

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

November 7, 2003

Committee
Report No. 03-133

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 13, 2003, makes reference to County Communication No. 03-19, from the Council Chair, regarding the settlement of claims and lawsuits.

Your Committee is in receipt of correspondence dated August 7, 2003, from the Department of the Corporation Counsel, requesting consideration of the possible settlement of Claim No. 2002-079 of DTRIC Insurance, as Subrogee for Eugene Librando. 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. 2002-079 OF DTRIC INSURANCE, AS SUBROGEE FOR EUGENE LIBRANDO". The purpose of the proposed resolution is to authorize the Department of the Corporation Counsel to settle the case for \$3,930.06.

Your Committee notes that the claim alleges damages related to a motor-vehicle accident on May 15, 2001, on Baldwin Avenue in Paia, Maui.

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

There being no public testimony, the Deputy Corporation Counsel provided a brief overview of the case, informing your Committee that the case involves a County vehicle that side-swiped another vehicle, approaching from the opposite direction. Your Committee discussed the need for corrective action concerning preventable accidents and the availability of defensive-driving courses.

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 \$3,930.06.

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

November 7, 2003
Page 2

Committee
Report No. 03-133

Your Committee of the Whole RECOMMENDS that Resolution No. _____, attached hereto, entitled "AUTHORIZING SETTLEMENT OF CLAIM NO. 2002-079 OF DTRIC INSURANCE, AS SUBROGEE FOR EUGENE LIBRANDO" be ADOPTED.

Adoption of this report is respectfully requested.

cow:cr:0301(2)da:cmn

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

November 7, 2003
Page 3

Committee
Report No. 03-133

ROBERT CARROLL **Chair**

MICHAEL J. MOLINA **Member**

DAIN P. KANE **Vice-Chair**

WAYNE K. NISHIKI **Member**

G. RIKI HOKAMA **Member**

JOSEPH PONTANILLA **Member**

JO ANNE JOHNSON **Member**

CHARMAINE TAVARES **Member**

DANNY A. MATEO **Member**