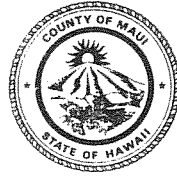


ALAN M. ARAKAWA
MAYOR



JEFFREY A. MURRAY
FIRE CHIEF


LIONEL W. MONTALVO
DEPUTY FIRE CHIEF

COUNTY OF MAUI
DEPARTMENT OF FIRE & PUBLIC SAFETY

200 DAIRY ROAD
KAHULUI, HI 96732
(808) 270-7561
Fax (808) 270-7919
Email: fire.dept@mauicounty.gov

February 14, 2018

RECEIVED
2018 FEB 20 AM 9:52
OFFICE OF THE
COUNTY COUNCIL

Mr. Sananda K. Baz 
Budget Director
County of Maui
200 South High Street
Wailuku, Hawaii 96793

Honorable Alan M. Arakawa
Mayor, County of Maui
200 South High Street
Wailuku, HI 96793

APPROVED FOR TRANSMITTAL

Mayor Date 2/20/18

For Transmittal to:

Honorable Riki Hokama, Chair
and Members of the Budget and Finance Committee
200 South High Street
Wailuku, HI 96793

Dear Chair Hokama and Members:

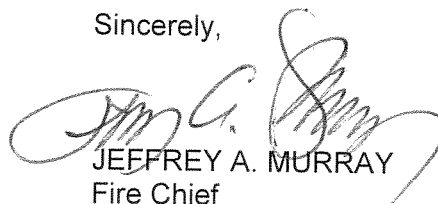
SUBJECT: MAKENA LIFEGUARD SERVICES

Please find attached the latest Memorandum of Agreement for Lifeguard Services at Makena State Beach. We request for your approval and acceptance to continue services to the community. The period of this MOA covers October 1, 2017 through December 31, 2017. Although the agreement is dated October 5, 2017, it reached my office on January 26, 2018.

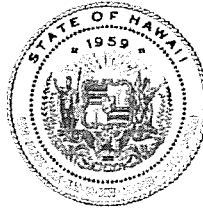
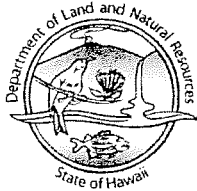
We recognize that the agreement is being submitted by the State of Hawaii quarterly; and after-the-fact. My office has been in close contact with the State of Hawaii and trying to come to an agreement where the MOA can be created for future dates to avoid fiscal issues.

If you have any questions, please contact my office at (808) 270-7561.

Sincerely,


JEFFREY A. MURRAY
Fire Chief

DAVID Y. IGE
GOVERNOR OF
HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

October 5, 2017

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONSERVATION
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAIHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

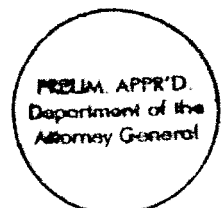
Fire Chief Jeffery Murray
Maui Fire Department
200 Dairy Road
Kahului, Hawaii 96732

Dear Fire Chief Murray:

The purpose of this letter is to serve as the tenth written amendment to the Memorandum of Agreement for Lifeguard Services (MOA) made and entered into on July 3, 2008, as amended on July 22, 2009, June 28, 2010, June 16, 2011, June 8, 2012, June 7, 2013, May 14, 2014, June 1, 2015, June 17, 2016, and August 22, 2017 between the State of Hawaii and the County of Maui for Makena Beach.

The available funding is limited to \$264,014.66 for this amendment. Division of State Parks understands you are able to continue to provide lifeguard services at Makena under the following conditions:

1. This amendment will be for lifeguard services at Makena Beach State Recreation Area, Island of Maui, from October 1, 2017 through December 31, 2017, provided that the State may cancel the contract at any time with 30 days written notice.
2. Funding under this amendment can be used solely for Water Safety Officer positions until further discussion and concurrence.
3. The effective date of this amendment is October 1, 2017.



4. Funds to be transmitted to the County of Maui under this amendment shall total \$264,014.66.

Employee	Annual Salary	Benefits	Total	Quarter
OSO IV Captain SR21 G	\$ 65,700.00	\$ 54,406.17	\$120,106.17	\$ 30,026.54
OSO III Lieutenant SR19 F	\$ 58,416.00	\$ 48,374.29	\$106,790.29	\$ 26,697.57
OSO II SR17 H	\$ 58,416.00	\$ 48,374.29	\$106,790.29	\$ 26,697.57
OSO II SR17 G	\$ 56,172.00	\$ 46,516.03	\$102,688.03	\$ 25,672.01
OSO II SR17 F	\$ 54,000.00	\$ 44,717.40	\$ 98,717.40	\$ 24,679.35
OSO II SR17 F	\$ 54,000.00	\$ 44,717.40	\$ 98,717.40	\$ 24,679.35
OSO II SR17 F	\$ 54,000.00	\$ 44,717.40	\$ 98,717.40	\$ 24,679.35
OSO II SR17 E	\$ 51,972.00	\$ 43,038.01	\$ 95,010.01	\$ 23,752.50
OSO II SR17 E	\$ 51,972.00	\$ 43,038.01	\$ 95,010.01	\$ 23,752.50
OSO II SR17 D (half-time)	\$ 24,997.00	\$ 20,700.02	\$ 45,697.02	\$ 11,424.50
OSO II SR17 C	\$ 48,036.00	\$ 39,778.61	\$ 87,814.61	\$ 21,953.65
Total	\$577,681.00	\$478,377.64	\$1,056,058.64	\$264,014.66

5. All other terms and conditions of the MOA shall remain unchanged with the exception of Section C. The following language is deleted:

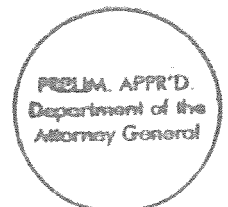
In accordance with Act 170, Session Laws of Hawaii 2002, as amended by Act 152, Session Laws of Hawaii 2007, and Act 81, Session Laws of Hawaii 2009, "a county lifeguard, the employing county, and the State shall not be liable for any civil damages resulting from any act or omission of the lifeguard while providing rescue, resuscitative, or other lifeguard services on the beach or in the ocean in the scope of employment as a county lifeguard. This exception from liability, however, shall not apply when the claim for civil damages results from a county lifeguard's gross negligence or wanton act or omission."

Please sign and date below and return the original to us. Your staff may call Mr. Curt A. Cottrell at 587-0290, if there are any questions.

Sincerely,




SUZANNE D. CASE
Chairperson
Board of Land and Natural Resources



Fire Chief Jeffery Murray
MOA, 10th Amendment

APPROVED AS TO FORM:


Date: December 20, 2017
Deputy Attorney General
Office of the Attorney General

RECOMMEND APPROVAL:


Date: 1/26/2018
FIRE CHIEF JEFFERY MURRAY
Maui Fire Department
County of Maui

ACKNOWLEDGED:

Date: _____
ALAN M. ARAKAWA
Mayor
County of Maui

APPROVED AS TO
FORM AND LEGALITY:

Deputy Corporation Counsel
County of Maui

Date: _____

