

REQUEST FOR LEGAL SERVICES

RECEIVED
By Department of the Corporation Counsel at 2:49 pm, May 17, 2018

Date: May 16, 2018
From: Yuki Lei Sugimura, Chair
Policy, Economic Development, and Agriculture Committee

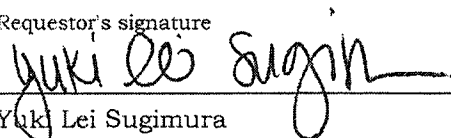
TRANSMITTAL
Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Edward S. Kushi, Jr., Esq.

Subject: NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (POLICE COMMISSION) (PEA-2(33))

Background Data: Per the Committee's discussion, please revise the first BE IT RESOLVED clause to replace the word "approves" with "disapproves". Please also revise the second BE IT RESOLVED clause to include the phrase ", however," following the word "Council". The revisions are noted in the attached marked-up copy. Please review and approve the revised proposed resolution as to form and legality, if appropriate, and include a signed hard copy with your response.

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

RECEIVED
2018 MAY 21 PM 2:41
OFFICE OF THE
COUNTY COUNCIL

Requestor's signature  Yuki Lei 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)

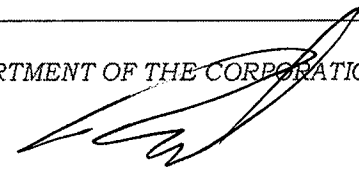
SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): May 23, 2018 at 10 a.m.
REASON: To meet posting deadline for June 1, 2018 Council meeting.

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO: ESK	ASSIGNMENT NO. 2017-0098	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 5/21/18 By 

Resolution

No. _____

RELATING TO THE APPOINTMENT OF DWIGHT BURNS TO THE POLICE COMMISSION

WHEREAS, by correspondence dated April 20, 2018, Mayor Alan M. Arakawa notified the Council he nominated Dwight Burns to the Police Commission for a term expiring March 31, 2022, to fill a vacancy replacing Maxwell "Max" Tsai, pursuant to Section 2.41.080, Maui County Code ("MCC"), and Sections 8-12.2 and 13-2, Revised Charter of the County of Maui (1983), as amended ("Charter"); and

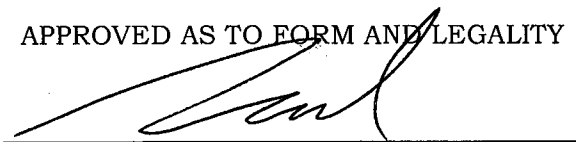
WHEREAS, Charter Section 13-2, requires the Mayor's nominee to be approved by the Council; and

WHEREAS, Charter Section 13-2(17), requires the Council to approve or disapprove the nomination within sixty days after the Mayor submits the name of the nominee to the Council because of the death, resignation, or removal of a member; now, therefore,

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

1. That it disapproves the appointment of Dwight Burns to serve on the Police Commission for a term expiring March 31, 2022;
2. That the Council, however, expresses its gratitude and appreciation to Dwight Burns 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

2017-0098

PEA-2(33) 2018-05-18 PC Burns

Replacement