

REQUEST FOR LEGAL SERVICES

D a t e: July 24, 2025

F r o m: Nohelani U'u-Hodgins, Chair
Government Relations, Ethics, and Transparency Committee

TRANSMITTAL

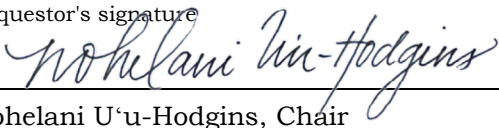
Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Susan M. Leeder, Esq.

Subject: RESOLUTION 25-141, SETTLEMENT AUTHORIZATION: JMC CLAIM 4086753,
COUNTY OF MAUI RISK FILE 2023-1128 OF JEFFREY NAVARES (GREAT-11(18))

Background Data: Please see attached proposed CD1 version of Resolution 25-141 with
proposed nonsubstantive revisions. Please submit your response to
great.committee@mauicounty.us with a reference to GREAT-11(18).

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): August 1, 2025, 12 p.m.

REASON: For posting on the August 12, 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)

Resolution

No. 25-141, CD1

AUTHORIZING SETTLEMENT OF JMC CLAIM
4086753, COUNTY OF MAUI RISK FILE 2023-
1128 OF JEFFREY NAVARES

WHEREAS, on November 13, 2023, Claimant Jeffrey Navares filed JMC Claim 4086753, County of Maui Risk File 2023-1128, for property damage to his home located at 139 Meheu Circle, Kahului, Hawai'i, from an alleged misdirected County water sprinkler occurring on or about October 27, 2023, for which three repair estimates came in between \$62,986.66 and \$81,906.35; 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 4086753, County of Maui Risk File 2023-1128 by Claimant Jeffrey Navares in the amount of \$62,986.66;
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. 25-141, CD1

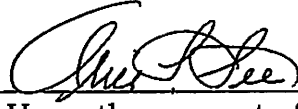
4. That certified copies of this Resolution be transmitted to the Mayor, Director of Finance, Director of Parks and Recreation, and the Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY:

SUSAN M. LEEDER
Department of the Corporation Counsel
County of Maui

great:misc:011(18)areso01:pah

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.