



OFFICE OF THE COUNTY CLERK

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

September 27, 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 September 20, 2022:

RESOLUTION:

- No. 22-211 - "AUTHORIZING SETTLEMENT OF DEPARTMENT OF HEALTH, STATE OF HAWAII VS. DEPARTMENT OF WATER SUPPLY, COUNTY OF MAUI, DOCKET NO.: 2022-CW-EO-11"
- No. 22-212 - "AUTHORIZING SETTLEMENT OF CLAIM NO. 4067712 OF PAULINE TIU"

BILL:

- No. 138 (2022) - "A BILL FOR AN ORDINANCE AMENDING TITLE 2, MAUI COUNTY CODE, ESTABLISHING A TOURISM MANAGEMENT COMMISSION "

Also transmitted for your convenience are copies of communications received pertaining to Resolution Nos. 22-211 and 22-212.

Respectfully,

A handwritten signature in cursive script that reads "Kathy L. KaoHu".

KATHY L. KAOHU
County Clerk

/jym
Enclosures
cc: Director of Council Services

RECEIVED
2022 SEP 28 AM 10:18
OFFICE OF THE
COUNTY CLERK

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:

A handwritten signature in black ink, appearing to read "J. R. Lee", is written over a horizontal line.

Upon the request of the Mayor.