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Director of Council Services
Traci N. T. Fujita, Esq.

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

March 3, 2020

OFFICE OF THE
COUNTY CLERK

2020 MAR -5 AM 9:44

RECEIVED

The Honorable Alice L. Lee
Council Chair
County of Maui
Wailuku, Hawaii 96793

Dear Chair Lee:

SUBJECT: AFFORDABLE HOUSING CHARTER AMENDMENT

May I request the attached proposed resolution, entitled "PROPOSING AN AMENDMENT TO SECTION 9-20 OF THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO THE AFFORDABLE HOUSING FUND," be placed on the next Council meeting agenda.

Sincerely

A handwritten signature in black ink, appearing to read "Michael J. Molina".

MICHAEL J. MOLINA
Councilmember

CM:MHP:outgoing:afford_hsg_chart_amend_refer01:grs

Enclosure

cc: LoriAnn Tshako, Director, Department of Housing and Human Concerns

COUNTY COMMUNICATION NO. 20-181

Resolution

No. _____

PROPOSING AN AMENDMENT TO SECTION 9-20
OF THE REVISED CHARTER OF THE COUNTY
OF MAUI (1983), AS AMENDED, RELATING TO
THE AFFORDABLE HOUSING FUND

WHEREAS, Section 9-20(1) of the Revised Charter of the County of Maui (1983), as amended (“Charter”), requires the Council to appropriate a minimum of two percent of the certified real property tax revenues to the affordable housing fund in adopting fiscal years 2008 through 2021 annual operating budgets and capital programs; and

WHEREAS, an amendment to Section 9-20(1) is necessary to preserve the mandated minimum appropriation to the affordable housing fund beyond fiscal year 2021, which ends on June 30, 2021; and

WHEREAS, the need for affordable housing in the County is critical, and an amendment to increase the required minimum percentage of certified real property tax revenues annually appropriated to the affordable housing fund from two percent to three percent is both prudent and necessary; now, therefore,

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 proposes that Section 9-20 of the Charter, pertaining to the Affordable Housing Fund, be amended by amending subsection (1) to read as follows:

“1. In adopting [fiscal years 2008 through 2021] annual operating budgets and capital programs, the council shall appropriate a minimum of [two percent (2%)] 3 percent of the certified real property tax revenues to a fund known as the affordable housing fund. In any fiscal year, the council may make appropriations to the fund in addition to the minimum required appropriations. The revenues and unencumbered balance in this fund shall be utilized for the provision, protection, and expansion of affordable housing and suitable living environments for persons of very low to gap income, as

Resolution No. _____

defined by ordinance, including the rehabilitation of existing structures, land purchase or other acquisition of land or property entitlements, planning, design, and construction.”; and

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 proposes that the following question be placed on the next general election ballot:

“Shall the Charter be amended to require that a minimum percentage of the certified real property tax revenues be appropriated into an affordable housing fund beyond Fiscal Year 2021, to be used for the provision, protection, and expansion of affordable housing and suitable living environments; and to increase the minimum required percentage from 2 percent to 3 percent of the certified real property tax revenues, effective July 1, 2021?”; and

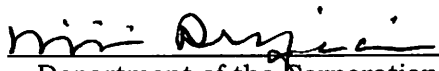
6. That, pursuant to Section 14-2(2) of the Charter, the County Clerk shall publish the proposed amendment as set forth in this resolution in its entirety in a newspaper of general circulation; and

7. That, upon approval by the majority of the voters voting on the proposed amendment, the amendment proposed herein shall take effect as of July 1, 2021; and

Resolution No. _____

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

APPROVED AS TO FORM AND LEGALITY



Department of the Corporation Counsel
County of Maui
2020-03-04 Resolution
LF2020-0273