

Resolution

No. 26-87

PROPOSING AN AMENDMENT TO THE
REVISED CHARTER OF THE COUNTY OF MAUI
(1983), AS AMENDED, TO ESTABLISH A
CLIMATE ACTION AND RESILIENCY
REVOLVING FUND

WHEREAS, by Ordinance 5756, effective January 3, 2025, the Council established, under Chapter 20.44, Maui County Code, 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; and

WHEREAS, Code Subsection 20.44.050(C) mandates that the County budget and capital improvement program implement the plan; and

WHEREAS, this proposal would provide a stable and dedicated funding source to implement the actions and strategies in the plan; and

WHEREAS, this proposal is intended to advance the following core theme of the Countywide Policy Plan: “Mitigate Climate Change and Work Toward Resilience”; now, therefore,

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

1. That, in accordance with Section 14-1(1), Revised Charter of the County of Maui (1983), as amended, it proposes that Charter Article 9, on Financial Procedures, be amended by adding a new section to read as follows, with new material underscored:

**“Section 9-21. Climate Action and Resiliency
Revolving Fund.**

1. In adopting the annual operating budget, the Council must appropriate a minimum of 20 percent of the certified Maui County transient accommodations tax revenues to a fund known as the climate action and resiliency revolving fund. In any fiscal year, the council may make appropriations to the fund in addition to the minimum required appropriation. The revenues and unencumbered balance in the fund must be used to implement actions and strategies

the fund must be used to implement actions and strategies identified in the climate action and resiliency plan established by ordinance, including:

a. Funding for County programs.
b. Grants or loans to nonprofit organizations.
c. Leveraging funds provided by the federal government, the State, nonprofit organizations, businesses, and other entities.

d. Acquisition and management planning of real property.

2. Any unencumbered balance in this fund at the end of each fiscal year must not lapse, but must remain in the fund, accumulating from year to year. Any unencumbered balance in the fund must not be used for any purpose except the purposes listed in paragraph 1 or as provided by ordinance.

3. The council must, by ordinance, establish procedures for the administration and expenditure of the revenues in this fund.”;

2. That, in accordance with Charter Section 14-2(1), this Resolution be submitted to the voters of the County of Maui at the next General Election;
3. That the County Clerk prepare the necessary ballot for presentation to the voters at the next General Election;
4. That, in accordance with Charter Section 14-1(1), it proposes that the following question be placed on the next General Election ballot:

“Shall the Charter be amended, effective July 1, 2027, to require that, in adopting the annual operating budget, the Council appropriate at least 20 percent of Maui County Transient Accommodations Tax revenues into a Climate Action and Resiliency Revolving Fund to implement the Climate Action and Resiliency Plan?”;
5. That, in accordance with Charter Section 14-2(2), the County Clerk must publish the proposed amendment in this Resolution in its entirety in a newspaper of general circulation;

Resolution No. 26-87

6. That, on approval by a majority of the voters voting on the proposed amendment and on official certification of the result, the amendment proposed in this Resolution takes effect on July 1, 2027;
7. That, as authorized by Charter Section 14-4, the County Clerk must revise and publish in its entirety a revised Charter including amendments adopted in this Resolution and renumber provisions and cross-references as may be necessary by the approval of the revisions or amendments; and
8. That certified copies of this Resolution be transmitted to the Mayor, Managing Director, and County Clerk.

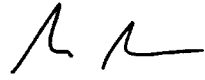
APPROVED AS TO FORM AND LEGALITY



Yukari Murakami
Department of the Corporation Counsel
County of Maui

paf:cmn:26-114a

INTRODUCED BY:



GABE JOHNSON