

# REQUEST FOR LEGAL SERVICES

**Date:** November 21, 2018  
**From:** Yuki Lei K. Sugimura, Chair  
Policy, Economic Development, and Agriculture Committee

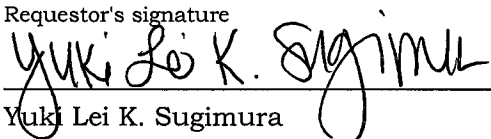
TRANSMITTAL

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

**Subject:** ESTABLISHING THE WEST MAUI COMMUNITY PLAN ADVISORY COMMITTEE  
(PEA-75)

**Background Data:** Please review and, if appropriate, approve as to form and legality the attached revised proposed resolution incorporating revisions made to Exhibits "B" and "C" at the November 20, 2018 PEA Committee meeting. Please also include a signed hard copy with your response.

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

Requestor's signature  Yuki Lei K. Sugimura	Contact Person  Shelly Espeleta (Telephone Extension: 7134)
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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): November 29, 2018  
REASON: To submit for posting on the December 11, 2018 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)

pea:ltr:075acc02:ske

Attachment

# Resolution

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

## APPOINTMENTS TO THE WEST MAUI COMMUNITY PLAN ADVISORY COMMITTEE

WHEREAS, Section 2.80B.080, Maui County Code, provides as follows:

“A. Each of the County's nine community plans shall, to the extent practicable, be updated within ten years (decennially) of the respective plan's adoption. The decision as to the order of updating the nine community plans shall be decided by the council.

B. There shall be a community plan advisory committee for each community plan area set forth in section 2.80B.070.B. Except for the community plan advisory committee for the Kahoolawe community plan, each community plan advisory committee shall consist of residents of the corresponding community plan area and shall hold all meetings in the corresponding community plan area.

C. Each community plan advisory committee shall be composed of thirteen members, nine appointed by the council and four by the mayor. In making such appointments, the council and the mayor shall strive for diversity and balance of age, gender, background, profession, heritage, experience, and ideology on each committee. The council and the mayor shall give priority to people who have a strong connection to all parts of the corresponding community plan area and have expressed a strong commitment to participate in and attend all committee meetings. Prior or current service as a member of a general plan advisory committee shall not disqualify an individual from serving on a community plan advisory committee. Each community plan advisory committee is charged with reviewing and recommending revisions to the community plan for its community plan area. The mayor and council shall appoint the members of each community plan advisory committee in accordance with the timing established in subsection A and the following procedure:

**Resolution No. \_\_\_\_\_**

1. The department of planning shall submit to the council a request to initiate the establishment of a community plan advisory committee, including the requested deadline for appointment of the members.

2. The council shall establish a community plan advisory committee information sheet, application, and nominee contact information form.

3. The council shall issue a press release seeking applications for a community plan advisory committee by a requested deadline.

4. The council may extend the deadline for applications in the event it does not receive a sufficient number of qualified applicants.

5. The council shall appoint nine community plan advisory committee members by resolution.”; and

WHEREAS, the West Maui Community Plan - Ordinance 2476 (1996), as amended, is the current community plan for West Maui; and

WHEREAS, by County Communication 18-134, the Planning Director requested the Council initiate the establishment of the West Maui Community Plan Advisory Committee; and

WHEREAS, the Council sought applications for community plan committee member nominees, issued a press release, and set a deadline for applications; and

WHEREAS, the persons listed in Exhibit “A,” attached hereto, submitted an application form to be considered by the Council for a position on the West Maui Community Plan Advisory Committee by the applicable deadline; and

WHEREAS, pursuant to Section 2.80B.080(F), Maui County Code, the West Maui Community Plan Advisory Committee shall remain in existence until the enactment of an ordinance adopting the decennial revision to the West Maui Community Plan; now, therefore,

**Resolution No. \_\_\_\_\_**

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

1. That it hereby approves the appointment of the persons listed in Exhibit "B," attached hereto, as members to the West Maui Community Plan Advisory Committee; and
2. That it hereby disapproves the appointment of the persons listed in Exhibit "C" as members to the West Maui Community Plan Advisory Committee; and
3. That the Council expresses its gratitude and appreciation to all applicants for their willingness to be considered for public service and actively participate in County government; and
4. That certified copies of this Resolution be transmitted to the Mayor, the Managing Director, the Planning Director, the Corporation Counsel, and each of the Council's appointed members to the West Maui Community Plan Advisory Committee.

APPROVED AS TO FORM AND LEGALITY

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EDWARD S. KUSHI, JR.  
First Deputy Corporation Counsel  
County of Maui

pea:misc:075areso01:ske

**NOMINATED MEMBERS**

**WEST MAUI COMMUNITY PLAN ADVISORY COMMITTEE**

Joseph Aquino  
Ravi Bugga  
Yvette Joyce Celiz  
Lee Allen Chamberlain  
Karen J. Comcowich  
Donald Robert Gerbig  
Dawn Hegger-Nordblom  
Paul I. Laub  
Michele L. Lincoln  
Rick Mejia Nava  
Kai Nishiki  
Dylan G. Payne  
Joseph D. Pluta  
Leilani Reyes Pulmano  
Leo Joseph Thiner-Brickey

**EXHIBIT "A"**

**APPROVED MEMBERS**

**WEST MAUI COMMUNITY PLAN ADVISORY COMMITTEE**

Joseph Aquino  
Ravi Bugga  
Yvette Joyce Celiz  
Donald Robert Gerbig  
Dawn Hegger-Nordblom  
Rick Mejia Nava  
Kai Nishiki  
Joseph D. Pluta  
Leilani Reyes Pulmano

**EXHIBIT "B"**

**DISAPPROVED MEMBERS**

**WEST MAUI COMMUNITY PLAN ADVISORY COMMITTEE**

Lee Allen Chamberlain  
Karen J. Comcowich  
Paul I. Laub  
Michele L. Lincoln  
Dylan G. Payne  
Leo Joseph Thiner-Brickey

**EXHIBIT "C"**