

Resolution

No. 25-79

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

WHEREAS, Plaintiff Kamalani T. Uehara ("Plaintiff"), filed a Complaint on December 10, 2021 in the Second Circuit Court, State of Hawaii, Civil No. 2CCV-21-0000378 against the County of Maui, Department of Water Supply ("County") alleging claims of hostile or sexually hostile work environment under HRS 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 with the County; and

WHEREAS, that 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 3.16.20, it approves settlement of Kamalani T. Uehara vs. County of Maui, Department of Water Supply, et al.; Civil No. 2CCV-21-0000378, under the terms discussed in an executive meeting

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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 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 Director of Water Supply, and the Department of Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY:



GLEN R. PASCUAL
Deputy Corporation Counsel
County of Maui
LF-7802

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.