Legislation Details (With Text)

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On agenda:	8/4/2026	**Final action:**	
Title:	RESOLUTION 26-128, SETTLEMENT AUTHORIZATION: CONSERVATION COUNCIL FOR HAWAIʻI AND AMERICAN BIRD CONSERVANCY V. HAWAIIAN ELECTRIC COMPANY, INC., AND MAUI ELECTRIC COMPANY LTD. AND COUNTY OF MAUI; CIVIL 1:24-CV-00494-MWJS-WRP (GREAT-11(31))		
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Attachments:	1. Resolution 26-128, 2. Correspondence from Corporation Counsel 07-16-2026, 3. Informational Document from Corporation Counsel 7-30-2026		

Date	Ver.	Action By	Action	Result

RESOLUTION 26-128, SETTLEMENT AUTHORIZATION: *CONSERVATION COUNCIL FOR HAWAIʻI AND AMERICAN BIRD CONSERVANCY V. HAWAIIAN ELECTRIC COMPANY, INC., AND MAUI ELECTRIC COMPANY LTD. AND COUNTY OF MAUI*; CIVIL 1:24-CV-00494-MWJS-WRP (GREAT-11(31))

The Committee is in receipt of the following:

1. Resolution 26-128, entitled "AUTHORIZING SETTLEMENT OF *CONSERVATION COUNCIL FOR HAWAIʻI AND AMERICAN BIRD CONSERVANCY V. HAWAIIAN ELECTRIC COMPANY, INC., AND MAUI ELECTRIC COMPANY LTD. AND COUNTY OF MAUI*; CIVIL 1:24-CV-00494-MWJS-WRP." Resolution 26-128's purpose is to authorize settlement of the claim, filed on November 19, 2024. The complaint alleges that streetlights owned by Hawaiian Electric Company, Inc. and Maui Electric Company, Ltd., and operated on the County's behalf, are a threat to the survival and recovery of three critically imperiled seabirds that are native to Hawaiʻi and protected under the Federal Endangered Species Act.
2. Correspondence dated July 16, 2026, from the Department of the Corporation Counsel, transmitting the proposed resolution and copy of the complaint.

The Committee may consider whether to recommend adoption of Resolution 26-128, with or without revisions. The Committee may also consider the filing of Resolution 26-128 and other related action.

With reference to this agenda item, one or more executive meetings are anticipated in accordance with Section 92-5(a)(4), Hawaiʻi Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee; and Section 92-5(a)(8) Hawaiʻi Revised Statutes, to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to a State or Federal law, or a court order.

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