

Resolution

No. 23-87

AUTHORIZING SETTLEMENT OF CLAIM NO. 4080380 OF HAWAIIAN ELECTRIC COMPANY

WHEREAS, Hawaiian Electric Company, filed Claim No. 4080380 on January 13, 2021, against the County of Maui for damages to utility pole 25 fronting 287 Baldwin Avenue, Paia, Maui, Hawaii 96759; and

WHEREAS, the County of Maui and Hawaiian Electric Company, 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. 4080380 in the amount of TEN THOUSAND THREE HUNDRED NINE AND 94/100 DOLLARS (\$10,309.94); and

2. That payment is authorized to satisfy settlement of this claim following the execution of the "Property Damage Release" by Hawaiian Electric Company; and

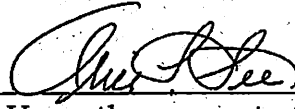
3. That certified copies of this Resolution be transmitted to the Mayor, the Director of Finance, the Department of Water Supply, and the Corporation Counsel.

APPROVED AS TO FORM
AND LEGALITY:

A handwritten signature in black ink, appearing to read 'B. Sova', is written over a horizontal line.

BRADLEY J. SOVA
Deputy Corporation Counsel
County of Maui
RISK - 2021-00863

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Greg K. Lee", written in black ink.

Upon the request of the Mayor.