

REQUEST FOR LEGAL SERVICES

Date: June 5, 2025
From: Nohelani U'u-Hodgins, Chair
Government Relations, Ethics, and Transparency Committee

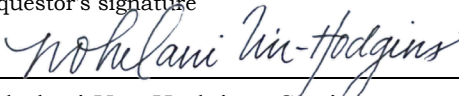
TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: John J. Gores, Esq.

Subject: RESOLUTION 25-110, SETTLEMENT AUTHORIZATION: JMC CLAIM 4088770,
COUNTY OF MAUI RISK FILE 2024-0068 OF MERC COIMBRA AND ALISA COIMBRA
(GREAT-11(13))

Background Data: Please see Resolution 25-110, CD1. Please submit your response to
great.committee@mauicounty.us with a reference to GREAT-11(13).

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

Requestor's signature  Nohelani U'u-Hodgins, Chair	Contact Person <u>Peter Hanano</u> (Telephone Extension: <u>8007</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)

☒ [X] SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): June 12, 2025, 12 pm
REASON: For posting on June 20, 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)

great:ltr:011(13)acc01:pah

Attachment

Resolution

No. 25-110, CD1

AUTHORIZING SETTLEMENT OF JMC CLAIM
4088770, COUNTY OF MAUI RISK FILE 2024-
0068 OF MERC COIMBRA AND ALISA COIMBRA

WHEREAS, on March 18, 2024, Claimant Merc Coimbra filed JMC Claim 4088770, County of Maui Risk File 2024-0068, for property damage sustained on February 8, 2024, alleging a water main break flooded his home located at 276 Kaiola Place, #101 in Kihei, Hawai'i 96753, which he owns with his wife, Co-claimant Alisa Coimbra; 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 by way of a negotiated settlement or Offer of Judgment; and

WHEREAS, having reviewed the facts and circumstances regarding this case and being advised of attempts to reach a resolution by way of a negotiated settlement 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 Section 3.16.020, Maui County Code, it approves settlement of JMC Claim 4088770, County of Maui Risk File 2024-0068 by Merc Coimbra and Alisa Coimbra in the amount of \$45,291.47;
2. That it authorizes the Mayor to execute a Release and Settlement Agreement on behalf of the County, 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 to satisfy the settlement of this case, under terms and conditions as may be imposed by the Corporation Counsel, consistent with the Council's settlement approval; and

Resolution No. 25-110, CD1


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:

JOHN J. GORES
Department of the Corporation Counsel
County of Maui

great:misc:011(13)areso01:pah

INTRODUCED BY:

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

Upon the request of the Mayor.