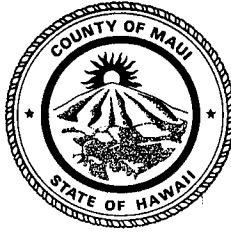


MICHAEL P. VICTORINO  
Mayor

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2019 MAR 25 PM 1:35

OFFICE OF THE  
COUNTY COUNCIL

DEPARTMENT OF THE CORPORATION COUNSEL

COUNTY OF MAUI

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MEMO TO: Keani Rawlins-Fernandez, Chair  
Economic Development and Budget Committee

FROM: Jeffrey Ueoka, Deputy Corporation Counsel *JU*

DATE: March 25, 2019

SUBJECT: **WAILUKU CIVIC COMPLEX (EDB-79)** <sup>76</sup>

We are in receipt of your request for legal services dated March 21, 2019 asking that we revise the proposed Capital Program, Budget, and Bond ordinances for the Fiscal Year 2019 Budget. We are returning a proposed bill for an ordinance amending Ordinance 4858, Bill No. 54 (2018), as amended, reflecting your requested changes. It is my understanding that at this time the bond fund appropriation for the Wailuku Civic Complex has not been encumbered for an amount greater than \$13,037,000, however please verify this with the administration to ensure this amendment is not creating an inability to pay an indebtedness.

Per Section 9-10(3) of the Revised Charter of the County of Maui (1983), as amended ("Charter"), we do not feel it is appropriate to approve as to form and legality a council initiated amendment to the Mayor's operating budget.

In regards to the amendment to Appendix B of Ordinance 4860, Bill No. 56 (2018), the Capital Program for the Fiscal Year ending June 30, 2019, the provided marked-up copy does not appear to take into account other amendments to Section 4 and Appendix C of Ordinance 4861, Bill No. 57 (2018), the Operating Budget for the County of Maui for the Fiscal Year July 1, 2018 to June 30, 2019, that were passed by Council during Fiscal Year 2019. While we recognize the authority for the Council to amend the Capital Program per Section 9-6(5) of the Charter, we do not feel comfortable approving as to form and legality an amendment that does convey a complete and accurate picture of the Capital Program at the time of execution.

Should you have further questions, please contact me.