

ORDINANCE NO. 4777

BILL NO. 86 (2017)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT AMENDING THE MEMORANDUM OF AGREEMENT FOR LIFEGUARD SERVICES BETWEEN THE STATE OF HAWAII AND THE COUNTY OF MAUI FOR MAKENA BEACH PARK

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Purpose. On July 3, 2008, the State of Hawaii and the County of Maui entered into an agreement where the County would provide lifeguard services at Makena Beach Park. The State of Hawaii and the County of Maui have amended this Agreement over the years to continue the practice of providing County lifeguard services at Makena Beach. The protections afforded by Act 170, Session Laws of Hawaii 2002, as amended, expired on July 1, 2017. The removal of these protections affects a significant section of the original agreement and therefore the proposed Amendment to the Memorandum Agreement, attached hereto as Exhibit "1", has the potential to place a financial obligation on the County. Section 2.20.020, Maui County Code ("MCC"), provides that, unless authorized by ordinance, the Mayor shall not enter into any intergovernmental agreement or any amendment thereto which places a financial obligation upon the County or any department or agency thereof.

SECTION 2. Authorization. The Council hereby authorizes the Mayor or his authorized representative to execute the Amendment to the Memorandum of Agreement, and any further amendments thereto.

RECEIVED AT BF MEETING ON 3-14-18
Submitted by Budget & Finance Com. Chair
(BF-83)

SECTION 3. Effective date. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM
AND LEGALITY:



JEFFREY UEOKA
Deputy Corporation Counsel
County of Maui

LF 2015-4654

2017-08-30 Ordinance MOA