

COUNCIL OF THE COUNTY OF MAUI

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

June 23, 2023

**Committee
Report No.** _____

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Government Relations, Ethics, and Transparency Committee, having met on June 7, 2023, and reconvened on June 9, 2023, makes reference to Resolution 22-160, entitled "AUTHORIZING SETTLEMENT OF CLAIM NO. 4056092 OF CRAIG CLOVE."

Resolution 22-160's purpose is to authorize settlement of the claim, filed on March 16, 2020. The claim alleges bodily injuries sustained near mile marker 19 on Honoapi'ilani Highway, Lāhainā, Maui, Hawai'i, on February 19, 2020, from a collision involving a County fleet vehicle.

By correspondence dated June 16, 2022, the Department of the Corporation Counsel provided a copy of the claim.

Your Committee notes Section 3.16.020(B), Maui County Code, requires Council authorization for any settlement of claims or civil litigation in excess of \$7,500.

A Deputy Corporation Counsel provided an overview of the claim and explained that the parties had reached a negotiated settlement, pending Council approval.

The Deputy Corporation Counsel requested an executive meeting to discuss confidential information related to the claim.

Your Committee voted to convene an executive meeting, closed to the public, to consult with legal counsel in accordance with Sections 92-5(a)(4) and 92-5(a)(8), Hawaii Revised Statutes.

COUNCIL OF THE COUNTY OF MAUI

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Page 2

**Committee
Report No.** _____

Following the executive meeting, your Committee reconvened in regular session.

Based on information received in executive session and the recommendation of the Department, your Committee voted 6-0 to recommend adoption of Resolution 22-160. Committee Chair U‘u-Hodgins and members Johnson, Kama, Rawlins-Fernandez, Sinenci, and Sugimura voted “aye.” Committee Vice-Chair Paltin and members Cook and Lee were excused.

Your Government Relations, Ethics, and Transparency Committee RECOMMENDS that Resolution 22-160, attached hereto, entitled “AUTHORIZING SETTLEMENT OF CLAIM NO. 4056092 OF CRAIG CLOVE,” be ADOPTED.

This report is submitted in accordance with Rule 8 of the Rules of the Council.



NOHELANI U‘U-HODGINS, Chair

great:cr:23011(24)aa:rm

Resolution

No. 22-160

AUTHORIZING SETTLEMENT OF CLAIM NO. 4056092 OF CRAIG CLOVE

WHEREAS, Craig Clove, filed Claim No. 4056092 on March 16, 2020, against the County of Maui for bodily injuries he allegedly sustained on Honoapiilani Highway near Mile Marker 19, Lahaina, Maui, Hawaii on February 19, 2020 from a collision involving a Maui County Police fleet vehicle; and

WHEREAS, the County of Maui and Craig Clove, to avoid incurring expenses and the uncertainty of a judicial determination of the parties' respective rights and liabilities, have reached a proposed resolution of this claim by way of a negotiated settlement; and

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

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

1. That it hereby approves settlement of Claim No. 4056092 under the terms set forth in an executive meeting before the Government Relations, Ethics, and Transparency Committee; and

2. That payment is authorized to satisfy settlement of this claim following the execution of the "Release and Indemnification Agreement" by Craig Clove; and

3. That certified copies of this Resolution be transmitted to the Mayor, the Director of Finance, the Police Chief, and the Corporation Counsel.

APPROVED AS TO FORM
AND LEGALITY:



CALEB P. ROWE
Deputy Corporation Counsel
County of Maui
RISK 2020-0059

Resolution No. 22-160

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Greg K. Lee". The signature is written in dark ink and is positioned above a horizontal line.

Upon the request of the Mayor.