

COUNCIL OF THE COUNTY OF MAUI

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

November 3, 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 October 17, 2023, makes reference to Resolution 23-109, entitled "AUTHORIZING SETTLEMENT OF CLAIM NO. 4077471 OF JOEL ESTRELLA."

Resolution 23-109's purpose is to authorize settlement of the claim, filed on June 20, 2022, in the amount of \$15,000. The claim alleges damages to the claimant's property located at 1582 Mill Street, Unit B, Wailuku, Maui, Hawai'i, resulting from a water main break.

By correspondence dated March 13, 2023, 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.

The Deputy Corporation Counsel requested an executive meeting to discuss confidential information related to the claim.

Your Committee voted to convene an executive meeting, closed to the public, to consult with legal counsel in accordance with Sections 92-5(a)(4) and 92-5(a)(8), Hawaii Revised Statutes.

COUNCIL OF THE COUNTY OF MAUI

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Page 2

**Committee
Report No.** _____

Following the executive meeting, your Committee reconvened in regular session.

Based on information received and the recommendation of the Department, your Committee voted 8-0 to recommend adoption of Resolution 23-109. Committee Chair U'u-Hodgins, Vice-Chair Paltin, and members Cook, Johnson, Kama, Lee, Rawlins-Fernandez, and Sinenci voted "aye." Committee member Sugimura was excused.

Your Government Relations, Ethics, and Transparency Committee RECOMMENDS that Resolution 23-109, attached hereto, entitled "AUTHORIZING SETTLEMENT OF CLAIM NO. 4077471 OF JOEL ESTRELLA," be ADOPTED.

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



NOHELANI U'U-HODGINS, Chair

great:cr:23011(21)aa:rem

Resolution

No. 23-109

AUTHORIZING SETTLEMENT OF CLAIM NO. 4077471 OF JOEL ESTRELLA

WHEREAS, Joel Estrella filed Claim No. 4077471 on June 20, 2022, against the County of Maui for damages to his property located at 1582 Mill Street, Unit B, Wailuku, Maui, Hawaii 96793, resulting from a water main break; and

WHEREAS, the County of Maui and Joel Estrella, 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,

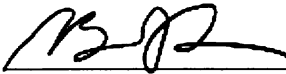
BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby approves settlement of Claim No. 4077471 in the amount of FIFTEEN THOUSAND AND NO/100 DOLLARS (\$15,000); and
2. That payment is authorized to satisfy settlement of this claim following the execution of the "Property Damage Release" by Joel Estrella; and

Resolution No. 23-109

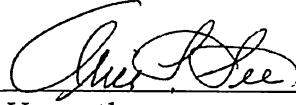
3. That certified copies of this Resolution be transmitted to the Mayor, the Director of Finance, the Department of Water Supply, and the Corporation Counsel.

APPROVED AS TO FORM
AND LEGALITY:



BRADLEY J. SOVA
Deputy Corporation Counsel
County of Maui
RISK - 2022-0720

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Chris Lee". The signature is written in black ink and is positioned above a horizontal line.

Upon the request of the Mayor.