

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

November 17, 2006

**Committee
Report No.**

06-145

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 October 3, 2006, and October 31, 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 September 5, 2006, from the Department of the Corporation Counsel, requesting consideration of the possible settlement of Jeffrey Thiel's Claim No. 2005-113. 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. 2005-113 BY JEFFREY THIEL AND AMERIPRISE AUTO AND HOME INSURANCE". The purpose of the proposed resolution is to authorize the Department of the Corporation Counsel to settle the case for \$8,805.30.

Your Committee notes that the complaint alleges damages related to an automobile collision with a County vehicle on or about November 18, 2005, in Wailuku, Maui.

At its meeting of October 3, 2006, your Committee deferred the matter without discussion.

At its meeting of October 31, 2006, your Committee met with the Director of Public Works and Environmental Management and a Deputy Corporation Counsel.

There was no public testimony. The Deputy Corporation Counsel provided a brief overview of the case. She noted that two vehicles were involved in the accident, a County street sweeper and Mr. Thiel's vehicle. The County street sweeper collided into Mr. Thiel's vehicle.

The Director of Public Works and Environmental Management confirmed that the collision occurred during the very early hours of the morning, which are the normal operating hours for a street sweeper.

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Your Committee expressed general concern over County vehicles being involved in accidents.

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 \$8,805.30.

Your Committee of the Whole RECOMMENDS that Resolution No. _____, attached hereto, entitled "AUTHORIZING SETTLEMENT OF CLAIM NO. 2005-113 BY JEFFREY THIEL AND AMERIPRISE AUTO AND HOME INSURANCE" be ADOPTED.

Adoption of this report is respectfully requested.

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