

Resolution

No. 25-99

AUTHORIZING SETTLEMENT OF MELISSA MAGONIGLE vs. 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 County of Maui Police Department ("MPD"), alleging claims of gender discrimination under HRS Section 378-2, retaliation under HRS Section 378-2, and whistleblower retaliation under HRS Section 378-62 relating to incidents alleged to have occurred between December 17, 2021 and February 7, 2024 while she was employed as Business Administrator II with MPD; and

WHEREAS, MPD, 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 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,

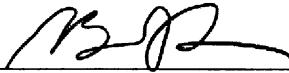
BE IT RESOLVED by the Council of the County of Maui:

1. That under Maui County Code Section 3.16.20, it approves settlement of Melissa Magonigle vs. 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 MPD in this case, under terms and conditions as may be imposed by the Corporation Counsel consistent with the Council's settlement approval;

Resolution No. 25-99

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 Police, and the Department of the Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY:



BRADLEY J. SOVA
Deputy Corporation Counsel
County of Maui

LF-7886

INTRODUCED BY:

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

Upon the request of the Mayor.