

COUNCIL OF THE COUNTY OF MAUI

# GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE

July 5, 2019

**Committee  
Report No. \_\_\_\_\_**

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

Chair and Members:

Your Governance, Ethics, and Transparency Committee, having met on June 21, 2019, makes reference to County Communication 19-29, from Council Chair Kelly T. King, relating to litigation matters.

By correspondence dated March 22, 2019, the Department of the Corporation Counsel requested consideration of the possible settlement of Louis Cambra v. County Of Maui, Disability Compensation Division Case 7-16-00151, a workers' compensation case. Attached to the request is a proposed resolution entitled "AUTHORIZING SETTLEMENT OF LOUIS CAMBRA V. COUNTY OF MAUI, DISABILITY COMPENSATION DIVISION CASE NO. 7-16-00151." The purpose of the proposed resolution is to authorize the Department to settle the claim.

Your Committee notes the claim alleges work-related injuries sustained by Louis Cambra, a Department of Water Supply employee, on December 29, 2015.

Your Committee met with a Deputy Corporation Counsel. He explained Mr. Cambra, a Department of Water Supply employee, was injured in a motor-vehicle accident while on duty. The Deputy Corporation Counsel advised that the driver of another vehicle was legally responsible for the accident, and the County will receive reimbursement from the driver's insurance carrier for workers' compensation benefits provided to Mr. Cambra.

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Because the case involves ongoing litigation, the Deputy requested the opportunity to convene an executive meeting.

Your Committee voted to convene an executive meeting, closed to the public, to consult with legal counsel pursuant to Section 92-5(a)(4), Hawaii Revised Statutes; and Section 92-5(a)(8), Hawaii Revised Statutes, to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to a State or Federal law, or a court order.

Following the executive meeting, your Committee reconvened in regular session. Based on the information received and the recommendation of the Department, your Committee voted 8-0 to recommend adoption of the proposed resolution. Committee Chair Molina, Vice-Chair Rawlins-Fernandez, and members Kama, King, Lee, Paltin, Sinenci, and Sugimura voted "aye." Committee member Hokama was excused.

Your Governance, Ethics, and Transparency Committee RECOMMENDS that Resolution \_\_\_\_\_, attached hereto, entitled "AUTHORIZING SETTLEMENT OF LOUIS CAMBRA V. COUNTY OF MAUI, DISABILITY COMPENSATION DIVISION CASE NO. 7-16-00151," be ADOPTED.

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



\_\_\_\_\_  
MICHAEL J. MOLINA, Chair

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# Resolution

No. \_\_\_\_\_

AUTHORIZING SETTLEMENT OF  
LOUIS CAMBRA V. COUNTY OF MAUI,  
DISABILITY COMPENSATION DIVISION  
CASE NO. 7-16-00151

WHEREAS, Claimant Louis Cambra filed a Workers' Compensation Claim alleging work-related injuries sustained on December 29, 2015; 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 Governance, Ethics, and Transparency Committee; now therefore,

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

1. That it hereby approves settlement of Louis Cambra v. County of Maui, Disability Compensation Division Case No. 7-16-00151 under the terms set forth in an executive meeting before the Governance, 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; and

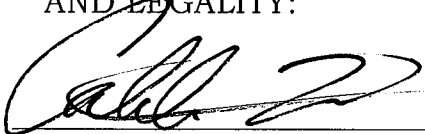
**Resolution No. \_\_\_\_\_**

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 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 the Department of Water Supply, and the Corporation Counsel.

APPROVED AS TO FORM  
AND LEGALITY:



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CALEB P. ROWE  
Deputy Corporation Counsel  
County of Maui  
RISK 2016-0493