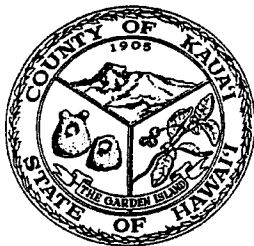


COUNTY COUNCIL

Arryl Kaneshiro, Chair
Ross Kagawa, Vice Chair
Arthur Brun
Mason K. Chock
Felicia Cowden
Luke A. Evslin
KipuKai Kualii'i



OFFICE OF THE COUNTY CLERK

Jade K. Fountain-Tanigawa, County Clerk
Scott K. Sato, Deputy County Clerk

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

MEMORANDUM

March 12, 2020

TO: Derek S.K. Kawakami, Mayor
FROM: Arryl Kaneshiro, Council Chair *AK*
RE: **MARCH 11, 2020 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its March 11, 2020 Council Meeting:

CONSENT CALENDAR:

C 2020-61 Communication (02/07/2020) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Gregory A. Kamm to the Board of Water Supply – Term ending 12/31/2022. *(Received for the Record.)*

C 2020-62 Communication (02/07/2020) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Laurie L. K. Yoshida to the Salary Commission – Term ending 12/31/2022. *(Received for the Record.)*

C 2020-63 Communication (02/19/2020) from the Director of Finance, transmitting for Council information, the Period 5 Financial Reports – Statement of Revenues, Statement of Expenditures and Encumbrances, Revenue Report, and Detailed Budget Report as of November 30, 2019, pursuant to Section 21 of Ordinance No. B-2019-856, relating to the Operating Budget of the County of Kaua'i for Fiscal Year 2019-2020. *(Received for the Record.)*

COMMUNICATIONS:

C 2020-57 Communication (02/10/2020) from the Director of Economic Development, requesting Council approval to apply for, receive, and expend funds from the United States Department of Agriculture Rural Business Development Grant, in the amount of \$100,000.00, to provide assistance in market analysis, financial projections, branding, and technical support for ten (10) to twelve (12) businesses on Kaua'i. *(Approved.)*

Council Meeting Follow-up Memorandum to the Mayor

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C 2020-64 Communication (01/31/2020) from Darcie Yukimura, Chair of the Committee on the Status of Women, requesting Council approval to apply for, receive, and expend funds in the amount of \$10,000.00, from the Hawai'i State Commission on the Status of Women, and to indemnify the State of Hawai'i, to support ongoing advocacy and a variety of activities planned for Fiscal Year 2020-2021, including but not limited to, a Human Trafficking Forum/Next Steps, Breast Cancer Awareness Month, Career Day (a day-long mentoring program for girls), and more. ***(Approved.)***

C 2020-65 Communication (02/11/2020) from Ka'aina S. Hull, Clerk of the Planning Commission, transmitting the Planning Commission's recommendation to amend Chapter 8, Kaua'i County Code 1987, as amended, relating to definitions of "applicant" and "owner." ***(Received for the Record.)***

C 2020-66 Communication (02/12/2020) from the Prosecuting Attorney, requesting Council approval to receive and expend additional Federal Funds in the amount of \$21,212.00, and to indemnify the State of Hawai'i, Department of the Attorney General, to be used for salaries/wages and training for the Domestic Violence Prosecution Unit. The term of the contract will be extended from March 31, 2020 to June 30, 2020. ***(Approved.)***

C 2020-67 Communication (02/18/2020) from the Prosecuting Attorney, requesting Council approval to apply for, receive, and expend Federal Highway Safety funds from the State of Hawai'i Department of Transportation (HDOT), in the amount of \$183,450.00, and to indemnify HDOT, for the continued funding of one (1) Full-Time Equivalent (FTE) Traffic Safety Resource Prosecutor (TSRP), and travel and training for the TSRP and one (1) Deputy Prosecuting Attorney handling vehicular crimes. This is a recurring grant and funds will be utilized for the term commencing October 1, 2020 to September 30, 2021. ***(Approved.)***

C 2020-68 Communication (02/19/2020) from Dr. Janet M. Berreman, Kaua'i District Health Officer, State of Hawai'i, Department of Health, requesting agenda time to provide a briefing on Tropic Care 2020. ***(Received for the Record.)***

C 2020-69 Communication (02/20/2020) from Nalani K. Kaauwai Brun, Acting Director of Economic Development, requesting Council approval to apply for, receive, and expend United States Department of Labor funds in the amount of \$271,669.00 from the State of Hawai'i Department of Labor, and to indemnify the State of Hawai'i Department of Labor, for the Kaua'i Workforce Development Board – Workforce Innovation & Opportunities Act (WIOA) programs to include the Adult Program, Dislocated Worker Program, Youth Program, and administrative costs. ***(Approved.)***

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C 2020-70 Communication (02/25/2020) from Ka'āina S. Hull, Clerk of the Planning Commission, transmitting the Planning Commission's recommendation to amend Section 8-4.3(d), Kaua'i County Code 1987, as amended, relating to the lot coverage standards for development of properties within the "R-10" and "R-20" Zoning Districts. *(Received for the Record.)*

C 2020-71 Communication (02/27/2020) from the County Attorney, requesting Council authorization to expend additional funds up to \$200,000.00, 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 2020-72 Communication (03/05/2020) from the Mayor, transmitting for Council consideration, a proposed Emergency Ordinance pursuant to Charter Sections 4.02K and 18.02, in the amount of \$2,000,000.00 from the Reserve Fund (Disaster Response), which will be used to fund emergency expenditures related to the Novel Coronavirus COVID-19. *(Received for the Record.)*

LEGAL DOCUMENT:

C 2020-73 Communication (02/10/2020) from the Deputy County Engineer, recommending Council approval of the following Property Adjustment Agreements for the clearing of debris and dredged material from the Waihohonu Stream:

- Property Adjustment Agreement by and between the County of Kaua'i and Haupū Land Company, LLC, Tax Map Key (TMK) No. (4) 2-8-002-001;
- Property Adjustment Agreement by and between the County of Kaua'i and Waihohonu c/o Grove Farm Properties, Inc., TMK No. (4) 2-8-004-001; and
- Property Adjustment Agreement by and between the County of Kaua'i and Eric A. Knudsen Trust, TMK No. (4) 2-8-004-003; and
- Property Adjustment Agreement by and between the County of Kaua'i and DWI Properties Family LP, TMK No. (4) 2-8-005-002. *(Approved.)*

CLAIMS:

C 2020-74 Communication (02/10/2020) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Madalyn Rutschman, 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.)*

Council Meeting Follow-up Memorandum to the Mayor

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C 2020-75 Communication (02/12/2020) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Nathaniel Adams, 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 2020-76 Communication (02/18/2020) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Liberty Mutual Fire Insurance Company as subrogee for Richard McClain, for damage to his property, 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 2020-77 Communication (02/20/2020) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Arthur Hernandez, 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.)***

C 2020-78 Communication (02/21/2020) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Thomas Gatehouse, 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.)***

C 2020-79 Communication (03/02/2020) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Cody Zimmerman, 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 2020-80 Communication (03/02/2020) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Viking Billing Service/Hertz Rental Car, for damage to their 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.)***

COMMITTEE REPORTS: APPROVED.

RESOLUTIONS:

Resolution No. 2020-14 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE BOARD OF WATER SUPPLY *(Gregory A. Kamm)*
(Approved.)

Resolution No. 2020-15 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE SALARY COMMISSION (*Laurie L. K. Yoshida*) **(Approved.)**

EMERGENCY BILL:

Proposed Draft Bill (No. 2776) – AN EMERGENCY 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, FOR THE PURPOSE OF FUNDING EMERGENCY EXPENDITURES TO MEET THE PUBLIC EMERGENCY CAUSED BY THE NOVEL CORONAVIRUS “COVID-19,” BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*Novel Coronavirus “COVID-19” – \$2,000,000*) **(Approved.)**

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2777) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO DEFINITIONS (*County of Kauai Planning Department, Applicant*) (ZA-2016-3) **(Approved on 1st reading, Public Hearing scheduled for April 8, 2020, and referred to the Planning Committee.)**

Proposed Draft Bill (No. 2778) – A BILL FOR AN ORDINANCE AMENDING SECTION 8-4.3(d), KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO DEVELOPMENT STANDARDS FOR RESIDENTIAL STRUCTURES NOT INVOLVING THE SUBDIVISION OF LAND (*County of Kauai Planning Department, Applicant*) (ZA-2020-13) **(Approved on 1st reading, Public Hearing scheduled for April 8, 2020, and referred to the Planning Committee.)**

BILLS FOR SECOND READING:

Bill No. 2770 – 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 SOLID WASTE FUND (*Kekaha Landfill Transition Funding and Equipment – \$1,312,000.00*) **(Approved.)**

Bill No. 2771 – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNIT 3 BETWEEN JULY 1, 2019 AND JUNE 30, 2021 **(Approved.)**

Council Meeting Follow-up Memorandum to the Mayor

March 12, 2020

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Bill No. 2772 – 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 GENERAL FUND (*Kapa'a Swimming Pool Renovation (Operating Budget) – \$750,000.00*) (**Approved.**)

Bill No. 2773 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2019-857, AS AMENDED, RELATING TO THE CAPITAL 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 GENERAL FUND-CIP (*Kapa'a Swimming Pool Renovation (CIP Budget) – \$1,000,000.00*) (**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*)