



PUBLIC MEETING NOTICE

COUNCIL OF THE COUNTY OF MAUI

www.MauiCounty.us/PRL

Committee Chair
Don S. Guzman

Committee
Vice-Chair
Kelly T. King

Voting Members:
Alika Atay
Robert Carroll
Elle Cochran
Stacy Crivello
Riki Hokama
Yuki Lei K. Sugimura
Mike White

PARKS, RECREATION, ENERGY, AND LEGAL AFFAIRS COMMITTEE

Friday, April 6, 2018

1:30 p.m.

MEETING SITE:

Council Chamber
Kalana O Maui Building, 8th Floor
200 South High Street
Wailuku, Hawaii

OFFICE OF THE
COUNTY CLERK

2018 MAR 29 AM 10:13

RECEIVED

AGENDA

**LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: MOLLIE
M. KLINGMAN V. THE COUNTY OF MAUI, ET AL.; CIVIL 16-00399
ACK-RLP) (PRL-1(35))**

Description: The Committee is in receipt of correspondence dated March 22, 2018, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution, entitled "AUTHORIZING SETTLEMENT OF MOLLIE M. KLINGMAN v. THE COUNTY OF MAUI ET AL., CIVIL NO. 16-00399 ACK-RLP," along with a copy of the First Amended Complaint. The purpose of the proposed resolution is to authorize settlement of the case. The First Amended Complaint alleges discrimination by the County's Department of Police against Plaintiff Mollie Klingman based on her sex, and other unlawful employment practices.

Status: The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider other related action.

Note: 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.

[Correspondence from Corporation Counsel 3-22-2018](#)

MORE →

LITIGATION MATTERS (SPECIAL COUNSEL AUTHORIZATION AND SETTLEMENT AUTHORIZATION: DAVID TAYLOR V. ALAN ARAKAWA, ET AL.; CIVIL 18-1-0056(1)) (PRL-1(32))

Description: The Committee is in receipt of the following:

1. Correspondence dated February 7, 2018, from the Department of the Corporation Counsel, requesting consideration of the following:
 - a. A proposed resolution to authorize the employment of Cox Fricke LLP as special counsel to represent Alan Arakawa, who has been identified as a Defendant in his individual capacity, in David Taylor v. Alan Arakawa, et al., Civil 18-1-0056(1), for a total compensation not to exceed \$75,000, along with a copy of the Complaint. The Complaint, filed January 30, 2018, alleges David Taylor was removed from his position as Director of Water Supply starting as early as November 15, 2017, in violation of the Revised Charter of the County of Maui (1983), as amended; wrongful termination in violation of his due process rights under the Hawaii Constitution; misuse of his professional engineering license, in violation of the Hawaii Revised Statutes; and defamation, slander per se, and intentional infliction of emotional distress, among other things.
 - b. A proposed resolution to authorize the employment of Kobayashi, Sugita & Goda, LLP as special counsel to represent the County of Maui and Alan Arakawa in his capacity as the Mayor of the County of Maui, who have been identified as Defendants, in David Taylor v. Alan Arakawa, et al., Civil 18-1-0056(1), for a total compensation not to exceed \$75,000.
2. Correspondence dated February 23, 2018, from the Department of the Corporation Counsel, requesting consideration of the following:
 - a. A revised proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL KOBAYASHI, SUGITA & GODA, LLP IN DAVID TAYLOR V. ALAN ARAKAWA, ET AL., CIVIL NO. 18-1-0056(1)." The purpose of the proposed resolution is to authorize the employment of Kobayashi, Sugita & Goda, LLP to represent Alan Arakawa, who has been identified as a Defendant in his individual capacity, in David Taylor v. Alan Arakawa, et al., Civil 18-1-0056(1), for a total compensation not to exceed \$50,000.
 - b. A revised proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL COX FRICKE LLP IN DAVID TAYLOR V. ALAN ARAKAWA, ET AL., CIVIL NO. 18-1-0056(1)." The purpose of the proposed resolution is to authorize the employment of Cox Fricke LLP as special counsel to represent the Maui County Council and its members as material witnesses who will be deposed by the Plaintiff in David Taylor v. Alan Arakawa, et al.; Civil 18-1-0056(1), for a total compensation not to exceed \$25,000.

MORE →

- 3. Correspondence dated March 23, 2018, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled "AUTHORIZING SETTLEMENT OF DAVID TAYLOR V. ALAN ARAKAWA, ET AL., CIVIL NO. 18-1-0056(1)." The purpose of the proposed resolution is to authorize settlement of the case.

Status: The Committee may consider whether to recommend adoption of the revised proposed resolutions noted in paragraphs 2(a) and 2(b) above, and the proposed resolution noted in paragraph 3 above, with or without further revisions. The Committee may also consider other related action.

Note: 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.

Correspondence from Corporation Counsel 02-07-2018

Correspondence from Corporation Counsel 02-23-2018

Correspondence from Corporation Counsel 03-23-2018

REMOTE TESTIMONY SITES

Hana	Lanai	Molokai
Council District Office	Council District Office	Council District Office
Hana Community Center	Lanai Community Center	100 Ainoa Street
5091 Uakea Road	8th Street	Kaunakakai, Hawaii
Hana, Hawaii	Lanai City, Hawaii	

CONTACT INFORMATION

Office of Council Services	(808) 270-7838 (phone)	(808) 270-7686 (fax)
200 South High Street	(800) 272-0098 (toll-free from Lanai)	
Wailuku, Hawaii 96793	(800) 272-0026 (toll-free from Molokai)	

COMMITTEE STAFF

Maggie Clark, Carla Nakata and Pauline Martins

TESTIMONY

Oral or written testimony on any agenda item will be accepted. Email testimony to prl.committee@mauicounty.us.

For more information on testifying please visit www.MauiCounty.us/how-to-testify or contact the Office of Council Services. If written testimony is submitted at the meeting site, 16 copies are requested.

DISABILITY ACCESS

People with disabilities requiring special accommodations should contact the Office of Council Services at least three working days prior to the meeting date.

LIVE CABLECAST

Available on Akaku: Maui Community Media, Channel 53.