

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 13, 2020 at 5:00 p.m., or soon thereafter, at the Council Chambers, 4396 Rice Street, Suite 201, Lihu'e, on the following:

Bill No. 2780

20 MAR 26 A 6:27

A BILL FOR AN ORDINANCE RELATING TO CAPITAL IMPROVEMENTS AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2020 TO JUNE 30, 2021 (*Fiscal Year 2020-2021 CIP Budget*)

THE COUNTY CLERK
COUNTY OF KAUAI

CAPITAL FUND RESOURCES:

Bikeway Fund	\$50,577
Bond Fund	\$15,715,439
Development Fund	\$116,497
G.E. Tax Fund (CIP)	\$125,000
General Fund (CIP)	\$15,353,545
Highway Fund (CIP)	\$2,292,068
Sewer Trust Fund	\$0
Special Trust Fund for Parks & Playgrounds	\$757,604
TOTAL	\$34,410,730

Sections 1 and 2 of the Bill sets forth the estimated revenues of all funds for the Fiscal Year July 1, 2020 to June 30, 2021, and appropriates funds for expenditures during the same fiscal period as summarized hereinabove.

Sections 3-13 sets forth the procedures relative to these appropriations.

Date of Introduction: March 25, 2020

All interested persons who wish to present their comments may do so at the public hearing. Written testimony prior to the hearing would be appreciated. Written testimony can be submitted to the Office of the County Clerk, Council Services Division by mail, facsimile, or via E-mail to counciltestimony@kauai.gov. Copies of the proposed Ordinance are available at the Office of the County Clerk, Council Services Division.

(The Council Committee or Council may amend this Bill at its subsequent meetings. Meeting notices are posted at least six (6) days in advance at the Office of the County Clerk, Council Services Division and the public may also testify at any of these meetings.)

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that the foregoing Bill No. 2780 was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on March 25, 2020, by the following vote:

AYES: Chock, Cowden, Evslin, Kagawa, Kualii, Kaneshiro	TOTAL - 6,
NOES: None	TOTAL - 0,
EXCUSED & NOT VOTING: Brun	TOTAL - 1*.

Lihu'e, Hawai'i
March 26, 2020

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

*Beginning with the March 11, 2020 Council Meeting and until further notice, Councilmember Arthur Brun will not be present due to U.S. v. Arthur Brun et al., Cr. No. 20-00024-DKW (United States District Court), and therefore will be noted as excused (i.e., not present).

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 2, 2020)

**COUNTY OF KAUAI
CAPITAL BUDGET**

ORDINANCE NO. _____

BILL NO. 2780

**A BILL FOR AN ORDINANCE RELATING TO
CAPITAL IMPROVEMENTS AND FINANCING THEREOF
FOR THE FISCAL YEAR JULY 1, 2020 TO JUNE 30, 2021**

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), Sewer Trust Fund, and Special Trust Fund for Parks & Playgrounds, estimated for the Fiscal Year July 1, 2020 to June 30, 2021 are hereby provided and appropriated to the funds and for the purposes as set forth in SECTION 2:

BIKEWAY FUND	\$50,577
BOND FUND	\$15,715,439
DEVELOPMENT FUND	\$116,497
G.E. TAX FUND	\$125,000
GENERAL FUND	\$15,353,545
HIGHWAY FUND	\$2,292,068
SEWER TRUST FUND	\$0
SPECIAL TRUST FUND FOR PARKS & PLAYGROUNDS	\$757,604

TOTAL ALL FUNDS \$34,410,730

SECTION 2. The several amounts of proposed expenditures as itemized in the Capital Budget for the County of Kauai for Fiscal Year July 1, 2020 to June 30, 2021 adopted pursuant to the provisions of the Kauai County Charter, are hereby appropriated to the several Capital Improvement Projects as enumerated below:

		Appropriation Balance 3/5/2020	Proposed Budget Ordinance	Appropriation Balance After Ordinance
BIKEWAY FUND				
Islandwide Bike/Pedestrian Path	W05182	50,577		50,577
TOTAL BIKEWAY FUND		50,577	-	50,577
BOND FUND				
800 MHz Radio System Upgrade Phase II	X14001	27,256		27,256
Adolescent Treatment & Healing Center	M18001	-		-
Alomani Road Improvements (Planning & Permitting)	W18012	101,431		101,431
Alternate Energy Projects	D10106	45,415		45,415
'Anini Bridge (County Match)	W14001	1,354		1,354
Auto Shop Improvements	W13005	54,332		54,332
Biennial Bridge Inspections (County Match)	W96388	7,912		7,912
Black Pot Improvements (Design & Permitting)	R18007	-		-
CIP Contingency Fund	W20000	186,899		186,899
CIP Management System	W10051	7,623		7,623
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
Eiwa Street/LCC/HCB Site Improvements	W15100	71,078	(71,078)	-
'Ele'ele WWTP Improvements	W10016	25,222		25,222
Emergency Generator Design/Installation	W20001	150,000		150,000
Fuel Management System	W13007	33,965		33,965
Fuel Tanks Hanapēpē Baseyard	W17004	50,000		50,000
Hanapēpē Bridge Reconstruction (County Match)	W09007	98,905		98,905
Hanapēpē Road Resurfacing (County Match)	W12067	47,000		47,000
Hanapēpē Stadium Improvements	R17001	18,422		18,422
Hardy Street Improvement	W12020	31,457	(31,457)	-
Helicopter Hangar (Construction)	W18018	1,365,000		1,365,000
Islandwide Road Safety Program	W18003	32,481		32,481
IT HVAC Replacement	W20002	300,751		300,751
IT Infrastructure Improvements (Multi-phase)	X10006	73,484		73,484
Kalāheo Neighborhood Gym Roof	R18009	95,719		95,719
Kanaele Road Slope Stabilization	W09005	50,300		50,300
Kapa'a Police Sub-Station (Planning & Permitting)	W18013	265,000	700,000	965,000
Kapa'a Pool Restroom Reconstruction	R14002	80,000		80,000
Kapa'a Stadium Improvements	R18002	67,135		67,135
Kapahi Bridge Replacement	W14011	1,310	(1,310)	-
Kawaihau, Haua'ala, Mailihuna Complete Streets & Safety Improvements (County Match)	W10045	66,672		66,672
KFD Helicopter Hangar Pad	F14001	234,267		234,267
KFD Utilization and Operational Study	F20000	130,834		130,834
Kīlauea/Kolo Road Improvements	W19001	200,000		200,000
Kōloa Fire Station Improvements	W12012	200,000	(200,000)	-
Kōloa Road Safety Improvements (County Match)	W12065	428		428
KPAL/Police Training Building/Multi-Purpose Room (Planning & Permitting)	W19005	-		-
Land Information Management System	X18001	1,876,806		1,876,806
Līhu'e Collection System CCTV	W19008	2,059		2,059

		Appropriation Balance 3/5/2020	Proposed Budget Ordinance	Appropriation Balance After Ordinance
BOND FUND (cont.)				
Lima Ola Onsite Phase I	H18001	5,819,203		5,819,203
Maluhia/Kōloa Improvements (County Match)	W19021	64,417		64,417
Materials Recovery Facility (MRF)	W13001	5,995		5,995
New Landfill & Resource Recovery Park Dev./Acquisition (Plans/Design)	W10037	1,916		1,916
Niumalu Bridge Replacement	W15104	50,000		50,000
Niumalu Bridge Replacement	W18014	275,709		275,709
NPDES Compliance	W13010	208,392		208,392
NPDES Compliance	W13A10	72,029		72,029
Olohena Improvements (County Match)	W19002	-		-
Opaekea'a Bridge Replacement (County Match)	W10002	40,009		40,009
Opaekea'a Bridge Replacement (County Match)	W18015	-		-
Payroll/Personnel	X10001	6,010		6,010
Puhi Road Ph II (County Match)	W16004	93		93
Puhi Road Ph II (County Match)	W16A04	20,000		20,000
Puhi Road Ph II (County Match)	W18016	27,693		27,693
Rice Street Crossing Improvements	W10032	146,094		146,094
Salt Pond Beach Park Facility Improvements	R12002	73,000		73,000
Salt Pond Beach Park Facility Improvements	R16001	50,000		50,000
Salt Pond Wastewater Improvements	W14005	97,589		97,589
Sewer Collection System Upgrades	W20010	125,199		125,199
Sewer Collection System Upgrades	W20A10	32,681		32,681
TIGER Grant Project (County Match)	W17TGR	142,845		142,845
Twin Reservoirs	W10A46	-		-
Veterans Cemetery Improvements	R10013	87,492		87,492
Wa'a Road Drainage Study	W14006	100,000		100,000
Wailua Golf Course Replace Existing Water Lines	R13009	20,000		20,000
Wailua Golf Course Replace Existing Water Lines	R13A09	14,455		14,455
Wailua Golf Course Replace Existing Water Lines	R13B09	9,072		9,072
Wailua Golf Course Replace Existing Water Lines	R13C09	36,473		36,473
Wailua NPDES Effluent Modification (Design)	W18011	1,339		1,339
Wailua SPS1 Rehabilitation	W19006	1,104		1,104
Wailua SPS3 Rehabilitation	W19007	2,676		2,676
Wailua WWTP Improvements/Renovation	W10014	165,104		165,104
Wailua WWTP Improvements/Renovation	W10A14	130,000		130,000
Waimea Land Acquisition	H20000	100,000		100,000
Waimea R-1 Water Distribution Sys. Improvements	W14078	30,993		30,993
Waimea Wastewater Environmental Requirements	W20015	151,602		151,602
Waimea Wastewater Environmental Requirements	W20A15	48,398		48,398
Waimea WWTP R-1 (Design)	W18017	55,003		55,003
Wastewater Facility Plan Update	W20005	233,095		233,095
Wastewater Facility Plan Update	W20A05	222,984		222,984
Wastewater Facility Plan Update	W20B05	193,921		193,921
West Kaua'i Development Plan	Z18002	38,946		38,946
West Kaua'i Development Plan	Z18003	52		52
Fire Station Improvements	*NEW*		200,000	200,000
TOTAL BOND FUND		15,119,284	596,155	15,715,439

		Appropriation Balance 3/5/2020	Proposed Budget Ordinance	Appropriation Balance After Ordinance
DEVELOPMENT FUND				
Islandwide Bus Stops	T19000	27,600		27,600
Kōloa/Po'ipū Intersection Improvements	W16009	40,250		40,250
Kōloa/Po'ipū Intersection Improvements	Z15105	6,500		6,500
Project Contingency	W08002	35,568		35,568
Wailua Area Bus Stop	T16100	6,579		6,579
TOTAL DEVELOPMENT FUND		116,497	-	116,497
G.E. TAX FUND				
Expansion of Bus Facility	W20040	125,000		125,000
TOTAL G.E. TAX FUND		125,000	-	125,000
GENERAL FUND				
Adolescent Treatment & Healing Center	W10017	19,995		19,995
CFD-Po'ipū Road Multimodal Improvements	W13014	217,313		217,313
Habitat Conservation Plan	W08012	40,474		40,474
Host Community Benefits - Kekaha (\$4.76/ton x 91,804 - FY 2019 tonnage)	W09012	389,107	436,987	826,094
Host Community Benefits - Interest through 06/30/2019	W09012		7,701	7,701
Helicopter Hangar (Construction)	W18018	120,000		120,000
Historic County Building Security & Grounds Imprv.	R20000	295,265		295,265
HRMS, Payroll & Personnel	J20000	1,684,927		1,684,927
Inclusive Playground Development	R20020	400,000		400,000
Islandwide Playcourt Resurfacing	R20010	250,000		250,000
Islandwide Playground Equipment	R20005	91,679		91,679
IT Infrastructure Improvements (Multi-phase)	X10006	286,315		286,315
IT Systems Countywide Evaluation, Design & Implementation	X20001	1,000,000		1,000,000
Kapa'a Neighborhood Center Impv.	W07013	-		-
Kapule Counters Renovation (RPA/Planning)	W19105	150,000		150,000
Kīlauea/Kolo Road Improvements	W19001	50,000		50,000
KPAL/Police Training Building/Multi-Purpose Room (Planning & Permitting)	W19005	104,000		104,000
Līhu'e WWTP Improvements PH II	W17001	404		404
Park Improvement Waimea District	W96073	250	6,216	6,466
Po'ipū Beach Improvements	R18014	6,216	(6,216)	-
Regional Park Improvements	W06041	-		-
Skateboard Parks (Design & Development)	R20015	400,000		400,000
Waimea/Kekaha ADA Improvements	R18015	561,932		561,932
West Kaua'i Development Plan	Z18004	2,217		2,217
Wailua Emergency Manhole Upgrades	W20030	84,750		84,750
Wailua WWTP Improvements/Renovation	W20025	124,306		124,306
Wastewater Billing System Upgrades	W20035	200,000		200,000
CFD-Ho'onani Road/Sidewalk Pedestrian Lane	*NEW*		350,000	350,000
CFD-Lāwa'i Road/Complete Sidewalk	*NEW*		300,000	300,000
CFD-Pa'anau Phase I Energy Sustainability Upgrades	*NEW*		636,000	636,000

		Appropriation Balance 3/5/2020	Proposed Budget Ordinance	Appropriation Balance After Ordinance
GENERAL FUND (cont.)				
CFD-Po'ipū Beach Pedestrian/Bicycle Access Project	*NEW*		1,693,707	1,693,707
Ho'olako/Ka'ana Parcel Improvements	*NEW*		4,500,000	4,500,000
Ka'alani Road Removal	*NEW*		300,000	300,000
Skateboard & Hanapēpē Town Park Impv.	*NEW*		350,000	350,000
Waste-to-Energy Project	*NEW*		300,000	300,000
TOTAL GENERAL FUND		6,479,150	8,874,395	15,353,545

HIGHWAY FUND

Biennial Bridge Inspections	W96388	482,297		482,297
Comprehensive Road Maintenance Plan	W13011	36,067		36,067
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	15,823		15,823
Kapahi Bridge Replacement (County Match)	W05368	21,207	(21,207)	-
Maluhia/Kōloa Improvements (County Match)	W19021	385,139	21,207	406,346
Olohena Improvements (County Match)	W19002	332,492		332,492
Pu'uopae Bridge Replacement (County Match)	W10003	77,003		77,003
Pua Nani Road Drain Repair	W18004	20,309		20,309
Puhi Road Construction Ph I (County Match)	W12010	18,938		18,938
Resurfacing Various Collector Roads (County Match)	W07008	35,265		35,265
Speed Hump/Traffic Calming Program	W98364	68,080		68,080
County Bridge Inspections	W20020	400,000		400,000
TOTAL HIGHWAY FUND		2,292,068	-	2,292,068

SEWER TRUST FUND

Wailua WWTP Improvements/Renovation	W10014	-		-
TOTAL SEWER TRUST FUND		-	-	-

SPECIAL TRUST FUND FOR PARKS & PLAYGROUNDS

Waimea District:

Park Impv. Waimea Dist. Grant	W96073	1		1
Total Waimea District:		1	-	1

Kōloa District:

Kalāheo Gym Improvements	R15105	567		567
Park Impv. & Equip.: Kōloa Dist.	W93086	9,268		9,268
Park Impv. Grant, Kōloa Dist.	W96087	11,000		11,000
Parking Lot/Play Court Resurfacing	R15108	164,289		164,289
Total Kōloa District		185,124	-	185,124

		Appropriation Balance 3/5/2020	Proposed Budget Ordinance	Appropriation Balance After Ordinance
SPECIAL TRUST FUND FOR PARKS & PLAYGROUNDS (cont.)				
Līhu'e District:				
Kamalani Playground Resurfacing	R18003	81,371		81,371
KWMCH Improvements	R18004	178,330		178,330
Līhu'e Park Improvement & Equipment	W93100	-		-
Park Impv.: Līhu'e Dist. Grant	W96102	42,600		42,600
Total Līhu'e District		302,301	-	302,301
Kawaihau District:				
Park Impv. & Equip. Kawaihau Dist.	W93116	8,049		8,049
Park Impv. Kawaihau Dist. Grant	W96118	25,101		25,101
Playground Improvements (Wailua Houselots & Homesteads)	R16003	19,245		19,245
Skateboard Park	R20025	36,823		36,823
Total Kawaihau District		89,218	-	89,218
Hanalei District:				
'Anini Beach Park Improvements	R16004	144,000		144,000
Hanalei Court-ADA	R09003	6,447	(6,447)	-
Park Impv. & Equip. Hanalei Dist.	W93383	30,513	6,447	36,960
Total Hanalei District		180,960	-	180,960
TOTAL FOR SPECIAL TRUST FUND FOR PARKS & PLAYGROUNDS		757,604	-	757,604
TOTAL CAPITAL BUDGET		24,940,180	9,470,550	34,410,730

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 specify planning and equipment moneys being appropriated. 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. 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, 2020, December 31, 2020, March 31, 2021, and June 30, 2021) to the Mayor of each project contained in SECTION 2, which shall include:

- a. Construction schedules with milestone performance dates; and
- b. Budget appropriation 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. 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 12. 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 the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

SECTION 13. This Ordinance shall take effect on July 1, 2020.

Introduced by:


ARRYL KANESHIRO
(By Request)

DATE OF INTRODUCTION:

March 25, 2020
Lihu'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. 2780, 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 25, 2020, by the following vote:

FOR PASSAGE:	Chock, Cowden, Evslin, Kagawa, Kualii, Kaneshiro	TOTAL – 6,
AGAINST PASSAGE:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Brun	TOTAL – 1*,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Lihu'e, Hawai'i
March 25, 2020



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

*Beginning with the March 11, 2020 Council Meeting and until further notice, Councilmember Arthur Brun will not be present due to U.S. v. Arthur Brun et al., Cr. No. 20-00024-DKW (United States District Court), and therefore will be noted as excused (i.e., not present).