

**COUNCIL OF THE COUNTY OF MAUI**  
**BUDGET, FINANCE, AND ECONOMIC**  
**DEVELOPMENT COMMITTEE**

November 19, 2021

**Committee**  
**Report No. \_\_\_\_\_**

Honorable Chair and Members  
of the County Council  
County of Maui  
Wailuku, Maui, Hawaii

Chair and Members:

Your Budget, Finance, and Economic Development Committee, having met on November 4, 2021, makes reference to County Communication 21-303, from Council Vice-Chair Keani N.W. Rawlins-Fernandez, relating to amendments to Capital Improvement Projects for Fiscal Year ("FY") 2022.

By correspondence dated September 10, 2021, the Budget Director transmitted the following:

1. A proposed bill entitled "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)." ("Budget bill")

The purpose of the proposed bill is to amend the FY 2022 Budget by: 1) increasing Bond/Lapsed Bond revenues by \$4,020,000; 2) amending Section 4.I.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" in the amount of \$4,020,000; and 3) adjusting the totals accordingly.

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2. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C - CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF WATER SUPPLY, WAILUKU-KAHULUI COMMUNITY PLAN AREA, ACQUISITION OF 1888 WILI PA LOOP BUILDING AND PROPERTY."

The purpose of the proposed bill is to amend the FY 2022 Budget, Appendix C, Capital Improvement Projects, by adding a project and project description under the Department of Water Supply, Wailuku-Kahului Community Plan Area, for the Acquisition of 1888 Wili Pa Loop Building and Property in the amount of \$4,020,000.

3. A proposed bill entitled "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)." ("Bond Authorization bill")

The purpose of the proposed bill is to amend the FY 2022 general obligation bond authorization ordinance by adding an appropriation for the Wailuku-Kahului Community Plan Area, Water Supply, for a project entitled "Acquisition of 1888 Wili Pa Loop Building and Property," in the amount of \$4,020,000, under the Department of Water Supply.

4. A proposed resolution entitled "AUTHORIZING THE ACQUISITION OF APPROXIMATELY 29,712 SQUARE FEET IDENTIFIED AS TAX MAP KEY NO. (2) 3-4-020-049

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SITUATED AT WAILUKU, MAUI, HAWAII, FOR AN AMOUNT  
NOT TO EXCEED \$4,000,000.00.”

The purpose of the proposed resolution is to authorize the acquisition of 29,712 square feet identified as tax map key (2) 3-4-020-049, situated at Wailuku, Maui, Hawaii, for an amount not to exceed \$4,000,000, plus customary expenses.

A representative from the Department of Water Supply explained that approximately 30 Fiscal Division employees would be relocated from the fifth floor of the Kalana o Maui Building (“Kalana o Maui”) to the new space. Nine employees in the Water Resources and Planning Division would then be able to move out of their current rental space at One Main Plaza and into Kalana o Maui. This move would also allow the 25 Engineering Division employees more office space in Kalana o Maui for improved social distancing.

The representative said the Wili Pa Loop Building is already set up with teller windows and a vault to accept payments, which would then free up daily customer traffic to Kalana o Maui. The Department also said the new space contains a conference room large enough for the Board of Water Supply to hold meetings.

The Deputy Director of Water Supply added that no significant renovations were needed for the Wili Pa Loop Building. The Department plans to occupy the space in Summer 2022, when construction of the seller’s new building is complete.

Your Committee expressed concern on the availability of parking for walk-in customers. Of the 40 stalls, two are disabled-accessible. The Department anticipates leaving 10 stalls available for customers, which should be adequate given that the majority of individuals make online payments.

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The Budget Director said debt service would be paid by the Department's Water Fund.

Your Committee voted 7-0 to recommend passage of the proposed bills on first reading and adoption of the proposed resolution. Committee Chair Rawlins-Fernandez, Vice-Chair Paltin, and members Kama, Lee, Molina, Sinenci, and Sugimura voted "aye." Committee members Johnson and King were excused.

Your Committee is in receipt of a revised proposed Budget Bill and a revised proposed Bond Authorization bill, approved as to form and legality by the Department of the Corporation Counsel, incorporating nonsubstantive revisions that incorporate prior amendments to the FY 2022 Budget.

Your Budget, Finance, and Economic Development Committee RECOMMENDS the following:

1. That Bill \_\_\_\_\_ (2021), attached hereto, entitled "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 PASSED ON FIRST READING and be ORDERED TO PRINT;
2. That Bill \_\_\_\_\_ (2021), attached hereto, entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C - CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF WATER SUPPLY, WAILUKU-KAHULUI

COUNCIL OF THE COUNTY OF MAUI

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COMMUNITY PLAN AREA, ACQUISITION OF 1888 WILI PA LOOP BUILDING AND PROPERTY,” be PASSED ON FIRST READING and be ORDERED TO PRINT;

3. That Bill \_\_\_\_\_ (2021), attached hereto, entitled “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 PASSED ON FIRST READING and be ORDERED TO PRINT; and
4. That Resolution \_\_\_\_\_, attached hereto, entitled “AUTHORIZING THE ACQUISITION OF APPROXIMATELY 29,712 SQUARE FEET IDENTIFIED AS TAX MAP KEY NO. (2) 3-4-020-049 SITUATED AT WAILUKU, MAUI, HAWAII, FOR AN AMOUNT NOT TO EXCEED \$4,000,000.00,” be ADOPTED.

This report is submitted in accordance with Rule 8 of the Rules of the Council.



KEANI N.W. RAWLINS-FERNANDEZ, Chair

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
Transient Accommodations Tax		15,000,000
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	[96,149,000]	<u>100,169,000</u>
Carryover/Savings:		
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		<u>19,535,117</u>

TOTAL ESTIMATED REVENUES	[866,354,760]	<u>870,374,760"</u>
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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
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(2) Water Fund - Restricted

(i) Waihee Tank II	415,000
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(3) Bond Fund

(i) <u>Acquisition of 1888 Wili Pa Loop Building and Property</u>	<u>4,020,000</u>
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3. West Maui Community Plan Area

a. Water Supply

(1) Water Fund - Restricted

(i) West Maui Reliable Capacity	6,050,000
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(2) Water Fund - Unrestricted

(i) West Maui Reliable Capacity	3,750,000
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(3) State Revolving Loan Fund

(i) West Maui Reliable Capacity	4,250,000"
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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 [168,153,700] 172,173,700"

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) [866,354,760] 870,374,760"

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

SECTION 6. This Ordinance takes effect upon approval.

APPROVED AS TO FORM AND LEGALITY:

A handwritten signature in black ink, appearing to read "Kristina C. Toshikiyo", written over a horizontal line.

KRISTINA C. TOSHIKIYO  
Deputy Corporation Counsel



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 APPENDIX C - CAPITAL IMPROVEMENT PROJECTS,  
DEPARTMENT OF WATER SUPPLY, WAILUKU-KAHULUI COMMUNITY PLAN AREA,  
ACQUISITION OF 1888 WILI PA LOOP BUILDING AND PROPERTY

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 C – Capital Improvement Projects, is hereby amended as it pertains to the Department of Water Supply, Wailuku-Kahului Community Plan Area by adding a project and project description for the Acquisition of 1888 Wili Pa Loop Building and Property for \$4,020,000, to read as follows:

"APPENDIX C - Capital Improvement Projects		
Capital improvement project funding may not be used for any purpose other than as described in this appendix. The total amount appropriated for a project may be used for the work phases provided in the project description. A budget amendment shall be requested if the total amount appropriated will be insufficient to complete all work phases set forth in the project description or if the project description does not clearly represent the work to be performed.		
CBS NO.	PROJECT TITLE/DESCRIPTION	APPROPRIATION
	<b>Department of Water Supply</b>	
	<b>1. Countywide</b>	
CBS-6657	<b>a. Acquisition of the Wailuku Water Company Water System</b>	2,000,000
	Acquisition and related costs for the Wailuku Water Company Water System.	
CBS-1075	<b>b. Countywide Facility Improvements</b>	1,050,000
	The Countywide Facilities Improvements project addresses critical infrastructure and facility issues at water treatment plants (WTP), well sites, water tank sites, booster pump station sites, and other DWS facilities. Projects include the planning, design, permitting, and construction of the following projects: 1) Olinda WTP Underdrain System; 2) Lahaina WTP Finish waterline to Kahana Tank; 3) Sanitary Survey deficiencies issued by the State Department of Health; and 4) funding for any unforeseen projects critical to maintaining system operations and reliability.	

CBS-2299	<b>c. Countywide Upgrades and Replacements</b>	4,550,000
	The Countywide Upgrades and Replacements project supports improvements that will sustain the reliable operation of existing water infrastructure or mitigate inadequacies of the water system for existing and future demand with projects at water treatment plants (WTP), well sites, booster pump stations, tank sites, and waterlines. Projects include planning, design, permitting, and construction for the following projects: 1) Lower Kula Booster #1 pump/motor replacement; 2) Wailea Tank #2 Booster 1 and 2 pump/motor Replacement; 3) Kula Ag Park Reservoir B Booster #2 pump/motor replacement; 4) Wailea Booster #2 pump/motor replacement; 5) Kamole WTP high lift booster motor replacement; 6) Kepaniwai well pump/motor replacement; 7) Kupaa Well pump/motor replacement; 8) Keanae Well #2 pump/motor replacement; 9) Napili Well A pump/motor replacement; 10) Kanaha Wells motor control center upgrade; 11) Waipuka Wells motor control center upgrade; 12) Kenolio Road waterline replacement/upgrade; 13) Wili Place waterline replacement/upgrade; 14) any unforeseen projects critical to maintaining system operations and reliability.	
CBS-4615	<b>d. Countywide Water System Modification</b>	500,000
	The Countywide Water System Modification supports all CIP projects, including prior fiscal year, ensuing fiscal year, and emergency projects to efficiently provide clean and safe drinking water to customers. An effective CIP program demands an ability to respond to unanticipated planning, design, permitting, and construction issues in a timely manner.	
	<b>2. Wailuku-Kahului Community Plan Area</b>	
CBS-4622	<b>a. Kahului Tank II</b>	860,000
	Construction of new 2 million gallon storage tank. This is a joint project with Maui Lani.	
CBS-6650	<b>b. Waihee Tank II</b>	415,000
	Design for the new two million gallon storage tank to improve distribution reliability and to add additional storage capacity for domestic and fire protection water demand for the Central Maui Water System.	
<u>CBS-xxxx</u>	<b><u>c. Acquisition of 1888 Wili Pa Loop Building and Property</u></b>	
	<u>Acquisition and related costs of 1888 Wili Pa Loop Building and Property.</u>	<u>4,020,000</u>
	<b>3. West Maui Community Plan Area</b>	
CBS-1092	<b>a. West Maui Reliable Capacity</b>	14,050,000
	The West Maui Reliable Capacity project will support source, transmission, and storage expansion for the West Maui expansion for the West Maui Water System. Projects include West Maui Source Development projects."	

SECTION 2. New material is underscored.

SECTION 3. This Ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

/s/Kristina C. Toshikiyo

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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 [~~\$94,277,000~~] \$98,297,000 (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.”

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
2. Wailuku-Kahului Community Plan Area	
a. Other Projects	
(1) Waiale Land Acquisition	500,000

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 Are	
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                        | 8,179,000 |

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 |
|---|-----------|

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

G. Department of Transportation

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

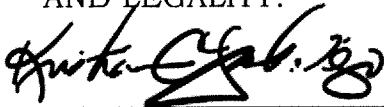
(1) Acquisition of 1888 Wili Pa Loop Building and Property 4,020,000

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 takes effect upon approval.

APPROVED AS TO FORM  
AND LEGALITY:



KRISTINA C. TOSHIKIYO  
Deputy Corporation Counsel  
County of Maui

2021-0374  
2021-11-10 Ord Bond Amd BD-BA 22-25a CIP Water Acq of Land



# Resolution

No. \_\_\_\_\_

AUTHORIZING THE ACQUISITION OF APPROXIMATELY 29,712  
SQUARE FEET IDENTIFIED AS TAX MAP KEY NO. (2) 3-4-020-049  
SITUATED AT WAILUKU, MAUI, HAWAII,  
FOR AN AMOUNT NOT TO EXCEED \$4,000,000.00

WHEREAS, Maui County Federal Credit Union, an association organized under the laws of the United States ("Owner"), is the owner in fee simple of that certain real property located at Wailuku, Maui, Hawaii, consisting of approximately 29,712 square feet, and identified for real property tax purposes as tax map key number (2) 3-4-020-049, ("Property"), which Property is more particularly described in Exhibit "A," and depicted in Exhibit "B" attached hereto, both of which are incorporated herein by reference; and

WHEREAS, the Property has been identified as a suitable location for County of Maui government offices; and

WHEREAS, Maui County Federal Credit Union expressed a desire to sell the Property to the County of Maui and the parties intend to enter into a Real Property Purchase and Sale Agreement at the agreed to price of FOUR MILLION AND NO/ 100 DOLLARS (\$4,000,000.00) plus customary expenses; and

WHEREAS, the Director of Finance has determined that acquisition of the Property is in the public interest; and

WHEREAS, Section 3.44.015(C), Maui County Code, requires that the Council authorize by resolution any acquisition of real property with a purchase price that exceeds \$250,000.00; and

BE IT RESOLVED by the Council of the County of Maui:

1. That the Council finds the acquisition of the Properties to be in the public interest; and

2. That pursuant to Section 3.44.015(C), Maui County Code, the Council authorizes the acquisition of the Properties for an amount not to exceed FOUR MILLION AND NO/ 100 DOLLARS (\$4,000,000.00), exclusive of closing costs and expenses; and

**Resolution No. \_\_\_\_\_**

3. That it does hereby authorize the Mayor or the Mayor's duly authorized representative, to execute all necessary documents in connection with the acquisition of the Properties; and

4. That certified copies of this Resolution be transmitted to the Mayor, the Director of Finance, and Maui County Federal Credit Union.

APPROVED AS TO FORM  
AND LEGALITY:

/s/Kristina C. Toshikiyo

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KRISTINA C. TOSHIKIYO  
Deputy Corporation Counsel  
County of Maui

2021-1128

2021-08-31 Reso 1888 Wili Pa Loop

# EXHIBIT "A"

## PRELIMINARY REPORT

(No Liability Hereunder)

This report (and any revisions thereto) is issued solely for the convenience of the titleholder, the titleholder's agent, counsel, purchaser or mortgagee, or the person ordering it for the purpose of facilitating the issuance of a policy of title insurance by Title Guaranty of Hawaii, LLC and no liability will arise under this report.

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### SCHEDULE A

Title Guaranty of Hawaii, LLC (the "Company") hereby reports that, subject to those matters set forth in Schedule "B" hereof, the title to the estate or interest to the land described in Schedule "C" hereof is vested in:

MAUI COUNTY FEDERAL CREDIT UNION,  
an association organized under the laws of  
the United States  
as Fee Owner

This report is dated as of June 18, 2021 at 8:00 a.m.

**Inquiries concerning this report should be directed to:**

Title Officer - Reiko Crabtree; Office: (808) 539-7704

Email: rcrabtree@tghawaii.com

Please reference Title Order No. 202109678.

**SCHEDULE B  
EXCEPTIONS**

1. Real Property Taxes, if any, that may be due and owing.

Tax Key: (2) 3-4-020-049      Area Assessed: 29,712 sq. ft.

-Note:- Attention is invited to the fact that the premises covered herein may be subject to possible rollback or retroactive property taxes due to possible loss of exemption status.

2. Mineral and water rights of any nature.
3. A 15-foot wide waterline easement No. 6 for the Central Maui Water Transmission System extending from Iao Stream to Mill Street over said lot.

4. DESIGNATION OF EASEMENT(S) "2"

PURPOSE : waterline  
REFERENCED : on File Plan 1829

5. DESIGNATION OF EASEMENT(S) "24"

PURPOSE : electrical  
REFERENCED : on File Plan 1829

6. DESIGNATION OF EASEMENT(S) "31"

PURPOSE : landscaping  
REFERENCED : on File Plan 1829

7. DESIGNATION OF EASEMENT(S) "41"

PURPOSE : landscaping  
REFERENCED : on File Plan 1829

SCHEDULE B CONTINUED

8. The terms and provisions contained in the following:

INSTRUMENT : DEED

DATED : June 22, 1984

RECORDED : Liber 17966 Page 310

The foregoing includes, but is not limited to, matters relating to water reservation.

9. The terms and provisions contained in the following:

INSTRUMENT : DEED

DATED : June 22, 1984

RECORDED : Liber 17966 Page 357

The foregoing includes, but is not limited to, matters relating to water reservation.

10. The terms and provisions contained in the following:

INSTRUMENT : AGREEMENT TO DEVELOP THE MILLYARD SUBDIVISION IN TWO PHASES

DATED : December 13, 1984

RECORDED : Liber 18331 Page 768

PARTIES : HAWAIIANA INVESTMENT CO., INC., a Hawaii corporation, and the COUNTY OF MAUI, through its Department of Public Works and the Department of Water Supply

11. The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in the following:

INSTRUMENT : DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE MILLYARD

DATED : May 10, 1985

RECORDED : Liber 18659 Page 397

SCHEDULE B CONTINUED

Consent and Joinder given by WAILUKU SUGAR COMPANY, by instrument dated May 15, 1985, recorded in Liber 18659 at Page 448.

Said Declaration was amended by Annexation instruments dated July 15, 1985, recorded in Liber 18782 at Page 153, dated October 10, 1986, recorded in Liber 20015 at Page 511, dated October 10, 1986, recorded in Liber 20015 at Page 521, and dated July 20, 1983, recorded in Liber 23447 at Page 71, and the rights thereunder of The Millyard Association, a Hawaii nonprofit corporation, and its members.

12. GRANT

TO : MAUI ELECTRIC COMPANY, LIMITED, a Hawaii corporation, and HAWAIIAN TELEPHONE COMPANY, a Hawaii corporation

DATED : April 6, 1987

RECORDED : Liber 20653 Page 336

GRANTING : a right and easement for utility purposes across and over Easement "24"

13. The terms and provisions contained in the following:

INSTRUMENT : DEED

DATED : July 20, 1989

RECORDED : Liber 23447 Page 77

14. The terms and provisions contained in the following:

INSTRUMENT : LIMITED WARRANTY EXCHANGE DEED

DATED : July 20, 1989

RECORDED : Liber 23447 Page 86

SCHEDULE B CONTINUED

15. RESTRICTION OF VEHICLE ACCESS RIGHTS

ALONG : Imi Kala Street  
REFERENCED : on Subdivision map prepared by Albert S. Saiki,  
Licensed Land Surveyor, approved by the County of  
Maui, on August 21, 1991, LUCA File No. 3.1519

16. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other matters which a correct survey or archaeological study would disclose.

17. Any unrecorded leases and matters arising from or affecting the same.

18. Any lien (or claim of lien) for services, labor or material arising from an improvement or work related to the land described in Schedule C herein.

**END OF SCHEDULE B**

**SCHEDULE C**

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Kamehameha IV Deed to Z. Kaauwai and Royal Patent 5531, Land Commission Award 1742, Apana 4 to Z. Kaauwai) situate, lying and being at Papohaku, Owa, Wailuku, Island and County of Maui, State of Hawaii, being LOT 29-A-1, being the subdivision of Lot 29-A of the Millyard Subdivision, as shown on the Subdivision Map approved by the County of Maui, on October 11, 1996, Subdivision File No. LUCA 3.1705 and thus bounded and described:

Beginning at a found 3/4 inch pipe at the southeasterly corner of this lot and along the west side of Imi Kala Street, the coordinates of said point of beginning being north 5,109.04 feet, west 942.55 feet referred to Government Survey Triangulation Station "LUKE" and running by azimuths measured clockwise from true South (meridian of said "LUKE"); thence,

- |    |  |        |   |
|----|--|--------|---|
| 1. | 55° 20'  | 198.16 | feet along Lot 29-A-1 of this subdivision to a found 3/4 inch pipe; thence; |
| 2. | 145° 20'   | 137.96 | feet along the same to a found 3/4 inch pipe; thence,                       |
| 3. | 232° 30'   | 18.19  | feet along Wili Pa Loop to a found 3/4 inch pipe; thence;                   |
| 4. | Along the same on a curve to the right with a radius of 2,972.00 feet and a central angle of 3° 06' 16", the chord azimuth and distance being: |        |   |
|    | 234° 03' 08"   | 161.01 | feet to a found 3/4 inch pipe; thence,                                      |
| 5. | Along the same on a curve to the right with a radius of 40.00 feet and a central angle of 96° 44' 22", the chord azimuth and distance being:   |        |   |
|    | 283° 58' 27"   | 59.80  | feet to a found 3/4 inch pipe; thence,                                      |



SCHEDULE C CONTINUED

6. Along the same on a curve to the right with a radius of 590.00 feet and a central angle of 9° 41' 38", the chord azimuth and distance being:

337° 11' 27" 99.70 feet to the point of beginning and containing an area of 29,712 square feet, more or less.

BEING THE PREMISES ACQUIRED BY WARRANTY DEED

GRANTOR : E. T. IGE CONSTRUCTION, INC., a Hawaii corporation

GRANTEE : MAUI COUNTY EMPLOYEES FEDERAL CREDIT UNION, a  
Hawaii non-profit corporation

DATED : October 21, 1996

RECORDED : Document No. 96-152919

END OF SCHEDULE C

## GENERAL NOTES

1. There is hereby omitted from any covenants, conditions and reservations contained herein any covenant or restriction based on race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law. Lawful restrictions under state or federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status.
2. Land Court Order No. 185030, filed November 29, 2010, sets forth the following:
  - (A) name change of MAUI COUNTY EMPLOYEE FEDERAL CREDIT UNITON to MAUI COUNTY FEDERAL CREDIT UNION, on October 30, 2008, effective as of January 2, 2009.

## **GUIDELINES FOR THE ISSUANCE OF INSURANCE**

- A. Taxes shown in Schedule B are as of the date such information is available from the taxing authority. Evidence of payment of all taxes and assessments subsequent to such date must be provided prior to recordation.
- B. Evidence of authority regarding the execution of all documents pertaining to the transaction is required prior to recordation. This includes corporate resolutions, copies of partnership agreements, powers of attorney and trust instruments.
- C. If an entity (corporation, partnership, limited liability company, etc.) is not registered in Hawaii, evidence of its formation and existence under the laws where such entity is formed must be presented prior to recordation.
- D. If the transaction involves a construction loan, the following is required:
  - (1) a letter confirming that there is no construction prior to recordation; or
  - (2) if there is such construction, appropriate indemnity agreements, financial statements and other relevant information from the owner, developer, general contractor and major sub-contractors must be submitted to the Company for approval at least one week prior to the anticipated date of recordation.

Forms are available upon request from the Company.

- E. Chapter 669, Hawaii Revised Statutes, sets forth acceptable tolerances for discrepancies in structures or improvements relative to private property boundaries for various classes of real property. If your survey map shows a position discrepancy that falls within the tolerances of Chapter 669, call your title officer as affirmative coverage may be available to insured lenders.
- F. The right is reserved to make additional exceptions and/or requirements upon examination of all documents submitted in connection with this transaction.
- G. If a policy of title insurance is issued, it will exclude from coverage all matters set forth in Schedule B of this report and in the printed Exclusions from Coverage contained in an ALTA policy or in the Hawaii Standard Owner's Policy, as applicable. Different forms may have different exclusions and should be reviewed. Copies of the policy forms are available upon request from the Company or on our website at [www.tghawaii.com](http://www.tghawaii.com).
- H. Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.

DATE PRINTED: 6/25/2021

STATEMENT OF ASSESSED VALUES AND REAL PROPERTY TAXES DUE

TAX MAP KEY

DIVISION ZONE SECTION PLAT PARCEL HPR NO.  
(2) 3 4 020 049 0000

CLASS: INDUSTRIAL

AREA ASSESSED: 29,712 SF

ASSESSED VALUES FOR CURRENT YEAR TAXES: 2021

The records of this division show the assessed values and taxes on the property designated by Tax Key shown above are as follows:

BUILDING	\$	3,096,600
EXEMPTION	\$	3,096,600
NET VALUE	\$	0
LAND	\$	808,200
EXEMPTION	\$	808,200
NET VALUE	\$	0
TOTAL NET VALUE	\$	0

Installment (1 - due 8/20; 2 - due 2/20) Tax Info As Of - 2/20/2021

Tax Year	Installment	Tax Amount	Penalty Amount	Interest Amount	Other Amount	Total Amount	
2020	2	200.00				200.00	PAID
2020	1	200.00				200.00	PAID
2019	2	200.00				200.00	PAID
2019	1	200.00				200.00	PAID

The real property tax information provided is based on information furnished by the respective counties, is deemed reliable but not guaranteed, and no warranties are given express or implied. Billing and tax collection details may have changed. Please refer to the appropriate county real property tax offices for any further information or updates for the subject property.

# EXHIBIT "B"

## **The Millyard Subdivision (Subdivision File No. 3.1705) Description of Lot 29-A-1**

Land situated on the Westerly side of Imi Kala Street and the Southerly side of Wili Pa Loop at Halieu, Owa, Papohaku, Wailuku, Maui, Hawaii

Being portions of Royal Patent 5531, Land Commission Award 1742, Apana 4 to Z. Kaauwai and Kam IV Deed to Z. Kaauwai

Beginning at a point at the Southeasterly corner of this lot, being also the Northeasterly corner of Lot 29-A-2-B of The Millyard Subdivision (Subdivision File No. 3.1756), the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being: 5,109.04 feet North and 942.55 feet West and running by azimuths measured clockwise from True South:

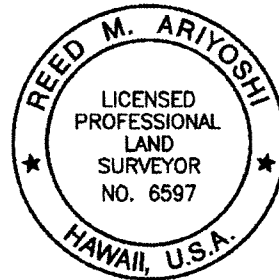
1.     55°   20'                   198.16 feet along Lot 29-A-2-B of The Millyard Subdivision (Subdivision File No. 3.1756), being also along the remainder of Kam IV Deed to Z. Kaauwai to a point;
2.     145°   20'                   137.96 feet along Lot 29-A-2-A of The Millyard Subdivision (Subdivision File No. 3.1756), being also along the remainders of Kam IV Deed to Z. Kaauwai and Royal Patent 5531, Land Commission Award 1742, Apana 4 to Z. Kaauwai to a point;
3.     232°   30'                   18.19 feet along the Southerly side of Wili Pa Loop to a point;

4. Thence along same on a curve to the right, with the point of curvature azimuth from the radial point being:  
142° 30' and the point of tangency azimuth from the radial point being:  
145° 36' 16", having a radius of 2,972.00 feet the chord azimuth and distance being:  
234° 03' 08" 161.01 feet to a point;
5. Thence along same on a curve to the right, with the point of curvature azimuth from the radial point being:  
145° 36' 16" and the point of tangency azimuth from the radial point being:  
242° 20' 38", having a radius of 40.00 feet, the chord azimuth and distance being:  
283° 58' 27" 59.80 feet to a point;
6. Thence along the Westerly side of Imi Kala Street on a curve to the right, with the point of curvature azimuth from the radial point being:  
242° 20' 38" and the point of tangency azimuth from the radial point being:  
252° 02' 16", having a radius of 590.00 feet, the chord azimuth and distance being:  
337° 11' 27" 99.70 feet to the point of beginning and containing an area of  
29,712 Square Feet.

SUBJECT, HOWEVER, the following:

1. An existing Electrical Easement 24 in favor of Maui Electrical Company, Ltd.
2. An existing Waterline Easement 2 in favor of the County of Maui, Department of Water Supply.

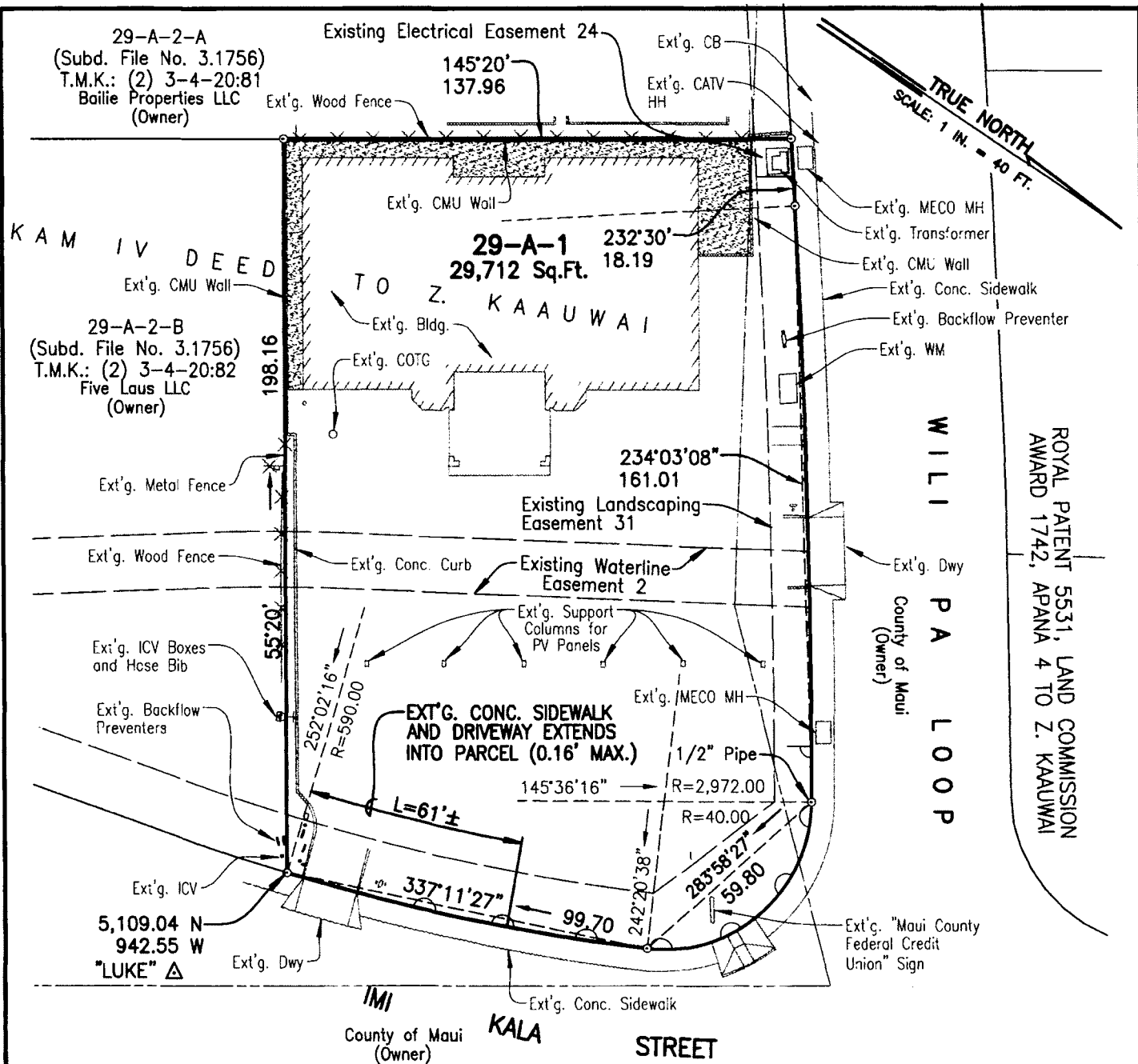
3. An existing Restriction of Vehicular Access Rights along course number 5 and portions of course numbers 4 and 6 of the above-described lot.
4. A portion of existing Landscaping Easement 31 in favor of The Millyard Subdivision.



WARREN S. UNEMORI ENGINEERING, INC.  
Wells Street Professional Center  
2145 Wells Street, Suite 403  
Wailuku, Maui, Hawaii 96793  
July 15, 2021

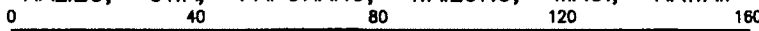
BY: Reed M. Ariyoshi 04/30/22 Exp.  
Licensed Professional Land Surveyor  
Certificate No. 6597

V:\Projdata\21PROJ\21032 - Cty - Maui County FCU Survey\Survey\Desc - Lot 29-A\_rev 1.docx



MAP OF T.M.K.: (2) 3-4-20:49

BEING PORTIONS OF KAM IV DEED TO Z. KAAUWAI AND ROYAL PATENT  
5531, LAND COMMISSION AWARD 1742, APANA 4 TO Z. KAAUWAI  
LOT 29-A-1 OF THE MILLYARD SUBDIVISION (SUBD. FILE NO. 3.1705)  
HALIEU, OWA, PAPOHAKU, WAILUKU, MAUI, HAWAII




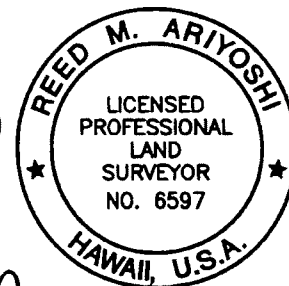
SCALE: 1 IN. = 40 FT.

OWNER: MAUI COUNTY EMPLOYEES FCU  
ADDRESS: WAILUKU, HI 96793

PROPERTY ADDRESS: 1888 WILI PA LOOP

**NOTES:**

1. THIS MAP IS FROM AN ACTUAL SURVEY ON THE GROUND MADE UNDER THE DIRECT SUPERVISION OF THE UNDERSIGNED ON JUNE 4 AND 7, 2021.
2. ALL BOUNDARY CORNERS ARE MARKED WITH 3/4" PIPES, UNLESS OTHERWISE NOTED.
3. ALL AZIMUTHS AND RECORD COORDINATES, REFERS TO GOVERNMENT SURVEY TRIANGULATION STATION "LUKE".
4. OWNERS OF ADJOINING LANDS, AS SHOWN ON PLAN, ARE TAKEN FROM RECORDS IN THE REAL PROPERTY MAPPING BRANCH.
5.  DENOTES EXISTING NO VEHICULAR ACCESS PERMITTED



Paul M. Angishi  
This map was prepared by me  
or under my supervision.

7/15/21  
Date



June 24, 2021  
Revised: July 15, 2021

$$8-1/2^m \times 11^m$$