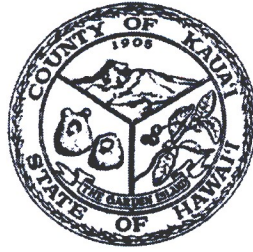


**COUNTY COUNCIL**  
Mel Rapozo, Chair  
KipuKai Kualii, Vice Chair  
Addison Bulosan  
Bernard P. Carvalho, Jr.  
Felicia Cowden  
Bill DeCosta  
Ross Kagawa




**OFFICE OF THE COUNTY CLERK**  
Jade K. Fountain-Tanigawa, County Clerk  
Lyndon M. Yoshioka, Deputy County Clerk

Telephone: (808) 241-4188  
Facsimile: (808) 241-6349  
Email: cokcouncil@kauai.gov

**Council Services Division**  
4396 Rice Street, Suite 209  
Lihu'e, Kaua'i, Hawai'i 96766

**MEMORANDUM**

August 10, 2023

**TO:** Derek S.K. Kawakami, Mayor  
**FROM:** Mel Rapozo, Council Chair   
**RE:** **AUGUST 9, 2023 COUNCIL MEETING RECAP**

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This is to inform you of the action taken by the Council at its August 9, 2023 Council Meeting:

**CONSENT CALENDAR:**

C 2023-171 Communication (07/13/2023) from Hugo D. Cabrera, Deputy County Attorney, transmitting for Council information, the Quarterly Report on Settled Claims filed against the County of Kaua'i from April 1, 2023 through June 30, 2023. *(Received for the Record.)*

**COMMUNICATIONS:**

C 2023-172 Communication (07/18/2023) from Council Chair, requesting the presence of Ed Sniffen, Director of the State of Hawai'i Department of Transportation, Highways Division, to provide an update on pending projects relating to the following:

- Wailua/Kapa'a traffic issues and what is being done to address the growing traffic problem in the Wailua/Kapa'a corridor;
- Tree trimming islandwide; and
- The status of repair work to Port Allen Pier and Port Allen Small Boat Harbor, including the weaknesses/vulnerabilities of the pier and future plans to allow barge service to the pier. *(Received for the Record.)*

C 2023-173 Communication (07/21/2023) from the Boards & Commissions Administrator, requesting Council approval to accept roundtrip airfare accommodations for three (3), estimated in value to be approximately \$405.00, for two (2) members of the Board of Ethics and one (1) staff person to attend the one-day, statewide ethics conference which will be held on September 1, 2023. *(Approved.)*

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C 2023-174 Communication (07/24/2023) from the Director of Finance, requesting Council approval of the acceptance of legal terms and conditions from System Innovators E-Commerce Online Payment Portal – Orbipay & Alacriti. ***(Approved.)***

C 2023-175 Communication (07/25/2023) from Edwin H. Sniffen, Director of the State of Hawai'i Department of Transportation, Highways Division, requesting agenda time to present an update on the HiRUC project and to share details about Act 222, legislation enacted this year that implements a road usage charge for electric vehicles (EVs) beginning on July 1, 2025. ***(Deferred pending response from the Department of Transportation.)***

C 2023-176 Communication (08/01/2023) from Council Chair Rapozo, transmitting for Council consideration, A Bill For An Ordinance Amending Chapter 5A, Kaua'i County Code 1987, As Amended, Relating To Real Property Tax, amending Section 5A-11.4, Section 5A-11.22, Section 5A-11-12.1, Section 5A-11A.3, and Section 5A-11.3, repealing Section 5A-11.7, Section 5A-11.11, Section 5A-11.14, Section 5A-11.16, and Section 5A-11.31, and creating a new section entitled "Assessment Cap for Other Than Home Exemption Property and Property Used For Long-Term Affordable Rental." ***(Received for the Record.)***

C 2023-177 Communication (08/01/2023) from Council Chair Rapozo, transmitting for Council consideration, A Bill For An Ordinance Amending Chapter 5A, Kaua'i County Code 1987, As Amended, Relating To Real Property Tax, amending Section 5A-11.6, Section 5A-11.8, Section 5A-11A.2, Section 5A-11A.1, Section 5A-11A.3, and Section 5A-11.3, creating a new exemption entitled "Exemption for Property Used for Long-Term Gap Housing Rental," and creating a new section entitled "Assessment Cap for Other Than Home Exemption Property and Property Used For Long-Term Affordable Rental." ***(Received for the Record.)***

C 2023-178 Communication (08/01/2023) from Councilmember Cowden, transmitting for Council consideration, A Bill For An Ordinance Amending Chapter 5A, Kaua'i County Code 1987, As Amended, Relating To Real Property Tax, creating a new exemption entitled "Exemption for Property Used for Long-Term Gap Housing Rental" and a new "Long-Term Gap Housing Rental" tax rate classification, and making minor changes to Section 5A-11A.1 for consistency with existing language. ***(Received for the Record.)***

C 2023-179 Communication (08/01/2023) from Councilmember Cowden, transmitting for Council consideration, A Bill For An Ordinance Amending Chapter 5A, Kaua'i County Code 1987, As Amended, Relating To Real Property Tax, granting separated married persons each their own full Home Exemption, making the separation easier to establish with the Department of Finance, increasing the two-year maximum allowance of this benefit to five (5) years, and modernizing the language to include civil unions. ***(Received for the Record.)***



Council Meeting Follow-up Memorandum to the Mayor

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CLAIMS:

C 2023-180 Communication (07/17/2023) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Milagros A. Sagucio, for property damage, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the Office of the County Attorney for disposition and/or report back to the Council.)***

C 2023-181 Communication (07/18/2023) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Isaac Ornellas, for loss of income and leisure time, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the Office of the County Attorney for disposition and/or report back to the Council.)***

C 2023-182 Communication (07/18/2023) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Takitani Agaran Jorgensen & Wildman, LLLP Joseph L. Wildman, Esq., for Shelby Bazil, for personal injury, medical bills, and loss of income, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the Office of the County Attorney for disposition and/or report back to the Council.)***

C 2023-183 Communication (07/25/2023) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Enterprise Rent A Car, Damage Recovery Unit, for damages to their vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the Office of the County Attorney for disposition and/or report back to the Council.)***

C 2023-184 Communication (07/26/2023) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Diana Howard, for vehicle damage, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the Office of the County Attorney for disposition and/or report back to the Council.)***

C 2023-185 Communication (07/27/2023) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Remillard Huynh & Barbour, a law partnership, representing Lorie Nishikuni natural parent and guardian of Makana Nishikuni, for personal injury and medical bills, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the Office of the County Attorney for disposition and/or report back to the Council.)***

C 2023-186 Communication (07/27/2023) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Royden Tanaka, for vehicle damage, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the Office of the County Attorney for disposition and/or report back to the Council.)***

**BILLS FOR FIRST READING:**

Proposed Draft Bill (No. 2901) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAX (*RPT Reform Tax Year 2024*) (***Approved on 1<sup>st</sup> Reading, Public Hearing scheduled for September 6, 2023, and referred to the Finance & Economic Development Committee.***)

Proposed Draft Bill (No. 2902) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAX (*RPT Reform Tax Year 2025*) (***Approved as Amended on 1<sup>st</sup> Reading, Public Hearing scheduled for September 6, 2023, and referred to the Finance & Economic Development Committee.***)

Proposed Draft Bill (No. 2903) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAX (*Long-Term Gap Housing Rental*) (***Approved on 1<sup>st</sup> Reading, Public Hearing scheduled for September 6, 2023, and referred to the Finance & Economic Development Committee.***)

Proposed Draft Bill (No. 2904) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAX (*Separated Married Persons*) (***Approved as Amended on 1<sup>st</sup> Reading, Public Hearing scheduled for September 6, 2023, and referred to the Finance & Economic Development Committee.***)

Thank you for following up as appropriate, including confidential routing to any appropriate parties, and please do not hesitate to contact me or Council Services Staff if you need further information. Please note that this memorandum presents a summary of the action taken, and reference should be made to the official minutes for a complete record.

cc: KCT Department Heads (*Via Email*)  
KCT CCs (*Via Email*)  
Council Services Staff (*Via Email*)