

COUNCIL OF THE COUNTY OF MAUI

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

June 27, 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 June 2, 2025, makes reference to Resolution 25-110, entitled "AUTHORIZING SETTLEMENT OF JMC CLAIM 4088770, COUNTY OF MAUI FILE RISK 2024-0068 OF MERC COIMBRA AND ALISA COIMBRA."

Resolution 25-110's purpose is to authorize settlement of the claim filed on March 18, 2024. The claim alleges that on February 8, 2024, a broken 18-inch water main pipe, maintained by the County, resulted in flooding to the Claimants' residence at 276 Kaiola Place, #101, in Kihei, Maui, Hawai'i. The flooding caused damage to the residence and personal property, which necessitated substantial repairs to the residence.

By correspondence dated April 29, 2025, the Department of the Corporation Counsel requested consideration of Resolution 25-110, 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 an overview of the claim and explained that the parties had reached a negotiated settlement, pending Council approval.

Your Committee agreed to include the settlement amount of \$45,291.47, as indicated by the Deputy Corporation Counsel in open session, in Resolution 25-110.

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Your Committee voted 7-0 to recommend adoption of Resolution 25-110, CD1. Committee Chair U‘u-Hodgins, Vice-Chair Paltin, and members Cook, Johnson, Lee, Rawlins-Fernandez, and Sugimura voted “aye.” Committee members Kama and Sinenci were excused.

Your Committee is in receipt of Resolution 25-110, CD1, entitled “AUTHORIZING SETTLEMENT OF JMC CLAIM 4088770, COUNTY OF MAUI RISK FILE 2024-0068 OF MERC COIMBRA AND ALISA COIMBRA,” approved as to form and legality by the Department of the Corporation Counsel, incorporating your Committee’s recommended revisions and nonsubstantive revisions.

Your Government Relations, Ethics, and Transparency Committee RECOMMENDS that Resolution 25-110, CD1, attached, entitled “AUTHORIZING SETTLEMENT OF JMC CLAIM 4088770, COUNTY OF MAUI RISK FILE 2024-0068 OF MERC COIMBRA AND ALISA COIMBRA,” be ADOPTED.

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. 25-110, 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:

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

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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.