

**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**

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

**MEMORANDUM**

October 23, 2019

**TO:** Derek S.K. Kawakami, Mayor  
**FROM:** Arryl Kaneshiro, Council Chair **AK**  
**RE:** **OCTOBER 23, 2019 COUNCIL MEETING RECAP**

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This is to inform you of the action taken by the Council at its October 23, 2019 Council Meeting:

**CONSENT CALENDAR:**

C 2019-227 Communication (10/03/2019) from the County Attorney, transmitting for Council information, the Quarterly Report on Settled Claims filed against the County of Kaua'i from July 1, 2019 through September 30, 2019. ***(Received for the Record.)***

C 2019-228 Communication (10/10/2019) from the Deputy 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 Lihu'e Wastewater Treatment Plant (WWTP) Process Improvements, Project No. C150059-20. ***(Received for the Record.)***

C 2019-229 Communication (10/14/2019) from Councilmember Cowden, transmitting for Council consideration, a Resolution Proposing A Charter Amendment Relating To Qualifications For The Chief Of Police. ***(Received for the Record.)***

COMMUNICATIONS:

C 2019-230 Communication (09/30/2019) from the County Attorney, requesting Council approval of the indemnification provision contained in the “Conditions of Use” of the State of Hawai‘i Application for use of Judiciary Facilities, and approval to execute the necessary forms on behalf of several departments/agencies for a period of use through November 2020. **(Approved.)**

C 2019-231 Communication (10/01/2019) from the Emergency Management Administrator, requesting Council approval to receive and expend State funds, in the amount of \$790,000.00, from the United States Department of Homeland Security, via the State of Hawai‘i Department of Defense, to be used to enhance the capability of State and local units of government to prevent, deter, respond to, and recover from threats and incidents of terrorism, as well as “all hazards” catastrophic preparedness initiatives. **(Approved.)**

C 2019-232 Communication (10/01/2019) from the Emergency Management Administrator, requesting Council approval to receive and expend State funds, in the amount of \$150,000.00, from the United States Department of Homeland Security, via the Hawai‘i Emergency Management Agency, to be used to support a comprehensive, all-hazard emergency preparedness system. **(Approved.)**

C 2019-233 Communication (10/07/2019) from the Deputy County Engineer, transmitting for Council consideration, A Bill For An Ordinance Amending Ordinance No. B-2019-856, As Amended, Relating To The Operating Budget Of The County Of Kaua‘i, State Of Hawai‘i, For The Fiscal Year July 1, 2019 Through June 30, 2020, By Revising The Amounts Estimated In The Highway Fund, to replenish funding for emergency work in opening the river mouth in Waimea and to establish funding for such work through the end of the fiscal year, including design and maintenance of levy gates to relieve and avoid flooding. **(Received for the Record.)**

C 2019-234 Communication (10/11/2019) from the County Attorney, requesting Council approval to expend additional funds up to \$100,000.00 for Special Counsel’s continued services to represent the County of Kaua‘i in general civil litigation matters. The representation will include cases in Federal Court, the State Courts, administrative contested cases, agency hearings, and arbitrations. **(Approved.)**

C 2019-235 Communication (10/15/2019) from Councilmember Evslin and Councilmember Kualii, transmitting for Council consideration, A Proposed Draft Bill To Allow The Construction Of Tiny Houses In All Zoning Districts. **(Received for the Record.)**

CLAIMS:

C 2019-236 Communication (09/30/2019) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Melinda Yomen, 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 2019-237 Communication (10/10/2019) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Joseph A. Sylvester, for damage to his building, 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. 2019-52 – 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 HAWAII, DEPARTMENT OF HEALTH FOR A LOAN FROM THE STATE WATER POLLUTION CONTROL REVOLVING FUND FOR THE LIHU'E WASTEWATER TREATMENT PLANT (WWTP) PROCESS IMPROVEMENTS, PROJECT NO. C150059-20 ***(Approved.)***

Resolution No. 2019-53 – RESOLUTION PROPOSING A CHARTER AMENDMENT RELATING TO QUALIFICATIONS FOR THE CHIEF OF POLICE ***(Public Hearing scheduled for November 20, 2019, and referred to the December 4, 2019 Council Meeting.)***

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2760) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2019-856, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUA'I, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2019 THROUGH JUNE 30, 2020, BY REVISING THE AMOUNTS ESTIMATED IN THE HIGHWAY FUND *(Waimea River Mouth Emergency Work – \$625,000.00)* ***(Approved on 1<sup>st</sup> reading, Public Hearing scheduled for November 20, 2019, and referred to the Committee of the Whole.)***

Proposed Draft Bill (No. 2761) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 12, ARTICLE 2, KAUA'I COUNTY CODE 1987, AS AMENDED, BY ADDING A NEW SECTION 12-2.4, RELATING TO TINY HOUSES ***(Approved on 1<sup>st</sup> reading, Public Hearing scheduled for November 20, 2019, and referred to the Public Works & Veterans Services Committee.)***

BILLS FOR SECOND READING:

Bill No. 2757, Draft 2 – A BILL FOR AN ORDINANCE AMENDING ZONING MAPS AND DESIGNATIONS IN THE SOUTH KAUA‘I COMMUNITY PLAN (*County of Kaua‘i Planning Department, Applicant*) **(Approved.)**

Bill No. 2758 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 17A, KAUA‘I COUNTY CODE 1987, AS AMENDED, RELATING TO COUNTY BUS FARES, AND ADDING A NEW CHAPTER, RELATING TO COUNTY BUS AND PARATRANSIT CODE OF CONDUCT **(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*)