

COUNCIL OF THE COUNTY OF MAUI

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

August 5, 2022

**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 July 12, 2022, makes reference to the following:

1. County Communication 21-46, from Council Chair Alice L. Lee, relating to litigation matters.
2. Resolution 22-167, from the Department of the Corporation Counsel, entitled "AUTHORIZING SETTLEMENT OF VIRGINIA A. CHAPMAN V. COUNTY OF MAUI, DISABILITY COMPENSATION DIVISION CASE NO. 7-18-01109."

Resolution 22-167's purpose is to authorize the Department to settle the claim filed on July 11, 2018, under terms set forth in an executive meeting.

By correspondence dated July 5, 2022, the County Clerk transmitted a letter dated June 24, 2022, from the Department of the Corporation Counsel, requesting consideration of Resolution 22-167, a copy of the claim, and documentation relating to 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 a brief overview of the claim in regular session. The claim alleges work-related injuries sustained from lifting a box on July 6, 2018.

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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 Section 92-5(a)(4), Hawaii Revised Statutes.

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

Based on the information received in executive session and the recommendation of the Department, your Committee voted 7-0 to recommend adoption of Resolution 22-167. Committee Chair Molina, Vice-Chair Rawlins-Fernandez, and members Johnson, Kama, King, Paltin, and Sinenci voted “aye.” Committee members Lee and Sugimura were excused.

Your Government Relations, Ethics, and Transparency Committee **RECOMMENDS** that Resolution 22-167, attached hereto, entitled “AUTHORIZING SETTLEMENT OF VIRGINIA A. CHAPMAN V. COUNTY OF MAUI, DISABILITY COMPENSATION DIVISION CASE NO. 7-18-01109,” be **ADOPTED**.

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



MICHAEL J. MOLINA, Chair

Resolution

No. 22-167

AUTHORIZING SETTLEMENT OF
VIRGINIA A. CHAPMAN V. COUNTY OF MAUI,
DISABILITY COMPENSATION DIVISION CASE NO. 7-18-01109

WHEREAS, Claimant Virginia A. Chapman, filed a Workers' Compensation Claim alleging work related injuries sustained on July 6, 2018; 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 Virginia A. Chapman v. County of Maui, Disability Compensation Division Case No.7-18-01109 under the terms set forth in an executive meeting before the Council; and
2. That it hereby authorizes the Mayor to execute a Stipulation and Settlement Agreement on behalf of the County in this case;

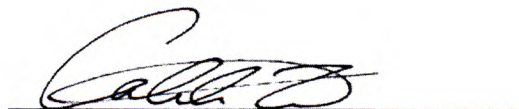
Resolution No. 22-167

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.

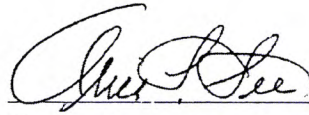
APPROVED AS TO FORM AND LEGALITY:

A handwritten signature in black ink, appearing to read "Caleb P. Rowe", is written over a horizontal line.

CALEB P. ROWE
Deputy Corporation Counsel
County of Maui
RISK 2018-0491

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INTRODUCED BY:

A handwritten signature in black ink, appearing to read "John A. Lee", is written over a horizontal line.

Upon the request of the Mayor.