

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

BILL NO. 52 (2018)

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 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 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. Kihei Wastewater Reclamation Facility Grit System Replacement ..... \$6,500,000
  - b. Napili No. 3 Force Main Replacement..... \$1,800,000
  - c. Napili No. 4 Force Main Replacement..... \$1,800,000
- (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, 2018.

APPROVED AS TO FORM  
AND LEGALITY:



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Deputy Corporation Counsel  
County of Maui  
2018-0310  
PAF 18-178 2018-05-21 SRF Loans for DEM

DIGEST

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BILL NO. 52 (2018)

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 2019 BUDGET ORDINANCE

This bill proposes to authorize the Mayor to enter into intergovernmental agreements to finance the following Wastewater projects: Kihei Wastewater Reclamation Facility Grit System Replacement, with funds not to exceed \$6,500,000; Napili No. 3 Force Main Replacement, with funds not to exceed \$1,800,000; and Napili No. 4 Force Main Replacement, with funds not to exceed \$1,800,000.

I, JOSIAH K. NISHITA, Deputy County Clerk of the County of Maui, State of Hawaii, DO HEREBY CERTIFY that the foregoing BILL NO. 52 (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 Alika 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.



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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.