

# REQUEST FOR LEGAL SERVICES

Date: August 23, 2022

From: Keani N.W. Rawlins-Fernandez, Chair

Budget, Finance, and Economic Development Committee

TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL  
Attention: Kristina Toshikiyo, Esq.

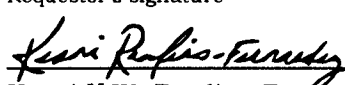
**RECEIVED**

By Corporation Counsel at 10:17 am, Aug 23, 2022

Subject: A BILL FOR AN ORDINANCE ESTABLISHING A NEW CHAPTER 3.41, MAUI COUNTY CODE, CREATING THE MAUI COUNTY AGRICULTURAL PARKS REVOLVING FUND (BFED-35)

Background Data: Please see the attached bill. Please transmit response to bfed.committee@mauicounty.us

Work Requested: ☒ FOR APPROVAL AS TO FORM AND LEGALITY  
☐ OTHER:

Requestor's signature  Keani N.W. Rawlins-Fernandez	Contact Person  Jerry Paredes (Telephone Extension: 7140)
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☐ ROUTINE (WITHIN 15 WORKING DAYS) ☐ RUSH (WITHIN 5 WORKING DAYS)  
☐ PRIORITY (WITHIN 10 WORKING DAYS) ☐ URGENT (WITHIN 3 WORKING DAYS)

☒ SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): August 24, 2022

REASON: For posting on the September 2, 2022, Council agenda.

**FOR CORPORATION COUNSEL'S RESPONSE**

ASSIGNED TO: KCT	ASSIGNMENT NO. 2021-0012	BY: maa
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TO REQUESTOR: ☒ APPROVED ☐ DISAPPROVED ☐ OTHER (SEE COMMENTS BELOW)  
☐ RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DEPARTMENT OF THE CORPORATION COUNSEL

Date 8/26/22

By 

(Rev. 7/03)

bfed:ltr:035acc01:gap

Attachment

✓

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

BILL NO. \_\_\_\_ (2022)

A BILL FOR AN ORDINANCE ESTABLISHING A NEW CHAPTER 3.41,  
MAUI COUNTY CODE, CREATING THE COUNTY OF MAUI  
AGRICULTURAL PARKS REVOLVING FUND

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

SECTION 1. Title 3, Maui County Code, is amended by adding a new chapter to be appropriately designated and to read as follows:

**"Chapter 3.41**

**COUNTY OF MAUI AGRICULTURAL PARKS  
REVOLVING FUND**

**Sections:**

**3.41.010 Fund establishment.**

**3.41.020 Purpose.**

**3.41.030 Deposits to the fund and use.**

**3.41.040 Administration.**

**3.41.010 Fund establishment.** There is established and created a fund to be known as the "County of Maui Agricultural Parks Revolving Fund."

**3.41.020 Purpose.** The fund is established for the purpose of maintenance and repairs and other related costs at the County of Maui agricultural parks.

**3.41.030 Deposits to the fund and use.** A. All rent, including any interest and service charges, paid to the County of Maui for leases at a County of Maui agricultural park must be deposited into the fund.

B. In adopting each fiscal year's budget and capital program, the council may make appropriations to the fund. Any balance remaining in this fund at the end of the fiscal

year does not lapse, and remains in the fund accumulating from year to year.

C. The revenues in the fund must not be used for any purpose except for those listed in section 3.41.020.

D. The department of agriculture is responsible for the management of the fund.

**3.41.040 Administration.** A. The director of finance must establish a separate account to record all revenues credited to, and expenditures made from, the fund.

B. Expenditures from the fund must be through appropriations established in the annual budget ordinance.

C. On or before March 1 of each year, the director of finance must transmit to the council a detailed report of the fund during the preceding year."

SECTION 2. This Ordinance takes effect on July 1, 2023.

APPROVED AS TO FORM AND LEGALITY:



KRISTINA C. TOSHIKIYO

Department of the Corporation Counsel

County of Maui

fed:misc:035abill01:gap

BFED-35 2022-08-26 Ch 3.41

Ag Parks Revolving Fund

## BFED Committee

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**From:** Melody Andrion <Melody.Andrion@co.maui.hi.us>  
**Sent:** Friday, August 26, 2022 9:47 AM  
**To:** BFED Committee  
**Cc:** Kristina Toshikiyo; Jerry Paredes  
**Subject:** BFED-35 A Bill For An Ordinance Establishing a New Chapter 3.41  
**Attachments:** BFED-35 2022-08-26 RAFL Closing Ch 3.41 Ag Parks Revolving Fund.PDF

Good morning – see attached closing of RFLS received on 08/23/2022 reviewed/revised/e-signed by Kristina Toshikiyo regarding the subject matter for posting on the September 2, 2022 Council agenda. Thanks!

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