

COUNCIL OF THE COUNTY OF MAUI
BUDGET AND FINANCE COMMITTEE

December 1, 2006

**Committee
Report No.**

06-151

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 November 14, 2006, makes reference to County Communication No. 06-224, from the Budget Director, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2007 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE DEPARTMENT OF PARKS AND RECREATION".

The purpose of the proposed bill is to amend Appendix A, Part I, of the Fiscal Year (FY) 2007 Budget, relating to grant revenues, as it pertains to the Department of Parks and Recreation, by adding a donation from Launiupoko Associates, LLC, for County Parks Programs in the amount of \$25,250.

Your Committee notes that your Parks and Economic Development Committee previously reported on this matter through Committee Report No. 06-24, which recommended the adoption of a resolution entitled "AUTHORIZING ACCEPTANCE OF A DONATION FROM LAUNIUPOKO ASSOCIATES, LLC TO THE DEPARTMENT OF PARKS AND RECREATION, COUNTY OF MAUI, PURSUANT TO SECTION 13-8, REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, AND CHAPTER 3.56, MAUI COUNTY CODE". At its meeting of February 17, 2006, the Council adopted Committee Report No. 06-24 (Resolution No. 06-11).

Your Committee further notes that Launiupoko Associates, LLC is the developer of the Mahanalua Nui Subdivision, Phase IV, situated at Launiupoko, Lahaina, consisting of 36 agricultural lots.

At its meeting, your Committee met with the Budget Director, the Deputy Director of Parks and Recreation, and the First Deputy Corporation Counsel.

There was no public testimony.

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The Budget Director stated that although the donation was accepted in Fiscal Year (FY) 2006, a proposed bill to amend Appendix A of the FY 2006 Budget was not transmitted to the Council before the end of the fiscal year.

The Deputy Director stated that although it is not specified in the proposed bill, the Department intends to use the funds for programs in the West Maui Community Plan District. These programs have not yet been identified.

Your Committee expressed concern that the proposed bill does not restrict the use of the donation to programs within the West Maui Community Plan District, and that the Department has no specific plans for its use.

The First Deputy Corporation Counsel stated that the Council may add a proviso to the proposed bill to restrict the use of the funds for parks programs in the West Maui Community Plan District and that such a restriction would not conflict with the donor's intent.

Your Committee requested that the proposed bill be revised to add a proviso that the funds shall be expended for programs in the West Maui Community Plan District, and that the Department of Parks and Recreation shall be required to submit a report to the Council on how the funds were expended.

Your Committee voted to recommend passage of the revised proposed bill and filing of the communication.

Your Committee is in receipt of a revised proposed bill, approved as to form and legality, from the Department of the Corporation Counsel, incorporating your Committee's requested revisions.

Your Budget and Finance Committee **RECOMMENDS** the following:

1. That Bill No. _____ (2006), as revised herein and attached hereto, entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2007 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE DEPARTMENT OF PARKS AND RECREATION", be PASSED ON FIRST READING and be ORDERED TO PRINT; and

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2. That County Communication No. 06-224 be FILED.

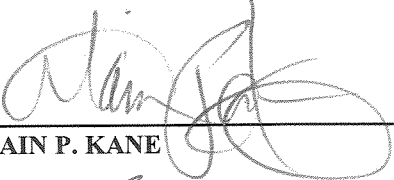
Adoption of this report is respectfully requested.

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DAIN P. KANE Chair



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ORDINANCE NO. _____

BILL NO. _____ (2006)

A BILL FOR AN ORDINANCE AMENDING APPENDIX A
OF THE FISCAL YEAR 2007 BUDGET FOR THE
COUNTY OF MAUI AS IT PERTAINS TO THE
DEPARTMENT OF PARKS AND RECREATION

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

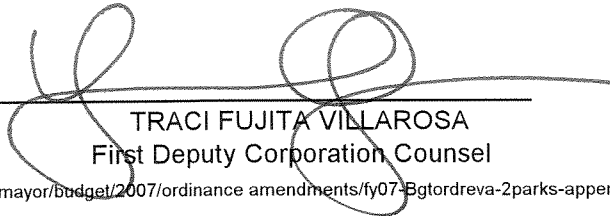
SECTION 1. Ordinance No. 3390, Bill No. 37 (2006), as amended, ("Fiscal Year 2007 Budget"), Appendix A, Part I, "Grant Revenues - Schedule of Grants by Departments and Programs for Fiscal Year 2007", is hereby amended as it pertains to the Department of Parks and Recreation by adding a new grant called Launiupoko Associates, LLC Donation for County Parks Program in the amount of \$25,250, to read as follows:

<u>"REQUEST DEPARTMENT/PROGRAM</u>	<u>APPROPRIATION</u>
6. Department of Parks and Recreation	
a. Community Resource and Play and Learn Sessions (PALS) Food Service Program	\$150,000
b. <u>Launiupoko Associates, LLC Donation for County Parks Programs</u> <u>(1) Provided, that funds shall be used for the West Maui Community</u> <u>Plan District, and that a report detailing the expenditure shall be</u> <u>submitted to the Council.</u>	<u>\$25,250"</u>

SECTION 2. New material is underscored. In printing this ordinance, the County Clerk need not include the underscoring.

SECTION 3. 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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