

NOTICE OF PUBLICATION AND NOTICE OF PUBLIC HEARING

RECEIVED
Notice is hereby given that the Kaua'i County Council will hold a public hearing on Wednesday, July 10, 2024, 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:

'24 JUN 18 A8:09
Bill No. 2923

OFFICE OF
THE COUNTY CLERK
COUNTY OF KAUAI

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2024-896 AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2024 THROUGH JUNE 30, 2025, BY REVISING THE AMOUNTS ESTIMATED IN THE PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND

This Bill proposes to appropriate \$165,000.00 in funds from the Equity / Fund Balance account to the Public Access, Open Space, Natural Resources Preservation Fund toward the acquisition of two (2) parcels of vacant land on property in Hanapēpē, Kaua'i, Hawai'i, further identified as TMK: (4) 1-8-008:065 and TMK: (4) 1-8-008:071, which are of significant historical and cultural importance to the Filipino and Hanapēpē communities, and labor and plantation history.

Bill No. 2924

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2024-897 AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2024 THROUGH JUNE 30, 2025, BY REVISING THE AMOUNTS ESTIMATED IN THE PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND—CIP

This Bill proposes to appropriate \$165,000.00 in funds from the Public Access, Open Space, Natural Resources Preservation Fund and \$1,279,000.00 from the Kaumumene Coastal Access account, for a total amount of \$1,444,000.00, to acquire two (2) parcels of vacant land on property in Hanapēpē, Kaua'i, Hawai'i, further identified as TMK: (4) 1-8-008:065 and TMK: (4) 1-8-008:071.

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/Government/Council/Webcast-Meetings. 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 Nos. 2923 and 2924 during the June 12, 2024 Council Meeting, by the following vote:

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

Lihu'e, Hawai'i
June 13, 2024

/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 – June 21, 2024)

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2024-896 AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2024 THROUGH JUNE 30, 2025, BY REVISING THE AMOUNTS ESTIMATED IN THE PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND

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

SECTION 1. Findings and purpose. The purpose of this ordinance is to appropriate funds for the acquisition of two parcels of vacant land on property in Hanapēpē, Kaua‘i, Hawai‘i, further identified as TMK: (4) 1-8-008:065 and TMK: (4) 1-8-008:071. The Council finds the following:

(a) The Hanapēpē parcels are of significant historical and cultural importance to the Filipino and Hanapēpē communities, and labor and plantation history. The parcels mark where the tragic Hanapēpē Massacre of 1924 event began. The battle was a critical moment in the labor movement in Hawai‘i that marked a significant struggle between Filipino plantation workers and local authorities.

(b) The acquisition of the subject lots of record would support the following purposes:

- 1. Public outdoor recreation and education,
- 2. Preservation of historic or culturally important land areas and sites,
- 3. Improving disabled and public access to, and enjoyment of, public land and open space, and
- 4. Conserving land for open space and scenic values.

(c) The subject lots are where the Public Access, Open Space, Natural Resources Preservation Fund Commission and community seek to establish a memorial to honor the lives lost and commemorate the event.

(d) Pursuant to an appraisal conducted by the County of Kaua‘i in 2023, TMK: (4) 1-8-008:065 has an appraised value of up to \$685,000.00 and TMK: (4) 1-8-008:071 has an appraised value of up to \$749,000.00.

(e) Although the subject lots are not currently for sale on the open market, the landowner has committed to sell the properties to the County due to its cultural importance. There is a demonstrable urgency concerning the timing of the acquisition where delaying the action to the subsequent biennial report could result in the landowner no longer being interested in selling the lots or seeking a higher price.

(f) The cost and process for acquiring the subject lot of record is commensurate to the public interest served.

SECTION 2. That pursuant to Sec. 19.07B and Sec. 19.10A of the Charter of the County of Kaua'i, as amended, Ordinance No. B-2024-896 as amended, relating to the Operating Budget of the County of Kaua'i, State of Hawai'i, for the fiscal year July 1, 2024 through June 30, 2025, be hereby amended as follows:

The sum of \$165,000.00 by revising the amounts estimated in the Public Access, Open Space, Natural Resources Preservation Fund from the following account:

Equity / Fund Balance – Assigned [\$165,000]

Be and is hereby appropriated for the following purpose:

Contribution to Public Access, Open Space,
Natural Resources Preservation Fund \$165,000

SECTION 3. This Ordinance shall take effect upon its approval.

Introduced by:



MEL RAPOZO
(By Request)

DATE OF INTRODUCTION:

June 12, 2024

Lihu'e, Kaua'i, Hawai'i

V:\BILLS\2022-2024 TERM\2024-374.1 Money Bill - Open Space Fund - Hanapepe Massacre
MR_RM_mn.doc

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that heretofore attached is a true and correct copy of Bill No. 2923, which was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on June 12, 2024, 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, Hawai'i
June 12, 2024



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

ORDINANCE NO. _____

BILL NO. 2924

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2024-897 AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUA'I, STATE OF HAWAI'I, FOR THE FISCAL YEAR JULY 1, 2024 THROUGH JUNE 30, 2025, BY REVISING THE AMOUNTS ESTIMATED IN THE PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND—CIP

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF KAUA'I, STATE OF HAWAI'I:

SECTION 1. That pursuant to Sections 19.07B and 19.10A of the Charter of the County of Kaua'i, as amended, Ordinance No. B-2024-897 as amended, relating to the Capital Budget of the County of Kaua'i, State of Hawai'i, for the Fiscal Year July 1, 2024 through June 30, 2025, be hereby amended as follows:

The sum of up to \$1,444,000.00 by revising the amounts estimated in the Public Access, Open Space, Natural Resources Preservation CIP Fund from the following account:

| | | |
|---|--------|---------------|
| Transfer In Public Access, Open Space, Natural Resources Preservation Fund | | [\$165,000] |
| Kaumumene Coastal Access | X22010 | [\$1,279,000] |

Be and is hereby appropriated for the following purpose:

| | | |
|---|--------------------|-----------|
| <u>Hanapēpē Property,</u> <u>TMK: (4)1-8-008:065</u> | <u>New Project</u> | \$685,000 |
| <u>Hanapēpē Property,</u> <u>TMK: (4)1-8-008:071</u> | <u>New Project</u> | \$749,000 |
| <u>Closing Costs</u> | | \$10,000 |

SECTION 2. This Ordinance shall take effect upon its approval.

Introduced by:



MEL RAPOZO
(By Request)

DATE OF INTRODUCTION:

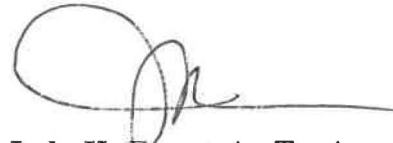
June 12, 2024

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that heretofore attached is a true and correct copy of Bill No. 2924, which was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on June 12, 2024, 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, |
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Lihu'e, Hawai'i
June 12, 2024



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