

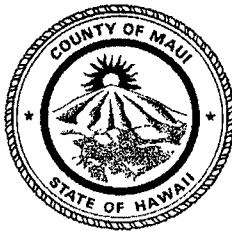
GET-11(11)

MICHAEL P. VICTORINO
Mayor

MOANA M. LUTEY
Acting Corporation Counsel

EDWARD S. KUSHI, JR.
First Deputy

LYDIA A. TODA
Risk Management Officer
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OFFICE OF THE
COUNTY COUNCIL



DEPARTMENT OF THE CORPORATION COUNSEL
COUNTY OF MAUI
200 SOUTH HIGH STREET, 3RD FLOOR
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June 4, 2019

MEMO TO: Michael J. Molina, Chair
Governance, Ethics and Transparency Committee

FROM: Caleb P. Rowe, Deputy Corporation Counsel 

SUBJECT: Litigation Matters
Settlement of Claim: John Lukas
Claim No. 30192322650-0001

Pursuant to Section 3.16.020B of the Maui County Code, our department hereby requests authorization to discuss settlement of the aforementioned claim. There is no immediate deadline to this matter.

Copies of the claim and proposed resolution are enclosed. If you have any questions, or concerns, please do not hesitate to contact me.

CPR:cs
Enclosures

cc: Rowena M Dagdag-Andaya, Acting Director
Department of Public Works

Resolution

No. _____

AUTHORIZING SETTLEMENT OF CLAIM NO. 30192322650-0001 OF
JOHN LUKAS

WHEREAS, John Lukas filed Claim No. 30192322650-0001 on March 29, 2019, against the County of Maui for damage to his property located at 1755 Olinda Road, Makawao, Hawaii, resulting from large trees within the County right-of-way falling onto his property on February 10, 2019; and

WHEREAS, the County of Maui and John Lukas, to avoid incurring expenses and the uncertainty of a judicial determination of the parties' respective rights and liabilities, will attempt to reach a proposed resolution of this claim by way of negotiated settlement; and

WHEREAS, having reviewed the facts and circumstances regarding this case and being advised of attempts to reach resolution of this case by way of a negotiated settlement by the Department of the Corporation Counsel, the Council wishes to authorize the settlement; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

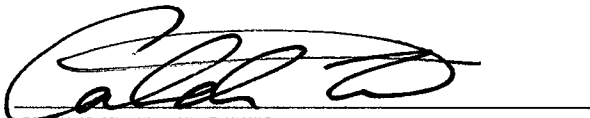
Resolution No. _____

1. That it hereby approves settlement of Claim No. 30192322650-0001 in the amount of NINE THOUSAND FIVE HUNDRED SEVENTY-SEVEN AND 45/100 DOLLARS (\$9,577.45); and

2. That payment is authorized to satisfy settlement of this claim following the execution of the Release of Property Damage Claim by John Lukas; and

3. That certified copies of this resolution be transmitted to the Mayor, the Director of Finance, the Director of Public Works and the Corporation Counsel.

APPROVED AS TO FORM
AND LEGALITY:



CALEB P. ROWE
Deputy Corporation Counsel
County of Maui
RISK 2019-0080