

**COUNTY COUNCIL**

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**MEMORANDUM**

September 27, 2018

**TO:** Bernard P. Carvalho, Jr., Mayor  
**FROM:** Mel Rapozo, Council Chair *MR*  
**RE:** SEPTEMBER 26, 2018 COUNCIL MEETING RECAP

This is to inform you of the action taken by the Council at its September 26, 2018 Council Meeting:

**CONSENT CALENDAR:**

C 2018-204 Communication (09/05/2018) from the Acting County Engineer, transmitting for Council consideration, a Resolution Authorizing The Mayor Or The Director Of Finance Of The County Of Kaua'i To Enter Into An Intergovernmental Agreement With The State Of Hawai'i, Department Of Health For A Loan From The State Water Pollution Control Revolving Fund For The Wailua Sewage Pump Station (SPS) No. 1 Rehabilitation, Project No. C150055-11 *(Received for the Record.)*

C 2018-205 Communication (09/05/2018) from the Acting County Engineer, transmitting for Council consideration, a Resolution Authorizing The Mayor Or The Director Of Finance Of The County Of Kaua'i To Enter Into An Intergovernmental Agreement With The State Of Hawai'i, Department Of Health For A Loan From The State Water Pollution Control Revolving Fund For The Hanama'ulu And Kapaia Sewer Pump Stations' (SPS) Renovations, Project No. C150059-23. *(Received for the Record.)*

**COMMUNICATIONS:**

C 2018-206 Communication (08/06/2018) from the Acting County Engineer, requesting Council approval to write-off two (2) finalled (inactive) sewer accounts (Consolidated Maui, Inc. and Anekona Ownership, LLC) totaling an uncollectible delinquent amount of \$91,470.57, pursuant to Section 25-14.3 of the Kaua'i County Code 1987, as amended. *(Approved.)*

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C 2018-207 Communication (08/16/2018) from Council Chair Rapozo, requesting the presence of Joe Kent, Vice President of Research from the Grassroot Institute of Hawai'i, to provide a briefing on the Grassroot Institute of Hawai'i's report titled "How to Resolve Hawai'i's Public Pension Debt Crisis" and any findings or recommendations specific to the County of Kaua'i. ***(Received for the Record.)***

C 2018-208 Communication (09/05/2018) from the Director of Parks & Recreation, requesting Council approval, to accept an in-kind donation from Global Specialty Contractors, with a value of \$6,215.00, for labor and materials to repair the guardrail in the parking lot at Vidinha Stadium. ***(Approved with thank-you letter to follow.)***

C 2018-209 Communication (09/05/2018) from the Executive on Transportation, requesting Council approval to receive and expend a Fiscal Year 2018 Federal Transit Administration (FTA) Section 5339(c) Low or No Emission (Low-No) Bus Program competitive grant, in the amount of \$1,500,000.00, and to indemnify the FTA. This Section 5339(c) grant will provide eighty percent (80%) of the cost to replace three (3) diesel-powered buses exceeding their useful service lives with up to three (3) electric-powered buses, and provide for the design and construction of depot charger ports required for electric bus charging. ***(Approved.)***

C 2018-210 Communication (09/06/2018) from the Director of Economic Development, requesting Council approval to receive and expend funds from the Workforce Development Council for County Sector Partnership Engagement, in the amount of \$15,000.00, for staff time for planning, executing, and supporting sector partnerships, travel, facility rental, and other administrative costs, which includes support for organizing sector partnerships via the Kaua'i Economic Development Board following the Comprehensive Economic Development Strategy (CEDS). ***(Approved.)***

C 2018-211 Communication (09/06/2018) from the Fire Chief, requesting Council approval, to accept a donation from the Kaua'i Lifeguard Association (KLA), of two (2) Solar-Powered Public Address (PA) Systems, for a total value of \$9,152.00, which will outfit the new Po'ipū Beach Park "Nukumoi" tower and Salt Pond Beach Park tower, similar to the system installed at the Pine Trees tower in Hanalei. ***(Approved with thank-you letter to follow.)***

C 2018-212 Communication (09/12/2018) from the Prosecuting Attorney, requesting Council approval to apply for, receive, and expend Federal funds, in the amount of \$114,635.00, from the Fiscal Year (FY) 2017 Edward J. Byrne Memorial Justice Assistance Grant (JAG) Sex Assault Prosecuting Unit (SAPU), and approval to indemnify the State of Hawai'i, Department of the Attorney General, for the Sex Assault Prosecution Unit, for the period of March 1, 2019 through August 31, 2019 (subject to change due to available funds), to continue the Sex Assault Prosecution Unit, which will consist of a 0.90 Full-Time Equivalent (FTE) Special Prosecuting Attorney and fringe benefits. ***(Approved with the revisions and provisions contained in the Office of the Prosecuting Attorney's memorandum dated September 25, 2018.)***

C 2018-213 Communication (09/12/2018) from the Prosecuting Attorney, requesting Council approval to apply for, receive, and expend Federal funds in the amount of \$73,884.00, from the Fiscal Year (FY) 2017 Edward J. Byrne Memorial Justice Assistance Grant (JAG) – Drug Nuisance Abatement Unit (DNAU), and approval to indemnify the State of Hawai'i, Department of the Attorney General, for the period of December 1, 2019 through August 31, 2020 (subject to change due to available funds), to continue the Drug Nuisance Abatement Unit, which consists of a 1.0 Full-Time Equivalent (FTE) Special Investigator and fringe benefits. *(Approved with the revisions and provisions contained in the Office of the Prosecuting Attorney's memorandum dated September 25, 2018.)*

C 2018-214 Communication (09/12/2018) from the County Attorney, requesting authorization to expend additional funds up to \$10,000.00 for Special Counsel's continued representation of the County's interests as Bond Counsel for the issuance of General Obligation Bonds (2017 Series), and related matters. *(Received for the Record.)*

C 2018-215 Communication (09/14/2018) from the County Attorney, requesting Council approval of an Adopt-A-Park Agreement for the Stewardship of Wainiha Beach Park, Tax Map Key (TMK) No. (4) 5-8-006:030. *(Approved.)*

LEGAL DOCUMENT:

C 2018-216 Communication (09/14/2018) from the Acting County Engineer, recommending Council approval of the following Right-of-Entry Agreements to reconstruct and repair portions of Kahiliholo Road, a culvert and associated drainage improvements that were damaged by the heavy rains and flooding that occurred during the April 2018 rain event:

- Right-of-Entry Agreement by and between the County of Kaua'i and Erik Brandsen, Trustee of the Erik Brandsen Trust, Tax Map Key (TMK) No. (4) 5-2-017-015:0002; and
- Right-of-Entry Agreement by and between the County of Kaua'i and Wai Koa Guava Plantation, LLC, TMK No. (4) 5-2-017-026:0020 *(Approved.)*

COMMITTEE REPORTS: APPROVED.

RESOLUTIONS:

Resolution No. 2018-31 – RESOLUTION ESTABLISHING MAXIMUM SPEED LIMITS OF TWENTY-FIVE (25 MPH), THIRTY-FIVE (35 MPH), FORTY (40 MPH), AND FORTY-FIVE MILES PER HOUR (45 MPH) ALONG ALA KINOIKI, KŌLOA DISTRICT, COUNTY OF KAUA'I, STATE OF HAWAII *(Approved as Amended to Resolution No. 2018-31, Draft 1.)*

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Resolution No. 2018-33 – RESOLUTION AUTHORIZING THE MAYOR OR THE DIRECTOR OF FINANCE OF THE COUNTY OF KAUAI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF HEALTH FOR A LOAN FROM THE STATE WATER POLLUTION CONTROL REVOLVING FUND FOR THE WAILUA SEWAGE PUMP STATION (SPS) NO. 1 REHABILITATION, PROJECT NO. C150055-11 *(Approved.)*

Resolution No. 2018-34 – RESOLUTION AUTHORIZING THE MAYOR OR THE DIRECTOR OF FINANCE OF THE COUNTY OF KAUAI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF HEALTH FOR A LOAN FROM THE STATE WATER POLLUTION CONTROL REVOLVING FUND FOR THE HANAMĀ'ULU AND KAPAIA SEWER PUMP STATIONS' (SPS) RENOVATIONS, PROJECT NO. C150059-23 *(Approved.)*

BILLS FOR SECOND READING:

Bill No. 2717 – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 13 OF THE KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE ELECTRICAL CODE *(Approved.)*

Bill No. 2718 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 23, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO TAXICABS *(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)*