

COUNCIL OF THE COUNTY OF MAUI
GOVERNANCE, ETHICS, AND
TRANSPARENCY COMMITTEE

September 25, 2020

Committee
Report No. _____

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

Chair and Members:

Your Governance, Ethics, and Transparency Committee, having met on August 11, 2020, August 25, 2020, and September 8, 2020, makes reference to County Communication 20-69, from Councilmember Michael J. Molina, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 2.82.040, MAUI COUNTY CODE, RELATING TO CONSERVATION PLANNING COMMITTEE."

The purpose of the proposed bill is to amend the Conservation Planning Committee's membership to ensure adequate geographic, cultural, and organizational representation.

Your Committee notes Chapter 2.82, Maui County Code ("MCC"), creating the Conservation Planning Committee, was established by Ordinance 4878, effective January 2, 2019. Chapter 2.82 requires the Conservation Planning Committee to submit a "greenprint" to the Council by January 1, 2021. "The greenprint shall guide land acquisition by the County for open space, natural resources, cultural resources, and scenic views preservation purposes, and help to identify lands suitable for voluntary private-sector conservation," according to Chapter 2.82.

Your Committee reviewed the following:

- o A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTIONS 2.82.040 AND 2.82.050, MAUI COUNTY CODE, RELATING TO CONSERVATION PLANNING COMMITTEE AND GREENPRINT," transmitted by Council Vice-Chair Rawlins-Fernandez, by correspondence dated June 9, 2020. The purpose of the proposed bill is to amend the Conservation Planning Committee's membership to

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ensure adequate geographic, cultural, and organizational representation and extend to December 31, 2022, the Conservation Planning Committee's deadline to submit the greenprint to the Council.

- o A revised proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTIONS 2.82.040 AND 2.82.050, MAUI COUNTY CODE, RELATING TO CONSERVATION PLANNING COMMITTEE AND GREENPRINT," transmitted by the Department of the Corporation Counsel, by correspondence dated August 3, 2020. The purpose of the revised proposed bill is to amend the Conservation Planning Committee's membership to ensure adequate geographic, cultural, and organizational representation and extend to December 31, 2021, the Conservation Planning Committee's deadline to submit the greenprint to the Council.

Under Chapter 2.82, MCC, the Conservation Planning Committee has nine voting members, including two from the "general public," with no residency requirement. The other voting members are a representative of a "Hawaii-based conservation group or land trust" and six County officials, including a Councilmember. Your Committee discussed the importance of ensuring the Conservation Planning Committee has members who are residents of Maui, Molokai, and Lanai, respectively.

Your Committee further discussed including a representative from 'Aha Moku or 'Aha Kiole, or other similar Hawaiian cultural organization, as one of the nine proposed voting members. Also, your Committee discussed having at least two voting members possess demonstrated expertise of native Hawaiian traditional and customary practices.

A Mayor's representative agreed with the proposals' intent to specify three members represent Maui, Molokai, and Lanai, respectively. She supported keeping County officials as voting members, in part because they have working knowledge of County operations that may assist the Conservation Planning Committee with making well-informed decisions.

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Your Committee agreed to recommend extending the greenprint-submission deadline to December 31, 2022.

Your Committee deferred discussion relating to the Conservation Planning Committee's membership.

Your Committee voted to recommend passage of the proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTIONS 2.82.040 AND 2.82.050, MAUI COUNTY CODE, RELATING TO CONSERVATION PLANNING COMMITTEE AND GREENPRINT," transmitted by Council Vice-Chair Rawlins-Fernandez, by correspondence dated June 9, 2020, as revised, to delete the proposed amendments to the Conservation Planning Committee's membership.

Your Committee voted 9-0 to recommend passage of the revised proposed bill on first reading to extend the Conservation Planning Committee's deadline for the greenprint to December 31, 2022. Committee Chair Molina, Vice-Chair Rawlins-Fernandez, and members Hokama, Kama, King, Lee, Paltin, Sinenci, and Sugimura voted "aye."

Your Committee is in receipt of a revised proposed bill, entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 2.82.050, MAUI COUNTY CODE, RELATING TO GREENPRINT," approved as to form and legality by the Department of the Corporation Counsel, incorporating your Committee's recommended revisions.

Your Governance, Ethics, and Transparency Committee **RECOMMENDS** that Bill _____ (2020), as revised herein and attached hereto, entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 2.82.050, MAUI COUNTY CODE, RELATING TO GREENPRINT," be **PASSED ON FIRST READING** and be **ORDERED TO PRINT**.

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



MICHAEL J. MOLINA, Chair

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ORDINANCE NO. _____

BILL NO. _____ (2020)

A BILL FOR AN ORDINANCE AMENDING SECTION 2.82.050, MAUI COUNTY
CODE, RELATING TO GREENPRINT

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


SECTION 1. Section 2.82.050, Maui County Code, is amended to read as
follows:

“2.82.050 Greenprint. [Utilizing] Using public outreach, the general plan, and other community and documentary resources, including land conservation organizations, a comprehensive conservation plan, also known as a greenprint, [shall] must be created [which] that includes a geographic information systems map. The greenprint [shall] will guide land acquisition by the County for open space, natural resources, cultural resources, and scenic views preservation purposes, and help to identify lands suitable for voluntary private-sector conservation. [The] A proposed greenprint [shall] must be adopted by the committee and submitted to the council by [January 1, 2021.] December 31, 2022. The committee [shall] must oversee the review and update of the [Countywide] greenprint, which [shall] must be submitted to the council every five years [thereafter].

SECTION 2. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 3. This ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:

 Digitally signed by Gary Murai
DN: cn=Gary Murai, o=Corp.Counsel,
ou=C & D,
email=gary.murai@co.maui.hi.us, c=US
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Department of the Corporation Counsel
County of Maui

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