

ORDINANCE NO. 5221

BILL NO. 50 (2021)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR  
OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL  
AGREEMENT FOR A LOAN FROM THE STATE OF HAWAII'S WATER  
POLLUTION CONTROL REVOLVING FUND FOR VARIOUS WASTEWATER  
PROJECTS, FISCAL YEAR 2022 BUDGET ORDINANCE

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

SECTION 1. Request for Loan. The County of Maui, pursuant to Section 342D-83 through Section 342D-87, Hawaii Revised Statutes, has submitted an application for State Water Pollution Control Revolving Fund Loans ("SRF loans") to the Director of the Department of Health, State of Hawaii, to finance the following projects:

- a. Kihei No. 7 Force Main Replacement.....\$ 900,000
- b. Kihei No. 8 Force Main Replacement.....\$ 1,000,000
- c. West Maui Recycled Water System Expansion.....\$ 7,000,000
- d. Napili Wastewater Pump Station No. 3 Modifications...\$ 4,000,000

Total.....\$12,900,000

(collectively, "Projects").

Under the terms and conditions anticipated with regard to each such SRF loan, the County shall repay, over a term of twenty years, the principal amount, which shall not exceed the amount of each such loan stated above, at a fixed rate of interest that shall not exceed the Bond Buyer's 20-year general obligation bond issue.

SECTION 2. Council Authorization. Pursuant to Section 2.20.020, Maui County Code, the Council of the County of Maui hereby authorizes the Mayor to enter into intergovernmental agreements, which would include the execution of all necessary documents between the State of Hawaii and County of Maui relating to the SRF loans to finance the construction of the Projects, including a pledge of the County's full faith and credit, including but not limited to the County's general taxing power, as security for repayment of the land and payment of interest and loan fees, and a covenant to exercise the County's authority as needed. The repayment of principal, interest, and any loan fees shall be a first charge on the General Fund of the County.

SECTION 3. Effective Date. This ordinance shall take effect on July 1, 2021.

APPROVED AS TO FORM  
AND LEGALITY:



2021.03.09

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RICHELLE M. THOMSON  
Deputy Corporation Counsel  
County of Maui

2020-0931

2021-03-09 IGA SRF Loans (DEM WWRD)

WE HEREBY CERTIFY that the foregoing BILL NO. 50 (2021)

1. Passed FINAL READING at the meeting of the Council of the County of Maui, State of Hawaii, held on the 4th day of June, 2021, by the following vote:

|                          |  |                    |                    |                  |                      |                        |                     |                         |
|--------------------------|--|--------------------|--------------------|------------------|----------------------|------------------------|---------------------|-------------------------|
| Alice L.<br>LEE<br>Chair | Keani N. W.<br>RAWLINS-<br>FERNANDEZ<br>Vice-Chair | Gabriel<br>JOHNSON | Natalie A.<br>KAMA | Kelly T.<br>KING | Michael J.<br>MOLINA | Tamara A. M.<br>PALTIN | Shane M.<br>SINENCI | Yuki Lei K.<br>SUGIMURA |
| 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 10th day of June, 2021.

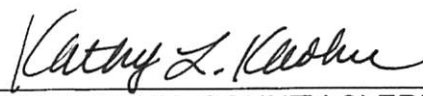
DATED AT WAILUKU, MAUI, HAWAII, this 10th day of June, 2021.

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OFFICE OF THE MAYOR

  
ALICE L. LEE, CHAIR  
Council of the County of Maui

  
KATHY L. KAOHU, COUNTY CLERK  
County of Maui

THE FOREGOING BILL IS HEREBY APPROVED THIS 18th DAY OF June, 2021.

  
MICHAEL P. VICTORINO, 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. 5221 of the County of Maui, State of Hawaii.

  
KATHY L. KAOHU, COUNTY CLERK  
County of Maui

Passed First Reading on May 21, 2021  
Effective date of Ordinance July 1, 2021

I HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 5221, 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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OFFICE OF THE  
COUNTY CLERK