

ORDINANCE NO. _____

BILL NO. 44 (2025)

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

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

SECTION 1. The Council of the County of Maui hereby finds and determines that: (i) the County of Maui (the "County") has previously issued its general obligation bonds (the "Bonds") pursuant to Ordinance Nos. 3459, 3649, 4130, 4931, 4985, 5101, 5219, 4331, 4454, and 5531 (the "Ordinances"); (ii) certain of the purposes for which the Bonds were issued as set forth in the Ordinances have been completed or will be completed at a cost that is less than the amount of the proceeds of the Bonds appropriated for such purposes, resulting in \$3,926,861 in excess of the amounts required for the purposes provided in the Ordinances; (iii) there is a total of \$3,926,861 of the proceeds of the Bonds issued pursuant to the Ordinances which are in excess of the amounts required for the purposes provided in the Ordinances or which should not be applied to purposes provided in the Ordinances; (iv) pursuant to Section 47-5, Hawaii Revised Statutes ("HRS"), and the Ordinances, the amount of the proceeds of the Bonds which are in excess of the amounts required for the purposes provided in the Ordinances and the amounts of the proceeds of the Bonds which should not be applied for the purposes provided in the Ordinances may be applied to finance such other public improvements of the County as the Council of the County shall, by ordinance approved by an affirmative vote of two-thirds of all of its members, determine; (v) the Fiscal Year 2026 Budget for the fiscal year ending June 30, 2026 (the "Fiscal Year 2026 Budget"), includes appropriations for public improvements to be financed from the proceeds of general obligation bonds; and (vi) it is in the best interests of the County to apply the proceeds of the Bonds issued pursuant to the Ordinances which are in excess of, or should not be applied to, purposes provided in the Ordinances to pay the cost of appropriations for the public improvements set forth herein.


SECTION 2. Pursuant to Section 47-5, HRS, and the Ordinances, the Council of the County of Maui hereby determines that \$3,926,861 of the proceeds of the general obligation bonds of the County issued pursuant to the Ordinances is in excess of the amounts required for the purposes provided in the Ordinances for which such bonds were issued, and this amount shall be reallocated to finance the appropriation made for the following capital improvement projects in the Fiscal Year 2026 Budget, to wit:

From Lapsed Bond Proceeds

- A. Department of Environmental Management
 - 1. West Maui Community Plan Area
 - a. Sewer
 - (1) Lahaina Wastewater Reclamation Facility Returned Activated Sludge (RAS)/Dewatering Upgrades 3,406,897
- B. Department of Water Supply
 - 1. Countywide
 - a. Water Supply
 - (1) Countywide Upgrades and Replacements 519,964

SECTION 3. This ordinance shall take effect on July 1, 2025.

APPROVED AS TO FORM
AND LEGALITY:



KRISTINA C. TOSHIKIYO
Deputy Corporation Counsel
County of Maui
LF2025-0167
2025-03-17 Lapsed Bond Bill FY26

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Chris Lee", is written over a horizontal line.

Upon the request of the Mayor.