

COUNCIL OF THE COUNTY OF MAUI

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

June 27, 2025

**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 2, 2025, makes reference to Resolution 25-99, entitled “AUTHORIZING SETTLEMENT OF MELISSA MAGONIGLE vs. COUNTY OF MAUI POLICE DEPARTMENT, ET AL.; CIVIL FILE 2CCV-23-0000030.”

Resolution 25-99’s purpose is to authorize settlement of the claim filed on May 13, 2024, under terms discussed in an executive meeting.

By correspondence dated April 14, 2025, the Department of the Corporation Counsel requested consideration of Resolution 25-99, with a copy of the claim.

Your Committee notes Subsection 3.16.020(B), Maui County Code, requires Council authorization for any settlement of claims or civil litigation in excess of \$25,000.

A Deputy Corporation Counsel provided a brief overview of the claim in open session. The claim involves allegations of gender discrimination, retaliation, and a violation of Hawai‘i’s Whistleblower Protection Act. The claim pertains to incidents that occurred from December 17, 2021, to February 7, 2024, while Ms. Magonigle was employed with the County.

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), Hawai‘i Revised Statutes.

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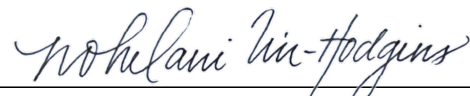
Following the executive meeting, your Committee reconvened in open session.

Based on the information received in the executive meeting and the recommendation of the Corporation Counsel, your Committee voted 8-0 to recommend adoption of Resolution 25-99. Committee Chair U‘u-Hodgins, Vice-Chair Paltin, and members Cook, Johnson, Lee, Rawlins-Fernandez, Sinenci, and Sugimura voted “aye.” Committee member Kama was excused.

Your Committee is in receipt of Resolution 25-99, CD1, entitled “AUTHORIZING SETTLEMENT OF *MELISSA MAGONIGLE V. COUNTY OF MAUI POLICE DEPARTMENT, ET AL.*; CIVIL FILE 2CCV-23-0000030,” approved as to form and legality by the Department of the Corporation Counsel, incorporating nonsubstantive revisions.

Your Government Relations, Ethics, and Transparency Committee **RECOMMENDS** that Resolution 25-99, CD1, attached, entitled “AUTHORIZING SETTLEMENT OF *MELISSA MAGONIGLE V. COUNTY OF MAUI POLICE DEPARTMENT, ET AL.*; CIVIL FILE 2CCV-23-0000030,” be **ADOPTED**.

This report is submitted in accordance with Rule 3 of the Rules of the Council.



NOHELANI U‘U-HODGINS, Chair

Resolution

No. 25-99, CD1

AUTHORIZING SETTLEMENT OF *MELISSA MAGONIGLE V. COUNTY OF MAUI POLICE DEPARTMENT, ET AL.*; CIVIL FILE 2CCV-23-0000030

WHEREAS, Plaintiff Melissa Magonigle filed a Second Amended Complaint on May 13, 2024, in the Second Circuit Court, State of Hawai'i, Civil File 2CCV-23-0000030, against the Maui Police Department, alleging claims of gender discrimination and retaliation under Section 378-2, Hawai'i Revised Statutes, and whistleblower retaliation under Section 378-62, Hawai'i Revised Statutes, relating to incidents alleged to have occurred between December 17, 2021, and February 7, 2024, while she was employed as Business Administrator II with the Maui Police Department; and

WHEREAS, the Maui Police Department, 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 presented in an executive meeting before the Government Relations, Ethics, and Transparency Committee; and

WHEREAS, having reviewed the facts and circumstances regarding this case and being advised of attempts to reach a resolution 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 under Section 3.16.020, Maui County Code, it approves settlement of *Melissa Magonigle v. County of Maui Police Department, et al.*; Civil File 2CCV-23-0000030, under the terms discussed in an executive meeting before its Government Relations, Ethics, and Transparency Committee;
2. That it authorizes the Mayor to execute a Release and Settlement Agreement on behalf of the Maui Police

Resolution No. 25-99, CD1

Department in this case, under terms and conditions as may be imposed by the Corporation Counsel consistent with the Council's settlement approval;

3. That it authorizes the Director of Finance 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, Director of Finance, Chief of Police, and the Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY:


BRADLEY J. SOVA
Department of the Corporation Counsel
County of Maui

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INTRODUCED BY:

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

Upon the request of the Mayor.