

REQUEST FOR LEGAL SERVICES

D a t e: January 20, 2021
F r o m: Michael J. Molina, Chair
Government Relations, Ethics, and Transparency Committee

TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Moana Lutey, Esq.

Subject: **APPOINTMENT AND REMOVAL OF ADMINISTRATIVE HEADS OF DEPARTMENTS (PROSECUTING ATTORNEY)** (GREAT-1(1))

Background Data: Please see the attached resolution.

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

Requestor's signature Michael J. Molina	Contact Person <u>Shelly Espeleta</u> (Telephone Extension: <u>7134</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): January 20, 2021, 2:00 p.m.
REASON: To meet posting deadline for GREAT Committee meeting on January 26, 2021.

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)

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Attachment

Resolution

No. _____

DISAPPROVING THE APPOINTMENT OF ANDREW H. MARTIN AS PROSECUTING ATTORNEY

WHEREAS, by correspondence dated January 20, 2021, Mayor Michael P. Victorino notified the Council he appointed Andrew H. Martin as the Prosecuting Attorney, in accordance with Sections 6-2(5) and 8-3.2 of the Revised Charter of the County of Maui (1983), as amended; and

WHEREAS, Charter Section 6-2(5) requires the Council to confirm or deny the appointment within sixty days after receiving notice of the appointment by the Mayor; and

WHEREAS, Charter Section 8-3.2 states: “The prosecuting attorney shall be appointed by the mayor with the approval of the council”; now, therefore,

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

1. That it disapproves the appointment of Andrew H. Martin as the Prosecuting Attorney; and
2. That a certified copy of this Resolution be transmitted to the Mayor.

Resolution No. _____

APPROVED AS TO FORM AND LEGALITY:

Department of the Corporation Counsel
County of Maui

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