

ORDINANCE NO. _____

BILL NO. 50 (2021)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR
OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL
AGREEMENT FOR A LOAN FROM THE STATE OF HAWAII'S WATER
POLLUTION CONTROL REVOLVING FUND FOR VARIOUS WASTEWATER
PROJECTS, FISCAL YEAR 2022 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 No. 7 Force Main Replacement.....\$ 900,000
- b. Kihei No. 8 Force Main Replacement.....\$ 1,000,000
- c. West Maui Recycled Water System Expansion.....\$ 7,000,000
- d. Napili Wastewater Pump Station No. 3 Modifications...\$ 4,000,000

Total.....\$12,900,000

(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 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 land 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, 2021.

APPROVED AS TO FORM
AND LEGALITY:



2021.03.09

09:30:33 -10'00'

RICHELLE M. THOMSON
Deputy Corporation Counsel
County of Maui

2020-0931

2021-03-09 IGA SRF Loans (DEM WWRD)

DIGEST

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This bill proposes to authorize the Mayor to enter into an intergovernmental agreement to finance the following Wastewater projects: Kihei No. 7 Force Main Replacement, with funds not to exceed \$900,000; Kihei No. 8 Force Main Replacement, with funds not to exceed \$1,000,000; West Maui Recycled Water System Expansion, with funds not to exceed \$7,000,000; and Napili Wastewater Pump Station No. 3 Modifications, with funds not to exceed \$4,000,000.

I, KATHY L. KAOHU, County Clerk of the County of Maui, State of Hawaii, DO
HEREBY CERTIFY that the foregoing BILL NO. 50 (2021) was passed on First Reading
by the Council of the County of Maui, State of Hawaii, on the 21st day of May, 2021, by
the following vote:

AYES: Councilmembers Gabriel Johnson, Kelly T. King, Michael J. Molina,
Tamara A. M. Paltin, Shane M. Sinenci, Vice-Chair Keani N. W.
Rawlins-Fernandez, and Chair Alice L. Lee.

NOES: None.

EXCUSED: Councilmembers Natalie A. Kama and Yuki Lei K. Sugimura.

DATED at Wailuku, Maui, Hawaii, this 25th of May, 2021.



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.