



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

April 25, 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 22, 2022:

RESOLUTION:

- No. 22-98 - "AUTHORIZING SETTLEMENT OF CLAIM NO. 4070286 OF DAVID GARDINER"
- No. 22-99 - "APPOINTMENT OF KESHIA LEIANA ADOLPHO TO THE COMMISSION ON CHILDREN AND YOUTH FOR THE COUNTY OF MAUI"
- No. 22-102 - "AUTHORIZING SETTLEMENT OF ROBERT TURNER V. WAI-AHIWI GULCH LAND COMPANY LLC, ET AL., CIVIL 18-1-0244(1)"
- No. 22-104 - "AUTHORIZING SETTLEMENT OF JAMIE BECRAFT V. COUNTY OF MAUI, DISABILITY COMPENSATION DIVISION CASE NO. 7-09-00849"
- No. 22-105 - "APPOINTMENT OF TONI KAHEALANI RUST TO THE LIQUOR CONTROL ADJUDICATION BOARD FOR THE COUNTY OF MAUI"

OFFICE OF THE
COUNTY CLERK
4/25/2022

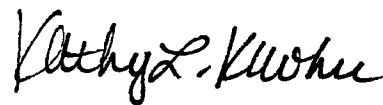
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Honorable Michael J. Molina, Chair
Government Relations, Ethics, and Transparency Committee
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Also transmitted for your convenience are copies of communications received from the Department of the Corporation Counsel pertaining to Resolution Nos. 22-98, 22-102, and 22-104, and the Mayor pertaining to Resolution Nos. 22-99 and 22-105.

Respectfully,

A handwritten signature in black ink, appearing to read "Kathy L. Kao". The signature is fluid and cursive, with the first name "Kathy" being more prominent than the last name "Kao".

KATHY L. KAOHU
County Clerk

/jym

Enclosures

cc: Director of Council Services

Resolution

No. 22-98

AUTHORIZING SETTLEMENT OF CLAIM NO. 4070286 OF DAVID GARDINER

WHEREAS, David Gardiner, filed Claim No. 4070286 on May 12, 2021, against the County of Maui for damages to his property located at 36 Kuli Puu Street, Kihei, Maui, Hawaii 96753, resulting from a broken water main; and

WHEREAS, the County of Maui and David Gardiner, 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,

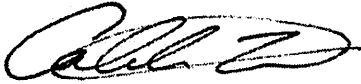
BE IT RESOLVED by the Council of the County of Maui:

1. That approves settlement of Claim No. 4070286 in the amount of SIXTY-EIGHT THOUSAND EIGHT HUNDRED EIGHTY-TWO AND 11/100 DOLLARS (\$68,882.11); and

2. That payment is authorized to satisfy settlement of this claim following the execution of the "Release of Claim" by David Gardiner; 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:

A handwritten signature in black ink, appearing to read 'Caleb P. Rowe', written over a horizontal line.

CALEB P. ROWE
Deputy Corporation Counsel
County of Maui
RISK - 2021-0382

Resolution No. 22-98

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.