

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

BILL NO. 113 (2022)

A BILL FOR AN ORDINANCE AMENDING APPENDIX A  
OF THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI  
AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES -  
SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2023,  
HIGHWAY BEAUTIFICATION AND DISPOSAL OF ABANDONED OR DERELICT  
VEHICLES REVOLVING FUND, EMERGENCY FUND

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

SECTION 1. Ordinance No. 5392, Bill No. 69, CD1, FD2 (2022), "Fiscal Year 2023 Budget", Appendix A, Part II, Special Purpose Revenues – Schedule of Revolving/Special Funds for Fiscal Year 2023, is hereby amended as it pertains to 1) Highway Beautification and Disposal of Abandoned or Derelict Vehicles Revolving Fund, by adding an appropriation for equipment in the amount of \$115,000, and 2) Emergency Fund, by decreasing the Anticipated Revenues for FY 2023 by \$105,372, to read as follows:

**"II. SPECIAL PURPOSE REVENUES - SCHEDULE OF REVOLVING/SPECIAL FUNDS  
FOR FISCAL YEAR 2023**

	<u>ESTIMATED BALANCE AS OF 6/30/2022</u>	<u>ANTICIPATED REVENUES FOR FY 2023</u>	<u>TOTAL FOR FY 2023</u>
A. Housing Interim Financing and Buy-Back Revolving Fund (Chapter 3.32, Maui County Code)	1,627,838	20,000	1,647,838
B. Naval Air Station Kahului Airport (NASKA) Sewage Pump Station Fund (Chapter 3.52, Maui County Code)	3,953	0	3,953
C. Fire Hazard Removal Revolving Fund (Chapter 3.68, Maui County Code)	3,394	0	3,394
D. Plan Review, Permit Processing, and Inspection Revolving Fund (Section 16.26B.108.2.1, Maui County Code)	5,361,914	1,739,294	7,101,208
(1) Disbursement for salaries and premium pay is limited to \$1,098,743 and 17.0 equivalent personnel.			
(2) Disbursement for operations or services is limited to \$537,200.			

	(3) Disbursement for equipment is limited to \$93,500.			
E.	Highway Beautification and Disposal of Abandoned or Derelict Vehicles Revolving Fund (Section 3.25.030, Maui County Code)	569,801	1,654,794	2,224,595
	(1) Disbursement for salaries and premium pay is limited to \$127,388 and 2.0 equivalent personnel for the Environmental Protection and Sustainability Program.			
	(2) Up to \$1,366,935 must be for disbursement for operations or services for the Environmental Protection and Sustainability Program.			
	<u>(3) Disbursement for equipment is limited to \$115,000.</u>			
	[(3)] (4) Up to \$10,000 must be for Teens On Call to maintain the Paia By-Pass.			
	[(4)] (5) Up to \$347,083 must be for disbursement for operations or services for the Highway Beautification Street Tree Trimming Program.			
	[(5)] (6) Up to \$50,000 must be for trash pick-up and removal of abandoned vehicles within the Hāmākualoa Open Space Preserve.			
F.	Liquor Education Fund (Hawaii Revised Statutes 281-16, 281-17(2), 281-17(3))	226,890	41,238	268,128
	(1) Disbursement for operations and services is limited to \$70,180.			
	(2) Disbursement for Underage Drinking Prevention Program is limited to \$22,000.			
G.	Animal Management Revolving Fund (Chapter 3.84, Maui County Code)	76,174	85,902	162,076
	(1) Up to \$120,000 must be used to purchase two enforcement vehicles for animal management programs.			
H.	Plan Review, Processing, and Inspection Revolving Fund (Fire) (Section 16.04C.060, Maui County Code)	707,393	294,713	1,002,106
	(1) Disbursement for salaries and premium pay is limited to \$219,621 and 2.0 equivalent personnel.			

(2) Disbursement for operations or services is limited to \$195,301.

(3) Disbursement for equipment is limited to \$104,127.

I. Open Space, Natural Resources, Cultural Resources, and Scenic Views Preservation Fund (Section 9-19, Revised Charter of the County of Maui (1983), as amended; Chapter 3.88, Maui County Code)	4,238,302	12,611,014	16,849,316
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(1) Up to \$905,072 must be for debt service for the purchase of approximately 186 acres at Launiupoko, Maui, Hawaii, TMKs: (2) 4-7-001:030 and (2) 4-7-001:026 (por.).

(2) Up to \$1,000,000 must be for land acquisition and related costs for a Lanai agricultural park.

(3) Up to \$2,500,000 must be for a grant to Kipahulu Ohana, Inc. for land acquisition and related costs for approximately 9.5 acres identified as TMK: (2) 1-6-010:005, 'Opelu Point, Kipahulu, Maui, Hawaii.

(4) Up to \$200,000 must be for safety and security measures at Kaehu Bay.

(5) Up to \$500,000 must be for safety and security for the burial and cultural preserve at the County-owned lands at Waiale.

(6) Up to \$1,000,000 must be used to acquire land to establish an open space to create a permanent buffer between Wailuku and Waikapu.

(7) Up to \$800,000 must be for a grant to Ke Ao Hali'i for land acquisition and related costs for approximately 8.6 acres identified as TMK: (2) 1-4-007:015, for the continuation of open space and cultural preservation at Hana, Maui, Hawaii.

(8) Up to \$750,000 must be for a grant to Nā Mamo Aloha 'Āina o Honokōhau for the purchase of TMK: (2) 4-1-002:008.

<p>(9) Up to \$200,000 must be for land acquisition of Wawau Point also known as Paia Baby Beach, TMK: (2) 3-8-001:072 (29.95 acres) in Paia, Maui, Hawaii.</p>			
J.	Emergency Fund (Section 9-14, Revised Charter of the County of Maui (1983), as amended; Chapter 3.96, Maui County Code)	42,058,929	<div> <div>[3,376,136]</div> <div><u>3,270,764</u></div> </div> <div> <div>[45,435,065]</div> <div><u>45,329,693</u></div> </div>
K.	<p>Ocean Recreational Activity Fund (Section 13.04A.370, Maui County Code)</p> <p>(1) Up to \$1,100 must be for required Ocean Protection and Cultural Awareness classes for permit holders.</p> <p>(2) Disbursement for salaries and premium pay is limited to \$52,720 and 2.0 equivalent personnel.</p> <p>(3) Disbursement for operations or services is limited to \$43,900.</p> <p>(4) Disbursement for equipment is limited to \$173,500.</p>	531,984	<div>10,000</div> <div>541,984</div>
L.	<p>Affordable Housing Fund (Section 9-20, Revised Charter of the County of Maui (1983), as amended; Chapter 3.35, Maui County Code)</p> <p>(1) Up to \$69,500 must be for Administrative expenses.</p> <p>(2) Up to \$2,000,000 must be for upgrade of the culvert on Waiale Road.</p> <p>(3) Up to \$6,000,000 must be for a grant to AHED Kenui LLC for property acquisition for a 142-unit multifamily rental project, for the Front Street Apartments Preservation, TMK: (2) 4-5-003:013, located at 1056 Front Street, Lahaina, Maui, Hawaii. The project will include 7 units at or below 30 percent of the AMI, 64 units at or below 50 percent of the AMI, 70 units at or below 60 percent of the AMI, and one unit for an on-site property manager. The affordability period is 51 years.</p>	25,304,784	<div>32,695,216</div> <div>58,000,000</div>

- (4) Up to \$825,000 must be for a grant to Aina Pacific, LLC to extend Wela Street to Kilohana Drive as required by Condition 9 Exhibit B Conditions of Zoning, Ordinance 5151, Bill 114 (2020). The project consists of 28 single-family units, nine of which are at or below below-moderate income, fourteen units will be at or below moderate income, and five units will be at or below above-moderate income. The affordability period is 20 years.
- (5) Up to \$1,750,000 must be for master plans or feasibility studies for land suitable for affordable housing, including TMK: (2) 3-8-006-004-002(por.) located at Hansen Road, Puunene, Wailuku, Maui, Hawaii; TMK: (2) 2-2-002-070, located at 2201 Piilani Highway, Kihei, Maui, Hawaii; TMK: (2) 2-3-800-504, located at Kuihelani Highway and Waiko Road, Wailuku, Maui, Hawaii; and TMK: (2) 4-9-002:058 (por.) located at 5th Street, Lanai City, Maui, Hawaii.
- (6) Up to \$250,000 must be for a contract to provide a Comprehensive Plan to End Houselessness in Maui County
- (7) Up to \$1,000,000 must be for a grant to Habitat for Humanity for the Wakiu affordable housing project located at 4356 Hana Highway, Hana, Maui, Hawaii, TMK: (2) 1-3-004:001 (por.) for roadways, drainage, and other infrastructure.
- (8) Up to \$134,000 must be for Water Use Development Fees for the Hale Pilina Project TMK: (2) 3-7- 013:026, located at Puunene Avenue, Kahului, Maui, Hawaii.

M.	Kaunoa Senior Services Leisure Program Activities Revolving Fund (Chapter 3.37, Maui County Code)	61,644	50,000	111,644
	(1) Up to \$350,000 must be for Leisure Program activities.			

	(2) Disbursements for leisure program instructors are limited to 11.0 LTA equivalent personnel.			
N.	Alarm System Revolving Fund (Chapter 8.34, Maui County Code) (1) Up to \$75,000 must be for contractual services for alarm system registrations.	439,206	140,721	579,927
O.	Countywide Sewer Capital Improvement Reserve Fund (Section 9-14, Revised Charter of the County of Maui (1983), as amended)	5,317,503	2,240,299	7,557,802
P.	Upcountry Water System Expansion Capital Improvement Reserve Fund (Section 9-14, Revised Charter of the County of Maui (1983), as amended)	11,183,829	0	11,183,829
Q.	Economic Development and Cultural Programs Revolving Fund (Chapter 3.81, Maui County Code) (1) Up to \$150,000 must be for the Maui Historical Society for the repairs and renovations at the Bailey House Museum and accessory buildings.  (2) Up to \$150,000 must be for the restoration of Ka'ahumanu Church, Wailuku, Maui, Hawaii.	2,695,884	0	2,695,884
R.	Fireworks Auditor Fund (Chapter 3.95, Maui County Code)	110,500	18,333	128,833
S.	Hawaiian Cultural Restoration Revolving Fund (Chapter 3.38, Maui County Code) (1) Funds may be used for the implementation of the management strategy and restoration of Moku'ula and Mokuhinia through community input and participation.	1,087,948	182,898	1,270,846
T.	Employee Parking Fees Fund (Chapter 3.26, Maui County Code) (1) Up to \$50,000 must be for parking lot improvements, lighting, and security measures.	124,880	76,288	201,168
U.	Maui Interscholastic League Fees Fund (Chapter 3.39, Maui County Code)	48,624	12,449	61,073
V.	County Parks Special Revolving Fund (Section 13.04A.460, Maui County Code)	0	0	0

W.	Special Management Area Revolving Fund (Chapter 3.49, Maui County Code) (1) Up to \$100,000 must be for coastal erosion at Maalaea including a feasibility study and design for Kanaio Stream restoration.	348,460	190,907	539,367
X.	Experimental and Demonstration Housing Projects Fund (Chapter 16.28, Maui County Code) (1) Up to \$1,000,000 must be for Wailuku Union Church for the Wailuku Mission Housing Project.	1,000,000	0	1,000,000
Y.	Disposal of Vehicles Fee Fund (Chapter 3.27, Maui County Code) (1) Disbursement for salaries and premium pay is limited to \$172,885 and 3.5 equivalent personnel for the Environmental Protection and Sustainability Program.  (2) Up to \$1,000,000 must be for disbursement for operations or services for the Environmental Protection and Sustainability Program.	5,763,313	4,205,301	9,968,614
Z.	Home Acquisition and Ownership Programs Revolving Fund (Chapter 3.34, Maui County Code) (1) Must be for disbursement of grants, up to \$30,000 each, for qualified Maui County residents participating in the First-time Homebuyers Program.	1,563,292	1,000,000	2,563,292
AA.	Molokai Farming Cost Reimbursement Program Fund (Chapter 3.76, Maui County Code) (1) Must be for disbursement of grants, up to \$5,000 each, for qualified farmers on Molokai for the cost of complying with the United States Food and Drug Administration Food Safety Act and State of Hawaii Food Safety Law.	221,535	0	221,535

SECTION 2. Material to be repealed is bracketed. New material is underscored.

SECTION 3. This Ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

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

KRISTINA C. TOSHIKIYO  
Deputy Corporation Counsel



DIGEST

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VEHICLES REVOLVING FUND, EMERGENCY FUND

This bill proposes to amend Ordinance No. 5392, Bill No. 69, CD1, FD2 (2022), the "Fiscal Year 2023 Budget" of the County of Maui, by amending Appendix A, Part II, Special Purpose Revenues - Schedule of Revolving/Special Funds for Fiscal Year 2023, as it pertains to 1) Highway Beautification and Disposal of Abandoned or Derelict Vehicles Revolving Fund, by adding an appropriation for equipment in the amount of \$115,000, and 2) Emergency Fund, by decreasing the Anticipated Revenues for FY 2023 by \$105,372.

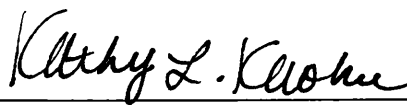
I, KATHY L. KAOHU, County Clerk of the County of Maui, State of Hawaii, DO  
HEREBY CERTIFY that the foregoing BILL NO. 113 (2022) was passed on First Reading  
by the Council of the County of Maui, State of Hawaii, on the 15th day of July, 2022, by  
the following vote:

AYES: Councilmembers Gabriel Johnson, Natalie A. Kama, Kelly T. King,  
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: None.

DATED at Wailuku, Maui, Hawaii, this 19th of July, 2022.

  
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KATHY L. KAOHU, 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.