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Riki Hokama
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COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

August 31, 2017

Director of Council Services
Sandy K. Baz

OFFICE OF THE COUNTY CLERK
County of Maui

SEP 01 2017 11:15 a.m. *JB*

The Honorable Mike White
Council Chair
County of Maui
Wailuku, Hawaii 96793

Dear Chair White:

**SUBJECT: CHARTER AMENDMENT TO BROADEN USES OF
OPEN SPACE, NATURAL RESOURCES, CULTURAL
RESOURCES, AND SCENIC VIEWS PRESERVATION
FUND (PAF 17-198)**

May I request the attached proposed resolution, entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO USES OF THE OPEN SPACE, NATURAL RESOURCES, CULTURAL RESOURCES, AND SCENIC VIEWS PRESERVATION FUND," be placed on the next Council meeting agenda.

Sincerely,

A handwritten signature in black ink that reads "Don S. Guzman".

DON S. GUZMAN
Councilmember

paf:cmn:17-198c

Attachment

COUNTY COMMUNICATION NO. 17-369

Resolution

No. _____

PROPOSING AN AMENDMENT TO THE
REVISED CHARTER OF THE COUNTY OF MAUI
(1983), AS AMENDED, RELATING TO USES OF
THE OPEN SPACE, NATURAL RESOURCES,
CULTURAL RESOURCES, AND SCENIC VIEWS
PRESERVATION FUND

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

1. That, pursuant to Section 14-1(1), Revised Charter of the County of Maui (1983), as amended ("Charter"), it hereby proposes that Section 9-19 of the Charter, pertaining to the Open Space, Natural Resources, Cultural Resources, and Scenic Views Preservation Fund, be amended by amending subsection 1 to read as follows:

"1. In adopting each fiscal year's budget and capital program, the council shall appropriate a minimum of one percent (1%) of the certified real property tax revenues to a fund known as the open space, natural resources, cultural resources, and scenic views preservation fund. The revenues in this fund shall be utilized for [purchasing]:

a. Purchasing or otherwise acquiring lands or property entitlements for land conservation purposes in the county of Maui for the following purposes: public outdoor recreation and education; preservation of historic or culturally important land areas; protection of significant habitat or ecosystems, including buffer zones; preserving forests, beaches, coastal areas, and agricultural lands; protecting watershed lands to preserve water quality; conserving land for the purpose of reducing erosion, floods, landslides, and runoff; and improving disabled and public access to, and enjoyment of, public land, open space, and recreational facilities[.];
or

b. Performing maintenance and safety and security improvements on lands acquired through this fund."; and

Resolution No. _____

2. That material to be repealed is bracketed and new material is underscored; and

3. That, pursuant to Section 14-2(1) of the Charter, this resolution be submitted to the voters of the County of Maui at the next general election; and

4. That the County Clerk prepare the necessary ballot for presentation to the voters at the next general election; and

5. That, pursuant to Section 14-1(1) of the Charter, it hereby proposes that the following question be placed on the next general election ballot:

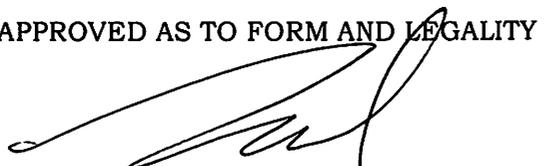
“Shall the uses of the Open Space, Natural Resources, Cultural Resources, and Scenic Views Preservation Fund be expanded to authorize the fund to be used to perform maintenance and safety and security improvements on lands acquired through the fund?”; and

6. That, pursuant to Section 14-2(2) of the Charter, the County Clerk publish this proposed amendment in a newspaper of general circulation; and

7. That, upon approval by the majority of the voters voting on the proposed amendment and upon official certification of such result, the amendment proposed herein shall take effect; and

8. That certified copies of this resolution be transmitted to the Mayor, the Director of Finance, and the Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY



EDWARD S. KUSHI, JR.

Department of the Corporation Counsel

County of Maui

2017-1061

2017-08-30 Resolution