

# Resolution

No. 23-111

## AUTHORIZING SETTLEMENT OF CLAIM NO. 4080968 OF MATTHEW SMITH

WHEREAS, Matthew Smith filed Claim No. 4080968 on January 13, 2023, against the County of Maui for error for billing the claimant for sewer fees at his property located at 4002 Mahinahina Street, Lahaina, Maui, Hawaii 96761, that was not hooked up to the County sewer; and

WHEREAS, the County of Maui and Matthew Smith, 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. 4080968 in the amount of TWENTY FIVE THOUSAND AND NO/100 DOLLARS (\$25,000); and
2. That payment is authorized to satisfy settlement of this claim following the execution of the "Settlement Agreement" by; and

**Resolution No. 23-111**

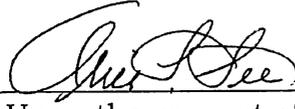
3. That certified copies of this Resolution be transmitted to the Mayor, the Director of Finance, the Department of Environmental Management, and the Corporation Counsel.

APPROVED AS TO FORM  
AND LEGALITY:



BRADLEY J. SOVA  
Deputy Corporation Counsel  
County of Maui  
RISK - 2023-0893

INTRODUCED BY:

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

Upon the request of the Mayor.