

# REQUEST FOR LEGAL SERVICES

**Date:** January 29, 2018  
**From:** Yuki Lei Sugimura, Chair  
Policy, Economic Development, and Agriculture Committee

TRANSMITTAL

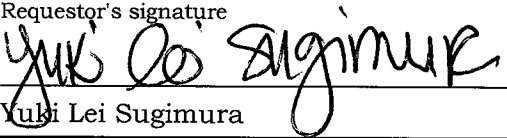
**Memo to:** DEPARTMENT OF THE CORPORATION COUNSEL  
Attention: Jennifer Oana, Esq.

**Subject:** PERFORMANCE AUDIT OF THE DEPARTMENT OF LIQUOR CONTROL (PEA-56)

**Background Data:** Please incorporate the revisions shown on the attached marked-up copy of the resolution and, if appropriate, approve the revised proposed resolution as to form and legality. Please include a signed hard copy with your response.

**Work Requested:**  FOR APPROVAL AS TO FORM AND LEGALITY

OTHER:

Requestor's signature  Yuki Lei Sugimura	Contact Person <u>Carla Nakata</u> (Telephone Extension: <u>7659</u> )
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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): \_\_\_\_\_

REASON: \_\_\_\_\_

## 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)

pea:ltr:056acc01:cmn  
Attachment



# Resolution

No. \_\_\_\_\_

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

*WHEREAS, the Council's confidence in the performance of the Department of Liquor Control is waning; and*

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, 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:

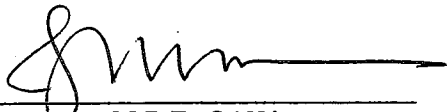
1. That it hereby authorizes the Council Chair to contract for a performance audit of the Department of Liquor Control; and

RECEIVED AT PEA MEETING ON 1/29/18  
(Committee Chair *Ngimura*)

**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



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JENNIFER M.P.E. OANA  
Deputy Corporation Counsel  
County of Maui  
2018-0095  
PAF 17-171 2018-01-25 Resolution