

COUNTY COUNCIL

Mel Rapozo, Chair
Ross Kagawa, Vice Chair
Arthur Brun
Mason K. Chock
Arryl Kaneshiro
Derek S.K. Kawakami
JoAnn A. Yukimura



OFFICE OF THE COUNTY CLERK


Jade K. Fountain-Tanigawa, County Clerk
Scott K. Sato, Deputy County Clerk

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

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

MEMORANDUM

February 8, 2018

TO: Bernard P. Carvalho, Jr., Mayor
FROM: Mel Rapozo, Council Chair 
RE: **FEBRUARY 7, 2018 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its February 7, 2018 Council Meeting:

CONSENT CALENDAR:

C 2018-27 Communication (01/09/2018) from the Acting County Engineer, transmitting for Council consideration, a Resolution Establishing Crosswalks On Mahea Road And Mehana Road; Establishing Stop Signs On Mehana Road, And Repealing A Stop Sign On Mahea Road, County of Kaua'i. *(Received for the Record.)*

C 2018-28 Communication (01/16/2018) from the First Deputy County Attorney, transmitting for Council information, the Quarterly Report on Settled Claims which were filed against the County of Kaua'i from October 1, 2017 through December 31, 2017. *(Received for the Record.)*

C 2018-29 Communication (01/19/2018) from the Director of Finance, transmitting for Council information, the Second Quarter Statement of Equipment Purchases for Fiscal Year 2017-2018, pursuant to Section 17 of Ordinance No. B-2017-821, the Operating Budget of the County of Kaua'i for Fiscal Year 2017-2018. *(Received for the Record.)*

C 2018-30 Communication (01/23/2018) from Councilmember Kawakami, providing written disclosure of a possible conflict of interest and recusal relating to C 2018-25 and Bill No. 2687 as this Bill would increase residential density in the Līhu'e Town Core Urban Design District, and his business, Commercial Properties Limited, has properties for lease on Rice Street in Līhu'e; in addition, he is also a stockholder and boardmember of Ha'upu Associates (aka Rice Shopping Center). *(Received for the Record.)*

C 2018-31 Communication (01/31/2018) from Councilmember Yukimura, transmitting for Council consideration, a Resolution Urging The United States To Conduct Diplomatic Talks With North Korea, With The Goal Of Signing A Peace Treaty. *(Received for the Record.)*

COMMUNICATIONS:

C 2018-23 Communication (01/04/2018) from the Director of Finance, requesting Council approval of the indemnification provisions contained within Equipment Lease Agreement No. 2951 and the County of Kaua'i Equipment Lease Rider documents made between the County of Kaua'i and Bank of Hawai'i, to rent various equipment. *(Approved.)*

C 2018-32 Communication (01/04/2018) from the Housing Director, requesting Council approval to decline the repurchase of property located at 5047 Kula Road, Kapa'a, Hawai'i, Tax Map Key (TMK) No. (4) 4-1-013-023, and grant the owner a one-year waiver of the buyback provision to allow for the market sale of the property by the owner. *(Referred to the February 14, 2018 Community Assistance & Veterans Services Committee Meeting.)*

C 2018-33 Communication (01/05/2018) from the Fire Chief, requesting Council approval, to accept a donation from the Kaua'i Lifeguard Association (KLA), of one (1) 2018 Honda All-Terrain Vehicle (ATV), valued at \$7,956.31, which will be utilized by the Ocean Safety Lifeguards at the Pinetrees Tower in Hanalei. *(Approved with thank-you letter to follow.)*

C 2018-34 Communication (01/10/2018) from the Chief of Police, requesting Council approval, to purchase the following non-budgeted items with unexpended funds from the Kaua'i Police Department Operating Budget for Fiscal Year 2017-2018, Regular Salaries, Account No. 001-1001-551.01-01 for the following:

1. Fifteen (15) new marked Ford Explorer patrol vehicles (Each new patrol vehicle costs about \$55,000.00 to \$58,000.00, but proposing to lease the vehicles at a cost of \$180,000.00 a year.);
 2. Correction facility designed bunkbeds for the cellblock (\$35,000.00);
 3. Conversion of a holding cell into a padded holding cell (\$35,000.00);
 4. X-Ray inspection station for the cellblock (\$35,000.00);
 5. One (1) full-sized vehicle to be used as a crime scene response vehicle (\$60,000.00);
 6. Eighteen (18) ballistic vests for the Special Response Team members (\$53,000.00);
 7. Programmable logic controller and integration hardware system (\$60,000.00); and
 8. Ten (10) Police Portable Radios / APEX Model (\$44,000.00).
- (Approved.)*

C 2018-35 Communication (01/10/2018) from the Chief of Police, requesting Council approval to accept and utilize a vehicle forfeited through the Asset Forfeiture Program, which will replace a previously disposed of vehicle (a Silver 2001 Toyota Camry) that was assigned to the Vice Section and used for law enforcement purposes. ***(Approved.)***

C 2018-36 Communication (01/16/2018) from the Fire Chief, requesting Council approval to accept a donation from the Kaua'i Lifeguard Association (KLA), of one (1) State-of-the-Art Surveyor Jr. Lifeguard Tower, valued at \$31,561.00, which will be placed at Po'ipū Beach Park to help eliminate the underlying issues that were discussed at the Kaua'i County Council Meeting on January 10, 2018. ***(Approved with thank-you letter to follow.)***

C 2018-37 Communication (01/22/2018) from the Director of the Department of Liquor Control, transmitting proposed amendments to Ordinance No. B-2017-821, as amended, relating to the Operating Budget of the County of Kaua'i, for the Fiscal Year 2017-2018, by revising the amounts estimated in the Liquor Fund, to fund the purchase of radio equipment to provide the Liquor Control Investigators the ability to monitor Kaua'i Police Department's (KPD) frequency, which was previously available but was removed when KPD's radios were upgraded. ***(Received for the Record.)***

C 2018-38 Communication (01/25/2018) from the Director of Parks and Recreation, transmitting for Council consideration, proposed amendments to Chapter 23, Section 23-3.1, Kaua'i County Code 1987, as amended, relating to Peddling at County Parks, Playgrounds, Other Facilities, and Beaches. ***(Received for the Record.)***

C 2018-39 Communication (01/26/2018) from the Executive on Transportation, requesting Council approval to release and indemnify G.N. Wilcox Health Properties, Inc. per acceptance of the indemnification language contained in Grant of Easement Document. ***(Approved.)***

CLAIM:

C 2018-40 Communication (01/16/2018) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Richard C. Arruda, for damage to his vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the County Attorney's Office for disposition and/or report back to the Council.)***

COMMITTEE REPORTS: APPROVED.

RESOLUTIONS:

Resolution No. 2017-74 – RESOLUTION DETERMINING THE COUNTY OF KAUAI FUEL TAX RATE AND REPEALING RESOLUTION NO. 2013-47, DRAFT 3 (*Received for the Record.*)

Resolution No. 2018-05 – RESOLUTION ESTABLISHING CROSSWALKS ON MAHEA ROAD AND MEHANA ROAD; ESTABLISHING STOP SIGNS ON MEHANA ROAD, AND REPEALING A STOP SIGN ON MAHEA ROAD, COUNTY OF KAUAI (*Approved.*)

Resolution No. 2018-06 – RESOLUTION URGING THE UNITED STATES TO CONDUCT DIPLOMATIC TALKS WITH NORTH KOREA, WITH THE GOAL OF SIGNING A PEACE TREATY (*Approved as Amended to Resolution No. 2018-06, Draft 1.*)

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2688) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2017-821, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2017 THROUGH JUNE 30, 2018, BY REVISING THE AMOUNTS IN THE LIQUOR FUND (*Department of Liquor Control – Radio Equipment - \$26,000*) (*Approved as Amended on 1st reading, Public Hearing scheduled for March 14, 2018, and referred to the Budget & Finance Committee.*)

Proposed Draft Bill (No. 2689) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 23, SECTION 23-3.1, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO PEDDLING AT COUNTY PARKS, PLAYGROUNDS, OTHER FACILITIES, AND BEACHES (*Approved on 1st reading, Public Hearing scheduled for March 14, 2018, and referred to the Public Works / Parks & Recreation Committee.*)

BILLS FOR SECOND READING:

Bill No. 2666, Draft 1 – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 7, ARTICLE 1, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE UPDATE OF THE GENERAL PLAN FOR THE COUNTY OF KAUAI (ZA-2017-3) (*Approved as Amended to Bill No. 2666, Draft 2 with amendments made to Bill No. 2666, Draft 1 and the booklet entitled Kaua'i Kākou – Kaua'i County General Plan (Planning Commission Draft (June 2017)) and Appendices, as amended December 13-14, 2017 and January 25, 2018.*)

Council Meeting Follow-up Memorandum to the Mayor

February 8, 2018

Page 5

Bill No. 2678 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2017-821, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2017 THROUGH JUNE 30, 2018, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*Kapa'a Armory & Hanalei Substation Roof Repairs - \$550,000.00*) (*Approved.*)

Bill No. 2679 – A BILL FOR AN ORDINANCE AMENDING SECTION 5-1.1, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE COUNTY FUEL TAX (*Received for the Record.*)

Bill No. 2680 – A BILL FOR AN ORDINANCE AMENDING SECTION 5-2.3, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO MOTOR VEHICLE WEIGHT TAX (*Received for the Record.*)

Bill No. 2681 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2017-821, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2017 THROUGH JUNE 30, 2018, BY REVISING THE AMOUNTS ESTIMATED IN THE SEWER FUND (*Approved.*)

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 E-mail*)
KCT CCs (*Via E-mail*)
Council Services Staff (*Via E-mail*)