

# REQUEST FOR LEGAL SERVICES

**RECEIVED**

By Dept. of The Corporation Counsel at 4:18 pm, Sep 08, 2017

**Date:** September 8, 2017  
**From:** Yuki Lei Sugimura, Chair  
Policy, Economic Development, and Agriculture Committee

TRANSMITTAL

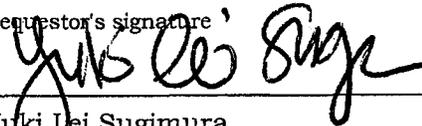
**Memo to:** DEPARTMENT OF THE CORPORATION COUNSEL  
Attention: Edward S. Kushi, Esq.

**Subject:** NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (LANAI PLANNING COMMISSION) (PEA-2(16))

**Background Data:** Please revise attached proposed resolution by correcting the word "practitioner" under number 3 on the first page. Please include a signed hard copy with your response.

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

RECEIVED  
2017 SEP - 8 PM 4:36  
OFFICE OF THE  
CORPORATION COUNSEL

Requestor's signature  Yuki Lei Sugimura	Contact Person Shelly Espeleta (Telephone Extension: 7134)
---	--

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): September 11, 2017  
REASON: \_\_\_\_\_

### FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO: <b>ESK</b>	ASSIGNMENT NO. <b>2017-0098</b>	BY: <b>kku</b>
-------------------------	---------------------------------	----------------

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 9/8/17

By 

(Rev. 7/03)

pea:ltr:002(16)acc02:mcc

Attachment

# Resolution

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

RELATING TO THE APPOINTMENT OF SHELLY PREZA AS THE NATIVE  
HAWAIIAN TRADITIONAL AND CUSTOMARY PRACTICES EXPERT TO  
THE LANAI PLANNING COMMISSION

WHEREAS, by correspondence dated September 1, 2017, Mayor Alan M. Arakawa notified the Council he nominated Shelly Preza to the Lanai Planning Commission for a term expiring on March 31, 2018, to fill a vacancy replacing Beverly Zigmond, pursuant to Sections 2.28.010 and 2.28.070, Maui County Code, and Sections 8-8.4 and 13-2, Revised Charter of the County of Maui (1983), as amended, (“Charter”); and

WHEREAS, Charter Section 13-2, requires the Mayor’s nominee to be approved by the Council; and

WHEREAS, Charter Section 13-2(17), requires the Council to approve or disapprove the nomination within sixty days after the Mayor submits the name of the nominee to the Council because of the death, resignation, or removal of a member; and

WHEREAS, Charter Section 8-8.4 contains specific provisions relating to the Lanai Planning Commission; and

WHEREAS, Section 2.28.070, Maui County Code, requires each planning commission and the Hana advisory committee to have at least one member to have demonstrated expertise in native Hawaiian traditional and customary practices, as evidenced by one or more of the following credentials:

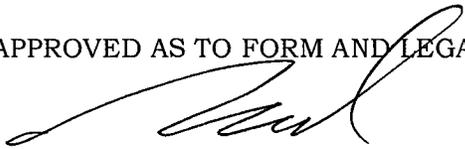
1. A college degree in a relevant field, such as Hawaiian studies, native Hawaiian law, native Hawaiian traditional and customary practices, including traditional environmental practices, or related subject area.
2. Work history that demonstrates an appropriate level of knowledge in native Hawaiian traditional and customary practices, including traditional environmental practices.
3. Substantial experience as a native Hawaiian traditional and customary practitioner; now, therefore,

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

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

1. That it approves the appointment of Shelly Preza to serve on the Lanai Planning Commission for a term expiring March 31, 2018;
2. That it approves and designates the said Shelly Preza as the Lanai planning commission member that possesses the required expertise in native Hawaiian traditional and customary practices;
3. That the Council expresses its gratitude and appreciation to Shelly Preza for her 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, and the Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY



---

EDWARD S. KUSHI, JR.

Department of the Corporation Counsel  
County of Maui

2017-0072/2017-0098

2017-09-08 Resolution LPC Preza Replacement