

COUNCIL OF THE COUNTY OF MAUI

ENERGY AND ECONOMIC DEVELOPMENT COMMITTEE

September 21, 2004

Committee
Report No.

04-164

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

Chair and Members:

Your Energy and Economic Development Committee, having met on July 12, 2004, makes reference to County Communication No. 04-103, from the Mayor, transmitting a proposed resolution entitled "RECOGNIZING MR. MARWEEN YAGIN AS WINNER OF THE MAUI COUNTY LOGO CONTEST, AND AUTHORIZING ACCEPTANCE OF MR. YAGIN'S LOGO AS THE COUNTY LOGO FOR USE IN THE MAUI COUNTY BUSINESS RESOURCE CENTER AND COUNTY STORE, LOCATED IN MAUI MALL, KAHULUI, HAWAII, PURSUANT TO CHAPTER 3.56 OF THE MAUI COUNTY CODE".

The purpose of the proposed resolution is to authorize acceptance of Marween Yagin's design for a Maui County logo as a gift to the County for use in the Maui County Business Resource Center and County Store.

At its meeting, your Committee met with the Economic Development Coordinator and a Deputy Corporation Counsel.

There was no public testimony.

Your Committee received a brief presentation from the Economic Development Coordinator regarding the Maui County logo contest. She explained that the Office of Economic Development "instituted a Maui County Logo Contest to develop an image to promote Maui County at the Maui County Business Resource Center as well as the Maui County Store". She explained that the public contest required a logo that represented Maui County as a whole, and offered a \$150 prize.

She stated that a panel of judges composed of community members and County employees reviewed 31 entries, and unanimously selected Marween Yagin's design, which depicts the four islands comprising Maui County in a quilt-like design.

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Your Committee questioned whether there could be more than one "County logo" since this logo is not the official seal of Maui County. The Economic Development Coordinator said that there could be more than one logo, and furthermore, the County's Centennial Committee intends to have a logo contest to select a design for the County's centennial celebration in 2005.

Your Committee raised questions regarding ways to protect the Maui County logo from misuse. The Economic Development Coordinator stated that because Mr. Yagin has given the County "unlimited rights" to use the design, the County will apply for a trademark registration if the Council approves this resolution. The Deputy Corporation Counsel briefly described the protection afforded by trademark registration.

Your Committee inquired if the Maui County Logo Contest and the \$150 prize are in compliance with State procurement laws. The Economic Development Coordinator stated that their office worked with the Department of the Corporation Counsel for guidance in structuring the logo contest. The Deputy Corporation Counsel stated that he did not research whether the \$150 prize must conform to procurement laws, and understands your Committee's concern.

Your Committee expressed concern that the Maui County Store is currently selling items with this logo before the Council has formally accepted the logo as a gift from Mr. Yagin.

Your Committee recognized that this was the first contest held by the Office of Economic Development, and that the prize offered is substantially less than what is customarily paid for designing a logo.

Your Committee stated that any future resolutions authorizing acceptance of a gift should state the fair market value for the gift.

Your Committee voted to recommend adoption of the proposed resolution and filing of the communication.

Your Energy and Economic Development Committee RECOMMENDS the following:

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1. That Resolution No. _____, attached hereto, entitled "RECOGNIZING MR. MARWEEN YAGIN AS WINNER OF THE MAUI COUNTY LOGO CONTEST, AND AUTHORIZING ACCEPTANCE OF MR. YAGIN'S LOGO AS THE COUNTY LOGO FOR USE IN THE MAUI COUNTY BUSINESS RESOURCE CENTER AND COUNTY STORE, LOCATED IN MAUI MALL, KAHULUI, HAWAII, PURSUANT TO CHAPTER 3.56 OF THE MAUI COUNTY CODE", be ADOPTED; and
2. That County Communication No. 04-103 be FILED.

Adoption of this report is respectfully requested.

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