

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

February 21, 2003

**Committee
Report No.**

03-18

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 February 5, 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 January 15, 2003, from the Department of the Corporation Counsel, requesting consideration of the possible settlement of Claim No. 2002-078/1781889-0197 of Yukiko Sato. Attached to the request was a copy of the claim and a proposed resolution entitled "AUTHORIZING SETTLEMENT OF CLAIM NO. 2002-078/1781889-0197 OF YUKIKO SATO". The purpose of the proposed resolution is to authorize the Department of the Corporation Counsel to settle the claim for \$3,963.64.

Your Committee notes that the claim alleges a County refuse truck struck the overhang of the building at 1953 Vineyard Street in Wailuku on August 16, 2002, causing damages to the overhang.

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

There being no public testimony, a Deputy Corporation Counsel provided a brief overview of the case.

The Director of Public Works and Environmental Management provided information regarding the procedure followed by the driver of the County vehicle following the alleged accident, the attempted notification of the building owner, and the notification of the neighbors and the Department of Public Works and Waste Management. 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 approve the settlement of the matter under the terms proposed.

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Your Committee of the Whole RECOMMENDS that Resolution No. _____, attached hereto, entitled "AUTHORIZING SETTLEMENT OF CLAIM NO. 2002-078/1781889-0197 OF YUKIKO SATO" be ADOPTED.

Adoption of this report is respectfully requested.

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