

REQUEST FOR LEGAL SERVICES

RECEIVED

By Corporation Counsel at 1:53 pm, Oct 11, 2016

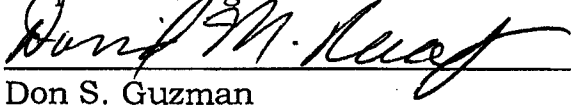
Date: October 11, 2016
From: DON S. GUZMAN, Chair
Economic Development, Energy, Agriculture, and Recreation Committee
TRANSMITTAL
Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Jerrie Sheppard, Esq.

Subject: 2016 ALOHA CLASSIC WINDSURFING TOURNAMENTS PERMITS (EAR-71)

Background Data: Please revise the proposed resolution, entitled "AUTHORIZING THE ISSUANCE OF PERMITS FOR DURATIONS GREATER THAN FIVE CONSECUTIVE DAYS FOR THE 2016 ALOHA CLASSIC WINDSURFING TOURNAMENTS, PURSUANT TO SECTION 13.04A.100, MAUI COUNTY CODE," per the attached, to replace paragraphs 4-6 to correct the number of permitted days requested and make other nonsubstantive revisions for clarity.

Work Requested: ☒ FOR APPROVAL AS TO FORM AND LEGALITY
☒ OTHER: Please revise the proposed resolution as stated above.

Requestor's signature


Don S. Guzman

Contact Person

Sharon Brooks
(Telephone Extension: 7137)

☐ 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): Noon on October 12, 2016

REASON: To meet posting deadline for the October 18, 2016 Committee meeting.

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO: JLS

ASSIGNMENT NO. 2014-3080
2016-1080

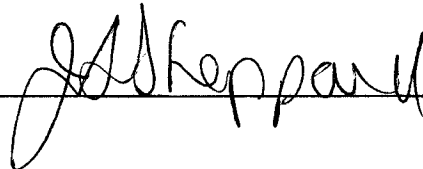
BY: LUV

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):

Date 10/11/2016

By



(Rev. 7/03)

ear:ltr:071acc:01:scb

Attachment

RECEIVED
2016 OCT 11 PM 3:58
OFFICE OF THE
COUNTY COUNCIL

DEPARTMENT OF THE CORPORATION COUNSEL

Replace the 4th-6th paragraphs of the Resolution with:

WHEREAS, the Aloha Classic Organizers intend to hold the 2016 Aloha Classic on eleven (11) days between the dates of October 31, 2016 and November 10, 2016; and

WHEREAS, due to the uncertainty of weather conditions, the Aloha Classic Organizers prefer to have an event window of fourteen (14) days between October 31, 2016 and November 13, 2016; and

WHEREAS, the Organizers have duly applied for a special event permit with the Department of Parks and Recreation for the 2016 Aloha Classic; and

WHEREAS, the Department of Parks and Recreation hopes to receive Council authorization to issue the requested permit exceeding five (5) consecutive days for the 2016 Aloha Classic; now therefore,

Resolution

No. _____

AUTHORIZING THE ISSUANCE OF PERMITS FOR DURATIONS
GREATER THAN FIVE CONSECUTIVE DAYS FOR THE 2016
ALOHA CLASSIC WINDSURFING TOURNAMENTS,
PURSUANT TO SECTION 13.04A.100, MAUI COUNTY CODE

WHEREAS, the COUNTY OF MAUI, TRADE WIND EVENTS LLC
dba AMERICAN WINDSURFING TOUR, and PROFESSIONAL
WINDSURFING ASSOCIATION (hereinafter collectively referred to as the
"Organizers"), desire to hold the Aloha Classic at Hookipa Beach Park, as
more specifically set forth in Exhibit "A", attached hereto and made a
part hereof; and

WHEREAS, this professional and international event supports the
North Shore community and promotes Maui as a destination on an
international platform for the sport of windsurfing; and

WHEREAS, in accordance with Section 13.04A.100, Maui County
Code, a use permit for activities at any County park or recreational
facility for more than five (5) consecutive days requires approval by the
Council of the County of Maui by resolution; and

WHEREAS, the Aloha Classic Organizers intend to hold the 2016
Aloha Classic on eleven (11) days between the dates of October 31, 2016
and November 10, 2016; and

WHEREAS, due to the uncertainty of weather conditions, the Aloha Classic Organizers prefer to have an event window of fourteen (14) days between October 31, 2016 and November 13, 2016; and

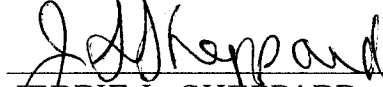
WHEREAS, the Organizers have duly applied for a special event permit with the Department of Parks and Recreation for the 2016 Aloha Classic; and

WHEREAS, the Department of Parks and Recreation hopes to receive Council authorization to issue the requested permit exceeding five (5) consecutive days for the 2016 Aloha Classic; now, therefore,

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

1. That it does hereby authorize the issuance of a use permit exceeding five (5) consecutive days for the 2016 Aloha Classic; and
2. That certified copies of this resolution be transmitted to the Mayor and the Director of Parks and Recreation.

APPROVED AS TO FORM AND LEGALITY:



JERRIE L. SHEPPARD
Deputy Corporation Counsel
County of Maui 2016-1080
2014-3080