

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

September 1, 2006

**Committee
Report No.**

_____ 06-98 _____

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

Chair and Members:

Your Committee of the Whole, having met on August 15, 2006, makes reference to County Communication No. 05-24, from the Council Chair, regarding the settlement of claims and lawsuits.

Your Committee is in receipt of correspondence dated August 7, 2006, from the Department of the Corporation Counsel, requesting consideration of the possible settlement of Deborah Lynn May's Claim No. 2004-020. Attached to the request is a copy of the claim and related documents. Also attached to the request is a proposed resolution entitled "AUTHORIZING SETTLEMENT OF CLAIM NO. 2004-020 BY DEBORAH LYNN MAY, DOUG SMITH, AND ALLSTATE INDEMNITY COMPANY". The purpose of the proposed resolution is to authorize the Department of the Corporation Counsel to settle the case for \$8,232.23.

Your Committee notes that the claim alleges damages due to an automobile collision with a County police vehicle.

At its meeting, your Committee met with the Chief of Police and a Deputy Corporation Counsel.

There was no public testimony. The Deputy Corporation Counsel provided a brief overview of the case

The Deputy Corporation Counsel indicated that on or about February 2, 2004, a police officer driving a police vehicle collided into the rear of the claimant's vehicle. She said that in order to settle the claim, payment would have to be made to three parties, Deborah Lynn May, the claimant who paid the deductible amount on her insurance policy; Doug Smith, Ms. May's employer who paid for her rental vehicle; and Allstate Indemnity Company, who paid for the repairs to Ms. May's vehicle.

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Based on the information received and the recommendation of the Department of the Corporation Counsel, your Committee voted to recommend adoption of the proposed resolution to authorize the settlement of the matter for \$8,232.23.

Your Committee of the Whole RECOMMENDS that Resolution No. _____, attached hereto, entitled "AUTHORIZING SETTLEMENT OF CLAIM NO. 2004-020 BY DEBORAH LYNN MAY, DOUG SMITH, AND ALLSTATE INDEMNITY COMPANY" be ADOPTED.

Adoption of this report is respectfully requested.

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