



The County of Maui

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

Legislation Text

File #: GET-11(47) CC 17-6, Version: 2

LITIGATION MATTERS (**SETTLEMENT AUTHORIZATION:** COUNTY OF MAUI V. KUALAPU`U RANCH 4, LLC, ET AL.; CIVIL 18-1-0321(3)) (GET-11(47))

The Committee is in receipt of the following:

1. Correspondence dated October 2, 2018, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution to authorize settlement of County of Maui v. Kualapu`u Ranch 4, LLC, et al., Civil 18-1-0321(3). The complaint alleges declaratory and injunctive relief regarding State Well 0801-03, also known as the Kualapuu Mauka Well, a water tank, pumping station, water transmission lines, and other infrastructure related to municipal water distribution on a portion of tax map key (2) 5-2-012:029, Molokai, Hawaii.
2. Correspondence dated February 21, 2019, from the Department of the Corporation Counsel, requesting consideration of a revised proposed resolution, entitled "AUTHORIZING SETTLEMENT OF COUNTY OF MAUI VS. KUALAPU`U RANCH 4, LLC, ET AL., CIVIL NO. 18-1-0321(3)," and transmitting a copy of the complaint and Defendant Kualapu`u Ranch 4, LLC's answer and counterclaim against the County. The purpose of the revised proposed resolution is to authorize settlement of the case.

The Committee may consider whether to recommend adoption of the revised proposed resolution, with or without further revisions. The Committee may also consider the filing of the correspondence and other related action.

With reference to this agenda item, one or more executive meetings are anticipated pursuant to 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.