

Resolution

No. 23-86

AUTHORIZING SETTLEMENT OF CLAIM NO. 4072926 OF PEDRO ORTEGA

WHEREAS, Pedro Ortega, filed Claim No. 4072926 on October 15, 2021, against the County of Maui for damages to his property located at 2068 Kahekili Highway, Wailuku, Maui, Hawaii 96793, resulting from a water main break; and

WHEREAS, the County of Maui and First Insurance Company of Hawaii, Ltd. on behalf of Pedro Ortega, 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. 4072926 in the amount of FORTY THREE THOUSAND NINE-HUNDRED FIFTY-TWO AND 29/100 DOLLARS (\$43,952.29); and

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2. That payment is authorized to satisfy settlement of this claim following the execution of the "Property Damage Release" by First Insurance Company of Hawaii, Ltd. on behalf of Pedro Ortega; and

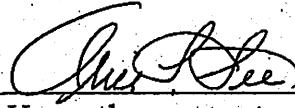
3. That certified copies of this Resolution be transmitted to the Mayor, the Director of Finance, the Department of Water Supply, and the Corporation Counsel.

APPROVED AS TO FORM
AND LEGALITY:



BRADLEY J. SOVA
Deputy Corporation Counsel
County of Maui
RISK - 2021-0511

INTRODUCED BY:

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

Upon the request of the Mayor.