

RECEIVED AT AH MEETING ON 7/13/2020  
Councilmember Rawlins -  
Fernandez

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~~must be appointed by the council. These members must be fulltime residents of their respective districts.

C. Two members ~~will~~must be appointed by the mayor.

D. Members ~~will~~must be selected based on their knowledge, familiarity, or experience with: homelessness; local housing issues; affordable housing issues; vulnerable housing populations, including seniors, veterans, those who require mental health services, people with substance addiction, and the working impoverished; 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; at least one representative from the Maui Homeless Alliance and at least one member who was formally or is presently experiencing homelessness as defined by this chapter. ~~with direct experience with homelessness.~~

F.

**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 to the Administration and Maui County Council 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.~~

A. The members of this commission shall serve for staggered terms of three (3) years beginning on April 1 and ending on March 31, three (3) years thereafter.

B. Any vacancy shall be filled for the unexpired term by the mayor or by the council, as it was initially filled by either the mayor or by the council, respectively.

C. The members of this commission appointed by the mayor, may be removed for cause upon recommendation of such removal by the mayor; The members of this commission appointed by the council, may be removed for cause upon recommendation of such removal by the council, with a majority vote.

D. Employees and officers of the State or county shall be eligible to serve on this commission, provided that such service does not result in a conflict of interest.



E. A majority of the entire membership of this commission shall constitute a quorum to do business, and the affirmative vote of a majority of the entire membership of this commission shall be necessary to take any action.

F. This commission shall select a chair from its membership annually.

G. This commission shall have the power to subpoena witnesses and administer oaths to witnesses as to all matters within the authority of this commission.

H. The members of this commission shall receive no compensation but shall be entitled to be paid for necessary expenses incurred by them in the performance of their duties. Necessary expenses may be paid in advance as per diem allowances as may be established by ordinance.

I. Except for purposes of inquiry and as otherwise provided by law, this commission nor its membership shall interfere in any way with the administrative affairs of any department.

J. The department of housing and human concerns shall provide staffing, technical, and clerical services as may be required by the commission.

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

A. ~~Advise~~ Make recommendations to the council and the ~~department of housing and human concerns~~ administration 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. Make recommendations to ~~Assist~~ the council and the ~~department of housing and human concerns~~ administration 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 the council and the administration to support a diverse residential environment and historical, cultural, and traditional living initiatives and solutions, such as kauhale; and

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

E. Provide policy recommendations to the council and the administration for community priorities for holistic mental health, social, environmental, cultural and economic impacts that affect or are directly related to housing and homelessness.



**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:

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MIMI DESJARDINS  
Department of the Corporation Counsel  
County of Maui  
LF2019-0097  
2020-06-25 Ordinance