

# COMMITTEE OF THE WHOLE

Council of the County of Maui

## Meeting Agenda

July 3, 2001

1:30 p.m.

Council Chamber, 8<sup>th</sup> Floor

200 South High Street, Wailuku, Maui, Hawai`i

website: <http://www.co.maui.hi.us/committees/COW/index.html>

e-mail: [cow.committee@co.maui.hi.us](mailto:cow.committee@co.maui.hi.us)

### COMMITTEE MEMBERS

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G. Riki Hokama, Vice-Chair

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Robert Carroll

Jo Anne Johnson

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Michael J. Molina

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Charmaine Tavares

*AGENDA ITEMS ARE SUBJECT TO CANCELLATION. For a confirmation of the meeting date and time, and for tentative scheduling of agenda items, please contact the Committee Staff (Richelle Kawasaki or Pauline Martins) at: Office of Council Services, 200 South High Street, Wailuku, HI 96793, 808-270-7838, 1-800-272-0026 (toll-free from Moloka`i), 1-800-272-0098 (toll-free from Lana`i), 808-270-7686 (fax).*

*ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted prior to the discussion of each agenda item. Oral testimony shall be limited to three minutes. An additional minute to conclude oral testimony may be granted subject to discretion of the Committee Chair. If oral testimony is incomplete, an additional three minutes will be given after all others have been heard. If written testimony is submitted at the meeting, 15 copies are requested. If written testimony is e-mailed or faxed, please submit at least 24 hours before the meeting so that copies can be provided to Council members in a timely manner.*

*INDIVIDUALS WHO INTEND TO ATTEND THE MEETING AND WHO HAVE DISABILITIES REQUIRING SPECIAL ASSISTANCE should call the Office of Council Services at least three days in advance.*

*DOCUMENTS ON FILE WITH THE COMMITTEE, which may include correspondence relating to the agenda items below, may be inspected prior to the meeting date. Photocopies may be ordered, subject to charges imposed by law (Maui County Code, Sec. 2.64.010). Please contact the Office of Council Services to make arrangements for inspection or photocopying of documents.*

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**COW-11(5)**

### **MODIFICATION OF CHARLTON AND FAYE WALLACE'S DAMAGE CLAIM NO. 96-102**

**DESCRIPTION:**

By memorandum dated June 22, 2001, the Corporation Counsel requested the Committee's consideration of a proposed resolution entitled "MODIFYING AND APPROVING A PROPOSED SETTLEMENT OF CLAIM NO. 96-102; CHARLTON AND FAYE WALLACE" and transmitted a copy of Resolution No. 00-7 and other pertinent documents. The purpose of the proposed resolution is to authorize settlement of the claim.

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**STATUS:** Authority to settle the claim was granted when the Council adopted Resolution No. 00-7 on January 21, 2000. The claimants have objected to a provision contained in the settlement agreement and have requested further consideration of the matter. The Committee will consider whether to recommend that revised settlement authority be provided for this case by recommending adoption of the proposed resolution. The Committee may also consider other related action, including the possible filing of the above-referenced memorandum from the Department of the Corporation Counsel.

**NOTE:** With reference to this agenda item, one or more executive meetings pursuant to HRS § 92-5(a)(4) are anticipated 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.

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