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Director of Council Services
Traci N. T. Fujita, Esq.

Deputy Director of Council Services
David M. Raatz, Jr., Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

November 8, 2021

Ms. Michele Yoshimura, Budget Director
Office of the Mayor
County of Maui
Wailuku, Hawaii 96793

Dear Ms. Yoshimura:

**SUBJECT: AMENDMENTS TO CAPITAL IMPROVEMENT
PROJECTS FOR FISCAL YEAR 2022 (DEPARTMENT
OF WATER SUPPLY (ACQUISITION OF 1888 WILI PA
LOOP BUILDING AND PROPERTY)) (BFED-56(2))**

May I please request you provide revised proposed bills reflecting the nonsubstantive changes shown on the attached mark-ups.

I would appreciate receiving the revised proposed bills by **Wednesday, November 10, 2021**, to meet the posting deadline for the November 19, 2021, Council meeting. To ensure efficient processing, please transmit your response to bfed.committee@mauicounty.us and include the relevant Committee item number in the subject line of your response.

Should you have any questions, please contact me or the Committee staff (Lesley Milner at ext. 7886, or Yvette Bouthillier at ext. 7758).

Sincerely,

A handwritten signature in black ink, reading "Keani Rawlins-Fernandez".

KEANI N.W. RAWLINS-FERNANDEZ, Chair
Budget, Finance, and Economic
Development Committee

bfed:ltr:056(2)abd01:ljam
Attachment
cc: Mayor Michael P. Victorino

ORDINANCE NO. _____

BILL NO. _____ (2021)

A BILL FOR AN ORDINANCE AMENDING
THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO ESTIMATED REVENUES;
DEPARTMENT OF WATER SUPPLY,
WAILUKU-KAHULUI COMMUNITY PLAN AREA,
WATER SUPPLY, BOND FUND,
ACQUISITION OF 1888 WILI PA LOOP BUILDING AND PROPERTY;
TOTAL CAPITAL IMPROVEMENTS PROJECT APPROPRIATIONS;
TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)

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", is hereby amended as it pertains to Section 2, Estimated Revenues, by increasing Bond/Lapsed Bond in the amount of \$4,020,000; and by increasing the Total Estimated Revenues in the amount of \$4,020,000, to read as follows:

"ESTIMATED REVENUES

FROM TAXES, FEES AND ASSESSMENTS:

| | |
|------------------------------|-------------|
| Real Property Taxes | 385,460,429 |
| Circuit Breaker Adjustment | (490,677) |
| Charges for Current Services | 151,362,496 |
| Public Service Company Tax | 7,500,000 |
| Licenses/Permits/Others | 41,555,596 |
| Fuel and Franchise Taxes | 23,500,000 |
| Special Assessments | 7,415,000 |
| Other Intergovernmental | 17,200,000 |

FROM OTHER SOURCES:

| | |
|--|--|
| Interfund Transfers | 37,212,827 |
| Bond/Lapsed Bond | [88,277,000] 82,297,900 |
| Carryover/Savings: | [96,149,000] 100,169,000 |
| General Fund | 56,738,319 |
| Sewer Fund | 5,521,340 |
| Highway Fund | 1,574,122 |
| Solid Waste Management Fund | -451,073 |
| Environmental Protection and Sustainability Fund | 898,082 |
| Liquor Fund | 674,182 |
| Water Fund | 19,535,117 |

TOTAL ESTIMATED REVENUES

| | |
|--------------------------|-------------------------|
| [843,483,660] | 847,503,660" |
| <u>[866,354,760]</u> | <u>870,374,760"</u> |

SECTION 2. Fiscal Year 2022 Budget is hereby amended as it pertains to Section 4.1.2.a, Department of Water Supply, Wailuku-Kahului Community Plan Area, Water Supply, by adding "3. Bond Fund" and a project entitled "Acquisition of 1888 Wili Pa Loop Building and Property" for \$4,020,000, to read as follows:

"I. Department of Water Supply

1. Countywide

a. Water Supply

(1) Water Fund – Unrestricted

| | |
|---|-----------|
| (i) Acquisition of the Wailuku Water Company Water System | 2,000,000 |
| (ii) Countywide Facility Improvements | 1,050,000 |
| (iii) Countywide Upgrades and Replacements | 4,550,000 |
| (iv) Countywide Water System Modification | 500,000 |

2. Wailuku-Kahului Community Plan Area

a. Water Supply

(1) Water Fund - Unrestricted

| | |
|---------------------|---------|
| (i) Kahului Tank II | 860,000 |
|---------------------|---------|

(2) Water Fund - Restricted

| | |
|--------------------|---------|
| (i) Waihee Tank II | 415,000 |
|--------------------|---------|

(3) Bond Fund

| | |
|---|------------------|
| (i) <u>Acquisition of 1888 Wili Pa Loop Building and Property</u> | <u>4,020,000</u> |
|---|------------------|

3. West Maui Community Plan Area

a. Water Supply

(1) Water Fund - Restricted

| | |
|---------------------------------|-----------|
| (i) West Maui Reliable Capacity | 6,050,000 |
|---------------------------------|-----------|

(2) Water Fund - Unrestricted

| | |
|---------------------------------|-----------|
| (i) West Maui Reliable Capacity | 3,750,000 |
|---------------------------------|-----------|

(3) State Revolving Loan Fund

| | |
|---------------------------------|------------|
| (i) West Maui Reliable Capacity | 4,250,000" |
|---------------------------------|------------|

SECTION 3. Fiscal Year 2022 Budget is hereby amended as it pertains to the Total Capital Improvement Project Appropriations to reflect an increase of \$4,020,000, to read as follows:

| | | |
|---|--------------------------|-------------------------|
| "TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS | [160,282,600] | 164,302,600" |
| | <u>[168,153,700]</u> | <u>172,173,700"</u> |

SECTION 4. Fiscal Year 2022 Budget is hereby amended as it pertains to the Total Appropriations (Operating and Capital Improvement Projects) to reflect an increase of \$4,020,000, to read as follows:

| | | |
|--|--------------------------|-------------------------|
| "TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS) | [843,483,660] | 847,503,660" |
| | <u>[866,354,760]</u> | <u>870,374,760"</u> |

SECTION 5. Material to be repealed is bracketed. New material is underscored.

SECTION 6. This Ordinance ~~shall take effect upon its~~ approval.
takes effect upon

APPROVED AS TO FORM AND LEGALITY:

/s/Kristina C. Toshikyo

KRISTINA C. TOSHIKIYO
Deputy Corporation Counsel

ORDINANCE NO. _____

BILL NO. ____ (2021)

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 5219,
BILL NO. 48 (2021), RELATING TO THE ISSUANCE OF GENERAL
OBLIGATION BONDS OF THE COUNTY OF MAUI
ISSUANCE, SALE AND DELIVERY OF SAID BONDS
(DEPARTMENT OF WATER SUPPLY – ACQUISITION OF
1888 WILI PA LOOP BUILDING AND PROPERTY)

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

SECTION 1. Ordinance No. 5219, Bill No. 48 (2021), 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 ~~[\$86,405,900]~~ ~~\$90,425,900~~ (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.”

~~[94,277,000]~~ ~~98,297,000~~

SECTION 2. Ordinance No. 5219, Bill No. 48 (2021), 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 2022 Budget, including amendments and supplements thereto, duly approved by the Council of the County (the "Council") for the fiscal year ending June 30, 2022 (the "Fiscal Year 2022 Budget"); provided, however, that pursuant to Section 47-5, Hawaii Revised Statutes, the part of such proceeds which is 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 2022 Budget, to be financed with proceeds from the sale of the Bonds, are as follows:

Public Improvements:

Estimated Project Cost

| <u>PROJECT TITLE</u> | <u>APPROPRIATION</u> |
|---|----------------------|
| A. Department of Environmental Management | |
| 1. Kihei-Makena Community Plan Area | |
| a. Sewer | |
| (1) Kihei Wastewater Pump Station No. 7 Relocation | 800,000 |
| (2) Kihei Wastewater Pump Station No. 9 Modification/Upgrade | 2,300,000 |
| 2. Wailuku-Kahului Community Plan Area | |
| a. Sanitation | |
| (1) Central Maui Landfill Phase II/III Interface Development | 850,000 |
| (2) Central Maui Landfill Phase III-B Lateral Expansion | 250,000 |
| 3. West Maui Community Plan Area | |
| a. Sewer | |
| (1) Lahaina Wastewater Reclamation Facility R-1 Process Expansion | 10,500,000 |
| (2) Napili No. 1 Force Main Replacement | 300,000 |
| (3) Napili Wastewater Pump Station No. 1 Modifications | 550,000 |
| (4) West Maui Recycled Water System Expansion | 6,000,000 |
| B. Department of Finance | |
| 1. Countywide | |
| a. Other Projects | |
| (1) Countywide Equipment | 4,785,000 |
| <u>2. Wailuku-Kahului Community Plan Area, a. Other Projects, (1) Waiale Land Acquisition</u> | <u>500,000</u> |
| C. Department of Fire and Public Safety | |
| 1. Lanai Community Plan Area | |

| | |
|---|------------|
| a. Government Facilities | |
| (1) Lanai Fire Station Improvements | 2,600,000 |
| 2. Makawao-Pukulani-Kula Community Plan Area | |
| a. Government Facilities | |
| (1) Makawao Fire Station Renovation/Addition | 770,000 |
| 3. Molokai Community Place Area | |
| a. Government Facilities | |
| (1) Puko`o Fire Station Relocation | 325,000 |
| (2) Puko`o Fire Station Renovation | 500,000 |
| 4. Paia-Haiku Community Plan Area | |
| a. Government Facilities | |
| (1) Haiku Fire Station | 800,000 |
| D. Department of Management | |
| 1. Wailuku-Kahului Community Plan Area | |
| a. Government Facilities | |
| (1) 60 North Church Street Building Renovations | 628,000 |
| (2) 100 Mahalani Street Buildings Renovations | 2,000,000 |
| E. Department of Parks and Recreation | |
| 1. Hana Community Plan Area | |
| a. Government Facilities | |
| (1) Old Hana School Improvements | 3,000,000 |
| b. Parks and Recreation | |
| (1) Helene Hall Improvements | 1,300,000 |
| 2. Lanai Community Plan Area | |
| a. Parks and Recreation | |
| (1) Lanai Youth Center and Skate Park | 4,000,000 |
| 3. Wailuku-Kahului Community Plan Area | |
| a. Parks and Recreation | |
| (1) Velma McWayne Santos Center Improvements | 2,125,000 |
| (2) War Memorial Gym Building Improvements | 15,000,000 |
| F. Department of Public Works | |
| 1. Countywide | |

| | |
|--|----------------------|
| a. Countywide | |
| (1) Countywide Bridge and Drainage Program | 1,200,000 |
| (2) Countywide Drainline Replacement Program | 3,700,000 |
| b. Government Facilities | |
| (1) Countywide Facilities Maintenance | 500,000 |
| c. 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 Road Resurfacing and Pavement Preservation | 3,550,000 |
| (2) Countywide Federal Aid Program | 4,307,900 |
| | <u>8,179,000</u> |
| 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 Rockfall Repairs | 4,250,000 |
| 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 (Waipuilani Street to Kaonoulou Street) | 515,000 |
| 4. Lanai Community Plan Area | |
| a. Government Facilities | |
| (1) Lanai Baseyard Improvements | 900,000 |
| 5. Paia-Haiku 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) Haiku Road Slope Stability Improvements | 7,500,000 |

G. Department of Transportation

6. Wailuku-Kahului Community Plan Area

a. Road Improvements (and related improvements, beautifications, sidewalks, bike paths, drainage, bridge repairs, and maintenance safety and utilities, accessibility for persons with disabilities) including:

 (1) Waiale Road Extension 3,500,000

- 1. Countywide
 - a. Other Projects
 - (1) Bus Stops and Shelters 600,000

H. Department of Water Supply

1. Wailuku-Kahului Community Plan Area

a. Water Supply

- (1) Acquisition of 1888 Wili Pa Loop Building and Property 4,020,000

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.
takes effect on

APPROVED AS TO FORM
AND LEGALITY:

/s/Kristina C. Toshikiyo

KRISTINA C. TOSHIKIYO
Deputy Corporation Counsel
County of Maui
2021-0374
2021-09-10 Ord Bond Amd Water Acq of Land