

Resolution

No. 06-62

PROPOSING AMENDMENTS TO THE REVISED
CHARTER OF THE COUNTY OF MAUI (1983), AS
AMENDED, PERTAINING TO ESTABLISHING AN
AFFORDABLE HOUSING FUND

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 hereby proposes that the following question be placed on the 2006 General Election ballot:

"Should a minimum of two percent (2%) of the certified real property tax revenues for fiscal years 2008 through 2011 be appropriated into an affordable housing fund to be used for the provision and expansion of affordable housing and suitable living environments for persons of very low to moderate income?"

2. That, pursuant to Section 14-1.1 of the Charter, it hereby proposes that Article 9 of the Charter, pertaining to the Financial Procedures, be amended by adding a new section to read as follows:

"Section 9-20. Affordable Housing Fund.

1. In adopting fiscal years 2008 through 2011 annual operating budgets and capital improvements programs, the council shall appropriate a minimum of two percent (2%) 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 in this fund shall be utilized for the provision and expansion of affordable housing and suitable living environments for persons of very low to moderate income, which

Resolution No. 06-62

may include the rehabilitation of existing structures, land purchase or other acquisition of land or property entitlements, planning, design, and construction.

2. On an annual basis, no more than three percent (3%) of this fund shall be used for administrative expenses.

3. Any balance remaining in this fund at the end of each fiscal year shall not lapse, but shall remain in the fund, accumulating from year to year. The revenues in this fund shall not be used for any purpose except those listed in Subsection 9-20.1. or as defined by ordinance.

4. The council shall by ordinance establish procedures for the administration and expenditure of the revenues in this fund. Any appropriations to this fund shall not substitute, but shall be in addition to, those appropriations historically made for the purposes stated in this section."

3. That new material is underscored; and

4. 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

5. That the County Clerk prepare the necessary ballots with the question contained in this Resolution and with spaces for "yes" or "no" votes on the question for presentation to the electors at the 2006 General Election; and

6. That the County Clerk may make technical and non-substantive changes to the form of the question presented in order to conform it to the form of other Charter amendment questions presented to the electors at the same election; and


Resolution No. 06-62

7. That, pursuant to Section 14-2.2 of the Charter, the County Clerk publish this proposed amendment in a newspaper of general circulation; and

8. That, upon approval by the majority of the voters as indicated by the number of votes cast and upon official certification of such result, the amendment proposed herein take effect on July 1, 2007; and

9. 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

 6/13/06
EDWARD S. KUSHI, JR.
Deputy Corporation Counsel
County of Maui

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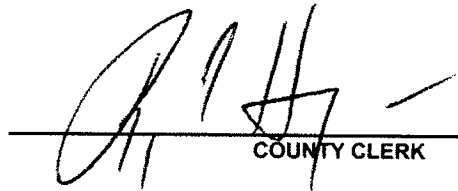
COUNCIL OF THE COUNTY OF MAUI

WAILUKU, HAWAII 96793

CERTIFICATION OF ADOPTION

It is **HEREBY CERTIFIED** that **RESOLUTION NO. 06-62** was adopted by the Council of the County of Maui, State of Hawaii, on the 7th day of July, 2006, by the following vote:

MEMBERS	G. Riki HOKAMA Chair	Robert CARROLL Vice-Chair	Michelle ANDERSON	Jo Anne JOHNSON	Dain P. KANE	Dennis A. MATEO	Michael J. MOLINA	Joseph PONTANILLA	Charmaine TAVARES
ROLL CALL	No	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye



COUNTY CLERK

Passed First Reading on June 23, 2006