

Resolution

No. 23-85

AUTHORIZING SETTLEMENT OF CLAIM NO. 4070761 OF PAUL CLEVELAND

WHEREAS, Paul Cleveland, filed Claim No. 4070761 on May 25, 2021, against the County of Maui for damages to his property located at 404 Auhana Road, Kihei, Maui, Hawaii 96753, resulting from a water main break; and

WHEREAS, the County of Maui and DB Insurance Company as subrogee of Paul Cleveland, 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. 4070761 in the amount of THIRTEEN THOUSAND FIVE HUNDRED NINETY-THREE AND 87/100 DOLLARS (\$13,593.87); and

2. That payment is authorized to satisfy settlement of this claim following the execution of the "Property Damage Release" by DB Insurance Company as subrogee of Paul Cleveland; 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 – 2021-0399

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "The Mayor", written over a horizontal line.

Upon the request of the Mayor.