

# REQUEST FOR LEGAL SERVICES

**Date:** October 26, 2016  
**From:** Don S. Guzman, Chair  
Economic Development, Energy, Agriculture, and Recreation  
Committee

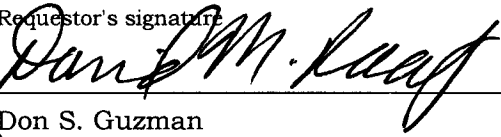
TRANSMITTAL

**Memo to:** DEPARTMENT OF THE CORPORATION COUNSEL  
Attention: Jerrie L. Sheppard, Esq.

**Subject:** MOLOKAI ENTERPRISE ZONE (EAR-73)

**Background Data:** Resolution attached. Please provide a hard copy.

**Work Requested:** ☒ FOR APPROVAL AS TO FORM AND LEGALITY  
☐ OTHER:

|   |   |
|---|---|
| Requestor's signature<br><br>Don S. Guzman | Contact Person<br><u>David Raatz</u><br>(Telephone Extension: 7660) |
|---|---|

☐ 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): October 27, 2016

REASON: To meet posting deadline for the November 4<sup>th</sup> Council meeting.

**FOR CORPORATION COUNSEL'S RESPONSE**

|              |                |     |
|--------------|----------------|-----|
| ASSIGNED TO: | ASSIGNMENT NO. | BY: |
|--------------|----------------|-----|

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)

ear:ltr:073acc01:dr

Attachment

# Resolution

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

AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO REQUEST THE GOVERNOR OF HAWAII TO DESIGNATE THE ISLAND OF MOLOKAI AS AN ENTERPRISE ZONE FOR TWENTY YEARS DUE TO EXPIRATION OF THE PRIOR ENTERPRISE ZONE DESIGNATION, PURSUANT TO SECTION 3.80.030, MAUI COUNTY CODE

WHEREAS, the State of Hawaii previously designated the Island of Molokai as an enterprise zone pursuant to Chapter 209E, Hawaii Revised Statutes, and Chapter 6 of Title 15, Hawaii Administrative Rules, for a twenty-year period; and

WHEREAS, the designated Molokai Enterprise Zone's twenty-year period will expire on December 31, 2016; and

WHEREAS, the criteria for designating the Island of Molokai as an enterprise zone remains applicable and such designation has proven to stimulate economic development on the Island of Molokai and the County of Maui; and

WHEREAS, the County of Maui desires to continue to encourage sound economic development and generate employment by providing tax incentives to approved businesses within such an enterprise zone by having the Island of Molokai again designated as an enterprise zone for another twenty-year period; and

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

WHEREAS, Section 3.80.030, Maui County Code, provides that nomination for designation as an enterprise zone requires approval by the Council of the County of Maui by resolution; and

WHEREAS, the County of Maui will offer eligible Molokai businesses a three-year exemption from any increase in property taxes resulting from new construction in the enterprise zone; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That it does hereby authorize the Mayor to submit an application to the State Department of Business, Economic Development and Tourism, for processing and recommendation to the Governor, for designation of the Island of Molokai as an enterprise zone; and

2. That certified copies of this resolution be transmitted to the Mayor and the Director of the Office of Economic Development.

APPROVED AS TO FORM AND LEGALITY

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Deputy Corporation Counsel  
County of Maui

ear:misc:073areso01:scb