

ORDINANCE NO. _____

BILL NO. 95 (2022)

A BILL FOR AN ORDINANCE AMENDING
THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO APPENDIX D – CONDITIONAL LANGUAGE,
OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM
(MAUI FOOD HUB)

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

SECTION 1. Ordinance No. 5217, Bill No. 46 (2021), Draft 1, as amended, “Fiscal Year 2022 Budget”, Appendix D – Conditional Language, is hereby amended as it pertains to the Office of the Mayor, Economic Development Program by deleting Condition B.9.c(5) for the relating to the Maui Food Hub, to read as follows:

“APPENDIX D – Conditional Language

SECTION 1. OPERATING BUDGET – FUNCTION AND PROGRAMS

OFFICE OF THE MAYOR

Condition B.9.a(1):

a. Administration Program

- (1) Disbursement for salaries and premium pay is not restricted by Section 5.

Condition B.9.a(3):

a. Administration Program

(3) Renewable Energy Programs

- (i) At least \$200,000 must be for the Ho‘ahu Energy Co-op Molokai.

(a) Refer to Appendix D for additional conditional language.

1. Funding to be used for salaries, outreach and education, energy project and training, and insurance.

Condition B.9.a(9):

a. Administration Program

(9) Climate Mitigation/Adaptation Program

- (i) At least \$150,000 must be for Responsible Markets, LLC.

(a) Refer to Appendix D for additional conditional language.

1. Funding to be used for stream monitoring and community engagement projects, establishing equitable, sustainable, and culturally appropriate 21st century solutions based in Native Hawaiian perspectives and practices. It will also provide for cultural practices and *kanawai* when accessing Ahupua‘a water systems.

Condition B.9.a(10):

a. Administration Program

(10) Environmental Protection

- (i) Eradicate invasive species.**
 - (a) Eradicate Little Fire Ants for \$500,000.**
 - (b) Eradicate Miconia and other invasive species for \$700,000.**
 - (1) Funds may not be used for deer management.**
- (ii) Maui Nui Marine Resource Council for \$225,000.**
- (iii) Lokahi Pacific for Re-Tree Hawaii for \$45,000.**
 - (a) Refer to Appendix D for additional conditional language.**
 - 1. To be used for native tree planting, community engagement, education, climate change mitigation, and annual tree planting day under Environmental Protection Grants.**
- (iv) Ke Ao Hali'i for \$30,000.**
 - (a) Refer to Appendix D for additional conditional language.**
 - 1. To be used for the safety and maintenance of lands purchased with the use of County Open Space Funds.**
- (v) Na Mamo O Mu'olea for \$20,000.**
 - (a) Refer to Appendix D for additional conditional language.**
 - 1. To be used for the safety and maintenance of lands purchased with the use of County Open Space Funds.**
- (vi) Sustainable Molokai Food Pantry for \$150,000.**

Condition B.9.b(1):

b. Budget Program

- (1) Disbursement for salaries and premium pay is not restricted by Section 5.**

Condition B.9.c(1):

c. Economic Development Program

(1) General

- (i) Disbursement for salaries and premium pay is not restricted by Section 5.**

Condition B.9.c(2):

c. Economic Development Program

(2) Grants and disbursements for business development and technology

(iii) Wailuku Economic Development, Environmental, and Cultural Programs

- (1) Notice must be provided to Council if funds are to be expended outside of the named areas without prior Council consent.**
- (2) Up to \$50,000 for Ke Kula 'o Pi'ilani.**
- (3) Up to \$20,000 for Waikapu projects.**
- (4) Up to \$10,000 for Wailuku projects.**
- (5) Up to \$10,000 for Paukukalo projects.**
- (6) Up to \$5,000 for Maui Chamber of Commerce, Imi Pono Project.**

Condition B.9.c(2):

c. Economic Development Program

(2) Grants and disbursements for business development and technology

(iv) Kahului Economic Development, Environmental, and Cultural Programs

- (1) Notice must be provided to Council if funds are to be expended outside of the named areas without prior Council consent.

Condition B.9.c(2):

c. Economic Development Program

(2) Grants and disbursements for business development and technology

(v) East Maui Economic Development, Environmental, and Cultural Programs

- (1) Notice must be provided to Council if funds are to be expended outside of the named areas without prior Council consent.
- (2) Up to \$30,000 for Hana Arts.
- (3) Up to \$6,000 for Na Mamo O Mu'olea.
- (4) Up to \$20,000 for Mahele Farms.
- (5) Up to \$5,000 for Hana Cultural Center.
- (6) Up to \$3,500 for Hana Cultural Center, KOKO FM.
- (7) Up to \$10,000 for Hana Business Council (including EMR).
- (8) Up to \$5,000 for Festivals of Aloha – Hana.
- (9) Up to \$15,000 for Kipahulu 'Ohana.
- (10) Up to \$5,000 for Kahanu Gardens.
- (11) Up to \$5,000 for Ke Ao Hali'i.

Condition B.9.c(2):

c. Economic Development Program

(2) Grants and disbursements for business development and technology

(vii) Haiku-Paia-Makawao Economic Development, Environmental, and Cultural Programs

- (1) Notice must be provided to Council if funds are to be expended outside of the named areas without prior Council consent.
- (2) Up to \$25,000 to Malama Hamakua Maui for management, maintenance, and security of the Hāmākualoa Open Space Preserve.
- (3) Up to \$25,000 for the Haiku Hoolaulea and Flower Festival.

Condition B.9.c(2):

c. Economic Development Program

(2) Grants and disbursements for business development and technology

(viii) Pukalani-Kula-Ulupalakua Economic Development, Environmental, and Cultural Programs

- (1) Notice must be provided to Council if funds are to be expended outside of the named areas without prior Council consent.

Condition B.9.c(2):

(ix) Ka Ipu Kukui Fellows Leadership

- (a) Participation from Molokai and Lanai must be funded for qualified participants.

Condition B.9.c(2):

c. Economic Development Program

(2) Grants and disbursements for business development and technology

(xi) Lanai Economic Development, Environmental, and Cultural Programs

(1) Notice must be provided to Council if funds are to be expended outside of the named areas without prior Council consent.

Condition B.9.c(2):

(xiii) Ma Ka Hana Ka Ike, Inc.

(a) Support the Ma Ka Hana Ka Ike building program.

Condition B.9.c(2):

(xiv) Maui Economic Development Board, Inc.

(a) At least \$25,000 must be for science and technology programs for Molokai schools.

Condition B.9.c(2):

(xviii) Maui Economic Opportunity, Inc., for Microenterprise Program

(a) Funds must be made available to provide a full-time position for a Molokai loan manager.

Condition B.9.c(2):

c. Economic Development Program

(2) Grants and disbursements for business development and technology

(xix) Molokai Economic Development, Environmental, and Cultural Programs

(1) Notice must be provided to Council if funds are to be expended outside of the named areas without prior Council consent.

Condition B.9.c(2):

c. Economic Development Program

(2) Grants and disbursements for business development and technology

(xxi) South Maui Economic Development, Environmental, and Cultural Programs

(1) Notice must be provided to Council if funds are to be expended outside of the named areas without prior consent.

(2) Up to \$61,300 for Rooted Kekahi Me Ka Aina.

(3) Up to \$10,000 for the South Maui Bike Lanes .

(4) Up to \$25,000 for Maui Ocean Center Marine Institute.

(5) Up to \$10,000 for Fourth Friday events.

Condition B.9.c(2):

c. Economic Development Program

(2) Grants and disbursements for business development and technology

(xxv) West Maui Economic Development, Environmental, and Cultural Programs

(1) Notice must be provided to Council if funds are to be expended outside of the named areas without prior Council consent.

Condition B.9.c(5):

(v) Maui County Farm Bureau

- i. Up to \$100,000 must be for a vacuum cooling plant.

Condition B.9.c(5):

(5) Grants and disbursements for Agricultural Promotion

(viii) Maui Economic Opportunity Agricultural Micro Grants Program

(a) Refer to Appendix D for additional conditional language.

(1) MEO will receive a \$1.5 million grant from the County to manage and distribute advanced micro grant payments of \$25,000 or less per grantee. Upon application approval, MEO will issue grantee vendor payments in full at the front end to vendors, without limiting the number of grantee vendors.

The micro grants must be dispersed with efforts to ensure equitable distribution among applicants in Maui, Molokai, and Lana'i, with preference given to socially disadvantaged farming applicants such as women and native Hawaiians, and to farmers that did not receive funding in fiscal year 2021 from the micro grant funding. An application deadline will be set by MEO to ensure these preferential guidelines will be met.

The micro grants will be exclusively to food-producing farm businesses that operate on less than an aggregate of 12 acres within Maui County, possess a County business or state general excise license for the farming business as of July 1, 2021. Applicants may also provide a copy of their G-45 or G-49 form filed in the previous tax year. Farm business owners, and any partners, must be Maui County residents for a minimum of one year prior to the date of the applicant's grant request. Applicants shall not be disqualified based upon receipt of COVID-related grant funding from supplementary sources.

Permissible uses include: (1) farm infrastructure upgrades; (2) packaging materials and products; (3) processing and storage equipment and machinery; (4) farm equipment, including tractors, tillers, and list; (5) marketing services, such as packaging, label design and printing, and website development; and (6) professional development, such as Food Safety Modernization Act training.

Microgrant allocations must not exceed the dollar amount requested by the applicant and will be distributed on a sliding scale with considerations made to the farm's distribution output to the community and scale of operations.

[Condition B.9.c(5):

(5) Grants and disbursements for Agricultural Promotion

(ix) Maui Food Hub

(a) Refer to Appendix D for additional conditional language.

(1) Grant funding for the Maui Hub to promote food resiliency and security on Maui. Funding for one-time purchases of the following:

refrigerator truck, truck electric chiller and chiller conversion, a half-time finance manager, a facility subsidy, and equipment.]”

SECTION 2. Material to be repealed is bracketed.

SECTION 3. This Ordinance takes effect upon approval.

APPROVED AS TO FORM AND LEGALITY:

A handwritten signature in black ink, appearing to read "Kristina C. Toshikiyo", is written over a horizontal line.

KRISTINA C. TOSHIKIYO
Deputy Corporation Counsel

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "John A. Lee", is written over a horizontal line.

Upon the request of the Mayor.

DIGEST

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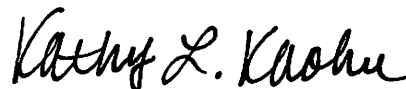
This bill proposes to amend Ordinance No. 5217, Bill No. 46 (2021), Draft 1, the "Fiscal Year 2022 Budget" of the County of Maui, Appendix D – Conditional Language, as it pertains to the Office of the Mayor, Economic Development Program by deleting Condition B.9.c(5) relating to the Maui Food Hub.

I, KATHY L. KAOHU, County Clerk of the County of Maui, State of Hawaii, DO
HEREBY CERTIFY that the foregoing BILL NO. 95 (2022) was passed on First Reading
by the Council of the County of Maui, State of Hawaii, on the 26th day of May, 2022, by
the following vote:

AYES: Councilmembers Gabriel Johnson, Natalie A. Kama, Kelly T. King,
Michael J. Molina, Yuki Lei K. Sugimura, Tamara A. M. Paltin,
Shane M. Sinenci, Vice-Chair Keani N. W. Rawlins-Fernandez, and
Chair Alice L. Lee.

NOES: None.

DATED at Wailuku, Maui, Hawaii, this 31st of May, 2022.



KATHY L. KAOHU, COUNTY CLERK
COUNTY OF MAUI, STATE OF HAWAII

Copies of the foregoing Bill, in full, are on file in the Office of the County Clerk,
County of Maui, for use and examination by the public.