

ORDINANCE NO. 4109

BILL NO. 13 (2014)

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4041,
BILL NO. 40 (2013), RELATING TO THE ISSUANCE OF
GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI
(MOKUHINIA ECOSYSTEM RESTORATION PROJECT)

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

SECTION 1. Ordinance No. 4041, Bill No. 40 (2013), 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 ~~[\$33,939,000]~~ \$34,139,000 (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. 4041, Bill No. 40 (2013), 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 2014 Budget, including amendments and supplements thereto, duly approved by the Council of the County (the "Council") for the fiscal year ending June 30, 2014 (the "Fiscal Year 2014 Budget"); provided, however, that pursuant to Section 47-5, Hawaii Revised Statutes, the part of such proceeds which are 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 2014 Budget, to be financed with proceeds from the sale of the Bonds, are as follows:

Public Improvements:
Estimated Project Cost

- 1. Paia-Haiku Community Plan Area
 - a. Drainage
 - (1) Baldwin Avenue Drainage System \$ 200,000
 - b. Road improvements (and related improvements, beautification, sidewalks, bike paths, drainage, bridge repairs and maintenance, safety and utilities, accessibility for persons with disabilities) including:
 - (1) Kalialinui Bridge Improvements \$ 1,500,000

- 2. Makawao-Pukalani-Kula 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) Haleakala Highway Intersection Improvements at Makawao Avenue \$ 1,500,000
 - (2) Old Haleakala Highway Sidewalk (Kula Highway to Makawao Avenue) \$ 592,000
 - (3) Old Haleakala Highway and Makani Road Improvements \$ 600,000
 - b. Water Supply
 - (1) Makawao-Pukalani-Kula Treatment Plant Improvements \$ 700,000

- 3. Wailuku-Kahului Community Plan Area
 - a. Parks and Recreation
 - (1) Wailuku Gym Improvements \$ 1,700,000
 - (2) New Kahului Community Center Facility \$ 400,000

- b. Road Improvements (and related improvements, beautification, sidewalks, bike paths, drainage, bridge repairs and maintenance, safety and utilities, accessibility for persons with disabilities) including:
 - (1) Papa Avenue Pavement Rehabilitation, Puunene Avenue to Kaahumanu Avenue \$ 2,380,000
 - (2) Waiale Road Shoulder Improvements \$ 350,000
 - (3) Wakea Avenue Traffic Signals at Hina Avenue \$ 100,000
 - (4) Wakea Avenue and Wells Street Pavement Rehabilitation \$ 625,000
- c. Government Facilities
 - (1) Kalana O Maui Campus Expansion Design of Phase IA \$ 1,500,000
 Provided, that by this appropriation, it is not the Council's intent to ratify any or all of the administration's prior acts, actions, omissions, expenditures, and/or related events regarding the demolition of the Old Wailuku Post Office building, the master planning of the expansion project, or any of the subjects authorized for investigation pursuant to Resolution 13-83, as amended by Resolution 13-104. Further provided, that this appropriation shall neither affect nor hinder the Council's investigation of the demolition of the Old Wailuku Post Office building, the master planning of the expansion project, or any of the subjects authorized for investigation pursuant to Resolution 13-83, as amended by Resolution 13-104.
- d. Sanitation
 - (1) Central Maui Landfill Wind Turbine \$ 48,000

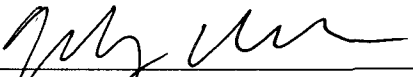
4.	Kihei-Makena Community Plan Area	
	a. Drainage	
	(1) South Kihei Road Culvert Replacement at Waiakoa	\$ 1,600,000
	b. Road Improvements (and related improvements, beautification, sidewalks, bike paths, drainage, bridge repairs and maintenance, safety and utilities, accessibility for persons with disabilities) including:	
	(1) South Kihei Road Pavement Rehabilitation	\$ 400,000
	(2) South Kihei Road Traffic Signal Modernization at Various Locations	\$ 268,000
5.	West Maui Community Plan Area	
	a. Drainage	
	(1) Lahaina Watershed Flood Control	\$ 1,100,000
	b. Road Improvements (and related improvements, beautification, sidewalks, bike paths, drainage, bridge repairs and maintenance, safety and utilities, accessibility for persons with disabilities) including:	
	(1) Kahananui Bridge Replacement	\$ 1,200,000
	c. Other Projects	
	(1) West Maui Land Acquisition	\$ 6,500,000
	d. <u>Parks and Recreation</u>	
	(1) <u>Mokuhinia Ecosystem Restoration Project</u>	<u>\$ 200,000</u>
6.	Molokai Community Plan Area	
	a. Sanitation	
	(1) Molokai Landfill Cell No. 4 Construction/Stormwater Improvements	\$ 3,000,000
	b. Parks and Recreation	
	(1) Mitchell Pauole Community Center Improvements	\$ 1,000,000
7.	Countywide	
	a. Other Projects	
	(1) Bus Stops and Shelters	\$ 1,000,000
	(2) Countywide Equipment	\$ 3,205,000
	(3) Public Safety Radio System Replacement	\$ 2,471,000

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.

APPROVED AS TO FORM
AND LEGALITY:



JEFFREY UFOKA
Deputy Corporation Counsel
County of Maui

S:\ALL\JTU\ORDS\BUDGET\fy2014\gobondamd4041 Mokuhinia Ecosystem Restoration Project.wpd

WE HEREBY CERTIFY that the foregoing BILL NO. 13 (2014)

1. Passed FINAL READING at the meeting of the Council of the County of Maui, State of Hawaii, held on the 11th day of March, 2014, by the following vote:

Gladys C. BAISA Chair	Robert CARROLL Vice-Chair	Eleanora COCHRAN	Donald G. COUCH, JR.	S. Stacy CRIVELLO	Donald S. GUZMAN	G. Riki HOKAMA	Michael P. VICTORINO	Michael B. WHITE
Excused	Excused	Aye	Aye	Excused	Aye	Aye	Aye	Aye

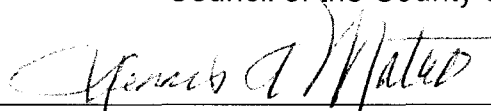
2. Was transmitted to the Mayor of the County of Maui, State of Hawaii, on the 11th day of March, 2014.

DATED AT WAILUKU, MAUI, HAWAII, this 11th day of March, 2014.

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OFFICE OF THE MAYOR

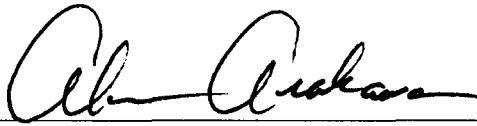


MICHAEL P. VICTORINO,
PRESIDING OFFICER PRO TEMPORE
Council of the County of Maui



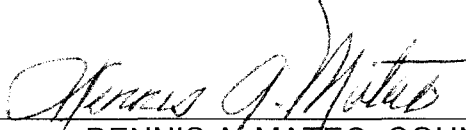
DENNIS A. MATEO, COUNTY CLERK
County of Maui

THE FOREGOING BILL IS HEREBY APPROVED THIS 14 DAY OF March, 2014.



ALAN M. ARAKAWA, MAYOR
County of Maui

I HEREBY CERTIFY that upon approval of the foregoing BILL by the Mayor of the County of Maui, the said BILL was designated as ORDINANCE NO. 4109 of the County of Maui, State of Hawaii.



DENNIS A. MATEO, COUNTY CLERK
County of Maui

Passed First Reading on February 21, 2014.
Effective date of Ordinance March 14, 2014

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OFFICE OF THE
COUNTY CLERK

I HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 4109, the original of which is on file in the Office of the County Clerk, County of Maui, State of Hawaii.

Dated at Wailuku, Hawaii, on

County Clerk, County of Maui