

Resolution

No. 23-82

AUTHORIZING SETTLEMENT OF
CHRISTOPHER SALEM VS. COUNTY OF MAUI, ET AL.,
CIVIL NO. 2CCV-21-0000048(2)

WHEREAS, Plaintiff Christopher Salem filed a lawsuit in the Circuit Court of the Second Circuit in the State of Hawaii on February 18, 2021, Civil No. 2CCV-21-0000048(2), and a First Amended Complaint on November 9, 2021, against the County of Maui, Michael P. Victorino, individually and in his official capacity, and Michele McLean, in her official capacity as Director of the Department of Planning claiming breach of contract, tortious injury, and whistleblower protection, asking for seeking special, general, and punitive damages; and

WHEREAS, the County of Maui, to avoid incurring expenses and the uncertainty of a judicial determination of the parties' respective rights and liabilities, will attempt to reach a resolution of this case by way of a negotiated settlement or Offer of Judgment; and


WHEREAS, the Department of the Corporation Counsel has requested authority to settle this case under the terms set forth in an executive meeting before the Governance, Ethics, and Transparency Committee; 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 or Offer of Judgment 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:

1. That it hereby approves settlement of this case 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 Release and Settlement Agreement on behalf of the County in this case; and
3. That it hereby authorizes the Director of Finance of the County of Maui to satisfy said settlement of this case; and
4. That certified copies of this resolution be transmitted to the Mayor, the Director of Finance, the Chief of Police, and the Corporation Counsel.

APPROVED AS TO FORM
AND LEGALITY:



KRISTIN K. TARNSTROM
Deputy Corporation Counsel
County of Maui
Lit 6247

INTRODUCED BY:

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

Upon the request of the Mayor.