

Levi/Ed:

Below is my original communication.

The last sentence in Section 10 (b) clearly states the voluntary contribution issue. It was inadvertently omitted as we added back language to allow for the issuance of bonds specifically for The Land Fund.

Removing the voluntary contribution was never proposed or discussed. It was my intent to keep it in the amendment.

Thanks,  
Scott Unger

### CHARTER AMENDMENT NO.

BE IT ENACTED BY THE PEOPLE OF THE COUNTY OF HAWAI'I:

Section 1. Article X, Hawai'i County Charter, is amended to add a new section to read as follows with added language underscored and deleted language bracketed and stricken through:

**“Section 10-\_\_Public Access, Open Space, and Natural Resources Preservation Fund.**

- (a) In adopting each fiscal year's budget and capital program, the council shall appropriate a minimum of [~~one half of one percent (.5%)~~] one percent of the certified real property tax revenues, including penalty and interest, to a fund known as the public access, open space, and natural resources preservation fund. Deposits to the fund will occur at a minimum of twice a year but directly after the majority of the taxes have been collected.
- (b) Funding shall consist of a minimum of [~~one half of one percent (.5%)~~] one percent of actual revenue received in the fiscal year. Additional revenue may consist of grants and private contributions intended for the purpose of this section; voluntary contributions of any amount as specified on the real property tax bill; and any other source of revenue.
- (c) Monies in this fund shall be used solely to: 1) Purchase or otherwise acquire lands or property entitlements in the County of Hawai'i for public outdoor recreation and education, including access to beaches and mountains; preservation of historic or culturally important land areas and sites; protection of natural resources, significant habitat or eco-systems, including buffer zones; preservation of forests, beaches, coastal areas, natural beauty and agricultural lands; and protection of watershed lands to preserve water quality and water supply. 2) Pay the principal, interest and premium, if any, due with respect to bonds issued in whole for the purpose of this fund.
- (d) Any balance remaining in the fund at the end of any fiscal year shall not lapse, but shall remain in the fund accumulating interest from year to year. The moneys in this fund shall not be used for any purpose except those listed in this section.
- (e) The [~~Council~~] council shall by ordinance establish procedures for the administration and expenditure of moneys in this fund.”

Section 2. This amendment shall take effect on July 1, 2011.

**COMM. 243**