

REQUEST FOR LEGAL SERVICES

Date: November 9, 2020
From: Yuki Lei Sugimura, Chair
Water, Infrastructure, and Transportation Committee

TRANSMITTAL

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

Subject: MAUI ISLAND WATER DEVELOPMENT PLAN WIT-25

Background Data: Please review the attached proposed resolution.

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

Requestor's signature  Yuki Lei K. Sugimura	Contact Person <u>Laksmi Abraham</u> (Telephone Extension: <u>7659</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): November 9, 2020
REASON: For WIT Committee posting on November 10, 2020

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)

wit:ltr:025acc04:lma

Attachment

Resolution

No. _____

APPROVING A TIME EXTENSION FOR THE COUNCIL TO ADOPT THE MAUI ISLAND WATER USE AND DEVELOPMENT PLAN

WHEREAS, Section 174C-31, Hawaii Revised Statutes, requires each county to prepare a water use and development plan, and adopt the plan by ordinance, and update the plan as necessary; and

WHEREAS, the Council adopted the Maui County Water Use and Development Plan by Ordinance 1948 (1990), which was subsequently approved the Commission on Water Resource Management as part of the Hawaii Water Plan; and

WHEREAS, on March 22, 2019, the Council received from the Director of Water Supply, County Communication 19-162, transmitting a proposed bill to adopt the attached March 2019 draft of the Maui Island Water Use and Development Plan as an update to the Maui County Water Use and Development Plan; and

WHEREAS, Section 14.02.040, Maui County Code, states:

“4. The council shall pass the proposed update by ordinance within one hundred eighty days from the receipt of the proposed update. The council may, by resolution, extend the time to pass the proposed update.”; and

WHEREAS, the deadline for the Council to pass the Maui Island Water Use and Development Plan was September 18, 2019; and

WHEREAS, on September 6, 2019 the Council adopted Resolution 19-153, extending the deadline for the Council to pass the Maui Island WUDP to December 31, 2020; and

WHEREAS, the Council requires additional time to complete a thorough review of the Maui Island Water Use and Development Plan; now, therefore,

Resolution No. _____

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

1. That the deadline to adopt the Maui Island Water Use and Development Plan is extended to June 30, 2021; and
2. That certified copies of this resolution be transmitted to the Mayor, the Director of Water Supply, and the Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY

Jennifer M.P.E. Oana
Deputy Corporation Counsel
County of Maui

wit:misc:025areso01:lma