

# REQUEST FOR LEGAL SERVICES

**Date:** April 17, 2019  
**From:** Michael J. Molina, Chair  
Governance, Ethics, and Transparency Committee

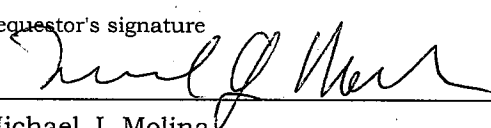
TRANSMITTAL

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

**Subject:** APPOINTMENT AND REMOVAL OF ADMINISTRATIVE HEADS OF DEPARTMENTS (DIRECTOR OF ENVIRONMENTAL MANAGEMENT) (GET-1(7))

**Background Data:** Please review and, if appropriate, approve as to form and legality, the attached proposed resolution to disapprove the appointment of Eric Nakagawa as Director of Environmental Management. A hard copy is requested with your response.

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

|   |   |
|---|---|
| Requestor's signature<br><br>Michael J. Molina | Contact Person<br><u>Shelly Espeleta</u><br>(Telephone Extension: <u>7134</u> ) |
|---|---|

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): April 24, 2019, 10:00 a.m.  
REASON: To post for GET Committee meeting of May 2, 2019.

## FOR CORPORATION COUNSEL'S RESPONSE

|              |                |     |
|--------------|----------------|-----|
| ASSIGNED TO: | ASSIGNMENT NO. | BY: |
|--------------|----------------|-----|

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:001(7)acc01:ske

Attachments

# Resolution

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

## DISAPPROVING THE MAYOR'S APPOINTMENT OF ERIC NAKAGAWA FOR DIRECTOR OF ENVIRONMENTAL MANAGEMENT

WHEREAS, by letter dated April 1, 2019, received by the Council on April 4, 2019, Mayor Michael P. Victorino notified the Council he appointed Eric Nakagawa as the Director of Environmental Management, pursuant to Sections 6-2(5) and 8-15.2 of the Revised Charter of the County of Maui (1983), as amended; and

WHEREAS, Charter Section 6-2(5) requires the Council to confirm or deny the appointment within sixty days after receiving notice of the appointment by the Mayor; and

WHEREAS, Charter Section 8-15.2 states: "The director of environmental management shall be appointed by the mayor with the approval of the council"; now, therefore,

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

1. That it hereby disapproves the appointment of Eric Nakagawa as the Director of Environmental Management; and
2. That a certified copy of this resolution be transmitted to the Mayor.

APPROVED AS TO FORM AND LEGALITY

---

Department of the Corporation Counsel  
County of Maui