

**COUNCIL OF THE COUNTY OF MAUI**  
**POLICY AND INTERGOVERNMENTAL**  
**AFFAIRS COMMITTEE**

February 6, 2015

**Committee**  
**Report No. \_\_\_\_\_**

Honorable Chair and Members  
of the County Council  
County of Maui  
Wailuku, Maui, Hawaii

Chair and Members:

Your Policy and Intergovernmental Affairs Committee, having met on January 22, 2015, makes reference to County Communication 15-26, from the Mayor, notifying the Council of his appointment of Patrick K. Wong as the Corporation Counsel, and transmitting a proposed resolution entitled "APPROVING THE APPOINTMENT OF PATRICK K. WONG AS THE CORPORATION COUNSEL". The purpose of the proposed resolution is to approve the Mayor's appointment of Patrick K. Wong as the Corporation Counsel, pursuant to Sections 6-2(5) and 8-2.2 of the Revised Charter of the County of Maui (1983), as amended ("Charter").

At your Committee Chair's request, the Department of the Corporation Counsel transmitted a proposed resolution entitled "DISAPPROVING THE APPOINTMENT OF PATRICK K. WONG AS THE CORPORATION COUNSEL". The purpose of the proposed resolution is to provide for the disapproval of the appointment.

Your Committee notes Section 8-2.2 of the Charter provides that the Corporation Counsel shall be appointed by the Mayor with the approval of the Council. Section 6-2(5) of the Charter provides that the Council shall confirm or deny the confirmation within 60 days after receiving notice of the appointment by the Mayor, or the appointment shall be deemed to be confirmed. The deadline for the Council to confirm or deny the confirmation of Mr. Wong as the Corporation Counsel is March 6, 2015.

Your Committee notes Mr. Wong has been serving as the Corporation Counsel since 2011.

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In his opening remarks, Mr. Wong noted his appreciation for serving the County as the Corporation Counsel for the past four years. He further noted the position is challenging, particularly when conflicts arise between the Council and the Administration. Mr. Wong said his office is confronted with a variety of legal issues. He acknowledged the professionalism and expertise of his staff. Mr. Wong stated the position is rewarding and he welcomes the opportunity to continue to serve as the Corporation Counsel.

Your Committee commended Mr. Wong and his staff for their professionalism in representing all County agencies, officers, and employees.

Your Committee voted 9-0 to recommend adoption of the proposed resolution entitled "APPROVING THE APPOINTMENT OF PATRICK K. WONG AS THE CORPORATION COUNSEL"; filing of the correspondence dated January 16, 2015, transmitting a proposed resolution disapproving the appointment; and filing of the communication. Committee Chair Victorino, Vice-Chair Couch, and members Baisa, Carroll, Cochran, Crivello, Guzman, Hokama, and White voted "aye".

Your Policy and Intergovernmental Affairs Committee RECOMMENDS the following:

1. That Resolution \_\_\_\_\_, attached hereto, entitled "APPROVING THE APPOINTMENT OF PATRICK K. WONG AS THE CORPORATION COUNSEL", be ADOPTED;
2. That the correspondence dated January 16, 2015, from the Department of the Corporation Counsel, attached hereto, be FILED; and
3. That County Communication 15-26 be FILED.

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This report is submitted in accordance with Rule 8 of the Rules of the Council.



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MICHAEL P. VICTORINO, Chair

pia:cr:15014aa:kcw

# Resolution

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

## APPROVING THE APPOINTMENT OF PATRICK K. WONG AS THE CORPORATION COUNSEL

WHEREAS, by letter dated January 2, 2015, Mayor Alan Arakawa notified the Council that he appointed Patrick K. Wong as Corporation Counsel, pursuant to Sections 6-2(5) and 8-2.2 of the Revised Charter of the County of Maui (1983), as amended ("Charter"); and

WHEREAS, Charter Section 6-2(5) requires the Council to confirm or deny the appointment within sixty (60) days after receiving notice of the appointment by the Mayor; and

WHEREAS, Charter Section 8-2.2 states that "[t]he corporation counsel 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 is hereby approves the appointment of Patrick K. Wong as the Corporation Counsel; and

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

2. That certified copies of this resolution be transmitted to the Mayor, the Managing Director, and the Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY

A handwritten signature in black ink, appearing to read 'Edward S. Kushi, Jr.', is written over a horizontal line.

EDWARD S. KUSHI, JR.

Department of the Corporation Counsel  
County of Maui

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# REQUEST FOR LEGAL SERVICES

**Date:** January 16, 2015  
**From:** Michael P. Victorino, Chair  
Policy and Intergovernmental Affairs Committee

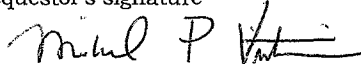
TRANSMITTAL

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

**Subject:** Confirmation of Corporation Counsel (PIA-14)

**Background Data:** An approving resolution has been transmitted to the Council relating to the above. A disapproving resolution should also be transmitted for posting on the committee agenda.

**Work Requested:**  FOR APPROVAL AS TO FORM AND LEGALITY  
 OTHER: Please provide a disapproving resolution.

Requestor's signature  Michael P. Victorino	Contact Person <u>Kimberley Willenbrink</u> (Telephone Extensions: <u>7761</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): Friday, January 16, 2015  
REASON: For posting on Friday, January 16, for the Policy and Intergovernmental Affairs Committee meeting on January 22, 2015.

### 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):  
SEE ATTACHED.

DEPARTMENT OF THE CORPORATION COUNSEL

Date 1.16.15

By Edward S. Kushi, Jr.

(Rev. 7/03)

# Resolution

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

## DISAPPROVING THE APPOINTMENT OF PATRICK K. WONG AS THE CORPORATION COUNSEL

WHEREAS, by correspondence dated January 2, 2015, Mayor Alan Arakawa notified the Council of the appointment of Patrick K. Wong as the Corporation Counsel, pursuant to Sections 6-2(5) and 8-2.2 of the Revised Charter of the County of Maui (1983), as amended ("Charter"); and

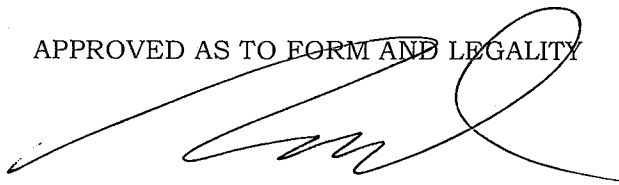
WHEREAS, Charter Section 8-2.2 provides that the corporation counsel shall be appointed by the mayor with the approval of the council; and

WHEREAS, Charter Section 6-2(5) provides that the Council shall confirm or deny the confirmation within 60 days after receiving notice of the appointment by the mayor; now, therefore,

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

1. That it hereby disapproves the appointment of Patrick K. Wong as the Corporation Counsel; and
2. That certified copies of this resolution be transmitted to the Mayor.

APPROVED AS TO FORM AND LEGALITY



EDWARD S. KUSHI, JR.

Department of the Corporation Counsel  
County of Maui

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Counsel.disapproval.doc