

ORDINANCE NO. _____

BILL NO. 140 (2025)

A BILL FOR AN ORDINANCE AMENDING ORDINANCE 5819,
RELATING TO APPLICATION OF LAPSED BOND PROCEEDS
(DEPARTMENT OF PUBLIC WORKS)

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

SECTION 1. Ordinance 5819 (2025), is amended by amending Section 1

to read as follows:

“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, 3837, 4130, 4228, 4331, 4454, 4858, 4931, 4985, 5062, 5068, 5101, 5219, 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]~~ \$7,884,155 in excess of the amounts required for the purposes provided in the Ordinances; (iii) there is a total of ~~[\$3,926,861]~~ \$7,844,155 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. Ordinance 5819 (2025), is amended by amending Section 2

to read as follows:

"SECTION 2. Pursuant to Section 47-5, HRS, and the Ordinances, the Council of the County of Maui hereby determines that [~~\$3,926,861~~] \$7,884,155 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:

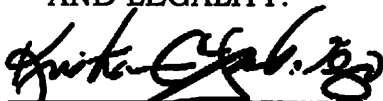
From Lapsed Bond Proceeds

- 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
- C. Department of Public Works
 - 1. West Maui Community Plan Area
 - a. Other Projects
 - (1) West Maui Land Acquisitions 3,957,294"

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 Material to be repealed is bracketed.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

SECTION 4. This ordinance takes effect on approval.

APPROVED AS TO FORM
AND LEGALITY:



KRISTINA C. TOSHIKIYO
Deputy Corporation Counsel
County of Maui

LF2025-0167

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.