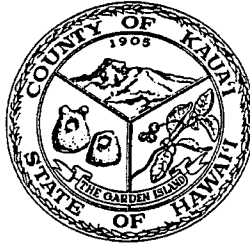


COUNTY COUNCIL

Arryl Kaneshiro, Chair
Ross Kagawa, Vice Chair
Arthur Brun
Mason K. Chock
Felicia Cowden
Luke A. Evslin
KipuKai Kualii



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
Lihu'e, Kaua'i, Hawai'i 96766

MEMORANDUM

June 27, 2019

TO: Derek S.K. Kawakami, Mayor
FROM: Arryl Kaneshiro, Council Chair *Ak*
RE: **JUNE 26, 2019 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its June 26, 2019 Council Meeting:

CONSENT CALENDAR:

C 2019-140 Communication (05/31/2019) from the Director of Finance, transmitting for Council information, the Period 8 Financial Reports – Statement of Revenues, Statement of Expenditures and Encumbrances, Revenue Report, and Detailed Budget Report as of February 28, 2019, pursuant to Section 21 of Ordinance No. B-2018-841, relating to the Operating Budget of the County of Kaua'i for Fiscal Year 2018-2019. *(Received for the Record.)*

C 2019-141 Communication (06/03/2019) from Councilmember Kualii, transmitting for Council consideration, a Resolution Supporting Efforts Towards Preserving The Affordability Restrictions At Courtyards At Waipouli. *(Received for the Record.)*

C 2019-142 Communication (06/12/2019) from the Deputy County Engineer, transmitting for Council consideration, a Resolution establishing the following, due to damage caused by the historic flooding on April 2018:

- A marked crosswalk on Weke Road;
 - One-way traffic around a traffic island on Weke Road; and
 - Stop control at Weke Road and Wilikoki Place.
- (Received for the Record.)*

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C 2019-143 Communication (06/19/2019) from Councilmember Kagawa, providing written disclosure of a possible conflict of interest and recusal relating to Resolution No. 2019-39, due to his familial relationship with Reid R. Kawane. ***(Received for the Record.)***

COMMUNICATIONS:

C 2019-144 Communication (04/26/2019) from the Executive on Aging, requesting Council approval to receive and expend funds in the amount of \$25,000.00, from the Long-Term Care Ombudsman Program (State funds) for the period of July 1, 2019 to June 30, 2020 and to indemnify the State Executive Office on Aging. The funding will provide for a Long-Term Care Ombudsman position whose primary role will be to visit and advocate for individuals who are residing in long-term care facilities on Kaua'i. ***(Approved.)***

C 2019-145 Communication (05/10/2019) from the Mayor, requesting agenda time for a briefing from Smith Dawson & Andrews, Inc., Washington, D.C. consultants, to provide a recap of the services and activities they provided the County during the past year as part of their professional services contract. ***(Received for the Record.)***

C 2019-146 Communication (06/04/2019) from Councilmember Kualii, requesting the presence of the Acting Housing Director, to provide a briefing on:

- The information contained in the Workforce Housing Nexus and Financial Feasibility Study commissioned by the County Housing Agency, including any recommendations from the Administration to incorporate the study's findings and recommendations in the County's Housing Policy; and
 - A status update on the County's affordable housing projects.
- (Received for the Record.)***

C 2019-147 Communication (06/07/2019) from the Executive on Transportation, requesting Council approval to receive and expend a Federal Transit Administration (FTA) Section 5311 grant in the amount of \$1,074,280.00, FTA Section 5339 grant in the amount of \$2,800,000.00, FTA Section 5310 grant in the amount of \$312,000.00; and FTA Discretionary Funding in the amount of \$1,400,000.00, and to indemnify the FTA. The funding will be used by the County Transportation Agency for operational expenses. ***(Approved.)***

C 2019-148 Communication (06/12/2019) from Ka'aina S. Hull, Clerk of the Planning Commission, transmitting the Planning Commission's recommendation to amend Section 8-1.5 of the Kaua'i County Code 1987, as amended, relating to Guest House. ***(Received for the Record.)***

C 2019-149 Communication (06/12/2019) from the Life's Choices Kaua'i Coordinator, requesting Council approval to apply for, receive, and expend Federal funds from the Drug Free Communities (DFC) Grant through the Office of National Drug Control Policy (ONDCP), and the Department of Health and Human Services (HHS), Substance Abuse and Mental Health Services Administration (SAMHSA), Center for Substance Abuse Prevention (CSAP), in the amount of \$125,000.00 per year for a period of five (5) years beginning October 31, 2019. The funds will be used for:

- Establishing and strengthening collaboration among communities, public and private non-profit agencies, as well as federal, state, local, and tribal governments to support the efforts of community coalitions working to prevent and reduce substance abuse among youth; and
- Reduce substance abuse among youth over time, reduce substance abuse among adults by addressing the factors in a community that increases the risk of substance abuse and promoting the factors that minimize the risk of substance abuse.

(Approved.)

C 2019-150 Communication (06/12/2019) from the Chief of Police, requesting Council approval to receive and expend funds in the amount of \$41,140.00, from the Hawai'i Tourism Authority, for the purpose of additional parking enforcement in Hā'ena, which would be provided as of June 17, 2019 when the restricted area of Kūhiō Highway is expected to reopen. The Kaua'i Police Department shall charge its actual personnel costs, including overtime and fringe benefits, when on duty officers are available. *(Approved.)*

C 2019-151 Communication (06/19/2019) from Councilmember Evslin, transmitting for consideration a Proposed Draft Bill to remove minimum lot requirements in the Residential District. Currently, the minimal parcel area on which two (2) or more single family dwelling units developed shall be twelve thousand (12,000) square feet, and two (2) or more multiple family dwelling units developed shall be ten thousand (10,000) square feet. *(Received for the Record.)*

LEGAL DOCUMENTS:

C 2019-152 Communication (06/10/2019) from the Deputy County Engineer, recommending Council approval of a Grant of Easement and to accept the land and construction gift from SPD II Makaiwa Resort Development, LLC to the County of Kaua'i for a perpetual non-exclusive easement (Easement B-10A, B-10B, and B-10C) for bike/pedestrian purposes, Tax Map Key (TMK) Nos. (4) 4-3-002:015, 016, and 020 (Portions), Kapa'a, Kaua'i.

- Grant of Easement
(Approved with thank-you letter to follow.)

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C 2019-153 Communication (06/14/2019) from the Acting Housing Director, recommending Council approval of the following Grant of Easement, Conveyance of Water Facility, and Right-of-Entry Agreement for the associated utilities needed to complete the Koa'e Makana Project, Tax Map Key (TMK) No. (4) 2-6-004:019, Kōloa, Kaua'i, Hawai'i:

- Grant of Easement and Conveyance of Water Facility by and between the County of Kaua'i and Koa'e Workforce Housing, L.P. and the Board of Water Supply, County of Kaua'i, for the maintenance and repair of potable water pipelines and related meters, valves, and other associated waterworks facility improvements and appurtenances; and
- Right-of-Entry Agreement by and between the County of Kaua'i and Koa'e Workforce Housing, L.P. and Kaua'i Island Utility Cooperative, to locate, install, build, construct, use, operate, repair, maintain, and replace poles, wire lines, conduits, appliances, equipment, and facilities necessary for the transmission and distribution of electricity and for communications and control circuits.

(Approved.)

CLAIMS:

C 2019-154 Communication (05/31/2019) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Roxane Paula Kuehl, for loss of property, 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 2019-155 Communication (06/13/2019) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Jenna Tehero, for damage 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 2019-156 Communication (06/13/2019) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Marn C. Zeeb, for damage to his 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.)***

COMMITTEE REPORTS: APPROVED.

RESOLUTIONS:

Resolution No. 2019-40 – RESOLUTION SUPPORTING EFFORTS TOWARDS PRESERVING THE AFFORDABILITY RESTRICTIONS AT COURTYARDS AT WAIPOULI (*Approved.*)

Resolution No. 2019-41 – RESOLUTION ESTABLISHING A CROSSWALK ON WEKE ROAD; ESTABLISHING ONE-WAY TRAFFIC AROUND A TRAFFIC ISLAND ON WEKE ROAD; AND ESTABLISHING STOP CONTROL AT WEKE ROAD, AND WILIKOKI PLACE HANAIEI DISTRICT, COUNTY OF KAUAI (*Approved.*)

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2735) – A BILL FOR AN ORDINANCE AMENDING SECTION 8-1.5, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO GUEST HOUSE (*Guest House*) (*Received for the Record.*)

Proposed Draft Bill (No. 2754) – A BILL FOR AN ORDINANCE AMENDING SECTION 8-1.5, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO GUEST HOUSE (*Guest House — Planning Commission Recommendation*) (*Approved as Amended on 1st reading, Public Hearing scheduled for July 31, 2019; Referred to the Planning Committee.*)

Proposed Draft Bill (No. 2755) – A BILL FOR AN ORDINANCE AMENDING SECTION 8-4.3(a), KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO DEVELOPMENT STANDARDS FOR RESIDENTIAL STRUCTURES NOT INVOLVING THE SUBDIVISION OF LAND (*Amended and Referred to the Planning Commission.*)

BILLS FOR SECOND READING:

Bill No. 2746, Draft 1 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8 AND CHAPTER 10 OF THE KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO ENFORCEMENT, LEGAL PROCEDURES, AND PENALTIES (*Approved as Amended to Bill No. 2746, Draft 2.*)

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.*)

Bill No. 2749, Draft 1 – A BILL FOR AN ORDINANCE AMENDING SUBSECTION 8-1.5 AND SUBSECTION 8-4.3, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO DEVELOPMENT STANDARDS WITHIN THE RESIDENTIAL DISTRICT (*County of Kauai Planning Department, Applicant*) (*Approved.*)

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Bill No. 2750 – A BILL FOR AN ORDINANCE AMENDING SECTION 5A-5.1, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAX LIENS AND FORECLOSURES (*Approved.*)

Bill No. 2751 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAX (*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*)