

REQUEST FOR LEGAL SERVICES

D a t e: September 1, 2020
F r o m: Yuki Lei K. Sugimura, Chair
Water, Infrastructure, and Transportation Committee

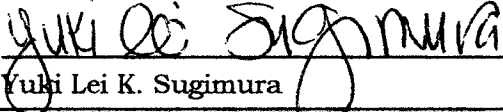
TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Jennifer Oana, Esq.

Subject: PARKING NEAR THE KALANA O MAUI CAMPUS (WIT-57)

Background Data: Please incorporate the revision reflected on the attached mark-up and, if appropriate, approve the revised proposed resolution as to form and legality.

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

Requestor's signature  Yuki Lei K. Sugimura	Contact Person <u>Laksmi Abraham/Lesley Milner</u> (Telephone Extension: <u>7659/7886</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)

SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): September 3, 2020
REASON: For possible posting on the September 11, 2020 Council 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): _____

Revised and signed Resolution attached. Revised as requested.

DEPARTMENT OF THE CORPORATION COUNSEL

Date 9/3/2020

By /s/ J.O.

(Rev. 7/03)

wit:ltr:057acc01:ljcm

Attachment

Resolution

No. _____

APPROVING DISPOSITION OF STRUCTURES ATTACHED TO COUNTY REAL PROPERTY FOR PURPOSES OF THE KALANA O MAUI CAMPUS PARKING EXPANSION

WHEREAS, the County of Maui is the fee owner of real property located at 2154 Kaohu Street and 251 Napua Street, Wailuku, Maui, identified for real property tax purposes as tax map key numbers (2) 3-4-008:040 and 3-4-008:050, respectively (collectively, the “Property”); and

WHEREAS, the Property contains various old structures, which must be removed or demolished for purposes of utilizing the Property for its intended use as employee and fleet vehicle parking; and

WHEREAS, there has been private sector interest in purchasing and relocating at least one of the structures; and

WHEREAS, the structures are presently considered “real property,” pursuant to Section 3.44.010, Maui County Code (“MCC”), being permanently affixed to the Property; and

WHEREAS, the sale and disposition of all or some of the structures is in the public interest because it furthers the public purpose of clearing the Property for its intended use; and

WHEREAS, disposition of real property by sealed bids, pursuant to Section 3.44.040.A, MCC, requires the authorization of the Council by resolution approved by two-thirds of its membership; now, therefore,

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

1. That it finds that disposition of the structures on the Property by sealed bid is in the public interest; and
2. That it approves the disposition of all or some of the structures on the Property; and

Resolution No. _____

3. That certified copies of this resolution be transmitted to the Mayor, the Managing Director, and the Director of Finance.

APPROVED AS TO FORM AND
LEGALITY:



2020.09.03
15:10:44 -10'00'

JENNIFER M.P.E. OANA
Department of the Corporation Counsel
County of Maui