

ORDINANCE NO. _____

BILL NO. 81 (2015)

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4228,
BILL NO. 35 (2015), RELATING TO THE ISSUANCE OF
GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI
(ACQUISITION OF REAL PROPERTY AT 2154 KAOHU STREET)

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

SECTION 1. Ordinance No. 4228, Bill No. 35 (2015), 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 [~~\$24,782,372~~] \$26,002,372 (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. 4228, Bill No. 35 (2015), 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 2016 Budget, including amendments and supplements thereto, duly approved by the Council of the County (the "Council") for the fiscal year ending June 30, 2016 (the "Fiscal Year 2016 Budget"); provided, however, that pursuant to Section 47-5, Hawaii Revised Statutes, the part of such proceeds which are 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 2016 Budget, to be financed with proceeds from the sale of the Bonds, are as follows:

Public Improvements:
Estimated Project Cost

1.	Hana 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) Piilani Highway Roadway and Embankment Repairs at Waiopai	500,000
	(2) Waiopai Bridge Improvements	600,000
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) Baldwin Avenue Bicycle Improvements	350,000
	(2) North Shore Greenway	350,000
3.	Makawao-Pukalani-Kula Community Plan Area	
	a. Government Facilities	
	(1) Kula Community Center Land Acquisition	307,000
	(2) Waiakoa (Kula) Gym Acquisition	1,220,000
	b. Road Improvements (and related improvements, beautification, sidewalks, bike paths, drainage, bridge repairs and maintenance, safety and utilities, accessibility for persons with disabilities) including:	
	(1) Baldwin Avenue Resurfacing Phase 2	3,361,250
	(2) Kokomo Road and Makawao Avenue Pavement Reconstruction, Phase 2	1,400,000
4.	Wailuku-Kahului Community Plan Area	
	a. Government Facilities	
	(1) Kalana O Maui Campus Electrical Upgrades	1,200,000
	(2) <u>Acquisition of Real Property at 2154 Kaohu Street</u>	<u>1,220,000</u>
	b. Road Improvements (and related improvements, beautification, sidewalks, bike paths, drainage, bridge repairs and maintenance, safety and utilities, accessibility for persons with disabilities) including:	
	(1) Kahekili Highway Improvements	3,000,000
	(2) Kuikahi Drive Pavement Rehabilitation	440,000

5.	Kihei-Makena Community Plan Area	
	a. Drainage	
	(1) South Kihei Road Culvert Replacement at Waiakoa	1,600,000
	b. Road Improvements (and related improvements, beautification, sidewalks, bike paths, drainage, bridge repairs and maintenance, safety and utilities, accessibility for persons with disabilities) including:	
	(1) North South Collector Road (Namauu Place to Kulanihakoi Street)	553,622
6.	West Maui Community Plan Area	
	a. Drainage	
	(1) Lahaina Watershed Flood Control	2,000,000
7.	Molokai Community Plan Area	
	a. Drainage	
	(1) Kaunakakai Drainage System B	400,000
	b. Government Facilities	
	(1) Kaunakakai Police Station	250,000
8.	Countywide	
	a. Drainage	
	(1) Countywide Drainage Improvements	1,500,000
	b. Government Facilities	
	(1) Countywide Facility Building Improvements	750,000
	c. Other Projects	
	(1) Bus Stops and Shelters	800,000
	(2) Countywide Equipment	3,650,500
	(a) Provided, that \$2,162,500 shall be for a D8 Dozer, a 4,000-Gallon Water Truck, a Roll-off Truck, and (2) 28-Cubic-Yard Refuse Trucks for the Solid Waste Operations Program.	
	(b) Provided, that \$988,000 shall be for a D8 Dozer with Ripper Attachment for the Iao Flood Control Project.	
	(c) Provided, that \$500,000 shall be for a Pumper Truck for the Pukoo Fire Station.	
	d. Parks and Recreation	
	(1) Large Capacity Cesspool Closure	550,000

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 shall take effect upon its approval.

APPROVED AS TO FORM
AND LEGALITY:



JEFFREY UEOKA
Deputy Corporation Counsel
County of Maui

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DIGEST

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(ACQUISITION OF REAL PROPERTY AT 2154 KAOHU STREET)

This bill proposes to amend Ordinance No. 4228, Bill No. 35 (2015), relating to the issuance of General Obligation Bonds of the County of Maui, by increasing the General Obligation Bond authorization by \$1,220,000 to provide funding for the Acquisition of Real Property at 2154 Kaohu Street, for a total bond principal amount not to exceed \$26,002,372.

I, JOSIAH K. NISHITA, Deputy County Clerk of the County of Maui, State of Hawaii, DO HEREBY CERTIFY that the foregoing BILL NO. 81 (2015) was passed on First Reading by the Council of the County of Maui, State of Hawaii, on the 4th day of December, 2015, by the following vote:

AYES: Councilmembers Gladys C. Baisa, Robert Carroll, Eleanora Cochran, Donald G. Couch Jr., Michael P. Victorino, Vice-Chair Donald S. Guzman, and Chair Michael B. White.

NOES: None.

EXCUSED: Councilmembers S. Stacy Crivello and G. Riki Hokama.

DATED at Wailuku, Maui, Hawaii, this 7th of December, 2015.



JOSIAH K. NISHITA, 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.