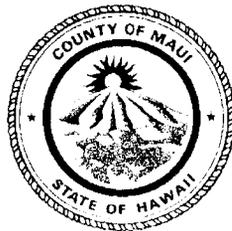


COW-1(46)

ALAN M. ARAKAWA
Mayor



PATRICK K. WONG
Corporation Counsel

EDWARD S. KUSHI
First Deputy

LYDIA A. TODA
Risk Management Officer
Tel. No. (808) 270-7535
Fax No. (808) 270-1761

DEPARTMENT OF THE CORPORATION COUNSEL
COUNTY OF MAUI
200 SOUTH HIGH STREET, 3RD FLOOR
WAILUKU, MAUI, HAWAII 96793
EMAIL: CORPCOUN@MAUICOUNTY.GOV
TELEPHONE: (808) 270-7740
FACSIMILE: (808) 270-7152

RECEIVED
2016 SEP 14 AM 10:14
OFFICE OF THE
COUNTY COUNCIL

September 13, 2016

MEMORANDUM

TO: Donald S. Guzman, Chair
Committee of the Whole

FROM: Christie M. Trenholme, Deputy Corporation Counsel *CT*

SUBJECT: Litigation Matters – Settlement of Claims and Lawsuits (COW-1)
Charge of Discrimination Filed with the Hawaii Civil Rights Commission and
Federal Equal Employment Opportunity Commission on March 11, 2014; Federal
Employment Practices Agency No. M-16340; Equal Employment Opportunity
Commission No. 37B-2011-00145

Our Department respectfully requests the opportunity to present to the Committee a proposed settlement demand with regard to the above-referenced matter.

A copy of the proposed Resolution is attached.

It is anticipated that an executive session may be necessary to discuss questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee. We request that a representative from the Department of Finance, Motor Vehicle and Licensing Division, be in attendance during discussion of this matter.

Should you have a questions or concerns, please do not hesitate to contact me.

CMT:jem

Enclosure

cc: Danilo Agsalog, Director of Finance

Resolution

No. _____

AUTHORIZING SETTLEMENT OF A CHARGE OF DISCRIMINATION FILED WITH THE HAWAII CIVIL RIGHTS COMMISSION AND FEDERAL EQUAL EMPLOYMENT OPPORTUNITY COMMISSION ON MARCH 11, 2014; FEDERAL EMPLOYMENT PRACTICES AGENCY NO. M-16340; EQUAL EMPLOYMENT OPPORTUNITY COMMISSION NO. 37B-2011-00145

WHEREAS, a Charge of Discrimination was filed against the County of Maui on or about March 11, 2014, with the Hawaii Civil Rights Commission and the Equal Employment Opportunity Commission, designated as Fair Employment Practices Agency No. M-16340; Equal Employment Opportunity Commission No. 37B-2011-00145; and

WHEREAS, the Hawaii Civil Rights Commission issued a Notice of Finding on December 3, 2015, and an Amended Notice of Finding on June 6, 2016; and

WHEREAS, having reviewed the facts and circumstances regarding this matter and being advised of a proposed settlement by the Department of the Corporation Counsel, the Council wishes to authorize settlement of the case under the terms and conditions proposed in an executive meeting before the Committee of the Whole; 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 Committee of the Whole; and

Resolution No. _____

2. That it hereby authorizes the Mayor to execute a Release and Settlement Agreement on behalf of the County in this case, under such terms and conditions as may be imposed, and agreed to, by the Corporation Counsel; and

3. That it hereby authorizes the Director of Finance to satisfy the settlement of this case, under such terms and conditions as may be imposed, and agreed to, by the Corporation Counsel; and

4. That certified copies of this resolution be transmitted to the Mayor, the Director of Finance, the Director of Personnel Services, and the Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY:



CHRISTIE M. TRENHOLME
Deputy Corporation Counsel
County of Maui