

COUNCIL OF THE COUNTY OF MAUI

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

June 23, 2023

**Committee
Report No.** _____

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Government Relations, Ethics, and Transparency Committee, having met on June 7, 2023, and reconvened on June 9, 2023, makes reference to Resolution 22-249, entitled "AUTHORIZING SETTLEMENT OF CLAIM NO. 4072108 OF JAMSHED HAQ."

Resolution 22-249's purpose is to authorize settlement of the claim, filed on August 21, 2021, in the amount of \$67,759.68. The claim alleges damages to the claimant's property located at 30 Kuli Pu'u Street, Kihei, Maui, Hawai'i, resulting from a water-main break.

By correspondence dated October 19, 2022, the Department of the Corporation Counsel provided a copy of the claim.

Your Committee notes Section 3.16.020(B), Maui County Code, requires Council authorization for any settlement of claims or civil litigation in excess of \$7,500.

A Deputy Corporation Counsel provided an overview of the claim and explained that the parties had reached a negotiated settlement, pending Council approval.

Based on information received and the recommendation of the Department, your Committee voted 7-0 to recommend adoption of Resolution 22-249. Committee Chair U'u-Hodgins, Vice-Chair Paltin, and members Johnson, Kama, Lee, Rawlins-Fernandez, and Sugimura voted "aye." Committee members Cook and Sinenci were excused.

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AND TRANSPARENCY COMMITTEE**

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Your Government Relations, Ethics, and Transparency Committee RECOMMENDS that Resolution 22-249, attached hereto, entitled "AUTHORIZING SETTLEMENT OF CLAIM NO. 4072108 OF JAMSHED HAQ," be ADOPTED.

This report is submitted in accordance with Rule 8 of the Rules of the Council.



NOHELANI U'U-HODGINS, Chair

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Resolution

No. 22-249

AUTHORIZING SETTLEMENT OF CLAIM NO. 4072108 OF JAMSHED HAQ

WHEREAS, Jamshed Haq, filed Claim No. 4072108 on August 21, 2021, against the County of Maui for damages to his property located at 30 Kuli Puu Street, Kihei, Maui, Hawaii 96753, resulting from a water main break; and

WHEREAS, the County of Maui and Jamshed Haq, 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,

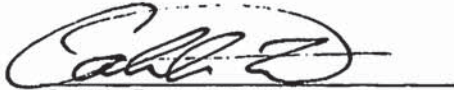
BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby approves settlement of Claim No. 4072108 in the amount of SIXTY SEVEN THOUSAND SEVEN HUNDRED FIFTY NINE AND 68/100 Dollars (\$67,759.68); and

2. That payment is authorized to satisfy settlement of this claim following the execution of the "Property Damage Release" by Jamshed Haq; 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 "Caleb P. Rowe", is written over a horizontal line.

CALEB P. ROWE
Deputy Corporation Counsel
County of Maui
RISK - 2021-0471

Resolution No. 22-249

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "John R. Lee", is written over a horizontal line.

Upon the request of the Mayor.