

GET Committee

From: Jennifer Y. Karaca
Sent: Tuesday, August 11, 2020 9:25 AM
To: Keani N. Rawlins; GET Committee
Cc: Sarah D. Pajimola; Zhantell K. Lindo; Trinetta K. Furtado
Subject: FW: PAF 20-046 CH 2.82 Amd - Greenprint/Open Space
Attachments: 2020-03-12 RFLS Closing PAF 20-046.PDF

Aloha GET committee,

Here is the RLS cover sheet for Keani's proposal that will be discussed today, just incase members ask for it.

Mahalo,

Jennifer Y. Karaca
Legislative Analyst
Council Vice- Chair Keani Rawlins-Fernandez
(808)270-7678

REQUEST FOR LEGAL SERVICES

RECEIVED
CORPORATION COUNSEL

Date: February 19, 2020

From:

TRANSMITTAL

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

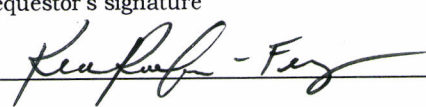
'20 FEB 19 P2:44

Subject: Conservation Planning Committee amendment proposal (PAF 20-046)

Background Data: Review attached amended Code language and draft bill for an ordinance.

Work Requested: FOR APPROVAL AS TO FORM AND LEGALITY

OTHER:

Requestor's signature 	Contact Person <u>Jennifer Karaca</u> (Telephone Extension: 7678)
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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): _____
REASON: _____

↓ FOR CORPORATION COUNSEL'S RESPONSE ↓

ASSIGNED TO: <u>SMC</u>	ASSIGNMENT NO. <u>2020-0214</u>	BY: <u>LAK</u>
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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): please see
email. Thank you!

DEPARTMENT OF THE CORPORATION COUNSEL

Date 3-12-2020

By Stephanie M. Chen
(Rev. 7/03)

ORDINANCE NO. _____

BILL NO. _____ (2020)

A BILL FOR AN ORDINANCE AMENDING SECTIONS 2.82.040 AND 2.82.050,
MAUI COUNTY CODE, RELATING TO CONSERVATION PLANNING
COMMITTEE AND GREENPRINT

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

SECTION 1. Section 2.82.40, Maui County Code, is amended to read as follows:

“2.82.040 Conservation planning committee. A. There is established a conservation planning committee consisting of the following nine voting members and [three] seven ex-officio non-voting members:

1. [One representative: office of the mayor.] Director of public works or director's designee.

2. [Managing director or director's designee.] Planning director or director's designee.

3. [Director of public works or director's designee.] One council member.

4. [Planning director or director's designee.] One representative from the sustainable science management program at the University of Hawaii Maui College.

5. [Director of parks and recreation or director's designee.] One representative from `Aha Moku or `Aha Kiole.

6. One representative[:] from a Hawaii-based conservation group or land trust.

7. [One council member.] One representative who is a full-time resident of the east Maui community plan area.

8. [Two representatives: general public.] One representative who is a full-time resident of the island of Molokai.

9. [Ex-officio non-voting members: one representative each from the State department of land and natural resources, the Sustainable Science Management program at the University of Hawaii Maui College, and the County information technology division.] One representative who is a full-time resident of the island of Lanai.

10. Ex-officio non-voting members: A representative from the State department of land and natural resources; a representative from The Nature Conservancy; a representative from the County information technology division; a representative from the office of the mayor; a representative from the office of the managing director or director's designee; a representative from the office of the director of finance or real property manager; a representative from the office of the director of parks and recreation or director's designee.

All ex-officio non-voting members shall be appointed by the mayor without council approval and, except as provided for in subsection E herein, serve staggered terms of three years.

B. [The council member shall be appointed by the council for a term concurrent with the council member's term of office. The representative from the office of the mayor shall be appointed by the mayor without approval by the council for a term concurrent with the mayor's term in office. The general public and land trust/conservation members of the committee shall be nominated by the mayor, approved by the council, and serve staggered terms of five years.] The following three voting members shall be appointed by the mayor with the approval of the council and serve staggered terms of three years:

1. One representative from the sustainable science management program at the University of Hawaii Maui College.

2. One representative from `Aha Moku or `Aha Kiolo.

3. One representative from a Hawaii-based conservation group or land trust.

C. [Additional stakeholders may be involved as resource persons on an ad hoc basis, including subject matter experts, cultural practitioners, and stakeholders for specific lands, including lineal descendants, but shall not be considered members of the committee.] The following three voting members shall be appointed by the council, and serve staggered terms of three years:

1. One representative who is a full-time resident of the island of Molokai.

2. One representative who is a full-time resident of the island of Lanai.

3. One representative who is a full-time resident of the east Maui community plan area.

D. [The committee shall assist with and oversee the creation of the Countywide Greenprint, as well as provide advice and recommendations to the mayor, council, and departments related to the purposes of this chapter.] At least two voting members of the conservation planning committee shall have demonstrated expertise

in native Hawaiian traditional and customary practices as evidenced by one or more of the following credentials:

1. A college degree in a relevant field, such as Hawaiian studies, native Hawaiian law, native Hawaiian traditional and customary practices, including traditional environmental practices, or related subject area.

2. Work history that demonstrates an appropriate level of knowledge in native Hawaiian traditional and customary practices, including traditional environmental practices.

3. Substantial experience as a native Hawaiian traditional and customary practitioner.

E. The voting council member shall be appointed by the council for a term concurrent with the council member's term of office. The voting members from the County departments shall be appointed by the mayor without approval by the council for a term concurrent with the mayor's term of office.

F. Additional stakeholders may be involved as resource persons on an ad hoc basis, including subject matter experts, cultural practitioners, and stakeholders for specific lands, including lineal descendants, but shall not be considered members of the committee.

G. The committee shall assist with and oversee the creation of the countywide greenprint, as well as provide advice and recommendations to the mayor, council, and departments related to the purposes of this chapter.

H. Allocation of funding for the countywide greenprint shall be provided by the County, subject to appropriation by Council.”

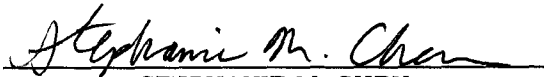
SECTION 2. Section 2.82.50, Maui County Code, is amended to read as follows:

“2.82.050 Greenprint. Utilizing 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 be created which includes a geographic information systems map. 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. The greenprint shall be adopted by the committee and submitted to the council by [January 1, 2021.] December 31, 2022. The committee shall oversee the review and update of the [Countywide] countywide greenprint, which shall be submitted to the council every five years thereafter.”

SECTION 3. 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 4. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:



STEPHANIE M. CHEN

Department of the Corporation Counsel

County of Maui

LF 2020-0214

PAF 20-046 Ord Amd 2.82.040 & 2.82.050

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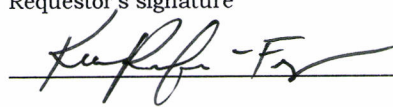
'20 FEB 19 P2:44

Subject: Maui County Code Section 2.82.050 Greenprint amendment proposal

Background Data: Review attached amended Code language and draft bill for an ordinance.

Work Requested: FOR APPROVAL AS TO FORM AND LEGALITY

OTHER:

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ASSIGNED TO: <u>SMC</u>	ASSIGNMENT NO. <u>2020-0215</u>	BY: <u>LAK</u>
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 RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

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

This assignment closed - Bill 4878 already codified. Per Rawlins-Fernandez office OK to consolidate amendments into one ordinance. See Assignment 2020-0214 PAF 20-046

DEPARTMENT OF THE CORPORATION COUNSEL

Date 2/21/2020

By LAK

(Rev. 7/03)