

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

November 3, 2006

Committee
Report No.

06-125

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 17, 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 October 4, 2006, from the Department of the Corporation Counsel, requesting consideration of the possible settlement of the claim of Edward Alves and Fairmont Specialty Group, Claim No. 2006-031 and a proposed resolution entitled "AUTHORIZING SETTLEMENT OF CLAIM NO. 2006-031 BY EDWARD ALVES AND FAIRMONT SPECIALTY GROUP". The purpose of the proposed resolution is to authorize the Department of the Corporation Counsel to settle the case for \$8,782.69.

Your Committee notes that the claim alleges damages related to an automobile collision with a County vehicle on or about February 21, 2006.

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

There was no public testimony. A Deputy Corporation Counsel provided a brief overview of the case. The Director of Public Works and Environmental Management said that the automobile collision occurred on a public roadway at approximately 9:50 a.m. He further stated that although the County vehicle is equipped with a camera, the County employee failed to notice the vehicle on the camera screen before the collision. The employee will be sent to a defensive driving course.

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 \$8,782.69.

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

November 3, 2006
Page 2

Committee
Report No. 06-125

Your Committee of the Whole RECOMMENDS that Resolution No. _____, attached hereto, entitled "AUTHORIZING SETTLEMENT OF CLAIM NO. 2006-031 BY EDWARD ALVES AND FAIRMONT SPECIALTY GROUP" be ADOPTED.

Adoption of this report is respectfully requested.

cow:cr:0601(42)aa:rkk

