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NOTICE OF PUBLICATION AND NOTICE OF PUBLIC HEARING

THE COUNTY CLERK
COUNTY OF KAUAI

Notice is hereby given that the Council of the County of Kaua'i will hold a public hearing on Wednesday, May 11, 2022 at 5:00 p.m., or soon thereafter, at the Council Chambers, 4396 Rice Street, Suite 201, Lihu'e, on the following:

Bill No. 2852

A BILL FOR AN ORDINANCE RELATING TO CAPITAL IMPROVEMENTS AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2022 TO JUNE 30, 2023 (*Fiscal Year 2022-2023 CIP Budget*)

CAPITAL FUND RESOURCES:

Bikeway Fund	\$50,577
Bond Fund	\$7,029,684
Development Fund	\$194,497
G.E. Tax Fund (CIP)	\$6,581,246
General Fund (CIP)	\$31,028,201
Highway Fund (CIP)	\$3,620,578
Sewer Trust Fund	\$0
Special Trust Fund for Parks & Playgrounds	<u>\$463,061</u>
TOTAL	\$48,967,844

Sections 1 and 2 of the Bill sets forth the estimated revenues of all funds for the Fiscal Year July 1, 2022 to June 30, 2023, 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 23, 2022

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. 2852 was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on March 23, 2022, by the following vote:

AYES: Carvalho, Chock, Cowden, DeCosta,	
Evslin, Kualii, Kaneshiro	TOTAL - 7,
NOES: None	TOTAL - 0,
EXCUSED & NOT VOTING: None	TOTAL - 0.

Lihu'e, Hawai'i
March 23, 2022

/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, 2022)

**COUNTY OF KAUA'I
CAPITAL BUDGET**

ORDINANCE NO. _____

BILL NO. 2852

**A BILL FOR AN ORDINANCE RELATING TO
CAPITAL IMPROVEMENTS AND FINANCING THEREOF
FOR THE FISCAL YEAR JULY 1, 2022 TO JUNE 30, 2023**

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF KAUA'I, 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, 2022 to June 30, 2023 are hereby provided and appropriated to the funds and for the purposes as set forth in SECTION 2:

BIKEWAY FUND	\$50,577
BOND FUND	\$7,029,684
DEVELOPMENT FUND	\$194,497
G.E. TAX FUND	\$6,581,246
GENERAL FUND	\$31,028,201
HIGHWAY FUND	\$3,620,578
SEWER TRUST FUND	\$0
SPECIAL TRUST FUND FOR PARKS & PLAYGROUNDS	\$463,061

TOTAL ALL FUNDS \$48,967,844

SECTION 2. The several amounts of proposed expenditures as itemized in the Capital Budget for the County of Kaua'i for Fiscal Year July 1, 2022 to June 30, 2023 adopted pursuant to the provisions of the Kaua'i County Charter, are hereby appropriated to the several Capital Improvement Projects as enumerated below:

		Appropriation Balance 2/22/2022	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				
'Aliomanu Road Improvements (Planning & Permitting)	W18012	10,506	-	10,506
'Anini Bridge (County Match)	W14001	1,354	-	1,354
Auto Shop Improvements	W13005	7,496	(7,496)	-
Biennial Bridge Inspections (County Match)	W96388	7,912	-	7,912
BMPs Refuse Transfer Stations Islandwide	W22000	500,000	-	500,000
CIP Contingency Fund	W20000	9,568	-	9,568
CIP Contingency Fund	W20A00	75,628	-	75,628
CIP Management System	W10051	-	-	-
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
Fuel Management System	W13007	17,322	(17,322)	-
Fuel Tanks Hanapēpē Baseyard	W17004	50,000	(50,000)	-
Hanapēpē Bridge Reconstruction (County Match)	W09007	7,159	-	7,159
Hanapēpē Road Resurfacing (County Match)	W12067	47,000	-	47,000
Hanapēpē Stadium Improvements	R17001	6,722	-	6,722
Helicopter Hangar (Construction)	W18018	583,770	-	583,770
HRMS, Payroll & Personnel	J20000	358,157	-	358,157
Islandwide Road Safety Program	W18003	32,481	-	32,481
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
Kapa'a Pool Restroom Reconstruction	R14002	12,777	-	12,777
Kawaihau, Haua'ala, Mailihuna Complete Streets & Safety Improvements (County Match)	W10045	59,940	-	59,940
Kīlauea/Kolo Road Improvements	W19001	200,000	-	200,000
Land Information Management System	X18001	255,818	-	255,818
Landfill Vertical Expansion	W22005	335,200	-	335,200
Līhu'e Sewer Pump Station Improvements	W22010	21,505	-	21,505
Lima Ola Onsite Phase I	H18001	1,915,081	-	1,915,081
Niumalu Bridge Replacement	W15104	50,000	-	50,000
Niumalu Bridge Replacement	W18014	250,358	-	250,358
Opaeaka'a Bridge Replacement (County Match)	W10002	40,009	(40,009)	-
Pi'ikoi Interior Renovation Phase II	W12053	128,573	-	128,573
Puhi Road Ph II (County Match)	W16A04	9,018	-	9,018
Puhi Road Ph II (County Match)	W18016	27,693	-	27,693
Salt Pond Beach Park Facility Improvements	R16001	45	-	45
Veterans Cemetery Improvements	R10013	87,492	-	87,492
Wailua Golf Course Replace Existing Water Lines	R13A09	9,963	-	9,963
Wailua Golf Course Replace Existing Water Lines	R13B09	9,072	-	9,072
Wailua Golf Course Replace Existing Water Lines	R13C09	36,473	-	36,473

		Appropriation Balance 2/22/2022	Proposed Budget Ordinance	Appropriation Balance After Ordinance
BOND FUND (cont.)				
Wailua Manhole Upgrades	W22015	542,377	114,827	657,204
Wailua Manhole Upgrades	W22A15	7,623	-	7,623
West Kaua'i Development Plan	Z18002	16,804	-	16,804
West Kaua'i Development Plan	Z18004	33	-	33
TOTAL BOND FUND		7,029,684	-	7,029,684

DEVELOPMENT FUND

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
TOTAL DEVELOPMENT FUND		194,497	-	194,497

G.E. TAX FUND

Expansion of Bus Facility	W20040	111,246	-	111,246
Hanapēpē Bridge Reconstruction (County Match)	W09007	175,000	12,166	187,166
Hanapēpē Road Resurfacing (County Match)	W12067	850,000	28,000	878,000
Kapahi Bridge Replacement (County Match)	W05368	170,000	497,134	667,134
Līhu'e Culvert Repairs	W22025	245,000	-	245,000
Minor Bridge Upgrades & Repairs	W22030	700,000	-	700,000
Puhi Road Ph II (County Match)	W16A04	-	1,076,700	1,076,700
'Anini Bridge #2 Replacement	*NEW*	-	300,000	300,000
Kamalu Road Improvements	*NEW*	-	200,000	200,000
Kapahi Bridge Repairs	*NEW*	-	700,000	700,000
Kīlauea/Kolo Road	*NEW*	-	1,316,000	1,316,000
Waimea to Kekaha Shared Path	*NEW*	-	200,000	200,000
TOTAL G.E. TAX FUND		2,251,246	4,330,000	6,581,246

GENERAL FUND

BMPs Refuse Transfer Stations Islandwide	W22000		1,500,000	1,500,000
CFD-Ho'onani Road/Sidewalk Pedestrian Lane	W21011	350,000	-	350,000
CFD-Lāwa'i Road/Complete Sidewalk	W21012	300,000	-	300,000
CFD-Po'ipū Beach Pedestrian/Bicycle Access Project	W21014	1,693,707	-	1,693,707
CFD-Po'ipū Road Multimodal Improvements	W13014	9,742	-	9,742
Fire Station Improvements	W12012	26,303	250,000	276,303
Habitat Conservation Plan	W08012	40,474	-	40,474
Hanapēpē Stadium (County Match to State Appropriation as amended by Act 6, SLH 2020)	R22000	429,420	-	429,420
Helicopter Hangar (Construction)	W18018	120,000	-	120,000
Host Community Benefits - Kekaha (\$2.38/ton x 88,444 - FY 2021 tonnage)	W09012	311,356	210,497	521,853
Host Community Benefits - Interest through 06/30/2021	W09012	-	766	766
HRMS, Payroll & Personnel	J20000	108,938	-	108,938
Islandwide Playcourt Resurfacing	R20010	391,068	2,000,000	2,391,068

		Appropriation Balance 2/22/2022	Proposed Budget Ordinance	Appropriation Balance After Ordinance
GENERAL FUND (cont.)				
Islandwide Playground Equipment	R20005	341	500,000	500,341
Kapa'a Pool Renovation	R20030	147,727	-	147,727
Kapule Counters Renovation (RPA/Planning)	W19105	11,959	-	11,959
KFD Clean Emissions	F22000	36,017	-	36,017
Kīlauea/Kolo Road Improvements	W19001	50,000	-	50,000
Kīlauea Gymnasium (County Match to State Appropriation as amended by Act 6, SLH 2020)	R22005	15,711	-	15,711
KWMCH Improvements	R18004	75,000	301,000	376,000
Park Improvement Waimea District	W96073	5,303	-	5,303
Salt Pond Beach Park Facility Improvements	R12002	-	35,000	35,000
Skateboard Parks (Design & Development)	R20015	150,000	-	150,000
Wailua Emergency Manhole Upgrades	W20030	84,750	-	84,750
Waimea/Kekaha ADA Improvements	R18015	311,872	1,350,000	1,661,872
Waimea Tennis Court Lights	R22010	175,000	-	175,000
Waste-to-Energy Project	D21005	57,250	-	57,250
Wastewater Billing System Upgrades	W20035	196,023	(196,023)	-
Black Pot Comfort Station Improvements	*NEW*	-	500,000	500,000
CIP Contingency Fund	*NEW*	-	250,000	250,000
Coco Palms/KS SPS Bldg. Mods	*NEW*	-	1,500,000	1,500,000
County Computer Servers and Storage	*NEW*	-	1,150,000	1,150,000
County Network Infrastructure	*NEW*	-	980,000	980,000
County Phone System	*NEW*	-	850,000	850,000
County Video Conferencing	*NEW*	-	214,000	214,000
DMV Satellite Office	*NEW*	-	70,000	70,000
East Kaua'i Community Plan	*NEW*	-	625,000	625,000
Finance and Accounting ERP	*NEW*	-	600,000	600,000
Hanapēpē Stadium Improvements	*NEW*	-	700,000	700,000
IT Infrastructure Improvements/Emer. Pwr.	*NEW*	-	250,000	250,000
Kalena Park Improvements	*NEW*	-	75,000	75,000
Kekaha Landfill Hydrant	*NEW*	-	160,000	160,000
Kekaha Landfill Maint. Monitoring Wells	*NEW*	-	400,000	400,000
KPD HVAC and Electrical Repairs	*NEW*	-	225,000	225,000
Landfill - Siting	*NEW*	-	600,000	600,000
Lihī Park Comfort Station	*NEW*	-	125,000	125,000
Līhu'e WWTP Process Upgrades	*NEW*	-	1,500,000	1,500,000
Pī'ikoi Renovation	*NEW*	-	800,000	800,000
Public Safety and Communication Systems	*NEW*	-	3,000,000	3,000,000
Replace/Improve Comfort Stations Various	*NEW*	-	2,000,000	2,000,000
Sewer Pump Station Renovation	*NEW*	-	300,000	300,000
Vidinha Stadium Structural	*NEW*	-	105,000	105,000
Wailua GC #10 Tee Pump	*NEW*	-	475,000	475,000
Wailua WWTP Fac. Update Plan	*NEW*	-	700,000	700,000
Wailua WWTP Headwork Improvements	*NEW*	-	1,000,000	1,000,000
Waimea 400 Drainage Study	*NEW*	-	400,000	400,000
Waimea Theater Improvements	*NEW*	-	125,000	125,000
Waimea WWTP Update Plan	*NEW*	-	300,000	300,000
TOTAL GENERAL FUND		5,097,961	25,930,240	31,028,201

		Appropriation Balance 2/22/2022	Proposed Budget Ordinance	Appropriation Balance After Ordinance
HIGHWAY FUND				
Biennial Bridge Inspections	W96388	482,297	-	482,297
Comprehensive Road Maintenance Plan	W13011	2,542	(2,542)	-
County Bridge Inspections	W20020	101,282	-	101,282
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	9	302,866	302,875
Maluhia/Kōloa Improvements (County Match)	W19021	56,946	-	56,946
Olohena Improvements (County Match)	W19002	2,107,110	60,000	2,167,110
Pua Nani Road Drain Repair	W18004	20,427	(20,427)	-
Puhi Road Construction Ph I (County Match)	W12010	24,619	-	24,619
Pu'uopae Bridge Replacement (County Match)	W10003	24,897	(24,897)	-
Resurfacing Various Collector Roads (County Match)	W07008	2,114	-	2,114
Speed Hump/Traffic Calming Program	W98364	68,080	-	68,080
TOTAL HIGHWAY FUND		3,305,578	315,000	3,620,578

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	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			-
Total Kōloa District		20,833	-	20,833

Līhu'e District:

Inclusive Playground Development	R22015	-	-	-
Kamalani Playground Resurfacing	R18003	-	-	-
KWMCH Improvements	R18004	134,140		134,140
Līhu'e Park Improvement & Equipment	W93100	-	-	-
Park Impv.: Līhu'e Dist. Grant	W96102	42,600	-	42,600
Total Līhu'e District		176,740	-	176,740

		Appropriation Balance 2/22/2022	Proposed Budget Ordinance	Appropriation Balance After Ordinance
SPECIAL TRUST FUND FOR PARKS & PLAYGROUNDS (cont.)				
Kawaihau District:				
Kapa'a Stadium Improvements	R10010	149,231	-	149,231
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	-	-	-
Total Kawaihau District		232,478	-	232,478
Hanalei District:				
'Anini Beach Park Improvements	R16004	898	-	898
Hanalei Court-ADA	R09003	-	-	-
Park Impv. & Equip. Hanalei Dist.	W93383	32,111	-	32,111
Total Hanalei District		33,009	-	33,009
TOTAL FOR SPECIAL TRUST FUND FOR PARKS & PLAYGROUNDS		463,061	-	463,061
TOTAL CAPITAL BUDGET		18,392,604	30,575,240	48,967,844

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. 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, 2022, December 31, 2022, March 31, 2023, and June 30, 2023) 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. 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, 2022.

Introduced by:


ARRYL KANESHIRO
(By Request)

DATE OF INTRODUCTION:

March 23, 2022

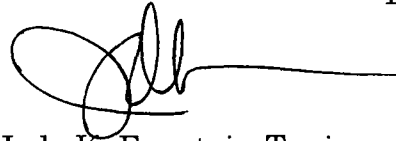
Līhu'e, Kaua'i, Hawai'i

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that heretofore attached is a true and correct copy of Bill No. 2852, 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 23, 2022, by the following vote:

FOR PASSAGE:	Carvalho, Chock, Cowden, DeCosta, Evslin, Kualii, Kaneshiro	TOTAL – 7,
AGAINST PASSAGE:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Lihu'e, Hawaii
March 23, 2022



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