

# REQUEST FOR LEGAL SERVICES

**RECEIVED**

By Corporation Counsel at 12:54 pm, Oct 21, 2016

**Date:** October 21, 2016  
**From:** DON S. GUZMAN, Chair

**Economic Development, Energy, Agriculture, and Recreation Committee**

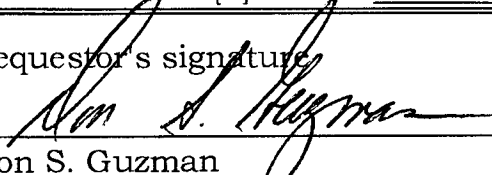
TRANSMITTAL

**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 attached 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," to add Exhibit "A" and make other nonsubstantive revisions for clarity. Please provide a hard copy.

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

Requestor's signature  Don S. Guzman	Contact Person <u>Sharon Brooks</u> (Telephone Extension: <u>7137</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)

☒ [X] SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): Noon on October 25, 2016  
REASON: To meet posting deadline for the November 4, 2016 Council meeting.

## FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO: <u>JLS</u>	ASSIGNMENT NO. <u>2014-3080</u>	BY: <u>LUV</u>
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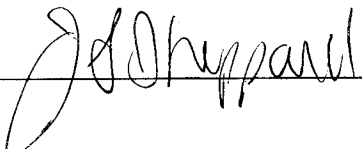
TO REQUESTOR: ☒ [X] APPROVED ☐ [ ] DISAPPROVED ☐ [ ] OTHER (SEE COMMENTS BELOW)  
☐ [ ] RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DEPARTMENT OF THE CORPORATION COUNSEL

Date 10/24/16

By   
(Rev. 7/03)

ear:ltr:071acc02:scb

Attachment

RECEIVED  
2016 OCT 24 AM 8:19  
OFFICE OF THE  
COUNTY CLERK

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

**Resolution No. \_\_\_\_\_**

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

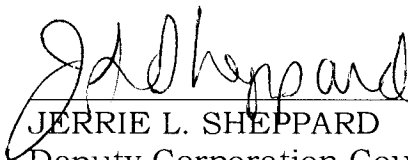
WHEREAS, the Organizers have duly applied for a special event permit with the Department of Parks and Recreation for the 2016 Aloha Classic; and

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 at Hookipa Beach Park from October 31, 2016 through and including November 13, 2016; 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



Samantha Bittner  
Trade Wind Events LLC  
USWA  
PO Box 791701  
Paia, HI 96779  
July 12, 2016

East District  
Department of Parks & Recreation  
County of Maui  
931 Makawao Ave  
Makawao, HI 96768

Dear Mr. Amoral;

First of all I would like to thank the County and Parks Department for your invaluable assistance in making the past 5 years of the Aloha Classic a huge success. It has been a pleasure working with you in organizing the event permit.

I am requesting use of Ho'okipa Beach Park for the Aloha Classic windsurfing event this year. Dates requested are October 31<sup>st</sup>-November 13<sup>th</sup>. This is a 11 day event with 3 rain days.

The 2016 Aloha Classic will feature 150 windsurfers riding waves with divisions including women, youth, masters, grand master, amateur and professional. Winners will be determined from a panel of 3. Maui resident Samantha Bittner, will be organizing and directing the event.

This is a request for a beach permit. I plan to run this professional event through the non-profit association US Windsurfing Association.

Thank you for your time. Your support in last year's contest was much appreciated. I look forward to working with you in creating another successful event.

Mahalo,

A handwritten signature in black ink that reads 'Samantha Bittner'.

Samantha Bittner  
Trade Wind Events LLC  
USWA

EXHIBIT " A "