

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 22-64, entitled “AUTHORIZING SETTLEMENT OF GERALDINE CONSTANTINO VS. COUNTY OF MAUI, DISABILITY COMPENSATION DIVISION CASE NO. 7-17-00763.”

Resolution 22-64’s purpose is to authorize settlement of the claim alleging work-related injuries sustained on May 10, 2017.

By correspondence dated February 17, 2022, the Department of the Corporation Counsel requested consideration of Resolution 22-64.

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.

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

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Based on information received in executive session and the recommendation of the Department, your Committee voted 8-0 to recommend adoption of Resolution 22-64. Committee Chair U‘u-Hodgins, Vice-Chair Paltin, and members Johnson, Kama, Lee, Rawlins-Fernandez, Sinenci, and Sugimura voted “aye.” Committee member Cook was excused.

Your Government Relations, Ethics, and Transparency Committee RECOMMENDS that Resolution 22-64, attached hereto, entitled “AUTHORIZING SETTLEMENT OF GERALDINE CONSTANTINO VS. COUNTY OF MAUI, DISABILITY COMPENSATION DIVISION CASE NO. 7-17-00763,” be ADOPTED.

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



NOHELANI U‘U-HODGINS, Chair

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Resolution

No. 22-64

AUTHORIZING SETTLEMENT OF
GERALDINE CONSTANTINO VS. COUNTY OF MAUI,
DISABILITY COMPENSATION DIVISION CASE NO. 7-17-00763

WHEREAS, Claimant Geraldine Constantino, filed a Workers' Compensation Claim alleging work related injuries sustained on May 10, 2017; and

WHEREAS, having reviewed the facts and circumstances regarding this matter and being advised of the proposed settlement by the Department of the Corporation Counsel, the Council wishes to authorize the settlement of the Workers' Compensation Claim under the terms and conditions proposed in an executive meeting before the Government Relations, Ethics, and Transparency Committee; now therefore,

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

1. That it hereby approves settlement of Geraldine Constantino vs. County of Maui, Disability Compensation Division Case No. 7-17-00763, under the terms set forth in an executive meeting before the Government Relations, Ethics, and Transparency Committee; and

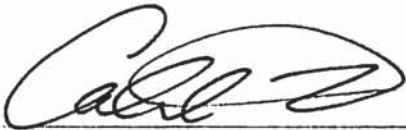
2. That it hereby authorizes the Mayor to execute a Stipulation and Settlement Agreement on behalf of the County in this case;

3. That it hereby authorizes the Director of Finance of the County of Maui to satisfy said settlement of this case, under such terms and conditions as may be imposed, and agreed to, by the Corporation Counsel; and

4. That payment is authorized to satisfy this settlement following approval of the Stipulation and Settlement Agreement by the Department of the Labor and Industrial Relations, State of Hawaii; and

5. That certified copies of this resolution be transmitted to the Mayor, the Director of Finance, the Director of Housing & Human Concerns, and the Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY:



CALEB P. ROWE
Deputy Corporation Counsel
County of Maui
RISK 2017-0119

Resolution No. 22-64

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "J. R. Lee", written over a horizontal line.

Upon the request of the Mayor.