

COUNCIL OF THE COUNTY OF MAUI
POLICY, ECONOMIC DEVELOPMENT,
AND AGRICULTURE COMMITTEE

October 19, 2018

Committee
Report No. _____

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Policy, Economic Development, and Agriculture Committee, having met on October 1, 2018, makes reference to County Communication 18-230, from the Fire Chief, transmitting a proposed resolution entitled "AUTHORIZING ACCEPTANCE OF THE DONATION OF 61 PAIRS OF KAENON SUNGLASSES TO THE OCEAN SAFETY DIVISION OF THE DEPARTMENT OF FIRE AND PUBLIC SAFETY, PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE."

The purpose of the proposed resolution is to authorize the acceptance of 61 donated pairs of Kaenon sunglasses, valued at approximately \$12,200, from the Hawaiian Lifeguard Association ("HLA"), to provide eye protection for County ocean safety officers employed in the Ocean Safety Division of the Department of Fire and Public Safety.

At the request of the Chair of your Committee, the Department of the Corporation Counsel transmitted a revised proposed resolution, entitled "AUTHORIZING ACCEPTANCE OF THE DONATION OF 61 PAIRS OF KAENON SUNGLASSES TO THE OCEAN SAFETY PROGRAM OF THE DEPARTMENT OF FIRE AND PUBLIC SAFETY, PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE," approved as to form and legality, correcting the receiving program to read "Ocean Safety Program," instead of "Ocean Safety Division," and incorporating other nonsubstantive revisions.

Your Committee notes Section 3.56.030, Maui County Code ("MCC"), requires Council approval by resolution of any gift or donation to the County.

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A representative from the Department of Fire and Public Safety ("Department") said the donated eyewear will be used by ocean safety personnel to help protect the employees' eyes from sun glare. He said each ocean safety officer will be allowed to select their preferred style of eyewear from an online site. Once ordered, the sunglasses will be shipped to the Department for distribution to the Department's 61 ocean safety officers.

A Deputy Corporation Counsel said the sunglasses would not be considered income for Federal tax purposes. He further said it would not be an ethical violation for an employee to receive the sunglasses because the sunglasses are not a gift from the HLA.

Your Committee notes an objective of the HLA is to actively support and promote the improvement and progression of lifesaving throughout the State of Hawaii.

The Department's representative said although the HLA has previously donated protective footwear to the County's ocean safety personnel, this is the first time they have donated protective eyewear. The eyewear manufacturer, Kaenon, will provide the sunglasses to the HLA, who in turn will donate the sunglasses to the County. He added the County would not be responsible for replacing an employee's sunglasses if they are damaged or stolen.

The Deputy Corporation Counsel confirmed the donation is not an endorsement of Kaenon by the County, nor does the donation constitute a sponsorship under Section 13.04A.430, MCC.

Your Committee voted 6-0 to recommend adoption of the revised proposed resolution and filing of the communication. Committee Chair Sugimura, Vice-Chair Crivello, and members Atay, Cochran, Guzman, and Hokama voted "aye." Committee members Carroll, King, and White were excused.

COUNCIL OF THE COUNTY OF MAUI

POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE

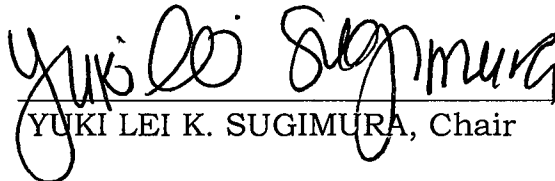
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Your Policy, Economic Development, and Agriculture Committee
RECOMMENDS the following:

1. That Resolution _____, as revised herein and attached hereto, entitled "AUTHORIZING ACCEPTANCE OF THE DONATION OF 61 PAIRS OF KAENON SUNGLASSES TO THE OCEAN SAFETY PROGRAM OF THE DEPARTMENT OF FIRE AND PUBLIC SAFETY, PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE," be ADOPTED; and
2. That County Communication 18-230 be FILED.

This report is submitted in accordance with Rule 8 of the Rules of the Council.



YUKI LEI K. SUGIMURA, Chair

pea:cr:18083aa:ske

Resolution

No. _____

AUTHORIZING ACCEPTANCE OF THE DONATION OF
61 PAIRS OF KAENON SUNGLASSES TO THE OCEAN SAFETY
PROGRAM OF THE DEPARTMENT OF FIRE AND PUBLIC SAFETY,
PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE

WHEREAS, the Hawaiian Lifeguard Association wishes to donate 61 pairs of Kaenon sunglasses to the Ocean Safety Program of the Department of Fire and Public Safety, as reflected in Exhibit "1," attached hereto; and

WHEREAS, the estimated value of the 61 pairs of Kaenon sunglasses is approximately \$12,200; and

WHEREAS, the donated 61 pairs of Kaenon sunglasses are intended to provide eye protection for the ocean safety officers employed in the Ocean Safety Program; and


WHEREAS, Chapter 3.56, Maui County Code, authorizes the Council to accept gifts and donations on behalf of the County; now, therefore,

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

1. That it hereby expresses its appreciation and accepts the aforesaid donation on behalf of the County of Maui; and

2. That certified copies of this resolution be transmitted to the Mayor, the Director of Finance, the Fire Chief, and Hawaiian Lifeguard Association.

APPROVED AS TO FORM
AND LEGALITY:



JEFFREY UEOKA
Deputy Corporation Counsel
County of Maui
2018-0500/2017-0098
PEA-83 2018-09-07 Resolution Sunglasses



HAWAIIAN LIFEGUARD ASSOCIATION

May 10, 2018

Jeffrey A. Murray, Fire Chief
Department of Fire and Public Safety
Maui County
200 Dairy Road
Kahului, Maui, Hawaii 96732

Dear Chief Murray:

The Hawaiian Lifeguard Association wishes to donate 61 pairs of Kaenon sunglasses to the Ocean Safety Division of the Maui County Fire Department for use by its ocean safety lifeguard personnel.

The glasses will provide eye protection for lifeguard personnel in the field.

The retail value of the sunglass donation is \$12,200.

Sincerely,

Ralph S. Goto
For the Board of Directors

P.O. Box 283324 • Honolulu, Hawaii 96828 • (808) 922-3888
Facsimile (808) 922-0411 • Email: lifeguards@aloha.com

EXHIBIT " 1 "