

# REQUEST FOR LEGAL SERVICES

**Date:** May 3, 2017  
**From:** Riki Hokama, Chair  
Budget and Finance Committee

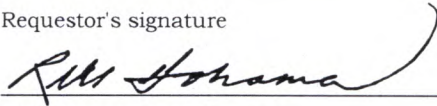
TRANSMITTAL

**Memo to:** DEPARTMENT OF THE CORPORATION COUNSEL  
Attention: Richelle Thomson, Esq.

**Subject:** FISCAL YEAR 2018 BUDGET (WATER POLLUTION CONTROL REVOLVING FUND BILL) (CC-16)(BF-1)

**Background Data:** Please revise proposed bill to incorporate the revision indicated on the attached marked-up copy. Please provide hard copy.

**Work Requested:**  FOR APPROVAL AS TO FORM AND LEGALITY  
 OTHER:

Requestor's signature  Riki Hokama, Chair	Contact Person <u>Michele Yoshimura or Shelly Espeleta</u> (Telephone Extension: 7763 or 7134, respectively)
--	--

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): May 8, 2017  
REASON: For posting on May 19, 2017 Council meeting agenda.

## FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO:	ASSIGNMENT NO.	BY:
--------------	----------------	-----

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:2018bgt:170502acc04:mmy

Attachment

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

BILL NO. \_\_\_\_\_ (2017)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO INTERGOVERNMENTAL AGREEMENTS FOR LOANS FROM THE STATE OF HAWAII'S WATER POLLUTION CONTROL REVOLVING FUND FOR VARIOUS WASTEWATER PROJECTS, FISCAL YEAR 2018 BUDGET ORDINANCE

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

SECTION 1. Request for Loan. The County of Maui, pursuant to Section 342D-83 through Section 342D-87, Hawaii Revised Statutes, has submitted an application for State Water Pollution Control Revolving Fund Loans ("SRF loans") to the Director of the Department of Health, State of Hawaii, to finance the following projects:

- a. South Maui Recycled Water System Expansion (2<sup>nd</sup> Tank) ..... ~~\$5,500,000~~  
\$3,750,000
- b. Lahaina Wastewater Reclamation Facility Modifications, Stage 1A ..... \$24,000,000

(collectively, "Projects").

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

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 intergovernmental agreements, which would include the

execution of all necessary documents between the State of Hawaii and the County of Maui relating to the SRF loans, 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, 2017.

APPROVED AS TO FORM  
AND LEGALITY:



---

RICHELLE M. THOMSON  
Deputy Corporation Counsel  
County of Maui  
LF2017-0316