COUNTY OF MAUI

# GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

June 23, 2023

**Committee  
Report No.** \_\_\_\_\_

Honorable Chair and Members  
of the County Council  
County of Maui  
Wailuku, Maui, Hawaii

Chair and Members:

Your Government Relations, Ethics, and Transparency Committee, having met on June 7, 2023, and reconvened on June 9, 2023, makes reference to Resolution 22-212, entitled “AUTHORIZING SETTLEMENT OF CLAIM NO. 4067712 OF PAULINE TIU.”

Resolution 22-212’s purpose is to authorize settlement of the claim, filed on December 8, 2020, in the amount of \$34,837.53. The claim alleges damages to the claimant’s property located at 237 West Papa Avenue, Kahului, Maui, Hawai’i, resulting from a sewage overflow.

By correspondence dated September 9, 2022, the Department of the Corporation Counsel requested consideration of Resolution 22-212.

Your Committee notes Section 3.16.020(B), Maui County Code, requires Council authorization for any settlement of claims or civil litigation in excess of \$7,500.

A Deputy Corporation Counsel provided an overview of the claim and explained that the parties had reached a negotiated settlement, pending Council approval.

Based on information received and the recommendation of the Department, your Committee voted 7-0 to recommend adoption of Resolution 22-212. Committee Chair U‘u-Hodgins, Vice-Chair Paltin, and members Johnson, Kama, Lee, Rawlins-Fernandez, and Sugimura voted “aye.” Committee members Cook and Sinenci were excused.

COUNCIL OF THE COUNTY OF MAUI

# GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Page 2

**Committee  
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Your Government Relations, Ethics, and Transparency Committee RECOMMENDS that Resolution 22-212, attached hereto, entitled "AUTHORIZING SETTLEMENT OF CLAIM NO. 4067712 OF PAULINE TIU," be ADOPTED.

This report is submitted in accordance with Rule 8 of the Rules of the Council.

  
\_\_\_\_\_  
NOHELANI U'U-HODGINS, Chair

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# 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

**Resolution No. 22-212**

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', is written over a horizontal line.

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

**Resolution No.** 22-212

INTRODUCED BY:

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Upon the request of the Mayor.