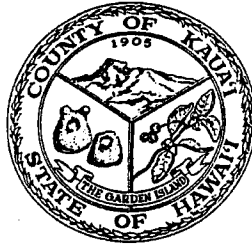


COUNTY COUNCIL

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

November 15, 2018

TO: Bernard P. Carvalho, Jr., Mayor
FROM: Mel Rapozo, Council Chair *MR*
RE: NOVEMBER 14, 2018 COUNCIL MEETING RECAP

This is to inform you of the action taken by the Council at its November 14, 2018 Council Meeting:

CONSENT CALENDAR:

C 2018-237 Communication (10/05/2018) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Dean A. Pigao to the Police Commission – Term ending 12/31/2020. *(Received for the Record.)*

COMMUNICATIONS:

C 2018-238 Communication (09/25/2018) from the Acting Chief of Police, requesting Council approval of the indemnification language contained in the extension of software license agreement for law enforcement participants of the Cellebrite UFED 4PC and Cloud Analyzer, which provides the Kaua'i Police Department authorized use and access to Cellebrite software updates, which is required for court admissibility of the product usage.

- Cellebrite End User License Agreement
(Approved.)

C 2018-239 Communication (09/26/2018) from the Acting Chief of Police, requesting Council approval of the indemnification language contained in the extension of software license agreement for law enforcement participants of the MSAB XRY Logical & Physical License Renewal and XRY Cloud License Renewal, which allows the Kaua'i Police Department authorized use and access to MSAB software updates, which is required for court admissibility of the product usage.

- MSAB End User License Agreement
(Approved.)

C 2018-240 Communication (10/12/2018) from the Director of Economic Development, requesting Council approval to receive and expend State funds, in the amount of \$75,000.00, and to indemnify the State of Hawai'i, Department of Agriculture, for maintenance of the East Kaua'i irrigation system by the East Kaua'i Water Users Cooperative. ***(Approved.)***

C 2018-241 Communication (10/18/2018) from the Executive on Transportation, requesting Council approval to accept the donation, valued at \$23,000.00, of the following items from the existing system provider RouteMatch, to optimize the use of the software to serve the community and continue to develop the tools utilized to effectively and efficiently serve the clients of The Kaua'i Bus:

- Onsite Advance Consulting Services (ACG), valued at \$14,000; and
- Mobile Device Management System (MDM) and associated Data Plan Upgrades, valued at \$9,000.

(Approved with thank-you letter to follow.)

C 2018-242 Communication (10/19/2018) from the Director of Finance and the Housing Director, transmitting for Council consideration, a Proposed Draft Bill to establish a new fund entitled the Special State CIP Fund, contingent on funding provided through the execution of the Dwelling Unit Revolving Fund (DURF) Building Loan Agreement between the Hawai'i Housing Finance and Development Corporation (HHFDC), pursuant to Hawai'i Revised Statutes (HRS) Chapter 201H, and the County of Kaua'i, as adopted by Kaua'i County Council Resolution No. 2017-43, for the purposes of partially funding the Lima Ola Workforce Housing Project. ***(Received for the Record.)***

C 2018-243 Communication (10/25/2018) from the Prosecuting Attorney, requesting Council approval to receive and expend the supplemental award, an increase of \$30,052.00 from \$135,285.00 to \$165,337.00, from the Fiscal Year (FY) 2016 Edward J. Byrne Memorial Justice Assistance Grant (JAG) Program/Grants, contract 16-DJ-07, to continue the Sex Assault Prosecution Unit to March 31, 2018. The current contract is set to expire on December 31, 2018. ***(Approved with the understanding that the funding is to continue the Sex Assault Prosecution Unit to March 31, 2019.)***

C 2018-244 Communication (10/25/2018) from the Prosecuting Attorney, requesting Council approval to receive and expend the increase in funds, from \$75,000.00 to \$100,000.00, from contract DHS-16-OYS-624, from the State of Hawai'i, Office of Youth Services, to continue the Kaua'i Teen Court program, which is subcontracted to Hale 'Ōpio Kaua'i, with a tentative time period of December 1, 2018 to November 30, 2019. ***(Approved.)***

C 2018-245 Communication (10/29/2018) from the Fire Chief, requesting Council approval to apply for, receive, and expend the following two (2) Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grants (AFG), if awarded, to fill the gap in current operations:

- Initial Attack Mini-Pumper Vehicle for the isolated rural community of Hā'ena-Wainiha, valued at \$297,000.00 of which AFG would cover \$270,000.00 and the Kaua'i Fire Department (KFD) would be responsible for the remaining \$27,000.00, in a ninety percent/ten percent (90%/10%) cost share; and
- Heavy-Rescue Extrication Equipment & Training. The funding will be used to purchase Lithium-Ion Battery-Operated Cordless Cutter/Spreader Combination Units, Large/Heavy Commercial Vehicle Strut Stabilization Systems, Lift Air Bags, and NFPA 1670 compliant training to all KFD personnel. The cost of the project is \$212,000.00, of which AFG would cover \$192,728.00, and the KFD would be responsible for the remaining \$19,272.00, in a ninety percent/ten percent (90%/10%) cost share.

(Approved.)

C 2018-246 Communication (10/31/2018) from the Housing Director, requesting Council approval to apply for, receive, and expend, grant money from the United States Department of Housing and Urban Development (HUD), in the amount of \$144,000.00, for the continuation of the two (2) Housing Choice Voucher Family Self-Sufficiency (HCVFSS) Program Coordinators' salaries, and to also indemnify HUD for the use of said funds. ***(Approved.)***

C 2018-247 Communication (11/02/2018) from the Mayor, requesting Council approval, to accept an in-kind donation valued at \$7,396.58 from Matson, Inc., and to hold harmless the same, to ship a 1991 Seagraves Fire Truck having a gross vehicle weight (GVW) of 40,500 lbs., length of 29 feet, width of 9 feet, and height of 9 feet 7 inches to the Los Angeles Port, California. The final destination of the fire truck is the Municipality of Urdaneta, Province of Pangasinan, Republic of Philippines. ***(Approved with thank-you letter to follow.)***

C 2018-248 Communication (11/02/2018) from the Director of Finance and the Acting County Engineer, transmitting for consideration, proposed amendments to Ordinance No. B-2018-842, as amended, relating to the Fiscal Year 2018-2019 Capital Improvement Projects (CIP) Budget, to fund various Wastewater projects, including National Pollutant Discharge Elimination System (NPDES) Compliance, rehabilitation design work for Wailua Sewer Pump Station 1, rehabilitation of Wailua Sewer Pump Station 3, closed-circuit television (CCTV) system for the Lihu'e Collection System, and Wailua Wastewater Treatment Plant Improvements in the amount of \$1,000,000.00. ***(Received for the Record.)***

C 2018-249 Communication (11/02/2018) from the Director of Finance and the Acting County Engineer, transmitting for Council consideration, proposed amendments to Ordinance No. B-2018-842, as amended, relating to the Fiscal Year 2018-2019 Capital Improvement Projects (CIP) Budget, to fund the Kaua'i Fire Department helicopter hangar and Kilauea/Kolo Road safety design work, in the amount of \$995,000.00. ***(Received for the Record.)***

C 2018-250 Communication (11/02/2018) from the Director of Finance and the Acting County Engineer, transmitting for Council consideration, proposed amendments to Ordinance No. B-2018-841, as amended, relating to the Fiscal Year 2018-2019 Operating Budget and Ordinance No. 2018-842, as amended, relating to the Fiscal Year 2018-2019 Capital Improvement Projects (CIP) Budget, to fund the Phase II design work of the Wailua Wastewater Treatment Plant Improvements, National Pollutant Discharge Elimination System (NPDES) compliance requirements, as mandated by the State Department of Health, in the amount of \$530,000.00. ***(Received for the Record.)***

LEGAL DOCUMENTS:

C 2018-251 Communication (10/18/2018) from the Acting County Engineer, recommending Council approval of the State of Hawai'i Department of Transportation Utility Agreement No. 2258 between the County of Kaua'i Department of Public Works and the Department of Transportation, to document the removal and relocation of the Wastewater Management Division sewer line during the construction of the Hanapēpē River bridge.

- Utility Agreement No. 2258
(Approved.)

C 2018-252 Communication (10/24/2018) from the Director of Parks & Recreation, recommending for Council approval, a License between the County of Kaua'i and Club Moto Kaua'i, a Hawai'i nonprofit corporation, for the Kalepa Motocross Track, Tax Map Key (TMK): (4) 3-009-002:36 (por.), Līhu'e, Kaua'i, Hawai'i, for a twenty (20) year license to develop, construct, use, and maintain a new motocross track. Approval of the License is also requested.

- License
(Deferred.)

CLAIMS:

C 2018-253 Communication (10/19/2018) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Farmers Insurance, as subrogee of Loreto Pacol, for damages 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.)***

C 2018-254 Communication (10/29/2018) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Lana Papke, 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 2018-255 Communication (10/29/2018) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Donna Kanahale, 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.)***

RESOLUTION:

Resolution No. 2018-37 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE POLICE COMMISSION *(Dean A. Pigao)* ***(Approved.)***

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2726) – A BILL FOR AN ORDINANCE TO AMEND ORDINANCE NO. B-2018-842, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUA'I, STATE OF HAWAI'I, FOR THE FISCAL YEAR JULY 1, 2018 THROUGH JUNE 30, 2019, BY REVISING THE AMOUNTS ESTIMATED IN THE SPECIAL STATE CIP FUND *(Special State CIP Fund, Lima Ola Affordable Housing Project - \$13,000,000.00)* ***(Approved on 1st reading, Public Hearing scheduled for December 19, 2018, and referred to the Budget & Finance Committee.)***

Proposed Draft Bill (No. 2727) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2018-842, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUA'I, STATE OF HAWAI'I, FOR THE FISCAL YEAR JULY 1, 2018 THROUGH JUNE 30, 2019, BY REVISING THE AMOUNTS ESTIMATED IN THE BOND FUND *(Various Wastewater Improvements - \$1,000,000.00)* ***(Approved on 1st reading, Public Hearing scheduled for December 19, 2018, and referred to the Budget & Finance Committee.)***

Proposed Draft Bill (No. 2728) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2018-842, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUA'I, STATE OF HAWAI'I, FOR THE FISCAL YEAR JULY 1, 2018 THROUGH JUNE 30, 2019, BY REVISING THE AMOUNTS ESTIMATED IN THE BOND FUND AND GENERAL FUND-CIP *(Helicopter Hangar and Kilauea/Kolo Road Improvements - \$995,000.00)* ***(Approved on 1st reading, Public Hearing scheduled for December 19, 2018, and referred to the Budget & Finance Committee.)***

Council Meeting Follow-up Memorandum to the Mayor

November 15, 2018

Page 6

Proposed Draft Bill (No. 2729) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2018-841, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2018 THROUGH JUNE 30, 2019, BY REVISING THE AMOUNTS ESTIMATED IN THE SEWER FUND (*Wailua Wastewater Treatment Plant Improvements (Operating Budget) - \$530,000.00*) (***Approved on 1st reading, Public Hearing scheduled for December 19, 2018, and referred to the Budget & Finance Committee.***)

Proposed Draft Bill (No. 2730) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2018-842, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2018 THROUGH JUNE 30, 2019, BY REVISING THE AMOUNTS ESTIMATED IN THE SEWER TRUST FUND (*Wailua Wastewater Treatment Plant Improvements (CIP Budget) - \$530,000.00*) (***Approved on 1st reading, Public Hearing scheduled for December 19, 2018, and referred to the Budget & Finance Committee.***)

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*)