

**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**  
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**MEMORANDUM**

December 18, 2019

**TO:** Derek S.K. Kawakami, Mayor  
**FROM:** Arryl Kaneshiro, Council Chair **AK**  
**RE:** **DECEMBER 18, 2019 COUNCIL MEETING RECAP**

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This is to inform you of the action taken by the Council at its December 18, 2019 Council Meeting:

**CONSENT CALENDAR:**

C 2019-264 Communication (11/12/2019) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Stella Bumacod Fujita to the Board of Review – Term ending 12/31/2020. ***(Received for the Record.)***

C 2019-265 Communication (11/19/2019) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Julie Anne Simonton to the Board of Water Supply – Term ending 12/31/2022. ***(Received for the Record.)***

C 2019-266 Communication (11/21/2019) from Councilmember Cowden, transmitting for Council consideration, a Resolution Urging The Legislature Of The State Of Hawai'i To Repeal The Statutory Provisions Preempting Stricter County Regulation Of The Sale Of Cigarettes, Tobacco Products, And Electronic Smoking Devices. ***(Received for the Record.)***

C 2019-267 Communication (12/11/2019) from Councilmember Chock, transmitting for Council consideration, a Resolution Expressing The County of Kaua'i's Support For Use Of Act 35 (2019) Funds For Hydrologic And Hydraulic Analysis. ***(Received for the Record.)***

COMMUNICATIONS:

C 2019-268 Communication (11/21/2019) from the Managing Director, requesting agenda time to deliver a presentation on the upcoming 'Ohana Zone project at Pua Loke. ***(Received for the Record.)***

C 2019-269 Communication (11/25/2019) from Bryson Ponce, Assistant Chief of Police, Investigative Services Bureau, requesting Council approval of the indemnification language contained in the renewal of software license agreements for the MSAB, Inc. XRY Logical & Physical License and XRY Cloud License, which allows the Kaua'i Police Department authorized use and access to MSAB software updates, which is required for court admissibility. ***(Approved.)***

C 2019-270 Communication (12/02/2019) from Councilmember Cowden, requesting the presence of Lawrence J. Dill, P.E., District Engineer, Kaua'i District, Hawai'i Department of Transportation, to provide a briefing on the current status of the Kapa'a Transportation Solutions report. ***(Received for the Record.)***

C 2019-271 Communication (12/06/2019) 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 Planning Department in Transient Vacation Rental (TVR) appeals and related matters. ***(Approved.)***

LEGAL DOCUMENT:

C 2019-272 Communication (12/10/2019) from the Housing Director, recommending Council approval of the Grant of Easement and Conveyance of Water Facility documents for the associated utilities needed to complete the Koa'e Makana Project, Tax Map Key (TMK) No. 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 reading of water meters and for the construction, installation, re-installation, maintenance, repair, and removal of potable water pipelines and related meters, valves, and other associated waterworks facility improvements and appurtenances. ***(Approved.)***

CLAIM:

C 2019-273 Communication (12/02/2019) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Ridge K. Papa-Hawelu, for personal injury, 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. 2019-70 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE BOARD OF REVIEW (*Stella Bumacod Fujita*) **(Approved.)**

Resolution No. 2019-71 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE BOARD OF WATER SUPPLY (*Julie Anne Simonton*) **(Approved.)**

Resolution No. 2019-72 – RESOLUTION URGING THE LEGISLATURE OF THE STATE OF HAWAII TO REPEAL THE STATUTORY PROVISIONS PREEMPTING STRICTER COUNTY REGULATION OF THE SALE OF CIGARETTES, TOBACCO PRODUCTS, AND ELECTRONIC SMOKING DEVICES (***Motion to Approve Failed; Received for the Record.***)

Resolution No. 2019-73 – RESOLUTION EXPRESSING THE COUNTY OF KAUAI'S SUPPORT FOR USE OF ACT 35 (2019) FUNDS FOR HYDROLOGIC AND HYDRAULIC ANALYSIS **(Approved.)**

BILLS FOR SECOND READING:

Bill No. 2745 – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 10, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE LIHU'E TOWN CORE URBAN DESIGN DISTRICT **(Approved.)**

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 KAUAI, 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.)**

Bill No. 2761 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 12, ARTICLE 2, KAUAI COUNTY CODE 1987, AS AMENDED, BY ADDING A NEW SECTION 12-2.4, RELATING TO TINY HOUSES **(Approved.)**

Bill No. 2762 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2019-856, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2019 THROUGH JUNE 30, 2020, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*Office of the Prosecuting Attorney, Victim Witness Counselor II Positions – \$23,069.00*) **(Approved.)**

Council Meeting Follow-up Memorandum to the Mayor

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Bill No. 2763 - A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNIT 13 BETWEEN JULY 1, 2019 AND JUNE 30, 2021 (***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*)