

ORDINANCE NO. _____

BILL NO. 180 (2022)

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 5394,
BILL NO. 71, CD1, FD2 (2022), RELATING TO THE ISSUANCE
OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI
ISSUANCE, SALE AND DELIVERY OF SAID BONDS
(DEPARTMENT OF PUBLIC WORKS)

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

SECTION 1. Ordinance No. 5394, Bill No. 71, CD1, FD2 (2022), 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 [~~\$154,479,838~~] \$158,398,838 (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. 5394, Bill No. 71, CD1, FD2 (2022), 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 2023 Budget, including amendments and supplements thereto, duly approved by the Council of the County (the "Council") for the fiscal year ending June 30, 2023 (the "Fiscal Year 2023 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 2023 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. Kihei-Makena Community Plan Area | |
| a. Sewer | |
| (1) Kihei No. 3 Force Main Replacement | 4,800,000 |
| (2) Kihei Wastewater Wastewater Reclamation Facility Grit System Replacement | 4,000,000 |
| 2. Paia-Haiku Community Plan Area | |
| a. Sewer | |
| (1) Sprekelville Force Main Replacement | 3,600,000 |
| 3. Wailuku-Kahului Community Plan Area | |
| a. Sanitation | |
| (1) Central Maui Landfill Gas Collection System Reliability | 2,000,000 |
| (2) Central Maui Landfill Phase II/III Interface Development | 700,000 |
| (3) Central Maui Landfill Phase III-B Lateral Expansion | 10,000,000 |
| 4. West Maui Community Plan Area | |
| a. Sewer | |
| (1) Napili Wastewater Pump Station No. 1 Modifications | 4,000,000 |
| B. Department of Finance | |
| 1. Countywide | |
| a. Other Projects | |
| (1) Countywide Equipment | 9,755,000 |

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| C. Department of Fire and Public Safety | | |
| 1. Paia-Haiku Community Plan Area | | |
| a. Government Facilities | | |
| (1) Haiku Fire Station | | 1,000,000 |
| 2. Molokai Community Plan Area | | |
| a. Government Facilities | | |
| (1) Puko`o Fire Station | | 500,000 |
| D. Department of Management | | |
| 1. Wailuku-Kahului Community Plan Area | | |
| a. Government Facilities | | |
| (1) 60 S. Church St. Building Improvements | | 810,000 |
| b. Other Projects | | |
| (1) Halau of Oihi Arts | | 43,000,000 |
| E. Department of Parks and Recreation | | |
| 1. Lanai Community Plan Area | | |
| a. Parks and Recreation | | |
| (1) Lanai Youth Center and Skate Park | | 1,500,000 |
| 2. Wailuku-Kahului Community Plan Area | | |
| a. Parks and Recreation | | |
| (1) War Memorial Football Stadium and Track Rehabilitation | | 7,200,000 |
| (2) War Memorial Gym Building Improvements | | 7,456,793 |
| 3. West Maui Community Plan Area | | |
| a. Parks and Recreation | | |
| (1) Lahaina Civic Center Rehabilitation | | 1,000,000 |
| F. Department of Police | | |
| 1. Wailuku-Kahului Community Plan Area | | |
| a. Government Facilities | | |
| (1) Communications Facilities Development | | 3,400,000 |
| G. Department of Public Works | | |
| 1. Countywide | | |
| a. Drainage | | |
| (1) Countywide Bridge and Drainage Program | | 6,500,000 |
| (2) Countywide Drainline Replacement Program | | 3,500,000 |

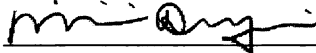
| | | |
|--|-------|----------------------------------|
| b. Government Facilities | | |
| (1) Countywide Facilities Maintenance Program | | 850,000 |
| (2) DPW Highways Division Baseyard Facilities Program | | 2,357,000 |
| c. Road Improvements (and related improvements, beautification, sidewalks, bike paths, drainage, bridge repairs, and maintenance safety and utilities, accessibility for persons with disabilities) including: | | |
| (1) Countywide Road Resurfacing and Pavement Preservation | | 5,050,000 |
| (2) <u>Countywide Federal Aid Program</u> | | <u>3,919,000</u> |
| 2. Paia-Haiku Community Plan Area | | |
| a. Road Improvements (and related improvements, beautification, sidewalks, bike paths, drainage, bridge repairs, and maintenance safety and utilities, accessibility for persons with disabilities) including: | | |
| (1) Repair of Kaupakalua Road in the Vicinity of Lepo Street | | 2,300,000 |
| 3. Wailuku-Kahului Community Plan Area | | |
| a. Road Improvements (and related improvements, beautification, sidewalks, bike paths, drainage, bridge repairs, and maintenance safety and utilities, accessibility for persons with disabilities) including: | | |
| (1) Iao Stream Flood Control Project | | 7,700,000 |
| 4. West Maui Community Plan Area | | |
| a. 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 | | 5,200,000 |
| H. Department of Transportation | | |
| 1. Wailuku-Kahului Community Plan Area | | |
| a. Government Facilities | | |
| (1) Transportation Baseyard | | 16,000,000 |
| I. Office of the County Council | | |
| 1. Wailuku-Kahului Community Plan Area | | |
| a. Government Facilities | | |
| (1) Office of Council Services Office Renovations | | 301,045 |
| | TOTAL | <u>[154,479,838] 158,398,838</u> |

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.

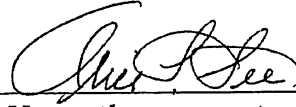
APPROVED AS TO FORM
AND LEGALITY:



KRISTINA C. TOSHIKIYO
Deputy Corporation Counsel
County of Maui

LF2022-0187
2022-11-07 Bond Authorization Federal Aid Program

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Greg A. Lee". The signature is written in black ink and is positioned above a horizontal line.

Upon the request of the Mayor.

DIGEST

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(DEPARTMENT OF PUBLIC WORKS)

This bill proposes to amend Ordinance No. 5394, Bill No. 71, CD1, FD2 (2022), relating to the issuance of General Obligation Bonds of the County of Maui, by adding a project for the Department of Public Works, Countywide, Road Improvements, Countywide Federal Aid Program in the amount of \$3,919,000 for a total bond principal amount not to exceed \$158,398,838.

I, JAMES G.M. KRUEGER, Deputy County Clerk of the County of Maui, State of Hawaii, DO HEREBY CERTIFY that the foregoing BILL NO. 180 (2022) was passed on First Reading by the Council of the County of Maui, State of Hawaii, on the 4th day of November, 2022, by the following vote:

AYES: Councilmembers Gabriel Johnson, Natalie A. Kama, Michael J. Molina, Tamara A. M. Paltin, Shane M. Sinenci, Yuki Lei K. Sugimura, Vice-Chair Keani N. W. Rawlins-Fernandez, and Chair Alice L. Lee.

NOES: None.

EXCUSED: Councilmember Kelly T. King.

DATED at Wailuku, Maui, Hawaii, this 9th of November, 2022.



JAMES G.M. KRUEGER, DEPUTY COUNTY CLERK
COUNTY OF MAUI, STATE OF HAWAII

Copies of the foregoing Bill, in full, are on file in the Office of the County Clerk, County of Maui, for use and examination by the public.