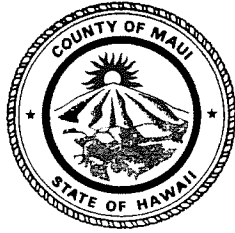


RECEIVED

ALAN M. ARAKAWA
Mayor

2017 DEC -5 AM 11: 29



OFFICE OF THE
COUNTY COUNCIL

DEPARTMENT OF THE CORPORATION COUNSEL
COUNTY OF MAUI

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Corporation Counsel

EDWARD S. KUSHI
First Deputy

LYDIA A. TODA
Risk Management Officer
Tel. No. (808) 270-7535
Fax No. (808) 270-1761

MEMO TO: Yuki Lei K. Sugimura, Chair
Policy, Economic Development, and Agriculture Committee

FROM: Jeff Ueoka 
Deputy Corporation Counsel

DATE: December 5, 2017

SUBJECT: **DONATION OF 183 PAIRS OF OLUKAI FOOTWEAR TO
THE OCEAN SAFETY PROGRAM OF THE DEPARTMENT
OF FIRE AND PUBLIC SAFETY (PEA-51)**

We are in receipt of your request dated December 4, 2017, regarding the donation of 183 pairs of Olukai footwear by the Hawaii Lifeguard Association for the County's Ocean Safety Program. It is our understanding that this is a donation made by the Hawaii Lifeguard Association to benefit the Ocean Safety Officers and absent a formal agreement requiring some type of "advertising" activity, this donation does not rise to the level of a sponsorship under Section 13.04A.430, Maui County Code. Furthermore, while "Olukai" is displayed on the footwear, it is our belief that the use of the donated footwear by the Ocean Safety Officers is an endorsement of the footwear manufacturer by the County.

Please feel free to contact me if you have any further questions or concerns.

Attachment

2017-0098

PEA-51 2017-12-05 Memo to Chair (Olukai Donation)

Resolution

No. _____

AUTHORIZING ACCEPTANCE OF THE DONATION OF
183 PAIRS OF OLUKAI FOOTWEAR TO THE OCEAN SAFETY
PROGRAM OF THE DEPARTMENT OF FIRE AND PUBLIC SAFETY,
PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE

WHEREAS, the Hawaiian Lifeguard Association wishes to donate 183 pairs of Olukai footwear to the Ocean Safety Program of the Department of Fire and Public Safety, as reflected in Exhibit "1", attached hereto; and

WHEREAS, the estimated value of the 183 pairs of Olukai footwear is approximately \$15,738.00; and

WHEREAS, the 183 pairs of Olukai footwear is donated to provide protective footwear for all ocean safety officers employed in the Ocean Safety Program; and

WHEREAS, Chapter 3.56, Maui County Code, authorizes the Council to accept gifts and donations on behalf of the County; now, therefore,

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

1. That it hereby expresses its appreciation and accepts the aforesaid donation on behalf of the County of Maui; and
2. That certified copies of this resolution be transmitted to the Mayor, the Director of Finance, the Fire Chief, and Hawaiian Lifeguard Association.

APPROVED AS TO FORM
AND LEGALITY:



JEFF UEOKA
Deputy Corporation Counsel
County of Maui
2017-0098
2017-12-05 Resolution



HAWAIIAN LIFEGUARD ASSOCIATION

July 10, 2017

To Whom It May Concern:

The Hawaiian Lifeguard Association (HLA) is a non-profit organization established to support professional lifeguards in the State of Hawaii in their efforts to reduce the incidence of drownings and aquatic injuries at our beaches and to promote ocean safety education programs.

The HLA is registered with the IRS as a 501(c)(3) tax-exempt organization and with the State of Hawaii as a non-profit educational corporation.

The HLA wishes to donate 183 pairs of Olukai footwear to the Ocean Safety Bureau of the Maui Department of Fire and Public Safety to provide protective footwear for all ocean safety officers employed in the lifeguard division.

The total retail value of the donation is \$15,738.00

Ralph S. Goto

For the Board of Directors

P.O. Box 283324 • Honolulu, Hawaii 96828 • (808) 922-3888
Facsimile (808) 922-6411 • Email: lifeguards@aloha.com

EXHIBIT " 1 "