

**COUNCIL OF THE COUNTY OF MAUI**

**GOVERNMENT RELATIONS, ETHICS,  
AND TRANSPARENCY COMMITTEE**

September 3, 2021

**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 August 18, 2021, makes reference to County Communication 21-46, from Council Chair Alice L. Lee, relating to litigation matters.

By correspondence dated February 8, 2021, the Department of the Corporation Counsel requested consideration of a proposed resolution entitled "AUTHORIZING SETTLEMENT OF CLAIM NO. 4063974 OF KRISTEN SATO."

The purpose of the proposed resolution is to authorize the Department to settle the claim for \$13,969.48 under terms stated in the resolution.

The Department also transmitted a copy of the claim and documentation relating to the claim.

Your Committee notes the claim, filed on May 22, 2020, alleges damages to Ms. Sato's vehicle resulting from an accident with a Maui County fleet vehicle on Kaahumanu Avenue, Kahului, Maui, Hawaii, on February 25, 2020.

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.

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A Deputy Corporation Counsel provided a brief overview of the claim. He said the incident occurred when Ms. Sato's vehicle was inadvertently rear-ended and subsequently pushed into another vehicle while stopped at a red light.

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 Johnson, King, Lee, Paltin, Sinenci, and Sugimura voted "aye." Committee member Kama was excused.

Your Government Relations, Ethics, and Transparency Committee RECOMMENDS that Resolution \_\_\_\_\_, attached hereto, entitled "AUTHORIZING SETTLEMENT OF CLAIM NO. 4063974 OF KRISTEN SATO," be ADOPTED.

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



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

# Resolution

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

## AUTHORIZING SETTLEMENT OF CLAIM NO. 4063974 OF KRISTEN SATO

WHEREAS, Claimant Kristen Sato filed Claim No. 4063974 on May 22, 2020 against the County of Maui, alleging damage to her vehicle resulting from an accident with a Maui County fleet vehicle being operated by a County Employee on February 25, 2020; 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 for a settlement of \$13,969.48; 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 approves settlement of Claim No. 4063974 of Kristen Sato in the amount of \$13,969.48;
2. That it authorizes the Mayor to execute a Release and Settlement Agreement on behalf of the County in this case, under terms and conditions as

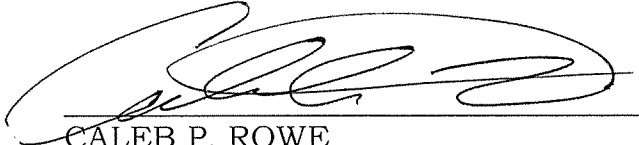
**Resolution No. \_\_\_\_\_**

may be imposed by the Corporation Counsel consistent with the Council's settlement approval;

3. That it authorizes the Director of Finance of the County of Maui to satisfy settlement of this case, under terms and conditions as may be imposed by the Corporation Counsel consistent with the Council's settlement approval; and

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

APPROVED AS TO FORM  
AND LEGALITY:

A handwritten signature in black ink, appearing to read 'C. Rowe', is written over a horizontal line.

CALEB P. ROWE  
Deputy Corporation Counsel  
County of Maui  
RISK 2020-0114