



Legislation Details (With Text)

File #: PRL-1(33) **Version:** 1

Type: Direct Referral **Status:** Agenda Ready

File created: 1/23/2017 **In control:** Parks, Recreation, Energy, and Legal Affairs Committee

On agenda: 7/24/2018 **Final action:**

Title: LITIGATION MATTERS (SETTLEMENT AUTHORIZATION AND STATUS: SPIRIT OF ALOHA TEMPLE, ET AL. V. COUNTY OF MAUI, ET AL.; CIVIL CV 14-00535 SOM-RLP) (PRL-1(33))

Sponsors:

Indexes:

Code sections:

Attachments: 1. County Communication 15-6, 2. Correspondence from Corporation Counsel 01-26-2016, 3. Correspondence from Corporation Counsel 06-26-2018

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

LITIGATION MATTERS (SETTLEMENT AUTHORIZATION AND STATUS: SPIRIT OF ALOHA TEMPLE, ET AL. V. COUNTY OF MAUI, ET AL. ; CIVIL CV 14-00535 SOM-RLP) (PRL-1(33))

The Committee is in receipt of the following:

1. Correspondence dated January 26, 2016, from the Department of the Corporation Counsel, transmitting a proposed resolution to authorize the settlement of Spirit of Aloha Temple, et al. v. County of Maui, et al., Civil CV 14-00535 SOM-RLP. The complaint alleges discriminatory and unreasonable land use regulations and intentional conduct, including the denial of a State Special Use Permit, prohibited the Spirit of Aloha Temple from conducting religious services and activities in the exercise of its religious beliefs, in violation of the Religious Land Use and Institutionalized Persons Act of 2000, the Hawaii State Constitution, and the First and Fourteenth Amendments of the United States Constitution, at 800 Haumana Road, Haiku, Maui, Hawaii.
2. Correspondence dated June 22, 2018, from the Department of the Corporation Counsel, transmitting a revised proposed resolution entitled "AUTHORIZING SETTLEMENT OF SPIRIT OF ALOHA TEMPLE, ET AL. V. COUNTY OF MAUI, ET AL., CIVIL NO. CV 14-00535 SOM-RLP." The purpose of the revised proposed resolution is to authorize settlement of the case.

The Committee may consider whether to recommend adoption of the revised proposed resolution, with or without further revisions. The Committee may also consider the filing of the correspondence and other related action.

With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee.