

OFFICE OF  
THE COUNTY CLERK  
COUNTY OF KAUAI

NOTICE OF PUBLICATION AND NOTICE OF PUBLIC HEARING

Notice is hereby given that the Council of the County of Kaua'i will hold a public hearing on Wednesday, May 10, 2023 at 5:00 p.m., or soon thereafter, at the Council Chambers, 4396 Rice Street, Suite 201, Lihu'e, on the following:

Bill No. 2897

A BILL FOR AN ORDINANCE RELATING TO CAPITAL IMPROVEMENTS AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2023 TO JUNE 30, 2024 (*Fiscal Year 2023-2024 CIP Budget*)

CAPITAL FUND RESOURCES:

Bikeway Fund	\$2,007
Bond Fund	\$5,269,410
Development Fund	\$194,497
G.E. Tax Fund (CIP)	\$24,208,603
General Fund (CIP)	\$54,653,158
Highway Fund (CIP)	\$3,743,095
Public Access, Open Space, Natural Resources Preservation Fund	\$1,500,000
Sewer Trust Fund	\$0
Special Trust Fund for Parks & Playgrounds	\$479,110
<b>TOTAL</b>	<b>\$90,049,880</b>

Sections 1 and 2 of the Bill sets forth the estimated revenues of all funds for the Fiscal Year July 1, 2023 to June 30, 2024 and appropriates funds for expenditures during the same fiscal period as summarized hereinabove.

Sections 3-14 set forth the procedures relative to these appropriations.

Date of Introduction: March 22, 2023

Any person may testify at the public hearing, and at any Council and Committee Meeting (at which time any Bill may be amended). Meeting notices and full-text Bills are available at least six (6) days in advance at the Office of the County Clerk, Council Services Division and kauai.gov/webcastmeetings. Written testimony may be submitted via counciltestimony@kauai.gov, mail, or fax. For further information, please call (808) 241-4188.

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that the Kaua'i County Council passed on first reading and ordered to print Bill No. 2897 during the March 22, 2023 Council Meeting, by the following vote:

AYES: Bulosan, Carvalho, Cowden, DeCosta, Kagawa, Kualii, Rapozo	TOTAL – 7,
NOES: None	TOTAL – 0,
EXCUSED & NOT VOTING: None	TOTAL – 0.

Lihu'e, Hawai'i  
March 22, 2023

/s/ Jade K. Fountain-Tanigawa  
County Clerk, County of Kaua'i

NOTE: IF YOU NEED AN AUXILIARY AID/SERVICE, OTHER ACCOMMODATION DUE TO A DISABILITY, OR AN INTERPRETER FOR NON-ENGLISH SPEAKING PERSONS, PLEASE CONTACT THE OFFICE OF THE COUNTY CLERK, COUNCIL SERVICES DIVISION AT (808) 241-4188 OR COKCOUNCIL@KAUAI.GOV AS SOON AS POSSIBLE. REQUESTS MADE AS EARLY AS POSSIBLE WILL ALLOW ADEQUATE TIME TO FULFILL YOUR REQUEST.

UPON REQUEST, THIS NOTICE IS AVAILABLE IN ALTERNATE FORMATS SUCH AS LARGE PRINT, BRAILLE, OR ELECTRONIC COPY.

(One Publication – The Garden Island – April 1, 2023)

**COUNTY OF KAUAI  
CAPITAL BUDGET**

ORDINANCE NO. \_\_\_\_\_

BILL NO. 2897

**A BILL FOR AN ORDINANCE RELATING TO  
CAPITAL IMPROVEMENTS AND FINANCING THEREOF  
FOR THE FISCAL YEAR JULY 1, 2023 TO JUNE 30, 2024**

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF KAUAI, STATE OF HAWAII:

SECTION 1. The several amounts of Revenue Fund Balances, Special State Grant Funds, Special Trust Fund for Bikeway Fund, Bond Fund, Development Fund, G.E. Tax Fund (CIP), General Fund (CIP), Highway Fund (CIP), Public Access, Open Space, Natural Resources Preservation Fund, Sewer Trust Fund, and Special Trust Fund for Parks & Playgrounds, estimated for the Fiscal Year July 1, 2023 to June 30, 2024 are hereby provided and appropriated to the funds and for the purposes as set forth in SECTION 2:

<u>BIKEWAY FUND</u>	<u>\$2,007</u>
<u>BOND FUND</u>	<u>\$5,269,410</u>
<u>DEVELOPMENT FUND</u>	<u>\$194,497</u>
<u>G.E. TAX FUND</u>	<u>\$24,208,603</u>
<u>GENERAL FUND</u>	<u>\$54,653,158</u>
<u>HIGHWAY FUND</u>	<u>\$3,743,095</u>
<u>PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND</u>	<u>\$1,500,000</u>
<u>SEWER TRUST FUND</u>	<u>\$0</u>
<u>SPECIAL TRUST FUND FOR PARKS &amp; PLAYGROUNDS</u>	<u>\$479,110</u>
<b>TOTAL ALL FUNDS</b>	<b><u>\$90,049,880</u></b>

SECTION 2. The several amounts of proposed expenditures as itemized in the Capital Budget for the County of Kauai for Fiscal Year July 1, 2023 to June 30, 2024 adopted pursuant to the provisions of the Kauai County Charter, are hereby appropriated to the several Capital Improvement Projects as enumerated below:

		Appropriation Balance 2/27/2023	Proposed Budget Ordinance	Appropriation Balance After Ordinance
<b>BIKEWAY FUND</b>				
Islandwide Bike/Pedestrian Path	W05182	2,007	-	2,007
<b>TOTAL BIKEWAY FUND</b>		<b>2,007</b>	<b>-</b>	<b>2,007</b>
<b>BOND FUND</b>				
'Aliomanu Road Improvements (Planning & Permitting)	W18012	10,506	(1,354)	9,152
'Anini Bridge (County Match)	W14001	1,354		1,354
Auto Shop Improvements	W13005	-		-
Biennial Bridge Inspections (County Match)	W96388	6,356		6,356
BMPs Refuse Transfer Stations Islandwide	W22000	500,000		500,000
CIP Contingency Fund	W20000	9,568	39,147	48,715
CIP Contingency Fund	W20A00	45,599		45,599
Collector Road Improvements	W18002	192,432		192,432
Collector Road Improvements	W18006	5,618		5,618
Complete Streets Safety Improvements/Traffic Mitigation	W14009	19,134		19,134
Fire Station Improvements	W12012	66,271		66,271
Hanapēpē Bridge Reconstruction (County Match)	W09007	7,001		7,001
Hanapēpē Road Resurfacing (County Match)	W12067	47,000		47,000
Helicopter Hangar (Construction)	W18018	583,770		583,770
HRMS, Payroll & Personnel	J2000A	99,226		99,226
HRMS, Payroll & Personnel	J20000	169,554		169,554
Islandwide Road Safety Program	W18003	32,481		32,481
Islandwide SCADA System	W10015	18,592	(18,592)	-
Kanaele Road Slope Stabilization	W09005	50,300		50,300
Kapa'a Police Sub-Station (Planning & Permitting)	W18013	265,000		265,000
Kapa'a Police Sub-Station (Planning & Permitting)	W18A13	103,845		103,845
Kapa'a Police Sub-Station (Planning & Permitting)	W18B13	596,155		596,155
Kawaihau, Haua'ala, Mailihuna Complete Streets & Safety Improvements (County Match)	W10045	58,917		58,917
Kawaihau, Haua'ala, Mailihuna Complete Streets & Safety Improvements (County Match)	W19000	396,982		396,982
Kōloa Road Safety Improvements (County Match)	W12065	6	(6)	-
Land Information Management System	X18001	728	(728)	-
LThu'e Sewer Pump Station Improvements	W22010	21,505		21,505
Lima Ola Onsite Phase I	H18001	1,233,865		1,233,865
Niumalu Bridge Replacement	W15104	50,000		50,000
Niumalu Bridge Replacement	W18014	250,358		250,358
'Ōpaeka'a Bridge Replacement (County Match)	W10002	2	(2)	-
Pi'ikoi Interior Renovation Phase II	W12053	128,574		128,574
Puhi Road Ph II (County Match)	W16A04	7,590		7,590
Puhi Road Ph II (County Match)	W18016	27,693		27,693
RPA Counter Renovation	W15105	1,562	(1,562)	-
Salt Pond Beach Park Facility Improvements	R16001	45		45
Veterans Cemetery Improvements	R10013	87,492		87,492
Wailua Golf Course Replace Existing Water Lines	R13B09	6,126		6,126
Wailua Golf Course Replace Existing Water Lines	R13C09	36,473		36,473

		Appropriation Balance 2/27/2023	Proposed Budget Ordinance	Appropriation Balance After Ordinance
<b>BOND FUND (cont.)</b>				
Wailua Manhole Upgrades	W22015	7,496		7,496
Wailua Manhole Upgrades	W22A15	57,331		57,331
Wailua Manhole Upgrades	W22B15	50,000		50,000
West Kaua'i Development Plan	Z18002	16,870	(16,870)	-
West Kaua'i Development Plan	Z18004	33	(33)	-
<b>TOTAL BOND FUND</b>		<b>5,269,410</b>	<b>-</b>	<b>5,269,410</b>

<b>DEVELOPMENT FUND</b>				
Islandwide Bus Stops	T19000	27,600	-	27,600
Kōloa/Po'ipū Intersection Improvements	W16009	46,250	-	46,250
Kōloa/Po'ipū Intersection Improvements	Z15105	6,500	-	6,500
Po'ipū Road Bus Shelters	W16007	72,000	-	72,000
Project Contingency	W08002	35,568	-	35,568
Wailua Area Bus Stop	T16100	6,579	-	6,579
<b>TOTAL DEVELOPMENT FUND</b>		<b>194,497</b>	<b>-</b>	<b>194,497</b>

<b>G.E. TAX FUND</b>				
'Anini Bridge #2 Replacement	W23000	300,000	200,000	500,000
Expansion of Bus Facility	W20040	33,062	-	33,062
Hanapēpē Bridge Reconstruction (County Match)	W09007	187,166	110,000	297,166
Hanapēpē Road Resurfacing (County Match)	W12067	625,720	-	625,720
Kamalu Road Improvements	W23005	200,000	700,000	900,000
Kapahi Bridge Repairs	W23010	215,615	-	215,615
Kapahi Bridge Replacement (County Match)	W05368	667,134	-	667,134
Kīlauea/Kolo Road	W23015	1,316,000	484,000	1,800,000
Līhu'e Culvert Repairs	W22025	228,246	200,000	428,246
Minor Bridge Upgrades & Repairs	W22030	700,000	6,250,000	6,950,000
Puhi Road Ph II (County Match)	W16A04	1,076,700	-	1,076,700
Waimea to Kekaha Shared Path	R23000	200,000	75,000	275,000
Culvert Assessment	NEW		800,000	800,000
Halekō Road Improvements	NEW		500,000	500,000
Hanalei District Culvert Upgrades and Repairs	NEW		200,000	200,000
Ho'olako Street Drainage System	NEW		1,750,000	1,750,000
Kapa'a Satellite Busyard Project (20% Match)	NEW		2,000,000	2,000,000
Kawaihau District Culvert Upgrades and Repairs	NEW		200,000	200,000
Kawaihau Road Improvements	NEW		500,000	500,000
Kekaha Road and 'Akialoa Road	NEW		650,000	650,000
Kīlauea Access Road	NEW		450,000	450,000
Kīpū Bridge Repairs	NEW		700,000	700,000
Kōloa District Culvert Upgrades and Repairs	NEW		200,000	200,000
Moi Road Sidewalks	NEW		300,000	300,000
Po'ipū Road Safety and Mobility Project	NEW		1,989,960	1,989,960
Waimea District Culvert Upgrades Repairs	NEW		200,000	200,000
<b>TOTAL G.E. TAX FUND</b>		<b>5,749,643</b>	<b>18,458,960</b>	<b>24,208,603</b>

		Appropriation Balance 2/27/2023	Proposed Budget Ordinance	Appropriation Balance After Ordinance
<b>GENERAL FUND</b>				
CFD-Ho'onani Road/Sidewalk Pedestrian Lane	W21011	450,000	-	450,000
CFD-Lāwa'i Road/Complete Sidewalk	W21012	400,000	-	400,000
CFD-Po'ipū Beach Pedestrian/Bicycle Access Project	W21014	2,000,000	-	2,000,000
CFD-Po'ipū Road Multimodal Improvements	W13014	2,189,560	-	2,189,560
<b>SUBTOTAL GENERAL FUND CFD</b>		<b>5,039,560</b>	<b>-</b>	<b>5,039,560</b>
Black Pot Park Improvements	R23005	500,000	-	500,000
BMPs Refuse Transfer Stations Islandwide	W22000	1,080,962	-	1,080,962
CIP Contingency Fund	W20B00	241,487	-	241,487
Coco Palms/KS SPS Bldg. Mods	W23020	1,500,000	-	1,500,000
County Computer Servers and Storage	X23100	220,016	-	220,016
County Network Infrastructure	X23105	485,088	-	485,088
County Video Conferencing	X23110	427,595	-	427,595
East Kaua'i Community Plan	Z23000	625,000	-	625,000
Finance and Accounting ERP	X23115	600,000	-	600,000
Fire Station Improvements	W12012	164,304	-	164,304
Habitat Conservation Plan	W08012	40,474	-	40,474
Halehaka Landfill Gas System	W23025	200,000	-	200,000
Helicopter Hangar (Construction)	W18018	34,135	-	34,135
Host Community Benefits - Interest through 06/30/2022	W09012	-	830	830
Host Community Benefits - Kekaha (\$3.38/ton x 90,241 - FY 2022 tonnage)	W09012	286,813	305,015	591,828
HRMS, Payroll & Personnel	J20000	44,495	-	44,495
Inclusive Playground Development	R20020	225,000	-	225,000
Islandwide Playcourt Resurfacing	R20010	2,035,979	-	2,035,979
Islandwide Playground Equipment	R20005	13	(13)	-
IT Infrastructure Improvements/Emer. Pwr.	W23100	250,000	-	250,000
Kalena Park Improvements	R23020	75,000	-	75,000
Kapa'a Pool Renovation	R20030	5,629	-	5,629
Kāpule Counters Renovation (RPA/Planning)	W19105	11,959	-	11,959
Kekaha Landfill Maint. Monitoring Wells	W23030	400,000	-	400,000
KFD Clean Emissions	F22000	36,388	(36,388)	-
Kīlauea Gymnasium (County Match to State Appropriation as amended by Act 6, SLH 2020)	R22005	15,711	600,000	615,711
KPD HVAC and Electrical Repairs	W23110	225,000	5,500,000	5,725,000
KWMCH Improvements	R18004	376,000	4,750,000	5,126,000
Land Information Management System	X18001	-	110,000	110,000
Lihī Park Comfort Station Wastewater Improvements	R23025	125,000	-	125,000
LThu'e WWTP Process Upgrades	W23035	542,751	(542,751)	-
New Landfill Development and Engineering	W23040	600,000	2,000,000	2,600,000
Park Improvement Waimea District	W96073	5,303	-	5,303
Park Light Renovations	R22010	175,000	-	175,000
Pi'ikoi Renovation	W23105	800,000	-	800,000
Public Safety and Communication Systems	C23000	3,000,000	-	3,000,000
Replace/Improve Comfort Stations Various	R23035	2,000,000	-	2,000,000
Salt Pond Beach Park Facility Improvements	R12002	35,000	-	35,000
Sewer Pump Station Renovation	W23045	300,000	500,000	800,000

		Appropriation Balance 2/27/2023	Proposed Budget Ordinance	Appropriation Balance After Ordinance
<b>GENERAL FUND (cont.)</b>				
Skateboard Parks (Design & Development)	R20015	143,162	-	143,162
Solid Waste Solutions	W23050	32,808	-	32,808
Vidinha Stadium Structural	R23040	105,000	-	105,000
Wailua Emergency Manhole Upgrades	W20030	51,714	-	51,714
Wailua GC #10 Tee Pump	R23045	475,000	-	475,000
Wailua Manhole Upgrades	W22015		250,000	250,000
Wailua WWTP Fac. Update Plan	W23055	850,000	400,000	1,250,000
Wailua WWTP Headwork Improvements	W23060	36	542,751	542,787
Waimea 400 Drainage Study	Z23005	24,700	-	24,700
Waimea/Kekaha ADA Improvements	R18015	158,632	1,500,000	1,658,632
Waimea Theater Improvements	H23000	125,000	-	125,000
Wastewater Billing System Upgrades	W20035	(39)	39	-
Wastewater Facility Plan Update	W20005		200,000	200,000
Electrical Upgrades & Repairs Various County Facilities	NEW		150,000	150,000
Hanapēpē Stadium (County Match to State Appropriation as amended by Act 248, SLH 2022)	NEW	-	1,883,000	1,883,000
Kapa'a Fire Station Renovation	NEW		575,000	575,000
Kekaha Landfill Expansion	NEW		525,000	525,000
Lighted Skatepark/Pickleball Nāwiliwili Park and Hanapēpē Town Park	NEW		1,400,000	1,400,000
Vidinha Stadium Improvements (County Match to State Appropriation as amended by Act 248, SLH 2022)	NEW		6,500,000	6,500,000
Wailua GC Cart Path Improvements	NEW		1,500,000	1,500,000
Waimea WWTP Technical Studies	NEW		1,000,000	1,000,000
Wanini Lifeguard Towers	NEW		120,000	120,000
WWTP Office and Restroom Renewal	NEW		225,000	225,000
<b>SUBTOTAL GENERAL FUND ALL OTHER</b>		19,656,115	29,957,483	49,613,598
<b>TOTAL GENERAL FUND</b>		<b>24,695,675</b>	<b>29,957,483</b>	<b>54,653,158</b>

#### HIGHWAY FUND

Biennial Bridge Inspections	W96388	482,297	-	482,297
Comprehensive Road Maintenance Plan	W13011	-	-	-
County Bridge Inspections	W20020	101,282	-	101,282
Electric Bus Charging Stations (County Low-No Match) HI-2019-008	T23000	126,283	-	126,283
Hanapēpē Bridge Pedestrian Walkway Replacement (County Match)	W12069	24,448	-	24,448
Hanapēpē Moi Road Pedestrian Safety Impv.	W17000	375,000	-	375,000
Hanapēpē Road Resurfacing (County Match)	W12067	15,807	-	15,807
Kapahi Bridge Replacement (County Match)	W05368	302,875	-	302,875
Maluhia/Kōloa Improvements (County Match)	W19021	16,946	-	16,946
Olohena Improvements (County Match)	W19002	2,165,842	-	2,165,842
Pua Nani Road Drain Repair	W18004	-	-	-
Puhi Road Construction Ph I (County Match)	W12010	24,619	-	24,619
Pu'u'ōpae Bridge Replacement (County Match)	W10003	-	-	-
Repair Shop Phase I (County Match) HI-2019-002	T21030	37,500	-	37,500

		Appropriation Balance 2/27/2023	Proposed Budget Ordinance	Appropriation Balance After Ordinance
<b>HIGHWAY FUND (cont.)</b>				
Resurfacing Various Collector Roads (County Match)	W07008	2,116	-	2,116
Speed Hump/Traffic Calming Program	W98364	68,080	-	68,080
<b>TOTAL HIGHWAY FUND</b>		<b>3,743,095</b>	<b>-</b>	<b>3,743,095</b>
<b>PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND</b>				
Kekaha Coastal Property	X18010	45,350	(45,350)	-
Kaumumene Coastal Access	X22010	1,500,000	-	1,500,000
<b>TOTAL PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND</b>		<b>1,545,350</b>	<b>(45,350)</b>	<b>1,500,000</b>
<b>SEWER TRUST FUND</b>				
Wailua WWTP Improvements/Renovation	W10014	-	-	-
<b>TOTAL SEWER TRUST FUND</b>		<b>-</b>	<b>-</b>	<b>-</b>
<b>SPECIAL TRUST FUND FOR PARKS &amp; PLAYGROUNDS</b>				
<b>Waimea District:</b>				
Park Impv. Waimea Dist. Grant	W96073	1	-	1
<b>Total Waimea District:</b>		<b>1</b>	<b>-</b>	<b>1</b>
<b>Kōloa District:</b>				
Kalāheo Gym Improvements	R15105	565	-	565
Park Impv. & Equip., Kōloa Dist.	W93086	9,268	-	9,268
Park Impv. Grant, Kōloa Dist.	W96087	11,000	-	11,000
Parking Lot/Playcourt Resurfacing	R15108	-	-	-
Po'ipū Managed Parking (Kōloa District Funds)	NEW	-	65,000	65,000
<b>Total Kōloa District</b>		<b>20,833</b>	<b>65,000</b>	<b>85,833</b>
<b>Līhu'e District:</b>				
Inclusive Playground Development	R22015	-	-	-
Kamalani Playground Resurfacing	R18003	-	-	-
KWMCH Improvements	R18004	12,932	-	12,932
Līhu'e Park Improvement & Equipment	W93100	-	-	-
Park Impv.: Līhu'e Dist. Grant	W96102	26,022	-	26,022
Lydgate Managed Parking (Līhu'e District Funds)	NEW	-	60,000	60,000
<b>Total Līhu'e District</b>		<b>38,954</b>	<b>60,000</b>	<b>98,954</b>



		Appropriation Balance 2/27/2023	Proposed Budget Ordinance	Appropriation Balance After Ordinance
<b>SPECIAL TRUST FUND FOR PARKS &amp; PLAYGROUNDS (cont.)</b>				
<b>Kawaihau District:</b>				
Kapa'a Stadium Improvements	R10010	123,066	-	123,066
Park Impv. & Equip. Kawaihau Dist.	W93116	38,901	-	38,901
Park Impv. Kawaihau Dist. Grant	W96118	25,101	-	25,101
Playground Improvements (Wailua Houselots & Homesteads)	R16003	19,245	-	19,245
Skateboard Park	R20025	-	-	-
<b>Total Kawaihau District</b>		<b>206,313</b>	<b>-</b>	<b>206,313</b>
<b>Hanalei District:</b>				
'Anini Beach Park Improvements	R16004	898	-	898
Hanalei Court-ADA	R09003	-	-	-
Park Impv. & Equip. Hanalei Dist.	W93383	32,111	-	32,111
Black Pot Managed Parking (Hanalei District Funds)	NEW		55,000	55,000
<b>Total Hanalei District</b>		<b>33,009</b>	<b>55,000</b>	<b>88,009</b>
<b>TOTAL FOR SPECIAL TRUST FUND FOR PARKS &amp; PLAYGROUNDS</b>		<b>299,110</b>	<b>180,000</b>	<b>479,110</b>
<b>TOTAL CAPITAL BUDGET</b>		<b>41,498,787</b>	<b>48,551,093</b>	<b>90,049,880</b>

SECTION 3. The Director of Finance shall be authorized to create accounts and project codes to define and detail project expenditures under the respective projects listed under SECTION 2. These expense accounts shall include salaries, fringe benefits, and other project-related costs. The establishment of new projects, items, and/or accounts, or the transfer of moneys from one project to another project shall be by amendment to the Capital Budget Ordinance. The Director of Finance shall be authorized to transfer moneys between accounts within a project.

SECTION 4. The appropriation and authorization in SECTION 2 only includes design, plans, land purchases, site preparation, improvements to land, and construction. Planning funds and equipment appropriations may only be utilized for projects in SECTION 2 that specifically appropriate planning and equipment moneys. Any change in the equipment appropriation in this Ordinance shall require County Council approval.

SECTION 5. No funds shall be expended for any Capital Improvement Projects other than those listed in SECTION 2, except funds that are encumbered in prior fiscal years for other projects. No funds shall be transferred or expended from any unappropriated surplus project contingency accounts without amendment to the Capital Budget Ordinance.

SECTION 6. Pursuant to the Kaua'i County Code 1987, as amended, Section 6-12.2(b) and (c), and Ordinance No. 641, all grant applications shall be submitted to the County Council for consideration of a grant award. This provision shall apply to all Departments or Agencies of the County of Kaua'i that are requesting grant funds from the Federal or State government, or any outside source. No payment shall be authorized or made, and no obligation incurred against the County, utilizing moneys from the Federal or State government, or any outside source, or in anticipation or receipt of such moneys, unless written approval is obtained from the County Council and an account is first established. Any funds not expended or encumbered at the end of the fiscal year are retrospectively reappropriated for the specific purpose for which they were initially received. This provision applies to all grants and Federal, State, or private financial assistance for emergency disaster relief. If any provision of this proviso jeopardizes the receipt by the County of Kaua'i of any Federal grant-in-aid or other Federal allotment of moneys, such provision may, insofar as such receipt is jeopardized, be waived by the County Council upon the recommendation of the Mayor, pursuant to Ordinance No. 641.

SECTION 7. The County Engineer shall provide written quarterly status reports (September 30, 2023, December 31, 2023, March 31, 2024, and June 30, 2024) to the Mayor of each project contained in SECTION 2, which shall include:

- a. Construction schedules with milestone performance dates;
- b. Budget appropriations including State and Federal matching funds versus actual cost, including the percentage difference, if any; and
- c. Any expenditures or encumbrances to date.

The Mayor shall submit the quarterly reports to the County Council no later than thirty (30) days after the close of the quarter.

SECTION 8. All contracts shall be in compliance with Act 90 (Session Laws of Hawai'i 2001) relating to privatization of government services.

SECTION 9. For all Capital Improvement Projects that utilize \$250,000 or more of County funds, construction signage indicating the name of the project, estimated cost of the project, project description, estimated start and completion dates, name of contractor, and contractor contact information shall be posted for public information purposes.

SECTION 10. Pursuant to Section 19.15(B) of the Charter of the County of Kaua'i and Ordinance No. 1021, there is hereby created a "G.E. Tax Fund CIP," for expenditures related to capital costs of public transportation systems and expenses in complying with the Americans with Disabilities Act of 1990 as allowed by law. The Director of Finance shall use Generally Accepted Accounting Principles and procedures in making such determination.

SECTION 11. Pursuant to Section 19.15(B) of the Charter of the County of Kaua'i, there is hereby created a "Public Access, Open Space, Natural Resources Preservation CIP Fund," for expenditures related to capital costs for purchasing or otherwise acquiring lands or property improvements as outlined under Kaua'i County Code 1987, as amended, Section 6-14.1.

SECTION 12. The "Contingency Fund" may be used to fund project change orders and unanticipated costs, provided that there is no material change in the scope of the project and the amount utilized from the Contingency Fund does not exceed \$100,000 and 10% of the project's approved appropriation balance.

SECTION 13. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

SECTION 14. This Ordinance shall take effect on July 1, 2023.

Introduced by: 

MEL RAPOZO  
(By Request)

DATE OF INTRODUCTION:

**March 22, 2023**

Līhu'e, Kaua'i, Hawai'i

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that heretofore attached is a true and correct copy of Bill No. 2897, which was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on March 22, 2023, by the following vote:

FOR PASSAGE:	Bulosan, Carvalho, Cowden, DeCosta, Kagawa, Kualii, Rapozo	TOTAL – 7,
AGAINST PASSAGE:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Lihu'e, Hawaii  
March 22, 2023



Jade K. Fountain-Tanigawa  
County Clerk, County of Kaua'i