

**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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**Council Services Division**  
4396 Rice Street, Suite 209  
Lihu'e, Kaua'i, Hawai'i 96766

**MEMORANDUM**

December 5, 2019

**TO:** Derek S.K. Kawakami, Mayor  
**FROM:** Arryl Kaneshiro, Council Chair **AK**  
**RE:** **DECEMBER 4, 2019 COUNCIL MEETING RECAP**

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This is to inform you of the action taken by the Council at its December 4, 2019 Council Meeting:

**CONSENT CALENDAR:**

C 2019-253 Communication (11/21/2019) from Councilmember Evslin and Councilmember Chock, transmitting for Council consideration, a Resolution Urging The Board Of Water Supply To Reduce The Facilities Reserve Charge For Multi-Family Units, Smaller Homes, And Additional Rental Units Certified As Affordable By The Housing Agency. **(Received for the Record.)**

**COMMUNICATIONS:**

C 2019-254 Communication (11/14/2019) from the Prosecuting Attorney, requesting Council approval to receive and expend Federal funds for the Project Safe Neighborhood Grant – Project Safe Kaua'i, in the amount of \$35,300.00, to be used towards funding overtime for Special Investigators and Legal Clerks, computers, and update software to the Justware Management System, and to indemnify the State of Hawai'i Department of the Attorney General. **(Approved.)**

C 2019-255 Communication (11/15/2019) from the Acting Director of Human Resources, transmitting for Council consideration, the cost items for the Hawai'i Government Employees Association (HGEA) Bargaining Unit 2 for the period July 1, 2019 to June 30, 2021, pursuant to Hawai'i Revised Statutes (HRS) Section 89-11 and Kaua'i County Charter Section 19.13B. The terms of the Collective Bargaining Agreement were recently ratified by the employees of Bargaining Unit 2. **(Received for the Record.)**

C 2019-256 Communication (11/21/2019) from Councilmember Cowden, requesting the presence of the Deputy County Engineer, to provide a briefing on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps (FIRM) appeal process. ***(Received for the Record.)***

C 2019-257 Communication (11/22/2019) from Councilmember Evslin and Councilmember Chock, transmitting for Council consideration, A Bill For An Ordinance Amending Chapter 5A, Kaua'i County Code 1987, As Amended, Relating To Real Property Taxes. ***(Received for the Record.)***

C 2019-258 Communication (11/26/2019) from Joey Manahan, Hawai'i State Association of Counties (HSAC) President, transmitting for the Kaua'i County Council's consideration, the following proposals to be included in the 2020 HSAC Legislative Package, which were approved by the HSAC Executive Committee on November 25, 2019:

- A Bill For An Act Relating To Housing Development *(County of Hawai'i)*
- A Bill For An Act Relating To Transient Accommodations Tax *(County of Hawai'i)*
- A Bill For An Act Relating To Tobacco Products *(City & County of Honolulu)*
- A Bill For An Act Relating To Registration of Vehicles (Outstanding Charges) *(County of Kaua'i)*
- A Bill For An Act Relating To Registration of Vehicles (U-Drive Additional Fee) *(County of Kaua'i)*
- A Bill For An Act Relating To Tort Liability *(County of Kaua'i)*
- A Bill For An Act Relating To The Use Of Intoxicants While Operating A Vehicle *(County of Maui)*
- A Bill For An Act Relating To Cesspools (Tax Credits) *(County of Maui)* ***(Received for the Record.)***

LEGAL DOCUMENTS:

C 2019-259 Communication (11/15/2019) from the Deputy County Engineer, recommending Council approval of the Property Adjustment Agreement for the Lydgate-Kapa'a Bike/Pedestrian Path Phases C&D (STP-0700(064)):

- Property Adjustment Agreement by and between the County of Kaua'i and Village Manor Inc., 4461 Kamoia Road, Kapa'a, Parcel Tax Map Key (4) 4-3-007:013 ***(Approved.)***

C 2019-260 Communication (11/18/2019) from the Deputy County Engineer, recommending Council approval of the following Property Adjustment Agreements for the Līhu‘e Town Core Mobility and Revitalization Project – TGR-0700(073):

- Property Adjustment Agreement by and between the County of Kaua‘i and Trustee of The Association of Apartment Owners of Līhu‘e Townhouse, 4156 Rice Street, Līhu‘e, Tax Map Key (TMK) No. (4) 3-6-003:023; and
- Property Adjustment Agreement by and between the County of Kaua‘i and Commercial Properties Limited, 4281 Rice Street, Līhu‘e, Parcel TMK No. (4) 3-6-009:031 (**Approved.**)

CLAIMS:

C 2019-261 Communication (11/15/2019) from the County Clerk, transmitting a claim filed against the County of Kaua‘i by State Farm Fire and Casualty Company, as subrogee for Warren G. Racca, 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.**)

C 2019-262 Communication (11/20/2019) from the County Clerk, transmitting a claim filed against the County of Kaua‘i by GEICO Insurance, as subrogee for Justin Odell, 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.**)

C 2019-263 Communication (11/21/2019) from the County Clerk, transmitting a claim filed against the County of Kaua‘i by Christina Menor, 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.**)

RESOLUTIONS:

Resolution No. 2019-53 – RESOLUTION PROPOSING A CHARTER AMENDMENT RELATING TO QUALIFICATIONS FOR THE CHIEF OF POLICE (**Amended to Resolution No. 2019-53, Draft 1; Motion to Approve Failed.**)

Resolution No. 2019-68 – RESOLUTION URGING THE BOARD OF WATER SUPPLY TO REDUCE THE FACILITIES RESERVE CHARGE FOR MULTI-FAMILY UNITS, SMALLER HOMES, AND ADDITIONAL RENTAL UNITS CERTIFIED AS AFFORDABLE BY THE HOUSING AGENCY (**Approved.**)

Resolution No. 2019-69 – RESOLUTION APPROVING PROPOSALS FOR INCLUSION IN THE 2020 HAWAII STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE (***Approved.***)

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2766) – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNIT 2 BETWEEN JULY 1, 2019 AND JUNE 30, 2021 (***Approved on 1<sup>st</sup> reading, Public Hearing scheduled for January 16, 2020, and referred to the Committee of the Whole.***)

Proposed Draft Bill (No. 2767) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAXES (***Approved on 1<sup>st</sup> reading, Public Hearing scheduled for January 16, 2020, and referred to the Finance & Economic Development 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*)