

REQUEST FOR LEGAL SERVICES

Date: April 30, 2024
From: Yuki Lei K. Sugimura, Chair
Budget, Finance, and Economic Development Committee

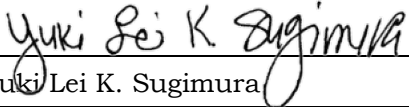
TRANSMITTAL
Memo to:

DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Kristina Toshikiyo, Esq.

Subject: FISCAL YEAR 2025 BUDGET – LIST OF BILL TITLES AND PURPOSES (BFED-1)
(CC-13)

Background Data: Please review the attached bill titles and purposes for legislation relating to the Fiscal Year 2025 Budget and provide any necessary revisions.

Work Requested: FOR APPROVAL AS TO FORM AND LEGALITY
 OTHER: Review

Requestor's signature  Yuki Lei K. Sugimura	Contact Person <u>James Krueger or Kasie Apo Takayama</u> (Telephone Extension: <u>7761 or 7665, respectively</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): May 1, 2024
REASON: To incorporate into the legislation and to provide to the Office of the County Clerk for hearing notices.

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 5/1/24 By  (Rev. 7/03)

List of Bill Titles and Purposes

1. Bill 60, CD1 (2024), entitled “A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET FOR THE COUNTY OF MAUI FOR THE FISCAL YEAR JULY 1, 2024, TO JUNE 30, 2025.”

Bill 60, CD1’s purpose is to appropriate estimated revenues for the operating and capital improvement budget. Incorporated within Bill 60 are Appendix A, which lists Grants and Restricted Use Revenues and Special Purpose Revenues; Appendix B, which is the Schedule of Revenues – Fees, Rates, Assessments, and Taxes; Appendix B-1, which lists the County’s concessions, leases, and licenses by department; and Appendix C, which provides titles and descriptions of Capital Improvement Projects (“Budget bill”).

2. Bill 61, CD1 (2024), entitled “A BILL FOR AN ORDINANCE RELATING TO THE CAPITAL PROGRAM FOR THE FISCAL YEAR ENDING JUNE 30, 2025.”

Bill 61, CD1’s purpose is to set the Capital Program for Fiscal Years 2025 through 2030. Incorporated within Bill 61, CD1 are Appendix A-1, a report entitled “COUNTY OF MAUI, CAPITAL IMPROVEMENT PROJECTS REPORT,” which lists all pending capital improvement projects and appropriations, except for Water Fund projects, as of a date certain; Appendix A-2, a report entitled “County of Maui, Capital Improvement Program by District Job and Index, Fiscal Year Ending 6/30/2024,” which includes pending Water Fund capital improvement projects and appropriations as of a date certain; and Appendix B, which is the proposed Capital Program for Fiscal Years 2025 through 2030 (“Capital Program bill”).

3. Bill 62, CD1 (2024), entitled “A BILL FOR AN ORDINANCE AUTHORIZING THE ISSUANCE OF ONE HUNDRED TWO MILLION NINE HUNDRED SEVENTY-THREE THOUSAND EIGHT HUNDRED THIRTY-NINE DOLLARS (\$102,973,839) AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI FOR THE PURPOSE OF PROVIDING FUNDS TO PAY ALL OR A PART OF THE COST OF APPROPRIATIONS FOR PUBLIC IMPROVEMENTS OF AND FOR THE COUNTY OF MAUI; FIXING THE FORM, DENOMINATIONS, AND CERTAIN OTHER FEATURES OF SUCH BONDS AND PROVIDING FOR THEIR SALE; AUTHORIZING THE DIRECTOR OF FINANCE TO DETERMINE CERTAIN DETAILS OF THE BONDS; AUTHORIZING THE ISSUANCE AND SALE OF A LIKE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE AND SALE OF SUCH BONDS; AUTHORIZING THE ISSUANCE OF REFUNDING GENERAL OBLIGATION BONDS OF THE COUNTY; AND PROVIDING FOR OTHER ACTIONS RELATED TO THE ISSUANCE, SALE, AND DELIVERY OF SAID BONDS.”

Bill 62, CD1's purpose is to authorize the issuance of \$102,973,839 in general obligation bonds for various capital improvement projects ("Bond Authorization bill").

4. Bill 63, CD1 (2024), entitled "A BILL FOR AN ORDINANCE DETERMINING THAT PART OF THE PROCEEDS OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI HERETOFORE ISSUED IS IN EXCESS OF THE AMOUNTS REQUIRED FOR THE PURPOSES FOR WHICH SUCH BONDS WERE INITIALLY ISSUED, OR MAY OR SHOULD NOT BE APPLIED TO THOSE PURPOSES, AND DIRECTING SUCH PROCEEDS TO OTHER PUBLIC IMPROVEMENTS OR AUTHORIZED PURPOSES OF THE COUNTY OF MAUI."

Bill 63, CD1's purpose is to reauthorize the use of \$4,811,161 in lapsed bond proceeds for the Department of Public Works, West Maui Community Plan Area, Road Improvements (and related improvements, beautification, sidewalks, bike paths, drainage, bridge repairs, and maintenance safety and utilities, accessibility for persons with disabilities) including: (1) Front Street Sidewalk, Railing, and Seawall Repair project ("Lapsed Bond bill").

5. Bill 64, CD1 (2024), entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR A LOAN FROM THE STATE OF HAWAII'S WATER POLLUTION CONTROL REVOLVING FUND FOR VARIOUS WASTEWATER PROJECTS, FISCAL YEAR 2025 BUDGET ORDINANCE."

Bill 64, CD1's purpose is to authorize the Mayor to enter into an intergovernmental agreement to finance the Napili No. 1 Force Main Replacement and the Lahaina Wastewater Reclamation Facility Returned Activated Sludge (RAS)/Dewatering Upgrades with funds not to exceed \$10,700,000.

6. Resolution 24-66, entitled "ADOPTING THE FUEL TAX RATES FOR THE COUNTY OF MAUI, EFFECTIVE JULY 1, 2024."

Resolution 24-66's purpose is to adopt the fuel tax rates for the County of Maui, effective July 1, 2024, in accordance with Section 243-5, Hawaii Revised Statutes, and Section 3.20.010, Maui County Code.

7. Bill 65 (2024), entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 2.08.060, MAUI COUNTY CODE, TO REVISE THE PAY PLAN AND RANGES IN THE OFFICE OF COUNCIL SERVICES."

Bill 65's purpose is to: 1) institute a four percent pay increase for specified pay ranges and steps for employees in the Office of Council Services; 2) authorize the Director of Council Services during the term of appointment of any employee in the Office of Council Services to adjust the salary of the position within the pay range step established by the Council; and 3) authorize the Director of Council Services to place any Office of Council Services employee on administrative leave.

8. Resolution 24-67, entitled "SUSPENDING THE PROVISIONS OF SUBSECTION 2.08.060(D), MAUI COUNTY CODE, FOR FISCAL YEAR 2025."

Resolution 24-67's purpose is to suspend all provisions of Subsection 2.08.060(D), Maui County Code, for Fiscal Year 2025.

9. Resolution 24-68, entitled "SETTING THE PAY RANGES AND PAY STEPS FOR STAFF OF THE OFFICE OF COUNCIL SERVICES."

Resolution 24-68's purpose is to set the salaries of various positions in the Office of Council Services.

10. Resolution 24-77, CD1, entitled "AUTHORIZING THE GRANT AND DISPOSITION OF REAL PROPERTY LOCATED AT 266 DICKENSON STREET, LAHAINA, HAWAII, TO LAHAINA COMMUNITY LAND TRUST."

Resolution 24-77, CD1's purpose is to authorize the Mayor to grant and dispose of 0.2088 acres of undeveloped property located at 266 Dickenson Street, Lahaina, Hawaii, to Lahaina Community Land Trust to develop affordable housing.

11. Bill 70 (2024), entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 20.20, MAUI COUNTY CODE, RELATING TO THE HIGHWAY BEAUTIFICATION, ABANDONED VEHICLE, AND TOURISM-RELATED TRAFFIC CONGESTION REVOLVING FUND."

Bill 70's purpose is to amend Chapter 20.20, Maui County Code, to update remaining references in the Maui County Code for the Highway Beautification and Disposal of Abandoned or Derelict Vehicles Revolving Fund to the fund's current name, the Highway Beautification, Abandoned Vehicle, and Tourism-Related Traffic Congestion Revolving Fund.

12. Bill 73 (2024), entitled "A BILL FOR AN ORDINANCE TO UPDATE THE NAME OF THE FUND ESTABLISHED BY CHAPTER 3.34, MAUI COUNTY CODE, "HOMEOWNER PROGRAMS REVOLVING FUND," AS REFERENCED IN SECTION 2.96.060, MAUI COUNTY CODE."

Bill 73's purpose is to amend Section 2.96.060, Maui County Code, to update a reference to the Home Acquisition and Ownership Programs Revolving Fund to the fund's current name, the Homeowner Programs Revolving Fund.

13. Bill 74 (2024), entitled "A BILL FOR AN ORDINANCE REPEALING CHAPTER 3.60, MAUI COUNTY CODE, RELATING TO AN ASH DEBRIS TRANSPORTATION FUND."

Bill 74's purpose is to repeal Chapter 3.60, Maui County Code, relating to an Ash Debris Transportation Fund.

14. Bill 75, CD1 (2024), entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.48, MAUI COUNTY CODE, RELATING TO EXEMPTIONS ON PROPERTIES IMPACTED BY THE AUGUST 2023 MAUI WILDFIRES."

Bill 75, CD1's purpose is to allow wildfire survivors the option of transferring their home exemption for tax year 2025 from a property that was destroyed or made uninhabitable by the August 8, 2023, Maui wildfires, to another property they own and are occupying as a principal home in the County of Maui in 2024.

15. Bill 76, CD1 (2024), entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.48, MAUI COUNTY CODE, RELATING TO THE AUGUST 2023 MAUI WILDFIRES LONG-TERM RENTAL EXEMPTION."

Bill 76, CD1's purpose is to extend the tax relief program deadline for long-term rentals to individuals directly displaced by the August 2023 Maui wildfires to June 30, 2024, for leases that are in effect by July 1, 2024.

16. Bill 77, CD1 (2024), entitled "A BILL FOR AN ORDINANCE TO UPDATE THE REAL PROPERTY TAX CLASSIFICATIONS FOR PARK ASSESSMENTS, AS REFERENCED IN SECTION 18.16.320, MAUI COUNTY CODE."

Bill 77, CD1's purpose is to bring consistency to the Real Property Tax classifications referenced in the calculation of the park assessment in Section 18.16.320, Maui County Code, and to correct the Maui County Code to be consistent with changes made in Ordinance 3766.

17. Bill 78 (2024), entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 3.97.040, MAUI COUNTY CODE, TO SUSPEND CERTAIN DEPOSITS TO THE MANAGED RETREAT REVOLVING FUND."

Bill 78's purpose is to suspend the allocation of the County's Transient Accommodations Tax revenues to the Managed Retreat Revolving Fund for three years to allow flexibility in the use of funds that may be needed for wildfire recovery.