

Notice is hereby given that the Council of the County of Kaua'i will hold a public hearing on Wednesday, October 19, 2022, at 8:30 a.m., or soon thereafter, at the Council Chambers, 4396 Rice Street, Room 201, Historic County Building, Līhu'e, on the following:

Bill No. 2888

A BILL FOR AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 9, SECTION 6-9.4, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE HOUSING DEVELOPMENT FUND

This Bill proposes to amend Chapter 6, Article 9, Section 6-9.4, Kauai County Code 1987, as amended, relating to the Housing Development Fund by annually appropriating a minimum of two percent (2%) of the certified real property tax revenues to the Housing Development Fund.

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 this Bill are available at the Office of the County Clerk, Council Services Division.

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

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that the foregoing Bill No. 2888 was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on September 21, 2022, by the following vote:

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

Līhu'e, Hawai'i
September 22, 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 - September 29, 2022)

**A BILL FOR AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 9,
SECTION 6-9.4, KAUAI COUNTY CODE 1987, AS AMENDED,
RELATING TO THE HOUSING DEVELOPMENT FUND**

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

SECTION 1. Purpose. The purpose of this Ordinance is to amend Chapter 6, Article 9, Section 6-9.4, Kauai County Code 1987, as amended, relating to the Housing Development Fund by annually appropriating a minimum of two percent (2%) of the certified real property tax revenues to the Housing Development Fund.

SECTION 2. Chapter 6, Article 9, Section 6-9.4, Kauai County Code 1987, as amended, is hereby amended as follows:

“Sec. 6-9.4 Appropriations.

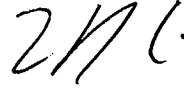
In adopting each fiscal year’s budget and capital program, the Council shall appropriate a minimum of two percent (2%) of the certified real property tax revenues to the housing development fund. If the two percent (2%) appropriation from certified real property tax revenues is used in connection with the issuance of any bonds, including securing the payment of any bonds and the interest thereon, the Council may covenant with or for the benefit of the holder of any bonds issued that so long as any bonds remain outstanding and unpaid, the Council will fix, maintain, and collect the necessary revenue. Appropriations for expenditures from the housing development fund shall be pursuant to ordinance and limited to government affordable and workforce housing projects developed by or in conjunction with the Kauai County Housing Agency, which shall include plans[,] land acquisition[,] onsite, offsite, and building construction[,] interim construction financing[,] administrative project costs[,] buybacks[,] efforts associated with the Department of Water Facilities Reserve Charge for additional rental units certified as affordable by the Housing Agency[,] and other related government affordable and workforce housing expenditures as authorized by the Council. When possible, appropriation from the development trust account shall be for an affordable, workforce, or employee housing project that is located within the same real property tax zone as the development that generated the [in lieu] in-lieu fees.”

SECTION 3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect the 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 4. Ordinance material to be repealed is bracketed. New Ordinance material is underscored. When revising, compiling, or printing this Ordinance for inclusion in the Kaua'i County Code 1987, as amended, the brackets, bracketed material, and underscoring shall not be included.

SECTION 5. This Ordinance shall take effect upon its approval.

Introduced by:



LUKE A. EVSLIN



MASON K. CHOCK

DATE OF INTRODUCTION:

September 21, 2022

Līhu'e, Kaua'i, Hawai'i

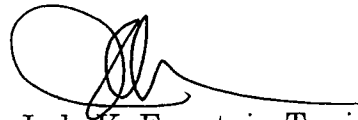
V:\BILLS\2020-2022 TERM\Housing Development Fund Appropriation (09-09-22)LE-MC-SS_lc.docx

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that heretofore attached is a true and correct copy of Bill No. 2888, which was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on September 21, 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, Hawai'i
September 21, 2022



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