

REQUEST FOR LEGAL SERVICES

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CORPORATION COUNSEL
2019 JUL 29 PM 1:4

Date: July 29, 2019
From: Alice L. Lee, Chair
Water and Infrastructure Committee

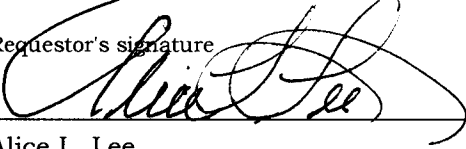
TRANSMITTAL
Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Jennifer M.P.E. Oana, Esq.

Subject: Maui Island Water Use and Development Plan (WAI-37)

Background Data: Please review the attached proposed resolution to extend the adoption deadline. A hard copy of the approved resolution is requested with your response.

Work Requested: FOR APPROVAL AS TO FORM AND LEGALITY

OTHER:

Requestor's signature  _____ Alice L. Lee	Contact Person <u>Christy Chung</u> (Telephone Extension: <u>7137</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): August 8, 2019
 REASON: Plan to post resolution on August 13, 2019 for the August 19, 2019 WAI Committee meeting.

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO: <u>JMO</u>	ASSIGNMENT NO. <u>2019-0102</u>	BY: <u>JMO</u>
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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):
Revised AFUs and Pso received 8/2/19 for review and approval.

DEPARTMENT OF THE CORPORATION COUNSEL

Date 8/7/2019 By JMO

(Rev. 7/03)

wai:ltr:037acc01:ckc

Attachment

Resolution

No. _____

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

WHEREAS, Section 174C-31, Part III, Hawaii Revised Statutes (“Hawaii Water Plan”), requires each county to prepare a water use and development plan (“WUDP”), and adopt the plan by ordinance; and

WHEREAS, the Council adopted the Maui County WUDP by Ordinance No. 1948 (1990), codified as Chapter 14.02, Maui County Code; and

WHEREAS, the Hawaii Water Plan also requires each county to “update and modify its water use and development plans as necessary to maintain consistency with its zoning and land use policies”; and

WHEREAS, on March 22, 2019, the Council received from the Director of Water Supply, County Communication 19-162, transmitting: 1) a proposed bill to adopt an update to the Maui Island WUDP, and 2) a document entitled “Maui Island Water Use and Development Plan, DRAFT, MARCH 2019”; 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 WUDP is September 18, 2019; and

WHEREAS, the Council requires additional time to complete a thorough review of the Maui Island WUDP; 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 December 31, 2020; 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

wai:misc:037areso01:ckc