

REQUEST FOR LEGAL SERVICES

Date: June 24, 2020
From: Tasha Kama, Chair
Affordable Housing Committee

TRANSMITTAL

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

Subject: A BILL FOR AN ORDINANCE ESTABLISHING THE COMMISSION ON HEALING SOLUTIONS FOR HOMELESSNESS (AH-37)

Background Data: Please review proposed bill, and if appropriate, approve as to form and legality.

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

Requestor's signature <u>Tasha Kama</u>	Contact Person <u>Alison Stewart</u> (Telephone Extension: <u>7661</u>)
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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): June 29, 2020
REASON: For posting on the July 6 Affordable Housing Committee 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:037acc01:ans

Attachment

ORDINANCE NO. _____

BILL NO. _____ (2020)

A BILL FOR AN ORDINANCE ESTABLISHING THE
COMMISSION ON HEALING SOLUTIONS FOR HOMELESSNESS

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

SECTION 1. Title 2, Maui County Code, is amended by adding a new chapter to be appropriately designated and to read as follows:

“Chapter 2.31

COMMISSION ON HEALING SOLUTIONS FOR HOMELESSNESS

Sections:

- 2.31.010 Definitions.
- 2.31.020 Establishment.
- 2.31.030 Purpose.
- 2.31.040 Terms and operation.
- 2.31.050 Powers, duties, and functions.
- 2.31.060 Meetings.
- 2.31.070 Rules.
- 2.31.080 Requirement for council review

2.31.010 Definitions. For the purpose of this chapter, the following definitions apply:

“Homelessness” means an extreme form of poverty characterized by the instability of housing and the inadequacy of income, health care, or social support.

“Commission” means the commission on healing solutions for homelessness.

“Member” means a member of the commission on healing solutions for homelessness.

2.31.020 Establishment. A. There is established a commission on healing solutions for homelessness consisting of eleven members who serve without compensation.

B. One member from each of the nine council residency areas will be appointed by the council. These members must be fulltime residents of their respective districts.

C. Two members will be appointed by the mayor.

D. Members will be selected based on their knowledge, familiarity, or experience with: homelessness; local housing issues; affordable housing issues; vulnerable housing populations, including seniors; available housing stock; renter and homeowner housing issues; and housing development and financing for public and private sectors.

E. The commission must include at least one member with demonstrated expertise in native Hawaiian traditional and customary practices, as defined in section 2.28.070; at least one member of the clergy or faith-based leader; and at least one member with direct experience with homelessness.

2.31.030 Purpose. The commission is established to protect and promote public health, safety, and welfare of residents and maintain the commitment of aloha 'aina. As an advisory group, the commission will provide recommendations on funding and policies to help combat and eliminate homelessness and poverty in Maui County.

2.31.040 Terms and operation. Section 13-2 of the revised charter of the County of Maui applies to this commission in the same manner as the provisions apply to boards and commissions recognized by the revised charter.

2.31.050 Powers, duties, and functions. The commission has the following powers, duties, and functions:

A. Advise the council and the department of housing and human concerns on issues relating to housing and homelessness, including housing design, construction, and rehabilitation; land acquisitions; resource management and sustainability; and holistic mental health, social, environmental, cultural, and economic impacts;

B. Assist the council and the department of housing and human concerns in evaluating new and existing programs; provide for the planning, expansion, maintenance, conservation, and rehabilitation of housing; and ensure long-term affordability and permanency of housing;

C. Provide recommendations to support a diverse residential environment and historical, cultural, and traditional living initiatives and solutions, such as kauhale; and

D. Advance community priorities for restructuring and improving systems that have historically perpetuated homelessness and poverty in Maui County.

2.31.060 Meetings. The commission must meet at least once a month.

2.31.070 Rules. The commission must adopt the necessary procedural rules that will enable it to conduct its business and carry out its duties and functions.

2.31.080 Requirement for council review. A. The council must review the operation of the commission within eighteen months of its first meeting but no sooner than twelve months after that first meeting.

B. The commission must provide an annual report to the council restricted to the commission's recommendations and the practicality of implementing them. A designated representative of the commission must be available to answer questions from the appropriate standing committee as determined by the council."

SECTION 2. This ordinance takes effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

Department of the Corporation Counsel
County of Maui

ah:misc:037abill02:dr