

COUNCIL OF THE COUNTY OF MAUI

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

June 6, 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 May 13, 2025, makes reference to Resolution 25-79, entitled “AUTHORIZING SETTLEMENT OF KAMALANI T. UEHARA vs. COUNTY OF MAUI, DEPARTMENT OF WATER SUPPLY, ET AL.; CIVIL 2CCV-21-0000378.”

Resolution 25-79’s purpose is to authorize settlement of the claim filed on December 10, 2021, under terms discussed in an executive meeting.

By correspondence dated March 10, 2025, the Department of the Corporation Counsel requested consideration of Resolution 25-79, 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 a hostile or sexually hostile work environment; sex discrimination; retaliation; negligent training, retention, and supervision; intentional infliction of emotional distress; negligent infliction of emotional distress; and respondeat superior or vicarious liability. The claim pertains to incidents that occurred between April 2020 and April 2022 while the Plaintiff was employed with the County.

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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.

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

Based on information received in the executive meeting and the recommendation of the Department, your Committee voted 7-0 to recommend adoption of Resolution 25-79. Committee Chair U‘u-Hodgins, Vice-Chair Paltin, and members Cook, Lee, Rawlins-Fernandez, Sinenci, and Sugimura voted “aye.” Committee members Johnson and Kama were excused.

Your Committee is in receipt of Resolution 25-79, CD1, entitled “AUTHORIZING SETTLEMENT OF *KAMALANI T. UEHARA v. COUNTY OF MAUI, DEPARTMENT OF WATER SUPPLY, ET AL.*, CIVIL 2CCV-21-0000378,” 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 25-79, CD1, attached, entitled “AUTHORIZING SETTLEMENT OF *KAMALANI T. UEHARA v. COUNTY OF MAUI, DEPARTMENT OF WATER SUPPLY, ET AL.*, CIVIL 2CCV-21-0000378,” be ADOPTED.

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



NOHELANI U'U-HODGINS, Chair

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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:

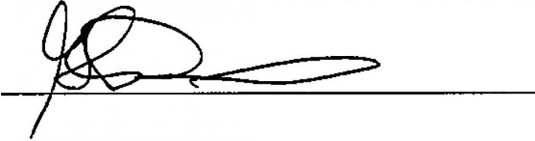
1. That under Maui County Code Section 3.16.020, it approves settlement of *Kamalani T. Uehara v. County of Maui, Department of Water Supply, et al.*, Civil 2CCV-21-0000378,

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.

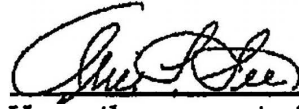
APPROVED AS TO FORM AND LEGALITY:

A handwritten signature in black ink, appearing to be "J. B. [unclear]", is written over a horizontal line.

Department of the Corporation Counsel
County of Maui

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INTRODUCED BY:

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

Upon the request of the Mayor.