

REQUEST FOR LEGAL SERVICES

D a t e: November 20, 2024
F r o m: Keani Rawlins-Fernandez, Chair
Efficiency Solutions and Circular Systems Committee

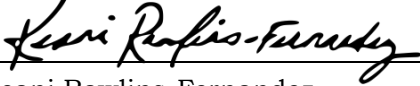
TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Andrew Nelson, Esq.

Subject: Bill 136 (2024), AMENDING TITLE 20, MAUI COUNTY CODE, ESTABLISHING A CLIMATE ACTION AND RESILIENCY PLAN FOR THE COUNTY OF MAUI (ESCS-8)

Background Data: Please see the attached CD1 version of bill. Please submit your response to escs.committee@mauicounty.us with a reference to ESCS-8.

Work Requested: ☒ FOR APPROVAL AS TO FORM AND LEGALITY
☐ OTHER:

Requestor's signature  Keani Rawlins-Fernandez	Contact Person <u>Ellen McKinley or Megan Moniz</u> (Telephone Extension: <u>7661 or 7145, respectively</u>)
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☐ ROUTINE (WITHIN 15 WORKING DAYS) ☐ RUSH (WITHIN 5 WORKING DAYS)
☐ PRIORITY (WITHIN 10 WORKING DAYS) ☐ URGENT (WITHIN 3 WORKING DAYS)

☒ SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): November 26, 2024
REASON: For posting on the December 6, 2024, Council meeting agenda.

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO:	ASSIGNMENT NO.	BY:
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TO REQUESTOR: ☐ APPROVED ☐ DISAPPROVED ☐ OTHER (SEE COMMENTS BELOW)
☐ RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE): _____

DEPARTMENT OF THE CORPORATION COUNSEL

Date _____

By _____
(Rev. 7/03)

escs:ltr:008acc01:ebm

Attachment

ORDINANCE NO. _____

BILL NO. 136, CD1 (2024)

A BILL FOR AN ORDINANCE AMENDING TITLE 20, MAUI COUNTY CODE,
ESTABLISHING A CLIMATE ACTION AND RESILIENCY PLAN
FOR THE COUNTY OF MAUI

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

SECTION 1. Title 20, Maui County Code, is amended by adding a new chapter to be appropriately designated and to read as follows:

“Chapter 20.44

CLIMATE ACTION AND RESILIENCY PLAN

Sections:

- 20.44.010 Purpose.
- 20.44.020 Definitions.
- 20.44.030 Climate action and resiliency plan.
- 20.44.040 Plan components.
- 20.44.050 Plan implementation, updates, and reporting.

20.44.010 Purpose. This chapter’s purpose is to establish a climate action and resiliency plan to guide policy for and actions to be taken by the County to mitigate and adapt to climate-change effects, transition to 100 percent renewable energy, and achieve net-negative emissions.

20.44.020 Definitions. In this chapter, unless the context otherwise requires:

“Director” means the managing director.

“Plan” means the climate action and resiliency plan approved under section 20.44.030, including any amendments approved under section 20.44.050.

20.44.030 Climate action and resiliency plan. The “Maui County Climate Action & Resiliency Plan,” which is incorporated by

reference and is on file with the office of the county clerk, is approved as the plan, subject to updates approved under section 20.44.050.

20.44.040 Plan components. A. The plan must provide a clear and practical set of strategies and actions that have been developed with input from the community, agencies, and other public and private partners to reduce the County's climate-change contributions and build local resilience to climate impacts. The plan must be based on traditional Native Hawaiian knowledge, culture, and practices; the best available science; internationally accepted best practices; and outline strategies and set goals to:

1. Protect, restore, and sustainably manage the natural environment for current and future generations.
2. Inventory and reduce local greenhouse-gas emissions to achieve net-negative emissions.
3. Optimize resiliency within local communities.
4. Cultivate local cultural practices rooted in ecological knowledge and values.
5. Advance social equity and community inclusion.
6. Facilitate a circular economy.
7. Sustainably address current and future infrastructure needs.
8. Commit to both institutional and individual action and local implementation of climate resiliency strategies and actions.

B. The plan must be consistent with and complementary to the goals, objectives, and policies in the countywide policy plan on minimizing climate change and working toward resilience.

20.44.050 Plan implementation, updates, and reporting.

A. The director or designee, with all necessary agencies, must manage and assist with the plan's implementation, update, and reporting.

B. The director may advise each agency on strategies to implement the plan.

C. The County budget and capital improvement program must implement the plan.

D. An online dashboard must track the progress of the plan's specific recommendations by December 31, 2025."

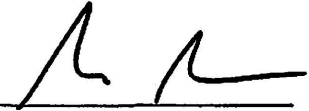
SECTION 2. This Ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:

Department of the Corporation Counsel
County of Maui

escs:misc:008abill02:ebm

INTRODUCED BY:

A handwritten signature in black ink, consisting of a stylized 'G' followed by a horizontal line and a small flourish.

GABE JOHNSON

ESCS Committee

From: ESCS Committee
Sent: Thursday, November 21, 2024 12:43 PM
To: CorpCounselRFLS@co.maui.hi.us
Cc: ESCS Committee
Subject: (RUSH) OCS - ESCS - Bill 136 (2024), Amending Title 20, Maui County Code, Establishing a CARP for the County of Maui (ESCS-8)
Attachments: 008acc01.pdf
Importance: High

Please see attached RFLS.

Thank you,
ESCS Committee Staff