

RICHARD T. BISSEN, JR.
Mayor

JOSIAH K. NISHITA
Managing Director



DEPARTMENT OF MANAGEMENT
COUNTY OF MAUI
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November 22, 2024

APPROVED FOR TRANSMITTAL

Richard T. Bissen, Jr.
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

 11-25-24
Mayor Date

For Transmittal to:

Honorable Shane Sinenci, Chair
Water Authority, Social Services, and Parks Committee
Maui County Council
200 South High Street
Wailuku, Hawaii 96793

Dear Chair Sinenci:

SUBJECT: **BILL 111 (2024), TO ESTABLISH PROCEDURES FOR THE REMOVAL AND STORAGE OF PERSONAL PROPERTY IN PUBLIC PLACES AND A RIGHT TO SHELTER (WASSP-13)**

This transmission is in response to your letter dated November 1, 2024, requesting we review Subsections 9.37.050(A)(3) and 9.37.100(B) and (C) with respective community organizations.

Representatives from Management, Human Concerns, and the Mayor's Office met with the respective community organizations on Monday, November 18, via Microsoft Teams to discuss the three subsections requested above. The meeting was productive, and I would like to thank all parties involved for their participation.

Regarding Subsection 9.37.050(A)(3), relating to encampment removal and notice requirements, primary concerns expressed were that houseless individuals should know where their property is being stored, or at least where and when their property can be retrieved. While the location of storage may not always be the location of retrieval, the county does agree that it is reasonable to include where and when items can be retrieved on the notice. Thus, the Department of Management recommends making the following edits to Subsection 9.37.050(A)(4):

3. 4- Where, when, and Hhow any stored personal property may be claimed by its owner **or designee**.

This change would need to be reflected in later sections as well.

Regarding Subsections 9.37.100(B), relating to storage of personal property removed from an encampment, primary concerns stemmed from the fear that essential items such as identification and prescription medication are not identified. While the county foresees situations in which not every individual item should be identified, and encourages individuals to keep essential items on their person, it proposes the following changes (new suggested changes in **bold**).

- B. The County must maintain a log of personal property removed from an encampment. **The log must document each group of items by owner or specific location collected from, and should individually identify essential items such as personal identification cards and prescription medication.** ; ~~The log does not need to identify each individual item. Each item~~ The personal property must be kept until ~~it the personal property~~ is recovered by its owner or the property is discarded as permitted under this chapter.

Regarding Subsection 9.37.100(C), relating to length of storage of personal property removed from an encampment, the county did not address this item specifically in its meeting with the community organizations due to time constraints. The county previously worked with the author of the bill to change "recovered" to "claimed". The intention behind this language is that if circumstances prevent individuals from physically recovering their property within 30 days, they can call to make specific arrangements. The county adds language giving a total of 60 days to retrieve items, if claimed within the first 30 days (new suggested changes in **bold**).

- C. Personal property that is not ~~recovered~~ **claimed after for ninety-thirty** days after the property was stored may be discarded or donated by the County. **Items claimed within 30 days shall be held for an additional 30 days before being discarded or donated by the County.**

If you have additional questions, feel free to reach out to me at extension 7205.

Sincerely,



JOSIAH K. NISHITA
Managing Director

WASSP Committee

From: Michelle L. Santos <Michelle.Santos@co.maui.hi.us>
Sent: Monday, November 25, 2024 2:18 PM
To: WASSP Committee
Cc: Cynthia E. Sasada; Josiah K. Nishita; Kelii P. Nahooikaika
Subject: Bill 111
Attachments: MT#10871-WASSP Committee.pdf