

COUNCIL OF THE COUNTY OF MAUI
BUDGET AND FINANCE COMMITTEE

August 7, 2009

**Committee
Report No.** _____

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

Chair and Members:

Your Budget and Finance Committee, having met on July 14, 2009, makes reference to County Communication No. 09-190, from the Budget Director, transmitting the following:

1. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 3620 (2009) PERTAINING TO THE FISCAL YEAR 2009 BUDGET, TO CORRECT CERTAIN BALANCES";
2. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 3624 (2009) PERTAINING TO THE FISCAL YEAR 2009 BUDGET, TO CORRECT CERTAIN BALANCES";
3. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 3625 (2009) PERTAINING TO THE FISCAL YEAR 2009 BUDGET, TO CORRECT CERTAIN BALANCES";
4. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 3632 (2009) PERTAINING TO THE FISCAL YEAR 2009 BUDGET, TO CORRECT CERTAIN BALANCES"; and
5. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 3626 (2009) PERTAINING TO THE FISCAL YEAR 2009 BUDGET, TO CORRECT CERTAIN AFFORDABLE HOUSING FUND PROVISOS".

The purpose of the first four proposed bills is to correct balances for specific funds, total estimated revenues, total capital improvement project appropriations, and total appropriations (operating and capital improvement projects), as applicable, that were not appropriately updated when the original ordinances were enacted.

COUNCIL OF THE COUNTY OF MAUI

BUDGET AND FINANCE COMMITTEE

August 7, 2009
Page 2

Committee
Report No. _____

The purpose of the fifth proposed bill is to add under the Affordable Housing Fund, a proviso previously approved for the 901 Lower Main Street Project, that was omitted when Ordinance No. 3626 was enacted.

Your Committee noted that the original ordinances were enacted very close together and errors occurred when fund balance changes and provisions were not updated in pending bills.

Your Committee notes that the technical revisions have no impact on the legal effect or validity of the ordinances as originally passed.

Your Committee voted 6-0 to recommend passage of the proposed bills on first reading and filing of the communication. Committee Chair Pontanilla, Vice-Chair Mateo, and members Kaho`ohalahala, Medeiros, Molina, and Nishiki voted "aye". Committee members Baisa, Johnson, and Victorino were excused.

Your Budget and Finance Committee RECOMMENDS the following:

1. That Bill No. _____ (2009), attached hereto, entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 3620 (2009) PERTAINING TO THE FISCAL YEAR 2009 BUDGET, TO CORRECT CERTAIN BALANCES", be PASSED ON FIRST READING and be ORDERED TO PRINT;
2. That Bill No. _____ (2009), attached hereto, entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 3624 (2009) PERTAINING TO THE FISCAL YEAR 2009 BUDGET, TO CORRECT CERTAIN BALANCES", be PASSED ON FIRST READING and be ORDERED TO PRINT;
3. That Bill No. _____ (2009), attached hereto, entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 3625 (2009) PERTAINING TO THE FISCAL YEAR 2009 BUDGET, TO CORRECT CERTAIN BALANCES", be PASSED ON FIRST READING and be ORDERED TO PRINT;

COUNCIL OF THE COUNTY OF MAUI
BUDGET AND FINANCE COMMITTEE

August 7, 2009
Page 3

Committee
Report No. _____

4. That Bill No. _____ (2009), attached hereto, entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 3632 (2009) PERTAINING TO THE FISCAL YEAR 2009 BUDGET, TO CORRECT CERTAIN BALANCES", be PASSED ON FIRST READING and be ORDERED TO PRINT;
5. That Bill No. _____ (2009), attached hereto, entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 3626 (2009) PERTAINING TO THE FISCAL YEAR 2009 BUDGET, TO CORRECT CERTAIN AFFORDABLE HOUSING FUND PROVISOS", be PASSED ON FIRST READING and be ORDERED TO PRINT; and
6. That County Communication No. 09-190 be FILED.

This report is submitted in accordance with Rule 7 of the Rules of the Council.



JOSEPH PONTANILLA, Chair

ORDINANCE NO. _____

BILL NO. _____ (2009)

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 3620 (2009)
PERTAINING TO THE FISCAL YEAR 2009 BUDGET,
TO CORRECT CERTAIN BALANCES

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI

SECTION 1. Ordinance No. 3620 (2009), "A Bill for an Ordinance Amending the Fiscal Year 2009 Budget for the County of Maui As It Pertains to Estimated Revenues, Department of Parks and Recreation, Wailuku-Kahului Community Plan Area, Parks and Recreation, War Memorial Complex Improvements, Total Capital Improvement Project Appropriations, and Total Appropriations (Operating and Capital Improvement Projects)", is hereby amended as it pertains to Section 2, Estimated Revenues, to correct the Sewer Fund balance to \$4,489,909, to correct the old Total Estimated Revenues balance to \$563,355,736, and to correct the new Total Estimated Revenues balance to \$563,879,736, to read as follows:

"ESTIMATED REVENUES

FROM TAXES, FEES AND ASSESSMENTS:

Real Property Taxes	221,782,429
Circuit Breaker Adjustment	(1,231,314)
Charges for Current Services	102,724,411
Transient Accommodations Tax	21,980,000
Public Service Company Tax	6,700,000
Licenses/Permits/Others	26,653,285
Fuel and Franchise Taxes	20,000,000
Special Assessments	14,675,000
Other Intergovernmental	2,703,000

FROM OTHER SOURCES:

Interfund Transfers	50,010,952
Bond/Lapsed Bond	51,084,000
Carryover/Savings:	
General Fund	30,336,804
Sewer Fund	[2,497,909] 4,489,909
Highway Fund	5,336,161
Solid Waste Management Fund	475,000
Golf Fund	0
Liquor Fund	776,839

Bikeway Fund
Water Fund

33,713
5,349,547

TOTAL ESTIMATED REVENUES	[[561,363,736]]	[561,887,736]
	<u>[563,355,736]</u>	<u>563,879,736"</u>


SECTION 2. The old Total Appropriations (Operating and Capital Improvement Projects) balance is corrected to \$563,355,736, and the new Total Appropriations (Operating and Capital Improvement Projects) balance is corrected to \$563,879,736, to read as follows:

"TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)	[[561,363,736]]	[561,887,736]
	<u>[563,355,736]</u>	<u>563,879,736"</u>

SECTION 3. Material to be repealed is bracketed. New material is underscored.

SECTION 4. This Ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:



TRACI FUJITA VILLAROSA
First Deputy Corporation Counsel
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ORDINANCE NO. _____

BILL NO. _____ (2009)

A BILL FOR AN ORDINANCE AMENDING ORDINANCE
NO. 3624 (2009) PERTAINING TO THE FISCAL
YEAR 2009 BUDGET, TO CORRECT CERTAIN BALANCES

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

SECTION 1. Ordinance No. 3624 (2009), "A Bill for an Ordinance Amending the Fiscal Year 2009 Budget for the County of Maui As It Pertains to Estimated Revenues, Department of Public Works, Highway Fund, Paia-Haiku Community Plan Area, Haiku Road Emergency Improvements, Makawao-Pukalani-Kula Community Plan Area, Polipoli Road Drainage Improvements, Kihei-Makena Community Plan Area, Wailea Alanui Culvert Replacement, Total Capital Improvement Project Appropriations, and Total Appropriations (Operating and Capital Improvement Projects)", is hereby amended as it pertains to Section 2, Estimated Revenues, to correct the General Fund Carryover/Savings balance to \$30,336,804, to correct the Sewer Fund Carryover/Savings balance to \$4,489,909, to correct the old Total Estimated Revenues balance to \$563,879,736, and to correct the new Total Estimated Revenues balance to \$564,879,736, to read as follows:

"ESTIMATED REVENUES

FROM TAXES, FEES AND ASSESSMENTS:

Real Property Taxes		221,782,429
Circuit Breaker Adjustment		(1,231,314)
Charges for Current Services		102,724,411
Transient Accommodations Tax		21,980,000
Public Service Company Tax		6,700,000
Licenses/Permits/Others		26,653,285
Fuel and Franchise Taxes		20,000,000
Special Assessments		14,675,000
Other Intergovernmental		2,703,000

FROM OTHER SOURCES:

Interfund Transfers		50,010,952
Bond/Lapsed Bond		51,084,000
Carryover/Savings:		
General Fund	[29,812,804]	<u>30,336,804</u>
Sewer Fund	[2,497,909]	<u>4,489,909</u>
Highway Fund		6,336,161

Solid Waste Management Fund	475,000
Golf Fund	0
Liquor Fund	776,839
Bikeway Fund	33,713
Water Fund	<u>5,349,547</u>

	[[561,363,736]]	[562,363,736]
TOTAL ESTIMATED REVENUES	<u>[563,879,736]</u>	<u>564,879,736"</u>

SECTION 2. The old Total Capital Improvement Project Appropriations balance is corrected to \$100,613,000, and the new Total Capital Improvement Project Appropriations balance is corrected to \$101,613,000, to read as follows:

"TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS		
	[[100,089,000]]	[101,089,000]
	<u>[100,613,000]</u>	<u>101,613,000"</u>

SECTION 3. The old Total Appropriations (Operating and Capital Improvement Projects) balance is corrected to \$563,879,736, and the new Total Appropriations (Operating and Capital Improvement Projects) balance is corrected to \$564,879,736, to read as follows:

"TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)	[[561,363,736]]	[562,363,736]
	<u>[563,879,736]</u>	<u>564,879,736"</u>

SECTION 4. Material to be repealed is bracketed. New material is underscored.

SECTION 5. This Ordinance shall take effect upon its approval.

APPROVED AS TO FORM
AND LEGALITY:



TRACI FUJITA VILLAROSA
First Deputy Corporation Counsel
County of Maui

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ORDINANCE NO. _____

BILL NO. _____ (2009)

A BILL FOR AN ORDINANCE AMENDING ORDINANCE
NO. 3625 (2009) PERTAINING TO THE FISCAL
YEAR 2009 BUDGET, TO CORRECT CERTAIN BALANCES

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

SECTION 1. Ordinance No. 3625 (2009), "A Bill for an Ordinance Amending the Fiscal Year 2009 Budget for the County of Maui As It Pertains to Estimated Revenues, Department of Environmental Management, Wailuku-Kahului Community Plan Area, Sanitation, Wailuku Baseyard Refuse Office, Total Capital Improvement Project Appropriations, and Total Appropriations (Operating and Capital Improvement Projects)", is hereby amended as it pertains to Section 2, Estimated Revenues, to correct the General Fund Carryover/Savings balance to \$30,336,804, to correct the Sewer Fund Carryover/Savings balance to \$4,489,909, to correct the Highway Fund Carryover/Savings balance to \$6,336,161, to correct the old Total Estimated Revenues balance to \$564,879,736, and to correct the new Total Estimated Revenues balance to \$565,079,736, to read as follows:

"ESTIMATED REVENUES

FROM TAXES, FEES AND ASSESSMENTS:

Real Property Taxes	221,782,429
Circuit Breaker Adjustment	(1,231,314)
Charges for Current Services	102,724,411
Transient Accommodations Tax	21,980,000
Public Service Company Tax	6,700,000
Licenses/Permits/Others	26,653,285
Fuel and Franchise Taxes	20,000,000
Special Assessments	14,675,000
Other Intergovernmental	2,703,000

FROM OTHER SOURCES:

Interfund Transfers	50,010,952
Bond/Lapsed Bond	51,084,000
Carryover/Savings:	
General Fund	[29,812,804] 30,336,804
Sewer Fund	[2,497,909] 4,489,909
Highway Fund	[5,336,161] 6,336,161
Solid Waste Management Fund	675,000

Golf Fund		0
Liquor Fund		776,839
Bikeway Fund		33,713
Water Fund		<u>5,349,547</u>

	[[561,363,736]]	[561,563,736]
TOTAL ESTIMATED REVENUES	<u>[564,879,736]</u>	<u>565,079,736"</u>

SECTION 2. The old Total Capital Improvement Project Appropriations balance is corrected to \$101,613,000, and the new Total Capital Improvement Project Appropriations balance is corrected to \$101,813,000, to read as follows:

"TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS		
	[[100,089,000]]	[100,289,000]
	<u>[101,613,000]</u>	<u>101,813,000"</u>

SECTION 3. The old Total Appropriations (Operating and Capital Improvement Projects) balance is corrected to \$564,879,736, and the new Total Appropriations (Operating and Capital Improvement Projects) balance is corrected to \$565,079,736, to read as follows:

"TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)		
	[[561,363,736]]	[561,563,736]
	<u>[564,879,736]</u>	<u>565,079,736"</u>

SECTION 4. Material to be repealed is bracketed. New material is underscored.

SECTION 5. This Ordinance shall take effect upon its approval.

APPROVED AS TO FORM
AND LEGALITY:



TRACI FUJITA VILLAROSA
First Deputy Corporation Counsel
County of Maui

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ORDINANCE NO. _____

BILL NO. _____ (2009)

A BILL FOR AN ORDINANCE AMENDING ORDINANCE
NO. 3632 (2009) PERTAINING TO THE FISCAL
YEAR 2009 BUDGET, TO CORRECT CERTAIN BALANCES

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

SECTION 1. Ordinance No. 3632 (2009), "A Bill for an Ordinance Amending the Fiscal Year 2009 Budget for the County of Maui As It Pertains to Estimated Revenues, Department of Water Supply, Bond Fund, State Revolving Loan Fund, Makawao-Pukalani-Kula Community Plan Area, West Olinda Tank Replacement and Makawao Waterline Improvements, Wailuku-Kahului Community Plan Area, Wailuku Waterline Improvements, Kihei-Makena Community Plan Area, Kihei Road Waterline Replacement, Total Capital Improvement Project Appropriations, and Total Appropriations (Operating and Capital Improvement Projects)", is hereby amended as it pertains to Section 2, Estimated Revenues, to correct the Highway Fund Carryover/Savings balance to \$6,336,161, to correct the Solid Waste Management Fund Carryover/Savings balance to \$675,000, to correct the old Total Estimated Revenues balance to \$565,079,736, and to correct the new Total Estimated Revenues balance to \$570,819,736, to read as follows:

"ESTIMATED REVENUES

FROM TAXES, FEES AND ASSESSMENTS:

Real Property Taxes	221,782,429
Circuit Breaker Adjustment	(1,231,314)
Charges for Current Services	102,724,411
Transient Accommodation Tax	21,980,000
Public Service Company Tax	6,700,000
Licenses/Permits/Others	26,653,285
Fuel and Franchise Taxes	20,000,000
Special Assessments	14,675,000
Other Intergovernmental	11,403,000

FROM OTHER SOURCES:

Interfund Transfers	50,010,952
Bond/Lapsed Bond	48,124,000
Carryover/Savings:	
General Fund	30,336,804
Sewer Fund	4,489,909

Highway Fund	[5,336,161]	<u>6,336,161</u>
Solid Waste Management Fund	[475,000]	<u>675,000</u>
Golf Fund		0
Liquor Fund		776,839
Bikeway Fund		33,713
Water Fund		<u>5,349,547</u>
	[[563,879,736]]	[569,619,736]
TOTAL ESTIMATED REVENUES	<u>[565,079,736]</u>	<u>570,819,736"</u>

SECTION 2. The old Total Capital Improvement Project Appropriations balance is corrected to \$101,813,000, and the new Total Capital Improvement Project Appropriations balance is corrected to \$107,553,000, to read as follows:

"TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS	[[100,613,000]]	[106,353,000]
	<u>[101,813,000]</u>	<u>107,553,000"</u>

SECTION 3. The old Total Appropriations (Operating and Capital Improvement Projects) balance is corrected to \$565,079,736, and the new Total Appropriations (Operating and Capital Improvement Projects) balance is corrected to \$570,819,736, to read as follows:

"TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)	[[563,879,736]]	[569,619,736]
	<u>[565,079,736]</u>	<u>570,819,736"</u>

SECTION 4. Material to be repealed is bracketed. New material is underscored.

SECTION 5. This Ordinance shall take effect upon its approval.

APPROVED AS TO FORM
AND LEGALITY:


TRACI FUJITA VILLAROSA
First Deputy Corporation Counsel
County of Maui

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ORDINANCE NO. _____

BILL NO. _____ (2009)

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 3626 (2009)
PERTAINING TO THE FISCAL YEAR 2009 BUDGET,
TO CORRECT CERTAIN AFFORDABLE HOUSING FUND PROVISOS

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

SECTION 1. Ordinance No. 3626 (2009), "A Bill for an Ordinance Amending Appendix A of the Fiscal Year 2009 Budget for the County of Maui As It Pertains to Part II, Special Purpose Revenues - Schedule of Revolving/Special Funds for Fiscal Year 2009, Affordable Housing Fund, Affordable Housing Projects in West Maui", is hereby amended by adding a proviso previously approved by Ordinance No. 3618 (2009), and renumbering the remaining provisos, to read as follows:

"II. Special Purpose Revenues - Schedule of Revolving/Special Funds For Fiscal Year 2009

	ESTIMATED BALANCE AS OF 6/30/08	ANTICIPATED REVENUES FOR FY2009	TOTAL FOR FY 2009
Q. Affordable Housing Fund (Section 9-20, Revised Charter of the County of Maui (1983), as amended; Chapter 3.35, Maui County Code)	4,295,169	14,521,541	18,816,710
(1) Provided, that \$50,000 be for a Hana Affordable Housing Study.			
(2) Provided, that \$5,870,100 be for Hale Mahaolu Ehiku Project in Kihei, Maui.			
(3) Provided, that \$1,216,152 be for Waiehu Mauka Rental Housing Project - Lokahi Pacific; provided further that the \$1,216,152 not be disbursed unless Lokahi Pacific has obtained 201H approval for the Project by December 31, 2010.			
<u>(4) Provided, that \$1,000,000 be for 901 Lower Main Street Project - Habitat for Humanity Maui.</u>			

- [(4)] (5) Provided that \$1,000,000 be for the Lokahi Pacific Honokowai Project.
- [(5)] (6) Provided, that \$1,000,000 be for the Kahoma Project.
- [(6)] (7) Provided, that \$2,240,419 be for affordable housing projects in West Maui.
- [(7)] (8) Provided, that \$30,000 be for Administrative Expenses.

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

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

APPROVED AS TO FORM
AND LEGALITY:



TRACI FUJITA VILLAROSA
First Deputy Corporation Counsel
County of Maui

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