

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

BILL NO. 109 (2021)

A BILL FOR AN ORDINANCE AMENDING APPENDIX A  
OF THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI  
AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES -  
SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2022,  
OPEN SPACE, NATURAL RESOURCES, CULTURAL RESOURCES,  
AND SCENIC VIEW PRESERVATION FUND,  
AFFORDABLE HOUSING FUND,  
ECONOMIC DEVELOPMENT AND CULTURAL PROGRAMS REVOLVING FUND

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

SECTION 1. Ordinance No. 5217, Bill No. 46 (2021), Draft 1, as amended, "Fiscal Year 2022 Budget", Appendix A, Part II, Special Purpose Revenues – Schedule of Revolving/Special Funds for Fiscal Year 2022, is hereby amended as it pertains to the 1) Open Space, Natural Resources, Cultural Resources, and Scenic View Preservation Fund by increasing the appropriations in the amount of \$2,000,000; 2) Affordable Housing Fund by increasing the appropriations in the amount of \$4,000,000; and 3) by adding anticipated revenues of \$2,625,884 for the Economic Development and Cultural Programs Revolving Fund, to read as follows:

**"II. SPECIAL PURPOSE REVENUES - SCHEDULE OF REVOLVING/SPECIAL FUNDS  
FOR FISCAL YEAR 2022**

	<u>ESTIMATED BALANCE AS OF 6/30/2021</u>	<u>ANTICIPATED REVENUES FOR FY 2022</u>	<u>TOTAL FOR FY 2022</u>
A. Housing Interim Financing and Buy-Back Revolving Fund (Chapter 3.32, Maui County Code)	1,949,229	0	1,949,229
B. Naval Air Station Kahului Airport (NASKA) Sewage Pump Station Fund (Chapter 3.52, Maui County Code)	3,953	0	3,953
C. Fire Hazard Removal Revolving Fund (Chapter 3.68, Maui County Code)	3,394	0	3,394
D. Plan Review, Permit Processing, and Inspection Revolving Fund (Section 16.26B.108.2.1, Maui County Code)	4,784,779	1,556,240	6,341,019
(1) Disbursement for salaries and premium pay is limited to \$990,232 and 16.0 equivalent personnel.			

	<u>ESTIMATED BALANCE AS OF 6/30/2021</u>	<u>ANTICIPATED REVENUES FOR FY 2022</u>	<u>TOTAL FOR FY 2022</u>
(2) Disbursement for operations or services is limited to \$537,200.			
(3) Disbursement for equipment is limited to \$145,000.			
E. Highway Beautification and Disposal of Abandoned or Derelict Vehicles Revolving Fund (Section 3.25.030, Maui County Code)	270,767	1,665,486	1,936,253
(1) Disbursement for salaries and premium pay is limited to \$119,012 and 2.0 equivalent personnel for the Environmental Protection and Sustainability Program.			
(2) Up to \$1,356,935 must be for disbursement for operations or services for the Environmental Protection and Sustainability Program.			
(3) Up to \$10,000 must be for Teens On Call to maintain the Paia By-Pass.			
(4) Up to \$347,083 must be for disbursement for operations or services for the Highway Beautification Street Tree Trimming Program.			
(5) Up to \$50,000 must be for trash pick-up and removal of abandoned vehicles within the Hāmākualoa Open Space Preserve.			
F. Liquor Education Fund (Hawaii Revised Statutes 281-16, 281-17(2), 281-17(3))	283,513	66,688	350,201
(1) Disbursement for operations and services is limited to \$70,180.			
G. Animal Management Revolving Fund (Chapter 3.84, Maui County Code)	70,129	90,634	160,763
(1) Up to \$120,000 shall be granted to Maui Humane Society to purchase two enforcement vehicles for animal management programs.			
H. Plan Review, Processing, and Inspection Revolving Fund (Fire) (Section 16.04C.060, Maui County Code)	537,582	279,527	817,109

	<u>ESTIMATED BALANCE AS OF 6/30/2021</u>	<u>ANTICIPATED REVENUES FOR FY 2022</u>	<u>TOTAL FOR FY 2022</u>
(1) Disbursement for salaries and premium pay is limited to \$125,372 and 1.0 equivalent personnel.			
(2) Disbursement for operations or services is limited to \$189,682.			
(3) Disbursement for equipment is limited to \$55,000.			
I. Open Space, Natural Resources, Cultural Resources, and Scenic Views Preservation Fund (Section 9-19, Revised Charter of the County of Maui (1983), as amended; Chapter 3.88, Maui County Code)	12,011,758	[3,849,698] <u>5,849,698</u>	[15,861,456] <u>17,861,456</u>
(1) Up to \$300,000 must be for debt service for the purchase of approximately 186 acres at Launiupoko, Maui, Hawaii, TMKs: (2) 4-7-001:030 and (2) 4-7-001:026 (por.).			
(2) Up to \$1,000,000 must be for land acquisition and related costs for a Lanai agricultural park.			
(3) Up to \$1,500,000 must be granted to Ke Ao Hali'i for land acquisition and related costs for TMKs: (2) 1-4-012:002, (2) 1-4-010:030, 032, 034, and 014, Maka'alae, Maui, Hawaii.			
(4) Up to \$200,000 must be for security and maintenance of Kaehu.			
(5) Up to \$2,100,000 must be granted to Ke Ao Hali'i for land acquisition and related costs for TMKs: (2) 1-4-010:008, 009, 010, 012, and 014 in the ahupua'a of Mokae and Kakio, Hana, Maui, Hawaii.			
(6) Up to \$1,300,000 must be for land acquisition and related costs for a 50-acre park site in the West Maui Community Plan area, in accordance with Condition 15 of Ordinance 3889 (2011).			

		<u>ESTIMATED BALANCE AS OF 6/30/2021</u>	<u>ANTICIPATED REVENUES FOR FY 2022</u>	<u>TOTAL FOR FY 2022</u>
	(7) Up to \$5,500,000 must be for land acquisition and related costs for 257.7 acres of Ma'alaea Mauka, TMK: (2) 3-6-001:018.			
J.	Emergency Fund (Section 9-14, Revised Charter of the County of Maui (1983), as amended; Chapter 3.96, Maui County Code)	49,880,423	3,651,089	53,531,512
K.	Ocean Recreational Activity Fund (Section 13.04A.370, Maui County Code)	669,642	50,400	720,042
	(1) Up to \$1,100 must be for required Ocean Protection and Cultural Awareness classes for permit holders.			
L.	Affordable Housing Fund (Section 9-20, Revised Charter of the County of Maui (1983), as amended; Chapter 3.35, Maui County Code)	22,267,512	[22,969,661] <u>26,969,661</u>	[45,237,173] <u>49,237,173</u>
	(1) Up to \$70,000 must be for Administrative expenses.			
	(2) Up to \$2,000,000 must be for planning, design, engineering, construction, and construction management related to the Lanai Affordable Housing Project.			
	(3) Up to \$3,025,442 must be for a grant to Ikaika Ohana for land acquisition, planning and design, new construction, and reimbursement of entitlement work done by the land's sellers for a 56-unit multifamily rental project, for the Kaiaulu O Halelea Phase 1B project, TMK: (2) 2-2-024:033, located at Lipoa Parkway, Kihei, Maui, Hawaii. The project will include 6 units at or below 30 percent of the AMI, 6 units at or below 40 percent of the AMI, 43 units at or below 60 percent of the AMI, and one unit for an on-site property manager. The affordability period is 65 years.			

**ESTIMATED  
BALANCE AS  
OF 6/30/2021**

**ANTICIPATED  
REVENUES  
FOR FY 2022**

**TOTAL  
FOR FY 2022**

- (4) Up to \$4,665,660 must be for a grant to Hawaiian Community Development Board for construction for a 97-unit senior rental project for the Hale O Piikea II, TMK: (2) 3-9-002:076, located at Piikea Avenue and Liloa Drive, Kihei, Maui, Hawaii. The project will include 10 units at or below 30 percent of the AMI, 10 units at or below 50 percent of the AMI, 76 units at or below 60 percent of the AMI and one-unit for an on-site property manager. The affordability period is 61 years.
- (5) Up to \$2,000,000 must be for a grant to Na Hale O Maui for land acquisition, foreclosed or abandoned building acquisition, rehabilitation, and new construction for six single family homes, including three units at or below 100 percent of the AMI and three units at or below 120 percent of the AMI. The affordability period is in perpetuity.
- (6) Up to \$660,000 must be for a grant to Catholic Charities Housing Development Corporation for planning and design of a 179-unit multifamily rental project for the Hale Pilina project, TMK: (2) 3-7-013:026, located at Puunene Avenue, Kahului, Maui, Hawaii. The project will include 18 units at or below 30 percent of the AMI, 18 units at or below 50 percent of the AMI, 142 units at or below 60 percent of the AMI, and one unit for an on-site property manager. The affordability period is 61 years.
- (7) Up to \$650,000 must be for the acquisition of TMK: (2) 4-6-011:011 and 028, located at 266 Dickenson Street, Lahaina, Maui, Hawaii 96761.

		<u>ESTIMATED BALANCE AS OF 6/30/2021</u>	<u>ANTICIPATED REVENUES FOR FY 2022</u>	<u>TOTAL FOR FY 2022</u>
	(8) Up to \$4,300,000 must be for Liloa Senior Housing, LP for the planning, design, and construction for the Liloa Hale project, TMK: (2) 2-2-002:072, located at Welakahao Road, Kihei, Maui, Hawaii. The 117-unit multifamily senior rental project will include 12 units at or below 30 percent of the AMI, 104 units at or below 60 percent of the AMI, and one unit for an on-site property manager. The affordability period is 60 years.			
M.	Kaunoa Senior Services Leisure Program Activities Revolving Fund (Chapter 3.37, Maui County Code) (1) Up to \$350,000 must be for Leisure Program activities.  (2) Disbursements for leisure program instructors are limited to 11.0 LTA equivalent personnel.	417,665	291,999	709,664
N.	Alarm System Revolving Fund (Chapter 8.34, Maui County Code) (1) Up to \$75,000 must be for contractual services for alarm system registrations.	380,033	146,543	526,576
O.	Countywide Sewer Capital Improvement Reserve Fund (Section 9-14, Revised Charter of the County of Maui (1983), as amended) (1) Up to \$3,500,000 must be used for the Central Maui Regional WWRF (Waikapu) project.	10,477,482	0	10,477,482
P.	Upcountry Water System Expansion Capital Improvement Reserve Fund (Section 9-14, Revised Charter of the County of Maui (1983), as amended)	10,322,864	0	10,322,864
Q.	Economic Development and Cultural Programs Revolving Fund (Chapter 3.81, Maui County Code) (1) Up to \$150,000 must be for the restoration of Ka'ahumanu Church, Wailuku, Maui, Hawaii.	220,000	<u>2,625,884</u>	<u>[220,000]</u> <u>2,845,884</u>

		<u>ESTIMATED BALANCE AS OF 6/30/2021</u>	<u>ANTICIPATED REVENUES FOR FY 2022</u>	<u>TOTAL FOR FY 2022</u>
R.	Fireworks Auditor Fund (Chapter 3.95, Maui County Code)	88,000	19,833	107,833
S.	Hawaiian Cultural Restoration Revolving Fund (Chapter 3.38, Maui County Code)	898,438	299,479	1,197,917
	(1) Up to \$400,000 must be for a master plan, management strategy, and implementation for the restoration of Moku'ula and Mokuhinia through community input and participation.			
T.	Employee Parking Fees Fund (Chapter 3.26, Maui County Code)	91,303	76,471	167,774
	(1) Up to \$50,000 must be for parking lot improvements, lighting, and security measures.			
U.	Maui Interscholastic League Fees Fund (Chapter 3.39, Maui County Code)	37,347	18,674	56,021
V.	County Parks Special Revolving Fund (Section 13.04A.460, Maui County Code)	0	0	0
W.	Special Management Area Revolving Fund (Chapter 3.49, Maui County Code)	365,439	275,738	641,177
	(1) Up to \$67,000 must be granted to Napili Bay and Beach Foundation for the construction of a new above grade TREX type decking path to spare more headland erosion by foot traffic.			
	(2) Up to \$175,000 must be for a shoreline access study to identify potentially obstructed shoreline areas, and assess lateral shoreline access and access point pathways and make recommendations for County action.			
X.	Experimental and Demonstration Housing Projects Fund (Chapter 16.28, Maui County Code)	1,000,000	0	1,000,000
Y.	Disposal of Vehicles Fee Fund (Chapter 3.27, Maui County Code)	2,035,224	2,172,501	4,207,725

	<u>ESTIMATED BALANCE AS OF 6/30/2021</u>	<u>ANTICIPATED REVENUES FOR FY 2022</u>	<u>TOTAL FOR FY 2022</u>
(1) Disbursement for salaries and premium pay is limited to \$169,734 and 3.5 equivalent personnel for the Environmental Protection and Sustainability Program.			
(2) Up to \$1,000,000 must be for disbursement for operations or services for the Environmental Protection and Sustainability Program.			
Z. Home Acquisition and Ownership Programs Revolving Fund (Chapter 3.34, Maui County Code)	1,476,274	1,000,000	2,476,274
(1) Must be for disbursement of grants, up to \$30,000 each, for qualified Maui County residents participating in the First-time Homebuyers Program.			
(2) Up to \$250,000 must be for the establishment of an Individual Development Account pilot program. This program will include up to 20 qualified homebuyers.			
AA. Molokai Farming Cost Reimbursement Program Fund (Chapter 3.76, Maui County Code)	244,748	0	244,748
(1) Must be for disbursement of grants, up to \$5,000 each, for qualified farmers on Molokai for the cost of complying with the United States Food and Drug Administration Food Safety Act and State of Hawaii Food Safety Law."			

SECTION 2. Material to be repealed is bracketed. New material is underscored.

SECTION 3. This Ordinance takes effect on November 1, 2021.

APPROVED AS TO FORM AND LEGALITY:



KRISTINA C. TOSHIKIYO  
Deputy Corporation Counsel



DIGEST

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OPEN SPACE, NATURAL RESOURCES, CULTURAL RESOURCES,  
AND SCENIC VIEWS PRESERVATION FUND,  
AFFORDABLE HOUSING FUND,  
ECONOMIC DEVELOPMENT AND CULTURAL PROGRAMS REVOLVING FUND

This bill proposes to amend Ordinance No. 5217, Bill No. 46 (2021), Draft 1, the "Fiscal Year 2022 Budget" of the County of Maui, by amending Appendix A, Part II, Special Purpose Revenues - Schedule of Revolving/Special Funds for Fiscal Year 2022, as it pertains to the 1) Open Space, Natural Resources, Cultural Resources, and Scenic Views Preservation Fund by increasing the appropriations in the amount of \$2,000,000; 2) Affordable Housing Fund by increasing the appropriations in the amount of \$4,000,000; and 3) by adding anticipated revenues of \$2,625,884 for the Economic Development and Cultural Programs Revolving Fund.

I, KATHY L. KAOHU, County Clerk of the County of Maui, State of Hawaii, DO  
HEREBY CERTIFY that the foregoing BILL NO. 109 (2021) was passed on First Reading  
by the Council of the County of Maui, State of Hawaii, on the 1st day of October, 2021,  
by the following vote:

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

NOES: None.

EXCUSED: Councilmembers Natalie A. Kama and Michael J. Molina.

DATED at Wailuku, Maui, Hawaii, this 12th of October, 2021.



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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.