



The County of Maui

Council Chamber
200 South High Street, 8th
Floor
Wailuku, Hawaii 96793

Legislation Text

File #: GREAT-26 CC 19-178, Version: 5

HAWAII WILDLIFE FUND, ET AL. V. COUNTY OF MAUI, CIVIL 12-00198 SOM-KJM, U.S. DISTRICT COURT, DISTRICT OF HAWAII (GREAT-26)

The Committee is in receipt of the following:

1. County Communication 19-178, from Council Chair Kelly T. King, transmitting a proposed resolution requiring settlement offers in Hawaii Wildlife Fund, et al. v. County of Maui, relating to the Clean Water Act, to be transmitted to the Council for approval or disapproval.
2. Correspondence dated January 19, 2022, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution, entitled "AUTHORIZING SETTLEMENT IN HAWAII WILDLIFE FUND, ET AL. V. COUNTY OF MAUI, CIVIL NO. 12-00198 SOM-KJM, U.S. SUPREME COURT CASE NO. 18-260," and attaching a copy of the Settlement Agreement and Order Re: Remedies, filed on November 17, 2015 (Exhibit "A"). The purposes of the proposed resolution are to: (1) authorize the construction phase of a new distribution system main line into the Kaanapali Resort Expansion Project in satisfaction with paragraph nine of the Settlement Agreement and Order Re: Remedies; and (2) approve settlement of the claim under the terms set forth in a meeting before the Government Relations, Ethics, and Transparency Committee.

The Committee may recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider the filing of County Communication 19-178 and other related action.

With reference to this agenda item, one or more executive meetings are anticipated in accordance with Section 92-5(a)(4), Hawaii Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee.