

REQUEST FOR LEGAL SERVICES

Date: August 9, 2022
From: Gabe Johnson, Chair
Affordable Housing Committee

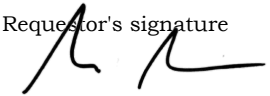
TRANSMITTAL

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

Subject: A BILL FOR AN ORDINANCE AMENDING SECTION 3.35.040, MAUI COUNTY CODE, RELATING TO THE ALLOWABLE USES OF THE AFFORDABLE HOUSING FUND (AH-14(7))

Background Data: Please see the attached bill. Please submit the response to ah.committee@mauicounty.us with reference to AH-14(7).

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

<p>Requestor's signature</p>  Gabe Johnson	<p>Contact Person</p> <p><u>Paige Greco or Richard E. Mitchell</u> (Telephone Extension: <u>7660 or 7662, respectively</u>)</p>
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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): August 11, 2022
REASON: For posting on the August 18 Affordable Housing Committee 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)

ah:ltr:014(7)acc05:pmg

Attachment

ORDINANCE NO. _____

BILL NO. _____ (2022)

A BILL FOR AN ORDINANCE AMENDING SECTION 3.35.040,
MAUI COUNTY CODE, RELATING TO THE ALLOWABLE USES OF
THE AFFORDABLE HOUSING FUND

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

SECTION 1. Section 3.35.040, Maui County Code, is amended to
read as follows:

“3.35.040 Use of fund. The council may make appropriations from the affordable housing fund for the provision, protection, and expansion of affordable housing and suitable living environments for residents of very low to gap income, including the rehabilitation of existing structures, land purchase or other acquisition of land or property entitlements, planning, design, and construction, including the following:

A. To increase the supply of affordable, rental, and owner-occupied housing.

B. To acquire interests in real property.

C. For planning, design, or construction of affordable rental or owner-occupied housing for residents within income-qualified groups.

D. To provide housing for elderly, disabled, and homeless residents lacking a permanent home.

E. To provide grants or loans to an entity building 100 percent affordable projects or to any nonprofit or community land trust that complies with Section 501(c) of the Internal Revenue Code and any other requirement under federal, state, and county law regulating the conduct of charitable or nonprofit organizations, provided that the purpose of any grant or loan must be for the purposes in section 3.35.010.

F. To leverage funds provided by federal, state, nonprofit, or for-profit organizations and other non-County entities to further expand affordable housing opportunities.

G. To acquire existing housing or cooperative units for rehabilitation as affordable rental or owner-occupied housing, or both.

H. To increase investment in public infrastructure in connection with related affordable housing projects.

I. To provide comprehensive infrastructure assessments for priority affordable housing project areas.

J. To provide long-term planning for affordable housing and houselessness solutions.

K. To provide funds for payment of principal and interest on bonds issued.

L. For the purposes in section 3.34.040.”

SECTION 2. New material is underscored. In printing this bill, the County Clerk need not include the underscoring.

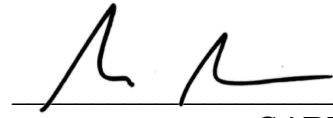
SECTION 3. This Ordinance takes effect on November 1, 2022.

APPROVED AS TO FORM AND LEGALITY:

Department of the Corporation Counsel
County of Maui

ah:misc:014(7)abill05:pmg

INTRODUCED BY:

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

GABE JOHNSON