

REQUEST FOR LEGAL SERVICES

Date: January 22, 2018
From: Yuki Lei K. Sugimura, Councilmember
Maui County Council

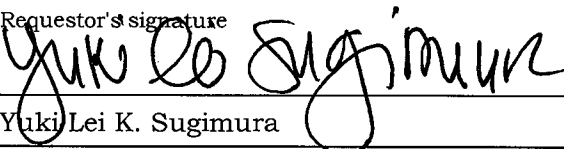
TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Pat Wong, Esq.

Subject: Resolution authorizing the Council Chair to contract for a performance audit of the Department of Liquor Control PAF 17-171

Background Data: Please review and if appropriate, 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  Yuki Lei K. Sugimura	Contact Person Carla Nakata or Traci Fujita (Telephone Extension: 7659 or 7687, respectively)
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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 26, 2018
REASON: For discussion at PEA meeting on January 29, 2018.

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)

pa:cmn:17-171d

Attachment

Resolution

No. _____

AUTHORIZING THE COUNCIL CHAIR TO CONTRACT FOR A PERFORMANCE AUDIT OF THE DEPARTMENT OF LIQUOR CONTROL

WHEREAS, pursuant to Section 3-6 of the Revised Charter of the County of Maui (1983), as amended ("Charter"), the Council has the authority to conduct investigations of the operation of any department or function of the County and any subject upon which the Council may legislate; and

WHEREAS, pursuant to Section 8-13.5 of the Charter, the Department of Liquor Control is responsible for investigating violations of the liquor control laws of the State and of rules established by the Liquor Control Commission, and investigating applications for liquor licenses; and

WHEREAS, in the performance of those investigations, including the processing of liquor license applications, the Director administers certain practices and procedures to implement State requirements; and

WHEREAS, although Chapter 281, Hawaii Revised Statutes, applies statewide, it appears the manner of implementation has diverged from the way in which other counties in the State implement those same laws and, in fact, have diverged from implementation of those laws as previously performed by Maui County; and

WHEREAS, public confidence in the performance of the Department of Liquor Control is waning; and

WHEREAS, gains in operational integrity and efficiency that would benefit the Department and the public could be identified through a third-party performance audit, to be funded through the Council Services Program budget for audits; now, therefore,

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

1. That it hereby authorizes the Council Chair to contract for a performance audit of the Department of Liquor Control; and

Resolution No. _____

2. That certified copies of this resolution be transmitted to the Mayor, the Managing Director, the Director of Liquor Control, and the Chair of the Liquor Control Commission.

APPROVED AS TO FORM AND LEGALITY

Deputy Corporation Counsel
County of Maui

paf:cmn:17-171c