

# REQUEST FOR LEGAL SERVICES

**RECEIVED**

By Corporation Counsel at 7:41 am, Nov 21, 2016

**Date:** November 18, 2016  
**From:** DON S. GUZMAN, Chair

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

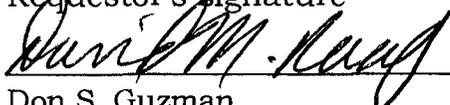
TRANSMITTAL

**Memo to:** DEPARTMENT OF THE CORPORATION COUNSEL  
Attention: Jeffrey Ueoka, Esq.

**Subject:** ESTABLISHING AN HAWAIIAN CULTURAL RESTORATION REVOLVING FUND (EAR-55)

**Background Data:** Please review and, if appropriate, approve as to form and legality, the attached proposed bill to establish the Hawaiian Cultural Restoration Revolving Fund. Please provide a hard copy response.

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

Requestor's signature  Don S. Guzman	Contact Person Sharon Brooks (Telephone Extension: 7137)
---	--

- ROUTINE (WITHIN 15 WORKING DAYS)
- PRIORITY (WITHIN 10 WORKING DAYS)
- RUSH (WITHIN 5 WORKING DAYS)
- URGENT (WITHIN 3 WORKING DAYS)

SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): November 22, 2016  
REASON: To meet posting deadline for the EAR Committee's November 29, 2016 meeting.

### FOR CORPORATION COUNSEL'S RESPONSE

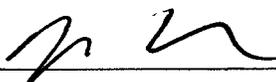
ASSIGNED TO: JTU	ASSIGNMENT NO. 2014-3080	BY: LUV
------------------	--------------------------	---------

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): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DEPARTMENT OF THE CORPORATION COUNSEL

Date 11/21/16

By 

(Rev. 7/03)

ear:ltr:055acc01:scb

Attachment

ORDINANCE NO. \_\_\_\_\_

BILL NO. \_\_\_\_\_ (2016)

A BILL FOR AN ORDINANCE TO ESTABLISH THE  
HAWAIIAN CULTURAL RESTORATION REVOLVING FUND

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Purpose. The purpose of this ordinance is to establish a fund for the deposit of all proceeds from the parking concession located on property under the control and management of the County or the County's designee on the area identified as tax map key number (2) 4-6-007:036 in Lahaina, Maui, Hawaii. The funds deposited shall be used for the preservation and restoration of Hawaiian historic and cultural sites and artifacts relating to Moku`ula and the ponds of Mokuhinia.

SECTION 2. Title 3, Maui County Code, is amended by adding a new chapter to be appropriately designated and to read as follows:

**“Chapter 3.38**

**HAWAIIAN CULTURAL RESTORATION REVOLVING FUND**

**Sections:**

- 3.38.010 Purpose.**
- 3.38.020 Fund established.**
- 3.38.030 Administration.**

**3.38.010 Purpose.** The Hawaiian cultural restoration revolving fund will provide funds for the preservation and restoration of Hawaiian historic and cultural sites and artifacts relating to Moku`ula and the ponds of Mokuhinia at Lahaina, Maui, Hawaii, including maintenance of the sites.

**3.38.020 Fund established.** There is established and created a fund to be known as the “Hawaiian cultural restoration revolving fund.” Proceeds collected from a legally-established parking concession located on property under the control and management of the County on the area identified as tax map key number (2) 4-6-007:036 in Lahaina, Maui, Hawaii shall be deposited in the fund.

**3.38.030 Administration.** A. The director of finance shall establish a separate account to record all revenue credited to, and expenditures made from, the revolving fund.

B. Proceeds collected from a legally-established parking concession are hereby deemed appropriated upon receipt and are authorized to be expended for the payment of costs associated with the preservation and restoration of Hawaiian historic and cultural sites and artifacts relating to Moku`ula and the ponds of Mokuhinia at Lahaina, Maui, Hawaii, including maintenance of the site.”

SECTION 3. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:



JEFFREY UEOKA

Department of the Corporation Counsel  
County of Maui  
2014-3080

EAR-55 2016-11-21 Ordinance