

# REQUEST FOR LEGAL SERVICES

**D a t e:** October 17, 2024

**F r o m:** Tamara Paltin, Chair

**Disaster, Resilience, International Affairs, and Planning Committee**

TRANSMITTAL

**Memo to:**

**DEPARTMENT OF THE CORPORATION COUNSEL**

**Attention: Kristina C. Toshikiyo, Esq.**

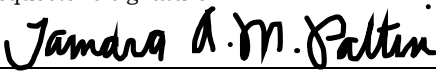
**Subject: POST-DISASTER COMMUNITY PLANNING AND INFRASTRUCTURE RESILIENCY**

(DRIP-2(22))

**Background Data:** Please see the attached questions that arose from the Committee's discussion with the Department of Environmental Management. Please submit your response to [drip.committee@mauicounty.us](mailto:drip.committee@mauicounty.us) with a reference to DRIP-2(22).

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

OTHER: Please see background data section above.

Requestor's signature  Tamara Paltin, Chair	Contact Person <u>Jarret Pascual or Megan Moniz</u> (Telephone Extension: <u>7141 or 7145, respectively</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): \_\_\_\_\_  
REASON: \_\_\_\_\_

## 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)

At its meeting of October 9, 2024, the DRIP Committee discussed the Kaiāulu o Kūku‘ia affordable housing project in West Maui. It was noted that a Memorandum of Understanding (“Sewer MOU”) was executed between the County and Hawai‘i Housing Finance and Development Corporation (“HHFDC”) on April 15, 2020, regarding affordable housing projects in the Leali‘i development area of West Maui and their connection to the County sewer system. The Sewer MOU requires HHFDC to build a private wastewater treatment facility for future projects at Leali‘i, and further requires that Kaiāulu o Kūku‘ia disconnect from the County sewer system and connect to HHFDC’s private wastewater treatment facility.

May I please request your written opinion on the following:

1. How does the Sewer MOU affect temporary structures within the Villages of Leiali‘i with respect to the Ka La‘i Ola and Kilohana temporary housing projects?
2. Has the requirement to disconnect from the County sewer system and connect to HHFDC’s private wastewater system been triggered because of the development of temporary structures in the Villages of Leiali‘i area? If so, what is the approximate timeline for the completion of the private wastewater treatment facility and when Kaiāulu o Kūku‘ia must disconnect from the County system and connect to HHFDC’s private system?
3. How does this requirement impact Federal Emergency Management Agency’s Kilohana temporary housing project?

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