

**RICHARD T. BISSEN, JR.**  
Mayor

**JOSIAH NISHITA**  
Managing Director




**OFFICE OF THE MAYOR**  
COUNTY OF MAUI  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.mauicounty.gov](http://www.mauicounty.gov)

November 27, 2024

Honorable Richard T. Bissen, Jr.  
Mayor, County of Maui  
200 South High Street  
Wailuku, Hawaii 96793

**APPROVED FOR TRANSMITTAL**

  
\_\_\_\_\_  
Mayor Date

For Transmittal to:

Honorable Yuki Lei K. Sugimura, Chair  
and Members of the Budget, Finance, and Economic Development Committee  
200 South High Street  
Wailuku, Hawaii 96793

Dear Chair Sugimura:

**SUBJECT: BILL 166 (2024) AND BILL 167 (2024), AMENDING THE  
FISCAL YEAR 2025 BUDGET: DEPARTMENT OF  
MANAGEMENT (OFFICE OF RECOVERY PROGRAM; VON  
TEMPSKY KULA PROPERTY ACQUISITION) (BFED-112)**

Pursuant to your correspondence dated November 26, 2024, please see attached Bill 166, CD1 (2024). Please note that in addition to the edits requested in your correspondence, this version includes edits reflecting the passage of Bill 175 (2024) on first reading at the November 26, 2024 Council meeting.

Also attached, please find Bill 167, CD1 (2024). This bill includes edits reflecting the passage of Bill 176 (2024) on first reading at the November 26, 2024 Council meeting as well as the addition of Corporation Counsel's signature.

Should you have any questions, please contact me at ext. 8239.

Sincerely,



**LESLEY MILNER**  
Budget Director

Attachments

ORDINANCE NO. \_\_\_\_\_

BILL NO. 166, CD1 (2024)

A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025  
BUDGET FOR THE COUNTY OF MAUI, ESTIMATED REVENUES;  
DEPARTMENT OF MANAGEMENT, OFFICE OF RECOVERY PROGRAM;  
CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF MANAGEMENT;  
AND APPENDIX C, DEPARTMENT OF  
MANAGEMENT

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

SECTION 1. Ordinance No. 5657, Bill No. 60, CD1, FD2 (2024), as amended, "Fiscal Year 2025 Budget", Section 2, Estimated Revenues, is amended to increase Bond/Lapsed Bond, in the amount of \$14,100,000, and increase the total accordingly, to read as follows:

"ESTIMATED REVENUES

FROM TAXES, FEES AND ASSESSMENTS:

|                              |  |             |
|------------------------------|--|-------------|
| Real Property Taxes          |  | 586,905,349 |
| Circuit Breaker Adjustment   |  | (293,838)   |
| Transient Accommodations Tax |  | 60,000,000  |
| General Excise Tax           |  | 60,000,000  |
| Charges for Current Services |  | 167,395,404 |
| Public Service Company Tax   |  | 7,000,000   |
| Licenses/Permits/Others      |  | 46,353,332  |
| Fuel and Franchise Taxes     |  | 24,500,000  |
| Special Assessments          |  | 9,866,000   |
| Other Intergovernmental      |  | 10,750,000  |

FROM OTHER SOURCES:

|  |               |                    |
|--|---------------|--------------------|
| Interfund Transfers                              |               | 78,707,485         |
| Bond/Lapsed Bond                                 | [109,785,000] | <u>123,885,000</u> |
| Carryover/Savings:                               |               |                    |
| General Fund                                     |               | 52,022,813         |
| Sewer Fund                                       |               | 10,229,492         |
| Highway Fund                                     |               | 17,365,696         |
| Solid Waste Management Fund                      |               | 3,313,077          |
| Environmental Protection and Sustainability Fund |               | 920,551            |
| Liquor Fund                                      |               | 854,621            |
| Water Fund                                       |               | 25,716,394         |

|                          |                 |                       |
|--------------------------|-----------------|-----------------------|
| TOTAL ESTIMATED REVENUES | [1,271,391,376] | <u>1,285,491,376"</u> |
|--------------------------|-----------------|-----------------------|

SECTION 2. Fiscal Year 2025 Budget Section 3.B.11.c., Department of Management, Office of Recovery Program, is amended to add conditional language for Haleakala Waldorf School for land management and watershed restoration in the amount of \$100,000, to read as follows:

| <u>“FUNCTION AND PROGRAMS</u>   | <u>A – Salaries</u> | <u>B – Operations<br/>&amp; Equipment</u> | <u>Total</u> |
|---|---------------------|---|--------------|
| 11. Department of Management  |                     |   |              |
| c. Office of Recovery Program   | 805,332             | 31,870,650                                | 32,675,982”  |
| (1) Disbursement for salaries and premium pay is limited to 8.0 equivalent personnel.   |                     |   |              |
| (2) Up to \$100,000 must be for a contract with a Maui-based architectural firm to design and register building plans for each of the six sizes of accessory dwelling units listed under Chapter 19.35, Maui County Code. |                     |   |              |
| (3) Up to \$7,247,000 must be for wildfire-related expenditures.  |                     |   |              |
| (4) Up to \$75,000 must be for the Council for Native Hawaiian Advancement for the Lahaina Festival.  |                     |   |              |
| <u>(5) Up to \$100,000 must be for Haleakala Waldorf School for land management and watershed restoration.</u>  |                     |   |              |

SECTION 3. Fiscal Year 2025 Budget Section 4.C., Department of Management, is amended to add a new appropriation after Fire Flow Improvements to Water System for Makawao-Pukalani-Kula Community Plan Area, Bond Fund, Other Projects entitled “Von Tempsky Kula Property Acquisition” in the amount of \$14,100,000, to read as follows:

| <u>“PROJECT TITLE</u>   | <u>APPROPRIATION</u> |
|---|----------------------|
| C. Department of Management   |                      |
| 1. Countywide   |                      |
| a. Other Projects   |                      |
| (1) Bond Fund   |                      |
| (i) Pump Station Temporary Repairs                                  | 5,000,000            |
| (ii) Road and Sidewalk Repairs Related to the August 2023 Wildfires | 5,000,000            |
| (iii) Roadway Connectivity for Evacuations                          | 5,000,000            |
| (iv) Roadway Connectivity for Evacuations – Land Acquisition        | 8,000,000            |
| (v) Storm Drainage, Flood Control, and Water Quality Improvements   | 8,000,000            |
| (vi) Fire Flow Improvements to Water System                         | 8,000,000            |
| <u>2. Makawao-Pukalani-Kula Community Plan Area</u>                 |                      |
| <u>a. Other Projects</u>  |                      |
| <u>(1) Bond Fund</u>  |                      |
| <u>(i) Von Tempsky Kula Property Acquisition</u>                    | <u>14,100,000</u>    |

**[2.] 3. Wailuku-Kahului Community Plan Area**

|   |           |
|---|-----------|
| a. Government Facilities                        | 1,000,000 |
| (1) General Fund                                |           |
| (i) 60 South Church Street Building Renovations |           |
| b. Other Projects                               | 275,000"  |
| (1) General Fund                                |           |
| (i) Fitness Courts                              |           |

SECTION 4. Fiscal Year 2025 Budget, Total Capital Improvement Project Appropriations, is amended to reflect an increase of \$14,100,000, to read as follows:

"TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS [212,321,000]  
226,421,000"

SECTION 5. Fiscal Year 2025 Budget, Total Appropriations (Operating and Capital Improvement Projects), is amended to reflect an increase of \$14,100,000, to read as follows:

"TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS) [1,271,391,376] 1,285,491,376"

SECTION 6. Fiscal Year 2025 Budget, Appendix C – Capital Improvement Projects, Department of Management, is amended to add a new project and project description after Kahului Wastewater Treatment Plant 4<sup>th</sup> Aeration Basin for Makawao-Pukalani-Kula Community Plan Area entitled "Von Tempsky Kula Property Acquisition," in the amount of \$14,100,000, to read as follows:

| <b>"APPENDIX C – Capital Improvement Projects</b> |   |                      |
|---|---|----------------------|
| <b>CBS NO.</b>                                    | <b>PROJECT TITLE/DESCRIPTION</b>  | <b>APPROPRIATION</b> |
|   | <b><u>Department of Management</u></b>  |                      |
|   | <b><i>1. Countywide</i></b>   |                      |
| CBS-XXXX  | <b>a. Pump Station Temporary Repairs</b>  | 5,000,000            |
|   | Temporary repairs of existing sewer pump stations that were damaged in the wildfire-impacted areas to maintain continuity of operations.              |                      |
| CBS-XXXX  | <b>b. Road and Sidewalk Repairs Related to the August 2023 Wildfires</b>  | 5,000,000            |
|   | Repair and replace the existing roads (minor repairs) and sidewalks that were damaged.  |                      |
| CBS-XXXX  | <b>c. Roadway Connectivity for Evacuations</b>  | 5,000,000            |
|   | Enhance the existing roadways to provide for integrated connectivity for fire and disaster evacuation.  |                      |
| CBS-XXXX  | <b>d. Roadway Connectivity for Evacuations - Land Acquisition</b>   | 8,000,000            |
|   | Land acquisition necessary for roadway connectivity, road widening, and evacuation routes in the wildfire-impacted areas.                             |                      |
| CBS-XXXX  | <b>e. Storm Drainage, Flood Control, and Water Quality Improvements</b>   | 8,000,000            |
|   | Repair existing storm drainage in the wildfire-impacted areas and implement green infrastructure and flood control improvements to current standards. |                      |
| CBS-XXXX  | <b>f. Fire Flow Improvements to Water System</b>  | 8,000,000            |
|   | Provide improvements and additional fire hydrants to the existing water supply system to meet current fire flow standards.                            |                      |

|          |  |                   |
|----------|--|-------------------|
| CBS-XXXX | <b>g. Wildfire Permanent Disposal Site</b>   | 16,000,000        |
|          | Design, construction, and permitting of the wildfire permanent disposal site.  |                   |
| CBS-XXXX | <b>h. Water Supply Infrastructure Repairs and Replacements and Wastewater Collection System Repairs</b>  | 16,668,000        |
|          | Repairs and replacement of existing water mains, service laterals, and meters to residences in the wildfire-impacted areas. The project will allow property owners to rebuild within the wildfire-impacted area. Repair and replacement of sewer pipelines that were damaged in the wildfire-impacted areas to current standards at each impacted parcel. This project supports repopulation and protects the nearshore environment and the wastewater treatment plant by preventing saltwater from entering the treatment system. |                   |
| CBS-XXXX | <b>i. Kahului Wastewater [Treatment] <u>Treatment</u> Plant 4th Aeration Basin</b>   | 2,000,000         |
|          | Increase wastewater treatment capacity necessary to support temporary and permanent housing.   |                   |
|          |  |                   |
|          | <b><u>2. Makawao-Pukalani-Kula Community Plan Area</u></b>   |                   |
| CBS-XXXX | <b><u>a. Von Tempsky Kula Property Acquisition</u></b>   | <u>14,100,000</u> |
|          | Acquisition of G & R Von Tempsky Trust Subdivision, Lot 1, consisting of approximately 273 acres, located at TMK (2) 2-3-001:023.  |                   |
|          |  |                   |
|          | <b><u>[2.] 3. Wailuku-Kahului Community Plan Area</u></b>  |                   |
| CBS-6651 | <b>a. 60 South Church Street Building Renovations</b>  | 1,000,000         |
|          | Design and construction of interior renovations and engineering systems in the recently acquired Hawaiian Telcom Building in Wailuku. Additional funding requested in FY 2025 for contingency to cover known construction cost overruns and anticipated change orders.   |                   |
| CBS-xxxx | <b>b. Fitness Courts</b>   | 275,000"          |
|          | Construction of fitness courts at the Kahului Community Center Park and Keōpūolani Regional Park.  |                   |

SECTION 7. Material to be repealed is bracketed. New material is underscored.

SECTION 8. This Ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:

  
 KRISTINA C. TOSHIKIYO  
 Deputy Corporation Counsel

ORDINANCE NO. \_\_\_\_\_

BILL NO. 167, CD1 (2024)

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 5659,  
BILL NO. 62, CD 1 (2024), RELATING TO THE ISSUANCE  
OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI  
ISSUANCE, SALE AND DELIVERY OF SAID BONDS  
(DEPARTMENT OF MANAGEMENT)

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

SECTION 1. Ordinance No. 5659, Bill No. 62, CD1 (2024), is amended by amending

Section 1 to read as follows:

“SECTION 1. Authorization of General Obligation Bonds. Pursuant to Chapter 47, Hawaii Revised Statutes, as amended, and particularly Part I thereof, there are hereby authorized to be issued and sold from time to time general obligation bonds of the County of Maui, State of Hawaii (the "County") in an aggregate principal amount not to exceed [~~\$104,973,839~~] \$119,073,839 (the "Bonds"), the proceeds derived from the sale of which shall be used to pay all or part of the cost of appropriations for the public improvements of the County described in Section 2 hereof.”

SECTION 2. Ordinance No. 5659, Bill No. 62, CD1 (2024), is amended by amending Section 2 to read as follows:

“SECTION 2. Disposition of Bond Proceeds. All or any portion of the proceeds derived from the sale of the Bonds or any notes issued in anticipation of the Bonds shall be used to pay all or part of the cost of any of the public improvements listed below in accordance with appropriations contained in the Fiscal Year 2025 Budget, including amendments and supplements thereto, duly approved by the Council of the County (the "Council") for the fiscal year ending June 30, 2025 (the "Fiscal Year 2025 Budget"); provided, however, that pursuant to Section 47-5, Hawaii Revised Statutes, the part of such proceeds which is in excess of the amounts required for the purposes for which the Bonds are initially issued from time to time, or which may not be applied to such purposes, or which the Council deems should not be applied to such purposes, may be applied to finance such other public improvements of the County as the Council shall, by ordinance approved by an affirmative vote of two-thirds of all of its members, determine; and provided further that the actual use and application of the proceeds of Bonds issued pursuant to this ordinance shall not in any way affect the validity or legality of such Bonds. No proceeds of the Bonds shall be applied to any public improvement listed in this section unless and until there shall be a valid appropriation of general obligation bond proceeds in effect for such public improvement. The public improvements provided for or to be provided for in the Fiscal Year 2025 Budget, to be financed with proceeds from the sale of the Bonds, are as follows:

Public Improvements:

Estimated Project Cost

| <u>PROJECT TITLE</u>   | <u>APPROPRIATION</u> |
|--|----------------------|
| A. Department of Environmental Management                                |                      |
| 1. Countywide  |                      |
| a. Sewer   |                      |
| (1) Countywide Environmental Protection Agency (EPA) Compliance Projects | 2,700,000            |
| 2. Kihei-Makena Community Plan Area                                      |                      |
| a. Sewer   |                      |
| (1) North Kihei Mauka Transmission System                                | 6,000,000            |
| (2) North Kihei Reuse Distribution Expansion                             | 1,500,000            |
| 3. Pā'ia-Ha'ikū Community Plan Area                                      |                      |
| a. Sewer   |                      |
| (1) Spreckelsville Force Main Replacement                                | 2,600,000            |
| 4. Wailuku-Kahului Community Plan Area                                   |                      |
| a. Sanitation  |                      |
| (1) Prefabricated Building with Solar Power at Central Maui Landfill     | 1,000,000            |
| (2) Central Maui Landfill Land Acquisition                               | 2,000,000            |
| 5. West Maui Community Plan Area   |                      |
| a. Sewer   |                      |
| (1) Nāpili Wastewater Pump Station No. 1 Modifications                   | 5,500,000            |
| B. Department of Fire and Public Safety                                  |                      |
| 1. Pā'ia-Ha'ikū Community Plan Area                                      |                      |
| a. Government Facilities   |                      |
| (1) Ha'ikū Fire Station  | 14,500,000           |
| C. Department of Management  |                      |
| 1. Countywide  |                      |
| a. Other Projects  |                      |
| (1) Pump Station Temporary Repairs                                       | 5,000,000            |
| (2) Road and Sidewalk Repairs Related to the August 2023 Wildfires       | 5,000,000            |
| (3) Roadway Connectivity for Evacuations                                 | 5,000,000            |
| (4) Roadway Connectivity for Evacuations – Land Acquisition              | 8,000,000            |

|   |   |
|---|---|
| <ul style="list-style-type: none"> <li>(5) Storm Drainage, Flood Control, and Water Quality Improvements</li> <li>(6) Fire Flow Improvements to Water System</li> </ul>   | <p>8,000,000</p> <p>8,000,000</p>   |
| 2. <u>Makawao-Pukalani-Kula Community Plan Area</u>   |   |
| <ul style="list-style-type: none"> <li>a. <u>Other Projects</u> <ul style="list-style-type: none"> <li>a. <u>Von Tempsky Kula Property Acquisition</u></li> </ul> </li> </ul>   | <p>14,100,000</p>   |
| D. Department of Public Works   |   |
| 1. Countywide   |   |
| <ul style="list-style-type: none"> <li>a. Drainage <ul style="list-style-type: none"> <li>(1) Countywide Drainline Replacement Program</li> </ul> </li> <li>b. Government Facilities <ul style="list-style-type: none"> <li>(1) Countywide DPW Baseyard Facilities Program</li> </ul> </li> <li>c. Other Projects <ul style="list-style-type: none"> <li>(1) Countywide Rockfall and Embankment Repairs</li> </ul> </li> <li>d. Road Improvements (and related improvements, beautification, sidewalks, bike paths, drainage, bridge repairs, and maintenance safety and utilities, accessibility for persons with disabilities) including: <ul style="list-style-type: none"> <li>(1) Countywide Federal Aid Program</li> <li>(2) Countywide Road Resurfacing and Pavement Preservation</li> </ul> </li> </ul> | <p>3,000,000</p> <p>3,750,000</p> <p>7,400,000</p> <p>10,435,000</p> <p>1,700,000</p> |
| 2. West Maui Community Plan Area  |   |
| <ul style="list-style-type: none"> <li>a. Road Improvements (and related improvements, beautification, sidewalks, bike paths, drainage, bridge repairs, and maintenance safety and utilities, accessibility for persons with disabilities) including: <ul style="list-style-type: none"> <li>(1) Front Street Sidewalk, Railing, and Seawall Repair</li> </ul> </li> </ul>  | <p>688,839</p>  |
| E. Department of Transportation   |   |
| 1. Countywide   |   |
| <ul style="list-style-type: none"> <li>a. Other Projects <ul style="list-style-type: none"> <li>(1) Bus Stops and Shelters</li> </ul> </li> </ul>   | <p>600,000</p>  |
| 2. Wailuku-Kahului Community Plan Area  |   |
| <ul style="list-style-type: none"> <li>a. Government Facilities <ul style="list-style-type: none"> <li>(1) Transportation Baseyard Facility</li> </ul> </li> </ul>  | <p>2,600,000</p>  |
| TOTAL   | [104,973,839 ] \$119,073,839  |

The cost of issuance of the Bonds or any series thereof, including without limitation, the initial fee of paying agents and registrars, the fees of financial consultants and bond counsel, the cost of preparation of any Official Statement relating to the Bonds, any notices of sale and forms of bid and the definitive Bonds, and the costs of publication of any notices of sale, may be paid from the proceeds of the Bonds or any series thereof and such costs shall be allocated pro rata to each of the foregoing projects financed from such proceeds.”

SECTION 3. Material to be repealed is bracketed. New material is underscored.

SECTION 4. This ordinance takes effect upon approval.

APPROVED AS TO FORM  
AND LEGALITY:

A handwritten signature in black ink, appearing to read "Kristina C. Toshikiyo", is written over a horizontal line.

KRISTINA C. TOSHIKIYO  
Deputy Corporation Counsel  
County of Maui

LF 2024-0140

2024-11-27 Bond Authorization Mgmt Von Tempsky Acquisition

## BFED Committee

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**From:** Lesley J. Milner <Lesley.J.Milner@co.maui.hi.us>  
**Sent:** Wednesday, November 27, 2024 4:28 PM  
**To:** Tiare P. Horner; BFED Committee  
**Cc:** Kristina Angeline C. Cabbat; Michelle L. Santos; Ezekiel I. Kalua  
**Subject:** RE: Bill 166, CD1 (2024) and Bill 167, CD1 (2024) (BFED-112)  
**Attachments:** Bill 166 (2024) and 167 (2024) BFED-112 Response.pdf

Aloha,  
Please see attached incorporating minor revisions on pages 2 and 3. Thank you.  
-Lesley

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**From:** Tiare P. Horner <Tiare.P.Horner@co.maui.hi.us>  
**Sent:** Wednesday, November 27, 2024 3:56 PM  
**To:** Lesley J. Milner <Lesley.J.Milner@co.maui.hi.us>; BFED.Committee@mauicounty.us  
**Cc:** Kristina Angeline C. Cabbat <Kristina.Cabbat@co.maui.hi.us>; Michelle L. Santos <Michelle.Santos@co.maui.hi.us>; Ezekiel I. Kalua <Zeke.Kalua@co.maui.hi.us>  
**Subject:** Bill 166, CD1 (2024) and Bill 167, CD1 (2024) (BFED-112)

Aloha,  
  
Please see attached correspondence.

Mahalo,

Tiare P. Horner  
Budget Specialist

County of Maui  
200 S. High Street  
Wailuku, HI 96793  
Direct Line – 808.270.7517  
Email – [Tiare.P.Horner@co.maui.hi.us](mailto:Tiare.P.Horner@co.maui.hi.us)