

ORDINANCE NO. 4161

BILL NO. 68 (2014)

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4130,  
BILL NO. 34 (2014), RELATING TO THE ISSUANCE OF  
GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI  
(MAUI BUSINESS PARK II LAND ACQUISITION)

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

SECTION 1. Ordinance No. 4130, Bill No. 34 (2014), 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 [~~\$21,823,000~~] \$28,968,582 (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. 4130, Bill No. 34 (2014), 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 2015 Budget, including amendments and supplements thereto, duly approved by the Council of the County (the "Council") for the fiscal year ending June 30, 2015 (the "Fiscal Year 2015 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 2015 Budget, to be financed with proceeds from the sale of the Bonds, are as follows:

Public Improvements:

Estimated Project Cost

1.	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) Kokomo Road Pavement Reconstruction	1,450,000
2.	Wailuku-Kahului Community Plan Area	
a.	Drainage	
	(1) Kahekili Highway Culvert at Kamaile Street	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) Hansen Road Improvements	1,375,000
	(2) Iao Stream Bridge Repairs	300,000
	(3) Kahakuloa Stream Bridge	700,000
	(4) Waiale Road Extension	400,000
	(5) Waiehu Stream Bridge Repair	500,000
c.	Sanitation	
	(1) Central Maui Landfill Phase VI-A	250,000
3.	Kihei-Makena Community Plan Area	
a.	Parks and Recreation	
	(1) South Maui Community Park	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) Wailea Alanui Drive and Wailea Ike Drive Pavement Rehabilitation	608,000
4.	West Maui Community Plan Area	
a.	Drainage	
	(1) Lahaina Watershed Flood Control	1,000,000
	(2) Lower Honoapiilani Road Retaining Wall and Drainage Improvements fronting Kahana Sunset	300,000

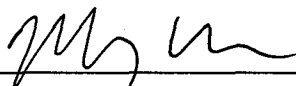
(3) Napili 4/5 at Lower Honoapiilani Road	300,000
5. Molokai Community Plan Area	
a. Government Facilities	
(1) Kaunakakai Police Station	1,000,000
(2) Molokai Baseyard	1,000,000
6. Countywide	
a. Drainage	
(1) Countywide Drainage Improvements	1,700,000
b. Water Supply	
(1) Countywide Mainline and Infrastructure Improvements	10,000,000
c. Other Projects	
(1) Public Safety Radio System Replacement	240,000
<u>d. Government Facilities</u>	
<u>(1) Maui Business Park II Land Acquisition</u>	<u>7,145,582</u>

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:

  
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JEFFREY UEOKA  
Deputy Corporation Counsel  
County of Maui

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WE HEREBY CERTIFY that the foregoing BILL NO. 68 (2014)

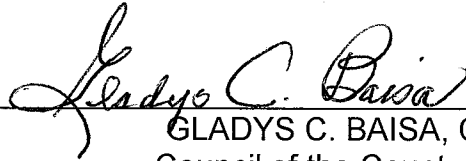
1. Passed FINAL READING at the meeting of the Council of the County of Maui, State of Hawaii, held on the 3rd day of October, 2014, by the following vote:

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
Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye

2. Was transmitted to the Mayor of the County of Maui, State of Hawaii, on the 3rd day of October, 2014.

DATED AT WAILUKU, MAUI, HAWAII, this 3rd day of October, 2014.

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OFFICE OF THE MAYOR

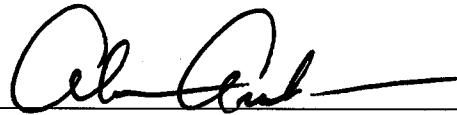


GLADYS C. BAISA, CHAIR  
Council of the County of Maui



JOSIAH K. NISHITA, DEPUTY COUNTY CLERK  
County of Maui

THE FOREGOING BILL IS HEREBY APPROVED THIS 3 DAY OF October, 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. 4161 of the County of Maui, State of Hawaii.



DENNIS A. MATEO, COUNTY CLERK  
County of Maui

Passed First Reading on September 19, 2014.  
Effective date of Ordinance October 3, 2014

I HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 4161, 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

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