

REQUEST FOR LEGAL SERVICES

D a t e: May 16, 2025

F r o m: Nohelani U'u-Hodgins, Chair
Government Relations, Ethics, and Transparency Committee

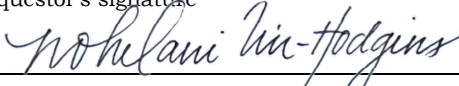
TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Glen R. Pascual, Esq.

Subject: RESOLUTION 25-79, SETTLEMENT AUTHORIZATION: KAMALANI T. UEHARA V. COUNTY OF MAUI, DEPARTMENT OF WATER SUPPLY, ET AL., CIVIL 2CCV-21-0000378
(GREAT-11(6))

Background Data: Please see attached proposed CD1 version of Resolution 25-79 with proposed nonsubstantive revisions. Please submit your response to great.committee@mauicounty.us with a reference to GREAT-11(6).

Work Requested: ☒ FOR APPROVAL AS TO FORM AND LEGALITY
☐ OTHER:

Requestor's signature  Nohelani U'u-Hodgins, Chair	Contact Person <u>Megan Moniz</u> (Telephone Extension: <u>7145</u>)
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☐ ROUTINE (WITHIN 15 WORKING DAYS) ☐ RUSH (WITHIN 5 WORKING DAYS)
☐ PRIORITY (WITHIN 10 WORKING DAYS) ☐ URGENT (WITHIN 3 WORKING DAYS)

☒ SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): May 28, 2025
REASON: For posting on June 6, 2025, Council meeting agenda.

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO:	ASSIGNMENT NO.	BY:
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TO REQUESTOR: ☐ APPROVED ☐ DISAPPROVED ☐ OTHER (SEE COMMENTS BELOW)
☐ RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE):

DEPARTMENT OF THE CORPORATION COUNSEL

Date _____

By _____

(Rev. 7/03)

Resolution

No. 25-79, CD1

AUTHORIZING SETTLEMENT OF *KAMALANI T. UEHARA v. COUNTY OF MAUI, DEPARTMENT OF WATER SUPPLY, ET AL.*, CIVIL 2CCV-21-0000378

WHEREAS, Plaintiff Kamalani T. Uehara, filed a Complaint on December 10, 2021, in the Second Circuit Court, State of Hawai‘i, Civil 2CCV-21-0000378 against the County of Maui, Department of Water Supply, alleging claims of hostile or sexually hostile work environment under Hawai‘i Revised Statutes sections 378-1 and 378-2; sex discrimination under HRS sections 378-1 and 378-2; retaliation under HRS sections 378-1 and 378-2; negligent training, retention and supervision; intentional infliction of emotional distress; negligent infliction of emotional distress; and respondeat superior or vicarious liability relating to incidents that occurred between April 2020 to April 2022 when she was employed as a Water Microbiologist II with the County; 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 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 3.16.020, it approves settlement of *Kamalani T. Uehara v. County of Maui, Department of Water Supply, et al.*, Civil 2CCV-21-0000378,

Resolution No. 25-79, CD1

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 County in this case, under terms and conditions as may be imposed by the Department of 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 Department of 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, Director of Water Supply, and Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY:

Department of the Corporation Counsel
County of Maui

great:misc:011(06)areso01:mkm

INTRODUCED BY:

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

Upon the request of the Mayor.