

# REQUEST FOR LEGAL SERVICES

**RECEIVED**

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

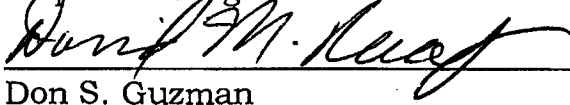
**Date:** October 11, 2016  
**From:** DON S. GUZMAN, Chair  
Economic Development, Energy, Agriculture, and Recreation Committee  
**TRANSMITTAL**  
**Memo to:** DEPARTMENT OF THE CORPORATION COUNSEL  
Attention: Jerrie Sheppard, Esq.

**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

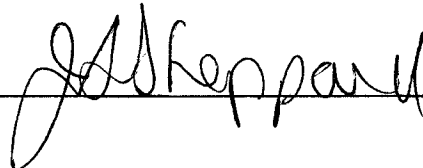
TO REQUESTOR: ☐ APPROVED ☐ DISAPPROVED ☐ OTHER (SEE COMMENTS BELOW)  
☐ RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

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 4<sup>th</sup>-6<sup>th</sup> 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

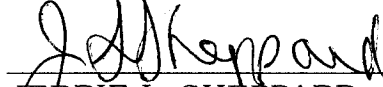
WHEREAS, the Organizers have duly applied for a special event permit with the Department of Parks and Recreation for the 2016 Aloha Classic; and

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