

ORDINANCE NO. _____

BILL NO. 53 (2018)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE
COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT
FOR A LOAN FROM THE STATE OF HAWAII'S DRINKING WATER TREATMENT
REVOLVING LOAN FUND, FISCAL YEAR 2019 BUDGET ORDINANCE

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

SECTION 1. Request for Loan. The County of Maui, pursuant to Chapter 340E, Hawaii Revised Statutes, has submitted an application for a loan from the Drinking Water Treatment Revolving Loan Fund ("DWTRLF") to the Director of the Department of Health, State of Hawaii, to finance the following projects:

(1) West Maui Reliable Capacity

a. West Maui Source Development.....\$4,250,000.00

(2) Upcountry Reliable Capacity

a. Pookela Well B Development.....\$4,000,000.00

Under the terms and conditions anticipated with regard to such DWTRLF loan, the County shall repay, over a term of twenty years, the principal amount, which shall not exceed the amounts stated above, at a fixed rate of interest that shall not exceed the annual rate of the weekly Bond Buyer's 20-year general obligation index bond interest rate.

SECTION 2. Council Authorization. Pursuant to Section 2.20.020, Maui County Code, the Council of the County of Maui hereby authorizes the Mayor to enter into an intergovernmental agreement, which would include the execution of all necessary documents, including any amendments thereto, between the State of Hawaii and the County of Maui relating to the DWTRLF loan, to finance the construction of the projects, including a pledge of the County's full faith and

credit, including but not limited to the County's general taxing power, as security for repayment of the loan and payment of interest and loan fees, and a covenant to exercise the County's authority as needed. The repayment of principal, interest, and any loan fees shall be a first charge on the General Fund of the County.

SECTION 3. Effective Date. This ordinance shall take effect on July 1, 2018.

APPROVED AS TO FORM
AND LEGALITY:

A handwritten signature in black ink, appearing to read 'J. Oana', written over a horizontal line.

JENNIFER M.P.E. OANA
Deputy Corporation Counsel
County of Maui
2017-0093/2018-0310
BF-1; CC-30 2018-05-10 SRF Loan for DWS

DIGEST

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This bill proposes to authorize the Mayor to enter into an intergovernmental agreement to finance the West Maui Reliable Capacity, West Maui Source Development project, with funds not to exceed \$4,250,000; and the Upcountry Reliable Capacity, Pookela Well B Development project, with funds not to exceed \$4,000,000.

I, JOSIAH K. NISHITA, Deputy County Clerk of the County of Maui, State of Hawaii, DO HEREBY CERTIFY that the foregoing BILL NO. 53 (2018) was passed on First Reading by the Council of the County of Maui, State of Hawaii, on the 18th day of May, 2018, by the following vote:

AYES: Councilmembers Alike Atay, Eleanora Cochran, S. Stacy Crivello, Donald S. Guzman, G. Riki Hokama, Kelly T. King, Yuki Lei K. Sugimura, Vice-Chair Robert Carroll, and Chair Michael B. White.

NOES: None.

DATED at Wailuku, Maui, Hawaii, this 21st of May, 2018.



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.