

# REQUEST FOR LEGAL SERVICES

**Date:** August 2, 2019  
**From:** Alice L. Lee, Chair  
Water and Infrastructure Committee

037-0002-0000 COUNSEL  
2019 AUG -9 AM 9:16

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 revised proposed resolution to extend the adoption deadline. A hard copy of the approved revised resolution is requested with your response.

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

RECEIVED  
2019 AUG -9 AM 9:16  
CORPORATION COUNSEL

Requestor's signature 	Contact Person Christy Chung (Telephone Extension: 7137)
Alice L. Lee	

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: JMO	ASSIGNMENT NO. 2019-0102	BY: SPW
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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 8/7/2019 By 

(Rev. 7/03)

# Resolution

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

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

WHEREAS, Section 174C-31, Hawaii Revised Statutes, requires each county to prepare a water use and development plan, adopt the plan by ordinance, and update the plan as necessary; and

WHEREAS, the Council adopted the Maui County Water Use and Development Plan by Ordinance 1948 (1990), codified as Chapter 14.02, Maui County Code; and

WHEREAS, the Council received on March 22, 2019, County Communication 19-162, transmitting a proposed bill to adopt the attached March 2019 draft of the Maui Island Water Use and Development Plan as an update to the Maui County Water Use and Development Plan; 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 Water Use and Development Plan is September 18, 2019; and

WHEREAS, the Council requires additional time to complete a thorough review of the Maui Island Water Use and Development Plan; now, therefore,

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

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

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



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Jennifer M.P.E. Oana  
Deputy Corporation Counsel  
County of Maui

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