

REQUEST FOR LEGAL SERVICES

Date: December 4, 2017
From: Kelly T. King, Chair
Planning Committee

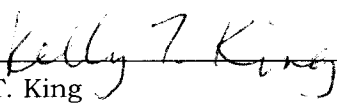
TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Michael Hopper, Esq.

Subject: Community Plan Advisory Committees (PC-5)

Background Data: Please review revised proposed bill and approve as to form and legality. A signed, hard copy is requested.

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

Requestor's signature  Kelly T. King	Contact Person <u>Traci Fujita</u> (Telephone Extension: <u>7687</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): December 6, 2017
REASON: For posting on December 15, 2017 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)

pc:ltr:005acc02

Attachment

ORDINANCE NO. _____

BILL NO. _____ (2017)

A BILL FOR AN ORDINANCE AMENDING SECTION 2.80B.080,
MAUI COUNTY CODE, RELATING TO
COMMUNITY PLAN ADVISORY COMMITTEES

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Section 2.80B.080, Maui County Code, is amended by amending subsection C to read as follows:

“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:

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.”

SECTION 2. Section 2.80B.080, Maui County Code, is amended by amending subsection D to read as follows:

“D. Each community plan advisory committee shall select a chair and vice-chair[.], and may recommend to the mayor, for the mayor’s appointee, or the council, for the council’s appointee, the removal of any committee member who has three unexcused absences from scheduled meetings. The committee may adopt administrative rules pursuant to Chapter 91, Hawaii Revised Statutes. The planning director shall be responsible for providing staff to support the work of the community plan advisory committees, which shall include department staff and, at the planning director's discretion, outside consultant services. Each community plan advisory committee shall hold at least seven public workshops at times and locations convenient to the general public to allow public participation in the process. The public workshops shall be facilitated by a qualified professional and shall include one or more table-top exercises where the public will be invited to provide input using maps and other devices.”

SECTION 3. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 4. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND
LEGALITY:

MICHAEL J. HOPPER
Department of the Corporation
Counsel
County of Maui

pc:misc:005abill02