

**COUNTY COUNCIL**

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**Council Services Division**  
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**MEMORANDUM**

April 25, 2019

**TO:** Derek S.K. Kawakami, Mayor  
**FROM:** Arryl Kaneshiro, Council Chair *AK*  
**RE:** **APRIL 24, 2019 COUNCIL MEETING RECAP**

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This is to inform you of the action taken by the Council at its April 24, 2019 Council Meeting:

**CONSENT CALENDAR:**

C 2019-80 Communication (04/01/2019) from the County Attorney, transmitting for Council information, the Quarterly Report on Settled Claims filed against the County of Kauai from January 1, 2019 through March 31, 2019. *(Received for the Record.)*

C 2019-81 Communication (04/11/2019) from the Deputy County Engineer, transmitting for Council consideration, a Resolution Establishing No-Parking And Tow Away Zones Along A Portion Of Hehi Road And At The Entrance To Hanama'ulu Beach Park, Lihu'e District, County Of Kauai. *(Received for the Record.)*

**COMMUNICATIONS:**

C 2019-65 Communication (03/11/2019) from the Salary Commission, transmitting for the Council's information and consideration, the Salary Commission's Resolution No. 2019-1, Relating to the Salaries of Certain Officers and Employees of the County of Kauai, which was adopted by the Salary Commission at its March 7, 2019 meeting.

- Salary Commission Resolution No. 2019-1 *(Deferred.)*

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C 2019-76 Communication (03/14/2019) from the Deputy Fire Chief, requesting Council approval, to accept a donation from the Kaua'i Lifeguard Association (KLA) of one (1) 2019 Yamaha Jet Ski and Trailer, valued at \$18,523.89, which will benefit the Ocean Safety Bureau's lifeguard operation at the Hanalei Pavilion Tower. ***(Approved with thank-you letter to follow.)***

C 2019-82 Communication (03/12/2019) from Roy Asher, Assistant Chief of Police, Administrative & Technical Bureau, requesting Council approval, to purchase non-budgeted items with anticipated unexpended funds from the Kaua'i Police Department's Operating Budget for Fiscal Year 2018-2019, Retirement Contribution, Account No. 001-1001-551.05-03, for the following:

- Seven (7) new marked Ford Explorer patrol vehicles to implement a three-year strategic vehicle replacement plan (approximately \$65,000.00 each); and
- To transition from .40 caliber Glock Firearms to 9mm Glock Firearms (estimated cost of \$65,370.00, which includes a buy back/trade-in element).

***(Approved.)***

C 2019-83 Communication (04/01/2019) from Ka'aina S. Hull, Clerk of the Planning Commission, transmitting the Planning Commission's recommendation to amend Chapter 8 and Chapter 10, Kaua'i County Code 1987, as amended, relating to Enforcement, Legal Procedures, and Penalties by adding additional mechanisms for service of notice of violation and orders; adding procedures for placing and enforcing liens; amending the amount of funds that may remain in the Planning Enforcement Account and the purposes for the expenditure of such funds, and to clarify the applicable enforcement section for violations of any provision of Chapter 10. ***(Received for the Record.)***

C 2019-84 Communication (04/03/2019) from the Prosecuting Attorney, requesting Council approval to apply for, receive, and expend Federal funds in the amount of \$295,248.00, and approval to indemnify the State of Hawai'i, Department of the Attorney General, for the Kaua'i Victims of Crime Act (VOCA) Expansion Project 17-VA-3 for the period of July 1, 2019 through June 30, 2020. ***(Approved.)***

C 2019-85 Communication (04/04/2019) from the Prosecuting Attorney, requesting Council approval to apply for, receive, and expend Federal Highway Safety funds from the State of Hawai'i Department of Transportation (DOT), in the amount of \$180,467.00, to be used toward continued funding of one (1) Full-Time Equivalent (FTE) Special Prosecuting Attorney, travel, and training. ***(Approved.)***

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C 2019-86 Communication (04/05/2019) from Ka'āina S. Hull, Clerk of the Public Access, Open Space, Natural Resources Preservation Fund Commission, transmitting the Public Access, Open Space, Natural Resources Preservation Fund Commission's recommendation to amend Chapter 6, Article 14, Kaua'i County Code 1987, as amended, to include lands or entitlements to lands acquired by the fund, and improving existing public beach accesses. ***(Received for the Record.)***

C 2019-87 Communication (04/08/2019) from Bryson Ponce, Assistant Chief of Police, Investigative Services Bureau, requesting Council approval to accept and expend Hawai'i High Intensity Drug Trafficking Area (HIDTA) discretionary funding from the Office of National Drug Control Policy, in the amount of \$142,000.00, to support programs and initiatives through State-wide mutual and joint efforts in narcotic enforcement. ***(Approved.)***

C 2019-88 Communication (04/08/2019) from Bryson Ponce, Assistant Chief of Police, Investigative Service Bureau, requesting Council approval to accept and expend Department of Justice (DOJ), Drug Enforcement Administration (DEA) funding in the amount of \$50,000.00, to support State-wide mutual and joint efforts in Marijuana Enforcement. ***(Approved.)***

C 2019-89 Communication (04/10/2019) from the Prosecuting Attorney, requesting Council approval to receive and expend Federal funds in the amount of \$49,298.00, to be used for salaries/wages and supplies for the Domestic Violence Prosecution Unit, and to indemnify the State of Hawai'i, Department of the Attorney General. ***(Approved.)***

C 2019-90 Communication (04/12/2018) from the Mayor, transmitting for Council consideration, the cost items for the Hawai'i Fire Fighters Association (HFFA) Bargaining Unit 11 for the period July 1, 2019 through June 30, 2021 based on an arbitrated award and in accordance with the procedures contained in Chapter 89, Hawai'i Revised Statutes (HRS), pursuant to HRS Section 89-11 and Kaua'i County Charter Section 19.13B. ***(Received for the Record.)***

LEGAL DOCUMENT:

C 2019-91 Communication (04/12/2019) from the Deputy County Engineer, recommending Council approval of conveyance by the Department of Land and Natural Resources (DLNR) to the County of Kaua'i for a perpetual non-exclusive easement (Easement A-1) for bike/pedestrian purposes, Tax Map Key (TMK) (4) 4-6-014: portion of 030, Kapa'a, Kawaihau, Kaua'i.

- Grant of Non-Exclusive Easement  
***(Approved.)***

CLAIMS:

C 2019-92 Communication (04/05/2019) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Ramona M. Hanley, for

damages to her 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 2019-93 Communication (04/08/2019) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Sherrie Orr, for personal injury, 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.)***

RESOLUTION:

Resolution No. 2019-32 – RESOLUTION ESTABLISHING NO-PARKING AND TOW AWAY ZONES ALONG A PORTION OF HEHI ROAD AND AT THE ENTRANCE TO HANAMĀ'ULU BEACH PARK, LĪHU'E DISTRICT, COUNTY OF KAUA'I ***(Approved as Amended to Resolution No. 2019-32, Draft 1.)***

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2746) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8 AND CHAPTER 10 OF THE KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO ENFORCEMENT, LEGAL PROCEDURES, AND PENALTIES ***(Approved on 1<sup>st</sup> reading, Public Hearing scheduled for May 29, 2019, and referred to the Planning Committee.)***

Proposed Draft Bill (No. 2747) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 14, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO THE PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND ***(Approved on 1<sup>st</sup> reading, Public Hearing scheduled for May 29, 2019, and referred to the Planning Committee.)***

Proposed Draft Bill (No. 2748) – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNIT 11 BETWEEN JULY 1, 2019 AND JUNE 30, 2021 ***(Approved on 1<sup>st</sup> reading, Public Hearing scheduled for May 29, 2019, and referred to the Committee of the Whole.)***

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)*