

REQUEST FOR LEGAL SERVICES

Date: October 7, 2016
From: Riki Hokama, Chair
Budget and Finance Committee

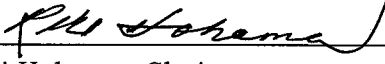
TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Jeffrey Ueoka, Esq.

Subject: AMENDING FISCAL YEAR 2017 BUDGET: DEPARTMENT OF MANAGEMENT (WAIKAPU BASEYARDS) (BF-95)

Background Data: Please incorporate the revisions to the proposed bill noted on the attached marked-up copy.

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

Requestor's signature  Riki Hokama, Chair	Contact Person <u>Michele Yoshimura</u> (Telephone Extension: <u>7663</u>)
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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): October 12, 2016
REASON: For posting on October 14, 2016 for the October 21, 2016 Council meeting.

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO:	ASSIGNMENT NO.	BY:
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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 _____

By _____

(Rev. 7/03)

bf:ltr:095acc01

Attachment

cc: Budget Director

ORDINANCE NO. _____

BILL NO. _____ (2016)

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4331,
BILL NO. 59 (2016), RELATING TO THE ISSUANCE
OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI
(~~BOND FUND~~ WAIKAPU BASEYARDS)

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

SECTION 1. Ordinance No. 4331, Bill No. 59 (2016), 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 ~~[\$29,753,000]~~ \$30,303,000 (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 ~~1.~~^{2.} Ordinance No. 4331, Bill No. 59 (2016), 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 2017 Budget, including amendments and supplements thereto, duly approved by the Council of the County (the "Council") for the fiscal year ending June 30, 2017 (the "Fiscal Year 2017 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 2017 Budget, to be financed with proceeds from the sale of the Bonds,
are as follows:

Public Improvements:

Estimated Project Cost

A.	Department of Environmental Management	
1.	Hana Community Plan Area	
a.	Sanitation	
(1)	Hana Landfill Makai Berm Waste Removal	2,000,000
2.	Wailuku-Kahului Community Plan Area	
a.	Sanitation	
(1)	Central Maui Landfill (CML) Phase V Gas Collection System Expansion	2,500,000
3.	West Maui Community Plan Area	
a.	Government Facilities	
(1)	Lahaina Refuse Office	250,000
B.	Department of Finance	
1.	Countywide	
a.	Other Projects	
(1)	Countywide Equipment	3,190,000
C.	Department of Management	
1.	Countywide	
a.	Other Projects	
(1)	Public Safety Radio System Replacement	4,550,000
2.	<u>Wailuku-Kahului Community Plan Area</u>	
a.	<u>Government Facilities</u>	
(1)	<u>Waikapu Baseyards</u>	<u>550,000</u>
D.	Department of Parks and Recreation	
1.	Countywide	
a.	Parks and Recreation	
(1)	Countywide Park Playground Improvements	200,000
(2)	Countywide Toilet Trailers	440,000

2.	Hana Community Plan Area	
a.	Parks and Recreation	
(1)	Helene Hall Improvements	50,000
3.	Kihei-Makena Community Plan Area	
a.	Parks and Recreation	
(1)	South Maui Building Maintenance Repairer Baseyard	150,000
(2)	South Maui Community Park	650,000
(3)	South Maui Parks System	303,000
4.	Lanai Community Plan Area	
a.	Parks and Recreation	
(1)	Lanai Parks System	425,000
5.	Makawao-Pukalani-Kula Community Plan Area	
a.	Parks and Recreation	
(1)	Upcountry Skate Park	1,100,000
(2)	Waiakoa Gym Improvements	75,000
6.	Molokai Community Plan Area	
a.	Parks and Recreation	
(1)	Molokai Parks System	580,000
7.	Paia-Haiku Community Plan Area	
a.	Parks and Recreation	
(1)	Paia-Haiku Parks System	400,000
8.	Wailuku-Kahului Community Plan Area	
a.	Parks and Recreation	
(1)	Central Maui Parks System	461,000
(2)	Waiehu Golf Course Starter Booth and Restaurant	500,000
(3)	Waiehu Golf Course Wastewater Improvements	50,000
(4)	Waikapu Community Center Basketball Court Improvements	500,000
(5)	Waikapu Community Center Expansion	500,000
(6)	Wailuku Pool Improvements	50,000
(7)	War Memorial Complex Paving Improvements	100,000

9.	West Maui Community Plan Area	
a.	Parks and Recreation	
(1)	West Maui Parks System	1,915,000
E.	Department of Police	
1.	Molokai Community Plan Area	
a.	Government Facilities	
(1)	Kaunakakai Police Station	390,000
F.	Department of Public Works	
1.	Countywide	
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)	Countywide Bridge Improvements	370,000
2.	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)	Kalepa Revetment and Seawall Repairs	500,000
(2)	Koukouai Bridge Rehabilitation	600,000
(3)	Piilani Highway Road Improvements at Nuanualoa	147,000
3.	Kihei-Makena 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)	North South Collector Road – Lokelani School to Auhana Road	100,000
(2)	Pavement Rehabilitation at Various Locations – South Maui	1,860,000
4.	Lanai Community Plan Area	
a.	Government Facilities	
(1)	Lanai Baseyard Improvements	300,000

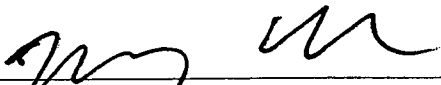
5.	Makawao-Pukalani-Kula Community Plan Area	
a.	Drainage	
	(1) Ditch Improvements at Waipoli Road	800,000
6.	Molokai Community Plan Area	
a.	Drainage	
	(1) Kaunakakai Drainage System B	200,000
	b. Government Facilities	
	(1) Molokai Baseyard	1,297,000
7.	Wailuku-Kahului Community Plan Area	
a.	Drainage	
	(1) Papa Avenue Drainage Improvements	400,000
	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) Kahakuloa Stream Bridge	650,000
	(2) Onehee Avenue and Kea Street Pavement Rehabilitation	200,000
8.	West Maui Community Plan Area	
a.	Drainage	
	(1) Lahaina Watershed Flood Control	500,000
G.	Department of Transportation	
1.	Countywide	
a.	Other Projects	
	(1) Bus Stops and Shelters	500,000

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:



Deputy Corporation Counsel
County of Maui
2016-0345
2016-07-27 Bond Amendment Waikapu Baseyards