

# REQUEST FOR LEGAL SERVICES

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CORPORATION COUNSEL  
2019 MAR -6 AM 10:35

Date: March 6, 2019  
From: Keani N.W. Rawlins-Fernandez, Chair  
Economic Development and Budget Committee

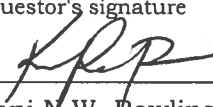
TRANSMITTAL  
Memo to: DEPARTMENT OF THE CORPORATION COUNSEL  
Attention: Jeffrey Ueoka, Esq.

Subject: AMENDMENTS TO THE FISCAL YEAR 2019 BUDGET TO AUTHORIZE TRANSFERS RELATING TO CATEGORIES OF USE WITHIN A PROGRAM OR DEPARTMENT (DEPARTMENT OF LIQUOR CONTROL) (EDB-156(2))

Background Data: Please revise the proposed resolution as indicated on the attached marked-up copy. A hard copy of the revised proposed resolution is requested with your response.

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

RECEIVED  
OFFICE OF THE  
COUNTY COUNCIL  
2019 MAR -8 PM 3:47

Requestor's signature  Keani N.W. Rawlins-Fernandez	Contact Person <u>Leslee Matthews</u> (Telephone Extension: <u>7662</u> )
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- ROUTINE (WITHIN 15 WORKING DAYS)
- PRIORITY (WITHIN 10 WORKING DAYS)
- RUSH (WITHIN 5 WORKING DAYS)
- URGENT (WITHIN 3 WORKING DAYS)

SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): March 13, 2019  
REASON: To submit for posting on the March 22, 2019 Council agenda.

### FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO: <u>JTU</u>	ASSIGNMENT NO. <u>2019-0098</u>	BY: <u>jed</u>
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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 3/8/19

By JL

(Rev. 7/03)

# Resolution

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

AUTHORIZING THE TRANSFER OF AN UNENCUMBERED  
APPROPRIATION BALANCE WITHIN THE  
DEPARTMENT OF LIQUOR CONTROL – LIQUOR FUND,  
FISCAL YEAR 2019 BUDGET

WHEREAS, Section 9-10(2) of the Revised Charter of the County of Maui (1983), as amended (“Charter”), provides that, upon written request of the Mayor, part or all of any unencumbered appropriation balance may be transferred within a department by resolution or from one department to another by ordinance; and

WHEREAS, Section 7 of the General Budget Provisions in Ordinance No. 4861, Bill No. 57 (2018), as amended, (“Fiscal Year 2019 Budget”), states that, unless otherwise provided, appropriations for each program may be disbursed for the following categories of use: (a) salaries, premium pay, or reallocation pay, (b) operations or services, and (c) equipment; provided the disbursement is within the program and category of use for which it was appropriated; and

WHEREAS, Section 3.B.7.a. of the Fiscal Year 2019 Budget, relating to the Department of Liquor Control – Liquor Fund, sets forth appropriations for the Liquor Control Program; and

WHEREAS, pursuant to Section 9-10(2) of the Charter, Mayor Michael P. Victorino has submitted a written request to transfer an unencumbered appropriation balance of \$2,300 from the Liquor Control Program, Category A (salaries), to the Liquor Control Program, Category C (equipment), in order to

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


disburse \$2,300 for equipment purchase from the appropriate category; now, therefore,

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

1. That, pursuant to Section 9-10(2) of the Charter and Section 7 of the General Budget Provisions, and in accordance with the Fiscal Year 2019 Budget, it does hereby authorize the transfer of an unencumbered appropriation balance of \$2,300 from the Liquor Control Program, Category A (salaries), to the Liquor Control Program, Category C (equipment), in order to disburse \$2,300 for equipment purchase; and

2. That certified copies of this resolution be transmitted to the Mayor, Director of Finance, Budget Director, and Director of Liquor Control.

APPROVED AS TO FORM AND LEGALITY:

  
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JEFFREY EOKA  
Deputy Corporation Counsel  
County of Maui  
2019-0098  
EDB-156(2) 2019-03-08 Resolution Liquor Control