

# REQUEST FOR LEGAL SERVICES

**Date:** July 24, 2019  
**From:** Michael J. Molina, Chair  
Governance, Ethics, and Transparency Committee

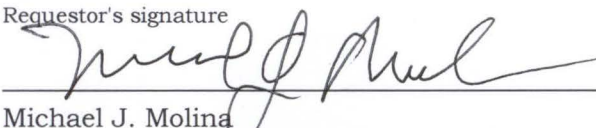
TRANSMITTAL

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

**Subject:** NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (MAUI PLANNING COMMISSION) (GET-2(14))

**Background Data:** Please consider the revision on the attached markup of the proposed resolution and, if appropriate, incorporate the revision and approve the resolution as to form and legality. A copy of the nominee's withdrawal letter is also attached for your reference. A hard copy of the resolution is requested with your response.

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

Requestor's signature  Michael J. Molina	Contact Person <u>Shelly Espeleta</u> (Telephone Extension: <u>7134</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): July 31, 2019  
REASON: For possible posting on the August 9, 2019, 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)

get:ltr:002(14)acc02:ske

Attachments

# Resolution

No. \_\_\_\_\_

## RELATING TO THE DESIGNATION OF ARCHIE KALEPA AS THE NATIVE HAWAIIAN TRADITIONAL AND CUSTOMARY PRACTICES EXPERT TO THE MAUI PLANNING COMMISSION

WHEREAS, by correspondence dated June 21, 2019, Mayor Michael P. Victorino notified the Council that he nominated Archie Kalepa to the Maui Planning Commission for a term expiring on March 31, 2023, to fill a vacancy replacing Alalani Hill, pursuant to Sections 2.28.010 and 2.28.070, Maui County Code ("MCC"), and Sections 8-8.4 and 13-2, Revised Charter of the County of Maui (1983), as amended, ("Charter"); and

WHEREAS, Section 2.28.070, MCC, requires each planning commission and the Hana advisory committee to have at least one member to have demonstrated expertise in native Hawaiian traditional and customary practices, as evidenced by one or more of the following credentials:

1. A college degree in a relevant field, such as Hawaiian studies, native Hawaiian law, native Hawaiian traditional and customary practices, including traditional environmental practices, or related subject area.
2. Work history that demonstrates an appropriate level of knowledge in native Hawaiian traditional and customary practices, including traditional environmental practices.
3. Substantial experience as a native Hawaiian traditional and customary practitioner; and

WHEREAS, Section 13-2, Charter, requires the Mayor's nominee to be approved by the Council; and

WHEREAS, Section 13-2(17), Charter, requires the Council to approve or disapprove the nominee within sixty days after the Mayor submits the nominee to the Council; now, therefore,

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

1. That it ~~approves and designates~~ <sup>disapproves</sup> the appointment of Archie Kalepa to serve on the Maui Planning Commission as the member who

possesses the required expertise in native Hawaiian traditional and customary practices, for a term expiring on March 31, 2023; and

2. That the Council expresses its gratitude and appreciation to Archie Kalepa for his willingness to be considered for public service and actively participate in County government; and
3. That certified copies of this Resolution be transmitted to the Mayor, the Managing Director, and the Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY:



EDWARD S. KUSHI, JR.

Department of the Corporation Counsel

County of Maui

2019-0122

2109-06-19 MPC Kalepa replace Hill

July 23, 2019

Honorable Michael P. Victorino  
Mayor, County of Maui  
200 South High Street  
Wailuku, Hawaii 96793

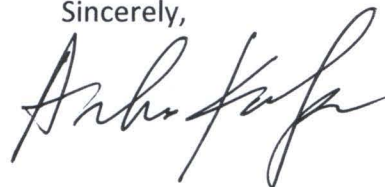
Dear Mayor Victorino,

Thank you for considering me as a nominee to the Maui Planning Commission as its Native Hawaiian Traditional and Customary Practices Expert.

While I am honored by the nomination, with due respect, I am choosing to withdraw my name for consideration because I am unable to commit to attending the Commission's meetings held twice per month.

Thank you again for the consideration and the opportunity to serve our community.

Sincerely,

A handwritten signature in black ink, appearing to read "Archie Kalepa". The signature is fluid and cursive, with the first name "Archie" being more prominent than the last name "Kalepa".

Archie Kalepa

RECEIVED AT GET MEETING ON 7/23/19