

REQUEST FOR LEGAL SERVICES

Date: November 21, 2018
From: Yuki Lei K. Sugimura, Chair
Policy, Economic Development, and Agriculture Committee

CORPORATION COUNSEL
2018 NOV 23 11:43

TRANSMITTAL
Memo to:

DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Edward S. Kushi, Jr., Esq.

Subject: ESTABLISHING THE WEST MAUI COMMUNITY PLAN ADVISORY COMMITTEE
(PEA-75)

Background Data: Please review and, if appropriate, approve as to form and legality the attached revised proposed resolution incorporating revisions made to Exhibits "B" and "C" at the November 20, 2018 PEA Committee meeting. Please also include a signed hard copy with your response.

Work Requested: FOR APPROVAL AS TO FORM AND LEGALITY
 OTHER:

RECEIVED
CORPORATION COUNSEL
NOV 23 2018

Requestor's signature <u>Yuki Lei K. Sugimura</u> Yuki Lei K. Sugimura	Contact Person <u>Shelly Espeleta</u> (Telephone Extension: 7134)
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- ROUTINE (WITHIN 15 WORKING DAYS)
- PRIORITY (WITHIN 10 WORKING DAYS)
- RUSH (WITHIN 5 WORKING DAYS)
- URGENT (WITHIN 3 WORKING DAYS)

SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): November 29, 2018
REASON: To submit for posting on the December 11, 2018 Council meeting agenda.

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO: <u>ESK</u>	ASSIGNMENT NO. <u>2017-0098</u>	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 11/23/18

By [Signature]

(Rev. 7/03)

pea:ltr:075acc02:ske

Attachment

Resolution

No. _____

APPOINTMENTS TO THE WEST MAUI COMMUNITY PLAN ADVISORY COMMITTEE

WHEREAS, Section 2.80B.080, Maui County Code, provides as follows:

“A. Each of the County's nine community plans shall, to the extent practicable, be updated within ten years (decennially) of the respective plan's adoption. The decision as to the order of updating the nine community plans shall be decided by the council.

B. There shall be a community plan advisory committee for each community plan area set forth in section 2.80B.070.B. Except for the community plan advisory committee for the Kahoolawe community plan, each community plan advisory committee shall consist of residents of the corresponding community plan area and shall hold all meetings in the corresponding community plan area.

C. Each community plan advisory committee shall be composed of thirteen members, nine appointed by the council and four by the mayor. In making such appointments, the council and the mayor shall strive for diversity and balance of age, gender, background, profession, heritage, experience, and ideology on each committee. The council and the mayor shall give priority to people who have a strong connection to all parts of the corresponding community plan area and have expressed a strong commitment to participate in and attend all committee meetings. Prior or current service as a member of a general plan advisory committee shall not disqualify an individual from serving on a community plan advisory committee. Each community plan advisory committee is charged with reviewing and recommending revisions to the community plan for its community plan area. The mayor and council shall appoint the members of each community plan advisory committee in accordance with the timing established in subsection A and the following procedure:

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1. The department of planning shall submit to the council a request to initiate the establishment of a community plan advisory committee, including the requested deadline for appointment of the members.

2. The council shall establish a community plan advisory committee information sheet, application, and nominee contact information form.

3. The council shall issue a press release seeking applications for a community plan advisory committee by a requested deadline.

4. The council may extend the deadline for applications in the event it does not receive a sufficient number of qualified applicants.

5. The council shall appoint nine community plan advisory committee members by resolution.”; and

WHEREAS, the West Maui Community Plan - Ordinance 2476 (1996), as amended, is the current community plan for West Maui; and

WHEREAS, by County Communication 18-134, the Planning Director requested the Council initiate the establishment of the West Maui Community Plan Advisory Committee; and

WHEREAS, the Council sought applications for community plan committee member nominees, issued a press release, and set a deadline for applications; and

WHEREAS, the persons listed in Exhibit “A,” attached hereto, submitted an application form to be considered by the Council for a position on the West Maui Community Plan Advisory Committee by the applicable deadline; and

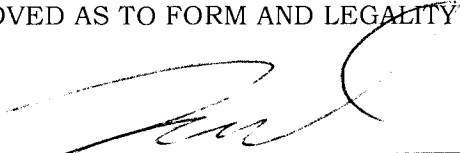
WHEREAS, pursuant to Section 2.80B.080(F), Maui County Code, the West Maui Community Plan Advisory Committee shall remain in existence until the enactment of an ordinance adopting the decennial revision to the West Maui Community Plan; now, therefore,

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BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby approves the appointment of the persons listed in Exhibit "B," attached hereto, as members to the West Maui Community Plan Advisory Committee; and
2. That it hereby disapproves the appointment of the persons listed in Exhibit "C" as members to the West Maui Community Plan Advisory Committee; and
3. That the Council expresses its gratitude and appreciation to all applicants for their willingness to be considered for public service and actively participate in County government; and
4. That certified copies of this Resolution be transmitted to the Mayor, the Managing Director, the Planning Director, the Corporation Counsel, and each of the Council's appointed members to the West Maui Community Plan Advisory Committee.

APPROVED AS TO FORM AND LEGALITY



EDWARD S. KUSHI, JR.
First Deputy Corporation Counsel
County of Maui

pea:misc:075areso01:ske

NOMINATED MEMBERS

WEST MAUI COMMUNITY PLAN ADVISORY COMMITTEE

Joseph Aquino
Ravi Bugga
Yvette Joyce Celiz
Lee Allen Chamberlain
Karen J. Comcowich
Donald Robert Gerbig
Dawn Hegger-Nordblom
Paul I. Laub
Michele L. Lincoln
Rick Mejia Nava
Kai Nishiki
Dylan G. Payne
Joseph D. Pluta
Leilani Reyes Pulmano
Leo Joseph Thiner-Brickey

APPROVED MEMBERS

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Ravi Bugga
Yvette Joyce Celiz
Donald Robert Gerbig
Dawn Hegger-Nordblom
Rick Mejia Nava
Kai Nishiki
Joseph D. Pluta
Leilani Reyes Pulmano

DISAPPROVED MEMBERS

WEST MAUI COMMUNITY PLAN ADVISORY COMMITTEE

Lee Allen Chamberlain
Karen J. Comcowich
Paul I. Laub
Michele L. Lincoln
Dylan G. Payne
Leo Joseph Thiner-Brickey

EXHIBIT "C"